

**JUNE 22, 2016 CITY COUNCIL AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated June 22, 2016. 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



Date



Jeanne Chipperfield
Chief Financial Officer



Date

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CITY SECRETARY
DALLAS, TEXAS



COUNCIL AGENDA

June 22, 2016

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.

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

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

The Council agenda is available in alternative formats upon request.

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

Rules of Courtesy

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

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

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

Información General

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

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

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

SUPPLEMENTAL NOTICE

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

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

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

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

**AGENDA
CITY COUNCIL MEETING
WEDNESDAY, JUNE 22, 2016
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 - 42

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 43 - 53

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 54 - 69

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

AGENDA
CITY COUNCIL MEETING
JUNE 22, 2016
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 June 1, 2016 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a three-year service contract for volunteer coordination services with background checks - VolunteerNow, only proposer - Not to exceed \$343,350 - Financing: Current Funds (subject to annual appropriations)
3. Authorize a three-year service contract for specialized training for Fire-Rescue and Water Utilities - Texas A & M Engineering Extension Service through an Interlocal Agreement with Texas A & M Engineering Extension Service - Not to exceed \$449,960 - Financing: Current Funds (\$375,000) and Water Utilities Current Funds (\$74,960) (subject to annual appropriations)

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

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

4. * Authorize a one-year service contract for cloud services subscription for the IBM Tririga software for a citywide capital management system - IBM Corporation, through the Department of Information Resources, State of Texas Cooperative - Not to exceed \$298,800 - Financing: Current Funds (subject to appropriations)
5. * Authorize a three-year service contract for the implementation of IBM Tririga software for a citywide capital management system - eCIFM Solutions, Inc., most advantageous proposer of six - Not to exceed \$549,125 - Financing: Current Funds (subject to annual appropriations)
6. Authorize a three-year service contract, with a two-year renewal option, for legal document reproduction services - Delphi Legal Technologies, Inc., most advantageous proposer of seven - Not to exceed \$115,667 - Financing: Current Funds (subject to annual appropriations)
7. Authorize a three-year service contract, with two one-year renewal options, for temporary industrial labor for Sanitation Services - Results Staffing, Inc., most advantageous proposer of five - Not to exceed \$20,246,079 - Financing: Sanitation Current Funds (subject to annual appropriations)
8. Authorize a five-year subscription service contract for access to a web-based investigative subscription to assist Police in locating individuals involved in criminal and terrorism activities - TransUnion distributed by Carahsoft Technology Corp through The Cooperative Purchasing Network - Not to exceed \$679,401 - Financing: Current Funds (subject to annual appropriations)
9. Authorize an acquisition contract for the purchase and installation of one laboratory analyzer (gas chromatograph mass spectrometer) for analytical laboratory testing for Water Utilities - All Business Machines, Inc. dba AttainIt, through the Texas SmartBuy - Not to exceed \$136,878 - Financing: Water Utilities Current Funds
10. Authorize the purchase of one ozone generator - Xylem Water Solutions USA, Inc., only bidder - Not to exceed \$561,658 - Financing: Water Utilities Capital Construction Funds
11. Authorize the purchase of **(1)** twenty three pieces of fleet vehicles and equipment - Hudson Bus Sales, LLC in the amount of \$2,665,662 and Metro Fire Apparatus Specialists, Inc. in the amount of \$7,053,525, through the Houston-Galveston Area Council of Governments; **(2)** one pumper truck - Brasada Ford, Ltd. in the amount of \$151,750 through the Texas Multiple Award Schedule; and **(3)** one excavator with mower attachment - Landmark Equipment, Inc. in the amount of \$107,399 through the Texas Association of School Boards - Total not to exceed \$9,978,336 - Financing: Municipal Lease Agreement Funds (\$9,321,400), Aviation Current Funds (\$549,537) and Stormwater Drainage Management Current Funds (\$107,399)

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

12. Authorize a three-year master agreement for liquid carbon dioxide to be used in the water purification process - Ethanol Products, LLC, lowest responsible bidder of two - Not to exceed \$999,800 - Financing: Water Utilities Current Funds

Economic Development

13. Authorize the nomination of Greyhound Lines, Inc. located at 350 North St. Paul Street, Dallas, TX 75201, 205 South Lamar Street, Dallas, TX 75202, 627 North Westmoreland Road, Dallas, TX 75211 and 315 Continental Avenue, Dallas, TX 75207, to receive designation as an Enterprise Zone Project under the Texas Enterprise Zone Act, as amended, (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City
14. Authorize the re-adoption of the City's current Public/Private Partnership Program Guidelines and Criteria to extend the Program from June 25, 2016 through December 31, 2016, unless new Guidelines to the Public/Private Partnership Program are adopted before such date pursuant to the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A., Tax Code Chapter 312) and other incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City
15. Authorize **(1)** a service contract for the design and implementation of a website and digital content strategy for the Office of Economic Development to replace the existing website in the amount of \$77,246; and **(2)** a five-year service contract for hosting, maintenance and support in the amount of \$28,000 with Icon Enterprises, Inc. dba CivicPlus, most advantageous proposer of eleven - Total not to exceed \$105,246 - Financing: Public/Private Partnership Funds
16. Authorize an amendment to Resolution No. 14-1271, previously approved on August 13, 2014, which authorized a TIF development agreement with Texas InTownHomes, LLC, to extend deadlines to start construction, obtain building permits, meet the minimum investment requirements, obtain a certificate of occupancy, complete construction of the infrastructure improvements, complete construction of each phase of the project, and to execute an operating and maintenance agreement for the Cedar Branch Townhomes Project - Financing: No cost consideration to the City
17. Authorize an amendment to Resolution No. 14-1273, previously approved on August 13, 2014, which authorized a TIF development agreement with Texas InTownHomes, LLC, to extend the complete construction deadline and the associated public improvements from June 30, 2020 to June 30, 2021 for the Cedar Branch Bridge Project - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Economic Development** (Continued)

18. Authorize an amendment to Resolution No. 16-0530, previously approved on April 13, 2016, which approved a management agreement with DPL Loan Holdings, LLC for the management, operation, maintenance and retail activation of Browder Street Plaza, to **(1)** remove certain maintenance responsibilities to be retained by the City's Park and Recreation Department; and **(2)** correct the revenue sharing calculation to reflect that the threshold is \$5,500 daily, not monthly, and to clarify conditions for payment - Financing: No cost consideration to the City
19. Authorize the Second Amendment to the Master Agreement with DFM Developer, Ltd. and the Second Amendment to the Development Agreement with Taylor Street 2111, LP, for the Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street Project, to **(1)** extend the start date from April 1, 2016 to December 31, 2016; and **(2)** extend the completion deadline from December 31, 2018 to December 31, 2019 - Financing: No cost consideration to the City
20. Authorize **(1)** a public hearing to be held on August 10, 2016, in accordance with Chapter 372 of the Texas Local Government Code to consider the advisability of renewing the Tourism Public Improvement District (the "District") for thirteen years, so that it may continue to undertake certain improvements and provide special supplemental services that promote and provide incentives, increased hotel activities within the City of Dallas, to be funded by a special assessment on Dallas hotels with 100 or more rooms; and, at the close of the public hearing **(2)** a resolution approving renewal of the District for thirteen years and approval of the District's Service Plan for 2016-2029 - Financing: No cost consideration to the City

Equipment & Building Services

21. Authorize a twenty-four-month service contract for job order contracting services with Restoration Specialists, dba RS Commercial Construction - Not to exceed \$6,314,700 - Financing: Current Funds (subject to annual appropriations)

Intergovernmental Services

22. Authorize **(1)** an application for and acceptance of the FY2016 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice to be used for a broad range of activities to help control and prevent crime, and to improve the criminal justice system for the period October 1, 2015 through September 30, 2019; **(2)** execution of the Fiscal Agency and Funds Sharing Agreement between the City of Dallas, Dallas County and eligible units of local government; and **(3)** execution of the grant agreement - Not to exceed \$911,485 - Financing: U.S. Department of Justice Grant Funds

CONSENT AGENDA (Continued)**Intergovernmental Services** (Continued)

23. Authorize an amendment to Resolution No. 16-0384, previously approved on February 24, 2016, to **(1)** correct the amount of the City's match from \$29,163 to \$30,963; **(2)** add a provision for the return of grant funds in the event of loss or misuse of funds provided for the City of Dallas Body-Worn Camera Program by the Office of the Governor, Criminal Justice Division, to be used to purchase body-worn cameras and related accessories for the Dallas Marshal's Office and the Dallas Police Department under this program; and **(3)** designate the City Manager or Assistant City Manager as the grantee's authorized official that is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Dallas - Not to exceed \$1,800 - Financing: Current Funds

Office of Financial Services

24. Authorize **(1)** final adoption of the FY 2016-17 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in a projected amount of \$26,686,234 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$13,933,321, which includes \$675,000 in program income; **(b)** HOME Investment Partnerships Program in the amount of \$5,132,323 which includes \$1,000,000 in program income; **(c)** Emergency Solutions Grant in the amount of \$1,211,466; and **(d)** Housing Opportunities for Persons with AIDS in the amount of \$6,409,124; and **(2)** adoption of the FY 2015-16 Reprogramming Budget in the amount of \$1,064,334 - Financing: No cost consideration to the City

Park & Recreation

25. Authorize a Memorandum of Understanding with the Trust for Public Land in order to implement the proposed Smart Growth for Dallas program - Financing: No cost consideration to the City
26. Authorize a contract with MART, Inc., best value proposer of four, for a new recreation center at Singing Hills Recreation Center located at 6805 Patrol Way - Not to exceed \$4,470,000 - Financing: Park and Recreation Program Funds (\$500,000), Capital Construction Funds (\$900,000), 2006 Bond Funds (\$147,082), and General Obligation Commercial Paper Funds (\$2,922,918)

Public Works Department

27. Authorize a contract with EJES Incorporated to provide engineering services for the Miscellaneous Drainage Improvements Project at Dallas Love Field - Not to exceed \$148,662 - Financing: Aviation Capital Construction Funds

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

28. Authorize a contract with Tiseo Paving Company, lowest responsible bidder of three, for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard - Not to exceed \$7,663,718 - Financing: Capital Projects Reimbursement Funds (\$2,975,000), 2012 Bond Funds (\$1,595,371), General Obligation Commercial Paper Funds (\$1,969,693), Water Utilities Capital Improvement Funds (\$1,082,744) and Water Utilities Capital Construction Funds (\$40,910)
29. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3003; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on August 24, 2016, to receive comments - Financing: No cost consideration to the City
30. Authorize Supplemental Agreement No. 2 to the professional services contract with Conley Group, Inc., for the Dallas Museum of Art Sculpture Garden Repairs, located at 1717 North Harwood Street - Not to exceed \$176,565, from \$226,828 to \$403,393 - Financing: 2006 Bond Funds

Street Services

31. Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of two, to provide automated traffic control cabinet specification development and other related tasks - Not to exceed \$85,200 - Financing: Current Funds

Sustainable Development and Construction

32. Authorize acquisition from Amy West Hillman GST Trust, Andrew West GST Trust, and Crockett & West, LLC, of approximately 114,362 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$42,875 (\$39,375, plus closing costs and title expenses not to exceed \$3,500) - Financing: Water Utilities Capital Construction Funds
33. Authorize acquisition from David Houck, of approximately 40,022 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$15,500 (\$12,500, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds
34. Authorize a two-year lease agreement with Audelia, L.P., for approximately 6,088 square feet of space located at 9759 Forest Lane to be used as a boxing training facility and youth fitness center for the period July 1, 2016 through June 30, 2018 - Not to exceed \$240 - Financing: Current Funds (subject to annual appropriations)

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

35. Authorize an amendment to Resolution No. 11-1760, previously approved on June 22, 2011, to amend certain deed restrictions, on approximately 83,478 square feet of land, located near the intersection of Live Oak and Cantegral Streets - Revenue: \$1,000
36. An ordinance granting a private license to Keating Clonard Holdings, LLC for the use of approximately 227 square feet of land to occupy, maintain and utilize existing landscape on a portion of Travis Street right-of-way near its intersection with Knox Street - Revenue: \$100 one-time fee, plus the \$20 ordinance publication fee
37. An ordinance abandoning a portion of a sanitary sewer easement to Borderplex Swiss Avenue, LLC, the abutting owner, containing approximately 1,321 square feet of land, located near the intersection of Swiss Avenue and Peak Street - Revenue: \$5,400, plus the \$20 ordinance publication fee
38. An ordinance abandoning portions of two water reservation easements to the City of Dallas, the abutting owner, containing a total of approximately 49,851 square feet of land, located near the intersection of Shorecrest and Denton Drives - Revenue: \$5,400, plus the \$20 ordinance publication fee
39. An ordinance abandoning four wastewater easements to Lincoln Colorado Place LLC, the abutting owner, containing a total of approximately 7,172 square feet of land, located near the intersection of Fort Worth Avenue and Colorado Boulevard - Revenue: \$5,400, plus the \$20 ordinance publication fee

Trinity Watershed Management

40. Authorize payment to the Texas Department of Transportation for additional costs associated with the construction of the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridges over the Trinity Floodway - Not to exceed \$1,093,206 - Financing: Private Funds
41. Authorize professional services contracts with two consulting firms for the engineering design of five erosion control improvement projects and one stormwater drainage project (list attached) - Not to exceed \$365,966 - Financing: Stormwater Drainage Management Capital Construction Funds (\$176,580), 2006 Bond Funds (\$174,196) and Water Utilities Capital Improvement Funds (\$15,190)
42. Authorize an increase in the contract with BAR Constructors, Inc. for modifications to the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Stormwater Pump Station, to increase the constructability of the pump station, including additional concrete masonry wall material with drainage along the sump and changes to the 24 inch water main aerial crossing - Not to exceed \$349,469, from \$68,275,000 to \$68,624,469 - Financing: 2012 Bond Funds (\$321,798) and Water Utilities Capital Improvement Funds (\$27,671)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

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

ITEMS FOR FURTHER CONSIDERATION

Business Development & Procurement Services

44. Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of ten - Not to exceed \$550,105 - Financing: Current Funds (\$535,880), Stormwater Drainage Management Current Funds (\$9,740) and Aviation Current Funds (\$4,485) (subject to annual appropriations)

Housing/Community Services

45. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Simply Custom for the construction of affordable houses; **(2)** the sale of 96 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Simply Custom; and **(3)** execution of a release of lien for any non-tax liens on the 96 properties that may have been filed by the City - Financing: No cost consideration to the City
46. Authorize a conditional grant agreement with Greenleaf Ventures, LLC for land development for 36 single family homes for the Buckner Terrace II Project to be located at ~~3834~~ 4400 North Prairie Creek Road - Not to exceed \$844,192 - Financing: 2012 Bond Funds

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

47. Authorize a development agreement with Midtown Development, Inc. ("Owner") and/or its affiliates in an amount not to exceed \$36,000,000 payable from future Mall Area Redevelopment TIF District funds in consideration of Owner's completion of Dallas Midtown Phase 1, a catalyst project that will include a minimum Owner investment of \$200,000,000 for demolition, infrastructure improvements, vertical construction, and open space assemblage on property currently addressed at 13131, 13331, 13343, and 13439 Preston Road and will both secure the public good and stimulate comprehensive redevelopment of the broader area within Tax Increment Financing Reinvestment Zone Number Twenty (Mall Area Redevelopment TIF District) - Not to exceed \$36,000,000 - Financing: Mall Area Redevelopment TIF District Funds (subject to appropriations and availability of tax increment)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

48. Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$670,000 with DFM Developer, Ltd., in accordance with the approved Master Agreement for the Redevelopment of the Farmers Market, executed pursuant to City Council Resolution No. 13-0447, as amended, for remaining streetscape and infrastructure improvements - pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$670,000 - Financing: Public Private Partnership Funds
49. Authorize a Chapter 380 economic development grant agreement with Jacobs Engineering Group, Inc. in an amount up to \$277,500 to encourage the relocation of the company headquarters to 1999 Bryan Street and stimulate business development activity in the City of Dallas, pursuant to the Public/Private Partnership Program - Not to exceed \$277,500 - Financing: Public/Private Partnership Funds

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

Gaston Hotel and Area Wide Improvements

50. * Authorize **(1)** a Project Specific Agreement to the Master Agreement with Dallas County for public infrastructure improvements to facilitate the commercial development in the Baylor area; **(2)** the receipt and deposit of funds in an amount not to exceed \$450,000, pursuant to the City's Business Development Chapter 380 Grant Program; and **(3)** an increase in appropriations in an amount not to exceed \$450,000 in the Capital Projects Reimbursement Fund - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds
51. * Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Baylor Scott & White Health, GMV Gaston, LP and Gatehouse Gaston Development, LLC for the development of a full-service hotel to be located on a tract of land addressed as 3301-3309, 3401 Gaston Avenue, 3302 Floyd Street, and 910-916 North Hall Street and the associated public and private improvements including site and area wide street improvements - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds

Housing/Community Services

52. Authorize an amendment to Resolution No. 15-1079, previously approved on June, 10, 2015, to extend the loan agreement with Southfair Community Development Corporation, a certified Community Housing Development Organization, for a housing development loan in the amount of \$112,000 from June 30, 2016 to June 30, 2017 for construction of two housing units located at 2800 Park Row Avenue - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Housing/Community Services (Continued)

53. Authorize an amendment to Resolution No. 15-1150, previously approved on June 17, 2015, for the conditional grant agreement with Jubilee Park & Community Center Corporation to **(1)** increase the project budget by \$25,000, from \$500,000 to \$525,000; and **(2)** extend the completion date from June 30, 2016 to June 30, 2017 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Not to exceed \$25,000 - Financing: 2012 Bond Funds

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

54. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses and a community service center, a child-care facility and office uses; and an ordinance repealing Specific Use Permit No. 1494 for a community service center and a child-care facility, on property zoned an MF-2(A) Multifamily District in an area bounded by Ross Avenue, Matilda Street, Hudson Street, and Hope Street
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions; and approval of repealing Specific Use Permit No. 1494 for a community service center and a child-care facility
Z112-281(OTH)
55. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1981 for a bar, lounge or tavern and an inside commercial amusement limited to a dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the north line of Main Street, east of Malcolm X Boulevard
Recommendation of Staff and CPC: Approval for a two-year period, subject to a revised site plan and conditions
Z156-192(OTH)
56. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-7.5(A) Single Family District, on property bound by East Mockingbird Lane, Delmar Avenue, Anita Street, and Matilda Street
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan, and conditions
Z156-198(SM)

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

57. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-10(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-10(A) Single Family District, on property bound by Welch Road, Harvest Hill Road, Harriet Drive, and Mill Creek Road
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan, and conditions
Z156-199(SM)
58. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 555 on the southwest corner of Frankford Road and Hillcrest Road
Recommendation of Staff and CPC: Approval, subject to a revised development plan, traffic management plan, and revised conditions
Z156-203(WE)
59. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2153 for a child-care facility to add the use of an open-enrollment charter school on property zoned an R-5(A) Single Family District with Specific Use Permit No. 1456 for a community service center and Specific Use Permit No. 2153 on the north corner of North Winnetka Avenue and McBroom Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to a traffic management plan and conditions
Z156-214(OTH)
60. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for private school use on property zoned an R-7.5(A) Single Family District on the north line of McCree Road, west of Aldwick Drive
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions
Z156-225(SM)
61. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south line of Elm Street, east of Good Latimer Expressway
Recommendation of Staff and CPC: Approval for a three-year period, subject to revised conditions
Z156-230(SM)

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

62. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1914 for the sale of alcoholic beverages in conjunction with a commercial amusement (inside) on property zoned an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay on the southwest corner of R.L. Thornton Freeway and South Buckner Boulevard
Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions
Z156-213(OTH)
63. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, north of Prospect Avenue
Recommendation of Staff: Approval for a three-year period, subject to conditions
Recommendation of CPC: Approval for a five-year period, subject to conditions
Z156-217(WE)
64. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in service use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Lewis Street
Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions
Recommendation of CPC: Approval for a one-year period, subject to a site plan and conditions
Z156-224(WE)

DESIGNATED ZONING CASES - INDIVIDUAL

65. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 298, the Bryan Area Special Purpose District, on property zoned Subdistrict 5 and Subdistrict 10 within Planned Development District No. 298, in an area bounded by Bryan Street, Texas Street, Live Oak Street, and Cantegral Street
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z145-233(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**FLOODPLAIN APPLICATIONS****Trinity Watershed Management**

66. A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.428 acres of the current 0.510 acres of land, located at 1000 Bonnie View Road, of which the 0.510 acres are within the floodplain of Sheppard Branch, Fill Permit 16-02 - Financing: No cost consideration to the City

THOROUGHFARE PLAN AMENDMENTS**Planning and Urban Design**

67. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Gus Thomasson Road from Easton Road to Mesquite City Limits from an existing (EXISTING) roadway designation to a special four-lane divided (SPCL 4D) roadway within 80 to 85 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS**Office of Environmental Quality**

68. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by 9371 Garland, LLC and the City of Dallas, located near the intersection of Garland Road and North Buckner Boulevard and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to 9371 Garland, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval
69. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Willow Building 3800 Ltd., located near the intersection of Willow Street and Commerce Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Willow Building 3800 Ltd., by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

June 22, 2016

14

Project Group 12-3003
Agenda Item # 29

<u>Project</u>	<u>Limits</u>	<u>Council District</u>
Longhorn Street	from Ferguson Road to Bar X Street	7
Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive	from Lovingood Drive to Loud Drive	8
Alley between Idaho Avenue and Maryland Avenue	from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property	4

Erosion Control Improvements
Agenda Item # 41

<u>Location</u>	<u>Council District</u>	<u>Firm</u>	<u>Amount</u>
<u>Group 14</u>			
845 N. Oak Cliff	1	Pacheco Koch	\$ 80,958.00
Coombs Creek at I-30	1	Consulting	\$101,303.00
6624, 6625 Azalea	11	Engineers, Inc.	\$ 79,533.00
<u>Group 15</u>			
Stevens Golf Course - Hampton	1	Garver, LLC	\$ 16,026.46
Stevens Golf Course - Colorado Blvd	1		\$ 32,052.92
Stevens Golf Course - Pavilion	1		\$ 56,092.62

**Land Bank (DHADC) Sale of Lots to
Simply Custom**
Agenda Item # 45

<u>Property Address</u>	<u>Mapsc</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1819 Park Row	46S	7	\$ 5,694.77
2. 2413 Peabody	46S	7	\$ 22,334.72
3. 2816 Meadow	46P	7	\$ 19,766.61
4. 3833 Holmes	56B	7	\$105,410.64
5. 3717 Colonial	46X	7	\$ 3,223.31
6. 2524 Al Lipscomb	46S	7	\$ 12,683.91
7. 2814 Holmes	45Z	7	\$ 3,879.80
8. 1313 Pennsylvania	46W	7	\$ 25,574.72
9. 1317 Pennsylvania	46W	7	\$ 48,922.25

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 June 22, 2016

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			All	V	NA	NA	NA	NA	Approval of Minutes of the June 1, 2016 City Council Meeting
2			All	C	PBD, HRD	\$343,350.00	100.00%	0.00%	Authorize a three-year service contract for volunteer coordination services with background checks - VolunteerNow, only proposer - Not to exceed \$343,350 - Financing: Current Funds (subject to annual appropriations)
3			All	C	PBD, FIR, WTR	\$449,959.50	NA	NA	Authorize a three-year service contract for specialized training for Fire-Rescue and Water Utilities - Texas A & M Engineering Extension Service through an Interlocal Agreement with Texas A & M Engineering Extension Service - Not to exceed \$449,960 - Financing: Current Funds (\$375,000) and Water Utilities Current Funds (\$74,960) (subject to annual appropriations)
4			All	C	PBD, CIS	\$298,800.00	NA	NA	Authorize a one-year service contract for cloud services subscription for the IBM Tririga software for a citywide capital management system - IBM Corporation, through the Department of Information Resources, State of Texas Cooperative - Not to exceed \$298,800 - Financing: Current Funds (subject to appropriations)
5			All	C	PBD, CIS, EBS, PBW	\$549,125.00	23.80%	23.80%	Authorize a three-year service contract for the implementation of IBM Tririga software for a citywide capital management system - eCIFM Solutions, Inc., most advantageous proposer of six - Not to exceed \$549,125 - Financing: Current Funds (subject to annual appropriations)
6			All	C	PBD, ATT	\$115,666.50	100.00%	0.00%	Authorize a three-year service contract, with a two-year renewal option, for legal document reproduction services - Delphi Legal Technologies, Inc., most advantageous proposer of seven - Not to exceed \$115,667 - Financing: Current Funds (subject to annual appropriations)
7			All	C	PBD, SAN	\$20,246,078.16	99.61%	98.78%	Authorize a three-year service contract, with two one-year renewal options, for temporary industrial labor for Sanitation Services - Results Staffing, Inc., most advantageous proposer of five - Not to exceed \$20,246,079 - Financing: Sanitation Current Funds (subject to annual appropriations)
8			All	C	PBD, CIS, POL	\$679,400.40	NA	NA	Authorize a five-year subscription service contract for access to a web-based investigative subscription to assist Police in locating individuals involved in criminal and terrorism activities - TransUnion distributed by Carahsoft Technology Corp through The Cooperative Purchasing Network - Not to exceed \$679,401 - Financing: Current Funds (subject to annual appropriations)
9			4	C	PBD, WTR	\$136,877.40	NA	NA	Authorize an acquisition contract for the purchase and installation of one laboratory analyzer (gas chromatograph mass spectrometer) for analytical laboratory testing for Water Utilities - All Business Machines, Inc. dba AttainIt, through the Texas SmartBuy - Not to exceed \$136,878 - Financing: Water Utilities Current Funds
10			Outside	C	PBD, WTR	\$561,658.00	0.00%	0.00%	Authorize the purchase of one ozone generator - Xylem Water Solutions USA, Inc., only bidder - Not to exceed \$561,658 - Financing: Water Utilities Capital Construction Funds
11			All	C	PBD, FIR, AVI, TWM	\$9,978,336.00	NA	NA	Authorize the purchase of (1) twenty three pieces of fleet vehicles and equipment - Hudson Bus Sales, LLC in the amount of \$2,665,662 and Metro Fire Apparatus Specialists, Inc. in the amount of \$7,053,525, through the Houston-Galveston Area Council of Governments; (2) one pumper truck - Brasada Ford, Ltd. in the amount of \$151,750 through the Texas Multiple Award Schedule; and (3) one excavator with mower attachment - Landmark Equipment, Inc. in the amount of \$107,399 through the Texas Association of School Boards - Total not to exceed \$9,978,336 - Financing: Municipal Lease Agreement Funds (\$9,321,400), Aviation Current Funds (\$549,537) and Stormwater Drainage Management Current Funds (\$107,399)
12			2, Outside	C	PBD, WTR	\$999,800.00	0.00%	0.00%	Authorize a three-year master agreement for liquid carbon dioxide to be used in the water purification process - Ethanol Products, LLC, lowest responsible bidder of two - Not to exceed \$999,800 - Financing: Water Utilities Current Funds
13			2, 3, 14	C	ECO	NC	NA	NA	Authorize the nomination of Greyhound Lines, Inc. located at 350 North St. Paul Street, Dallas, TX 75201, 205 South Lamar Street, Dallas, TX 75202, 627 North Westmoreland Road, Dallas, TX 75211 and 315 Continental Avenue, Dallas, TX 75207, to receive designation as an Enterprise Zone Project under the Texas Enterprise Zone Act, as amended, (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City
14			All	C	ECO	NC	NA	NA	Authorize the re-adoption of the City's current Public/Private Partnership Program Guidelines and Criteria to extend the Program from June 25, 2016 through December 31, 2016, unless new Guidelines to the Public/Private Partnership Program are adopted before such date pursuant to the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A., Tax Code Chapter 312) and other incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City

AGENDA DATE June 22, 2016

ITEM		IND							DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
15			All	C	ECO, PBD	\$105,246.00	0.00%	0.00%	Authorize (1) a service contract for the design and implementation of a website and digital content strategy for the Office of Economic Development to replace the existing website in the amount of \$77,246; and (2) a five-year service contract for hosting, maintenance and support in the amount of \$28,000 with Icon Enterprises, Inc. dba CivicPlus, most advantageous proposer of eleven - Total not to exceed \$105,246 - Financing: Public/Private Partnership Funds
16			2	C	ECO	NC	NA	NA	Authorize an amendment to Resolution No. 14-1271, previously approved on August 13, 2014, which authorized a TIF development agreement with Texas InTownHomes, LLC, to extend deadlines to start construction, obtain building permits, meet the minimum investment requirements, obtain a certificate of occupancy, complete construction of the infrastructure improvements, complete construction of each phase of the project, and to execute an operating and maintenance agreement for the Cedar Branch Townhomes Project - Financing: No cost consideration to the City
17			2	C	ECO	NC	NA	NA	Authorize an amendment to Resolution No. 14-1273, previously approved on August 13, 2014, which authorized a TIF development agreement with Texas InTownHomes, LLC, to extend the complete construction deadline and the associated public improvements from June 30, 2020 to June 30, 2021 for the Cedar Branch Bridge Project - Financing: No cost consideration to the City
18			14	C	ECO	NC	NA	NA	Authorize an amendment to Resolution No. 16-0530, previously approved on April 13, 2016, which approved a management agreement with DPL Loan Holdings, LLC for the management, operation, maintenance and retail activation of Browder Street Plaza, to (1) remove certain maintenance responsibilities to be retained by the City's Park and Recreation Department; and (2) correct the revenue sharing calculation to reflect that the threshold is \$5,500 daily, not monthly, and to clarify conditions for payment - Financing: No cost consideration to the City
19			2	C	ECO	NC	NA	NA	Authorize the Second Amendment to the Master Agreement with DFM Developer, Ltd. and the Second Amendment to the Development Agreement with Taylor Street 2111, LP, for the Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street Project, to (1) extend the start date from April 1, 2016 to December 31, 2016; and (2) extend the completion deadline from December 31, 2018 to December 31, 2019 - Financing: No cost consideration to the City
20			2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14	C	ECO	NC	NA	NA	Authorize (1) a public hearing to be held on August 10, 2016, in accordance with Chapter 372 of the Texas Local Government Code to consider the advisability of renewing the Tourism Public Improvement District (the "District") for thirteen years, so that it may continue to undertake certain improvements and provide special supplemental services that promote and provide incentives, increased hotel activities within the City of Dallas, to be funded by a special assessment on Dallas hotels with 100 or more rooms; and, at the close of the public hearing (2) a resolution approving renewal of the District for thirteen years and approval of the District's Service Plan for 2016-2029 - Financing: No cost consideration to the City
21			All	C	EBS	\$6,314,700.00	100.00%	0.00%	Authorize a twenty-four-month service contract for job order contracting services with Restoration Specialists, dba RS Commercial Construction - Not to exceed \$6,314,700 - Financing: Current Funds (subject to annual appropriations)
22			All	C	IGS	GT	NA	NA	Authorize (1) an application for and acceptance of the FY2016 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice to be used for a broad range of activities to help control and prevent crime, and to improve the criminal justice system for the period October 1, 2015 through September 30, 2019; (2) execution of the Fiscal Agency and Funds Sharing Agreement between the City of Dallas, Dallas County and eligible units of local government; and (3) execution of the grant agreement - Not to exceed \$911,485 - Financing: U.S. Department of Justice Grant Funds

AGENDA DATE June 22, 2016

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
23			All	C	IGS, CDS, POL	\$1,800.00	NA	NA	Authorize an amendment to Resolution No. 16-0384, previously approved on February 24, 2016, to (1) correct the amount of the City's match from \$29,163 to \$30,963; (2) add a provision for the return of grant funds in the event of loss or misuse of funds provided for the City of Dallas Body-Worn Camera Program by the Office of the Governor, Criminal Justice Division, to be used to purchase body-worn cameras and related accessories for the Dallas Marshal's Office and the Dallas Police Department under this program; and (3) designate the City Manager or Assistant City Manager as the grantee's authorized official that is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Dallas - Not to exceed \$1,800 - Financing: Current Funds
24			N/A	C	OFS	NC	NA	NA	Authorize (1) final adoption of the FY 2016-17 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in a projected amount of \$26,686,234 for the following programs and estimated amounts: (a) Community Development Block Grant in the amount of \$13,933,321, which includes \$675,000 in program income; (b) HOME Investment Partnerships Program in the amount of \$5,132,323 which includes \$1,000,000 in program income; (c) Emergency Solutions Grant in the amount of \$1,211,466; and (d) Housing Opportunities for Persons with AIDS in the amount of \$6,409,124; and (2) adoption of the FY 2015-16 Reprogramming Budget in the amount of \$1,064,334 - Financing: No cost consideration to the City
25			All	C	PKR	NC	NA	NA	Authorize a Memorandum of Understanding with the Trust for Public Land in order to implement the proposed Smart Growth for Dallas program - Financing: No cost consideration to the City
26			8	C	PKR	\$4,470,000.00	68.92%	27.27%	Authorize a contract with MART, Inc., best value proposer of four, for a new recreation center at Singing Hills Recreation Center located at 6805 Patrol Way - Not to exceed \$4,470,000 - Financing: Park and Recreation Program Funds (\$500,000), Capital Construction Funds (\$900,000), 2006 Bond Funds (\$147,082), and General Obligation Commercial Paper Funds (\$2,922,918)
27			2	C	PBW, AVI	\$148,662.00	77.87%	79.89%	Authorize a contract with EJES Incorporated to provide engineering services for the Miscellaneous Drainage Improvements Project at Dallas Love Field - Not to exceed \$148,662 - Financing: Aviation Capital Construction Funds
28			6	C	PBW, WTR	\$7,663,717.75	43.07%	35.36%	Authorize a contract with Tiseo Paving Company, lowest responsible bidder of three, for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard - Not to exceed \$7,663,718 - Financing: Capital Projects Reimbursement Funds (\$2,975,000), 2012 Bond Funds (\$1,595,371), General Obligation Commercial Paper Funds (\$1,969,693), Water Utilities Capital Improvement Funds (\$1,082,744) and Water Utilities Capital Construction Funds (\$40,910)
29			4, 7, 8	C	PBW, WTR	NC	NA	NA	Authorize (1) street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3003; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and (2) a benefit assessment hearing to be held on August 24, 2016, to receive comments - Financing: No cost consideration to the City
30			14	C	PBW	\$176,564.25	100.00%	85.06%	Authorize Supplemental Agreement No. 2 to the professional services contract with Conley Group, Inc., for the Dallas Museum of Art Sculpture Garden Repairs, located at 1717 North Harwood Street - Not to exceed \$176,565, from \$226,828 to \$403,393 - Financing: 2006 Bond Funds
31			All	C	STS	\$85,200.00	100.00%	0.00%	Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of two, to provide automated traffic control cabinet specification development and other related tasks - Not to exceed \$85,200 - Financing: Current Funds
32			Outside	C	DEV, WTR	\$42,875.00	NA	NA	Authorize acquisition from Amy West Hillman GST Trust, Andrew West GST Trust, and Crockett & West, LLC, of approximately 114,362 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$42,875 (\$39,375, plus closing costs and title expenses not to exceed \$3,500) - Financing: Water Utilities Capital Construction Funds
33			Outside	C	DEV, WTR	\$15,500.00	NA	NA	Authorize acquisition from David Houck, of approximately 40,022 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$15,500 (\$12,500, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds

AGENDA DATE June 22, 2016

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
34			10	C	DEV, POL, PKR	\$240.00	NA	NA	Authorize a two-year lease agreement with Audelia, L.P., for approximately 6,088 square feet of space located at 9759 Forest Lane to be used as a boxing training facility and youth fitness center for the period July 1, 2016 through June 30, 2018 - Not to exceed \$240 - Financing: Current Funds (subject to annual appropriations)
35			14	C	DEV, ECO	REV \$1,000	NA	NA	Authorize an amendment to Resolution No. 11-1760, previously approved on June 22, 2011, to amend certain deed restrictions, on approximately 83,478 square feet of land, located near the intersection of Live Oak and Cantegral Streets - Revenue: \$1,000
36			14	C	DEV	REV \$100	NA	NA	An ordinance granting a private license to Keating Clonard Holdings, LLC for the use of approximately 227 square feet of land to occupy, maintain and utilize existing landscape on a portion of Travis Street right-of-way near its intersection with Knox Street - Revenue: \$100 one-time fee, plus the \$20 ordinance publication fee
37			2	C	DEV	REV \$5,400	NA	NA	An ordinance abandoning a portion of a sanitary sewer easement to Borderplex Swiss Avenue, LLC, the abutting owner, containing approximately 1,321 square feet of land, located near the intersection of Swiss Avenue and Peak Street - Revenue: \$5,400, plus the \$20 ordinance publication fee
38			2	C	DEV, AVI	REV \$5,400	NA	NA	An ordinance abandoning portions of two water reservation easements to the City of Dallas, the abutting owner, containing a total of approximately 49,851 square feet of land, located near the intersection of Shorecrest and Denton Drives - Revenue: \$5,400, plus the \$20 ordinance publication fee
39			1	C	DEV	REV \$5,400	NA	NA	An ordinance abandoning four wastewater easements to Lincoln Colorado Place LLC, the abutting owner, containing a total of approximately 7,172 square feet of land, located near the intersection of Fort Worth Avenue and Colorado Boulevard - Revenue: \$5,400, plus the \$20 ordinance publication fee
40			1, 6	C	TWM	\$1,093,205.71	NA	NA	Authorize payment to the Texas Department of Transportation for additional costs associated with the construction of the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridges over the Trinity Floodway - Not to exceed \$1,093,206 - Financing: Private Funds
41			1, 11	C	TWM	\$365,966.00	67.55%	100.00%	Authorize professional services contracts with two consulting firms for the engineering design of five erosion control improvement projects and one stormwater drainage project - Not to exceed \$365,966 - Financing: Stormwater Drainage Management Capital Construction Funds (\$176,580), 2006 Bond Funds (\$174,196) and Water Utilities Capital Improvement Funds (\$15,190)
42			1	C	TWM, WTR	\$349,468.28	225.04%	44.69%	Authorize an increase in the contract with BAR Constructors, Inc. for modifications to the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Stormwater Pump Station, to increase the constructability of the pump station, including additional concrete masonry wall material with drainage along the sump and changes to the 24 inch water main aerial crossing - Not to exceed \$349,469, from \$68,275,000 to \$68,624,469 - Financing: 2012 Bond Funds (\$321,798) and Water Utilities Capital Improvement Funds (\$27,671)
43			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)
44			All	I	PBD, OPI, AVI, CCS, CDS, FIR, PKR, POL, STS, TWM	\$550,105.00	90.00%	100.00%	Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of ten - Not to exceed \$550,105 - Financing: Current Funds (\$535,880), Stormwater Drainage Management Current Funds (\$9,740) and Aviation Current Funds (\$4,485) (subject to annual appropriations)
45			7	I	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Simply Custom for the construction of affordable houses; (2) the sale of 96 vacant lots from Dallas Housing Acquisition and Development Corporation to Simply Custom; and (3) execution of a release of lien for any non-tax liens on the 96 properties that may have been filed by the City - Financing: No cost consideration to the City
46			7	I	HOU	\$844,192.00	NA	NA	Authorize a conditional grant agreement with Greenleaf Ventures, LLC for land development for 36 single family homes for the Buckner Terrace II Project to be located at 3831- 4400 North Prairie Creek Road - Not to exceed \$844,192 - Financing: 2012 Bond Funds

AGENDA DATE June 22, 2016

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
47			8, 11	I	ECO	\$36,000,000.00	NA	NA	Authorize a development agreement with Midtown Development, Inc. ("Owner") and/or its affiliates in an amount not to exceed \$36,000,000 payable from future Mall Area Redevelopment TIF District funds in consideration of Owner's completion of Dallas Midtown Phase 1, a catalyst project that will include a minimum Owner investment of \$200,000,000 for demolition, infrastructure improvements, vertical construction, and open space assemblage on property currently addressed at 13131, 13331, 13343, and 13439 Preston Road and will both secure the public good and stimulate comprehensive redevelopment of the broader area within Tax Increment Financing Reinvestment Zone Number Twenty (Mall Area Redevelopment TIF District) - Not to exceed \$36,000,000 - Financing: Mall Area Redevelopment TIF District Funds (subject to appropriations and availability of tax increment)
48			2	I	ECO	\$670,000.00	NA	NA	Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$670,000 with DFM Developer, Ltd., in accordance with the approved Master Agreement for the Redevelopment of the Farmers Market, executed pursuant to City Council Resolution No. 13-0447, as amended, for remaining streetscape and infrastructure improvements - pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$670,000 - Financing: Public Private Partnership Funds
49			14	I	ECO	\$277,500.00	NA	NA	Authorize a Chapter 380 economic development grant agreement with Jacobs Engineering Group, Inc. in an amount up to \$277,500 to encourage the relocation of the company headquarters to 1999 Bryan Street and stimulate business development activity in the City of Dallas, pursuant to the Public/Private Partnership Program - Not to exceed \$277,500 - Financing: Public/Private Partnership Funds
50			2, 14	I	ECO, PBW	GT	NA	NA	Gaston Hotel and Area Wide Improvements: Authorize (1) a Project Specific Agreement to the Master Agreement with Dallas County for public infrastructure improvements to facilitate the commercial development in the Baylor area; (2) the receipt and deposit of funds in an amount not to exceed \$450,000, pursuant to the City's Business Development Chapter 380 Grant Program; and (3) an increase in appropriations in an amount not to exceed \$450,000 in the Capital Projects Reimbursement Fund - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds
51			2, 14	I	ECO, PBW	GT	NA	NA	Gaston Hotel and Area Wide Improvements: Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Baylor Scott & White Health, GMV Gaston, LP and Gatehouse Gaston Development, LLC for the development of a full-service hotel to be located on a tract of land addressed as 3301-3309, 3401 Gaston Avenue, 3302 Floyd Street, and 910-916 North Hall Street and the associated public and private improvements including site and area wide street improvements - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds
52			7	I	HOU	NC	NA	NA	Authorize an amendment to Resolution No. 15-1079, previously approved on June, 10, 2015, to extend the loan agreement with Southfair Community Development Corporation, a certified Community Housing Development Organization, for a housing development loan in the amount of \$112,000 from June 30, 2016 to June 30, 2017 for construction of two housing units located at 2800 Park Row Avenue - Financing: No cost consideration to the City
53			2	I	HOU	\$25,000.00	NA	NA	Authorize an amendment to Resolution No. 15-1150, previously approved on June 17, 2015, for the conditional grant agreement with Jubilee Park & Community Center Corporation to (1) increase the project budget by \$25,000, from \$500,000 to \$525,000; and (2) extend the completion date from June 30, 2016 to June 30, 2017 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Not to exceed \$25,000 - Financing: 2012 Bond Funds
54			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses and a community service center, a child-care facility and office uses; and an ordinance repealing Specific Use Permit No. 1494 for a community service center and a child-care facility, on property zoned an MF-2(A) Multifamily District in an area bounded by Ross Avenue, Matilda Street, Hudson Street, and Hope Street

AGENDA DATE June 22, 2016

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
55			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1981 for a bar, lounge or tavern and an inside commercial amusement limited to a dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the north line of Main Street, east of Malcolm X Boulevard
56			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-7.5(A) Single Family District, on property bound by East Mockingbird Lane, Delmar Avenue, Anita Street, and Matilda Street
57			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 R-10(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-10(A) Single Family District, on property bound by Welch Road, Harvest Hill Road, Harriet Drive, and Mill Creek Road
58			12	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 555 on the southwest corner of Frankford Road and Hillcrest Road
59			6	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. 2153 for a child-care facility to add the use of an open-enrollment charter school on property zoned an R-5(A) Single Family District with Specific Use Permit No. 1456 for a community service center and Specific Use Permit No. 2153 on the north corner of North Winnetka Avenue and McBroom Street
60			10	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for private school use on property zoned an R-7.5(A) Single Family District on the north line of McCree Road, west of Aldwick Drive
61			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south line of Elm Street, east of Good Latimer Expressway
62			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. 1914 for the sale of alcoholic beverages in conjunction with a commercial amusement (inside) on property zoned an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay on the southwest corner of R.L. Thornton Freeway and South Buckner Boulevard
63			14	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. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, north of Prospect Avenue
64			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 late-hours establishment limited to a restaurant without drive-in service use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Lewis Street
65			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 298, the Bryan Area Special Purpose District, on property zoned Subdistrict 5 and Subdistrict 10 within Planned Development District No. 298, in an area bounded by Bryan Street, Texas Street, Live Oak Street, and Cantegral Street
66			8	PH	TWM	NC	NA	NA	A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.428 acres of the current 0.510 acres of land, located at 1000 Bonnie View Road, of which the 0.510 acres are within the floodplain of Sheppard Branch, Fill Permit 16-02 - Financing: No cost consideration to the City

AGENDA DATE June 22, 2016

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
67			9	PH	PNV	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Gus Thomasson Road from Easton Road to Mesquite City Limits from an existing (EXISTING) roadway designation to a special four-lane divided (SPCL 4D) roadway within 80 to 85 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
68			9	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by 9371 Garland, LLC and the City of Dallas, located near the intersection of Garland Road and North Buckner Boulevard and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to 9371 Garland, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
69			2	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Willow Building 3800 Ltd., located near the intersection of Willow Street and Commerce Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Willow Building 3800 Ltd., by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

TOTAL \$93,558,992.95

AGENDA ITEM # 2

KEY FOCUS AREA: E-Gov

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Human Resources

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

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for volunteer coordination services with background checks - VolunteerNow, only proposer - Not to exceed \$343,350 - 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 volunteer coordination services that will supplement and support various City departments in general duties and special events. Volunteer services include training for City staff and volunteers, coordination of the program, advertisement, background checks and the recruitment and placement of volunteers. The function of the volunteer coordinator is to manage and maintain the program by placing the best qualified volunteers with the requesting department or event. The contract will provide for all volunteers to have background checks.

VolunteerNow in collaboration with the Human Resources Department, will manage the volunteer coordination program to support the City and provide opportunities for citizens to become involved in City operations.

The City has historically utilized an average of 7,417 volunteers per year, resulting in approximately 347,500 service hours.

BACKGROUND (Continued)

The scope of service covers four key areas for volunteer coordination as well as tracking and reporting of volunteers:

- Advertisement of City volunteer opportunities
- Access to the VolunteerNow's criminal background check service
- Training opportunities and City volunteer coordinator support
- Community involvement and City communication

This program will also give residents an opportunity to learn how City services work and make meaningful contribution to the City's departments. This program will not replace existing employees, but provide an increase in the level of service the City is able to provide the residents of Dallas.

These volunteers support City departments and special events, such as the Mayor's Back-to-School Fair at which several hundred volunteers help distribute much needed school supplies.

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

- Aviation (1)
- Library (1)
- City Manager's Office (1)
- Park and Recreation (1)
- Business Development and Procurement Services (2)*

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

The successful proposer was selected by the committee on the basis of the following criteria:

- Cost 40 points
- Capability and expertise 30 points
- Overall approach 15 points
- Business Inclusion and Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,524 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone.

BACKGROUND (Continued)

Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 12, 2012, City Council authorized a three-year service contract for volunteer coordinator services with background checks by Resolution No. 12-2227.

Information about this item will be provided to the Budget, Finance and Audit Committee on June 20, 2016.

FISCAL INFORMATION

\$343,350.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

1,524 - 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

VolunteerNow

White Male	6	White Female	9
Black Male	1	Black Female	4
Hispanic Male	5	Hispanic Female	11
Other Male	1	Other Female	1

PROPOSAL INFORMATION

The following proposal was received for solicitation number BKZ1607 and was opened on February 19, 2016. This service contract is being awarded in its entirety to the only proposer.

*Denotes successful proposer

<u>Proposer</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*VolunteerNow	2800 Live Oak St. Dallas, TX 75204	81%	\$343,350.00

Note: A single bid review process has been conducted by Business Development and Procurement Services and no exceptions have been found.

OWNER

VolunteerNow

Cheryl Alston, Board President
Ben Casey, Vice President
Hilda McDuff, Secretary
Bill Braxton, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for volunteer coordination services with background checks - VolunteerNow, only proposer - Not to exceed \$343,350 - Financing: Current Funds (subject to annual appropriations)

VolunteerNow 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	\$343,350.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$343,350.00	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%

June 22, 2016

WHEREAS, on September 12, 2012, City Council authorized a three-year service contract for volunteer coordinator services with background checks by Resolution No. 12-2227; and,

WHEREAS, on November 23, 2015, Administrative Action No. 15-7201 authorized Supplemental Agreement No. 1 to extend the term of the service contract for six months from September 12, 2015 to April 1, 2016; and,

WHEREAS, on February 11, 2016, Administrative Action No. 16-5163 authorized to increase the service contract and extend the term from April 1, 2016 to May 15, 2016 in an amount not to exceed \$40,000.00, increasing the service contract from \$291,900.00 to \$331,900.00;

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 VolunteerNow (262154) for volunteer coordination services with background checks for a term of three years in an amount not to exceed \$343,350.00, 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 VolunteerNow shall be based only on the amount of the services directed to be performed by the City and properly performed by VolunteerNow under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$343,350.00 (subject to annual appropriations) from Service Contract number PERVOLC.

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

AGENDA ITEM # 3

KEY FOCUS AREA: Public Safety

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Fire
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Eric Campbell, 670-3255
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for specialized training for Fire-Rescue and Water Utilities - Texas A & M Engineering Extension Service through an Interlocal Agreement with Texas A & M Engineering Extension Service - Not to exceed \$449,960 - Financing: Current Funds (\$375,000) and Water Utilities Current Funds (\$74,960) (subject to annual appropriations)

BACKGROUND

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

This service contract will allow for Fire-Rescue (DFR) firefighters and Water Utilities (DWU) to obtain specialized training from Texas A & M Engineering Extension Service (TEEX), a state agency.

TEEX operates a comprehensive emergency preparedness and infrastructure training campus, which includes facilities for hands-on training. Courses are conducted by certified instructors, specializing in their respective fields. TEEX offers on-site, customized training and services to municipalities and public agencies across the globe. Home to the National Emergency Response and Rescue Training Center, TEEX also provides administrative oversight of the Texas Task Force 1 urban search and rescue team.

BACKGROUND (Continued)

DFR's Special Operation Bureau includes a highly specialized Urban Search and Rescue tactical operation division that requires specific training for certification. The Water and Wastewater Training Program at TEEX is recognized as a leader of water and wastewater training organization in the United States, since 1939. DWU utilizes over 14 different courses, including, wastewater and water operator certifications, pump and motor training, backflow prevention, hazardous waste management as well as disaster management for water and wastewater. Training will consist of operational and rescue under the following conditions, but not limited to:

Fire-Rescue

Structural Collapse
Ropes Rescue
Confined Space
Medical Specialist

Water Utilities

Basic Water
Basic Wastewater
Water Distribution
Wastewater Treatment

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, City Council authorized an Interlocal Agreement with Texas A & M Engineering Extension Service; and a two-year service contract for specialized training by Resolution No. 13-1134.

Information about this item will be provided to the Public Safety Committee on June 13, 2016.

FISCAL INFORMATION

\$375,000.00 - Current Funds (subject to annual appropriations)

\$ 74,959.50 - Water Utilities Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Texas A & M Engineering Extension Service

White Male	211	White Female	123
Black Male	8	Black Female	11
Hispanic Male	22	Hispanic Female	25
Other Male	33	Other Female	24

OWNER

Texas A & M Engineering Extension Service

Gary Sera, President

A. G. Davis, Vice President

R. Charles Todd, Secretary

June 22, 2016

WHEREAS, on June 26, 2013, City Council authorized an Interlocal Agreement with Texas A & M Engineering Extension Service; and a two-year service contract for specialized training by Resolution No. 13-1134; and,

WHEREAS, on October 21, 2014, Administrative Action No. 14-6934 authorized an increase in the service contract in the amount of \$50,000.00, increasing the service contract amount from \$250,000.00 to \$300,000.00;

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 Texas A & M Engineering Extension Service (VC0000004488) through an Interlocal Agreement with Texas A & M Engineering Extension Service for specialized training for Fire-Rescue and Water Utilities for a term of three years in an amount not to exceed \$449,959.50, 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 Texas A & M Engineering Extension Service shall be based only on the amount of services directed to be performed by the City and properly performed by Texas A & M Engineering Extension Service under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$449,959.50 (subject to annual appropriations) from Service Contract number BV1618.

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

AGENDA ITEM # 4

KEY FOCUS AREA: E-Gov

AGENDA DATE: June 22, 2016

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

Authorize a one-year service contract for cloud services subscription for the IBM Tririga software for a citywide capital management system - IBM Corporation, through the Department of Information Resources, State of Texas Cooperative - Not to exceed \$298,800 - Financing: Current Funds (subject to appropriations)

BACKGROUND

This service contract will expand the City's access to IBM's Tririga software for use of a citywide capital management system. The software will replace several outdated systems and manual processes being utilized to manage citywide capital projects. Deployment of this software, will provide the City the ability to uniquely configure the application to meet business needs and requirements related to all capital projects. Some advantages of the use of the IBM Tririga software include:

- One central platform for capital project management
- Improved real-time reporting capability
- Sustainable system upgrades, bug fixes and patches

Primary department users of the software include: Water Utilities, Equipment and Building Services, and Public Works.

The IBM Tririga software is a market leader in the management of capital projects from the pre-funded stage (capital needs inventory and facility condition assessment data) to developing annual and multi-year capital program options to managing funded programs and projects through completion. The use of the software will provide a single application for tracking and managing capital projects. Implementation of this software application is being provided through a separate contract.

BACKGROUND (Continued)

The Department of Information Resources 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, the Department of Information Resources 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 Budget, Finance and Audit Committee on June 20, 2016.

FISCAL INFORMATION

\$298,800.00 - Current Funds (subject to appropriations)

ETHNIC COMPOSITION

IBM Corporation

White Male	41,646	White Female	17,444
Black Male	2,870	Black Female	2,368
Hispanic Male	2,979	Hispanic Female	1,302
Other Male	9,882	Other Female	4,378

OWNER

IBM Corporation

Virginia Rometty, President
Martin Schroeter, Vice President

June 22, 2016**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 for cloud services subscription with IBM Corporation (001003) through the Department of Information Resources, State of Texas Cooperative for the IBM Tririga software for a citywide capital management system for a term of one year in an amount not to exceed \$298,800.00, 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 IBM Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by IBM Corporation under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriation in an amount not to exceed \$298,800.00:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>AMOUNT</u>	<u>FY</u>	<u>ENCUMBRANCE</u>
0198	DSV	1665	3099	\$298,800.00	2016	CTDSV17TRIGA1

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

AGENDA ITEM # 5

KEY FOCUS AREA: E-Gov

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services
Equipment & Building Services
Public Works Department

CMO: Jeanne Chipperfield, 670-7804
Mark McDaniel, 670-3256
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for the implementation of IBM Tririga software for a citywide capital management system – eCIFM Solutions, Inc., most advantageous proposer of six - Not to exceed \$549,125 - 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 allow for the implementation of IBM's Tririga software for a citywide capital management system. Currently departments are utilizing a variety of different applications and manual processes for tracking and managing capital projects.

Implementation will be completed in phases, with Water Utilities, Equipment and Building Services, and Public Works being a part of the first phase. The implementation services include the migrating and consolidating capital projects from numerous systems into one consolidated software application being procured through a separate service contract.

BACKGROUND (Continued)

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

- Business Development and Procurement Services (2)*
- City Controller's Office (1)
- Communication and Information Services (1)
- Water Utilities (1)
- Equipment and Building Services (1)
- Public Works (1)
- Park and Recreation (1)
- Trinity Watershed Management (1)

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

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

- Cost 30%
- Functional match 20%
- Technical match 20%
- Business Inclusion and Development Plan 15%
- Capability, credibility and expertise 10%
- Training 5%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,231 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.

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Budget, Finance and Audit Committee on June 20, 2016.

FISCAL INFORMATION

\$549,125.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

206 - Vendors contacted

206 - No response

0 - Response (Bid)

0 - Response (No Bid)

0 - Successful vendor

1,231 - 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

eCIFM Solutions, Inc.

White Male	7	White Female	5
Black Male	0	Black Female	1
Hispanic Male	0	Hispanic Female	0
Other Male	9	Other Female	1

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1519 and were opened on September 11, 2015. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*eCIFM Solutions, Inc.	3160 Crow Canyon Rd. Suite 240 San Ramon, CA 94583	85%	\$ 549,125.00
ValuD Consulting LLC	16801 Addison Rd. Suite 425 Addison, TX 75001	70%	\$1,231,710.00

Note: The above vendor scores and pricing are based on fully negotiated systems and pricing.

Vendor scores and pricing listed below are based on initial proposals and were not negotiated.

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
Stellar Services, Inc.	70 West 36 th St. Suite 702 New York, NY 10018	63%	\$3,709,850.00
Arcadis, U.S., Inc.	12400 Coit Rd. Suite 1200 Dallas, TX 75251	68%	\$3,087,305.00
Aurigo Software Technologies, Inc.	12515 Research Blvd. Suite 170 Austin, TX 78759	65%	\$3,895,000.00
eBuilder, Inc.	1800 NW 69 th Ave. Suite 201 Plantation, FL 33313	57%	\$4,816,060.00

OWNER**eCIFM Solutions, Inc.**

Vimal Uberoi, President
Sanjiv Paul Singh, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for the implementation of IBM Tririga software for a citywide capital management system – eCIFM Solutions, Inc., most advantageous proposer of six - Not to exceed \$549,125 - Financing: Current Funds (subject to annual appropriations)

eCIFM Solutions, Inc. 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	\$130,692.00	23.80%
Total non-local contracts	\$418,433.00	76.20%
TOTAL CONTRACT	\$549,125.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
CP & Y , Inc.	PMMB6411540217	\$130,692.00	100.00%
Total Minority - Local		\$130,692.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$130,692.00	100.00%	\$130,692.00	23.80%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$130,692.00	100.00%	\$130,692.00	23.80%

June 22, 2016

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

Section 1. That the City Manager is hereby authorized to execute a service contract with eCIFM Solutions, Inc. (VS0000084199) for the implementation of IBM Tririga software for a citywide capital management system for a term of three years in an amount not to exceed \$549,125.00, 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 eCIFM Solutions, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by eCIFM Solutions, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$549,125.00 (subject to annual appropriations) from Service Contract number MASCDV19CPTL.

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: E-Gov

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
City Attorney's Office

CMO: Jeanne Chipperfield, 670-7804
Christopher D. Bowers, 670-3491

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract, with a two-year renewal option, for legal document reproduction services - Delphi Legal Technologies, Inc., most advantageous proposer of seven - Not to exceed \$115,667 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will provide the City Attorney's Office with professional, timely and high-quality electronic data discovery production, legal document reproduction and copying services required to handle lawsuits and claims. Specific litigation support services that will be available include:

- Digitalization of paper documents
- Conversion of digital files into alternative formats
- Provision of oversized maps and land surveys
- Preparation of trial exhibits
- Duplication of media
- Accommodation of rush orders

BACKGROUND (Continued)

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

- City Attorney's Office (2)
- Municipal Court Judiciary (1)
- Communication and Information Services (1)*
- Business Development and Procurement Services (2)*

*Business Development and Procurement Services only evaluated the Business Inclusion and Development Plan and cost. Communication and Information Services only evaluated document conversion to TIFF files and load files.

The proposer's responses were evaluated based on the following criteria:

- Quality of test samples 35%
- Cost 30%
- Capabilities and Expertise 20%
- Business Inclusion and Development Plan 15%

This solicitation was structured in a manner which required proposers to submit a response using unit pricing. This bid resulted in a 36.24% decrease on comparable unit prices compared to the bid awarded in 2011. Accordingly, staff estimates that this new pricing agreement will result in cost savings of \$65,756 over the term of the contract.

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 1,411 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.

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2011, City Council authorized a three-year master agreement for printed goods by Resolution No. 11-1656.

Information about this item will be provided to the Budget, Finance and Audit Committee on June 20, 2016.

FISCAL INFORMATION

\$115,666.50 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

216 - Vendors contacted

216 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

1,411 - 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

Delphi Legal Technologies, Inc.

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

PROPOSAL INFORMATION

The following proposals were received from solicitation number BXZ1602 and were opened on March 11, 2016. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposers

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Delphi Legal Technologies, Inc.	2001 Bryan Street Suite 401 Dallas, TX 75201	81.33%	\$115,666.50
Delm2 LLC d/b/a Mainstay Legal	325 N. Saint Paul Street Suite 1400 Dallas, TX 75201	77.81%	\$178,089.00

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
Platinum Intelligent Data Solutions, LLC	325 N. Saint Paul Street Suite 1100 Dallas, TX 75201	67.80%	\$206,553.00
Open Door Solutions, LLP	8204 Elmbrook Drive Suite 146 Dallas, TX 75247	67.06%	\$272,574.00
Classic Legal Document Services, Inc	325 N. Saint Paul Street Suite 1275 Dallas, TX 75201	64.14%	\$224,252.25
A-Delta Overnight Legal Reproduction Services, Inc. d/b/a A-Legal	1201 Elm Street Dallas, TX 75243	59.98%	\$336,571.50
Integrity Document Services, LLC	8230 Elmbrook Drive Suite 500 Dallas, TX 75247	47.12%	\$210,883.50

OWNER

Delphi Legal Technologies, Inc.

Barry D. Bray, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract, with a two-year renewal option, for legal document reproduction services - Delphi Legal Technologies, Inc., most advantageous proposer of seven - Not to exceed \$115,667 - Financing: Current Funds (subject to annual appropriations)

Delphi Legal Technologies, 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	\$115,666.50	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$115,666.50	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%

June 22, 2016

WHEREAS, on June 22, 2011, City Council authorized a three-year master agreement for printed goods by Resolution No. 11-1656; and,

WHEREAS, on June 17, 2014, Administrative Action No. 14-6191 authorized a two year extension to the term of the agreement from June 22, 2014 to June 23, 2016; and,

WHEREAS, on October 21, 2014, Administrative Action No. 14-6935 authorized an increase to the master agreement for printing services in an amount not to exceed \$41,271.50, increasing the master agreement amount from \$165,086.00 to \$206,357.50;

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 Delphi Legal Technologies, Inc. (VS0000062962) for legal document reproduction services for a term of three years, with a two-year renewal option, in an amount not to exceed \$115,666.50, 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 Delphi Legal Technologies, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Delphi Legal Technologies, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$115,666.50 (subject to annual appropriations) from Service Contract number BXZ1602.

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:	Clean, Healthy Environment
AGENDA DATE:	June 22, 2016
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Sanitation Services
CMO:	Jeanne Chipperfield, 670-7804 Joey Zapata, 670-3009
MAPSCO:	N/A

SUBJECT

Authorize a three-year service contract, with two one-year renewal options, for temporary industrial labor for Sanitation Services - Results Staffing, Inc., most advantageous proposer of five - Not to exceed \$20,246,079 - Financing: Sanitation 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 temporary industrial labor for Sanitation Services. Temporary labor is needed to supplement Sanitation Services (SAN) staff with approximately 210 industrial laborers on a daily basis to collect refuse, recycling and bulk/brush, work at transfer stations and landfill, and to assist in environmental and special service duties. The temporary workers receive daily work assignments from City staff, but remain employees of the temporary agency. Temporary labor allows SAN the flexibility to adjust its workforce to meet service needs according to daily service demands.

Although Results Staffing, Inc. is a temporary employment agency, their employees have the opportunity to purchase an individual or family health care plan upon hire. Additionally, all employees will be paid at the current wage floor requirement of \$10.37 per hour. The vendor has also committed to provide the following, for their employees, who want to increase their skillsets and seek permanent employment:

- Resume building and interview skills workshops
- Computer skills training

BACKGROUND (Continued)

- Assist their employees who may have a suspended license and would like to re-obtain their class C driver license, but are having difficulty due to their ability to pay outstanding fees
- Work with SAN to issue performance certificates for their employees which allow for reduced background requirement for certain City positions. These certificates can also be utilized by the employee to document performance to other potential employers
- Identify and support their employees who want to compete for permanent open laborer and truck driver positions within the City

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

- Sanitation Services (3)
- Office of Financial Services (1)
- Code Compliance (1)
- Business Development and Procurement (2)

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

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

- Cost 30%
- Approach 20%
- Experience and capabilities 20%
- Business Inclusion and Development Plan 15%

This solicitation was structured in a manner which required proposers to submit a response using hourly rate. This proposal resulted in a 29.53% increase over the previous contract 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 1,032 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.

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, City Council authorized a two year service contract, with a one year renewal option, for temporary industrial labor for Sanitation Services by Resolution No. 13-1132.

On May 27, 2015, City Council authorized supplemental agreement no. 1 to exercise the one-year renewal option to the service contract for temporary industrial labor for Sanitation Services by Resolution No. 15-0935.

Information about this item will be provided to the Quality of Life and Environment Committee on June 13, 2016.

FISCAL INFORMATION

\$20,246,078.16 - Sanitation Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Results Staffing, Inc.

White Male	638	White Female	513
Black Male	1,901	Black Female	1,200
Hispanic Male	1,512	Hispanic Female	1,778
Other Male	3	Other Female	0

M/WBE INFORMATION

312 - Vendors contacted
308 - No response
4 - Response (Bid)
0 - Response (No Bid)
1 - Successful

1,032 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.

PROPOSAL INFORMATION

The following proposals were received from solicitation number BEZ1605 and were opened on March 10, 2016. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Results Staffing, Inc.	1555 W. Mockingbird Ln. Suite #220 Dallas, TX 75235	70	\$20,246,078.16
All Temps 1 Personnel	2606 Martin Luther King Blvd. Suite #207 Dallas, TX 75215	69	\$19,186,676.30
CorpCare, Inc.	P.O. Box 382640 Duncanville, TX 75138	64	\$17,836,165.47
CTJ Maintenance, Inc.	6565 N. McArthur Blvd. Suite #225 Irving, TX 75039	61	\$20,426,879.37
Jag Professionals	8115 Maple Lawn Blvd. Suite #350 Fulton, MD 20759	51	\$20,148,938.43

OWNER

Results Staffing, Inc.

Norma Devine, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract, with two one-year renewal options, for temporary industrial labor for Sanitation Services - Results Staffing, Inc., most advantageous proposer of five - Not to exceed \$20,246,079 - Financing: Sanitation Current Funds (subject to annual appropriations)

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$20,168,078.16	99.61%
Total non-local contracts	\$78,000.00	0.39%
TOTAL CONTRACT	\$20,246,078.16	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Results Staffing, Inc.	HFMB62312N0616	\$19,938,078.16	98.86%
LOGOTOLOGY	WFWB53280N0717	\$60,000.00	0.30%
Total Minority - Local		\$19,998,078.16	99.16%

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	\$19,938,078.16	98.86%	\$19,938,078.16	98.48%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$60,000.00	0.30%	\$60,000.00	0.30%
Total	\$19,998,078.16	99.16%	\$19,998,078.16	98.78%

June 22, 2016

WHEREAS, on June 26, 2013, City Council authorized a two year service contract, with a one year renewal option, for temporary industrial labor for Sanitation Services by Resolution No. 13-1132; and,

WHEREAS, on May 27, 2015, City Council authorized Supplemental Agreement No. 1 to exercise the one-year renewal option to the service contract for temporary industrial labor for Sanitation Services in an amount not to exceed \$5,931,378.60, increasing the service contract from \$12,060,373.50 to \$17,991,752.10, by Resolution No. 15-0935;

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 Results Staffing, Inc. (503279) for temporary industrial labor for Sanitation Services for a term of three years, with two one-year renewal options, in an amount not to exceed \$20,246,078.16, upon approval as to form by the City Attorney. If the service contract was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Results Staffing, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Results Staffing, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$20,246,078.16 (subject to annual appropriations) from Service Contract number BEZ1605.

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: E-Gov

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

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

CMO: Jeanne Chipperfield, 670-7804
Mark McDaniel, 670-3256
Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize a five-year subscription service contract for access to a web-based investigative subscription to assist Police in locating individuals involved in criminal and terrorism activities - TransUnion distributed by Carahsoft Technology Corp through The Cooperative Purchasing Network - Not to exceed \$679,401 - 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 access to a web-based investigative subscription that allows users to search various databases to aid in locating individuals involved in criminal and terrorist activities. The databases provide access to more than one trillion pages – 500 times as many as can be reached in an ordinary web search, including text and photos.

Police requires different levels of search capabilities, some general search capabilities for officers, and more advanced or detailed searches for detectives and crime analysts, including all members of the Fusion Center. The Fusion Center's main task is to create criminal intelligence for real-time dissemination to patrol officers and detectives in the field.

The Cooperative Purchasing Network (TCPN) 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, TCPN receives bids from manufacturers and dealers throughout the United States.

BACKGROUND (Continued)

Officers are able to access a vast array of data repositories, including:

- Department of Motor Vehicles
- Court records
- Multiple telephone sources
- Utility companies
- Property and assets from banks and insurance companies

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Budget, Finance and Audit Committee on June 20, 2016.

FISCAL INFORMATION

\$679,400.40 - Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Carahsoft Technology Corp

White Male	259	White Female	218
Black Male	13	Black Female	10
Hispanic Male	9	Hispanic Female	12
Other Male	14	Other Female	23

OWNER

Carahsoft Technology Corp

Craig Abod, President
Robert Moore, Vice President

June 22, 2016

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

Section 1. That the City Manager is authorized to execute a subscription service contract with Carahsoft Technology Corp (VS0000009713) for TransUnion through The Cooperative Purchasing Network for access to a web-based investigative subscription to assist Police in locating individuals involved in criminal and terrorism activities for a term of five years in an amount not to exceed \$679,400.40, 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 Carahsoft Technology Corp shall be based only on the amount of the services directed to be performed by the City and properly performed by Carahsoft Technology Corp under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$679,400.40 (subject to annual appropriations) from Service Contract number MASCDV21TLOXP.

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: Clean, Healthy Environment

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Business Development & Procurement Services
Water Utilities

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

MAPSCO: 55 H

SUBJECT

Authorize an acquisition contract for the purchase and installation of one laboratory analyzer (gas chromatograph mass spectrometer) for analytical laboratory testing for Water Utilities - All Business Machines, Inc. dba AttainIt, through the Texas SmartBuy - Not to exceed \$136,878 - Financing: Water Utilities Current Funds

BACKGROUND

This action will allow for the purchase and installation of one laboratory analyzer (gas chromatograph mass spectrometer) for analytical laboratory testing for Water Utilities which will be used at the Central Wastewater Treatment Plant. This laboratory instrument will analyze water and wastewater for contaminants such as pesticides and herbicides, and separate compounds based primarily on their volatility. The laboratory instrument will measure the elements in water and wastewater to maintain compliance with Texas Commission of Environmental Quality treatment requirements and other regulatory guidelines. Further, the purchase of this laboratory analyzer will provide increased capacity to allow the City to conduct more in-house testing at savings to the department.

Texas SmartBuy 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, Texas SmartBuy 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 Budget, Finance and Audit Committee on June 20, 2016.

FISCAL INFORMATION

\$136,877.40 - Water Utilities Current Funds

ETHNIC COMPOSITION

All Business Machines, Inc. dba AttainIt

White Male	1	White Female	8
Black Male	0	Black Female	3
Hispanic Male	0	Hispanic Female	2
Other Male	2	Other Female	4

OWNER

All Business Machines, Inc. dba AttainIt

Dawn Hall, President

Charity Guimont, Vice President

June 22, 2016**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

Section 1. That the City Manager is authorized to execute an acquisition contract with All Business Machines, Inc. dba AttainIt (VS0000073709) through the Texas SmartBuy for the purchase and installation of one laboratory analyzer (gas chromatograph mass spectrometer) for analytical laboratory testing for Water Utilities in an amount not to exceed \$136,877.40, 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 All Business Machines, Inc. dba AttainIt shall be based only on the amount of the services directed to be performed by the City and properly performed by All Business Machines, Inc. dba AttainIt under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriation in an amount not to exceed \$136,877.40:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Obj</u>	<u>Amount</u>	<u>FY</u>	<u>Encumbrance</u>
0100	DWU	7042	4730	\$136,877.40	2016	CTDWU7042H1656

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: June 22, 2016

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Business Development & Procurement Services
Water Utilities

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

MAPSCO: 50A N

SUBJECT

Authorize the purchase of one ozone generator – Xylem Water Solutions USA, Inc., only bidder – Not to exceed \$561,658 – Financing: Water Utilities Capital Construction Funds

BACKGROUND

This contract will provide for the purchase of one 4,000 pound/day ozone generator fully assembled with dielectrics to use at the Eastside Water Treatment Plant. This is a replacement for an existing Wedeco ozone generator that has met its useful life. This replacement generator is one of nine units currently configured to work in unison to produce ozone. Ozone is used as a primary disinfectant at the Eastside Water Treatment Plant which provides up to 440 MGD of treated water for the City and the wholesale customers. The replacement will increase the ozone production capacity of the Eastside Water Treatment Plant to 32,000 pounds per day.

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 1,237 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 June 20, 2016.

FISCAL INFORMATION

\$561,658.00 - Water Utilities Capital Construction Funds

M/WBE INFORMATION

244 - Vendors contacted

244 - No response

0 - Response (Bid)

0 - No response (No Bid)

0 - Successful

1,237 – 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

Xylem Water Solutions USA, Inc.

White Male	92	White Female	28
Black Male	6	Black Female	5
Hispanic Male	4	Hispanic Female	0
Other Male	9	Other Female	4

BID INFORMATION

The following bid was received from solicitation number BN1613 and was opened on February 26, 2016. This purchase is being awarded in its entirety to the only bidder.

*Denotes successful bidder

<u>Bidder</u>	<u>Address</u>	<u>Amount of Bid</u>
*Xylem Water Solutions USA, Inc.	14125 South Bridge Circle Charlotte, NC 28273	\$561,658.00

Note: A single bid review process has been conducted by Business Development and Procurement Services and no exceptions have been found.

OWNER

Xylem Water Solutions USA, Inc.

Ron Askin, President
Patrick Rienks, Vice President
Jane Dobson, Secretary
Matthew Fisher, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize the purchase of one ozone generator – Xylem Water Solutions USA, Inc., only bidder – Not to exceed \$561,658 – Financing: Water Utilities Capital Construction Funds

Xylem Water Solutions USA, 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	\$0.00	0.00%
Total non-local contracts	\$561,658.00	100.00%
TOTAL CONTRACT	\$561,658.00	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%

June 22, 2016**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

Section 1. That the purchase of one ozone generator is authorized with Xylem Water Solutions USA, Inc. (VC0000010486) in an amount not to exceed \$561,658.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for one ozone generator. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriation in an amount not to exceed \$561,658.00:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object</u>	<u>Amount</u>	<u>Encumbrance</u>
0102	DWU	CW50	4720	\$561,658.00	PODWU00000126007

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

AGENDA ITEM # 11

KEY FOCUS AREA: E-Gov

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Fire
Aviation
Trinity Watershed Management

CMO: Jeanne Chipperfield, 670-7804
Eric Campbell, 670-3255
Ryan S. Evans, 671-9837
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize the purchase of **(1)** twenty three pieces of fleet vehicles and equipment - Hudson Bus Sales, LLC in the amount of \$2,665,662 and Metro Fire Apparatus Specialists, Inc. in the amount of \$7,053,525, through the Houston-Galveston Area Council of Governments; **(2)** one pumper truck - Brasada Ford, Ltd. in the amount of \$151,750 through the Texas Multiple Award Schedule; and **(3)** one excavator with mower attachment - Landmark Equipment, Inc. in the amount of \$107,399 through the Texas Association of School Boards - Total not to exceed \$9,978,336 - Financing: Municipal Lease Agreement Funds (\$9,321,400), Aviation Current Funds (\$549,537) and Stormwater Drainage Management Current Funds (\$107,399)

BACKGROUND

This item will authorize the purchase of twenty five fleet vehicles and equipment for various City departments to include:

- ambulances - 14
- pumpers - 6 (5 – fire pumpers, 1 - type 6 wildland pumper)
- mass casualty incident apparatus - 1
- aerial trucks - 3
- excavator with mower attachment - 1

These replacement apparatus will be used for actual response of various divisions of Fire-Rescue (DFR) in performing the duties of life safety for the residents of Dallas. Units will be utilized in emergency response to fire, medical and all other emergency situations.

BACKGROUND (Continued)

DFR responded to 230,755 emergency calls in fiscal year 2014-15. For these incidents, the number of DFR emergency vehicles dispatched totaled 337,830 accumulating approximately 1,137,100 miles in the City and is on pace to match and possibly exceed that mileage this fiscal year. Emergency services are vital to the City's community and therefore the equipment used in the delivery of these services must be effective and reliable.

The fire equipment being replaced (two aerial trucks, five fire pumpers and one type 6 fast attack pumper) has met its useful life of twelve to fifteen years. These vehicles have been evaluated using an established criterion to ensure that only vehicles that have exceeded their regular maintenance program are replaced. The equipment evaluation process uses criterion that includes life-to-date maintenance costs, recommended replacement mileage, recommended replacement life and a point system that includes down time, and number of work orders to determine vehicles productivity.

These vehicles being replaced have all been deemed too costly to maintain in the city's fleet and will be sold through a public auction process upon delivery of the replacement units.

A mass casualty incident (MCI) is any incident in which medical service resources are overwhelmed by the number and severity of casualties. Incidents such as aircraft crashes, passenger train and bus collisions, building collapse or any other emergency involving numerous people all can be a MCI event. This apparatus will provide large quantities of emergency medical equipment and supplies to any type of MCI event anywhere in the City. The apparatus will be housed at Fire Station 42, on the southern end of Dallas Love Field. This will provide immediate response to the airport and be centrally located to ensure timely response to other areas of the City.

This initiative is a result of Aviation and DFR identifying a much needed resource and collectively collaborating to arrive at the best possible solution. Aviation will provide funding for the apparatus, equipment and supplies while DFR will house, operate, re-supply and maintain the apparatus.

The purchase of one diesel powered, nine-ton, EPA Tier 4 certified, excavator and mower attachment will add to Trinity Watershed Management's (TWM) fleet of grounds maintenance equipment. This equipment will be used for vegetation management near river and creek banks, channels and floodways.

BACKGROUND (Continued)

The Texas Association of School Boards (Buyboard), Houston-Galveston Area Council of Governments (HGAC) and the Texas Multiple Award Schedule (TXMAS) 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, HGAC and TXMAS receive bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 11, 2012, City Council authorized a one-year master agreement for the purchase of one hundred ninety-six pieces of fleet equipment; and a one-year master agreement for the purchase of one hundred three pieces of fleet equipment by Resolution No. 12-0162.

On June 12, 2013, City Council authorized a one-year master agreement for the purchase of two hundred seventy-two pieces of fleet and equipment; a one-year master agreement for the purchase of eight pieces of fleet equipment; and a one-year master agreement for the purchase of four pieces of fleet equipment by Resolution No. 13-0936.

On December 11, 2013, City Council authorized a one-year master agreement for the purchase of two-hundred ten fleet vehicles and equipment; thirty-eight fleet vehicles and equipment; and eighty-eight fleet vehicles and equipment by Resolution No. 13-2055.

On March 25, 2015, City Council authorized a one-year master agreement for the purchase of eighty seven fleet vehicles and equipment; twenty fleet vehicles and equipment; and one-hundred nine fleet vehicles and equipment by Resolution No. 15-0478.

On December 9, 2015, City Council authorized a one-year master agreement for the purchase of one hundred fleet vehicles and equipment; one hundred eighty-one fleet vehicles; eighty-three Police fleet and equipment; and twenty-one fleet vehicles by Resolution No. 15-2199.

On May 11, 2016, City Council authorized the purchase of eleven pieces of fleet vehicles and equipment; four pieces of fleet vehicles; two pieces of fleet equipment; and two fleet vehicles by Resolution No. 16-0717.

Information about this item will be provided to the Budget, Finance and Audit Committee on June 20, 2016.

FISCAL INFORMATION

\$9,321,400.00 - Municipal Lease Agreements Funds

\$ 549,537.00 - Aviation Current Funds

\$ 107,399.00 - Stormwater Drainage Management Current Funds

ETHNIC COMPOSITION

Metro Fire Apparatus Specialists, Inc.

White Male	53	White Female	3
Black Male	2	Black Female	0
Hispanic Male	17	Hispanic Female	2
Other Male	0	Other Female	0

Hudson Bus Sales, LLC

White Male	9	White Female	2
Black Male	2	Black Female	0
Hispanic Male	5	Hispanic Female	0
Other Male	0	Other Female	0

Brasada Ford, Ltd.

White Male	69	White Female	24
Black Male	9	Black Female	3
Hispanic Male	77	Hispanic Female	19
Other Male	3	Other Female	1

Landmark Equipment, Inc.

White Male	42	White Female	8
Black Male	4	Black Female	1
Hispanic Male	7	Hispanic Female	0
Other Male	0	Other Female	0

OWNERS

Metro Fire Apparatus Specialists, Inc.

Craig N. Russell, President

Hudson Bus Sales, LLC

Brad Hudson, President

JoLynn Hudson, Vice President

OWNERS (Continued)

Brasada Ford, Ltd.

Mark Woods, President
Howard Herman, Vice President
Steve Cummings, Treasurer

Landmark Equipment, Inc.

Mike Lyle, President
Gary Lyle, Vice President
Kathy Ford, Secretary

June 22, 2016

WHEREAS, on January 11, 2012, City Council authorized a one-year master agreement for the purchase of one hundred ninety-six pieces of fleet equipment; and a one-year master agreement for the purchase of one hundred three pieces of fleet equipment by Resolution No. 12-0162; and,

WHEREAS, on June 12, 2013, City Council authorized a one-year master agreement for the purchase of two hundred seventy-two pieces of fleet and equipment; a one-year master agreement for the purchase of eight pieces of fleet equipment; and a one-year master agreement for the purchase of four pieces of fleet equipment by Resolution No. 13-0936; and,

WHEREAS, on December 11, 2013, City Council authorized a one-year master agreement for the purchase of two-hundred ten fleet vehicles and equipment; thirty-eight fleet vehicles and equipment; and eighty-eight fleet vehicles and equipment by Resolution No. 13-2055; and,

WHEREAS, on March 25, 2015, City Council authorized a one-year master agreement for the purchase of eighty seven fleet vehicles and equipment; twenty fleet vehicles and equipment; and one-hundred nine fleet vehicles and equipment by Resolution No. 15-0478; and,

WHEREAS, on December 9, 2015, City Council authorized a one-year master agreement for the purchase of one hundred fleet vehicles and equipment; one hundred eighty-one fleet vehicles; eighty-three Police fleet and equipment; and twenty-one fleet vehicles by Resolution No. 15-2199; and,

WHEREAS, on May 11, 2016, City Council authorized the purchase of eleven pieces of fleet vehicles and equipment; four pieces of fleet vehicles; two pieces of fleet equipment; and two fleet vehicles by Resolution No. 16-0717;

NOW, THEREFORE,

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

Section 1. That the purchase of (1) twenty three pieces of fleet vehicles and equipment is authorized with Hudson Bus Sales, LLC (VS89396) in the amount of \$2,665,662.00 and Metro Fire Apparatus Specialists, Inc. (339015) in the amount of \$7,053,525.00, through the Houston-Galveston Area Council of Governments; (2) one pumper truck is authorized with Brasada Ford, Ltd. (VS91747) in the amount of \$151,750.00 through the Texas Multiple Award Schedule; and (3) one excavator with mower attachment is authorized with Landmark Equipment, Inc. (502100) through the Texas Association of School Boards in the amount of \$107,399.00, in a total amount not to exceed \$9,978,336.00.

June 22, 2016

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for twenty three pieces of fleet vehicles and equipment, one pumper truck and one excavator with mower attachment. 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 in order to reimburse and finance the lease/purchase acquisition of the equipment described herein over a period not to exceed the estimated useful life (10 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriations in an amount not to exceed \$ 9,978,336.00:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Obj</u>	<u>Amount</u>	<u>Encumbrance</u>
ML16	DFD	E356	4742	\$6,503,988.00	PODFD00000125814
ML16	DFD	E356	4742	\$ 151,750.00	PODFD00000125815
ML16	DFD	E357	4742	\$2,665,662.00	PODFD00000125921
0130	AVI	7722	4890	\$ 549,537.00	POAVI00000125865
0061	SDM	4792	4720	\$ 107,399.00	POSDM00000125863

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: June 22, 2016

COUNCIL DISTRICT(S): 2, Outside City Limits

DEPARTMENT: Business Development & Procurement Services
Water Utilities

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

MAPSCO: 2T 33F

SUBJECT

Authorize a three-year master agreement for liquid carbon dioxide to be used in the water purification process - Ethanol Products, LLC, lowest responsible bidder of two - Not to exceed \$999,800 - 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 agreement will provide National Sanitary Foundation 60 certified liquid carbon dioxide for water treatment at the Bachman and Elm Fork Water Treatment Plants. Liquid carbon dioxide is necessary for controlling the pH level and maintaining required alkalinity in Dallas' drinking water as required by the Environmental Protection Agency and Texas Commission of Environmental Quality.

Additionally, this agreement will provide liquid carbon dioxide tank rental and maintenance for the Bachman Water Treatment Plant and the maintenance of two city-owned tanks at the Elm Fork Water Treatment Plant. Rental of the tank ensures compatibility between tank and delivery truck connection types and thereby supports expedient service delivery; preventative maintenance will occur monthly and will include an annual inspection.

Water Utilities provides service to an estimated 2 million people in Dallas and surrounding communities.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 4% decrease on comparable unit prices for the bid awarded in 2012.

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,024 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' Resource LINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 12, 2012, City Council authorized a three-year master agreement for liquid carbon dioxide to be used in the water purification process by Resolution No. 12-2236.

Information about this item will be provided to the Budget, Finance and Audit Committee on June 20, 2016.

FISCAL INFORMATION

\$999,800.00 - Water Utilities Current Funds

<u>Council District</u>	<u>Amount</u>
2	\$434,800.00
Outside City Limits	<u>\$565,000.00</u>
Total	\$999,800.00

M/WBE INFORMATION

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

1,024 - 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. 12-2236 as amended.

ETHNIC COMPOSITION

Ethanol Products, LLC

White Male	195	White Female	42
Black Male	4	Black Female	1
Hispanic Male	3	Hispanic Female	2
Other Male	5	Other Female	1

BID INFORMATION

The following bids were received from solicitation number BW1610 and were opened on May 6, 2016. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Ethanol Products, LLC	3939 N. Webb Rd. Wichita, KS 67226	\$ 999,800.00
Airgas USA, LLC	259 North Radnor-Chester Rd. Suite: 100 Radnor, PA 19087-5283	\$1,370,500.00

OWNER

Ethanol Products, LLC

Bob Casper, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for liquid carbon dioxide to be used in the water purification process - Ethanol Products, LLC, lowest responsible bidder of two - Not to exceed \$999,800 - Financing: Water Utilities Current Funds

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

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$999,800.00	100.00%
TOTAL CONTRACT	\$999,800.00	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%

June 22, 2016

WHEREAS, on September 12, 2012, City Council authorized a three-year master agreement for liquid carbon dioxide to be used in the water purification process by Resolution No. 12-2236;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of liquid carbon dioxide to be used in the water purification process is authorized with Ethanol Products, LLC (VS88141) for a term of three years in an amount not to exceed \$999,800.00.

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

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$999,800.00 from Master Agreement number BW1610.

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 # 13

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2, 3, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 L 45 P 53 B & 45 J

SUBJECT

Authorize the nomination of Greyhound Lines, Inc. located at 350 North St. Paul Street, Dallas, TX 75201, 205 South Lamar Street, Dallas, TX 75202, 627 North Westmoreland Road, Dallas, TX 75211 and 315 Continental Avenue, Dallas, TX 75207, to receive designation as an Enterprise Zone Project under the Texas Enterprise Zone Act, as amended, (Government Code, Chapter 2303) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas has been approached by Greyhound Lines, Inc. ("Greyhound") to nominate by resolution, its application for an Enterprise Zone Project designation to the Economic Development Bank, part of the Governor's Office of Economic Development and Tourism. The 5-year designation will allow for a rebate of state sales and use tax refunds on qualified expenditures of up to \$2,500 per job created or retained. This project has no cost consideration to the City of Dallas.

Greyhound's corporate headquarters, located at 350 North St. Paul Street in Downtown Dallas, serves as the operational hub of the company and houses various terminal and service support departments such as accounting and finance, scheduling, information technology, human resources, customer service, and project management. The three additional participating locations, located within 6 miles of the headquarters operation, are two local Passenger Terminals at 205 South Lamar Street and 627 N. Westmoreland Road as well as the company's Repair and Service Garage at 315 Continental Avenue. Greyhound currently employs 591 employees in Dallas and commits to retain its current level of employment.

BACKGROUND (Continued)

Greyhound, which celebrated its 100th anniversary last year, intends to invest up to \$287 million to improve operations in the areas of information technology, transportation and facilities. At Greyhound's headquarters, the company anticipates nearly \$43 million of information technology investments over the next 5 years. Furthermore, Greyhound will be investing \$244 million for new busses as well as refurbishing its existing 1,900 bus fleet. Approximately \$500,000 will be expended on facility renovations.

The Texas Enterprise Zone Program is an economic development tool for local communities to partner with the State of Texas to promote job creation and significant private investment that will assist economically distressed areas of the state. Approved projects are eligible to apply for state sales and use tax refunds on qualified expenditures. The level and amount of refund is related to the capital investment and jobs created at the qualified business site. The Enterprise Zone Program is administered through the Office of the Governor, Economic Development Bank.

Projects may be physically located in or outside of an Enterprise Zone and qualify for the program. If located within an Enterprise Zone, the company must commit that at least 25 percent of their new employees will meet economically disadvantaged or enterprise zone residence requirements. If located outside of a zone, the company must commit that at least 35 percent of their new employees will meet economically disadvantaged or enterprise zone residency requirements. The primary site for this project, 350 North St. Paul Street, is not located within an Enterprise Zone.

This project conforms with the Public Private Program Guidelines and Criteria in that it involves an investment of over \$5 million.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on June 6, 2016.

FISCAL INFORMATION

No cost consideration to the City.

CORPORATE REPRESENTATIVE

Greyhound Lines, Inc.

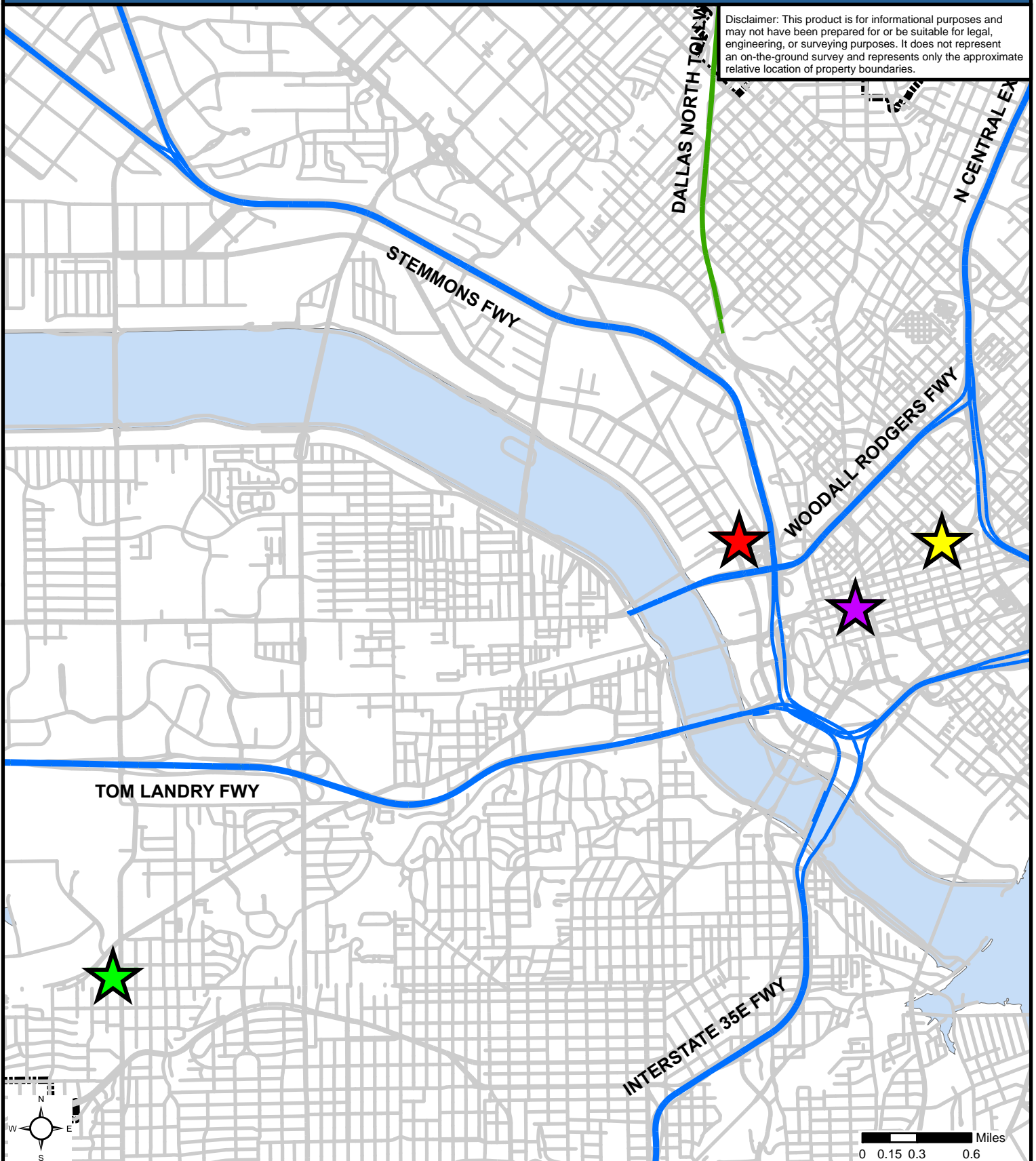
Brian Beechem, Assistant Secretary

MAP

Attached.

GREYHOUND LINES, INC.

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 02.19.16, Last Updated 02.22.16 - Greyhound Lines

Legend



315 Continental Ave.



627 N. Westmoreland Rd



Dallas City Limit



350 N. St. Paul St.



205 S. Lamar St.

Data Source: City of Dallas

June 22, 2016

WHEREAS, the Dallas City Council has previously passed Ordinance No. 29658 on February 25, 2015 electing to participate in the Texas Enterprise Zone Program; and

WHEREAS, the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. 29658; and

WHEREAS, the Office of the Governor Economic Development and Tourism (OOGEDT), through the Economic Development Bank (the "Bank"), will consider Greyhound Lines, Inc. as an enterprise zone project pursuant to a nomination and an application made by the City; and

WHEREAS, the City of Dallas ("City") desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones, economically disadvantaged individuals and veterans; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), Greyhound Lines, Inc. has applied to the City for designation as an enterprise zone project; and

WHEREAS, the City finds that Greyhound Lines, Inc. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act; and,

WHEREAS, the City finds that Greyhound Lines, Inc., meets the criteria for tax relief and other incentives adopted by the City; and

WHEREAS, the City finds that it is in the best interest of the City to nominate Greyhound Lines, Inc., as an enterprise project pursuant to the Act.

NOW, THEREFORE,

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

Section 1. That the recitals above are true and correct.

June 22, 2016

Section 2. That the City finds that Greyhound Lines, Inc., is a qualified business and meets the criteria for designation as an Enterprise Zone Project under Chapter 2303, Subchapter F of the Enterprise Zone Act on the following grounds:

- A. Greyhound Lines, Inc. is a “qualified business” under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located outside an enterprise zone in the governing body’s jurisdiction, and at least thirty-five percent (35%) of the business’ new employees will be residents of an enterprise zone, economically disadvantaged individuals or veterans; and
- B. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
- C. The designation of Greyhound Lines, Inc. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

Section 3. That the City finds that Greyhound Lines, Inc., meets the criteria for incentives adopted by the City and nominates Greyhound Lines, Inc. for Enterprise Zone project status on the grounds that it will create or retain a higher level of employment and create economic activity and stability.

Section 4. That the designation of Greyhound Lines, Inc., will contribute significantly to the achievement of the plans of the City for development and revitalization.

Section 5. That the City finds that it is in the best interest of the City to nominate Greyhound Lines, Inc. as an Enterprise Project pursuant to the Act, and hereby authorizes the Office of Economic Development to prepare and submit an application to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for designation of Greyhound Lines, Inc., as an enterprise project.

Section 6. That the enterprise project shall take effect on the date of designation of the Enterprise Project by the Office of the Governor, Economic Development and Tourism through the Economic Development Bank and terminate 5 years after date of designation.

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

AGENDA ITEM # 14

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize the re-adoption of the City's current Public/Private Partnership Program Guidelines and Criteria to extend the Program from June 25, 2016 through December 31, 2016, unless new Guidelines to the Public/Private Partnership Program are adopted before such date pursuant to the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A., Tax Code Chapter 312) and other incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City

BACKGROUND

The Property Redevelopment and Tax Abatement ACT (V.T.C.A., Tax Code, Chapter 312) requires that any city desiring to enter into tax abatement agreements as an incentive to foster private investment must first establish guidelines and criteria governing tax abatement agreements and must pass a resolution stating that it elects to be eligible to participate in a tax abatement agreement. Pursuant to Chapter 312, the guidelines and criteria governing tax abatement agreements are effective for a period of two years. On October 11, 1989, with Resolution No. 89-3264, the City elected to become eligible to provide tax abatement and adopted its initial Public/Private Partnership Program Guidelines & Criteria (Guidelines) for tax abatement agreements and other business incentives. The Dallas City Council subsequently approved the current City of Dallas Public/Private Partnership Guideline and Criteria, Exhibit A (attached to the resolution), on June 25, 2014, with Resolution No. 14-0993 that governs the City's utilization of tax abatements pursuant to Chapter 312 as well as economic development grants pursuant to Chapter 380 of the Local Government Code. The Guidelines will expire as of June 25, 2016.

BACKGROUND (Continued)

The City intends to amend the current policy to strategically align the program with newly developing housing policy initiatives, ensure consistency with affordable/mixed income guidelines, and consider new minimum eligibility criteria among other matters that will result in an enhanced program furthering the City's desire for balanced economic growth. Until new Program Guidelines and Criteria are finalized for consideration by the City Council, staff requests the City Council to re-adopt the current policy for the period from June 25, 2016 to December 31, 2016 unless new Guidelines to the Public/Private Partnership Program are adopted before such date. This action allows the City to remain eligible under State law to participate in tax abatement agreements and other economic development grant programs established through the Public/Private Partnership Program Guidelines and Criteria.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, pursuant to Resolution No. 14-0993, the City Council authorized the adoption of the existing Guidelines & Criteria for the Public/Private Partnership Program governing the provision of tax abatement and other economic incentives.

On April 4, 2016, the Economic Development Committee was briefed on the Guidelines and Criteria governing the provision of tax abatement and other economic incentives for the Public/Private Partnership Program.

Information about this item will be provided to the City Council on June 10, 2016.

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

No cost consideration to the City.

June 22, 2016

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

WHEREAS, there is a need for general policy guidelines to coordinate various City incentive programs to assure judicious use of economic development resources in order to safeguard the financial position of the City; and

WHEREAS, the City desires to strategically align the Public/Private Partnership Program Guidelines & Criteria with newly developing housing policy initiatives, ensure consistency with affordable/mixed income guidelines, and consider new minimum eligibility criteria among other matters that will result in an enhanced program furthering the City's desire for balanced economic growth; and

WHEREAS, the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A., Tax Code, Chapter 312), requires any taxing jurisdiction wishing to enter into tax abatement agreements to establish guidelines and criteria governing tax abatement agreements which are effective for two years unless amended by a vote of three-fourths of the members of the City Council; and

WHEREAS, on June 25, 2014, pursuant to Resolution No. 14-0993, the City Council authorized the adoption of the City of Dallas' Public/Private Partnership Program Guidelines & Criteria governing tax abatement agreements and other economic development incentives including programs for grants and loans; and

WHEREAS, it is in the best interest of the City of Dallas to adopt Guidelines & Criteria for the Public/Private Partnership Program in order to make use of available economic development incentives for the promotion of new businesses, the retention and expansion of existing businesses, enhancement of the tax base, and the creation and retention of job opportunities for Dallas citizens; and

WHEREAS, the City of Dallas' Public/Private Partnership Program Guidelines & Criteria shall not be construed as implying or suggesting that the City of Dallas is under obligation to provide tax abatement or other incentive to any applicant, and all applicants shall be considered on a case-by-case basis; and

WHEREAS, the City's Public/Private Partnership Program Guidelines & Criteria established by Resolution No. 14-0993 is effective for two years from the date adopted by the City Council.

NOW, THEREFORE,

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

June 22, 2016

Section 1. That the City of Dallas does hereby elect to continue its participation in tax abatement as authorized by the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A., Tax Code, Chapter 312).

Section 2. That the documents attached hereto and made a part of this resolution entitled “Public/Private Partnership Program Summary” and “Public/Private Partnership Program Guidelines and Criteria”, **Exhibit A**, are hereby adopted as Guidelines and Criteria for governing abatement agreements, as specified in the Property Redevelopment and Tax Abatement Act, as well as for other City of Dallas economic development programs until December 31, 2016 or unless new Guidelines and Criteria are adopted by that date by the City Council.

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.

City of Dallas Public/Private Programs

It is the purpose of the following programs to provide assistance only for projects where such assistance is necessary to stimulate private investment. Accordingly, these programs are available when agreements between the City and private parties that are not tax-exempt are approved by City Council prior to private investment occurring. Projects seeking economic incentives must provide written assurance that 'but for' the incentives sought, the proposed project would be substantially altered such that the project would not otherwise occur in the city or the economic returns to the city would be reduced. Projects occurring in Southern Dallas are provided special consideration.

The information contained herein shall not be construed as implying or suggesting that the City of Dallas is offering or is under any obligation to provide tax abatement or other incentives to any applicant, and all applicants shall be considered on a case-by-case basis. Pawnshops, sexually oriented businesses, bars, truck stops, and truck dealerships are excluded from consideration for incentives provided under this program.

Eligibility Requirements

Each geographic area of the City has a minimum requirement in order to be considered for incentives:

- **Southern Dallas:** Projects must create/retain 25 jobs or provide \$1 million of investment;
- **Northern Dallas and Central Business District:** Projects must create/retain 100 jobs or provide \$5 million of investment; and
- **Non-Conforming Projects:** Projects will be considered on a case-by-case basis.

Tax Abatement

Temporary abatement of either real estate or personal property taxes. Recipient firms must meet primary considerations of capital improvements and job creation/retention. City staff may consider secondary considerations such as Dallas resident employment, efforts to exceed minimum environmental regulations, wage rates, community activities, target industry projects, and M/WBE participation when negotiating this incentive. A firm's tax abatement percentage will be reduced by 25 percent for any single year of the tax abatement term in which secondary considerations included in the agreement are not met unless an alternative method is prescribed by City Council in a project specific resolution. Real property tax abatement is not available in TIF Districts. In limited cases, projects may be considered for a combination of both real and personal property tax abatement when the combined amount does not exceed 90 percent of the City taxes on total new improvement value. All tax abatements must begin by January 1 of the second calendar year following City Council authorization.

Abatement Benefits

- **Southern Dallas:** Real property tax abatement up to 90 percent for 10 years and/or a business personal property tax abatement of up to 50 percent for five years;
- **North Dallas:** Real property tax abatement up to 50 percent for 10 years and/or a business personal property tax abatement of up to 50 percent for five years;

INCENTIVES NEGOTIATED OR PROPOSED BY CITY STAFF ARE SUBJECT TO SPECIFIC FEDERAL, STATE AND LOCAL GUIDELINES, FUNDING AVAILABILITY AND CITY COUNCIL APPROVAL. DEPENDING ON THE INCENTIVE, THERE MAY BE ADDITIONAL RESTRICTIONS BASED ON GEOGRAPHY, PROJECT SIZE AND OTHER FACTORS.

- **Central Business District:** Business personal property tax abatement of up to 75 percent for five years and/or for non-TIF District sites real property tax abatement of up to 90 percent for 10 years; and
- **Non-Conforming Projects:** Projects will be considered on a case-by-case basis.

Business Development Chapter 380 Grant/Loan Program

Companies considering a relocation/expansion or new commercial development may be eligible for a grant in lieu of tax abatement or to defray project costs such as: land purchase, building costs, public infrastructure costs, development fees, right of way abandonment fees, loan guarantees, training costs, relocation costs, property and sales taxes, etc. Grants will be considered on a case-by-case basis and are subject to funding limitations and investment/job eligibility requirements. Companies operating e-commerce facilities may be considered for grants equal to a portion of sales tax revenue the company's e-commerce operation generates for the City. Companies will be required to meet eligibility requirements of the Public/Private Partnership Program. Pursuant to this program the City may administer and accept resources from other political subdivision of the state to support this program, and may administer and accept resources from the Federal government to support developments.

Economic Development GO Bond Program for Southern Dallas

General Obligation Bond funding may be used as described in this paragraph for private commercial, industrial, retail, residential, and mixed-use development in the Southern area of the city that promotes economic development. Funding may be provided as a catalyst to promote private economic development and may be used for planning, designing, extending, constructing and acquiring land for public streets, utilities and other related infrastructure facilities or uses consistent with this purpose.

Private developments may be eligible for economic development grants and loans pursuant to Chapter 380 of the Texas Local Government Code. Grants and loans will be considered for infrastructure improvements and/or land acquisition consistent with the scope of funding and other uses described above. Grants or loans will be considered on a case-by-case basis subject to funding limitations and development agreements approved by City Council, which agreements will contain appropriate conditions, safeguards and benchmarks to ensure that the public purpose of economic development will be carried out.

Funding in support of mixed-use or residential development, including the acquisition of improved and unimproved properties and for the cost of demolition of existing structures for such projects, is considered a non-conforming project and will require that a minimum of 20% of the residential units in the development meet affordable housing or mixed-income housing requirements for the location.

Local Government Corporation (LGC) Chapter 380 Grant Program

The City of Dallas will consider making grants from its general fund to a LGC, subject to annual appropriation of funds and the approval of the Dallas City Council. These funds will be restricted to the payment of project costs, including the payment of debt service on any bonds issued by the LGC to

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finance project costs, and the funding of any necessary reserve fund or capitalized interest accounts and the payment of the cost of issuance of bonds.

City of Dallas Regional Center - EB-5

The City of Dallas Regional Center (CDRC) is dedicated to assisting individuals and their families through the EB-5 immigration process via investment into businesses and development projects located within the Dallas city limits. The CDRC offers a variety of investments to foreign investors that meet or exceed requirements and offer investors features unique to the EB-5 community. Minimum foreign investment is \$500,000 in Targeted Employment Areas or \$1M in other areas. All opportunities supported by the CDRC must provide 10 full-time jobs (directly or indirectly) per investor.

New Markets Tax Credits

The City of Dallas participates in the New Market Tax Credit Program (NMTC), a federal program operated by the Department of Treasury that provides opportunities for new development in traditionally underserved areas. The program provides NMTC investors with a 39% federal tax credit payable over seven years. These investments are partnered with additional funds for businesses and real estate development in Low Income Neighborhoods.

Target Industry Projects

Target Industry projects are provided special consideration for economic incentives and are generally defined as follows: Brownfields or recycling, information technology, building materials and furnishings, company headquarters, logistics, telecommunications, transportation manufacturing and assembly, film/ television/media, advanced instruments and food processing/distribution. Due to the temporary nature of film/television production, projects in this industry are not required to meet minimum job or investment eligibility established for the Public/Private Partnership Program. Rather, these projects are considered on a case-by-case basis with consideration given to the positive economic returns projects bring to the City. Target Industry projects must be confirmed in advance by the City in order to receive consideration under this designation.

Non-Conforming Projects

Non-Conforming projects are considered on a case-by-case basis for high impact projects, unique developments, and competitive situations where projects may receive competing offers of incentives. These projects require a simple majority vote of City Council in Southern Dallas and a 3/4 vote of City Council in the CBD and in Northern Dallas. High Impact Project - Projects creating/retaining a minimum of 500 jobs with substantial capital investment. In addition, this status may be granted to major projects by Fortune 500, Manufacturers 400, or Global 500 listed firms. A mixed-use or residential development considered for support as a non-conforming project requires special circumstances and must ensure that a minimum of 20% of the residential units in the development meet affordable housing or mixed-income housing requirements for the location.

Competitive and Retention Projects

In special cases, companies receiving competing offers of incentives or those currently located in the city of Dallas considering a relocation/expansion are eligible to apply for financial incentives with

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negotiable terms. Existing firms must expand job base by 25 percent to be eligible for consideration. Incentives may be offered in specific cases to 'match other offers.' Companies may be required to demonstrate competing cities, offers, land/lease costs, taxes at current rates, utility rates, relocation costs, other significant costs and 'gap' to be filled, etc.

Other Sources of Financial Assistance

Tax Increment Districts

Special districts funding public improvements (not services) with increased tax revenues resulting from new private development. Tax rates are the same as elsewhere in the City and no added cost to private parties is incurred.

Public Improvement Districts

Special districts created by petition to privately fund public improvements or special supplemental services over and above those provided by City, when such services are supportive of related City investments in capital improvements.

Foreign Trade Zone

Allows duty-free importing of foreign-made components into the Zone, where they may be assembled, manufactured, processed or packaged. Duties are charged only when products are subsequently distributed into the U.S. market - if they are shipped to international markets, no duty is levied.

State Incentives

The City of Dallas will facilitate applications for assistance from State programs including Enterprise Zone Projects, Texas Enterprise Fund, and the Texas Emerging Technology Fund.

Contact Us

To obtain more detail on these programs, or to inquire regarding other assistance, contact: Office of Economic Development, Dallas City Hall, Room 5CS, Dallas, Texas 75201, Phone: (214) 670-1685, Fax: (214) 670-0158, www.dallas-ecodev.com

Approved on 12.10.14 pursuant to Res. No. 14-2205

INCENTIVES NEGOTIATED OR PROPOSED BY CITY STAFF ARE SUBJECT TO SPECIFIC FEDERAL, STATE AND LOCAL GUIDELINES, FUNDING AVAILABILITY AND CITY COUNCIL APPROVAL. DEPENDING ON THE INCENTIVE, THERE MAY BE ADDITIONAL RESTRICTIONS BASED ON GEOGRAPHY, PROJECT SIZE AND OTHER FACTORS.

AGENDA ITEM # 15

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development
Business Development & Procurement Services

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

MAPSCO: N/A

SUBJECT

Authorize **(1)** a service contract for the design and implementation of a website and digital content strategy for the Office of Economic Development to replace the existing website in the amount of \$77,246; and **(2)** a five-year service contract for hosting, maintenance and support in the amount of \$28,000 with Icon Enterprises, Inc. dba CivicPlus, most advantageous proposer of eleven - Total not to exceed \$105,246 - Financing: Public/Private Partnership Funds

BACKGROUND

This five service year contract will provide web design services, hosting and support, and content strategy for the Office of Economic Development (OED) to replace its existing website and recommend and implement changes to its external communications program.

OED's website (<http://www.dallas-ecodev.org>) is the primary gateway for businesses, investors, entrepreneurs and citizens as they seek information on the city's economic climate and research public-private partnership opportunities. The current site includes testimonials, news, small business guides, demographic and economic measures, and detailed information on the department's incentive programs, partners and services. OED also maintains a digital communications suite via social media (Facebook, Twitter, LinkedIn) and e-mail newsletters.

The current site was redesigned most recently in 2010, and the contract with the designer for hosting and support will end this fall. The current site no longer meets the needs of staff and clients, including a lack of mobile device responsiveness, antiquated site organization, and old technology. The new site will bring a fresh web presence for OED, new features to better serve clients, and a new digital communications strategy which will play an integral role in proactive recruitment, retention, and expansion of business and real estate within the City of Dallas.

BACKGROUND (Continued)

The Dallas Film Commission and Dallas B.R.A.I.N. website are separate from the main OED website and are not included in this contract. The International Inland Port of Dallas website will be consolidated with the main OED site as part of this contract.

The City issued a Request for Competitive Sealed Proposals (RFCSP) for new website on February 24, 2016 and closed on March 10, 2016. The RFCSP sought proposals that would greatly simplify discoverability and provide an optimal user interface and experience for its customers and Dallas citizens. A focused, compelling brand and a dynamic online presence will support OED's mission of attracting businesses and talent to (and within) the City of Dallas. Dallas OED wants to create a new site that is fresh, engaging and user-friendly.

The site will provide strategic and compelling data and information to site selectors, CEOs, business owners and key decision-makers who are considering business expansions or relocations. OED wants to increase key customer contacts, connectivity and business leads via intuitive contact information and forms. The project will also integrate the Office's Salesforce Customer Resource Management (CRM) platform with its website to collect leads and better interact with customers.

Icon Enterprises, Inc. dba CivicPlus was the most responsive proposer. They will complete the following major work items over the five year contract term: (1) a new content management strategy covering web, social media, and email communications; (2) a new website design and structure that fits with the strategy; (3) integration with the Salesforce CRM; and (4) hosting and support related to the above activities.

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

- Business Development and Procurement Services (1)*
- Economic Development (2)
- City Manager's Office (1)
- Sustainable Development and Construction (1)

*Business Development and Procurement Services only evaluated the cost.

The proposer's responses were evaluated based on the following criteria:

- Cost 30%
- Strategic Approach 25%
- Capability, Expertise & Experience 20%
- Functional Match and Technical Match 20%
- Training 5%

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,270 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.

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on June 6, 2016.

FISCAL INFORMATION

\$105,246 - Public/Private Partnership Funds

M/WBE INFORMATION

204 - Vendors contacted

204 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

1,270 - 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

Icon Enterprises, Inc. dba CivicPlus

White Male	85	White Female	81
Black Male	4	Black Female	0
Hispanic Male	2	Hispanic Female	0
Other Male	3	Other Female	8

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1613 and were opened on March 11, 2016. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Icon Enterprises, Inc. dba CivicPlus	302 S. 4 th Street Suite 500 Manhattan, KS 66502	86.48%	\$ 105,246.00
Civic Resource Group International, Inc.	915 Wilshire Boulevard Suite 1680 Los Angeles, CA 90017	86.13%	\$ 97,860.00
Atlas Advertising	929 Broadway Denver, CO 80203	84.38%	\$ 125,640.00
Golden Shovel Agency, LLC	43 E. Broadway Street Little Falls, NN 56345	84.26%	\$ 99,200.00
Imulos LLC. dba Axial	944 Pearl Street Boulder, CO 80302	78.20%	\$ 116,970.00
Diversified Technologies LLC dba DT Atlanta	440 Louisiana Street Suite 900 Houston, TX 77002	76.00%	\$ 88,500.00
Teneo Management Company, LLC Dba Lifeblue	610 Elm Street Suite 400 McKinney, TX 75069	74.06%	\$ 147,000.00
Zielinski Design Associates, Inc.	6301 Gaston Avenue Suite 820 Dallas, TX 75214	66.23%	\$ 108,450.00
The Old State, LLC	9007 San Benito Way Dallas, TX 75218	65.52%	\$ 151,500.00
Pavlov Advertising, LLC	707 W. Vickery Boulevard Suite 103 Fort Worth, TX 76104	60.45%	\$ 254,050.00

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
InSite Productions, LLC	4311 Oaklawn Avenue Suite 100 Dallas, TX 75219	55.37%	\$ 337,390.00

OWNER

Icon Enterprises, Inc. dba CivicPlus

Brian Rempe, President
Ward Morgan, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a service contract for the design and implementation of a website and digital content strategy for the Office of Economic Development to replace the existing website in the amount of \$77,246; and **(2)** a five-year service contract for hosting, maintenance and support in the amount of \$28,000 with Icon Enterprises, Inc. dba CivicPlus, most advantageous proposer of eleven - Total not to exceed \$105,246 - Financing: Public/Private Partnership Funds

Icon Enterprises, Inc. dba CivicPlus 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	\$105,246.00	100.00%
TOTAL CONTRACT	\$105,246.00	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%

June 22, 2016

WHEREAS, the Office of Economic Development is charged with growing the City's tax base and employment base through the attraction, expansion and retention of business activities and real estate development; and

WHEREAS, the Office of Economic Development website and digital presence is the portal for initiating staff interaction with new clients; and

WHEREAS, the current site is no longer meeting needs of modern Internet users; and

WHEREAS, the City desires to create an industry-leading digital presence; and

WHEREAS, the City desires a third-party developer and strategist to provide a new direction; and

WHEREAS, the City issued a Response for Competitive Sealed Proposals to seek a third-party web developer and content strategist; and

WHEREAS, Icon Enterprises Inc. dba CivicPlus was determined to be the most advantageous proposer of eleven respondents; and

WHEREAS, the City now desires to authorize the execution of a five-year service contract with Icon Enterprises, Inc. dba CivicPlus, for services relating to the development, hosting, support, and strategy for a new website and content strategy.

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute (1) a service contract for the design and implementation of a website and digital content strategy for the Office of Economic Development to replace the existing website in the amount of \$77,246.00; and (2) a five-year service contract for hosting, maintenance and support in the amount of \$28,000.00 with Icon Enterprises, Inc. dba CivicPlus (VS0000069417) in a total amount not to exceed \$105,246.00 , 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 Icon Enterprises, Inc. dba CivicPlus shall be based only on the amount of the services directed to be performed by the City and properly performed by Icon Enterprises, Inc. dba CivicPlus under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$28,000.00 from Service Contract number MASCD5V160001 from Fund 0352, Department ECO, Unit 9992, Object 3099, Activity PPPF.

June 22, 2016

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$77,246.00 from Service Contract number MASCDV160001 from Fund 0352, Department ECO, Unit 9992, Object 4735, Activity PPPF.

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 resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34Y

SUBJECT

Authorize an amendment to Resolution No. 14-1271, previously approved on August 13, 2014, which authorized a TIF development agreement with Texas InTownHomes, LLC, to extend deadlines to start construction, obtain building permits, meet the minimum investment requirements, obtain a certificate of occupancy, complete construction of the infrastructure improvements, complete construction of each phase of the project, and to execute an operating and maintenance agreement for the Cedar Branch Townhomes Project – Financing: No cost consideration to the City

BACKGROUND

On August 13, 2014, City Council authorized Resolution Nos. 14-1271 and 14-1272, authorizing a development agreement with Texas InTownHomes, LLC, to provide reimbursement: (a) for providing affordable for sale housing units in accordance with the Mixed-Income Housing Guidelines for the Single Family Homes Pilot Program in an amount not to exceed \$5,010,000; (b) for eligible infrastructure improvement costs associated with the Cedar Branch Townhomes Project in an amount not to exceed \$2,888,366; and (c) funding not to exceed \$3,450,000 for the affordable for sale townhomes as per the Mixed Income Housing Guidelines Pilot Program, which includes \$150,000 per unit reimbursements to Texas InTownHomes, LLC upon sale to qualified buyers and the potential purchase of the affordable homes at \$280,000 per unit by the City, if Texas InTownHomes, LLC is unable to sell, in accordance with Resolution No. 14-1271.

Per Section 12 of Resolution No. 14-1271, the project was required to meet certain deadlines. The resolution allows for a six-month extension for project deadlines upon recommendation of the Southwestern Medical TIF District Board of Directors and approval by the Director of the Office of Economic Development (the ("Director")). Texas InTownHomes, LLC submitted an initial request for a six-month extension for all project deadlines due to delays in receiving building permits. This delay was approved on December 16, 2015 by the Southwestern Medical District TIF District Board of Directors, approved by the Office of Economic Development Director, and extended all deadlines associated with the project by six-months.

BACKGROUND (Continued)

In the permit process, it was determined that the project would require reopening of the project's zoning process in order to account for the reduction in paving for Hawthorne Avenue and Bengal Street, per the approved conceptual plans. The property owner requested a zoning change to bring the approved conceptual plan in compliance. This request was recommended for approval by the City Plan Commission and was approved by the City Council in May 2016. This requirement caused a delay in start of construction deadlines to Mid-2016.

Based on the timing of the zoning change process and the required community meetings, the developer is now requesting an additional twelve-month extension of all contractual dates in the resolution. The Southwestern Medical TIF District Board of Directors supports this request. The project represents the first TIF funded affordable for sale housing development.

ESTIMATED PROJECT SCHEDULE

Begin Project	June 2017
Complete Project	June 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 27, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Ten (the "Southwestern Medical TIF District"), City of Dallas, Texas (hereinafter referred to as the "Zone") and established a Board of Directors for the Zone to promote development or redevelopment in the Zone pursuant to Ordinance No. 25965, in accordance with the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, V.T.C.A. (the "Act"); as amended.

On January 11, 2006, City Council authorized the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan pursuant to Ordinance No. 26205; as amended.

On August 13, 2014, City Council authorized a development agreement with Texas InTownHomes, LLC, to provide reimbursement: (a) for providing affordable for sale housing units in accordance with the Mixed-Income Housing Guidelines for the Single Family Homes Pilot Program in an amount not to exceed \$5,010,000; (b) for eligible infrastructure improvement costs associated with the Cedar Branch Townhomes Project in an amount not to exceed \$2,888,366; and (c) funding not to exceed \$3,450,000 for the affordable for sale townhomes as per the Mixed Income Housing Guidelines Pilot Program includes \$150,000 per unit reimbursements to Texas InTownHomes, LLC upon sale to the qualified buyers and the potential purchase of the affordable homes at \$280,000 per unit by the City, if Texas InTownHomes, LLC is unable to sell by Resolution No. 14-1271.

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

On August 13, 2014, City Council authorized a development agreement with Texas InTownHomes, LLC, to reimburse eligible project costs related to the land acquisition, bridge construction and other infrastructure improvements associated with the Cedar Branch Townhomes Project in an amount not to exceed \$7,898,366, Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District) - Not to exceed \$7,898,366 by Resolution Nos. 14-1271 and 14-1272.

On December 16, 2015, the Southwestern Medical TIF Board approved a six month deadline extension for all project deadlines pursuant to the provisions in Resolution No. 14-1271.

On May 20, 2016, the Southwestern Medical TIF Board voted to recommend further extend all project deadlines by twelve months.

Information about this item was provided to the Economic Development Committee on June 6, 2016.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

Texas InTownHomes, LLC

Frank Liu, Manager

DEVELOPER

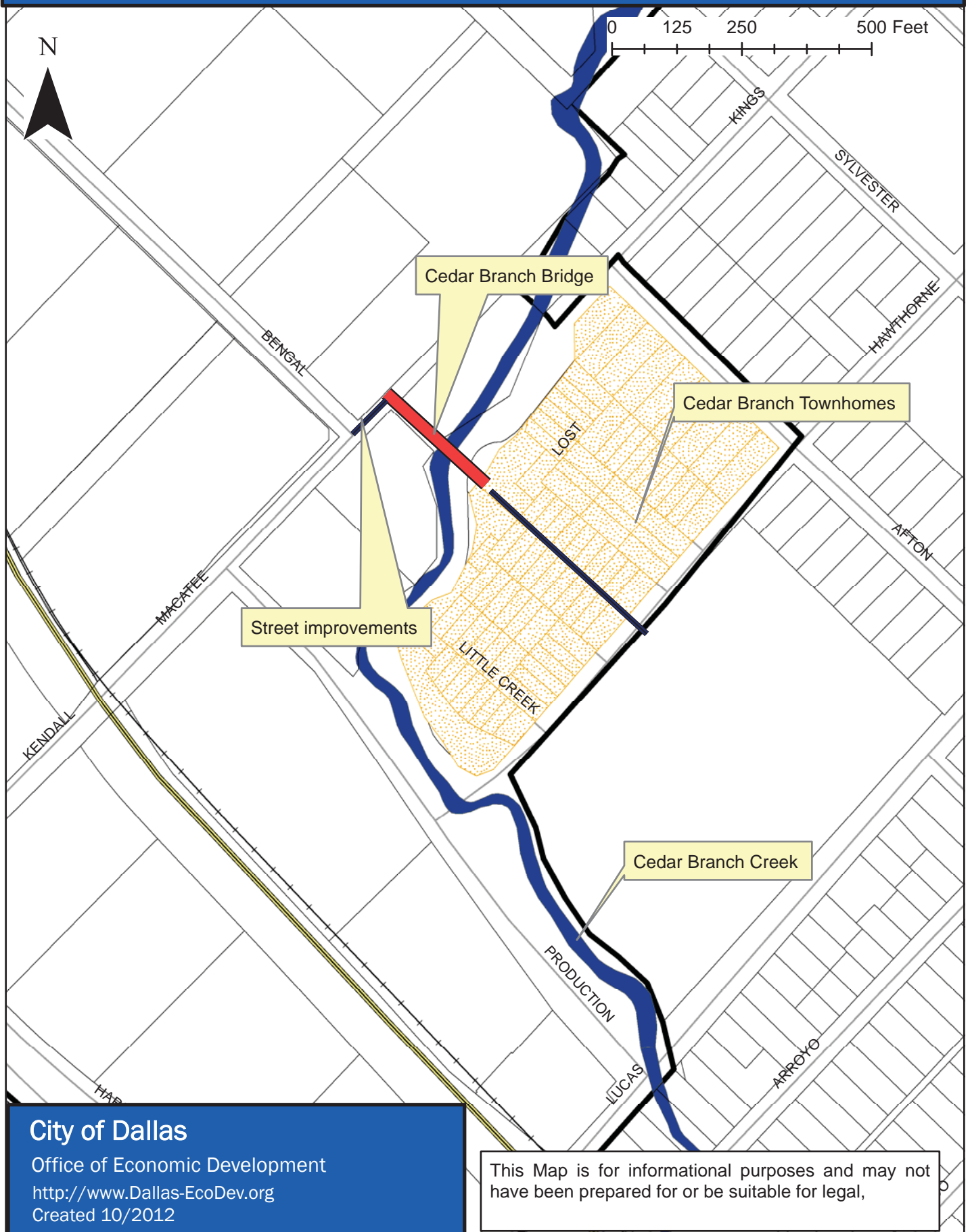
Texas InTownHomes, LLC

Frank Liu, Manager

MAP

Attached.

