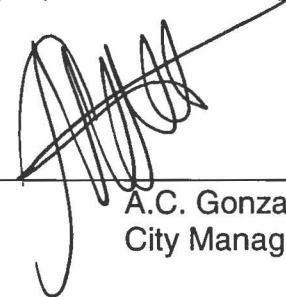


**NOVEMBER 10, 2015 CITY COUNCIL AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated November 10, 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

10/30/15
Date



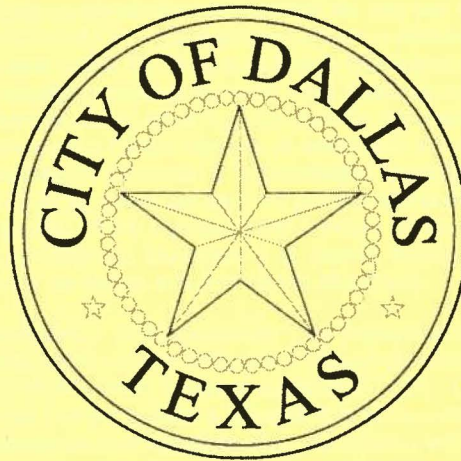
Jeanne Chipperfield
Chief Financial Officer

10/30/2015
Date

RECEIVED

2015 OCT 30 PM 5:53

CITY OF DALLAS
DALLAS, TEXAS



COUNCIL AGENDA

November 10, 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
TUESDAY, NOVEMBER 10, 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 - 55

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 56 - 64

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 65 - 88

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

AGENDA
CITY COUNCIL MEETING
NOVEMBER 10, 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 October 28, 2015 City Council Meeting

CONSENT AGENDA

Aviation

**Lease buy-out and assignment of lease
at Dallas Love Field**

Note: Item Nos. 2 and 3
must be considered collectively.

2. * Authorize a lease buy-out and purchase agreement with Sandra Sue Owens Tucker for that certain lease of land at Dallas Love Field entered into on March 25, 1968 by and between the City of Dallas and Airfreight Expediting Service as authorized by Resolution No. 68-1549 - Not to exceed \$741,256 - Financing: Aviation Current Funds (\$741,256) and Revenue Foregone (\$455,757)
3. * Authorize the assignment of all of Sandra Sue Owens Tucker's rights, title and interest between Ms. Tucker and the Hertz Corporation, (Acct. #A507000069) and EAN Holdings dba Enterprise Car Rental (Acct. #507008802), the current sublease tenants at the leased premises, to the City of Dallas through the remainder of their current lease terms, expiring July 23, 2018 and November 11, 2018 respectively - Revenue: \$826,941

CONSENT AGENDA (Continued)**Business Development & Procurement Services****Professional Radio Engineering Services
for a New P25 Compliant Trunk Radio System**

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

4. * Authorize **(1)** the receipt and deposit of funds from Dallas County in the amount of \$194,895; and **(2)** an increase in appropriations in the amount of \$194,895 in the Capital Projects Reimbursement Fund - Not to exceed \$194,895 - Financing: Capital Projects Reimbursement Funds
5. * Authorize a service contract for professional radio engineering services to assist the City with the vendor evaluation and vendor selection process for a new P25 compliant trunk radio system - Black & Veatch Corporation, formerly RCC Consultants, Inc. - Not to exceed \$779,577 - Financing: Current Funds (\$584,682) and Capital Projects Reimbursement Funds (\$194,895)
6. Authorize a two-year service contract for the maintenance and repair of gymnasium floors at thirty-four recreation centers - Jellison, Inc. dba Jelco, lowest responsible bidder of six - Not to exceed \$243,398 - Financing: Park and Recreation Program Funds (subject to appropriations)
7. Authorize a three-year consultant services contract for airport financial and related management consulting services for Aviation - Unison Consulting, Inc., most advantageous proposer of three - Not to exceed \$324,788 - Financing: Aviation Current Funds (subject to annual appropriations)
8. Authorize a three-year service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas - Good Earth Corporation, lowest responsible bidder of three - Not to exceed \$9,464,660 - Financing: Current Funds (subject to annual appropriations)
9. Authorize a three-year service contract for televised sewer inspection, maintenance and repair services - RKM Utility Services, Inc., lowest responsible bidder of two - Not to exceed \$4,760,750 - Financing: Water Utilities Capital Construction Funds (subject to appropriations)
10. Authorize a three-year service contract for the rental of uniforms - G&K Services, through the Texas Association of School Boards (BuyBoard) - Not to exceed \$458,304 - Financing: Current Funds (\$265,637), Sanitation Current Funds (\$165,011), Water Utilities Current Funds (\$24,952) and Aviation Current Funds (\$2,704) (subject to annual appropriations)
11. Authorize **(1)** the purchase of bio-filter organic materials - MTR Enviro-Construction, Inc. in the amount of \$206,800; and **(2)** a service contract for liner repair services at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC in the amount of \$68,000, lowest responsible bidders of four - Total not to exceed \$274,800 - Financing: Water Utilities Capital Construction Funds

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

12. Authorize settlement of the lawsuit styled Farzam R. Nejad v. City of Dallas, Cause No. DC-15-01586-A - Not to exceed \$70,000 - Financing: Current Funds

Economic Development

13. Authorize amendments to Resolution Nos. 14-1275 and 14-1276 previously approved on August 13, 2014 to: **(1)** extend the Certificate of Occupancy and construction completion deadlines for the Mid Elm Lofts redevelopment project from June 30, 2016 to June 30, 2017; and **(2)** revise the development entity from RREAF Holdings, LLC to Mid Elm TIF, Inc. - Financing: No cost consideration to the City

Housing/Community Services

14. Authorize **(1)** the sale of one vacant lot located at 2028 McBroom Street from the Dallas Housing Acquisition and Development Corporation to Francisco Chavez; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City
15. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by AAA Properties for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to AAA Properties; and **(3)** execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City - Financing: No cost consideration to the City
16. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by G&G Restoration Solutions LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to G&G Restoration Solutions LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City
17. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of affordable houses; **(2)** the sale of 3 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to KW New Vision Properties and Land, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City - Financing: No cost consideration to the City
18. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Lakee Group LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Lakee Group LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City

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

19. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Pace Homes Inc. for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Pace Homes Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City
20. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by SOS Custom Homes, Inc. for the construction of affordable houses; **(2)** the sale of 3 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to SOS Custom Homes, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City - Financing: No cost consideration to the City
21. Authorize a contract with Open Arms, Inc. dba Bryan's House for child care services for special needs children for the period October 1, 2015 through September 30, 2016 - Not to exceed \$55,000 - Financing: 2015-16 Community Development Block Grant Funds
22. Authorize a contract with Senior Citizens of Greater Dallas, Inc. to provide senior service programs for seniors aged 60 and above for one or more of the following three categories: **(1)** Senior Outreach Program in West Oak Cliff Area; **(2)** Nursing Home Ombudsman Program; and **(3)** Outreach and Case Management Program with special emphasis on Spanish-speaking seniors for the period October 1, 2015 through September 30, 2016 - Not to exceed \$161,049 - Financing: 2015-16 Community Development Block Grant Funds (\$73,049) and Current Funds (\$88,000)
23. Authorize a contract with Vogel Alcove for child care services for homeless families for the period October 1, 2015 through September 30, 2016 - Not to exceed \$125,129 - Financing: 2015-16 Community Development Block Grant Funds (\$94,129) and Current Funds (\$31,000)
24. Authorize a Memorandum of Understanding between the City of Dallas and Unlocking DOORS, Inc. dba DOORS, to: **(1)** collect and report evidence-based data regarding re-entry rates and recidivism by zip codes/City Councilmember districts; and **(2)** measure the risks and needs of ex-offenders referred to DOORS by the City of Dallas, Homeless Services Program using the Texas Risk Assessment Supplemental Tool (TRAS) for the period January 1, 2016 through December 31, 2016 - Not to exceed \$50,000 - Financing: Current Funds (subject to appropriations)
25. Authorize **(1)** an amendment to Resolution No. 01-2049, previously approved on June 27, 2001, for a forgivable loan agreement with Operation Relief Center to: **(a)** permit affordable rental housing in addition to affordable housing for sale, **(b)** extend the completion deadline to December 31, 2014; and **(2)** a release of lien for the remaining lots for market rate housing - Financing: No cost consideration to the City

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

26. Authorize Supplemental Agreement No. 1 to amend Resolution No. 14-1794, previously approved on October 22, 2014, for a secured, no interest, forgivable loan in the amount of \$67,613 to Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor for non-substantial rehabilitation at Spencer Gardens located at 717 Comal Street, to: **(1)** extend the completion date for the rehabilitation and the maturity date of the note to March 31, 2016; and **(2)** change the scope of work on the water heater component of the rehabilitation project - Financing: No cost consideration to the City
27. Authorize **(1)** an amendment to Resolution No. 15-0989, previously approved on May 27, 2015, for a housing development loan in an amount not to exceed \$225,000 with Builders of Hope CDC to: **(a)** forgive the debt as each unit is sold to a low-income homebuyer at or below 80% of Area Median Family Income; and **(2)** an agreement with the Texas State Affordable Housing Corporation (Lessor), in lieu of requiring the Lessor to file a Deed of Trust in favor of the City against the lots for the Creekside Project located on Oak Garden Trail - Financing: No cost consideration to the City
28. Authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed sale of four unimproved properties (list attached) acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

Human Resources

29. Authorize a contract with Dallas Area Rapid Transit for the purchase of 253 annual passes in support of the City's clean air initiative - Not to exceed \$160,200 - Financing: Current Funds (to be partially reimbursed by participating employees)

Intergovernmental Services

30. An ordinance amending Chapter 2 of the Dallas City Code to: **(1)** create the Youth Commission of the City; and **(2)** provide for the Commission's membership and duties - Financing: This action has no cost consideration to the City

Park & Recreation

31. Authorize a five-year beautification and maintenance agreement, with one five-year renewal option, with Uptown Dallas, Inc. at Anita Harris Phelps Park located at 2200 Cedar Springs Road - Financing: No cost consideration to the City

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

32. Authorize **(1)** the receipt and deposit of funds in the amount of \$381,348 in the Buckner Park Fund; **(2)** the establishment of appropriations in the Buckner Park Fund in the amount of \$381,348; and **(3)** a development agreement with the Dallas Independent School District (DISD) providing for: **(a)** the sale of approximately 1.06 acres of Buckner Park to DISD; **(b)** the design, construction, and maintenance of improvements of Buckner Park; **(c)** the design and construction of parking and driveway improvements at Buckner Park located at 4550 Worth Street - Revenue: \$381,348
33. Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$394,098 - Financing: Current Funds
34. Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2016 through December 31, 2016 - Not to exceed \$58,949 - Financing: Current Funds
35. Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$145,862 - Financing: Current Funds
36. Authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed use of a portion of Bishop Flores Park located at 2200 Talleyho Lane, consisting of approximately 74,698 square feet of land, by Atmos Energy Corporation for an energy easement - Financing: No cost consideration to the City

Planning and Urban Design

37. A resolution to reaffirm City Council support for twelve transportation improvement projects and to cancel two transportation improvement projects identified in the Regional Transportation Council's Milestone Projects Policy (list attached) - Financing: No cost consideration to the City

Public Works Department

38. Authorize a Master Interlocal Agreement with Dallas County pertaining to the coordination of responsibilities for transportation related maintenance on roadways within the City of Dallas - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Public Works Department (Continued)****State of Texas Energy Conservation
Office Loan Star Fund**

Note: Item Nos. 39 and 40
must be considered collectively.

39. * Authorize **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office Loan Star Fund in the amount of \$6,935,946, to be repaid plus interest, beginning in FY 2016-17 for a period of ten years from electric and natural gas energy savings; **(2)** the establishment of appropriations in the amount of \$6,935,946 in the State Energy Conservation Office Loan Star Fund; **(3)** Supplemental Agreement No. 1 to the contract with Pepco Energy Services for **(a)** construction of energy conservation related projects at eight City facilities in an amount not to exceed \$6,935,946 (list attached) and **(b)** measurement and verification for a period not to exceed ten years, in an amount not to exceed \$798,497 to be paid from electric and natural gas savings; **(4)** the acceptance and deposit in the Oncor Rebate Fund of rebates from Oncor Electric Delivery - Total not to exceed \$7,734,443 - Financing: State of Texas Energy Conservation Office Loan Star Funds (\$6,935,946) and Current Funds (\$798,497) (subject to annual appropriations)
40. * Authorize **(1)** the repayment of a loan from the State of Texas Energy Conservation Office over a ten year period, plus interest, using savings in the City's annual electricity and natural gas budgets - Total not to exceed \$7,685,946 - Financing: Current Funds - \$7,685,946 (subject to annual appropriations)
41. Authorize a construction contract with McCon Building and Petroleum Services, Inc., lowest responsible bidder of two, for the installation of above-ground fuel storage tanks at the Dallas Love Field Airport Maintenance Facility located at 3387 Hawes Avenue - Not to exceed \$299,393 - Financing: Aviation Capital Construction Funds
42. Authorize an increase in the contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way - Not to exceed \$799,846, from \$3,909,257 to \$4,709,103 - Financing: 2012 Bond Funds
43. Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements, including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$320,367, from \$12,363,947 to \$12,684,314 - Financing: 2009 Convention Center Revenue Bonds

CONSENT AGENDA (Continued)**Public Works Department (Continued)**

44. Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including reconfiguring basement entrances, reconstruction of planter boxes, replace drain lines and existing sump pumps to discharge stormwater, install new electrical panel, abate asbestos containing waterproofing at the exterior planters and exit ramp from the basement, additional repairs and or restoration of window sills and increase the height of window sills in the tile roof and installation of metal flashing to prevent water infiltration for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed \$784,284, from \$11,319,018 to \$12,103,302 - Financing: 1998 Bond Funds

Sanitation Services

45. Authorize an increase in the contract with Rehrig Pacific Company for the purchase of waste and recycling collection roll carts - Rehrig Pacific Company through the Houston-Galveston Area Council of Governments - Not to exceed \$122,600, from \$48,209 to \$170,809 - Financing: Sanitation Current Funds

Sustainable Development and Construction

46. Authorize the quitclaim of 92 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale to the highest bidders; and authorize the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached) - Revenue: \$738,309
47. Authorize an amendment for a five-year lease extension with Liam, Ltd., for approximately 5,030 square feet of office space located at 1050 North Westmoreland Road, Suite 316 for the Women, Infants and Children Clinic for the period December 1, 2015 through November 30, 2020 - Not to exceed \$442,640 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)
48. Authorize an amendment for a seven-year lease extension with ARI Forest Green Management, LLC for approximately 4,290 square feet of office space located at 11910 Greenville Avenue, Suite 100 for the Building Inspection's North Central Division office for the period November 1, 2015 through October 31, 2022 - Not to exceed \$516,217 - Financing: Building Inspection Current Funds (subject to annual appropriations)
49. Authorize an amendment to Resolution No. 13-0870, previously approved on May 22, 2013, for acquisition from Palestine Concrete Tile Company, LP, also known as Headwaters Construction Materials, LLC to increase the previously authorized amount for approximately 8,541 square feet of land located near the intersection of Chalk Hill Road and Interstate Highway 30 for the Chalk Hill Street Improvement Project - Not to exceed \$60,000, increased from \$53,512 (\$50,512, plus closing costs and title expenses not to exceed \$3,000) to \$113,512 (\$110,512 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

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

50. An ordinance abandoning a portion of a water easement to IMT Capital III Prestonwood LP, the abutting owner, containing approximately 12,366 square feet of land, located near the intersection of Arapaho Road and Dallas North Tollway, and providing for the dedication of approximately 18,037 square feet of land needed for a water easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

Trinity Watershed Management

51. Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional excavation for detention pond improvements, mobilization for completion of the stormwater box culvert, and additional material for stormwater pollution prevention for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project - Not to exceed \$171,493, from \$5,031,838 to \$5,203,331 - Financing: General Obligation Commercial Paper Funds
52. Authorize an increase in the construction contract with SJ Louis Construction of Texas, Ltd. for additional local drainage improvements and fiber optic cable relocation for the Rush Creek Diversion System and Drainage Improvements Project - Not to exceed \$464,264, from \$9,741,571 to \$10,205,835 - Financing: 2003 Bond Funds (\$144,260) and 2006 Bond Funds (\$320,004)

Water Utilities

53. Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study, and Zebra Mussel sampling and Water Quality study on each of the reservoirs in Dallas' water supply system from November 1, 2015 through September 30, 2016 - Not to exceed \$633,825 - Financing: Water Utilities Current Funds (subject to annual appropriations)
54. Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for the installation of a 48-inch wastewater main across U.S. Highway 75 (Central Expressway) just south of Park Central Plaza - Not to exceed \$819,488, from \$9,142,938 to \$9,962,426 - Financing: Water Utilities Capital Improvement Funds
55. Authorize Supplemental Agreement No. 2 to the professional services contract with CH2M HILL Engineers, Inc., to provide additional construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and the Walcrest Pump Station Improvements - Not to exceed \$3,111,029, from \$7,575,425 to \$10,686,454 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION**City Secretary's Office**

56. 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)

Business Development & Procurement Services

57. Authorize a three-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains - Fortiline, Inc. in the amount of \$606,850 or \$621,850 (Tie Bid Line 4), HD Supply Waterworks Ltd. in the amount of \$42,874 and Ferguson Enterprises, Inc. in the amount of \$0 or \$15,000 (Tie Bid - Line 4), lowest responsible bidders of three - Total not to exceed \$664,724 - Financing: Water Utilities Current Funds
58. Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 20, 21 and 22 for bid BM1546 for a three-year master agreement for the purchase of water meters, accessories and parts - Mueller Systems, LLC and Neptune Technology Group, Inc. - Financing: This action has no cost consideration to the City

ITEMS FOR FURTHER CONSIDERATION**Sustainable Development and Construction**

59. An ordinance granting a revocable license to CH Realty VI/R Dallas Preston Ctr, L.P., for the use of approximately 2,852 square feet of surface and aerial space to install and maintain a pedestrian skybridge and four support columns on and over a portion of Westchester Drive right-of-way located near its intersection with Berkshire Lane - Revenue: \$23,636 annually, plus the one-time \$20 ordinance publication fee

DESIGNATED PUBLIC SUBSIDY MATTERS**Economic Development****Cityplace Area TIF District**

Note: Item Nos. 60 and 61 must be considered collectively.

60. * Authorize a deadline extension for the Forest City West Village project located at 3700 McKinney Avenue in the Cityplace Area TIF District to: **(1)** extend project completion deadlines from December 31, 2014 to July 31, 2015 and **(2)** receive and deposit \$100,000 from Forest City Residential Group Inc., in the Cityplace Area TIF District Fund for additional Katy Trail improvements - Financing: Revenue
61. * Authorize **(1)** a development agreement with Friends of the Katy Trail Inc. in the amount of \$100,000 for additional Katy Trail improvements in furtherance of the Cityplace Area TIF District Project and Financing Plan; and **(2)** an increase in appropriations in the Cityplace Area TIF District Fund by \$100,000, from \$53,826,129 to \$53,926,129 - Not to exceed \$100,000 - Financing: Cityplace Area TIF District Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

62. Authorize a real property tax abatement agreement with TCDFW Industrial Development, Inc., for the purpose of granting an 8-year abatement of 75 percent of the taxes on added value to the real property for the development of a new 475,000 square feet speculative industrial/warehouse facility within a Texas Enterprise Zone located at 900 Chalk Hill Road, south of I-30 in Dallas, Texas, subject to TCDFW's purchase of the real property by January 10, 2016, in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$19,925; eight-year revenue estimated at \$159,400 (Estimated revenue forgone for the eight-year real property abatement estimated at \$478,200)
63. Authorize a second extension to the development agreement with Lynxette Exploration, LLC, previously approved on March 28, 2012, by Resolution No. 12-0962, in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) to extend the deadlines related to the completion of the Sylvan | Thirty project by one year; in consideration for the extension Lynxette Exploration, LLC shall **(1)** provide staff with a quarterly report of the project's outstanding items for submittal to the Fort Worth Avenue TIF Board; **(2)** annually request permission from TxDOT to complete the installation of the required landscaping and 7' sidewalk along the southern portion of the project site, and subsequent to receiving permission, must complete the work within the next immediate planting period and no later than 12 months from the date permission is granted; and **(3)** provide staff with documentation of TxDot's response to their annual request prior to the annual disbursement of TIF Reimbursement - Financing: No cost consideration to the City

Housing/Community Services

64. Authorize **(1)** preliminary adoption of Substantial Amendment No. 4 to the Neighborhood Stabilization Program Plan to receive and deposit program income in the amount of \$350,000; **(2)** an increase in appropriations in the amount of \$350,000 from \$4,000,000 to \$4,350,000 to be used for similar eligible activities; and **(3)** a public hearing to be held on December 9, 2015 to receive comments on Substantial Amendment No. 20 to the Neighborhood Stabilization Program Plan - Financing: No cost consideration to the City

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

65. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned FWMU-3 Form Walkable Mixed Use Subdistrict, Tract I within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District with an SH-3 Shop Front Overlay, on the east corner of South Lamar Street and South Boulevard
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z145-127(DL)
66. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District uses on property zoned a CR Community Retail District at the south corner of Piedmont Drive and Hillburn Drive
Recommendation of Staff and CPC: Approval, subject to a development plan, amenity plan and conditions
Z145-263(AF)
67. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for LO-1 uses and a mortuary, funeral home, or commercial wedding chapel use on property zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District with a D Overlay, on the northeast line of Webb Chapel Road and on the west line of Larga Drive, east of Webb Chapel Extension
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z145-264(SM)
68. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1473 for a public school on property zoned Planned Development District No. 521, in an area generally bounded by Fox Creek Trail, Wisdom Creek Drive, and Firethorn Drive
Recommendation of Staff and CPC: Approval for a permanent period, subject to a revised site plan, revised landscape plan, traffic management plan and conditions
Z145-296(WE)

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

69. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the boundaries of Specific Use Permit No. 1592 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned Planned Development District No. 870, northwest of the intersection of Easton Road and East Lake Highlands Drive
Recommendation of Staff and 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
Z145-302(OTH)
70. A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the southeast corner of Cullum Lane and Harry Hines Boulevard
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant
Z145-305(WE)
71. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Class A Dance hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest line of Travis Street, south of Knox Street
Recommendation of Staff and CPC: Approval for a four-year period, subject to a site plan, landscape plan and conditions
Z145-323(RB)
72. A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the west corner of South Carroll Avenue and Bute Street
Recommendation of Staff and CPC: Approval
Z145-330(OTH)

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

73. A public hearing to receive comments regarding a City Plan Commission authorized hearing for Planned Development District No. 463, with consideration being given to increasing the floor area for lodging and similar uses within the Tract III portion (Zone A and Zone B) of the Planned Development District, on property within the southwest quadrant of West Northwest Highway and North Central Expressway and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, revised Tract III (Zone A and Zone B) development plan, a Tract III (Zone A and Zone B) landscape plan, and conditions
Z145-203(RB)
74. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District on the southern corner of Gannon Lane and South Westmoreland Road
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z145-281(OTH)
75. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2052 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard
Recommendation of Staff: Approval for a four-year period, subject to conditions
Recommendation of CPC: Approval for a three-year period, subject to conditions
Z145-284(WE)

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

76. A public hearing to receive comments regarding an application for and an ordinance granting a new subarea and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less within Tract 2A, Subarea 1 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the northwest corner of Scyene Road and South Buckner Boulevard
Recommendation of Staff: Approval of a new subarea, subject to a development/landscape plan and conditions; and approval of a Specific Use Permit 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 of a new subarea, subject to a development/landscape plan and conditions; and approval of a Specific Use Permit for a one-year period, subject to a site plan and conditions
Z134-105(SM)
Note: This item was considered by the City Council at a public hearing on October 14, 2015, and was deferred until November 10, 2015
77. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property within the Tract 3 portion of Planned Development District No. 314, the Preston Center Special Purpose District, on both sides of Westchester Drive, south of Berkshire Lane
Recommendation of Staff: Approval for a forty-year period, subject to a site plan and conditions
Recommendation of CPC: Approval for a fifteen-year period, subject to a site plan and conditions
Z134-341(RB)
Note: This item was considered by the City Council at public hearings on May 27, 2015, June 10, 2015 and June 17, 2015, and was deferred until November 10, 2015
78. A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the southwest corner of Royal Lane and Brockbank Drive
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant
Z145-195(AF)
Note: This item was considered by the City Council at a public hearing on October 14, 2015, and was deferred until November 10, 2015

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

79. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the northwest corner of West Ledbetter Drive and South Hampton Road
Recommendation of Staff and CPC: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z145-257(CG)
Note: This item was considered by the City Council at public hearings on August 12, 2015, August 26, 2015, September 9, 2015, and October 14, 2015, and was deferred until November 10, 2015

DESIGNATED ZONING CASES - INDIVIDUAL

80. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District in the southeast quadrant of Averill Way and Preston Road
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z134-250(RB)
81. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Country club with private membership maintenance facility and R-16(A) Single Family District Uses on property zoned an R-16(A) Single Family District on the north line of Alpha Road, east of Hughes Lane
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan, landscape and tree mitigation plan, and conditions
Z145-214(RB)
82. A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District and a Planned Development District for multifamily residential uses on property zoned an MF-2(A) Multifamily District and Planned Development District No. 914 in an area generally bounded by North Fitzhugh Avenue, Chambers Street, North Garrett Avenue, Moser Avenue and Monarch Street
Recommendation of Staff and CPC: Approval of an MF-2(A) Multifamily District; and approval of a Planned Development District, subject to a development plan and conditions
Z145-238(WE)

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

83. A public hearing to receive comments regarding an application for and an ordinance granting the removal of the D-1 Liquor Control Overlay on property zoned an RR Regional Retail District with consideration being given to 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 the northeast corner of Samuell Boulevard and South Buckner Boulevard
Recommendation of Staff: Denial of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit 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 of a D-1 Liquor Control Overlay; and denial of a Specific Use Permit
Z145-325(OTH)
84. A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine the proper zoning on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7, in an area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8th Street, Davis Street, Zang Boulevard, both sides of West 8th Street, North Adams Avenue, properties on the south side of West 7th Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5th Street, and Zang Boulevard with consideration given to a zoning category that would allow for a historic building demolition delay and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
Recommendation of Landmark Commission: Approval
Z145-341(ND)

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

85. A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine the proper zoning on property zoned an A(A) Agriculture District, a CA-1(A) Central Area District, a CA-2(A) Central Area District, a CR Community Retail District, a CS Commercial Services District, a GR General Retail District, an IM Industrial Manufacturing District, an IR Industrial Research District, an LO-3 Limited Office District, an MC-3 Multiple Commercial District, an MF-2 Multiple Family District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-3 Mixed Use District, an NO(A) Neighborhood Office District, a P(A) Parking District, WMU-5 Walkable Mixed Use District, WR-5 Walkable Residential District; Planned Development District No. 9, Planned Development District No. 145, Planned Development District No. 153, a portion of Planned Development District No. 174, Planned Development District No. 183, Planned Development District No. 184, Planned Development District No. 190, a portion of Planned Development District No. 193 - CA-2 Central Area, GR General Retail, HC Heavy Commercial, I-2 Industrial, I-3 Industrial, LC Light Commercial, MF-2 Multiple Family, MF-3 Multiple Family, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 2, No. 6, No. 7, No. 8, No. 11, No. 13, No. 15, No. 16, No. 23, No. 24, No. 34, No. 35, No. 39, No. 45, No. 49, No. 50, No. 52, No. 53, No. 54, No. 58, No. 64, No. 66, No. 68, No. 74, No. 77, No. 79, No. 83, No. 85, No. 86, No. 87, No. 88, No. 93, No. 94, No. 95, No. 96, No. 98, No. 103, No. 108, No. 111, and No. 113; Planned Development District No. 201, Planned Development District No. 225, a portion of Planned Development District No. 269, a portion of Planned Development District No. 298, a portion of Planned Development District No. 305, Planned Development District No. 317, Planned Development District No. 330, Planned Development District No. 334, Planned Development District No. 339, Planned Development District No. 346, Planned Development District No. 357, Planned Development District No. 358, Planned Development District No. 363, Planned Development District No. 372, Planned Development District No. 375, Planned Development District No. 442, Planned Development District No. 466, a portion of Planned Development District No. 468, Planned Development District No. 473, Planned Development District No. 513, Planned Development District No. 582, Planned Development District No. 594, a portion of Planned Development District No. 595 [a CC Community Commercial, an FWMU-3 Form Walkable Mixed Use, an MF-1(A) Multifamily, an MF-2(A) Multifamily, an NC Neighborhood Commercial, a P Parking, an RS-C Regional Service-Commercial, an RS-I Regional Service-Industrial, an RS-I(E) Regional Service-Industrial Enhanced, an RS-MU Regional Service-Mixed Use, an RS-MU(E) Regional Service-Mixed Use Enhanced Subdistricts], Planned Development District No. 619, Planned Development District No. 621, Planned Development District No. 708, Planned Development District No. 715, Planned Development District No. 749, Planned Development District No. 747, Planned Development District No. 774, Planned Development District No. 784, Planned Development District No. 800, Planned Development District No. 841, Planned Development District No. 857, Planned Development District No. 871, Planned Development District No. 877 in an area generally bound by Haskell Avenue, R.L.

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

85. (Continued)

Thornton Freeway, 2nd Avenue, Al Lipscomb Way, Trinity River, Express Street, Stemmons Freeway, and Cole Avenue with consideration given to a zoning category that would allow for a historic building demolition delay and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

Recommendation of Landmark Commission: Approval

Z145-342(ND)

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

86. A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Planned Development District No. 812 and the creation of a new tract for mixed uses on property zoned an R-5(A) Single Family District and a CR Community Retail District at the southeast corner of East 11th Street and Fran Way

Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions

Z145-247(AF)

Note: This item was considered by the City Council at a public hearing on October 14, 2015, and was deferred until November 10, 2015

BENEFIT ASSESSMENT HEARINGS**Public Works Department****Street Improvement, Benefit Assessment Hearing, and Material Testing for Chalk Hill Road**

Note: Item Nos. 87 and 88 must be considered collectively.

87. * A benefit assessment hearing to receive comments on street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of I-30; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Pavecon Public Works LP, lowest responsible bidder of two - Not to exceed \$9,099,663 - Financing: 2012 Bond Funds (\$3,908,191), General Obligation Commercial Paper Funds (\$4,415,167), Water Utilities Capital Construction Funds (\$64,372), and Water Utilities Capital Improvement Funds (\$711,933)
88. * Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 - Not to exceed \$90,925 - Financing: 2006 Bond Funds (\$90,925)

**Land Bank (DHADC) Sale of Lots to
AAA Properties**
Agenda Item # 15

<u>Property Address</u>	<u>Mapsko</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2926 Alabama	54Z	4	\$12,933.39
2. 2939 Alabama	54Z	4	\$16,003.77

**Land Bank (DHADC) Sale of Lots to
G&G Restoration Solutions LLC**
Agenda Item # 16

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1923 Canada	44E	6	\$ 9,424.96
2. 2705 Cleveland	45Z	7	\$ 6,652.92
3. 3918 Copeland	46V	7	\$10,345.17
4. 1103 Church	55A	4	\$20,789.17

**Land Bank (DHADC) Sale of Lots to
KW New Vision Properties and Land, Inc.**
Agenda Item # 17

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2722 Alabama	54V	4	\$15,427.01
2. 811 Martinique	46D	2	\$ 6,177.53
3. 2927 Alaska	55W	4	\$ 6,070.76

**Land Bank (DHADC) Sale of Lots to
Lakee Group LLC
Agenda Item # 18**

<u>Property Address</u>	<u>Mapsc</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 608 Graham	46G	2	\$13,170.59
2. 5102 Terry	46G	2	\$14,962.93
3. 627 Jonelle	57R	5	\$ 9,222.45
4. 2610 Britton	55T	4	\$ 6,456.95

**Land Bank (DHADC) Sale of Lots to
Pace Homes Inc.**
Agenda Item # 19

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 805 Bayonne	44P	6	\$27,762.37

**Land Bank (DHADC) Sale of Lots to
SOS Custom Homes, Inc.**
Agenda Item # 20

<u>Property Address</u>	<u>Mapsc</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1518 Bickers	44J	6	\$16,204.32
2. 4143 Hammerly	42H	6	\$12,591.23
3. 2626 Lapsley	42P	6	\$19,444.69

Tax Foreclosure and Seizure Property Resale
Agenda Item # 28

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Amount</u>	<u>Sale Amount</u>	<u>Vac/ Imp</u>	<u>Zoning</u>
1.	4648 Stokes	Dallas Neighborhood Alliance for Habitat, Inc.	56V	\$2,000	\$1,000.00	V	R-5(A)
2.	4516 Luzon	Dallas Neighborhood Alliance for Habitat, Inc.	56Z	\$2,000	\$1,000.00	V	CS
3.	3627 Spring	Dallas Neighborhood Alliance for Habitat, Inc.	46V	\$3,250	\$1,000.00	V	PD-595
4.	3619 Spring	Dallas Neighborhood Alliance for Habitat, Inc.	46V	\$3,750	\$1,000.00	V	PD-595

Regional Transportation Council (RTC) Milestone Policy Projects
Agenda Item # 37

Projects Recommended for Support

Lemmon Avenue at Bluffview Boulevard - intersection improvement (District 2)
Park Lane at US 75 (Central Expressway) - intersection improvement (District 13)
Valley View Lane/Walnut Street from Greenville Avenue to Forest Ridge Drive - intersection improvements (District 10)
Denton Drive from Walnut Hill Lane to Royal Lane - complete street (District 6)
Medical District Drive from I-35E (Stemmons Freeway) to Harry Hines Boulevard - roadway widening (District 2)
Katy Trail Phase VI from Ellsworth Avenue to Worcola Street - trail and bridge (District 14)
Hatcher Street (Dolphin Road) from Spring Avenue to Haskell Avenue/Military Parkway - add a median (District 7)
KCS Railroad from Highland Road to Santa Anna Avenue - quiet zone at eight crossings (District 9)
Intersection Safety Program - low cost safety improvements (Districts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13 and 14)
Signal Improvement Program - signal retiming and vehicle detection (Districts 2, 7, 9, 10 and 14)
Northwest Highway at Jupiter Road - signal and pedestrian improvement (Districts 9 and 10)
Northwest Highway at Plano Road - signal and pedestrian improvement (Districts 9 and 10)

Projects Recommended for Cancellation

Lemmon Avenue from Bluffview Boulevard to Airdrome Drive - roadway widening (District 2)
Harry Hines Boulevard at Mockingbird Lane - intersection improvement (District 2)

City Facilities
Agenda Item # 39

<u>Bldg</u>	<u>Building Name</u>	<u>Address</u>	<u>District</u>	<u>Mapsco</u>
1	Meyerson Symphony Center	2301 Flora St.	14	45F/G
2	Music Hall at Fair Park	909 1st Ave.	7	46K
3	WRR Radio Studio	1516 1st Ave.	7	46Q
4	Latino Cultural Center	2600 Live Oak St.	14	45L
5	Oak Cliff Cultural Center	223 W Jefferson Blvd.	1	54H
6	South Dallas Cultural Center	3400 S Fitzhugh Ave.	7	46U
7	Bath House	521 E Lawther Dr.	9	37H
8	Dallas Museum of Art	1717 N Harwood	14	45K

Tax Foreclosed and Seizure Warrant Property Resales

Agenda Item # 46

<u>Parcel No.</u>	<u>Address</u>	<u>Vac/ Imp</u>	<u>Council District</u>	<u>Zoning</u>	<u>Parcel Size</u>	<u>Struck off Amount</u>	<u># Bids Rec'd</u>	<u>Min Bid Amount</u>	<u>Highest Bid Amount</u>	<u>DCAD</u>	<u>Highest Bidder</u>
1	3302 Alabama	V	4	R-7.5(A)	.1843	\$15,513.00	1	\$1,000.00	\$3,999.00	\$38,560.00	Laquonda Brewer
2	2715 Alamain	V	8	R-7.5(A)	.4688	\$18,500.00	1	\$1,000.00	\$3,080.00	\$18,500.00	Maria Cristina Ospina
3	2723 Alamain	V	8	R-7.5(A)	.4683	\$18,500.00	1	\$1,000.00	\$4,080.00	\$18,500.00	Maria Cristina Ospina
4	1966 Angelina	V	6	R-5(A)	.1235	\$2,059.00	11	\$1,000.00	\$4,850.00	\$8,610.00	Nextlots Now L.L.C
5	403 S. Barnett	I	1	R-7.5(A)	.3900	\$79,290.00	26	\$6,000.00	\$55,999.99	\$68,920.00	Grimaldo Sanchez
6	9320 Beckleyview	V	8	R-7.5(A)	.4106	\$19,063.00	7	\$2,000.00	\$10,100.00	\$15,380.00	Walter Huerta
7	2046 Berwick	I	4	R-7.5(A)	.1695	\$59,080.00	17	\$10,000.00	\$35,500.00	\$55,420.00	Yufei Wang
8	542 Bethpage	V	5	R-7.5(A)	.1397	\$23,900.00	3	\$500.00	\$2,199.50	\$15,000.00	Kantering, LLC
9	3217 Birmingham	V	7	MF-2(A)	.0320	\$1,250.00	1	\$250.00	\$300.00	\$1,250.00	Christina Martinez
10	5711 Bon Air	V	8	R-7.5(A)	.2754	\$9,599.00	2	\$250.00	\$1,059.00	\$12,000.00	Anthony Boyd
11	5707 Bon Air	V	8	R-7.5(A)	.2754	\$11,773.00	2	\$250.00	\$1,059.00	\$12,000.00	Anthony Boyd
12	434 Bonnie View	V	4	R-5(A)	.0940	\$1,449.00	6	\$500.00	\$2,626.00	\$9,500.00	Adia Partnership, LLC
13	405 Bonnieview	V	4	R-5(A)	.1531	\$1,784.00	2	\$500.00	\$2,626.00	\$5,000.00	Adia Partnership, LLC
14	2715 Britton	V	4	R-7.5(A)	.2091	\$2,130.00	5	\$1,000.00	\$3,899.50	\$11,000.00	Kantering, LLC
15	2416 Britton	V	4	R -7.5(A)	.3120	\$2,170.00	7	\$2,000.00	\$7,100.00	\$13,750.00	Citywide Development & Construction. LLC
16	7743 Brownsville	V	7	R-5(A)	.1721	\$2,000.00	1	\$500.00	\$533.00	\$2,000.00	Sabrina Sutton
17	1542 Caldwell	V	7	D(A)	.1247	\$5,440.00	2	\$1,000.00	\$3,875.00	\$5,440.00	Nextlots Now L.L.C
18	1615 Caldwell	V	7	D(A)	.0846	\$3,690.00	2	\$1,000.00	\$2,975.00	\$3,690.00	Nextlots Now L.L.C
19	5908 Carlton Garrett	V	7	PD-595	.1147	\$1,294.00	1	\$1,000.00	\$3,001.00	\$4,000.00	Daporscha Kelley
20	3531 Carpenter	V	7	PD-595	.1204	\$2,314.00	2	\$250.00	\$500.00	\$2,620.00	GCJS Enterprises, LLC
21	1446 Carson	V	4	R-7.5(A)	.1845	\$1,676.00	2	\$250.00	\$1,850.00	\$11,500.00	Benito Mojica
22	1422 Claude	V	4	R-5(A)	.1721	\$1,303.00	2	\$250.00	\$2,420.00	\$4,500.00	Benito Mojica
23	5024 Colonial	I	7	PD-595	.1607	\$13,091.00	1	\$6,000.00	\$10,101.00	\$17,920.00	Meljo IRA LLC
24	4827 Cowan	V	2	R-7.5(A)	.1721	\$47,000.00	18	\$1,000.00	\$78,100.00	\$42,000.00	Vernell L. Gorelick
25	2415 Dathe	I	7	PD-595	.1215	\$23,370.00	4	\$6,000.00	\$12,500.00	\$23,370.00	Jose Zarasoza
26	4631 S. Denley	V	4	R-7.5(A)	.2426	\$1,639.00	4	\$500.00	\$3,799.00	\$9,000.00	Anthony Boyd
27	1341 Dryden	I	4	R-7.5(A)	.1270	\$20,325.00	4	\$10,000.00	\$13,890.00	\$37,290.00	Joshua Dunlap
28	314 Du Bois	I	4	R-5(A)	.1234	\$22,697.00	8	\$10,000.00	\$21,100.00	\$28,540.00	Portillo Investments LLC
29	3402 Edgewood	V	7	PD-595	.1495	\$6,000.00	3	\$500.00	\$2,265.00	\$6,000.00	Adia Partnership, LLC
30	3203 Eisenhower	V	4	R-7.5(A)	.1753	\$11,050.00	3	\$1,000.00	\$6,200.00	\$11,050.00	Citywide Development & Construction. LLC
31	4048 Esmalda	V	6	R-5(A)	.1458	\$11,071.00	5	\$1,000.00	\$5,000.00	\$12,000.00	Mireya Ontiveros
32	3407 Forney	V	2	CS	.0797	\$4,350.00	4	\$1,000.00	\$6,700.00	\$4,350.00	John Aguebor
33	5342 Forney	I	7	PF-323	.1434	\$15,324.00	5	\$6,000.00	\$21,100.00	\$27,900.00	Monica R. Raofpur
34	1723 Garza	V	4	R-7.5(A)	.1926	\$1,678.00	6	\$250.00	\$3,999.00	\$10,000.00	Wealthgates Investment Company
35	3526 Gibsondehl	V	1	R-7.5(A)	.1377	\$18,598.00	9	\$1,000.00	\$19,500.00	\$26,500.00	Felipe Guel
36	4239 Gladewater	V	4	R-7.5(A)	.3382	\$32,280.00	1	\$2,000.00	\$2,785.00	\$24,980.00	Sabrina Sutton
37	1327 Glidden	V	4	R-5(A)	.0879	\$1,876.00	2	\$250.00	\$703.00	\$9,780.00	Shelly Johnson
38	7506 Great Trinity Forest	V	8	CR	.4820	\$37,530.00	4	\$1,000.00	\$21,012.00	\$37,530.00	Selvin Crawford
39	3819 Hamilton	I	7	PD-595	.1383	\$19,600.00	8	\$4,000.00	\$10,100.00	\$32,510.00	Luz Meza
40	3123 Hammerly	V	6	R-5(A)	.3494	\$2,522.00	13	\$1,000.00	\$15,500.00	\$12,000.00	Jose Zarasoza
41	2427 Harding	I	7	PD-595	.1519	\$22,030.00	4	\$7,000.00	\$15,012.00	\$22,030.00	Selvin Crawford
42	2902 Holmes	V	7	PD-595	.2754	\$2,119.00	4	\$1,000.00	\$7,890.00	\$18,000.00	County Land and Water, LLC
43	2708 Holmes	V	7	PD-595	.1727	\$1,571.00	4	\$1,000.00	\$3,731.65	\$18,810.00	Andor Properties, LLC
44	3406 Jeffries	V	7	PD-595	.1170	\$1,563.00	1	\$250.00	\$1,001.00	\$5,000.00	Temesgen Wukaye
45	826 Lambert	V	4	TH-3(A)	.1960	\$2,152.00	2	\$1,000.00	\$2,100.00	\$9,500.00	Laquonda Brewer
46	3724 Latimer	I	7	PD-595	.1299	\$29,120.00	5	\$7,000.00	\$27,800.00	\$29,210.00	Peter Tsai
47	2238 Locust	V	4	R-7.5(A)	.1590	\$16,403.00	3	\$500.00	\$1,596.00	\$6,900.00	Sabrina Sutton

Tax Foreclosed and Seizure Warrant Property Resales
Agenda Item # 46 (Continued)

<u>Parcel No.</u>	<u>Address</u>	<u>Vac/ Imp</u>	<u>Council District</u>	<u>Zoning</u>	<u>Parcel Size</u>	<u>Struck off Amount</u>	<u># Bids Rec'd</u>	<u>Min Bid Amount</u>	<u>Highest Bid Amount</u>	<u>DCAD</u>	<u>Highest Bidder</u>
48	1226 E. Louisiana	V	4	R-7.5(A)	.1994	\$2,670.00	1	\$1,000.00	\$3,150.00	\$13,000.00	Nextlots Now L.L.C.
49	1426 E. Louisiana	V	4	R-7.5(A)	.1648	\$2,096.00	1	\$1,000.00	\$2,575.00	\$11,500.00	Nextlots Now L.L.C.
50	2738 Marburg	V	7	PD-595	.1688	\$6,000.00	1	\$1,000.00	\$1,699.00	\$6,000.00	Anthony Boyd
51	2614 Marburg	V	7	PD-595	.1674	\$6,000.00	1	\$1,000.00	\$1,699.00	\$6,000.00	Anthony Boyd
52	1610 Marfa	V	4	R-7.5(A)	.2098	\$1,640.00	1	\$1,000.00	\$1,200.00	\$10,000.00	Orlando Rodriguez
53	3630 Nomas	V	6	R-5(A)	.1668	\$2,500.00	9	\$1,000.00	\$4,826.50	\$12,000.00	Juan Cavazos
54	2826 Oak	V	7	PD-363	.1721	\$23,009.00	3	\$500.00	\$1,551.00	\$37,500.00	Leobardo Leon
55	3719 Odessa	V	6	R-5(A)	.1882	\$12,857.00	16	\$1,000.00	\$20,000.00	\$12,000.00	Jesse Cardoza
56	3712 Opal	I	4	R-7.5(A)	.1468	\$16,331.00	18	\$2,500.00	\$16,500.00	\$25,430.00	Benjamin Ortega
57	4146 Opal	V	4	R-7.5(A)	.2038	\$12,220.00	3	\$1,000.00	\$3,999.50	\$12,220.00	Kantering, LLC
58	2015 Orleans	V	7	IM	.0482	\$9,466.00	1	\$250.00	\$2,160.00	\$3,150.00	DFW Projects, LLC
59	2652 Pall Mall	V	8	R -7.5(A)	.1465	\$1,425.00	1	\$1,000.00	\$1,650.00	\$8,000.00	Nextlots Now L.L.C.
60	2401 Pennsylvania	V	7	R-5(A)	.1374	\$3,900.00	4	\$250.00	\$1,650.00	\$6,000.00	Benito Mojica
61	2504 Pennsylvania	V	7	R-5(A)	.1435	\$3,900.00	7	\$250.00	\$1,650.00	\$3,900.00	Benito Mojica
62	4602 Philip	V	2	D(A)	.1584	\$7,986.00	6	\$1,000.00	\$16,000.00	\$6,900.00	Ana Maria Martinez
63	613 Pleasant Vista	V	5	R-7.5(A)	.2098	\$12,000.00	4	\$1,000.00	\$4,250.00	\$12,000.00	Nextlots Now L.L.C.
64	612 Pleasant Vista	V	5	R-7.5(A)	.2092	\$12,000.00	5	\$1,000.00	\$4,250.00	\$12,000.00	Nextlots Now L.L.C.
65	4105 Preferred	V	2	MJ-2	.1836	\$11,274.00	1	\$1,000.00	\$7,999.00	\$24,000.00	Jessica Brewer
66	3700 Pueblo	V	6	R-5(A)	.1380	\$12,000.00	8	\$1,000.00	\$4,865.00	\$12,000.00	Juan Cavazos
67	3215 Reed	V	7	PD-595	.1721	\$1,542.00	1	\$250.00	\$800.00	\$6,000.00	Jeffrey Grant
68	2231 Romine	I	7	PD-595	.1435	\$17,160.00	6	\$6,000.00	\$12,500.00	\$30,310.00	Leopoldo Lopez
69	2100 Royal Oaks	V	8	R-10(A)	.2705	\$14,400.00	3	\$1,000.00	\$3,510.00	\$14,400.00	David Menn
70	2200 Royal Oaks	V	8	R-10(A)	.2292	\$43,200.00	3	\$1,000.00	\$5,110.00	\$14,400.00	David Menn
71	2624 SeEVERS	V	4	R-7.5(A)	.1699	\$14,000.00	4	\$1,000.00	\$9,500.00	\$14,000.00	Jose Zaraszoza
72	3621 Sidney	V	7	PD-595	.1451	\$2,444.00	1	\$500.00	\$2,200.00	\$3,160.00	Maria Schneider
73	2915 Simpson Stuart	V	8	R-5(A)	.2811	\$12,250.00	2	\$1,000.00	\$1,795.00	\$8,000.00	Bryan Valdez
74	1707 Smoke Tree	V	8	PD-258	.1602	\$9,000.00	2	\$1,000.00	\$1,275.00	\$9,000.00	Nextlots Now L.L.C.
75	3843 Sonora	V	4	R-7.5(A)	.1429	\$1,582.00	2	\$1,000.00	\$2,175.00	\$7,000.00	Nextlots Now L.L.C.
76	2202 Southland	V	7	PD-595	2.0510	\$360,964.00	3	\$10,000.00	\$35,000.00	\$89,340.00	KKBK Acquisitions, L.L.C.
77	2241 Southland	V	7	PD-595	2.0080	\$234,039.00	3	\$10,000.00	\$22,222.00	\$87,510.00	County Land And Water, LLC
78	3237 Springview	V	4	R-7.5(A)	.1956	\$11,853.00	1	\$1,000.00	\$3,129.00	\$10,000.00	Sabrina Sutton
79	3027 Springview	V	4	R-7.5(A)	.2601	\$1,433.00	1	\$1,000.00	\$3,129.00	\$10,000.00	Sabrina Sutton
80	3103 Springview	V	4	R-7.5(A)	.3132	\$2,301.00	1	\$1,000.00	\$3,129.00	\$10,000.00	Sabrina Sutton
81	3303 Springview	I	4	R-7.5(A)	.2845	\$27,672.00	9	\$6,000.00	\$16,000.00	\$30,970.00	Santos Salavia
82	1728 Stoneman	V	7	PD-595	.1721	\$1,994.00	2	\$1,000.00	\$3,199.00	\$6,750.00	Calum Little
83	1725 Stoneman	V	7	PD-595	.1721	\$14,328.00	2	\$1,000.00	\$3,199.00	\$28,660.00	Calum Little
84	7916 Trojan	I	7	R-5(A)	.1388	\$17,500.00	4	\$4,000.00	\$7,999.00	\$21,410.00	Gopal Rai
85	4015 Tumalo	V	6	R-5(A)	.1643	\$1,524.00	10	\$1,000.00	\$10,000.00	\$12,000.00	Brenda Romo
86	2937 Warren	V	7	PD-595	.1600	\$5,400.00	1	\$1,000.00	\$1,050.00	\$7,200.00	Christina Martinez
87	2617 Warren	V	7	R-5(A)	.1515	\$3,900.00	1	\$250.00	\$800.00	\$6,000.00	Jeffrey Grant
88	5151 Watson	V	8	R-5(A)	.2911	\$14,360.00	1	\$1,000.00	\$1,099.00	\$14,360.00	Anthony Boyd
89	3321 Willow Crest	V	3	R-10(A)	.3900	\$23,250.00	3	\$2,000.00	\$5,595.00	\$23,250.00	Kantering, LLC
90	1229 E Woodin	V	4	R-7.5(A)	.1726	\$13,000.00	4	\$1,000.00	\$5,100.00	\$13,000.00	Cesar Carillo
91	3624 York	V	7	PD-595	.1614	\$1,715.00	2	\$1,000.00	\$5,001.24	\$3,520.00	Nell Langford
92	3622 York	V	7	PD-595	.1523	\$2,458.00	2	\$1,000.00	\$5,001.22	\$3,320.00	Nell Langford

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

November 10, 2015

ITEM	OK	IND	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the October 28, 2015 City Council Meeting
2			2	C	AVI	\$741,255.97	NA	NA	Lease buy-out and assignment of lease at Dallas Love Field: Authorize a lease buy-out and purchase agreement with Sandra Sue Owens Tucker for that certain lease of land at Dallas Love Field entered into on March 25, 1968 by and between the City of Dallas and Airfreight Expediting Service as authorized by Resolution No. 68-1549 - Not to exceed \$741,256 - Financing: Aviation Current Funds (\$741,256) and Revenue Foregone (\$455,757)
3			2	C	AVI	REV \$826,941.39	NA	NA	Lease buy-out and assignment of lease at Dallas Love Field: Authorize the assignment of all of Sandra Sue Owens Tucker's rights, title and interest between Ms. Tucker and the Hertz Corporation, (Acct. #A507000069) and EAN Holdings dba Enterprise Car Rental (Acct. #507008802), the current sublease tenants at the leased premises, to the City of Dallas through the remainder of their current lease terms, expiring July 23, 2018 and November 11, 2018 respectively - Revenue: \$826,941
4			All	C	PBD, CIS	GT	NA	NA	Professional Radio Engineering Services for a New P25 Compliant Trunk Radio System: Authorize (1) the receipt and deposit of funds from Dallas County in the amount of \$194,895; and (2) an increase in appropriations in the amount of \$194,895 in the Capital Projects Reimbursement Fund - Not to exceed \$194,895 - Financing: Capital Projects Reimbursement Funds
5			All	C	PBD, CIS	\$584,681.75	25.66%	25.66%	Professional Radio Engineering Services for a New P25 Compliant Trunk Radio System: Authorize a service contract for professional radio engineering services to assist the City with the vendor evaluation and vendor selection process for a new P25 compliant trunk radio system - Black & Veatch Corporation, formerly RCC Consultants, Inc. - Not to exceed \$779,577 - Financing: Current Funds (\$584,682) and Capital Projects Reimbursement Funds (\$194,895)
6			All	C	PBD, PKR	\$243,398.00	0.00%	0.00%	Authorize a two-year service contract for the maintenance and repair of gymnasium floors at thirty-four recreation centers - Jellison, Inc. dba Jelco, lowest responsible bidder of six - Not to exceed \$243,398 - Financing: Park and Recreation Program Funds (subject to appropriations)
7			2, 3, 14	C	PBD, AVI	\$324,788.00	0.00%	70.39%	Authorize a three-year consultant services contract for airport financial and related management consulting services for Aviation - Unison Consulting, Inc., most advantageous proposer of three - Not to exceed \$324,788 - Financing: Aviation Current Funds (subject to annual appropriations)
8			All	C	PBD, STS	\$9,464,660.00	76.20%	23.80%	Authorize a three-year service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas - Good Earth Corporation, lowest responsible bidder of three - Not to exceed \$9,464,660 - Financing: Current Funds (subject to annual appropriations)
9			All	C	PBD, WTR	\$4,760,750.00	92.27%	0.00%	Authorize a three-year service contract for televised sewer inspection, maintenance and repair services - RKM Utility Services, Inc., lowest responsible bidder of two - Not to exceed \$4,760,750 - Financing: Water Utilities Capital Construction Funds (subject to appropriations)
10			All	C	PBD, AVI, SAN, STS, WTR	\$458,303.92	NA	NA	Authorize a three-year service contract for the rental of uniforms - G&K Services, through the Texas Association of School Boards (BuyBoard) - Not to exceed \$458,304 - Financing: Current Funds (\$265,637), Sanitation Current Funds (\$165,011), Water Utilities Current Funds (\$24,952) and Aviation Current Funds (\$2,704) (subject to annual appropriations)
11			8	C	PBD, WTR	\$274,800.00	100.00%	0.00%	Authorize (1) the purchase of bio-filter organic materials - MTR Enviro-Construction, Inc. in the amount of \$206,800; and (2) a service contract for liner repair services at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC in the amount of \$68,000, lowest responsible bidders of four - Total not to exceed \$274,800 - Financing: Water Utilities Capital Construction Funds
12			N/A	C	ATT	\$70,000.00	NA	NA	Authorize settlement of the lawsuit styled Farzam R. Nejad v. City of Dallas, Cause No. DC-15-01586-A - Not to exceed \$70,000 - Financing: Current Funds
13			14	C	ECO	NC	NA	NA	Authorize amendments to Resolution Nos. 14-1275 and 14-1276 previously approved on August 13, 2014 to: (1) extend the Certificate of Occupancy and construction completion deadlines for the Mid Elm Lofts redevelopment project from June 30, 2016 to June 30, 2017; and (2) revise the development entity from RREAF Holdings, LLC to Mid Elm TIF, Inc. - Financing: No cost consideration to the City
14			6	C	HOU	NC	NA	NA	Authorize (1) the sale of one vacant lot located at 2028 McBroom Street from the Dallas Housing Acquisition and Development Corporation to Francisco Chavez; and (2) the execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

AGENDA DATE

November 10, 2015

ITEM	IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF							
15			4	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by AAA Properties for the construction of affordable houses; (2) the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to AAA Properties; and (3) execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City - Financing: No cost consideration to the City
16			4, 6, 7	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by G&G Restoration Solutions LLC for the construction of affordable houses; (2) the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to G&G Restoration Solutions LLC; and (3) execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City
17			2, 4	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of affordable houses; (2) the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to KW New Vision Properties and Land, Inc.; and (3) execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City - Financing: No cost consideration to the City
18			2, 4, 5	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Lakee Group LLC for the construction of affordable houses; (2) the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to Lakee Group LLC; and (3) execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City
19			6	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Pace Homes Inc. for the construction of an affordable house; (2) the sale of 1 vacant lot from Dallas Housing Acquisition and Development Corporation to Pace Homes Inc.; and (3) execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City
20			6	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by SOS Custom Homes, Inc. for the construction of affordable houses; (2) the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to SOS Custom Homes, Inc.; and (3) execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City - Financing: No cost consideration to the City
21			All	C	HOU	GT	NA	NA	Authorize a contract with Open Arms, Inc. dba Bryan's House for child care services for special needs children for the period October 1, 2015 through September 30, 2016 - Not to exceed \$55,000 - Financing: 2015-16 Community Development Block Grant Funds
22			All	C	HOU	\$88,000.00	NA	NA	Authorize a contract with Senior Citizens of Greater Dallas, Inc. to provide senior service programs for seniors aged 60 and above for one or more of the following three categories: (1) Senior Outreach Program in West Oak Cliff Area; (2) Nursing Home Ombudsman Program; and (3) Outreach and Case Management Program with special emphasis on Spanish-speaking seniors for the period October 1, 2015 through September 30, 2016 - Not to exceed \$161,049 - Financing: 2015-16 Community Development Block Grant Funds (\$73,049) and Current Funds (\$88,000)
23			All	C	HOU	\$31,000.00	NA	NA	Authorize a contract with Vogel Alcove for child care services for homeless families for the period October 1, 2015 through September 30, 2016 - Not to exceed \$125,129 - Financing: 2015-16 Community Development Block Grant Funds (\$94,129) and Current Funds (\$31,000)
24			All	C	HOU	\$50,000.00	NA	NA	Authorize a Memorandum of Understanding between the City of Dallas and Unlocking DOORS, Inc. dba DOORS, to: (1) collect and report evidence-based data regarding re-entry rates and recidivism by zip codes/City Councilmember districts; and (2) measure the risks and needs of ex-offenders referred to DOORS by the City of Dallas, Homeless Services Program using the Texas Risk Assessment Supplemental Tool (TRAS) for the period January 1, 2016 through December 31, 2016 - Not to exceed \$50,000 - Financing: Current Funds (subject to appropriations)

AGENDA DATE

November 10, 2015

ITEM	IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF							
25			All	C	HOU	NC	NA	NA	Authorize (1) an amendment to Resolution No. 01-2049, previously approved on June 27, 2001, for a forgivable loan agreement with Operation Relief Center to: (a) permit affordable rental housing in addition to affordable housing for sale, (b) extend the completion deadline to December 31, 2014; and (2) a release of lien for the remaining lots for market rate housing - Financing: No cost consideration to the City
26			1	C	HOU	NC	NA	NA	Authorize Supplemental Agreement No. 1 to amend Resolution No. 14-1794, previously approved on October 22, 2014, for a secured, no interest, forgivable loan in the amount of \$67,613 to Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor for non-substantial rehabilitation at Spencer Gardens located at 717 Comal Street, to: (1) extend the completion date for the rehabilitation and the maturity date of the note to March 31, 2016; and (2) change the scope of work on the water heater component of the rehabilitation project - Financing: No cost consideration to the City
27			8	C	HOU	NC	NA	NA	Authorize (1) an amendment to Resolution No. 15-0989, previously approved on May 27, 2015, for a housing development loan in an amount not to exceed \$225,000 with Builders of Hope CDC to: (a) forgive the debt as each unit is sold to a low-income homebuyer at or below 80% of Area Median Family Income; and (2) an agreement with the Texas State Affordable Housing Corporation (Lessor), in lieu of requiring the Lessor to file a Deed of Trust in favor of the City against the lots for the Creekside Project located on Oak Garden Trail - Financing: No cost consideration to the City
28			7	C	HOU	NC	NA	NA	Authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed sale of four unimproved properties acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City
29			N/A	C	HRD	\$160,200.00	NA	NA	Authorize a contract with Dallas Area Rapid Transit for the purchase of 253 annual passes in support of the City's clean air initiative - Not to exceed \$160,200 - Financing: Current Funds (to be partially reimbursed by participating employees)
30			All	C	IGS	NC	NA	NA	An ordinance amending Chapter 2 of the Dallas City Code to: (1) create the Youth Commission of the City; and (2) provide for the Commission's membership and duties - Financing: This action has no cost consideration to the City
31			14	C	PKR	NC	NA	NA	Authorize a five-year beautification and maintenance agreement, with one five-year renewal option, with Uptown Dallas, Inc. at Anita Harris Phelps Park located at 2200 Cedar Springs Road - Financing: No cost consideration to the City
32			2	C	PKR	REV \$381,348	NA	NA	Authorize (1) the receipt and deposit of funds in the amount of \$381,348 in the Buckner Park Fund; (2) the establishment of appropriations in the Buckner Park Fund in the amount of \$381,348; and (3) a development agreement with the Dallas Independent School District (DISD) providing for: (a) the sale of approximately 1.06 acres of Buckner Park to DISD; (b) the design, construction, and maintenance of improvements of Buckner Park; (c) the design and construction of parking and driveway improvements at Buckner Park located at 4550 Worth Street - Revenue: \$381,348
33			9	C	PKR	\$394,098.00	NA	NA	Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$394,098 - Financing: Current Funds
34			3	C	PKR	\$58,949.00	NA	NA	Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2016 through December 31, 2016 - Not to exceed \$58,949 - Financing: Current Funds
35			7	C	PKR	\$145,862.00	NA	NA	Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$145,862 - Financing: Current Funds
36			6	C	PKR	NC	NA	NA	Authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed use of a portion of Bishop Flores Park located at 2200 Talleyho Lane, consisting of approximately 74,698 square feet of land, by Atmos Energy Corporation for an energy easement - Financing: No cost consideration to the City

AGENDA DATE

November 10, 2015

ITEM	OK	IND	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
37			All	C	PNV	NC	NA	NA	A resolution to reaffirm City Council support for twelve transportation improvement projects and to cancel two transportation improvement projects identified in the Regional Transportation Council's Milestone Projects Policy - Financing: No cost consideration to the City
38			All	C	PBW, STS	NC	NA	NA	Authorize a Master Interlocal Agreement with Dallas County pertaining to the coordination of responsibilities for transportation related maintenance on roadways within the City of Dallas - Financing: No cost consideration to the City
39			1, 7, 9, 14	C	PBW, OCA	\$798,497.00	NA	NA	State of Texas Energy Conservation Office Loan Star Fund: Authorize (1) the acceptance of a loan from the State of Texas Energy Conservation Office Loan Star Fund in the amount of \$6,935,946, to be repaid plus interest, beginning in FY 2016-17 for a period of ten years from electric and natural gas energy savings; (2) the establishment of appropriations in the amount of \$6,935,946 in the State Energy Conservation Office Loan Star Fund; (3) Supplemental Agreement No. 1 to the contract with Pepco Energy Services for (a) construction of energy conservation related projects at eight City facilities in an amount not to exceed \$6,935,946 (list attached) and (b) measurement and verification for a period not to exceed ten years, in an amount not to exceed \$798,497 to be paid from electric and natural gas savings; (4) the acceptance and deposit in the Oncor Rebate Fund of rebates from Oncor Electric Delivery - Total not to exceed \$7,734,443 - Financing: State of Texas Energy Conservation Office Loan Star Funds (\$6,935,946) and Current Funds (\$798,497) (subject to annual appropriations)
40			1, 7, 9, 14	C	PBW, OCA	GT	NA	NA	State of Texas Energy Conservation Office Loan Star Fund: Authorize (1) the repayment of a loan from the State of Texas Energy Conservation Office over a ten year period, plus interest, using savings in the City's annual electricity and natural gas budgets - Total not to exceed \$7,685,946 - Financing: Current Funds - \$7,685,946 (subject to annual appropriations)
41			2	C	PBW, AVI	\$299,393.00	55.25%	0.00%	Authorize a construction contract with McCon Building and Petroleum Services, Inc., lowest responsible bidder of two, for the installation of above-ground fuel storage tanks at the Dallas Love Field Airport Maintenance Facility located at 3387 Hawes Avenue - Not to exceed \$299,393 - Financing: Aviation Capital Construction Funds
42			1	C	PBW	\$799,846.00	74.81%	51.55%	Authorize an increase in the contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way - Not to exceed \$799,846, from \$3,909,257 to \$4,709,103 - Financing: 2012 Bond Funds
43			2	C	PBW, CES	\$320,366.84	90.38%	39.75%	Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements, including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$320,367, from \$12,363,947 to \$12,684,314 - Financing: 2009 Convention Center Revenue Bonds
44			14	C	PBW	\$784,283.11	98.73%	25.11%	Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including reconfiguring basement entrances, reconstruction of planter boxes, replace drain lines and existing sump pumps to discharge stormwater, install new electrical panel, abate asbestos containing waterproofing at the exterior planters and exit ramp from the basement, additional repairs and or restoration of window sills and increase the height of window sills in the tile roof and installation of metal flashing to prevent water infiltration for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed \$784,284, from \$11,319,018 to \$12,103,302 - Financing: 1998 Bond Funds
45			All	C	SAN	\$122,600.00	NA	NA	Authorize an increase in the contract with Rehrig Pacific Company for the purchase of waste and recycling collection roll carts - Rehrig Pacific Company through the Houston-Galveston Area Council of Governments - Not to exceed \$122,600, from \$48,209 to \$170,809 - Financing: Sanitation Current Funds
46			1, 2, 3, 4, 5, 6, 7, 8	C	DEV	REV \$738,308.10	NA	NA	Authorize the quitclaim of 92 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale to the highest bidders; and authorize the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment - Revenue: \$738,309

AGENDA DATE

November 10, 2015

ITEM	IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF							
47			1	C	DEV, HOU	GT	NA	NA	Authorize an amendment for a five-year lease extension with Liam, Ltd., for approximately 5,030 square feet of office space located at 1050 North Westmoreland Road, Suite 316 for the Women, Infants and Children Clinic for the period December 1, 2015 through November 30, 2020 - Not to exceed \$442,640 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)
48			10	C	DEV	\$516,216.12	NA	NA	Authorize an amendment for a seven-year lease extension with ARI Forest Green Management, LLC for approximately 4,290 square feet of office space located at 11910 Greenville Avenue, Suite 100 for the Building Inspection's North Central Division office for the period November 1, 2015 through October 31, 2022 - Not to exceed \$516,217 - Financing: Building Inspection Current Funds (subject to annual appropriations)
49			6	C	DEV, PBW	\$60,000.00	NA	NA	Authorize an amendment to Resolution No. 13-0870, previously approved on May 22, 2013, for acquisition from Palestine Concrete Tile Company, LP, also known as Headwaters Construction Materials, LLC to increase the previously authorized amount for approximately 8,541 square feet of land located near the intersection of Chalk Hill Road and Interstate Highway 30 for the Chalk Hill Street Improvement Project - Not to exceed \$60,000, increased from \$53,512 (\$50,512, plus closing costs and title expenses not to exceed \$3,000) to \$113,512 (\$110,512 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds
50			11	C	DEV	REV \$5,400	NA	NA	An ordinance abandoning a portion of a water easement to IMT Capital III Prestonwood LP, the abutting owner, containing approximately 12,366 square feet of land, located near the intersection of Arapaho Road and Dallas North Tollway, and providing for the dedication of approximately 18,037 square feet of land needed for a water easement - Revenue: \$5,400, plus the \$20 ordinance publication fee
51			2	C	TWM	\$171,493.00	100.00%	25.03%	Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional excavation for detention pond improvements, mobilization for completion of the stormwater box culvert, and additional material for stormwater pollution prevention for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project - Not to exceed \$171,493, from \$5,031,838 to \$5,203,331 - Financing: General Obligation Commercial Paper Funds
52			9	C	TWM, PBW	\$464,263.97	100.00%	22.15%	Authorize an increase in the construction contract with SJ Louis Construction of Texas, Ltd. for additional local drainage improvements and fiber optic cable relocation for the Rush Creek Diversion System and Drainage Improvements Project - Not to exceed \$464,264, from \$9,741,571 to \$10,205,835 - Financing: 2003 Bond Funds (\$144,260) and 2006 Bond Funds (\$320,004)
53			All	C	WTR	\$633,825.00	NA	NA	Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study, and Zebra Mussel sampling and Water Quality study on each of the reservoirs in Dallas' water supply system from November 1, 2015 through September 30, 2016 - Not to exceed \$633,825 - Financing: Water Utilities Current Funds (subject to annual appropriations)
54			11	C	WTR	\$819,488.00	83.72%	31.68%	Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for the installation of a 48-inch wastewater main across U.S. Highway 75 (Central Expressway) just south of Park Central Plaza - Not to exceed \$819,488, from \$9,142,938 to \$9,962,426 - Financing: Water Utilities Capital Improvement Funds
55			6, 11, Outside	C	WTR	\$3,111,029.00	97.05%	26.01%	Authorize Supplemental Agreement No. 2 to the professional services contract with CH2M HILL Engineers, Inc., to provide additional construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and the Walcrest Pump Station Improvements - Not to exceed \$3,111,029, from \$7,575,425 to \$10,686,454 - Financing: Water Utilities Capital Improvement Funds
56			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)
57			All	I	PBD, WTR	\$664,723.75	98.87%	0.00%	Authorize a three-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains - Fortiline, Inc. in the amount of \$606,850 or \$621,850 (Tie Bid Line 4), HD Supply Waterworks Ltd. in the amount of \$42,874 and Ferguson Enterprises, Inc. in the amount of \$0 or \$15,000 (Tie Bid - Line 4), lowest responsible bidders of three - Total not to exceed \$664,724 - Financing: Water Utilities Current Funds

AGENDA DATE

November 10, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
58			N/A	I	PBD	NC	NA	NA	Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 20, 21 and 22 for bid BM1546 for a three-year master agreement for the purchase of water meters, accessories and parts - Mueller Systems, LLC and Neptune Technology Group, Inc. - Financing: This action has no cost consideration to the City
59			13	I	DEV	REV \$23,636	NA	NA	An ordinance granting a revocable license to CH Realty VI/R Dallas Preston Ctr, L.P., for the use of approximately 2,852 square feet of surface and aerial space to install and maintain a pedestrian skybridge and four support columns on and over a portion of Westchester Drive right-of-way located near its intersection with Berkshire Lane - Revenue: \$23,636 annually, plus the one-time \$20 ordinance publication fee
60			14	I	ECO	REV \$100,000	NA	NA	Cityplace Area TIF District: Authorize a deadline extension for the Forest City West Village project located at 3700 McKinney Avenue in the Cityplace Area TIF District to: (1) extend project completion deadlines from December 31, 2014 to July 31, 2015 and (2) receive and deposit \$100,000 from Forest City Residential Group Inc., in the Cityplace Area TIF District Fund for additional Katy Trail improvements - Financing: Revenue
61			14	I	ECO	\$100,000.00	NA	NA	Cityplace Area TIF District: Authorize (1) a development agreement with Friends of the Katy Trail Inc. in the amount of \$100,000 for additional Katy Trail improvements in furtherance of the Cityplace Area TIF District Project and Financing Plan; and (2) an increase in appropriations in the Cityplace Area TIF District Fund by \$100,000, from \$53,826,129 to \$53,926,129 - Not to exceed \$100,000 - Financing: Cityplace Area TIF District Funds
62			6	I	ECO	NC	NA	NA	Authorize a real property tax abatement agreement with TCDFW Industrial Development, Inc., for the purpose of granting an 8-year abatement of 75 percent of the taxes on added value to the real property for the development of a new 475,000 square feet speculative industrial/warehouse facility within a Texas Enterprise Zone located at 900 Chalk Hill Road, south of I-30 in Dallas, Texas, subject to TCDFW's purchase of the real property by January 10, 2016, in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$19,925; eight-year revenue estimated at \$159,400 (Estimated revenue forgone for the eight-year real property abatement estimated at \$478,200)
63			1, 6	I	ECO	NC	NA	NA	Authorize a second extension to the development agreement with Lynxette Exploration, LLC, previously approved on March 28, 2012, by Resolution No. 12-0962, in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) to extend the deadlines related to the completion of the Sylvan Thirty project by one year; in consideration for the extension Lynxette Exploration, LLC shall (1) provide staff with a quarterly report of the project's outstanding items for submittal to the Fort Worth Avenue TIF Board; (2) annually request permission from TxDOT to complete the installation of the required landscaping and 7' sidewalk along the southern portion of the project site, and subsequent to receiving permission, must complete the work within the next immediate planting period and no later than 12 months from the date permission is granted; and (3) provide staff with documentation of TxDot's response to their annual request prior to the annual disbursement of TIF Reimbursement - Financing: No cost consideration to the City
64			All	I	HOU	NC	NA	NA	Authorize (1) preliminary adoption of Substantial Amendment No. 4 to the Neighborhood Stabilization Program Plan to receive and deposit program income in the amount of \$350,000; (2) an increase in appropriations in the amount of \$350,000 from \$4,000,000 to \$4,350,000 to be used for similar eligible activities; and (3) a public hearing to be held on December 9, 2015 to receive comments on Substantial Amendment No. 20 to the Neighborhood Stabilization Program Plan - Financing: No cost consideration to the City
65			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned FWMU-3 Form Walkable Mixed Use Subdistrict, Tract I within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District with an SH-3 Shop Front Overlay, on the east corner of South Lamar Street and South Boulevard
66			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District uses on property zoned a CR Community Retail District at the south corner of Piedmont Drive and Hillburn Drive

AGENDA DATE

November 10, 2015

ITEM	IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF							
67			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for LO-1 uses and a mortuary, funeral home, or commercial wedding chapel use on property zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District with a D Overlay, on the northeast line of Webb Chapel Road and on the west line of Larga Drive, east of Webb Chapel Extension
68			3	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. 1473 for a public school on property zoned Planned Development District No. 521, in an area generally bounded by Fox Creek Trail, Wisdom Creek Drive, and Firethorn Drive
69			9	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the boundaries of Specific Use Permit No. 1592 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned Planned Development District No. 870, northwest of the intersection of Easton Road and East Lake Highlands Drive
70			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 and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the southeast corner of Cullum Lane and Harry Hines Boulevard
71			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Class A Dance hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest line of Travis Street, south of Knox Street
72			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the west corner of South Carroll Avenue and Bute Street
73			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding a City Plan Commission authorized hearing for Planned Development District No. 463, with consideration being given to increasing the floor area for lodging and similar uses within the Tract III portion (Zone A and Zone B) of the Planned Development District, on property within the southwest quadrant of West Northwest Highway and North Central Expressway and an ordinance granting the amendments
74			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 a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District on the southern corner of Gannon Lane and South Westmoreland Road
75			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. 2052 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard
76			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subarea and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less within Tract 2A, Subarea 1 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the northwest corner of Scyene Road and South Buckner Boulevard
77			13	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 Pedestrian skybridge on property within the Tract 3 portion of Planned Development District No. 314, the Preston Center Special Purpose District, on both sides of Westchester Drive, south of Berkshire Lane
78			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the southwest corner of Royal Lane and Brockbank Drive
79			3	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the northwest corner of West Ledbetter Drive and South Hampton Road

AGENDA DATE

November 10, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
80			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District in the southeast quadrant of Averill Way and Preston Road
81			11	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Country club with private membership maintenance facility and R-16(A) Single Family District Uses on property zoned an R-16(A) Single Family District on the north line of Alpha Road, east of Hughes Lane
82			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District and a Planned Development District for multifamily residential uses on property zoned an MF-2(A) Multifamily District and Planned Development District No. 914 in an area generally bounded by North Fitzhugh Avenue, Chambers Street, North Garrett Avenue, Moser Avenue and Monarch Street
83			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the removal of the D-1 Liquor Control Overlay on property zoned an RR Regional Retail District with consideration being given to 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 the northeast corner of Samuell Boulevard and South Buckner Boulevard
84			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine the proper zoning on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7, in an area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8th Street, Davis Street, Zang Boulevard, both sides of West 8th Street, North Adams Avenue, properties on the south side of West 7th Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5th Street, and Zang Boulevard with consideration given to a zoning category that would allow for a historic building demolition delay and an ordinance granting the amendments
85			1, 2, 6, 7, 14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine the proper zoning on property zoned an A(A) Agriculture District, a CA-1(A) Central Area District, a CA-2(A) Central Area District, a CR Community Retail District, a CS Commercial Services District, a GR General Retail District, an IM Industrial Manufacturing District, an IR Industrial Research District, an LO-3 Limited Office District, an MC-3 Multiple Commercial District, an MF-2 Multiple Family District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-3 Mixed Use District, an NO(A) Neighborhood Office District, a P(A) Parking District, WMU-5 Walkable Mixed Use District, WR-5 Walkable Residential District, Planned Development District No. 9, Planned Development District No. 145, Planned Development District No. 153, a portion of Planned Development District No. 174, Planned Development District No. 183, Planned Development District No. 184, Planned Development District No. 190, a portion of Planned Development District No. 193 - CA-2 Central Area, GR General Retail, HC Heavy Commercial, I-2 Industrial, I-3 Industrial, LC Light Commercial, MF-2 Multiple Family, MF-3 Multiple Family, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 2, No. 6, No. 7, No. 8, No. 11, No. 13, No. 15, No. 16, No. 23, No. 24, No. 34, No. 35, No. 39, No. 45, No. 49, No. 50, No. 52, No. 53, No. 54, No. 58, No. 64, No. 66, No. 68, No. 74, No. 77, No. 79, No. 83, No. 85, No. 86, No. 87, No. 88, No. 93, No. 94, No. 95, No. 96, No. 98, No. 103, No. 108, No. 111, and No. 113; Planned Development District No. 201, Planned Development District No. 225, a portion of Planned Development District No. 269, a portion of Planned Development District No. 298, a portion of Planned Development District No. 305, Planned Development District No. 317, Planned Development District No. 330, Planned Development District No. 334, Planned Development District No. 339, Planned Development District No. 346, Planned Development District No. 357, Planned Development District No. 358, Planned Development District No. 363, Planned Development District No. 372, Planned Development District No. 375, Planned Development District No. 442, Planned Development District No. 466, a portion of Planned Development District No. 468, Planned Development District No. 473, Planned Development District No. 513, Planned Development District No. 582, Planned Development District No. 594, a portion of Planned Development District No. 595 [a CC Community Commercial, an FWMU-3 Form Walkable Mixed Use, an MF-1(A) Multifamily, an MF-2(A) Multifamily, an NC Neighborhood Commercial, a P Parking, an RS-C Regional Service-Commercial, an RS-I Regional Service-Industrial, an RS-I(E) Regional Service-Industrial Enhanced, an RS-MU Regional Service-Mixed Use, an RS-MU(E) Regional Service-Mixed Use Enhanced Subdistricts], Planned Development District No. 619, Planned Development District No. 621, Planned Development District No. 708, Planned Development District No. 715, Planned Development District No. 749, Planned Development District No. 747, Planned Development District No. 774, Planned Development District No. 784, Planned Development District No. 800, Planned Development District No. 841, Planned Development District No. 857, Planned Development District No. 871, Planned Development District No. 877 in an area generally bound by Haskell Avenue, R.L. Thornton Freeway, 2nd Avenue, Al Lipscomb Way, Trinity River, Express Street, Stemmons Freeway, and Cole Avenue with consideration given to a zoning category that would allow for a historic building demolition delay and an ordinance granting the amendments

AGENDA DATENovember 10, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
86			4	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Planned Development District No. 812 and the creation of a new tract for mixed uses on property zoned an R-5(A) Single Family District and a CR Community Retail District at the southeast corner of East 11th Street and Fran Way
87			6	PH	PBW, WTR, ECO	\$9,099,662.24	0.86%	32.48%	Street Improvement, Benefit Assessment Hearing, and Material Testing for Chalk Hill Road: A benefit assessment hearing to receive comments on street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of I-30; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Pavecon Public Works LP, lowest responsible bidder of two - Not to exceed \$9,099,663 - Financing: 2012 Bond Funds (\$3,908,191), General Obligation Commercial Paper Funds (\$4,415,167), Water Utilities Capital Construction Funds (\$64,372), and Water Utilities Capital Improvement Funds (\$711,933)
88			6	PH	PBW, WTR, ECO	\$90,924.50	75.00%	25.00%	Street Improvement, Benefit Assessment Hearing, and Material Testing for Chalk Hill Road: Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 - Not to exceed \$90,925 - Financing: 2006 Bond Funds (\$90,925)

TOTAL \$36,707,358.17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Aviation

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34K

SUBJECT

Lease buy-out and assignment of lease at Dallas Love Field

- * Authorize a lease buy-out and purchase agreement with Sandra Sue Owens Tucker for that certain lease of land at Dallas Love Field entered into on March 25, 1968 by and between the City of Dallas and Airfreight Expediting Service as authorized by Resolution No. 68-1549 - Not to exceed \$741,256 - Financing: Aviation Current Funds (\$741,256) and Revenue Foregone (\$455,757)
- * Authorize the assignment of all of Sandra Sue Owens Tucker's rights, title and interest between Ms. Tucker and the Hertz Corporation, (Acct. #A507000069) and EAN Holdings dba Enterprise Car Rental (Acct. #507008802), the current sublease tenants at the leased premises, to the City of Dallas through the remainder of their current lease terms, expiring July 23, 2018 and November 11, 2018 respectively - Revenue: \$826,941

BACKGROUND

The City of Dallas entered into a lease with Airfreight Expediting Service, Inc. on March 25, 1968, for two plots of unimproved land at Dallas Love Field ("Airport") for an initial term of ten years, with one, ten-year extension option. The lease was eventually assigned to Mr. Blake C. Tucker ("Mr. Tucker") in 1984 and the term was subsequently extended. The current term of the lease expires on July 23, 2018, but it has an extension option that would extend the term to July 22, 2028.

Sandra Sue Owens Tucker ("Ms. Tucker") obtained rights in the lease upon the passing of her husband, Mr. Tucker, in June 2015. Since then, Ms. Tucker has been in discussions with the Department of Aviation ("DOA") regarding the possible purchase and assignment of her leasehold interest. The subject leasehold currently has two subtenants using the property for Airport rental car storage and operations. DOA desires to buy out the lease with Ms. Tucker, while agreeing to honor the subleases through their current terms, expiring in July 23, 2018 and November 11, 2018, resulting in additional revenue to the City.

BACKGROUND (Continued)

DOA anticipates future Airport need for land development, and Ms. Tucker's leasehold would help alleviate that need. Currently, Ms. Tucker receives monthly rent from the Hertz Corporation in the amount of \$13,058.83 per month and from Enterprise Car Rental in the amount of \$12,000.00 per month. As part of the termination, DOA and Ms. Tucker have mutually agreed to value Ms. Tucker's remaining lease interest at \$741,255.97, reflecting \$371,184.33 in lost revenue to Ms. Tucker over thirty-three (33) months plus an agreed-upon value of \$370,071.64 for the additional one hundred and twenty (120) option months.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Ground Lease, on March 25, 1968, by Resolution No. 68-1549.

Authorized Agreement with Oak Cliff Bank, on June 30, 1969, by Resolution No. 69-3677.

Authorized First Supplement to the Lease, on April 20, 1970, by Resolution No. 70-1614.

Authorized Assignment of the Lease, on June 7, 1971, by Resolution No. 71-2097.

Authorized 2nd Supplement to the Lease, on May 6, 1974, by Resolution No. 74-1924.

Authorized 3rd Supplement to the Lease, on August 28, 1978, by Resolution No. 78-2340.

Authorized consent to Sublease Agreement, on May 23, 1984, by Resolution No. 84-1718.

Authorized consent to Assignment Agreement, on May 23, 1984, by Resolution No. 84-1719.

Authorized 4th Supplement to the Lease, on December 14, 1988, by Resolution No. 88-3929.

Authorized 5th Supplement to the Lease, on September 11, 1991, by Resolution No. 91-2664.

Authorized 6th Supplement to the Lease, on November 11, 1998, by Resolution No. 98-3262.

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

Authorized 7th Supplement to the Lease, on October 25, 2006, by Resolution No. 06-2958.

Information about this item will be provided to the Economic Development Committee on November 2, 2015.

FISCAL INFORMATION

Subject 1:

Aviation Current Funds - \$741,255.97
Revenue Foregone - \$455,757.06

Subject 2:

Revenue: \$826,941.39

OWNER

Sandra Sue Owens Tucker

MAP

Attached.

DALLAS LOVE FIELD
Blake C. Tucker
Lease Premises
MAPSCO 34K

Google Earth

1000 ft



November 10, 2015

WHEREAS, on March 25, 1968, the Dallas City Council approved Resolution No. 68-1549, authorizing the City Manager to execute a lease agreement (the "Lease") between the City of Dallas ("City") and Airfreight Expediting Service, Inc., a Texas Corporation, for approximately 169,217.69 square feet of unimproved land located at Dallas Love Field Airport, Dallas County, Texas; and,

WHEREAS, the Lease was assigned to Meadow Autry and Lil Smith Autry and consented to by the City on April 1, 1971; and,

WHEREAS, the Lease was assigned to Blake C. Tucker and consented to by the City on May 23, 1984; and,

WHEREAS, Ms. Sandra Sue Owens Tucker, as the surviving beneficiary of Blake C. Tucker, obtained the leasehold interest; and,

WHEREAS, the Lease, as amended, expires by its own terms on July 23, 2018; and,

WHEREAS, the Lease, as amended, contains one additional ten year extension option which may be exercised by the tenant upon proper notice to the City; and,

WHEREAS, the property is currently subleased to two subtenants and such subleases will expire in July 23, 2018 and November 11, 2018; and,

WHEREAS, it is in the City's best interest to reclaim the property for further development and use for Dallas Love Field Airport; and,

WHEREAS, it is the desire of both parties to buy-out and assign all of Ms. Tucker's rights, title, and interest the Lease effective upon City Council approval and have the property revert back to the City for the agreed upon payment.

Now, Therefore,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a Buy-out Agreement with Ms. Sandra Sue Owens Tucker for the agreed-upon sum of \$741,255.97 for relinquishment of her interest in the remaining thirty-three months of the lease plus the additional one hundred and twenty option months.

November 10, 2015

SECTION 2. That the Chief Financial Officer is hereby authorized to draw warrants payable to Sandra Sue Owens Tucker upon execution of the Buy-out Agreement and charge same in the amount of \$741,255.97 to Fund 0130, Dept. AVI, Unit 7722, Object 3899, Encumbrance No. CT AVISSOTFY16, Vendor No. VC14860.

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.

November 10, 2015

WHEREAS, on March 25, 1968, the Dallas City Council approved Resolution No. 68-1549, authorizing the City Manager to execute a lease agreement (the "Lease") between the City of Dallas ("City") and Airfreight Expediting Service, Inc., a Texas Corporation, for approximately 169,217.69 square feet of unimproved land located at Dallas Love Field Airport, Dallas County, Texas; and,

WHEREAS, the Lease was assigned to Meadow Autry and Lil Smith Autry and consented to by the City on April 1, 1971; and,

WHEREAS, the Lease was assigned to Blake C. Tucker and consented to by the City on May 23, 1984; and,

WHEREAS, Ms. Sandra Sue Owens Tucker, as the surviving beneficiary of Blake C. Tucker, obtained the leasehold interest; and,

WHEREAS, the Lease, as amended, expires by its own terms on July 23, 2018; and,

WHEREAS, the Lease, as amended, contains one additional ten year extension option which may be exercised by the tenant upon proper notice to the City; and,

WHEREAS, the property is currently subleased to two subtenants and such subleases will expire in July 23, 2018 and November 11, 2018; and,

WHEREAS, it is in the City's best interest to reclaim the property for further development and use for Dallas Love Field Airport; and,

WHEREAS, it is the desire of both parties to buy-out and assign all of Ms. Tucker's rights, title, and interest in the Lease effective upon City Council approval and have the property revert back to the City for the agreed upon payment.

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 assign all of Sandra Sue Owens Tucker's rights, title and interest between Ms. Tucker and Hertz Corporation (Acct . No. A507000069) and EAN Holdings dba Enterprise Car Rental (Acct. No. 507008802) at the leased premises to the City of Dallas through the remainder of their current lease terms, expiring in July 23, 2018 and November 11, 2018 respectively.

November 10, 2015

SECTION 2. That the special terms and conditions of the Buy-out Agreement are:

(a) All of Ms. Tucker's rights, title, and interest in the existing subleases shall be assigned to the City of Dallas effective November 1, 2015.

(b) The City shall begin earning the monthly rental from the existing subtenants as contemplated by their agreement with Blake C. Tucker.

SECTION 3. That the Chief Financial Officer be and is hereby authorized to deposit all rental proceeds received in accordance with the assigned subleases to: Fund 0130, Dept. AVI, Unit 7722, RSRC 7814.

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 ITEMS # 4,5

KEY FOCUS AREA: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services

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

MAPSCO: N/A

SUBJECT

Professional Radio Engineering Services for a New P25 Compliant Trunk Radio System

- * Authorize **(1)** the receipt and deposit of funds from Dallas County in the amount of \$194,895; and **(2)** an increase in appropriations in the amount of \$194,895 in the Capital Projects Reimbursement Fund - Not to exceed \$194,895 - Financing: Capital Projects Reimbursement Funds
- * Authorize a service contract for professional radio engineering services to assist the City with the vendor evaluation and vendor selection process for a new P25 compliant trunk radio system - Black & Veatch Corporation, formerly RCC Consultants, Inc. - Not to exceed \$779,577 - Financing: Current Funds (\$584,682) and Capital Projects Reimbursement Funds (\$194,895)

BACKGROUND

This service contract will provide the City with professional radio engineering services for support during the evaluation and vendor selection process for the new P25 compliant trunk radio system request for competitive sealed proposals (RFCSP) currently solicited by the City. The City is leveraging the specialized services of a professional radio engineering firm to assist with procuring a replacement radio system that meets both current and future radio technology needs for the City as well as federal and state requirements.

BACKGROUND (Continued)

On December 12, 2012, City Council authorized a service contract with RCC Consultants, Inc. (acquired by Black & Veatch Corp.) who through a competitive process was determined to be the most advantageous proposer of five. This service contract provided the City with assistance in the assessment of the City's radio communication operational needs and the development of requirements for a replacement system. This phase has been completed and the City issued an RFCSP for the replacement radio system on April 30, 2015. Due to this vendor's specific knowledge and history with the City's radio system it is necessary to enter into another contract in order for them to assist the City with the next phases of this solicitation.

Key deliverables in this phase include:

- Develop evaluation methodology and tools
- Conduct initial evaluation of all vendor proposals against technical requirements
- Attend presentations by the vendors as a subject matter expert
- Prepare and present evaluation report to City

Due to the complexity and significant cost associated with this radio replacement system, the P25 project is being segmented into multiple phases. Utilizing a professional radio engineering firm will ensure the most qualified vendor is selected in helping the City develop a robust communications solution that meets current and future needs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 12, 2012, City Council authorized (1) an Interlocal Agreement with Dallas County for participation in the design and implementation of a new P25 compliant trunk radio system; (2) the receipt and deposit of funds from Dallas County; and (3) an increase in appropriations in the Capital Projects Reimbursement Fund by Resolution No.12-3046.

On December 12, 2012, City Council authorized a service contract for professional radio engineering services to assist the City in the assessment of the City's operational needs, develop specifications and requirements for a new P25 compliant trunk radio system and respond to RFCSP questions and develop RFCSP amendments during the solicitation process by Resolution No.12-3047.

Information about this item was provided to the Budget, Finance and Audit Committee on November 2, 2015.

FISCAL INFORMATION

\$584,681.75 - Current Funds

\$194,895.00 - Capital Projects Reimbursement Funds

ETHNIC COMPOSITION

Black & Veatch Corporation

White Male	3,468	White Female	1,255
Black Male	129	Black Female	84
Hispanic Male	197	Hispanic Female	77
Other Male	362	Other Female	140

OWNER

Black & Veatch Corporation

Martin Travers, President

John Janchar, Vice President

Jenny Meegan, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a service contract for professional radio engineering services to assist the City with the vendor evaluation and vendor selection process for a new P25 compliant trunk radio system - Black & Veatch Corporation, formerly RCC Consultants, Inc. - Not to exceed \$779,577 - Financing: Current Funds (\$584,682) and Capital Projects Reimbursement Funds (\$194,895)

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$200,039.39	25.66%
Total non-local contracts	\$579,537.36	74.34%
TOTAL CONTRACT	\$779,576.75	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Apex Engineered Solutions, LLC.	BFDB18347Y0816	\$200,039.39	100.00%
Total Minority - Local		\$200,039.39	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$200,039.39	100.00%	\$200,039.39	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%
Total	\$200,039.39	100.00%	\$200,039.39	25.66%

November 10, 2015

WHEREAS, on December 12, 2012, City Council authorized (1) an Interlocal Agreement with Dallas County for participation in the design and implementation of a new P25 compliant trunk radio system; (2) the receipt and deposit of funds from Dallas County; and (3) an increase in appropriations in the Capital Projects Reimbursement Fund by Resolution No.12-3046; and,

WHEREAS, on December 12, 2012, City Council authorized a service contract for professional radio engineering services to assist the City in the assessment of the City's operational needs, develop specifications and requirements for a new P25 compliant trunk radio system and respond to RFCSP questions and develop RFCSP amendments during the solicitation process by Resolution No.12-3047;

NOW, THEREFORE,

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

Section 1. That the Chief Financial Officer is hereby authorized to deposit Funds from Dallas County in Fund 0556, Dept. DSV, Unit P776, Revenue Source 6511 in the amount of \$194,895.00.

Section 2. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Dept DSV, Unit P776, Object 3070 in the amount of \$194,895.00.

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.

November 10, 2015

WHEREAS, on December 12, 2012, City Council authorized (1) an Interlocal Agreement with Dallas County for participation in the design and implementation of a new P25 compliant trunk radio system; (2) the receipt and deposit of funds from Dallas County; and (3) an increase in appropriations in the Capital Projects Reimbursement Fund by Resolution No.12-3046; and,

WHEREAS, on December 12, 2012, City Council authorized a service contract for professional radio engineering services to assist the City in the assessment of the City's operational needs, develop specifications and requirements for a new P25 compliant trunk radio system and respond to RFCSP questions and develop RFCSP amendments during the solicitation process by Resolution No.12-3047;

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 Black & Veatch Corporation (520478) for professional radio engineering services to assist the City with the vendor evaluation and vendor selection process for a new P25 compliant trunk radio system in an amount not to exceed \$779,576.75, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Black & Veatch Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Black & Veatch Corporation under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriations in an amount not to exceed \$779,576.75:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object</u>	<u>Amount</u>	<u>Encumbrance</u>
0197	DSV	1812	3070	\$584,681.75	MASCDSV16P25P2B
0556	DSV	P776	3070	\$194,895.00	MASCDSV16P25P2B

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: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Park & Recreation

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

MAPSCO: N/A

SUBJECT

Authorize a two-year service contract for the maintenance and repair of gymnasium floors at thirty-four recreation centers – Jellison, Inc. dba Jelco, lowest responsible bidder of six - Not to exceed \$243,398 - Financing: Park and Recreation Program Funds (subject to appropriations)

BACKGROUND

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

This service contract will provide for the maintenance and repair of gymnasium floors at thirty-four recreation centers located throughout the City. Over the next two years, twenty gymnasium floors will be stripped, repaired and resurfaced. All gymnasium floors will be cleaned, lightly sanded and refinished annually.

The scope of services included in this contract includes but is not limited to:

- Preparation – remove all layers of finish and game lines down to raw wood and replace flooring that cannot be repaired
- Light sanding – abrade entire floor with fine-grit fiberscreen disc
- Sealing – apply two coats of finish
- Court lining – draw line/logo layout and game lines
- Finishing – thoroughly clean and apply three coats of finish

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,281 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone.

BACKGROUND (Continued)

Additionally, in an effort to secure more bids, notifications were sent by the 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)

Approved by the Park and Recreation Board on October 1, 2015.

Information about this item will be provided to the Budget, Finance and Audit Committee on November 2, 2015.

FISCAL INFORMATION

\$243,398.00 - Park and Recreation Program Funds (subject to appropriations)

M/WBE INFORMATION

306 - Vendors contacted

305 - No response

1 - Response (Bid)

0 - Response (No bid)

0 - Successful

1,281 - 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

Jellison, Inc. dba Jelco

White Male	6	White Female	2
Black Male	0	Black Female	0
Hispanic Male	11	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BA1518 and were opened on July 30, 2015. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

BID INFORMATION (Continued)

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Jellison, Inc. dba Jelco	12928 Lowden Lane Suite G Manchaca, TX 78652	\$ 243,398.00
Quality Hardwood Floors, Inc. (Alternate Bid)	2011 Clovis Barker Road San Marcos, TX 78666	\$ 308,301.48
Z Floor Company	350 Betchan Avenue Dallas, TX 75065	\$ 330,870.00
Elite Refinishers	114 East Niblick Longview, TX 75604	\$ 503,250.00
MRK Industrial Flooring	2526 Mañana Drive Suite 100 Dallas, TX 75220	\$1,497,375.00
Quality Hardwood Floors, Inc.	2011 Clovis Barker Road San Marcos, TX 78666	Non-responsive**

**Quality Hardwood Floors, Inc. was deemed non-responsive due to not meeting specifications.

OWNER

Jellison, Inc. dba Jelco

Jared Jellison, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a two-year service contract for the maintenance and repair of gymnasium floors at thirty-four recreation centers – Jellison, Inc. dba Jelco, lowest responsible bidder of six - Not to exceed \$243,398 - Financing: Park and Recreation Program Funds (subject to appropriations)

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$243,398.00	100.00%
TOTAL CONTRACT	\$243,398.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

November 10, 2015

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 Jellison, Inc. dba Jelco (VS0000070423) for the maintenance and repair of gymnasium floors at thirty-four recreation centers for a term of two years in an amount not to exceed \$243,398.00, 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 Jellison, Inc. dba Jelco shall be based only on the amount of the services directed to be performed by the City and properly performed by Jellison, Inc. dba Jelco under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$243,398.00 (subject to appropriations).

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

AGENDA ITEM # 7

KEY FOCUS AREA: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2, 3, 14

DEPARTMENT: Business Development & Procurement Services
Aviation

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

MAPSCO: 34E 45Q 63L

SUBJECT

Authorize a three-year consultant services contract for airport financial and related management consulting services for Aviation - Unison Consulting, Inc., most advantageous proposer of three - Not to exceed \$324,788 - Financing: Aviation Current Funds (subject to annual appropriations)

BACKGROUND

This item will authorize a three-year consultant services contract for airport financial and related management consulting services for Aviation. The recommended vendor will conduct a comprehensive review of all current contractual agreements at Dallas Love Field, Dallas Executive Airport and the Dallas Heliport, including concessions, long-term leases and month-to-month leases. To ensure the annual rates and charges are competitive, the vendor will conduct a survey of comparable airports and benchmarking to include airports that serve the same customers or which are similar operationally. Additionally the vendor will review reserve funding policies/strategies at other airports and coordinate efforts with the Federal Aviation Administration grant and Passenger Facility Charge application process.

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

- Aviation (2)
- City Controller's Office (1)
- Office of Financial Services (1)
- Business Development and Procurement Services (2)*

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

BACKGROUND (Continued)

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

- | | |
|---|-----|
| ● Cost | 30% |
| ● Technical support | 20% |
| ● Experience and qualifications | 20% |
| ● Experience with capital programs | 10% |
| ● Approach | 5% |
| ● Business Inclusion and 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 1,095 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)

Information about this item will be provided to the Budget, Finance and Audit Committee on November 2, 2015.

FISCAL INFORMATION

\$324,788.00 - Aviation Current Funds (subject to annual appropriations)

<u>Council District</u>	<u>Amount</u>
2	\$ 290,685.00
3	\$ 32,478.00
14	\$ <u>1,625.00</u>
Total	\$ 324,788.00

M/WBE INFORMATION

224 - Vendors contacted
222 - No response
 2 - Response (Bid)
 0 - Response (No bid)
 1 - Successful

1,095 - 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

Unison Consulting, Inc.

White Male	9	White Female	5
Black Male	9	Black Female	12
Hispanic Male	1	Hispanic Female	0
Other Male	1	Other Female	3

PROPOSAL INFORMATION

The following proposals were received from solicitation number BKZ1513 and were opened on June 7, 2015. This contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Points</u>	<u>Amount</u>
*Unison Consulting, Inc.	409 W. Huron Suite 400 Chicago, IL 60610	93%	\$ 324,788.00
Leigh Fisher, Inc.	555 Airport Blvd. Suite 300 Burlingame, CA 94010	80%	\$ 525,260.00
Ricondo & Associates, Inc.	20 N. Clark St. Suite 1500 Chicago, IL 60602	61%	\$1,605,920.00

OWNER

Unison Consulting, Inc.

Yovette L. Drake, President

Anthony Q. Drake, Vice President

Sharon Sarmiento, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year consultant services contract for airport financial and related management consulting services for Aviation - Unison Consulting, Inc., most advantageous proposer of three - Not to exceed \$324,788 - Financing: Aviation Current Funds (subject to annual appropriations)

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$324,788.00	100.00%
TOTAL CONTRACT	\$324,788.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Unison Consulting, Inc	BMMB64845N0417	\$228,616.00	70.39%
Total Minority - Non-local		\$228,616.00	70.39%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$228,616.00	70.39%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$228,616.00	70.39%

November 10, 2015

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

Section 1. That the City Manager is authorized to execute a consultant services contract with Unison Consulting, Inc. (VS0000063996) for airport financial and related management consulting services for Aviation for a term of three years in an amount not to exceed \$324,788.00, 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 Unison Consulting, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Unison Consulting, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$324,788.00 from service contract number MASCAVIUNISON (subject to annual appropriations).

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

AGENDA ITEM # 8

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Street Services

CMO: Jeanne Chipperfield, 670-7804
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas - Good Earth Corporation, lowest responsible bidder of three - Not to exceed \$9,464,660 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will provide grounds maintenance for approximately 3,300 acres of Texas Department of Transportation (TxDOT) property including highway medians, parkways, side medians, triangles, islands, interchange islands, rights-of-way, shoulders, Green Ribbon Projects and other TxDOT property within Dallas city boundaries. The TxDOT Green Ribbon Program provides landscaping improvements such as plant materials and irrigation along TxDOT rights-of-way to establish a higher level of visual appeal along the corridors increasing aesthetic appeal citywide.

Street Services (STS) will administer, inspect and manage the service contract.

This contract will include all labor, materials and equipment necessary to provide complete and continuous maintenance of all trees, shrubs and ground coverings, and Green Ribbon landscaped areas including but not limited to: mowing, litter removal and disposal, line trimming, pruning, de-weeding, blade edging, and herbicide treatments. The bid was structured in three sections, east, west, and landscaped areas. The east section consists of approximately 1,490 acres and the west consists of approximately 1,760 acres; both are scheduled to be maintained every 21-28 days, weather permitting, during mow season. Section three consists of Green Ribbon Projects citywide, maintenance will be provided in these landscaped areas year round.

BACKGROUND (Continued)

On September 22, 2010, City Council authorized a Landscape Maintenance Agreement with TxDOT for the City to provide supplemental mowing in the parkways and maintain median landscape improvements along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT's right-of-way. TxDOT has removed the previous amenities and landscaping on North Central Expressway and replaced with native grasses which are currently maintained by STS via a separate contract.

This solicitation was structured in a manner which required bidders to submit a response using group pricing. This bid resulted in a 9.20% decrease over comparable prices for the bids awarded 2013.

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 407 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 22, 2010, City Council authorized a Landscape Maintenance Agreement with Texas Department of Transportation (TxDOT) for the City to assume maintenance of the landscape improvements in the center median and to supplement mowing cycles in the parkways between the frontage roads and main lanes along US 75 from Spur 366 (Woodall Rodgers Freeway) to Interstate Highway 635 by Resolution No. 10-2413.

On February 9, 2011, City Council was briefed on the maintenance of Texas Department of Transportation rights-of-way within the City of Dallas.

On March 9, 2011, City Council authorized a one-year service contract, with two one-year extension options, for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas by Resolution No. 11-0679.

On February 8, 2012, City Council authorized Extension Option No. 1 to the service contract and an increase in the service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas by Resolution No. 12-0463.

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

On January 23, 2013, City Council authorized a three-year service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas by Resolution No. 13-0242.

Information about this item will be provided to the Budget, Finance and Audit Committee on November 2, 2015.

FISCAL INFORMATION

\$9,464,660.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

57 - Vendors contacted
56 - No response
1 - Response (Bid)
0 - Response (No bid)
0 - Successful

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

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

ETHNIC COMPOSITION

Good Earth Corporation

White Male	16	White Female	2
Black Male	19	Black Female	1
Hispanic Male	117	Hispanic Female	10
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BF1526 and were opened on October 9, 2015. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

BID INFORMATION (Continued)

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Good Earth Corporation	8020 Heinen Dr. Dallas, TX 75227	\$ 9,464,660.00
V.L. & I., Inc. dba Urban Landscaping & Irrigation	700 S. Dallas Ave. Lancaster, TX 75146	\$11,796,078.60
Texas Tree & Landscape, LTD	276 Antler Rd. Waco, TX 76712	\$27,082,270.00

OWNER**Good Earth Corporation**

Ron Points, President
George Belk, Vice President
Emily Points, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas - Good Earth Corporation, lowest responsible bidder of three - Not to exceed \$9,464,660 - Financing: Current Funds (subject to annual appropriations)

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$7,212,070.00	76.20%
Total non-local contracts	\$2,252,590.00	23.80%
TOTAL CONTRACT	\$9,464,660.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Sun Coast Resources	WFWB63943N0117	\$2,252,590.00	100.00%
Total Minority - Non-local		\$2,252,590.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$2,252,590.00	23.80%
Total	\$0.00	0.00%	\$2,252,590.00	23.80%

November 10, 2015

WHEREAS, on September 22, 2010, City Council authorized a Landscape Maintenance Agreement with Texas Department of Transportation (TxDOT) for the City to assume maintenance of the landscape improvements in the center median and to supplement mowing cycles in the parkways between the frontage roads and main lanes along US 75 from Spur 366 (Woodall Rodgers Freeway) to Interstate Highway 635 by Resolution No. 10-2413; and,

WHEREAS, on March 9, 2011, City Council authorized a one-year service contract, with two one-year extension options, for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas by Resolution No. 11-0679; and,

WHEREAS, on February 8, 2012, City Council authorized Extension Option No. 1 to the service contract and an increase in the service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas by Resolution No. 12-0463; and,

WHEREAS, on January 23, 2013, City Council authorized a three-year service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas by Resolution No. 13-0242;

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 Good Earth Corporation (510006) for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas for a term of three years in an amount not to exceed \$9,464,660.00, 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 Good Earth Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Good Earth Corporation under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$9,464,660.00 (subject to annual appropriations).

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

AGENDA ITEM # 9

KEY FOCUS AREA: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Water Utilities

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

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for televised sewer inspection, maintenance and repair services - RKM Utility Services, Inc., lowest responsible bidder of two - Not to exceed \$4,760,750 - Financing: Water Utilities Capital Construction Funds (subject to appropriations)

BACKGROUND

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

This service contract will provide televised sewer inspection, maintenance and repair services throughout the City. Services provided include internal pipe inspection (via close circuit television), high velocity sewer cleaning, robotic television inspection, sonar scanning and sewer repair services. The contract will be used by Dallas Water Utilities (DWU) to augment the in-house maintenance program and help to ensure the proper operation of the sanitary sewer system. The overall maintenance of the sanitary sewer system preserves the integrity and efficiency of the sewer lines and associated components. DWU services over 4,000 miles of sanitary sewer pipe. This contract will also assist DWU with maintaining the regulatory requirements of the Texas Commission on Environmental Quality Sanitary Sewer Overflow Initiative.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 40.08% increase over comparable unit prices for the bid awarded in 2011.

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 980 email bid notifications to vendors registered under respective commodities.

BACKGROUND (Continued)

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 14, 2011, City Council authorized a three-year service contract for televised sewer inspection, maintenance, and repair services by Resolution No. 11-2370.

On May 27, 2015, City Council authorized (1) the rejection of bids received for sewer maintenance and repair services; and (2) the re-advertisement for new bids by Resolution No. 15-0934.

Information about this item will be provided to the Budget, Finance and Audit Committee on November 2, 2015.

FISCAL INFORMATION

\$4,760,750.00 - Water Utilities Capital Construction Funds (subject to appropriations)

M/WBE INFORMATION

235 - Vendors contacted

235 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

980 - 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

RKM Utility Services, Inc.

White Male	42	White Female	1
Black Male	35	Black Female	0
Hispanic Male	243	Hispanic Female	4
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BM1530 and were opened on July 9, 2015. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*RKM Utility Services, Inc.	1805 Royal Ln. Suite 107 Dallas, TX 75229	\$4,760,750.00
ACE Pipe Cleaning, Inc.	4000 Truman Rd. Kansas City, MO 64217	\$5,462,705.00

OWNER

RKM Utility Services, Inc.

Ryan Dowdy, President
Bryan Piper, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for televised sewer inspection, maintenance and repair services - RKM Utility Services, Inc., lowest responsible bidder of two - Not to exceed \$4,760,750 - Financing: Water Utilities Capital Construction Funds (subject to appropriations)

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$4,392,712.50	92.27%
Total non-local contracts	\$368,037.50	7.73%
TOTAL CONTRACT	\$4,760,750.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

November 10, 2015

WHEREAS, on September 14, 2011, City Council authorized a three-year service contract for televised sewer inspection, maintenance, and repair services by Resolution No. 11-2370; and,

WHEREAS, on May 27, 2015, City Council authorized (1) the rejection of bids received for sewer maintenance and repair services; and (2) the re-advertisement for new bids by Resolution No. 15-0934;

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 RKM Utility Services, Inc. (VS0000026242) for televised sewer inspection, maintenance and repair services for a term of three years in an amount not to exceed \$4,760,750.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to RKM Utility Services, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by RKM Utility Services, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$4,760,750.00 (subject to appropriations).

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

AGENDA ITEM # 10

KEY FOCUS AREA: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Sanitation Services
Street Services
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837
Joey Zapata, 670-3009
Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for the rental of uniforms - G&K Services, through the Texas Association of School Boards (BuyBoard) - Not to exceed \$458,304 - Financing: Current Funds (\$265,637), Sanitation Current Funds (\$165,011), Water Utilities Current Funds (\$24,952) and Aviation Current Funds (\$2,704) (subject to annual appropriations)

BACKGROUND

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

This service contract will provide for the rental of uniforms for various City departments. Uniform rental provides the City with a cost effective method to provide uniforms to civilian employees. Uniforms are important because it allows uniformity by department and also allows residents to identify City employees as City representatives.

Each employee utilizing the rental service will receive eleven pairs of pants and eleven shirts. The contractor will pick up heavily soiled or contaminated uniforms from each of the City locations and deliver clean, wrinkle-free uniforms on a weekly basis. As part of this service, repairs to uniforms are included.

BACKGROUND (Continued)

The Texas Association of School Boards (BuyBoard) conforms to the requirements of Texas Statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, BuyBoard receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, City Council authorized a five-year service contract for the rental and lease of uniforms by Resolution No. 13-1060.

Information about this item will be provided to the Budget, Finance and Audit Committee on November 2, 2015.

FISCAL INFORMATION

\$265,636.90 - Current Funds (subject to annual appropriations)
\$165,010.56 - Sanitation Current Funds (subject to annual appropriations)
\$ 24,952.37 - Water Utilities Current Funds (subject to annual appropriations)
\$ 2,704.09 - Aviation Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

G&K Services

White Male	39	White Female	6
Black Male	18	Black Female	1
Hispanic Male	33	Hispanic Female	86
Other Male	1	Other Female	1

OWNER

G&K Services

Douglas Milroy, President
Ian Davis, Vice President
Jeffrey Cotter, Secretary
Tracy Jokinen, Chief Financial Officer

November 10, 2015

WHEREAS, on June 26, 2013, City Council authorized a five-year service contract for the rental and lease of uniforms by Resolution No. 13-1060;

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 G&K Services (VS0000061203), through the Texas Association of School Boards (BuyBoard) for the rental of uniforms for a term of three years in an amount not to exceed \$458,303.92, 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 G&K Services shall be based only on the amount of the services directed to be performed by the City and properly performed by G&K Services under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$458,303.92 (subject to annual appropriations).

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

AGENDA ITEM # 11

KEY FOCUS AREA: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: Business Development & Procurement Services
Water Utilities

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

MAPSCO: 69 A-X

SUBJECT

Authorize **(1)** the purchase of bio-filter organic materials - MTR Enviro-Construction, Inc. in the amount of \$206,800; and **(2)** a service contract for liner repair services at the Southside Wastewater Treatment Plant – Archer Western Construction, LLC in the amount of \$68,000, lowest responsible bidders of four – Total not to exceed \$274,800 - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This purchase will provide bio-filter organic materials and labor for minor repairs for two cell units located at Southside Wastewater Treatment Plant Gravity Belt Thickener Facility. Accumulating gases are piped from the Gravity Belt Thickener Facility to cell units located adjacent to the building. The gases are filtered through the organic bio material before being released into the air. The current filtering materials have reached the end of their life cycle and require replacing. Services rendered under this contract will provide minor repairs to the cell unit lining, replacement of current sprinkler system, replacement of two valve operators and replacement of organic material for filtering. This contract will ensure that the City continues to meet minimum standards set by Texas Commission on Environmental Quality.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,123 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)

Information about this item will be provided to the Budget, Finance and Audit Committee on November 2, 2015.

FISCAL INFORMATION

\$274,800.00 – Water Utilities Capital Construction Funds

M/WBE INFORMATION

272 - Vendors contacted

272 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

1,123 - M/WBE and Non-M/WBE vendors were contacted

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

ETHNIC COMPOSITION

MTR Enviro-Construction, Inc.

White Male	4	White Female	1
Black Male	4	Black Female	4
Hispanic Male	2	Hispanic Female	3
Other Male	0	Other Female	0

Archer Western Construction, LLC

White Male	194	White Female	16
Black Male	28	Black Female	5
Hispanic Male	183	Hispanic Female	9
Other Male	18	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BM1521 and were opened on July 2, 2015. This purchase and service contract are being awarded to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

BID INFORMATION (Continued)

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*MTR Enviro-Construction, Inc.	1408 Darr St., Ste. D Irving, TX 75061	Multiple Lines
*Archer Western Construction, LLC	1411 Greenway Dr. Irving, TX 75038	Multiple Lines
Sunset Construction	11041 Ables Ln. Dallas, TX 75229	Multiple Lines
Bella Casa Construction Co.	9137 N Flora Ave Kansas City, MO 64155	Multiple Lines

OWNERS

MTR Enviro-Construction, Inc.

Milton Roberts, President
Rita Roberts, Vice President
Shiloh Roberts, Secretary

Archer Western Construction, LLC

Daniel P Walsh, President
Randy Joe Lee, Vice President
Matthew Walsh, Secretary
Tim Gerken, Treasure

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** the purchase of bio-filter organic materials - MTR Enviro-Construction, Inc. in the amount of \$206,800; and **(2)** a service contract for liner repair services at the Southside Wastewater Treatment Plant – Archer Western Construction, LLC in the amount of \$68,000, lowest responsible bidders of four – Total not to exceed \$274,800 - Financing: Water Utilities Capital Construction Funds

MTR Enviro-Construction, Inc. and Archer Western Construction, LLC are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$274,800.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$274,800.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

November 10, 2015**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

Section 1. That the purchase of bio-filter organic materials is authorized with MTR Enviro-Construction, Inc. (VC13823) in an amount not to exceed \$206,800.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for bio-filter organic materials. 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 City Manager is authorized to execute a service contract with Archer Western Construction, LLC (VS0000064407) for liner repair services at the Southside Wastewater Treatment Plant in an amount not to exceed \$68,000.00, 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 Archer Western Construction, LLC, shall be based only on the amount of the services directed to be performed by the City and properly performed by Archer Western Construction, LLC under the contract.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriations in an amount not to exceed \$274,800.00:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Obj</u>	<u>Amount</u>	<u>Encumbrance</u>
0103	DWU	CS50	3110	\$206,800.00	PO-POM00000122141
0103	DWU	CS50	3110	\$ 68,000.00	CT-DWU7A1302EA

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

AGENDA ITEM # 12

KEY FOCUS AREA: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

CMO: Warren M.S. Ernst, 670-3491

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Farzam R. Nejad v. City of Dallas, Cause No. DC-15-01586-A - Not to exceed \$70,000 - Financing: Current Funds

BACKGROUND

Plaintiff filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries sustained in an automobile accident on February 19, 2013, involving a Dallas Sanitation Department automated trash vehicle. The City and Farzam R. Nejad reached a proposed settlement following court-ordered mediation. Plaintiff is represented by Modjarrad & Associates, PC.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

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

\$70,000 - Current Funds

November 10, 2015

WHEREAS, a lawsuit styled Farzam R. Nejad v. City of Dallas, Cause No. DC-15-01586-A, was filed by the plaintiff seeking compensation from the City of Dallas for alleged bodily injuries sustained in a collision involving a City automated trash truck on February 19, 2013; and,

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Farzam R. Nejad, his attorney, and all other parties having an interest in the settlement proceeds the total amount of \$70,000; and,

WHEREAS, it is in the best interest of the City to settle the claims of Farzam R. Nejad in this case; **Now, Therefore,**

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

Section 1. That the settlement in the lawsuit, styled Farzam R. Nejad v. City of Dallas, Cause No. DC-15-01586-A, in an amount not to exceed \$70,000 is hereby approved.

Section 2. That the Chief Financial Officer is authorized to pay Farzam R. Nejad, Modjarrad & Associates, PC, and all other persons having an interest in the settlement, the amount of \$70,000 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTORM001.

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

AGENDA ITEM # 13

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 14
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 671-9837
MAPSCO: 45L

SUBJECT

Authorize amendments to Resolution Nos. 14-1275 and 14-1276 previously approved on August 13, 2014 to: **(1)** extend the Certificate of Occupancy and construction completion deadlines for the Mid Elm Lofts redevelopment project from June 30, 2016 to June 30, 2017; and **(2)** revise the development entity from RREAF Holdings, LLC to Mid Elm TIF, Inc. - Financing: No cost consideration to the City

BACKGROUND

On August 13, 2014, City Council approved Resolution No. 14-1275, authorizing a development agreement with RREAF Holdings (Mid Elm), LLC, to reimburse TIF eligible project costs for streetscape and utility improvements and an Economic Development TIF Grant for a total amount not to exceed \$3,900,000 for the Mid Elm Lofts redevelopment project located at 1512, 1514, and 1516 Elm Street. Per Section 4 of the Resolution, the project was required to obtain a final certificate of occupancy and complete other completion deadlines by June 30, 2016.

Extensive demolition and environmental clean-up has been completed on the Mid Elm Lofts project. The team is working through several items required to update these three small-scale historic structures to meet today's standards, including meeting current fire code egress requirements (including changing a framed structure into a steel structure), designing and getting approvals on ONCOR's required vault and transformer to be placed into a newly excavated basement, and undergoing discovery of historic details that have been covered over time. Further, the developer is seeking both State and Federal Historic Tax Credits which have taken an extensive amount of time to go through the application process, secure and sell. Construction progress must await State and Federal investors' commitments, anticipated winter 2015.

BACKGROUND (Continued)

This item also includes a development entity name change for tax purposes. Mid Elm TIF, Inc., is an S-corporation, created in order to defer taxation of income on TIF proceeds pursuant to the provisions of Section 118 of the Internal Revenue Code. The deferred income tax resulting from the receipt of the TIF proceeds will be paid when the project is sold. The same development team remains in place.

The project requirements for TIF reimbursement, as approved by Resolution No. 14-1275, include a minimum private investment of 13,000,000, a minimum of 25,000 square feet of live/work space and a minimum 15,000 square feet of retail/restaurant/commercial space. TIF reimbursement will not occur until at least 50% of the retail space is occupied.

ESTIMATED PROJECT SCHEDULE

Project Start Date	December 2014
Project Completion Date	June 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 12, 2014, the City Center TIF District board of directors reviewed and recommended approval of a development agreement with the RREAF Holdings (Mid Elm), LLC, and TIF funding for the project in an amount not to exceed \$3,900,000, to reimburse eligible project costs.

On August 4, 2014, the Economic Development Committee reviewed a memo on the proposed Mid Elm Lofts project and recommended approval.

On August 13, 2014, City Council approved Resolution Nos. 14-1275 and 14-1276, authorizing a development agreement with RREAF Holdings (Mid Elm), LLC, to reimburse TIF eligible project costs for streetscape and utility improvements and an Economic Development TIF Grant for a total amount not to exceed \$3,900,000 for the Mid Elm Lofts redevelopment project located at 1512, 1514, and 1516 Elm Street.

On October 10, 2015, the City Center TIF District Board of Directors approved and made a recommendation to forward the requested deadline extension and revision to the development entity to City Council for Mid Elm Lofts located at 1512, 1514 and 1516 Elm Street.

Information about this item will be provided to the Economic Development Committee on November 2, 2015.

FISCAL INFORMATION

No cost consideration to the City

OWNER

Mid Elm TIF, Inc.

Scott Remphrey
Authorized Representative
100 Highland Park Village, Suite 200
Dallas, Texas 75205

DEVELOPER

Mid Elm TIF, Inc.

Scott Remphrey
Authorized Representative
100 Highland Park Village, Suite 200
Dallas, Texas 75205

MAP

Attached.

Mid-Elm Lofts

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.

0 0.05 0.1 0.2 Miles



**DALLAS
ECONOMIC
DEVELOPMENT**

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 3.11.10, Updated 7.28.14 - 14-07-24 Jon Hubach.TCG

Legend

- Mid-Elm Lofts
- City Center TIF Boundary
- City Center TIF Parcels

- Rail Station
- DART Red Line
- DART Blue Line
- DART Green Line
- DART Orange Line

- Trinity Railway Express
- Freeway or Tollway
- Highway
- Arterial
- Local Road

Source: Parcel Data - Dallas CAD, 2013; All Other Data - City of Dallas, 2014

November 10, 2015

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

WHEREAS, on June 26, 1996, City Council pursuant to Ordinance No. 22802, established Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311, hereafter the "Act") to promote development and redevelopment in the City Center area through the use of tax increment financing as amended; and

WHEREAS, on February 12, 1997, City Council, pursuant to Ordinance No. 23034, authorized the City Center TIF District Project Plan and Reinvestment Zone Financing Plan for the City Center TIF District, as amended; and

WHEREAS, on December 12, 2012, City Council, conducted a public hearing, received comments and approved amendments to the City Center TIF District Project and Reinvestment Zone Financing Plans and authorized Resolution No. 12-3040 amending Ordinance No. 22802, previously approved on June 26, 1996, and an Ordinance No. 23034, previously approved February 12, 1997, to: (1) create two sub-districts within the City Center TIF District: (a) City Center Sub-district (original district boundary) and (b) Lamar Corridor/West End Sub-district; (2) increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; (3) extend the current termination date of the City Center TIF District from December 31, 2012, to December 31, 2022, for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) increase the City Center TIF District's budget from \$87,567,717 total dollars to \$151,968,546 total dollars; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans; and

WHEREAS, on June 12, 2014, the City Center TIF District Board of Directors reviewed and recommended approval of a development agreement with the RREAF Holdings (Mid Elm), LLC, and TIF funding for the Mid Elm Lofts Project in an amount not to exceed \$3,900,000, to reimburse eligible project costs; and

WHEREAS, on August 13, 2014, City Council approved Resolution No. 14-1275, authorizing a development agreement with RREAF Holdings (Mid Elm), LLC, to reimburse TIF eligible project costs for streetscape and utility improvements and an Economic Development TIF Grant for a total amount not to exceed \$3,900,000 for the Mid Elm Lofts redevelopment project located at 1512, 1514, and 1516 Elm Street; and

November 10, 2015

WHEREAS, on October 10, 2015, the City Center TIF District Board of Directors approved and made a recommendation to forward the requested deadline extension and revision to the development entity to City Council for Mid Elm Lofts located at 1512, 1514 and 1516 Elm Street; and

WHEREAS, on November 2, 2015, information about this item will be provided to the Economic Development Committee.

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 amend Section 4 of Resolution No. 14-1275 as follows:

Section 4. That in addition to the conditions set out in the Sections above, the Development Agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

Obtain a Certificate of Occupancy (CO) for the Project by ~~June 30, 2016~~ June 30, 2017;

Obtain final acceptance of public infrastructure improvements associated with the Project, as evidenced by the issuance of a Green Tag from the Public Works and Transportation Department by ~~June 30, 2016~~ June 30, 2017, and submit documentation to the Office of Economic Development (the "OED");

Execute an Operating and Maintenance agreement for public infrastructure improvements associated with the Project by ~~June 30, 2016~~ June 30, 2017, for a period of 20 years;

Section 2. That the development entity for Mid Elm Lofts be revised from RREAF Holdings, LLC to Mid Elm TIF, Inc. for tax purposes.

Section 3. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 4. That all other terms and conditions as set forth in Resolution Nos. 14-1275 and 14-1276, shall remain in full force and effect, except as specifically outlined in Section 1 and Section 2 above.

November 10, 2015

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

AGENDA ITEM # 14

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 43M

SUBJECT

Authorize **(1)** the sale of one vacant lot located at 2028 McBroom Street from the Dallas Housing Acquisition and Development Corporation to Francisco Chavez; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. In 2004, the Dallas City Council established the Dallas Housing Acquisition and Development Corporation (“DHADC”) as its land bank.

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

Francisco Chavez is an eligible adjacent property owner, as defined in the Code, and has submitted a proposal to purchase the DHADC-owned lot located at 2028 McBroom Street for \$5,000.00, which amount is the sales price of the property recorded in the annual plan. The DHADC Board has approved the sale, subject to City Council approval.

BACKGROUND (continued)

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

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

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

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On October 22, 2015, the DHADC Board approved the sale to Francisco Chavez, subject to City Council approval.

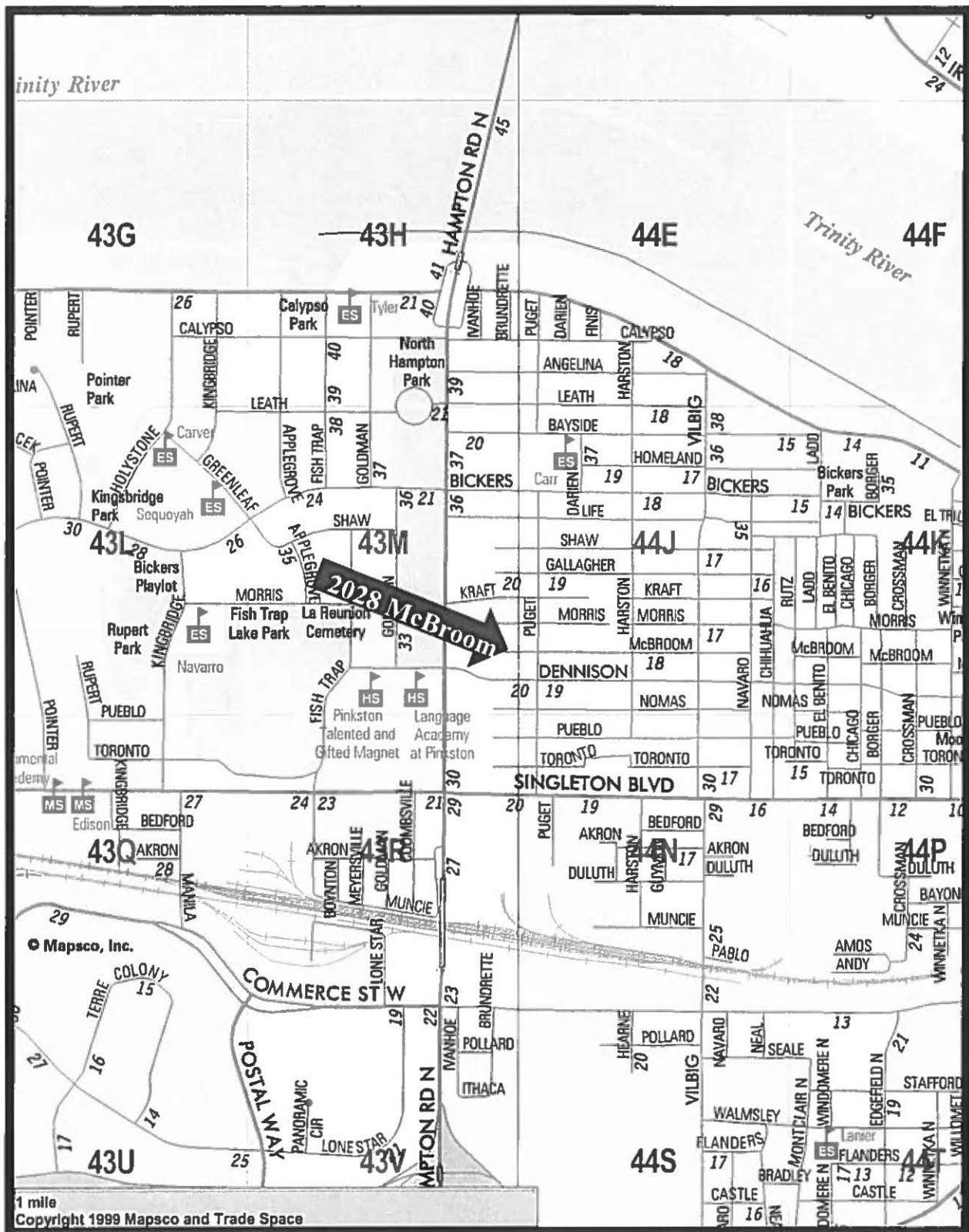
Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached



MAPSCO 43M

November 10, 2015

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

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

WHEREAS, Francisco Chavez is an eligible adjacent property owner, as defined in the Code, and has submitted a proposal to purchase the DHADC-owned lot located at 2028 McBroom Street for \$5,000.00, which amount is the sales price of the property recorded in the annual plan; and

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

WHEREAS, on October 22, 2015, the DHADC Board approved the sale to Francisco Chavez, subject to City Council approval;

NOW, THEREFORE,

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

Section 1. That the sale of the lot located at 2028 McBroom Street from DHADC to Francisco Chavez is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lot located at 2028 McBroom Street.

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

AGENDA ITEM # 15

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 54Z

SUBJECT

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

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

AAA Properties has submitted a proposal and development plan to DHADC for 2 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by AAA Properties to the City's Land Bank, the sale of those lots from DHADC to AAA Properties and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to AAA Properties will contain a reverter that returns the property to DHADC if a construction permit is not applied for by AAA Properties and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

AAA Properties will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,600 to 1,700 square feet and from \$120,000 to \$130,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (2 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$10,000 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

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

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On October 22, 2015, DHADC approved the development plan and sale of 2 lots from DHADC to AAA Properties.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

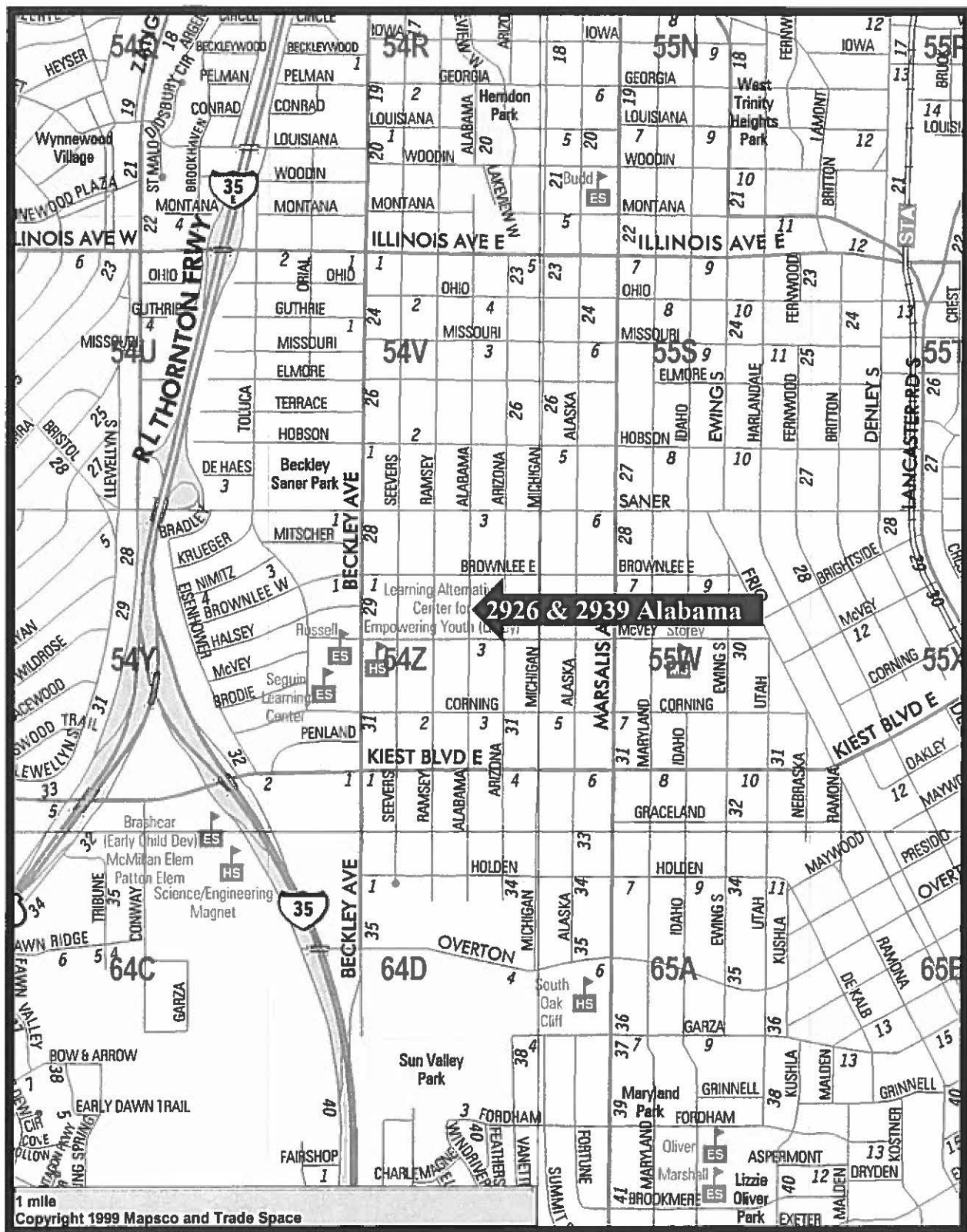
No cost consideration to the City

MAP

Attached

**Land Bank (DHADC) Sale of Lots to
AAA Properties**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2926 Alabama	54Z	4	\$12,933.39
2. 2939 Alabama	54Z	4	\$16,003.77



MAPSCO 54Z

November 10, 2015

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

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

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

NOW, THEREFORE,

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

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

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

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	2926 Alabama Lot 7, Freemont Addition Block 11/4110	AAA Properties	1	\$5,000.00
2	2939 Alabama Lot 22, Freemont Addition Block 10/4109	AAA Properties	1	\$5,000.00
TOTAL				\$10,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 2

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

2926 Alabama
2939 Alabama

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

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

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

Number of homes to be built on lots 1 on each lot
Square Footage of each home 1,600 - 1,700
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer Brick & Siding Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$120,000 - \$130,000

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction 30 days
Completion of Construction 120 days
Sale of first affordable housing unit to low income households _____ days
Sale of last affordable unit to low income households _____ days

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 4, 6, 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 44E 45Z 46V 55A

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by G&G Restoration Solutions LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to G&G Restoration Solutions LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

G&G Restoration Solutions LLC has submitted a proposal and development plan to DHADC for 4 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by G&G Restoration Solutions LLC to the City's Land Bank, the sale of those lots from DHADC to G&G Restoration Solutions LLC and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to G&G Restoration Solutions LLC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by G&G Restoration Solutions LLC and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

G&G Restoration Solutions LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,000 to 1,300 square feet and from \$120,000 to \$150,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (3 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (1 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$20,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

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

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On October 22, 2015, DHADC approved the development plan and sale of 4 lots from DHADC to G&G Restoration Solutions LLC.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

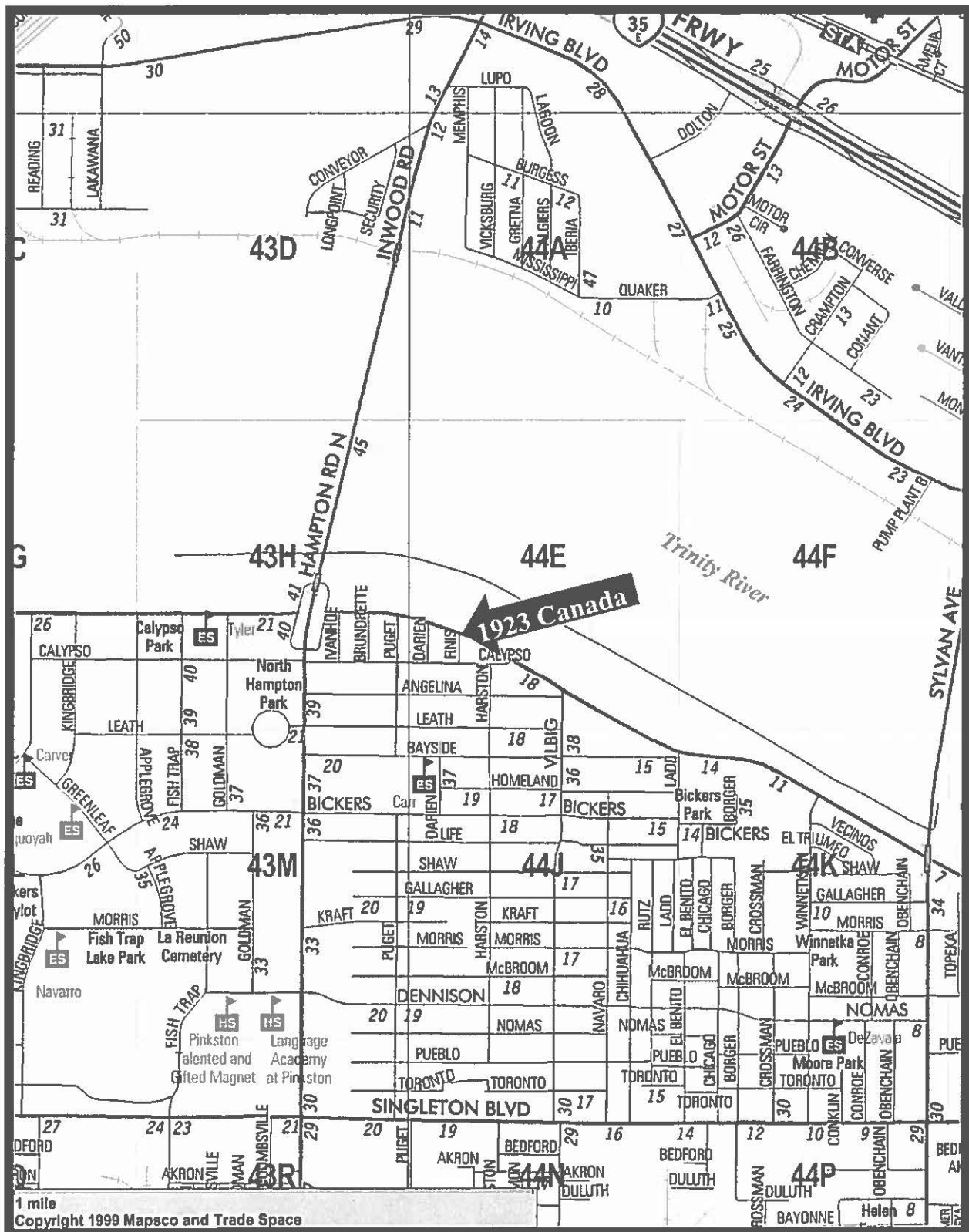
No cost consideration to the City

MAP(s)

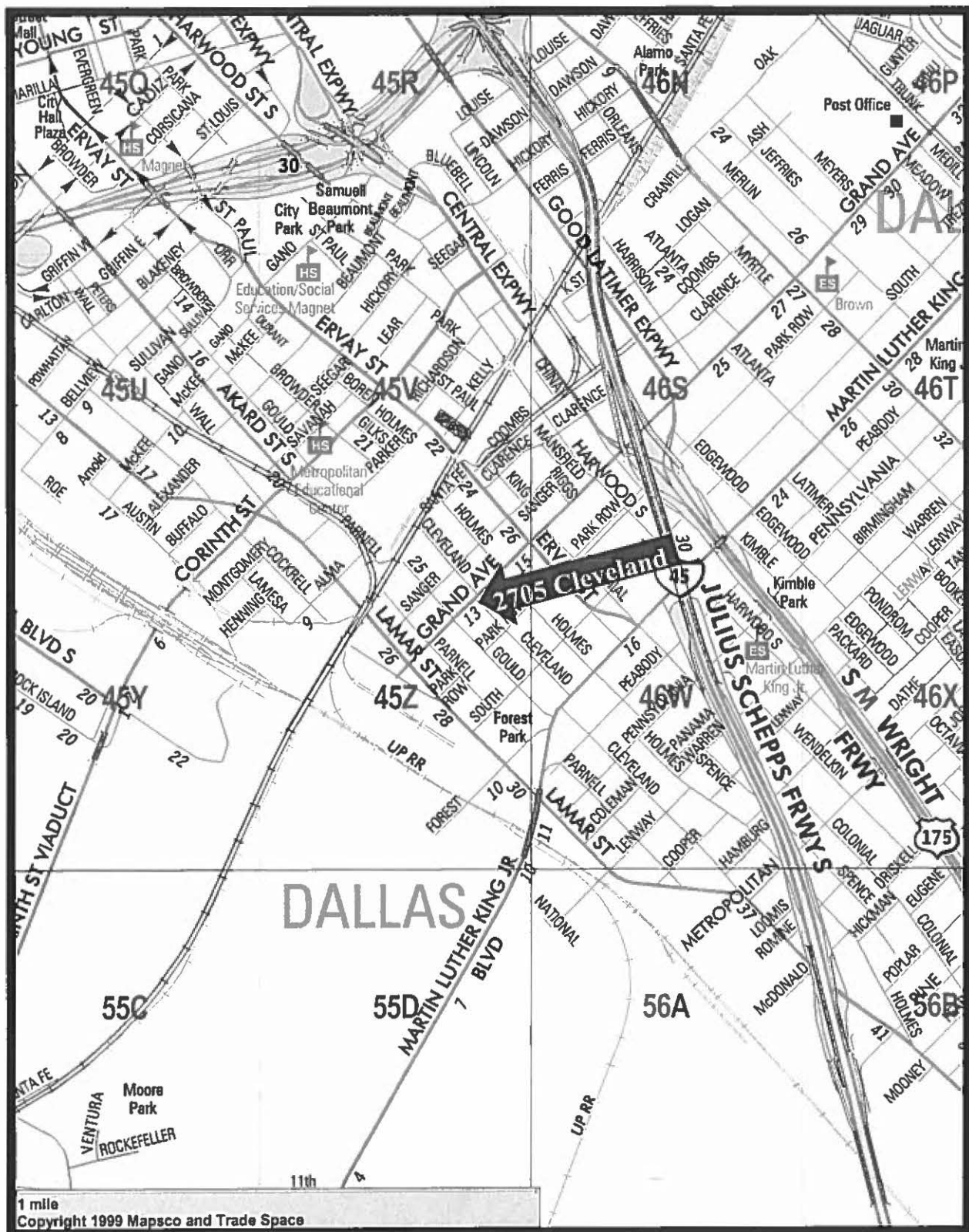
Attached

**Land Bank (DHADC) Sale of Lots to
G&G Restoration Solutions LLC**

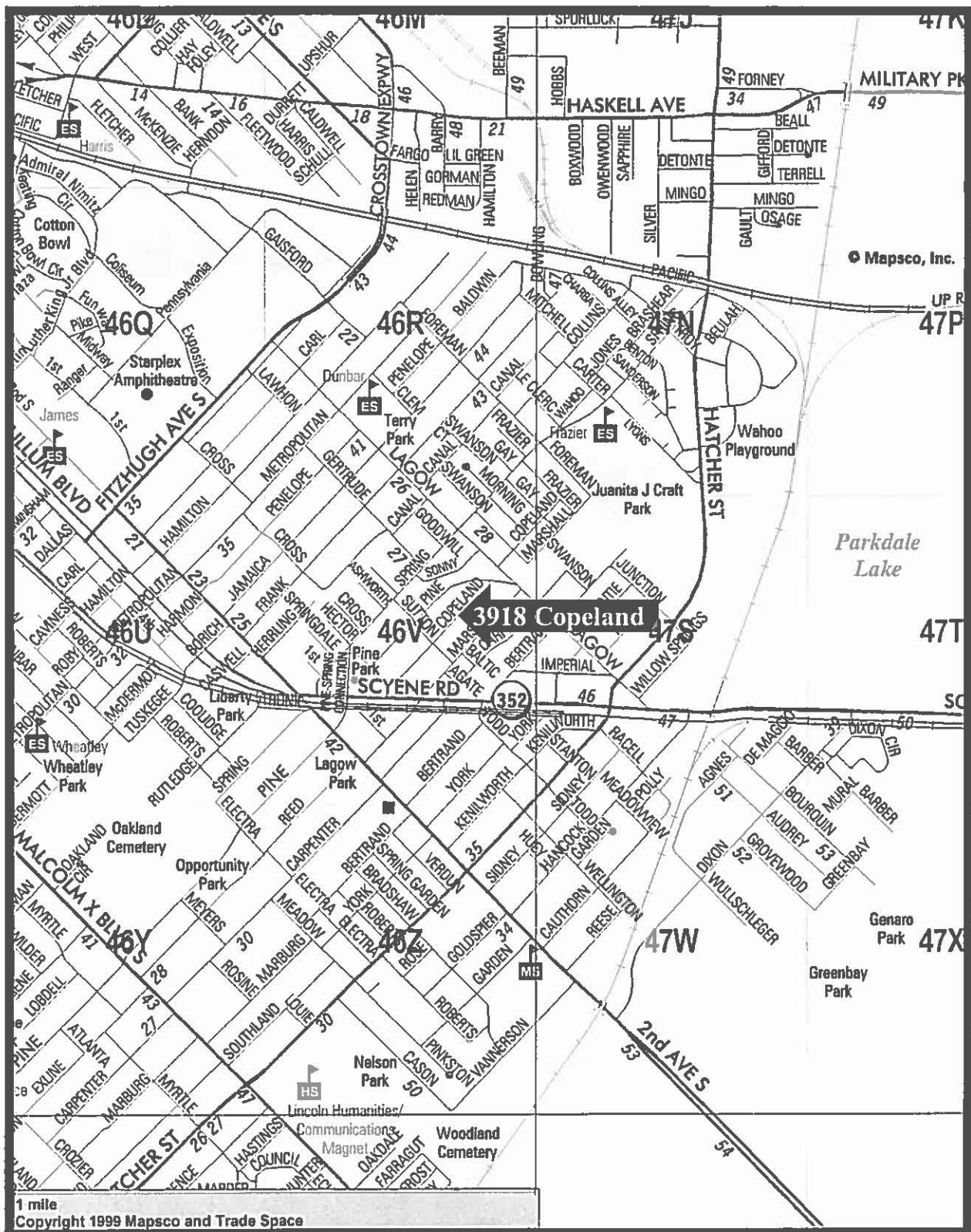
<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1923 Canada	44E	6	\$ 9,424.96
2. 2705 Cleveland	45Z	7	\$ 6,652.92
3. 3918 Copeland	46V	7	\$10,345.17
4. 1103 Church	55A	4	\$20,789.17



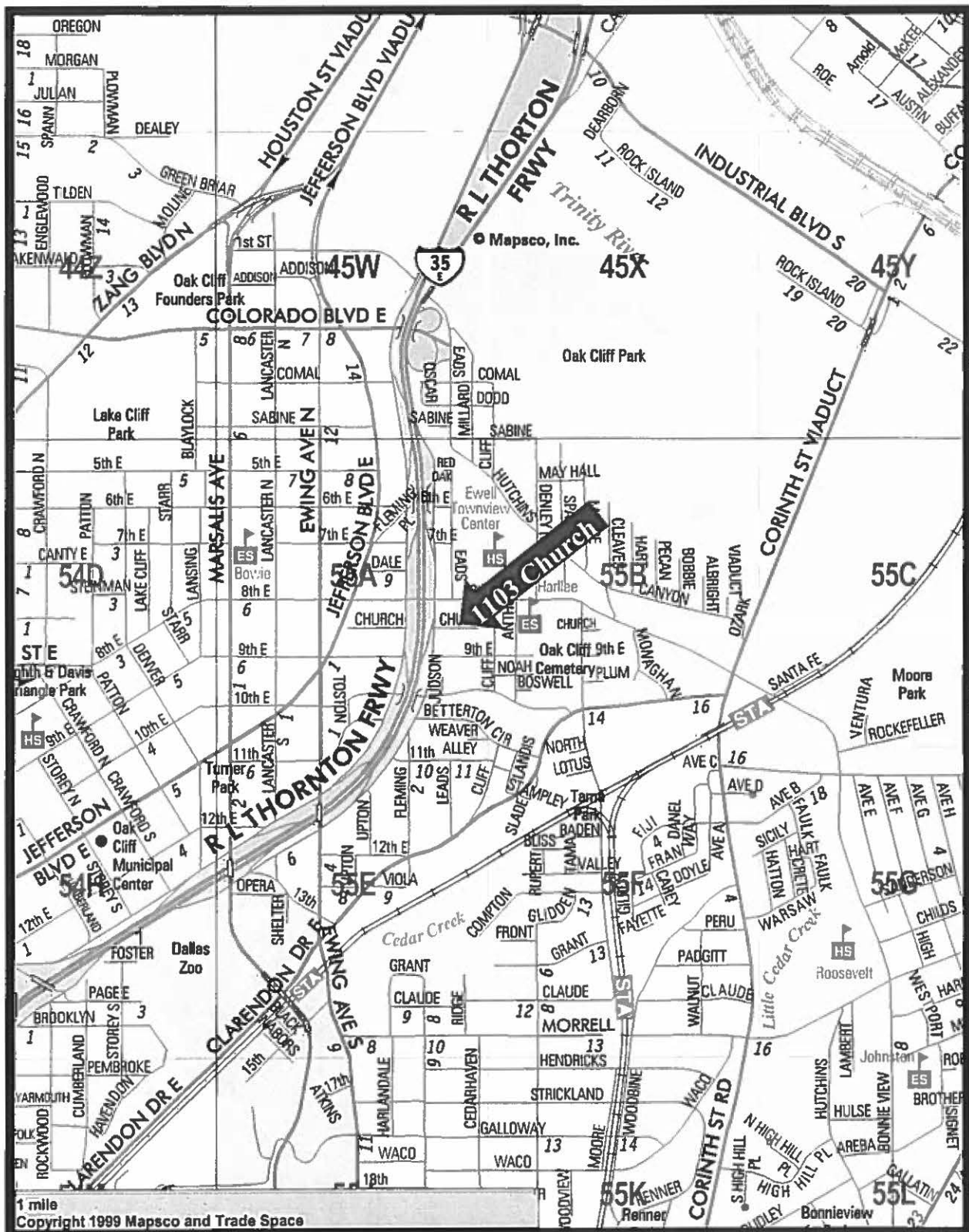
MAPSCO 44E



MAPSCO 45Z



MAPSCO 46V



MAPSCO 55A

November 10, 2015

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

WHEREAS, G&G Restoration Solutions LLC submitted a proposal and development plan to DHADC for 4 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by G&G Restoration Solutions LLC and authorize the sale of the said 4 lots from DHADC to G&G Restoration Solutions LLC to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by G&G Restoration Solutions LLC and the sale of 4 lots shown on Exhibit "A" from DHADC to G&G Restoration Solutions LLC is approved.

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

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

EXHIBIT "A"

LAND BANK PROPERTY					
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
1	1923 Canada Lot 33, Roosevelt Manor Addition Block 1/7130	G&G Restoration Solutions LLC	1	\$5,000.00	
2	2705 Cleveland Southeast 10 Feet of Lot 1 & Northwest 40 Feet of Lot 2, D L Richardson's Addition Block 1/1117	G&G Restoration Solutions LLC	1	\$5,000.00	
3	3918 Copeland Lot 10, Sunnyside Addition Block 5/1838	G&G Restoration Solutions LLC	1	\$5,000.00	
4	1103 Church East 1/2 of Lot 12, Original Town of Oak Cliff Block 84A/3065	G&G Restoration Solutions LLC	1	\$5,000.00	
TOTAL				\$20,000.00	

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 4
- (2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

1923 Canada, Dallas 75212: Lot 33, Block 1/713, Roosevelt Manor 1st Inst
2705 Cleveland, Dallas 75215: Lot 1&40, Block 1/1117, DL Richardson
3918 Copeland, Dallas 75210: Lot 10, Block 5/1838, Sunnyside
1103 Church, Dallas 75203: Lot 12, Block 84, Oak Cliff Original

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

Number of homes to be built on lots 1
Square Footage of each home 1,000 - 1,300
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$120,000 to \$150,000

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

Number of homes to be built on lots 3
Square Footage of each home 1,000 - 1,300
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports _____ Detached _____ Attached 1
Type of Exterior Veneer Brick / Siding Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$120,000 to \$150,000

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction 150 days

Completion of Construction 500 days

Sale of first affordable housing unit to low income households 160 days

Sale of last affordable unit to low income households 730 days

AGENDA ITEM # 17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2, 4

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 46D 54V 55W

SUBJECT

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

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

KW New Vision Properties and Land, Inc. has submitted a proposal and development plan to DHADC for 3 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by KW New Vision Properties and Land, Inc. to the City's Land Bank, the sale of those lots from DHADC to KW New Vision Properties and Land, Inc. and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens.

BACKGROUND (continued)

DHADC's Deed without Warranty to KW New Vision Properties and Land, Inc. will contain a reverter that returns the property to DHADC if a construction permit is not applied for by KW New Vision Properties and Land, Inc. and construction financing is not closed within three years of conveyance.

KW New Vision Properties and Land, Inc. will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,300 to 2,000 square feet and from \$110,000 to \$160,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (1 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (2 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$15,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

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

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On October 22, 2015, DHADC approved the development plan and sale of 3 lots from DHADC to KW New Vision Properties and Land, Inc.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

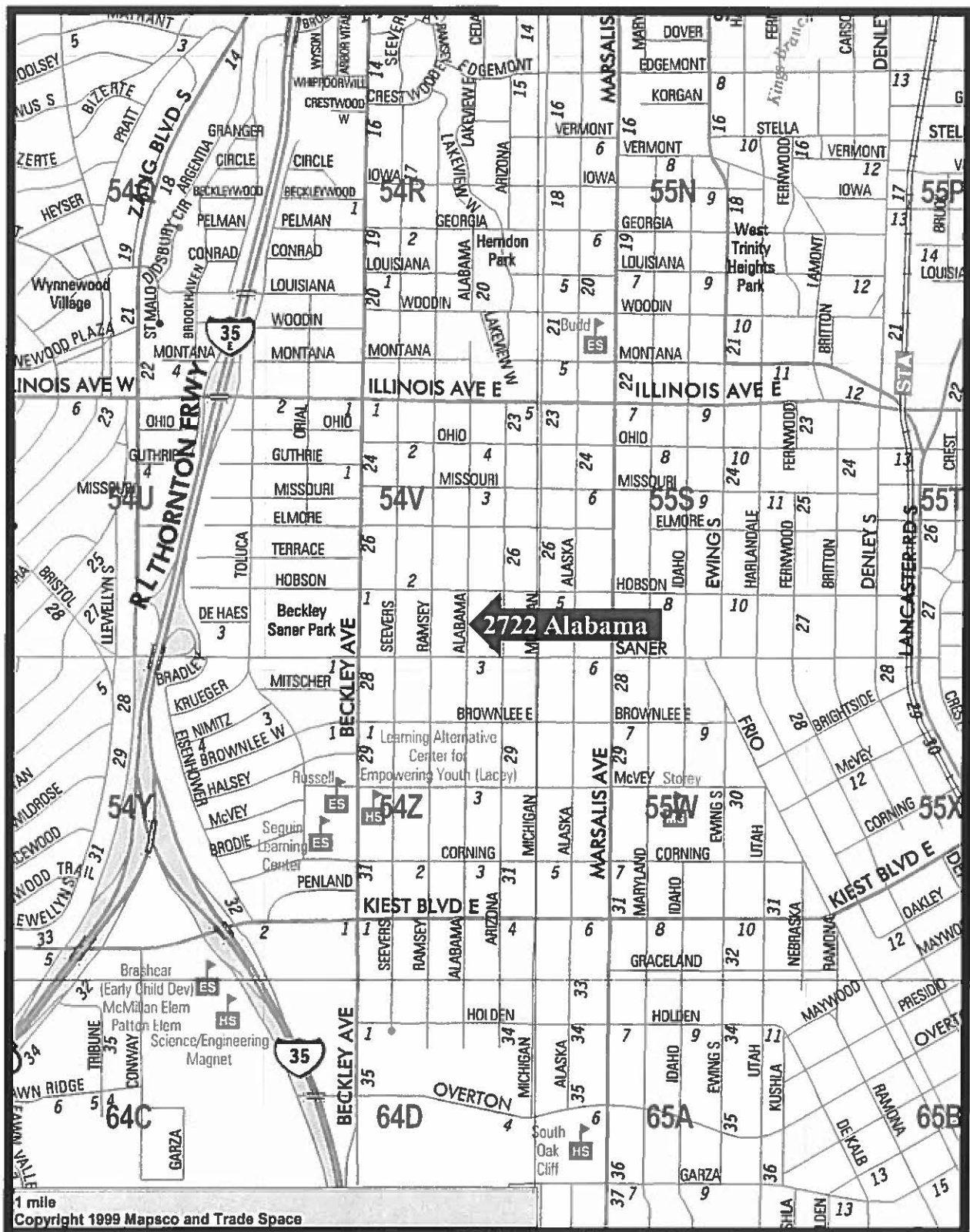
No cost consideration to the City

MAP(s)

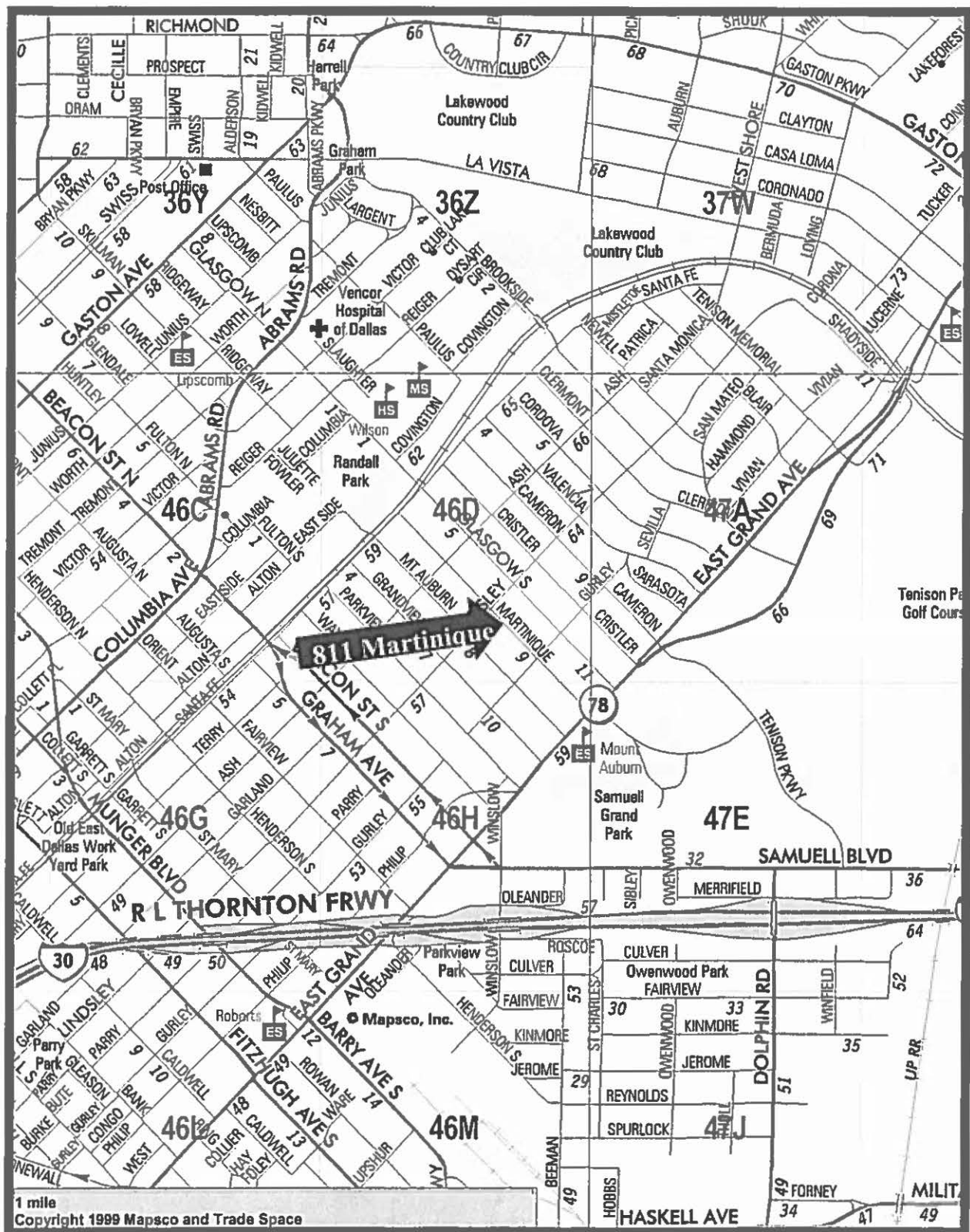
Attached

**Land Bank (DHADC) Sale of Lots to
KW New Vision Properties and Land, Inc.**

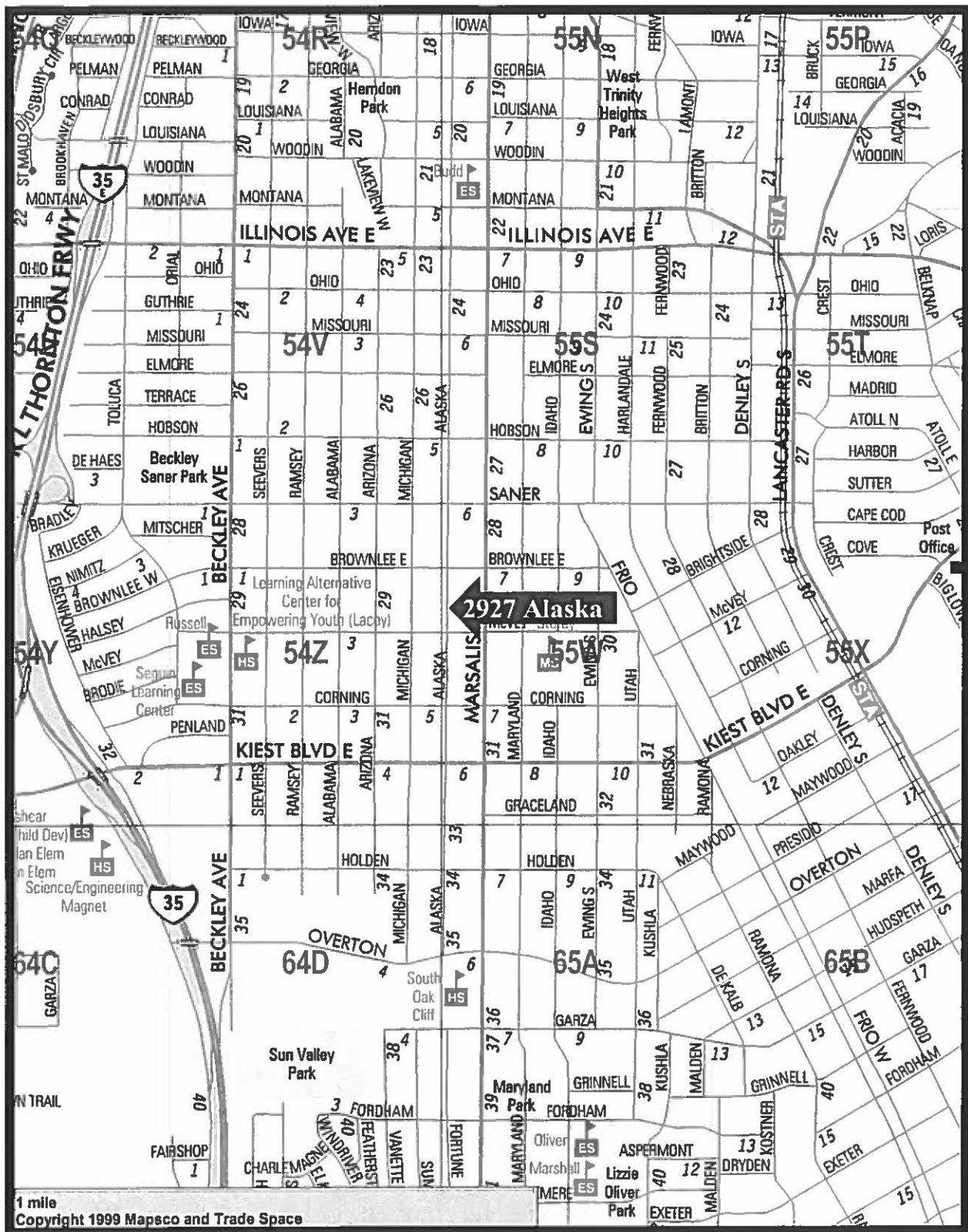
<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2722 Alabama	54V	4	\$15,427.01
2. 811 Martinique	46D	2	\$ 6,177.53
3. 2927 Alaska	55W	4	\$ 6,070.76



MAPSCO 54V



MAPSCO 46D



MAPSCO 55W

November 10, 2015

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

WHEREAS, KW New Vision Properties and Land, Inc. submitted a proposal and development plan to DHADC for 3 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by KW New Vision Properties and Land, Inc. and authorize the sale of the said 3 lots from DHADC to KW New Vision Properties and Land, Inc. to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by KW New Vision Properties and Land, Inc. and the sale of 3 lots shown on Exhibit "A" from DHADC to KW New Vision Properties and Land, Inc. is approved.

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

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

EXHIBIT "A"

LAND BANK PROPERTY					
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
1	2722 Alabama Lot 6, Broadmoor Addition Block 43/4203	KW New Vision Properties and Land, Inc.	1	\$5,000.00	
2	811 Martinique Tract 10, Mount Auburn Addition Block 13/1614	KW New Vision Properties and Land, Inc.	1	\$5,000.00	
3	2927 Alaska Lot 19, Freemont Addition Block 13/4119	KW New Vision Properties and Land, Inc.	1	\$5,000.00	
TOTAL				\$15,000.00	

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 3
- (2) Land Bank name for this parcel of lots. Dallas
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property"). 1) 2722 Alabama Ave., Dallas, TX 75216, Lot 6, Blk 43/4203, Broadmoor; 2) 811 Martinique Avenue, Dallas, TX 75223, Lot, Blk 13/1614, St. Martin Homestead; 3) 2727 Alaska Avenue, Dallas, TX 75201, Lot 19, Blk 13/4119.

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

Number of homes to be built on lots 2
Square Footage of each home 1300-2000
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1-2 Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer Brick Which sides Front
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 110-135K

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

Number of homes to be built on lots 1
Square Footage of each home 1400-2000
Number of Bedrooms/Baths in each home 4 / 2
Number of Garages 1-2 Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer Brick Which sides all
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 110-160K

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction ___ 60 ___ days

Completion of Construction ___ 60 ___ days

Sale of first affordable housing unit to low income households _ 30 _ days

Sale of last affordable unit to low income households _ 30 _ days

AGENDA ITEM # 18

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2, 4, 5

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 46G 55T 57R

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Lakee Group LLC for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Lakee Group LLC; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Lakee Group LLC has submitted a proposal and development plan to DHADC for 4 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Lakee Group LLC to the City's Land Bank, the sale of those lots from DHADC to Lakee Group LLC and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Lakee Group LLC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Lakee Group LLC and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Lakee Group LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,400 to 1,800 square feet and from \$110,000 to \$160,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (2 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (2 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$20,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

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

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On October 22, 2015, DHADC approved the development plan and sale of 4 lots from DHADC to Lakee Group LLC.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

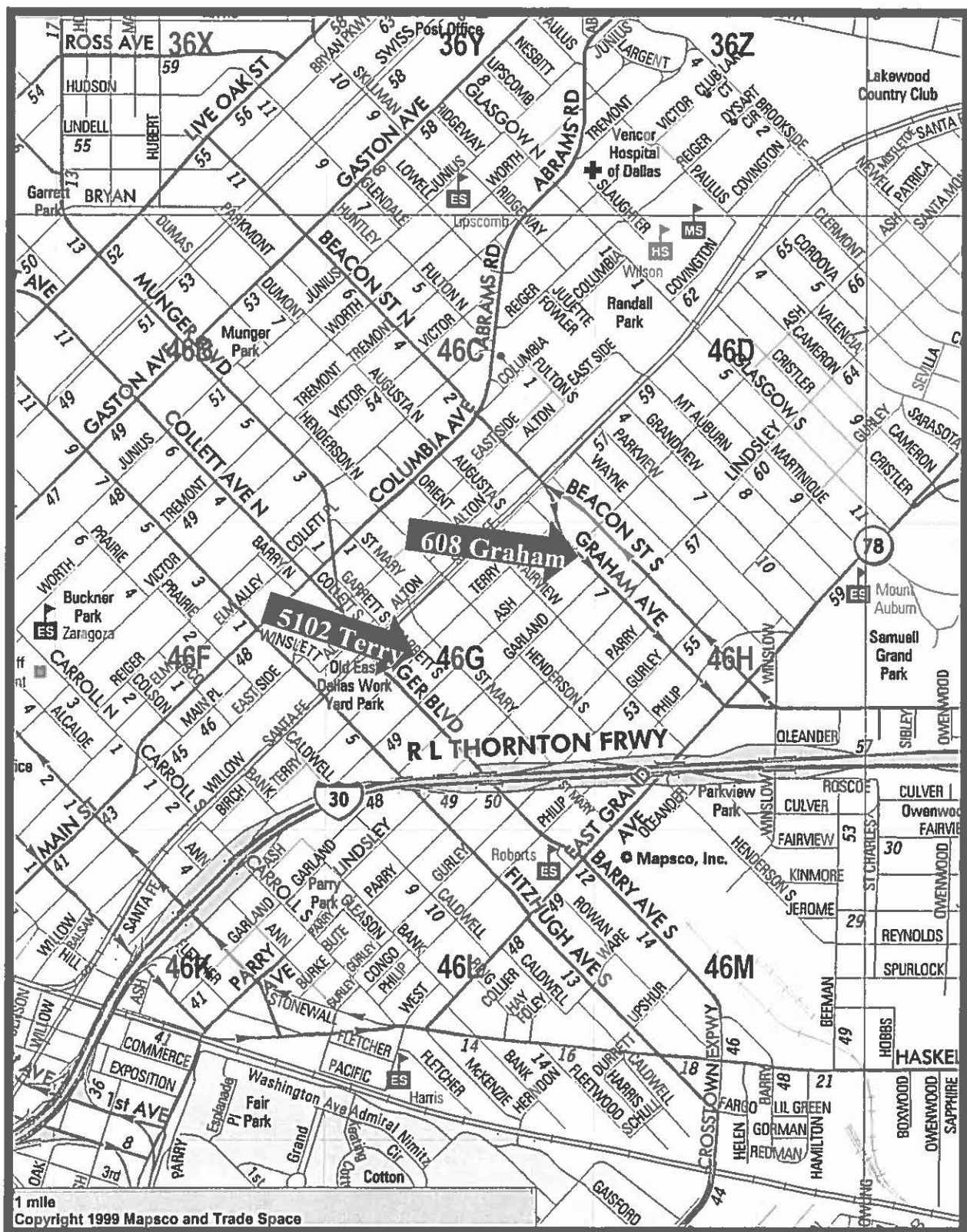
No cost consideration to the City

MAP(s)

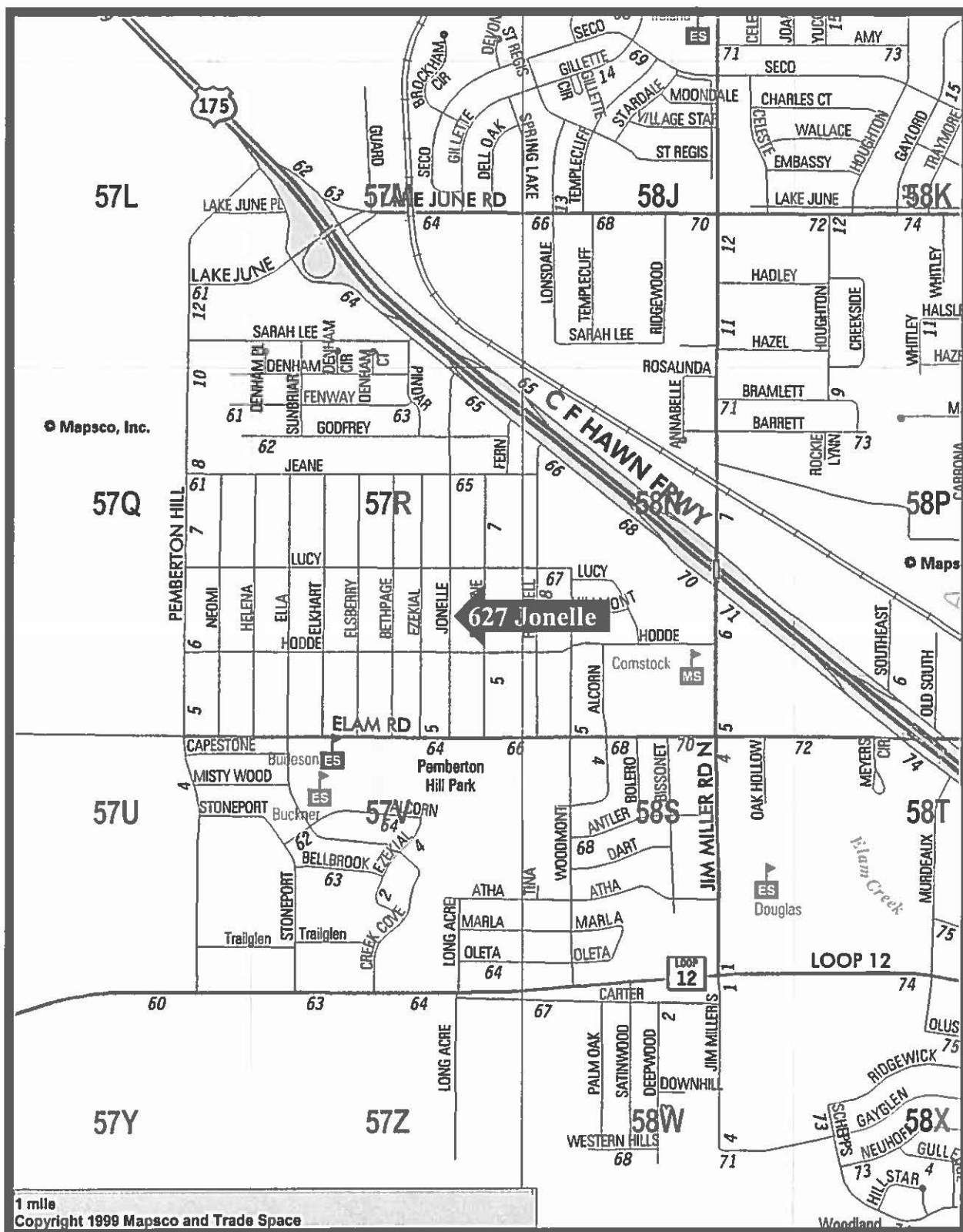
Attached

**Land Bank (DHADC) Sale of Lots to
Lakee Group LLC**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 608 Graham	46G	2	\$13,170.59
2. 5102 Terry	46G	2	\$14,962.93
3. 627 Jonelle	57R	5	\$ 9,222.45
4. 2610 Britton	55T	4	\$ 6,456.95



MAPSCO 46G



MAPSCO 57R

November 10, 2015

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

WHEREAS, Lakee Group LLC submitted a proposal and development plan to DHADC for 4 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Lakee Group LLC and authorize the sale of the said 4 lots from DHADC to Lakee Group LLC to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Lakee Group LLC and the sale of 4 lots shown on Exhibit "A" from DHADC to Lakee Group LLC is approved.

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

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

EXHIBIT "A"

LAND BANK PROPERTY					
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
1	608 Graham Lot 11, Mount Auburn Addition Block 16/1613	Lakee Group LLC	1	\$5,000.00	
2	5102 Terry Lot 18, R.D. Caldwell Addition Block 10/1246	Lakee Group LLC	1	\$5,000.00	
3	627 Jonelle Lot 26, Home Gardens #3 Addition Block T/6256	Lakee Group LLC	1	\$5,000.00	
4	2610 Britton Lot 3, Broadmoor Addition Block 32/4221	Lakee Group LLC	1	\$5,000.00	
TOTAL				\$20,000.00	

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 4
- (2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").
608 Graham Avenue, Dallas, TX 75203, Lot 11, BIK 16/1613, Mt Auburn
5102 Terry St, Dallas, TX 75223, Lot 18, BIK 16/1246, RD Caldwell
627 Jonelle St, Dallas, TX 75217, Lot 26, BIK T6256, Home Gardens 03
2610 Britton Dr, Dallas, TX 75201, Lot 3, BIK 32/4221 Broadmoor

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

Number of homes to be built on lots 2
Square Footage of each home 1400-1600
Number of Bedrooms/Baths in each home 3-4 / 2
Number of Garages 1-2 Number of Carports _____ Detached _____ Attached ✓
Type of Exterior Veneer Brick Which sides Front
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 110,000 - 130,000

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

Number of homes to be built on lots 2
Square Footage of each home 1500 - 1900
Number of Bedrooms/Baths in each home 3-4 / 2
Number of Garages 1-2 Number of Carports _____ Detached _____ Attached ✓
Type of Exterior Veneer Brick Which sides Front / Sides
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 120,000 - 160,000

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction 60 days
Completion of Construction 120 days
Sale of first affordable housing unit to low income households 60 days
Sale of last affordable unit to low income households 60 days

AGENDA ITEM # 19

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 44P

SUBJECT

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

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

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

BACKGROUND (continued)

Pace Homes Inc. will build an affordable house on the lot. The approximate square footage and sales prices of the house will be 1,000 to 1,500 square feet and from \$100,000 to \$115,000. The lot will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (1 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$5,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

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

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On October 22, 2015, DHADC approved the development plan and sale of 1 lot from DHADC to Pace Homes Inc.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

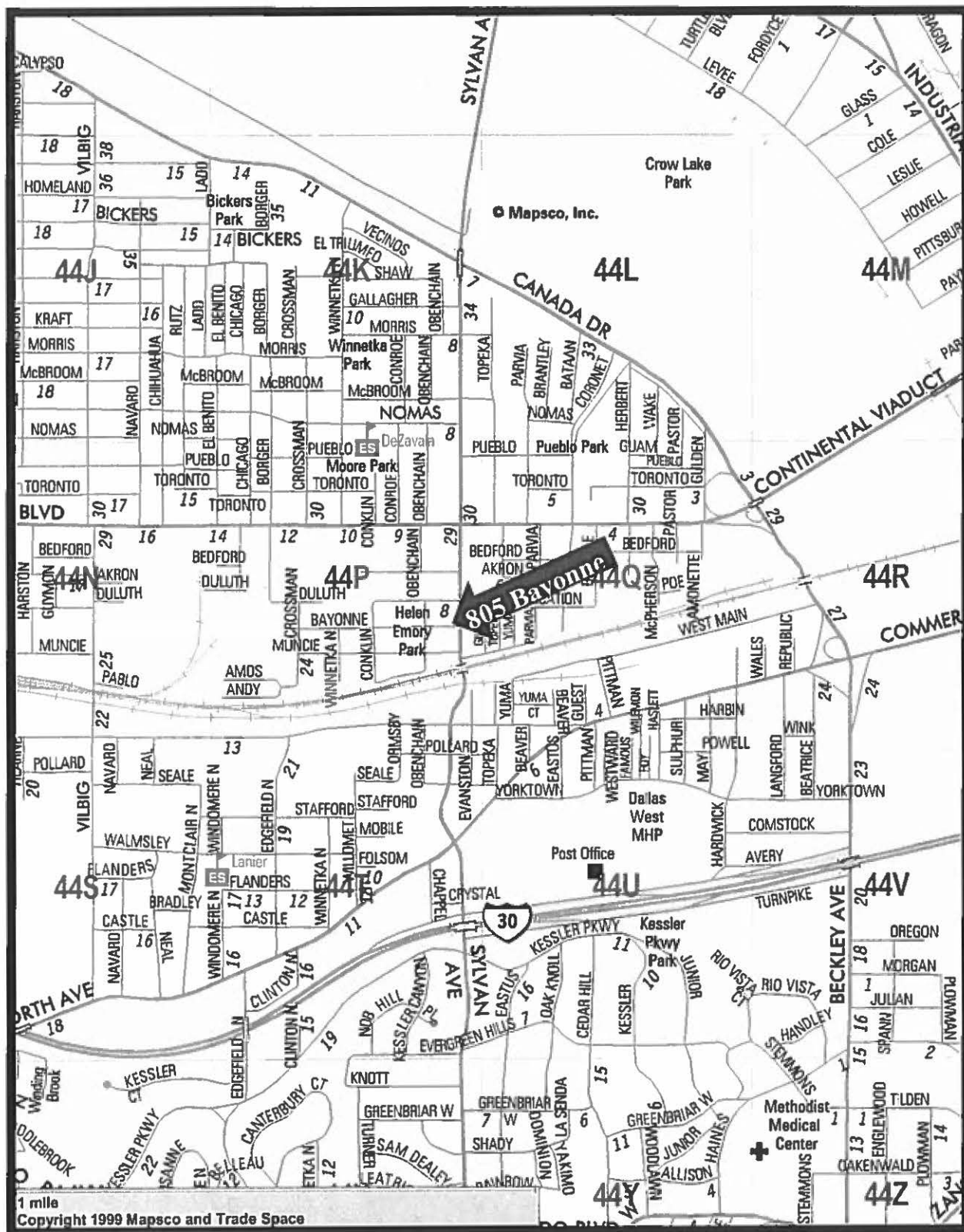
No cost consideration to the City

MAP

Attached

**Land Bank (DHADC) Sale of Lots to
Pace Homes Inc.**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 805 Bayonne	44P	6	\$27,762.37



MAPSCO 44P

November 10, 2015

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

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

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

NOW, THEREFORE,

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

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

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

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	805 Bayonne Lots 1 & 2, Z.E. Coombs West End Addition Block 37265	Pace Homes Inc.	1	\$5,000.00
TOTAL				\$5,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal: (1) ONE

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

Address: 805 Bayonne
Neighborhood:
Mapsc0: 44-P (DALLAS)

Legal Desc (Current 2015)

- 1: Z E COOMBS WEST END
- 2: BLK 3/7265 LTS 1 & 2
- 3:
- 4: INT201500187960 DD06292015 CO-DC
- 5: 7265 003 00100 2DA7265 00

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

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

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

Number of homes to be built on lots: **(1) ONE - ONE HOME PER LOT**
Square Footage of each home: **1000 TO 1500 LIVING AREA**
Number of Bedrooms/Baths in each home: **2 to 3/ 2**
Number of Garages: **1** Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer: **BRICK** Which sides: **ALL** _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer: **\$100,000 - \$115,000**

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

PROVIDE FLOOR PLANS AND ELEVATIONS

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction: **Construction will begin within 90 days.**

Completion of Construction: **Completion of the project will take approx. 60 to 90 days.**

Sale of first affordable housing unit to low income households: **Expected to occur immediately after construction and no more than 30 days.**

Sale of last affordable unit to low income households: **Expected to occur immediately after construction and no more than 30 days.**

AGENDA ITEM # 20

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 42H P 44J

SUBJECT

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

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

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

BACKGROUND (continued)

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

SOS Custom Homes, Inc. will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,400 to 1,600 square feet and from \$120,000 to \$130,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD.

A maximum of 30 percent of the developed homes (2 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (1 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$15,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

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

On September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On October 22, 2015, DHADC approved the development plan and sale of 3 lots from DHADC to SOS Custom Homes, Inc.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

No cost consideration to the City

MAP(s)

Attached

**Land Bank (DHADC) Sale of Lots to
SOS Custom Homes, Inc.**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1518 Bickers	44J	6	\$16,204.32
2. 4143 Hammerly	42H	6	\$12,591.23
3. 2626 Lapsley	42P	6	\$19,444.69

November 10, 2015

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

WHEREAS, SOS Custom Homes, Inc. submitted a proposal and development plan to DHADC for 3 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

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

NOW, THEREFORE,

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

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

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

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	1518 Bickers Lot 9, Homestead Gardens Addition Block B/7120	SOS Custom Homes, Inc.	1	\$5,000.00
2	4143 Hammerly Lot 16, Joe A. Irwin Addition No. 2 Block 6/7163	SOS Custom Homes, Inc.	1	\$5,000.00
3	2626 Lapsley Lot 14, Westwood Unit #2 Addition Block 2/7/7181	SOS Custom Homes, Inc.	1	\$5,000.00
TOTAL				\$15,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

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

1518 Bickers
4143 Hammerly
2626 Lapsley

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

Number of homes to be built on lots 1
Square Footage of each home 1,400 - 1,600
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 2 Number of Carports _____ Detached _____ Attached X
Type of Exterior Veneer Brick & Siding Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$120,000 - \$130,000

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

Number of homes to be built on lots 2
Square Footage of each home 1,400 - 1,600
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 2 Number of Carports _____ Detached _____ Attached X
Type of Exterior Veneer Brick & Siding Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$120,000 - \$130,000

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction 30 days
Completion of Construction 120 days
Sale of first affordable housing unit to low income households 120 days
Sale of last affordable unit to low income households 480 days

AGENDA ITEM # 21

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize a contract with Open Arms, Inc. dba Bryan's House for child care services for special needs children for the period October 1, 2015 through September 30, 2016 - Not to exceed \$55,000 - Financing: 2015-16 Community Development Block Grant Funds

BACKGROUND

On June 10, 2015, City Council adopted the FY 2015-16 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 15-1055. The grant funds are available beginning October 1, 2015. The FY 2015-16 Consolidated Plan Budget includes Community Development Block Grant (CDBG) funding in the amount of \$189,129 for Child Care Services Program.

In August 2015, the City posted a Request for Competitive Sealed Proposal for nonprofit organizations to provide child care services to residents in the city limits of Dallas. In August 2015, Open Arms, Inc. dba Bryan's House submitted a proposal to the City of Dallas for child care services for special needs children including children with HIV/AIDS, severe brain injuries, and autism. Open Arms, Inc. dba Bryan's House indicated in their proposal that they can accommodate over 270 children annually.

Approval of this item will provide funding in the amount of \$55,000 in CDBG funds to Open Arms, Inc. dba Bryan's House to continue to provide child care for special needs children.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 10, 2015, City Council adopted the FY 2015-16 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds, by Resolution No. 15-1055.

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

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

\$55,000 - 2015-16 Community Development Block Grant Funds

ETHNIC COMPOSITION

Open Arms, Inc. dba Bryan's House (Board)

Black Female	0	Black Male	2
Hispanic Female	0	Hispanic Male	1
White Female	11	White Male	11
Other Female	0	Other Male	0

OWNER

Open Arms, Inc. dba Bryan's House

Board of Directors

Dr. Lisa Genecov	Nancy B. Roe	Camie Shelmire
Paul Riddle	Robert Fulford	Ryan Friend
Robin Brister	Donna German	Mara Chase
Homer Brown	Elizabeth Dacus	Rusty Reid
Archie Drake, R.N.	Linda Hall	Jessica Garner
Lance Leslie	Clay Hosterman	Stuart Newsome
Antonio Rocha	Tommy Haskins, Jr.	Ryan Scripps
Ken Sheffield	Tinsley Silcox	Chris Williams
Lisa Genecov, M.D.		

November 10, 2015

WHEREAS, the City of Dallas supports the idea of addressing child care issues in a comprehensive manner including the provision of child care services for afterschool programs, special needs children, and homeless children; and

WHEREAS, Open Arms, Inc. dba Bryan's House is a licensed provider of child care services; and

WHEREAS, the City Council has identified the need to support local child care services programs and is committed to ensuring the availability of child care services for Dallas citizens; and

WHEREAS, on June 10, 2015, City Council adopted the FY 2015-16 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 15-1055; and

WHEREAS, Open Arms, Inc. dba Bryan's House has requested to partner with the City to provide child care service;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into a contract with Open Arms, Inc. dba Bryan's House for child care services for special needs children for the period October 1, 2015 through September 30, 2016, and execute any and all documents required by the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from Fund CD15, Dept. HOU, Unit 618H, Object Code 3099, Encumbrance No. HOU618HA1057 to Open Arms, Inc. dba Bryan's House (Vendor No. 266376), in an amount not to exceed \$55,000.

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

AGENDA ITEM # 22

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize a contract with Senior Citizens of Greater Dallas, Inc. to provide senior service programs for seniors aged 60 and above for one or more of the following three categories: **(1)** Senior Outreach Program in West Oak Cliff Area; **(2)** Nursing Home Ombudsman Program; and **(3)** Outreach and Case Management Program with special emphasis on Spanish-speaking seniors for the period October 1, 2015 through September 30, 2016 - Not to exceed \$161,049 - Financing: 2015-16 Community Development Block Grant Funds (\$73,049) and Current Funds (\$88,000)

BACKGROUND

On June 10, 2015, City Council adopted the FY 2015-16 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 15-1055. The grant funds are available beginning October 1, 2015. The FY 2015-16 Consolidated Plan Budget includes Community Development Block Grant (CDBG) funding in the amount of \$73,049 for Senior Services. On September 22, 2015, City Council adopted the FY 2015-16 City of Dallas Operating, Grants/Trusts, and Capital Budgets that includes funds for Senior Citizens of Greater Dallas, Inc. to provide senior service programs in the amount of \$88,000.

In August 2015, the City posted a Request for Competitive Sealed Proposal for nonprofit organizations to provide senior services to residents in the city limits of Dallas. In August 2015, Senior Citizens of Greater Dallas, Inc. submitted a proposal to the City of Dallas for senior services to provide case management and ombudsman services for seniors over 60 years old.

The Nursing Home Ombudsman Program is designed to give official mandated voice to seniors in nursing home facilities to address concerns and seek resolutions to problems or issues to enhance the quality of life in nursing home facilities for residents and their families and/or provide information, awareness and assistance to residents about nursing home facilities, selection and/or any related nursing home issues.

BACKGROUND (Continued)

The Senior Outreach West Oak Cliff Program offers workshops and a place to congregate, socialize and educate seniors through various means to address senior social service needs in the community. The Senior Outreach and Case Management Program provides services to non-English speaking clients with special emphasis on Spanish-speaking clients through advocacy, referral and case management to facilitate access to social services via education, translation, transportation, etc. Senior Citizens of Greater Dallas, Inc. is a non-profit organization incorporated in 1961 to serve seniors in Dallas to improve their quality of life through protection, eldercare, advocacy, volunteerism, and employment services. They serve over 1,100 individuals with new services annually.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 10, 2015, City Council adopted the FY 2015-16 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds, by Resolution No. 15-1055.

On September 22, 2015, City Council adopted the FY 2015-16 City of Dallas Operating, Grants/Trusts, and Capital Budgets that authorizes funds in the amount of \$88,000 to provide senior services programs to the Senior Citizens of Greater Dallas, Inc., by Resolution No. 15-1784.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

\$73,049 - 2015-16 Community Development Block Grant Funds
\$88,000 - Current Funds

ETHNIC COMPOSITION

Senior Citizens of Greater Dallas, Inc. (Board)

Caucasian Male	24	Caucasian Female	25
African American Male	4	African American Female	1
Hispanic Male	2	Hispanic Female	3
Asian Male	0	Asian Female	1
Native American Male	0	Native American Female	0

OWNER

Senior Citizens of Greater Dallas, Inc.

Board of Directors

Debbie Oates
Greg Ballew
Kim Cocklin
John Cuellar
Carolyn L. Miller
Donald Berg
Frank Breedlove
Bill E. Carter
Nancy Carter
David Corrigan
Christina Durovich
Ruben Esquivel
Elizabeth Gambrell
Walter D. Gruenes
Paul Hoffman
Dorothy Kennington
Ashlee Kleinert
Patty Leyendecker
Michael P. Massad, Jr.
John McCarthy
Becky Powell-Schwartz
Beverly Bell Godbey
Shannon Hanberry
Roscoe Smith
Theresa Stambaugh
John R. Taylor, III
Charles Etta Williams, Ed. D.
Rwan S. Hardesty
Rachel Velasquez
Jason Winborn

Jeffrey N. Francis
James Garner
Kathy Helm
Larry Gekiere
Matt Adams
Tre' Black
Kris Burks
Christie Carter
J. Peter Kline
Sheryl Coyne-Batson
Timothy L. Dwight
Marvin Franking
Jerry C. Gilmore
Lisa Longino
Sharon McCullough
David Kleiman
Mary Lazo
Dan Mahoney
Thomas J. Mastor
Sharon Popham
Tom Rhodes, Jr.
Pat Rosenthal
Andy Smith
Connie O'Neil
Donna Strittmatter Max
Carrie Parsons
Emilynn Wilson
Maria M. Tafalla
Marilyn H. Weber
Michael Shtofman

November 10, 2015

WHEREAS, on June 10, 2015, City Council adopted the FY 2015-16 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 15-1055; and

WHEREAS, on September 22, 2015, City Council adopted the FY 2015-16 City of Dallas Operating, Grants/Trusts, and Capital Budgets that authorizes funds for Senior Citizens of Greater Dallas, Inc. to provide senior service programs in the amount of \$88,000 by Resolution No. 15-1784; and

WHEREAS, Senior Citizens of Greater Dallas, Inc. is a non-profit 501(c)(3) corporation throughout the City of Dallas who provides services that meet the criteria set forth for seniors; and

WHEREAS, the City desires to contract with Senior Citizens of Greater Dallas, Inc. to provide Senior Service Programs for seniors in an amount not to exceed \$161,049;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into a contract with Senior Citizens of Greater Dallas, Inc. to provide senior service programs for seniors aged 60 and above for one or more of the following three categories: **(1)** Senior Outreach Program in West Oak Cliff Area; **(2)** Nursing Home Ombudsman Program; and **(3)** Outreach and Case Management Program with special emphasis on Spanish-speaking seniors for the period October 1, 2015 through September 30, 2016, and execute any and all documents required by the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from Fund CD15, Dept. HOU, Unit 629H, Object Code 3099, Encumbrance No. HOU629HA1056 to Senior Citizens of Greater Dallas, Inc. (Vendor No. VS0000044882), in an amount not to exceed \$73,049.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 0001, Dept. HOU, Unit 4305, Object Code 3099, Encumbrance No. HOU4305A1055 to Senior Citizens of Greater Dallas, Inc. (Vendor No. VS0000044882), in an amount not to exceed \$88,000.

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 # 23

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize a contract with Vogel Alcove for child care services for homeless families for the period October 1, 2015 through September 30, 2016 - Not to exceed \$125,129 - Financing: 2015-16 Community Development Block Grant Funds (\$94,129) and Current Funds (\$31,000)

BACKGROUND

On June 10, 2015, City Council approved the FY 2015-16 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 15-1055. The grant funds are available beginning October 1, 2015. The FY 2015-16 Consolidated Plan Budget includes Community Development Block Grant (CDBG) funding in the amount of \$189,129 for Child Care Services. On September 22, 2015, City Council adopted the FY 2015-16 City of Dallas Operating, Grants/Trusts, and Capital Budgets that includes funds for Vogel Alcove to provide child care services for homeless families.

In August 2015, the City posted a Request for Competitive Sealed Proposal for nonprofit organizations to provide child care services to residents in the city limits of Dallas. In August 2015, Vogel Alcove submitted a proposal to the City of Dallas for child care services for homeless families. Vogel Alcove can accommodate up to 270 persons annually in its main facility. Families are eligible for services if they are homeless and are residents of the twenty-two (22) affiliated homeless shelters, domestic violence shelters and transitional housing programs.

Approval of this item will provide funding in the amount of \$125,129 in CDBG and current funds to Vogel Alcove to continue to provide child care for homeless families.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 10, 2015, City Council adopted the FY 2015-16 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant funds, by Resolution No. 15-1055.

On September 22, 2015, City Council adopted the FY 2015-16 City of Dallas Operating, Grants/Trusts, and Capital Budgets that authorizes funds in the amount of \$31,000 for child care services to Vogel Alcove, by Resolution No. 15-1784.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

\$94,129 - 2015-16 Community Development Block Grant Funds
\$31,000 - Current Funds

ETHNIC COMPOSITION

Vogel Alcove (Board)

Black Female	1	Black Male	0
Hispanic Female	0	Hispanic Male	0
White Female	11	White Male	23
Other Female	0	Other Male	1

OWNER

Vogel Alcove

Board of Directors

John Amend	John Bryce Anderson	Dylan Bolden
Alice Barnett	Suzie Bovine	Jim Chadrick
Mary Lee Broder	Craig Budner	Marguerite Burtis
Charlie Corson	Clay K. Deniger	Sara Dura
Catherine Enrico	Howard Feldman	Benjamin K. Fujihara
Cathy Glick	Alan Gold	Susan Hirsch
Peter Knag	Mark Kovac	Rick A. Lacher
Rick Lear	Rob Little	Mary Lyons
Diane Miles	John Offenloch	Ann Marie Painter
Alan Perkins	Andy Rabin	Vinnie Rubin
Jared Rusman	David Veeder	Kyle Volluz
John Wander	Sandra Wells	
Alan Yonack		

November 10, 2015

WHEREAS, the City of Dallas supports the idea of addressing child care issues in a comprehensive manner including the provision of child care services for afterschool programs, special needs children, and homeless children; and

WHEREAS, Vogel Alcove is a licensed provider of child care services; and

WHEREAS, the City Council has identified the need to support local child care services programs and is committed to ensuring the availability of child care services for Dallas citizens; and

WHEREAS, on June 10, 2015, City Council adopted the FY 2015-16 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 15-1055; and

WHEREAS, on September 22, 2015, City Council adopted the FY 2015-16 City of Dallas Operating, Grants/Trusts, and Capital Budgets that authorizes funds in the amount of \$31,000 for child care services to Vogel Alcove, by Resolution No. 15-1784; and

WHEREAS, Vogel Alcove has requested to partner with the City to provide child care service;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into a contract with Vogel Alcove for child care services for homeless families for the period October 1, 2015 through September 30, 2016, and execute any and all documents required by the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from Fund CD15, Dept. HOU, Unit 618H, Object Code 3099, Encumbrance No. HOU618HA1059 to Vogel Alcove (Vendor No. 269533), in an amount not to exceed \$94,129.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 0001, Dept. HOU, Unit 4311, Object Code 3099, Encumbrance No. HOU4311A1058 to Vogel Alcove (Vendor No. 269533), in an amount not to exceed \$31,000.

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: Clean, Healthy Environment

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize a Memorandum of Understanding between the City of Dallas and Unlocking DOORS, Inc. dba DOORS, to: **(1)** collect and report evidence-based data regarding re-entry rates and recidivism by zip codes/City Councilmember districts; and **(2)** measure the risks and needs of ex-offenders referred to DOORS by the City of Dallas, Homeless Services Program using the Texas Risk Assessment Supplemental Tool (TRAS) for the period January 1, 2016 through December 31, 2016 - Not to exceed \$50,000 - Financing: Current Funds (subject to appropriations)

BACKGROUND

On September 12, 2014, Unlocking DOORS, Inc. dba DOORS (DOORS) presented to the Housing Committee on reentry services provided by the organization. The committee expressed an interest in DOORS collecting and reporting evidence-based information regarding recidivism citywide and by individual zip codes/City Councilmember districts. This data will have qualitative percentage of former prisoners who are arrested for a similar offense or ensuring that interventions are as appropriate and purposeful as possible.

On February 11, 2015, City Council, by Resolution No. 15-0273, approved a Memorandum of Understanding with DOORS, to provide funding to DOORS: (a) to collect and report recidivism data on a quarterly basis to the City, and (b) to have DOORS case managers conduct assessments on clients referred to DOORS by the City using the TRAS, which determines client's needs and risk of re-offending. The TRAS will assess how likely an offender is to be re-convicted, identify and classify offending-related needs, including basic personality characteristics and cognitive behavioral problems, assess risk of serious harm, risks to the individual and other risks, assist with management of risk of harm, indicate the need for further specialist assessments, and measure change during the period of comprehensive Pre/Post-Release Case Management.

BACKGROUND (Continued)

DOORS is the only non-profit entity that has been authorized to use this re-entry assessment tool by the Texas Department of Criminal Justice (TDCJ), and they provide copies of the assessments through a secure process to City staff for inclusion in the client files and development of individual services plans. Approval of this agenda item will continue these re-entry data collection and assessment services for an additional year.

DOORS is a non-profit entity and provides comprehensive state-wide reentry networks headquartered in Dallas, Texas. Through collaboration and coordination with hundreds of agencies and organizations, DOORS seeks to reduce crime by assuring Formerly Incarcerated Persons (FIPS) lead crime-free and self-sufficient lives. DOORS provides the following services to individuals who are 18 years of age or older, have a criminal record, and are seeking reentry integration into free society:

- Comprehensive Pre/Post-Release Case Management for individuals who already reside in/or are releasing into a county where DOORS has an office. Case management includes: (a) a full risk/needs assessment, (b) customized client case management plan; (c) referrals to community service providers to meet the client's specific needs; and (d) client monitoring up to four years to assure successful integration and self-sufficiency;
- Reentry Resource and Referral Service (Pre-Case Management Services) for individuals (via phone, email and USPS mail) who reside outside or are returning to a county or another state where DOORS does not have any office;
- Reentry Training and Education (including continuing education credits for professionals) for community/state/federal partners, agencies and organizations, service providers, criminal justice professionals (including licensed social workers, law enforcement and attorneys), and the public regarding reentry and integration issues, tools, policies, and evidence-based practices; and
- Evidence-Based and Community Impact Data Collection, Maintenance and Evaluation/Analysis for use by stakeholders in determining evidence-based funding, policies and legislation.

The City of Dallas is among one of the many partners that collaborates with DOORS regarding re-entry services and seeks technical assistance regarding new and innovative methods to address issues facing Formerly Incarcerated Persons (FIPS), their families, service providers, and the community.

On February 25, 2015, DOORS presented the Texas Reentry Symposium at the Belo Mansion here in Dallas, to bring national experts in re-entry together with local providers and community stakeholders (including the City of Dallas), for a dialogue on re-entry program services that work to reduce recidivism.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 14, 2014, the Housing Committee was briefed on re-entry services by DOORS.

On February 11, 2015, City Council approved a Memorandum of Understanding with Unlocking DOORS, Inc. dba DOORS, for re-entry data collection and assessment services, by Resolution No. 15-0273.

On August 17, 2015, Unlocking DOORS Texas Reentry Network was briefed to the Housing Committee.

FISCAL INFORMATION

\$50,000 - Current Funds (subject to appropriations)

November 10, 2015

WHEREAS, there are more than 70,000 Formerly Incarcerated Persons (FIPS) returning from prisons, and state and county jails to the Texas community annually; and

WHEREAS, in 2014, Dallas County had the second highest population of releases from Texas Department of Criminal Justice facilities based on county of conviction, with 7,603 persons with a Dallas County conviction having been released back into the community in 2014; and

WHEREAS, approximately 430 parolees are released to Dallas County per month (excluding non-parolees released who require services); and

WHEREAS, on February 11, 2015, City Council approved a Memorandum of Understanding with Unlocking DOORS, Inc. dba DOORS to provide re-entry data collection and assessment services, and desires to continue those services for an additional year;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute a Memorandum of Understanding between the City of Dallas and Unlocking DOORS, Inc. dba DOORS to: **(1)** collect and report evidence-based data regarding re-entry rates and recidivism by zip codes/City Councilmember districts; and **(2)** measure the risks and needs of ex-offenders referred to DOORS by the City of Dallas, Homeless Services Program using the Texas Risk Assessment Supplemental Tool (TRAS) for the period January 1, 2016 through December 31, 2016.

Section 2. That the Chief Financial Officer is hereby authorized to disburse, in periodic payments, to Unlocking DOORS, Inc. dba DOORS in an amount not to exceed \$50,000 (subject to appropriations), from Fund 0001, Dept. HOU, Unit 4295, Object Code 3099, Encumbrance No. CTGH184737, Vendor No. VS0000068727.

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

AGENDA ITEM # 25

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize **(1)** an amendment to Resolution No. 01-2049, previously approved on June 27, 2001, for a forgivable loan agreement with Operation Relief Center to: **(a)** permit affordable rental housing in addition to affordable housing for sale, **(b)** extend the completion deadline to December 31, 2014; and **(2)** a release of lien for the remaining lots for market rate housing – Financing: No cost consideration to the City

BACKGROUND

In January 2002, the City Council approved a Community Housing Development Organization (CHDO) loan for infrastructure and single family homes project with Operation Relief Center (ORC) for 22 market rate and 20 affordable units in the Pleasant Oaks Estates addition.

In 2008, Operation Relief Center sold 42 lots to Coronado Assets, L.P. to complete construction of the units. ORC remained as a partner for the development of the subdivision while Coronado Assets, L.P. and Neighborhood Builders CDC, a nonprofit developer, constructed the remaining units.

To-date, the infrastructure for the subdivision, construction of the 20 affordable homes and 10 of the market rate units have been completed. Of the 20 affordable homes, six were sold to low income families, and fourteen were leased to low income families to be sold as they are approved for permanent financing.

The loan agreement requires that the 20 affordable homes all be sold to low income families by September 13, 2012. ORC has requested that the City amend the loan agreement to permit the 14 rental units, and to extend the completion deadline to December 31, 2014. Since they have met the terms of the original loan agreement, ORC has requested that the remaining lots be cleared of the City's lien in order to obtain interim financing to complete the build out of the remaining 12 market rate units.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 27, 2001, City Council approved the Community Housing Development Organization (CHDO) Program Statement by, Resolution No. 01-2049.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

No cost consideration to the City

November 10, 2015

WHEREAS, affordable housing for low and moderate income families is a high priority of the City of Dallas; and

WHEREAS, on June 27, 2001, the City Council approved the Community Housing Development Organization (CHDO) Program Statement by Resolution No. 01-2049; and

WHEREAS, the City desires the development of market rate housing in southern Dallas for moderate income families; **NOW, THEREFORE**,

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

SECTION 1. That the City Manager is hereby authorized to **(1)** amend Resolution No. 01-2049, previously approved on June 27, 2001, for a forgivable loan agreement with Operation Relief Center to: **(a)** permit affordable rental housing in addition to affordable housing for sale, **(b)** extend the completion deadline to December 31, 2014; and **(2)** release of lien for the remaining lots for market rate housing.

SECTION 2. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute the amendment and releases of liens, terminate deed restrictions, and forgive the debt on the property upon compliance with the loan terms and deed restrictions.

SECTION 3. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan or conditional grant, until such time as the loan and conditional grant documents are duly approved by all parties and executed.

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

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 1

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 45W

SUBJECT

Authorize Supplemental Agreement No. 1 to amend Resolution No. 14-1794, previously approved on October 22, 2014, for a secured, no interest, forgivable loan in the amount of \$67,613 to Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor for non-substantial rehabilitation at Spencer Gardens located at 717 Comal Street, to: **(1)** extend the completion date for the rehabilitation and the maturity date of the note to March 31, 2016; and **(2)** change the scope of work on the water heater component of the rehabilitation project - Financing: No cost consideration to the City

BACKGROUND

On October 22, 2014, by Resolution No. 14-1794, City Council authorized a secured, no interest, forgivable loan in the amount of \$67,613 to Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, for non-substantial rehabilitation at Spencer Gardens located at 717 Comal Street, to be completed by September 30, 2015. The approved projects include replacement of the roof and water heaters, funded by FY 2014-15 Housing Opportunities for Persons with AIDS (HOPWA) grant funds, which expire in September 2017.

The agency completed the roof replacement project at Spencer Gardens and at one of its other facilities in late July, both of which has been scheduled to be completed in spring but were delayed to summer due to extensive rain. The agency then solicited bids on the water heater project, but encountered several unexpected barriers. The agency has requested to extend the completion date until March 31, 2016, and change the scope of work on the water heater component of the rehabilitation project.

BACKGROUND (Continued)

The agency first had difficulty securing a licensed plumbing contractor meeting the City's insurance requirements that was willing and available to take on this small commercial retro-fit at a multi-family property. Then, the scope of work for the project changed. The original scope of work called for replacing and relocating the water heaters from the attic to a mechanical closet in the parking garage. However, after consulting with several plumbing contractors and the manufacturer regarding ventilation issues, the scope of the project had to be changed to replace/relocate the water heaters within the attic to an area that would not threaten living areas in the event of a leak. With these new specifications, the agency has identified and scheduled a plumbing contractor to begin work on the project upon approval issuance of an order to proceed by the City, to be completed by March 31, 2016.

No residents will be displaced during the rehabilitation. HOPWA regulations require that Spencer Gardens be maintained, through deed restrictions, as a facility to provide housing or assistance for persons with HIV/AIDS for a period of not less than three (3) years following the completion date, which will be March 31, 2019, in this case.

PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (ASD) is a non-profit agency located in the southwestern part of the city. The agency was founded in 1987, with its mission being to create and strengthen healthy communities through the delivery of quality, affordable, service-enriched housing for individuals and families living with HIV/AIDS. The agency has been providing supportive housing services continually since April 1987.

Spencer Gardens is located at 717 Comal Street and is a multi-story building with 12 two- and three-bedroom apartment units for families. The facility is owned by Supportive Housing, Inc., which is a non-profit organization formed in September 1992, to hold fee simple/legal title to the real property that PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas uses to provide supportive housing to persons with HIV/AIDS in Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the first twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas for facility based housing assistance on August 13, 2014, by Resolution No. 14-1229.

Authorized a secured, no interest forgivable loan agreement with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas, for non-substantial rehabilitation at Ewing Center, on October 22, 2014, by Resolution No. 14-1793.

Authorized a secured, no interest forgivable loan agreement with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas, for non-substantial rehabilitation at Spencer Gardens, on October 22, 2014, by Resolution No. 14-1794.

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

Authorized the second twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas for facility based housing assistance on August 12, 2015, by Resolution No. 15-1375.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

No cost consideration to the City

ETHNIC COMPOSITION

PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (Board)

Black Female	1	Black Male	2
White Female	4	White Male	17
Hispanic Female	2	Hispanic Male	1
Other Female	0	Other Male	2

OWNER(S)

PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas

Board of Directors

Don Neubauer, Chair	James Lightfoot
Donald Mercer, Vice Chair	Arlene Miller
Karen Charleston, Secretary	David Nelson
William Early, Treasurer	Ashley Peña
Jacque Borel	Rich Perry
Michael Bursey	Ian Sadler
Charles Calise	JoAnn Schauf
Debbie Ochoa Duncan	Budi Sutomo
Mark Edgell	Wayne Thomas
Jennifer Greenlee	Jonathan Thorne
Robert Helm	Jennifer Thornton
Bruce Jaster	Sharon Valenti
Domingo Jimenez	Hon. Ernie White
Matthew Jones	William Young, Jr.
Dennis Kershner	

November 10, 2015

WHEREAS, Housing Opportunities for Persons with AIDS (HOPWA) grant funds received from the U.S. Department of Housing and Urban Development have been designated to provide services to low-income persons with HIV/AIDS and HIV-related illness and their families; and

WHEREAS, on October 22, 2014, by Resolution No. 14-1794, City Council authorized a secured, no interest, forgivable loan with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, for non-substantial rehabilitation at Spencer Gardens located at 717 Comal Street; and

WHEREAS, the approved rehabilitation projects at Spencer Gardens are funded by FY 2014-15 Housing Opportunities for Persons with AIDS (HOPWA) grant funds, which expire in September 2017; and

WHEREAS, the agency has requested, and the City of Dallas desires to allow, additional time until March 31, 2016, to complete the water heater project with new specifications; and

WHEREAS, Spencer Gardens must be maintained, to provide housing or assistance for persons with HIV/AIDS for a minimum use period of not less than three years after the rehabilitation is completed;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to amend Resolution No. 14-1794, previously approved on October 22, 2014, for a secured, no interest, forgivable loan in the amount of \$67,613 to Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor for non-substantial rehabilitation at Spencer Gardens located at 717 Comal Street, to: **(1)** extend the completion date for the rehabilitation and the maturity date of the note to March 31, 2016; and **(2)** change the scope of work on the water heater component of the rehabilitation project.

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 # 27

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 64W

SUBJECT

Authorize **(1)** an amendment to Resolution No. 15-0989, previously approved on May 27, 2015, for a housing development loan in an amount not to exceed \$225,000 with Builders of Hope CDC to: **(a)** forgive the debt as each unit is sold to a low-income homebuyer at or below 80% of Area Median Family Income; and **(2)** an agreement with the Texas State Affordable Housing Corporation (Lessor), in lieu of requiring the Lessor to file a Deed of Trust in favor of the City against the lots for the Creekside Project located on Oak Garden Trail - Financing: No cost consideration to the City

BACKGROUND

On February 2, 2015, the City posted a Notice of Funding Availability (NOFA) in the amount of \$4M, of which \$1M was for projects to be developed by CHDOs, requesting developers to submit proposals to build single family homes in the city limits of Dallas. Builders of Hope CDC (BOH) Corporation applied and City Council approved a development loan on May 27, 2015 for \$225,000 for construction of ten (10) affordable housing units for low and moderate income families for the Creekside Project.

The Texas State Affordable Housing Corporation (Lessor) currently ground leases the land for the Creekside Project to Builders of Hope CDC. As each home is built and sold to eligible homebuyers, the Lessor will release the lot on which the home is built from the ground lease and transfer title to the buyer. The Lessor has agreed to execute an agreement with City to ensure that the lots will be sold simultaneously with sale of each house, that the Lessor may not exercise any right of first refusal or other purchase right with regard to the Creekside lots, and the Lessor will record deed restrictions against the Creekside properties within 10 business days of Builders of Hope CDC executing its loan agreement with the City.

City Council approval of this agenda item will authorize the City Manager to execute the agreement with the Lessor in lieu of requiring the Lessor to file a deed of trust in favor of the City to secure the Creekside lots.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 27, 2012, City Council approved the FY 2012-13 Consolidated Plan Budget for FY 2012-13 federal funds which included the Community Based Development Organizations (CBDOs) in the Community Development Block Grant Funds, by Resolution No. 12-1629.

On May 27, 2015, the City Council approved a forgivable development loan agreement with Builders of Hope CDC, by Resolution No. 15-0989.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

No cost consideration to the City

OWNER

Builders of Hope CDC

Damon Polk, Interim President

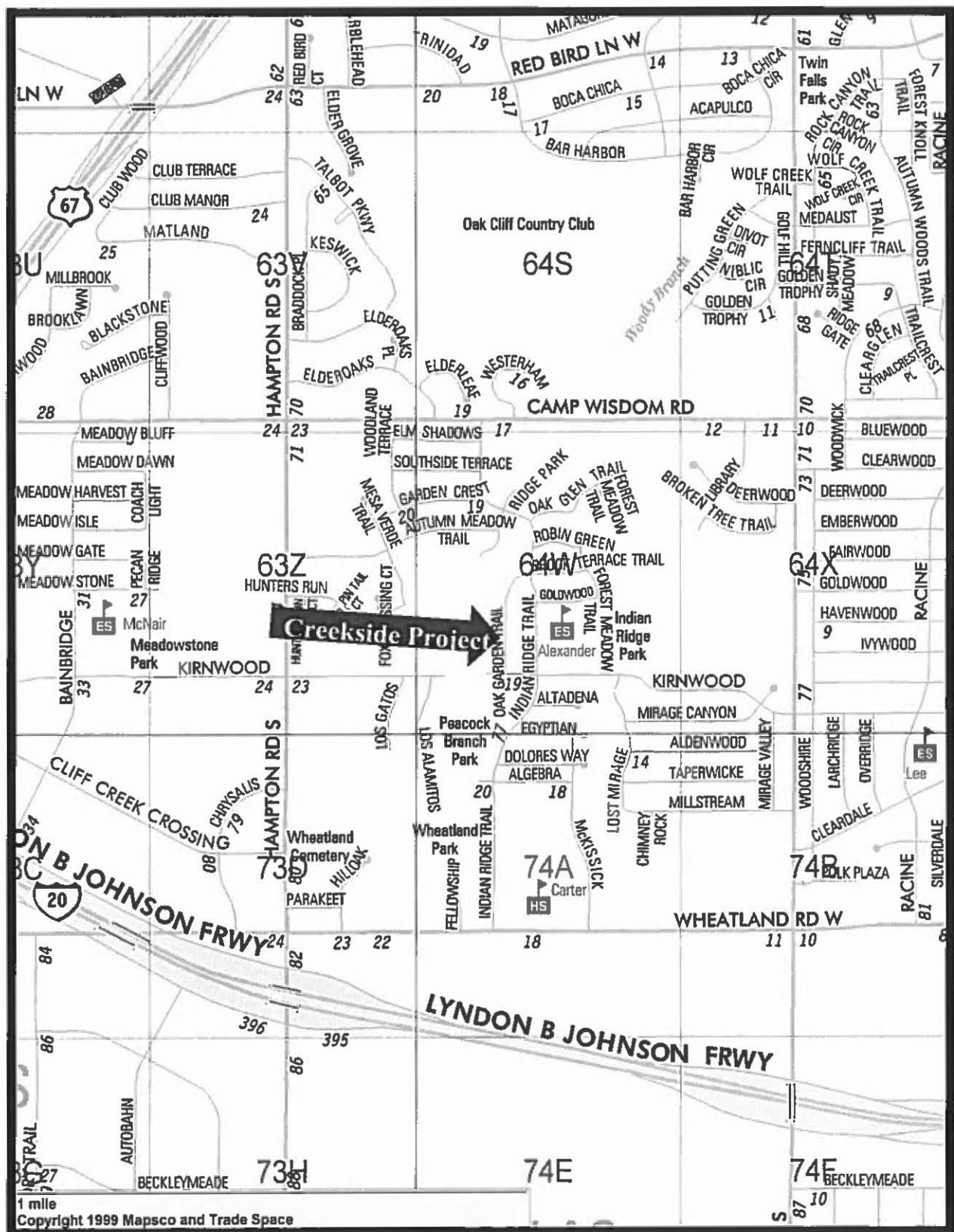
DEVELOPER

Builders of Hope CDC

Damon Polk, Interim President

MAP

Attached



MAPSCO 64W

November 10, 2015

WHEREAS, affordable housing for low and moderate income families is a high priority of the City of Dallas; and

WHEREAS, on June 27, 2012, City Council approved the FY 2012-13 Consolidated Plan Budget for FY 2012-13 federal funds which included the Community Based Development Organizations (CBDOs) in the Community Development Block Grant Funds, by Resolution No. 12-1629; and

WHEREAS, the Community Housing Development Organization (CHDO) Program requires a CHDO Set-Aside Project commitment within 24-months of receiving the FY 2014-15 CHDO Operating Assistance Grant award and this project satisfies that requirement; and

WHEREAS, on April 6, 2015, the Housing Committee received a briefing memo on the Single Family NOFA CHDO Project recommendations; and

WHEREAS, Builders of Hope CDC (BOH) proposes to work with the City of Dallas to undertake the development of ten (10) affordable units in the Creekside Project; and

WHEREAS, the City desires for BOH to develop affordable units for low and moderate income families; **NOW, THEREFORE**,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to (1) amend Resolution No. 15-0989, previously approved on May 27, 2015, for a housing development loan in an amount not to exceed \$225,000 with Builders of Hope CDC to: (a) forgive the debt as each unit is sold to a low-income homebuyer at or below 80% of Area Median Family Income; and (2) execute an agreement with the Texas State Affordable Housing Corporation (Lessor) in lieu of requiring the Lessor to execute and file a deed of trust in favor of the City against the lots for the Creekside Project located on Oak Garden Trail.

Section 2. The terms of the agreement with the Lessor shall include:

- a. Upon Builders of Hope CDCs sale of a home to a qualified buyer, Lessor will release the lot on which each home is built from the ground lease and transfer title to the buyer.
- b. Lessor may not exercise any right of first refusal or other purchase right with regard to the Creekside lots.
- c. Lessor will record deed restrictions against the Creekside properties within 10 business days of Builders of Hope CDC executing its loan agreement with the City.

November 10, 2015

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the agreement described herein, as well as release liens and terminations of deed restrictions on the properties upon compliance with the loan terms and deed restrictions.

Section 4. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan, until such time as the loan documents are duly approved by all parties and executed.

Section 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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 46V 56 V Z

SUBJECT

Authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed sale of four unimproved properties (list attached) acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

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 to be sold by Deed without Warranty 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 Deed without Warranty. The Deed without Warranty 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 Deed without Warranty 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)

Dallas Neighborhood Alliance for Habitat, Inc., (DNAH) submitted a proposal to construct four (4) single-family homes containing approximately 1,387 square feet on the four (4) unimproved HB110 process-eligible, Land Transfer Program properties, identified on Exhibit A, attached to the resolution, for purchase by a low to moderate income homebuyer at a proposed sales price from \$93,500 to \$98,500 with construction to begin in December 2018.

This item calls for a public hearing on December 9, 2015, at 1:00 PM in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, to allow the public an opportunity to comment on the proposed sale of the four (4) unimproved properties to DNAH. At the close of the public hearing, the City Council will be asked to authorize the sale of the properties to DNAH by Deed without Warranty 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 will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

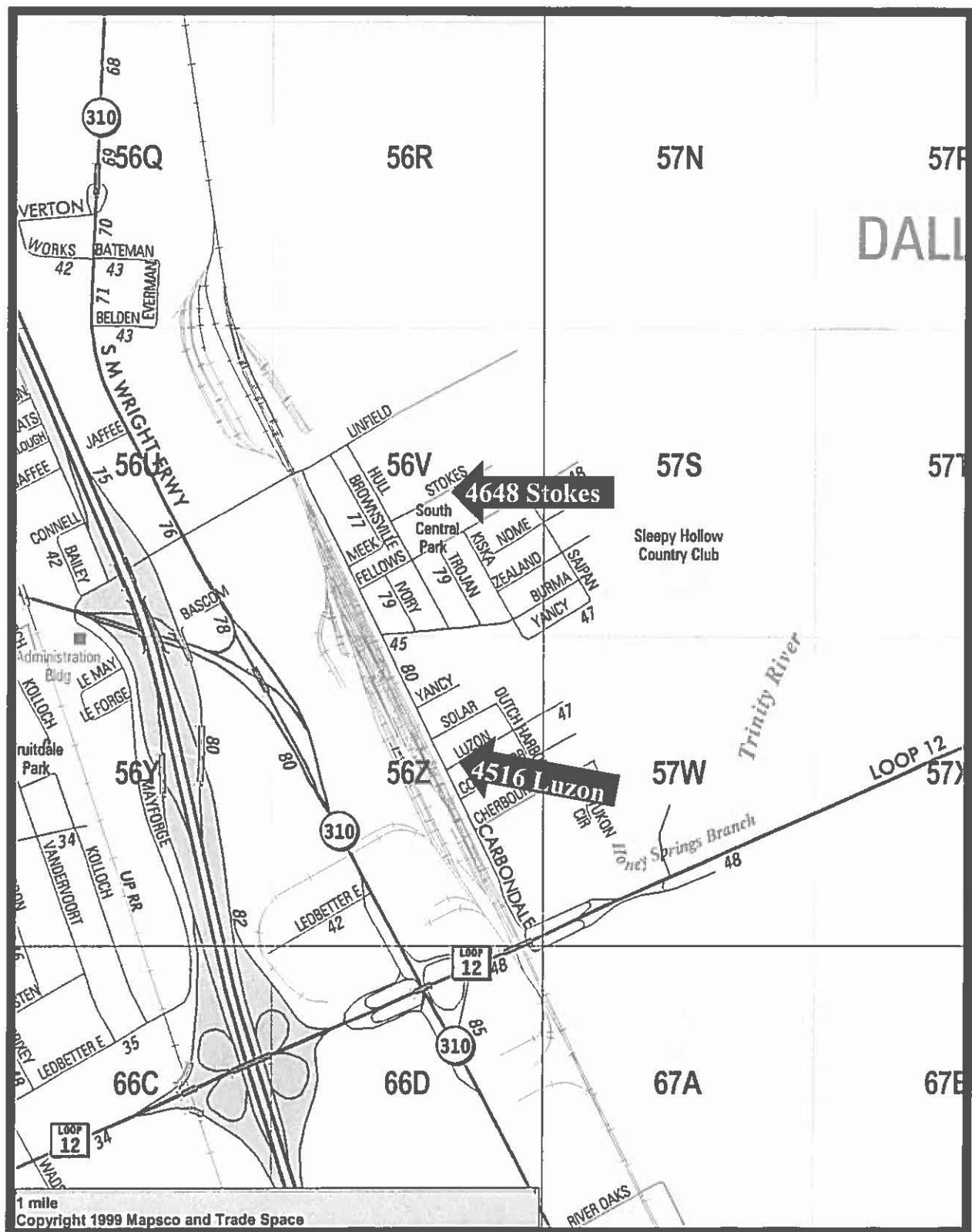
No cost consideration to the City

MAP(s)

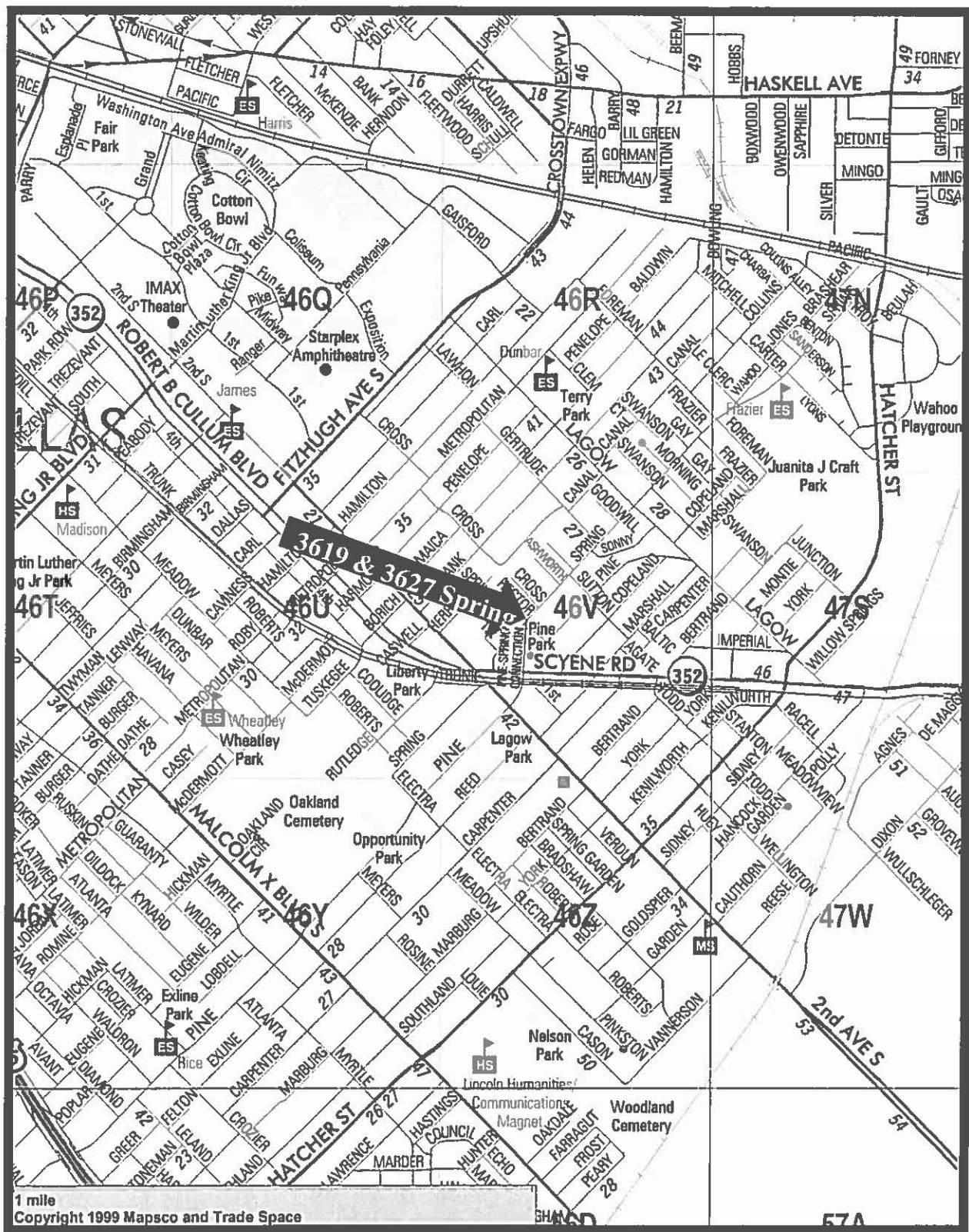
Attached

Tax Foreclosure and Seizure Property Resale

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Amount</u>	<u>Sale Amount</u>	<u>Vac/ Imp</u>	<u>Zoning</u>
1.	4648 Stokes	Dallas Neighborhood Alliance for Habitat, Inc.	56V	\$2,000	\$1,000.00	V	R-5(A)
2.	4516 Luzon	Dallas Neighborhood Alliance for Habitat, Inc.	56Z	\$2,000	\$1,000.00	V	CS
3.	3627 Spring	Dallas Neighborhood Alliance for Habitat, Inc.	46V	\$3,250	\$1,000.00	V	PD-595
4.	3619 Spring	Dallas Neighborhood Alliance for Habitat, Inc.	46V	\$3,750	\$1,000.00	V	PD-595



MAPSCO 56V & 56Z



MAPSCO 46V

November 10, 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 Deed without Warranty 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 Deed without Warranty; and

WHEREAS, the Deed without Warranty 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 Deed without Warranty 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, Dallas Neighborhood Alliance for Habitat, Inc., (DNAH) submitted a proposal to construct four (4) single-family homes containing approximately 1,387 square feet on the four (4) unimproved HB110 process-eligible, Land Transfer Program properties, identified on Exhibit A, attached to the resolution, for purchase by a low to moderate income homebuyer at a proposed sales price from \$93,500 to \$98,500 with construction to begin in December 2018; and

WHEREAS, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News;

NOW, THEREFORE,

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

November 10, 2015

Section 1. That the public hearing shall be held at 1:00 p.m. on December 9, 2015 in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against the proposed sale by Deed without Warranty of four (4) unimproved properties, identified on Exhibit A, acquired by the taxing authorities from the Sheriff to DNAH, a qualified non-profit organization, in accordance with the HB 110 process of the City's Land Transfer Program.

Section 2. That at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing shall be placed on the property, notification of the public hearing shall be mailed to property owners within 200 feet of the property, and notice of the public hearing shall be published in the Dallas Morning News.

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

EXHIBIT "A"

LAND TRANSFER PROPERTIES				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	4648 Stokes Lot 6 - B. Hines Addition Block 4/7641	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$1,000.00
2	4516 Luzon Lot 4, Central Addition Block D/7647	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$1,000.00
3	3627 Spring Ave Lot 2, Adam Guttin's Subdivision Block 8/1829	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$1,000.00
4	3619 Spring Ave Lot 8, H. M. Skeltons Addition Block 7/1829	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$1,000.00
TOTAL				\$4,000.00

KEY FOCUS AREA: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Human Resources

CMO: A. C. Gonzalez, 670-3302

MAPSCO: N/A

SUBJECT

Authorize a contract with Dallas Area Rapid Transit for the purchase of 253 annual passes in support of the City's clean air initiative - Not to exceed \$160,200 - Financing: Current Funds (to be partially reimbursed by participating employees)

BACKGROUND

The Dallas Area Rapid Transit (DART) annual pass program is designed to increase DART ridership through a reduced fare to program participants. Passes allow unlimited transportation for a full calendar year (7 days per week) on DART bus, rail and commuter rail routes. It is expected to increase the use of public transportation by City employees, thereby decreasing automobile emissions. Increasing City employees' use of mass transportation is part of the City's clean air strategies. The 2016 program will be effective January 1, 2016, through December 31, 2016.

The DART Pass program is open to permanent civilian and uniformed Fire employees. Uniformed Police employees already ride free of charge on DART transportation routes. The City will purchase approximately 253 annual bus passes which will be partially reimbursed by participating employees through payroll deductions beginning January 8, 2016 through December 23, 2016.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized purchase of 450 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2010 clean air initiative on January 27, 2010, by Resolution No. 10-0364.

Authorized purchase of 384 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2011 clean air initiative on December 8, 2010, by Resolution No.10-3001.

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

Authorized purchase of 375 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2012 clean air initiative on November 7, 2011, by Resolution No. 11-3027.

Authorized purchase of 343 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2013 clean air initiative on December 12, 2012, by Resolution No. 12-2983.

Authorized purchase of 339 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2014 clean air initiative on October 23, 2013, by Resolution No. 13-1831.

Authorized purchase of 312 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2015 clean air initiative on November 12, 2014, by Resolution 14-1975.

FISCAL INFORMATION

Current Funds - \$160,200 (to be partially reimbursed by participating employees)

OWNER

Dallas Area Rapid Transit

Gary Thomas, President and Executive Director

November 10, 2015

WHEREAS, the City Council authorized the City funded Dallas Area Rapid Transit Pass program on January 27, 2010, by Resolution No. 10-0364; and

WHEREAS, the City Council authorized a contract with Dallas Area Rapid Transit for the purchase of 384 annual passes in support of the City's 2011 clean air initiative on December 8, 2010, by Resolution No. 10-3001; and

WHEREAS, the City Council authorized a contract with Dallas Area Rapid Transit for the purchase of 375 annual passes in support of the City's 2012 clean air initiative on November 7, 2011, by Resolution No. 11-3027; and

WHEREAS, the City Council authorized the purchase of 343 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2013 clean air initiative on December 12, 2012, by Resolution No. 12-2983; and

WHEREAS, the City Council authorized a contract with Dallas Area Rapid Transit for the purchase of 339 annual passes in support of the City's 2014 clean air initiative on October 23, 2013, by Resolution No. 13-1831; and

WHEREAS, the City Council authorized a contract with Dallas Area Rapid Transit for the purchase of 312 annual passes in support of the City's 2015 clean air initiative on November 12, 2014, by Resolution No. 14-1975; and

WHEREAS, it is the City's desire to execute a one-year contract for the 2016 Calendar year with Dallas Area Rapid Transit to purchase approximately 253 passes, the cost of which will be partially reimbursed through employee payroll deductions.

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, where a contract is required, after approval as to form by the City Attorney, for the purchase of approximately 253 DART Passes to include Paratransit coupon books on behalf of City employees in support of the City's clean air initiative.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 0001, Dept PER, Unit 1436, Object 3532, Encumbrance No. CT PER14362015 to Dallas Area Rapid Transit (Vendor #232802) for the purchase of approximately 253 passes, on behalf of City employees in an amount not to exceed \$160,200 to be partially reimbursed through employee payroll deductions.

November 10, 2015

Section 3. That the Chief Financial Officer is hereby authorized to make employee payroll deductions to reimburse the City to Fund 0001, Dept PER, Unit 1436, Object 5011 in an amount not to exceed \$160,200.

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: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services

CMO: A. C. Gonzalez, 670-3297

MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 2 of the Dallas City Code to: **(1)** create the Youth Commission of the City; and **(2)** provide for the Commission's membership and duties - Financing: This action has no cost consideration to the City

BACKGROUND

In 1994, the Dallas City Council created the first Youth Commission to address and advocate for issues that impact the lives of youth in the City of Dallas. The Youth Commission was instrumental in passing the City's smoking ordinance and hosting annual youth summits. Due to budget reductions, the Youth Commission was dissolved in 2010.

The prior successes of the Youth Commission and the City's continuing commitment to youth involvement in city policy making has led to a renewed effort to reinstate the Commission. The purpose of the Youth Commission is to promote regular and active civic engagement among the youth of the City by giving the City's youth a formal role in local decision making, offering real world experiences with elected bodies, teaching them about the roles of our council and our numerous boards and commissions, providing them an opportunity to develop leadership skills, offering them an avenue to engage in discussion with adults and other youth, increasing volunteerism, and enhancing classroom civic education.

The Youth Commission will advise the City Council on City-related issues and provide a forum for voicing the concerns of the City's youth.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 24, 1994, by Ordinance No. 22172, City Council amended Chapter 2 of the Dallas City Code to create the Youth Commission of the City; to establish the qualifications and duties of its members; and to create a Youth Advisory Committee to be an advisory subcommittee of the Youth Commission.

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

Information about this item was provided to the Quality of Life & Environment Committee on October 26, 2015.

City Council will be briefed on November 3, 2015.

FISCAL INFORMATION

This action has no cost consideration to the City.

ORDINANCE NO. _____

An ordinance amending Article XXV, composed of Sections 2-159 through 2-160.1, of Chapter 2, “Administration,” of the Dallas City Code, as amended; creating the youth commission of the city and providing for its membership and duties; 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 Article XXV, “Reserved,” of Chapter 2, “Administration,” of the Dallas City Code, as amended, is amended to read as follows:

“ARTICLE XXV.
YOUTH COMMISSION [~~RESERVED~~].

SEC. 2-159. PURPOSE.

The purpose of this commission is to promote regular and active civic engagement among the youth of this city by giving our youth a formal role in local decision making, offering real world experiences with elected bodies, teaching them about the roles of our council and our numerous boards and commissions, providing them an opportunity to develop leadership skills, offering them an avenue to engage in discussion with adults and other youth, increasing volunteerism, and enhancing classroom civic education.

SEC. 2-159.1. CREATED; MEMBERSHIP; MEETINGS.

(a) There is hereby created the youth commission, which shall be an advisory body of 15 members. Each city council member shall appoint one member to the commission. The mayor shall appoint the chair, and the full city council shall appoint the vice-chair.

(b) All members shall be appointed for an initial term to expire on September 30, 2017. Subsequent appointments will be made in September of each odd-numbered year for a two-year term beginning on October 1. All members shall serve until their successors are appointed and qualified.

(c) Each member of the commission must:

(1) be enrolled as a full-time student in grades nine through 12 at a public or private school that accepts students who reside within the city of Dallas; and

(2) reside within the city council district for the city council member who appointed the commission member.

(d) A commission member is not required to:

(1) be a qualified voter of the city, as required for other city board members by Section 8-1.4(a)(2) of this code; or

(2) file an affidavit describing the member's criminal history and authorizing the release of any criminal records from law enforcement officials and criminal justice agencies, as required for other city board members by Ordinance No. 21933.

(e) The commission must meet at least once each month and may hold additional meetings at the call of the chair.

SEC. 2-160. DUTIES AND RESPONSIBILITIES.

(a) The commission shall act as an advisory body to the city council and city manager and shall:

- (1) advise the city council and city manager on issues impacting the city;
- (2) assist the city in the identification of programs that are needed in the community;
- (3) request and review recommendations from the youth advisory committee; and
- (4) perform such other duties assigned by the city council or city manager.

(b) The city manager shall provide necessary information and assistance to the commission in the performance of its duties and responsibilities.”

SECTION 2. That Chapter 2 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. 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 4. That this ordinance will 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 _____

AGENDA ITEM # 31

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 45-F

SUBJECT

Authorize a five-year beautification and maintenance agreement, with one five-year renewal option, with Uptown Dallas, Inc. at Anita Harris Phelps Park located at 2200 Cedar Springs Road - Financing: No cost consideration to the City

BACKGROUND

This action is for approval of a beautification and maintenance agreement with Uptown Dallas, Inc. for Anita Harris Phelps Park. Uptown Dallas, Inc. proposes to provide the following maintenance and beautification services for Anita Harris Phelps Park:

- Mow twice monthly
- Plant seasonal color beds three times a year
- Plant new trees and maintain trees
- Pick up litter and debris once per week
- Remove graffiti
- Maintain three loaned sculptures
- Pay electric and water bills
- Other miscellaneous maintenance

Uptown Dallas, Inc. will request pre-approval from the Park and Recreation Department for future improvements they desire to fund under this agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized a beautification and maintenance agreement on October 15, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

November 10, 2015

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

WHEREAS, the City of Dallas Park and Recreation Department (City) and Uptown Dallas Inc. located at 3600 McKinney Avenue, desire to enter into a beautification and maintenance agreement for Anita Harris Phelps Park located at 2200 Cedar Springs Road; and

WHEREAS, the City desires to have Uptown Dallas Inc. beautify and maintain the park during the Term of the Agreement for use and enjoyment of all city of Dallas citizens.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a development and maintenance agreement with Uptown Dallas Inc. for the beautification and maintenance of Anita Harris Phelps Park, after approval as to form by the City Attorney.

SECTION 2. That the duration of the agreement will be for an initial term of five years with a five-year renewal option.

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 # 32

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 46-F

SUBJECT

Authorize **(1)** the receipt and deposit of funds in the amount of \$381,348 in the Buckner Park Fund; **(2)** the establishment of appropriations in the Buckner Park Fund in the amount of \$381,348; and **(3)** a development agreement with the Dallas Independent School District (DISD) providing for: **(a)** the sale of approximately 1.06 acres of Buckner Park to DISD; **(b)** the design, construction, and maintenance of improvements of Buckner Park; **(c)** the design and construction of parking and driveway improvements at Buckner Park located at 4550 Worth Street - Revenue: \$381,348

BACKGROUND

With neighborhood input, and DISD involvement, the Park and Recreation Department commissioned a plan for the redevelopment of Buckner Park. A concept plan (Exhibit A) was finalized on February 8, 2008. The concept plan accommodates the need for safe school drop-off and parking, improved drainage within the park, construction of a new pavilion, reconstruction of court game facilities, a new playground, and new walkways and plantings.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004), the City Council held a public hearing on August 12, 2015 and approved the proposed change of use and sale of parkland for this project.

This item authorizes a development agreement with DISD and the sale of approximately 1.06 acres of land to DISD as a condition of the development agreement. Proceeds of the sale will be utilized in the construction of improvements to Buckner Park in accordance with state law.

BACKGROUND (Continued)

The agreement will be subject to the following terms:

- 1) City will sell to DISD approximately 1.06 acres of land at Buckner Park for parking and driveway improvements for use by the adjacent Ignacio Zaragoza Elementary School. Based on an independent fee appraisal, DISD will pay the City of Dallas \$381,348 for the purchase of this property.
- 2) DISD will provide all funding for the design and construction of DISD parking and driveway improvements on the land purchased from the City. DISD will also provide funding for the design and replacement of the existing park playground. The total contribution by DISD to the project will not exceed \$660,315 or up to five percent over this amount should bids exceed the estimated DISD development costs.
- 3) City will provide all funding for construction of the improvements to Buckner Park. Proceeds from the sale of land, in the amount of \$381,348, and will not exceed \$895,000 from 2006 Bond Funds and Capital Gifts, Donation and Development Funds are to be used for design and construction of parkland improvements.
- 4) City will bid and construct parkland improvements to Buckner Park based on the approved master plan. City will also bid and construct improvements to the 1.06 acres of land sold to DISD for additional parking and improved traffic circulation to serve the school property.
- 5) Once the bid process is complete, and before construction begins, if the actual development cost exceeds the estimated cost by more than five percent, the City and DISD may agree on the actual development costs. Should either party not come to an agreement on the actual development costs either party can terminate the agreement with no further obligation to the other. Should the agreement be terminated by either party, the sale of land to DISD shall not be consummated and City shall not be obligated to make any improvements to the parking and driveway area.
- 6) Should either party terminate the agreement in accordance with the terms of the agreement after commencement of construction and prior to project completion, the land conveyed to DISD shall revert back to the City and the sale shall be considered null and void.
- 7) Each party will be responsible for the maintenance and operations of its own property after completion of construction. DISD further agrees to maintain its parking area similar in character to the adjacent parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized a public hearing on May 21, 2015.

On June 17, 2015, City Council authorized a public hearing to be held on August 12, 2015, by Resolution No. 15-1154.

On August 12, 2015, City Council held a public hearing and authorized the change of park use of a portion of Buckner Park to non-park use, by Resolution No. 15-1472.

The Park and Recreation Board authorized a development agreement on October 15, 2015.

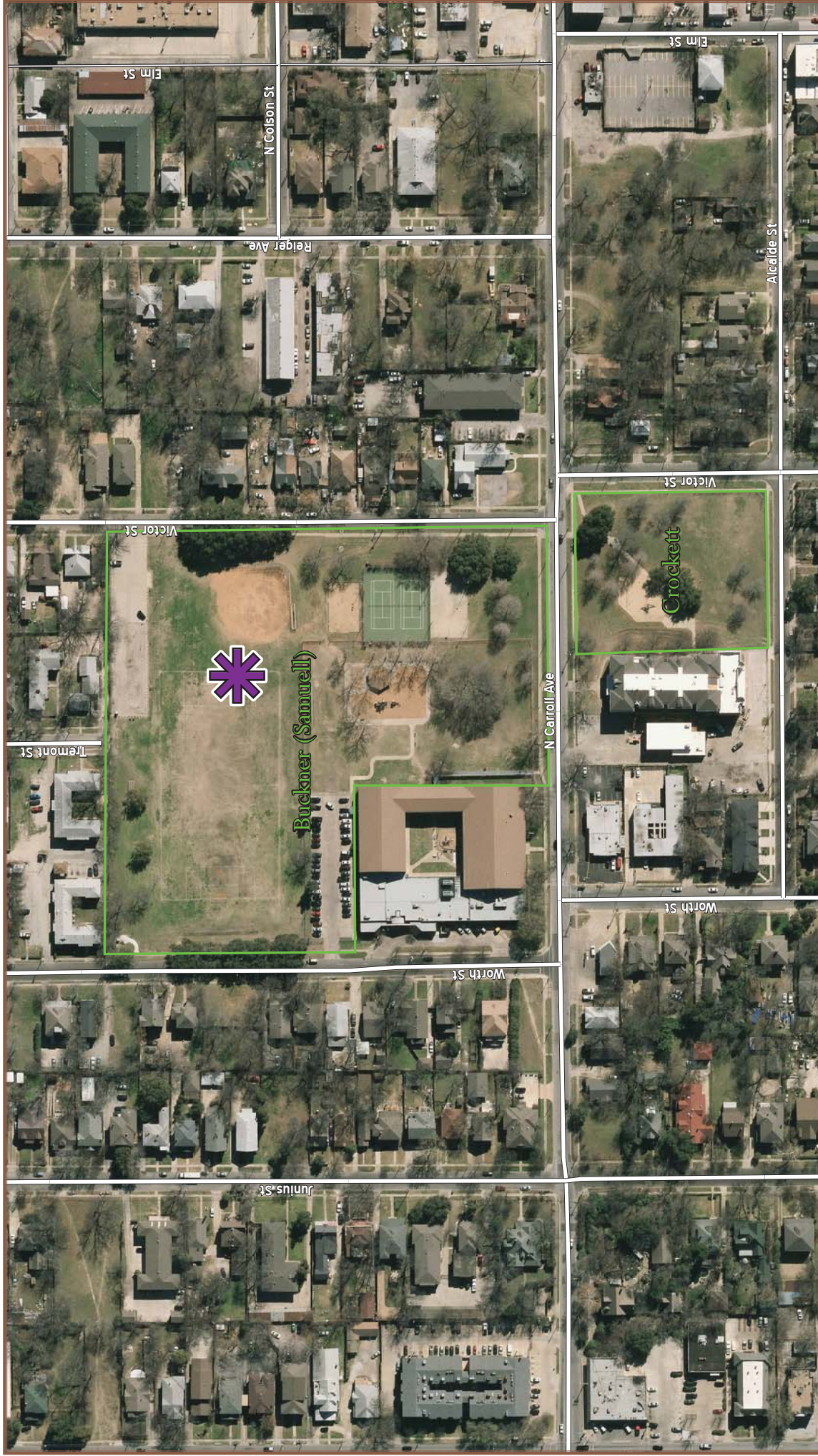
Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

Revenue - \$381,348

MAP

Attached



0 70 140 280 420 Feet

October 15, 2015

Buckner Park (4550 Worth Street)

Mapsco
46 F

District
2

November 10, 2015

WHEREAS, Chapter 791 of the Texas Government Code provides authorization for local governments to contract with one another to perform governmental functions and services, and joint funding of projects; and

WHEREAS, the Dallas Independent School District (DISD) desires to purchase a portion of property known as Buckner Park (Exhibit B) located in Dallas, Texas, ("Parking Property") and City of Dallas is willing to sell the Parking Property to DISD; and

WHEREAS, the sale of the Parking Property to DISD is a legally permissible sale of parkland under Local Government Code Chapter 253, and the proceeds of the sale or exchange may be used only to acquire property for park purpose, and in Chapter 272, the sale is exempt from Local Government Code Chapter 272 notice and bidding requirements for the sale of land owned by a municipality in that it is a sale to a governmental entity that has the power of eminent domain, and complies with Local Government Code Chapter 272 fair market value requirements for the sale of land owned by a municipality in that the purchase price is based on an independent appraisal; and

WHEREAS, the parties agree that the sale of the Parking Property shall include sale and other terms which they desire to memorialize in a development agreement which shall not only function as the purchase and sale agreement but also survive the closing of the sale of the Parking Property as necessitated to perform the governmental functions and services agreed to therein in addition to other provisions of the sale contained within the agreement; and

WHEREAS, the City of Dallas and DISD desire to enter into an agreement for the development of Buckner Park and parking and driveway improvements (Parking Property) for the adjacent Ignacio Zaragoza Elementary School ("Project"); and

WHEREAS, upon completion of construction of the Project DISD and the City of Dallas shall be responsible for maintenance and operation of its own property; and

WHEREAS, this Project will be designed, bid and constructed by the City using \$381,348 from the sale of Parking Property, as defined in the Agreement between the City and District, 2006 Bond Funds and Capital Gifts, Donation and Development Funds not to exceed \$895,000 for the design and construction of the parkland and DISD funds not to exceed \$660,315 for the design and construction of the Parking Property and playground.

Now, Therefore,

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

November 10, 2015

SECTION 1. That the City of Dallas hereby authorizes the President of the Park and Recreation Board, the Director of the Park and Recreation Department, and the City Manager, upon approval as to form by the City Attorney, to execute a Development Agreement between the City of Dallas and DISD providing for the sale of Parking Property, as defined in the Agreement between the City and District for the appraised value of \$381,348 and the design, bid, and construction of improvements to Buckner Park and the Parking Property conditioned on the following terms:

- (i) City and DISD will provide funding for their respective portions of the Project, namely, DISD will provide up to \$660,315 and City will provide \$381,348 from the sale of land to DISD and an amount not to exceed \$895,000 from 2006 Bond Funds and Capital Gifts, Donation and Development Funds;
- (ii) The City will design, bid, and construct improvements for the Project which includes parkland and the Parking Property conveyed to DISD;
- (iii) The design and construction of the Project shall be in accordance with state law, City Code, and all other applicable rules and regulations;
- (iv) Before construction begins, should the actual development cost exceed the estimated cost by more than five percent, and either party cannot come to an agreement on the actual development costs, either party can terminate the agreement without obligation to the other and the sale of land to DISD shall not be consummated and City shall have no obligation to make improvements to the Parking Property.
- (v) Should either party terminate the agreement after construction commences and prior to completion, the land conveyed to DISD shall revert back to the City and the sale shall be considered null and void.

SECTION 2. That in accordance with state law, sale proceeds, including any interest earned on the sales proceeds, are to be utilized for Park System projects overseen by the Park and Recreation Board.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit revenues from performance of the sale terms of the Development Agreement in an amount not to exceed \$381,348, in Buckner Park Fund, Fund 0468, Department PKR, Unit K129, Revenue Code 8416.

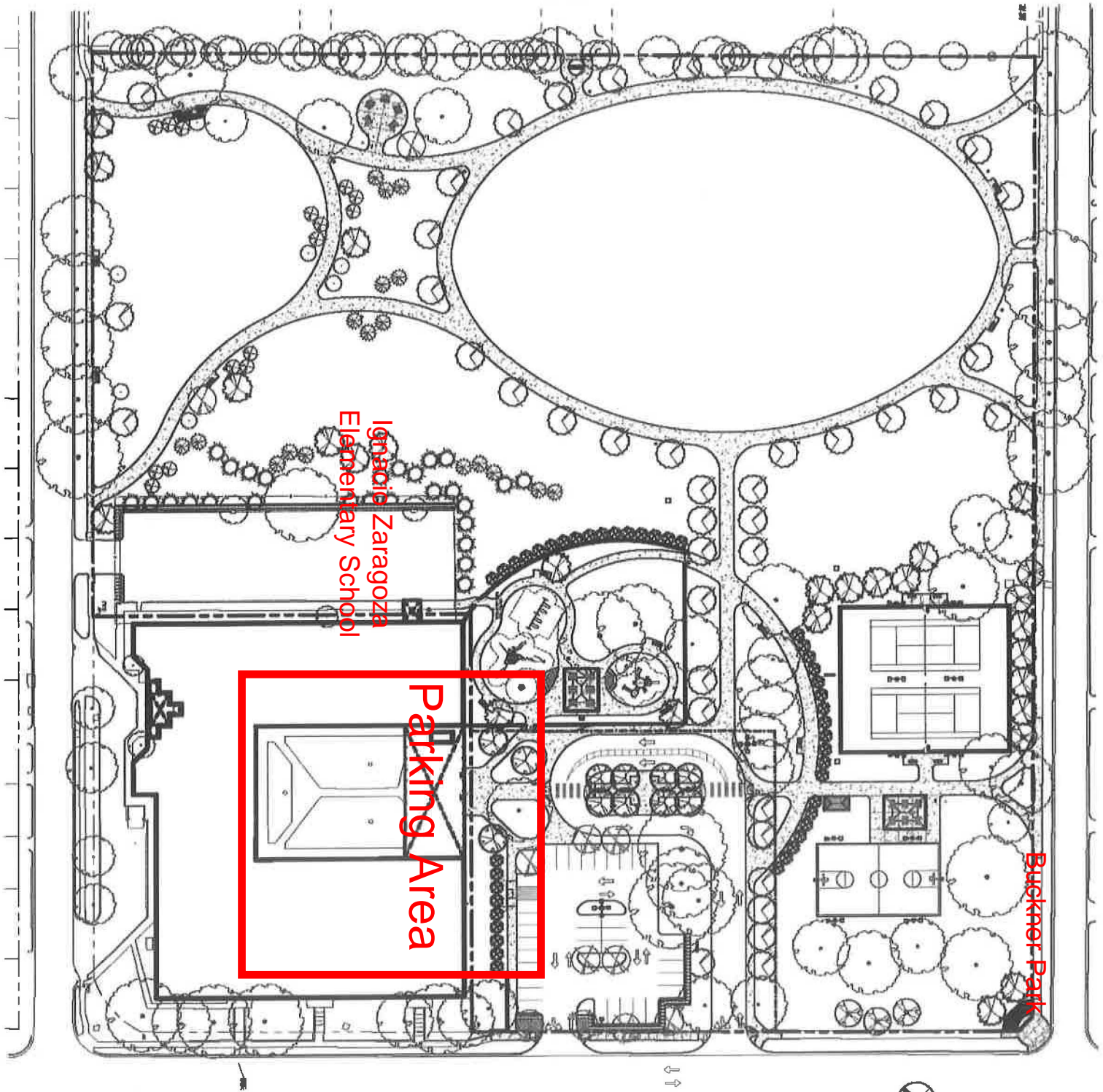
SECTION 4. That the City Manager is hereby authorized to establish appropriations in the amount not to exceed \$381,348, in Buckner Park Fund, Fund 0468, Department PKR, Unit K129, Object Code 4599.

November 10, 2015

SECTION 5. That the term of this agreement shall commence upon execution, and shall terminate upon completion of construction of all the improvements and conveyance of the Parking Property from the City of Dallas to DISD.

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

Exhibit A



NORTH

10 00

GRAPHIC SCALE IN FEET

LEGAL DESCRIPTION

1.061 ACRE TRACT OUT OF LOT 1

DAVID CROCKETT ELEMENTARY SCHOOL (REPLACEMENT FACILITY) AND BUCKNER PARK ADDITION
BLOCK E/796

Being a 1.061 acre tract of land, situated in the J. Grigsby Survey, Abstract No. 495, Dallas County, Texas, said 1.061 acre tract of land being part of Lot 1, Block E/796, David Crockett Elementary School (Replacement Facility) and Buckner Park, an Addition to the City of Dallas, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 88031, Page 0683, of the Deed Records of Dallas, Dallas County, Texas, being more particularly described as follows:

COMMENCING at an "X" cut found in concrete, for the intersection of the northwesterly right of way line of Victor Street, (variable width right of way), and the northeasterly right of way line of Carroll Avenue, (variable right of way), also being the most southeasterly corner of 10 foot X 10 foot corner clip;

THENCE, South 89 degrees 34 minutes 40 seconds West, with said 10 foot X 10 foot corner clip, a distance of 14.14 feet, to an "X" cut found in the northeasterly right of way line of said Carroll Avenue;

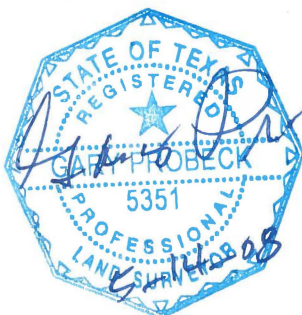
THENCE, continuing with the northeasterly right of way line of said Carroll Avenue, North 45 degrees 00 minutes 00 seconds West, a distance of 172.85 feet, to a 5/8" iron rod with orange plastic cap stamped "R.P.L.S. 5351" set for the POINT OF BEGINNING of the herein described tract of land;

THENCE, continuing with the northeasterly right of way line of said Carroll Avenue, North 45 degrees 00 minutes 00 seconds West, a distance of 215.00 feet, to an "X" cut found for the southerly corner of said Lot 2, Block E/796;

THENCE, leaving the northeasterly right of way line of said Carroll Avenue, North 44 degrees 38 minutes 00 seconds East, along the common line of said Lot 1, and Lot 2, a distance of 215.00 feet, to a 5/8" iron rod with orange plastic cap stamped "R.P.L.S. 5351" set for corner;


THENCE, leaving the common line of said Lot 1, and Lot 2, South 45 degrees 00 minutes 00 seconds East, 215.00 feet, to a 5/8" iron rod with orange plastic cap stamped "R.P.L.S. 5351" set for corner;

THENCE, South 44 degrees 38 minutes 00 seconds West, a distance of 215.00 feet, to the POINT OF BEGINNING and containing approximately 46,224.0535 square feet, or 1.0612 acres of land, more or less.



BASIS OF BEARING:

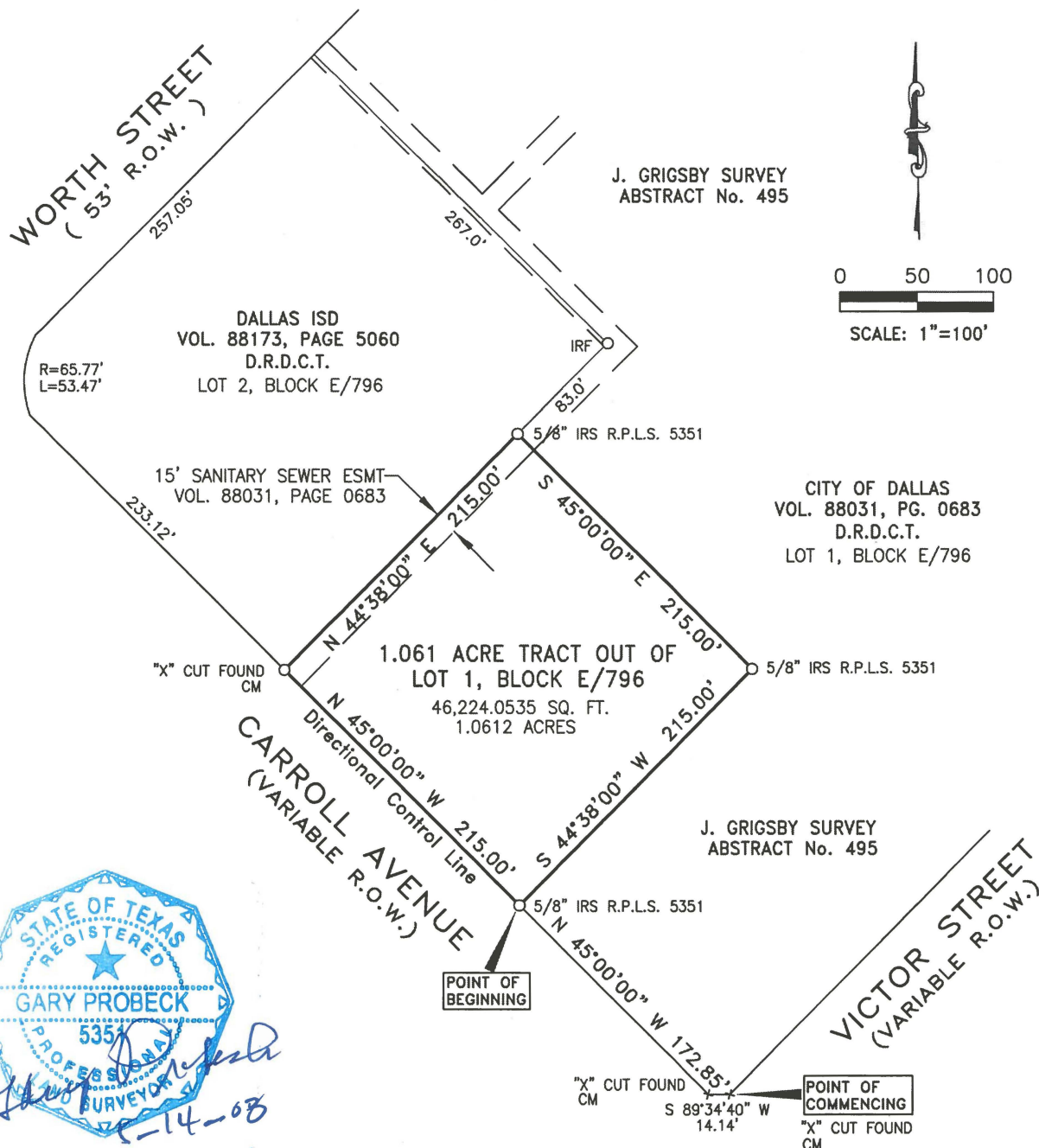
THE BASIS OF BEARING IS THE EASTERLY RIGHT-OF-WAY LINE OF CARROLL AVENUE BEING NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, AS RECORDED IN VOLUME 88031, PAGE 0683, DEED RECORDS OF DALLAS COUNTY, TEXAS.

SHEET No. 1 of 2		LEGAL DESCRIPTION AND PARCEL PLAT		1.061 ACRE TRACT OUT OF LOT 1, BLOCK E/796		DALLAS INDEPENDENT SCHOOL DISTRICT 6401 Victor Street Dallas, Texas				CARRERA consulting engineers, inc. Structural, Civil, & Construction Engineering 3830 Meritline / Dallas, Texas 75211 / • (214) 338-4771 / F (214) 338-2167	
PROJECT NO. CE106	DATE Nov2007	DESIGNED BY GCB	CHECKED BY GCB	REVISION A - General Revision	REVISION B - General Revision						

REVIEWED BY *guy 2/2/08*

1.061 ACRE TRACT OUT OF LOT 1

DAVID CROCKETT ELEMENTARY SCHOOL (REPLACEMENT FACILITY) AND BUCKNER PARK ADDITION
BLOCK E/796



THE BASIS OF BEARING IS THE EASTERLY RIGHT-OF-WAY
LINE OF CARROLL AVENUE BEING NORTH 45 DEGREES
00 MINUTES 00 SECONDS WEST, AS RECORDED IN
VOLUME 88031, PAGE 0683, DEED RECORDS OF
DALLAS COUNTY, TEXAS.

1. "IRF" INDICATES 5/8" IRON ROD FOUND.
2. "IRS" INDICATES 5/8" IRON ROD SET.
3. "X" INDICATES AN "X" CUT FOUND IN CONCRETE.
4. "C.M." INDICATES CONTROL MONUMENT.

SHEET No. 2 of 2	LEGAL DESCRIPTION AND PARCEL PLAT		
	PROJECT NO.	DATE	REVISION
	C2104	Mar2007	10Jun2007 Revision A - General Revision
REVISION #	ISSUED ON	ISSUED BY	REVISION # - General Revision
0001	0001		

**1.061 ACRE TRACT OUT OF
LOT 1, BLOCK E/796**

DALLAS INDEPENDENT SCHOOL DISTRICT
4401 Victor Street Dallas, Texas



CARRERA consulting engineers, inc.
Structural, Civil, & Construction Engineering
3830 Interdell • Dallas, Texas 75211 • (214) 336.4771 / f (214) 336.2165

AGENDA ITEM # 33

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 9

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$394,098 - Financing: Current Funds

BACKGROUND

On March 23, 1988, the City entered into a multi-year agreement with the Dallas Arboretum and Botanical Society (DABS), a non-profit organization, to manage and operate the Dallas Arboretum. The agreement was for a twenty-five-year period and was extended on February 27, 2013 for a ten-year period. The agreement with Dallas Arboretum and Botanical Society, Inc. also requires the execution of a separate funding contract to authorize the stipend payable during the current year. The funds have been identified and appropriated in the City's General Fund by authorization of the City Council for the current fiscal year.

The stipend payments will support the following programs and services for the period of October 1, 2015 through September 30, 2016:

Operate and maintain the Dallas Arboretum and Botanical Garden for twelve months providing access to the general public, special educational programs, community outreach services and special events. DABS will distribute 24,000 complimentary tickets for entry into the Arboretum grounds as approved by the Park and Recreation Board.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the twelve-month funding agreement on October 15, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$394,098 - Current Funds

ETHNIC COMPOSITION

Dallas Arboretum and Botanical Society, Inc. - Board of Directors

African-American Male	3	African-American Female	4
Asian Male	0	Asian Female	0
Hispanic Male	2	Hispanic Female	1
White Male	35	White Female	28

OWNER

(Current Officers)

Dallas Arboretum and Botanical Society, Inc.

Mary Brinegar, President
Bill Graue, Chairman, Board of Directors
Alan Walne, Vice Chairman, Board of Directors
Tom McCasland, Secretary
Christopher Harris, Treasurer

November 10, 2015

WHEREAS, on September 22, 2015, by Resolution No. 15-1784, City Council approved funds to procure services from the Dallas Arboretum and Botanical Society, Inc. for the citizens of Dallas; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2015 - 2016 fiscal year.

Now, Therefore,

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

SECTION 1. That the contract with the Dallas Arboretum and Botanical Society, Inc. totaling \$394,098 be approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the contract, after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to make payments to the Dallas Arboretum and Botanical Society, Inc. from Fund 0001, Department PKR, Unit 5231, Object 3072, Encumbrance No. PKR16A032, Vendor 219121, as vouchers are processed by the Park and Recreation Department, not to exceed \$394,098.

SECTION 4. That services to be provided are as follows:

Operate and maintain the Dallas Arboretum and Botanical Garden for 12 months for the general public to include special educational programs, community outreach services and sponsorship of a special summer program for disadvantaged children.

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

AGENDA ITEM # 34

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 3

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2016 through December 31, 2016 - Not to exceed \$58,949 - Financing: Current Funds

BACKGROUND

On November 14, 2012, the City entered into a five-year agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas (a non-profit organization) to manage and operate the Cedar Ridge Preserve and requires the execution of a separate funding contract to authorize the stipends payable during the current year. Funds have been identified and appropriated in the City's General Fund by authorization of the City Council for the current fiscal year.

The stipend payment will support the following programs and services for the period of January 1, 2016 through December 31, 2016:

Operate and maintain the Cedar Ridge Preserve for twelve months providing access to the general public to 633 acres of escarpment and trails in Southwest Dallas, environmental education programs on the ecosystem and presentations at community centers and schools.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the twelve-month funding agreement on October 15, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$58,949 – Current Funds

ETHNIC COMPOSITION

Dallas County Audubon Society, Inc. dba Audubon Dallas – Board of Directors

African-American Male	2	African-American Female	1
Asian Male	1	Asian Female	0
Hispanic Male	0	Hispanic Female	0
White Male	2	White Female	7

OWNERS

(Current Officers)

Dallas County Audubon Society, Inc. dba Audubon Dallas

Kaylynne Beck, President
Rose Mercer, Chair, Board of Directors
Joel Woody Cantrell, Incoming Chair, Board of Directors
Blythe Randolph, Secretary
Kim Thomas, Treasurer
Debbie Milligan, Vice President, Conservation
Lindsay Flowers, Vice President, Fundraising
Kevin Malonson, Vice President, Education
Michael Millican, Vice President, Sanctuary
Anthony Mays, Jessie Salb, and Stalin SM, Directors-at large

November 10, 2015

WHEREAS, on September 22, 2015, by Resolution No. 15-1784, City Council approved funds to procure services from the Dallas County Audubon Society, Inc. dba Audubon Dallas for the citizens of Dallas; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2015 – 2016 fiscal year.

Now, Therefore,

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

SECTION 1. That the contract with Dallas County Audubon Society, Inc. dba Audubon Dallas totaling \$58,949 be approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the contract, after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to make payments to Dallas County Audubon Society, Inc. dba Audubon Dallas from Fund 0001, Department PKR, Unit 5231, Object 3072, Encumbrance No. PKR16A033, Vendor 509534, as vouchers are processed by the Park and Recreation Department, not to exceed \$58,949.

SECTION 4. That services to be provided are as follows:

Operate and maintain the Cedar Ridge Preserve for 12 months providing access to the general public to 633 acres of escarpment and trails in Southwest Dallas, and provide environmental education programs on the ecosystem and presentations at community centers and schools.

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

AGENDA ITEM # 35

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 – Not to exceed \$145,862 – Financing: Current Funds

BACKGROUND

On June 25, 2003, the City entered into a multi-year agreement with Texas Discovery Gardens (a non-profit organization) to manage and operate the Texas Discovery Gardens building and surrounding grounds at Fair Park for a ten-year period. The agreement was extended on November 7, 2013 for a ten-year period and requires the execution of a separate funding contract to authorize the stipends payable during the current year. The funds have been identified and appropriated in the City's General Fund by authorization of the City Council for the current fiscal year.

The stipend payment will support the following programs and services for the period of October 1, 2015 through September 30, 2016:

Operate the Discovery Gardens building and surrounding grounds at Fair Park for twelve months providing access to the general public, community outreach services such as enrichment classes for school children, horticulture information services and presentations at community centers and special facilities.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the twelve-month funding agreement on October 15, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$145,862 – Current Funds

ETHNIC COMPOSITION

Texas Discovery Gardens – Board of Directors

African-American Male	0	African-American Female	2
Asian Male	0	Asian Female	0
Hispanic Male	0	Hispanic Female	0
White Male	5	White Female	4

OWNER

(Current Officers)

Texas Discovery Gardens

Mike Bosco, Chair, Board of Directors
Marilyn Waisanen, Secretary
Barbara Hunt Crow, Historian
John Fox Holt, III. CPA, Treasurer

November 10, 2015

WHEREAS, on September 22, 2015, by Resolution No. 15-1784, City Council approved funds to procure services from the Texas Discovery Gardens for the citizens of Dallas; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2015 – 2016 fiscal year.

Now, Therefore,

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

SECTION 1. That the contract with the Texas Discovery Gardens totaling \$145,862 be approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the contract, after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to make payments to Texas Discovery Gardens from Fund 0001, Department PKR, Unit 5232, Object 3072, Encumbrance No. PKR16A031, Vendor 219134, as vouchers are processed by the Park and Recreation Department, not to exceed \$145,862.

SECTION 4. That services to be provided are as follows:

Operate the Texas Discovery Gardens building and surrounding grounds at Fair Park for 12 months for the general public, and provide community outreach services such as enrichment classes for school children, horticulture information services and presentations at community centers and special facilities.

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

AGENDA ITEM # 36

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 42-T

SUBJECT

Authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed use of a portion of Bishop Flores Park located at 2200 Talleyho Lane, consisting of approximately 74,698 square feet of land, by Atmos Energy Corporation for an energy easement - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as Bishop Flores Park located west of downtown near the I-20 and Loop 12 Highway interchange. Atmos Energy Corporation (Atmos) currently has an existing energy easement in the park which was granted by a previous owner prior to the City acquiring the land.

Atmos has requested a permanent energy easement consisting of a total of approximately 74,698 square feet of land (Exhibit A) for construction of a new gas main. As part of this request Atmos will vacate its existing easement consisting of approximately 38,915 square feet of land (Exhibit B). Atmos plans to directional bore a new thirty-inch diameter gas main approximately 30' below the ground surface. The configuration of the highway interchange does not allow for directional boring a thirty-inch gas main within the current energy easement. Atmos will pay the fair market value of this new easement, or equivalent in-kind value, as determined by an independent appraisal. The installation of the gas line will not affect the park.

In compliance with the law, Atmos has determined that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 15, 2015 the Park and Recreation Board authorized a public hearing to be held on December 9, 2015.

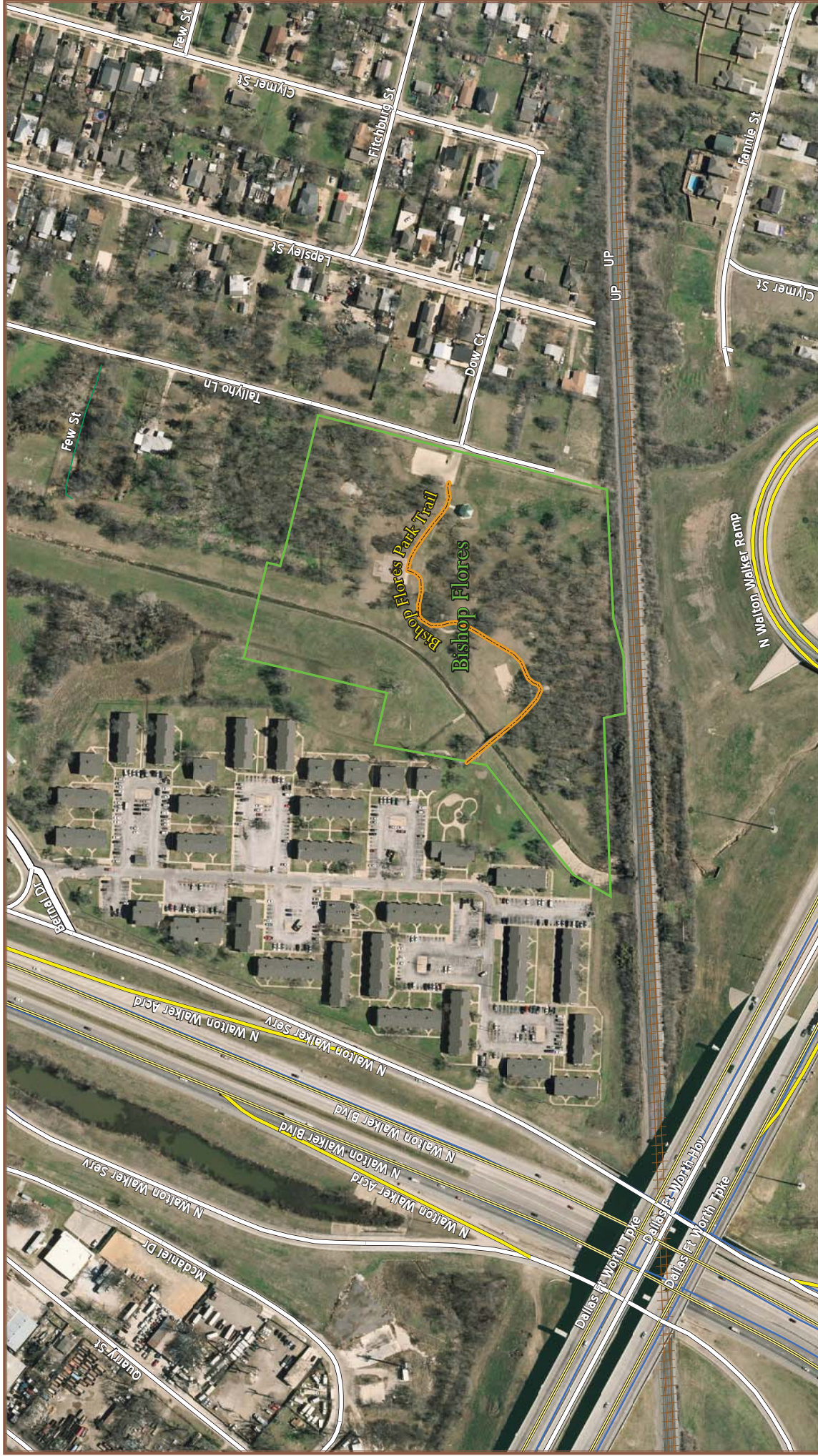
Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



October 15, 2015

Bishop Flores Park (2200 Talleyho Ln)

Mapsco
42 T

District
6

November 10, 2015

WHEREAS, the City of Dallas owns land in Dallas known as Bishop Flores Park which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, Atmos Energy Corporation (Atmos) has determined that a utility easement is needed, in the public interest, and necessary for the delivery of energy as shown in Exhibit A; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as parkland, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given and a public hearing be held relative to the proposed change of park use; and

WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to granting of a utility easement to Atmos in Bishop Flores Park.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board is hereby authorized and directed to advise in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on December 9, 2015.

SECTION 2. That the approval of the aforementioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use, taking and conveyance of park land, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

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.

**PROPOSED 100 FOOT WIDE
ATMOS ENERGY EASEMENT
1.715 ACRES (74,698 SQUARE FOOT)
PART OF FINKLEA STREET, DOW COURT,
CITY OF DALLAS BLOCKS 34/7180 AND 35/7180
B.B.B. & C.R.R.CO. SURVEY, ABSTRACT NUMBER 207
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Being a 1.715 acre (74,698 square foot) tract of land situated in the B.B.B. & C.R.R.CO. Survey, Abstract Number 207, City of Dallas, Dallas County, Texas, being part of Lots 8 through 15 of City of Dallas Block 34/7180, Lots 7 through 12 of City of Dallas Block 35/7180, Finklea Street (a 50 foot wide right-of-way) and Dow Court (a 50 foot wide right-of-way) as shown on Westwood Addition Unit #1, an addition to the City of Dallas, as recorded in Volume 1, Page 307 of the Map Records of Dallas County, Texas, said Finklea Street and Dow Court being partially vacated by Ordinance Number 19231, as recorded in Volume 86148, Page 1606 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said tract of land also being part of those tracts of land described in deeds to the City of Dallas, as recorded in Volume 84014, Page 4128; Volume 82242, Page 2884; Volume 78188, Page 1455 and Volume 78136, Page 1256, all D.R.D.C.T. and being more particularly described as follows:

COMMENCING at the southeast corner of Lot 1, City of Dallas Block 34/7180 of said Westwood Addition Unit #1 and the southeast corner of that tract of land described in deed to the city of Dallas, as recorded in Volume 82222, Page 2960, D.R.D.C.T., said corner being at the intersection of the west right-of-way line of Tally Ho Lane, formerly known as Walker Street (a 50 foot wide right-of-way) as shown on said Westwood Addition Unit #1 with the northwesterly right-of-way line of Texas and Pacific Railway Company (a 100 foot wide right-of-way at this point), as recorded in Volume 195, Page 452, D.R.D.C.T., from which corner a 5/8-inch found iron rod with cap labeled "HZ" bears South 14 degrees 52 minutes 57 seconds East, a distance of 1.28 feet and another 5/8-inch found iron rod with illegible cap bears North 14 degrees 52 minutes 57 seconds West, a distance of 9.16 feet;

THENCE South 57 degrees 23 minutes 22 seconds West, departing said west right-of-way line of Tally Ho Lane and along the southeast line of City of Dallas Block 34/7180 of said Westwood Addition Unit #1 and said northwest right-of-way line of Texas and Pacific Railway Company, a distance of 165.96 feet to a 1/2-inch set iron rod with blue cap stamped "HALFF ESMT" (hereinafter referred to as "with cap") for the POINT OF BEGINNING for the southeast corner of the herein described tract, said corner being on the southeast line of said Lot 15, City of Dallas Block 34/7180 and said City of Dallas tract recorded in Volume 84014, Page 4128, D.R.D.C.T.;

THENCE South 57 degrees 23 minutes 22 seconds West, continuing along said southeast line of City of Dallas Block 34/7180 of said Westwood Addition Unit #1 and said northwest right-of-way line of Texas and Pacific Railway Company, a distance of 100.98 feet to a 1/2-inch set iron rod with cap for the southwest corner of the herein described tract;

THENCE North 24 degrees 37 minutes 43 seconds West, departing said southeast line of City of Dallas Block 34/7180 of said Westwood Addition Unit #1 and said northwest right-of-way line of

**PROPOSED 100 FOOT WIDE
ATMOS ENERGY EASEMENT
1.715 ACRES (74,698 SQUARE FOOT)
PART OF FINKLEA STREET, DOW COURT,
CITY OF DALLAS BLOCKS 34/7180 AND 35/7180
B.B.B. & C.R.R.CO. SURVEY, ABSTRACT NUMBER 207
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Texas and Pacific Railway Company and over an across said City of Dallas Block 34/7180, a distance of 234.16 feet to a 1/2-inch set iron rod with cap for the beginning of a tangent circular curve to the right having a radius of 4,025.55 feet, whose chord bears North 21 degrees 25 minutes 22 seconds West, a distance of 450.48 feet;

THENCE in a Northwesterly direction, continuing over and across said City of Dallas Block 34/7180 and along circular curve to the right, through a central angle of 06 degrees 24 minutes 42 seconds, passing at an arc distance of 7.63 feet the west line of said City of Dallas Block 34/7180 and the east right-of-way line of said Finklea Street, continuing over and across said Finklea Street, a total arc distance of 450.48 feet to a 1/2-inch set iron rod with cap on the west right-of-way line of said Finklea Street;

THENCE North 14 degrees 52 minutes 57 seconds West, along said west right-of-way line of Finklea Street, a distance of 49.72 feet to a 1/2-inch set iron rod with cap at the projected intersection of the south right-of-way line of Fitchburg Street, formerly known as Newton Street (a 50 foot wide right-of-way) as shown on said Westwood Addition Unit #1 with said west right-of-way line of Finklea Street;

THENCE North 75 degrees 26 minutes 38 seconds East, departing said west right-of-way line of Finklea Street and along said projected south right-of-way line of Fitchburg Street, passing at a distance of 50.00 feet a 1/2-inch set iron rod with cap for the intersection of said east right-of-way line of Finklea with said south right-of-way line of Fitchburg Street at the northwest corner of said Lot 7, Block 35/7180 and the northwest corner of said City of Dallas, as recorded in Volume 78136, Page 1256, D.R.D.C.T., continuing along said south right-of-way line of Fitchburg Street and the north line of said Lot 7, City of Dallas Block 35/7180, a total distance of 100.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 14 degrees 52 minutes 57 seconds East, departing said south right-of-way line of Fitchburg Street and the north line of said Lot 7, City of Dallas Block 35/7180, over and across said City of Dallas Block 35/7180 and 100 feet east of and parallel to said east right-of-way line of Finklea, a distance of 46.22 feet to a 1/2-inch set iron rod with cap for the beginning of a non-tangent circular curve to the left having a radius of 3,925.55 feet, whose chord bears South 21 degrees 26 minutes 38 seconds East, a distance of 436.17 feet;

THENCE in a Southeasterly direction, over an across said City of Dallas Blocks 34/7180 and 35/7180 and said Dow Court and along said circular curve to the left, through a central angle of 06 degrees 22 minutes 10 seconds, an arc distance of 436.40 feet to a 1/2-inch set iron rod with cap for the point of tangency for corner;

**PROPOSED 100 FOOT WIDE
ATMOS ENERGY EASEMENT
1.715 ACRES (74,698 SQUARE FOOT)
PART OF FINKLEA STREET, DOW COURT,
CITY OF DALLAS BLOCKS 34/7180 AND 35/7180
B.B.B. & C.R.R.CO. SURVEY, ABSTRACT NUMBER 207
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE South 24 degrees 37 minutes 43 seconds East, over and across said City of Dallas Block 34/7180, a distance of 248.56 feet to the POINT OF BEGINNING AND CONTAINING 1.715 acres (74,698 square feet) of land, more or less.

Basis of Bearing: State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983. All distances shown hereon are US Survey Feet, displayed in surface values and may be converted to grid by dividing by the TxDOT Surface Adjustment Factor of 1.000136506.

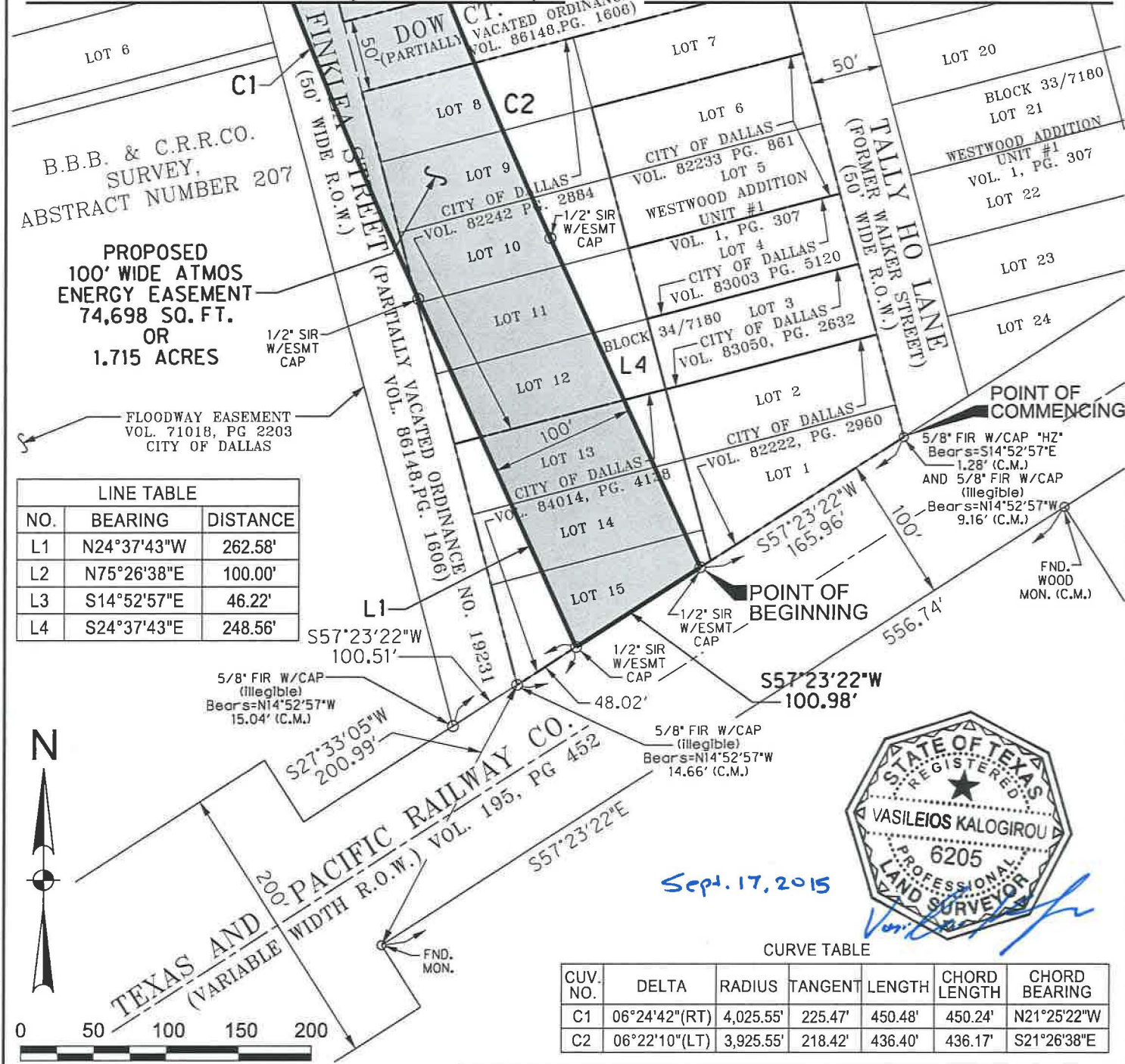
This property description is accompanied by a parcel plat of even date.

 Sept. 17, 2015

Vasileios Kalogirou
Registered Professional Land Surveyor
Texas No. 6205
Halff Associates, Inc.,
1201 North Bowser Rd.
Richardson, Texas 75081
214-217-6418
TBPLS Firm No. 10029600



MATCH LINE (See sheet 2 of 2)



Sept. 17, 2015

NOTES:

1. Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202) as derived by GPS measurements. All distances and/or coordinates shown hereon are surface and may be converted by the published TXDOT "Surface Adjustment Factor" for Dallas County of 1.000136506.
2. This exhibit was prepared with a metes and bounds description of even date.
3. This survey was prepared without the benefit of a title commitment.

**PROPOSED 100 FOOT WIDE
ATMOS ENERGY EASEMENT
1.715 ACRES (74,698 SQUARE FOOT)
PART OF FINKLEA STREET, DOW COURT,
CITY OF DALLAS BLOCKS 34/7180 AND 35/7180
B.B.B. & C.R.R.CO. SURVEY, ABSTRACT NUMBER 207
CITY OF DALLAS, DALLAS COUNTY, TEXAS**



HALFF
TBPE FIRM #F-312
TBPLS FIRM NO. 10029600
1201 N.BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: SEPT. 22, 2015

AVO.: 30210-W022

PAGE 4 OF 5

(C.M.) CONTROL MONUMENT
FIR FOUND IRON ROD
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO. INSTRUMENT NUMBER
VOL. PG. VOLUME, PAGE

P.K. NAIL P.K. NAIL WITH SHINER
W/SHINER STAMPED "HALFF"

(For SPRG use only)

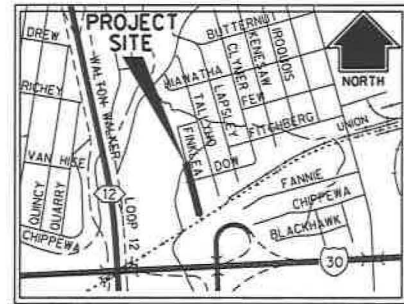
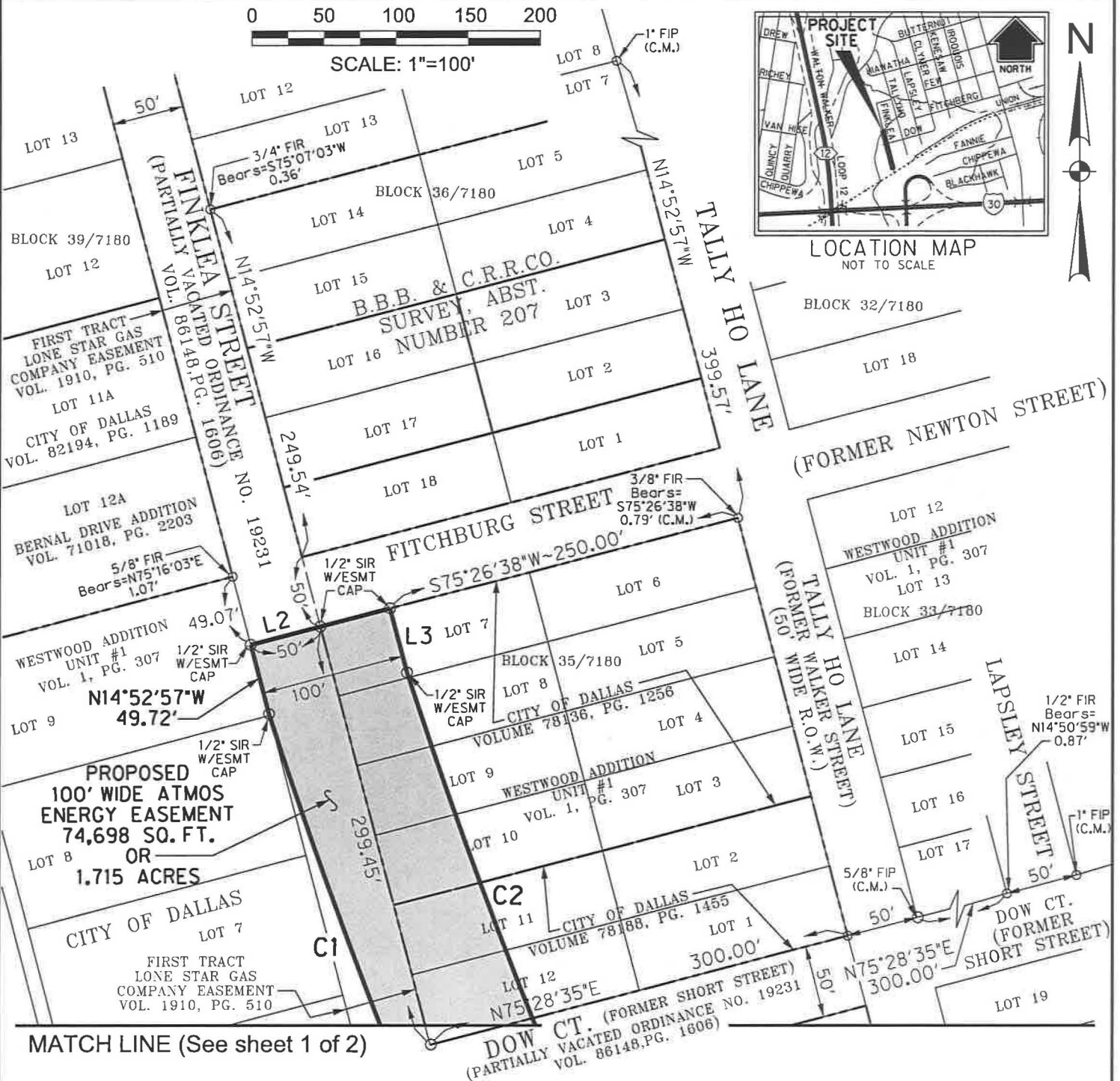
Reviewed By: _____

Date: _____

SPRG NO.: _____

0 50 100 150 200

SCALE: 1"=100'

LOCATION MAP
NOT TO SCALE

MATCH LINE (See sheet 1 of 2)

LEGEND

(C.M.)	CONTROL MONUMENT
FIR	FOUND IRON ROD
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL. PG.	VOLUME, PAGE
P.K. NAIL	P.K. NAIL WITH SHINER
WSHINER	STAMPED "HALFF"

(For SPRG use only)

Reviewed By: _____

Date: _____

SPRG NO.: _____

NOTES:

1. Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202) as derived by GPS measurements. All distances and/or coordinates shown hereon are surface and may be converted by the published TXDOT "Surface Adjustment Factor" for Dallas County of 1.000136506.
2. This exhibit was prepared with a metes and bounds description of even date.
3. This survey was prepared without the benefit of a title commitment.

**PROPOSED 100 FOOT WIDE
ATMOS ENERGY EASEMENT
1.715 ACRES (74,698 SQUARE FOOT)
PART OF FINKLEA STREET, DOW COURT,
CITY OF DALLAS BLOCKS 34/7180 AND 35/7180
B.B.B. & C.R.R.CO. SURVEY, ABSTRACT NUMBER 207
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**HALFF**

TBPE FIRM *F-312
TBPLS FIRM NO. 10029600
1201 N.BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: SEPT. 22, 2015

AVO.: 30210-W022

PAGE 5 OF 5

**PARTIAL ABANDONMENT OF AN EXISTING
LONE STAR GAS COMPANY EASEMENT
0.8934 ACRES (38,915 SQUARE FOOT)
PART OF FINKLEA STREET
B.B.B. & C.R.R.CO. SURVEY, ABSTRACT NUMBER 207
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Being a 0.8934 acre (38,915 square foot) tract of land situated in the B.B.B. & C.R.R. CO. Survey, Abstract Number 207, City of Dallas, Dallas County, Texas, being adjacent to City of Dallas Blocks 34/7180, 35/7180 and 39/7180, said tract also being part of Finklea Street (a 50 foot wide right-of-way) as shown on Westwood Addition Unit #1, an addition to the City of Dallas, as recorded in Volume 1, Page 307 of the Map Records of Dallas County, Texas, said Finklea Street being partially vacated by Ordinance No. 19231, as recorded in Volume 86148, Page 1606 of the Deed Records, Dallas county, Texas (D.R.D.C.T.), said tract also being part of that tract of land described as "First Tract" in a right-of-way deed to Lone Star Gas Company, as recorded in Volume 1910, Page 510, D.R.D.C.T. and being more particularly described as follows:

BEGINNING at the intersection of the east right-of-way line of said Finklea Street with the northwesterly right-of-way line of Texas and Pacific Railway Company (a 100 foot wide right-of-way at this point), as recorded in Volume 195, Page 452, D.R.D.C.T. at the southwest corner of Lot 15, Block 34/7180 of said Westwood Addition Unit #1, said corner also being the southwest corner of that tract of land described in deed to the City of Dallas, as recorded in Volume 84014, Page 4128, D.R.D.C.T. and the southeast corner of said "First Tract", from which corner a 5/8-inch found iron rod with illegible cap bears North 14 degrees 52 minutes 57 seconds West, a distance of 14.66 feet;

THENCE South 57 degrees 23 minutes 22 seconds West, along said northwesterly right-of-way line of Texas and Pacific Railway Company and the southeast line of said "First Tract", a distance of 52.49 feet to a point for the southwest corner of said "First Tract" at the intersection of the west right-of-way line of said Finklea Street with said northwesterly right-of-way line of Texas and Pacific Railway Company, from which corner a 5/8-inch found iron rod with illegible cap bears North 14 degrees 52 minutes 57 seconds West, a distance of 15.04 feet;

THENCE North 14 degrees 52 minutes 57 seconds West, departing said northwesterly right-of-way line of Texas and Pacific Railway Company and along said west right-of-way line of Finklea Street and the west line of said "First Tract", a distance of 786.43 feet to 1/2-inch set iron rod with blue cap labeled "HALFF ESMT" (hereinafter referred to as "with cap") at the projected intersection of the south right-of-way line of Fitchburg Street, formerly known as Newton Street (a 50 foot wide right-of-way) as shown on said Westwood Addition Unit #1 with said west right-of-way line of Finklea Street;

THENCE North 75 degrees 26 minutes 38 seconds East, departing said west right-of-way line of Finklea Street and along said projected south right-of-way line of Fitchburg Street, a distance of 50.00 feet to a 1/2-inch set iron rod with cap for the intersection of said east right-of-way line of Finklea Street with said south right-of-way line of Fitchburg Street at the northwest corner of Lot 7, Block 35/7180 of said Westwood Addition Unit #1 and the northwest corner of that tract of land described in deed to the City of Dallas, as recorded in Volume 78136, Page 1256, D.R.D.C.T.;

**PARTIAL ABANDONMENT OF AN EXISTING
LONE STAR GAS COMPANY EASEMENT
0.8934 ACRES (38,915 SQUARE FOOT)
PART OF FINKLEA STREET
B.B.B. & C.R.R.CO. SURVEY, ABSTRACT NUMBER 207
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE South 14 degrees 52 minutes 57 seconds East, departing said south right-of-way line of Fitchburg Street and along said east right-of-way line of Finklea Street, a distance of 770.16 feet to the POINT OF BEGINNING AND CONTAINING 0.8934 acres (38,915 square feet) of land, more or less.

Basis of Bearing: State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983. All distances shown hereon are US Survey Feet, displayed in surface values and may be converted to grid by dividing by the TxDOT Surface Adjustment Factor of 1.000136506.

This property description is accompanied by a parcel plat of even date.

 Sept. 17, 2015

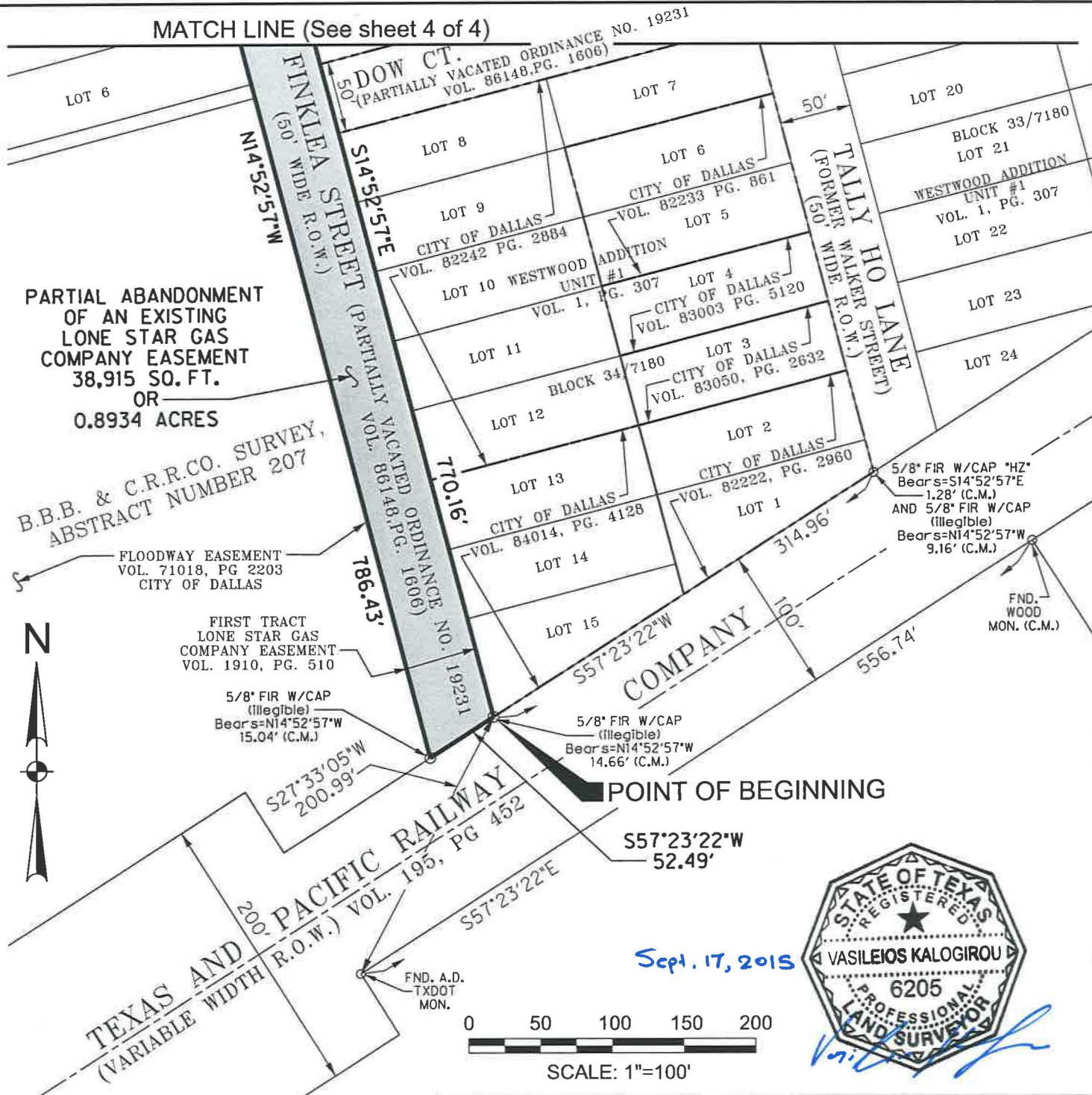
Vasileios Kalogirou
Registered Professional Land Surveyor
Texas No. 6205
Halff Associates, Inc.,
1201 North Bowser Rd.
Richardson, Texas 75081
214-217-6418
TBPLS Firm No. 10029600



MATCH LINE (See sheet 4 of 4)

I:\30000s\30210\W022-Boundary_Line_S_Chalk_HillCAD\Sheets\VEHXH-PARTIAL-ABANDON.- 01-W022-30210.dgn

9/22/2015 12:15:31 PM



LEGEND

(C.M.)	CONTROL MONUMENT
FIR	FOUND IRON ROD
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL. PG.	VOLUME, PAGE
A.D.	ALUMINUM DISK
SIR W/	1/2-INCH SET IRON ROD W/B
ESMT CAP	CAP STAMPED "HALFF ESMT"

(For SPRG use only)

Reviewed By: _____
 Date: _____
 SPRG NO.: _____

NOTES:

1. Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202) as derived by GPS measurements. All distances and/or coordinates shown hereon are surface and may be converted by the published TXDOT "Surface Adjustment Factor" for Dallas County of 1.000136506.
2. This exhibit was prepared with a metes and bounds description of even date.
3. This survey was prepared without the benefit of a title commitment.

**PARTIAL ABANDONMENT OF AN EXISTING
 LONE STAR GAS COMPANY EASEMENT
 0.8934 ACRES (38,915 SQUARE FOOT)
 PART OF FINKLEA STREET
 B.B.B. & C.R.R.CO. SURVEY, ABSTRACT NUMBER 207
 CITY OF DALLAS, DALLAS COUNTY, TEXAS**



HALFF
 TBPE FIRM #F-312
 TBPLS FIRM NO. 10029600
 1201 N.BOWSER ROAD RICHARDSON, TEXAS 75081
 TELE. (214)346-6200 FAX (214)739-0095

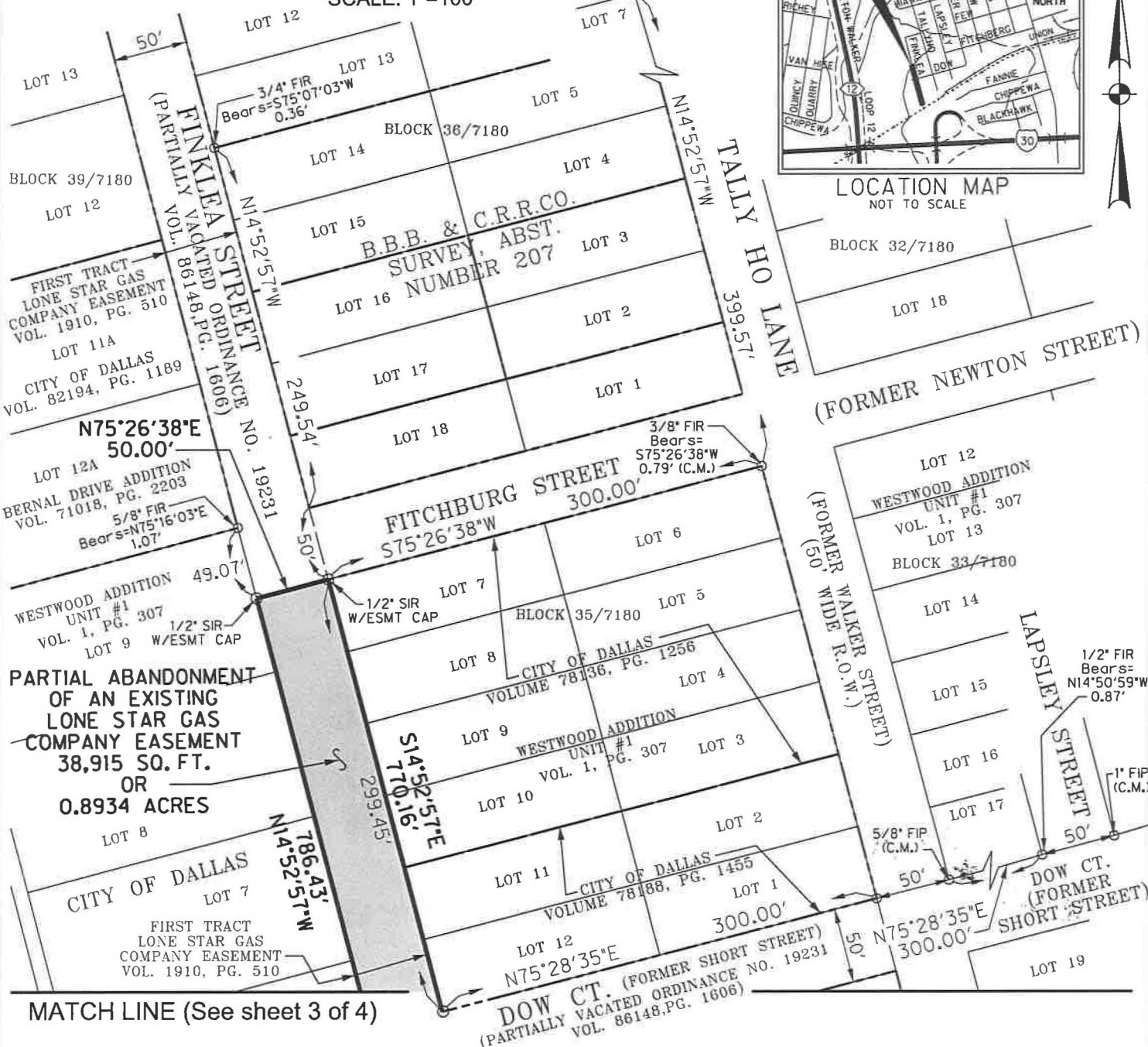
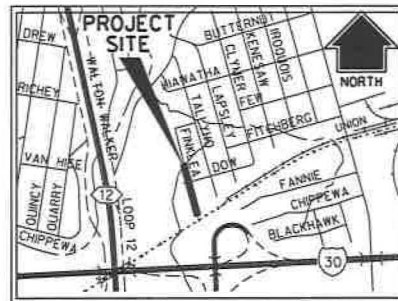
DATE: SEPT. 22, 2015

AVO.: 30210-W022

PAGE 3 OF 4

0 50 100 150 200

SCALE: 1"=100'

LOT 8
LOT 7
1" FIP
(C.M.)

LEGEND

(C.M.)	CONTROL MONUMENT
FIR	FOUND IRON ROD
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL. PG.	VOLUME, PAGE
A.D.	ALUMINUM DISK
SIR W/	1/2-INCH SET IRON ROD W/BUE
ESMT CAP	CAP STAMPED "HALFF ESMT"

(For SPRG use only)

Reviewed By: _____

Date: _____

SPRG NO.: _____

NOTES:

1. Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202) as derived by GPS measurements. All distances and/or coordinates shown hereon are surface and may be converted by the published TXDOT "Surface Adjustment Factor" for Dallas County of 1.000136506.
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PARTIAL ABANDONMENT OF AN EXISTING LONE STAR GAS COMPANY EASEMENT
0.8934 ACRES (38,915 SQUARE FOOT)
PART OF FINKLEA STREET
B.B.B. & C.R.R.CO. SURVEY, ABSTRACT NUMBER 207
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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TELE. (214)346-6200 FAX (214)739-0095

DATE: SEPT. 22, 2015

AVO.: 30210-W022

PAGE 4 OF 4

AGENDA ITEM # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Planning and Urban Design

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: Various

SUBJECT

A resolution to reaffirm City Council support for twelve transportation improvement projects and to cancel two transportation improvement projects identified in the Regional Transportation Council's Milestone Projects Policy (list attached) - Financing: No cost consideration to the City

BACKGROUND

In June 2015, the Regional Transportation Council (RTC) approved the implementation of a Milestone Projects Policy, which is intended to review projects that were funded ten or more years ago, but have not yet gone to construction. The intent is to require local agencies to reaffirm their support for projects that have a high priority, and to cancel projects that are no longer considered priority projects so that their funding can be reprogrammed.

In order to maintain federal and regional funding on a Milestone project, the City of Dallas must provide three pieces of information: (1) a resolution reaffirming City Council support for the project, (2) a realistic project schedule, and (3) documentation of local funding match availability if needed.

There are fourteen Milestone projects located within the City of Dallas. Staff has reviewed each project and coordinated with partner agencies to develop recommendations to support or cancel projects as follows:

Projects Recommended for Support

Lemmon Avenue at Bluffview Boulevard – intersection improvement (District 2)
Park Lane at US 75 (Central Expressway) – intersection improvement (District 13)
Valley View Lane/Walnut Street from Greenville Avenue to Forest Ridge Drive – intersection improvements (District 10)

BACKGROUND (Continued)

Projects Recommended for Support (Continued)

Denton Drive from Walnut Hill Lane to Royal Lane – complete street (District 6)

Medical District Drive from I-35E (Stemmons Freeway) to Harry Hines Boulevard – roadway widening (District 2)

Katy Trail Phase VI from Ellsworth Avenue to Worcola Street – trail and bridge (District 14)

Hatcher Street (Dolphin Road) from Spring Avenue to Haskell Avenue/Military Parkway – add a median (District 7)

KCS Railroad from Highland Road to Santa Anna Avenue – quiet zone at eight crossings (District 9)

Intersection Safety Program – low cost safety improvements (Districts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13 and 14)

Signal Improvement Program – signal retiming and vehicle detection (Districts 2, 7, 9, 10 and 14)

Northwest Highway at Jupiter Road – signal and pedestrian improvement (Districts 9 and 10)

Northwest Highway at Plano Road – signal and pedestrian improvement (Districts 9 and 10)

Projects Recommended for Cancellation

Lemmon Avenue from Bluffview Boulevard to Airdrome Drive – roadway widening (District 2)

Harry Hines Boulevard at Mockingbird Lane – intersection improvement (District 2)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

No cost consideration to the City

Regional Transportation Council (RTC) Milestone Policy Projects

Projects Recommended for Support

Lemmon Avenue at Bluffview Boulevard - intersection improvement (District 2)
Park Lane at US 75 (Central Expressway) - intersection improvement (District 13)
Valley View Lane/Walnut Street from Greenville Avenue to Forest Ridge Drive - intersection improvements (District 10)
Denton Drive from Walnut Hill Lane to Royal Lane - complete street (District 6)
Medical District Drive from I-35E (Stemmons Freeway) to Harry Hines Boulevard - roadway widening (District 2)
Katy Trail Phase VI from Ellsworth Avenue to Worcola Street - trail and bridge (District 14)
Hatcher Street (Dolphin Road) from Spring Avenue to Haskell Avenue/Military Parkway - add a median (District 7)
KCS Railroad from Highland Road to Santa Anna Avenue - quiet zone at eight crossings (District 9)
Intersection Safety Program – low cost safety improvements (Districts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13 and 14)
Signal Improvement Program – signal retiming and vehicle detection (Districts 2, 7, 9, 10 and 14)
Northwest Highway at Jupiter Road - signal and pedestrian improvement (Districts 9 and 10)
Northwest Highway at Plano Road - signal and pedestrian improvement (Districts 9 and 10)

Projects Recommended for Cancellation

Lemmon Avenue from Bluffview Boulevard to Airdrome Drive - roadway widening (District 2)
Harry Hines Boulevard at Mockingbird Lane - intersection improvement (District 2)

November 10, 2015

WHEREAS, the Regional Transportation Council (RTC) is the policy-making body of the Metropolitan Planning Organization for the Dallas-Fort Worth region; and

WHEREAS, the RTC is responsible for maintaining the Transportation Improvement Program (TIP) which is an inventory of regionally significant transportation projects that are funded and scheduled to go to construction within a four year period; and

WHEREAS, in June 2015, the RTC adopted a Milestone Projects Policy that requires the City Council to reaffirm their support for any TIP project that has been funded for more than ten years, but not gone to construction; and

WHEREAS, there are fourteen TIP projects located in the City of Dallas that are affected by the Milestone Projects Policy; and

WHEREAS, the lead agency varies from project to project; and the City of Dallas has coordinated a review of all fourteen projects with our partner agencies to determine the status and priority of each project. **NOW, THEREFORE,**

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

SECTION 1. That the City Council reaffirms its support for implementation of the following twelve RTC Milestone Policy projects:

Lemmon Avenue at Bluffview Boulevard – intersection improvement (TIP Code 533)
Park Lane at US 75 (Central Expressway) – intersection improvement (TIP Code 665.2)

Valley View Lane/Walnut Street from Greenville Avenue to Forest Ridge Drive – intersection improvements (TIP Code 684)

Denton Drive from Walnut Hill Lane to Royal Lane – complete street (TIP Code 2310.1)

Medical District Drive from I-35E (Stemmons Freeway) to Harry Hines Boulevard – roadway widening (TIP Code 11727)

Katy Trail Phase VI from Ellsworth Avenue to Worcola Street – trail and bridge (TIP Code 11018.2)

Hatcher Street (Dolphin Road) from Spring Avenue to Haskell Avenue/Military Parkway – add a median (TIP Code 633)

KCS Railroad from Highland Road to Santa Anna Avenue – quiet zone at eight crossings (TIP Code 11258.9)

Intersection Safety Program – low cost safety improvements (TIP Code 11746)

Signal Improvement Program – signal retiming and vehicle detection (TIP Code 11808.1)

Northwest Highway at Jupiter Road – signal and pedestrian improvement (TIP Code 535)

Northwest Highway at Plano Road – signal and pedestrian improvement (TIP Code 537)

November 10, 2015

SECTION 2. That the City Council cancels the following two RTC Milestone Policy projects:

Lemmon Avenue from Bluffview Boulevard to Airdrome Drive – roadway widening (TIP Code 2785)

Harry Hines Boulevard at Mockingbird Lane – intersection improvement (TIP Code 2795)

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: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Public Works Department
Street Services

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

MAPSCO: N/A

SUBJECT

Authorize a Master Interlocal Agreement with Dallas County pertaining to the coordination of responsibilities for transportation related maintenance on roadways within the City of Dallas – Financing: No cost consideration to the City

BACKGROUND

The City of Dallas and Dallas County desire to enter into a Master Interlocal Agreement to jointly coordinate, facilitate, and/or fund future maintenance activities on certain roadways within the City of Dallas. This agreement will also allow the City to authorize and retain Dallas County through its Road and Bridge Division force to perform minor transportation-related services, including but not limited to pothole repairs, cleaning and clearing drainage culverts, roadway debris removal on certain public roadways and alleyways within the City of Dallas. This action will authorize the Master Interlocal Agreement with Dallas County for the maintenance of roadways within the City of Dallas.

The Master Interlocal Agreement contains elements identified as contract standards generally agreeable to all cities and counties. These include items such as termination clauses, amendments, utilities, maintenance, obligations of the parties, and others. Individual roadway maintenance project needs will be addressed as supplements to the master agreement. There are no specific projects being approved or authorized with the master agreement at this time. Having the master agreement in place will allow future supplements to address the specific needs of individual projects. Each supplement will require future consideration and action by the City Council.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

No cost consideration to the City.

November 10, 2015

WHEREAS, Dallas County has developed a Master Interlocal Agreement pertaining to transportation related maintenance on roadways within the City of Dallas; and,

WHEREAS, the Master Interlocal Agreement will be supplemented in the future to address the specific needs of individual roadway maintenance projects; and,

WHEREAS, the City of Dallas desires to enter into a Master Interlocal Agreement with Dallas County to jointly coordinate, facilitate, and/or fund future maintenance activities on certain roadways within the City of Dallas.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a Master Interlocal Agreement with Dallas County pertaining to the coordination of responsibilities for transportation-related maintenance on roadways within the City of Dallas, after it has been approved as to form by the City Attorney.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 1, 7, 9, 14

DEPARTMENT: Public Works Department
Office of Cultural Affairs

CMO: Jill A. Jordan, P.E., 670-5299
Joey Zapata, 670-1204

MAPSCO: 37H; 45F/G; 45K; 45L; 46K; 46Q; 46U; 54H

SUBJECT

State of Texas Energy Conservation Office Loan Star Fund

- * Authorize **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office Loan Star Fund in the amount of \$6,935,946, to be repaid plus interest, beginning in FY 2016-17 for a period of ten years from electric and natural gas energy savings; **(2)** the establishment of appropriations in the amount of \$6,935,946 in the State Energy Conservation Office Loan Star Fund; **(3)** Supplemental Agreement No. 1 to the contract with Pepco Energy Services for **(a)** construction of energy conservation related projects at eight City facilities in an amount not to exceed \$6,935,946 (list attached) and **(b)** measurement and verification for a period not to exceed ten years, in an amount not to exceed \$798,497 to be paid from electric and natural gas savings; **(4)** the acceptance and deposit in the Oncor Rebate Fund of rebates from Oncor Electric Delivery - Total not to exceed \$7,734,443 - Financing: State of Texas Energy Conservation Office Loan Star Funds (\$6,935,946) and Current Funds (\$798,497) (subject to annual appropriations)
- * Authorize **(1)** the repayment of a loan from the State of Texas Energy Conservation Office over a ten year period, plus interest, using savings in the City's annual electricity and natural gas budgets - Total not to exceed \$7,685,946 - Financing: Current Funds - \$7,685,946 (subject to annual appropriations)

BACKGROUND

In 1997, Chapter 302, Texas Local Government Code approved legislation allowing Cities and political subdivisions to enter multi-year contracts for the purpose of implementing energy related conservation projects and use energy savings to repay the debt for a period up to 15 years. The City has implemented four energy conservation projects.

BACKGROUND (Continued)

On September 12, 2014, Administrative Action No. 14-6619 authorized Phase 1 of the Energy Services Contract with Pepco Energy Services, Inc. to perform an energy audit and develop energy conservation related projects at 20 Office of Cultural Affairs facilities throughout the City of Dallas.

On January 28, 2015, Resolution No. 15-0171 authorized a Memorandum of Understanding with the State Energy Conservation Office (SECO) for energy projects at City Hall and various city facilities project in the amount of \$7,000,000.

This Supplemental Agreement No. 1 authorizes energy conservation measures for lighting, controls, and commissioning for conservation management programs. In addition, Pepco Energy Services, Inc. will perform measurement and verification services for a period up to ten years for a total cost not to exceed \$798,497 for this same period. This services will also be paid from guaranteed energy savings.

The terms of the supplemental agreement stipulate, pursuant to Chapter 302, Texas Local Government Code, that the project financing must be repaid from realized annual energy savings, as identified and guaranteed in the contract. An independent third party engineering review was completed by SECO's approved third party consultant.

Project financing for this supplemental agreement will have a term of ten years and will be funded through State Energy Conservation Office's (SECO's) Loan Star Fund in the amount of \$6,935,946, which will be amortized over a ten-year period at a 2.50% interest rate. This interest rate is considered competitive with the City's most recent debt issuance.

This contract will not require any up-front dollars from the City and guarantees the savings. The construction project will be completely funded out of the SECO's Loan Star fund and then repaid with the realized energy savings on an annual basis for a period of ten years. If the annual savings falls below the amount guaranteed by Pepco Energy Services, Inc., they will be contractually obligated to make up the amount of energy savings not realized. Pepco Energy Services will also provide one year guaranteed bonds renewed on an annual basis throughout the duration of the project to further secure the loan.

As required by terms, the City Manager is authorized to repay the SECO loan over ten years, plus interest, through energy savings from the City's annual electricity and natural gas budgets, subject to appropriation by the Council, at the beginning of each fiscal year. The guaranteed energy savings will be deducted from the annual electricity and natural gas budget and set aside for the repayment of the loan to SECO Loan Star Fund in an amount of \$6,935,946 plus interest.

BACKGROUND (Continued)

The City's annual electricity and natural gas budget will include the guaranteed savings for the terms of the loan. As exact electric and gas service rates cannot be known over the ten year term of the repayment, the guaranteed savings from the project will be in the form of units of energy (such as kilowatt hours) and not the rate charged. This means that in the event of a rate increase during the repayment term, the dollar value of the utility savings within the City's budget would increase commensurate with the rate adjustment and not negatively impact the City.

This project is eligible to receive energy and demand reduction incentives from Oncor which will be utilized toward the implementation of this project and other energy conservation efforts.

ESTIMATED SCHEDULE OF PROJECT

Retrofit Schedule will be as follows:

Begin Construction	January 2016
Complete Construction	October 2016
Complete Contract	October 2026

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Memorandum of Understanding with the State Energy Conservation Office for energy projects at City Hall and various City facilities project in the amount of \$7,000,000 on January 28, 2015, by Resolution No. 15-0171.

Information about this item will be presented to the Budget, Finance, and Audit Committee on November 2, 2015.

FISCAL INFORMATION

State of Texas Energy Conservation Office Loan Star Fund - \$6,935,946

Current Funds - \$798,497 (subject to annual appropriations)

Current Funds - \$7,685,946 (subject to annual appropriations)

ETHNIC COMPOSITION

Pepco Energy Services, Inc.

Hispanic Female	1	Hispanic Male	5
African-American Female	9	African-American Male	15
Other Female	6	Other Male	19
White Female	15	White Male	75

OWNER

Pepco Energy Services, Inc.

John Huffman, President and Chief Executive Officer

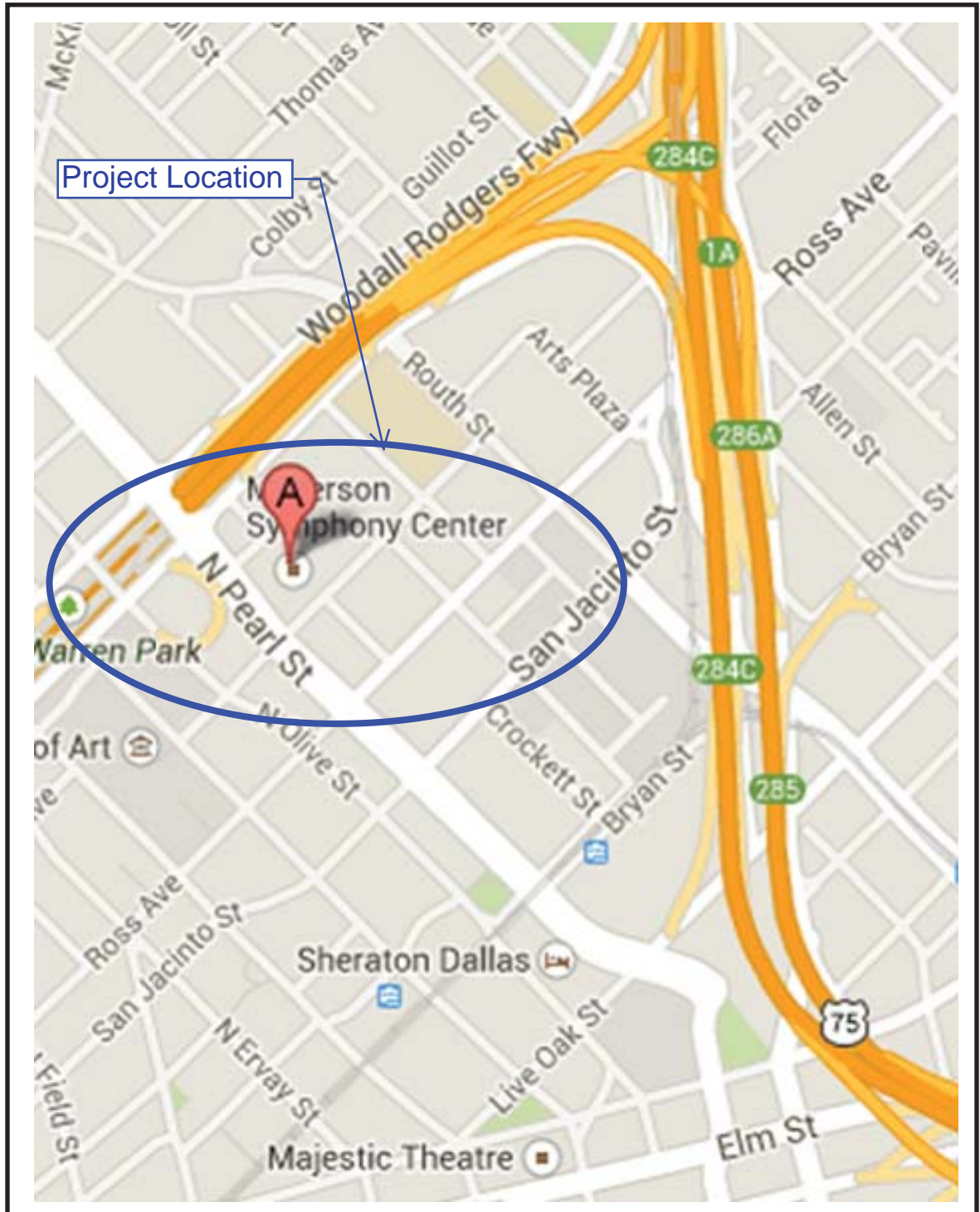
MAP(S)

Attached

City Facilities

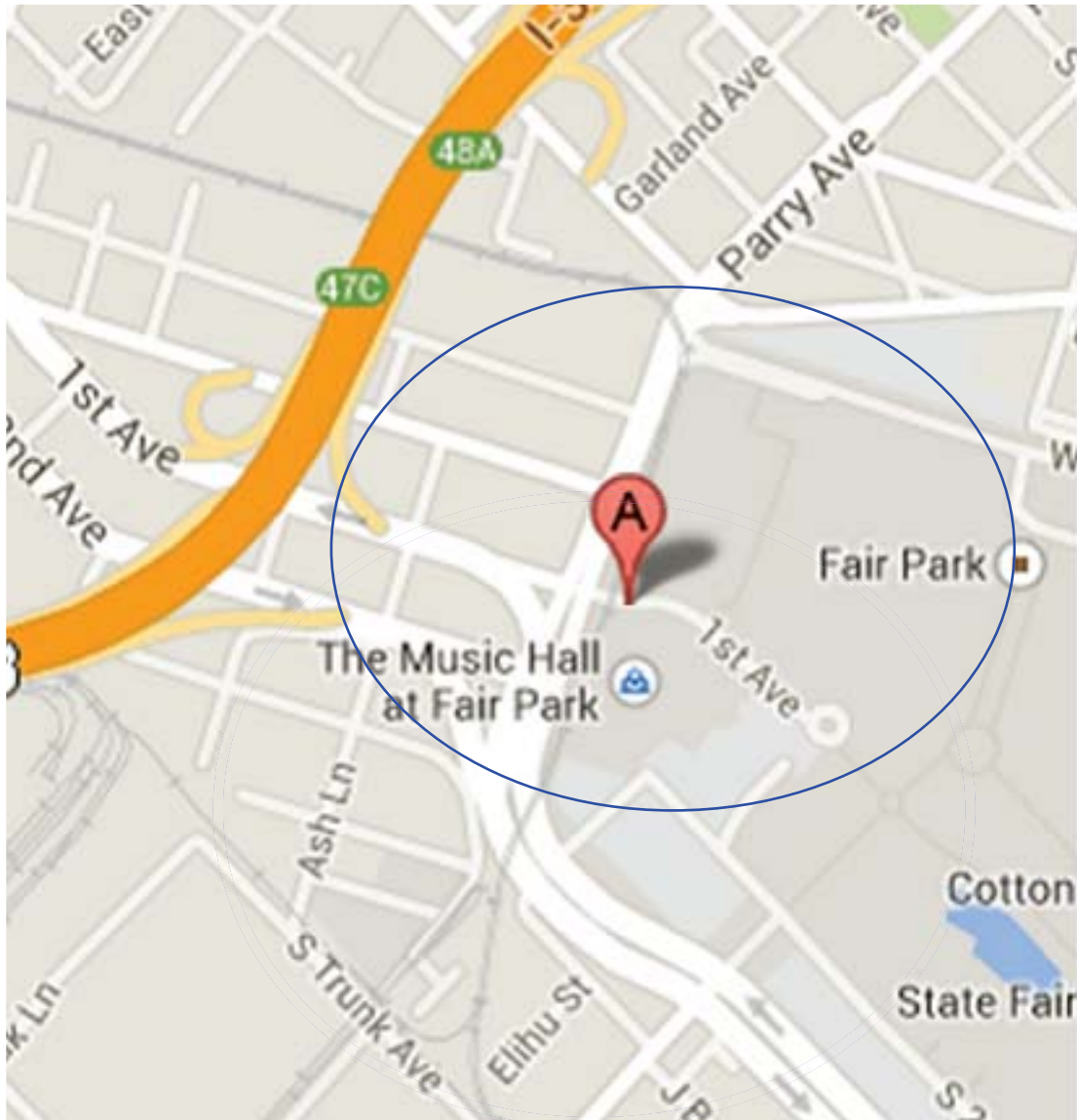
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1	Meyerson Symphony Center	2301 Flora St.	14	45F/G
2	Music Hall at Fair Park	909 1st Ave.	7	46K
3	WRR Radio Studio	1516 1st Ave.	7	46Q
4	Latino Cultural Center	2600 Live Oak St.	14	45L
5	Oak Cliff Cultural Center	223 W Jefferson Blvd.	1	54H
6	South Dallas Cultural Center	3400 S Fitzhugh Ave.	7	46U
7	Bath House	521 E Lawther Dr.	9	37H
8	Dallas Museum of Art	1717 N Harwood	14	45K

Meyerson Symphony Center



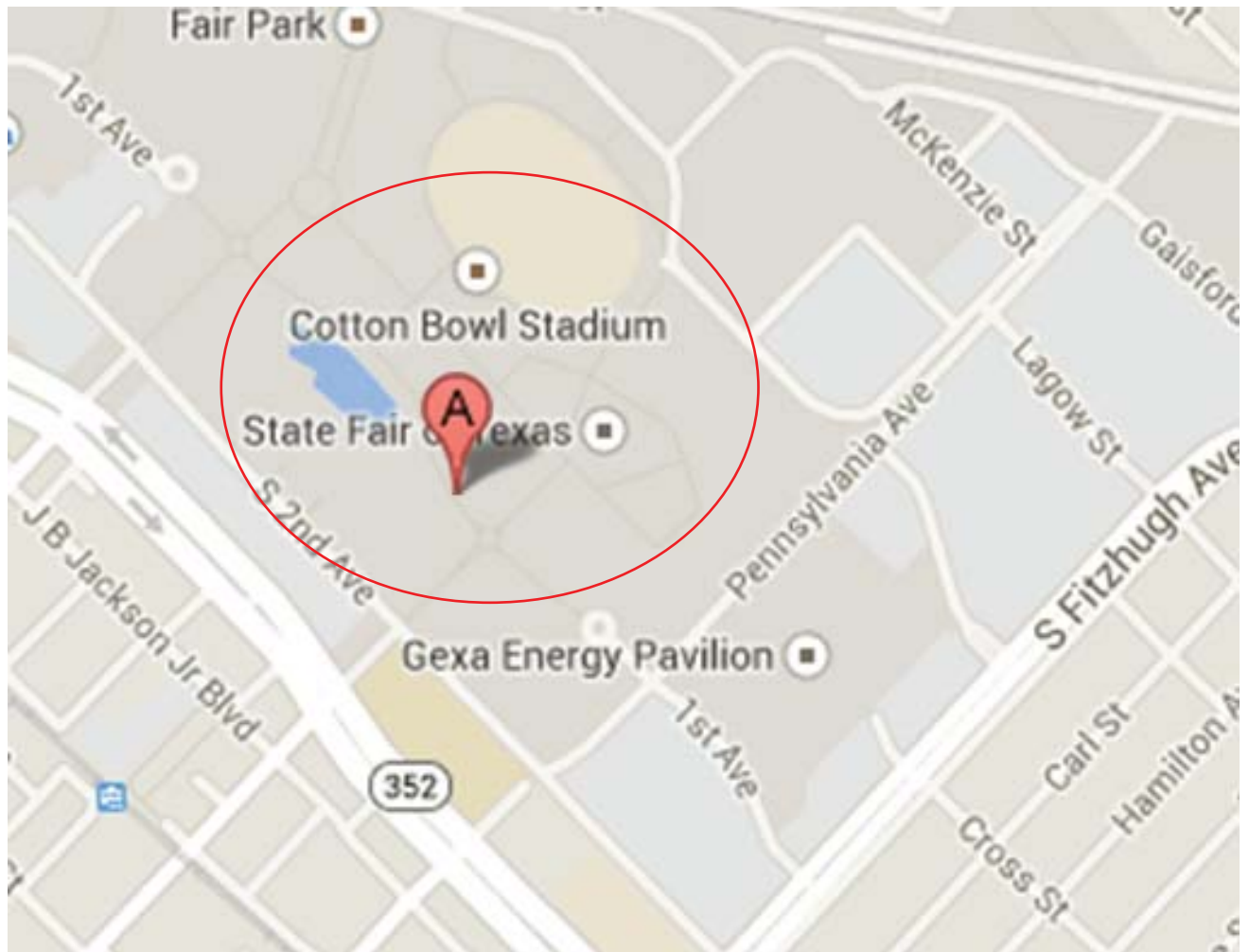
Mapsco 45F, G

Music Hall at Fair Park



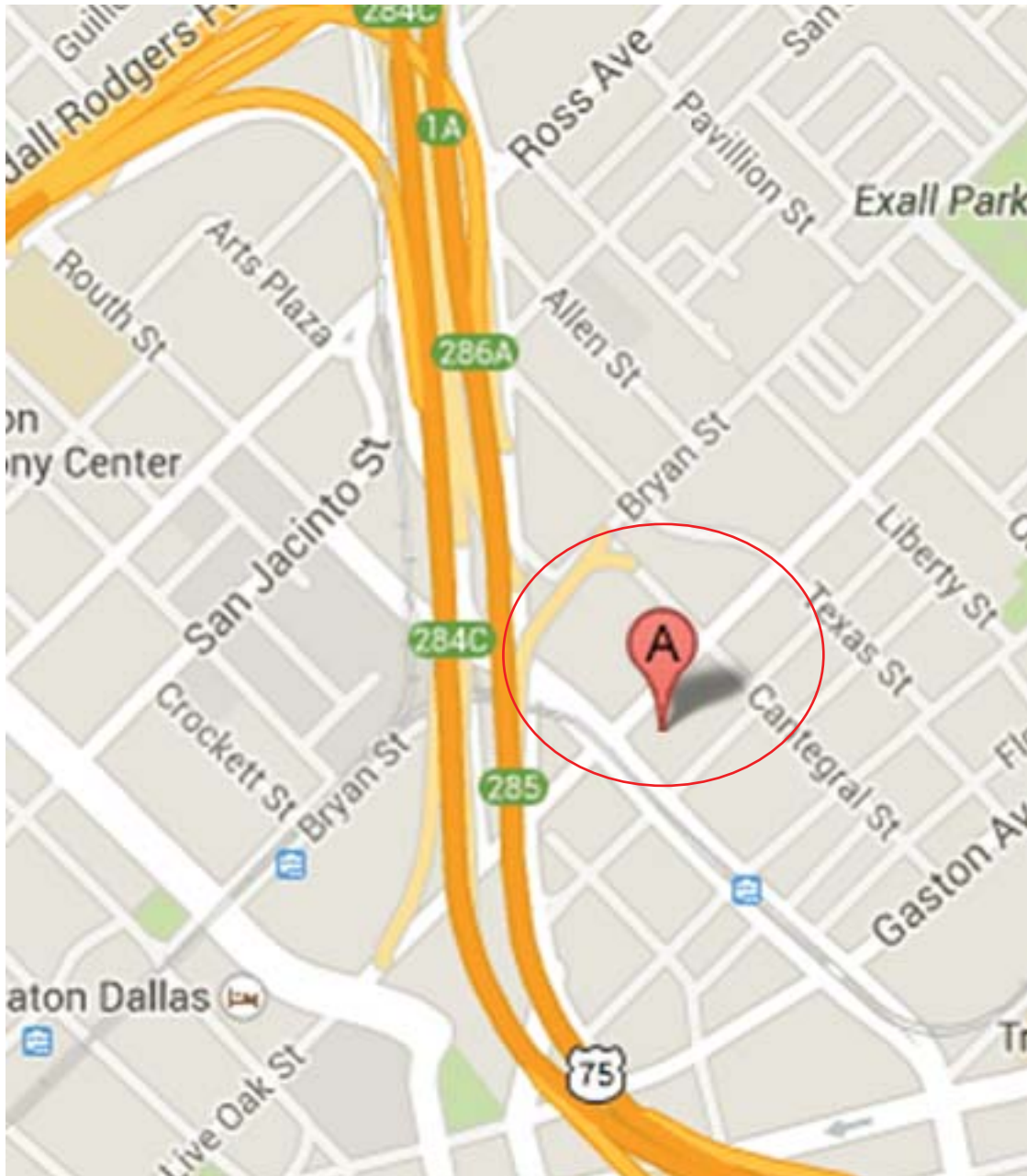
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WRR Radio Studio



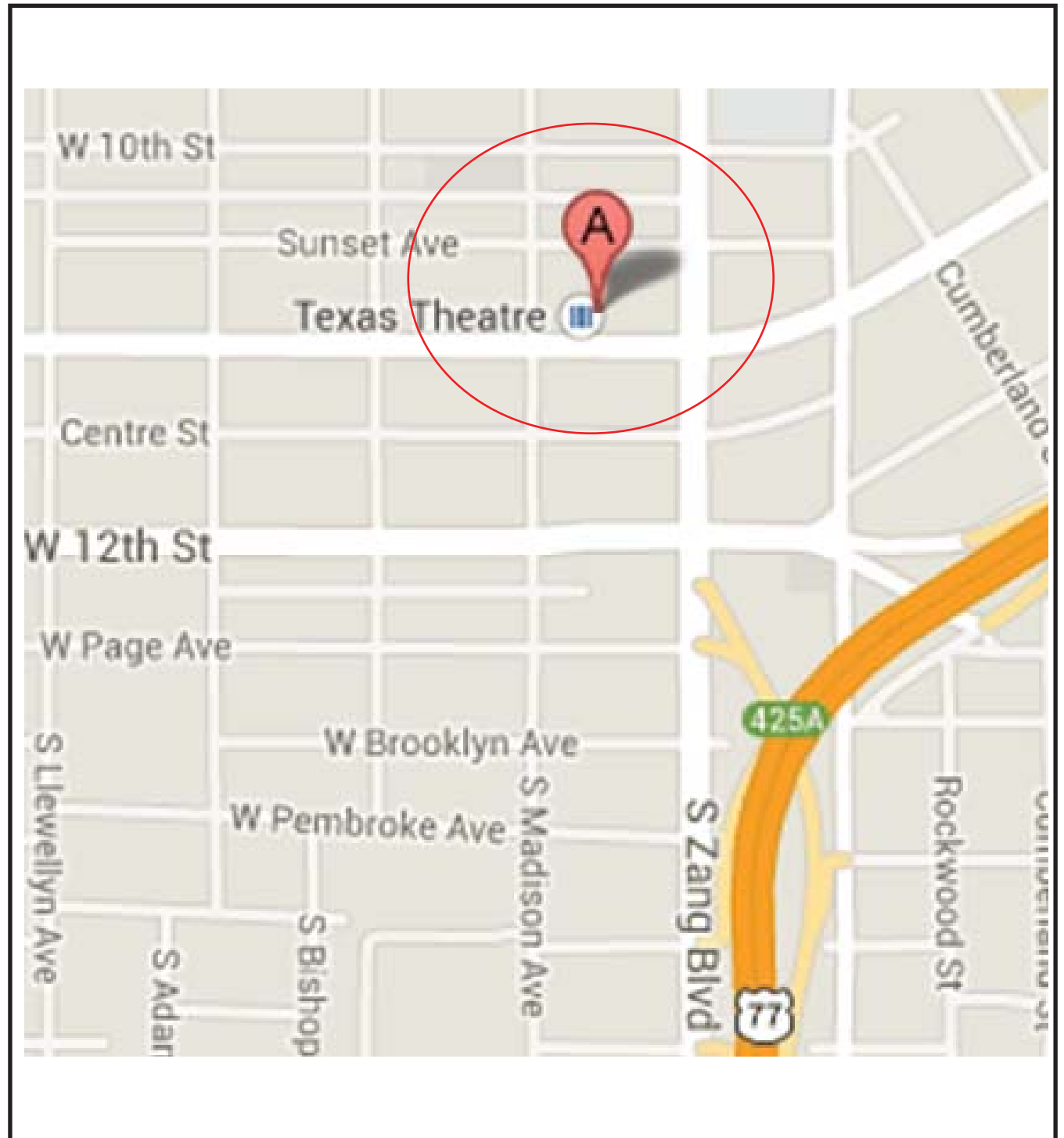
Mapsc0 46Q

Latino Cultural Center



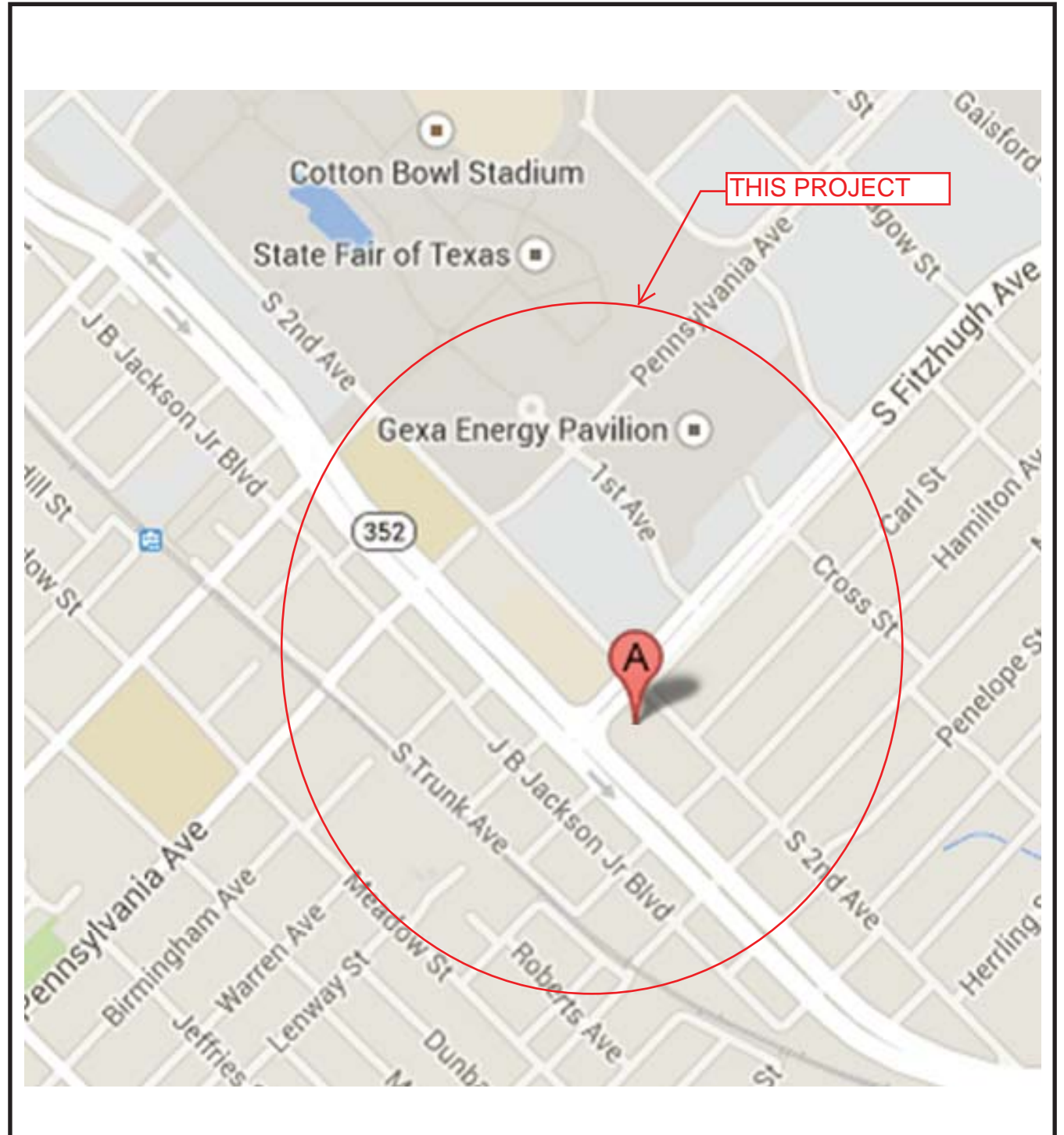
Mapsc0 45L

Oak Cliff Cultural Center



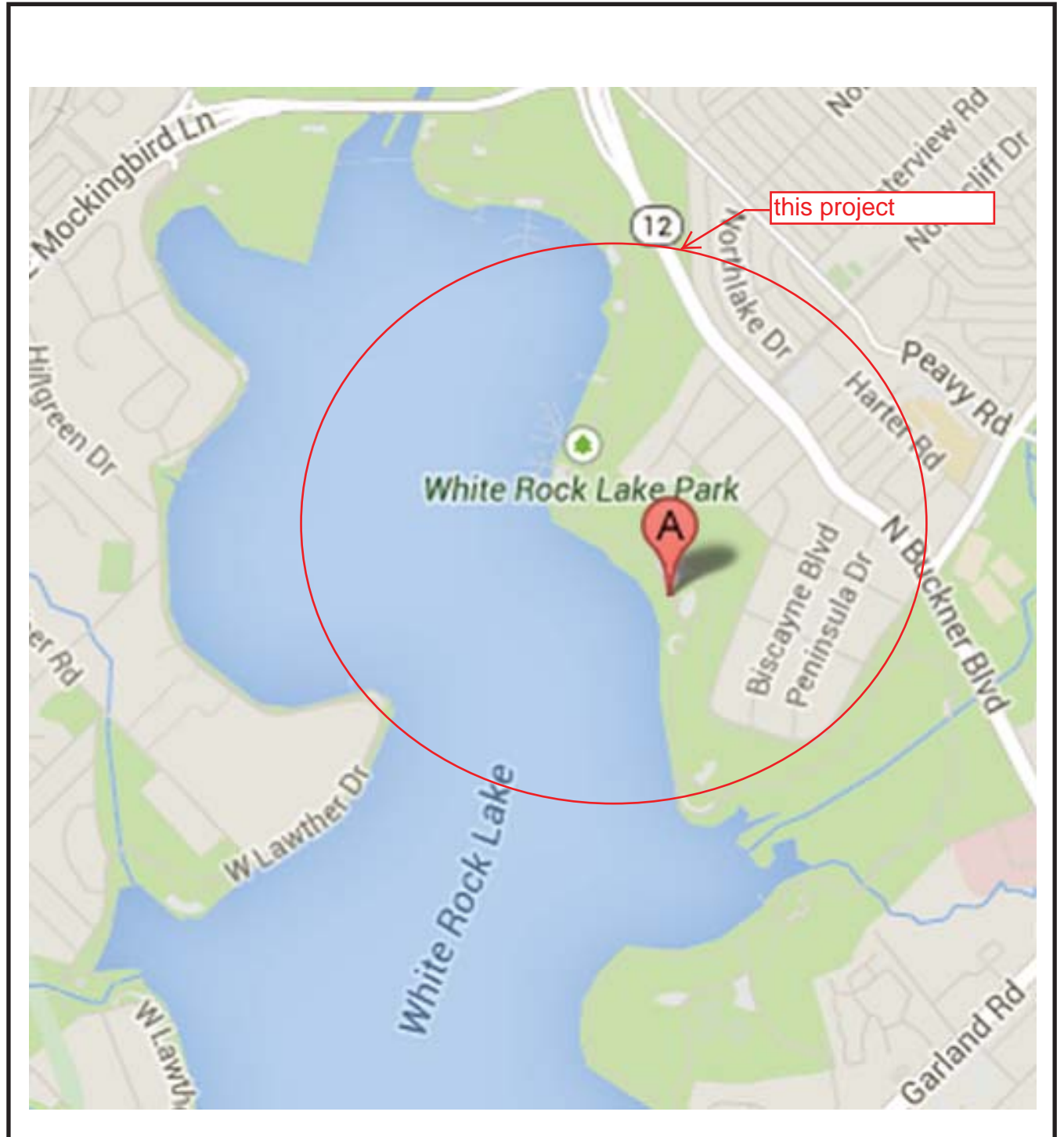
Mapsc0 54H

S Dallas Cultural Center



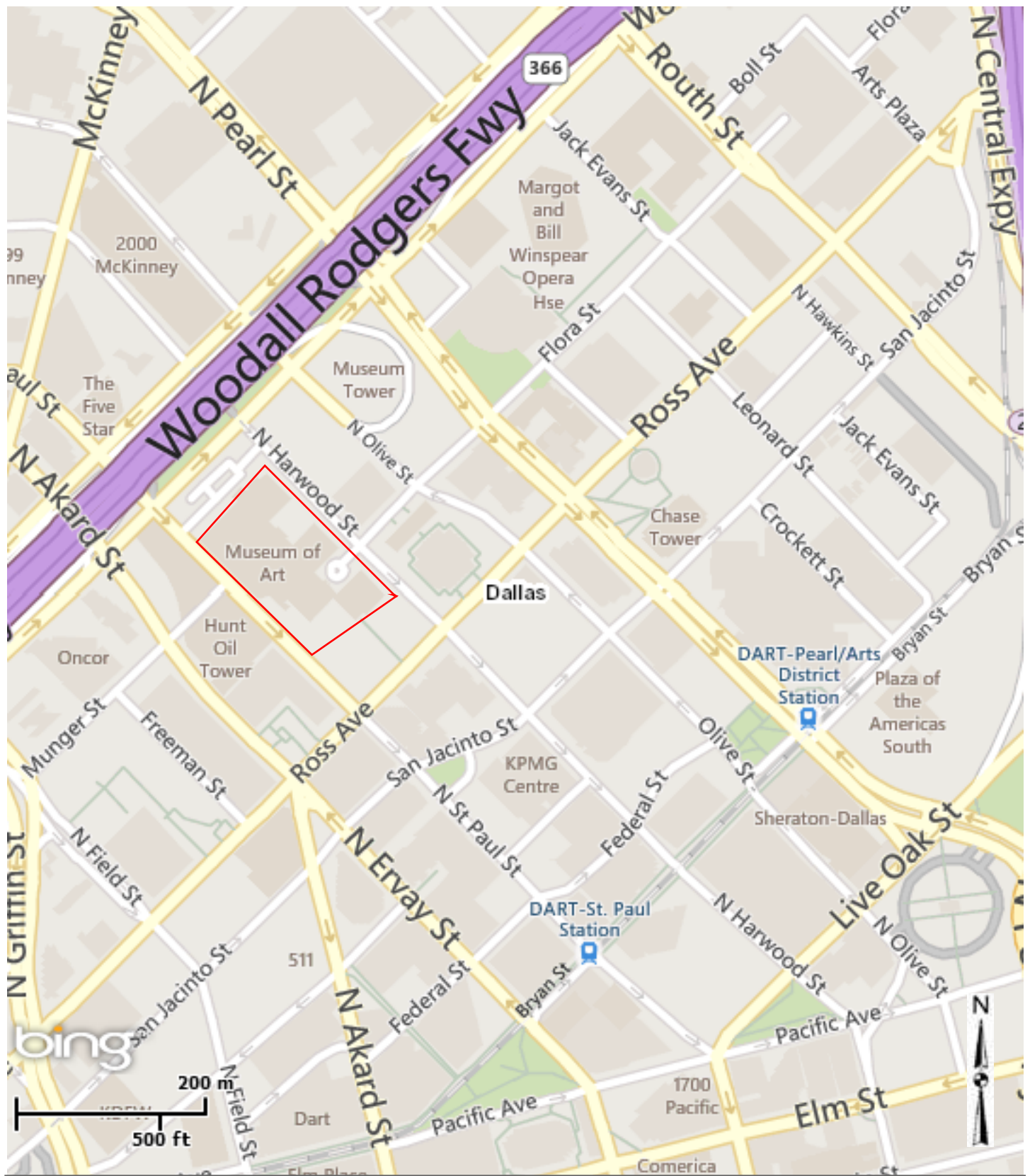
Mapsc0 46U

Bath House



Mapsc0 37H

1717 N Harwood St



Mapsco 45K

November 10, 2015

WHEREAS, Chapter 302 of the Texas Local Government Code, as amended, allows the procurement of energy performance contracts for the purpose of making energy conservation improvements to public buildings; and,

WHEREAS, on September 12, 2014, Administrative Action No. 14-6619 authorized a Comprehensive Energy Savings and Photovoltaic (PV) Performance Contract with Pepco Energy Services, Inc. for an energy audit and development of proposals for energy conservation related projects in the amount of \$5,000; and,

WHEREAS, the energy audit resulted in proposals for energy conservation measures for Office of Cultural Affairs buildings throughout the city of Dallas; and,

WHEREAS, on January 28, 2015, Resolution No. 15-0171 authorized a Memorandum of Understanding with the State Energy Conservation Office (SECO) for energy projects at City Hall and various City facilities in the amount of \$7,000,000; and,

WHEREAS, in April 2015, an independent third party review was completed as required per Chapter 302 of the Texas Local Government Code; and,

WHEREAS, the terms of the contract stipulate, per the Texas Local Government Code Chapter 302, that the project financing must be repaid from realized annual energy savings, as identified and guaranteed in the contract; and,

WHEREAS, it is desirable to authorize **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office Loan Star Fund in the amount of \$6,935,946, to be repaid plus interest, beginning in FY 2016-17 for a period of ten years from electric and natural gas energy savings; **(2)** the establishment of appropriations in the amount of \$6,935,946 in the State Energy Conservation Office Loan Star Fund; **(3)** Supplemental Agreement No. 1 to the contract with Pepco Energy Services for **(a)** construction of energy conservation related projects at eight City facilities in an amount not to exceed \$6,935,946 (list attached) and **(b)** measurement and verification for a period not to exceed ten years, in an amount not to exceed \$798,497 to be paid from electric and natural gas savings; **(4)** the acceptance and deposit in the Oncor Rebate Fund of rebates from Oncor Electric Delivery for a total amount not to exceed \$7,734,443 (subject to annual appropriations)

Now, Therefore,

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

November 10, 2015

Section 1. That the City Manager is hereby authorized to execute a ten-year term loan agreement with SECO LoanSTAR II Program, in the amount of \$6,935,946 for the funding of the energy related projects, upon approval as to form by the City Attorney, of all loan documents required.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit loan proceeds from SECO LoanSTAR II Program in the SECO Loan Star Fund 0706, Dept. PBW, Unit 1724, Revenue Source Code 6532, in the amount of \$6,935,946.

Section 3. That the City Manager is hereby authorized to establish appropriations in the SECO LoanStar II Program Fund 0706, Department PBW, Unit 1724, Object Code 4310, in an amount not to exceed \$6,935,946.

Section 4. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the contract with Pepco Energy Services, Inc. for the construction of energy conservation related projects at 8 facilities, in an amount not to exceed \$6,935,946; and for measurement and verification services, in a total amount not to exceed \$798,497 for a ten year period, after it has been approved as to form by the City Attorney.

Section 5. That the Chief Financial Officer is hereby authorized to receive and deposit the Oncor Rebate and incentives funds in the Oncor Rebate Fund EG02, Department PBW, Unit P588, Revenue Source Code 7894.

Section 6. That the Chief Financial Officer is hereby authorized to disburse funds to Pepco Energy Services, Inc. in accordance with the terms and conditions of Supplemental Agreement No. 1 from:

State of Texas Energy Conservation Office LoanStar II Fund
Fund 0706, Department PBW, Unit 1724
Object #4310, Program #PBSEC004, CT PBWSEC004K1
Vendor #VS0000036947, in an amount not to exceed \$6,935,946

Section 7. That the Chief Financial Officer is hereby authorized to transfer funds over a ten year period, from the electricity and natural gas savings in an amount not to exceed \$798,497 from Fund 0001, Department OCA, Unit 4903, Object 3690 to Fund 0575, Department PBW, Unit DG48, Revenue Source 9201 to pay the Measurement and Verification Support Services (subject to annual appropriations).

Section 8. That the Chief Financial Officer is hereby authorized to disburse funds to Pepco Energy Services, Inc. for the Measurement and Verification Support Services, in accordance with the terms and conditions of Supplemental Agreement No. 1 from the electricity and natural gas savings, from:

November 10, 2015

SECO Loan Repayment Fund
Fund 0575, Department PBW, Unit DG48
Object #3070, Job #PBSEC004
Vendor #VS0000036947, in an amount not to exceed \$ 798,497

Section 9. That in the event the guaranteed annual energy savings are not fully achieved, the Pepco Energy Services, Inc. shall reimburse the City in the amount of the difference between the actual energy savings achieved for the contract year in question and the guaranteed annual energy savings, or the performance security required under the supplemental agreement in such amount as is necessary to make payment of the outstanding loan payment for the contract year in question. Pepco Energy Services, Inc. will also maintain a Letter of Credit to provide additional loan security in accordance with the terms of the contract. The City Controller is authorized in such event to deposit the proceeds of any reimbursement or performance security collection in SECO Loan Repayment Fund 0575, Department PBW, Unit DG47, Revenue Source Code 8428.

Section 10. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

November 10, 2015

WHEREAS, Chapter 302 of the Texas Local Government Code, as amended, allows the procurement of energy performance contracts for the purpose of making energy conservation improvements to public buildings; and,

WHEREAS, on September 12, 2014, Administrative Action No. 14-6619 authorized a Comprehensive Energy Savings and Photovoltaic (PV) Performance Contract with Pepco Energy Services, Inc. for an energy audit and development of proposals for energy conservation related projects in the amount of \$5,000; and,

WHEREAS, the energy audit resulted in proposals for energy conservation measures for Office of Cultural Affairs buildings throughout the city of Dallas; and,

WHEREAS, on January 28, 2015, Resolution No. 15-0171 authorized a Memorandum of Understanding with the State Energy Conservation Office (SECO) for energy projects at City Hall and various City facilities in the amount of \$7,000,000; and,

WHEREAS, in April 2015, an independent third party review was completed as required per Chapter 302 of the Texas Local Government Code; and,

WHEREAS, the terms of the contract stipulate, per the Texas Local Government Code Chapter 302, that the project financing must be repaid from realized annual energy savings, as identified and guaranteed in the contract; and,

WHEREAS, it is desirable to authorize **(1)** the repayment of a loan from the State of Texas Energy Conservation Office over a ten year period, plus interest, using savings in the City's annual electricity and natural gas budgets for a total amount not to exceed \$7,685,946 (subject to annual appropriations)

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to set aside funds from the annually appropriated electric and natural gas budgets for City departments, in an amount equal to the guaranteed savings, in order to repay the loan and for measurement and verification support services.

November 10, 2015

Section 2. That the Chief Financial Officer is hereby authorized to transfer funds over a ten-year period, from the electricity and natural gas savings in an amount not to exceed \$7,685,946 from Fund 0001, Department OCA, Unit 4903, Object 3690 to Fund 0575, Department PBW, Unit DG47, Revenue Source 9201 to repay the loan (subject to annual appropriations).

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds to the State of Texas to repay the loan, in accordance with the terms and conditions of the loan agreement, in an amount not to exceed \$6,935,946 plus interest over a ten year period, subject to annual appropriations, beginning FY 2016-17, from the electricity and natural gas savings, from:

SECO Loan Repayment Fund
Fund 0575, Department PBW, Unit DG47
Obj. 3535, Job #PBSEC004
Vendor #269648, in an amount not to exceed \$7,685,946

Section 4. That in the event the guaranteed annual energy savings are not fully achieved, the Pepco Energy Services, Inc. shall reimburse the City in the amount of the difference between the actual energy savings achieved for the contract year in question and the guaranteed annual energy savings, or the performance security required under the supplemental agreement in such amount as is necessary to make payment of the outstanding loan payment for the contract year in question. Pepco Energy Services, Inc. will also maintain a Letter of Credit to provide additional loan security in accordance with the terms of the contract. The Chief Financial Officer is authorized in such event to deposit the proceeds of any reimbursement or performance security collection in SECO Loan Repayment Fund 0575, Department PBW, Unit DG47, Revenue Source Code 8428.

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

AGENDA ITEM # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

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

MAPSCO: 34K

SUBJECT

Authorize a construction contract with McCon Building and Petroleum Services, Inc., lowest responsible bidder of two, for the installation of above-ground fuel storage tanks at the Dallas Love Field Airport Maintenance Facility located at 3387 Hawes Avenue - Not to exceed \$299,393 - Financing: Aviation Capital Construction Funds

BACKGROUND

This action will authorize a construction contract with McCon Building & Petroleum Services, Inc. for an above-ground fuel storage tank installation at the Dallas Love Field Airport Maintenance Facility.

Airport personnel and equipment need to move about the Dallas Love Field airside runway system to perform daily tasks and respond to events for the airport to remain open. The installation of a fuel storage tank at the airport maintenance facility adjacent to the runway system will ensure that the equipment will have fuel available on site to operate. A contract with the firm of EJES, Inc. was authorized by Resolution No. 14-1916, dated November 12, 2014, to design and provide construction documents for a 4,000-gallon above-ground fuel storage tank installation.

ESTIMATED PROJECT SCHEDULE

Began Design	November 2014
Completed Design	July 2015
Begin Construction	November 2015
Complete Construction	April 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with EJES, Inc. on November 12, 2014, by Resolution No. 14-1916.

Information about this item will be presented to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$299,393.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

McCon Building & Petroleum Services, Inc.

Hispanic Female	2	Hispanic Male	9
African-American Female	0	African-American Male	1
Other Female	0	Other Male	0
White Female	8	White Male	34

BID INFORMATION

The following bids were received and opened on August 20, 2015:

*Denotes successful bidder(s)

BIDDERS

BID AMOUNT

*McCon Building & Petroleum Services, Inc. 8120 Jetstar Drive, Suite 150, Irving, TX 75063	\$299,393.00
United Pump Supply	\$321,255.32

OWNER

McCon Building & Petroleum Services, Inc.

Christopher M. Lawson, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction contract with McCon Building and Petroleum Services, Inc., lowest responsible bidder of two, for the installation of above-ground fuel storage tanks at the Dallas Love Field Airport Maintenance Facility located at 3387 Hawes Avenue - Not to exceed \$299,393 - Financing: Aviation Capital Construction Funds

McCon Building & Petroleum Services, Inc. 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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$165,416.00	55.25%
Total non-local contracts	\$133,977.00	44.75%
TOTAL CONTRACT	\$299,393.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

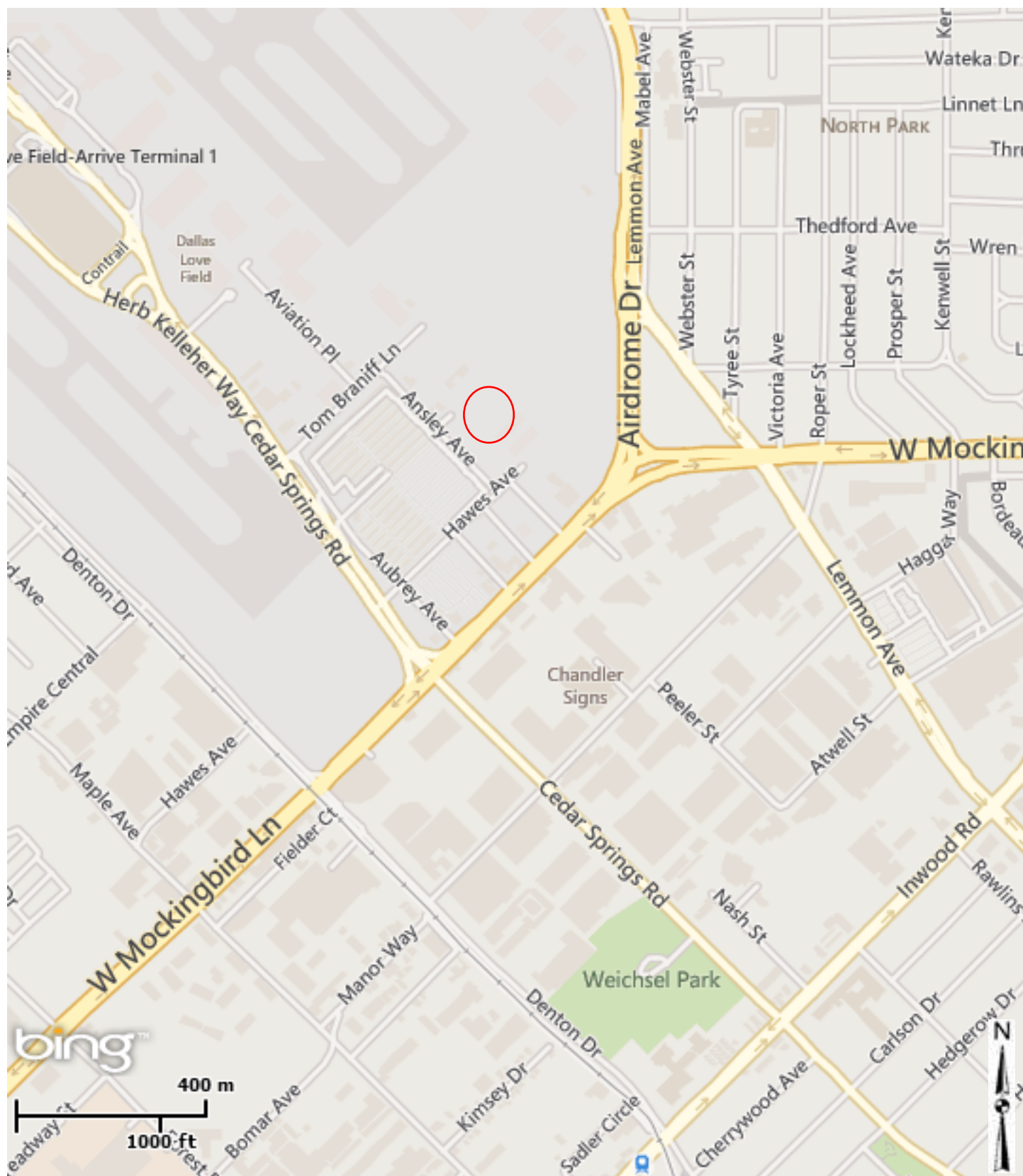
None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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



Dallas Love Field Above Ground Fuel Storage Tank

3387 Hawes Avenue

November 10, 2015

WHEREAS, the installation of a fuel storage tank to support airside operations is needed to allow airport support and maintenance vehicles to remain in operation during temporary fuel delivery delays to Dallas Love Field; and,

WHEREAS, EJES, Inc. was awarded a professional services contract to complete construction documents for a fuel storage tank installation at Dallas Love Field as authorized by Resolution No. 14-1916, dated November 12, 2014; and,

WHEREAS, the following bids were received and opened on August 20, 2015 for construction of the fuel storage tank installation:

* Denotes lowest responsible bidder

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*McCon Building & Petroleum Services, Inc. 8120 Jetstar Drive, Suite 150, Irving, TX 75063	\$299,393.00
United Pump Supply	\$321,255.32

and,

WHEREAS, it is now desirable to authorize a construction contract with McCon Building & Petroleum Services, Inc., the lowest responsible bidder of two, for an above-ground fuel storage tank installation at the Dallas Love Field Airport Maintenance Facility, located at 3387 Hawes Avenue, in an amount not to exceed \$299,393.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with McCon Building & Petroleum Services, Inc. for construction of an above-ground fuel storage tank installation at the Dallas Love Field Airport Maintenance Facility, located at 3387 Hawes Avenue, in an amount not to exceed \$299,393.00, 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:

Aviation Capital Construction Funds	
Fund 0131, Dept. AVI, Unit 8748, Act. AAIP	
Obj. 4599, Program AVSTNK, CT AVIMCN1015	
Vendor 513730, in an amount not to exceed	\$299,393.00

November 10, 2015

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 1

DEPARTMENT: Public Works Department

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

MAPSCO: 45P S W

SUBJECT

Authorize an increase in the contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way - Not to exceed \$799,846, from \$3,909,257 to \$4,709,103 - Financing: 2012 Bond Funds

BACKGROUND

On June 17, 2015, Resolution No. 15-1246 authorized a contract with Gibson & Associates, Inc. for the construction of Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue. This action will authorize Change Order No. 1 to the construction contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for Houston Street Viaduct bridge spans located within the Texas Department of Transportation's (TxDOT's) IH35 / IH30 right-of-way.

The Houston Street Viaduct bridge repair and rehabilitation project was approved in the 2012 Bond Program. On August 19, 2013, Administrative Action No. 13-6249 authorized a professional services contract with Nathan D. Maier Consulting Engineers, Inc. for developing the scope of work for the Houston Street Viaduct bridge repair and rehabilitation improvements, and on August 27, 2014, Council Resolution No. 14-1386 authorized Supplemental Agreement No. 1 to the contract with Nathan D. Maier Consulting Engineers, Inc. for the engineering design of the identified repairs. Construction of the Houston Street Viaduct bridge project is being administrated in two primary phases. Phase 1 was completed in June 2015, and consisted of bridge deck repair and rehabilitation work; Phase 1 was constructed as a stand alone project in order to expedite the re-opening of the Houston Street Viaduct to vehicular traffic following the completion of the Oak Cliff Streetcar project.

BACKGROUND (Continued)

Phase 2 construction consists of bridge substructure and superstructure bridge repair and rehabilitation work. The design for Phase 2 is anticipated to be complete in late 2015, and the construction award is planned early 2016. However, TxDOT has encouraged the City to accelerate a portion of the planned Phase 2 work within the State's IH35 / IH30 right-of-way. Accelerating the work will take advantage of a small window of time within TxDOT's Horseshoe project schedule this coming fall / winter when there will not be any freeway traffic under the Houston Street Viaduct bridge spans being repaired as part of this construction change order. This will eliminate the need for freeway traffic lane closures while working on these spans, thus minimizing traffic impacts to motorists and reducing construction costs.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2014
Completed Design	May 2015
Begin Construction	November 2015
Complete Construction	April 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. for engineering services on August 27, 2014, by Resolution No. 14-1386.

Authorized a professional services contract with Urban Engineers, Inc. for engineering services on November 12, 2014, by Resolution No. 14-1917.

Authorized a construction contract with Gibson & Associates, Inc. on June 17, 2015, by Resolution No. 15-1246.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

2012 Bond Funds - \$799,846.00

Design (Nathan D. Maier Consulting Engineers)	\$ 46,172.00
Supplemental Agreement No. 1	\$ 812,970.00

Design (Urban Engineers, Inc.)	\$ 402,849.60
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Construction	
Paving & Drainage - PBW	\$3,022,825.72
Water & Wastewater - DWU	\$ 886,431.15
Change Order No. 1 (this action)	<u>\$ 799,846.00</u>

Total	\$5,971,094.47
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Gibson & Associates, Inc.

Hispanic Female	0	Hispanic Male	68
African-American Female	1	African-American Male	3
Other Female	0	Other Male	2
White Female	3	White Male	35

OWNER

Gibson & Associates, Inc.

William J. Gibson, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way - Not to exceed \$799,846, from \$3,909,257 to \$4,709,103 - Financing: 2012 Bond Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$598,346.00	74.81%
Non-local contracts	\$201,500.00	25.19%
TOTAL THIS ACTION	\$799,846.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

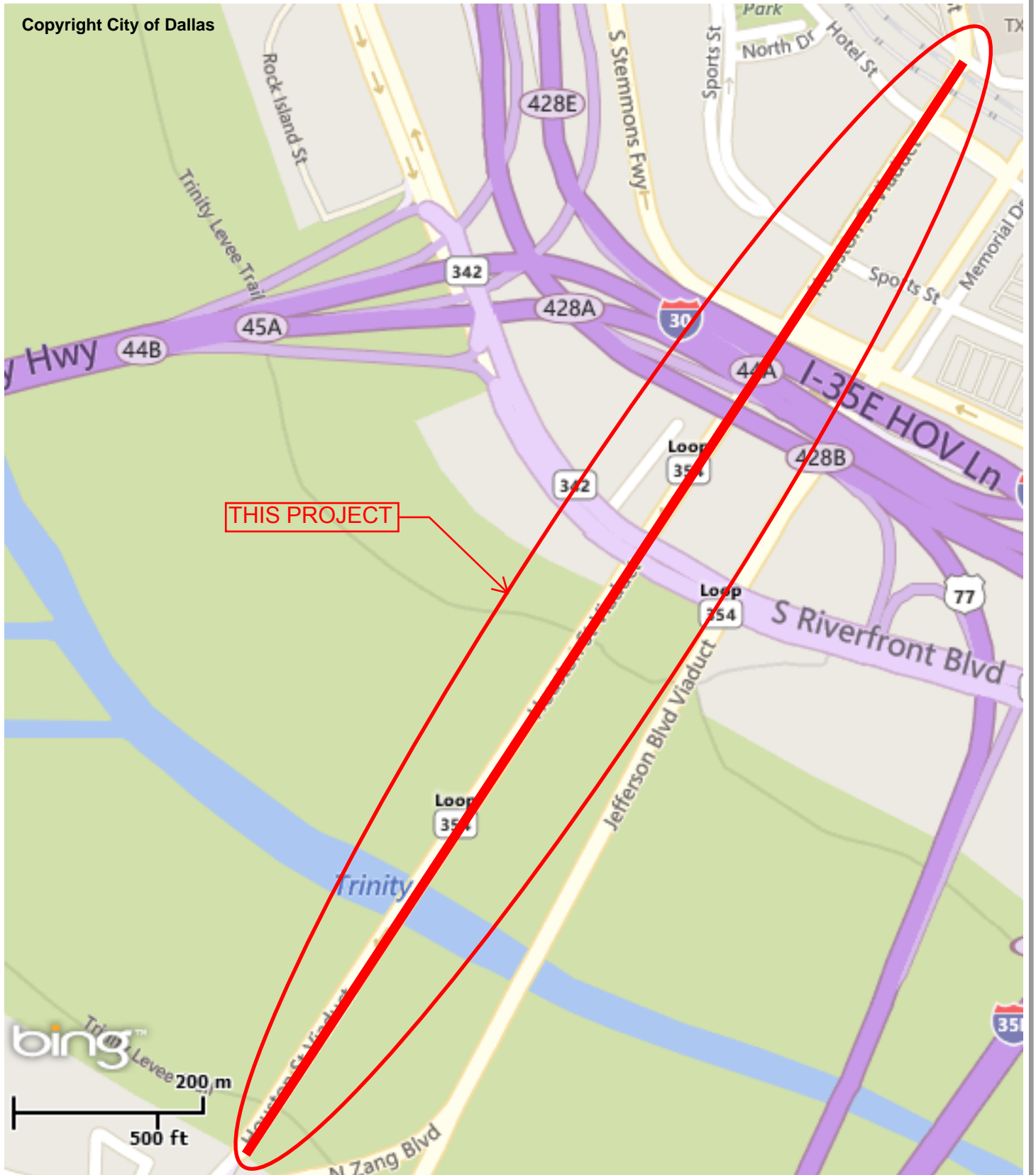
<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Mobile Enterprises, Inc.	WFDB93369Y0816	\$201,500.00	100.00%
Total Minority - Non-local		\$201,500.00	100.00%

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$1,735,911.85	36.86%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$201,500.00	25.19%	\$691,661.00	14.69%
Total	\$201,500.00	25.19%	\$2,427,572.85	51.55%

HOUSTON STREET VIADUCT

BRIDGE REPAIR AND REHABILITATION IMPROVEMENTS



MAPSCO 45P, S, W

November 10, 2015

WHEREAS, on August 19, 2013, Administrative Action No. 13-6249 authorized a professional services contract with Nathan D. Maier Consulting Engineers, Inc. for developing the scope of work for the Houston Street Viaduct bridge repair and rehabilitation improvements in the amount of \$46,172.00; and,

WHEREAS, on August 27, 2014, Resolution No. 14-1386 authorized Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. for additional engineering services for the Houston Street Viaduct bridge repair and rehabilitation improvements in the amount of \$812,970.00, increasing the contract from \$46,172.00 to \$859,142.00; and,

WHEREAS, on November 12, 2014, Resolution No. 14-1917 authorized a professional services contract with Urban Engineers, Inc. for the engineering design of Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue in the amount of \$402,849.60; and,

WHEREAS, on May 14, 2015, bids were received for the reconstruction of street paving, storm drainage, traffic signals, markings, landscape, water and wastewater main improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue; and,

WHEREAS, on June 17, 2015, Resolution No. 15-1246 authorized a contract with Gibson & Associates, Inc. for the reconstruction of street paving, storm drainage, traffic signals, markings, landscape, water and wastewater main improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue in the amount of \$3,909,256.87; and,

WHEREAS, it is now necessary to authorize Change Order No. 1 to the construction contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way in the amount of \$799,846.00, increasing the contract from \$3,909,256.87 to \$4,709,102.87.