Cedar Branch Project Southwestern Medical TIF District



June 22, 2016

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

WHEREAS, on April 27, 2005, City Council authorized~~the~~ establishment of Tax Increment Financing Reinvestment Zone Number Ten (the “Southwestern Medical TIF District”), City of Dallas, Texas (hereinafter referred to as the “Zone”) and established a Board of Directors for the Zone to promote development or redevelopment in the Zone pursuant to Ordinance No. 25965, in accordance with the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, V.T.C.A. (the “Act”); as amended; and

WHEREAS, on January 11, 2006, City Council authorized the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan pursuant to Ordinance No. 26205, as amended; and

WHEREAS, on October 24, 2007, City Council authorized the establishment of the Southwestern Medical TIF District Grant Program by Resolution No. 07-3150, as amended; and

WHEREAS, on December 10, 2008, City Council authorized an amendment to the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27433; and

WHEREAS, on August 26, 2009, City Council authorized an amendment to the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27704; and

WHEREAS, on June 4, 2014, the Southwestern Medical TIF District Board of Directors reviewed the proposed Cedar Branch Townhomes Project and recommended City Council authorize a development agreement with Texas InTownHomes LLC, and the use of Southwestern Medical TIF District funds in an amount not to exceed \$7,898,366 (**Exhibit A – location map**); and

WHEREAS, the creation of additional residential and retail development in the core of the Southwestern Medical TIF District is necessary for the future growth and expansion of residential and commercial activity within the City of Dallas; and

WHEREAS, the use of economic development incentives is a necessary tool in attracting a catalyst development to the Southwestern Medical TIF District; and

June 22, 2016

WHEREAS, in furtherance of the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan and to promote within the Southwestern Medical 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 provide economic incentives and an economic development grant to the Owner for the construction of a connectivity bridge for promoting walkable neighborhood near the Production Drive and Hawthorne Avenue in the Southwestern Medical TIF District as described in **Exhibit B and B1 - Conceptual Elevation**.

WHEREAS, the Southwestern Medical TIF Board approved a six month deadline extension for all project deadlines pursuant to Sections 12 and 14 of Resolution No. 14-1271; and

WHEREAS, on May 20, 2016, the Southwestern Medical TIF District Board of Directors reviewed the current status of the Project and recommended an additional extension of project deadlines for twelve months.

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 12 of Resolution No. 14-1271 as follows:

- I. Begin construction by ~~December 31, 2015~~ June 30, 2017;
- II. Build a minimum of 100 townhomes with a minimum 200,000 square feet for residential use in two phases by the end of ~~December 31, 2019~~ June 30, 2021;
- VI. Invest a minimum of \$25,000,000 for property acquisition cost (entire site) and hard and soft costs related to the construction of Cedar Branch Townhomes by ~~December 31, 2019~~ June 30, 2021;
- VII. Complete Phase I by ~~December 31, 2017~~ June 30, 2019 and Phase II by ~~December 31, 2019~~ June 30, 2021;
- IX. Complete the infrastructure improvements associated with the Cedar Branch Townhomes Project and obtain a final certificate of acceptance for 50 townhomes by the Department of Public Works by ~~December 31, 2017~~ June 30, 2019; and
- X. Execute an operating and maintenance agreement for the public infrastructure improvements associated with the project by ~~December 31, 2017~~ June 30, 2019, for a period of 20 years (~~2017—2037~~ 2019-2039).

June 22, 2016

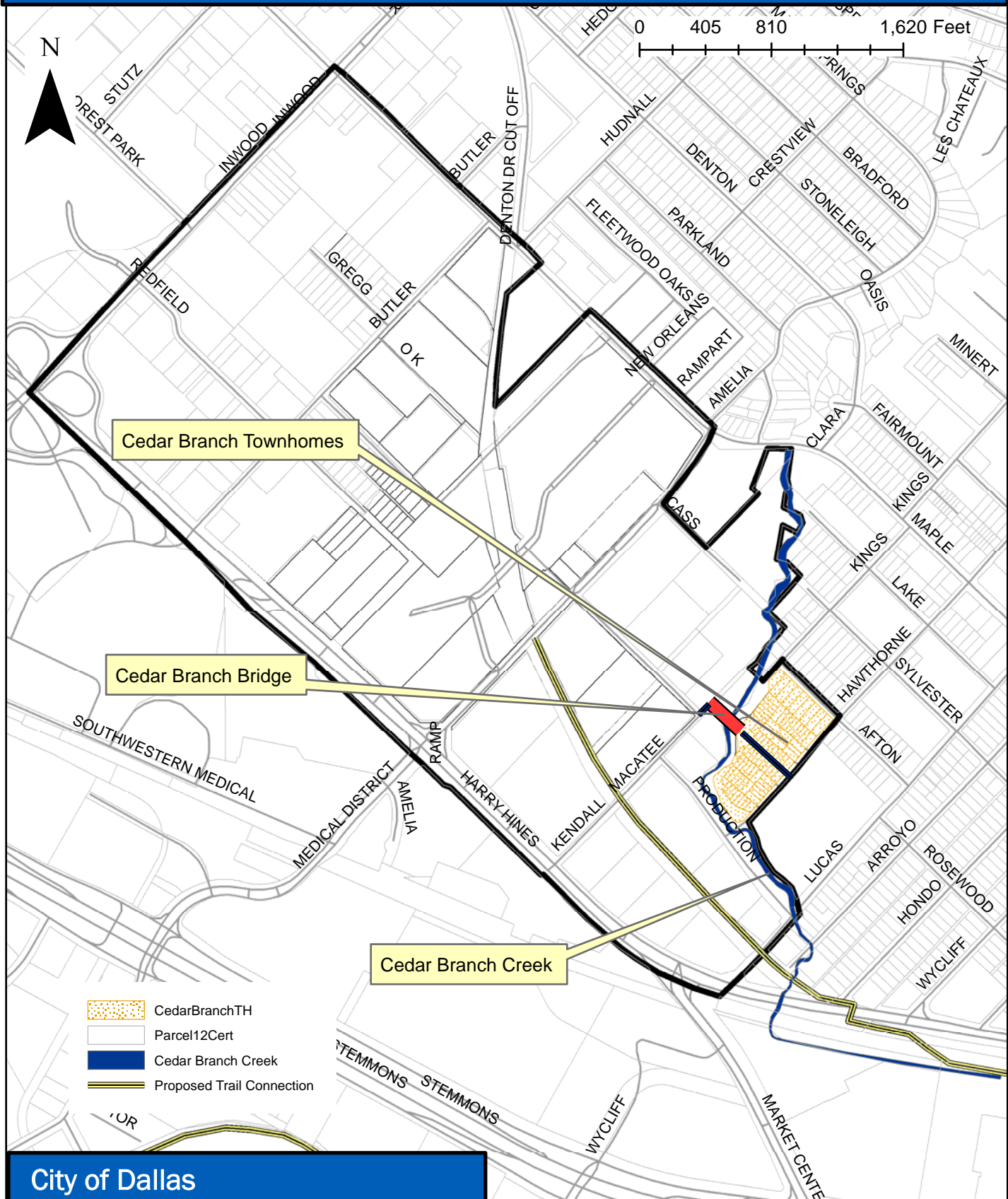
Section 2. That with the exception of the section above, all other requirements of Resolution Nos. 14-1271 and 14-1272 will remain in full force and effect.

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

Cedar Branch Townhomes Project

Southwestern Medical TIF District



City of Dallas
Office of Economic Development
<http://www.Dallas-EcoDev.org>
Created 6/2014

City of Dallas
Office of Economic Development
<http://www.Dallas-EcoDev.org>
Created 6/2014

This Map is for informational purposes and may not have been prepared for or be suitable for legal,

Exhibit B1

Cedar Branch Project Landscape Plan



AGENDA ITEM # 17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34Y

SUBJECT

Authorize an amendment to Resolution No. 14-1273, previously approved on August 13, 2014, which authorized a TIF development agreement with Texas InTownHomes, LLC, to extend the complete construction deadline and the associated public improvements from June 30, 2020 to June 30, 2021 for the Cedar Branch Bridge Project - Financing: No cost consideration to the City

BACKGROUND

On August 13, 2014, City Council approved Resolution Nos. 14-1273 and 14-1274, authorizing a development agreement with Texas InTownHomes, LLC, to provide reimbursement for eligible project costs related to the land acquisition, bridge construction and other infrastructure improvements associated with the Cedar Branch Bridge Project in an amount not to exceed \$826,500. Per Section 6 of Resolution No. 14-1273, the project was required to complete construction of the bridge and its associated public improvements by December 31, 2019.

Resolution No. 14-1273 allows for a six-month extension upon recommendation of the Southwestern Medical TIF District Board of Directors and approval by the Director of the Office of Economic Development (the "Director"). Texas InTownHomes, LLC submitted a request for a six-month extension for all project deadlines due to delays in acquiring the necessary parcel of land required to start construction of the bridge. The extension was approved on December 16, 2015 by the Southwestern Medical TIF District Board of Directors, approved by the Office of Economic Development Director, and extended the deadlines to complete construction of the bridge and its associated public improvements to June 30, 2020. The property acquisition process has already begun and is on-going.

The Cedar Branch Bridge provides greater connectivity to the neighborhood from the south to the major employment center, the Southwestern Medical District (UT Southwest, Parkland and Children's Medical Center) and also to the Parkland DART light rail station.

BACKGROUND (Continued)

Based on the timing of the zoning change process and required community meetings, the developer is requesting a twelve-month extension of all contractual dates in the resolution. The Southwestern Medical TIF District Board of Directors supports this request.

ESTIMATED PROJECT SCHEDULE

Initiated acquisition process	December 2014
Complete Construction	June 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 27, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Ten (the "Southwestern Medical TIF District"), City of Dallas, Texas (hereinafter referred to as the "Zone") and established a Board of Directors for the Zone to promote development or redevelopment in the Zone pursuant to Ordinance No. 25965, in accordance with the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, V.T.C.A. (the "Act"); as amended.

On January 11, 2006, City Council authorized the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan pursuant to Ordinance No. 26205, as amended.

On October 24, 2007, City Council authorized the establishment of the Southwestern Medical TIF District Grant Program by Resolution No. 07-3150.

On December 10, 2008, City Council authorized an amendment to the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27433.

On August 26, 2009, City Council authorized an amendment to the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27704.

On August 13, 2014, City Council authorized a development agreement with Texas InTownHomes, LLC, to reimburse eligible project costs related to the land acquisition, bridge construction and other infrastructure improvements associated with the Cedar Branch Bridge Project in an amount not to exceed \$826,500, Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District) - Not to exceed \$826,500 by Resolution Nos. 14-1273 and 14-1274.

On December 16, 2015, the Southwestern Medical TIF Board approved a six month deadline extension for all project deadlines pursuant to a provision in the development agreement.

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

On May 20, 2016, the Southwestern Medical TIF Board voted to recommend further extend all project deadlines by twelve months.

Information about this item was provided to the Economic Development Committee on June 6, 2016.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

Texas InTownHomes, LLC

Frank Liu, Manager

DEVELOPER

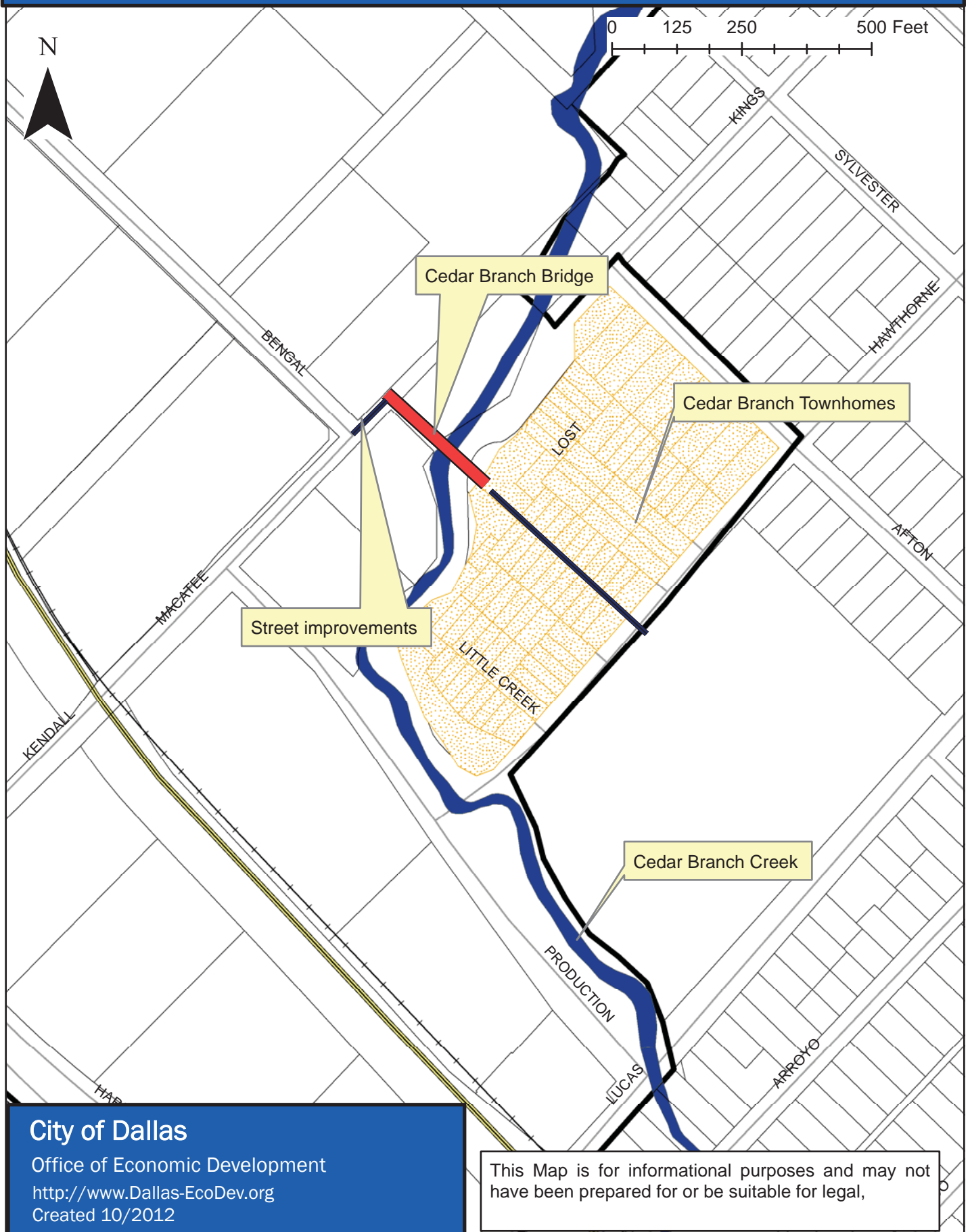
Texas InTownHomes, LLC

Frank Liu, Manager

MAP

Attached.

Cedar Branch Project Southwestern Medical TIF District



City of Dallas

Office of Economic Development
<http://www.Dallas-EcoDev.org>
Created 10/2012

This Map is for informational purposes and may not have been prepared for or be suitable for legal,

June 22, 2016

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

WHEREAS, on April 27, 2005, City Council the establishment of Tax Increment Financing Reinvestment Zone Number Ten (the “Southwestern Medical TIF District”), City of Dallas, Texas (hereinafter referred to as the “Zone”) and established a Board of Directors for the Zone to promote development or redevelopment in the Zone pursuant to Ordinance No. 25965, in accordance with the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, V.T.C.A. (the “Act”); as amended; and

WHEREAS, on January 11, 2006, City Council authorized the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan pursuant to Ordinance No. 26205, as amended; and

WHEREAS, on October 24, 2007, City Council authorized the establishment of the Southwestern Medical TIF District Grant Program by Resolution No. 07-3150, as amended; and

WHEREAS, on December 10, 2008, City Council authorized an amendment to the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27433; and

WHEREAS, on August 26, 2009, City Council authorized an amendment to the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27704; and

WHEREAS, on June 4, 2014, the Southwestern Medical TIF District Board of Directors reviewed the proposed Cedar Branch Townhomes Project and recommended City Council authorize a development agreement with Texas InTownHomes LLC, and the use of Southwestern Medical TIF District funds in an amount not to exceed \$826,500 (**Exhibit A – location map**); and

WHEREAS, the creation of additional residential and retail development in the core of the Southwestern Medical TIF District is necessary for the future growth and expansion of residential and commercial activity within the City of Dallas; and

WHEREAS, the use of economic development incentives is a necessary tool in attracting a catalyst development to the Southwestern Medical TIF District; and

June 22, 2016

WHEREAS, in furtherance of the Southwestern Medical TIF District Project Plan and Reinvestment Zone Financing Plan and to promote within the Southwestern Medical 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 provide economic incentives and an economic development grant to the Owner for the construction of a connectivity bridge for promoting walkable neighborhood near the Production Drive and Hawthorne Avenue in the Southwestern Medical TIF District as described in **Exhibit B and B1 - Conceptual Elevation**; and

WHEREAS, the Southwestern Medical TIF Board approved a six month deadline extension for all project deadlines pursuant to Section 6 of Resolution No. 14-1273; and

WHEREAS, on May 20, 2016, the Southwestern Medical TIF District Board of Directors reviewed the current status of the Project and recommended an additional extension of project deadlines for twelve months.

NOW, THEREFORE,

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

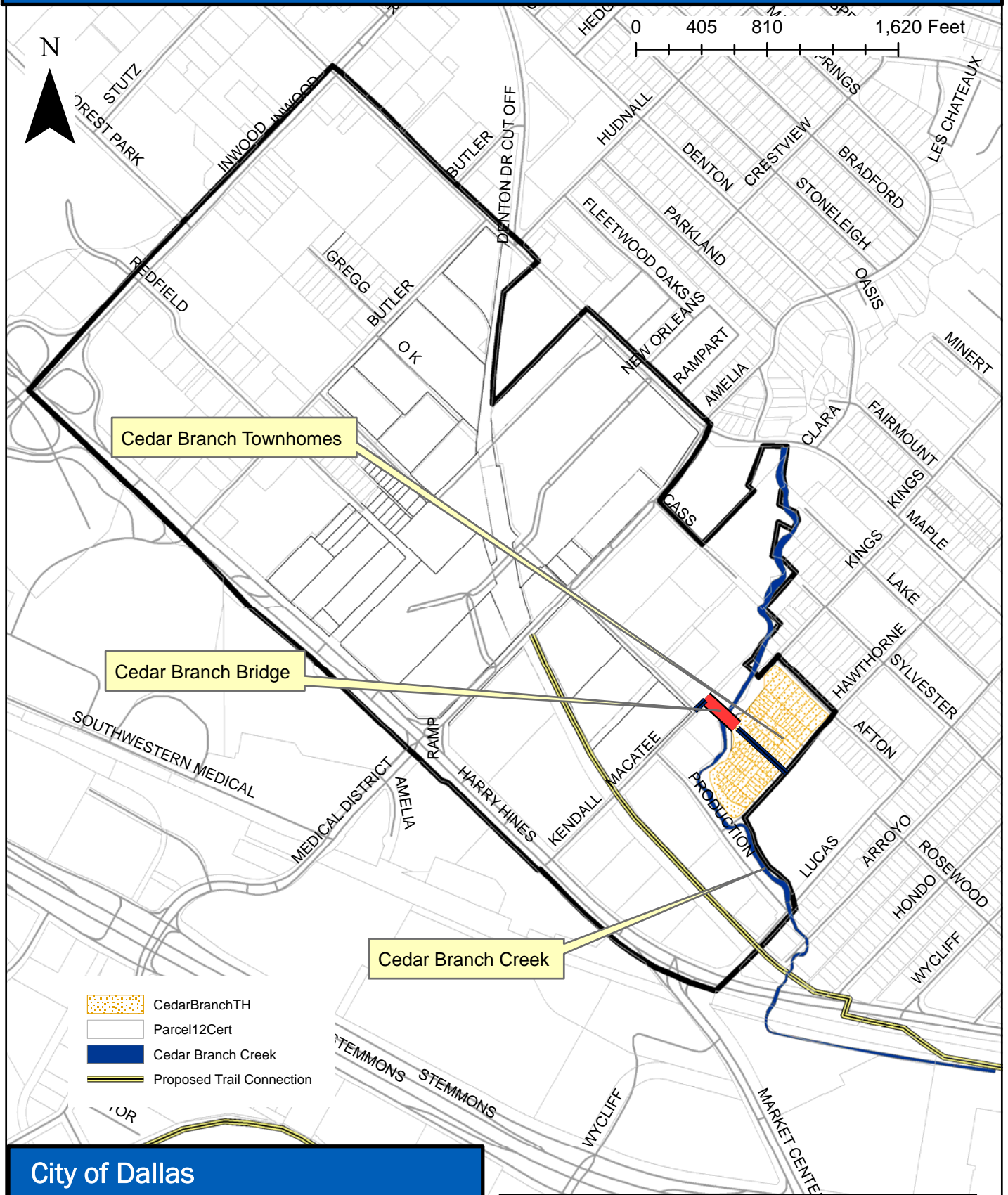
Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to amend Section 6, XI. of Resolution No. 14-1273 as follows:

XI. Complete construction of the bridge and its associated public improvements by ~~December 31, 2019~~ June 30, 2021; and

Section 2. That with the exception of the section above, all other requirements of Resolution Nos. 14-1273 and 14-1274 will remain in full force and effect.

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 Cedar Branch Bridge Project Southwestern Medical TIF District



City of Dallas

Office of Economic Development

<http://www.Dallas-EcoDev.org>

Created 6/2014

This Map is for informational purposes and may not have been prepared for or be suitable for legal,

Cedar Branch Project Site Plan with location of the Affordable Units



Exhibit B1

Cedar Branch Project Landscape Plan



AGENDA ITEM # 18

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45Q

SUBJECT

Authorize an amendment to Resolution No. 16-0530, previously approved on April 13, 2016, which approved a management agreement with DPL Loan Holdings, LLC for the management, operation, maintenance and retail activation of Browder Street Plaza, to **(1)** remove certain maintenance responsibilities to be retained by the City's Park and Recreation Department; and **(2)** correct the revenue sharing calculation to reflect that the threshold is \$5,500 daily, not monthly, and to clarify conditions for payment - Financing: No cost consideration to the City

BACKGROUND

During the summer of 2012, the City issued a Request for Proposals (BJZ1225) for an operator to activate Browder Street Plaza. Hamilton Properties (DPL Loan Holdings, LLC), the owner of the adjacent DP&L building, was chosen to operate and maintain Browder Street Plaza. Their proposal included the development and operation of small retail spaces, including food trucks and retail kiosks. Food vending is intended to occur primarily at lunch and after work hours. A minimum of four annual special events will be required to further activate the space throughout the year.

On April 13, 2016, City Council authorized a management agreement with DPL Loan Holdings, LLC for the management, operation, maintenance and retail activation of Browder Street Plaza for an initial term of ten years, with one ten year renewal option and the receipt and deposit of an estimated revenue amount of \$11,500 annually from DPL Loan Holdings, LLC in the Downtown Connection TIF District Fund for Browder Street Plaza operation.

The City's Parks and Recreation Department (the "Parks Department") has a maintenance agreement in place with Downtown Dallas, Inc.

BACKGROUND (Continued)

The approved resolution did not specify that the Parks Department will continue to provide certain maintenance responsibilities (subject to appropriation), upon execution of the agreement with DPL Loan Holdings, LLC. It was the intent that Parks Department would continue to provide such maintenance responsibilities. With food trucks and new seating area activation, it is anticipated that DPL Loan Holdings, LLC's maintenance responsibility will be significant. Maintenance obligations will include, but is not limited to, trash collection, power washing of space and other tasks to maintain a highly desirable public space. Further, DPL Loan Holdings, LLC will be responsible for ensuring that the space is operated in a manner satisfactory to the City which will include, but is not limited to, hiring staff to market the use of the plaza and the scheduling of the food truck and additional vendors. Of the revenue generated by the food trucks and additional vendors, DPL Loan Holdings, LLC anticipates that they will keep 10% of the gross revenue and therefore would like the Parks Department to continue to provide certain services to make this public space activation feasible.

The original resolution did not clarify the conditions of payment to the City. DPL Loan Holdings, LLC will receive a management fee from the vendors. They will receive 10% of the vendor's daily earnings. The City will receive 10% of the management fee that DPL Loan Holdings, LLC collects from its vendor. Additionally, the City will only receive 10% of the management fee, if the vendors collectively earn over \$5,500 in revenue on any given day. For example, if the vendors collect \$6,000 in revenue for one day, DPL Loan Holdings, LLC will retain \$600 (which is 10% of \$6,000) and the City's share will be \$60 (which is 10% of \$600). However, if the vendors daily earning does not exceed \$5,500, the City's share will be \$0, even though DPL Loan Holdings, LLC will collect a \$550 in management fees.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 10, 2016, the Downtown Connection TIF District Board of Directors reviewed information pertaining to the management, operation, maintenance and retail activation of Browder Street Plaza in the Downtown Connection TIF District.

On April 13, 2016, City Council authorized a management agreement with DPL Loan Holdings, LLC for the management, operation, maintenance and retail activation of Browder Street Plaza for an initial term of ten years, with one ten year renewal option; and receipt and deposit of an estimated revenue amount of \$11,500 annually from DPL Loan Holdings, LLC in the Downtown Connection TIF District Fund for Browder Street Plaza operation by Resolution No. 16-0530.

Information about this item was provided to the Economic Development Committee on June 6, 2016.

FISCAL INFORMATION

No cost consideration to the City.

OPERATOR

DPL Loan Holdings, LLC

Lawrence E. Hamilton
Member and Authorized Signature

MAP

Attached.

Browder Plaza



June 22, 2016

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

WHEREAS, the City of Dallas desires that Browder Street Plaza become an active and well-maintained part of downtown Dallas; and

WHEREAS, on April 13, 2016, City Council authorized a management agreement with DPL Loan Holdings, LLC for the management, operation, maintenance and retail activation of Browder Street Plaza for an initial term of ten years, with one ten year renewal option; and the receipt and deposit of an estimated revenue amount of \$11,500 annually from DPL Loan Holdings, LLC in the Downtown Connection TIF District Fund for Browder Street Plaza operation by Resolution No. 16-0530; and

WHEREAS, an amendment to Resolution No. 16-0530 is necessary in order to remove certain maintenance responsibilities to be retained by the City's Park and Recreation Department and correct the revenue sharing calculation to reflect that the threshold is \$5,500 daily, not monthly, and to clarify conditions for payment.

NOW, THEREFORE,

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

Section 1. That Section 3 B. of Resolution No. 16-0530 is amended as follows:

B. Maintenance Obligations

1. Operator shall be responsible for all costs and expenses associated with maintaining the Property, other than those in which the City of Dallas Park and Recreation Department (the "Parks Department") has ongoing responsibilities. Subject to appropriation, the Parks Department shall be responsible for only the following maintenance obligations at Browder Street Plaza:
 - a. Pay monthly water service cost
 - b. Pay monthly electrical cost
 - c. Maintain electrical system and lighting
 - d. Perform sprinkler system audits and repair
 - e. Provide shade structure maintenance and repair

June 22, 2016

Section 1. (Continued)

3. Operator shall operate and pay for the operation of the existing irrigation system on the Property, unless otherwise maintained and operated by the City of Dallas Park and Recreation Department, in accordance with any applicable sprinkler or water conservation ordinances, that are not covered by the City of Dallas.
4. Operator shall maintain and operate the irrigation system properly, efficiently, and safely, unless otherwise maintained and operated by the City of Dallas Park and Recreation Department. ~~All repairs and modifications to the irrigation system shall be at Operator's expense.~~
9. Operator shall maintain and repair all electrical systems (outlets and lighting fixtures) and waterlines currently serving the Project improvements on the Property, other than those in which the Parks Department has ongoing responsibilities.
14. The Parks Department shall maintain and repair the Browder Street Plaza shade structures.

Section 2. That Section 1 of Resolution No. 16-0530 is amended follows:

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a management agreement with DPL Loan Holdings, LLC, for the management, operation, maintenance and retail activation of Browder Street Plaza for an initial term of ten years, with one ten year renewal option, for an estimated annual revenue amount of \$11,500 (revenue share of 10% after Browder Street Plaza collections exceed \$5,500 ~~monthly~~ daily).

Section 3. That a new Section 3 D. shall be added to Resolution No. 16-0530 as follows:

- D. DPL Loan Holdings, LLC will receive a management fee from the vendors. They will receive 10% of the vendor's daily earnings. The City will receive 10% of the management fee that DPL Loan Holdings, LLC collects from its vendor. Additionally, the City will only receive 10% of the management fee, if the vendors collectively earn over \$5,500 in revenue on any given day. For example, if the vendors collect \$6,000 in revenue for one day, DPL Loan Holdings, LLC will retain \$600 (which is 10% of \$6,000) and the City's share will be \$60 (which is 10% of \$600). However, if the vendors daily earning does not exceed \$5,500, the City's share will be \$0, even though DPL Loan Holdings, LLC will collect a \$550 in management fees.

June 22, 2016

Section 4. That all other terms and conditions as set forth in Resolution No. 16-0530, shall remain in full force and effect, except as specifically outlined in Section 1 above.

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 # 19

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45Q R

SUBJECT

Authorize the Second Amendment to the Master Agreement with DFM Developer, Ltd. and the Second Amendment to the Development Agreement with Taylor Street 2111, LP, for the Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street Project, to **(1)** extend the start date from April 1, 2016 to December 31, 2016; and **(2)** extend the completion deadline from December 31, 2018 to December 31, 2019 - Financing: No cost consideration to the City

BACKGROUND

In 2013, the City Council authorized various agreements associated with the redevelopment of the Dallas Farmers Market with DFM Developer, Ltd. and affiliates, (Brian Bergersen, Owner/Developer), which outlined a redevelopment plan for the Dallas Farmers Market. The approved redevelopment plan includes: (A) Shed 1 Project for renovation and operation as a marketplace for local farmers and farm merchants and vendors to sell produce and other farm-related products; (B) Shed 2 Project for renovation for use by restaurants, specialty food vendors, other retail vendors, and a beer garden; (C) Harvest Lofts Project for use as a mixed-use development including retail, residential, and parking uses (including public parking for the market); (D) 2101 and 2111 Taylor Street Project for the development of residential and retail uses; and (E) Futsal Project/remote parking area for redevelopment for outdoor activities, specifically a community garden and futsal fields.

The current amendment under consideration is part of the Farmers Market Redevelopment Phase II for the 2101 and 2111 Taylor Street project. Taylor Street 2111, LP is requesting that the contractual deadline for beginning project construction be extended from April 1, 2016 to December 31, 2016 and that the contractual completion date for the project be extended from December 31, 2018 to December 31, 2019.

BACKGROUND (Continued)

The Farmer Market Redevelopment efforts began as planned in early 2014 and to date Shed 1 and Shed 2 are complete. However, unexpected complexities and interdependent project elements are delaying the project progress. Scheduling conflicts with the public parking garage construction is prohibiting Taylor Street project construction due to lack of access, staging and parking on the tight urban site. Further, unforeseen public infrastructure improvements including installation of a new gas supply line, burial of electrical lines, new electrical service and public street improvements surrounding the site have caused delays.

Taylor Street 2101 and 2111 project will include approximately 25,000 square feet of commercial restaurant / retail and 60 residential units.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 27, 1998, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Six, Farmers Market TIF District by Ordinance No. 23521, as amended.

On August 25, 1999, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Farmers Market TIF District by Ordinance No. 24001, as amended.

On February 27, 2013, City Council authorized a Master Agreement for the Redevelopment of the Dallas Farmers Market with DFM Developer, Ltd by Resolution No. 13-0447.

On March 27, 2013, City Council authorized amendments to the Farmers Market TIF Project and Financing Plan, including the expansion of the geographic boundaries of the TIF district to include the Dallas Farmers Market property by Ordinance No. 28951.

On December 11, 2013, City Council authorized a Development Agreement with Taylor Street 2111, LP, to provide funding for the 2101 and 2111 Taylor Street Project as part of the Farmers Market Redevelopment, Phase II located in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District); and (2) the Farmers Market TIF District Board of Directors to dedicate up to \$3,553,480 from Farmers Market TIF revenues in accordance with the development agreement by Resolution Nos. 13-2102 and 13-2103.

On June 10, 2015, City Council authorized an amendment to the Master Agreement with DFM Developer, Ltd. for the redevelopment of the Dallas Farmers Market, which included project deadline extensions for the 2101 and 2111 Taylor Street Redevelopment project by Resolution No. 15-1099.

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

On June 10, 2015, City Council authorized an amendment to the Development Agreement with Taylor Street 2111, LP, for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street project, previously approved on December 11, 2013, by Resolution Nos. 13-2102 and 13-2103, to extend project deadlines by Resolution No. 15-1102.

On February 29, 2016, the Farmers Market TIF Board of Directors reviewed and approved deadline extensions to Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street project.

Information about this item was provided to City Council on May 27, 2016.

OWNER

DEVELOPER

Taylor Street 2111, LP

Taylor Street 2111, LP

Brian Bergersen
Owner/Developer

Brian Bergersen
Owner/Developer

FISCAL INFORMATION

No cost consideration to the City.

June 22, 2016

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

WHEREAS, on May 27, 1998, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market 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 Farmers Market area through the use of tax increment financing by Ordinance No. 23521, as amended; and

WHEREAS, on August 25, 1999, City Council authorized the Farmers Market TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 24001, as amended; and

WHEREAS, on February 27, 2013, by Resolution No. 13-0447, the City Council approved a Master Agreement for the Redevelopment of the Dallas Farmers Market with DFM Developer, Ltd; and

WHEREAS, on March 27, 2013, by Ordinance No. 28951, the City Council approved amendments to the Farmers Market TIF Project and Financing Plan, including the expansion of the geographic boundaries of the TIF district to include the Dallas Farmers Market property; and

WHEREAS, on December 11, 2013, by Resolution Nos. 13-2102 and 13-2103, City Council authorized a Development Agreement with Taylor Street 2111, LP, to provide funding for the 2101 and 2111 Taylor Street Project as part of the Farmers Market Redevelopment, Phase II located in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District); and (2) the Farmers Market TIF District Board of Directors to dedicate up to \$3,553,480 from Farmers Market TIF revenues in accordance with the development agreement; and

WHEREAS, on June 10, 2015, the City Council approved Resolution No. 15-1099, authorizing an amendment to the Master Agreement with DFM Developer, Ltd. for the redevelopment of the Dallas Farmers Market, which included project deadline extensions for the 2101 and 2111 Taylor Street Redevelopment project; and

WHEREAS, on June 10, 2015, the City Council approved Resolution No. 15-1102, authorizing an amendment to the Development Agreement with Taylor Street 2111, LP, for TIF-eligible improvements supporting the Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street project, previously approved on December 11, 2013, by Resolution Nos. 13-2102 and 13-2103, to extend project deadlines; and

June 22, 2016

WHEREAS, on February 29, 2016, the Farmers Market TIF Board of Directors reviewed and approved deadline extensions to Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street project; and

WHEREAS, on May 27, 2016, a memo about this item was provided to the City Council; and

WHEREAS, it is now necessary to authorize a Second Amendment to the Master Agreement with DFM Developer, Ltd. and a Second Amendment to the Development Agreement with Taylor Street 2111, LP.

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 second amendment to the Master Agreement with DFM Developer, Ltd. and the second amendment to the Development Agreement with Taylor Street 2111, LP, for the Farmers Market Redevelopment, Phase II, 2101 and 2111 Taylor Street project to: (a) extend the start date from April 1, 2016 to December 31, 2016 and (b) extend the completion deadlines from December 31, 2018 to December 31, 2019.

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 with the exception of the sections above, all other requirements of Resolution Nos. 13-0447, 13-2102, 13-2103, 15-1099 and 15-1102 will remain in full force and effect.

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 # 20

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize **(1)** a public hearing to be held on August 10, 2016, in accordance with Chapter 372 of the Texas Local Government Code to consider the advisability of renewing the Tourism Public Improvement District (the "District") for thirteen years, so that it may continue to undertake certain improvements and provide special supplemental services that promote and provide incentives, increased hotel activities within the City of Dallas, to be funded by a special assessment on Dallas hotels with 100 or more rooms; and, at the close of the public hearing **(2)** a resolution approving renewal of the District for thirteen years and approval of the District's Service Plan for 2016-2029 - Financing: No cost consideration to the City

BACKGROUND

The Tourism Public Improvement District was first established by City Council on June 13, 2012 following a petition and public hearing. The Improvement Order authorized collection of the requested assessment over a five year period. On May 23, 2016, the Dallas Tourism Public Improvement District Corporation, which manages the District and represents Dallas hotels within the District, presented to the City staff petitions requesting the renewal of the Tourism Public Improvement District and approval of a thirteen year service plan, effective October 1, 2016. The thirteen year extension will align the Tourism PID's authorized term with the Dallas Convention & Visitors Bureau's term. The staff reviewed the proposed Service Plan, verified that the petition contained the required number of valid signatures, and found the proposed improvements and supplemental services to be feasible, and recommended approval of the extension.

This action authorizes a public hearing to be held on August 10, 2016, to consider the advisability of the request and to hear comments and concerns regarding the renewal of the Tourism Public Improvement District (PID). This action also authorizes the Council to consider a resolution at the close of the public hearing to renew the PID for another thirteen year term.

BACKGROUND (Continued)

The public improvement district described as follows:

- A. Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include certain improvements and special supplemental services relating to the District, including marketing, business recruitment, and promotional activities authorized by the Act for improvement and promotion of the district, including the provision of incentives by the Dallas Convention and Visitors Bureau to organizations to encourage them to bring their large and city wide meetings to Dallas and to fund additional marketing by the Dallas Convention and Visitors Bureau to increase hotel stays within the City.
- B. Estimated Cost of the Services and Improvements.** During the thirteen (13) year period, the annual cost of the improvements and services provided by the existing District is estimated to range from approximately \$16,528,576 to \$29,682,948 annually. Based on the estimated maximum cost of improvements and services, the thirteen year total assessment collection requested by the District shall not exceed a collective total of \$292,770,388. In the event the District requires additional funds, the District shall re-petition the hotel owners for such an increase. At no time shall the total amount levied exceed the total amount shown in the approved petition budget for the services and improvements to be provided for the year in which the hotel is assessed except as provided in the petition and subject to the collective total for the 13 year period.
- The District shall not incur bonded indebtedness. The service plan budget and assessment rate are subject to annual review, a public hearing and approval by the City Council.
- C. Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the map of the district.
- D. Method of Assessment.** The District assessment will be levied on hotels with 100 or more rooms ("qualifying hotels") located within the District. The proposed cost of the services and improvements to be provided shall be assessed in a manner that results in imposing equal shares of the cost of the services qualifying on hotels that are similarly benefitted. Under the Act, the apportionment of the cost of the services against property in the TPID territory must be made on the basis of special benefits accruing to the property because of the services and improvements provided. Accordingly, those qualifying hotels that sell more rooms will pay a greater portion of the assessment since those properties benefit more from the promotion and marketing services provided by the District.

BACKGROUND (Continued)

The total cost of the services and improvements to be provided shall be apportioned at a rate of 2% of room-nights sold at qualifying hotels located within the District territory until the budget for services and improvements for the year is reached. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the District assessment. The future cost of services and improvements that are budgeted in the 2016 Service Plan may be increased beyond the amount shown subject to an enhancement in value of property in the District and a corresponding increase in the services and improvements to be provided therefor. Any future increase in the costs of services and improvements in the approved Service Plan would also be subject to a public hearing and approved by the City Council.

E. Apportionment of costs between the District and the Municipality as a Whole. City-owned hotels located within the District territory such as the Omni Hotel are subject to the District assessment.

The following accomplishments occurred during the Tourism PID's initial term:

- Hotel lodging revenue has increased by approximately \$632 million since the District's creation.
 - \$186 million more than if Dallas grew at national levels
- Using the 12-month period prior to the District's creation as a baseline; and comparing it to the most recent completed 12-month period:
 - Hotel occupancy has increased over 10 percentage points to a sustained level of 70%
 - Room demand has increased by almost 20% or 1.3 million room nights
 - Average daily rate (ADR) has increased by approximately \$20.00 from \$98.00 to \$118.00
 - Lodging revenue has increased by \$280 million (44%)
 - RevPAR has increased approximately \$24.00 (41%)

BACKGROUND (Continued)

- Over 130 arts, cultural and related events have successfully applied for over \$2.5 million in funding as part of the District's Event Application Program
 - Generated over 250,000 room nights and \$37 million in hotel lodging revenue
 - 7.5% of total the District's budget is allocated to this program, approaching \$1.2 million this next fiscal year.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2012, City Council authorized the creation of the Tourism Public Improvement District for a five year period by Resolution No. 12-1581.

On September 9, 2015 City Council authorized the assessment rate for 2015 by Ordinance No. 29868.

Information about this item was provided to the Economic Development Committee on June 6, 2016.

FISCAL INFORMATION

No cost consideration to the City.

June 22, 2016

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on June 13, 2012, City Council authorized creation of the Tourism Public Improvement District (the "District") by Resolution No. 12-1581 to promote increased hotel activities within the City of Dallas; and

WHEREAS, on September 9, 2015, City Council authorized the assessment rate for 2015 by Ordinance No. 29868; and

WHEREAS, on May 23, 2016, the Dallas Tourism Public Improvement District Corporation, which manages the District and represents Dallas hotels within the District, delivered to the City of Dallas a petition in accordance with Chapter 372 of the Texas Local Government Code (the "Act") to renew the District with boundaries shown on the attached Map (**Exhibit A**). City staff reviewed the petition and determined that more than 60 percent of the record owners of Dallas hotels with 100 or more rooms ("Qualifying Hotels"), and more than 60 percent of the appraised value of Qualifying Hotels executed the petition, meeting the Act's thresholds for calling a public meeting after which the City Council may consider authorizing renewal of the District; and

WHEREAS, pursuant to Section 372.007 of the Act, the City staff, with the assistance of the Dallas Tourism Public Improvement District Corporation verified the petitions, evaluated the Service Plan to determine whether the proposed improvements and supplemental services were feasible; and

WHEREAS, the City desires, pursuant to Section 372.009 of the Act, to hold a public hearing on the advisability of renewing the District and to provide any interested parties a reasonable opportunity to speak for or against the renewal the District, the proposed improvements and supplemental services, or the continued levy and collection of a special assessment on Qualifying Hotels.

NOW, THEREFORE,

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

Section 1. That a public hearing shall be held at 1:00 p.m. on August 10, 2016, 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 renewal of the District, with boundaries as described by **Exhibit A**, to provide improvements and supplemental services as permitted by and for the purposes set forth in the Petition, to be funded by the continued collection of the special assessment on Qualifying Hotels for the duration of the extended term.

June 22, 2016

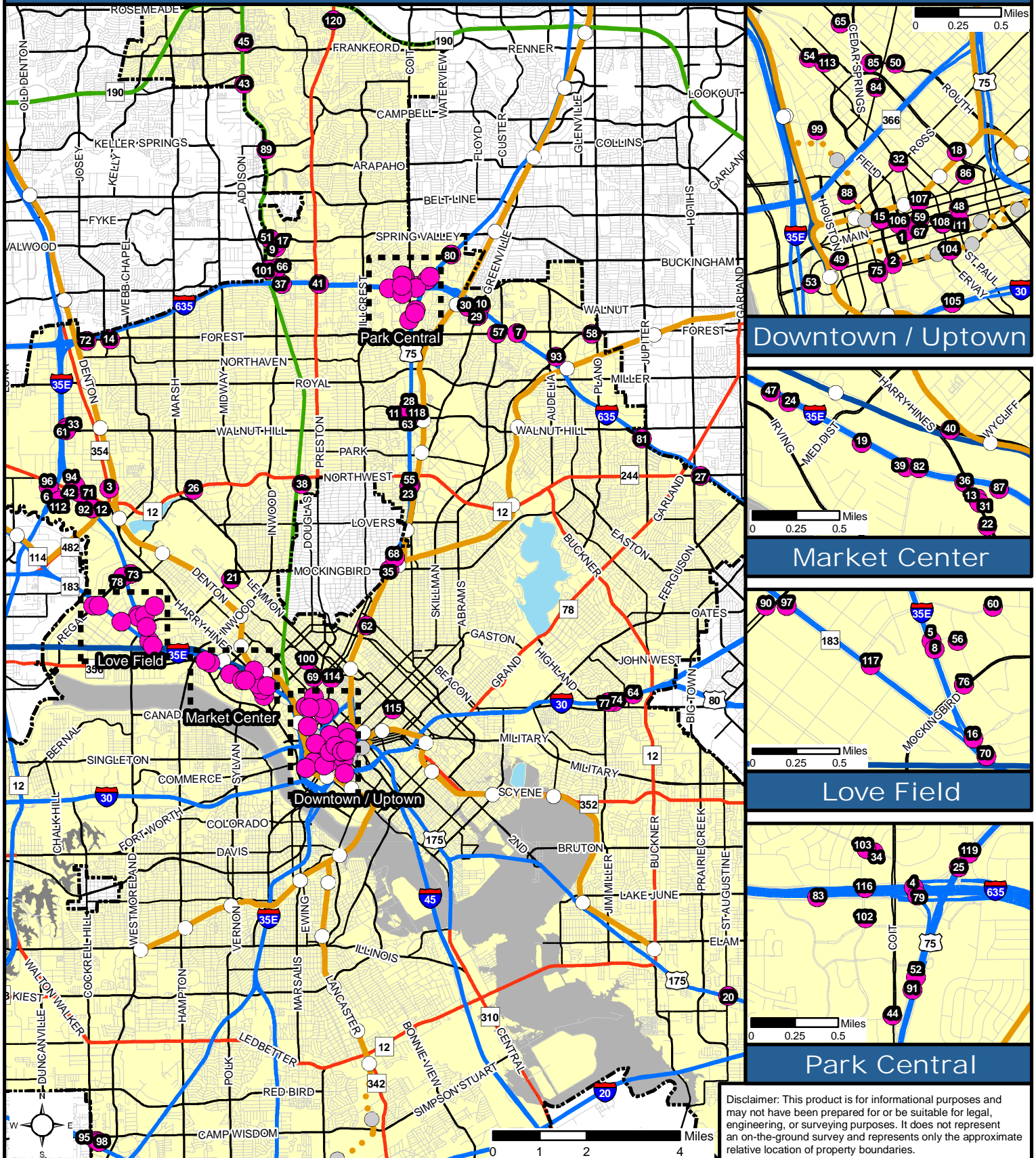
Section 2. That the facts and recitals contained in the preamble of this resolution are found and declared to be true and correct.

Section 3. That notice of the public hearing shall be published in a newspaper of general circulation in the City of Dallas and mailed to the property owners of the District before the 15th day before the public hearing in accordance with Section 372.009(c) of the Act.

Section 4. That after the close of the public hearing, the City Council may consider a resolution approving the renewal of the District for thirteen years; approving the continued collection during that term of the special assessment on Qualifying Hotels; authorizing the District to fund the improvements and supplemental services requested by the Petition and in amounts further described in the Service Plan; approving the Service Plan for 2016-2029; designating the Dallas Tourism Public Improvement District Corporation as the management entity of the District; and providing an effective date.

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.

Tourism PID Hotels



Legend

- Tourism PID Hotel
- Rail Station
- Future Station

- DART Light Rail
- Commuter Rail
- Future DART Light Rail
- Freeway

- Tollway
- Highway
- Arterial
- Local Road

- Escarpment
- Flood Plain
- Lake
- City of Dallas

Source: Hotel List - Dallas CVB, 2016; All Other Data - City of Dallas, 2016

AGENDA ITEM # 21

KEY FOCUS AREA: E-Gov

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Equipment & Building Services

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

MAPSCO: Various

SUBJECT

Authorize a twenty-four-month service contract for job order contracting services with Restoration Specialists, dba RS Commercial Construction - Not to exceed \$6,314,700 - 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.

Job Order Contracting (JOC) is provided for in Texas Local Government Code § 271 as a means to address building maintenance and construction associated with the care, operation and upkeep of City-owned facilities when the work is of a recurring nature, but delivery times, type and quantities of work are indefinite. This contract was competitively selected from The Cooperative Purchasing Network (TCPN).

Through TCPN, thirty-six firms submitted responses to a TCPN solicitation for building maintenance and construction services. TCPN evaluation criteria included: the ability to provide and perform the required services for contract, marketing plan, price (coefficient), Historically Underutilized Business (HUB)/Minority/Women Business Enterprise (MWBE) designation, and value-added products/services. TCPN found twenty-three firms to be the most advantageous to TCPN members. These twenty-three were awarded contracts in part or in full by TCPN based on competitive pricing and a strong history providing specified products and services.

Equipment and Building Services (EBS) used the list of twenty-three TCPN awarded vendors to select five firms for interviews based on their capability of performing the requested facility-related services for a twenty-four-month period. Each of the five firms made presentations to a panel of City staff including information about their firm, ability to provide services, experience, qualifications, coefficient, and HUB/MWBE designation or subcontracting relationships. The selected vendor was deemed as the most advantageous for the City based on their presentation.

BACKGROUND (Continued)

Selection of a vendor included consideration of best value based on the vendors' submission of a coefficient. A coefficient is a multiplier applied to the preset prices. Contractors can be selected based on best-value or low bid, depending upon the owner's requirements. As part of its proposal, or bid, the contractor submits a coefficient (a multiplier) to be applied to preset unit prices.

TCPN selected RS Means 2016 Facilities Construction Cost Data with updates and adjusted by the cost index as the basis for pricing. The coefficient incorporates the vendor's overhead and profit, and any adjustment that may be needed to the RS Means pricing based on the contractor's costs in the Dallas area, including labor costs, subcontractor base, market conditions and client-specific conditions. After contract award, and during the course of the contract, the coefficient will be used to calculate the price for each project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Budget, Finance and Audit Committee on June 6, 2016.

FISCAL INFORMATION

\$6,314,700.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Restoration Specialists, dba RS Commercial Construction

White Male	13	White Female	5
Black Male	2	Black Female	0
Hispanic Male	3	Hispanic Female	1
Other Male	1	Other Female	0

OWNER

Restoration Specialists, dba RS Commercial Construction

Mark DeMattia, President
David DeMattia, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a twenty-four-month service contract for job order contracting services with Restoration Specialists, dba RS Commercial Construction - Not to exceed \$6,314,700 - Financing: Current Funds (subject to annual appropriations)

Restoration Specialists, dba RS Commercial Construction is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforces.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$6,314,700.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$6,314,700.00	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%

June 22, 2016

WHEREAS, job order contracting services are desirable and necessary for maintenance and construction at City facilities; and,

WHEREAS, Equipment and Building Services (EBS) wishes to establish a single firm contract to provide these services; and,

WHEREAS, the proposal from the firm outlines the pricing for these services; and,

WHEREAS, it is necessary to authorize a contract for construction services to Restoration Specialists, dba RS Commercial Construction to perform job order contracting services for City of Dallas facilities.

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, upon approval as to form by the City Attorney, for job order contracting at City facilities, with Restoration Specialist, dba RS Commercial Construction (VS0000044823), in accordance with the firm's cost proposal and the total contract not to exceed \$6,314,700.00 for a term of twenty-four months beginning June 2016.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$6,314,700.00 (subject to annual appropriations) from Service Contract number TCPN #R5094.

Section 3. That the department director or his designee is authorized to request services as needed with the authorized firm in accordance with the accepted pricing.

Section 4. That for the term of this contract, upon receipt and approval of invoices by the department director or his designee requesting services received in accordance with the applicable contract and proposal, the City Controller is authorized to disburse funds, not to exceed the sum of \$6,314,700.00 for all contracts, from the applicable project fund for the individual repair/construction for which the services are being performed, subject to the annual appropriation of funding by the City Council.

Section 5. That the contract shall provide for termination by the City Manager, without liability, in the event of non-appropriation of funding available for this contract by the City Council.

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

AGENDA ITEM # 22

KEY FOCUS AREA: Public Safety

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services

CMO: A. C. Gonzalez, 670-3297

MAPSCO: N/A

SUBJECT

Authorize **(1)** an application for and acceptance of the FY2016 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice to be used for a broad range of activities to help control and prevent crime, and to improve the criminal justice system for the period October 1, 2015 through September 30, 2019; **(2)** execution of the Fiscal Agency and Funds Sharing Agreement between the City of Dallas, Dallas County and eligible units of local government; and **(3)** execution of the grant agreement - Not to exceed \$911,485 - Financing: U.S. Department of Justice Grant Funds

BACKGROUND

Part E of Title 1 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (the "JAG Program") authorize the Bureau of Justice Assistance (the "BJA") to make funds available to units of local government in order to support a broad range of activities to prevent and control crime and to improve the criminal justice system.

The JAG Program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

The City of Dallas, Dallas County, and certain units of local government designated by the BJA are eligible for 2016 JAG funding and have been certified by the BJA as a disparate jurisdiction.

BACKGROUND (Continued)

The application guidelines ask for one fiscal agent to apply, accept, and disburse funds throughout the disparate jurisdiction. Dallas County and all eligible units of local government in the disparate jurisdiction have agreed to designate the City of Dallas as the applicant and fiscal agent for the JAG Program.

Dallas County and the eligible cities agree and acknowledge that as a certified disparate jurisdiction, the Parties must reach an agreement regarding the sharing of funds prior to submitting a JAG application with the BJA. Accordingly, this resolution will authorize the City Manager to set forth the following: (i) the amount of funds originally allocated by the BJA before the Parties were certified to be disparate jurisdictions; (ii) the amounts to be transferred among the respective jurisdictions, including the amount to be paid to the City of Dallas as the fiscal agent for the jurisdiction; and (iii) the final amount for each of the Parties.

Initial Allocations

For 2016, the BJA has determined the Initial Allocations of JAG Funds for the parties is as follows:

Dallas County	\$	0.00
Balch Springs	\$	16,247.00
Carrollton	\$	14,213.00
Dallas	\$	673,617.00
DeSoto	\$	12,259.00
Duncanville	\$	10,439.00
Garland	\$	45,448.00
Grand Prairie	\$	39,935.00
Irving	\$	41,460.00
Lancaster	\$	10,920.00
Mesquite	\$	34,153.00
Richardson	\$	12,794.00
Total	\$	911,485.00

Amounts to be Transferred

The eligible cities agree to have the following funds transferred to Dallas County pursuant to the Funds Sharing Agreement as follows:

Balch Springs	\$	4,874.10
Carrollton	\$	4,263.90
Dallas	\$	202,085.10

BACKGROUND (Continued)

DeSoto	\$	3,677.70
Duncanville	\$	3,131.70
Garland	\$	13,634.40
Grand Prairie	\$	11,980.50
Irving	\$	12,438.00
Lancaster	\$	3,276.00
Mesquite	\$	10,245.90
Richardson	\$	<u>3,838.20</u>
Total	\$	273,445.50

Fiscal Agent Grant Administration Fees

The following amounts reflect each participant's grant administration fee, which shall be transferred to the Fiscal Agent, the City of Dallas.

Dallas County	\$	19,141.19
Balch Springs	\$	796.10
Carrollton	\$	696.44
Dallas	\$	60,351.77
DeSoto	\$	600.69
Duncanville	\$	511.51
Garland	\$	2,226.95
Grand Prairie	\$	1,956.82
Irving	\$	2,031.54
Lancaster	\$	535.08
Mesquite	\$	1,673.50
Richardson	\$	<u>626.91</u>
Total	\$	91,148.50

Final Allocations

The following amounts reflect the JAG funds each jurisdiction shall receive upon acceptance of and disbursements of funds from the BJA in accordance with the Fiscal Agency Agreement.

Dallas County	\$	254,304.31
Balch Springs	\$	10,576.80
Carrollton	\$	9,252.66
Dallas	\$	502,328.63
DeSoto	\$	7,980.61
Duncanville	\$	6,795.79

BACKGROUND (Continued)

Garland	\$	29,586.65
Grand Prairie	\$	25,997.68
Irving	\$	26,990.46
Lancaster	\$	7,108.92
Mesquite	\$	22,233.60
Richardson	\$	8,328.89
Total	\$	911,485.00

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U.S Department of Justice in the amount of \$1,409,205 on June 22, 2011, by Resolution No. 11-1810.

Authorized the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U.S Department of Justice in the amount of \$1,034,178 on May 9, 2012, by Resolution No. 12-1263.

Authorized the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U.S Department of Justice in the amount of \$932,597 on September 25, 2013, by Resolution No. 13-1687.

Authorized the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U.S Department of Justice in the amount of \$951,372 on May 28, 2014, by Resolution No. 14-0828.

Authorized the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U.S Department of Justice in the amount of \$834,930 on June 10, 2015, by Resolution No. 15-1056.

Information about this item will be provided to the Public Safety Committee on June 13, 2016.

FISCAL INFORMATION

\$911,485.00 - U.S. Department of Justice Grant Funds

June 22, 2016

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance (BJA), has made funding available to the City of Dallas, Dallas County and eligible designated cities in order to support a broad range of activities to prevent and control crime and to improve the criminal justice system; and

WHEREAS, grant monies are being awarded to the City of Dallas, Dallas County and eligible designated cities for the 2016 Edward Byrne Memorial Justice Assistance Grant (JAG); and

WHEREAS, the City of Dallas and other BJA designated cities will benefit from the additional funds that will aid the prevention and control of crime within these areas.

Now, Therefore,

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

Section 1. That the City Manager is authorized to apply for and accept the Edward Byrne Memorial Justice Assistance Grant (Application No. 2016-H3105-TX-DJ, CFDA No. 16.738) from the U.S. Department of Justice, Bureau of Justice Assistance, to support a broad range of activities to prevent and control crime and to improve the criminal justice system for the period October 1, 2015 through September 30, 2019 in an amount not to exceed \$911,485.00.

Section 2. That the City Manager is authorized to execute a Fiscal Agency Agreement between the City of Dallas, Dallas County, and designated units of local governments.

Section 3. That the Chief Financial Officer is authorized to disburse JAG program funds to Dallas County and other BJA designated cities, as listed below, in an amount not to exceed \$409,156.37:

Jurisdiction	Amount
Dallas County	\$ 254,304.31
Balch Springs	\$ 10,576.80
Carrollton	\$ 9,252.66
DeSoto	\$ 7,980.61
Duncanville	\$ 6,795.79
Garland	\$ 29,586.65
Grand Prairie	\$ 25,997.68
Irving	\$ 26,990.46
Lancaster	\$ 7,108.92
Mesquite	\$ 22,233.60
Richardson	\$ 8,328.89

June 22, 2016

Section 4. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in Fund TR16, Department MGT, Unit 1956, Revenue Code 6506, in an amount not to exceed \$411,180.13.

Section 5. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in Fund TR16, Department MGT, Unit 1957, Revenue Code 6506, in an amount not to exceed \$500,304.87.

Section 6. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$411,180.13 in Fund TR16, Department MGT, Unit 1956, Object Code 3099.

Section 7. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$500,304.87 in Fund TR16, Department MGT, Unit 1957, Object Code 3099.

Section 8. That the Chief Financial Officer is hereby authorized to disburse funds from Fund TR16, Department MGT, Unit 1956, Object Code 3099, in an amount not to exceed \$411,180.13.

Section 9. That the Chief Financial Officer is hereby authorized to disburse funds from Fund TR16, Department MGT, Unit 1957, Object Code 3099, in an amount not to exceed \$500,304.87, which is inclusive of the \$409,156.37 in Section 3 above.

Section 10. That the City Manager is hereby authorized to transfer existing positions into Unit 1956 and Unit 1957.

Section 11. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 12. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

Section 13. 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: Public Safety

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Court & Detention Services
Police

CMO: A. C. Gonzalez, 670-3297
Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize an amendment to Resolution No. 16-0384, previously approved on February 24, 2016, to **(1)** correct the amount of the City's match from \$29,163 to \$30,963; **(2)** add a provision for the return of grant funds in the event of loss or misuse of funds provided for the City of Dallas Body-Worn Camera Program by the Office of the Governor, Criminal Justice Division, to be used to purchase body-worn cameras and related accessories for the Dallas Marshal's Office and the Dallas Police Department under this program; and **(3)** designate the City Manager or Assistant City Manager as the grantee's authorized official that is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Dallas – Not to exceed \$1,800 - Financing: Current Funds

BACKGROUND

On February 24, 2016, the City Council approved the application and acceptance of the Body-Worn Camera Program Grants (Grant Nos. 3082601 and 3101901) from the Office of the Governor's Criminal Justice Division to be used to purchase body-worn cameras and related accessories for a period of one year under Resolution No. 16-0384.

Following Council approval, the City received notice from the Office of the Governor, Criminal Justice Division that condition of funding criteria requires specific language be included in the City's resolution.

BACKGROUND (Continued)

A correction to Resolution No. 16-0384 is required to add language in the Resolution to include a provision for the return of funds to the Office of the Governor funds in the event of loss or misuse of the Office of the Governor, Criminal Justice Division funds; and to designate the City Manager or Assistant City Manager as the grantee's authorized official that is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Dallas. After completion review by the State, it was determined that additional matching funds are required for this grant. Matching funds will come from general funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized an application for and acceptance of the Body-Worn Camera Program Grants from the Office of the Governor's Criminal Justice Division in the amount of \$123,850 with a local match of \$29,162.50 to purchase body-worn cameras and related accessories for a period of one year on February 24, 2016, by Resolution No. 16-0384.

Information about this item will be provided to the Public Safety Committee on June 13, 2016.

FISCAL INFORMATION

\$1,800.00 - Current Funds

June 22, 2016

WHEREAS, the Office of the Governor's Criminal Justice Division (CJD) has made funding available to the City of Dallas under the Body-Worn Camera Program Grant to establish or enhance body-worn camera programs; and

WHEREAS, grant funds have been allocated to the City of Dallas Marshal's Office and the Dallas Police Department under this program; and

WHEREAS, the City of Dallas will benefit from the additional funds that will aid in procuring additional body-worn cameras; and

WHEREAS, the City will provide matching funds in an amount not to exceed ~~\$29,162.50~~ \$30,962.50; and

WHEREAS, the City Council agrees that in the event of loss or misuse of the Office of the Governor funds, the City Council assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the City Council designates the City Manager or an Assistant City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Dallas; and

WHEREAS, these are amendments to Resolution No. 16-0384; and

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

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to **(1)** apply for and accept two Body-Worn Camera Program Grants (Grant Nos. 3082601 and 3101901) from the Office of the Governor's Criminal Justice Division to be used to purchase body-worn cameras and related accessories for a period of one year from the execution of the grant agreements in an amount not to exceed \$123,850; **(2)** provide the City's match of \$19,712.50 from ~~Urban Area Security Initiative Grant Funds~~ Dallas Police Department Current Funds and \$11,250.00 from the City's Court and Detention Services Current Funds for a total of \$30,962.50; and **(3)** execute the grant agreements.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in Fund S292, Department MGT, Unit 1838, Revenue Code 6516, in an amount not to exceed \$78,850.00.

June 22, 2016

Section 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in Fund S293, Department MGT, Unit 1839, Revenue Code 6516, in an amount not to exceed \$45,000.00.

Section 4. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$78,850.00 in Fund S292, Department MGT, Unit 1838, Object Code 2890.

Section 5. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$45,000.00 in Fund S293, Department MGT, Unit 1839, Object Code 2890.

Section 6. That the Chief Financial Officer is hereby authorized to disburse funds from Fund S292, Department MGT, Unit 1838, Object Code 2890, not to exceed \$78,850.00.

Section 7. That the Chief Financial Officer is hereby authorized to disburse funds from Fund S293, Department MGT, Unit 1839, Object Code 2890, not to exceed \$45,000.00.

Section 8. That the Chief Financial Officer is hereby authorized to provide matching funds in an amount not to exceed ~~\$17,912.50~~ \$19,712.50 from ~~Urban Area Security Initiative Grant Funds under Fund F441, Department MGT, Unit 1686~~ Dallas Police Department Current Funds under Fund 0001, Department DPD, Unit 2181, and \$11,250.00 from Court and Detention Services Current Funds under Fund 0001, Department CTS, Unit 1052.

Section 9. That the City Manager is ~~hereby authorized to reimburse the granting agency any expenditures identified as ineligible and will~~ notify the appropriate City Council Committee of ~~expenditures identified as ineligible~~ the return of funds in the event of loss or misuse not later than 30 days after the ~~reimbursement~~ return of funds.

Section 10. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

Section 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: E-Gov

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize **(1)** final adoption of the FY 2016-17 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in a projected amount of \$26,686,234 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$13,933,321, which includes \$675,000 in program income; **(b)** HOME Investment Partnerships Program in the amount of \$5,132,323 which includes \$1,000,000 in program income; **(c)** Emergency Solutions Grant in the amount of \$1,211,466; and **(d)** Housing Opportunities for Persons with AIDS in the amount of \$6,409,124; and **(2)** adoption of the FY 2015-16 Reprogramming Budget in the amount of \$1,064,334 - Financing: No cost consideration to the City

BACKGROUND

The Community Development Commission (CDC) and City staff conducted six (6) neighborhood public hearings that provided the public opportunities to participate in identifying needs and to comment on the potential uses of U.S. Department of Housing and Urban Development (HUD) Grant Funds.

Neighborhood public hearings were held as follows:

January 7, 2016 – Dallas City Hall
January 11, 2016 – Willie B. Johnson Recreation Center
January 12, 2016 – Martin Luther King, Jr. Community Center
January 12, 2016 – Timberglen Recreation Center
January 13, 2016 – Jaycee-Zaragoza Recreation Center
January 14, 2016 – Tommie Allen Recreation Center

The Proposed FY 2015-16 Reprogramming Budget was on the agenda for the combined Economic Development and Housing Committee meeting on February 1, 2016.

BACKGROUND (Continued)

The City Manager's Proposed FY 2016-17 HUD Consolidated Plan Budget was presented to the CDC on March 3, 2016 and the CDC held meetings in March and April 2016 to review the proposed budget.

City Council was briefed on the Proposed FY 2016-17 HUD Consolidated Plan Budget and the CDC's concurrence on April 20, 2016.

Federal regulations and the City's Citizen Participation Plan require a public hearing to receive comments. This budget was made available for public review and comment from May 18, 2016 through June 21, 2016. A public hearing was held on June 15, 2016.

This action authorizes final adoption of the FY 2016-17 HUD Consolidated Plan Budget and the FY 2015-16 Reprogramming Budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 1, 2016, the Proposed FY 2015-16 Reprogramming Budget was on the agenda for the combined Economic Development and Housing Committee meeting.

On February 10, 2016, City Council authorized the release of unobligated funds from their originally budgeted purposes for future reprogramming in conjunction with the FY 2016-17 HUD Consolidated Plan Budget by Resolution No. 16-0284.

On March 3, 2016, the CDC was briefed on the City Manager's Proposed FY 2016-17 HUD Consolidated Plan Budget. The CDC held meetings in March and April 2016 to review the proposed budget.

On April 7, 2016, the CDC concurred with the City Manager's Proposed FY 2016-17 HUD Consolidated Plan Budget.

On April 20, 2016, City Council was briefed on the Proposed FY 2016-17 HUD Consolidated Plan Budget and the CDC's recommendation.

On May 11, 2016, City Council remanded the Proposed FY 2016-17 HUD Consolidated Plan Budget to the Housing Committee for further consideration.

On May 16, 2016, the Housing Committee was briefed on the development of the Proposed FY 2016-17 HUD Consolidated Plan Budget and potential amendments.

On May 18, 2016, City Council was briefed on the development of the Proposed FY 2016-17 HUD Consolidated Plan Budget Amendments and straw votes were taken.

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

On May 18, 2016, City Council approved preliminary adoption of the Proposed FY 2016-17 HUD Consolidated Plan Budget and the Proposed FY 2015-16 Reprogramming Budget and authorized a public hearing by Resolution No. 16-0786.

On June 15, 2016, City Council held a public hearing to receive comments on the Proposed FY 2016-17 HUD Consolidated Plan Budget and the FY 2015-16 Reprogramming Budget.

FISCAL INFORMATION

Proposed FY 2016-17 HUD Consolidated Plan Budget

CDBG:	\$13,258,321	2016-17 Entitlement
	\$ 400,000	Program Income (estimate)
	<u>\$ 275,000</u>	Program Income - Retained by Sub-Recipient
	\$13,933,321	
HOME:	\$ 4,132,323	2016-17 Entitlement
	<u>\$ 1,000,000</u>	Program Income (estimate)
	\$ 5,132,323	
ESG:	\$ 1,211,466	2016-17 Entitlement
HOPWA:	<u>\$ 6,409,124</u>	2016-17 Entitlement
	\$26,686,234	Total FY 2016-17 HUD Consolidated Plan Budget

FY 2015-16 Reprogramming Budget:

\$ 1,064,334 Unobligated funds in FY 2014-15 and prior years

June 22, 2016

WHEREAS, the Community Development Commission (CDC) and City staff conducted six (6) neighborhood public hearings during January 2016 that provided the public opportunities to participate in identifying needs and to comment on the potential uses of U.S. Department of Housing and Urban Development (HUD) Grant Funds; and

WHEREAS, on February 1, 2016, the Proposed FY 2015-16 Reprogramming Budget was on the agenda for the combined Economic Development and Housing Committee meeting; and

WHEREAS, on February 10, 2016, City Council authorized the release of unobligated funds from their originally budgeted purposes for future reprogramming in conjunction with the FY 2016-17 HUD Consolidated Plan Budget by Resolution No. 16-0284; and

WHEREAS, the HUD Consolidated Plan grant funds include: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA); and

WHEREAS, on March 3, 2016, the CDC was briefed on the City Manager's Proposed FY 2016-17 HUD Consolidated Plan Budget and CDC Committees held meetings in March and April 2016 to review the proposed budget; and

WHEREAS, on April 7, 2016, the CDC concurred with the City Manager's Proposed FY 2016-17 HUD Consolidated Plan Budget with no amendments; and

WHEREAS, on April 20, 2016, City Council was briefed on the City Manager's Proposed FY 2016-17 HUD Consolidated Plan Budget, the FY 2015-16 Reprogramming Budget, and the Community Development Commission's concurrence; and

WHEREAS, on May 11, 2016, City Council remanded the Proposed FY 2016-17 HUD Consolidated Plan Budget to the Housing Committee for further consideration; and

WHEREAS, on May 16, 2016, the Housing Committee was briefed on the development of the Proposed FY 2016-17 HUD Consolidated Plan Budget and potential amendments; and

WHEREAS, on May 18, 2016, City Council approved preliminary adoption of the Proposed FY 2016-17 HUD Consolidated Plan Budget and the Proposed FY 2015-16 Reprogramming Budget and authorized a public hearing by Resolution No. 16-0786 to provide citizens an opportunity to submit written comments through June 21, 2016; and

June 22, 2016

WHEREAS, a summary of the Proposed FY 2016-17 HUD Consolidated Plan Budget and the Proposed FY 2015-16 Reprogramming Budget was published in the Dallas Morning News on May 25, 2016; and

WHEREAS, Federal regulations require that a public hearing be held on the City's Proposed FY 2016-17 HUD Consolidated Plan Budget and the Proposed FY 2015-16 Reprogramming Budget; and

WHEREAS, on June 15, 2016, City Council held a public hearing to receive comments on the Proposed FY 2016-17 HUD Consolidated Plan Budget and the FY 2015-16 Reprogramming Budget; **Now, Therefore**,

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

Section 1. That the final FY 2016-17 HUD Consolidated Plan Budget and final FY 2015-16 Reprogramming Budget be adopted per Schedule A.

Section 2. That the City Manager be authorized to apply for, accept, and take actions to implement HUD grant numbers B-16-MC-48-0009 (CDBG - \$13,933,321, which includes \$675,000 in program income), M-16-MC-48-0203 (HOME - \$5,132,323, which includes \$1,000,000 program income), E-16-MC-48-0009 (ESG - \$1,211,466), and TXH16-F001 (HOPWA - \$6,409,124) in the amount of \$26,686,234 and be authorized to execute the contracts and grant agreements with HUD and all documents related to the execution of the grants upon approval as to form by the City Attorney.

Section 3. That the City Manager be authorized to establish FY 2016-17 appropriations as follows:

- Community Development Block Grant Program in Fund CD16 up to the amount of \$13,658,321 consisting of the entitlement grant of \$13,258,321, and estimated program income of \$400,000 to be returned to the City as set forth in the attached Schedule B, effective October 1, 2016.
- HOME Investment Partnerships Program in Fund HM16 up to the amount of \$5,132,323 consisting of the entitlement grant of \$4,132,323 and estimated program income of \$1,000,000 to be returned to the City as set forth in the attached Schedule B, effective October 1, 2016.
- Emergency Solutions Grant in Fund ES16 up to the amount of \$1,211,466 as set forth in the attached Schedule B, effective October 1, 2016.
- Housing Opportunities for Persons with AIDS in Fund HW16 up to the amount of \$6,409,124 as set forth in the attached Schedule B, effective October 1, 2016.

June 22, 2016

Section 4. That the revolving loan program income generated by the business loan program, estimated to be \$275,000 for FY 2016-17, as set forth in Schedule B, be retained by sub-recipient to carry out Community Development eligible activities in accordance with HUD requirements and upon written approval by the responsible City of Dallas departments.

Section 5. That the Chief Financial Officer be authorized to disburse funds up to the amounts set forth in the attached Schedule B.

Section 6. That the Chief Financial Officer be authorized to receive funds up to the amounts set forth in the attached Schedule C.

Section 7. That the City Manager be authorized to transfer HUD grant funds between projects and individual object codes and/or categories in accordance with HUD regulations and the City's Citizen Participation Plan.

Section 8. That the City Manager be authorized to release funds in the amount of \$1,064,334 as shown in the attached Schedule D from their originally budgeted purposes, schedule them for reprogramming in accordance with required rules and procedures, and establish FY 2015-16 Reprogramming appropriations in Fund 15RP in the amount of \$1,064,334 as set forth in the attached Schedule B, effective June 22, 2016.

Section 9. That the City Manager is hereby authorized to reimburse to HUD any expenditures identified as ineligible.

Section 10. That the City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 11. That the City Manager shall keep the appropriate City Council Committee informed of all final HUD audit reports not later than 30 days after the receipt of the reports.

Section 12. That the City Manager be authorized to provide additional information and make adjustments to take other actions relating to these budgets as may be necessary in order to satisfy HUD requirements.

Section 13. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE A
FY 2016-17 HUD CONSOLIDATED PLAN BUDGET
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT FUNDS

		FY 2016-17 Adopted Budget
Project Name		
<u>COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)</u>		
<u>CDBG - Public Services</u>		
1	After-School/Summer Outreach Program	\$ 559,112
2	Child Care Services Program	488,826
	Youth Programs Sub-Total	1,047,938
3	Senior Services Program	230,143
	Senior Services Sub-Total	230,143
4	Community Court Program	753,006
	South Dallas/Fair Park Community Court (\$299,445)	
	South Oak Cliff Community Court (\$233,032)	
	West Dallas Community Court (\$220,529)	
5	Training and Employment for Adults with Disabilities	25,000
	Other Public Services Sub-Total	778,006
	Total CDBG Public Services	2,056,087
<u>CDBG - Housing Activities</u>		
6	Housing Development Support	1,152,459
7	Mortgage Assistance Program	1,165,856
8	Housing Services Program	50,000
	Homeownership Opportunities Sub-Total	2,368,315
9	Housing Assistance Support	1,703,154
10	Major Systems Repair	2,721,964
11	People Helping People (PHP) Program	1,019,051
	Homeowner Repair Sub-Total	5,444,169
12	Neighborhood Investment Program - Code Compliance	600,833
	Other Housing/Neighborhood Revitalization Sub-Total	600,833
	Total CDBG - Housing Activities	8,413,317

SCHEDULE A
FY 2016-17 HUD CONSOLIDATED PLAN BUDGET
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT FUNDS

	Project Name	FY 2016-17 Adopted Budget
	<u>CDBG - Economic Development</u>	
13	Business Loan Program (Program Income)	275,000
	Total CDBG - Economic Development	275,000
14	Neighborhood Plus	1,601,587
	Total CDBG - Public Improvement	1,601,587
15	Fair Housing Enforcement	652,085
16	Citizen Participation/CDC Support/HUD Oversight	721,050
17	Housing Management Support	1,278,529
	Total CDBG - Fair Housing and Planning & Program Oversight	2,651,664
TOTAL CDBG INCLUDING PROGRAM INCOME		\$ 14,997,655

HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

18	CHDO Development Loans	\$ 1,000,000
19	CHDO Operating Assistance	175,000
20	HOME Program Administration	511,385
21	Mortgage Assistance Program	957,158
22	Housing Development Loan Program	2,488,780
	Homeownership Opportunities Sub-Total	5,132,323

TOTAL HOME INVESTMENT PARTNERSHIPS PROGRAM	\$ 5,132,323
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EMERGENCY SOLUTIONS GRANT (ESG)

23	Contracts - Essential Services	\$ 57,737
24	Contracts - Operations	92,430
25	Homeless Assistance Center - Essential Services	148,005
26	Homeless Assistance Center - Operations	378,279
27	Street Outreach	50,428
	Essential Services/Operations Sub-Total	726,879

SCHEDULE A
FY 2016-17 HUD CONSOLIDATED PLAN BUDGET
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT FUNDS

	Project Name	FY 2016-17 Adopted Budget
28	Homeless Prevention - Financial Assistance/Rent (MLK)	30,700
29	Homeless Prevention - Financial Assistance/Rent (WDMC)	30,700
	Homeless Prevention Sub-Total	61,400
30	Rapid Re-Housing - Financial Assistance/Rent	11,000
31	Rapid Re-Housing - Housing Relocation & Stabilization	281,452
	Rapid Re-Housing Sub-Total	292,452
32	HMIS Data Collection	40,000
	HMIS Data Collection Sub-Total	40,000
33	ESG Administration	90,735
	Program Administration Sub-Total	90,735
TOTAL EMERGENCY SOLUTIONS GRANT		\$ 1,211,466

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)

34	Emergency/Tenant Based Rental Assistance/Financial Assistance	\$ 2,430,204
35	Emergency/Tenant Based Rental Assistance/Housing Services	557,000
36	Housing Facilities Operation	876,000
37	Supportive Services	1,355,170
38	Housing Facilities Rehab/Repair/Acquisition	500,000
39	Housing Information/Resource Identification	168,480
	Public Services Sub-Total	5,886,854
40	Program Administration/City of Dallas	192,270
41	Program Administration/Project Sponsors	330,000
	Program Administration Sub-Total	522,270
TOTAL HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS		\$ 6,409,124
GRAND TOTAL HUD CONSOLIDATED PLAN BUDGET		\$ 27,750,568

SCHEDULE B
FY 2016-17 HUD CONSOLIDATED PLAN BUDGET
APPROPRIATIONS AND ORGANIZATIONAL HEIRACHY

FUND	DEPT.	PROJECT	FY 2016-17 Adopted Budget	UNIT 1	UNIT 2
CD16		<u>COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)</u>	<u>\$ 13,933,321</u>		
		<u>City Attorney's Office</u>			
1	ATT	<u>Community Court Program</u>	<u>753,006</u>	CDAT	
		South Dallas/Fair Park Community Court	299,445		510A
		South Oak Cliff Community Court	233,032		511A
		West Dallas Community Court	220,529		512A
		<u>Code Compliance Services</u>	<u>600,833</u>	CDCS	
2	CCS	Neighborhood Investment Program - Code Compliance	600,833		520A
		<u>Office of Economic Development</u>	<u>275,000</u>	CDEC	
3	ECO	Business Loan Program (Program Income)	275,000		N/A
		<u>Housing/Community Services</u>	<u>10,372,235</u>	CDHO	
4	HOU	Child Care Services Program	488,826		513A
5	HOU	Housing Assistance Support	1,703,154		521A
6	HOU	Housing Development Support	1,152,459		522A
7	HOU	Housing Management Support	1,278,529		501A
8	HOU	Housing Services Program	50,000		523A
9	HOU	Major Systems Repair	1,657,630		524A
10	HOU	Mortgage Assistance Program	1,165,856		525A
11	HOU	Neighborhood Plus	1,601,587		526A
12	HOU	People Helping People Assistance Support	687,891		527A
13	HOU	People Helping People Home Repair	331,160		528A
14	HOU	Senior Services Program	230,143		514A
15	HOU	Training and Employment for Adults with Disabilities	25,000		515A
		<u>Management Services</u>	<u>652,085</u>	CDMG	
16	MGT	Fair Housing Enforcement	652,085		502A
		<u>Office of Financial Services</u>	<u>721,050</u>	CDBM	
17	BMS	Citizen Participation/CDC Support/HUD Oversight	721,050		503A
		<u>Park and Recreation</u>	<u>559,112</u>	CDPK	
18	PKR	After-School/Summer Outreach Program - School Sites	465,580		518A
19	PKR	After-School/Summer Outreach Program - Community Centers	93,532		519A
HM16		<u>HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)</u>	<u>\$ 5,132,323</u>		
		<u>Housing/Community Services</u>		HMHO	
20	HOU	CHDO Development Loan Program	1,000,000		541A
21	HOU	CHDO Operating Assistance	175,000		542A
22	HOU	HOME Program Administration	511,385		543A
23	HOU	Mortgage Assistance Program	957,158		544A
24	HOU	Housing Development Loan Program	2,488,780		545A

SCHEDULE B
FY 2016-17 HUD CONSOLIDATED PLAN BUDGET
APPROPRIATIONS AND ORGANIZATIONAL HEIRACHY

FUND DEPT.		PROJECT	FY 2016-17 Adopted Budget	UNIT 1	UNIT 2
ES16		<u>EMERGENCY SOLUTIONS GRANT (ESG)</u>	<u>\$ 1,211,466</u>	ESHO	
		<u>Housing/Community Services</u>			
25	HOU	Contracts - Essential Services	57,737		549A
26	HOU	Contracts - Operations	92,430		550A
27	HOU	Homeless Assistance Center - Essential Services	148,005		551A
28	HOU	Homeless Assistance Center - Operations	378,279		552A
29	HOU	Street Operations	50,428		553A
30	HOU	Homeless Prevention - Financial Assistance/Rent (MLK)	30,700		554A
31	HOU	Homeless Prevention - Financial Assistance/Rent (WDMC)	30,700		555A
32	HOU	Rapid Re-Housing - Financial Assistance/Rent	11,000		556A
33	HOU	Rapid Re-Housing - Housing Relocation & Stabilization	281,452		557A
34	HOU	HMIS Data Collection	40,000		558A
35	HOU	ESG Administration	90,735		559A
HW16		<u>HOUSING OPPORTUNITIES FOR PERSONS W/AIDS (HOPWA)</u>	<u>\$ 6,409,124</u>	HWHO	
		<u>Housing/Community Services</u>			
36	HOU	Emergence/Tenant Based Rental Assistance/Financial Assistance	2,430,204		561A
37	HOU	Emergence/Tenant Based Rental Assistance/Housing Services	557,000		562A
38	HOU	Housing Facilities Operation	876,000		563A
39	HOU	Supportive Services	1,355,170		564A
40	HOU	Housing Facilities Rehab/Repair/Acquisition	500,000		565A
41	HOU	Housing Information/Resource Identification	168,480		566A
42	HOU	Program Administration/City of Dallas	192,270		567A
43	HOU	Program Administration/Project Sponsors	330,000		568A
15RP		<u>FY 2014-15 CDBG REPROGRAMMING</u>	<u>\$ 1,064,334</u>	CDRP	
		<u>Housing/Community Services</u>			
44	HOU	Major Systems Repair Program	1,064,334		529A
CONSOLIDATED PLAN TOTAL			\$ 27,750,568		

SCHEDULE C
FY 2016-17 HUD CONSOLIDATED PLAN BUDGET
SOURCE OF FUNDS

Source of Funds	FY 2016-17 Adopted Budget
Community Development Block Grant (CDBG)	\$ 13,258,321
Program Income - Housing Activities (estimate)	400,000
Program Income - Sub recipient Retained (estimate)	275,000
CDBG Reprogramming	1,064,334
HOME Investment Partnerships Program (HOME)	4,132,323
Program Income (estimate)	1,000,000
Emergency Solutions Grant (ESG)	1,211,466
Housing Opportunities for Persons with AIDS (HOPWA)	6,409,124
TOTAL SOURCE OF FUNDS	\$ 27,750,568

SCHEDULE D
FY 2015-16 CDBG REPROGRAMMING

Source of Funds	FY 2015-16 Reprogramming
From FY 2013-14:	
BAC #1 Maple Ave Greater Dallas Hispanic Chamber of Commerce	\$ 10,285
BAC #3 Singleton Blvd Greater Dallas Hispanic Chamber of Commerce	34,309
BAC #6 Greater Dallas Asian American Chamber of Commerce	6,439
From FY 2014-15:	
Dedicated SAFE II Expansion Code Inspection - DPD	25,634
City Office of Senior Affairs	32,908
Clinical Dental Care Program	100,000
Housing Development Support	186,393
Senior Services Program	4,010
Fair Housing Enforcement	20,144
Economic Development Program Oversight (P/PO)	47,354
Citizen Participation/CDC Support/HUD Oversight (P/PO)	78,773
Neighborhood Vitality Project Delivery	275,700
Reprogrammed Funds	242,386
TOTAL CDBG REPROGRAMMING	\$ 1,064,334

AGENDA ITEM # 25

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

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a Memorandum of Understanding with the Trust for Public Land in order to implement the proposed Smart Growth for Dallas program – Financing: No cost consideration to the City

BACKGROUND

The City of Dallas Park and Recreation Board wishes to enter into a partnership with the Trust for Public Land (TPL) to develop a set of strategies for Dallas' parks, open spaces, and green infrastructure called Smart Growth for Dallas. The privately-funded effort will use computer modeling and community engagement to identify areas of Dallas where parks can grow the local economy, connect communities, improve public health, and protect the city's most important natural places.

By combining sophisticated Geographic Information System (GIS) computer modeling and on-the-ground engagement with residents and park users, Smart Growth for Dallas will create an interactive "decision support tool" to help Dallas prioritize its investments in parks based on their economic, social, and ecological benefits. Using this decision support tool, Dallas will be able to create parks that can cool neighborhoods during summertime heat waves, protect homes from floods, improve the health of nearby residents, and build wealth for residents and tax base for the city. The results of the program will be available to city staff, non-profit partners, and the public at large through an interactive website.

As partners in Smart Growth for Dallas, The Texas Trees Foundation will continue its groundbreaking work studying Dallas's urban forest and the heat islands and bcWORKSHOP will lead community engagement and storytelling activities, while furthering its work on racial equity and park access. The Texas Trees Foundation's 2015 State of the Dallas Urban Forest Report and bcWORKSHOP's 2014 Race and the Control of Public Parks were important milestones in Dallas's efforts to understand how parks, open space, and other natural assets can improve the city's resiliency and social equity.

BACKGROUND (Continued)

The Smart Growth for Dallas program will create an unprecedented data library and analysis of how parks and open space can offer social, economic, and environmental benefits to the city. The complete analysis will be available through a website featuring maps, data visualizations, storytelling about the importance of parks to neighborhoods, and other innovative features which will allow users to interact with the data.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 3, 2015, the Park and Recreation Board authorized a resolution supporting the partnership with the City of Dallas and the Trust for Public Land.

On March 10, 2016, the Park and Recreation Board was briefed regarding the proposed partnership.

On June 2, 2016, the Park and Recreation Board authorized a Memorandum of Understanding.

Information about this item will be provided to the Quality of Life & Environment Committee on June 13, 2016.

FISCAL INFORMATION

No cost to consideration to the City. Private donors will fund the work of this partnership.

June 22, 2016

WHEREAS, the City Charter provides the Park and Recreation Board jurisdiction over the control, management and maintenance of the public parks of the City; and

WHEREAS, the City Charter requires that the City Council shall approve any agreement which exceeds one year in duration; and

WHEREAS, due to the new growth and development continuing to accelerate across the city, and particularly in southern Dallas, there is an urgent need to identify and protect the city's most important natural assets for the benefit of future generations; and

WHEREAS, the City has identified the Trust for Public Land (TPL), a 501(c)(3) non-profit organization, as a medium to facilitate this urgent need; and

WHEREAS, the TPL is an organization that works across the country to create parks and protect land for people, ensuring healthy, livable communities for generations to come; and

WHEREAS, the TPL's *Climate-Smart Cities* initiative helps cities meet the challenges posed by climate change through academic research, GIS-planning and analysis, and demonstration projects; and

WHEREAS, the TPL proposes to create a *Smart Growth for Dallas* program that builds on the *Climate-Smart Cities* framework to help Dallas prioritize its future investments in parks, open space, and green infrastructure; and

WHEREAS, the proposed *Smart Growth for Dallas* program utilizes a GIS-based analytical framework and on-the-ground community engagement to identify preferred geographic locations for these future investments, optimized for a set of economic, social, and ecological objectives; and

WHEREAS, the proposed program will provide the City of Dallas with the following benefits: community engagement to gather data from the public about parks, open space, and green infrastructure in Dallas; GIS-based analysis and mapping of Dallas to identify priority areas for multi-benefit parks, open space, and green infrastructure as they relate to economic, social, and ecological outcomes; a report identifying high-priority parcels for new investments in parks, open space, and green infrastructure; an interactive GIS-based decision support tool capable of running custom queries to identify priority parcels; and a feasibility study for a demonstration project that puts the program's findings into action; and

WHEREAS, the TPL will endeavor to secure private funding for the proposed program and is not seeking financial support from the city; and

June 22, 2016

WHEREAS, the City of Dallas Park and Recreation Board supports the propositions that parks, open space, and green infrastructure provide economic, social, and ecological benefits; and that there is a need for identifying opportunities and prioritizing future investments in parks, open space, and green infrastructure; and

WHEREAS, the City of Dallas Park and Recreation Board passed a resolution supporting the partnership with the City of Dallas and the Trust for Public Land on December 3, 2015.

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 enter into a Memorandum of Understanding with the Trust for Public Land in order to implement the proposed *Smart Growth for Dallas* program that meets the needs and goals articulated above.

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 # 26

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

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 8

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 65-U V

SUBJECT

Authorize a contract with MART, Inc., best value proposer of four, for a new recreation center at Singing Hills Recreation Center located at 6805 Patrol Way - Not to exceed \$4,470,000 - Financing: Park and Recreation Program Funds (\$500,000), Capital Construction Funds (\$900,000), 2006 Bond Funds (\$147,082), and General Obligation Commercial Paper Funds (\$2,922,918)

BACKGROUND

On March 25, 2016, four proposals were received for a new Singing Hills Recreation Center. MART, Inc. was selected as the best value proposer for the Base Price and Alternate Nos. 1, 2b and 7, in the amount of \$4,470,000. The new recreation center includes: reception/waiting area, administration area, exercise room, fitness room, game room and two multipurpose rooms. There are plans for a future gym.

Proposals based on Request for Competitive Sealed Proposals (RFCSP) are evaluated on pre-set criteria which include cost, qualifications of the prime contractor, construction amount and schedule ratings, which are based on mathematical formulas, with the best price and best schedule being given the highest scores. Ratings "1" to "10" are given for each criterion with "10" being the best rating. These ratings are multiplied by the weighting to obtain the score for each criterion.

The following is a list of the rating criteria and values for each criterion:

<u>Rating Criteria</u>	<u>Value</u>
1. Proposed Construction Contract Award	45%
2. Qualifications/Experience/References for Prime Firm	20%
3. Subcontractor Experience	10%
4. Business Inclusion and Development Plan	15%
5. Financial Sufficiency	5%
6. Schedule/Time of Completion	<u>5%</u>
	100%

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2013
Completed Design	February 2016
Begin Construction	July 2016
Complete Construction	March 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized proceeding with construction procurement on November 20, 2014.

The Park and Recreation Board authorized the rejection of proposals on August 6, 2015.

Information about this item was provided to the Quality of Life & Environment Committee on August 24, 2015.

On June 2, 2016, the Park and Recreation Board will consider this item.

Information about this item will be provided to the Quality of Life & Environment Committee on June 13, 2016.

FISCAL INFORMATION

Park and Recreation Program Funds - \$500,000.00
Capital Construction Funds - \$900,000.00
2006 Bond Funds - \$147,081.64
2006 Bond Program (General Obligation Commercial Paper Funds) - \$2,922,918.36

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

MART, Inc.

White Male	27	White Female	6
Hispanic Male	7	Hispanic Female	2
Black Male	0	Black Female	1
Other Male	0	Other Female	0

PROPOSAL INFORMATION

The following four proposals were received and opened on March 25, 2016:

*Denotes the successful proposer

<u>Proposer's</u>	<u>Base Price</u>	<u>Alter. Nos. 1, 2b and 7**</u>	<u>Total Price</u>	<u>Scores</u>
*MART, Inc. 1503 Perry Street Irving, Texas 75060	\$4,272,000	\$198,000	\$4,470,000	4,217.25
J.C. Commercial, Inc.	\$4,600,777	\$214,000	\$4,814,777	4,204.12
DENCO CS Corporation	\$6,006,568	\$162,929	\$6,169,497	2,784.70
3i Contracting, LLC			***Withdraw	

**Alternate No. 1 - provides for installation of LED lighting in lieu of conventional lighting.

**Alternate No. 2b - provides for installation of fitness equipment.

**Alternate No. 7 - provides for installation of epoxy resin terrazzo flooring in lieu of polished concrete.

***3i Contracting, LLC withdrew their proposal.

Note: The best and final offer from MART, Inc. for Base Price and Alternate Nos. 1, 2b and 7 was for \$4,470,000.

OWNER

MART, Inc.

Vernon Proctor, President/Treasurer
Tim Proctor, Vice President
Linda Proctor, Corporate Secretary

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with MART, Inc., best value proposer of four, for a new recreation center at Singing Hills Recreation Center located at 6805 Patrol Way - Not to exceed \$4,470,000 - Financing: Park and Recreation Program Funds (\$500,000), Capital Construction Funds (\$900,000), 2006 Bond Funds (\$147,082), and General Obligation Commercial Paper Funds (\$2,922,918)

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$3,080,535.00	68.92%
Total non-local contracts	\$1,389,465.00	31.08%
TOTAL CONTRACT	\$4,470,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Butler & Butler	BMMB25318N0318	\$71,190.00	2.31%
Castro Roofing	HMMB64188N0217	\$234,905.00	7.63%
W.O.E. Construction	WFWBC23000517	\$109,335.00	3.55%
Total Minority - Local		\$415,430.00	13.49%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alford Construction	BMMB58964N0118	\$211,578.00	15.23%
Five Star Landscaping & Irrigation	IMMB62236Y0616	\$112,327.00	8.08%
Grizzly Glass & Mirror	WFWBE25500317	\$479,842.00	34.53%
Total Minority - Non-local		\$803,747.00	57.85%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$71,190.00	2.31%	\$282,768.00	6.33%
Hispanic American	\$234,905.00	7.63%	\$234,905.00	5.26%
Asian American	\$0.00	0.00%	\$112,327.00	2.51%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$109,335.00	3.55%	\$589,177.00	13.18%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$415,430.00	13.49%	\$1,219,177.00	27.27%



June 2, 2016

Singing Hills Recreation Center (6805 Patrol Way)

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District
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June 22, 2016

WHEREAS, on March 25, 2016, four proposals were received for a new recreation center at Singing Hills Recreation Center located at 6805 Patrol Way; and

<u>Proposer's</u>	<u>Base Price</u>	<u>Alter. Nos. 1, 2b and 7**</u>	<u>Total Price</u>	<u>Scores</u>
MART, Inc.	\$4,272,000	\$198,000	\$4,470,000	4,217.25
J.C. Commercial, Inc.	\$4,600,777	\$214,000	\$4,814,777	4,204.12
DENCO CS Corporation	\$6,006,568	\$162,929	\$6,169,497	2,784.70
3i Contracting, LLC			***Withdrawn	

**Alternate No. 1 - provides for installation of LED lighting in lieu of conventional lighting.

**Alternate No. 2b - provides for installation of fitness equipment.

**Alternate No. 7 - provides for installation of epoxy resin terrazzo flooring in lieu of polished concrete.

***3i Contracting, LLC withdrew their proposal.

Note: The best and final offer from MART, Inc. for Base Price and Alternate Nos. 1, 2b and 7 was for \$4,470,000.

WHEREAS, it has been determined that acceptance of the best and final offer from MART, Inc., in an amount not to exceed \$4,470,000 is the best value for the City of Dallas.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a contract with MART, Inc. for a new recreation center at Singing Hills Recreation Center, in an amount not to exceed \$4,470,000.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with MART, Inc., after approval as to form by the City Attorney.

June 22, 2016

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse the amount not to exceed \$4,470,000 to MART, Inc., as follows:

Park and Recreation Program Fund Fund 0395, Department PKR, Unit 5012 Object 4720, Activity PK09, Program PK06T281 CT-PKR16019552, Commodity 91200, Vendor 500027	\$68,000.00
Park and Recreation Program Fund Fund 0395, Department PKR, Unit 5012 Object 4310, Activity PK09, Program PK06T281 CT-PKR16019552, Commodity 91200, Vendor 500027	\$432,000.00
Capital Construction Fund Fund 0671, Department PKR, Unit T281, Object 4310 Activity RFSI, Program PK06T281, CT-PKR16019552 Commodity 91200, Vendor 500027	\$900,000.00
(2006) Park and Recreation Facilities Improvement Fund Fund BT00, Department PKR, Unit T281, Object 4310 Activity RFSI, Program PK06T281, CT-PKR16019552 Commodity 91200, Vendor 500027	\$62,349.04
(2006) Park and Recreation Facilities Improvement Fund Fund 9T00, Department PKR, Unit T281, Object 4310 Activity RFSI, Program PK06T281, CT-PKR16019552 Commodity 91200, Vendor 500027	\$84,732.60
(2006) General Obligation Commercial Paper Fund Unit 4T00, Department PKR, Unit T281, Object 4310 Activity RFSI, Program PK06T281, CT-PKR16019552 Commodity 91200, Vendor 500027	<u>\$2,922,918.36</u>
Total amount not to exceed	\$4,470,000.00

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

AGENDA ITEM # 27

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

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

MAPSCO: 33D H; 34 A E F J K

SUBJECT

Authorize a contract with EJES Incorporated to provide engineering services for the Miscellaneous Drainage Improvements Project at Dallas Love Field - Not to exceed \$148,662 – Financing: Aviation Capital Construction Funds

BACKGROUND

This action will authorize an engineering services contract with EJES Incorporated to provide engineering services for the Miscellaneous Drainage Improvements Project at Dallas Love Field.

This project consists of four areas on the airfield at Dallas Love Field that are experiencing ponding water or erosion during rain events. In the fall of 2014, the Federal Aviation Administration Certification inspection found two areas on the airfield that held water 48 hours after a rain event, which is out of compliance with the Federal Aviation Administration Advisory Circulars. The third is an area between Runway 13L and Shorecrest Drive. The area is experiencing erosion on the embankment and is threatening the outfall control structure within the embankment. The fourth area, being in close proximity to the ponding area, has recently been identified. The Department of Aviation requested that both the survey and geotechnical investigations of the area be included in the contract. This contract will develop engineering solutions to protect the embankment from further erosion.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	July 2016
Complete Design	July 2017

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$148,662.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

EJES Incorporated

Hispanic Female	1	Hispanic Male	2
African-American Female	21	African-American Male	23
White Female	5	White Male	23
Other Female	3	Other Male	6

PROPOSAL INFORMATION

The Request for Qualifications for Engineering Services for the Miscellaneous Drainage Improvements Project at Dallas Love Field was advertised in December 2015. Seven firms submitted Statements of Qualifications on January 22, 2015. The selection committee shortlisted the three highest ranked firms. A Request for Proposal was issued on February 9, 2016 and interviews were held on February 19, 2016. The proposers were ranked as follows:

*Denotes successful proposer

<u>Proposers</u>	<u>Rank</u>
*EJES Incorporated 12655 N. Central Expressway, Suite 500 Dallas, TX 75243	1
IEA, Inc.	2
Jacobs Engineering Group, Inc	3

PROPOSAL INFORMATION (Continued)

The proposals were evaluated according to the criteria published in the Request for Qualifications and the Request for Proposals. These Criteria with respective weights were as follows:

Criteria 1 - Qualifications & Experience	25 points
Criteria 2 -Key Personnel	30 points
Criteria 3 - Understanding and Approach	15 points
Criteria 4 - Schedules and Budgets	15 points
Criteria 5 - Past performance and history of complying with DBE goals	15 points

OWNER

EJES Incorporated

Edwin B. Jones, P.E., MBA, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with EJES Incorporated to provide engineering services for the Miscellaneous Drainage Improvements Project at Dallas Love Field, in an amount not to exceed \$148,662 – Financing: Aviation Capital Construction Funds

EJES Incorporated 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	\$115,762.00	77.87%
Total non-local contracts	\$32,900.00	22.13%
TOTAL CONTRACT	\$148,662.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
EJES Incorporated	BMDB64782Y0716	\$84,018.00	72.58%
STL Engineers	HFDB85904Y0617	\$17,631.00	15.23%
Hayden Consultants	WFBD6734Y0716	\$14,113.00	12.19%
Total Minority - Local		\$115,762.00	100.00%

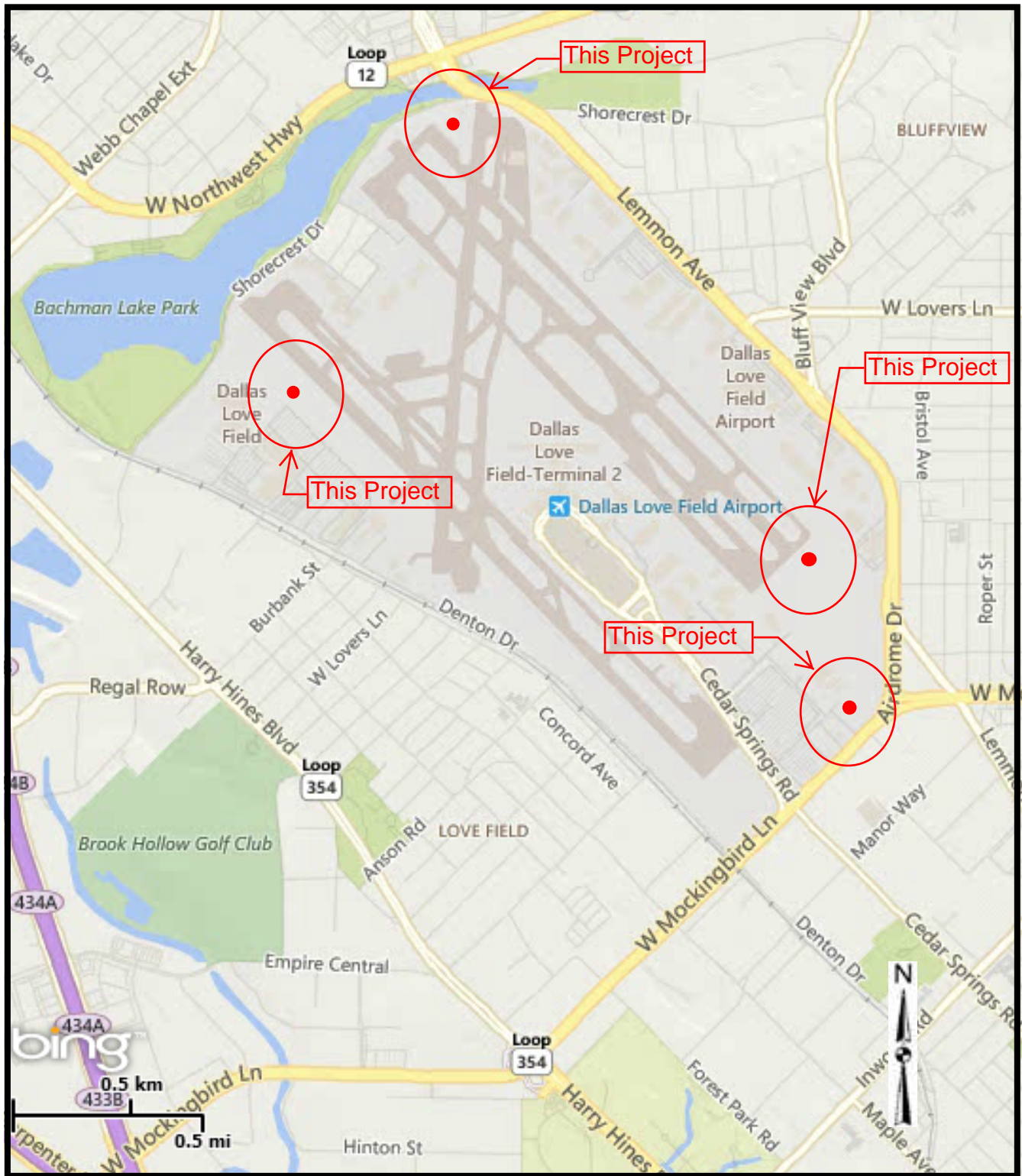
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Williams CM Group LLC	WFDB33386Y0716	\$3,000.00	9.12%
Total Minority - Non-local		\$3,000.00	9.12%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$84,018.00	72.58%	\$84,018.00	56.52%
Hispanic American	\$17,631.00	15.23%	\$17,631.00	11.86%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$14,113.00	12.19%	\$17,113.00	11.51%
Total	\$115,762.00	100.00%	\$118,762.00	79.89%

AIRFIELD MISCELLANEOUS DRAINAGE DALLAS LOVE FIELD



DALLAS LOVE FIELD

33DH; 34AEFJK

June 22, 2016

WHEREAS, the Federal Aviation Administration certification inspection found two areas on the airfield that held water 48 hours after a rain event, which is out of compliance with the Federal Aviation Administration Advisory Circulars; and,

WHEREAS, an additional area on the airfield at Dallas Love Field was identified as having erosion and drainage issues that needed to be addressed; and,

WHEREAS, the Department of Aviation has recently identified an area in close proximity to the ponding areas and has requested that a field investigation be performed as a part of this design work; and,

WHEREAS, it is now necessary to secure professional engineering services to design and produce construction documents for the areas identified; and,

WHEREAS, a solicitation was developed and publically advertised; and,

WHEREAS, three firms submitted proposals to provide engineering services for the Miscellaneous Drainage Improvements Project at Dallas Love Field Airport; and,

WHEREAS, EJES Incorporated was selected as the most qualified proposer of the three proposers as a result of a qualifications-based selection process and based on evaluation criteria in accordance with City of Dallas and Federal Aviation Administration procurement guidelines; and,

WHEREAS, it is now desirable to authorize a contract with EJES Incorporated to provide engineering services for the design of the Miscellaneous Drainage Improvements Project at Dallas Love Field Airport, in an amount not to exceed \$148,662.00.

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 EJES Incorporated to provide engineering services for the Miscellaneous Drainage Improvements Project at Dallas Love Field, in an amount not to exceed \$148,662.00, after it has been approved as to form by the City Attorney.

June 22, 2016

Section 2. That the City will apply for Passenger Facility Charge (PFC) funding at a later date for the eligible design (\$148,662.00) of the Miscellaneous Drainage Improvements Project; and upon approval of the PFC for this project, the Chief Financial Officer is hereby authorized to transfer an amount not to exceed \$148,662.00 from the PFC Fund 0477, Dept. AVI, Balance Sheet Account 001 to the Aviation Capital Construction Fund 0131, Dept. AVI, Balance Sheet Account 0001. The transfer of cash is contingent upon approval of the Passenger Facility Charge (PFC) Funds by the Federal Aviation Administration.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Aviation Capital Construction Fund	
Fund 0131, Dept. AVI, Unit W007, Act. AAIP Obj. 4111	
Program #AVW007, CTAVIW007APR16, Comm. 92500	
Vendor #505524, in an amount not to exceed	\$148,662.00

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Public Works Department
Water Utilities

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

MAPSCO: 44P T

SUBJECT

Authorize a contract with Tiseo Paving Company, lowest responsible bidder of three, for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard - Not to exceed \$7,663,718 - Financing: Capital Projects Reimbursement Funds (\$2,975,000), 2012 Bond Funds (\$1,595,371), General Obligation Commercial Paper Funds (\$1,969,693), Water Utilities Capital Improvement Funds (\$1,082,744) and Water Utilities Capital Construction Funds (\$40,910)

BACKGROUND

A professional services contract with Urban Engineers Group, Inc. was authorized on February 27, 2013, by Resolution No. 13-0414 for the engineering design of Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard. Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard is a partnership project between the City and Dallas County. A Project Specific Agreement with Dallas County was authorized on May 25, 2016, by Resolution No. 16-0810 for funding participation in the design and construction of paving and drainage improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard. This action will authorize a construction contract with Tiseo Paving Company for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard.

The project consists of a four-lane divided roadway with dedicated bike lanes, barrier free ramps, traffic signals, sidewalks, landscaping, storm drainage, water and wastewater main improvements.

BACKGROUND (Continued)

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

	<u>PBW</u>	<u>WTR</u>	<u>PKR</u>
Projects Completed	4	0	0
Change Orders	0	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2013
Completed Design	May 2016
Begin Construction	August 2016
Complete Construction	December 2017

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Master Agreement with Dallas County governing Major Capital Improvement Program projects on January 10, 2001, by Resolution No. 01-0104.

Authorized a new Master Agreement with Dallas County governing Major Capital Improvement Program projects on April 13, 2011, by Resolution No. 11-0927.

Authorized a professional services contract for engineering services on February 27, 2013, by Resolution No. 13-0414.

Authorized Supplemental Agreement No. 2 to the professional services contract for engineering services on April 22, 2015, by Resolution No. 15-0759.

Authorized a Project Specific Agreement with Dallas County for funding participation for the design and construction of paving and drainage improvements on May 25, 2016, by Resolution No. 16-0810.

Information about this item will be provided to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

Capital Projects Reimbursement Funds - \$2,975,000.00
2012 Bond Funds - 1,595,371.25
General Obligation Commercial Paper (2006 Bond Program) - \$1,969,693.00
Water Utilities Capital Improvement Funds - \$1,082,743.50
Water Utilities Capital Construction Funds - \$40,910.00

Design	\$	565,654.00
Supplemental Agreement No. 1 (Street Services)	\$	49,635.00
Supplemental Agreement No. 2	\$	49,800.00

Construction (this action)		
Paving & Drainage - PBW	\$	6,540,064.25
Water & Wastewater - DWU	\$	<u>1,123,653.50</u>

Total	\$	8,328,806.75
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Tiseo Paving Company

Hispanic Female	1	Hispanic Male	72
African-American Female	0	African-American Male	2
Other Female	0	Other Male	0
White Female	2	White Male	27

BID INFORMATION

The following bids with quotes were received and opened on April 15, 2016:

*Denotes successful bidder(s)

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*Tiseo Paving Company 419 East Highway 80 Mesquite, Texas 75150	\$7,663,717.75
Texas Standard Construction, Ltd.	\$7,872,536.75
Ed Bell Construction Company	\$9,902,690.50

BID INFORMATION (Continued)

Engineer's estimate: PBW - \$5,208,302.34
DWU - \$1,018,366.80

Total \$6,226,669.14

OWNER

Tiseo Paving Company

Arthur Tiseo, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Tiseo Paving Company, lowest responsible bidder of three, for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard - Not to exceed \$7,663,718 - Financing: Capital Projects Reimbursement Funds (\$2,975,000), 2012 Bond Funds (\$1,595,371), General Obligation Commercial Paper Funds (\$1,969,693), Water Utilities Capital Improvement Funds (\$1,082,744) and Water Utilities Capital Construction Funds (\$40,910)

Tiseo Paving Company 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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$3,301,052.75	43.07%
Total non-local contracts	\$4,362,665.00	56.93%
TOTAL CONTRACT	\$7,663,717.75	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

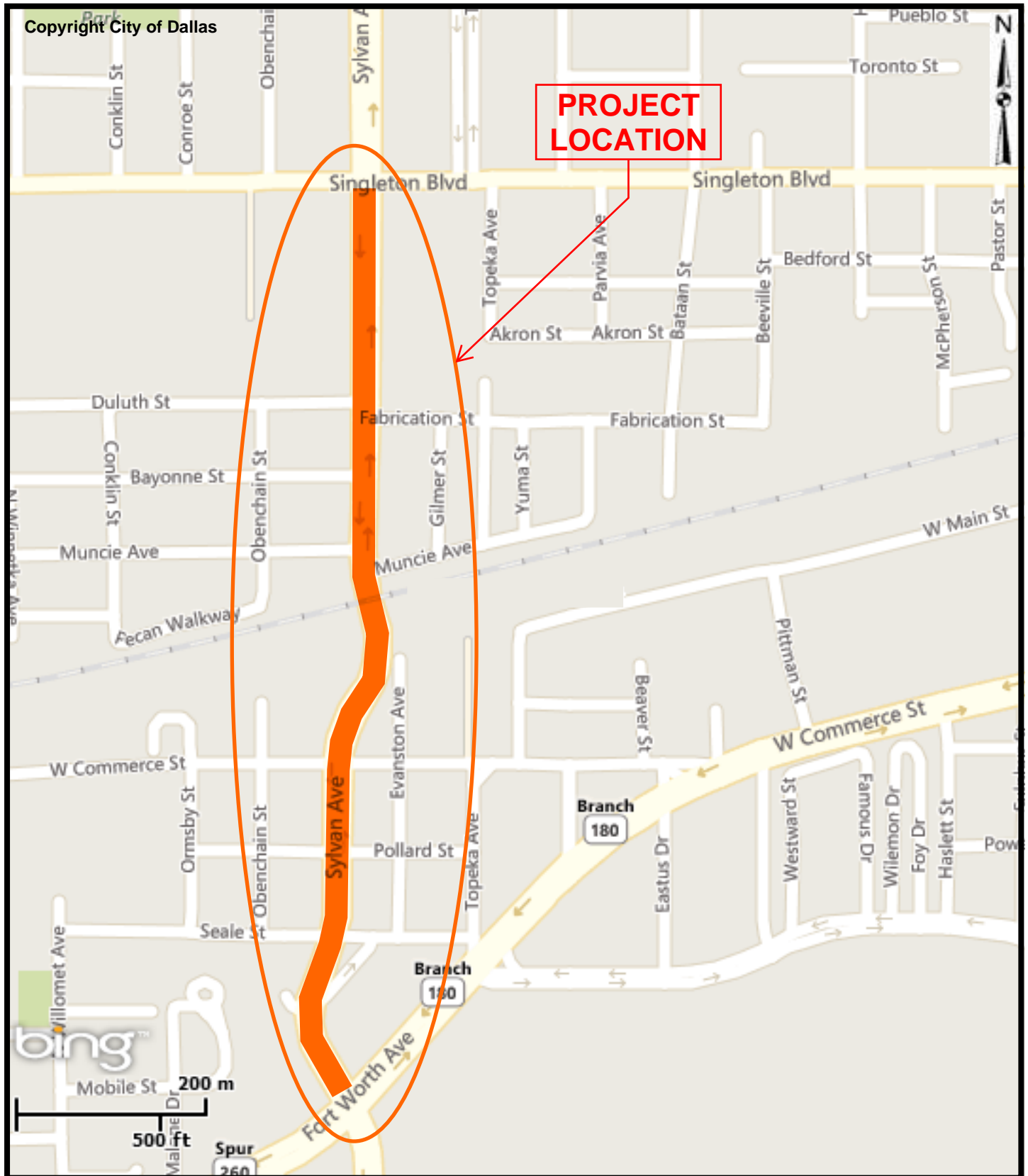
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
A & M Construction	HFMB64813N0417	\$2,710,000.00	62.12%
Total Minority - Non-local		\$2,710,000.00	62.12%

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%	\$2,710,000.00	35.36%
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%	\$2,710,000.00	35.36%

Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard



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June 22, 2016

WHEREAS, on January 10, 2001, Resolution No. 01-0104 authorized a Master Agreement with Dallas County governing Major Capital Improvement Program (MCIP) projects to be jointly funded and developed by Dallas County and the City of Dallas, and;

WHEREAS, on June 23, 2008, the Transportation and Environment Committee (TEC), now known as Transportation and Trinity River Project Committee, was briefed on the MCIP overview for the submission, acceptance, and implementation of the City of Dallas candidate projects for Dallas County's 2008 MCIP Fifth Call for Projects, and;

WHEREAS, on August 12, 2008, the TEC was briefed on project recommendations for submission, and;

WHEREAS, Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard was submitted and subsequently selected for implementation in Dallas County's 2008 MCIP Fifth Call for Projects, and;

WHEREAS, on April 13, 2011, Resolution No. 11-0927 authorized a new Master Agreement with Dallas County governing Major Capital Improvement Program (MCIP) with Dallas County, and;

WHEREAS, the City of Dallas is the lead agency for the project development, and;

WHEREAS, Dallas County has agreed to participate with the project costs in the amount of \$3,000,000.00, and;

WHEREAS, on February 27, 2013, Resolution No. 13-0414 authorized a professional services contract with Urban Engineers Group, Inc. for the engineering design of street improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard, in the amount of \$565,654.00, and;

WHEREAS, on May 29, 2013, Administrative Action No. 13-1178 authorized Supplemental Agreement No. 1 to the contract with Urban Engineers Group, Inc. to include the design of 7.24 miles of on-street bicycle facilities with relevant pavement markings, striping and signage in an amount not to exceed \$49,635.00, from \$565,654.00 to \$615,289.00; and,

June 22, 2016

WHEREAS, on April 22, 2015, Resolution No. 15-0759 authorized Supplemental Agreement No. 2 to the professional services contract with Urban Engineers Group, Inc. for engineering design services for additional drainage improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard and traffic signal modifications at Sylvan Avenue, and Singleton Boulevard, in the amount of exceed \$49,800.00, from \$615,289.00 to \$665,089.00; and,

WHEREAS, on May 25, 2016, Resolution No. 16-0810 authorized a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements on Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard and the receipt of payment from Dallas County in an amount not to exceed \$3,000,000.00 for Dallas County's share of the project costs; and,

WHEREAS, bids were received on April 15, 2016 for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Tiseo Paving Company	\$7,663,717.75
Texas Standard Construction, Ltd.	\$7,872,536.75
Ed Bell Construction Company	\$9,902,690.50

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 contract with Tiseo Paving Company for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard in an amount not to exceed \$7,663,717.75, 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:

Capital Projects Reimbursement Fund	
Fund 0556, Department PBW, Unit U802, Act. THRF	
Obj. 4510, Program #PB06U802, CT PBW06U80211	
Vendor #011466, in an amount not to exceed	\$2,975,000.00

June 22, 2016

Street and Transportation Improvements Fund
Fund 3U22, Department PBW, Unit U802, Act. THRF
Obj. 4510, Program #PB06U802, CT PBW06U802I1
Vendor #011466, in an amount not to exceed \$1,595,371.25

Street and Transportation Improvements Fund
Fund 4T22, Department PBW, Unit U802, Act. THRF
Obj. 4510, Program #PB06U802, CT PBW06U802I1
Vendor #011466, in an amount not to exceed \$1,969,693.00

Water Capital Improvement Fund
Fund 2115, Department DWU, Unit PW42
Obj. 4550, Program #715157, CT PBW715157CP
Vendor #011466, in an amount not to exceed \$ 664,883.00

Water Construction Fund
Fund 0102, Department DWU, Unit CW42
Obj. 3221, Program #715157X, CT PBW715157EN
Vendor #011466, in an amount not to exceed \$ 25,520.00

Wastewater Capital Improvement Fund
Fund 2116, Department DWU, Unit PS42
Obj. 4560, Program #715158, CT PBW715158CP
Vendor #011466, in an amount not to exceed \$ 417,860.50

Wastewater Construction Fund
Fund 0103, Department DWU, Unit CS42
Obj. 3222, Program #715158X, CT PBW715158EN
Vendor #011466, in an amount not to exceed \$ 15,390.00

Total amount not to exceed \$7,663,717.75

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

AGENDA ITEM # 29

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 4, 7, 8

DEPARTMENT: Public Works Department
Water Utilities

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

MAPSCO: 47D 65A 66P Q

SUBJECT

Authorize **(1)** street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3003; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on August 24, 2016, to receive comments - Financing: No cost consideration to the City

BACKGROUND

Longhorn Street from Ferguson Road to Bar X Street was requested by property owner petition and accepted on December 22, 2009. The alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive was requested by property owner petition and accepted on May 10, 2006. The alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property was requested by property owner petition and accepted on August 24, 2009. All of these projects were subsequently funded in the 2012 Bond Program. A professional services contract for the design was authorized by City Council on September 25, 2013, by Resolution No. 13-1731 and on December 11, 2013, by Resolution No. 13-2072. This action will authorize the project, partial payment of cost by assessment, and a benefit assessment hearing. The street improvement will consist of upgrading the existing unimproved two-lane asphalt street with 26-foot wide concrete pavement with curbs, sidewalks, drive approaches, installation of a storm drainage system and water and wastewater main improvements. The alley improvements will consist of upgrading the unimproved gravel and dirt alleys with 10-foot wide concrete pavement.

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

These actions are the 1st and 2nd steps in the process.

ESTIMATED SCHEDULE OF PROJECT

Began Design	December 2013
Completed Design	August 2015
Begin Construction	November 2016
Complete Construction	November 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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

Authorized a professional services contract for engineering services on December 11, 2013, by Resolution No.13-2072.

Information about this item will be provided to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

Design	\$ 99,239.25
Construction	
Paving&Drainage (PBW)	\$ 973,165.00 (est.)
Water & Wastewater (WTR)	<u>\$ 363,464.84 (est.)</u>
Total Project Cost	\$1,435,869.09 (est.)

<u>Council District</u>	<u>Amount</u>
4	\$ 72,845.00 (est.)
7	\$1,071,259.84 (est.)
8	<u>\$ 192,525.00 (est.)</u>
Total	\$1,336,629.84 (est.)

This project does involve assessments.

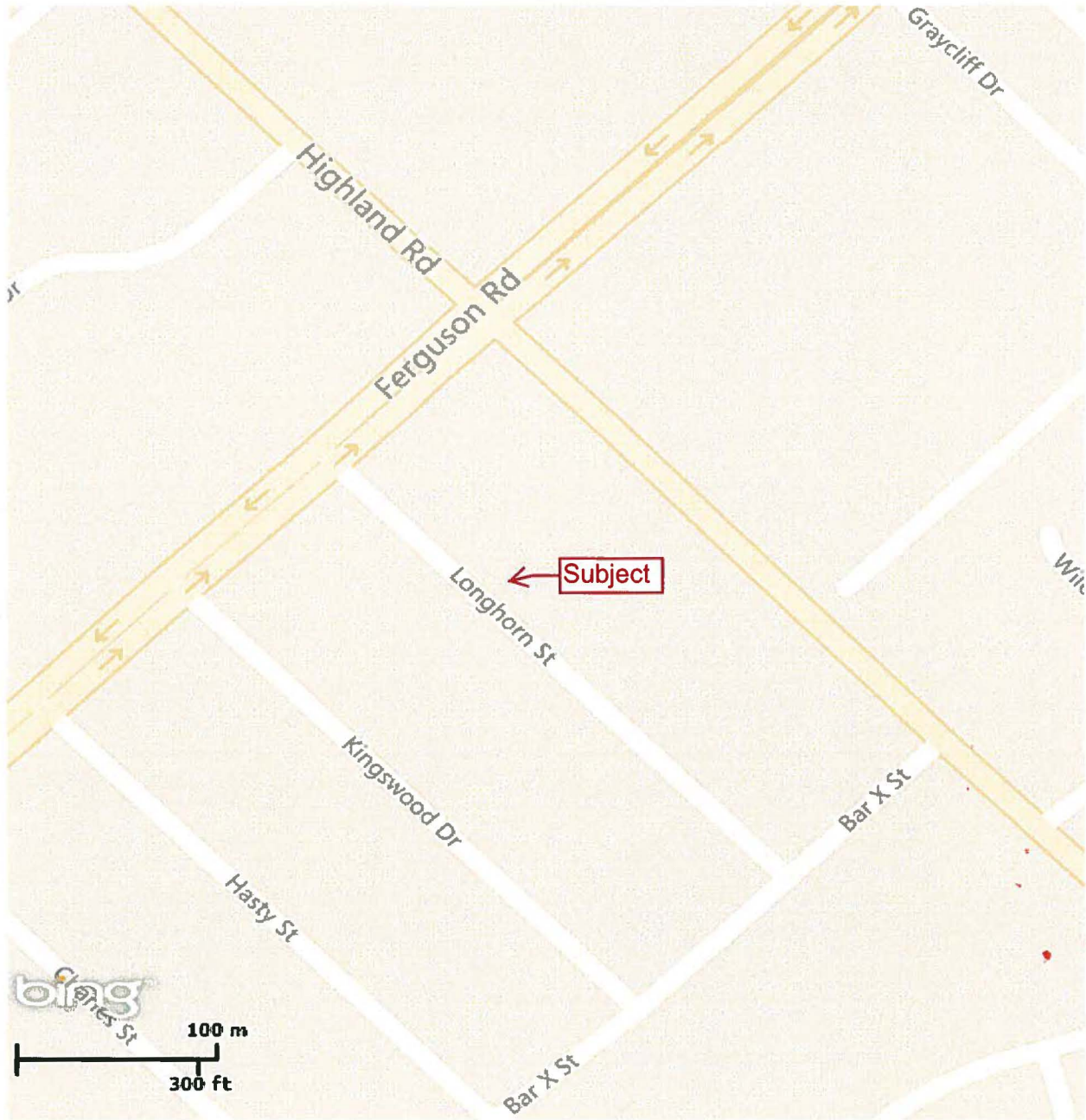
MAPS

Attached.