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 Change Order No. 1 to the contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way in the amount of \$799,846.00, increasing the contract from \$3,909,256.87 to \$4,709,102.87, after it has been approved as to form by the City Attorney.

November 10, 2015

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 2U22, Department PBW, Unit S389, Act. BRAM
Obj. 4510, Program #PB12S389, CT PBW12S394I1
Vendor #VS0000022657, in an amount not to exceed \$ 799,846.00

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

AGENDA ITEM # 43

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Convention and Event Services

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

MAPSCO: 45P

SUBJECT

Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements, including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$320,367, from \$12,363,947 to \$12,684,314 - Financing: 2009 Convention Center Revenue Bonds

BACKGROUND

A construction contract with Gilbert May, Inc. dba Phillips/May Corp. to furnish materials and labor for the construction of interior finishes for C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas was authorized by Resolution No. 13-1763 on October 8, 2013.

These improvements are part of the \$60 million Convention Center Improvement Project. This project is one of multiple projects identified in the facility assessment within the Convention Center Facility Improvement Program. Construction projects which have been authorized to date are the Upper Level D Meeting Rooms, Chilled Water Loop, Lobby A and A/B Pre-function Areas, Fire Alarm and Emergency Lighting Replacement, Roof Replacement of Exhibit Halls, A, B, Lower C, and Administration Building, and the Exterior Waterproofing and Storm Drain Repair.

BACKGROUND (Continued)

On September 10, 2014, Resolution No. 14-1468 authorized Change Order No. 2 to the construction contract of the C Area Renovation Project. The changes to the contractor's scope of work associated with Change Order No. 2 were audio/visual cabling, electrical, alarm strobes, dimmers, mechanical, supply grills, fixtures, and miscellaneous interior finish items.

On January 28, 2015, Resolution No. 15-0216 authorized Change Order No. 4 to the construction contract of the C Area Renovation Project. The changes to the contractor's scope of work associated with this action are: Electrical and Lighting - additional power requirements for new escalators, elevators and hand dryers, temporary manual dimming in ballroom, additional circuits and rezoning for light fixtures in ballroom, height adjustment of Type C light fixtures in ballroom, additional keypad lighting controls, and additional C fixtures in men's restrooms. Mechanical and Interior - redesign of ballroom ceiling area to reduce cost for fire sprinkler changes; Mechanical and Plumbing - additional cooling to audio/visual room, replacement of existing water valves in Upper C Restrooms, and replacement of damaged existing sanitary sewer line.

This action will authorize Change Order No. 6 to the construction contract of the C Area Renovation Project. The changes to the contractor's scope of work associated with this action are: electrical and lighting improvements, including changes in the ceiling configuration, light fixtures and support requirements in the four ballrooms, additional touch screens and password controls for meeting rooms and ballrooms, mechanical and plumbing improvements, modifications of soap dispensers, interior modifications, including raising and repair of operable walls in meeting rooms and ballrooms, additional coin wall density material and new stainless steel walls in the ballroom vestibules, additional corner guards, metal kick plates, water damage repair and painting.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2012
Completed Design	June 2013
Began Construction	October 2013
Complete Construction	December 2015

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HKS, Inc. for architectural and engineering design services to include the finishout of the Upper Level D Meeting Rooms and assessment for operational improvements and renovation of existing spaces for the Kay Bailey Hutchison Convention Center Dallas on January 27, 2010, by Resolution No. 10-0328.

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

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

Authorized Supplemental Agreement No. 3 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include interior improvements for Lobby A and A/B Pre-function areas for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on December 14, 2011, by Resolution No. 11-3257.

Authorized Supplemental Agreement No. 4 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include interior design, for C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms, roof inspections, drainage system video investigation, and construction administration services for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on February 22, 2012, by Resolution No. 12-0564.

Authorized Supplemental Agreement No. 5 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar Streetscape Conceptual Design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on April 25, 2012, by Resolution No. 12-1195.

Authorized Supplemental Agreement No. 7 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include a lightning protection study, roof replacement, and Area C furniture and restroom improvements for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on January 23, 2013, by Resolution No. 13-0181.

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

Authorized a contract with Gilbert May, Inc. dba Phillips/May Corp. for the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas, on October 8, 2013, by Resolution No. 13-1763.

Authorized Change Order No. 2 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include mechanical, electrical, audio/visual, and interior finish changes to the construction of interior improvements on September 10, 2014, by Resolution No. 14-1468.

Authorized Change Order No. 4 to the contract with Gilbert May, Inc. dba Phillips/May Corp., for the C Area Renovation Project. The changes to the contractor's scope of work associated with this action are: Electrical and Lighting - additional power requirements for new escalators, elevators and hand dryers, temporary manual dimming in ballroom, additional circuits and rezoning for light fixtures in ballroom, height adjustment of Type C light fixtures in ballroom, additional keypad lighting controls, and additional C fixtures in men's restrooms; Mechanical and Interior - redesign of ballroom ceiling area to reduce cost for fire sprinkler changes; Mechanical and Plumbing - additional cooling to Audio/Visual room, replacement of existing water valves in Upper C Restrooms, and replacement of damaged existing sanitary sewer line on January 28, 2015, by Resolution No. 15-0216.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

2009 Convention Center Revenue Bonds - \$320,366.84

Design

Supplemental Agreement No. 4

Task No. 9 \$ 63,890.00

Task No. 10 \$ 1,028,370.00

Supplemental Agreement No. 6

Task No. 17 \$ 46,500.00

Supplemental Agreement No. 7

Task No. 20 \$ 79,800.00

Task No. 21 \$ 24,100.00

Total Design Cost \$ 1,242,660.00

FISCAL INFORMATION (Continued)

Project Expense Building Permit	\$ 103,940.85
Construction Contract	\$11,879,291.00
Change Order No. 1	\$ 38,518.98
Change Order No. 2	\$ 221,899.69
Change Order No. 3	\$ 49,920.06
Change Order No. 4	\$ 150,661.46
Change Order No. 5	\$ 23,655.70
<u>Change Order No. 6 (this action)</u>	<u>\$ 320,366.84</u>
Total Construction Cost	\$12,684,313.73
 Total Project Cost	 \$14,030,914.58

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Gilbert May, Inc. dba Phillips/May Corp.

Hispanic Female	8	Hispanic Male	42
African-American Female	0	African-American Male	4
White Female	7	White Male	48
Other Female	0	Other Male	1

OWNER(S)

Gilbert May, Inc. dba Phillips/May Corp.

Gilbert May, President
Chris Escobedo, Managing Director

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements, including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$320,367, from \$12,363,947 to \$12,684,314 - Financing: 2009 Convention Center Revenue Bonds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$304,930.24	90.38%
Non-local contracts	\$32,450.00	9.62%
TOTAL THIS ACTION	\$337,380.24	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Gilbert May dba Phillips/May	HMDFW095210616	\$79,380.95	26.03%
Innovation Mechanical	HMDB63691Y1115	\$6,994.32	2.29%
Total Minority - Local		\$86,375.27	28.33%

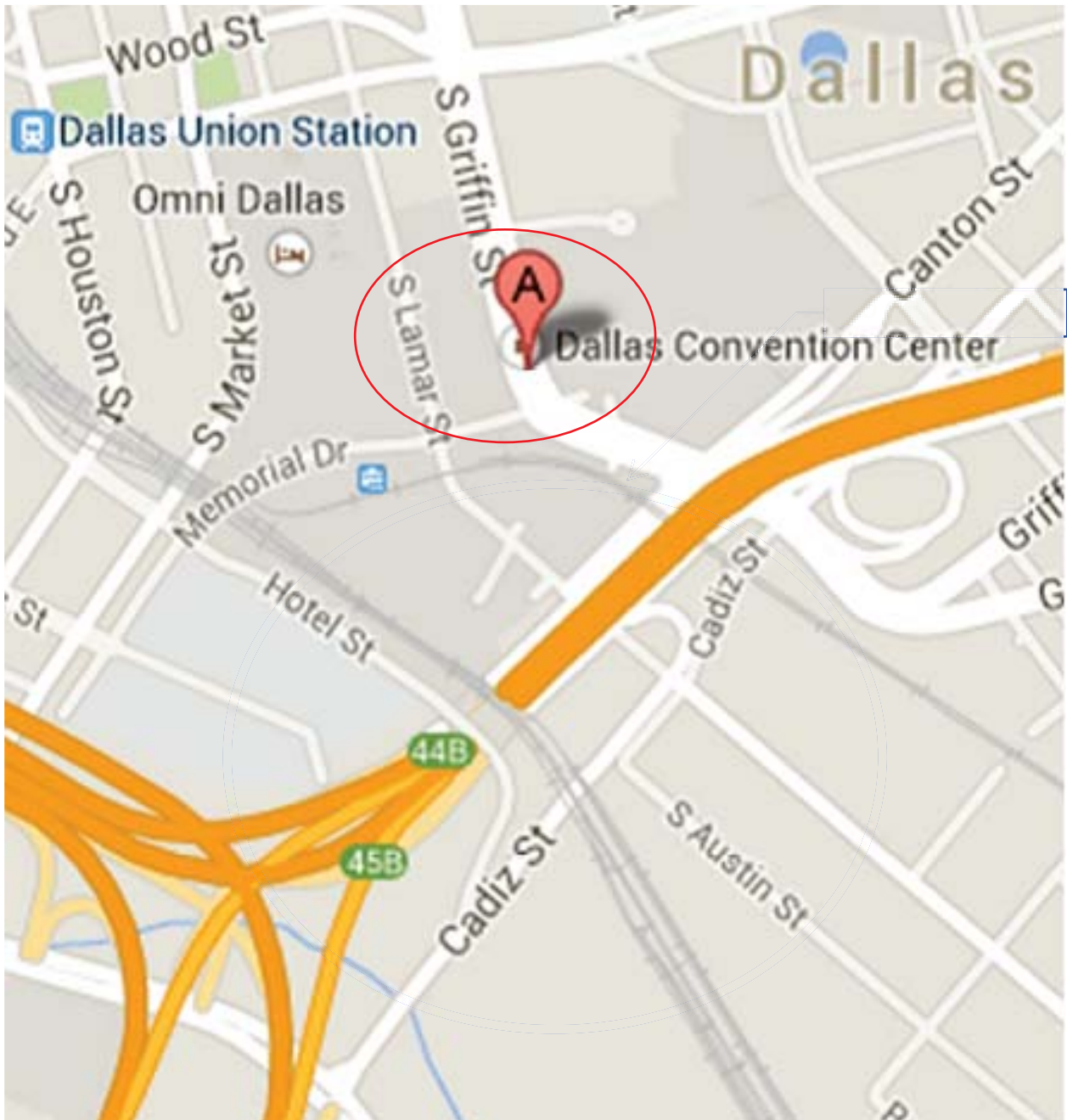
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$86,375.27	25.60%	\$5,049,075.97	39.75%
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%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$86,375.27	25.60%	\$5,049,075.97	39.75%

Kay Bailey Hutchison Convention Center - Dallas



Mapsco 45P

November 10, 2015

WHEREAS, the Kay Bailey Hutchison Convention Center Dallas initiated a \$60 million Facility Improvement Program; and,

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

WHEREAS, the facility assessment has identified numerous projects that will require architectural and engineering design services; and,

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

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

WHEREAS, on December 14, 2011, Resolution No. 11-3257 authorized Supplemental Agreement No. 3 to the professional services contract with HKS, Inc. for architectural, engineering, and interior design services to include interior improvements for Lobby A and A/B Pre-function areas for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$142,720.00, from \$4,108,831.00 to \$4,251,551.00; and,

WHEREAS, on February 22, 2012, Resolution No. 12-0564 authorized Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, design services to include interior design for C Lobby and the Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms, roof inspections, drainage system video investigation, and construction administration services for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$1,217,060.00, from \$4,251,551.00 to \$5,468,611.00; and,

November 10, 2015

WHEREAS, on April 25, 2012, Resolution No. 12-1195 authorized Supplemental Agreement No. 5 to the professional services contract with HKS, Inc. for architectural, engineering, and construction administration services for digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar streetscape conceptual design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$245,266.00, from \$5,468,611.00 to \$5,713,877.00; and,

WHEREAS, on November 5, 2012, Administrative Action No. 12-2814 authorized Supplemental Agreement No. 6 to the professional services contract with HKS, Inc. for additional architectural, engineering and construction administration services for alterations of existing Elevator No. 7, additional rigging points in C Lobby and lounge spaces, design of digital signage systems for the Hall C Ballroom, Hall C Meeting Rooms, Lower Hall D Meeting Rooms and HVAC revisions in the Concourse C, C Ballroom and Lobby A for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$46,500.00, from \$5,713,877.00 to \$5,760,377.00; and,

WHEREAS, on January 23, 2013, Resolution No. 13-0181 authorized Supplemental Agreement No. 7 to the professional services contract with HKS, Inc. for architectural and engineering services for a lightning protection study, roof replacement, Area C furniture and restroom improvements for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$488,445.00, from \$5,760,377.00 to \$6,248,822.00; and,

WHEREAS, the design and construction documents were complete and the construction of the next Improvement Program Project was publicly procured; and,

WHEREAS, on October 8, 2013, Resolution No. 13-1763 authorized a contract with Gilbert May, Inc. dba Phillips/May Corp. for the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$11,879,291.00; and,

WHEREAS, on July 8, 2014, Administrative Action No. 14-1108 authorized Change Order No. 1 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include Facilities Performance Associates for Environmental Investigation and abating rust encountered on C-100 Meeting Room's operable partitions in an amount not to exceed \$38,518.98, from \$11,879,291.00 to \$11,917,809.98; and,

November 10, 2015

WHEREAS, on September 10, 2014, Resolution No. 14-1468 authorized Change Order No. 2 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include mechanical, electrical, audio visual, and interior finish changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$221,899.69, from \$11,917,809.98 to \$12,139,709.67; and,

WHEREAS, on December 1, 2014, Administrative Action No. 14-2012 authorized Change Order No. 3 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include installation of Crestron Keypads in Meeting Rooms in lieu of manual dimming switches as requested by the Convention Center, in an amount not to exceed \$49,920.06, from \$12,139,709.67 to \$12,189,629.73; and,

WHEREAS, on January 28, 2015, Resolution No. 15-0216 authorized Change Order No. 4 to the construction contract with Gilbert May, Inc. dba Phillips/May Corp. for the mechanical, electrical, audio visual and interior finish changes to the construction of interior improvements to the C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$150,661.46, from \$12,189,629.73 to \$12,340,291.19; and,

WHEREAS, on April 30, 2015, Administrative Action No. 15-0609 authorized Change Order No. 5 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include upgrading finishes at lobby elevator shaft, added programming of the lighting system in the Ballroom, adding LED lighting to the lower level totems, raising the ball valve at the Ballroom restroom, relocating 4 AV connection panels, replacing a plexiglass door panel to match the adjacent glass doors and a credit back for not installing the center banner support in the lobby, in an amount not to exceed \$23,655.70, from \$12,340,291.19 to \$12,363,946.89; and,

WHEREAS, it is now desirable to authorize an increase in the contract for Change Order No. 6 to the construction contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$320,366.84, from \$12,363,946.89 to \$12,684,313.73.

November 10, 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 execute an increase in the contract for Change Order No. 6 to the construction contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$320,366.84, from \$12,363,946.89 to \$12,684,313.73, 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:

2009 Convention Center Revenue Bonds
Fund 0568, Dept. CCT, Unit P505, Act. CCIM
Obj. 4310, Program #PBC00038, CT PBWC00038L1
Vendor #VS0000039750, in an amount not to exceed \$320,366.84

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: November 10, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Public Works Department

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

MAPSCO: 45L

SUBJECT

Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including reconfiguring basement entrances, reconstruction of planter boxes, replace drain lines and existing sump pumps to discharge stormwater, install new electrical panel, abate asbestos containing waterproofing at the exterior planters and exit ramp from the basement, additional repairs and or restoration of window sills and increase the height of window sills in the tile roof and installation of metal flashing to prevent water infiltration for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed \$784,284, from \$11,319,018 to \$12,103,302 - Financing: 1998 Bond Funds

BACKGROUND

During the construction phase, the following additional modifications are required to the original scope of work:

- Replace all drain lines from all the building downspouts to the sump pits in the sub-basement. Also replace the existing sump pumps required to discharge stormwater from the existing sump pits to the City's stormwater system. Also install an 8" water line to supply the future code required fire sprinkler system for this building.
- Reinforce existing corroded steel lintels at six windows on the third floor.
- Fabricate over thirty variations of the reproduced historic exterior handrail on low planter walls due to numerous on-site conditions in order to comply with City codes.
- Reconfigure the Main Street exterior basement entrance to create a safer pedestrian environment.
- Reconfigure the Commerce Street exterior basement entrance to create a safer pedestrian environment.
- Reconstruct the existing planter walls on Harwood Street to the original height and configuration. Increase the depth of the planter to provide enough soil for sod or groundcover

BACKGROUND (Continued)

- Reconstruct the existing planter on Commerce Street to the original size and configuration. Increase the depth of the planter to provide enough soil for sod or groundcover.
- Install a new electrical panel required by the City building inspector to provide power to the new exterior lighting system instead of reusing the old existing panel.
- Install four new conduits from a manhole in Harwood Street to the basement for future use by UNT.
- Reconstruct the existing planter on Main Street to the original size and configuration. Increase the depth of the planter to provide enough soil for sod or groundcover.
- Install new lead flashing at the terracotta ledge at the fourth floor to prevent water infiltration at the joints. Credit to the City not to fabricate and install windows in place of original infilled window openings.
- Increase the height of the rain gutter on the fourth floor ledge to prevent water infiltration into the building.
- Reinforce the underneath side of the existing steps at the Commerce Street entry due to existing deteriorated concrete and steel reinforcement.
- Replace the original rotten wood framework supporting the ornate copper chapeau trim at the mansard tile roof.
- Install additional and upgraded door hardware at the basement entrances on Main, Harwood and Commerce Street due to the reconfiguration of these areas.
- Abate asbestos-containing waterproofing at the existing exterior planters and exit ramp from the basement of 2014 Main Street.
- Increase the height of the existing window sills at all windows in the mansard tile roof to prevent water infiltration at the fifth floor rain gutter.
- Install new powder-coated metal resembling patined copper instead of installing copper flashing which could cause future green staining on the restored terracotta and limestone elevations.
- Install additional flashing at the ornate copper chapeau trim to the flat building roof to prevent future rotting and water infiltration.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2008
Completed Design	June 2014
Began Construction	January 2015
Complete Construction	April 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Conley Group for design services for the exterior renovation of the 106 S. Harwood Building on June 25, 2008, by Resolution No. 08-1890.

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

Authorized Supplemental Agreement No. 5 to the professional services contract with Conley Group for additional design services related to asbestos abatement for the renovation of the 106 S. Harwood Building on October 23, 2013, by Resolution No. 13-1845.

Authorized a construction contract with Phoenix 1 Restoration and Construction, Ltd. for renovation of the Old Municipal Building located at 106 S. Harwood Street on January 14, 2015, by Resolution No. 15-0118.

Authorized Change Order No. 1 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street on June 17, 2015, by Resolution No. 15-1166.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

1998 Bond Funds - \$784,283.11

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Phoenix 1 Restoration and Construction, Ltd.

Hispanic Female	0	Hispanic Male	37
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	5	White Male	24

OWNER

Phoenix 1 Restoration and Construction, Ltd.

Dale Sellers, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including reconfiguring basement entrances, reconstruction of planter boxes, replace drain lines and existing sump pumps to discharge stormwater, install new electrical panel, abate asbestos containing waterproofing at the exterior planters and exit ramp from the basement, additional repairs and or restoration of window sills and increase the height of window sills in the tile roof and installation of metal flashing to prevent water infiltration for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed \$784,284, from \$11,319,018 to \$12,103,302 - Financing: 1998 Bond Funds

Phoenix 1 Restoration and Construction, Ltd is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$774,297.36	98.73%
Non-local contracts	\$9,985.75	1.27%
TOTAL THIS ACTION	\$784,283.11	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Texas Roof Management Inc.	WFWB62655N0716	\$144,278.00	18.63%
Axis Contracting	WFDB03204Y0516	\$58,210.00	7.52%
Slaughter Services	WFWB61739N0516	(\$2,374.90)	(0.31%)
Total Minority - Local		\$200,113.10	25.84%

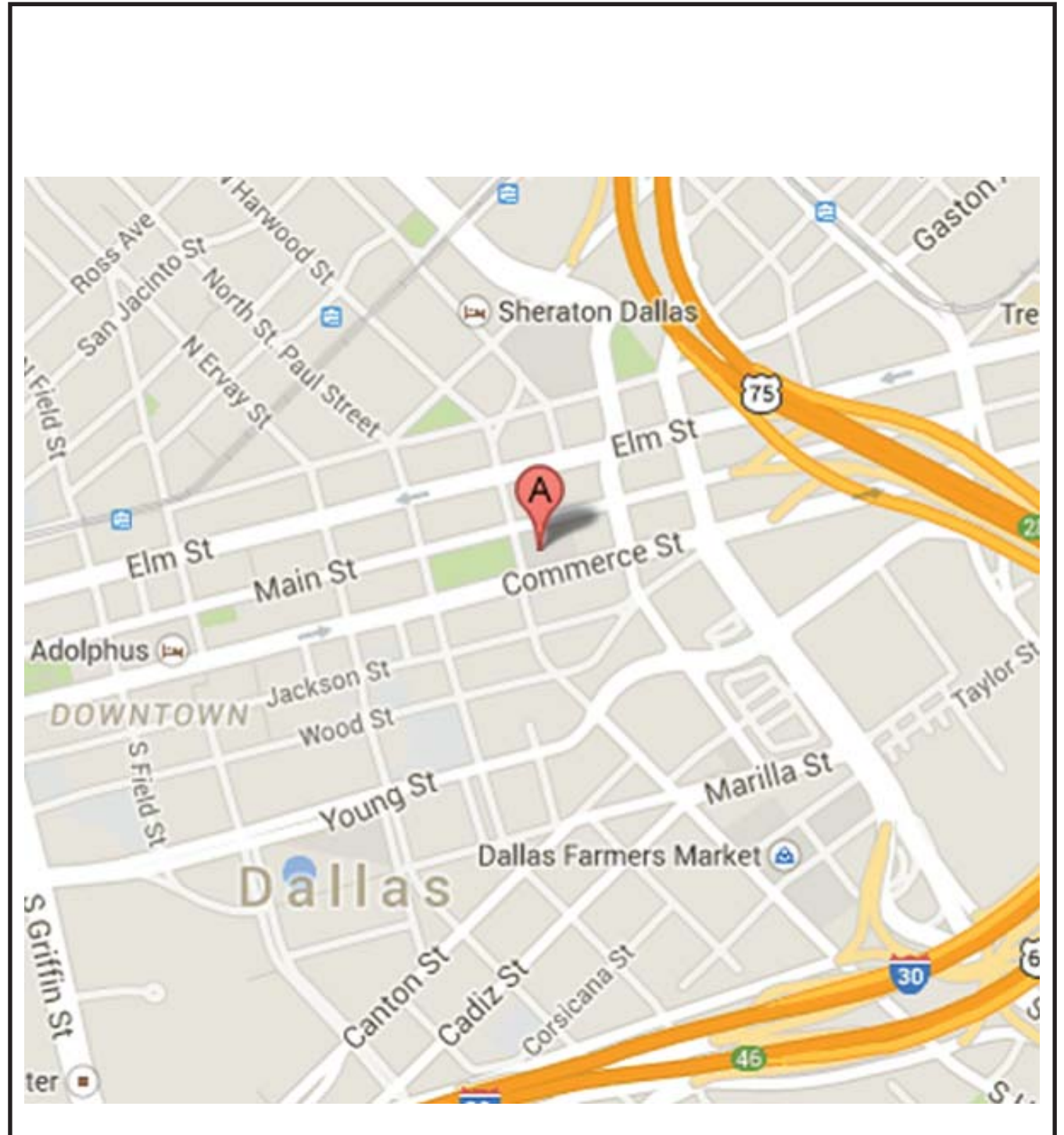
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Madden Electric	WFWB62897N0317	\$9,985.75	100.00%
Total Minority - Non-local		\$9,985.75	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$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	\$210,098.85	26.79%	\$3,039,399.78	25.11%
Total	\$210,098.85	26.79%	\$3,039,399.78	25.11%

106 S Harwood St Building



Mapsc0 45L

November 10, 2015

WHEREAS, on January 14, 2015, Resolution No. 15-0118 authorized the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street in the amount of \$11,166,285.20; and,

WHEREAS, on June 17, 2015, Resolution No. 15-1166 authorized Change Order No. 1 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street in the amount of \$152,732.93, from \$11,166,285.20 to \$11,319,018.13; and,

WHEREAS, it is now necessary to authorize an increase in the contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building, located at 106 S. Harwood Street in the amount of \$784,283.11, from \$11,319,018.13 to \$12,103,301.24.

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 an increase in the contract with Phoenix 1 Restoration and Construction, Ltd. for the Renovation of the Old Municipal Building, located at 106 S. Harwood Street in the amount of \$784,283.11, from \$11,319,018.13 to \$12,103,301.24.

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

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

City Facilities and Improvement Fund
Fund 1P60, Dept. PBW, Unit N924, Act. MMCF
Obj. 4310, Program #PB98N924, CT PBW98N924D1
Vendor #VC0000003594, in an amount not to exceed \$784,283.11

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 # 45

KEY FOCUS AREA: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Sanitation Services

CMO: Joey Zapata, 670-3009

MAPSCO: N/A

SUBJECT

Authorize an increase in the contract with Rehrig Pacific Company for the purchase of waste and recycling collection roll carts - Rehrig Pacific Company through the Houston–Galveston Area Council of Governments - Not to exceed \$122,600, from \$48,209 to \$170,809 - Financing: Sanitation Current Funds

BACKGROUND

The City's current vendor is experiencing manufacturing delays that prevent timely delivery of roll carts to Sanitation Services. The proposed increase to this back up contract will allow Sanitation Services to maintain adequate inventory during any additional delays that may be experienced by the current vendor within the next 60 days.

The waste and recycling collection roll carts purchased through this contact will be issued throughout the City in response to new roll cart requests, replacement carts, as well as replacements for broken and unrepairable roll carts. Roll carts come in three sizes, 96, 64 and 48 gallons and are gray (solid waste), bluestone (recycle waste) and brown (commercial waste) in color. The City collects an estimated total of 283,000 tons of solid and recycling waste from residential and commercial customers annually.

The City intends to purchase Rehrig Pacific Company brand roll carts under the Houston–Galveston Area Council of Governments purchasing agreement.

The HGAC agreement with Rehrig Pacific Company conforms to the requirements of state law requiring competitive bids and proposals, and this contract is in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, the HGAC agreement receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$122,600.00 - Sanitation Current Funds

November 10, 2015

WHEREAS, on October 22, 2015, Administrative Action No. 15-6961 authorized the purchase of waste and recycling collection roll carts from Rehrig Pacific Company in the amount of \$48,208.88; and

WHEREAS, it is necessary to authorize an increase in the contract with Rehrig Pacific Company for the purchase of waste and recycling collection roll carts due to the City's current vendor experiencing manufacturing delays that prevent timely delivery of roll carts to Sanitation Services.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to increase the contract with Rehrig Pacific Company (VC0000011288) for the purchase of waste and recycling collection roll carts through the Houston-Galveston Area Council of Governments for a 60-day term in an amount not to exceed \$122,600.00, from \$48,208.88 to \$170,808.88, after approval 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:

Sanitation Current Fund	
Fund 0440, Department SAN, Unit 3504, Obj. 2890,	
Encumbrance rehrigpacificcompanyfy15-2	
Vendor #VC0000011288, in an amount not to exceed	\$122,600.00

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

AGENDA ITEM # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

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

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34G 36W 42G L R 43F K P 44E 45Z 46L M N Q R S T U V W
X Y Z 47J L 53G K 54V Y 55F G M P Q T X 56B C G S T V
57V 58X 59Q 63F 64D 65B C D F G 66J K N P S W 69A-G V
74L

SUBJECT

Authorize the quitclaim of 92 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale to the highest bidders; and authorize the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached) - Revenue: \$738,309

BACKGROUND

This item authorizes the quitclaim of 92 properties that were foreclosed by the Sheriff's Department for unpaid taxes pursuant to judgments or seizure warrants from a District Court and the release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment. These properties are being sold to the highest bidders and will return to the tax rolls upon conveyance.

Successful bidders are required to sign a certification stating that they are not purchasing these properties on behalf of the foreclosed owners and that they have no debts owed to the City, no pending code violations, and are not chronic code violators.

All properties were reviewed by the Housing Department for infill housing and were not desired for that program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on November 2, 2015.

FISCAL INFORMATION

Revenue: \$738,308.10

OWNERS

Adia Partnership, LLC

James Chang, Managing Member

Timothy Petrash, Managing Member

Andor Properties, LLC

Louis H. Lebowitz, Managing Member

Candice Rubin, Managing Member

Citywide Development & Construction, LLC

Gardner Brewer, Managing Member

County Land and Water LLC

Wayne Prokay, Managing Member

DFW Projects, LLC

Johnny Aguinaga, Managing Member

GCJS Enterprises, LLC

Gaythell Smith, Managing Member

Kantering, LLC

Tony Kantering, Managing Member

KKBK Acquisitions, L.L.C.

Jerry Hicks, Managing Member

Craig Grant, Sr., Managing Member

Portillo Investments LLC

Miguel Portillo, Managing Member

Meljo IRA LLC

Melanie DSilva, Managing Member

Nextlots Now L.L.C.

Lee J. Schmitt, Managing Member

Wealthgates Investment Company

David Okumbor, Managing Member

OWNERS (Continued)

Ana Maria Martinez

Anthony Boyd

Benito Mojica

Benjamin Ortega

Brenda Romo

Bryan Valdez

Calum Little

Cesar Carillo

Christina Martinez

Daporscha Kelley

David Menn

Felipe Guel

Gopal Rai

Grimaldo Sanchez

Jeffrey Grant

Jesse Cardoza

Jessica Brewer

John Aguebor

Jose Zarasoza

Joshua Dunlap

Juan Cavazos

OWNERS (Continued)

Laquonda Brewer

Leobardo Leon

Leopoldo Lopez

Luz Meza

Maria Cristina Ospina

Maria Schneider

Mireya Ontiveros

Monica R. Raofpur

Nell Langford

Orlando Rodriguez

Peter Tsai

Sabrina Sutton

Santos Salavia

Selvin Crawford

Shelly Johnson

Temesgen Wukaye

Vernell L. Gorelick

Walter Huerta

Yufei Wang

MAP

Attached

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES

AGENDA LIST

ITEM #	STREET ADDRESS	VAC/IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
1	3302 ALABAMA	V	4	R-7.5(A)	.1843	\$15,513.00	1	\$1,000.00	\$3,999.00	\$38,560.00	LAQUONDA BREWER
2	2715 ALAMAIN	V	8	R-7.5(A)	.4688	\$18,500.00	1	\$1,000.00	\$3,080.00	\$18,500.00	MARIA CRISTINA OSPINA
3	2723 ALAMAIN	V	8	R-7.5(A)	.4683	\$18,500.00	1	\$1,000.00	\$4,080.00	\$18,500.00	MARIA CRISTINA OSPINA
4	1966 ANGELINA	V	6	R-5(A)	.1235	\$2,059.00	11	\$1,000.00	\$4,850.00	\$8,610.00	NEXTLOTS NOW L.L.C
5	403 S. BARNETT	I	1	R-7.5(A)	.3900	\$79,290.00	26	\$6,000.00	\$55,999.99	\$68,920.00	GRIMALDO SANCHEZ
6	9320 BECKLEYVIEW	V	8	R-7.5(A)	.4106	\$19,063.00	7	\$2,000.00	\$10,100.00	\$15,380.00	WALTER HUERTA
7	2046 BERWICK	I	4	R-7.5(A)	.1695	\$59,080.00	17	\$10,000.00	\$35,500.00	\$55,420.00	YUFEI WANG
8	542 BETHPAGE	V	5	R-7.5(A)	.1397	\$23,900.00	3	\$500.00	\$2,199.50	\$15,000.00	KANTERING, LLC
9	3217 BIRMINGHAM	V	7	MF-2(A)	.0320	\$1,250.00	1	\$250.00	\$300.00	\$1,250.00	CHRISTINA MARTINEZ
10	5711 BON AIR	V	8	R-7.5(A)	.2754	\$9,599.00	2	\$250.00	\$1,059.00	\$12,000.00	ANTHONY BOYD
11	5707 BON AIR	V	8	R-7.5(A)	.2754	\$11,773.00	2	\$250.00	\$1,059.00	\$12,000.00	ANTHONY BOYD
12	434 BONNIE VIEW	V	4	R-5(A)	.0940	\$1,449.00	6	\$500.00	\$2,626.00	\$9,500.00	ADIA PARTNERSHIP, LLC
13	405 BONNIEVIEW	V	4	R-5(A)	.1531	\$1,784.00	2	\$500.00	\$2,626.00	\$5,000.00	ADIA PARTNERSHIP, LLC
14	2715 BRITTON	V	4	R-7.5(A)	.2091	\$2,130.00	5	\$1,000.00	\$3,899.50	\$11,000.00	KANTERING, LLC
15	2416 BRITTON	V	4	R -7.5(A)	.3120	\$2,170.00	7	\$2,000.00	\$7,100.00	\$13,750.00	CITYWIDE DEVELOPMENT & CONSTRUCTION, LLC
16	7743 BROWNSVILLE	V	7	R-5(A)	.1721	\$2,000.00	1	\$500.00	\$533.00	\$2,000.00	SABRINA SUTTON
17	1542 CALDWELL	V	7	D(A)	.1247	\$5,440.00	2	\$1,000.00	\$3,875.00	\$5,440.00	NEXTLOTS NOW L.L.C

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES AGENDA LIST

ITEM #	STREET ADDRESS	VAC/IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
18	1615 CALDWELL	V	7	D(A)	.0846	\$3,690.00	2	\$1,000.00	\$2,975.00	\$3,690.00	NEXTLOTS NOW L.L.C
19	5908 CARLTON GARRETT	V	7	PD-595	.1147	\$1,294.00	1	\$1,000.00	\$3,001.00	\$4,000.00	DAPORSCHA KELLEY
20	3531 CARPENTER	V	7	PD-595	.1204	\$2,314.00	2	\$250.00	\$500.00	\$2,620.00	GCJS ENTERPRISES, LLC
21	1446 CARSON	V	4	R-7.5(A)	.1845	\$1,676.00	2	\$250.00	\$1,850.00	\$11,500.00	BENITO MOJICA
22	1422 CLAUDE	V	4	R-5(A)	.1721	\$1,303.00	2	\$250.00	\$2,420.00	\$4,500.00	BENITO MOJICA
23	5024 COLONIAL	I	7	PD-595	.1607	\$13,091.00	1	\$6,000.00	\$10,101.00	\$17,920.00	MELJO IRA LLC
24	4827 COWAN	V	2	R-7.5(A)	.1721	\$47,000.00	18	\$1,000.00	\$78,100.00	\$42,000.00	VERNELL L. GORELICK
25	2415 DATHE	I	7	PD-595	.1215	\$23,370.00	4	\$6,000.00	\$12,500.00	\$23,370.00	JOSE ZARASOZA
26	4631 S. DENLEY	V	4	R-7.5(A)	.2426	\$1,639.00	4	\$500.00	\$3,799.00	\$9,000.00	ANTHONY BOYD
27	1341 DRYDEN	I	4	R-7.5(A)	.1270	\$20,325.00	4	\$10,000.00	\$13,890.00	\$37,290.00	JOSHUA DUNLAP
28	314 DU BOIS	I	4	R-5(A)	.1234	\$22,697.00	8	\$10,000.00	\$21,100.00	\$28,540.00	PORTILLO INVESTMENTS LLC
29	3402 EDGEWOOD	V	7	PD-595	.1495	\$6,000.00	3	\$500.00	\$2,265.00	\$6,000.00	ADIA PARTNERSHIP, LLC
30	3203 EISENHOWER	V	4	R-7.5(A)	.1753	\$11,050.00	3	\$1,000.00	\$6,200.00	\$11,050.00	CITYWIDE DEVELOPMENT & CONSTRUCTION, LLC
31	4048 ESMALDA	V	6	R-5(A)	.1458	\$11,071.00	5	\$1,000.00	\$5,000.00	\$12,000.00	MIREYA ONTIVEROS
32	3407 FORNEY	V	2	CS	.0797	\$4,350.00	4	\$1,000.00	\$6,700.00	\$4,350.00	JOHN AGUEBOR
33	5342 FORNEY	I	7	PF-323	.1434	\$15,324.00	5	\$6,000.00	\$21,100.00	\$27,900.00	MONICA R. RAOFPUR

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES

AGENDA LIST

ITEM #	STREET ADDRESS	VAC/IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
34	1723 GARZA	V	4	R-7.5(A)	.1926	\$1,678.00	6	\$250.00	\$3,999.00	\$10,000.00	WEALTHGATES INVESTMENT COMPANY
35	3526 GIBSONDELL	V	1	R-7.5(A)	.1377	\$18,598.00	9	\$1,000.00	\$19,500.00	\$26,500.00	FELIPE GUEL
36	4239 GLADEWATER	V	4	R-7.5(A)	.3382	\$32,280.00	1	\$2,000.00	\$2,785.00	\$24,980.00	SABRINA SUTTON
37	1327 GLIDDEN	V	4	R-5(A)	.0879	\$1,876.00	2	\$250.00	\$703.00	\$9,780.00	SHELLY JOHNSON
38	7506 GREAT TRINITY FOREST	V	8	CR	.4820	\$37,530.00	4	\$1,000.00	\$21,012.00	\$37,530.00	SELVIN CRAWFORD
39	3819 HAMILTON	I	7	PD-595	.1383	\$19,600.00	8	\$4,000.00	\$10,100.00	\$32,510.00	LUZ MEZA
40	3123 HAMMERLY	V	6	R-5(A)	.3494	\$2,522.00	13	\$1,000.00	\$15,500.00	\$12,000.00	JOSE ZARASOZA
41	2427 HARDING	I	7	PD-595	.1519	\$22,030.00	4	\$7,000.00	\$15,012.00	\$22,030.00	SELVIN CRAWFORD
42	2902 HOLMES	V	7	PD-595	.2754	\$2,119.00	4	\$1,000.00	\$7,890.00	\$18,000.00	COUNTY LAND AND WATER, LLC
43	2708 HOLMES	V	7	PD-595	.1727	\$1,571.00	4	\$1,000.00	\$3,731.65	\$18,810.00	ANDOR PROPERTIES, LLC
44	3406 JEFFRIES	V	7	PD-595	.1170	\$1,563.00	1	\$250.00	\$1,001.00	\$5,000.00	TEMESGEN WUKAYE
45	826 LAMBERT	V	4	TH -3(A)	.1960	\$2,152.00	2	\$1,000.00	\$2,100.00	\$9,500.00	LAQUONDA BREWER
46	3724 LATIMER	I	7	PD-595	.1299	\$29,120.00	5	\$7,000.00	\$27,800.00	\$29,210.00	PETER TSAI
47	2238 LOCUST	V	4	R-7.5(A)	.1590	\$16,403.00	3	\$500.00	\$1,596.00	\$6,900.00	SABRINA SUTTON
48	1226 E. LOUISIANA	V	4	R-7.5(A)	.1994	\$2,670.00	1	\$1,000.00	\$3,150.00	\$13,000.00	NEXTLOTS NOW L.L.C.
49	1426 E. LOUISIANA	V	4	R-7.5(A)	.1648	\$2,096.00	1	\$1,000.00	\$2,575.00	\$11,500.00	NEXTLOTS NOW L.L.C.
50	2738 MARBURG	V	7	PD-595	.1688	\$6,000.00	1	\$1,000.00	\$1,699.00	\$6,000.00	ANTHONY BOYD

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES

AGENDA LIST

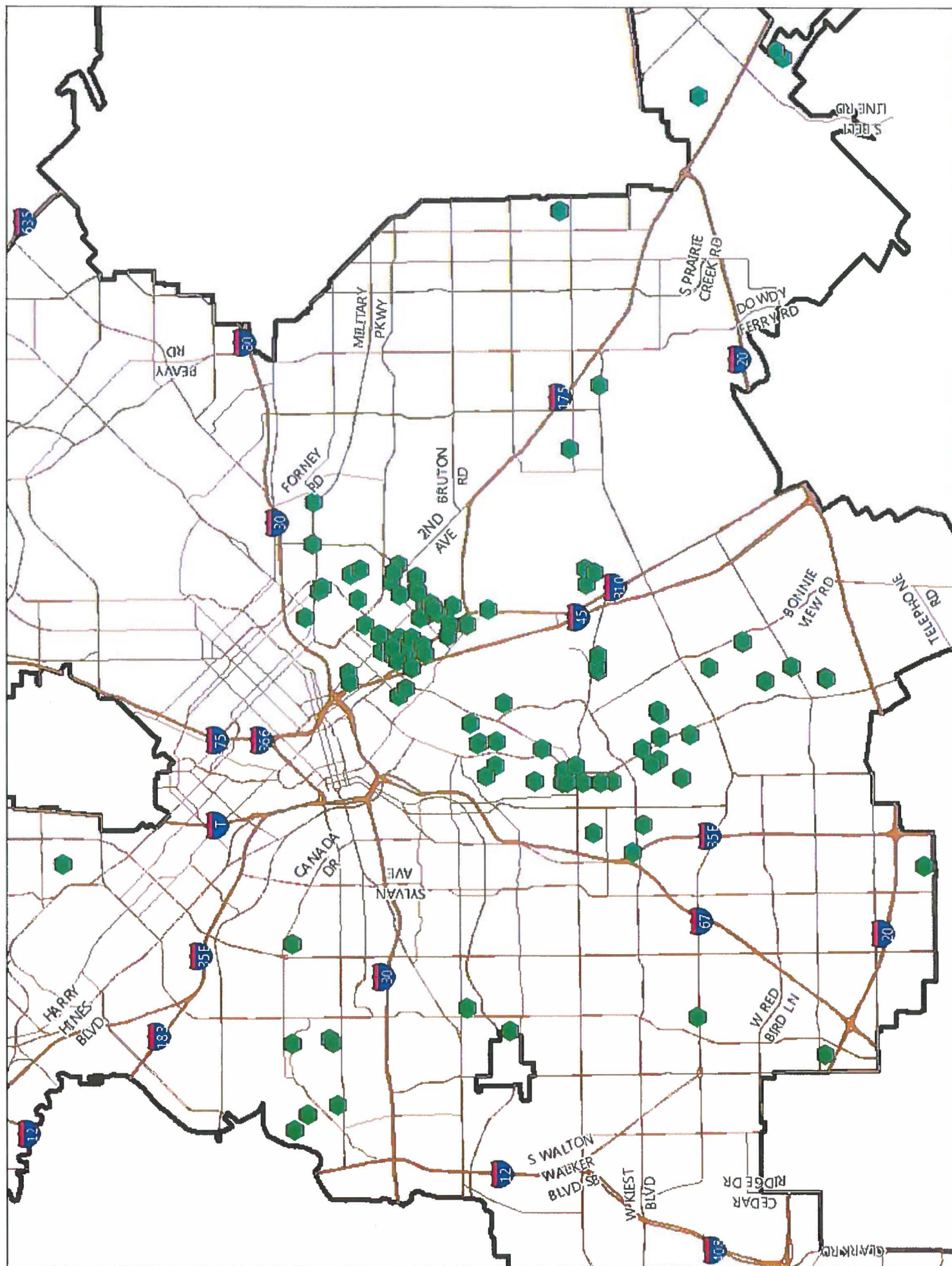
ITEM #	STREET ADDRESS	VAC/IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
51	2614 MARBURG	V	7	PD-595	.1674	\$6,000.00	1	\$1,000.00	\$1,699.00	\$6,000.00	ANTHONY BOYD
52	1610 MARFA	V	4	R-7.5(A)	.2098	\$1,640.00	1	\$1,000.00	\$1,200.00	\$10,000.00	ORLANDO RODRIGUEZ
53	3630 NOMAS	V	6	R-5(A)	.1668	\$2,500.00	9	\$1,000.00	\$4,826.50	\$12,000.00	JUAN CAVAZOS
54	2826 OAK	V	7	PD-363	.1721	\$23,009.00	3	\$500.00	\$1,551.00	\$37,500.00	LEOBARDO LEON
55	3719 ODESSA	V	6	R-5(A)	.1882	\$12,857.00	16	\$1,000.00	\$20,000.00	\$12,000.00	JESSE CARDOZA
56	3712 OPAL	I	4	R-7.5(A)	.1468	\$16,331.00	18	\$2,500.00	\$16,500.00	\$25,430.00	BENJAMIN ORTEGA
57	4146 OPAL	V	4	R-7.5(A)	.2038	\$12,220.00	3	\$1,000.00	\$3,999.50	\$12,220.00	KANTERING, LLC
58	2015 ORLEANS	V	7	IM	.0482	\$9,466.00	1	\$250.00	\$2,160.00	\$3,150.00	DFW PROJECTS, LLC
59	2652 PALL MALL	V	8	R -7.5(A)	.1465	\$1,425.00	1	\$1,000.00	\$1,650.00	\$8,000.00	NEXTLOTS NOW L.L.C.
60	2401 PENNSYLVANIA	V	7	R-5(A)	.1374	\$3,900.00	4	\$250.00	\$1,650.00	\$6,000.00	BENITO MOJICA
61	2504 PENNSYLVANIA	V	7	R-5(A)	.1435	\$3,900.00	7	\$250.00	\$1,650.00	\$3,900.00	BENITO MOJICA
62	4602 PHILIP	V	2	D(A)	.1584	\$7,986.00	6	\$1,000.00	\$16,000.00	\$6,900.00	ANA MARIA MARTINEZ
63	613 PLEASANT VISTA	V	5	R-7.5(A)	.2098	\$12,000.00	4	\$1,000.00	\$4,250.00	\$12,000.00	NEXTLOTS NOW L.L.C.
64	612 PLEASANT VISTA	V	5	R-7.5(A)	.2092	\$12,000.00	5	\$1,000.00	\$4,250.00	\$12,000.00	NEXTLOTS NOW L.L.C.
65	4105 PREFERRED	V	2	MJ-2	.1836	\$11,274.00	1	\$1,000.00	\$7,999.00	\$24,000.00	JESSICA BREWER
66	3700 PUEBLO	V	6	R-5(A)	.1380	\$12,000.00	8	\$1,000.00	\$4,865.00	\$12,000.00	JUAN CAVAZOS
67	3215 REED	V	7	PD-595	.1721	\$1,542.00	1	\$250.00	\$800.00	\$6,000.00	JEFFREY GRANT
68	2231 ROMINE	I	7	PD-595	.1435	\$17,160.00	6	\$6,000.00	\$12,500.00	\$30,310.00	LEOPOLDO LOPEZ
69	2100 ROYAL OAKS	V	8	R-10(A)	.2705	\$14,400.00	3	\$1,000.00	\$3,510.00	\$14,400.00	DAVID MENN
70	2200 ROYAL OAKS	V	8	R-10(A)	.2292	\$43,200.00	3	\$1,000.00	\$5,110.00	\$14,400.00	DAVID MENN

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES AGENDA LIST

ITEM #	STREET ADDRESS	VAC/IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
71	2624 SEEVERS	V	4	R-7.5(A)	.1699	\$14,000.00	4	\$1,000.00	\$9,500.00	\$14,000.00	JOSE ZARASOZA
72	3621 SIDNEY	V	7	PD-595	.1451	\$2,444.00	1	\$500.00	\$2,200.00	\$3,160.00	MARIA SCHNEIDER
73	2915 SIMPSON STUART	V	8	R-5(A)	.2811	\$12,250.00	2	\$1,000.00	\$1,795.00	\$8,000.00	BRYAN VALDEZ
74	1707 SMOKE TREE	V	8	PD-258	.1602	\$9,000.00	2	\$1,000.00	\$1,275.00	\$9,000.00	NEXTLOTS NOW L.L.C.
75	3843 SONORA	V	4	R-7.5(A)	.1429	\$1,582.00	2	\$1,000.00	\$2,175.00	\$7,000.00	NEXTLOTS NOW L.L.C.
76	2202 SOUTHLAND	V	7	PD-595	2.0510	\$360,964.00	3	\$10,000.00	\$35,000.00	\$89,340.00	KKBK ACQUISITIONS, L.L.C.
77	2241 SOUTHLAND	V	7	PD-595	2.0080	\$234,039.00	3	\$10,000.00	\$22,222.00	\$87,510.00	COUNTY LAND AND WATER, LLC
78	3237 SPRINGVIEW	V	4	R-7.5(A)	.1956	\$11,853.00	1	\$1,000.00	\$3,129.00	\$10,000.00	SABRINA SUTTON
79	3027 SPRINGVIEW	V	4	R-7.5(A)	.2601	\$1,433.00	1	\$1,000.00	\$3,129.00	\$10,000.00	SABRINA SUTTON
80	3103 SPRINGVIEW	V	4	R-7.5(A)	.3132	\$2,301.00	1	\$1,000.00	\$3,129.00	\$10,000.00	SABRINA SUTTON
81	3303 SPRINGVIEW	I	4	R-7.5(A)	.2845	\$27,672.00	9	\$6,000.00	\$16,000.00	\$30,970.00	SANTOS SALAVIA
82	1728 STONEMAN	V	7	PD-595	.1721	\$1,994.00	2	\$1,000.00	\$3,199.00	\$6,750.00	CALUM LITTLE
83	1725 STONEMAN	V	7	PD-595	.1721	\$14,328.00	2	\$1,000.00	\$3,199.00	\$28,660.00	CALUM LITTLE
84	7916 TROJAN	I	7	R-5(A)	.1388	\$17,500.00	4	\$4,000.00	\$7,999.00	\$21,410.00	GOPAL RAI
85	4015 TUMALO	V	6	R-5(A)	.1643	\$1,524.00	10	\$1,000.00	\$10,000.00	\$12,000.00	BRENDA ROMO
86	2937 WARREN	V	7	PD-595	.1600	\$5,400.00	1	\$1,000.00	\$1,050.00	\$7,200.00	CHRISTINA MARTINEZ
87	2617 WARREN	V	7	R-5(A)	.1515	\$3,900.00	1	\$250.00	\$800.00	\$6,000.00	JEFFREY GRANT
88	5151 WATSON	V	8	R-5(A)	.2911	\$14,360.00	1	\$1,000.00	\$1,099.00	\$14,360.00	ANTHONY BOYD

**TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
AGENDA LIST**

ITEM #	STREET ADDRESS	VAC/ IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
89	3321 WILLOW CREST	V	3	R-10(A)	.3900	\$23,250.00	3	\$2,000.00	\$5,595.00	\$23,250.00	KANTERING, LLC
90	1229 E WOODIN	V	4	R-7.5(A)	.1726	\$13,000.00	4	\$1,000.00	\$5,100.00	\$13,000.00	CESAR CARILLO
91	3624 YORK	V	7	PD-595	.1614	\$1,715.00	2	\$1,000.00	\$5,001.24	\$3,520.00	NELL LANGFORD
92	3622 YORK	V	7	PD-595	.1523	\$2,458.00	2	\$1,000.00	\$5,001.22	\$3,320.00	NELL LANGFORD



November 10, 2015

WHEREAS, the City of Dallas ("City"), the State of Texas ("State"), the County of Dallas, ("County"), and/or Dallas Independent School District ("DISD") acquired Sheriff Deeds to properties ("Properties") at a sheriff tax sale ("the First Sale") authorized by a Judicial Foreclosure ("Judgment") in a District Court in Dallas County, Texas. The Sheriff's Deeds were recorded in the real property records of Dallas County, Texas as described on "Exhibit A," attached herein and incorporated by reference; and

WHEREAS, pursuant to the Texas Attorney General Opinion No. JM-1232 and Section 34.05(a) of the Texas Property Tax Code, the City may re-sell the Properties ("the Second Sale") subject to any right of redemption existing at the time of the Second Sale; and

WHEREAS, pursuant to the provisions of Chapter 34, Section 34.05 of the Texas Property Tax Code, a taxing entity is authorized to re-sell the Properties ("the Second Sale"); and

WHEREAS, by accepting its pro rata proceeds from the Second Sale, the State agrees to the transfer of Properties in which it has an interest; and

WHEREAS, the City Manager, acting on behalf of the County pursuant to a County Commissioner's Court Order, and acting on behalf of DISD pursuant to a School Board Resolution have the authority to execute Quitclaim Deeds to the purchasers of Properties at the Second Sale, and transfer any rights, title, or interests acquired or held by each taxing entity that was a party to the Judgment at the First Sale; and

WHEREAS, the Properties were advertised in the Dallas Morning News on the dates indicated on Exhibit A; and

WHEREAS, the City Council has previously approved the re-sale of other Properties where funds were not received, nor disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County; and

WHEREAS, the distribution of the proceeds from the resale of the Properties will be in accordance with Chapter 34, Section 34.06 of the Texas Property Tax Code; **Now, Therefore,**

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

November 10, 2015

SECTION 1. That upon receipt of the monetary consideration from the purchasers of the Properties listed on Exhibit A, and upon consent by the County and DISD, the City Manager upon approval as to form by the City Attorney and attested by the City Secretary, is hereby authorized to execute Quitclaim Deeds to the Properties, conveying to the purchasers the right, title, and interest acquired or held by each taxing entity that was a party to the Judgment, subject to any right of redemption, post-Judgment taxes and post Judgment non-tax municipal liens, and in accordance with the written agreement of the terms, conditions, and release of the taxing entities.

SECTION 2. That the consideration received from the Second Sale shall be distributed pursuant to Chapter 34, Section 34.06 of the Texas Property Tax Code, and applied to the payment of the court costs, interest, and cost of sale and applied to the amount of delinquent taxes, penalties, and non-tax municipal liens as set forth in the Judgment and pursuant to the order of the court.

SECTION 3. That all purchasers shall be responsible for the pro rata portion of property taxes for the remaining part of the current calendar year that will be assessed from the date of closing of the Second Sale. Purchasers shall also be responsible for any post-Judgment taxes, penalties and interest, pursuant to the Texas Property Tax Code, and post-Judgment non-tax municipal liens. The Properties shall be replaced on the tax rolls as of the date of execution of Quitclaim Deeds.

SECTION 4. That to the extent authorized by law, any liens securing taxes referenced in Section 2 above are hereby released. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release(s) of lien for any non-tax municipal lien(s) included in the Judgments issued in the foreclosure suits filed by the City on the lot(s) shown on Exhibit "A".

SECTION 5. That any and all proceeds from the Second Sale, including funds not received, nor disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County will be deposited to General Fund 0001, Department DEV, Balance Sheet Account 0519.

SECTION 6. That upon receipt of the consideration from the Second Sale, the Chief Financial Officer is authorized to disburse the proceeds in accordance with Chapter 34, Section 34.06 of the Texas Property Tax Code. Calculations for disbursements 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 5, above.

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.

EXHIBIT A
TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
NOVEMBER 10, 2015 AGENDA

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
1	3302 ALABAMA	Lot 11, Block F/5997	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$3,999.00	LAQUONDA BREWER
2	2715 ALAMAIN	Lot 6, Block 6/7614	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$3,080.00	MARIA CRISTINA OSPINA
3	2723 ALAMAIN	Lot 7, Block 6/7314	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$4,080.00	MARIA CRISTINA OSPINA
4	1966 ANGELINA	Lot 2, Block 12/7130	V	1,2,3	9/13 & 9/14	11	\$1,000.00	\$4,850.00	NEXTLOTS NOW L.L.C
5	403 S. BARNETT	Lot 1, Block C/3944	I	1,2,3	9/13 & 9/14	26	\$6,000.00	\$55,999.99	GRIMALDO SANCHEZ
6	9320 BECKLEYVIEW	Lot 8, Block D/7587	V	1,2,3	9/13 & 9/14	7	\$2,000.00	\$10,100.00	WALTER HUERTA
7	2046 BERWICK	Lots L and K, Block 23/4508	I	1,2,3	9/13 & 9/14	17	\$10,000.00	\$35,500.00	YUFEI WANG
8	542 BETHPAGE	Lot 6, Block 27/6256	V	1,2,3	9/13 & 9/14	3	\$500.00	\$2,199.50	KANTERING, LLC
9	3217 BIRMINGHAM	Lot 20, Block 1386	V	1,2,3	9/13 & 9/14	1	\$250.00	\$300.00	CHRISTINA MARTINEZ
10	5711 BON AIR	Lot 42, Block 6875	V	1,2,3	9/13 & 9/14	2	\$250.00	\$1,059.00	ANTHONY BOYD
11	5707 BON AIR	Lot 41, Block 6875	V	1,2,3	9/13 & 9/14	2	\$250.00	\$1,059.00	ANTHONY BOYD
12	434 BONNIE VIEW	Lot 4, Block 1/5900	V	1,2,3	9/13 & 9/14	6	\$500.00	\$2,626.00	ADIA PARTNERSHIP, LLC
13	405 BONNIEVIEW	Lot 25, Block 5904	V	1,2,3	9/13 & 9/14	2	\$500.00	\$2,626.00	ADIA PARTNERSHIP, LLC
14	2715 BRITTON	Lot 16, Block 34/4223	V	1,2,3	9/13 & 9/14	5	\$1,000.00	\$3,899.50	KANTERING, LLC
15	2416 BRITTON	Lot 6 & south half of Lot 5, Block 30/4229	V	1,2,3	9/13 & 9/14	7	\$2,000.00	\$7,100.00	CITYWIDE DEVELOPMENT & CONSTRUCTION, LLC
16	7743 BROWNSVILLE	Lot 11, Block B/7636	V	1,2,3	9/13 & 9/14	1	\$500.00	\$533.00	SABRINA SUTTON
17	1542 CALDWELL	Lot 11, Block B/1445	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$3,875.00	NEXTLOTS NOW L.L.C

EXHIBIT A
TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
NOVEMBER 10, 2015 AGENDA

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
18	1615 CALDWELL	Lot 8, Block B/1444	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$2,975.00	NEXTLOTS NOW L.L.C
19	5908 CARLTON GARRETT	Lots 4 and 5, Block 18/2560	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$3,001.00	DAPORSCHA KELLEY
20	3531 CARPENTER	Lot 19, Block B/2125	V	1,2,3	9/13 & 9/14	2	\$250.00	\$500.00	GCJS ENTERPRISES, LLC
21	1446 CARSON	Lot 12, Block 15/3575	V	1,2,3	9/13 & 9/14	2	\$250.00	\$1,850.00	BENITO MOJICA
22	1422 CLAUDE	Lot 19, Block 1/3866	V	1,2,3	9/13 & 9/14	2	\$250.00	\$2,420.00	BENITO MOJICA
23	5024 COLONIAL	Lot 64, Block 2249	I	1,2,3	9/13 & 9/14	1	\$6,000.00	\$10,101.00	MELJO IRA LLC
24	4827 COWAN	Lot 16, Block 10/4818	V	1,2,3	9/13 & 9/14	18	\$1,000.00	\$78,100.00	VERNELL L. GORELICK
25	2415 DATHE	Lot 14, Block A/1711	I	1,2,3	9/13 & 9/14	4	\$6,000.00	\$12,500.00	JOSE ZARASOZA
26	4631 S. DENLEY	Lot 31, Block 32/4330	V	1,2,3	9/13 & 9/14	4	\$500.00	\$3,799.00	ANTHONY BOYD
27	1341 DRYDEN	Lot 20, Block G/4868	I	1,2,3	9/13 & 9/14	4	\$10,000.00	\$13,890.00	JOSHUA DUNLAP
28	314 DU BOIS	Lot 17, Block 8/4970	I	1,2,3	9/13 & 9/14	8	\$10,000.00	\$21,100.00	PORTILLO INVESTMENTS LLC
29	3402 EDGEWOOD	Lot 1, Block B/1558	V	1,2,3	9/13 & 9/14	3	\$500.00	\$2,265.00	ADIA PARTNERSHIP, LLC
30	3203 EISENHOWER	Lot 4, Block 22/5978	V	1,2,3	9/13 & 9/14	3	\$1,000.00	\$6,200.00	CITYWIDE DEVELOPMENT & CONSTRUCTION, LLC
31	4048 ESMALDA	Lot 10, Block 4/7149	V	1,2,3	9/13 & 9/14	5	\$1,000.00	\$5,000.00	MIREYA ONTIVEROS
32	3407 FORNEY	Lot 2, Block A/2640	V	1,2,3	9/13 & 9/14	4	\$1,000.00	\$6,700.00	JOHN AGUEBOR
33	5342 FORNEY	Lot 22, Block 5801	I	1,2,3	9/13 & 9/14	5	\$6,000.00	\$21,100.00	MONICA R. RAOFPUR
34	1723 GARZA	Lot 20, Block 40/4092	V	1,2,3	9/13 & 9/14	6	\$250.00	\$3,999.00	WEALTHGATES INVESTMENT COMPANY
35	3526 GIBSONDELL	Lot 4, Block 6/4546	V	1,2,3	9/13 & 9/14	9	\$1,000.00	\$19,500.00	FELIPE GUEL

EXHIBIT A
TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
NOVEMBER 10, 2015 AGENDA

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
36	4239 GLADEWATER	Lot 8-A, Block 6/5020	V	1,2,3	9/13 & 9/14	1	\$2,000.00	\$2,785.00	SABRINA SUTTON
37	1327 GLIDDEN	Lot 21, Block B/3391	V	1,2,3	9/13 & 9/14	2	\$250.00	\$703.00	SHELLY JOHNSON
38	7506 GREAT TRINITY FOREST	Block 6264	V	1,2,3	9/13 & 9/14	4	\$1,000.00	\$21,012.00	SELVIN CRAWFORD
39	3819 HAMILTON	Lot 5, Block B/1816	I	1,2,3	9/13 & 9/14	8	\$4,000.00	\$10,100.00	LUZ MEZA
40	3123 HAMMERLY	Lot 13, Block 1/7158	V	1,2,3	9/13 & 9/14	13	\$1,000.00	\$15,500.00	JOSE ZARASOZA
41	2427 HARDING	Lot 7, Block 7/2530	I	1,2,3	9/13 & 9/14	4	\$7,000.00	\$15,012.00	SELVIN CRAWFORD
42	2902 HOLMES	Lot 1 and 30 feet of Lot 2, Block 6/1140	V	1,2,3	9/13 & 9/14	4	\$1,000.00	\$7,890.00	COUNTY LAND AND WATER, LLC
43	2708 HOLMES	Lot 3, Block 2/1120	V	1,2,3	9/13 & 9/14	4	\$1,000.00	\$3,731.65	ANDOR PROPERTIES, LLC
44	3406 JEFFRIES	Lot 2, Block E/1968	V	1,2,3	9/13 & 9/14	1	\$250.00	\$1,001.00	TEMESGEN WUKAYE
45	826 LAMBERT	Lot 7, Block A/5894	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$2,100.00	LAQUONDA BREWER
46	3724 LATIMER	Lot 8, Block A/1714	I	1,2,3	9/13 & 9/14	5	\$7,000.00	\$27,800.00	PETER TSAI
47	2238 LOCUST	Lot 13, Block 7/5851	V	1,2,3	9/13 & 9/14	3	\$500.00	\$1,596.00	SABRINA SUTTON
48	1226 E. LOUISIANA	Lot 6, Block 37/3709	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$3,150.00	NEXTLOTS NOW L.L.C.
49	1426 E. LOUISIANA	Lot 2, Block 47/3721	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$2,575.00	NEXTLOTS NOW L.L.C.
50	2738 MARBURG	Lot 10, Block B/1955	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$1,699.00	ANTHONY BOYD
51	2614 MARBURG	Lot 4, Block D/1955	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$1,699.00	ANTHONY BOYD
52	1610 MARFA	Lot 12, Block 31/4089	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$1,200.00	ORLANDO RODRIGUEZ

EXHIBIT A
TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
NOVEMBER 10, 2015 AGENDA

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
53	3630 NOMAS	Lot 4, Block E/7152	V	1,2,3	9/13 & 9/14	9	\$1,000.00	\$4,826.50	JUAN CAVAZOS
54	2826 OAK	Lot 15 and 16, Block 9/0854	V	1,2,3	9/13 & 9/14	3	\$500.00	\$1,551.00	LEOBARDO LEON
55	3719 ODESSA	Lot 11, Block 2/7162	V	1,2,3	9/13 & 9/14	16	\$1,000.00	\$20,000.00	JESSE CARDOZA
56	3712 OPAL	Lot 14, Block 4101	I	1,2,3	9/13 & 9/14	18	\$2,500.00	\$16,500.00	BENJAMIN ORTEGA
57	4146 OPAL	Lot 35, Block 4340	V	1,2,3	9/13 & 9/14	3	\$1,000.00	\$3,999.50	KANTERING, LLC
58	2015 ORLEANS	Lot 10, Block 14/865	V	1,2,3	9/13 & 9/14	1	\$250.00	\$2,160.00	DFW PROJECTS, LLC
59	2652 PALL MALL	Lot 19, Block 5/6889	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$1,650.00	NEXTLOTS NOW L.L.C.
60	2401 PENNSYLVANIA	Lot 19, Block 24/1304	V	1,2,3	9/13 & 9/14	4	\$250.00	\$1,650.00	BENITO MOJICA
61	2504 PENNSYLVANIA	Lots 3 and 4, Block 31/1307	V	1,2,3	9/13 & 9/14	7	\$250.00	\$1,650.00	BENITO MOJICA
62	4602 PHILIP	Part of Lot 14, Block 33/1235	V	1,2,3	9/13 & 9/14	6	\$1,000.00	\$16,000.00	ANA MARIA MARTINEZ
63	613 PLEASANT VISTA	Lot 39, Block A/6691	V	1,2,3	9/13 & 9/14	4	\$1,000.00	\$4,250.00	NEXTLOTS NOW L.L.C.
64	612 PLEASANT VISTA	Lot 11, Block B/6691	V	1,2,3	9/13 & 9/14	5	\$1,000.00	\$4,250.00	NEXTLOTS NOW L.L.C.
65	4105 PREFERRED	Lot 12, Block 4/6932	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$7,999.00	JESSICA BREWER
66	3700 PUEBLO	East 40 feet of Lot 8, Block C/7152	V	1,2,3	9/13 & 9/14	8	\$1,000.00	\$4,865.00	JUAN CAVAZOS
67	3215 REED	Lot 19, Block 2/1782	V	1,2,3	9/13 & 9/14	1	\$250.00	\$800.00	JEFFREY GRANT
68	2231 ROMINE	Lot 10, Block B/1710	I	1,2,3	9/13 & 9/14	6	\$6,000.00	\$12,500.00	LEOPOLDO LOPEZ
69	2100 ROYAL OAKS	Block A/8812	V	1,2,3	9/13 & 9/14	3	\$1,000.00	\$3,510.00	DAVID MENN
70	2200 ROYAL OAKS	Block A/8812	V	1,2,3	9/13 & 9/14	3	\$1,000.00	\$5,110.00	DAVID MENN
71	2624 SEEVERS	Lot 7, Block 14/4200	V	1,2,3	9/13 & 9/14	4	\$1,000.00	\$9,500.00	JOSE ZARASOZA

EXHIBIT A
TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
NOVEMBER 10, 2015 AGENDA

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
72	3621 SIDNEY	Lot 2, Block A/4458	V	1,2,3	9/13 & 9/14	1	\$500.00	\$2,200.00	MARIA SCHNEIDER
73	2915 SIMPSON STUART	Lot 7, Block 16	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$1,795.00	BRYAN VALDEZ
74	1707 SMOKE TREE	Lot 18, Block A/8827	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$1,275.00	NEXTLOTS NOW L.L.C.
75	3843 SONORA	East 130 feet of Lot 3, Block 5/4335	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$2,175.00	NEXTLOTS NOW L.L.C.
76	2202 SOUTHLAND	Block B/1765	V	1,2,3	9/13 & 9/14	3	\$10,000.00	\$35,000.00	KKBK ACQUISITIONS, L.L.C.
77	2241 SOUTHLAND	Block C/1765	V	1,2,3	9/13 & 9/14	3	\$10,000.00	\$22,222.00	COUNTY LAND AND WATER, LLC
78	3237 SPRINGVIEW	Lot 29, Block A/6088	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$3,129.00	SABRINA SUTTON
79	3027 SPRINGVIEW	Lot 10, Block 4/6088	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$3,129.00	SABRINA SUTTON
80	3103 SPRINGVIEW	Lot 13A, Block A/6088	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$3,129.00	SABRINA SUTTON
81	3303 SPRINGVIEW	Lot 33, Block F/6088	I	1,2,3	9/13 & 9/14	9	\$6,000.00	\$16,000.00	SANTOS SALAVIA
82	1728 STONEMAN	Lot 14, Block F/1690	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$3,199.00	CALUM LITTLE
83	1725 STONEMAN	Lot 6, Block E/1689	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$3,199.00	CALUM LITTLE
84	7916 TROJAN	Lot 4, Block D/7646	I	1,2,3	9/13 & 9/14	4	\$4,000.00	\$7,999.00	GOPAL RAI
85	4015 TUMALO	Lot 4, Block B/7164	V	1,2,3	9/13 & 9/14	10	\$1,000.00	\$10,000.00	BRENDA ROMO
86	2937 WARREN	Lots 37 and 38, Block 20/1374	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$1,050.00	CHRISTINA MARTINEZ
87	2617 WARREN	Lot 27, Block 38/1313	V	1,2,3	9/13 & 9/14	1	\$250.00	\$800.00	JEFFREY GRANT
88	5151 WATSON	Lot 13B, Block F/6855	V	1,2,3	9/13 & 9/14	1	\$1,000.00	\$1,099.00	ANTHONY BOYD

EXHIBIT A
TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
NOVEMBER 10, 2015 AGENDA

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/ IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
89	3321 WILLOW CREST	Lot 35, Block 5/6042	V	1,2,3	9/13 & 9/14	3	\$2,000.00	\$5,595.00	KANTERING, LLC
90	1229 E WOODIN	Lot 17, Block 37/3709	V	1,2,3	9/13 & 9/14	4	\$1,000.00	\$5,100.00	CESAR CARILLO
91	3624 YORK	Lot 15, Block 3/2129	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$5,001.24	NELL LANGFORD
92	3622 YORK	Lot 14, Block 3/2129	V	1,2,3	9/13 & 9/14	2	\$1,000.00	\$5,001.22	NELL LANGFORD

AGENDA ITEM # 47

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction
Housing/Community Services

CMO: Ryan S. Evans, 671-9837
Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 43X

SUBJECT

Authorize an amendment for a five-year lease extension with Liam, Ltd., for approximately 5,030 square feet of office space located at 1050 North Westmoreland Road, Suite 316 for the Women, Infants and Children Clinic for the period December 1, 2015 through November 30, 2020 - Not to exceed \$442,640 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

BACKGROUND

This item authorizes an amendment to an existing seven-year lease agreement with Liam, Ltd. (Landlord) to extend the lease agreement for an additional five years. This item provides for Liam, Ltd. to make certain leasehold improvements to the premises. The five-year extension will provide for the continued use of the Women, Infants and Children (WIC) Clinic to serve residents in the North Oak Cliff area.

The WIC program is a United States Department of Agriculture program administered in Texas by the Department of State Health Services. The countywide program has been administered by the City of Dallas' Housing/Community Services Department since 1974. The WIC program provides nutritious food, nutrition education, breastfeeding promotion and support, referrals to health services, and immunizations. The program serves infants, children under age 5, and pregnant, postpartum and breastfeeding women.

The lease will begin on December 1, 2015 and end November 30, 2020.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 22, 2008, City Council authorized a Lease Agreement, by Resolution No. 08-2847.

Information about this item will be provided to the Economic Development Committee on November 2, 2015.

FISCAL INFORMATION

\$442,639.80 – Department of State Health Services Grant Funds (subject to annual appropriations)

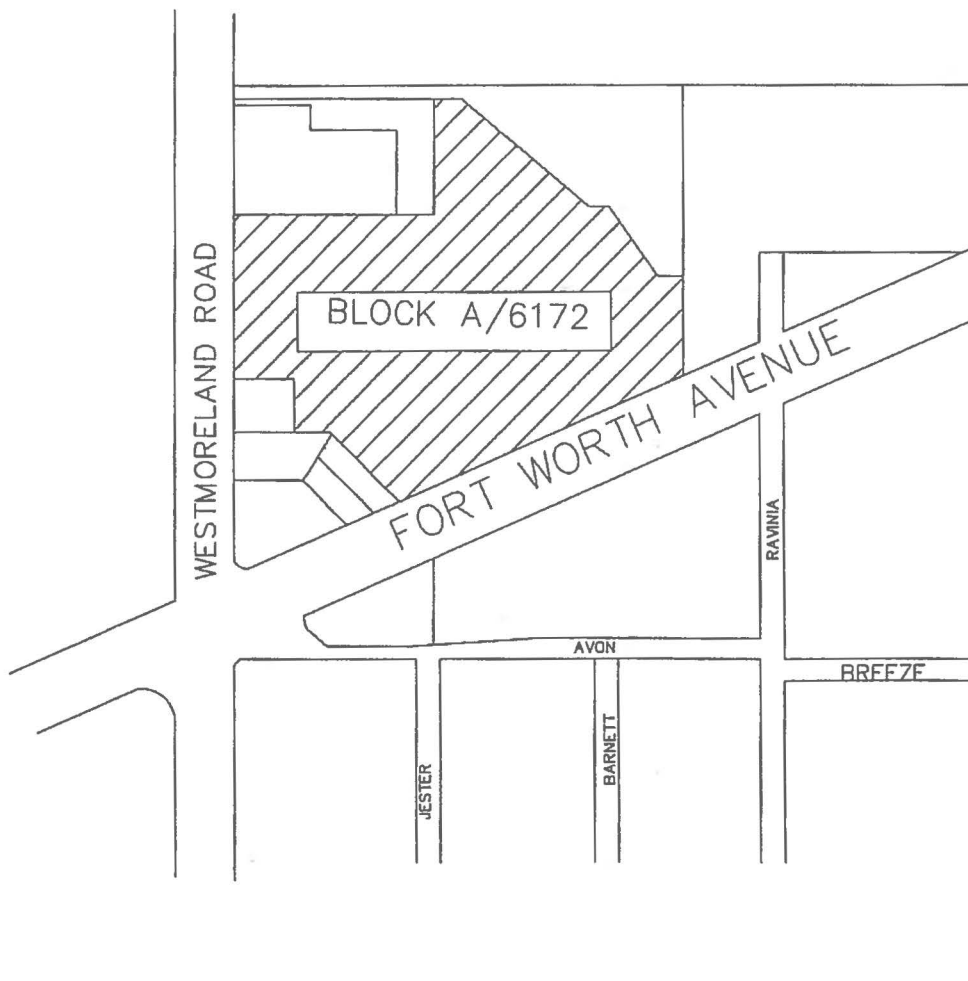
OWNER

Liam, Ltd.

NT XRI, LLC, General Partner
Ramzi Cortas, Governing Member

MAP

Attached



SUBJECT PROPERTY

November 10, 2015

WHEREAS, on October 22, 2008, the City Council of the City of Dallas approved Resolution No. 08-2847, authorizing the City Manager to execute a lease agreement (the "Lease") with Liam, Ltd., as Lessor ("Landlord"), and the City of Dallas, as Lessee ("City"), for approximately 5,030 square feet of office space located at 1050 North Westmoreland Road, Suite 316, Dallas, Dallas County, Texas to be used by the Housing/Community Services' Women, Infants and Children Program; and

WHEREAS, on November 30, 2015 the current Lease expires by its own term on November 30, 2015; and

WHEREAS, the parties desire to renew, extend, modify and/or amend the Lease for an additional five (5) years upon certain amended terms, as provided in this resolution.

NOW, THEREFORE,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute the First Amendment to Lease Agreement between Liam, Ltd., a Texas limited partnership, or its successors and assigns and the City of Dallas.

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

- (a) The term of the Lease is extended for an additional five (5) years effective December 1, 2015 and ending November 30, 2020, provided however, that the City retains the right to terminate the lease as provided elsewhere therein.
- (b) Monthly rental payments shall be as follows: (subject to annual appropriations):

December 1, 2015 – November 30, 2020	\$7,377.33 per month
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- (c) The Landlord shall provide certain leasehold improvements to the Premises as specified in the First Amendment to Lease Agreement.
- (d) City shall be given ninety (90) days to vacate the premises should the Landlord provide notice to cancel and/or terminate during any holding over period.
- (e) All other terms of the Lease, as previously amended, not expressly amended hereby shall remain unchanged and in full force and effect.

November 10, 2015

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants payable to Liam, Ltd. or its successors and assigns on the first day of each month in advance during the lease term beginning December 1, 2015 in the amount specified below:

December 1, 2015 – November 30, 2020 (subject to annual appropriations)	\$7,377.33 per month
--	----------------------

SECTION 4. That payments will be charged as follows:

December 1, 2015 – September 30, 2016: Fund F470, Dept. HOU, Unit 1791, Object Code 3330, Encumbrance No. HOULEASEK03, Commodity Code 97145, Vendor No.VS0000035502.

October 1, 2016 – November 30, 2020: Fund TBD, Dept. HOU, Unit TBD, Object Code TBD, Encumbrance No. TBD, Commodity Code 97145, Vendor No.VS0000035502.

SECTION 5. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, communications, utility, security, and janitorial companies upon receipt of a bill for services or other applicable charges throughout the term of the lease.

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

APPROVED AS TO FORM
Warren M. S. Ernst, City Attorney

BY: _____


Assistant City Attorney

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 10
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 16Z

SUBJECT

Authorize an amendment for a seven-year lease extension with ARI Forest Green Management, LLC for approximately 4,290 square feet of office space located at 11910 Greenville Avenue, Suite 100 for the Building Inspection's North Central Division office for the period November 1, 2015 through October 31, 2022 - Not to exceed \$516,217 - Financing: Building Inspection Current Funds (subject to annual appropriations)

BACKGROUND

This item authorizes an amendment to an existing seven-year lease agreement with ARI Forest Green Management, LLC to extend the lease agreement for an additional seven years. This item provides for ARI Forest Green Management, LLC to make certain leasehold improvements to the premises. The seven year extension will provide for the continued use of the Building Inspection's North Central Division office.

The amendment will begin on November 1, 2015 and end October 31, 2022.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Lease Agreement on September 10, 2008, by Resolution No. 08-1724.

Information about this item will be provided to the Economic Development Committee on November 2, 2015

FISCAL INFORMATION

\$516,216.12 – Building Inspection Current Funds (subject to annual appropriations)

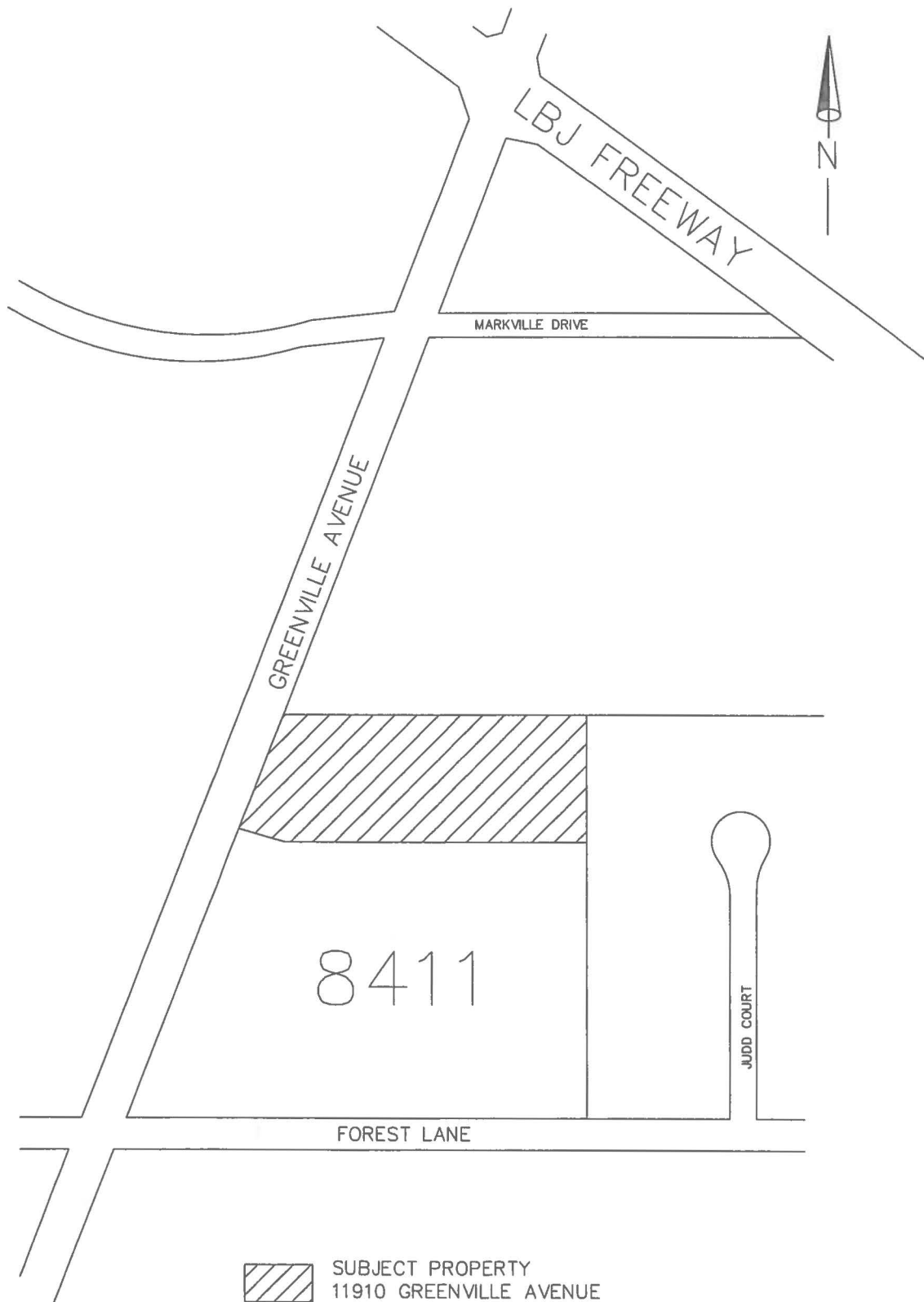
OWNER

ARI Forest Green Management, LLC

ARI PRG, LLC, General Manager
PRG Realty Investors, LP., Managing Member
PRG Realty Assets, LLC, General Partner
John D. Kelley, Vice President

MAP

Attached



November 10, 2015

WHEREAS, on September 10, 2008, the City Council of the City of Dallas, approved Resolution No. 08-1724, authorizing the City Manager to execute a lease agreement dated September 17, 2008 (the "Lease") with ARI Forest Green Management, L.P., a Delaware limited partnership, as Lessor ("Landlord"), and City of Dallas, as Lessee ("City") for approximately 4,290 square feet of office space located at 11910 Greenville Avenue, Suite 100, Dallas, Dallas County, Texas to be used by the Building Inspection's North Central District; and

WHEREAS, the Lease expired on September 30, 2015; and

WHEREAS, the City's occupancy was extended to October 31, 2015 pursuant to the holdover provision in Section 15 of the Lease; and

WHEREAS, ARI Forest Green, L.P. executed an Assignment and Assumption of Leases with ARI Forest Green Management, LLC, a Delaware limited liability company, such that ARI Forest Green Management, LLC is now the lessor under the Lease; and

WHEREAS, the parties desire to renew, extend, modify and/or amend the Lease for an additional seven (7) years upon certain amended terms, as provided in this resolution.

NOW, THEREFORE,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a First Amendment to Lease Agreement between ARI Forest Green Management, LLC, a Delaware limited liability company and the City of Dallas.

SECTION 2. That the special terms and conditions of the First Amendment to the Lease Agreement are:

- a. The term of the Lease is extended for an additional seven (7) years, effective November 1, 2015 and ending October 31, 2022, provided however, that the City retains the right to terminate the Lease as provided elsewhere therein.
- b. Monthly rental payments shall be as follows (subject to annual appropriations):

November 1, 2015 – October 31, 2022 \$6,145.43 per month
- c. The Landlord shall provide certain leasehold improvements to the Premises as specified in the First Amendment to Lease Agreement.

November 10, 2015

- d. The owner of the Premises and Landlord is ARI Forest Green Management, LLC per assignment.
- e. City shall be given ninety (90) days to vacate the premises should Landlord provide notice to cancel and/or terminate during any holding over period.
- f. The Landlord shall maintain the existing parking spaces behind the garage.
- g. All other terms of the Lease, as previously amended, not expressly amended, hereby shall remain unchanged and in full force and effect.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants payable to ARI Forest Green Management, LLC or its successors and assigns on the first day of each month in advance during the lease term beginning November 1, 2015 in the amount specified below:

November 1, 2015 – October 31, 2022 (subject to annual appropriations)	\$6,145.43 per month
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SECTION 4. That the payments will be charged as follows:

November 1, 2015 – September 30, 2016: Fund 0150, Dept. DEV., Unit 3151, Object Code 3330, Encumbrance No. DEV3151NEDOFY1516, Commodity Code 97145, Vendor No.VC14570.

October 1, 2016 – September 30, 2017: Fund 0150, Dept. DEV., Unit 3151, Object Code 3330, Encumbrance No. DV3151NEDOFY1617, Commodity Code 97145, Vendor No.VC14570.

October 1, 2017 – September 30, 2018: Fund 0150, Dept. DEV., Unit 3151, Object Code 3330, Encumbrance No. DEV3151NEDOFY1718, Commodity Code 97145, Vendor No.VC14570.

October 1, 2018 – September 30, 2019: Fund 0150, Dept. DEV., Unit 3151, Object Code 3330, Encumbrance No. DEV3151NEDOFY1819, Commodity Code 97145, Vendor No.VC14570.

October 1, 2019 – September 30, 2020: Fund 0150, Dept. DEV., Unit 3151, Object Code 3330, Encumbrance No. DEV3151NEDOFY1920, Commodity Code 97145, Vendor No.VC14570.

November 10, 2015

October 1, 2020 – September 30, 2021: Fund 0150, Dept. DEV., Unit 3151, Object Code 3330, Encumbrance No. DEV3151NEDOFY2021, Commodity Code 97145, Vendor No.VC14570.

October 1, 2021 – September 30, 2022: Fund 0150, Dept. DEV., Unit 3151, Object Code 3330, Encumbrance No. DEV3151NEDOFY2122, Commodity Code 97145, Vendor No.VC14570.

October 1, 2022 - October 31, 2022: Fund 0150, Dept. DEV., Unit 3151, Object Code 3330, Encumbrance No. DEV3151NEDOFY2223, Commodity Code 97145, Vendor No.VC14570.

SECTION 5. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone and communications companies, upon receipt of a bill for services or other applicable charges throughout the term of the lease.

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

APPROVED AS TO FORM

Warren M. S. Ernst, City Attorney

BY: _____


Assistant City Attorney

AGENDA ITEM # 49

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction
Public Works Department

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

MAPSCO: 42U

SUBJECT

Authorize an amendment to Resolution No. 13-0870, previously approved on May 22, 2013, for acquisition from Palestine Concrete Tile Company, LP, also known as Headwaters Construction Materials, LLC to increase the previously authorized amount for approximately 8,541 square feet of land located near the intersection of Chalk Hill Road and Interstate Highway 30 for the Chalk Hill Street Improvement Project - Not to exceed \$60,000, increased from \$53,512 (\$50,512, plus closing costs and title expenses not to exceed \$3,000) to \$113,512 (\$110,512 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes an amendment to increase the previously authorized amount to reflect the updated appraised amount for the acquisition of approximately 8,541 square feet of land located near the intersection of Chalk Hill Road and Interstate Highway 30 from Palestine Concrete Tile Company, LP, also known as Headwaters Construction Materials, LLC. This property will be used for street and sidewalk improvements. The consideration is based on an independent appraisal.

On May 22, 2013, Dallas City Council approved Resolution No. 13-0870 authorizing the City Manager to acquire 8,541 square feet of land in fee simple interest from Palestine Concrete Tile Company, LP, also known as Headwaters Construction Materials, LLC to facilitate the Chalk Hill Street Improvement Project.

All other provisions authorized by Resolution No. 13-0870 remain in full force and effect.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on May 22, 2013 by Resolution No. 13-0870.

Information about this item will be provided to the Economic Development Committee on November 2, 2015.

FISCAL INFORMATION

2006 Bond Funds - \$60,000

Resolution No. 13-0870	\$ 53,512
Additional Amount (this action)	<u>\$ 60,000</u>

Total Authorized Amount	\$113,512
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OWNER

Headwaters Construction Materials, LLC

Palestine Concrete Tile Company, LP

Bobby Whisnant, President

MAP

Attached

RAILROAD RIGHT -OF - WAY



Chalk Hill Road

Block A/7204

Block B/7205



To be acquired

November 10, 2015

WHEREAS, the City of Dallas desires to authorize the City Manager to acquire the said 8,541 square feet of land for \$113,512 (\$110,512 plus closing costs and title expenses not to exceed \$3,000) as provided in the form instrument described in Exhibit "B" attached hereto and which parcel is more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Now, Therefore,

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

SECTION 1. That FIRST RESOLUTION is hereby amended to authorize acquisition by purchase and/or condemnation said parcel consisting of approximately 8,541 square feet of land as described in Exhibit "A" attached hereto and made a part hereof for all purposes at the REVISED PURCHASE AMOUNT set forth herein.

SECTION 2. The following definitions shall apply to this resolution:

"CITY": The City of Dallas

"FIRST RESOLUTION": Resolution No. 13-0870 approved by the Dallas City Council on May 22, 2013 to authorize the purchase of approximately 8,541 square feet of land in the amount of \$53,512 (\$50,512, plus closing costs and title expenses not to exceed \$3,000).

"PROPERTY": Approximately 8,541 square feet of land located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Chalk Hill Street Improvement Project

"USE": The installation, use, and maintenance of street and sidewalk improvements together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

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

November 10, 2015

"OWNER": Headwaters Construction Materials, LLC, as successor to Palestine Concrete Tile Company, LP, 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.

"REVISED PURCHASE AMOUNT": \$110,512

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,000

"AUTHORIZED AMOUNT": Not to exceed \$113,512

SECTION 3. That in the event this acquisition closes, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein for the difference between the FIRST RESOLUTION and the REVISED PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds (\$60,000) - Fund No. 2T22, Department PBW, UNIT U780, Program No. PB06U780, Object 4210, Encumbrance No. SUSU780PM03. The REVISED PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT - \$113,512, which includes the amounts authorized in the FIRST RESOLUTION.

SECTION 4. All other provisions authorized by FIRST RESOLUTION remain in full force and effect.

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

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

BY


Assistant City Attorney

EXHIBIT A

**An 8,541 square foot (0.196 acre)
tract of land in Lots 1 thru 8, Block A/7204,
Lots 1 thru 4 and remainder of Lot 5, Block B/7205,
and in an abandoned street,
Horace Burnham Survey, Abstract No. 106,
City of Dallas, Dallas County, Texas
to be acquired for a public road,
as established by the City of Dallas Council Resolution No. 101330
from Palestine Concrete Tile Company, L.P.**

FIELD NOTES O.K. J.E. Rando 12-8-11
BEING an 8,541 square foot (0.196 acre) tract of land situated in the Horace Burnham Survey, Abstract No. 106, in the City of Dallas, Dallas County, Texas, lying in Lots 1 thru 8, Block A/7204; Lots 1 thru 4 and the remainder of Lot 5, Block B/7205; and in the abandoned street lying between said Blocks A/7204 and B/7205 of the Charles B. Horton Addition, an addition to the City of Dallas, according to the plat thereof recorded in Volume 1, Page 207, Map Records of Dallas County, Texas (M.R.D.C.T.), and also being a part of that tract of land conveyed to Palestine Concrete Tile Company, L.P., according to the general warranty deed thereof recorded in Volume 2004209, Page 175, Deed Records of Dallas County, Texas (D.R.D.C.T.), and being a portion of land to be acquired for public road by City Council Resolution No. 101330, dated May 26, 2010, referencing Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, and being more particularly described as follows:

COMMENCING at a $\frac{5}{8}$ -inch iron rod found in the common corner of Lot 1 and Lot 2, Block D/7202, Turnpike West Proper, an addition to the City of Dallas according to the plat thereof recorded in Instrument Number 200600198974, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said point also being in the existing east right-of-way line of Chalk Hill Road (variable width right-of-way);

THENCE North 14 degrees 41 minutes 55 seconds West, along said east right-of-way line of Chalk Hill Road and the west line of said Lot 1, Block D/7202, a distance of 35.04 feet to a $\frac{1}{2}$ -inch iron rod found in the most westerly northwest corner of said Lot 1, Block D/7202, said point also being the common corner with the remainder of Lot 5, Block B/7205, Charles B. Horton Addition, an addition to the City of Dallas, according to the plat thereof recorded in Volume 1, Page 207, M.R.D.C.T. for the POINT OF BEGINNING of the herein described tract of land, said point also being the southwest corner of said Palestine Concrete Tile Company tract;

THENCE North 14 degrees 50 minutes 49 seconds West, along said existing east right-of-way line of Chalk Hill Road, same being the west line of said Palestine Concrete Tile Company tract, a distance of 691.08 feet to a $\frac{1}{2}$ -inch iron rod found in the northwest corner of Lot 1, of said Block A/7204, Charles B. Horton Addition for the northwest corner of the herein described tract of land, said point also being the northwest corner of said Palestine Concrete Tile Company tract, said point also being in the south line of Missouri Pacific Railroad Company right-of-way, according to the deed thereof recorded in Volume Y, Page 299, D.R.D.C.T.;

EXHIBIT A

THENCE North 75 degrees 01 minute 00 seconds East, departing said existing east right-of-way line of Chalk Hill Road and along the north line of said Lot 1, Block A/7204, same being said south line of Missouri Pacific Railroad Company right-of-way and the north line of said Palestine Concrete Tile Company tract, a distance of 12.00 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new east right-of-way alignment of Chalk Hill Road, as approved by said Council Resolution;

THENCE South 14 degrees 54 minutes 23 seconds East, departing said north line of Lot 1, Block A/7204 and said south line of Missouri Pacific Railroad Company right-of-way, and along said new east right-of-way alignment of Chalk Hill Road, as shown on said Council Alignment Map 221R-27, approved by said Council Resolution, a distance of 690.73 feet to a ½-inch iron rod with cap (monument set for previous survey) in the south line of said Palestine Concrete Tile Company tract, same being in the north line of said Lot 1, Block D/7202;

THENCE South 73 degrees 26 minutes 56 seconds West, departing said new east right-of-way alignment of Chalk Hill Road, as shown on said Council Alignment Map 221R-27, approved by said Council Resolution and along the common line of said Palestine Concrete Tile Company tract and Lot 1, Block D/7202, a distance of 12.73 feet to the POINT OF BEGINNING and containing 8,541 square feet or 0.196 acre of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



Siang W. Lim
12/6/2011

FIELD NOTES O.K.

DER 12-8-11

N 75° 01' 00" E
12.00'



8,541 SQUARE FEET
(0.196 ACRE)
TO BE ACQUIRED FOR PUBLIC ROAD
BY CITY OF DALLAS COUNCIL
RESOLUTION NO. 101330

C.M. CONTROLLING MONUMENT
○ IRON ROD FOUND (I.R.F.)
● 1/2-INCH IRON ROD SET (I.R.S.) WITH
YELLOW PLASTIC CAP STAMPED
"LIM ASSOC"
* DENOTES MONUMENT SET FOR
PREVIOUS SURVEY



12/6/2011

LOT 1, BLOCK D/7202
TURNPIKE WEST PROPER "addition"
INST. NO. 200600198974
O.P.R.D.C.T.

UNITED STATES
COLD STORAGE, LP
INST. NO. 20070332447
O.P.R.D.C.T.

LOT 2
TURNPIKE WEST PROPER "addition"
INST. NO. 200600198974
O.P.R.D.C.T.

TURNPIKE WEST, LCC
VOL. 2004230, PG. 9010
D.R.D.C.T.

8,541 SQUARE FEET
(0.196 ACRE)
TO BE ACQUIRED
FOR PUBLIC ROAD
BY THE CITY COUNCIL
RESOLUTION NO. 101330

PAGE 3 OF 3

ORIGINAL TOWN OF EAGLE FORD "addition"
VOL. Y PG. 229
M.R.D.C.T.
BLOCK 21/7183
20' ALLEY

FIELD NOTES O.K.

12-8-4

FANNIE STREET
(VARIABLE WIDTH R.O.W.)

ORIGINAL TOWN OF EAGLE FORD "addition"
VOL. Y, PG. 229
M.R.D.C.T.

EXISTING R.O.W.

P.O.B.

CHIPPEWA STREET
(VARIABLE WIDTH R.O.W.)

**BLOCK
33/7189**



& ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

EXHIBIT B

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

WARRANTY DEED

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

That Headwaters Construction Materials, LLC, a Texas limited liability company, as successor to Paletine Concrete Tile Company, LP, a Texas limited partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of ONE HUNDRED TEN THOUSAND FIVE HUNDRED FOURTEEN AND NO/100 DOLLARS (\$110,514.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: None

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

EXECUTED this _____ day of _____, _____.

Headwaters Construction Materials, LLC,
a Texas limited liability company

By: _____
Bobby Whisnant, President

EXHIBIT B

* * * * *

STATE OF _____ ,

COUNTY OF _____ ,

This instrument was acknowledged before me on _____
by Bobby Whisnant, President of Headwaters Construction Materials, LLC, a Texas
limited liability company, on behalf of said limited liability company.

Notary Public, State of _____

* * * * *

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

Warranty Deed Log No. 37503 / City Blocks A/7204 and B/7205

EXHIBIT A

**An 8,541 square foot (0.196 acre)
tract of land in Lots 1 thru 8, Block A/7204,
Lots 1 thru 4 and remainder of Lot 5, Block B/7205,
and in an abandoned street,
Horace Burnham Survey, Abstract No. 106,
City of Dallas, Dallas County, Texas
to be acquired for a public road,
as established by the City of Dallas Council Resolution No. 101330
from Palestine Concrete Tile Company, L.P.**

FIELD NOTES O.K.

o.e. Remate 12-8-11

BEING an 8,541 square foot (0.196 acre) tract of land situated in the Horace Burnham Survey, Abstract No. 106, in the City of Dallas, Dallas County, Texas, lying in Lots 1 thru 8, Block A/7204; Lots 1 thru 4 and the remainder of Lot 5, Block B/7205; and in the abandoned street lying between said Blocks A/7204 and B/7205 of the Charles B. Horton Addition, an addition to the City of Dallas, according to the plat thereof recorded in Volume 1, Page 207, Map Records of Dallas County, Texas (M.R.D.C.T.), and also being a part of that tract of land conveyed to Palestine Concrete Tile Company, L.P., according to the general warranty deed thereof recorded in Volume 2004209, Page 175, Deed Records of Dallas County, Texas (D.R.D.C.T.), and being a portion of land to be acquired for public road by City Council Resolution No. 101330, dated May 26, 2010, referencing Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, and being more particularly described as follows:

COMMENCING at a $\frac{5}{8}$ -inch iron rod found in the common corner of Lot 1 and Lot 2, Block D/7202, Turnpike West Proper, an addition to the City of Dallas according to the plat thereof recorded in Instrument Number 200600198974, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said point also being in the existing east right-of-way line of Chalk Hill Road (variable width right-of-way);

THENCE North 14 degrees 41 minutes 55 seconds West, along said east right-of-way line of Chalk Hill Road and the west line of said Lot 1, Block D/7202, a distance of 35.04 feet to a $\frac{1}{2}$ -inch iron rod found in the most westerly northwest corner of said Lot 1, Block D/7202, said point also being the common corner with the remainder of Lot 5, Block B/7205, Charles B. Horton Addition, an addition to the City of Dallas, according to the plat thereof recorded in Volume 1, Page 207, M.R.D.C.T. for the POINT OF BEGINNING of the herein described tract of land, said point also being the southwest corner of said Palestine Concrete Tile Company tract;

THENCE North 14 degrees 50 minutes 49 seconds West, along said existing east right-of-way line of Chalk Hill Road, same being the west line of said Palestine Concrete Tile Company tract, a distance of 691.08 feet to a $\frac{1}{2}$ -inch iron rod found in the northwest corner of Lot 1, of said Block A/7204, Charles B. Horton Addition for the northwest corner of the herein described tract of land, said point also being the northwest corner of said Palestine Concrete Tile Company tract, said point also being in the south line of Missouri Pacific Railroad Company right-of-way, according to the deed thereof recorded in Volume Y, Page 299, D.R.D.C.T.;

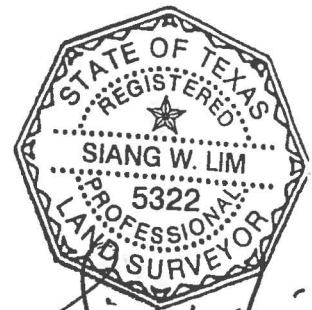
EXHIBIT A

THENCE North 75 degrees 01 minute 00 seconds East, departing said existing east right-of-way line of Chalk Hill Road and along the north line of said Lot 1, Block A/7204, same being said south line of Missouri Pacific Railroad Company right-of-way and the north line of said Palestine Concrete Tile Company tract, a distance of 12.00 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new east right-of-way alignment of Chalk Hill Road, as approved by said Council Resolution;

THENCE South 14 degrees 54 minutes 23 seconds East, departing said north line of Lot 1, Block A/7204 and said south line of Missouri Pacific Railroad Company right-of-way, and along said new east right-of-way alignment of Chalk Hill Road, as shown on said Council Alignment Map 221R-27, approved by said Council Resolution, a distance of 690.73 feet to a ½-inch iron rod with cap (monument set for previous survey) in the south line of said Palestine Concrete Tile Company tract, same being in the north line of said Lot 1, Block D/7202;

THENCE South 73 degrees 26 minutes 56 seconds West, departing said new east right-of-way alignment of Chalk Hill Road, as shown on said Council Alignment Map 221R-27, approved by said Council Resolution and along the common line of said Palestine Concrete Tile Company tract and Lot 1, Block D/7202, a distance of 12.73 feet to the POINT OF BEGINNING and containing 8,541 square feet or 0.196 acre of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



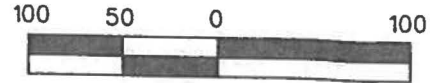
Siang W. Lim
12/6/2011

FIELD NOTES O.K.

PER 12-8-11

N 75° 01' 00" E
12.00'

EXHIBIT A



SCALE: 1"=100'

8,541 SQUARE FEET
(0.196 ACRE)
TO BE ACQUIRED FOR PUBLIC ROAD
BY CITY OF DALLAS COUNCIL
RESOLUTION NO. 101330

LEGEND:

- C.M. CONTROLLING MONUMENT
- IRON ROD FOUND (I.R.F.)
- 1/2-INCH IRON ROD SET (I.R.S.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"
- * DENOTES MONUMENT SET FOR PREVIOUS SURVEY



12/6/2011

ORIGINAL TOWN OF EAGLE FORD "addition"
VOL. Y, PG. 229
M.R.D.C.T.
BLOCK 21/7183
20' ALLEY

FANNIE STREET
(VARIABLE WIDTH R.O.W.)

ORIGINAL TOWN OF EAGLE FORD "addition"
VOL. Y, PG. 229
M.R.D.C.T.
EXISTING R.O.W.

CHIPPEWA STREET
(VARIABLE WIDTH R.O.W.)

BLOCK 33/7189

CHALK HILL ROAD

(VARIABLE WIDTH R.O.W.)

N 14° 50' 49" W 691.08'

S 14° 54' 23" E 690.73'

N 14° 41' 55" W 35.04'

N 14° 41' 55" W 35.04'

N 14° 41' 55" W 35.04'

N 14° 41' 55" W 35.04'

LOT 1
LOT 2
LOT 3
LOT 4
BLOCK A/7204
LOCATION OF NEW R.O.W.
LOCATION OF NEW CENTERLINE 1/2" I.R.F.

LOT 5
LOT 6
LOT 7
LOT 8
CHARLES B. HORTON
ADDITION
VOL. 1, PG. 207, M.R.D.C.T.

ABANDONED LUCY STREET
ORD. #6834
LOT 1
LOT 2
LOT 3
LOT 4
BLOCK B/7205
HORACE BURHAM SURVEY
ABST. NO. 106

REMAINDER OF LOT 5
P.O.B.
1/2" I.R.F.
C.M.
P.O.C.
5/8" I.R.F.
C.M.
AREA TO BE ACQUIRED BY SEPARATE INSTRUMENT
BLOCK D/7202

S 73° 26' 56" W 12.73'

15'

686.62'

686.17'

PALESTINE CONCRETE TILE CO., L.P.
VOL. 2004209, PG. 175
D.R.D.C.T.

LOT 1, BLOCK D/7202
TURNPIKE WEST PROPER "addition"
INST. NO. 200600198974
O.P.R.D.C.T.

UNITED STATES COLD STORAGE LP
INST. NO. 20070332447
O.P.R.D.C.T.

LOT 2
TURNPIKE WEST PROPER "addition"
INST. NO. 200600198974
O.P.R.D.C.T.

TURNPIKE WEST, LCC
VOL. 2004230, PG. 9010
D.R.D.C.T.

8,541 SQUARE FEET
(0.196 ACRE)
TO BE ACQUIRED
FOR PUBLIC ROAD
BY THE CITY COUNCIL
RESOLUTION NO. 101330

PAGE 3 OF 3



& ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel (214) 698-1888 • Fax (214) 698-9881

AGENDA ITEM # 50

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 11
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 4Z

SUBJECT

An ordinance abandoning a portion of a water easement to IMT Capital III Prestonwood LP, the abutting owner, containing approximately 12,366 square feet of land, located near the intersection of Arapaho Road and Dallas North Tollway, and providing for the dedication of approximately 18,037 square feet of land needed for a water easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a water easement to IMT Capital III Prestonwood LP, the abutting owner. The abandonment area will be included with the property of the abutting owner for a multi-family development. The owner will dedicate approximately 18,037 square feet of land needed for a water easement.

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)

Ordinance No. 29509 was approved by Council on October 22, 2014.

Information about this item will be provided to the Economic Development Committee on November 2, 2015.

FISCAL INFORMATION

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

OWNER

IMT Capital III Prestonwood LP

IMT Capital III Prestonwood GP, LLC, General Partner

Cory Thabit, Governing Person

Hohn M. Tesoriero, Governing Person

Bryan Scher, Governing Person

Michael Brown, Governing Person

MAP

Attached



DART LIGHT RAIL LINE

KNOLL TRAIL

DALLAS TOLLWAY

ARAPAHO ROAD



Abandonment Areas

DALLAS PARKWAY

DALLAS TOLLWAY

DALLAS PARKWAY

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a water easement, located in City Block E/8222 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to IMT Capital III Prestonwood LP; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of a new easement, to the City of Dallas and the relocation of existing facilities; 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 a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, on October 22, 2014, the City Council of the City of Dallas, approved Ordinance No. 29509 which provided for the abandonment and quitclaim of a portion of a water easement located in City Block E/8222, Dallas, Dallas County, Texas to IMT Capital III Prestonwood LP, a Delaware limited partnership, subject to a final replat requirement of the adjoining properties within one year after passage of the ordinance and the relocation of existing water mains; and installations and facilities; and

WHEREAS, the final replat was not completed within the specified time period rendering the ordinance now null and void and of no further effect; and

WHEREAS, IMT Capital III Prestonwood LP request the abandonment and quitclaim of the same area as described in Ordinance No. 29509 pursuant to a new abandonment ordinance, subject to the same terms and conditions as for Ordinance No. 29509; and

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of IMT Capital III Prestonwood LP, a Delaware limited partnership; 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 and future effective date 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 Sections 8 and 10, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date 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 property 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 this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said water easement shall not become effective until and unless: (i) the existing water main installations and facilities are relocated, at **GRANTEE's** expense, to the new easement to be provided by **GRANTEE** and acceptable to the Director of Department of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of water main installations within the new easement are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of water main installations are completed, approved and accepted in writing by the Director of Department of Sustainable Development and Construction. All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 10. That as a condition of this abandonment and relinquishment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of adjoining properties within two years after passage of this ordinance showing the dedication of not less than 18,037 square feet for a water easement in City Block E/8222, satisfactory to the Director of Department of Sustainable Development and Construction. This final replat shall be recorded by **GRANTEE** in the Deed Records of Dallas County, Texas after its approval by the City Plan Commission of the City of Dallas. Failure to record a final replat in accordance with the terms of this section shall render this ordinance null and void, and of no further effect. Further, the final replat shall be filed with the Department of Sustainable Development and Construction of the City of Dallas before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 11. That at such time as the instrument described in Section 10 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the Deed Records of Dallas County, Texas; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, the recording of the final replat as set forth in Section 10, 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 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY


Assistant City Attorney

BY


Assistant Director

Passed _____.

**15' WATER EASEMENT
ABANDONMENT
PARKWOOD CENTER
LOTS 1 AND 2, BLOCK E/8222**

EXHIBIT A

BEING a 12,366 square foot tract of land situated in the Robert Wilburn Survey, Abstract No. 1580 of Dallas County, Texas and being a part of Lot 1 and Lot 2, Block E/8222 and created by Parkwood Center, an addition to the City of Dallas, according to the plat thereof, recorded in Volume 93185, Page 4555, Deed Records of Dallas County, Texas, conveyed to IMT Capital III Prestonwood LP by Special Warranty Deed as recorded under Instrument Number 201400073593, Official Public Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found for the northwest corner of said Lot 1, Block E/8222, at the intersection of the east right-of-way line of Dallas North Tollway (variable width Right-of-Way at this point) and the southern right-of-way line of the St. Louis & Southwestern Railroad (100' wide Right-of-Way);

THENCE, South 14 deg. 12 min. 10 sec. East, along the east line of said Dallas North Tollway and the west line of said Lot 1, Block E/8222, a distance of 27.47 feet to the POINT OF BEGINNING;

THENCE, Departing from the east line of said Dallas North Tollway, over and across said Lot 1, Block E/8222 as follows:

North 65 deg. 47 min. 50 sec. East, a distance of 137.28 feet to a point for corner;
South 10 deg. 58 min. 25 sec. East, a distance of 12.33 feet to a point for corner;
North 79 deg. 01 min. 35 sec. East, a distance of 30.00 feet to a point for corner;
South 10 deg. 58 min. 25 sec. East, a distance of 10.00 feet to a point for corner;
South 79 deg. 01 min. 35 sec. West, a distance of 30.00 feet to a point for corner;
South 10 deg. 58 min. 25 sec. East, a distance of 253.91 feet to a point for corner;
South 55 deg. 38 min. 25 sec. East, a distance of 53.54 feet to a point for corner;
South 10 deg. 58 min. 25 sec. East, a distance of 74.10 feet to a point for corner on the southerly line of said Lot 1, Block E/8222 and same being the northerly line of the above described Lot 2, Block E/8222;

THENCE, North 79 deg. 01 min. 35 sec. East, along the common line of said Lots 1 and 2, Block E/8222, a distance of 20.00 feet to a point for corner;

THENCE, Departing from the southerly line of said Lot 1, Block E/8222, over and across said Lot 2, Block E/8222 as follows:

South 10 deg. 58 min. 25 sec. East, a distance of 10.00 feet to a point for corner;
South 79 deg. 01 min. 35 sec. West, a distance of 20.00 feet to a point for corner;
South 10 deg. 58 min. 25 sec. East, a distance of 258.59 feet to a point for corner on the southerly line of said Lot 2, Block E/8222 and same being the north right-of-way line of Arapaho Road (110' wide Right-of-Way) and said point being in a non-tangent curve to the right, having

REVIEWED BY

JS 04.29.2014
SPRG 2926

**15' WATER EASEMENT
ABANDONMENT
PARKWOOD CENTER
LOTS 1 AND 2, BLOCK E/8222**

EXHIBIT A

a radius of 1,092.50 feet and bears South 80 deg. 53 min. 15 sec. West – 171.48 feet from a 1/2 inch iron rod found for the southeast corner of said Lot 2, Block E/8222;

THENCE, Along the common line of said Lot 2, Block E/8222 and Arapaho Road, with said curve to the right, having a chord of South 85 deg. 47 min. 05 sec. West – 15.10 feet, through a central angle of 00 deg. 47 min. 32 sec. and along an arc length of 15.11 feet to a point for corner;

THENCE, Over and across said Lot 2, Block E/8222 and Lot 1, Block E/8222 as follows:

North 10 deg. 58 min. 25 sec. West, a distance of 334.75 feet to a point for corner;
North 55 deg. 38 min. 25 sec. West, a distance of 53.54 feet to a point for corner;
North 10 deg. 58 min. 25 sec. West, a distance of 263.47 feet to a point for corner;
South 65 deg. 47 min. 50 sec. West, a distance of 120.99 feet to a point for corner on the west line of said Lot 1, Block E/8222 and east right-of-way line of said Dallas North Tollway;

THENCE, North 14 deg. 12 min. 10 sec. West, along the common line of said Lot 1, Block E/8222 and Dallas North Tollway, a distance of 15.23 feet to the POINT OF BEGINNING and containing 12,366 square feet or 0.284 acres of land.

The Reference Bearing is North 65 deg. 47 min. 50 sec. East along the north line of Lot 1, Block E/8222 of Parkwood Center, an addition to the City of Dallas, according to the plat thereof, recorded in Volume 93185, Page 4555, Deed Records of Dallas County, Texas.

A Survey Plat of equal date accompanies this metes and bounds description.

Prepared Under My Hand and Seal,
This 21st Day of April, 2014.

REVIEWED BY

Prepared By:

LR 04.29.2014
SPRG 2926

Ringley & Associates, Inc.
Texas Firm Registration No. 10061300
701 S. Tennessee Street
McKinney, Texas 75069
(972) 542-1266



EXHIBIT A

POINT OF COMMENCING

POINT OF BEGINNING

DALLAS NORTH TOLLWAY
(Variable Width R.O.W.)



SCALE: 1" = 100'



LEGEND

O.P.R.D.C.T. = Official Public Records, Dallas County, Texas
D.R.D.C.T. = Deed Records, Dallas County, Texas
Inst. No. = Instrument Number
Vol. = Volume
Pg. = Page
R.O.W. = Right-of-Way
CM = Controlling Monument
IRF = Iron Rod Found

15' WATER EASEMENT ABANDONMENT PARKWOOD CENTER Lots 1 and 2, Block E/8222

ST. LOUIS &
SOUTHWESTERN RAILROAD
(100' R.O.W.)
DALLAS AREA RAPID TRANSIT
Vol. 88083, Pg. 4905
D.R.D.C.T.

N 65°47'50" E - 460.61'
(Reference Bearing)

15' SANTARY SEWER
EASEMENT
Vol. 79116, Pg. 1167
D.R.D.C.T.

15' WASTEWATER EASEMENT
Vol. 93185, Pg. 4555
O.P.R.C.C.T.

15490 DALLAS PARKWAY

IMT CAPITAL III
PRESTONWOOD LP
Inst. No. 201400073593
O.P.R.D.C.T.

LOT 1, BLOCK E/8222
PARKWOOD CENTER
Vol. 93185, Pg. 4555
D.R.D.C.T.

PRESTONWOOD VILLAGE II
Vol. 81028, Pg. 928
D.R.D.C.T.

ROBERT WILBURN SURVEY
ABSTRACT NO. 1580

15' WATER
EASEMENT
ABANDONMENT
12,366 Sq. Ft.
0.284 Acres

PRESTONWOOD PARTNERS, LTD.
Vol. 2000136, Pg. 3001
D.R.D.C.T.

15440 DALLAS PARKWAY

IMT CAPITAL III
PRESTONWOOD LP
Inst. No. 201400073593
O.P.R.D.C.T.

LOT 2, BLOCK E/8222
PARKWOOD CENTER
Vol. 93185, Pg. 4555
D.R.D.C.T.

REVIEWED BY
04.19.2014
SPRG 2926

ARAPAHO ROAD
(110' R.O.W.)



RINGLEY & ASSOCIATES, INC.

SURVEYING • MAPPING • PLANNING
Texas Firm Registration No. 10061300
701 S. Tennessee - McKinney, Texas 75069
(972) 542-1266

Drawn by	Date	Scale
Mark Hark	04/21/14	1"=100'
Job	Title	Page
13103	13103-EX.DWG	3 of 4

EXHIBIT A

CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	00°47'32"	1092.50'	15.11'	S 85°47'05" W	15.10'

LINE TABLE


LINE	BEARING	DISTANCE
L1	N 65°47'50" E	137.28'
L2	S 10°58'25" E	12.33'
L3	N 79°01'35" E	30.00'
L4	S 10°58'25" E	10.00'
L5	S 79°01'35" W	30.00'
L6	S 55°38'25" E	53.54'
L7	S 10°58'25" E	74.10'
L8	N 79°01'35" E	20.00'
L9	S 10°58'25" E	10.00'
L10	S 79°01'35" W	20.00'
L11	N 55°38'25" W	53.54'
L12	S 65°47'50" W	120.99'
L13	N 14°12'10" W	15.23'

REVIEWED BY
JK 04.29.2014
 SPRG 2926

A metes and bounds description of equal date accompanies this drawing exhibit.

The Reference Bearing is North 65 deg. 47 min. 50 sec. East along the north line of Lot 1, Block E/8222 of Parkwood Center, an addition to the City of Dallas, according to the plat thereof, recorded in Volume 93185, Page 4555, Deed Records of Dallas County, Texas.

**15' WATER EASEMENT
 ABANDONMENT
 PARKWOOD CENTER
 Lots 1 and 2, Block E/8222**

 RINGLEY & ASSOCIATES, INC. <small>SURVEYING • MAPPING • PLANNING Texas Firm Registration No. 10061300 701 S. Tennessee - McKinney, Texas 75069 (972) 542-1266</small>		
Drawn by	Date	Scale
<i>Mark Stach</i>	04/21/14	N.A.
Job	Title	Page
13103	13103-EX.DWG	4 of 4

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 2
DEPARTMENT: Trinity Watershed Management
CMO: Mark McDaniel, 670-3256
MAPSCO: 34N

SUBJECT

Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional excavation for detention pond improvements, mobilization for completion of the stormwater box culvert, and additional material for stormwater pollution prevention for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project – Not to exceed \$171,493, from \$5,031,838 to \$5,203,331 – Financing: General Obligation Commercial Paper Funds

BACKGROUND

The 2012 Bond Program funded the design and construction of the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements Project to alleviate street flooding and improve the existing floodplain. This project installed stormwater drainage and sanitary sewer improvements that will revise the existing floodplain and allow the redevelopment of approximately 37 acres. A construction contract for the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements Project was authorized by City Council on December 11, 2013.

This action will authorize Change Order No. 2 with RKM Utility Services, Inc., to include excavation for the detention pond improvements, mobilization for completion of the stormwater box culverts, and provide additional material for stormwater pollution prevention for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2013
Completed Design	October 2013
Began Construction	March 2014
Complete Construction	November 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Fill Permit 07-03 on November 28, 2007, by Resolution No. 07-3528.

Authorized a professional services contract for engineering design services on February 13, 2013, by Resolution No.13-0321.

Authorized a construction contract with RKM Utility Services, Inc. for the construction of the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements Project on December 11, 2013, by Resolution No. 13-2088.

Authorized an increase in the construction contract with RKM Utility Services, Inc. for the construction of the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements on September 10, 2014, by Resolution No. 14-1480.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - \$171,493.00

Design	
Public Private Partnership Funds	\$134,600.00
Wastewater Capital Improvement Funds	\$5,000.00
Supplemental Agreement No. 1	<u>\$1,870.75</u>
Total Design	\$141,470.75
Construction	\$4,887,413.00
Change Order No. 1	\$144,425.00
Change Order No. 2 (this action)	<u>\$171,493.00</u>
Total Construction Cost	\$5,203,331.00
Total Project Cost	\$5,344,801.75

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

RKM Utility Services, Inc.

Hispanic Female	4	Hispanic Male	290
African-American Female	0	African-American Male	55
Other Female	0	Other Male	0
White Female	7	White Male	75

OWNER(S)

RKM Utility Services, Inc.

Ryan Dowdy, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional excavation for detention pond improvements, mobilization for completion of the stormwater box culvert, and additional material for stormwater pollution prevention for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project – Not to exceed \$171,493, from \$5,031,838 to \$5,203,331 – Financing: General Obligation Commercial Paper Funds

RKM Utility Services, Inc. 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	\$171,493.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$171,493.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

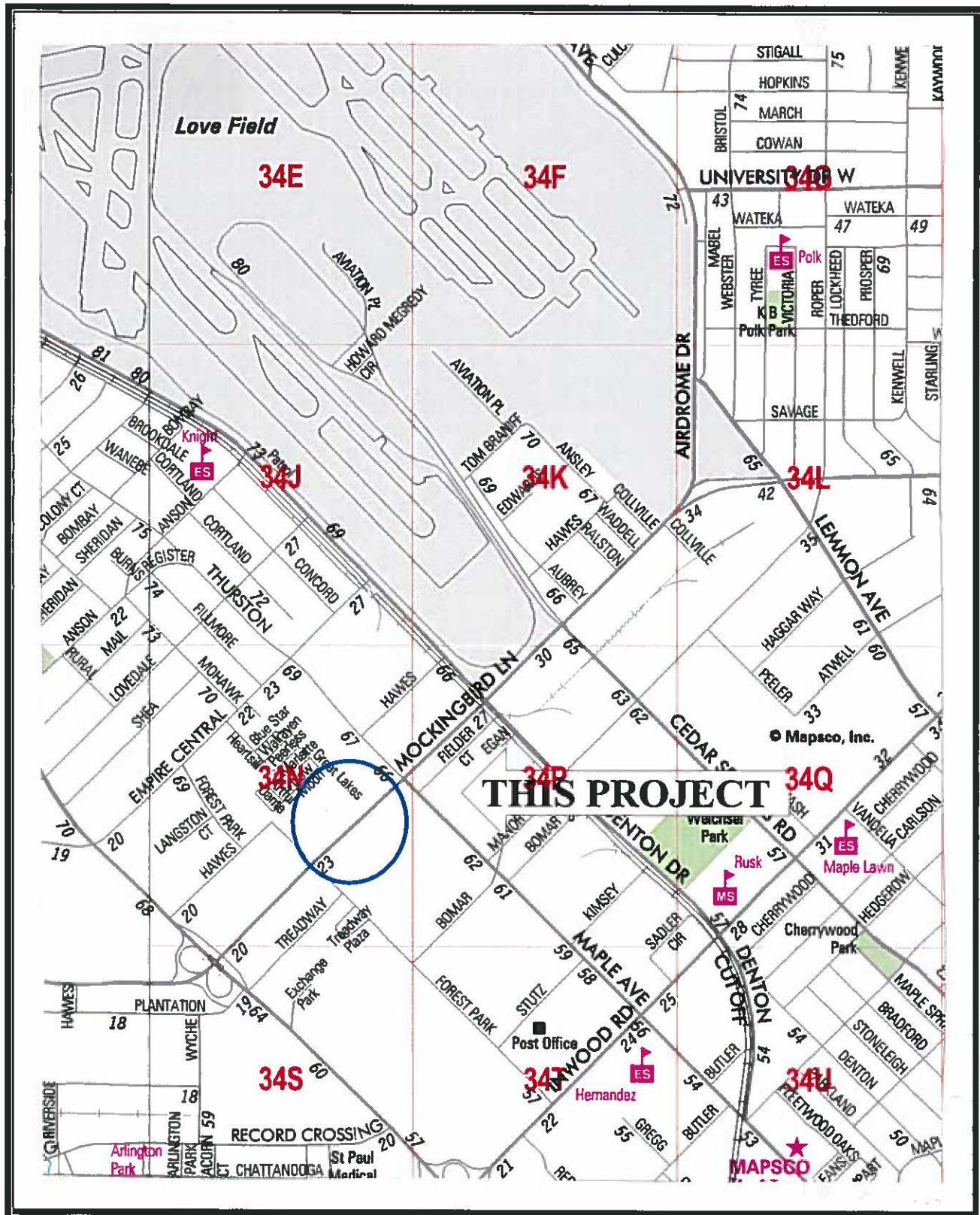
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$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%	\$1,302,500.00	25.03%
Total	\$0.00	0.00%	\$1,302,500.00	25.03%

MOCKINGBIRD – MAPLE FLOOD MANAGEMENT PROJECT



MAPSCO 34N

November 10, 2015

WHEREAS, on November 28, 2007, Resolution No. 07-3528 authorized Fill Permit 07-03 for the Forest Park/Mockingbird Retail Development; and

WHEREAS, on February 13, 2013, Resolution No. 13-0321 authorized a professional services contract for engineering design services with URS Corporation in an amount not to exceed \$139,600.00; and

WHEREAS, on November 5, 2013, Administrative Action No. 13-1248 authorized Supplemental Agreement No. 1 to the professional services contract with URS Corporation for additional services needed for the stormwater drainage and wastewater improvements in an amount not to exceed \$1,870.75, increasing the contract from \$139,600.00 to \$141,470.75; and

WHEREAS, on December 11, 2013, Resolution No. 13-2088 authorized a construction contract with RKM Utility Services, Inc. for construction services for the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements Project in the amount of \$4,887,413.00; and

WHEREAS, on September 10, 2014, Resolution No. 14-1480 authorized Change Order No. 1 to the construction contract with RKM Utility Services, Inc. for additional stormwater drainage, wastewater and paving improvements in the amount of \$144,425.00, increasing the contract from \$4,887,413.00 to \$5,031,838.00; and

WHEREAS, it is necessary to authorize an increase in the construction contract with RKM Utility Services, Inc. to include excavation for the detention pond improvements, mobilization for completion of the stormwater box culverts, and additional material for stormwater pollution prevention (Change Order No. 2) for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project, in an amount not to exceed \$171,493.00, increasing the contact from \$5,031,838.00 to \$5,203,331.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute an increase in the construction contract with RKM Utility Services, Inc. to include excavation for the detention pond improvements, mobilization for completion of the stormwater box culverts, and additional material for stormwater pollution prevention (Change Order No. 2) for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project, in an amount not to exceed \$171,493.00, increasing the contact from \$5,031,838.00 to \$5,203,331.00.

November 10, 2015

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

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S767, Activity FLDM
Object 4540, Program #TW12S767, CT TWM12S7671
Vendor No. VS0000026242, in an amount not to exceed \$171,493.00

Section 3. That this resolution shall take effective 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 # 52

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 9

DEPARTMENT: Trinity Watershed Management
Public Works Department

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

MAPSCO: 36H 37E and 37J

SUBJECT

Authorize an increase in the construction contract with SJ Louis Construction of Texas, Ltd. for additional local drainage improvements and fiber optic cable relocation for the Rush Creek Diversion System and Drainage Improvements Project – Not to exceed \$464,264, from \$9,741,571 to \$10,205,835 – Financing: 2003 Bond Funds (\$144,260) and 2006 Bond Funds (\$320,004)

BACKGROUND

The Rush Creek Diversion System and Drainage Improvements Project was funded in the 2006 Bond Program and consists of a large box culvert with an inlet structure at Ridgewood Park and an outfall at Williamson Branch near White Rock Lake. This project also included local drainage system improvements in Axton, Santa Anita and Ridgemont Streets. Collectively, these improvements will eliminate twenty homes from the 100-year floodplain and reduce the flooding potential on additional properties. A construction contract for the Rush Creek Diversion System and Drainage Improvements was authorized by Council on June 22, 2011.

During the installation of the concrete box culverts, an existing Qwest Communication fiber optic line was encountered that delayed the work progress. In addition, a portion of the fiber optic line was damaged during construction and required relocation and repair. Full width paving, including curb and gutter, was authorized in the neighborhood impacted by the local drainage improvements. This action will authorize Change Order No. 4 to the construction contract with SJ Louis Construction of North Texas, Ltd. for additional fiber optic line repair and relocation and full width paving in the area neighborhood.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2006
Completed Design	April 2010
Began Construction	October 2011
Complete Construction	July 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HDI Group, Inc. for engineering services for the design of concrete box culverts for Rush Creek at Patrick Avenue and Trammel Drive crossings on April 12, 2006, by Resolution No. 06-1036.

Authorized Supplemental Agreement No. 1 with LopezGarcia Group, Inc. for additional engineering services for the design of concrete box culverts for the Rush Creek Diversion System and Drainage Improvements Project at the Patrick Avenue and Trammel Drive crossings on May 23, 2007, by Resolution No. 07-1545.

Authorized a professional services contract with LopezGarcia Group, Inc. for engineering services for the Rush Creek Diversion System and Drainage Improvements Project on September 26, 2007, by Resolution No. 07-2831.

Authorized Supplemental Agreement No. 1 with LopezGarcia Group, Inc. a wholly owned subsidiary of URS Corporation for additional engineering services for the Rush Creek Relief/Diversion System on October 28, 2009, by Resolution No. 09-2645.

Authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering services for the Rush Creek Diversion System and Drainage Improvements Project on February 10, 2010, by Resolution No. 10-0480.

Authorized Supplemental Agreement No. 3 with LopezGarcia Group Inc., a wholly owned subsidiary of URS Corporation for additional engineering services for additional engineering design services of concrete box culverts for Rush Creek Diversion System and Drainage Improvements Project at the Patrick Avenue and Trammel Drive crossings on October 26, 2010, by Resolution No. 10-2750.

Authorized a construction contract with SJ Louis Construction of Texas Ltd. for the construction of Rush Creek Diversion System and Drainage Improvements on June 22, 2011, by Resolution No. 11-1727.

Authorized Change Order No. 2 to the contract with SJ Louis Construction of Texas Ltd., for the construction of the Rush Creek Diversion System and Drainage Improvements Project on April 24, 2013, by Council Resolution No. 13-0718.

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

Authorized Change Order No. 3 to the contract with SJ Louis Construction of Texas Ltd., for the construction of the Rush Creek Diversion System and Drainage Improvements Project on December 11, 2013, by Council Resolution No. 13-2089.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

2003 Bond Funds - \$144,259.53
2006 Bond Funds - \$320,004.44

<u>Design</u>	\$924,015.00
Supplemental Agreement No. 1	\$72,915.00
Supplemental Agreement No. 2	\$646,000.00
Supplemental Agreement No. 3	<u>\$60,007.00</u>

Total Design Cost	\$1,702,937.00
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<u>Construction</u>	
Paving & Drainage	\$8,327,531.39
Water & Wastewater (DWU)	\$864,084.00
Change Order No. 1	\$24,900.00
Change Order No. 2	\$273,371.89
Change Order No. 3	\$251,683.45
Change Order No. 4 (This action)	<u>\$464,263.97</u>

Total Construction Cost	\$10,205,834.70
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Total Project Cost	\$11,908,771.70
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

SJ Louis Construction of Texas, Ltd.

Hispanic Female	3	Hispanic Male	227
African-American Female	0	African-American Male	1
Other Female	0	Other Male	0
White Female	11	White Male	65

OWNER

SJ Louis Construction of Texas, Ltd.

Les V. Whitman, General Manager

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with SJ Louis Construction of Texas, Ltd. for additional local drainage improvements and fiber optic cable relocation for the Rush Creek Diversion System and Drainage Improvements Project – Not to exceed \$464,264, from \$9,741,571 to \$10,205,835 – Financing: 2003 Bond Funds (\$144,260) and 2006 Bond Funds (\$320,004)

SJ Louis Construction of Texas, 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	\$464,263.97	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$464,263.97	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

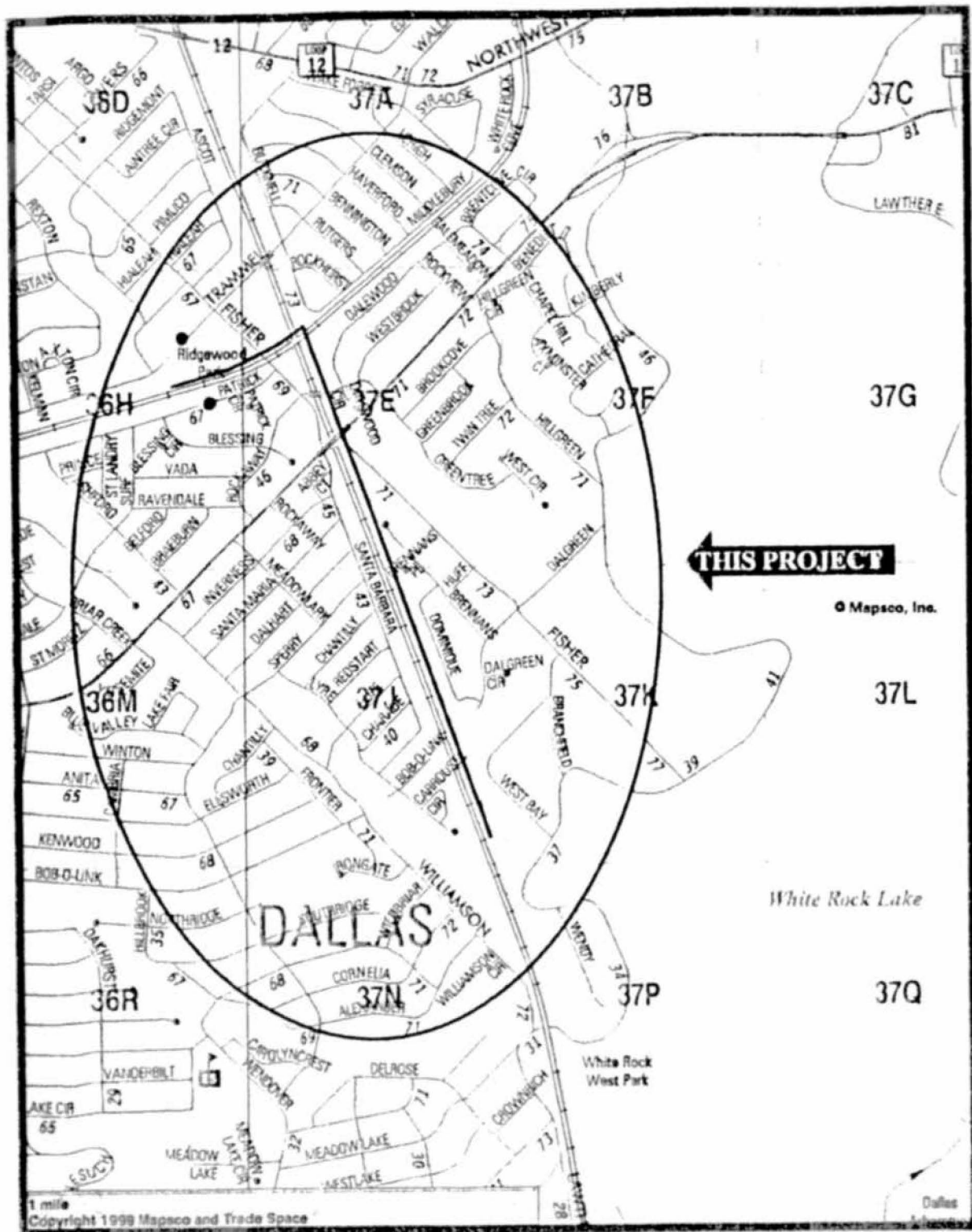
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$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%	\$2,260,614.55	22.15%
Total	\$0.00	0.00%	\$2,260,614.55	22.15%

RUSH CREEK DIVERSION SYSTEM AND DRAINAGE IMPROVEMENTS



MAPSCO 36H, 37E, 37J

November 10, 2015

WHEREAS, on April 12, 2006, Resolution No. 06-1036 authorized a professional services contract with HDI Group Inc. for engineering services for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings in the amount of \$147,670; and,

WHEREAS, on January 10, 2007, Administrative Action No. 07-0242 authorized Supplemental Agreement No. 1 with HDI Group Inc. for the reassignment of the contract with HDI Group Inc. to LopezGarcia Garcia Group, Inc.; and,

WHEREAS, on May 23, 2007, Resolution No. 07-1545 authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc. for additional engineering design and surveying services related to the hydraulic modeling for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings in the amount of \$48,790, from \$147,670 to \$196,460; and,

WHEREAS, on September 26, 2007, Resolution No. 07-2831 authorized a professional services contract with LopezGarcia Group, Inc. for engineering services for the Rush Creek Relief/Diversion System in the amount of \$755,840; and,

WHEREAS, on October 13, 2009, Administrative Action No. 09-2849 authorized professional services contract with Newman, Jackson, Bieberstein Landscape Architecture for Ridgewood Park Playground and Site Improvements related to the Rush Creek Relief/Diversion System in the amount of \$20,505; and,

WHEREAS, on October 28, 2009, Resolution No. 09-2645 authorized Supplemental Agreement No. 1 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering design and surveying services related to the water and wastewater main relocations at various locations in close proximity to the proposed local drainage system in the amount of \$69,140 from \$755,840 to \$824,980; and,

WHEREAS, on February 10, 2010, Resolution No. 10-0480 authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering design and surveying services related to the new alignment for the Rush Creek Relief/Diversion System in the amount of \$597,210, from \$824,980 to \$1,422,190; and,

WHEREAS, on October 26, 2010, Resolution No. 10-2750 authorized Supplemental Agreement No. 3 with LopezGarcia Group Inc., a wholly owned subsidiary of URS Corporation for additional engineering design services for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings in the amount of \$60,007, from \$196,460 to \$256,467; and,

November 10, 2015

WHEREAS, on November 19, 2010 Administrative Action No. 11-0454 authorized Supplemental Agreement No. 2 with Newman, Jackson, Bieberstein Landscape Architecture for Ridgewood Park Playground and Site Improvements related to the Rush Creek Relief/Diversion System in the amount of \$3,575.00, increasing the contract from \$20,505 to \$24,080; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1727 authorized reprogramming of the following two canceled projects from the 2003 Bond Program: Rush Creek Culvert at Fisher (\$284,870) and Rush Creek Culvert at Dalgreen (\$292,754) and used \$577,624 for the Rush Creek Diversion System and Drainage Improvements Project; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1727 authorized a construction contract with SJ Louis Construction of Texas, Ltd., Inc. for construction services for the Rush Creek Relief/Diversion System project in the amount of \$9,191,615.39; and,

WHEREAS, on February 9, 2012, Administrative Action No. 12-0436 authorized Change Order No. 1 to the contract with SJ Louis Construction of Texas, Ltd., for the relocation of an existing fiber optic cable for the Rush Creek Relief/Diversion System Project in the amount of \$24,900.00 increasing the contract from \$9,191,615.39 to \$9,216,515.39; and,

WHEREAS, on April 24, 2013 Resolution No. 13-0718 authorized Change Order No. 2 to the contract with SJ Louis Construction of Texas, Inc., for additional water and wastewater services and additional paving improvements for the Rush Creek Relief/Diversion System Project in the amount of \$273,371.89 increasing the contract from \$9,216,515.39 to \$9,489,887.28; and,

WHEREAS, on December 11, 2013 Resolution No. 13-2089 authorized Change Order No. 3 to the contract with SJ Louis Construction of Texas, Inc., for additional water and wastewater services and additional paving improvements for the Rush Creek Relief/Diversion System Project in the amount of \$251,683.45 increasing the contract from \$9,489,887.28 to 9,741,570.73 and,

WHEREAS, it is necessary to authorize Change Order No. 4 to the contract with S.J. Louis Construction of Texas, Ltd., for additional diversion drainage improvements, trash grate, and unforeseen underground utility relocation for the Rush Creek Relief/Diversion System Project in the amount of \$464,263.97 increasing the contract from \$9,741,570.73 to \$10,205,834.70 and,

November 10, 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 execute Change Order No. 4 to the contract with S.J. Louis Construction of Texas Ltd. for additional local drainage improvements, Ridgewood Park enhancements and pedestrian safety improvements for the Rush Creek Diversion System and Drainage Improvements Project in an amount not to exceed \$464,263.97 increasing the contract from \$9,741,570.73 to \$10,205,834.70.

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

Flood Protection and Storm Drainage Facilities Fund
Fund 6R23, Dept. PBW, Unit T533, Act. FLDM
Object 4540, Program PB06T533, CT PBW06T533I2
Vendor #356847, in an amount not to exceed \$144,259.53

Flood Protection and Storm Drainage Facilities Fund
Fund 8T23, Dept. PBW, Unit T533, Act. FLDM
Object 4540, Program PB06T533, CT PBW06T533I2
Vendor #356847, in an amount not to exceed \$9,922.13

Flood Protection and Storm Drainage Facilities Fund
Fund 7T23, Dept. PBW, Unit T533, Act. FLDM
Object 4540, Program PB06T533, CT PBW06T533I2
Vendor #356847, in an amount not to exceed \$240,669.42

Flood Protection and Storm Drainage Facilities Fund
Fund BT23, Dept. TWM, Unit T533, Act. FLDM
Object 4540, Program PB06T533, CT PBW06T533I2
Vendor #356847, in an amount not to exceed \$69,412.89

Total not to exceed \$464,263.97

Section 3. That this resolution shall take effective 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: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study, and Zebra Mussel sampling and Water Quality study on each of the reservoirs in Dallas' water supply system from November 1, 2015 through September 30, 2016 – Not to exceed \$633,825 - Financing: Water Utilities Current Funds (subject to annual appropriations)

BACKGROUND

The United States Geological Survey (USGS) provides basic water quality and flow monitoring data collection services throughout the United States. It is recognized as an unbiased agency whose data is unquestionably accepted by state and federal regulatory agencies. The City of Dallas' current contract is a cost-sharing agreement with USGS. Obtaining water quality and flow data through a cost sharing program provides the most economical method for Dallas to obtain the needed information.

The cost sharing for this agreement has several components. It includes \$35,975 as City of Dallas' cost share of an agreement between USGS and the cities of Dallas and Fort Worth, and the Trinity River Authority for monitoring of the Trinity River. The total cost to all parties for this portion of the 2015-16 agreement will be \$129,900. The City of Dallas' share is 27.6944 percent of the total costs.

The agreement also includes \$90,630 as the City of Dallas' share of an agreement between the City of Dallas and USGS for the operation and maintenance of stream flow stations. The Denton Creek Gage near Grapevine is required by the Texas Commission on Environmental Quality's Settlement Order on Lake Grapevine. Dallas County Park Cities Municipal Utility District (DCPCMUD) splits the cost with the City of Dallas for this gage. USGS provides stream flow data to the City of Dallas that is used in operating Lake Grapevine, Lake Ray Hubbard, Lake Lewisville and Ray Roberts Lake. The City of Dallas also participates in the collection of water quality monitoring at several stream flow and lake stations.

BACKGROUND (Continued)

The agreement includes \$110,720 as Dallas' share of water quality monitoring. The City of Dallas share of stream flow and water quality monitoring is 84.7 percent of these total costs of \$130,720.

In addition to the stream flow and water quality stations the 2015-16 agreement includes the continuation of a pharmaceutical and personal care products water quality study on the Trinity River and Zebra Mussel sampling and water quality study on Dallas' water supply reservoirs. The City of Dallas share of the investigative study program is \$396,500. The total cost for this portion of the agreement is \$474,000. Dallas' share is approximately 83.65 percent of these total costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Joint Funding Agreement with USGS for Fiscal Year 2011-12 on October 26, 2011, by Resolution No. 11-2852.

Authorized Joint Funding Agreement with USGS for Fiscal Year 2012-13 on September 26, 2012, by Resolution No. 12-2382.

Authorized Joint Funding Agreement with USGS for Fiscal Year 2013-14 on January 8, 2014, by Resolution No. 14-0123.

Authorized Joint Funding Agreement with USGS for Fiscal Year 2014-15 on November 12, 2014, by Resolution No. 14-1936.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$633,825 – Water Utilities Current Funds

November 10, 2015

WHEREAS, the City of Dallas has participated with the United States Geological Survey (USGS) in gauging flows relating to the City's water supply reservoirs, collection of water quality and the flow data in the Trinity River, a pharmaceutical and personal care products water quality study on the Trinity River; and Zebra Mussel sampling and water quality study in Dallas' water supply reservoirs; and,

WHEREAS, the USGS, has submitted a contract to continue the program for the period November 1, 2015 – September 30, 2016, with the City of Dallas share of the cost at \$633,825. The total program cost of \$831,680 is to be shared between USGS, Ft. Worth, Dallas County, Park Cities Municipal Utility District, Dallas, and the Trinity River Authority; and,

WHEREAS, a joint funding agreement is the most cost-effective method for the City of Dallas to obtain the required data.

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 United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study, and Zebra Mussel sampling and Water Quality study on each of the reservoirs in Dallas' water supply system.

Section 2. That the Chief Financial Officer is hereby authorized to pay the sum of \$633,825 from the Water Utilities Current Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0100	DWU	7030	3070	CTDWU7030A1603	157940

United States Geological Survey - \$633,825

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 # 54

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 11

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 26 B

SUBJECT

Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for the installation of a 48-inch wastewater main across U.S. Highway 75 (Central Expressway) just south of Park Central Plaza - Not to exceed \$819,488, from \$9,142,938 to \$9,962,426 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

On March 27, 2013, the City Council authorized a contract with John Burns Construction Company of Texas, Inc. for the installation of water and wastewater mains and replacement of large valves at various locations. Change Order No. 1 to this contract was authorized by the City Council on May 14, 2014, for emergency repairs to a 60-inch wastewater main adjacent to Interstate Highway 45 just north of Overton Road. Change Order No. 2 to this contract was authorized by City Council on May 27, 2015 for emergency repairs to a 30-inch wastewater main in the vicinity of Park Central Place and North Central Expressway.

This action consists of the installation of approximately 317 feet of 48-inch wastewater main across Central Expressway. This 48-inch wastewater main is one of several wastewater mains that Dallas Water Utilities (DWU) is currently designing and constructing near Central Expressway just south of Forest Lane associated with an overall capacity improvement project as recommended in the 2007 Wastewater Collection System Master Plan. Implementation of the project has included coordination of design and construction activities with ongoing commercial development on the east side of Central Expressway. In order to avoid major disruption and future conflicts with the development it is critical to construct the 48-inch pipeline across Central Expressway before the development is completed. By accelerating construction of the highway crossing, DWU will also avoid the added costs associated with restoring new parking and landscaped areas.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2011
Completed Design	November 2012
Began Construction	May 2013
Complete Construction	April 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with EJES, Incorporated to provide engineering design services for the renewal of water and wastewater mains at 31 locations on January 12, 2011, by Resolution No. 11-0186.

Authorized a contract with John Burns Construction Company of Texas, Inc. for the installation of water and wastewater mains and the replacement of large valves at 46 locations on March 27, 2013, by Resolution No. 13-0516.

Authorized an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 60-inch wastewater main and other connected pipelines at the vicinity of Overton Road and Interstate Highway 45 on May 14, 2014, by Resolution No. 14-0766.

Authorized an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 30-inch wastewater main in the vicinity of Park Central Place and North Central Expressway on May 27, 2015, by Resolution No. 15-0979.

Information about this item will be provided to the Transportation & Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

\$819,488.00 - Water Utilities Capital Improvement Funds

Design	\$ 1,049,890.00
Construction Contract	\$ 8,327,447.20
Change Order No. 1	\$ 488,550.00
Change Order No. 2	\$ 326,940.00
Change Order No. 3 (this action)	<u>\$ 819,488.00</u>
Total Project Cost	\$11,012,315.20

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

John Burns Construction Company of Texas, Inc.

Hispanic Female	0	Hispanic Male	45
Black Female	0	Black Male	0
Other Female	0	Other Male	0
White Female	3	White Male	21

OWNER

John Burns Construction Company of Texas, Inc.

John B. O'Malley, Owner

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for the installation of a 48-inch wastewater main across U.S. Highway 75 (Central Expressway) just south of Park Central Plaza - Not to exceed \$819,488, from \$9,142,938 to \$9,962,426 - Financing: Water Utilities Capital Improvement Funds

John Burns Construction Company of Texas, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$686,102.00	83.72%
Non-local contracts	\$133,386.00	16.28%
TOTAL THIS ACTION	\$819,488.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Bussey Trucking	BMMB62596Y0716	\$7,096.00	1.03%
Supreme Sawing & Seal	HMDB15304Y0816	\$326.00	0.05%
Magnum Manhole & Utility, Inc.	WFDB64723Y0416	\$1,007.00	0.15%
Total Minority - Local		\$8,429.00	1.23%

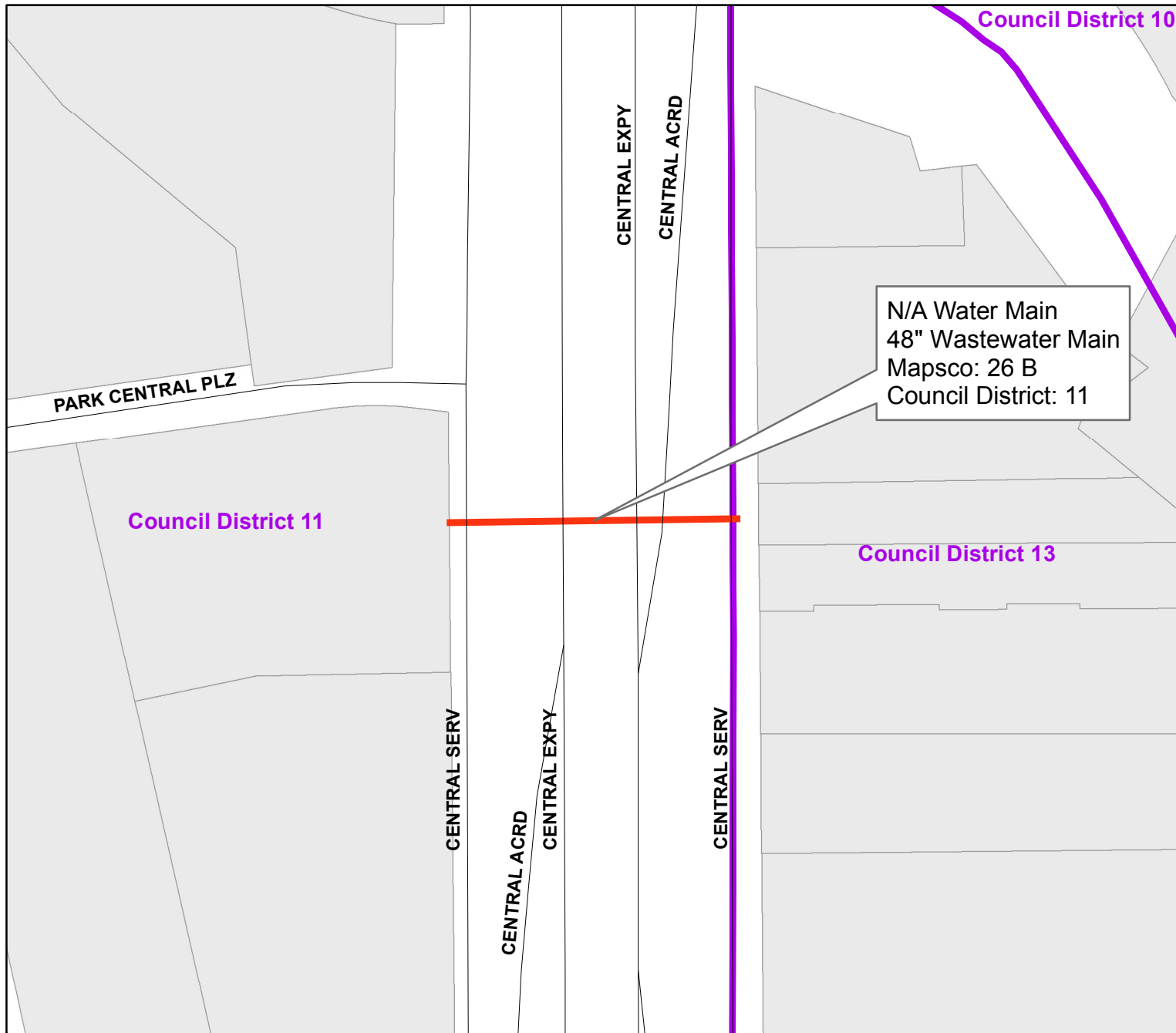
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Buyers Barricades	WFDB24016Y0516	\$3,000.00	2.25%
LB Transportation	WFWB63580N1116	\$2,557.00	1.92%
Total Minority - Non-local		\$5,557.00	4.17%

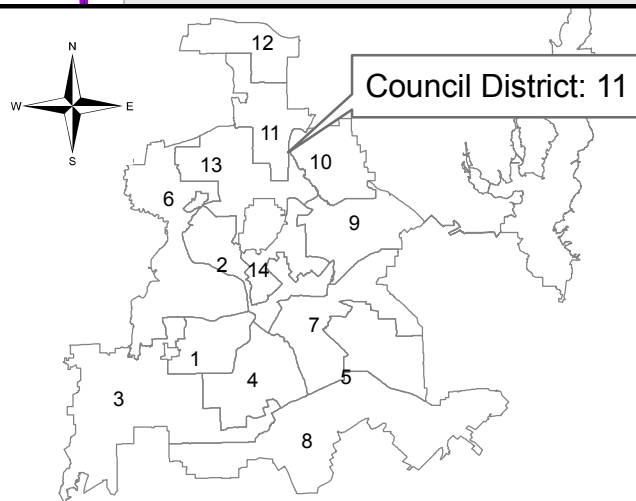
BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY
Page 2

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$7,096.00	0.87%	\$215,963.00	2.17%
Hispanic American	\$326.00	0.04%	\$2,557,827.00	25.67%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$6,564.00	0.80%	\$382,355.00	3.84%
Total	\$13,986.00	1.71%	\$3,156,145.00	31.68%



Easement across U.S. Highway 75
south of Park Central Plaza



Dallas Water Utilities
Contract No. 13-029/030, Change Order No. 3
48" Wastewater Interceptor Installation

November 10, 2015

WHEREAS, on March 27, 2013, the City Council awarded Contract No. 13-029/030 in the amount of \$8,327,447.20, by Resolution No. 13-0516, to John Burns Construction Company of Texas, Inc., for the installation of water and wastewater mains and the replacement of large valves at 46 locations; and,

WHEREAS, on May 14, 2014, the City Council awarded Change Order No. 1 in the amount of \$488,550.00, by Resolution No. 14-0766, for emergency repairs to a 60-inch wastewater main and other connected pipelines in the vicinity of Overton Road and Interstate Highway 45; and,

WHEREAS, on May 27, 2015, the City Council approved Change Order No. 2 in the amount of \$326,940.00, by Resolution No. 15-0979, for emergency repairs to a 30-inch wastewater main in the vicinity of Park Central Place and North Central Expressway; and,

WHEREAS, Dallas Water Utilities has a need to install a 48-inch wastewater main across Central Expressway just south of Park Central Plaza to avoid future conflict with the commercial development in the area; and,

WHEREAS, John Burns Construction Company of Texas, Inc., 655 East Main Street, Lewisville, Texas 75057, has submitted an acceptable proposal for this additional work; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 13-029/030 be increased by \$819,488.00, from \$9,142,937.20 to \$9,962,425.20.

Now, Therefore,

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

Section 1. That the proposed Change Order No. 3 be accepted and that Contract No. 13-029/030 with John Burns Construction Company of Texas, Inc., be revised accordingly.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$819,488.00 from the Wastewater Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
2116	DWU	PS40	4560	713030	CT-DWU713030CPA	199054

John Burns Construction Company of Texas, Inc. - \$819,488.00

November 10, 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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6, 11, Outside City Limits

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 2 T 25 R 33 C G

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with CH2M HILL Engineers, Inc., to provide additional construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and the Walcrest Pump Station Improvements - Not to exceed \$3,111,029, from \$7,575,425 to \$10,686,454 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This action consists of providing construction management services for year three of water quality improvement construction contracts at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant. Construction management services are also being provided for the Walcrest Pump Station Improvements project located at Hillcrest Road and Walnut Hill Lane. This supplemental agreement will provide construction management services necessary to manage and coordinate approximately \$150M of ongoing construction at these sites. This construction management contract was planned as a phased approach to match each fiscal year's construction projects with construction management needs. The intent of the annual authorization via supplemental agreements is to assure continuity in management and review of services.

Construction management services under this contract will plan and coordinate construction projects as the City's representative. This contract will both partner with and augment current City staff assigned to these projects. The construction management firm will be responsible for ensuring that all work is accomplished in accordance with the project plans and specifications, in a manner that meets the operational objectives, negotiating change orders, and aiding in resolution of any conflicts.

BACKGROUND (Continued)

Construction management services are necessary to efficiently schedule and stage complex, simultaneous construction activities with multiple contractors. Additional construction management services include schedule and budget evaluations, value engineering, constructability reviews, accuracy checks on cost estimates, monitoring the quality of the construction work, and documenting the materials, labor and equipment used.

ESTIMATED SCHEDULE OF PROJECT

Began Services September 2013
Complete Services October 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with CH2M HILL Engineers, Inc. to provide construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and relocation of a 48-inch wastewater main along Bachman Lake on August 28, 2013, by Resolution No. 13-1462.

Authorized a Supplemental Agreement No. 1 to the engineering services contract with CH2M HILL Engineers, Inc. for additional engineering services to provide construction management services for construction contracts related to (1) water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant; and (2) relocation of a 48-inch wastewater main just north of the Bachman Lake Dam on October 22, 2014, by Resolution No. 14-1825.

Information about this item will be provided to the Transportation & Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

\$3,111,029.00 - Water Utilities Capital Improvement Funds

Construction Management Services	\$ 3,611,650.00
Supplemental Agreement No. 1	\$ 3,963,775.00
Supplemental Agreement No. 2 (this action)	<u>\$ 3,111,029.00</u>
Total Project Cost	\$10,686,454.00

FISCAL INFORMATION (Continued)

<u>Council District</u>	<u>Amount</u>
6	\$1,252,521.00
11	\$ 791,145.00
Outside City Limits	<u>\$1,067,363.00</u>
Total	\$3,111,029.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

CH2M HILL Engineers, Inc.

Hispanic Female	3	Hispanic Male	6
Black Female	4	Black Male	1
Other Female	0	Other Male	7
White Female	35	White Male	74

OWNER

CH2M HILL Engineers, Inc.

Edward M. Motley, Vice President

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to the professional services contract with CH2M HILL Engineers, Inc., to provide additional construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and the Walcrest Pump Station Improvements - Not to exceed \$3,111,029, from \$7,575,425 to \$10,686,454 - Financing: Water Utilities Capital Improvement Funds

CH2M HILL Engineers, Inc. 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 - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$3,019,329.00	97.05%
Non-local contracts	\$91,700.00	2.95%
TOTAL THIS ACTION	\$3,111,029.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Levis Consulting Group, LLC	BFDB63651Y1115	\$1,680.00	0.06%
Kai/Alliance, LLC	BMMB61714N0516	\$393,967.00	13.05%
Foster CM Group, Inc.	BMMB64036N0117	\$354,181.00	11.73%
Reginald Loftin Photographer	BMDB11783Y0816	\$16,000.00	0.53%
Rita Cox & Company	WFWB64262N0217	\$23,760.00	0.79%
Total Minority - Local		\$789,588.00	26.15%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
All Janitorial Professional Svcs., Inc.	WFDFW224960616	\$11,700.00	12.76%
Total Minority - Non-local		\$11,700.00	12.76%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

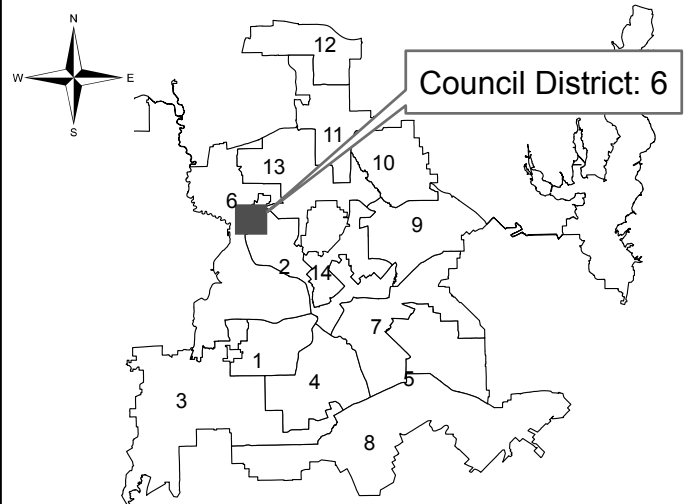
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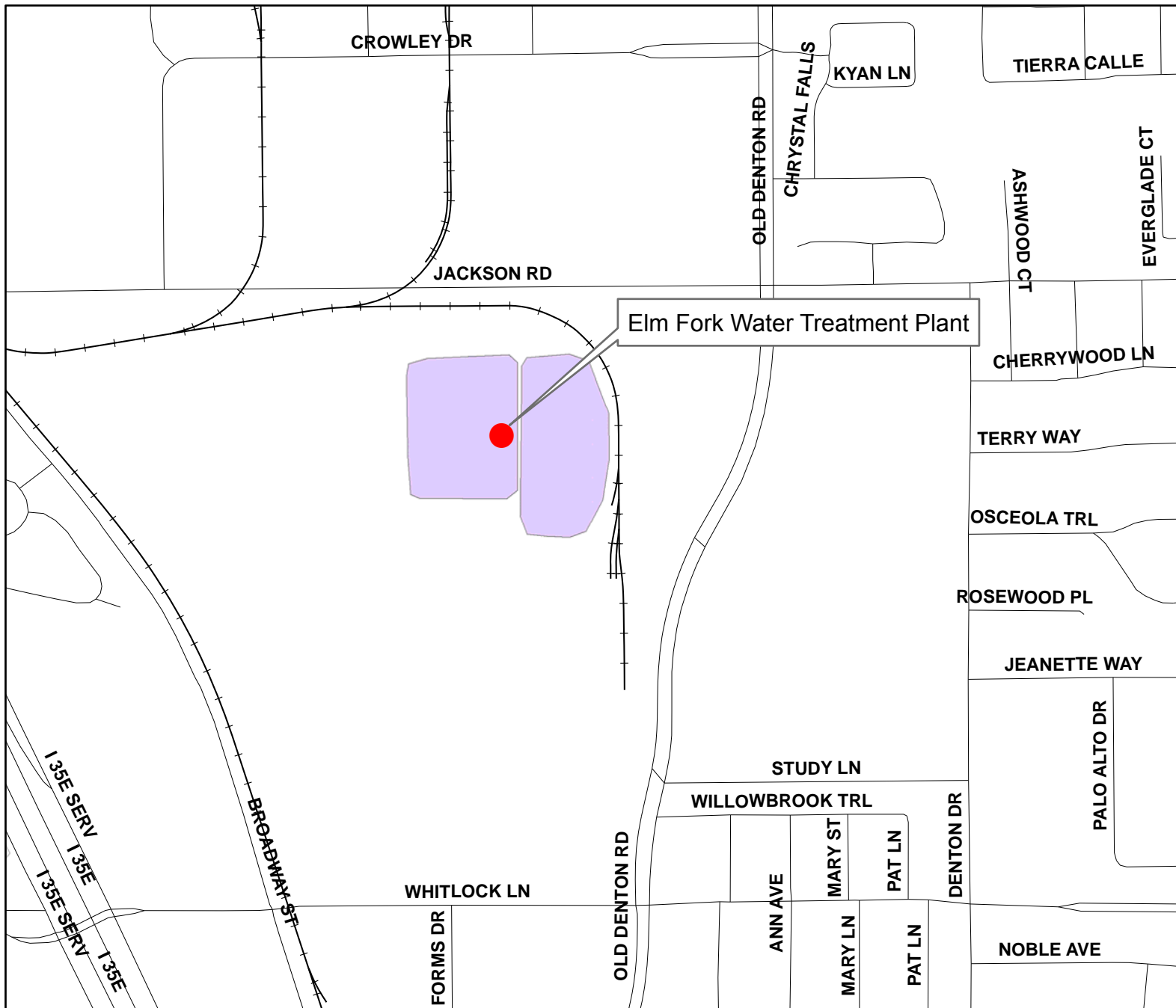
TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$765,828.00	24.62%	\$2,680,321.65	25.08%
Hispanic American	\$0.00	0.00%	\$18,650.00	0.17%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$35,460.00	1.14%	\$80,460.00	0.75%
Total	\$801,288.00	25.76%	\$2,779,431.65	26.01%



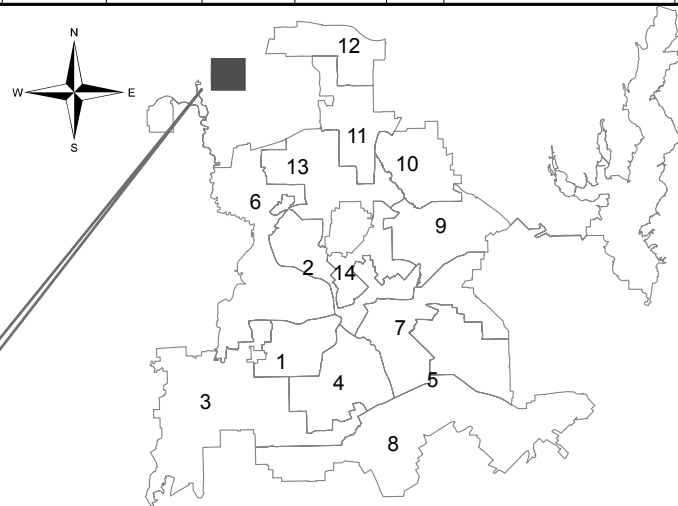
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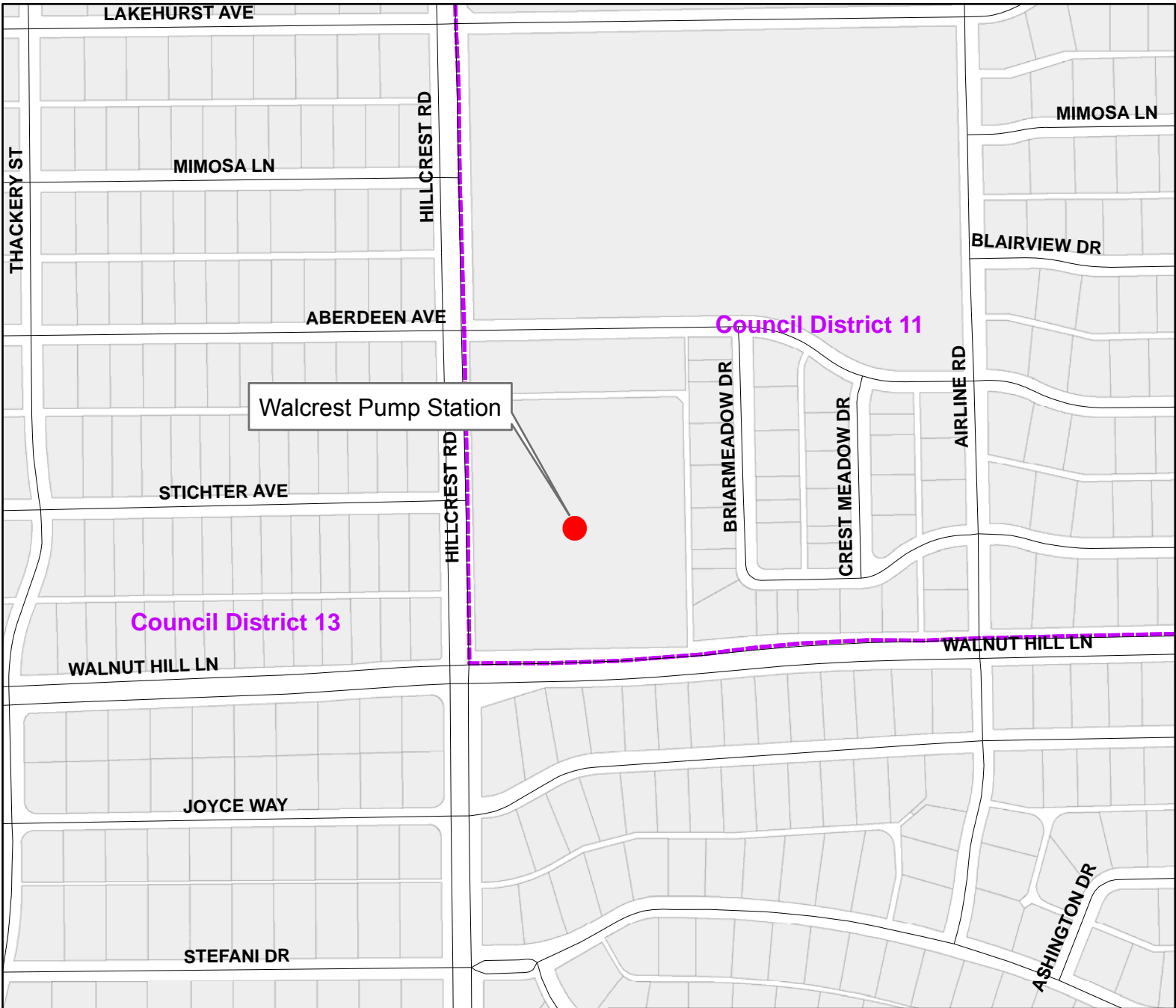


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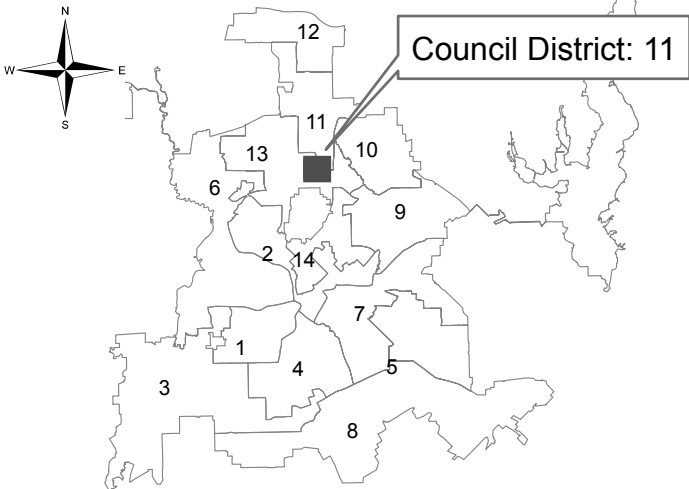
Council District: Outside City Limits



Dallas Water Utilities
Contract No. 12-079E, Supplemental Agreement No. 2
Elm Fork Water Treatment Plant
Construction Management Services for Water Quality Improvements



Mapsc0: 25 R



November 10, 2015

WHEREAS, on August 28, 2013, the City Council awarded Contract No. 12-079E in the amount of \$3,611,650.00, by Resolution No. 13-1462, to CH2M HILL Engineers, Inc., to provide construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant; and,

WHEREAS, on October 22, 2014, the City Council awarded Supplemental Agreement No. 1 in the amount of \$3,963,775.00, by Resolution No. 14-1825, to CH2M HILL Engineers, Inc., for additional engineering services to provide construction management services for construction contracts related to (1) water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant; and (2) relocation of a 48-inch wastewater main just north of the Bachman Lake Dam; and,

WHEREAS, ongoing construction activities at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and the Walcrest Pump Station Improvements project total approximately \$150M of on-going construction at these sites; and,

WHEREAS, additional engineering services are required to supervise, coordinate, and manage the day-to-day activities of multiple contractors; and,

WHEREAS, CH2M HILL Engineers, Inc., 12750 Merit Drive, Suite 1100, Dallas, Texas 75251, has submitted an acceptable proposal to provide these engineering services; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 12-079E be increased by \$3,111,029.00, from \$7,575,425.00 to \$10,686,454.00.

Now, Therefore,

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

Section 1. That the proposed Supplemental Agreement No. 2 be accepted and that Contract No. 12-079E with CH2M HILL Engineers, Inc., be revised accordingly.

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

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$3,111,029.00 from the Water Capital Improvement Fund as follows:

November 10, 2015

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
3115	DWU	PW31	4116	712079	CT-DWU712079CP	VS0000065954

CH2M HILL Engineers, Inc. - (Contract No. 12-079E) - \$3,111,029.00

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: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Water Utilities

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

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains - Fortiline, Inc. in the amount of \$606,850 or \$621,850 (Tie Bid Line 4), HD Supply Waterworks Ltd. in the amount of \$42,874 and Ferguson Enterprises, Inc. in the amount of \$0 or \$15,000 (Tie Bid - Line 4), lowest responsible bidders of three – Total not to exceed \$664,724 - 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 on an as needed basis.

This master agreement will allow for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains. The sampling stations provide a lead free and corrosion resistant environment for regulated sampling programs within the potable water system. Sampling of potable water are acquired to detect contamination as required by the Texas Commission on Environmental Quality (TCEQ).

The automatic flushing device is an effective and efficient tool for accomplishing Texas Commission on Environmental Quality regulated dead-end mainline flushing of the wastewater system. The automatic flushing device allows flushing to occur off-peak and water to be recaptured within the wastewater system.

DWU maintains approximately 300,000 water services within the 4,926 miles water distribution pipeline network.

BACKGROUND (Continued)

Fortiline, Inc. and Ferguson Enterprises, Inc. submitted tie bids for line 4. Texas Local Government Code, Section 271.901 states that when tie bids are received, one bidder must be selected by the casting of lots.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 14.22% increase over comparable unit prices for the bid awarded in 2013.

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 413 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 October 23, 2013, City Council authorized a two-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains by Resolution No. 13-1817.

Information about this item will be provided to the Budget, Finance and Audit Committee on November 2, 2015.

FISCAL INFORMATION

\$664,723.75 - Water Utilities Current Funds

M/WBE INFORMATION

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

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

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

ETHNIC COMPOSITION

Fortiline, Inc.

White Male	9	White Female	1
Black Male	2	Black Female	0
Hispanic Male	2	Hispanic Female	0
Other Male	3	Other Female	0

HD Supply Waterworks, Ltd.

White Male	9	White Female	2
Black Male	1	Black Female	0
Hispanic Male	4	Hispanic Female	1
Other Male	0	Other Female	1

Ferguson Enterprises, Inc.

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

BID INFORMATION

The following bids were received from solicitation number BM1536 and were opened on July 9, 2015. This master agreement is being awarded to the lowest responsive and responsible bidders by line.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Fortiline, Inc.	11200 Seagoville Rd. Balch Springs, TX 75180	Multiple Lines**
*HD Supply Waterworks, Ltd.	4333 Irving Blvd. Dallas, TX 75247	Multiple Lines
*Ferguson Enterprises, Inc.	7982 U.S. Hwy. 69 N. Tyler, TX 75706	Multiple Lines**

**Note: Fortiline, Inc. and Ferguson Enterprises, Inc. submitted tie bids for line 4. Fortiline, Inc. award amount without line 4 is \$14,350.00. If Fortiline, Inc. wins the tie the award amount will be \$29,350.00. Ferguson Enterprises, Inc. award amount without line 4 is \$0.00. If they win the tie the award amount will be \$15,000.00.

OWNERS

Fortiline, Inc.

Tim Tysinger, President
James Cagle, Vice President
Jason Painter, Secretary

HD Supply Waterworks, Ltd.

Jerry L. Webb, President
Donald W. Clayton, Vice President
Judy Borrow, Secretary
Mark R Witkowski, Treasurer

Ferguson Enterprises, Inc.

Frank Roach, President
Kevin Murphy, Vice President
Dave Kelter, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains - Fortiline, Inc. in the amount of \$606,850 or \$621,850 (Tie Bid Line 4), HD Supply Waterworks Ltd. in the amount of \$42,874 and Ferguson Enterprises, Inc. in the amount of \$0 or \$15,000 (Tie Bid - Line 4), lowest responsible bidders of three – Total not to exceed \$664,724 - Financing: Water Utilities Current Funds

Fortiline, Inc. and HD Supply Waterworks Ltd. are local, non-minority firms have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$664,724.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$664,724.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains - Fortiline, Inc. in the amount of \$606,850 or \$621,850 (Tie Bid Line 4), HD Supply Waterworks Ltd. in the amount of \$42,874 and Ferguson Enterprises, Inc. in the amount of \$0 or \$15,000 (Tie Bid - Line 4), lowest responsible bidders of three – Total not to exceed \$664,724 - Financing: Water Utilities Current Funds

Fortiline, Inc. and HD Supply Waterworks Ltd. are local, non-minority firms have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. Ferguson Enterprises, Inc. is a non-local, non-minority firm has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$649,724.00	97.74%
Total non-local contracts	\$15,000.00	2.26%
TOTAL CONTRACT	\$664,724.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

November 10, 2015

WHEREAS, on October 23, 2013, City Council authorized a two-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains by Resolution No. 13-1817;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains is authorized with Fortiline, Inc. (VS0000073028) in the amount of \$606,850.00 or \$621,850.00 (Tie Bid line 4), HD Supply Waterworks, Ltd. (VS0000038746) in the amount of \$42,873.75 and Ferguson Enterprises, Inc. (VS87464) in the amount of \$0 or \$15,000.00 (Tie Bid - Line 4), for a term of three-years in a total amount not to exceed \$664,723.75.

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 sampling stations and automatic flushing devices with parts and accessories for water mains. If a written contract is required or requested for any or all purchases of sampling stations and automatic flushing devices with parts and accessories for water mains 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 \$664,723.75.

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 # 58

KEY FOCUS AREA: E-Gov

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): N/A

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 20, 21 and 22 for bid BM1546 for a three-year master agreement for the purchase of water meters, accessories and parts - Mueller Systems, LLC and Neptune Technology Group, Inc. - Financing: This action has no cost consideration to the City

BACKGROUND

This action is not intended to make an award, but to execute the casting of lots to identify a vendor for each of the lines for which the City has received identical bids. This process is being executed in accordance with Texas Local Government Code, Section 271.901. This section of the Texas local Government Code states, in part:

- The municipality must select 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 December 9, 2015.

BID INFORMATION

The following bids were received from solicitation number BM1546 and were opened on October 9, 2015.

<u>Bidders</u>	<u>Address</u>	<u>Tie Bid Lines</u>
Mueller Systems, LLC	10210 Statesville Blvd. Cleveland, NC 27013	Lines 20, 21 and 22
Neptune Technology Group, Inc.	1600 Alabama Hwy. 229 Tallasse, AL 36078	Lines 20, 21 and 22

OWNERS

Mueller Systems, LLC

Keith Belkap, President
Hassan Ali, Vice President
Michelle Cunningham, Treasurer

Neptune Technology Group, Inc.

Charles C. DiLaura, President
Donald F. Deemer, Vice President (Sales)
Lawrence M. Russo, Vice President (Finance)
Steven S. Beasley, Secretary

AGENDA ITEM # 59

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 25X

SUBJECT

An ordinance granting a revocable license to CH Realty VI/R Dallas Preston Ctr, L.P., for the use of approximately 2,852 square feet of surface and aerial space to install and maintain a pedestrian skybridge and four support columns on and over a portion of Westchester Drive right-of-way located near its intersection with Berkshire Lane - Revenue: \$23,636 annually, plus the one-time \$20 ordinance publication fee

BACKGROUND

This item grants a license for the construction, installation, use and maintenance of a pedestrian bridge and four support columns on and over a portion of Westchester Drive. 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)

On June 10, 2015, this item was deferred to the June 17, 2015 City Council Meeting at the request of Councilmember Gates.

On June 17, 2015, this item was deferred to the November 10, 2015 City Council Meeting at the request of Councilmember Gates.

FISCAL INFORMATION

Revenue: \$23,636 annually, plus the one-time \$20 ordinance publication fee

OWNER

CH Realty VI/R Dallas Preston Ctr, L.P.

CH Realty VI/R Dallas Preston Ctr, GP, L.L.C.

Fund VI Managers, L.L.C.

Anne L. Raymond, President

MAP

Attached

W. Northwest Highway

Ames Street



Preston Road

Berkshire Lane

Block
5623

Kate Street

Berkshire Lane

Westchester Drive

CH Realty VI/R Dallas Preston Ctr,
L.P., Instrument No. 2013003655480

City of Dallas Vol 4342, PG. 198

Subject Area



Luther Lane

ORDINANCE NO. _____

An ordinance granting a revocable license to CH Realty VI/R Dallas Preston Ctr, L.P. to occupy, maintain, and utilize a portion of Westchester Drive right-of-way located near the intersection of Berkshire Lane and Westchester Drive adjacent to City Block 5623 within the limits hereinafter more fully described, for the purpose of installing, using and maintaining an aerial pedestrian bridge and four surface support columns; providing for the terms and conditions of this license; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a revocable license, hereinafter referred to as “license”, subject to the restrictions and conditions of this ordinance, is hereby granted to CH Realty VI/R Dallas Preston Ctr, L.P., a Delaware limited partnership, its successors and assigns, hereinafter referred to as “**GRANTEE**”, to occupy, maintain, and utilize for the purpose set out herein below the tract of land described in Exhibit A, hereinafter referred to as “licensed area” which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas the sum of **TWENTY-THREE THOUSAND SIX HUNDRED THIRTY-SIX AND N0/100 (\$23,636.00) DOLLARS** annually for the license herein granted, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **TWENTY-THREE THOUSAND SIX HUNDRED THIRTY-SIX AND N0/100 (\$23,636.00) DOLLARS** shall become due and payable upon the final passage of this ordinance and shall cover the consideration for 2015 in accordance with the special fees established by Section 43-115 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 annual fee within sixty (60)

days of the due date, the Director of Department of Sustainable Development and Construction may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in Fund 0001, Department 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: to install, use and maintain an aerial pedestrian bridge and four surface support columns (sometimes referred to herein as "the sky-bridge").

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. In addition to terminations by the Director of Department of Sustainable Development and Construction as provided in this license, the Governing Body of the City of Dallas reserves the right to terminate and cancel this license, at will, with or without cause, by Resolution 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, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense and restore the

licensed area and any other impacted City-owned improvements to the same or substantial same condition as existed on the effective date of this ordinance. Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

- a) **GRANTEE** shall comply with Section 51A-4.217(b)(12) of City Code for sky-bridges.
- b) **GRANTEE** shall obtain a street cut permit prior to construction in the City of Dallas right-of-way by calling Public Works at 214-948-4445.
- c) **GRANTEE** shall establish and maintain an ADA-compliant public access right and passage on, over, across and through (i) the sky-bridge; and (ii) the private side of the sky-bridge and any abutting private building to the street level public sidewalks during the business hours of said abutting building.
- d) **GRANTEE** acknowledges that the minimum clearance above ground elevation must be 15'. However, it is recommended that the clearance be 16'.
- e) In the event shopping carts are brought onto the parking garage via the sky-bridge, **GRANTEE** shall establish and effectively enforce a cart retrieval and control plan that prohibits and precludes cart storage on the garage deck area and that is acceptable to the licensee under Ordinance No. 23792 while the license under said ordinance is in effect (the "Parking Corporation") and the Director of Department of Sustainable Development and Construction.
- f) **GRANTEE** shall ensure there is no loss of total parking spaces within the garage due to improvements constructed pursuant to this license that would result in the number of parking spaces in the garage totaling less than 801. To the extent any restriping or other parking and driveway configuration changes are ever requested by **GRANTEE**, they will need to be reviewed and consented to in advance by the Parking Corporation and reviewed and approved by the Director of Department of Sustainable Development and Construction.
- g) **GRANTEE** shall, contemporaneously with construction of the sky-bridge, establish and maintain a minimum of 4 handicap parking spaces on the second level deck within reasonable proximity to the sky-bridge as approved by the Parking Corporation and the Director of Department of Sustainable Development and Construction.

- h) **GRANTEE** shall encourage and endeavor to ensure that any directional signage relating to the sky-bridge should reference the sky-bridge and the availability of public access and shall not reference or highlight a specific tenant or store.
- i) **GRANTEE** shall not attempt to reserve parking within the parking garage or suggest or otherwise imply that any particular spots or areas within the parking garage are reserved in favor of any particular property, tenant or store.
- j) **GRANTEE** acknowledges that there are no guaranteed parking time limits, configurations, or regimes within the garage and that any such limiting of parking times must be approved by the Parking Corporation in accordance with Ordinance 23792 or by the Director of Department of Sustainable Development and Construction.
- k) **GRANTEE** shall maintain a removal and restoration bond, cash deposit, or letter of credit with the City in a form, containing such terms, and in such amount as are acceptable to the Director of Department of Sustainable Development and Construction and that will be sufficient to remove the sky-bridge and restore the licensed area and any parts of the parking garage impacted by the licensed improvements to its condition existing as of the effective date of this ordinance upon termination or expiration of this license.
- l) **GRANTEE** shall obtain design review and approval by the Director of Department of Sustainable Development and Construction of any licensed improvements in the licensed area before commencing construction and shall construct same in a good and workmanlike manner in accordance with said approved design.
- m) **GRANTEE** shall obtain design review and approval by the Director of Department of Sustainable Development and Construction and the Parking Corporation of any improvements to or work on the garage itself before commencing construction and shall construct same in a good and workmanlike manner in accordance with said approved design.
- n) **GRANTEE** will, upon the completion of the sky-bridge require and ensure that employees of **GRANTEE** and its tenants at the property located at 8335 Westchester and known as Preston Center Pavilion park in the on-site parking on **GRANTEE's** abutting property rather than the public parking garage and **GRANTEE** will maintain at all times thereafter sufficient parking for said employees on-site or at off-site locations other than the public parking garage unless and until such time as additional parking levels are added to the parking structure with funds that include contributions from **GRANTEE**.

- o) **GRANTEE** covenants and agrees that should the skybridge be constructed, then not later than 15 days after receipt by it of "Director's Notice" (defined below) **GRANTEE** will execute and deliver to City a waiver fully and finally waiving, releasing, relinquishing and quitclaiming any and all rights, title, and interest it may have in and to the Subject Property as identified and defined in the Agreed Final Judgment in Cause No. DC-06-12538, 162nd Judicial District of Texas, dated December 21, 2012 (the "Judgment") that would restrict or otherwise limit the use of the Subject Property to the "Permitted Uses" as defined in the Judgment and otherwise limit or restrict non-parking development of the Subject Property. "Director's Notice" shall mean a written certification from the Director of Department of Sustainable Development and Construction, accompanied by the supporting documentation relied on by the Director, that all the other beneficiaries of the Judgment have executed instruments or otherwise acted so as to fully and finally waive, release, relinquish and quitclaim any and all rights, title, and interest each may have in and to the Subject Property as identified and defined in the Judgment that would restrict or limit the use of the Subject Property to the "Permitted Uses" as defined in the Judgment or otherwise limit or restrict non-parking development of the Subject Property. To this end, **GRANTEE** does hereby appoint the City of Dallas, acting by and through its Director of Department of Sustainable Development and Construction, as **GRANTEE's** agent and attorney in fact to effect such waiver, release, relinquishment and quitclaim and to execute and deliver on behalf of **GRANTEE**, in its name, place and stead, any and all instruments necessary or convenient to accomplish same should **GRANTEE** fail to promptly so act upon receipt of the Director's Notice, this appointment being irrevocable and coupled with an interest in favor of the City of Dallas. For purposes of the this subsection o), instruments or actions waiving, releasing, relinquishing and quitclaims rights titles and interests of beneficiaries under the Judgment shall not include judgments in condemnation that do not preserve public parking equal to or exceeding 801 public spaces in the garage or waivers that do not allow guests and customers of **GRANTEE** rights to use any public parking on the same basis as those of the other beneficiaries. This subpart o) shall survive termination or expiration of this license.
- p) In addition to the indemnification, defense, and hold harmless provisions in Exhibit B, **GRANTEE** agrees and does hereby commit to indemnify, defend and hold harmless the City of Dallas, its officers, agents, and employees against any and all claims, lawsuits, judgments, costs, and expenses, including but not limited attorneys fee and court costs, arising directly or indirectly from any challenge to this license and/or the resulting use of the parking garage stemming from this license, provided that the City cooperates with **GRANTEE** in such defense.

SECTION 8. That the license granted hereby shall not become effective until and unless **GRANTEE** files a final acceptance, in writing, to the terms and conditions of this ordinance with the Director of Department of Sustainable Development and Construction and said written acceptance shall be forwarded to the City Secretary of the City of Dallas. In the event said written final acceptance is not filed within six (6) months after the passage of this ordinance as provided for herein, then the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 9. That upon receipt of **GRANTEE's** final written acceptance, the Director of Department of Sustainable Development and Construction, or 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 10. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.


SECTION 11. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions, and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Record 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 after its passage.

SECTION 13. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY 
Assistant City Attorney
Passed _____.

BY 
Folk Assistant Director

AERIAL RIGHTS ABANDONMENT
ABOVE GROUND ELEVATION 14.0 FEET TO 28.0 FEET
MEAN SEA LEVEL ELEVATION 593.0 FEET TO 607.0 FEET

EXHIBIT A

BEING PART OF WESTCHESTER DRIVE
CITY BLOCK 5623
ANDREW J. SURVEY, ABSTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 2,752 square foot (0.063 acre) tract of land (projected above the herein described horizontal plane, between above ground elevation 14.0 feet to 28.0 feet and mean sea level elevation of 593.0 feet and 607.0 feet having a volume of 37,534 cubic feet) situated in the Andrew J. Mannin Survey, Abstract No. 948, City of Dallas, Dallas County, Texas and being part of Westchester Drive (a variable width right-of-way by use and occupation) and being part of a tract of land shown as Antony Plaza in Warranty Deed, recorded in Volume 2043, Page 439, Deed Records, Dallas County, Texas, and being part of a tract of land described in Quit Claim Deed to The City of Dallas, recorded in Volume 4342, Page 198, Deed Records, Dallas County, Texas, and lying in City Block 5623, said 0.062 acre tract being more particularly described as follows:

COMMENCING at a "X" cut in concrete found at the intersection of the west right-of-way line of Westchester Drive (a variable width right-of-way by use and occupation) with the north right-of-way line of Luther Lane (an 80-foot right-of-way) and being the southeast corner of Lot 6A, Block 10/5623 of Preston Center Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002126, Page 72, Deed Records, Dallas County, Texas;

THENCE with said west right-of-way line and with the east line of said Lot 6A, North 0°24'05" West, a distance of 306.29 feet the **POINT OF BEGINNING**;

THENCE continuing with said west right-of-way line and said east line, North 0°24'05" West, a distance of 62.71 feet to a point for corner from which the northeast corner of said Lot 6A bears North 0°24'05" West, a distance of 21.00 feet;

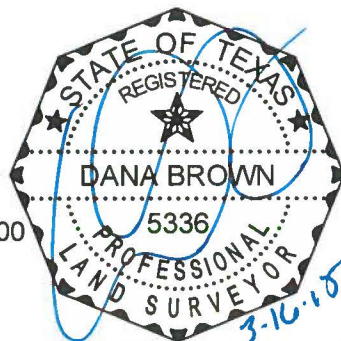
THENCE departing said west right-of-way line and said east line, the following courses and distances to wit:

North 89°29'15" East, a distance of 77.41 feet to a point for corner;
South 0°29'34" East, a distance of 28.00 feet to a point for corner;
South 89°29'15" West, a distance of 43.80 feet to a point for corner;
South 43°39'07" West, a distance of 48.39 feet to the **POINT OF BEGINNING** and containing 2,752 square feet or 0.063 acres of land.

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

REVIEWED BY
JL 3-20-15
SPR 3061

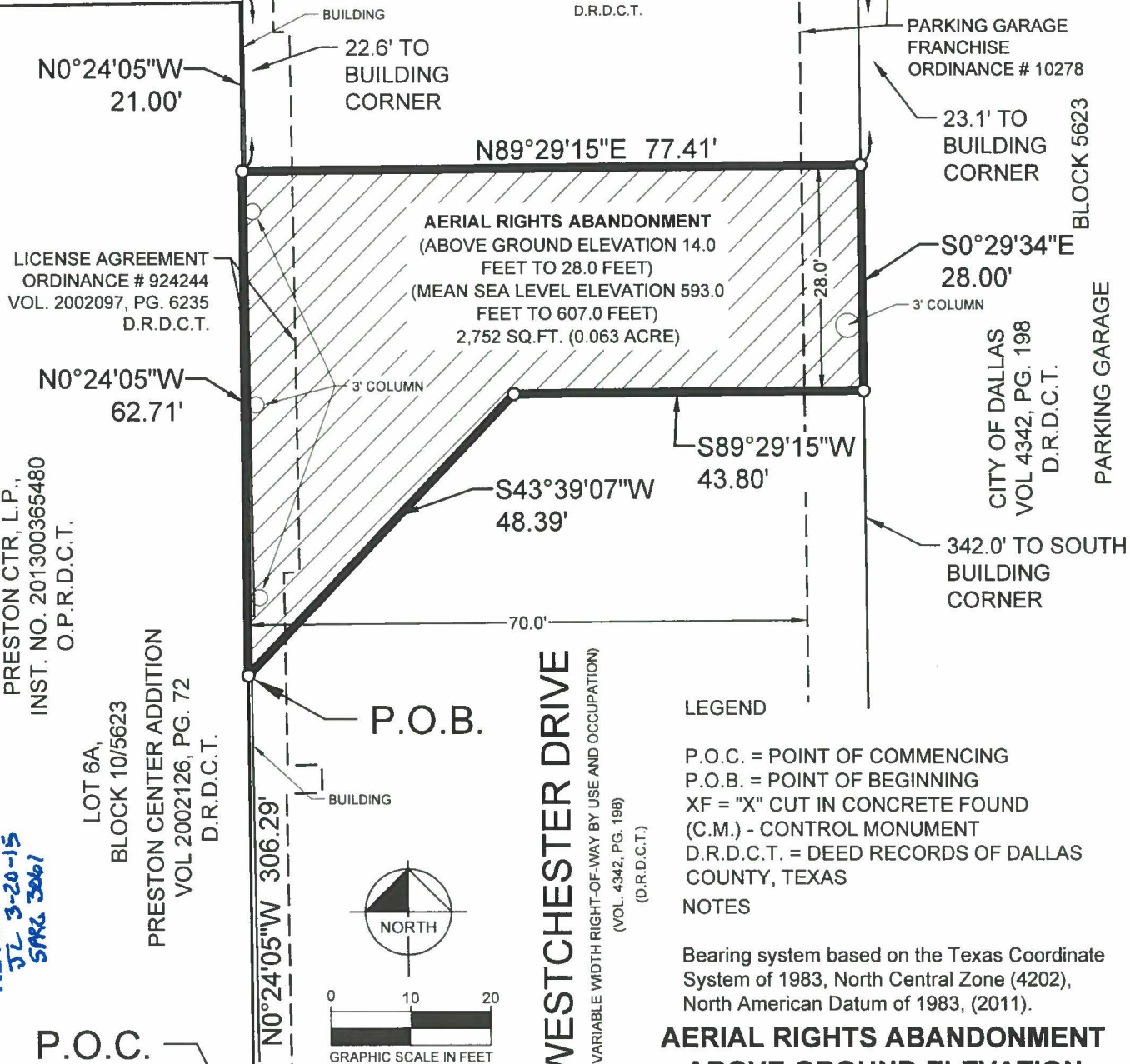
DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
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dana.brown@kimley-horn.com



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	DWP	DAB	MAR 2015	063319064	1 OF 2

BERKSHIRE LANE

(AN 80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.



LEGEND

P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
XF = "X" CUT IN CONCRETE FOUND
(C.M.) - CONTROL MONUMENT
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
NOTES

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

AERIAL RIGHTS ABANDONMENT
ABOVE GROUND ELEVATION
14.0 FEET TO 28.0 FEET
MEAN SEA LEVEL ELEVATION
593.0 FEET TO 607.0 FEET

BEING PART OF WESTCHESTER DRIVE
CITY BLOCK 5623

ANDREW J. SURVEY, ABSTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn

12750 Merit Drive, Suite 1000 FIRM # 101155-00 Tel. No. (972) 770-1300
Dallas, Texas 75251 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 20'	DWP	DAB	MAR 2015	063319064	2 OF 2

REVIEWED BY
JL 3-20-15
SAR 3061

LOT 6A,
BLOCK 10/5623
PRESTON CENTER ADDITION
VOL 2002126, PG. 72
D.R.D.C.T.

P.O.C.
S89°15'55"W
XF (C.M.) 200.00'
LUTHER LANE

(AN 80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.

DANA BROWN
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LICENSE AGREEMENT NO.1
BEING PART OF WESTCHESTER DRIVE
CITY BLOCKS 5623
ANDREW J. SURVEY, ABSTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

BEING a 25 square foot (0.001 acre) tract of land situated in the Andrew J. Mannin Survey, Abstract No.948, City of Dallas, Dallas County, Texas and being part of Westchester Drive (a variable width right-of-way by use and occupation) and being part of a tract of land shown as Antony Plaza in Warranty Deed, recorded in Volume 2043, Page 439, Deed Records, Dallas County, Texas, and being part of a tract of land described in Quit Claim Deed to The City of Dallas, recorded in Volume 4342, Page 198, Deed Records, Dallas County, Texas, and lying in City Block 5623, said 0.062 acre tract being more particularly described as follows:

COMMENCING at a "X" cut in concrete found at the intersection of the west right-of-way line of Westchester Drive (a variable width right-of-way by use and occupation) with the north right-of-way line of Luther Lane (an 80-foot right-of-way) and being the southeast corner of Lot 6A, Block 10/5623 of Preston Center Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002126, Page 72, Deed Records, Dallas County, Texas;

THENCE with said west right-of-way line and with the east line of said Lot 6A, North 0°24'05" West, a distance of 313.51 feet a point in the east line of said Lot 6A for the **POINT OF BEGINNING**;

THENCE continuing with said west right-of-way line and said east line of Lot 6A, North 0°24'05" West, a distance of 5.00 feet to a point for corner;

THENCE departing said west right-of-way line and said east line of Lot 6A, the following courses and distances to wit:

North 89°35'55" East, a distance of 5.00 feet to a point for corner;
South 0°24'05" East, a distance of 5.00 feet to a point for corner;
South 89°35'55" West, a distance of 5.00 feet to the **POINT OF BEGINNING** and containing 25 square feet or 0.001 acres of land.

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

REVIEWED BY
JL 3-20-15
SPR 3062

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<h1>Kimley»Horn</h1>					
12750 Merit Drive, Suite 1000 Dallas, Texas 75251			FIRM # 101155-00		
Tel. No. (972) 770-1300			Fax No. (972) 239-3820		
<u>Scale</u>	<u>Drawn by</u>	<u>Checked by</u>	<u>Date</u>	<u>Project No.</u>	<u>Sheet No.</u>
N/A	DWP	DAB	MAR 2015	063319064	1 OF 2

BERKSHIRE LANE

(80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.

PARKING GARAGE
FRANCHISE
ORDINANCE # 10278

0.001 ACRES
25 SQ. FT.

SEE DETAIL

CITY OF DALLAS
VOL 4342, PG. 198
D.R.D.C.T.

BLOCK 5623
PARKING GARAGE

P.O.B.

N0°24'05"W
313.51'

LICENSE AGREEMENT
ORDINANCE # 924244
VOL. 2002097, PG. 6235
D.R.D.C.T.

P.O.B.

CH REALTY V/R DALLAS
PRESTON CTR, L.P.,
INST. NO. 201300365480
O.P.R.D.C.T.

LOT 6A,
BLOCK 10/5623

PRESTON CENTER ADDITION
VOL 2002126, PG. 72
D.R.D.C.T.

N0°24'05"W 313.51'

WESTCHESTER DRIVE

(A VARIABLE WIDTH RIGHT-OF-WAY BY USE AND OCCUPATION)
(VOL. 4342, PG. 198)
(D.R.D.C.T.)

LICENSE AGREEMENT DETAIL

NOT TO SCALE

LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°24'05"W	5.00'
L2	N89°35'55"E	5.00'
L3	S00°24'05"E	5.00'
L4	S89°35'55"W	5.00'

NOTES

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

P.O.C.

XF
(C.M.)

LEGEND

P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
XF = "X" CUT IN CONCRETE FOUND
(C.M.) - CONTROL MONUMENT
D.R.D.C.T. = DEED RECORDS OF DALLAS
COUNTY, TEXAS

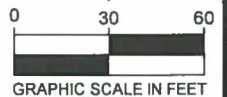
DANA BROWN
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dana.brown@kimley-horn.com



S89°15'55"W 200.00'

LUTHER LANE

(80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.



REVIEWED BY
JL 3-20-15
SIN 3062

LICENSE AGREEMENT NO. 1

BEING PART OF WESTCHESTER DRIVE

CITY BLOCK 5623

ANDREW J. SURVEY, ABSTRACT NO. 948
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'	DWP	DAB	MAR 2015	063319064	2 OF 2

LICENSE AGREEMENT NO. 2
BEING PART OF WESTCHESTER DRIVE
CITY BLOCK 5623
ANDREW J. SURVEY, ABSTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

BEING a 25 square foot (0.001 acre) tract of land situated in the Andrew J. Mannin Survey, Abstract No.948, City of Dallas, Dallas County, Texas and being part of Westchester Drive (a variable width right-of-way by use and occupation) and being part of a tract of land shown as Antony Plaza in Warranty Deed, recorded in Volume 2043, Page 439, Deed Records, Dallas County, Texas, and being part of a tract of land described in Quit Claim Deed to The City of Dallas, recorded in Volume 4342, Page 198, Deed Records, Dallas County, Texas, and lying in City Block 5623, said 0.062 acre tract being more particularly described as follows:

COMMENCING at a "X" cut in concrete found at the intersection of the west right-of-way line of Westchester Drive (a variable width right-of-way by use and occupation) with the north right-of-way line of Luther Lane (an 80-foot right-of-way) and being the southeast corner of Lot 6A, Block 10/5623 of Preston Center Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002126, Page 72, Deed Records, Dallas County, Texas;

THENCE with said west right-of-way line and with the east line of said Lot 6A, North 0°24'05" West, a distance of 337.51 feet a point in the east line of said Lot 6A for the **POINT OF BEGINNING**;

THENCE continuing with said west right-of-way line and said east line of Lot 6A, North 0°24'05" West, a distance of 5.00 feet to a point for corner;

THENCE departing said west right-of-way line and said east line of Lot 6A, the following courses and distances to wit:

North 89°35'55" East, a distance of 5.00 feet to a point for corner;
South 0°24'05" East, a distance of 5.00 feet to a point for corner;
South 89°35'55" West, a distance of 5.00 feet to the **POINT OF BEGINNING** and containing 25 square feet or 0.001 acres of land.

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

REVIEWED BY
JL 3-20-15
SPR 306.3

DANA BROWN
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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	DWP	DAB	MAR 2015	063319064	1 OF 2

BERKSHIRE LANE

(80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.

PARKING GARAGE
FRANCHISE
ORDINANCE # 10278

LICENSE AGREEMENT
ORDINANCE # 924244
VOL. 2002097, PG. 6235
D.R.D.C.T.

P.O.B.

0.001 ACRES
25 SQ. FT.

SEE DETAIL

CH REALTY W/R DALLAS
PRESTON CTR, L.P.,
INST. NO. 201300365480
O.P.R.D.C.T.

LOT 6A,
BLOCK 10/5623

PRESTON CENTER ADDITION
VOL 2002126, PG. 72
D.R.D.C.T.

CITY OF DALLAS
VOL 4342, PG. 198
D.R.D.C.T.

BLOCK 5623
PARKING GARAGE

WESTCHESTER DRIVE

(A VARIABLE WIDTH RIGHT-OF-WAY BY USE AND OCCUPATION)
(VOL. 4342, PG. 198)
(D.R.D.C.T.)

N0°24'05"W 337.51'

LICENSE AGREEMENT DETAIL NOT TO SCALE

LINE TABLE

NO.	BEARING	LENGTH
L1	N00°24'05"W	5.00'
L2	N89°35'55"E	5.00'
L3	S00°24'05"E	5.00'
L4	S89°35'55"W	5.00'

NOTES

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

P.O.C.

XF
(C.M.)

XF
(C.M.)

S89°15'55"W 200.00'

LUTHER LANE

(80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.

LEGEND

P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
XF = "X" CUT IN CONCRETE FOUND
(C.M.) - CONTROL MONUMENT
D.R.D.C.T. = DEED RECORDS OF DALLAS
COUNTY, TEXAS

DANA BROWN
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dana.brown@kimley-horn.com



REVIEWED BY
JL 3-20-15
SPAL 3063

LICENSE AGREEMENT NO. 2

BEING PART OF WESTCHESTER DRIVE
CITY BLOCK 5623

ANDREW J. SURVEY, ABSTRACT NO. 948
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'	DWP	DAB	MAR 2015	063319064	1 OF 2

LICENSE AGREEMENT NO. 3
BEING PART OF WESTCHESTER DRIVE
CITY BLOCK 5623
ANDREW J. SURVEY, ABSTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

BEING a 25 square foot (0.001 acre) tract of land situated in the Andrew J. Mannin Survey, Abstract No.948, City of Dallas, Dallas County, Texas and being part of Westchester Drive (a variable width right-of-way by use and occupation) and being part of a tract of land shown as Antony Plaza in Warranty Deed, recorded in Volume 2043, Page 439, Deed Records, Dallas County, Texas, and being part of a tract of land described in Quit Claim Deed to The City of Dallas, recorded in Volume 4342, Page 198, Deed Records, Dallas County, Texas, and lying in City Block 5623, said 0.062 acre tract being more particularly described as follows:

COMMENCING at a "X" cut in concrete found at the intersection of the west right-of-way line of Westchester Drive (a variable width right-of-way by use and occupation) with the north right-of-way line of Luther Lane (an 80-foot right-of-way) and being the southeast corner of Lot 6A, Block 10/5623 of Preston Center Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002126, Page 72, Deed Records, Dallas County, Texas;

THENCE with said west right-of-way line and with the east line of said Lot 6A, North 0°24'05" West, a distance of 361.51 feet a point in the east line of said Lot 6A for the **POINT OF BEGINNING**;

THENCE continuing with said west right-of-way line and said east line of Lot 6A, North 0°24'05" West, a distance of 5.00 feet to a point for corner;

THENCE departing said west right-of-way line and said east line of Lot 6A, the following courses and distances to wit:

North 89°35'55" East, a distance of 5.00 feet to a point for corner;

South 0°24'05" East, a distance of 5.00 feet to a point for corner;

South 89°35'55" West, a distance of 5.00 feet to the **POINT OF BEGINNING** and containing 25 square feet or 0.001 acres of land.

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

REVIEWED BY
JL 3-20-15
SPR 3064

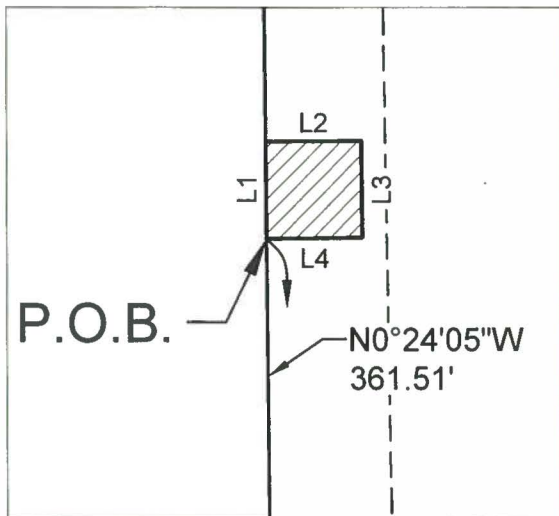
DANA BROWN
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Kimley»Horn					
12750 Merit Drive, Suite 1000 Dallas, Texas 75251			FIRM # 101155-00		
Tel. No. (972) 770-1300			Fax No. (972) 239-3820		
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DWP	DAB	MAR 2015	063319064	1 OF 2

BERKSHIRE LANE

(80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.



P.O.B.

SEE DETAIL

PARKING GARAGE
FRANCHISE
ORDINANCE # 10278

0.001 ACRES
25 SQ. FT.

LICENSE AGREEMENT
ORDINANCE # 924244
VOL. 2002097, PG. 6235
D.R.D.C.T.

CH REALTY V/R DALLAS
PRESTON CTR, L.P.,
INST. NO. 201300365480
O.P.R.D.C.T.

LOT 6A,
BLOCK 10/5623

PRESTON CENTER ADDITION
VOL. 2002126, PG. 72
D.R.D.C.T.

WESTCHESTER DRIVE

(A VARIABLE WIDTH RIGHT-OF-WAY BY USE AND OCCUPATION)
(VOL. 4342, PG. 198)
(D.R.D.C.T.)

CITY OF DALLAS
VOL. 4342, PG. 198
D.R.D.C.T.
BLOCK 5623
PARKING GARAGE

LICENSE AGREEMENT DETAIL

NOT TO SCALE

LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°24'05"W	5.00'
L2	N89°35'55"E	5.00'
L3	S00°24'05"E	5.00'
L4	S89°35'55"W	5.00'

NOTES

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

P.O.C.

LEGEND

P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
XF = "X" CUT IN CONCRETE FOUND
(C.M.) - CONTROL MONUMENT
D.R.D.C.T. = DEED RECORDS OF DALLAS
COUNTY, TEXAS

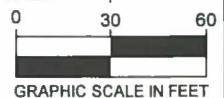
DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com



S89°15'55"W 200.00'

LUTHER LANE

(80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.



REVIEWED BY
JL 3-20-15
SPR 3064

LICENSE AGREEMENT NO. 3

BEING PART OF WESTCHESTER DRIVE

CITY BLOCK 5623

ANDREW J. SURVEY, ABSTRACT NO. 948
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'	DWP	DAB	MAR 2015	063319064	2 OF 2

LICENSE AGREEMENT NO. 4
BEING PART OF WESTCHESTER DRIVE
CITY BLOCK 5623
ANDREW J. SURVEY, ABSTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

BEING a 25 square foot (0.001 acre) tract of land situated in the Andrew J. Mannin Survey, Abstract No. 948, City of Dallas, Dallas County, Texas and being part of Westchester Drive (a variable width right-of-way by use and occupation) and being part of a tract of land shown as Antony Plaza in Warranty Deed, recorded in Volume 2043, Page 439, Deed Records, Dallas County, Texas, and being part of a tract of land described in Quit Claim Deed to The City of Dallas, recorded in Volume 4342, Page 198, Deed Records, Dallas County, Texas, and lying in City Block 5623, said 0.062 acre tract being more particularly described as follows:

COMMENCING at a "X" cut in concrete found at the intersection of the west right-of-way line of Westchester Drive (a variable width right-of-way by use and occupation) with the north right-of-way line of Luther Lane (an 80-foot right-of-way) and being the southeast corner of Lot 6A, Block 10/5623 of Preston Center Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002126, Page 72, Deed Records, Dallas County, Texas;

THENCE with said west right-of-way line and with the east line of said Lot 6A, North 0°24'05" West, a distance of 346.77 feet a point in the east line of said Lot 6A;

THENCE departing said west right-of-way line and said east line, North 89°35'55" East, a distance of 72.44 feet to the **POINT OF BEGINNING**;

THENCE the following courses and distances to wit:

North 0°29'34" West, a distance of 5.00 feet to a point for corner;
North 89°35'55" East, a distance of 5.00 feet to a point for corner;
South 0°29'34" East, a distance of 5.00 feet to a point for corner;
South 89°35'55" West, a distance of 5.00 feet to the **POINT OF BEGINNING** and containing 25 square feet or 0.001 acres of land.

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

REVIEWED BY
JL 3-24-15
SML 3065

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com



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	DWP	DAB	MAR 2015	063319064	1 OF 2

BERKSHIRE LANE

(80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.

0.001 ACRES
25 SQ. FT.

PARKING GARAGE
FRANCHISE
ORDINANCE # 10278

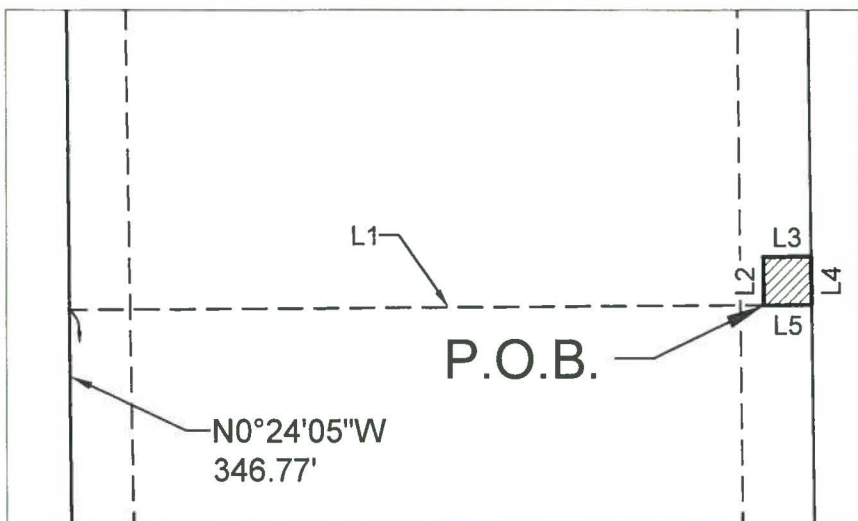
SEE DETAIL

P.O.B.

LICENSE AGREEMENT
ORDINANCE # 924244
VOL. 2002097, PG. 6235
D.R.D.C.T.

CITY OF DALLAS
VOL. 4342, PG. 198
D.R.D.C.T.

BLOCK 5623
PARKING GARAGE



LICENSE AGREEMENT DETAIL NOT TO SCALE

LINE TABLE		
NO.	BEARING	LENGTH
L1	N89°35'55\"E	72.44'
L2	N00°29'34\"W	5.00'
L3	N89°35'55\"E	5.00'
L4	S00°29'34\"E	5.00'
L5	S89°35'55\"W	5.00'

CH REALTY VIIR DALLAS
PRESTON CTR, L.P.,
INST. NO. 201300365480
O.P.R.D.C.T.

LOT 6A,
BLOCK 10/5623

PRESTON CENTER ADDITION
VOL 2002126, PG. 72
D.R.D.C.T.

N0°24'05\"W 346.77'

WESTCHESTER DRIVE
(A VARIABLE WIDTH RIGHT-OF-WAY BY USE AND OCCUPATION)

(VOL. 4342, PG. 198)
(D.R.D.C.T.)

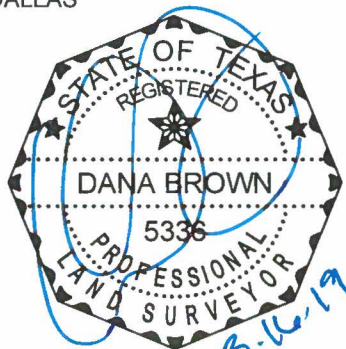
NOTES:
Bearing system based
on the Texas Coordinate
System of 1983, North
Central Zone (4202),
North American Datum
of 1983.

P.O.C.

LEGEND

P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
XF = "X" CUT IN CONCRETE FOUND
(C.M.) - CONTROL MONUMENT
D.R.D.C.T. = DEED RECORDS OF DALLAS
COUNTY, TEXAS

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com



S89°15'55\"W 200.00'

LUTHER LANE

(80-FOOT RIGHT-OF-WAY)
VOLUME 2043, PAGE 439
D.R.D.C.T.



LICENSE AGREEMENT NO. 4

BEING PART OF WESTCHESTER DRIVE

CITY BLOCK 5623

ANDREW J. SURVEY, ABSTRACT NO. 948
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'	DWP	DAB	MAR 2015	063319064	2 OF 2

**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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 35 Y

SUBJECT

Cityplace Area TIF District

- * Authorize a deadline extension for the Forest City West Village project located at 3700 McKinney Avenue in the Cityplace Area TIF District to: **(1)** extend project completion deadlines from December 31, 2014 to July 31, 2015 and **(2)** receive and deposit \$100,000 from Forest City Residential Group Inc., in the Cityplace Area TIF District Fund for additional Katy Trail improvements – Financing: Revenue
- * Authorize **(1)** a development agreement with Friends of the Katy Trail Inc. in the amount of \$100,000 for additional Katy Trail improvements in furtherance of the Cityplace Area TIF District Project and Financing Plan; and **(2)** an increase in appropriations in the Cityplace Area TIF District Fund by \$100,000, from \$53,826,129 to \$53,926,129 - Not to exceed \$100,000 - Financing: Cityplace Area TIF District Funds

BACKGROUND

On April 25, 2012, City Council approved Resolution No. 12-1226, authorizing a development agreement with Forest City Residential Group Inc., to dedicate future TIF revenues in an amount up to \$2,851,000 to support the development of Forest City West Village project located at 3700 McKinney Avenue in the Cityplace Area TIF District. Per Section 2C of the Development Agreement, the project was required to obtain a final certificate of occupancy by December 31, 2014.

BACKGROUND (Continued)

A temporary certificate of occupancy was granted before the deadline date and tenants occupied the building starting in mid-August 2014. By the deadline date of December 31, 2014, the physical occupancy of the project was 38.3%. A final certificate of occupancy was not issued until July 21, 2015 because a Minor Amendment to the landscape plan and development plan through Sustainable Development and Construction was required prior to issuing the final certificate of occupancy.

Sustainable Development worked with the developer over several months (November 2014 - February 2015) to determine a solution to as-built conditions that deviated from Planned Development District 305 requirements. Once it was determined that a Minor Amendment would be needed to meet the requirements, the developer submitted the plans and application (March 2015). After the Minor Amendment to the landscape plan and development plan was approved by Sustainable Development and Construction staff (May 2015) and prior to applying for the final certificate of occupancy, a tri-party agreement among the City, developer and contractor, for drainage improvements in the public right of way, needed to be closed out. This process was completed on July 16, 2015.

As of September 21, 2015, 87.7% of the apartments are occupied and 90.4% of the 37,030 square feet of retail space is leased. In consideration for the extension, Forest City will advance \$100,000 to the Cityplace Area TIF District for additional Katy Trail improvements. The Katy Trail is a public amenity referenced in the Cityplace Area TIF District Project and Financing Plan that runs within and beyond the Cityplace Area TIF District boundary.

The Cityplace Area TIF District was established by Ordinance No. 21465 on November 11, 1992. On November 10, 1993, the City Council amended Ordinance No. 21465 by Ordinance No. 21884, which set the Cityplace Area TIF District expiration date as December 31, 2012, or when sufficient TIF revenues are collected to fund all budgeted improvements. In FY 2008, the Cityplace Area TIF District collected its final increment as the districts budgeted improvements had been sufficiently funded. The Forest City West Village TIF funding allocation (\$2.851 million) is from accumulated interest earnings. The Cityplace Area TIF Board was dissolved upon completion of the TIF District and therefore this request could not go before the TIF Board for a recommendation.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	December 31, 2012
Complete Construction	July 31, 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 11, 1992, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) by Ordinance No. 21465.

On August 11, 1993, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Cityplace Area TIF District by Ordinance No. 21769, as amended.

On March 9, 2012, the Cityplace Area TIF District Board of Directors voted to recommend the establishment of the Cityplace Area TIF Grant Program to implement the Cityplace Area TIF District Project Plan.

On March 9, 2012, the Cityplace Area TIF District Board of Directors reviewed and approved a Development Agreement with Forest City Residential Group Inc., for the development of Forest City West Village development in the form of a TIF Grant in an amount not to exceed \$2,851,000 and recommended the City Council approval of the same.

On April 25, 2012, City Council authorized (1) a development agreement with Forest City Residential Group Inc., to dedicate future TIF revenues supporting the development of Forest City West Village project located at 3700 McKinney Avenue located in Tax Increment Financing Reinvestment Zone Two (Cityplace Area TIF District); and (2) the Cityplace Area TIF District Board of Directors to dedicate up to \$2,851,000 from future Cityplace Area TIF District revenues in accordance with the development agreement, by Resolution Nos. 12-1226 and 12-1227.

On December 31, 2012, the Cityplace Area TIF District terminated subject to funding all outstanding obligations.

Information about this item will be provided to the Economic Development Committee on November 2, 2015

FISCAL INFORMATION

\$100,000 - Revenue

\$100,000 - Cityplace Area TIF District Funds

OWNER

Forest City Residential Group Inc.

Jim Truitt, Senior Vice President
1717 Main Street, Ste. 2560
Dallas, TX 75201

DEVELOPER

Forest City Residential Group Inc.

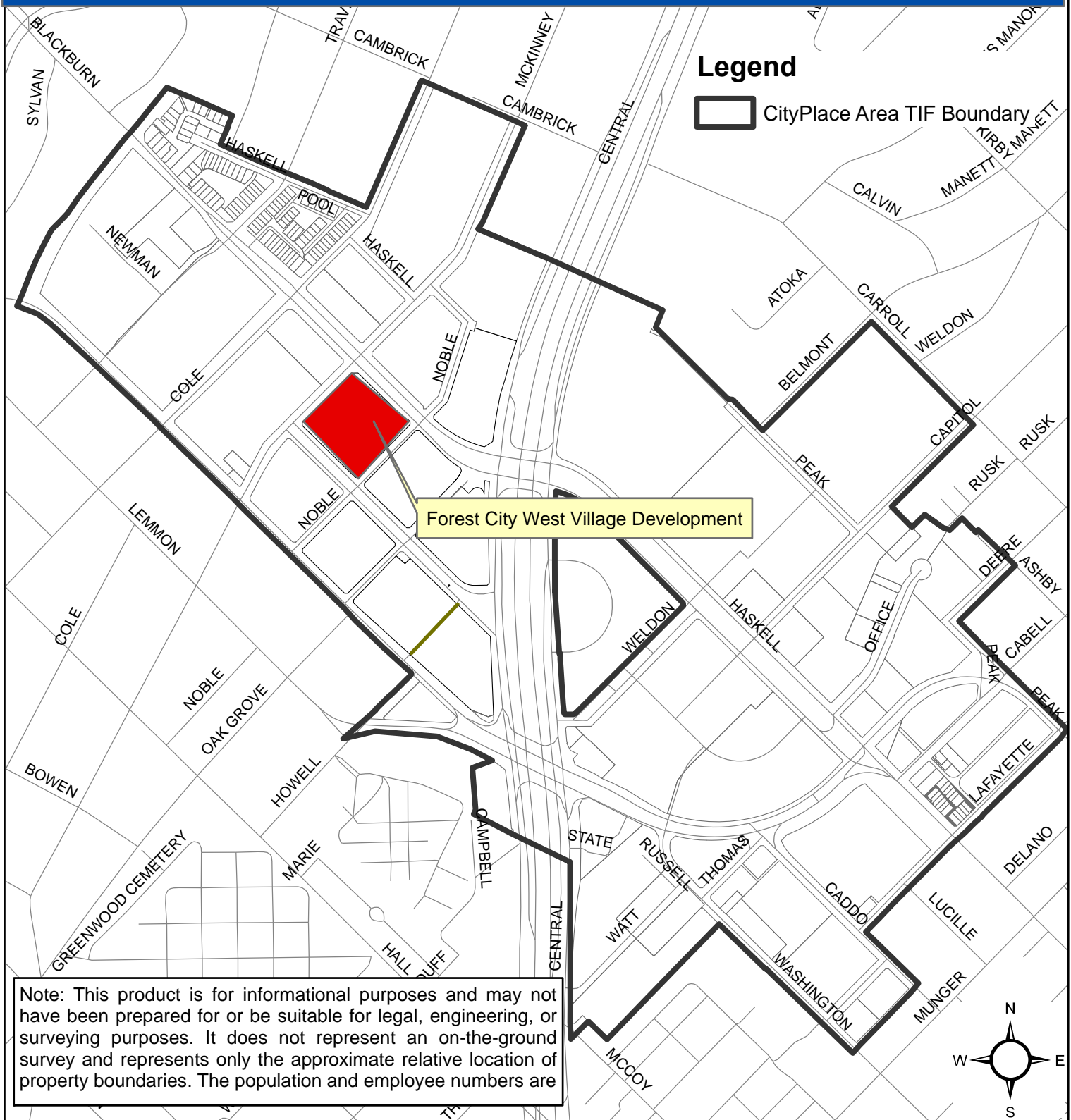
Jim Truitt, Senior Vice President
1717 Main Street, Ste. 2560
Dallas, TX 75201

MAP

Attached.

Cityplace Area TIF District

Forest City West Village Development



CITY OF DALLAS

Office of Economic Development
Area Redevelopment
Created March 2012

November 10, 2015

WHEREAS, on November 11, 1992, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) by Ordinance No. 21465; and

WHEREAS, on August 11, 1993, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Cityplace Area TIF District by Ordinance No. 21769, as amended; and

WHEREAS, on March 9, 2012, the Cityplace Area TIF District Board of Directors voted to recommend the establishment of the Cityplace Area TIF Grant Program to implement the Cityplace Area TIF District Project Plan; and

WHEREAS, on March 9, 2012, the Cityplace Area TIF District Board of Directors reviewed and approved a Development Agreement with Forest City Residential Group Inc., for the development of Forest City West Village development in the form of a TIF Grant in an amount not to exceed \$2,851,000 and recommended the City Council approval of the same; and

WHEREAS, on April 25, 2012, the City Council approved Resolution Nos. 12-1226 and 12-1227, City Council authorized (1) a development agreement with Forest City Residential Group Inc., to dedicate future TIF revenues supporting the development of Forest City West Village project located at 3700 McKinney Avenue located in Tax Increment Financing Reinvestment Zone Two (Cityplace Area TIF District); and (2) the Cityplace Area TIF District Board of Directors to dedicate up to \$2,851,000 from future Cityplace Area TIF District revenues in accordance with the development agreement; and

WHEREAS, on December 31, 2012, the Cityplace Area TIF District terminated subject to funding all outstanding obligations; and

WHEREAS, on November 2, 2015, information about this item will be provided to the Economic Development Committee.

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 extend the project deadline from December 31, 2014 to July 31, 2015.

November 10, 2015

Section 2. That in consideration for the deadline extension, the Chief Financial Officer is hereby authorized to receive and deposit funds from Forest City Residential Group Inc., for additional Katy Trail improvements in furtherance with the Cityplace Area TIF District Project and Financing Plan, in Fund 0030, Department ECO, Unit 9825, Revenue Source 8492, Activity TICP, in the amount of \$100,000.

Section 3. That all other terms and conditions as set forth in the Development Agreement between Forest City Residential Group Inc. and the City of Dallas for the Forest City West Village project located at 3700 McKinney Avenue, shall remain in full force and effect, except as specifically outlined above.

Section 4. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

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.

November 10, 2015

WHEREAS, on November 11, 1992, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) by Ordinance No. 21465; and

WHEREAS, on August 11, 1993, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Cityplace Area TIF District by Ordinance No. 21769, as amended; and

WHEREAS, on March 9, 2012, the Cityplace Area TIF District Board of Directors voted to recommend the establishment of the Cityplace Area TIF Grant Program to implement the Cityplace Area TIF District Project Plan; and

WHEREAS, on March 9, 2012, the Cityplace Area TIF District Board of Directors reviewed and approved a Development Agreement with Forest City Residential Group Inc., for the development of Forest City West Village development in the form of a TIF Grant in an amount not to exceed \$2,851,000 and recommended the City Council approval of the same; and

WHEREAS, on April 25, 2012, the City Council approved Resolution Nos. 12-1226 and 12-1227, City Council authorized (1) a development agreement with Forest City Residential Group Inc., to dedicate future TIF revenues supporting the development of Forest City West Village project located at 3700 McKinney Avenue located in Tax Increment Financing Reinvestment Zone Two (Cityplace Area TIF District); and (2) the Cityplace Area TIF District Board of Directors to dedicate up to \$2,851,000 from future Cityplace Area TIF District revenues in accordance with the development agreement; and

WHEREAS, on December 31, 2012, the Cityplace Area TIF District terminated subject to funding all outstanding obligations; and

WHEREAS, on November 2, 2015, Economic Development Committee reviewed information on the Forest City West Village deadline extension request; and

WHEREAS, the November 10, 2015 City Council agenda includes an item authorizing a deadline extension from December 31, 2014 to July 31, 2015 for the Forest City West Village project located at 3700 McKinney Avenue in the Cityplace TIF District; and

WHEREAS, in consideration for such deadline extension, the Chief Financial Officer is authorized to receive and deposit funds in the amount of \$100,000 from Forest City Residential Group Inc., for additional Katy Trail improvements in furtherance with the Cityplace Area TIF District Project and Financing Plan.

November 10, 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 execute a development agreement with the Friends of Katy Trail Inc., and the City of Dallas for additional Katy Trail improvements in furtherance of the Cityplace Area TIF District Project and Financing Plan in the amount of \$100,000, with the following conditions:

- A. The funds shall be used for capital improvements;
- B. The Friends of Katy Trail Inc. and the Office of Economic Development Director shall mutually agree on final allocation of funds; and
- C. Friends of Katy Trail Inc. may request the payment of invoices pertaining to the design, construction and construction management of the public improvements based on project milestones and such requests for payment shall be made in writing to the Office of Economic Development Director within 15 business days of receiving such invoice.

Section 2. That the City Manager is hereby authorized to increase the Cityplace Area TIF District Fund appropriations in an amount not to exceed \$100,000, from \$53,826,129 to \$53,926,129, in Fund 0030, Department ECO, Unit 9825, Object 3099.

Section 3. That the Chief Financial Officer is hereby authorized to encumber and disburse funds to Friends of Katy Trail Inc., from:

Fund 0030, Department ECO, Unit 9825, Object 3099, Activity TICP, CT ECO9825A259, Vendor No. VS0000045658, in an amount not to exceed \$100,000.

Section 4. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

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

AGENDA ITEM # 62

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 42 Y Z

SUBJECT

Authorize a real property tax abatement agreement with TCDFW Industrial Development, Inc., for the purpose of granting an 8-year abatement of 75 percent of the taxes on added value to the real property for the development of a new 475,000 square feet speculative industrial/warehouse facility within a Texas Enterprise Zone located at 900 Chalk Hill Road, south of I-30 in Dallas, Texas, subject to TCDFW's purchase of the real property by January 10, 2016, in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$19,925; eight-year revenue estimated at \$159,400 (Estimated revenue forgone for the eight-year real property abatement estimated at \$478,200)

BACKGROUND

Trammell Crow Company ("Trammell Crow") has approached the city regarding the potential development of a speculative industrial/warehouse facility of approximately 475,000 square feet on approximately 35.582 acres located at 900 Chalk Hill Road, Dallas, Texas in a Texas Enterprise Zone. Trammel Crow Company will develop this project through an entity called TCDFW Industrial Development, Inc. ("TCDFW Industrial"). Currently, the development site consists of two parcels owned by two separate entities. TXI Operations, L.P., owns one parcel consisting of approximately 21 acres and Morning Park, Inc. owns the remaining parcel comprising of approximately 14.5 acres of land. TCDFW Industrial has a contract to purchase the two parcels and will close on the acquisition upon favorable City Council consideration of the described development incentive.

To receive the proposed 75 percent real property tax abatement for 8 years, TCDFW Industrial must purchase the 35.582 acre development site by January 10, 2016, becoming owner prior to execution of the agreement and invest a minimum of \$10,000,000 constructing the approximately 475,000 square foot facility with substantial completion by September 31, 2018.

BACKGROUND (Continued)

Furthermore, TCDFW Industrial must have at least 51 percent of the facility leased in order to receive the real property tax abatement upon the value of the new real property improvements proposed. If the required space is not occupied during a given year within the 8 year tax abatement period, the abatement is lost for that year.

Net fiscal impact from the project after incentives is estimated at \$318,696 over 10 years and \$1,516,052 over 20 years. 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 approval of the proposed incentive.

Trammell Crow, founded in Dallas in 1948, is a full-service real estate development company which has developed or acquired over \$60 billion in property. Trammell Crow is headquartered in Kansas City, Missouri with regional offices in Columbus, Dallas, Houston and Phoenix. The company's diverse product expertise includes office, industrial, residential, retail, and health care.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	January 2016
Complete Construction	September 2018

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on November 2, 2015.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

TCDFW Industrial Development, Inc.

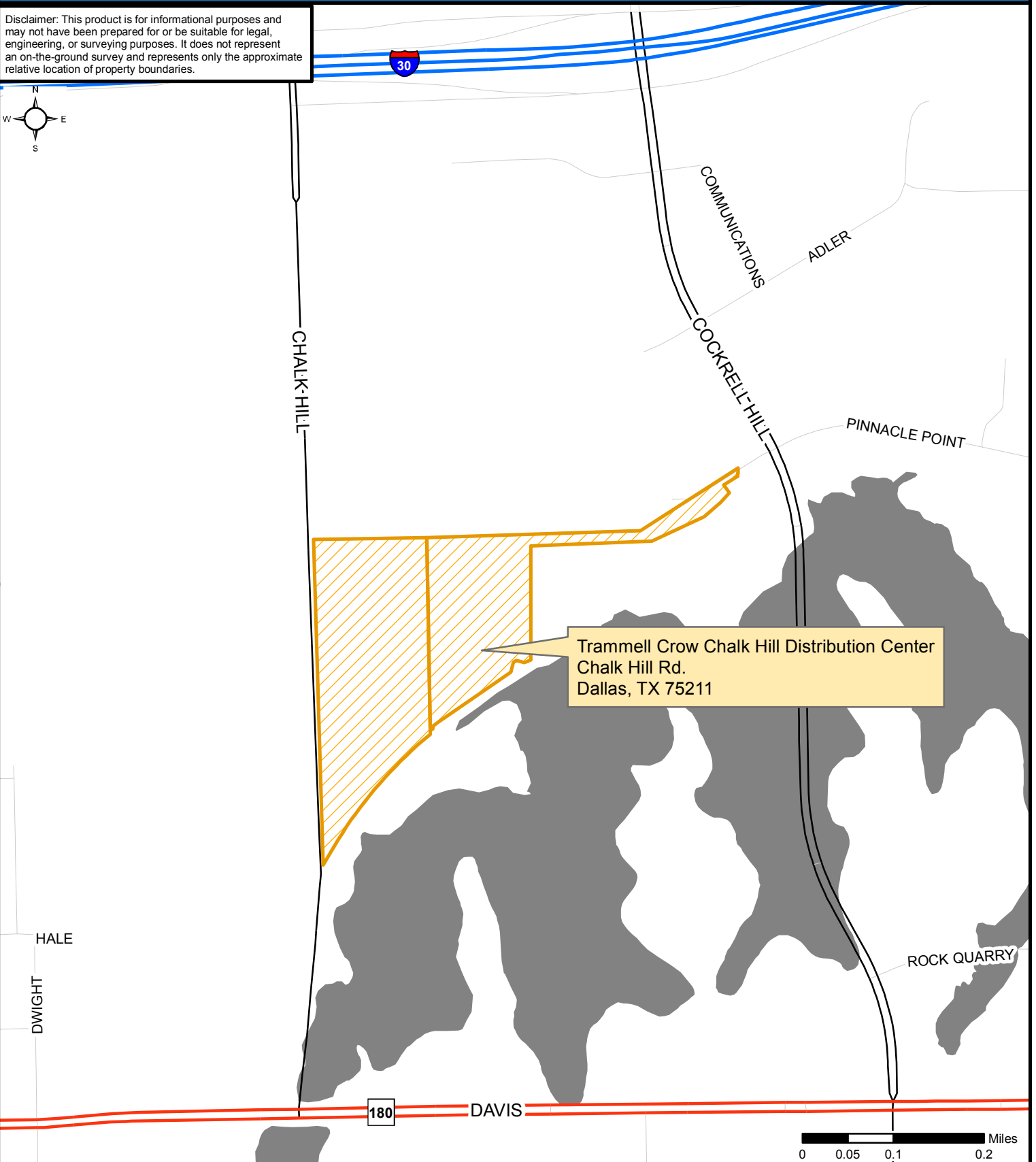
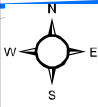
Scott Krikorian, Vice President

MAP

Attached.

Trammell Crow Chalk Hill Distribution Center

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 10.5.2015 - 15-10-05 David Schleg.TCG

Legend



Site



Freeway

— Highway

— Arterial

— Local Road

Source: City of Dallas, 2015

November 10, 2015

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

WHEREAS, by Resolution No. 14-0993 approved on June 25, 2014, the City Council authorized the continuation of its participation in tax abatements and established, appropriate Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered into 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"); and

WHEREAS, pursuant to Section 312.2011, the Property Redevelopment and Tax Abatement act provides that the designation of an area as an enterprise zone under the Texas Enterprise Zone Act constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements; and

WHEREAS, the City desires to enter into a real property tax abatement agreement with TCDFW Industrial Development, Inc. for the added value on real property improvements located within a Texas Enterprise Zone.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a real property tax abatement agreement with TCDFW Industrial Development, Inc. in accordance with the Act and the City's Public/Private Partnership Guidelines and Criteria subject to TCDFW Industrial Development, Inc. purchasing the 35.582 acre development by January 10, 2016.

Section 2. That at least seven (7) days prior to the execution of the tax abatement agreement, notice of the City's intention to enter into the tax abatement agreement shall be delivered to the governing bodies of each other taxing unit that includes in its boundaries the real property that is the subject of this agreement.

Section 3. 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 4. That the real property which will be described in the tax abatement agreement, attached hereto as **Exhibit A (Metes and Bounds)** and depicted on the attached site map as **Exhibit B (Map - the "Property")**, is located within a Texas Enterprise Zone.

November 10, 2015

Section 5. That the tax abatement agreement shall provide, among other provisions, the following:

- (a) The property subject to tax abatement shall be located entirely within the 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 must 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 Texas Enterprise Zone during the period the tax abatement is in effect.
- (d) A 8-year abatement of 75 percent of the added value to the real property building improvements located on approximately 35.582 acres within a Texas Enterprise Zone located at 900 Chalk Hill Road in Dallas, Texas, as provided in **Exhibit A (Metes and Bounds)**.
- (e) That the approximately 475,000 square feet of real property building and land improvements and related hard and soft project costs of \$10,000,000 are substantially completed by September 31, 2018. 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.
- (f) TCDFW Industrial Development, Inc. must have at least 51 percent of the facility leased in order to receive the real property tax abatement upon the value of the new real property improvements proposed. If the required space is not occupied during a given year within the 8 year tax abatement period commencing no later than January 1, 2019, the abatement is lost for that year.
- (g) A description of the kind, number, location and costs of all proposed improvements to the property.
- (h) That access to the subject property is provided to allow for inspection by City inspectors and officials to ensure that the improvements or repairs are made according to the specifications and terms of the tax abatement agreement.
- (i) That 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 as provided by the tax abatement agreement.

November 10, 2015

Section 5. (Continued)

- (j) A requirement that the owner of the property certify annually 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 TCDFW Industrial Development, Inc. and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development.

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

Exhibit A

Legal Description

WHEREAS, TXI OPERATIONS, LP, and MORNING PARK, INC. are the owners of a 35.582 acre tract of land situated in the James McLaughlin Survey, Abstract Number 847, and the Philemon Lacy Survey, Abstract No. 776, City of Dallas, Dallas County, Texas, in Official City of Dallas Block Numbers 7207 and 7210, and being a part of that called 125.65 acre tract described as Tract No. 1 in General Warranty Deeds to Texas Industries, Inc., recorded in Volume 69168, Page 1190 (1/4 interest); Volume 69119, Page 1958 (1/4 interest); and Volume 69087, Page 1641 (1/2 interest), all Deed Records Dallas County, Texas (D.R.D.C.T.), and subsequently conveyed by Limited Warranty Deed (no description of the property included in deed) to TXI Operations, LP, recorded in Volume 98087, Page 8888, D.R.D.C.T., and being a part of that called 239.0767 acre tract described as Tract No. 4 in Special Warranty Deed and Assignment to Morning Park, Inc., recorded in Volume 94180, Page 5442, D.R.D.C.T., and a part of that tract of land described in Deed Without Warranty to Morning Park, Inc., recorded in Volume 99014, Page 5238, D.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a yellow plastic cap stamped "Halff" (hereafter referred to as "with Halff cap") set at the northeast corner of a called 0.633 acre tract of land acquired for public road improvements and conveyed to the City of Dallas by Special Warranty Deed recorded in Instrument Number 201500024923, Official Public Records Dallas County, Texas (O.P.R.D.C.T.) for the northwest corner of the herein described tract, and from which a 5/8-inch found iron rod in the former easterly right-of-way line of Chalk Hill Road (variable width right-of-way, no deed reference found) bears South 87 degrees 15 minutes West, a distance of 15.01 feet;

THENCE North 88 degrees 52 minutes 16 seconds East, along the northerly line of said 125.65 acre tract, passing at a distance of 5.01 feet an aluminum cap found stamped "RPLS 5230" for the southwest corner of Lot 1, Block A/7206 of Pinnacle Park No.1 Addition as recorded in Volume 2001129, Page 1935, D.R.D.C.T., and continuing the same course along the south line of said Pinnacle Park Addition No. 1, passing at a distance of 343.15 feet an aluminum cap found stamped "RPLS 5230" for an angle point in the southerly line of said Pinnacle Park No.1 Addition and the southwest corner of that called 3.864 acre tract of land described in Deed Without Warranty to Pinnacle Park Master Owners' Association, Inc., recorded in Volume 2005112, Page 5937, D.R.D.C.T., and continuing the same course along the south line of said 3.864 acre tract, in all a total distance of 642.57 feet to a 1/2-inch iron rod with Halff cap set for the northeast corner of the herein described tract and the northwest corner of a remainder of that called 239.0767 acre Morning Park, Inc. tract, and from which point a 1/2-inch iron rod with cap stamped "COTTON SURVEY" found bears South 03 degrees 42 minutes West, a distance of 1.27 feet;

THENCE North 87 degrees 59 minutes 50 seconds East, continuing along the south line of said 3.864 acre tract, a distance of 1,244.58 feet to a point for corner in a tree root (unable to set);

THENCE North 57 degrees 11 minutes 36 seconds East, continuing along said south line, passing at a distance of 93.99 feet a 1/2-inch iron rod with a 3-1/2 inch diameter aluminum disk stamped "RPLS 5230" found for the most easterly corner of said 3.864 acre tract, said point also being an angle point on the south line of said Pinnacle Park No. 1 addition, and continuing along the south line of said addition, an additional distance of 766.24 feet, for a total distance of 860.23 feet to an "X" in concrete set at the most easterly corner of said Addition, said point being on the westerly line of North Cockrell Hill Road (a 107 foot wide right-of-way), and being on a circular curve to the right having a radius of 1,446.50 feet and whose chord bears South 25 degrees 49 minutes 21 seconds East, a distance of 20.32 feet

THENCE Southerly, along said westerly right-of-way line and said curve, through a central angle of 00 degrees 48 minutes 17 seconds for an arc distance of 20.32 feet to an "X" in concrete set for corner, said point being the most northerly corner of a 1.3142 acre tract of land described in Special Warranty Deed with Vendor's Lien to Armstrong Global Services Holdings, LLC, recorded in Instrument No. 20070086351, D.R.D.C.T.;

Exhibit A

Legal Description

THENCE South 57 degrees 17 minutes 45 seconds West, departing said westerly right-of-way line and along the north line of said 1.3142 acre tract, a distance of 300.64 feet to an "X" in concrete set for corner;

THENCE South 32 degrees 47 minutes 48 seconds East, along the westerly line of said 1.3142 acre tract, a distance of 58.42 feet to a point for corner from which a 3/4-inch found iron rod bears South 11 degrees 30 minutes East, a distance of 0.38 feet, said point being the northerly most corner of Pinnacle Park Addition No. 11, an addition to the City of Dallas, recorded in Volume 2004185, Page 217, D.R.D.C.T.;

THENCE along the Northerly and Westerly lines of said Pinnacle Park Addition No. 11 the following calls:

South 41 degrees 51 minutes 46 seconds West, a distance of 74.52 feet to a 1/2-inch iron rod with Half cap set for corner;

South 49 degrees 14 minutes 57 seconds West, a distance of 128.29 feet to a point for corner from which a 3/4-inch found iron rod bears South 39 degrees 31 minutes East, a distance of 0.59 feet;

South 64 degrees 26 minutes 09 seconds West, a distance of 334.52 feet to a 1/2-inch iron rod with Half cap set for corner;

South 87 degrees 09 minutes 09 seconds West, a distance of 704.91 feet to a 1/2-inch iron rod with Half cap set for corner;

South 00 degrees 31 minutes 56 seconds East, a distance of 662.47 feet to a 1/2-inch iron rod with Half cap set for corner;

South 64 degrees 15 minutes 45 seconds West, a distance of 41.00 feet to a 1/2-inch iron rod with Half cap set for corner;

North 72 degrees 44 minutes 31 seconds West, a distance of 48.78 feet to a point for corner (unable to set);

South 56 degrees 39 minutes 06 seconds West, a distance of 19.98 feet to a 1/2-inch iron rod with Half cap set for corner;

South 15 degrees 20 minutes 11 seconds West, a distance of 59.82 feet to a 1/2-inch iron rod with Half cap set for corner;

South 54 degrees 39 minutes 33 seconds West, a distance of 512.77 feet to a 1/2-inch iron rod with Half cap set for corner for the most westerly corner of said Pinnacle Park Addition No. 11;

THENCE South 54 degrees 39 minutes 33 seconds West, departing said Pinnacle Park Addition No. 11, and along the northerly line of the remainder of a 8.255 acre tract of land described in Deed Without Warranty to Pinnacle Park Master Owners' Association, Inc., recorded in Volume 2004089, Page 11474, D.R.D.C.T., passing at a distance of 45.48 feet a 1/2-inch iron rod with Half cap found for the northwest corner of said 8.255 acre tract, same being an angle point on the north line of a 66.48 acre tract described in Special Warranty Deed to the City of Dallas, recorded in Instrument No. 20070127330, D.R.D.C.T., and continuing along the north line of said 66.48 acre tract an additional distance of 18.02 feet, for a total distance of 63.50 feet to a 1/2-inch iron rod with Half cap set for corner, said point being on the common westerly line of said 239.0767 acre Morning Park, Inc. tract and easterly line of the called 125.65 acre TXI Operations, LP, tract;

Exhibit A

Legal Description

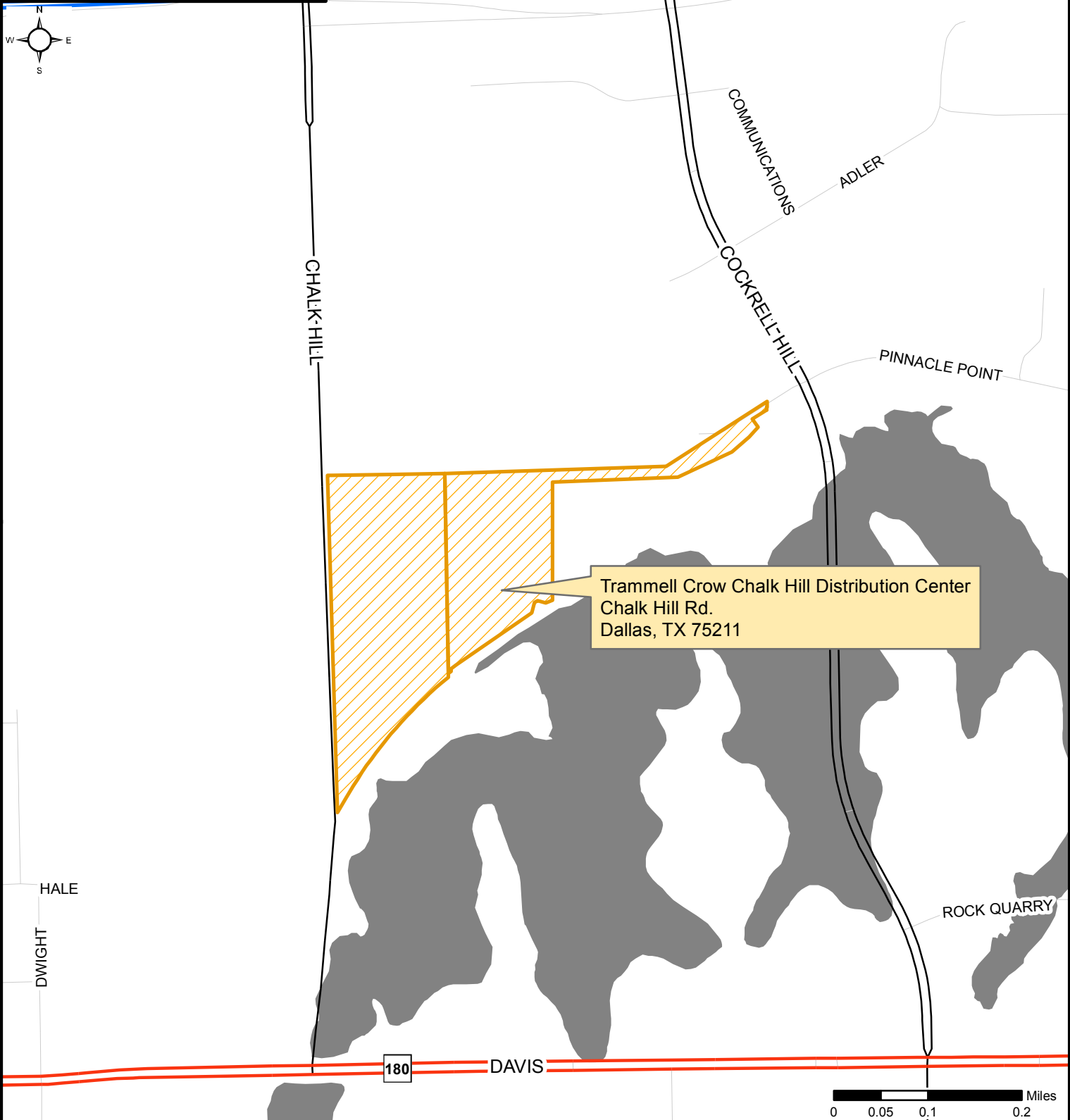
THENCE South 01 degree 07 minutes 20 seconds East, along the common easterly line of said 125.65 acre TXI Operations, LP tract and the westerly line of said 66.48 acre City of Dallas tract, a distance of 30.85 feet to a 5/8-inch iron rod with cap stamped "COTTON SURVEY" found in the northwesterly line of that tract of land described as "Second Tract" in said deed to Morning Park, Inc. recorded in Volume 99014, Page 5238, D.R.D.C.T., and being the beginning of a non-tangent curve to the left having a radius of 2,914.93 feet and a chord that bears South 40 degrees 36 minutes 27 seconds West, a distance of 923.36 feet, and from which point a 1/2-inch found iron rod with cap stamped "B&C" bears North 47 degrees 24 minutes West, a distance of 1.43 foot;

THENCE Southwesterly along said non-tangent curve to the left, through a central angle of 18 degrees 13 minutes 34 seconds, an arc distance of 927.26 feet to a 1/2-inch iron rod with cap stamped "RPLS 5322" found at the southeast corner of the aforementioned 0.633 acre City of Dallas tract for the southwest corner of the herein described tract, and from which point a 1/2-inch found iron rod with cap stamped "RPLS 5322" at the southwest corner of said 0.633 acre City of Dallas tract and in the former easterly right-of-way line of said Chalk Hill Road bears South 32 degrees 00 minutes West, a distance of 26.78 feet;

THENCE North 01 degree 59 minutes 58 seconds West, along the easterly line of said 0.633 acre City of Dallas tract, a distance of 1,826.95 feet to the POINT OF BEGINNING AND CONTAINING 1,549,940 square feet or 35.582 acres of land, more or less.

Exhibit B: Trammell Crow Chalk Hill Distribution Center

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.



Trammell Crow Chalk Hill Distribution Center
Chalk Hill Rd.
Dallas, TX 75211

DALLAS
ECONOMIC
DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 10.5.2015 - 15-10-05 David Schleg.TCG

Legend



Site



Freeway

— Highway

— Arterial

— Local Road

Source: City of Dallas, 2015

AGENDA ITEM # 63

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 1, 6

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 44 T U

SUBJECT

Authorize a second extension to the development agreement with Lynxette Exploration, LLC, previously approved on March 28, 2012, by Resolution No. 12-0962, in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) to extend the deadlines related to the completion of the Sylvan | Thirty project by one year; in consideration for the extension Lynxette Exploration, LLC shall **(1)** provide staff with a quarterly report of the project's outstanding items for submittal to the Fort Worth Avenue TIF Board; **(2)** annually request permission from TxDOT to complete the installation of the required landscaping and 7' sidewalk along the southern portion of the project site, and subsequent to receiving permission, must complete the work within the next immediate planting period and no later than 12 months from the date permission is granted; and **(3)** provide staff with documentation of TxDot's response to their annual request prior to the annual disbursement of TIF Reimbursement - Financing: No cost consideration to the City

BACKGROUND

Oaxaca Interests, through its affiliate Lynxette Exploration, LLC ("Owner"), has completed most of the requirements for TIF funding in support of a new mixed-use development called Sylvan | Thirty. The \$47 million project is located on Sylvan Avenue between Fort Worth Avenue and IH-30. It contains 201 loft-style apartment units, approximately 57,683 square feet of commercial space and a parking garage. The anticipated DCAD value upon its completion and lease-up is approximately \$22 million.

The final certificates of occupancy for the apartment and retail/commercial buildings that comprise the project were issued in April 2015. However, the developer requires additional time to complete several items that are necessary for the project to be in compliance with its approved conceptual plans and elevations. Additionally, they have requested several minor modifications to the design and location of the public improvements as specified in the project's development agreement. The requested extensions to the project deadlines will resolve these issues.

ESTIMATED PROJECT SCHEDULE

Began Construction January 2013
Complete Construction June 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2007, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Fifteen, the Fort Worth Avenue TIF District, by Ordinance No. 26798, as amended.

On March 26, 2008, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Fort Worth Avenue TIF District by Ordinance No. 27129, as amended.

On January 9, 2009, the Fort Worth Avenue TIF District Board of Directors voted to recommend an amendment to the Fort Worth Avenue TIF District Project Plan and the establishment of the Fort Worth Avenue Grant Program to implement the Fort Worth Avenue TIF District Project Plan.

On January 28, 2009, City Council authorized the establishment of the City of Dallas Fort Worth Avenue Grant Program.

On March 28, 2012, City Council authorized a development agreement and declared the intent of the Fort Worth Avenue TIF District to reimburse Lynxette Exploration, LLC, in an amount not to exceed \$3,200,000 to provide funding for support of the development of Sylvan Thirty by Resolution Nos. 12-0962 and 12-0963.

On June 26, 2012, the Fort Worth Avenue TIF Board of Directors reviewed the progress of the Sylvan Thirty project and authorized the Director of the Office of Economic Development to extend the related deadlines by six months for good cause in accordance with Section 2.N. of the executed development agreement with Lynxette Exploration, LLC.

On September 28, 2015, the Fort Worth Avenue TIF Board of Directors recommended City Council consideration and approval of an amendment to the development agreement with Lynxette Exploration, LLC.

Information about this item will be provided to the Economic Development Committee on November 2, 2015.

FISCAL INFORMATION

No cost consideration to the City

PROJECT COUNCIL DISTRICT

6

OWNER

**Lynxette Exploration, LLC
A Texas Limited Liability Company**

Brent Jackson, Manager

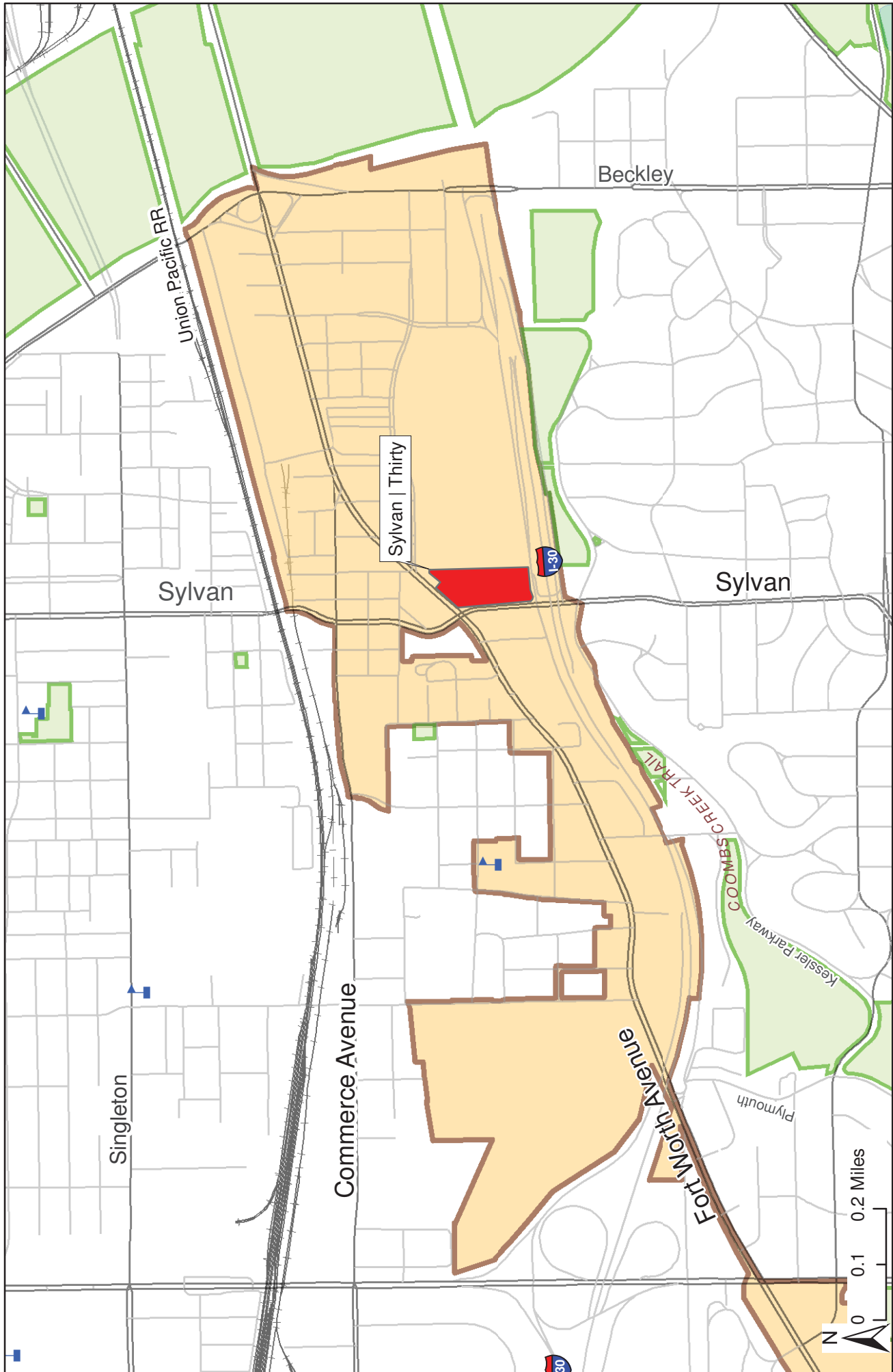
MAP

Attached.

DEVELOPER

**Lynxette Exploration, LLC
A Texas Limited Liability Company**

Brent Jackson, Manager



Fort Worth Avenue TIF District
Sylvan | Thirty

- Parks
- Fort Worth Avenue
- Sylvan | Thirty



November 10, 2015

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

WHEREAS, on June 13, 2007, City Council authorized the creation of Tax Increment Reinvestment Zone Number Fifteen, (the "Fort Worth Avenue TIF District"), in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311) to promote development and redevelopment in the Fort Worth Avenue area through the use of tax increment financing by Ordinance No. 26798, as amended; and

WHEREAS, on March 26, 2008, City Council authorized the Fort Worth Avenue TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27129, as amended; and

WHEREAS, on January 28, 2009, City Council authorized the establishment of the City of Dallas Fort Worth Avenue Grant Program by Resolution No. 09-0286; and

WHEREAS, on March 28, 2012, City Council authorized a development agreement and declared the intent of the Fort Worth Avenue TIF District to reimburse Lynxette Exploration, LLC ("Owner"), in an amount not to exceed \$3,200,000 to provide funding for support of the development of Sylvan Thirty project by Resolution Nos. 12-0962 and 12-0963; and

WHEREAS, on June 26, 2012, the Fort Worth Avenue TIF Board of Directors reviewed the status of the Sylvan Thirty project and authorized the Director of the Office of Economic Development to extend the related deadlines by six months for good cause in accordance with Section 2.N. of the executed development agreement with the Owner; and

WHEREAS, on September 28, 2015, the Fort Worth Avenue TIF Board of Directors recommended City Council consideration and approval of an amendment to the development agreement with the Owner; and

WHEREAS, in furtherance of the Fort Worth Avenue TIF District Project Plan and Reinvestment Zone Financing Plan and to promote within the Fort Worth Avenue TIF District: (1) development and diversification of the economy, (2) elimination of unemployment and underemployment, and (3) development and expansion of commerce, the City desires to continue to provide economic incentives to the Owner for the construction of Sylvan | Thirty development located on the property currently addressed at 712 and 738 Fort Worth Avenue, 738 IH 30; and 1802, 1808, 1812, 1824, and 1830 Sylvan Avenue in the Fort Worth Avenue TIF District.

November 10, 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 execute a second extension to the development agreement Lynxette Exploration, LLC, previously approved on March 28, 2012, by Resolution No. 12-0962, in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) to extend various deadlines in return for additional reporting requirements and obligations as follows:

- A. Extend the deadline to obtain a final certificate of acceptance issued by the City for the Sylvan | Thirty project's public improvements from June 30, 2015 to June 30, 2016.
- B. Extend the deadline complete construction and obtain a final certificate of occupancy for the residential portion of the Project from June 30, 2015 to June 30, 2016, and complete construction, complete the building permit, and pass final inspection for the building shell for the commercial portion of the Project from June 30, 2015 to June 30, 2016.
- C. Extend the deadline to execute and fund an operating and maintenance agreement for all non-standard public improvements, including trash pickup, from June 30, 2015 to June 30, 2016.
- D. Require the Project's east/west pedestrian connection to be completed prior to June 30, 2016 as opposed to the issuance of a certificate of occupancy on the project.
- E. Require the Owner to provide staff with a quarterly report of the project's outstanding items for submittal to the Fort Worth Avenue TIF Board.
- F. Specify the Owner must annually request permission from TxDOT to complete the installation of the required landscaping and 7' sidewalk along the southern portion of the project site, and subsequent to receiving permission, must complete the work within the next immediate planting period and no later than 12 months from the date permission is granted.
- G. Require the Owner to provide staff with documentation of TxDot's response to their annual request prior to the annual disbursement of TIF Reimbursement.

November 10, 2015

Section 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

Section 3. That all other terms and conditions as set forth in Resolution Nos. 12-0962 and 12-0963 shall remain in full force and effect, except as specifically outlined in Section 1 above.

Section 4. That the Director of the Office of Economic Development, after approval and recommendation of the Fort Worth Avenue Board of Directors, may authorize minor modifications to the project including the development site plan and/or an extension of the project deadlines up to six months.

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize **(1)** preliminary adoption of Substantial Amendment No. 4 to the Neighborhood Stabilization Program Plan to receive and deposit program income in the amount of \$350,000; **(2)** an increase in appropriations in the amount of \$350,000 from \$4,000,000 to \$4,350,000 to be used for similar eligible activities; and **(3)** a public hearing to be held on December 9, 2015 to receive comments on Substantial Amendment No. 20 to the Neighborhood Stabilization Program Plan – Financing: No cost consideration to the City

BACKGROUND

The Neighborhood Stabilization Program (NSP) funds may benefit low, moderate and middle income persons up to 120% Area Median Family Income (AMFI) for Dallas and 25% of the NSP funds must benefit low income persons up to 50% AMFI. The use of the funds must comply with the requirements under the Housing and Economic Recovery Act (HERA), the Community Development Block Grant regulations, the Uniform Relocation Assistance Real Property Acquisition Policies Act of 1970, and other federal requirements.

Notice to the public was provided of the allocation of NSP funds on October 23, 2008 and comments as to the use of funds were also requested. On November 17, 2008, the Housing Committee of the City Council was briefed on the NSP and reviewed recommendations for the use of funds. On November 19, 2008, City Council authorized the FY 2008-09 Consolidated Plan Reprogramming Budget #1 for the NSP funds, which included \$2.5 million for Acquisition, Demolition, and Redevelopment of Foreclosed and Abandoned Properties (ADR), \$4,639,300 for Acquisition, Rehabilitation, and Sell or Rent Foreclosed Properties (ARSR), and \$793,255 to provide for the administration, planning, oversight, reporting and implementation of projects to be funded by NSP over a four year period.

BACKGROUND (continued)

This council action will authorize (1) preliminary adoption of Substantial Amendment No. 4 to the Neighborhood Stabilization Program Plan to receive and deposit program income in the amount of \$350,000; (2) an increase in appropriations in the amount of \$350,000 from \$4,000,000 to \$4,350,000 to be used for similar eligible activities; and (3) a public hearing to be held on December 9, 2015 to receive comments on Substantial Amendment No. 20 to the Neighborhood Stabilization Program Plan.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 26, 2011, City Council held a public hearing on Substantial Amendment No. 10 to the FY 2008-2009 Consolidated Plan for the Neighborhood Stabilization Program (NSP1); and at the end of the public hearing, authorized: **(1)** final adoption of Substantial Amendment No. 10 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program (NSP1); **(2)** the receipt and deposit of program income in the amount of \$1,200,000 in the Neighborhood Stabilization Program Fund; and **(3)** an increase in appropriations in the amount of \$1,200,000 to be used for similar eligible activities, by Resolution No. 11-2876.

On November 14, 2012, City Council authorized **(1)** preliminary adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to receive and deposit program income in the amount of \$400,000; **(2)** an increase in appropriations in the amount of \$400,000, from \$3,400,000 to \$3,800,000 to be used for similar eligible activities; and **(3)** a public hearing to be held on December 12, 2012 to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the NSP1, by Resolution No. 12-2799.

On April 10, 2013, City Council authorized **(1)** preliminary adoption of Substantial Amendment No. 19 to the 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to receive and deposit program income in the amount of \$200,000; **(2)** an increase in appropriations in the amount of \$200,000, from \$3,800,000 to \$4,000,000 to be used for similar eligible activities; and **(3)** a public hearing to be held on May 22, 2013 to receive comments on Substantial Amendment No. 19 to the 2008-09 through 2012-13 Consolidated Plan for the NSP1, by Resolution No. 13-0650.

Information about this item will be provided to the Housing Committee on November 2, 2015.

FISCAL INFORMATION

No cost consideration to the City

November 10, 2015

WHEREAS, on October 26, 2011, City Council held a public hearing on Substantial Amendment No. 10 to the FY 2008-2009 Consolidated Plan for the Neighborhood Stabilization Program (NSP1); and at the end of the public hearing, authorized: **(1)** final adoption of Substantial Amendment No. 10 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program (NSP1); **(2)** the receipt and deposit of program income in the amount of \$1,200,000 in the Neighborhood Stabilization Program Fund; and **(3)** an increase in appropriations in the amount of \$1,200,000 to be used for similar eligible activities, by Resolution No. 11-2876; and

WHEREAS, on November 14, 2012, City Council authorized **(1)** preliminary adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to receive and deposit program income in the amount of \$400,000; **(2)** an increase in appropriations in the amount of \$400,000, from \$3,400,000 to \$3,800,000 to be used for similar eligible activities; and **(3)** a public hearing to be held on December 12, 2012 to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the NSP1, by Resolution No. 12-2799; and

WHEREAS, on April 10, 2013, City Council authorized **(1)** preliminary adoption of Substantial Amendment No. 19 to the 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to receive and deposit program income in the amount of \$200,000; **(2)** an increase in appropriations in the amount of \$200,000, from \$3,800,000 to \$4,000,000 to be used for similar eligible activities; and **(3)** a public hearing to be held on May 22, 2013 to receive comments on Substantial Amendment No. 19 to the 2008-09 through 2012-13 Consolidated Plan for the NSP1, by Resolution No. 13-0650; and

WHEREAS, program income generated through Neighborhood Stabilization Program activities must be used for other Neighborhood Stabilization Program eligible activities.

NOW, THEREFORE,

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

SECTION 1. That the City Council hereby authorizes **(1)** preliminary adoption of Substantial Amendment No. 20 to the Neighborhood Stabilization Program Plan to receive and deposit program income in the amount of \$350,000; **(2)** an increase in appropriations in the amount of \$350,000 from \$4,000,000 to \$4,350,000 to be used for similar eligible activities; and **(3)** a public hearing to be held on December 9, 2015 to receive comments on Substantial Amendment No. 20 to the Neighborhood Stabilization Program Plan.

November 10, 2015

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit the NSP1 Program Income funds in the amount of \$350,000 in the Neighborhood Stabilization Program Fund NS08, Department HOU, Unit 413A, Revenue Source Code 8474.

SECTION 3. That the City Manager is hereby authorized to increase established appropriations from \$4,000,000 to \$4,350,000 in Fund NS08, Department HOU, Unit 413A.

SECTION 4. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan or conditional grant, until such time as the loan and conditional grant documents are duly approved by all parties and executed.

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

AGENDA ITEM # 65

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned FWMU-3 Form Walkable Mixed Use Subdistrict, Tract I within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District with an SH-3 Shop Front Overlay, on the east corner of South Lamar Street and South Boulevard

Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z145-127(DL)

FILE NUMBER: Z145-127(DL)

DATE FILED: November 19, 2014

LOCATION: East Corner of South Lamar Street and South Boulevard

COUNCIL DISTRICT: 7

MAPSCO: 45Z

SIZE OF REQUEST: ±0.23 Acres

CENSUS TRACT: 34.00

APPLICANT: Isaiah and Shawanna Sullemon, Cowboys Lounge

REPRESENTATIVE: Davis Business Services

OWNER: Melissa Properties, LLC

REQUEST: An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned FWMU-3 Form Walkable Mixed Use Subdistrict, Tract I within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH-3 Shop Front Overlay.

SUMMARY: The applicant proposes to utilize the existing building as a bar with a dance floor [Cowboys Lounge]. The approximately 0.23 acre (+10,160-square feet) site consists of surface parking and a one-story structure that encompasses 3,200-square feet of floor area. The applicant proposes to use 3,050 square feet of floor area for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and 150-square feet of floor area for a commercial amusement (inside) use limited to a Class A dance hall.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

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* – According to Ordinance No. 24726, which established Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, the intent of F Form subdistricts within the PDD is to provide for mixed use developments that comply with Article XIII: “Form Districts.” The Ordinance envisions a subdistrict characterized by walkable urban neighborhoods with higher-density, mixed use housing types. However, the proposed uses, while approximately 200 linear feet from a park, is not incompatible with the current development pattern. Staff is recommending limited hours of operation and that remote parking is located along the north line of South Lamar Street to mitigate for any potential negative impacts on the adjacent and surrounding area. Therefore, staff has determined that the request is compatible for the foreseeable short term. Allowing the Specific Use Permit to return to the City Plan Commission and the City Council after a two-year period allows staff to reevaluate the use’s compatibility with development/potential redevelopment in this area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed uses will neither contribute nor deter from the welfare of adjacent properties within this area of the City.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed uses will not be a detriment to the public health, safety, or general welfare. If approved, the SUP will have conditions, such as hours of operation, associated with the uses and a site plan to mitigate for any potential negative impacts.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request complies with all applicable zoning regulations and standards.

Zoning History:

1. **Z101-277(DC)** On December 12, 2012, City Council approved Ordinance No. 28860 and Ordinance No. 28862, which were applications authorized by the City Plan Commission to consider amendments to Planned Development District 595, the South Dallas/Fair Park Special Purpose District, by amending the standards for certain uses, considering appropriate zoning on certain parcels currently zoned for multifamily and non-residential uses, adding a new single family district classification and new mixed use form district classifications on property zoned Planned Development District No. 595 and an NS(A) Neighborhood Service District.

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the application and determined that the request will not have a detrimental impact on the surrounding roadway system.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
S Lamar Street	Major Arterial	80 feet
South Boulevard	Minor Arterial	65 feet

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 an Urban Neighborhood.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

A two-year time period allows staff an opportunity to reevaluate the operation of the use to ensure that it is compatible with the surrounding area.

Land Use:

	Zoning	Land Use
Site	Tract I within PDD No. 595 with an SH-3 Shop Front Overlay	Unoccupied
North	Tract I within PDD No. 595	Undeveloped and Park
East	Tract I within PDD No. 595 with an SH-3 Shop Front Overlay	Retail, Automotive Service Uses, and Undeveloped Land
South	IM	Industrial Type Uses
West	Tract I within PDD No. 595 with an SH-3 Shop Front Overlay	Undeveloped

Land Use Compatibility:

The request site is surrounded by undeveloped land and a park to the north; retail, automotive service uses, and undeveloped land to the east; industrial type uses to the south; and undeveloped land to the west.

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.

While the request is not consistent with the vision for Tract I within PDD No. 595, it is consistent with the current surrounding development. Therefore, staff recommends that the Specific Use Permit be approved for a two-year period in order for the SUP to return to the City Plan Commission and City Council for reevaluation.

Parking:

The request will require one space for each 25 square feet of floor area for the dance floor (150 square feet) plus one space for each 100 square feet of floor area for the alcoholic beverage establishment (3,050 square feet). A total of 37 off-street parking spaces is required. The applicant will meet required parking by providing 17 on-site

parking spaces and 20 spaces via remote parking agreement. Staff has recommended a condition that additional required parking may be provided via remote parking agreement with one of the following stipulations: 1) Within a walking distance of 300 feet of the site; or 2) Within a walking distance up to 600 feet of the site along the northeast line of S. Lamar Street. This condition is recommended to limit the potential for any negative impact to the surrounding area.

Landscaping:

Landscaping of any development will be in accordance with the requirements of the ordinance governing Planned Development District No. 595. However, the applicant's request will not trigger any landscaping requirements, as no new construction is proposed on the site.

Police Report:

The following table was compiled from information received via the Geographic Information Support Bureau of the Dallas Police Department.

Date	Time	Premise	Incident	Address
10/6/2013	3:00	Private Club	Agg Assault	02900 S Lamar St
11/8/2013	23:30	Night Club	Found	02900 S Lamar St
11/9/2013	:30	Strip Club	Found	02900 S Lamar St
11/9/2013	1:17	128-Bar	Found	02900 S Lamar St
11/22/2013	23:40	607-Pool Hall	Found	02900 S Lamar St
11/22/2013	23:23	Club	Not Coded	02900 S Lamar St
11/23/2013	23:00	Bar	Not Coded	02900 S Lamar St
1/12/2014	2:30	Club Parking Lot	Investigation	02900 S Lamar St
1/24/2014	12:05	Night Club	Found	02900 S Lamar St
2/8/2014	13:00	Club	Assault	02900 S Lamar St
2/8/2014	14:00	Sidelines	Assault	02900 S Lamar St
2/18/2014	19:16	910-Public Street	Not Coded	02900 S Lamar St
2/18/2014	4:00	Bar	Assault	02900 S Lamar St
4/14/2014	13:00	907-Vacant Structure	Not Coded	02900 S Lamar St

CPC Action – October 15, 2015

1. Z145-127(DL)

Planner: Danielle Lerma

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern, and a commercial amusement (inside) use limited to a dance hall for a two-year period, subject to a site plan and conditions on property zoned FWMU-3 Form Walkable Mixed Use Subdistrict, Tract I within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District with an SH-3 Shop Front Overlay, on the east corner of South Lamar Street and South Boulevard.

Maker: Abtahi
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Shidid, Anantasomboon,
Abtahi, Lavallaisaa, Jung, Shellene, Peadon, Murphy, Ridley, Tarpley

Against: 0

Absent: 1 - Schultz

Vacancy: 1 - District 4

Notices: Area: 200 Mailed: 11

Replies: For: 2 Against: 0

Speakers: None

Z145-127(DL)

List of Partners/Principals/Officers

Melissa Properties, LLC

President

Andy French

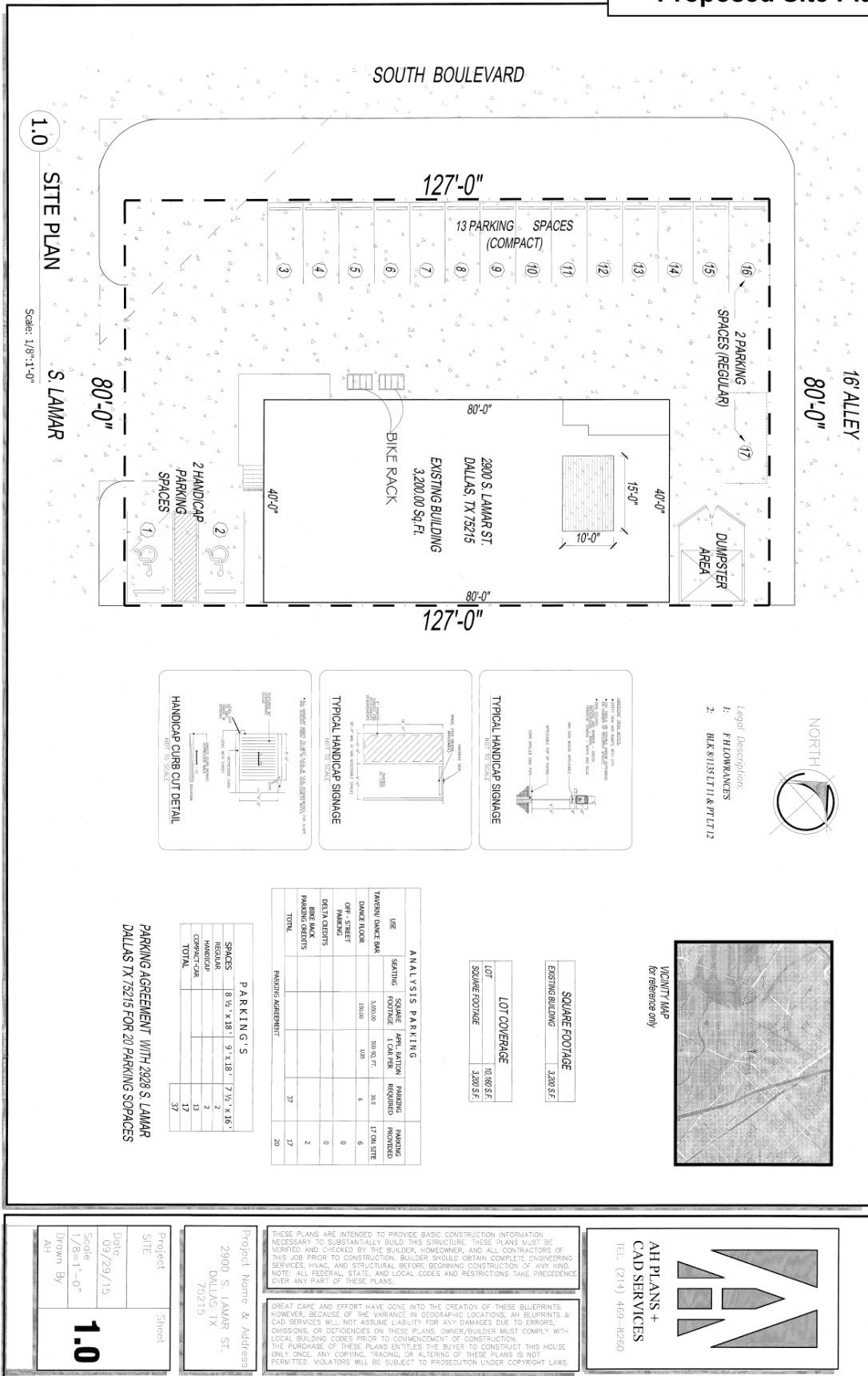
Director

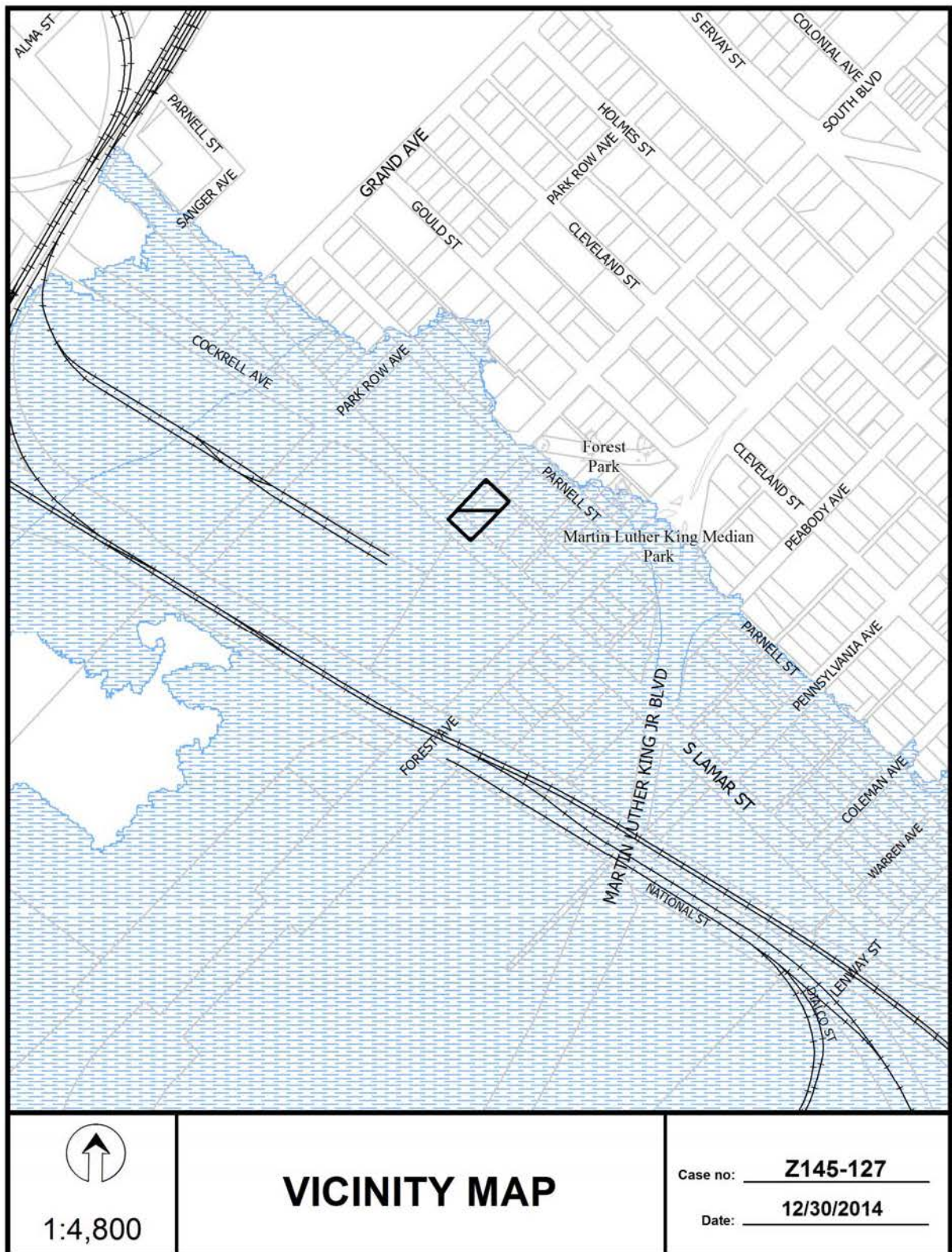
George Henry

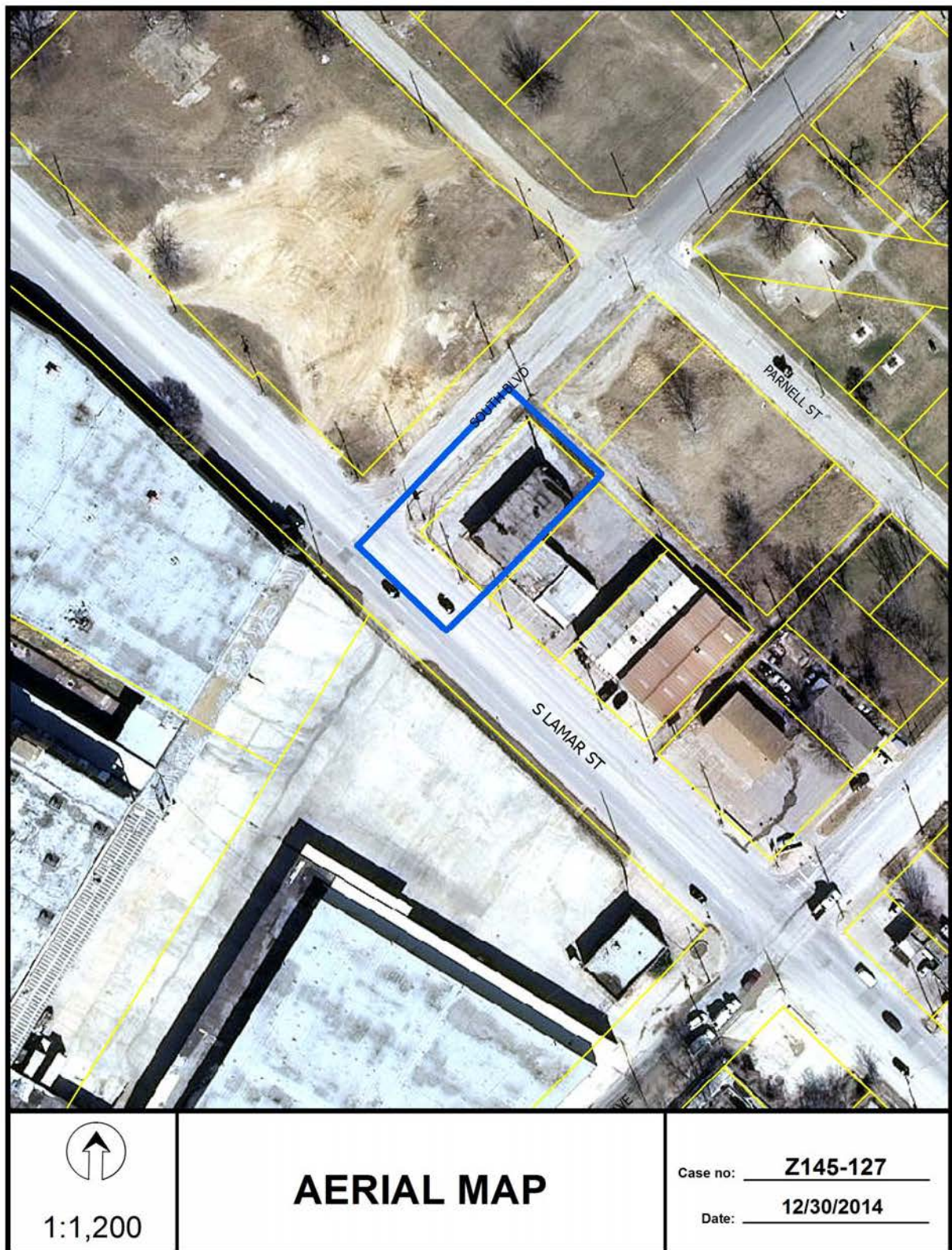
Z145-127
CPC Recommended SUP Conditions

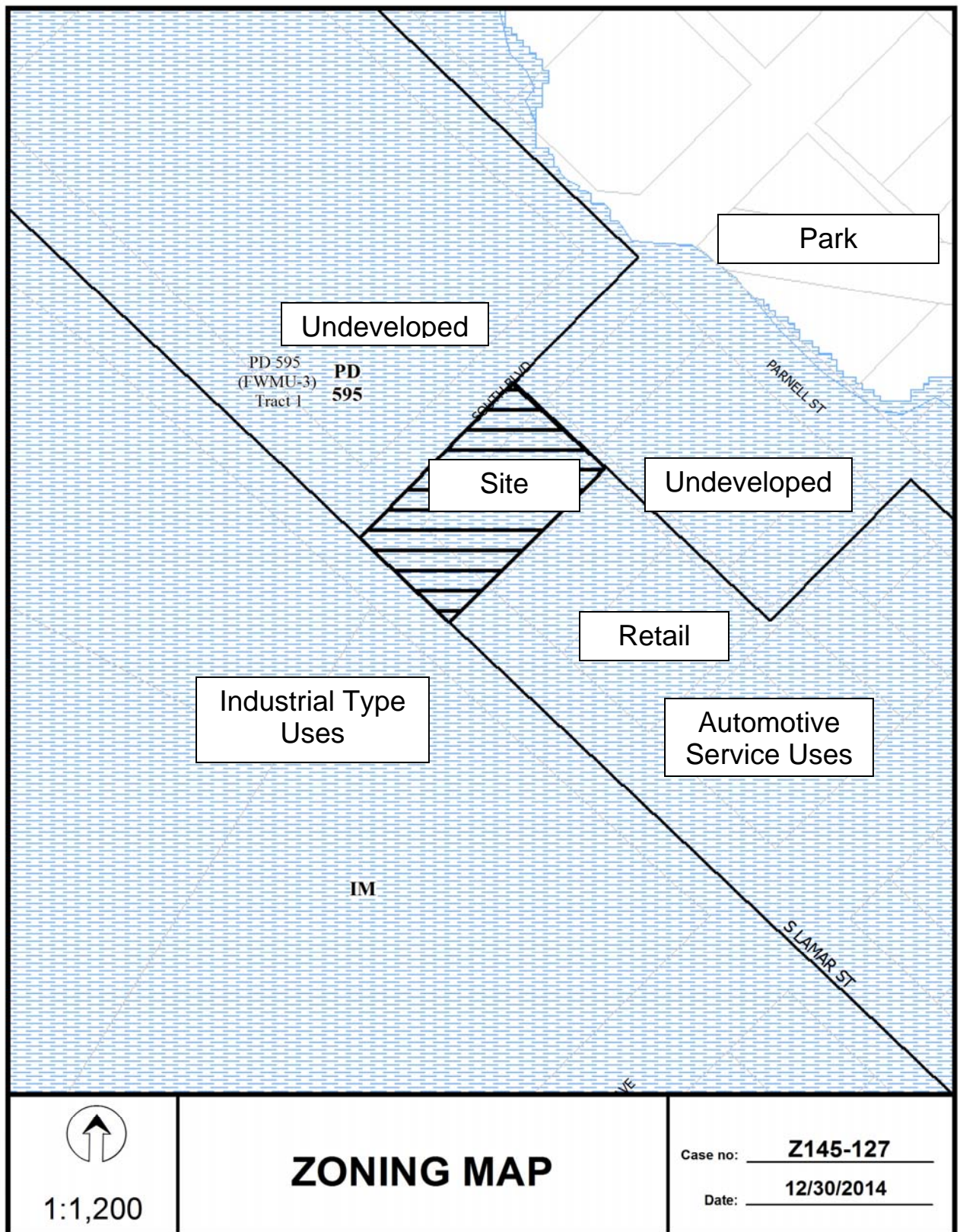
1. USE: The only uses authorized by this specific use permit are an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years from the passage of the ordinance).
4. LANDSCAPING: Landscaping must be provided in accordance with the requirements of the ordinance governing Planned Development District No. 595.
5. DANCE FLOOR: The dance floor is limited to 150 square feet in area, as shown on the attached site plan.
6. FLOOR AREA: The maximum floor area is 3,200 square feet in the location shown on the attached site plan.
7. HOURS OF OPERATION: The hours of operation are between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Saturday, and between 12:00 p.m. (noon) and 2:00 a.m. (the next day) on Sunday.
8. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan.
9. OFF-STREET PARKING: Parking must be provided as shown on the attached site plan. Additional required parking may be provided via remote parking agreement with one of the following stipulations: 1) Within a walking distance of 300 feet of the site; or 2) Within a walking distance up to 600 feet of the site along the northeast line of South Lamar Street.
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.

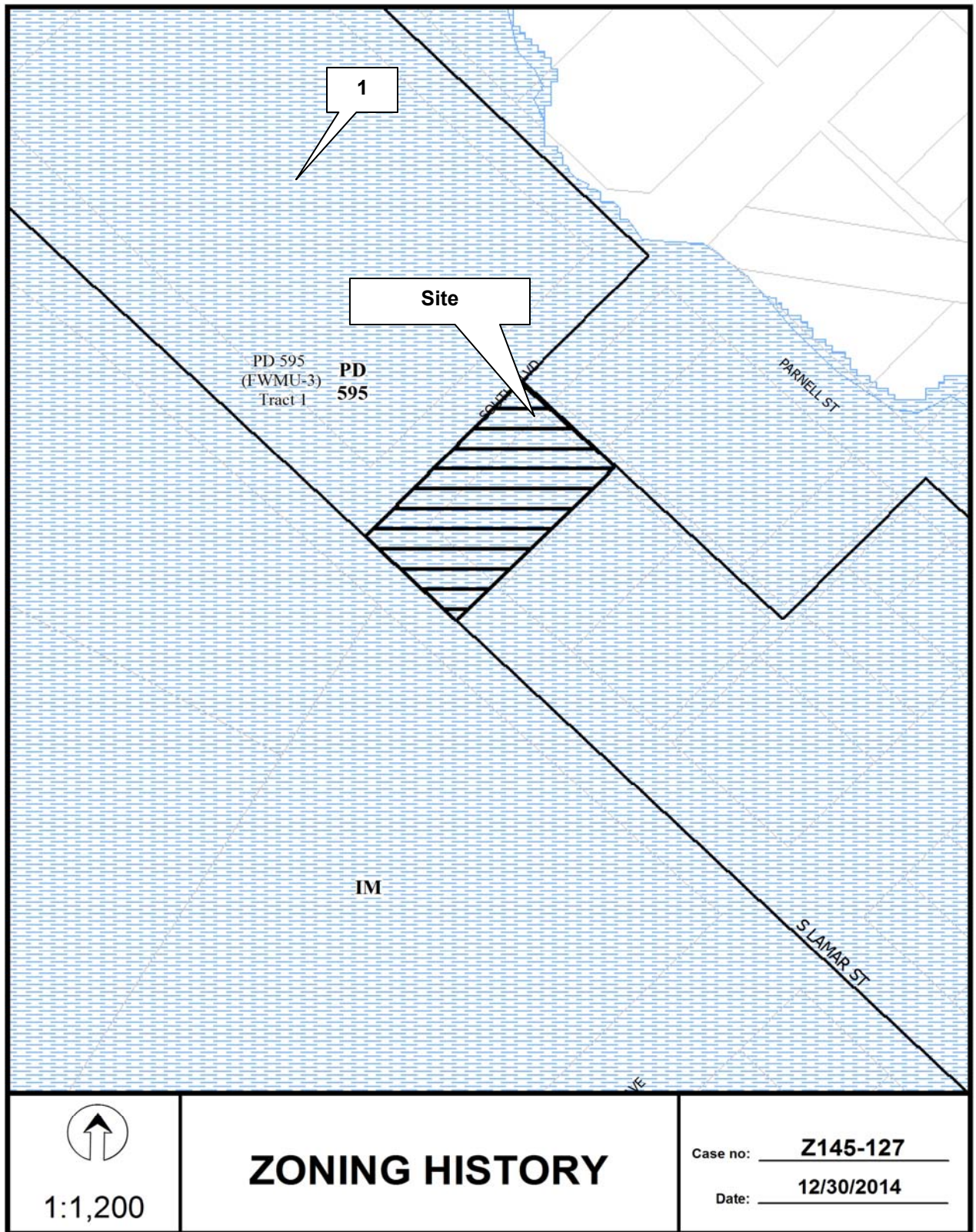
Proposed Site Plan



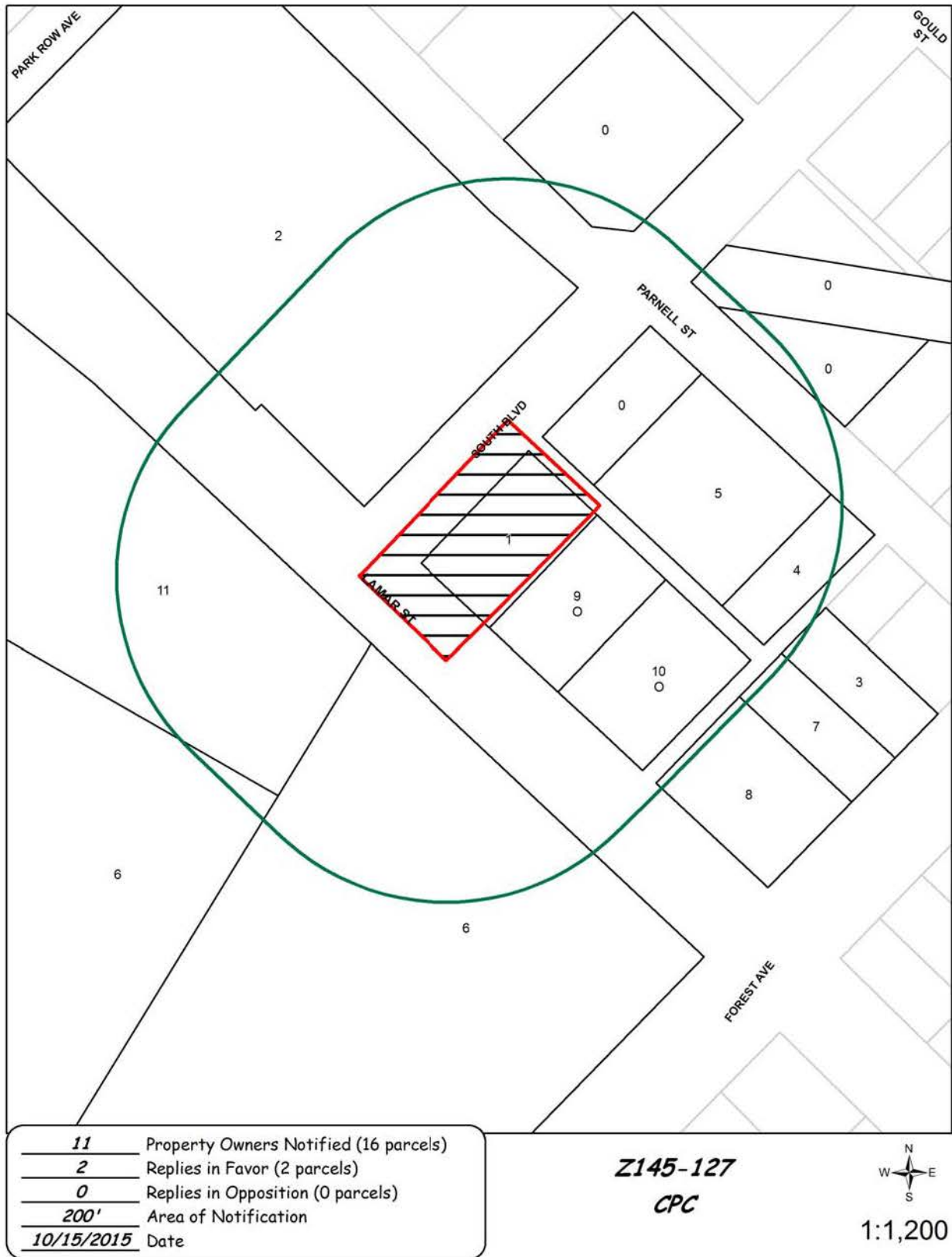








CPC Responses



10/14/2015

Reply List of Property Owners
Z145-127

11 Property Owners Notified 2 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2900 LAMAR ST	MELISSA PROPERTIES LLC
	2	1200 PARK ROW AVE	CCH LAMAR PARTNERS I LP
	3	1213 FOREST AVE	GEOFFREY SECURITY SVCS
	4	2915 PARNELL ST	HARRIS & HARRIS PROPERTIES LLC
	5	2909 PARNELL ST	HARRIS AND HARRIS PROPERTIES LLC
	6	2927 LAMAR ST	CCH LAMAR PARTNEERS I LP
	7	1209 FOREST AVE	CORWIN GINA D B
	8	2928 LAMAR ST	CORWIN GINA DIANA B
O	9	2910 LAMAR ST	LOVEJOY BROOKS S
O	10	2914 LAMAR ST	LOVEJOY BROOKS S
	11	2901 LAMAR ST	CCH LAMAR PARTNEERS I LP

AGENDA ITEM # 66

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 48 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District uses on property zoned a CR Community Retail District at the south corner of Piedmont Drive and Hillburn Drive

Recommendation of Staff and CPC: Approval, subject to a development plan, amenity plan and conditions

Z145-263(AF)

FILE NUMBER: Z145-263(AF)

DATE FILED: May 13, 2015

LOCATION: South corner of Piedmont Drive and Hillburn Drive

COUNCIL DISTRICT: 5

MAPSCO: 48X

SIZE OF REQUEST: Approx. 6.9 acres

CENSUS TRACT: 91.01

APPLICANT: Piedmont/Scyene Joint Venture

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER: Piedmont/Scyene Joint Venture

REQUEST: An application for a Planned Development District for MF-1(A) Multifamily District uses on property zoned a CR Community Retail District.

SUMMARY: The applicant's intention is to build a 120-unit retirement housing development with outside amenities that include trails, outdoor patios, community garden, green space, and a dog park. All uses within the MF-1(A) District would be permitted. The intention of the Planned Development is to provide for additional enhancements to the property that could serve to mitigate potential negative impacts of the new development onto the neighborhood. These enhancements include outdoor amenities, increased setback requirements, and 6 foot sidewalks around the perimeter. However, the applicant is also requesting an exception to MF-1(A) to permit parking in the front yard.

CPC RECOMMENDATION: **Approval**, subject to a development plan, amenity plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, amenity plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The PDD for MF-1(A) will not have any negative performance impacts upon surrounding property. The reduced height of 36 feet is less than the 54 feet permitted in CR (although restricted by residential proximity slope standards). The proposed conditions and plans allow opportunities for increased standards above and beyond a straight zoning district.
2. *Traffic impact* – A Traffic Impact Study Waiver Worksheet was provided by the applicant to demonstrate the estimated trips per day the development would generate. The estimates concluded the new 120-unit development would generate 797 trips per day. The existing Community Retail District zoning would generate more trips per day. The Engineering Section of the Department of Sustainable Development and Construction has determined that the increased density will not have a detrimental impact upon the surrounding street system.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is generally consistent with the forwardDallas! Comprehensive Plan. The PDD requirements include pedestrian and design enhancements that allow for integration with the adjacent neighborhood.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* –Currently, the site is zoned CR Community Retail. The proposed PD offers enhancements to the property that allow for a better transition into the neighborhood. These enhancements include outdoor amenities, increased setback requirements, and 6-foot sidewalks around the perimeter. However, the applicant is also requesting an exception to MF-1(A) to permit parking in the front yard. The proposed PDD amenity plan help mitigate any potential screening concerns.

Zoning History: There have been no recent zoning changes requested in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing Dimension
Hillburn Drive	Minor Arterial	60'
Piedmont Drive	Minor Arterial	60'
Pleasant Mound	Minor Arterial	Variable

STAFF ANALYSIS:

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in a Residential Neighborhood Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood "pocket parks" provide open space for families. Individual lot size, front yard and side yard setbacks, garage orientation and scale of the home varies from neighborhood to neighborhood. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cutthrough traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park-and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

The PDD request includes conditions and Development Code standards that make the request generally consistent with the Building Block.

Land Use:

	Zoning	Land Use
Site	CR, D-1	Vacant/Undeveloped
North	PD 687	Middle School
South	MF-1(A)	Single Family
East	MF-1(A)	Single Family
West	MF-1(A)	Multi-Family Apartments

Land Use Compatibility: Currently, the site is vacant, undeveloped, and across the street from an apartment complex, single family residential neighborhood, and a school. The site is located in a predominately low-density residential neighborhood. The one contrast to the low density is the intersection of Piedmont Drive and Hillburn drive. The site itself is currently zoned CR Community Retail. Formerly, there were offices and retail shops on the site. Located to the east, south, and west of the property is MF-1(A) Multi-family zoning. However, not all of the property was developed with the maximum density allowed. The east and south is developed with single family residential homes. Multi-family residential apartments are located to the west. Located to the north of the site is John B. Hood Middle School.

Dallas City Code defines retirement housing as a residential facility principally designed for persons 55 years of age or older. This use does not include “convalescent and nursing homes, hospice care, and related institutions” use, which is defined as a separate main use in Section 51A-4.504(8).

Development Standards:

Current Development Standards							
DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Proposed Development Standards							
DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed PD MF-1(A)	20' *variation from standard MF-1	15'	Min lot 3,000 sq ft 1,000 sq.ft.-E 1,400 sq. ft.-1 BR 1,800 sq.ft.-2 BR	36'	60%	Proximity Slope Visual Intrusion, Enhanced Urban Design Specifications	Multi-family, duplex, single family

The following design standards are included:

(1) The main public entrance for the building must be architecturally prominent and visible from the street. Architectural elements to define the main public building entrance may include an awning, porticos, paving treatments, a change in roofline, arcade, arches, integral planters, or a stoop or front porch.

(2) Building massing must be articulated by two of the following elements for every 40 feet of building facade.

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches, a depth of at least eight inches, and may include columns, arches, or niches.

(B) Awnings.

(C) Balconies.

(D) Change in material, color, or texture

(3) All upper-story levels must maintain 20 % transparency.

The proposed conditions also call for an unobstructed sidewalk width of six feet along the perimeter of the development. This is not shown in the current development plan.

Landscaping: Any new development on the property will require landscaping per Article X of the Dallas Development Code. The applicant has provided a conceptual amenities plan that delineates the proposed amenities for the site that include trails, outdoor patios, community garden, green space, and a dog park.

The development plan does state that landscape islands are to be installed on site, but they are not shown on the development plan. Before commencing construction, the applicant will have to file for an amendment to the development plan, inserting the true locations of the landscape islands.

Parking: Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. Fencing and/or screening of the parking is required in accordance with Sec. 51A-4.602. The mandatory screening will serve to screen the parking lot. Screening of the parking will include one or a combination of the following

(A) brick, stone, or concrete masonry, stucco, concrete, or wood;

(B) earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width;

(C) evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years; or

(D) any combination of the above.

CPC Action – October 15, 2015

Motion: It was moved to recommend **approval** of a Planned Development District for MF-1(A) Multifamily District uses, subject to a development plan, amenity plan and conditions on property zoned a CR Community Retail District at the south corner of Piedmont Drive and Hillburn Drive.

Maker: Shidid
Second: Shellene
Result: Carried: 12 to 0

For: 12 - Emmons, Rodgers, Shidid, Anantasomboon, Abtahi, Lavallaisaa, Jung, Shellene, Peadon, Murphy*, Ridley, Tarpley*

Against: 0

Absent: 2 - Anglin, Schultz

Vacancy: 1 - District 4

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 149
Replies: For: 1 Against: 4

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

List of Partners



March 30, 2015

City of Dallas
Department of Developmental Services
1500 Marilla Street, #5BN
Dallas, Texas 75201

RE: Zoning Change Application
2500 & 2504 Hillburn Drive
Dallas, Texas 75227

Listed below are the joint venture partners of the Piedmont/Scyene Joint Venture which owns the above referenced properties:

1. Piedmont/Scyene Neighborhood Association (Joint Venturer)
Betty Wadkins
Vice President
2843 Modesto
Dallas, Texas 75227
2. Georgetown Residents Association (Joint Venturer)
Shirley Stark
Chairman
Hillburn Hills Apartments
2603 Hillburn Drive, #A
Dallas, Texas 75227
3. Dallas City Homes, Inc. (Managing Joint Venturer)
Karen Brooks-Crosby
President
729 N. Bishop
Dallas, Texas 75208

Sincerely,
Piedmont/Scyene Joint Venture (Owner)
BY: Dallas City Homes, Inc. – Managing Joint Venturer


Karen Brooks-Crosby
President

Z145-263

729 N. Bishop Ave. Dallas, TX 75208 | p: (214)943-9007 f: (214)948-4830
www.dallascityhomes.net

BUILD A COMMUNITY. TRANSFORM THE FUTURE.

Proposed Conditions

ARTICLE _____.

PD _____.

SEC. 51P-_____.101.

LEGISLATIVE HISTORY.

PD _____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P-_____.102.

PROPERTY LOCATION AND SIZE.

PD _____ is established on property located at the south corner of Hillburn Drive and Piedmont Drive. The size of PD _____ is approximately 6.641 acres.

SEC. 51P-_____.103.

DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, STOOP means a small porch leading to the entrance of a residence

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P-_____.104.

EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ____A: Development plan.
- (2) Exhibit ____B: Amenities Plan.

SEC. 51P-_____.105.

DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-_____.107.

MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the MF-1(A) Multifamily District, subject to the same conditions applicable in the MF-1(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-1(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-1(A) Multifamily District is subject to DIR in this district; etc.

SEC. 51P-____.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-____.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general, except as provided in this section, the yard, lot, and space regulations for the MF-1(A) Multifamily District apply.

(b) Front yard. Minimum front yard is 20 feet.

SEC.51P-____.110 URBAN DESIGN.

For a multifamily or retirement housing use, the following urban design standards are required.

(1) The main public entrance for the building must be architecturally prominent and visible from the street. Architectural elements to define the main public building entrance may include an awning, porticos, paving treatments, a change in roofline, arcade, arches, integral planters, or a stoop or front porch.

(2) Building massing must be articulated by two of the following elements for every 40 feet of building facade.

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches, a depth of at least eight inches, and may include columns, arches, or niches.

(B) Awnings.

(C) Balconies.

(D) Change in material, color, or texture

(3) All upper-story levels must maintain 20 % transparency.

SEC. 51P- _____.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Parking in the required front yard is permitted in the area shown on the development plan.

SEC. 51P- _____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.112. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) While strict compliance is not required, landscaping must incorporate the general elements on the conceptual landscape/amenities diagram (Exhibit C)

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P _____.114. SIDEWALKS.

(a) Sidewalks along the perimeter of the development must have an unobstructed sidewalk width of six feet.

(b) Sidewalks must have an unobstructed sidewalk width of six feet. The director may approve an alternate sidewalk width that does not comply with this paragraph where a six foot sidewalk is not possible, but no less than four feet.

SEC. 51P- _____.115.

ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P- _____.116.

COMPLIANCE WITH CONDITIONS.

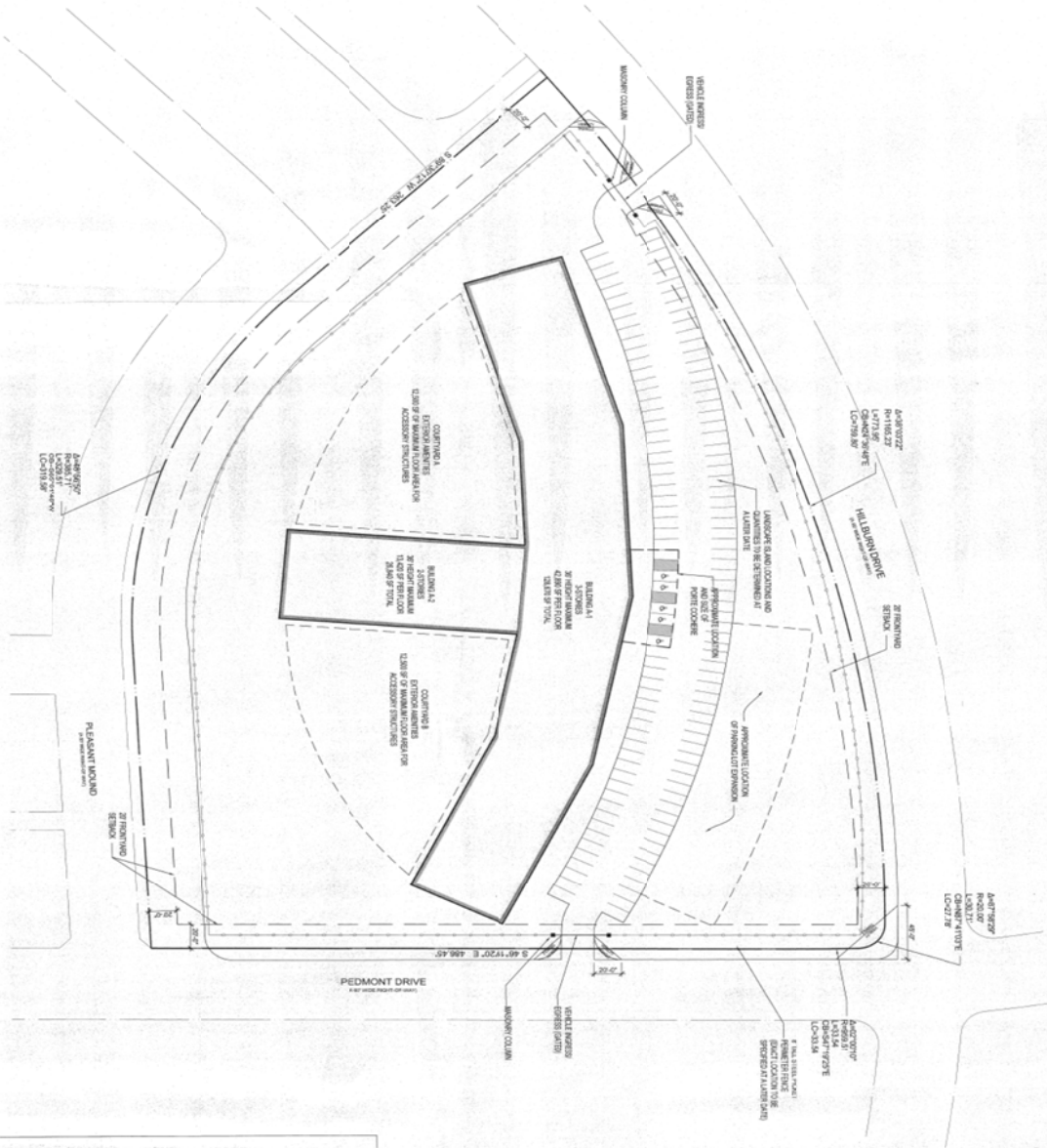
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

Proposed Development Plan



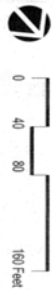
GFF Planning



PROJECT DATA

SITE AREA	6.52 Acres
TOTAL IMPROVED COVERAGE	20,000 SF
PROPOSED COVERAGE	21%
PROPOSED USE	RESIDENTIAL HOUSING
MAXIMUM RESIDENTIAL DENSITY	10 UNITS PER ACRE
PROPOSED PARKING SPACES	127 SPACES

2500/2504 HILLBURN DRIVE DEVELOPMENT PLAN



September 3, 2015

Case: Z145-263(AF)

Proposed Amenities Plan

TB6

DALLAS, TX

1 October 2015

DALLAS CITY HOMES/ CONCEPTUAL LANDSCAPE DIAGRAM

0

20'

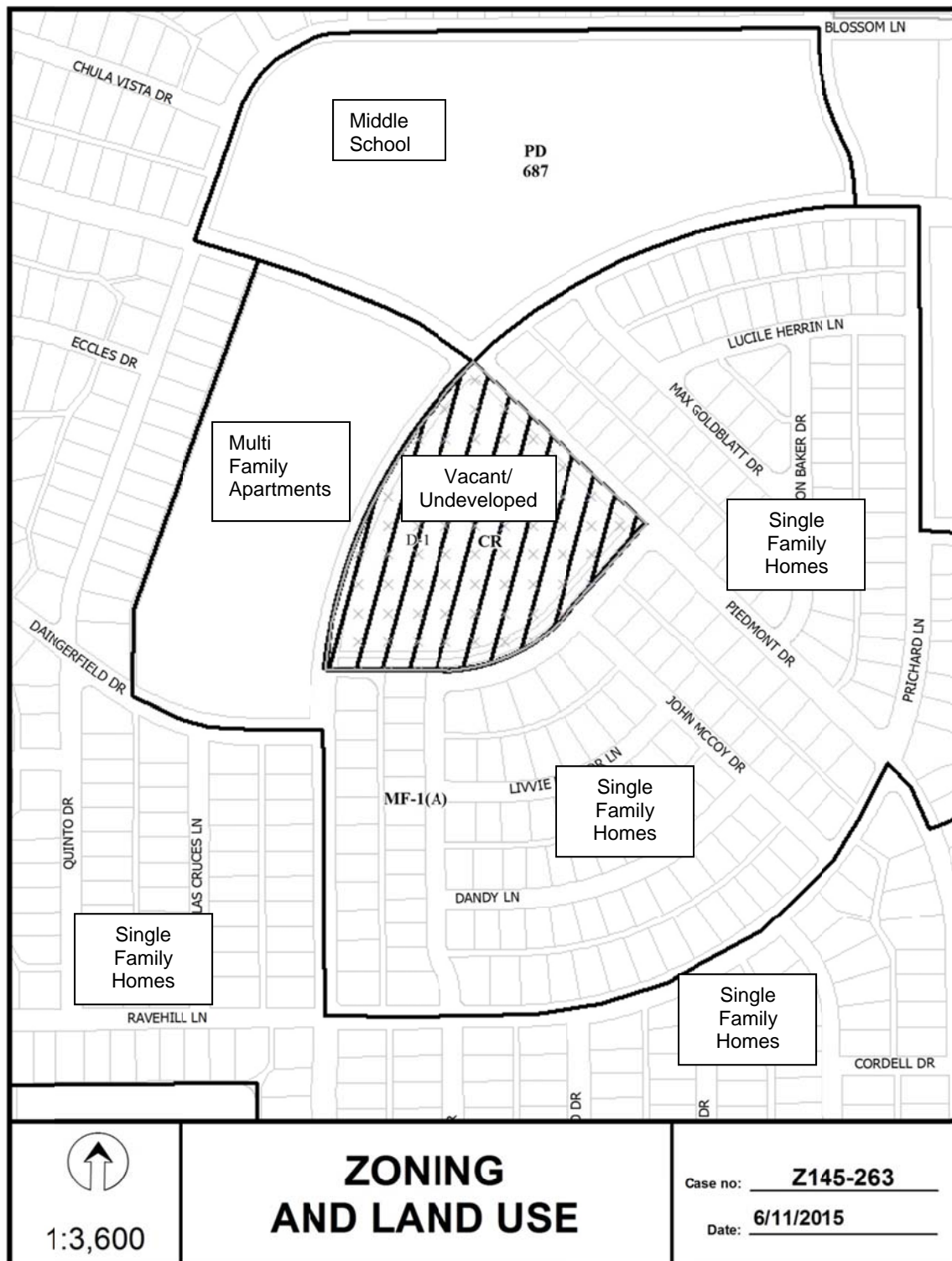
40'

80'









CPC Responses



0/19/2015

Reply List of Property Owners***Z145-263******149 Property Owners Notified 1 Property Owners in Favor 4 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2500 HILLBURN DR	PIEDMONT SCYENE JOINT VENTURE
	2	2600 PLEASANT MOUND	NATIONSBANK CDC SPECIAL
	3	7625 HUME DR	Dallas ISD
	4	2332 LAS CRUCES LN	GAMEZ MARIO
	5	2336 LAS CRUCES LN	MORALES VICTOR &
	6	2340 LAS CRUCES LN	CASTRO HECTOR
	7	2344 LAS CRUCES LN	PERDOMO FREDY A
	8	2352 LAS CRUCES LN	BREWER TRACY
	9	2421 HILLBURN DR	INGRAM LAWRENCE K JR &
	10	2417 HILLBURN DR	SAAVEDRA ANA JULIA
	11	2411 HILLBURN DR	FIERRO RODOLDO H &
	12	2407 HILLBURN DR	PEREZ JOSE
	13	2403 HILLBURN DR	SMITH BARRY V
	14	2402 QUINTO DR	LIEF PETERSON ENTERPRISE LLC
	15	2410 QUINTO DR	OROZCO VICTORIA
	16	2353 LAS CRUCES LN	QUIROZ J FELIX & JOSEFINA GARCIA
	17	2349 LAS CRUCES LN	ENGLAND MICHAEL S
	18	2343 LAS CRUCES LN	REYES DOLORES
	19	2339 LAS CRUCES LN	GUZMAN MARIO R
	20	2608 QUINTO DR	MENDOZA JOSE
	21	2602 QUINTO DR	CHAVEZ JESSE & BECKY
	22	2554 QUINTO DR	SMITH SANDRA
	23	2550 QUINTO DR	MENDEZ LUCIANO
	24	2546 QUINTO DR	CONTRERAS LORENZO A
	25	2542 QUINTO DR	OROZCO IVONNE &
	26	2536 QUINTO DR	JOHNSON MARGARETT

Z145-263(AF)

10/19/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2532 QUINTO DR	WALDROUP MARVIN
	28	2526 QUINTO DR	RENTERIA ARMANDO P &
	29	2522 QUINTO DR	GUERRERO MARIA L & JUAN &
	30	2518 QUINTO DR	RIVERA BRUCE J
	31	2514 QUINTO DR	BOSTWICK ERIC W
	32	2508 QUINTO DR	GREY PATRICIA
	33	2502 QUINTO DR	REYES JUAN A & ANITA
	34	2501 HILLBURN DR	PIEDMONT SCYENE JV
	35	7702 HUME DR	CROCKETT CURTIS JR &
	36	7706 HUME DR	CHACKO THOMAS &
	37	7710 HUME DR	ESTRADA AVELINA QUEZADA
	38	7714 HUME DR	ROCHA PEDRO &
	39	2715 LUCILE HERRIN LN	SCOTT HARRISON L JR &
	40	2711 LUCILE HERRIN LN	VAZQUEZ JULIO C
	41	2707 LUCILE HERRIN LN	RANGEL JOSE LOPEZ
	42	2703 LUCILE HERRIN LN	ORELLANA BLANCA A
	43	2649 MAX GOLDBLATT DR	JONES JIMMY JR &
	44	2645 MAX GOLDBLATT DR	ROCKWELL SANDRA
	45	2641 MAX GOLDBLATT DR	HERNANDEZ JUAN & CECILIA
	46	2637 MAX GOLDBLATT DR	ARREOLA GABRIELLA
	47	2633 MAX GOLDBLATT DR	MUJICA FERNANDO &
	48	2629 MAX GOLDBLATT DR	MONTIEL HENRY F &
	49	2625 MAX GOLDBLATT DR	FERGUSON CORAZON &
	50	2621 MAX GOLDBLATT DR	STEWART MARY H
	51	2617 MAX GOLDBLATT DR	STANDARD HAROLD E &
	52	2613 MAX GOLDBLATT DR	VEGA MAURICIO
	53	2609 MAX GOLDBLATT DR	BANDOH MARYCHLOE
	54	2605 MAX GOLDBLATT DR	ORTIZ VICENTE G & GUZMAN ANGELA D
	55	2601 MAX GOLDBLATT DR	FRANKLIN ROSIE

10/19/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	56	7660 PIEDMONT DR	VANGELDER ALEXIS
	57	7656 PIEDMONT DR	SALINAS GILBERTO &
	58	7652 PIEDMONT DR	VALLADARES GLORIA
	59	7648 PIEDMONT DR	MENDOZA JOSE
	60	7644 PIEDMONT DR	MENDOZA ISAIAS
	61	7640 PIEDMONT DR	CARTER BLENTHIA
	62	7636 PIEDMONT DR	OREJEL EUGENIO &
	63	7632 PIEDMONT DR	NORMAN MARCIA D &
X	64	7628 PIEDMONT DR	MENDOZA JUAN
	65	7624 PIEDMONT DR	ROMERO RAMON LUIS
	66	7620 PIEDMONT DR	GALLARDO ADRIANA NIETO &
	67	7616 PIEDMONT DR	ORTIZ MARIO
	68	7612 PIEDMONT DR	RAMIREZ ALEJANDRO
	69	7608 PIEDMONT DR	RECORD JANICE M
	70	7604 PIEDMONT DR	HERNANDEZ EDWIN O
	71	2504 RON BAKER DR	JOHNSON SCHRONDA
	72	2508 RON BAKER DR	KESLER CHARLES &
	73	2512 RON BAKER DR	GOLDMAN FELICIA P
	74	2516 RON BAKER DR	CASTELLON CRISTELA M
	75	2520 RON BAKER DR	BLANCO GERARDO &
	76	2524 RON BAKER DR	OVIEDO LAURENTINA
	77	2528 RON BAKER DR	HUERTA OSCAR &
	78	2532 RON BAKER DR	CLAY CELIA A & PERCY L
	79	2536 RON BAKER DR	ELMORE ANDREA & THERESA
	80	2540 RON BAKER DR	RILEY MARCO
	81	2544 RON BAKER DR	BONNER DARRION &
	82	2714 LUCILE HERRIN LN	BOWENS JADA
	83	2543 RON BAKER DR	DRIVER DUANE A
O	84	2612 MAX GOLDBLATT DR	STARK SHIRLEY & BYRON
X	85	2616 MAX GOLDBLATT DR	BYER KURT
	86	2620 MAX GOLDBLATT DR	ALEXANDER KANIKA L
	87	2624 MAX GOLDBLATT DR	ESCOBEDO JOSE

10/19/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	88	2404 HILLBURN DR	SOSA JOSE CARLOS
	89	2408 HILLBURN DR	RIOS SAMEUL &
	90	2412 HILLBURN DR	GAMA WBLEHSTER
	91	2416 HILLBURN DR	MEDINA AMELIA
	92	2420 HILLBURN DR	PINEDA JOSE MANUEL &
	93	2424 HILLBURN DR	BRAVO JOSE ARTEMIO &
	94	2528 HILLBURN DR	CERDA MIGUEL
	95	2351 GAYLORD DR	PADILLA MARTIN & ANTONIA
X	96	2347 GAYLORD DR	LAMELA LEONIDA
	97	2343 GAYLORD DR	SALAZAR JUANA M & JUAN D
	98	2339 GAYLORD DR	MATURINO MARIA &
	99	2335 GAYLORD DR	GARCIA MA EVELIA
	100	2331 GAYLORD DR	AVILA VALENTIN
	101	2327 GAYLORD DR	CUEVAS FRANCISCO &
	102	2323 GAYLORD DR	MEJIA JULIO & REINA I
	103	7602 PLEASANT MOUND	HERNANDEZ FRANCISCO J
	104	7608 PLEASANT MOUND	SANCHEZ JOAQUIN TINAJERO &
	105	7610 PLEASANT MOUND	DAVIS BERTHA
	106	7614 PLEASANT MOUND	ARTEAGA SANDRA DEL CARMEN
	107	7618 PLEASANT MOUND	ERAZO JOSE LUIS &
	108	7631 LIVVIE MEADOR LN	ULLOASOLIS ALFREDO &
	109	7627 LIVVIE MEADOR LN	MONTES CARLOS ANDRES
	110	7623 LIVVIE MEADOR LN	BYNAUM JUQUITA MICHELL
	111	7619 LIVVIE MEADOR LN	DAVIS FANTA L &
	112	7615 LIVVIE MEADOR LN	RAMIREZ ABELARDO
	113	7611 LIVVIE MEADOR LN	DIAZ DARIO
	114	7607 LIVVIE MEADOR LN	RANKINS BRENDA J
	115	7603 LIVVIE MEADOR LN	STEPHENS VIRGINIA R
	116	7604 LIVVIE MEADOR LN	SORIANO VICENTE &
	117	7608 LIVVIE MEADOR LN	MOLINITO NOE &
	118	7612 LIVVIE MEADOR LN	TARALA JAYALAKSHMI
	119	7616 LIVVIE MEADOR LN	LOPEZ MARIA L &

10/19/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	7620 LIVVIE MEADOR LN	RODRIGUEZ JOSE C &
	121	7624 LIVVIE MEADOR LN	GARCIA GILBERTO
	122	7628 LIVVIE MEADOR LN	GONZALEZ DANIEL &
X	123	7632 LIVVIE MEADOR LN	ENENMOH IKE &
	124	7636 LIVVIE MEADOR LN	HERNANDEZ EZEQUIEL &
	125	7647 DANDY LN	BLOXSON SHARON M
	126	7643 DANDY LN	SANCHEZ JOSE &
	127	7639 DANDY LN	CHATMON LISA
	128	7635 DANDY LN	SLAYTON CASSAUNDRA
	129	7631 DANDY LN	SEPULVEDA MIQUEL &
	130	7627 DANDY LN	MONTGOMERY N ALICE &
	131	7623 DANDY LN	ACEVEDO LUIS &
	132	7619 DANDY LN	BETTLES KENNETH &
	133	7615 DANDY LN	CHAVEZ J INES
	134	7611 DANDY LN	MEDINA EMILIO & ALEJANDRA
	135	7609 DANDY LN	MALDONADO ALMA ETAL
	136	7603 DANDY LN	SANCHEZ JESUS A
	137	7643 PIEDMONT DR	SANCHEZ MARCOS
	138	7647 PIEDMONT DR	GONZALEZ MARIA &
	139	7651 PIEDMONT DR	QUINONES YASMIN
	140	7655 PIEDMONT DR	GARCIACHAVEZ JUANA
	141	7659 PIEDMONT DR	FORTUNE VENTURE SOLUTIONS LLC
	142	7703 PIEDMONT DR	BARRIOS MARIA ANTONIA
	143	2336 JOHN MCCOY DR	LIVELY BRIGGITTE R
	144	2342 JOHN MCCOY DR	CABALLERO JOSE A
	145	2348 JOHN MCCOY DR	EVANS DONALD
	146	2354 JOHN MCCOY DR	BANK OF AMERICA N A
	147	2360 JOHN MCCOY DR	RODRIGUEZ RICARDO
	148	2366 JOHN MCCOY DR	GUZMAN JOSE M &
	149	2372 JOHN MCCOY DR	SMALLWOOD BOBBIE

AGENDA ITEM # 67

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 23 V

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for LO-1 uses and a mortuary, funeral home, or commercial wedding chapel use on property zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District with a D Overlay, on the northeast line of Webb Chapel Road and on the west line of Larga Drive, east of Webb Chapel Extension

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions

Z145-264(SM)

FILE NUMBER: Z145-264(SM) **DATE FILED:** May 14, 2015

LOCATION: Northeast line of Webb Chapel Road and on the west line of Larga Drive, east of Webb Chapel Extension

COUNCIL DISTRICT: 6 **MAPSCO:** 23V

SIZE OF REQUEST: Approx. 2.19 acres **CENSUS TRACT:** 98.02

APPLICANT / OWNER: DeWayne D. Hughes

REPRESENTATIVE: Maxwell J. Fisher, Masterplan Consultants

REQUEST: An application for a Planned Development District for LO-1 uses and a mortuary, funeral home, or commercial wedding chapel use on property zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District with a D Overlay.

SUMMARY: The applicant proposes to enlarge the existing funeral home, to extend the parking area to Larga Drive, to decrease parking requirements, and to modify landscaping requirements. On September 22, 2015, the City Council remanded the request to the City Plan Commission. The applicant revised the development plan and landscape plan to keep the alley open.

CPC RECOMMENDATION: Approval, subject to a development plan, landscape plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan, landscape plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommendation for approval is based upon:

1. *Performance impacts upon surrounding property* – This request proposes to enlarge an existing use and to expand the surface parking to two adjacent residential lots. The proposed request requires an enlarged residential landscape buffer and a 125-foot setback from Larga Drive, the area that is currently residential, in order to prohibit vertical development. Therefore the impacts on surrounding properties are lessened.
2. *Traffic impact* – The request has controls to direct daily traffic to and from Webb Chapel Road and to prohibit additional traffic on Larga Drive.
3. *Comprehensive Plan or Area Plan Conformance* – The request area is located in the Urban Neighborhood Building Block. The proposed zoning is consistent with this building block.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The site has an existing overhead utility transmission easement ranging from 50 to 100 feet in width that generally bisects the property. The location of this existing easement and the existing building along with its proximity to a cemetery make for a unique relationship that functions well, but is not supported by the Dallas Development Code. A planned development district allows specialized conditions to control the impacts the proposed development has on surrounding properties but also grants modifications to Article X landscaping requirements and parking requirements to accommodate the constraints of the large overhead utility easement.

BACKGROUND INFORMATION:

- The lots 3 and 4 of Block 7/6144 were filed in the County of Dallas in September 1946, annexed in December 1947. The lots were then constructed as two single family homes in 1950 according to Dallas Central Appraisal District records.
- Lot 2A of Block 7/6144 was filed in May of 1972 and was constructed as a funeral home in 1972 according to Dallas Central Appraisal District records.
- The site was under review for the alley abandonment that divides the funeral home from the single family homes but has changed their application to leave the alley intact.

Zoning History: There has been one recent zoning change in the vicinity within the last five years.

1. **Z101-185:** On September 26, 2011, City Council approved a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an LO-1 Limited Office District with the D Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing Dimension
Webb Chapel Road	Community Collector	Standard-4 lanes-Divided, 80 feet R.O.W.
Larga Drive	Local	50 feet R.O.W.

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* designates the area of request located in an Urban Neighborhood Building Block.

This Building Block should encourage the redevelopment of aging auto-oriented single family neighborhoods. These areas offer dense mixed use and then transition to multi-family and single family housing at the edge. These corridors should diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit-orientation and access.

Land Use:

	Zoning	Land Use
Site	LO-1 and R-7.5(A)	Mortuary, funeral home, or commercial wedding chapel and single family
North	R-7.5(A)	Cemetery and single family
South	NS(A)	Retail and personal service
East	SUP 528, MF-2(A), and R-7.5(A)	Child care facility, multifamily and single family
West	CR	Personal service and retail

Land Use Compatibility:

The land uses surrounding the request site consist of a cemetery and single family to the north, a home that was converted into a child care facility and additional single family to the east, and retail uses to the south and west.

An enhanced landscape buffer will be provided along Larga Drive to screen parking to the residential street and limit vehicular access to the street to emergency vehicles. In addition, a large setback will prohibit vertical development. These conditions are aimed

to protect the residential character of Larga Drive while allowing emergency access and adequate parking areas for the proposed expansion of the funeral home.

Parking: The request includes a parking reduction for a mortuary, funeral home, or wedding chapel. The proposed development seeks to enlarge areas for reception, body preparation, and a family visitation room, but to keep the existing chapel size unchanged. The proposed modification to parking requirements decreases the Development Code parking requirements by 7 spaces. The proposed parking analysis is as follows:

	Development Code			Proposed	
Factor	Ratio	Required		Ratio	Required
250 seats in chapel	1 per 2 seats	125		1 per 2 seats	125
13,500 SF excluding the chapel	1 per 500 SF	27		1 per 675 SF	20
	Total	152		Total	145

The development plan shows 145 standard-width parking spaces provided on site, therefore providing seven less spaces than the Development Code requires. It is possible to squeeze in these seven spaces with compact car parking spaces, however, staff believes parking is better facilitated with standard-width parking stalls than over a quarter of the parking lot with compact stalls and the majority of vehicles double park.

Staff supports the requested parking reduction due to the unique factors of the overhead utility easement and placement of the existing building.

Landscaping: The request generally complies with Article X of the landscaping regulations with an enlarged landscape buffer adjacent to residential properties, requiring evergreen hedges to Larga Drive, and allowances for the existing overhead utility easement which prohibits plantings underneath. The dumpster enclosure encroaches into the residential landscape buffer. Also, due to the overhead utility easement, street trees and parking lot trees are not provided in accordance with the code.

CPC Action – October 15, 2015

Motion: It was moved to recommend **approval** of a Planned Development District for LO-1 uses and a mortuary, funeral home, or commercial wedding chapel use, subject to a development plan, landscape plan and conditions on property zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District with a D Overlay, on the northeast line of Webb Chapel Road and on the west line of Larga Drive, east of Webb Chapel Extension.

Maker: Anantasomboon

Second: Ridley

Result: Carried: 12 to 0

For: 12 - Emmons*, Rodgers, Shidid, Anantasomboon,
Abtahi, Lavallaisaa, Jung, Shellene, Peadon,
Murphy, Ridley, Tarpley

Against: 0

Absent: 2 - Anglin, Schultz

Vacancy: 1 - District 4

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 65

Replies: For: 2 Against: 2

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202

For (Did not speak): Maxwell Fisher, 900 Jackson St., Dallas, TX, 75202

Against: None

“ARTICLE ____.

PD ____.

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- ____ .102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located at the east line of Webb Chapel Road and at the west line of Larga Drive, north of Bolivar Drive. The size of PD _____ is approximately _____ 2.19 acres.

SEC. 51P- ____ .103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P- ____ .104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ____A: development plan.

(2) Exhibit ____B: landscape plan.

SEC. 51P- ____ .105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- _____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the LO-1 Office District, subject to the same conditions applicable in the LO-1 Office District, as set out in Chapter 51A. For example, a use permitted in the LO-1 Office District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the LO-1 Office District is subject to DIR in this district; etc.

(b) The following additional main uses are permitted:

-- Mortuary, funeral home, or commercial wedding chapel.

SEC. 51P- _____.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory use is permitted:

-- Accessory pathological waste incinerator in conjunction with a mortuary or funeral home.

SEC. 51P- _____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard.

(1) Except as provided in this subsection, minimum front yard is 15 feet.

(2) For Larga Drive, minimum front yard is 125 feet.

(b) Side and rear yard. :

(1) Except as provided in this subsection, no minimum side and rear yard is required.

(2) Minimum side and rear yard is 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(3) Garbage storage areas adjacent to an alley or a cemetery or mausoleum may be located in required side and rear yards.

(c) Density. No maximum dwelling unit density.

(d) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for any combination of lodging, office, and retail and personal service uses; and

(ii) 0.75 for all uses combined.

(e) Height. Except as provided in this subsection, maximum structure height is 30 feet.

(1) For buildings with a gable, hip, or gambrel roof maximum structure height is 35 feet.

(2) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height. A cemetery or mausoleum is not private property for purposes of Section 51A-4.412.

(f) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. For the purpose of determining lot coverage, the district is considered one lot.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is two.

SEC. 51P- _____.109.

OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Ingress and egress on Larga Drive must be as shown on the development plan (Exhibit ____A). The gated entry must be secured with a Knox-Box that is approved

by the Dallas Fire Department and must remain closed except to provide access to emergency vehicles, equipment, and personnel.

(c) For parking purposes the district is considered one lot.

(d) The minimum off-street parking requirement for a mortuary, funeral home, or commercial wedding chapel is:

(1) One space per 300 square feet of floor area other than the chapel, plus one space for each two seats in the chapel. Up to 50 percent of the required off-street parking for this use may be tandem spaces.

(2) If all spaces provided are non-tandem, the off-street parking requirement for this use is one space per 675 feet of floor area other than the chapel, plus one space for each two seats in the chapel.

(3) No bicycle parking is required.

(4) Loading spaces are not required.

SEC. 51P- _____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.111. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided as shown on the landscape plan (Exhibit ____B). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(b) New development must comply with Article X.

(c) Parking lot tree requirements are not applicable in utility transmission corridor easements.

(d) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- _____.113. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

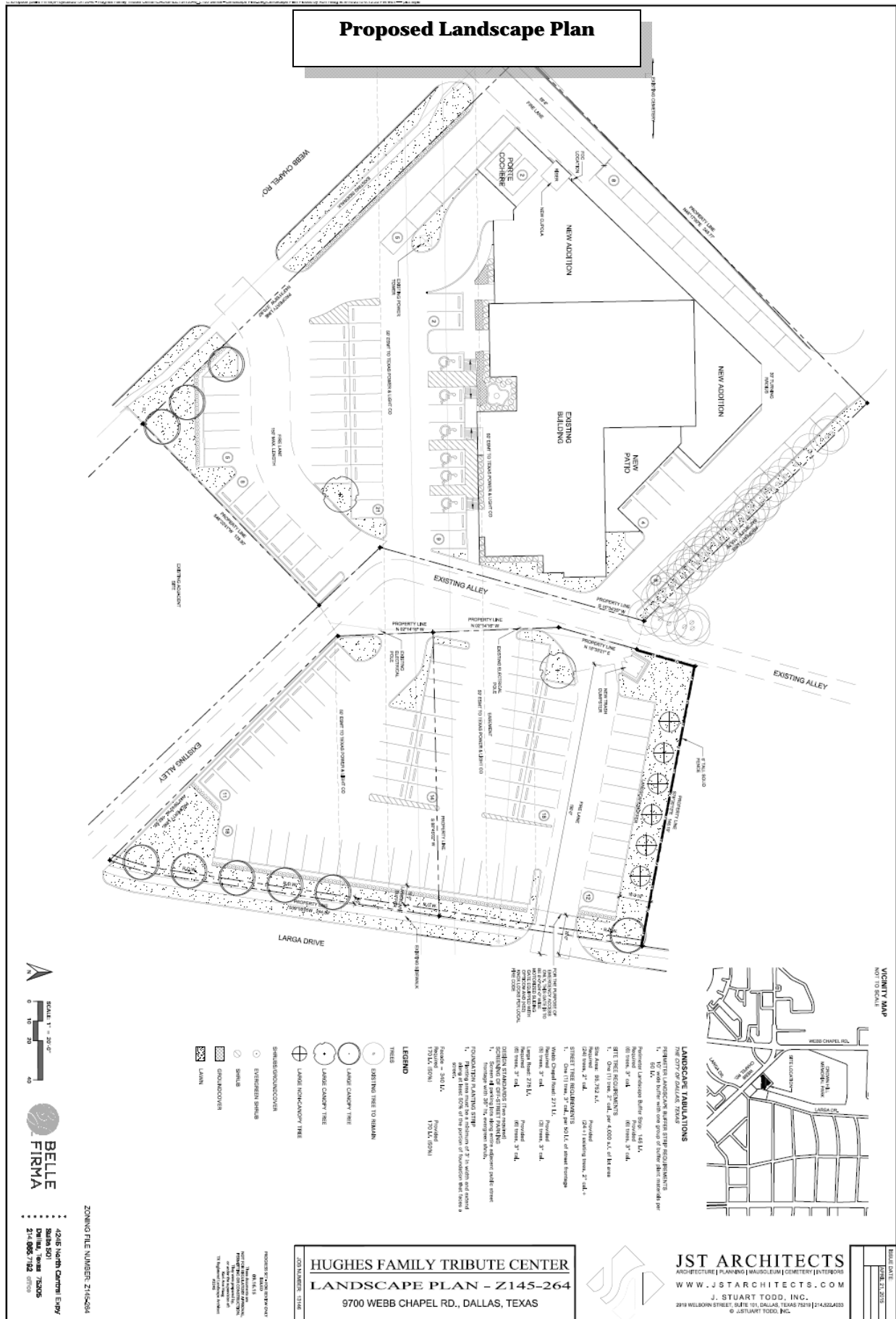
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

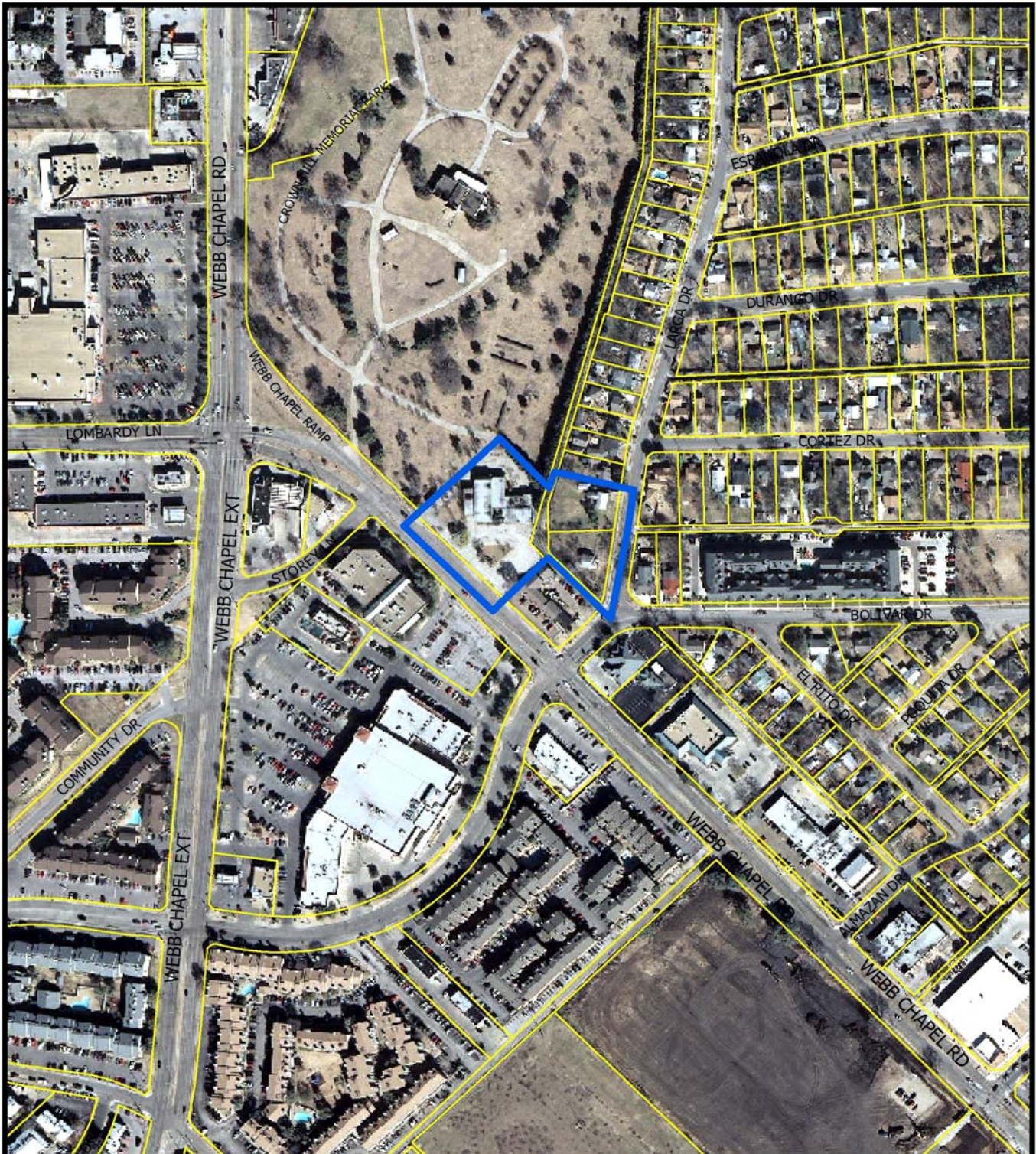
SEC. 51P-____.114.

COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city."



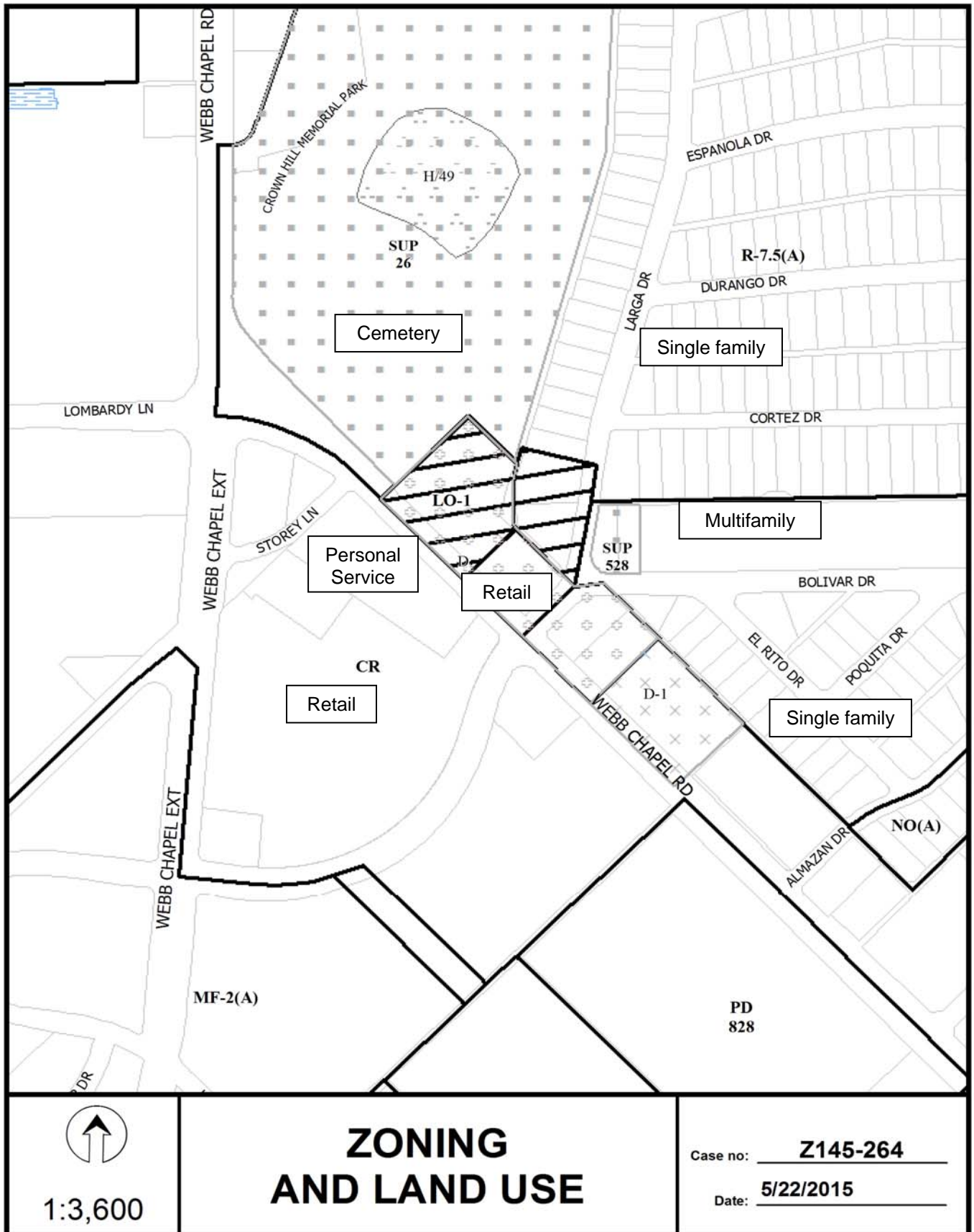


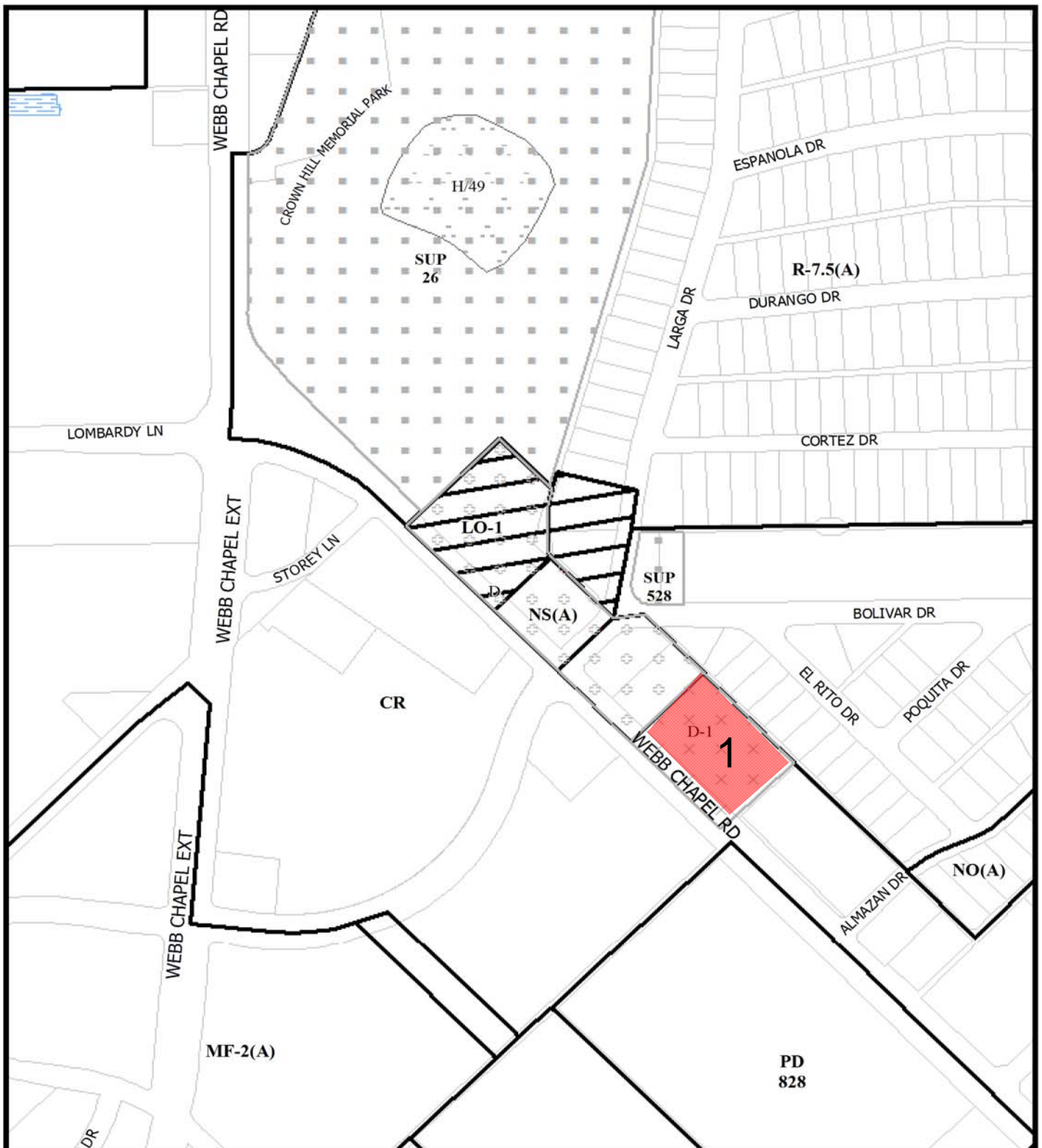
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AERIAL MAP

Case no: **Z145-264**

Date: **5/22/2015**



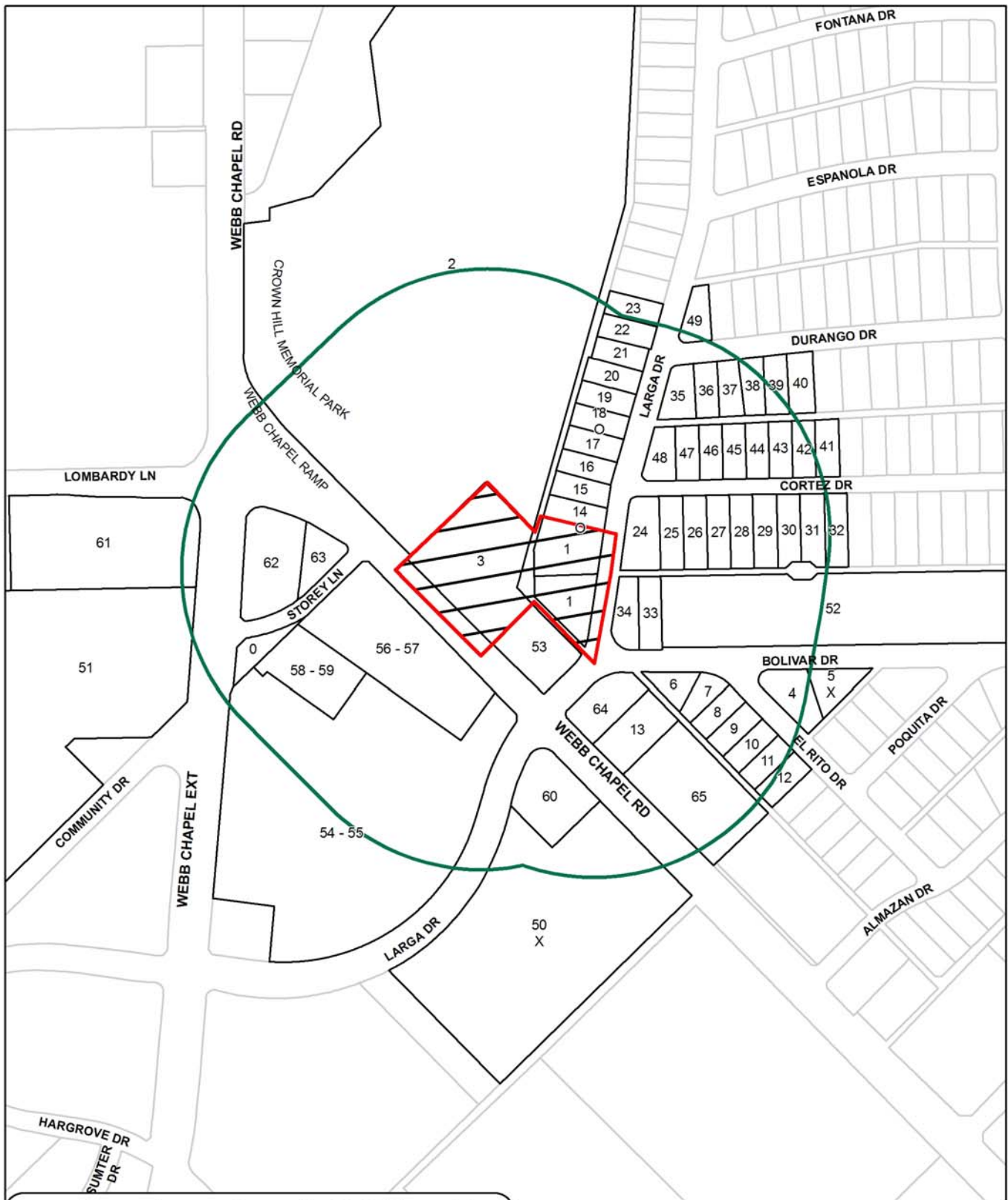


1:3,600

ZONING HISTORY

Case no: **Z145-264**

Date: **5/22/2015**



<u>65</u>	Property Owners Notified (64 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>2</u>	Replies in Opposition (2 parcels)
<u>500'</u>	Area of Notification
<u>10/15/2015</u>	Date

Z145-264
CPC



1:3,600

10/16/2015

Reply List of Property Owners***Z145-264******65 Property Owners Notified 2 Property Owners in Favor 2 Property Owners Opposed******Reply Label # Address Owner***

	1	9511	LARGA DR	PRESTON DIGBY M &
	2	9718	WEBBS CHAPEL RD	CROWN HILL MEMORIAL PARK
	3	9700	WEBBS CHAPEL RD	HUGHES DEWAYNE D
	4	3534	BOLIVAR DR	PEREZ RIGOBERTO & DIANA
X	5	3538	BOLIVAR DR	ALVARADO HECTOR C &
	6	3512	BOLIVAR DR	SAVAGE DWIGHT E & SANDRA
	7	9555	EL RITO DR	HERNANDEZ JESUS & MARIA E
	8	9551	EL RITO DR	HERNANDEZ JESUS & MARIA
	9	9547	EL RITO DR	JASSO APOLONIO
	10	9541	EL RITO DR	CANTU MARTIN R RAMIREZ & NORA A RAMIREZ
	11	9537	EL RITO DR	GARCIA ISMAEL & ADRIANA
	12	9531	EL RITO DR	PORTILLO FRANCISCO &
	13	9616	WEBBS CHAPEL RD	BROWN J HAL MD
	15	9531	LARGA DR	LOPEZ GIL J
	16	9535	LARGA DR	VEGA VENTURA & MARIA E
	17	9539	LARGA DR	JAMIE JOSE G
	19	9547	LARGA DR	WOOD CHARLES B
	20	9551	LARGA DR	DAVILA ELVIA
	21	9555	LARGA DR	VELEZ MARTHA &
	22	9559	LARGA DR	VILLASENOR GALDINO &
	23	9565	LARGA DR	FEDERAL NATIONAL MTG ASSOCIATION
	24	3502	CORTEZ DR	SALINAS FRANCISCO M
	25	3508	CORTEZ DR	OROZCO JOSE GUADALUPE
	26	3512	CORTEZ DR	ROSAS MARIA
	27	3516	CORTEZ DR	PLANCARTE SIXTO
	28	3522	CORTEZ DR	ROMERO GREGORIO

10/16/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	29	3526 CORTEZ DR	FLORES RUTH
	30	3530 CORTEZ DR	SANCHEZ ANGELICA & BRIGIDA
	31	3534 CORTEZ DR	MARTINEZ EDUVIGES B &
	32	3538 CORTEZ DR	MARTINEZ ESTEBAN
	33	3507 BOLIVAR DR	JUAREZ JOSE
	34	3503 BOLIVAR DR	ARRIETA LUZ HERLINDA
	35	3502 DURANGO DR	VEGA ADOLFO &
	36	3506 DURANGO DR	ME SWISS MGMT LLC
	37	3510 DURANGO DR	DIAMANTE HOMES INC
	38	3514 DURANGO DR	ANAYA MATIAS
	39	3518 DURANGO DR	ANDRADE MARIO
	40	3524 DURANGO DR	VILLA JORGE
	41	3535 CORTEZ DR	MORENO MARIA R A B
	42	3531 CORTEZ DR	ARMILLA EVODIO
	43	3527 CORTEZ DR	GONZALES JOHN GABRIEL
	44	3523 CORTEZ DR	JONSE TOM
	45	3519 CORTEZ DR	LAND STEVE R
	46	3515 CORTEZ DR	RAMIREZ JAVIER
	47	3511 CORTEZ DR	FLORES JESUS M &
	48	3503 CORTEZ DR	RAMIREZ OLGA
	49	3503 DURANGO DR	SPECIALIZED SERVICES LLC
X	50	9494 LARGA DR	CHAPEL OAKS APARTMENTS LP
	51	3350 LOMBARDY LN	VREC PECAN LP
	52	3527 BOLIVAR DR	SCRIBA RALPH D TRUSTEE
	53	9640 WEBB CHAPEL RD	3D PARTNERS LTD
	54	3440 WEBB CHAPEL EXTENSION	DALLAS CITY OF
	55	3460 WEBB CHAPEL EXTENSION	MARKET PLACE AT WEBB
	56	9655 WEBB CHAPEL RD	DALLAS CITY OF
	57	9655 WEBB CHAPEL RD	HEALTH & TENNIS OF AMERIC
	58	3520 STOREY RD	DALLAS CITY OF
	59	3520 STOREY LN	MCDONALDS CORP

Z145-264(SM)

10/16/2015

Reply Label # Address Owner

	60	9625	WEBB CHAPEL RD	CENTURY 9625 LLC
	61	3400	LOMBARDY LN	PECAN PLAZA LTD
	62	9717	WEBB CHAPEL RD	CMCR CORP
	63	9707	WEBB CHAPEL RD	CHOI JAE MIN
	64	9620	WEBB CHAPEL RD	BROWN J HAL
	65	9528	WEBB CHAPEL RD	AHRLEM LP
O	A1	9543	LARGA DR	VIKING COMMERCIAL SVCS
O	A2	9525	LARGA DR	STILES KIRBY G

AGENDA ITEM # 68

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 61A Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1473 for a public school on property zoned Planned Development District No. 521, in an area generally bounded by Fox Creek Trail, Wisdom Creek Drive, and Firethorn Drive

Recommendation of Staff and CPC: Approval for a permanent period, subject to a revised site plan, revised landscape plan, traffic management plan and conditions

Z145-296(WE)

ACM: Ryan S. Evans**FILE NUMBER:** Z145-296(WE) **DATE FILED:** July 13, 2015**LOCATION:** Generally bounded by Fox Creek Trail, Wisdom Creek Drive, and Firethorn Drive**COUNCIL DISTRICT:** 3 **MAPSCO:** 61A-Y**SIZE OF REQUEST:** Approx. 18.99 acres **CENSUS TRACT:** 165.10

APPLICANT / OWNER: Duncanville ISD**REPRESENTATIVE:** Karl Crawley, Masterplan**REQUEST:** An application for an amendment to Specific Use Permit No. 1473 for a public school on property zoned Planned Development District No. 521.**SUMMARY:** On the May 22, 2002, the City Council approved this Specific Use Permit for a permanent period. The purpose of this request is to allow for an expansion to the existing public school [Hyman Elementary School]. The applicant is requesting an amendment to construct a new one-story building addition totaling 8,600 square feet on the eastern portion of the site to accommodate five classrooms. The number of classrooms will increase from 45 classrooms to 50 classrooms and will continue to serve students from pre-kindergarten through fifth grade.**CPC RECOMMENDATION:** **Approval** for a permanent period, subject to a revised site plan, revised landscape plan, traffic management plan, and conditions**STAFF RECOMMENDATION:** **Approval** for a permanent period, subject to a revised site plan, revised landscape plan, traffic management 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 expansion of the building area on this site will not negatively impact the surrounding area. The one-story building expansion is located on the southeastern portion of the campus, near Firethorn Drive and will be screened from any adjacent residential uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed amendment to increase the building area will create additional classrooms, allowing more students from the surrounding area to attend, which contributes to the welfare of the area.
3. *Not a detriment to the public health, safety, or general welfare* – The use is not anticipated to be a detriment to the public welfare. To mitigate any concerns that results from potential stacking or queuing on the residential streets, the applicant is staggering the times when the pre-kindergarten and kindergarten students are picked-up. The students will be picked-up approximately 15 minutes earlier than the remaining elementary students. The proposed Specific Use Permit conditions are an additional layer of regulatory requirements the owner will have to comply with when operating the school.
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 have not been any zoning cases in the area over the past 5 years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Fox Creek Trail	Local	50 ft.	50 ft.
Wisdom Creek Drive	Local	50 ft.	50 ft.
Firethorn Drive	Local	50 ft.	50 ft.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system. The applicant has submitted a Traffic Management Plan for the public school and will become a part of the Specific Use Permit conditions. The implementation of a new circulation plan will become effective when the new addition is completed. The process of the new queuing and incorporating three pick-up locations on campus is explained in the traffic management plan.

STAFF ANALYSIS:

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site being within Residential Neighborhood Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

The existing use and expansion are consistent with the *forwardDallas! Comprehensive Plan*.

Land Use:

	Zoning	Land Use
Site	PDD No. 521, SUP No. 1473	Public School
North	PDD No. 521	Right-of-way, Single Family
South	PDD No. 521	Right-of-way, Single Family
East	PDD No. 521	Right-of-way, Single Family
West	PDD No. 521	Right-of-way, Single Family

Land Use Compatibility:

The land uses surrounding the request site are primarily single family.

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.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	Uses
	Front	Side/Rear					
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45% Up to 60% - Institutional use		Single family, School

Landscaping: Landscaping of any development will be in accordance the attached landscape plan. The proposed landscape plan reflects a majority of the landscaping that was approved but some plant materials on the northern portion of the campus were relocated closer to the street edge because of the topography on the site. In addition, the new landscaping will be concentrated in front of the new addition and at the street adjacent to the new addition. Any trees that are removed by the new addition will be mitigated.

The chart below will show differences between the approved and proposed landscaping plans.

	Article X requirements (Approved Plan)	Proposed Plan
Street Trees	74	39; 64 trees if including the trees within 50 feet of the r-o-w
Site Trees	209 (162 - not counting the play field area)	136
Residential adjacency	74 trees; 222 shrubs	39 trees
Parking lot trees	Comply	Comply
Design Standards	Screening off-street parking and pedestrian facilities	Same as approved

The applicant has indicated that the landscape plan was not compliant because of the following reasons: drainage problems (detention), the site's topography and the ability to see the playing fields, and the children's safety (planting the shrubs). The city arborist has worked with the applicant and is supportive of the proposed landscape plan.

Parking: The requirement for off-street parking for the school is derived by two criteria: 1) the number of classrooms, and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The total number of proposed classrooms determines the number of required parking spaces. The Dallas Development Code requirement for off-street parking for an elementary school is:

- one and one half space for each kindergarten/elementary school classroom;

The number of off-street parking spaces will increase by 7 spaces; but, the overall number of off-street parking will exceed the required number of spaces by 60 spaces. The required number of off-street parking spaces is 75 spaces and the applicant is providing 135 spaces.

CPC Action – October 15, 2015

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1473 for a public school for a permanent period, subject to a revised site plan, revised landscape plan, traffic management plan (state Public school only), and conditions on property zoned Planned Development District No. 521, in an area generally bounded by Fox Creek Trail, Wisdom Creek Drive, and Firethorn Drive.

Maker: Abtahi
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 1 - District 4

Notices: Area: 400 Mailed: 269
Replies: For: 8 Against: 3

Speakers: For: None
Against: None
Neutral: Jose Curiel, 5872 Firethorn Dr., Dallas, TX, 75249

LIST OF BOARD OF TRUSTEES

- Marlies Peregory President
- Phil McNeely Vice-President
- Carla Fahey Secretary
- Elijah Granger
- Tom Kennedy
- Renee McNeely
- Janice Savage-Martin

Dr. Alfred L Ray, Superintendent

Ronald Kruger, Chief Financial Operation Officer

Dr. Larry McHaney, Deputy Superintendent

Renae Murphy, Chief Communications Officer

Kyle Burger, Chief Technology Officer

**CPC PROPOSED SUP
CONDITIONS**

1. USE: The only use authorized by this specific use permit is a public school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit has no expiration date.
4. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan. Plant materials must be maintained in a healthy, growing condition.
5. OFF-STREET PARKING: Off-street parking required for an elementary public school use is one and 1/2 spaces per classroom. All parking for this use, whether required or excess, must be provided in the lots shown on the attached site plan.
6. INGRESS AND EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan.
7. HOURS OF OPERATION: The hours of operation are limited to the hours between 7:30 a.m. to 4:00 p.m., Monday through Friday.
8. SECURITY: On-site security must be provided during hours of operation.
9. FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence.
10. PICK-UP AND DROP-OFF: A pick-up and drop-off area for students must be provided in the location shown on the attached site plan.
11. TRAFFIC MANAGEMENT PLAN:

(a) In general. Operation of a public school must comply with the traffic management plan (Exhibit B).

(b) 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 **March 1, 2018**. After the initial traffic study, the Property owner or operator shall submit biennial updates of the traffic study to the director by March 1 of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
- (D) drop-off and pick-up locations;
- (E) drop-off and pick-up hours for each grade level;
- (F) hours for each grade level;
- (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 the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) In order to amend a traffic management plan, the Property owner or operator must provide data showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation.

(3) 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.

12[4]. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance at all times.

- 13[2]. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

**Traffic Management Plan for
HYMAN ELEMENTARY SCHOOL**
8441 Fox Creek Trail, DALLAS, TEXAS

Prepared for the Duncanville Independent School District
and the City of Dallas

By

Master Code, Inc.
7309 Bay Chase Drive, Arlington, TX 76016
Phone: 214 957 5024



September, 2015

Introduction:

Hyman Elementary School was constructed at its present location in 2002-2003. The school has approximately 675 students in 45 general classrooms (33 homeroom classrooms). At this time the District is proposing to construct a new one-story classroom addition in order to add fifth grade students, reduce class sizes, and free up space for specialty classrooms. The construction of additional classrooms will allow for students who are currently in the fourth grade to continue at this school campus. The school currently is controlled by Specific Use Permit No. 1473, which was approved in 2002. At the time of that approval a Traffic Management Plan (TMP) was not required by the City of Dallas and one was not attached to the ordinance for the SUP.

Overview:

The attendance zone for Hyman Elementary School will not be changed in conjunction with this expansion. The additional students presently reside in the attendance zone for the school. The school day is from 8:00 a.m. to 3:30 p.m. Kindergarten and pre-K children are released approximately 15 minutes the remainder of the school in order to lessen the number of children leaving at once and to allow the younger children more time.

The Site:

The school is surrounded on all four sides by streets on is on an approximately 19 acre tract of land. A Specific Use Permit was approved for the site prior to its initial construction. At that time a Traffic Management Plan (TMP) was not required. The school is surrounded on all four sides by single family homes.

Fox Creek Trail on the south side of the campus is a 4 lane striped undivided street with approximately 40 feet of pavement width. This street is the only street surrounding the campus with a School Zone. The existing School Zone runs the entire frontage of the school and extends approximately 100 yards past the intersection of the two side streets, Firethorn and Wisdom Creek. Fox Creek along with the remaining streets surrounding the school has NO PARKING signs on the side of the street adjacent to the school. Firethorn Drive, on the east side of the School, has a pavement width of approximately 36 feet (four-lanes) but is not striped. Signage on Firethorn points out the entrance to the Parent drop-off lanes. The intersection of Firethorn and Fox Creek is a 4-way Stop with Cross-walks. Firethorn as it turns to the west and goes along the north side of the campus is also 36 feet in width and four-lanes. The School is bounded on the west side by Wisdom Creek Drive which has a pavement width of 36 feet. Signage on Wisdom Creek points out the exit to the Bus Lane and secondary parent queuing, this driveway is Exit Only. A similar sign is located on Fox Creek for the Exit of the parent Drop-Off in the front of the School. Both the exclusive Parent Lane and the combined Bus and Parent Lane are One-Way with both signs and arrows painted on the drives indicated the path to be followed.

Existing Queue:

Observation at the school during the afternoon pick-up time shows that approximately 20 cars currently queue on Firethorn. The staff assistance of the student pick-up moves the cars quickly through the queue, but there is still minimal queuing within the City

ROW. This queue lasted for approximately 20 minutes and consisted mostly of parents arriving early and the queue length within the parent pick-up not having adequate space. A proposed amendment to the existing queue follows which will be implemented upon completion of the addition and opening of the new classrooms.

Queuing Analysis:

Grade	Nos. of Classrooms	Students/ Class	Nos. of Students	Time Start	Time Dismissal
Pre-K	1 AM	18	18	8:00 a.m.	10:45 p.m.
Pre-K	1 PM	18	18	12:35 p.m.	3:15 p.m.
K	4	20	80	8:00 a.m.	3:15 p.m.
1	6	20	120	8:00 a.m.	3:30 p.m.
2	6	20	120	8:00 a.m.	3:30 p.m.
3	5	20	100	8:00 a.m.	3:30 p.m.
4	5	22	110	8:00 a.m.	3:30 p.m.
5	5	22	110	8:00 a.m.	3:30 p.m.

Subtotal Grades PK-6

Total

33

676

Observation and information provided by the school principal shows approximately 25% of the students arrive at the campus by school bus; another 15-20% walks or ride bikes to the campus and the remainder arrives by personal vehicle.

REFERENCE TTI REPORT: “OPERATIONS AND SAFETY AROUND SCHOOL: OVERVIEW OF PROJECT ACTIVITIES AND FINDINGS”

BY TEXAS DEPARTMENT OF TRANSPORTATION & US DEPARTMENT OF HIGHWAYS

Table 43. South Carolina DOT Recommendations for On-site Stacking Length

School Type	Student Population	Loop Drive Stacking Length (Linear Feet)
Elementary	200 - 600 600 - 1,400	900 - 1,200 1,200 - 1,500
Middle	200 - 600 600 - 1,200	900 - 1,200 1,200 - 1,500
High	400 - 800 800 - 2,500	800 - 1,200 1,200 - 1,500

The projected enrollment of approximately 675 students would normally be above the minimum category for stacking length, however with a split pre-K program the total number of children on campus in the afternoon is approximately 658 children so a stacking length of 1200 feet was used for comparison. This number would be further reduced in the afternoon pick-up time because of the split dismissal time with pre-K and Kindergarten getting dismissed 15 minutes before the remainder of the student body.

The school fronts on Fox Creek Trail and has a separate entrance for buses and child-care vans versus parent pick-up and drop-off. The exclusive bus lane enters on Fox Creek and is one-way to the north and exits onto Wisdom Creek Drive. This area allows stacking for several buses/vans and children using buses and vans enter and leave the school building adjacent to the area set aside for the buses.

Parent drop-off and pick-up is handled through a one-way drive entering from Firethorn Drive and exiting onto Fox Creek. The drive is set up to have two 8' wide queuing lanes with a central pass-thru exit lane for no stopping or standing. The parent queuing area is adjacent to the visitor parking lot which has 50+ spaces for parent parking to help in the pick-up time of day. Teachers assist in getting children to their cars in order to help alleviate any congestion.

With pre-K and Kindergarten classrooms being dismissed 15 minutes before the remainder of the school and discounted the pre-K A.M. class; the afternoon dismissal at 3:30 involves approximately 578 children. As mentioned above approximately 25% of the students (not including the pre-K) are transported to school on buses, for a total of approximately 150 children. Of the 578 children dismissed at 3:30 another 15% walk to school or approximately 90 children; leaving 355 children to arrive by personal vehicles.

The queue length located in the exclusive Parent Drop-Off Lane in the front of the school is 640 feet. Adding in the proposed queuing in the visitor parking lot the total queue length in the front of the school is approximately 900 feet. The proposed queue length (for parents) located in the area for bus and parents is approximately 400 feet; with enough queue length for 6 buses (more than currently needed for the school + expansion). The addition of another queue location, in an existing driveway to the rear of the school, will add more queue length to the school. This new queue area of approximately 600 feet (28 cars) would eliminate the existing queue on Firethorn.

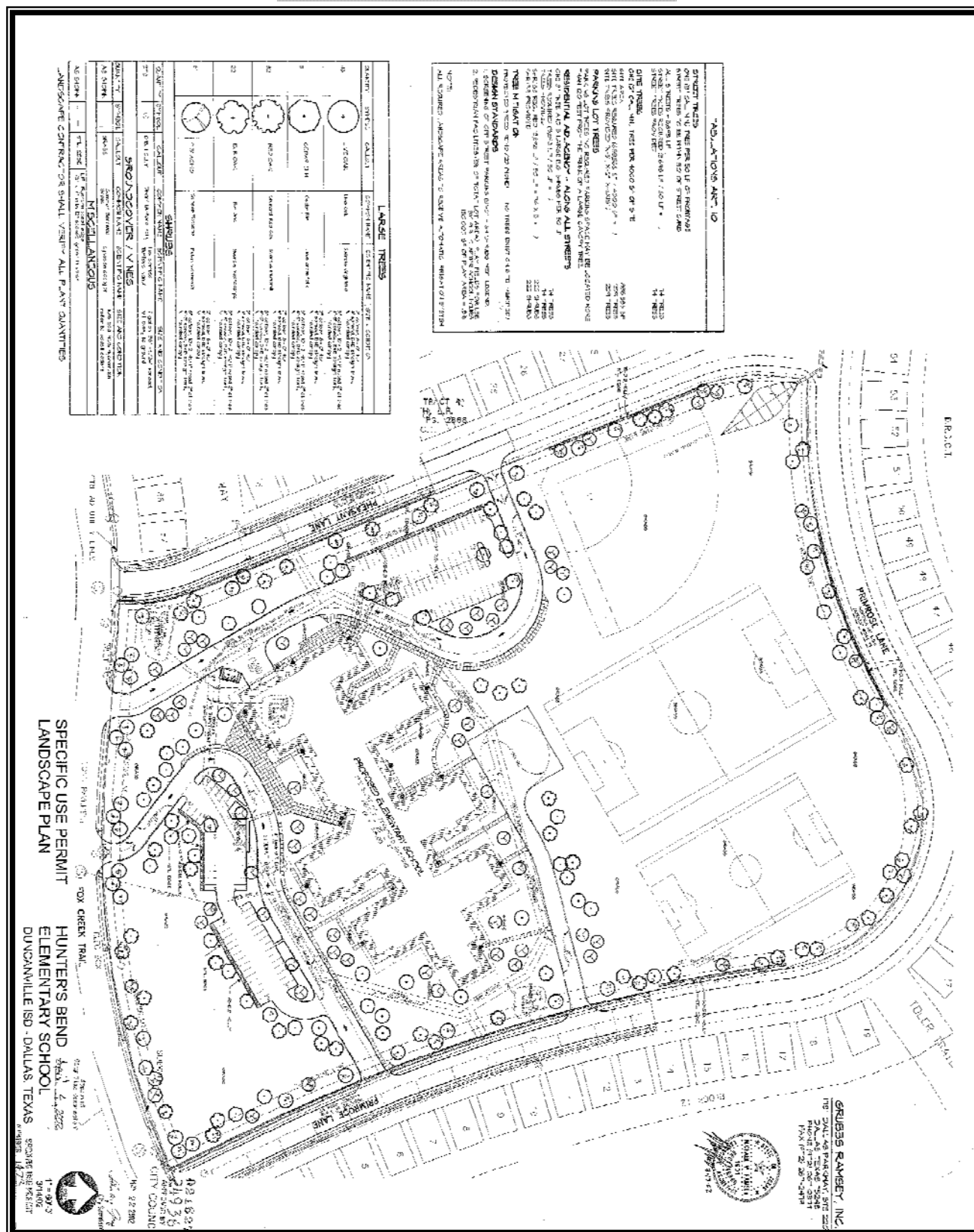
RECOMMENDATION

The current program of queuing and teacher assisted drop-off and pick-up has some queuing on the adjacent streets. This could be alleviated with the use of a portion of the now exclusive bus/van pick-up area and a proposed queue area at the rear of the school. The attached Circulation Plan, to be implemented after the expansion is completed, would accommodate over 130 cars, with a length of over 2500 feet. the bus area will accommodate a minimum of 5 buses with areas for day-care vans. This area would not be needed in the morning but could allow queuing in the afternoon. The new classrooms will allow existing students to remain on the campus for one additional year. Implementation of a new queuing plan should wait until the new addition is completed and teachers, students and parents can be informed of the change. The numbers of

buses used to transport the students may increase by one bus but the new bus/parent queue area is more than adequate to handle the additional bus. With the implementation of the proposed change there is adequate queuing length and area to accommodate the additional students on the campus. A review of the new plan should occur upon the normal (within two years of the opening of the addition) review period in the SUP ordinance.