Project Group 12-3003

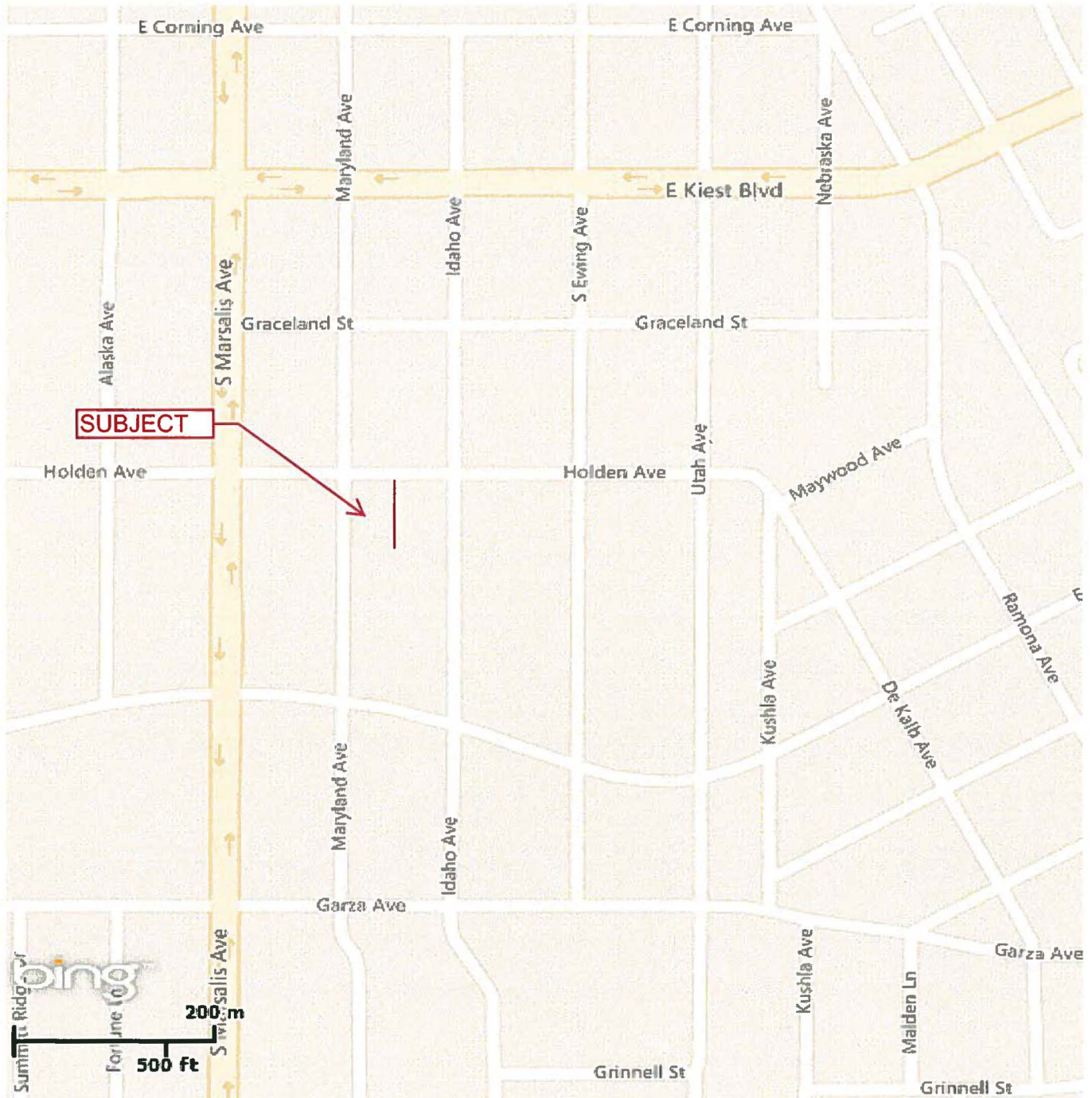
<u>Project</u>	<u>Limits</u>	<u>Council District</u>
Longhorn Street	from Ferguson Road to Bar X Street	7
Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive	from Lovingood Drive to Loud Drive	8
Alley between Idaho Avenue and Maryland Avenue	from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property	4

PROJECT GROUP 12-3003



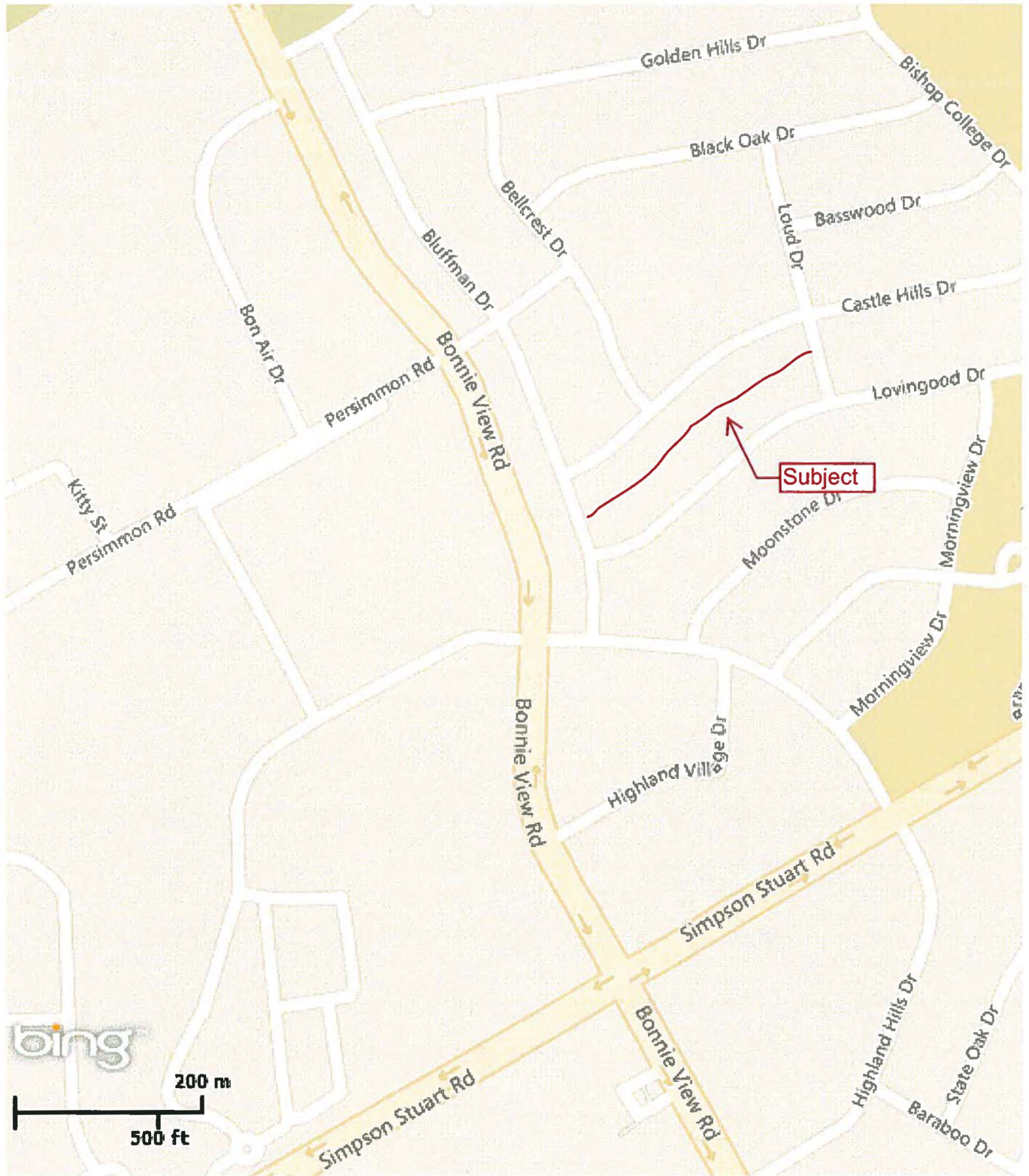
MAPSCO 47D

PROJECT GROUP 12-3003



MAPSCO 65A

PROJECT GROUP 12-3003



MAPSCO 66P, Q



June 22, 2016

WHEREAS, the City of Dallas deems it necessary to permanently improve the hereinafter named street and alleys within the City of Dallas.

Now, Therefore,

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

SECTION 1. That the following street and alleys

Project Group 12-3003

Street:

1. Longhorn Street from Ferguson Road to Bar X Street

Alleys:

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive
3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

shall be improved in the following manner, to wit:

(1) That said street and alleys shall be profiled so as to bring same to design grade.

(2) That said street shall be paved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and,

(3) That said alleys shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick subgrade; and,

That any permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments.

That bids shall be taken for the construction of the work for the type of construction enumerated above, and the work shall be done with the materials and according to plans and methods selected by the City Council after the bids are opened.

June 22, 2016

That the cost of said improvements shall be paid for as follows, to wit:

(a) That the City of Dallas shall pay only an amount equal to the cost of storm sewers, and all the cost of improving intersections of said street and alleys with other street and alleys, and partial adjusted frontages on side property, except so much thereof as shall be borne by streets, railways, and steam railways, as provided in Subsection (a)

(b) That after deducting the proportion of the cost provided for in said Subsection (a) above, the whole remaining cost, including the cost of concrete curbs or curbs and gutters, driveways, sidewalks and alleys shall be paid by the owners of property abutting on said streets and alleys named to be paved, in the following manner, to wit:

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 an 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.

Provided that, if the application of the above-mentioned rule of apportionment between property owners would, in the opinion of the City Council, in particular cases be unjust or unequal, it shall be the duty of the said Council to assess and apportion said cost in such manner as it may deem just and equitable, having in view the special benefits in enhanced value to be received by each owner of such property, the equities of owners, and the adjustment of such apportionment, so as to produce a substantial equality of benefits received by and burdens imposed upon such owners.

That no such assessment shall be made against any owner of abutting property, if any, until after the notice and hearing provided by law, and no assessment shall be made against an owner of abutting property in excess of the benefits to such property in enhanced value thereof by means of such improvements.

June 22, 2016

That the contractor shall be paid for the work performed under the specifications, upon monthly estimates to be prepared by the Director of Public Works. That there shall be deducted as a retainage fee, five (5%) percent of such monthly estimates, to be held by the City of Dallas until the contract is performed and executed to the satisfaction of the Director of Public Works. The monthly estimates shall be paid on or before the 10th day of the next succeeding month for the work performed during the previous month.

For that part of the cost of the improvements that shall be determined to be levied against the owners of abutting property and their property shall be levied by assessment as herein provided, and said improvements may further be secured by Mechanic's Liens to be executed in favor of the City of Dallas, provided by law in accordance with the terms and provisions of this resolution. Paving certificates evidencing the assessment shall be issued in favor of the City of Dallas for the amount of the assessment, whether the property owners have executed Mechanic's Liens to secure the payment or not, and shall be payable for the use and benefit of the Revolving Fund established for the purpose of financing paving improvements.

That the Director of Public Works is hereby directed to prepare at once the specifications and an estimate of the cost of such improvements and file the same with the City Council for the hereinabove described pavement and improvements. That in the specifications prepared, provision shall be made to require all contractors to give such bonds as may be necessary or as required by law.

That such specifications shall require the bidder to make a bid upon the type of improvements above described, with such bonds as may be required.

That the specifications shall also state the amounts of the required bonds, as well as the method by which it is proposed to pay the cost of said improvements, said method being in accordance with this resolution.

SECTION 2. That the City Council, in initiating this proceeding, is acting under the terms and provisions of the Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said Session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Sections 311 and 313 (Vernon's 1996), which said law, as an alternative method for the construction of street and alley improvements in the City of Dallas, Texas, has been adopted and made a part of the Charter of said City, being Chapter XX of said Charter.

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.

NOTICE OF ASSESSMENT PROCEEDINGS AND LIEN UPON ABUTTING PROPERTY

NOTICE is hereby given that the Governing Body of the City of Dallas, in the County of Dallas, in the State of Texas, by Resolution No. _____ dated _____ has ordered and directed that the following street in said City be improved, to wit:

Project Group 12-3003

1. Longhorn Street from Ferguson Road to Bar X Street

Northwest Side of Street

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Ferguson Highlands	A/7051	4
Ferguson Highlands	A/7051	15
Ferguson Highlands	A/7051	16
Ferguson Highlands	A/7051	17
Ferguson Highlands	A/7051	18
Ferguson Highlands	A/7051	19
Ferguson Highlands	A/7051	20
Ferguson Highlands	A/7051	21
Ferguson Highlands	A/7051	22
Ferguson Highlands	A/7051	23
Ferguson Highlands	A/7051	24

Southeast Side of Street

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Ferguson Highlands	B/7051	12
Ferguson Highlands	B/7051	11
Ferguson Highlands	B/7051	10
Ferguson Highlands	B/7051	9
Ferguson Highlands	B/7051	8
Ferguson Highlands	B/7051	7
Ferguson Highlands	B/7051	6
Ferguson Highlands	B/7051	5
Ferguson Highlands	B/7051	4
Ferguson Highlands	B/7051	3
Ferguson Highlands	B/7051	1

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive

North Side of Alley

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Highland Hills	7/6866	1
Highland Hills	7/6866	30
Highland Hills	7/6866	28
Highland Hills	7/6866	27
Highland Hills	7/6866	26
Highland Hills	7/6866	25
Highland Hills	7/6866	24
Highland Hills	7/6866	23
Highland Hills	7/6866	22
Highland Hills	7/6866	21
Highland Hills	7/6866	20
Highland Hills	7/6866	19
Highland Hills	7/6866	18
Highland Hills	7/6866	17
Highland Hills	7/6866	16
Highland Hills	7/6866	15

South Side of Alley

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Highland Hills	7/6866	14
Highland Hills	7/6866	13
Highland Hills	7/6866	12
Highland Hills	7/6866	11
Highland Hills	7/6866	10
Highland Hills	7/6866	9
Highland Hills	7/6866	8
Highland Hills	7/6866	7
Highland Hills	7/6866	6
Highland Hills	7/6866	5
Highland Hills	7/6866	4
Highland Hills	7/6866	3
Highland Hills	7/6866	2

3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

West Side of Alley

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Plaza Parks Rev	5/6000	1
Plaza Parks Rev	5/6000	2
Plaza Parks Rev	5/6000	3
Plaza Parks Rev	5/6000	4

South Side of Alley

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Plaza Parks Rev	5/6000	23
Plaza Parks Rev	5/6000	22
Plaza Parks Rev	5/6000	21
Plaza Parks Rev	5/6000	20

In case of conflict between numbers and street names and limits, street names will govern. A portion of the cost of such improvements is to be specially assessed as a lien upon property abutting thereon.

City of Dallas, Texas

By _____
City Secretary

(File in Deed of Trust Records)

June 22, 2016

WHEREAS, the City Council of the City of Dallas is of the opinion that it is necessary to levy an assessment against the property and the owners thereof abutting upon the following:

Project Group 12-3003

Street:

1. Longhorn Street from Ferguson Road to Bar X Street

Alleys:

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive
3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

for a part of the cost of improving said street and alleys, fixing a time for the hearing of the owners of said property concerning the same, and directing the City to give notice of said hearing, as required by law; and,

WHEREAS, the City Council has heretofore, by resolution, ordered the improvement of the street enumerated above, by paving said street from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and

WHEREAS, the City Council has heretofore, by resolution, ordered the improvement of the alleys enumerated above, by paving said alleys with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick subgrade; and

Any existing permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments; and,

WHEREAS, the Director of Public Works of the City of Dallas has, in accordance with the law, filed his report with the City Council, and the property owners, in the cost thereof, together with the names of the owners and the description of said property, and the work to be done adjacent thereto, and the amounts proposed to be assessed against each lot or parcel and its owners and all other matters required by the applicable law.

June 22, 2016

Now, Therefore,

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

SECTION 1. That the report or statement filed by the Director of Public Works having been duly examined is hereby approved.

SECTION 2. That it is hereby found and determined that the cost of improvements on the hereinafter described street and alleys, with the amount or amounts per front foot proposed to be assessed for such improvements against abutting property and the owners thereof, are as follows, to wit:

Project Group 12-3003

Street:

1. Longhorn Street from Ferguson Road to Bar X Street

Alleys:

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive
3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

shall be improved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and

shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick subgrade; and

The estimated cost of the improvements is **\$1,336,629.84 (est.)**

- a. The estimated rate per square yard to be assessed against abutting property and the owners thereof for concrete drive approaches is **\$43.43/S. Y.**
- b. The estimated rate per front foot to be assessed against abutting property and the owners thereof for concrete alley is: **\$17.10/L. F.**
- c. The estimated rate per front foot to be assessed against abutting property and the owners thereof for pavement improvements is as follows:

June 22, 2016

Where Property Classification is WSR-II (MF-2(A))

The front rate for 6-inch thick reinforced concrete pavement 13.5 feet wide with curb: **\$75.52/L. F.**

The side frontage rate for 6-inch thick reinforced concrete pavement 2.5 feet wide with curb: **\$15.75/L.F.**

The front rate for 4-inch thick reinforced concrete sidewalk is: **\$8.34/L.F.**

The side frontage rate for 4-inch thick reinforced concrete sidewalk is: **\$4.17/L.F.**

Where Property Classification is WSR-III (Commercial)

The rate for 6-inch thick reinforced concrete pavement 13.5 feet wide with curb: **\$75.52/L.F.**

The rate for 4-inch thick reinforced concrete sidewalk is: **\$8.34/L.F.**

All assessments, however, are to be made and levied by the City Council as it may deem just and equitable, having in view the special benefits in enhanced value to be received by such parcels of property and owners thereof, the equities of such owners, and the adjustment of the apportionment of the cost of improvements so as to produce a substantial equality of benefits received and burdens imposed.

SECTION 3. That a hearing shall be given to said owners of abutting property, or their agents or attorneys and all persons interested in said matter, as to the amount to be assessed against each owner and his abutting property and railways and street railways and as to the benefits to said property by reason of said improvement, or any other matter of thing in connection therewith, which hearing shall be held in the Council Chamber of the City Hall of the City of Dallas, County of Dallas, on the **24th** day of **August**, A.D. **2016**, at **1:00** o'clock P.M., at which time all the said owners, their agents or attorneys or other interested persons are notified to appear and be heard, and at said hearing said owners and other persons may appear, by counsel or in person, and may offer evidence, and said hearing shall be adjourned from day to day until fully accomplished.

June 22, 2016

That the City shall give notice of the time and place of such hearing and of other matters and facts in accordance with the terms of provisions of the Act passed at the First called session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law, as an alternative method for the construction of street improvements in the City of Dallas, Texas, has been adopted and made a part of the charter of said City, being Chapter XX of said Charter. Said notice shall be by advertisement inserted at least three times in a newspaper published in the City of Dallas, Texas, the first publication to be made at least twenty-one (21) days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Act

That the City shall give additional written notice of said hearing by mailing to said owners a copy of said notice deposited in the Post Office at Dallas, Texas, at least fourteen (14) days prior to the date of said hearing, provided however, that any failure of the property owners to receive said notice, shall not invalidate these proceedings.

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.

June 22, 2016

TO THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS

As requested by your Honorable Body, the undersigned has prepared plans and specifications for the improvements of Project Group 12-3003. That said street shall be paved curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and that said alleys shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with an 6-inch thick subgrade and with estimates of the cost of improving the streets and alleys as listed thereon, together with the proposed assessments, a part of the cost to be made against the abutting properties and the property owners, and part of the cost to be paid by the City. The report of these improvements is as follows:

Project Group 12-3003

Street:

1. Longhorn Street from Ferguson Road to Bar X Street

Total Property Owners' Cost - Assessments		\$159,820.69
Total Estimated City of Dallas' Cost - Paving	\$475,052.01	
Total Estimated City of Dallas' Cost - Drainage	\$72,922.30	
Total Estimated Water Utilities Department Cost Water and Wastewater Main Improvements	\$363,464.84	
Total Estimated City of Dallas' Cost		\$911,439.15
Total Estimated Cost of Improvements		\$1,071,259.84

Alleys:

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive

Total Property Owners' Cost - Assessments		\$31,874.40
Total Estimated City of Dallas' Cost - Paving	\$160,650.60	
Total Estimated City of Dallas' Cost		\$160,650.60
Total Estimated Cost of Improvements		\$192,525.00

3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

Total Property Owners' Cost - Assessments		\$8,998.68
Total Estimated City of Dallas' Cost - Paving	\$63,846.32	
Total Estimated City of Dallas' Cost		\$63,846.32
Total Estimated Cost of Improvements		\$72,845.00

Project Group 12-3003

Street:

1. Longhorn Street from Ferguson Road to Bar X Street

Alleys:

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive

3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

Grand Total Property Owners' Cost - Assessments	\$200,693.77
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Estimated Grand Total City of Dallas' Cost - Paving	\$699,548.93
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Estimated Grand Total City of Dallas' Cost - Drainage	\$72,922.30
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Estimated Grand Total Water Utilities Department Cost Water and Wastewater Main Improvements	\$363,464.84
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Estimated Grand Total City of Dallas' Cost	\$1,135,936.07
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Estimated Grand Total Cost of Improvements	\$1,336,629.84
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The Director of Public Works reports that representatives of this Department have studied the actual existing conditions on the ground on these particular streets and alleys, and find that the existing roadways have a narrow asphalt surface with shallow earth drainage ditches; and that there are poor conditions existing on these dirt and gravel alleys which have accessibility and drainage issues. Taking all of this and other factors into consideration; plans and specifications have been prepared for these improvements. We believe that this paving will improve the properties abutting on said streets and alleys, and the proposed assessment is equitable for the enhancement value achieved on the abutting properties. Final determination of assessments will be made based on analysis of enhancement.

Respectfully submitted,

Director, Public Works Department

1. LONGHORN STREET FROM FERGUSON ROAD TO BAR X STREET

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
NORTHWEST SIDE OF STREET						
FERGUSON HIGHLANDS						
DOLLY BOUDEWYN TR	4	A/7051	140 FT PVMT	\$75.52	\$10,572.80	
9227 FREEPORT DRIVE	7900		79 FT WALK	\$8.34	\$658.86	
DALLAS, TX 75228	Ferguson Rd		30 FT DRIVE	No Cost	\$0.00	
			31 FT DRIVE	No Cost	\$0.00	
						\$11,231.66
GERMAN R. RAMIREZ	15	A/7051	84 FT PVMT	\$75.52	\$6,343.68	
2319 LONGHORN STREET			52 FT WALK	\$8.34	\$433.68	
DALLAS, TX 75228			27.5 SY DR(20' wide)	\$43.43	\$1,194.33	
			17.7 SY DR(12' wide)	\$43.43	\$768.71	
						\$8,740.40
JOSE M. MARTINEZ	16	A/7051	83 FT PVMT	\$75.52	\$6,268.16	
2327 LONGHORN STREET			58 FT WALK	\$8.34	\$483.72	
DALLAS, TX 75228			15 FT DRIVE	No Cost	\$0.00	
			10 FT DRIVE	No Cost	\$0.00	
						\$6,751.88
SMYRL N. POYNER	17	A/7051	83 FT PVMT	\$75.52	\$6,268.16	
C/O T N POYNER	2333		73 FT WALK	\$8.34	\$608.82	
8522 SAGEBRUSH LANE	Longhorn St		10 FT DRIVE	No Cost	\$0.00	
SAN ANTONIO, TEXAS 75217						
						\$6,876.98
FELIPE MARTINEZ	18	A/7051	83 FT PVMT	\$75.52	\$6,268.16	
2350 LONGHORN STREET	2339		73 FT WALK	\$8.34	\$608.82	
DALLAS, TX 75228	Longhorn St		10 FT DRIVE	No Cost	\$0.00	
						\$6,876.98

PROJECT GROUP 12-3003

1. LONGHORN STREET FROM FERGUSON ROAD TO BAR X STREET

SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH AND 8-INCH THICK REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS 4 FEET WIDE; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH.

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
JAMES E. FORDHAM, JR 10411 CHESTERTON DRIVE DALLAS, TX 75238	19 2347 Longhorn St	A/7051	83 73 15.2 10	FT PVMT FT WALK SY DR(10'wide) FT DRIVE	\$75.52 \$8.34 \$43.43 No Cost	\$6,268.16 \$608.82 \$660.14 \$0.00	\$7,537.12
JUANITA ALCARAZ & JOSE A. VASQUEZ 2351 LONGHORN STREET DALLAS, TX 75228	20	A/7051	83 66 17	FT PVMT FT WALK FT DRIVE	\$75.52 \$8.34 No Cost	\$6,268.16 \$550.44 \$0.00	\$6,818.60
PEDRO VALDIVIA LUNA & CARMEN Q. LUNA 2357 LONGHORN STREET DALLAS, TX 75228	21	A/7051	83 59 12 12	FT PVMNT FT WALK FT DRIVE FT DRIVE	\$75.52 \$8.34 No Cost No Cost	\$6,268.16 \$492.06 \$0.00 \$0.00	\$6,760.22
JAMES S. KILLGO 2365 LONGHORN STREET DALLAS, TX 75228	22	A/7051	83 63 18.3 18.3	FT PVMNT FT WALK SY DR(10'wide) SY DR(10'wide)	\$75.52 \$8.34 \$43.43 \$43.43	\$6,268.16 \$525.42 \$794.77 \$794.77	\$8,383.12
JOSE A. REYES MAYORGA SONIA REYES 2371 LONGHORN STREET DALLAS, TX 75228	23	A/7051	83 73 10	FT PVMT FT WALK FT DRIVE	\$75.52 \$8.34 No Cost	\$6,268.16 \$608.82 \$0.00	\$6,876.98

PROJECT GROUP 12-3003

1. LONGHORN STREET FROM FERGUSON ROAD TO BAR X STREET

SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH AND 8-INCH THICK REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS 4 FEET WIDE; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH.

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
ANTONIO D. ESTRADA & EVA GALDEAN 2377 LONGHORN STREET DALLAS, TX 75228	24	A/7051	80 FT PVMT 56 FT WALK 24 FT DRIVE	\$75.52 \$8.34 No Cost	\$6,041.60 \$467.04 \$0.00	\$6,508.64
SOUTHEAST SIDE OF STREET						
FERGUSON HIGHLANDS						
NEVADA E. COLEMAN & DANIEL P. GREBIN 2376 LONGHORN STREET DALLAS, TX 75228	12	B/7051	80 FT PVMT 70 FT WALK 10 FT DRIVE	\$75.52 \$8.34 No Cost	\$6,041.60 \$583.80 \$0.00	\$6,625.40
JUAN ESTRADA & RHODE ESTRADA 2370 LONGHORN ST DALLAS, TX 75228	11	B/7051	83 FT PVMT 58 FT WALK 15.2 SY DR(10'wide) 21.3 SY DR(15'wide)	\$75.52 \$8.34 \$43.43 \$43.43	\$6,268.16 \$483.72 \$660.14 \$925.06	\$8,337.08
MARTHENIA D. GORDON 2364 LONGHORN STREET DALLAS, TX 75228	10	B/7051	83 FT PVMT 73 FT WALK 18.3 SY DR(10'wide)	\$75.52 \$8.34 \$43.43	\$6,268.16 \$608.82 \$794.77	\$7,671.75
ABRAHAM GALDIAN 3102 LAWNVIEW AVE DALLAS, TX 75227	9 2356 Longhorn St	B/7051	83 FT PVMT 63 FT WALK 30.5 SY DR(20'Wide)	\$75.52 \$8.34 \$43.43	\$6,268.16 \$525.42 \$1,324.62	\$8,118.20
FELIPE MARTINEZ & MARIA T. MARTINEZ P O BOX 141373 DALLAS, TX 75214	8 2350 Longhorn St	B/7051	83 FT PVMT 63 FT WALK 20 FT DRIVE	\$75.52 \$8.34 No Cost	\$6,268.16 \$525.42 \$0.00	\$6,793.58

PROJECT GROUP 12-3003

1. LONGHORN STREET FROM FERGUSON ROAD TO BAR X STREET

SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH AND 8-INCH THICK REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS 4 FEET WIDE; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH.

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
JUAN A. ESTRADA & RHODE ESTRADA 2370 LONGHORN STREET DALLAS, TX 75228	7 2346 Longhorn St	B/7051	83 71 20.7	FT PVMT FT WALK FT DR(12'Drive)	\$75.52 \$8.34 \$43.43	\$6,268.16 \$592.14 \$899.00	 \$7,759.30
FERGUSON HIGHLANDS							
MARK SHAMBECK & GLENAJO SHAMBECK 409 CAMP CREEK ROAD ROCKWALL, TX 75087	6 2338 Longhorn St	B/7051	83 73 10	FT PVMT FT WALK FT DRIVE	\$75.52 \$8.34 No Cost	\$6,268.16 \$608.82 \$0.00	 \$6,876.98
STEVEN CONWAY 2332 LONGHORN STREET DALLAS, TX 75228	5	B/7051	83 59 14 10	FT PVMT FT WALK FT DRIVE FT DRIVE	\$75.52 \$8.34 No Cost No Cost	\$6,268.16 \$492.06 \$0.00 \$0.00	 \$6,760.22
FELIPE MARTINEZ 2326 LONGHORN STREET DALLAS, TX 75228	4	B/7051	83 73 10	FT PVMT FT WALK FT DRIVE	\$75.52 \$8.34 No Cost	\$6,268.16 \$608.82 \$0.00	 \$6,876.98
ERNESTINA DEL CASTILLO 2318 LONGHORN STREET DALLAS, TX 75228	3	B/7051	84 60 18.3 18.3	FT PVMT FT WALK SY DR(10'wide) SY DR(10'wide)	\$75.52 \$8.34 \$43.43 \$43.43	\$6,343.68 \$500.40 \$794.77 \$794.77	 \$8,433.62
ANTONIO VILLANUEVA & STEPHANIE J W 7836 FERGUSON ROAD DALLAS, TX 75228	1	B/7051	140 97 18	FT PVMT FT WALK FT DRIVE	\$15.75 No Cost No Cost	\$2,205.00 \$0.00 \$0.00	 \$2,205.00

PROJECT GROUP 12-3003

1. LONGHORN STREET FROM FERGUSON ROAD TO BAR X STREET

SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH AND 8-INCH THICK REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS 4 FEET WIDE; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH.

TOTAL PROPERTY OWNERS' COST ASSESSMENTS	\$159,820.69
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ESTIMATED TOTAL CITY OF DALLAS' COST - PAVING	\$475,052.01
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ESTIMATED TOTAL CITY OF DALLAS' COST - DRAINAGE	\$72,922.30
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TOTAL ESTIMATED WATER & WASTEWATER MAIN IMPROVEMENTS	\$363,464.84
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ESTIMATED TOTAL CITY OF DALLAS' COST	\$911,439.15
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ESTIMATED TOTAL COST OF IMPROVEMENTS	\$1,071,259.84
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PROJECT GROUP 12-3003

2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
NORTH SIDE OF ALLEY						
HIGHLAND HILLS						
EST OF RITA WEBBER 3607 LOVINGOOD DR DALLAS, TX 75241	1	7/7866	96 FT PVMT	\$17.10	\$1,641.60	\$1,641.60
CYNTHIA KING 5854 BLUFFMAN DR DALLAS, TX 75241	30	7/6866	52 FT PVMT	\$17.10	\$889.20	\$889.20
BERNARD C BLAYLOCK 5848 BLUFFMAN DR DALLAS, TX 75241	29	7/6866	NO ASSESSMENT IRREGULAR SHAPE LOT			
ELMO ROQUE 3610 CASTLE HILLS DR DALLAS, TX 75241	28	7/6866	58 FT PVMT	\$17.10	\$991.80	\$991.80
EZELIA K THOMPSON 3616 CASTLE HILLS DR DALLAS, TX 75241	27	7/6866	65 FT PVMT	\$17.10	\$1,111.50	\$1,111.50
NITE TIME INVESTMENTS LLC 1201 COUNTRY CLUB RD ENNIS, TX 75119	26 3620	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90

PROJECT GROUP 12-3003

**2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
CAROLYN FOSTER 3624 CASTLE HILL DR DALLAS, TX 75241	25	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90
CAMERON FULLER JR 3628 CASTLE HILLS DR DALLAS, TX 75241	24	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90
MARILYN ROBERSON & DAVID ROBERSON 3706 CASTLE HILLS DR DALLAS, TX 75241	23	7/6866	58 FT PVMT	\$17.10	\$991.80	\$991.80
KATHY Y ROSS 3710 CASTLE HILLS DR DALLAS, TX 75241	22	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90
PARAMOUNT REI LTD 3716 CASTLE HILL DR DALLAS, TX 75241	21	7/6866	55 FT PVMT	\$17.10	\$940.50	\$940.50
RUTHIE L MCCLELLAN 3720 CASTLE HILLS DR DALLAS, TX 75241	20	7/6866	57 FT PVMT	\$17.10	\$974.70	\$974.70
ESEQUIEL MALDONADO 715 ASTAIRE AVENUE DUNCANVILLE, TX 75137	19 3726 Castle Hills Dr	7/6866	56 FT PVMT	\$17.10	\$957.60	\$957.60

PROJECT GROUP 12-3003

**2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
EST OF VITORIA MCFAIL 3730 CASTLE HILLS DR DALLAS, TX 75241	18	7/6866	55 FT PVMT	\$17.10	\$940.50	\$940.50
JUAN A BAUTISTA & LETICIA BAUTISTA 3736 CASTLE HILLS DR DALLAS, TX 75241	17	7/6866	56 FT PVMT	\$17.10	\$957.60	\$957.60
EDDIE LEE SPEARS & DOROTHY GRAVES & DORIS THOMAS ET AL 3740 CASTLE HILLS DR DALLAS, TX 75241	16	7/6866	56 FT PVMT	\$17.10	\$957.60	\$957.60
DORIS WILSON 3746 CASTLE HILLS DR DALLAS, TX 75241	15	7/6866	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
SOUTH SIDE OF ALLEY						
OLLIE JOHNSON 3739 LOVINGOOD DR DALLAS, TX 75241	14	7/6866	77 FT PVMT	\$17.10	\$1,316.70	\$1,316.70
DALLAS REALTY CONNECTION P O BOX 2839 MCKINNEY, TX 75070	13 3733 Lovingood Dr	7/6866	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
NORMAN & SARA EVANS 2423 W GREEN ACRES DR VISALIA, CA 93291	12 3729 Lovingood Dr	7/6866	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40

PROJECT GROUP 12-3003

**2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
THELMA JONES 3710 VOLGA AVE DALLAS, TX 75216	11 3723 Lovingood Dr	7/6866	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
JOSE M MORALES SR 710 E CHERRY ST DUNCANVILLE, TX 75116	10 3719 Lovingood Dr	7/6866	63 FT PVMT	\$17.10	\$1,077.30	\$1,077.30
JAMES E MALONE 808 HEATHER KNOLL DR DESOTO, TX 75115	9 3715 Lovingood Dr	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90
EST OF ARTHUR MCCARTHUR 3709 LOVINGOOD DR DALLAS, TX 75241	8	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20
SIMPSON & BRAGGS 512 EARLY DAWN TRL DALLAS, TX 75224	7 3703 Lovingood Dr	7/6866	61 FT PVMT	\$17.10	\$1,043.10	\$1,043.10
DOROTHY G THOMPSON 3631 LOVINGOOD DR DALLAS, TX 75241	6	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20
ROSEZELL MORNEY 3627 LOVINGOOD DR DALLAS, TX 75241	5	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20

PROJECT GROUP 12-3003

**2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
WANDA F KING 3621 LOVINGOOD DR DALLAS, TX 75241	4	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20
MATTIE NEAL 3617 LOVINGOOD DR DALLAS, TX 75241	3	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20
NOAH WILLIAMS 3611 LOVINGOOD DR DALLAS, TX 75241	2	7/6866	138 FT PVMT	\$17.10	\$2,359.80	\$2,359.80

ALLEY GROUP 12-3003

2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE FROM LOVINGOOD DRIVE TO LOUD DRIVE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE.

TOTAL PROPERTY OWNERS' COST ASSESSMENTS	\$31,874.40
TOTAL ESTIMATED CITY OF DALLAS' COST- PAVING	\$160,650.60
TOTAL ESTIMATED CITY OF DALLAS' COST	\$160,650.60
TOTAL ESTIMATED COST OF IMPROVEMENTS	\$192,525.00

PROJECT GROUP 12-3003

3. ALLEY BETWEEN IDAHO AVENUE AND MARYLAND AVENUE FROM HOLDEN AVENUE TO AN ESTIMATED 250' SOUTH TO THE DALLAS POWER & LIGHT PROPERTY SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE.

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
WEST SIDE OF ALLEY						
<i>PLAZA PARKS REV</i>						
R E RUNNELS 3418 MARYLAND AVE DALLAS, TX 75216	4	5/6000	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
KATHERINE BURKS 3412 MARYLAND AVE DALLAS, TX 75216	3	5/6000	60 FT PVMT	\$17.10	\$1,026.00	\$1,026.00
PAUL COLEMAN 5110 BLANCHARD DR DALLAS, TX 75227	2 3408 Maryland Ave	5/6000	60 FT PVMT	\$17.10	\$1,026.00	\$1,026.00
MADIE P ROGERS 3402 MARYLAND AVE DALLAS, TX 75216	1	5/6000	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
EAST SIDE OF ALLEY						
VERONICA EACKLES 3403 IDAHO AVE DALLAS, TX 75216	23	5/6000	63 FT PVMT	\$17.10	\$1,077.30	\$1,077.30
PATTIE L HENRY 3409 IDAHO AVE DALLAS, TX 75216	22	5/6000	59 FT PVMT 4.1 SY DR (10' Wide)	\$17.10 \$43.43	\$1,008.90 \$178.06	\$1,186.96

3. ALLEY BETWEEN IDAHO AVENUE AND MARYLAND AVENUE FROM HOLDEN AVENUE TO AN ESTIMATED 250' SOUTH TO THE DALLAS POWER & LIGHT PROPERTY SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE.

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
PLAZA PARKS REV						
LOUIS J LEVINE	21	5/6000	60 FT PVMT	\$17.10	\$1,026.00	
3413 IDAHO AVE			4.1 SY DR (10' Wide)	\$43.43	\$178.06	
DALLAS, TX 75216						\$1,204.06
KLISBY E ROBINSON	20	5/6000	65 FT PVMT	\$17.10	\$1,111.50	
3419 IDAHO AVE			4.1 SY DR(10' Wide)	\$43.43	\$178.06	
DALLAS, TX 75216						\$1,289.56

ALLEY GROUP 12-3003

3. ALLEY BETWEEN IDAHO AVENUE AND MARYLAND AVENUE FROM HOLDEN AVENUE TO AN ESTIMATED 250' SOUTH TO THE DALLAS POWER & LIGHT PROPERTY SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE.

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		\$8,998.68
TOTAL ESTIMATED CITY OF DALLAS' COST - PAVING	\$63,846.32	
TOTAL ESTIMATED CITY OF DALLAS' COST		\$63,846.32
TOTAL ESTIMATED COST OF IMPROVEMENTS		\$72,845.00

AGENDA ITEM # 30

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

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Public Works Department

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

MAPSCO: 45K

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Conley Group, Inc., for the Dallas Museum of Art Sculpture Garden Repairs, located at 1717 North Harwood Street - Not to exceed \$176,565, from \$226,828 to \$403,393 - Financing: 2006 Bond Funds

BACKGROUND

This action will authorize Supplemental Agreement No. 2 to the professional services contract with Conley Group, Inc., for the Dallas Museum of Art Sculpture Garden Repairs, located at 1717 N. Harwood in the amount of \$176,564.25.

The original scope of this project, included in the 2006 Bond Program, was to replace or repair the underground mechanical, electrical and drainage systems in the Sculpture Garden damaged by tree roots or deterioration due to age. During the design phase, deficiencies and issues throughout the entire Sculpture Garden were noted which exceeded the available design and construction budget for this project.

The Dallas Museum of Art (DMA) administration asked the City to put the design on hold until private donations were acquired to fund a complete redesign and construction of the entire Sculpture Garden to upgrade the garden which was constructed in 1984. After years of delay, a donor has not been found to fund the upgrade. In January 2016, the DMA Building Committee voted, based on recommendations of the architect, the Public Works Department and DMA personnel that the original scope of this project be redefined in order to achieve the best value utilizing the available funds.

The portion of the Sculpture Garden known as the Kelly Courtyard is to remain per the original design; therefore, the redefined scope of this project is to completely restore the Kelly Courtyard which would alleviate the issues with drainage, settlement and handicapped accessibility to the courtyard from the museum.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	August 2010
Complete Design	July 2016
Begin Construction	January 2017
Complete Construction	June 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

Authorized a design services contract to the Conley Group, Inc. to replace or repair the underground mechanical, electrical and drainage systems in the Sculpture Garden, on August 11, 2010, by Resolution No. 10-1948.

Information about this item will be provided to the Arts, Culture and Libraries Committee on June 20, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$176,564.25

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Conley Group, Inc.

Hispanic Female	1	Hispanic Male	2
African American Female	0	African American Male	2
White Female	10	White Male	21
Other Female	0	Other Male	0

OWNER

Conley Group, Inc.

Bill Conley, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to the professional services contract with Conley Group, Inc., for the Dallas Museum of Art Sculpture Garden Repairs, located at 1717 North Harwood Street - Not to exceed \$176,565, from \$226,828 to \$403,393 - Financing: 2006 Bond Funds

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

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$176,564.25	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$176,564.25	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>
IDA Engineering	IMMB64402N0317	\$7,340.00	4.16%
Caye Cook & Associates	WFWB62079Y0616	\$26,642.80	15.09%
Total Minority - Local		\$33,982.80	19.25%

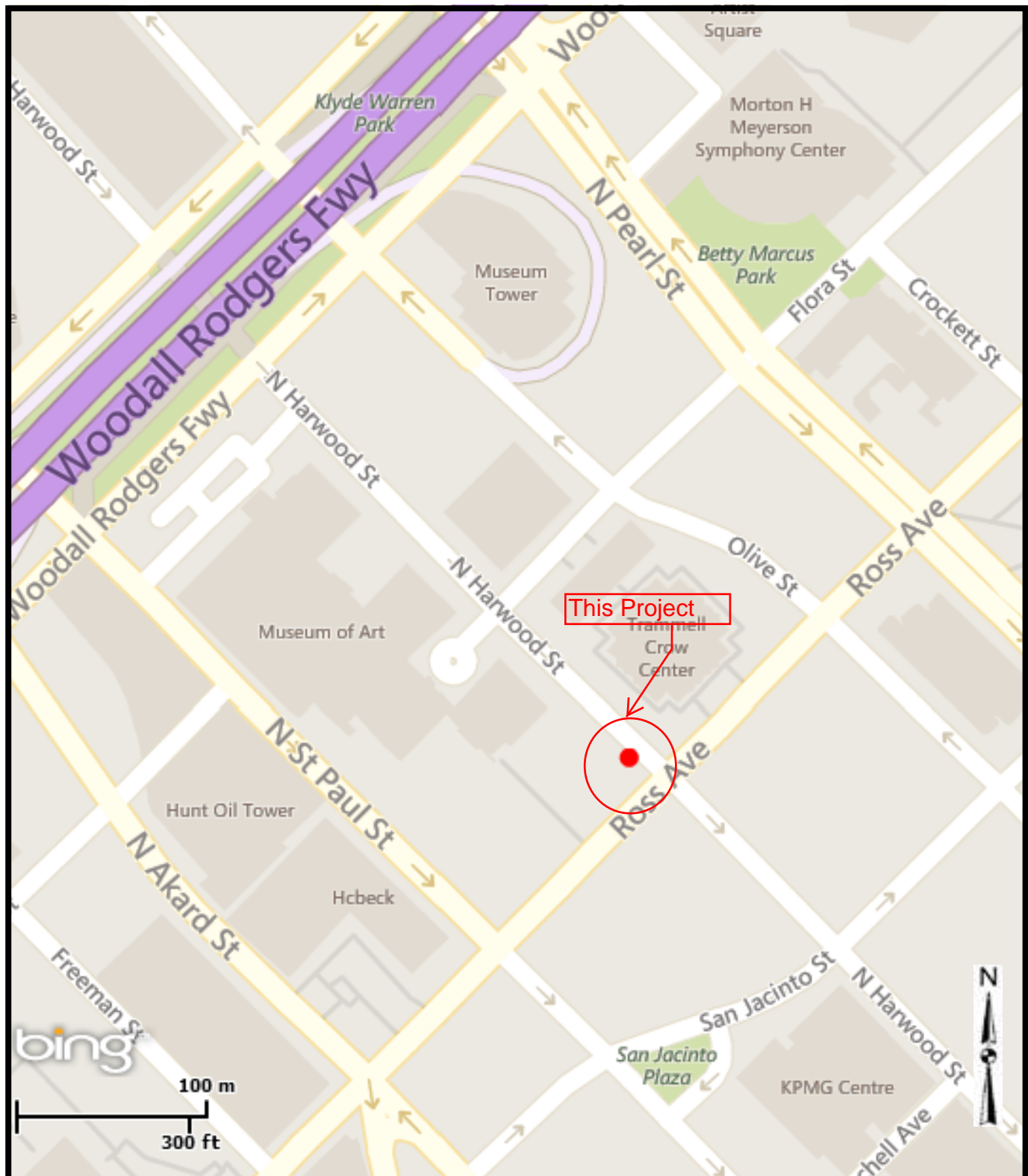
Non-Local Contractors / Sub-Contractors

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	\$0.00	0.00%	\$235,050.00	58.27%
Asian American	\$7,340.00	4.16%	\$68,440.00	16.97%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$26,642.80	15.09%	\$39,637.80	9.83%
Total	\$33,982.80	19.25%	\$343,127.80	85.06%

DALLAS MUSEUM OF ART - SCULPTURE GARDEN REPAIRS



Dallas Museum of Art

1717 N. Harwood
45K

June 22, 2016

WHEREAS, on August 11, 2010, Resolution No. 10-1948 authorized a professional services contract with Conley Group, Inc., to provide design services for engineering design of mechanical, electrical and drainage systems repairs at the Dallas Museum of Art Sculpture Garden, in a total amount not to exceed \$219,628.00; and

WHEREAS, on April 1, 2015, Administrative Action No. 15-0605 authorized Supplemental Agreement No. 1 to the professional services contract with Conley Group, Inc., in an amount not to exceed \$7,200.00 increasing the contract from \$219,628.00 to \$226,828.00; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 2 to the professional services contract with Conley Group, Inc., in an amount not to exceed \$176,564.25, from \$226,828.00 to \$403,392.25.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 2 to the professional services contract with Conley Group, Inc., in an amount not to exceed \$176,564.25, from \$226,828.00 to \$403,392.25, 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 an amount not to exceed \$176,564.25 to be paid to Conley Group, Inc., in accordance with the terms and conditions of the contract from:

Cultural Arts Facilities Fund	
Fund 7T49, Unit T703, Dept EBS, Act. MMCF	
Obj. 3210, Program #07DC082, CT #EBS10T03CT48	
Vendor #259339 in an amount not to exceed	\$176,564.25

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

AGENDA ITEM # 31

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Street Services

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

MAPSCO: N/A

SUBJECT

Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of two, to provide automated traffic control cabinet specification development and other related tasks - Not to exceed \$85,200 - Financing: Current Funds

BACKGROUND

This action will authorize a contract with Kimley-Horn and Associates, Inc., to develop specifications for Advanced Traffic Controller (ATC) Cabinets in an amount not to exceed \$85,200.00.

These technical specifications will be used to procure compact high density traffic control cabinets.

In June 2013, the City of Dallas released a Request for Qualifications (RFQ) for Engineering Services for traffic engineering and intelligent transportation systems (ITS) services.

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

- Streets Services (2)
- Public Works Department (1)
- Dallas Police Department (1)

BACKGROUND (Continued)

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

- Quality Assurance and Control 10%
- Business Inclusion and Development Plan 15%
- Experience and Capability 25%
- Responsiveness and Qualifications 50%

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 739 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 Transportation and Trinity River Project Committee on Committee on June 13, 2016.

ESTIMATED SCHEDULE OF PROJECT

Begin Project	July 2016
Complete Project	June 2017

FISCAL INFORMATION

\$85,200.00 - Current Funds

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Kimley-Horn and Associates, Inc.

White Male	1,091	White Female	483
Black Male	21	Black Female	18
Hispanic Male	78	Hispanic Female	40
Other Male	91	Other Female	43

PROPOSAL INFORMATION

The following proposals were received from solicitation number BHZ1308 and opened on July 11, 2013. This contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>
*Kimley-Horn and Associates, Inc.	12750 Merit Drive, Suite 1000 Dallas, TX 75251	90.50%
Teal Engineering, LLC.	4874 E. Lone Oak Road Valley View, TX 76272	74.50%

Statements of Qualifications were received from solicitation number BHZ1308 and opened on July 11, 2013 from the following consultant teams for this category: Kimley-Horn and Associates, Inc. and Teal Engineering, LLC.

OWNER

Kimley-Horn and Associates, Inc.

John Atz, President
Aaron Nathan, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of two, to provide automated traffic control cabinet specification development and other related tasks - Not to exceed \$85,200 - Financing: Current Funds

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

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$85,200.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$85,200.00	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%

June 22, 2016

WHEREAS, the City desires to enter into a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of two, to provide automated traffic control cabinet specification development and other related tasks in an amount not to exceed \$85,200.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a professional services contract with Kimley-Horn and Associates, Inc., Vendor 135447, to provide automated traffic control cabinet specification development and other related tasks in an amount not to exceed \$85,200.00 after approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is authorized to disburse funds in accordance with the terms and conditions of the contract from:

Current Funds	
Fund 0001, Dept. STS, Unit 3049, Obj. 3110	
Activity THRG	
MASC STS STS16KHAI01, Vendor # 135447	
in an amount not to exceed	\$85,200.00

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 # 32

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Ryan S. Evans, 671-9837
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize acquisition from Amy West Hillman GST Trust, Andrew West GST Trust, and Crockett & West, LLC, of approximately 114,362 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$42,875 (\$39,375, plus closing costs and title expenses not to exceed \$3,500) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 114,362 square feet of land located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, TX and then to the Eastside Water Treatment Plant located in Sunnyvale, TX. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$42,875 (\$39,375, plus closing costs and title expenses not to exceed \$3,500)

OWNERS

Amy West Hillman GST Trust

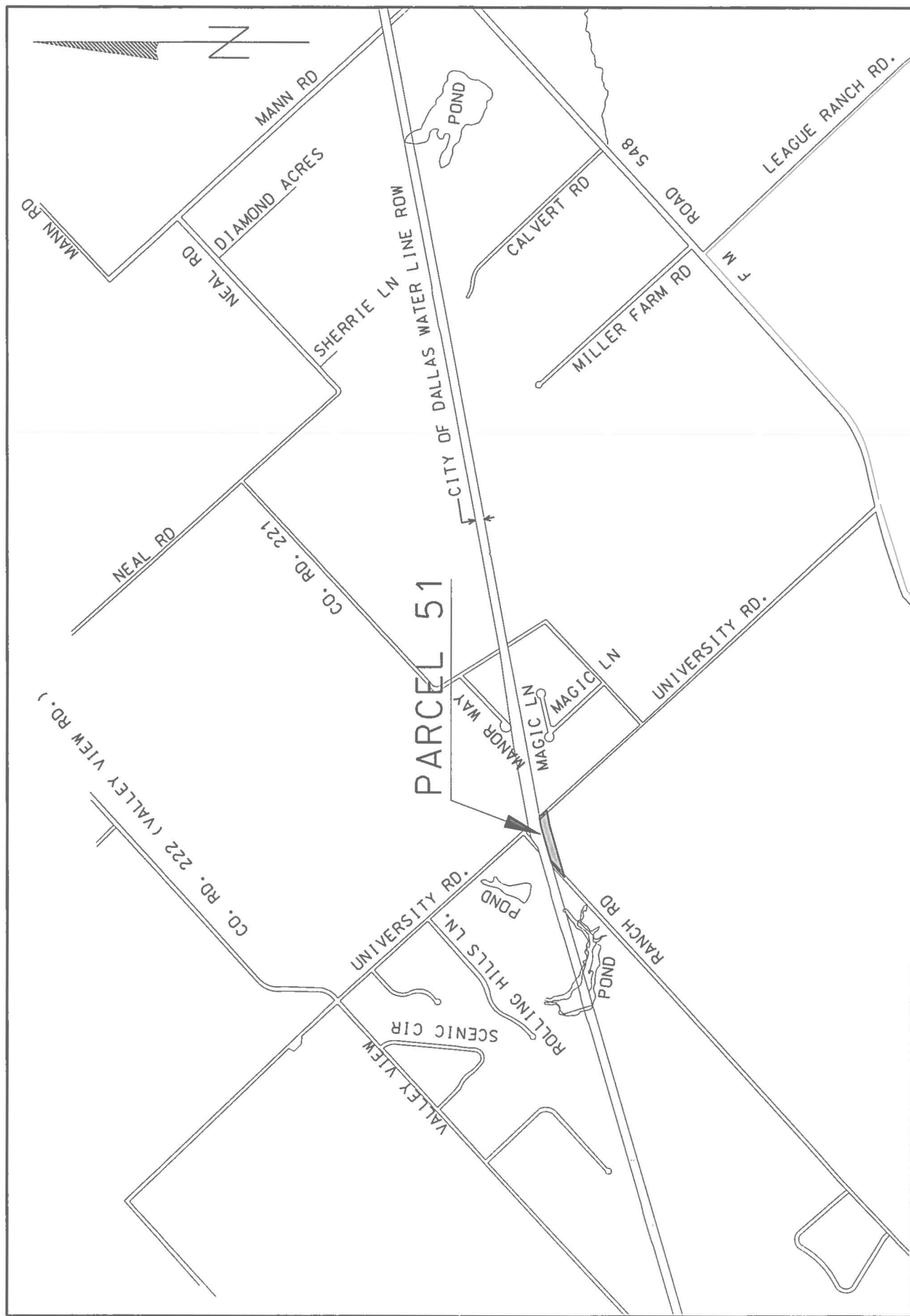
Andrew West GST Trust

Crockett & West, LLC

Carolyn Crockett West, President

MAP

Attached



VICINITY MAP
APPROXIMATE SCALE 1" = 2000'

June 22, 2016

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 114,362 square feet of land located in Kaufman 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": Lake Tawakoni 144-inch Transmission Pipeline

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

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

"OWNER": Amy West Hillman GST Trust, Andrew West GST Trust and Crockett & West, LLC, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": \$39,375

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,500

"AUTHORIZED AMOUNT": Not to exceed \$42,875

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

June 22, 2016

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW20, Activity RWPT, Program No. 704041, Object 4210, Encumbrance No. CT-DWU704041HU. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

June 22, 2016

APPROVED AS TO FORM:
Christopher D. Bowers, Interim City Attorney

BY Bryan N. Lopez II
Assistant City Attorney

FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-
WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 51

BEING an 114,362 square foot tract of land situated in the Juan Lopez Survey, Abstract No. 286, in Kaufman County, Texas, being part of a called 200 acre tract of land described as "Part 1 – Pinson Farm [West No. K-37(Tract 1)] (hereinafter referred to as "Tract 1") in Distribution, Conveyance and Transfer of Real Property Interests, dated March 3, 2000, as recorded in Volume 1448, Page 189, of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

COMMENCING at a 3/8-inch iron rod found at the southern most corner of a tract of land described in Warranty Deed with Vendor's Lien to John P. Dowell, Jr., dated October 28, 2004, as recorded in Volume 2527, Page 263, D.R.K.C.T., being in the northeast line of said Tract 1 and being the approximate center of University Road (undedicated right-of-way);

THENCE, North 45 degrees 17 minutes 48 seconds West, with the southwest line of said Dowell tract and said northeast line of Tract 1, and along said approximate center of University Drive, a distance of 71.00 feet to a PK Nail set at the POINT OF BEGINNING;

THENCE, South 75 degrees 52 minutes 21 seconds West, departing said southwest line of the Dowell tract, said northeast line of Tract 1 and said approximate center of University Drive, a distance of 235.86 feet to a 1/2-inch iron rod with red cap stamped "DAL-TECH" set (hereinafter referred to as "with cap set") at an angle point;

THENCE, South 70 degrees 13 minutes 51 seconds West, a distance of 735.64 feet to a 1/2-inch iron rod with cap set at an angle point;

THENCE, South 74 degrees 21 minutes 48 seconds West, a distance of 64.08 feet to a PK Nail set in the northwest line of said Tract 1, being the southeast line of a 92 acre tract of land described in Special Warranty Deed to Alfred S. Holcomb, Jr., dated April 4, 1983, as recorded in Volume 733, Page 101, D.R.K.C.T., also being the approximate center of Ranch Road (undedicated right-of-way);

THENCE, North 44 degrees 08 minutes 29 seconds East, along said northwest line of Tract 1 and southeast line of said Holcomb tract, and with said approximate center of Ranch Road, at a distance of 251.90 feet, passing the southern most corner of a tract of land described as "Tract 3" in General Warranty Deed with Vendor's Lien to Richard Brandon Stevens and wife, Kristi K. Stevens, dated December 16, 2010, as recorded in Document No. 2010-0020448, D.R.K.C.T., and continuing with the southeast line of said Tract 3, and said approximate center of Ranch Road, a total distance of 296.03 feet to a PK Nail set in the south line of a City of Dallas Water Line Right-of-Way (variable width), as described in Volume 442, Page 127, D.R.K.C.T.;

THENCE, North 73 degrees 18 minutes 11 seconds East, departing the northwest line of said Tract 1 and said center of Ranch Road, and along said south line of the City of Dallas Water Line Right-of-Way, a distance of 89.61 feet to a 1/2-inch iron rod with cap set at an angle point;

THENCE, North 70 degrees 13 minutes 51 seconds East, continuing along said south line of the City of Dallas Water Line Right-of-Way, a distance of 450.60 feet to a concrete monument with brass cap stamped "City of Dallas" found at an angle point;

REVIEWED BY *Dale* 7/8/14

FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-
WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 51

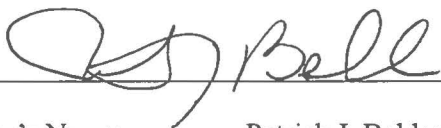
THENCE, North 75 degrees 52 minutes 21 seconds East, continuing with said south line of the City of Dallas Water Line Right-of-Way, a distance of 163.63 feet to a PK Nail set in said northeast line of Tract 1, being in the southwest line of a tract of land described in Warranty Deed with Vendor's Lien to Carl D. Milligan and Mary E. Milligan, husband and wife, dated January 2, 2002, as recorded in Volume 1939, Page 630, D.R.K.C.T., also being said approximate center of University Drive;

THENCE, South 45 degrees 17 minutes 48 seconds East, along said northeast line of Tract 1 and said southwest line of the Milligan tract and said approximate center of University Drive, at a distance of 57.61 feet passing the southernmost corner of said Milligan tract, same being the western most corner of said Dowell tract, and continuing along said northeast line Tract 1 and the southwest line of said Dowell tract and said approximate center of University Drive, a total distance of 151.93 feet to the POINT OF BEGINNING and containing 114,362 square feet or 2.625 acres of land.

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.

By:  Date: 6-8-11

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504



REVIEWED BY Da 7/8/11

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.

EXHIBIT B

SPECIAL WARRANTY DEED

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

That Crockett & West, LLC, a Texas limited liability company; Amy West Hillman GST Trust and Andrew West GST Trust (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Wichita, State of Texas, for and in consideration of the sum of THIRTY NINE THOUSAND THREE HUNDRED SEVENTY-FIVE AND 00/100 DOLLARS (\$39,375.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: This deed and Grantor's warranty of title are expressly subject to all matters of record in the Title Commitment GF No. 20735-KF06 issued by American Title Company of East Texas.

This conveyance is made and accepted subject to the reservations provided in Exhibit B which is attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED this _____ day of _____, _____.

EXHIBIT B

Crockett & West, LLC

Carolyn C. West, President

Amy West Hillman GST Trust

Carolyn Crockett West, Trustee

R. Ken Hines, Trustee

Andrew West GST Trust

Carolyn Crockett West, Trustee

R. Ken Hines, Trustee

* * * * *

STATE OF TEXAS '
COUNTY OF WICHITA '

This instrument was acknowledged before me on _____
by Carolyn Crockett West, President of Crockett & West, LLC, a Texas limited liability
company, on behalf of said limited liability company.

Notary Public, State of TEXAS

* * * * *

EXHIBIT B

STATE OF TEXAS '
COUNTY OF WICHITA '

This instrument was acknowledged before me on _____
by Carolyn Crockett West, Trustee of the Amy West Hillman GST Trust.

Notary Public, State of TEXAS

* * * * *

STATE OF TEXAS '
COUNTY OF WICHITA '

This instrument was acknowledged before me on _____
by R. Ken Hines, Trustee of the Amy West Hillman GST Trust.

Notary Public, State of TEXAS

* * * * *

STATE OF TEXAS '
COUNTY OF WICHITA '

This instrument was acknowledged before me on _____
by Carolyn Crockett West, Trustee of the Andrew West GST Trust.

Notary Public, State of TEXAS

* * * * *

STATE OF TEXAS '
COUNTY OF WICHITA '

This instrument was acknowledged before me on _____
by R. Ken Hines, Trustee of the Andrew West GST Trust.

Notary Public, State of TEXAS

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

Special Warranty Deed Log No. 37104

FIELD NOTES
**DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-
WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN**
KAUFMAN COUNTY, TEXAS
Parcel: 51

BEING an 114,362 square foot tract of land situated in the Juan Lopez Survey, Abstract No. 286, in Kaufman County, Texas, being part of a called 200 acre tract of land described as "Part 1 – Pinson Farm [West No. K-37(Tract 1)] (hereinafter referred to as "Tract 1") in Distribution, Conveyance and Transfer of Real Property Interests, dated March 3, 2000, as recorded in Volume 1448, Page 189, of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

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THENCE, North 45 degrees 17 minutes 48 seconds West, with the southwest line of said Dowell tract and said northeast line of Tract 1, and along said approximate center of University Drive, a distance of 71.00 feet to a PK Nail set at the POINT OF BEGINNING;

THENCE, South 75 degrees 52 minutes 21 seconds West, departing said southwest line of the Dowell tract, said northeast line of Tract 1 and said approximate center of University Drive, a distance of 235.86 feet to a 1/2-inch iron rod with red cap stamped "DAL-TECH" set (hereinafter referred to as "with cap set") at an angle point;

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THENCE, North 73 degrees 18 minutes 11 seconds East, departing the northwest line of said Tract 1 and said center of Ranch Road, and along said south line of the City of Dallas Water Line Right-of-Way, a distance of 89.61 feet to a 1/2-inch iron rod with cap set at an angle point;

THENCE, North 70 degrees 13 minutes 51 seconds East, continuing along said south line of the City of Dallas Water Line Right-of-Way, a distance of 450.60 feet to a concrete monument with brass cap stamped "City of Dallas" found at an angle point;

REVIEWED 11/18/11

FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-
WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 51

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All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.

By: *Patrick J. Baldasaro* Date: 6-8-11

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504



REVIEWED BY *Da 7/8/11*

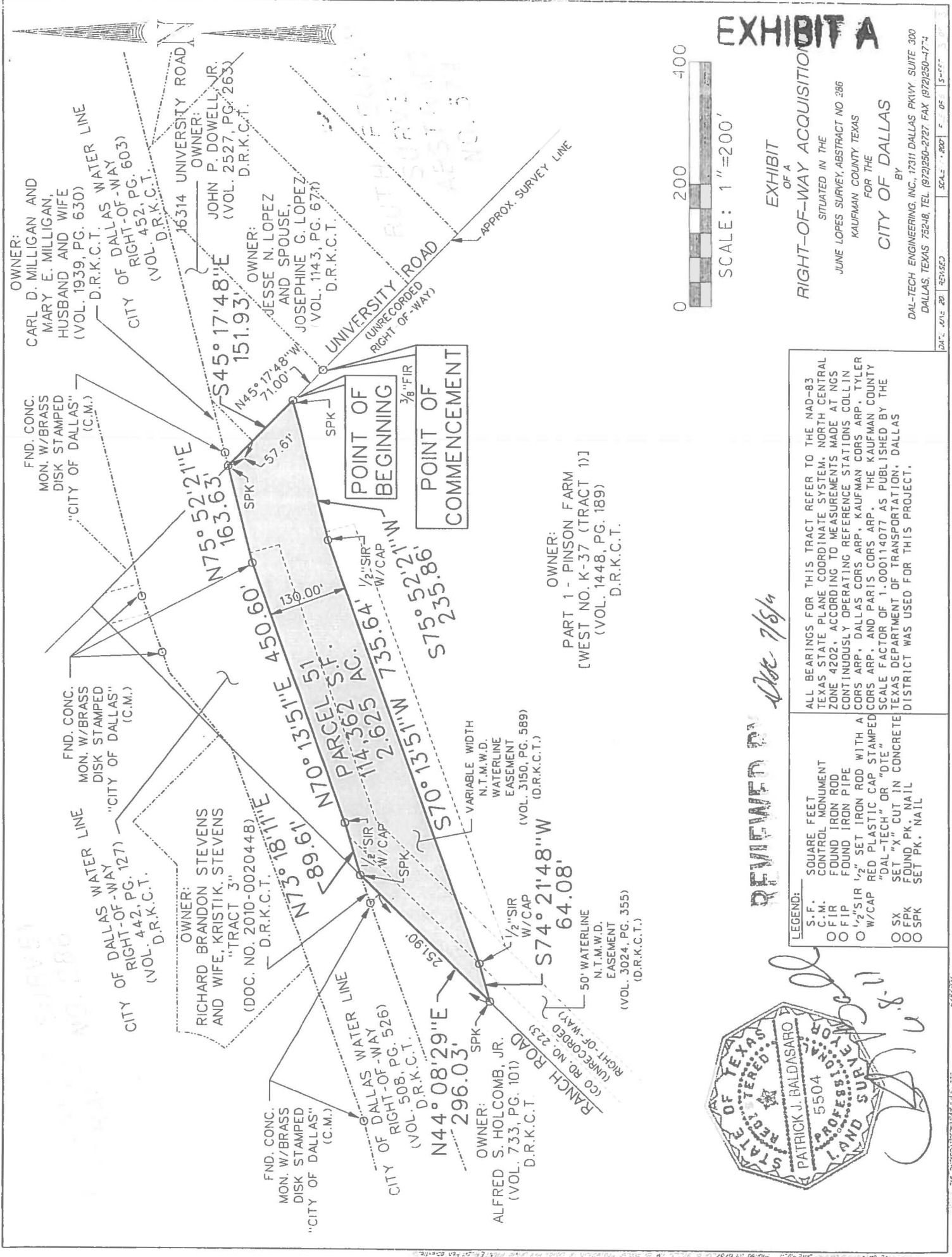
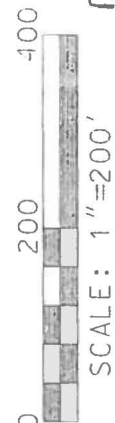


EXHIBIT A

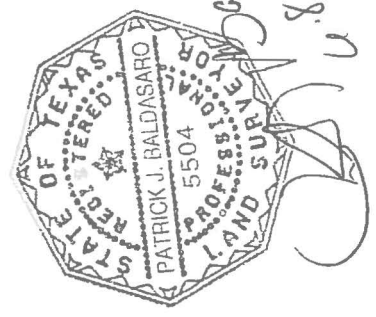
EXHIBIT OF A

RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
JUNE LOPES SURVEY, ABSTRACT NO. 286
KAUFMAN COUNTY TEXAS
FOR THE
CITY OF DALLAS
BY
DAL-TECH ENGINEERING, INC., 17311 DALLAS PKWY, SUITE 300
DALLAS, TEXAS 75248, TEL. (972) 950-2727, FAX (972) 950-4774



Dec 7/8/4

REVIEWED



LEGEND:	
S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIP	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2\"SIR	1/2\" SET IRON ROD WITH A
O W/CAP	RED PLASTIC CAP STAMPED
O SX	\"DAL-TECH\" OR \"DTE\"
O FPK	SET \"X\" CUT IN CONCRETE
O SPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202. ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORP. ARP, DALLAS CORP. ARP, KAUFMAN CORP. ARP, TYLER CORP. ARP, AND PARIS CORP. ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT B

MINERAL RESERVATION

Grantor does hereby reserve for Grantor and Grantor's successors, and assigns forever all oil, gas, and other minerals in and under and that may be produced from the property described in Exhibit "A". Grantor fully and completely waives and conveys to Grantee the right of ingress and egress to and from the property relating to the portion of the mineral estate owned by Grantor. Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the property described in Exhibit "A"; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the property described in Exhibit "A" but enter or bottom under said property, provided that these operations in no manner interfere with the surface and/or any improvements constructed or to be constructed on or use of the property described in Exhibit "A".

AGENDA ITEM # 33

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Ryan S. Evans, 671-9837
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize acquisition from David Houck, of approximately 40,022 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$15,500 (\$12,500, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 40,022 square feet of land located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, TX and then to the Eastside Water Treatment Plant located in Sunnyvale, TX. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$15,500 (\$12,500, plus closing costs and title expenses not to exceed \$3,000)

OWNER

David Houck

MAP

Attached

June 22, 2016

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 40,022 square feet of land located in Kaufman 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": Lake Tawakoni 144-inch Transmission Pipeline

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

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

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

"PURCHASE AMOUNT": \$12,500

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,000

"AUTHORIZED AMOUNT": Not to exceed \$15,500

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

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

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

June 22, 2016

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No 0102, Department DWU, Unit CW20, Activity RWPT, Program No. 704041, Object 4210, Encumbrance No. CT-DWU704041JG. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

APPROVED AS TO FORM:

Christopher D. Bowers, Interim City Attorney

BY


Assistant City Attorney

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 304

BEING a 0.9188 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, and being part of a called 2.059 acre tract of land described in Special Warranty Deed to Henry Oluwarotimi Sunday Somoye, Dated December 11, 2006, as recorded in Volume 3041, Page 366, Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the northeast corner of said Somoye tract and the northwest corner of a tract of land described in Warranty Deed to Tommy Lee Brotherton, et ux Jacqueline Eve Brotherton, as recorded in Volume 710, Page 420, D.R.K.C.T., being in the south line of a City of Dallas Water Line Right-of-Way (variable width Right-of-Way) as recorded in Volume 435, Page 507, D.R.K.C.T.;

THENCE South 01 degree 03 minutes 32 seconds East, departing the south line of said City of Dallas Water Line Right-of-Way, and with the east line of said Somoye tract and the west line of said Brotherton tract, a distance of 130.17 feet to a 1/2-inch iron rod with cap set;

THENCE South 85 degrees 59 minutes 31 seconds West, departing the east line of said Somoye tract and the west line of said Brotherton tract, a distance of 324.42 feet to a 1/2-inch iron rod with cap set in the west line of said Somoye tract and the east line of a called 3.5763 acre tract of land described in Warranty Deed (with Vendor's Lien) to Lester B. Covington and wife, Sylvia Covington, dated August 10, 1982, as recorded in Volume 726, Page 470, D.R.K.C.T.;

THENCE North 13 degrees 01 minute 01 second East, with the west line of said Somoye tract and the east line of said Covington tract, a distance of 135.96 feet to a 1/2-inch iron rod with cap set at the northwest corner of said Somoye tract and the northeast corner of said Covington tract, being in the south line of said City of Dallas Water Line Right-of-Way;

THENCE North 85 degrees 59 minutes 31 seconds East, with the north line of said Somoye tract and the south line of said City of Dallas Water Line Right-of-Way, a distance of 291.31 feet to the POINT OF BEGINNING and containing 40,022 square feet or 0.9188 acres of land.

FIELD NOTES APPROVED:

Oct 7/16/14

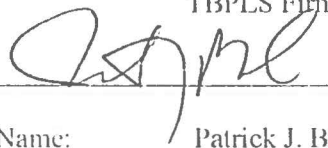


FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 304

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

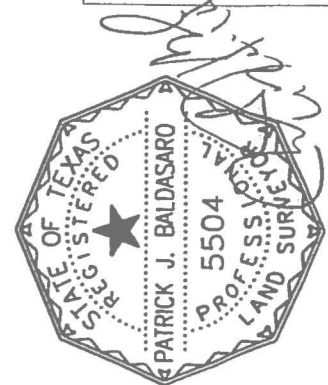
Company Name: DAL-TECH Engineering, Inc.
 TBPLS Firm No. 10123500

By:  Date: 01.24.14

Surveyor's Name: Patrick J. Baldasaro
 Registered Professional Land Surveyor
 Texas No. 5504



DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75247. TEL (972) 250-2727, FAX (972) 250-1773



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 EXHIBIT B

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

That David Houck, a single man (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 TWELVE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$12,500.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: This conveyance is made and accepted subject to the reservations provided in Exhibit B which is attached hereto and incorporated herein for all purposes.

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

EXECUTED this _____ day of _____, _____.

David Houck

* * * * *

STATE OF FLORIDA '
COUNTY OF _____ '

EXHIBIT B

This instrument was acknowledged before me on _____

by David Houck.

Notary Public, State of FLORIDA

* * * * *

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

Warranty Deed Log No. 40842

FIELD NOTES
 DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
 OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
 TRANSMISSION MAIN
 KAUFMAN COUNTY, TEXAS
 Parcel: 304

BEING a 0.9188 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, and being part of a called 2.059 acre tract of land described in Special Warranty Deed to Henry Oluwarotimi Sunday Somoye, Dated December 11, 2006, as recorded in Volume 3041, Page 366, Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAI-TECH" (hereinafter referred to as "with cap") set at the northeast corner of said Somoye tract and the northwest corner of a tract of land described in Warranty Deed to Tommy Lee Brotherton, et ux Jacqueline Eve Brotherton, as recorded in Volume 710, Page 420, D.R.K.C.T., being in the south line of a City of Dallas Water Line Right-of-Way (variable width Right-of-Way) as recorded in Volume 435, Page 507, D.R.K.C.T.;

THENCE: South 01 degree 03 minutes 32 seconds East, departing the south line of said City of Dallas Water Line Right-of-Way, and with the east line of said Somoye tract and the west line of said Brotherton tract, a distance of 130.17 feet to a 1/2-inch iron rod with cap set;

THENCE: South 85 degrees 59 minutes 31 seconds West, departing the east line of said Somoye tract and the west line of said Brotherton tract, a distance of 324.42 feet to a 1/2-inch iron rod with cap set in the west line of said Somoye tract and the east line of a called 3.5763 acre tract of land described in Warranty Deed (with Vendor's Lien) to Lester B. Covington and wife, Sylvia Covington, dated August 10, 1982, as recorded in Volume 726, Page 470, D.R.K.C.T.;

THENCE: North 13 degrees 01 minute 01 second East, with the west line of said Somoye tract and the east line of said Covington tract, a distance of 135.96 feet to a 1/2-inch iron rod with cap set at the northwest corner of said Somoye tract and the northeast corner of said Covington tract, being in the south line of said City of Dallas Water Line Right-of-Way;

THENCE: North 85 degrees 59 minutes 31 seconds East, with the north line of said Somoye tract and the south line of said City of Dallas Water Line Right-of-Way, a distance of 291.31 feet to the POINT OF BEGINNING and containing 40,022 square feet or 0.9188 acres of land.

FIELD NOTES APPROVED:

Oct 7/16/14



FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 304

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAI -TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____

Date: _____

Surveyor's Name: _____

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504



EXHIBIT “B”

EASEMENT – ACCESS [Specific Location]

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

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

The easement is perpetual.

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

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

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

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

FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR A 30' ACCESS
EASEMENT FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION
MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 304ACE

BEING a 0.2457 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, and being part of a called 2.059 acre tract of land described in Special Warranty Deed to Henry Oluwarotimi Sunday Somoye, dated December 11, 2006, as recorded in Volume 3041, Page 366, Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the northeast corner of said Somoye tract and the northwest corner of a tract of land described in Warranty Deed to Tommy Lee Brotherton, et ux Jacqueline Eve Brotherton, as recorded in Volume 710, Page 420, D.R.K.C.T., being in the south line of a City of Dallas Water Line Right-of-Way (variable width Right-of-Way) as recorded in Volume 435, Page 507, D.R.K.C.T.;

THENCE South 01 degree 03 minutes 32 seconds East, departing the south line of said City of Dallas Water Line Right-of-Way, with the east line of said Somoye tract and the west line of said Brotherton tract, a distance of 130.17 feet to a 1/2-inch iron rod with cap set;

THENCE South 85 degrees 59 minutes 31 seconds West, departing the east line of said Somoye tract and the west line of said Brotherton tract, a distance of 39.34 feet to a 1/2-inch iron rod with cap set;

THENCE North 05 degrees 45 minutes 54 seconds West, a distance of 110.05 feet to a 1/2-inch iron rod with cap set;

THENCE South 85 degrees 59 minutes 31 seconds West, a distance of 248.02 feet to a 1/2-inch iron rod with cap set in the west line of said Somoye tract and the east line of a tract of land described in Warranty Deed to Lester B. Covington and wife, Sylvia Covington, as recorded in Volume 726, Page 470, D.R.K.C.T.;

THENCE North 13 degrees 01 minutes 01 seconds East, with the west line of said Somoye tract and the east line of said Covington tract, a distance of 20.92 feet to a 1/2-inch iron rod set in the south line of said City of Dallas Water Line Right-of-Way;

THENCE North 85 degrees 59 minutes 31 seconds East, with the north line of said Somoye tract and the south line of said City of Dallas Water Line Right-of-Way, a distance of 291.31 feet to the POINT OF BEGINNING and containing 10,702 square feet or 0.2457 acres of land.

FIELD NOTES APPROVED:

M. 7/16/14



FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR A 30' ACCESS
EASEMENT FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION
MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 304ACE

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

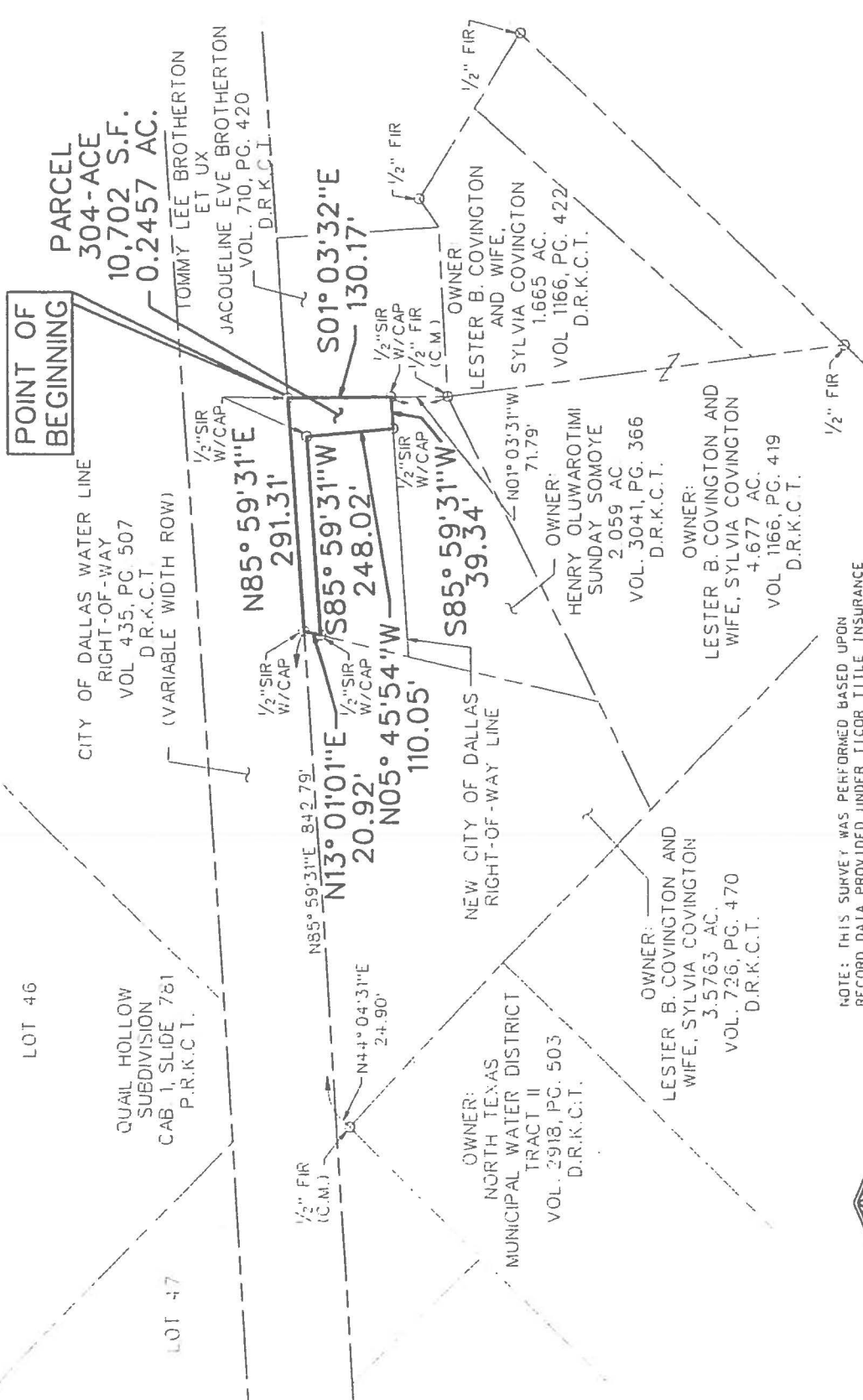
By: _____

Date: _____

Surveyor's Name: _____

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504





NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TITICOR TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 21876-KF07, WITH AN EFFECTIVE DATE OF FEBRUARY 21, 2007

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIP	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2" SIR	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "OTE"
O 1/2" W/CAP	1/2" CUT IN CONCRETE
O SA	SET "X" IN CONCRETE
O FIP	FOUND P.N. NAIL
O SPK	SET P.N. NAIL

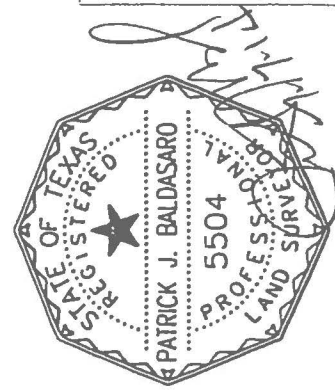


EXHIBIT
OF A
ACCESS EASEMENT
SITUATED IN THE
A MAXAMILLA SURVEY, ABSTRACT NO. 311
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY
DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY. SUITE 110
DALLAS, TEXAS 75287, TEL. (972) 550-2727 FAX (972) 550-4774

Attachment No. 2

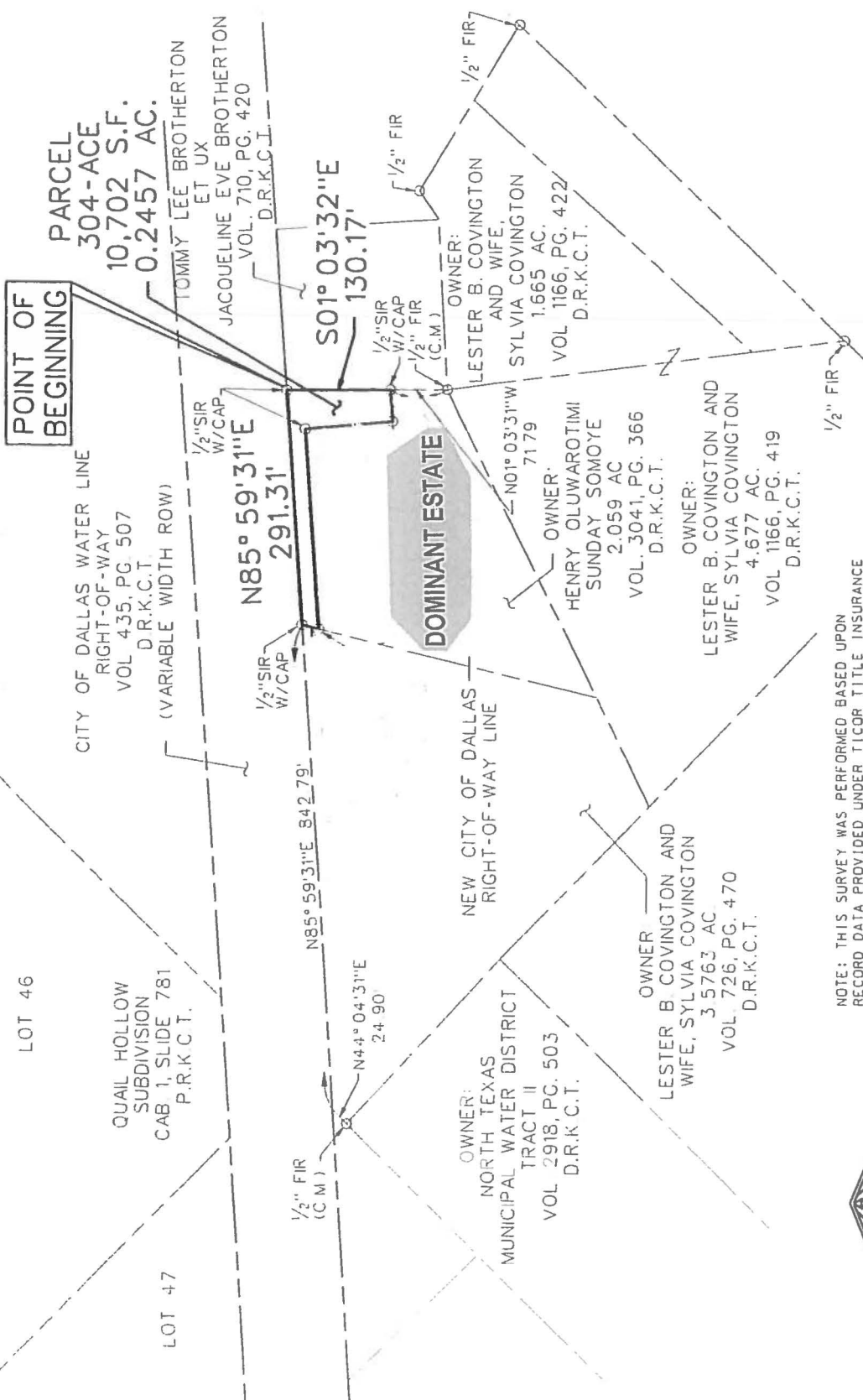


EXHIBIT
OF A

ACCESS EASEMENT

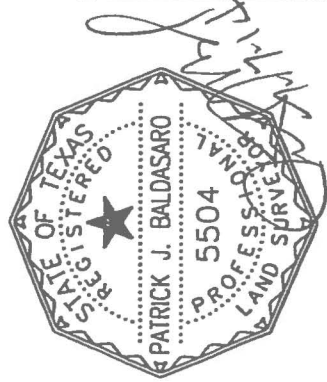
SITUATED IN THE
A. MAXAMILLA SURVEY, ABSTRACT NO 311
KAUFMAN COUNTY TEXAS
FOR THE
CITY OF DALLAS
BY

DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY. SUITE 110
DALLAS, TEXAS 75287 TEL (972)250-2727 FAX (972)250-4774

NOTE: THIS SURVEY WAS PERFORMED BASED UPON
RECORD DATA PROVIDED UNDER TITOL TITLE INSURANCE
COMPANY COMMITMENT C.F. NUMBER
21876-KF07, WITH AN EFFECTIVE DATE OF FEBRUARY 21, 2007

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83
TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL
ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS
CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN
CORS ARP, DALLAS CORP ARP, KAUFMAN CORP ARP, TYLER
CORS ARP, AND PARIS CORP ARP. THE KAUFMAN COUNTY
SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE
TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS
DISTRICT WAS USED FOR THIS PROJECT.

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIP	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2" SIR	1/2" SET IRON ROD WITH A
O W/CAP	RED PLASTIC CAP STAMPED
O SX	"DAL-TECH" OR "DIE"
O FPK	SET "X" CUT IN CONCRETE
O SPK	FOUND PK, NAIL
	SET PK, NAIL



AGENDA ITEM # 34

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 10

DEPARTMENT: Sustainable Development and Construction
Police
Park & Recreation

CMO: Ryan S. Evans, 671-9837
Eric Campbell, 670-3255
Mark McDaniel, 670-3256

MAPSCO: 17Y

SUBJECT

Authorize a two-year lease agreement with Audelia, L.P., for approximately 6,088 square feet of space located at 9759 Forest Lane to be used as a boxing training facility and youth fitness center for the period July 1, 2016 through June 30, 2018 - Not to exceed \$240 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This item authorizes a two-year lease agreement with Audelia, L.P. for approximately 6,088 square feet of space located at 9759 Forest Lane, Suite 420. This lease will provide a boxing training facility and youth fitness center that will serve youth ages 5 - 18 in the northeast area of Dallas.

Park and Recreation, in collaboration with Dallas Police Department's Police Athletic League (PAL), will operate a youth fitness and boxing training facility. The youth fitness program will offer the Mayor's Youth Fitness Initiative (MyFi) while the boxing training facility will offer boxing training and a conditioning program for youth. MyFi programs will be offered approximately 20 hours per week and will be conducted by Park and Recreation staff. Boxing training will be offered approximately 25 hours per week and will be conducted by a volunteer certified boxing coach and police officers.

The Apartment Association of North Texas, Inc. d/b/a Apartment Association of Greater Dallas is donating the leasehold improvements to the lease space as well as some equipment.

The lease will begin on July 1, 2016 through June 30, 2018.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Scheduled for Park and Recreation Board approval on June 16, 2016.

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

\$240.00 - Current Funds (subject to annual appropriations)

OWNER

Audelia, L.P.

Sommerset Realty Investment Corporation

Karl Slovin, President

MAP

Attached



9759 Forest Lane

Lease Premises



June 22, 2016**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 lease agreement (the "Lease") between Audelia, L.P., a Texas limited partnership, or its successor and assigns, as landlord, hereinafter referred to as "Landlord", and the City of Dallas, as tenant, hereinafter referred to as "City" for approximately 6,088 square feet of office space located in a one-story retail space at 9759 Forest Lane, Suite 420, Dallas, Dallas County, Texas ("Premises") to be used for cooperative Dallas Police Department's Police Athletic League (PAL) and Department of Park and Recreation youth programs.

Section 2. That the special terms and conditions of the lease are:

- a) The lease is for a term of two (2) years beginning July 1, 2016 and ending June 30, 2018.
- b) Monthly rental payments during the term shall be as follows (subject to annual appropriations):

July 1, 2016 – June 30, 2018	\$10.00 per month
------------------------------	-------------------
- c) The Landlord shall pay all real estate taxes on the Premises during the lease term.
- d) Landlord agrees this lease is contingent upon The Apartment Association of North Texas, Inc., d/b/a Apartment Association of Greater Dallas a Texas non-profit corporation, commitment, at its cost and expense, to provide certain improvements and repairs (leasehold Improvements) to the lease Premises, in accordance with the terms of a separate Donation Agreement with the City.
- e) The City reserves the right to terminate the lease on the last day of any current fiscal year due to non-appropriation of funds.
- f) Such other terms and requirements of the lease and/or disclaimers as the City deems necessary, convenient or appropriate.

Section 3. That the Chief Financial Officer is hereby authorized to draw warrants payable to Audelia, L.P. or its successors and assigns on the first day of each month in advance during the lease term beginning July 1, 2016 in the amount specified below:

July 1, 2016 – June 30, 2018	\$10.00 per month
(subject to annual appropriations)	

June 22, 2016

Section 4. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, communications, security, utility and janitorial companies upon receipt of a bill for services or other applicable charges throughout the term of the lease.

Section 5. That payments will be charged as follows:

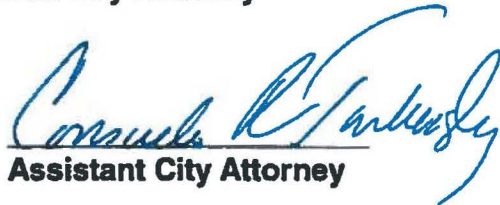
July 1, 2016 – September 30, 2016: Fund 0001, Dept. DPD, Unit 1498, Object Code 3330, Encumbrance No. DPDLEAS16H14, Commodity Code 97100, Vendor No. VC15706.

October 1, 2016 – June 30, 2018: Fund 0001, Dept. DPD, Unit 1498, Object Code 3330, Encumbrance No. DPDLEAS17H14, Commodity Code 97100, Vendor No. VC15706.

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:
CHRISTOPHER D. BOWERS
Interim City Attorney

BY


Assistant City Attorney

AGENDA ITEM # 35

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction
Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45G H L M

SUBJECT

Authorize an amendment to Resolution No. 11-1760, previously approved on June 22, 2011, to amend certain deed restrictions, on approximately 83,478 square feet of land, located near the intersection of Live Oak and Cantegral Streets - Revenue: \$1,000

BACKGROUND

This item authorizes an amendment to Resolution No. 11-1760, previously approved on June 22, 2011, to amend certain deed restrictions on approximately 83,478 square feet of land located near the intersection of Live Oak and Cantegral Streets (the "Property"). On June 22, 2011, City Council authorized the direct sale of the Property to Minerva Partners Ltd, in accordance with the Deep Ellum TIF District Project Plan ("Project Plan").

The Deed provided and required as a condition subsequent to the direct sale with the right of reentry, a minimum investment of \$75,000,000 to accommodate a high density, mixed-use development; approximately 350 residential apartment units; and 110,000 square feet of new retail space in accordance with the Project Plan by December 31, 2018. Further, environmental remediation and demolition of the buildings were required to occur by June 30, 2012, and submittal of a final set of construction documents for a parking garage to be located at the Latino Cultural Center.

On October 14, 2015, Minerva Partners, Ltd. executed a plan of merger in which Minerva Partners Ltd. continued to exist and Biscuit Holdings, Ltd. was created as a new Texas limited partnership. Biscuit Holdings, Ltd. has assumed the responsibilities of Minerva Partners, Ltd. for the construction of a high density mixed-use development on the Property and adjacent properties.

BACKGROUND (Continued)

Biscuit Holdings, Ltd. has requested an amendment of the Deed Restrictions to increase the required investment from \$75,000,000 to \$100,000,000; to reduce the required 110,000 square feet of new retail space to 50,000 square feet of new retail space; and to extend the deadline for the new retail in accordance with the Project Plan from December 31, 2018 to December 31, 2022.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2005, the Deep Ellum TIF District was established by Ordinance No. 26043.

On April 12, 2006, City Council authorized the Deep Ellum TIF Project Plan by Ordinance No. 26304.

On April 9, 2008, City Council approved an amendment to the Deep Ellum Project Plan by Ordinance No. 27137.

On June 22, 2011, City Council approved the sale of the Property by Resolution No. 11-1760.

FISCAL INFORMATION

Revenue: \$1,000

OWNER/DEVELOPER

Biscuit Holdings, Ltd.

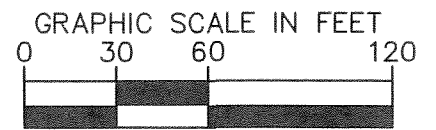
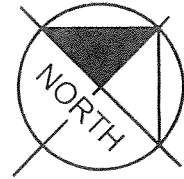
Danzarias, Inc. General Partner

Matthew E. Malouf, President

MAP

Attached

BRYAN STREET



Subject Area

TRACT 1

LOT 3

LOT 2

BLOCK 289

LOT 1

ALLEY (ABANDONED BY ORDINANCE 29401)

CANTEGRAL STREET

TEXAS STREET

TRACT 2

LIVE OAK STREET

June 22, 2016

WHEREAS, on June 22, 2005, City Council authorized Ordinance No. 26043, establishing Tax Increment Financing Reinvestment Zone Number Twelve, City of Dallas, Texas (the "Deep Ellum TIF District"), in accordance with the Tax Increment Financing Act, as Amended (Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated, hereinafter called the "Act") to promote development and redevelopment in the Deep Ellum area through the use of tax increment financing, as amended; and

WHEREAS, on April 12, 2006, City Council authorized the Deep Ellum TIF District Project Plan and Reinvestment Zone Financing Plan for the Deep Ellum TIF District, as amended ("Project Plan") by Ordinance No. 26304; and

WHEREAS, on April 9, 2008, City Council authorized an ordinance amending the Project Plan to provide for the direct sale of City owned property, Block 289, located at the northeast corner of Live Oak and Cantegral Streets (the "Property"), for fair market value for the purpose of development and redevelopment of said property in accordance with the Project Plan; and

WHEREAS, on June 22, 2011, City Council approved the direct sale of the Property for fair market value to Minerva Partners, Ltd. in accordance with the Project Plan; and

WHEREAS, the direct sale was completed by Deed Without Warranty ("Deed"), for approximately 83,478 square feet of land, at the northeast corner of Live Oak and Cantegral Streets, Block 289, Dallas, Dallas County, Texas and located near the intersection of Live Oak Street and Cantegral Street; and

WHEREAS, the Deed provided and required as a condition subsequent to the direct sale with the right of reentry (i) that Minerva Partners, Ltd. shall invest a minimum of \$75,000,000 into the development of the property as a high density, mixed-use project with approximately 350 residential apartment units and 110,000 square feet of new retail space in accordance with the Deep Ellum TIF District Plan by December 31, 2018, (ii) that Minerva Partners, Ltd. shall complete any environmental remediation and demolish the buildings currently located on the site by June 30, 2012; and (iii) that Minerva Partners, Ltd. provide the City of Dallas with a final set of construction documents for a parking garage to be located at the Latino Cultural Center (the "Deed Restrictions"); and

WHEREAS, on October 14, 2015, Minerva Partners, Ltd. executed a plan of merger in which Minerva Partners Ltd. continued to exist and Biscuit Holdings, Ltd. was created as a new Texas limited partnership; and

June 22, 2016

WHEREAS, Biscuit Holdings, Ltd. has assumed the responsibilities of Minerva Partners, Ltd. for the construction of a high density mixed-use development on the Property and other adjacent properties, in accordance with the objectives of the City in establishing Tax Increment Financing Reinvestment Zone Number Twelve, City of Dallas, Texas and as provided in the Act; and

WHEREAS, Biscuit Holdings, Ltd. has requested Amendment of the Deed Restrictions to increase the required investment from \$75,000,000 to \$100,000,000; to reduce the required 110,000 square feet of new retail space to 50,000 square feet of new retail space; and to extend the deadline for the new retail in accordance with the Deep Ellum TIF District Plan from December 31, 2018 to December 31, 2022; and

WHEREAS, in consideration for the Amendment of the Deed Restrictions, Biscuit Holdings, Ltd. has agreed to increase the investment requirement from \$75,000,000 to \$100,000,000; and

WHEREAS, on June 7, 2016, the Deep Ellum TIF District Board of Directors reviewed and recommended approval of an Amendment to the Deed Restrictions as proposed by Biscuit Holdings, Ltd.; and

WHEREAS, the City Council desires to accept the TIF Board's recommendation and approve and authorize the Amendment of the Deed Restrictions as follows:

“(1) reduce the required 110,000 square feet of new retail space to 50,000 square feet of new retail space, (2) extend the deadline for the new retail space in accordance with the Deep Ellum TIF District Plan from December 31, 2018 to December 31, 2022 and in consideration for such amendment to (3) increase the required investment from \$75,000,000 to \$100,000,000”; and

WHEREAS, all other terms of the Deed Restrictions shall remain unchanged and in full force and effect; and

WHEREAS, the City Council desires to accept the Amended Deed Restrictions; **Now, Therefore,**

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

SECTION 1. That upon receipt of **ONE THOUSAND DOLLARS AND NO/100 (\$1,000.00)** from Biscuit Holdings, Ltd., the City Manager or designee is authorized to execute an Amendment to Deed Restrictions instrument, to be attested by the City Secretary upon approval as to form by the City Attorney.

June 22, 2016

SECTION 2. That the Amendment to Deed Restrictions instrument shall delete condition subsequent (i) set forth therein in its entirety and substitute the following in lieu thereof:

“(i) That Biscuit Holdings Ltd., formerly known as Minerva Partners Ltd., shall invest or cause to be invested, approximately \$100,000,000 into the development of Property as a high density, mixed-use project with approximately 350 residential apartment units and 50,000 square feet of new retail space in accordance with the Deep Ellum TIF District Project Plan by December 31, 2022.”; and

SECTION 3. That all other conditions subsequent set forth therein shall remain unchanged and in full force and effect.

SECTION 4. That the Amendment to Deed Restrictions instrument must be filed in the Deed Records of Dallas County, Texas at the sole cost of Biscuit Holdings, Ltd.

SECTION 5. That proceeds shall be deposited into the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction Services, Real Estate Division shall be reimbursed for administrative costs incurred (Fund 0001, Department DEV, Unit 1183, Object 5011).

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:
CHRISTOPHER D. BOWERS
Interim City Attorney

By: Besir N. Syed II
Assistant City Attorney

AGENDA ITEM # 36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 35Q

SUBJECT

An ordinance granting a private license to Keating Clonard Holdings, LLC for the use of approximately 227 square feet of land to occupy, maintain and utilize existing landscape on a portion of Travis Street right-of-way near its intersection with Knox Street - Revenue: \$100 one-time fee, plus the \$20 ordinance publication fee

BACKGROUND

This item grants a private license to Keating Clonard Holdings, LLC for the use of approximately 227 square feet of land to occupy, maintain and utilize existing landscape on a portion of Travis Street right-of-way near its intersection with Knox Street. The use of this area will not impede pedestrian or vehicular traffic.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

Revenue: \$100 one-time fee, plus the \$20 ordinance publication fee

OWNER

Keating Clonard Holdings, LLC

Courtney C. Walsh-Annesi, Manager

MAP

Attached



 LICENSING AREA

ORDINANCE NO. _____

An ordinance granting a private license to Keating Clonard Holdings, LLC to occupy, maintain, and utilize a portion of Travis Street right-of-way located near its intersection with Knox Street adjacent to City Block S/1538 within the limits hereinafter more fully described, for the purpose of using and maintain existing landscaping, providing for the terms and conditions of this license; providing for the one-time fee to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Keating Clonard Holdings, LLC, a Texas limited liability company, its successors and assigns, hereinafter referred to as "**GRANTEE**", to occupy, maintain and utilize for the purpose set out hereinbelow 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 a one-time fee in the sum of **ONE HUNDRED AND NO/100 (\$100.00) DOLLARS** for the license herein granted, said sum to become due and payable upon the final passage of this ordinance and shall cover the consideration for the license term in accordance with the Special Fees established by Section 43-115.1 of the Dallas City Code. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated 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 use and maintain the existing landscaping area.

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

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing body, to terminate and cancel this license, upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

- a) **GRANTEE** acknowledges that ATMOS Energy has active facilities within the Travis Street right-of-way. If there are conflicts with active facilities, **GRANTEE** will be responsible for cost to relocate facilities. **GRANTEE** must coordinate with Thomas Hunter at 214-426-7074 or Thomas.hunter@atmosenergy.com.
- b) **GRANTEE** acknowledges Time Warner Cable has underground coaxial cable and/or fiber facilities in the area.
- c) **GRANTEE** acknowledges that AT&T has a conduit and manhole in the area on the west side of Travis Street. Utility locations must be identified prior to any maintenance or landscaping work in the licensed area.

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 one-time license fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 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:
CHRISTOPHER D. BOWERS
Interim City Attorney

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY Bryan N. Lopez #
Assistant City Attorney

BY Sandra Williams
Assistant Director

Passed _____.

LICENSE AGREEMENT
PART OF TRAVIS STREET NEAR TO BLOCK S/1538
COCKRELL FAIRLAND ADDITION

BEING a 227 square feet (0.005 Acre) tract of land situated in the JOHN COLE SURVEY, ABSTRACT NO. 268, in the City of Dallas, Dallas County, Texas, and being a portion of Travis Street, a 60-foot right-of-way, near to Lots 3 and 4, Block S/1538, Official City Block Number, Cockrell Fairland Addition, an addition to the City of Dallas, Dallas County, Texas, according to and created by the revised map recorded in Volume 142, Page 382, Deed Records, Dallas County, Texas, near property described in Special Warranty Deed to Keating Clonard Holdings, LLC as recorded in County Clerk's Instrument Number 201400240284, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a MAG nail with shiner found at the intersection of the northeasterly right-of-way line of Knox Street, a 60-foot right-of-way, with the northwesterly right-of-way line of said Travis Street;

THENCE North 37 deg 23 min 29 sec East, along the northwesterly right-of-way line of said Travis Street, a distance of 52.45 feet to a point for corner;

THENCE South 52 deg 36 min 31 sec East, departing the northwesterly right-of-way line of said Travis Street, over and across the right-of-way of said Travis Street, a distance of 5.39 feet to the POINT OF BEGINNING;

THENCE over and across the right-of-way of said Travis Street, the following courses and distances:

North 37 deg 23 min 29 sec East, parallel to the northwesterly right-of-way line of said Travis Street, a distance of 22.08 feet to a point for corner;

South 51 deg 36 min 00 sec East, a distance of 4.15 feet to a point for corner and the beginning of a tangent curve to the right having a radius of 5.50 feet, a central angle of 70 deg 41 min 59 sec, a chord bearing of South 10 deg 48 min 45 sec East and a chord length of 6.36 feet;

Along said curve to the right, an arc distance of 6.79 feet to a point for corner;

South 36 deg 52 min 59 sec West, non-tangent to the previously defined curve, a distance of 25.46 feet to a point for corner;

North 12 deg 28 min 10 sec West, a distance of 11.93 feet to the POINT OF BEGINNING and CONTAINING within these metes and bounds 0.005 acres or 227 square feet of land, more or less.

Bearings are based upon Texas State Plane Coordinate System, North Central Zone, North American datum of 1983.

	Winkelmann & Associates, Inc.
	CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230	(972) 480-7090 (972) 480-7090 FAX
Texas Engineers Registration No. 89	
Firm Registration/ license No. 10086600 Expires 12-31-16	
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Scale: N/A	
Date: 10.12.15	
Dwg. File: 60301.0A-LANDSCAPE	
Project No.: 60301.0A	



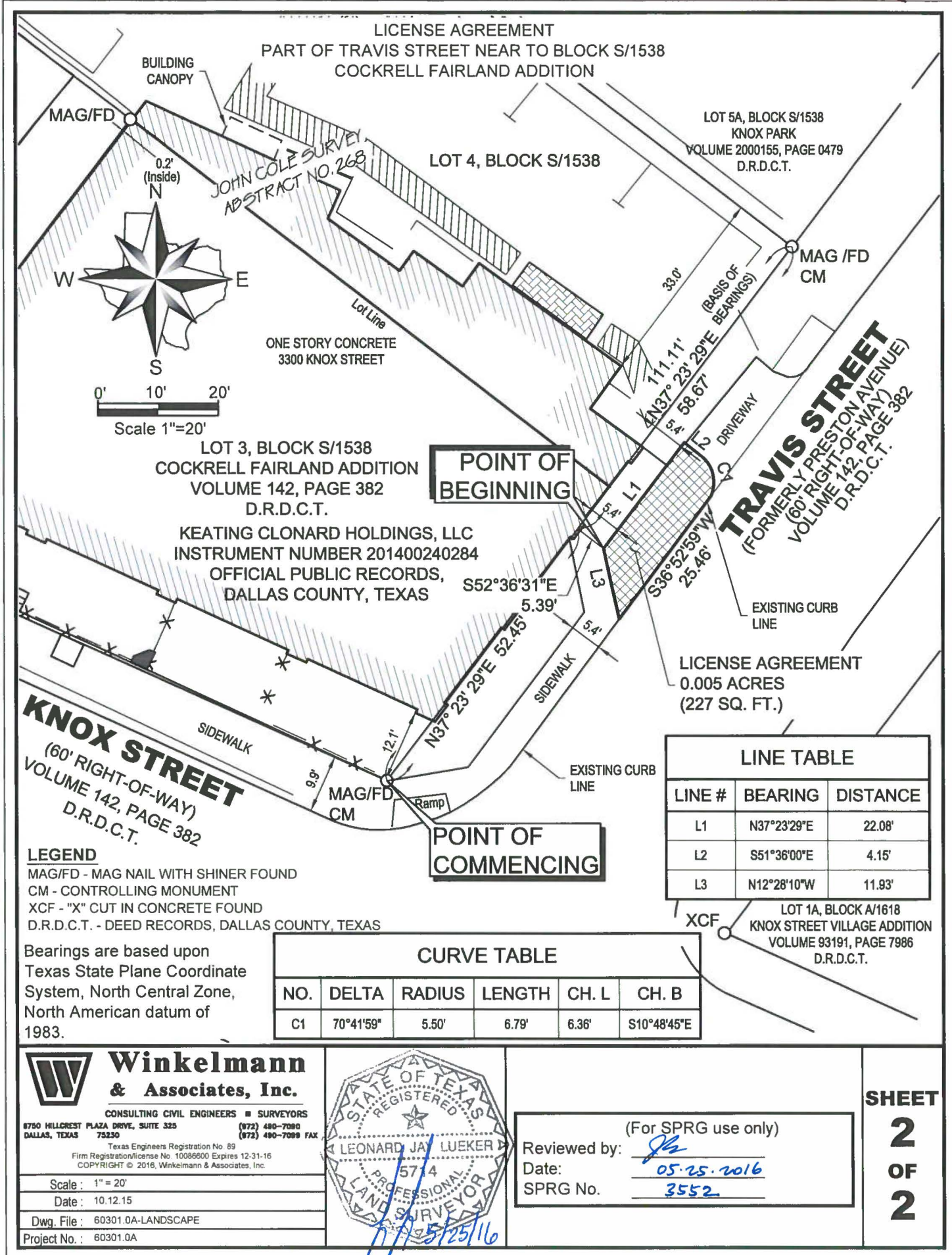
(For SPRG use only)

Reviewed by: [Signature]

Date: 05.25.2016

SPRG No. 3552

SHEET
1
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.

AGENDA ITEM # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 46E

SUBJECT

An ordinance abandoning a portion of a sanitary sewer easement to Borderplex Swiss Avenue, LLC, the abutting owner, containing approximately 1,321 square feet of land, located near the intersection of Swiss Avenue and Peak Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a sanitary sewer easement to Borderplex Swiss Avenue, LLC, the abutting owner. The area will be included with the property of the abutting owner for new construction of a multi-family apartment. 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)

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

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

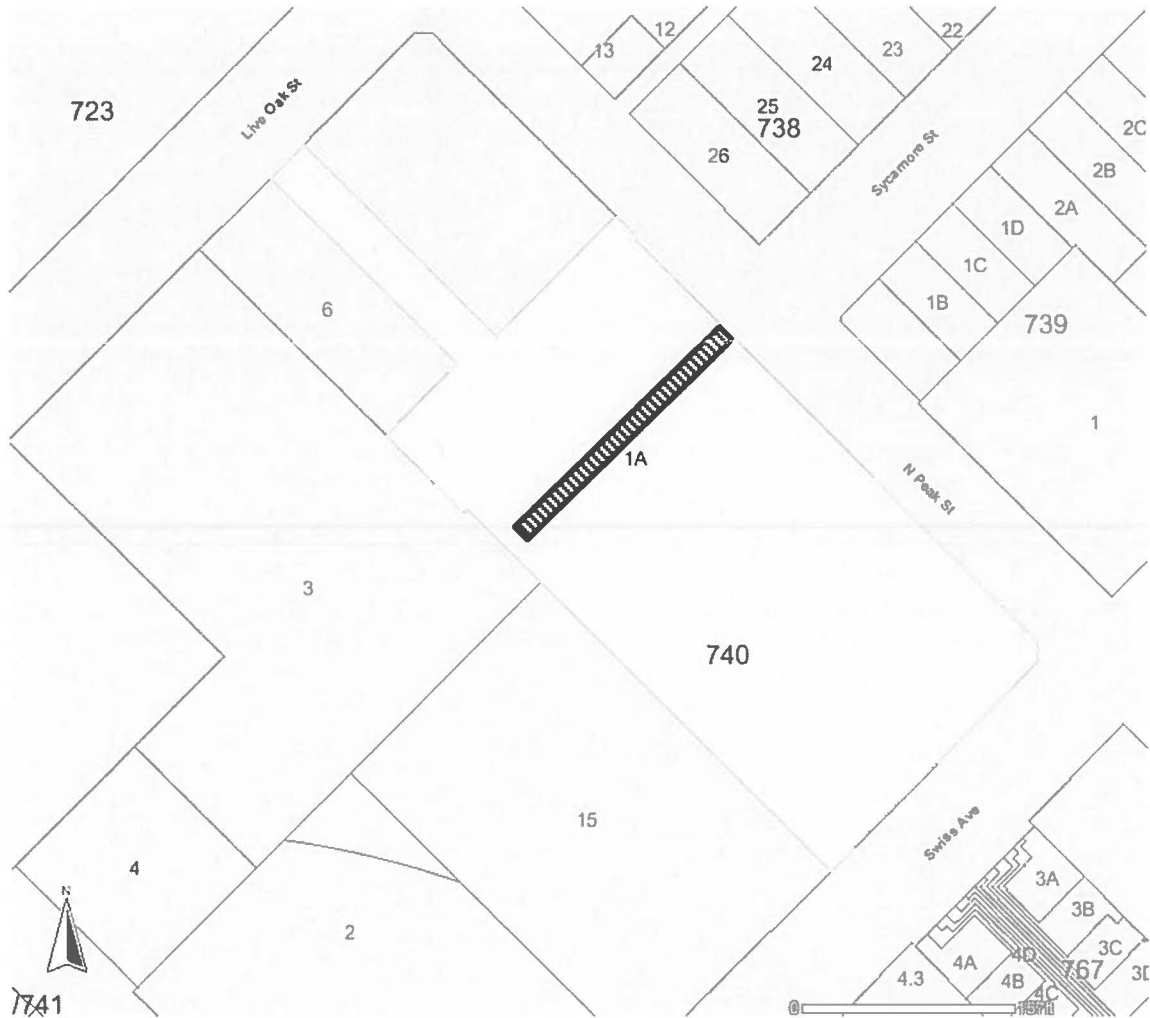
OWNER

Borderplex Swiss Avenue, LLC

Bharat H. Sangani, Manager

MAP

Attached



Log: 42617

Abandonment:



Applicant: Borderplex Swiss Avenue, LLC

Mapsc0: 46E

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a sanitary sewer easement, located in City Block 10/740 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Borderplex Swiss Avenue, LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER D. BOWERS
Interim City Attorney

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY


Assistant City Attorney

BY


Assistant Director

Passed _____.

PARTIAL SANITARY SEWER EASEMENT ABANDONMENT

PART OF LOT 1A, BLOCK 10/740
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A

METES AND BOUNDS

BEING a 1,321 square foot tract of land situated in the John Grigsby Survey, Abstract Number 495, City of Dallas, Dallas County, Texas and being part of Lot 1A, Block 10/740 of the Swiss Avenue Bank - Live Oak Addition, an addition to the City of Dallas, recorded in Volume 96068, Page 2790, Deed Records, Dallas County, Texas (D.R.D.C.T.), same being a part of that tract of land conveyed to Borderplex Swiss Avenue, LLC by Special Warranty Deed with Vendor's Lien recorded in Instrument Number 201500331119, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), said 1,321 square foot tract of land being part of a sanitary sewer easement created by deed recorded in Volume 2702, Page 50, D.R.D.C.T. and being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod found in the southwest line of said Lot 1A, Block 10/740, same being the northeast line of Lot 3, Block 10/740 of the Haskoak Addition, an addition to the City of Dallas, recorded in Instrument Number 200900020194, O.P.R.D.C.T.;

THENCE S44°58'31"E, along the southwest line of said Lot 1A, Block 10/740 and the northeast line of said Lot 3, Block 10/740, a distance of 50.06 feet to a point for the West corner of a 6 foot Sanitary Sewer Easement, recorded in Volume 2702, Page 50, (D.R.D.C.T.);

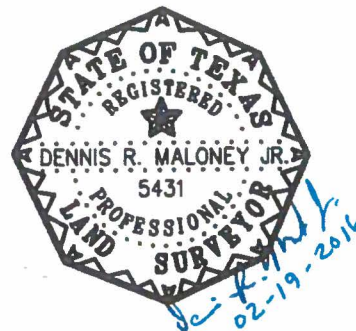
THENCE N44°44'49"E, departing the southwest line of said Lot 1A, Block 10/740 and the northeast line of said Lot 3, Block 10/740 and along the northwest line of said 6 foot sanitary sewer easement, a distance of 8.00 feet to a 5/8-inch steel rebar with yellow plastic cap stamped "BDD" set for the POINT OF BEGINNING;

THENCE N44°44'49"E, a distance of 220.17 feet to a 5/8-inch steel rebar with yellow plastic cap stamped "BDD" set for corner in the southwest line of Peak Street (variable width public R.O.W.), same being in the northeast line of said Lot 1A, Block 10/740;

THENCE S44°54'00"E, along the southwest line of said Peak Street and the northeast line of said Lot 1A, Block 10/740, a distance of 6.00 feet to a 5/8-inch steel rebar with yellow plastic cap stamped "BDD" set for corner in the southeast line of said 6 foot sanitary sewer easement;

THENCE S44°44'49"W, departing the southwest line of said Peak Street and the northeast line of said Lot 1A, Block 10/740 and along the southeast line of said 6 foot sanitary sewer easement, a distance of 220.16 feet to a 5/8-inch steel rebar with yellow plastic cap stamped "BDD" set for corner;

THENCE N44°58'31"W, a distance of 6.00 feet to the POINT OF BEGINNING and containing 1,321 square feet or 0.0303 acres of land, more or less.



(For SPRG use only)

Reviewed by: JD
Date: 2/24/2016
SPRG NO.: 3585

BROCKETTE, DAVIS, DRAKE, Inc.
consulting engineers

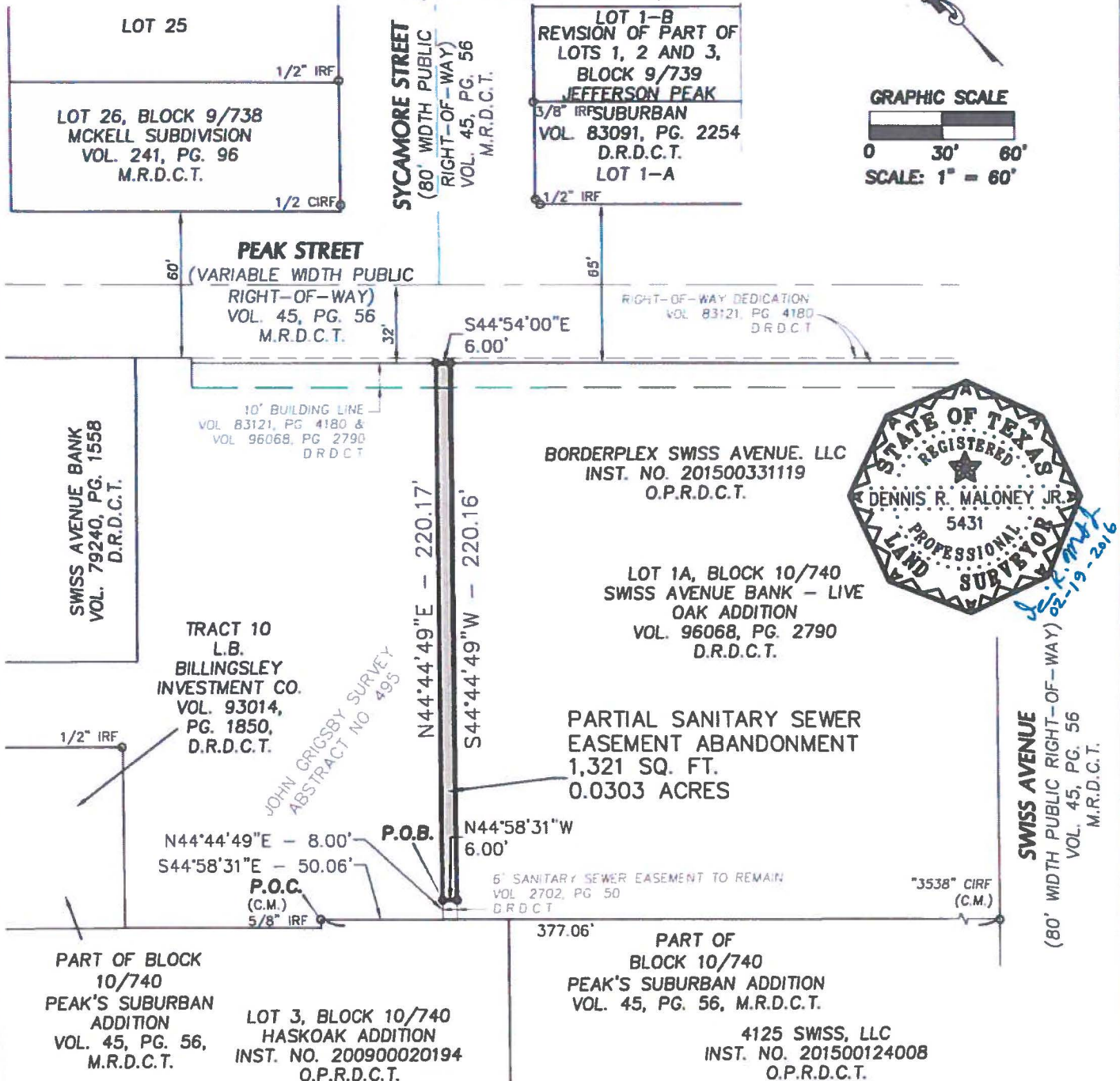
Civil & Structural Engineering Surveying
4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
(214) 824-3647, fax (214) 824-7064

BASIS OF BEARING:
Bearings are based upon the southwest line of Peak Street (S44°54'00"E) as recorded in the plat for Lot 1A, Block 10/740, Swiss Avenue Bank - Live Oak Addition, Deed Records, Dallas County, Texas.

PARTIAL SANITARY SEWER EASEMENT ABANDONMENT

PART OF LOT 1A, BLOCK 10/740
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A



(For SPRG use only)

Reviewed by: JD
Date: 2/24/2016
SPRG NO.: 3585

BROCKETTIE · DAVIS · DRAKE, Inc.
consulting engineers

Civil & Structural Engineering Surveying
4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
(214) 824-3847, fax (214) 824-7084

FEBRUARY, 2016

SHEET 2 OF 2

C15062

AGENDA ITEM # 38

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction
Aviation

CMO: Ryan S. Evans, 671-9837

MAPSCO: 33G

SUBJECT

An ordinance abandoning portions of two water reservation easements to the City of Dallas, the abutting owner, containing a total of approximately 49,851 square feet of land, located near the intersection of Shorecrest and Denton Drives - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of two water reservation easements to the City of Dallas, the abutting owner. The area will be included with the property of the abutting owner for new construction and building expansion by current lessee, Southwest Airlines. 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)

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

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

MAP

Attached



**Dallas Central
Appraisal District**
www.dallascad.org

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.

Log: 41318

Mapsco: 33G

Abandonment: -----

Applicant: City of Dallas

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of portions of two water reservation easements, located in City Block 4682 and 2/5739 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to the City of Dallas; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

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WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of the City of Dallas, a Texas municipal corporation; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portions of two water reservation easements are 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 tracts of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tracts or parcels 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 areas 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 areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, 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 areas set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, “Hazardous Substance” means the following: (a) any “hazardous substances” under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any “hazardous substance” under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any “hazardous chemicals” or “toxic chemicals” under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any “hazardous waste” under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended.



References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

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

SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER D. BOWERS
Interim City Attorney

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY  
Assistant City Attorney Assistant Director

Passed _____.

WATER RESERVATION ABANDONMENT
Part of Lot 1A, Block 4682 and Lot 1E, Block 2/5739
Southwest Love Field Addition No. 6
Dickerson Parker Survey, Abstract No. 1113
City of Dallas, Dallas County, Texas

EXHIBIT A

TRACT 1

DESCRIPTION, of a 41,467 square foot (0.952 acre) tract of land situated in the Dickerson Parker Survey, Abstract No. 1113, Dallas County, Texas and being part of Lot 1A, Block 4682 and Lot 1E, Block 2/5739, Southwest Love Field Addition No. 6, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 2005024, Page 82 of the Deed Records of Dallas County, Texas; said tract being part of a 20-foot wide Water Reservation created by said Southwest Love Field Addition No. 6 and all of a 40-foot wide Water Reservation recorded in Volume 2002011, Page 90 of said Deed Records; said tract also being part of that tract of land described in Warranty Deed to the City of Dallas recorded in Volume 2487, Page 613 of said Deed Records; said 41,467 square foot tract being more particularly described as follows:

COMMENCING, at the north end of a right-of-way corner clip at the intersection of the southeast right-of-way line of Shorecrest Drive (a variable width right-of-way) and the northeast right-of-way line of Denton Drive (a variable width right-of-way); said point being a west corner of said Lot 1A;

THENCE, in a northeasterly direction, along the said southeast line of Shorecrest Drive and the northwest line of said Lot 1A, the following two (2) calls:

North 18 degrees, 49 minutes, 48 seconds East, a distance of 98.73 feet;

North 44 degrees, 21 minutes, 54 seconds East, a distance of 60.45 feet to the POINT OF BEGINNING;

THENCE, North 44 degrees, 21 minutes, 54 seconds East, continuing along the said southeast line of Shorecrest Drive and the said northwest line of Lot 1A, a distance of 20.00 feet to a point for corner;

THENCE, South 44 degrees, 52 minutes, 59 seconds East, departing the said southeast line of Shorecrest Drive and the said northwest line of Lot 1A, a distance of 55.82 feet to a point for corner;

THENCE, North 44 degrees, 43 minutes, 04 seconds East, a distance of 134.14 feet to a point for corner;

THENCE, North 45 degrees, 07 minutes, 16 seconds West, a distance of 56.65 feet to a point for corner in the said southeast line of Shorecrest Drive and the said northwest line of Lot 1A;

THENCE, North 44 degrees, 21 minutes, 54 seconds East, along the said southeast line of Shorecrest Drive and the said northwest line of Lot 1A, a distance of 40.00 feet to a point for corner;

THENCE, South 45 degrees, 07 minutes, 16 seconds East, departing the said southeast line of Shorecrest Drive and the said northwest line of Lot 1A, a distance of 174.00 feet to a point for corner;

THENCE, South 69 degrees, 13 minutes, 08 seconds East, a distance of 36.57 feet to a point for corner;

THENCE, North 45 degrees, 25 minutes, 31 seconds East, a distance of 124.97 feet to a point for corner;

THENCE, North 73 degrees, 08 minutes, 39 seconds East, a distance of 102.46 feet to a point for corner;

THENCE, South 84 degrees, 14 minutes, 09 seconds East, a distance of 130.00 feet to a point for corner;

THENCE, North 73 degrees, 08 minutes, 39 seconds East, a distance of 118.57 feet to a point for corner;

(For SPRG use only)	
Reviewed By:	<u>DBF</u>
Date:	<u>07.17.2015</u>
SPRG NO:	<u>3356</u>

WATER RESERVATION ABANDONMENT
Part of Lot 1A, Block 4682 and Lot 1E, Block 2/5739
Southwest Love Field Addition No. 6
Dickerson Parker Survey, Abstract No. 1113
City of Dallas, Dallas County, Texas
(continued)

EXHIBIT A

THENCE, North 47 degrees, 08 minutes, 49 seconds East, a distance of 151.39 feet to a point for corner;
THENCE, North 73 degrees, 08 minutes, 39 seconds East, a distance of 32.34 feet to a point for corner;
THENCE, North 16 degrees, 51 minutes, 21 seconds West, a distance of 39.50 feet to a point for corner;
THENCE, North 73 degrees, 08 minutes, 39 seconds East, a distance of 20.00 feet to a point for corner;
THENCE, South 16 degrees, 51 minutes, 21 seconds East, a distance of 39.50 feet to a point for corner;
THENCE, South 73 degrees, 08 minutes, 39 seconds West, a distance of 2.50 feet to a point for corner;
THENCE, South 16 degrees, 51 minutes, 21 seconds East, a distance of 40.00 feet to a point for corner;
THENCE, South 73 degrees, 08 minutes, 39 seconds West, a distance of 40.60 feet to a point for corner;
THENCE, South 47 degrees, 08 minutes, 49 seconds West, a distance of 151.39 feet to a point for corner;
THENCE, South 73 degrees, 08 minutes, 39 seconds West, a distance of 135.81 feet to a point for corner;
THENCE, North 84 degrees, 14 minutes, 09 seconds West, a distance of 130.00 feet to a point for corner;
THENCE, South 73 degrees, 08 minutes, 39 seconds West, a distance of 84.59 feet to a point for corner;
THENCE, South 45 degrees, 25 minutes, 31 seconds West, a distance of 140.76 feet to a point for corner;
THENCE, North 69 degrees, 13 minutes, 08 seconds West, a distance of 70.77 feet to a point for corner;
THENCE, North 45 degrees, 07 minutes, 16 seconds West, a distance of 105.53 feet to a point for corner;
THENCE, South 44 degrees, 43 minutes, 04 seconds West, a distance of 154.23 feet to a point for corner;
THENCE, North 44 degrees, 52 minutes, 59 seconds West, a distance of 75.70 feet to the POINT OF BEGINNING;

CONTAINING: 41,467 square feet or 0.952 acres of land, more or less.