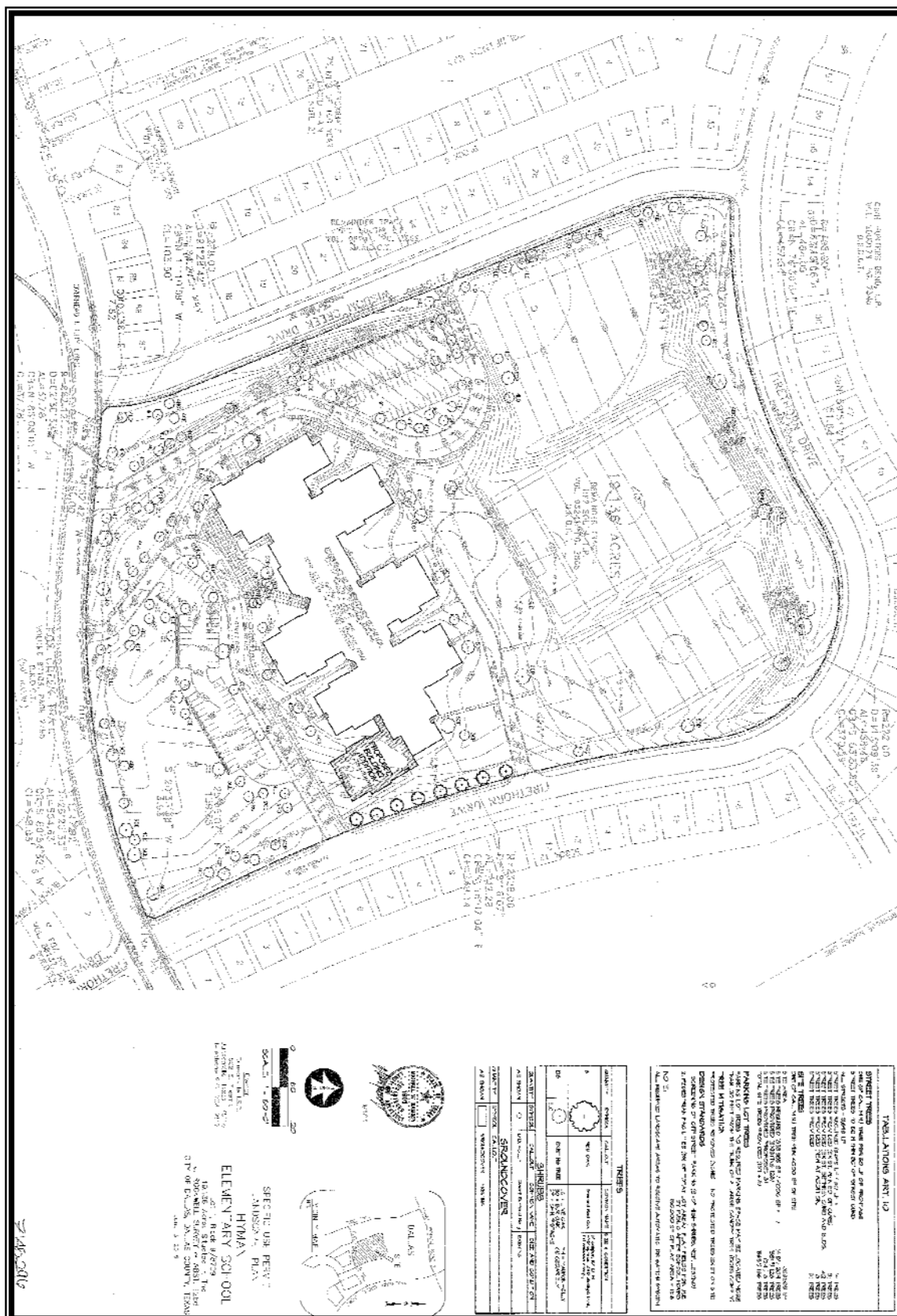


EXISTING LANDSCAPE PLAN

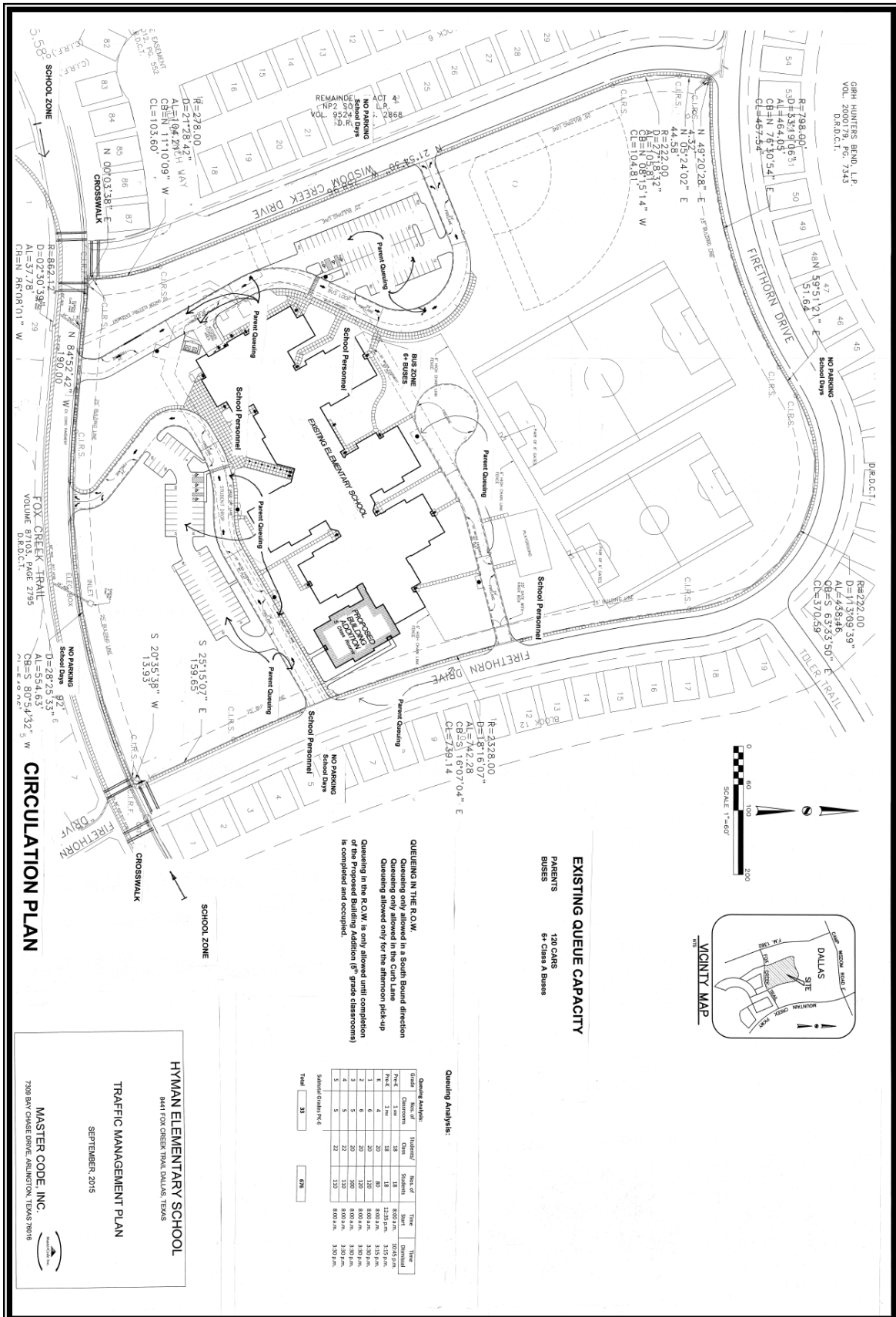


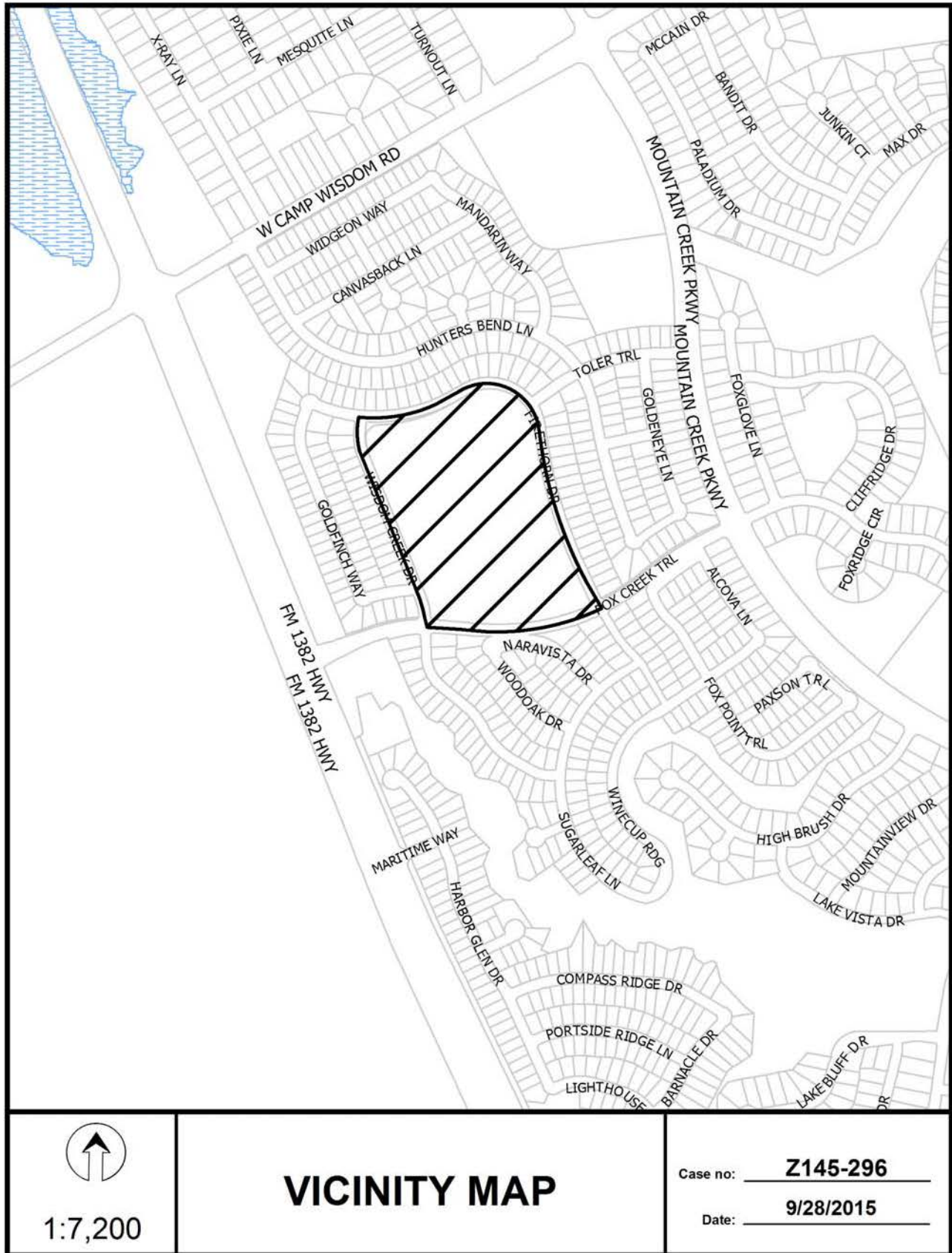


PROPOSED LANDSCAPE PLAN

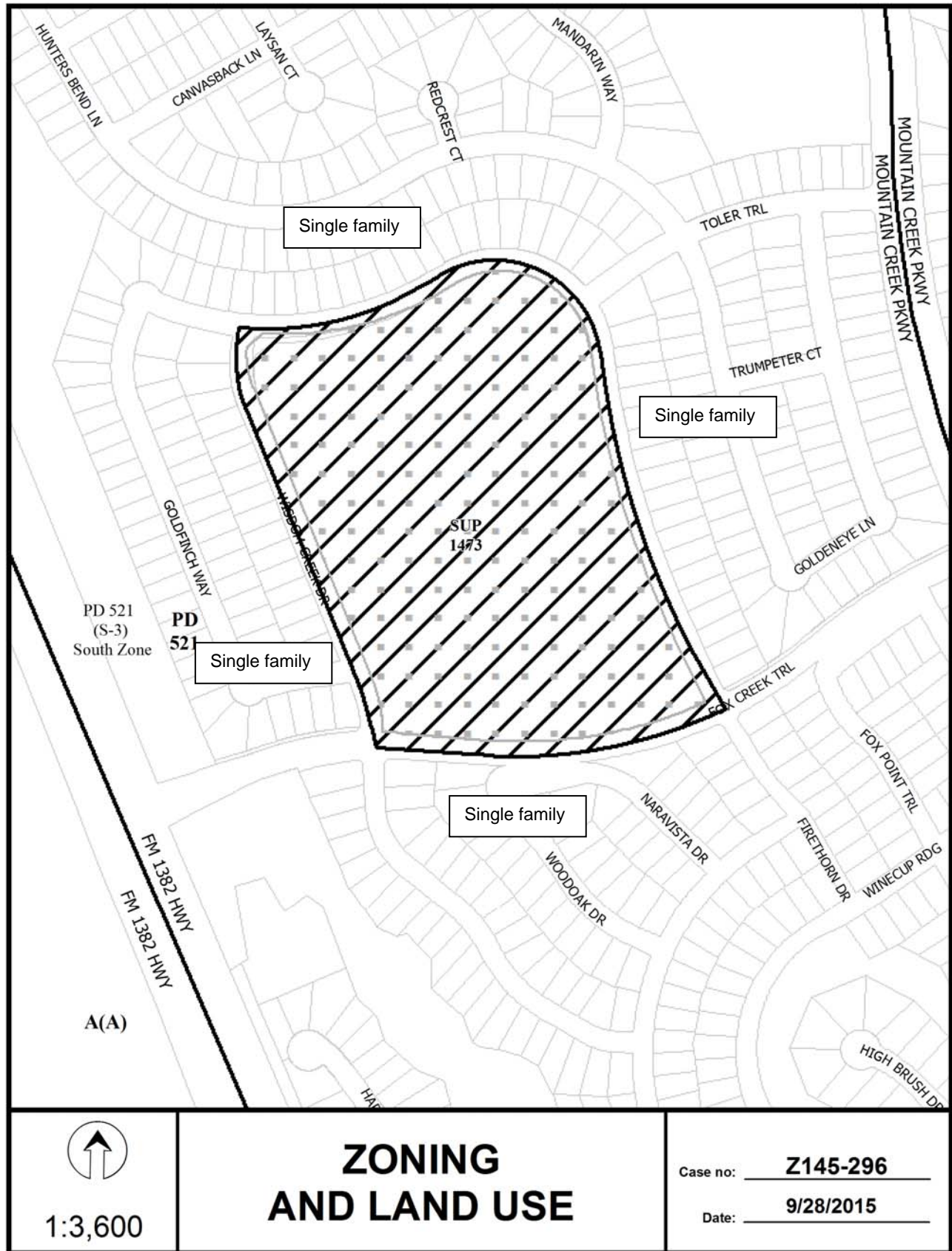


PROPOSED CIRCULATION PLAN

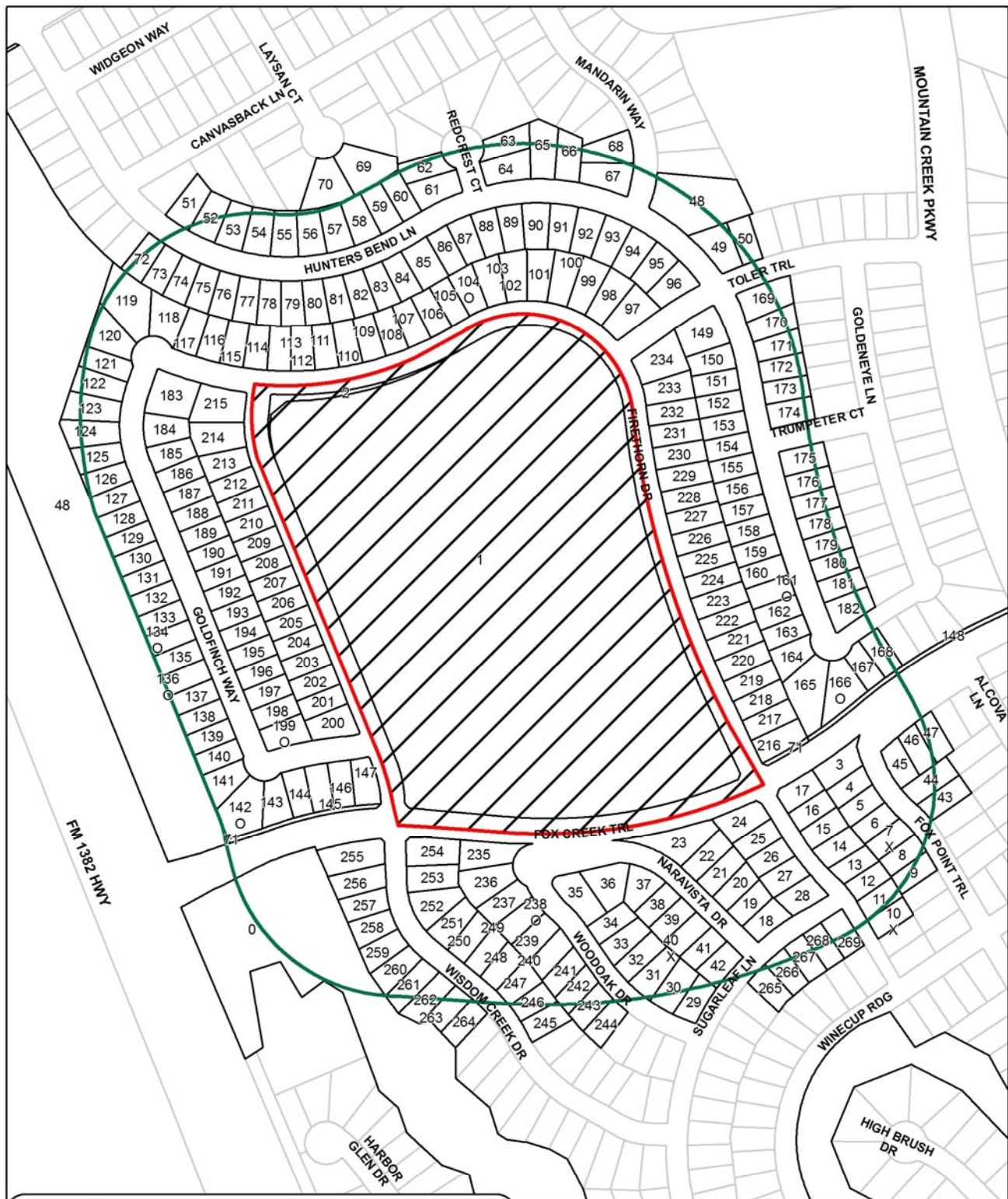








CPC RESPONSES



<u>269</u>	Property Owners Notified (272 parcels)
<u>8</u>	Replies in Favor (8 parcels)
<u>3</u>	Replies in Opposition (3 parcels)
<u>400'</u>	Area of Notification
<u>10/15/2015</u>	Date

Z145-296
CPC



1:3,600

Notification List of Property Owners

10/20/2015

Z145-296

269 Property Owners Notified 8 Property Owners in Favor 3 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	8441 FOX CREEK TRL	DUNCANVILLE I S D
	2	8400 CAMP WISDOM RD	DUNCANVILLE ISD
	3	5911 FOX POINT TRL	GRANT MELISSA A
	4	5915 FOX POINT TRL	HERRERA MERCEDES &
	5	5919 FOX POINT TRL	CARTER BILLY R
	6	5923 FOX POINT TRL	BILHARTZ MANAGEMENT GROUP LLC THE
X	7	5927 FOX POINT TRL	WILLIAMS BOBBY WAYNE
	8	5931 FOX POINT TRL	PEREZ WEN
	9	5935 FOX POINT TRL	DEVEREAUX KATAWNA T
X	10	5932 FIRETHORN DR	BUTLER BARBARA ANN & LEONARD
	11	5928 FIRETHORN DR	WASHINGTON MARQUITE D
	12	5924 FIRETHORN DR	MOORE J D
	13	5920 FIRETHORN DR	VASQUEZ JOSE DE JESUS & LILIA D
	14	5916 FIRETHORN DR	BAZAN EDWARD & IRENE N
	15	5912 FIRETHORN DR	PARRALES JORGE A &
	16	5908 FIRETHORN DR	ONTARGET 360 GROUP INC
	17	5904 FIRETHORN DR	RIOS RAMON A
	18	5932 NARAVISTA DR	REED CHRISTOPHER D &
	19	5928 NARAVISTA DR	ALVARADO MANUEL G & AMELIA D
	20	5924 NARAVISTA DR	ADEWUNMI MORENIKE A
	21	5920 NARAVISTA DR	GAJI TAIWO &
	22	5916 NARAVISTA DR	GARCES ERIKA GARCIA
	23	5908 NARAVISTA DR	CARRILLO TOMAS &
	24	5903 FIRETHORN DR	RODRIGUES LOUIE
	25	5907 FIRETHORN DR	ROBERTSON JENNIFER
	26	5911 FIRETHORN DR	HYDER MICHELLE

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5915 FIRETHORN DR	WALLACE LYNDEL &
	28	5919 FIRETHORN DR	MCGEE YASMIN K
	29	5952 WOODOAK DR	MEDEIROS FRANCISCO O
	30	5948 WOODOAK DR	SUTHERLAND YVONNE
	31	5940 WOODOAK DR	MCCOWAN DASHUNDA C
	32	5932 WOODOAK DR	JAMES JULIETTE
	33	5928 WOODOAK DR	DE LA TORRE LETICIA
	34	5924 WOODOAK DR	MORRISON ELAINE
	35	5903 NARAVISTA DR	JONES BENNYE W
	36	5907 NARAVISTA DR	COLEMAN JAMES E
	37	5911 NARAVISTA DR	NDLOVU NICHOLAS N
	38	5915 NARAVISTA DR	BUSH LASHONDA & JEROME WALKER
	39	5919 NARAVISTA DR	SILVA ABEL C & YOLANDA
X	40	5923 NARAVISTA DR	JEBODA OLUGBENGA W &
	41	5927 NARAVISTA DR	BOYD YOUNG RUGIE &
	42	5931 NARAVISTA DR	TRUSEL RODNEY A & MYRNA C
	43	5928 FOX POINT TRL	PASON TERRI D
	44	5924 FOX POINT TRL	HERRERA JOE
	45	5920 FOX POINT TRL	ROSS MARQUIS
	46	5916 FOX POINT TRL	FIELDER MICHAEL
	47	5912 FOX POINT TRL	SHEPHERD CASSANDRA L &
	48	3 HUNTERS BEND LN	TRACT S 3A HOMEOWNERS ASN
	49	8337 TOLER TRL	CANTU FABIAN & LUCIA S
	50	8333 TOLER TRL	POULSON BARBARA A LINK
	51	5544 HUNTERS BEND LN	SAYAVONGSA PANYA & REBECCA
	52	5548 HUNTERS BEND LN	MOSS KIMBERLY R &
	53	5552 HUNTERS BEND LN	HARRIS BRANDON
	54	5556 HUNTERS BEND LN	HARRIS WARD M & THERESA S
	55	5560 HUNTERS BEND LN	MENDOZA CHRISTOPHER JAMES &
	56	5564 HUNTERS BEND LN	POLLARD ROBERT JR
	57	5568 HUNTERS BEND LN	HAIRSTON MARIA

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	5572 HUNTERS BEND LN	MURRELL JAMES P &
	59	5576 HUNTERS BEND LN	PEREZ MIGUEL A
	60	5580 HUNTERS BEND LN	MELLYN HOLDINGS LLC
	61	5327 REDCREST CT	ESTRADA JESUS ABEL JR & CRISTINA HERNANDEZ
	62	5323 REDCREST CT	PUIG GEORGE I & SHIRLEY M
	63	5324 REDCREST CT	ESPINOZA JOSE & MAYRA
	64	5328 REDCREST CT	RPA4 LLC
	65	5618 HUNTERS BEND LN	RIOS RUBEN & MARIA P
	66	5622 HUNTERS BEND LN	HASSAN HASSAN
	67	5571 MANDARIN WAY	NEWTON JESSIE
	68	5567 MANDARIN WAY	VAZQUEZ DANIEL JR
	69	5528 LAYSAN CT	JONES STEPHEN & SHIRLEY A
	70	5527 LAYSAN CT	CORTEZ DIANA FLOR
	71	2 FOX CREEK TRL	TRACT S 3A HOMEOWNERS ASSOCIATION
	72	5545 HUNTERS BEND LN	PULTZ KEVIN P & LINDSAY
	73	5549 HUNTERS BEND LN	SANTILLAN CLAUDIA & RAYMOND III
	74	5553 HUNTERS BEND LN	LOPEZ MOISES
	75	5557 HUNTERS BEND LN	MOFFETT BRANDON & KELLI
	76	5561 HUNTERS BEND LN	CASTLE GRACE P
	77	5565 HUNTERS BEND LN	MANUEL KEITH L
	78	5569 HUNTERS BEND LN	RUIZ JOSE M
	79	5573 HUNTERS BEND LN	SENGUL NECMI B
	80	5577 HUNTERS BEND LN	PENA REYNA S
	81	5581 HUNTERS BEND LN	THIGPEN NICOLE
	82	5585 HUNTERS BEND LN	DECHNER HECTOR &
	83	5589 HUNTERS BEND LN	CASTILLO ALFONSO SOLIS &
	84	5593 HUNTERS BEND LN	LEMUS EVER ARMANDO
	85	5597 HUNTERS BEND LN	TRAN THUY T & TRUC
	86	5601 HUNTERS BEND LN	RODRIGUEZ JUAN C &
	87	5605 HUNTERS BEND LN	BRUCE JEAN
	88	5609 HUNTERS BEND LN	GARCIA MARIO ALBERTO JR &

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	5613 HUNTERS BEND LN	STRAUB WADE D
	90	5617 HUNTERS BEND LN	VANSCHAICK SALLY A
	91	5621 HUNTERS BEND LN	CORREA JOSE ANTONIO & FAVIOLA
	92	5625 HUNTERS BEND LN	EREZI DANIEL &
	93	5629 HUNTERS BEND LN	FREO TEXAS LLC
	94	5633 HUNTERS BEND LN	WALKER MARSTELL T
	95	5637 HUNTERS BEND LN	GOMEZ DON T &
	96	5641 HUNTERS BEND LN	SENGSOUVANNAPRASEUTH JOE
	97	5790 FIRETHORN LN	GARRETT VIRGINIA T & DEMRIS JR
	98	5786 FIRETHORN LN	RODGERS REAL ESTATE
	99	5782 FIRETHORN LN	REDDICK SHIRLEY M &
	100	5778 FIRETHORN LN	FAZIO JOHN & LAURA
	101	5774 FIRETHORN LN	CASTILLO THOMAS & PATRICIA
	102	5770 FIRETHORN LN	POWELL LISA
	103	5766 FIRETHORN LN	CARDENAS ROSALBA
O	104	5762 FIRETHORN LN	ROGERS MARY LOU
	105	5758 FIRETHORN LN	TUPACYUPANQUI LUIS &
	106	5754 FIRETHORN LN	BRADFORD KELVIN L
	107	5750 FIRETHORN LN	HUTSON PAMELA D
	108	5746 FIRETHORN LN	TURNER ANGELA L
	109	5742 FIRETHORN LN	ADAMS JESSIE & CASSANDRA
	110	5738 FIRETHORN LN	SILVERNAIL KIM
	111	5734 FIRETHORN LN	LLOYD JAMES B
	112	5730 FIRETHORN LN	JOYA JOSE N & ANA MEJIA
	113	5726 FIRETHORN LN	BEJARANO RICARDO
	114	5722 FIRETHORN LN	WILLIAMS DENETTA S
	115	5718 FIRETHORN LN	BROWNING JENNIFER
	116	5714 FIRETHORN LN	GAMEZ AIDA A
	117	5710 FIRETHORN LN	VELEZ ELIZABETH MARIE DIAZ
	118	5706 FIRETHORN LN	ORE LIZ
	119	5702 FIRETHORN LN	ROSALES DANIEL & NORMA

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	5707 GOLDFINCH WY	MOLINARES LUIS
	121	5711 GOLDFINCH WY	GREENE DAVID B
	122	5715 GOLDFINCH WY	PASCHAL EUGENE
	123	5719 GOLDFINCH WY	GARCIA ROBERT J
	124	5723 GOLDFINCH WY	CHAPA LAWRENCE E & ANDREA
	125	5727 GOLDFINCH WY	WRIGHT DWIGHT W JR
	126	5731 GOLDFINCH WY	WILLIAMS MIYOSHI M
	127	5735 GOLDFINCH WY	KIMBLE VERONICA
	128	5739 GOLDFINCH WY	BLACKWOOD JEFFREY T
	129	5743 GOLDFINCH WY	GARZA DONALD ARTHUR & AMBER
	130	5747 GOLDFINCH WY	MANNING RENELL
	131	5751 GOLDFINCH WY	LEIVA DIMARA K VALVERDE &
	132	5755 GOLDFINCH WY	WYATT PAUL ANTHONY &
	133	5759 GOLDFINCH WY	ESPINOZA ELSA
O	134	5763 GOLDFINCH WY	TRAYLOR LATWANYA
	135	5767 GOLDFINCH WY	MCPHERSON JAMES
O	136	5771 GOLDFINCH WY	NGUYEN NAM C & PHUONG T VUONG
	137	5775 GOLDFINCH WY	HERD FRANCHESTA
	138	5779 GOLDFINCH WY	SULIMAN MONIER & TUNDE
	139	5783 GOLDFINCH WY	HOOKE DENEEN
	140	5787 GOLDFINCH WY	DISERUTH EVELINA
	141	5791 GOLDFINCH WY	DORSEY DEANDRE D
O	142	5795 GOLDFINCH WY	HUSSEY G KRISTEN
	143	8486 GOLDFINCH WY	CROSSLIN MATTHEW B &
	144	8482 GOLDFINCH WY	ENGLISH BRIAN L
	145	8478 GOLDFINCH WY	NGUYEN HUNG &
	146	8474 GOLDFINCH WY	JONES NICK
	147	8470 GOLDFINCH WY	ZHU ERIC HONGBO
	148	1 FOX CREEK TRAIL	TRACT S3A HOMEOWNERS ASSC
	149	5645 HUNTERS BEND LN	ESPARZA STEPHEN A & LINDA
	150	5649 HUNTERS BEND LN	DUNCAN EUGENE D

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	5653 HUNTERS BEND LN	RIDGLEY VERONICA G
	152	5657 HUNTERS BEND LN	MANIVANH SOMXAY
	153	5661 HUNTERS BEND LN	FULLER GREGORY M
	154	5715 HUNTERS BEND LN	SEPULVEDA FERNANDO
	155	5719 HUNTERS BEND LN	WEBB RICHARD B & SHERRI L
	156	5723 HUNTERS BEND LN	LUNA ROBERT MICHAEL & CRISTINA
	157	5727 HUNTERS BEND LN	SHEN BING
	158	5731 HUNTERS BEND LN	WALKER NIKKI
	159	5735 HUNTERS BEND LN	DINGLASAN RENEBETH A
	160	5739 HUNTERS BEND LN	BABCOCK ROBIN M &
O	161	5743 HUNTERS BEND LN	ANTONIO LIDIA
	162	5747 HUNTERS BEND LN	WILLIAMS KAREN
	163	5751 HUNTERS BEND LN	MYLES VICKI
	164	5755 HUNTERS BEND LN	TRACT S-3 HOMEOWNERS ASSOCIATION
	165	5759 HUNTERS BEND LN	LEE KYUNG SOOK
O	166	5763 HUNTERS BEND LN	MCNAIR KAREN
	167	5834 GOLDENEYE LN	PACOT CARLO & OLGA
	168	5830 GOLDENEYE LN	JACKSONPHILLIPS LETRIVETTE V
	169	5646 HUNTERS BEND LN	CERRATOCUBILLO FERNANDO &
	170	5650 HUNTERS BEND LN	WILSON JERMAINE & ROSIE
	171	5654 HUNTERS BEND LN	WHANG SANDRA
	172	5658 HUNTERS BEND LN	SANFORD RYAN
	173	5662 HUNTERS BEND LN	DOWNELL JUANITA M
	174	5666 HUNTERS BEND LN	MENDEZ JOHN &
	175	5720 HUNTERS BEND LN	BUSH KENNETH J &
	176	5724 HUNTERS BEND LN	LEE YI & RACHAEL WANG
	177	5728 HUNTERS BEND LN	SIDDALL JAMES A II
	178	5732 HUNTERS BEND LN	MARTINEZ EUSTAQUIO
	179	5736 HUNTERS BEND LN	HARRISON GURTHA
	180	5740 HUNTERS BEND LN	HUNTER ARLISHA
	181	5744 HUNTERS BEND LN	GROSS JACQUELINE S

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	5748 HUNTERS BEND LN	TAHANEY JENEENE P &
	183	5712 GOLDFINCH WY	LYNCH ERIKA & SHAWN
	184	5722 GOLDFINCH WY	DEAN DEON J
	185	5728 GOLDFINCH WY	NGO TINH N &
	186	5732 GOLDFINCH WY	PEREZ JOSE REINALDO
	187	5736 GOLDFINCH WY	WYATT PAUL ANTHONY &
	188	5740 GOLDFINCH WY	CORTES VICTOR A
	189	5744 GOLDFINCH WY	VILLAGOMEZ JUANITA Y
	190	5748 GOLDFINCH WY	OWENS MARLETTE N
	191	5752 GOLDFINCH WY	LEON GEOFFREY S
	192	5756 GOLDFINCH WY	DAVIS TRACIA
	193	5760 GOLDFINCH WY	YOUNG SAMUEL
	194	5764 GOLDFINCH WY	JACKSON OTIS R III &
	195	5768 GOLDFINCH WY	DEUTSCHE BANK NATIONAL TRUST COMPANY
	196	5772 GOLDFINCH WY	JILES FREDERICK L &
	197	5776 GOLDFINCH WY	WEBB LAKEITRA
	198	5780 GOLDFINCH WY	FLORES LORENA G
O	199	5784 GOLDFINCH WY	COLLINS TOMMY A &
	200	5763 WISDOM CREEK DR	ELLZEY BEATRICE J
	201	5759 WISDOM CREEK DR	ROSA EDWIN &
	202	5755 WISDOM CREEK DR	KELLY DAVID &
	203	5751 WISDOM CREEK DR	RAMIREZ IGNACIO
	204	5747 WISDOM CREEK DR	LIU DAI CHYANG
	205	5743 WISDOM CREEK DR	VILLATORO SANTOS F &
	206	5739 WISDOM CREEK DR	LEWIS REGINA
	207	5735 WISDOM CREEK DR	RIVERS TIMOTHY L &
	208	5731 WISDOM CREEK DR	MCMILLAN ERIC
	209	5727 WISDOM CREEK DR	CASTRO JOHN B
	210	5723 WISDOM CREEK DR	MARTINEZ HUGO OCHOA
	211	5719 WISDOM CREEK DR	WINN SAMANTHA N
	212	5715 WISDOM CREEK DR	PAGE WANDA SUE

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	5711 WISDOM CREEK DR	HERNANDEZ JUAN F
	214	5707 WISDOM CREEK DR	URNA TOMAS
	215	5703 WISDOM CREEK DR	MARTINEZ ROGELIO &
	216	5876 FIRETHORN LN	RUSSELL RYAN K
	217	5872 FIRETHORN LN	CURIEL JOSE A & SARA Y
	218	5868 FIRETHORN LN	NAVA GUADALUPE
	219	5864 FIRETHORN LN	GARCIA OCTAVIO
	220	5860 FIRETHORN LN	BROWN GLENDA RENEE & ALEX
	221	5856 FIRETHORN LN	BROWN TOMMY B &
	222	5852 FIRETHORN DR	DAVIS GERALD & MELBA
	223	5848 FIRETHORN LN	HURD ANTHONY
	224	5844 FIRETHORN LN	CALDERON JOSE G &
	225	5840 FIRETHORN LN	CHAVEZ ANABEL
	226	5836 FIRETHORN LN	HERNANDEZ MICHAEL & VANESSA
	227	5832 FIRETHORN LN	MARTINEZ STEVEN
	228	5828 FIRETHORN LN	MANNING EVAN D
	229	5824 FIRETHORN LN	SIMMONS ROSS JR
	230	5820 FIRETHORN LN	MCCLAIN BENJAMIN T
	231	5816 FIRETHORN LN	KLEIN RICHARD
	232	5812 FIRETHORN LN	GALLEGOS ADOLFO
	233	5808 FIRETHORN LN	SNEED DENISE
	234	5804 FIRETHORN LN	WILSON BILLY WAYNE
	235	5903 WOODOAK DR	NEEDHAM RICK L &
	236	5907 WOODOAK DR	CHERRY KAREN Y
	237	5911 WOODOAK DR	GALLEGOS MARTIN
O	238	5915 WOODOAK DR	MCRAE ARTHUR S TR
	239	5919 WOODOAK DR	DELGADO REGINA R & ABEL
	240	5923 WOODOAK DR	BILHARTZ MANAGEMENT GROUP LLC
	241	5927 WOODOAK DR	VALDEZ IVAN K &
	242	5931 WOODOAK DR	TRANBARGER KEVIN C
	243	5935 WOODOAK DR	ROJAS JOSE F JR

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	244 5939	WOODOAK DR	BAH SARAH
	245 5948	WISDOM CREEK DR	PONCE ARTURO & DORA A
	246 5944	WISDOM CREEK DR	HULBERT CHRISTINE G
	247 5940	WISDOM CREEK DR	BROOKS CORRIE REGINA
	248 5932	WISDOM CREEK DR	SOME HOPE TEXAS LLC
	249 5928	WISDOM CREEK DR	IPERTI RODNEY
	250 5924	WISDOM CREEK DR	PAGSANJAN LYDIA E &
	251 5920	WISDOM CREEK DR	YOUNG ANDRE D & NICHOL M
	252 5916	WISDOM CREEK DR	VILLANUEVA SYLVIA A
	253 5908	WISDOM CREEK DR	FORT TOYLETHA
	254 5904	WISDOM CREEK DR	ALAGIC DARKO & ANDELKA
	255 5903	WISDOM CREEK DR	CALLAHAN CHARLES D &
	256 5907	WISDOM CREEK DR	SMITH GLENN & CYNTHIA
	257 5911	WISDOM CREEK DR	WALKER ROBERT L &
	258 5915	WISDOM CREEK DR	RODRIGUEZ JESSE JR &
	259 5919	WISDOM CREEK DR	RAMIREZ RICARDO
	260 5923	WISDOM CREEK DR	LOPEZ ANASTACIO JR
	261 5927	WISDOM CREEK DR	TAYLOR RODNEY L & DAPHANE
	262 5931	WISDOM CREEK DR	CAMPBELL BRYANT E & ASTRE
	263 5935	WISDOM CREEK DR	MERRITT JOHN W II &
	264 5939	WISDOM CREEK DR	AYALA DANIEL &
	265 5920	SUGARLEAF LN	BROWN CRYSTAL MONIQUE
	266 5916	SUGARLEAF LN	WEAVER ROSINE
	267 5912	SUGARLEAF LN	PEGUES RUFUS P &
	268 5908	SUGARLEAF LN	FULLER CURTIS G
	269 5904	SUGARLEAF LN	CARLOS JUAN

AGENDA ITEM # 69

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 38 A

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the boundaries of Specific Use Permit No. 1592 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned Planned Development District No. 870, northwest of the intersection of Easton Road and East Lake Highlands Drive

Recommendation of Staff and 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

Z145-302(OTH)

FILE NUMBER: Z145-302(OTH)

DATE FILED: July 21, 2015

LOCATION: Northwest of the intersection of Easton Road and East Lake Highlands Drive

COUNCIL DISTRICT: 9

MAPSCO: 38A

SIZE OF REQUEST: Approx. 0.011 acres

CENSUS TRACT: 129.00

APPLICANT: SBA 2010 TC Assets, LLC

REPRESENTATIVE: M. David Prejean

OWNER: Dallas Independent School District

REQUEST: An application for an amendment to the boundaries of Specific Use Permit No. 1592 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned Planned Development District No. 870.

SUMMARY: The applicant proposes to continue the use on the Robert T. Hill Middle School campus for an existing 65' 5" monopole tower/antenna for cellular communication. The site plan has been revised to show the access to the tower, the required parking space and an eight foot wall surrounding the tower equipment. SUP No. 1592 was originally approved on September 14, 2005 for a ten-year period with eligibility for automatic renewals for additional ten-year periods. The SUP expired on September 14, 2015. The applicant did not submit the application during the eligible automatic renewal period.

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 ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised 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 use is compatible with the surrounding area. The existing tower/antenna use has not had a negative impact on the surrounding area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The monopole tower/antenna provides cellular coverage to the area in a manner that does not impact the surrounding area from a land use perspective.
3. *Not a detriment to the public health, safety, or general welfare* – The use of this portion of the property for a monopole cellular tower does not pose a detriment to the public health, safety, or general welfare of the area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the existing use complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

Zoning History: There have not been any zoning changes in the area during the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Eaton Road	Minor Arterial	80 feet
Northcliff Drive	Local	80
East Lake Highlands Drive	City of Garland	City of Garland
Classen Drive	Local	60

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has determined that the use has not significantly impacted the surrounding roadway system.

STAFF ANALYSIS:**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in a Transit Center/Multi-Modal Building Block.

Transit centers support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add "eyes on the street" that can aid public safety.

The proposed use of the property is not addressed by the Transit Center/Multi-modal Building Block. However, the use is not contradictory to the vision of the building block.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 870	School and monopole tower/antenna
North	R-5(A)	School
East	TH-1(A)	Residential
South	PD No. 870, R-7.5(A)	School & residential
West	R-7.5(A)	Residential

Land Use Compatibility:

The tower/antenna is nestled on the campus of the Robert T. Hill Middle School, southeast of the structures. The surrounding uses are residential. The nearest residential district is approximately 70 feet to the east of the location of the tower. The revised proposed site plan includes the area to access the tower as well as the parking space required by Code. The applicant is also building an eight foot masonry wall around the equipment.

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.

Landscaping:

No landscape changes are being triggered with this request.

Parking:

The Dallas Development Code requires one parking space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment greater than 120 square feet. The tower lease area is 500 square feet. The revised site plan shows the required parking.

CPC ACTION – October 15, 2015

Motion: It was moved to recommend **approval** of an amendment to the boundaries of Specific Use Permit No. 1592 for a tower/antenna for cellular communication limited to a monopole cellular tower for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions on property zoned Planned Development District No. 870, northwest of the intersection of Easton Road and East Lake Highlands Drive.

Maker: Abtahi
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 1 - District 4

Notices: Area: 200 Mailed: 14
Replies: For: 0 Against: 1

Speakers: None

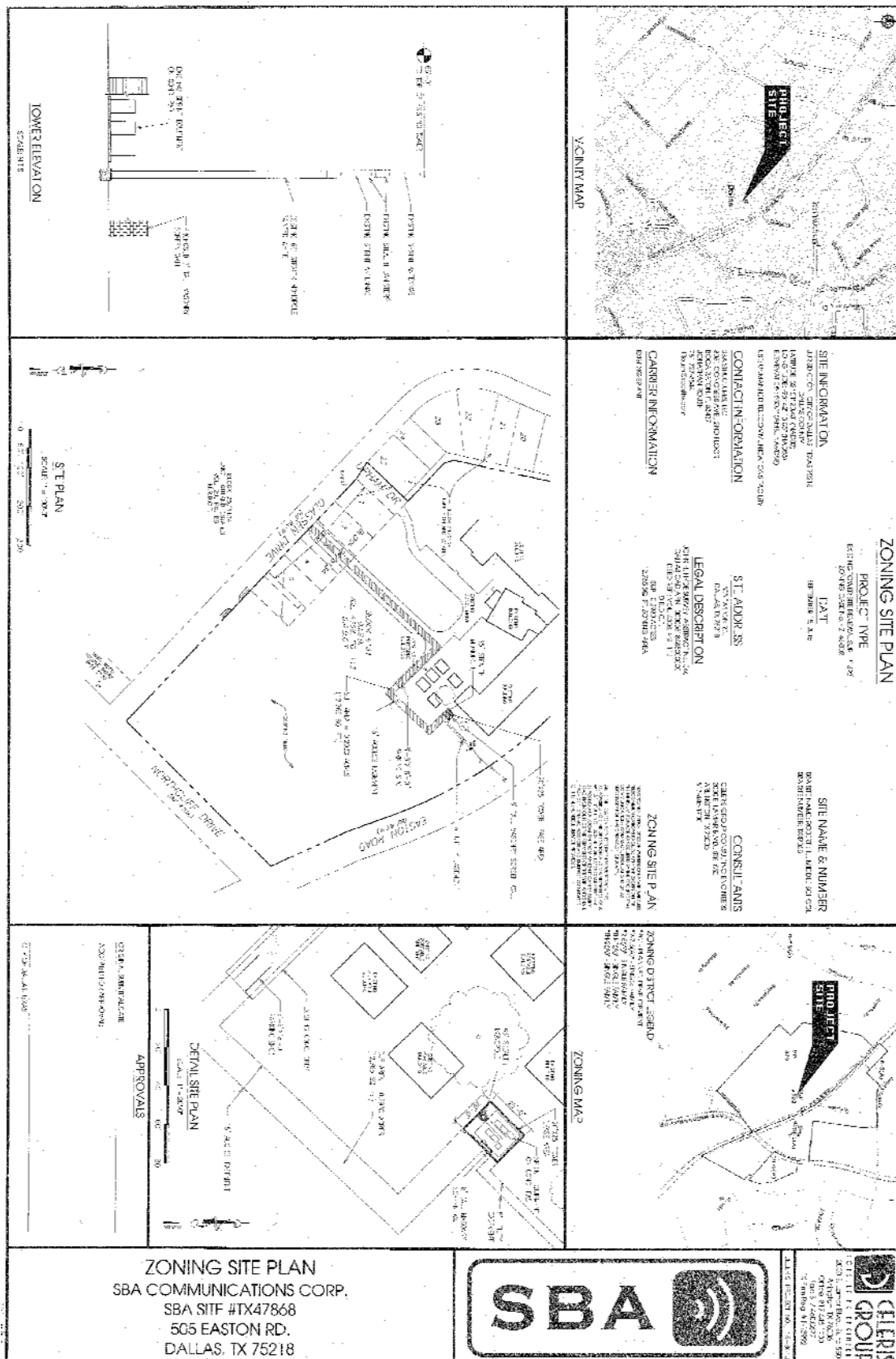
Proposed Conditions

**SUP No. 1592
Z145-302(OTH)**

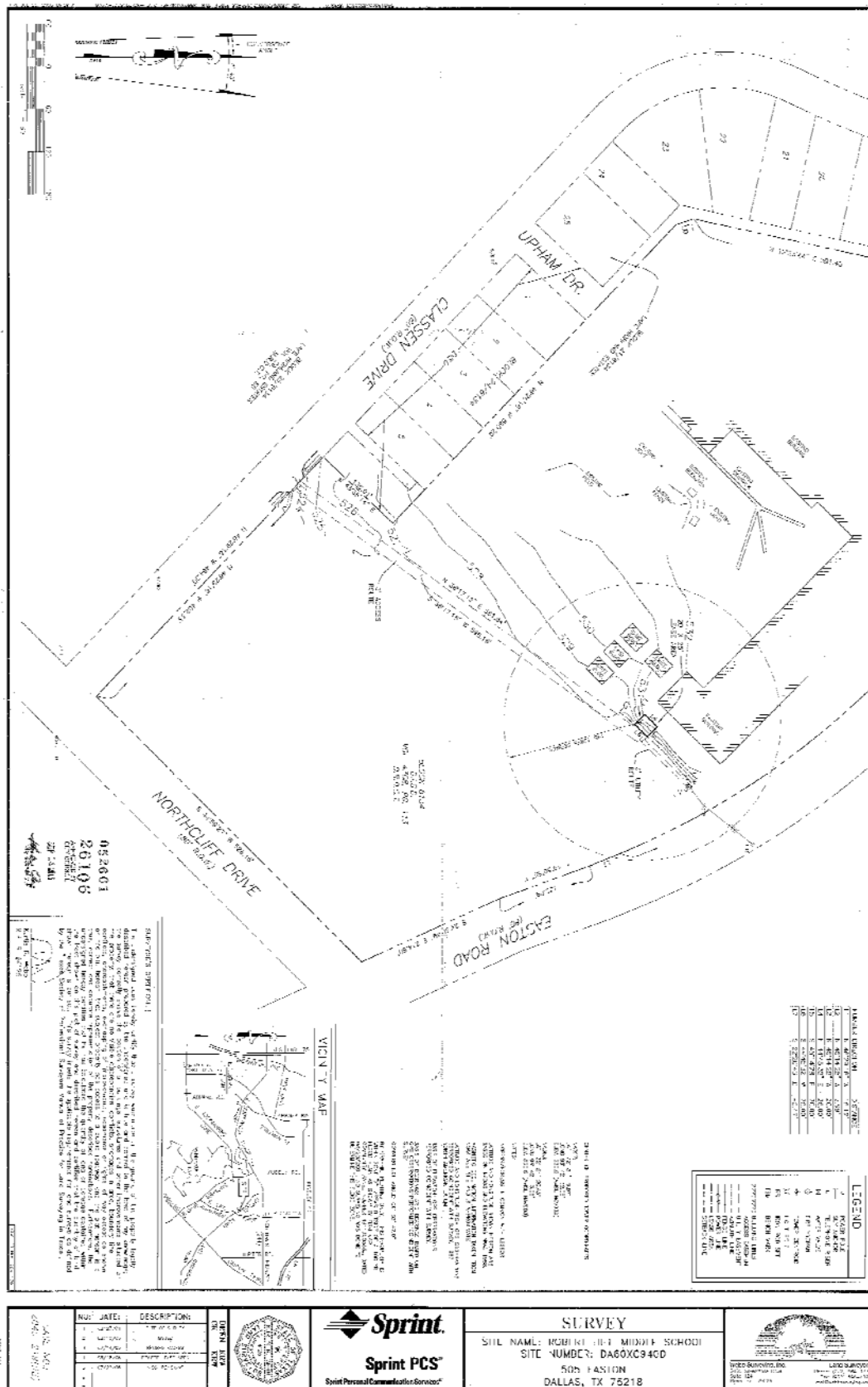
SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication limited to a monopole cellular tower.
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 period that expires on ten years ~~September 14, 2015~~, and 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. 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).
4. HEIGHT: The tower/antenna for cellular communication may not exceed 65 feet in height.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: One parking space must be provided as shown on the site plan.
7. SHARED USE WITH OTHER CARRIERS: Any tower/antenna for cellular communication must be constructed to support the antenna arrays for at least two other wireless communications carriers, and the tower/antenna for cellular communication must be made available to other carriers upon reasonable terms.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



Existing Site Plan



List of Partners

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Edwin Flores
District 2	Mike Morath
District 3	Dan Micciche
District 4	Nancy Bingham, Board Secretary
District 5	Lew Blackburn, Ph.D., 2nd Vice President
District 6	Joyce Foreman
District 7	Eric Cowan, President
District 8	Miguel Solis, 1 st Vice President
District 9	Bernadette Nutall

Partners SBA Communications



Executive Leadership | Mission & Vision

About SBA - Executive Leadership



Jeffrey A. Stoops

Director, President and Chief Executive Officer

Mr. Stoops has been Chief Executive Officer since January 1, 2002. He was appointed President in April 2000 and has been a director since August 1999. Mr. Stoops served as Chief Financial Officer from December 1998 to April 2000. He joined the company in March 1997, initially responsible for finance, capital market activities, mergers and acquisitions and legal matters of the company. Prior to joining SBA, Mr. Stoops was a partner with Gunster, a Florida-based law firm, where he practiced for thirteen years in the corporate, securities and mergers & acquisitions areas. Mr. Stoops is a current Director and past Chairman of the Personal Communications Industry Association (PCIA), the trade organization for the wireless communications infrastructure industry. He currently serves on the Board of Directors of The Raymond F. Kravis Center for the Performing Arts, West Palm Beach, Florida; the Advisory Board for the College of Business of Florida Atlantic University; and the Board of Directors of the entity responsible for The Honda Classic PGA golf tournament held annually in Palm Beach Gardens, Florida. Mr. Stoops is a past Chairman of the Board of St. Andrew's School, Boca Raton, Florida. He received his Bachelor of Science and Juris Doctor degrees from Florida State University.



Kurt Bagwell

President, International

Mr. Bagwell started with SBA in 2001 and became the Chief Operating Officer a year later. His current duties include the day-to-day development and management of the company's growing international operations. Mr. Bagwell has over two decades of expertise in the wireless industry, having held various management positions at Centel Cellular, Sprint Cellular and Sprint PCS. In his previous role of Chief Operating Officer at SBA, Mr. Bagwell managed the company's Tower Operations, Services, New Tower Builds and Site Management divisions for eight years. While at Sprint PCS from 1995 through 2001, Mr. Bagwell oversaw the initial build out of the Eastern United States for Sprint PCS, in addition to the expanded build out of over 10,000 other cell sites nationwide. Mr. Bagwell has a Bachelor of Science degree in Administrative Management from Clemson University.



Brendan T. Cavanagh

Executive Vice President and Chief Financial Officer

Mr. Cavanagh has served as our Senior Vice President and Chief Financial Officer since September 2008. Mr. Cavanagh joined SBA in 1998 and has held various positions with SBA including serving as Vice President and Chief Accounting Officer from June 2004 to September 2008 and Vice President, Site Administration from January 2003 to June 2004. Prior to joining SBA, Mr. Cavanagh was a senior accountant for Arthur Andersen. Mr. Cavanagh is a Certified Public Accountant and received his Bachelor of Science in Accounting from Wake Forest University and his Master of Business Administration from Florida Atlantic University.



Mark R. Ciarfella

Executive Vice President, Operations

Mr. Ciarfella started with SBA in 2007. He is responsible for the company's tower operations, services business and new tower development activities. Mr. Ciarfella was formerly the Vice President, New Builds at SBA where he managed the organization's new tower development activities. Prior to joining SBA, Mr. Ciarfella was the co-owner of a Florida-based site development services company that provided site acquisition, zoning, construction management and program management services to the wireless telecommunication industry. Mr. Ciarfella has over a decade of experience in the wireless telecommunication business working directly with PrimeCo Personal Communications and as a consultant for multiple other carriers and tower companies. Mr. Ciarfella has a Bachelor of Science degree in Public Affairs from Florida Atlantic University.



Thomas P. Hunt

Executive Vice President, Chief Administrative Officer and General Counsel

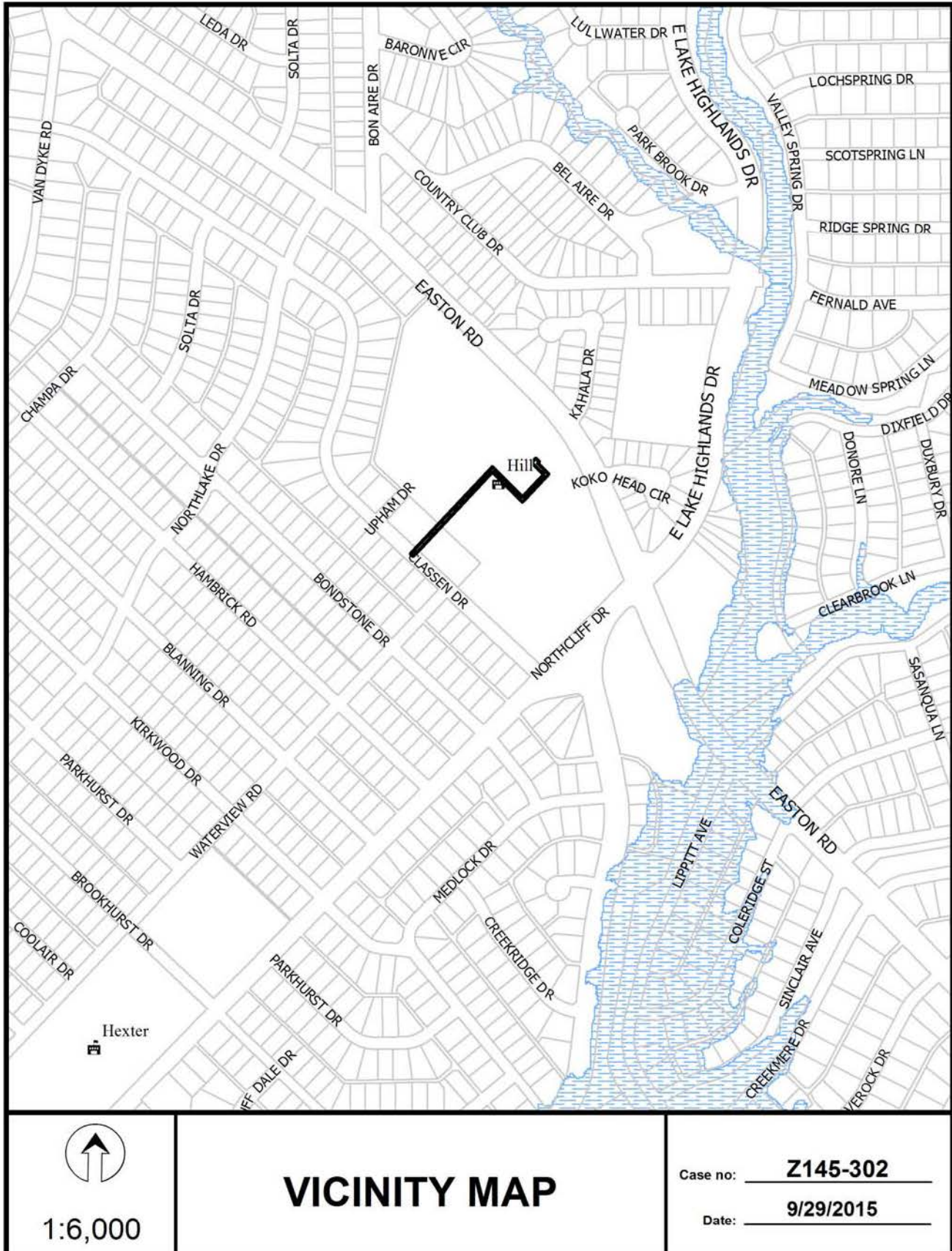
Mr. Hunt joined SBA in September, 2000. Prior to joining SBA, Mr. Hunt was a partner with Gunster, a Florida-based law firm, where he practiced for 16 years in the corporate and real estate areas. Mr. Hunt is a member of the Florida Bar and received his Bachelor of Arts in economics from Brown University, *magna cum laude*, and his Juris Doctor from the University of Florida, with high honors.



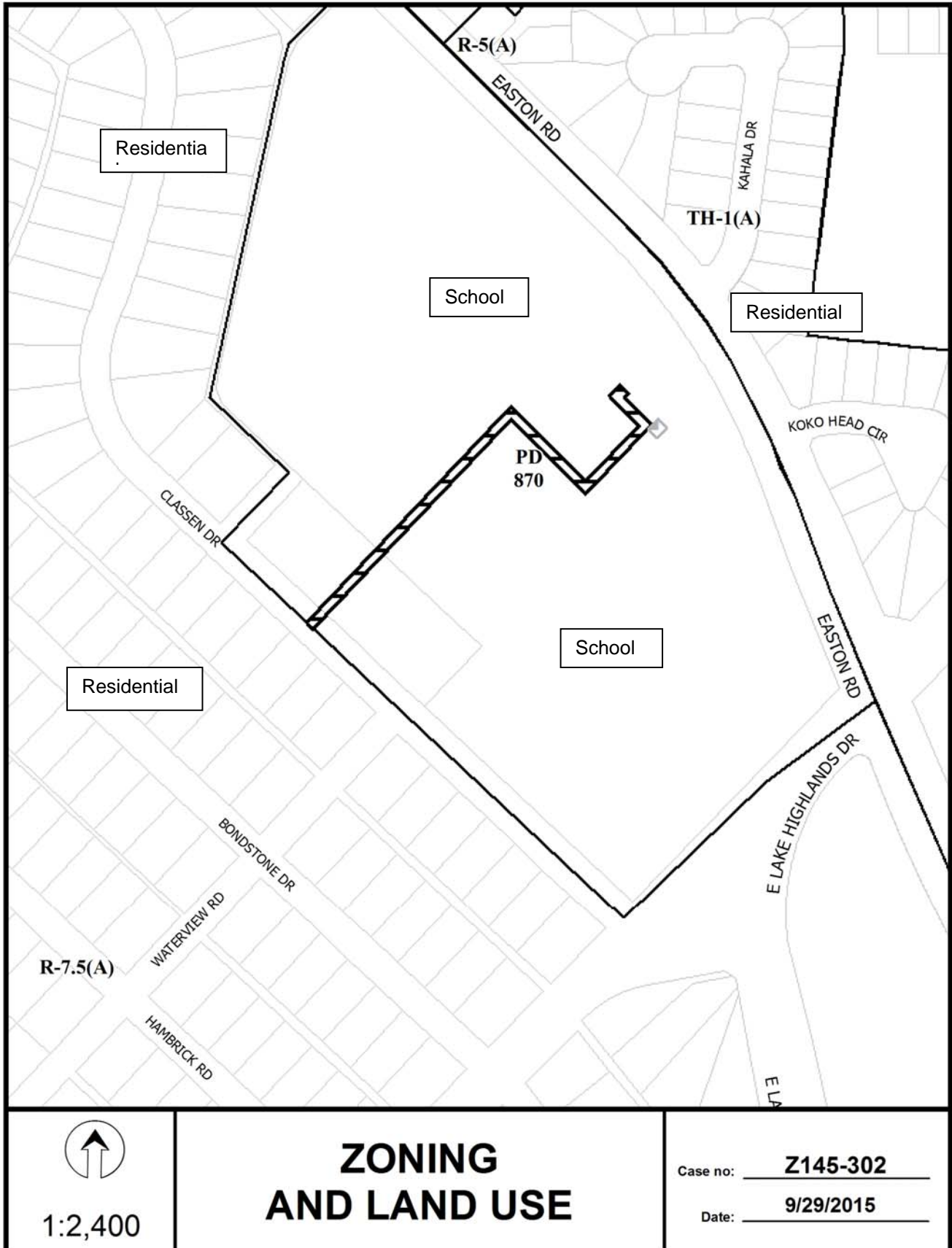
Jason V. Silberstein

Executive Vice President, Site Leasing

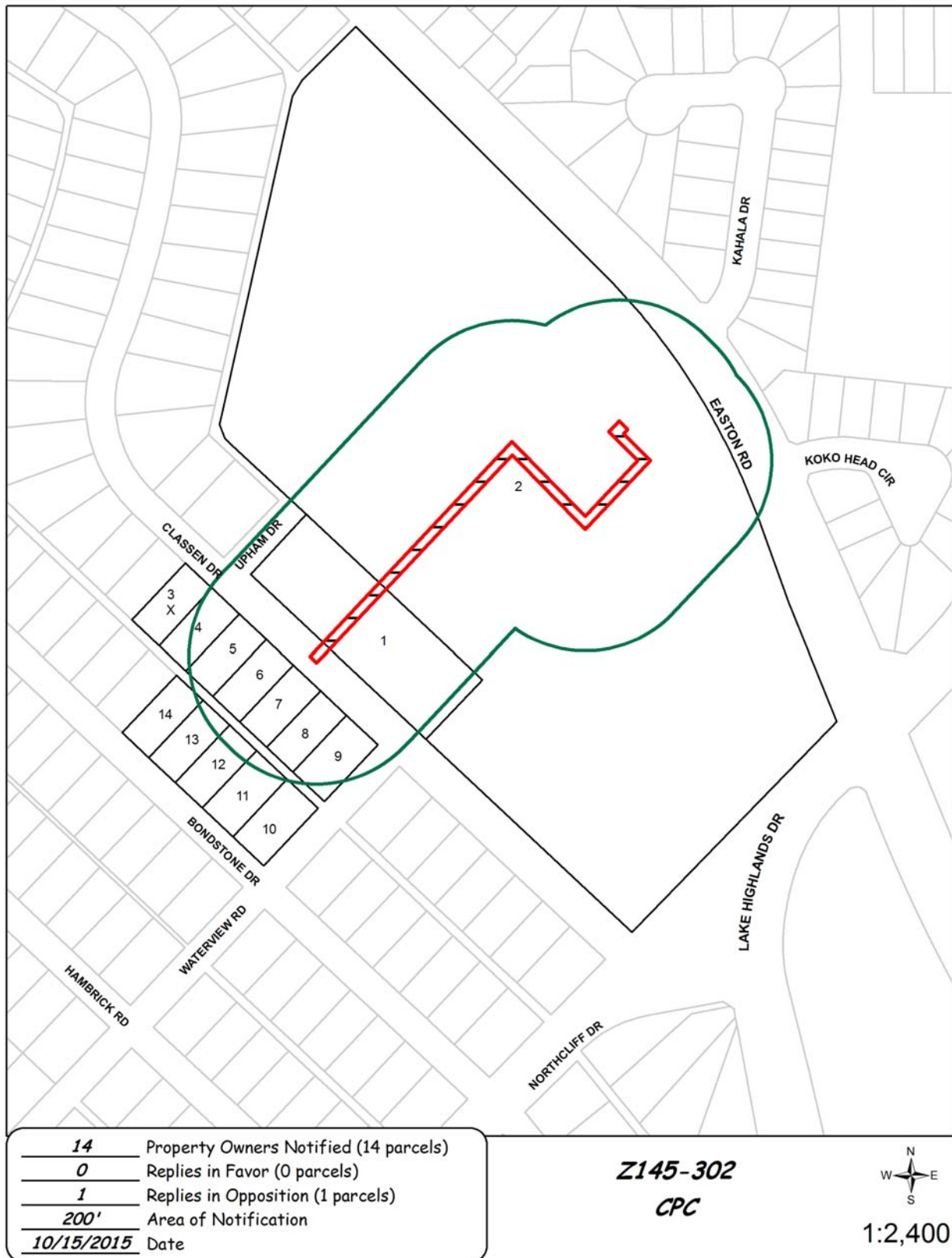
Mr. Silberstein joined the company in December 1993 and is currently responsible for the overall operations and leasing of SBA owned towers and site management. Mr. Silberstein has been in his current role for approximately fifteen years and has primary responsibility for tower space sales while overseeing site marketing, site leasing and records management. Previously, Mr. Silberstein was successful in a variety of roles for SBA, including Regional Director for Florida, Director of the SBA Collocation Division and Director of Business Development. Mr. Silberstein is a graduate of the University of Florida, where he majored in Business Administration with a specialization in Finance.







CPC RESPONSES



10/14/2015

Reply List of Property Owners
Z145-302

14 Property Owners Notified 0 Property Owners in Favor 1 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	570 CLASSEN DR	Dallas ISD
	2	505 EASTON RD	DALLAS ISD
X	3	565 CLASSEN DR	JENKINS JOHN HARRISON
	4	569 CLASSEN DR	HART JENNIFER REID
	5	573 CLASSEN DR	VANCE STEPHEN S & LINDA R
	6	577 CLASSEN DR	LASCOLA LIVING TRUST
	7	581 CLASSEN DR	SHULTZ STFANI S
	8	585 CLASSEN DR	MILLER C A
	9	591 CLASSEN DR	PORTER JUDITH E
	10	576 BONDSTONE DR	ALVARADO JONATHAN &
	11	570 BONDSTONE DR	MARINO FRANK P
	12	566 BONDSTONE DR	HERRINGTON JILL A
	13	560 BONDSTONE DR	PELUSO DARLA A
	14	556 BONDSTONE DR	BARRERA DIEGO &

AGENDA ITEM # 70

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 33 B

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the southeast corner of Cullum Lane and Harry Hines Boulevard
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant
Z145-305(WE)

ACM: Ryan S. Evans

FILE NUMBER: Z145-305(WE) **DATE FILED:** July 24, 2015
LOCATION: Cullum Lane and Harry Hines Boulevard, southeast corner
COUNCIL DISTRICT: 6 **MAPSCO:** 33B
SIZE OF REQUEST: Approx. 2.476 acres **CENSUS TRACT:** 72.01

APPLICANT / OWNER: Gingercrest, Inc.**REPRESENTATIVE:** Tommy Mann and Brad Williams, Winstead PC

REQUEST: An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The zoning request will allow for the expansion of an existing general merchandise or food store with a motor vehicle fueling station onto an undeveloped portion to the north. All uses within the CS Commercial Service District would be permitted with the exception of those being prohibited by the volunteered deed restrictions. The applicant has volunteered deed restrictions to prohibit specific commercial and business service, transportation and wholesale, distribution and storages uses from being developed on site as a result of the proximity to residential uses. The total floor area is currently less than 3,500 square feet, which is permitted in the IR Industrial Research and CS Commercial Service Districts. However, when the expansion of the current use is completed, the total floor area will be in excess of 3,500 square feet, which is prohibited in the current CS Commercial Service District.

CPC RECOMMENDATION: **Approval** with deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval** with deed restrictions volunteered by the applicant.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The redevelopment and expansion of an existing general merchandise or food store should not impact the surrounding uses negatively from a land use perspective. The site is isolated from existing developments, except for Planned Development District No. 527, which is developed as a DART transit passenger station. The remaining developments are buffered by two major street systems (Harry Hines Boulevard and Webb Chapel Extension). The developments that are developed are located within a CS Commercial Service District and an IM Industrial Manufacturing District and consist of an office, and retail and personal service uses and a DART operational center. These developments are located west and south of the request site, which are across Harry Hines Boulevard, and Webb Chapel Extension, respectively. In addition, there is approximately 170 feet of right-of-way that separates the nearest residential development from the request site. The above grade DART light rail line and Denton Drive provide buffer separation from the proposed development.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the street system can accommodate the rezoning request.
3. *Comprehensive Plan or Area Plan Conformance* – The request site is located within the Transit Center Building Block. A mixed use zoning district is ideally suitable in these types of building blocks.

Zoning History: There have not been any recent zoning changes requested in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Webb Chapel Extension	Principal Arterial	Variable lane widths	Variable lane widths
Harry Hines Boulevard	Collector	60 ft.	60 ft.
Cullum Lane	Local	50 ft.	50 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed zoning will not have a negative impact on the surrounding street system.

STAFF ANALYSIS:

COMPREHENSIVE PLAN: The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in a Transit Center Building Block.

Transit centers support a compact mix of employment, retail, cultural facilities and housing. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area. These areas offer dense mixed use at the transit station and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process.

The uses that are developed west of Denton Drive are consistent with the proposed zoning and existing development on the site. The surrounding zoning, the existing development on the site, and the applicant's volunteered deed restrictions are the reasons for staff's support to rezone the request.

Land Use:

	Zoning	Land Use
Site	IR	General merchandise store with fueling station, undeveloped
North	PD No. 527	DART park-and-ride
South	IR	DART operational center
East	IM	DART operational center
West	CS with deed restrictions	Office, Undeveloped

Land Use Compatibility: The approximately 2.476 acre site is triangular in shape and is currently developed with a general merchandise or food store 3,500 square feet or less with a motor vehicle fueling. The applicant is proposing to expand the existing use to accommodate a larger retail and food service component on site. The applicant has volunteered deed restrictions to prohibit specific commercial and business service, transportation and wholesale, distribution and storages uses from being developed on site as a result of the proximity of residential uses.

The request site is triangular shape and is adjacent to several zoning districts – CS Commercial Service District with deed restrictions, an IM Industrial Manufacturing District, and PDD No. 527 for IR Industrial Research District uses. The CS District with deed restrictions west of the request site across Harry Hines Boulevard establishes a 25-foot front yard setback for any building or structures on Harry Hines Boulevard. PDD No. 527 is developed as a transit passenger station. In addition, there are several residential zoning districts that are east of the request site are development with multifamily uses. The site is approximately 170 feet from the nearest residential zoning districts. As noted, there is a DART light rail and Denton Drive right-of-way that separates the request site from the proposed site. The combined r-o-w is approximately 169 feet.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office
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

Landscaping: Landscaping of any development will be in accordance with Article X, as amended.

Parking: The property will have to comply with the parking requirements for the Dallas Development Code.

CPC Action – October 15, 2015

Z145-305(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the southeast corner of Cullum Lane and Harry Hines Boulevard.

Maker: Abtahi
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 1 - District 4

Notices: Area: 300 Mailed: 13
Replies: For: 0 Against: 0

Speakers: None

**CPC PROPOSED DEED
RESTRICTIONS**

DEED RESTRICTIONS

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

I.

The undersigned, Gingercrest, Inc., a Georgia corporation (the "Owner"), is the owner of the property more particularly described on Exhibit A, attached hereto and incorporated herein by reference (the "Property"), being a tract of land situated in the Dickerson Parker Survey, Abstract No. 1113, being a portion of Lot 2A, Block 25/5799, of Smyrna Addition, an addition to the Plat thereof recorded in Volume 95200, Page 1311, Map Records, Dallas County, Texas, being that same tract of land conveyed to Gingercrest, Inc. by deed recorded in Instrument No. 201400091227 of the Deed Records of Dallas County, Texas, less that portion of said Lot 2A conveyed to Dallas Area Rapid Transit in Instrument No. 200600433447 of the Deed Records of Dallas County, Texas, together with all of Lot 1A, Block 25/5799 of said Smyrna Addition, conveyed to Gingercrest, Inc. by deed recorded in Volume 95108, Page 5757 of the Deed Records of Dallas County, Texas, together also with a portion of Cullum Lane (variable width public right-of-way) abandoned by City of Dallas (the "City") Ordinance 27691 and recorded in Instrument No. 201100099689 of the Deed Records of Dallas County, Texas, and being all together more particularly described by metes and bounds in Exhibit A.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

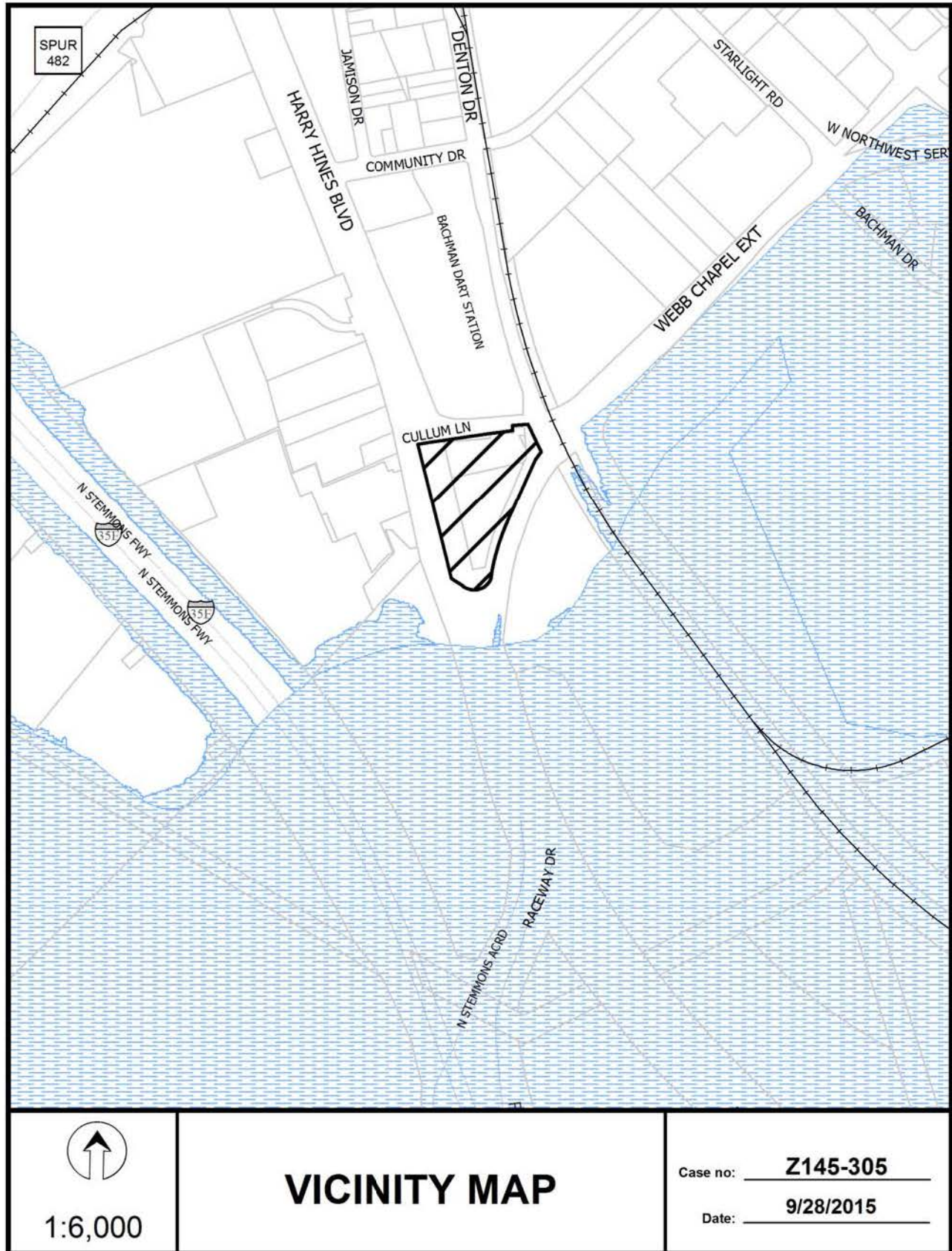
The following uses are not permitted on the Property:

- Building mover's temporary storage yard.
- Commercial bus station and terminal.
- Contractor's maintenance
- Freight terminal.
- Heliport.
- Helistop.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and services.
- Manufactured building sales lot.
- Medical or scientific laboratory.
- Railroad passenger station.

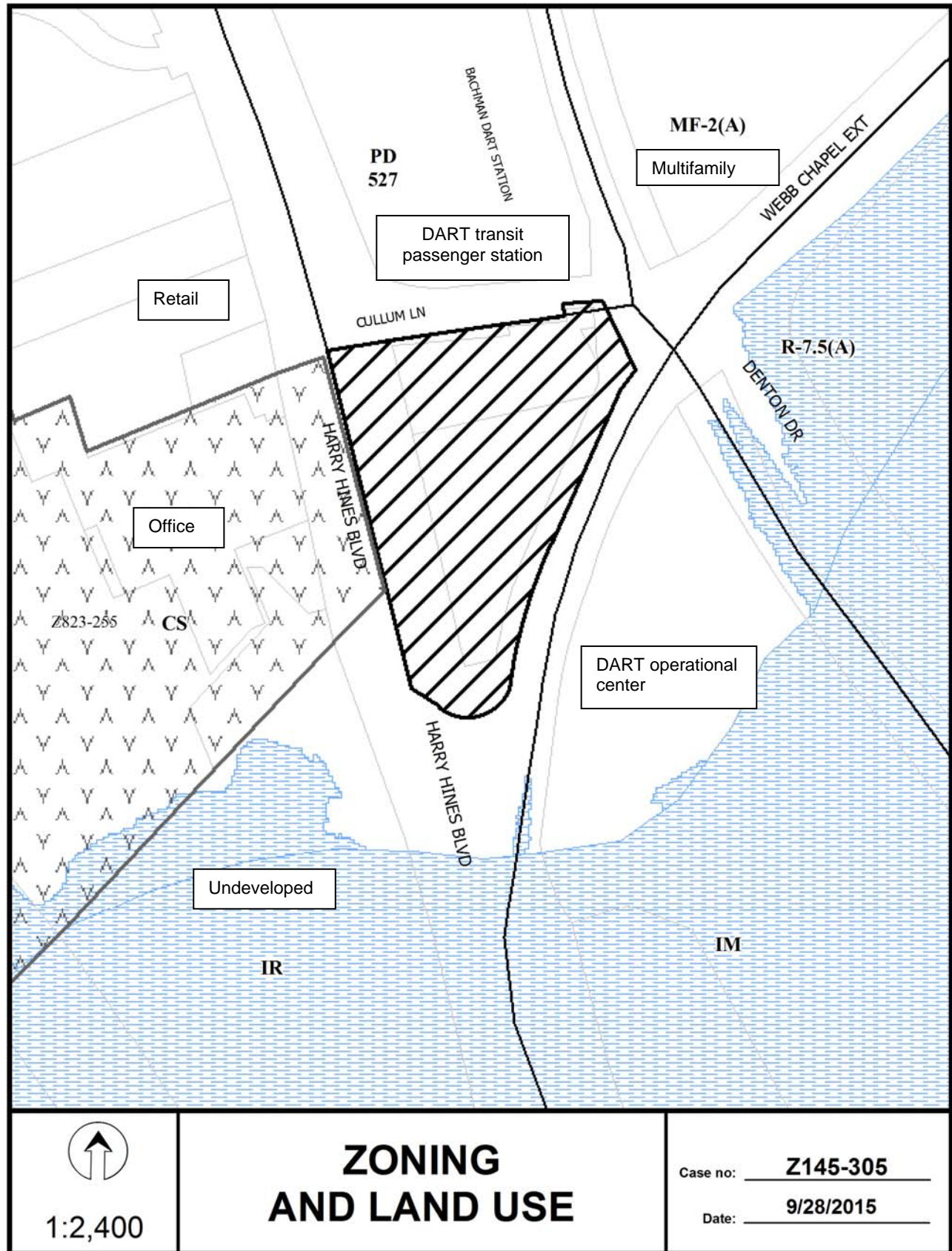
LIST OF OFFICERS

Gingercrest, Inc.

- Allison Bolch Moran, CEO
- Bill Milam, President
- Robert J. Dumbacker, CFO
- Max E. McBrayer, Jr., Chief Supply Officer
- Joseph H. Akers, General Counsel / Assistant Secretary







CPC RESPONSES



<u>13</u>	Property Owners Notified (18 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>300'</u>	Area of Notification
<u>10/15/2015</u>	Date

Z145-305
CPC



1:2,400

10/14/2015

Reply List of Property Owners

Z145-305

13 Property Owners Notified

0 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9661	DENTON DR	DALLAS AREA RAPID TRANSIT
2	9620	HARRY HINES BLVD	GINGERCREST INC
3	9661	DENTON DR	GINGERCREST INC
4	2501	WEBB CHAPEL EXTENSION	2501 BACHMAN OAKS PARTNER
5	9500	DENTON DR	DALLAS AREA RAPID TRANSIT
6	9743	HARRY HINES BLVD	SALINAS ALMA &
7	9723	HARRY HINES BLVD	O B A INC
8	9717	HARRY HINES BLVD	DRI MEDICAL LTD
9	9752	HARRY HINES BLVD	DART
10	9745	HARRY HINES BLVD	DIMOULAKIS CONSTANTINOS D
11	9737	HARRY HINES BLVD	DRI MEDICAL LTD
12	9705	HARRY HINES BLVD	SALESMANSHIP CLUB YOUTH & FAMILY CENTERS I
13	9701	HARRY HINES BLVD	EJJ PROPERTIES LLC

AGENDA ITEM # 71

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 35 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Class A Dance hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest line of Travis Street, south of Knox Street

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

Z145-323(RB)

FILE NUMBER: Z145-323(RB)

DATE FILED: August 10, 2015

LOCATION: Northwest Line of Travis Street, South of Knox Street

COUNCIL DISTRICT: 14

MAPSCO: 35 U

SIZE OF REQUEST: Approx. 16,500 Sq. Ft.

CENSUS TRACT: 7.02

APPLICANT: JH Entertainment Group, LLC; Matthew Giese, sole officer

REPRESENTATIVE: Roger Albright

OWNER: Knox Street Village Holdings, Inc.; C. A. Galpern and Stephen K. Brunner, sole officers

REQUEST: An application for a Specific Use Permit for a Class A Dance hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant proposes to utilize a 350 square foot dance floor whose previous SUP for the use has expired. The dance hall (requiring a license to operate by Chapter 14 of the Dallas City Code) is part of a bar, lounge, or tavern use (allowed by right) that provides live music. The applicant did not renew the previous SUP, and as it expired, this application will consider continued operation of the dance hall. It should be noted the dance hall is allowed by right in an LC Subdistrict when located a minimum of 300 feet from a residential district, and by SUP when located within this 300 feet. As residential zoning exists within 300 feet, this application is required for the dance hall.

CPC RECOMMENDATION: Approval for a four-year period, subject to a site plan, landscape plan, and conditions.

STAFF RECOMMENDATION: Approval for a four-year period, subject to a site plan, landscape plan, and conditions.

GUIDING CRITERIA FOR RECOMMENATION:

Staff recommends approval of the request based upon:

1. *Compatibility with surrounding uses and community facilities* – The request being located along an expanded-width local street has no direct impact on the closest multiple family uses, as this retail/restaurant/entertainment use is similar to others that serve the immediate area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The underlying zoning permits certain entertainment uses by SUP when located within 300 feet of a residential subdistrict. The continued use, subject to the attached site plan and conditions, will offer retail/restaurant/entertainment uses normally located in close proximity to residential uses.
3. *Not a detriment to the public health, safety, or general welfare* – Staff's recommended conditions will continue to provide for a use that is sensitive to its residential adjacency as well as ensuring the off-street parking area is monitored during stipulated hours.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – All proposed improvements will require compliance with the building code and require a dance hall permit as well as a final inspection to ensure compliance with the SUP site plan and ordinance.

Zoning History: There has been no zoning activity in the past five years relevant to this request.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it has not significantly impacted the surrounding roadway system.

Street

Travis Street

Designation; Existing & Proposed ROW

Local; 80' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered Urban Mixed-Use. The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers.

Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

The applicant's request will provide for a dance floor within existing improvements on the site. As such, the above referenced objectives normally reserved for zoning/land use requests are deemed to not be applicable to the applicant's request.

Land Use Compatibility: The request site is developed with improvements that previously supported a bar, lounge, or tavern use along with SUP No. 1460 for a Dance hall, per the following previous City Council action dates:

- January 9, 2002-Class A dance hall approved for a five-year period
- October 25, 2006-Class A dance hall approved for a five-year period
- October 26, 2011-Class A dance hall only permitted in conjunction with a bar, lounge, or tavern approved for a three-year period

The dance hall (requiring a license to operate by Chapter 14 of the Dallas City Code) is part of a bar, lounge, or tavern use (allowed by right) that provides live music. The applicant did not renew the previous SUP, and as it expired, this application will consider continued operation of the dance hall. It should be noted the dance hall is allowed by right in an LC Subdistrict when located a minimum of 300 feet from a residential district, and by SUP when located within this 300 feet. As residential zoning exists within 300 feet, this application is required for the dance hall.

The site is situated along Travis Street, designated as a local street, but possesses right-of-way consistent with a residential collector. The roadway serves the various retail/restaurant/entertainment uses in the immediate area – north, east, south, and northwest. Multiple family uses exist south of the site, with a new development nearing completion to the southeast, at the corner of Armstrong Avenue and Cole Avenue. A warehouse is developed on property to the west, which serves a furniture store (Weirs) situated on Knox Street.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant has worked with staff to ensure various provisions are provided for the dance hall – specified hours of operation, security during certain hours, and a defined time period.

As a result of this analysis, staff is supportive of the request, subject to the attached site plan and conditions.

Off-Street Parking: The request will require one space for each 100 square feet of floor area for the dance hall (6,000 square feet) plus one space for each 25 square feet of dance floor area (350 square feet). The applicant will continue to provide required parking by on-site parking area, delta credits, and remote parking.

Landscaping. The previous SUP possessed a landscape plan that defines plantings along the perimeter and within the parking lot islands. It should also be noted the previously approved plan extends northward beyond the SUP boundary. This expanded landscape area was provided as a result of discussions with area property owners at the time.

Police Activity: Attached is activity associated with the most recent time period the applicant operated the dance floor.

Travis Street

2011 Part 1 OFFENSE OTHER THEFTS OTHER THEFTS	SERVICENUM	SIGNAL	WATCH	DATE	TIME	ADDRESS	RA	BEAT	DIVISION	SECTOR	NEW_DISTRICT	TAAG_Name
	0165904Y	58	1	6/25/2011	1:50	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0316139Y	58	1	12/3/2011	0:45	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
2011 Part 2 OFFENSE TRAFFIC NON HAZARDOUS	SERVICENUM	SIGNAL	WATCH	DATE	TIME	ADDRESS	RA	BEAT	DIVISION	SECTOR	NEW_DISTRICT	TAAG_Name
	0265194Y	58	1	10/7/2011	2:00	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
2012 Part 1 OFFENSE OTHER THEFTS THEFT/BMV OTHER THEFTS OTHER THEFTS	SERVICENUM	SIGNAL	WATCH	DATE	TIME	ADDRESS	RA	BEAT	DIVISION	SECTOR	NEW_DISTRICT	TAAG_Name
	0030912Z	P5	1	2/5/2012	1:00	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0062505Z	11	2	3/15/2012	12:15	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0081394Z	P5	3	3/31/2012	23:00	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0143398Z	P5	1	6/10/2012	0:30	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
2012 Part 2 OFFENSE INVESTIGATION OF INJURY (PUBLIC ACCIDENT) INJURY (PUBLIC ACCIDENT)	SERVICENUM	SIGNAL	WATCH	DATE	TIME	ADDRESS	RA	BEAT	DIVISION	SECTOR	NEW_DISTRICT	TAAG_Name
	0150433Z	P5	3	6/16/2012	22:00	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0257709Z	25	1	10/14/2012	23:30	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0256075Z	58	1	10/14/2012	2:00	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
2013 Part 1 OFFENSE OTHER THEFTS OTHER THEFTS OTHER THEFTS	SERVICENUM	SIGNAL	WATCH	DATE	TIME	ADDRESS	RA	BEAT	DIVISION	SECTOR	NEW_DISTRICT	TAAG_Name
	0191803A	58	1	7/28/2013	1:00	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0262997A	P5	1	10/13/2013	1:00	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
2013 Part 2 OFFENSE INVESTIGATION OF ASSAULT Not Coded Not Coded	SERVICENUM	SIGNAL	WATCH	DATE	TIME	ADDRESS	RA	BEAT	DIVISION	SECTOR	NEW_DISTRICT	TAAG_Name
	0321948A	9	3	12/21/2013	22:30	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0283515A	25	3	11/2/2013	11:00	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0281886A	6X	3	11/3/2013	22:10	04513 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
2014 Part 1	SERVICENUM	SIGNAL	WATCH	DATE	TIME	ADDRESS	RA	BEAT	DIVISION	SECTOR	NEW_DISTRICT	TAAG_Name
	0281897A	6X	3	11/3/2013	23:00	04513 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
	0286255A	6M	1	11/9/2013	0:21	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+

Offense	IncidentNum	Signal	Watch	Date	Time	Address	RA	Beat	Division	Sector	New_District	TAAG_Name
OTHER THEFTS	286192-2014	58 - ROUTINE INVESTIGATION	1	12/1/2014	1:45	4515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
2014 Part 2												
Offense	IncidentNum	Signal	Watch	Date	Time	Address	RA	Beat	Division	Sector	New_District	TAAG_Name
ASSAULT	298648-2014	58 - ROUTINE INVESTIGATION	1	12/15/2014	2:00	4515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
EMBEZZLEMENT	20140095841	11	1	4/20/2014	2:30	04513 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
INVESTIGATION OF	20140057116	PS	1	3/9/2014	0:50	04515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
INVESTIGATION OF	132461-2014		1	6/1/2014	0:30	4515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
2015 Part 1												
Offense	IncidentNum	Signal	Watch	Date	Time	Address	RA	Beat	Division	Sector	New_District	TAAG_Name
BURGLARY-BUSINESS	034563-2015	11B/01 - BURGL OF BUS	2	2/13/2015	15:30	4513 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
2015 Part 2												
Offense	IncidentNum	Signal	Watch	Date	Time	Address	RA	Beat	Division	Sector	New_District	TAAG_Name
ASSAULT	019002-2015	ODJ - OFF DUTY JOB	1	1/25/2015	1:30	4515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
VANDALISM & CRIM MISCHIEF	058410-2015	PSE/31- CRIMINAL MISCHIEF	1	3/16/2015	0:00	4515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+
ASSAULT	069386-2015	16 - INJURED PERSON	1	3/29/2015	0:30	4515 TRAVIS ST	1158	125	CENTRAL	120	D14	Fitzhugh Central+

CPC ACTION – October 15, 2015

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Class A Dance hall for a four-year period, subject to a site plan, landscape plan, and conditions on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest line of Travis Street, south of Knox Street.

Maker: Abtahi
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 1 - District 4

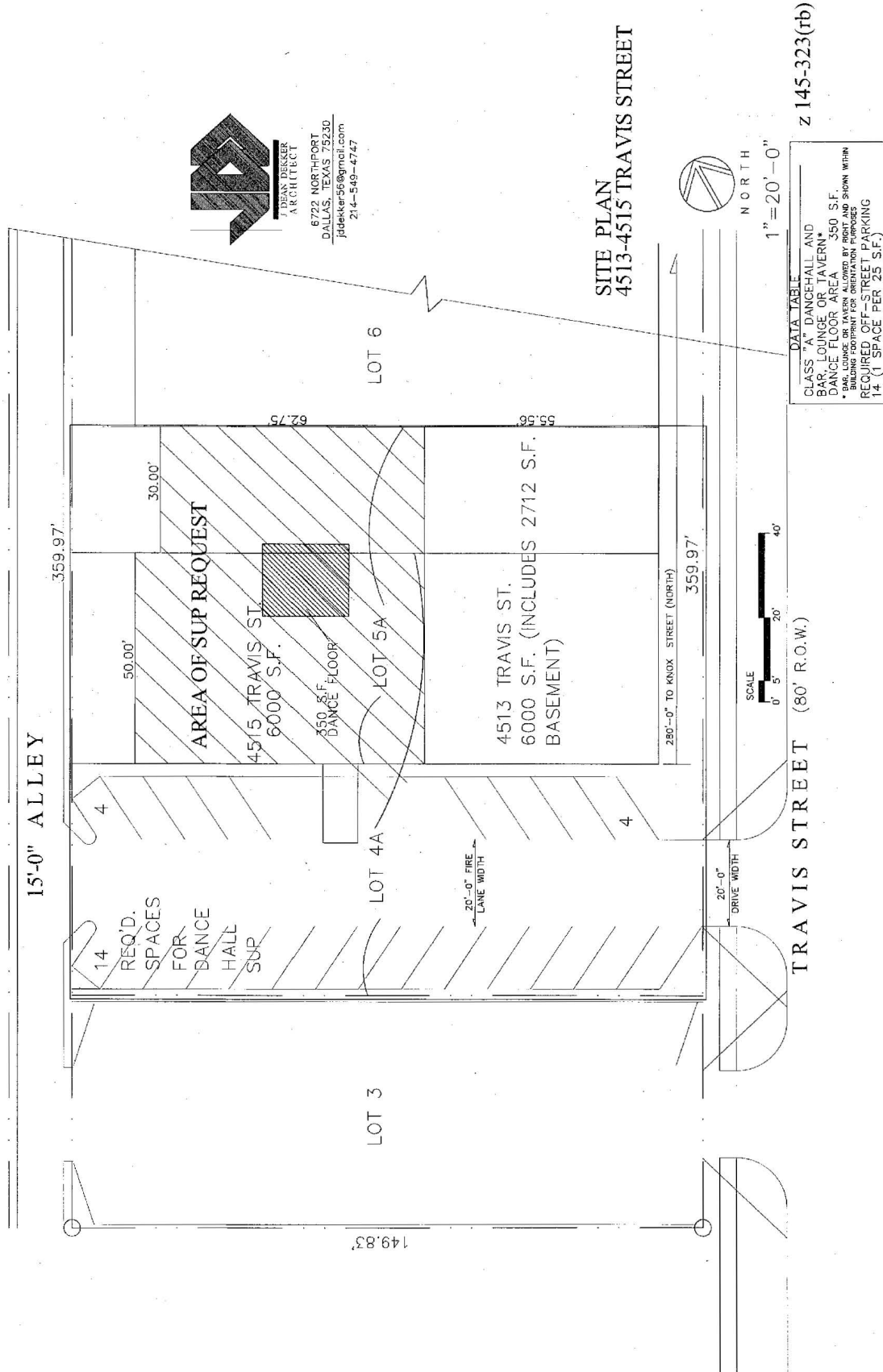
Notices: Area: 200 Mailed: 15

Replies: For: 0 Against: 0

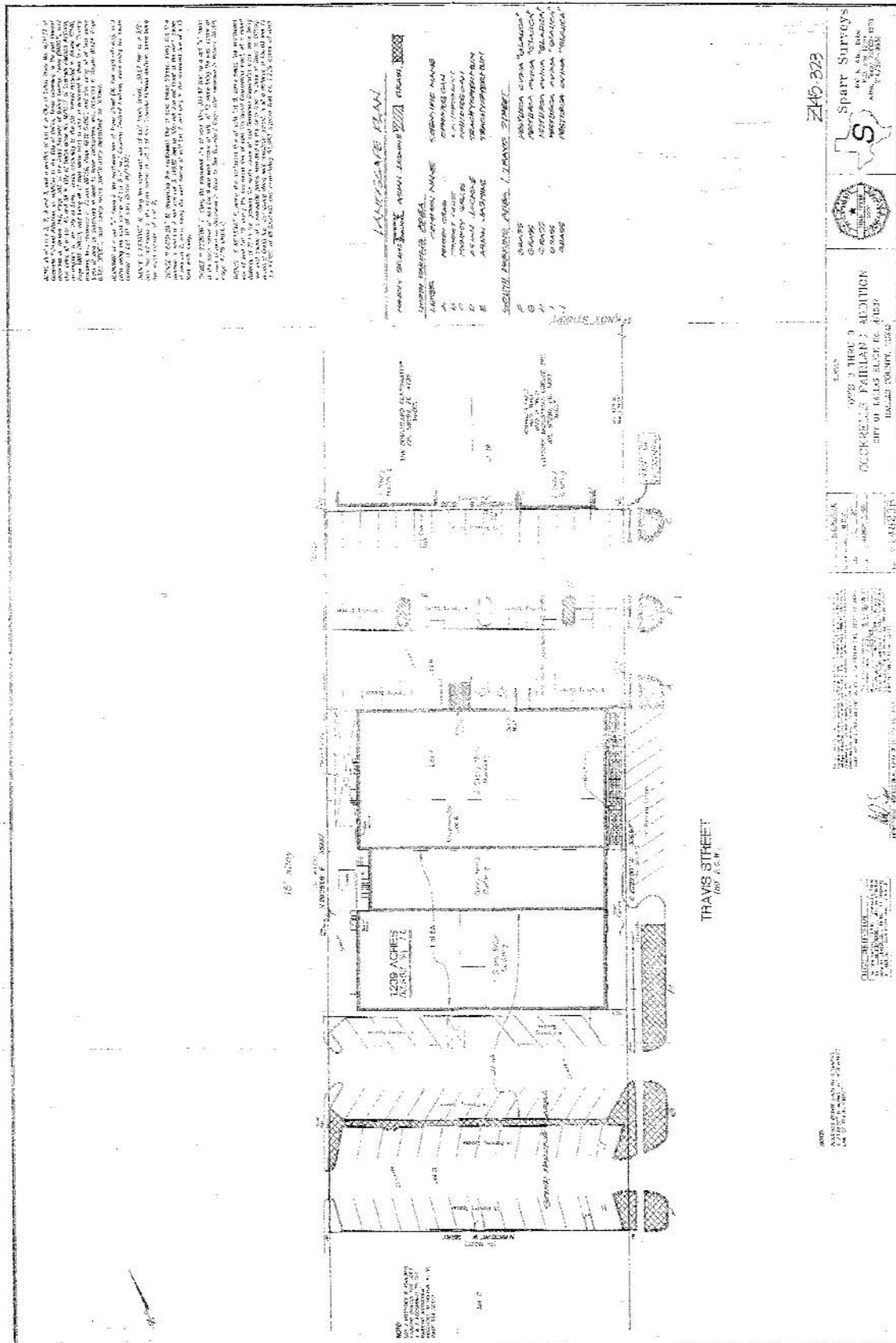
Speakers: None

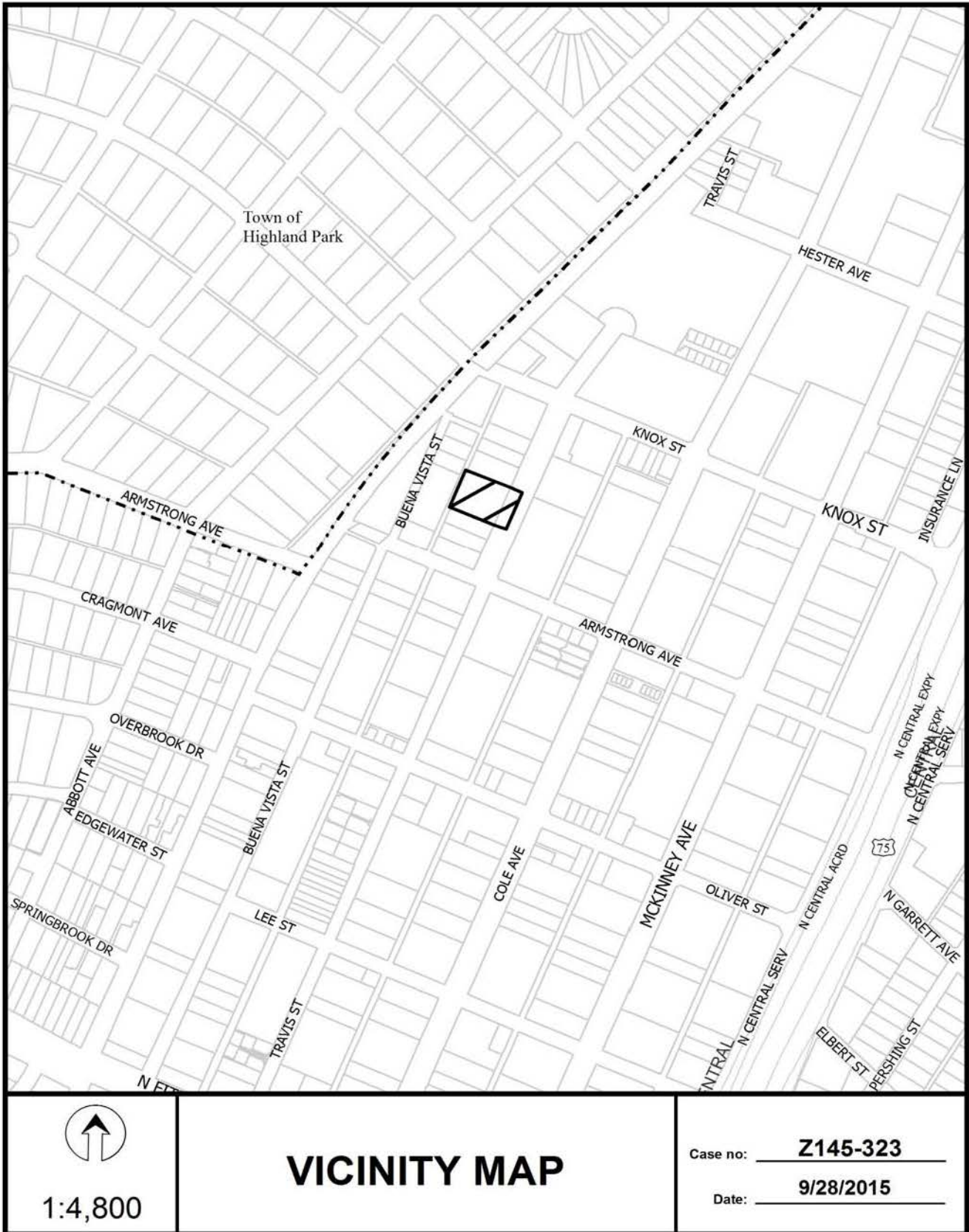
**CONDITIONS FOR A SPECIFIC USE PERMIT
FOR A CLASS A DANCE HALL**

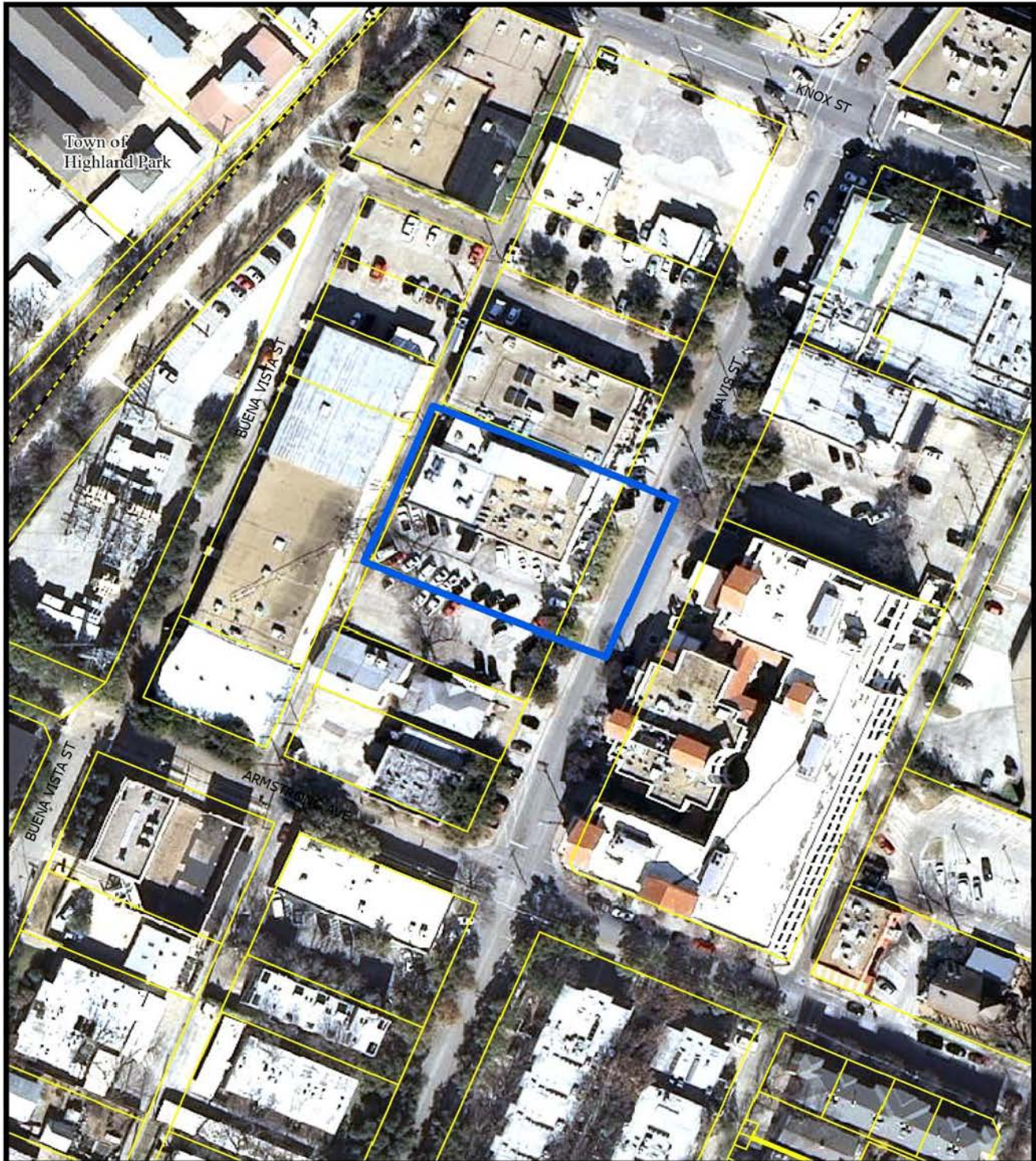
1. USE: The only use authorized by this specific use permit is a Class A dance hall in conjunction with a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on _____ (four years from the passage of the ordinance).
4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan.
5. FLOOR AREA: The floor area for the Class A dance hall is limited to 6,000 square feet and the size of the dance floor may not exceed 350 square feet in area.
6. HOURS OF OPERATION: The Class A dance hall may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Saturday, and between 12:00 p.m. (noon) and 2:00 a.m. (the next day) on Sunday.
7. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
8. OFF-STREET PARKING: Parking must be provided as shown on the attached site plan. Of the 22 spaces designated in Lot 4A on the attached site plan, 14 must be clearly for the exclusive use authorized by this specific use permit.
9. SECURITY: A minimum of two peace officers must be provided between the hours of 11:00 p.m. and 2:45 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.



Z 145-323(rb)





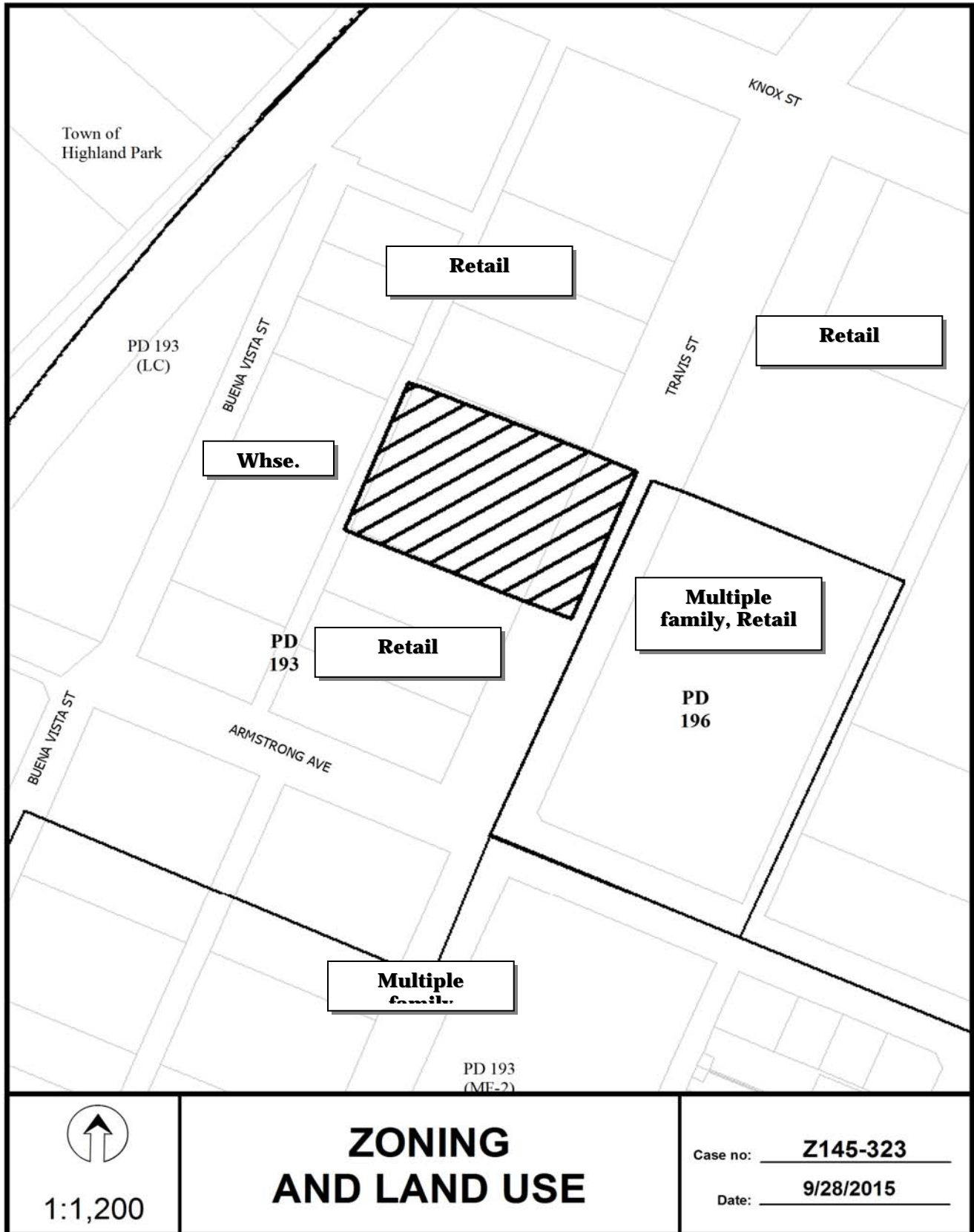


1:1,200

AERIAL MAP

Case no: **Z145-323**

Date: **9/28/2015**



CPC RESPONSES



<u>15</u>	Property Owners Notified (19 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>10/15/2015</u>	Date

Z145-323
CPC



1:1,200

10/14/2015

Reply List of Property Owners

Z145-323

15 Property Owners Notified

0 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	4511 TRAVIS ST	KNOX STREET VILLAGE INC
	2	4534 TRAVIS ST	WEIR J RAY TRUST &
	3	4535 TRAVIS ST	KNOX STREET VILLAGE
	4	4530 BUENA VISTA ST	WEIR DANIEL R
	5	4500 BUENA VISTA ST	WEIR DAN R
	6	3410 ARMSTRONG AVE	TEXAS UTILITIES ELEC CO
	7	3229 KNOX ST	WEIR J RAY TRUST &
	8	3219 KNOX ST	WEIR J RAY TRUST
	9	4501 TRAVIS ST	CAFE MADRID REAL ESTATE HOLDINGS INC
	10	4507 TRAVIS ST	TRAVIS STREET HOLDING CO LLC
	11	4527 TRAVIS ST	KNOX STREET VILLAGE INC
	12	3311 KNOX ST	KNOX TRAVIS HOLDING COMPANY LLC
	13	3313 KNOX ST	KNOX STREET VILLAGE INC
	14	4510 BUENA VISTA ST	WEIR DAN R
	15	4514 TRAVIS ST	INTERCITY INVESTMENT

AGENDA ITEM # 72

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 46 L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the west corner of South Carroll Avenue and Bute Street
Recommendation of Staff and CPC: Approval
Z145-330(OTH)

FILE NUMBER: Z145-330(OTH)

DATE FILED: August 21, 2015

LOCATION: West corner of South Carroll Avenue and Bute Street

COUNCIL DISTRICT: 2

MAPSCO: 46L

SIZE OF REQUEST: Approx. 6,700 sq. ft.

CENSUS TRACT: 25.00

APPLICANT/REPRESENTATIVE: Jesse Banda

OWNER: Ben Leal, Jubilee Park

REQUEST: An application for an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District.

SUMMARY: The applicant proposes to develop the property with a single family dwelling unit. However, all uses within the MF-1(A) district would be permitted. The property is presently undeveloped. The property was previously used as a grocery and liquor store. The structure was demolished in December 2013.

CPC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning district will be consistent with the existing zoning and development in the area. The property is currently undeveloped.
2. *Traffic impact* – The proposed zoning will not have a negative impact on the existing street system.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas!* Comprehensive Plan identifies the area as an Urban Neighborhood Building Block. The proposed development is consistent with the Urban Neighborhood Building Block.

Zoning History: There have been no recent zoning changes in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
South Carroll	Local	60 feet
Bute Street	Local	50 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction reviewed the proposed zoning will not have a negative impact on the existing street system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan classifies the area as an Urban Neighborhood Building Block.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

Surrounding Land Uses:

	Zoning	Land Use
Site	NS(A)	Undeveloped
Northeast	PD No. 486 & PD No. 601	Institutional (Jubilee Park and Community Service Center)
Southeast	MF-1(A) & PD No. 601	Institutional (Jubilee Park and Community Service Center) and church
Southwest	MF-1(A)	Single Family
Northwest	MF-1(A) & PD No. 486	Institutional, single family, undeveloped, personal service

Land Use Compatibility:

The request site is approximately 6,700 square feet of land and is currently undeveloped. The existing zoning of the property is NS(A) Neighborhood Service District. The property is surrounded by institutional uses to the northeast; institutional and churches to the southeast; Institutional, single family the southwest; and Institutional, single family, undeveloped and personal service to the northwest. The proposed zoning district and use of the property will be compatible with the surrounding zoning and development in the area. Therefore, staff recommends approval of the MF-1(A) Multifamily District.

Z145-330(OTH)

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
NS(A) Neighborhood service	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		Retail & personal service, office
Proposed							
MF-1(A) Multifamily	15'	15'	Min lot 3,000 sq. ft. 1,000 sq ft – E 1,400 sq. ft – 1 BR 1,800 sq ft – 2 BR +200 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

CPC ACTION – October 15, 2015

Motion: It was moved to recommend **approval** of an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the west corner of South Carroll Avenue and Bute Street.

Maker: Abtahi
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 1 - District 4

Notices: Area: 200 Mailed: 14
Replies: For: 4 Against: 0

Speakers: None

Partners

LEADERSHIP

Bill Addy
Chairman

Allen Lassiter
Vice President & Treasurer

Jim Skoehdopole
Vice President & Secretary

Patrick White
Assistant Treasurer

Ben Leal
Chief Executive Officer

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Mary Stewart Ramsey

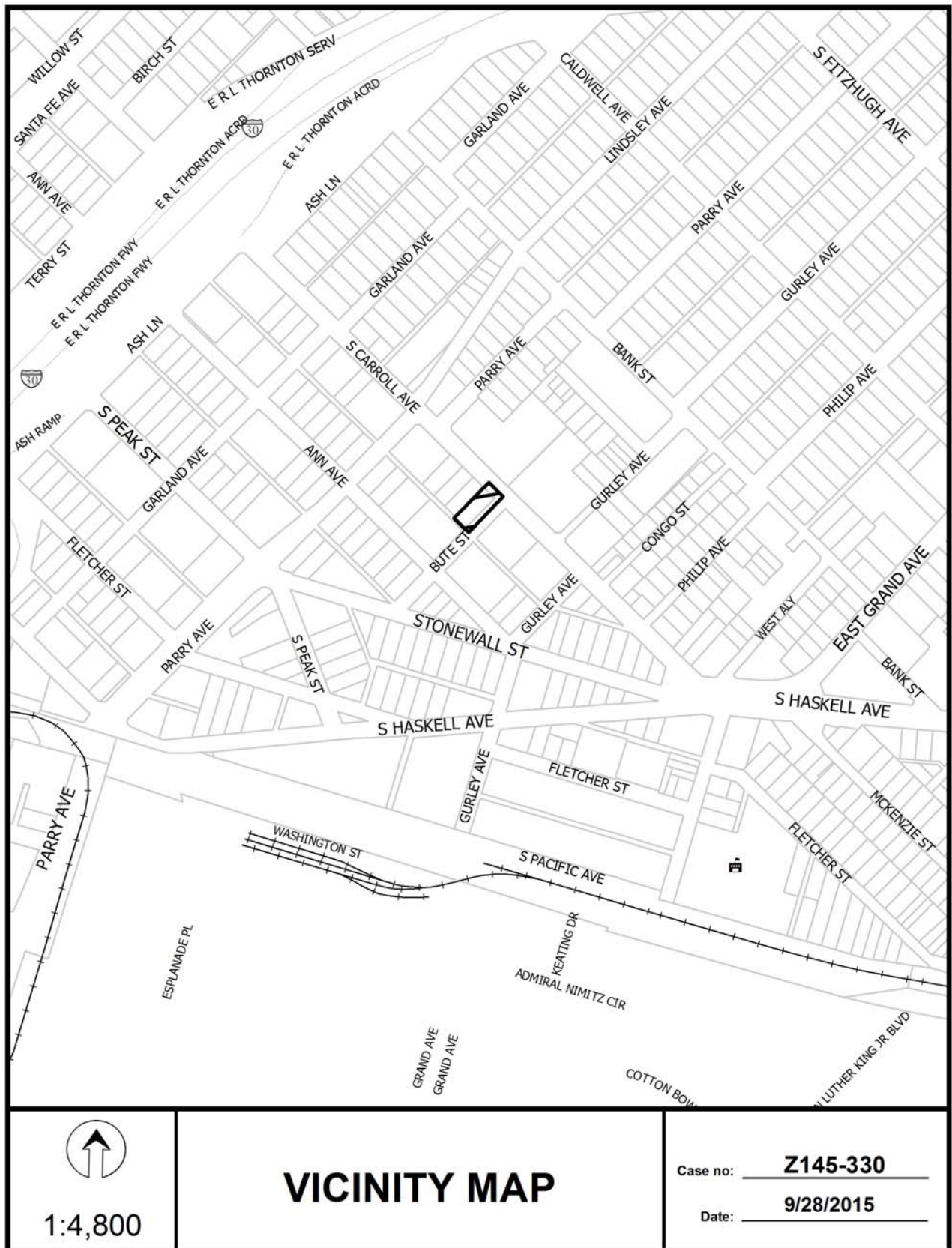
Darrel Rice

Arden Showalter

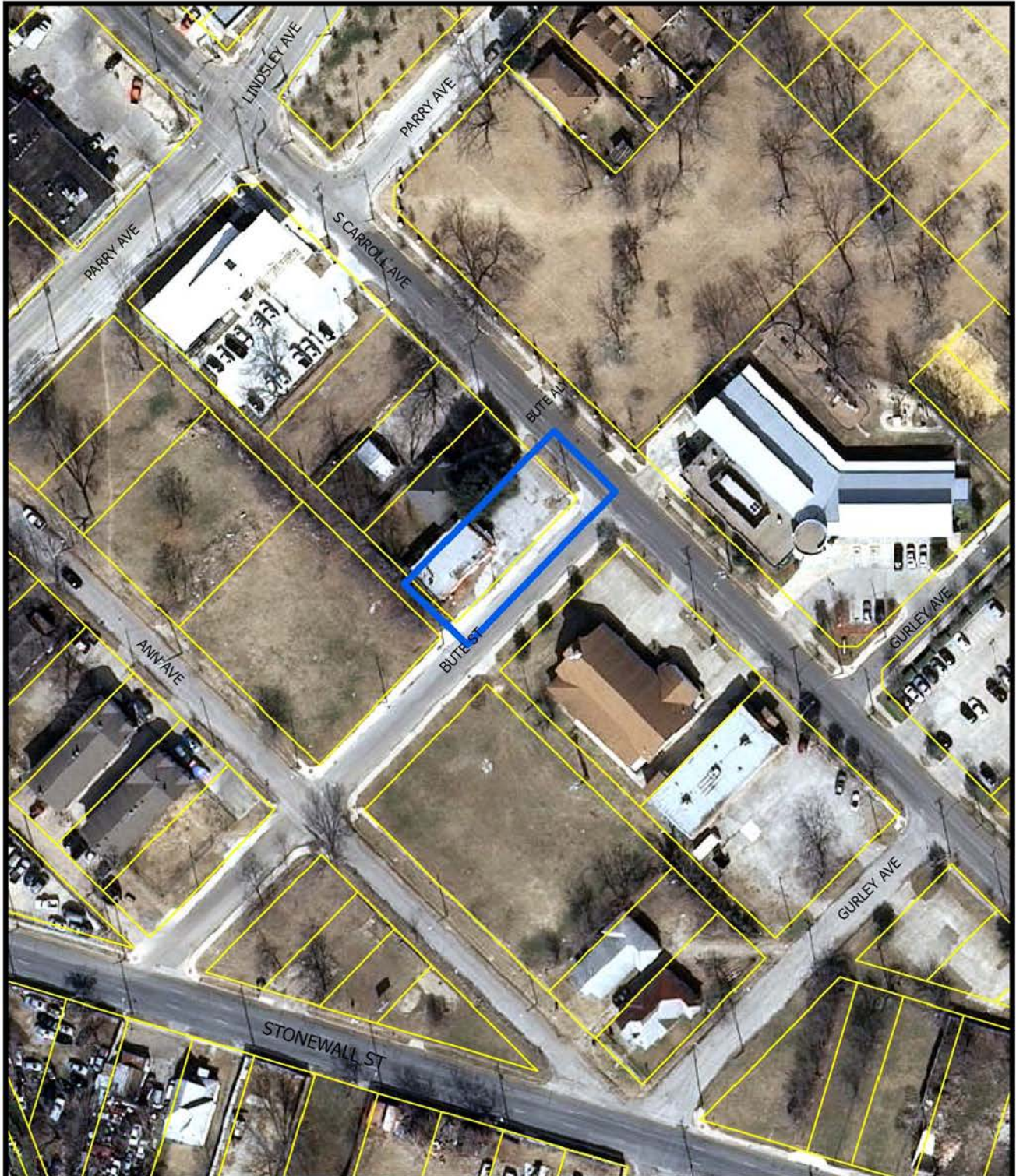
Ellis Skinner

Wanda Smith

Z145-330(OTH)



Z145-330(OTH)

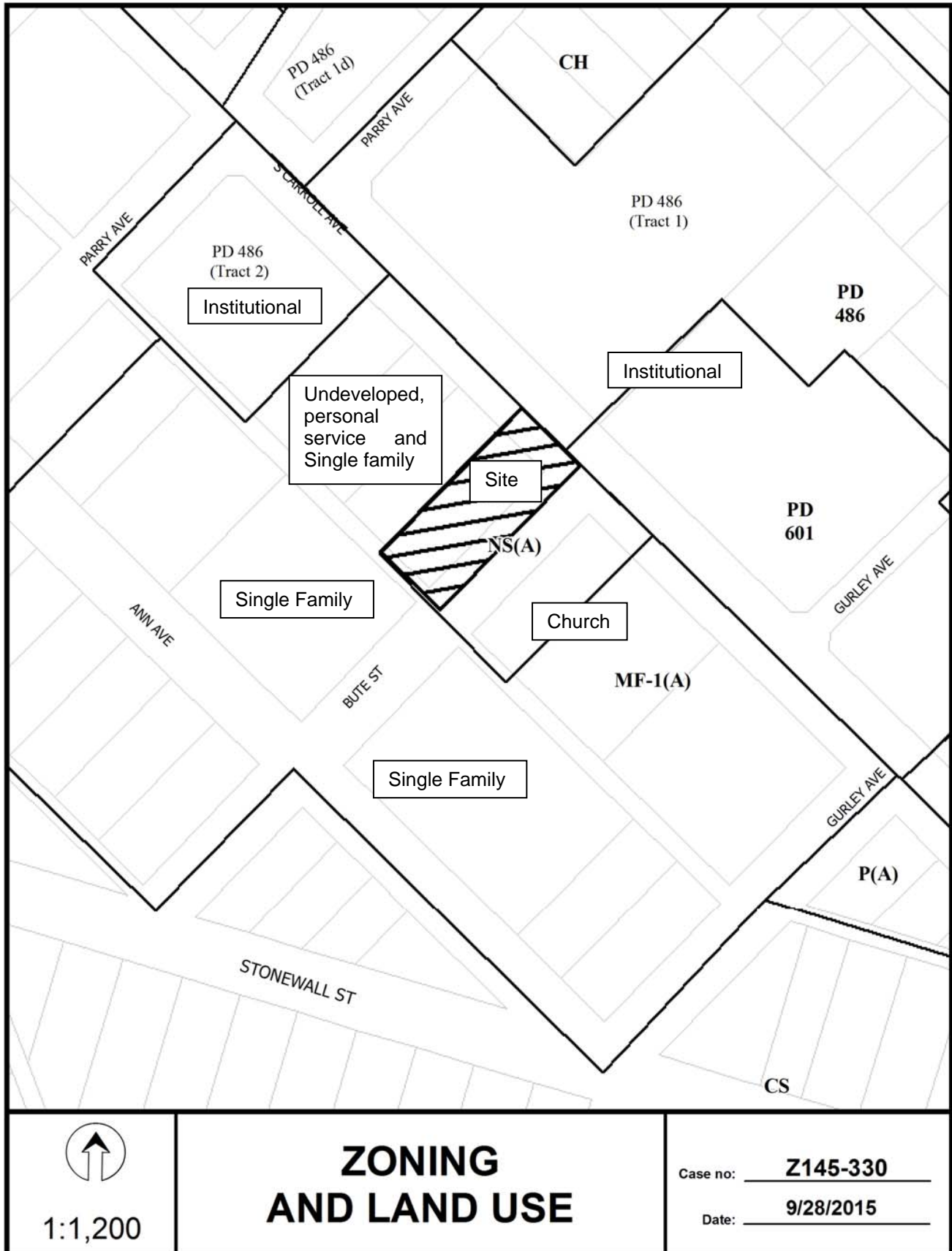


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AERIAL MAP

Case no: **Z145-330**

Date: **9/28/2015**



CPC RESPONSES



10/14/2015

Reply List of Property Owners

Z145-330

14 Property Owners Notified

4 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	925 CARROLL AVE	JUBILEE PARK &
	2	913 CARROLL AVE	WEBB DEBRA JOYCE
	3	921 CARROLL AVE	KNOX WILLIAM T
O	4	910 ANN AVE	JUBILEE PARK & COMMUNITY
	5	918 ANN AVE	JUBILEE PARK & COMMUNITY CENTER CORP
	6	917 ANN AVE	HMK LTD
	7	921 ANN AVE	HMK LTD
	8	923 ANN AVE	MATA RENE R
	9	1001 CARROLL AVE	EAST DALLAS CHURCH OF
	10	1015 CARROLL AVE	EAST DALLAS CHURCH
O	11	910 CARROLL AVE	JUBILEE PARK & COMMUNITY
O	12	907 CARROLL AVE	JUBILEE PARK & COMMUNITY
	13	917 CARROLL AVE	ANGLIN KENNETH & BERNICE
O	14	1000 CARROLL AVE	JUBILEE PARK & COMMUNITY

AGENDA ITEM # 73

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 26 W

SUBJECT

A public hearing to receive comments regarding a City Plan Commission authorized hearing for Planned Development District No. 463, with consideration being given to increasing the floor area for lodging and similar uses within the Tract III portion (Zone A and Zone B) of the Planned Development District, on property within the southwest quadrant of West Northwest Highway and North Central Expressway and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, revised Tract III (Zone A and Zone B) development plan, a Tract III (Zone A and Zone B) landscape plan, and conditions
Z145-203(RB)

FILE NUMBER: Z145-203(RB)

DATE FILED: March 6, 2015

LOCATION: West Northwest Highway and North Central Expressway, Southwest Quadrant

COUNCIL DISTRICT: 13

MAPSCO: 26 W

SIZE OF REQUEST: Approx. 3.08 Acres

CENSUS TRACT: 79.06

APPLICANT/OWNER: Buckner Senior Living, Inc.

REPRESENTATIVES: Tommy Mann and Brad Williams, Winstead PC

REQUEST: A City Plan Commission authorized hearing for Planned Development District No. 463, with consideration being given to increasing the floor area for lodging and similar uses within the Tract III portion (Zones A and B) of the Planned Development District, on property within the southwest quadrant of West Northwest Highway and North Central Expressway.

SUMMARY: The applicant proposes revisions to permitted floor area as well as providing for revised landscaping, inclusive of a tract-specific landscape plan, for a proposed retirement community.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan, revised Tract III (Zone A and Zone B) development plan, a Tract III (Zone A and Zone B) landscape plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan, revised Tract III (Zone A and Zone B) development plan, a Tract III (Zone A and Zone B) landscape plan, and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval, subject to a revised Tract III (Zone A and B) development plan, a Tract III (Zone A and B) landscape plan, and revised conditions, based upon:

1. *Performance impacts upon surrounding property* – As the applicant is proposing to revise the previously approved development plan for approved retirement and assisted housing uses to account for non-occupied floor area, negative impact on adjacent properties (lighting, noise, odor) is not anticipated.
2. *Traffic impact* – Anticipated trip generations for the proposed development will remain consistent with those approved two years ago. As such, vehicular activity in and out of the development will be served by existing roadways with no additional impact.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z123-236	On June 26, 2013, the City Council approved an authorized hearing to consider proper zoning for the Tract III and IV portions of PDD No. 463, specifically increasing floor area and structure height for the Tract III portion.
2. Z145-145	On May 13, 2015, the City Council approved an MU-3 District with volunteered deed restrictions that prohibited certain uses as well as only permitting multifamily uses as part of a mixed use project, on property zoned a GO(A) District.

<u>Thoroughfare</u>	<u>Designation; Existing & Proposed ROW</u>
Northwest Highway	Principal Arterial; 107' & 107' ROW
North Central Expressway	Freeway; Variable ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the proposal and has determined there will be no impact on the area's street system.

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered 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.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: The request area is undeveloped, and recently received approval (City Council adopted on June 26, 2013) for various amendments to the Tract III and IV portions of the PDD (Tract IV, located at the extreme northwest corner of the PDD is not being amended at this time). Anticipated development of the Tract III portion will provide for an assisted living facility, retirement housing, and convalescent and nursing homes, hospice care, and related institutions when associated with an assisted living facility. Once developed, all of the land area within PDD No. 463 (39+ acres) will be developed. PDD No. 463 was adopted by the City Council on December 18, 1996. As noted in the Zoning History section, City Council previously approved a proposal to increase floor area and structure height within the Tract III and IV portions.

For orientation purposes (see attached conceptual plan), this tract (approx. seven acres) is comprised of four 'zones' and is partially developed (southern half of Zone B, Zone C, and Zone D) with a lodging and multifamily uses. This proposal area consists of the Tract III portion of PDD No. 463, specifically Zones A and B. It should be noted the PDD was created to include both Tracts III and IV in the codification of the ordinance; Tract IV is developed with a financial institution with drive-in window. As the recent

zoning activity was approved within the last two years, an application for waiver of the two-year period was approved by the City Plan Commission on February 5, 2015.

With respect to adjacencies, two such 'uses' consist of freeways – Northwest Highway to the north and North Central Expressway to the east. Lodging, multifamily, and assisted living uses are developed along the southern property line southward to Caruth Haven Lane, with multifamily uses, a parking structure, and office uses along the western line.

As noted above, the potential developer of the property would be providing a residentially-influenced development comprised for the three referenced uses. In the time since the recently noted City Council action, the developer has determined a need exists for larger dwelling units along with typical amenities, some of which are considered as floor area (i.e., common areas, storage), as well as an interpretation that common area balconies are considered as floor area (individual residential balconies are not).

Staff has determined the increase will have minimal impact on the uses adjacent to this tract. It should be noted that the increased floor area is limited to the 'lodging and similar uses'. The PDD defines this use category as convalescent and nursing homes, hospice care and related institutions use, the hotel or motel use, the assisted living facility use, the retirement housing use, and all accessory or limited uses associated with these uses.

In summary of staff's analysis, support for the request is given, subject to attached plans and conditions.

Landscaping: PDD No. 463 provides for compliance with Article X, of which a proposed landscape plan would be submitted in conjunction with a building permit for any tract. The applicant has determined a site-specific landscape plan is warranted due to the topography of the site as well as a need to respect existing utility easements along the northern and eastern property lines.

The chief arborist has worked with the applicant to ensure the integrity of Article X is being maintained.

CPC ACTION

October 1, 2015

This item was held under advisement.

October 15, 2015

Motion: It was moved to recommend **approval** of a City Plan Commission authorized hearing for Planned Development District No. 463, with consideration being given to increasing the floor area for lodging and similar uses within the Tract 3 portion (Zones A and B) of the Planned Development District, subject to a revised conceptual plan, revised Tract III (Zones A and B) development plan, a new Tract III (Zones A and B) landscape plan, and revised conditions on property within the southwest quadrant of West Northwest Highway and North Central Expressway.

Maker: Murphy
Second: Shidid
Result: Carried: 11 to 0

For: 11 - Emmons, Rodgers, Shidid, Anantasomboon,
Abtahi, Lavallaisaa, Shellene, Peadon, Murphy,
Ridley, Tarpley

Against: 0
Absent: 2 - Anglin, Schultz
Vacancy: 1 - District 4
Conflict: 1 - Jung

Notices: Area: 500 Mailed: 122
Replies: For: 1 Against: 1

Speakers: For: Tommy Mann, 500 Winstead Building, Dallas, TX, 75201
Against: None

ARTICLE 463.

PD 463.

SEC. 51P-463.101. LEGISLATIVE HISTORY.

PD 463 was established by Ordinance No. 22978, passed by the Dallas City Council on December 18, 1996. Ordinance No. 22978 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 22978 was amended by Ordinance No. 23173, passed by the Dallas City Council on June 11, 1997. Ordinance No. 23173 was amended by Ordinance No. 29066, passed by the Dallas City Council on June 26, 2013.

SEC. 51P-463.102. PROPERTY LOCATION AND SIZE.

PD 463 is established on property generally located at the southwest corner of U.S. Highway 75 (North Central Expressway) and Northwest Highway. The size of PD 463 is approximately 39.20 acres.

SEC. 51P-463.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) **ASSISTED LIVING FACILITY** means a permanent residential facility which furnishes (in single or multiple facilities) food, shelter, laundry, and other assistance in activities of daily living to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment. Food is prepared in a central kitchen. Assisted living facilities must be licensed as Personal Care Facilities under Chapter 247 of the Texas Health and Safety Code. Assisted living facilities do not include other licensed health facilities under Subtitle B, "Licensing of Health Facilities," of Title 4, "Health Facilities," of the Texas Health and Safety Code, specifically nursing homes.

(2) **LODGING AND SIMILAR USES** means the convalescent and nursing homes, hospice care and related institutions use, the hotel or motel use, the assisted living facility use, the retirement housing use, and all accessory or limited uses associated with these uses.

(3) **MONUMENT SIGN** means a detached sign applied directly onto a grade-level support structure (instead of a pole support) with no separation between the sign and grade.

(4) **POLE SIGN** means a detached sign that is not a monument sign.

(5) RETAIL USES means the retail and personal service uses contained in Section 51A-4.210.

(6) TANDEM PARKING means one parking space in front of another parking space, making it necessary to pass through one parking space to gain access to the other parking space.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district.

SEC. 51P-463.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 463A: conceptual plan.
- (2) Exhibit 463B: North Central Expressway project map.
- (3) Exhibit 463C: Tracts III (Zone A and Zone B) and ~~IV~~ development plan.
- (4) Exhibit 463D: Tract III (Zone A and Zone B) landscape plan.

SEC. 51P-463.104. CREATION OF TRACTS.

This district is divided into four tracts (Tracts I, II, III, and IV) as described in Exhibit A attached to Ordinance No. 22978, and as shown on the conceptual plan (Exhibit 463A). In addition, Tract III is divided into four zones (Zones A, B, C, and D) as described in Exhibit B attached to Ordinance No. 22978, and as shown on the conceptual plan. In the event of a conflict between Exhibits A and B attached to Ordinance No. 22978 and the conceptual plan, Exhibits A and B control.

SEC. 51P-463.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan. In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. Nos. 22978; 26042; 26880)

SEC. 51P-463.106. DEVELOPMENT PLAN.

(a) In general. A development plan for each phase of development must be approved by the city plan commission prior to the issuance of any building permit for that phase. Development and use of the Property must comply with the approved

development plan. The development plan and any amendments must comply with the conceptual plan and this article. The Property owner shall submit to the Coalition of North Park Area Homeowner Associations (“the Coalition”), or its successor, if any, a copy of the development plan for review and comment simultaneously with the filing of the development plan with the city. The initial development plan must encompass at least 80 percent of the total allowable multifamily units and at least 50 percent of the total allowable retail floor area permitted on the Property.

(b) Tracts III (Zone A and Zone B) ~~and IV~~. Development and use of the Property must comply with the Tracts III (Zone A and Zone B) ~~and IV~~ development plan (Exhibit 463C). If there is a conflict between the text of this article and the Tracts III (Zone A and Zone B) ~~and IV~~ development plan, the text of this article controls.

SEC. 51P-463.107. MAIN USES PERMITTED.

(a) In general. The following main uses are permitted on the Property. Those uses not specifically listed as permitted uses are prohibited.

(b) Tract I.

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- None permitted.

(3) Industrial uses.

-- None permitted.

(4) Institutional and community service uses.

-- Adult day care facility. [L]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [L]

-- Church.

-- Convent or monastery.

-- Foster home.

-- Library, art gallery, or museum. [SUP]

(5) Lodging.

- None permitted.
- (6) Miscellaneous uses.
 - Temporary construction or sales office.
- (7) Office uses.
 - None permitted.
- (8) Recreation uses.
 - Country club with private membership.
 - Private recreation center, club, or area.
 - Public park, playground, or golf course.
- (9) Residential uses.
 - Duplex.
 - Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
 - Multifamily.
 - Retirement housing.
 - Single family.
- (10) Retail and personal service uses.
 - None permitted.
- (11) Transportation uses.
 - Transit passenger shelter.
- (12) Utility and public service uses.
 - Local utilities.
 - Police or fire station. [SUP]
 - Radio, television, or microwave tower. [Screening must be provided in accordance with Section 51A-4.602(b).]
 - Tower/antenna for cellular communication. [Screening must be provided in accordance with Section 51A-4.602(b).]

- Utility or government installation other than listed. [SUP]
- (13) Wholesale, distribution, and storage uses.
 - Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]
- (c) Tract II.
 - (1) Agricultural uses.
 - Crop production.
 - (2) Commercial and business service uses.
 - Catering service.
 - Custom business services.
 - Electronics service center.
 - (3) Industrial uses.
 - None permitted.
 - (4) Institutional and community service uses.
 - Adult day care facility.
 - Cemetery or mausoleum. [SUP]
 - Child-care facility.
 - Church.
 - Library, art gallery, or museum.
 - (5) Lodging uses.
 - None permitted.
 - (6) Miscellaneous uses.
 - Temporary construction or sales office.
 - (7) Office uses.
 - Financial institution without drive-in window.
 - Financial institution with drive-in window.

- Medical clinic or ambulatory surgical center.
- Office.
- (8) Recreation uses.
 - Country club with private membership.
 - Public park, playground, or golf course.
- (9) Residential uses.
 - Duplex.
 - Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
 - Single family.
- (10) Retail and personal service uses.
 - Business school.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store 3,500 square feet or less.
 - General merchandise or food store greater than 3,500 square feet.
 - Household equipment and appliance repair.
 - Nursery, garden shop, or plant sales.
 - Personal service use.
 - Restaurant without drive-in or drive-through service.
- (11) Transportation uses.
 - Transit passenger shelter.
- (12) Utility and public service uses.
 - Local utilities.
 - Police or fire station.
 - Post office.

- Radio, television, or microwave tower, limited to antennae that are mounted on an existing structure.

- Tower/antenna for cellular communication, limited to mounted cellular antennas.

- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]

(d) Tract III.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Catering service. [L]

(3) Industrial uses.

- None permitted.

(4) Institutional and community service uses.

- Adult day care facility. [L]

- Cemetery or mausoleum. [SUP]

- Child-care facility. [L]

- Church.

- Convalescent and nursing homes, hospice care, and related institutions when associated with an assisted living facility.

- Convent or monastery.

- Library, art gallery, or museum.

(5) Lodging uses.

- Hotel or motel, except in Zone D where the use is prohibited.

(6) Miscellaneous uses.

- Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Financial institution with drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
 - Country club with private membership.
 - Private recreation center, club, or area.
 - Public park, playground, or golf course.
- (9) Residential uses.
 - Assisted living facility.
 - Duplex.
 - Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
 - Retirement housing.
 - Single family.
- (10) Retail and personal service uses.
 - Business school.
 - Dry cleaning or laundry store. [L]
 - General merchandise or food store less than 3,500 square feet. [L]
 - Personal service use. [L]
 - Restaurant without drive-in or drive-through service, except in Zone D where the use is prohibited.
 - Surface parking (permitted only in Zone A and limited to the provision of off-street parking to satisfy a use's off-street parking requirement if that use is located on Tract II).

- (11) Transportation uses.
 - Transit passenger shelter.
- (12) Utility and public service uses.
 - Commercial radio or television transmitting station. [SUP]
 - Local utilities.
 - Police or fire station. [SUP]
 - Post office. [SUP]
 - Radio, television, or microwave tower, limited to antennae that are mounted on an existing structure.
 - Tower/antenna for cellular communication, limited to mounted cellular antennas.
 - Utility or government installation other than listed. [SUP]
- (13) Wholesale, distribution, and storage uses.
 - Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]
- (e) Tract IV.
 - (1) Agricultural uses.
 - Crop production.
 - (2) Commercial and business service uses.
 - None permitted.
 - (3) Industrial uses.
 - None permitted.
 - (4) Institutional and community service uses.
 - Adult day care facility. [L]
 - Cemetery or mausoleum. [SUP]
 - Child-care facility. [L]
 - Church.

- Convalescent and nursing homes, hospice care, and related institutions when associated with an assisted living facility.

- Convent or monastery.

- Library, art gallery, or museum.

(5) Lodging uses.

- None permitted.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.

- Financial institution with drive-in window.

- Medical clinic or ambulatory surgical center.

- Office.

(8) Recreation uses.

- Country club with private membership.

- Private recreation center, club, or area.

- Public park, playground, or golf course.

(9) Residential uses.

- Assisted living facility.

- Duplex.

- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]

- Retirement housing when associated with an assisted living facility.

- Single family.

(10) Retail and personal service uses.

- Business school. [SUP]

- Personal service use. [L]

- Restaurant without drive-in or drive-through service. [SUP]
- Surface parking, limited to the provision of off-street parking to satisfy a use's off-street parking requirement if that use is located on Tract II.
- (11) Transportation uses.
 - Transit passenger shelter.
- (12) Utility and public service uses.
 - Local utilities.
 - Police or fire station. [SUP]
 - Radio, television, or microwave tower, limited to antennae that are mounted on an existing structure.
 - Tower/antenna for cellular communication, limited to mounted cellular antennas.
 - Utility or government installation other than listed. [SUP]
- (13) Wholesale, distribution, and storage uses.
 - Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]

SEC. 51P-463.108. ACCESSORY USES.

(a) In general. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) Tract I. The following accessory uses are not permitted on Tract I:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Private stable.

(c) Tract II. The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Private stable.

(d) Tract III. The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Private stable.

(e) Tract IV. The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Private stable.

SEC. 51P-463.109. DEVELOPMENT STANDARDS.

(a) Tract I (the “Multifamily Tract”).

(1) General standards. Except as provided below, the yard, lot, and space regulations of the MF-1(A) Multifamily District contained in Section 51A-4.116(a) apply to this tract.

(2) Dwelling unit density. Maximum number of dwelling units permitted is 349.

(3) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R(A), D(A), or TH(A) district. Exceptions: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 42 feet.

(4) Stories. No maximum number of stories.

(5) Screening wall. A solid screening wall which runs parallel to that portion of the boundary line between Tracts I and II which represents the southern boundary line of Tract II must be erected on Tract I, as shown on the conceptual plan, prior to issuance of a certificate of occupancy on Tract I. Only emergency vehicular access is permitted between Tracts I and II.

(6) Vehicular and pedestrian access to Tract I. Vehicular access to Tract I is limited to entries equipped with automatic gates with controlled access (emergency crash gates are permitted). Pedestrian access will be through manual gates with controlled access.

(7) Paving materials. All off-street parking areas and permanent drives must be constructed of concrete.

(8) Off-street parking for multifamily uses. A minimum of 1.6 off-street parking spaces are required per dwelling unit. No structured parking (other than individual unit garages) is permitted within 100 feet of Caruth Haven Lane.

(9) Landscape buffer strip. Prior to the issuance of any certificate of occupancy on Tract I, a perimeter landscape buffer strip in accordance with the requirements of Section 51A-10.125(b)(1) must be provided along the entire length of the Caruth Haven Lane frontage of Tract I.

(b) Tract II (the "Retail Tract").

(1) General standards. Except as provided below, the yard, lot, and space regulations of the CR Community Retail District contained in Section 51A-4.122(b) apply to this tract.

(2) Maximum floor area. Maximum permitted floor area for all uses on Tract II is 150,000 square feet. No single occupancy may contain more than 50,000

square feet of floor area. Excluded from the calculation of floor area are all areas within omitted wall lines that are used solely for the following:

- (A) pedestrian traffic wherever located, including plazas and seating areas (no portion of this area, however, may be used for storage or sales); and

- (B) outside dining.

- (3) Height.

- (A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. For purposes of Section 51A-4.412, "Residential Proximity Slope," Tract I is considered a nonresidential district.

- (B) Maximum structure height. Unless further restricted under Subparagraph (A), maximum structure height is 42.5 feet. Exceptions: Structures listed in Section 51A-4.408(a)(2) may exceed the maximum structure height not to exceed 12 feet above that height if these structures do not occupy more than five percent of the roof area.

- (C) Height of occupied space. No portion of a room may enclose space above a height of 40 feet.

- (4) Stories. Maximum number of stories is two stories above grade. No basement may have an exterior public entrance.

- (5) Outside sales or display. The outside sale or display of merchandise is prohibited on Tract II.

- (6) Outdoor dining. Space allocated for outdoor dining, including dining areas located within omitted wall lines, may not exceed 20 percent of the "floor area of the restaurant." For purposes of this condition, "floor area of the restaurant" means floor area as defined in the Dallas Development Code, exclusive of floor area located within omitted wall lines.

- (7) Signs.

- (A) Pole signs. Pole signs are prohibited.

- (B) Monument signs. A maximum of two monument signs, not to exceed 10 feet in height, are permitted on Tract II.

- (C) Clock tower sign. An attached premise identification sign may be located on the clock tower referenced in Paragraph (8) below. For purposes of this condition, premise means all of Tract II.

(8) Clock tower. A clock tower is permitted within Tract II, including the cross hatched area of Tract II as shown on the conceptual plan.

(9) Location of buildings. Only one detached building is permitted within the cross hatched area of Tract II. For purposes of this condition, “detached building” means a building which does not share a common wall or roof with another building. No restaurant without drive-in or drive-through service located in this building may have less than 6,000 square feet of floor area. The clock tower referenced in Paragraph (8) above, may be located in this hatched area, in addition to the one detached building.

(10) Hours of operation. The hours of operation for restaurant uses are limited to the hours between 6:00 a.m. and 1:00 a.m. The hours of operation for all other uses are limited to the hours between 6:30 a.m. and 11:00 p.m.

(11) Paving materials. All off-street parking areas and permanent drives must be constructed of concrete.

(c) Tracts III and IV (the “Office and Lodging Tracts”).

(1) General standards. Except as provided below, the yard, lot, and space regulations of the LO-1 Limited Office District contained in Section 51A-4.121(b) apply to Zones A, B, and C of Tract III, and the yard, lot, and space regulations of the NO(A) Neighborhood Office District contained in Section 51A-4.121(a) apply to Zone D of Tract III and Tract IV.

(2) Maximum floor area. Maximum permitted floor area for all uses combined on Tracts III and IV is ~~920,000~~ 997,000 square feet to be distributed as follows:

(A) Lodging and similar uses. Maximum permitted floor area for all lodging and similar uses is ~~655,000~~ 700,000 square feet.

(B) All other uses. Maximum permitted floor area for all other uses is 600,000 square feet.

(3) Height and stories. Maximum heights and stories for each tract are as follows:

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

(B) Maximum structure heights and stories on Tract III. Maximum structure height and number of stories for all uses on Tract III are as follows, except that the hotel use is exempt from the story limitation. In addition, structures

referenced in Section 51A-4.408(a)(2)(A) may project a maximum of 18 feet above the maximum structure height if screened.

(i) Zone A. Unless further restricted under Paragraph (A) or as otherwise provided herein, maximum structure height in Zone A is 132.5 feet and maximum number of stories is 10 with no more than two buildings exceeding 120 feet in height and nine stories. Maximum structure height for a lodging and similar use is 175 feet and 12 stories.

(ii) Zone B. Unless further restricted under Paragraph (A) or as otherwise provided herein, maximum structure height in Zone B is 107.5 feet and maximum number of stories is eight. Maximum structure height for a lodging and similar use facility is 175 feet and 12 stories.

(iii) Zone C. Unless further restricted under Paragraph (A), maximum structure height in Zone C is 82.5 feet and maximum number of stories is six.

(iv) Zone D. Unless further restricted under Paragraph (A), maximum structure height in Zone D is 42 feet and maximum number of stories is three.

(C) Maximum structure height and stories on Tract IV. Maximum structure height and number of stories for all uses on Tract IV are 30 feet and two stories, except that the hotel use is exempt from the story limitation. In addition, structures referenced in Section 51A-4.408(a)(2)(A) may project a maximum of 18 feet above the maximum structure height if screened.

(3.1) Lot coverage for Tract III. Except as provided in this subsection, maximum lot coverage for a lodging and similar use is 60 percent. For a lodging and similar use, any portion of a building that is above 60 feet in height as measured from grade may not have a floor plate greater than 30 percent of the lot area.

(4) Urban form setback and tower spacing. The urban form setback and tower spacing regulations contained in Section 51A-4.121(b)(4)(A)(ii) and 51A-4.121 (b)(4)(B)(ii), respectively, do not apply.

(5) Maximum hotel or motel guest rooms. Maximum number of hotel or motel guest rooms permitted on Tracts III and IV, combined, is 350. No hotel or motel uses are permitted in Zone D of Tract III.

(6) Signs. Except for signs located on Tract IV, no sign located above a height of 30 feet and facing either west or south may be illuminated. On Tract IV, no sign facing either west or south may be illuminated.

(7) Highly reflective glass. Highly reflective glass is prohibited. For purposes of this subsection, highly reflective glass means glass with an exterior visible reflectance percentage in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass.

(8) Roof-mounted mechanical equipment. Roof-mounted mechanical equipment must be screened from views from public rights-of-way and adjacent neighboring properties.

(9) Other screening. All other mechanical equipment, loading areas, and trash receptacles must be screened from view from all adjacent roadways.

(10) Financial institutions with or without drive-in windows.

(A) Zone D of Tract III. No financial institution located in Zone D may have a drive-in window or automobile stacking area for a drive-in window located within 100 feet of the southerly lot line of Zone D.

(B) Tract IV. No financial institution located on Tract IV may have a drive-in window or automobile stacking area for a drive-in window located on the west side of the building. Direct access to a financial institution with drive-in window on Tract IV is prohibited from Caruth Haven Lane.

(11) Parking structures.

(A) In general. Except as provided in this subsection, It is recommended that above-grade parking structures be designed to be compatible with the main building design.

(B) Tract III. For a lodging and similar use, parking levels must be:

(i) screened through use of vegetation, metal panels, or other architectural elements to obscure sloping ramps and headlights of parked vehicles from view, and

(ii) concealed in a structure with a facade similar in appearance to the main structure's façade.

(12) Paving materials. All off-street parking areas and permanent drives must be constructed of concrete.

SEC. 51P-463.110. SIGNS.

Except as otherwise provided in Section 51P-463.109 or as otherwise provided below, Tract I, Zone D of Tract III, and Tract IV must comply with the provisions for non-business zoning district contained in Article VII, and Tract II and Zones A, B, and C of Tract III must comply with the provisions for business zoning districts contained in Article VII. Non-premise signs and detached special purpose signs are prohibited on the Property.

SEC. 51P-463.111. OFF-STREET PARKING, LOADING, AND LIGHTING.

(a) Off-street parking and loading.

(1) Except as otherwise provided in Section 51P-463.109 above and this subsection, consult the use regulations in Division 51A-4.200 for the off-street parking and loading requirements for each use. Consult the off-street parking and loading requirements of the convalescent and nursing homes, hospice care, and related institutions use for the off-street parking and loading requirements of the assisted living facility use.

(2) Off-street parking spaces located on the Property may not be used to satisfy the off-street parking requirements for uses outside of the Property.

(3) Tract II, Zones A and B of Tract III, and Tract IV may be considered as one lot for purposes of Section 51A-4.301, "Off-street Parking Regulations," including but not limited to the mixed use parking reductions. Zones A, B, and C of Tract III may also be considered as one lot for purposes of Section 51A-4.301, including but not limited to mixed use parking reductions.

(4) For lodging and similar uses located in Zone A and Zone B of Tract III, a minimum of 416 parking spaces must be provided. A minimum of 70 of the 416 required parking spaces must be provided as tandem parking.

(b) Parking lot lighting. Parking lot lights may not exceed 20 feet in height and must be fitted with a shielded type directional fixture to direct light onto the Property and away from adjacent properties

SEC. 51P-463.112. DEVELOPMENT PHASING.

(a) Development not to exceed 137,000 square feet.

(1) No transportation improvements are required for development limited to 137,000 square feet of office uses or the trip generation equivalent thereof based on the following equivalency ratios:

(A) Retail uses. One square foot of retail use is equivalent to 6.85 square feet of office uses.

(B) Multifamily. One multifamily dwelling unit is equivalent to 336.61 square feet of office uses.

(C) Retirement housing/convalescent and nursing home, hospice care and related institutions/assisted living facility. One dwelling unit, suite, room, or bed is equivalent to 159.86 square feet of office uses.

(D) All other uses. One square foot of floor area is equivalent to one square foot of office uses.

(2) The preceding equivalency chart only applies to the first 137,000 square feet of office development, or its equivalent, on the Property.

(b) Development between 137,001 and 725,000/775,000 square feet. Upon the completion of the Caruth Haven extension and a right turn lane on eastbound Northwest Highway at the Caruth Haven extension, development on the Property is limited to a maximum of 725,000 square feet of floor area for all uses. A minimum of 500,000 square feet of the 725,000 square feet must consist of multifamily floor area. Development on the Property may exceed 725,000 square feet, up to a maximum of 775,000 square feet of floor area without triggering the "M" Section improvements referenced in Section 51P-463.112(c) below, if a minimum of 50,000 square feet of floor area consists of retirement housing, convalescent and nursing home, hospice care and related institutions, and assisted living facility floor area in Zone D of Tract III.

(c) Development in excess of 725,000/775,000 square feet. Upon completion of the improvements contained in Section 51P-463.112(b) above and the "M" Section of the North Central Expressway project, certificates of occupancy may be issued to the fullest extent allowed under this article. For purposes of this condition, the "M" Section of the North Central Expressway project means the improvements to North Central Expressway, interchanges, ramps, main lanes, and service roads between Walnut Hill Lane and Southwestern Boulevard as shown on Exhibit 463B.

(d) Application of Subsection (c). Building permits authorizing development in excess of 725,000/775,000 square feet of floor area may be issued prior to completion of the "M" Section of the North Central Expressway project.

SEC. 51P-463.113. MANDATORY TRANSPORTATION IMPROVEMENTS.

(a) Deceleration lanes. All entry points to the Property from Northwest Highway and the North Central Expressway service road must have a deceleration lane. Exit driveways onto the North Central Expressway service road are limited to one lane of operation.

(b) Nonresidential parking sites. Each nonresidential parking site within the Property must have access to two perimeter streets (Northwest Highway and Caruth Haven Lane), through routes internal to the Property. (Ord. Nos. 22978; 26042; 26880)

SEC. 51P-463.114. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Tract III (Zone A and Zone B). Landscaping must be provided as shown on the Tract III (Zone A and Zone B) landscape plan (Exhibit 463D).

(c) Prior to the submission of an application for a building permit on the Property, a tree survey must be completed and submitted to the building official.

SEC. 51P-463.115. OPEN SPACE.

Open space is required to be provided within Tracts I, III, and IV. Open space must consist of either a "landscape area," as defined in Section 51A-10.101 or a "pedestrian facility," as defined in Section 51A-10.126. The required open space area on Tract I must total a minimum of 20 percent of the total land area of Tract I. The required open space area on Tracts III and IV must total a minimum of 20 percent of the total land area of Tracts III and IV. Surface parking areas are not considered open space.

SEC. 51P-463.116. ADDITIONAL PROVISIONS.

(a) The entire Property must be properly maintained in a state of good repair and neat appearance.

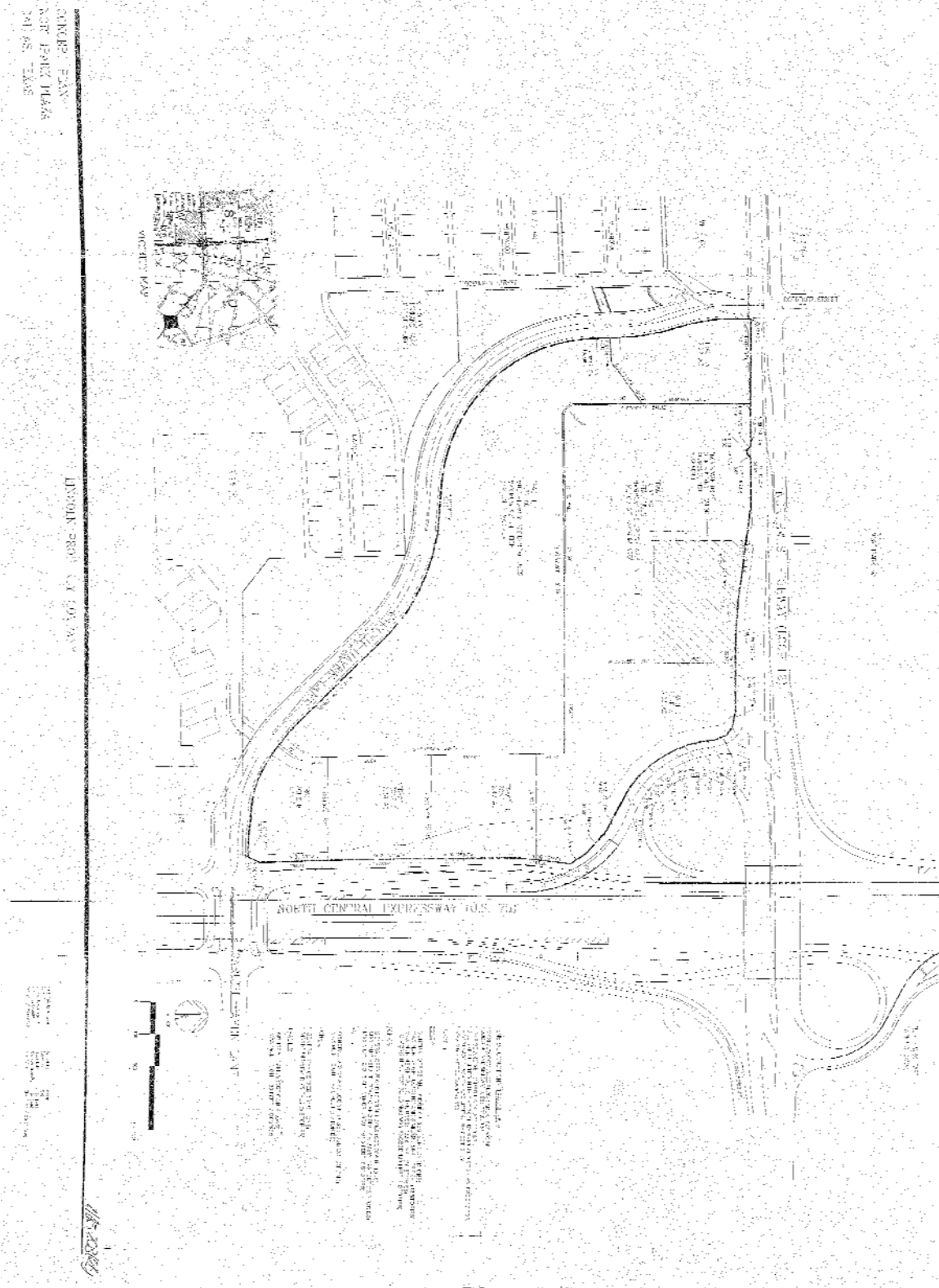
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-463.117. PAVING.

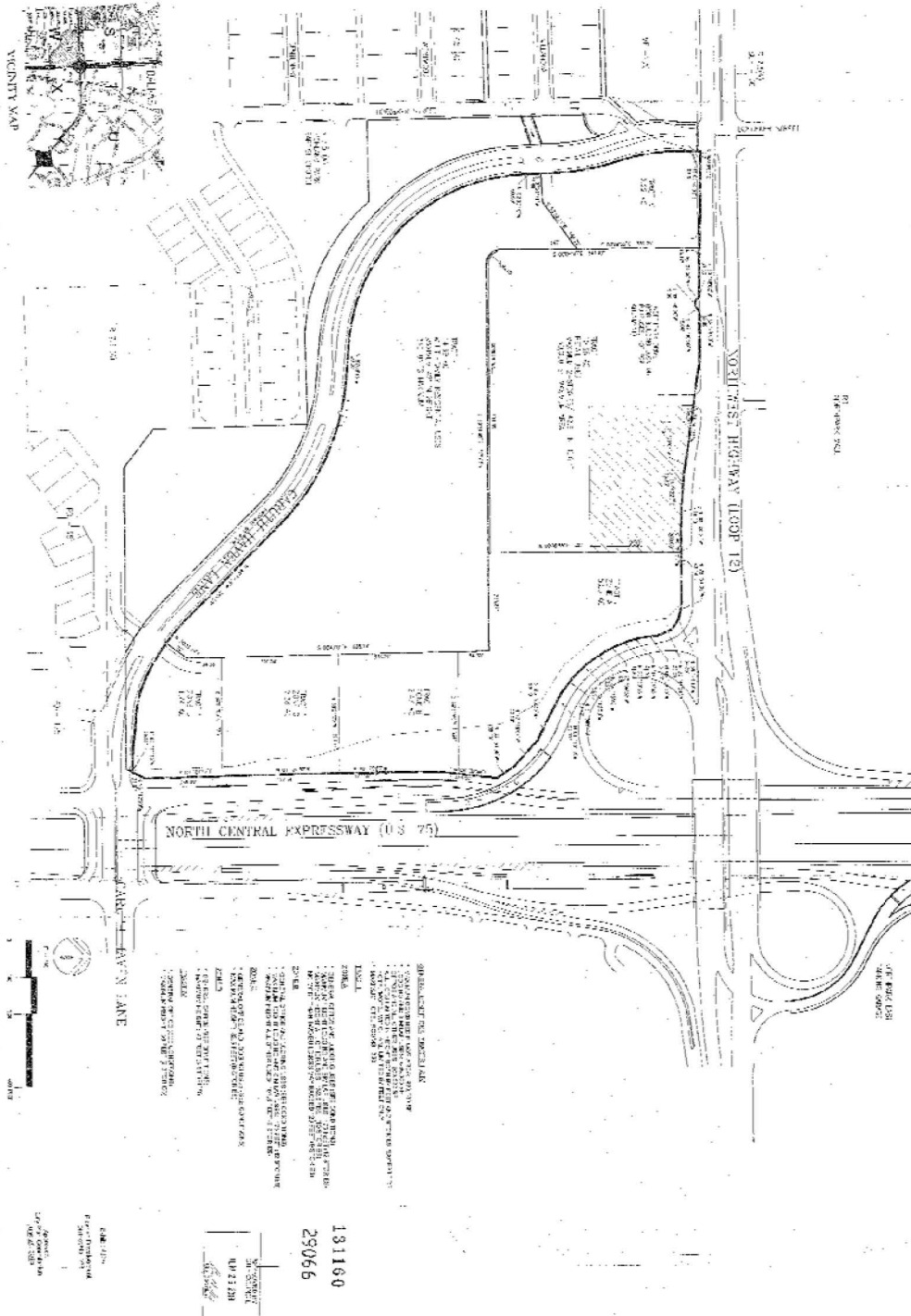
All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

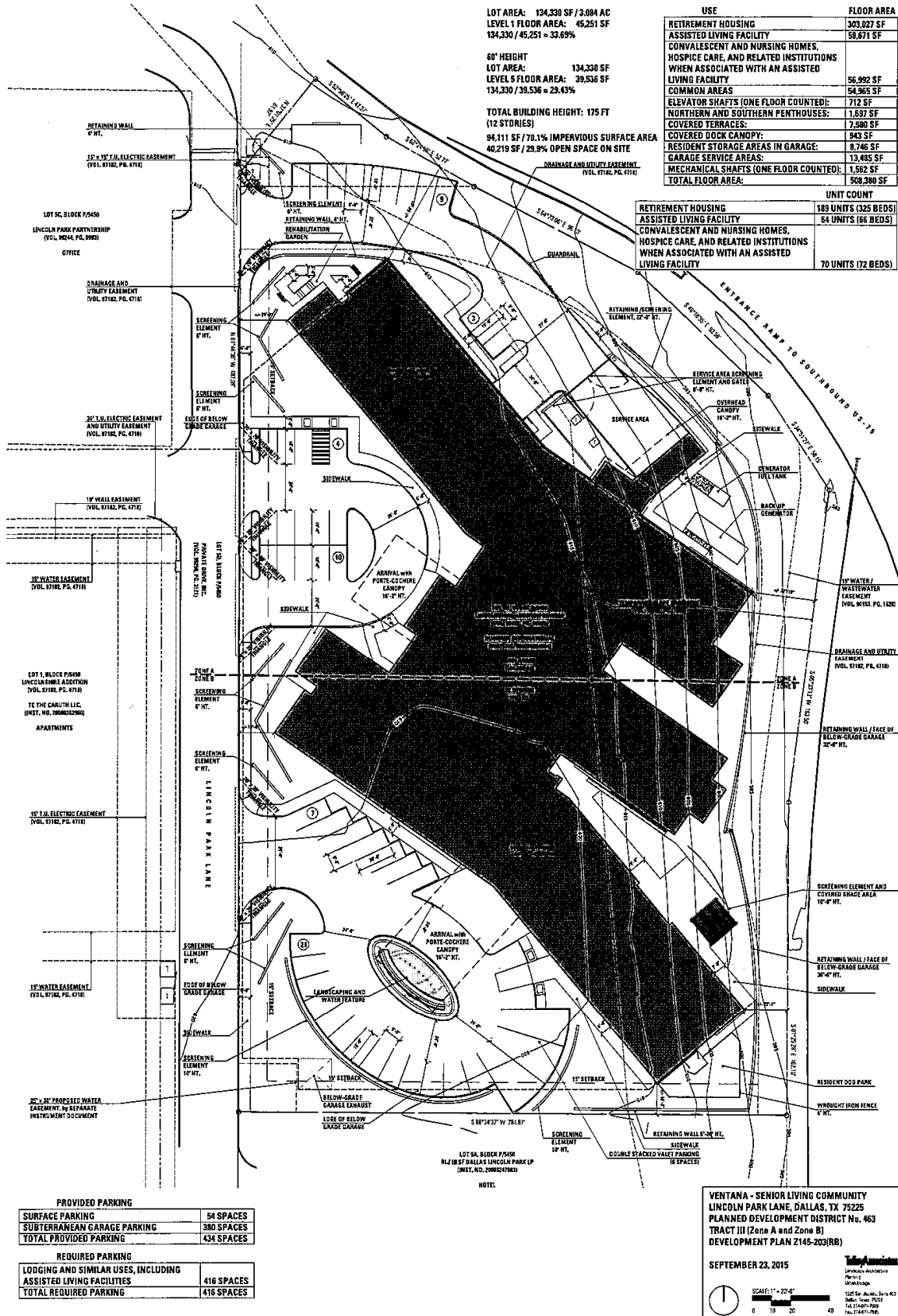
SEC. 51P-463.118. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city

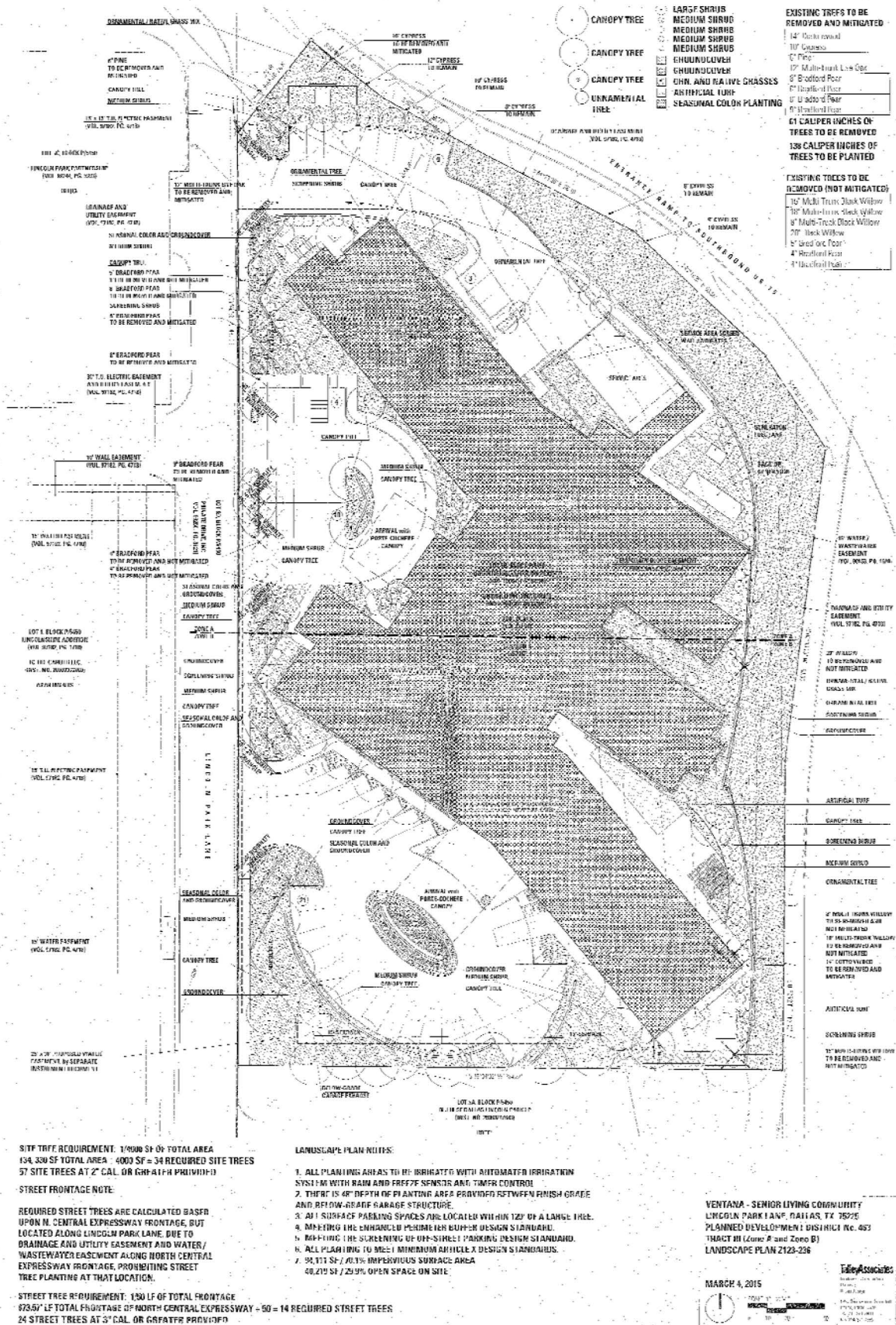


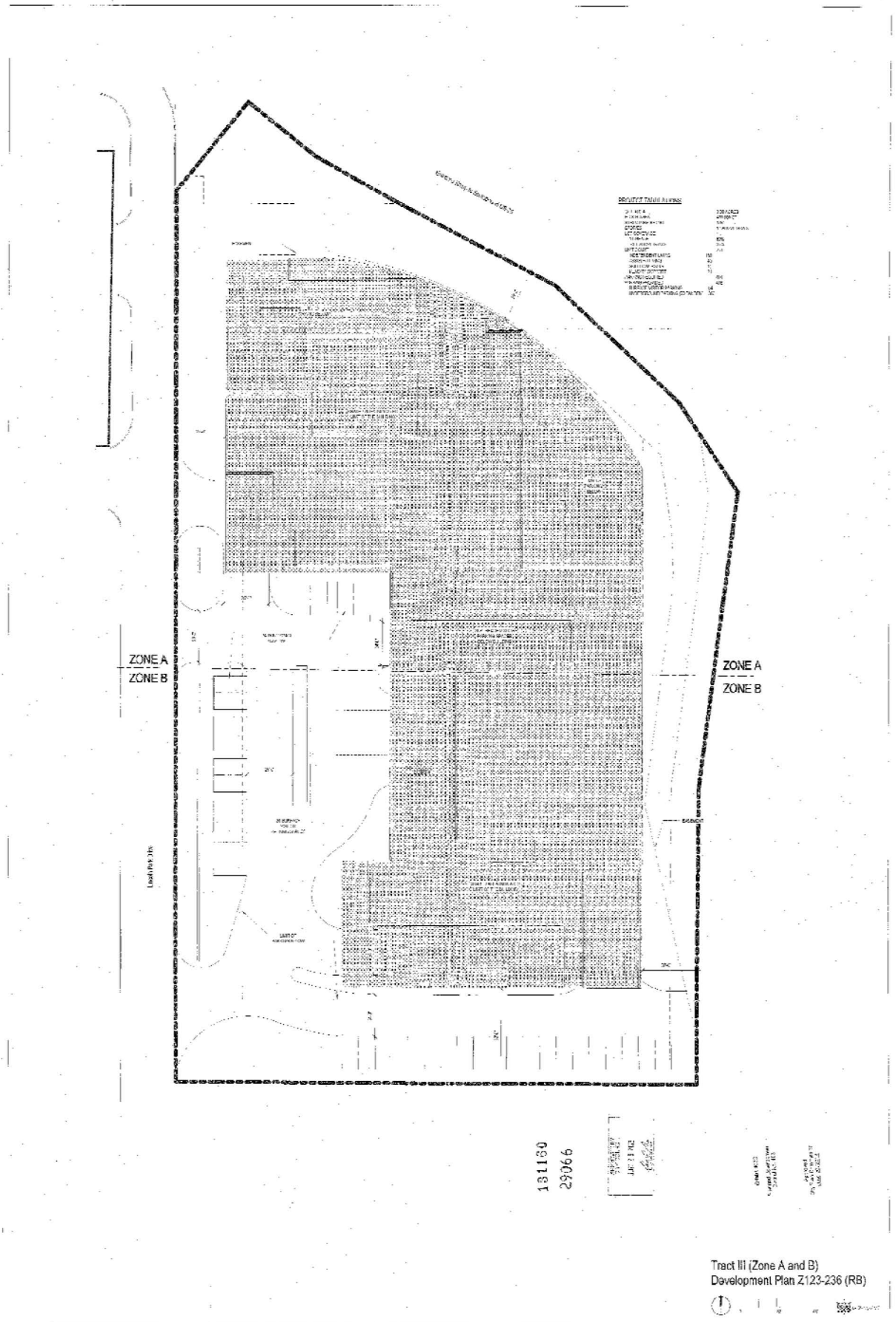
LINGOX PROPERTY COMPANY

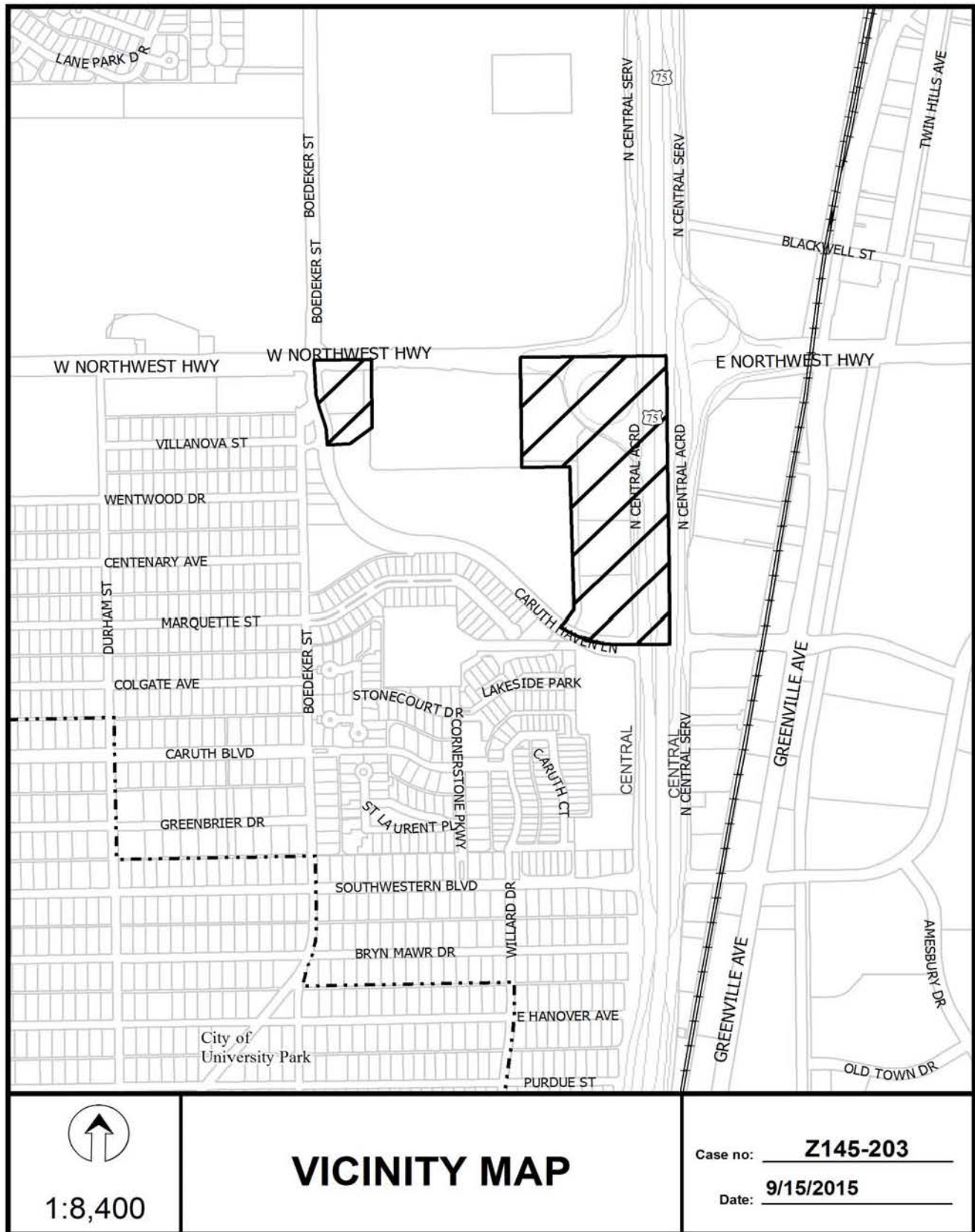


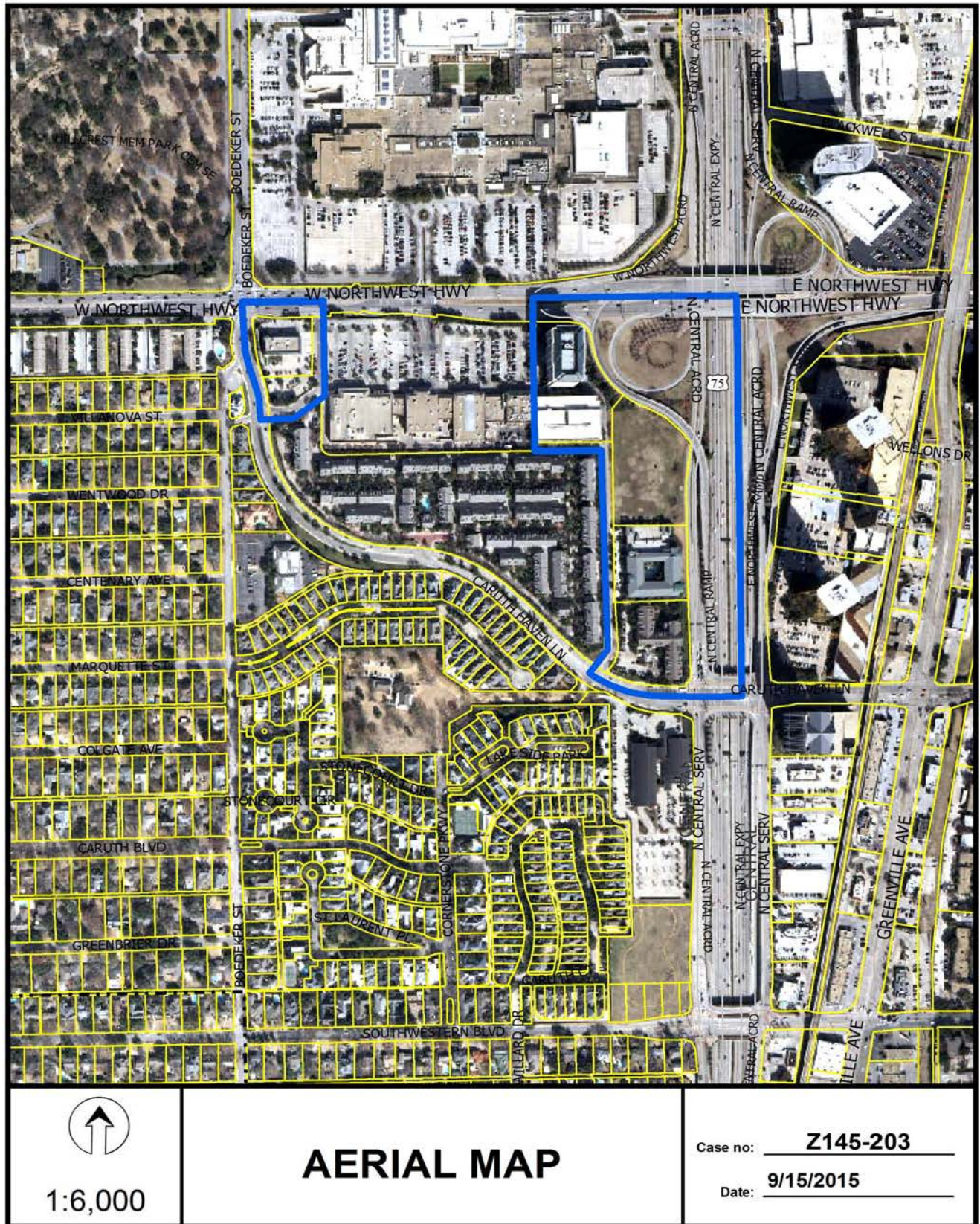


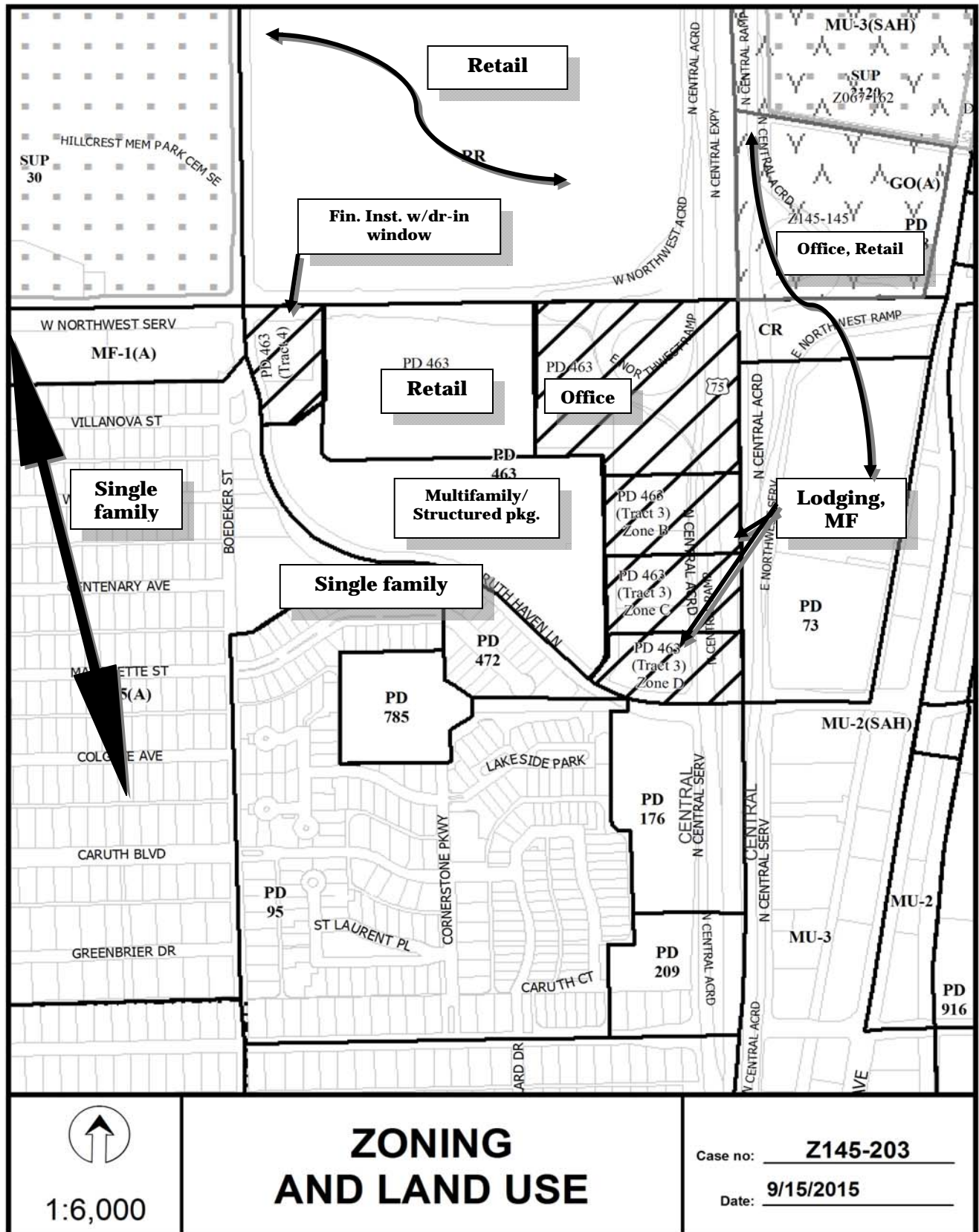
Proposed Tract III (Zone A and B) Development Plan

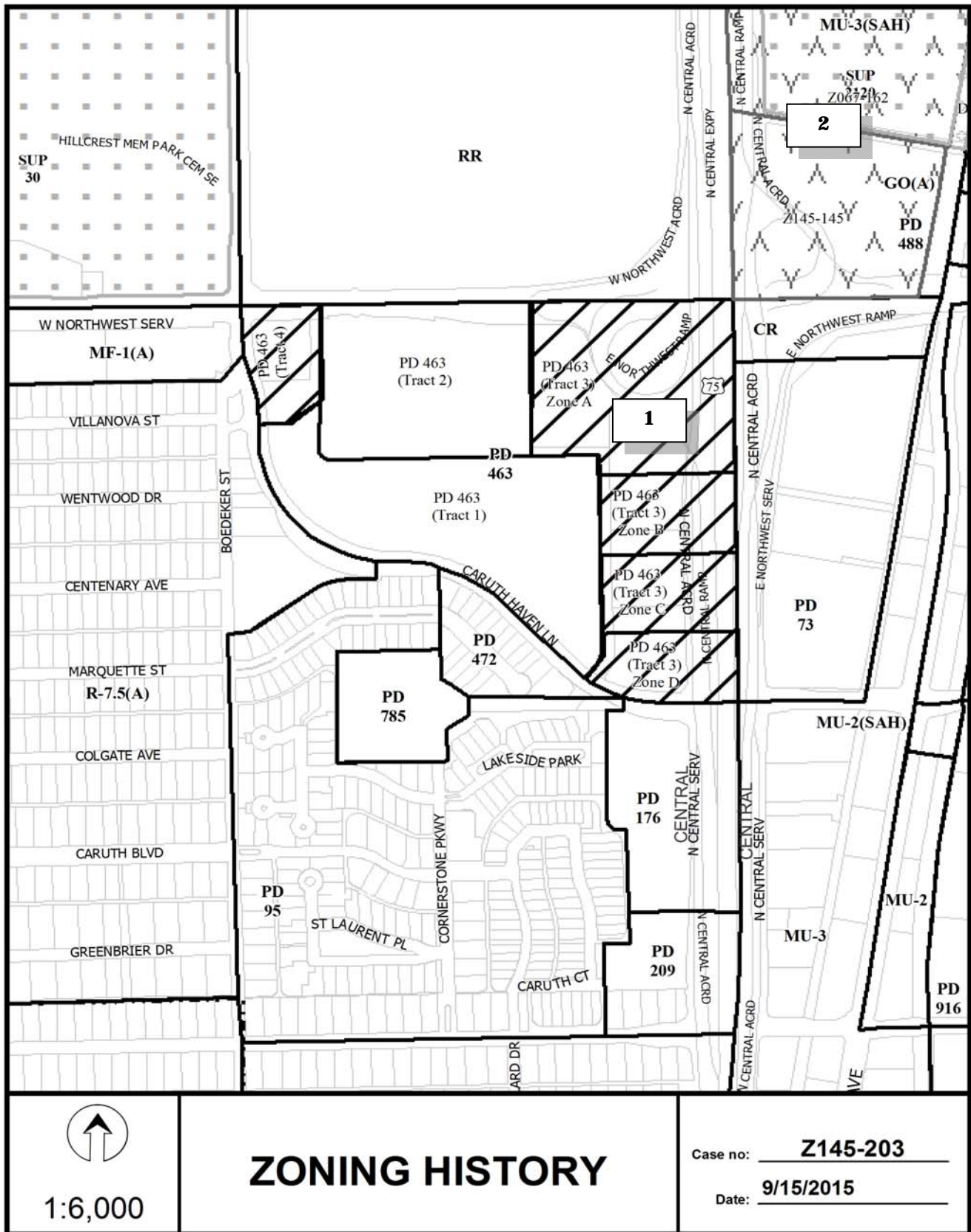




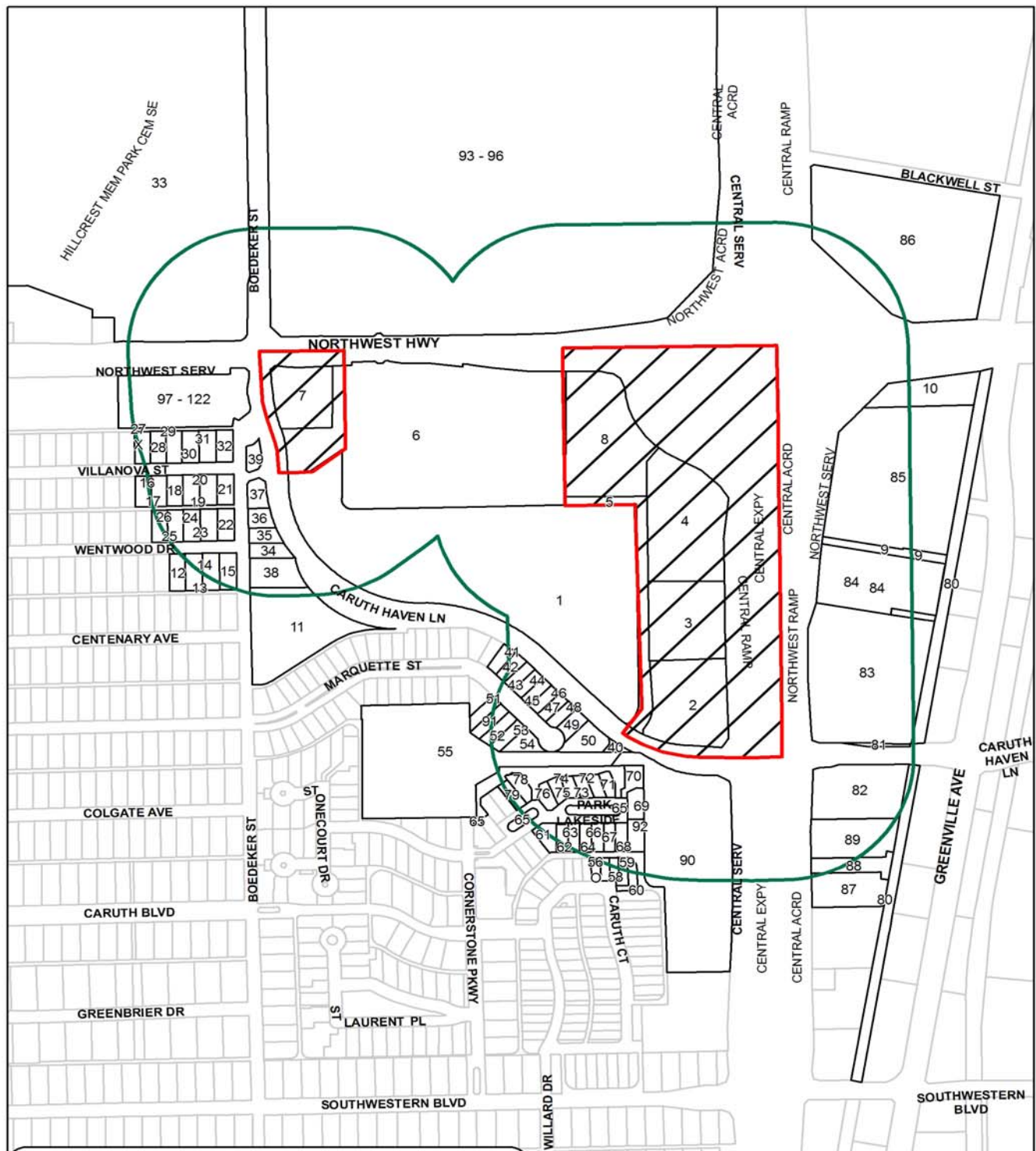








CPC RESPONSES



<u>122</u>	Property Owners Notified (99 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>1</u>	Replies in Opposition (1 parcels)
<u>500'</u>	Area of Notification
<u>10/15/2015</u>	Date <u>10/1/2015</u> Under Advisement

Z145-203
CPC



1:6,000

10/14/2015

Reply List of Property Owners***Z145-203******122 Property Owners Notified******1 Property Owners in Favor******1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5445	CARUTH HAVEN LN	T C THE CARUTH LLC
2	5585	CARUTH HAVEN LN	CARUTH HAVEN LP
3	8221	CENTRAL EXPY	RLJ III SF DALLAS LINCOLN PARK LP
4	8401	CENTRAL EXPY	BUCKNER SENIOR LIVING INC
5	5500	CARUTH HAVEN LN	PRIVATE DRIVE INC
6	7700	NORTHWEST HWY	INLAND WESTERN DALLAS
7	7600	NORTHWEST HWY	FIRST NATIONAL BANK OF
8	8401	CENTRAL EXPY	PIEDMONT ONE LINCOLN PARK LP
9	8250	CENTRAL EXPY	BLACK FOREST CC HOTEL LLC
10	5600	NORTHWEST HWY	RODDIMEYER III LLC
11	8202	BOEDEKER ST	HIGHLAND BAPTIST CHURCH
12	7528	WENTWOOD DR	SANDERS GRACE B
13	7532	WENTWOOD DR	ELKINS KATHLEEN
14	7538	WENTWOOD DR	BUNCH BRIAN A
15	7542	WENTWOOD DR	CRAFT RON
16	7516	VILLANOVA ST	WIETHOFF ANDREA J
17	7520	VILLANOVA ST	MESEC NICHOLAS ROBERT
18	7524	VILLANOVA ST	KING SARAH COKE
19	7530	VILLANOVA ST	SPETMAN MICHELLE KAY
20	7534	VILLANOVA ST	JONES RODNEY B & JEANNE V
21	7540	VILLANOVA ST	PRIDE KARON ASHLEY
22	7541	WENTWOOD DR	PIRANIO CATHERINE
23	7535	WENTWOOD DR	OPPENHEIM THOMAS K
24	7531	WENTWOOD DR	TURNER HEATHER
25	7525	WENTWOOD DR	WESTWOOD ASSETS LLC
26	7521	WENTWOOD DR	TOWN CREEK CAPITAL LLC

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	27	7517 VILLANOVA ST	WITTEN GEORGE R
	28	7521 VILLANOVA ST	ALLEMAN MARTIN J & SARA B
	29	7525 VILLANOVA ST	PITCHFORD JOSEPH &
	30	7531 VILLANOVA ST	CERCONE ALBERT B
	31	7535 VILLANOVA ST	RAWLINS NORA ELDREDGE
	32	7541 VILLANOVA ST	REDDICK EDITH DALE
	33	7323 NORTHWEST HWY	HILLCREST MEMORIAL PARK
	34	8258 BOEDEKER ST	HUNT DALLAS M
	35	8306 BOEDEKER ST	WALLACE TOMMIE R
	36	8310 BOEDEKER ST	SANDLIN ROBERT H
	37	8314 BOEDEKER ST	WOOLSEY JOHN B & DEBRA
	38	8250 BOEDEKER ST	SMITH KEVIN
	39	8420 BOEDEKER ST	RIKE HAZEL M
	40	7800 CARUTH HAVEN LN	CFTH INC
	41	7815 MARQUETTE ST	BURKE E J III & BARBARA R
	42	7819 MARQUETTE ST	DUFFY MICHAEL S
	43	7823 MARQUETTE ST	HEADINGTON TIMOTHY
	44	7827 MARQUETTE ST	TERRY MICHAEL F
	45	7831 MARQUETTE ST	PRESTIDGE CLAUDE B &
	46	7835 MARQUETTE ST	RUMAN BEVERLY M
	47	7839 MARQUETTE ST	GOFF WILLIAM R & ELFI MARTINA K
	48	7843 MARQUETTE ST	JOHNSON SALLY K
	49	7847 MARQUETTE ST	ODOM FLOYD CLARK
	50	7853 MARQUETTE ST	EMERY RICHARD W &
	51	7824 MARQUETTE ST	HARMAN WALKER G & ELAINE M
	52	7836 MARQUETTE ST	PLENGE CHARLES F &
	53	7842 MARQUETTE ST	CORCORAM THOMAS J &
	54	7848 MARQUETTE ST	STALEY JOE H JR & LINDA B
	55	5556 CARUTH HAVEN LN	COMMUNITIES FOUNDATION OF
O	56	7907 CARUTH CT	DUNLAP CATHERINE A H
	57	7911 CARUTH CT	ROGERS NANCY C

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7915	CARUTH CT	MIGHELL ROBERT W &
59	7919	CARUTH CT	KUHLMANN MARY LOUISE
60	7923	CARUTH CT	CROCKETT JACK
61	6	LAKESIDE PARK	COMER CHASE KENT &
62	7	LAKESIDE PARK	LOMAX REVOCABLE TRUST
63	8	LAKESIDE PARK	NORTON DEE H JR & JOANN
64	9	LAKESIDE PARK	MATHEWS ERIN DONAHUE &
65	22	LAKESIDE PARK	LAKESIDE PARK HOMEOWNERS
66	10	LAKESIDE PARK	GRAY HELEN S
67	11	LAKESIDE PARK	KURACHEK PETER & MARY E
68	12	LAKESIDE PARK	RAPHAEL JOHN A & ROBBIE M
69	14	LAKESIDE PARK	ENLOW EUGENE C &
70	15	LAKESIDE PARK	FISHER MARIE R REV TR
71	16	LAKESIDE PARK	BARNETT DOYLE W &
72	17	LAKESIDE PARK	PAPE GREGORY WARREN
73	18	LAKESIDE PARK	LEONARD JOHN SLOAN JR & MARY LOIS
74	19	LAKESIDE PARK	CHESNUT WILLIAM G JR
75	20	LAKESIDE PARK	SHINE DON M & SONDRAL C
76	21	LAKESIDE PARK	LAFITTE DARRELL M &
77	22	LAKESIDE PARK	MANKOFF RONALD M DALLAS QUALIFIED
78	22	LAKESIDE PARK	MANKOFF RONALD M
79	23	LAKESIDE PARK	BURFORD SAM P JR
80	401	BUCKNER BLVD	DART
81	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
82	8080	CENTRAL EXPY	DALLAS NCX PROPERTIES
83	8150	CENTRAL EXPY	CAMPBELL CENTRE LTD PS
84	8250	CENTRAL EXPY	BLACK FOREST CC HOTEL LLC
85	8350	CENTRAL EXPY	CAMPBELL CENTRE LTD PS
86	8750	CENTRAL EXPY	8750 NCE DALLAS LLC
87	7830	CENTRAL EXPY	ROSEBRIAR CARUTH HAVEN LP
88	7940	CENTRAL EXPY	ROSEBRIAR CARUTH HAVEN LP

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	7940	CENTRAL EXPY	ROSEBRIAR CARUTH HAVEN LP
90	5500	CARUTH HAVEN LN	COMMUNITIES FOUNDATION OF
91	7830	MARQUETTE ST	SQUIBB WILLIAM A
92	13	LAKESIDE PARK	TONKON MAX E & MARILYN
93	8850	BOEDEKER ST	NORTHPARK NATIONAL BANK
94	0	NORTHPARK	NEIMAN MARCUS CO LESSEE
95	8687	CENTRAL EXPY	NORTHPARK LAND PARTNERS
96	7901	NORTHWEST HWY	NORDSTROM
97	7510	NORTHWEST HWY	MYERS AMY JO
98	7510	NORTHWEST HWY	FOSTER TIM & DEBORA
99	7510	NORTHWEST HWY	MOORE EDWARD &
100	7510	NORTHWEST HWY	CHAPMAN ROBERT J
101	7510	NORTHWEST HWY	JONES ORVIL &
102	7510	NORTHWEST HWY	LOVELACE JOHN A & MARY E
103	7510	NORTHWEST HWY	TPR LLC
104	7510	NORTHWEST HWY	DARST MARTHA A
105	7510	NORTHWEST HWY	MOORE ELIZABETH F D
106	7520	NORTHWEST HWY	NEFF PAMELA J
107	7520	NORTHWEST HWY	BELL ELIZABETH J
108	7520	NORTHWEST HWY	SOETENGA DOUWE H & SUE
109	7520	NORTHWEST HWY	DONNELLY MARGARET A
110	7520	NORTHWEST HWY	BLACKBURN NORMA
111	7520	NORTHWEST HWY	GREENHAW LARRY D
112	7520	NORTHWEST HWY	WILLIAMS MICHAEL D & SUSAN W
113	7520	NORTHWEST HWY	SCIORTINO DOMENICA
114	7520	NORTHWEST HWY	DONNELLY MARGARET
115	7526	NORTHWEST HWY	PATRICK JAMES MICHAEL & ANGIE LYNN
116	7526	NORTHWEST HWY	FORD BEULAH A
117	7526	NORTHWEST HWY	HORN DAVID CHRISTOPHER & BARBARA JEAN
118	7526	NORTHWEST HWY	TUCKER DAVID C
119	7526	NORTHWEST HWY	THRASHER DIANE T

Z145-203(RB)

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	7526 NORTHWEST HWY	DELOACH JAMES L & SUSAN H
	121	7526 NORTHWEST HWY	COOLEY DAWN L
	122	7526 NORTHWEST HWY	CONNER ERNEST JR

AGENDA ITEM # 74

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 63 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District on the southern corner of Gannon Lane and South Westmoreland Road

Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Z145-281(OTH)

FILE NUMBER: Z145-281(OTH)

DATE FILED: June 12, 2015

LOCATION: Southern corner of Gannon Lane and South Westmoreland Road

COUNCIL DISTRICT: 8

MAPSCO: 63W

SIZE OF REQUEST: Approx. 0.92 acres

CENSUS TRACT: 166.07

APPLICANT: Atiq Pradhan

REPRESENTATIVE: Houshang Jahvani

OWNER: AP & TA Investments, Inc.

REQUEST: An application for a Specific Use Permit for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District.

SUMMARY: The applicant proposes to develop the property with a 1,274 square foot restaurant, a 3,500 square foot general merchandise or food store, and a motor vehicle fueling station with eight fuel pumps. The retail use and restaurant are allowed by right. The motor vehicle fueling station requires this SUP request.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval of this renewal subject to the conditions based upon the following:

1. *Compatibility with surrounding uses and community facilities* – The proposed use will be consistent with the surrounding uses in the area given its location on a principal arterial. The Development Code standards for commercial development adjacent to residential uses help mitigate potential negative impacts. These standards include limiting the height, setbacks and the buffer yard.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use neither contributes to nor deters from the welfare of the area.
3. *Not a detriment to the public health, safety, or general welfare* – The use does not compromise health, safety, and welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request complies with all applicable zoning regulations and standards.

Zoning History:

There has been one zoning change in the area within the last five years.

1. **Z101-335** On February 22, 2012 the City Council approved Planned Development District No. 867, Specific Use Permit No. 1621 for a child-care facility and private school on property at the northeast corner of Westmoreland Road and Glennlyons Drive.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
S. Westmoreland Road	Principal Arterial	100 feet
Gannon Lane	Local	56 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system. The DART bus stop shelter will have to be relocated to the north of the proposed driveway to provide a visibility triangle clear of any obstruction to the proposed west driveway.

STAFF ANALYSIS:**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan classifies the area as a Business Center or Corridor Building Block.

The Business Center or Corridor 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 use of the property is consistent with this building block.

Surrounding Land Uses:

	Zoning	Land Use
Site	NS(A)	Undeveloped
Northeast	MU-2(A)	Undeveloped & retail
Southeast	MF-2(A)	Multifamily
Southwest	MU-1 & PD No. 867 Tract 2	Multifamily & church/school/child care
Northwest	MU-1 & MU-2	Multifamily & retail

Land Use Compatibility:

The request site is approximately 0.92 acres and is currently undeveloped. The existing zoning of the property is NS(A) Neighborhood Service District. The property is adjacent to multifamily development to the southeast and southwest and is surrounded by

multifamily, church/school/child-care to the southwest; retail, undeveloped and multifamily to the northeast.

The applicant is proposing to develop the site with a 4,774 square feet building. The motor vehicle fuel station will have eight fuel pumps. The proposed development complies with all the requirements of the Development Code.

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 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, 1 space for each 100 square feet of restaurant use, and two spaces for a motor vehicle fueling station. Therefore, the parking requirements for the proposed 1,274 square foot restaurant use are 13 spaces; 18 spaces for the 3,500 square foot general merchandise store, and two spaces for the motor vehicle fueling station. The total required parking spaces is 33. The attached site plan depicts a total of 34 parking spaces.

Landscaping:

The proposed development is required to provide landscaping in accordance with Article X of the Dallas Development Code. Some of the mandatory requirements are: 10-foot landscape buffer and a solid fence along the boundaries where adjacent residential development occurs, site trees, street trees, and screening of off-street parking.

CPC ACTION – October 15, 2015

Motion: It was moved to recommend **approval** of a Specific Use Permit for a motor vehicle fueling station for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an NS(A) Neighborhood Service District on the southern corner of Gannon Lane and South Westmoreland Road.

Maker: Abtahi
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 1 - District 4

Notices: Area: 200 Mailed: 7

Replies: For: 0 Against: 0

Speakers: None

Proposed SUP Conditions

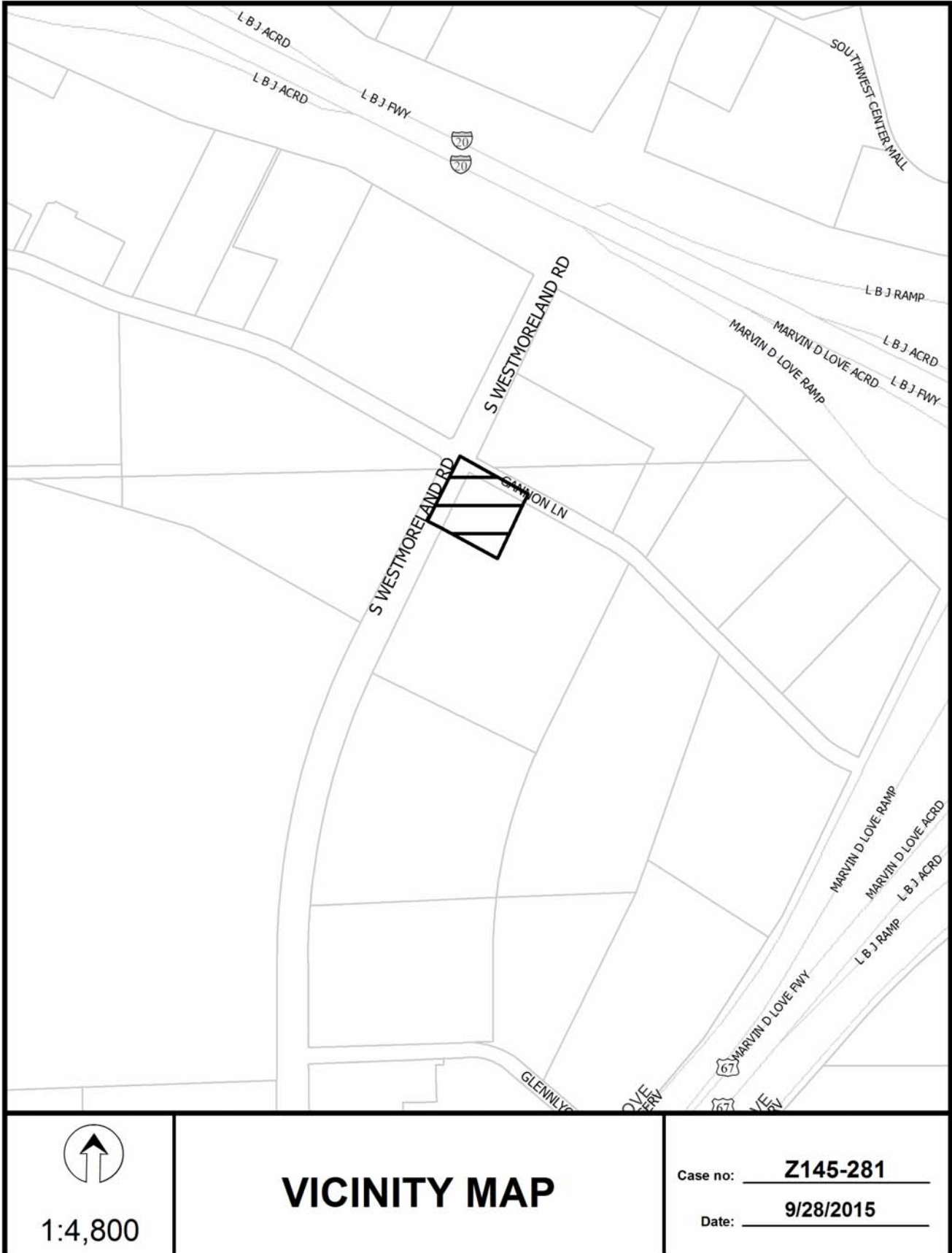
1. USE: The only use authorized by this specific use permit is a motor vehicle fueling station.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on five years from the passage of this ordinance, but is eligible 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. FENCE: A six-foot-high solid wood fence must be provided in the location shown on the attached site plan.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Off-street parking must be located as shown on the attached site plan.
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.”

List of Partners

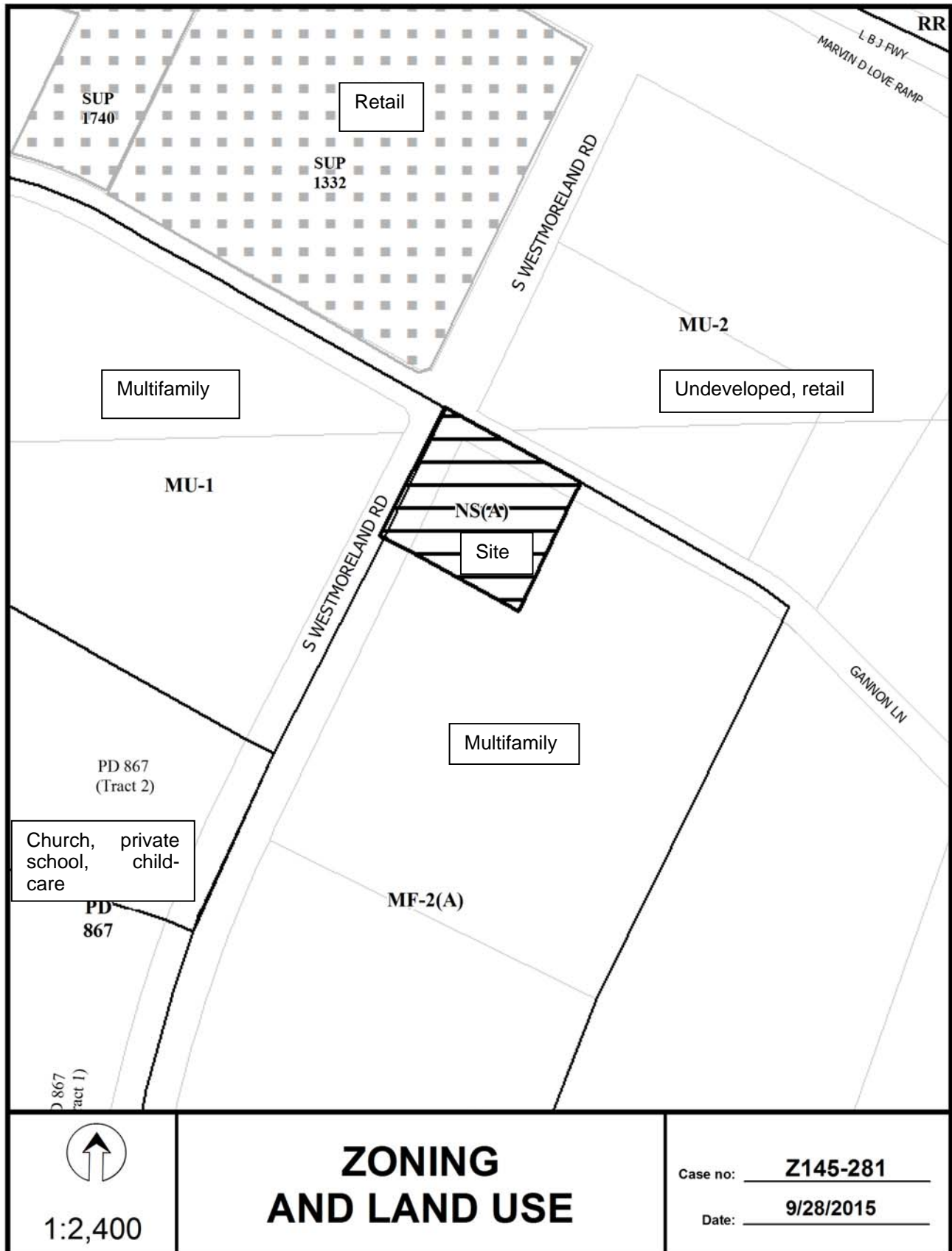
AP & TA Investments, Inc

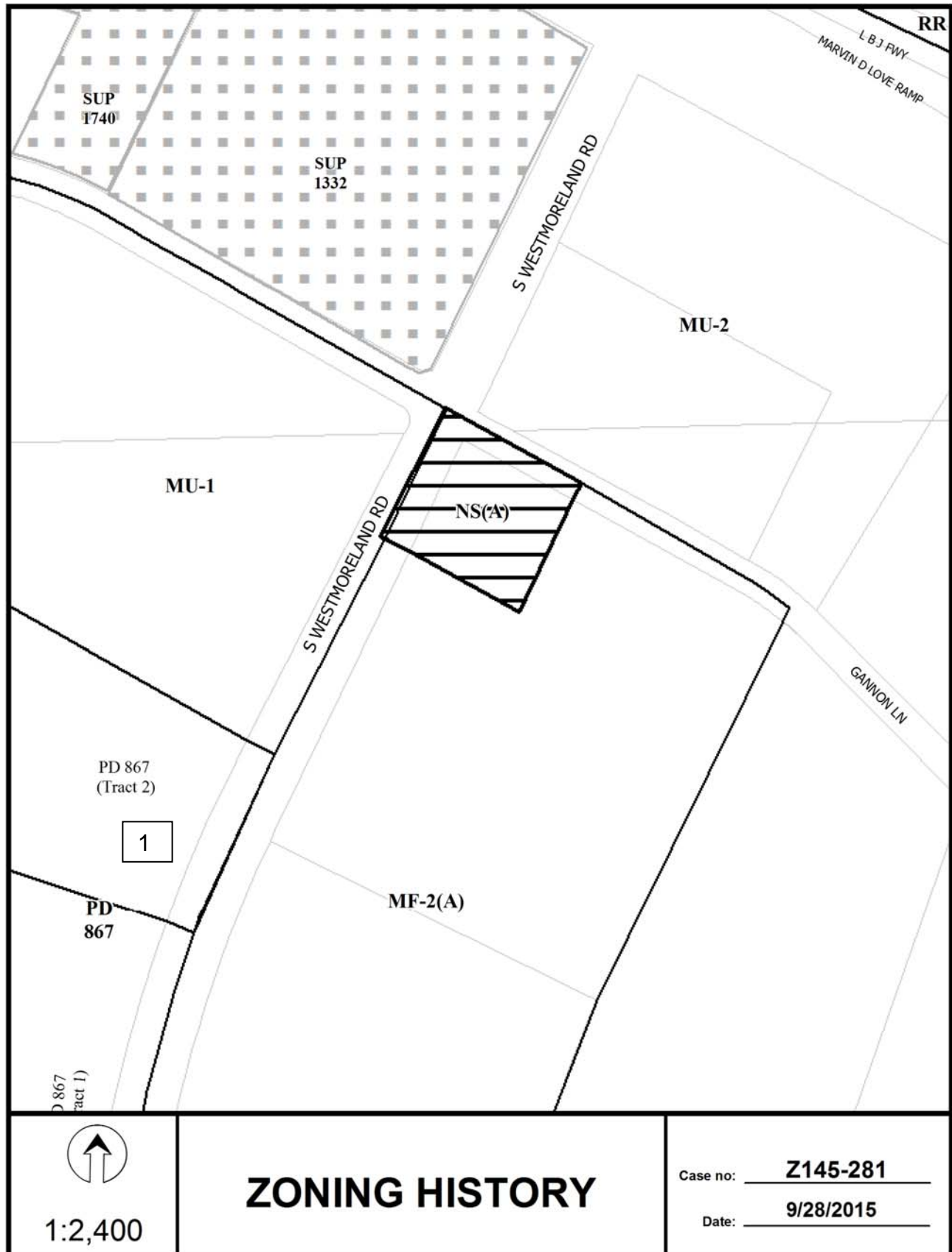
Mr. Atiq Pradhan	Owner/President
Mr. Talat Mahmood	Owner/Vice President

Z145-281(OTH)









CPC RESPONSES



Z145-281(OTH)

10/14/2015

Reply List of Property Owners

Z145-281

7 Property Owners Notified

0 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	7500 WESTMORELAND RD	DUNCANVILLE ISD ET AL
	2	7575 WESTMORELAND RD	WIP PARK VILLAGE LLP
	3	7575 WESTMORELAND RD	WESTMORELAND ROAD APARMEN
	4	7460 WESTMORELAND RD	KIM SI IL ET AL
	5	7550 WESTMORELAND RD	FLORIDA WORLD PPTIES LLC
	6	7401 WESTMORELAND RD	126 GANNON PLAZA LLC
	7	7460 WESTMORELAND RD	KIM SI IL ET AL

AGENDA ITEM # 75

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 48 Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2052 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard

Recommendation of Staff: Approval for a four-year period, subject to conditions

Recommendation of CPC: Approval for a three-year period, subject to conditions

Z145-284(WE)

ACM: Ryan S. Evans

FILE NUMBER: Z145-284(WE) **DATE FILED:** June 16, 2015
LOCATION: Southwest corner of Forney Road and South Buckner Boulevard
COUNCIL DISTRICT: 7 **MAPSCO:** 48Q
SIZE OF REQUEST: Approx. 0.616 acres **CENSUS TRACT:** 85.00

APPLICANT / OWNER: Buckner Food, Inc.**REPRESENTATIVE:** Santos Martinez, Masterplan

REQUEST: An application for the renewal of Specific Use Permit No. 2052 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI Light Industrial District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow the applicant of the existing general merchandise or food store to continue selling alcohol beverages for off-premise consumption. In October 2013, the City Council approved Specific Use Permit No. 2052 for a two-year period without automatic renewals. The applicant has requested to limit the renewal of Specific Use Permit No. 2052 to a four-year time period without automatic renewals.

CPC RECOMMENDATION: Approval for a three-year period, subject to conditions.

STAFF RECOMMENDATION: Approval for a four-year period, 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 and conforms with the adjacent retail and personal service uses. The additional alcohol use within the general merchandise or food store has not impacted 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* – This use does not contribute nor deter from the welfare of adjacent properties. The SUP has conditions that are associated with the use. An SUP can 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* – This use has not been 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. Chapter 12B is a certificate of registration that is required for each physically separate convenience store.
- **Zoning History:** There has been one zoning change requested in the area in the past 5 years.

1. Z123-268 On December 11, 2013, the City Council approved Specific Use Permit No. 2054 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a LI Light Industrial District with a D-1 Dry Liquor Control Overlay on the northeast corner of Forney Road and South Buckner Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Forney Road		80 ft.	80 ft.
South Buckner Boulevard	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.

COMPREHENSIVE PLAN: The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being located along a Multi-modal corridor.

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add "eyes on the street" that can aid public safety.

Land Use:

	Zoning	Land Use
Site	LI-D-1	General merchandise or food store
North	MC-1-D-1	Undeveloped
South	LI-D-1	Church
East	LI-D-1	Retail and personal service
West	LI-D-1	Auto related uses

STAFF ANALYSIS:

Land Use Compatibility: The approximately 0.616 acre site is zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store and a motor vehicle fueling station. The request for a renewal of Specific Use Permit No. 2052 will allow the applicant to continue the sale

of alcoholic beverages in conjunction with a general merchandise store or food store 3,500 square feet or less.

The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay. The 2,400 square foot development requires 24 spaces with 25 spaces being provided per the attached site plan. There are no changes to the approved site plan.

The adjacent land uses consist of an auto related use and office uses to the west, and a large tract of undeveloped land to the north. Properties east of the request site, across South Buckner Boulevard are retail and personal services and a general merchandise or food store with fueling station. There is a vacant restaurant and several warehouse uses that are located south of the request site.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,

- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
LI-D-1 Light Industrial	15'	30' adjacent to residential OTHER: No Min.	1.0 FAR overall 0.75 office/ retail 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. The request site will not trigger any landscaping because there is no increase in the total floor area.

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store 3,500 square feet or less is at one space for each 200 square feet of floor area. The development requires 24 spaces with 25 being provided per the attached site plan.

Dallas Police Department: A copy of a police report of the past 2 years of offenses is provided below. The report indicated that there were no offenses that occurred in 2013.

Years	AGG ASSAULT - FV	ROBBERY- BUSINESS	ROBBERY- INDIVIDUAL	Grand Total
2014	1	2		3
2015			1	1
Grand Total	1	2	1	4

CPC Action

On August 20, 2015, the City Plan Commission held this item under advisement.

September 3, 2015

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2052 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a three-year period, subject to conditions on property zoned an LI Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard.

Maker: Bagley
Second: Shellene
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Shidid, Anantasomboon,
Bagley, Lavallaisaa, Tarpley, Shellene,
Schultz, Peadon, Murphy, Ridley, Abtahi

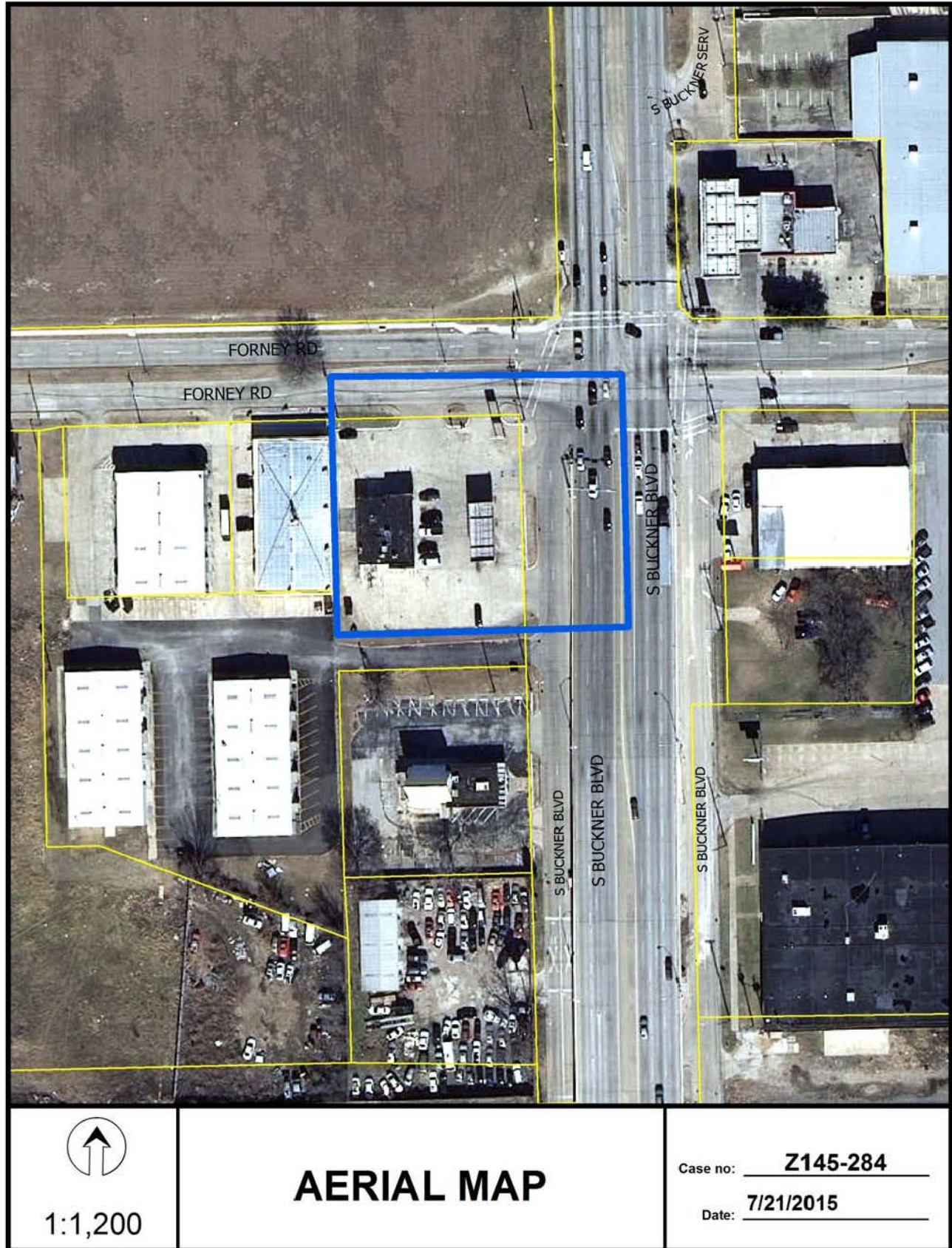
Against: 0
Absent: 1 - Rodgers
Vacancy: 1 - District 4

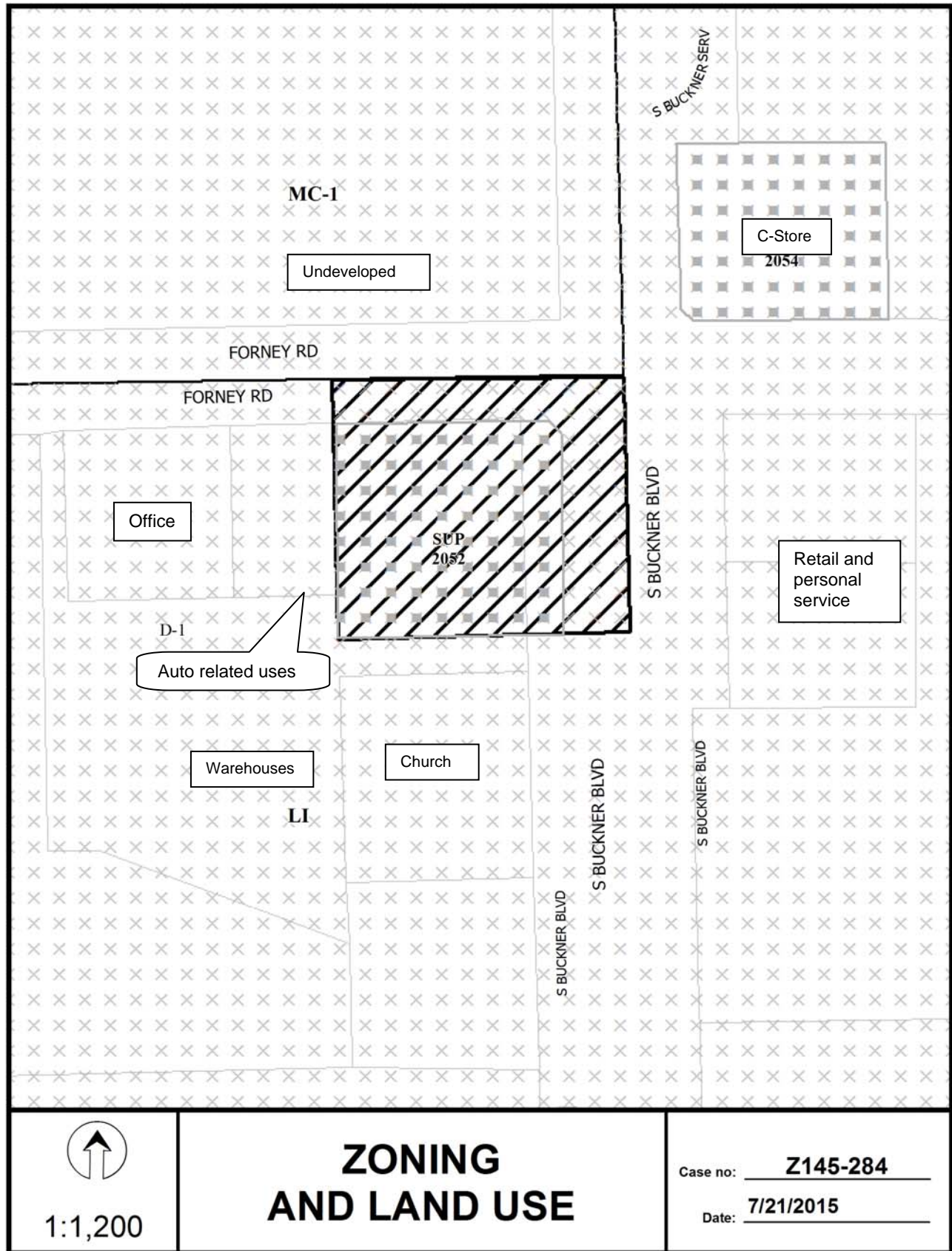
Notices:	Area: 200	Mailed: 11
Replies:	For: 0	Against: 1

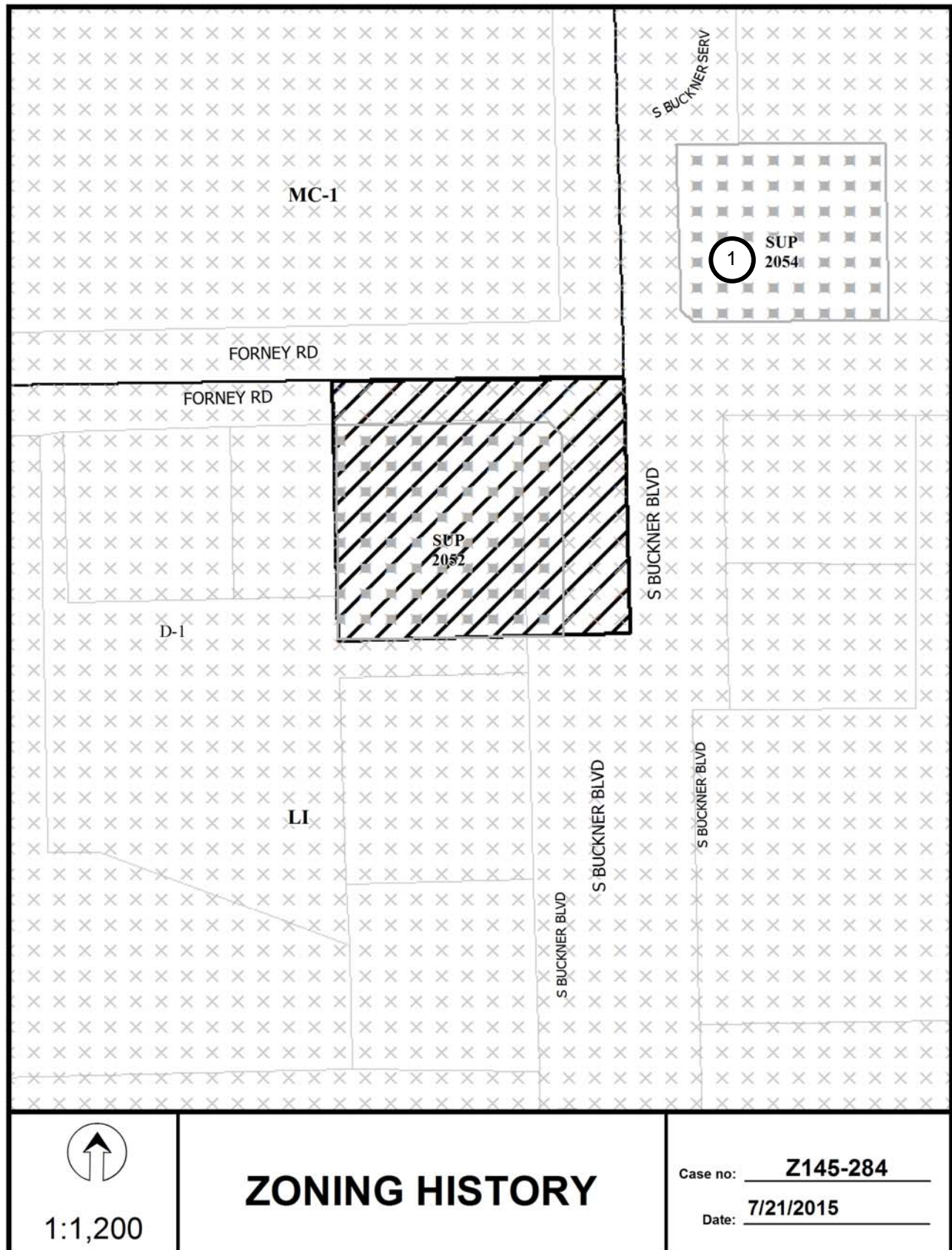
CPC PROPOSED SUP CONDITIONS
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1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (~~October 23, 2015~~), three-year period from the passage of this ordinance).
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

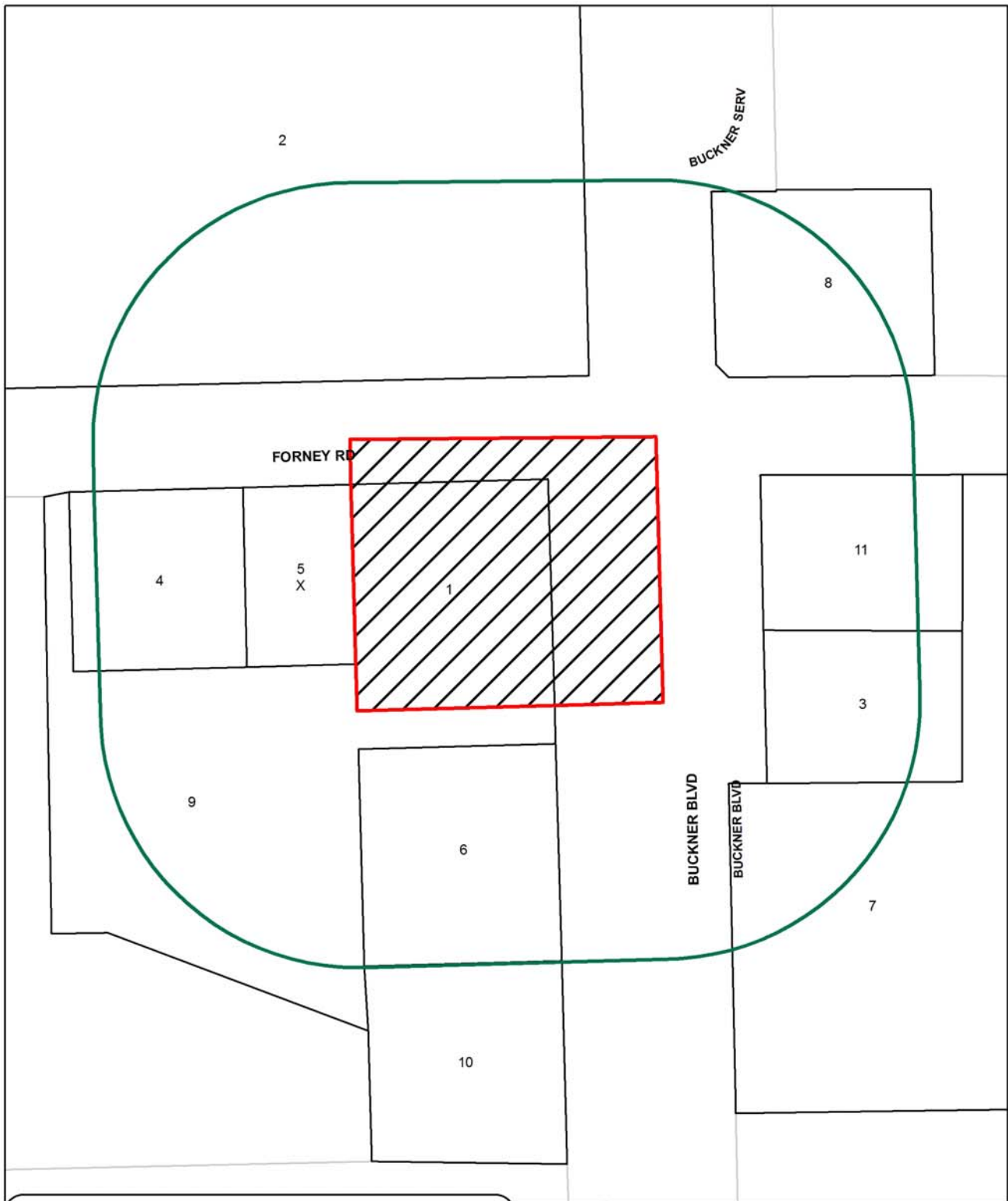








CPC RESPONSES



<u>11</u>	Property Owners Notified (11 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>1</u>	Replies in Opposition (1 parcels)
<u>200'</u>	Area of Notification
<u>9/3/2015</u>	Date <u>8/20/2015</u> Under Advisement

Z145-284
CPC



1:1,200

Notification List of Property Owners

Z145-284

11 Property Owners Notified 0 Property Owners in Favor 1 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1 4625	BUCKNER BLVD	BUCKNER FOODS INC
	2 4700	BUCKNER BLVD	NW REALTY INC
	3 4612	BUCKNER BLVD	RICHMOND P CURT
	4 8020	FORNEY RD	BITTERROOT INC
X	5 8050	FORNEY RD	SIX CONSTRUCT INC
	6 4545	BUCKNER BLVD	FULL LIFE OUTREACH CENTER
	7 4520	BUCKNER BLVD	4520 BUCKNER LP
	8 4710	BUCKNER BLVD	DEVIN BRICH GROUP DORP
	9 4617	BUCKNER BLVD	BARA REAL ESTATE PROPERTIES LLC
	10 4509	BUCKNER BLVD	A ADVANTAGE REMODELING COMP
	11 4612	BUCKNER BLVD	RICHMOND P CURT

AGENDA ITEM # 76

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 48 Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subarea and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less within Tract 2A, Subarea 1 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the northwest corner of Scyene Road and South Buckner Boulevard

Recommendation of Staff: Approval of a new subarea, subject to a development/landscape plan and conditions; and approval of a Specific Use Permit 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 of a new subarea, subject to a development/landscape plan and conditions; and approval of a Specific Use Permit for a one-year period, subject to a site plan and conditions

Z134-105(SM)

Note: This item was considered by the City Council at a public hearing on October 14, 2015, and was deferred until November 10, 2015

FILE NUMBER: Z134-105(SM) **DATE FILED:** October 4, 2013

LOCATION: Northwest corner of Scyene Road and South Buckner Boulevard

COUNCIL DISTRICT: 5 **MAPSCO:** 48Y

SIZE OF REQUEST: Approx. 0.203 acres **CENSUS TRACT:** 85.00

APPLICANT / OWNER: East Bengal Corporation

REPRESENTATIVE: Raihan Chowdhury

REQUEST: An application for a new subarea and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less within Tract 2A, Subarea 1 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay.

SUMMARY: A new subarea is proposed to reduce setbacks adjacent to the existing cemetery and to modify landscaping requirements to allow the current development configuration. The other uses permitted in Subarea 1 of the Planned Development District will continue to be allowed, as well. The purpose of the specific use permit is to allow the sale of alcoholic beverages in conjunction with the general merchandise or food store located on the site. The site is currently developed with 2,112-square-foot retail building and motor vehicle fueling station.

CPC RECOMMENDATION: **Approval** of a new subarea, subject to a development/landscape plan and conditions; and **approval** of a Specific Use Permit for a one-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of a new subarea, subject to a development/landscape plan and conditions; and **approval** of a Specific Use Permit 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 RECOMMENDATION:

Staff recommendation for approval of the new subarea is based upon:

1. *Performance impacts upon surrounding property* – The request site is on a commercial corner and shares its borders with roadways or a cemetery. The reduction of the residential setback will not detrimentally impact the adjacent cemetery.
2. *Traffic impact* – The proposed changes to the development standards will not have an impact on traffic.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located on a multi-modal corridor. The requested changes to the development standards are consistent with this building block as the proposed development and landscape plan limits the scale of the development and has a strong focus on access to the corridor.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The site has a unique condition that requires a deviation from the current zoning district regulations. The adjacent cemetery is currently in a residential zoning district that requires a 20-foot setback. The cemetery is not a residential use that necessitates a physical separation.

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 surrounding land uses. The sale of alcoholic beverages in conjunction with this existing retail use does not affect compatibility with the surrounding uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale of alcoholic beverages in conjunction with an existing general merchandise or food store does not appear to negatively impact the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. In addition, conditions and time periods for the use provide opportunity for continued evaluation of the site.

4. *Conforms in all other respects to all applicable zoning regulations and standards*
– Based on information depicted on the site plan, it complies with all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- Aerial photography from 1957 shows the site developed with a gas station.
- In February 1992, the request area was included in the establishment of the Buckner Boulevard Special Purpose District.
- In 1998, the existing gas station was demolished and a new gas station was constructed.
- A permit was issued in error in May 2005 to construct an addition that was not in compliance with the zoning regulations. Several inspections were conducted until early 2006 but ceased before final inspections were performed. The permit was idle and as thereby revoked due to inactivity.
- A new permit was applied for in 2011 to finish the work from the 2005 addition permit, but expired because it did not comply with zoning regulations.
- An application to the Board of Adjustments (BDA101-072) was made June 6, 2011 for the setback and landscaping violations. The application was denied without prejudice on November 14, 2011.

Zoning History: There have been two recent zoning changes in the vicinity within the last five years.

1. **Z123-220:** On June 26, 2013, City Council approved an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property within Subarea 6 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D Liquor Control Overlay.
2. **Z101-228:** On August 10, 2011, City Council approved an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing Dimension
South Buckner Boulevard	Principal Arterial	Standard-6 lanes-Divided, 107 feet R.O.W.
Scyene Road	Community Collector	Standard-4 lanes-Undivided, 60 feet R.O.W.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* designates the area of request in the Multi-modal corridor.

This Building Block should encourage the redevelopment of aging auto-oriented single family neighborhoods. These areas offer dense mixed use and then transition to multi-family and single family housing at the edge. These corridors should diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit-orientation and access.

Land Use:

	Zoning	Land Use
Site	PD 366 Subarea 1	Retail with gas station
North, West and South	R-7.5(A), SUP 92	Cemetery
East	PD 366 Subarea 6	Restaurant with drive-through service

Land Use Compatibility:

The predominate land use that surrounds the request site to the north, west and south is an open space cemetery. The uses to the east of the request site are primarily retail with a drive through restaurant immediately to the west of the request site, pawn shops, and auto-related uses scattered throughout. The single-story, auto-oriented buildings that line the eastern border of South Buckner Boulevard are consistent with the proposed development standards of this request.

Parking:

The property is developed with an existing retail store with a motor vehicle fueling station; the request complies with the minimum off-street parking requirements in the Dallas Development Code.

Landscaping:

On November 14, 2011, BDA 101-072 was heard by the Board of Adjustments. A memo from the Chief Arborist dated November 3, 2011 was provided to the board and is included on the following page which outlines the landscape deficiencies of the site. The basis for staff recommendation of denial for the landscape variance was that it did not meet the following standards for a variance:

(A) the variance is not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;

(B) the variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(C) the variance is not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.¹

The Board of Adjustments denied the appeal without prejudice for a landscape variance because their “evaluation of the property and the testimony show[ed] that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would not result in unnecessary hardship of this applicant.”

The current request combines and modifies some elements of the Buckner Boulevard Planned Development District and Article X landscape requirements in the proposed landscape plan. The proposed landscape conditions require that the landscaping on site must comply with the proposed landscape plan and it must be maintained in a healthy growing condition. Staff supports these modifications.

¹ Reference Section 51A-3.102(d)(10)

Memorandum



CITY OF DALLAS

DATE November 3, 2011

TO Steve Long, Board of Adjustment Administrator

SUBJECT # BDA 101 - 072 3003 S. Buckner Boulevard

The applicant is requesting a variance to the landscape requirements of PD 366, the Buckner Boulevard Special Purpose District.

Trigger

Construction of a building addition in 2005.

Deficiencies

The site was originally improved under permit in 1998. The property was recorded to have complied with PD 366 landscape requirements at time of inspection on October 1, 1998. The site is currently deficient.

PD 366 conditions are deficient in the following:

- Parkway landscaping - deficient parkway trees along Buckner (trees were planted on property). Trees are in the parkway along Scyene Road.
- Site area landscaping - deficient required site trees (removed for expansion).
- Front yard strip landscaping - deficient also following initial inspection in 1998.
- Screening - requires six-foot tall fence along residential adjacency. This was deficient from the 1998 plan and possibly replaced with large shrubs. (Screening is a landscape requirement in PD 366 so does not require a separate variance request).

Additional Article X deficiencies include:

- The mandatory perimeter landscape buffer is violated with the construction of the new structure. According to the 1998 plan, five trees were eliminated.

Factors

The photinia shrub row is recognized by staff as being on this property. A portion of the shrub row that screens this commercial use from the cemetery was removed to make way for the structure. The rear of the building is fully exposed to view behind the metal cemetery fencing.

The proposed plan complies, in intent, with site trees, street trees and design standard requirements of Article X. It provides enhanced paving (a portion in the parkway approved in 1998) and screening of off-street parking.

Recommendation

Denial of the submitted landscape plan.

Philip Erwin, ISA certified arborist #TX-1284(A)
Chief Arborist

CPC Action – September 3, 2015

Motion: It was moved to recommend **approval** of a new subarea, subject to a development/landscape plan and conditions; and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a one-year period, subject to a site plan and conditions within Tract 2A, Subarea 1 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the northwest corner of Scyene Road and South Buckner Boulevard.

Maker: Shidid
Second: Schultz
Result: Carried: 10 to 1

For: 10 - Anglin, Shidid, Anantasomboon, Lavallaisaa,
Tarpley, Shellene, Schultz, Peadon, Ridley,
Abtahi

Against: 1 - Bagley
Absent: 3 - Emmons, Rodgers, Murphy
Vacancy: 1 - District 4

Notices: Area: 500 Mailed: 24
Replies: For: 4 Against: 3

Speakers: For: Raihan Chowdhury, 3003 S. Buckner Blvd., Dallas, TX, 75227
For (Did not speak): Mohammed Sultan, 3003 S. Buckner Blvd., Dallas, TX, 75227
Mohammed Hossain, 3003 S. Buckner Blvd., Dallas, TX, 75227
Against: None

EAST BENGAL CORPORATION DIRECTORS

DIRECTOR **MOHAMMAD HOSSAIN**
3609 UNIVERSITY PARK
IRVING, TEXAS 75062

DIRECTOR **MUHAMMED SULTAN**
1400 HUDSPETH DRIVE
CARROLLTON, TEXAS 75010

DIRECTOR **RAIHANULCHOWDHURY**
1121 EMILY LN
CARROLLTON , TX 75010

CPC RECOMMENDED CONDITIONS

ARTICLE 366.

PD 366.

Buckner Boulevard Special Purpose District

SEC. 51P-366.101. LEGISLATIVE HISTORY.

PD 366 was established by Ordinance No. 21211, passed by the Dallas City Council on February 26, 1992. Ordinance No. 21211 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 21211 was amended by Ordinance No. 21313, passed by the Dallas City Council on June 10, 1992, and Ordinance No. 24159, passed by the Dallas City Council on January 12, 2000. (Ord. Nos. 19455; 21211; 21313; 24159; 25164)

SEC. 51P-366.102. PROPERTY LOCATION AND SIZE.

PD 366 is established on property generally located along both sides of Buckner Boulevard from Heinen Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road between Carbona Drive on the west and Pleasant Drive on the east. The size of PD 366 is approximately 407.945 acres. (Ord. Nos. 21211; 21313; 24159; 25164; 27034; 27902; 28199; 28520; 28547; 28775)

SEC. 51P-366.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article. In Subarea 6:

(1) **ALTERNATIVE FINANCIAL ESTABLISHMENT** means a business that provides car title loans, check cashing, money transfers, payday cash advances, payroll advances, or short term cash loans. An alternative financial establishment does not include state or federally chartered banks, savings and loans, and credit unions. An alternative financial establishment does not include an establishment that provides financial services that are accessory to another main use.

(2) **FEED STORE** means a facility for the wholesale or retail sale of grain, prepared feed, and forage for pets, livestock, and fowl.

(3) **MASSAGE ESTABLISHMENT** means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly

licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barber shops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. MASSAGE means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(4) TATTOO OR BODY PIERCING STUDIO means a business in which tattooing or body piercing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. BODY PIERCING means the piercing of body parts, other than ears, for purposes of allowing the insertion of jewelry.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) Section 51A-2.101, "Interpretations," applies to this article.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(3) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(4) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800.)

(5) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district,

and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district.

(e) PD 366 is to be known as the Buckner Boulevard Special Purpose District. (Ord. Nos. 21211; 25164; 27788)

SEC. 51P-366.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 366A: Subarea descriptions.
- (2) Exhibit 366B: Subarea 5 development plan.
- (3) Exhibit 366C: Subarea 1A development plan.
- (4) Exhibit 366D: Tract map.
- (5) Exhibit 366E: Subarea 7 development and landscape plan.

SEC. 51P-366.104. CREATION OF SUBAREAS AND DEVELOPMENT PLAN.

(a) Creation of subareas. This district is divided into ~~seven~~eight subareas as described in Exhibit 366A. Subareas and tracts are shown on Exhibit 366D.

(b) Development plan.

(1) Except as provided in this subsection, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and development schedule do not apply.

(2) Development and use of Subarea 1A must comply with the development plan (Exhibit 366C).

(3) Development and use of Subarea 5 must comply with the development plan (Exhibit 366B).

(4) Development and use of Subarea 7 must comply with the development and landscape plan (Exhibit 366E).

(5) In the event of a conflict between the text of this article and a development plan, the text of this article controls.

SEC. 51P-366.105. MAIN USES PERMITTED.

(a) Subarea 1 and 7.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Building repair and maintenance shop. *[RAR]*
- Catering service.
- Custom business services.
- Electronics service center.
- Machine or welding shop. *[SUP]*
- Medical or scientific laboratory. *[SUP]*
- Tool or equipment rental.
- Vehicle or engine repair or maintenance. *[SUP]*

(3) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. *[SUP]*
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. *[SUP]*
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Public or private school. *[RAR]*

(4) Lodging uses.

- Hotel and motel. *[SUP]*
- Lodging or boarding house. *[SUP]*

(5) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window.
- Medical clinic or ambulatory surgical center.

-- Office.

(6) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(7) Residential uses.

- College dormitory, fraternity, or sorority house.

(8) Retail and personal service uses.

- Ambulance service. [RAR]
- Animal shelter or clinic without outside run. [RAR]
- Auto service center. [RAR]
- Business school.
- Car wash. [DIR]
- Commercial amusement (inside).
- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage. [RAR]
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard. [DIR]
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Pawnshop.
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Taxidermist. [SUP]
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [SUP]

(9) Transportation uses.

- Transit passenger shelter. *[See Section 51A-4.211.]*
- Transit passenger station or transfer center. *[See Section 51A-4.211.]*

(10) Utility and public service uses.

- Commercial radio or television and transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Utility or government installation other than listed. *[SUP]*

(11) Wholesale, distribution, and storage uses.

- Mini-warehouse. *[SUP]*
- Office showroom/warehouse. *[SUP]*
- Outside storage (with visual screening). *[SUP]*
- Recycling collection center. *[RAR]*

(b) Subarea 1A.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. *[SUP]*
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.

- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [RAR]

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run. [RAR]
- Business school.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Nursery, garden shop, or plant sales.
- Personal service uses.

- Restaurant without drive-in or drive-through service. [RAR]
- Taxidermist. [SUP]

(11) Transportation uses.

- Transit passenger shelter. [See Section 51A-4.211.]
- Transit passenger station or transfer center. [See Section 51A-4.211.]

(12) Utility and public service uses.

- Commercial radio or television and transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Utility or government installation other than listed. [SUP]

(c) Subarea 2.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

[RAR]

- Building repair and maintenance shop. [RAR]
- Bus or rail transit vehicle maintenance or storage facility.
- Catering service.
- Commercial cleaning and laundry plant. [RAR]
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing. [RAR]
- Machine or welding shop. [RAR]
- Machinery, heavy equipment, or truck sales and service.

[RAR]

- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance. [RAR]

(3) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [RAR]

(4) Lodging uses.

- Hotel and motel. [RAR]
- Lodging or boarding house.

(5) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [RAR]
- Medical clinic or ambulatory surgical center.
- Office.

(6) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(7) Residential uses.

- College dormitory, fraternity, or sorority house.

(8) Retail and personal service uses.

- Ambulance service. [RAR]
- Animal shelter or clinic without outside run. [RAR]
- Animal shelter or clinic with outside run. [SUP]
- Auto service center. [RAR]
- Business school.
- Car wash. [RAR]

- Commercial amusement (inside).
- Commercial amusement (outside). *[DIR]*
- Commercial parking lot or garage. *[RAR]*
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard. *[RAR]*
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Outside sales. *[SUP]*
- Pawnshop.
- Personal service uses.
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[DIR]*
- Swap or buy shop. *[SUP]*
- Taxidermist.
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service.

(9) Transportation uses.

- Commercial bus station and terminal. *[DIR]*
- Heliport. *[SUP]*
- Helistop. *[SUP]*
- Railroad passenger station. *[SUP]*
- Transit passenger shelter. *[See Section 51A-4.211.]*
- Transit passenger station or transfer center. *[See Section 51A-4.211.]*

(10) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Radio, television, or microwave tower. *[RAR]*
- Utility or government installation other than listed. *[SUP]*

(11) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Building mover's temporary storage yard. [SUP]
- Contractor's maintenance yard. [RAR]
- Freight terminal. [RAR]
- Manufactured building sales lot. [RAR]
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage (with visual screening). [RAR]
- Petroleum product storage and wholesale. [SUP]
- Recycling collection center. [RAR]
- Sand, gravel, or earth sales and storage. [SUP]
- Trade center.
- Vehicle storage lot. [SUP]
- Warehouse. [RAR]

(d) Subarea 3. The uses permitted in Subarea 3 are all uses permitted in the LI Light Industrial District, as set out in Chapter 51A subject to the same conditions applicable in the LI Light Industrial District. For example, a use only permitted in the LI Light Industrial District by specific use permit (SUP) is only permitted in this planned development district by SUP; a use subject to development impact review (DIR) in the LI Light Industrial District is subject to DIR in this planned development district; etc. Exception: The vehicle display, sales, and service use is permitted by SUP only.

(e) Subarea 4. The uses permitted in Subarea 4 are all uses permitted in the IM Industrial Manufacturing District, as set out in Chapter 51A, subject to the same conditions applicable in the IM Industrial Manufacturing District. For example, a use only permitted in the IM Industrial Manufacturing District by specific use permit (SUP) is only permitted in this planned development district by SUP; a use subject to development impact review (DIR) in the IM Industrial Manufacturing District is subject to DIR in this planned development district; etc.

(f) Subarea 5.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Medical or scientific laboratory.
- Technical school.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. *[SUP]*
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. *[SUP]*
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Public or private school. *[RAR]*

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

None permitted.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[RAR]*
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

- Ambulance service. [RAR]
- Animal shelter or clinic without outside runs. [RAR]
- Animal shelter or clinic with outside runs. [SUP]
- Business school.
- Commercial parking lot or garage. [RAR]
- Dry cleaning or laundry store.
- Furniture store.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Commercial bus station and terminal. [DIR]
- Railroad passenger station. [SUP]
- Transit passenger shelter. [See Section 51A-4.211.]
- Transit passenger station or transfer center. [See Section 51A-4.211.]

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Radio, television, or microwave tower. [RAR]
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

None permitted.

(g) Subarea 6.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Building repair and maintenance shop. [RAR]
- Catering service.

- Custom business services.
- Electronics service center.
- Feed store.
- Machine or welding shop. [SUP]
- Medical or scientific laboratory. [SUP]
- Tool or equipment rental.
- Vehicle or engine repair or maintenance. [SUP]

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [RAR]

(5) Lodging uses.

- Hotel or motel. [SUP. Must have more than 60 guest rooms.]

(6) Miscellaneous uses.

None permitted.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

- Alternative financial establishment. [SUP]
- Ambulance service. [RAR]
- Animal shelter or clinic without outside runs. [RAR]
- Auto service center. [RAR]
- Business school.
- Car wash. [SUP]
- Commercial amusement (inside). *[Treat as if in a CR Community Retail District.]*
- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage. [RAR]
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard. [DIR]
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Pawnshop.
- Personal service uses. *[Massage establishment and tattoo or body piercing studio uses are prohibited.]*
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Taxidermist. [SUP]
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [SUP]

(11) Transportation uses.

- Transit passenger shelter. *[See Section 51A-4.211.]*

- Transit passenger station or transfer center. *[See Section 51A-4.211.]*

(12) Utility and public service uses.

- Commercial radio or television and transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication. *[SUP may be*

required.

See Section 51A-4.212(10.1). Treat as a CR Community Retail district.]

- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Mini-warehouse. *[SUP]*
- Office showroom/warehouse. *[SUP]*
- Outside storage (with visual screening). *[SUP]*
- Recycling collection center. *[RAR]* (Ord. Nos. 21211; 25164;

27034; 27788; 28547)

SEC. 51P-366.106. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) In Subarea 6, accessory outside display of merchandise is only permitted within 10 feet of the structure housing the primary use. (Ord. Nos. 21211; 25164; 27788)

SEC. 51P-366.107. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

- (a) Subareas 1, 1A, 2, and 6 and 7.

- (1) Front yard. Minimum front yard is:
 - (A) 15 feet where adjacent to an expressway or a thoroughfare;
and
 - (B) no minimum in all other cases.
- (2) Side and rear yard. Minimum side and rear yard is:
 - (A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; ~~and~~
 - (B) no side and rear yard required in all other cases and;
 - (C) in Subarea 7, no minimum side or rear yard.
- (3) Dwelling unit density. No dwelling unit density.
- (4) Floor area ratio. Maximum floor area ratio is:
 - (A) 0.5 for any combination of lodging, office, and retail and personal service uses; and
 - (B) 0.75 for all uses combined.
- (5) Height.
 - (A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.
 - (B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 45 feet.
- (6) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (7) Lot size. No minimum lot size.
- (8) Stories. Maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (5).

(b) Subarea 3. Except as otherwise provided, the yard, lot, and space regulations for this subarea must comply with the yard, lot, and space regulations applicable to the LI Light Industrial District, as set out in Chapter 51A. Minimum side and rear yard is:

(1) 20 feet where adjacent to or directly across the street from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no side or rear yard required in all other cases.

(c) Subarea 4. Except as otherwise provided, the yard, lot, and space regulations for this subarea must comply with the yard, lot, and space regulations applicable to the IM Industrial Manufacturing District, as set out in Chapter 51A. Minimum side and rear yard is:

(1) 20 feet where adjacent to or directly across the street from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no side or rear yard required in all other cases.

(d) Subarea 5.

(1) Front yard. Minimum front yard is 25 feet.

(2) Side and rear yard. Minimum side yard is 25 feet. Minimum rear yard is 50 feet.

(3) Dwelling unit density. No dwelling unit density.

(4) Floor area ratio. Maximum floor area ratio is:

(A) 0.5 for any combination of lodging, office, and retail and personal service uses; and

(B) 0.75 for all uses combined.

(5) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 45 feet.

(6) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories. Maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (5). (Ord. Nos. 21211; 25164; 27034; 27788; 28547)

SEC. 51P-366.108. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, off-street parking and loading must be provided in accordance with the Dallas Development Code, as amended.

(b) Subarea 1A. Except as provided in this subsection, any on-street parking spaces partially located within the street easement adjacent to Buckner Boulevard at Bearden Lane as shown on the development plan may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(1) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(2) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ($8 \div 24 = \text{one-third}$). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(c) Subarea 5.

(1) For a college, university, or seminary use, off-street parking must be provided at a ratio of 0.23 parking spaces per student and employee.

(2) Surface parking is permitted in the required side and rear yards.

(d) Subarea 6.

(1) Feed store.

(A) One space per 500 square feet of retail floor area is required.

(B) One space per 1,000 square feet of warehouse and storage floor area is required.

(2) Alternative financial establishment. One space per 200 square feet of floor area is required. (Ord. Nos. 21211; 25164; 27034; 27788; 28547)

SEC. 51P-366.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 21211; 25164)

SEC. 51P-366.110. LANDSCAPING FOR ALL SUBAREAS EXCEPT SUBAREA 7.

(a) Application.

(1) Parkway landscaping provisions shall become applicable to a lot when an application is made for a building permit for construction work that increases building height, floor area ratio, required parking, or nonpermeable coverage of the lot.

(2) Site area landscaping, front yard strip landscaping, screening, and sidewalk provisions shall become applicable to a lot when an application is made for a building permit for construction work that increases either the floor area ratio, building height, or nonpermeable coverage of the lot by more than 20 percent.

(3) Front yard strip landscaping and screening provisions may be imposed during required development impact or residential adjacency review procedures.

(b) Parkway landscaping. One tree at least three and one-half inches in diameter, or two trees at least one and one-half inches in diameter must be provided between the street curb and the sidewalk per 30 feet of frontage, exclusive of driveways, visibility triangles, and accessways at points of ingress and egress. No underground irrigation system is required for parkway landscaping.

(c) Front yard strip landscaping.

(1) The 10-foot-wide strip of land along the entire length of the front yard and immediately adjacent to the property line must be landscaped as follows:

(A) Twenty percent of the surface must be permeable.

(B) Ten percent must be landscaped with trees, shrubs, or a combination of trees and shrubs that have the potential to attain a minimum height of 30 inches within a three-year time period.

(C) An underground irrigation system must be provided.

(2) Front yard strip landscaping must be approved by the director of the department of development services.

(d) Site area landscaping.

(1) Except as provided in this subsection, the remainder of the lot must be landscaped in accordance with the provisions contained in Article X. An underground irrigation system must be provided.

(2) A plant group that complies with the provisions of Section 51A-10.125(b)(7)(B) must be provided for every 35 feet of street frontage in the Landscape Enhancement Areas as shown on the development plan for Subarea 1A (Exhibit 366C).

(e) Screening.

(1) A six-foot-high solid screening fence must be provided along all rear and side lot lines that are adjacent to residential districts.

(2) On-site parking must be screened with:

(A) a minimum three-foot-high solid fence, with an 18-inch wide planting bed located on its street side; or

(B) shrubs with the potential to attain a minimum height of 30 inches within a three-year time period.

(3) Manufactured building sales lot and vehicle display, sales, and service uses must be screened with a minimum two and one-half-foot-high fence with a screening factor of less than 66 percent, and an 18-inch-wide planting bed located on its street side.

(f) Sidewalks. A sidewalk with a minimum width of five feet must be provided in the 12 foot area parallel to and in back of the projected street curb.

(g) Completion. All landscaping must be completed in accordance with the provisions contained in Article X.

(h) General maintenance.

(1) Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(2) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

(i) Points. For purposes of tabulating the number of points earned toward the minimum number required by Article X, 15 points are awarded for parkway landscaping. Ten points are awarded for required or voluntary front yard strip landscaping. Five points are awarded for the screening of on-site parking. (Ord. Nos. 21211; 25164; 28547)

SEC. 51P-366.110.1. LANDSCAPING FOR SUBAREA 7.

(a) Landscaping must be provided as shown on the development and landscape plan (Exhibit 366E).

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-366.111. PRIVATE LICENSE GRANTED.

(a) The city council hereby grants a private license to each of the abutting property owners of property in the Buckner Boulevard Special Purpose District for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. An abutting property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with Chapter 52 of the Dallas City Code, as amended. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(b) To the extent that the provisions contained in this section conflict with the applicable licensing provisions contained in Chapter 43 of the Dallas City Code, the provisions contained in Chapter 43 are waived.

(c) In no event shall the license granted by this section be construed to grant an easement or real property interest of any kind to the licensees. (Ord. Nos. 21211; 25164)

SEC. 51P-366.112. LANDSCAPE PLAN.

(a) A landscape plan must be submitted to and approved by the director of the department of development services prior to the installation of landscaping required by this article.

(b) Upon the submission of a plan for or including the installation of parkway landscaping, the director of the department of development services shall circulate it to all affected city departments and all utilities and communication companies for review and comment. If, after receiving comments from affected city departments, utilities, and communication companies, the director determines that the construction and planting proposed is in compliance with this article, and will not be inconsistent with and will not impair the public, utility, or communications company use of the right-of-way, the director shall approve the landscape plan; otherwise, the director shall disapprove the plan.

(c) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director of the department of development services' disapproval of a plan to install parkway landscaping on the basis that the installation of the landscaping will be inconsistent with, or will unreasonably impair the public, utility, or communication company use of the right-of-way.

(d) The approval of a plan to install parkway landscaping does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way. (Ord. Nos. 21211; 25164)

SEC.51P-366.113. SIGNS.

(a) Except as provided in this section, all signs must comply with the provisions for business zoning districts in Article VII.

(b) For Subarea 1A, detached premise signs are limited to one two-sided sign on Blossom Lane and one two-sided sign on Buckner Boulevard in the areas shown on the development plan. The detached premise sign on Blossom Lane must be a monument sign and may not exceed six feet in height or 50 square feet in effective area. (Ord. Nos. 21211; 25164; 28547)

SEC. 51P-366.114. NONCONFORMING USES.

(a) Subareas 1, 2, 3, 4, and 5.

(1) Existing nonconforming uses and uses made nonconforming by this article are not subject to amortization by the board of adjustment.

(2) The right to operate a nonconforming use terminates if the nonconforming use is discontinued or remains vacant for one year or more. The board may grant a special exception to this provision only if the owner can state an extreme circumstance that demonstrates that there was not an intent to abandon the use even though the use was discontinued for one year or more.

(b) Subarea 6.

(1) The city council finds that certain nonconforming uses have an adverse effect on nearby properties. The purpose of this subsection is to eliminate these nonconforming uses and to make them comply with the regulations of the Dallas Development Code, having due regard for the property rights of the persons affected, the public welfare, and the character of the surrounding area.

(2) The right to operate a nonconforming hotel or motel use; a nonconforming lodging or boarding house use; and a nonconforming residential hotel use automatically terminates on January 13, 2011 or one year after the use became nonconforming, whichever is later.

(3) An owner of a nonconforming hotel or motel use; a nonconforming lodging or boarding house use; or a nonconforming residential hotel use may request an extension of the compliance deadline in Paragraph (2) by filing an application with the director on a form provided by the city for that purpose. The application must be filed at least 30 days before the deadline in Paragraph (2). If a fee is required, the application will not be considered filed until the fee is paid. Failure to timely file a complete application for extension constitutes a waiver of the right to contest the reasonableness of the deadline in Paragraph (2).

(4) Upon the filing of a complete application for extension, the board shall, in accordance with the law, determine whether it is necessary to extend the compliance deadline for the nonconforming use. The board shall consider the factors listed in Section 51A-4.704(a)(1)(D) in determining whether to grant the request for extension.

(5) If, based on evidence presented at the public hearing, the board finds that additional time is needed to recoup the owner's actual investment in the use before the use became nonconforming, the board shall grant the request for extension and establish a new compliance deadline consistent with its determination of a reasonable amortization period; otherwise, the board shall deny the request. If the board denies the request, the right to operate the nonconforming use automatically

terminates on the deadline in Paragraph (2), or 30 days after the date of the board's decision to deny, whichever is later.

(c) In general. Except as otherwise provided in this section, Section 51A-4.704 applies to all nonconforming uses and structures in this district. (Ord. Nos. 21211; 25164; 27788)

SEC.51P-366.114.1 SUBAREA 1A ROADWAY IMPROVEMENTS.

(a) Before the issuance of a certificate of occupancy for a permitted use, the following must be provided:

(1) Reconstruction of the segment of Bearden Lane west of Buckner Boulevard, retaining the existing driveway connection on the north line of Bearden Lane. Eastbound Bearden Lane must provide separate left-turn and right-turn lanes at Buckner Boulevard.

(2) Signalization at Buckner Boulevard and Blossom Lane, with design and construction approved by the Director of Public Works and Transportation.

(3) Restriping Blossom Lane, providing for separate eastbound and through lanes between Buckner Boulevard and the easternmost drive approach into the Property.

(4) Drive approaches along Blossom Lane, having separate left-turn and right-turn lanes onto Blossom Lane.

(b) On-street parking along Blossom Lane is prohibited. (Ord. 28547)

SEC. 51P-366.115. GENERAL REQUIREMENTS.

Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 21211; 25164; 26102)

SEC. 51P-366.116. WAIVER OF CERTAIN SUP FEES IN SUBAREA 1.

The city council waives the application fee for a specific use permit for nonconforming uses located in Subarea 1 in those cases where:

(1) the nonconforming use was existing on February 26, 1992, or made nonconforming by this article; and

(2) upon inspection by the director of the department of code compliance or the director's designee, it is determined that the nonconforming use and the property on which it is located is in compliance with all applicable ordinances, rules, and regulations of the city other than the requirement of a specific use permit. (Ord. Nos. 21211; 25164; 26102)

SEC. 51P-366.117. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

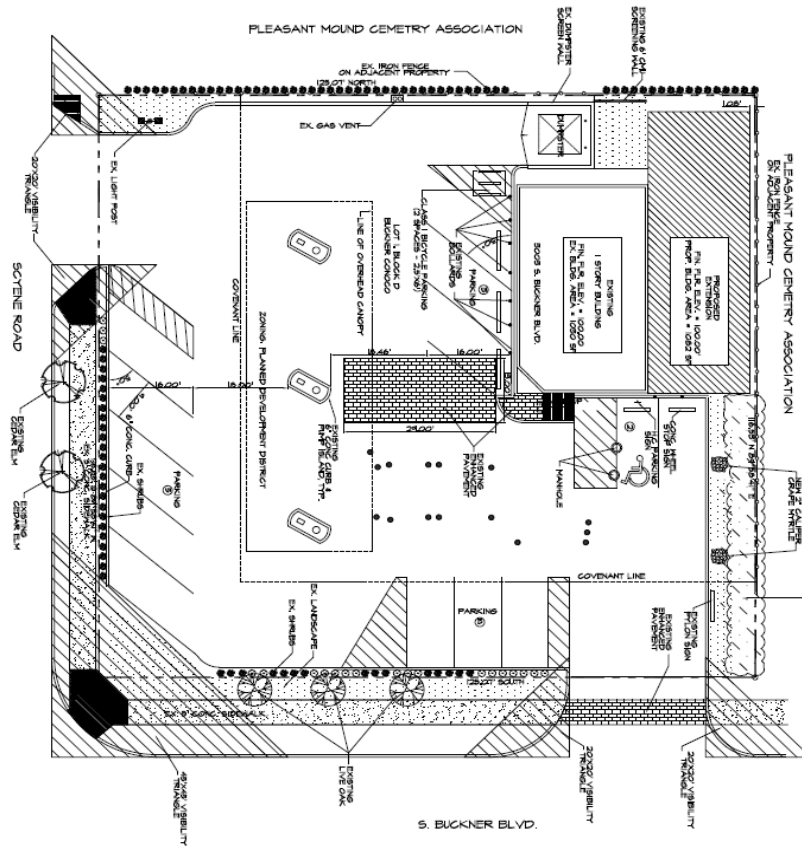
(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 21211; 25164; 26102)

CPC Recommended SUP conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store less 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 (one year).
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.

Proposed Development/Landscape Plan and Site Plan

BLOCK 6179 TR 1ST AND PT 30A



BLOCK 6179 TR 1ST AND PT 30A



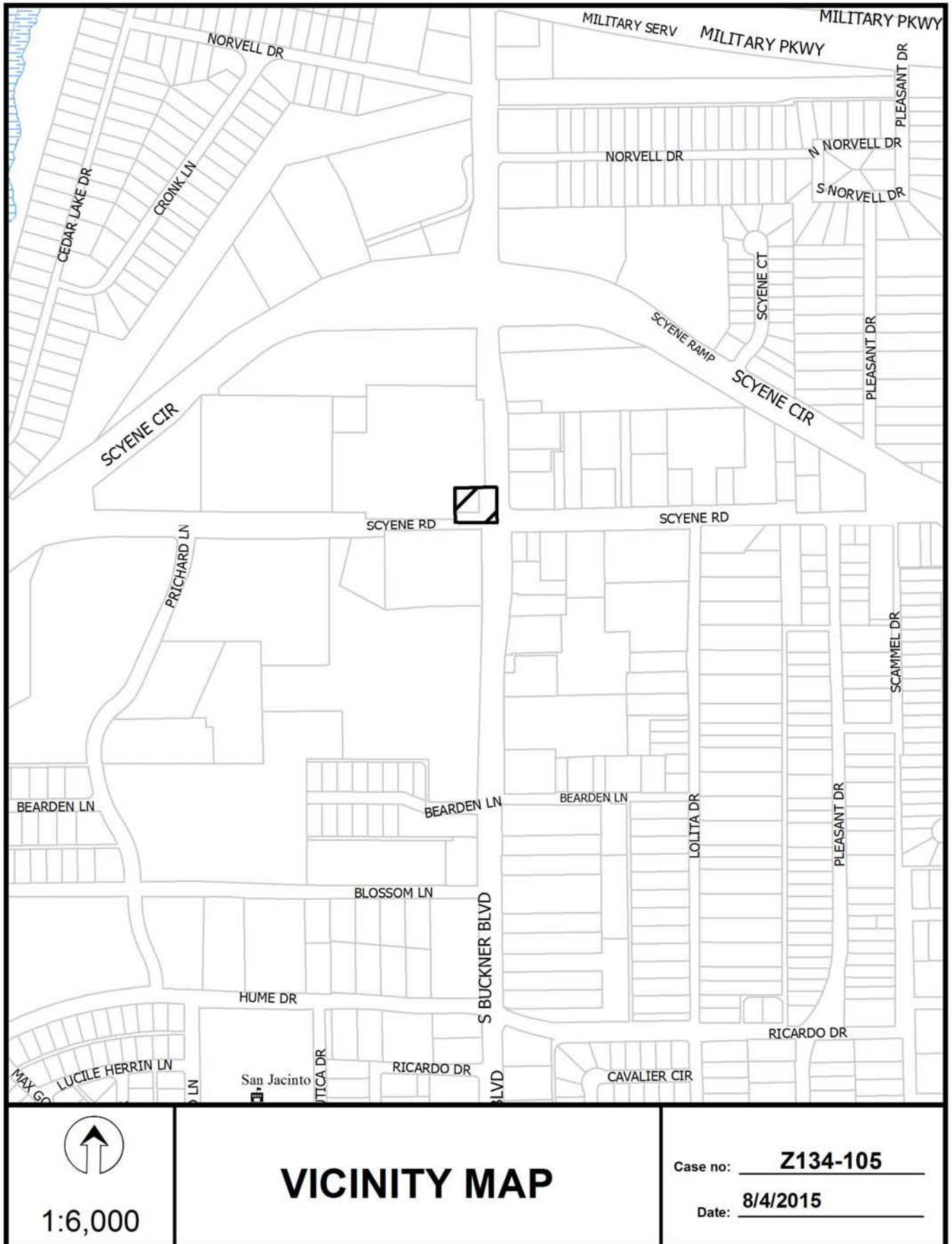
CITY FILE #12134-105

SITE DATA SUMMARY		GENERAL INFORMATION ON THIS PROJECT	
OWNER/PROJECT CLASSIFICATION	BUCKNER LOT 60/SHADE	PROJECT NAME/NUMBER ON FOOD STORE HIGHWAY 111/MAIN STATION	
PROPOSED BUILDING AREA	21,120 SQ. FT.	80'x28'	
MAXIMUM BUILDING HEIGHT	40'		
MINIMUM FRONT YARD	15'		
MINIMUM SIDE REAR YARD	0'		
MAXIMUM FLOOR AREA RATIO	0.75		
PROPOSED PARKING	15 SPACES		
PROPOSED PARKING			
STANDARD	13 SPACES		
MINIMUM	1 SPACE		
MAXIMUM	18 SPACES		
BICYCLE PARKING REQUIRED	2 SPACES		
BICYCLE PARKING PROVIDED	2 SPACES		
LANDSCAPE	1,050 SQ. FT.		
MINIMUM SETBACK	5'		

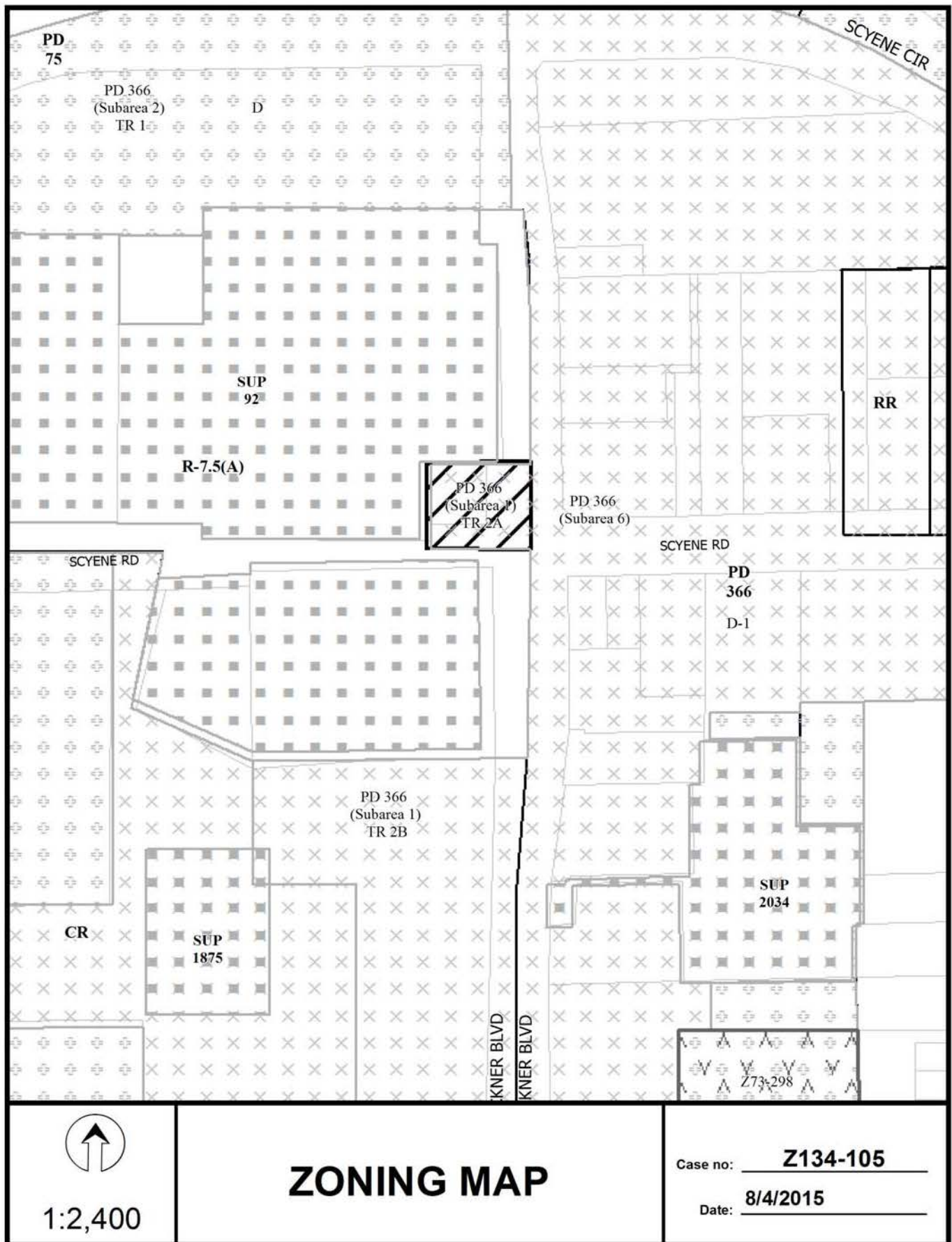
EXISTING TREES	COVENANT LINE
9	1
2	2
1	1
TOTAL: 12	TOTAL: 4
EXISTING TREES: 12	EXISTING TREES: 4
TOTAL: 12	TOTAL: 4

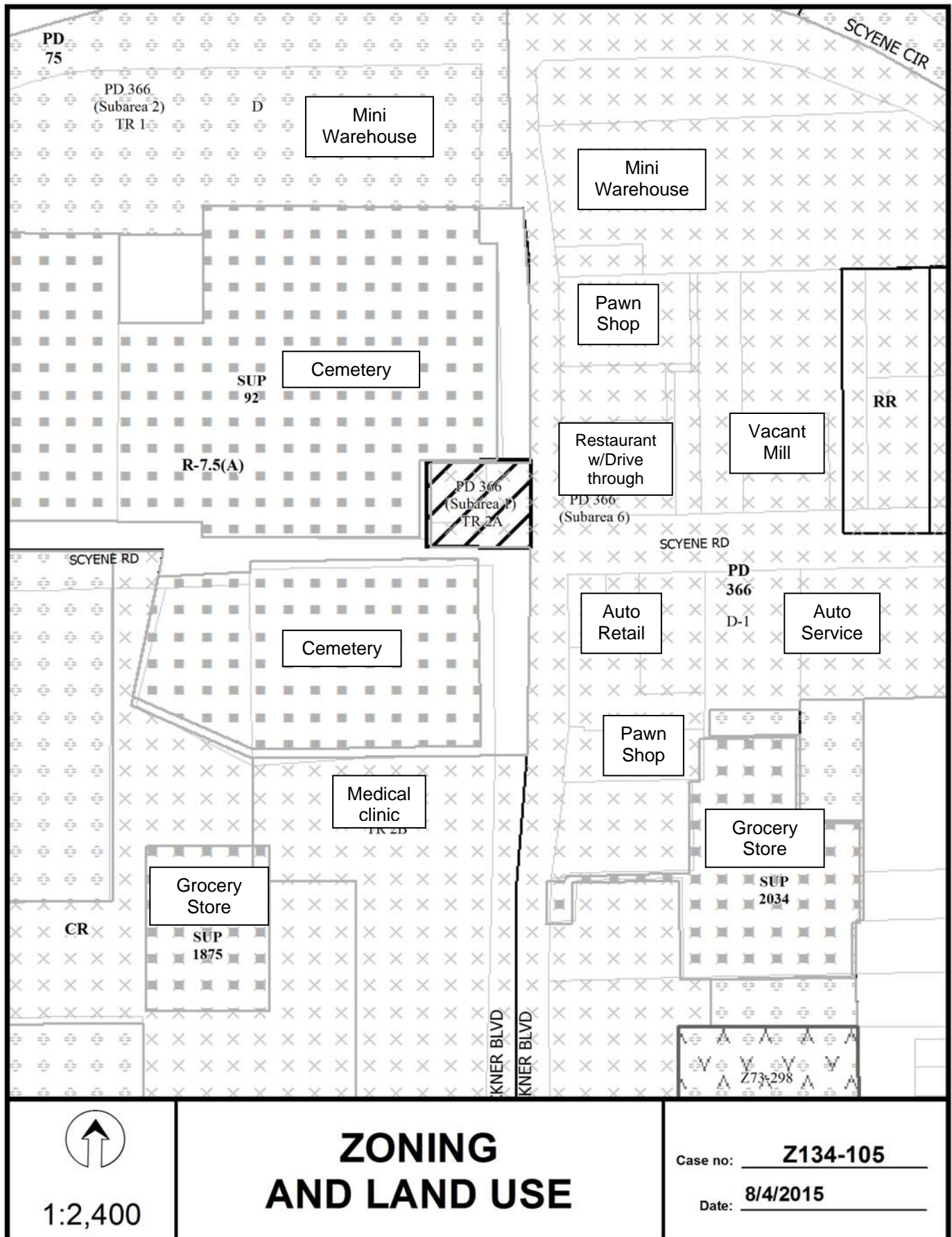
ALL TREES TO REMAIN TO PROVIDE SHADE AND LANDSCAPE VALUE. TREES TO BE REMOVED TO BE REPLACED WITH NEW TREES OF SIMILAR TYPE TO MATCH EXISTING.

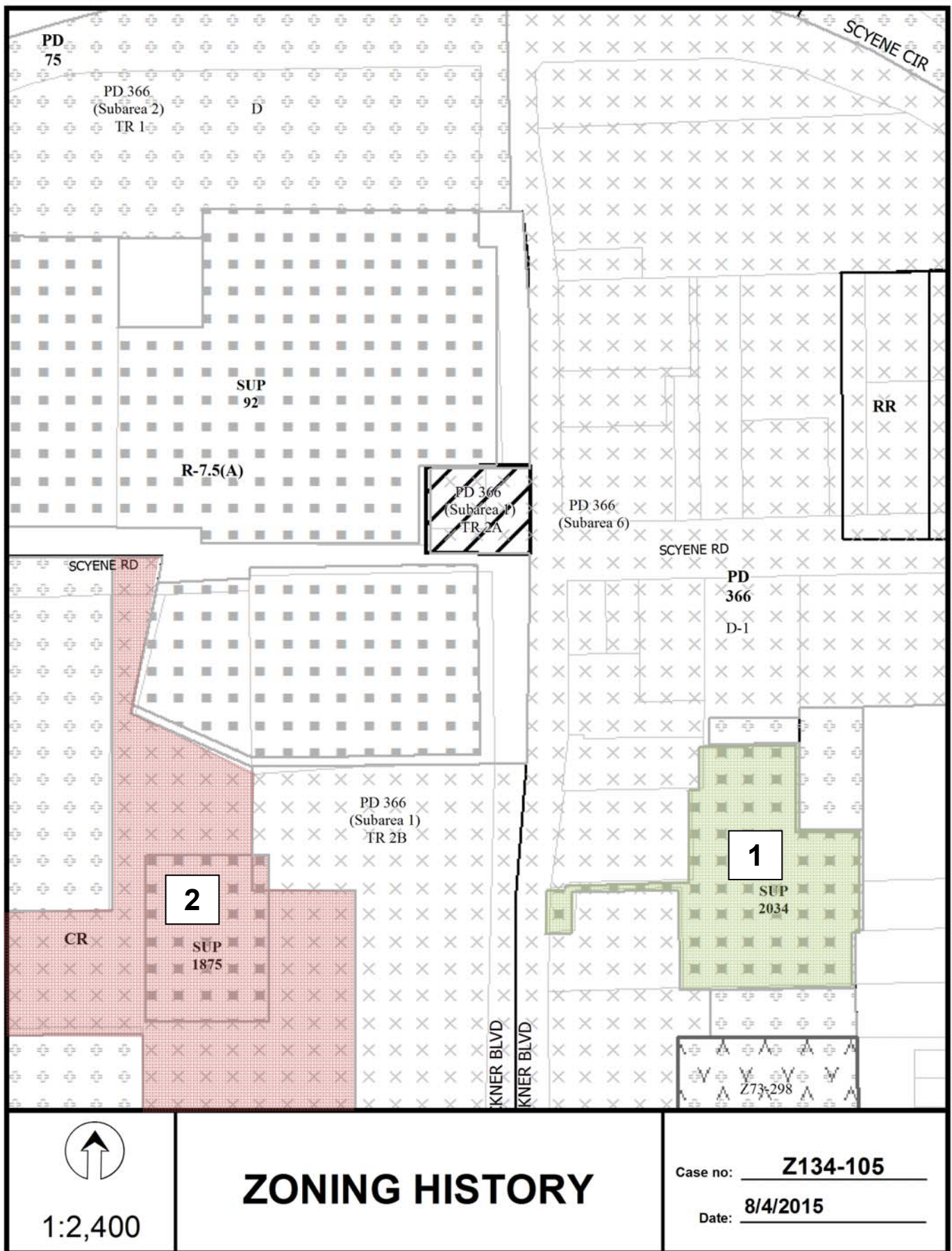
MR Engineering Now Construction • Engineering • Environmental Services 7853 PINKERTON COURT PLANO, TEXAS 75028 PH: (469) 344-8150 FAX: (972) 767-3003 EMAIL: mikamal67@gmail.com FIRM # F-9526		BUCKNER CONOCO 3005 S. BUCKNER BLVD. DALLAS, TEXAS LOT 1, BLOCK D	ADR-DESIGNS-LLC TOTAL DESIGN MANAGERS 601 SADDLE HILL DRIVE, GRAND PRairie, TX 75050 PH: (972) 353-1333 FAX: (972) 353-1334 EMAIL: aaron@adrdesigns.com	M. DELWAR HOSSAIN 3003 S. BUCKNER BLVD. DALLAS, TEXAS	PROJECT STATUS: FINAL PROJECT MANAGER: M. DELWAR HOSSAIN DESIGN MANAGER: M. DELWAR HOSSAIN PROJECT DATE: 08/01/21 REVIEW DATE: 08/01/21
					JOB NUMBER: 105268 SHEET NUMBER: L101

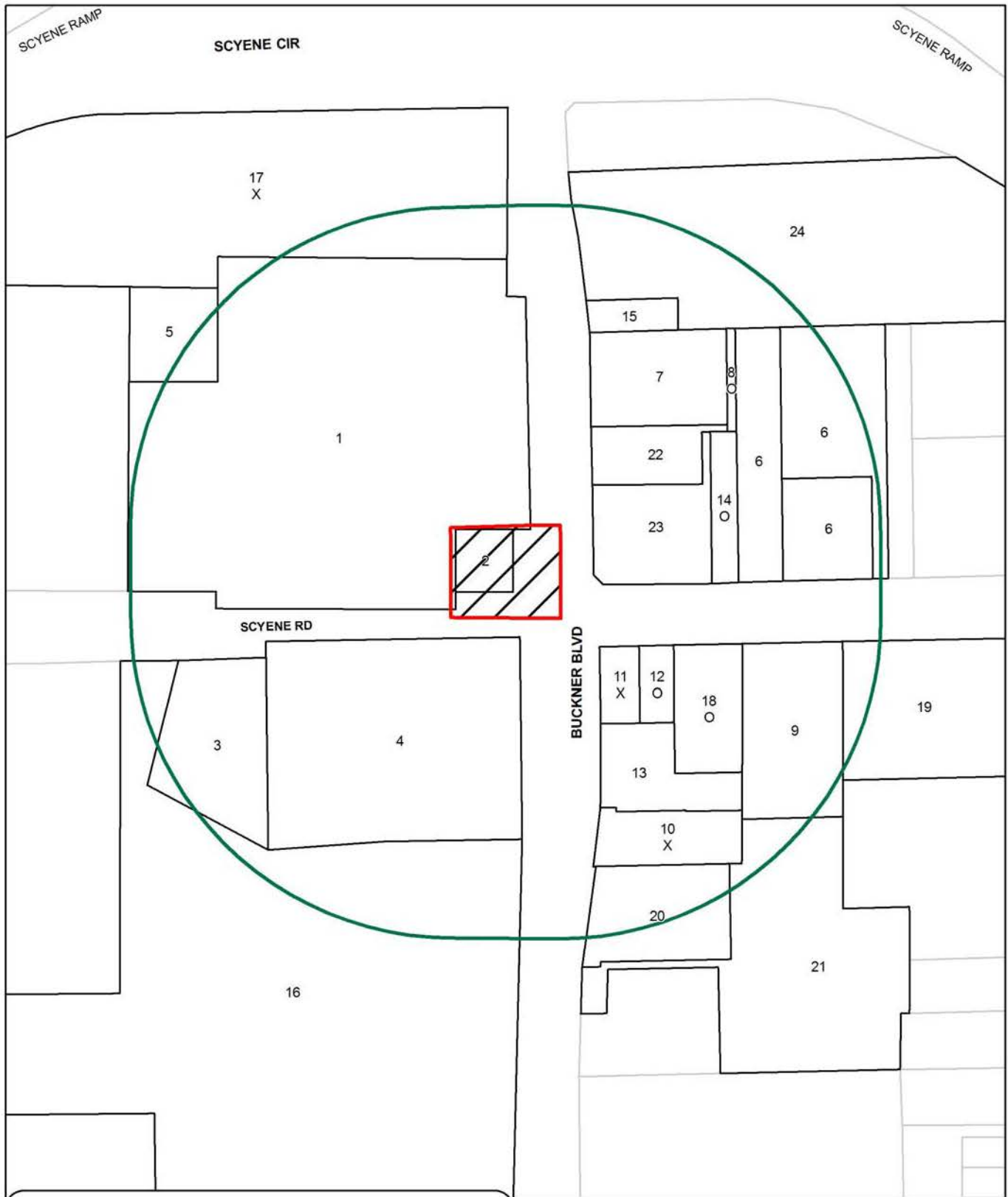












<u>24</u>	Property Owners Notified (26 parcels)
<u>4</u>	Replies in Favor (4 parcels)
<u>3</u>	Replies in Opposition (3 parcels)
<u>500'</u>	Area of Notification
<u>9/3/2015</u>	Date <u>8/20/2015</u> Under Advisement

Z134-105
CPC



1:2,400

09/15/2015

Reply List of Property Owners***Z134-105******24 Property Owners Notified 4 Property Owners in Favor 3 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	3151 BUCKNER BLVD	PLEASANT MOUND CEMETERY
	2	3003 BUCKNER BLVD	EAST BENGAL CORP
	3	8004 SCYENE RD	HERITAGE FUNERAL HOME &
	4	8050 SCYENE RD	CEMETERY
	5	8004 SCYENE RD	PLEASANT MOUND CEM ASSOC
	6	8149 SCYENE RD	WIMBERLY JOANNE
	7	3110 BUCKNER BLVD	FIRST CASH LTD
O	8	8127 SCYENE RD	JACKSON WILLIE RAY
	9	8126 SCYENE RD	FREEMAN WILLIAM R
X	10	2942 BUCKNER BLVD	HEAVER PROPERTIES LIMITED
X	11	2952 BUCKNER BLVD	MONA & NADA CORPORATION
O	12	8106 SCYENE RD	ZUNIGA CLAUDIA Y
	13	2940 BUCKNER BLVD	MITCHELL WILLIAM J &
O	14	8117 SCYENE RD	JACKSON WILLIE RAY
	15	3118 BUCKNER BLVD	UGWONALI FELIX C &
	16	8000 SCYENE RD	BUCKNER PARTNERSHIP LP
X	17	3241 BUCKNER BLVD	ACCESS-BUCKNER LTD
O	18	8116 SCYENE RD	LEWIS PAUL C
	19	8190 SCYENE RD	FORD ROBERT L
	20	2930 BUCKNER BLVD	FWP BUCKNER BLVD TX LLC
	21	2926 BUCKNER BLVD	ALDI LLC
	22	3026 BUCKNER BLVD	FIRST CASH LTD
	23	3004 BUCKNER BLVD	FIREBRAND PROPERTIES LP
	24	3210 BUCKNER BLVD	SH 708-716 LLC

AGENDA ITEM # 77

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 13
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 25 W; X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property within the Tract 3 portion of Planned Development District No. 314, the Preston Center Special Purpose District, on both sides of Westchester Drive, south of Berkshire Lane

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

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

Z134-341(RB)

Note: This item was considered by the City Council at public hearings on May 27, 2015, June 10, 2015 and June 17, 2015, and was deferred until November 10, 2015

FILE NUMBER: Z134-341(RB)

DATE FILED: September 17, 2014

LOCATION: Both sides of Westchester Drive, south of Berkshire Lane

COUNCIL DISTRICT: 13

MAPSCO: 25W, X

SIZE OF REQUEST: Approx. 2,681 Sq. Ft.

CENSUS TRACT: 73.01

REPRESENTATIVE: Suzan Kedron

APPLICANT: CH Realty VI, R Dallas Preston Center LP

OWNERS: CH Realty VI, R Dallas Preston Center LP; City of Dallas

REQUEST: An application for a Specific Use Permit for a Pedestrian skybridge on property within the Tract 3 portion of Planned Development District No. 314, the Preston Center Special Purpose District.

SUMMARY: The applicant proposes to construct a pedestrian skybridge across Westchester Drive, connecting a proposed retail use and the parking structure.

CPC RECOMMENDATION: Approval for a fifteen-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval for a forty-year period, subject to a site plan and conditions.

Guiding Criteria for Recommendation:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The request will be elevated over Westchester Drive and its design will comply with required building code and the majority of required design criteria (concurrent application to the Board of Adjustment for a special exception to certain design criteria).
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – This single use amenity for the proposed retail use will provide for alternative access options (street level access and surface parking in the immediate area around the building) for those frequenting the use.
3. *Not a detriment to the public health, safety, or general welfare* – Retail patrons will be able to traverse across the street more safely and with less interruption to vehicular movements in the immediate area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – A private license to cross a public right-of-way will be required as well as compliance with all engineering and building code regulations.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. BDA 145-007	Special exception to the pedestrian skybridge standards. Pending a March 18, 2015 BDA public hearing.

<u>Street</u>	<u>Designation; Existing & Proposed ROW</u>
Westchester Drive	Local; 80' ROW
Berkshire Lane	Local; 80' ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's request and determined it will not significantly impact the surrounding street system.

Comprehensive Plan: The request site and immediate surrounding area is considered a Walkable, Mixed-Use Building Block. These are areas where a healthy balance of housing, jobs and shopping will exist in close proximity, allowing residents to live, work, shop and play all in the same neighborhood. Public transit, bicycles and walking will get

priority in these areas, although cars will still play an important role. These areas have slower moving traffic and the average car trip is shorter.

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 requested pedestrian skybridge will connect a proposed retail use with the area's parking garage across Westchester Drive to serve a retail use. The span of the bridge is approximately 77 feet and will be located within 28 feet of the northern property line of the proposed retail use. The new use (second story of existing structure) will have street level access on Westchester Drive, with internal improvements allowing for access to the anticipated second level retail use. The site is surrounded by various retail and office uses. High-density residential uses are developed further west and southwest of the site, but are not impacted by the request.

Except for on-street parking areas and certain uses that possess structured parking, this multi-tenant office and retail portion of Preston Center utilizes the two-level parking garage which is centrally located within Tract 3. It should be noted the garage has access to street level from the upper parking deck at each corner of the garage, thus allowing at grade access to all corners of this tract's mix of uses.

Part of the basis for consideration of granting an SUP for a pedestrian skybridge is an excerpt from the following purpose statement, "...promote the health, safety, and general welfare of persons and property within the city by providing for the structural integrity of pedestrian skybridges over public right-of-ways; preventing visual obstruction of public right-of-ways and urban landscapes; facilitating the flow of traffic; encouraging use public skybridges by pedestrians through well designed additions to the existing pedestrian system; minimizing the negative impact of pedestrian skybridges on adjoining properties, communication and utility company facilities, and public street lighting an safety facilities; and, establishing standards for construction and maintenance of pedestrian skybridges."

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.

It is anticipated this additional infrastructure will facilitate a safe and efficient means of allowing patrons who utilize the upper level of the parking garage to traverse across the street in a safe and efficient manner, as well as ensuring vehicular movements are not impacted by the proposed retail use (allowed by right). As initially submitted, the applicant proposed a grocery store occupying approximately 55,000 square feet. Utilizing ITE research, the proposed store will generate approximately 5,700 vehicle trips per day. The applicant's land use statement has since been revised, in part, with the following statements:

The proposed use of the request area is to construct a pedestrian skybridge above and across Westchester Drive right-of-way connecting property owned by the Applicant on the west side and a City-owned parking garage on the east side.

The skybridge is needed to add a handicap accessible route from the second story of the parking garage and to increase public safety by offering a safe and secure alternative to traversing Westchester Drive. The skybridge provides an above-grade connection across a busy thoroughfare.

As such, if the second level is utilized for a single retail use other than a grocery store, and possesses the same floor area (55,000 sf), anticipated trip generation would be approximately 2,400 vehicle trips per day.

Developments consisting of nonresidential uses tend to capture off-street parking on the same lot. These developments tend to be single use developments on a building site (example-Minyards on McKinney Avenue between Lemmon Avenue East and Lemmon Avenue West) or as the anchor use as part of a multi-tenant nonresidential development (example-Target at IH 20, Cliff Creek Crossing, Bainbridge Avenue, and Hampton Road).

With respect to vehicular movement efficiency throughout the Tract 3 portion of PDD No. 314, the proposed pedestrian skybridge will be successful in removing store patrons (who are willing to utilize the upper level of the parking garage at the proposed skybridge's landing) from negotiating a need to cross Westchester Drive at grade, be it at its intersection at Berkshire Lane, mid-block, or at the southern end of the blockface at Luther Lane. To put this in perspective, a pedestrian will walk at a pace of three and one-half feet per second. Westchester Drive is approximately 58 feet wide, back-of-curb to back-of-curb, thus requiring approximately 16.6 seconds to traverse the right-of-way at grade. What is not known at this time is the percentage of store patrons that may park in areas other than the second level of the existing parking structure as well as factoring in the other right-of-way crossings noted in this paragraph, thus affecting this efficiency. As a result, staff cannot quantify the 'savings' of time being given back

to drivers that maneuver through this intersection. As the section of Westchester Drive between Northwest Highway and Berkshire Lane provides queuing for seven-eight vehicles as they enter the shopping center from the north, the skybridge would improve vehicular flow through the adjacent intersection regardless of the percentage of people utilizing this proposed improvement, thus minimizing any queuing that may spill into Northwest Highway's right-of-way.

In regard to the above referenced purpose statement for this use, the utilization of the improvements will enhance safety of tenants/employees and patrons of the various uses in the immediate area as well as improving vehicular flow through the adjacent intersection. Visual obstruction of public right-of-ways and view corridors of the urban landscape is not anticipated. The three columns supporting the proposed skybridge have been located in such a manner as to comply with the minimum unobstructed sidewalk width required by the underlying zoning. It should be noted this requirement was somewhat forward-thinking in its vision whereas today's infrastructure to support on street level activity is routinely expected. For example, the nonresidential sidewalks within the Victory PDD (excluding the subdistrict encompassing American Airlines Center) requires an unobstructed sidewalk width ranging from five feet to nine and one-half feet, depending on specific cross sections.

As a result of this analysis, staff supports the request subject to the attached site plan and conditions. It should be noted that following a recommendation by the City Plan Commission, this request will not be scheduled before the City Council until a favorable recommendation by the Board of Adjustment has been rendered (see Zoning History) and a private license prepared by the City Attorney has been prepared for consideration by the Council.

Urban Design: The Dallas Development Code requires compliance with 19 items associated with the structural design and visual presence of the skybridge. The attached summary summarizes those requirements in compliance. In context with these deficiencies, the applicant has submitted an application for a special exception to these respective design standards: 1) supports located within the public right-of-way; 2) alternate clear height between grade and the skybridge; and 3) vary the maximum interior passageway width; increase divergence (from 30 degrees) from perpendicular angle to the right-of-way.

Private License: In order to cross a public right-of-way with the proposed skybridge, the applicant will be required to submit an application for a private license to the Real Estate Section of the Department of Sustainable Development and Construction. It is anticipated that the requested SUP will be scheduled for City Council at the same time the private license is considered, but after the Board of Adjustment has considered the application for a special exception to certain design criteria. With respect to the time period recommended by staff, it is a requirement to recommend a time period that will

coincide with the time period for the above referenced private license. The applicant has requested a permanent time period.

Off-Street Parking. PDD 314 permits a reduction in required parking (from Dallas Development Code requirements, by use) when a minimum of 800 spaces are provided in the Tract 3 parking garage, bounded by Berkshire Lane, Westchester Drive, Luther Lane, and Kate Street. While the required site plan for a pedestrian skybridge typically only delineates the public right-of-way 'footprint' between the connection points, staff is aware the proposed retail use connected to the skybridge will affect parking spaces on the upper level (skybridge landing area and other infrastructure needed in this area).

While the vehicle for such requirement has yet to be determined (SUP for pedestrian skybridge or private license granting improvements over the public right-of-way), this requirement will be addressed at the staff briefing.

Mandatory Pedestrian Skybridge Provision	Applicant's Status
Pedestrian sky-bridges must be properly maintained at all times. If a pedestrian skybridge connects two buildings which are separately owned, an operating agreement assigning maintenance and liability responsibilities is required.	Comply
No more than one pedestrian skybridge may be located within any block or 700 feet of frontage, whichever is less.	Comply
Pedestrian sky-bridges must have clearance above the public right-of-way of at least 18 feet above grade.	Special exception: There is 14 foot clearance above grade. Both structures are existing and in order to connect them at the requisite point only at 14 foot clearance above grade is achievable.
If the pedestrian skybridge has a length of less than 150 feet, the interior passageway must be no less than 10 feet and no greater than 20 feet in width. If the pedestrian skybridge has a length equal to or greater than 150 feet, the interior passageway must be no less than 12 feet and no greater than 20 feet in width.	Special exception: The interior passageway will have a 50 foot span at the point it connects to the existing commercial building.
The interior height of the passageway must be at least 7 1/2 feet. The interior height at the spring line of vaulted ceilings must be at least 7 1/2 feet.	Comply
Supports must not be located within the public right-of-way.	Special exception: There will be five support columns in the right-of-way.
A sign must be posted within the adjoining structures indicating whether the skybridge is open to the public, the location of the pedestrian skybridge, and where the pedestrian skybridge leads.	Comply
Pedestrian sky-bridges must meet state and federal standards for accessibility to and usability by individuals	Comply

Mandatory Pedestrian Skybridge Provision	Applicant's Status
with disabilities.	
Pedestrian sky-bridges connected to structures with air conditioning must be enclosed and air conditioned	Comply , but it is noted that the garage does not have a hvac system
Any change in slope of the pedestrian skybridge greater than one percent must be over private property or concealed within the pedestrian skybridge.	Comply
Pedestrian sky-bridges must not diverge from a perpendicular angle to the right-of-way by more than 30 degrees.	Special exception: The bridge will flare at the point of connection to the existing commercial building.
At least 70 percent of the side walls must be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than 6 percent. "Light transmission" means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. "Luminous reflectance" means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.	Comply
Minimum artificial lighting of 15 foot candles must be provided. Lighting must not produce glare of an intensity that creates a nuisance for motor vehicles or pedestrians.	Comply
No exterior signs, other than government signs, may be applied to or suspended from any pedestrian skybridge.	Comply
Pedestrian sky-bridges must not be located within 300 feet of an historic overlay district.	Comply
Pedestrian sky-bridges must be designed to prevent people from jumping or throwing objects from the pedestrian skybridge.	Comply
Structural materials must be durable and easily maintained. Construction must comply with the City of Dallas Building and Fire Codes.	Comply
Pedestrian sky-bridges must not interfere with or impair use of the right-of-way by existing or proposed communication and utility facilities.	Comply
The applicant must post bond for the estimated cost to the city to remove the pedestrian skybridge if it becomes a public nuisance.	Comply

Recommended Pedestrian Skybridge Provision	Applicant's Status
Pedestrian sky-bridges which are open to the public should penetrate the second story of the adjoining structures, or, if not possible, as close as possible to the street level.	Comply
Pedestrian sky-bridges should penetrate the adjoining structures as close as possible to escalators or elevators having access to the entire structure and the street.	Comply
Free-standing pedestrian skybridges and pedestrian skybridges connected to structures without air conditioning should have a roof, wind breaks, and adequate ventilation that maximize the comfort and safety of pedestrians. A pedestrian skybridge should be open only when the adjoining structures are open.	Comply
If the length of the pedestrian skybridge exceeds 250 feet, the passageway should be interrupted by interior visual breaks, such as turns, courts or plazas.	Comply
Primary lighting sources should be recessed and indirect. Accent lighting is encouraged. Natural lighting should be used in addition to artificial lighting.	Comply
The pedestrian skybridge should be designed so as to coordinate with the adjoining structures to the extent possible. Where coordination is not possible, the pedestrian skybridge should be of a neutral color, such as brown or grey.	Comply

CPC ACTION – March 5, 2015

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Pedestrian skybridge for a fifteen-year period, subject to a revised site plan clarifying certain locational criteria and conditions on property within the Tract 3 portion of Planned Development District No. 314, the Preston Center Special Purpose District, on both sides of Westchester Drive, south of Berkshire Lane.

Maker: Murphy
Second: Schultz
Result: Carried: 7 to 6

For: 7 - Culbreath, Shidid, Lavallaisaa, Tarpley,
Shellene, Schultz, Murphy
Against: 6 - Emmons, Rodgers, Anantasomboon, Bagley,
Peadon, Abtahi
Absent: 2 - Anglin, Ridley
Vacancy: 0

Notices: Area: 750 Mailed: 47
Replies: For: 21 Against: 8

Speakers: For: Suzan Kedron, 901 Main St., Dallas, TX, 75202
Dan Feeney, 3819 Maple Ave., Dallas, TX, 75219
Robert Dozier, 2000 McKinney Ave., Dallas, TX, 75201
David Culbertson, 5310 Harvest Hill Rd., Dallas, TX, 75230
Steve Stoner, 400 S. Houston St., Dallas, TX, 75202
For (Did not speak): Anna Graves, 7425 Caruth Blvd., Dallas, TX, 75225
Kristin Millington, 6332 Town Hill Ln., Dallas, TX, 75214
Jenny Wilkes, 5131 Willis Ave., Dallas, TX, 75206
Daniel Branch, 4209 Wycliff Ave., Dallas, TX, 75219
Against: Laura Miller, 5335 S. Dentwood Dr., Dallas, TX, 75220
Marguerite Lobello Archer, 6347 Deloache Ave., Dallas, TX, 75225
Lawrence Bock, 6019 Berkshire Ln., Dallas, TX, 75225
Walter Levy, 5315 Rock Cliff Pl., Dallas, TX, 75209
Rick Williamson, 8411 Preston Rd., Dallas, TX, 75225
Leland Burk, 1412 Main St., Dallas, TX, 75202
Against (Did not speak): Susan Cox, 6715 Desco Dr., Dallas, TX, 75225
Sharon Hayden, 6831 Desco Dr., Dallas, TX, 75225
Matt Hayden, 6831 Desco Dr., Dallas, TX, 75225
Finley Francis Burke, 4314 Merrell Rd., Dallas, TX, 75229
Alice Sutherland, 4314 Merrell Rd., Dallas, TX, 75229
Jane Hoffman, 6747 Lupton Dr., Dallas, TX, 75225
Van R. Lynch, 3109 Douglas Ave., Dallas, TX, 75219
Staff: Lloyd Denman, Sustainable Development and Construction
Chris Caso, Assistant City Attorney, City of Dallas

List of Officers/Applicant

CH Realty VI/R Dallas Preston Center LP

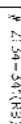
- Preston Center Pavilion & Square is owned 100% by CH Realty VI/R Dallas Preston Ctr, L.P.
- The general partner of CH Realty VI/R Dallas Preston Ctr, L.P. is CH Realty VI/R Dallas Preston Ctr GP, L.L.C. They are the controlling partner and they are managed by Fund VI Managers, L.L.C.
- Fund VI Managers, L.L.C. is controlled by these officers:

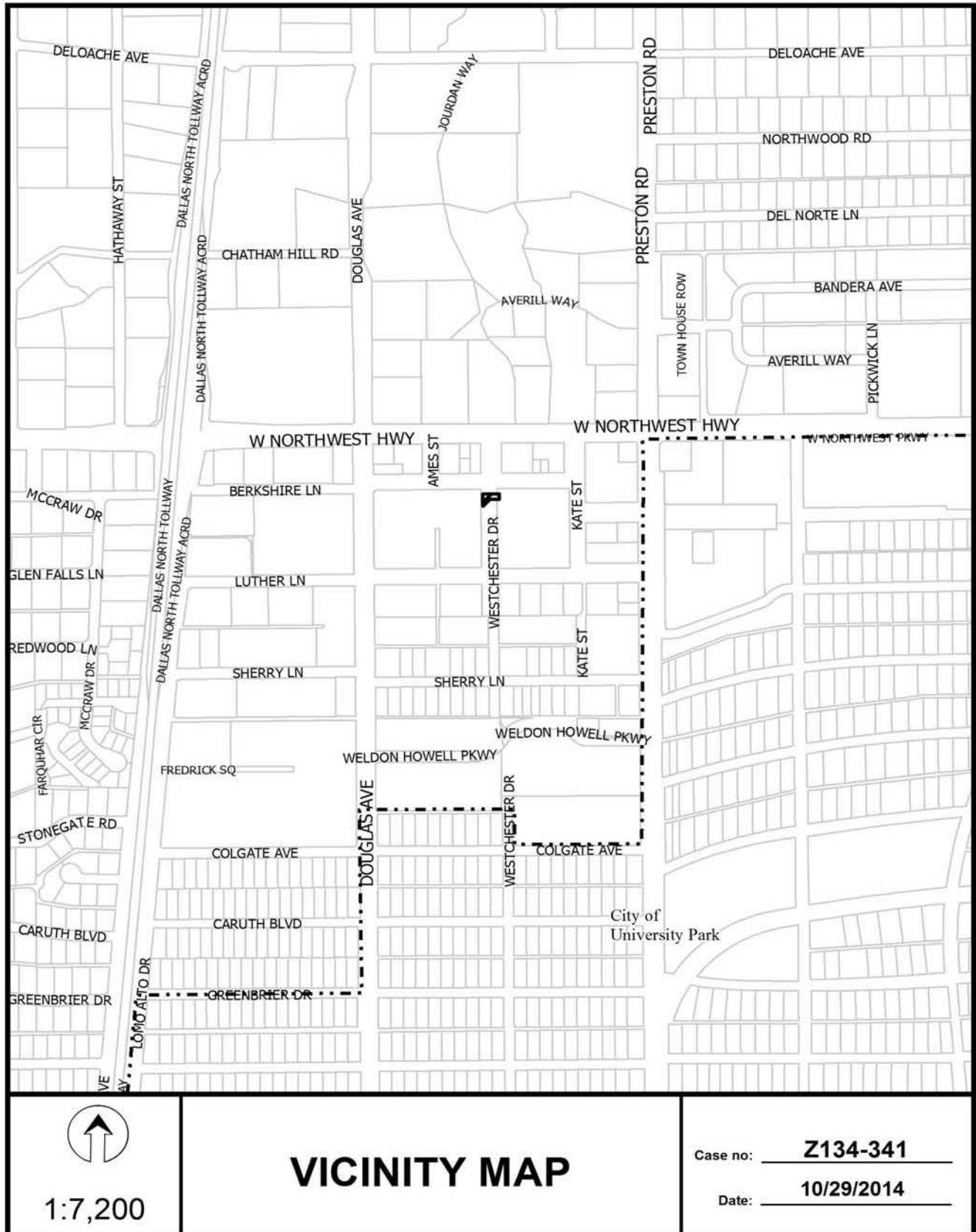
Anne L. Raymond	President
M. Kevin Bryant	Vice President
J. Dodge Carter	Vice President
Daniel F. Feeney	Vice President
Robert A. McClain	Vice President
Diane C. Parmerlee	Vice President
Carlos Rainwater	Vice President
M. Kevin Bryant	Managing Member

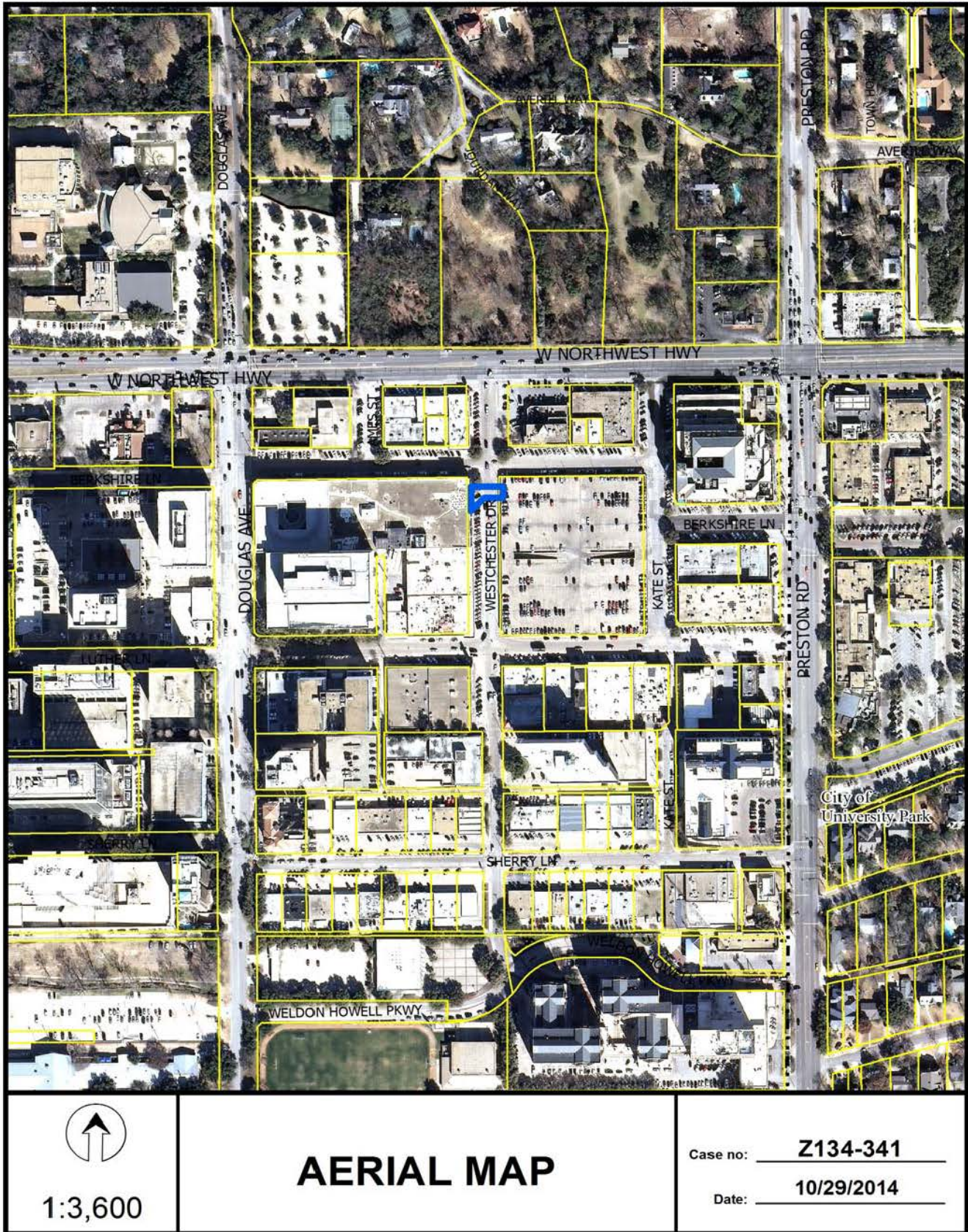
**CPC RECOMMENDED CONDITIONS FOR SPECIFIC USE PERMIT FOR A
PEDESTRIAN SKYBRIDGE**

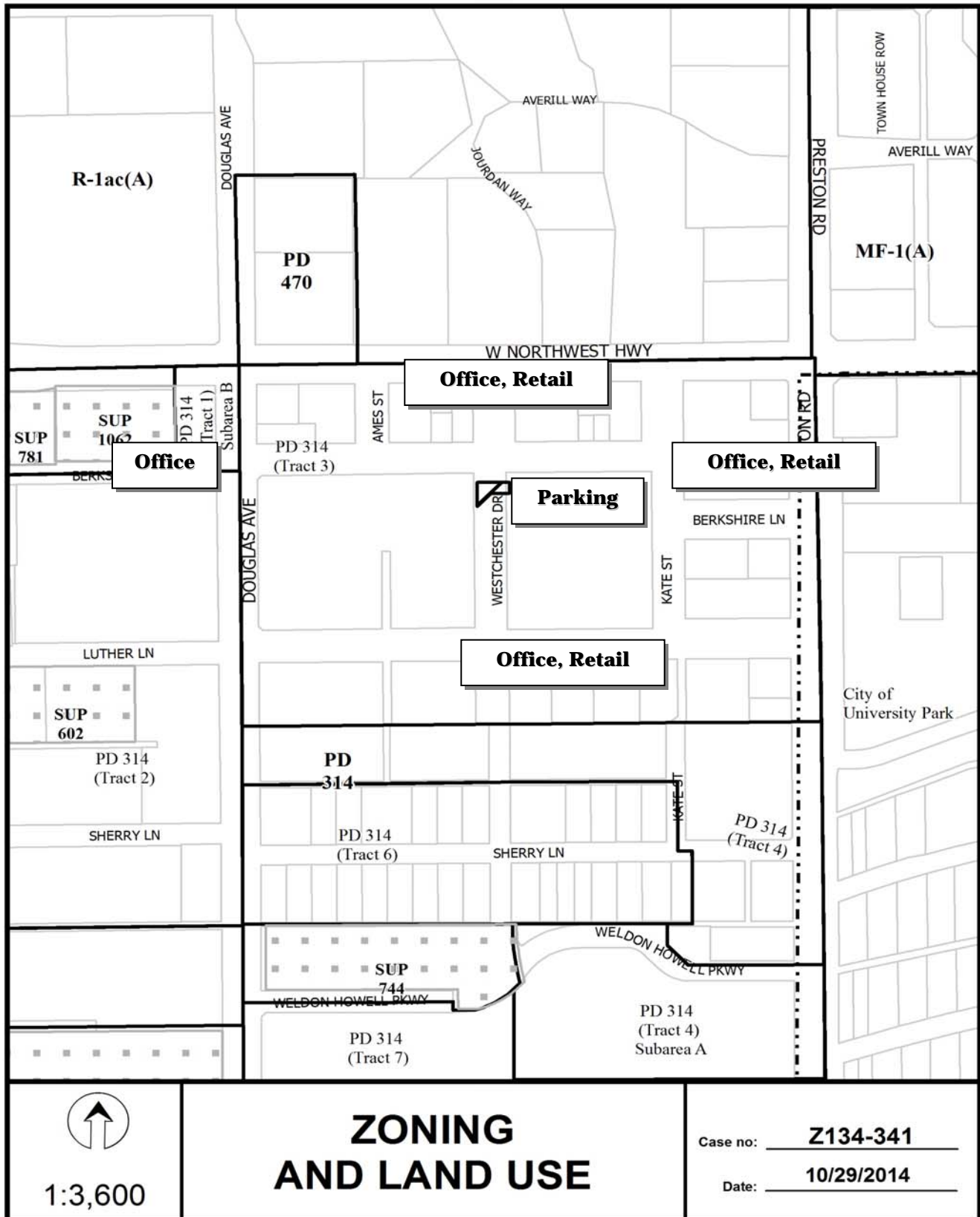
1. USE: The only use authorized by this specific use permit is a pedestrian skybridge.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (fifteen years).
4. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENT: 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.

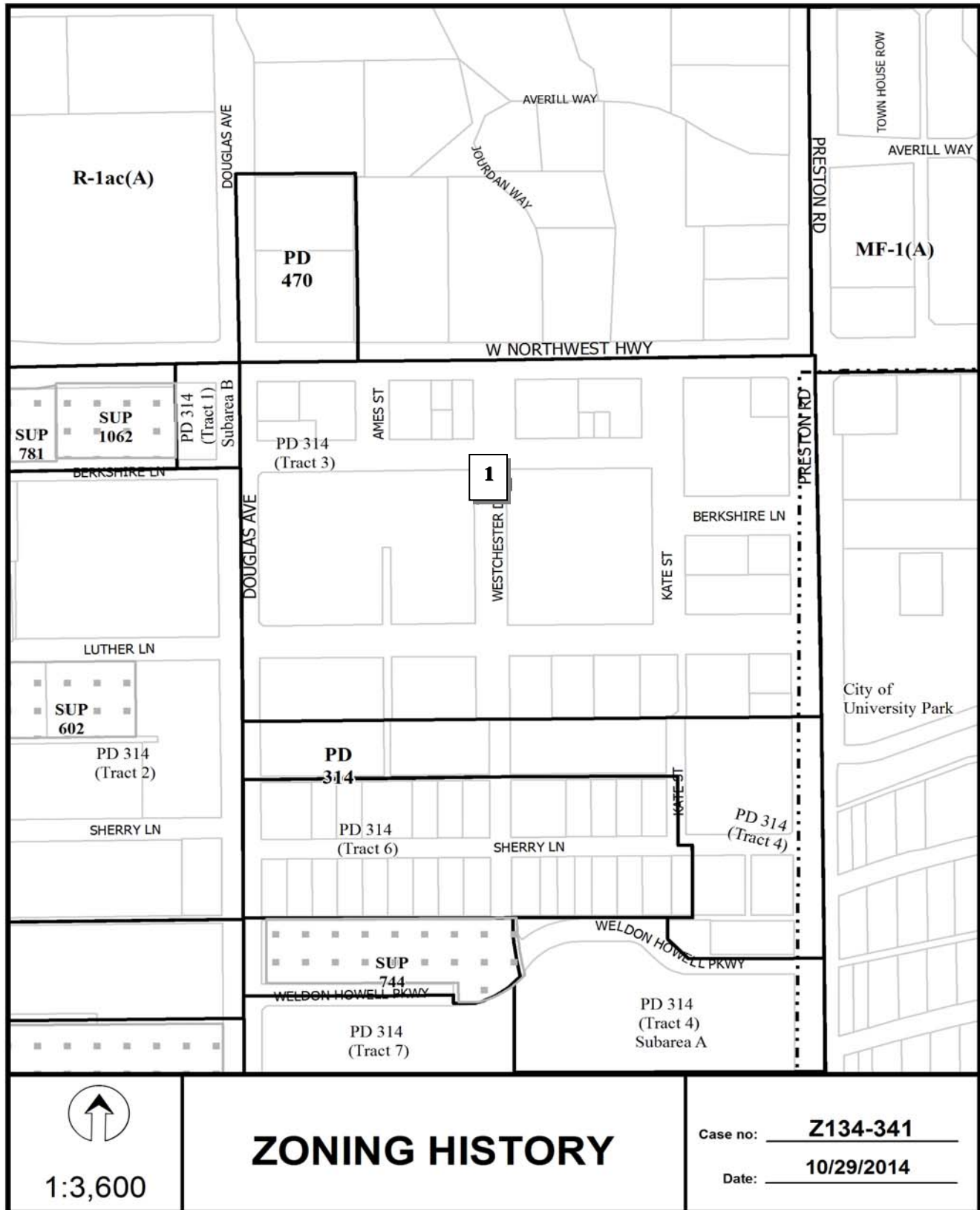
Date: 04-23-15



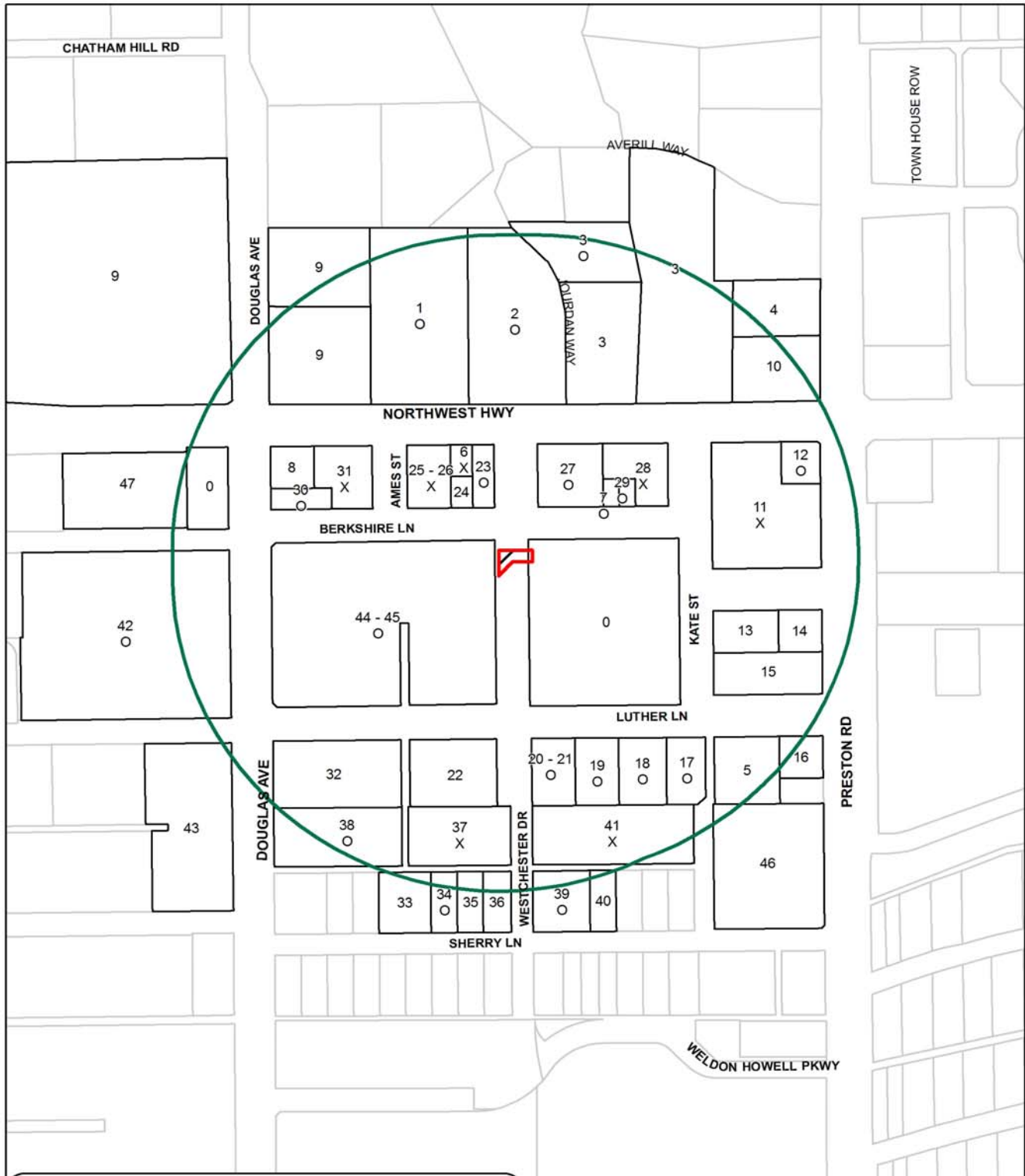








CPC RESPONSES



<u>47</u>	Property Owners Notified (50 parcels)
<u>21</u>	Replies in Favor (18 parcels)
<u>8</u>	Replies in Opposition (7 parcels)
<u>750'</u>	Area of Notification
<u>3/5/2015</u>	Date <u>1/22/2015</u> Under Advisement

Z134-341
CPC



1:3,600

NOTE: Various affidavits from property owners have been submitted in regard to this request. The affidavit numbers listed at the end of the report change the notification number that staff normally assigns to a property. As a result, a new "A" number is used. For example, Number 1 was reassigned to "A3", while one of the three properties that started out as number 3 was reassigned to "A4" while the other two properties with the number 3 still remain as number 3.

03/04/2015

Reply List of Property Owners

Z134-341

47 Property Owners Notified***21 Property Owners in Favor******8 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	3	8500 JOURDAN WAY	CUBAN MARK
	4	8515 PRESTON RD	EBBY HALLIDAY PPTIES INC
	5	6132 LUTHER LN	KATE LUTHER LP
X	6	5930 NORTHWEST HWY	LOBELLO SAM INV
	8	5900 NORTHWEST HWY	HBT PARTNERS LP
	9	8505 DOUGLAS AVE	NORTHWEST BIBLE CHURCH
	10	5999 NORTHWEST HWY	EBBY HALLIDAY PPTIES INC
O	12	8421 PRESTON RD	MC PRESTON LP
	13	8307 PRESTON RD	ROBBINS SERAFINA ETAL
	14	8315 PRESTON RD	LOBELLA SAM INV
	15	6131 LUTHER LN	PRESTON SQUARE TRUST THE
	16	8239 PRESTON RD	MENS WEARHOUSE INC
O	21	6100 LUTHER LN	TREK RESOURCES INC
	22	6038 LUTHER LN	RB PASS LLC
	24	6033 BERKSHIRE LN	6033 BERKSHIRE LLC
X	25	5926 NORTHWEST HWY	LOBELLO SAM INV
X	26	5926 NORTHWEST HWY	LCT MATHEWS JV
X	28	5960 NORTHWEST HWY	CURRIN LAND JOINT VENTURE
X	31	6019 BERKSHIRE LN	HBT PARTNERS LP
	32	8226 DOUGLAS AVE	DOUGLAS PLAZA LAND LLC
	33	6039 SHERRY LN	TOMLIN FAMILY LTD
O	34	6059 SHERRY LN	K & B SHERRY TX LTD &
	35	6065 SHERRY LN	TOMLIN FAMILY LTD

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	36	6071 SHERRY LN	6071 SHERRY LN VENTURE
O	39	6103 SHERRY LN	OCONNOR - SHERRY LANE LTD
	40	6125 SHERRY LN	6121 SHERRY LLC
X	41	WESTCHESTER DR	CCP PC OFFICE LP
	43	8235 DOUGLAS AVE	DIP SPV COMPANY 4 LLC
O	44	8301 WESTCHESTER DR	CH REALTY VI R DALLAS PRESTON CTR LP
	46	8201 PRESTON RD	TRT PRESTON SHERRY LLC
	47	5858 NORTHWEST HWY	DB FIVE GRILL LP
X	A1	8215 WESTCHESTER DR	LEGGE LYNDAL TRUSTEE &
X	A2	8411 PRESTON RD	PRESTON CTR WEST JV
O	A3	5830 AVERILL WAY	CUBAN MARK
O	A4	8530 JOURDAN WAY	CUBAN MARK
O	A5	8531 JOURDAN WAY	JAUCHEN REALTY LLC
O	A6	6003 BERKSHIRE LN	BERKSHIRE DOUGLAS RETAIL
O	A7	8400 WESTCHESTER DR	SEARS DIANA COX &
O	A8	6115 BERKSHIRE LN	K & B COMM TEXAS LTD ETAL
O	A9	6118 LUTHER LN	RAMSBOTTOM PARTNERS LP
O	A10	6126 LUTHER LN	RAMSBOTTOM PARTNERS LP
O	A11	6110 LUTHER LN	MCEVOY A PATRICK ET AL
O	A12	6100 LUTHER LN	TREK RESOURCES INC
O	A13	8220 WESTCHESTER DR	TREK RESOURCES INC
O	A14	5938 NORTHWEST HWY	KINNEY PROPERTY F & P LTD
O	A15	6117 BERKSHIRE LN	K & B COMM TEXAS LTD ETAL
O	A16	8222 DOUGLAS AVE	CF02 DALLAS LLC
O	A17	8300 DOUGLAS AVE	CFO DT II LLC
O	A18	8333 DOUGLAS AVE	CFO DT III LLC

AGENDA ITEM # 78

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 6
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 23 F

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the southwest corner of Royal Lane and Brockbank Drive

Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant

Z145-195(AF)

Note: This item was considered by the City Council at a public hearing on October 14, 2015, and was deferred until November 10, 2015

FILE NUMBER: Z145-195(AF) **DATE FILED:** March 23, 2015

LOCATION: Southwest corner of Royal Lane and Brockbank Drive

COUNCIL DISTRICT: 6 **MAPSCO:** 23F

SIZE OF REQUEST: Approx. 0.199 acres **CENSUS TRACT:** 97.01

APPLICANT / OWNER: Edward Ellefson

REPRESENTATIVE: Robert Reeves & Associates, Inc.

REQUEST: An application for an NS(A) Neighborhood Service District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

SUMMARY: The intent of the applicant is to build a restaurant. However, all uses within NS(A) would be permitted.

CPC RECOMMENDATION: **Approval** with deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval** with deed restrictions volunteered by the applicant.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The residential adjacency regulations in Chapter 51A of the Dallas Development Code will limit the height of any future structures structure, location of parking, and will necessitate increased screening in the form of fencing and/or landscaping. The NS district is designed to accommodate convenience retail shopping, services, and professional offices principally servicing and compatible in scale and intensity of use with adjacent residential uses.
2. *Traffic impact* – The surrounding street system can accommodate the zoning request. The prohibition of drive-through windows is anticipated to mitigate any potential compatibility conflicts with the adjoining neighborhood.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in a Residential Neighborhood Building Block and is in compliance with the Comprehensive Plan.

Zoning History: There have not been any recent zoning cases in the area over the past 5 years.

COMPREHENSIVE PLAN: 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 Plan identifies the request site being within a Residential Neighborhood Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood “pocket parks” provide open space for families. Individual lot size, front yard and side yard setbacks, garage orientation and scale of the home varies from neighborhood to neighborhood. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cutthrough traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

The location of the zoning at the edge of a neighborhood and on a main thoroughfare provides an opportunity to provide local services envisioned in the plat. The zoning is in compliance with the forwardDallas! Comprehensive Plan.

LAND USE:

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

URBAN DESIGN

GOAL 5.1 Promote a sense of place, safety, and walkability

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.3 Encourage complementary building height, scale, design and character.

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Single Family
North	IR	General merchandise or food store < 3500 SQ. FT.
East	R-7.5(A)	Single Family
South	R-7.5(A)	Single Family
West	PD 447	Multi Family

Land Use Compatibility: The 0.199 acre site is currently developed with a +/-1,600-square-foot single family home. The overall land use pattern portrays the dense uses along the north and south side of Royal Lawn. The intersection of Royal Lane and Brockbank Drive delineate the nexus where a variation of land uses meet. East and south of the property is predominately single family residential, multi-family and retail uses are located to the west and north of the property. Located on the southwest corner of this intersection, the subject property is consistent with the land use pattern and will serve as a buffer separating the dense land uses and the residential neighborhood. The development potential is limited because it is directly adjacent to residential uses. The residential adjacency will limit the height of the structure, location of parking, and will necessitate increased screening.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
NS (A)	15'	20'	.5 FAR	30'	40%		Retail & personal service, office

Landscaping:

Additional pavement on the site could trigger landscaping requirements from Article X.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Royal Lane	Major Arterial	60 ft.	60 ft.
Brockbank Dr	Minor Arterial	60 ft.	60 ft.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200.

Z145-195(AF)

CPC Action

On August 6, 2015 and August 20, 2015, the City Plan Commission held this item under advisement.

September 3, 2015

Z145-195(AF)

Planner: Aldo Fritz

Motion: It was moved to recommend **approval** of an NS(A) Neighborhood Service District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the southwest corner of Royal Lane and Brockbank Drive.

Maker: Anantasomboon
Second: Shidid
Result: Carried: 7 to 4

For: 7 - Anglin, Shidid, Anantasomboon, Lavallaisaa, Tarpley, Shellene, Abtahi
Against: 4 - Bagley, Schultz, Peadon, Ridley
Absent: 3 - Emmons, Rodgers, Murphy
Vacancy: 1 - District 4

Notices: Area: 200 Mailed: 19
Replies: For: 1 Against: 1

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: None

Z145-195(AF)

LIST OF OFFICERS

Owner: Edward Ellefson

PROPOSED DEED RESTRICTIONS

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

I.

The undersigned, Edward Ellefson, is the owner of the following described property ("the Property"), being all of Lot 1 in Block 28/6461 of Walnut Hills, 4th installment, an addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 23, Page 215 of the Map Records of Dallas County, Texas.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

(a) Access. Vehicular access to Brockbank Drive is prohibited.

(b) Landscape:

(1), Regardless of the provisions of SEC 51A-10.121 of the Dallas Development Code, landscaping must be installed and maintained according to Article X of the Dallas Development Code when certificate of occupancy is issued for a non-residential use on the Property.

(2) Required large canopy trees must have a minimum size of 4 caliper inches.

(c) Uses. The following uses are allowed on the Property:

- (1) Financial institution without drive-in window.
- (2) Medical clinic or ambulatory surgical center.
- (3) Office.
- (4) General merchandise or food store 3,500 square feet or less.
- (5) Restaurant without drive-in or drive-through service.
- (6) Local utilities.

(d) Floor area. Maximum floor area for a general merchandise or food store 3,500 square feet or less is 2,000 square feet.

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.

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.

EXECUTED this the _____ day of _____, 20_____.

Owner:

CONSENT AND CONCURRENCE OF
LIENHOLDER OR MORTGAGEE

NA _____

Property Lienholder or Mortgagee

By: _____

Printed Name: _____

Title: _____

CITY OF DALLAS

By: _____
Printed Name: _____
Title: _____

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

By: _____
Assistant City Attorney

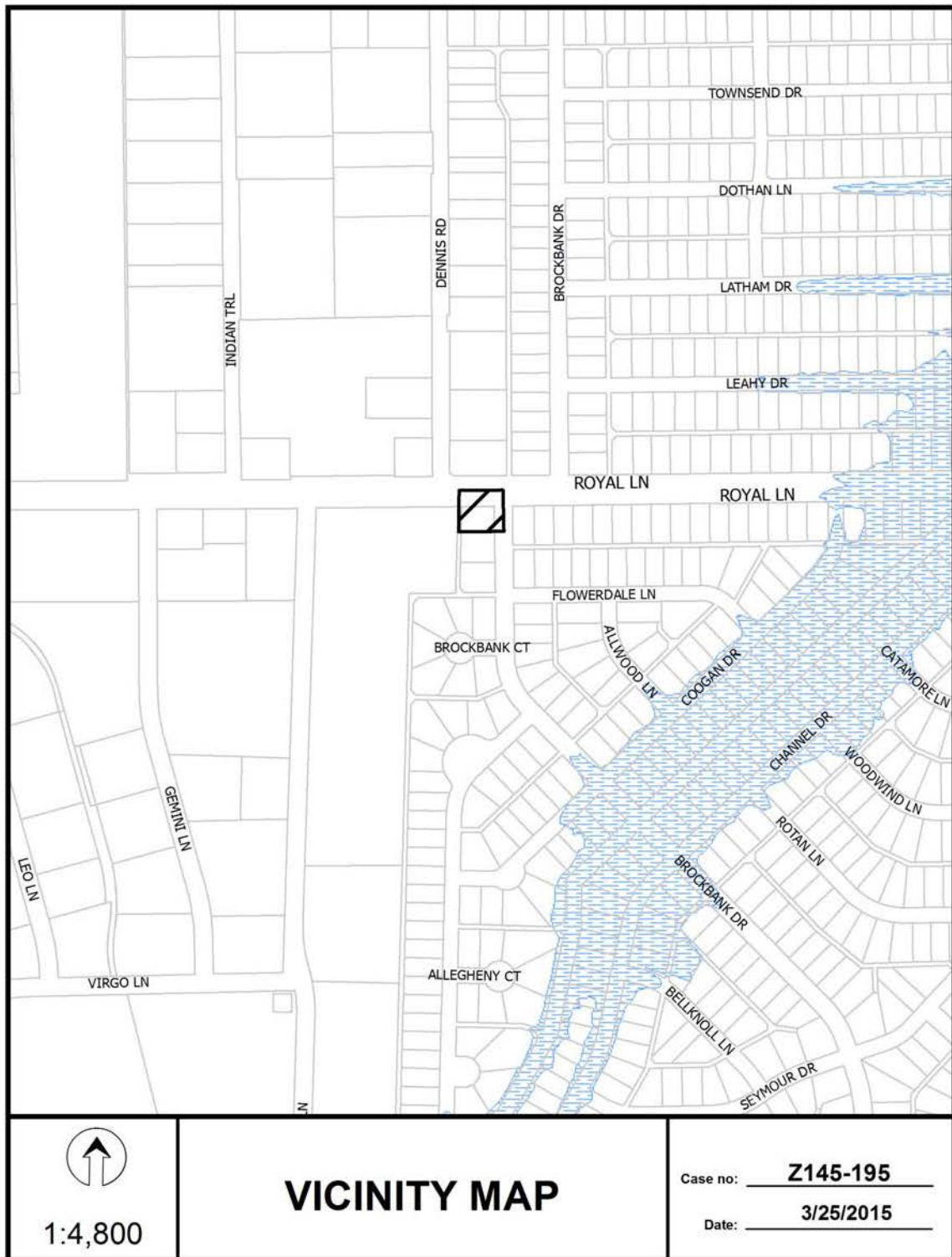
Z145-195(AF)

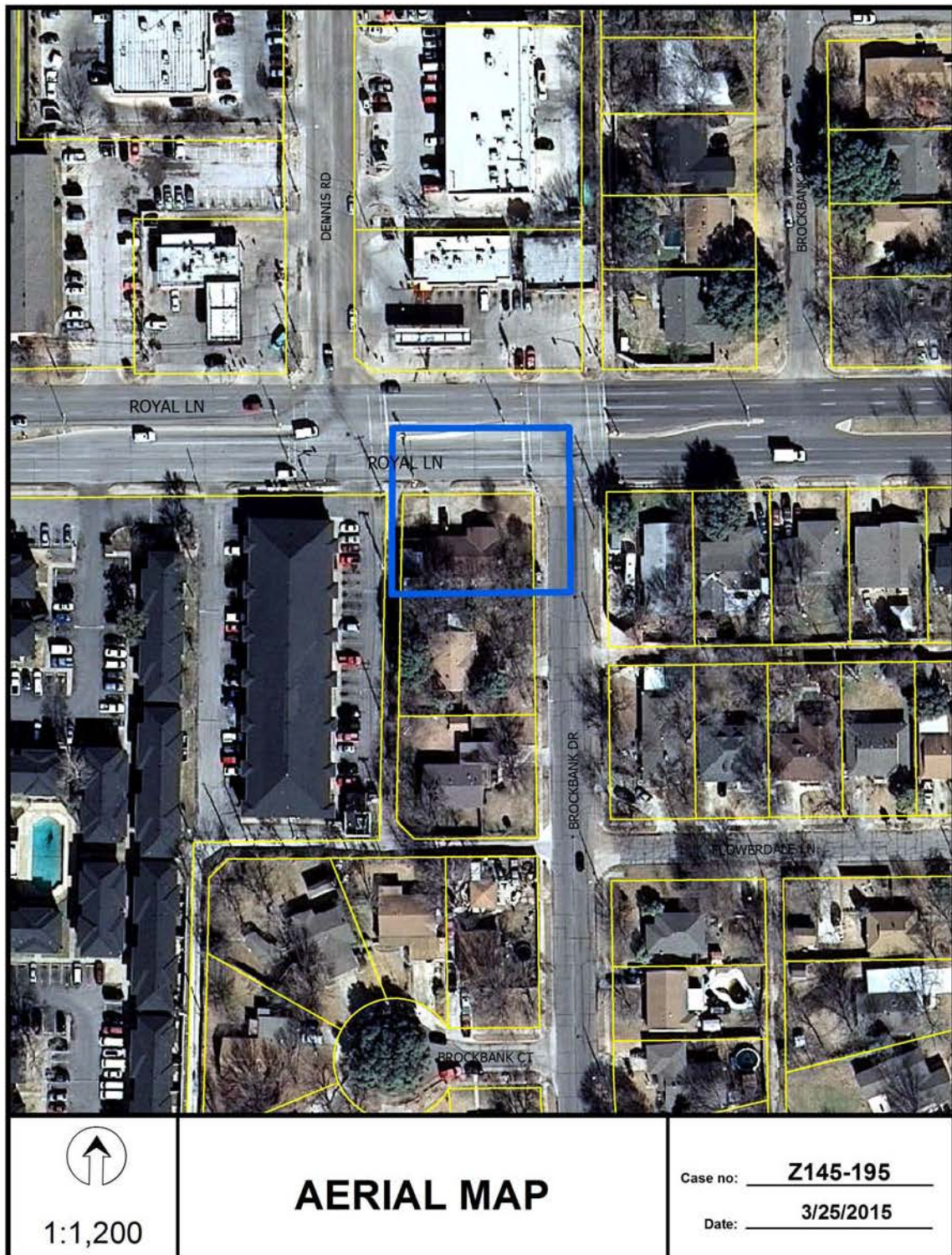
STATE OF TEXAS
COUNTY OF DALLAS

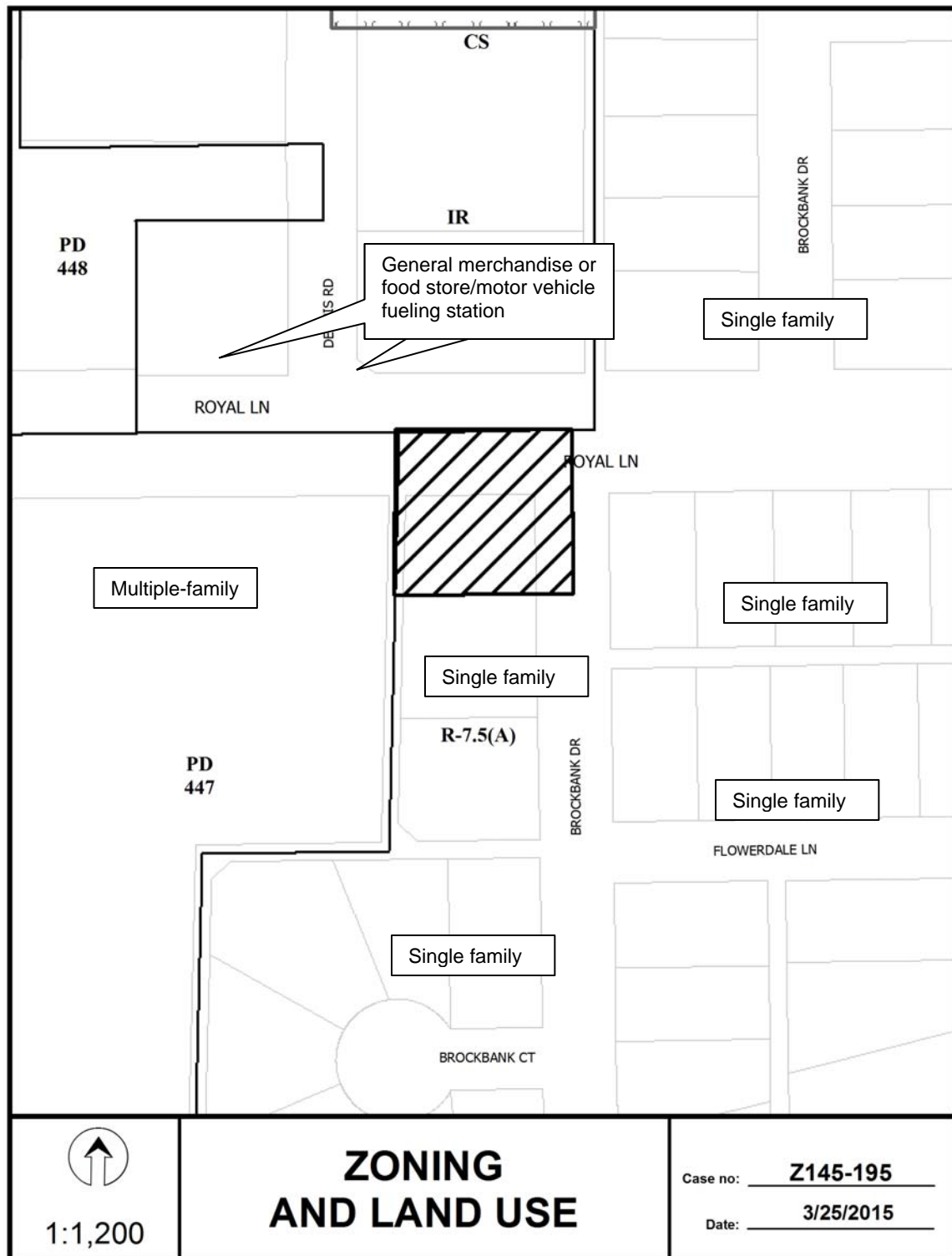
This instrument was acknowledged before me on _____
by
Edward Ellefson, owner.

NOTARY PUBLIC
(NOTARY PUBLIC STAMP)

STATE OF TEXAS
COUNTY OF DALLAS







CPC Responses



08/19/2015

Reply List of Property Owners***Z145-195******19 Property Owners Notified 1 Property Owners in Favor 1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2858 ROYAL LN	GARCIA JOSE & LETICIA
	2	2904 ROYAL LN	JOHNSTON MARK
	3	2908 ROYAL LN	ROCHA DAVID
	4	2912 ROYAL LN	DUARTE MANUEL & NORMA
	5	2915 FLOWERDALE LN	QUIROZ CONRAD
	6	2909 FLOWERDALE LN	QUIROZ LEONEL
	7	2905 FLOWERDALE LN	RAMOS MACEDONIO & MARIA
O	8	10785 BROCKBANK DR	ROBLES SERVANDO & MARIA DE LOURDES
	9	10777 BROCKBANK DR	VELAZQUEZ ERIK A &
	10	2838 ROYAL LN	ROYAL DEV DALLAS LLC
	11	10805 BROCKBANK DR	MORENO JORGE RUBEN &
	12	10809 BROCKBANK DR	MARTINEZ LUIS
	13	10815 BROCKBANK DR	ESCALANTE MANUEL L ET AL
	14	2825 ROYAL LN	ROYAL LANE APARTMENTS LLLP
	15	2903 ROYAL LN	ADDISON REALITY CORP INC
	16	2911 ROYAL LN	ADDISON ENTERPRISES INC
	17	2911 ROYAL LN	NICHOLS ORLENA M
X	18	2847 ROYAL LN	AMERICAN HIGH IMPACT INC
	19	10818 DENNIS RD	M633 PROPERTIES LLC

AGENDA ITEM # 79

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 63 H

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the northwest corner of West Ledbetter Drive and South Hampton Road

Recommendation of Staff and CPC: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Z145-257(CG)

Note: This item was considered by the City Council at public hearings on August 12, 2015, August 26, 2015, September 9, 2015, and October 14, 2015, and was deferred until November 10, 2015

FILE NUMBER: Z145-257(CG)

DATE FILED: April 28, 2015

LOCATION: Northwest corner of West Ledbetter Drive and South Hampton Road

COUNCIL DISTRICT: 3

MAPSCO: 63H

SIZE OF REQUEST: ±1.6624 acres

CENSUS TRACT: 108.03

APPLICANT: Walgreen Co.

REPRESENTATIVE: Gardere Wynne Sewell, LLP

OWNER: Minnetonka Capital Investments, LP

REQUEST: An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D Liquor Control Overlay.

SUMMARY: The applicant proposes the sale of alcoholic beverages for off-premise consumption in conjunction with the existing general merchandise or food store [Walgreens]. The ±1.6624-acre request site is developed with a 15,015-square foot building. A private school to the north [St. Elizabeth Catholic School] and an open-enrollment charter school to the south [Focus Learning Academy] lie within 300 feet of the site. On January 14, 2015, City Council approved a variance (AV145-001) to the 300-foot alcohol spacing requirement from the subject site to these protected uses.

CPC RECOMMENDATION: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic 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 existing general merchandise or food store is compatible with the surrounding land uses; hence, 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 sale of alcoholic beverages as an accessory use to the existing general merchandise or food store will neither contribute nor be a detriment to the welfare of the surrounding area.
3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the request complies with all applicable zoning regulations and standards. A private school and an open-enrollment charter school are located within 300 feet of the subject site (Exhibit A1 – Alcohol Survey Map). The applicant requested and was granted a variance (Exhibit A2 - Resolution).

Zoning History:

1. **Z145-133** On April 8, 2015, City Council approved a change in zoning from a RR Regional Retail District with a D Liquor Control Overlay to an RR Regional Retail District with a D-1 Liquor Control Overlay. SUP No. 2139 was granted for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. [Expires: 3/25/2017]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
W. Ledbetter Drive	Principal Arterial	107 feet
S. Hampton Road	Principal Arterial	100 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding roadway system.

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 Plan identifies the request site as being in the *Residential Neighborhood* Building Block. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. 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. Neighborhood “pocket parks” provide open space for families. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

Land Uses:

	Zoning	Land Use
Site	RR, D Overlay	General merchandise
North	R-10(A), SUP 892	Church and private school
East	LO-3, RR, D Overlay	Shopping strip (retail & personal service, bank, restaurants, medical & general merchandise)
South	RR, SUP 1522, D Overlay	Convenience stores, restaurants, retail & personal service, medical facility, charter school
West	RR, D Overlay	Drive-thru restaurants

Land Use Compatibility:

The Alcohol Survey Map shows that a private school (north of site) and an open-enrollment charter school (south of site) lie within the 300-foot protective area. As a result, the applicant requested and was granted a variance. Land uses to the east, south and west are comprised of general merchandise, retail and personal service, bank, restaurants, and medical office uses.

The applicant's request conforms with the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. The proposed sale of alcoholic beverages in conjunction with the existing general merchandise or food store is not anticipated to negatively impact the adjacent properties. Therefore, staff recommends approval for a two-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions. The short initial time period will allow re-evaluation of the request to ensure ongoing compliance.

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/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
RR Regional Retail, D-Dry	15' 0'	20' adj. to res. Other: no min.	0.75 Overall 0.5 Office/lodging/retail	45' 3 stories	80%	RPS Visual Intrusion	Retail & personal service, office

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for this use over 10,000 square feet is one (1) space per 220 square feet of floor area. The

15,015-square foot site requires 68 off-street parking spaces, one loading space, and two stacking spaces.

Police Report:

The Dallas Police Department reported the following crime statistics for a five-year period between May 2010 to May 2015, as shown below:

URC_Offense	Count
ACCIDENT MV	1
AGG ASSAULT	1
ASSAULT	3
FOUND	2
FRAUD	1
INVESTIGATION OF	3
LOST	3
MISCELLANEOUS	2
MISSING PERSON	2
NOT CODED	5
ROBBERY-BUSINESS	3
ROBBERY-INDIVIDUAL	4
RUNAWAY	1
THEFT/BMV	3
THEFT/SHOPLIFT	4
UUMV	2
Grand Total	40

Z145-257(CG)

CPC Action – July 9, 2015

Z145-257(CG)

Planner: Carrie Gordon

Motion: It was moved to recommend **approval** of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the northwest corner of West Ledbetter Drive and South Hampton Road.

Maker: Rodgers
Second: Shidid
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Rodgers, Shidid, Lavallaisaa, Tarpley, Schultz, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 3 - Anantasomboon, Bagley, Shellene
Vacancy: 1 - District 4

Notices: Area: 300 Mailed: 18
Replies: For: 0 Against: 0

Speakers: For (Did not speak): Calli Turner, 1601 Elm St., Dallas, TX, 75214
Against: None

**WALGREEN CO.
OFFICERS AND DIRECTORS**

Corporate Address:

200 Wilmot Rd.
Deerfield, IL 60015

Board of Directors

NAME	TITLE
Alan G. McNally	Director
Dr. David J. Brailer	Director
Steven A. Davis	Director
William C. Foote	Director
Mark P. Frissora	Director
Ginger L. Graham	Director
Nancy M. Schlichting	Director
David Y. Schwartz	Director
Alejandro Silva	Director
James A. Skinner	Director
Gregory D. Wasson	Director

Corporate Officers

NAME	TITLE
Alan G. McNally	Chairman
Gregory D. Wasson	President, CEO
Mark A. Wagner	President of Community Management
Kermit R. Crawford	President of Pharmacy, Health and Wellness Division
Sona Chawla	President of E-Commerce

Other Officers

NAME	TITLE
Wade D. Miquelon	Executive Vice President, Chief Financial Officer
Dana I. Green	Executive Vice President, General Counsel, Corporate Secretary
Graham Atkinson	Senior Vice President
Jeffrey Berkowitz	Senior Vice President
Donald C. Huonker	Senior Vice President
J. Randolph Lewis	Senior Vice President
Joseph Magnacca	Senior Vice President
Mia M. Scholz	Senior Vice President
Timothy J. Theriault	Senior Vice President
Kathleen Wilson-Thompson	Senior Vice President

Robert G. Zimmerman	Senior Vice President
Bruce R. Bryant	Vice President
Thomas J. Connolly	Vice President
Kimberly L. Feil	Vice President
Chuck Greener	Vice President
W. Bryan Pugh	Vice President
John W. Spina	Vice President
Colin Watts	Vice President
Denise K. Wong	Vice President
Christopher Domzalski	Vice President
Jason M. Dubinsky	Vice President, Treasurer
John A. Mann	Asst. Secretary

**MINNETONKA CAPITAL INVESTMENTS V LP
OFFICERS**

Corporate Address:

31550 Northwestern Highway, Ste. 170
Farmington Hills, MI 48334

Corporate Officers

NAME	TITLE
Texas General Investors (DE) LLC	General Partner
Joseph Fetter	Director of General Partner
Neil Fetter	General Manager and Director of General Partner

CPC Recommended Conditions

1. **USE**: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 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) _____, but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. **INGRESS-EGRESS**: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. **PARKING**: Parking must be located as shown on the attached site plan.
6. **MAINTENANCE**: The Property must be properly maintained in a state of good repair and neat appearance.
7. **GENERAL REQUIREMENTS**: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



EXHIBIT A – Alcohol Survey Map

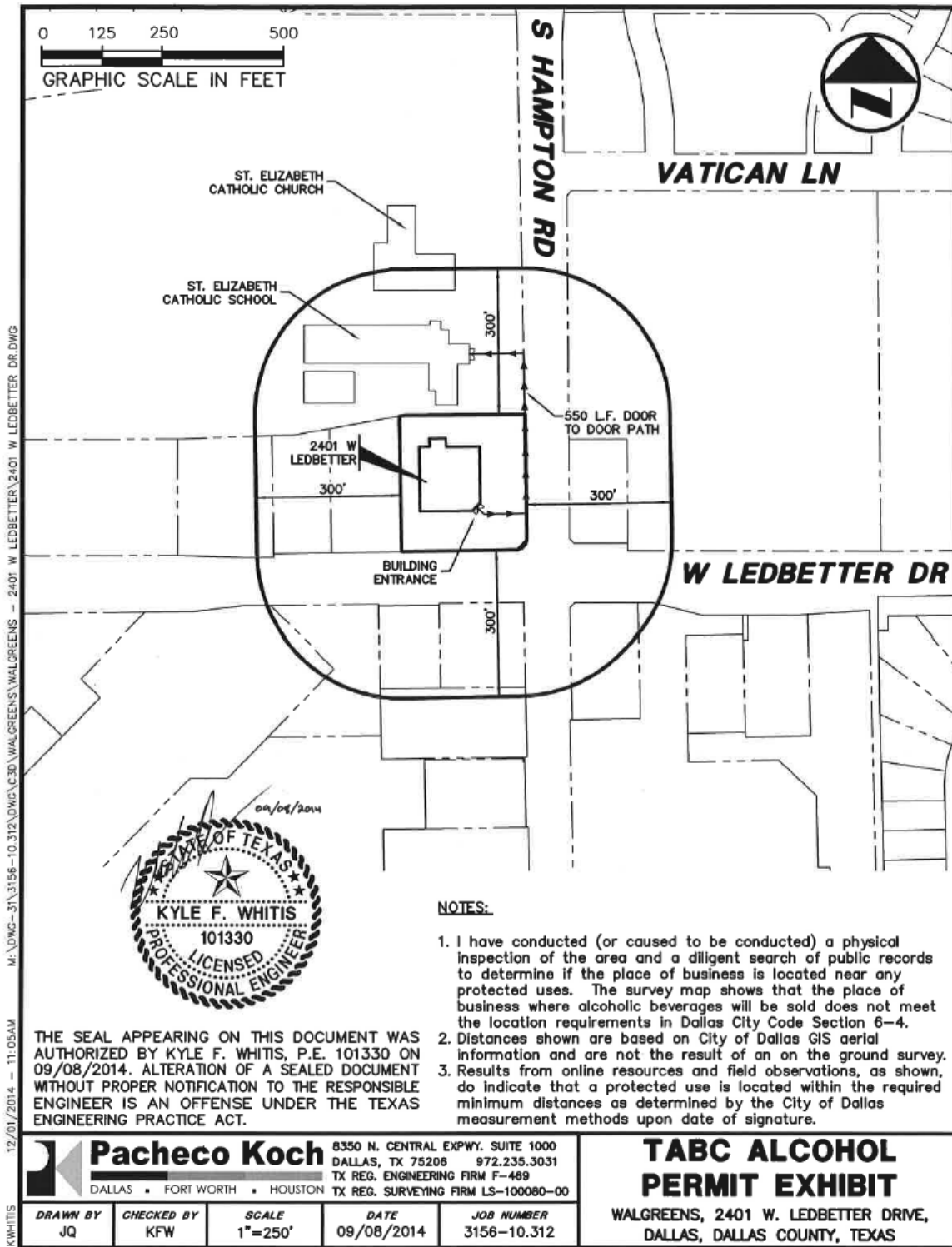


EXHIBIT B – Variance To Alcohol Spacing Requirements

COUNCIL CHAMBER
150138
January 14, 2015

WHEREAS, Subsection 6-4(g) of the Dallas City Code authorizes the City Council to grant variances from the alcohol spacing requirements prescribed by Subsection 6-4(a) of the Dallas City Code; and

WHEREAS, Walgreen Co, dba Walgreens #6197 has submitted an application for a wine and beer retailer's permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code for a general merchandise or food store greater than 10,000 square feet, and is requesting a variance to the alcohol spacing requirements for a property on the northwest corner of South Hampton Road and West Ledbetter Drive, ~~north~~ south of St. Elizabeth Catholic School, a private school and northeast of Focus Learning Academy, an open-enrollment charter school; and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds that enforcement of the alcohol spacing requirements in this particular instance:

- (1) is not in the best interest of the public;
- (2) constitutes waste or inefficient use of land or other resources;
- (3) creates an undue hardship on an applicant for an alcohol permit;
- (4) does not serve its intended purpose; and
- (5) is not effective or necessary; and

WHEREAS, the City Council desires to grant the alcohol spacing variance; Now, Therefore,

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

Section 1. That the variance to the alcohol spacing requirements for Walgreen Co, dba Walgreens #6197, for property on the on the northwest corner of South Hampton Road and West Ledbetter Drive, ~~north~~ south of St. Elizabeth Catholic School and northeast of Focus Learning Academy is granted, subject to the following conditions:

- (1) This alcohol spacing variance is valid only for a wine and beer retailer's permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code.
- (2) This alcohol spacing variance is valid only for a general merchandise or food store greater than 10,000 square feet in the location shown on the attached location map.

AV145-001 (Walgreen Co, dba Walgreens #6197)

150138

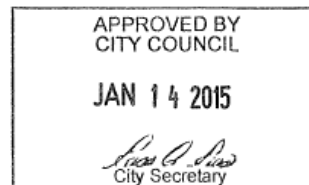
- (3) Alcoholic beverages may not be sold by drive-in or drive-through service.
- (4) This alcohol spacing variance is valid for subsequent renewals of the alcohol permit.
- (5) This alcohol spacing variance may not be transferred to another location or to another alcohol permit holder.