Bearing system is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances shown have been adjusted to surface by applying the Dallas County TxDOT combination factor of 1.000136506).

(For SPRG use only)	
Reviewed By:	<u>DBF</u>
Date:	<u>07.17.2015</u>
SPRG NO:	<u>3350</u>

WATER RESERVATION ABANDONMENT
Part of Lot 1A, Block 4682 and Lot 1E, Block 2/5739
Southwest Love Field Addition No. 6
Dickerson Parker Survey, Abstract No. 1113
City of Dallas, Dallas County, Texas
(continued)

EXHIBIT A

TRACT 2

DESCRIPTION, of a 8,384 square foot (0.192 acre) tract of land situated in the Dickerson Parker Survey, Abstract No. 1113, Dallas County, Texas and being part of Lot 1A, Block 4682, Southwest Love Field Addition No. 6, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 2005024, Page 82 of the Deed Records of Dallas County, Texas; said tract being part of a 20-foot wide Water Reservation created by said Southwest Love Field Addition No. 6; said tract also being part of that tract of land described in Warranty Deed to the City of Dallas recorded in Volume 2487, Page 613 of said Deed Records; said 8,384 square foot tract being more particularly described as follows:

COMMENCING, at the north end of a right-of-way corner clip at the intersection of the southeast right-of-way line of Shorecrest Drive (a variable width right-of-way) and the northeast right-of-way line of Denton Drive (a variable width right-of-way); said point being a west corner of said Lot 1A;

THENCE, in a northeasterly direction, along the said southeast line of Shorecrest Drive and the northwest line of said Lot 1A, the following two (2) calls:

North 18 degrees, 49 minutes, 48 seconds East, a distance of 98.73 feet;

North 44 degrees, 21 minutes, 54 seconds East, a distance of 254.37 feet to a point at the northernmost corner of a 40-foot wide Water Reservation recorded in Volume 2002011, Page 90 of said Deed Records;

THENCE, South 45 degrees, 07 minutes, 16 seconds East, departing the said southeast line of Shorecrest Drive and the said northwest line of Lot 1A, and along the north line of said 40-foot wide Water Reservation, a distance of 80.03 feet to the POINT OF BEGINNING;

THENCE, North 44 degrees, 43 minutes, 04 seconds East, departing the said north line of the 40-foot wide Water Reservation, a distance of 157.32 feet to a point for corner;

THENCE, South 45 degrees, 53 minutes, 49 seconds East, a distance of 5.00 feet to a point for corner;

THENCE, North 44 degrees, 43 minutes, 04 seconds East, a distance of 100.58 feet to a point for corner;

THENCE, North 73 degrees, 08 minutes, 39 seconds East, a distance of 16.89 feet to a point for corner;

THENCE, South 16 degrees, 51 minutes, 21 seconds East, a distance of 165.37 feet to a point for corner in the said north line of the 40-foot wide Water Reservation;

THENCE, South 73 degrees, 08 minutes, 39 seconds West, along the said north line of the 40-foot wide Water Reservation, a distance of 20.00 feet to a point for corner;

THENCE, North 16 degrees, 51 minutes, 21 seconds West, departing the said north line of the 40-foot wide Water Reservation, a distance of 140.94 feet to a point for corner;

THENCE, South 44 degrees, 43 minutes, 04 seconds West, a distance of 106.00 feet to a point for corner;

THENCE, North 45 degrees, 53 minutes, 49 seconds West, a distance of 5.00 feet to a point for corner;

(For SPRG use only)	
Reviewed By:	<u>DBF</u>
Date:	<u>07/17/2015</u>
SPRG NO:	<u>3350</u>

WATER RESERVATION ABANDONMENT
Part of Lot 1A, Block 4682 and Lot 1E, Block 2/5739
Southwest Love Field Addition No. 6
Dickerson Parker Survey, Abstract No. 1113
City of Dallas, Dallas County, Texas
(continued)

EXHIBIT A

THENCE, South 44 degrees, 43 minutes, 04 seconds West, a distance of 137.59 feet to a point for corner in the said north line of the 40-foot wide Water Reservation;

THENCE, North 45 degrees, 07 minutes, 16 seconds West, along the said north line of the 40-foot wide Water Reservation, a distance of 20.00 feet to the POINT OF BEGINNING;

CONTAINING: 8,384 square feet or 0.192 acres of land, more or less.

Bearing system is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances shown have been adjusted to surface by applying the Dallas County TxDOT combination factor of 1.000136506).

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the reservation abandonment tract described.

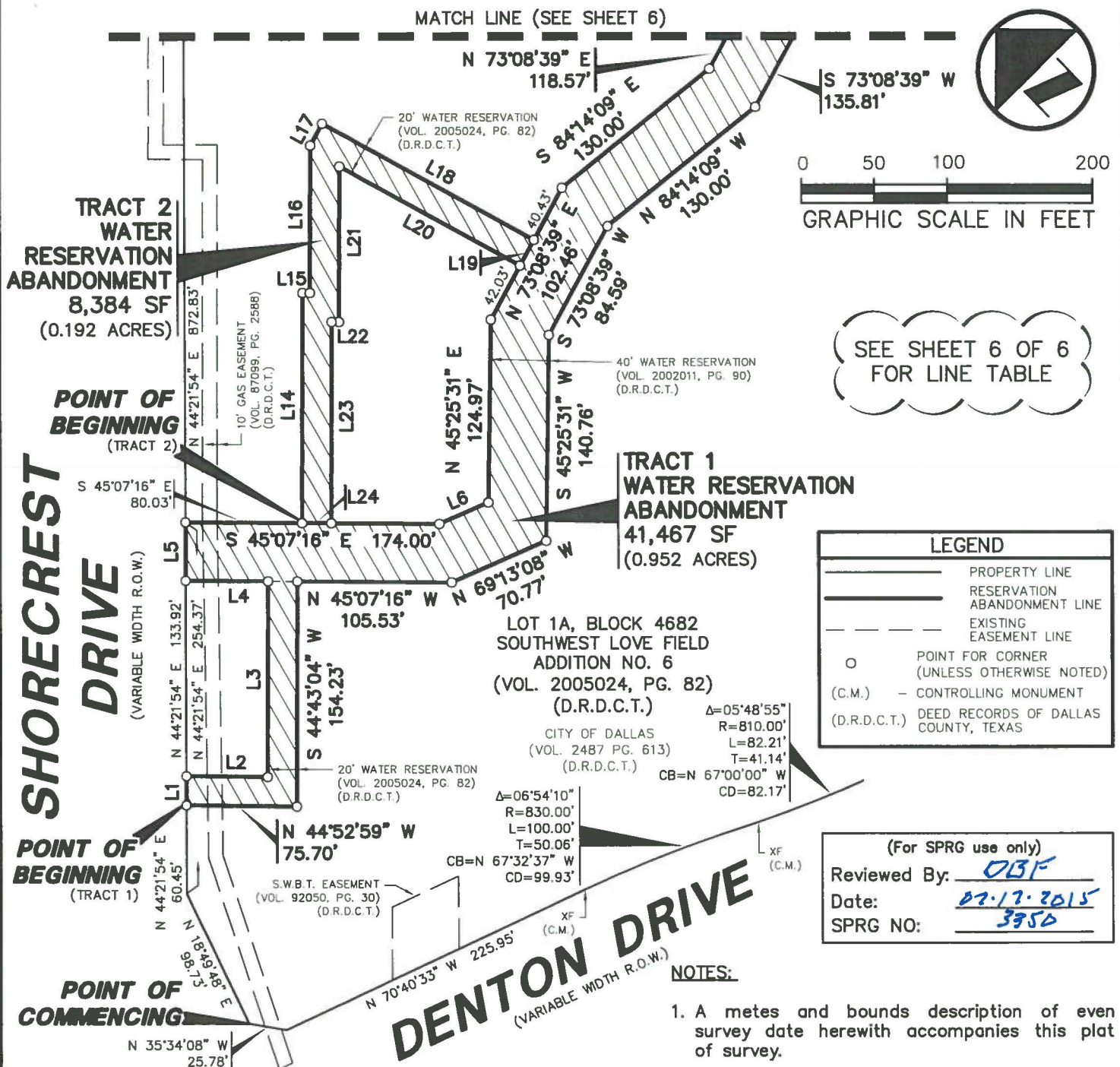


Kyle Coleman Harris Date 6/12/2015
Registered Professional Land Surveyor No. 6266
Pacheco Koch Consulting Engineers, Inc.
8350 N. Central Expwy., #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00



1320-14.453-ex1.doc
1320-14.453-ex1.dwg jrm

(For SPRG use only)	
Reviewed By:	<u>DBF</u>
Date:	<u>07.17.2015</u>
SPRG NO:	<u>3350</u>



The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the reservation abandonment tract described.

Kyle Coleman Harris
Registered Professional
Land Surveyor No. 6266

6/12/2015
Date



Pacheco Koch

DALLAS • FORT WORTH • HOUSTON

8350 N. CENTRAL EXPWY, SUITE 1000
DALLAS, TX 75208 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

DRAWN BY
JRM

CHECKED BY
KCH

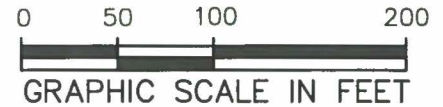
SCALE
1"=100'

DATE
JUNE 2015

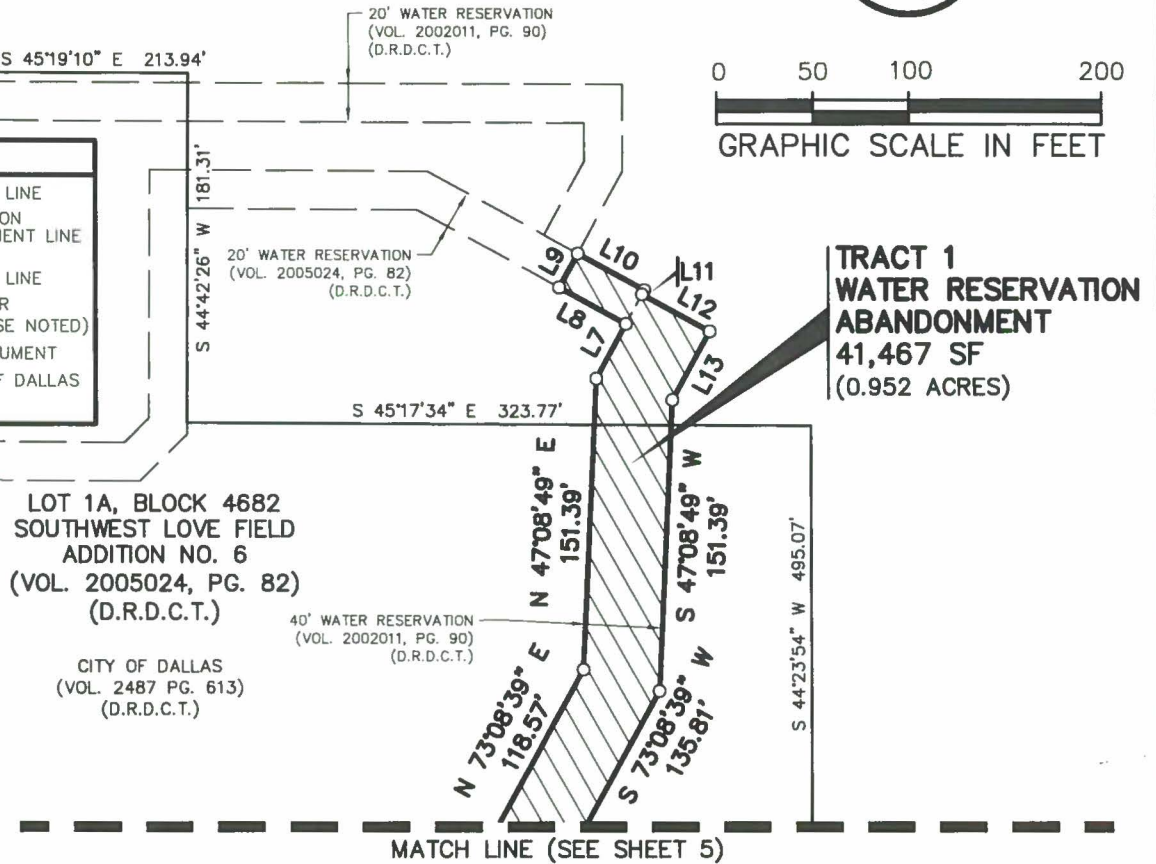
JOB NUMBER
1320-14.453

CITY OF DALLAS
(VOL. 2487 PG. 613)
(D.R.D.C.T.)

LOT 1E, BLOCK 2/5739
SOUTHWEST LOVE FIELD
ADDITION NO. 6
(VOL. 2005024, PG. 82)
(D.R.D.C.T.)



LEGEND	
	PROPERTY LINE
	RESERVATION ABANDONMENT LINE
	EXISTING EASEMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
(C.M.)	- CONTROLLING MONUMENT
(D.R.D.C.T.)	DEED RECORDS OF DALLAS COUNTY, TEXAS



LINE TABLE

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N 44°21'54" E	20.00'	L9	N 73°08'39" E	20.00'	L17	N 73°08'39" E	16.89'
L2	S 44°52'59" E	55.82'	L10	S 16°51'21" E	39.50'	L18	S 16°51'21" E	165.37'
L3	N 44°43'04" E	134.14'	L11	S 73°08'39" W	2.50'	L19	S 73°08'39" W	20.00'
L4	N 45°07'16" W	56.65'	L12	S 16°51'21" E	40.00'	L20	N 16°51'21" W	140.94'
L5	N 44°21'54" E	40.00'	L13	S 73°08'39" W	40.60'	L21	S 44°43'04" W	106.00'
L6	S 69°13'08" E	36.57'	L14	N 44°43'04" E	157.32'	L22	N 45°53'49" W	5.00'
L7	N 73°08'39" E	32.34'	L15	S 45°53'49" E	5.00'	L23	S 44°43'04" W	137.59'
L8	N 16°51'21" W	39.50'	L16	N 44°43'04" E	100.58'	L24	N 45°07'16" W	20.00'

(For SPRG use only)

Reviewed By: DBF
Date: 07.17.2015
SPRG NO: 3350

WATER RESERVATION ABANDONMENT

PART OF LOT 1A, BLOCK 4682 AND
LOT 1E, BLOCK 2/5739,
SOUTHWEST LOVE FIELD ADDITION NO. 6
DICKERSON PARKER SURVEY, ABSTRACT NO. 1113
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 6 OF 6



Pacheco Koch
DALLAS • FORT WORTH • HOUSTON

8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75208 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

DRAWN BY JRM	CHECKED BY KCH	SCALE 1"=100'	DATE JUNE 2015	JOB NUMBER 1320-14.453
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AGENDA ITEM # 39

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 1
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 43Z

SUBJECT

An ordinance abandoning four wastewater easements to Lincoln Colorado Place LLC, the abutting owner, containing a total of approximately 7,172 square feet of land, located near the intersection of Fort Worth Avenue and Colorado Boulevard - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of four wastewater easements to Lincoln Colorado Place LLC, the abutting owner. The area will be included with the property of the abutting owner for a mixed-use development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

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

OWNER

Lincoln Colorado Place LLC

LPC MM Colorado Place LLC

LPC Manager, Inc.

John Timothy Byrne, President

MAP

Attached



Abandonment Areas: 

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of four wastewater easements located in City Block A/4689 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Lincoln Colorado Place LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of new easements, 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 abandonments 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, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Lincoln Colorado Place LLC, a Delaware limited liability company; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are 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 tracts 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 9, 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 the certain tracts or parcels 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 areas 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 areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, 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 areas 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 wastewater easements shall not become effective until and unless: (i) the existing 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 installations within the new easement are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of 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 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 Sections 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

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

APPROVED AS TO FORM:
CHRISTOPHER D. BOWERS
Interim City Attorney

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY

Ben N. Lysa #
Assistant City Attorney

BY

Linda Williams
SA Assistant Director

Passed _____.

**WASTEWATER EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON McCracken Survey, Abstract No. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 1,414 SQUARE FOOT (0.032 ACRES) TRACT OF LAND SITUATED IN THE ANSON McCracken Survey, Abstract No 868, City of Dallas, Dallas County, Texas, BEING A WASTEWATER EASEMENT CREATED BY THE PLAT OF LOT 1, BLOCK A/4689 COLORADO PLACE APARTMENTS, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 99037, PAGE 5, AS CORRECTED IN CERTIFICATE OF CORRECTION RECORDED IN VOLUME 99227, PAGE 1926, DEED RECORDS, DALLAS COUNTY, TEXAS (D.R.D.C.TX.), SAID LOT 1, BLOCK A/4689 BEING REFERRED TO AS TRACT 2, A CALLED 18.620 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO CPIF INVESTORS 1, LP, RECORDED IN INSTRUMENT NO. 201500087266, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS (O.P.R.D.C.TX.) SAID 1,414 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 3/4 INCH IRON PIPE FOUND FOR THE SOUTHEASTERLY CORNER OF SAID LOT 1, BLOCK A/4689 SAME BEING A CORNER COMMON WITH THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 1463, PAGES 140 AND 143 D.R.D.C.T. WITH THAT TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED DESCRIBED TO THE VIEW DFW 4 TWO, LLC RECORDED IN INSTRUMENT NO. 201400247722 O.P.R.D.C.T. FROM WHICH A 5/8-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK A/4689 BEARS SOUTH 89°45'17" WEST, A DISTANCE OF 1110.41 FEET;

THENCE NORTH 00°01'52" EAST ALONG THE LINE COMMON OF SAID LOT 1, BLOCK A/4689 AND SAID CITY OF DALLAS TRACT OF LAND PASSING AT A DISTANCE OF 536.90 FEET A CORNER COMMON WITH SAID CITY OF DALLAS TRACT OF LAND AND THAT TRACT OF LAND DESCRIBED TO JAMES THOMAS CALABRIA IN WARRANTY DEED RECORDED IN VOLUME 94012, PAGE 3489 D.R.D.C.T. CONTINUING ALONG THE COMMON LINE OF SAID LOT 1, BLOCK A/4689 AND SAID JAMES THOMAS CALABRIA TRACT OF LAND A TOTAL DISTANCE OF 623.45 FEET TO A POINT IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF ANNIELS DRIVE (A 50 FOOT PUBLIC RIGHT OF WAY) SAME BEING THE MOST SOUTHERLY CORNER IN THE EAST LINE OF THAT PORTION OF ANNIELS DRIVE ABANDONED BY CITY ORDINANCE NO 28515, PASSED BY THE DALLAS CITY COUNCIL, JANUARY 11, 2012;

THENCE NORTH 00°04'00" EAST CONTINUING ALONG THE WEST RIGHT OF WAY OF SAID ANNIELS DRIVE A DISTANCE OF 57.48 FEET TO A POINT IN THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID ANNIELS DRIVE;

THENCE SOUTH 59°11'00" WEST ALONG THE NORTHWESTERLY LINE OF THAT PORTION OF SAID ANNIELS DRIVE VACATED BY CITY OF DALLAS ORDINANCE NO. 28515, PASSED BY THE DALLAS CITY COUNCIL, JANUARY 11, 2012 A DISTANCE OF 365.76 FEET TO A POINT FOR CORNER;

(For SPRG use only)

Reviewed by: David Scott Date: 5-18-16 SPRG NO: 3706

WASTEWATER EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON McCRACKEN SURVEY, ABSTRACT NO. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE SOUTH 30°49'00" EAST A DISTANCE OF 51.15 TO A POINT ON THE EXTERIOR LINE OF AN ISLAND FORMERLY CREATED BY DEDICATION OF ODEANS DRIVE RECORDED IN VOLUME 2127, PAGE 851, D.R.D.C.T AND BEING ABANDONED BY CITY ORDINANCE NO 28515 PASSED BY THE DALLAS CITY COUNCIL, JANUARY 11, 2012;
SAME BEING THE POINT OF BEGINNING;

THENCE SOUTH 30°49'00" EAST A DISTANCE OF 92.70 FEET TO A POINT ON THE EXTERIOR LINE OF SAID ISLAND BEING THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS POINT WHICH BEARS NORTH 48°16'27" WEST, A DISTANCE OF 25.00 FEET;

THENCE SOUTHWESTERLY ALONG THE EXTERIOR LINE OF SAID ISLAND WITH SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 34°54'55" FOR AN ARC LENGTH OF 15.23 FEET, HAVING A CHORD BEARING OF SOUTH 59°11'01" WEST AND A CHORD DISTANCE OF 15.00' FEET TO THE END OF SAID CURVE;

THENCE NORTH 30°49'00" WEST A DISTANCE OF 92.70 FEET TO A POINT ON THE EXTERIOR LINE OF SAID ISLAND BEING THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS POINT WHICH BEARS SOUTH 48°16'27" EAST, A DISTANCE OF 25.00 FEET;

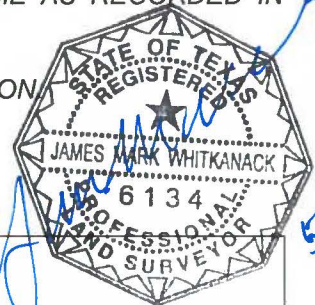
THENCE NORTHEASTERLY ALONG THE EXTERIOR LINE OF SAID ISLAND WITH SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 34°54'55" FOR AN ARC LENGTH OF 15.23 FEET, HAVING A CHORD BEARING OF NORTH 59°11'01" EAST AND A CHORD DISTANCE OF 15.00' FEET TO THE **POINT OF BEGINNING;**

CONTAINING A COMPUTED AREA OF 1,414 SQUARE FEET OR 0.032 ACRES OF LAND.

NOTES:

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE SOUTH LINE OF LOT 1, BLOCK A/4689 OF COLORADO PLACE ADDITION BEING SOUTH 89°45'17" WEST, THE SAME AS RECORDED IN VOLUME 99037 PAGE 5, DEED RECORDS DALLAS COUNTY TEXAS

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION

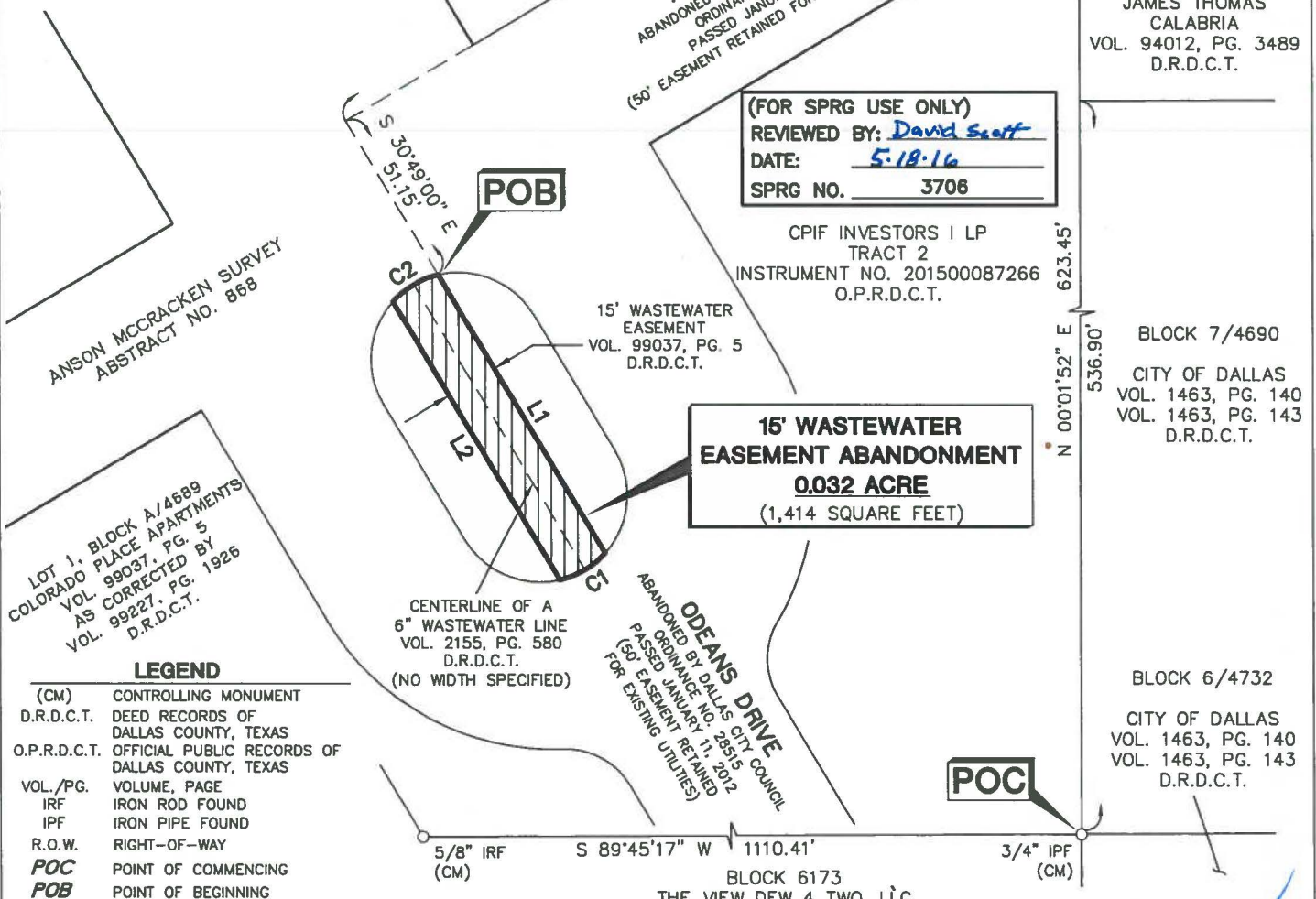


(For SPRG use only)

Reviewed by: David Scott Date: 5-18-16 SPRG NO: 3706

PARCEL CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	BEARING
C1	15.23'	25.00'	34°54'55"	15.00'	S59°11'01"W
C2	15.23'	25.00'	34°54'55"	15.00'	N59°11'00"E

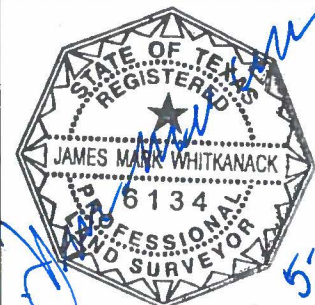
PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	S30°49'00"E	92.70'
L2	N30°49'00"W	92.70'



Stantec

5310 Harvest Hill Road, Suite 100
Dallas, Texas 75230
Tel. (972) 991-0011 Fax (972) 991-0278
TBPE # 6324 TBPLS # 10194229

WASTEWATER EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON MCCRACKENT SURVEY
ABSTRACT NO. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS



JAMES M. WHITKANACK
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6134

DATE 05-17-16

SCALE: 1" = 50'

DRAWN BY: RSG

PROJECT NO.: R0102158-30012

SHEET NO. 3 OF 3

**WASTEWATER EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON McCRACKEN SURVEY, ABSTRACT NO. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING AN EASEMENT FOR A 6-INCH SANITARY SEWER, WITH NO SPECIFIED WIDTH, SITUATED IN THE ANSON McCRACKEN SURVEY, ABSTRACT NO. 868, CITY OF DALLAS, DALLAS COUNTY, TEXAS, SAID 6-INCH SANITARY SEWER EASEMENT BEING CREATED BY AN EASEMENT DOCUMENT RECORDED IN VOLUME 2155, PAGE 580, DEED RECORDS, DALLAS COUNTY, TEXAS (D.R.D.C.TX.), SAID 6-INCH SANITARY SEWER BEING SHOWN ON CITY OF DALLAS WATER UTILITY ENGINEERS DRAWING 411Q-654, SHEET 4 OF 4, AS FOUND IN THE CITY OF DALLAS WATER UTILITY ARCHIVE VAULT, CURRENTLY LOCATED AT 320 E. JEFFERSON BOULEVARD, ROOM 215, DALLAS, TEXAS, SAID 6-INCH SANITARY SEWER BEING IN LOT 1, BLOCK A/4689, COLORADO PLACE APARTMENTS, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 99037, PAGE 5 AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED IN VOLUME 99227, PAGE 1926, (D.R.D.C.TX.), SAID LOT 1, BLOCK A/4689 BEING REFERRED TO AS TRACT 2, A CALLED 18.620 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO CPIF INVESTORS 1, LP, RECORDED IN INSTRUMENT NO. 20150087266, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, (O.P.R.D.C.TX.), SAID 6-INCH SANITARY SEWER EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 3/4 INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK A/4689 SAME BEING A CORNER COMMON WITH THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 1463, PAGES 140 AND 143 D.R.D.C.TX. WITH THAT TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED DESCRIBED TO THE VIEW DFW 4 TWO, LLC RECORDED IN INSTRUMENT NO. 201400247722 O.P.R.D.C.TX. FROM WHICH A 5/8" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK A/4689 BEARS SOUTH 89°45'17" WEST, A DISTANCE OF 1110.41 FEET;

THENCE NORTH 00°01'52" EAST ALONG THE LINE COMMON OF SAID LOT 1, BLOCK A/4689 AND SAID CITY OF DALLAS TRACT OF LAND PASSING AT A DISTANCE OF 536.90 FEET A CORNER COMMON WITH SAID CITY OF DALLAS TRACT OF LAND AND THAT TRACT OF LAND DESCRIBED TO JAMES THOMAS CALABRIA IN THE WARRANTY DEED RECORDED IN VOLUME 94012, PAGE 3489 D.R.D.C.TX. CONTINUING ALONG THE COMMON LINE OF SAID LOT 1, BLOCK A/4689 AND SAID JAMES THOMAS CALABRIA TRACT OF LAND A TOTAL DISTANCE OF 623.45 FEET TO A POINT IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF ANNIELS DRIVE (A 50 FOOT PUBLIC RIGHT OF WAY) ;

THENCE NORTH 00°04'00" EAST CONTINUING ALONG THE WEST RIGHT OF WAY OF SAID ANNIELS DRIVE A DISTANCE OF 57.48 FEET TO A POINT IN THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID ANNIELS DRIVE;

(For SPRG use only)

Reviewed by: David Scott Date: 5.18.16 SPRG NO: 3707

WASTEWATER EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON McCRACKEN SURVEY, ABSTRACT NO. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE SOUTH 59°11'00" WEST ALONG THE NORTHWESTERLY LINE OF THAT PORTION OF SAID ANNIELS DRIVE VACATED BY CITY OF DALLAS ORDINANCE NO. 28515, PASSED BY THE DALLAS CITY COUNCIL JANUARY 11, 2012, A DISTANCE OF 373.26 FEET TO A POINT FOR CORNER;

THENCE SOUTH 30°49'00" EAST A DISTANCE OF 50.00 TO THE **POINT OF BEGINNING**;

THENCE SOUTH 30°49'00" EAST A DISTANCE OF 95.00 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE

NOTES:

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE SOUTH LINE OF LOT 1, BLOCK A/4689 OF COLORADO PLACE ADDITION BEING SOUTH 89°45'17" WEST, THE SAME AS RECORDED IN VOLUME 99037 PAGE 5, DEED RECORDS DALLAS COUNTY TEXAS

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.



(For SPRG use only)

Reviewed by: David Scott Date: 5-18-16 SPRG NO: 3707

EXHIBIT A-TRACT 2

PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	S30°49'00"E	95.00'

(FOR SPRG USE ONLY)

REVIEWED BY: *David Scott*

DATE: *5-18-16*

SPRG NO. *3707*

ANSON MCCrackEN SURVEY
ABSTRACT NO. 868

LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
VOL. 99037, PG. 5
AS CORRECTED
BY VOL. 99227, PG. 1926
D.R.D.C.T.

ANNIE'S DRIVE
ABANDONED BY DALLAS CITY COUNCIL
ORDINANCE NO. 28515
PASSED JANUARY 11, 2012
(50' EASEMENT RETAINED FOR EXISTING UTILITIES)

CPIF INVESTORS I LP
TRACT 2
INSTRUMENT NO. 201500087266
O.P.R.D.C.T.

POB

15' WASTEWATER
EASEMENT
VOL. 99037, PG. 5
D.R.D.C.T.

CENTERLINE OF A
6" WASTEWATER LINE
VOL. 2155, PG. 580
D.R.D.C.T.
(NO WIDTH SPECIFIED)

ODEANS DRIVE
ABANDONED BY DALLAS CITY COUNCIL
ORDINANCE NO. 28515
PASSED JANUARY 11, 2012
(50' EASEMENT RETAINED FOR EXISTING UTILITIES)

LEGEND

(CM) CONTROLLING MONUMENT
D.R.D.C.T. DEED RECORDS OF
DALLAS COUNTY, TEXAS
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF
DALLAS COUNTY, TEXAS
VOL./PG. VOLUME, PAGE
IPF IRON PIPE FOUND
IRF IRON ROD FOUND
POC POINT OF COMMENCING
POB POINT OF BEGINNING

NOTES:

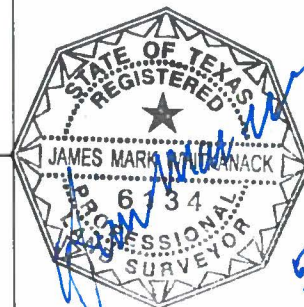
A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.

BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTH LINE OF LOT 1, BLOCK A/4689 OF COLORADO PLACE APARTMENTS BEING SOUTH 89°45'17" WEST, THE SAME AS RECORDED IN VOLUME 99037, PAGE 5, DEED RECORDS OF DALLAS COUNTY, TEXAS.



5310 Harvest Hill Road, Suite 100
Dallas, Texas 75230
Tel. (972) 991-0011 Fax (972) 991-0278
TBPE # 6324 TBPLS # 10194229

CENTERLINE WASTEWATER
EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON MCCrackEN SURVEY
ABSTRACT NO. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS



JAMES M. WHITKANACK
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6134

DATE 05-17-16

SCALE: 1" = 50'

DRAWN BY: RSG

PROJECT NO.: R0102158-30012

SHEET NO. 3 OF 3

**WASTEWATER EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON McCRACKEN SURVEY, ABSTRACT NO. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 5,279 SQUARE FOOT (0.121 ACRES) TRACT OF LAND SITUATED IN THE ANSON McCRACKEN SURVEY, ABSTRACT NO 868, CITY OF DALLAS, DALLAS COUNTY, TEXAS, BEING A WASTEWATER EASEMENT CREATED BY PLAT OF LOT 1, BLOCK A/4689, COLORADO PLACE APARTMENTS, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 99037, PAGE 5, AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED IN VOLUME 99227, PAGE 1926 DEED RECORDS, DALLAS COUNTY, TEXAS, (D.R.D.C.TX.) SAID LOT 1, BLOCK A/4689 BEING REFERRED TO AS TRACT 2, A CALLED 18.620 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO CPIF INVESTORS 1, LP, RECORDED IN INSTRUMENT NO. 20150087266, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, (O.P.R.D.C.TX.), SAID 5,279 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 3/4 INCH IRON PIPE FOUND FOR THE SOUTHEASTERLY CORNER OF SAID LOT 1, BLOCK A/4689 SAME BEING A CORNER COMMON WITH THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 1463, PAGES 140 AND 143 D.R.D.C.T. WITH THAT TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED DESCRIBED TO THE VIEW DFW 4 TWO, LLC RECORDED IN INSTRUMENT NO. 20140247722 O.P.R.D.C.T. FROM WHICH A 5/8" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF LOT 1 BEARS SOUTH 89°45'17" WEST, A DISTANCE OF 1110.41 FEET;

THENCE SOUTH 89° 45' 17" WEST ALONG THE COMMON LINE OF SAID LOT 1, BLOCK A/4689 AND SAID THE VIEW DFW 4 TWO, LLC TRACT OF LAND A DISTANCE OF 175.07 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89° 45' 17" WEST ALONG THE COMMON LINE OF SAID LOT 1, BLOCK A/4689 AND SAID THE VIEW DFW 4 TWO, LLC TRACT OF LAND A DISTANCE OF 196.86 FEET TO A POINT FOR CORNER;

THENCE NORTH 0° 14' 43" WEST OVER AND ACROSS SAID LOT 1, BLOCK A/4689, A DISTANCE OF 12.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 89° 45' 17" EAST CONTINUING OVER AND ACROSS SAID LOT 1, BLOCK A/4689 A DISTANCE OF 178.01 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS POINT WHICH BEARS NORTH 5°06'35" WEST, A DISTANCE OF 95.00 FEET;

(For SPRG use only)

Reviewed by: David Scott Date: 5-18-16 SPRG NO: 3705

**WASTEWATER EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON McCRACKEN SURVEY, ABSTRACT NO. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE NORTHEASTERLY, WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 117° 30' 47" FOR AN ARC LENGTH OF 194.84 FEET, HAVING A CHORD BEARING OF NORTH 26° 08' 02" EAST AND A CHORD DISTANCE OF 162.44 FEET TO THE END OF SAID CURVE SAME BEING IN THE SOUTHEASTERLY LINE OF THAT PORTION OF WALTER DRIVE ABANDONED BY CITY ORDINANCE NO. 28515, PASSED BY THE DALLAS CITY COUNCIL JANUARY 11, 2012;

THENCE NORTH 50° 32' 52" EAST ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 15.09 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS POINT WHICH BEARS SOUTH 56° 26' 33" WEST, A DISTANCE OF 110.00 FEET;

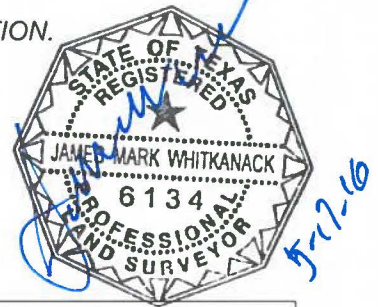
THENCE SOUTHWESTERLY, WITH SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 109° 09' 09" FOR AN ARC LENGTH OF 209.56 FEET, HAVING A CHORD BEARING OF SOUTH 21° 01' 07" WEST AND A CHORD DISTANCE OF 179.28 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A COMPUTED AREA OF 5,279 SQUARE FEET OR 0.121 ACRES OF LAND.

NOTES:

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE SOUTH LINE OF LOT 1, BLOCK A/4689 OF COLORADO PLACE ADDITION BEING SOUTH 89°45'17" WEST, THE SAME AS RECORDED IN VOLUME 99037 PAGE 5, DEED RECORDS DALLAS COUNTY TEXAS

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.



(For SPRG use only)

Reviewed by: David Scott Date: 5-18-16 SPRG NO: 3705

(FOR SPRG USE ONLY)
 REVIEWED BY: David Scott
 DATE: 5-18-16
 SPRG NO. 3705

ANSON MCCracken SURVEY
 ABSTRACT NO. 868

LOT 1, BLOCK A/4689
 COLORADO PLACE APARTMENTS
 VOL. 99037, PG. 5
 AS CORRECTED BY
 VOL. 99227, PG. 1926
 D.R.D.C.T.

CPIF INVESTORS I LP
 TRACT 2
 INSTRUMENT NO. 201500087266
 O.P.R.D.C.T.

CENTERLINE OF A
 6" WASTEWATER LINE
 VOL. 2155, PG. 581
 D.R.D.C.T.
 (NO WIDTH SPECIFIED)

15' WASTEWATER
 EASEMENT
 VOL. 99037, PG. 5
 D.R.D.C.T.

10' DALLAS POWER & LIGHT
 & SOUTHWESTERN BELL
 TELEPHONE EASEMENT
 VOL. 2096, PG. 333
 D.R.D.C.T.

15' WASTEWATER
 EASEMENT ABANDONMENT
 0.121 ACRE
 (5,279 SQUARE FEET)

10' DALLAS POWER & LIGHT
 & SOUTHWESTERN BELL
 TELEPHONE EASEMENT
 VOL. 2096, PG. 333
 D.R.D.C.T.

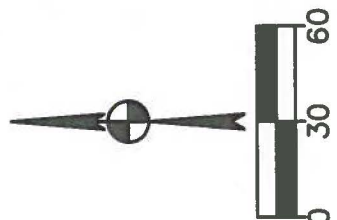
12' WASTEWATER
 EASEMENT
 VOL. 99037, PG. 5
 D.R.D.C.T.

10' DRAINAGE EASEMENT
 TO CITY OF DALLAS
 VOL. 74135, PG. 496
 D.R.D.C.T.

CENTERLINE
 DALLAS POWER & LIGHT
 & SOUTHWESTERN BELL
 TELEPHONE EASEMENT
 VOL. 4601, PG. 123
 D.R.D.C.T.
 (NO WIDTH SPECIFIED)

BLOCK 7/4690
 CITY OF DALLAS
 VOL. 1463, PG. 140
 VOL. 1463, PG. 143
 D.R.D.C.T.

BLOCK 6/4732
 CITY OF DALLAS
 VOL. 1463, PG. 140
 VOL. 1463, PG. 143
 D.R.D.C.T.



NOTES:

A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO
 ACCOMPANY THIS SKETCH.

BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTH LINE OF LOT
 1, BLOCK A/4689 OF COLORADO PLACE APARTMENTS BEING SOUTH
 89°45'17" WEST, THE SAME AS RECORDED IN VOLUME 99037, PAGE 5,
 DEED RECORDS OF DALLAS COUNTY, TEXAS.

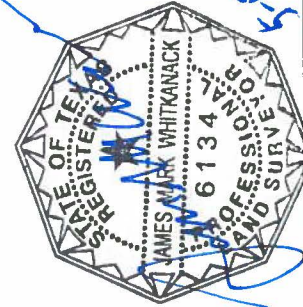


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 TBPE # 6324 TBPLS # 10194229

WASTEWATER EASEMENT ABANDONMENT
 LOT 1, BLOCK A/4689
 COLORADO PLACE APARTMENTS
 ANSON MCCracken SURVEY
 ABSTRACT NO. 868
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGEND

(CM)	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS OF
O.P.R.D.C.T.	DALLAS COUNTY, TEXAS
VOL./PG.	OFFICIAL PUBLIC RECORDS OF
IPF	DALLAS COUNTY, TEXAS
IRF	VOLUME, PAGE
POB	IRON PIPE FOUND
POC	IRON ROD FOUND
	POINT OF COMMENCING
	POINT OF BEGINNING



JAMES M. WHITNACK
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 6134

PARCEL CURVE DATA				
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH
C1	194.84'	95.00'	117°30'47"	162.44'
C2	209.56'	110.00'	109°09'09"	179.28'
				BEARING
				N26°08'02"E
				S21°01'07"W

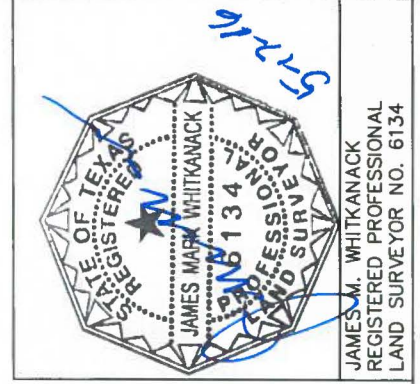
PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	S89°45'17"W	196.86'
L2	N0°14'43"W	12.00'
L3	N89°45'17"E	178.01'
L4	N50°32'52"E	15.09'

(FOR SPRG USE ONLY)
 REVIEWED BY: David Scott
 DATE: 5/8/16
 SPRG NO. 3705



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 TBPE # 6324 TBPLS # 10194229

WASTEWATER EASEMENT ABANDONMENT
 LOT 1, BLOCK A/4689
 COLORADO PLACE APARTMENTS
 ANSON MCCrackEN SURVEY
 ABSTRACT NO. 868
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



**WASTEWATER EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON McCRACKEN SURVEY, ABSTRACT NO. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING AN EASEMENT FOR A 6-INCH SANITARY SEWER, WITH NO SPECIFIED WIDTH, SITUATED IN THE ANSON McCRACKEN SURVEY, ABSTRACT NO. 868, CITY OF DALLAS, DALLAS COUNTY, TEXAS, SAID 6-INCH SANITARY SEWER EASEMENT BEING CREATED BY AN EASEMENT DOCUMENT RECORDED IN VOLUME 2155, PAGE 581, DEED RECORDS, DALLAS COUNTY, TEXAS (D.R.D.C.TX.), SAID 6-INCH SANITARY SEWER BEING SHOWN ON CITY OF DALLAS WATER UTILITY ENGINEERS DRAWING 411Q-654, SHEET 2 OF 4, AS FOUND IN THE CITY OF DALLAS WATER UTILITY ARCHIVE VAULT, CURRENTLY LOCATED AT 320 E. JEFFERSON BOULEVARD, ROOM 215, DALLAS, TEXAS, SAID 6-INCH SANITARY SEWER BEING IN LOT 1, BLOCK A/4689, COLORADO PLACE APARTMENTS, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 99037, PAGE 5, AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED IN VOLUME 99227, PAGE 1926 (D.R.D.C.TX.), SAID LOT 1, BLOCK A/4689 BEING REFERRED TO AS TRACT 2, A CALLED 18.620 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO CPIF INVESTORS 1, LP, RECORDED IN INSTRUMENT NO. 20150087266, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, (O.P.R.D.C.TX.), SAID 6-INCH SANITARY SEWER EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 3/4 INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK A/4689 SAME BEING A CORNER COMMON WITH THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 1463, PAGES 140 AND 143 D.R.D.C.T. AND WITH THAT TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED DESCRIBED TO THE VIEW DFW 4 TWO, LLC RECORDED IN INSTRUMENT NO. 201400247722 O.P.R.D.C.T. FROM WHICH A 5/8" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF LOT 1, BLOCK A/4689 BEARS SOUTH 89°45'17" WEST, A DISTANCE OF 1110.41 FEET

THENCE SOUTH 89° 45' 17" WEST ALONG THE COMMON LINE OF SAID LOT 1, BLOCK A/4689 AND SAID THE VIEW DFW 4 TWO, LLC TRACT OF LAND A DISTANCE OF 371.93 FEET;

THENCE OVER AND ACROSS SAID LOT 1, BLOCK A/4689 THE FOLLOWING:

1. NORTH 0° 14' 43" WEST SAID LOT 1, BLOCK A/4689, A DISTANCE OF 7.00 FEET TO **POINT OF BEGINNING**;
2. NORTH 89° 45' 17" EAST ALONG A LINE 7 FEET NORTH OF AND PARALLEL WITH THE COMMON LINE OF SAID LOT 1, BLOCK A/4689 AND SAID THE VIEW DFW 4 TWO, LLC TRACT A DISTANCE OF 178.22 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS POINT WHICH BEARS NORTH 0° 49' 11" WEST A DISTANCE OF 100.00 FEET;

(For SPRG use only)

Reviewed by: David Scott Date: 5-18-16 SPRG NO: 3708

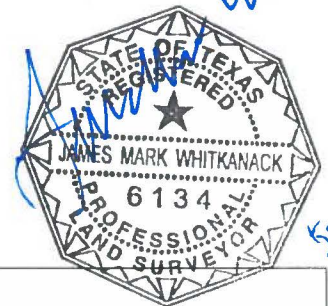
WASTEWATER EASEMENT ABANDONMENT
LOT 1, BLOCK A/4689
COLORADO PLACE APARTMENTS
ANSON McCRACKEN SURVEY, ABSTRACT NO. 868
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE NORTHEASTERLY, WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 117° 58' 46" FOR AN ARC LENGTH OF 205.91 FEET, HAVING A CHORD BEARING OF NORTH 26° 01' 26" EAST AND A CHORD DISTANCE OF 171.41 FEET TO THE END OF SAID CURVE SAME BEING IN THE SOUTHEASTERLY LINE OF THAT PORTION OF WALTER DRIVE ABANDONED BY CITY ORDINANCE NO. 28515, PASSED ON JANUARY 11, 2012 BY THE DALLAS CITY COUNCIL ALSO BEING THE POINT OF TERMINATION OF SAID CENTERLINE.

NOTES:

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE SOUTH LINE OF LOT 1, BLOCK A/4689 OF COLORADO PLACE ADDITION BEING SOUTH 89°45'17" WEST, THE SAME AS RECORDED IN VOLUME 99037 PAGE 5, DEED RECORDS DALLAS COUNTY TEXAS

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

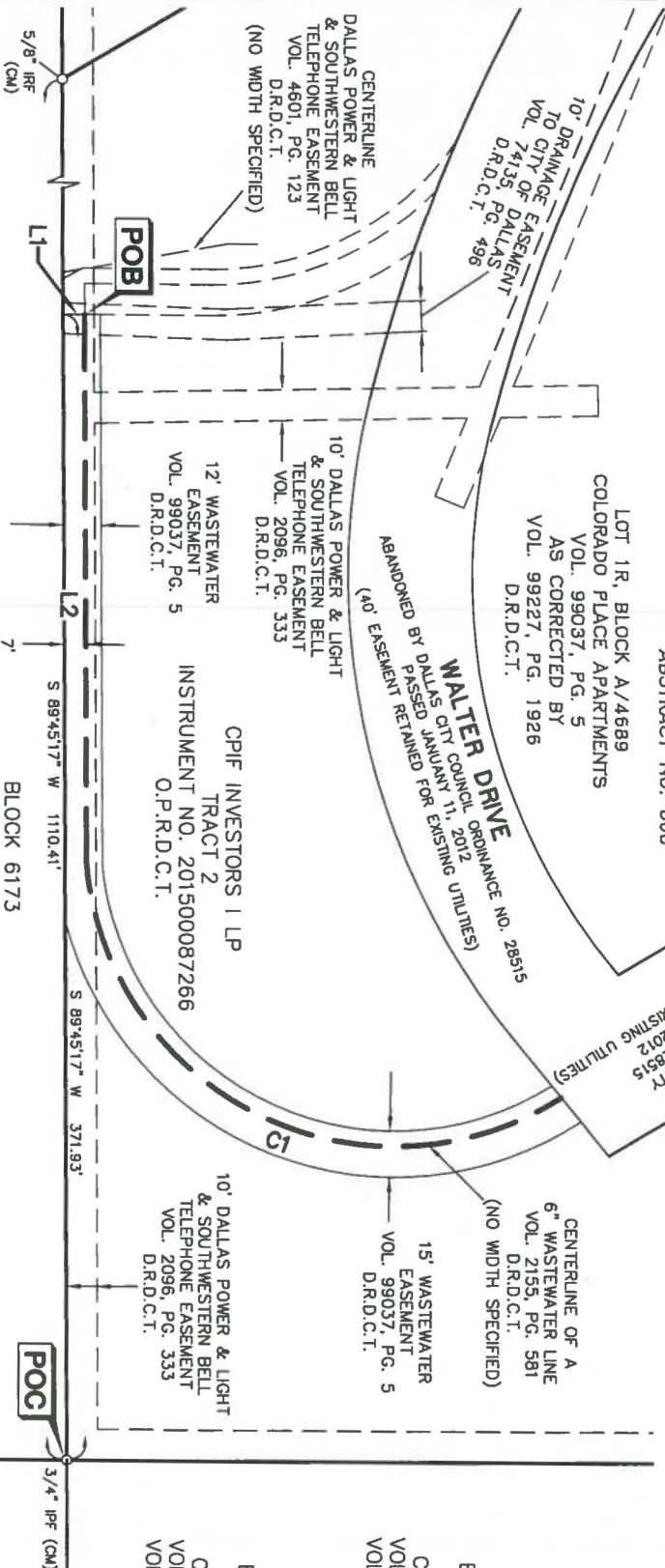


(For SPRG use only)

Reviewed by: David Scott Date: 5-18-16 SPRG NO: 3708

PARCEL CURVE DATA				
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH
C1	205.91'	100.00'	117°58'46"	171.41'
				N26°01'26"E

PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	N01°4'43"W	7.00'
L2	S89°45'17"W	178.22'



(FOR SPRG USE ONLY)
 REVIEWED BY: David Scott
 DATE: 5-18-16
 SPRG NO. 3708

LEGEND

- (CM) CONTROLLING MONUMENT
- D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- VOL./PG. VOLUME, PAGE
- IPF IRON PIPE FOUND
- IRF IRON ROD FOUND
- POC POINT OF COMMENCING
- POB POINT OF BEGINNING



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WASTEWATER EASEMENT ABANDONMENT
 LOT 1, BLOCK A/4689
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 ANSON MCCrackEN SURVEY
 ABSTRACT NO. 868
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

NOTES:

A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.
 BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTH LINE OF LOT 1, BLOCK A/4689 OF COLORADO PLACE APARTMENTS BEING SOUTH 89°45'17" WEST. THE SAME AS RECORDED IN VOLUME 99037, PAGE 5, DEED RECORDS OF DALLAS COUNTY, TEXAS.

BLOCK 6173
 THE VIEW DFW 4 TWO, LLC
 INSTRUMENT NO. 201400247722
 O.P.R.D.C.T.

BLOCK 6/4732
 CITY OF DALLAS
 VOL. 1463, PG. 140
 VOL. 1463, PG. 143
 D.R.D.C.T.

BLOCK 7/4690
 CITY OF DALLAS
 VOL. 1463, PG. 140
 VOL. 1463, PG. 143
 D.R.D.C.T.

AGENDA ITEM # 40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 1, 6

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 44V 45S

SUBJECT

Authorize payment to the Texas Department of Transportation for additional costs associated with the construction of the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridges over the Trinity Floodway - Not to exceed \$1,093,206 - Financing: Private Funds

BACKGROUND

Since the early 1990's, the Trinity River Corridor Project has been discussed with the community at large. Thousands of participants have contributed to the overall plan which includes flood protection, recreation, transportation, ecosystem restoration and economic development. Signature bridges have been considered a critical component of both the transportation and economic development initiatives. The City worked with Santiago Calatrava, LLC as a part of the 1998 Bond Program to design signature bridge components for the Trinity River Corridor Project. The first Calatrava bridge is the Margaret Hunt Hill Bridge which was completed in 2012. The Margaret McDermott (IH30) Bridge form the second Calatrava Bridge project.

The Texas Department of Transportation (TxDOT) is responsible for the construction of the Margaret McDermott Bridge (IH30) and the project has been included into the Horseshoe Project. The Horseshoe Project's scope entails the reconstruction of the Margaret McDermott (IH30) and IH35 bridges across the Trinity River Floodway and the connecting freeway segment locally known as the downtown "mixmaster". Design of the signature bridges was completed in August 2012.

BACKGROUND (Continued)

Texas Department of Transportation (TxDOT) awarded the Horseshoe Design-Build contract to Pegasus Link Constructors (PLC) on November 15, 2012. Actual bids for the IH30 signature bridges came in at \$114,987,000. A total of \$111,425,228 has been made available for the construction of the signature bridges including \$91,353,860 in federal funding, \$11,633,140 in Regional Transportation Council funding, and \$8,438,228 in local funding. Recent change orders and cost saving strategies reduced the construction funding difference, from \$3,561,772 to \$1,093,205.71. Per the City's Local Project Advance Funding Agreement with TxDOT, the City is responsible for the construction funding difference.

This action will authorize payment to TxDOT for the City's share of the construction funding difference in the amount of \$1,093,205.71.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2011
Complete Design	January 2013
Began Construction	April 2013
Complete Construction	July 2017

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a resolution supporting the concept of signature bridges on June 23, 1999, by Resolution No. 99-2138.

Trinity River Corridor Project Committee was briefed on IH30 Bridge New Strategy on April 5, 2011 and recommended approval of agenda item on IH30 Bridge New Strategy and contract for Santiago Calatrava, LLC.

Authorized a professional services contract with Santiago Calatrava, LLC for engineering and design services for IH30 Bridge Pedestrian and Bicycle Components across the Trinity River in an amount not to exceed \$10,688,500; the acceptance of a grant from the Trinity Trust Foundation in an amount not to exceed \$5,000,000; an increase in appropriations in an amount not to exceed \$5,000,000 in the IH30 Bridge Donation Fund; and the termination of the IH30 Bridge contract with Santiago Calatrava, LLC and applying remaining funds in that contract to the new IH30 Bridge Pedestrian and Bicycle Components contract with Santiago Calatrava, LLC on April 11, 2011, by Resolution No. 11-1004.

Authorized an Interlocal Agreement with the Texas Department of Transportation to establish responsibilities for construction funding for the bicycle and pedestrian components for the Margaret McDermott (IH30) Bridge over the Trinity River on June 27, 2012, by Resolution No. 12-1739.

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

Briefed the Trinity River Corridor Project Committee on the Margaret McDermott (IH30) Bridge Update on January 14, 2013.

Information about this item was provided to the Transportation and Trinity River Project Committee on April 25, 2016.

Authorized payment to the Texas Department of Transportation for the City's construction funding responsibilities for the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridge over the Trinity Floodway on January 23, 2013, by Resolution No. 13-0250.

Authorized a Project Specific Agreement with Dallas County for funding participation in design and construction of IH30 bicycle and pedestrian connections between Riverfront Boulevard and Beckley Avenue, including the Margaret McDermott (IH30) Bicycle and Pedestrian Bridges over the Trinity River Floodway on January 23, 2013, by Resolution No. 13-0251.

Information about this item will be provided to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

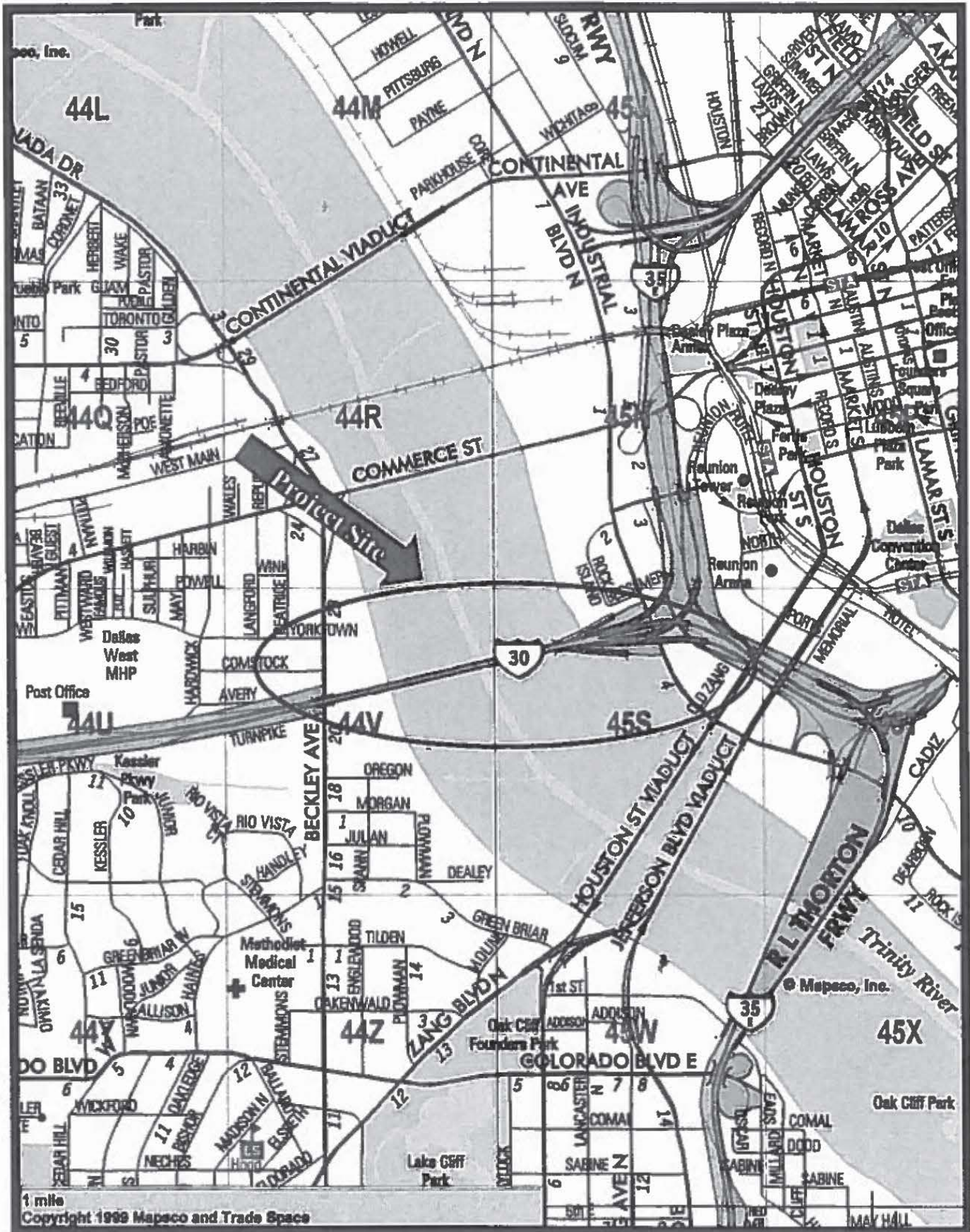
Private Funds - \$1,093,205.71

<u>Council District</u>	<u>Amount</u>
1	\$ 546,602.85
6	<u>\$ 546,602.86</u>
Total	\$1,093,205.71

MAP

Attached.

IH 30 Bicycle and Pedestrian Facilities



Mapsco 44V, 45S

June 22, 2016

WHEREAS, on June 23, 1999, Resolution No. 99-2138 supported the concept of one or more signature bridges and design enhancements for all new and replacement bridges across the Trinity River; and,

WHEREAS, the City of Dallas administered the design of the signature Margaret McDermott (IH30) Pedestrian and Bicycle Bridges across the Trinity River Floodway; and,

WHEREAS, on June 27, 2012, Resolution No. 12-2138 authorized an Interlocal Agreement with the Texas Department of Transportation to establish responsibilities for construction funding for the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridge over the Trinity River Floodway; and,

WHEREAS, the Texas Department of Transportation will administer the construction of the Margaret McDermott Pedestrian and Bicycle Bridges as part of their Horseshoe Design-Build Project which entails the reconstruction of the IH30 and IH35E freeway bridges over the Trinity River and the connecting freeway segment locally known as the downtown “mixmaster”; and,

WHEREAS, the Texas Department of Transportation conditionally awarded the Horseshoe Design-Build Project to Pegasus Link Constructors (PLC) on November 15, 2012; and,

WHEREAS, on January 23, 2013, Resolution No. 13-0250, authorized payment to the Texas Department of Transportation for the City’s construction funding responsibility for the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridge over the Trinity Floodway; and,

WHEREAS, on January 23, 2013, Resolution No. 13-0251, authorized a Project Specific Agreement with Dallas County for funding participation in design and construction of IH30 bicycle and pedestrian connections between Riverfront Boulevard and Beckley Avenue, including the Margaret McDermott (IH30) Bicycle and Pedestrian Bridges over the Trinity River Floodway; and,

WHEREAS, it is now necessary to make payment to the Texas Department of Transportation for the City’s share of construction funding difference for the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridge over the Trinity Floodway.

June 22, 2016

Now, Therefore,

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

Section 1. That the City Controller is hereby authorized to disburse funds to the Texas Department of Transportation for the construction funding difference of the Margaret McDermott (IH30) Bridges over the Trinity River Floodway in accordance with the terms and conditions of the Local Transportation Project Advance Funding Agreement from:

Continental Avenue Pedestrian Bridge Donation Fund
Fund P274, Department TWM, Unit 1086, Act. TRPP
Object 3511, Program # PB98P107, CT PBW98P107D2
Vendor #239588, in an amount not to exceed \$1,093,205.71

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 # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 1, 11

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 25G 43Z 44W 53D

SUBJECT

Authorize professional services contracts with two consulting firms for the engineering design of five erosion control improvement projects and one stormwater drainage project (list attached) - Not to exceed \$365,966 - Financing: Stormwater Drainage Management Capital Construction Funds (\$176,580), 2006 Bond Funds (\$174,196) and Water Utilities Capital Improvement Funds (\$15,190)

BACKGROUND

This action will authorize professional services contracts with two consulting firms for the engineering design of five erosion control improvement and one stormwater drainage projects. These projects are funded with current Stormwater Drainage Management Capital Construction Funds. These projects have been divided into geographically based groups.

Erosion control improvement projects will include the installation of gabion walls, retaining walls, gabion mattresses, slope and channel improvements to protect structures and minimize creek bank erosion along various creeks throughout the City. The stormwater drainage improvements include the installation of a storm sewer main and headwall to minimize localized neighborhood flooding.

Following are the locations, design cost, and the selected consulting firm for each project. The consulting firms were selected following a qualifications-based selection process in accordance with the City of Dallas AD 4-5 procurement guidelines.

BACKGROUND (Continued)

<u>Location</u>	<u>Council District</u>	<u>Firm</u>	<u>Amount</u>
<u>Group 14</u>			
845 N. Oak Cliff	1	Pacheco Koch	\$ 80,958.00
Coombs Creek at I-30	1	Consulting	\$101,303.00
6624, 6625 Azalea	11	Engineers, Inc.	\$ 79,533.00
<u>Group 15</u>			
Stevens Golf Course - Hampton	1	Garver, LLC	\$16,026.46
Stevens Golf Course - Colorado Blvd	1		\$32,052.92
Stevens Golf Course - Pavilion	1		\$56,092.62

ESTIMATED SCHEDULE OF PROJECT**Erosion Control Storm Drainage Improvements Projects**

	<u>Begin Design</u>	<u>Complete Design</u>
<u>Group 14</u>		
845 N. Oak Cliff	July 2016	October 2016
Coombs Creek at I-30	July 2016	October 2016
6624, 6625 Azalea	July 2016	October 2016
<u>Group 15</u>		
Stevens Golf Course - Hampton	July 2016	October 2016
Stevens Golf Course - Colorado Blvd	July 2016	October 2016
Stevens Golf Course - Pavilion	July 2016	October 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be briefed to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

\$176,580.00 - Stormwater Drainage Management Capital Construction Funds
 \$174,196.00 - 2006 Bond Funds
 \$ 15,190.00 - Water Utilities Capital Construction Funds

FISCAL INFORMATION (Continued)

<u>Council District</u>	<u>Amount</u>
1	\$286,433.00
11	<u>\$ 79,533.00</u>
Total Cost	\$365,966.00

Erosion Control Improvement Projects**Group 14**

Design (TWM)	\$ 246,604.00
Design (DWU)	\$ 15,190.00
Construction	<u>\$1,483,484.20 (est.)</u>
Total Project Cost	\$1,745,278.20 (est.)

Group 15

Design (TWM)	\$ 104,172.00
Construction	<u>\$ 650,000.00 (est.)</u>
Total Project Cost	\$ 754,172.00 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION**Pacheco Koch Consulting Engineers, Inc.**

Hispanic Female	8	Hispanic Male	22
African-American Female	0	African-American Male	1
Other Female	1	Other Male	2
White Female	13	White Male	65

Garver, LLC

Hispanic Female	2	Hispanic Male	6
African-American Female	3	African-American Male	7
Other Female	5	Other Male	7
White Female	87	White Male	289

OWNERS

Pacheco Koch Consulting Engineers, Inc.

Mark A. Pacheco, President

Garver, LLC

Frank McIlwain, Vice President

MAPS

Attached

Erosion Control Improvements

<u>Location</u>	<u>Council District</u>	<u>Firm</u>	<u>Amount</u>
<u>Group 14</u>			
845 N. Oak Cliff	1	Pacheco Koch	\$ 80,958.00
Coombs Creek at I-30	1	Consulting	\$101,303.00
6624, 6625 Azalea	11	Engineers, Inc.	\$ 79,533.00
<u>Group 15</u>			
Stevens Golf Course - Hampton	1	Garver, LLC	\$16,026.46
Stevens Golf Course - Colorado Blvd	1		\$32,052.92
Stevens Golf Course - Pavilion	1		\$56,092.62

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with two consulting firms for the engineering design of five erosion control improvement projects and one stormwater drainage project (list attached) - Not to exceed \$365,966 - Financing: Stormwater Drainage Management Capital Construction Funds (\$176,580), 2006 Bond Funds (\$174,196) and Water Utilities Capital Improvement Funds (\$15,190)

Pacheco Koch Consulting Engineers, 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	\$261,794.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$261,794.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
KHAFRA Consultants	BMDB16741Y0117	\$22,872.00	8.74%
The Rios Group, Inc.	HFDB41591Y0616	\$3,000.00	1.15%
Pacheco Koch Consulting Engineers	HMMB25567Y0917	\$171,197.00	65.39%
JRB Engineering	HMDB09718Y1116	\$20,725.00	7.92%
Lim & Associates	PMDB01647Y0416	\$38,000.00	14.52%
Integrated Environmental Solutions	WFDB15578Y1016	\$6,000.00	2.29%
Total Minority - Local		\$261,794.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$22,872.00	8.74%	\$22,872.00	8.74%
Hispanic American	\$194,922.00	74.46%	\$194,922.00	74.46%
Asian American	\$38,000.00	14.52%	\$38,000.00	14.52%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$6,000.00	2.29%	\$6,000.00	2.29%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$261,794.00	100.00%	\$261,794.00	100.00%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with two consulting firms for the engineering design of five erosion control improvement projects and one stormwater drainage project (list attached) - Not to exceed \$365,966 - Financing: Stormwater Drainage Management Capital Construction Funds (\$176,580), 2006 Bond Funds (\$174,196) and Water Utilities Capital Improvement Funds (\$15,190)

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

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$36,578.00	35.11%
Total non-local contracts	\$67,594.00	64.89%
TOTAL CONTRACT	\$104,172.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group	BMDB94986Y0117	\$20,370.00	55.69%
2M Associates	IMDB36537Y0716	\$6,522.00	17.83%
DAL-TECH Engineering	WFWB63908Y0017	\$9,686.00	26.48%
Total Minority - Local		\$36,578.00	100.00%

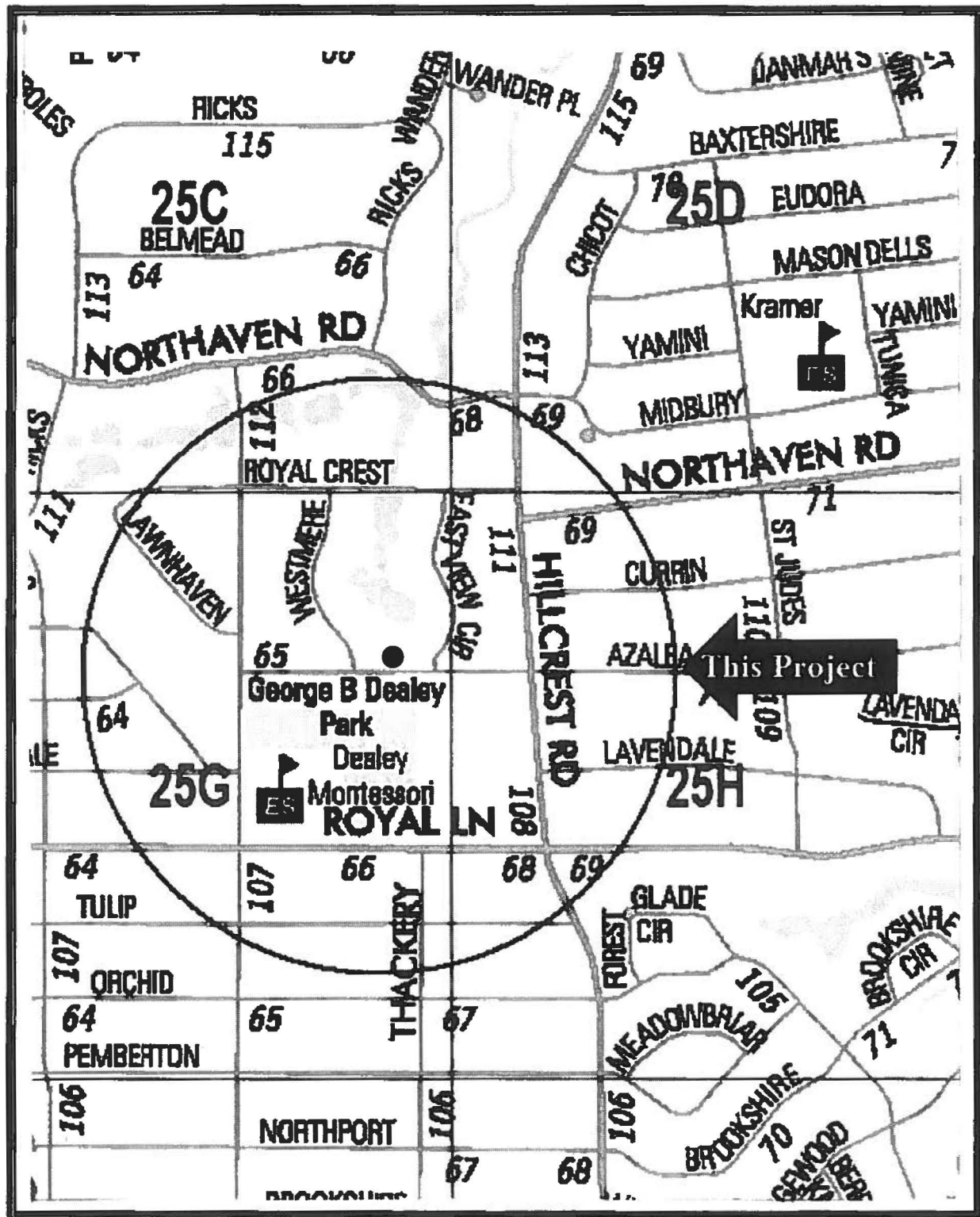
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

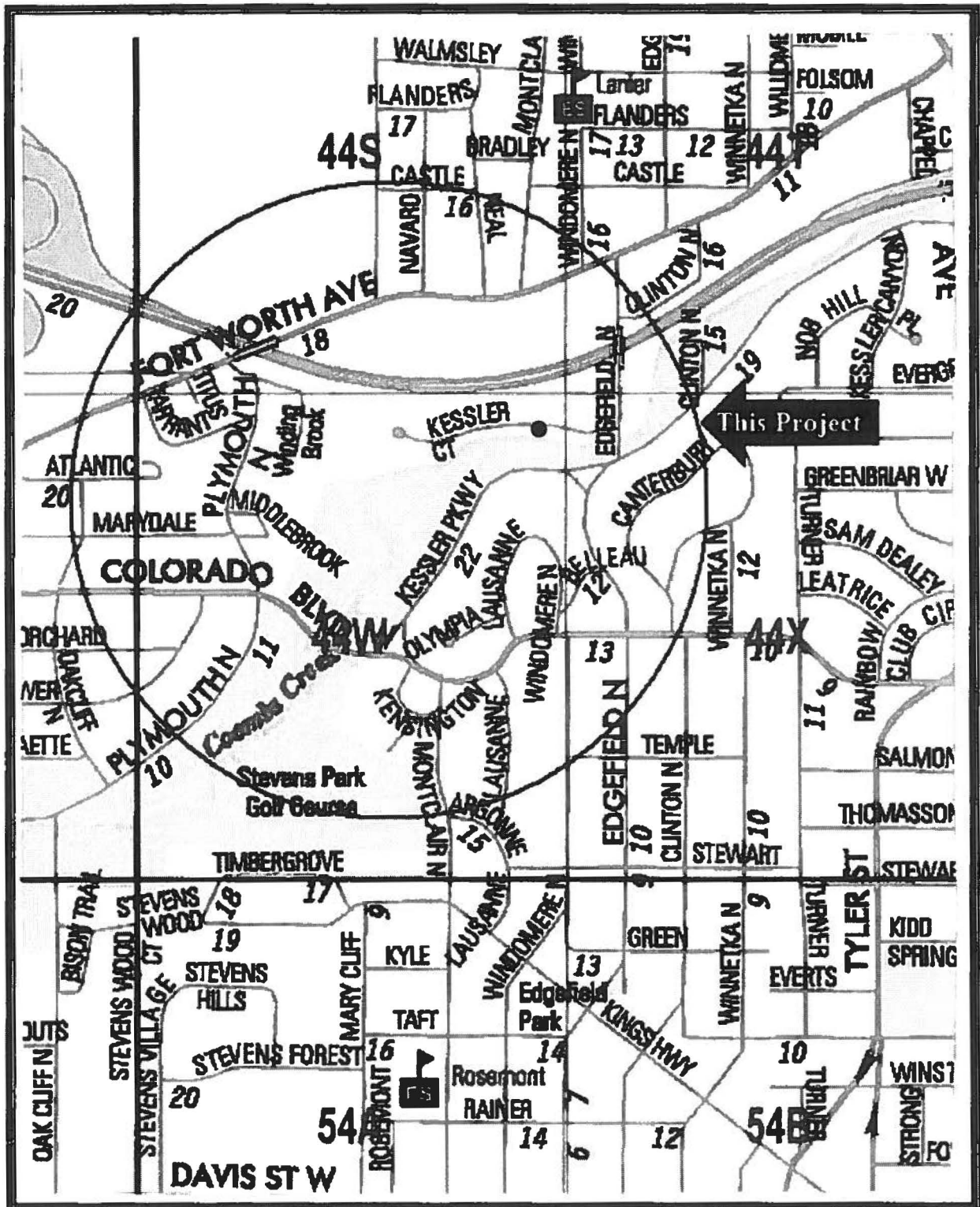
	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$20,370.00	55.69%	\$20,370.00	19.55%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$6,522.00	17.83%	\$6,522.00	6.26%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$9,686.00	26.48%	\$9,686.00	9.30%
Total	\$36,578.00	100.00%	\$36,578.00	35.11%

EROSION CONTROL GROUP 14

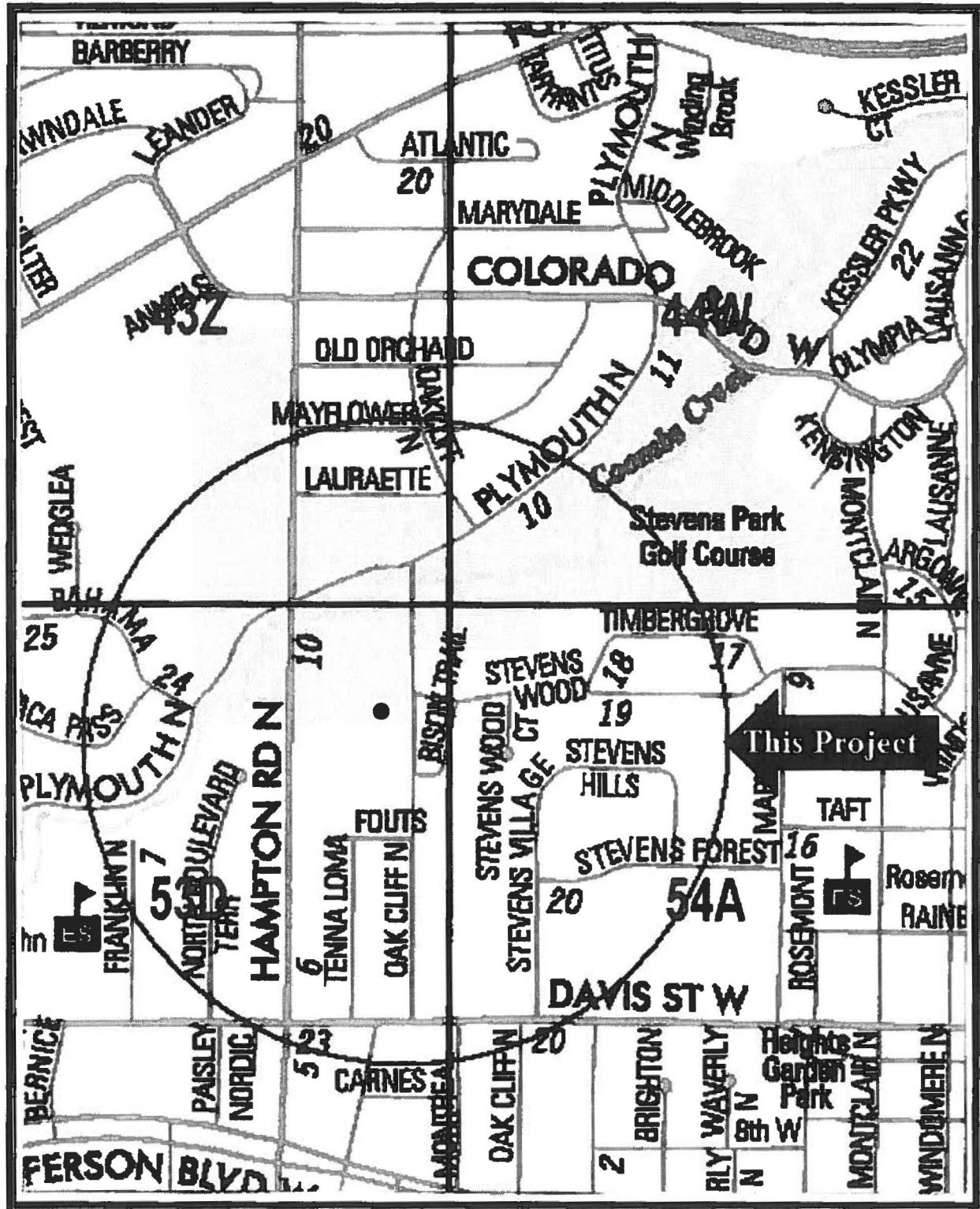


MAPSCO 25G

EROSION CONTROL GROUP 14

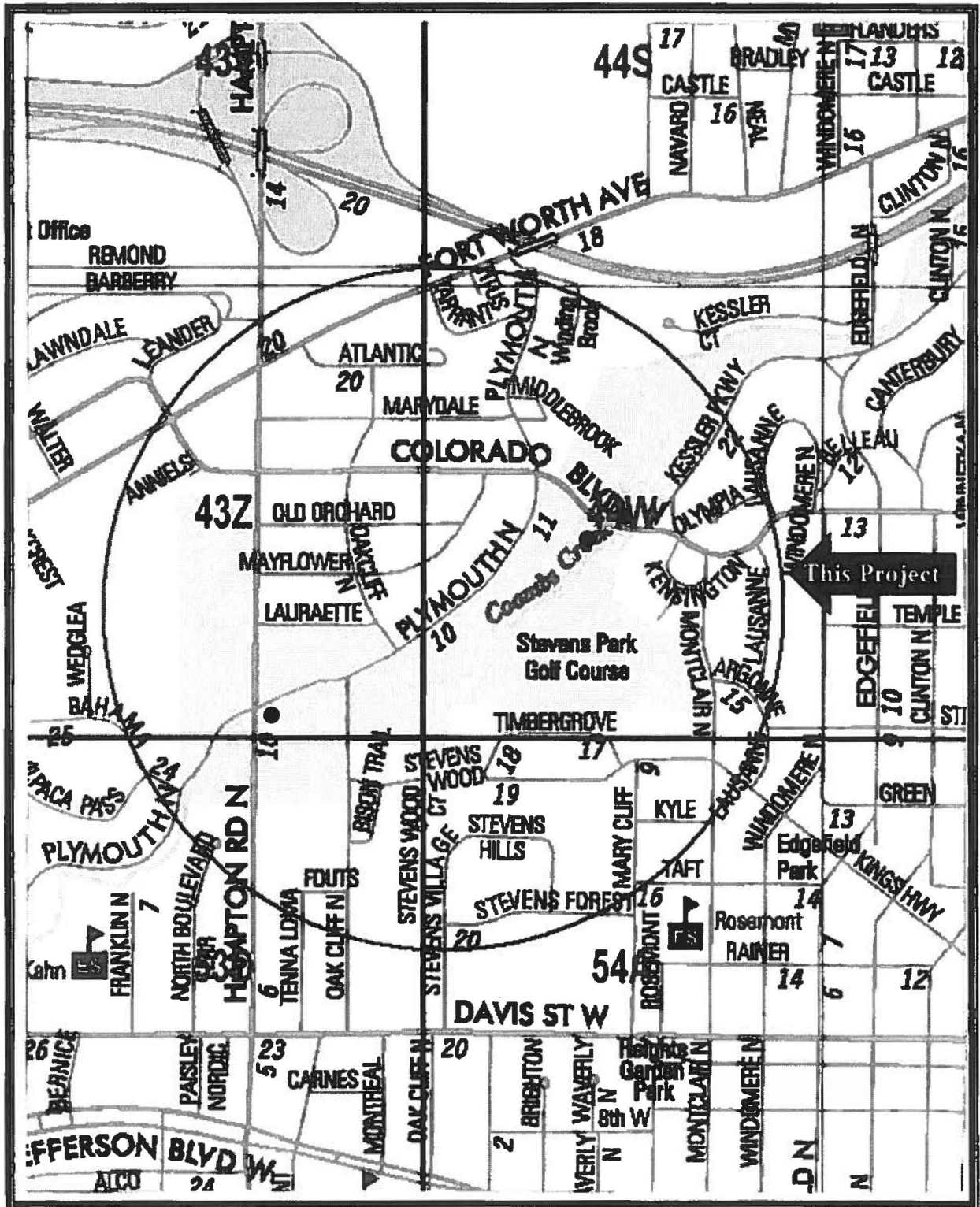


MAPSCO 44W

EROSION CONTROL GROUP 14

MAPSCO 53D

EROSION CONTROL GROUP 15



MAPSCO 43Z & 44W

June 22, 2016

WHEREAS, two engineering firms were selected to provide the engineering design of five erosion control improvement and one stormwater drainage projects.

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 professional services contracts with two engineering firms for the engineering services for erosion control and stormwater drainage improvements in an amount not to exceed \$365,966.00, 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 contracts from:

a. Pacheco Koch Consulting Engineers, Inc. for the engineering design of Group 14 erosion control and storm water drainage improvements:

Flood Protection and Storm Drainage Facilities
Fund 8T23, Dept. TWM, Unit W090, Activity ERCT
Object 4111, Program No. TW06W090, CT TWM06W090H1
Vendor No. 342980, in an amount not to exceed \$ 72,893.00

Flood Protection and Storm Drainage Facilities
Fund 8T23, Dept. TWM, Unit W091, Activity ERCT
Object 4111, Program No. TW06W091, CT TWM06W090H1
Vendor No. 342980, in an amount not to exceed \$ 101,303.00

Stormwater Drainage Management Capital Construction Fund
Fund 0063, Dept. SDM, Unit W094, Activity SD01
Object 4111, Program No. SDMFPW094, CT SDMFPW09411
Vendor No. 342980, in an amount not to exceed \$ 72,408.00

Water Utilities Capital Improvement Fund
Fund 2116, Dept. DWU, Unit PS42
Object 4111, Program No. 716380, CT TWM71638CP
Vendor No. 342980, in an amount not to exceed \$ 15,190.00

June 22, 2016

Section 2. (Continued)

b. Garver, LLC for the engineering design of Group 15 erosion control improvements:

Stormwater Drainage Management Capital Construction Fund	
Fund 0063, Dept. SDM, Unit W095, Activity SD01	
Object 4111, Program No. SDMFPW095, CT SDMFPW09511	
Vendor No. 0000016343, in an amount not to exceed	<u>\$104,172.00</u>

Total amount not to exceed	\$365,966.00
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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: June 22, 2016

COUNCIL DISTRICT(S): 1

DEPARTMENT: Trinity Watershed Management
Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 45S

SUBJECT

Authorize an increase in the contract with BAR Constructors, Inc. for modifications to the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Stormwater Pump Station, to increase the constructability of the pump station, including additional concrete masonry wall material with drainage along the sump and changes to the 24 inch water main aerial crossing - Not to exceed \$349,469, from \$68,275,000 to \$68,624,469 - Financing: 2012 Bond Funds (\$321,798) and Water Utilities Capital Improvement Funds (\$27,671)

BACKGROUND

The 2006 Bond Program comprised of \$334 million dollars for storm drainage and flood management projects, including funds for the Levee Drainage System - Sump A Improvements, also referred to as the Able 3 Pump Station. The Able No. 3 Pump Station project, located at 615 S. Riverfront Boulevard, provides 100-year flood protection to a large industrial and commercial area in Dallas that has flooded several times in recent years, with a total pumping capacity will be 880,000 gpm.

The Water Resources Development Act (WRDA) of 2007 provided authorization for the Dallas Floodway Project which includes the Balanced Vision Plan and Interior Drainage Plan for the East and West Levees. The Able No. 3 Pump Station is part of the Interior Drainage Plan and has been released for construction by the U.S. Army Corps of Engineers. This construction serves as a portion of the City of Dallas' in-kind credit towards the construction of the Dallas Floodway Project. This contract is being fully coordinated with the U.S. Army Corps of Engineers with respect to their ongoing development of the Dallas Floodway Environmental Impact Statement (EIS) and future construction activities.

BACKGROUND (Continued)

The project was advertised and bid with seven bids received for the construction of Able 3 Pump Station. BAR Constructors, Inc. was awarded the contract in the amount of \$68,275,000.00 with a construction period of 1,080 calendar days to construct Able No. 3 Pump Station.

This action will authorize Change Order No. 1 to the contract with Bar Constructors, Inc. for modifications to the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station. This change order is to address various elements identified during construction that should increase the constructability of the pump station, including additional concrete masonry wall material with drainage along the sump and changes requested by Dallas Water Utilities for the 24 inch water main aerial crossing.

ESTIMATED SCHEDULE OF PROJECT

Began Design	November 2008
Completed Design	June 2014
Began Construction	November 2014
Complete Construction	March 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed to the Trinity River Corridor Project Committee on Levee Drainage System - Sump A (Able Pump Station) on August 5, 2008.

Authorized a professional services contract with HDR Engineering, Inc. for design of the Levee Drainage System - Sump A Improvements on November 10, 2008, by Resolution No. 08-3133.

Briefed to the Trinity River Corridor Project Committee on Interior Drainage System - Pump Station Updates on January 18, 2011.

Authorized Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc., for design of the Levee Drainage System - Sump A Improvements on April 13, 2011, by Resolution No. 11-0961.

Authorized a Discretionary Service Agreement between the City and Oncor Electric Delivery Company, LLC. to relocate an existing 138 kilovolt electric transmission line on Oncor's East Levee-West Industrial Line on February 12, 2014, by Resolution No. 14-0336.

Authorized a professional services contract with Jacobs Engineering Group, Inc., for construction management services during construction on August 27, 2014, by Resolution No. 14-1390.

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

Authorized a construction contract with Bar Constructors, Inc. on August 27, 2014, by Resolution No. 14-1391.

Authorized a professional services contract with Kleinfelder Central, Inc. to provide construction material testing during the construction of the Levee Drainage System — Sump A Improvements on August 27, 2014, by Resolution No. 14-1392.

Authorized the Facilities Extension Agreement contract with Oncor Electric Delivery Company, LLC. for the extension of Standard Delivery System facilities and an alternate feed for each service on August 27, 2014, by Resolution No. 14-1393.

Authorized Supplemental Agreement No. 1 to the Discretionary Service Agreement between the City and Oncor Electric Delivery Company LLC. for additional costs relating to the relocation of an existing 138 kilovolt electric transmission on Oncor's East Levee-West Industrial line in conjunction with the Levee Drainage System — Sump A Improvements on August 27, 2014, by Resolution No. 14-1394.

Authorized Supplemental Agreement No. 4 to the professional services contract with HDR Engineering, Inc., for design support services during construction on August 27, 2014, by Resolution No. 14-1395.

Information about this item will be briefed to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

2012 Bond Funds - \$321,797.16

Water Utilities Capital Improvement Funds - \$27,671.12

Design	\$ 4,333,000.00
Supplemental Agreement No. 1	\$ 5,052,772.00
Supplemental Agreement No. 2	\$ 0.00
Supplemental Agreement No. 3	\$ 0.00
Supplemental Agreement No. 4	\$ 1,601,730.00
Supplemental Agreement No. 5	<u>\$ 0.00</u>

Total Design Cost	\$10,987,502.00
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Construction	
Original Construction Contract	\$68,275,000.00
Change Order No. 1 (This Action)	<u>\$ 349,468.28</u>

Total Construction Cost	\$68,624,468.28
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Hispanic Female	3	Hispanic Male	86
African-American Female	0	African-American Male	1
Other Female	0	Other Male	1
White Female	5	White Male	21

OWNER

Bar Constructors, Inc.

Isidro Arrambide, Jr., President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with BAR Constructors, Inc. for modifications to the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Stormwater Pump Station, to increase the constructability of the pump station, including additional concrete masonry wall material with drainage along the sump and changes to the 24 inch water main aerial crossing - Not to exceed \$349,469, from \$68,275,000 to \$68,624,469 - Financing: 2012 Bond Funds (\$321,798) and Water Utilities Capital Improvement Funds (\$27,671)

BAR Constructors, 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	\$786,436.69	225.04%
Non-local contracts	(\$436,968.41)	(125.04%)
TOTAL THIS ACTION	\$349,468.28	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>
BAR Constructors, Inc.	HMMB63144Y0916	\$814,857.69	103.61%
Lafer & Associates	WFWBC260900117	(\$30,160.00)	(3.84%)
Total Minority - Local		\$784,697.69	99.78%

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	\$814,857.69	233.17%	\$29,971,863.69	43.68%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$699,743.00	1.02%
WBE	(\$30,160.00)	(8.63%)	(\$4,160.00)	(0.01%)
Total	\$784,697.69	224.54%	\$30,667,446.69	44.69%

Levee Drainage System Sump A Improvements
(Able No. 3 Storm Water Pump Station)-TW12S768



MAPSCO 45-S

June 22, 2016

WHEREAS, on November 10, 2008, Resolution No. 08-3133, authorized a professional services contract with HDR Engineering, Inc. to provide engineering design of major flood management and pump station improvement projects included in the 2006 Bond Program; and,

WHEREAS, on April 13, 2011, Resolution No. 11-0961 authorized Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc., for additional design services on the Levee Drainage System - Sump A Improvements, also referred to as Able Pump Station, to add items associated with the sump improvements and to comply with the Federal Emergency Management Agency's redundancy requirements; and,

WHEREAS, on January 10, 2014, Administrative Action No. 14-5250 authorized Supplemental Agreement No. 2 to the professional services contract with HDR Engineering, Inc., for additional design services on the Levee Drainage System - Sump A Improvements to comply with recommendations made by the United States Army Corps of Engineers and the Texas Parks and Wildlife Department; and,

WHEREAS, on February 12, 2014, Resolution No. 14-0336 authorized a Discretionary Service Agreement between the City and Oncor Electric Delivery Company LLC to relocate an existing 138 kilovolt electric transmission line on Oncor's East Levee-West Industrial line in conjunction with the Levee Drainage System - Sump A Improvements; and,

WHEREAS, on June 5, 2014, Administrative Action No. 14-6047 authorized Supplemental Agreement No. 3 to the professional services contract with HDR Engineering, Inc., for additional design services on the Levee Drainage System - Sump A Improvements; and,

WHEREAS, bids were received on July 17, 2014, for the construction of the Able No. 3 Pump Station; and,

WHEREAS, on August 27, 2014, Resolution No. 14-1390 authorized a professional services contract with Jacobs Engineering Group, Inc., for construction management services during construction; and,

WHEREAS, on August 27, 2014, Resolution No. 14-1391 awarded the contract for construction of Able No. 3 to BAR Constructors, Inc. in the amount of \$68,275,000.00; and,

WHEREAS, on August 27, 2014, Resolution No. 14-1392 authorized a professional services contract with Kleinfelder Central, Inc. to provide construction material testing during the construction of the Levee Drainage System - Sump A Improvements; and,

June 22, 2016

WHEREAS, on August 27, 2014, Resolution No. 14-1393 authorized the Facilities Extension Agreement contract with Oncor Electric Delivery Company, LLC. for the extension of Standard Delivery System facilities and an alternate feed for each service; and,

WHEREAS, on August 27, 2014, Resolution No. 14-1394 authorized Supplemental Agreement No. 1 to the Discretionary Service Agreement between the City and Oncor Electric Delivery Company LLC. for additional costs relating to the relocation of an existing 138 kilovolt electric transmission line on Oncor's East Levee-West Industrial line in conjunction with the Levee Drainage System - Sump A Improvements; and,

WHEREAS, on August 27, 2014, Resolution No. 14-1395 authorized Supplemental Agreement No. 4 to the professional services contract with HDR Engineering, Inc., for design support services during construction; and,

WHEREAS, on October 21, 2015, Administrative Action No. 15-1894 authorized a Discretionary Service Agreement with Oncor for the temporary relocation of the electric feeds for the existing Small Able and Large Able Pump Stations; and,

WHEREAS, on February 25, 2016, Administrative Action No. 16-5471 authorized Supplemental Agreement No. 5 to the professional services contract with HDR Engineering, Inc., for additional design support services during construction; and,

WHEREAS, the U.S. Army Corps of Engineers will recognize this contract with BAR Constructors, Inc. as a portion of the City of Dallas' in-kind credit for the 35% cost sharing of the Water Resources Development Act of 2007, Section 5141 for the Dallas Floodway project that may also reduce future City expenses and for the Corps' construction project; and,

WHEREAS, it is now necessary to authorize Change Order No. 1 for construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station to increase the constructability of the pump station, including additional concrete masonry wall material with drainage along the sump and changes to the 24 inch water main aerial crossing.

Now, Therefore,

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

June 22, 2016

Section 1. That the City Manager is hereby authorized to execute Change Order No. 1 with Bar Constructors, Inc. to increase the constructability of the pump station, including additional concrete masonry wall material with drainage along the sump and changes to the 24 inch water main aerial crossing, in an amount not to exceed \$349,468.28, increasing the contract from \$68,275,000.00 to \$68,624,468.28, 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 contracts from:

Flood Protection and Storm Drainage Facilities Fund Fund 3U23, Department TWM, Unit S768, Act. FLDM Obj. 4540, Program # TW12S768, CT TW12S768K1 Vendor #125824, in an amount not to exceed	\$321,797.16
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Water Utilities Capital Improvement Fund Fund 2115, Department DWU, Unit PW42, Obj.4550, Program # 714391, CT DWU714391CP Vendor #125824, in an amount not to exceed	<u>\$ 27,671.12</u>
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Total amount not to exceed	\$349,468.28
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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 # 44

KEY FOCUS AREA: E-Gov

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Office of Public Information
Aviation
Code Compliance
Court & Detention Services
Fire
Park & Recreation
Police
Street Services
Trinity Watershed Management

CMO: Jeanne Chipperfield, 670-7804
A. C. Gonzalez, 670-3297
Ryan S. Evans, 671-9837
Joey Zapata, 670-3009
Eric Campbell, 670-3255
Willis Winters, 670-4071
Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of ten - Not to exceed \$550,105 - Financing: Current Funds (\$535,880), Stormwater Drainage Management Current Funds (\$9,740) and Aviation Current Funds (\$4,485) (subject to annual appropriations)

BACKGROUND

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

This service contract will allow the City to purchase graphic design services on an as needed basis to promote City programs and services. Various creative services will be integrated to promote and publicize citywide department programs and activities. Use of printed materials includes:

BACKGROUND (Continued)

- Development of annual reports
- General information brochures
- Flyers
- Event rack cards
- Printed ads

In addition, the City will be able to purchase onsite event photography for development of future promotional material. Media buys and development of public service announcements for radio and television ads will be used for selected City events, programs and services. Translation service will be used for all marketing and publicity activities.

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

- Business Development and Procurement Services (2)*
- Park and Recreation (2)
- Public Information Office (1)
- Trinity Watershed Management (1)
- Code Compliance (1)

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

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

- Cost 30%
- Capability 30%
- Experience and qualifications 25%
- 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 1,715 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.

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On October 8, 2014, City Council authorized a three-year service contract for graphic design services by Resolution No. 14-1665.

Information about this item was provided to the Budget, Finance and Audit Committee on April 18, 2016.

On April 27, 2016, this item was deferred by Councilmember Arnold.

On May 11, 2016, this item was deferred by City Manager, A. C. Gonzalez.

On May 25, 2016, this item was deferred by Councilmember Jennifer Gates.

FISCAL INFORMATION

\$535,880.00 - Current Funds (subject to annual appropriations)

\$ 9,740.00 - Stormwater Drainage Management Current Funds (subject to annual appropriations)

\$ 4,485.00 - Aviation Current Funds (subject to annual appropriations)

M/WBE INFORMATION

329 - Vendors contacted

328 - No response

1 - Response (Bid)

0 - Response (No bid)

1 - Successful

1,715 - 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

El Creative, Inc.

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

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1605 and opened on November 20, 2015. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*El Creative, Inc.	3816 San Jacinto St. Dallas, TX 75204	91%	\$550,105.00
Simmons Design Associates, Inc.	12160 N Abrams Rd. Suite 315 Dallas, TX 75243	82%	\$682,700.00
Alpha Business Images LLC	2030 Main St. Suite 410 Dallas, TX 75201	81%	\$649,030.00
Janus Signs dba FastSigns	9742 Skillman St. Dallas, TX 75243	79%	\$579,860.00
MDVC Creative, Inc.	121 Payne St. Dallas, TX 75207	75%	\$565,535.00
Zielinski Design Associates, Inc.	6301 Gaston Ave. Dallas, TX 75214	70%	\$743,245.00
C. Lambert Design Studio, Inc.	1821 E. Levee St. Dallas, TX 75207	63%	\$662,450.00
Design Catalysts, LLC	7918 Greengate Dr. Dallas, TX 75249	62%	\$677,420.00
Sort thru Solutions	11005 Indian Trail Suite 104 Dallas, TX 75229	62%	\$835,970.00
CBJ Designs	3200 W. Pleasant Run Rd. Suite 230 Lancaster, TX 75146		Non-Responsive**

**CBJ Designs was deemed non-responsive due to not meeting specifications.

OWNER

El Creative, Inc.

V. Michael Gonzalez, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of ten - Not to exceed \$550,105 - Financing: Current Funds (\$535,880), Stormwater Drainage Management Current Funds (\$9,740) and Aviation Current Funds (\$4,485) (subject to annual appropriations)

El Creative, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$495,094.50	90.00%
Total non-local contracts	\$55,010.50	10.00%
TOTAL CONTRACT	\$550,105.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
1820 Productions	BMDB31972Y0816	\$82,515.75	16.67%
El Creative, Inc.	HMMB77148N0417	\$412,578.75	83.33%
Total Minority - Local		\$495,094.50	100.00%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
TruMultiCultural, LLC.	HMDB64963Y0416	\$55,010.50	100.00%
Total Minority - Non-local		\$55,010.50	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$82,515.75	16.67%	\$82,515.75	15.00%
Hispanic American	\$412,578.75	83.33%	\$467,589.25	85.00%
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	\$495,094.50	100.00%	\$550,105.00	100.00%

June 22, 2016

WHEREAS, on October 8, 2014, City Council authorized a three-year service contract for graphic design services by Resolution No. 14-1665;

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 El Creative, Inc. (VS0000001394) for graphic design services for a term of three years in an amount not to exceed \$550,105.00, 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 El Creative, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by El Creative, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$550,105.00 (subject to annual appropriations) from Service Contract number BUZ1605.

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: June 22, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

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

MAPSCO: 46P S W

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Simply Custom for the construction of affordable houses; **(2)** the sale of 96 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Simply Custom; and **(3)** execution of a release of lien for any non-tax liens on the 96 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) 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.

Simply Custom has submitted a proposal and development plan to DHADC for 96 lots shown on the attached list. The DHADC board of directors has approved the development plan and sale of the 96 lots, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Simply Custom to DHADC, the sale of those lots from DHADC to Simply Custom 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 Simply Custom will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Simply Custom and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Simply Custom will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,200 to 1,900 square feet and from \$120,000 to \$180,000. The lots will be deed restricted for sale to low income families.

DHADC will receive \$~~4530~~,000.00 for the sales price of the vacant lots to Simply Custom, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, 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 by Resolution No. 04-0458.

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 April 21, 2016, the DHADC board of directors approved the development plan and sale of 9 lots from DHADC to Simply Custom.

Information about this item was provided to the Housing Committee on May 16, 2016.

On June 1, 2016, Councilmember Young made a motion to reconsider this item.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Simply Custom

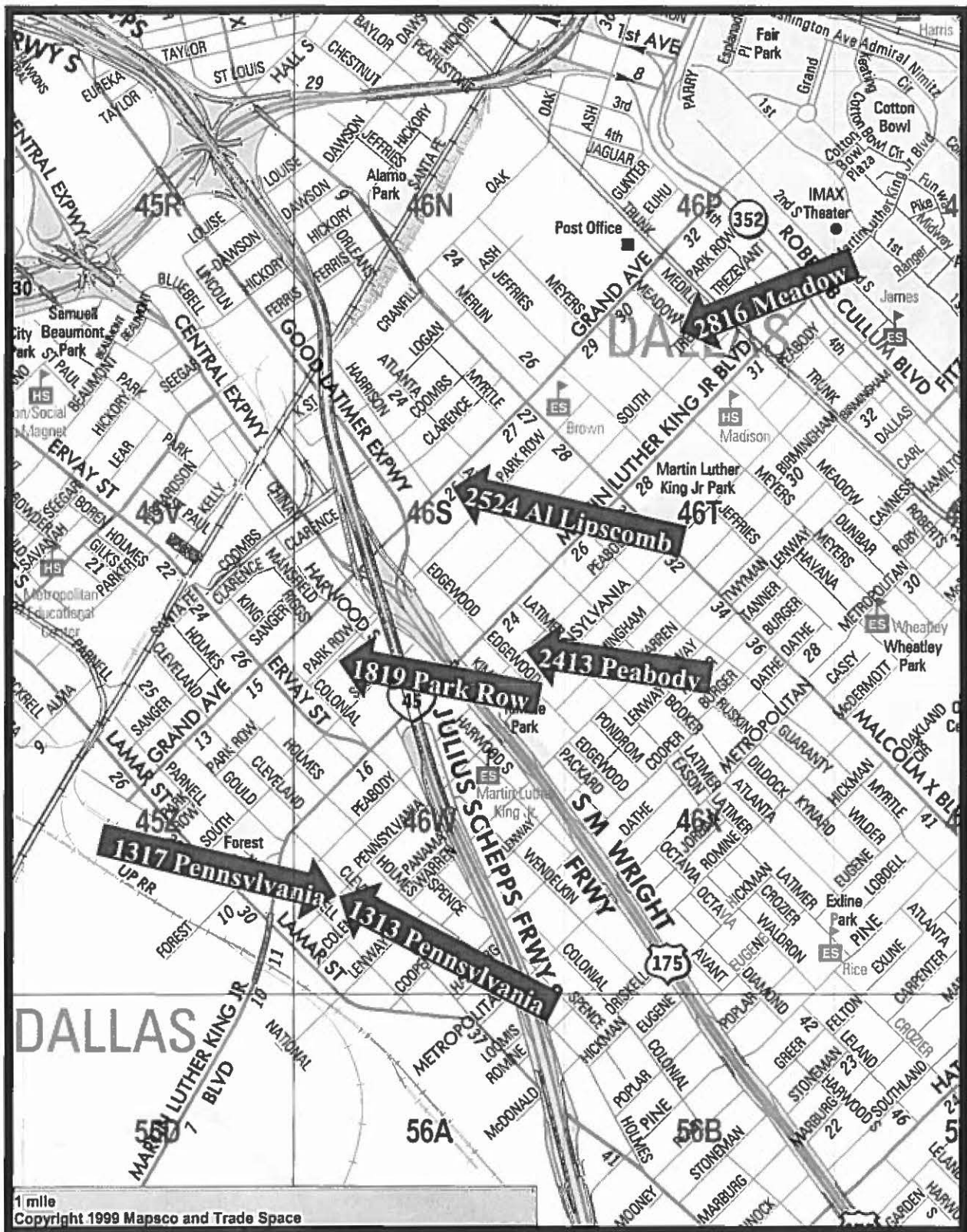
Kevin Brown, Partner
Jeannette Sneed, Partner

MAP

Attached

**Land Bank (DHADC) Sale of Lots to
Simply Custom**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 1819 Park Row	46S	7	\$ 5,694.77
2. 2413 Peabody	46S	7	\$ 22,334.72
3. 2816 Meadow	46P	7	\$ 19,766.61
4. 3833 Holmes	56B	7	\$105,410.64
5. 3717 Colonial	46X	7	\$ 3,223.31
6. 2524 Al Lipscomb	46S	7	\$ 12,683.91
7. 2814 Holmes	45Z	7	\$ 3,879.80
8. 1313 Pennsylvania	46W	7	\$ 25,574.72
9. 1317 Pennsylvania	46W	7	\$ 48,922.25



MAPSCO 46P,46S,46W

June 22, 2016

WHEREAS, on January 28, 2004, 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, by Resolution No. 04-0458; and

WHEREAS, Simply Custom submitted a proposal and development plan to DHADC for 96 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" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Simply Custom and authorize the sale of the said 96 lots from DHADC to Simply Custom 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" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Simply Custom and the sale of 96 lots shown on Exhibit "A" from DHADC to Simply Custom is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Deed without Warranty and releases 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	1819 Park Row Lot 13, Edgewood Place Addition Block 1/1123	Simply Custom	1	\$5,000.00
2	2413 Peabody Lots 25 & 26, South Park Addition Block 18/1296	Simply Custom	1	\$5,000.00
3	2816 Meadow Southwest 1/2 of Lot 12, Bomar's Grand Avenue Addition Block A/1346	Simply Custom	1	\$5,000.00
4	3933-Holmes Part of Lot 4, Mechanics Addition- Block A/1675- Block A/1675- Block 1676	Simply Custom	1	\$5,000.00
5	3717-Colonial Lot 16, Erway Street Heights Addition Block 6/1209	Simply Custom	1	\$5,000.00
6	2524 Al Lipscomb (FKA Grand) Lot 7, Edgewood Addition Block 3/1283	Simply Custom	1	\$5,000.00
7	2814-Holmes Lot 4, Chestnut Hill Addition Block 4/1129	Simply Custom	1	\$5,000.00
8	1313 Pennsylvania Lot 11, E.M. Kahn & Co. Employees Loan & Savings Association Addition Block D/1154	Simply Custom	1	\$5,000.00
9	1317 Pennsylvania Lot 10 & West 10 Feet of Lot 9, E.M. Kahn & Co. Employees Loan & Savings Association Addition Block D/1154	Simply Custom	1	\$5,000.00
TOTAL				\$45,000.00
				\$30,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 96

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

See Attached Addendum for locations.

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 32
Square Footage range of each home 1200 - 1500 SF
Number of Bedrooms/Baths in each home 2-3 / 1.5-2
Number of Garages 1-2 Number of Carports _____ Detached _____ Attached X
Type of Exterior Veneer Brick & Hardy Which sides Front, Left, Right (Rear H.)
Your Sales Price range without Subsidies to Qualified Low Income Buyer \$120,000-\$140,000

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

Number of homes to be built 32
Square Footage range of each home 1400 - 1600 SF
Number of Bedrooms/Baths in each home 3-4 / 2-2.5
Number of Garages 2 Number of Carports _____ Detached _____ Attached X
Type of Exterior Veneer Brick & Hardy Which sides Front, Left, Right (Rear H.)
Your Sales Price range without Subsidies to Qualified Low Income Buyer \$140,000-\$160,000

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

Number of homes to be built 32
Square Footage range of each home 1600 - 1900 SF
Number of Bedrooms/Baths in each home 3-4 / 2-3
Number of Garages 2 Number of Carports _____ Detached _____ Attached X
Type of Exterior Veneer Brick & Hardy Which sides Front, Lt, Rt (Rear & 2nd F.H)
Your Sales Price range without Subsidies to Qualified Low Income Buyer \$150,000-\$180,000

Attach extra sheet(s) breaking out above information for each different model of home.
PROVIDE FLOOR PLANS AND ELEVATIONS.

B. 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.

Start of Construction: within 30 days after receiving the deed to the property

Completion of Construction: 270 days after start of construction

Sale of first affordable housing unit to low income household: 30 days after completion of construction

Sale of last affordable unit to low income households: 90 days after completion of first house

Addendum

1819 Park Row Dallas, TX

2413 Peabody Dallas, TX

2816 Meadow Dallas, TX

~~3833 Holmes Dallas, TX~~

~~3717 Colonial Ave Dallas, TX~~

2524 Al Lipscomb Way Dallas, TX

~~2814 Holmes Dallas, TX~~

1313 Pennsylvania Dallas, TX

1317 Pennsylvania Dallas, TX

AGENDA ITEM # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

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

MAPSCO: 49N

SUBJECT

Authorize a conditional grant agreement with Greenleaf Ventures, LLC for land development for 36 single family homes for the Buckner Terrace II Project to be located at ~~3834~~ 4400 North Prairie Creek Road – Not to exceed \$844,192 - Financing: 2012 Bond Funds

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. Victor Toledo with Greenleaf Ventures, LLC submitted a proposal to the City of Dallas for the land development for 36 single family homes for mixed income families.

Greenleaf Ventures, LLC has had previous contracts with the City to build housing in West Dallas and Pleasant Grove. Since 2002, Greenleaf Ventures, LLC and their affiliates have contributed to the redevelopment in West Dallas by selling 381 new single family lots in Greenleaf I and II.

The proposal is for 3 and 4 bedroom homes at approximately 1400-1800 sq. ft. The developer has obtained private financing for the balance of the construction costs. A lien will be placed on the property for performance purposes and released on a partial basis as each lot is built out and sold to an eligible homebuyer. The City will provide Bond funds for gap financing for land development of the lots for the units to be built on and sold to mixed income families. The lots will be discounted by the amount of City funds provided per lot. The land development, construction of homes, and sale of units will be complete in two years. Estimated private leverage will be \$1,969,784.

City Council approval of this item will authorize the City Manager to execute the grant agreement with Greenleaf Ventures, LLC for these funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement, by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee received a briefing memorandum on the Owner Occupied Housing Development Program NOFA project recommendations.

On June 1, 2016, Councilmember Young made a motion to reconsider this item.

FISCAL INFORMATION

2012 Bond Funds – \$844,192

OWNER

Greenleaf Ventures, LLC

Victor Toledo, Manager
Kent Casey, Manager

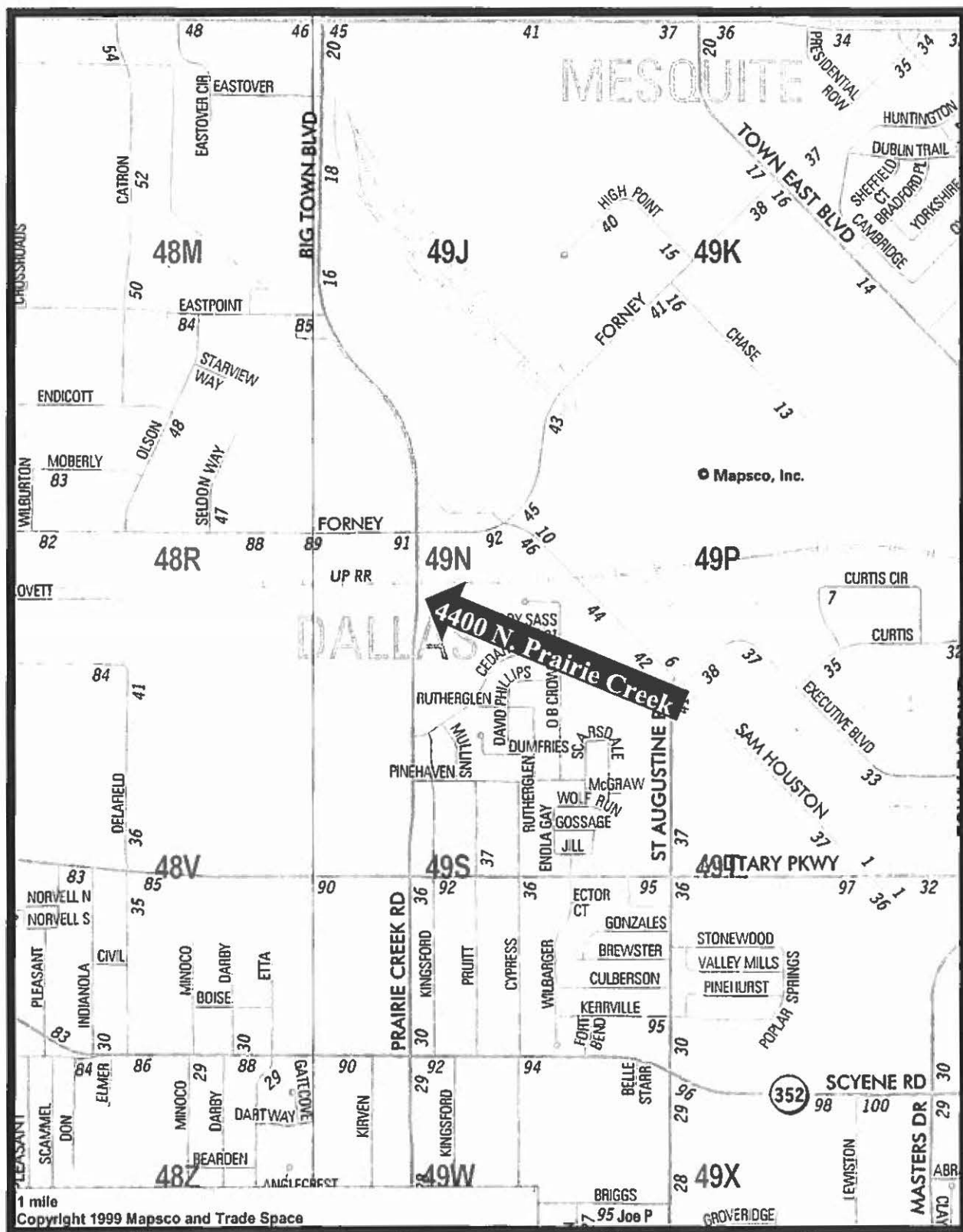
DEVELOPER

Greenleaf Ventures, LLC

Victor Toledo, Manager
Kent Casey, Manager

MAP

Attached



MAPSCO 49N

June 22, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, on May 2, 2016, the Housing Committee received a briefing memo on the Notice of Funding Availability for Owner Occupied Housing Development Project recommendations; and

WHEREAS, Greenleaf Ventures, LLC proposes to work with the City of Dallas to undertake land development for 36 homes for the Buckner Terrace II Project in Pleasant Grove; and

WHEREAS, the City desires for Greenleaf Ventures, LLC to develop housing for households with varied income levels; **NOW, THEREFORE**,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a conditional grant agreement in an amount not to exceed \$844,192 with Greenleaf Ventures, LLC for land development for 36 single family homes for the Buckner Terrace II Project to be located at 3834 4400 North Prairie Creek Road.

Section 2. That the terms of the conditional grant agreement include:

- (a) Greenleaf Ventures, LLC will execute a performance Deed of Trust on the property for performance purposes.
- (b) The debt will be forgiven and the lien released on a partial basis as each lot is built out and sold to a homebuyer.
- (c) Greenleaf Ventures, LLC will use the funds to gap the infrastructure costs for the lots.
- (d) Greenleaf Ventures, LLC will have 2 years to complete the build out and sale of the homes.
- (e) The City will subordinate to first lien position to all interim financing lenders.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute subordinations to construction lenders and releases of liens on the properties upon compliance with the conditional grant terms.

June 22, 2016

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

Greenleaf Ventures, LLC Vendor # VS88080

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object Code</u>	<u>Program #</u>	<u>Program Name</u>	<u>Encumbrance</u>	<u>Amount</u>
2U53	HOU	W083	3016	2U53HOW083	36BUCKTERII	HOU2U53G204	\$844,192

Section 5. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation until such time as the conditional grant documents are duly approved by all parties and executed.

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 8, 11

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 15 N P

SUBJECT

Authorize a development agreement with Midtown Development, Inc. ("Owner") and/or its affiliates in an amount not to exceed \$36,000,000 payable from future Mall Area Redevelopment TIF District funds in consideration of Owner's completion of Dallas Midtown Phase 1, a catalyst project that will include a minimum Owner investment of \$200,000,000 for demolition, infrastructure improvements, vertical construction, and open space assemblage on property currently addressed at 13131, 13331, 13343, and 13439 Preston Road and will both secure the public good and stimulate comprehensive redevelopment of the broader area within Tax Increment Financing Reinvestment Zone Number Twenty (Mall Area Redevelopment TIF District) – Not to exceed \$36,000,000 – Financing: Mall Area Redevelopment TIF District Funds (subject to appropriations and availability of tax increment)

BACKGROUND

Dallas Midtown Phase 1 Project:

The Dallas Midtown Phase 1 project is planned for an approximate 14-acre portion of the existing Valley View Center mall area (an approximate 115-acre super-block) generally bounded by LBJ Freeway (IH 635), Preston Road, Alpha Road, and Montfort Drive. This proposed catalyst project will not occur without TIF funding support and will remove barriers to the comprehensive redevelopment of the Montfort-IH 635 Sub-District ("Sub-District") described in the Mall Area Redevelopment TIF District Project Plan and Reinvestment Zone Financing Plan ("Plan").

Investment of TIF funding in this catalyst project will secure, among other public benefits, the construction of quality mixed income housing, the initial assembly of public open space, significant horizontal construction of new public roads/utilities and vertical construction of new buildings in conformance with urban design standards, minority/women-owned business enterprise inclusion, and the demolition of obsolete facilities to prepare the way for comprehensive redevelopment in the Sub-District.

BACKGROUND (Continued)

Dallas Midtown Phase 1 will support increased density and diversified uses (e.g. housing, retail, office, entertainment, hospitality, and open space uses) in a pedestrian-oriented development pattern that will enhance economic vibrancy and quality of life in the area and provide permanent employment opportunities.

Built in 1973, the Valley View Center mall is economically and physically obsolete, impairing redevelopment in the area. The Dallas Midtown Phase 1 project is planned to include:

- unencumberance, vacation, environmental remediation, and demolition of the existing in-line mall (including the AMC theater), the former JC Penney anchor building, the former Dillard's anchor building, and the appurtenant parking structure;
- extensive site work (e.g. excavation; placement of fill; grading);
- infrastructure improvements (e.g. construction of new roads and utilities) necessary to prepare four (4) new blocks for the construction of new vertical improvements on those blocks;
- construction of new vertical improvements totaling approximately 897,550 gross square feet (excluding parking structures) of space in a mixed use configuration, including:
 - movie theater (approximately 48,900 gross square feet; approximately 10 screens; approximately 1,000 seats)
 - retail/restaurant/entertainment space (approximately 251,700 gross square feet)
 - office space (approximately 76,900 gross square feet)
 - multi-family rental residential units (approximately 359,910 gross square feet; approximately 310 units, 20% of which will be restricted as affordable according to the District's mixed income housing requirements)
 - full-service hotel (approximately 160,140 gross square feet; approximately 204 rooms)
 - construction of integrated parking structures (4 multi-level structures totaling approximately 2,400 spaces);
- construction of open space totaling approximately 30,000 square feet (privately owned; privately maintained; publicly accessible); and
- conveyance by dedication to the City of two (2) tracts of real property (totaling approximately 4,134 square feet) for potential future use as public open space, subject to City securing additional real property for potential future use as public open space from the adjacent land owner to the west.

BACKGROUND (Continued)

The anticipated total cost of Dallas Midtown Phase 1, including costs expended to date, is approximately \$350 million, comprised of the following components: (i) land acquisition costs of approximately \$60 million and (ii) development (horizontal and vertical) costs of approximately \$290 million. The Owner's project scope, as it relates to the proposed TIF development agreement, includes a minimum required private investment in development (horizontal and vertical) costs of \$200 million.

In addition to the timely completion of the above site work and improvements, the disbursement of TIF funding is subject to the following requirements:

- **Affordable Housing:** Owner shall reserve 20% (approximately 62 units) of the 310 units in the multi-family residential component included in Dallas Midtown Phase 1 as affordable according to the District's mixed income housing requirements (including a mix of affordable units by type and a spatial dispersion of affordable units within the development).
- **Business Inclusion and Development:** In addition to complying with a Business Inclusion and Development ("BID") goal of 25% for the TIF reimbursable improvements (hard construction costs only), Owner shall make a good faith effort to achieve a goal of certified minority/women-owned business enterprise (M/WBE) participation for the private improvements (hard construction costs only) of 15% of total private expenditures and meet all reporting requirements for each.
- **Urban Design Review:** The project has undergone extensive design review with the City Design Studio/Urban Design Peer Review Panel ("UDPRP"). Following reviews on March 20, May 8, and October 23, 2015, the UDPRP made design recommendations for various components of the project. On November 9, 2015, the Owner provided an UDPRP response and an updated drawings submittal to the City Design Studio. On November 12, 2015, City Design Studio indicated that the materials provided by the Owner satisfied the requirement for design review related to the Owner's application for TIF funding assistance for Dallas Midtown Phase 1. For each component of Dallas Midtown Phase 1, Owner shall also be required to submit a set of permit drawings to the CityDesign Studio for internal review at or before the time of permit submittal to ensure substantial conformance with the UDPRP recommendations and responses.

BACKGROUND (Continued)

On June 8, 2016, the Mall Area Redevelopment TIF District Board recommended that, if and when funds are available, up to \$36,000,000 (unadjusted) from future Mall Area Redevelopment TIF District revenues be dedicated to the proposed development. TIF funding will be used for (i) environmental remediation and demolition (net of salvage value)--\$1,000,000; (ii) public infrastructure improvements (e.g. roads, utilities, and streetscape)--\$19,000,000; (iii) an economic development grant to secure the public benefit that arises from accommodating high density development in an urban form and providing public open space, both of which have a sub-district-wide benefit--\$4,000,000; and (iv) an economic development grant to secure the public benefit of including high quality affordable housing in an area of opportunity--\$12,000,000. Expenditures may be shifted from one TIF-eligible sub-category to another as long as the total amount of TIF funding does not exceed \$36,000,000 and as long as the total amount of the economic development grant portion does not exceed \$18,000,000. No TIF funding will be disbursed until all conditions of the development agreement have been satisfied by Owner and only if and when TIF funds are available. No TIF funding will be available on an “up front” basis.

The project meets TIF Grant Program Guidelines as a new development that will promote within the District: (a) development and diversification of the economy, (b) elimination of unemployment and underemployment, (c) development/expansion of residential, transportation, business, and commercial activity, (d) high density development in an urban form, (e) public open space, and (f) high quality mixed income housing. The project is not financially viable without the TIF grant.

Mall Area Redevelopment TIF District:

The Mall Area Redevelopment TIF District was created by City Council in May 2014 to stimulate private investment and sustain the orderly redevelopment and revitalization of two commercial core assets of the City while taking advantage of each area’s strategic regional location at the crossroads of key transportation corridors.

As allowed by Chapter 311 of the Texas Tax Code (“TIF Act”), the District comprises two non-contiguous sub-districts: (1) the Montfort-IH 635 Sub-District for the Valley View Center Mall area in northern Dallas and (2) the Westmoreland-IH 20 Sub-District for the Southwest Center Mall area in southern Dallas.

The Montfort-IH 635 Sub-District is generally bounded by Alpha Road, Preston Road, Noel Road, and Interstate Highway 635 (LBJ Freeway). The Montfort-IH 635 Sub-District encompasses approximately 174 acres, not including rights-of-way. The Montfort-IH 635 Sub-District was recommended by and is consistent with the City’s adopted Valley View-Galleria Area Plan (May 2013) and serves a long-term funding tool to help implement the shared vision for the area by further leveraging other implementation tools (PD 887 form-based zoning district and Thoroughfare Plan) enacted by City Council in 2013 (and amended in 2015 and 2016).

BACKGROUND (Continued)

The Westmoreland-IH 20 Sub-District is generally bounded by Westmoreland Road, Camp Wisdom Road, Highway 67 (Marvin D. Love Freeway), and Interstate Highway 20 (LBJ Freeway). The Westmoreland-IH 20 Sub-District encompasses approximately 97 acres, not including rights-of-way. The Westmoreland-IH 20 Sub-District was recommended by and is consistent with the City-sponsored Advisory Services Panel report entitled "Southwest Center Mall" published by the Urban Land Institute (2009) and serves as a long-term funding tool to help implement many of the report's recommendations over time.

Originally, the Valley View Center Mall and the Southwest Center Mall were created by complex configurations of super-blocks, private land ownership, and reciprocal easement agreements that bound multiple owners together. Over the last decade as market conditions have shifted significantly, these same configurations have heavily burdened each mall area, making redevelopment and revitalization extremely challenging without public participation.

With the assistance of the Mall Area Redevelopment TIF District, each mall area is to be reconfigured over time into a traditional pattern of public streets, public open space, public infrastructure, and smaller parcels of private land ownership, thereby setting the stage for incremental redevelopment that is flexible to meet market and community needs.

The City's participation in the District is scheduled as follows: 0% in 2015; 90% from 2016 through 2042; 75% in 2043; and 55% in 2044. Dallas County's participation (authorized by the Commissioners Court in August 2015) is scheduled to begin on January 1, 2020, subject to Valley View Mall (excluding Sears and the existing theater) being demolished by the same date, by providing 55% of its increment for either 20 years, until the County's total net present value contribution reaches \$21.6 million (using a discount rate of 4%), or the City of Dallas terminates the District, whichever comes first.

For its 30-year term, the District's Plan forecasts planned private development projects and public expenditures necessary to support the private investment. The City of Dallas will contribute up to \$384.6 million in total dollars (\$160.9 million NPV 2014 dollars) to the District. Dallas County will contribute up to \$46.7 million in total dollars (\$21.6 million NPV 2014 dollars) to the District. The District's total budget is approximately \$431.4 million (\$182.5 million NPV 2014 dollars).

BACKGROUND (Continued)

When the Mall Area Redevelopment TIF District was created by City Council in 2014, it was set up to facilitate tax increment revenue sharing from the Montfort-IH 635 Sub-District in order to jump start redevelopment activity in the Westmoreland-IH 20 Sub-District. Pursuant to the District's Plan, ten percent (10%) of the annual tax increment generated by the Montfort-IH 635 Sub-District (less payment of annual administrative expenses) will be transferred to the Westmoreland-IH 20 Sub-District to help facilitate the revitalization and redevelopment of the Southwest Center Mall area. It is estimated that up to \$39.2 million will be transferred to the Westmoreland-IH 20 Sub-District over the term of the District. It is estimated that approximately \$4.3 million will be specifically generated by the Dallas Midtown Phase 1 project and transferred to the Westmoreland-IH 20 Sub-District over the remaining 25-26 years of the District's term.

Under the authority of the TIF Act, the District's Project Plan Improvements consists of a program of administration and implementation, public infrastructure improvements, economic development grants, and land acquisition/assembly for public open space, which is intended to stimulate private investment in the area to occur earlier and to a much greater extent than would occur solely through private investment in the reasonably foreseeable future.

With City and County participation, the cumulative increased real property value in the District is estimated to reach approximately \$4.2 billion during the life of the District, including approximately \$3.75 billion in increased taxable real property value attributable to new private investment and \$471 million in increased taxable real property value attributable to property appreciation.

Over the 30-year life of the District, the planned private development program includes:

- approximately 9,000 new residential units
- approximately 900,000 square feet of new retail space
- approximately 4,000,000 square feet of new office space
- approximately 1,000 new hotel rooms

ESTIMATED PROJECT SCHEDULE

Commence Demolition	December 2016
Complete Construction	December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 14, 2014, City Council authorized the designation of Tax Increment Reinvestment Zone Number Twenty ("Mall Area Redevelopment TIF District" or "District") by Ordinance No. 29340.

On June 17, 2015, City Council authorized the Project Plan and Reinvestment Zone Financing Plan ("Plan") for the Mall Area Redevelopment TIF District by Ordinance No. 29771.

On December 10, 2015, the Mall Area Redevelopment TIF District Board of Directors received an informational briefing regarding the proposed Dallas Midtown Phase 1 catalyst project.

On June 8, 2016, the Mall Area Redevelopment TIF District Board of Directors recommended City Council authorize a development agreement with Midtown Development, Inc. ("Owner") and/or its affiliates in an amount not to exceed \$36,000,000 payable from future Mall Area Redevelopment TIF District funds in consideration of Owner's completion of Dallas Midtown Phase 1, a catalyst project that will include a minimum Owner investment of \$200,000,000 for demolition, infrastructure improvements, vertical construction, and open space assemblage on property currently addressed at 13131, 13331, 13343, and 13439 Preston Road and will both secure the public good and stimulate comprehensive redevelopment of the broader area within Tax Increment Financing Reinvestment Zone Number Twenty.

A memo about this item will be provided to City Council on June 10, 2016.

A briefing about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

\$36,000,000 – Mall Area Redevelopment TIF District Funds (subject to appropriations)

PROJECT COUNCIL DISTRICT

OWNER

Midtown Development, Inc.

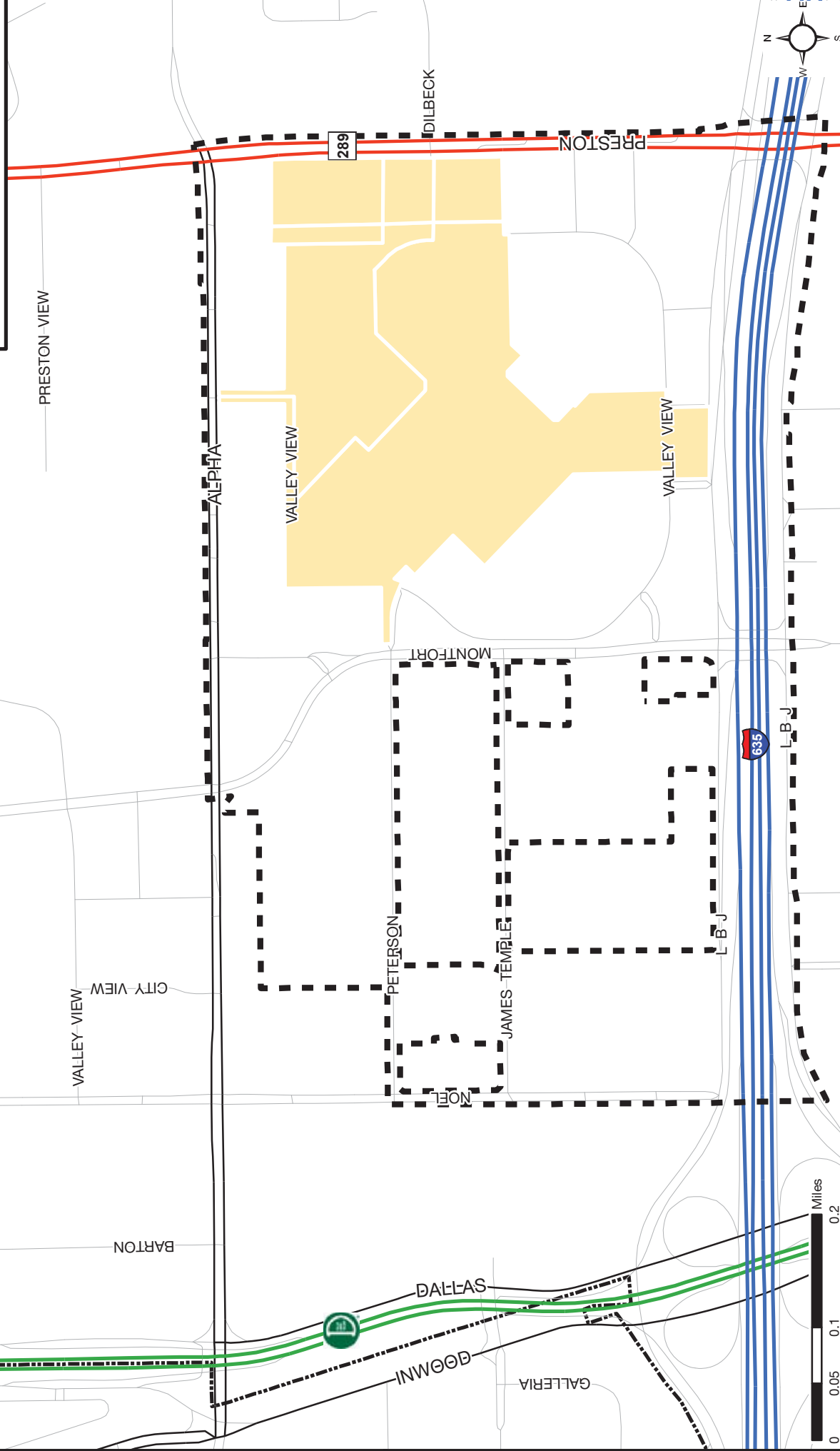
Jeffrey L. Beck, President

MAP

Attached.

Dallas Midtown Phase 1 Project Location

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.



Legend

- Montfort-IH 635 Subdistrict Boundary
- Project Parcel
- Freeway
- Tollway
- Highway
- Arterial
- Local Road
- City of Dallas

DALLAS ECONOMIC DEVELOPMENT
Research & Information Division
214.670.1685
dallas-ecodev.org

Source: Parcel Data - Dallas CAD, 2016; All Other Data - City of Dallas, 2016

Created 5/24/2016 - 16-05-17 Kevin Spath, TCG

June 22, 2016

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

WHEREAS, the City recognizes the importance of the use of economic development incentives as a necessary tool in attracting new developments and new jobs to the Mall Area Redevelopment TIF District; and

WHEREAS, on May 14, 2014, City Council authorized the designation of Tax Increment Reinvestment Zone Number Twenty, ("Mall Area Redevelopment TIF District" or "District") by Ordinance No. 29340 in accordance with the Tax Increment Financing Act, as amended, V.T.C.A. Texas Tax Code, Chapter 311; and

WHEREAS, the Mall Area Redevelopment TIF District was created to stimulate private investment and sustain the orderly redevelopment and revitalization of two commercial core assets of the City while taking advantage of each area's strategic regional location at the crossroads of key transportation corridors; and

WHEREAS, the Mall Area Redevelopment TIF District comprises two non-contiguous sub-districts: (1) the Montfort-IH 635 Sub-District for the Valley View Center Mall area in northern Dallas and (2) the Westmoreland-IH 20 Sub-District for the Southwest Center Mall area in southern Dallas; and

WHEREAS, on June 17, 2015, City Council authorized the Mall Area Redevelopment TIF District Project Plan and Reinvestment Zone Financing Plan ("Plan") by Ordinance No. 29771; and

WHEREAS, on June 8, 2016, the Mall Area Redevelopment TIF District Board of Directors ("Board") reviewed the proposed Dallas Midtown Phase 1 project ("Project") and recommended City Council authorize a development agreement with Midtown Development, Inc. ("Owner") and/or its affiliates and dedicate an amount not to exceed \$36,000,000 in future TIF revenues from the Mall Area Redevelopment TIF District in consideration of the development of the Project; and

WHEREAS, the Montfort-IH 635 Sub-District has experienced significant economic and physical decline over the last twenty years, and the Project will remove barriers to the comprehensive redevelopment of the Montfort-IH 635 Sub-District that would not occur without TIF funding support; and

WHEREAS, the City encourages mixed income neighborhoods, and the Project will affirmatively further fair and mixed income housing; and

June 22, 2016

WHEREAS, the Project is in a redeveloping area of high opportunity and the development will allow the City to continue its efforts to foster inclusive communities that overcome patterns of segregation; and

WHEREAS, investment of TIF funding in the Project will secure, among other public benefits, the construction of quality mixed income housing, the initial assembly of public open space, significant horizontal construction of new public roads/utilities and vertical construction of new buildings in conformance with urban design standards, minority/women-owned business enterprise inclusion, and the demolition of obsolete facilities to prepare the way for comprehensive redevelopment and reinvestment in the Montfort-IH 635 Sub-District; and

WHEREAS, the Project will support increased density and diversified uses (e.g. housing, retail, office, entertainment, hospitality, and open space uses) in a pedestrian-oriented development pattern that will enhance economic vibrancy and quality of life in the area and provide permanent employment opportunities; and

WHEREAS, in furtherance of the Plan, and to promote within the District (1) development and diversification of the economy, (2) elimination of unemployment and underemployment, and (3) development and expansion of residential, transportation, business, and commercial activity, the City desires to provide an incentive not to exceed \$36,000,000 in future TIF revenues from the Mall Area Redevelopment TIF District in consideration of Owner's completion of Dallas Midtown Phase 1, a catalyst project that will include a minimum Owner investment of \$200,000,000 for demolition, infrastructure improvements, vertical construction, and open space assemblage on property currently addressed at 13131, 13331, 13343, and 13439 Preston Road and will both secure the public good and stimulate comprehensive redevelopment of the broader area within Tax Increment Financing Reinvestment Zone Number Twenty (Mall Area Redevelopment TIF District).

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a development agreement between Midtown Development, Inc. and/or its affiliates ("Owner") and the City of Dallas, on behalf of the Mall Area Redevelopment TIF District, thereby confirming the Mall Area Redevelopment TIF District Board of Director's dedication of future tax increment revenues in an amount not to exceed \$36,000,000 to provide funding for TIF-eligible project costs as shown in the TIF Project Budget attached hereto as **Exhibit A**.

June 22, 2016**Section 1.** (Continued)

As a critical catalyst in the implementation of the Mall Area Redevelopment TIF District Project Plan and Reinvestment Zone Financing Plan, this Project includes demolition; public infrastructure improvements (e.g. roads, utilities, and streetscape); an economic development grant to secure the public benefit that arises from accommodating high density development in an urban form and providing public open space, and an economic development grant to secure the public benefit of including high quality affordable housing in an area of opportunity. Future redevelopment efforts in the Montfort-IH 635 Sub-District are contemplated to benefit from some of the activities included with this Project.

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 the Chief Financial Officer is hereby authorized to encumber and disburse funds from future tax increments and subject to future appropriations from:

Mall Area Redevelopment TIF District Fund - Fund 0049, Department ECO, Unit W097, Activity MARD, Object 3072, Program No. MATIF0001, CT ECOW097I282-01, Vendor No. VC15691, in an estimated amount of \$1,000,000;

Mall Area Redevelopment TIF District Fund - Fund 0049, Department ECO, Unit W097, Activity MARD, Object 4599, Program No. MATIF0001, CT ECOW097I282-02, Vendor No. VC15691, in an estimated amount of \$19,000,000; and

Mall Area Redevelopment TIF District Fund - Fund 0049, Department ECO, Unit W097, Activity MARD, Object 3016, Program No. MATIF0001, CT ECOW097I282-03, Vendor No. VC15691, in an estimated amount of \$16,000,000.

Total amount not to exceed \$36,000,000.

Section 4. That nothing in this resolution shall be construed to require the City to approve payment from any source of City funds other than the Mall Area Redevelopment TIF District Fund.

Any funds expended under the development agreement that remain unpaid upon termination of the Mall Area Redevelopment TIF District, due to lack or unavailability of Mall Area Redevelopment TIF District Funds, shall no longer be considered project costs of the Mall Area Redevelopment TIF District or the City, and the obligation of the Mall Area Redevelopment TIF District to pay Owner shall automatically expire.

June 22, 2016

Section 5. 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:

- A. \$200,000,000 shall be the Owner's minimum required investment in the Project (hereinafter defined). The term "Invest" or "Investment" means the sum of all development costs (horizontal and vertical) for the Project but specifically excludes land acquisition costs. Development costs (horizontal and vertical) include environmental remediation costs (if any); demolition costs; site preparation costs (excavation; placement of fill; grading), and construction costs (hard and soft) for horizontal infrastructure improvements and vertical building improvements paid, payable, or actually incurred by or on behalf of the Owner, with respect to the Project (hereinafter defined) and the improvements thereon. Construction soft costs specifically include the following items: architecture, engineering, interior design (only if related to the building structure), and construction management fees. Construction management is solely intended to cover fees paid to an outside consultant or third party who confirms the quality of the work. Construction management fees must be invoiced with a detailed description of work performed. Developer fees, legal fees, marketing fees, leasing commissions, furniture/fixture/equipment costs, construction material testing costs, permit/inspection fees, builder's risk insurance, property insurance during construction, consultant fees, construction financing fees, construction loan interest, construction loan closing costs, carrying costs (e.g. interest costs on land; maintenance costs on land; ad valorem taxes, etc.), operating deficits through stabilization and other similar costs shall not be considered toward this definition of Investment. The Owner must provide verification of all expenditures.
- B. The "Project" location shall be geographically depicted on **Exhibits B and C**, and the "Project" shall be defined by the following minimum requirements:
 - a. The Owner shall perform environmental remediation (if necessary) and shall demolish the existing in-line mall (including the AMC theater), the former JC Penney anchor building, the former Dillard's anchor building, and the appurtenant parking structure.
 - b. The Owner shall perform all necessary site work (e.g. excavation, placement of fill, grading) to prepare the site for the infrastructure improvements (e.g. new roads and utilities) necessary to support the required minimum of new vertical improvements included with the Project.
 - c. The Owner shall construct the infrastructure improvements (e.g. new roads, utilities, and streetscape) necessary to support the required minimum of new vertical improvements included with the Project.

June 22, 2016**Section 5. (Continued)**

- d. The Owner shall construct a total minimum of 775,000 gross square feet of floor area (excluding parking structures) of vertical improvements, which shall include the following required components:
 - (i) movie theater (minimum 40,000 gross square feet);
 - (ii) retail/restaurant/entertainment space (minimum 175,000 gross square feet);
 - (iii) office space (minimum 70,000 gross square feet);
 - (iv) multi-family rental residential units (minimum 300 units);
 - (v) hotel (minimum 200 rooms);
 - (vi) integrated parking structures (minimum total 2,200 spaces); and
 - (vii) open space (minimum total 17,500 square feet; privately owned; privately maintained; publicly accessible).
- C. As graphically depicted on **Exhibit D**, the Owner shall convey by dedication to the City two (2) tracts of real property (totaling approximately 4,134 square feet) for potential future use as public open space, subject to City securing additional real property for potential future use as public open space from the adjacent land owner to the west. This dedication shall not be used to satisfy the requirement in the zoning (PD 887) for additional open space.
- D. On or before December 31, 2016, the Owner shall commence demolition.
- E. On or before March 31, 2017, the Owner shall secure and provide evidence to the Director of the Office of Economic Development of construction funds or financing for the Project.
- F. On or before June 30, 2017, the Owner shall obtain all necessary permits for the construction of the Project. Owner shall submit to the Director of the Office of Economic Development copies of said permits no later than thirty (30) days after their issuance. Demolition permits and/or foundation permits alone will not fulfill this requirement.
- G. On or before December 31, 2019, the Owner shall complete construction of the Project and obtain certificates of occupancy, with or without tenant finish out, for the minimum required vertical improvements associated with the Project. Owner shall submit to the Director of the Office of Economic Development copies of said certificates of occupancy no later than thirty (30) days after their issuance.

June 22, 2016**Section 5. (Continued)**

- H. On or before December 31, 2019, the Owner shall obtain the City's written final acceptance of all public infrastructure improvements associated with the Project. Owner shall submit to the Director of the Office of Economic Development copies of said written final acceptance no later than thirty (30) days after their issuance.
- I. On or before December 31, 2019, the Owner shall execute and fund an Operating and Maintenance Agreement for all non-standard public infrastructure improvements associated with the Project. Compliance with the executed Operating and Maintenance Agreement shall be required of all future owners for the entire period (20 years) of the Operating and Maintenance Agreement. If Owner chooses to forgo the TIF reimbursement funding or defaults on its obligations, Owner shall remain responsible for the maintenance of the non-standard public improvements through the term of the Operating and Maintenance Agreement. Any assignment of Owner's maintenance obligations under the development agreement (and the Operating and Maintenance Agreement) to another entity (e.g. new property owner, public improvement district, or property owner's association) shall require the prior written approval of the Director of the Office of Economic Development, which approval shall not be unreasonably withheld.
- J. Owner will provide public access easements, deed restrictions, or other instruments acceptable to the Director of the Office of Economic Development if any street and utility infrastructure improvements as part of the Project remain privately owned in order to be considered for TIF funding.
- K. In addition to complying with a Business Inclusion and Development ("BID") goal of 25% for the TIF reimbursable public improvements (hard construction costs only), the Owner shall make a good faith effort to achieve a goal of certified minority/women-owned business enterprise (M/WBE) participation for the private improvements (hard construction costs only) of 15% of total private expenditures and meet all reporting requirements for each.
- L. Until the Owner has received certificates of occupancy for the minimum required vertical improvements associated with the Project and until all required paperwork for TIF funding has been submitted, the Owner shall submit to the Office of Economic Development a quarterly status report for ongoing work on the Project, including all public improvements associated with the Project. Such status reports will be due within 45 days after the end of each calendar quarter after the Council approval date.

June 22, 2016**Section 5. (Continued)****M. Mixed Income Housing Requirements for this Project:**

- a. For the multi-family rental residential component included in this Project, beginning upon the completion of the Project and receipt of a final certificate of occupancy for the multi-family rental residential component of the Project and continuing for a period of fifteen (15) years thereafter ("Affordability Period"), Owner shall ensure that a minimum of 20% of the multi-family residential rental units constructed in the Project comply with the "Mixed Income Housing Policy Guidelines for the Mall Area Redevelopment TIF District," attached hereto as **Exhibit E**.
- b. Owner shall market the multi-family rental residential component of the Project pursuant to an Affirmative Fair Housing Marketing Plan ("Marketing Plan") approved by the City. A Marketing Plan template is attached hereto as **Exhibit F**. Should City request amendments from time to time to the Marketing Plan to improve its effectiveness, Owner shall cooperate in good faith to reach mutual agreement on reasonable modifications to the Marketing Plan.
- c. Owner shall be in default of its affordable housing requirements if Owner fails to construct the multi-family residential rental component in the Project (i.e. Dallas Midtown Phase 1) or if, at any point in the 15-year Affordability Period, City determines that 20% of the multi-family residential rental units constructed in the Project have not been reserved for and leased solely to eligible households in conformance with the "Mixed Income Housing Policy Guidelines for the Mall Area Redevelopment TIF District." If default is not timely cured, the City shall be entitled to recapture any TIF funding disbursed to subsidize Dallas Midtown Phase 1.
- d. Owner shall submit to the City annual reports beginning on January 1 following completion and receipt of a final certificate of occupancy for the multi-family residential rental units constructed in the Project, verifying that the Project is in compliance with the "Mixed Income Housing Policy Guidelines for the Mall Area Redevelopment TIF District." During the 15-year Affordability Period, City shall have the right to inspect rent rolls and other records that it deems necessary or useful in determining Owner's compliance with the affordable housing requirements. City shall have access to such records upon ten (10) business days prior written notice to Owner or its designated property manager.

June 22, 2016**Section 5. (Continued)**

- e. If (a) any portion of the Project on which affordable housing units are constructed is sold during the period that begins on the date of the resolution by the Dallas City Council approving this document and ends twenty (20) years from that date, and (b) the buyer of such sold portion of the Project is not an affiliate or subsidiary of Owner, or (c) the development agreement is terminated prior to the conclusion of the 15-year Affordability Period, then Owner shall execute (or direct its affiliate or subsidiary to execute) deed restrictions in a form to be mutually agreed upon by Owner and the City and record such executed deed restrictions in the Official Real Property Records of Dallas County prior to the closing of the sale to ensure that the sold property will comply with the "Mixed Income Housing Policy Guidelines for the Mall Area Redevelopment TIF District." The deed restrictions shall require compliance with the "Mixed Income Housing Policy Guidelines for the Mall Area Redevelopment TIF District" for the remainder of the 15-year Affordability Period, and the parties agree that any default not timely cured shall entitle City to recapture any TIF funding disbursed to subsidize Dallas Midtown Phase 1.
- N. Owner shall construct public and private improvements with the Project that substantially conform to the drawings provided to the Dallas CityDesign Studio as shown in **Exhibit G**. Following reviews on March 20, May 8, and October 23, 2015, the City of Dallas Urban Design Peer Review Panel ("UDPRP") made design recommendations for the Project. On November 9, 2015, the Owner provided an UDPRP response and an updated drawings submittal (as shown in **Exhibit G**) to the Dallas CityDesign Studio. On November 12, 2015, the Dallas CityDesign Studio indicated that the materials provided by the Owner on November 9, 2015 satisfied the requirement for urban design peer review related to this request for TIF funding. As such, the Owner shall submit a set of permit drawings to the Dallas CityDesign Studio for internal review at or before the time of permit submittal to ensure compliance with the UDPRP recommendations and responses. Allowable minor modifications may include those required for conformance with requirements of the City's Sustainable Development and Construction Department. The Dallas CityDesign Studio shall complete the review for each set of permit drawings within 10 days of submission.
- O. The Owner shall provide evidence that reasonable efforts were made to promote the hiring of neighborhood and City of Dallas residents for any new jobs created by the Project.

June 22, 2016**Section 5. (Continued)**

- P. If any of the property in the Project is sold to other non-affiliated entities (not related to Owner), at least 60 days before a non-affiliated entity is proposed to take over any portion of the Project, Owner must submit financial and management background information for review by the Director of the City of Dallas Office of Economic Development to consider acceptance based on a review of the entity's comparable experience managing similar projects, with such approval not to be unreasonably withheld. All of the terms and conditions of the TIF development agreement shall be binding upon the successors and assigns.
- Q. TIF Funding for this Project: TIF funding in an amount not to exceed \$36,000,000 (unadjusted) will be available under the "Montfort-IH 635 Sub-District" TIF budget category with anticipated items including: (i) environmental remediation and demolition (net of salvage value)--\$1,000,000; (ii) public infrastructure improvements (e.g. roads, utilities, and streetscape)--\$19,000,000; and (iii) an economic development grant to secure the public benefit that arises from accommodating high density development in an urban form and providing public open space, both of which have a sub-district-wide benefit--\$4,000,000; and (iv) an economic development grant to secure the public benefit of including high quality affordable housing in an area of opportunity--\$12,000,000. Expenditures may be shifted from one TIF-eligible sub-category to another as long as the total amount of TIF funding does not exceed \$36,000,000 and as long as the total amount of the economic development grant portion does not exceed \$18,000,000. No interest shall accrue on any portion of the TIF funding.
- a. The TIF funding could be less if adequate increment does not accrue to the TIF fund. No funds will be disbursed until all conditions of the development agreement have been satisfied by Owner and only if and when TIF funds are available. Dallas County funds can only be used for public infrastructure and other TIF-eligible costs (not for grant disbursements).
- b. The TIF funding could be less if the actual costs of TIF-eligible improvements (i.e. environmental remediation, demolition, public infrastructure, etc.) related to the Project total less than \$18,000,000.

June 22, 2016**Section 5. (Continued)**

- c. City staff will allow an arrangement where, subject to the City's Business Inclusion & Development (BID) and M/WBE guidelines, these improvements are completed by contractors selected by the Owner and the City's TIF funding begins upon completion of the Project, if and when TIF funds are available. Unlike TIF projects requiring a public bid process and advance of funds to the City, no interest will be paid on this TIF funding since funds are not advanced to the City for these improvements.
- d. The TIF funding is contingent on collection of adequate TIF increment and does not represent a funding commitment backed by the full faith and credit of the City of Dallas. Any future request for additional TIF incentives will be evaluated based on the Project having additional private development and the overall financial status of the District.
- e. Any funds expended under the development agreement that remain unpaid upon termination of the Mall Area Redevelopment TIF District due to lack or unavailability of Mall Area Redevelopment TIF District funds shall no longer be considered project costs of the Mall Area Redevelopment TIF District or of the City, and the obligation of the Mall Area Redevelopment TIF District to pay the Owner shall automatically expire.
- f. A minimum of 50% of the ground floor non-residential space in the Project must be occupied prior to the release of any TIF funding and must continue to be occupied throughout the term of the agreement in order to be eligible for TIF funding. Owner shall promptly notify the City if occupancy falls below this threshold, and the City will allow Owner a period of ninety (90) days to cure any such occupancy deficit.

Section 6. That Project Prioritization: TIF funding is subject to the availability of tax increment. If the appraised value of the property in the Mall Area Redevelopment TIF District is the same or decreases in value from the 2014 base year value, then TIF funding for that year may be reduced or unpaid due to the lack of available increment. TIF funding shall be paid solely from the Mall Area Redevelopment TIF District Fund, if and when tax increments are received and available for such purpose, during the life of the Mall Area Redevelopment TIF District (including collection of the 2044 tax increments in calendar year 2045), subject to the limitations on repayment provided in the development agreement.

June 22, 2016**Section 6** (Continued)

Pursuant to the Mall Area Redevelopment TIF District Increment Allocation Policy adopted by the Board on June 8, 2016 (attached hereto as **Exhibit H**), the Project will be eligible for TIF funding upon completion of the Project and all development agreement obligations based on the following provisions:

- A. Annually, after (1) payment of the Montfort-IH 635 Sub-District's portion of Administrative Expenses, (2) the Transfer to the Westmoreland-IH 20 Sub-District, (3) the Set Aside for Sub-District-Wide Public Infrastructure Improvements, and (4) the Set Aside for Land Acquisition for Sub-District-Wide Central Open Space, Owner will receive the balance of the increment (i.e. proportional Individual Increment) generated by:
 - a. this Project;
 - b. any appreciation of values of property located within the Dallas Midtown Development Area (as depicted on **Exhibit I**) prior to the completion of any future development projects, and
 - c. any future development projects (commercial components only) within the Dallas Midtown Development Area that do not receive their own TIF funding through separate stand-alone TIF development agreements.
- B. Additionally, Owner annually will receive 75% of the Set Aside for Sub-District-Wide Public Infrastructure Improvements in the Montfort-IH 635 Sub-District (up to a total not to exceed \$8,000,000).
- C. Additionally, Owner annually will receive up to the first \$750,000 of the Montfort-IH 635 Sub-District Shared Increment (if any) and a pro-rata portion of any remaining amount above \$750,000.

Section 7. That the Director of the Office of Economic Development, after approval and recommendation of the Mall Area Redevelopment TIF District Board of Directors, may authorize minor modifications to the Project consistent with the Plan's goals, including development mix, design elements, and/or an extension of the Project deadlines up to six (6) months.

June 22, 2016

Section 8. That within the Montfort-IH 635 Sub-District, applications requesting TIF funding for future development projects will be considered individually and evaluated under the District's priorities; nothing in this Resolution prohibits a future development project from applying for its own TIF funding through a separate stand-alone TIF development agreement. Any future development project that requests its own TIF funding will be required to comply with the Mixed Income Housing Policy Guidelines for the District.

Section 9. That to help support the provision of new public infrastructure (e.g. a segment of future unnamed road FN5 and/or a segment of future Peterson Lane) in the Montfort-IH 635 Sub-District, the Owner and City acknowledge that other sources of public funding are being considered, including: (a) approximately \$3.5 million in 2006 City bond program funding and (b) approximately \$1.9 million in Dallas County funding. Any additional City funding is subject to approval by City Council. The Owner further acknowledges that approval of any future changes requested by Owner to Planned Development District No. 887 (Valley View-Galleria Area Special Purpose District) to accommodate development may be made dependent upon agreement to advance the City's fair housing goals, to secure open space, or otherwise enhance the public purpose within the Sub-District. The Owner further acknowledges that the total TIF funding incentive authorized by this Resolution is a fixed, not to exceed amount, regardless of the outcome of other contemplated public funding. Any future request for additional TIF funding for this Project would be evaluated based on the Project having additional private development and on the overall financial status of the District.

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.

Exhibit A
Dallas Midtown Phase 1 Project
Mall Area Redevelopment TIF District
TIF Project Budget

Montfort-IH 635 Sub-District	
Category	Staff Recommended Amount
Environmental remediation & demolition	\$1,000,000
Public infrastructure improvements	\$19,000,000
Economic development grant* (public benefits of high density development in an urban form; public open space; and affordable housing)	\$16,000,000
Total	\$36,000,000

TIF funding is recommended for the Dallas Midtown Phase 1 project in an amount not to exceed \$36,000,000 (unadjusted) to be available under the “Montfort-IH 635 Sub-District” TIF budget category with anticipated items including: (i) environmental remediation and demolition (net of salvage value)--\$1,000,000; (ii) public infrastructure improvements (e.g. roads, utilities, and streetscape)--\$19,000,000; (iii) economic development grant to secure the public benefit that arises from accommodating high density development in an urban form and providing public open space, both of which have a sub-district-wide benefit--\$4,000,000; and (iv) economic development grant to secure the public benefit of including high quality affordable housing in an area of opportunity--\$12,000,000.

Expenditures may be shifted from one category to another as long as the total amount of TIF funding does not exceed \$36,000,000 and as long as the total amount of the economic development grant portion does not exceed \$18,000,000. No interest shall accrue on any portion of the TIF funding.

TIF funding for the Dallas Midtown Phase 1 project could be less if adequate increment does not accrue to the TIF fund. No funds will be disbursed until all conditions of the development agreement have been satisfied by Owner and only if and when TIF funds are available. Dallas County TIF funds can only be used for public infrastructure and other TIF-reimbursable costs (i.e. not for grant disbursements).

TIF funding for the Dallas Midtown Phase 1 project could be less if the actual costs of TIF-reimbursable improvements (e.g. environmental remediation, demolition, public infrastructure improvements, etc.) related to the Dallas Midtown Phase 1 Project total less than \$18,000,000.

** Grant is pursuant to the adopted Grant Program Guidelines for the Mall Area Redevelopment TIF District and will function to help to make the project financially viable.*

EXHIBIT B



Exhibit B - Dallas Midtown Phase I Project



Scale : 1" = 80'-0"

2001 Bryan Street :: Suite 3100 :: Dallas TX 75201 :: tel 214.969.5311

SITE PLAN

MIDTOWN

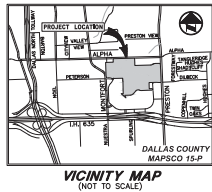
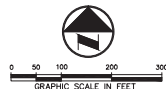
DA14007

DALLAS, TEXAS

04/28/15



EXHIBIT C



LEGEND

- 1** CITY THOROUGHFARE
- 2A** CITY THOROUGHFARE
- 2B** CITY THOROUGHFARE
- A** CITY THOROUGHFARE
- C** CITY MINOR STREET
- D** CITY MINOR STREET
- E** CITY THOROUGHFARE
- F** CITY MINOR STREET
- G** CITY MINOR STREET
- H** CITY THOROUGHFARE
- I** CITY THOROUGHFARE

DIM. STRINGS INDICATE ASSUMED PAVEMENT WIDTHS FOR COST ESTIMATING PURPOSES

Notes for Dallas Midtown Phase 1 Development Agreement:

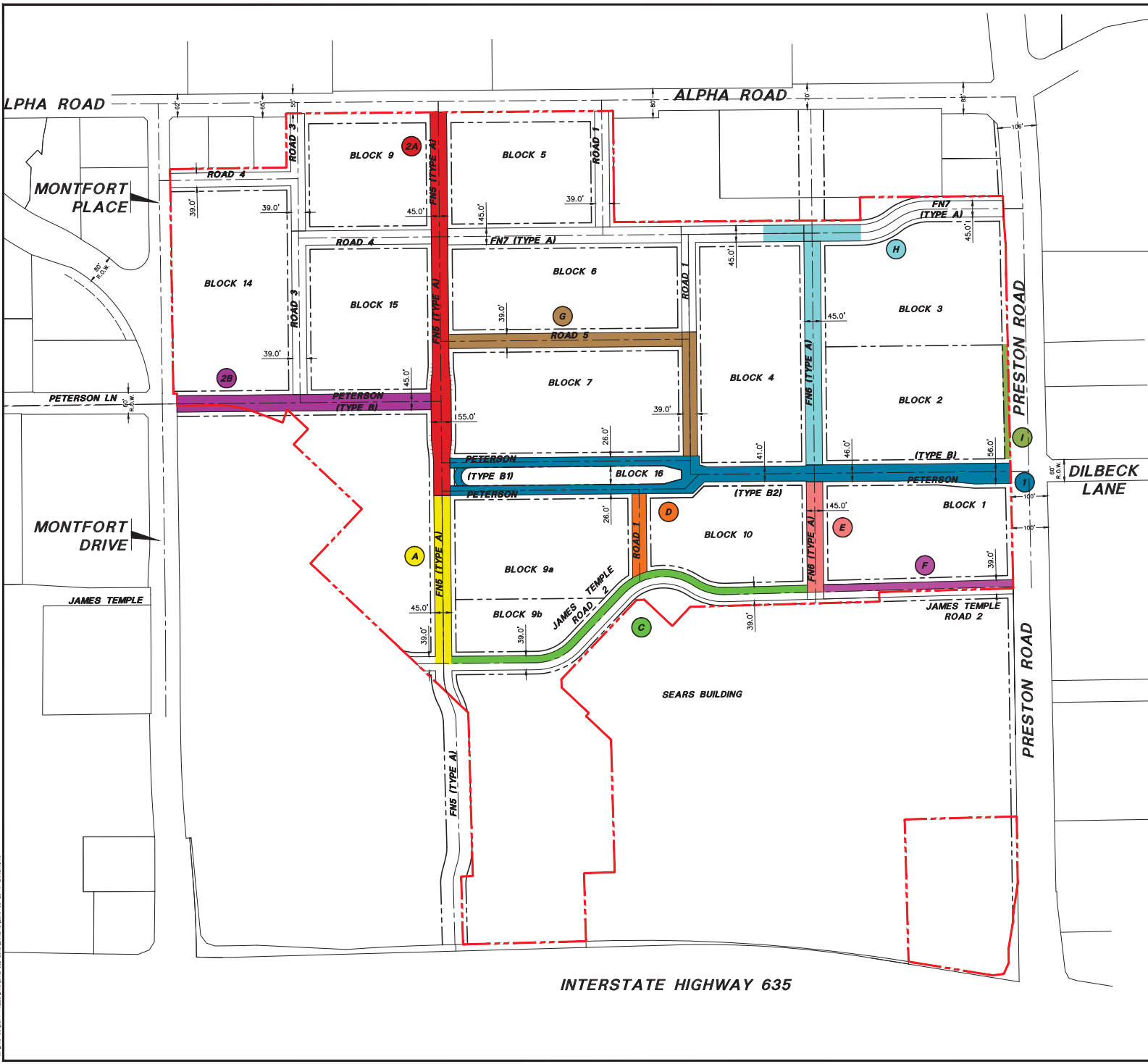
- The road segments depicted on this page are anticipated to be necessary to support the required minimum of new vertical improvements included with the Dallas Midtown Phase 1 Project; however, specific road segments and/or portions of segments are subject to change based on final plan review during the permitting process.
- The road segments depicted on this page are also assumed to include associated infrastructure elements (e.g. demolition of existing paving; grading; new paving; storm sewer; water; sanitary sewer; gas; electric/telecom duct bank; and streetscape (landscape/hardscape/irrigation)).

PRELIMINARY
NOT FOR CONSTRUCTION
THIS DOCUMENT IS ISSUED FOR THE PURPOSE OF SCHEMATIC REVIEW ONLY AND IS NOT INTENDED FOR PERMITTING, BIDDING, OR CONSTRUCTION PURPOSES.
PLANS PREPARED UNDER THE DIRECT SUPERVISION OF STEVE M. HUBBARD, P.E.
TEXAS REGISTRATION NO. 105006
DATE: 05/25/2016

Pacheco Koch 7857 RAWLEIGH ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-109308-2004

TIF APPLICATION EXHIBIT
BECK VENTURES
DALLAS MIDTOWN
VALLEY VIEW MALL REDEVELOPMENT
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
SMH	DAR	MAY 2016	1"=100'			1

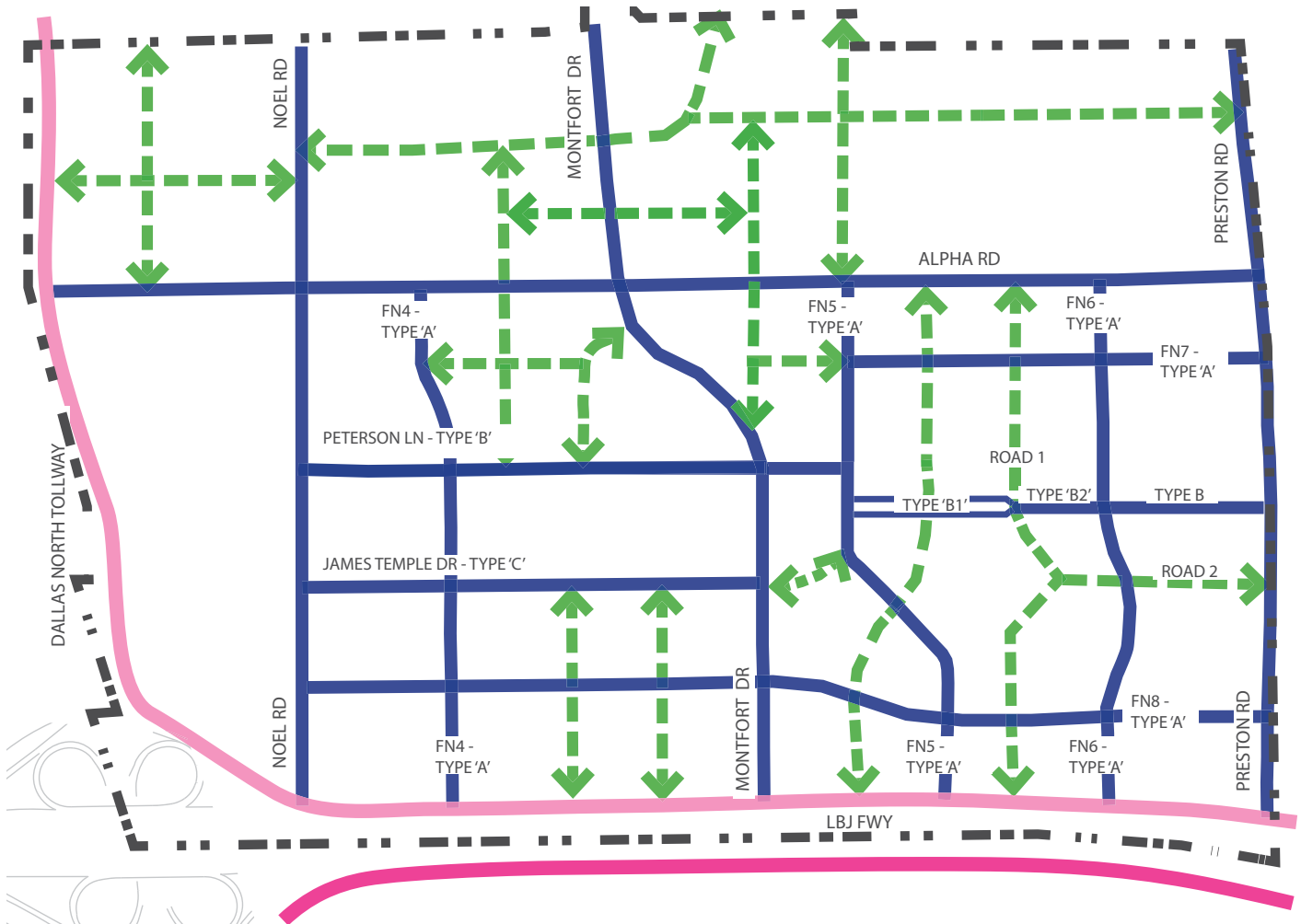


INTERSTATE HIGHWAY 635

D:\0000000001_05/25/2016 - 9:23AM
A:\PAC-30\3016-14-000\000001.dwg
2016/05/25/2016 9:23AM

DALLAS MIDTOWN

EXHIBIT C



* NOT TO SCALE

LEGEND:

- STUDY AREA BOUNDARY
- PROPOSED AMENDMENT TO THOROUGHFARE PLAN
- FRONTAGE ROAD
- CONCEPTUAL MINOR STREETS, DEVELOPMENT DRIVEN*

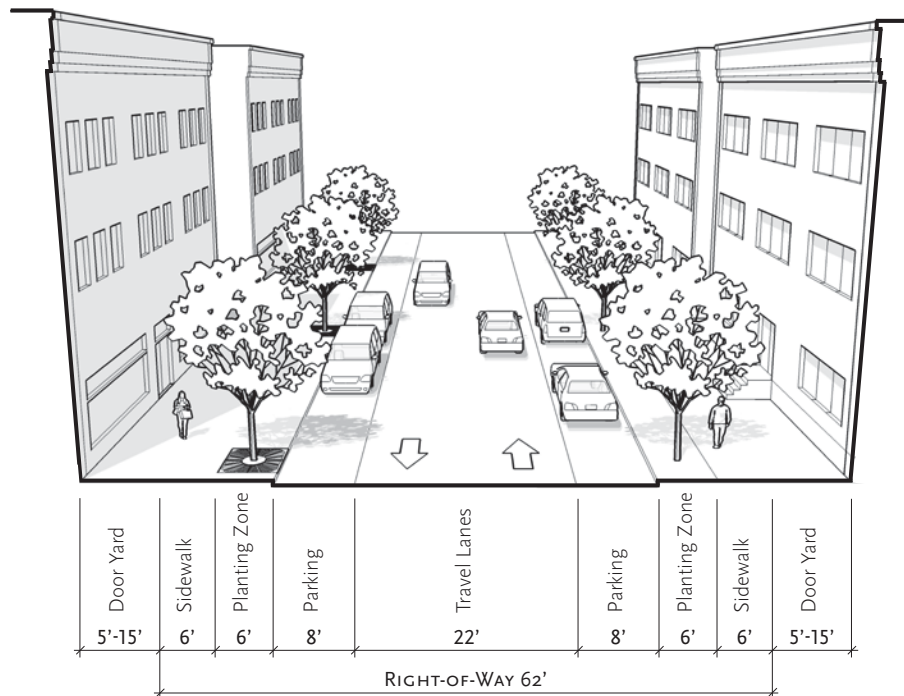
* THESE MINOR STREETS ARE CONCEPTUAL AND INTENDED ONLY TO ILLUSTRATE DESIRED CONNECTIVITY FOR NEW STREETS. ALTERNATIVE ALIGNMENTS MAY BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS IF THEY PROVIDE EQUIVALENT CONNECTIVITY AND COMPLY WITH THE PROVISIONS OF SECTION 51P-887.115 (STREET STANDARDS) AND SECTION 51A-13.502 (NEW MINOR STREETS).

EXHIBIT C

(2) New Streets.

The following requirements apply to the construction of new streets within a WMU, WR, or RTN district. All streets must be two-way and be constructed with a maximum design speed of 35 mph.

(A) Parallel Parking (MS-1A).

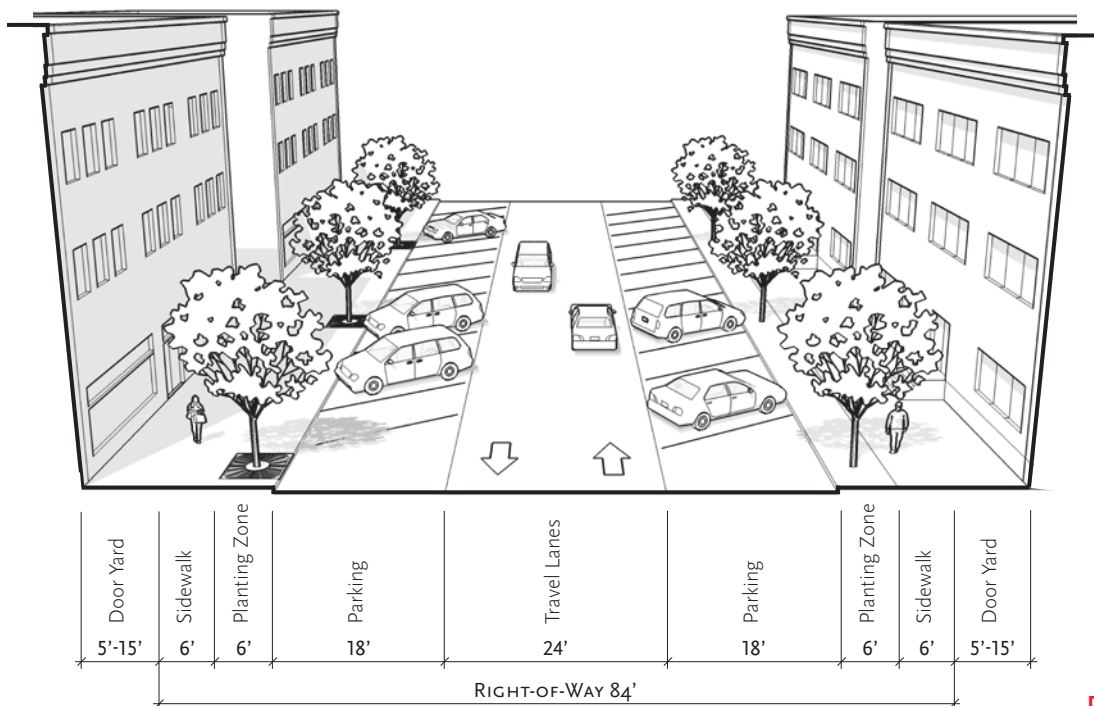


This section should apply to Segments C, D, F and G on the TIF Application Exhibit as Conceptual Minor Streets, Development Driven, as shown on Exhibit 887C Streets Plan.

For Segments C and F, as shown on the TIF Application Exhibit, only half of the roadway section shall be required, with approval from Engineering. The remaining half will be built as future development occurs.

Street trees shall be provided in accordance with the following criteria: 1 large tree (30'+ in height at maturity) for every 50' of frontage

(B) Angle (60°) Parking (MS-1B).



Excerpt from Chapter 51A,
Article XIII: Form Districts

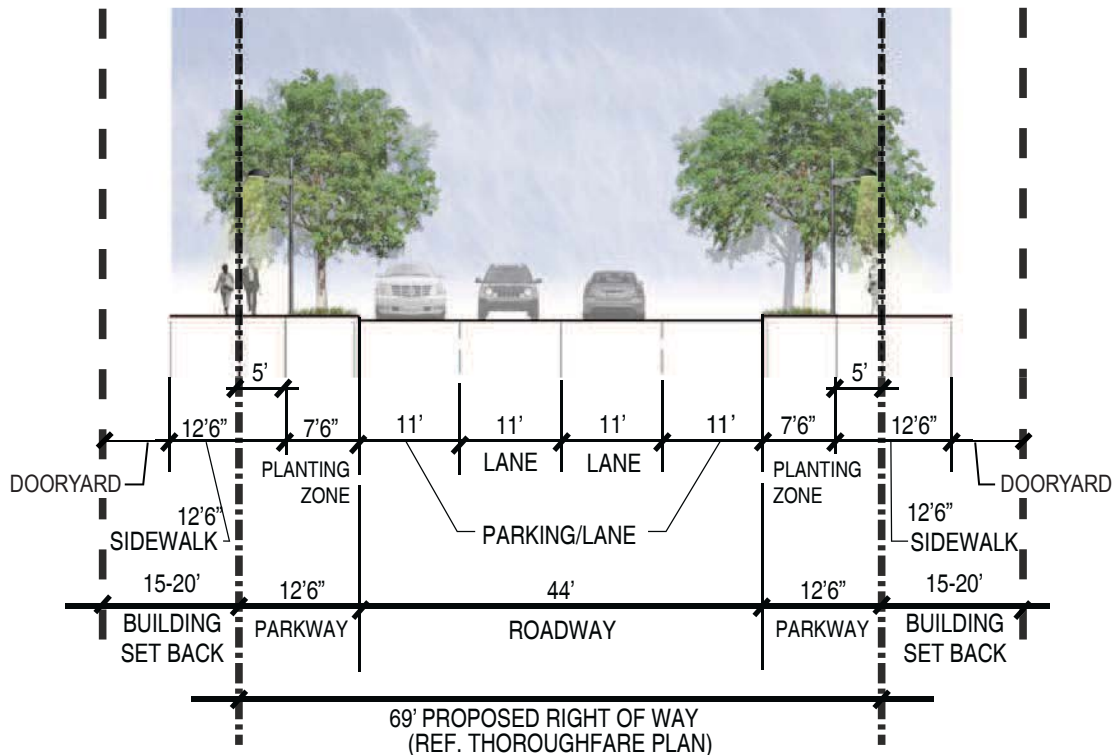
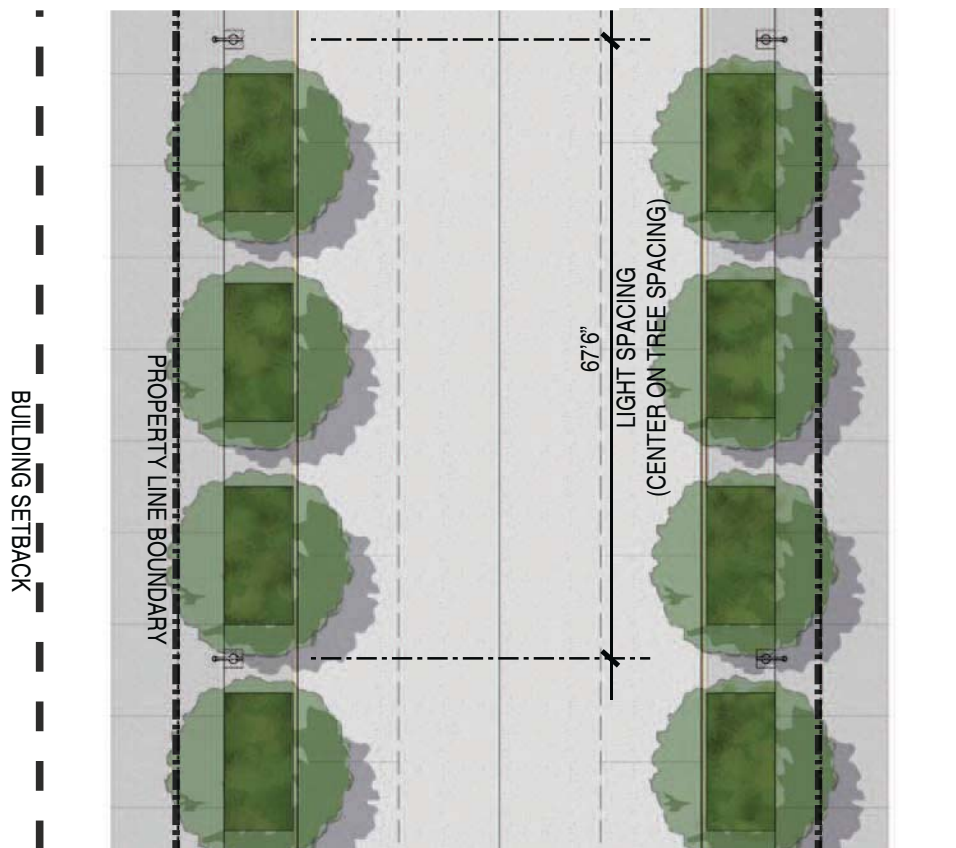
Excerpt from Exhibit 887C Streets Plan

EXHIBIT C

This section should apply to Segments A, 2A, E, and H on the TIF Application Exhibit as Type A Streets.

This section should also apply to Segment 2B on the TIF Application Exhibit as a Type B Street.

Street trees shall be provided in accordance with the following criteria: 1 large tree (30'+ in height at maturity) for every 50' of frontage



TYPE A : 4 LANE UNDIVIDED WITH PARKING ALLOWED DURING NON-PEAK HOURS

TYPE B : 2 LANE WITH 2 LANE PARKING

REFERENCE THE VALLEY VIEW - GALLERIA AREA PLAN FOR GUIDANCE ON TREE PLANTING SPECIES.

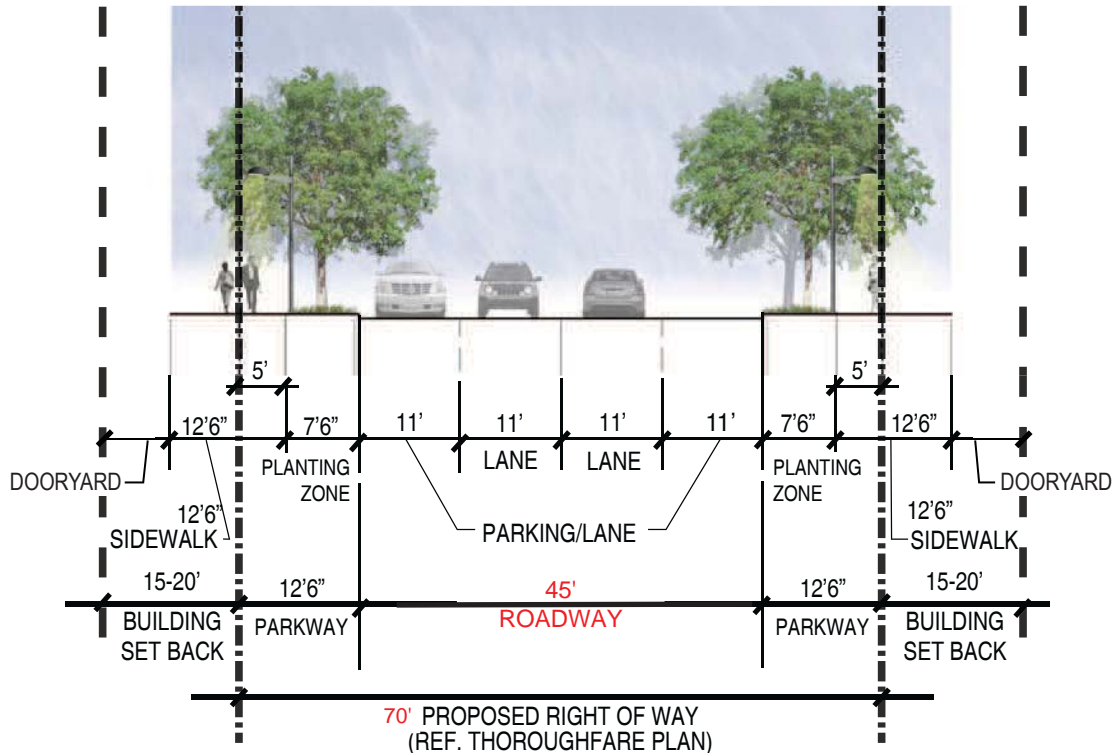
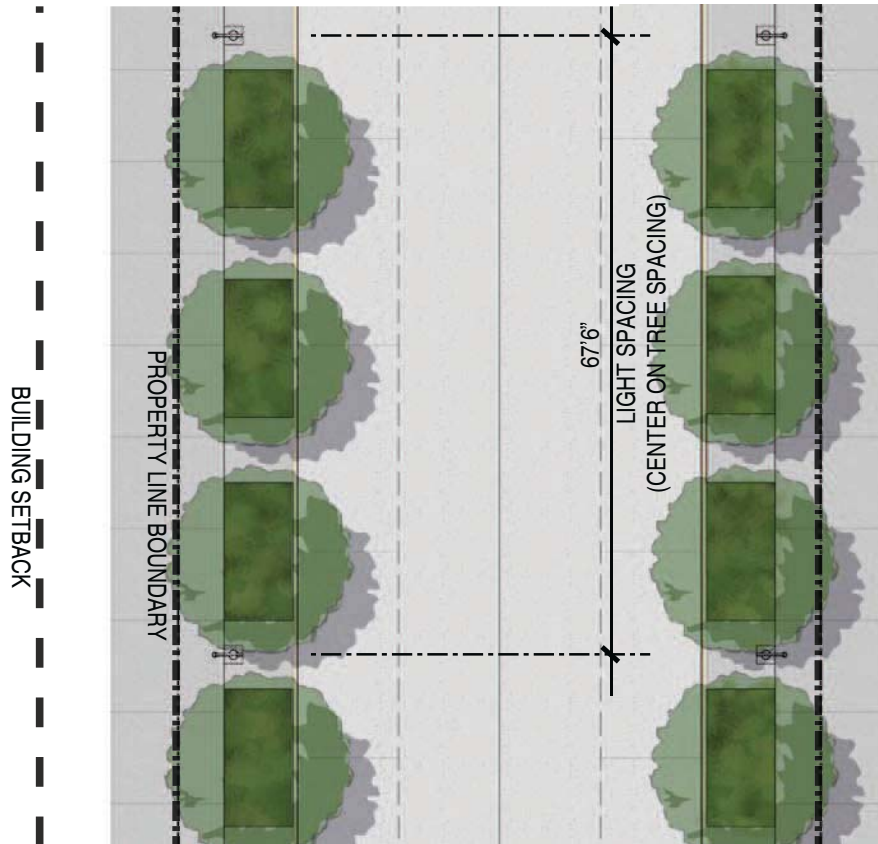
Excerpt from Exhibit 887C Streets Plan

EXHIBIT C

This section should apply to a portion of Segment 1 on the TIF Application Exhibit between Preston Road and Unnamed FN6 as a Type B Street.

Per Thoroughfare Amendment Ordinance No. 29789, the ROW width shall be 70' and the pavement width shall be 45'.

Street trees shall be provided in accordance with the following criteria: 1 large tree (30'+ in height at maturity) for every 50' of frontage



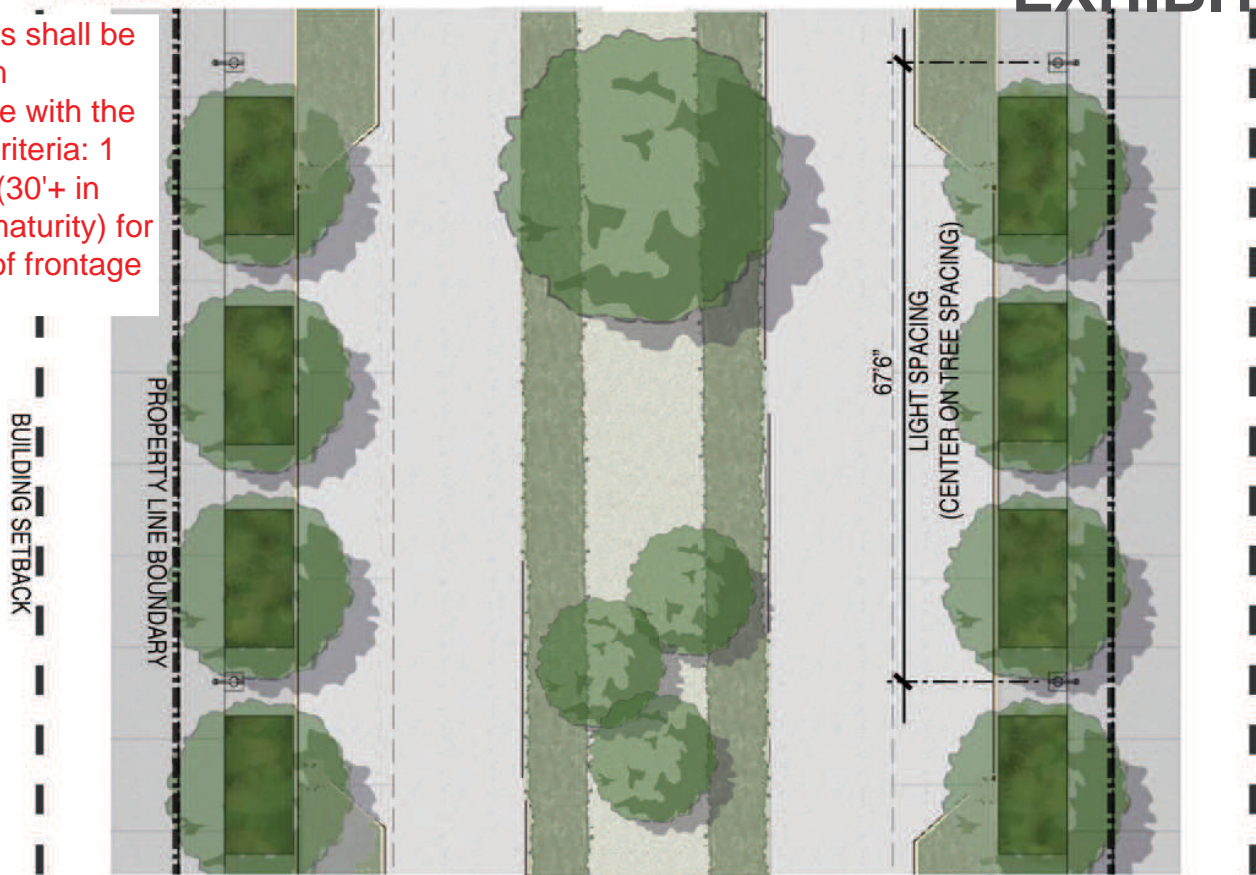
TYPE A : 4 LANE UNDIVIDED WITH PARKING ALLOWED DURING NON-PEAK HOURS

TYPE B : 2 LANE WITH 2 LANE PARKING

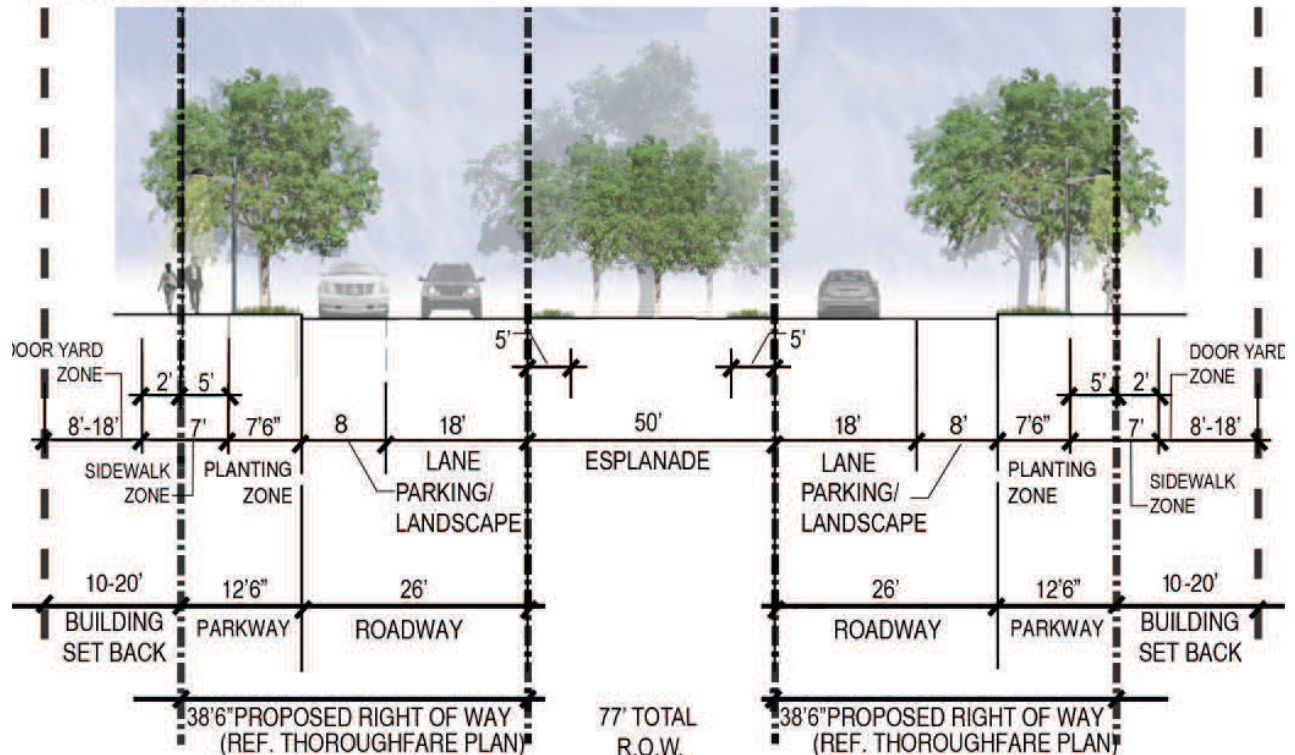
REFERENCE THE VALLEY VIEW - GALLERIA AREA PLAN FOR GUIDANCE ON TREE PLANTING SPECIES.

TYPICAL PLAN

Street trees shall be provided in accordance with the following criteria: 1 large tree (30'+ in height at maturity) for every 50' of frontage



TYPICAL SECTION

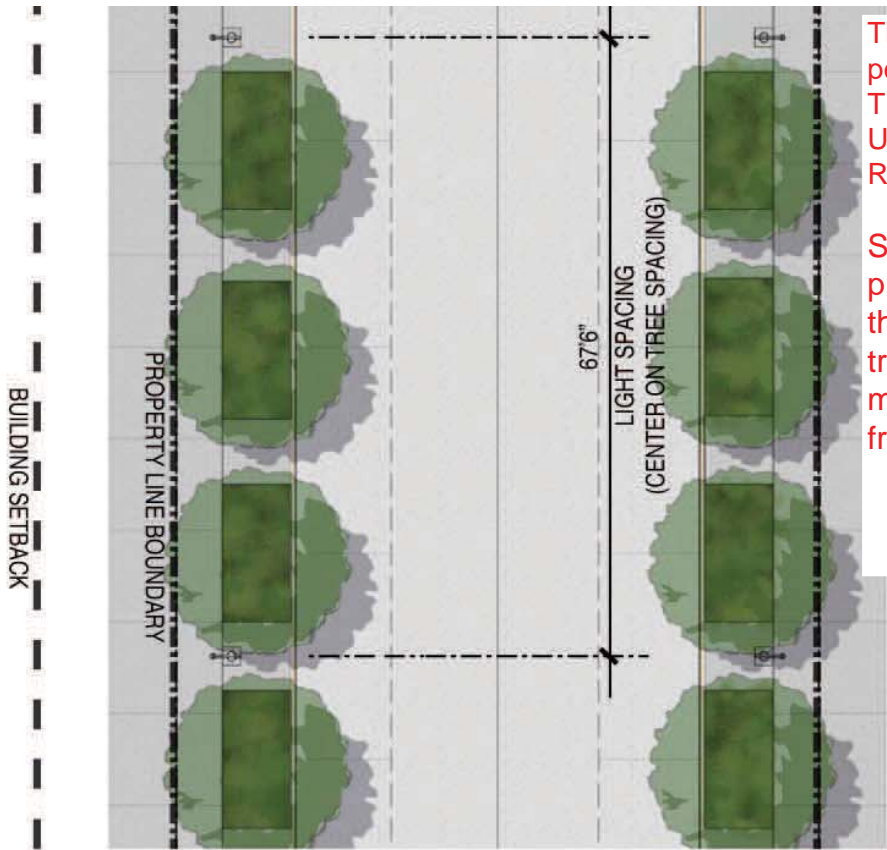


ON-STREET PARKING ZONE CAN BE REPLACED WITH AN ENLARGED LANDSCAPE ZONE.

U-TURN LANE REQUIRED AT INTERSECTION OF FN5.

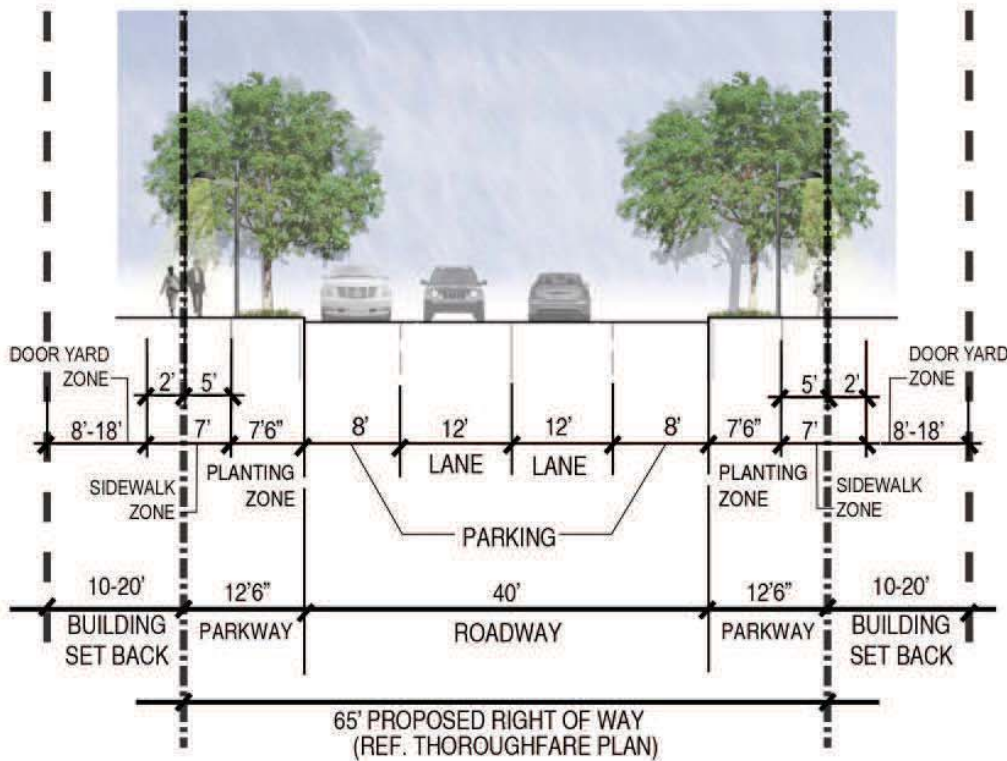
REFERENCE THE VALLEY VIEW - GALLERIA AREA PLAN FOR GUIDANCE ON TREE PLANTING SPECIES.

This section should apply to a portion of Segment 1 on the TIF Application Exhibit between Road 1 and Unnamed FN5



This section should apply to a portion of Segment 1 on the TIF Application Exhibit between Unnamed FN6 and local street Road 1

Street trees shall be provided in accordance with the following criteria: 1 large tree (30'+ in height at maturity) for every 50' of frontage



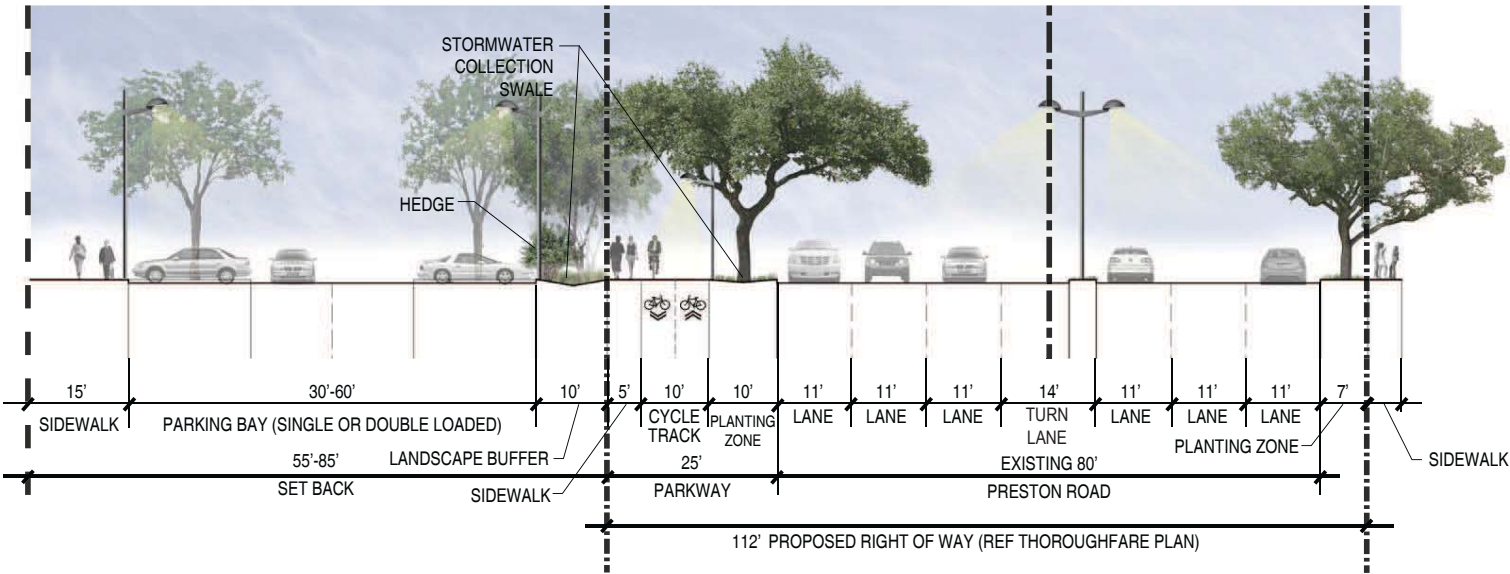
REFERENCE THE VALLEY VIEW - GALLERIA AREA PLAN FOR GUIDANCE ON TREE PLANTING SPECIES.

Excerpt from Exhibit 887C Streets Plan

EXHIBIT C

This section should apply to Preston Road along Block 2, as noted in the TIF Application Exhibit.

Street trees shall be provided in accordance with the following criteria: 1 large tree (30'+ in height at maturity) for every 50' of frontage



REFERENCE THE VALLEY VIEW - GALLERIA AREA PLAN FOR GUIDANCE ON TREE PLANTING SPECIES.

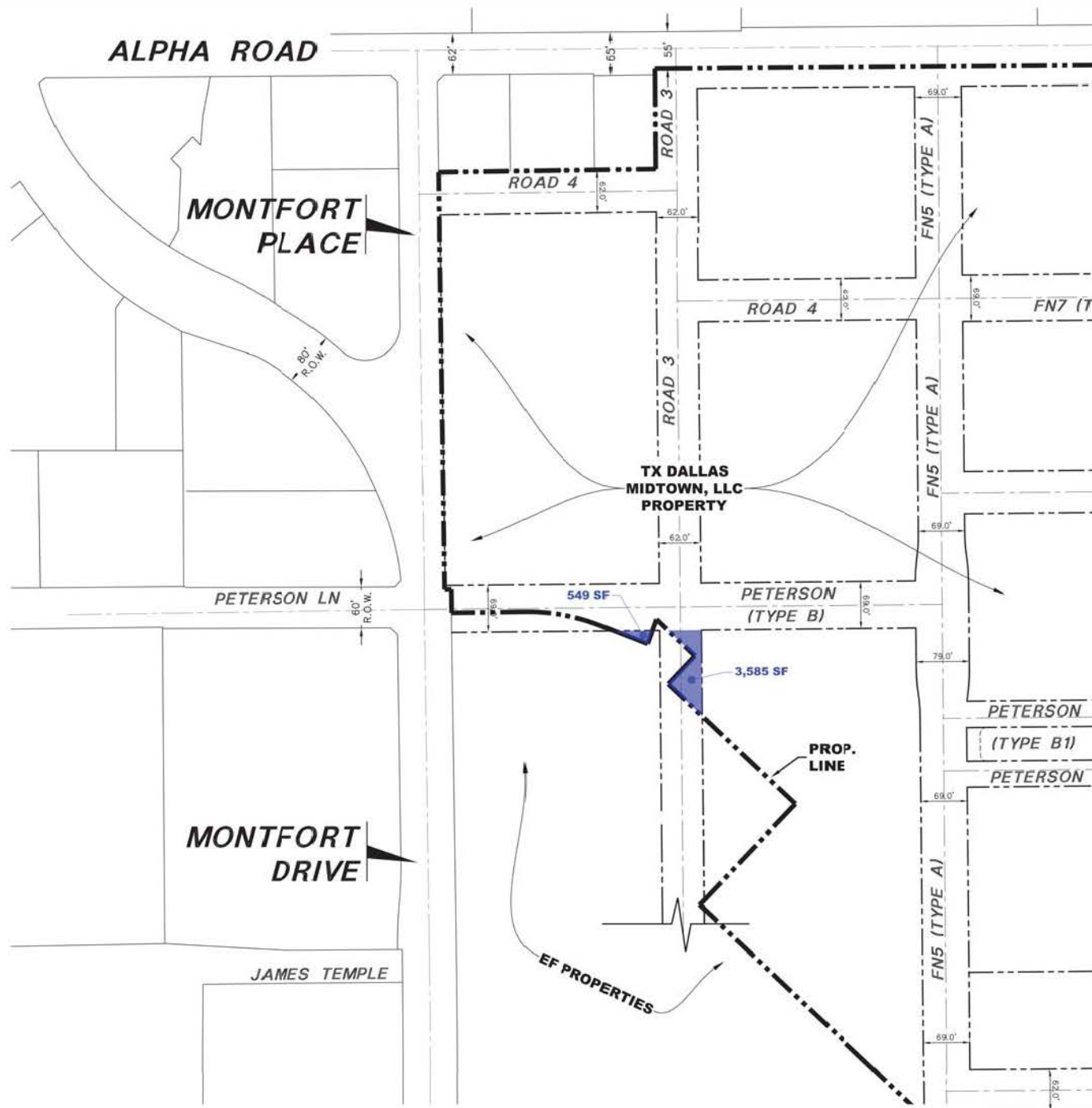


EXHIBIT D



OWNER DEDICATED LAND

PRELIMINARY
NOT FOR CONSTRUCTION
THIS DOCUMENT IS INTENDED FOR THE
PURPOSE OF SUBMITTING REVIEW ONLY
AND IS NOT INTENDED FOR PERMITTING,
BIDDING, OR CONSTRUCTION PURPOSES.
PLANS PREPARED UNDER THE DIRECT
SUPERVISION OF STEVEN W. HELMUTH, P.E.
TEXAS REGISTRATION NO. 10009
DATE: 12/22/2015

	Pacheco Koch		7007 HAMBLET ROAD, SUITE 1400 DALLAS, TX 75231 877.335.3031			
	OWNER DEDICATED LAND		TO REG. ENGINEERING FIRM F-14439 TX REG. SURVEYING FIRM LS-101826-00			
	DALLAS MIDTOWN					
	VALLEY VIEW MALL REDEVELOPMENT					
CITY OF DALLAS, DALLAS COUNTY, TEXAS						
DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
DMH	DAR	DEC. 2015	1"=60'			B

Exhibit D - Owner Dedicated Land

**Mixed Income Housing Policy Guidelines
Mall Area Redevelopment TIF District
(Tax Increment Reinvestment Zone Number Twenty)**

TIF Program Purpose

The purpose of the City of Dallas TIF program is to promote development in underutilized and vacant areas through the use of public investment to attract private investment. The goals for the districts include improving the public infrastructure within the districts and adding a variety of residential housing types (e.g. apartments, condominiums, townhomes) and non-residential development (e.g. retail/service, restaurant, office, lodging, entertainment). Promoting housing for individuals and families at a variety of income levels is one of many policy considerations for the districts.

General Definitions

Mixed income housing requires a minimum of twenty percent (20%) of all occupied housing units to meet affordable housing standards as set out in these guidelines for a period of at least fifteen years (the “affordability period”), beginning from the date the project is complete per the development agreement.

The 20% affordability requirement applies to any residential project (or mixed-use project with a residential component) that receives its own TIF subsidy.

The 20% affordability requirement applies to both rental units and for-sale units. Guidelines pertaining to for-sale units will be handled on a case-by-case basis. The guidelines in this document primarily pertain to rental housing.

Affordable housing units

Affordable housing units are those that are occupied by a qualifying household and are rented at or below the monthly maximum rent by unit type as listed in the Intown Housing Program Income and Rent Limits for Affordable Housing Unit Tenants. This program schedule is issued by the City of Dallas based on U.S. Department of Housing and Urban Development (HUD) information and is typically updated annually. Affordable rents will vary each year and are set at a maximum of 30% of 80% of the Area Median Family Income (AMFI) for the Dallas Area (as calculated by HUD), including a utility allowance. Information pertaining to the maximum affordable rent and income levels that are currently in effect can be obtained from the Office of Economic Development.

During the affordability period, affordable units shall also meet these requirements:

- Affordable units shall be of identical finish-out and materials as market rate units.
- Affordable units shall not be segregated or concentrated in any one floor or area of the project but shall be spatially dispersed throughout the project.
- Affordable units shall be a minimum of 500 square feet.
- In an effort to promote diversity in household types, affordable units shall be dispersed pro-rata among units by unit type as defined by the number of bedrooms in the unit so that not all of the affordable units are the one-bedroom units. Accordingly, twenty

EXHIBIT E

percent (20%) of each unit type offered within the project shall comply with these guidelines. For example, developers shall ensure that 20% of the one-bedroom units, 20% of the two-bedroom units, 20% of the three-bedroom units (if applicable) and so on comply with these guidelines. Specialty units such as club suites and penthouse suites, not making up a significant percentage or number of the units in the project, shall be excluded from the requirement to have 20% of each unit type utilized under these guidelines, if developer so chooses (although specialty units shall count towards the overall total of units for the project requirement, if applicable). Any proposed variance from a pro-rata distribution of affordable units within the project may be reviewed on a case-by-case basis, and the developer shall submit all relevant documentation to Office of Economic Development staff with the Director of the Office of Economic Development making the final determination, after consultation with the City Attorney, as to whether any variance may be approved.

- Specifically in the Montfort-IH 635 Sub-District, during the affordability period, while the affordable units should generally be dispersed throughout each project receiving its own TIF subsidy and throughout the Montfort-IH 635 Sub-District, a higher concentration shall be permissible when the affordable units are proximate to schools, transit, public open space, or other community assets.
- Provided all requirements in these guidelines are met, affordable units may float within each unit type and not be fixed to specific units.

Qualifying households

A qualifying household is defined as a household making 80% or less of the AMFI as set out annually in the Intown Housing Program Income and Rent Limits for Affordable Housing Unit Tenants.

Developers may include wages, salaries, tips, commissions, social security income, etc. to certify a household's income. The method used to determine income should be the same method used for qualifying market rate households.

Lease terms

Households that qualify at the beginning of a lease will be assumed to qualify for the entirety of the term of that lease. Recertification is, therefore, only necessary during lease renewal.

If, at the end of the lease, the household no longer qualifies for the affordable unit, the lease may be renewed at market rate and another comparable unit is to be made available for another qualifying household in order to maintain the 20% affordability requirement.

Fees, leasing requirements, and other rules

In general, all leasing requirements and all fees, utility charges, assessments, fines, etc. charged by the apartment community must be applied uniformly to qualifying households and market rate households, with the exception that the developer may choose to waive or reduce fees for qualifying households. Tenants occupying the affordable units shall not be restricted in any way from common areas or amenities within the project, unless such restrictions apply to all tenants.

Reporting Requirements

Adequate reporting by developer, owner, or property manager shall be required during the affordability period to ensure that the City can appropriately monitor compliance with the

EXHIBIT E

guidelines. Projects receiving affordable housing funding under federal or state programs may choose to submit copies of compliance reports specific to the federal or state program in lieu of the TIF program report. Specific reporting requirements will be updated as necessary.

After the completion date and throughout the affordability period, the developer shall monitor and submit written certification and documentation to the City semi-annually on the status of its compliance with these guidelines to ensure the project meets the affordable housing requirements specified above.

Compliance

The developer assumes all liability for compliance with these requirements and with all applicable laws. By participating in the City's TIF program, the developer agrees to report all information accurately and on time. At the City's request, the developer agrees to produce necessary documentation for determining full compliance with this program.

The affordability period shall be extended by six months for any number of units by which the affordable housing provided during a semi-annual period falls short of the number of units required to meet the affordable housing requirements. Noncompliance may result in termination of the development agreement, a reduction in TIF reimbursement, or other action as determined by the Office of Economic Development.

To ensure compliance throughout the affordability period, the affordability requirement shall be impressed upon the project by deed restriction (unless otherwise negotiated and determined by the Director of the Office of Economic Development to be acceptable, after consultation with the City Attorney).

Request for waiver or minor modification of these requirements shall be submitted to the Office of Economic Development and will be negotiated on a project-by-project basis.

The TIF program does not alter, modify, or reduce any affordable housing requirements, duties, or obligations imposed on the developer because of receipt of funds or other assistance from other programs or persons.

Alternative Methods

A developer may propose an alternative method of satisfying the mixed income housing guidelines. A proposed alternative method will be considered a major modification to the mixed income housing guidelines, and, as such, will be considered on a case-by-case basis and must be approved by both the City and Dallas County. One alternative method may be for a developer to propose to provide more than 20% affordable housing units in a project within the Mall Area Redevelopment TIF District, with the surplus units being counted toward the satisfaction of the 20% requirement on a related project(s) within the Mall Area Redevelopment TIF District. Another alternative method may be for a developer to propose to satisfy the 20% requirement through agreement with a party constructing residential units within an unrelated project on other property within the Mall Area Redevelopment TIF District.

New affordable housing within the Mall Area Redevelopment TIF District may also include senior/age-restricted housing units or housing units funded under federal or state housing programs (e.g. low-income housing tax credits). Additionally, if an existing tax-credit-financed housing development is demolished and replaced with a new tax-credit-financed housing development on the same site, the replacement housing units may be considered "new" affordable housing units. In the event that a new tax-credit-financed housing development

EXHIBIT E

provides more than 20% affordable housing units in a project, the surplus units may be counted toward the satisfaction of the 20% requirement on an unrelated project(s) within the Mall Area Redevelopment TIF District.

Affirmative Fair Housing Marketing Plan

An affirmative fair housing marketing plan is required for all projects with a residential component that are supported with TIF funding. This requirement is detailed in each project's development agreement. Each project will be evaluated individually to ensure that it furthers affirmative fair housing goals.

Effective Date

These guidelines will not alter the terms of development agreements authorized prior to the approval of this document. Further, amendments to these guidelines are effective in the Mall Area Redevelopment TIF District as of the date they are approved by the District's Board of Directors.

Guideline Modifications

As needed, the City may make modifications or corrections to these guidelines to increase their effectiveness. Where these guidelines may conflict with language concerning mixed income housing in the Project Plan and Reinvestment Zone Financing Plan for the Mall Area Redevelopment TIF District, the Director of the Office of Economic Development will make a final determination of project requirements.

CITY OF DALLAS

AFFIRMATIVE FAIR HOUSING MARKETING PLAN



COMPLETE FORM AND SUBMIT TO:
FAIR HOUSING OFFICE
CITY HALL • 1500 MARILLA ST., RM 1BN • DALLAS, TEXAS 75201
Ph. (214) 670-3247 • Fax (214) 670-0665

1. INTRODUCTION

The Affirmative Fair Housing Marketing Program requires that each City Assisted Housing Provider carry out an affirmative program to attract prospective buyers or tenants of all minority and non-minority groups to the housing that the applicant is providing. These groups include Whites (Non-Hispanic) and members of minority groups: African-American, Hispanics and others in the Dallas, Texas area who may be subject to housing discrimination on the basis of race, color, religion, sex, national origin, handicap or familial status.

2. APPLICATION AND PROJECT IDENTIFICATION

A. APPLICANTS:	B. PROJECT OR APPLICATION NUMBER
NAME:	NUMBER OF UNITS AVAILABLE:
ADDRESS (include city, state and zip code):	NUMBER OF UNITS LEASED OR SOLD: PRICE OR RENTAL RANGE OF UNITS:
TELEPHONE NUMBER:	FROM \$_____ TO: \$_____
C. PROJECT NAME:	D. FOR MULTIFAMILY HOUSING ONLY: <input type="checkbox"/> ELDERLY <input type="checkbox"/> NON-ELDERLY
PROJECT ADDRESS:	E. APPROXIMATE STARTING DATE: ADVERTISING: _____ OCCUPANCY: _____
CENSUS TRACT: _____	F. NAME OF MANAGING AGENT:
	ADDRESS (include city, state and zip code):

3. TYPE OF AFFIRMATIVE MARKETING PLAN

- ☐ Project Plan ☐ Annual Plan (For single family scattered site units)
NOTE: a separate Annual Plan must be developed for each type of census tract in which the house is to be built.
☐ Minority Area ☐ White (non-minority area) ☐ Mixed Area (with _____% minority residents)

4. DIRECTION OF MARKETING ACTIVITY

Indicate below which group(s) in the housing market area are least likely to apply for the housing because of its location and other factors without special outreach efforts.

- ☐ White ☐ African-American ☐ Hispanic ☐ Other

5. MARKETING PROGRAM

A. COMMERCIAL MEDIA

Check the media to be used to advertise the availability of the housing.

- ☐ Newspaper(s)/Publication(s) ☐ Radio ☐ TV ☐ Billboard(s) ☐ Other (Specify)_____

NAME OF NEWSPAPER RADIO OR TV STATION (1)	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE (2)	SIZE/DURATION OF ADVERTISING (3)
---	---	--

B. BROCHURES, SIGNS AND HUD'S FAIR HOUSING POSTER

(1) Will brochures, leaflets or handouts be used to advertise? ☐ Yes ☐ No If yes, attach a copy or submit when available. (2) For project site sign; indicate sign size ____ x ____; Logotype size ____ x _____. Attach a photograph or project sign or submit when available. (3) HUD's Fair Housing Poster must be conspicuously displayed wherever sales/rentals and showings take place. Fair Housing Posters will be displayed in the ☐ Sales/Rental Office(s); ☐ Real Estate Office(s); ☐ Model Units; ☐ Other _____

C. COMMUNITY CONTACTS

To further inform the group(s) least likely to apply about the availability of the housing, the applicant agrees to establish and maintain contact with the groups/organization listed below that are located in the housing market area or SMSA. If more space is need attach an additional sheet. Notify FHO of any changes in this list. Attach a copy of correspondence to be mailed to these group/organizations. (Provide all requested information)

NAME OF GROUP/ ORGANIZATION (1)	RACIAL/ETHNIC IDENTIFICATION (2)	APPROXIMATE DATE OF CONTACT PROPOSED CONTACT (3)	PERSON CONTACTED OR TO BE CONTACTED (4)

ADDRESS AND TELEPHONE NUMBER (5)	METHOD OF CONTACTS (6)	INDICATE THE SPECIFIC FUNCTION GROUP/ORGANIZATION WILL UNDERTAKE IN IMPLEMENTING THE MARKETING PROGRAM (7)

6. FUTURE MARKETING ACTIVITIES (Rental Units Only)

Check the block(s) that best describe future marketing activities to fill vacancies as they occur after the project has been initially occupied.

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Newspapers/Publications | <input type="checkbox"/> Radio | <input type="checkbox"/> TV |
| <input type="checkbox"/> Brochures/Leaflets/Handouts | <input type="checkbox"/> Site Signs | <input type="checkbox"/> Others (Specify) |

D. OCCUPANCY GOALS

Race/Ethnic Origin:	GOALS		Race/Ethnic Origin:	CURRENT STATUS	
	African-American	____%		African-American	____%
	Hispanic	____%		Hispanic	____%
	White	____%		White	____%
	Other	____%		Other	____%

7. EXPERIENCE AND STAFF INSTRUCTIONS (Attach description on separate sheet)

- A. Indicate any experience in marketing housing to the group(s) identified as least likely to apply ☐ Yes ☐ No
- B. Indicate training to be provided to staff on federal, state and local fair housing laws and regulations, as well as this AFHM Plan. Attach a copy of the instructions to staff regarding fair housing.

8. ADDITIONAL CONSIDERATIONS:

9. By signing this form, the applicant agrees, after appropriate consultation with FHO, to change any part of the plan covering a multifamily project to assure continued compliance with the City of Dallas Affirmative Fair Housing Marketing Program.

FOR FHO'S USE ONLY		SIGNATURE OF PERSON SUBMITTING PLAN
APPROVAL BY:	DISAPPROVAL BY:	
SIGNATURE:	SIGNATURE:	NAME (Type or print):
NAME (Type or print):	NAME (Type or print):	TITLE:
TITLE:	TITLE:	COMPANY:
DATE:	DATE:	DATE:

EXHIBIT G



DALLAS MIDTOWN
VICINITY MAP

OMNIPLAN

EXHIBIT G



EXHIBIT G



EXHIBIT G





City of Dallas
UDPRP Review Summary
Urban Design Peer Review Panel
DATE: 10.23.15
TIME: 8:30am
PROJECT: Dallas Midtown
LOCATION: Dallas City Hall Room 5ES

Advice Summary Responses.

Panels Advise in Bold/ Responses in Italics

[1] The panel applauds the individual development blocks and the handling and arrangement of program in response to previous panel feedback.

The developed blocks have been designed to meet Dallas City Code. The district falls in PD 887, which references Dallas' Form Based Code (Article XIII.) Blocks have been designed to the criteria designated under WMU districts. This includes active uses at grade along all primary streets and meeting the criteria determined by the development type.

[2] The panel continues to express concern regarding the district wide connectivity of the proposed street grid.

The street grid presented has been platted. The buildings' ground floor space and the streetscape will be designed in a way to promote the pedestrian experience more than the vehicular experience. Vehicles will access the parking garages on the block perimeters, promoting the pedestrian as the primary user of the space. Each street will be carefully designed to allow for pedestrian friendly environments that have unique qualities while holding consistent languages throughout the district.

[3] The panel suggests development of an interim land use plan for future phase sites and existing buildings, utilizing elements such as graphics, landscape, and screening elements to integrate exposed garage faces and building sites to support the success of phase I.

While we anticipate multiple phases to be completed shortly after Phase 1 opens, we have developed an interim land plan that addresses the Peer Review comments and questions. Blocks that create an interim condition will be addressed with signage, screening, and lighting design to help promote the district from all vantage points. Refer to the notes in red on the Block 4 Elevations Exhibit attached.

Future parcels will have the opportunity to be seeded or planted until later phases come online. Some of these sites will be used as tree and shrub farms which will be used for landscaping throughout the district. Refer to the notes in red on the Site Plan Exhibit attached.

WDG Architecture Dallas, PLLC
2001 Bryan Street
Suite 3100
Dallas, TX 75201

Tel 214 969 5311
Web www.wdgdallas.com

Washington DC Dallas TX



[4] Work to ensure that the arrangement of proposed sidewalk elements maximize the usability and vibrancy of the streets.

The intention is to create the street as the place, especially in the blocks adjacent to the Esplanade. This area is defined by a wider Right of Way, a curbless plaza, and smaller scale buildings. This area is intended for the pedestrian; and only allows cars to pass through at very low speeds. The outdoor patios will be designed to promote activity between patrons of the retail/restaurant space and the pedestrians on the sidewalk. Large plantings will be trimmed to allow for full visibility between retail frontage to promote visual connectivity while low planters will serve as bollards (where necessary) to protect the sidewalk from vehicles.

[5] Consider utilizing the City of Dallas ISWM manual when further developing the overall street designs.

At this time, Dallas has not adopted the ISWM manual. We intend to consider and reference the ISWM manual throughout the design of Dallas Midtown. Storm Water Management is critical in developing successful streets that allow for pedestrians, irrespective of the weather conditions, and to protect the buildings from large rain events.

The ISWM strategies will be used in the most effective way to provide for storm water management at a cost that isn't detrimental to future development. Selective drainage techniques will be used in key locations to work with the overall design of the district.

EXHIBIT G



Dallas Midtown Phase I Project



Scale : 1" = 80'-0"

2001 Bryan Street :: Suite 3100 :: Dallas TX 75201 :: tel 214.969.5311

SITE PLAN

MIDTOWN

DA14007

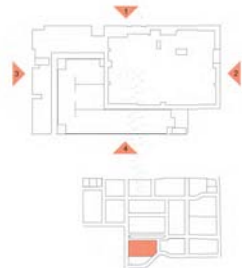
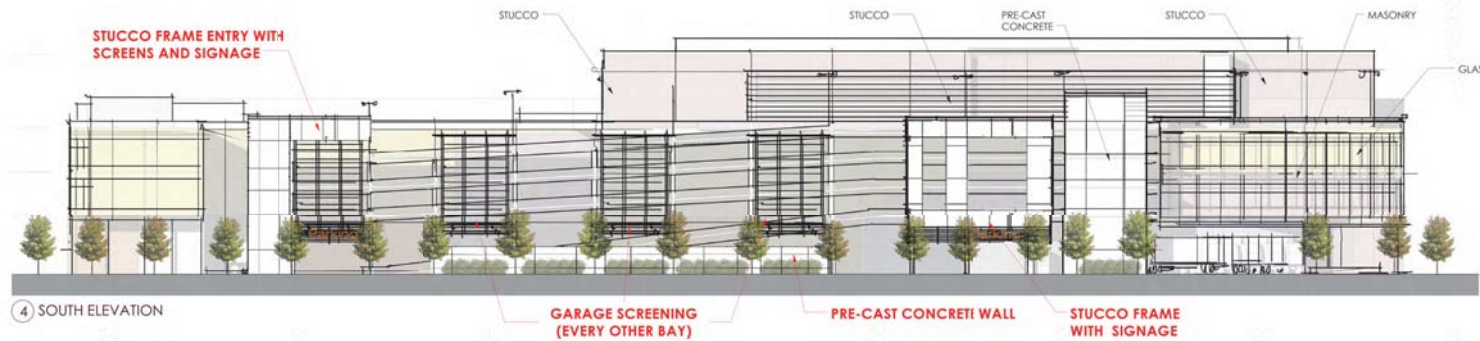
DALLAS, TEXAS

04/28/15



EXHIBIT G

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Scale : 1" = 20'-0"

2001 Bryan Street :: Suite 3100 :: Dallas TX 75201 :: Tel 214.969.5311

BLOCK 4 ELEVATIONS

MIDTOWN | DALLAS, TEXAS
DA14007 | 10/30/2015



EXHIBIT G



NORTH ELEVATION - BLOCK 1



WEST ELEVATION - BLOCK 1



EAST ELEVATION - BLOCK 1



SOUTH ELEVATION - BLOCK 1



WDG Architecture, Dallas, PLLC.
2001 Bryan Street, Suite 3100
Dallas, TX 75201
tel 214.969.5311

MIDTOWN: BLOCK 1
DALLAS, TEXAS

10/14/2015

WALL SIZE IS 11 X 17

1/16" = 1'-0"

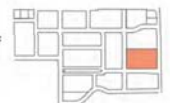


EXHIBIT G



MATERIAL LIST		
MASONRY BRICK (COLOR 1) BRICK (COLOR 2) STONE VENEER	FIBER CEMENT PANEL COLOR 1 COLOR 2 COLOR 3 COLOR 4 COLOR 5	STUCCO COLOR 1 COLOR 2 COLOR 3 COLOR 4 COLOR 5
METAL PANEL COLOR 1		

EXHIBIT G



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

EXHIBIT G

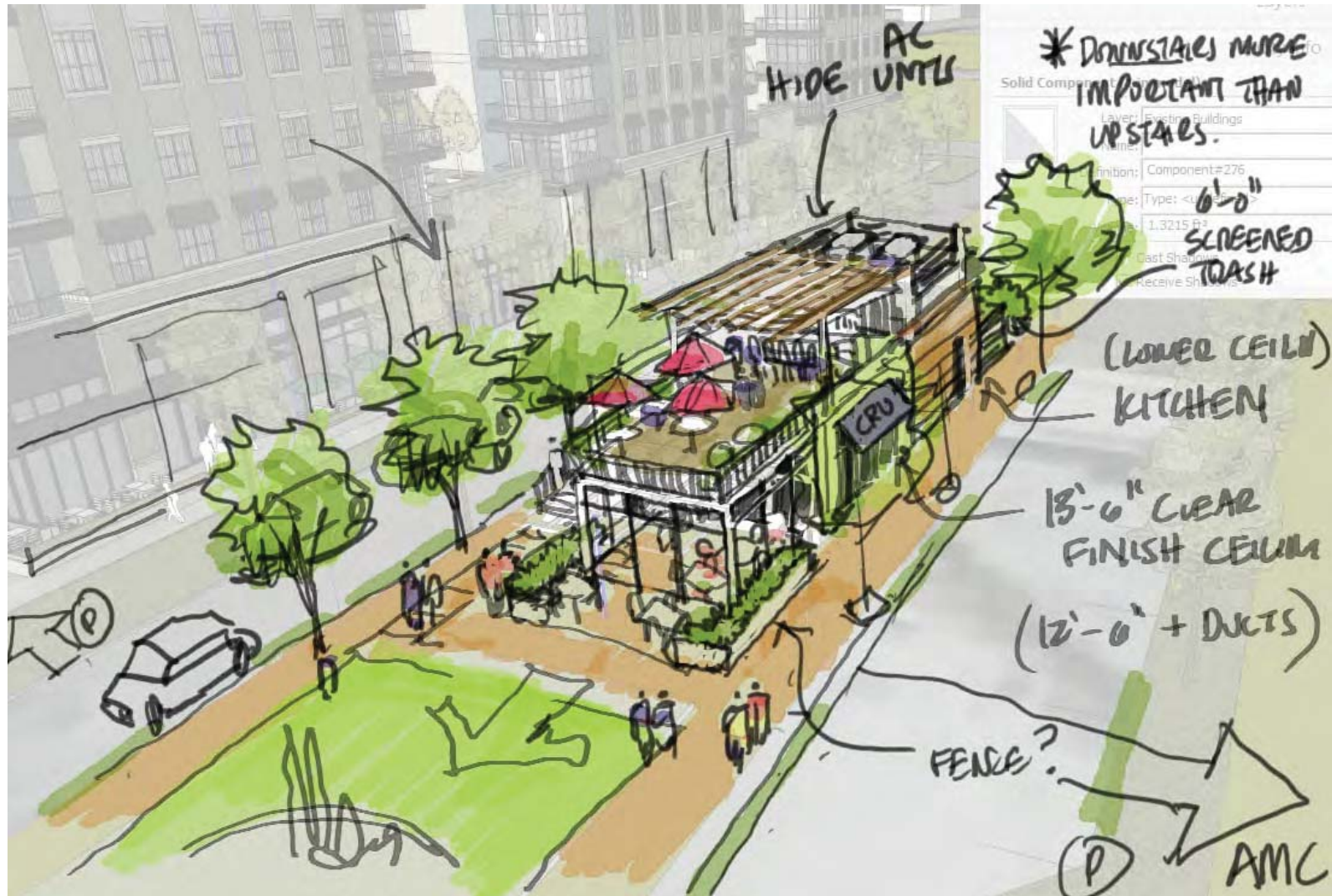
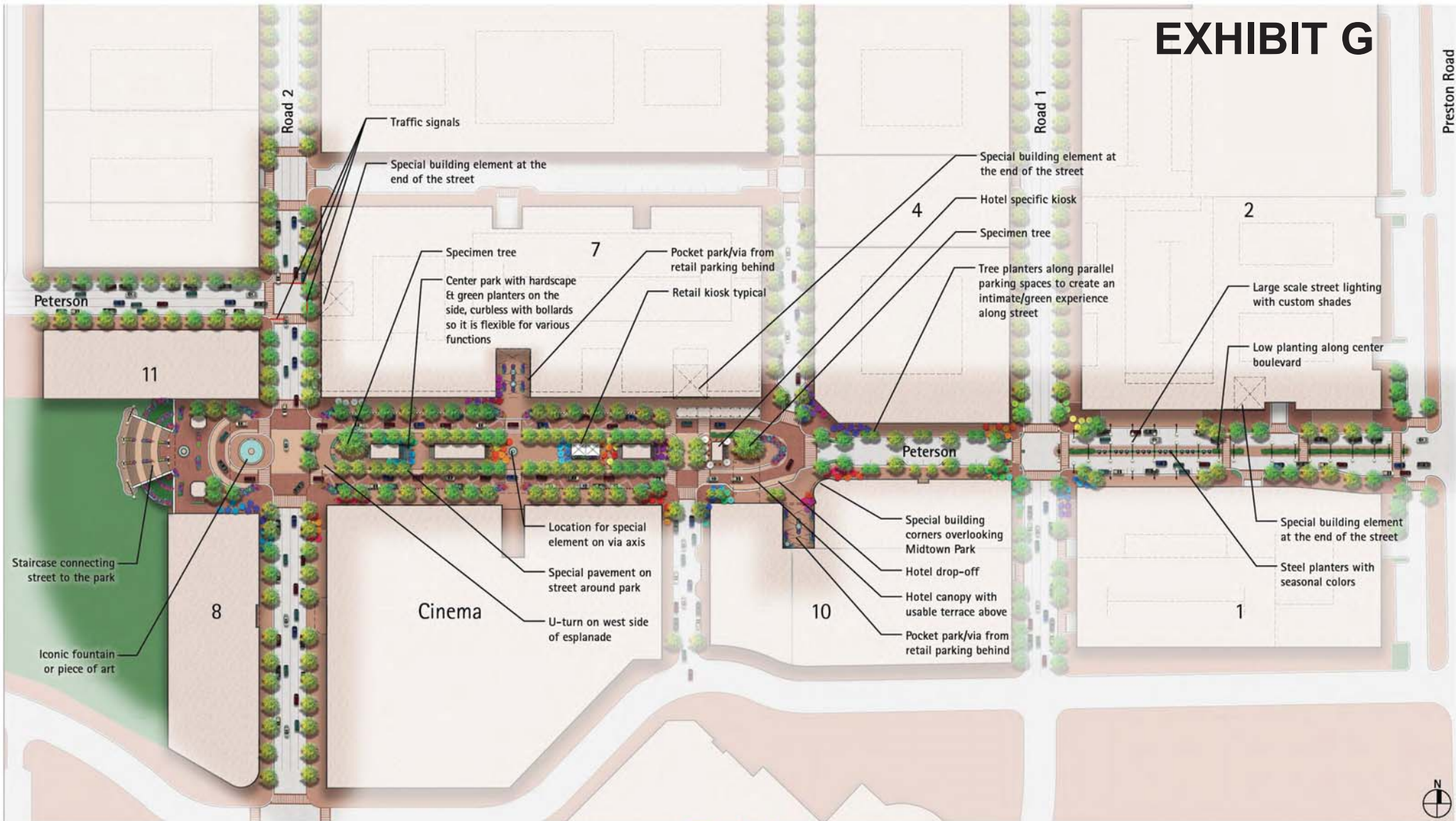


EXHIBIT G



Increment Allocation Policy Mall Area Redevelopment TIF District (Tax Increment Reinvestment Zone Number Twenty)

It is important for the City of Dallas to encourage comprehensive, orderly, and sustainable redevelopment in the Mall Area Redevelopment TIF District ("District") to achieve the goals outlined in the Project Plan and Reinvestment Zone Financing Plan ("Plan"). Among these goals is the provision of a large public open space and a network of new public infrastructure (roads and utilities) to attract higher density private development that includes new retail components, office components, lodging components, and residential units. In that spirit, District funds will be allocated to help Developers close the gaps needed to achieve a balanced redevelopment for the benefit of the District. Allocations will be made to Developers proportionally, based on the increment created by a Project (defined in a specific TIF development agreement) and potentially other Related Projects within the District by same Developer or affiliate (if not seeking separate additional District funds) and in accordance with sub-district-wide set asides and inter-sub-district increment transfer arrangements as described below.

Definitions

Administrative Expenses: necessary costs incurred each year by the City for administration and implementation of the Mall Area Redevelopment TIF District Project Plan and Reinvestment Zone Financing Plan. The Montfort-IH 635 Sub-District's portion of the District's Administrative Expenses will be based on the ratio of the Montfort-IH 635 Sub-District Gross Increment to the Total Gross Increment. The Westmoreland-IH 20 Sub-District's portion of the District's Administrative Expenses will be based on the ratio of the Westmoreland-IH 20 Sub-District Gross Increment to the Total Gross Increment.

Available Cash: money in the District fund that is not already allocated, encumbered, or otherwise set aside for other purposes pursuant to the District's Project Plan and Reinvestment Zone Financing Plan and pursuant to fully executed TIF development agreements.

Developer: a person or entity that has completed all requirements for a Project as set out in the fully executed TIF development agreement for the Project.

Individual Increment: the portion of a sub-district's gross increment that a Project (or Related Project) creates each year.

Project (TIF-eligible): development, redevelopment, or rehabilitation that adds taxable real property value at a particular site, or is a space or facility of public benefit such as mixed income housing, open space, a street, or a cultural facility. To be eligible, the Project must have been approved by City Council for District funds, and all requirements for payment set forth in the Project's fully executed TIF development agreement must have been completed.

Related Project/Developer: if a Developer or a Developer's affiliate(s) (as defined in a fully executed TIF development agreement) has ownership interest in other development or redevelopment projects in addition to an eligible Project, Developer may request that increment from those Related Project(s) be included in Individual Increment for TIF reimbursement of the eligible Project expenses. These requirements will be further specified in a TIF development agreement where applicable. Related Projects must create new taxable real property value for the District based on the following criteria:

- New development on previously vacant land or in replacement of demolished structures.
- Redevelopment, rehabilitation, or major modification of an existing building if resulting in an increase of 50% or more in the taxable value of the original building.

Sub-District-Wide Public Infrastructure Improvements: improvements not specific to a single development site such as gateways, trails, parks/open space, public facilities, or utility/streetscape improvements benefitting multiple parcels or blocks, regardless of ownership.

Land Acquisition for Sub-District-Wide Central Open Space: Pursuant to the City's Valley View-Galleria Area Plan, PD 887 zoning district, and Project Plan and Reinvestment Zone Financing Plan for the Mall Area Redevelopment TIF District, the long-term success of the Montfort-IH 635 Sub-District as a dense, walkable, livable, and sustainable place depends on a redevelopment pattern anchored by a large centrally located sub-district-wide public open space (ranging in size from 10-20 acres) that is envisioned to serve not only the surrounding Valley View-Galleria neighborhood but also the broader community.

Transfer to the Westmoreland-IH 20 Sub-District: In accordance with the District's Project Plan and Reinvestment Zone Financing Plan, ten percent (10%) of the Montfort-IH 635 Sub-District Net Increment will be annually transferred to the Westmoreland-IH 20 Sub-District to help facilitate the revitalization and redevelopment of the Southwest Center Mall area.

Total Gross Increment: the total annual amount of increment generated within the Montfort-IH 635 Sub-District and within the Westmoreland-IH 20 Sub-District and deposited into the District fund from the participating jurisdictions. Total Gross Increment includes increment attributed to new development as well as increment attributed to the appreciation of values of properties on which new development has not yet occurred.

Montfort-IH 635 Sub-District Gross Increment: the annual amount of increment generated within the Montfort-IH 635 Sub-District before the Montfort-IH 635 Sub-District's portion of Administrative Expenses has been deducted.

Westmoreland-IH 20 Sub-District Gross Increment: the annual amount of increment generated within the Westmoreland-IH 20 Sub-District before the Westmoreland-IH 20 Sub-District's portion of Administrative Expenses has been deducted.

Montfort-IH 635 Sub-District Net Increment: the annual amount of increment generated within the Montfort-IH 635 Sub-District after the Montfort-IH 635 Sub-District's portion of Administrative Expenses has been deducted.

Westmoreland-IH 20 Sub-District Net Increment: the annual amount of increment generated within the Westmoreland-IH 20 Sub-District after the Westmoreland-IH 20 Sub-District's portion of Administrative Expenses has been deducted.

Montfort-IH 635 Sub-District Shared Increment: the Montfort-IH 635 Sub-District Net Increment less (1) the Transfer to the Westmoreland-IH 20 Sub-District, (2) the Set Aside for Sub-District-Wide Public Infrastructure Improvements, (3) the Set Aside for Land Acquisition of Sub-District-Wide Central Open Space, and (4) the sum of the Individual Increments of all Developers of eligible Projects in the Montfort-IH 635 Sub-District.

Westmoreland-IH 20 Sub-District Shared Increment: the Westmoreland-IH 20 Sub-District Net Increment plus the amount transferred from the Montfort-IH 635 Sub-District less the sum of the

Individual Increments of all Developers of eligible Projects in the Westmoreland-IH 20 Sub-District.

Annual Process (Montfort-IH 635 Sub-District)

First, the Montfort-IH 635 Sub-District Gross Increment will pay:

- 1) Administrative Expenses: After the Total Gross Increment has been deposited into the District fund, the City's Administrative Expenses for the District will be reimbursed first in each year of the District. The Montfort-IH 635 Sub-District's portion of the District's Administrative Expenses will be paid from the Montfort-IH 635 Sub-District Gross Increment based on the ratio of the Montfort-IH 635 Sub-District Gross Increment to the Total Gross Increment.

Then, the Montfort-IH 635 Sub-District Net Increment will pay or set aside allocations as follows:

- 2) Transfer to the Westmoreland-IH 20 Sub-District: Ten percent (10%) of the Montfort-IH 635 Sub-District Net Increment will be annually transferred to the Westmoreland-IH 20 Sub-District.
- 3) Set Aside for Sub-District-Wide Public Infrastructure Improvements: Ten percent (10%) of the Montfort-IH 635 Sub-District Net Increment will be set aside annually for Sub-District-Wide Public Infrastructure Improvements. Anticipated priorities of this set aside include the replacement and upsizing of existing off-site wastewater lines as well as the establishment of roadway connections. Once these priorities are accomplished, this set aside will continue (until the authorized budget for this category has been reached) in order to help meet other area-wide infrastructure needs and leverage other non-TIF funding sources (e.g. grants from other governmental entities) for the Montfort-IH 635 Sub-District. Since the redevelopment potential of the area will be severely limited without sub-district-wide public infrastructure improvements, the increment allocation for Sub-District-Wide Public Infrastructure Improvements will represent a significant front-loading of the budget category during the first 20 years of the District. Any proposed use of the funds set aside for Sub-District-Wide Public Infrastructure Improvements will be reviewed by the TIF Board and City Council as needed. Once the authorized budget for this category has been reached, annual allocations to this set aside will cease.
- 4) Set Aside for Land Acquisition for Sub-District-Wide Central Open Space: Thirty percent (30%) of the Montfort-IH 635 Sub-District Net Increment will be set aside annually for Land Acquisition for Sub-District-Wide Central Open Space (until such time as all land for the central open space has been acquired or the authorized budget for this category has been reached, whichever occurs sooner). Since the long-term redevelopment potential of the area will be limited without a large central open space and since TIF funding assistance of land acquisition for the large central open space will be critical to making the Montfort-IH 635 Sub-District a dense, walkable, livable, and sustainable place, the increment allocation for Land Acquisition for Sub-District-Wide Central Open Space will represent a significant front-loading of the budget category during the first 20 years of the District. Any proposed use of the funds set aside for Land Acquisition for Sub-District-Wide Central Open Space will be reviewed by the TIF Board and City Council as needed. Once all land for the central open space has been acquired (as determined by the TIF Board) or once the authorized budget for this category has been reached, annual allocations to this set aside will cease.

- 5) Available to Reimburse Developers of Eligible Projects: After the Transfer to the Westmoreland-IH 20 Sub-District, the Set Aside for Sub-District-Wide Public Infrastructure Improvements, and the Set Aside for Acquisition of Sub-District-Wide Central Open Space are annually made, the remaining amount of the Montfort-IH 635 Sub-District Net Increment will be available to reimburse Developers of eligible Projects in proportion to their Individual Increments pursuant to fully executed TIF development agreements. Accordingly, since the Transfer to the Westmoreland-IH 20 Sub-District will be 10% of the Montfort-IH 635 Sub-District Net Increment, since the Set Aside for Sub-District-Wide Public Infrastructure Improvements will be 10% of the Montfort-IH 635 Sub-District Net Increment, and since the Set Aside for Acquisition of Sub-District-Wide Central Open Space will be 30% of the Montfort-IH 635 Sub-District Net Increment, the annual amount available to reimburse Developers of eligible Projects in proportion to their Individual Increments pursuant to fully executed TIF development agreements will be 50% of the Montfort-IH 635 Sub-District Net Increment. It should be noted that, after cessation of the 10% Set Aside for Sub-District-Wide Public Infrastructure Improvements, the annual amount of Montfort-IH 635 Sub-District Net Increment available to reimburse Developers of eligible Projects will increase to 60%. Similarly, after cessation of the 30% Set Aside for Acquisition of Sub-District-Wide Central Open Space, the annual amount of Montfort-IH 635 Sub-District Net Increment available to reimburse Developers of eligible Projects will increase to 90%.

Annual Process (Westmoreland-IH 20 Sub-District)

First, the Westmoreland-IH 20 Sub-District Gross Increment will pay:

- 1) Administrative Expenses: After the Total Gross Increment has been deposited into the District fund, the City's Administrative Expenses for the District will be reimbursed first in each year of the District. The Westmoreland-IH 20 Sub-District's portion of the District's Administrative Expenses will be paid from the Westmoreland-IH 20 Sub-District Gross Increment based on the ratio of the Westmoreland-IH 20 Sub-District Gross Increment to the Total Gross Increment.

Then, the sum of the Westmoreland-IH 20 Sub-District Net Increment and the amount transferred from the Montfort-IH 635 Sub-District will be available to reimburse Developers of eligible Projects in proportion to their Individual Increments pursuant to fully executed TIF development agreements.

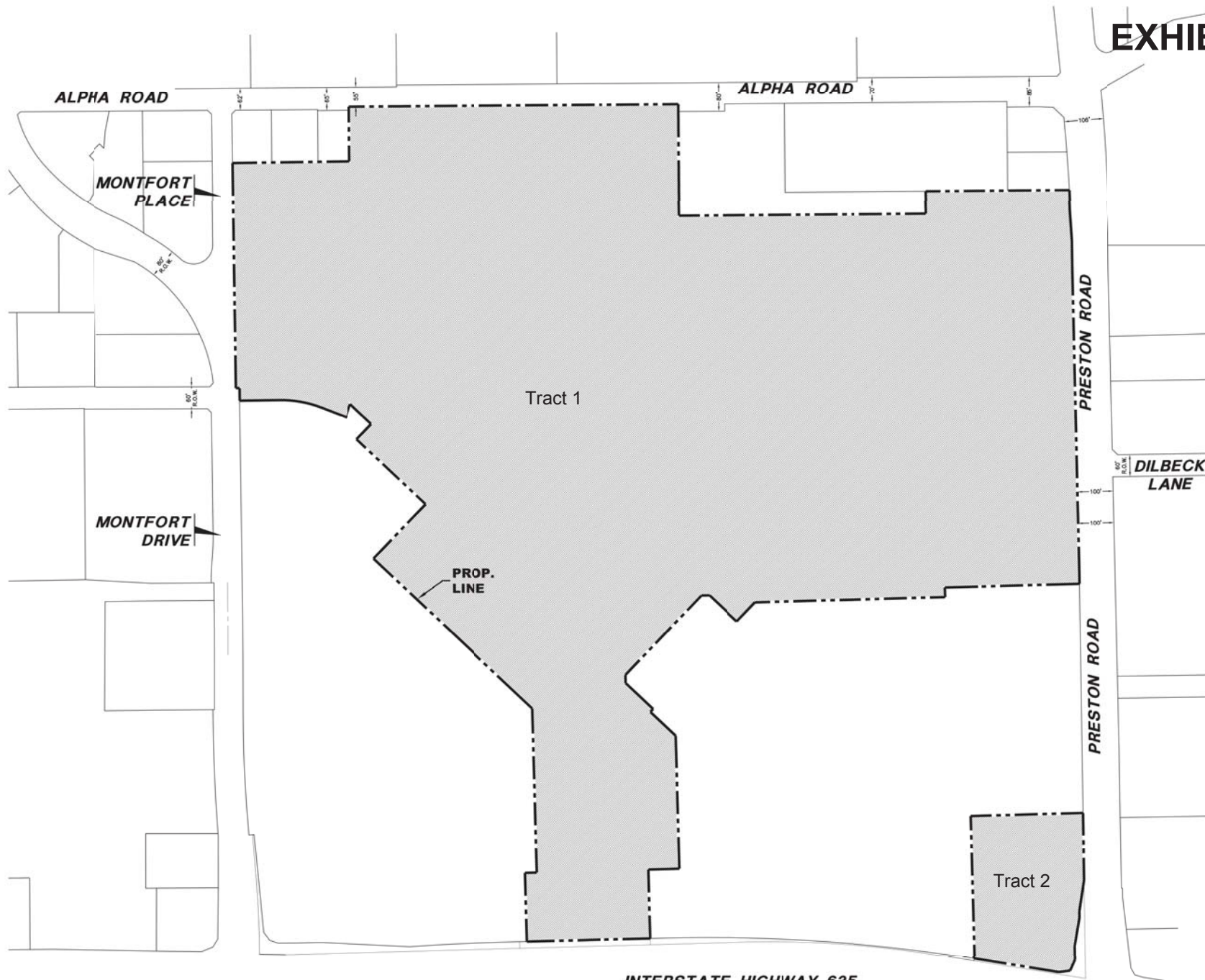
General Notes

1. In support of the Plan's goals, any shared increment in each Sub-District may be made available each year first to those Developers entering TIF development agreements to construct catalyst priority projects or to construct residential projects that advance the District's mixed income housing goals.
2. Dallas Central Appraisal District ("DCAD") certified values for each tax year will be the data source used to determine values for the annual increment allocation procedure. In general, the allocation of increment will be done annually, after each participating jurisdiction has deposited its annual increment into the District fund. No increment allocation will be made unless a total Project (or specific phase) is completed and all contractual obligations of the fully executed TIF development agreement are fulfilled by June 1 of a given year, as evidenced by City approval of all supporting documents required in the TIF development agreement. The City's Director of Economic Development will

make the final determination in applying future available revenues in the District fund among Projects.

3. If the appraised value of the remaining property in the District decreases despite new development and as additional Projects are approved and completed, TIF funding assistance for Projects that year may be reduced or unpaid. Accrued Administrative Expenses will be reimbursed before increment allocations are made to the other categories. If there is no Montfort-IH 635 Sub-District Net Increment remaining after the Montfort-IH 635 Sub-District's portion of Administrative Expenses has been paid, then there will be no increment allocations in that sub-district in that year. If there is no Westmoreland-IH 20 Sub-District Net Increment remaining after the Westmoreland-IH 20 Sub-District's portion of Administrative Expenses has been paid, then there will be no increment allocations in that sub-district in that year.
4. At its discretion, the Mall Area Redevelopment TIF Board of Directors may make modifications or corrections to this Policy to increase its effectiveness.