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

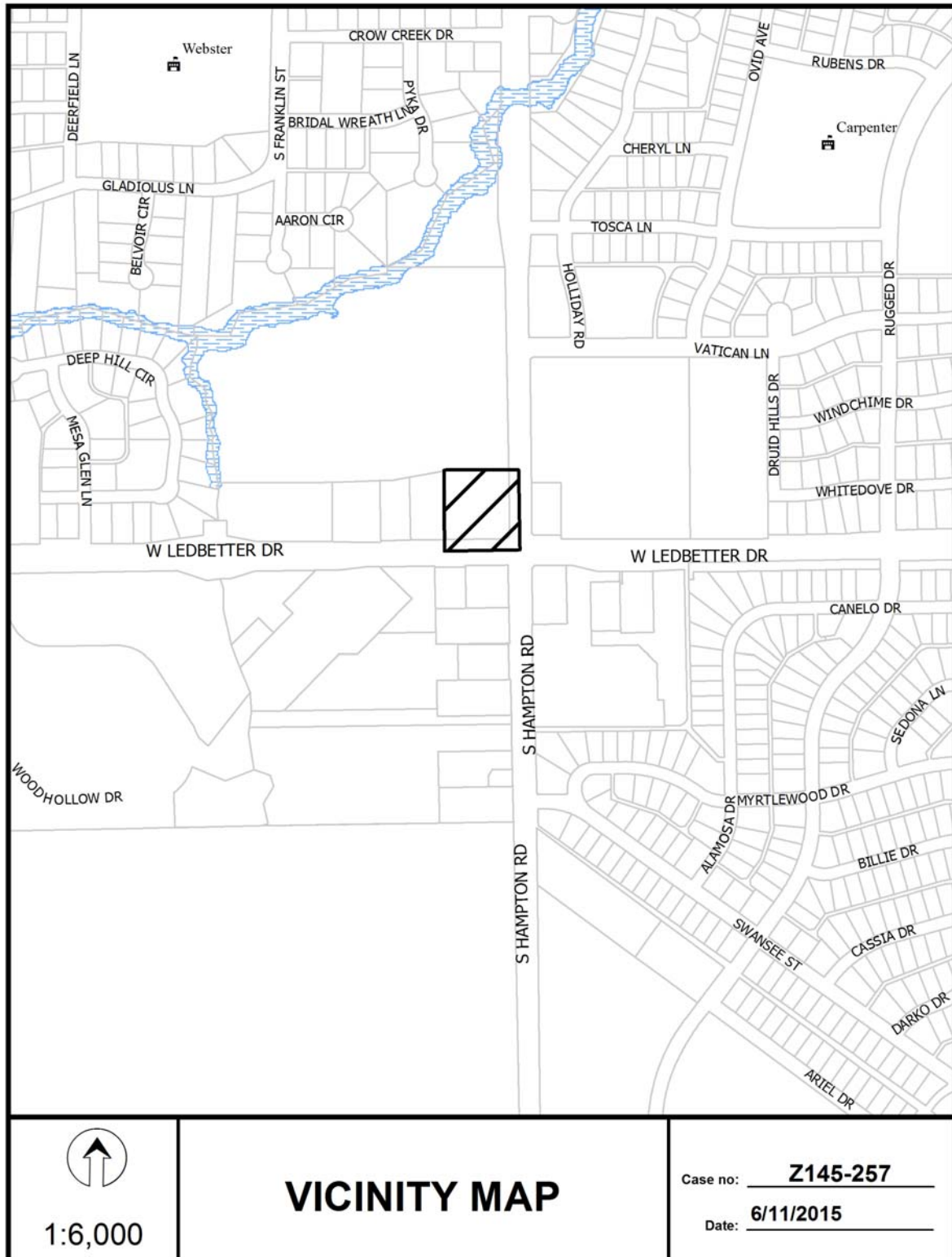
APPROVED AS TO FORM:

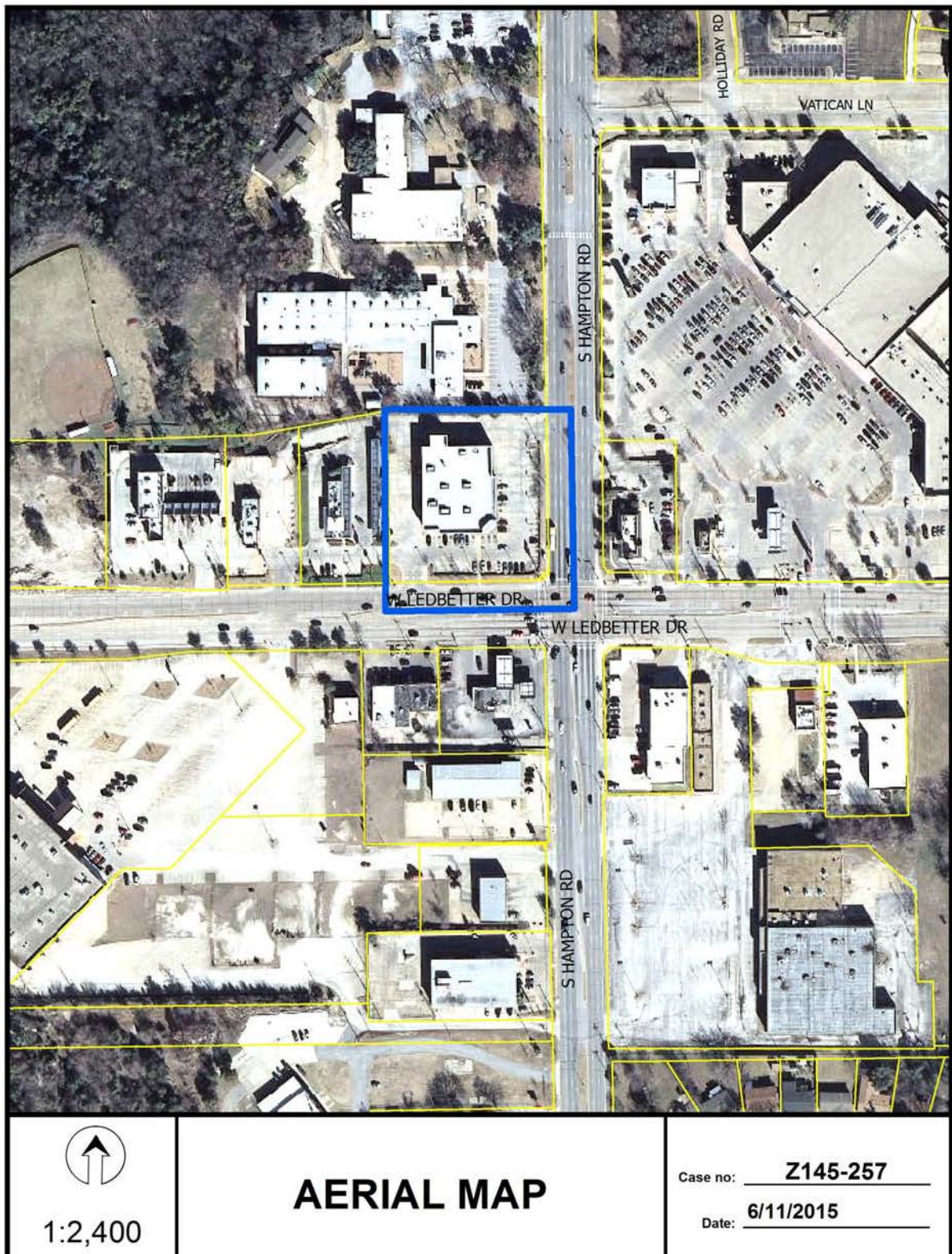
WARREN M.S. ERNST, City Attorney

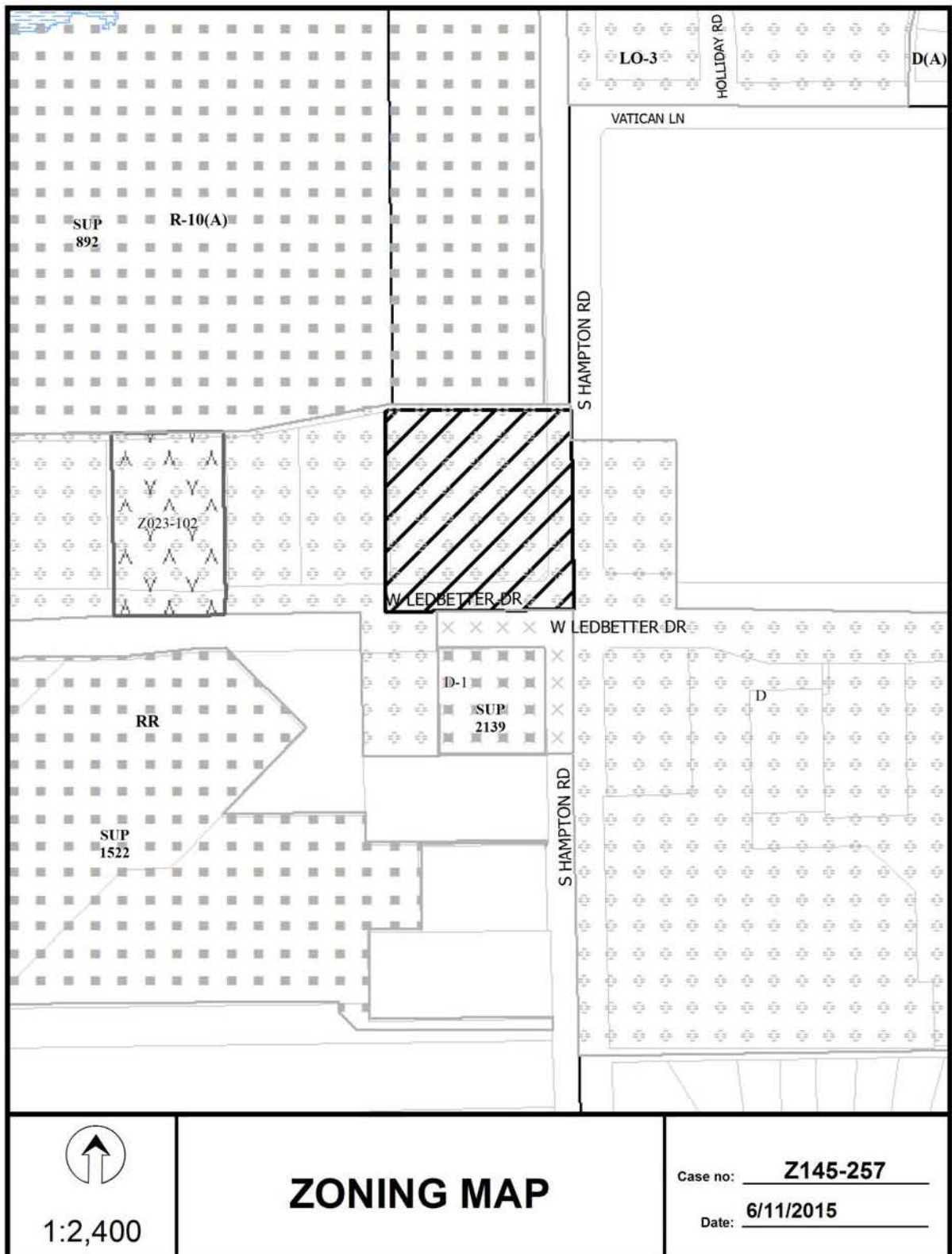
By 
Assistant City Attorney

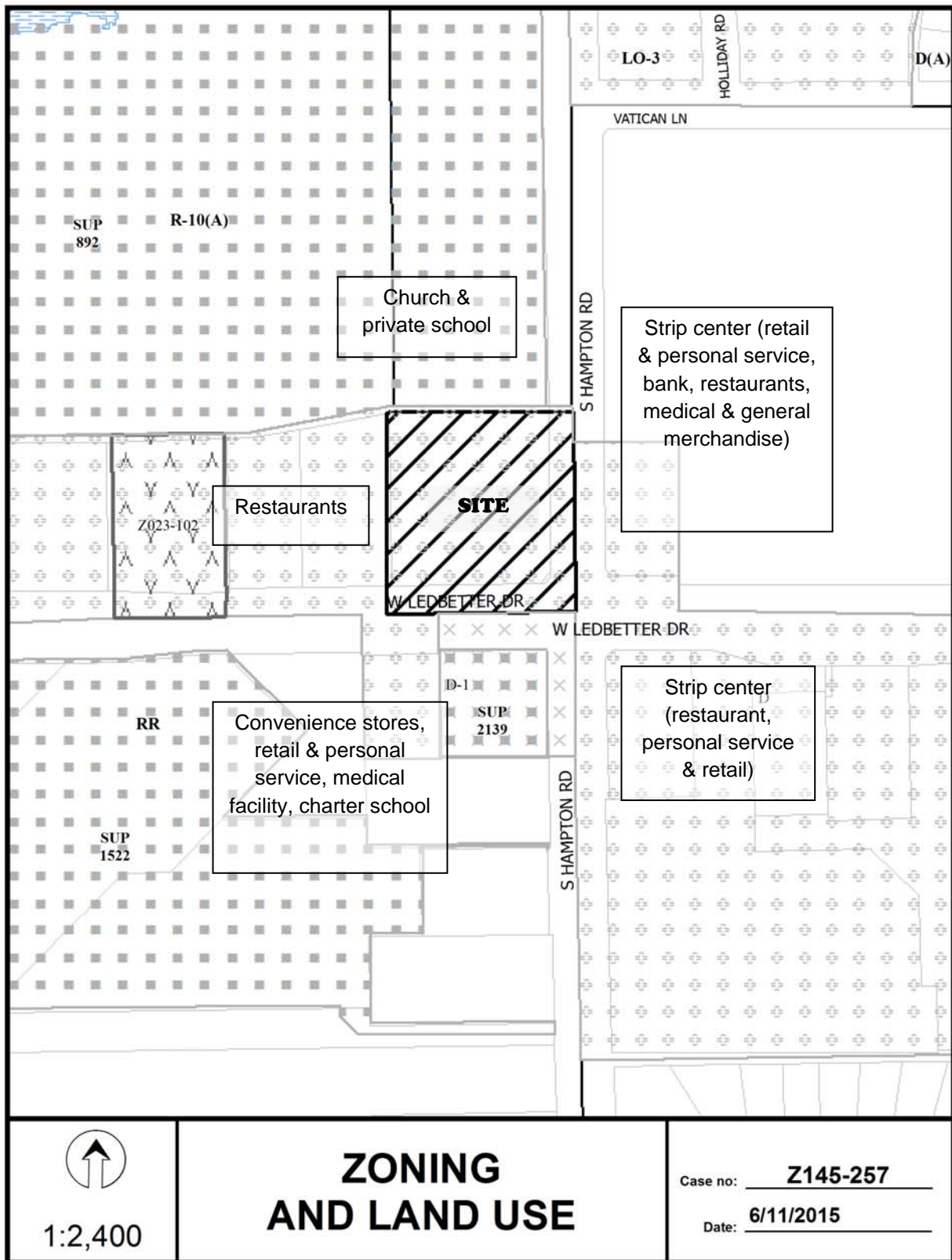


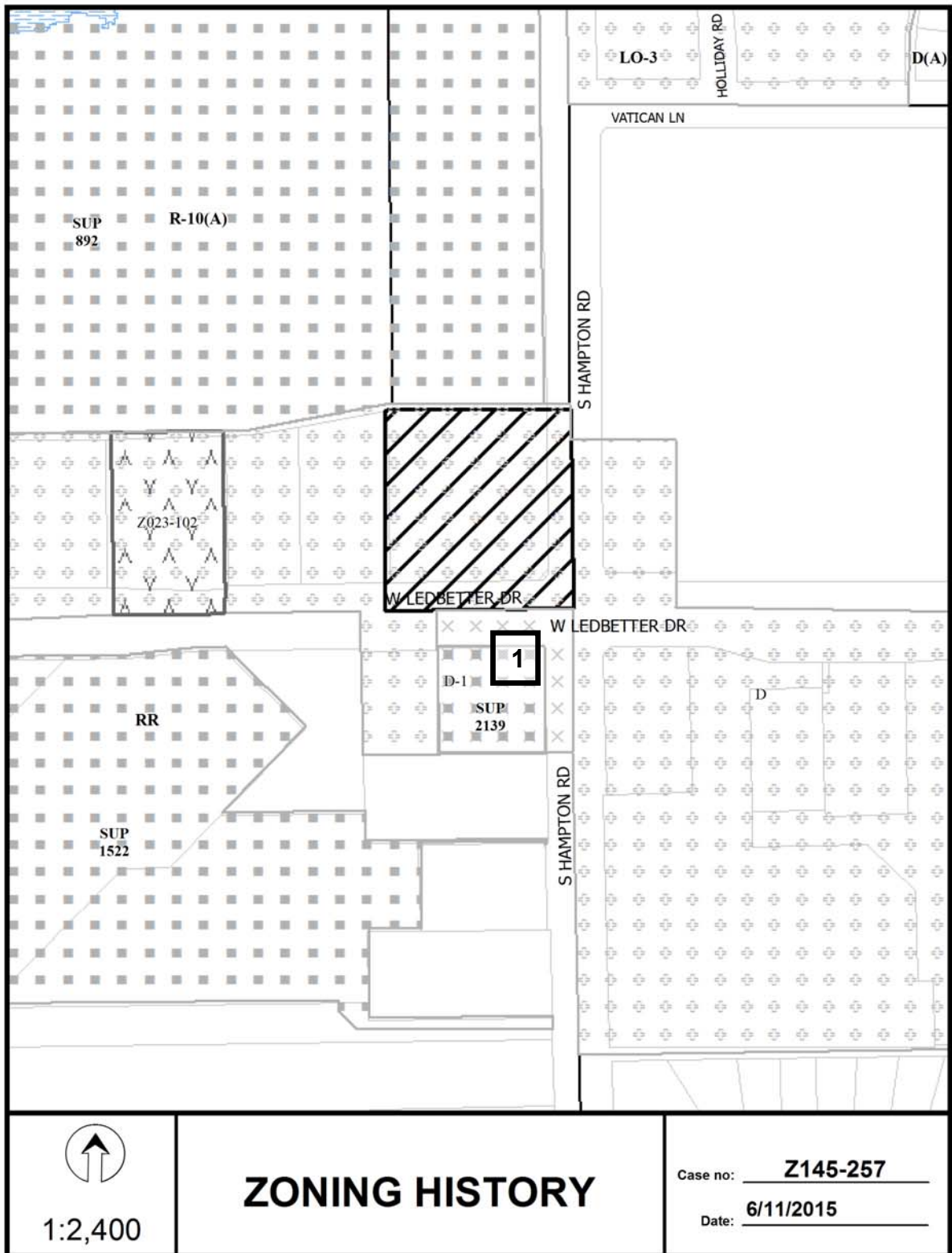
AV145-001 (Walgreen Co, dba Walgreens #6197)











CPC RESPONSES



07/08/2015

Reply List of Property Owners***Z145-257******18 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	4015 HAMPTON RD	ROMAN CATH DIOCESE DALLAS
	2	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT
	3	2401 LEDBETTER DR	MINNETONKA CAPITAL INV LP
	4	2429 LEDBETTER DR	SRI REAL ESTATE PROPERTIES
	5	4444 HAMPTON RD	FIRST NATIONWIDE POSTAL
	6	2400 LEDBETTER DR	LG HAMPTON SE LLC
	7	4323 HAMPTON RD	BEW FINANCING
	8	2412 LEDBETTER DR	SKC VENTURE INC
	9	2323 LEDBETTER DR	WALLACE MARY GRIFFITH
	10	2225 LEDBETTER DR	CENTURY WESTCLIFF LLC
	11	2311 LEDBETTER DR	BAIG MIKE
	12	2311 LEDBETTER DR	WASHINGTON MUTUAL
	13	2315 LEDBETTER DR	THE GROCERS SUPPLY CO INC
	14	2451 LEDBETTER DR	TEXAS SUDS CO
	15	2439 LEDBETTER DR	POP HOLDINGS LP
	16	4344 HAMPTON RD	LBLS CORPORATION
	17	2426 LEDBETTER DR	RECORD ALFRED E
	18	2524 LEDBETTER DR	FOCUS LEARNING ACADEMY

AGENDA ITEM # 80

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 25 T

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District in the southeast quadrant of Averill Way and Preston Road

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z134-250(RB)

FILE NUMBER: Z134-250(RB)

DATE FILED: May 1, 2014

LOCATION: Southeast quadrant of Averill Way and Preston Road

COUNCIL DISTRICT: 13

MAPSCO: 25 T

SIZE OF REQUEST: Approx. 2.02 Acres

CENSUS TRACT: 77.00

APPLICANT: Transwestern Acquisitions, LLC

REPRESENTATIVE: William S. Dahlstrom

OWNERS: See Attached

REQUEST: An application for a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District.

SUMMARY: The applicant is requesting a PDD for consideration of the following: 1) increase in dwelling unit density; 2) increase in structure height; and, 3) increase in lot coverage. See chart on page 6.

CPC RECOMMENDATION: Approval, subject to a development plan, landscape plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan, landscape plan and conditions.

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to a development plan and staff's recommended conditions based upon:

1. *Performance impacts upon surrounding property* – As a proposed residential development, impact on adjacent properties (lighting, noise, odor) is not anticipated.
2. *Traffic impact* – The proposed development will generate traffic patterns consistent with the residential uses in the immediate area. While the proposed density is greater than that currently permitted (see Land Use Compatibility section, below), the submitted traffic impact analysis is supported by staff.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.
4. While the applicant has worked with adjacent property owners to address revisions to the proposed residential project, staff's support is solely contingent on the attached recommended amending conditions (which will require a revised development plan providing for consistency).

Zoning History:

<u>File Number</u>	<u>Request, Disposition, and Date</u>
---------------------------	--

- | | |
|-------------|---|
| 1. Z134-250 | Application submitted on May 1, 2014 for a PDD for multifamily uses. The applicant requested to hold this until the new focus could be presented to area property owners, thus leading to the revised application now being considered. |
|-------------|---|

<u>Thoroughfare/Street</u>	<u>Existing & Proposed ROW</u>
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Preston Road

Principal Arterial; 100' & 100' ROW

Averill Way

Local; Variable width ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction reviewed a required Traffic Impact Analysis with initial submission (May 1, 2014/3.52 acres/220 dwelling units) as well as reviewing the updated TIA (May 14, 2015). It has been determined the revised submission will not impact the surrounding

street system. As noted in the attached recommended conditions, staff supports the requirement for a southbound (Preston Road) left turn lane onto Averill Way, which will be required prior to the issuance of a certificate of occupancy for the first multifamily dwelling unit.

STAFF ANALYSIS

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Preston Road and Northwest Highway Area Plan. This recently established study, bounded by the major thoroughfares as delineated on the attached area plan map, captures this request area. The purpose of this study is to develop a Preston Center and Northwest Highway Area Plan that will examine existing conditions and future needs and improvements within the area. The approach will be an integration of the following: transportation operational improvements, land use intensity and mix, and context sensitive design.

Funding is to be provided by the North Central Texas Council of Governments and private sources. Current efforts underway have included two task force meetings along with NCTOG, city staff and zone representatives from the designated residential and commercial areas within the study boundary. Ultimately, a consultant will be procured to prepare an analysis to present to the task force with a tentative completion date of summer/2016. At this point, ultimate adoption of the study has not been determined.

Land Use Compatibility:

The site is currently developed with various multifamily structures, served by a 27 foot-wide access easement. All improvements will be removed, with the applicant providing for a new multifamily development. See accompanying table, below, for a comparison of existing/proposed provisions.

As noted in the Zoning History section, the initial request for this site (and adjacent land area on the north line of Averill Way) was a similar multifamily use, however with a more physical presence (density and structure height), but was withdrawn by the applicant. The representative has indicated the current submission addresses the concerns of adjacent property owners.

Northwest Highway is a critical right-of-way that provides the demarcation between established residential uses (single family and multifamily dwellings) to the north/northeast, with regional serving office and retail uses to the south/southeast. Additional low density single family uses are found on parcels to the west/northwest, across Preston Road. DART maintains a bus stop along Preston Road, near the site's northwest corner.

While staff supports the use, there remain some concerns related to adjacency. While there are two residential towers, representing high density residential projects, the immediate area remains as a low density, single family and multifamily community. These residential uses tend to be massed within one and two story structures. It should be noted these uses comply with the residential proximity slope. As such, density (other than single family structures) tends to be restricted by this regulation which affects the massing of structures and their vertical presence on the immediate area. For comparison purposes, the existing entitlements generally provide a density of approximately 28-32 units per acre; the applicant's request will generate approximately 61 units per acre. Due to the site's constraints, there is no where to absorb this density without developing vertical, thus the building mass can be a bit out of character with the immediate established residential structures in the immediate area. To look at this from another perspective, the applicant would require approximately 4.6 acres of land (request site is 2.02 acres) to development at the density and unit mix provided on the attached development plan, assuming a straight zoning district were requested in lieu of the existing MF-1(A) District.

It should be noted that some multifamily zoned and developed parcels [MF-1(A) and MF-2(A), both permitting 36 feet] do not have a typical residential proximity slope when adjacent to other MF-zoned property. Only the more robust, higher density MF-zoned properties [MF-3(A) and MF-4(A) at 90 feet and 240 feet, respectively] have a 'residential proximity slope-like' sensitivity that requires additional front and side yard setbacks for structure height greater than 45 feet.

A couple of ideas have been provided to the applicant, one of which would require a redesign to limit the easternmost 30 feet of the site (approx. 200 feet of depth, total) to 26 feet of structure height, with a vertical step for the balance of the site, ultimately providing for an increase in density, albeit less than requested. Another concept would be to redesign the courtyards, thus freeing up some land area and in conjunction with

possibly shifting the structure to the west, additional separation (in terms of a residential proximity slope) could be provided. Prior to the August 20, 2015 staff briefing, the applicant absorbed a version of the first idea noted (step back from the eastern property line).

The applicant has committed to design criteria (see attached), which ensures certain visual and physical (ie, all parking within the structure; nonfunctional balconies along the east façade) provisions.

In summary, staff is supportive of the development, subject to staff's recommended conditions, leaving the only area of disagreement related to the management of maximum structure height.

Off-Street Parking: Off-street parking will be provided as required by the Dallas Development Code (one space for each bedroom with not less than one space per dwelling unit. Additionally, 0.2 space/dwelling unit for guest parking will be provided for the development. It should be noted that no at-grade parking (other than a loading space along the northern property line) will be provided thus enhancing the anticipated design of the main structure and commitment to streetscape plantings in relation to the built environment.

Landscaping: The applicant has prepared a landscape component as noted on the attached plan, specifically providing for an increase in the number of street trees and a small increase in caliper inch per planted tree as compared to the requirements of Article X. The improvements tend to be located along the perimeter, with various planting areas for the proposed courtyards along the eastern portion of the proposed development. A private license for planting within the public right-of-way will be required from some of these plantings.

Provision	Existing MF-1(A)	Proposed PDD
F/S/R YARD SETBACKS	15'/10'/10' (ASSUMES MULTIFAMILY STRUCTURES)	15'/15' (NO REAR YARD; THREE FRONTS AND ONE SIDE) CERTAIN PROJECTIONS MAY ENCROACH INTO REQUIRED FRONT YARD
DENSITY	NO MAX; GENERALLY DEVELOPS TO A RANGE OF 25-28 DU/ACRE DEPENDING ON UNIT MIX	122 DU'S (61 DU/ACRE)
FLOOR AREA RATIO	NO MAXIMUM	NO MAXIMUM
STRUCTURE HEIGHT/STORIES	36 FEET/NO MAX	TWO HEIGHT ZONES: W/I EASTERNMOST 35', MAX. HEIGHT FOR OCCUPIED FLOOR AREA IS 36' AND 3 STORIES; BALANCE 45' AND 4 STORIES; OTHERWISE, MAXIMUM HEIGHT TO HIGHEST POINT IS 58'
LOT COVERAGE	60%	65%
LANDSCAPING	ARTICLE X	SITE SPECIFIC WITH PLANTINGS GENERALLY AT THE PERIMETER; INCREASE IN NUMBER OF TREES AND CALIPER INCH FOR EACH
OFF-STREET PARKING	CODE	CODE, WITH REVISED GUEST PARKING
MISCELLANEOUS	N/A	6'-WIDE (4', UNOBSTRUCTED) SIDEWALKS; DESIGN CRITERIA

CPC ACTION

On August 20, 2015, the City Plan Commission held this item under advisement.

September 3, 2015

Motion I: It was moved to recommend **approval** of a Planned Development District for MF-1(A) Multifamily District Uses, subject to a development plan, landscape plan and staff's revised recommended conditions to include the following: 1) Prohibit rooftop patios within 35 feet of the eastern property line; 2) Approve applicant's request for height; and 3) Landscape plan - a specific palette of plant materials for the area identified as 'plant area' will need to be finalized and reviewed by staff prior to scheduling this item before the city council, on property zoned an MF-1(A) Multifamily District in the southeast quadrant of Averill Way and Preston Road.

Maker: Murphy
Second: Schultz
Result: Carried: 12 to 1

For: 12 - Anglin, Emmons, Shidid, Anantasomboon,
Bagley, Lavallaisaa, Tarpley, Shellene,
Schultz, Peadon, Murphy, Abtahi

Against: 1 - Ridley
Absent: 1 - Rodgers
Vacancy: 1 - District 4

Amending Motion: It was moved to **approve** of an amendment to the motion to require the establishment of a Condominium Homeowners Association before the issuance of a certificate of occupancy for a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District in the southeast quadrant of Averill Way and Preston Road.

Maker: Emmons
Second: Ridley
Result: Failed: 2 to 11

For: 2 - Emmons, Lavallaisaa

Against: 11 - Anglin, Shidid, Anantasomboon, Bagley,
Tarpley, Shellene, Schultz, Peadon, Murphy,
Ridley, Abtahi
Absent: 1 - Rodgers
Vacancy: 1 - District 4

Notices: Area: 500

Mailed: 242

Replies: For: 135 Against: 24

Speakers:

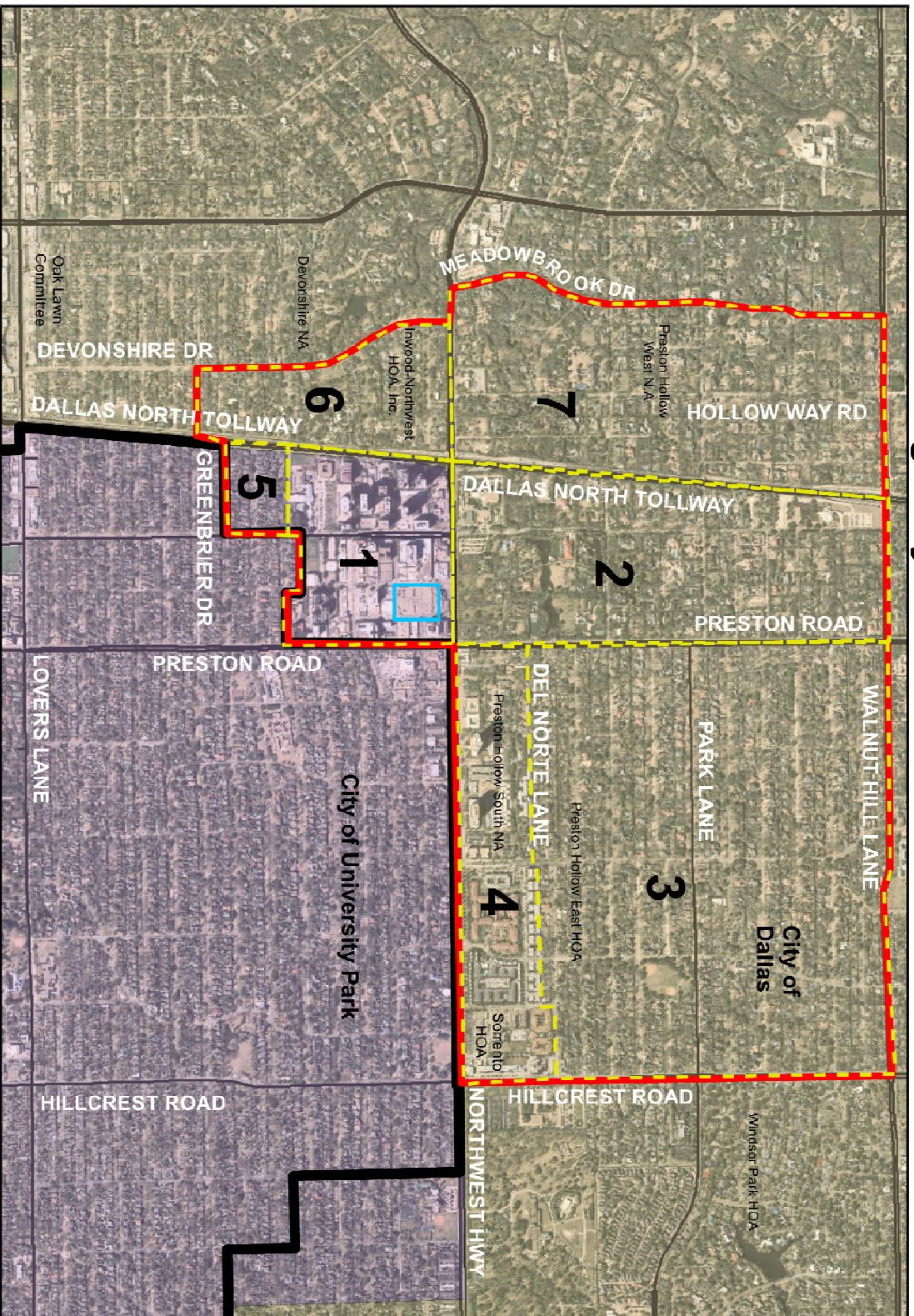
For: Bill Dahlstrom, 901 Main St., Dallas, TX, 75202
Marc Hall, 6060 Averill Way, Dallas, TX, 75225
Charles Sartain, 6322 Northwood Rd., Dallas, TX, 75228
Patti Niles, 6535 Bandera Ave., Dallas, TX, 75231
Jon Anderson, 6335 W. Northwest Hwy., Dallas, TX, 75225
Michael Derrick, 6123 Bandera Ave., Dallas, TX, 75225
Mark Goode, 12750 Merit Dr., Dallas, TX, 75251

Against: Steve Rudner, 6346 Woodland Dr., Dallas, TX, 75225
Stephen Norton, 6144 Bandera Ave., Dallas, TX, 75225
Claire Stanard, 6325 Bandera Ave., Dallas, TX, 75225
Sharon Walker, 6123 Northwood Rd., Dallas, TX, 75225
J. Steve Dawson, 8440 Tulane St., Dallas, TX, 75225
Jeanne Hatfield, 6106 Northwood Rd., Dallas, TX, 75225
Lisa Williams, 6337 Diamond head, Dallas, TX, 75225

Against (Did not speak): Mary Ann Collins, 7018 Northwood Rd., Dallas, TX, 75225
Donald Hatfield, 6106 Northwood Rd., Dallas, TX, 75225
David Oxford, 6021 Northwood Rd., Dallas, TX, 75225
Gay Oxford, 3021 Northwood Rd., Dallas, TX, 75225
Becky Bullard, 6130 Northwood Rd., Dallas, TX, 75225
Mini Fisher, 6045 Northwood Rd., Dallas, TX, 75225
Malley Gaulding, 6223 Northwood Rd., Dallas, TX, 75225

Staff: Lloyd Denman, City of Dallas, Assistant Director Engineering

Northwest Highway and Preston Road Area Plan



Garage

Zones

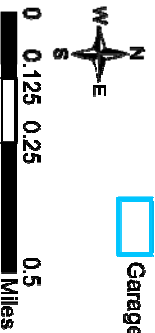
Study Area

City Limits

Dallas ISD

Highland Park ISD

Z134-250(RB)



North Central Texas
Council of Governments
Transportation Department
Updated: 4/14/2015

APPLICANT DIRECTORS AND OFFICERS:

Name:

Titles:

Robert Duncan

Chairman, Director

Larry Heard

President, CEO, Director

Mark Doran

Chief Operating Officer, Director

Steve Harding

Chief Financial Officer, Director

Tom McNearney

Chief Investment Officer, Director

Mark M. Culwell

Managing Director - Development

8504 – 8515 TOWN HOUSE ROW

<u>Address</u>	<u>Owner Name</u>
8504	Bradford, Brenda R.
8505	Cox, Frances Y.
8508	Lubbock National Bank Custodian for Benny R. Valek Self-directed IRA
8509	Price, Samuel H. & Pat Davis Price
8512	Brady, John L., Jr.
8515	Hale, Patrick R. & Nancy H.

**CPC RECOMMENDED/STAFF RECOMMENDED
CONDITIONS**

PD

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- ____ .102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located at the southeast corner of Preston Road and Averill Way. The size of PD ____ is approximately 2.02 acres.

SEC. 51P- ____ .103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) NONFUNCTIONING BALCONY means an architectural feature which appears as a balcony on a building façade, does not have a horizontal landing area, and is not accessible from a dwelling unit.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(d) This district is considered to be a residential zoning district.

SEC. 51P- ____ .104. EXHIBITS.

The following exhibits are incorporated into this article:

- a) Exhibit ____A: development plan.
- b) Exhibit ____B: landscape plan.

SEC. 51P- ____ .105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-____.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) Multifamily use. Improvements located within a courtyard located as shown on the development plan may be approved by the 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. 51P-____.107.

MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the MF-1(A) Multifamily District, subject to the same conditions applicable in the MF-1(A) Multifamily District as set out in Chapter 51A. For example, a use permitted in the MF-1(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-1(A) Multifamily District is subject to DIR in this district; etc.

SEC. 51P-____.108.

ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory uses are not permitted:

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

SEC. 51P-____.109.

YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-1(A) Multifamily District apply.

(b) Front yard.

(1) Except as provided in this section, minimum front yard is 15 feet.

(2) Balconies, bay windows, awnings, signs, and entryways affixed to the building or part of the foundation may project up to five feet into the required yard, subject to a minimum clearance of 12 feet above grade.

(3) Stoops, steps, patios, stairs, planters, retaining walls, transformers and other utility equipment, benches, pots, raised planters, sculptures, cabanas and other decorative landscape items may be located within the required setback with no projection limitation.

(c) Side yard. Minimum side yard is 15 feet.

(d) Density.

(1) Maximum number of dwelling units is 122.

CPC Recommended:

(e) Height.

(1) Except as provided in this section, maximum structure height for a multifamily use is 58 feet to the highest point of the structure.

(2) The maximum structure height for occupied floor area within the easternmost 35 feet of the Property is 36 feet.

(3) The maximum structure height for occupied floor area for that portion of the structure greater than 35 feet from the eastern Property line is 45 feet.

(4) The residential proximity slope does not apply to this district.

Staff recommended:

(e) Height.

(1) Except as provided in this section, maximum structure height for a multifamily use is 50 feet to the highest point of the structure.

(2) If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope.

Chimneys may project to a height 12 above the slope and 12 feet above the maximum structure height.

(3) For purposes of calculating the angle and extent of projection for a residential proximity slope, the site of origination is considered to be an MF-1(A) Multifamily District.

(f) Lot size. For a multifamily use, no minimum lot size.

(g) Stories.

(1) Except as provided in this paragraph, maximum number of stories above grade is four.

(2) Maximum number of stories within the easternmost 35 feet of the Property is three.

(h) Lot coverage. Maximum lot coverage is 65 percent.

SEC. 51P- _____.110.

OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Multifamily.

(1) Guest parking must be provided at a ratio of 0.2 spaces per dwelling unit.

(2) All off-street parking must be located within a structure or underground.

SEC. 51P- _____.111.

ROADWAY IMPROVEMENTS.

Prior to the issuance of a certificate of occupancy for a multifamily use, a left-turn lane from southbound Preston Road onto eastbound Averill Way must be provided with final design and construction approved by the Texas Department of Transportation.

SEC. 51P- _____.112.

ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.113. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Multifamily.

(1) Landscaping must be provided as shown on the landscape plan (Exhibit ____B).

(2) Each required tree must have a minimum caliper of four inches at time of planting, measured at a point 12 inches above the root ball.

(c) Maintenance. Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-____.114. DESIGN STANDARDS FOR MULTIFAMILY USES.

(a) Masonry facade. Building facades facing an improved public right-of-way must be at least 80 percent masonry, excluding windows, entrances, and ingress and egress points. Masonry includes stone, brick, concrete, hollow clay tile, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, stucco is considered masonry but Exterior Finish Insulations System (EFIS) materials are not.

(b) Facade wall changes. Facade walls must have one or more of the following changes:

(1) A minimum of two changes of color, texture, or material, either diagonally, horizontally, or vertically, at intervals of not less than five feet and not more than 20 feet.

(2) Changes in plane with a depth of at least 12 inches, either diagonally, horizontally, or vertically, for each 50 feet of street facing facade.

(c) Balconies. Any balcony located within the dimensional area labeled as East Façade 1, East Facade 2, and East Façade 3 on the development plan must be a nonfunctioning balcony.

(d) Pedestrian amenities. A minimum of two of each of the following pedestrian amenities must be provided along any improved right-of-way:

(1) benches,

(2) trash receptacles, and

(3) bicycle racks.

(e) Masonry wall. A masonry wall with a minimum height of eight feet must be provided along the eastern Property line. Access through the wall is limited to emergency access only with final design and location to be approved by the Fire Marshall.

(f) Privacy fences. At grade privacy fences must be constructed so that the face of the fence facing a public right-of-way is a minimum of 50 percent open.

(g) Ceiling heights. Each dwelling unit must have ceilings no lower than nine feet from the top of the finished floor to the interior of the finished ceiling.

SEC. 51P- ____ .115. SIDEWALKS.

(a) Sidewalks must be constructed with a minimum width of six feet with an unobstructed width of four feet.

(b) ADA approved tree well grates are considered as part of the unobstructed width.

(c) Construction of sidewalks must ensure a contiguous path for the pedestrian across private drives.

SEC. 51P- ____ .116. SIGN.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- ____ .117. ADDITIONAL PROVISIONS.

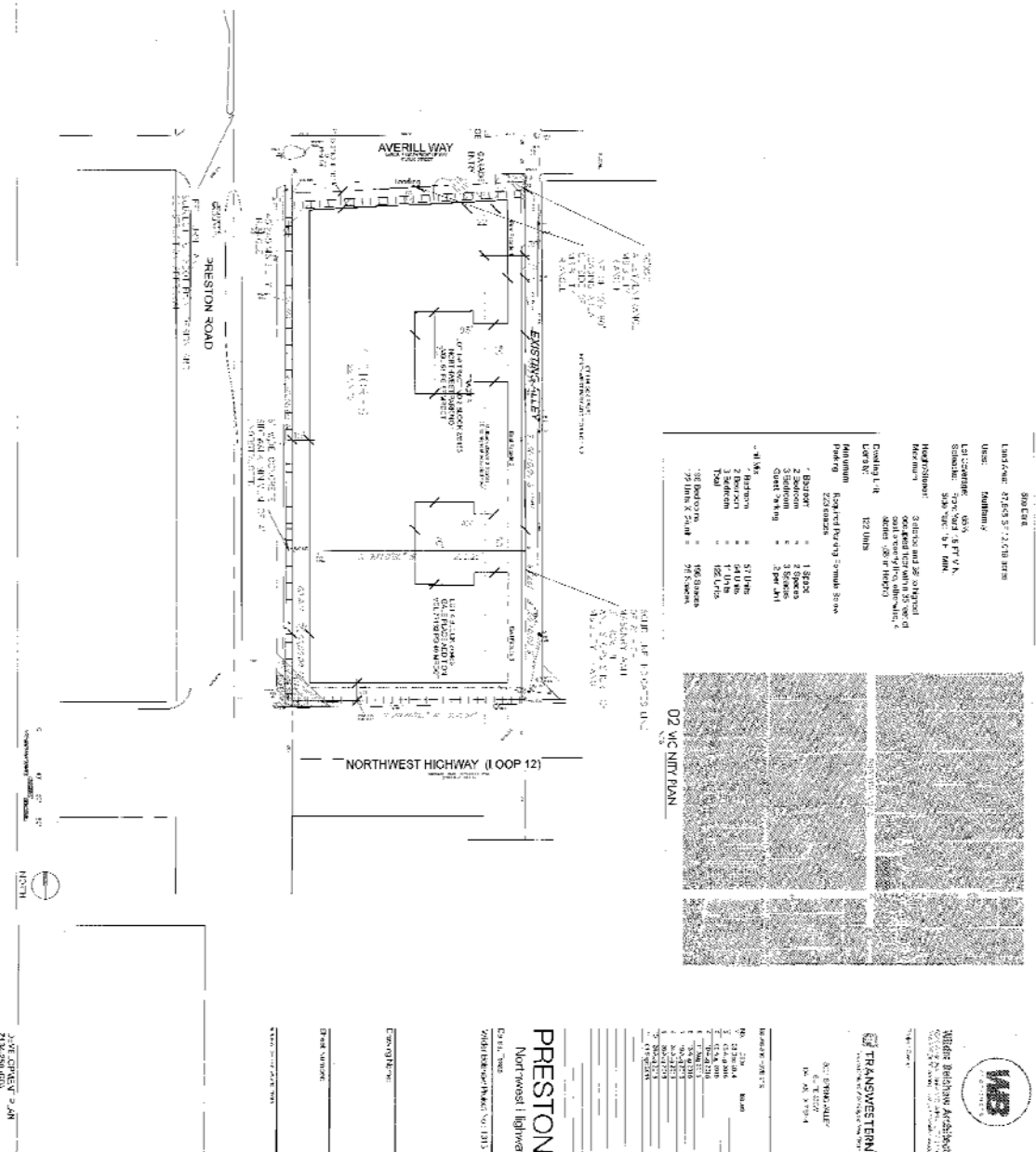
(a) The Property must be properly maintained in a state of good repair and neat appearance.

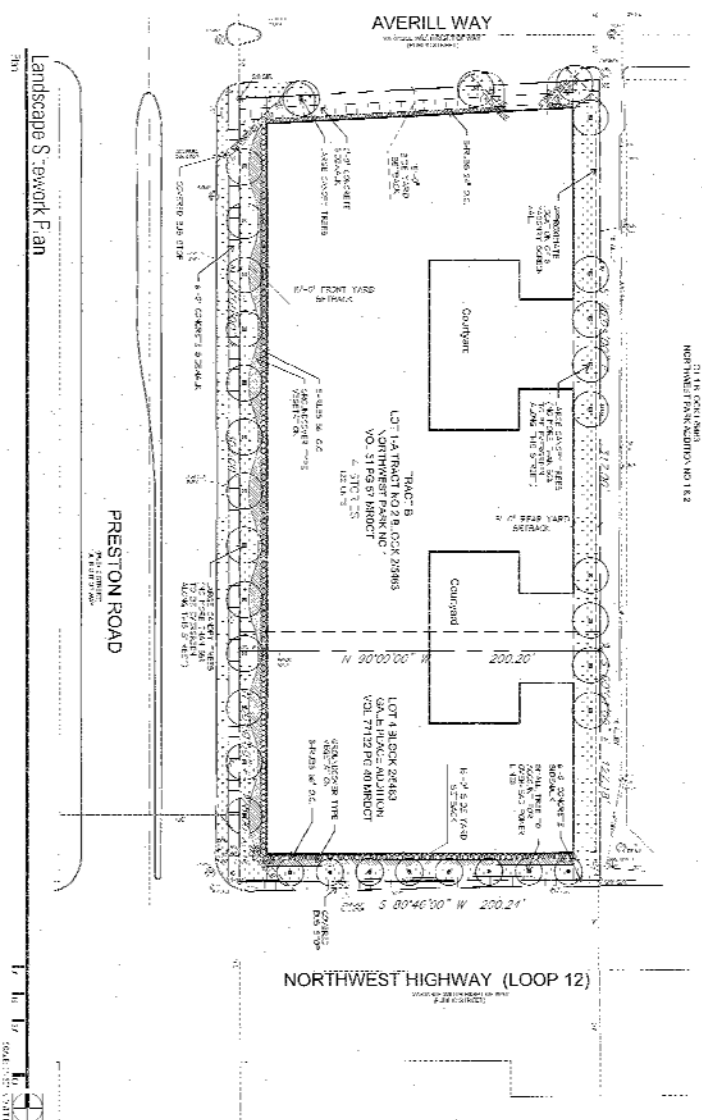
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P- ____ .118. COMPLIANCE WITH CONDITIONS.

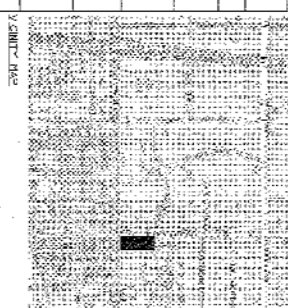
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

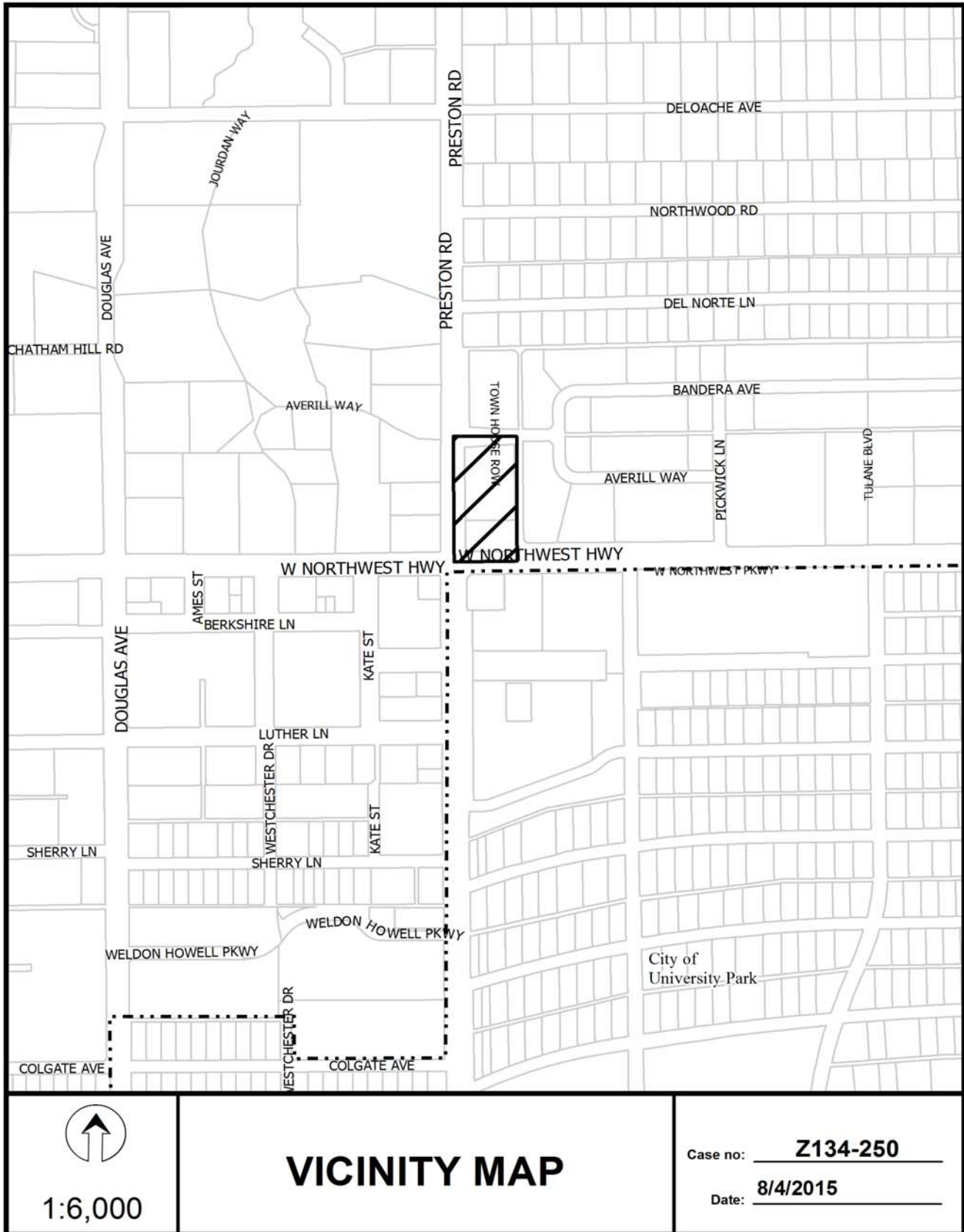
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

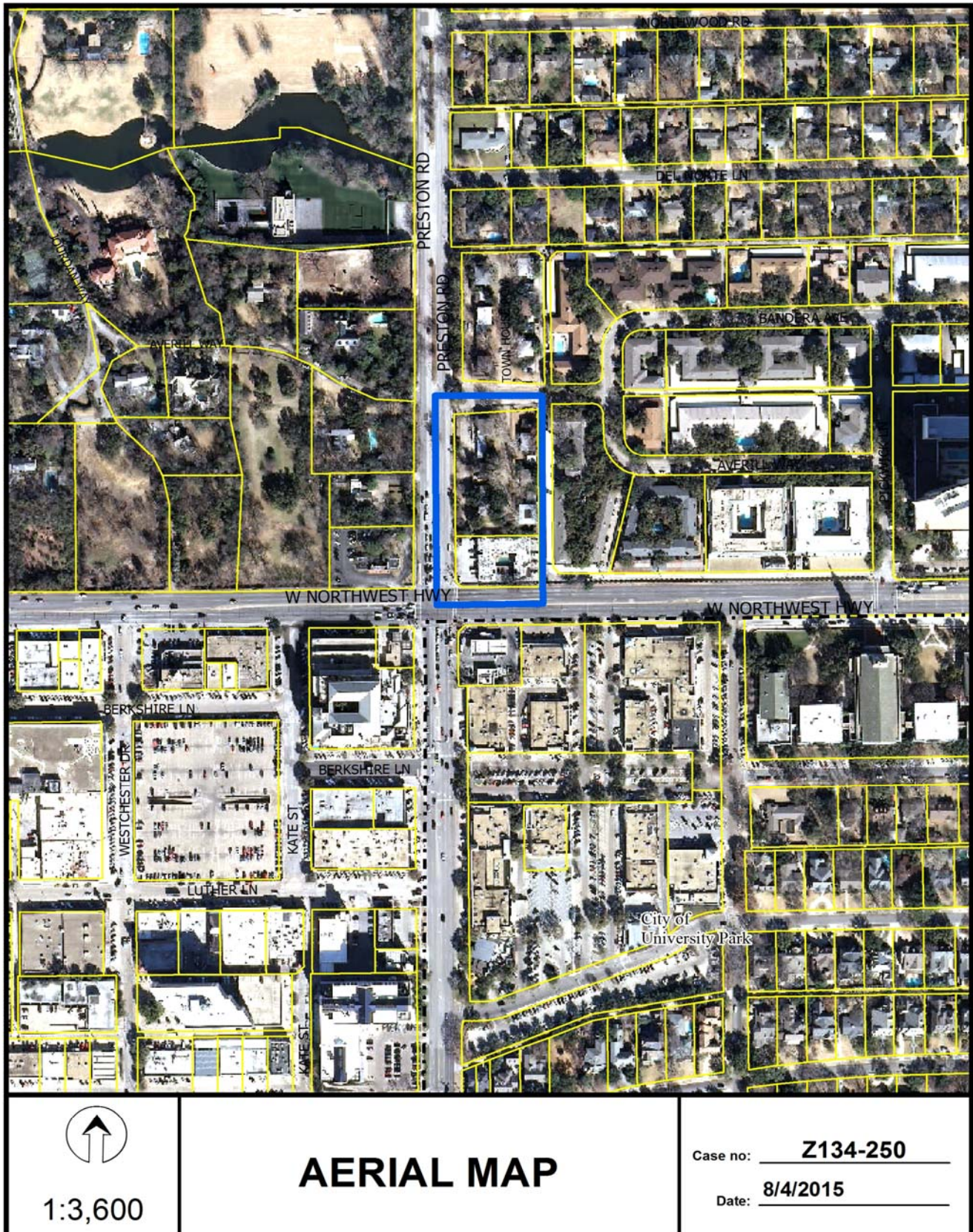


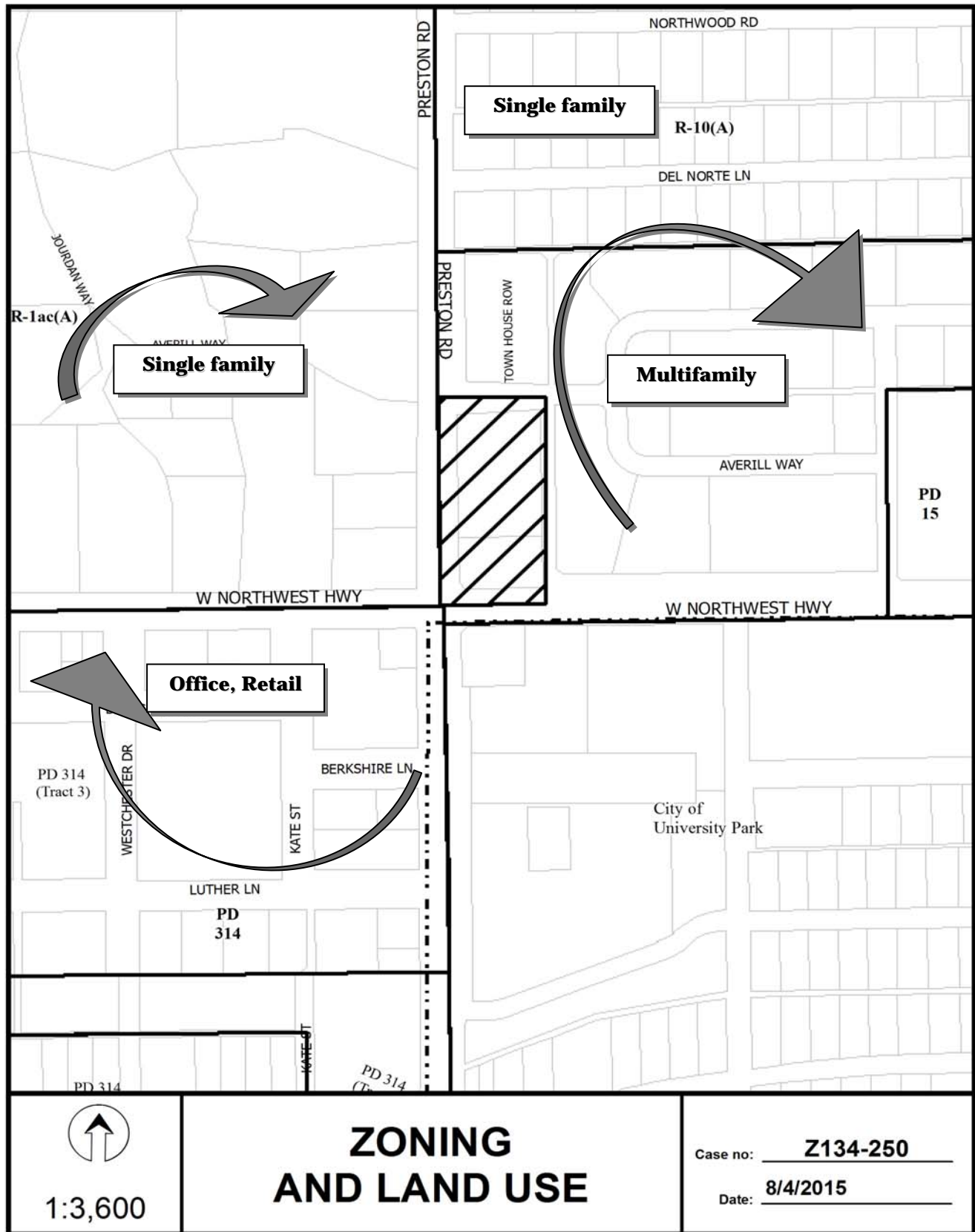
[illegible]

SITE PLAN SUMMARY TABLE - 2.09 ACRE (87,948 SF)									
STREET TREES & BUFFER YARDS									
LOCATION	DEPTH (ft.)		LAND THROW	TOTAL TREES	SHRUBS (DBH)	SHRUBS (DBH)	SHRUBS (DBH)	TOP SOIL	
WEST SIDE	24.00'	24.00' x 2.00'	1	5	0	0	0	0	
EAST SIDE	4.50' x 2.00'	4.50' x 2.00'	1	5	0	0	0	0	
100' x 40' (10' x 40')	10.00'	10.00' x 2.00'	0	6	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	0	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
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2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
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10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
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10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
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10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
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2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
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2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
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10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10.00' x 2.00'	2	5	0	0	0	0	
2.00' x 3.00'	2.00' x 3.00'	2.00' x 3.00'	2	5	0	0	0	0	
10.00' x 2.00'	10.00'	10							











09/17/2015

Reply List of Property Owners***Z134-250******242 Property Owners Notified******135 Property Owners in Favor******24 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	8502 PRESTON RD	TOLEDO TEX LLC
O	2	8502 PRESTON RD	BOEHK DOUGLAS C
O	3	8502 PRESTON RD	TOLEDO TEX, LLC
	4	8504 TOWN HOUSE ROW	BRADFORD BRENDA R
	5	8505 TOWN HOUSE ROW	COX FRANCES Y
	6	8508 TOWN HOUSE ROW	LUBBOCK NATIONAL BANK CUSTODIAN FOR
	7	8509 TOWN HOUSE ROW	PRICE SAMUEL H &
	8	8512 TOWN HOUSE ROW	BRADY JOHN L JR
	9	8515 TOWN HOUSE ROW	HALE PATRICK R & NANCY H
	10	6008 DEL NORTE LN	PARKS JAMES B III &
X	11	6016 DEL NORTE LN	RICHARDS LUCILLE M
	12	6022 DEL NORTE LN	KAMATH SANDEEP &
X	13	6030 DEL NORTE LN	BOLIN ROSS
	14	6042 DEL NORTE LN	BROWN JAMES DAVID
	15	8603 PRESTON RD	MUELLER MARY ANN SMITH B
X	16	5923 AVERILL WAY	BRINKMANN LAKEVIEW
X	17	8605 PRESTON RD	RACHOFISKY HOWARD EARL
O	18	8530 JOURDAN WAY	CUBAN MARK
	19	8515 PRESTON RD	EBBY HALLIDAY PTIES INC
	20	5942 AVERILL WAY	BBIER-MUELLER J GABL & MY AN SMITH
X	21	5912 AVERILL WAY	BRINKMANN J BAXTER
X	22	6100 BANDERA AVE	BANDERA VILLA PTIES INC
	23	5941 AVERILL WAY	BARBIERMULLER J GABRIEL &
	24	3933 NORTHWEST HWY	PARK CITIES BAPTIST
	25	4000 PICKWICK LN	EARL CLARK CARUTH IRREVOCABLE TRST
X	26	6036 DEL NORTE LN	NEWELL BRIAN L

09/17/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5999 NORTHWEST HWY	EBBY HALLIDAY PPTIES INC
	28	8411 PRESTON RD	PRESTON CTR WEST JV
O	29	8421 PRESTON RD	MC PRESTON LP
	30	8307 PRESTON RD	ROBBINS SERAFINA ETAL
	31	8315 PRESTON RD	LOBELLA SAM INV
	32	5960 NORTHWEST HWY	CURRIN LAND JOINT VENTURE
	33	8300 PRESTON RD	HOUSTON RESTUARANT INC
	34	8300 PRESTON RD	CARUTH PRESTON ROAD L
	35	8400 PRESTON RD	CARUTH PRESTON ROAD L
	36	4001 NORTHWEST PKWY	CARUTH PRESTON ROAD L
	37	8424 PRESTON RD	7 ELEVEN INC
	38	6102 AVERILL WAY	BURNHAM MARY A
	39	6108 AVERILL WAY	PAEZ ELISA ANGELICA
	40	6102 AVERILL WAY	GERSHATER DAVID MICHAEL
	41	6104 AVERILL WAY	LAMMERS BETTY J
	42	6104 AVERILL WAY	TAIT CHARLES L & MARCIA A
	43	6106 AVERILL WAY	CRANFILL TRUST
	44	6106 AVERILL WAY	FOSTER ANGELIQUE
	45	6106 AVERILL WAY	ALEXANDER CORA LEISA
	46	6106 AVERILL WAY	BARHAM NAN E
	47	6108 AVERILL WAY	OSBURN JULIE & ALEX ROSS
	48	6108 AVERILL WAY	DAMUTH BRENDA J
	49	6108 AVERILL WAY	CURRIER JENNIFER & JOHN
	50	6110 AVERILL WAY	MOORE BONNIE B
	51	6110 AVERILL WAY	BOYER ELIZABETH A
	52	6110 AVERILL WAY	MANN LEIGH S
	53	6110 AVERILL WAY	HALL CAMERON
	54	6112 AVERILL WAY	KAY VIRGINIA L
	55	6112 AVERILL WAY	MEYER PEGGY M
	56	6112 AVERILL WAY	DEVOS LORN TODD
	57	6112 AVERILL WAY	LARA KATHERINE

09/17/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	6114 AVERILL WAY	SUTHERLIN KEVIN B
O	59	6103 AVERILL WAY	6103 AVERILL WAY LP
O	60	6103 AVERILL WAY	6103 AVERILL WAY LP
O	61	6103 AVERILL WAY	6103 AVERILL WAY LP
O	62	6105 AVERILL WAY	CHRISTON JAMES P &
O	63	6105 AVERILL WAY	6103 AVERILL WAY LP
O	64	6105 AVERILL WAY	6103 AVERILL WAY LP
O	65	6142 AVERILL WAY	KING DAVID GARDNER
O	66	6142 AVERILL WAY	BRENNAN JACK M
O	67	6144 AVERILL WAY	BERK ZELMA
O	68	6144 AVERILL WAY	COCHRAN LOLA MAE
O	69	6146 AVERILL WAY	SCHMIDT ROBERT TR & HELEN TR
O	70	6146 AVERILL WAY	RAWLINS JOAN ELIZABETH
O	71	6148 AVERILL WAY	CUMBY AUGUSTA MULLINS
O	72	6148 AVERILL WAY	TWIN CK CORPORATION
O	73	6150 AVERILL WAY	QUINN JOSEPH PATRICK
O	74	6150 AVERILL WAY	HARDISTY MATTHEW &
O	75	6142 AVERILL WAY	WILLIAMS RAND I &
O	76	6142 AVERILL WAY	HISE CLARK & SHARON
O	77	6144 AVERILL WAY	PICKENS RANDY H & JULIA D
O	78	6144 AVERILL WAY	NILES PATRICIA A
O	79	6146 AVERILL WAY	ANDREWS YVETTE P &
O	80	6146 AVERILL WAY	WILLIAMS PATRICK L & REBECCA H
O	81	6148 AVERILL WAY	PATOUT VENETIA
O	82	6148 AVERILL WAY	KUPFER SANDRA
O	83	6150 AVERILL WAY	MCCUITION NIKI N
O	84	6150 AVERILL WAY	MOPSIK DONALD
O	85	6126 AVERILL WAY	LEAKE FRANCES WARLICK
O	86	6126 AVERILL WAY	STEIN 2001 REVOCABLE TRUST
O	88	6126 AVERILL WAY	HASBANY MARIA L & MICHAEL F
O	89	6126 AVERILL WAY	PAILET DAVID &

09/17/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	90	6126 AVERILL WAY	TATE MARIAN CLEARY TRUSTEE OF
O	91	6126 AVERILL WAY	ALGEO CHRISTIE ANN
O	92	6126 AVERILL WAY	LEVY RANDALL D &
O	93	6126 AVERILL WAY	SOMMERFIELD FRANK E & ELISSA
O	94	6126 AVERILL WAY	LEVINE GAIL
O	95	6126 AVERILL WAY	LIPSITZ MARCIE KIRKPATRICK
O	96	6126 AVERILL WAY	FRANKLIN SUSAN BEENE
O	97	6126 AVERILL WAY	OWEN SAMMY W & PATRICIA M
O	98	6126 AVERILL WAY	LAVERNE MCCALL FAMILY TRUST
O	99	6126 AVERILL WAY	CHISOLM MARTHA
O	100	6126 AVERILL WAY	DAVIS SARA ANN
O	101	6126 AVERILL WAY	KINDER NANCY A
O	102	6126 AVERILL WAY	GRACE J PETER
O	103	6126 AVERILL WAY	HIRSCH ELIZABETH
O	104	6126 AVERILL WAY	DILL ROBERT J & MARY ALLEN
O	105	6126 AVERILL WAY	MM MULTIPLE HOLDINGS LLC
O	106	6126 AVERILL WAY	DILL ROBERT J & MARY
O	107	6126 AVERILL WAY	DILL ROBERT J & MARY ELLEN
X	108	6025 AVERILL WAY	MURRAY JOHN &
X	109	6025 AVERILL WAY	BLOOM ANN EST OF
X	110	6025 AVERILL WAY	ALLMAN PPTY CO NO 3 LTD
X	111	6025 AVERILL WAY	GARRETT ROBERT K
X	112	6105 BANDERA AVE	LUCAS CYNTHIA ANGELINE
X	113	6105 BANDERA AVE	PARIS MARILYN G &
X	114	6105 BANDERA AVE	VENZ DAVID ONEAL JR
X	115	6105 BANDERA AVE	VENZ DAVID ONEAL JR
X	116	6109 BANDERA AVE	GARRETT JAMES E &
X	117	6109 BANDERA AVE	FORD VIRGINIA THOMPSON
X	118	6109 BANDERA AVE	CARLTON ANNA & THEO
X	119	6109 BANDERA AVE	FORD GARRY
X	120	6111 BANDERA AVE	DULUBOVA IRINA

09/17/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	121	6111 BANDERA AVE	BUENGER JULIAN
X	122	6111 BANDERA AVE	MEE TRACY M
X	123	6111 BANDERA AVE	HUGHES ANTHONY H &
X	124	6115 BANDERA AVE	GEOFFRAY JEANNE &
	125	6141 BANDERA AVE	ALTMAN HARLAN C III EST OF
	126	6141 BANDERA AVE	ALLEN ROBENA L
	127	6141 BANDERA AVE	FORSE KATHERINE D
	128	6141 BANDERA AVE	LIVELY ANNA RAND LIFE EST
	129	6145 BANDERA AVE	PORTER CROW
	130	6145 BANDERA AVE	WINDROW PARTNERS
	131	6145 BANDERA AVE	STONE SHARON
	132	6145 BANDERA AVE	WALKER SALLY HARRIS
	133	6151 BANDERA AVE	GRAVEL MICHAEL & CATHERINE
	134	6151 BANDERA AVE	FD JOURNEY VENTURE LLC
	135	6151 BANDERA AVE	FOUNTAIN JIMMIE C JR
	136	6151 BANDERA AVE	GRIMBALL LAURA E
O	137	6117 BANDERA AVE	SUTHERLIN JACKSON B
O	138	6119 BANDERA AVE	SMITH MARGARET KING
O	139	6119 BANDERA AVE	PLEMONS SUSANNA
O	140	6119 BANDERA AVE	GANANAJO LP
O	141	6119 BANDERA AVE	PLEMONS SUSANNA
O	142	6123 BANDERA AVE	DERRICK MICHAEL J & NANCY E
O	143	6123 BANDERA AVE	LEVITON ALBERT J
O	144	6123 BANDERA AVE	TUCKER JOE R & SYBIL E
O	145	6123 BANDERA AVE	RUSHING MARGARET A
O	146	6127 BANDERA AVE	CARTER LINDA GALE MCKASKLE
O	147	6127 BANDERA AVE	BISHOP SUE M
O	148	6127 BANDERA AVE	WEISS ROBIN T
O	149	6127 BANDERA AVE	MCELLROY ELIZABETH D
O	150	6131 BANDERA AVE	SELF DOROTHY TULLOS
O	151	6131 BANDERA AVE	MCCOWN LAYTON

09/17/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	152	6131 BANDERA AVE	KETCHEN GARY
O	153	6131 BANDERA AVE	MANDELL ALAN G & SHEILA
O	154	6135 BANDERA AVE	COLLINS MARY SHOOK
O	155	6135 BANDERA AVE	GOLDEN NELDA & STAN
O	156	6135 BANDERA AVE	FLORES KAREN
O	157	6135 BANDERA AVE	ROSSI LOUISE C
O	158	6137 BANDERA AVE	SUTHERLIN JOHNSON B
O	159	6109 AVERILL WAY	JACOBS JANET &
O	160	6111 AVERILL WAY	HOLLIS KELLYE
O	161	6113 AVERILL WAY	THOMAS KATHRYN COLLINS
O	162	6113 AVERILL WAY	BOWERS MARGARET
O	163	6113 AVERILL WAY	WILSON LINDA L
O	164	6113 AVERILL WAY	BOWSER DIANA AUTRY
O	165	6115 AVERILL WAY	ALLMAN CORA AMY
O	166	6115 AVERILL WAY	GORDON KIRK E
O	167	6115 AVERILL WAY	ALLEN ANN
O	168	6115 AVERILL WAY	MANNING CATHERINE GOFF
O	169	6117 AVERILL WAY	RUMBLES GENE A
O	170	6117 AVERILL WAY	COHEN LEWIS H TR
O	171	6117 AVERILL WAY	GREENBERG MINDY
O	172	6117 AVERILL WAY	CAVALIER PAGE GWENDOLYN
O	173	6117 AVERILL WAY	MALECHEK KEVIN
O	174	6119 AVERILL WAY	FOX JOE PAUL & CAROL K
O	175	6119 AVERILL WAY	ALLMAN PPTY CO 3
O	176	6119 AVERILL WAY	HAMMOCK RONALD L
O	177	6119 AVERILL WAY	SIRINOGLU CELINE C
O	178	6121 AVERILL WAY	BOWLES H RICHARD TR
O	179	6121 AVERILL WAY	CASSTRES LTD
O	180	6121 AVERILL WAY	PMA FAMILY TRUST
O	181	6121 AVERILL WAY	GILLIS VERN D
O	182	6123 AVERILL WAY	EDWARDS JARRETT & BONNIE

09/17/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	183	6125 AVERILL WAY	LERMA PEDRO JR & AMY L
O	184	6026 AVERILL WAY	YOUNG YVONNE Y
O	185	6026 AVERILL WAY	SORENSEN SETH A
O	186	6026 AVERILL WAY	GRAVEL MCHL MTN & CTINE HERMANN
O	187	6026 AVERILL WAY	FREELAND LENA FAYE
O	188	6036 AVERILL WAY	HUCKABAY SANDY C
O	189	6036 AVERILL WAY	BOWLES LLOYD S JR
O	190	6036 AVERILL WAY	AYOOB MICHAEL L & SUSAN S AYOOB
O	191	6036 AVERILL WAY	BRANDT CATHY
O	192	6040 AVERILL WAY	ALLMAN PPTY CO
O	193	6042 AVERILL WAY	FROELICH KATHERINE M
O	194	6042 AVERILL WAY	HALL MARC W & SUSAN H
O	195	6052 AVERILL WAY	MOONEY LOIS O EST OF
O	196	6052 AVERILL WAY	GRIGGS URIEL H &
O	197	6052 AVERILL WAY	SHOR MORJORIE L
O	198	6052 AVERILL WAY	MACLEOD MARTHA J
O	199	6060 AVERILL WAY	FED NATL MTG ASSN
O	200	6060 AVERILL WAY	WARD MARION
O	201	6060 AVERILL WAY	BARGATZE SHERRIE L
O	202	6060 AVERILL WAY	HALL MARC & SUSAN HALL
O	203	6070 AVERILL WAY	OTTO JOHN &
O	204	6070 AVERILL WAY	BAUMGARDNER BETTY JANE
O	205	6070 AVERILL WAY	MILLER LASANDRA &
O	206	6070 AVERILL WAY	TWOMBLY MARGARET B
O	207	6078 AVERILL WAY	MCMINN JOY S REVOCABLE TRUST
O	208	6078 AVERILL WAY	BENNETT HELEN H
O	209	6078 AVERILL WAY	BENNETT HELEN H
O	210	6078 AVERILL WAY	PETRASH MARTA & YURIY SATAROV
O	211	6042 AVERILL WAY	ARNOLD JAMES F
O	212	8603 TOWN HOUSE ROW	SHIVER ELAINE F
O	213	8606 TOWN HOUSE ROW	BOX WILLIAM G & LESLIE G

09/17/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	214	8607 TOWN HOUSE ROW	PUCKETT LAWRENCE V &
O	215	8610 TOWN HOUSE ROW	RIGAS KELLY &
O	216	8611 TOWN HOUSE ROW	SMITH PAMELA
O	217	8614 TOWN HOUSE ROW	TAYLOR STERLING BURKS TR
	218	6130 BANDERA AVE	HAMILTON ANNE GOODE
	219	6130 BANDERA AVE	GANELES VIOLA
	220	6130 BANDERA AVE	LINDSEY JOY
	221	6130 BANDERA AVE	SHEINBERG BETTY
	222	6134 BANDERA AVE	CORDELL FRANCES E
	223	6134 BANDERA AVE	BOWLES JAMES C & MARTHA
	224	6134 BANDERA AVE	MONACO HALEY
	225	6134 BANDERA AVE	TOMPKINS R CHRIS JR
	226	6148 BANDERA AVE	EDMONDSON JAMES H TESTMARY TRUST
	227	6148 BANDERA AVE	HOPKINS CHERYL LEIGH
	228	6148 BANDERA AVE	INGRAM DEBORAH LYNN
	229	6148 BANDERA AVE	MAYES SARA B
	230	6152 BANDERA AVE	CARREKER ROBIN FRANCIS
	231	6152 BANDERA AVE	PRIDEAUX LISA LUCILE
	232	6152 BANDERA AVE	HARRIS BETTE
	233	6152 BANDERA AVE	THWEATT REBECCA
	234	6138 BANDERA AVE	PRICE MARTIN L
	235	6138 BANDERA AVE	TABERNASH HOLDINGS LLC
	236	6138 BANDERA AVE	LOCKE CLAUDE POLK III & EBETH BATES
	237	6138 BANDERA AVE	DAWSON DAN PAUL
	238	6144 BANDERA AVE	NORTON STEPHEN H
	239	6144 BANDERA AVE	WEISBERG MICHAEL F
	240	6144 BANDERA AVE	MITCHELL MICHAEL T
	241	6144 BANDERA AVE	ANNA R LATHAM
	242	6140 BANDERA AVE	PRINCE SAMANTHA
O	A1	6126 AVERILL WAY	MERRELL DOROTHY JEAN

AGENDA ITEM # 81

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 11

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 15 L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Country club with private membership maintenance facility and R-16(A) Single Family District Uses on property zoned an R-16(A) Single Family District on the north line of Alpha Road, east of Hughes Lane

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan, landscape and tree mitigation plan, and conditions

Z145-214(RB)

FILE NUMBER: Z145-214(RB)

DATE FILED: March 20, 2015

LOCATION: North line of Alpha Road, East of Hughes Lane

COUNCIL DISTRICT: 11

MAPSCO: 15 L

SIZE OF REQUEST: Approx. 1.32 Acres

CENSUS TRACT: 136.08

APPLICANT/OWNER: Northwood Club

REPRESENTATIVE: William S. Dahlstrom

REQUEST: An application for a Planned Development District for a Country club with private membership maintenance facility and R-16(A) Single Family District Uses on property zoned an R-16(A) Single Family District.

SUMMARY: The applicant proposes to provide for an expanded maintenance facility currently located east of the site and permitted under Specific Use Permit No. 123 for a Country club.

CPC RECOMMENDATION: Approval, subject to a development plan, landscape and tree mitigation plan, and conditions.

STAFF RECOMMENDATION: Denial

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends denial of the request based upon:

1. *Performance impacts upon surrounding property* – The physical location of improvements as well as anticipated operational characteristics associated with such a use will impact adjacent single family uses.
2. *Traffic impact* – No increase in trip generations is expected; the site will be accessed from the abutting property through a recorded mutual access agreement filed with the building official; no additional ingress/egress on Alpha Road is proposed.
3. *Comprehensive Plan or Area Plan Conformance* – While the main use in which the request will serve (Recreation Use as defined in the Dallas Development Code) is not specifically addressed in the Building Block for the area, it should be noted that other recognized non-residential uses are generally anticipated to be located, ‘...at the edges or at key intersections.’ This request does not comply with such physical spacing in its proximity to low density single family uses.

Zoning History:

File No.	Request, disposition, and date.
1. Z134-226	Application for a TH-2(A) District. The applicant wished to withdraw the request; however, the CPC held the request under advisement from August 21, 2014 until December 18, 2014. Once a zoning request is notified for a public hearing, the only way to dispose was to request a denial without prejudice. As such, the CPC denied the request without prejudice at the December public hearing. The applicant did not appeal the request to City Council.

Thoroughfare

Alpha Road

Existing & Proposed ROW

Collector; 60' & 60' ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested PDD and determined that the proposed redevelopment of the property will not significantly impact the street system.

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood Building Block. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

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 developed with a vacant single family structure and supporting accessory areas (pool, detached pool house). The applicant proposes to remove all improvements and provide for an expanded maintenance facility (currently permitted and serving SUP No. 123 east of the site). A PDD is being requested for consideration of the use to permit the use by right (existing underlying zoning permits the use as part of a Country club with private membership by SUP). It should be noted the submitted application included additional land area to the north (approx. 50 feet by 180 feet). As a result of meetings with the abutting property owner, the applicant has now removed this area from the request site, thus providing for an R-16(A)-zoned internal parcel. While not relevant to this request, it should be noted that a single family use could not be developed on this self-created leave-out parcel in that it does not provide for the minimum lot area for a residential use.

From a historical perspective, the country club has existed since the mid-1940's. SUP No. 123 was established upon the adoption of the 1965 Comprehensive Zoning Ordinance as the use was in existence at the time of the referenced ordinance adoption by the City Council.

Exclusive of the area to the east/southeast which is regulated by SUP No. 123 for a Country club, the area is developed with low density single family uses. It should be noted that an approximate 65 foot-wide separation from single family uses to the west exists (two private drives, non-dedicated Willow Well Lane, and a public alley). The easternmost private drive is heavily screened with landscape materials, which extend northward from Alpha Road.

A planned development district is a marriage of uses and development standards that provides for flexibility of development that is sensitive to adjacent uses as well as preserving significant natural features. As there are no mix of uses and no natural features to address, other than some existing mature trees that served the previous

single family use, staff has recommended the applicant accomplish providing the improvements by considering a minor amendment for SUP No. 123. The applicant could provide for the requested expansion by utilizing the aggregate floor area for the existing maintenance facility, plus 1,000 square feet of floor area. A minor amendment permits an increase in floor area of 5 percent of the existing floor area on the property or 1,000 square feet, whichever is less. The applicant has indicated some or all of the existing maintenance facility floor area will be removed.

When looking at an aerial of the site to assess any potential impact of the proposed use on the immediate area, it would appear a bit inconclusive in that the expansion is simply moving this nonresidential use westward, approximately 180 feet. What concerns staff is the lack of separation for the maintenance component's operational characteristics on the adjacent residential community. An example of encroachment that illustrates this concern is a recently approved PDD that possessed a retail component (nursery) along with a landscape contractor's maintenance yard, located in a residential community, both of which were illegal uses at the time. The following represents key components that staff requested to ensure the use remains sensitive to the built environment*:

*During consideration by the City Council, it was anticipated the use would vacate the property by the above referenced date.

(a) *By October 1, 2013, the landscape contractor's maintenance yard must provide a 100 foot-wide buffer as shown on the development plan/landscape plan.*

(1) *Improvements located within the buffer are limited to the storage and maintenance of plant materials.*

(2) *Maximum stacking height is six feet.*

(b) *By October 1, 2013, the landscape contractor's maintenance yard may not operate before 6:00 a.m., Monday through Sunday.*

(c) *The following equipment may only be operated between 9:00 a.m. and 6:00 p.m., Monday through Friday, and between 9:00 a.m. and 12:00 p.m. on Saturday: backhoe, tractor with front end loader, skid steer loader and rototiller.*

(d) *Maintenance of equipment may only be performed inside the mechanic shop as located on the development plan/landscape plan (this facility is located 320 feet from the residential uses to the west).*

(e) *Dumpsters are prohibited within 90 feet of the west and north boundary of the Property.*

(f) *For structures less than or equal to 20 feet in height, minimum side and rear yard along the west line of the Property is 25 feet.*

(g) *For structures greater than 20 feet in height, minimum side and rear yard along the west line of the Property is 90 feet.*

Generally, a private country club is somewhat passive at its perimeter, with the occasional maintenance function or golf cart passing through these outlying areas. Operational components such as that being requested are generally found more internal to the acreage. The following examples, all with residential adjacency, provide significant separation of these various operations:

Lakewood Country Club - The maintenance facility is screened on all four sides, with access facing internal to the property. The facility is approximately 210 feet from single family uses, developed on properties located across a local street (40 foot right-of-way).

Royal Oaks Country Club - The maintenance facility is screened on all four sides, with access facing internal to the property. The facility is approximately 520 feet from property soon to be developed with single family uses (PDD No. 745, Subarea B).

In summary, staff remains concerned as to the proximity and the impact of the characteristics of these type of support areas for a country club (or public golf course, where applicable). The existing SUP boundary is being compromised by extending westward into an area developed with low density single family uses, some of which have enhanced private improvements (i.e., in-ground swimming pools) that are oriented to the east, towards the proposed facility.

Landscaping: The applicant has submitted a landscape plan that includes various design components, both living materials and screening walls to ensure the proposed redevelopment of the property is somewhat visually softened from adjacent residential uses.

With respect to tree mitigation, the applicant has worked with area property owners to ensure mitigation is either provided on-site or adjacent to the property. As such, the attached landscape and tree mitigation plan provides for a defined area for the mitigation that abuts the site's boundary.

Off-Street Parking: The applicant is proposing a significant amount of off-street parking (29 spaces) for the proposed use.

A country club with private membership requires one space for each 150 square feet of floor area plus five spaces for each golf course green, or in the event of the use requiring an SUP, off-street parking will be established by the ordinance granting the use. The applicant initially indicated the additional parking will be utilized by employees working elsewhere on the club's property (i.e, clubhouse personnel), however during the CPC public hearing, the applicant then indicated the proposed off-street parking area would be for the exclusive use of maintenance personnel. Staff would prefer to see a reduction in the off-street parking area to exclusively serve the maintenance personnel

Z145-214(RB)

so as to provide for additional greenspace/landscape buffer area from adjacent residential uses.

CPC ACTION

September 17, 2015

This item was held under advisement.

October 1, 2015

Motion: It was moved to recommend **approval** of a Planned Development District for a Country club with private membership maintenance facility and R-16(A) Single Family District uses, subject to the revised development plan and revised landscape plan to accurately reflect the screening wall (provided by applicant) and the revised notation relative to location of the outside storage, and applicant's revised conditions with the following revisions: 1) Hours of operation for equipment: The Country Club with private membership maintenance facility may only operate machinery on the property between 6:00 a.m. and 6:00 p.m., Monday through Sunday, 2) Stacking height. Maximum stacking height is 8 feet and limited to the area designated as Service Area and Outside storage on the development plan, 3) Off-street parking is limited to Country Club with private membership maintenance facility employees only, 4) All maintenance of machinery and equipment must be within the enclosed structure as shown on the development plan, 5) Trash dumpsters are prohibited on the Property, 6) Replacement trees must be planted within 50 feet of the northern property line and an area approximately 50 feet north of Alpha Road and 180 feet east of the eastern property line in accordance with the Landscape and Tree Mitigation plan, 7) Masonry wall from 6 feet to 8 feet, and 8) Gate is 8 feet on property zoned an R-16(A) Single Family District on the north line of Alpha Road east of Hughes Lane.

Maker: Schultz
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Schultz, Peadon, Murphy, Ridley,
Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 4

Notices: Area: 500 Mailed: 36
Replies: For: 6 Against: 0

Speakers: For: Bill Dahlstrom, 901 Main St., Dallas, TX, 75202
Dot Haymann, 6269 Alpha Rd., Dallas, TX, 75240
Bill Blaydes, 9628 Dartridge Dr., Dallas, TX, 75238
Coy Talley, 1925 San Jacinto St., Dallas, TX, 75201

Z145-214(RB)

For (Did not speak): Greg Biggs, 14032 Falls Creek Ct., Dallas, TX, 75254
David Quisenberry, 6527 Clubhouse Cir., Dallas, TX, 75240
Against: None

NORTHWOOD CLUB

LIST OF OFFICERS AND DIRECTORS

Name:

Title:

David Gilbert	President/Director
John McGee	General Manager/Chief Operating Officer
Mike Knapek	First Vice President/Director
Paul Taylor	Second Vice President/Director
Robert J. Leenhouts	Vice President – Operations
Ben Brooks	Secretary/Director
Ron Welch	Treasurer/Director
Tim Jordan	Director
Greg Biggs	Director
Bruce Hightower	Director
Charlie Martin	Director
Bob Fowler	Director
John Hubble	Director
Joe Schmidt	Director
John Stull	Director

**CPC RECOMMENDED CONDITIONS
“ARTICLE**

PD

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- _____.102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located on the north line of Alpha Road, east of Hughes Lane. The size of PD ____ is approximately 1.32 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,

COUNTRY CLUB WITH PRIVATE MEMBERSHIP MAINTENANCE FACILITY means a facility owned and operated by a country club with private membership whose sole function is for the support of maintenance for the country club with private membership, including storage of materials and equipment related only thereto, maintenance and repair of equipment related only thereto, and related activities.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ____A: development plan.
- (2) Exhibit ____B: landscape and tree mitigation plan.

SEC. 51P- _____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit _____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-_____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-16(A) Single Family District, subject to the same conditions applicable in the R-16(A) Single Family District as set out in Chapter 51A. For example, a use permitted in the R-16(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-16(A) Single Family District is subject to DIR in this district; etc.

(b) The following additional use is permitted by right:

- Country club with private membership maintenance facility.

SEC. 51P-_____.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

SEC. 51P-_____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-16(A) Single Family District apply.

(b) Country club with private membership maintenance facility.

(1) Front yard.

(A) Except as provided in this section, minimum front yard is 75 feet.

(B) Fences and screening walls can extend into the setback a maximum of 56 feet.

(2) Side and rear yard. Minimum side and rear yard is 10 feet.

(3) Floor area. Maximum floor area is 19,500 square feet.

(4) Height. Maximum structure height is 20 feet.

(5) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structure are included in lot coverage calculations; surface parking lots and underground parking structures are not included in lot coverage calculations.

(6) Lot size. No minimum lot size.

(7) Stories. Maximum number of stories is one.

SEC. 51P- _____.109. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Country club with private membership maintenance facility.

(1) A minimum of 29 off-street parking spaces must be provided in the location shown on the development plan.

(2) Off-street parking is limited to Country club with private membership maintenance facility employees only.

SEC. 51P- _____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.111. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Country club with private maintenance facility.

(1) Landscaping must be provided as shown on the landscape and tree mitigation plan (Exhibit ____B).

(2) Tree mitigation. Required tree mitigation must be provided either on the Property, within 50 feet of the northern Property line, or the area east of the Property, currently zoned as an R-1/2ac(A) Single Family District with Specific Use Permit No. 123 for a Country club. If tree mitigation is provided on property with Specific Use Permit No. 123, the location of the mitigation is limited to an area within 180 feet of the eastern Property line and within 50 feet of the southern Property line of this district.

(c) Maintenance. Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____ .112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- ____ .113. ADDITIONAL PROVISIONS.

(a) Country club with private membership maintenance facility.

(1) Hours of operation for equipment: The Country club with private membership maintenance facility may only operate machinery on the Property between 6:00 a.m. and 6:00 p.m., Monday through Sunday.

(2) Stacking height. Maximum stacking height is eight feet and limited to the area designated as Service Area and Outside storage on the development plan.

(3) All maintenance of machinery and equipment must be within the enclosed structure as shown on the development plan.

(4) Trash dumpsters are prohibited on the Property.

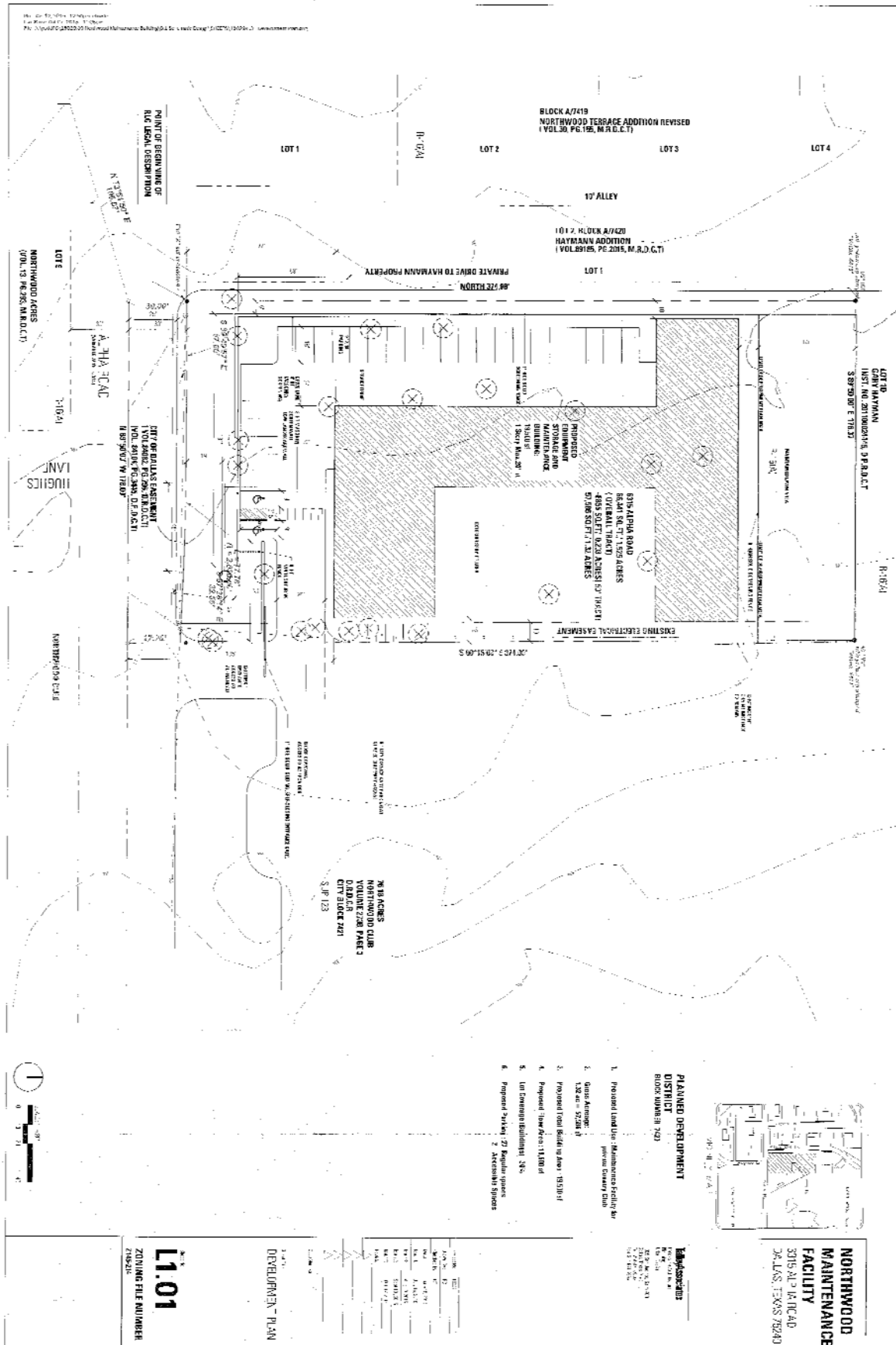
(b) The Property must be properly maintained in a state of good repair and neat appearance.

(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P- ____ .114. COMPLIANCE WITH CONDITIONS.

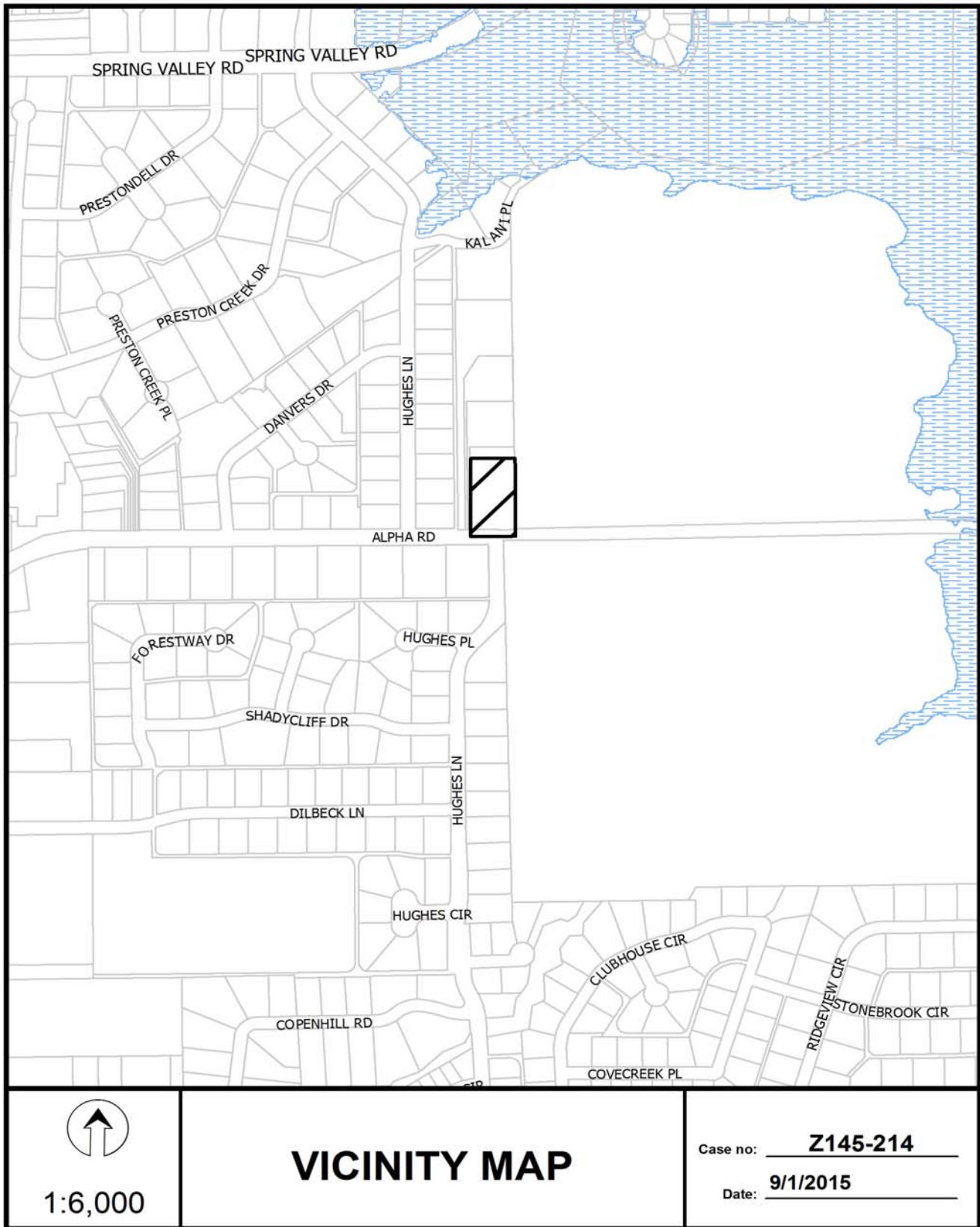
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

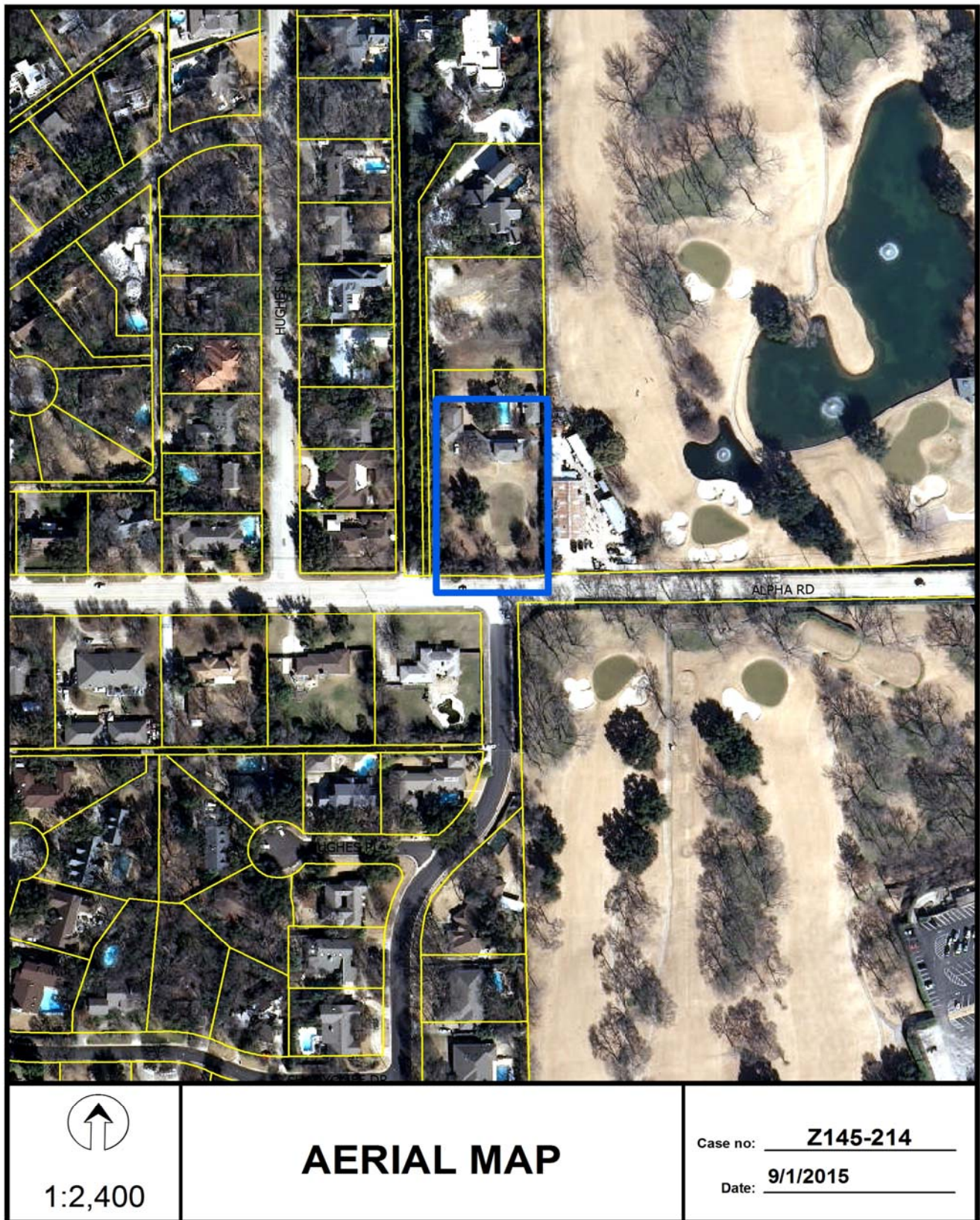
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

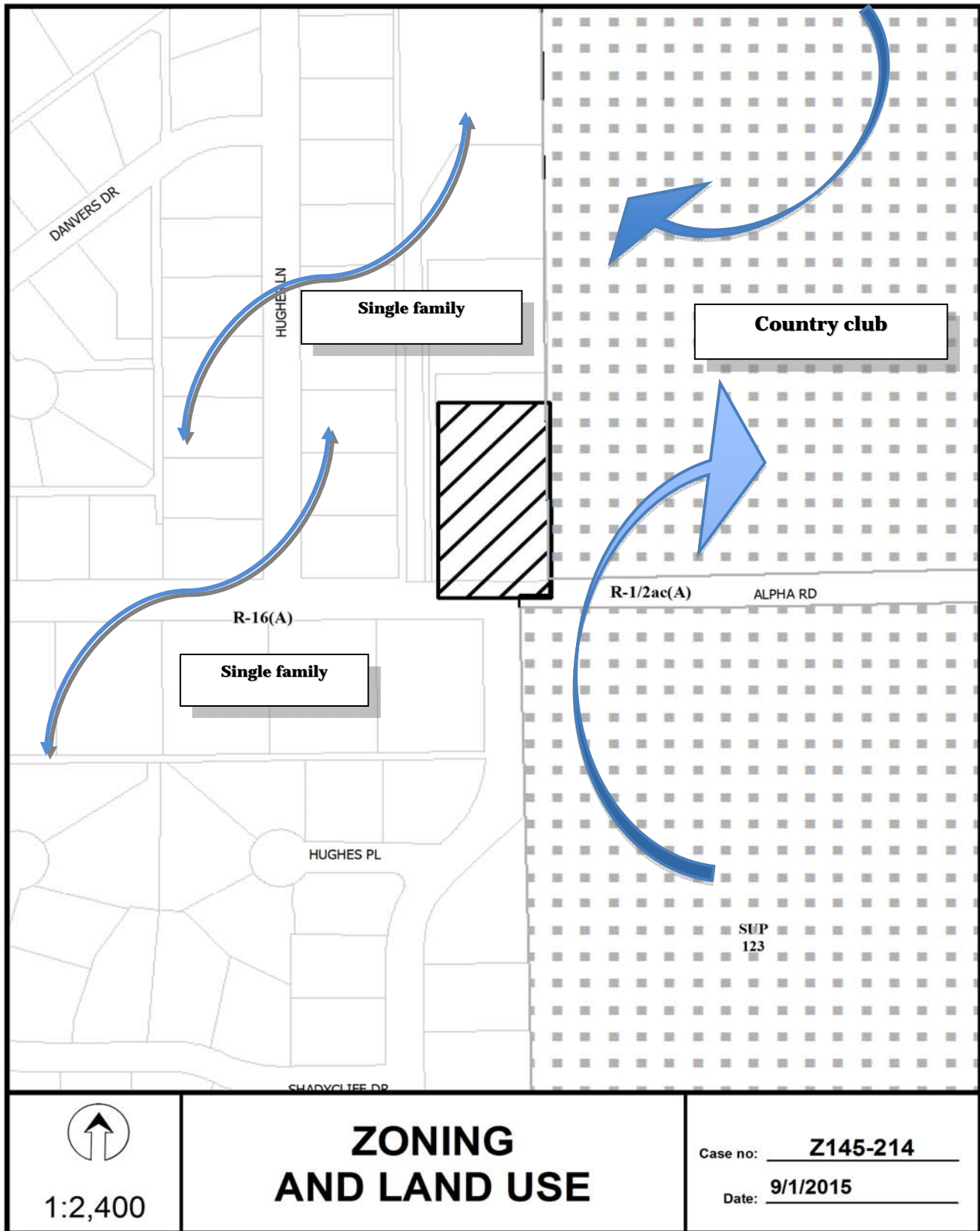


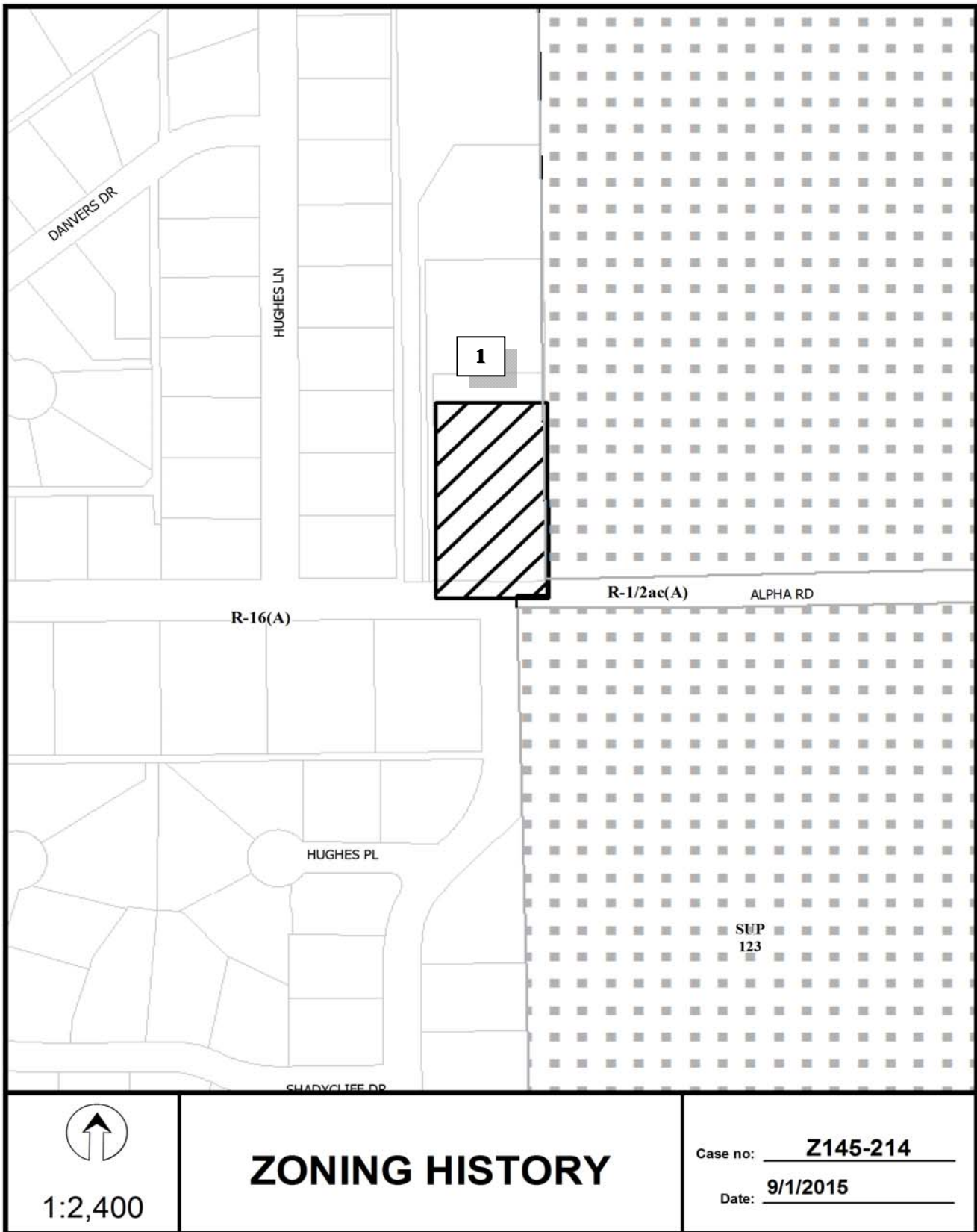


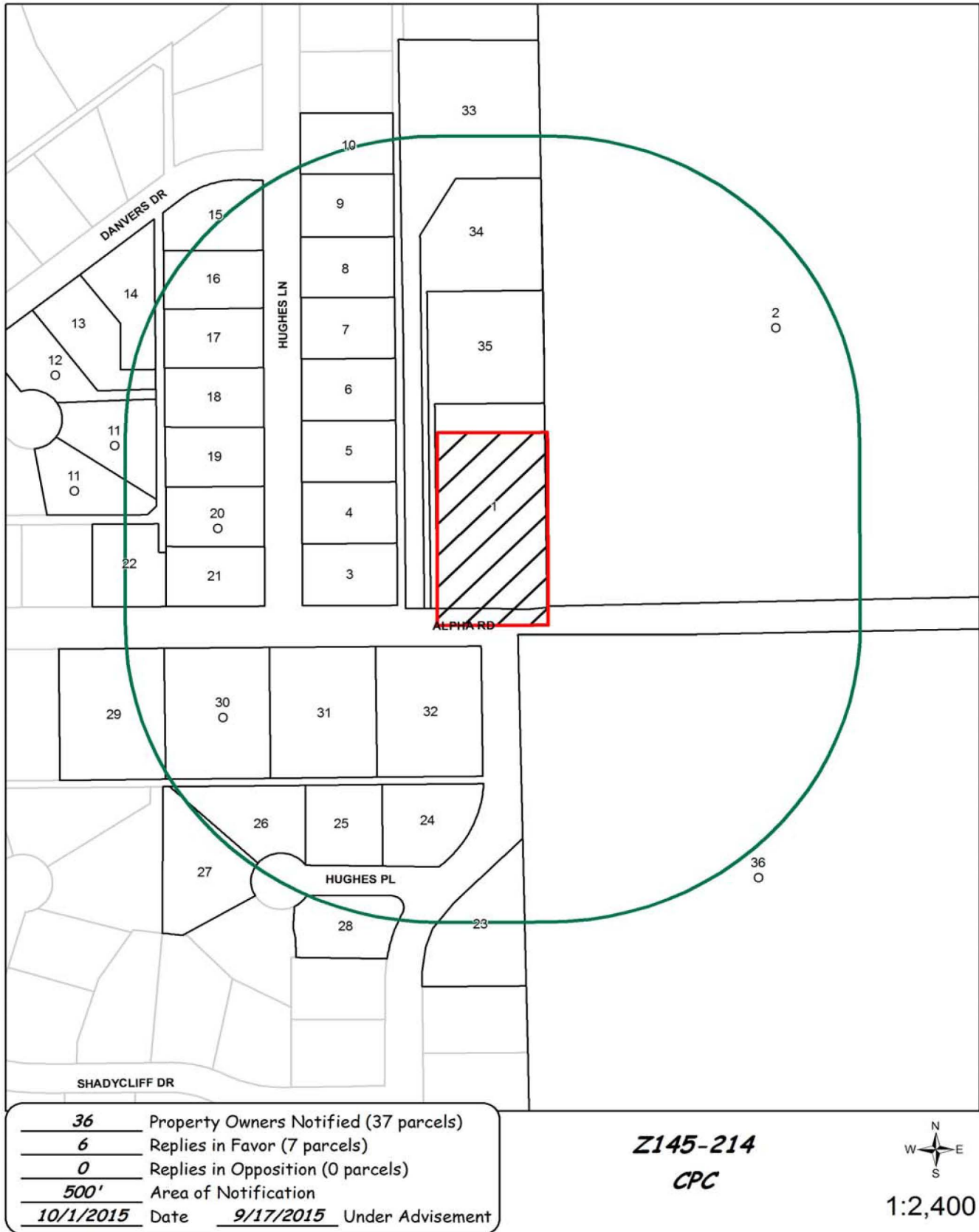
Z145-214(RB)











09/30/2015

Reply List of Property Owners***Z145-214******36 Property Owners Notified 6 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	6315 ALPHA RD	LURIE FAMILY INVESTMENTS &
O	2	6625 ALPHA RD	NORTHWOOD CLUB
	3	6267 ALPHA RD	HICKEY JEAN MAJORS LIFE ESTATE
	4	13716 HUGHES LN	KLIM JOHN
	5	13724 HUGHES LN	WITTENBERG ALAN L
	6	13732 HUGHES LN	KOSTIBAS JOHN K
	7	13740 HUGHES LN	CLAY NEIL J & TANYA R
	8	13748 HUGHES LN	MANNO PAUL G & BETTY M
	9	13756 HUGHES LN	COSTA MARY THERESA
	10	13806 HUGHES LN	GRAY ORAN PRATER
O	11	13748 DANVERS PL	LANE RICHARD J & LUCY J
O	12	13756 DANVERS DR	YOUNG J WARREN &
	13	13762 DANVERS DR	MURPHY MARK H
	14	13768 DANVERS DR	TATARSKY MARC L
	15	13755 HUGHES LN	YARBROUGH DOYCE C III &
	16	13747 HUGHES LN	HINSON DARRELYN D
	17	13739 HUGHES LN	JONES JAY F
	18	13731 HUGHES LN	CROSBY CHRISTOPHER J JR &
	19	13723 HUGHES LN	LINTON MARILYN J D LF EST
O	20	13715 HUGHES LN	BEDDOW KAREN B
	21	6245 ALPHA RD	ZIMMERMAN ABBEY
	22	6237 ALPHA RD	WATTERS JAMES D
	23	13428 HUGHES LN	SCHILDCROUT ALYSA E
	24	13561 HUGHES PL	MCFALL JOHN E
	25	13551 HUGHES PL	OCASEY IAN & BRID
	26	13541 HUGHES PL	MALLORY HAROLD I

09/30/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	13531 HUGHES PL	CARTER JEFFREY A
	28	13429 HUGHES PL	MARKS ELAINE S
	29	6222 ALPHA RD	BALLES BRAD
O	30	6236 ALPHA RD	EHR VICTOR
	31	6252 ALPHA RD	WALTERS PAULA E
	32	6266 ALPHA RD	NGUYEN ANH DUNG
	33	6269 ALPHA RD	HAYMANN BASIL A
	34	6305 ALPHA RD	MARKS ANDREW & SANDRA HAYMANN
	35	6309 ALPHA RD	HAYMANN GARY
O	36	6524 ALPHA RD	NORTHWOOD CLUB

AGENDA ITEM # 82

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 36 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District and a Planned Development District for multifamily residential uses on property zoned an MF-2(A) Multifamily District and Planned Development District No. 914 in an area generally bounded by North Fitzhugh Avenue, Chambers Street, North Garrett Avenue, Moser Avenue and Monarch Street

Recommendation of Staff and CPC: Approval of an MF-2(A) Multifamily District; and approval of a Planned Development District, subject to a development plan and conditions

Z145-238(WE)

ACM: Ryan S. Evans

FILE NUMBER: Z145-238(WE) DATE FILED: March 2, 2015

LOCATION: Generally bounded by North Fitzhugh Avenue, Chambers Street, North Garrett Avenue, Moser Avenue and Monarch Street

COUNCIL DISTRICT: 2 MAPSCO: 36W

SIZE OF REQUEST: Approx. 8.167 acres CENSUS TRACT: 9.00

APPLICANT: Maple Multifamily Development, LLC

REPRESENTATIVE: Robert Baldwin, Baldwin Associates

OWNERS: Bennett 1901, LLC, Larkspur Monarch, LLC; Larkspur Sycamore LP, Larkspur Capital Partners, LLC; and Bennett Garrett 139, Ltd., 1925 Moser, LLC

REQUEST: An application for an MF-2(A) Multifamily District and a Planned Development District for multifamily residential uses on property zoned an MF-2(A) Multifamily District and Planned Development District No. 914.

SUMMARY: The applicant requests to rezone 2.687 acres of PDD No. 914 to MF-2(A). The remaining 1.42 acres of PDD No. 914 will be rezoned to a new PDD along with 4.06 acres of property currently zoned MF-2(A). The new PDD is proposed for the construction of a 321-unit multifamily development. However, other MF-2(A) uses will be permitted. The portion that requests to rezone to MF-2(A) would allow those uses as permitted by the Dallas City Code. The new PDD is proposed to eliminate the minimum lot area per dwelling unit requirement, increase the maximum structure height on a portion of the site, and reduce the yard setbacks on a portion of the site.

CPC RECOMMENDATION: Approval of an MF-2(A) Multifamily District; and approval of a Planned Development District, subject to a development plan and conditions.STAFF RECOMMENDATION: Approval of an MF-2(A) Multifamily District; and approval of a Planned Development District, subject to a development plan and conditions.**DESIGNATED ZONING CASE**

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommendation for approval of the Planned Development District is based upon:

1. *Performance impacts upon surrounding property* – The performance impact the proposed rezoning will have on the surrounding properties is dependent upon maintaining a density, lot coverage and structure height that is consistent with the surrounding area. In addition, design standards promoting a pedestrian-friendly environment is paramount, in particular for those areas where additional height and/or density are requested. Therefore, staff supports an increase in the structure height and lot coverage on a portion of the property near Fitzhugh Avenue and Monarch Street. However, staff does not support an increase in density in an area that is predominantly developed at lower MF-2(A) density.
2. *Traffic impact* – A traffic impact analysis was submitted. It determined to restrict the on-street parking along North Fitzhugh Avenue in order to maintain roadway capacity. The TIA didn't necessitate any additional off-site or on-site roadway improvements.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in an Urban Neighborhood Building Block. The MF-2(A) zoning is generally consistent with the characteristics of an Urban Neighborhood Building Block. For the PDD zoning request, staff is only supportive of rezoning to increase density, lot coverage and height where it is consistent with the surrounding area.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – A straight MF-2(A) District on the entire property will not permit: 1) a reduction in the side and rear yard setbacks from 10 feet to 5 feet, 2) increase in the structure height from 36 feet to 49 feet in Subarea C; 3) increase in lot coverage from 60 percent to 80 percent in Subarea C, and 3) allow encroachment of specific design elements in the front and side yard setbacks. Staff is supportive in the decrease in the side and rear yards, and increase in the structure height and lot coverage in Subarea C.

Zoning History: There have been three zoning cases in the area over the past five years.

1. **Z101-321** On January 25, 2012, the City Council approved a Planned Development District for Multifamily District uses for 316 dwelling units on the southeast side of Capitol Avenue between Garrett Avenue and Bennett Avenue.
2. **Z123-365** On June 11, 2014, the City Council approved a Planned Development District for MF-2(A) Multifamily District uses for 305 units on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue.

3. **Z145-108** On April 22, 2015, the City Council approved a Planned Development District for CR Community Retail District uses on property zoned an MF-2(A) Multifamily District southeast of Capitol Avenue, between Bennett Avenue and North Fitzhugh Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Fitzhugh Avenue	Local	50 ft.	50 ft.
Chambers Street	Local	50 ft.	50 ft.
North Garrett Avenue	Local	60 ft.	60 ft.
Moser Avenue	Local	60 ft.	60 ft.
Monarch Street	Local	67 ft.	67 ft.
Bennett Avenue	Local	50 ft.	50 ft.

Traffic: A traffic impact analysis was submitted. It determined to restrict the on-street parking along North Fitzhugh Avenue in order to maintain roadway capacity. The TIA didn't necessitate any additional off-site or on-site roadway improvements.

COMPREHENSIVE PLAN: 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 identified as being within an Urban Neighborhood Building Block on the *forwardDallas! Vision Illustration*, adopted June 2006. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The proposed MF-2(A) zoning is consistent with the Urban Neighborhood Building Block. The area is predominately zoned MF-2(A) with a mixture of single-family residences and lower density multifamily structures. While the Urban Neighborhood Building supports a mixture of housing choices, it also recognizes that “areas currently developed with single family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process”. Absent an Area Planning process, staff is only supportive of rezoning to increase density, lot coverage and height where it is consistent with the surrounding area.

Land Use:

	Zoning	Land Use
Site	MF-2(A), PDD No. 914	Multifamily, Undeveloped
North	MF-2(A)	Multifamily, Single Family
South	MF-2(A)	Multifamily, Undeveloped, Single Family
East	MF-2(A), LO-1 w/deed restrictions	Multifamily, Fire Station, Single Family
West	MF-2(A)	Multifamily, Single Family

Land Use Compatibility: The 8.167 acre site is an irregular shape that encompasses several city blocks. The adjacent land uses in the surrounding area are predominately 2- to 3-story multifamily units. In June 2014, the City Council approved Planned Development District No. 914 for MF-2(A) Multifamily District uses, but the site was never redeveloped as result of existing 1920 private restrictions.

2.687 acres of PDD No. 914 being rezoned to MF-2(A)

The applicant proposes to rezone a portion of Planned Development District No. 914 to an MF-2(A) Multifamily District. A portion of the site, fronting on Moser Avenue is currently development with multifamily units, with remaining site on North Garrett Avenue being undeveloped. This portion of the site along North Garrett Avenue will be developed with a 73-unit multifamily development at a maximum structure height of 36 feet in the new Planned Development District (Subarea A).

While the existing PDD No. 914 provides for some increased standards above MF-2(A) code regulations, it also provides for more density. By rezoning the property back to MF-2(A) zoning providing for lesser density, those enhanced performance criteria are also removed.

	Proposed MF-2(A) District	Existing PDD No. 914
Front yard	15 ft.	15 ft.
Side and rear yards	10 ft. / 10 ft.	10 ft. / 10 ft.
Height	36 ft.	36 ft. ¹
Stories	No maximum	3
Lot Coverage	60%	75%
Dwelling unit density	No maximum per code ²	74.26 dwelling units per acre
Minimum lot area per dwelling unit	800 sq. ft. – No separate bedroom; 1,000 sq. ft. – 1 BR; 1,200 sq. ft. – 2 BR; Add 150 sq. ft. for each bedroom over 2	No minimum lot area required.
Landscape	Per Article X	Per Article X except for site trees and parkway trees
Sidewalks	Minimum 4 ft.	Minimum 6 ft.
Design Criteria	N/A	Requirements for architectural elements, pedestrian entrances, blank walls, façade wall changes, materials and colors, and pedestrian amenities
Signage	Non-business regulations	Article VII with the exception that blade signs are permitted along Monarch and Garrett; and detached signs are prohibited.

1. Measured from the midpoint of a sloped roof from the building's finished floor at grade level within 170 feet of Moser Avenue.
2. Based upon code revisions to parking for multifamily structures, property zoned MF-2(A) have developed up to 45 dwelling units per acre.

1.42 acres of PDD No. 914 and 4.06 acres of MF-2(A) being rezoned to new PDD

The applicant proposes to raze several multifamily structures to construct a 321-unit multifamily development. Below are tables detailing the development standards for the proposed PDD, MF-2(A) and PDD 914.

	Proposed PDD	Existing MF-2(A) District (4.06 acres)	Existing PDD No. 914 (1.42 acres)	Staff's Recommendation
Front yard	15 ft. min. / 30 ft. max.	15 ft.	15 ft.	15 ft.
Side and rear yards	5 ft.	10 ft. / 10 ft.	10 ft. / 10 ft.	5 ft.
Height		36 ft.	36 ft. ¹	
Subarea A	36 ft.			36 ft.
Subarea B	36 ft.			36 ft.
Subarea C	49 ft.			49 ft.
Stories		No maximum	4	
Subarea A	3			3
Subarea B	3			3
Subarea C	4			4
Lot Coverage		60%	75%	
Subarea A	50%			50%
Subarea B	50%			50%
Subarea C	80%			70%
Density unit density				
Subarea A	73 units (51.4 dua)	N/A	74.26 dua	73 units (51.4 dua)
Subarea B	86 units (54.77 dua)	No maximum per code. ²	N/A	70 units (44.58 dua)
Subarea C	162 units (65.06 dua)	No maximum per code. ²	N/A	115 units (46.18 dua)
Total number units	321 units (58.57 dua)	N/A	N/A	258 units (47.08 dua)
Minimum lot area per dwelling unit	No minimum lot area required.	800 sq. ft. – No separate bedroom; 1,000 sq. ft. – 1 BR; 1,200 sq. ft. – 2 BR; Add 150 sq. ft. for each bedroom over 2	74.26 dwelling units per acre	
Landscape	Per Article X	Per Article X	Per Article X except additional requirements site trees and parkway trees	Per Article X except additional requirements site trees and parkway trees
Sidewalks	6 ft.	4 ft.	Minimum 6 ft.	6 ft.
Design Criteria	Requirements for design standards,	N/A	Requirements for architectural elements,	Requirements for design standards, façade wall

	façade wall changes, materials and colors, pedestrian entrances, parking structure screening, pedestrian amenities and roof pitch.		pedestrian entrances, blank walls, façade wall changes, materials and colors, and pedestrian amenities	changes, materials and colors, pedestrian entrances, parking structure screening, pedestrian amenities and roof pitch.
Signage	Article VII with the exception that blade signs are permitted	Non-business regulations	Article VII with the exception that blade signs are permitted along Monarch and Garrett; and detached signs are prohibited.	Article VII with the exception that blade signs are permitted along Monarch and Garrett; and detached signs are prohibited.

1. Measured from the midpoint of a sloped roof from the building's finished floor at grade level within 170 feet of Moser Avenue.
2. Based upon code revisions to parking for multifamily structures, property zoned MF-2(A) have developed up to 45 dwelling units per acre.

The development plan identifies this area as Subarea A and Subarea B. The applicant is requesting to reduce the following development standards in Subarea A and Subarea B: 1) a reduction in the side and rear yard setbacks from 10 feet to 5 feet, and 2) encroachment in the front yard. The reduction in the required yards will allow for the off-street parking areas to be screened by the proposed developments from the adjacent multifamily uses.

The 162-unit multifamily development will wrap around a 4-story parking structure on three sides. The only driveway approach to the parking structure is on Chambers Street. The development plan identifies this area as Subarea C and is the only area where the density will increase from the typical MF-2(A) density.

Parking: The parking regulations require one space for each bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only.

The applicant is proposing a minimum of one off-street parking space for each dwelling unit must be provided on the building site. Required off-street parking that is not located on the building site must be located within a parking structure that is within a walking distance of 600 feet from the use served by the parking.

The applicant anticipates that of the 371 units, approximately 75% will be one bedroom and 25% will be two bedrooms. It is noted that this unit mix was provided by the applicant for informational purposes but is not a required by the PDD conditions. All required parking will be provided onsite. The applicant will meet the required off-street

parking requirements for the proposed multifamily development. The PDD will allow for the guests in Subarea B to park in the parking structure in Subarea A.

Signage: The applicant is requesting to incorporate blade signs in the multifamily family development. The proposed blade signs will not extend beyond 4 feet from the structure and cannot exceed 20 feet in height with a maximum effective area of 45 feet. Blade signs are only permitted in a business zoned district with a maximum effective area of 20 square feet. However, blade signs have been approved in PDDs for MF multifamily developments.

ZONING AND PARCEL MAP



Zoning and Parcels within 1/4-Mile of Subject Site Z145-238



CPC Action – October 15, 2015

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District and **approval** of a Planned Development District for multifamily residential uses, subject to a revised development plan, and applicant's recommended revised conditions with the following changes: 1) Revised development plan, 2) Prohibit grills in the amenity area in Tract B, 3) Prohibit detached signs, and 4) Prohibit ornamental cupolas or domes as projections on property zoned an MF-2(A) Multifamily District and Planned Development District No. 914 in an area generally bounded by North Fitzhugh Avenue, Chambers Street, North Garrett Avenue, Moser Avenue and Monarch Street.

Note: The following Purpose statement was read into the record: "The purpose of this article is to facilitate thoughtful redevelopment of the property by modifying the existing zoning regulations to lower the allowed height and density to be compatible with the single family environment. This article reduces the overall density allowed on the portion of the property that was previously part of Planned Development District No. 914. There is no intention for this article to establish a precedent for future development and redevelopment in the area".

Maker: Emmons
Second: Abtahi
Result: Carried: 12 to 0

For: 12 - Emmons, Rodgers, Shidid, Anantasomboon,
Abtahi, Lavallaisaa, Jung, Shellene, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anglin, Schultz
Vacancy: 1 - District 4

Notices: Area: 500 Mailed: 250
Replies: For: 10 Against: 4

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Matt Enzler, 3889 Maple Ave., Dallas, TX, 75219
Fonya Mondell, 1918 Moser Ave., Dallas, TX, 75206
Mark Rieves, 5530 Goodwin Ave., Dallas, TX, 75206
Against: None

<p>LIST OF OFFICERS Croesus Greenville Avenue, LP</p>
--

Officers

Applicant

Maple Multifamily Development, LLC
Anne L. Raymond, Manager
Kenneth J. Valach, Vice President
Mathew D. Schildt, Vice President
Megan T. Smith, Vice President
Scott D. David, Vice President
Stephen Bancroft, Vice President
Timothy Hogan, Vice President

Owners

Bennett 1909 LLC
Steward J. Jackson, Manager

Larkspur Monarch, LLC and Larkspur Sycamore LP
Larkspur Capital Partners, LLC
Christopher E. Anderson, Managing Partner
Carl B. Anderson, IV, Managing Partner

Bennett Garrett 139, Ltd.
Sterling Bennett, LLC
Stuart Jackson, President
Christopher Jackson, S-CP

1925 Moser, LLC
Neal Morris, Manager

**CPC PROPOSED PDD
CONDITIONS**

ARTICLE _____.

PD _____.

SEC. 51P-_____.101.

LEGISLATIVE HISTORY.

PD _____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P-_____.102.

PROPERTY LOCATION AND SIZE.

PD _____ is established on property located on the northeast side of Garrett Avenue between Fuqua Street and Monarch Street; on the south corner of Garrett Street and Chambers Street; and the block bounded by Fitzhugh Avenue, Chambers Street, Bennett Avenue, and Monarch Street. The size of PD ____ is approximately 5.48 acres.

SEC. 51P-_____.103.

PURPOSE STATEMENT.

The purpose of this article is to facilitate thoughtful redevelopment of the property by modifying the existing zoning regulations to lower the allowed height and density to be compatible with the single family environment. This article reduces the overall density allowed on the portion of the property that was previously part of Planned Development District No. 914. There is no intention for this article to establish a precedent for future development and redevelopment in the area.

SEC. 51P-_____.104.

DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) **BLADE SIGN** means a sign projecting perpendicularly from the main building facade, or from a building corner, visible from both sides, and made of rigid or soft materials.

(2) **INDIVIDUAL GARAGE** means in close parking space that is attached to a building dwelling units has direct access to one dwelling.

(3) **STOOP** means a small porch leading to the entrance of a residence.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

(d) This district has three subareas: A, B, and C.

SEC. 51P- _____.105. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ____A: development plan.

SEC. 51P- _____.106. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- _____.107. MAIN USES PERMITTED.

(a) The only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-2(A) Multifamily District is subject to DIR in this district; etc.

(b) Accessory Community Center (Private) is limited to use by residents of the Property.

SEC. 51P- _____.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P- _____.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard. Except as provided in this subsection, minimum front yard is 15 feet.

(1) The following may be located in the required front yard in addition to the ordinary projections allowed in Section 51A-4.401(a)(1):

(A) Retaining walls.

(B) Columns, railings for stairs, stoops, porches, and patios with a maximum height of four feet. When railings are installed above a retaining wall, the height of the railing is measured from the top of the retaining wall. The maximum encroachment is eight feet.

(C) Balconies, patios, awnings, ramps, stairs, and stoops may project into the required front yard if each encroachment does not exceed 18 feet in width. Stairs and ramps are not limited in width. The maximum encroachment is eight feet.

(D) In Subareas A and B, landscaping planters, and accessory structures for multifamily amenities such as canopies, trellises, grills, permanent seating, and fire places if the height of the structures is 12 feet or less. The maximum encroachment is eight feet.

(1) Subarea B. Grills are prohibited in the amenity area.

(E) Public art.

(4) In Subarea C, an above-ground parking structure must provide a minimum setback of 20 feet. Architectural features may project up to two feet into this setback requirement.

(b) Side and rear yard.

(1) Except as provided in this subsection, minimum side and rear yard is five feet.

(2) Minimum side yard for the northwest side yard of Subarea A is 15 feet as shown on the development plan.

(3) No side or rear setback is required for a dumpster and dumpster enclosure.

CPC's Recommendation

(4) Public art, landscaping planters, and accessory structures for multifamily amenities such as canopies, trellises, grills, permanent seating, and fire places if the height of the structures is 12 feet or less may be located in the required side and rear yard in addition to the ordinary projections allowed in Section 51A-4.402(a)(1) and 51A-4.403(a)(1).

Staff's Recommendation

(4) Public art, landscaping planters, and accessory structures for multifamily amenities such as canopies, trellises, grills, permanent seating, and fire places if the height of the structures is 12 feet or less may be located in the required side and rear yard if its area of projection does not exceed two feet in addition to the ordinary projections allowed in Section 51A-4.402(a)(1) and 51A-4.403(a)(1).

CPC's Recommendation

(c) Density. Maximum dwelling units combined is 321.

(1) Subarea A. Maximum number of dwelling units is 73.

(2) Subarea B. Maximum number of dwelling units is 86.

(3) Subarea C. Maximum number of dwelling units is 162.

Staff's Recommendation

(c) Density. Maximum number of dwelling units is 258.

(1) Subarea A. Maximum number of dwelling units is 73.

(2) Subarea B. Maximum number of dwelling units is 70.

(3) Subarea C. Maximum number of dwelling units is 115.

(d) Floor area ratio. No maximum floor area ratio.

(e) Height.

(1) Subarea A and B. Maximum structure height is 36 feet measured to the top of the roof structure.

(2) Subarea C. Maximum structure height is 49 feet measure to the top of the roof structure.

(3) Projections. The following structures may project a maximum of six feet above the maximum structure height, not to exceed 30 percent of the roof area.

a. Chimney and vent stacks.

b. Mechanical equipment and mechanical equipment room(s).

c. Visual screens which surround roof mounted mechanical equipment.

d. Parapet wall, limited to a height of four feet above the maximum height.

(B) The following structure may project a maximum of eight feet above the maximum structure height: elevator or stair penthouse or bulkhead.

(C) Rooftop amenity areas are prohibited.

(f) Lot coverage.

(1) In general. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(2) Subarea A and B. Maximum lot coverage is 50 percent.

(3) Subarea C. Maximum lot coverage is 80 percent.

(g) Lot size. No minimum lot size.

(h) Stories.

(1) Subarea A and B. Maximum number of stories above grade is three.

(2) Subarea C. Maximum number of stories above grade is four.

SEC. 51P-____.110. DESIGN STANDARDS FOR RESIDENTIAL USES.

(a) Facade wall changes. Facade walls must have one or more of the following changes:

(1) Changes of color, texture, or material, either diagonally, horizontally, or vertically.

(2) Changes in plane with a depth of at least three feet, either diagonally, horizontally, or vertically.

(b) Materials and colors.

(1) No more than 65 percent of the area of a street facade wall, exclusive of fenestration, may consist of a single color.

(2) A minimum of 80 percent of the exterior wall material, excluding doors and windows, of facades facing a public street must be durable masonry or cementitious siding material.

(A) Masonry includes stone, brick, concrete, hollow clay tile, decorative concrete blocks or tile, glass block, or similar building materials.

(B) Stucco is considered masonry but Exterior Finish Insulations System (EFIS) materials are not.

(c) Entrances.

(1) Enhanced pedestrian building entrances for multifamily uses. A minimum of one visible and usable building entrance is required per Subarea. The entrance must be clearly identified using an awning, paving treatments, a change in roofline, porticos, arcades, arches, integral planters, a stoop, or front porch, color treatments, or similar means. Enhanced pedestrian building entrances must face the street and be recessed a minimum of four feet from the facade or provide covering extending a minimum of four feet out from the facade.

(2) Dwelling unit entrances. A minimum of 70 percent of the street-level, street-facing dwelling units on a building site must have individual entries that face the street and that have direct access to the street from an improved path connecting to the sidewalk.

(d) Parking structure screening.

(1) Street-facing facades for parking structures must be similar in materials, architecture, and appearance to the facade of the main structure or the adjacent structure, except that breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Cable guard strands and chain link fencing on the street-facing facade of the parking structure are prohibited.

(2) Openings in a street-facing parking structure facade may not exceed 60 percent of the total parking structure facade area. The facade of an aboveground parking structure that faces the street must have solid screening at least 42 inches in height from each floor level within the parking structure to screen vehicles and vehicle headlights.

(3) This subsection does not apply to individual garages attached to a single dwelling unit.

(e) Sidewalk. A minimum six foot sidewalk is required.

(f) Pedestrian amenities. A minimum of one of the following pedestrian amenities must be provided along each street frontage.

(1) Bench.

(2) Trash receptacle.

(3) Publicly accessible bicycle rack.

(g) Pedestrian-scale lighting. Pedestrian street lighting fixtures located in pedestrian areas may not be less than nine feet or more than 15 feet in height above a sidewalk or pathway. Pedestrian street lights must be provided at a maximum spacing of 50 feet along all public rights-of-way.

(f) Roof pitch. All roofs must be flat provided that a minimum slope is allowed to accommodate this positive drainage.

SEC. 51P- _____.111. OFF-STREET PARKING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking requirements for each use.

(b) The Property is considered one lot for off-street parking purposes, except that a minimum of one off-street parking space for each dwelling unit must be provided on each building site. Required off-street parking that is not located on the building site must be located within a parking structure that is within a walking distance of 600 feet from the use served by the parking.

(c) No more than 10 percent of the required off-street parking not provided in individual garages can be assigned to individual units per building site.

CPC's Recommendation

(d) Garage doors for individual attached garages may be located less than 20 feet from the pavement line of an alley if a five-foot setback is provided for the garage door, remote automatic control is installed and maintained in working condition. No portion of the garage door may encroach into the alley when it opens or closes. Parking may not be located between the garage door and payment line of the alley unless a setback of at least 20 feet is provided.

Staff's Recommendation

(d) Garage doors for individual attached garages may be located no less than 10 feet from the pavement line of an alley if a remote automatic control is installed and maintained in working condition. Parking may not be located in front of the garage door unless a setback of at least 20 feet is provided.

(e) Restrict on-street parking along North Fitzhugh Avenue

SEC. 51P- _____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.113. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.

Staff's recommendation

(b) Site trees. Site trees must have a minimum height of eight feet and a minimum caliper of two inches measured at a point 12 inches above the root ball at the time of installation.

(c) Parkway trees.

(1) Tree planting zone. Parkway trees must be located within the tree planting zone, which is that area parallel to and between two-and-one-half and 10 feet from the back of the projected street curb. Trees planted within the tree planting zone may count toward site tree and street tree requirements.

(2) Number. The minimum number of required parkway trees is determined by dividing the number of feet of street frontage, excluding visibility triangles, by 35. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. One street tree credit will be allowed for each street tree existing on June 11, 2014 that is preserved.

(3) Type. Parkway trees must be recommended for local area use by the building official.

(4) Height and caliper. Parkway trees must have a minimum height of eight feet and a minimum caliper of three-and-one-half inches measured at a point 12 inches above the root ball at the time of installation.

(5) Spacing. Parkway trees must be spaced as uniformly as practicable, but must be within 50 feet of the trunk of another required tree or an existing preserved street tree, excluding all visibility triangles, corner clips, and vehicular drives.

(d) Maintenance. Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-____.114. SIGNS.

(a) In general. Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) Detached signs. Detached signs are prohibited.

(c) Blade signs.

(1) Illumination. Blade signs may not be internally illuminated.

(2) Number. A maximum of two blade signs are permitted in Subarea C, limited to facing Monarch Street and Fitzhugh Avenue.

CPC's Recommendation

(3) Size. Blade signs cannot exceed 20 feet in height and may have a maximum effective area of 45 square feet.

(4) Projection. Blade signs cannot project more than two-and one-half feet from the building.

Staff's Recommendation

(A) Overall. Maximum effective area for each blade sign is 50 square feet per side.

(3) Mounting. Blade signs must be attached to the main structure.

(4) Projection. Blade signs may project a maximum of two-and one-half feet into the required setbacks.

SEC. 51P- ____ .115.

ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

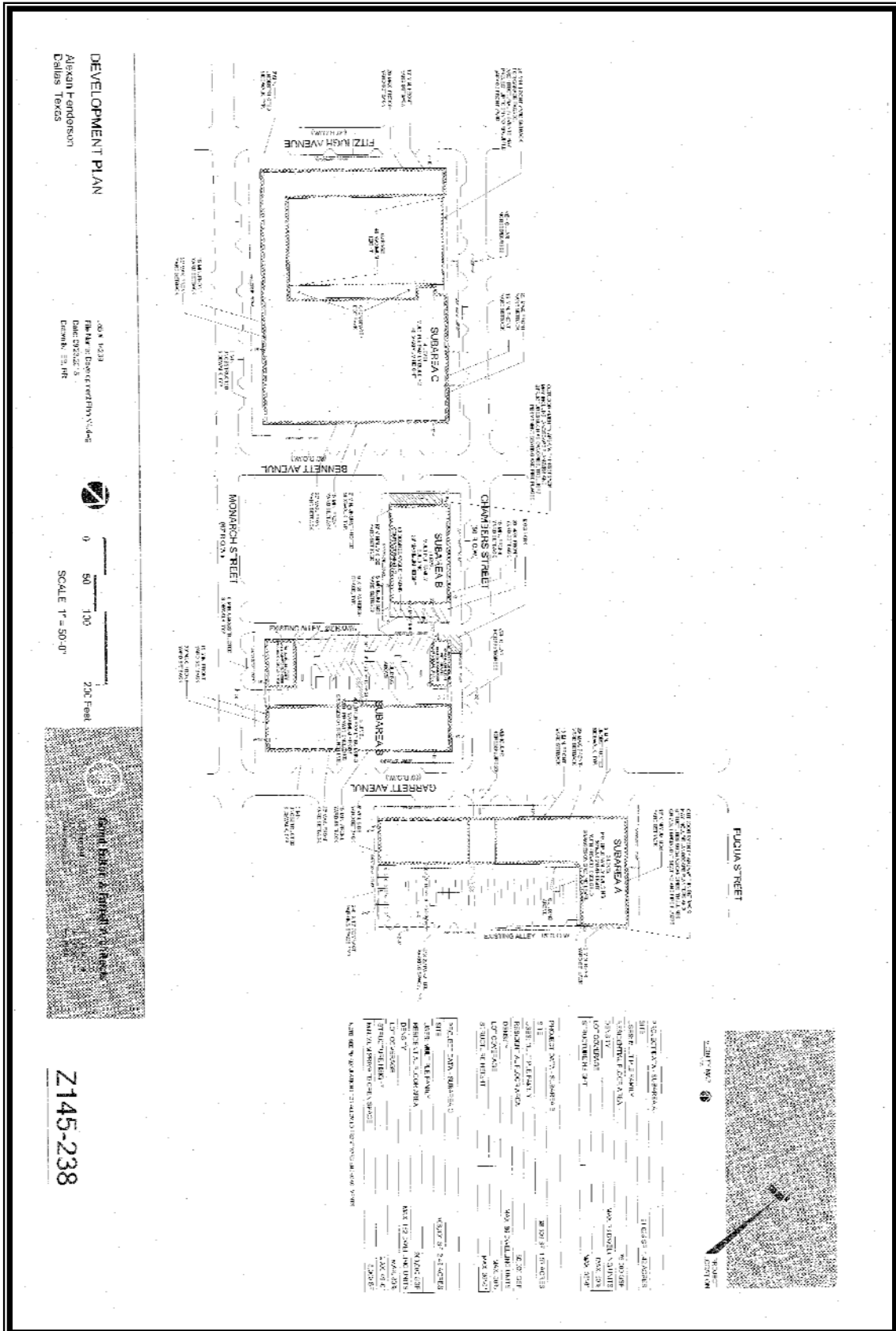
SEC. 51P- ____ .116.

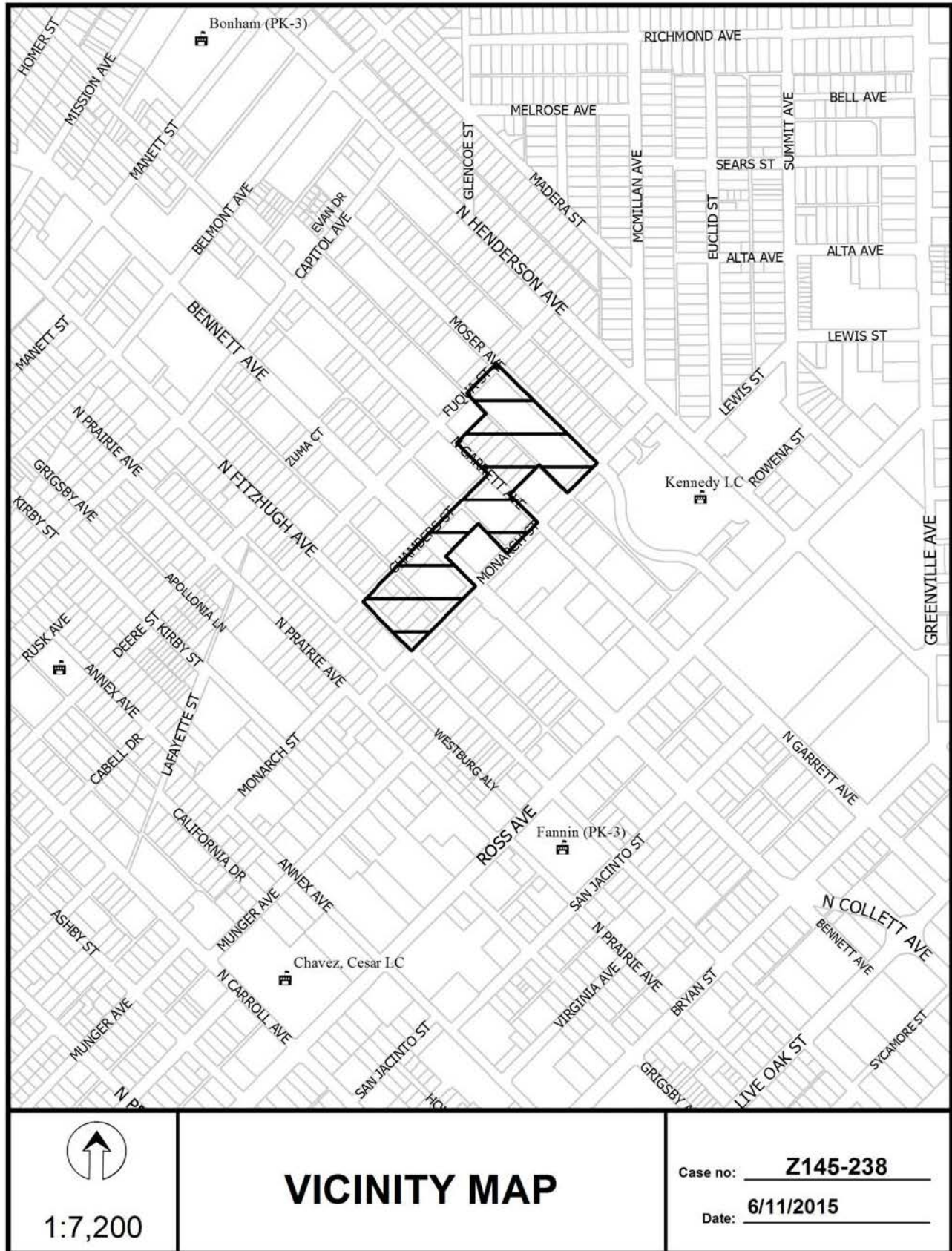
COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

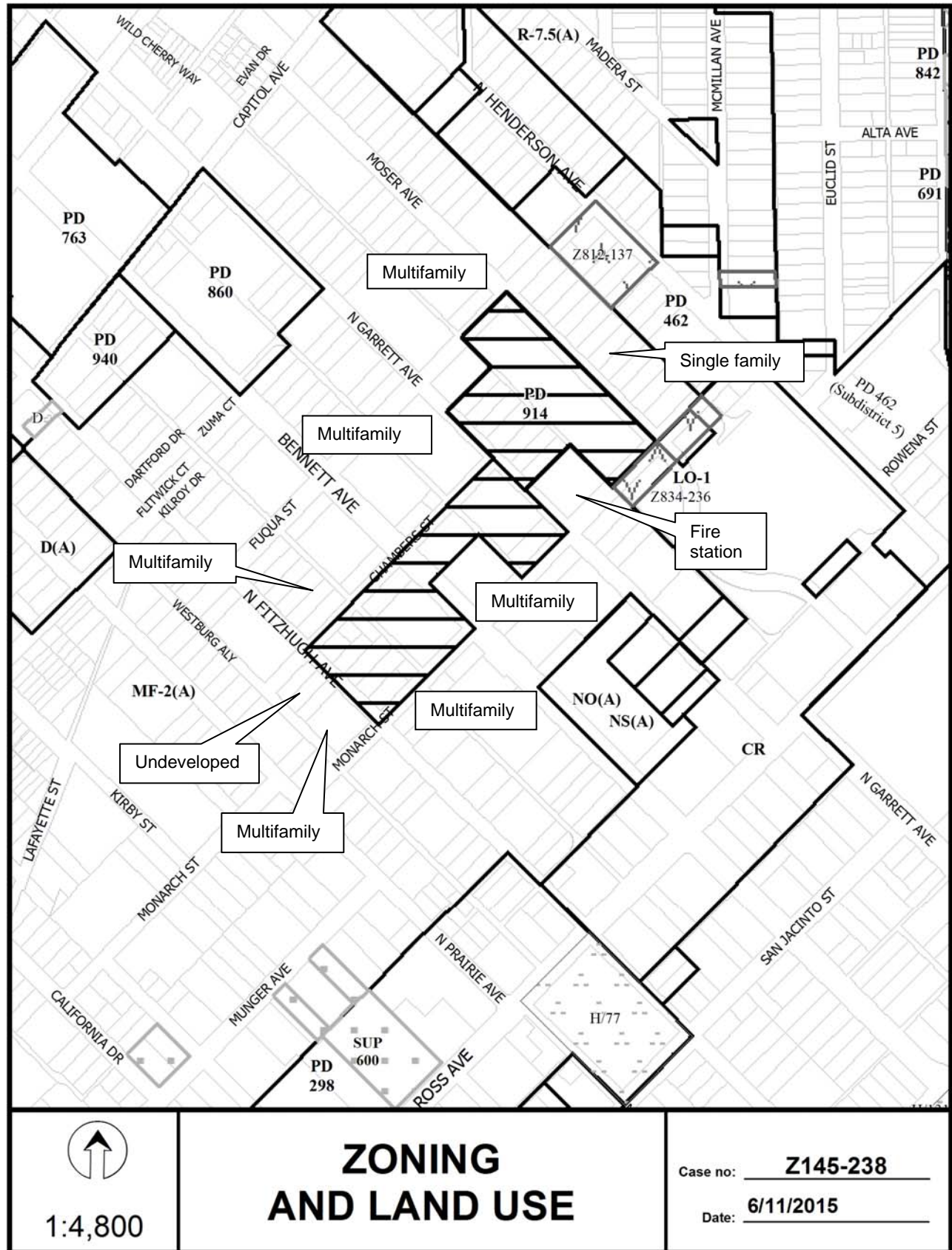
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED DEVELOPMENT PLAN





[illegible]

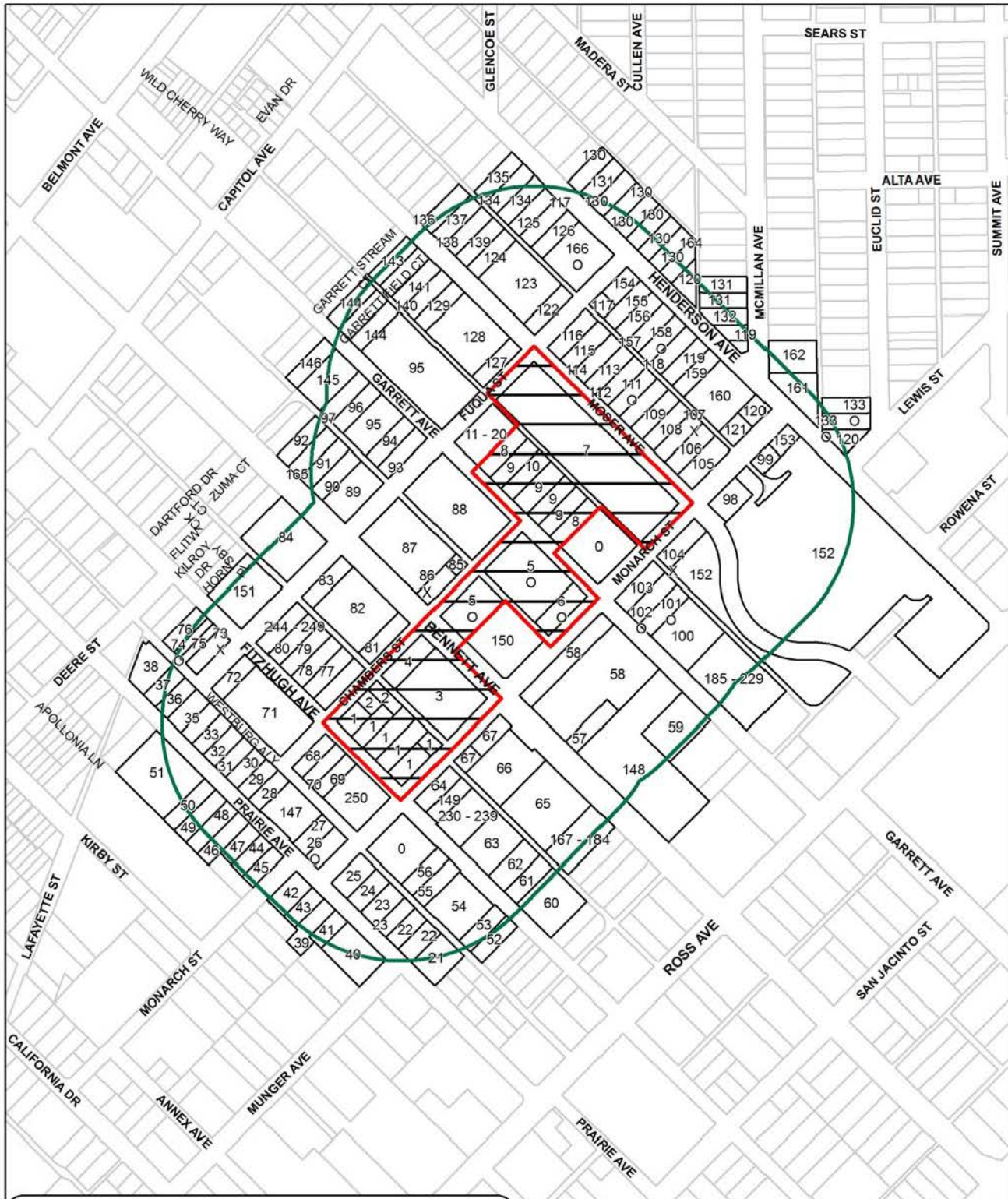


ZONING HISTORY

Case no: **Z145-238**

Date: **6/11/2015**

CPC RESPONSES



<u>250</u>	Property Owners Notified (198 parcels)
<u>10</u>	Replies in Favor (12 parcels)
<u>4</u>	Replies in Opposition (4 parcels)
<u>500'</u>	Area of Notification
<u>10/15/2015</u>	Date

Z145-238
CPC



1:4,800

Notification List of Property Owners

10/20/2015

Z145-238

250 Property Owners Notified 10 Property Owners in Favor 4 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1 1900	FITZHUGH AVE	J ROBERT COMPANIES INC THE
	2 4910	CHAMBERS ST	J ROBERTS COMPANIES INC THE
	3 1909	BENNETT AVE	1909 HODLINGS LTD
	4 1919	BENNETT AVE	WRUCK GEORGE JR
O	5 1918	BENNETT AVE	BENNETT GARRETT 139 LTD
O	6 1903	GARRETT AVE	DEATON JAMES M & CHARLOTTE A
	7 1925	MOSER AVE	URBAN SOUTHWESTEAST
	8 2012	GARRETT AVE	2301 GARRETT PTNR LTD
	9 2008	GARRETT AVE	2301 GARRETT PARTNERS LTD
	10 2004	GARRETT AVE	2301 GARRETT PARTNERS LT
	11 2020	GARRETT AVE	UKKESTAD ERIKA L
	12 2020	GARRETT AVE	BEATTIE EVAN L
	13 2020	GARRETT AVE	GARCIA JESUS
	14 2020	GARRETT AVE	JACKSON LISA
	15 2020	GARRETT AVE	RIVERA ARMANDO
	16 2020	GARRETT AVE	NELSON DAVID S
	17 2020	GARRETT AVE	MCCAFFREY MARLA
	18 2020	GARRETT AVE	DOTSON DANIEL ALLEN
	19 2020	GARRETT AVE	SILVA MARIA G RAMIREZ
	20 2020	GARRETT AVE	MEZA ALEJANDRO
	21 1810	PRAIRIE AVE	ROGERS STEPHEN J
	22 1900	PRAIRIE AVE	VICEROY PRAIRIE LP
	23 1906	PRAIRIE AVE	BELLAMY ROBERT P
	24 1914	PRAIRIE AVE	BELLAMY ROBERT
	25 1918	PRAIRIE AVE	BELLAMY ROBERT LAWRENCE
O	26 2000	PRAIRIE AVE	BLUCILLE LIMITED

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	27	2004	PRAIRIE AVE	SHAMPAIN RICHARD H
	28	2022	PRAIRIE AVE	DOBBS THERESA
	29	2026	PRAIRIE AVE	SUBIALDIA HILARIO &
	30	2030	PRAIRIE AVE	UVALLE GILBERTO &
	31	2032	PRAIRIE AVE	ROMERO LUPE
	32	2038	PRAIRIE AVE	FINSTROM LARRY &
	33	2102	PRAIRIE AVE	ALARCON JESUS M &
	34	2106	PRAIRIE AVE	GAUSE SHARON
	35	2110	PRAIRIE AVE	SEGURA YOLANDA
	36	2114	PRAIRIE AVE	BARAJAS AMELIA C
	37	2120	PRAIRIE AVE	BARAJAS ANTONIO &
	38	2124	PRAIRIE AVE	SANDOVAL TERESA &
	39	1921	PRAIRIE AVE	STAFFORD JUDSON
	40	4715	MUNGER AVE	WESTERMAN AVRIL M &
	41	1915	PRAIRIE AVE	RUARK MARY ELLEN
	42	1931	PRAIRIE AVE	MAYFIELD NEDGRA NELL
	43	1925	PRAIRIE AVE	SALAZAR MARIA
	44	2005	PRAIRIE AVE	MAYFIELD ANTIE SHARIE &
	45	2001	PRAIRIE AVE	MAYFIELD MARY JO ESTATE OF
	46	2015	PRAIRIE AVE	MERCADO REFUGIO
	47	2011	PRAIRIE AVE	MARTINEZ MARTIN & JULIA
	48	2019	PRAIRIE AVE	LAMB EDDY LEE
	49	2023	PRAIRIE AVE	SMITH ROBERT LYNN
	50	2027	PRAIRIE AVE	WAGGONER ELVIA G
	51	2031	PRAIRIE AVE	STAPACE LTD
	52	1733	FITZHUGH AVE	CUEVAS SALVADOR & CARMEN
	53	1737	FITZHUGH AVE	GNG PROPERTIES
	54	1807	FITZHUGH AVE	FAIR OAKS APTS INC
	55	1815	FITZHUGH AVE	FAIR OAKS APTS INCORPORATED
	56	1819	FITZHUGH AVE	SALDIVAR FAMILY LP
	57	1808	BENNETT AVE	RAMIREZ RICHARD & MARIE

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	1830 BENNETT AVE	VILLA SANTA MARIA INC
	59	1805 GARRETT AVE	MEDHANFALEM ERITREAN
	60	1728 FITZHUGH AVE	1728 N FITZHUGH LLC
	61	1738 FITZHUGH AVE	NGUYEN CAN V
	62	1800 FITZHUGH AVE	NGUYEN CHI THI
	63	1810 FITZHUGH AVE	1810 N FITZHUGH LLC
	64	1830 FITZHUGH AVE	WANG ALERN TR
	65	1809 BENNETT AVE	CASA 1809 BENNETT LP
	66	1819 BENNETT AVE	BENNETT APARTMENTS LLC
	67	1831 BENNETT AVE	HR INVESTMENTS LLC
	68	1921 FITZHUGH AVE	FITZHUGH MONARCH LTD
	69	1913 FITZHUGH AVE	FITZHUGH MONARCH LTD
	70	1915 FITZHUGH AVE	FITZHUGH MONARCH LTD
	71	2001 FITZHUGH AVE	ROLLING CASH SONOMA LP
	72	2021 FITZHUGH AVE	A & D CONSTRUCTION INC
X	73	2103 FITZHUGH AVE	ACEVEDO AURORA & SERAFIN
O	74	2105 FITZHUGH AVE	MAISON DONALD J JR
	75	2107 FITZHUGH AVE	BOYER ELIZABETH ANN
	76	2109 FITZHUGH AVE	BAXAVANIS JENNIFER CAYE
	77	2006 FITZHUGH AVE	BARR BURT JR
	78	2008 FITZHUGH AVE	BELTRAN MARCELINO &
	79	2012 FITZHUGH AVE	BELTRAN TRAQUILINO
	80	2016 FITZHUGH AVE	VILLA JORGE F &
	81	2003 BENNETT AVE	G220 ENTERPRISES
	82	2015 BENNETT AVE	BLUE FIN PARTNERS INC
	83	2021 BENNETT AVE	LARKSPUR DEVELOPMENT LP
	84	2109 BENNETT AVE	SEAHORSE HOLDINGS LP
	85	5011 CHAMBERS ST	IRA PLUS SOUTHWEST LLC
X	86	5005 CHAMBERS ST	BROWN MEGAN
	87	2014 BENNETT AVE	2014 BENNETT LTD
	88	2015 GARRETT AVE	MADDOX RONALD C &

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	2106 BENNETT AVE	BENNETT GARRETT 139 LTD
	90	2110 BENNETT AVE	KRISHKAV INVESTMENTS LLC
	91	2112 BENNETT AVE	DOMINGUEZ MARIANO &
	92	2122 BENNETT AVE	TORREZ JUAN & MARIA
	93	5023 FUQUA ST	CARDOSO JOSE L & MARIA E
	94	2107 GARRETT AVE	PINA MARTHA PARRA
	95	2115 GARRETT AVE	MONTANA & CHANCE 21152116 GARRETT LP
	96	2117 GARRETT AVE	HERNANDEZ SALVADOR
	97	2121 GARRETT AVE	VILLAREAL AMPARO
	98	1830 MOSER AVE	BLAIR IAN
	99	5216 MONARCH ST	CANELAKES LOUIS
	100	1820 GARRETT AVE	FEB RESIDENTIAL LLC
O	101	1828 GARRETT AVE	TOPSPIN DEVELOPMENT LP
O	102	1832 GARRETT AVE	TOPSIN DEV LP
	103	1836 GARRETT AVE	BURNS ROBERT &
X	104	1833 MOSER AVE	BURNS ROBERT W
	105	1902 MOSER AVE	BOSWELL BRADLY
	106	1906 MOSER AVE	STELLMACHER RICHARD &
X	107	1912 MOSER AVE	TICHANSKY MICHAEL S &
	108	1914 MOSER AVE	MCCULLOUGH DAVID W &
	109	1918 MOSER AVE	MONDELL FONYA NAOMI
	110	1922 MOSER AVE	MONDELL CYNTHIA & ALLEN
O	111	2002 MOSER AVE	GOODENOW GEORGE
	112	2006 MOSER AVE	ULLAH ANJUM
	113	2008 MOSER AVE	LOPEZ JAVIER
	114	2014 MOSER AVE	CUELLAR- VALDEZ ROSANN
	115	2018 MOSER AVE	FAIFAR RIBEIRO PATRICIA X
	116	2022 MOSER AVE	ESCARCEGA CARLOS
	117	5216 FUQUA ST	SMITH ISABELLE M
	118	2003 HENDERSON AVE	MUNTZEL MARK
	119	1925 HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	1901 HENDERSON AVE	HENDERSON MAIN DALLAS LLC
	121	5217 MONARCH ST	MUELLER MARK C
	122	2100 MOSER AVE	FIG TREE ASSOC INC
	123	2110 MOSER AVE	FIG TREE ASSOCIATES INC
	124	2122 MOSER AVE	GARCIA JOSE
	125	2121 HENDERSON AVE	HENLEY HAROLD HUDSON
	126	2115 HENDERSON AVE	AVILA PASTORA MARIA
	127	2103 MOSER AVE	HOLZWARTH DENNIS
	128	2107 MOSER AVE	YDB PROPERTIES LLC
	129	2123 MOSER AVE	HSIANG YUEH YUE &
	130	2116 HENDERSON AVE	HENDERSON RESIDENTIAL LANDS DALLAS LLC
	131	2114 HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
	132	1815 MCMILLAN AVE	HENDERSON RESIDENTIAL LANDS
O	133	1805 EUCLID AVE	1834 N HENDERSON LLC
	134	2201 HENDERSON AVE	HENLEY HAROLD H
	135	2209 HENDERSON AVE	HENLEY HUDSON
	136	2214 MOSER AVE	FLORES IRMA RUFINA
	137	2208 MOSER AVE	FOUR MAD OX LLC
	138	2206 MOSER AVE	CHEFCHIS AMELIA
	139	2202 MOSER AVE	NEGRETE BLANCA G
	140	2203 MOSER AVE	ALVAREZ RODRIGO & MARIA
	141	2207 MOSER AVE	NILASENA NANCY
	142	2211 MOSER AVE	SEGOVIA ESPERANZA
	143	2215 MOSER AVE	KHAN IRFAN A &
	144	2214 GARRETT AVE	TDI GARRETT AVENUE LTD
	145	2201 GARRETT AVE	OHIRHIAN SAMUEL O
	146	2211 GARRETT AVE	JLB BENCAP LP
	147	2016 PRAIRIE AVE	RIGGIO DAVID A
	148	1800 BENNETT AVE	CHURCH OF JESUS CHRIST OF
	149	1826 FITZHUGH AVE	WANG ALERN TR
	150	1902 BENNETT AVE	BENNETT LOFT LLC

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151 2104	FITZHUGH AVE	GRAHAM MORTGAGE CORP
	152 1802	MOSER AVE	Dallas ISD
	153 1839	HENDERSON AVE	CANELAKES LOUIS
	154 2023	HENDERSON AVE	RIVAS ELIZABETH C
	155 2019	HENDERSON AVE	ALARCON ANDRES
	156 2015	HENDERSON AVE	ESPINOZA GRACIELA
	157 2011	HENDERSON AVE	NGUYEN CUNG LUONG 2010 TRUST
O	158 2007	HENDERSON AVE	NORTH HENDERSON AVENUE LLC
	159 1921	HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
	160 1907	HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
	161 1900	HENDERSON AVE	HENDERSON MAIN DALLAS LLC
	162 1804	MCMILLAN AVE	HENDERSON MAIN DALLAS LLC
	163 1924	HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
	164 2026	HENDERSON AVE	HENDERSON MAIN DALLAS LLC
	165 2120	BENNETT AVE	RUIZ JAIMIE
O	166 2107	HENDERSON AVE	2107 N HENDERSON AVENUE LLC
	167 1727	BENNETT AVE	PINNEBOG INVESTMENTS LLC
	168 1727	BENNETT AVE	PINNEBOG INVESTMENTS
	169 1727	BENNETT AVE	PINNEBOG INVESTMENTS LLC
	170 1727	BENNETT AVE	ZINN MICHAEL & CAROL
	171 1727	BENNETT AVE	CHAILLET BRIAN S
	172 1727	BENNETT AVE	PINNEBOG INVESTMENTS LLC
	173 1727	BENNETT AVE	PINNEBOG INVESTMENTS LLC
	174 1727	BENNETT AVE	PINNEBOG INVESTMENTS LLC
	175 1727	BENNETT AVE	SUAREZ JUAN A JR
	176 1727	BENNETT AVE	PINNEBOG INV
	177 1727	BENNETT AVE	HO JOHN
	178 1727	BENNETT AVE	ARISTODEMOU ARISTODEMOS
	179 1727	BENNETT AVE	GUTHRIE C RAVIS
	180 1727	BENNETT AVE	PINNEBOG INV LLC
	181 1727	BENNETT AVE	ABOVO CORP

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	1727 BENNETT AVE	PINNEBOG INVESMENTS LLC
	183	1727 BENNETT AVE	GENZEL STANLEY G ETAL
	184	1727 BENNETT AVE	MEHL ALEXANDER GERT
	185	1810 GARRETT AVE	RODRIGUEZ ESPERANZA &
	186	1810 GARRETT AVE	AMADOR LUDMILA & ANA
	187	1810 GARRETT AVE	RIVERPOINT PARTNERS
	188	1810 GARRETT AVE	BUSTAMANTE CESAR MEDINA
	189	1810 GARRETT AVE	EARLY VIRGINIA
	190	1810 GARRETT AVE	LOPEZ JUAN PABLO MARQUEZ
	191	1810 GARRETT AVE	BONDS ROBERT A
	192	1810 GARRETT AVE	MANJREKAR ASHISH
	193	1810 GARRETT AVE	REED GEORGE P
	194	1810 GARRETT AVE	VILLAGOMEZ JESUS
	195	1810 GARRETT AVE	RATLIFF HARVEY LOCKE &
	196	1810 GARRETT AVE	CUELLAR PRECILIANO &
	197	1810 GARRETT AVE	VILLAGOMEZ JESUS
	198	1810 GARRETT AVE	RATLIFF HARVEY LOCKE
	199	1810 GARRETT AVE	GARZA MANUEL J & ET AL
	200	1810 GARRETT AVE	MACIAS GUSTAVO
	201	1810 GARRETT AVE	CALEY KATHRYN
	202	1810 GARRETT AVE	GUTIERREZ VICTOR & MARIA
	203	1810 GARRETT AVE	OWEN FRED D
	204	1810 GARRETT AVE	FUSSELMAN ELAINE
	205	1810 GARRETT AVE	GARRETT AVE TR NO 907032008 THE
	206	1810 GARRETT AVE	TOM ALFRED
	207	1810 GARRETT AVE	GUTIERREZ NORMA IRENE
	208	1810 GARRETT AVE	MORALES ROSALIA
	209	1810 GARRETT AVE	SIKES ROBERT C &
	210	1810 GARRETT AVE	MOORE RICHARD BURTON
	211	1810 GARRETT AVE	FLORES JUAN & MARIA
	212	1810 GARRETT AVE	GARZA MANUEL J

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	1810 GARRETT AVE	DIJKMAN CELIA MARIA TRUST
	214	1810 GARRETT AVE	REYES SYLVIA
	215	1810 GARRETT AVE	LAFON CYNTHIA FAYE
	216	1810 GARRETT AVE	WYLAND MICHAEL
	217	1810 GARRETT AVE	GUTIERREZ NORMA I
	218	1810 GARRETT AVE	WILLIMAS ELIZABETH L
	219	1810 GARRETT AVE	BANDY SCOTT G
	220	1810 GARRETT AVE	HUBER WILLIAM R
	221	1810 GARRETT AVE	ESTRELLA YOJAIDA
	222	1810 GARRETT AVE	ZAK PAUL A
	223	1810 GARRETT AVE	FLORES JUANITA L
	224	1810 GARRETT AVE	ANDINO JUAN FRANCISCO &
	225	1810 GARRETT AVE	WEST DON M &
	226	1810 GARRETT AVE	BRAEMAR NORTH JV
	227	1810 GARRETT AVE	YBARRA ALFONZO R
	228	1810 GARRETT AVE	YBARRA AL
	229	1810 GARRETT AVE	GUTIERREZ NORMA IRENE
	230	1818 FITZHUGH AVE	ORTIZ SELIA & JOSEFINA
	231	1818 FITZHUGH AVE	THOMPSON JASON M
	232	1818 FITZHUGH AVE	MURRELL PHILLIP
	233	1818 FITZHUGH AVE	LOERACARRILLO ORLANDO
	234	1818 FITZHUGH AVE	HUYNH KHOA
	235	1818 FITZHUGH AVE	RHODES RYAN
	236	1818 FITZHUGH AVE	ROBBINS JODI L
	237	1818 FITZHUGH AVE	DEL VALLE TAMARA L
	238	1822 FITZHUGH AVE	MURCHISON EQUITIES INC
	239	1822 FITZHUGH AVE	OKE VICTOR
	240	2002 FITZHUGH AVE	BRAVO HOLLAND PROPERTIES LLC
	241	2002 FITZHUGH AVE	BLANK BEAU
	242	2002 FITZHUGH AVE	BRAVO HOLLAND PROPERTIES LLC
	243	2002 FITZHUGH AVE	PARPAR FI LLC

Z145-238(WE)

10/20/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	244 2022	FITZHUGH AVE	CALDWELL DAVID
	245 2022	FITZHUGH AVE	FAIRCHILD MAX M
	246 2022	FITZHUGH AVE	KO WINFRED &
	247 2022	FITZHUGH AVE	BODILY BRADLEY K
	248 2022	FITZHUGH AVE	KELLER STEVE
	249 2022	FITZHUGH AVE	SULTEMEIER PERRY BRENT & HAE WON
	250 1901	FITZHUGH AVE	XIONG SHANJUN & BEVERLY CHEN

AGENDA ITEM # 83

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 48 G

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the removal of the D-1 Liquor Control Overlay on property zoned an RR Regional Retail District with consideration being given to 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 the northeast corner of Samuell Boulevard and South Buckner Boulevard

Recommendation of Staff: Denial of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit 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 of a D-1 Liquor Control Overlay; and denial of a Specific Use Permit
Z145-325(OTH)

FILE NUMBER: Z145-325(OTH)

DATE FILED: August 14, 2015

LOCATION: Northeast corner of Samuell Boulevard and South Buckner Boulevard

COUNCIL DISTRICT: 7

MAPSCO: 48 G

SIZE OF REQUEST: Approx. 1.36 acres

CENSUS TRACT: 178.05

APPLICANT/OWNER: JD Dudley

REPRESENTATIVE: Robert Miklos, Miklos Law, PLLC

REQUEST: An application for the removal of the D-1 Liquor Control Overlay on property zoned an RR Regional Retail District with consideration being given to 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.

SUMMARY: The applicant proposes to remove the D-1 Liquor Control Overlay in order to sell beer and wine without a Specific Use Permit. If removal of the D-1 Liquor Control Overlay is not approved, the applicant requests a Specific Use Permit to sell beer and wine. The applicant proposes to build an approximately 5,858 square foot structure for a general merchandise or food store and a motor vehicle fueling station and 24 fuel pumps [Quik Trip]. A portion of the proposed building will be located in the City of Mesquite; however, the fuel pumps and a large portion of the parking for the development are located in the City of Dallas. The sale of alcoholic beverages is allowed by right in the City of Mesquite.

CPC RECOMMENDATION: Approval of a D-1 Liquor Control Overlay; and denial of a Specific Use Permit.

STAFF RECOMMENDATION: Denial of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends denial of the removal of the D-1 Liquor Control Overlay based upon:

1. *Performance impacts upon surrounding property* – The removal of the D-1 Liquor Control Overlay is consistent with the surrounding area. Several properties have an SUP for the sale of alcoholic beverages. There is no land use rationale for removing the D-1 Liquor Control Overlay solely on this one parcel without consideration for the surrounding properties particularly north of Samuell Boulevard.
2. *Traffic impact* – The proposed development has direct access to two major thoroughfares – South Buckner Boulevard to the west and Samuell Boulevard to the south. Removal of the D-1 Liquor Control Overlay has no impact upon traffic.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan identifies the area as being a Business Center or Corridor Building Block. As previously noted, the Comprehensive Plan would support looking at a change to the area as opposed to a singular parcel for the benefit of one property owner.

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 sale of alcoholic beverages in conjunction with the proposed general merchandise or food store greater than 3,500 square feet will not impact compatibility with the surrounding land uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale alcoholic beverages in conjunction with the existing general merchandise or food store neither contributes to nor deters from the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The sale of alcoholic beverages is not anticipated to be a detriment to the public health, safety or general welfare of the area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed development complies with all applicable zoning regulations and standards of the City of Dallas. No variances or special exceptions are requested.

Zoning History:

There have been three zoning requests in the area within the last five years.

- 1. Z145-258** On August 12, 2015, the City Council approved Specific Use Permit No. 1975 for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay, on the northwest corner of Samuell Boulevard and S. Buckner Boulevard.
- 2. Z145-130** On March 25, 2015, the City Council approved Specific Use Permit No. 2142 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or more, on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay located on the north line of Samuell Boulevard, west of South Buckner Boulevard.
- 3. Z112-138** On April 11, 2012, the City Council approved an amendment to Planned Development District No. 605 with a D-1 Liquor Control Overlay and Specific Use Permit No. 1949 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property located on the southwest corner of Samuell Boulevard and Buckner Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
S. Buckner Boulevard	Principal Arterial	Variable width
Samuell Boulevard	Community Collector	100 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction reviewed the requests and determined that the use; nor removal of the D-1 Overlay will impact the surrounding roadway system.

STAFF ANALYSIS:**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan classifies the area as a Business Center or Corridor Building Block.

The Business Center or Corridor 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.

Staff recommends that the removal of the D-1 Liquor Control Overlay be denied.

Staff recommends approval of the Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store. The proposed use is compatible with the surrounding areas and is maintains the balance with the surrounding land uses.

Surrounding Land Uses:

	Zoning	Land Use
Site	RR-D-1	Undeveloped
North	RR	Undeveloped
East	NA	City of Mesquite
South	PD No. 549, PD No. 605-D-1, and SUP 1979	Foster home, Undeveloped
West	RR-D-1, SUP 1975 & SUP 2142	Retail

Land Use Compatibility:

The request site is approximately 1.36 acres and is currently undeveloped. The existing zoning of the property is RR Regional Retail District with a D-1 Liquor Control Overlay. The applicant is proposing to develop the site with a 5,858 square foot building for a general merchandise or food store greater than 3,500 square feet with a motor vehicle fuel station and 24 fuel pumps. The property is adjacent to undeveloped land to the north and east, institutional and undeveloped to the south, and retail to the west. Specific Use Permits No. 1975, 1979 and 2142 are for the sale of alcoholic beverages in conjunction with the general merchandise or food stores. The proposed development complies with all the requirements of the Development Code.

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:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the ±4,225.95 square-foot store requires 21 parking spaces. The motor vehicle fueling station has a standard requirement of two parking spaces. The total required parking spaces is 23 spaces. The applicant is providing 74 parking spaces as shown in the site plan. Staff discussed with the applicant the excessive amount of parking provided, but the applicant claims that the proposed parking is the standard provided with the signature design of the Quik Trip development.

Landscaping:

The newly proposed development will require landscaping per Article X of the Dallas Development Code. The proposed development is required to provide landscaping in accordance with Article X for the Dallas Development Code. Some of the mandatory requirements are: site trees, street trees, and screening of off-street parking.

CPC ACTION – October 15, 2015

Motion I: It was moved to recommend **approval** of the removal of the D-1 Liquor Control Overlay on property zoned an RR Regional Retail District on the northeast corner of Samuell Boulevard and South Buckner Boulevard.

Maker: Abtahi
Second: Rodgers
Result: Carried: 9 to 3

For: 9 - Emmons*, Rodgers, Shidid, Anantasomboon,
Abtahi, Lavallaisaa, Shellene, Murphy, Tarpley

Against: 3 - Jung, Peadon, Ridley
Absent: 2 - Anglin, Schultz
Vacancy: 1 - District 4

*out of the room, shown voting in favor

Motion II: It was moved to recommend **denial** 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 on property zoned an RR Regional Retail District on the northeast corner of Samuell Boulevard and South Buckner Boulevard.

Maker: Abtahi
Second: Rodgers
Result: Carried: 12 to 0

For: 12 - Emmons*, Rodgers, Shidid, Anantasomboon,
Abtahi, Lavallaisaa, Jung, Shellene, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anglin, Schultz
Vacancy: 1 - District 4

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 8
Replies: For: 0 Against: 0

Speakers: For: J. D. Dudley, 1120 N. Industrial Blvd., Euless, TX, 76039
For (Did Not speak): Prabha Cinclair, 1800 Valley View Ln., Farmers Branch, TX, 75234
Against: None

Staff's Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 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 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.)
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Off-street parking must be located as shown on the attached site plan.
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.”

List of Partners

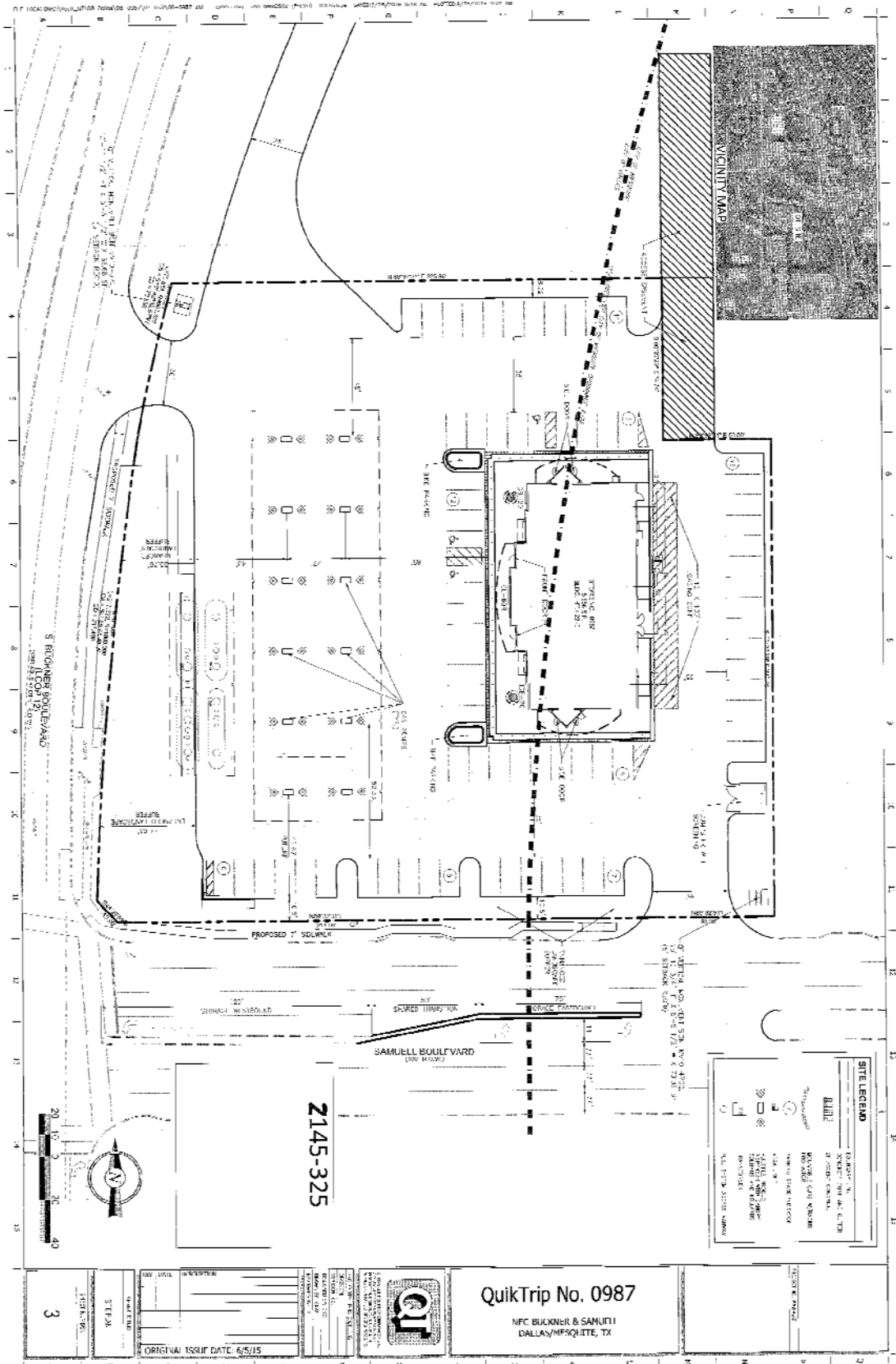
Resource One Credit Union

President/CEO- Jim Bredensine;
CFO- Jim Ladner
COO- Doug Bedner
CLO (Chief Lending Officer)- Lee Strickhouser; and
CSMO (Chief Sales and Marketing Officer)- Jennifer Grinder

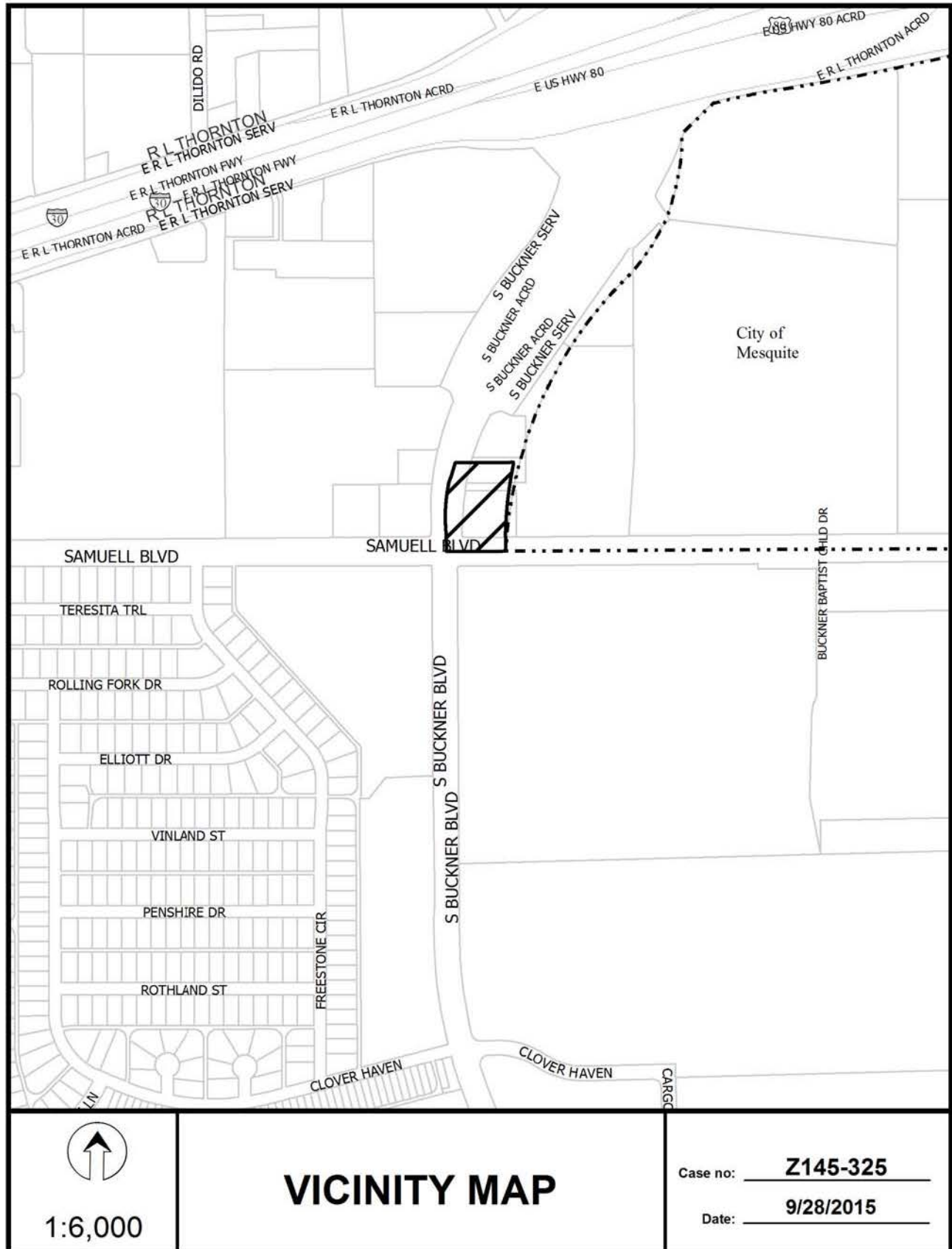
Vista Property Company

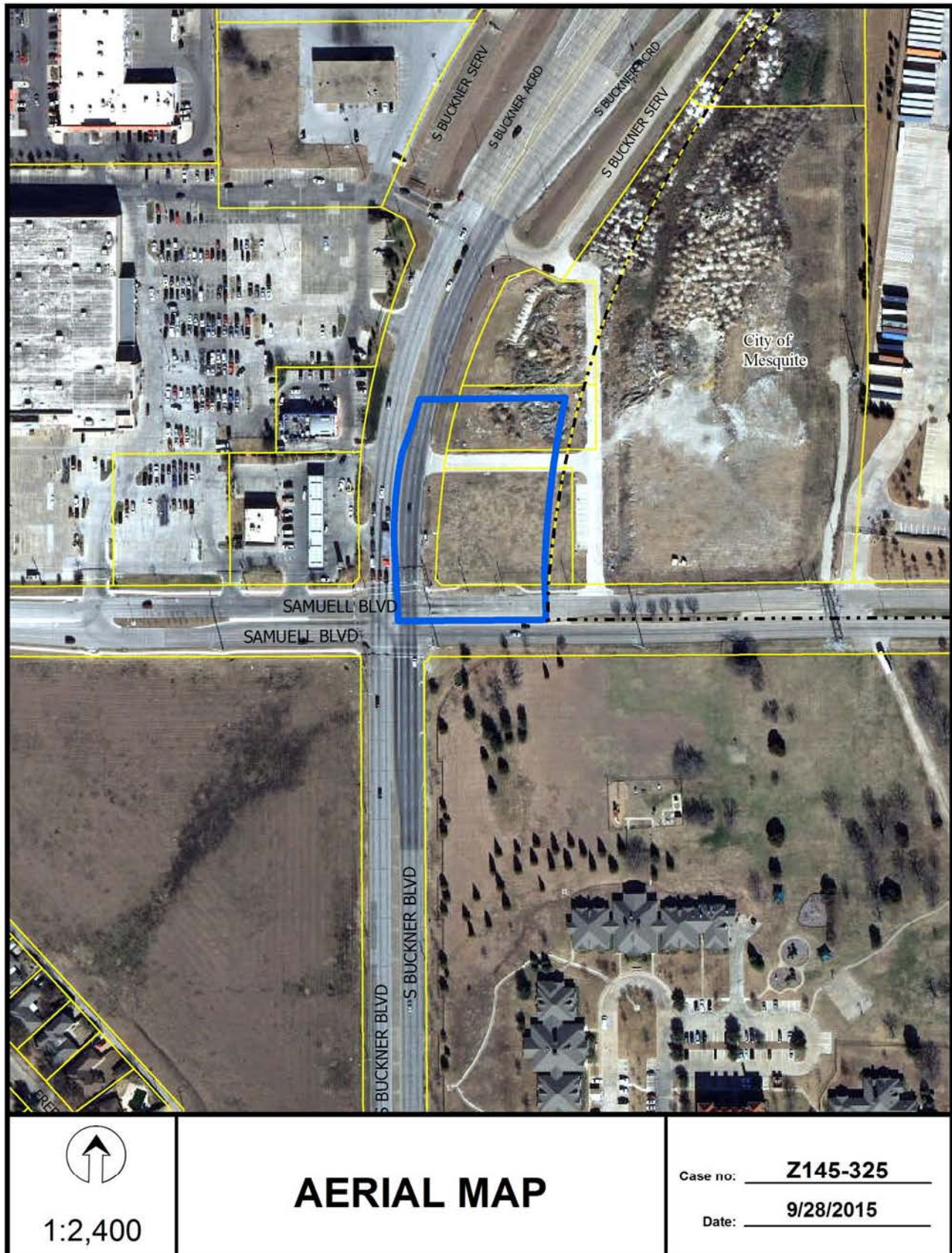
CEO- Syd Hurley;
COO/CFO- to be determined
Senior Vice President of Development- Colton Wright;
Vice President of Project Leasing- Mason duPerier;
Vice President of Brokerage Services- Travis Wilderman; and
Property Management- Cheri Donohue

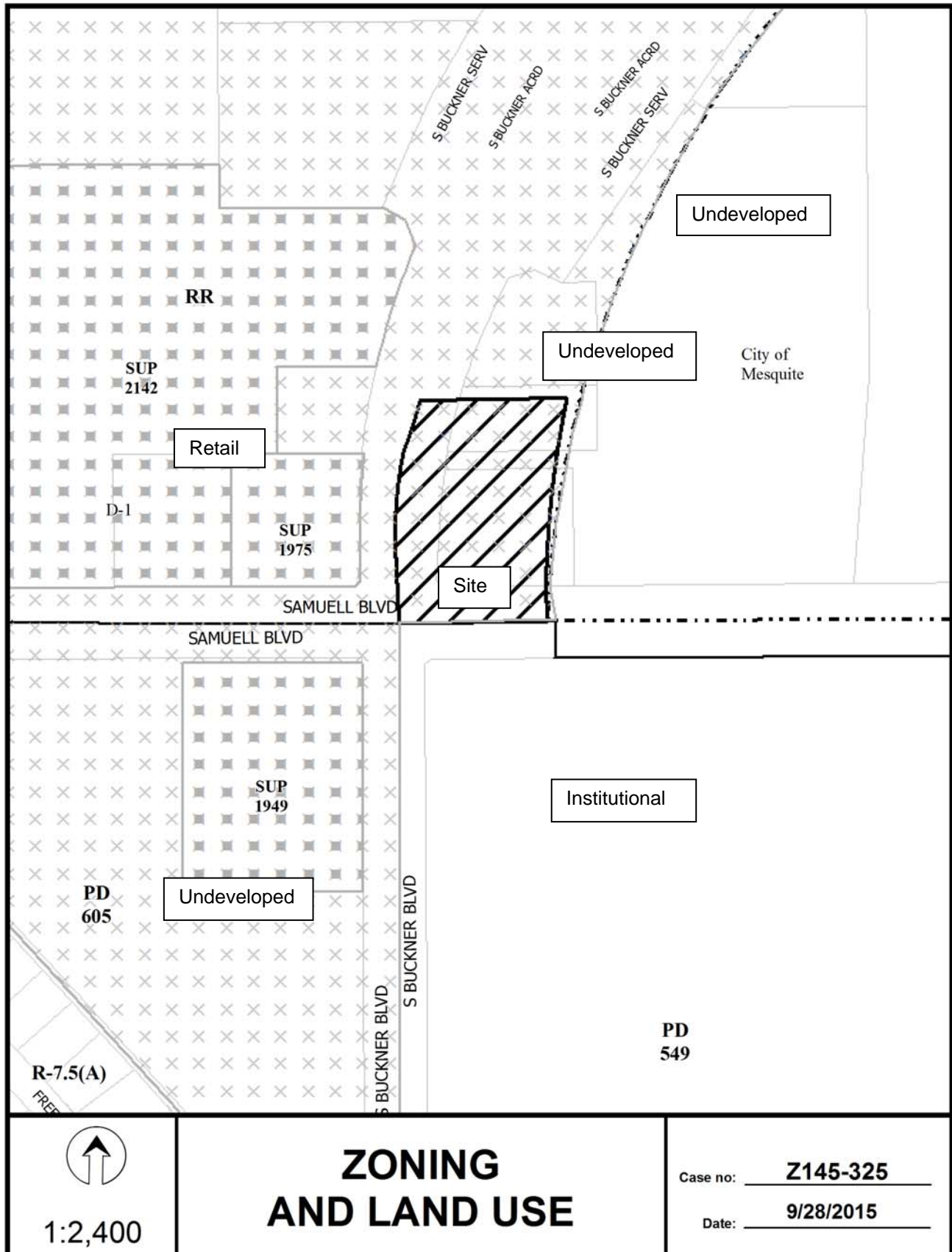
Proposed Site Plan

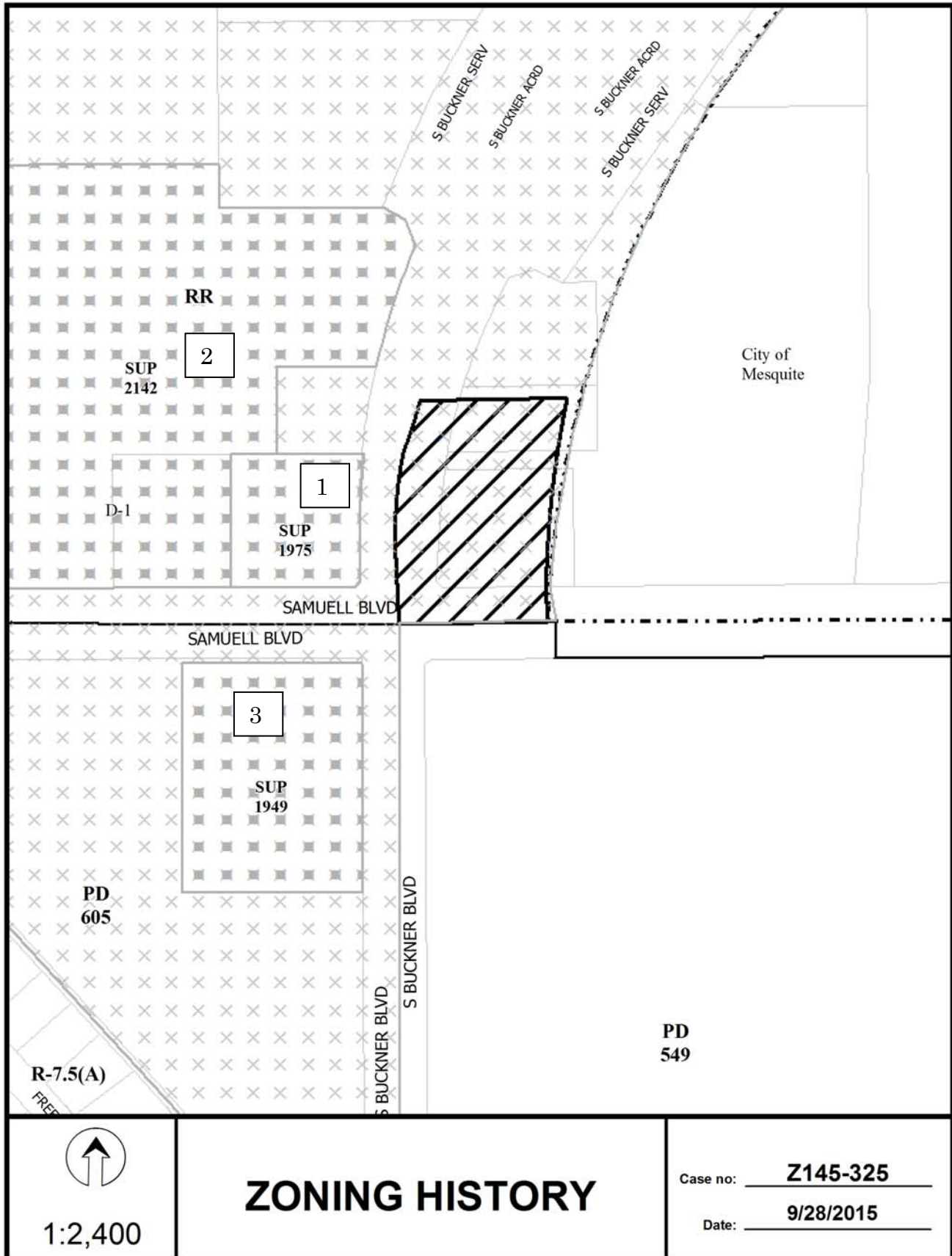


Z145-325(OTH)

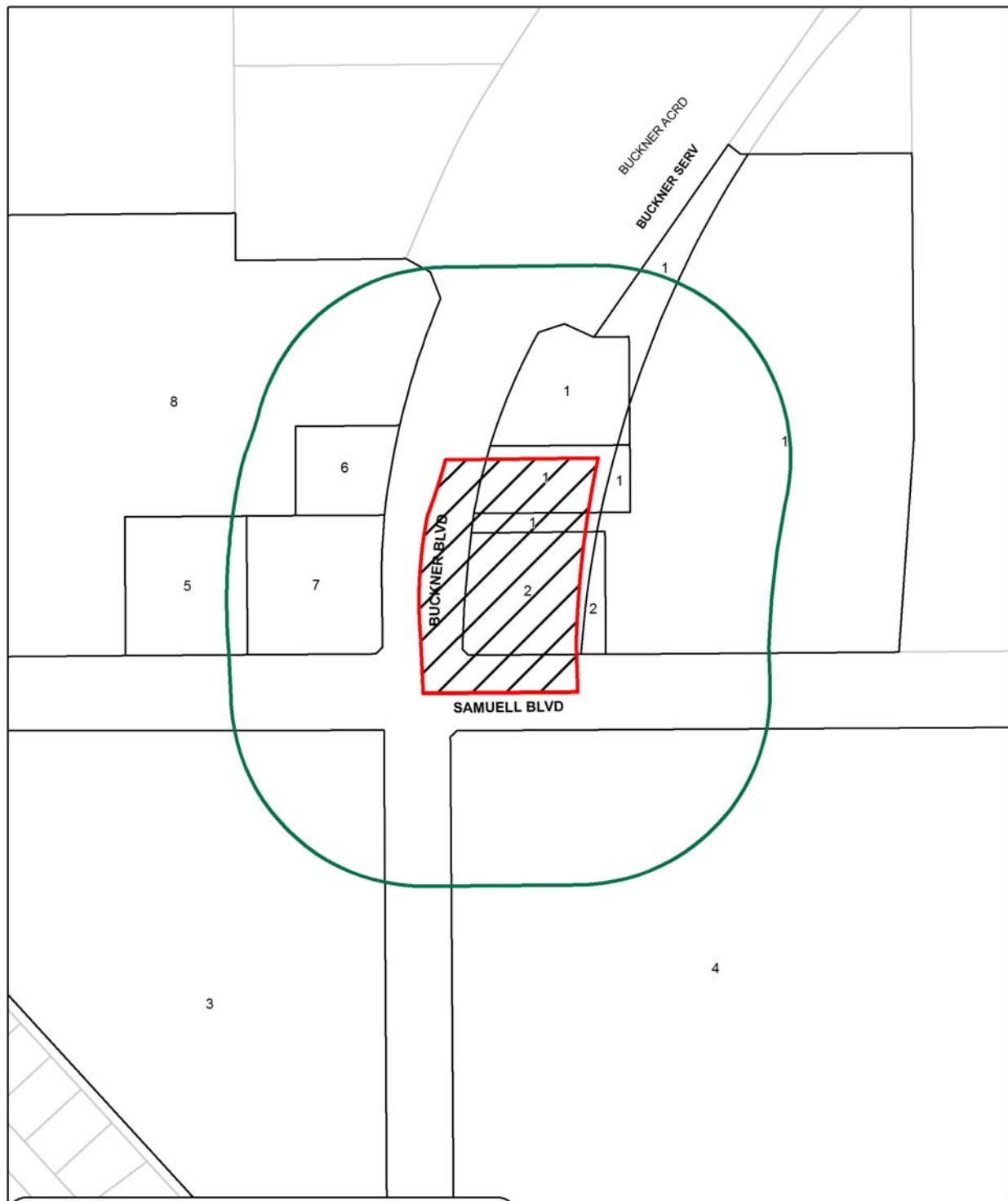








CPC RESPONSES



<u>8</u>	Property Owners Notified (15 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>300'</u>	Area of Notification
<u>10/15/2015</u>	Date

Z145-325
CPC



1:2,400

10/20/2015

Reply List of Property Owners

Z145-325

8 Property Owners Notified

0 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5361	SAMUELL BLVD	BC RETAIL INVESTMENT LP
2	5500	BUCKNER BLVD	RESOURCE ONE CREDIT UNION
3	5204	BUCKNER BLVD	RACETRAC PETROLEUM INC
4	5202	BUCKNER BLVD	BUCKNER BAPTIST
5	5655	BUCKNER BLVD	SAMS REAL EST BUSINESSTR
6	5525	BUCKNER BLVD	WHATABURGER OF MESQUITE
7	5501	BUCKNER BLVD	7-ELEVEN INC
8	5555	BUCKNER BLVD	WM DALLAS PORTFOLIO LP

AGENDA ITEM # 84

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 44 Z; 45 W; 54 C; D; 55 A

SUBJECT

A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine the proper zoning on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7, in an area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8th Street, Davis Street, Zang Boulevard, both sides of West 8th Street, North Adams Avenue, properties on the south side of West 7th Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5th Street, and Zang Boulevard with consideration given to a zoning category that would allow for a historic building demolition delay and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

Recommendation of Landmark Commission: Approval

Z145-341(ND)

FILE NUMBER: Z145-341(ND)**DATE AUTHORIZED:** July 23, 2015

LOCATION: An area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8th Street, Davis Street, Zang Boulevard, both sides of West 8th Street, North Adams Avenue, properties on the south side of West 7th Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5th Street, and Zang Boulevard

COUNCIL DISTRICT: 1**CENSUS TRACT:** 20, 42.01, 47

SIZE OF REQUEST: Approx. 219.50 Acres **MAPSCO:** 44-Z, 45-W, 54-C, 54-D, 55-A

PROPOSAL: City Plan Commission authorized hearing to determine the proper zoning on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7 with consideration given to a zoning category that would allow for a historic building demolition delay.