EXHIBIT I



DALLAS MIDTOWN DEVELOPMENT AREA

PRELIMINARY
NOT FOR CONSTRUCTION
THIS DOCUMENT IS ISSUED FOR THE PURPOSE OF SCHEMATIC REVIEW ONLY AND IS NOT INTENDED FOR PERMITTING, RECORDING, OR CONSTRUCTION. PLANS PREPARED UNDER THE DIRECT SUPERVISION OF STEVEN M. HELLMAN, P.E. TEXAS REGISTRATION NO. 105008 DATE: 12/21/2015

	Pacheco Koch	7057 RAMBLER ROAD, SUITE 1400 DALLAS, TX 75231 872.238.3033 TX REG. ENGINEERING FIRM F-14439 TX REG. SURVEYING FIRM LS-101928-05				
	DALLAS MIDTOWN DEVELOPMENT AREA EXHIBIT					
	DALLAS MIDTOWN VALLEY VIEW MALL REDEVELOPMENT					
	<i>CITY OF DALLAS, DALLAS COUNTY, TEXAS</i>					
DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO
MMH	DAR	DEC. 2015	1"=100'			F

Exhibit I - Dallas Midtown Development Area

66.599 ACRE TRACT

Part of Block A/7409 and City Blocks 7409 and 7014
H. Wilburn Survey, Abstract No. 1567
City of Dallas, Dallas County, Texas

TRACT 1

WHEREAS, 13331 Preston Road, L.P. and Algodon I, L.P. are the owners of a 66.599 acre tract of land situated in the H. Wilburn Survey, Abstract No. 1567, Dallas County, Texas; said tract being part of Block 7014, Official Block Numbers of the City of Dallas, Texas; part of Block 7409, Valley View Shopping Center Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 443, Page 1292; part of Lot 3, Block A/7409, Valley View Center, an addition to the City of Dallas, Texas according to the plat recorded in Volume 72178, Page 1879, as affected by Certificate of Error recorded in Volume 73134, Page 2254; all of Lot 1A, Block A/7409, Chuck E. Cheese Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2001221, Page 1; all of Lot 8, Block A/7409, Alpha at Valley View Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2002082, Page 14; and all of Lot 7A, Block A/7409, Valley View Sports Center, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2004167, Page 155, all of the Deed Records of Dallas County, Texas; said tract also being all of those tracts of land described as "Tract 1", "Tract 2", and "Tract 3" in Special Warranty Deed to 13331 Preston Road, L.P. recorded in Instrument No. 201200118931; all of that tract of land described in Special Warranty Deed to 13331 Preston Road, L.P. recorded in Instrument No. 201300120236; and all of that tract of land described in Special Warranty Deed to Algodon I, L.P. recorded in Instrument No. 201400020902, all of the Official Public Records of Dallas County, Texas; said 66.599 acre tract being more particularly described as follows (bearing system is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202):

BEGINNING, at a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set in the east right-of-way line of Montfort Place, (a variable width right-of-way, 60-feet wide at this point); said point being the westernmost northwest corner of said Lot 7A and the southwest corner of Lot 6, Block A/7409, Valley View Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 79236, Page 2307 of said Deed Records; from said point a "+" cut in concrete found bears North 07 degrees, 48 minutes East, a distance of 1.2 feet;

THENCE, North 89 degrees, 09 minutes, 40 seconds East, departing the said east line of Montfort Place and along the south line of said Lot 6 and Lot 5, Block A/7409 of said Valley View Subdivision, at a distance of 230.87 feet passing a 1/2-inch iron rod found at the southeast corner of said Lot 5 and the southwest corner of Lot 4, Block A/7409, Charles H. Wilkerson Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 77123, Page 2767 of said Deed Records, continuing along the south line of said Lot 4 in all a total distance of 319.86 feet to a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set for the southeast corner of said Lot 4;

THENCE, North 00 degrees, 27 minutes, 00 seconds West, along the east line of said Lot 4, at a distance of 138.93 feet passing the northeast corner of said Lot 4 and an angle point of the south right-of-way line of Alpha Road (a variable width right-of-way), continuing along the south line of said Alpha Road in all a total distance of 148.33 feet to a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set for the northernmost northwest corner of said Lot 7A;

THENCE, North 89 degrees, 33 minutes, 00 seconds East, continuing along the said south line of Alpha Road, a distance of 898.09 feet to a "+" cut in concrete set for the northeast corner of said Lot 7A;

THENCE, South 00 degrees, 26 minutes, 00 seconds East, continuing along the said south line of Alpha Road, at a distance of 20.00 feet passing an angle point in the said south line of Alpha Road and the westernmost northwest corner of Lot 1A, Block 7014, Adams 239, an addition to the City of Dallas, Texas according to the plat recorded in Volume 99209, Page 4089 of said Deed Records, continuing along the west line of said Lot 1A in all a total distance of 242.20 feet to a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set for an angle point;

66.599 ACRE TRACT

Part of Block A/7409 and City Blocks 7409 and 7014
H. Wilburn Survey, Abstract No. 1567
City of Dallas, Dallas County, Texas

THENCE, South 01 degrees, 18 minutes, 30 seconds East, a distance of 63.00 feet to a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set for the southwest corner of said Lot 1A;

THENCE, North 89 degrees, 33 minutes, 00 seconds East, along the south line of said Lot 1A, a distance of 675.70 feet to a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set for the southeast corner of said Lot 1A;

THENCE, North 01 degrees, 18 minutes, 30 seconds West, along the east line of said Lot 1A, a distance of 63.00 feet to a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set for corner in the south line of Lot 4, Block 7014, Crow-Coker Property Company Addition No. 3, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76102, Page 732 of said Deed Records;

THENCE, North 89 degrees, 33 minutes, 00 seconds East, along the said south line of Lot 4, at a distance of 225.94 feet passing the southeast corner of said Lot 4 and the southwest corner of Lot 6, Block 7014, Crow-Coker Properties Company, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76218, Page 1677 of said Deed Records, continuing along the south line of said Lot 6 in all a total distance of 392.48 feet to a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set for corner in the west right-of-way line of Preston Road (a variable width right-of-way); said point being the southwest corner of said Lot 6 and being in a non-tangent curve to the right;

THENCE, in a southerly direction, along the said west line of Preston Road, the following five (5) calls:

Along said curve to the right, having a central angle of 00 degrees, 34 minutes, 23 seconds, a radius of 5,591.67 feet, a chord bearing and distance of South 02 degrees, 15 minutes, 45 seconds East, 55.92 feet, an arc distance of 55.92 feet to a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set at the end of said curve;

South 03 degrees, 57 minutes, 42 seconds East, a distance of 84.48 feet to a PK-nail set at the beginning of a non-tangent curve to the right;

Along said curve to the right, having a central angle of 00 degrees, 45 minutes, 05 seconds, a radius of 5,679.58 feet, a chord bearing and distance of South 00 degrees, 47 minutes, 25 seconds East, 74.47 feet, an arc distance of 74.47 feet to a 3-inch aluminum disk stamped "PACHECO KOCH - MIDTOWN DALLAS" set at the end of said curve;

South 01 degrees, 18 minutes, 30 seconds East, a distance of 835.00 feet to an angle point; from said point a 1/2-inch iron rod found bears North 69 degrees, 24 minutes West, a distance of 0.7 feet;

South 00 degrees, 53 minutes, 00 seconds East, a distance of 27.81 feet to a point for the easternmost southeast corner of said Lot 3 and the northeast corner of Lot 2, Block A/7409 of said Valley View Center;

THENCE, departing the said west line of Preston Road and along the common line between said Lots 2 and 3, the following fourteen (14) calls:

South 88 degrees, 26 minutes, 06 seconds West, a distance of 368.25 feet to a PK-nail found corner;

South 01 degrees, 33 minutes, 54 seconds East, a distance of 26.33 feet to a PK-nail found for corner;

South 88 degrees, 26 minutes, 06 seconds West, a distance of 519.40 feet to a 1/2-inch iron rod found for corner;

66.599 ACRE TRACT

Part of Block A/7409 and City Blocks 7409 and 7014
H. Wilburn Survey, Abstract No. 1567
City of Dallas, Dallas County, Texas

South 43 degrees, 26 minutes, 06 seconds West, a distance of 72.31 feet to a point for corner; from said point a 1/2-inch iron rod found bears South 85 degrees, 46 minutes, East a distance of 0.3 feet;

North 46 degrees, 33 minutes, 54 seconds West, a distance of 104.47 feet to a point for corner;

South 88 degrees, 26 minutes, 06 seconds West, a distance of 22.14 feet to a point for corner;

South 43 degrees, 26 minutes, 06 seconds West, a distance of 299.93 feet to a "+" cut in concrete for corner; from said point a "+" cut in concrete found bears North 15 degrees, 28 minutes East, a distance of 0.3 feet;

South 01 degrees, 33 minutes, 54 seconds East, a distance of 22.14 feet to a "+" cut in concrete found for corner; from said point a "+" cut in concrete found bears North 12 degrees, 09 minutes East, a distance of 0.4 feet;

South 46 degrees, 33 minutes, 54 seconds East, a distance of 102.84 feet to a "+" cut in concrete found for corner; from said point a "+" cut in concrete found bears North 26 degrees, 37 minutes East, a distance of 0.4 feet;

South 43 degrees, 26 minutes, 06 seconds West, a distance of 11.12 feet to a "+" cut in concrete found for corner;

South 46 degrees, 33 minutes, 54 seconds East, a distance of 94.52 feet to a "+" cut in concrete found for corner; from said point a "+" cut in concrete found bears North 51 degrees, 49 minutes East, a distance of 0.2 feet and a "+" cut in concrete found bears North 28 degrees, 28 minutes East, a distance of 0.4 feet;

South 01 degrees, 33 minutes, 54 seconds East, a distance of 363.99 feet to a PK-nail found for corner;

South 88 degrees, 26 minutes, 06 seconds West, a distance of 84.07 feet to a PK-nail found for corner;

South 01 degrees, 33 minutes, 54 seconds East, a distance of 187.07 feet to a "+" cut in concrete found for corner in the north right-of-way line of Interstate Highway 635 (Lyndon B. Johnson Freeway) (a variable width right-of-way);

THENCE, South 88 degrees, 31 minutes, 38 seconds West, along the said north line of Interstate Highway 635, a distance of 337.49 feet to a point for corner; said point being the southeast corner of a tract of land described in Special Warranty Deed to EFK LBJ Partners, LP recorded in Instrument No. 201300199065 of said Official Public Records; from said point a 5/8-inch iron rod found bears North 38 degrees, 47 minutes East, a distance of 0.4 feet;

THENCE, in a northerly direction, departing the said north line of Interstate Highway 635 and along the east line of said EFK LBJ Partners tract, the following three (3) calls:

North 01 degrees, 33 minutes, 54 seconds West, a distance of 186.51 feet to a PK-nail found for corner; from said point a PK-nail found bears South 03 degrees, 57 minutes West, a distance of 0.3 feet;

66.599 ACRE TRACT

Part of Block A/7409 and City Blocks 7409 and 7014
H. Wilburn Survey, Abstract No. 1567
City of Dallas, Dallas County, Texas

North 88 degrees, 26 minutes, 06 seconds East, a distance of 31.92 feet to a PK-nail found for corner; from said point a PK-nail found bears South 06 degrees, 48 minutes East, a distance of 0.3 feet;

North 01 degrees, 33 minutes, 54 seconds West, a distance of 448.70 feet to a PK-nail found for corner;

THENCE, in a northwesterly direction, along the northeast line of said EFK LBJ Partners tract, the following nine (9) calls:

North 46 degrees, 33 minutes, 54 seconds West, a distance of 596.97 feet to a PK-nail found for corner; from said point a PK-nail found bears South 23 degrees, 49 minutes West, 0.5 feet;

North 43 degrees, 26 minutes, 06 seconds East, a distance of 205.63 feet to a PK-nail found for corner;

North 46 degrees, 33 minutes, 54 seconds West, a distance of 258.06 feet to a "+" cut in concrete found for corner;

North 43 degrees, 26 minutes, 06 seconds East, a distance of 57.53 feet to a point for corner; from said point a "+" cut in concrete found bears North 44 degrees, 15 minutes West, a distance of 0.6 feet;

North 46 degrees, 35 minutes, 31 seconds West, a distance of 78.85 feet to a PK-nail found for corner;

South 19 degrees, 23 minutes, 17 seconds West, a distance of 38.48 feet to a PK-nail found for corner; from said point a PK-nail found bears North 42 degrees, 30 minutes East, 0.5 feet;

North 68 degrees, 43 minutes, 31 seconds West, a distance of 74.21 feet to a PK-nail found for corner at the beginning of a non-tangent curve to the left;

Along said curve to the left, having a central angle of 22 degrees, 08 minutes, 00 seconds, a radius of 300.00 feet, a chord bearing and distance of North 79 degrees, 47 minutes, 06 seconds West, 115.17 feet, an arc distance of 115.89 feet to a PK-nail found at the end of said curve;

South 89 degrees, 08 minutes, 31 seconds West, a distance of 107.02 feet to a point for corner in the east line of Montfort Drive (a variable width right-of-way);

THENCE, a northerly direction, along the said east line of Montfort Drive, the following two (2) calls:

North 00 degrees, 50 minutes, 20 seconds West, along the said east line of Montfort Drive, a distance of 34.22 feet to a "+" cut in concrete found for corner;

South 89 degrees, 09 minutes, 40 seconds West, a distance of 10.00 feet to a PK-nail found for corner in the said east line of Montfort Place;

THENCE, North 00 degrees, 50 minutes, 20 seconds West, along the said east line of Montfort Place, a distance of 616.00 feet to the POINT OF BEGINNING;

CONTAINING: 2,901,036 square feet or 66.599 acres of land, more or less.

2.817 ACRE TRACT

Part of Lot 1, Block A/7409, Valley View Center
H. Wilburn Survey, Abstract No. 1567
City of Dallas, Dallas County, Texas

TRACT 2

WHEREAS, 13101 Preston Road, L.P. is the owner of a 2.817 acre tract of land situated in the H. Wilburn Survey, Abstract No. 1567, Dallas County, Texas and being part of Lot 1, Block A/7409, Valley View Center, an addition to the City of Dallas, Texas according to the plat recorded in Volume 72178, Page 1879, as affected by Certificate of Error recorded in Volume 73134, Page 2254 of the Deed Records of Dallas County, Texas; said tract being all of that tract of land described in Special Warranty Deed to 13101 Preston Road, L.P. recorded in Instrument No. 201000197307 of the Official Public Records of Dallas County, Texas; said 2.817 acre tract being more particularly described as follows (bearing system is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202):

BEGINNING, at a "+" cut in concrete found in the west right-of-way line of Preston Road (a variable width right-of-way; said point being the northeast corner of said Lot 1 and the easternmost southeast corner of Lot 2, Block A/7409 of said Valley View Center;

THENCE, in a southerly direction, along the said west line of Preston Road, the following five (5) calls:

South 00 degrees, 50 minutes, 32 seconds East, a distance of 178.71 feet to a point for corner;

South 08 degrees, 11 minutes, 34 seconds West, a distance of 89.55 feet to a point for corner;

South 00 degrees, 49 minutes, 54 seconds East, a distance of 18.20 feet to a PK-nail found for corner;

South 09 degrees, 33 minutes, 27 seconds West, a distance of 78.79 feet to a PK-nail found for corner;

South 00 degrees, 57 minutes, 21 seconds East, a distance of 39.09 feet to a point for corner at the north end of a right-of-way corner clip at the intersection of the said west line of Preston Road and the north right-of-way line of Interstate Highway 635 (Lyndon B. Johnson Freeway) (a variable width right-of-way);

THENCE, in a southwesterly direction, along said corner clip, the following two (2) calls:

South 24 degrees, 03 minutes, 16 seconds West, a distance of 33.29 feet to a point for corner;

South 83 degrees, 16 minutes, 05 seconds West, a distance of 31.56 feet to a PK-nail found for corner;

THENCE, in a northwesterly direction, along the said north line of Interstate Highway 635, the following two (2) calls:

North 80 degrees, 45 minutes, 28 seconds West, a distance of 224.04 feet to a PK-nail found at the beginning of a tangent curve to the left;

Along said curve to the left, having a central angle of 00 degrees, 06 minutes, 34 seconds, a radius of 4,609.91 feet, a chord bearing and distance of North 80 degrees, 48 minutes, 45 seconds West, 8.81 feet, an arc distance of 8.81 feet to a point in the west line of said Lot 1 and the east line of said Lot 2;

THENCE, departing the said north line of Interstate Highway 635 and along the common line between said Lot 1 and Lot 2, the following two (2) calls:

EXHIBIT I

2.817 ACRE TRACT

Part of Lot 1, Block A/7409, Valley View Center
H. Wilburn Survey, Abstract No. 1567
City of Dallas, Dallas County, Texas

North 01 degrees, 33 minutes, 54 seconds West, a distance of 390.76 feet to a PK-nail found for the northwest corner of said Lot 1 and an ell corner of said Lot 2;

North 88 degrees, 26 minutes, 06 seconds East, a distance of 307.83 feet to the POINT OF BEGINNING;

CONTAINING: 122,700 square feet or 2.817 acres of land, more or less.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey and is not to be used to convey or establish interest in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45Q R

SUBJECT

Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$670,000 with DFM Developer, Ltd., in accordance with the approved Master Agreement for the Redevelopment of the Farmers Market, executed pursuant to City Council Resolution No. 13-0447, as amended, for remaining streetscape and infrastructure improvements - pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program – Not to exceed \$670,000 – Financing: Public Private Partnership Funds

BACKGROUND

In 2013, the City Council authorized various agreements associated with the redevelopment of the Dallas Farmers Market with DFM Developer, Ltd., and affiliates, which outlined a redevelopment plan for the Dallas Farmers Market. The plan to revitalize the Dallas Farmers Market is underway:

- Shed 1 Project was renovated and is now operating as a marketplace for local farmers and farm merchants and vendors to sell produce and other farm-related products – capacity for 119 stalls;
- Shed 2 Project has been renovated and is active with restaurants, specialty food vendors, other retail vendors, and a beer garden – reuse of 24,148 square feet of retail space;
- Shed 3 and 4 (Harvest Lofts) is under construction and will provide 240 residential units, 16,000 square feet of retail space and public parking;
- 2101 and 2111 Taylor Street Project is anticipated to begin by the end of 2016 and will include 60 residential units and 25,000 square feet of commercial space.
- In January 2017, the construction of futsal fields and a community garden will be underway on land east of southbound Cesar Chavez Boulevard.

BACKGROUND (Continued)

The Master Agreement related to the redevelopment of the Dallas Farmers Market was authorized by City Council on February 27, 2013. The City's last remaining obligation of public funds committed to this redevelopment project is authorization of a PPP grant for \$670,000. Grant funds will be used to fund final streetscape work.

\$20M in TIF funds, \$6.2M in General Obligation funds and \$930,000 in land sale proceeds were committed to the Farmers Market Redevelopment Project. In addition, \$670,000 in PPP grants was included as part of the original funding but was held back until work was completed on Shed 1 and Shed 2 and substantial work was completed on the Harvest Lofts projects. The Taylor Building site is the final major phase of private construction needed to complete the project. Construction of futsal fields and a public garden on the remote parking site also remain to be completed. Now that construction activity for the Taylor site is ready to begin, and the Harvest Lofts is nearing completion, a PPP grant of \$670,000, in conformance to the master agreement, is recommended. This work will also include the demolition of the dock of the Taylor Building, which is located in public right-of-way.

The developer will fund the public improvements and the PPP grant will be reimbursed, upon completion.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 27, 2013, City Council authorized a Master Agreement for the Redevelopment of the Dallas Farmers Market with DFM Developer, Ltd by Resolution No. 13-0447.

On June 10, 2015, City Council authorized Resolution No. 15-1099, authorizing an amendment to the Master Agreement with DFM Developer, Ltd. for the redevelopment of the Dallas Farmers Market.

Information about this item was provided to City Council on May 27, 2016.

FISCAL INFORMATION

\$670,000 – Public/Private Partnership Funds

OWNER

DFM Developer, Ltd.

Brian Bergersen
Owner/Developer

DEVELOPER

DFM Developer, Ltd.

Brian Bergersen
Owner/Developer

June 22, 2016

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

WHEREAS, the City pursuant to Resolution No. 14-0993 approved by the City Council on June 25, 2014; (1) adopted revised Public/Private Partnership Program – Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas local Government Code, (“the Act”); and

WHEREAS, on June 25, 2014, City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 14-0993, as amended; and

WHEREAS, on February 27, 2013, City Council authorized a Master Agreement for the Redevelopment of the Dallas Farmers Market with DFM Developer, Ltd by Resolution No. 13-0447; and

WHEREAS, on June 10, 2015, City Council authorized an amendment to the Master Agreement with DFM Developer, Ltd. for the redevelopment of the Dallas Farmers Market by Resolution No. 15-1099; and

WHEREAS, on May 27, 2016, a memo about this item was provided to the City Council; and

WHEREAS, the Farmers Market Redevelopment Project will create a fresh food oriented urban neighborhood in the southeastern quadrant of downtown.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Chapter 380 economic development grant agreement in an amount not to exceed \$670,000 with DFM Developer, Ltd., in accordance with the approved Master Agreement for the Redevelopment of the Farmers Market, executed pursuant to City Council Resolution No. 13-0447, as amended, for remaining streetscape and infrastructure improvements.

June 22, 2016

Section 2. That the terms of the grant agreement shall include enhanced streetscape improvements not funded by bond funds, and utility work, as further described in **Exhibit A.**

Section 3. That the Chief Financial Officer is hereby authorized to disburse the Conditional Grant from Fund 0352, Department ECO, Unit 9992, Object Code 3016, Activity PPPF, Encumbrance No. ECO9992H279, Vendor No. VS0000079190, as necessary to make payments in an amount not to exceed \$670,000 (subject to appropriations).

Section 4. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available funding, and there will be no liability or obligation on the City until final contract documents are approved, executed and final closing complete.

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

EXHIBIT A
Chapter 380 PPP GRANT
FARMERS MARKET REDEVELOPMENT PROJECT
ELIGIBLE EXPENDITURES

PROJECT	COST
Architectural design for streetscape phase 2 (Taylor/Harvest)	\$10,800
Sidewalk connection to Mudhen, including trees, landscaping and irrigation	\$26,000
Pavers and street lights around the 2111 and 2101 Taylor building, civil work and supervision	\$158,000
Pavers and street lights around the FM Harvest development, plus civil work and supervision – increase power supply/electrical underground/transformers, plus drainage	\$240,000
Demolish Ida Pappert Parkway (Pearl) and pave new street	\$180,000
Architectural design, trees and landscaping along Ida Pappert Parkway (Pearl)	\$28,000
Demolish Taylor Street dock (in Public Right of Way), disconnect drainage and street work for access	\$42,000
TOTAL	\$684,800*

*Maximum Chapter 380 Grant in the amount of \$670,000

AGENDA ITEM # 49

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 F

SUBJECT

Authorize a Chapter 380 economic development grant agreement with Jacobs Engineering Group, Inc. in an amount up to \$277,500 to encourage the relocation of the company headquarters to 1999 Bryan Street and stimulate business development activity in the City of Dallas, pursuant to the Public/Private Partnership Program - Not to exceed \$277,500 - Financing: Public/Private Partnership Funds

BACKGROUND

For the past several months, city staff has been in discussions with representatives of Jacobs Engineering Group Inc. ("Jacobs" or the "Company") regarding the relocation of its corporate headquarters from California. The company considered locations in several states for its new corporate office where it had an existing regional office. In response to proposals from the City of Dallas and State of Texas for economic development support, the Company chose to locate at 1999 Bryan Street, Dallas, TX (Harwood Center).

Jacobs, publicly traded as a Fortune 500 company, was founded in 1947 by Dr. Joseph J Jacobs. The company excels in design and engineering services for the following business lines: Petroleum & Chemicals; Buildings & Infrastructure; Aerospace & Technology; and Industrial. The Company's CEO is Mr. Steven J. Demetriou. The Company employs over 60,000 persons globally with approximately 2,000 at several locations in Texas. Jacobs has over 250 offices in North America, South America, Europe, the Middle East, Australia, Africa, and Asia.

Jacobs' Dallas regional office currently leases approximately 80,373 square feet at Harwood Center (presently occupying 55,472 square feet) through April 30, 2025 and the Company maintains 250 jobs at the site.

BACKGROUND (Continued)

With its headquarters relocation, the Company will extend its lease to December 31, 2028 and expand its leasehold from 80,373 square feet to 96,936 square feet to allow co-location of the Company headquarters. With the move, Jacobs anticipates relocating up to 111 positions to Dallas and estimates that approximately 25 percent of the positions will be filled by staff relocating from California. Jacobs will initiate its headquarters relocation immediately and anticipates completing the process by the end of 2019.

The terms of the proposed Chapter 380 economic development grant agreement are as follows:

- Jacobs will meet “base eligibility” for the economic development grant once it has (1) changed its Company headquarters address to 1999 Bryan Street, Dallas, Texas; (2) executed a new or extended lease of at least 10-years that incorporates the Company headquarters; and (3) received a certificate of occupancy for the space occupied by the Company headquarters.
- Upon attaining “base eligibility”, the Company will be eligible for the proposed grant in an amount up to \$277,500 (\$2,500 per job on site) in three phases based on the additional stipulations outlined below.

Payment 1: maintenance of 250 existing jobs and locating 18 new permanent headquarter positions with a minimum average salary of \$130,000 at the property by December 31, 2017. Payment amount: \$45,000.

Payment 2: maintenance of 268 existing jobs and locating an additional 72 new permanent headquarter positions (90 total new) with a minimum average salary of \$130,000 at the property and verify a minimum investment of \$1 million on furniture, fixtures and equipment (FF&E) by December 31, 2018. Payment amount: \$180,000.

Payment 3: maintenance of 322 existing jobs and locating an additional 10 new permanent headquarter positions (100 total new) at the property by December 31, 2019 with a minimum average salary of \$130,000. Payment amount: \$25,000.

- Should Jacobs attain eligibility for any of the described payments but not a subsequent payment, Jacobs will be required to reimburse the City 50 percent of the grant amount previously paid and the grant will be terminated with no further payment, subject to the notice of default and cure provisions that will be set forth in the grant agreement.

BACKGROUND (Continued)

- Once all three payments are made, should Jacobs not maintain at least 100 full-time positions at the office for a period of five (5) years beginning January 1, 2020 through December 31, 2024, the company will be required to reimburse the City an amount of \$150,000, subject to the notice of default and cure provisions that will be set forth in the grant agreement.

Net fiscal impact from the project after incentives is estimated at \$2.77 million over the 10 year lease term. This proposed project conforms to minimum eligibility criteria for the City's Public/Private Partnership Program Guidelines and Criteria as creates over 100 jobs. Staff recommends approval of the proposed incentive.

ESTIMATED SCHEDULE OF PROJECT

Complete first phase move-in	December 2017
Complete final phase move-in	December 2019

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on June 6, 2016.

FISCAL INFORMATION

\$277,500 - Public/Private Partnership Funds

COMPANY REPRESENTATIVE

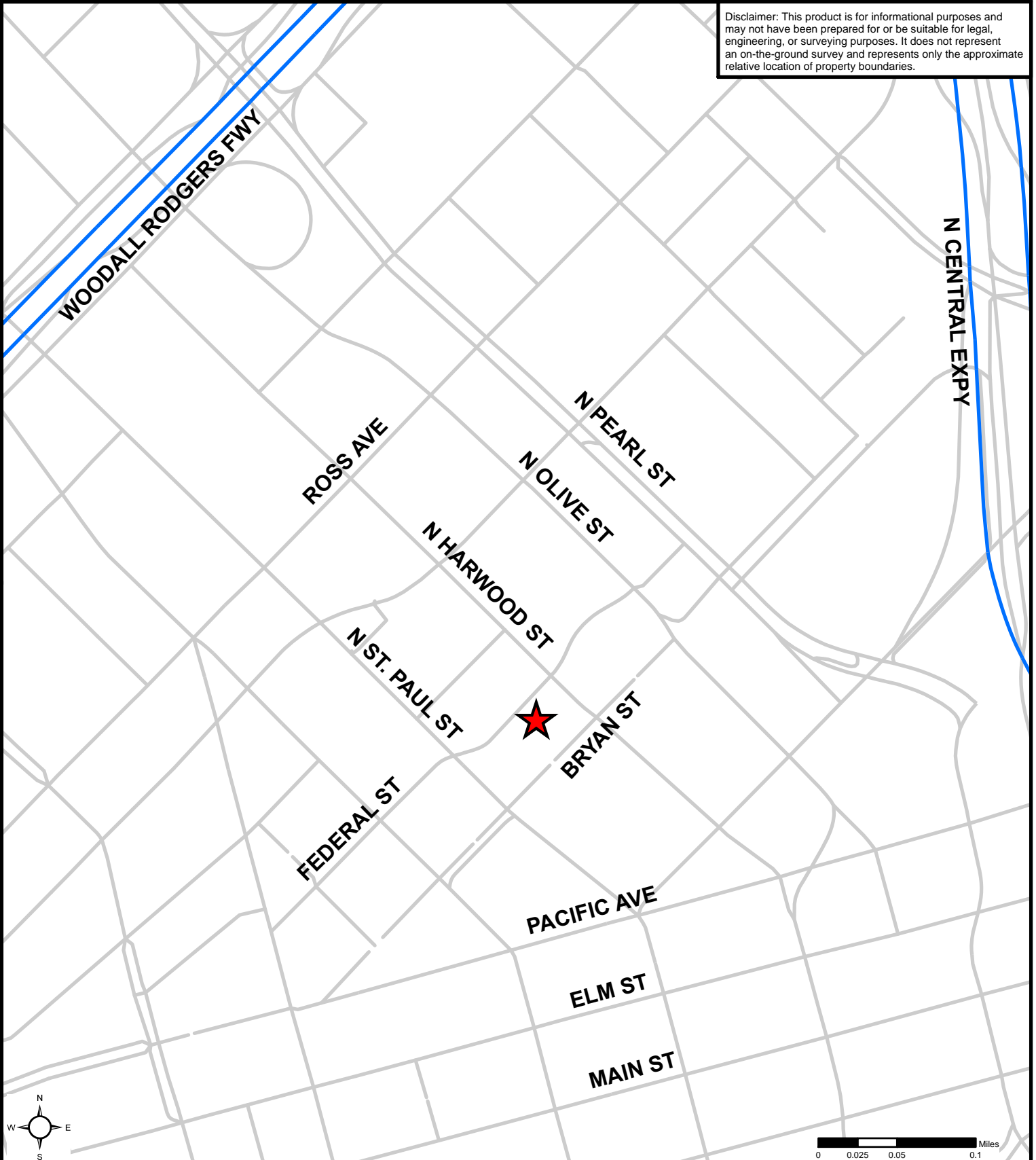
Jacobs Engineering Group, Inc.

Kevin Berryman, Executive Vice President & Chief Financial Officer

MAP

Attached.

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 06.01.16, Last Updated 06.01.16 - 1999 Bryan

Legend

 1999 BRYAN STREET

Data Source: City of Dallas

June 22, 2016

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

WHEREAS, on June 25, 2014, pursuant to Resolution No. 14-0993, City Council elected to continue its authorization of the City of Dallas' Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements as specified in the Property Redevelopment and Tax Abatement Act and other City of Dallas economic development programs including the Business Development Chapter 380 Grant/Loan Program for the period June 25, 2014 through June 25, 2016; and

WHEREAS, Jacobs Engineering Group Inc., following discussions with the Office of Economic Development, has chosen to relocate to Dallas to align with its long-term strategy, and its choice of a downtown Dallas location will both promote vitality in the area and position Jacobs Engineering Group Inc. to better serve Dallas clients; and

WHEREAS, the City desires to enter into an economic development grant agreement with Jacobs Engineering Group Inc. to promote economic development, stimulate private sector investment, encourage job creation, and grow the tax base in Dallas.

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 an economic development grant agreement with Jacobs Engineering Group Inc. in conjunction with the relocation of its headquarters to the office facility ("Facility") located at 1999 Bryan Street, Dallas, via an expansion of its current lease from 80,373 square feet to 96,936 square feet.

Section 2. That the real property located at 1999 Bryan Street, Dallas is depicted on the attached site map as **Exhibit A**.

Section 3. That the economic development grant shall be in an amount not to exceed \$277,500 provided Jacobs Engineering Group Inc. meets its obligations under the grant agreement with the City.

June 22, 2016

Section 4. The terms of the proposed Chapter 380 economic development grant agreement are as follows:

1. Jacobs will meet “base eligibility” for the economic development grant once it has (1) changed its Company headquarters address to 1999 Bryan Street, Dallas, Texas; (2) executed a new or extended lease of at least 10-years that incorporates the Company headquarters; and (3) received a certificate of occupancy for the space occupied by the Company headquarters.
2. Upon attaining “base eligibility”, the Company will be eligible for the proposed grant in an amount up to \$277,500 (\$2,500 per job on site) in three phases based on the additional stipulations outlined below.
 - a. **Payment 1:** maintenance of 250 existing jobs and locating 18 new permanent headquarter positions with a minimum average salary of \$130,000 at the property by December 31, 2017. Payment amount: \$45,000.
 - b. **Payment 2:** maintenance of 268 existing jobs and locating an additional 72 new permanent headquarter positions (90 total new) with a minimum average salary of \$130,000 at the property and verify a minimum investment of \$1 million on furniture, fixtures and equipment (FF&E) by December 31, 2018. Payment amount: \$180,000.
 - c. **Payment 3:** maintenance of 322 existing jobs and locating an additional 10 new permanent headquarter positions (100 total new) at the property by December 31, 2019 with a minimum average salary of \$130,000. Payment amount: \$25,000.
3. Should Jacobs attain eligibility for any of the described payments but not a subsequent payment, Jacobs will be required to reimburse the City 50 percent of the grant amount previously paid and the grant will be terminated with no further payment, subject to the notice of default and cure provisions that will be set forth in the grant agreement.
4. Once all three payments are made, should Jacobs not maintain at least 100 full-time positions at the office for a period of five (5) years beginning January 1, 2020 through December 31, 2024, the company will be required to reimburse the City an amount of \$150,000, subject to the notice of default and cure provisions that will be set forth in the grant agreement.

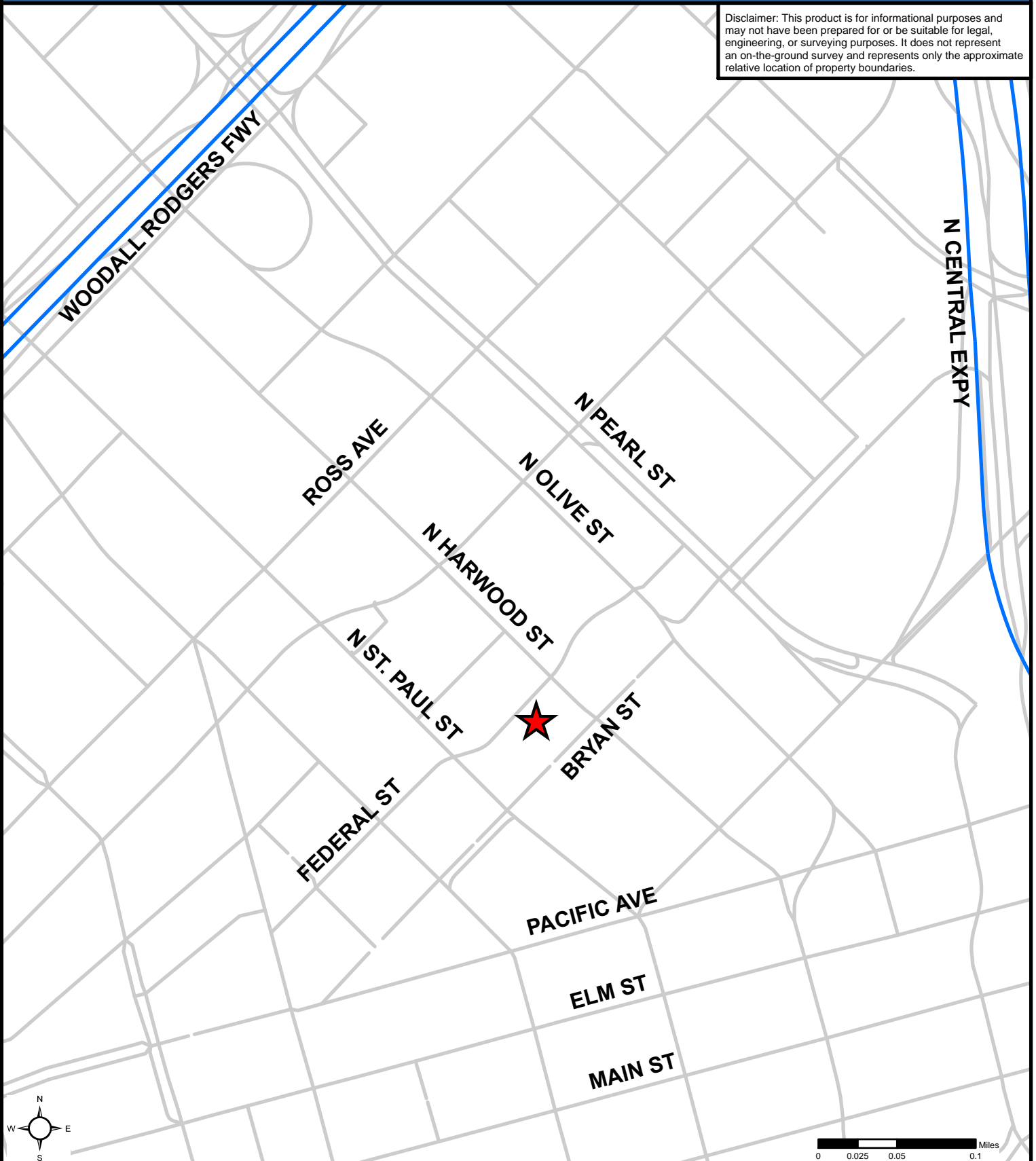
June 22, 2016

Section 5. That the Chief Financial Officer is hereby authorized to encumber and disburse future funds from: Fund 0352, Department ECO, Unit 9992, Object 3016, Activity PPPF, Encumbrance No. ECO9992H280, Vendor No. VS0000023961, in an amount not to exceed \$277,500.

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

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

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Created 06.01.16, Last Updated 06.01.16 - 1999 Bryan

Legend



1999 BRYAN STREET

Data Source: City of Dallas

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development
Public Works Department

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

MAPSCO: 45 H 46E

SUBJECT

Gaston Hotel and Area Wide Improvements

- * Authorize **(1)** a Project Specific Agreement to the Master Agreement with Dallas County for public infrastructure improvements to facilitate the commercial development in the Baylor area; **(2)** the receipt and deposit of funds in an amount not to exceed \$450,000, pursuant to the City's Business Development Chapter 380 Grant Program; and **(3)** an increase in appropriations in an amount not to exceed \$450,000 in the Capital Projects Reimbursement Fund - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds
- * Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Baylor Scott & White Health, GMV Gaston, LP and Gatehouse Gaston Development, LLC for the development of a full-service hotel to be located on a tract of land addressed as 3301-3309, 3401 Gaston Avenue, 3302 Floyd Street, and 910-916 North Hall Street and the associated public and private improvements including site and area wide street improvements - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

For the past several months, City and Dallas County staff have negotiated with Baylor Scott & White Health (Baylor Medical Center and owner of land), GMV Gaston, LP (owner of improvements), and Gatehouse Gaston Development, LLC (developer) (collectively referred to as "Owner/Developer") regarding the creation of a 68,000 square feet full service hotel development on vacant land at the northeast corner of Gaston Avenue and North Hall Street (the "Project").

BACKGROUND (Continued)

The Project will consist of a full service hotel, serving the Baylor Medical University and the Deep Ellum area, located at the northeast corner of Gaston Avenue and North Hall Street, on currently vacant land leased to GMV Gaston, LP by the Baylor Scott & White Health for no less than seven (7) years.

Dallas County would like to support needed community and public improvements through a Project Specific Agreement with the City. Dallas County currently has no mechanism to provide funding to private developers so the City would like to accept such funds, pursuant to the City's Business Development Chapter 380 Grant Program. Funding is anticipated to be provided by Dallas County through matching funds of up to \$450,000, less Dallas County project delivery costs estimated to be \$30,000, subject to approval by the Dallas County Commissioners Court, and Owner/Developer will be required to match such funds. The City would like to accept funds from Dallas County and enter into a Chapter 380 Grant Agreement with Owner/Developer for the development of a full-service hotel and the associated public and private improvements. The City will receive and administer funding from Dallas County for phase 1 and 2 project costs. Dallas County will deduct its final project delivery costs prior to transferring its reimbursement amounts to the City. Total project value of improvements, including hotel development is approximately \$20,000,000. In addition to the costs associated with the site and facility improvements, Owner/Developer is responsible for any cost overruns.

The project will be built in two phases. Phase 1 will begin construction no later than December 2016 and will be completed no later than December 2018. Phase 2 will begin construction no later than December 2017 and will be completed no later than December 2019. Phase 1 will include development, completion of construction, and certificates of occupancy for a hotel development project consisting of a minimum of 68,000 square feet of hotel and shared common space with meeting space, food and beverage, fitness center, and pool area. The Project will include a minimum of 60,000 square feet of hotel space (approximately 132 rooms). In addition, the project will feature 8,000 square feet used for back of house/common area uses. As part of the project, the development will feature site and streetscape improvements including, but not limited to, a barrier free curb ramp and crosswalk and sidewalk improvements, and burial of power and low voltage lines. In addition to creating the hotel, Owner/Developer will provide area wide improvements surrounding the site to support Baylor Medical Center and the adjacent area. Phase 2 will be the completion construction of project-related site and streetscape improvements and obtain certificate(s) of acceptance for, including but not limited to, curb improvements and crosswalk improvements.

ESTIMATED SCHEDULE OF THE PROJECT

Begin Construction	December 31, 2016
Substantial Completion	December 31, 2019

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 6, 2016, the Economic Development Committee was briefed on this item.

FISCAL INFORMATION

\$450,000 - Capital Projects Reimbursement Funds

OWNER

GMV Gaston, LP

Marty Collins, Manager

Baylor Scott & White Health

Charles Shelburne, Agent

DEVELOPER

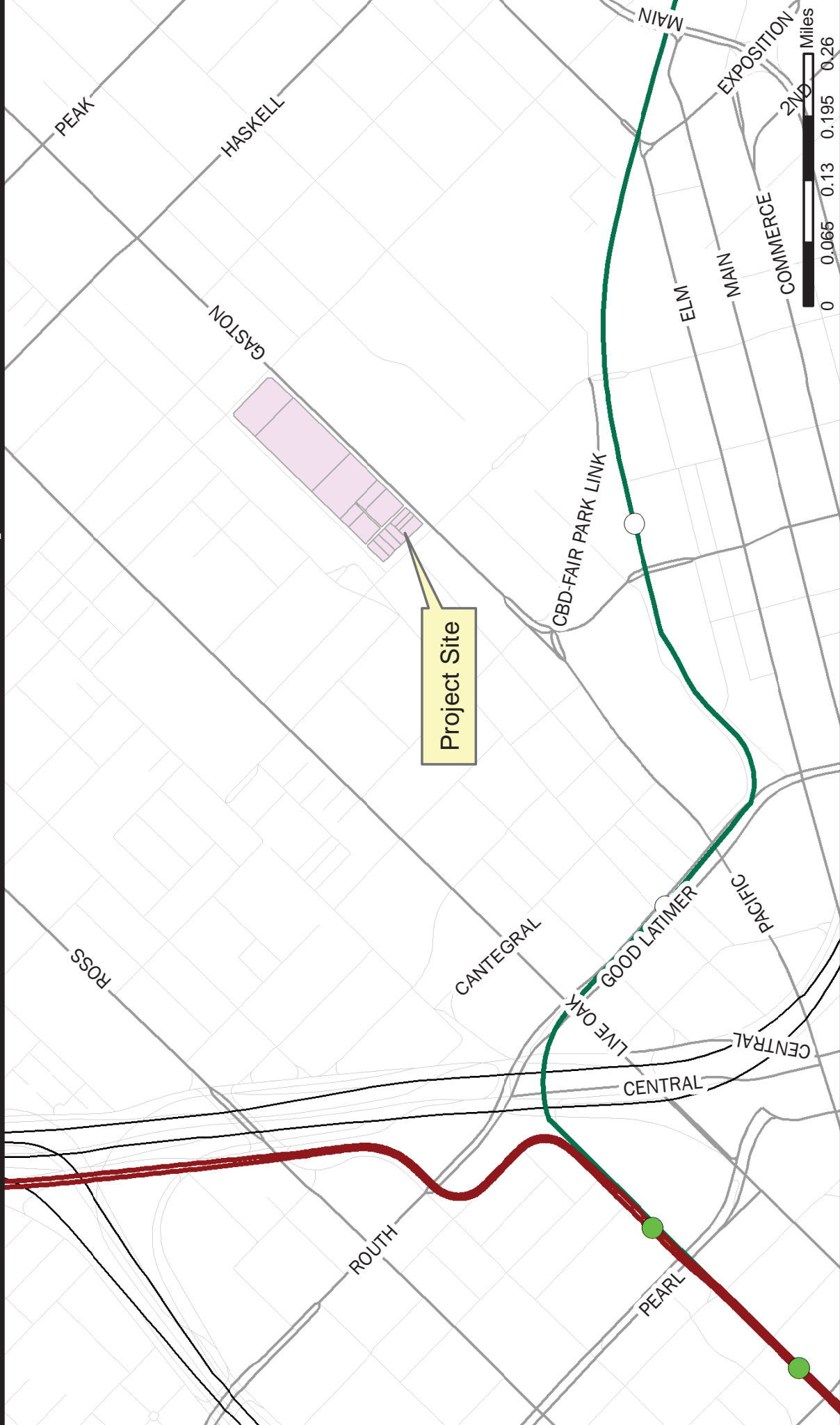
Gatehouse Gaston Development, LLC

Marty Collins, Manger

MAP

Attached.

Gaston Hotel - Area Wide Improvements



Legend

- Deep Ellum TIF Boundary
- DART Station
- Gaston Hotel
- DART Green
- DART Blue
- DART Orange
- DART Red
- TRE Station
- CBD Station
- D2
- D2Alt
- Parcel 2013 Cert

City of Dallas

<http://www.Dallas-EcoDev.org>
Created 5/2014

June 22, 2016

WHEREAS, on January 10, 2001, Resolution No. 01-0104 authorized the Master Agreement with Dallas County governing major capital improvement projects to be jointly funded and developed by the County and City; and

WHEREAS, on April 13, 2011, Resolution No. 11-0927 authorized the new Master Agreement with Dallas County governing Major Capital Improvement Program with Dallas County; and

WHEREAS, the City and Dallas County desire to make public infrastructure improvements within the Baylor Medical Center area, including paving, drainage, street lightings, sidewalks, crosswalks, barrier free ramps, traffic signal, and utility burial; and

WHEREAS, it is now necessary to authorize a Project Specific Agreement to the Master Agreement with Dallas County for the Baylor area-wide public infrastructure improvements to facilitate the development around Hall Street between Gaston Avenue and Swiss Avenue; and

WHEREAS, the City will be the lead agency for the project; and

WHEREAS, the City's Public/Private Partnership Program established the Business Development Chapter 380 Grant Program and pursuant to this program, the City may administer and accept resources from other political subdivisions of the state to support the program and may administer and accept resources from the federal government in support of developments; and

WHEREAS, the City intends, subject to the appropriate approvals, to enter into a Chapter 380 economic development grant agreement with Baylor Scott & White Health, GMV Gaston, LP, and Gatehouse Gaston Development, LLC, for the construction of public and private improvements, including a full-service hotel; and

WHEREAS, it is also necessary to authorize receipt and deposit of funds from Dallas County to the City of Dallas in an amount not exceed \$450,000, less County project delivery costs estimated to be \$30,000.

NOW, THEREFORE,

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

Section 1. That the City Manager is, upon approval as to form by the City Attorney, hereby authorized to execute a Project Specific Agreement to the Master Agreement with Dallas County for participation in the design and construction of drainage, paving, street lighting, sidewalks, ADA ramps, traffic signal improvements and other costs for public infrastructure improvements associated with Baylor area-wide improvements that include a full-service hotel.

June 22, 2016

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds from Dallas County in an amount not to exceed \$450,000 in Fund 0556, Department ECO, Unit W096, Revenue Source 6511.

Section 3. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Department ECO, Unit W096, Object 3016, in an amount not to exceed \$450,000.

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 resolved.

June 22, 2016

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

WHEREAS, the City, pursuant to Resolution No. 14-0993, approved by City Council on June 25, 2014: (1) adopted revised Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code (the "Act"); and

WHEREAS, the City's Public/Private Partnership Program established the Business Development Chapter 380 Grant Program and pursuant to this program, the City may administer and accept resources from other political subdivisions of the state to support the program (**See Exhibit B**); and

WHEREAS, the City would like to accept funds from Dallas County to administer such program, less Dallas County project delivery costs; and

WHEREAS, the City intends to enter into a Project Specific Agreement to the Master Agreement with Dallas County for the Baylor area-wide public infrastructure improvements to facilitate the development; and

WHEREAS, the City desires to use such funds to assist in the construction of hotel development and certain area-wide public infrastructure improvements in order to promote construction of a full-service hotel and promote the development around Hall Street between Gaston Avenue and Swiss Avenue; and

WHEREAS, the City of Dallas desires to enter into a Chapter 380 economic development grant agreement with Baylor Scott & White Health, land owner, GMV Gaston, LP, owner of the improvements, and Gatehouse Gaston Development, LLC, developer, in order to promptly complete the contemplated public improvements and to facilitate the development of a full-service hotel development and economic development in the area.

NOW, THEREFORE,

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

June 22, 2016

Section 1. That the City Manager, upon approval as to form by the City Attorney is hereby authorized to execute a Chapter 380 economic development grant agreement, in an amount not to exceed \$450,000, with Baylor Scott & White Health, land owner, GMV Gaston, LP, owner of the improvements, and Gatehouse Gaston Development, LLC, developer (collectively referred to as "Owner/Developer"), for hotel development, site improvements and other public improvements along properties on Hall Street between Gaston Avenue and Swiss Avenue, subject to the Dallas County Commissioners Court's approval of the Project Specific Agreement with the City (**See Exhibit A**).

Section 2. That the grant agreement shall require, among other provisions, the following of Owner/Developer:

- A. Minimum private investment of \$10,000,000 for Phase I, including acquisition, construction, other hard costs, and construction related soft costs, including a minimum of 100 rooms. Minimum private investment in Phase 2 of \$150,000, including construction, other hard costs and construction related soft costs.

The term "Invest" or "Investment" means the sum of all acquisition costs, construction costs (hard and soft) paid, payable or actually incurred by or on behalf of the Owner/Developer, with respect to the Project and the improvements thereon. Construction-related soft costs include the following items: architecture and engineering, interior design, consulting, construction management. Construction management is solely intended to cover fees paid to an outside consultant or third party who confirms the quality of the work. Construction management fees must be invoiced with a detailed description of work performed. Carrying or other similar costs shall not be considered toward this definition of project investment. The Owner/Developer must provide verification of all expenditures.

The Owner/Developer will be required to spend a minimum of \$450,000 on MCIP Master Agreement eligible items. MCIP Master Agreement eligible items shall mean the standard Dallas County-approved City criteria for paving, bridges, drainage and appurtenances, traffic control items including pavement marking, warranted uniform signals, street lights foundations, pull boxes, conduit, sidewalks, medians, storage/turn lanes access, required structural retaining walls and standard driveways excluding road or street amenities, or such design criteria as the City and Dallas County may mutually agree upon in the project scoping sheets, to be attached to the Project Specific Agreement between the City and Dallas County. Dallas County shall verify such expenditures.

June 22, 2016**Section 2. (Continued)**

- B. Each phase is eligible for reimbursement upon completion and satisfaction of all Chapter 380 Economic Development Agreement and Project Specific Agreement contingencies. Owner/Developer may start or complete the Project improvements before the finalization of the development agreement, at the Owner/Developers risk. If the development agreement is never executed, Owner/Developer will receive no funds. In no event shall the total reimbursement for Phase 1 and Phase 2 exceed \$450,000 (less \$30,000 in estimated delivery costs). Reimbursement shall be based on actual expenditures and therefore the grant amount may be less than \$450,000. No interest shall accrue on the grant. The minimum requirements for each phase is as follows, however, Owner/Developer shall meet all other contingencies for payment, as detailed herein and as will further be detailed in the grant agreement.
1. Phase 1: Development, completion of construction, and certificates of occupancy for a hotel development project consisting of a minimum of 68,000 square feet of hotel and shared common space with meeting space, food and beverage, fitness center, and pool area. The project shall include a minimum of 60,000 square feet of hotel space (approximately 132 rooms). In addition, the project shall feature a minimum of 8,000 square feet used for back of house/common area uses. As part of the project, the development shall feature site and streetscape improvements including, but not limited to, a barrier free curb ramp and crosswalk and sidewalk improvements, and burial of power and low voltage lines in the areas shown on **Exhibit C**, to be eligible for up to \$300,000 of reimbursement.
 2. Phase 2: Completion of streetscape construction and obtain a certificate(s) of acceptance and a minimum investment of \$150,000 shall be eligible for up to \$150,000 of reimbursement (**See Exhibit D**).
- C. GMV Gaston, LP shall maintain its lease with Baylor Scott & White Health for a minimum of seven (7) years.
- D. Obtain a building and/or demolition permit from the City and start construction for each phase, starting with Phase 1 of the Project by December 31, 2016, and Phase 2 of the project by December 31, 2018.
- E. Obtain a Certificate of Occupancy (CO) for the contemplated ground floor improvements (excluding the elevators) for Phase 1 by December 31, 2017.

June 22, 2016**Section 2. (Continued)**

- F. Owner/Developer shall be subject to recapture liability for any and all grant funds paid to it, should Owner/Developer fail to meet a term or condition of the overall Project, that is not tied to a particular phase, after it has received an installment(s) of grant funds.
- G. If applicable, obtain final acceptance of the public infrastructure improvements associated with the Project, as evidenced by the issuance of December 31, 2020 a Green Tag from the Public Works and Transportation Department by December 31, 2020, and submit documentation to the Office of Economic Development (the "OED").
- H. If applicable, execute an operating and maintenance agreement for the non-standard public infrastructure improvements associated with the Project, beginning no later than December 31, 2020, for a period of 20 years.
- I. Owner/Developer shall submit to the Director of the OED a quarterly status report for ongoing work on the project, as well as public improvements. Status reports will be due once every three months after the Council approval date.
- J. Owner/Developer shall make a good faith effort to (i) comply with the Business Inclusion and Development ("BID") goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise (M/WBE) participation for public improvements and (ii) achieve a goal of 25% certified M/WBE participation for total private improvement construction expenditures for the Project, and meets all reporting requirements for each **(See Exhibit E)**.
- K. Owner/Developer is obligated to cover all project cost over runs. The City and Dallas County will not be responsible for any project cost over runs and will not sign off on project completion for reimbursement until all financial obligations are addressed.
- L. If necessary, the Project deadline can be extended up to 6 months, subject to the Office of Economic Development Director's approval.
- M. Owner/Developer shall pay for half the utility burial costs for the Project. Any costs for utility burial that has been passed on to the City by Dallas County, will be passed on to Owner/Developer.
- N. The 380 grant agreement shall not be assigned prior to the completion of the hotel and the public and private improvements. After completion, the grant agreement may be assigned, in whole or in part, upon written approval from the Director of the Office of Economic Development.

June 22, 2016

Section 3. That the Chief Financial Officer is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the Project Specific Agreement from Capital Projects Reimbursement Fund: Fund 0556, Department ECO, Unit W096, Object 3016, Activity INFS, Encumbrance No. ECOW096H281, Vendor No. VS91929, in an amount not to exceed \$450,000, less County project delivery costs.

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






Exhibit A



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.

Exhibit for Illustration purposed only

Legend for Proposed Scope of work

-  Hotel and shared common space with meeting space, food and beverage, fitness center, and pool area.
 -  Barrier free curb ramp and crosswalk call button
Improved sidewalks along Hall St. from Gaston to Swiss Ave
 - Pedestrian and ADA Accessible Improvements
 -  Burial of power and low voltage lines to create space for improved sidewalks
 - Pedestrian and Atheistic Improvement
 -  Curb inlet on East Bound side of Gaston “Kiss and Drop”
 - Traffic and ROW improvement
 -  Improved Crosswalk Traffic Signal, striping and pavers at Crosswalk
 - Pedestrian and Public Safety Improvement

If budget allows other improvements including: crosswalks, sidewalks, barrier free ramps and other approved Improvements may be included.

All phases will include improvements of streetscape amenities to match campus throughout campus (Seating areas w/ benches, pedestrian lighting etc.)

*Note: Potential County participation is not tied to specific items but could be able to participate on the overall package of eligible items.

Exhibit B

Stage One Estimate (Business Case Cost Summary)

To: Wes Huff
From: Charles Shelburne
CC: Mark Vowell
Date: 6/2/2016
Re: Gaston Ave Public ROW Improvements

PROJECT DESCRIPTION: Construction of:

- A. Barrier free curb ramp and crosswalk call button with Improved sidewalks along Hall St. from Gaston to Swiss Ave**
- B. Burial of power and low voltage lines to create space for improved sidewalks**
- C. Curb inlet on East Bound side of Gaston**
- D. Improved Crosswalk Traffic Signal, striping and pavers at Crosswalk.**

Potential County participation is not tied to specific items but could be able to participate on the overall package of eligible items.

			Phase I		Phase II		Total
Cat Code			A	B	C	D	
150	Professional Services Fees	7%	\$4,550	\$34,860	\$5,250	\$10,500	\$55,160
01A	Construction		\$65,000	\$498,000	\$75,000	\$150,000	\$788,000
11P	Pedestrian Furnishings Allowance		\$10,000	\$0	\$10,000	\$5,000	\$25,000
17D	Contingency	10%	\$7,955	\$53,286	\$9,025	\$16,550	\$86,816
C51	Project Management Allocation	5%	\$3,978	\$26,643	\$4,513	\$8,275	\$43,408
Total Value of Improvements			\$91,483	\$612,789	\$103,788	\$190,325	\$998,384
Total Project Cost			FY17	\$704,272	FY18	\$294,113	\$998,384
Anticipated County Reimbursed Cost			\$317,121		\$132,788		\$449,908
Capital Required			Total (FY17)	\$387,151	Total (FY18)	\$161,325	\$548,476

Exhibit D

Legend for Proposed Scope of work

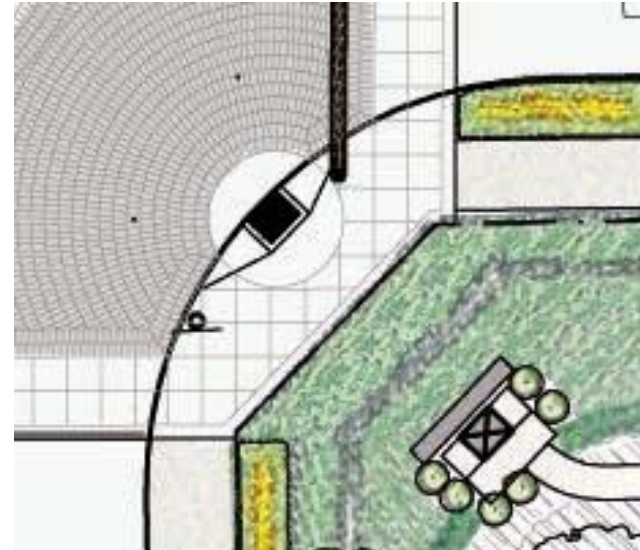
A

- Barrier free curb ramp and crosswalk call button
- Improved sidewalks along Hall St. from Gaston to Swiss Ave
- Pedestrian and ADA Accessible Improvements



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.

Exhibit for Illustration purposes only



Typical intersection ramp

Exhibit D

Legend for Proposed Scope of work

B

Burial of power and low voltage lines to create space for improved sidewalks

- Pedestrian and aesthetic Improvement



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.
Exhibit for Illustration purposes only



Before



After

Exhibit D

Legend for Proposed Scope of work



Curb inlet on East Bound side of Gaston “Kiss and Drop”

- Traffic and ROW improvement



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.

Exhibit for Illustration purposes only



Example Drop Off Inlet

Exhibit D

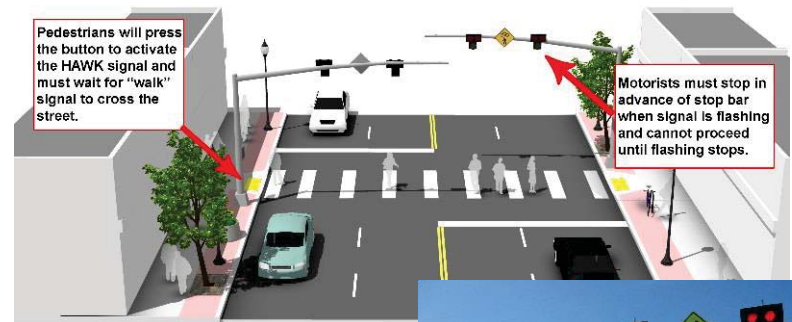
Legend for Proposed Scope of work

- D** Improved Crosswalk Traffic Signal, striping and pavers at Crosswalk
- Pedestrian and Public Safety Improvement



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.

Exhibit for Illustration purposes only



Example Crosswalk Improvement



Exhibit E

City's Business Inclusion and Development Program

Policy Statement

It is the policy of the City of Dallas to involve Minority and Women-Owned Business Enterprises (M/WBEs) to the greatest extent feasible on the City's construction, procurement and professional services contracts. It is the policy of the City of Dallas to encourage the growth and development of M/WBEs that can successfully compete for contracting opportunities. The City and its contractors shall not discriminate on the basis of race, color, religion, national origin, or sex in the award and performance of contracts. In consideration of this policy, the City of Dallas has adopted the Business Inclusion and Development (BID) Plan for all City of Dallas contracts.

Scope of Business Inclusion and Development Plan

The BID Plan shall apply to all contracts for the purchase of goods or services over \$50,000 with special emphasis on those contracts with first tier subcontracting opportunities. The provision of the BID Plan takes precedence over any departmental plans or procedures in conflict herewith, except for specific requirements mandated by the terms or conditions of agreements in force between the City and the Federal Government or the State of Texas that require different procedures than those described in the BID Plan.

The BID Plan Goals

The BID Plan establishes standard requirements for all prospective City of Dallas bidders/proposers to ensure a reasonable degree of participation by M/WBEs in all City contracts. It is the goal of the City that a certain percentage of work under each contract be performed by one or more M/WBEs.

On March 24, 2004, the City Council approved the following M/WBE participation goals (Council Resolution #041033). These goals were adopted without consideration for ethnicity or gender.

- Construction: 25.00%
- Architectural & Engineering: 25.66%
- Other Professional: 36.30%
- Other Services: 23.80%
- Goods: 18.00%

Prospective bidders/proposers are required to make a "good faith effort" to meet the established participation goals and must document their good faith effort to include M/WBEs in the contract.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

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

MAPSCO: 46T

SUBJECT

Authorize an amendment to Resolution No. 15-1079, previously approved on June, 10, 2015, to extend the loan agreement with Southfair Community Development Corporation, a certified Community Housing Development Organization, for a housing development loan in the amount of \$112,000 from June 30, 2016 to June 30, 2017 for construction of two housing units located at 2800 Park Row Avenue - Financing: No cost consideration to the City

BACKGROUND

In April 2016, Annie Evans, Executive Director of Southfair Community Development Corporation (Southfair), requested to extend the completion date to June 30, 2017 for the housing development loan in the amount of \$112,000 for construction costs for the development of two housing units located at 2800 Park Row. Upon completion, Southfair will have a 15-year deed restriction on the units to maintain affordability with households up to 80% of area median family income.

Southfair is a certified Community Housing Development Organization (CHDO) and had a prior contract with the City to complete acquisition, demolition and predevelopment of the 2800 Park Row property. Southfair is awaiting the approval of their construction plans, and has obtained a builder for the homes. Due to issues with platting and surveying, the start of construction was delayed.

Southfair has obtained interim financing for the construction costs. The City will provide HOME funds to gap finance for a portion of the construction costs for 2 homes to be built out. The homes will be 3 bedroom with 2 baths and one car garage with approximately 1400 sq. ft. The construction and occupancy of the units will be completed within one year. A lien will be placed on the property and released on a partial basis as each unit is built and an eligible household is approved. Estimated private leverage will be \$420,000.

BACKGROUND (continued)

City Council approval of this item will authorize the City Manager to amend the loan documents with Southfair for these funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant by Resolution No. 14-1001 (amended and reconsidered by Resolution No. 14-1314 on August 13, 2014) which included the CHDO Development Loans in the HOME Investment Partnership Funds.

On June 10, 2015, City Council approved the housing development loan agreement with Southfair Community Development Corporation, by Resolution No. 15-1079.

Information about this item will be provided to the Housing Committee on June 20, 2016.

FISCAL INFORMATION

No cost consideration to the City

OWNER

Southfair Community Development Corporation

Annie Evans-Jones, Executive Director

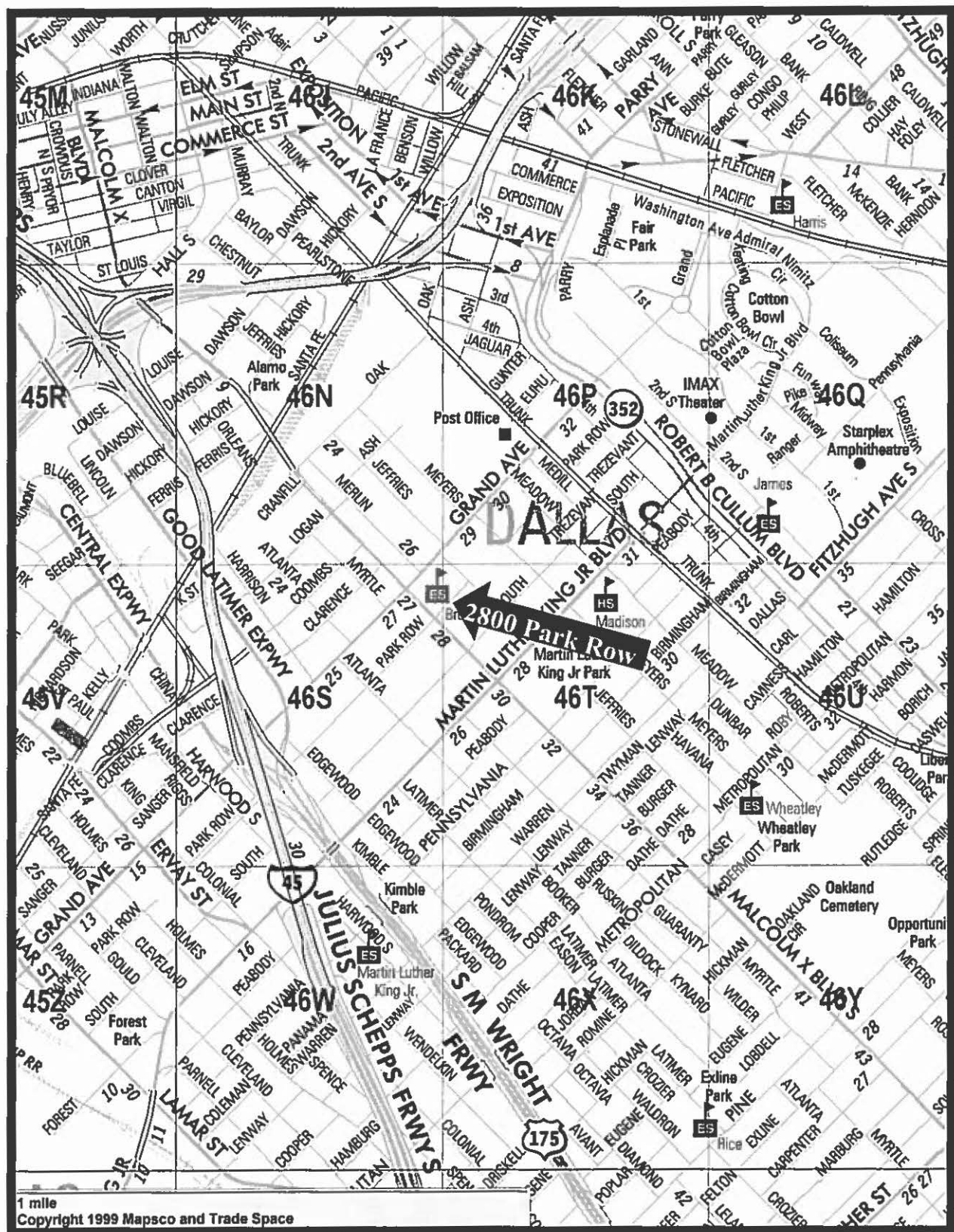
DEVELOPER

Southfair Community Development Corporation

Annie Evans-Jones, Executive Director

MAP

Attached



MAPSCO 46T

June 22, 2016

WHEREAS, the development of owner occupied housing units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on June 25, 2014, City Council approved the FY 2014-15 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant by Resolution No. 14-1001 (amended and reconsidered by Resolution No. 14-1314 on August 13, 2014) which included the HOME Investment Partnership Program, CHDO Development Loan funds; and

WHEREAS, on June 10, 2015, City Council approved the housing development loan agreement with Southfair Community Development Corporation (Southfair), by Resolution No. 15-1079; and

WHEREAS, Southfair proposes to work with the City of Dallas to undertake the development of two (2) housing units at 2800 Park Row Avenue; and

WHEREAS, the City desires for Southfair to develop housings units for varied income families; **NOW, THEREFORE**,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to amend Resolution No. 15-1079, previously approved on June 10, 2015, to extend the loan agreement with Southfair Community Development Corporation, a certified Community Housing Development Organization, for a housing development loan in the amount of \$112,000 from June 30, 2016 to June 30, 2017 for construction of two housing units located at 2800 Park Row Avenue.

Section 2. That the terms of the loan agreement include:

- (a) Southfair must execute an amended note payable for \$112,000 to the City of Dallas for the loan.
- (b) Southfair will execute a lien through a Deed of Trust and deed restriction for a 15-year term for the affordable units.
- (c) Southfair will use the funds to gap the construction costs of the units and developer fee up to \$15,000 per unit and will remit any proceeds to the City after paying the interim construction lien and allowable closing costs. In the case of lease to own, Southfair will remit proceeds from the rents after deducting a 10% management fee.
- (d) Southfair will have one (1) year to fully complete the project.

June 22, 2016

Section 2. (continued)

- (e) Southfair must build and occupy the units to families with incomes at or below 80% of area median family income.
- (f) The City will subordinate first lien position to the interim construction lender.
- (g) The City will release Southfair's lien on a partial basis as each eligible household is approved for the units.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

Section 4. That 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.

AGENDA ITEM # 53

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Housing/Community Services

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

MAPSCO: 46K L

SUBJECT

Authorize an amendment to Resolution No. 15-1150, previously approved on June 17, 2015, for the conditional grant agreement with Jubilee Park & Community Center Corporation to **(1)** increase the project budget by \$25,000, from \$500,000 to \$525,000; and **(2)** extend the completion date from June 30, 2016 to June 30, 2017 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Not to exceed \$25,000 - Financing: 2012 Bond Funds

BACKGROUND

On May 6, 2016, Jubilee Park & Community Center Corporation (JPCCC) requested an increase of funds in the amount of \$25,000 and extension of the completion date from June 30, 2016 to June 30, 2017 for the conditional grant in the amount of \$500,000 for the development of owner occupied housing to include acquisition, demolition, relocation, predevelopment and construction costs, not to exceed \$75,000 in predevelopment reimbursement and \$25,000 in construction subsidy per housing unit. JPCCC has agreed to increase its matching funds by the \$25,000 for a total match in the amount of \$525,000 with the City's commitment of \$525,000. The estimated leverage is \$4,590,000.

In July 2015, Jubilee completed construction and sales for 9 of the 18 owner occupied units to be built under the contract. In the first quarter of 2016, they acquired several lots from Dallas Independent School District and a private property owner with a reputation for owning blighted properties. Today they own more than 9 lots to continue construction of the remaining units. Due to construction cost increases and costs associated with lot clearing, they are requesting an additional \$25,000 to complete the remaining nine homes.

City Council approval of this item will authorize the City Manager to execute the second amendment to the conditional grant agreement with JPCCC for these funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

On June 26, 2013, City Council approved the conditional grant with JPCCC in the amount of \$500,000 for the development to include acquisition, demolition, relocation, predevelopment and construction costs of the Jubilee Neighborhood Project by Resolution No. 13-1106.

On January 8, 2014, City Council approved an amendment to the conditional grant with JPCCC by Resolution No. 14-0107.

On June 17, 2015, City Council approved an amendment to the conditional grant with JPCCC by Resolution No. 15-1150.

Information about this item will be provided to the Housing Committee on June 20, 2016.

FISCAL INFORMATION

2012 Bond Funds - \$25,000

OWNER

**Jubilee Park & Community Center
Corporation**

Jeff Rice, Chairperson of Board
Ben Leal, Chief Executive Officer

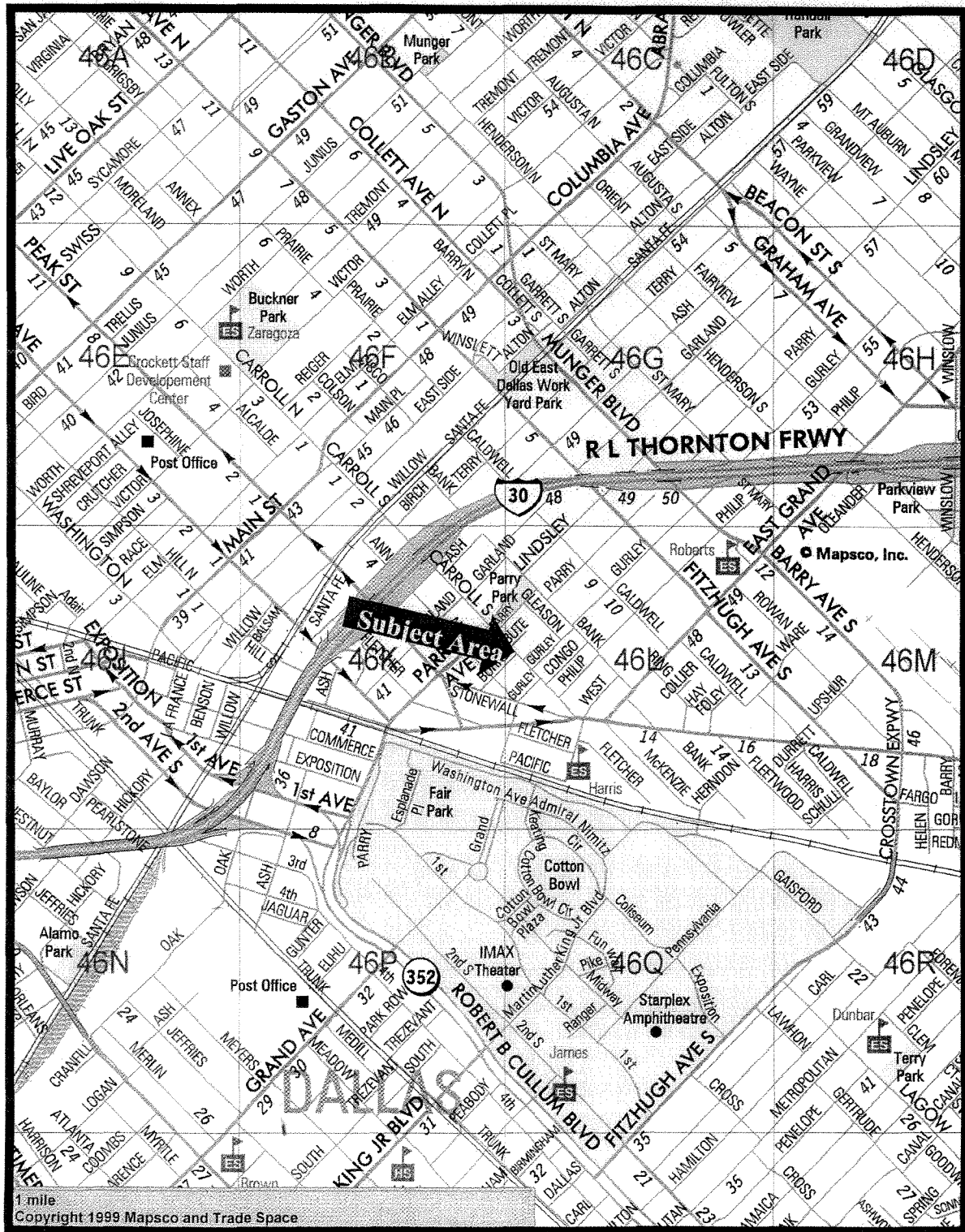
DEVELOPER

**Jubilee Park & Community Center
Corporation**

Jeff Rice, Chairperson of Board
Ben Leal, Chief Executive Officer

MAP

Attached



MAPSCO 46K & 46L

June 22, 2016

WHEREAS, the development of owner occupied housing units for households with varied income levels is a high priority of the City of Dallas to create more housing choices and economic growth; and

WHEREAS, Jubilee Park & Community Center Corporation (JPCCC) wishes to partner with the City of Dallas to provide forty single family homes in the Jubilee Neighborhood; and

WHEREAS, on June 26, 2013, City Council approved the conditional grant with JPCCC in the amount of \$500,000 for the development to include acquisition, demolition, relocation, predevelopment and construction costs of the Jubilee Neighborhood Project by Resolution No. 13-1106; and

WHEREAS, on January 8, 2014, City Council approved an amendment to the conditional grant with JPCCC by Resolution No. 14-0107; and

WHEREAS, on June 17, 2015, City Council approved an amendment to the conditional grant with JPCCC by Resolution No. 15-1150; and

WHEREAS, the City requests a modification to the conditional grant agreement as part of the City's ongoing efforts to promote housing as a part of greater economic development plans in the city; **NOW, THEREFORE**,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is authorized to amend Resolution No. 15-1150, previously approved on June 17, 2015, for the conditional grant agreement in the amount of \$500,000 with Jubilee Park & Community Center Corporation to (1) increase the project budget by \$25,000; and (2) extend the completion date from June 30, 2016 to June 30, 2017 for the acquisition, demolition, relocation, predevelopment and construction of 18 single family homes in the Jubilee Neighborhood Project.

SECTION 2. That the grant agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

- a. JPCCC shall complete construction by June 30, 2017.
- b. JPCCC will execute an amended performance Deed of Trust and deed restrictions on the property.
- c. The City will subordinate its lien position to the Lender for interim construction.
- d. The debt will be forgiven and the lien released on a partial basis as each unit is built and the homebuyer.

June 22, 2016

SECTION 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the second amendment and to execute releases of liens and terminate the deed restrictions on the property upon compliance with the conditional grant terms.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

Jubilee Park & Community Center Corporation Vendor #356593

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object Code</u>	<u>Program #</u>	<u>Encumbrance</u>	<u>Amount</u>
3U53	HOU	W089	3016	3U53HOW089	HOUS904I131	\$25,000

SECTION 5. 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 grant funds, until such time as the second amendment and related documents are duly approved by all parties and executed.

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

AGENDA ITEM # 54

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 36 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses and a community service center, a child-care facility and office uses; and an ordinance repealing Specific Use Permit No. 1494 for a community service center and a child-care facility, on property zoned an MF-2(A) Multifamily District in an area bounded by Ross Avenue, Matilda Street, Hudson Street, and Hope Street

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions; and approval of repealing Specific Use Permit No. 1494 for a community service center and a child-care facility

Z112-281(OTH)

FILE NUMBER: Z112-281(OTH)

DATE FILED: July 11, 2012

LOCATION: Area bounded by Ross Avenue, Matilda Street, Hudson Street, and Hope Street.

COUNCIL DISTRICT: 14

MAPSCO: 36-X

SIZE OF REQUEST: Approx. 1.52 acres

CENSUS TRACT: 11.01

APPLICANT / OWNER: Interfaith Housing Coalition Inc.

REPRESENTATIVE: Buddy (Grady) Jordan/Connie Sanford

REQUEST: An application for a Planned Development District for MF-2(A) Multifamily District uses and a community service center, a child-care facility and office uses; and repealing Specific Use Permit No. 1494 for a community service center and a child-care facility, on property zoned an MF-2(A) Multifamily District.

SUMMARY: The applicant proposes to continue the use of the property for the existing non-for-profit organization [Interfaith Housing Coalition] for a community service center, a child-care facility and the office uses required for the operations and expand the use on the entire request site.

CPC RECOMMENDATION: Approval, subject to a development plan and conditions; and approval of repealing Specific Use Permit No. 1494 for a community service center and a child-care facility.

STAFF RECOMMENDATION: Approval, subject to a development plan and conditions; and approval of repealing Specific Use Permit No. 1494 for a community service center and a child-care facility.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning district will not have a negative impact upon surrounding properties. The proposed/existing use of the property has been in place since 2002. However, the applicant is changing the zoning of the property due to the expansion of the site and the changes in the uses of the property. The property is surrounded by multifamily to the north; multifamily and single family to the east; townhomes to the south; adult daycare, vacant and retail to the west
2. *Traffic impact* – The proposed development is located on a principal arterial street. The proposed use of the property will not have conflict with the existing street system.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan states that this area is within the Urban Neighborhood Building Block. The requested zoning district is consistent with the Urban Neighborhood Building Block. Staff believes the request is compatible with the intent of the comprehensive plan.

Background:

SUP No. 1494 for a community service center and a child-care facility was originally approved on November 13, 2002 for a five-year period with eligibility for automatic renewals for additional five-year periods. It was automatically renewed in 2007.

The applicant originally submitted the application for the renewal of Specific Use Permit for a community service center and child-care facility on July 11, 2012. The expiration date was November 13, 2012. The application for the automatic renewal was submitted within the required time period for automatic renewal as established by Code. Upon the site visit and review of the application, staff found that the site did not comply with the site plan as approved by the City Council in 2002.

The applicant eliminated 10 apartment units which led to other changes in the use of the property which in turn triggered changes to the parking requirements. The main issue for non-compliance with the SUP conditions was the shortage of parking spaces. During the discussions with the applicant, it was clarified that the use had changed and that the residential component of the property had been reduced.

Typically, a community service center and a child-care facility require a Specific Use Permit in an MF-2(A) Multifamily District. Office uses are not allowed in an MF-2(A) District.

Because of the characteristics of the services provided by the applicant, the parking requirements of a community service center (1 space per 200 square feet of the area for the use), the child-care facility (1 space per 500 square feet of the area for the use), and

the office use for the operations of the former, it was decided that the most appropriate zoning for the existing uses and the property was a PD.

Part of the delay in moving forward with this application after identifying the nonconformance with the SUP conditions and plan was waiting for the applicant to hire professionals to produce the plans and other documentation required for the processing of the PD. Other issues revolved around determining the appropriate uses on the property and the expansion of the area of request.

Zoning History: There has not been any zoning change request in the vicinity within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Ross Avenue	Collector	65 feet
Matilda Street	Local	60 feet
Hudson Street	Local	50 feet
Hope Street	Local	50 feet

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 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 multifamily. 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 planned development district generally conforms to the intent of the Comprehensive Plan.

Surrounding Land Uses:

	Zoning	Land Use
Site	MF-2(A) & SUP 1494	Community Service Center, child-care facility, and offices
North	MF-2(A)	Multifamily
East	MF-2(A)	Multifamily, single family
South	MF-2(A)	Townhomes
West	PD No. 842	Adult-daycare facility, vacant and retail

Land Use Compatibility:

The approximately 1.52 acres request site is partially developed with three buildings on the northern portion of the property presently used for a community service center, a child-care facility and offices for the Interfaith Housing Coalition. The southwest corner of the block is presently developed with a single family vacant unit. The remainder of the property is undeveloped. The existing use covers approximately half the block which is the area for the existing SUP No. 1494 for a community service center, child-care facility and offices for the operation of the existing uses. The request site for the Planned Development District encompasses the entire block. The applicant is proposing to expand the existing uses in two phases in which two of the buildings will be demolished and two new buildings will be built.

The applicant originally submitted an application to renew Specific Use Permit to automatically renew SUP No. 1494; however, the site and uses on the property did not comply with the conditions and site plan as approved by City Council on November 13, 2002. One of the issues that prevented staff from automatically review the SUP was the insufficient parking provided for the uses. The applicant had reduced the number of dwelling units for the residential portion of the use of the property. That, in itself, does not affect the parking requirements for the SUP. However, the reduction of the dwelling units was made to increase the other two uses of the property. The applicant had to gather data and obtain professional help to determine the area for each use, so staff could determine the parking requirements.

Landscaping:

All landscaping for the new development and site must comply with the requirements of Article X.

Parking:

Required parking for a child-care facility is calculated as 1 space per 500 square feet of the use, which will require 21 spaces for 10,270 square feet for child-care use. The community service center requires 1 space per 200 square feet of the use, which will require 126 parking spaces for a total of 25,225 square feet of community service use. The total number of parking required is 148 spaces. The applicant is requesting a reduction in parking of 83 spaces. Of which 21 may be waived with for the child-care facility. This would bring the parking reduction request to 62 parking spaces. The applicant is proposing to provide 65 parking spaces at all times. For a child-care facility, community service center, and office uses required for the operations, a minimum of 65 spaces must be provided. The applicant must provide a minimum of 65 parking spaces for the propose floor area combined of 44,309 square feet for the child-care facility, community service center and office uses. The maximum floor area for the uses combined may not be increased unless additional parking is provided or a variance from the off-street parking requirements is obtained from the Board of Adjustment.

With the expansion of the existing uses and the nature of the operations of the existing non-profit organization staff considered there was a need for a parking analysis. Therefore, staff requested that the applicant provide a parking analysis to determine whether the parking reduction requested by the applicant was justifiable. According to the parking analysis made by the consultant, 47 parking spaces will be sufficient for the existing and future uses of the property. However, the applicant is providing 65 parking spaces at all times. For more details on the parking, the initial parking analysis and the parking memo are included in this report. The traffic engineer of Sustainable Development and Construction approved the parking reduction.

CPC ACTION:
May 19, 2016

Motion: It was moved to recommend **approval** of a Planned Development District for MF-2(A) Multifamily District uses and a community service center, a child-care facility and office uses, subject to a development plan and conditions; and **approval** of the repeal of Specific Use Permit No. 1494 for a community service center and a child-care facility on property zoned an MF-2(A) Multifamily District in an area bound by Ross Avenue, Matilda Street, Hudson Street, and Hope Street.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright, Schultz, Peadon, Murphy,
Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Notices: Area: 500 Mailed: 188
Replies: For: 0 Against: 4

Speakers: For (Did not speak): Loretei Mewhirter, 5310 Harvest Hill Rd., Dallas, TX, 75230
Buddy Jordan, 3839 McKinney Ave., Dallas, TX, 75204
Against: None



Interfaith Housing Coalition Board of Directors 2015 - 16

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Prophet Equity
4360 Potomac Ave., Dallas, TX 75205

[Redacted] .com
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2708 Stanford Ave., Dallas, TX 75225

[Redacted] rs.com
Term expires: 9/2018

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P.O. Box 1423, Addison, TX 75001

[Redacted] on.org
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[Redacted] 2-8613
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Welock Law
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[Redacted] n
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[Redacted] om
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Meagan Martin
Junior League Dallas
3113 Jenbri St., Flower Mound, TX 75022

[Redacted] on.com

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4445 Livingston Ave., Dallas, TX 75205

[Redacted]

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3532 Granada Ave, Dallas, TX 75205

[Redacted] er.org

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Upstream Capital
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[Redacted] 7890
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500 N. Akard, Suite 2700, Dallas, TX 75201

[Redacted] l.com
Term expires: 9/2016

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ORIX Mezzanine & Private Equity
1717 Main Street, Suite 1100, Dallas, TX 75201

[Redacted] 3561
Term expires: 9/2017



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Meds for Africa, Co-founder, Executive Director
12001 Timberlake Ct., Dallas, TX 75230

[Redacted]
Term expires 9/2017

Cynthia Rodegast
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2200 Ross Ave., Suite 900, Dallas, TX 75201

[Redacted]
Term expires 9/2017

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Chief Marketing Officer, Compass Professional
Health Services and Co-Founder
4251 Potomac Ave., Dallas, TX 75205

[Redacted]
Term expires 9/2017

Rob Feito
Supportkids Services, Inc., CEO
3838 Oaklawn Ave., Ste. 1500, Dallas, TX 75219

[Redacted]
Term expires 9/2017

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Vice President of Real Estate
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[Redacted]
Term expires 9/2017

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[Redacted]
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Fish & Richardson
4320 Reamur Drive, Dallas, TX 75229

[Redacted]
Term expires: 9/2018

Meredith Camp, CFP®
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Vice President | Philanthropic Specialist
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[Redacted]
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Horace Mann Insurance
8002 Marielle Circle, Dallas, TX 75232

[Redacted]
Term expires: 9/2018



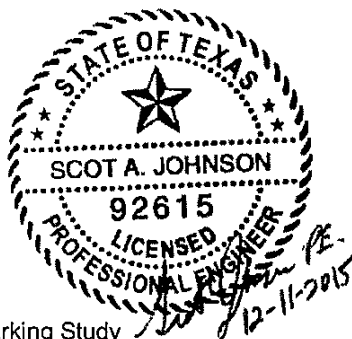
MEMORANDUM

To: Connie Sanford
Interfaith Housing Coalition

From: Scot A. Johnson, P.E., PTOE
Kimley-Horn and Associates, Inc.

Date: December 11, 2015

Subject: Dallas Interfaith Housing Coalition Parking Study
Minimum Parking Supply Supplement Z112-281



Kimley-Horn prepared a parking study dated November 8, 2015 to document the existing and projected parking demand at the Interfaith Housing Coalition (IHC) site on the southwest corner of Ross Avenue and Matilda Street.

The parking study observed the existing parking activity at the IHC site, including on-street parking which was judged to be a result of activity at IHC. The observed demand was then factored up to reflect the staff levels and activities which would be supported by the new facilities. The study concluded:

Based on the observations, the expected maximum parking demand for the future site is 47 spaces or less... so the future supply of 73 spaces will be well above the demand.

At the time of the parking study, the proposed future site would have provided 73 parking spaces. Since that time, the site designers are proposing to reduce the parking supply by about 5 spaces, to a total of approximately 68 spaces on the site. The reduction is due to the potential to save existing trees or provide additional new landscaping areas.

Based on the parking study with a projected demand of 47 spaces, any parking supply over about 60 spaces will completely accommodate the parking demand for the new site, plus a significant buffer or safety factor. The proposed supply of about 68 spaces is entirely appropriate for meeting the needs of the future site.

END

Kimley»Horn

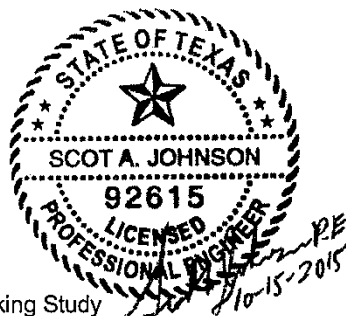
MEMORANDUM

To: Connie Sanford
Interfaith Housing Coalition

From: Scot A. Johnson, P.E., PTOE
Kimley-Horn and Associates, Inc.

Date: October 15th, 2015

Subject: Dallas Interfaith Housing Coalition Parking Study



Introduction

Kimley-Horn and Associates, Inc. (KH) was retained by Interfaith Housing Coalition (IHC) to conduct a parking study to examine the effects of the proposed development. The study determined the actual parking supply on the site and made observations of parking demand from the current land uses, then drew conclusions about the proposed development.

PD application Z112-281 covers the block on the southwest corner of Ross Avenue and Matilda Street. The northern portion of this block is currently developed with three buildings. Building A, which is adjacent to Hope Street, serves primarily as an office for the staff members of IHC. Building A will not be affected by the proposed development. The other two buildings (5610 and 5612 Ross) provide day care, community services, and four apartment units for the IHC residents. The southern portion of the block is mainly undeveloped and there is a duplex located on the southwest corner of the block. All buildings other than Building A will be removed in Phase 1 or Phase 2 of the redevelopment. The proposed redevelopment will add buildings B and C, and additional surface parking.

The existing site along with the two off-site apartment complexes were observed on September 17, 2015 for both parking supply and parking occupancy. A physical count and examination of each available parking space was made, comparing the actual conditions to the site plans provided by the owner.

Parking Supply

The surface parking supply was divided into three areas. Lot S-1 is the surface parking lot on the north side of the IHC facility. S-1 has a total of 11 parking spots. S-2 which is located off of Matilda Avenue has a total of 9 parking spots. For a conservative count of parking demand, adjacent on-street parking on Matilda Avenue judged to be potentially IHC-related was also included as a part of the supply and demand generated by the IHC facility. There is additional street parking on Hope Street and Hudson Street but these were judged to be not IHC-related during the observations. The existing parking supply map can be seen in **Exhibit 1**.

Additionally, parking supply and the number of cars present were counted at the two Interfaith apartment complexes at 5702/5708/5714 Matilda Street and 4627 Munger Avenue to see how much potential demand would be generated if everyone was to drive from their apartments to the IHC facility.

Future Site Redevelopment

The proposed development will occur in two phases, see the attached conceptual site plans of Phase 1 and Phase 2 for reference. For the first phase the northern parking lot will remain untouched, and the eastern parking lot will lose three spaces due to construction of Building B (14,056 SF) as part of Phase 1 construction. There will be a total of 84 parking spaces available after Phase 1 is complete.

As part of Phase 2 construction, the northern and eastern lot will be demolished and Building C will be constructed (18,570 SF), which also replaces the existing buildings at 5610 Ross and 5612 Ross (10,882 SF combined). After Phase 2 is complete there will be a total of 73 parking spaces available on site.

Parking Demand Observations

The observations were conducted on Thursday September 17, 2015 when IHC holds their Life Skills and Volunteer Mentor sessions from 6:30 – 8:30 pm. These sessions are also held on Tuesdays. Half the residents attend on Tuesday and the other half on Thursdays. These sessions are mandatory for IHC residents to attend. There are also additional sessions held throughout the weeks such as job search sessions and weekly meetings with IHC staff. Residents attending these meetings from the apartments east of the IHC facility just walk across the street, while residents from Munger Avenue are shuttled over using IHC buses. However, some of the small percentage of residents with vehicles at the Munger Avenue apartments prefer to drive to the IHC facility. There are also part-time Youth Services staff who are in attendance when Life Skills and Volunteer Mentor sessions are underway on Tuesdays and Thursdays. Thus, Tuesdays and Thursdays tends to generate the most parking demand.

Parking demand varies by day according to the schedule of the full-time staff, part-time staff, mentors, and volunteers. This can be seen in observations summarized in **Exhibit 2**. Parking demand was fairly stable throughout the business day which was from 9:00 am to 5:00 pm. There was a slight increase in on-street parking around 3:00 pm, which could possibly be due to the Youth Services staff arriving for their shifts, or non-IHC residential activity. There was a slight drop in the main lot parking demand at 6:00 pm as the full-time staff finished the day, but soon after the mentors and other staff members started to arrive for the different sessions. Peak parking demand occurred at 7:00 PM, with a total of 18 vehicles parked on site. There were an additional 7 vehicles parked on-street but these could not be confirmed as to whether they were directly related to the parking demand generated by IHC, but it was assumed that they were. Parking demand started to drop off around 8 pm when the sessions were coming to an end and by 9:00 pm there were only 3 vehicles parked on the site, and 2 on-street.

The parking observations at the two apartment locations showed parking demand increasing throughout the evening, as is expected with a residential use. The maximum observed was 26 vehicles combined on the two sites, with both sites still having empty spaces available.

Current and Future Parking Demand Discussion

The future development of buildings B and C will add additional square footage to the IHC facility. Current staffing including full-time staff, part-time staff, mentors, and volunteers totals up to 27 people. As noted, the maximum observed parking demand at any time for this staffing level was 25 vehicles at 7:00 pm, which included some residents during the Life Skills and Volunteer Mentor sessions in the evenings. During the business day, the maximum observed demand was 18 vehicles. The parking observations show that the 20 spaces in the two on-site parking lots were never completely full, even in the evening peak. The current peak parking demand is less than one space per staffer, including all residents and visitors for the evening sessions.

With the expansion, IHC is looking to add another 20 full- or part-time staff members, bringing the total up to 47. As before, not everyone will be present at the site at the same due to varying schedule of the staff members. In the buildout condition the site will provide 73 spaces. There will be additional parking demand generated by the addition of new staff members, but it will not be significant enough to overload the parking supply. Based on the observations, the expected maximum parking demand for the future site is 47 spaces or less (1 per staffer), so the future supply of 73 spaces will be well above the demand.

Summary

It is clear from observing the parking demand generated by the current IHC facility that 73 parking spaces should be adequate to support the operations at IHC facility after the completion of the site redevelopment. The existing day care and community services uses are not generating as much parking demand as the City Code would indicate should be supplied, with a maximum parking demand of less than one space per total staffer. There is no change to the anticipated operations other than an increase in staff, so there is no reason that the relationship between staff number and maximum parking demand will change. Therefore, the parking supply of 73 spaces will provide ample parking with a significant buffer above the anticipated demand from the future 47 staffers.

END

- Attachments:
1. Exhibit 1 – Parking Supply Map
 2. Exhibit 2 – Parking Supply and Occupancy Observations
 3. Phase 1 Conceptual Site Plan
 4. Phase 2 Conceptual Site Plan
 5. Staffing Requirements from IHC

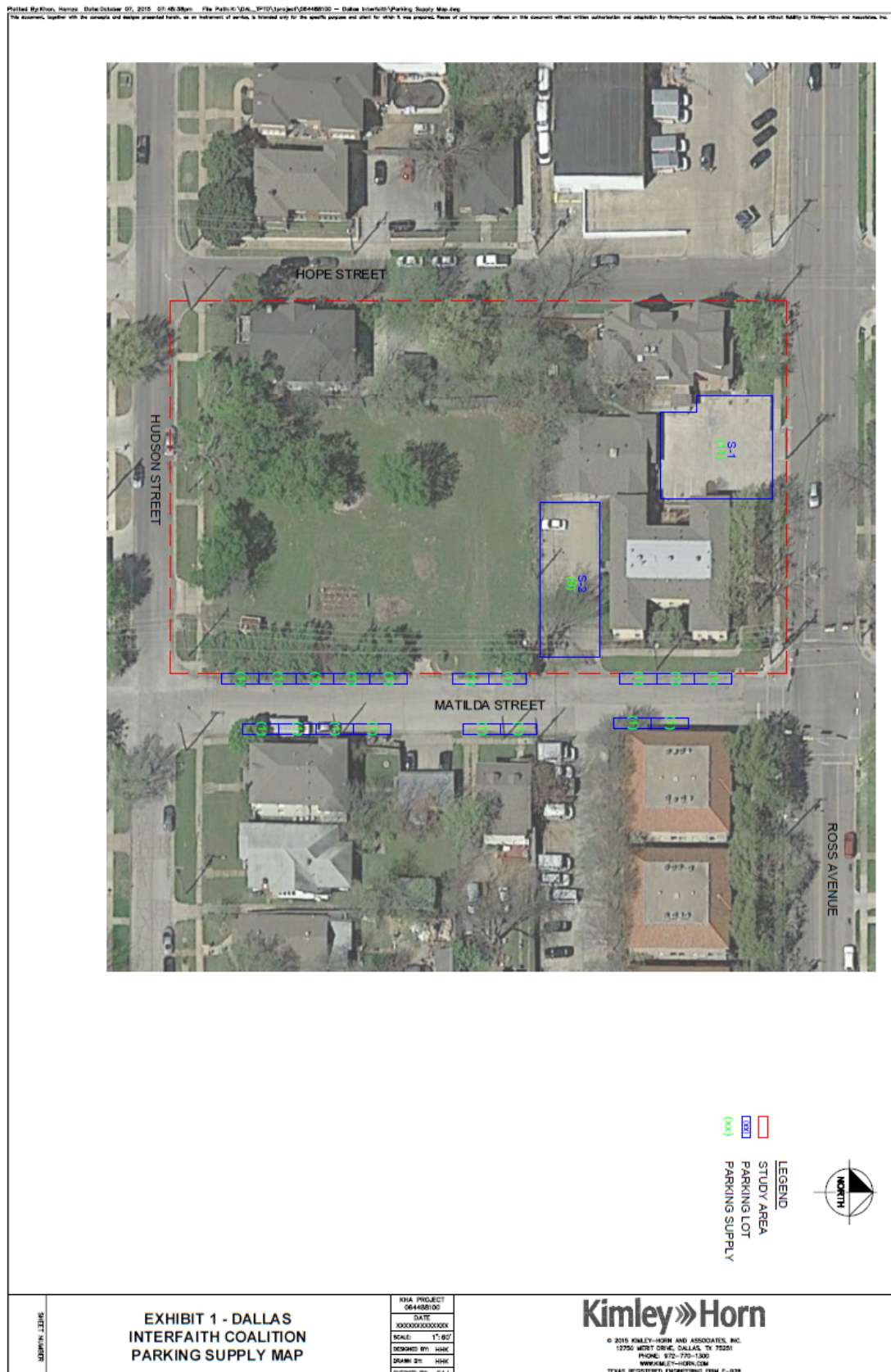


Exhibit 2 - Parking Supply and Occupancy Observations

IHC Parking Supply and Observed Vehicle Occupancy														
Area	Sub Block	Parking Supply			Occupancy (Thursday - 09/17/2015)									
		On Street	Standard	Total	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM
Interfaith Building	L-1	0	11	11	7	7	8	6	6	6	6	10	3	0
	L-2	0	9	9	7	8	8	8	8	8	5	8	6	3
ON-SITE TOTAL:		0	20	20	14	15	14	14	14	14	11	18	9	3
Off Street Metilda*		18	0	18	2	2	2	4	4	5	5	7	4	2
TOTAL PARKING:		18	20	38	16	17	16	18	18	19	16	25	13	5

* - Assumed to be IHC-related parking occupants

IHC Apartment Parking Supply and Observed Vehicle Occupancy														
Area	Sub Block	Parking Supply			Occupancy (Thursday - 09/17/2015)									
		On Street	Standard	Total	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM
Interfaith Apartments	5702, 5708, 5714 Metilda	0	18	18	10	10	8	8	10	8	10	11	12	14
	4627 Munger	0	14	14	5	5	5	5	5	4	5	6	8	12
TOTAL		0	32	32	15	15	13	13	15	12	15	17	20	26

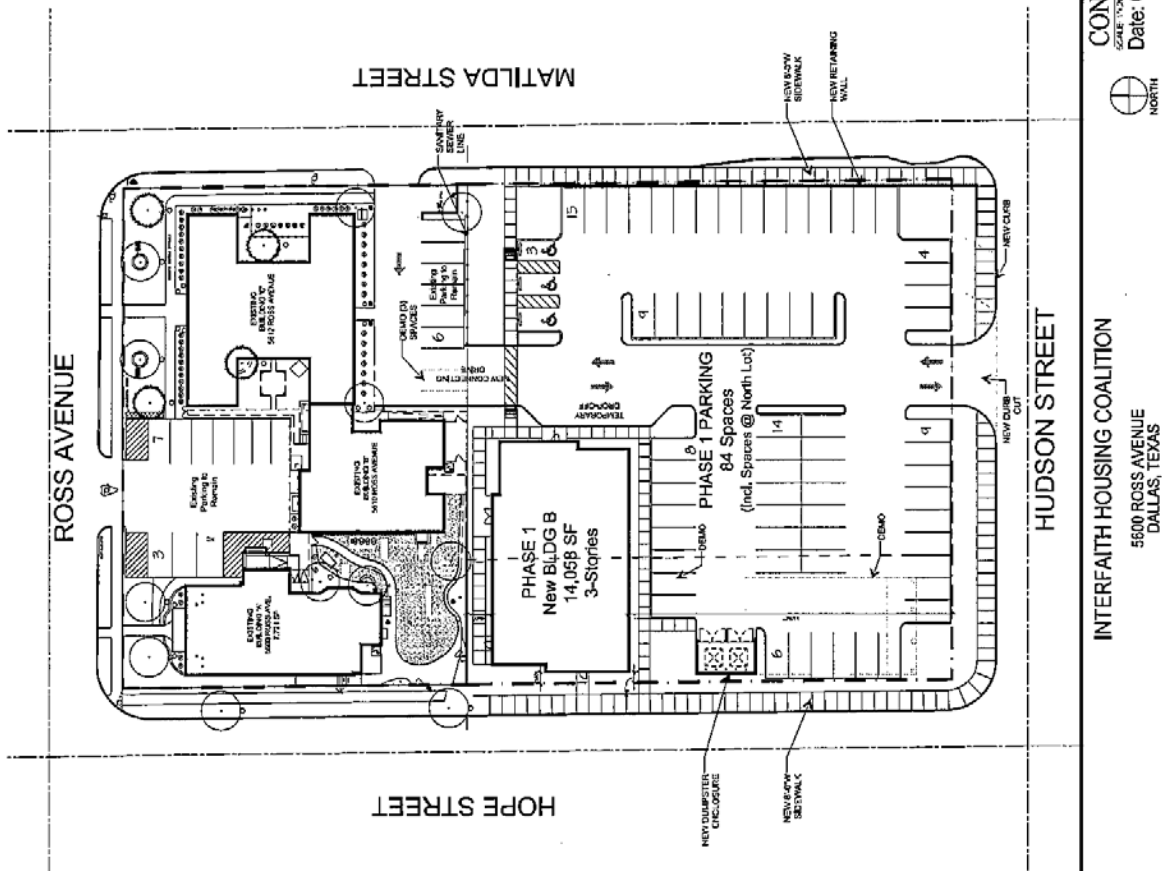
LEGEND = Occupancy less than 25%

 = Occupancy greater than or equal to 25% and less than 60%

 = Occupancy greater than or equal to 60% and less than 75%

 = Occupancy greater than or equal to 75% and less than 90%

 = Occupancy greater than or equal to 90%



Attachment - Staffing Requirements from IHC

6.0 Actual On-site Parking Needs. Following is an analysis of the actual on-site parking needed by IHC for its activities on the subject PDD property.

PARKING REQUIREMENTS ACTUALLY NEEDED BY IHC

Parking Calculations		Current + future staffing			Total Parking
		Mentors Visitors Residents	Youth Services	H&H, Admin, Develop	
Full-Time Staff Required Parking			1+1	17+12	18+13
Part-time Staff Required Parking (Note 3)			3+4	6+3	9+7
Visitor Parking - day		4			4
Total Parking Actually Required		4	4+5	23+15	27+20
Excess/Visitor Parking (Note 2) Tues or Thurs night only (after business hours)		15	0	4	19

Notes to Parking Analysis

Note 1 – Approximately 50-60% of residents of the 50 IHC apartment units, as a consequence of their economic situation, do not own vehicles, and therefore do not require parking facilities. However, there is ample and code compliant parking for all of the residents at IHC's two other off-site apartment complexes. One complex is located across the street from the subject PDD property at 5702, 5708 and 5714 Ross Ave. The other complex is located a few blocks away at 4627 Munger Ave. Munger apartment is one that will be replaced by newly built apartment complex.

Note 2 – Life Skills and Volunteer Mentor sessions are held at the Subject property on Tuesday and Thursday evenings from 6:30 p.m. until 8:30 p.m. Half of the residents attend on Tuesday evening and half on Thursday evening. Attendance is mandatory. Additionally, residents are required to attend job search sessions until they find employment, and weekly meetings with IHC staff until graduation. Residents from the IHC apartment complex across the street from the Subject property walk to these meetings. Residents from the Munger Ave. apartment complex are transported to these meetings by Company-owned buses though some do use their own vehicles.

Note 3 – Part time staff have varying schedules. Youth Services part time staff work 3 – 6 on M, W & F and 3 – 8 Tues & Thurs. Other part time staff work varying times, including later nights on Tuesday and Thursday.

PROPOSED 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 size of PD ____ is approximately _____ acres.

SEC. 51P- ____ .103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P- ____ .104. EXHIBIT.

The following exhibit is incorporated into this article:

Exhibit ____A: Development plan

SEC. 51P- ____ .105. DEVELOPMENT PLAN.

(a) For a child-care facility, a community service center, and an office use [limited to use by a non-profit organization only], development and use of the Property must comply with the development plans (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, no development plan is required, and the provision of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-____.106. 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) The following uses are permitted by right:

- Child-care facility.
- Community service center.
- Office. *[limited to use by a non-profit organization only]*

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 electric vehicle charging station.
- 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) Except as provided in this section, the yard, lot, and space regulations for the MF-2(A) Multifamily District apply.

(b) For a child-care facility, community service center, and office, yard, lot and space regulations are:

- On Ross Avenue, a minimum 15 feet must be provided.
- On Matilda Avenue, a minimum of 9 feet must be provided.
- On Hudson Street, a minimum of 5 feet must be provided.
- On Hope Street, a minimum of 6 feet must be provided, with the exception of existing Building A, to remain with the existing covered stairs.

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) For a child-care facility, community service center, and office uses required for the operations, a minimum of 65 spaces must be provided. The maximum combined floor area for the child-care facility, community service center and office uses is 44,309 square feet. The maximum combined floor area for the uses may not be increased unless additional parking is provided or a variance from the off-street parking requirements is obtained from the Board of Adjustment.

SEC. 51P- _____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.111. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) 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) The Property must be properly maintained in a state of good repair and neat appearance.

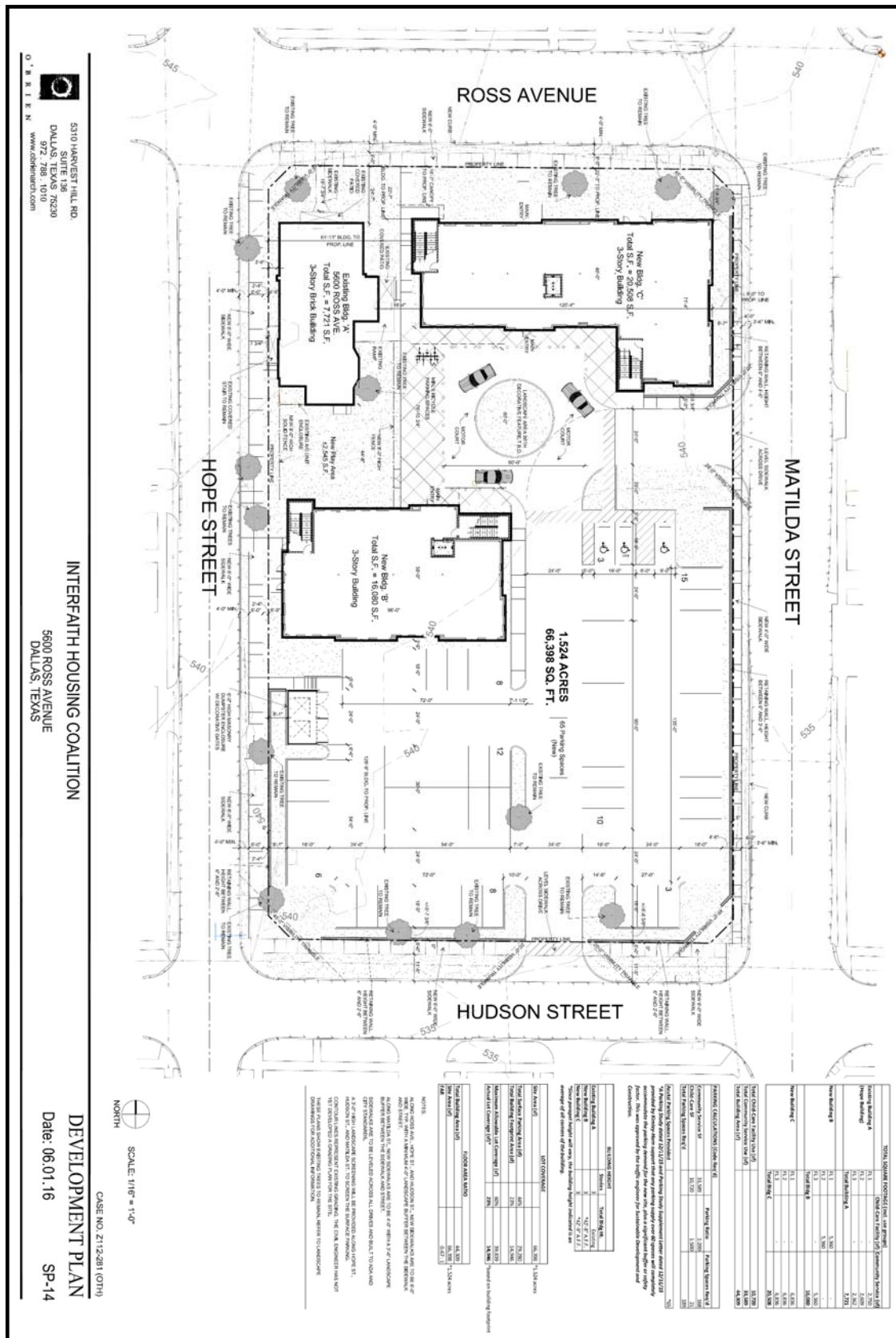
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

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.”

PROPOSED DEVELOPMENT PLAN



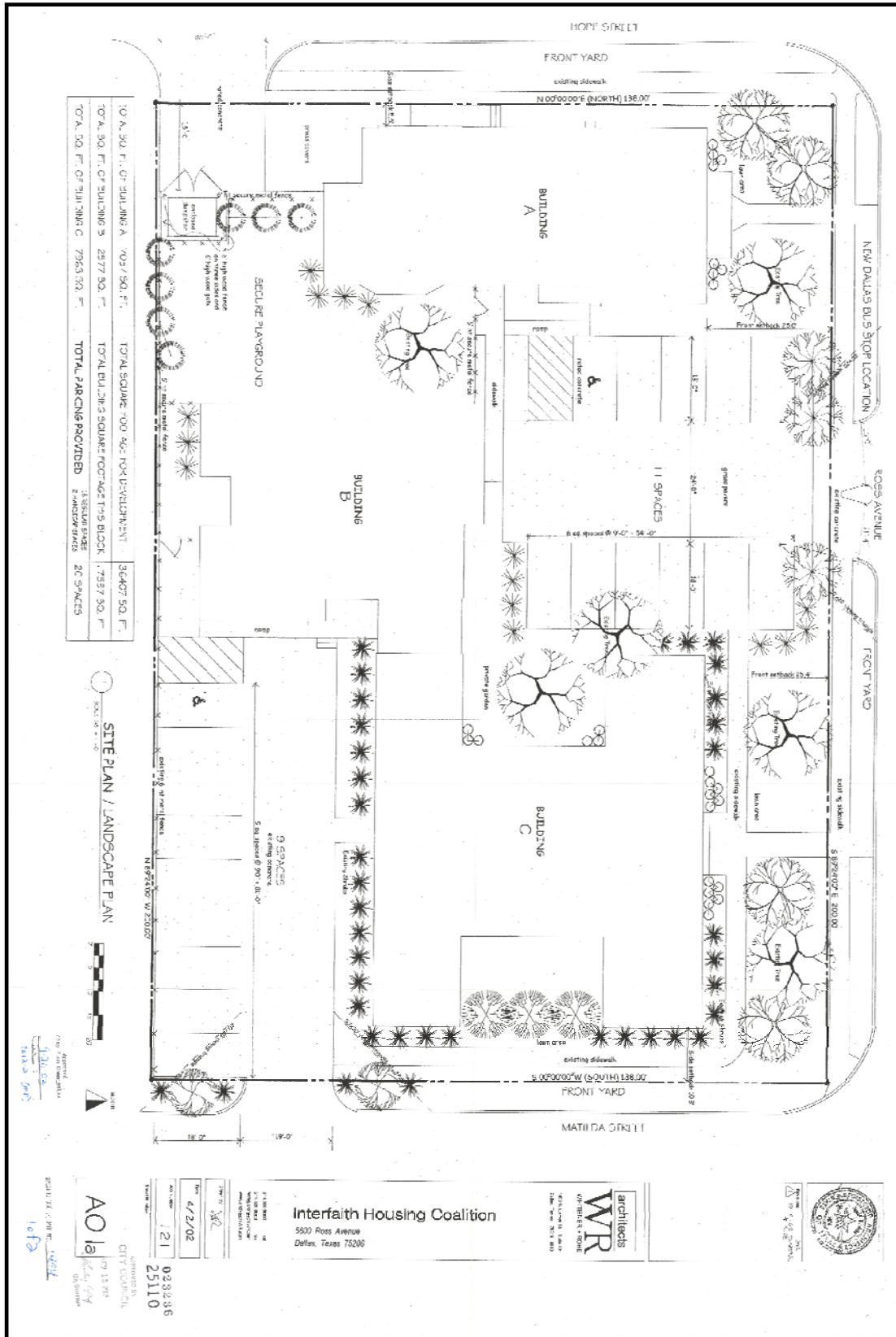
EXISTING SUP No. 1494 CONDITIONS

SECTION 2. That this specific use permit is granted upon the following conditions:

1. USE: The only uses authorized by this specific use permit are a community service center and a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site/landscape plan.
3. TIME LIMIT: This specific use permit is approved for a five-year period and is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. In order for automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. LANDSCAPING: Landscaping must be provided as shown on the attached site/landscape plan. Plant material must be maintained in a healthy, growing condition.
5. OFF-STREET PARKING: A minimum of 20 off-street parking spaces must be provided in the location shown on the attached site/landscape plan.
6. INGRESS AND EGRESS: Ingress and egress must be provided in the location shown on the attached site/landscape plan.
7. FENCING: The outdoor play area must be fully enclosed by a minimum six-foot-high fence, as shown on the attached site/landscape plan.
8. FLOOR AREA: The maximum floor area for the community service center is 4,200 square feet. The maximum floor area for all uses combined is 17,597 square feet. The floor area of the community service center may not be increased unless additional parking is provided or a variance from the off-street parking requirements is obtained from the Board of Adjustment. A minimum of four dwelling units must be provided on the Property at all times.

9. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance always.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SUP SITE PLAN (1-2)



EXISTING SUP SITE PLAN (2-2)

PLANTING NOTES:

1. Locate existing underground utilities and obstructions prior to starting work. Repair damage to utilities resulting from the installation, at no additional expense to the Owner.
2. Notify the Landscape Architect immediately upon encountering any unknown obstructions, grade differences or conditions not found on plans. Make all necessary revisions as required to conform to drawings and specifications.
3. Coordinate with other trades and subcontractors as needed to accomplish the planting.
4. All plant material shall be tagged or approved at the site by the Landscape Architect, prior to installation. Metal parts free of disease and pests. Guarantee part material for 365 calendar days from issue date of final acceptance by the Landscape Architect.
5. Layout proposed planting seeds and receive the Landscape Architect's approval prior to installation. Notify the Landscape Architect of layout conflicts. Failure in notification will result in the Contractor's liability to relocate materials.
6. Scarify bed areas to a 4 inch depth, backfill with 4 inches of Professional Branding Soil as manufactured by Living Earth Technology Co. and rototill to a depth of 2 inches, producing a homogeneous mixture.
7. Fertilization of plant material shall be subject to approval by the Landscape Architect. Install groundcover 12 inches from the edge of shrubs and tree root swells, and 4 inches from the edge of paving, walls, and other structures.
8. Stake tree locations and submit plans with one part compost as manufactured by Living Earth Technology Co. and two parts existing soil.
9. Stake tree locations and submit plans with one part compost as manufactured by Living Earth Technology Co. and two parts existing soil.
10. Provide supplemental watering as required until issued final acceptance from the Landscape Architect. Locate trees a minimum of 4 feet from walls, headers, property lines, and other trees. Failure to notify the Landscape Architect of location conflicts, will result in the Contractor's liability to relocate materials.
11. Stake trees immediately upon installation and within the same day as planted.
12. Notify the Landscape Architect 48 hours in advance of commencement of work to coordinate project inspection schedules.
13. Submit a construction schedule of work to be performed so as to be approved by the Landscape Architect & Owner. Failure to submit a schedule may result in the Landscape Architect stopping construction until submitted. No extensions of time will be considered for failure to properly submit schedule.
14. Provide all service maintenance of landscape within project scope for a period of 2 months - 60 calendar days - from the date of issuance of final acceptance by the Landscape Architect. Failure to properly maintain landscape and irrigation system will result in extending the guarantee and maintenance periods at no additional cost to the Owner.
15. All landscape areas to be watered by an automatic landscape irrigation system.

NOTE: PLEASE LEAVE EXISTING PLANTING

These planting plans and schedule are for areas which do not have adequate existing plant material.

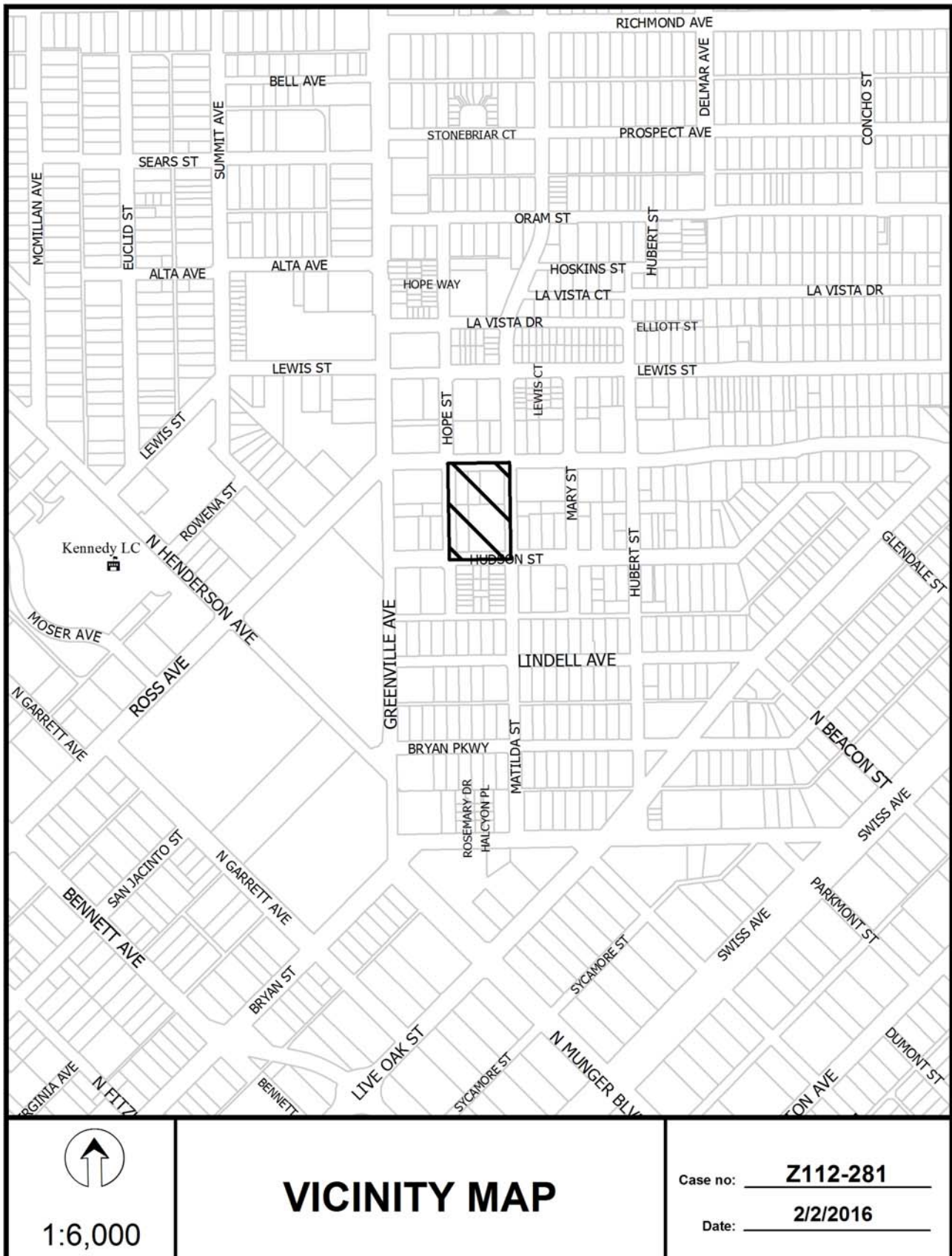
PLANT SCHEDULE

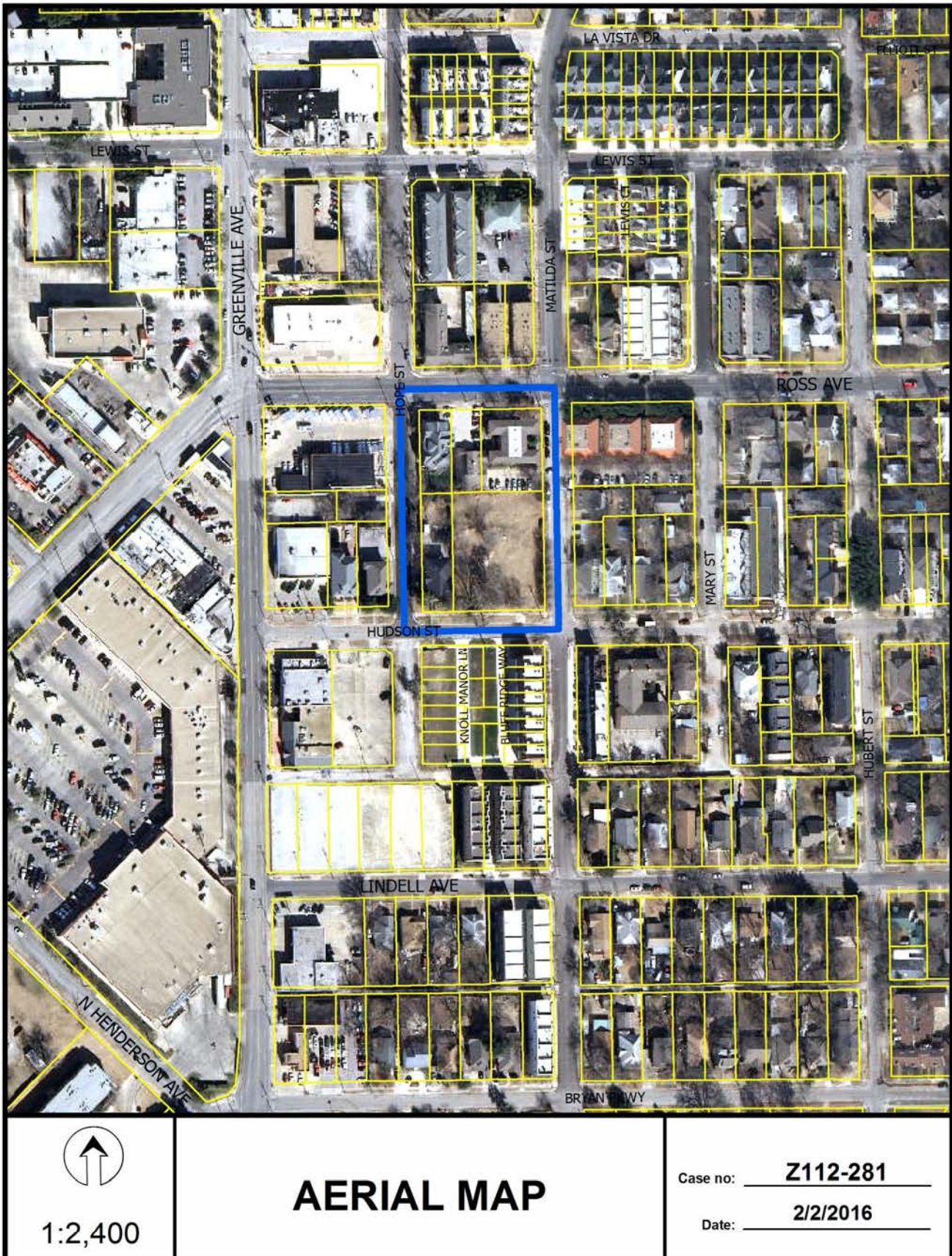
SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	NOTES	SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	NOTES
	Taxodium distichum	BAUD CYPRESS	3 EA	3.5" dia. 10' - 12' tall, 4" spread	3.5" dia. 10' - 12' tall, 4" spread		Q. STURGIS V. UNIFORM	RED OAK	6 EA	3.5" dia. 2 1/2" tall, 4" spread	1 1/2" wide, 4" tall, 4" spread
	Chiropus lineatus	CHINESE PISTACHE	4 EA	2 1/2" dia. 6' - 8' tall	2 1/2" dia. 6' - 8' tall		Vervilpa or grass	VERVILPA GRASS	69 EA	5' dia. 10' - 12' tall, 4" spread	5' dia. 10' - 12' tall, 4" spread
	Psychotrias indica	INDIAN HAWTHORN	5 EA	3.5" dia. 10' - 12' tall, 4" spread	3.5" dia. 10' - 12' tall, 4" spread		Steel Binding	STEEL BINDING	3 EA	3.5" dia. 10' - 12' tall, 4" spread	3.5" dia. 10' - 12' tall, 4" spread
	N. STEVENS HOLLY	N. STEVENS HOLLY	2 EA	3 1/2" dia. 10' - 12' tall, 4" spread	3 1/2" dia. 10' - 12' tall, 4" spread		Steel Binding	STEEL BINDING	3 EA	3.5" dia. 10' - 12' tall, 4" spread	3.5" dia. 10' - 12' tall, 4" spread
	N. STEVENS HOLLY	N. STEVENS HOLLY	2 EA	3 1/2" dia. 10' - 12' tall, 4" spread	3 1/2" dia. 10' - 12' tall, 4" spread		Steel Binding	STEEL BINDING	3 EA	3.5" dia. 10' - 12' tall, 4" spread	3.5" dia. 10' - 12' tall, 4" spread

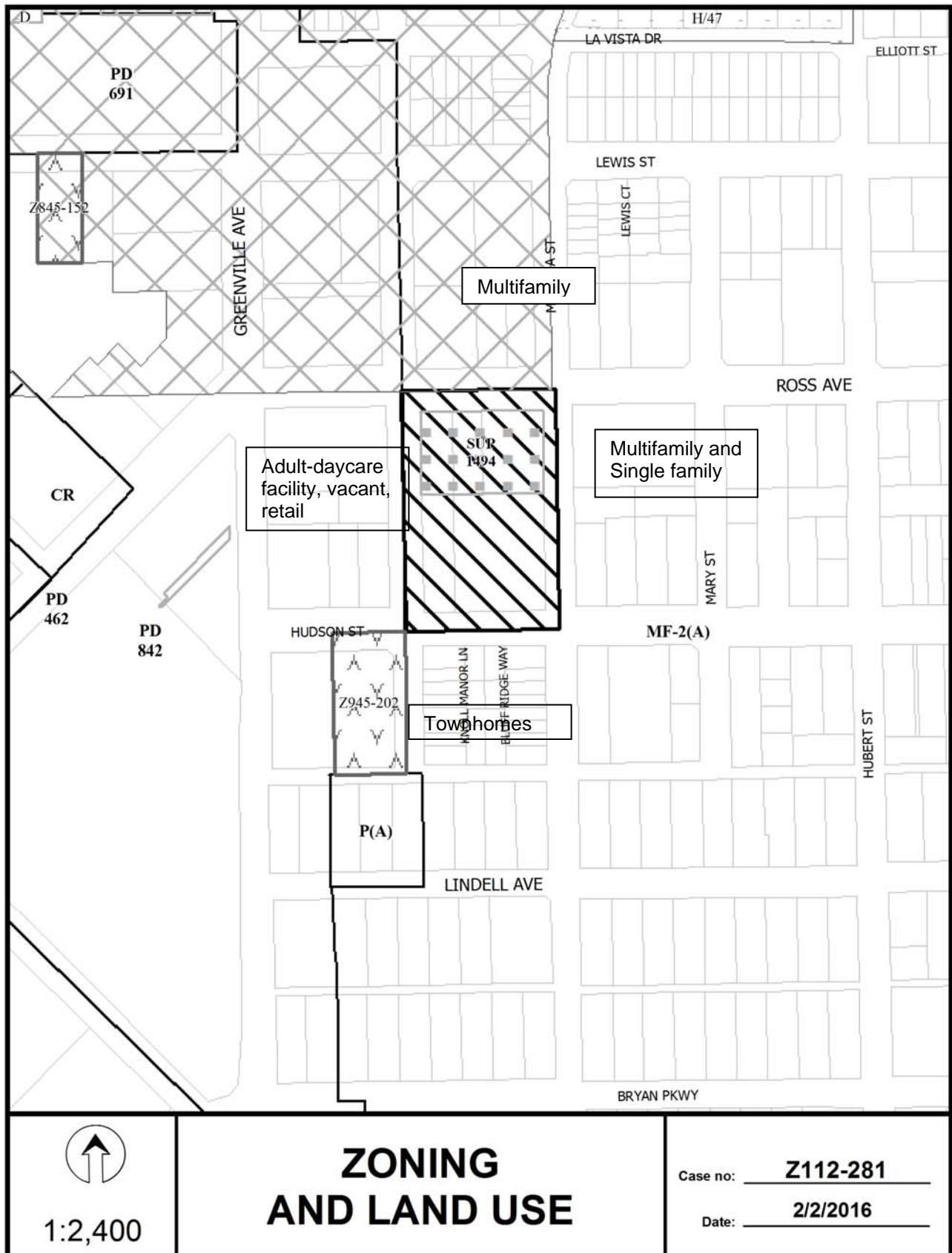
Interfaith Housing Coalition
5600 Ross Avenue
Dallas, Texas 75206



AOB
4/2/02
121
09:02:36
25110
APPROVED
CITY COUNCIL
MAY 13, 2002
City of Dallas
Dallas, Texas







CPC RESPONSES



05/18/2016

Reply List of Property Owners***Z112-281******188 Property Owners Notified******0 Property Owners in Favor******4 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5600	ROSS AVE	INTERFAITH HOUSING
2	5610	ROSS AVE	INTERFAITH HOUSING COALITION
3	5603	HUDSON ST	INTERFAITH HOUSING COALITION
4	5703	LINDELL AVE	OLD STABLE INC
5	5707	LINDELL AVE	DELCAMPO VINCENTE &
6	5711	LINDELL AVE	KNIGHT WILLIAM W
7	5713	LINDELL AVE	MENDEZ ALFONSO & SALUSTIA
8	5719	LINDELL AVE	DELCAMPO JUAN &
9	5805	LINDELL AVE	DALLAS PARKWAY DEVELOPMENTS LLC
10	5811	LINDELL AVE	SANCHEZ ERNESTO & NORMA
11	5815	LINDELL AVE	PUENTES GLORIA
12	5819	LINDELL AVE	YIGEZU SEIFU & AMARETCH EBSA
13	5702	LINDELL AVE	CRISPIN JAVIER & ANGELA
14	5706	LINDELL AVE	RESIDENTIAL INCOME PARTNERS LP
15	5708	LINDELL AVE	DELCAMPO ISIDRO & ADELA
16	5714	LINDELL AVE	ORTEGA J ANTONIO &
17	5802	LINDELL AVE	DOTTER DOUGLAS A
18	1580	GREENVILLE AVE	MARS PARTNERS JOINT
19	5515	LINDELL AVE	MARS PARTNERS
20	5613	LINDELL AVE	LEE PHILIP H TRUST THE
21	1430	GREENVILLE AVE	GOLDEN HAWKINS II
22	5514	LINDELL AVE	ALVARADO MARIA
23	5602	LINDELL AVE	BARON DOUG & SHARON
24	5604	LINDELL AVE	BARON DOUG & SHARON
25	5608	LINDELL AVE	5608 LINDELL LLC
26	1733	GREENVILLE AVE	MACATEE FAMILY LIMITED

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5403 ROSS AVE	MCDONALDS CORP
	28	5415 ROSS AVE	GABERINO JAMES D ETAL LTD
	29	1802 GREENVILLE AVE	1800 GREENVILLE PARTNERS LLC
	30	1706 GREENVILLE AVE	SKILLERN & MAJORS
	31	1708 GREENVILLE AVE	LEAKE SAM S SR TR
	32	1710 GREENVILLE AVE	LEAKE SAM S SR TR
	33	1704 GREENVILLE AVE	CCP ROSSGREEN LP
	34	5610 LEWIS ST	MATILDA APARTMENTS LP
	35	5611 ROSS AVE	IPENEMA INVESTMENTS LTF
	36	1714 MATILDA ST	JOYCE MARTIN
	37	1715 MARY ST	CARDOSO ELIDA &
	38	5701 ROSS AVE	MONZINGO CATHY
X	39	5705 ROSS AVE	ANDERSON HILDRED TR &
	40	5800 LEWIS ST	BCH DEVELOPMENT LLC
	41	5806 LEWIS ST	GLASS JAMES H & KATHERINE C
	42	5810 LEWIS ST	MARTIN NINA MARIE
	43	5812 LEWIS ST	MCCLUNG ANTHONY W & MARYANN MCCLUNG
	44	5814 LEWIS ST	CHEN SHI &
	45	1616 GREENVILLE AVE	AMERCO REAL ESTATE CO
	46	1606 GREENVILLE AVE	GOODWILL INDUSTRIES OF
	47	1615 HOPE ST	INFIRMACARE MEDICAL CTR
	48	5509 HUDSON ST	COX ROBIN LEE
	49	5513 HUDSON ST	HARBER CAROL
	50	5702 ROSS AVE	INTERFAITH HOUSING
	51	5701 HUDSON ST	BAXAVANIS NICHOLAS &
	52	5705 HUDSON ST	ROMERO LUPE
	53	5711 HUDSON ST	VELAZQUEZ JUAN R
	54	5715 HUDSON ST	5715 HUDSON LLC
	55	5800 ROSS AVE	WEST ROWLING LLC
	56	5808 ROSS AVE	DIVOT LP
	57	5812 ROSS AVE	HENLEY HUDSON

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1612	MARY ST	JEFF BARON HOMES LLC
59	5809	HUDSON ST	MCCLENDON CLYDE
60	1611	HUBERT ST	VALVERDE JOHN PAUL
61	1605	HUBERT ST	SIDEBOTTOM PAMELA J
62	5813	HUDSON ST	CORDRY CHRISTOPHER W
63	5708	HUDSON ST	POTENZIA LLC
64	5802	HUDSON ST	GUTIERREZ JUAN FRANCISCO
65	5804	HUDSON ST	RAB HOLDINGS LLC
66	5804	HUDSON ST	CONEY ANDREW WRIGHT
67	5804	HUDSON ST	BELL TERRANCE
68	1515	HUBERT ST	PEREZ ROBERTO &
69	5810	HUDSON ST	LOPEZ IGNACIO &
70	5434	ROSS AVE	RGC PROPERTIES LLC
71	5429	ROSS AVE	CHAN ALVIN B INC
72	5702	LA VISTA DR	JOHNSON C RYAN
73	5704	LA VISTA DR	DOUGLAS KENNETH D
74	5603	LEWIS ST	COHEN JUSTIN EVAN
75	5605	LEWIS ST	GENERALOVICH MIKE M
76	5706	LA VISTA DR	ABEL ALLYCIN I
77	5708	LA VISTA DR	MCLEOD ALEXANDER W &
78	5607	LEWIS ST	KOTEK THOMAS & NAOMI TRUST
79	5609	LEWIS ST	GARCIA JOSE JR & KARMEL
80	5710	LA VISTA DR	REED JASON
81	5611	LEWIS ST	SMITH PRESTON L
82	1809	MATILDA ST	AMOS GREGORY C &
83	1807	MATILDA ST	FALGOUST DAMIEN
84	1805	MATILDA ST	BROWNGARCIA SONJA J
85	1803	MATILDA ST	HOYLAND TIM
86	5604	LEWIS ST	TOPSPIN DEV LP %
87	1724	MATILDA ST	MAU KENNETH
88	1725	LEWIS CT	WAGGONER JENNY E

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	1723 LEWIS CT	DENISSEN ASHLEIGH & JAMES
	90	1721 LEWIS CT	DIVO INVESTMENT PARTNERSHIP
	91	1719 LEWIS CT	WALCHER BRADLEY M & ASHLEY
	92	1715 LEWIS CT	TOM AUSTIN F
	93	1726 LEWIS CT	BOUHASIN MATT
	94	1722 LEWIS CT	MOSKOWITZ FAMILY LIMITED PARTNERSHIP
	95	1720 LEWIS CT	HINCKLEY DOUGLAS N
	96	1731 MARY ST	PUHL MEGHAN ELIZABETH
	97	1727 MARY ST	MONSON RORY
	98	1723 MARY ST	BODLE GEOFFREY
	99	1719 MARY ST	NIVER NICHOLAS J
	100	5701 LEWIS ST	DICKSON AKO
	101	5703 LEWIS ST	HENDERSON ALLISON HALLEY
	102	5705 LEWIS ST	MCENDREE DAVID
	103	5707 LEWIS ST	VELASQUEZ CECILIA
	104	5709 LEWIS ST	FRUMKIN DAVID & HEIDI L
	105	5720 LAVISTA DR	WHITWORTH MARK W
	106	5722 LAVISTA DR	BUCHELIMORENO ALVARO A
	107	5724 LAVISTA DR	LIANG STEVE
	108	5726 LAVISTA DR	TAYLOR KAREN E & GRANT M
	109	5728 LA VISTA DR	LEOPOLD ANTHONY
	110	5811 LEWIS ST	OAKLEY EDWARD P
	111	5807 LEWIS ST	BRINLEY DENZIL
	112	5803 LEWIS ST	GARZA CLARA A
	113	5713 LEWIS ST	BASS BRETT
	114	5711 LEWIS ST	CHARLES CHRISTINE
	115	1710 MARY ST	TGHM PROPERTIES LP
	116	5512 HUDSON ST	ROSS HENDERSON DEV GROUP
X	117	1516 HOPE ST	WALLACH BRYCE
	118	1514 HOPE ST	JENNINGS CHELSEA R &
	119	1512 HOPE ST	JENNINGS DWIGHT BRETT &

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	120	1510 HOPE ST	MAB-HUDSON LTD
	121	1508 HOPE ST	MOMIN RAHMAN & BEENA
	122	1504 HOPE ST	REID KATHRYN G
	123	1502 HOPE ST	CANTU STEVEN
	124	1512 KNOLL MANOR LN	GONZALEZ ERIKA
	125	1504 KNOLL MANOR LN	SWINT ANGELA D
	126	5610 HUDSON ST	YARAVITZ TEMA
	127	1505 BLUFF RIDGE WY	MARR BRYAN WESLEY
	128	1529 MATILDA ST	ALTIERY JAMES
	129	1527 MATILDA ST	MCGRIMLEY JOHN M &
	130	1525 MATILDA ST	HODGES BRENT &
	131	1523 MATILDA ST	ROSS TALOR & SHANEN
	132	1521 MATILDA ST	BROWN WILLIAM MICHAEL & LAURA MATA
X	133	1519 MATILDA ST	MADSEN KATHLEEN
	134	1517 MATILDA ST	VINING JASON &
	135	5712 HUDSON ST	AYALA FELICIANA
	136	1509 MARY ST	ESPARZA PEDRO A & MARIA
	137	5334 ROSS AVE	ROSS HENDERSON DEV GROUP
	138	5618 LINDELL AVE	VAGHELA RAJASHREE &
	139	5618 LINDELL AVE	WILSON DAVID & MICHELLE
	140	5618 LINDELL AVE	VO THANHLY
	141	5618 LINDELL AVE	PHILIPS LAURA
	142	5618 LINDELL AVE	NIPP JUSTIN
	143	5618 LINDELL AVE	NOTT CYNTHIA
	144	5618 LINDELL AVE	ROBINSON SHELIA DENISE
	145	5618 LINDELL AVE	LEWIS GRENVILLE V
	146	5618 LINDELL AVE	HUMPHREY TRACI
	147	5814 HUDSON ST	HO BOBBY
	148	5814 HUDSON ST	EPPLER JENNIFER R
	149	5814 HUDSON ST	HOLT AUSTIN L
	150	5814 HUDSON ST	MISTRY AJAY M

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	5814 HUDSON ST	SLUDER LISA M
	152	5711 ROSS AVE	MINYARD STEVEN &
	153	5711 ROSS AVE	MEDINA GUILLERMO
	154	5711 ROSS AVE	KUPERMAN LIANA
	155	5711 ROSS AVE	BOLISAY CHRISTOPHER J
	156	5711 ROSS AVE	LEHMAN ANTHONY M
	157	5711 ROSS AVE	BECKWORTH LAURA
	158	5711 ROSS AVE	YANEZ MARCELINO
	159	5711 ROSS AVE	VONBARGEN ZACH JAMES
	160	5711 ROSS AVE	IWASKO JENNIFER
	161	5801 ROSS AVE	MINYARD FAMILY LP
	162	5801 ROSS AVE	COYLE DOUGLAS W
	163	5801 ROSS AVE	GREENSPAN MICHAEL A
	164	5801 ROSS AVE	MCCANDLESS JOHN
	165	5803 ROSS AVE	BLOODWORTH PHILLIP
	166	5803 ROSS AVE	DOMHAN MARY P
	167	5803 ROSS AVE	LAFUENTE REYNALDO D & ARISBETH
	168	5702 HUDSON ST	VILVEN GARRETT
	169	5702 HUDSON ST	TRAN THAI JR
	170	5702 HUDSON ST	
	171	5702 HUDSON ST	CRAWFORD STEPHENIE MERCEDEZ
	172	5702 HUDSON ST	KATZ BLAIR D
	173	5702 HUDSON ST	COLMENARES ANTONIO J
	174	5702 HUDSON ST	ARENDS TERRI A &
	175	5803 HUDSON ST	SUITONU CHAD A
	176	5803 HUDSON ST	LEON MARIBEL
	177	5803 HUDSON ST	HAMULAK JOHN
	178	5803 HUDSON ST	HILL JUSTIN &
	179	5803 HUDSON ST	ROBINSON BRIAN D
	180	5617 LINDELL AVE	WARD COLIN M &
	181	5617 LINDELL AVE	MODECKI CARL A JR

Z112-281(OTH)

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	5617 LINDELL AVE	IHUNT LP
	183	5617 LINDELL AVE	COOPER DAKOTA L
	184	5617 LINDELL AVE	MONCEAUX BRAD J
	185	5609 LINDELL AVE	LEE PHILIP H TRUST THE
	186	5609 LINDELL AVE	HUI ERIC &
	187	5609 LINDELL AVE	BERRY BRAD &
	188	5609 LINDELL AVE	LEE PHILIP H TRUST

AGENDA ITEM # 55

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1981 for a bar, lounge or tavern and an inside commercial amusement limited to a dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the north line of Main Street, east of Malcolm X Boulevard

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

Z156-192(OTH)

FILE NUMBER: Z156-192(OTH)

DATE FILED: January 28, 2016

LOCATION: North line of Main Street, east of Malcolm X Boulevard

COUNCIL DISTRICT: 2

MAPSCO: 45-M

SIZE OF REQUEST: \pm 3,500 square feet

CENSUS TRACT: 204.00

REPRESENTATIVE: Roger Albright

APPLICANT: DNL Partners, LLC

OWNER: SDL Partners, Ltd.

REQUEST: An application for the renewal of Specific Use Permit No. 1981 for a bar, lounge or tavern and an inside commercial amusement limited to a dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.

SUMMARY: The applicant proposes to continue the use of the property for a bar, lounge, or tavern and an inside commercial amusement limited to a dance hall in the existing building [Red Light Lounge].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a revised 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 existing use and the request to allow the continuation of the use of the property as a bar, lounge or tavern and an inside commercial amusement limited to a dance hall is compatible and complements the adjacent retail, restaurant, and personal service uses. The use should not negatively impact the surrounding area from a land use perspective. The primary uses in PDD No. 269 consist of a mix of alcoholic beverage establishments, restaurant, personal service and office uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use has had neither a positive nor negative contribution to the welfare of adjacent properties.
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.

BACKGROUND INFORMATION:

- The application is for the renewal of SUP No. 1981. The SUP was granted on August 12, 2012, for a bar, lounge or tavern use for a two-year period.
- The SUP was amended to add a commercial amusement inside limited to a dance hall, and renewed for two additional years. The SUP expires on August 27, 2016.

Zoning History:

1. **Z112-250** On August 22, 2012 the City Council approved Specific Use Permit No. 1981 for a bar, lounge or tavern to expire on August 22, 2014 on the subject property.
2. **Z134-252** On August 27, 2014, the City Council approved the renewal and addition of an inside commercial amusement limited to a dance hall to the existing use on the subject property.

- 3. Z123-267** On May 28, 2014, the City Council approved amendments to certain use regulations and development standards within Planned Development District No. 269, the Deep Ellum/East Side District.

COMPREHENSIVE PLAN

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request, and it identifies the request site as being in an Urban Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

The proposed use complies with the intent of the comprehensive plan.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Main Street	Major Arterial	60 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested renewal and determined it will not significantly impact the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 269 Tract A, SUP No. 1981	Bar, lounge or tavern and dance hall
North	PD No. 269 Tract A	Parking lot and restaurant
East	PD No. 269 Tract A	Parking lot
South	PD No. 269 Tract A	Restaurant, personal service use, parking lot, office uses
West	PD No. 269 Tract A	Parking lot

STAFF ANALYSIS:**Land Use Compatibility:**

The 3,500 square foot site is developed with approximately 3,055 square feet of floor area on a 2,730 square foot building footprint. The application is for the renewal of SUP No. 1981, for a bar, lounge, or tavern and an inside commercial amusement limited to a dance hall in the existing building.

The use is surrounded by other commercial uses and various surface parking lots. The site is within walking distance to the DART Green Line. As noted below, there has been minimal reported police activity at this location for the past two-years since the issuance of the original SUP. As a result of this analysis, staff has determined the request complies with the general provisions for consideration of the SUP.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Parking:

Planned Development District No. 269 underwent a major amendment where the parking requirements for an inside commercial amusement use other than a dance hall uses, no off-street parking spaces are required for the first 2,500 square feet of the floor area in a ground level use that has a separate certificate of occupancy. The proposed use has a total of 3,055 square feet, of which 100-square-foot are for the dance floor which will require four (4) off-street parking spaces. The remainder area is 2,955 square feet of which 2,500 are exempt from parking requirements. Therefore, the remaining 455 square feet will be required to provide five (5) off-street parking spaces for a total of nine off-street parking spaces. The PDD allows for remote parking on a separate lot that is within walking distance of the use served. The applicant revised the site plan showing the required parking calculations and to show the location of the parking for the proposed use.

Site Plan:

The applicant revised the site plan to include the calculations for the required parking and show the area adjacent to the building where the parking is located.

Landscaping:

The proposed request does not include any new construction. Therefore, there is no landscape requirement.

Police Report:

A copy of the police report of offenses is provided below for the SUP permit period of June 12, 2013 to March 31, 2016.

**Crime Counts from Jun 12 2013 - Mar 24 2016
(Crime Part 1)**

UCR Offense	Year		Grand Total
	2014	2015	
AGG ASSAULT - NFV	1	1	2
OTHER THEFTS	1	0	1
ROBBERY-INDIVIDUAL	2	0	2
THEFT/BMV	2	3	5
Grand Total	6	4	10

Crime Counts from Jun 12 2013 - Mar 24 2016 (Crime Part 1)			
UCR Offense	Year		Grand Total
	2014	2015	
AGG ASSAULT - NFV	1	1	2
OTHER THEFTS	1	0	1
ROBBERY-INDIVIDUAL	2	0	2
THEFT/BMV	2	3	5
Grand Total	6	4	10

Crime Counts from Jun 12 2013 - Mar 24 2016 (Crime Part 2)		
UCR Offense	Year	Grand Total
	2015	
ASSAULT	3	3
EMBEZZLEMENT	1	1
Grand Total	4	4

CPC ACTION:
May 19, 2016

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1981 for a bar, lounge or tavern and a commercial amusement (inside) limited to a dance hall for a two-year period, subject to a revised site plan and revised conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the north line of Main Street, east of Malcolm X Boulevard.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Notices: Area: 200 Mailed: 17
Replies: For: 8 Against: 0

Speakers: None

List of Partners/Principals/Officers

DNL Partners, LLC, is a Texas limited liability company

Its principals are:

1. Donald H. Nedler
2. Vincent Tricomi
3. Charles Eaves
4. Charles Allen Falkner Huff
5. Leopold Del Hierro

SDL Partners, L.L.C.

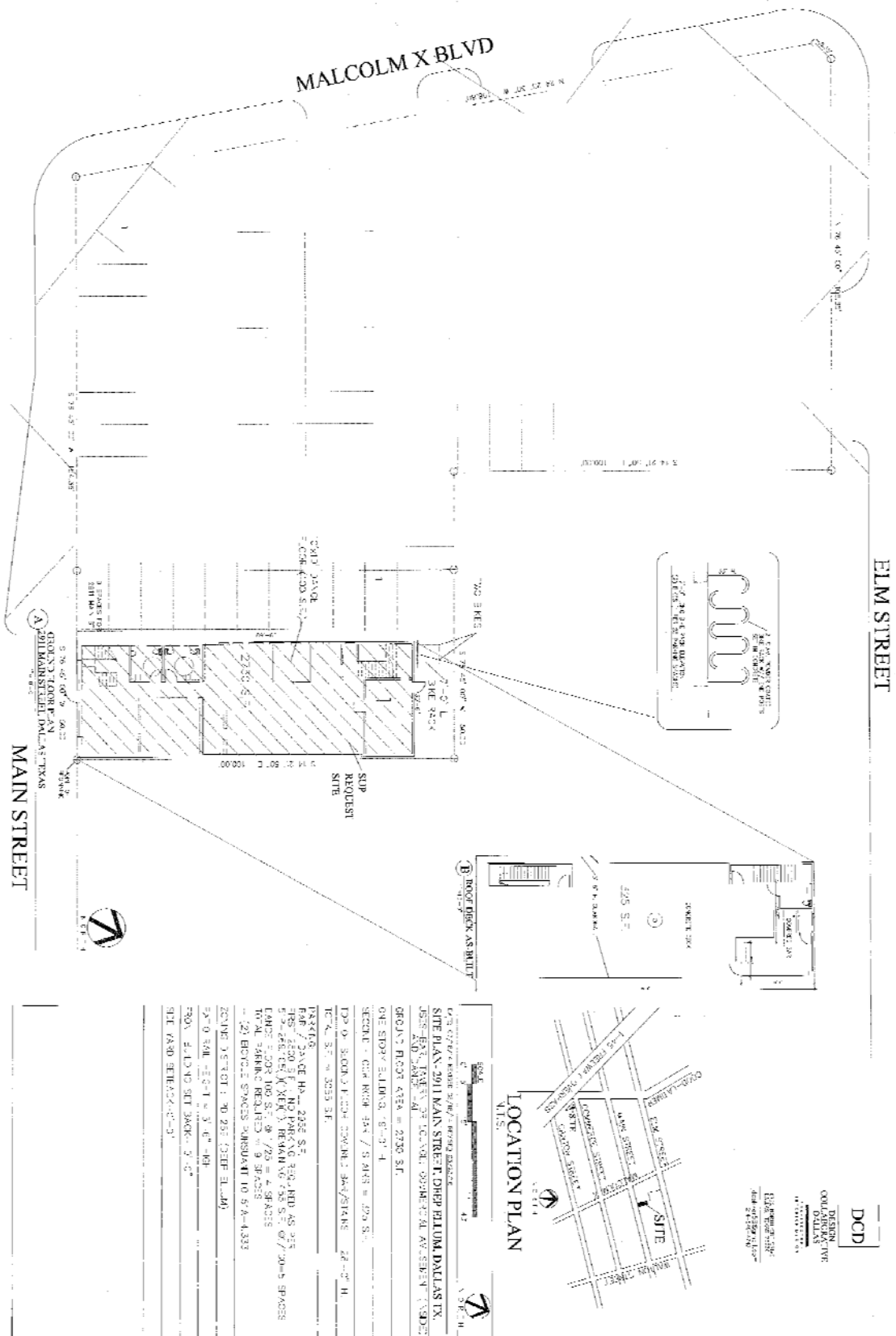
General Partner, GP SDL Partners, L.L.C.,
Susan Reese managing member
8626 Douglas Avenue,

Dallas, Texas 75225.

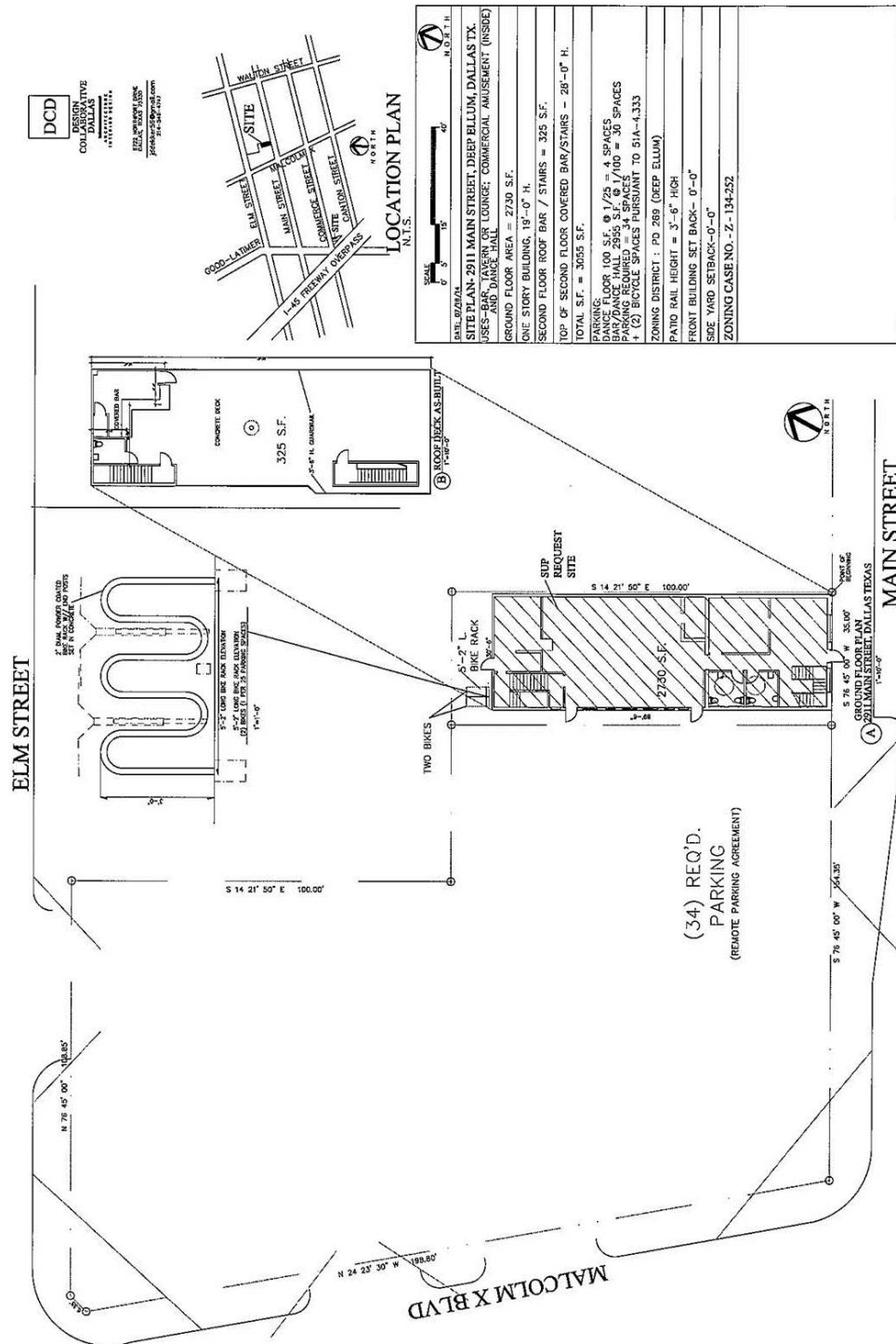
Proposed SUP Conditions

1. USE: The only authorized uses authorized by this specific use permit are [is] a bar, lounge, or tavern and an inside commercial amusement 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 date of approval ~~August 27, 2016~~.
4. FLOOR AREA:
 - (a) The maximum floor area for the bar, lounge, or tavern is 3,055 square feet in the location shown on the attached site plan.
 - (b) The maximum floor area for the inside commercial amusement limited to a dance hall is 100 square feet in the location shown on the attached site plan. The inside commercial amusement limited to a dance hall may only be located on the street level.
5. HOURS OF OPERATION: The bar, lounge, or tavern and inside commercial amusement limited to a dance hall may only operate between 11:00 a.m. and 2:00 a.m. (the next day), Monday through Sunday.
6. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4)(A) of Chapter 51A of the Dallas City Code, as amended, may not be used to meet the off-street parking requirement.
7. ROOF DECK: The roof deck may not exceed an area of 2,405 square feet in the location shown on the attached site plan.
- ~~8. CERTIFICATE OF OCCUPANCY: The bar, lounge, or tavern and inside commercial amusement limited to a dance hall must obtain an amended certificate of occupancy from the Building Official by September 26, 2014. All requirements of this specific use permit and Planned Development District No. 269 must be met before the Building Official may issue a certificate of occupancy.~~
- ~~8.9.~~ MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- ~~9.40.~~ 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.

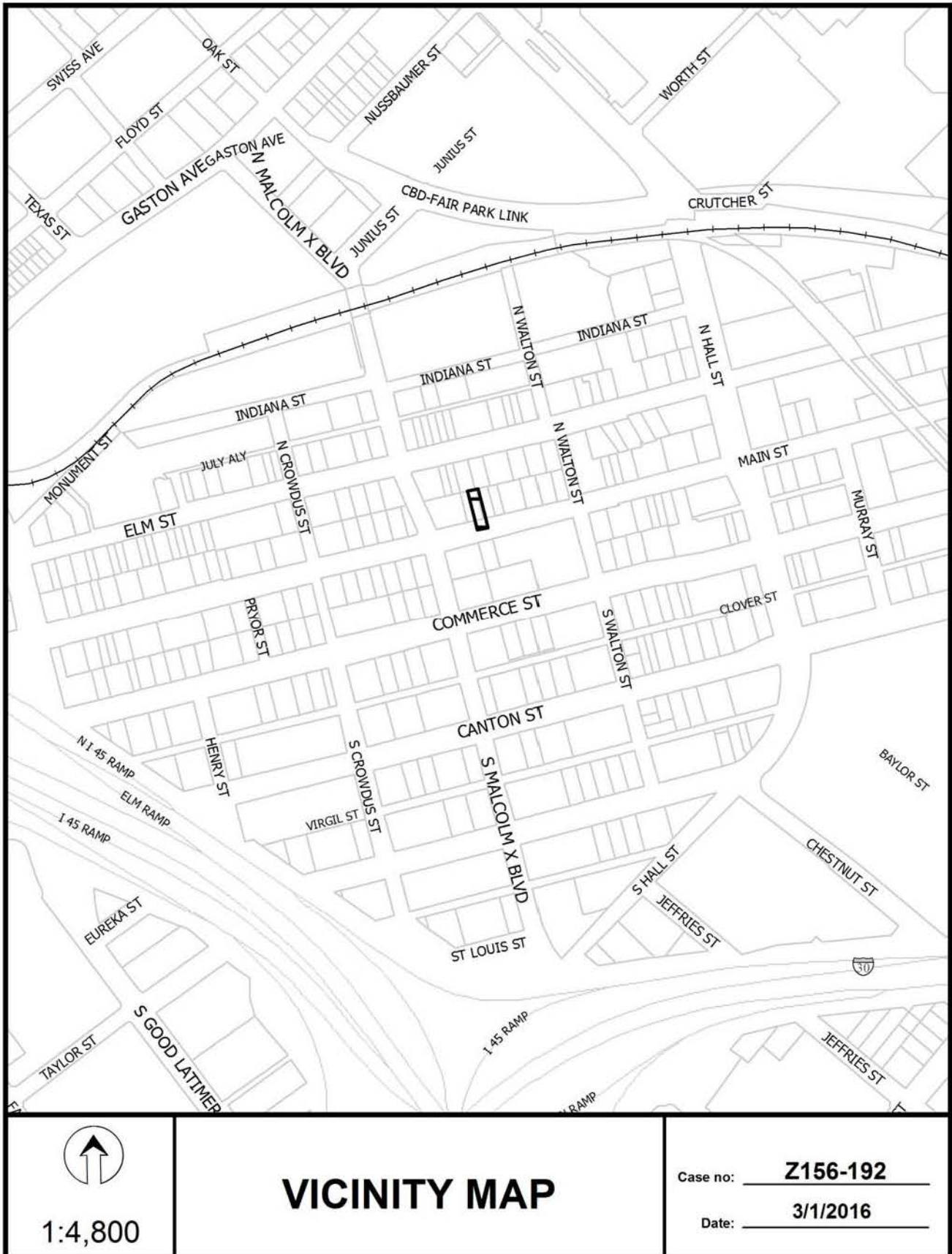
REVISED SITE PLAN

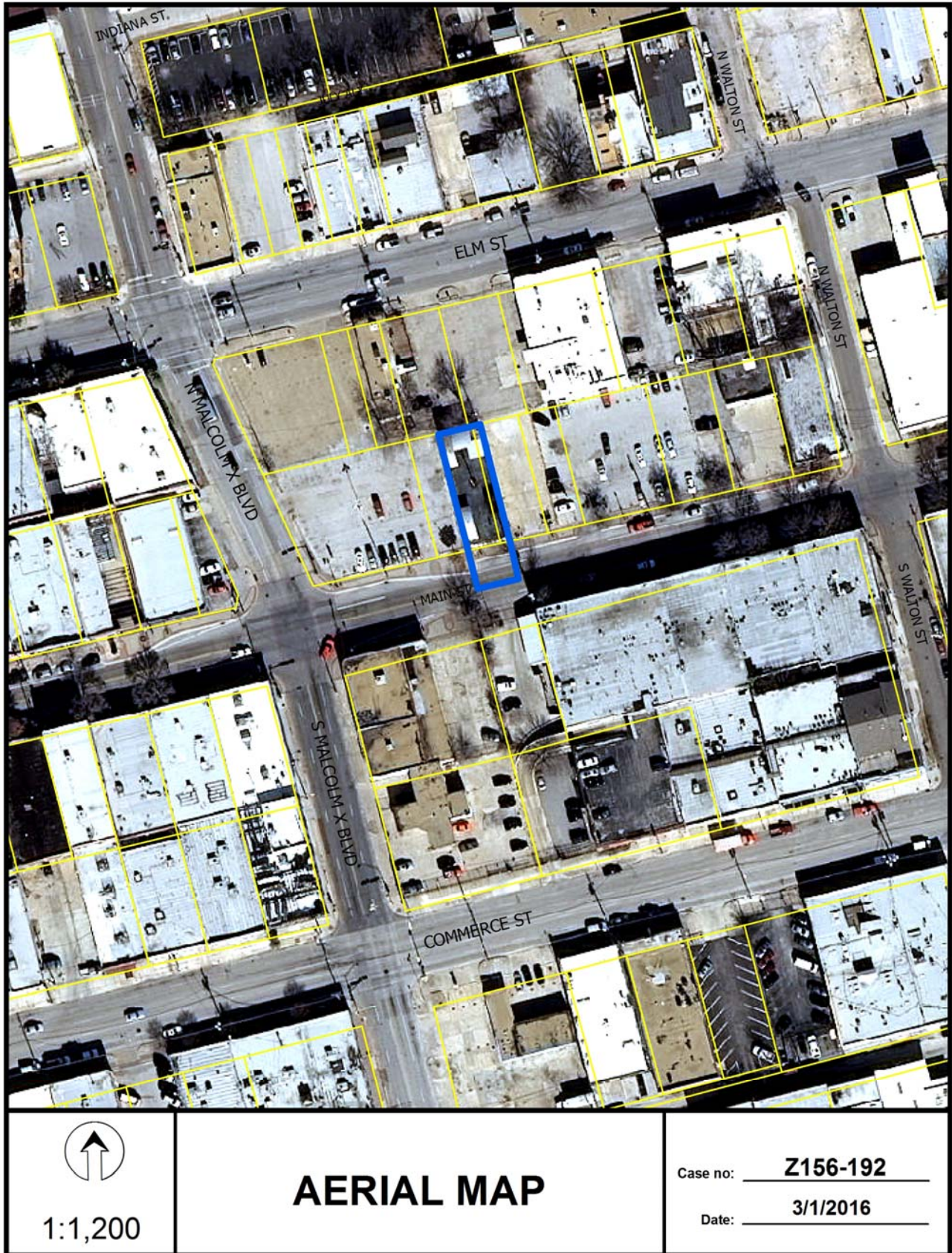


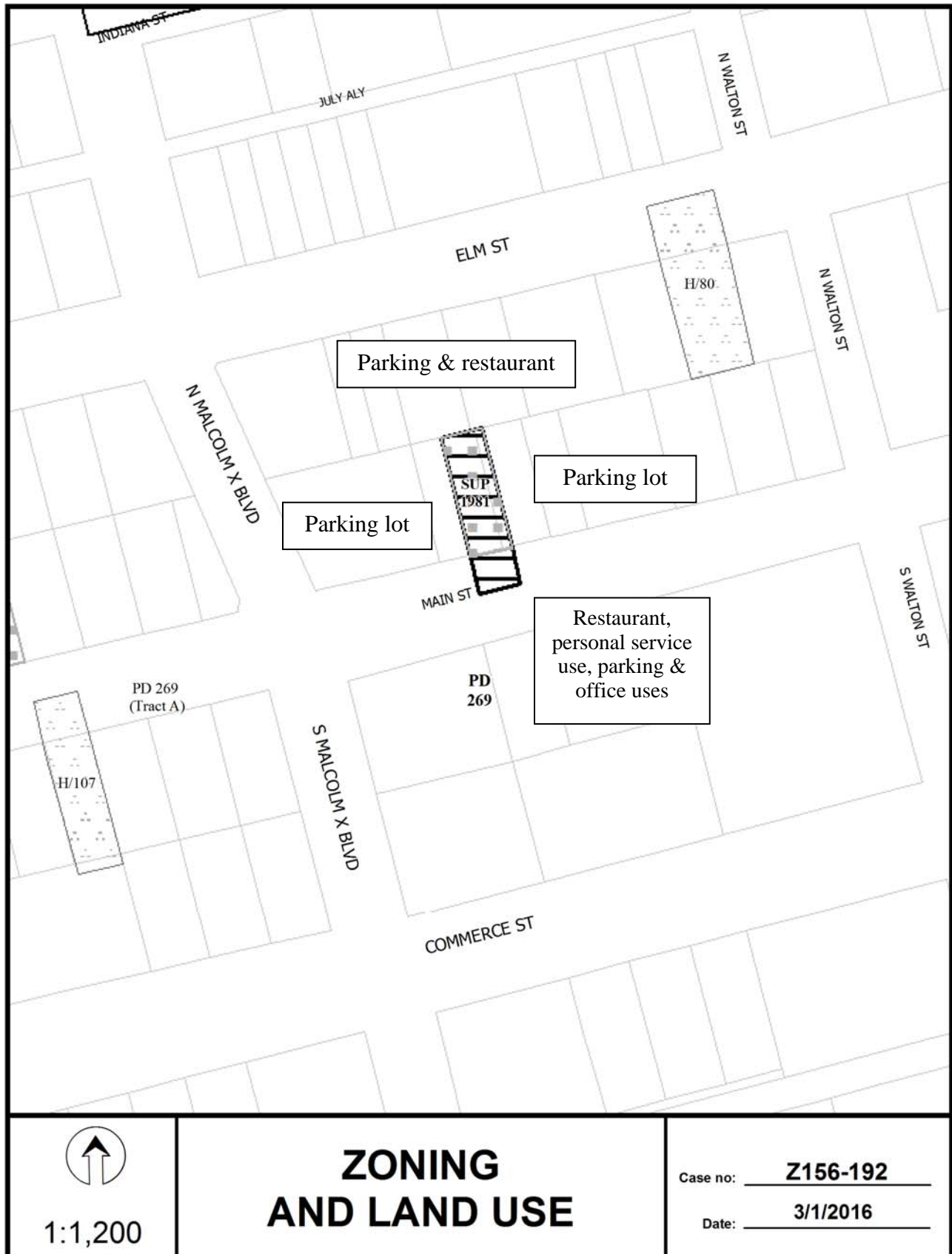
EXISTING SITE PLAN



Z156-192(OTH)











05/18/2016

Reply List of Property Owners***Z156-192******17 Property Owners Notified******8 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2918 ELM ST	ANDREASON JUSTINE POKLADNIK
O	2	2908 ELM ST	SDL PARTNERS LTD
O	3	2900 MAIN ST	SDL PARTNERS LTD &
O	4	2919 COMMERCE ST	SDL PARTNERS LTD
	5	2900 MAIN ST	DAPPEM PPTIES LLC
	6	2901 COMMERCE ST	CITY PARK A LOT LP
	7	2824 MAIN ST	BLADE PROPERTIES LLC
O	8	2825 MAIN ST	WESTDALE PROPERTIES AMERICA I LTD
O	9	2936 ELM ST	EISCHINGER FURTULA BUDD
	10	2928 ELM ST	ANDREASON JUSTIN MARIE POKLADNIK
	11	2920 ELM ST	ANDREASON JUSTINE MARIE POKLADNIK
O	12	2933 MAIN ST	2933 MAIN STREET HOLDINGS LLC
	13	2931 MAIN ST	POKLADNIK CYRILL J
	14	2913 MAIN ST	POKLADNIK CYRILL J ESTATE
O	15	2905 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	16	2917 ELM ST	CTC TEXAS ASSOCIATES LLC
O	17	2927 ELM ST	MADISON PACIFIC DEV CO

AGENDA ITEM # 56

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 36 K

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-7.5(A) Single Family District, on property bound by East Mockingbird Lane, Delmar Avenue, Anita Street, and Matilda Street

Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan, and conditions

Z156-198(SM)

FILE NUMBER: Z156-198(SM)

DATE FILED: February 5, 2016

LOCATION: Property bound by East Mockingbird Lane, Delmar Avenue, Anita Street, and Matilda Street

COUNCIL DISTRICT: 14

MAPSCO: 36K

SIZE OF REQUEST: Approx. 8.722 Acres

CENSUS TRACT: 2.02

OWNER /APPLICANT: Dallas ISD

REPRESENTATIVE: Karl Crawley, Masterplan

REQUEST: An application for a Planned Development District for R-7.5(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to construct a two-story, 19,040 square foot addition to the existing Stonewall Jackson Elementary School and to establish setbacks and fencing requirements.

CPC RECOMMENDATION: Approval, subject to a development plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan, traffic management plan, and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval of staff's recommended conditions of this item based upon:

1. *Performance impacts upon surrounding property* – The school currently has 18 portable buildings. The applicant has requested to construct an 11 classroom, two-story addition and remove 6 portable buildings. The existing garden area will remain unchanged with the proposal. The height and setbacks of the addition are consistent with the existing school and surroundings and is not foreseen to negatively impact surrounding property.
2. *Traffic impact* – The traffic engineering staff has recommended approval of the traffic management plan.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the neighborhood residential building block along a multimodal corridor.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The request includes encroachments into the setbacks, modifications to fence standards, and modifications to landscaping requirements that require a planned development district.

BACKGROUND INFORMATION:

- According to the school's website, Stonewall Jackson Elementary was opened on September 12, 1939.
- Throughout the decades, additions, portables, and parking areas have been added.
- On April 7, 2016 preliminary plat number S156-133 was recommended for approval, subject to conditions.

Zoning History: There has been no recent zoning activity in the immediate area relevant to this request.

Thoroughfare/Streets

<u>Thoroughfare</u>	<u>Designation</u>	<u>ROW</u>
East Mockingbird Lane	Principal Arterial, Minimum 6 lanes divided	80' ROW
Matilda Street	Local	60' ROW
Delmar Street	Local	50' ROW
Anita Street	Local	50' ROW

STAFF ANALYSIS:

Comprehensive Plan: The comprehensive plan does not make a specific land use recommendation related to the request, however the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Residential Neighborhood* in the southern portions of the site and in a *multi-modal corridor* along the northern frontage of East Mockingbird Lane. While single family dwellings are the dominate land use in *Residential Neighborhood* areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

The multi-modal corridor 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.

In general, the applicant's proposal at this location is consistent with the building blocks described in the Comprehensive Plan.

Land Use Compatibility: The site is located just south of East Mockingbird Lane and east of Matilda Street. Mockingbird Lane is a major arterial that has six lanes with a median and fast moving traffic. Matilda Street is a four lane undivided road and separates the site from a drive through pharmacy on the west. To the north, east, south, and southwest are single family homes that are all physically separated by streets. The school has been in operation since 1939 and the addition proposed is located in the center of the site, with the greatest distance away from neighbors as possible. Because the addition is two stories, similar to the existing school, and provides a common service to single family neighborhoods it is compatible with the surrounding land uses.

Traffic: Traffic engineering staff has reviewed the attached traffic management plan included with this report and recommends approval.

Parking: No modifications to the minimum off-street parking requirements of the Dallas Development Code are requested with this application. The request is exceeding the minimum number of off-street parking spaces required for an elementary school per the Dallas Development Code which equates to one and a half spaces per classroom for an elementary school. The existing school has 23 classrooms and will retain 12 of the existing portable classrooms; the request proposes an 11 classroom addition for a total

of 46 elementary classrooms. Forty-six elementary classrooms require one and a half spaces per classroom which would require 69 spaces and 88 spaces are proposed and exist today.

Landscaping: The request will not require any landscape regulatory changes. The proposed addition will require landscaping for an artificial lot per Article X of the Dallas Development Code.

Prior CPC Action – May 19, 2016:

Motion: It was moved to recommend **approval** of a Planned Development District for R-7.5(A) Single Family District and public school other than an open enrollment charter school uses, subject to a development plan, traffic management plan and conditions on property zoned an R-7.5(A) Single Family District, on property bound by East Mockingbird Lane, Delmar Avenue, Anita Street, and Matilda Street.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Notices:	Area: 500	Mailed: 206
Replies:	For: 10	Against: 2

Speakers: None

LIST OF OFFICERS

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Edwin Flores
District 2	vacant
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

CPC RECOMMENDED PLANNED DEVELOPMENT DISTRICT 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 bound by Mockingbird Lane, Delmar Avenue, Anita Street, and Matilda Street. The size of PD _____ is approximately 8.722 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

(a) Exhibit ____A: development plan.

(b) Exhibit ____B: traffic management plan.

SEC. 51P- _____.105. DEVELOPMENT PLAN.

(a) For public school other than an open-enrollment charter school, 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.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-____.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(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-7.5(A) Single Family District is subject to DIR in this district; etc.

(b) The following main use is permitted by right:

-- Public school other than an open-enrollment charter school.

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 R-7.5(A) Single Family District apply.

(b) Public school. Light poles, flag poles, and similar poles are allowed in required yards.

SEC. 51P- _____.110. OFF-STREET PARKING AND LOADING.

Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P- _____.111. FENCES.

For a public school other than an open-enrollment charter school:

(1) a fence with a maximum height of six feet may be located in any required yard.

(2) any fence that exceeds four feet in height and is located within 25 feet of a street must be a minimum of 70-percent open.

SEC. 51P- _____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.113. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.114. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC.51P-____.115. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit ____C).

(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 November 1, 2017. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
- (D) drop-off and pick-up locations;
- (E) drop-off and pick-up hours for each grade level;
- (F) hours for each grade level; and
- (G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Amendment process.

(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P- _____.116. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

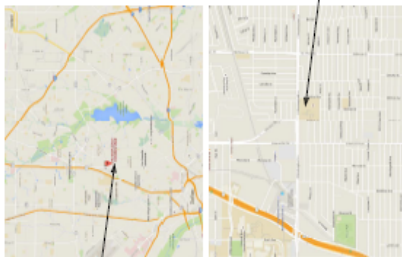
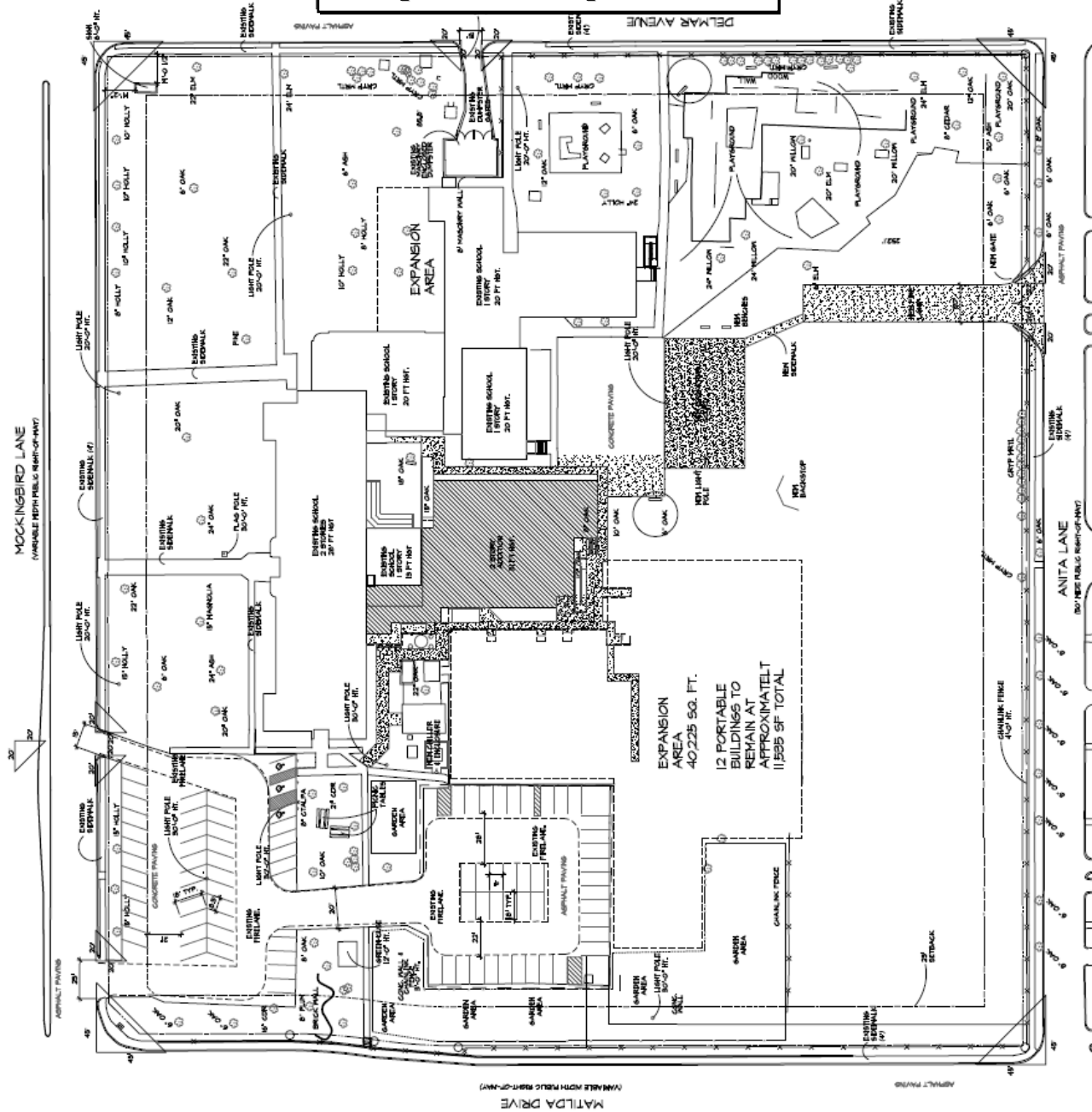
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P- _____.117. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the 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


VICINITY MAPS

DATA

USE: PUBLIC SCHOOL OTHER THAN OPEN ENROLLMENT CHARTER SCHOOL

LAND AREA: 8.722 ACRES

EXISTING FLOOR AREA: 47,480 SQ. FT.

PROPOSED FLOOR AREA: 19,040 SQ. FT.

EXISTING PORTABLES REMAINING

FLOOR AREA: 11,535 SQ. FT.

TOTAL FLOOR AREA: 78,055 SQ. FT.

LOT COVERAGE: 17%

LOT COVERAGE W/EXPANSION AREA: 28%

PROPOSED BUILDING HEIGHT: 3'

EXISTING CLASSROOMS; 23

NEW CLASSROOMS: 11

EXISTING PORTABLES: 12

TOTAL CLASSROOMS: 46

REQUIRED PARKING SPACES: 69

EXISTING PARKING SPACES: 88

CPC RECOMMENDED TRAFFIC MANAGEMENT PLAN

TRAFFIC MANAGEMENT PLAN FOR
**STONEWALL JACKSON
ELEMENTARY SCHOOL**

DALLAS, TEXAS

DeShazo Project No. 16005

Prepared for:

Masterplan

900 Jackson Street, Suite 640
Dallas, Texas 75202

Prepared by:



Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740

January 27, 2016



Z156-198

January 27, 2016

Traffic Management Plan for
Stonewall Jackson Elementary School

~ DeShazo Project No. 16005 ~

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Table 1. School Operational Characteristics

LIST OF EXHIBITS:

Exhibit 1. Recommended Site Circulation Plan

Stonewall Jackson Elementary School
Traffic Management Plan
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Technical Memorandum

To: Mr. Karl Crawley — Masterplan
From: David Nevarez, P.E. — DeShazo Group, Inc.
Date: January 27, 2016
Re: Traffic Management Plan for Stonewall Jackson Elementary School in Dallas, Texas
DeShazo Project Number 16005

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering. The services of DeShazo Group, Inc. (DeShazo) were retained by Masterplan on behalf of the Dallas Independent School District to provide a requisite Traffic Management Plan (TMP) for Stonewall Jackson Elementary School located at 5828 E Mockingbird Lane in Dallas, Texas.

At the time of this study, the school had an enrollment of 613 students in Kindergarten through 5th grade. The school is undergoing a revision of their existing plan. The proposed changes are attributed to the conversion of existing portable facilities to buildings. The school, however, does not anticipate any increase in student enrollment as a result of the proposed site plan revision. The proposed site plan prepared by Jacobs & Associates showing both existing and proposed building modifications is attached as reference.

The school site is zoned Single Family Residential [R-7.5(A)] District. In order to gain entitlements for the proposed improvements, the school administration is seeking approval of a change to the development plan. As part of the approval process, the City of Dallas requires submittal of a TMP as a record of the preferred traffic control strategies and to ensure overall traffic safety and efficient operations. The plan is intended to assess anticipated traffic conditions during the morning drop-off and afternoon pick-up activities on the basis of satisfying these objectives. By consent of the TMP submittal, the school agrees to the strategies presented herein. In addition, the school is held self-accountable to enforce the plan until and unless the City of Dallas deems further mitigation measures are necessary.

[NOTE: In this report the term "parent" refers to any parent, family member, legal guardian, or other individual who is involved in the pick-up or drop-off of one or more students at the school.]

TRAFFIC MANAGEMENT PLAN

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. By properly managing the vehicular traffic generated during the critical periods, the safety and efficiency of other modes of travel – including walking – will also inherently improve, and the operational impact on the public street system should also be minimized. The TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it should be used as a tool to facilitate a safer and more efficient environment.

The analysis summarized below utilizes the proposed school site plan to evaluate aspects such as parking and vehicle queuing (i.e., stacking) that occur at the school in order to accommodate the observed peak demands. A concerted effort and full participation by the school administration, staff, students, and parents are essential to maintain safe and efficient traffic operations.

School Operational Characteristics

Table 1 summarizes the known operational characteristics for Stonewall Jackson Elementary School assumed in this analysis:

Table 1. School Operational Characteristics

	Existing Conditions
Enrollment:	K - 5 th Grade, 613 students
Daily Start/End Schedule:	>Start: 7:55 AM >End: 2:55 PM
Approximate Number of Students Travelling by Mode Other Than Drop-off/Pick-up:	By School Bus: \cong 10% By Walking: \cong 0% By Other: \cong 0%
Approximate Number of Students With Alternate Schedules (i.e., Arrive/Depart Outside Normal Peak Times):	10% (extracurricular activities, etc.)

NOTE #1: To the highest degree practical, the accounts of existing conditions presented in this report were based upon actual on-site observations conducted by DeShazo during typical school day(s) conditions and from personal interviews of school representatives.

NOTE #2: Occasional functions or other events may be held at the school, which generate traffic outside of the traditional peak drop-off and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic characteristics other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

Site Access and Circulation

The school site provides one parking lot for school staff at the northwest corner of the site. A total of two driveways allow direct access to/from Mockingbird Lane. During peak school hours, traffic operations concentrate on segments adjacent to the school on Delmar Avenue and Anita Lane. The majority of parents arrive at the school site from either Matilda Drive or Mockingbird Lane while a minimal number of vehicles still use Winton Street and Bremen Street. Most parents also park on Delmar Avenue, Anita Street, or Winton Street and wait for students. A minimal number of parents drive into the staff parking lot and park.

The school provides two loading areas for school buses. One school bus loads students at the staff parking lot, circulates to the designated bus loading area and exits onto Mockingbird Lane. Another school bus loads students at a designated area on Delmar Avenue.

January 27, 2016

Delmar Avenue effectively operates as one-way during school drop-off and pick-up periods. During the afternoon peak, approximately six students cooperate with traffic management, assisting fellow students while crossing Delmar Avenue; school staff coordinate students and oversee their safety. These students carry "Slow/Stop" hand-held signs to direct traffic and aid pedestrian movement on Delmar Avenue.

Passenger Unloading/Loading and Vehicle Queuing

DeShazo conducted field observations during typical school-day conditions on January 12, 2016. The peak number of parent-vehicles on site was quantified during the afternoon pick-up period. A maximum total of 134 vehicles were observed on site. Vehicle accumulation counts include all vehicles in queue or parked on- and off-campus.

SUMMARY & RECOMMENDATIONS

In general, school traffic operates without any evident problem on major thoroughfares (i.e. Mockingbird Lane and Matilda Street). School should continue to enforce existing operations. As needed, school officials are encourage to engage staff, parents, students and the community in information sessions about traffic operations and their expectations. Full cooperation of all school staff members, students, and parents is crucial for the continuing success of their traffic management protocols. Likewise, proper training of school staff and student safety patrol members on duties and expectations pertaining to the plan is recommended. In addition to existing traffic management, DeShazo recommends the following actions as alternatives to improve traffic operations:

- Install signs on Mockingbird Lane to discourage parents from entering the staff parking lot.
- All bus loading activities should take place on school property at the staff parking lot.
- To maximize personal safety, school staff should fully monitor student safety patrol at all times.
- Staff should install temporary traffic control devices such as traffic cones along Delmar Avenue to visibly clear pedestrian crosswalk when typical traffic conditions are expected. An appropriate number of school staff should be assigned to fulfill these duties.
- As needed, the safety patrol directing traffic should continue to use reversible hand-paddle signs with the messages (and symbols) for STOP and for SLOW (i.e. proceed slowly) while wearing safety vests.

Given that traffic demands are not expected to change in the near future, current traffic procedures are considered to provide an optimal level of safety and operation. Based on DeShazo's review of the existing and proposed site conditions, it is recommended that the existing circulation plan and traffic operations be maintained. The site traffic circulation plan is depicted in **Exhibit 1**.

This TMP is to be used by Stonewall Jackson Elementary School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The Plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school at peak traffic periods within the site. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness.

END OF MEMO

Stonewall Jackson Elementary School
Traffic Management Plan
Page 3



Z - ()

Queuing Summary

Student Group	Student Enrollment	Schedule	Vehicular Traffic Demand
K-5th Grade	613 Students	7:55 AM-2:55 PM	Queue
			Provided: 3,149 LF (134 cars)
			Required: 3,149 LF (134 cars)
			Surplus: 0 LF (0 cars)

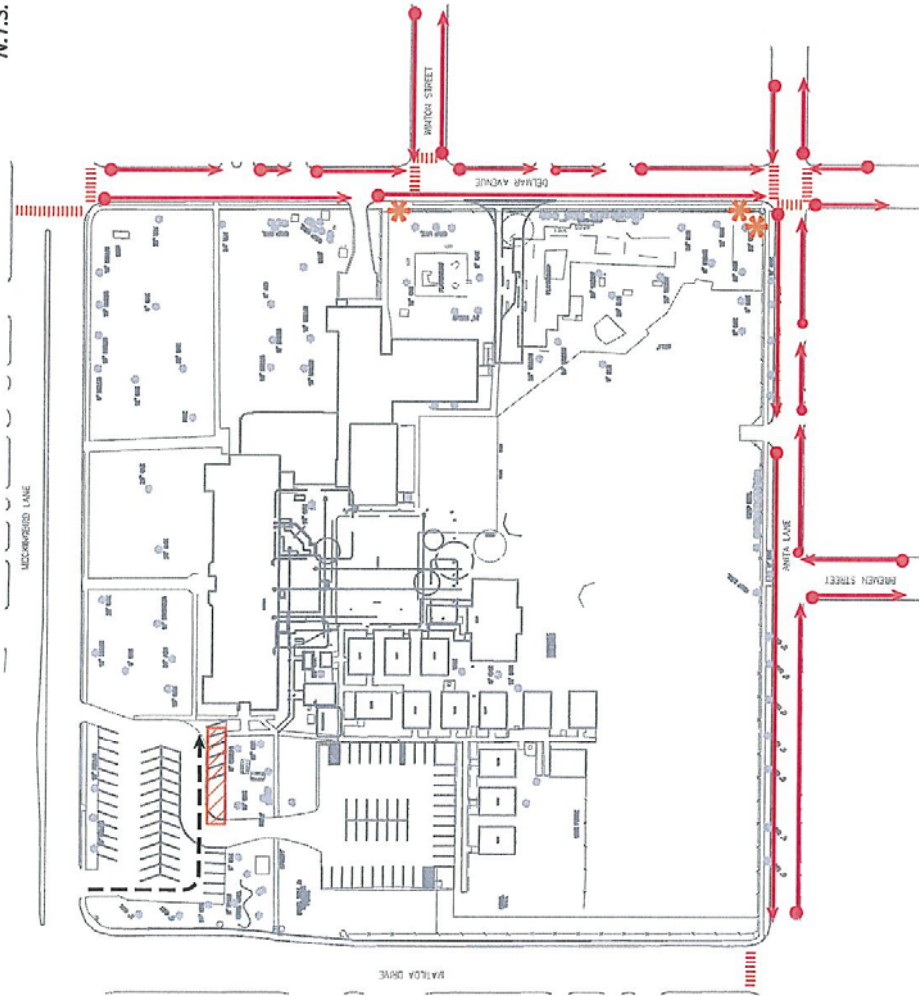
*Vehicular queue calculated at 23.5 feet/passenger car based on field observations.

Legend

- Safety Patrol
- Bus Loading Area
- Provided Queue
- Bus Queue
- Pedestrian Crossing

The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. This TMP was developed to prevent queuing of drop-off/pick-up related vehicles within the city rights-of-way. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.

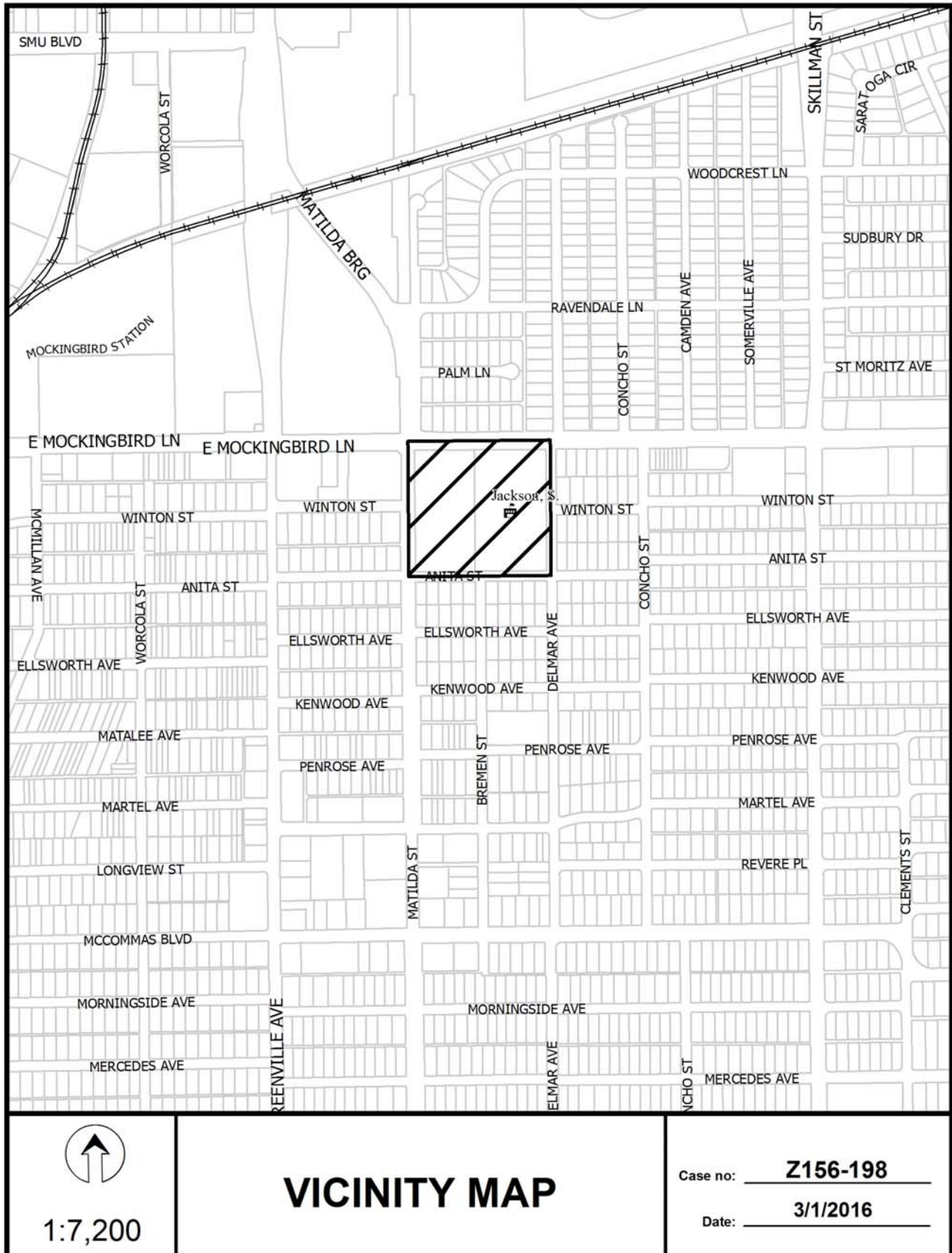
I, David Nevarez, P.E. #106200, certify that site constraints preclude the school's ability to accommodate vehicular queue on-site. While it may not be feasible to eliminate queuing in public rights-of-way, establishing a designated school route will lessen impact to neighborhood as well as background traffic on the main roads. This option is subject to approval by the City of Dallas Street Services Department.



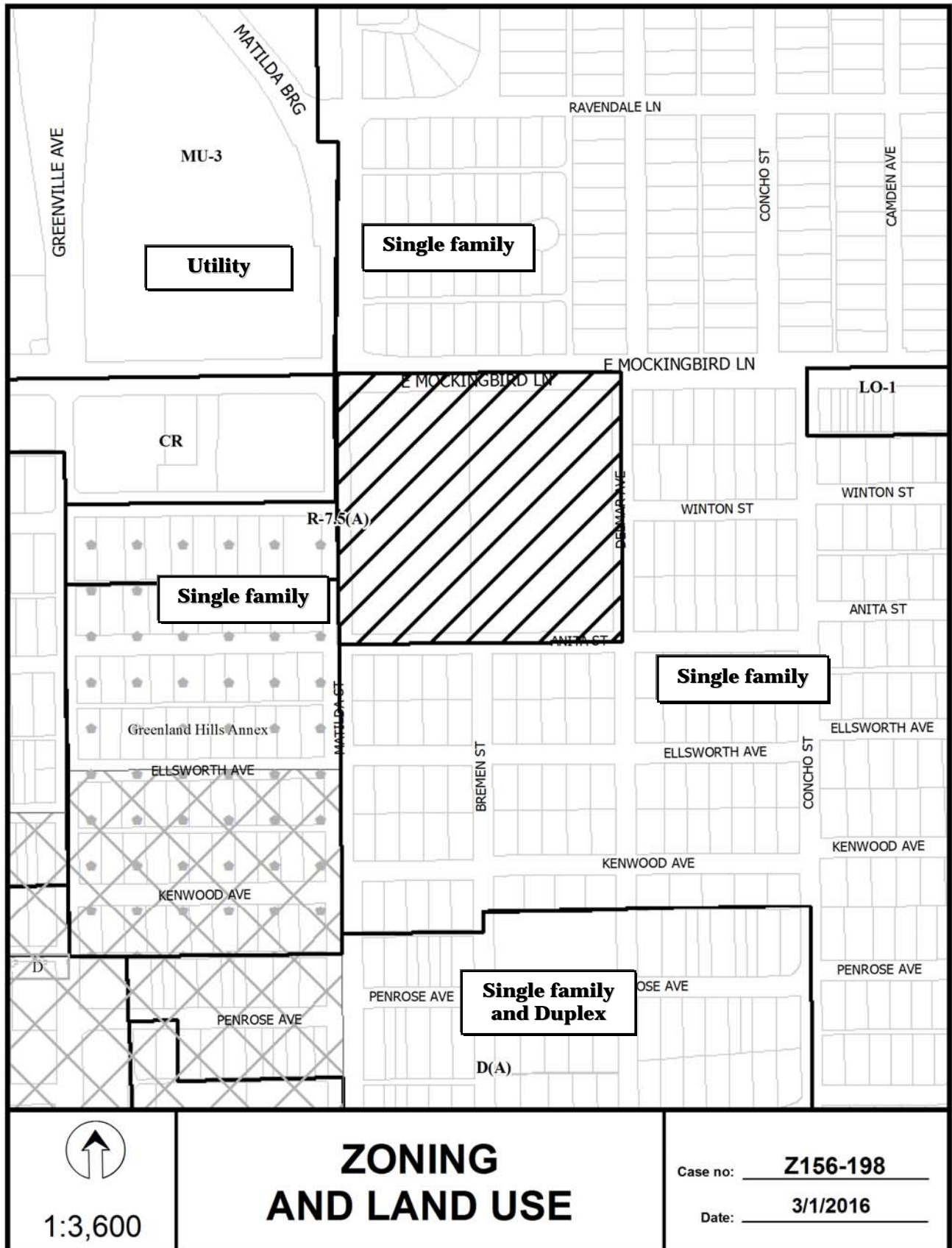
Traffic Management Plan
 Stonewall Jackson Elementary School
 5828 E Mockingbird Lane, Dallas, Texas.

EXHIBIT 1

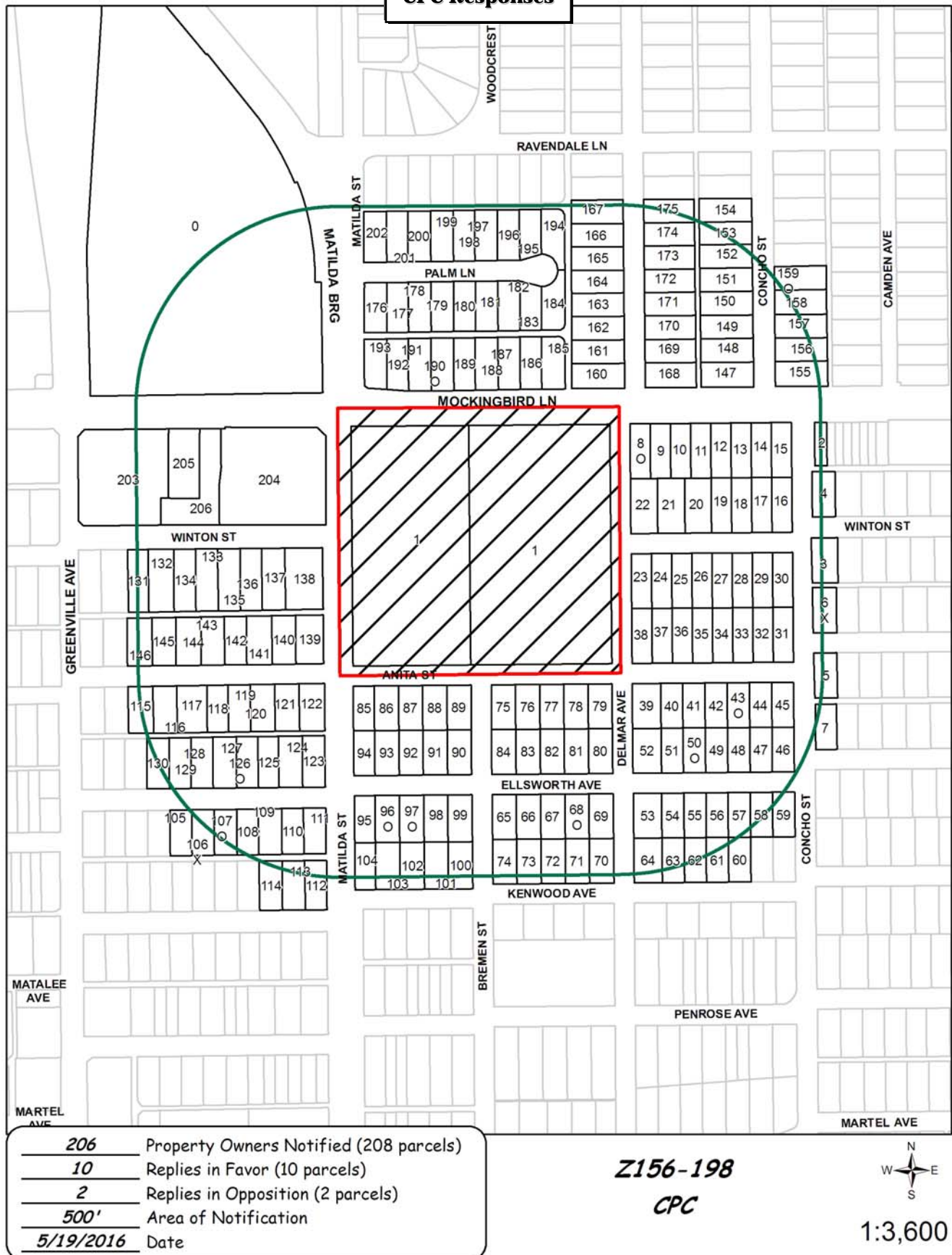
DeShazo Group, Inc.
 Texas Registered Engineering Firm F-3199
 400 S. Houston St. Suite 330
 Dallas, Texas 75202
 (214) 745.6740







CPC Responses



05/18/2016

Reply List of Property Owners***Z156-198******206 Property Owners Notified******10 Property Owners in Favor******2 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	5828 E MOCKINGBIRD LN	Dallas ISD
	2	6004 E MOCKINGBIRD LN	LAWSON DANA D
	3	6002 WINTON ST	ZHU HAO & SHELBY
	4	6003 WINTON ST	GILBREATH CYNTHIA S
	5	6002 ANITA ST	CHRIST TAMY
X	6	6003 ANITA ST	SZABO MARIANNE
	7	6003 ELLSWORTH AVE	NORRIS ANNETTE
O	8	5902 E MOCKINGBIRD LN	AVES VICTOR R & STEPHANIE L
	9	5906 E MOCKINGBIRD LN	FAHEY JENNIFER VICTORIA
	10	5910 E MOCKINGBIRD LN	BLAGG MARCUS GENE
	11	5914 E MOCKINGBIRD LN	HILL CHRISTOPHER
	12	5918 E MOCKINGBIRD LN	GONZALEZ MARIBEL &
	13	5922 E MOCKINGBIRD LN	TOMENGA JORDAN MICHAEL
	14	5926 E MOCKINGBIRD LN	BUNN TAYLOR
	15	5930 E MOCKINGBIRD LN	RODRIQUEZ DANIEL
	16	5931 WINTON ST	TYLEND A MARK JOSEPH
	17	5927 WINTON ST	WEINBERGER BARBARA J
	18	5923 WINTON ST	RICKNER EMILY
	19	5919 WINTON ST	KEENEY TIMOTHY P
	20	5915 WINTON ST	ALLEGRO JOHN M
	21	5909 WINTON ST	DIXON M A DREW
	22	5903 WINTON ST	HUTCHISON TARA J
	23	5902 WINTON ST	KOELKER MATTHEW CHARLES
	24	5906 WINTON ST	FARRIS MISTY
	25	5910 WINTON ST	NGUYEN ALEX
	26	5914 WINTON ST	SNYDER ROXANNE

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5918 WINTON ST	DRISCOLL JAMES W &
	28	5922 WINTON ST	BRUCKART SARA & JAMES
	29	5926 WINTON ST	KUHNELL ALLEN E
	30	5930 WINTON ST	BAIN ANDREW K
	31	5931 ANITA ST	SCHULTZ ANDREW JEFFREY &
	32	5927 ANITA ST	MERCER SHERRY
	33	5923 ANITA ST	WARNER JOHN T
	34	5919 ANITA ST	WANG DAVID & SHIYUH
	35	5915 ANITA ST	O ROBINSON RANCH LTD
	36	5911 ANITA ST	OWENS SHELBY A
	37	5907 ANITA ST	MOON AARON CHRISTOPHER & MEGAN EMILEE TUCKER
	38	5903 ANITA ST	MILTENBERGER ANTHONY W &
	39	5902 ANITA ST	WELLS JENNIFER T
	40	5908 ANITA ST	TARBOX MARIANNE MADELEY
	41	5912 ANITA ST	SALTER MARY L
	42	5916 ANITA ST	FLECK BLAYNE P
O	43	5920 ANITA ST	STAPLES DAVID L
	44	5926 ANITA ST	TELEHA SLOAN
	45	5930 ANITA ST	HOLMES JOHN B
	46	5931 ELLSWORTH AVE	FREY MILTON G JR
	47	5927 ELLSWORTH AVE	RENEAU DAVID L &
	48	5919 ELLSWORTH AVE	5909 ELLSWORTH LP
	49	5917 ELLSWORTH AVE	KIMES NATHAN RAY &
O	50	5911 ELLSWORTH AVE	MULFORD ROSS JR
	51	5909 ELLSWORTH AVE	BCH DEVELOPMENT LLC
	52	5905 ELLSWORTH AVE	REICH JONATHAN
	53	5904 ELLSWORTH AVE	PHILLIPS FLETCHER L&
	54	5908 ELLSWORTH AVE	CLARK TAYLOR & MEREDITH
	55	5912 ELLSWORTH AVE	KNIGHT MELISSA D
	56	5916 ELLSWORTH AVE	DINEEN JAMES F JR

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	57	5920 ELLSWORTH AVE	ROSS JAMES D JR
	58	5926 ELLSWORTH AVE	SCHUNCK PHILIP &
	59	5930 ELLSWORTH AVE	SCHUNCK PHILIP E & JUSIN EASTERLING
	60	5921 KENWOOD AVE	HARGRAVE HOLDINGS LLC
	61	5917 KENWOOD AVE	BENEFIEL MARY JO ANN
	62	5911 KENWOOD AVE	GREENE GARRETT &
	63	5909 KENWOOD AVE	NUGENT KATHLEEN GAYLE
	64	5903 KENWOOD AVE	BAYLESS POLLY ANN
	65	5824 ELLSWORTH AVE	ESPIRICUETA HERA DINA
	66	5828 ELLSWORTH AVE	SCOVILLE BETTYE COCHRAN
	67	5832 ELLSWORTH AVE	BARKER KRISTINE M
O	68	5840 ELLSWORTH AVE	CLARK LUCY L MILLS
	69	5844 ELLSWORTH AVE	AROUMUGAME ASAITHAMBY &
	70	5845 KENWOOD AVE	COTTON CAROLYN GAYLE
	71	5839 KENWOOD AVE	DAILEY JOHN A & ALICE ANN
	72	5835 KENWOOD AVE	BARTON PERRIN E
	73	5829 KENWOOD AVE	PETERSEN LARS G & JANET L
	74	5825 KENWOOD AVE	NIELSEN BRADLEY M
	75	5822 ANITA ST	JOWELL LISA C
	76	5826 ANITA ST	ODELL CHARLES C & RUBY B
	77	5832 ANITA ST	TAYLOR LUELLA F
	78	5838 ANITA ST	DUM MICHAEL MEAD
	79	5844 ANITA ST	SANTAS MEGHAN A
	80	5845 ELLSWORTH AVE	VAN WAGENEN DAVID PAUL &
	81	5839 ELLSWORTH AVE	ALLEN ZACHARY M
	82	5835 ELLSWORTH AVE	GULLING JOANNA
	83	5829 ELLSWORTH AVE	COUCH THERESA ANN
	84	5825 ELLSWORTH AVE	MCCLUREFUESS MEGAN A
	85	5802 ANITA ST	JLD CUSTOM HOMES LP
	86	5806 ANITA ST	CROUCH MICHAEL D

05/18/2016

	<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
		87	5810 ANITA ST	YANNIELLO CHRISTOPHER M &
		88	5814 ANITA ST	RODRIGUEZ RONALD L & LORI E
		89	5820 ANITA ST	HAGA BRAD C
		90	5819 ELLSWORTH AVE	KING WILLIAM
		91	5815 ELLSWORTH AVE	MILTENBERGER WILLIAM HENRY IV &
		92	5811 ELLSWORTH AVE	CURTIS CAROLE LYNN
		93	5807 ELLSWORTH AVE	SUNDBERG MATTHEW
		94	5803 ELLSWORTH AVE	WATSON LARRY W & LINDA
		95	5800 ELLSWORTH AVE	HEALEY STINSON MINNIE B H &
	O	96	5806 ELLSWORTH AVE	STONE HENRY EDWARD
	O	97	5810 ELLSWORTH AVE	CATLIN AMANDA
		98	5814 ELLSWORTH AVE	ZANCA ION & ESTERA
		99	5820 ELLSWORTH AVE	FAULHABER CHARLES R
		100	5821 KENWOOD AVE	STINEBAUGH CYNTHIA A
		101	5815 KENWOOD AVE	WIGGINS BRADLEY DWAYNE
		102	5811 KENWOOD AVE	TREKELL THERESA L
		103	5807 KENWOOD AVE	LACOUNT BART J
		104	5803 KENWOOD AVE	BONDS ABBY & DANE CARLTON
		105	5718 ELLSWORTH AVE	ELLSWORTH AVE LLC
	X	106	5724 ELLSWORTH AVE	WASSERMAN SHIRLEY A
	O	107	5726 ELLSWORTH AVE	WEISENBURGER STEVEN C
		108	5730 ELLSWORTH AVE	HADER PAUL D
		109	5734 ELLSWORTH AVE	MAY MARSHALL SCOTT &
		110	5738 ELLSWORTH AVE	RITCHIE ROBERT
		111	5742 ELLSWORTH AVE	LATHROP GRAHAM O
		112	5743 KENWOOD AVE	ENGELS NATHAN & KATHLEEN
		113	5739 KENWOOD AVE	BRAUD WILL & LANDRY
		114	5735 KENWOOD AVE	HUSTON CHARLES E &
		115	5710 ANITA ST	WALLGREN WAYNE K ETAL
		116	5714 ANITA ST	SHORT WILLIE R LIF EST
		117	5718 ANITA ST	GIORDANO PAUL JUDE

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	118	5722 ANITA ST	WETMORE NANCY A
	119	5726 ANITA ST	WITTY WESLEY & CECILIA
	120	5730 ANITA ST	GU HUIWEI
	121	5734 ANITA ST	RANGEL MANUEL M
	122	5738 ANITA ST	MARCONTELL JAMES R &
	123	5743 ELLSWORTH AVE	WISE DALLAS & BARBARA J
	124	5739 ELLSWORTH AVE	SAVAGE RYAN A & STAGG CAITLIN C K
	125	5735 ELLSWORTH AVE	ROGERS MICHAEL
O	126	5731 ELLSWORTH AVE	DANIEL JAMES R
	127	5727 ELLSWORTH AVE	CARONA DEBORAH A
	128	5723 ELLSWORTH AVE	AGUILAR KELLY MIJARES & ERIC B
	129	5719 ELLSWORTH AVE	BIRK RONALD E
	130	5715 ELLSWORTH AVE	WOOD MICHAEL E &
	131	5710 WINTON ST	LANDWEHR JENNIFER A
	132	5716 WINTON ST	CEJKA DAVID C & BETTYE L
	133	5726 WINTON ST	CLIFTON JACOB W & JENNIFER A
	134	5722 WINTON ST	5722 WINTON LLC
	135	5730 WINTON ST	HIATT AUSTIN SCOTT
	136	5734 WINTON ST	LEIJA STUART C
	137	5738 WINTON ST	KAVAYA TALIA M
	138	5746 WINTON ST	LIGHT DAVID L ET AL
	139	5739 ANITA ST	LEONE DEE BENNETT
	140	5735 ANITA ST	BETHEA JORDAN T
	141	5731 ANITA ST	SWIGART JAMES
	142	5725 ANITA ST	ARNOLD OLEN B JR
	143	5723 ANITA ST	POLSER BUDDY G
	144	5717 ANITA ST	STALLINGS THOMAS JORDAN &
	145	5715 ANITA ST	RENCH CASEY A & LAUREN
	146	5711 ANITA ST	MCDUFFE COLLEN E
	147	4203 CONCHO ST	KORDSMEIER MELISSA K
	148	4207 CONCHO ST	OROZCO MAYRA
	149	4211 CONCHO ST	FIGURA TODD M

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	150	4217 CONCHO ST	SCARBOROUGH SARAH FRANCES
	151	4223 CONCHO ST	HERRING KRISTIN R
	152	4227 CONCHO ST	MERGEHENN LEIGH ANNE
	153	4231 CONCHO ST	PETR JOSEPH DAMON
	154	4235 CONCHO ST	ARMSTRONG CLAUDEA
	155	4202 CONCHO ST	KELCHER DIRK TRUST
	156	4208 CONCHO ST	LOWARY CASEY T
	157	4212 CONCHO ST	SCOTT DFW DEVELOPLMENT LLC
	158	4216 CONCHO ST	HACKFELD BRIAN W
O	159	4222 CONCHO ST	MOORE CHARLOTTE BIDDLE
	160	4203 DELMAR AVE	NEWSOME ROGER D
	161	4209 DELMAR AVE	NISBET KATHRYN
	162	4211 DELMAR AVE	SHERRILL STANLEY F
	163	4217 DELMAR AVE	CLARK JOSHUA &
	164	4223 DELMAR AVE	JOHNSON MATTHEW S & JENNIFER LYNN
	165	4227 DELMAR AVE	WHITE BRUCE E
	166	4231 DELMAR AVE	MCCORMICK ERIC
	167	4237 DELMAR AVE	MATHIS JAMES CHANDLER
	168	4202 DELMAR AVE	LUONG JOE
	169	4208 DELMAR AVE	RICHMAN ALISA S
	170	4212 DELMAR AVE	ZEEBLE WILLIAM T &
	171	4216 DELMAR AVE	ROBERTS JENNIFER LEA
	172	4220 DELMAR AVE	TOLAR TERRY C & TRI L
	173	4226 DELMAR AVE	PASSMORE RACHAEL C & MICHAEL
	174	4230 DELMAR AVE	WOOD O H
	175	4236 DELMAR AVE	CAMPAGNA FAMILY LIMITED PARTNERSHIP
	176	5802 PALM LN	PEETERS TERRI J
	177	5806 PALM LN	THOMAS BRADFORD L
	178	5810 PALM LN	CIELO UNLIMITED INC
	179	5814 PALM LN	SHORTT JONATHAN &

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	180	5820 PALM LN	MIRE MICHAEL A
	181	5824 PALM LN	SOKOL MATTHEW
	182	5828 PALM LN	KNOP ANNE MARIE
	183	5832 PALM LN	WILLMAN EDWARD NICHOLAS
	184	5838 PALM LN	SOUTHERN STAR CAPITAL LLC
	185	5839 E MOCKINGBIRD LN	BARNHART ERIC T & JENNIFER A
	186	5833 E MOCKINGBIRD LN	SMITH E MURAY II
	187	5829 E MOCKINGBIRD LN	CAMPAGNA FAMILY LTD
	188	5825 E MOCKINGBIRD LN	DAVIS ROBERT C
	189	5821 E MOCKINGBIRD LN	BARNHART ERIC & JENNIFER
O	190	5815 E MOCKINGBIRD LN	BURNS STACY L
	191	5811 E MOCKINGBIRD LN	BUSTAMANTE VICENTE &
	192	5807 E MOCKINGBIRD LN	GWATHNEY P L
	193	5803 E MOCKINGBIRD LN	LEATH BILL & LULU A
	194	5837 PALM LN	PEETERS RENE
	195	5833 PALM LN	KRAUS STEPHEN ANTHONY &
	196	5829 PALM LN	WADDILL LAURA BETH
	197	5825 PALM LN	ROOKE MOLLY K
	198	5821 PALM LN	HARRIS KATELYN F &
	199	5815 PALM LN	YOUNGBLOOD CHRISTIAN EDWIN
	200	5811 PALM LN	LANDRY SCARLET S
	201	5807 PALM LN	PEETERS TERRI JO
	202	5801 PALM LN	LAYNE ANDREA L &
	203	5706 E MOCKINGBIRD LN	THORNE ELIZABETH ORAM TR &
	204	5742 E MOCKINGBIRD LN	RHJ DALLAS I LLC
	205	5720 E MOCKINGBIRD LN	DALLAS LUBE VENTURE LLC
	206	5730 E MOCKINGBIRD LN	PIEDMONT MOCKINGBIRD

AGENDA ITEM # 57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 14 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-10(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-10(A) Single Family District, on property bound by Welch Road, Harvest Hill Road, Harriet Drive, and Mill Creek Road

Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan, and conditions

Z156-199(SM)

FILE NUMBER: Z156-199(SM)

DATE FILED: February 5, 2016

LOCATION: Property bound by Welch Road, Harvest Hill Road, Harriet Drive, and Mill Creek Road

COUNCIL DISTRICT: 13

MAPSCO: 14U

SIZE OF REQUEST: Approximately 10.844 acres

CENSUS TRACT: 96.03

APPLICANT/ OWNER: Dallas Independent School District

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application for a Planned Development District for R-10(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-10(A) Single Family District.

SUMMARY: The applicant proposes to remove the existing portable buildings and replace them with a 23 stall parking area and construct a one-story, 19,000 square foot addition to the south of the existing Nathan Adams Elementary School.

CPC RECOMMENDATION: Approval, subject to a development plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan, traffic management plan, and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval of the planned development district based upon:

1. *Performance impacts upon surrounding property* – No direct performance impacts are foreseen upon the surrounding properties at this time. The school 'single story addition is compatible in size and character to the existing school and surrounding properties as it is set back from Welch Road 136 feet, Mill Creek Road 179 feet, and Harriet Drive 267 feet.
2. *Traffic impact* – The Traffic Safety and Engineering Sections have approved the application and no significant impacts to traffic are foreseen at this time.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* indicates that this area is in a Residential Neighborhood Building Block. The request is consistent with this building block.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The request proposes modification to straight zoning that include allowing light poles, flag poles, and similar poles to be located within setbacks and fence standard variations.

BACKGROUND INFORMATION:

- The school was originally constructed in 1969, according to Dallas Central Appraisal District records.
- Aerial photography from February 1995 shows 8 accessory buildings immediately south of the main building.
- Aerial photography from February 2001 shows the previous accessory buildings removed and 7 accessory buildings southeast of the main building.
- Aerial photography from March 2005 shows 9 accessory buildings.
- Aerial photography from October 2007 shows the two most recent accessory buildings that arrived circa 2005 were removed.
- Aerial photography from March 2015 shows 10 accessory buildings and are remaining on the site.

Zoning History: There have been no recent zoning cases in the vicinity in the last five years.

<u>Thoroughfare/Street</u>	<u>Designation</u>	<u>Dimension Explanation</u>
Harriet Drive	Local	60' ROW
Harvest Hill Road	Local	60' ROW
Mill Creek Road	Local	60' ROW
Welch Road	Local	60' ROW

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.

Land Use Compatibility:

The request site is developed with improvements that have supported Nathan Adams Elementary School for 46 years. The applicant requests to construct a one-story addition with approximately 19,000 square feet of floor in order to remove the existing accessory buildings.

Surrounding uses consist of single family on all sides. Staff recommends approval of the planned development because (1) the school has been a long-time occupant of the parcel, (2) the applicant has obtained approval from both the Traffic Safety Engineering Section of the Street Services Department and the Engineering Section of Sustainable Development and Construction therefore reducing traffic concerns and (3) the addition is compatible in size and character to the existing school and surrounding properties.

Landscaping: The request will not trigger any landscape regulatory changes. The proposed addition will require landscaping for an artificial lot per Article X of the Dallas Development Code.

Parking: The request is providing the minimum number of off-street parking spaces required for an elementary school per the Dallas Development Code which equates to one and a half spaces per classroom, as required by the Dallas Development Code. Since the development plan shows the addition and existing school will have 37 classrooms, a minimum of 56 parking spaces are required. The development plan proposes to provide 79 parking spaces.

CPC Action – May 19, 2016:

Motion: It was moved to recommend **approval** of a Planned Development District for R-10(A) Single Family District and public school uses other than an open enrollment charter school, subject to a revised development plan, revised traffic management plan and conditions with the following modification: 1) Future traffic study must include list approximate number of students traveling by bus, by car and staying for after school care on property zoned an R-10(A) Single Family District, on property bound by Welch Road, Harvest Hill Road, Harriet Drive, and Mill Creek Road.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Notices: Area: 500 Mailed: 142
Replies: For: 22 Against: 14

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Dora Roanoke, 12600 Welch Rd., Dallas, TX, 75244
Kermange Johnson, 12600 Welch Rd., Dallas, TX, 75244
Against: None

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Edwin Flores
District 2	vacant
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

CPC Recommended Planned Development 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 bound by Welch Road, Harvest Hill Road, Harriet Drive, and Mill Creek Road. The size of PD _____ is approximately 10.844 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ____A: development plan.
- (2) Exhibit ____B: landscape plan.
- (3) Exhibit ____C: traffic management plan.

SEC. 51P- _____.105. DEVELOPMENT PLAN.

(a) For public school other than an open-enrollment charter school, 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.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P- _____.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-10(A) Single Family District, subject to the same conditions applicable in the R-10(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-10(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-10(A) Single Family District is subject to DIR in this district; etc.

(b) The following main use is permitted by right:

-- Public school other than an open-enrollment charter school.

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 R-10(A) Single Family District apply.

(b) Public school.

(1) Poles in required yards. Light poles, flag poles, and similar poles are allowed in required yards.

(2) Floor area. Maximum floor area is 68,500 square feet.

(3) Stories: The maximum number of stories for a public school other than open enrollment charter school is three (3).

SEC. 51P- _____.110. OFF-STREET PARKING AND LOADING.

Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P- _____.111. FENCES.

For a public school other than an open-enrollment charter school:

- (1) a maximum six-foot fence may be located in any required yard.
- (2) any fence that exceeds four feet in height and is located within 25 feet of a street must be a minimum of 70-percent open.

SEC. 51P- _____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.113. LANDSCAPING.

- (a) Except as provided in this section, landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.114. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC.51P-____.115. TRAFFIC MANAGEMENT PLAN.

- (a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit ____C).
- (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 November 1, 2017. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
- (D) drop-off and pick-up locations;
- (E) drop-off and pick-up hours for each grade level;
- (F) hours for each grade level; and
- (G) circulation.
- (H) number of children being picked up by vehicle;
- (I) number of children being picked up by bus;
- (J) number of students attending after school care.

(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.

(c) Amendment process.

(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P- ____ .116. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P- ____ .117. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the 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.”

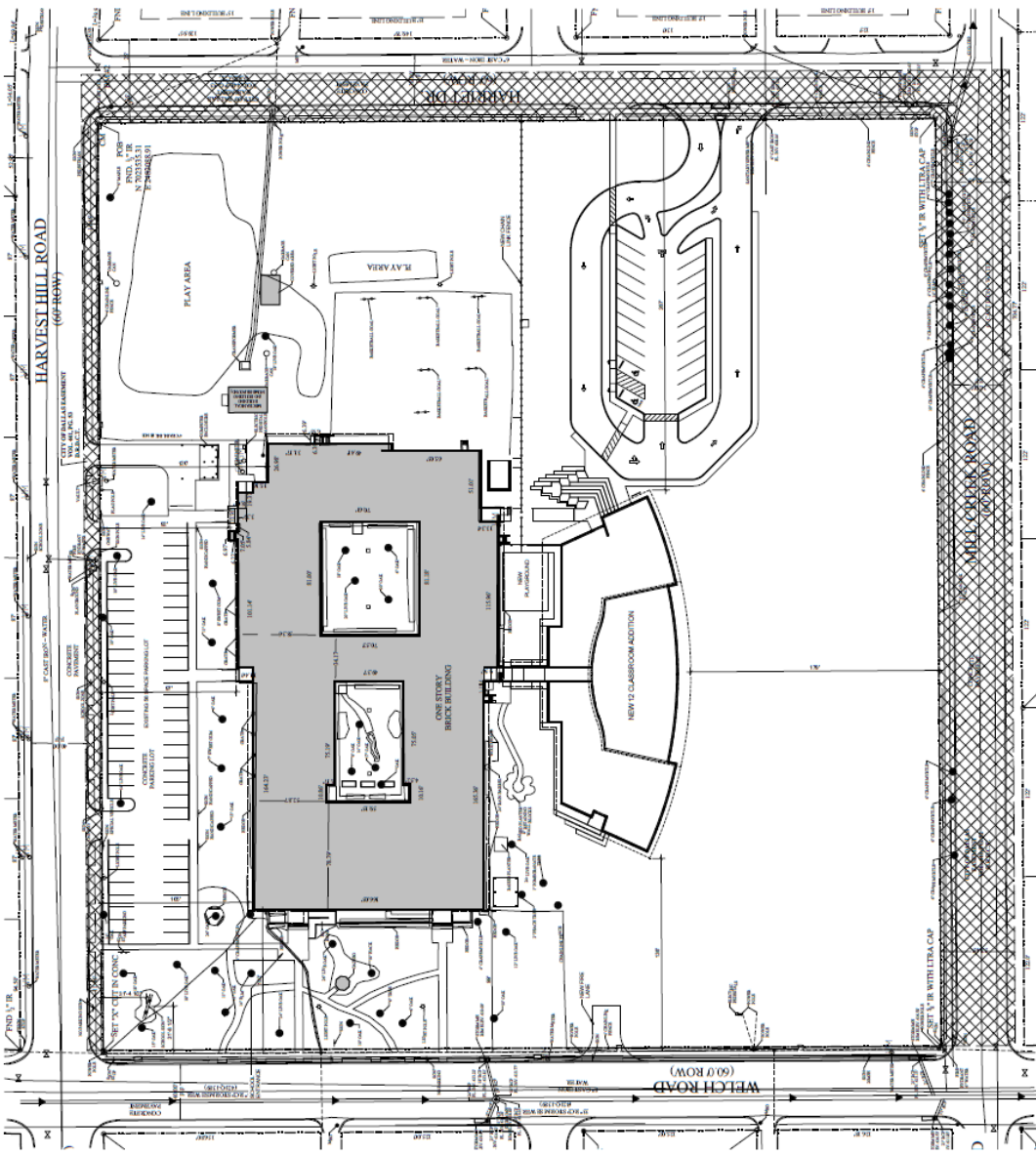


Proposed Development Plan



SHEET NOTES

ITEM	DESCRIPTION	REMARKS
1	EXISTING LOT	1.00 AC
2	EXISTING LOT	1.00 AC
3	EXISTING LOT	1.00 AC
4	EXISTING LOT	1.00 AC
5	EXISTING LOT	1.00 AC
6	EXISTING LOT	1.00 AC
7	EXISTING LOT	1.00 AC
8	EXISTING LOT	1.00 AC
9	EXISTING LOT	1.00 AC
10	EXISTING LOT	1.00 AC



1 DEVELOPMENT PLAN

Z156-199 (SM)

TRAFFIC MANAGEMENT PLAN FOR
**DISD NATHAN ADAMS
ELEMENTARY SCHOOL**

IN DALLAS, TEXAS

DESHAZO PROJECT NO. 15235

Prepared for:

Masterplan

900 Jackson Street, Suite 640

Dallas, Texas 75202

Prepared by:



Texas Registered Engineering Firm F-3199

400 South Houston Street, Suite 330

Dallas, Texas 75202

214.748.6740

May 16, 2016



Traffic Management Plan for
DISD Nathan Adams Elementary School

~ DeShazo Project No. 15235 ~

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Table 1. School Operational Characteristics

LIST OF EXHIBITS:

Exhibit 1. Traffic Management Plan for Peak School Traffic



Traffic. Transportation Planning. Parking. Design.

Technical Memorandum

To: Mr. Karl Crawley — *Masterplan*
From: David Nevarez, P.E. — *DeShazo Group, Inc.*
Date: May 16, 2016
Re: Traffic Management Plan for DISD Nathan Adams Elementary School in Dallas, Texas
DeShazo Project Number 15235 Z156-199 (SM)

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering. The services of DeShazo were retained by Masterplan on behalf of the Dallas Independent School District (DISD) to prepare an update of the Traffic Management Plan (TMP) for the Nathan Adams Elementary School (the School) located at 12600 Welch Road in Dallas, Texas.

The School has a current enrollment of approximately 554 students in Pre-Kindergarten through 5th grade. Student population is anticipated to grow up to 610 students in the upcoming school years. The school administration is also planning a revision to the site plan previously approved by City Plan Commission. The proposed changes will include site improvements to accommodate additional off-street parking spaces and on-site drop-off/pick-up areas for lower grade students. The attached site plan depicts these proposed modifications.

The school site is zoned R-10(A) for Single-Family Residential District. In order to gain entitlements for the proposed improvements, the school administration is seeking approval for the proposed changes. As part of the approval process, the City of Dallas requires submittal of a TMP update as a record of the preferred traffic control strategies and to ensure overall traffic safety and efficient operations.

This report contains DeShazo's review of the current traffic conditions on and around the school campus as well as an evaluation of the proposed conditions. The plan is intended to assess anticipated traffic conditions during the School peak activities. By consent of the TMP submittal, the school agrees to the strategies presented herein. The school is held self-accountable to enforce the plan until and unless the City of Dallas deems further mitigation measures are necessary.

[NOTE: In this report the term "parent" refers to any parent, family member, legal guardian, or other individual who is involved in the pick-up or drop-off of one or more students at the school.]

TRAFFIC MANAGEMENT PLAN

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up operations. By properly managing the vehicular traffic generated during critical periods, the safety and efficiency of school carpool operations will also inherently improve. This TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it is a tool that aims to facilitate a safer and more efficient environment.

The analysis summarized below identifies the projected vehicle demand—including parking and queuing space (i.e. vehicle stacking)—needed on site to accommodate projected school traffic demands during peak periods. A concerted effort and full participation by the school administration, staff, students and parents are essential to maintain safe and efficient traffic operations. The use of designated parking and queuing areas is necessary to minimize the operational impact on adjacent properties and the public street system.

School Operational Characteristics

DeShazo conducted field observations of the school on Thursday, December 17, 2015 during all student dismissal periods. **Table 1** summarizes the operational characteristics for *DISD Nathan Adams Elementary* at the time of these observations.

Table 1. School Operational Characteristics

	Existing Conditions	Proposed Conditions
Enrollment:	554 students	610 students
Daily Start/Dismissal Schedule:	Pre-K – 5 th Grade: > 7:45 – 2:55 PM	Same as Existing
Approximate Number of Students Travelling by Mode Other Than Drop-off/Pick-up:	By DISD Bus: \approx 30% By Walking: \approx 0%	Same as Existing
Approximate Number of Students with Alternate Schedules (i.e. Depart Outside of Normal Peak):	10% (extracurricular activities, early dismissals, etc.)	Same as Existing

NOTE #1: Occasional functions or other events may be held at the school, which generate traffic outside of the traditional peak drop-off and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic characteristics other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

Site Access and Circulation

The subject site provides a small parking area for faculty and staff, which is accessed from Harvest Hill Road. However, no off-street area is available for student loading and unloading—all traffic activities take place within public right-of-way. In order to accommodate the school's traffic demands during peak periods, parents line up and queue in the perimeter of the school property and wait for students to be dismissed. A total of three school buses load students on the curb immediately in front of the school on Welch Road. The proposed school renovations include a new on-site parking lot with approximately 30 spaces and a driving aisle accessed from Harriet Drive with enough queuing capacity for up to 14 vehicles.

Passenger Unloading/Loading and Vehicular Queuing

During the afternoon pick-up period, the majority of students are transported by parents in personal vehicles. The school provides loading areas along the perimeter of the school. Most parents choose to park on adjacent streets and walk to greet their child(ren) on-site. Field observations indicate a maximum total of approximately 95 vehicles present during the afternoon student dismissal period. The maximum queue, however, was only evident for no more than 10-15 minutes at that time.

DeShazo's school observations consistently indicate that maximum queues occur during the afternoon peak period when students are being picked-up—the morning period is typically not a significant traffic issue since drop-off activities are more temporally distributed and occur much more quickly than student pick-up. In general, the same operation is in effect during the morning peak period; however, the overall volume of vehicles is less concentrated than the afternoon peak hour volume. The evaluation of the traffic in this report is thus based upon the afternoon pick-up period.

Recommendations

Exhibit 1 presents the proposed traffic management plan that requires full enforcement of student drop-off/pick-up queue operations. The following set of traffic operations are also recommended for Nathan Adams Elementary School during peak traffic conditions:

Traffic Queue Operations

- Traffic circulates clockwise around the perimeter of the school during both the morning and afternoon school peak periods; queues lead traffic to their respective loading/unloading areas.
- As shown on **Exhibit 1**, a total of 966 linear feet (in addition to the new proposed parking lot) provide enough capacity for a projected maximum queue of 27 cars for students in Pre-Kindergarten and Kindergarten. In addition, a total of 1,200 linear feet (enough capacity for a queue with up to 51 cars) is expected to accommodate the needs of the projected queue for the remaining students in 1st–5th grade.
- During the afternoon pick-up period, the school should implement a "Passenger Identification System". The school should issue hangtags to parents with unique identification that pairs them with corresponding student(s) at the beginning of each school term. Hangtags must be on display through the vehicle's windshield while parents arrive at the pick-up areas during pick-up periods. School staff should also be positioned at strategic locations ahead of the loading area and relay the sequence of arrivals via hand radio while students are prepped for pick-up. With the assistance of other school staff stationed at the loading area, several vehicles should be loaded simultaneously. After each loading, vehicles should be cleared by school staff to carefully exit the queue.

Proposed New Parking Lot Operations

- The access to the proposed parking lot on Harriet Drive should not be aligned with Harriet Circle; driveway will include a raised median (or "pork-chop island") to allow right-in/right-out access only.
- Pick-up and drop-off operations for Pre-Kindergarten and Kindergarten students should be concentrated at the new proposed parking lot on Harriet Drive. In addition, school should designate this area for families with multiple students at Nathan Adams Elementary.
- Families with multiple students at Nathan Adams Elementary should also be guided towards the new proposed parking lot (on Harriet Drive) to minimize the number of vehicles that require longer waiting times and maintain a continuous flow of queue operations on Welch Road.

School Bus Operations

- DeShazo recommends the relocation of all school bus loading activities to the designated bus zone on Harvest Hill as shown on **Exhibit 1**. This TMP provides a designated pedestrian path to the recommended zone for school bus activities. It also results provides a student loading/unloading zone for drop-off and pick-up queue along the northbound lane (west curb) of Welch Road.

Enforcement

- School officials should appoint a safety committee whose objective is to implement actions of this TMP and make any necessary adjustments necessary to enforce a coordinated traffic management plan.
- At the request of the school and neighboring property owners, traffic signs should restrict school parking, standing or unattended vehicles on the westbound lane (north curb) of Harvest Hill as well as the eastbound lane (south curb) of Mill Creek. NOTE: These signs are not depicted on Exhibit 1.
- To better organize traffic operations and discourage on-street parking across Welch Road during pick-up peak hours, parents arriving southbound on Welch Road should be encouraged to turn left onto Harvest Hill Road and proceed to systematically drive around the School perimeter towards a pick up location of their choice—effectively creating a one-way, clockwise flow around the school property. This recommendation can be further encouraged with City approval by:
 - installing “NO PARKING/STANDING” signs on the southbound segment of Welch Road directly across the school property;
 - removing all “NO PARKING” or idle time restriction signs on the northbound segment of Welch Road directly in front of the school property;
 - encouraging parents not to park in front of residential properties west of Welch Road; and,
 - Installing traffic signs that restrict unattended vehicles and encourage an active queue circulation.
- At least one school employee should continue to patrol student dismissal at each of the school building’s main access points. At least one school staff should guide students towards the proposed on-site queue and direct vehicles to egress along the by-pass lane. Likewise, at least one school employee should patrol students headed towards the bus loading station.
- At the discretion of City staff, the existing pedestrian crosswalk on Welch Road at Laren Lane should be removed, if possible, to discourage mid-block pedestrian crossing.
- The proposed traffic plan will guide parents around the school block and potentially create opportunities for pedestrian traffic across Harriet Drive. Given this consideration, DeShazo recommends the installation of school zone signs in the vicinity of the intersection of Harriet Drive and Mill Creek Road, at the discretion of the City of Dallas Department of Street Services.
- However, to minimize liabilities, the School should allow no school staff other than DISD police and/or deputized officers of the law to engage or attempt to influence traffic operations in public right-of-way.
- As needed, staff directing dismissed students out of the school building should, in lieu of simple hand gestures, procure and use reversible hand-paddle signs with the messages for STOP and SLOW. Optional additional equipment used by staff may include whistles (for audible warnings) and fluorescent vests (for visual warning).

*DeShazo Group, Inc.
May 16, 2016*

The proposed traffic management plan requires full enforcement of student carpool operations and assumes that only a minimal amount of parents choose to park and walk into the school building. It also assumes that all involved/interested parties understand and agree to the following traffic operations—particularly to the amount of traffic directed along Harriet Drive.

SUMMARY

Field observations of existing conditions indicate that student loading/unloading activities operate without any severe problems. A number of recommendations are provided in this report for consideration by DISD and school officials. Full cooperation of all school staff members, students, and parents is crucial for the continuing success of any traffic management plan. The referenced TMP should be enforced by DISD Nathan Adams Elementary School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating within the site vehicular traffic generated by the school at peak traffic periods. The school should review details of this plan on a regular basis to confirm its effectiveness.

END OF MEMO



Z156-199 (SM)

Proposed TMP Circulation Plan

Queuing Summary

Student Group	Dismissal Times & Number of Students	Vehicular Demand
Grades PreK-K	2:00 Students (2:55 PM)	Provided Queue: 41 Spaces (966 LF) On-Site Parking: 23 Spaces Provided Total: 64 Spaces
Grades 1st-5th	4:50 Students (2:55 PM)	Required Total: 27 Spaces (635 LF) Surplus: 37 Spaces (870 LF) Provided: 51 Spaces (1,200 LF) Required: 50 Spaces (1,175 LF) Surplus: 1 Space (25 LF)

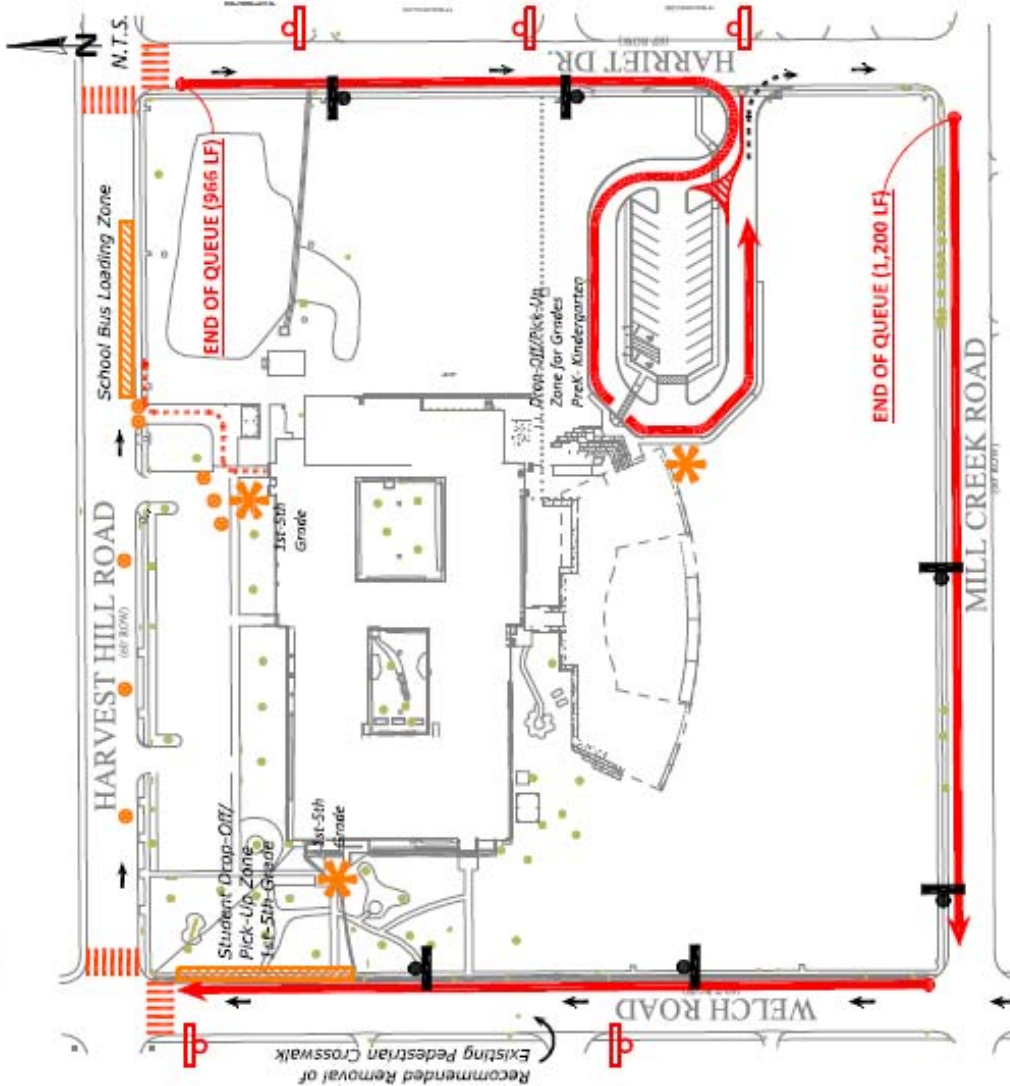
*Vehicular queue calculated at 23.5 feet/passenger car based on field observations.

Legend

- School Staff
- Bus Loading Area
- Provided Queue
- Pedestrian Crossing
- Traffic Cams
- Traffic Signs
- "NO PARKING/STANDING"
- QUEUE LANE
- PULL FORWARD
- NO PARKING OR UNATTENDED VEHICLES
- 7:00 - 9:00 AM
- 2:30 - 4:00 PM
- SCHOOL DAYS

The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. This TMP was developed to prevent queuing of drop-off/pick-up related vehicles within the city rights-of-way. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.

I, David Newman, P.E. #106200, certify that site constraints preclude the school's ability to accommodate vehicular queue on-site. While it may not be feasible to eliminate queuing in public rights-of-way, establishing a designated school route will lessen impact to neighborhood as well as background traffic on the main roads. This option is subject to approval by the City of Dallas Street Services Department.

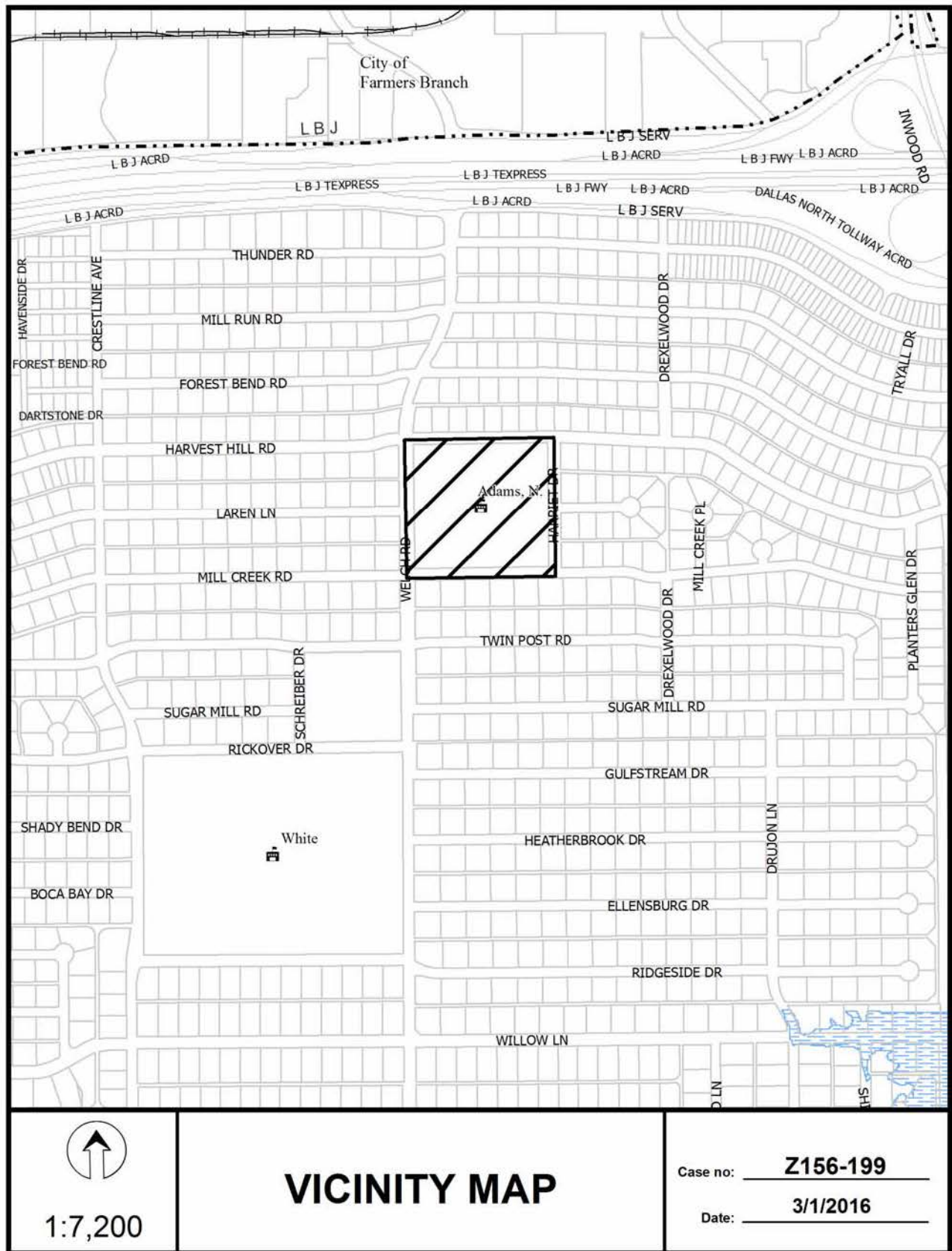


Traffic Management Plan [Full Drop-off/Pick-Up Operations]

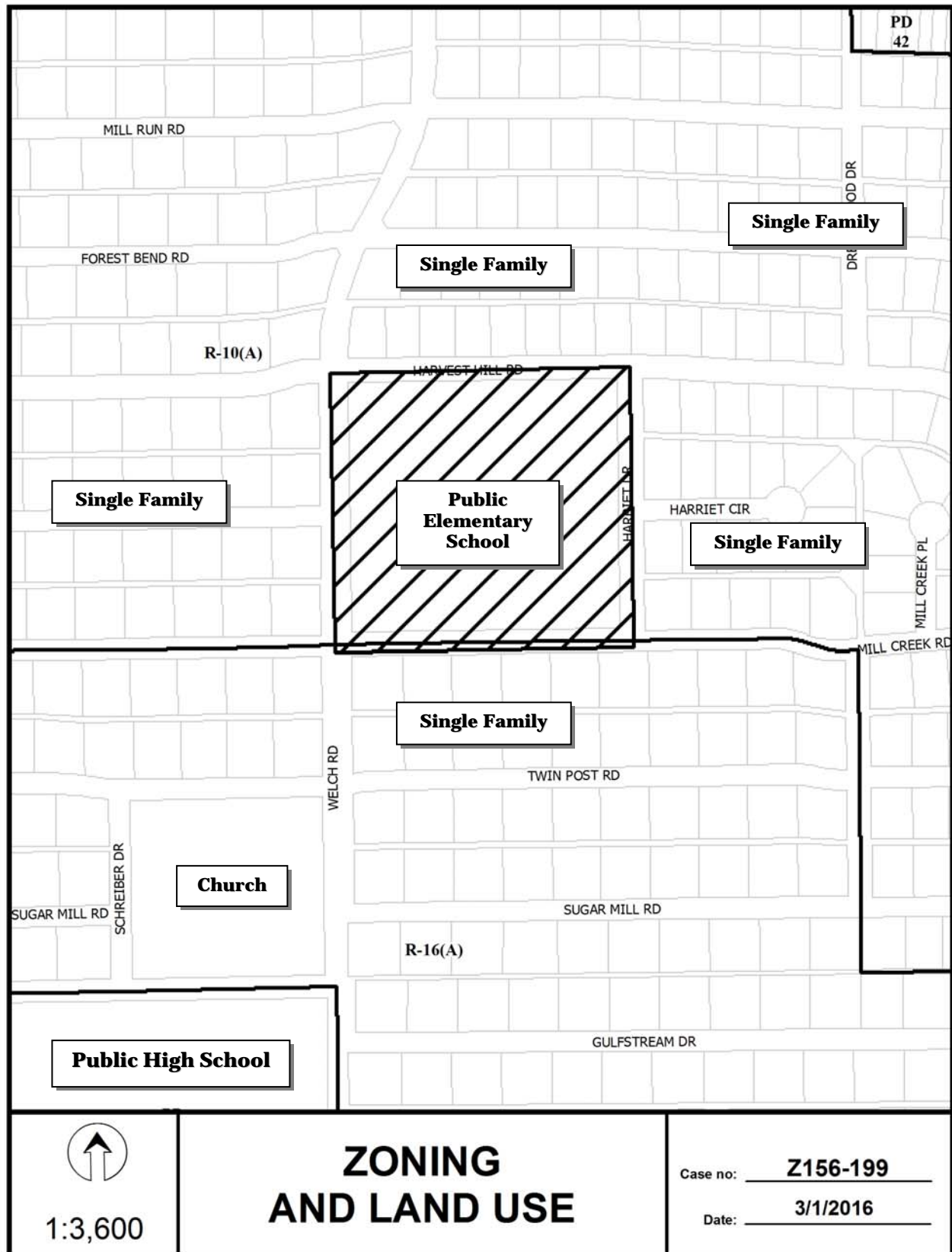
Nathan Adams Elementary School
12600 Welch Road, Dallas, Texas.