SUMMARY: The Downtown Dallas Historic Preservation Task Force recommended the City initiate a process for a delay for historic buildings facing demolition. City Council endorsed the recommendation. On September 22, 2015, City Council approved a code amendment to create the Historic Building Demolition Delay Overlay. This case, and case Z145-342, would be the first areas to be designated with the demolition delay overlay.

CITY PLAN COMMISSION RECOMMENDATION: Approval**LANDMARK COMMISSION RECOMMENDATION:** Approval**STAFF RECOMMENDATION:** Approval**DESIGNATED ZONING CASE**

BACKGROUND INFORMATION:

The Downtown Dallas Historic Preservation Task Force was formed in December of 2014. Their purpose was to address the vulnerability of Downtown Dallas' historic resources and to explore best practices nationwide for incorporating historic preservation into a broader economic development plan to foster downtown revitalization and growth. The Task Force addressed ways to help preservation and development work together.

The Task Force was comprised of downtown stakeholders, preservationists, developers, architects, planners, and real estate professionals. The Task Force met eight times over four months to formulate recommendations to present to City Council. One of the recommendations was the creation of a demolition delay "for proposed demolition of historic buildings in Greater Downtown to foster dialogue and consider alternatives."

The Task Force recommendations were presented to Council's Arts, Culture, and Libraries Committee on April 20, 2015. The Committee recommended a full Council briefing on the recommendations and staff's proposed action plan.

On June 3, 2015, City Council was briefed on the Task Force recommendations. Council generally supports the recommendations of the Task Force and instructed staff to return with the proposed demolition delay as the first action item and pursue the other recommendations in a timely manner.

On August 3, 2015, Landmark Commission recommended approval of the code amendment creating the Historic Building Demolition Delay Overlay.

City Plan Commission recommended approval of the code amendment on August 20, 2015, and City Council approved the creation of the overlay on September 22, 2015.

On September 8, 2015, the Landmark Commission recommended approval of the overlay for this area as well as the greater Downtown area (Z145-342).

On October 15, 2015, the City Plan Commission recommended approval of this request as well as the companion case – Z145-342.

STAFF ANALYSIS:

Currently, up to 60% of the buildings in Downtown Dallas National Register Historic District are not protected from demolition. Crucial components of Dallas' historic fabric and economic viability can be demolished by any owner at any time with no wait period or review.

The goal of the demolition delay is to create a wait period to give staff the opportunity to review demolition applications for buildings 50 years or older and meeting certain criteria in the Greater Downtown Dallas area and to explore alternatives to demolition when appropriate.

The proposed overlay would apply to buildings or structures at least 50 years old that meet one of the following criteria: 1) located in a National Register District or individually listed, 2) a Recorded Texas Historic Landmark, 3) State Antiquities Landmark, 4) National Historic Landmark, 5) listed as significant in the 2003 Downtown Dallas Historic/Architectural Significant Properties survey, or 6) listed as contributing in the 1994 Hardy-Heck-Moore survey.

The Dallas Appraisal District data will be used to determine the age of a structure. If the structure is 45 years to 50 years, staff will use the 10 day (Phase I period) to review building permit and certificate of occupancy records to confirm the date of construction.

The proposed process would begin when an owner submits a demolition application to Building Inspections. Building Inspection staff would notify the Historic Preservation Officer (HPO). This would begin a 10 day review by the HPO. If the property met the criteria listed above, the application would have an additional 45 day delay. If the criteria were not met, the HPO notifies Building Inspection and the demolition permit is issued.

For properties meeting the criteria, staff would list the properties on the City's webpage with staff contact information and place a sign on the property. The HPO would schedule a meeting with the owner to discuss alternatives to demolition. Staff would invite interested organizations (such as Dallas Downtown, Inc., Preservation Dallas) and stakeholders to the meeting as well as appropriate City departments.

If no viable solution is agreed upon within 35 days, the HPO would notify Building Inspection staff to issue the demolition permit. However, the property owner may agree in writing to extend the delay period to continue to work on alternatives. The time of the additional delay would be negotiated between the HPO and the property owner. If other alternatives were not agreed upon during this extended time period, the HPO would notify Building Inspection staff to issue the demolition permit.

CPC Action – October 15, 2015

Z145-341(ND)

Motion: It was moved to recommend **approval** of a City Plan Commission authorized hearing to determine the proper zoning on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7, in an area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8th Street, Davis Street, Zang Boulevard, both sides of West 8th Street, North Adams Avenue, properties on the south side of West 7th Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5th Street, and Zang Boulevard with consideration given to a zoning category that would allow for a historic building demolition delay.

Maker: Emmons
Second: Ridley
Result: Carried: 11 to 0

For: 11 - Emmons, Rodgers, Anantasomboon, Abtahi,
Lavallaisaa, Jung, Shellene, Peadon, Murphy,
Ridley, Tarpley

Against: 0
Absent: 2 - Anglin, Schultz
Vacancy: 1 - District 4
Conflict: 1 - Shidid

Notices: Area: 200 Mailed: 766
Replies: For: 12 Against: 27

Speakers: For: Katherine Seale, 5500 Chatham Hill Rd., Dallas, TX, 75220
David Preziosi, 2922 Swiss Ave., Dallas, TX, 75204
Lisa Ricci Rofsky, 616 S. Harwood St., Dallas, TX, 75201
Judy Smith Hearst, 2512 Thomas Ave., Dallas, TX, 75201
Alicia Quintans, 227 N. Shore Dr., Dallas, TX, 75216
Melody Paradise, 2501 N. Harwood St., Dallas, TX, 75201
Against (Did not speak): Tiffany Solis, 436 W. 8th St., Dallas, TX, 75208

Landmark Commission Action – September 8, 2015

City Plan Commission authorized hearing to determine the proper zoning on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7 in an area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8th Street, Davis Street, Zang Boulevard, both sides of West 8th Street, North Adams Avenue, properties on the south side of West 7th Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5th Street, and Zang Boulevard with consideration given to a zoning category that would allow for a historic building demolition delay.

Speakers: For: No one

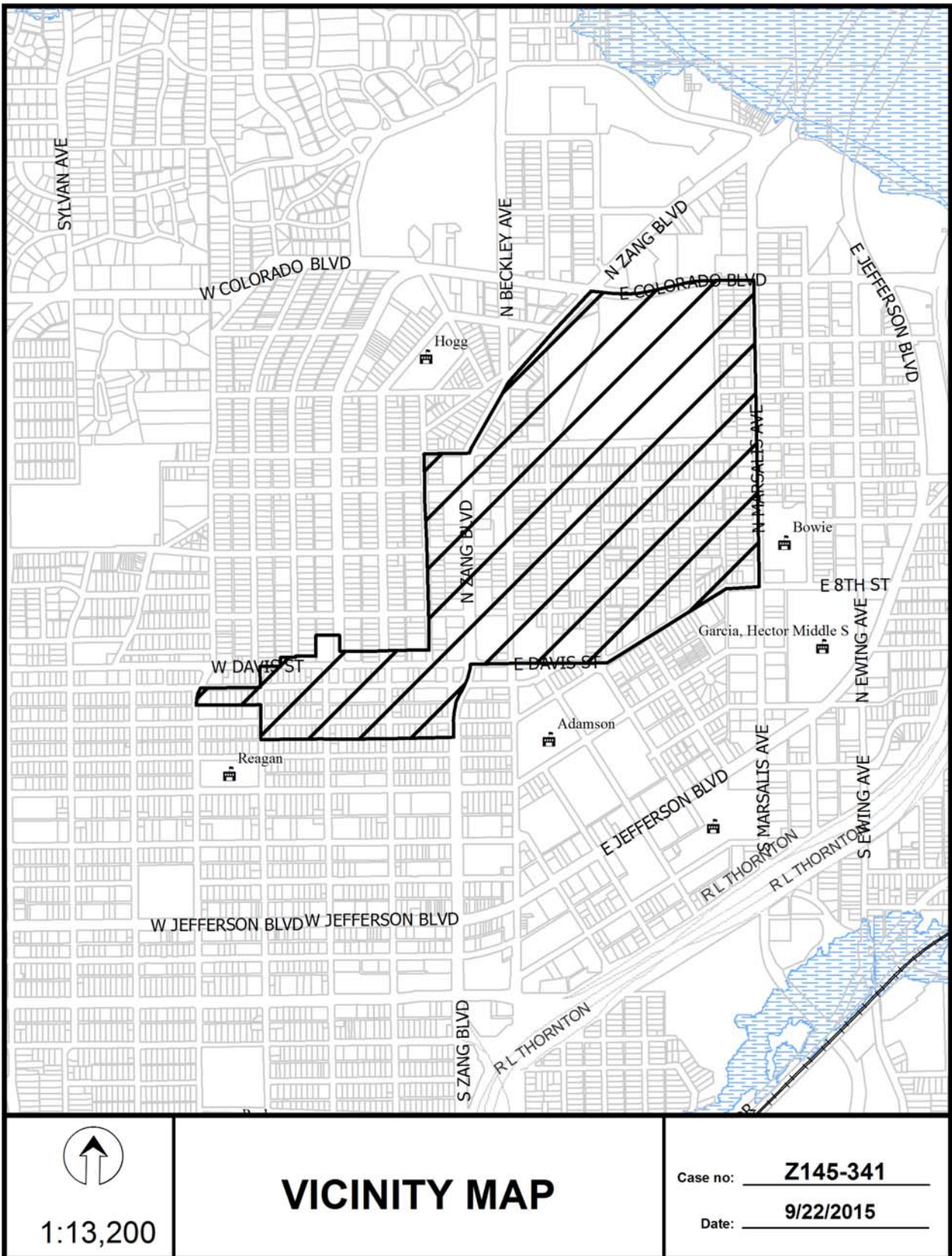
Against: No one

Maker: *Birch

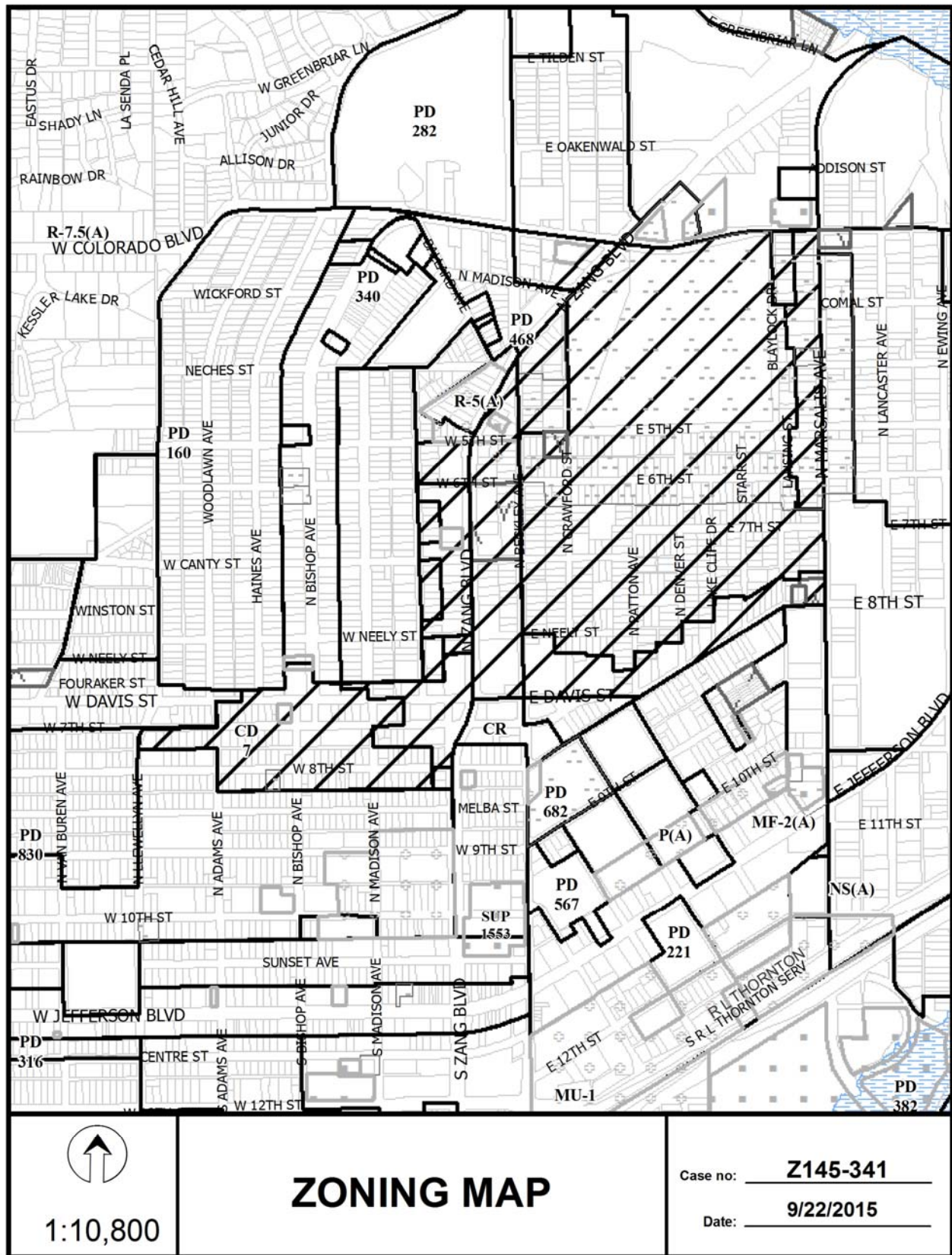
Second: Gadberry

Results: 13/0

Ayes:	- 13	Amonett, *Birch, Birrer, *Childers, Gadberry, Johnson, Jordan, Maten, *Sherman, Seale, Tapscott, Thomas-Drake, Williams
Against:	- 0	
Absent:	- 3	Bowers, Flabiano, Greenberg
Vacancies:	- 2	Dist 7 and 12



Z145-341(ND)



CPC Responses



10/14/2015

Reply List of Property Owners***Z145-341******766 Property Owners Notified******12 Property Owners in Favor******27 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	801 MARSALIS AVE	SALA LARRY J
	2	807 MARSALIS AVE	MARTINEK MARK
	3	811 MARSALIS AVE	JAMISON MARIANNE &
	4	819 MARSALIS AVE	TRI-DESERT INVESTMENTS INC
	5	820 BLAYLOCK DR	RATLIFF STEVEN
	6	816 BLAYLOCK DR	HEMBRY LISA
	7	825 MARSALIS AVE	B J TRUCKING &
O	8	829 MARSALIS AVE	REYNA KARON DEA BROW &
	9	839 MARSALIS AVE	WEISFELD HERSCHEL A
	10	834 BLAYLOCK DR	HHRCDC LLC
	11	832 BLAYLOCK DR	SAINT JOSEPHS TEXAS ENTERPRISES LLC
	12	808 BLAYLOCK DR	RIVERA GROUP
	13	800 BLAYLOCK DR	RIVERA GROUP LLC
	14	705 MARSALIS AVE	RADKE JONATHAN WILLIAM &
	15	716 BLAYLOCK DR	HEYLAND EDWARD A
	16	704 BLAYLOCK DR	HERNANDEZ MENDY L
	17	708 BLAYLOCK DR	THOMAS BRIAN M
	18	714 BLAYLOCK DR	DAVIS ORVILL G &
	19	507 SABINE ST	ARAMBULA INOCENCIO &
	20	707 MARSALIS AVE	WOOD MICHELE S
	21	715 MARSALIS AVE	RAVKIND WILLIAM M
O	22	723 MARSALIS AVE	LSM 723 MARSALIS LP
	23	612 BLAYLOCK DR	SANDBERG LEIF A
O	24	616 BLAYLOCK DR	DIETERT DALE M &
	25	622 BLAYLOCK DR	SMITH BOB W & LINDA J
	26	606 BLAYLOCK DR	GORDON EVA M & LESLIE W HALL

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	611	MARSALIS AVE	OLIVER JOHN
28	601	MARSALIS AVE	RISING TIDE LTD PS
29	615	MARSALIS AVE	AHOURAMAZDA LLC
30	629	MARSALIS AVE	JASSO JUANA HERMELINDA &
31	626	BLAYLOCK DR	LOPEZ DAVID A
32	625	MARSALIS AVE	SIXTOS ROCIO
33	630	BLAYLOCK DR	GARCIA MARIA ELBA
34	506	SABINE ST	SEFCIK MRS ROBERT
35	400	5TH ST	PRATT EMRON E & ANNIE H
36	406	5TH ST	PRICE JOHN WILEY
37	410	5TH ST	PENA ALFREDO & ASHLEY C
38	414	5TH ST	RODRIGUEZ SANJUANITA EST OF
39	418	5TH ST	CAMACHO JUAN
40	430	5TH ST	REYES JESUS
41	431	6TH ST	THORNTON JENNIFER
42	427	6TH ST	ZANUDIO MELISSA YANEZ &
43	425	6TH ST	RAMOS JOHN C & CONNIE F
44	423	6TH ST	VIERA JOAQUIN
45	419	6TH ST	DAVILA JUAN M LIFE ESTATE
46	415	6TH ST	TORRES LUIS ARMANDO
47	411	6TH ST	FLORES ROSE
48	401	6TH ST	WARD JAMES A &
49	500	5TH ST	DUBOVE FERNANDO
50	510	5TH ST	PRICE JOHN W
51	519	6TH ST	DELASANCHA ANDRES
52	515	6TH ST	GOMEZ GRACIELA
53	511	6TH ST	BIRNBAUM ENTERPRISES LLC
54	507	6TH ST	CRUZ LEONARDO &
55	501	MARSALIS AVE	STONERIDGE JOINT VENTURE
56	531	6TH ST	GUDELMAN DEBORAH L
57	515	MARSALIS AVE	OAK RIDGE JOINT VENTURE

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	528	5TH ST	JOHNSON CHRISTINA
59	523	MARSALIS AVE	CRUZ MARTHA E
60	501	7TH ST	RODRIQUEZ ERNESTO V &
61	505	7TH ST	NUNEZ ARTURO
62	500	6TH ST	GARZA ROBERT & BRENDA
63	506	6TH ST	CRUZ LUIS GERARDO
64	509	7TH ST	LOPEZ JOSE G & ESTER
65	515	7TH ST	MAY JOSE FRANCISCO
66	511	LANSING ST	ONE EVEN FLOW LLC
67	510	6TH ST	MOXLEY CECELIA K
68	516	6TH ST	WILLIAMS SAMUEL L &
69	532	6TH ST	PORTAL 7 LLC
70	419	MARSALIS AVE	ARRELLANO MARIA LUCILA
71	528	6TH ST	NANEZ BENITO M &
72	524	6TH ST	CASTILLO JUAN S & MARIA E
73	415	MARSALIS AVE	ALONSO JUAN ANTONIO &
74	411	MARSALIS AVE	SALAZAR JOE A
75	516	LANSING ST	CASTILLO JUAN &
76	514	LANSING ST	CASTILLO JUAN &
77	407	MARSALIS AVE	OLIVO ALBERTO &
78	401	MARSALIS AVE	PERALTA PASCUALA J
79	525	7TH ST	LEAL RUBEN JR & MARTA
80	521	7TH ST	LEAL JOEL JOAQUIN & LETICIA
81	531	7TH ST	GALVAN JOSE G & MARY JANE
82	506	DENVER ST	FLORES BILLY MOISES
83	409	7TH ST	CHAVEZ LORA A
84	510	DENVER ST	HERNANDEZ J PASCUAL &
85	502	DENVER ST	FLORES JOSE &
86	404	6TH ST	MCELROY JOSEPH III &
87	512	DENVER ST	WISTERIA HILLS 4 LLC
88	408	6TH ST	WISTERIA HILLS 11 LLC

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	412	6TH ST	GARZA ROBERT P & BRENDA A
90	415	7TH ST	AGUILLON JOSE L &
91	510	LAKE CLIFF DR	HENDERSON MARLAND M
92	421	7TH ST	GALVAN LORENZA
93	425	7TH ST	ESTRADA NORBERTO &
94	420	6TH ST	WISTERIA HILLS 10 LLC
95	422	6TH ST	CARRION BENJAMIN III &
96	432	6TH ST	GOMEZ EDUARDO & OLGA E
97	428	6TH ST	MOLINA BENITO
98	433	7TH ST	HERNANDEZ VERONICA
99	429	7TH ST	SALINAS CANDELARIO
100	333	STARR ST	SIERRA JOSE AMPARO
101	401	8TH ST	MACIAS EDGAR ALEXANDER
102	407	8TH ST	MACIAS EDGAR A
103	313	LAKE CLIFF DR	PANIAGUA MARTIN
104	327	STARR ST	CEJA OCTAVIANO
105	413	8TH ST	GRANT KIM
106	324	DENVER ST	GASPAR PASTOR A
107	314	DENVER ST	JASSO MARIA CLARA &
108	340	LAKE CLIFF DR	GOMEZ ALMA
109	317	LAKE CLIFF DR	LEAL FEDERICO M
110	321	LAKE CLIFF DR	PEREZ PAUL & FIDELFA
111	326	DENVER ST	SILVAS MARIA L
112	316	DENVER ST	AVALOS JOSIFINA F D
113	328	DENVER ST	AVALOS JOSEFINA
114	329	LAKE CLIFF DR	ORTIZ ERLINDA ESTATE OF
115	325	LAKE CLIFF DR	MAGNA RAUL
116	336	LAKE CLIFF DR	RODRIGUEZ CAROLYN EST OF
117	330	DENVER ST	ORTA J G
118	402	DENVER ST	FLORES RUBEN G
119	403	LAKE CLIFF DR	SANCHEZ FELIBERTO

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	407 LAKE CLIFF DR	HERNANDEZ IRMA ROJAS
X	121	400 DENVER ST	ORTA JOSE
	122	412 DENVER ST	RECINOS SANTOS & IMELDA
	123	415 LAKE CLIFF DR	AMADOR MARIA DE LOURDES
	124	411 LAKE CLIFF DR	MENDOZA MERCEDES
	125	421 LAKE CLIFF DR	TREVINO MARIA ESTELLA
	126	424 DENVER ST	MEDINA MARIA LIF EST
	127	422 DENVER ST	MEDRANO DANIEL &
	128	419 LAKE CLIFF DR	DIOSDADO ERMELINDA & JUAN
	129	430 DENVER ST	HERRIG ANDREW
	130	434 DENVER ST	MCCORKLE LELA
	131	435 LAKE CLIFF DR	BARRERA JOSE &
	132	426 DENVER ST	PEREZ RODOLFO M
	133	429 LAKE CLIFF DR	BONILLA HERLINDA AGUIRRE
	134	431 LAKE CLIFF DR	BARRERA ALFREDO & BARRERA
	135	410 LAKE CLIFF DR	CORONA JULIA
	136	406 LAKE CLIFF DR	GOMEZ BRIGGET CHAVEZ
	137	416 7TH ST	PRADO FELIPA DEJESUS
	138	408 LAKE CLIFF DR	GARCIA PETE
	139	420 7TH ST	PINONES MARY
	140	419 STARR ST	RODRIQUEZ HERLINDA
	141	403 STARR ST	CHAVEZ LORA A
	142	405 STARR ST	MARQUEZ FELIX &
	143	409 STARR ST	ROMERO JOSE ASCENCION &
	144	326 LAKE CLIFF DR	JIMENZ ENRIQUE ROBERTO
	145	321 STARR ST	QUARLES AUBREY
	146	319 STARR ST	BRYANT ELIZABETH
	147	330 LAKE CLIFF DR	ANGUIANO JOE T & HELEN R
	148	314 LAKE CLIFF DR	JUDKINS DAVID PAUL SR &
	149	318 LAKE CLIFF DR	SANCHEZ RUBI &
	150	431 8TH ST	FLORES ARMANDO

Z145-341(ND)

10/14/2015

	<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
		151	315 STARR ST	MARTINEZ RAMON
		152	317 STARR ST	MORALES JORGE D &
		153	501 8TH ST	FRANCO TINA M
		154	312 STARR ST	RILEY CHRISTINE
		155	509 8TH ST	GOMEZ RUTH
		156	505 8TH ST	GOMEZ JUAN &
		157	316 STARR ST	DIAZ CRISPIN & ROSA M
		158	308 STARR ST	BALDERAS MARTIN R
		159	513 8TH ST	DORSEY MRS M E
		160	517 8TH ST	SALINAS ELIDA
		161	521 8TH ST	ALVAREZ JORGE
		162	410 STARR ST	ESQUIVEL RAFAEL
X		163	508 7TH ST	RECIO JESUS & GRACIELA
		164	500 7TH ST	PARRA ROLANDO
		165	415 LANSING ST	ROSS DON L &
		166	411 LANSING ST	OLGUIN JAIME O
		167	407 LANSING ST	BARAJAS ADELAIDA
		168	403 LANSING ST	NARVAEZ JUAN MANUEL
		169	317 LANSING ST	VEGA JUAN
		170	525 8TH ST	LEAL ELVIRA TRUSTEE FOR
		171	525 8TH ST	LEAL FAMILY PARTNERSHIP
		172	529 8TH ST	DALLAS TORTILLAS INC
		173	310 LANSING ST	LEAL RUBEN R
		174	315 MARSALIS AVE	LEAL FAMILY PARTNERSHIP
		175	316 LANSING ST	MEDINA MIGUEL & SACORRO
		176	400 LANSING ST	DURAN FELIPE
		177	317 MARSALIS AVE	SALINAS ELIDA ETAL
		178	323 MARSALIS AVE	MORENO CESAREO & MARIA
		179	339 MARSALIS AVE	MARTINEZ MARGARET &
		180	335 MARSALIS AVE	KNOX WILLIAM T
		181	331 MARSALIS AVE	ALVARADO LIDIA LEIJA

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	327 MARSALIS AVE	TENIENTE LEONELA
	183	418 LANSING ST	FLORES BILL
	184	414 LANSING ST	HERRERA BENJAMIN N &
	185	408 LANSING ST	RAMIREZ MARIE E
	186	406 LANSING ST	HUERTA ENRIQUE &
	187	311 8TH ST	GONZALEZ JOSE E & EMMA
	188	321 8TH ST	JMTT&Z LLC
	189	330 PATTON AVE	TORRES EFRAIN &
	190	334 PATTON AVE	MENDOZA IRENE
	191	311 DENVER ST	ZAMORA JONNY
	192	313 DENVER ST	YOUNG JUSTIN
	193	338 PATTON AVE	REYES ISIDRO G &
	194	300 STEINMAN AVE	DELGADO JUAN & MARIA
	195	304 STEINMAN AVE	SILVA RUBEN
X	196	308 STEINMAN AVE	CANDIDO ENCARNACION
	197	321 DENVER ST	LOPEZ RODOLFO &
	198	333 DENVER ST	LOPEZ SERGIO A
	199	319 DENVER ST	GARCIA HECTOR & MARIA
	200	303 STEINMAN AVE	GOMEZ EDUARDO & OLGA
	201	410 PATTON AVE	RANGEL ISIDRO &
	202	305 STEINMAN AVE	DELGADILLO EDUARDA EST OF
	203	307 STEINMAN AVE	GARCIA RAFAEL R
	204	313 STEINMAN AVE	GARCIA RAFAEL RAMIREZ
	205	407 DENVER ST	SOLORZANO ZEFERINO
	206	411 DENVER ST	CARBAJAL VELIA
	207	405 DENVER ST	DELEON SEVERO
	208	414 PATTON AVE	SILVA JOSE L
	209	424 PATTON AVE	MACHADO MARCO A &
	210	415 DENVER ST	ARAIZA JUAN J & ROSA M
	211	425 DENVER ST	SILVA YOLANDA
	212	302 7TH ST	MENDOZA JUANA SILVA &

Z145-341(ND)

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	306 7TH ST	SILVA JOSE L
	214	310 7TH ST	LARA ALFONSO S LIFE EST &
	215	314 7TH ST	SALAS ARMANDO & MARIA
	216	316 7TH ST	CAPISTRAN ADRIANA &
	217	320 7TH ST	LOPEZ ROGER II ET AL
	218	303 7TH ST	VELAZQUEZ MARIA M
	219	307 7TH ST	HERNANDEZ FRANCISCO &
	220	311 7TH ST	NINO LUIS &
	221	315 7TH ST	MENDOZA JUANA
	222	317 7TH ST	BARRERA LAEL
	223	302 6TH ST	RAMOS OSCAR LIF EST
	224	306 6TH ST	AGUILAR FERMIN
	225	310 6TH ST	FLOYD WILLIAM R LIFE ESTATE
	226	320 6TH ST	CHAVEZ SULEMA CARDENAS &
	227	324 6TH ST	GONZALEZ MIGUEL &
	228	228 DAVIS ST	WEST DAVIS INVESTMENTS LLC
	229	323 7TH ST	DIMOCK PROPERTIES LLC
	230	325 7TH ST	HISPANIC SERV UNLTD INC
	231	306 DAVIS ST	HISPANIC SERVICES UNLTD
	232	409 7TH ST	BELMAR MANAGMENT LTD
	233	408 MADISON AVE	MALDONADO MARTHA
	234	239 8TH ST	SALVAGGIO CHARLES F
	235	235 8TH ST	HOOKS CATHY ANN TICE
	236	233 8TH ST	216 W 7TH LLC
	237	231 8TH ST	MUSICK RONALD
	238	217 8TH ST	TORRES JULIAN J &
	239	215 8TH ST	GUZMAN MARIA
	240	228 7TH ST	HISPANIC SVCS UNLTD INC
	241	234 7TH ST	7TH MADISON LLC
	242	410 MADISON AVE	7TH MADISON LLC
	243	238 7TH ST	JC LEASING LLP

Z145-341(ND)

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	244	213 8TH ST	HERNANDEZ MARCELINA
	245	209 8TH ST	216 W 7TH LLC
	246	329 8TH ST	BISHOP STREET PARTNERS JV
	247	323 8TH ST	SALAZAR MANUAL & MARIA
	248	317 8TH ST	VILLALOBOS CELESTINO A &
	249	315 8TH ST	SANCHEZ MARTIN &
	250	309 8TH ST	ALVAREZ GERARDO
X	251	305 8TH ST	OAK CLIFF LEASING LLC
	252	301 8TH ST	SIBERT ELAINE R & JAMES E
	253	439 8TH ST	MENDOZA ELENA
	254	433 8TH ST	AVILA JOSE A ETAL
	255	429 8TH ST	ALLMON ALAN DUANE
	256	425 8TH ST	ALLMON ALAN D
	257	421 8TH ST	GAYTAN JOSE &
	258	419 8TH ST	ESPINOSA MARIA
	259	413 8TH ST	MORENO AMELIE G
	260	411 8TH ST	MORENO JOAQUIN M
	261	412 7TH ST	DOMINGUEZ ARTURO &
	262	422 7TH ST	D MC LEASING
	263	426 7TH ST	CASTILLO VICTORIA
	264	428 7TH ST	ALVARADO DAVE H &
	265	434 7TH ST	GUERRERO MARGARITA D
	266	438 7TH ST	GAMBER MONTY
	267	500 7TH ST	CARDENAS APOLINAR &
	268	504 7TH ST	DAVILA JOSE L
	269	508 7TH ST	SALVAGGIO CHARLES F & PATRICE D
	270	512 7TH ST	DAVILA NICHLAS
	271	516 7TH ST	LICEA RUBEN &
	272	520 7TH ST	BURCIAGA MARIA SOCORRO
	273	524 7TH ST	ALBA JESSE
	274	528 7TH ST	FUENTES JOSE ISRAEL & GLORIA ETELVIRA

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	275	536 7TH ST	MCDONALD NINETTE &
	276	404 8TH ST	SULLIVAN JAMES W TR &
X	278	416 8TH ST	GOOD SPACE ARTS INC
	279	420 8TH ST	6212 INVESTMENTS LLC
	280	424 8TH ST	GAYTAN MARY
	281	428 8TH ST	RAMOS HILDA
	283	436 8TH ST	SOLIS JOSE & MARIE DEL
	284	300 8TH ST	TEMPLO ESMIMA
X	285	306 8TH ST	CDP & LRP 306 LLC
	286	310 8TH ST	GONZALES EFRAIN JR
	287	318 8TH ST	CARDONA GUADALUPE &
	288	320 8TH ST	RODRIGUEZ JORGE POSADAS &
	289	324 8TH ST	BMR JOHNSON INVESTMENTS L
	290	328 8TH ST	MUCHUCA ESPERANZA
	291	332 8TH ST	DUARTE JESUS JR &
	292	321 ZANG BLVD	228 POOL LLC
	293	212 8TH ST	GONZALEZ FELIPE &
	294	216 8TH ST	MOJICA NICASIO
	295	220 8TH ST	GUZMAN FRANCISCO
	296	224 8TH ST	MUNOZ ARMANDO M LIZCANO
	297	228 8TH ST	MONCADA ROSA MARIA &
	298	232 8TH ST	VASQUEZ AURELIANO &
	299	234 8TH ST	STEELE MINNIE ESTATE OF
	300	240 8TH ST	BKN REALTY LLC
	301	609 MADISON AVE	SAMAYOA LEONEL
	302	607 MADISON AVE	AGUILAR JAINY
	303	606 MADISON AVE	AMERICA CAN
	304	600 ELSBETH ST	ALIGN LP
	305	610 ELSBETH ST	FLORES JUAN &
	306	630 ELSBETH ST	BALLAS VICTOR E BALLAS LLC
	307	635 ZANG PL	BISHOP 1910 PARTNERS LTD

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	308	612 ZANG BLVD	DALLAS COUNTY SCHOOL
O	309	601 BECKLEY AVE	DALLAS COUNTY SCHOOL TRUS
O	310	718 ZANG BLVD	DALLAS COUNTY SCHOOLS
X	311	732 ZANG BLVD	FAZ ISMAEL
	312	737 BECKLEY AVE	BUSTAMANTE ANTONIO &
	313	735 BECKLEY AVE	HODGES RAMONA G
	314	727 BECKLEY AVE	LOPEZ ISRAEL
	315	733 BECKLEY AVE	LOPEZ ISRAEL
	316	719 BECKLEY AVE	TONGRA LP
	317	723 BECKLEY AVE	YBARRA MARY MAGDALENA
	318	707 BECKLEY AVE	GOMEZ RAY
	319	700 ELSBETH ST	FUENTES VIRGINIA PEREZ
	320	708 ELSBETH ST	SIROOSIAN RAMIN
	321	712 ELSBETH ST	3M 707 ZANG LLC
	322	716 ELSBETH ST	LEE MARIE E
	323	720 ELSBETH ST	AFA DEVELOPMENT LLC
	324	732 ELSBETH ST	PENA JESUS H &
	325	726 ELSBETH ST	GAUCIN ROGER
	326	734 ELSBETH ST	CASTILLO GERARDO
	327	736 ELSBETH ST	WHITEAKER BETTYE M
	328	733 ZANG BLVD	PENA JESUS H & IRMA
	329	618 BISHOP AVE	CHERNOCK CHRISTIAN
	330	723 ZANG BLVD	GOMEZ CELIA O
	331	719 ZANG BLVD	BANCO POPULAR NORTH AMERICA
	332	715 ZANG BLVD	3M 707 ZANG LLC
	333	810 ELSBETH ST	COUCH KEDRIC
	334	814 ELSBETH ST	LOPEZ BENITO JR
	335	818 ELSBETH ST	ELAINE S GORENSTEIN
	336	820 ELSBETH ST	TOVAR MARTIN
	337	828 ELSBETH ST	TUCKER MICHAEL BRITT &
	338	835 ZANG BLVD	GEMSK LLC

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	339	813 ZANG BLVD	ARELLANO MIGUEL
	340	839 BECKLEY AVE	VINES DAN
	341	908 ZANG BLVD	SALAZAR JOSE
	342	112 5TH ST	SALDIVAR FAMILY I LIMITED PARTNERSHIP
	343	912 ZANG BLVD	VALPARAISO HOLDINGS LLC
	344	917 BECKLEY AVE	SALDIVAR FAMILY I LTD PS
	345	909 BECKLEY AVE	BREETE LLC
	346	907 BECKLEY AVE	DELGADILLO JOSE LUIS
	347	903 BECKLEY AVE	TORRES LUIS & MARIA G
	348	1006 ZANG BLVD	GARCIA MAGDALENA &
	349	1018 ZANG BLVD	NABUA PROPERTY HOLDINGS
	350	1030 ZANG BLVD	KSD LLC
	351	900 ELSBETH ST	GRACE PRESBYTERY INC
	352	918 ELSBETH ST	WHISENANT LAUREL K
	353	901 ZANG BLVD	GRACE PRESBYTERY INC
	354	202 NEELY ST	CASIAS MARIA DE CARMEN VILLA &
	355	632 BECKLEY AVE	PEREZ MAXIMO JR & PETRA
	356	204 NEELY ST	CUEVAS MAGDALENA A
	357	116 NEELY ST	PRADO MINERVA
	358	303 PATTON AVE	CUADROS APOLONIO
	359	309 PATTON AVE	QUINTERO MARIA
	360	120 NEELY ST	AGUIRRE ANDRES &
	361	311 PATTON AVE	NARRO LORENZO A & ROSA M
	362	317 PATTON AVE	MONDRAGON ROGELIO
	363	321 PATTON AVE	NARRO CAMERINA V
	364	325 PATTON AVE	ALONSO RUBEN & MARIA DEL
	365	329 PATTON AVE	ZUNIGA JUAN
	366	205 DAVIS ST	CFS 1 LTD
	367	333 PATTON AVE	MATA FRAYNOE & EVELIA
	368	335 PATTON AVE	TAMAYO MARIA REYNA
	369	620 CRAWFORD ST	DOMINGUEZ MARIA G &

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
370	710	BECKLEY AVE	MARTINEZ SILVERIO SR
371	716	BECKLEY AVE	CALDERON JORGE A
372	732	BECKLEY AVE	MONTOYA BLANCA E L
373	714	BECKLEY AVE	YBARRA MAGDALENA
374	736	BECKLEY AVE	FIRA MARIA DEL CARMEN
375	724	BECKLEY AVE	RPL PROPERTIES LLC
376	702	BECKLEY AVE	MARTINEZ BENJAMIN
377	720	BECKLEY AVE	ORTIZ JESUS & MARIA
378	728	BECKLEY AVE	RAMIREZ BENJAMIN &
379	730	BECKLEY AVE	DIODATI MONICA CHIARA
380	341	PATTON AVE	JASSO CESILIA
381	343	PATTON AVE	GONZALEZ VICENTE R &
382	345	PATTON AVE	DIAZ MARCELINO
383	347	PATTON AVE	REYES RICARDO
384	401	PATTON AVE	HERNANDEZ TEODORO ETAL
385	405	PATTON AVE	PEREZ RICARDO M & PETRA
386	411	PATTON AVE	GIL JO JESUS G & SILVIA
387	413	PATTON AVE	PUENTE JANET &
388	417	PATTON AVE	SALINAS ELIDA &
389	421	PATTON AVE	CARRANZA BENIGNO
390	701	CRAWFORD ST	ARECHAR FRANCISCO &
391	707	CRAWFORD ST	GARCIA JORGE & LIDIA
392	711	CRAWFORD ST	JASSO JUANA H &
393	715	CRAWFORD ST	CHAVEZ ROMEO
394	719	CRAWFORD ST	LOPEZ JUAN C
395	723	CRAWFORD ST	TORRES OLGA M
396	727	CRAWFORD ST	TORRES JOSE G EST OF
397	731	CRAWFORD ST	GOEN ERIK D
398	735	CRAWFORD ST	DIAZ MARIA TERESA
399	739	CRAWFORD ST	DIAZ ELENO NINO &
400	700	CRAWFORD ST	CENDEJAS VICENTE A

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
401	706	CRAWFORD ST	ROJAS HUMBERTO CARLOS &
402	710	CRAWFORD ST	MUNIZ MIGUEL & MARIA D C
403	714	CRAWFORD ST	JUAREZ MARIO
404	718	CRAWFORD ST	VALVERDE PABLO
405	722	CRAWFORD ST	JUAREZ MARIO & EDILIA A
406	728	CRAWFORD ST	FLORES MAURILIO &
407	730	CRAWFORD ST	ORTIZ JESUS &
408	734	CRAWFORD ST	HERNANDEZ PEDRO & FELIPA
409	738	CRAWFORD ST	CARRIZALES EDWARD
410	212	CANTY ST	IBARRA MANUEL GONZALEZ &
411	211	NEELY ST	ABONZA SUSANO &
412	218	CANTY ST	HERRERA HUMBERTO
413	220	CANTY ST	RAMIREZ FELIPE &
414	215	NEELY ST	GONZALEZ JUAN & MARIBEL
415	219	NEELY ST	MAGDALENO RAMIRO & MARIA
416	223	NEELY ST	LOPEZ ENRIQUE P &
417	838	BECKLEY AVE	WILSON ZAMORA INVESTMENTS
418	818	BECKLEY AVE	PEDRO STEPHANIE
419	812	BECKLEY AVE	TORRES MARTIN
420	800	BECKLEY AVE	SOLORZANO JUAN E &
421	808	BECKLEY AVE	SAUCEDO NICOLAS & MARIA
422	832	BECKLEY AVE	BAEZA LORENA
423	828	BECKLEY AVE	JOINER FAITH RENEE
424	820	BECKLEY AVE	GARCIA RAFAEL QUEVEDO &
425	824	BECKLEY AVE	CHRISTENSEN JANELLE M
426	826	BECKLEY AVE	BOBO LINDA
427	804	BECKLEY AVE	TIDEY CRAIG
428	809	CRAWFORD ST	MENDEZ MANUEL
429	811	CRAWFORD ST	ESTRADA FEDERICO &
430	817	CRAWFORD ST	MOONEY MICHAEL
431	823	CRAWFORD ST	MOONEY RICHARD LEE

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	432	825 CRAWFORD ST	ROMIG RANDALL ROBERT
	433	829 CRAWFORD ST	COLLIE LUIS R
	434	112 6TH ST	RAMOS TONY M &
	435	835 CRAWFORD ST	ADAME MARIA
	436	230 6TH ST	TORRES MARIA &
	437	228 6TH ST	CASTRO PEDRO & LINA
	438	226 6TH ST	LUEVANO MATTHEW A
	439	222 6TH ST	CYMMION TERRINGTON G
	440	216 6TH ST	SANCHEZ JUAN JOSE
	441	212 6TH ST	GENA NORTH LLC
	442	824 CRAWFORD ST	VASQUEZ MARIA Z CADENA
	443	820 CRAWFORD ST	COUCH KEDRIC &
	444	816 CRAWFORD ST	JONES ELIZABETH M
	445	812 CRAWFORD ST	COUCH KEDRIC & PAT COUCH
	446	800 CRAWFORD ST	CHUPA JAMES EDWARD &
	447	213 CANTY ST	MILLER GENE BELL
	448	215 CANTY ST	MEEHAN RYAN
	449	427 PATTON AVE	BELMONTE JOSE O &
	450	431 PATTON AVE	TORRES JOSE JAIME & TORRES SILVIA
	451	435 PATTON AVE	TORRES BONIFACIO & AURORA
	452	439 PATTON AVE	ORTIZ MOSES &
	453	511 PATTON AVE	TOVAR VALENTIN
	454	608 7TH ST	FRANCO TINA MARIE
	455	507 PATTON AVE	VILLEGAS SYLVESTRE
	456	213 CANTY ST	MILLER GENE BELL
	457	313 6TH ST	VARELA CRUZ LIFE ESTATE
	458	303 6TH ST	VARELA CRUZ LIFE EST
	459	305 6TH ST	VANIAN MARY TRUSTEE
	460	320 5TH ST	CLAXTON JAMES D
	461	323 6TH ST	RODRIGUEZ MARY
	462	302 5TH ST	MAY SHARON K

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	463	307 6TH ST	WISTERIA HILLS 9 LLC
	464	222 5TH ST	LEON ROBERT
	465	306 5TH ST	GARRISON JEFFERY &
	466	310 5TH ST	CASTRO JOHN J
	467	1122 ZANG BLVD	FORD KAYCE L & NEAL P &
	468	1118 ZANG BLVD	SPILLERS ALLEN & DONNA
	469	1102 ZANG BLVD	WALIA & SONS REAL ESTATE INC
	470	1032 BECKLEY AVE	PARKER LEON
	471	1028 BECKLEY AVE	WHATLEY KATRINA L &
	472	1022 BECKLEY AVE	SCHULTZ MEREDITH
	473	1018 BECKLEY AVE	GRANADO RALPH & DEBRA
	474	1014 BECKLEY AVE	GONZALEZ MARIA &
	475	1006 BECKLEY AVE	COFER WILLIE R
	476	1002 BECKLEY AVE	WISTERIA HILLS 5 LLC
	477	1010 BECKLEY AVE	SPERLING MERCEDES &
	478	1001 CRAWFORD ST	STOFOROPOULOS EUTHYMOS
	479	1015 CRAWFORD ST	FOUNTAIN VILLA INC
	480	1019 CRAWFORD ST	GONZALEZ MACARIO &
	481	1023 CRAWFORD ST	RAMIREZ MIGUEL & EVANGELI
	482	1027 CRAWFORD ST	EQUITY GATEWAY P1 LLC
	483	1103 CRAWFORD ST	SCHROEDER MARTIN C &
	484	123 6TH ST	GUFFEY TYLER H
	485	119 6TH ST	VICTOR PPTIES LLC
X	486	113 6TH ST	SEGOVIA RAFAEL
	487	111 6TH ST	GASPER PASTOR & MARIA
	488	103 6TH ST	BAEZA IGNACIO & MARIA
	489	102 5TH ST	PARR DAVID ROBERT
	490	106 5TH ST	MURPHY CHRISTOPHER W
	491	108 5TH ST	WISTERIA HILLS 6 LLC
	492	218 5TH ST	LLOYD JOSHUA
	493	214 5TH ST	ARELLANO MARTHA

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	494	210 5TH ST	DANTZLER HAL S
	495	204 5TH ST	LUGO ELPIDIO &
	496	202 5TH ST	SHEETS CLAY C III
	497	205 6TH ST	SAVALA SANTOS R EST OF
	498	209 6TH ST	WISTERIA HILLS 8 LLC
	499	215 6TH ST	ZRUBEK HENRY J
	500	223 6TH ST	BIRNBAUM ENTERPRISES LLC
	501	233 6TH ST	BERLIN APRIL
	502	237 6TH ST	SAUCEDO RUBEN C
	503	517 7TH ST	CARBAJAL JOSE J &LETICIA
	504	407 STARR ST	VALENZUELA ROSA
	505	320 STARR ST	CASTILLO PABLO
	506	400 STARR ST	NIETO RODOLFO ESTATE OF
	507	406 STARR ST	PINEDA FRANCISCO
	508	324 PATTON AVE	GUTIERREZ VICTOR
	509	612 ELSBETH ST	BRIONES MARIA & ADOLFO
O	510	710 ZANG BLVD	DALLAS COUNTY SCHOOLS
	511	820 ZANG BLVD	NORTH ZANG DEV LTD
	512	835 BECKLEY AVE	BECKLEY PROFESSIONALS INC
	513	208 NEELY ST	BAUTISTA MANUEL
	514	212 NEELEY ST	RUIZ VERONICA Y
	515	216 NEELEY ST	RUIZ VERONICA YOUNG
	516	220 NEELY ST	MENDOZA MARIA ROSA
O	517	111 DAVIS ST	DALLAS COUNTY SCHOOL
	518	230 5TH ST	OBD INVESTMENTS LLC
	519	817 MARSALIS AVE	WATERS ROBERT L
	520	835 MARSALIS AVE	WEISFELD HERSCHEL
	521	520 5TH ST	BARNARD BEVERLY A
	522	521 6TH ST	CENTENO MERCEDES
	523	503 6TH ST	GARCIA MARIA ELENA
	524	138 DAVIS ST	DALLAS CITY OF

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	525	238 DAVIS ST	VICTOR PROPERTIES LLC
	526	218 DAVIS ST	ENGLISH FAMILY LTD PS
	527	334 DAVIS ST	2 ESQUINAS AT BISHOP ARTS LLC
	528	900 MARSALIS AVE	RISING TIDE LTD PS
	529	908 MARSALIS AVE	BAKER ALBERT L JR &
	530	914 MARSALIS AVE	MALONE TONY L
	531	824 MARSALIS AVE	MAYS GREGORY T &
	532	812 MARSALIS AVE	ROBINSON RONALD R
	533	800 MARSALIS AVE	DRAKEMONT JOINT VENTURE
	534	834 MARSALIS AVE	HILLCREST HOUSE
	535	609 COMAL ST	WIGGINS MARTIN &
	536	830 MARSALIS AVE	HAUPERS ERIC
	537	704 MARSALIS AVE	ESPINOZA MARIA ELENA
	538	700 MARSALIS AVE	SIMS TROY A & SHAKEELA BROOK
	539	708 MARSALIS AVE	WOOD SHAUN D &
	540	714 MARSALIS AVE	LOPEZ DAVID
	541	718 MARSALIS AVE	CASTILLO GERRARDO G
	542	722 MARSALIS AVE	EL PATO JOINT VENTURE
	543	600 MARSALIS AVE	P & V INC
	544	606 MARSALIS AVE	AMG/TPRF II GENEVA SUBSIDIARY 2 LP
	545	622 MARSALIS AVE	ELAM EDNA EST OF
	546	626 MARSALIS AVE	KENNEDY LISA
X	547	630 MARSALIS AVE	MARTINEZ PEDRO JOE &
	548	614 SABINE ST	HAYNES DELBERT K &
	549	500 MARSALIS AVE	SANDOVAL HERMINIA
	550	611 6TH ST	CARBALLO OLIVIA
	551	504 MARSALIS AVE	MARSALIS FAMILY TRUST
	552	514 MARSALIS AVE	YOCOM GALE
	553	612 5TH ST	CHILDS HAROLD K
	554	602 5TH ST	RAMIREZ GERMAN A & IRMA
	555	412 MARSALIS AVE	CHERBONAY AT MARSALIS

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	556	418 MARSALIS AVE	REFUGIO RIZO VASQUEZ
	557	422 MARSALIS AVE	LIME HOLDINGS LLC
	558	612 6TH ST	RAMIREZ AGRIPINA
	559	226 MARSALIS AVE	REEVES GEORGE M ET AL
	560	230 STARR ST	AHOURAMAZDA LLC
	561	510 8TH ST	PONDEROSA 8TH LLC
	562	520 8TH ST	BLESSED SACRAMENT PARISH
	563	201 MARSALIS AVE	ROMAN CATH DIOCESE DALLAS
	564	220 DENVER ST	MONROY MARINA
	565	406 8TH ST	HOME AGAIN INC
	566	400 8TH ST	CARVAJAL RICARDO & MARIA M
	567	404 8TH ST	GARCIA MARGARITA
	568	216 DENVER ST	FLORES DAMIANA J &
	569	412 8TH ST	ORTEGA ELENA
	570	408 8TH ST	ORTEGA ELENA
	571	430 8TH ST	GOMEZ MARCOS MARIA
X	572	426 8TH ST	MUNOZ CATALINA PADILLA
	573	221 STARR ST	CARRANZA JESUS G & MARIA
	574	220 PATTON AVE	ROSALES MARGARITA &
	575	308 8TH ST	J&M 401K LLC
	576	312 8TH ST	MARTINEZ GABRIEL V
	577	320 8TH ST	320 E 8TH ST LAND TRUST
	578	316 8TH ST	GOMEZ MARIA EST OF
	579	217 DENVER ST	CISNEROS SOCORRO LOPEZ
	580	225 DENVER ST	SANCHEZ JOE
	581	328 8TH ST	GARCIA CLYDE D & MARIE
	582	324 8TH ST	GARCIA MARIA
	583	125 8TH ST	SALA GARRY W
	584	201 8TH ST	GOMEZ JOHN M &
	585	207 8TH ST	GOMEZ JOHN MARTIN
	586	215 8TH ST	RUIZ RAMON & BERTHA A

Z145-341(ND)

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	587	211 8TH ST	TORRES MARIA
O	588	217 8TH ST	GOMEZ MICHAEL J
	590	624 DAVIS ST	GAYTAN JOSE SR &
X	591	617 7TH ST	GOODSPACE II INC
	592	520 DAVIS ST	CLIFTON DEBI
	594	125 8TH ST	MORIEL BENITO
	595	119 8TH ST	SERRANO JESUS R & LUCIA
X	596	533 8TH ST	MCDONALD M V JR
X	597	525 8TH ST	EIGHTH STREET ENTERPRTS
	598	521 8TH ST	MCDONALD NINETTE ET AL
X	599	519 8TH ST	MCDONALD MARVIN V ETAL
X	600	515 8TH ST	EIGHTH STREET ENTERPRISES
X	601	505 8TH ST	MCDONALD M V
	602	509 MELBA ST	GONZALES PETE E &
	603	513 MELBA ST	PARRA TONY JR &
	604	505 MELBA ST	ARREAGA MICHAEL A
X	605	524 8TH ST	MCDONALD CARSON A ET AL
	606	538 8TH ST	RODRIQUEZ JESUS
	607	437 MELBA ST	Taxpayer at
	608	433 MELBA ST	MENDEZ EBERTO
	609	429 MELBA ST	GUARDADO JOSE FILEMON &
	610	425 MELBA ST	CANO MOISES
	611	421 MELBA ST	SOTO FELIX &
	612	417 MELBA ST	AQUIRRE MAXIMINO B &
	613	413 MELBA ST	FREITAG AMANDA MARLENA
	614	409 MELBA ST	RODRIGUEZ RAUL
	615	405 MELBA ST	BISHOP ARTS VILLAGE LLC
	616	308 BISHOP AVE	MLARLB LP
	617	337 MELBA ST	KEMP MARGARET JEAN & KATHERINE M
			BEACH LIFE ESTATE
	618	329 MELBA ST	NUNO JOSEPH & PAULINE
	619	325 MELBA ST	TOVAR ANTONIO C & ALBINA

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	620	321 MELBA ST	GARCIA JOSE VICENTE & ROSA MARIA
	621	317 MELBA ST	TORRES FRANCISCO &
	622	313 MELBA ST	CASTILLO OLIVER G EST OF
	623	309 MELBA ST	CERDA JUAN & GUADALUPE
	624	305 MELBA ST	ESCALANTE JUAN L &
	625	307 MADISON AVE	ESMIRNA TEMPLO
	626	301 MELBA ST	POPKEN TRACY M
	627	237 MELBA ST	FLORES DAVID & ROSA
	628	235 MELBA ST	VARGAS ANTELMA &
	629	231 MELBA ST	MANDUJANO J PABLO &
	630	225 MELBA ST	CHAVARRIA LUCIANO
	631	223 MELBA ST	VARGAS GABINO H JR
	632	217 MELBA ST	SALAS FRANCISCO & TERESA
	633	213 MELBA ST	ERIVES PATRICIA
O	634	211 MELBA ST	DEHOYOS DORA
	635	205 MELBA ST	CHAVARRIA MACARIO PAIZ
	636	201 MELBA ST	BARREIRO CRISEIDA M &
	637	131 MELBA ST	BEISER NED E
	638	127 MELBA ST	ORTIZ MANUEL &
	639	126 8TH ST	GIRLS INCORPORATED OF
	640	130 8TH ST	GIRLS INC OF METROPOLITAN
	641	200 MELBA ST	EIGHTH ZANG LTD
	642	206 MELBA ST	YAWTSAR LLC
	643	212 MELBA ST	DRENNAN MARGIE L
	644	222 MELBA ST	ESQUIVEL JULIO C &
	645	226 MELBA ST	CEJA OCTAVIANO C &
	646	230 MELBA ST	CALDERON ALAJANDRO EST OF &
	647	234 MELBA ST	GONZALEZ MOISES &
	648	236 MELBA ST	RUIZ ANTONIO D
	649	300 MELBA ST	EXXIR CAPITAL LLC
	650	306 MELBA ST	TAYLOR RONNY R SR

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
651	312	MELBA ST	EXXIR CAPITAL LLC
652	328	MELBA ST	BISHOP ART VILLAGE LLC
653	336	MELBA ST	SANDOVAL MARCO ANTONIO
654	410	MELBA ST	SOLARZONO JOSE &
655	412	MELBA ST	SANCHEZ JOSE
656	418	MELBA ST	CANO JOEL & ROSA ISELA
657	422	MELBA ST	MEDINA RICARDO & MARCELA
658	426	MELBA ST	DAVILA JESUS
659	428	MELBA ST	MEESTER TRAVIS J
660	432	MELBA ST	MUSICANT AARON &
661	436	MELBA ST	BANDA GUADALUPE
662	600	8TH ST	MUNOZ JESUS PONCE &
663	615	8TH ST	BELMAR MANAGEMENT LTD
664	605	8TH ST	MCDONALD NINNETTE &
665	600	7TH ST	WILLIS SEAN W
666	604	7TH ST	RANGEL MARTHA
667	612	7TH ST	SMITH ROBERT
668	612	HAINES AVE	BATSON DELAINA W
669	616	HAINES AVE	HIDALGO MARIA TERESA
670	620	HAINES AVE	MONZO JAMIE M
671	624	HAINES AVE	JASIECKI KEITH E
672	628	HAINES AVE	BLAKE KENNETH C &
673	631	BISHOP AVE	2444 LLC
674	627	BISHOP AVE	2444 LLC
675	630	BISHOP AVE	FIENTES JOSE CO INC
676	625	MADISON AVE	JASIECKI KEITH
677	621	MADISON AVE	FLORES JAVIER
678	617	MADISON AVE	RODRIGUEZ EDUARDO S &
679	613	MADISON AVE	MONDRAGON MARIA E
680	608	MADISON AVE	AMERICA CAN
681	612	MADISON AVE	JASSO JACQUELINE NAVA

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	682	620 MADISON AVE	PONCE FILEMON I
	683	616 MADISON AVE	MARTINEZ MARTIN
	684	624 MADISON AVE	RODRIQUEZ TORIBIA C
	685	629 ELSBETH ST	EVERLAST CONSTRUCTION LLC
	686	212 NEELY ST	1122 HOLDINGS LLC
	687	627 ELSBETH ST	ACQUISTO MICHAEL F
	688	621 ELSBETH ST	MENA JUAN BARRERA
	689	615 ELSBETH ST	MATRIX PARTNERS LP
	690	210 CANTY ST	MACIAS JESUS & IRMA V
	691	727 ELSBETH ST	MARTINEZ JOSE SANTOS &
	692	733 ELSBETH ST	MACIAS EDGAR A
	693	719 ELSBETH ST	ACQUISTO AMY F
	694	713 ELSBETH ST	FLORES DORA
	695	709 ELSBETH ST	CANALES ROBERTO M &
	696	701 ELSBETH ST	701 ELSBETH LLC
	697	822 MADISON AVE	SANTOS OSCAR &
	698	828 MADISON AVE	GARCIA CATALINO &
	699	824 MADISON AVE	SHEPHERD GARY A
	700	836 MADISON AVE	BREN ADAM STEPHENS & ARRON
	701	834 MADISON AVE	BISHOP AVENUE PROPERTIES LLC
	702	833 ELSBETH ST	TAYLOR EVELYN S LIVING TRUST &
	703	839 ELSBETH ST	PRINCE MICHAEL
O	704	825 ELSBETH ST	RICHINS RANDALL K
	705	819 ELSBETH ST	MARTIN JEREMY &
O	706	815 ELSBETH ST	ROPPOLO MATTHEW J
	707	813 ELSBETH ST	CERVANTES CECILIA H
	708	809 ELSBETH ST	A & E HOUSING LLC
	709	805 ELSBETH ST	MARTINEZ AGUSTIN
	710	801 ELSBETH ST	CLIMER NICHOLAS I &
	711	904 MADISON AVE	FLORES RAMON
	712	900 MADISON AVE	CABRALES CARLOS &

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	713	908 MADISON AVE	NOEL EMANUEAL B
	714	912 MADISON AVE	BELTRAN MARY A
	715	918 MADISON AVE	MOTA CONSUELO
	716	917 ELSBETH ST	BROWN CYNTHIA R
	717	913 ELSBETH ST	TORRES EDGAR ALFREDO
	718	909 ELSBETH ST	PEREZ VICENTE
X	719	907 ELSBETH ST	HERNANDEZ BELEN I
	720	901 ELSBETH ST	MATA RENE R
	721	1002 MADISON AVE	MONROY AMANDO
	722	1013 ELSBETH ST	TIJERINA JOSE M & SILVIA DELGADO
	723	1011 ELSBETH ST	SALDIVAR RAUL
	724	1007 ELSBETH ST	MENDOZA JUANA NAOMI
	725	1003 ELSBETH ST	LIMON PAULA
	726	222 COLORADO BLVD	TEXAS WAGGONER CORPORATION &
	727	1211 ZANG BLVD	OUELETTE JARRETT
	728	1215 ZANG BLVD	OUELETTE JARRETT
	729	1103 BALLARD AVE	WISTERIA HILLS 14 LLC
	730	1039 ZANG BLVD	MALLEY JOSEPH H & MARY L
	731	1019 ZANG BLVD	DALAL KARIM & RAYAN DALAL
	732	1020 ELDORADO AVE	MENDOZA OSCAR
	733	1006 ELSBETH ST	CROW BRENDA ANN
	734	1011 ZANG BLVD	ZANG CRYSTAL HILL LLC
	735	1015 ZANG BLVD	AVERITE CHRISTOPHER J
	736	1024 ELDORADO AVE	CORTEZ NATIVIDAD
	737	1000 ELSBETH ST	HERRERA RUBEN D
	738	143 5TH ST	ALATORRE DANIEL &
	739	1035 ZANG BLVD	VICTOR BALLAS & VA CAPITAL
	740	147 5TH ST	GALVAN ALFREDO GONZALEZ &
	741	1003 ZANG BLVD	FISCAL GABRIEL AND MARIA DE LA LUZ FISCAL
	742	1022 ELDORADO AVE	BARRIENTOS EMILIO A &
	743	1016 ELDORADO AVE	CALZADA ANTONIO

10/14/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	744	1010 ELSBETH ST	DREILING COURTNEY
	745	139 5TH ST	AMADOR JUAN
	746	607 HAINES AVE	VARGAS ALBERT &
	747	611 HAINES AVE	MORENO JUAN
	748	615 HAINES AVE	FLEMING SEAN P & FELIX A
	749	617 HAINES AVE	GUTIERREZ FRANK M EST OF
	750	623 HAINES AVE	CARDENAS APOLINAR &
	751	618 WOODLAWN AVE	PENA JESUS R
	752	612 WOODLAWN AVE	TAMEZ MARIA & RAMON
	753	610 WOODLAWN AVE	MARROQUIN MARIA CARMEN
	754	606 WOODLAWN AVE	VEGA JUAN M &
	755	615 WOODLAWN AVE	GANTZ & SCODELLER LLC
	756	607 WOODLAWN AVE	JAIME LORETTA &
	757	330 MARSALIS AVE	Dallas ISD
	758	418 8TH ST	WINN ELISE LIFE ESTATE EST OF
	759	422 8TH ST	ROCHA ANTONIO
	760	602 DAVIS ST	FUENTES JOSE CO INC
	761	808 MARSALIS AVE	FLORES MARIA D
	762	808 MARSALIS AVE	FLORES MARIA D
	763	306 MARSALIS AVE	SOUTHLAND CORP 12292
	764	232 MARSALIS AVE	REEVES GEORGE M ET AL
	765	510 ZANG BLVD	BANJO VENTURES LTD
	766	108 DAVIS ST	LA ESTRELLA DE CUELLAR INC
X	A1	513 7TH ST	GOOD SPACE II INC
X	A2	629 7TH ST	GOOD SPACE II INC
X	A3	510 DAVIS ST	GOOD SPACE II INC
X	A4	506 DAVIS ST	GOOD SPACE II INC
X	A5	432 8TH ST	GOOD SPACE X LLC
X	A6	312 8TH ST	GOOD SPACE X LLC
X	A7	412 8TH ST	GOOD SPACE ARTS INC

AGENDA ITEM # 85

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 1, 2, 6, 7, 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 35 Y; 44D; G; H; L; R; V; 45 A; B; C; D; E; F; H; J; K; L; M; N; R; S; T; U; X; Y; Z; 46 E; K; P; S

SUBJECT

A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine the proper zoning on property zoned an A(A) Agriculture District, a CA-1(A) Central Area District, a CA-2(A) Central Area District, a CR Community Retail District, a CS Commercial Services District, a GR General Retail District, an IM Industrial Manufacturing District, an IR Industrial Research District, an LO-3 Limited Office District, an MC-3 Multiple Commercial District, an MF-2 Multiple Family District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-3 Mixed Use District, an NO(A) Neighborhood Office District, a P(A) Parking District, WMU-5 Walkable Mixed Use District, WR-5 Walkable Residential District; Planned Development District No. 9, Planned Development District No. 145, Planned Development District No. 153, a portion of Planned Development District No. 174, Planned Development District No. 183, Planned Development District No. 184, Planned Development District No. 190, a portion of Planned Development District No. 193 – CA-2 Central Area, GR General Retail, HC Heavy Commercial, I-2 Industrial, I-3 Industrial, LC Light Commercial, MF-2 Multiple Family, MF-3 Multiple Family, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 2, No. 6, No. 7, No. 8, No. 11, No. 13, No. 15, No. 16, No. 23, No. 24, No. 34, No. 35, No. 39, No. 45, No. 49, No. 50, No. 52, No. 53, No. 54, No. 58, No. 64, No. 66, No. 68, No. 74, No. 77, No. 79, No. 83, No. 85, No. 86, No. 87, No. 88, No. 93, No. 94, No. 95, No. 96, No. 98, No. 103, No. 108, No. 111, and No. 113; Planned Development District No. 201, Planned Development District No. 225, a portion of Planned Development District No. 269, a portion of Planned Development District No. 298, a portion of Planned Development District No. 305, Planned Development District No. 317, Planned Development District No. 330, Planned Development District No. 334, Planned Development District No. 339, Planned Development District No. 346, Planned Development District No. 357, Planned Development District No. 358, Planned Development District No. 363, Planned Development District No. 372, Planned Development District No. 375, Planned Development District No. 442, Planned Development District No. 466, a portion of Planned Development District No. 468, Planned Development District No. 473, Planned Development District No. 513, Planned

SUBJECT (Continued)

Development District No. 582, Planned Development District No. 594, a portion of Planned Development District No. 595 [a CC Community Commercial, an FWMU-3 Form Walkable Mixed Use, an MF-1(A) Multifamily, an MF-2(A) Multifamily, an NC Neighborhood Commercial, a P Parking, an RS-C Regional Service-Commercial, an RS-I Regional Service-Industrial, an RS-I(E) Regional Service-Industrial Enhanced, an RS-MU Regional Service-Mixed Use, an RS-MU(E) Regional Service-Mixed Use Enhanced Subdistricts], Planned Development District No. 619, Planned Development District No. 621, Planned Development District No. 708, Planned Development District No. 715, Planned Development District No. 749, Planned Development District No. 747, Planned Development District No. 774, Planned Development District No. 784, Planned Development District No. 800, Planned Development District No. 841, Planned Development District No. 857, Planned Development District No. 871, Planned Development District No. 877 in an area generally bound by Haskell Avenue, R.L. Thornton Freeway, 2nd Avenue, Al Lipscomb Way, Trinity River, Express Street, Stemmons Freeway, and Cole Avenue with consideration given to a zoning category that would allow for a historic building demolition delay and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

Recommendation of Landmark Commission: Approval
Z145-342(ND)

FILE NUMBER: Z145-342(ND)**DATE AUTHORIZED:** July 23, 2015

LOCATION: An area generally bound by Haskell Avenue, R.L. Thornton Freeway, 2nd Avenue, Al Lipscomb Way, Trinity River, Express Street, Stemmons Freeway, and Cole Avenue

COUNCIL DISTRICT: 1, 2, 6, 7, 14

CENSUS TRACT: 7.01, 16, 17.01, 17.03, 17.04, 18, 19, 21, 22, 31.01, 34, 41, 100, 203, 204,

SIZE OF REQUEST: Approx. 5,225.04 Acres

MAPSCO: 35-Y, 44-D, 44-G, 44-H, 44-L, 44-R, 44-V, 45-A, 45-B, 45-C, 45-D, 45-E, 45-F, 45-H, 45-J, 45-K, 45-L, 45-M, 45-N, 45-R, 45-S, 45-T, 45-U, 45-X, 45-Y, 45-Z, 46-E, 46-K, 46-P, 46-S

PROPOSAL: City Plan Commission authorized hearing to determine the proper zoning on property zoned an A(A) Agriculture District, a CA-1(A) Central Area District, a CA-2(A) Central Area District, a CR Community Retail District, a CS Commercial Services District, a GR General Retail District, an IM Industrial Manufacturing District, an IR Industrial Research District, an LO-3 Limited Office District, an MC-3 Multiple Commercial District, an MF-2 Multiple Family District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-3 Mixed Use District, an NO(A) Neighborhood Office District, a P(A) Parking District, WMU-5 Walkable Mixed Use District, WR-5 Walkable Residential District; Planned Development District No. 9, Planned Development District No. 145, Planned Development District No. 153, a portion of Planned Development District No. 174, Planned Development District No. 183, Planned Development District No. 184, Planned Development District No. 190, a portion of Planned Development District No. 193 – CA-2 Central Area, GR General Retail, HC Heavy Commercial, I-2 Industrial, I-3 Industrial, LC Light Commercial, MF-2 Multiple Family, MF-3 Multiple Family, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 2, No. 6, No. 7, No. 8, No. 11, No. 13, No. 15, No. 16, No. 23, No. 24, No. 34, No. 35, No. 39, No. 45, No. 49, No. 50, No. 52, No. 53, No. 54, No. 58, No. 64, No. 66, No. 68, No. 74, No. 77, No. 79, No. 83, No. 85, No. 86, No. 87, No. 88, No. 93, No. 94, No. 95, No. 96, No. 98, No. 103, No. 108, No. 111, and No. 113; Planned Development District No. 201, Planned Development District No. 225, a portion of Planned Development District No. 269, a portion of Planned Development District No. 298, a portion of Planned Development District No. 305, Planned Development District No. 317, Planned Development District No.

330, Planned Development District No. 334, Planned Development District No. 339, Planned Development District No. 346, Planned Development District No. 357, Planned Development District No. 358, Planned Development District No. 363, Planned Development District No. 372, Planned Development District No. 375, Planned Development District No. 442, Planned Development District No. 466, a portion of Planned Development District No. 468, Planned Development District No. 473, Planned Development District No. 513, Planned Development District No. 582, Planned Development District No. 594, a portion of Planned Development District No. 595 [a CC Community Commercial, an FWMU-3 Form Walkable Mixed Use, an MF-1(A) Multifamily, an MF-2(A) Multifamily, an NC Neighborhood Commercial, a P Parking, an RS-C Regional Service-Commercial, an RS-I Regional Service-Industrial, an RS-I(E) Regional Service-Industrial Enhanced, an RS-MU Regional Service-Mixed Use, an RS-MU(E) Regional Service-Mixed Use Enhanced Subdistricts], Planned Development District No. 619, Planned Development District No. 621, Planned Development District No. 708, Planned Development District No. 715, Planned Development District No. 749, Planned Development District No. 747, Planned Development District No. 774, Planned Development District No. 784, Planned Development District No. 800, Planned Development District No. 841, Planned Development District No. 857, Planned Development District No. 871, Planned Development District No. 877 with consideration given to a zoning category that would allow for a historic building demolition delay.

SUMMARY: The Downtown Dallas Historic Preservation Task Force recommended the City initiate a process for a delay for historic buildings facing demolition. City Council endorsed the recommendation. On September 22, 2015, City Council approved a code amendment to create the Historic Building Demolition Delay Overlay. This case, and case Z145-341, would be the first areas to be designated with the demolition delay overlay.

CITY PLAN COMMISSION RECOMMENDATION: Approval

LANDMARK COMMISSION RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

DESIGNATED ZONING CASE

BACKGROUND INFORMATION:

The Downtown Dallas Historic Preservation Task Force was formed in December of 2014. Their purpose was to address the vulnerability of Downtown Dallas' historic resources and to explore best practices nationwide for incorporating historic preservation into a broader economic development plan to foster downtown revitalization and growth. The Task Force addressed ways to help preservation and development work together.

The Task Force was comprised of downtown stakeholders, preservationists, developers, architects, planners, and real estate professionals. The Task Force met eight times over four months to formulate recommendations to present to City Council. One of the recommendations was the creation of a demolition delay "for proposed demolition of historic buildings in Greater Downtown to foster dialogue and consider alternatives."

The Task Force recommendations were presented to Council's Arts, Culture, and Libraries Committee on April 20, 2015. The Committee recommended a full Council briefing on the recommendations and staff's proposed action plan.

On June 3, 2015, City Council was briefed on the Task Force recommendations. Council generally supports the recommendations of the Task Force and instructed staff to return with the proposed demolition delay as the first action item and pursue the other recommendations in a timely manner.

On August 3, 2015, Landmark Commission recommended approval of the code amendment creating the Historic Building Demolition Delay Overlay.

City Plan Commission recommended approval of the code amendment on August 20, 2015, and City Council approved the creation of the overlay on September 22, 2015.

On September 8, 2015, the Landmark Commission recommended approval of the overlay for this area as well as the greater Downtown area (Z145-341).

On October 15, 2015, the City Plan Commission recommended approval of this request as well as the companion case – Z145-341.

STAFF ANALYSIS:

Currently, up to 60% of the buildings in Downtown Dallas National Register Historic District are not protected from demolition. Crucial components of Dallas' historic fabric and economic viability can be demolished by any owner at any time with no wait period or review.

The goal of the demolition delay is to create a wait period to give staff the opportunity to review demolition applications for buildings 50 years or older and meeting certain

criteria in the Greater Downtown Dallas area and to explore alternatives to demolition when appropriate.

The proposed overlay would apply to buildings or structures at least 50 years old that meet one of the following criteria: 1) located in a National Register District or individually listed, 2) a Recorded Texas Historic Landmark, 3) State Antiquities Landmark, 4) National Historic Landmark, 5) listed as significant in the 2003 Downtown Dallas Historic/Architectural Significant Properties survey, or 6) listed as contributing in the 1994 Hardy-Heck-Moore survey.

The Dallas Appraisal District data will be used to determine the age of a structure. If the structure is 45 years to 50 years, staff will use the 10 day (Phase I period) to review building permit and certificate of occupancy records to confirm the date of construction.

The proposed process would begin when an owner submits a demolition application to Building Inspections. Building Inspection staff would notify the Historic Preservation Officer (HPO). This would begin a 10 day review by the HPO. If the property met the criteria listed above, the application would have an additional 45 day delay. If the criteria were not met, the HPO notifies Building Inspection and the demolition permit is issued.

For properties meeting the criteria, staff would list the properties on the City's webpage with staff contact information and place a sign on the property. The HPO would schedule a meeting with the owner to discuss alternatives to demolition. Staff would invite interested organizations (such as Dallas Downtown, Inc., Preservation Dallas) and stakeholders to the meeting as well as appropriate City departments.

If no viable solution is agreed upon within 35 days, the HPO would notify Building Inspection staff to issue the demolition permit. However, the property owner may agree in writing to extend the delay period to continue to work on alternatives. The time of the additional delay would be negotiated between the HPO and the property owner. If other alternatives were not agreed upon during this extended time period, the HPO would notify Building Inspection staff to issue the demolition permit.

CPC Action – October 15, 2015

Z145-342(ND)

Motion: It was moved to recommend **approval** of a City Plan Commission authorized hearing to determine the proper zoning on property zoned an A(A) Agriculture District, a CA-1(A) Central Area District, a CA-2(A) Central Area District, a CR Community Retail District, a CS Commercial Services District, a GR General Retail District, an IM Industrial Manufacturing District, an IR Industrial Research District, an LO-3 Limited Office District, an MC-3 Multiple Commercial District, an MF-2 Multiple Family District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-3 Mixed Use District, an NO(A) Neighborhood Office District, a P(A) Parking District, WMU-5 Walkable Mixed Use District, WR-5 Walkable Residential District; Planned Development District No. 9, Planned Development District No. 145, Planned Development District No. 153, a portion of Planned Development District No. 174, Planned Development District No. 183, Planned Development District No. 184, Planned Development District No. 190, a portion of Planned Development District No. 193 – CA-2 Central Area, GR General Retail, HC Heavy Commercial, I-2 Industrial, I-3 Industrial, LC Light Commercial, MF-2 Multiple Family, MF-3 Multiple Family, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 2, No. 6, No. 7, No. 8, No. 11, No. 13, No. 15, No. 16, No. 23, No. 24, No. 34, No. 35, No. 39, No. 45, No. 49, No. 50, No. 52, No. 53, No. 54, No. 58, No. 64, No. 66, No. 68, No. 74, No. 77, No. 79, No. 83, No. 85, No. 86, No. 87, No. 88, No. 93, No. 94, No. 95, No. 96, No. 98, No. 103, No. 108, No. 111, and No. 113; Planned Development District No. 201, Planned Development District No. 225, a portion of Planned Development District No. 269, a portion of Planned Development District No. 298, a portion of Planned Development District No. 305, Planned Development District No. 317, Planned Development District No. 330, Planned Development District No. 334, Planned Development District No. 339, Planned Development District No. 346, Planned Development District No. 357, Planned Development District No. 358, Planned Development District No. 363, Planned Development District No. 372, Planned Development District No. 375, Planned Development District No. 442, Planned Development District No. 466, a portion of Planned Development District No. 468, Planned Development District No. 473, Planned Development District No. 513, Planned Development District No. 582, Planned Development District No. 594, a portion of Planned Development District No. 595 [a CC Community Commercial, an FWMU-3 Form Walkable Mixed Use, an MF-1(A) Multifamily, an MF-2(A) Multifamily, an NC Neighborhood Commercial, a P Parking, an RS-C Regional Service-Commercial, an RS-I Regional Service-Industrial, an RS-I(E) Regional Service-Industrial Enhanced, an RS-MU Regional Service-Mixed Use, an RS-MU(E) Regional Service-Mixed Use Enhanced Subdistricts], Planned Development District No. 619, Planned Development District No. 621, Planned Development District No. 708, Planned Development District No. 715, Planned Development District No. 749, Planned Development District No. 747, Planned Development District No. 774, Planned Development District No. 784, Planned

Development District No. 800, Planned Development District No. 841, Planned Development District No. 857, Planned Development District No. 871, Planned Development District No. 877 in an area generally bound by Haskell Avenue, R.L. Thornton Freeway, 2nd Avenue, Al Lipscomb Way, Trinity River, Express Street, Stemmons Freeway, and Cole Avenue with consideration given to a zoning category that would allow for a historic building demolition delay.

Maker: Emmons
Second: Ridley
Result: Carried: 10 to 0

For: 10 - Emmons, Rodgers, Shidid, Anantasomboon,
Lavallaisaa, Shellene, Peadon, Murphy, Ridley,
Tarpley

Against: 0
Absent: 2 - Anglin, Schultz
Vacancy: 1 - District 4
Conflict: 2 - Abtahi, Jung

Notices: Area: 200 Mailed: 8186
Replies: For: 71 Against: 92

Speakers: For: Katherine Seale, 5500 Chatham Hill Rd., Dallas, TX, 75220
David Preziosi, 2922 Swiss Ave., Dallas, TX, 75204
Lisa Ricci Rofsky, 616 S. Harwood St., Dallas, TX, 75201
Judy Smith Hearst, 2512 Thomas Ave., Dallas, TX, 75201
Alicia Quintans, 227 N. Shore Dr., Dallas, TX, 75216
Melody Paradise, 2501 N. Harwood St., Dallas, TX, 75201
Against (Did not speak): Tiffany Solis, 436 W. 8th St., Dallas, TX, 75208

Landmark Commission Action – September 8, 2015

City Plan Commission authorized hearing to determine the proper zoning on property zoned an A(A) Agriculture District, a CA-1(A) Central Area District, a CA-2(A) Central Area District, a CR Community Retail District, a CS Commercial Services District, a GR General Retail District, an IM Industrial Manufacturing District, an IR Industrial Research District, an LO-3 Limited Office District, an MC-3 Multiple Commercial District, an MF-2 Multiple Family District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-3 Mixed Use District, an NO(A) Neighborhood Office District, a P(A) Parking District, WMU-5 Walkable Mixed Use District, WR-5 Walkable Residential District; Planned Development District No. 9, Planned Development District No. 145, Planned Development District No. 153, a portion of Planned Development District No. 174, Planned Development District No. 183, Planned Development District No. 184, Planned Development District No. 190, a portion of Planned Development District No. 193 – CA-2 Central Area, GR General Retail, HC Heavy Commercial, I-2 Industrial, I-3 Industrial, LC Light Commercial, MF-2 Multiple Family, MF-3 Multiple Family, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 2, No. 6, No. 7, No. 8, No. 11, No. 13, No. 15, No. 16, No. 23, No. 24, No. 34, No. 35, No. 39, No. 45, No. 49, No. 50, No. 52, No. 53, No. 54, No. 58, No. 64, No. 66, No. 68, No. 74, No. 77, No. 79, No. 83, No. 85, No. 86, No. 87, No. 88, No. 93, No. 94, No. 95, No. 96, No. 98, No. 103, No. 108, No. 111, and No. 113; Planned Development District No. 201, Planned Development District No. 225, a portion of Planned Development District No. 269, a portion of Planned Development District No. 298, a portion of Planned Development District No. 305, Planned Development District No. 317, Planned Development District No. 330, Planned Development District No. 334, Planned Development District No. 339, Planned Development District No. 346, Planned Development District No. 357, Planned Development District No. 358, Planned Development District No. 363, Planned Development District No. 372, Planned Development District No. 375, Planned Development District No. 442, Planned Development District No. 466, a portion of Planned Development District No. 468, Planned Development District No. 473, Planned Development District No. 513, Planned Development District No. 582, Planned Development District No. 594, a portion of Planned Development District No. 595 [a CC Community Commercial, an FWMU-3 Form Walkable Mixed Use, an MF-1(A) Multifamily, an MF-2(A) Multifamily, an NC Neighborhood Commercial, a P Parking, an RS-C Regional Service-Commercial, an RS-I Regional Service-Industrial, an RS-I(E) Regional Service-Industrial Enhanced, an RS-MU Regional Service-Mixed Use, an RS-MU(E) Regional Service-Mixed Use Enhanced Subdistricts], Planned Development District No. 619, Planned Development District No. 621, Planned Development District No. 708, Planned Development District No. 715, Planned Development District No. 749, Planned Development District No. 747, Planned Development District No. 774, Planned Development District No. 784, Planned Development District No. 800, Planned Development District No. 841, Planned Development District No. 857, Planned Development District No. 871, Planned Development District No. 877 in an area generally bound by Haskell Avenue, R.L. Thornton Freeway, 2nd Avenue, Al Lipscomb Way, Trinity River, Express Street, Stemmons Freeway, and Cole Avenue with consideration given to a zoning category that would allow for a historic building demolition delay.

Speakers: For: No one
Against: No one

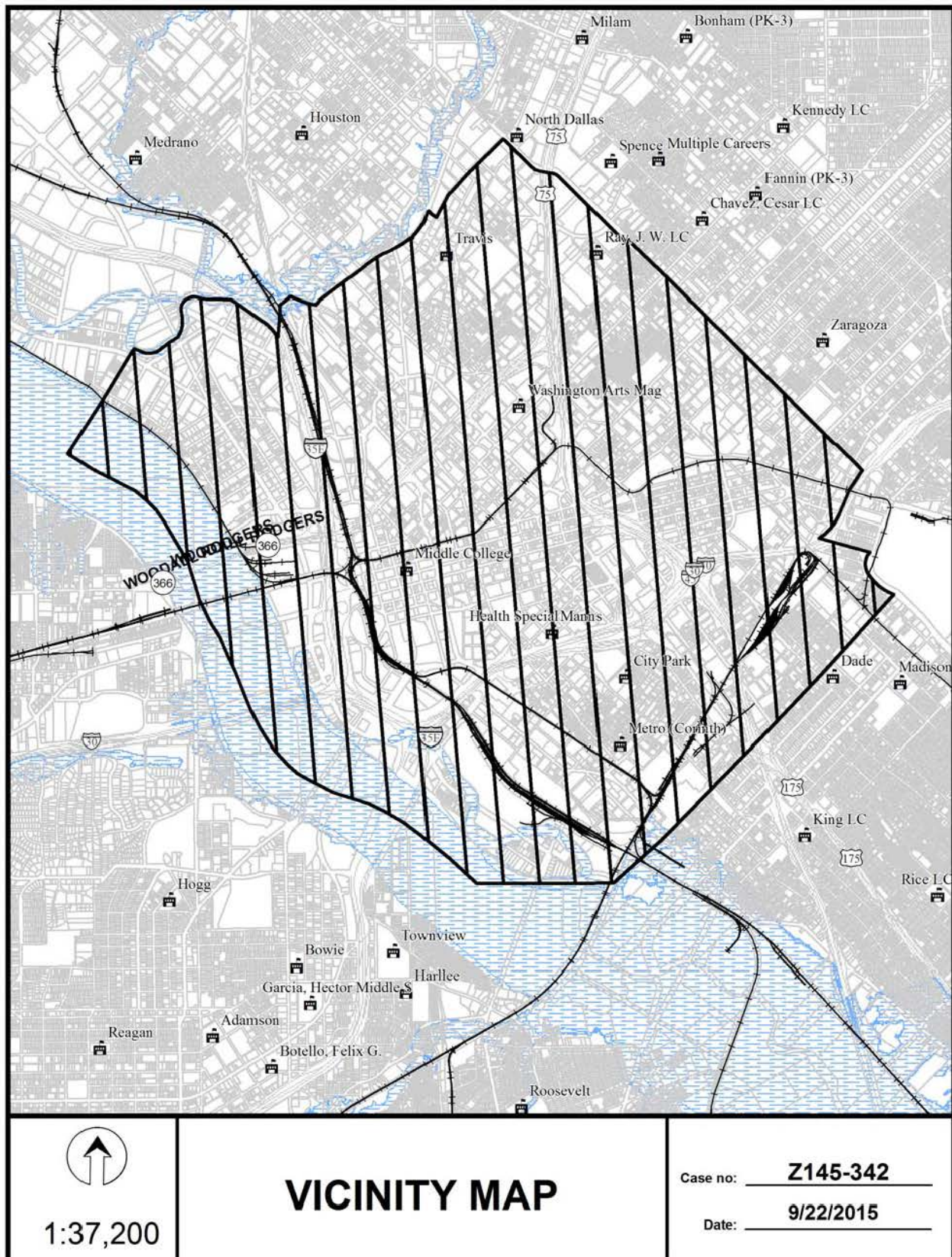
Motion:
Approve.

Maker: Tapscott

Second: *Birch

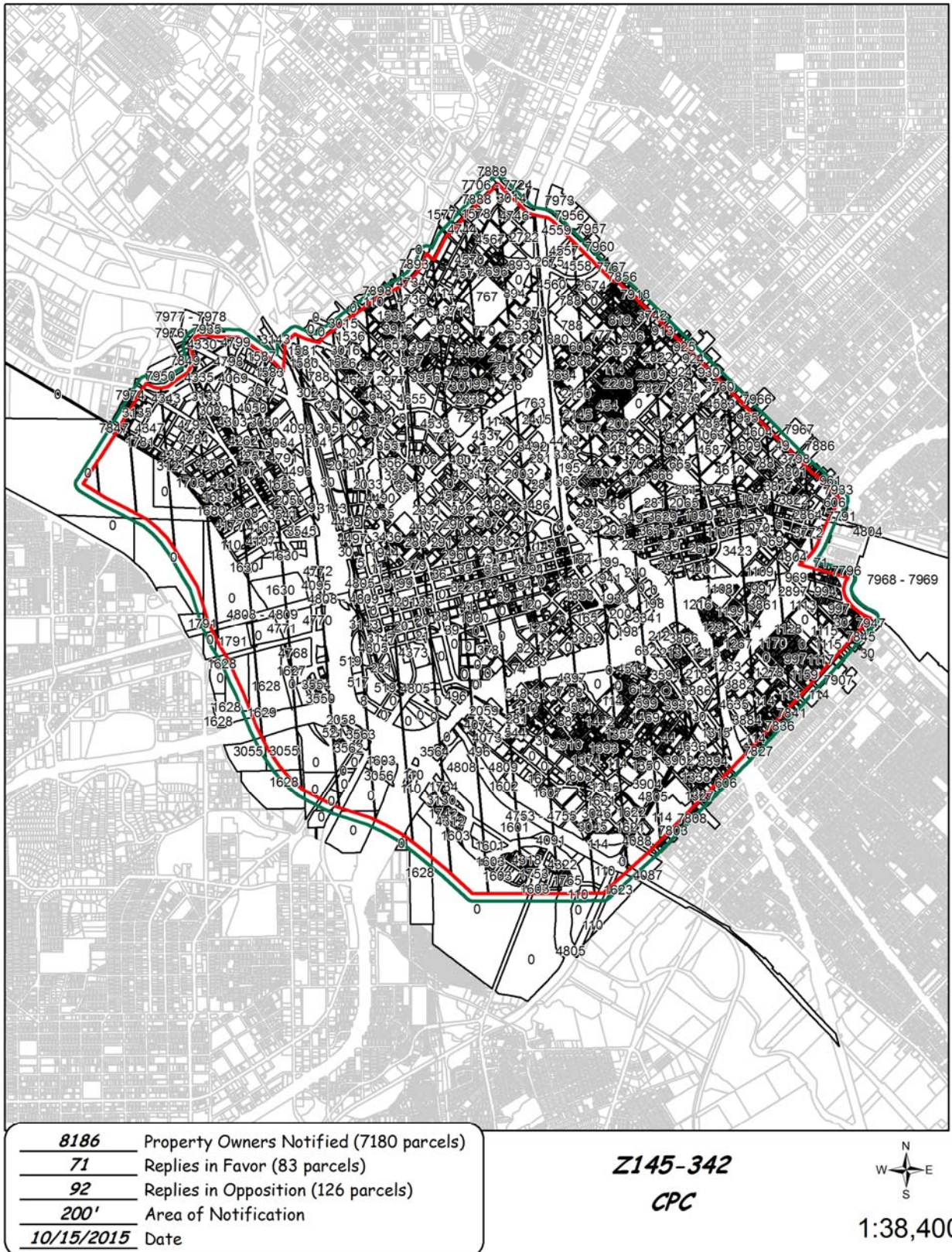
Results: 13/0

Ayes:	- 13	Amonett, *Birch, Birrer, *Childers, Gadberry, Johnson, Jordan, Maten, *Sherman, Seale, Tapscott, Thomas-Drake, Williams
Against:	- 0	
Absent:	- 3	Bowers, Flabiano, Greenberg
Vacancies:	- 2	Dist 7 and 12





CPC RESPONSES



Z145-342(ND)

Due to the number (8186) of notices mailed, the complete list of property owners is not included in the case report but is available by contacting the Sustainable Development and Construction Department at 214-670-4209.

AGENDA ITEM # 86

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 4
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 55 F

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Planned Development District No. 812 and the creation of a new tract for mixed uses on property zoned an R-5(A) Single Family District and a CR Community Retail District at the southeast corner of East 11th Street and Fran Way
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions

Z145-247(AF)

Note: This item was considered by the City Council at a public hearing on October 14, 2015, and was deferred until November 10, 2015

FILE NUMBER: Z145-247(AF)

DATE FILED: April 15, 2015

LOCATION: Southeast corner of East 11th Street and Fran Way

COUNCIL DISTRICT: 4

MAPSCO: 55F

SIZE OF REQUEST: Approx. 2.25 acres

CENSUS TRACT: 49.00

APPLICANT: Adolphus Oji

REPRESENTATIVE: Michael Davis, Davis Business Services

OWNER: Jay O. Oji

REQUEST: An application for an expansion of Planned Development District No. 812 and the creation of a new tract for mixed uses on property zoned an R-5(A) Single Family District and a CR Community Retail District.

SUMMARY: The applicant's intention is to build a four-story, mixed use building with 188 residential units with a 4,000-square-foot leasing facility and a 12,000-square-foot retail facility. This mixed use development will encompass a mixed use component with retail on the first floor and residential above.

CPC RECOMMENDATION: Approval, subject to a development/landscape plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a development/landscape plan and conditions.

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed mixed use development is consistent with the surrounding development pattern. Located along a major thoroughfare and within close proximity to a transit center justifies the request for a zoning change for a more intense use. Currently, the site is vacant and undeveloped, adjacent to a senior apartment development, and adjacent to established neighborhoods. The proposed development will add a significant amount of density.
2. *Traffic impact* – A Traffic Impact Analysis was provided by the applicant. The Engineering Section of the Department of Sustainable Development determined that the increased density will not have a detrimental impact upon the surrounding street system.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is in compliance with the forwardDallas! Comprehensive Plan. The proposed development is located at a nexus point where the Urban Neighborhood Building Block and Transit Center Building Block meet.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The +/- 2.25 site is currently zoned R-5(A) and CR. The current zoning districts do not permit the mixed use development that the applicant is intending to develop. Contiguous to the site is PD 812, which is partially developed with a senior apartment development also owned by the applicant. The applicant did not rezone utilizing a Form District because they cannot meet the standards for floor plate heights and transparency.

Zoning History: There have been no zoning changes requested in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing Dimension
South Corinth Road	Major Arterial	Varies
East 11 th Street	Minor Arterial	40'
Fran Way	Minor Arterial	40'
Avenue B	Minor Arterial	40'

Comprehensive Plan: The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in a transitional area between a Transit Center Building Block and an Urban neighborhood Building Block.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

Transit centers support a compact mix of employment, retail, cultural facilities and housing. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	R-5(A) & CR	Vacant/Undeveloped
North	RR	Retail
South	R-5(A)	Single Family Homes
East	CR	Multi-Family Apartments
West	Vacant Land/R-5(A)	Powerline easement/ Single Family Homes

Land Use Compatibility: Currently, PD 812 encompasses +/- 12.897 acres of land with a 130-unit senior apartment building. Divided into three tracts, Tract 1 was the first to be developed with the senior apartments. Tract 2 is envisioned to be townhomes, and Tract 3 as office space. Currently, both tracts are undeveloped. The applicant requests to add +/- 2.25 acres of undeveloped/vacant land to the PD to redevelop along the South Corinth corridor. A chart showing a comparison between the proposed new tract and the existing tracts within the Planned Development is provided below.

Located to the north of the site is low-density retail. Separating the development on the west side from an established neighborhood of single-family homes is vacant land currently used as an easement for overhead powerlines. Single-family homes are also located south of the property. Directly across the street on the east side is a small, one-story multifamily apartment building.

South Corinth Road is an underdeveloped and underutilized street with large, vacant lots and large intersections. This site is located within a few miles away from downtown along a major thoroughfare and less than ½ mile away from a major transit center.

Development Standards:

Current Development Standards							
DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
R-5(A) Single Family	20'	5'	1 Dwelling Unit / 5,000 sq. ft.	30'	45%	N/A	Single family

Proposed Development Standards							
DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PD 812	15'	No Min	Tract I: 130 Tract II: 50 Tract III: No max Tract IV: 188 units	Tract I: 50' Tract II: 35' Tract III: 50' Tract IV: 65'	Tract I: 25% Tract II: 65% Tract III: 80% Tract IV: 90%		Residential, Personal Services

Landscaping: The applicant has provided a specific landscaping plan for the proposed tract for the site. There are variations to Article X. But, comparisons and contrasts were difficult to make given the proposal.

Parking: There is no specific ratio for land uses proposed. Instead, a specific number of 275 spaces are proposed for the tract, mostly provided within a parking garage. Chapter 51A requires one parking space per bedroom with a minimum of one space per dwelling unit, one parking space per 100 square feet of floor area for restaurants, and one parking space per 200 square feet of floor area for retail in general.

CPC Action – September 3, 2015

Z145-247(AF)

Planner: Aldo Fritz

Motion: It was moved to recommend **approval** of an expansion of Planned Development District No. 812 and create a new tract for mixed uses, subject to a revised development/landscape plan and applicant's revised recommended conditions with the following modifications: **1)** Sec. 51P-812.109., a. Front Yard (4) Tract IV – Minimum front yard setback is 5 feet. Balconies, canopies, and window bays may encroach and do not count in front yard calculations, c. Density (4) Tract IV – No maximum density, d. Density (4) Tract IV – No maximum floor area, and e. Height (1) Tract IV – No Residential Proximity Slope for Tract IV, and (5) Tract IV – No references to paragraph (1); **2)** Revise Planned Development amendments to reflect the submitted landscape plan and add additional language to require a landscape buffer to screen parking structures before going to Council; **3)** Require 6 ft. sidewalks. Except where the Director find impactable, require 4 ft. sidewalks; and **4)** Remove references to Article X on property zoned an R-5(A) Single Family District and a CR Community Retail District at the southeast corner of East 11th Street and Fran Way.

Maker: Abtahi
Second: Anglin
Result: Carried: 11 to 0

For: 11 - Anglin, Shidid, Anantasomboon, Bagley,
Lavallaisaa, Tarpley, Shellene, Schultz,
Peadon, Ridley, Abtahi
Against: 0
Absent: 3 - Emmons, Rodgers, Murphy
Vacancy: 1 - District 4

Notices: Area: 500 Mailed: 93
Replies: For: 1 Against: 0

Speakers: For: Michael Davis, 2807 Allen St., Dallas, TX, 75204
Robert Lamkin, 14880 Quorum Dr., Dallas, TX, 75254
Joseph Agumadu, 7635 Tanglecrest Dr., Dallas, TX, 75254
Against: None

Z145-247(AF)

List of Partners

Jay O. Oji, Manager

Joseph Agumadu

CPC Recommended Conditions

PD 812.

SEC. 51P-812.101. LEGISLATIVE HISTORY.

PD 812 was established by Ordinance No. 27645, passed by the Dallas City Council on August 26, 2009. (Ord. 27645)

SEC. 51P-812.102. PROPERTY LOCATION AND SIZE.

PD 812 is established on property located at the northwest corner of Compton Street and Fran Way. The size of PD 812 is approximately ~~42.897~~ acres 15.147 acres. (Ord. 27645)

SEC. 51P-812.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) Tracts I and II are considered to be residential zoning districts. Tracts III and IV ~~is are~~ considered to be a nonresidential zoning districts. (Ord. 27645)

SEC. 51P-812.104. EXHIBIT.

The following exhibits are ~~is~~ incorporated into this article: Exhibit 812A: Tract I and Tract II development plan/Tract III conceptual plan. (Ord. 27645). Exhibit 812B: Tract IV development/landscape plan.

SEC. 51P-812.105. CONCEPTUAL PLAN.

For Tract III, development and use of property must comply with the Tract I and Tract II development plan/Tract III conceptual plan (Exhibit 812A). If there is a conflict between the text of this article and the Tract I and Tract II development plan/Tract III conceptual plan, the text of this article controls. (Ord. 27645)

SEC. 51P-812.106. DEVELOPMENT PLAN.

(a) For Tract I and Tract II, development and use of the Property must comply with the Tract I and Tract II development plan/Tract III conceptual plan (Exhibit 812A). If there is a conflict between the text of this article and the Tract I and Tract II development plan/Tract III conceptual plan, the text of this article controls.

(b) For Tract III, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(c) For Tract IV, development and uses of the Property must comply with the Tract IV development/landscape plan (Exhibit 812B). If there is a conflict between the text of this article and the Tract IV development/landscape plan, the text of this article controls.

SEC. 51P-812.107. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

(1) Tract I.

- Local utilities.
- Retirement housing.

(2) Tract II.

- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3) is not met.]*
- Local utilities.
- Single family.

(3) Tract III.

(A) Miscellaneous uses.

- Temporary construction or sales office.

(B) Office uses.

- Office.

(C) Residential uses.

- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3) is not met.]*
- Retirement housing.
- Single family.

(D) Retail and personal service uses.

- Business school.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Swap or buy shop. *[SUP]*
- Temporary retail use.

(E) Transportation uses.

- Transit passenger shelter.

(F) Utility and public service uses.

- Local utilities. *[RAR may be required. See Section 51A-4.212(4).]*

(Ord. 27645)

(4) Tract IV.

(A) Commercial and business service uses.

- Catering service.
- Custom business services.

(B) Institutional and community service uses.

- Child-care facility.
- Community service center. [SUP]
- Library, art gallery, or museum.
- Private school or open-enrollment charter school.

[SUP].

- Public school.

(C) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center. [SUP].
- Office.

(D) Residential uses.

- Live/work unit.
- Multifamily.
- Retirement housing.
- Single family.

(E) Retail and personal service uses.

- Live/work unit.
- Alcoholic beverage establishments. [SUP].
- Animal shelter or clinic without outside runs. [SUP].
- Animal shelter or clinic with outside runs. [SUP].
- Barber and beauty shop
- Broadcasting or recording studio.
- Business school.
- Commercial amusement (inside). [SUP].
- Commercial cleaning shop.
- Commercial laundry or dry cleaning.
- Convenience store with drive-through. [SUP].
- Custom cleaning shop.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Handcrafted art work studio.
- Handcrafted bookbinding.
- Health studio.
- Household equipment and appliance repair.
- Instructional arts studio.
- Key shop.
- Laundry or cleaning pickup and receiving station.
- Microbrewery, distillery, or winery [SUP].
- Mobile food establishment. [Must be located on private property and may not be a permanent structure.]
- Nursery, garden shop, or plant sales.

- Personal service use. [Alternative financial institution, massage establishment, and tattoo or body piercing studio prohibited.]
- Photography studio.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service.
- [SUP].
- Retail vending stand.
- Safe deposit boxes.
- Self-service laundry or dry cleaning
- Shoe repair.
- Surface parking.
- Tailor, custom sewing, and millinery.
- Temporary retail use.
- Theater.
- Travel bureau.

(F) Utility and public service uses.

- Local utilities. [RAR may be required. See Section 51A-4.212(4).]

SEC. 51P-812.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 27645)

SEC. 51P-812.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.) (Ord. 27645)

(a) Front yard.

(1) Tract I. Minimum front yard is 15 feet.

(2) Tract II.

(A) Except as provided in the paragraph, minimum front yard is 15 feet.

(B) For an accessory community center (private), no minimum front yard.

(3) Tract III. Minimum front yard is 15 feet.

(4) Tract IV. Minimum front yard setback is 5 feet. Balconies may encroach by up to five feet.

(b) Side and rear yard.

(1) Tract I. No minimum side and rear yard.

(2) Tract II. Except as noted on the Tract I and Tract II development plan/Tract III conceptual plan, no minimum side and rear yard.

(3) Tract III. No minimum side and rear yard.

(4) Tract IV. No minimum side and rear yard.

(c) Density.

(1) Tract I. Maximum number of dwelling units or suites is 130.

(2) Tract II. Maximum number of dwelling units is 50.

(3) Tract III. No maximum density.

(4) Tract IV. No maximum density.

(d) Floor area.

(1) Tract I. No maximum floor area.

(2) Tract II.

(A) Except as provided in this paragraph, no maximum floor area.

(B) For an accessory community center (private), maximum floor area is 3,000 square feet.

(3) Tract III. Maximum floor area is 20,000 square feet.

(4) Tract IV. Maximum floor area is 240,500 square feet.

(e) Height.

(1) Residential proximity slope. For Tracts I₁ and III, if any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(2) Tract I. Unless further restricted under Paragraph (1), maximum structure height is 50 feet.

(3) Tract II. Maximum structure height is 35 feet.

(4) Tract III. Unless further restricted under Paragraph (1), maximum structure height is 50 feet.

(5) Tract IV. Unless further restricted under Paragraph (1), maximum structure height is 80 feet.

(f) Lot coverage.

(1) In general. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(2) Tract I. Maximum lot coverage is 25 percent.

(3) Tract II. Maximum lot coverage is 65 percent.

(4) Tract III. Maximum lot coverage is 80 percent.

(5) Tract IV. Maximum lot coverage is 90 percent.

(g) Lot size.

(1) Tract I. No minimum lot size.

(2) Tract II.

(A) Minimum lot size for residential uses is 2,000 square feet.

(B) For local utilities and an accessory community center (private), no minimum lot size.

(3) Tract III. No minimum lot size.

(4) Tract IV. No minimum lot size.

(h) Stories.

(1) Tract I. Maximum number of stories above grade is four.

(2) Tract II. Maximum number of stories above grade is two.

(3) Tract III. Maximum number of stories above grade is four. (Ord. 27645)

(4) Tract IV. Maximum number of stories above grade is six.

SEC. 51P-812.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For Tract I and Tract III, off-street parking as required by Subsection (a) is reduced by 15 percent.

(c) For an accessory community center (private) and accessory game court (private), no off-street parking is required.

(d) For Tract III, off-street parking is prohibited in the front yard.

(e) Screening of off-street parking areas from the street must attain a minimum height of three feet above the parking surface. Except as provided in Subsection 51P-812.112(d), screening materials must be either, or a combination of, the following:

(1) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet in width.

(2) Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be

placed a maximum of 24 inches on-center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.

(f) In Tract I, carports must be architecturally compatible with the main structure the carport serves. (Ord. 27645)

(g) For Tract IV, a minimum of 275 off-street parking spaces is required.

SEC. 51P-812.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 27645)

SEC. 51P-812.112. LANDSCAPING

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Open space.

(1) Open Space No. 1 through Open Space No. 7, as shown on the Tract I and Tract II development plan/Tract III conceptual plan/Tract IV development plan, must include a minimum of two of the following:

(A) Park benches.

(B) Bicycle racks.

(C) Trash receptacles.

(D) A minimum of two additional large canopy trees with a minimum caliper of three inches each.

(2) A minimum aggregate of 15,000 square feet of land area must be provided for all of Open Space No. 1 through Open Space No. 7, as shown on the Tract I and Tract II development plan/Tract III conceptual plan.

(c) Site trees. For single family and handicapped group dwelling unit uses in Tract II, a minimum of one large tree must be provided for each lot.

(d) Tract I and Tract III Fran Way street frontage.

(1) Street trees must be provided at a ratio of one large tree for each 30 feet of frontage. Any street tree that is required to be planted horizontally within 20

feet of an overhead utility line may be a small tree species as approved by the building official.

(2) Screening of off-street parking must consist of landscape materials that are a minimum of three feet in height at the time of planting and capable of obtaining a solid appearance within three years.

(3) A minimum 15 foot perimeter landscape buffer must be provided along the frontage. This buffer may count as a design standard as required by Article X.

(4) Automatic irrigation is required for all perimeter landscape buffers.

(e) Tract IV

(1) Landscaping must comply with the development/landscape plan (Exhibit 812B).

SEC. 51P-812.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII. (Ord. 27645)

SEC. 51P-812.114. SIDEWALKS.

(a) Sidewalks along Compton Street and Fran Way must have an unobstructed sidewalk width of five feet.

(b) Tract IV: Sidewalks must have an unobstructed sidewalk width of six feet. The director may approve an alternate sidewalk width that does not comply with this paragraph where a six foot sidewalk is not possible, but no less than four feet.

(b) The board of adjustment may not grant a variance to the sidewalk requirements of this section. (Ord. 27645)

SEC. 51P-812.115. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Garage doors are prohibited from facing Compton Street or Fran Way.

(d) Each exterior facade of a main structure, excluding fenestration, must be at least 50 percent brick, stone, stucco, masonry, or glass. Fiber cement siding is prohibited as an exterior facade material. (Ord. 27645)

SEC. 51P-812.116. COMPLIANCE WITH CONDITIONS.

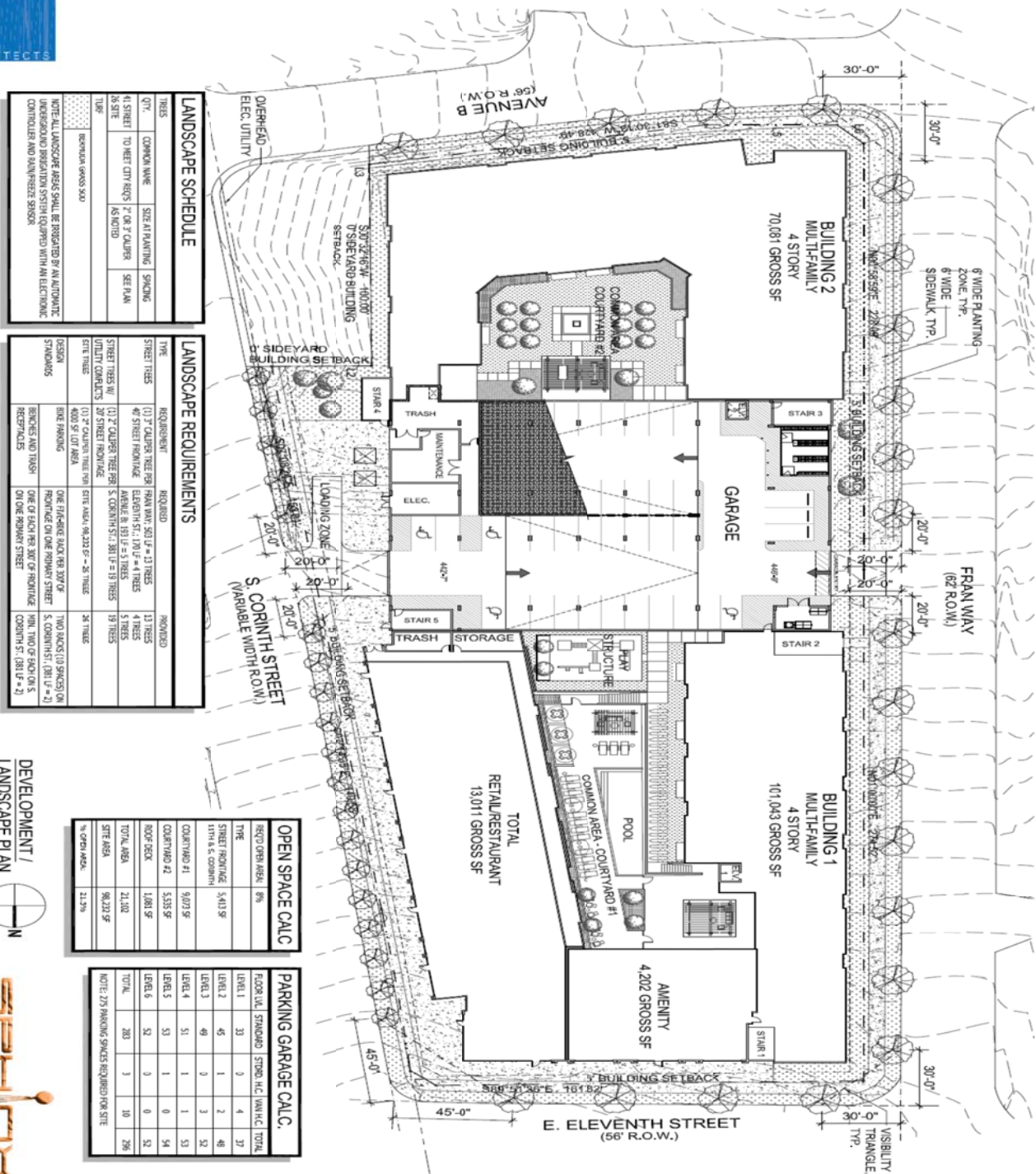
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

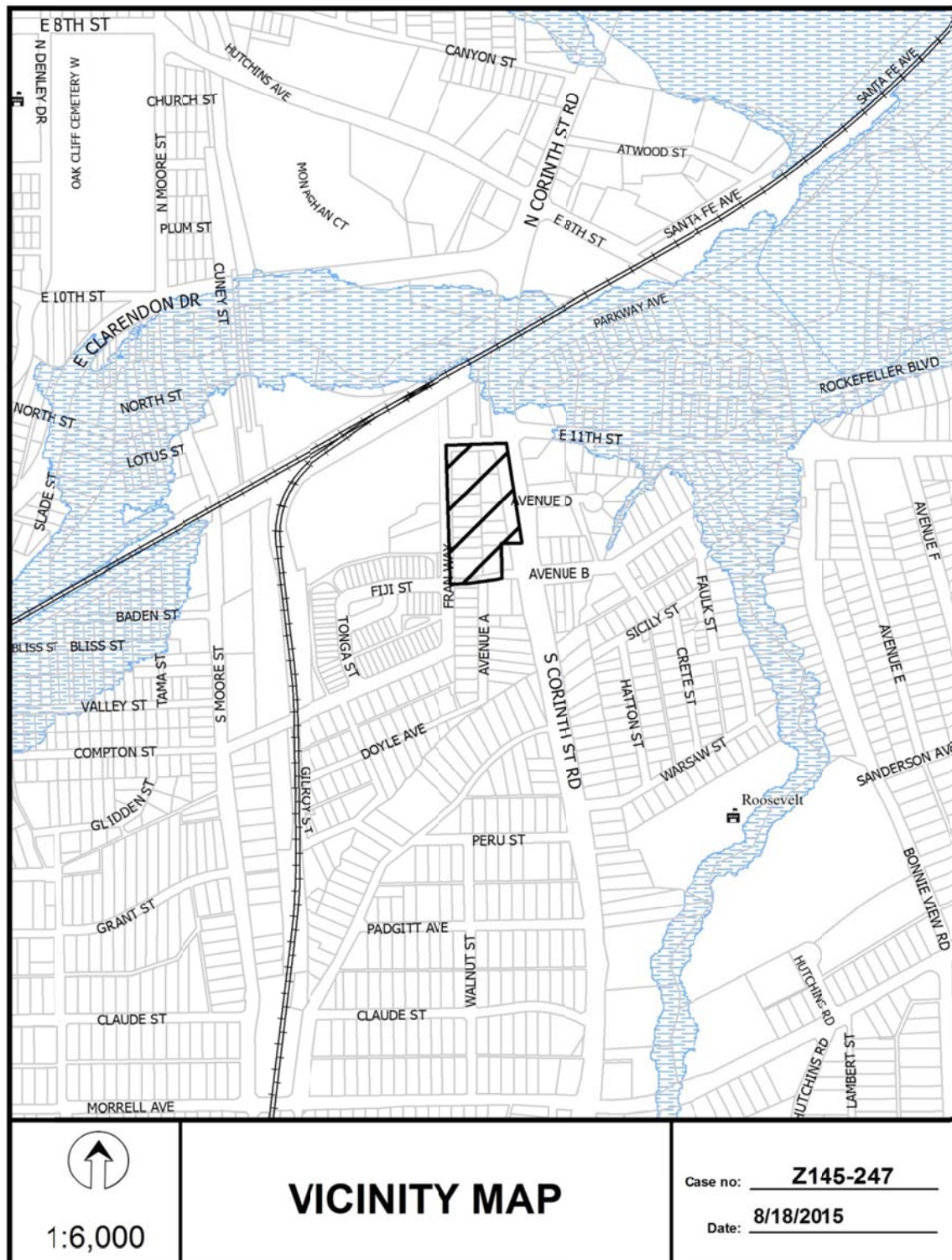
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 27645)

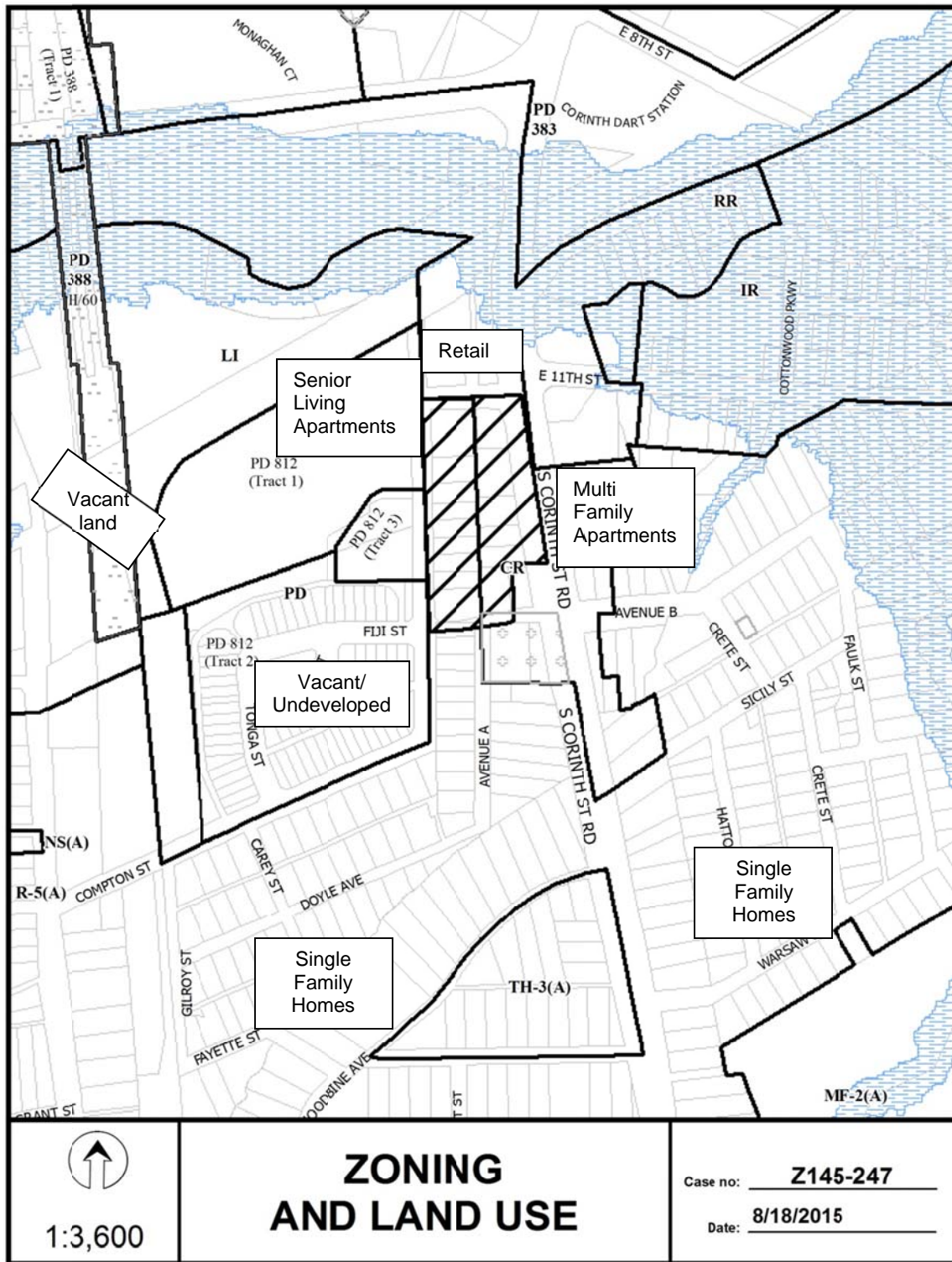
SEC. 51P-812.117. ZONING MAP.

PD 812 is located on Zoning Map No. L-7. (Ord. 27645)

Proposed Development/Landscape Plan









09/16/2015

Reply List of Property Owners***Z145-247******93 Property Owners Notified******1 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	419 AVE A	SDC SACHSE SENIOR VILLAS LLC
	2	1502 AVE B	TEXAS SDC LLC
	3	431 AVE A	SPHINX DEVELOPMENT CORPORATION
	4	215 CORINTH ST RD	SDC SACHSE SENIOR VILLAS LLC
	5	411 AVE A	SDC SACHSE SENIOR VILLAS
	6	1581 AVE B	SDC SACHSE SENIOR VILLAS LLC
	7	327 AVE A	SDC SACHSE SENOR
	8	407 AVE A	SDC SACHSE SENIOR VILLAS LLC
	9	315 AVE A	SPHINX DEVELOPMENT CORP
	10	327 CORINTH ST RD	BOLDEN CEDRIC
	11	519 WOODBINE AVE	CISNEROS JOSE T &
	12	515 WOODBINE AVE	NEXTLOTS 3 LLC
	13	507 WOODBINE AVE	AGUIRRE GUADALUP CERVANTES &
	14	510 CORINTH ST RD	TEXAS EAST JURISDICTION
	15	508 CORINTH ST RD	CHANDLER DONALD &
	16	506 CORINTH ST RD	CHANDLER DONALD &
	17	1514 COMPTON ST	BELTRAN MIGUEL
	18	1518 COMPTON ST	SDC SACHSE SENIOR VILLAS
	19	1522 COMPTON ST	THOMPSON DINO
	20	1526 COMPTON ST	STANTON LUTHER ET AL
	21	1534 COMPTON ST	THOMPSON DINO JR
	22	1538 COMPTON ST	KING ALONZO
	23	441 AVE A	MILLER GORGE
	24	1535 DOYLE AVE	THOMPSON MAE E
	25	1530 DOYLE AVE	THOMPSON DONOVAN
	26	439 AVE A	Taxpayer at

Z145-247(AF)

09/16/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	435 AVE A	MEYER STEVE
	28	423 AVE A	SDC SACHSE SENIOR VILLAS LLC
	29	409 AVE A	SMITH JOSEPHINE ESTES
	30	301 CORINTH ST RD	TEXAS SDC LLC
	31	415 CORINTH ST	SDC SACHSE SR VILLAS LLC
	32	414 AVE A	SDC SACHSE SR VILLAS LLC
	33	417 CORINTH ST	CHANDLER DONALD S &
	34	422 AVE A	GONZALEZ BENJAMIN
	35	430 AVE A	SPHINX DEVELOPMENT CORPORATION
	36	434 AVE A	DYSON PAULA ET AL &
	37	438 AVE A	CANAS JUAN
	38	200 FRAN WAY	LIBERTY BAPTIST CHURCH
	39	1631 SICILY ST	ARRIETA LEO R &
	40	1627 SICILY ST	BAUMAN LEDDRUE
	41	1623 SICILY ST	YOUNG ERMA LEE
	42	1619 SICILY ST	LEWIS BETTY JO
	43	1615 SICILY ST	MCELROY JOSEPH III TR
	44	1606 AVE B	BROWN BOBBY LEE
	45	1622 AVE B	BROWN BOBBY
	46	1614 AVE B	SMITH ALEXANDREA ROSE
	47	416 CORINTH ST RD	SMITH ALEXANDREA ROSE SMITH
	48	316 CORINTH ST RD	ENGLISH WANDA
	49	1611 AVE B	DANIELS MARKUS
	50	302 CORINTH ST	SDC SACHSE SENIOR VILLAS LLC
	51	1619 AVE B	LEE H R
	52	1607 AVE B	MCDONALD D D
	53	1601 AVE D	HERNANDEZ JUAN
	54	234 CORINTH ST RD	DELAGARZA DAVID
	55	260 CORINTH ST RD	BLACKMAN JOHN B &
	56	218 CORINTH ST RD	MCDONALD BETTY SUE
	57	1719 AVE B	CUELLAR YOLANDA

Z145-247(AF)

09/16/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	1715 AVE B	KINGDOM OF GOD CHURCH
	59	1702 AVE B	KINGDOM OF GOD BAPTIST CH
	60	407 CRETE ST	LOPEZ HERACLIO &
	61	1710 AVE B	S & I COMPANY
	62	406 CRETE ST	LOPEZ HERACLIO M
	63	1714 AVE B	CRUZCRUZ ANTONIO G
	64	1718 AVE B	RUEDA AURELIA
	65	1700 AVE B	HAYDEN TOM &
	66	1712 11TH ST	JOHNSON LORA
	67	1714 11TH ST	KEYSTONE STAR HOMES INC
O	68	1624 11TH ST	ADIA PARTNERSHIP LLC
	69	1710 11TH ST	THOMPSON KATHLEEN
	70	1619 AVE D	SNEED BILLIE JEAN
	71	1623 AVE D	BRADFORD LUCILLE SMITH
	72	1625 AVE D	WILSON DAWNA
	73	1624 AVE D	CHANG HENRY
	74	1623 11TH ST	CARR CLYDE
	75	1627 11TH ST	CARR CLYDE B
	76	1615 11TH ST	MCCOMBS PHYLLIS R
	77	1618 PARKWAY AVE	FLOWERS CRANFORD
	78	1622 PARKWAY AVE	CANYON O C & DELMA
	79	211 CHANEY ST	MCDONALD W G
	80	4524 CLARENDON DR	DALLAS AREA RAPID TRANSIT
	81	119 CORINTH ST RD	TEXAS UTILITIES ELEC CO
	82	503 WOODBINE AVE	County of Dallas
	83	1 COMPTON ST	SPHINX DEVELOPMENT CORP
	84	1 COMPTON ST	SDC COMPTON HOUSING LP
	85	4 COMPTON ST	FIJI TOWNHOMES DEVELOPMENT LLC
	86	201 FRAN WAY	SDC FIJI SENIOR LP
	87	1526 CLARENDON DR	CCH LAMAR PARTNERS I LP
	88	1803 8TH ST	DALLAS AREA RAPID TRANSIT

Z145-247(AF)

09/16/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	555 2ND AVE	DART
	90	424 CORINTH ST RD	CHANDLER DONALD &
	91	191 CORINTH ST RD	BALLAS VICTOR
	92	1631 11TH ST	CARR CLYDE B
	93	1711 11TH ST	POUNDERS STANLEY &

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Public Works Department
Water Utilities
Office of Economic Development

CMO: Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256
Ryan S. Evans, 671-9837

MAPSCO: 42U Y Z 52C

SUBJECT

Street Improvement, Benefit Assessment Hearing, and Material Testing for Chalk Hill Road

- * A benefit assessment hearing to receive comments on street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of I-30; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Pavecon Public Works LP, lowest responsible bidder of two - Not to exceed \$9,099,663 - Financing: 2012 Bond Funds (\$3,908,191), General Obligation Commercial Paper Funds (\$4,415,167), Water Utilities Capital Construction Funds (\$64,372), and Water Utilities Capital Improvement Funds (\$711,933)
- * Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 - Not to exceed \$90,925 - Financing: 2006 Bond Funds (\$90,925)

BACKGROUND

Chalk Hill Road from Davis Street to 800' south of I-30 was included in the 2006 Bond Program under the category of Thoroughfares. A professional services contract for the design of this project was authorized by City Council on January 23, 2008, by Resolution No. 08-0324. This action will authorize the project, partial payment of cost by assessment, a benefit assessment hearing, and authorize a construction contract with Pavecon Public Works LP. The improvements will consist of a 44-foot wide concrete pavement with curbs, sidewalks, bicycle lanes, drive approaches, street lighting, landscaping, a storm drainage system, and water and wastewater main improvements.

BACKGROUND (Continued)

The paving assessment process requires the following three steps:

1. Authorize paving improvements.
2. Authorize a benefit assessment hearing.
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction.

This is the 3rd and final step in the process.

Pavecon Public Works LP, has no completed contractual activities with the City of Dallas for the past three years.

This action will also authorize a professional services contract for the construction material testing services for Chalk Hill Road from Davis Street to 800 feet south of I-30 with Alliance Geotechnical Group, Inc. These testing services are required to assure that the material utilized during construction is in conformance with the quality required by the project specifications.

Alliance Geotechnical Group, 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.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2008
Completed Design	August 2015
Begin Construction	January 2016
Complete Construction	September 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services on January 23, 2008, by Resolution No. 08-0324.

Authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800' south of I-30 on May 26, 2010, by Resolution No. 10-1330.

Authorized Supplemental Agreement No. 1 to the professional services contract for engineering on December 8, 2010, by Resolution No. 10-3076.

Authorized street paving improvements and a benefit assessment hearing on September 22, 2015, by Resolution No. 15-1772.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

Construction - Pavecon Public Works LP

2012 Bond Funds - \$3,908,191.34

2006 Bond Program (General Obligation Commercial Paper Funds) - \$4,415,166.54

Water Utilities Capital Construction Funds - \$64,371.68

Water Utilities Capital Improvement Funds - \$711,932.68

Material Testing Services - Alliance Geotechnical Group, Inc.

2006 Bond Funds - \$90,924.50

Design	\$ 464,096.20
Supplemental Agreement No. 1	\$ 54,551.50
Construction (this action)	
Paving & Drainage - PBW	\$7,676,673.42
Water & Wastewater - WTR	<u>\$1,422,988.82</u>
Total Project Cost	\$9,618,309.94

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Pavecon Public Works LP

Hispanic Female	2	Hispanic Male	53
African-American Female	0	African-American Male	2
Other Female	0	Other Male	0
White Female	2	White Male	35

ETHNIC COMPOSITION

Alliance Geotechnical Group, Inc.

Hispanic Female	2	Hispanic Male	8
African-American Female	0	African-American Male	8
Other Female	0	Other Male	4
White Female	14	White Male	46

BID INFORMATION

The following bids with quotes were received and opened on September 4, 2015.

*Denotes successful bidder

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*Pavecon Public Works LP P. O. Box 535457 Grand Prairie, TX 75053	\$9,099,662.24
Tiseo Paving Co.	\$9,863,219.25
Original estimate: PBW	\$7,805,860.00
WTR	<u>\$1,444,964.00</u>
Total Project	\$9,250,824.00

OWNERS

Pavecon Public Works LP

Marty Murphy, President

Alliance Geotechnical Group, Inc.

Robert P. Nance, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction contract with Pavecon Public Works LP, lowest responsible bidder of two - Not to exceed \$9,099,663 - Financing: 2012 Bond Funds (\$3,908,191), General Obligation Commercial Paper Funds (\$4,415,167), Water Utilities Capital Construction Funds (\$64,372), and Water Utilities Capital Improvement Funds (\$711,933)

Pavecon Public Works LP, 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	\$78,000.00	0.86%
Total non-local contracts	\$9,021,662.24	99.14%
TOTAL CONTRACT	\$9,099,662.24	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
T&R Excavation	HMDB63869Y1215	\$78,000.00	100.00%
Total Minority - Local		\$78,000.00	100.00%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Camino Construction	HMDB53968Y1016	\$2,486,502.65	27.56%
Road Master Striping LLC	HMDB64683Y0316	\$74,032.50	0.82%
A&A Construction	HMDB23577Y0416	\$33,750.00	0.37%
Statewide Trucking Corporation	WFDB22783Y1016	\$95,740.50	1.06%
GJ Seeding LLC	WFWB85202N0417	\$73,210.00	0.81%
Buyers Barricades	WFDB24016Y0516	\$60,750.00	0.67%
Brock Environmental	WFWB61711Y0516	\$53,875.10	0.60%
Total Minority - Non-local		\$2,877,860.75	31.90%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$78,000.00	100.00%	\$2,672,285.15	29.37%
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%	\$283,575.60	3.12%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$78,000.00	100.00%	\$2,955,860.75	32.48%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 - Not to exceed \$90,925 - Financing: 2006 Bond Funds (\$90,925)

Alliance Geotechnical Group, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$68,193.37	75.00%
Total non-local contracts	\$22,731.13	25.00%
TOTAL CONTRACT	\$90,924.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

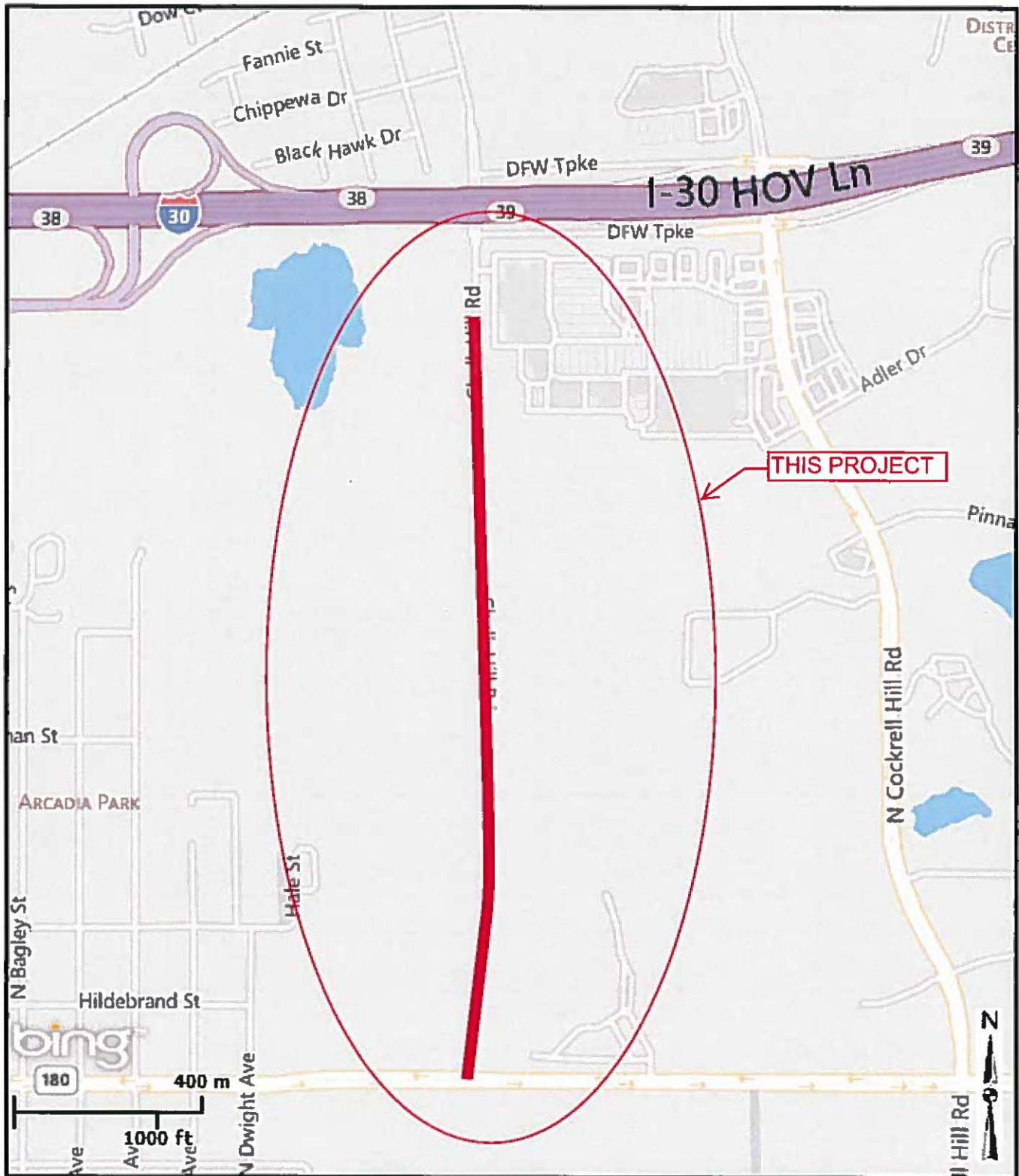
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
InTEC/Terradyne Engineering	IMDB39990Y0816	\$22,731.13	100.00%
Total Minority - Non-local		\$22,731.13	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$22,731.13	25.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$22,731.13	25.00%

CHALK HILL ROAD FROM DAVIS STREET TO 800' SOUTH OF I-30



MAPSCO 42U,Y,Z, & 52C

November 10, 2015

WHEREAS, heretofore, a resolution was duly adopted by the City Council of the City of Dallas for the improvement of the following street between the limits set forth, out of materials specified, ordering that bids be taken for the construction, and ordering that an estimate of the cost of such improvements be prepared, to wit:

Chalk Hill Road from Davis Street to 800 feet south of I-30; and

WHEREAS, by resolution such estimate and specifications were duly adopted therefore, and the Purchasing Agent was authorized to advertise for bids for such construction; and,

WHEREAS, by resolution the City Council determined the necessity for assessing a portion of the cost of such improvements against the property abutting such improvements, and the owners thereof, and duly and legally set a time and place for a public hearing thereon, and provided for notice to be given to such owners, as provided by law; and,

WHEREAS, the said hearing was duly held at said time and place; and,

WHEREAS, the City Council, after fully considering said proposed assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, is of the opinion that the said proposed assessments determined to be levied are fair and equitable, and in accordance with the enhancement report submitted by Con-Real Support Group LP, an independent appraiser, representing the benefits that the said property receives in enhanced values from the making of the said improvements, and that the said assessments should be made; and,

WHEREAS, the Council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed.

Now, Therefore,

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

SECTION 1. That the said hearing held on the 10th day of November A.D. 2015 be and the same is hereby ordered closed.

November 10, 2015

SECTION 2. That the City Attorney is hereby directed to prepare an ordinance assessing against the several owners of the abutting property, and against their property abutting upon the street hereinabove mentioned, the proportionate part of said cost herein adjudged against the said respective owners and their property, such assessments to be in accordance with the attached enhancement report. That the said ordinance shall fix a lien upon said property, and shall declare said respective owners thereof to be respectively liable for the amounts so adjudged against them. Said ordinance shall in all respects comply with the applicable law in such cases made and provided.

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.

**REPORT #15-12
Enhancement Evaluation Study
Project: Chalk Hill Road
from Davis Street to 800' south of I-30
Dallas, Dallas County, Texas 75241**

For:

**Lisa Williams
Project Coordinator
City of Dallas
Public Works Department
Oak Cliff Municipal Center
320 E. Jefferson Boulevard, Room 307
Dallas, Texas 75203**

Prepared by:

**Con-Real, LP
Troy C. Alley, Jr. MAI
5801 Marvin D. Love Freeway, Suite 218
Dallas, Texas 75237**

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Date of Inspection:	September 21, 2015
Effective Date of Study:	September 21, 2015
Date of Transmittal:	September 28, 2015
Subject Property:	Various Retail and Industrial Properties
Location:	Chalk Hill Road from Davis Street to 800' south of I-30 Dallas, Dallas County, Texas 75241
Zoning Classifications:	IM Industrial Manufacturing RR Regional Retail
Current Use:	Industrial and Retail
Highest & Best Use:	Industrial and Retail
Purpose of Study:	The purpose of this study is to estimate the value of the enhancement, if any, to the properties in the defined enhancement study area based on the completion of the proposed street widening, curbs, sidewalks, concrete driveways and bicycle lanes that affect the subject properties as of September 21, 2015

GENERAL DATA

Description for Street Group Project: Pinnacle Park 8 Ph 1; and Pinnacle Park Dist Center 2

Chalk Hill Road from Davis Street to 800' south of I-30, Dallas, Dallas County, Texas 75241 (Mapsco - Dallas 66E)

Property Owners: Varied (see tables)

AREA/NEIGHBORHOOD ANALYSIS

Area Description: Pinnacle Park, in Southwest Dallas; a mix of retail and industrial developments; Cockrell Hill Road, IH-30, Davis Street, and Ledbetter Drive (Loop 12), are the major roadways.

Neighborhood Description: Well established office, retail, personal service, lodging and industrial; wholesale distribution and storage and multifamily residential uses, level to rolling terrain.

Property Values: \$60,000 - \$80,000+ Residential (typical)

Demand/Supply: Stable/Adequate

Neighborhood Land Use: 30% retail, 70% industrial

Neighborhood Trend & Probable Changes: Neighborhood is stable; no anticipated changes

Factors Affecting the Neighborhood: No adverse factors noted

Zoning Classification of Project Area:

RR-Regional Retail - IM Industrial Manufacturing

Highest and Best Use:

Retail and Industrial Uses

Utilities: All available

Easements, Encumbrances, Special Assessments: None noted

FEMA Flood Zone: X500 - No Flood Plain

FEMA Map No.: 48113 C0320J dated 8/31/2001

Known or Apparent Environmental Hazards: No environmental hazards noted.

IMPROVEMENT ANALYSIS

General Description and Use: The project area contains retail, industrial, and multifamily uses.

Size and Shape: Various

Comments: Based only on a general cursory inspection, the improvements in the project area appeared to be in average condition at the time of the inspection.

PAVING ENHANCEMENT STUDY

A paving assessment study is a method of allocating assessments for public improvements, to the properties specially benefitted, in proportion to the special benefit derived by each property from the project.

Nearly a century ago, the United States Supreme Court recognized in the case of *Norwood v. Baker* that the principle underlying special assessments to meet the costs of public improvements is that "the property upon which they are imposed is peculiarly benefitted, and therefore, the owners do not, in fact, pay anything in excess of what they receive by reason of such improvement."¹

Valid recommended assessments from a paving enhancement study prepared for a final assessment roll meet the following two criteria:

- They are equal to or less than the benefit accruing to that particular parcel.
- They are fair and in proportion to the special benefit derived by that parcel and all other parcels due to the project.

Significant variance in the assessment is sometimes noted on adjacent properties. This can result from the influence of factors including, but not limited to, existing building improvements, differences in zoning or projected intensity of use, corner influence, terrain, ratio of frontage to area, or changes in access characteristics.²

The question is whether a measurable benefit to properties abutting municipal improvements could be realized in the foreseeable future. In addressing this the Texas Court of Appeals quoted Iowa case law.

The benefits to be derived in such cases are ordinarily not instant upon the inception or completion of the improvement, but materialize with developments of the future. They are nonetheless benefits because their full fruition is postponed, or because the present use to which the property is devoted is not of a character to be materially affected by the improvement.³

The analyst employed an approach, as outlined in an article authored by *Robert Martin and Nicholas Ordway* as published in *The Appraisal Journal*, October 1985, that has been deemed an industry standard for estimating an equitable assessment to the property owners for any enhancements they might receive from the improvements. This method is the Sales Comparison Method that employs the sales of properties that are located on both unimproved and improved streets in the area, or similar type areas for purposes of comparing the prices paid for properties that have and do not have curb/gutters/sidewalks.

¹Norwood v. Baker, 172 U.S. 269, 43 L. Ed 443, 19 S. Ct. 187 (1898).

²Charles R. Macaulay, MAI, SRA "Special Benefit/Proportionate Assessment: Funding for Public Improvements" *The Appraisal Journal*, January 1997

³Page v. City of Lockhart, 397 S.W. 2d 113, 119 (1965).

In addition to the Sales Comparison method, the analyst conducted a Market Data Analysis and enlisted the advice and counsel of persons knowledgeable in the field of real estate and government officials with experience dealing with paving enhancement operations. Combined, we believe that a fair and reasonable opinion can be concluded.

Market Value:

The price which a property should bring when it is offered for sale by one who desires, but is not obligated to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonable adaptable and for which it either is or in all reasonable probability will become available within the reasonable future. (See City of Austin v. Cannizzo, 267 S.W. 2d.808 (Tex. 1954).

Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. buyer and seller are typically motivated;
- b. both parties are well informed or well advised, and each acting in what he considers his own best interest;
- c. a reasonable time is allowed for exposure in the open market;
- d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

The definition above is quoted directly from Section 7.3025 of the Office of Comptroller of the Currency, March 1990.

EVALUATION ANALYSIS

The improvements proposed by the City of Dallas are to include new street and drive approach improvements where necessary. In the Enhancement Study performed by the City of Dallas, the City calculated a Lineal Foot, Square Foot or Square Yard price in order to estimate the actual cost for each property for the proposed improvements. A summary of the assessment values presented in the study are as follows:

The assessed value of the enhancement was based on \$122.34 per lineal foot for the street improvements and \$7.77 per foot of walk and \$41.16 per square yard for the drive approach improvements. Properties that have existing drives are not being assessed for the new improvements that take the place of the current improvements. This is one method of estimating the how the value of the improvements enhance the assessed value of the subject; however, there are other ways to analyze how the improvements enhance the property.

We have reviewed the study performed by the City of Dallas pertaining to the subject properties regarding assessments to the property owners for the construction of the street and drive approach improvements. In addition to that study, we have tested another approach that we deem reasonable for estimating an equitable assessment to the property owners for any enhancements they might receive from the improvements. This method is the Sales Comparison Method that employs the sales of vacant tracts of land and improved properties in the area or similar type areas for purposes of comparing the prices paid for properties that have and do not have street, sidewalk and drive approach improvements. Concrete driveways do not play an important role in analyzing sales of unimproved properties since the builder/contractor is responsible for constructing a new driveway when building a new structure.

SALES COMPARISON METHOD

This method involves comparing the sales prices of recent sales of vacant tracts of land with and without existing street and drive approach improvements and forming an opinion as to how much, if any, a purchaser is willing to pay for a property that have existing street, walk and drive approach improvements over a tract that does not have those improvements.

The subject's area was searched for recent sales of a variety of vacant residential lots and non-residential tracts that were similar in size and location to the subject properties so that a comparative analysis of each type could be performed. This search provided very few sales of properties that did not have street, walk and drive approach improvements due to the fact that most all of the streets in the area have these features. As such, the search was expanded to areas outside of the subject's immediate area in order to locate a sufficient number of sales of vacant lots/tracts with and without street and drive approach improvements. Numerous sales were located and examined and from this vast number of sales only a few were found that could be used for comparative analysis purposes. The subject properties employed in the analysis include both vacant residential lots and non-residential lots, and while the structures and areas employed in this analysis may not be truly comparable to the properties involved with this project, they do provide a basis for comparison between the properties with street and drive approach improvements and properties that do not have these features.

Adjustment grids for the following types of properties are located on the following pages:

- 1) Industrial Land Sales - Unimproved Street vs. Improved Streets
- 2) Retail Land Sales - Unimproved Street vs. Improved Streets

Due to the fact that lots/tracts of land without street and drive approach improvements are relatively scarce, and sales of these types of properties are even more rare, it was necessary to employ sales in the comparative analysis that took place more than two years prior to this study however, all of the sales took place during a period in which no adjustment for market conditions was required. This was unavoidable given the lack of recent sales of properties without street improvements.

INDUSTRIAL LOT SALE NO. 1 (will be employed as the subject lot)



Mapsc:	12S Dallas
Location:	2444 Luna Road, Carrollton, Texas
Grantor:	One Bank & Trust, NA, Little Rock, AR.
Grantee:	Don Valk
Date of Sale:	December 31, 2013
Recording Data:	201300392041
County:	Dallas
Size:	131,420 SF or 3.017 AC
Shape:	Rectangular
Zoning:	Industrial
Utilities:	All Available
Topography:	Basically Level
Consideration:	\$558,535
Per SF:	\$4.25
Terms:	Cash to Seller
Cash Equivalent Consideration:	\$558,535
Per SF:	\$4.25
Source:	Roddy Report/Deed Records/Broker
Comments:	This site is located on a four-lane street which is improved with curbs, drives and walks.

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependant upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.

INDUSTRIAL LOT SALE NO. 2



Mapsc:	78S Dallas
Location:	500 S. Millers Ferry Road, Wilmer, Texas
Grantor:	FR/Cal 3 Wilmer, LLC
Grantee:	Duke Construction, LP
Date of Sale:	July 12, 2010
Recording Data:	201000177396
County:	Dallas
Size:	2,482,920 SF or 57 AC
Shape:	Rectangular
Zoning:	Industrial
Utilities:	All Available
Topography:	Basically Level
Consideration:	\$5,834,862
Per SF:	\$2.35
Terms:	Cash to Seller
Cash Equivalent Consideration:	\$5,834,862
Per SF:	\$2.35
Source:	Roddy Report/Deed Records/Grantee
Comments:	This site is located on a two-lane neighborhood street which is not improved with curbs, drives and walks.

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependent upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.

INDUSTRIAL LOT SALE NO. 3



Mapsco:	81B-J Dallas
Location:	670 Grigsby Way, Cedar Hill, Texas
Grantor:	Texas Industrial Partners, Inc.
Grantee:	Prewett Enterprises, Inc.
Date of Sale:	January 8, 2013
Recording Data:	201300006380
County:	Dallas
Size:	214,929 SF and 4.9341 AC
Shape:	Rectangular
Zoning:	Residential
Utilities:	All Available
Topography:	Basically Level
Consideration:	\$185,000
Per SF:	\$0.86
Terms:	Cash to Seller
Cash Equivalent Consideration:	\$185,000
Per SF:	\$0.86
Source:	Roddy Report/Deed Records/Broker
Comments:	This site is located on a two-lane interior street which is not improved with curbs, drives and walks.

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependant upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.

**Industrial Lot Sales
Improved Street vs. Unimproved Street**

Sales Price/ Per Square Foot	<u>Sale 1</u> (Subject) 2444 Luna RD \$4.25	<u>Sale 2</u> 500 S Millers Ferry RD \$2.35	<u>Sale 3</u> 670 Grigsby Way \$0.86
Cash Equivalency	-0-	-0-	-0-
Date of Sale	12/31/2013 -0-	7/12/2010 -0-	1/8/2013 -0-
Eff. Sale Pr.	\$4.25	\$2.35	\$0.86
Size/SF	131,420 -0-	2,482,920 +25%	214,929 -0-
Curbs/walks/drive	Yes	No	No
Location & Access	Major Street	Interior Street +45%	Interior Street +80%
Net Adjustment		+70% +\$1.64	+80% +\$0.69
Adjusted Sale Price	\$4.25	\$3.99	\$1.55

The Subject, Sale 1, at 2444 Luna Road in Carrollton, with direct access from I-635 and near SH 160. It is a 131,420 square foot lot that **did have** curbs, walks and a drive approach improvements and sold for \$4.25 per square foot. The two other sales **did not** have those improvements on their sites and sold at prices ranging from \$0.86 to \$2.35 per square foot. All of the sales are located in similar industrial areas with similar locational characteristics to surrounding developments. Sale 2 is located on an interior street with nearby access to I-45, in Wilmer. This location is near the large railroad intermodal center. Sale 2 was adjusted upward for location. Sale 3 was located Grigsby Way, in Cedar Hill. It has access to US Highway 67. Sale 3 was adjusted upward for location. Because of the extremely poor access and visibility, this sale will not be used in the final analysis of unimproved impact.

After making the warranted adjustments to the sales comparables, a range of values of \$3.99 to \$4.25 per square foot was derived.

Based on the sales prices of these sales, and taking into account any locational or site differences, it did not appear that there was any great variance in the prices paid for the two separate types of properties.

**Retail Lot Sales
Improved Streets vs. Unimproved Streets**

Sales Price/ Per Square Foot	<u>Sale 1</u> (Subject) 1034 Buckner S \$4.32	<u>Sale 2</u> 714 Pleasant Run \$5.51	<u>Sale 3</u> 6181 Bonnie View \$3.52	<u>Sale 4</u> 4301 IH-20 \$2.88
Cash Equivalency	-0-	-0-	-0-	-0-
Date of Sale	12/19/2014 -0-	1/5/2015 -0-	6/12/2014 -0-	8/25/2009 +10%
Eff. Sale Pr.	\$4.32	\$5.51	\$3.52	\$3.16
Size/SF	63,715	37,200 -0-	48,290 -0-	130,224 -0-
Curbs/Gutters	Yes	No	Yes	No
Location & Access	Average	Average -0-	Inferior + 20%	Average -0-
Net Adjustment	-0- \$0.00	-0- -0-	+20% +\$0.70	-0- -0-
Adjusted Sale Price	\$4.32	\$5.51	\$4.22	\$3.16

The Subject, Sale 1, at 1034 S Buckner Boulevard (Loop 12) in Dallas. It is a 63,715 square foot lot that **did have** curbs, walks and a drive approach improvements and sold for \$4.32 per square foot. Sale 3 also **did have** curbs, walks and a drive approach improvements. Sales 2 & 4 **did not** have those improvements on their sites and sold at prices ranging from \$2.88 to \$5.51 per square foot. All of the sales are located in similar retail areas with similar locational characteristics. Sale 2 is located on a major street in DeSoto. Sale 2 was not adjusted for location comparison to the subject. Sale 3 was located on Bonnie View Road in Dallas. Sale 3 was adjusted upward for location comparison to the subject. Sale 4 occurred in 2009 and was adjusted upward for market conditions. Sale 4 was located on the west bound service road of IH-20 and was not adjusted for location.

After making the warranted adjustments to the sales comparables, a range of values of \$3.16 to \$5.51 per square foot was derived.

Based on the sales prices of these sales, and taking into account any locational or site differences, it did not appear that there was any great variance in the prices paid for the two separate types of properties.

ASSESSMENT VALUATION PROCESS

The analyst acknowledges that the new street improvements will provide some enhancement to the overall value of the subject properties, but the improvements will not increase the value of the subject properties at the same rate the City is proposing to assess the property owners. As with all home improvements, the value of the enhancement is very rarely equal to or greater than the actual cost of the improvement. Samples of these types of improvements are: new roofs, replaced fencing, updating of flooring, kitchens, bathrooms, etc. Generally speaking, these type of repairs, renovations or enhancements cost more to replace/construct than they will ever return should the property be sold. A good example is the addition of a swimming pool. A typical swimming pool can cost \$25,000 to install, but upon resale rarely yields \$10,000 more than a similar property without a swimming pool. The same goes for a new roof. While a new roof may be a selling feature in trying to market the property, very rarely does the property owner ever realize a return on the sale of the property equal to the cost to install the new roof. The same is true with the proposed street improvements and accompanying sidewalks and drives. **Based on the market data gathered and examined by the analyst, it is my opinion that the market value of the subject properties will only experience a slight increase in value because of the proposed improvements.**

In an effort to be equitable to the property owners, given that all of the property owners are supposedly paying their fair share, it is our opinion that the property owners be assessed at a rate of 10% of the assessed value of the lot for the street improvements (concrete paving, curbs/gutters), and that the property owners be assessed at a rate of 50% of the estimated construction cost of the sidewalk and concrete drive improvements. Some of the properties in the project areas already have sidewalks and drives. Those property owners should not be compelled to pay additional monies for improvements that they already have in place. In some instances, particularly on the subject parcels with large tracts of land, 10% of the assessed land value is greater than the total estimated cost of the proposed improvements. This is due to the fact that these properties typically have a large amount of road frontage and benefit from greater exposure from the street, and in those instances the estimated cost of the improvements as proposed by the City of Dallas is the recommended amount.

The Tables on the following pages identifies each of the subject properties, the assessment process employed by the City of Dallas, and finally, my estimation of a fair and reasonable value for the assessment.

Reconciliation and General Comments:

The Sales Comparison Method was not extremely beneficial in this study due to a lack of recent sales of properties needed to perform a comparative analysis. We have employed sales of vacant residential lots with and without street and walks and drive approach improvements in order to perform a comparative analysis.

Despite the distance between the subject sites and the sales, we were able to gather enough data to perform a comparative analysis on both types of properties. These analyses did not indicate that a premium was being paid for properties with street, walks and drive approach improvements when compared to sales of similar type properties that did not possess those features. That does not necessarily mean that a property is not more marketable or attractive to a potential purchaser, it only means that based on the data we were able to gather and verify, we could not positively prove that a difference existed in the marketplace.

While it is true that the property owners will receive a nominal benefit from having new street and drive approach improvements, the benefit received from these new items will only provide a minimal amount of enhanced value to the properties when compared to the largest portion of the value of the lot; the land mass itself. As such, it is our contention that the subject properties will increase in value from the street and drive approach improvements proposed by the City of Dallas, but not by the actual cost of the improvements. It is our opinion that the property owners should be assessed at a rate of 10% of the assessed value of the lot for the street improvements, and that the property owners be assessed at a rate of 50% of the estimated construction cost of the side walks and drive approach improvements.

PROJECT:
CHALK HILL ROAD FROM DAVIS STREET TO 800' SOUTH OF I-30

Owner	Lot	Block	Frontage	Rate	Amount	Total Assessment	Tax Assessment Value - Land	Recommended Assessment
WEST SIDE OF STREET								
CITY OF DALLAS 1500 MARILLA STREET DALLAS, TEXAS 75201	0.545 ACS 4700 W DAVIS ST		NO ASSESSMENT CITY OF DALLAS					
CITY OF DALLAS 1500 MARILLA STREET DALLAS, TX 75201	RR TR 1.7 2.473 ACS 800 CHALK HILL RD		NO ASSESSMENT CITY OF DALLAS					
TXI OPERATIONS LP 1341 W MOCKINGBIRD LN DALLAS, TEXAS 75247- 6913	TR 3 97.796 ACS 1200 CHALK HILL RD	7192	401 Ft PVMT 401 Ft WALK	\$122.34 \$7.77	\$49,058.34 \$3,115.77	\$52,174.11	\$342,290 (10% of lot value { \$34,229} exceeds total assessment)	\$34,229.00 \$ 1,557.89 \$35,786.89

Owner	Lot	Block	Frontage	Rate	Amount	Total Assessment	Tax Assessment Value - Land	Recommended Assessment
TXI OPERATIONS LP 1341 W MOCKINGBIRD LN DALLAS, TEXAS 75247-6913	TR 1 70.4898 ACS 1247 CHALK HILL RD	7192	2538 Ft ADJ TO 1922 Ft PVMT 1802 FT WALK 40 Ft DRIVE 40 Ft DRIVE	\$122.34 \$7.77 No Cost No Cost	\$235,137.48 \$14,001.54 \$0.00 \$0.00	\$249,139.02	\$877,180 (10% of lot value { \$87,718 }	\$87,718.00 \$ 7,000.77 \$94,718.77
STEWART & STEVENSON POWER PRODUCTS LLC 1000 LOUISIANA STE 5900 HOUSTON, TEXAS 77002	1 18.7373 ACS 1631 CHALK HILL RD	A/7192	289 Ft ADJ TO 232 Ft PVMT 232 Ft WALK	\$122.34 \$7.77	\$28,382.88 \$1,802.64	\$30,185.52	\$4,897,180 (10% of lot value { \$489,718 } (exceeds total assessment)	\$28,382.88 \$ 901.82 \$29,284.70
NEW MICROS INC ATTN: RANDY M DUMSE PRES 1601 CHALK HILL RD DALLAS, TEXAS 75212	TR 2 0.932 ACS 231.95x 86.07x 224.81x 169.5	7192	231 Ft PMVT 231 Ft WALK 48.3 Ft DR (20' Drive)	\$122.34 7.77 \$41.16	\$28,260.54 \$ 1,794.87 \$ 1,988.03	\$32,043.44	\$157,730 (10% of lot value { \$15,773 }	\$15,773.00 \$ 897.44 \$ 994.02 \$17,664.46
EAST SIDE OF STREET			PINNACLE PARK 8 PH 1					
LOWES HOMES CENTER INC 1000 LOWES BLVD MOORESVILLE, NC TEXAS 28117	7, 14.43 ACS 1710 CHALK HILL RD	B/7206	170 Ft PVMT 170 FT WALK	\$122.34 \$7.77	\$20,797.80 \$1,320.90	\$22,118.70	\$3,771,430 10% of lot value (377,143)	\$20,797.80 \$ 660.45 \$21,458.25

Owner	Lot	Block	Frontage	Rate	Amount	Total Assessment	Tax Assessment Value - Land	Recommended Assessment
MORNING PARK INC 2425 CEDAR SPRINGS RD DALLAS, TEXAS 75201-1459	8A, 2.652 AC 1700 CHALK HILL RD	B/7206	500 FT PVMT 500 FT WALK	\$122.34 \$7.77	\$61,170.00 \$3,885.00	\$65,055.00	\$288,800 (10% of lot value { \$28,880})	\$28,880.00 \$ 1,942.50 \$30,822.50
MORNING PARK INC 2425 CEDAR SPRINGS RD DALLAS, TEXAS 75201-1459	Split 1 ACS 3.1777 4250 IH-30	7211 & 7206	154 FT PVMT 154 FT WALK	\$122.34 \$7.77	\$18,840.36 \$1,196.58	\$20,036.94	\$34,600 (10% of lot value { \$3,460})	\$3,460.00 \$ 598.29 \$4,058.29
			PINNACLE PARK DIST CENTER 2					
LIGHTING PROPCO I LLC C/O TPG CAPITAL LP 301 COMMERCE ST, STE 3300 FT WORTH, TEXAS 76102-4133	1, 18.01 ACS 1415 N COCKRELL HILL RD	A/7206	925 FT ADJ TO 842 FT PVMT 722 FT WALK 40 FT DRIVE 40 FT DRIVE	\$122.34 \$7.77 No Cost No Cost	\$103,010.28 \$5,609.94 \$0.00 \$0.00	\$108,620.22	\$980,490 (10% of lot value { \$98,490} exceeds total assessment)	\$ 98,049.00 \$ 2,804.97 \$100,853.97
TXI OPERATIONS LP 1341 W MOCKINGBIRD LN DALLAS, TEXAS 75247	TR 2 22.536 ACS 900 CHALK HILL RD	7207	1494 FT ADJ 93 FT PVMT 93 FT WALK	\$122.34 \$7.77	\$11,377.62 \$ 722.61	\$12,100.23	\$785,340 (10% of lot value { \$78,534} exceeds total assessment)	\$11,377.62 \$ 361.31 \$11,738.93

Owner	Lot	Block	Frontage	Rate	Amount	Total Assessment	Tax Assessment Value - Land	Recommended Assessment
MORNING PARK INC 8117 PRESTON RD STE 700 DALLAS, TX 75225	RR TR 1 2.500 ACS 800 CHALK HILL RD		NO ASSESSMENT PRESCRIPTIVE EASEMENT					
CITY OF DALLAS 1500 MARILLA ST DALLAS, TX 75201	55.428 acs	7209 7210	NO ASSESSMENT CITY OF DALLAS					

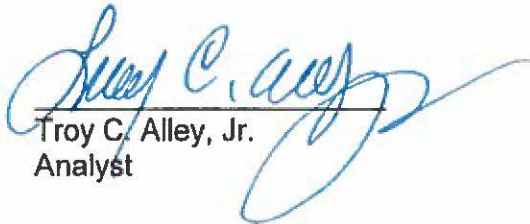
CERTIFICATE

We do hereby certify that, except as otherwise noted in this report:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, unbiased professional analyses, opinions and conclusions.
3. We have no present or prospective interest in the property which is the subject of this report and we have no personal interest or bias with respect to the parties involved.
4. Our compensation is not contingent upon an action or event resulting from the analyses, opinions or conclusions in, or the use of, our report. This assignment was not based on a requested minimum valuation, a specific valuation, or approval of a loan.
5. Ownership and site data was obtained from information appearing on the Tax Rolls and from data provided by the client.
6. Troy C. Alley, Jr. and K. Norman Hansen are both Certified General Real Estate Appraisers by the State of Texas.
7. Troy Alley, Jr. has made a personal inspection of the property which is the subject of this report. K. Norman Hansen has also made a personal inspection of the property.
8. K. Norman Hansen provided significant professional assistance to the person signing this report.
9. The assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
10. The analyst(s) is not an employee, officer or appointed board or commission member of the City of Dallas. We did not consider race, color, religion, sex, national origin, handicap or familial status in determining the value of the Subject Property.

11. **THIS IS NOT AN OPINION OF VALUE, IT IS A COMPARATIVE MARKET ANALYSIS AND SHOULD NOT BE CONSIDERED AN APPRAISAL. In making any decision that relies upon our work, you should know that we have NOT followed the guidelines for development of an appraisal or analysis contained in the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.**

Con-Real, LP



Troy C. Alley, Jr.
Analyst

ORDINANCE NO. _____

AN ORDINANCE LEVYING ASSESSMENTS AGAINST VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING STREET IN THE CITY OF DALLAS, TEXAS, TO WIT:

Chalk Hill Road from Davis Street to 800 feet south of I-30

PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE, THE RATE OF INTEREST, AND FIXING A CHARGE AND LIEN AGAINST SAID PROPERTY AND MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID STREET, AND PROVIDING FOR THE COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore a resolution was duly adopted by the City Council ordering the improvements of

Chalk Hill Road from Davis Street to 800 feet south of I-30

by filling, raising, grading, and paving same; and,

WHEREAS, pursuant to said resolution, specifications and an estimate of the cost of such improvements were prepared for said work by the Director of Public Works (City Engineer), filed with said Council, examined, approved, and adopted by it, all as required by applicable law; and,

WHEREAS, in compliance with the law the City Engineer prepared his statements or lists showing the names of property owners upon said street the description of their property, the total cost of the said improvements, the cost there of per front foot and cost to each property owner, said statements possessing all the other requisites required by law; and,

WHEREAS, thereafter the said statements were filed with the City Council and by them examined and approved and a resolution was passed by said Council determining the necessity of making an assessment for part of the cost of said pavement against property owners and their property, and fixing a time and providing for a hearing to such property owners, all in accordance with the terms of applicable law, at which hearing to such property owners were to be heard as to the benefits of the said improvements to their property, as to any error or invalidity in said proceedings, or to any matter or thing connected with the said improvements; and,

WHEREAS, the said resolution in connection with the improvement of said street was duly adopted in compliance with the law on the 22nd day of September, 2015; and,

WHEREAS, in accordance with the terms of the law, the City of Dallas gave notice to the property owners on said street of said hearing, by publishing a copy of said notice in the Dallas Morning News, a daily paper of general circulation in the City of Dallas, for three successive days prior to the days set for the hearing, to wit, the 10th day of November, 2015; and the City also gave notice of said hearing by mailing letters containing the same to said property owners at least fourteen (14) days before the said hearing; provided, however, that any failure of the property owners to receive said notices shall not invalidate these proceedings; and,

WHEREAS, said hearing was held at the time and place mentioned in the said resolution and notice, to wit, on the 10th day of November, 2015 at 1:00 o'clock P.M. at the Council Chamber in the City Hall of the City of Dallas, Texas, which hearing was then closed; and,

WHEREAS, at said hearing, all desiring to contest the said assessments, correct the same, or in any manner be heard concerning the benefits thereof, or in any related matter, were heard, and errors and all matters of error or mistake or inequalities or other matters requiring rectification which were called to the attention of the Council were rectified and corrected.

Now, Therefore,

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

SECTION 1. That the action of the City Council closing the hearing and overruling the protests at the public hearing on the 10th day of November, 2015, in these proceedings is hereby ratified and confirmed by this ordinance. That the City Council, from the evidence, finds that the assessments herein levied should be made and levied against the respective parcels of property abutting upon the street herein below mentioned and against the owners thereof; that such assessments and charges are right and proper, and are substantially in proportion to the benefits to the respective parcels of property by means of the improvement in the unit or district for which such assessments are levied, and establish substantial justice, equality, and uniformity between the respective owners of the respective properties between all parties concerned, considering the benefits received and burdens imposed. The Council further finds that in each case the abutting property assessed is specially benefited in enhanced value to the said properties by means of the said improvements in the unit or district upon which the particular property abuts, and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance. The Council further finds that the apportionment of the cost of the improvements is in accordance with the law in force in this City and that the proceedings of the City heretofore had with reference to said improvements are in all respects valid and regular.

SECTION 2. That there shall be and is hereby levied and assessed against the parcels of property hereinbelow mentioned, and against the real and true owners thereof (whether such owners be correctly named herein or not), the sums of money below mentioned and itemized shown opposite the description of the respective parcels of property, and the several amounts assessed against the same and the owners thereof, as far as such owners are known, being as follows:

CHALK HILL ROAD FROM DAVIS STREET TO 800' SOUTH OF I-30
 SHALL BE PAVED FROM CURB TO CURB WITH 11-INCH THICK 4000-POUNDS PER SQUARE INCH
 REINFORCED CONCRETE PAVEMENT; WITH 8-INCH LIME TREATED SUBGRADE AND CEMENT
 STABILIZATION; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 8-INCH THICK REINFORCED
 CONCRETE DRIVE APPROACHES; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS
 5 FEET WIDE; WITH TWO 5-FEET WIDE BICYCLE LANES; SO THAT THE ROADWAY SHALL BE
 44 FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
WEST SIDE OF STREET						
CITY OF DALLAS 1500 MARILLA ST DALLAS, TX 75201	0.545 Acs 4700 W Davis St			NO ASSESSMENT CITY OF DALLAS		
CITY OF DALLAS 1500 MARILLA ST DALLAS, TX 75201	RR Tr 1.7 2.473 Acs 800 Chalk Hill Rd			NO ASSESSMENT CITY OF DALLAS		
TXI OPERATIONS LP 1341 W MOCKINGBIRD LN DALLAS, TX 75247-6913	TR 3 97.796 Acs 1200 Chalk Hill Rd	7192	401 FT PVMT 401 FT WALK	\$122.34 \$7.77	\$49,058.34 <u>\$3,115.77</u> \$52,174.11	
		TOTAL			\$16,387.22	
		ADJ PER ENHANCEMENT STUDY NET DUE BY OWNER				\$35,786.89
TXI OPERATIONS LP 1341 W MOCKINGBIRD LN DALLAS, TX 75247-6913	TR 1 70.4898 Acs 1247 Chalk Hill Rd	7192	2538 FT ADJ TO 1922 FT PVMT 1802 FT WALK 40 FT DRIVE 40 FT DRIVE	\$122.34 \$7.77 No Cost No Cost	\$235,137.48 \$14,001.54 \$0.00 <u>\$0.00</u> \$249,139.02	
		TOTAL			\$154,420.25	
		ADJ PER ENHANCEMENT STUDY NET DUE BY OWNER				\$94,718.77
STEWART & STEVENSON POWER PRODUCTS LLC 1000 LOUISIANA ST STE 5900 HOUSTON, TX 77002	1 18.7373 Acs 1631 Chalk Hill Rd	A/7192	289 FT ADJ TO 232 FT PVMT 232 FT WALK	\$122.34 \$7.77	\$28,382.88 <u>\$1,802.64</u> \$30,185.52	
		TOTAL			\$900.82	
		ADJ PER ENHANCEMENT STUDY NET DUE BY OWNER				\$29,284.70

**CHALK HILL ROAD FROM DAVIS STREET TO 800' SOUTH OF I-30
SHALL BE PAVED FROM CURB TO CURB WITH 11-INCH THICK 4000-POUNDS PER SQUARE INCH
REINFORCED CONCRETE PAVEMENT; WITH 8-INCH LIME TREATED SUBGRADE AND CEMENT
STABILIZATION; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 8-INCH THICK REINFORCED
CONCRETE DRIVE APPROACHES; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS
5 FEET WIDE; WITH TWO 5-FOOT WIDE BICYCLE LANES; SO THAT THE ROADWAY SHALL BE
44 FEET IN WIDTH**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
NEW MICROS INC	TR 2	7192	231 FT PVMT	\$122.34	\$28,260.54	
ATTN: RANDY M DUMSE PRES	0.932 Acs		231 FT WALK	\$7.77	\$1,794.87	
1601 CHALK HILL RD	231.95x86.07		48.3 SY 20' DRIVE	\$41.16	<u>\$1,988.03</u>	
DALLAS, TX 75212	x224.81x169.5	TOTAL			\$32,043.44	
		ADJ PER ENHANCEMENT STUDY			\$14,378.98	
		NET DUE BY OWNER				\$17,664.46

EAST SIDE OF STREET

PINNACLE PARK 8 PH 1

LOWES HOMES CENTERS INC	7, 14.43 Acs	B/7206	170 FT PVMT	\$122.34	\$20,797.80	
1000 LOWES BLVD	1710		170 FT WALK	\$7.77	<u>\$1,320.90</u>	
MOORESVILLE, NC 28117	Chalk Hill Rd	TOTAL			\$22,118.70	
		ADJ PER ENHANCEMENT STUDY			\$660.45	
		NET DUE BY OWNER				\$21,458.25

MORNING PARK INC	8A, 2.652 Acs	B/7206	500 FT PVMT	\$122.34	\$61,170.00	
2425 CEDAR SPRINGS RD	1700		500 FT WALK	\$7.77	<u>\$3,885.00</u>	
DALLAS, TX 75201-1459	Chalk Hill Rd	TOTAL			\$65,055.00	
		ADJ PER ENHANCEMENT STUDY			\$34,232.50	
		NET DUE BY OWNER				\$30,822.50

MORNING PARK INC	Split 1	7211 &	154 FT PVMNT	\$122.34	\$18,840.36	
2425 CEDAR SPRINGS RD	Acs 3.1777	7206	154 FT WALK	\$7.77	<u>\$1,196.58</u>	
DALLAS, TX 75201-1459	4250 IH 30	TOTAL			\$20,036.94	
		ADJ PER ENHANCEMENT STUDY			\$15,978.65	
		NET DUE BY OWNER				\$4,058.29

**CHALK HILL ROAD FROM DAVIS STREET TO 800' SOUTH OF I-30
SHALL BE PAVED FROM CURB TO CURB WITH 11-INCH THICK 4000-POUNDS PER SQUARE INCH
REINFORCED CONCRETE PAVEMENT; WITH 8-INCH LIME TREATED SUBGRADE AND CEMENT
STABILIZATION; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 8-INCH THICK REINFORCED
CONCRETE DRIVE APPROACHES; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS
5 FEET WIDE; WITH TWO 5-FEET WIDE BICYCLE LANES; SO THAT THE ROADWAY SHALL BE
44 FEET IN WIDTH**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
PINNACLE PARK DIST CENTER 2						
LIGHTING PROPCO I LLC	1, 18.01 Acs	A/7206	925 FT ADJ TO			
C/O TPG CAPITAL LP	1415		842 FT PVMT	\$122.34	\$103,010.28	
301 COMMERCE ST, STE 3300	N Cockrell		722 FT WALK	\$7.77	\$5,609.94	
FT WORTH, TX 76102-4133	Hill Rd		40 FT DRIVE	No Cost	\$0.00	
			40 FT DRIVE	No Cost	\$0.00	
			TOTAL		\$108,620.22	
			ADJ PER ENHANCEMENT STUDY		\$7,766.25	
			NET DUE BY OWNER			\$100,853.97
TXI OPERATIONS LP	TR 2	7207	1494 FT ADJ TO			
1341 W MOCKINGBIRD LN	22.536 Acs		93 FT PVMT	122.34	\$11,377.62	
DALLAS, TX 75247	900		93 FT WALK	\$7.77	\$722.61	
	Chalk Hill Rd		TOTAL		\$12,100.23	
			ADJ PER ENHANCEMENT STUDY		\$361.30	
			NET DUE BY OWNER			\$11,738.93
MORNING PARK INC	RR TR 1			NO ASSESSMENT		
8117 PRESTON RD STE 700	2.500 Acs			PRESCRIPTIVE EASEMENT		
DALLAS, TX 75225	800					
	Chalk Hill Rd					
CITY OF DALLAS	55.428 Acs	7209		NO ASSESSMENT		
1500 MARILLA ST		7210		CITY OF DALLAS		
DALLAS, TX 75201						

Chalk Hill Road from Davis Street to 800 feet south of I-30

Grand Total Property Owners' Cost - Assessments	\$591,473.18	
Adjustments Per Enhancement Evaluation	\$245,086.42	
Net Due by Owners		\$346,386.76
Grand Total City of Dallas' Cost - Paving	\$7,330,286.66	
Grand Total Water Utilities Department Cost Water and Wastewater	\$1,422,988.82	
Grand Total City of Dallas' Cost		\$8,753,275.48
Grand Total Cost of Improvements		\$9,099,662.24

SECTION 3. That where more than one person, firm or corporation owns an interest in any property above described, each said person, firm or corporation shall be personally liable for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property, and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

SECTION 4. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight per centum (8.00%) per annum, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners be named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first paramount lien thereon, superior to all other liens and claims except State, County, School District and City ad valorem taxes.

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

SECTION 5. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof shall be enforced either by suit in any court having jurisdiction or by lien foreclosure.

SECTION 6. That for the purpose of evidencing the several sums payable by said property owners and the time and terms of payment, and to aid in the enforcement thereof, assignable certificates may be issued by the City of Dallas upon the completion and acceptance of the said work of improvement, which shall be executed by the Mayor, signing the same or by his facsimile signature impressed thereon, attested by the City Secretary, under the impress of the corporate seal, and shall be payable to the City of Dallas, or its assigns, which certificate shall declare the said amounts and the time and terms of payment thereof, and the said rate of interest payable thereof, and shall contain the name of the owner and the description of his property by Lot or Block

SECTION 6. (Continued)

Number of front feet thereof, or such description as may otherwise identify the same by reference to any other fact, and if said property shall be owned by an estate, then the description thereof as so owned shall be sufficient.

And that the said certificates shall further provide that if default shall be made in the payment of any installment of principal or interest thereon, when due then at the option of the said City of Dallas being the owner and holder thereof, the whole of the said assessment shall at once become due and payable and shall be collectible with reasonable attorney's fees and costs if incurred.

And that the said certificates shall further set forth and evidence the said personal liability of the owner and the lien upon his premises and shall provide that if default shall be made in the payment thereof, the same may be enforced as above provided.

And the said certificates shall further recite that the proceedings with reference to making said improvements have been regularly in compliance with the terms of the applicable law, and that all prerequisites to the fixing of the lien and claims of personal liability evidenced by such certificates have been performed, which recitals shall be prima facie evidence of the facts so recited and no further proof thereof shall be required.

That the said certificates shall also provide that the amounts payable thereunder shall be paid to the City Controller of the City of Dallas, who shall credit said payments upon the said certificates, and shall immediately deposit the amounts so collected with the City Treasurer of the City of Dallas, to be kept and held by him in a special fund, which is hereby designated as Capital Assessments Fund and which payments shall be by the Treasurer paid to the said City of Dallas or other holder of the said certificates, on presentation thereof to him, duly credited by the City Controller the said credit by said City Controller being the Treasurer's Warranty for making such payment and the said City of Dallas or other holder of said certificate, shall receipt in writing to said Treasurer when paid in full, together with all costs of collection.

And that the said certificates shall further provide that the City of Dallas shall exercise all legal power, when requested so to do by the holder of said certificate, to aid in the collection thereof; but the City of Dallas shall in nowise be liable to the holder of said certificates in any manner for payment of the amount evidenced by the said certificates or for any costs or expense in the premises, or for any failure of the said City Council or any of its officers in connection therewith.

Full power to make and levy reassessments, and to correct mistakes, errors, invalidates or irregularities, either in the assessments or in the certificates issued in evidence thereof, is in accordance with the law in force in this City, vested in the City.

SECTION 7. That all assessments levied are a personal liability and charged against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 8. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of an Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, known as Chapter 106 of the Acts of said Session, with amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law has been adopted as an alternative method for the construction of street improvements in the City of Dallas, Texas, by Chapter XX of the Charter of the City of Dallas.

SECTION 9. That the assessments so levied are for the improvements in the particular unit or district upon which the property described abuts, and the assessments for the improvements in one unit or district are in nowise related to or connected with the improvements in any other unit or district, and in making assessments and in holding said hearing, the amounts assessed for improvements in one unit or district have been in nowise affected by any fact in anywise connected with the improvements or the assessments therefore in any other unit or district.

SECTION 10. That the City Manager, or their designee, is hereby authorized to execute releases of any paving assessment liens herein levied and assessed against the parcels of property and owners thereof, if same are fully paid, such releases to be approved as to form by the City Attorney and attested by the City Secretary.

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

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

BY 
Assistant City Attorney

Prepared by 
Project Coordinator

Approved by 
Director, Public Works Department

November 10, 2015

WHEREAS, Chalk Hill Road from West Davis Street to 800' south of I-30 was included in the 2006 Bond Program; and,

WHEREAS, on January 23, 2008, Resolution No. 08-0324 authorized a professional services contract for engineering services; and,

WHEREAS, on May 26, 2010, Resolution No. 10-1330 authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800' south of I-30; and,

WHEREAS, on December 8, 2010, Resolution No. 10-3076 authorized Supplemental Agreement No. 1 to the professional services contract for engineering; and,

WHEREAS, bids were received on September 4, 2015, for street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of I-30, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Pavecon Public Works LP	\$9,099,662.24
Tiseo Paving Co.	\$9,863,219.25

WHEREAS, on September 22, 2015, Resolution No. 15-1772 authorized street paving improvements and a benefit assessment hearing.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a construction contract with Pavecon Public Works LP for the construction of street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of I-30, in an amount not to exceed \$9,099,662.24, this being the lowest responsive bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

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 2U22, Department PBW, Unit U781, Act. THRF	
Obj. 4510, Program# PB06U781, CT# PBW06U781B1	
Vendor # VS89455, in an amount not to exceed	\$3,261,506.88

November 10, 2015

Street and Transportation Improvements Fund Fund 3T22, Department PBW, Unit U781, Act. THRF Obj. 4510, Program# PB06U781, CT# PBW06U781B1 Vendor # VS89455, in an amount not to exceed	\$4,415,166.54
Water Construction Fund Fund 0102, Department DWU, Unit CW42, Obj. 3221, Program# 715369X, CT-PBW715369EN, Vendor# VS89455, in an amount not to exceed	\$53,829.98
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Obj. 3222, Program# 715370X, CT-PBW715370EN, Vendor #VS89455, in an amount not to exceed	\$10,541.70
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Obj. 4560, Program# 715370, CT-PBW715370CP, Vendor #VS89455, in an amount not to exceed	\$124,637.04
Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42, Obj. 4550, Program# 715369, CT-PBW715369CP, Vendor #VS89455, in an amount not to exceed	\$587,295.64
Economic & S. Area of City Transit-Oriented Development Fund 2U52, Department ECO, Unit S801, Act. ECNR Obj. 4560, Program# PB06U781, CT# PBW06U781B1 Vendor # VS89455, in an amount not to exceed	\$24,597.30
Economic & S. Area of City Transit-Oriented Development Fund 2U52, Department ECO, Unit S801, Act. ECNR Obj. 4560, Program# PB06U781, CT# PBW06U781B1 Vendor # VS89455, in an amount not to exceed	\$290,819.76
Economic & S. Area of City Transit-Oriented Development Fund 2U52, Department ECO, Unit S801, Act. ECNR Obj. 4550, Program# PB06U781, CT# PBW06U781B1 Vendor # VS89455, in an amount not to exceed	\$27,869.52

November 10, 2015

Economic & S. Area of City Transit-Oriented Development
Fund 2U52, Department ECO, Unit S801, Act. ECNR
Obj. 4550, Program# PB06U781, CT# PBW06U781B1
Vendor # VS89455, in an amount not to exceed

\$303,397.88

Total in an amount not to exceed

\$9,099,662.24

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.

November 10, 2015

WHEREAS, Chalk Hill Road from West Davis Street to 800' south of I-30 was included in the 2006 Bond Program; and,

WHEREAS, on January 23, 2008, Resolution No. 08-0324 authorized a professional services contract for engineering services; and,

WHEREAS, on May 26, 2010, Resolution No. 10-1330 authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800' south of I-30; and,

WHEREAS, on December 8, 2010, Resolution No. 10-3076 authorized Supplemental Agreement No. 1 to the professional services contract for engineering; and,

WHEREAS, on September 22, 2015, Resolution No. 15-1772 authorized street paving improvements and a benefit assessment hearing; and,

WHEREAS, it is now necessary to authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 in the amount of \$90,924.50.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 in an amount of \$90,924.50, 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 1T22, Department PBW, Unit U781, Act. THRF
Object 4113, Program# PB06U781, CT PBW06U781A1,
Vendor 338366, in an amount not to exceed \$90,924.50

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