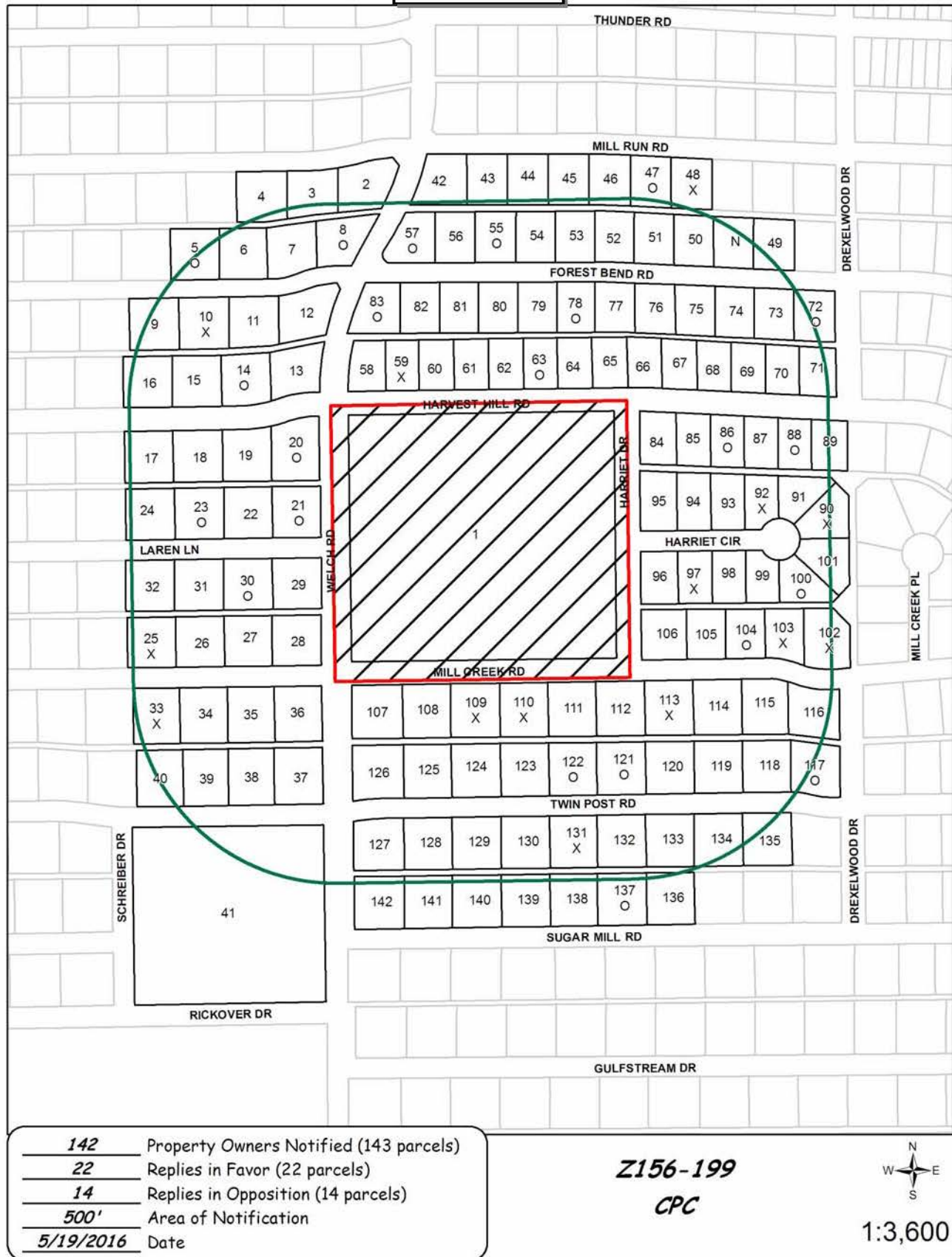
EXHIBIT 1

DeShazo Group, Inc.
Texas Registered Engineering Firm #21599
400 S. Houston St., Suite 1200
Dallas, Texas 75202
(214) 748 6740







CPC Responses

05/18/2016

Reply List of Property Owners***Z156-199******142 Property Owners Notified******22 Property Owners in Favor******14 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	12660 WELCH RD	Dallas ISD
	2	4566 MILL RUN RD	REICHENBACH JOHN H &
	3	4556 MILL RUN RD	WINGFIELD ROBERT L JR
	4	4546 MILL RUN RD	DUNHAM TRACEY
O	5	4535 FOREST BEND RD	CRONIN LEO F
	6	4545 FOREST BEND RD	NIKIN R MEHTA & RANJAN
	7	4555 FOREST BEND RD	WIERNAN DAVID A &
O	8	4565 FOREST BEND RD	POHL SUSANNE TR
	9	4526 FOREST BEND RD	KAUFMAN THEODORE P &
X	10	4536 FOREST BEND RD	YABRAIAN FAMILY LIVING TRUST
	11	4546 FOREST BEND RD	PACE MARY SUZANNE
	12	4556 FOREST BEND RD	SKAIFE RODNEY S & TAMMY
	13	4555 HARVEST HILL RD	ORTEGA FAMILY LIVING TRUST
O	14	4545 HARVEST HILL RD	BROOKS FRANCIS A III &
	15	4535 HARVEST HILL RD	TAYLOR FAMILY LIVING TRUST THE
	16	4525 HARVEST HILL RD	SCHMIDT LAURIE &
	17	4526 HARVEST HILL RD	MACALIK GAIL C & JAMES J MARTIN
	18	4536 HARVEST HILL RD	MCKENZIE KATHI ANNE & DAVID ALLAN
	19	4546 HARVEST HILL RD	POER MICHELLE
O	20	4556 HARVEST HILL RD	BIRCH IAN & SUE
O	21	4555 LAREN LN	BELL MICHAEL C
	22	4545 LAREN LN	BRUSILOW ANSHEL
O	23	4535 LAREN LN	LILLEY STEPHEN & SHARON
	24	4525 LAREN LN	WILLIAMS WILLIAM G &
X	25	4525 MILL CREEK RD	BRETHAUER JANITH &
	26	4535 MILL CREEK RD	BROWN WILLIAM E TR

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	4545 MILL CREEK RD	MYER PUNAM
	28	4555 MILL CREEK RD	SANDERS J CHRISTOPHER C &
	29	4556 LAREN LN	JONES ARTHUR F & PEGGY
O	30	4546 LAREN LN	TRISTAN MICHAEL & JENNIFER L
	31	4536 LAREN LN	BYRNE VONDELL W
	32	4526 LAREN LN	WILDER CYNTHIA K
X	33	4526 MILL CREEK RD	MACKNIGHT WILLIAM &
	34	4536 MILL CREEK RD	BEYER ANDREW & DARCIE
	35	4546 MILL CREEK RD	BRYAN MARGARET J
	36	4556 MILL CREEK RD	KELSO SCOTT ALAN &
	37	4535 TWIN POST RD	SADRI FARHANG ET AL
	38	4527 TWIN POST RD	MUSSO MARK C
	39	4519 TWIN POST RD	SCHREIBER MEM METH CH
	40	4509 TWIN POST RD	PONCE ALINA I RAMIREZ &
	41	4525 RICKOVER DR	SCHREIBER MEM METH CHURCH
	42	4708 MILL RUN RD	BYLEDBAL MARK & JANELLE
	43	4718 MILL RUN RD	VONTRESS AMELIA IRMA
	44	4728 MILL RUN RD	BUDNOFF ROSALIE
	45	4738 MILL RUN RD	MCDONNELL MARK S
	46	4748 MILL RUN RD	HARRIS STEPHEN E &
O	47	4808 MILL RUN RD	YOUNG JOHN MARCUS
X	48	4818 MILL RUN RD	LAZO TOM & MARY
	49	4847 FOREST BEND RD	POWERS DANIEL D &
	50	4827 FOREST BEND RD	GONZALES AARON M &
	51	4817 FOREST BEND RD	AVERITT GRAHAM
	52	4807 FOREST BEND RD	KISS EDGAR
	53	4747 FOREST BEND RD	DUBOSE CAROL ANN
	54	4737 FOREST BEND RD	MULLIN Y D & CHRISTINE S
O	55	4727 FOREST BEND RD	YOUNG REVOCALBE TRUST
	56	4717 FOREST BEND RD	THOMAS BILLY R
O	57	4711 FOREST BEND RD	BYARS KEITH M &

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	4707 HARVEST HILL RD	GRIFFITH LILLIAN L
X	59	4715 HARVEST HILL RD	MARTIN FRED N & JOYCE F
	60	4721 HARVEST HILL RD	MACKEY RICHARD E & JOAN M
	61	4727 HARVEST HILL RD	OAKES HEATH
	62	4733 HARVEST HILL RD	ORTEGA MYRIAM MARLENE
O	63	4739 HARVEST HILL RD	MOURITSEN ELIZABETH
	64	4745 HARVEST HILL RD	VAUGHT T ALEX
	65	4751 HARVEST HILL RD	JOHNSON RICHARD HEATH
	66	4805 HARVEST HILL RD	RUNDELL C A JR
	67	4811 HARVEST HILL RD	WEATHERFORD DOUGLAS WARNER &
	68	4817 HARVEST HILL RD	STOCKHAM KIERSTEN &
	69	4823 HARVEST HILL RD	SWANGO ROBERT W
	70	4829 HARVEST HILL RD	MCMAHON HUGH F X &
	71	4835 HARVEST HILL RD	HILL JENNIFER L & JEREMY
O	72	4858 FOREST BEND RD	TATUM HENRY K & MARY JO
	73	4848 FOREST BEND RD	LMAJ LLC
	74	4838 FOREST BEND RD	STONE STEPHEN L &
	75	4828 FOREST BEND RD	WILEY JAMES C &
	76	4818 FOREST BEND RD	HEATH NED M & MARY L
	77	4808 FOREST BEND RD	VASEK JAMES
O	78	4748 FOREST BEND RD	FRY LYNN G TRUSTEE
	79	4738 FOREST BEND RD	BOEDING TODD M & LORI S
	80	4728 FOREST BEND RD	SONG NAK K & YONG O
	81	4718 FOREST BEND RD	GULLEDGE DONNA L
	82	4712 FOREST BEND RD	NAVARRO IGNACIO &
O	83	4708 FOREST BEND RD	LEE LORAIN GREEN
	84	4806 HARVEST HILL RD	BELMAREZ JUANITA F &
	85	4812 HARVEST HILL RD	LOVELACE JEFFREY H
O	86	4818 HARVEST HILL RD	ATHERTON JULIA A
	87	4824 HARVEST HILL RD	INGRAM ANN M &
O	88	4830 HARVEST HILL RD	GLAZER HELENE TRUSTEE

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	4836 HARVEST HILL RD	BALABAN EDWIN W
X	90	12646 HARRIET CIR	JOHNSON SEAN PATRICK &
	91	12650 HARRIET CIR	BUELL ROBERT M &
X	92	12654 HARRIET CIR	WEILER LINDA D &
	93	12658 HARRIET CIR	CUMMINS ELIZABETH A TR
	94	12662 HARRIET CIR	LANIUS J WALTER
	95	12668 HARRIET CIR	JAMES ROXANNE K & ARTHUR P
	96	12620 HARRIET CIR	QUISENBERRY RICHARD B &
X	97	12626 HARRIET CIR	PARRO BRIAN C & LISA A
	98	12630 HARRIET CIR	FEIGHNY GENE A & MEGHAN
	99	12634 HARRIET CIR	BENNETT JON B &
O	100	12638 HARRIET CIR	MADDOX JANET L &
	101	12642 HARRIET CIR	CRUMLEY FRANK J & JENNIFER
X	102	4739 MILL CREEK RD	BAZAN JOSEPH A
X	103	4733 MILL CREEK RD	LUTZ WILLIS J
O	104	4727 MILL CREEK RD	VACHE WADE R & MARY C
	105	4717 MILL CREEK RD	KNIGHT CHRISTOPHER R & LEANNE M
	106	4707 MILL CREEK RD	BERBARIE EDWARD
	107	4606 MILL CREEK RD	TEHAN TIMOTHY P ETAL
	108	4616 MILL CREEK RD	BARRY BRIAN J &
X	109	4626 MILL CREEK RD	MILLER KENNETH A & LISA W
X	110	4636 MILL CREEK RD	GRENWELGE ROY R
	111	4646 MILL CREEK RD	JONES BETH AJEANNE
	112	4656 MILL CREEK RD	SJOGREN KURT J &
X	113	4708 MILL CREEK RD	MCNEIL VIVICA
	114	4718 MILL CREEK RD	OWEN JOE
	115	4728 MILL CREEK RD	LEE STEVEN EUNSEOK
	116	4740 MILL CREEK RD	TANG ZHEN &
O	117	4747 TWIN POST RD	ACEVES BEATRICE H &
	118	4737 TWIN POST RD	WOLF MICHAEL SCOTT
	119	4727 TWIN POST RD	AGEE KIMBERLY BRANTHOVER

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	4717 TWIN POST RD	NEIL EDWARD M
O	121	4707 TWIN POST RD	LEBEDNIK LIANE K
O	122	4649 TWIN POST RD	EUDY MICHAEL R & DIANE F
	123	4639 TWIN POST RD	ADAMS ANN H & ROBERT M
	124	4629 TWIN POST RD	KOEN SOPHIA
	125	4619 TWIN POST RD	LYNCH MICHAEL F
	126	4609 TWIN POST RD	LOUGHBOROUGH JAMES A &
	127	4608 TWIN POST RD	CHU IRENE YORK LING FAMILY TRUST
	128	4618 TWIN POST RD	MARCUS KENNETH J &
	129	4628 TWIN POST RD	MOSER MARY K C & PAUL MURRIN
	130	4638 TWIN POST RD	YOUNG JERRY GANG & CHEN DAN
X	131	4648 TWIN POST RD	APPLEWHITE JOHN C & JOAN
	132	4706 TWIN POST RD	KOWYNIA ROBERT J
	133	4716 TWIN POST RD	TUTTLE THOMAS E &
	134	4726 TWIN POST RD	CRUMLEY FRANK
	135	4736 TWIN POST RD	MCKINLEY JONATHAN GILBERT
	136	4717 SUGAR MILL RD	DOEPFNER PHILLIP R &
O	137	4707 SUGAR MILL RD	WHISLER JOHN M &
	138	4645 SUGAR MILL RD	ZIMMERMAN THOMAS G &
	139	4635 SUGAR MILL RD	MEYER JAMES S & LOUISA
	140	4625 SUGAR MILL RD	REAGOR LEE C & CAROLINA A
	141	4615 SUGAR MILL RD	BUECHLER ALFRED D
	142	4605 SUGAR MILL RD	HOAGLAND JOHN R

AGENDA ITEM # 58

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 12

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 5 H

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 555 on the southwest corner of Frankford Road and Hillcrest Road

Recommendation of Staff and CPC: Approval, subject to a revised development plan, traffic management plan, and revised conditions
Z156-203(WE)

FILE NUMBER: Z156-203(WE) **DATE FILED:** February 8, 2016
LOCATION: On the southwest corner of Frankford Road and Hillcrest Road
COUNCIL DISTRICT: 12 **MAPSCO:** 5H
SIZE OF REQUEST: Approx. 10.396 acres **CENSUS TRACT:** 317.18

APPLICANT: Tom Elieff

OWNER: The Conservative Jewish Day School of Dallas, Inc

REPRESENTATIVE: Kristin Green, VerdUnity, Inc.

REQUEST: An application for an amendment to Planned Development District No. 555.

SUMMARY: The purpose of this request is to allow for an expansion of the school [Levine Academy] to accommodate four additional classrooms. In addition, school is requesting to modify the development plan to show a guardhouse near the Frankford entrance, reduce the playing field to accommodate additional parking spaces and increase the fence height to a maximum of 6 feet.

CPC RECOMMENDATION: Approval, subject to a revised development plan, traffic management plan, and revised conditions.

STAFF RECOMMENDATION: Approval, subject to a revised development plan, traffic management plan, and revised conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

1. *Performance impacts upon surrounding property* – The new construction and changes to the off-street parking are internal to the campus and therefore should not impact the adjacent residential and non-residential uses. In addition, the proposed six-foot perimeter fence is to provide security for the students.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in a Residential Building Block. The request is in compliance with the Comprehensive Plan.
4. *Justification for PD Planned Development District* – Planned Development District No. 555 is developed with a private school and child-care facility. The amendment to Planned Development District No. 555 will show the changes on the development plan as it relates to the footprint of the new expansion and guardhouse, reduction of the playing field, the new configuration of the off-street parking spaces.

BACKGROUND INFORMATION:

- In August 1999, the City Council approved Planned Development District No. 555 for R-10(A) Single Family District uses; a private school and a child-care facility on property zoned an R-10(A) Single Family District, PDD No. 253 for a private school, PDD No. 223 for Shopping Center Uses and PDD No. 106 for R-10(A) Single Family District uses.
- From December 2011 to April 2013, the City Plan Commission approved 3 minor amendments to the development plan. The minor amendments reflected providing 2-shade structures over existing play areas to providing a revised canopy, accompanying access ramp, and screening wall near the student pick-up /drop-off area.

Zoning History: There have been no zoning changes in the surrounding area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Hillcrest Road	Principal Arterial	80 ft.	80 ft.
Frankford Road	Principal Arterial	100 ft.	100 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.

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 in a Residential Building Block. The proposed development is in compliance with the forwardDallas! Comprehensive Plan.

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.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	PDD No. 555	School, child-care facility
North	TH-1(A), CR	Retail, Single Family
South	PDD No. 106	Single Family
East	PDD No. 106	Fire Station, Single Family
West	PDD No. 106	Single Family, Park

Land Use Compatibility:

The internal improvements to the private school are compatible with the adjacent uses. The existing private school is located within a predominately residential area with several retail and personal service uses that are located to the north and northeast of the request site, across Frankford Road. The improvements will allow for additional classrooms and parking spaces for the campus. The additional parking spaces will be constructed adjacent to the playing fields. The school proposed to increase the security measures of the campus by constructing a guardhouse on the northern portion of the campus, near Frankford Road, and increase the fence height to six feet.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
PDD No. 555 - existing Public or private School	30'	6'	1 Dwelling Unit/ 10,000 sq. ft.	30'	45%		Single family, school, child-care facility

Landscaping: Landscaping of any development will be in accordance Article X, as amended.

Parking: The requirement for off-street parking for the school is derived by the following criterion: 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 a school is as follows:

- one and one-half spaces for each kindergarten / elementary school classroom; and
- three and one-half spaces for each junior high / middle school classroom;

The school is currently using 51 classrooms. The 19 middle school classrooms require 67 parking spaces and the 32 elementary classrooms require 48 spaces for a total of 115 spaces. The school is proposing to provide 223 off-street parking spaces.

CPC Action (April 21, 2016)

Motion: In considering an application for an amendment to Planned Development District No. 555 on the southwest corner Frankford Road and Hillcrest Road, it was moved to **hold** this case under advisement until May 19, 2016.

Maker: Peadon
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Houston, Davis, Shidid,
Anantasomboon, Abtahi, Haney, Jung, Housewright,
Schultz, Peadon, Murphy*, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 2

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 120
Replies: For: 5 Against: 2
Speakers: None

CPC Action (May 19, 2016)

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 555, subject to a development plan, revised traffic management plan and revised conditions to include the following: 1) Utilize a 6 ft. wrought iron fence only on facing properties (Hillcrest, Winding Creek and Frankford) with the exception of the existing wood fence, 2) Place signage to direct traffic exiting on to Frankford Road for make a right turn only, 3) Modify all traffic flow diagrams that are in the existing documentation to reflect what is in the traffic management plan regarding directional traffic flow, and 4) Include statement that guard house cannot be used during pick-up and drop-off times on the southwest corner Frankford Road and Hillcrest Road.

Maker: Peadon
Second: Houston
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley*

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 120
Replies: For: 8 Against: 3

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Mark Grossfeld, 18011 Hillcrest Rd., Dallas, TX, 75252
For (Did not speak): Tom Elieff, 18011 Hillcrest Rd., Dallas, TX, 75252
Against: None

EXECUTIVE COMMITTEE AND OFFICERS

Levine Academy

- Tom Elieff Head of School
- David Goldberg President
- Adam Stern VP Finance
- Michael Reiman VP Development
- Solomon Israel Secretary
- Jack Jacobsen CSI Rep (non-voting)
- Chick Butler Immediate Past President (non-voting)
- Mark D. Frenkel Past President (non-voting)

CPC PDD CONDITIONS

ARTICLE 555.

PD 555.

SEC. 51P-555.101. LEGISLATIVE HISTORY.

PD 555 was established by Ordinance No. 23971, passed by the Dallas City Council on August 11, 1999. Ordinance No. 23971 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended.

SEC. 51P-555.102. PROPERTY LOCATION AND SIZE.

PD 555 is established on property generally located at the southwest corner of Frankford Road and Hillcrest Road. The size of PD 555 is approximately 10.3812 acres.

SEC. 51P-555.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all code references are to Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P-555.104. DEVELOPMENT PLAN.

(a) For a public or private school use or a child-care facility use, development and use of the Property must comply with the development plan (Exhibit 555A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) For all R-10(A) Single Family District uses, no development plan is required.

SEC. 51P-555.105. MAIN USES PERMITTED.

(a) Except as provided in Subsection (b), the uses permitted in this district are all uses permitted in the R-10(A) Single Family District, as amended, subject to the same conditions applicable in the R-10(A) Single Family District. (For example, a use permitted by SUP in the R-10(A) Single Family District is permitted in this planned development district by SUP; a use subject to DIR in the R-10(A) Single Family District is subject to DIR in this planned development district; etc.)

(b) The following uses are permitted by right:

(1) Public or private school.

(2) Child-care facility.

SEC. 51P-555.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A- 4.217.

SEC. 51P-555.107. YARD, LOT, AND SPACE REGULATIONS.

Except as provided in this section, the yard, lot, and space regulations of the R-10(A) Single Family District contained in Section 51A-4.112(e)(4) apply to this planned development district. Exception: For a public or private school use or a child-care facility use, all front, side, and rear yards must comply with the development plan.

SEC. 51P-555.108. OFF-STREET PARKING AND LOADING.

Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off street parking must be provided at or below ground level.

SEC. 51P-555.109. FENCING.

(a) For a public or private school use or a child-care facility use, a minimum six-foot-high fence [~~as shown on the development plan~~] must be installed along the perimeter [western boundary] prior to the issuance of any new or revised certificate of occupancy for the property as shown on the development plan.

CPC Recommendation

(b) <u>The wrought iron fence must be constructed on the property facing Hillcrest Road, Winding Creek and Frankford Road.</u>
--

Staff's Recommendation

(b) <u>The fence materials may be constructed of chained link, wrought iron, masonry columns or any combination.</u>
--

(c) Maximum fence height. Maximum fence height is 6 feet. The existing wood fence on Hillcrest Road will remain. The maximum of height of the wood fence is 8 feet as shown on the development plan.

(d) For all other uses, consult Section 51A-4.602 for the fence, screening, and visual obstruction regulations.

SEC. 51P-555.110 TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public school must comply with the traffic management plan (Exhibit C).

(c) Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(d) Traffic Study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by **November 1, 2018**. After the initial traffic study, the Property owner or operator shall submit biennial updates of the traffic study to the director by November 1 of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

A. ingress and egress points;

B. queue lengths;

C. number and location of personnel assisting with loading and unloading of students;

D. drop-off and pick-up locations;

E. drop-off and pick-up hours for each grade level;

F. hours for each grade level; and

G. circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

A. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

B. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(e) Phase II. Before issuance of a building permit for Phase II, the Property owner or operator shall:

(A) submit additional data to the director 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; and

(B) submit an amended traffic management plan.

(f) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-555.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-555.111. LANDSCAPING.

Landscaping must be provided in accordance with Article X. Plant material must be maintained in a healthy, growing condition.

SEC. 51P-555.112. SIGNS.

(a) Signs must comply with the provisions for non-business zoning districts contained in Article VII.

(b) Directional signage must be placed on the property near the Frankford Road entrance /exit. The signage must indicate that vehicles must make a right-turn only onto Frankford Road.

SEC. 51P-555.113. ACCESS.

For a public or private school use or a child-care facility use, ingress and egress must be provided as shown on the development plan.

SEC. 51P-555.114. 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-555.115. COMPLIANCE WITH CONDITIONS.

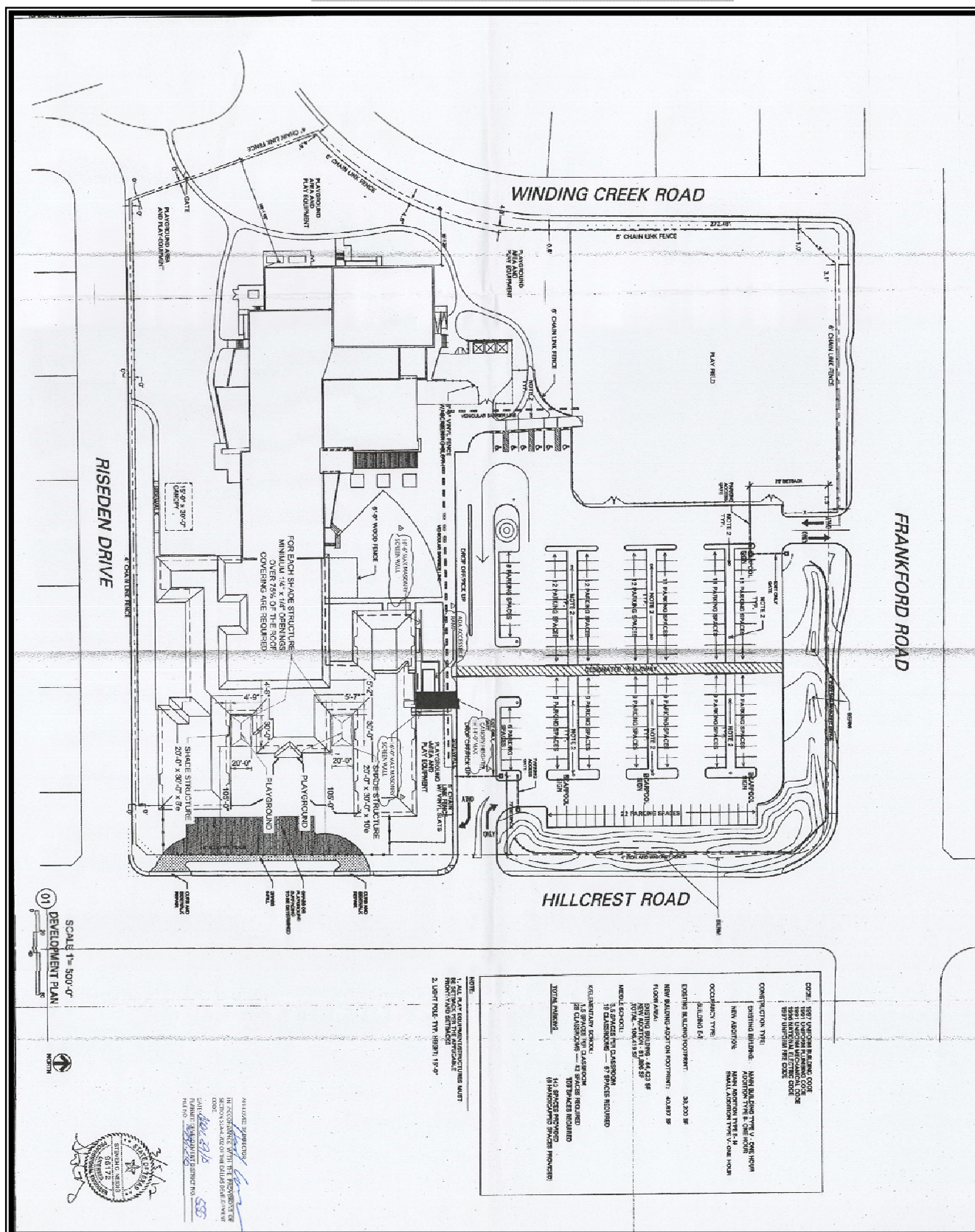
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit 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.

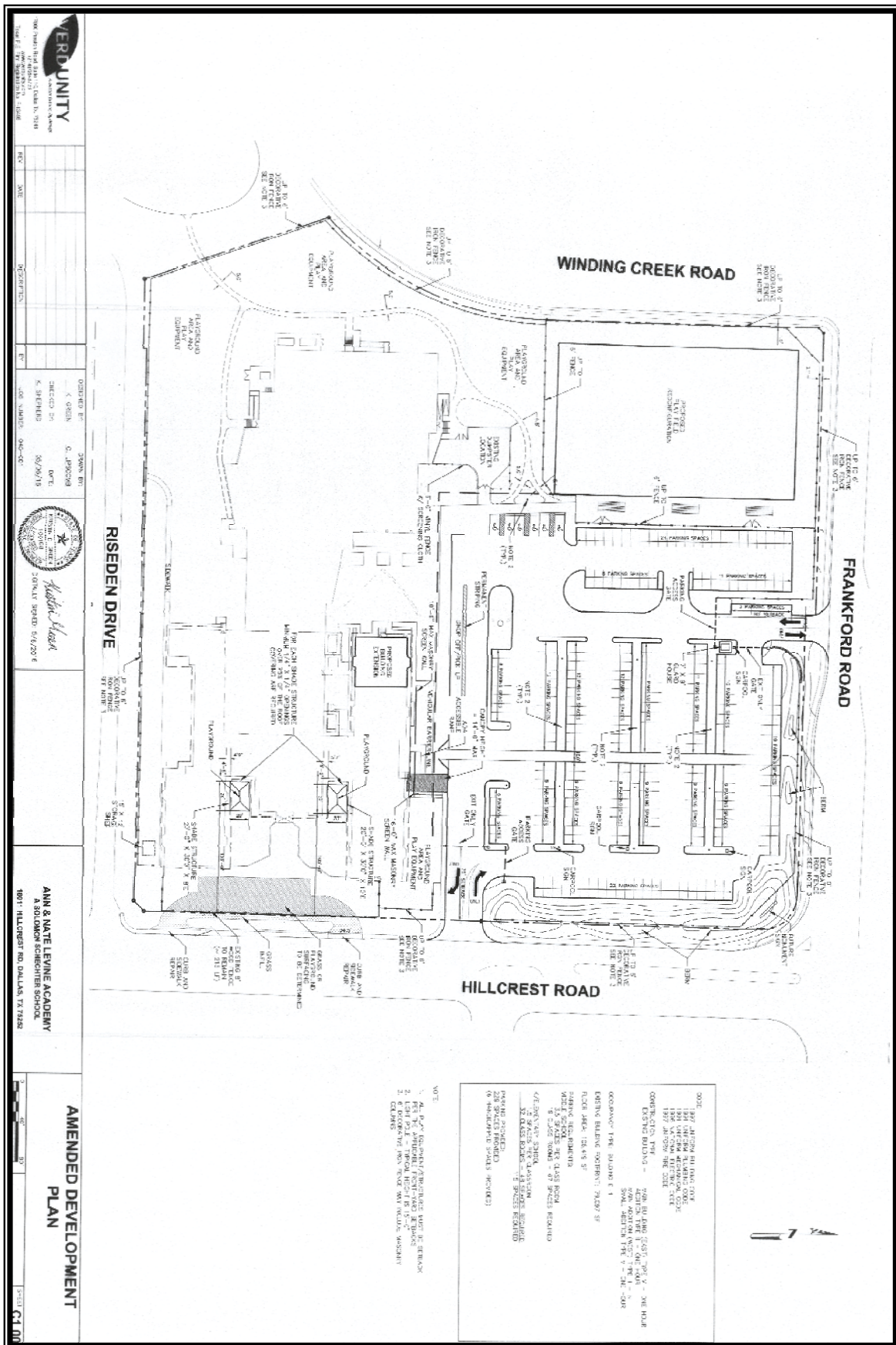
~~[SEC. 51P-555.116. ZONING MAP.]~~

~~[PD 555 is located on Zoning Map No. AA-7.]~~

EXISTING DEVELOPMENT PLAN



PROPOSED DEVELOPMENT PLAN



Traffic Management Plan

INTRODUCTION

The Levine Academy is a private school located at 18011 Hillcrest Road, Dallas, Texas, 75252. Levine Academy currently serves 441 students through an Early Childhood Center (infants to pre-Kindergarten) and from Kindergarten to 8th grade.

OVERVIEW

Levine Academy is located in the southwest corner of the Frankford Road and Hillcrest Road intersection as shown in **Figure 1**. Access to the campus is provided by one full-access driveway on Frankford Road and one full-access driveway on Hillcrest Road.

Frankford Road – Frankford Road is a six-lane divided roadway that borders the campus to the north. Based on the City of Dallas Thoroughfare Plan (February 2014), Frankford Road is classified as a Principal Arterial [M-6-D(A)]. The median opening for access to the Levine Academy is located approximately 300 feet west of Hillcrest Road.

Hillcrest Road – Hillcrest Road is a four-lane divided roadway that borders the campus to the east. Based on the City of Dallas Thoroughfare Plan (February 2014), Frankford Road is classified as a Principal Arterial [S-4-D]. The median opening for access to the Levine Academy is located approximately 315 feet south of Frankford Road.

Figure 2 shows the latest amended development plan. The campus is served by one driveway on Frankford Road and one driveway on Hillcrest Road. The gates proposed as part of this development plan will be open during the morning and afternoon carpool times.

Levine Academy serves 441 students from Early Childhood (infants to pre-Kindergarten) to 8th grade. The school hours are from 8:00 AM to 4:00 PM with start and dismissal times varying by grade. The current student enrollment and hours of operation per grade level is shown in **Table 1**.

Table 1: Projected Student Enrollment

Grades	Student Enrollment	# of Classrooms	Start Time	End Time
Early Childhood Center	175	N/A	9:00 AM	12:45 to 2:00 PM
K	32	32	8:00 AM	3:00 PM
1 st	40		8:00 AM	3:30 PM
2 nd	31		8:00 AM	3:30 PM
3 rd	38		8:00 AM	3:30 PM
4 th	23		8:00 AM	3:30 PM
5 th	28	19	8:00 AM	4:00 PM
6 th	27		8:00 AM	4:00 PM
7 th	23		8:00 AM	4:00 PM
8 th	24		8:00 AM	4:00 PM
Total	441	51	-	-

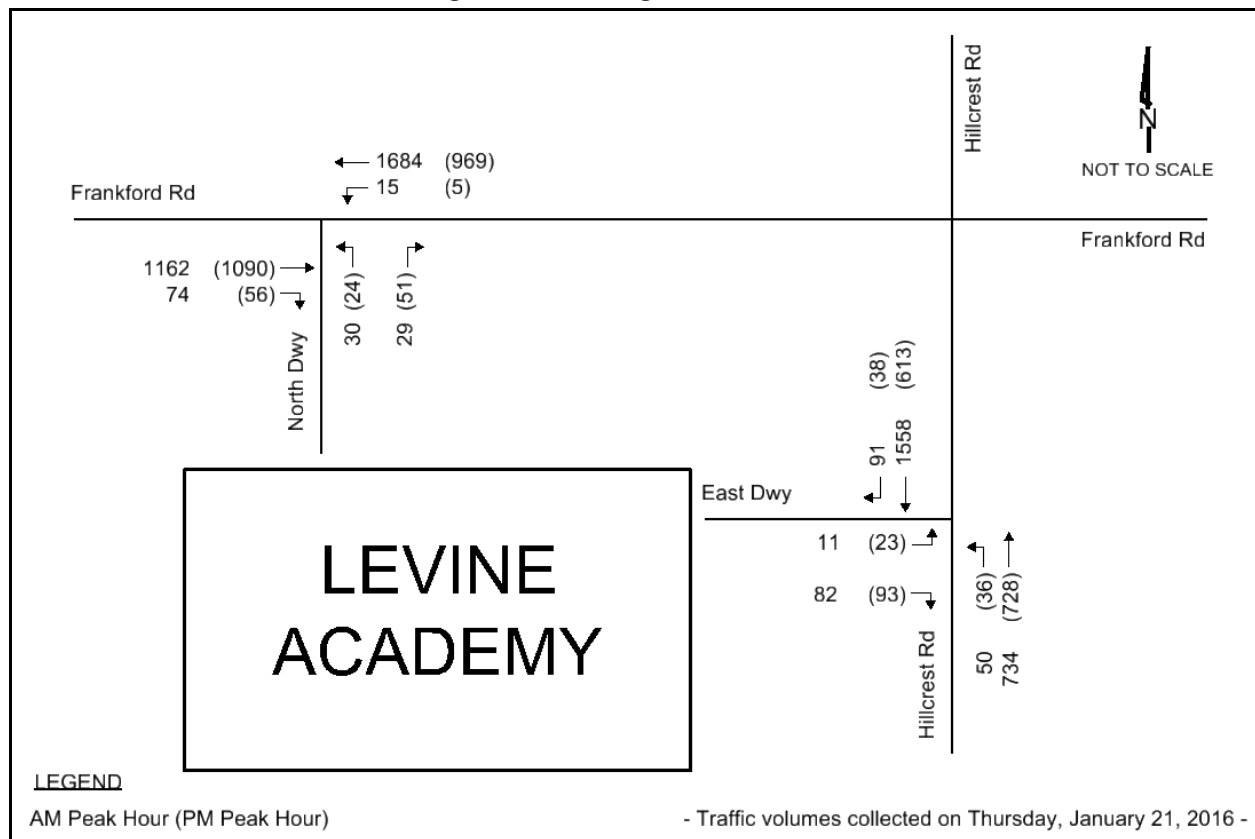
CITY OF DALLAS PARKING STANDARDS

Section 51.A-4.204 of the City of Dallas *Development Code* defines the parking requirements for institutional and community services. Levine Academy serves elementary and middle school-aged students. The City of Dallas code requires 1.5 parking spaces for each kindergarten/elementary school classroom and 3.5 parking spaces for each junior high/middle school classroom. As shown in Table 1, the campus has 51 classrooms and currently requires 115 parking spaces. Based on the attached site plan shown in Figure 2, the parking total of 223 spaces exceeds the City of Dallas minimum requirements.

TRAFFIC COUNTS

Existing turning movement volumes were collected at the two existing site driveways from 7:00 AM to 9:00 AM and from 2:30 PM to 4:30 PM on Thursday, January 21, 2016. **Figure 3** shows the existing peak hour traffic volumes at these intersections. Raw traffic counts are provided in the Appendix.

Figure 1: Existing Traffic Counts



TRIP GENERATION

To develop trip rates for the Levine Academy under existing conditions, the number of vehicle trips generated by the development and the directional splits were calculated based on the existing traffic volumes collected on Thursday, January 21, 2016 and shown in Figure 3. **Table 2** summarizes the existing trips generated by the Levine Academy during the AM and School PM peak hours with **Table 3** summarizing the resulting directional splits for the campus. The resulting trip generation rates are based on the data collected and are summarized in **Table 4**.

Table 2: Existing Peak Hour Trip Generation for Levine Academy

Students	AM Peak Hour			School PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
441	230	152	382	135	191	326

Table 3: Existing Directional Splits for Levine Academy

Directional Split ¹	
AM Peak Hour	School PM Peak Hour
60 / 40	41 / 59

¹XX / YY = % entering vehicles / % exiting vehicles

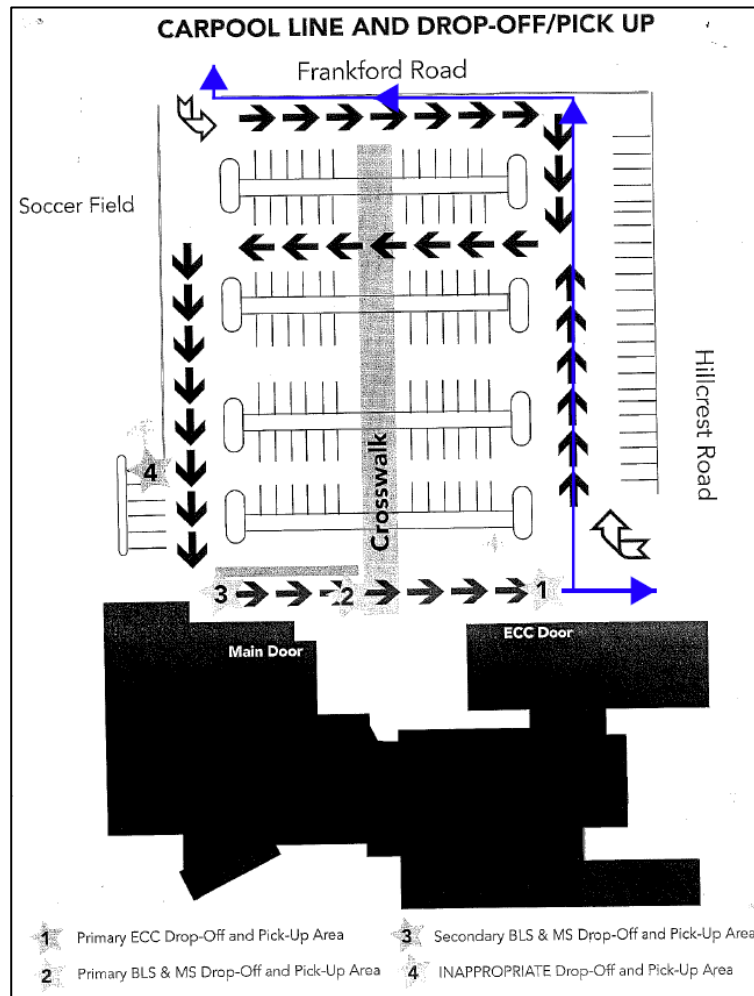
Table 4: Calculated Trip Generation Rates/Equations for Levine Academy

	Equation/Rates ¹	
	AM Peak Hour	School PM Peak Hour
Peak Hour of the Adjacent Street	$T = 0.87X$	$T = 0.74X$

¹T = Trip Ends; X = Number of Students

QUEUING ANALYSIS

The primary goal of the evaluation of the traffic circulation for the school is to minimize the impact on the adjacent public streets. As part of this engineering evaluation, observations were made of queuing observations during the morning drop-off and afternoon release periods on Thursday, January 21, 2016. Additionally, the lengths of queues during the school release period (2:00 PM to 4:35 PM) were also measured in the field. The existing circulation, queuing and drop-off/pick-up plan for the Levine Academy is provided in **Figure 4**.

Figure 2: Levine Academy Circulation and Drop-Off/Pick-Up Plan

Under both morning drop-off and afternoon pick-up operations, traffic entering from the two driveways are combined into a single queue line. Parents enter the campus either from Frankford Road or Hillcrest Road and are directed by signage to merge with the other entering traffic stream in the next-to-last parking aisle on the north side of the parking lot, where they wait in the single queue line and proceed to the drop-off / pick-up areas. After drop-off/pick-up, motorists can exit either the Frankford Road or Hillcrest Road driveway. A security guard is on site to enforce proper adherence to this drop-off and pick-up plan and to ensure the safety of pedestrians crossing the drop-off/pick-up area

AM Queue Observations

Based on the observed operation, all queuing for dropping of schoolchildren was contained on site and within the parking lot of the Levine Academy.

PM Queue Observations and Measurement

There is a small release of pre-Kindergarten students at 2:00 PM. At 3:00 PM, Kindergarten students are released, followed by a release of 1st to 4th grades at 3:30 PM. The final release of 5th to 8th grades occurs at 4:00 PM. The number of vehicles in

the school release queues were collected every five (5) minutes on Thursday, January 21, 2016 from 2:00 PM until 4:35 PM. **Table 5** summarizes the number of vehicles observed queuing on-site, **Figure 5** provides a graphical representation of the queuing and **Figure 6** shows the location where the maximum queue was observed.

Table 5: Levine Academy PM Queue Operations

TIME	# of Vehicles In Queue	TIME	# of Vehicles In Queue	TIME	# of Vehicles In Queue
2:00 PM	2	3:00 PM	8	4:00 PM	24
2:05 PM	0	3:05 PM	7	4:05 PM	27
2:10 PM	0	3:10 PM	2	4:10 PM	13
2:15 PM	1	3:15 PM	7	4:15 PM	5
2:20 PM	1	3:20 PM	13	4:20 PM	7
2:25 PM	2	3:25 PM	16	4:25 PM	1
2:30 PM	0	3:30 PM	20	4:30 PM	1
2:35 PM	0	3:35 PM	16	4:35 PM	0
2:40 PM	0	3:40 PM	2	-	-
2:45 PM	1	3:45 PM	6	-	-
2:50 PM	3	3:50 PM	15	-	-
2:55 PM	6	3:55 PM	22	-	-

Within the drop-off/pick-up area, there is currently a raised concrete median which separates the drop-off/pick-up area from the fire lane. This median prevents motorists from bypassing stopped vehicles in front of them who may be taking an extended amount of time dropping off their child or waiting to pick up their child. Removal of this median, which is proposed under the current amended development plan, should help reduce the queues observed.

Figure 3: Observed Vehicular Queue Length – School Release Operation (2:00 PM – 4:30 PM)

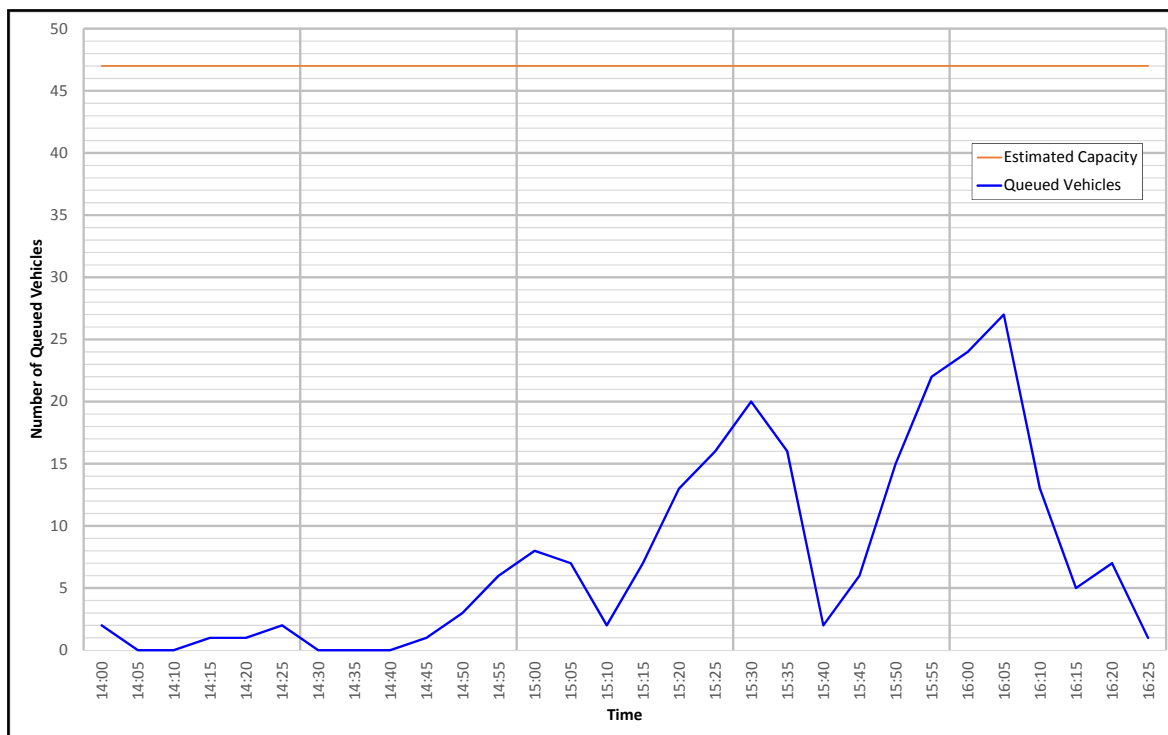
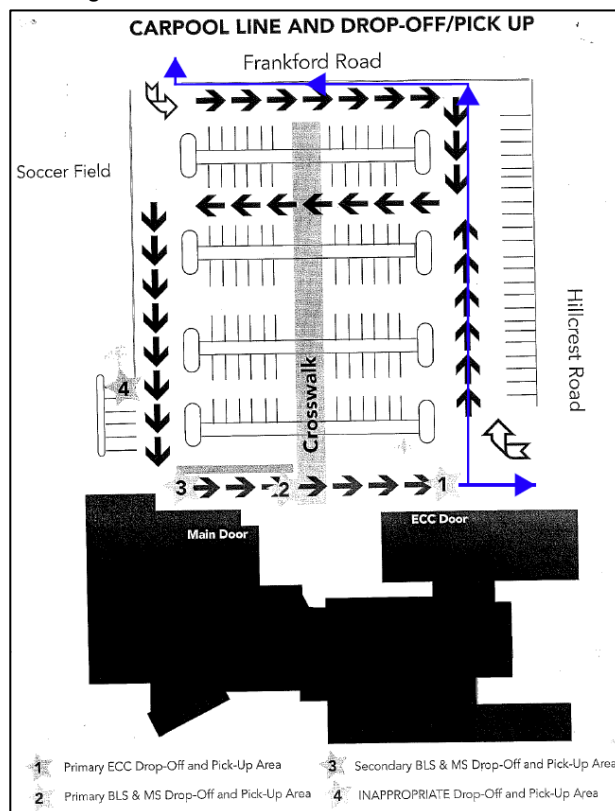


Figure 4: Location of Maximum Observed Queue

As shown by the results in Table 5, Figure 5 and Figure 6, all afternoon queues during the drop-off period are currently contained on site and do not extend on to public right of way. In addition, there is additional capacity to store more queued vehicles on site, if necessary.

Based on the results of this study, the longest existing queue occurred during the 4:00 PM release of 5th to 8th grades, which currently includes 102 students. With an estimated queue of 27 vehicles (approximately 630 feet), the queuing ratio per student is approximately 0.26 vehicles per student vehicle or approximately 6.2 feet of queued vehicle per student. Under the amended development plan provided in Figure 2, there will be approximately 1,100 feet of queuing available on site, or space for 47 vehicles to be queued on site.

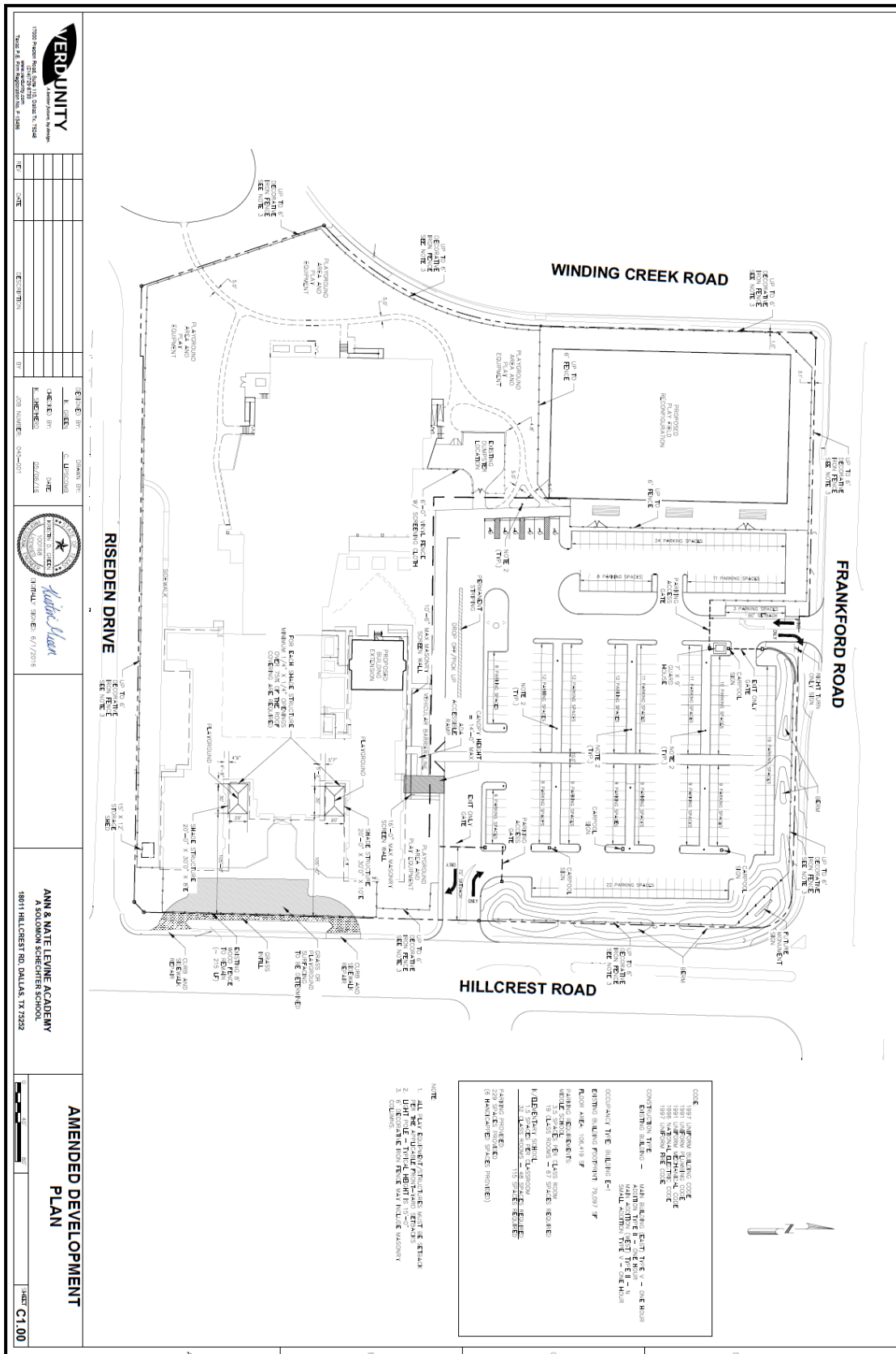
Based on the queuing analysis results, an additional 75 students could be released at 4:00 PM (grades 5-8) before queues are projected to extend off school property (177 students x 6.2 feet/student = 1,098 feet). Applying this increased enrollment ratio (1.74) to the other grade levels and assuming enrollment is increased based on the existing enrollment distribution and school release times remain the same, queues under a total enrollment of 767 students are predicted to be able to be stored on site.

2016-2017 PROPOSED OPERATION

The proposed site modifications should allow the Levine Academy to continue to be able to contain all vehicle queues on-site and prevent traffic from queuing onto public right-of-way. The proposed Traffic Management Plan Levine Academy is estimated to provide approximately 1,100 feet of on-site queuing, which would allow the stacking of 47 vehicles on-site. With an estimated capacity of 600 students and school release times similar to current conditions, the maximum queue is predicted to be approximately 860 feet long and include 37 vehicles. The arrival and dismissal traffic flow is expected to proceed as follows:

- Arrival/Dismissal Procedures
 - Parents will circulate within the site and drop-off/pick-up their children according to the Circulation Plan shown in **Figure 7**.
 - Parking lot access gates to remain open during student pick-up and drop-off times.
 - Direct entering movements from Frankford Road to turn left immediately into the first east-west parking aisle.
 - Prohibit entering movements from Hillcrest Road from going straight upon entering the site. Direct the entering movements to turn right into the first north-south parking aisle.
 - Install signing to direct parents to the drop-off/pick-up circulation route for parents dropping off/picking up their kids in front of the school.
 - Traffic exiting to Hillcrest Road is restricted to right turns only.
 - Traffic exiting to Frankford Road is restricted to right turns only.
 - Security personnel will be on site to enforce circulation, drop-off/pick-up locations and to allow pedestrians to cross in front of the drop-off/pick-up area.

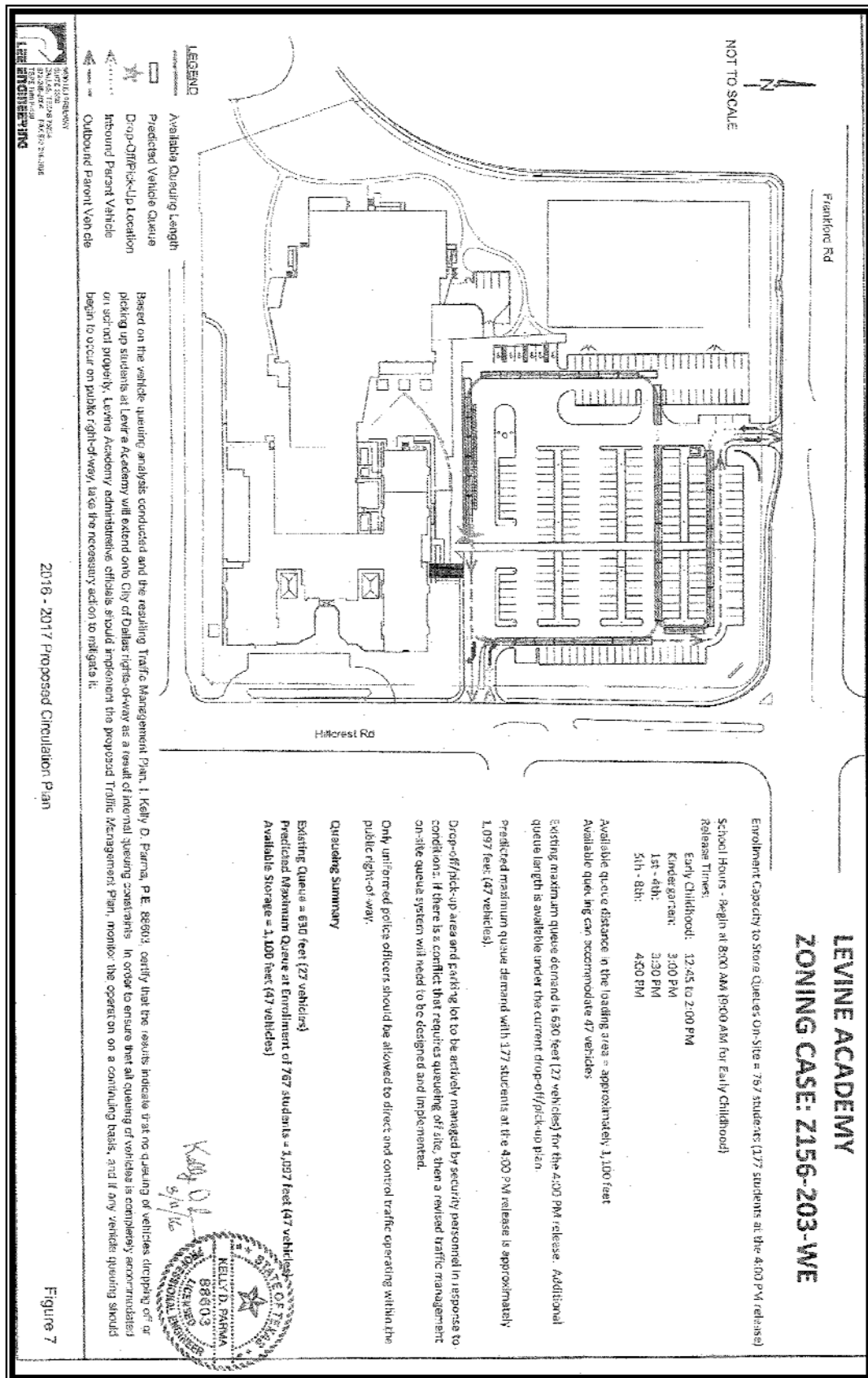
Figure 7

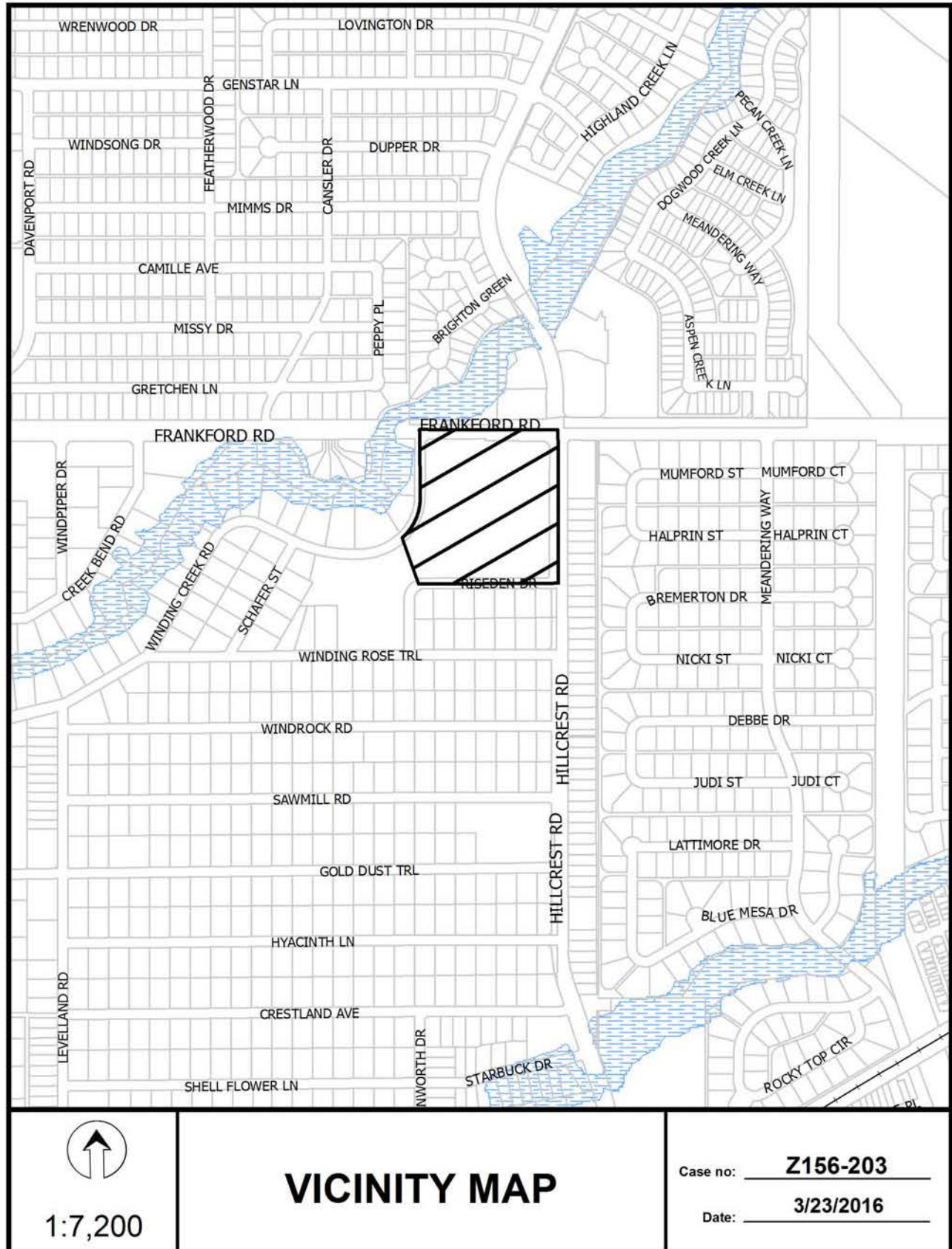


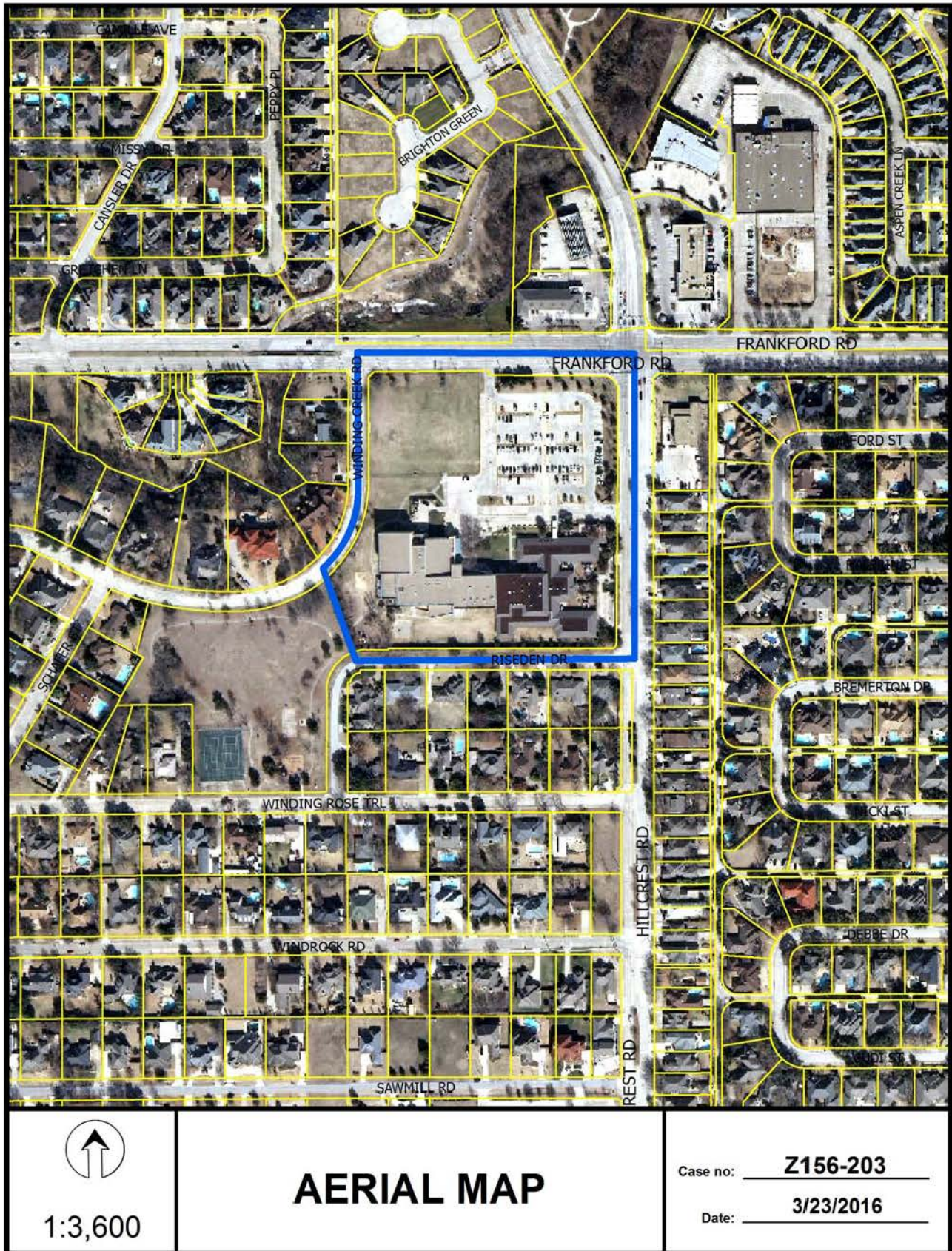
Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, I, Kelly D. Parma, P.E. 88603, certify that the results indicate that no queuing of vehicles dropping off or picking up students at Levine Academy will extend onto City of Dallas rights-of-way as a result of internal queuing constraints. In order to ensure that all queuing of vehicles is completely accommodated on school property, Levine Academy administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should begin to occur on public right-of-way, take the necessary action to mitigate it. Only uniformed police officers should be allowed to direct and control traffic operating within the public right-of-way.

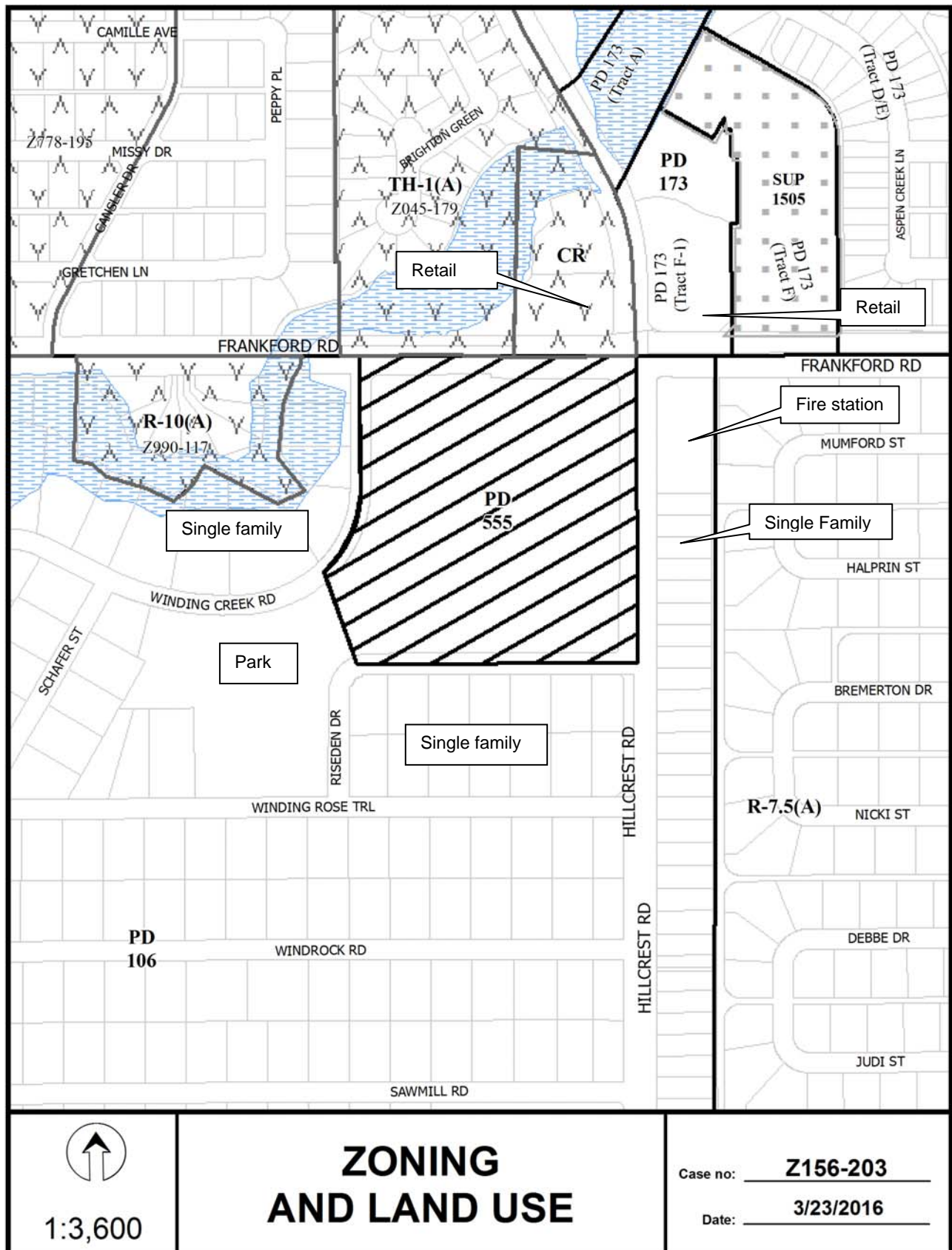
The final document was signed and sealed by Kelly D. Parma, P.E. (#88603), Lee Engineering (F-450), on June 1, 2016.

PROPOSED TMP CIRCULATION PLAN

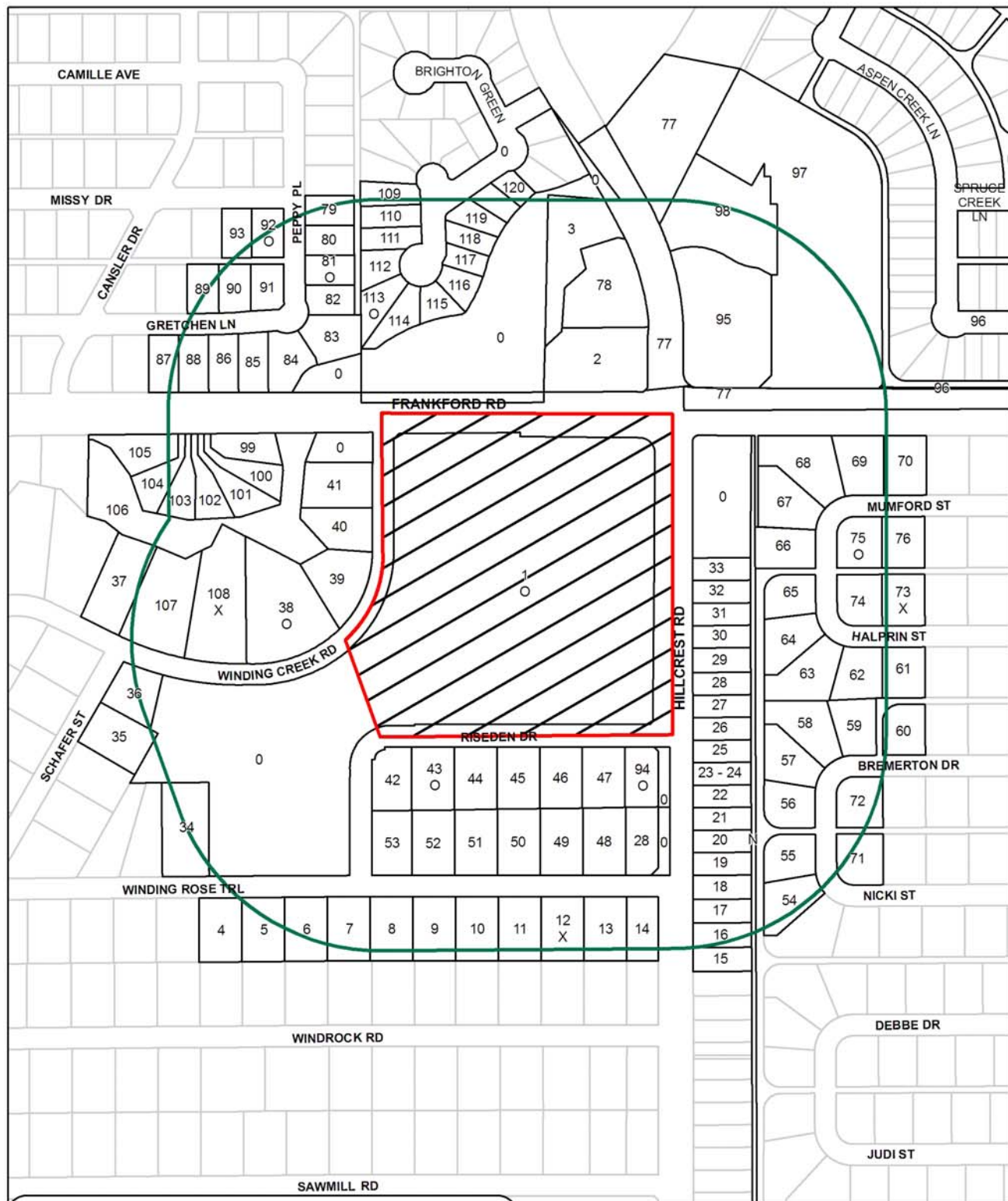








CPC RESPONSES



<u>120</u>	Property Owners Notified (135 parcels)
<u>8</u>	Replies in Favor (8 parcels)
<u>3</u>	Replies in Opposition (3 parcels)
<u>500'</u>	Area of Notification
<u>5/19/2016</u>	Date

Z156-203
CPC



1:3,600

Notification List of Property Owners

Z156-203

120 Property Owners Notified

8 Property Owners in Favor

3 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	18011 HILLCREST RD	CONSERVATIVE JEWISH DAY SCHOOL OF DALLAS
	2	6869 FRANKFORD RD	MARGOL STUART E
	3		RLH INVESTMENTS INC TRUSTEE
	4	6718 WINDING ROSE TRL	PLETZER RUSSELL D ETUX ELLA
	5	6722 WINDING ROSE TRL	ESQUIVEL JUAN
	6	6726 WINDING ROSE TRL	ESQUIVEL GULLERMO
	7	6730 WINDING ROSE TRL	NII MIKA
	8	6802 WINDING ROSE TRL	ROM LIMOR & SIMO
	9	6806 WINDING ROSE TRL	FINDLEY JOHN
	10	6810 WINDING ROSE TRL	ELBAZ OREN
	11	6814 WINDING ROSE TRL	KUDDER DAVID W
X	12	6818 WINDING ROSE TRL	EDWARDS MARK KENNETH & TERESA RENEE
	13	6822 WINDING ROSE TRL	LEE JUNE & HEALAN
	14	6826 WINDING ROSE TRL	SCOTTO RICK &
	15	17908 HILLCREST RD	ANNING JAMES ANDREW
	16	17910 HILLCREST RD	QUIROZ LUIS & DORA
	17	17912 HILLCREST RD	ABRAMS SHALOM & ABRAMS SHIRA
	18	17914 HILLCREST RD	CONNERS ROBERT & CHARLOTTE A
	19	17916 HILLCREST RD	FAZELI SAIED
	20	17918 HILLCREST RD	KLIMAN HENRY MANAGEMENT TRUST
	21	17920 HILLCREST RD	ADELMAN ISAAC & CHAYA
	22	17922 HILLCREST RD	GHEZAVATI AMIR MIKE &
	23	17924 HILLCREST RD	WALKER BAYLEE M &
	24	17924 HILLCREST RD	SHAW J O & PATSY &
	25	17926 HILLCREST RD	JOHN MICHAEL ETUX TINA
	26	17928 HILLCREST RD	SOBHANIAN SHAHRIYAR SHAHRYAR &

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	18002 HILLCREST RD	RADUNSKY DAVID & BARBARA
	28	18004 HILLCREST RD	REZAI SAEED & MALIHEH
	29	18006 HILLCREST RD	NELSON POLAKEMI
	30	18008 HILLCREST RD	JARMEL KENNETH & LORI
	31	18010 HILLCREST RD	TRUONG THONG M &
	32	18012 HILLCREST RD	HERNANDEZ MARY L - LE
	33	18014 HILLCREST RD	FODOR MAGGIE M
	34	6713 WINDING ROSE TRL	ISELT NORRIS L & BETTY B-LE
	35	7122 SCHAFER ST	BUSSMAN DONALD C & WALLS LYNN
	36	7126 SCHAFER ST	LALEZARIAN MORRIS SHMUEL &
	37	7141 WINDING CREEK RD	GRAY GARY M &
O	38	7217 WINDING CREEK RD	HARRISON ROBERT M
	39	7221 WINDING CREEK RD	MOJICA HIRAM & ROBIN
	40	7225 WINDING CREEK RD	FATEHDIN SABEEL &
	41	7229 WINDING CREEK RD	HOLDEN BOBBY DON & NANCY E REVOCABLE LIVING TRUST THE
	42	6802 RISEDEN DR	SEAMAN CHRISTOPHER
O	43	6804 RISEDEN DR	TUGGY VIRGINIA CATHERINE SHEA
	44	6808 RISEDEN DR	PRIMO MAOR &
	45	6812 RISEDEN DR	MOR NATAN
	46	6816 RISEDEN DR	CHANEY DAVID GLENN
	47	6820 RISEDEN DR	GOLZAD ALI & SONDRAL
	48	6823 WINDING ROSE TRL	ADAMS MATTHEW K & MCALLISTER KATHLEEN M
	49	6819 WINDING ROSE TRL	JASPAN AVRAHAM DAVID & RACHEL
	50	6815 WINDING ROSE TRL	DEVERS SUSAN M
	51	6809 WINDING ROSE TRL	STEPHENS STEPHEN A ETUX
	52	6805 WINDING ROSE TRL	BAXTER DAVID M
	53	6801 WINDING ROSE TRL	GILBOUX JOHN W JR ETUX KA
	54	7008 NICKI ST	ABIDE RAYMOND G JR & KELLY R
	55	7004 NICKI ST	ASOUL-HANDELMAN RAZIEL & NAOMI HANDELMAN- ASOULIN
	56	7003 BREMERTON DR	HALTERMAN KENNETH RODGER & SUSAN G
	57	7007 BREMERTON DR	SPERANDIO ROBERT J &

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	7011 BREMERTON DR	FASIHANIA FARHAD
	59	7015 BREMERTON DR	HARKER JOSEPH D & MARY B FAMILY TRUST
	60	7019 BREMERTON DR	WEISS JAMES ALAN & JENNIFER L
	61	7020 HALPRIN ST	TOBIAS GARY MATTHEW &
	62	7016 HALPRIN ST	CARRIER ANGELA M &
	63	7012 HALPRIN ST	MANN YISROEL
	64	7008 HALPRIN ST	WINROW WILLIAM JR &
	65	7004 HALPRIN ST	KRYCER ZLATA DENA
	66	7003 MUMFORD ST	Taxpayer at
	67	7007 MUMFORD ST	CLEMENT RICHARD & ELIZABETH
	68	7011 MUMFORD ST	ROGERS VIRGIL LESLIE II & DAREN ANN WALLO-ROGERS
	69	7015 MUMFORD ST	DONOHUE MICHAEL D & KATHY D
	70	7019 MUMFORD ST	WARD CHRIS ALAN
	71	7015 NICKI ST	SIBAI MAJDI ETUX LAILA
	72	7016 BREMERTON DR	JENG LEO & JANE Y KO
X	73	7019 HALPRIN ST	BUCHANAN RALPH L & JO MICHELLE
	74	7015 HALPRIN ST	FRENCH BRUCE L
O	75	7016 MUMFORD ST	PERKINS ROBERT L & GILLISS ANN M
	76	7020 MUMFORD ST	NISE BENJAMIN EDWARD & LAUREN BETH
	77	HILLCREST RD	CHURCHILL GLEN LP
	78	18181 HILLCREST RD	NAAN PROPERTIES LLC
	79	18120 PEPPY PL	WILSON DEWEY WAYNE &
	80	18116 PEPPY PL	WOLFE JONES TODD & PEGGY
O	81	18112 PEPPY PL	ROSENFELD PETER
	82	18108 PEPPY PL	VIRANI AMIR & HELGA
	83	18104 PEPPY PL	ZOHREHVANDI VAHID
	84	6648 GRETCHEN LN	ODOM BENJAMIN L &
	85	6644 GRETCHEN LN	RICHARDSON F M & BARBARA
	86	6640 GRETCHEN LN	STIEBER JOHN & TONNI G
	87	6632 GRETCHEN LN	WILCHER GARY L

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	88	6636 GRETCHEN LN	PHILIPS ANN MARIE
	89	6635 GRETCHEN LN	SNODGRASS ROBERT G & LINDA L
	90	6639 GRETCHEN LN	HOWE BEN & TRACY
	91	6643 GRETCHEN LN	ELKON TAMERA R
O	92	6636 MISSY DR	WARDER RANDALL J & COURTNEY A
	93	6632 MISSY DR	MOSES NURIT
O	94	6824 RISEDEN DR	WIDMER RAYMOND F & MARGUERITE E
	95	6911 FRANKFORD RD	EF PROPERTIES ONE LP
	96		HIGHLAND CREEK MANOR
	97	6921 FRANKFORD RD	TORAH DAY SCHOOL OF DALLAS
	98	18170 HILLCREST RD	BACK FORTY MANAGEMENT LLC
	99	6728 FRANKFORD RD	WOERNER ROBERT T & JANIS D
	100	6724 FRANKFORD RD	PRIMEAUX DAVID N &
	101	6720 FRANKFORD RD	NEICHERIL SIMON J & SHARON H
	102	6716 FRANKFORD RD	HACKNEY GREGORY L
	103	6712 FRANKFORD RD	GRABOCKA SOKOL Z & MARIETA M
	104	6708 FRANKFORD RD	BRUCK GLENN T &
	105	6704 FRANKFORD RD	PROOPS KEVIN R
	106		COVENTRY ON THE CREEK HOMEOWNERS ASSOC
	107	7201 WINDING CREEK RD	STACK PETER S & SHARLA G
X	108	7209 WINDING CREEK RD	SKEEN SHELLY L
	109	18215 BRIGHTON GRN	PRYZANT CHARLES Z EXEMPT LIFETIME TRUST # 7213 THE
	110	18211 BRIGHTON GRN	CHAMISON MATTHEW JASON
	111	18207 BRIGHTON GRN	BOWARI ANTOUN & LILLIAN
	112	18203 BRIGHTON GRN	NELSON DAVID G & JANE D
O	113	18201 BRIGHTON GRN	FOCAZIO PATRICK A & JUDITH J
	114	18202 BRIGHTON GRN	HEAD TIMOTHY E & JULIA R
	115	18206 BRIGHTON GRN	STIEBER JOHN A JR & CYNTHIA
	116	18210 BRIGHTON GRN	PING DONALD D
	117	18214 BRIGHTON GRN	SNEAD ERIC T &
	118	18218 BRIGHTON GRN	EHRIE JOHN W & DONNA
	119	18222 BRIGHTON GRN	HAGHIGHI SHOKOOH &

Z156-203(WE)

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	18230 BRIGHTON GRN	JANARDAN KONANUR &

AGENDA ITEM # 59

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 44 K

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2153 for a child-care facility to add the use of an open-enrollment charter school on property zoned an R-5(A) Single Family District with Specific Use Permit No. 1456 for a community service center and Specific Use Permit No. 2153 on the north corner of North Winnetka Avenue and McBroom Street

Recommendation of Staff and CPC: Approval for a two-year period, subject to a traffic management plan and conditions

Z156-214(OTH)

FILE NUMBER: Z156-214(OTH)

DATE FILED: February 26, 2016

LOCATION: North corner of North Winnetka Avenue and McBroom Street

COUNCIL DISTRICT: 6

MAPSCO: 44 - K

SIZE OF REQUEST: ± 0.45 acres

CENSUS TRACT: 101.02

APPLICANT/OWNER: Wesley-Rankin Community Center

REPRESENTATIVE: Michael R. Coker Company

REQUEST: An application to amend Specific Use Permit No. 2153 for a child-care facility to add the use of an open-enrollment charter school on property zoned an R-5(A) Single Family District with Specific Use Permit No. 1456 for a community service center and Specific Use Permit No. 2153.

SUMMARY: Currently, the property holds SUP No. 1456 for an approximately 3,559 square foot community service center and Specific Use Permit No. 2153 for a child-care facility. The applicant proposes to operate an open-enrollment charter school for grades pre-K to third grade on the property in addition to the community service center and child-care.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a traffic management plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a traffic management plan and conditions.

STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not a Specific Use Permit shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing and proposed uses are compatible in scale to the surrounding uses. The applicant is not making any modifications to the existing building.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed open-enrollment charter school is not anticipated to negatively impact the adjacent properties and will provide a valuable service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is not anticipated to be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respect to all applicable zoning regulations and standards* – The facility will be primarily used as a service for the immediate neighborhood and will be accessed mostly by pedestrian traffic. The applicant is requesting a parking reduction for the proposed use. Staff reviewed the parking analysis and traffic management plan submitted by the applicant and considered it to be sufficient for the proposed and existing uses on the property.

Surrounding Zoning History:

There has been one recent zoning request in the area within the last five years.

1. **Z145-266** On August 26, 2015, the City Council approved Specific Use Permit No. 2153 for a child-care facility for a two-year period on the request site.

Two-year waiver:

The applicant was not required to submit a waiver to be able to submit a new application to amend the existing SUP. Sec. 51A-4-701(d)(2) of the Dallas Development Code establishes a two year limitation for an applicant to be able to submit a new zoning application for the same property. However, there are a few exceptions to the rule. One rule is that if the City Council grants a specific use permit and imposes a time limit of two years or less, the two year limitation is waived.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
McBroom Street	Minor Arterial	50 feet
North Winnetka	Minor Arterial	50 feet

Traffic:

The Engineering Section of the Department of Sustainable Construction and Development has reviewed the traffic management plan and the parking analysis provided by the applicant's representative and determined that the proposed use will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being within the Residential Building Block.

The Residential Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

An open-enrollment charter school is a service that supports a residential neighborhood. The applicant's proposal is consistent with the Comprehensive Plan.

STAFF ANALYSIS:**Surrounding Land Use:**

	Zoning	Land Use
Site	R-5(A) with SUP No. 1456 & SUP No. 2153	Community service center (SUP No. 1456), child-care facility (SUP No. 2153)
North	R-5 (A)	Church
East	R-5 (A)	Park
South	R-5 (A)	Single family
West	R-5 (A)	Single family

Land Use Compatibility:

The 3,433 square feet one-story building is located in a residential area. The existing uses of the property are a child-care facility and a community service center. The applicant is requesting an amendment to SUP No. 2153 to allow for an open-enrollment charter school. The community service center is allowed by SUP No. 1456 and the child-care facility is allowed by SUP No. 2153. The three uses are proposed to operate during different times of the year and should not interfere with the other uses.

The Wesley-Rankin Community Center is a community center focused facility that provides services to the local families with summer programs and child-care in the neighborhood. The community service center will operate during the summer time. The child-care facility and the open-enrollment charter school operate from August through early June and serve children living in the immediate area. The proposed open-enrollment charter school will have a Montessori curriculum which includes multi-age classrooms.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The proposed use for the site is appropriate and complies with the residential neighborhood building block of the comprehensive plan. Uses such as the proposed ones are allowed by SUP in a residential district. Staff is recommending a two-year period so we can review the impact of the use and its compatibility with the surrounding area.

Parking:

Staff reviewed the parking analysis provided by the applicant's representative and supports the existing parking provided on the site. The Code allows the parking requirement to be set by the Specific Use Permit for schools and child-care facility. SUP No. 1456 for the community service center requires four parking spaces. Included in the report is the parking analysis submitted by the applicant to support the parking reduction for the proposed uses. The applicant is requesting a reduction of 10 parking spaces: three for the open-enrollment charter school and seven for the child-care facility. The proposed and existing uses will share the provided parking spaces. The City's traffic engineer approved the parking reduction for the uses. Four parking spaces must be provided as shown in the existing/proposed site plan. The community service center, the child-care facility, and the open-enrollment school serve the neighborhood, and the majority of the people walk to the center or park on the street.

Landscaping:

Specific Use Permit No. 2153 for a community service center was approved on August 26, 2015 with a landscape plan. The applicant is not proposing any additions or improvements to the site. Therefore, the requested use does not trigger any changes in the landscape plan.

Traffic Management Plan:

The traffic engineer of Sustainable Development and construction has approved the TMP as shown in the included TMP document. Due to the low number of patrons and the transportation mode utilized by the patrons, the traffic engineer has approved the proposed TMP.

CPC ACTION:
May 19, 2016

Note: The Commission considered this item individually. Later in the meeting this item was reconsidered.

Motion I: In considering an application to amend Specific Use Permit No. 2153 for a child-care facility to add the use of an open-enrollment charter school on property zoned an R-5(A) Single Family District with Specific Use Permit No. 1456 for a community service center and Specific Use Permit No. 2153 on the north corner of North Winnetka Avenue and McBroom Street, it was moved to **hold** this case under advisement until June 2, 2016.

Maker: Anantasomboon
Second: Schultz
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright*,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

*out of the room, shown voting in favor

Notices:	Area: 200	Mailed: 17
Replies:	For: 1	Against: 1

Speakers: None

Z156-214(OTH) Reconsideration

Motion to Reconsider: It was moved to **reconsider** the action taken earlier in the meeting, to **hold** under advisement until June 2, 2016, consideration of an application to amend Specific Use Permit No. 2153 for a child-care facility to add the use of an open-enrollment charter school on property zoned an R-5(A) Single Family District with Specific Use Permit No. 1456 for a community service center and Specific Use Permit No. 2153 on the north corner of North Winnetka Avenue and McBroom Street.

Maker: Anantasomboon
Second: Abtahi
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Reconsideration Motion: It was moved to recommend **approval** an application to amend Specific Use Permit No. 2153 for a child-care facility to add the use of an open-enrollment charter school for a two-year period, subject to a traffic management plan and revised conditions on property zoned an R-5(A) Single Family District with Specific Use Permit No. 1456 for a community service center and Specific Use Permit No. 2153 on the north corner of North Winnetka Avenue and McBroom Street.

Maker: Anantasomboon
Second: Abtahi
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Notices: Area: 200 Mailed: 17
Replies: For: 1 Against: 1

Speakers: None

PRINCIPLES/OFFICERS



2016 Board of Directors

Billy Young, President
Kathy Gudmundsson, Vice President
Bill Lesikar, Treasurer
Kathy S. Cleaveland, Secretary
Laird Johnson, Program Outcomes
Tim Johnston, Community School
Sarah Squires, Executive Director

Michael R. **COKER** Company

3111 Canton Street
Suite 140
Dallas, Texas 75226



Parking Analysis

Wesley-Rankin Community Center
Lumin Wesley-Rankin Community School
3326 Winnetka Ave., Dallas, TX 75212

The Wesley Rankin Community Center is a space that is designed to serve the community in and around the facility. The Community Center currently holds two specific use permits that allow the facility to operate a community service center, SUP No. 1456, and a child care facility, SUP No. 2153.

The community service center only operates from the middle of June through the end of July and offers summer programs for local youth. The child care facility operates from August through early June and provides child care for toddlers living in the immediate area of the facility. These uses do not overlap or occur simultaneously.

The community center has 4 parking spaces provided on site and because the community service center and the child care facility/proposed school do not operate at the same time, additional parking is not needed.

Many of the families that are served by the community center and the child care facility/proposed school live in the immediate area and walk to and from the facility. Some of the families have multiple children riding in the same car, further reducing the need for additional parking stalls.

Specific Use Permit 1456 – Community Service Center – Operating Mid-June through the end of July

Required Parking = 1 space per 200 s.f. of floor area = $3433 \text{ s.f.} / 200 = 17$
Required/Provided Parking = 4 spaces per SUP

Specific Use Permit 2153 – Child Care Facility – Operating August through early June

Required Parking = 1 space per 500 s.f. of floor area = $3433 \text{ s.f.} / 500 = 7$
Required/Provided Parking = 4 spaces per SUP

Specific Use Permit 2153 – Proposed open-enrollment charter school – Operating August through early June

Required Parking = 1.5 spaces per classroom: $2 \text{ classrooms} \times 1.5 = 3$
Proposed/Provided Parking = 4 spaces

**PROPOSED CONDITIONS
SUP No. 2153**

1. **USE:** The only uses authorized by this specific use permit is a child-care facility and an open enrollment charter school limited to grades pre-K through 3rd.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

3. **TIME LIMIT:** This specific use permit is approved only for a period that expires on two years ~~August 21, 2017.~~

Applicant's request:

3. **TIME LIMIT:** This specific use permit is approved only for a period that expires on two years ~~August 21, 2017~~ 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 period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. **LANDSCAPING:** Landscaping must be provided as shown on the attached landscape plan.
5. **HOURS OF OPERATION:** The child-care facility and the open-enrollment charter school may only operate between 7:00 a.m. and 10:00 p.m., Sunday through Saturday.
6. **CLASSROOMS:** The maximum permitted number of classrooms is 2.
7. **INGRESS AND EGRESS:** Ingress and egress must be provided in the location shown on the attached site plan. No other ingress and egress is permitted.
8. **OFF-STREET PARKING:** Off-street parking must be located as shown on the attached site plan. No additional off-street parking is required.
8. **TRAFFIC MANAGEMENT PLAN:**

- (a) In general. The operation of the open-enrollment charter school must comply with the attached traffic management plan.
- (b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
- (c) Traffic study.
 - (1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2018. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study every two years by August 1 of that year.
 - (2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:
 - (A) ingress and egress points;
 - (B) queue lengths;
 - (C) number and location of personnel assisting with loading and unloading of students;
 - (D) drop-off and pick-up locations;
 - (E) drop-off and pick-up hours for each grade level;
 - (F) hours for each grade level; and
 - (G) circulation.
 - (3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.
 - (A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.
 - (B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management

plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(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) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Michael R. **COKER** Company

3111 Canton Street
Suite 140
Dallas, Texas 75226

**Traffic Management Plan Summary**

Wesley-Rankin Community Center
Lumin Wesley-Rankin Community School
3326 Winnetka Ave., Dallas, TX 75212

Drop-off and Pick-up Hours

The school operates on a staggered dismissal schedule. There are 27 students in 2015-16 and we will grow to up to our maximum of 47 students by 2017-18. On typical school days, here is the schedule:

<u>children (2017-18)*</u>	<u>Drop-off</u>	<u>Pick-up</u>	<u># of</u>
Toddlers	8:00 am-8:10am	11:30am-11:40am	12
PreK	7:55 am-8:10am	11:30am-11:40am	18
Kindergarten	7:55 am-8:10am	3:00pm-3:15pm	7
First Grade	7:55 am-8:10am	3:30pm-3:40pm	10

*There are siblings and some walking families included in these numbers, so 47 students is closer to 35-40 vehicles.

Ingress and Egress Points

There is access to the school parking lot on McBroom Street. This parking lot is for the school administration and is not used for pick-up and drop-off.

Drop-off and Pick-up Locations

The drop-off and pick-up location for all children is through the entrance door on McBroom Street. Parents park adjacent to the curb for drop off and pick up. **There is no queuing of vehicles in the street.**

Drop-off and pick-up by car:

The PreK, Kindergarten, and First Grade children are driven by their parents and dropped off and picked up by car at the McBroom Street entrance.

Drop-off and pick-up by parking and walking:

The parents of the Toddler children park on Winnetka adjacent to the curb and walk their children to the entrance door on McBroom Street for drop-off. At pick-up, the parents park in the same location and walk to the door and walk their child back to the car.

Circulation

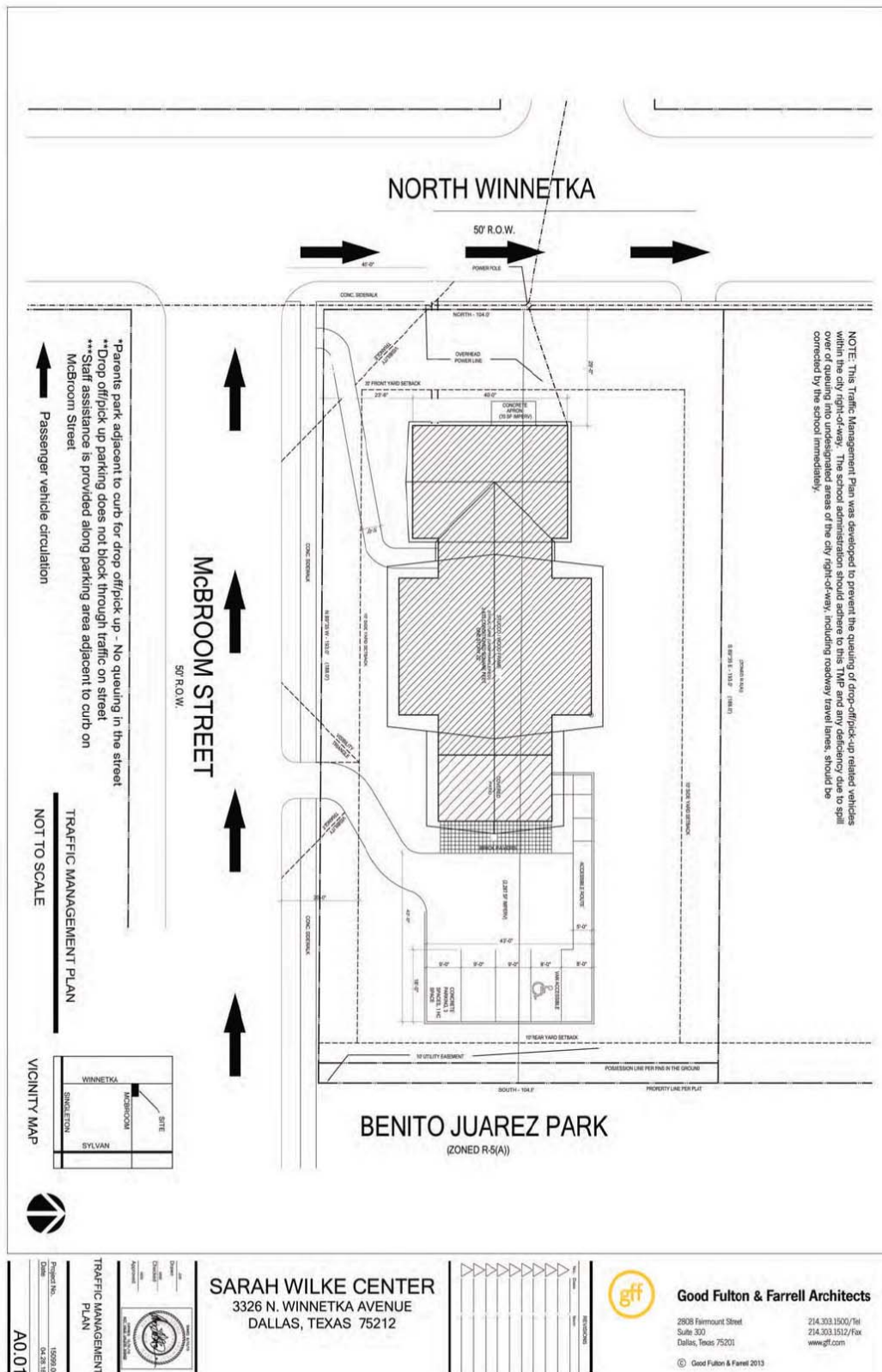
The main circulation pattern is in front of the building on McBroom Street. All vehicles enter by heading west on McBroom Street from Conroe Street. After drop-off or pick-up, the vehicles then continue to go west on McBroom Street. For the Toddler

classroom, the vehicles head north on Winnetka and park adjacent to the curb which is the closest point to the classroom building serving the toddlers.

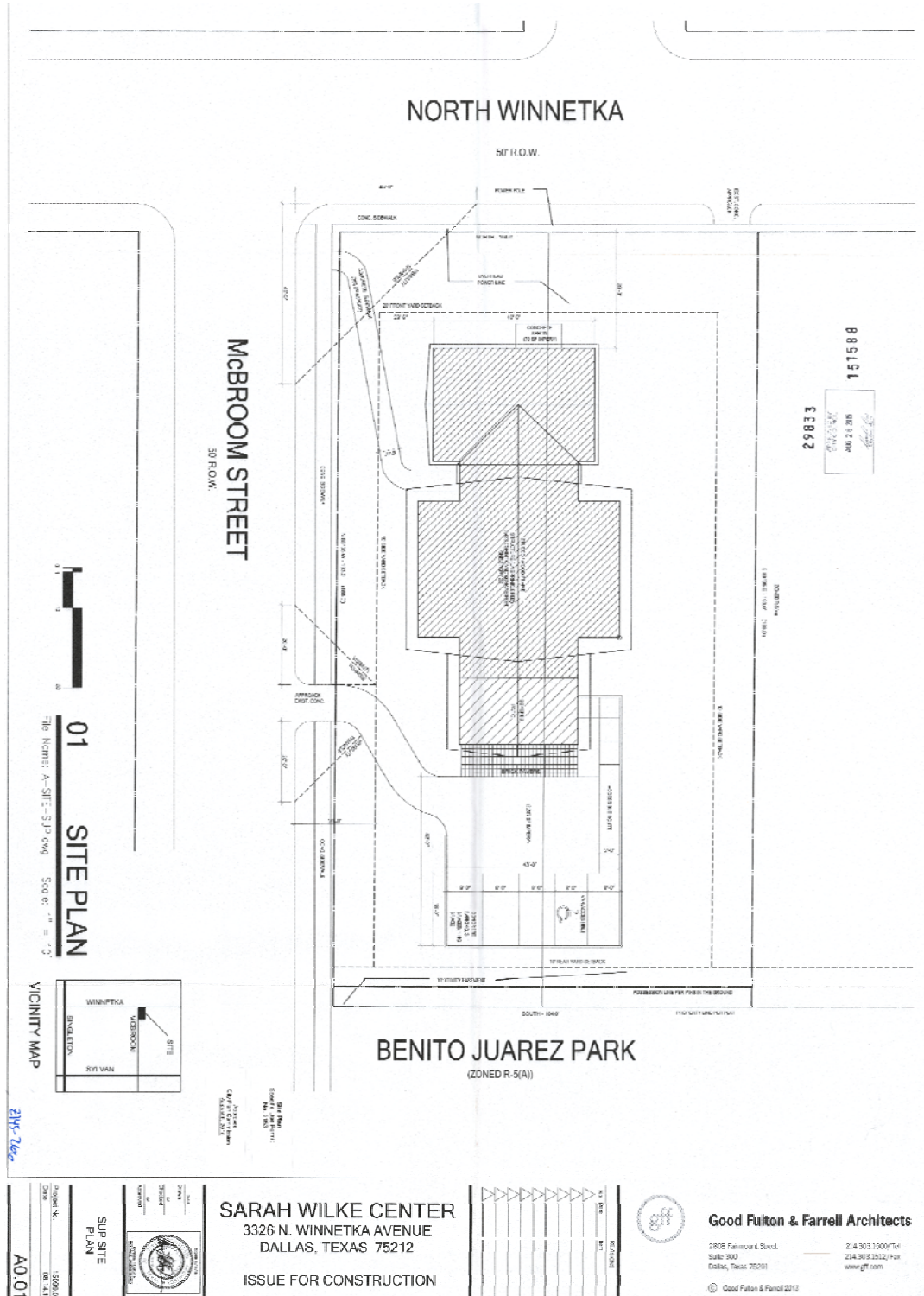
Staff Assistance

During all drop-off and pick-up times there is a staff member assisting the PreK, Kindergarten and Elementary children into and out of vehicles. The parents of the Toddler children are responsible for unloading and loading of their children as well as walking with them to the classroom.

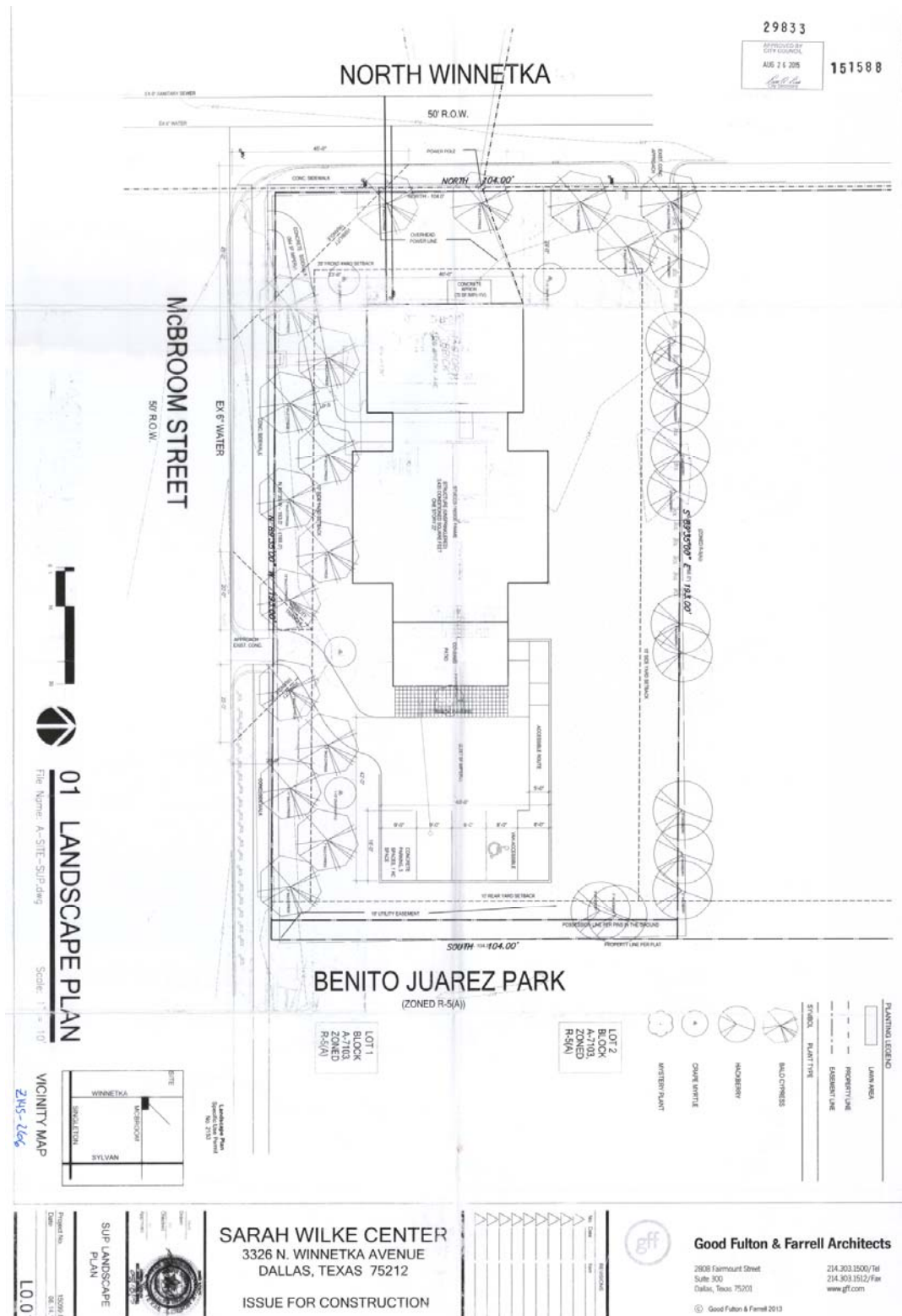
TRAFFIC MANAGEMENT PLAN



EXISTING SITE PLAN



EXISTING LANDSCAPE PLAN



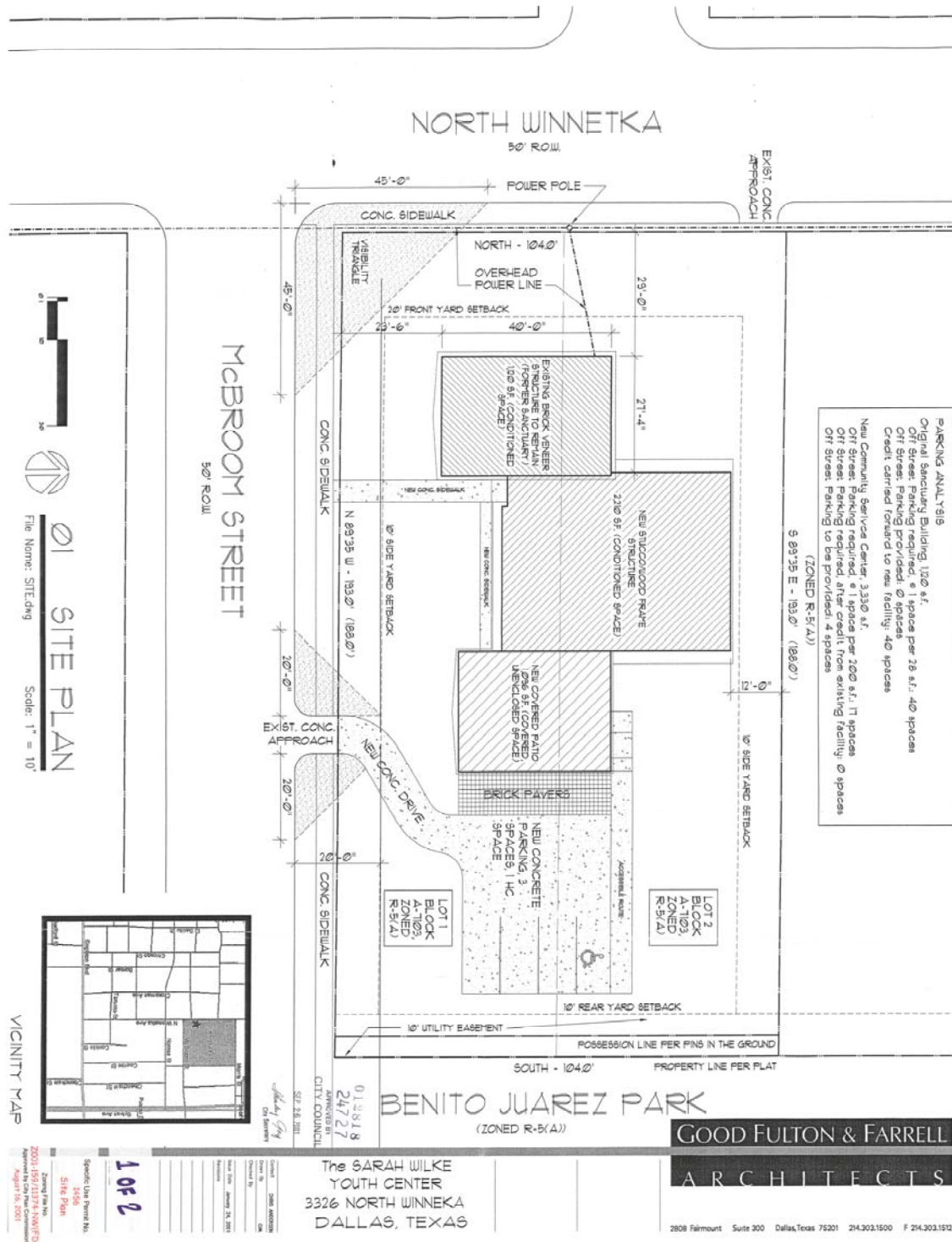
EXISTING SUP No. 1456

SECTION 2. That this specific use permit is granted upon the following conditions:

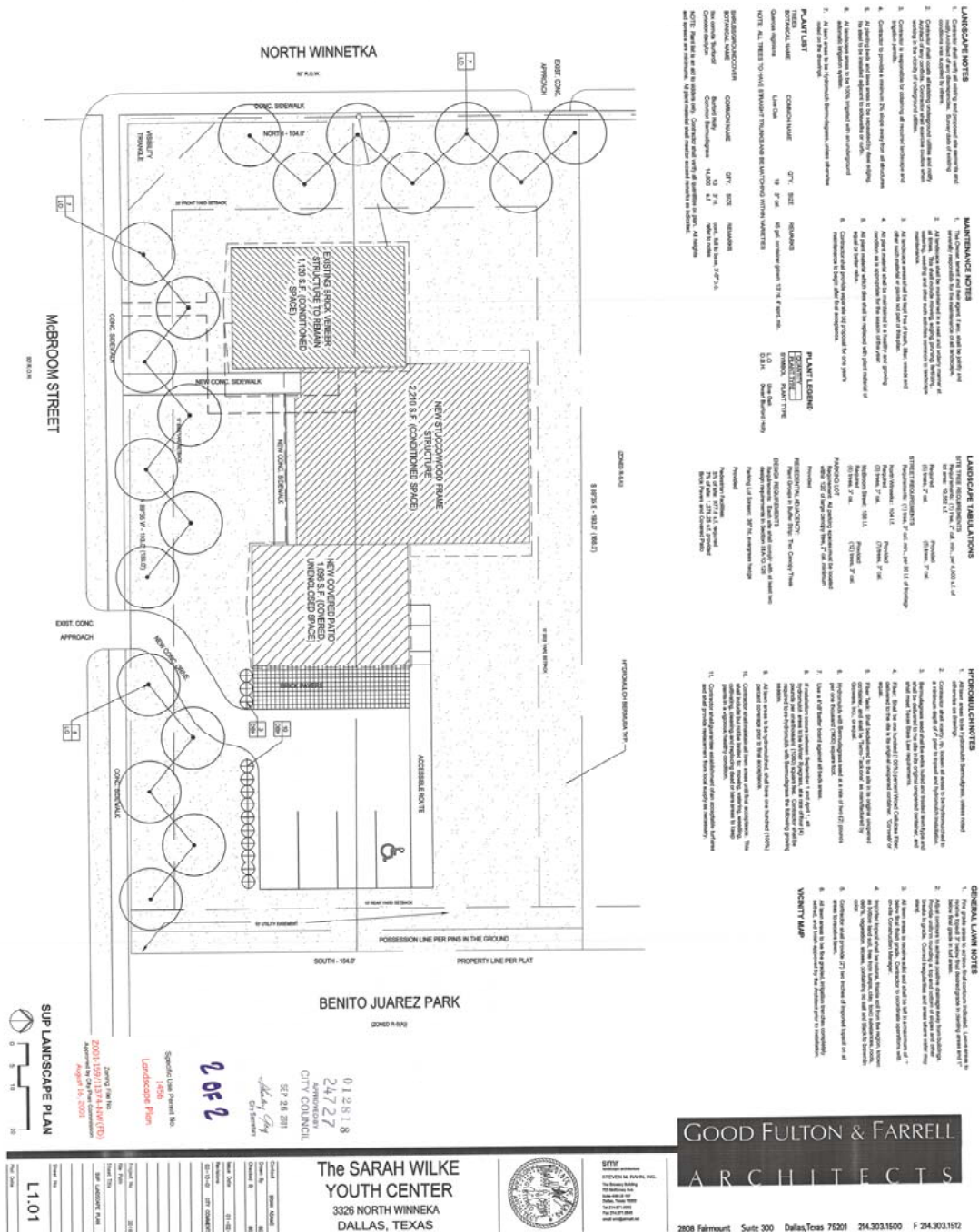
1. USE: The only use authorized by this specific use permit is a community service center.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a 10-year period and is eligible for automatic renewal for additional 10-year periods, pursuant to Section 51A-4.219, 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: Section 51A-4.219 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 section for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan.
5. OFF-STREET PARKING: A minimum of four 9'x18' standard-size parking spaces must be provided in the location shown on the attached site plan.
6. INGRESS AND EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress and egress is permitted.
7. HOURS OF OPERATION: The permitted hours of operation are 7:00 a.m. to 10:00 p.m.
8. NUMBER OF EMPLOYEES: The maximum permitted number of full-time employees is two.
9. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.

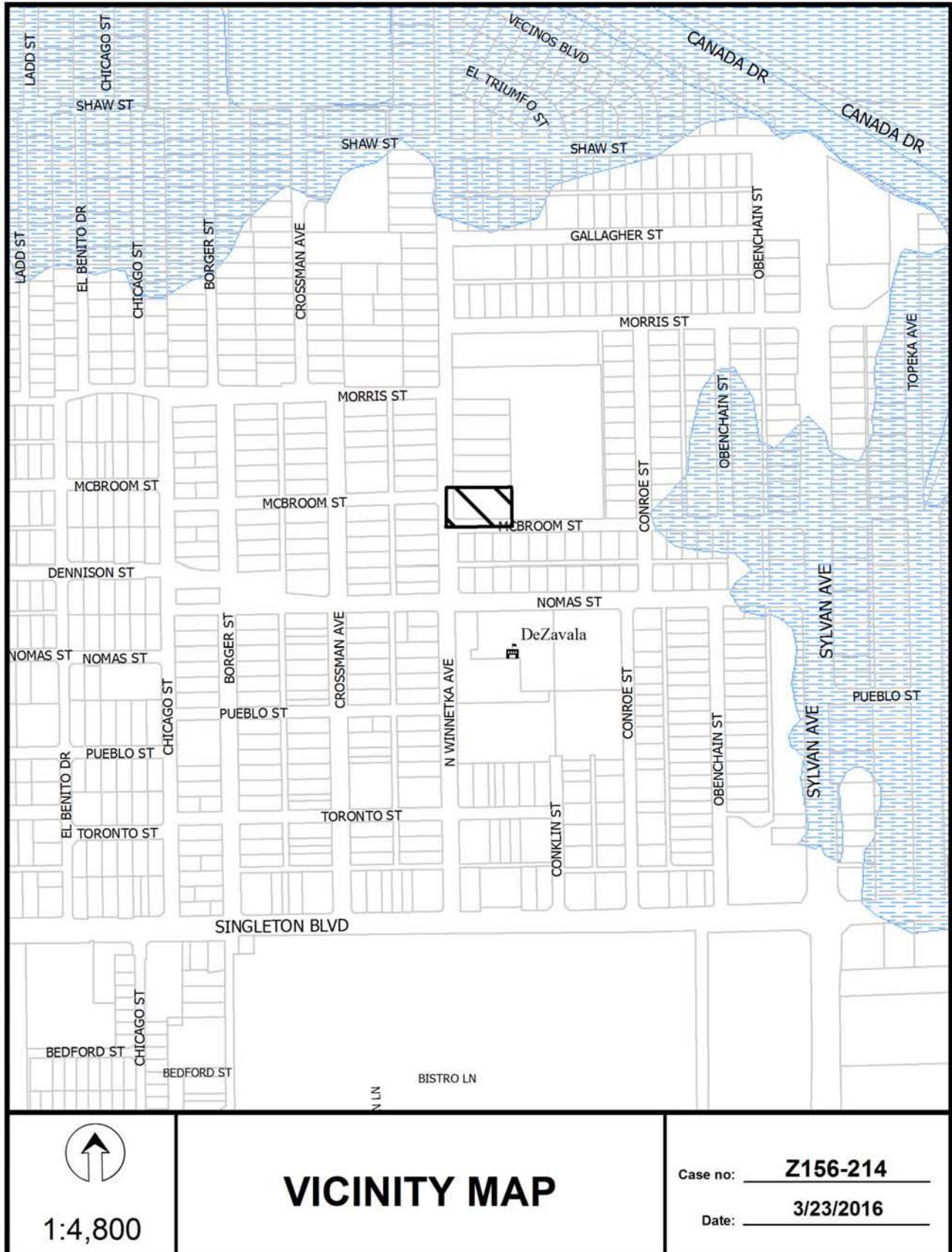
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN SUP NO.1456

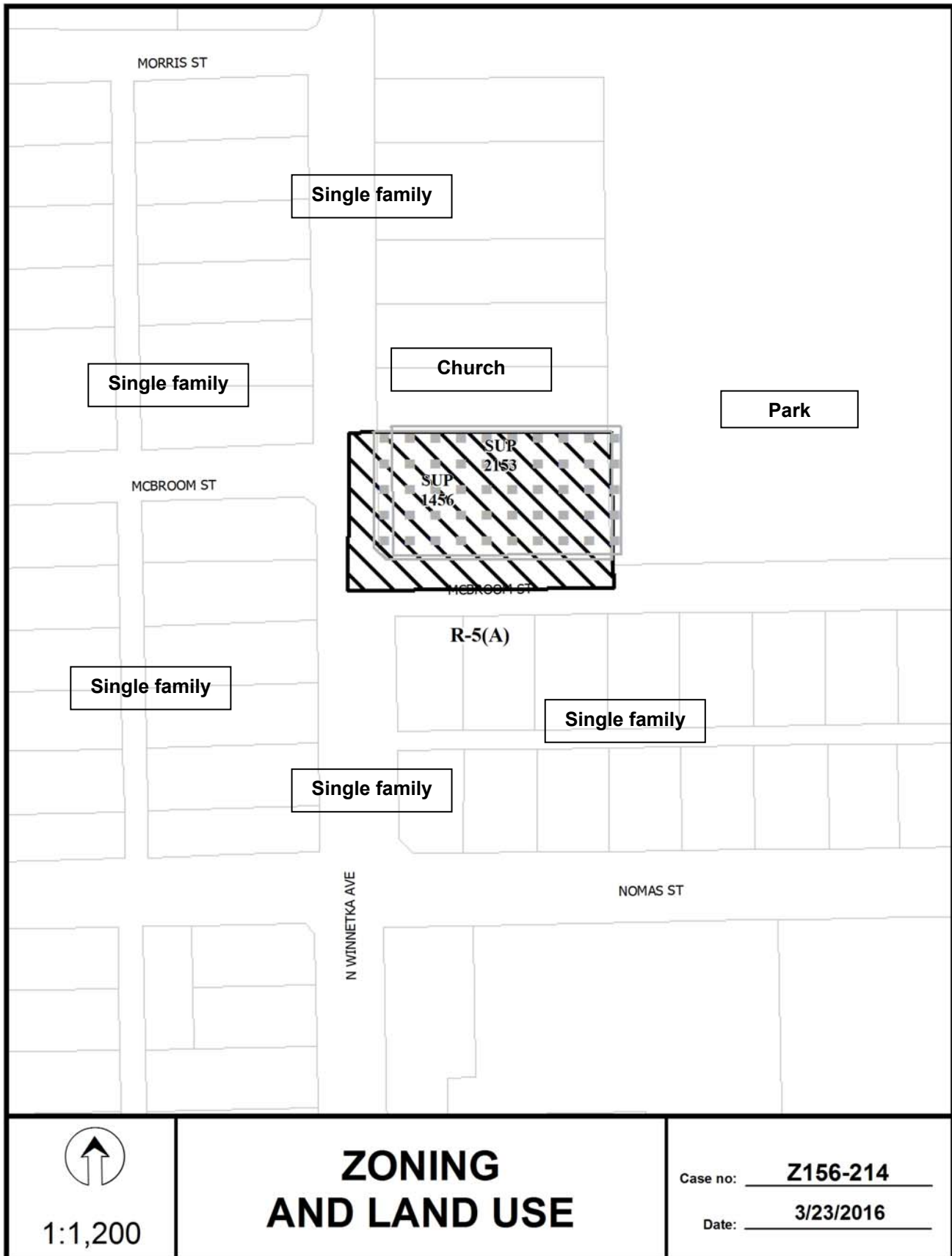


EXISTING LANDSCAPE PLAN SUP No. 1456











05/18/2016

Reply List of Property Owners
Z156-214

17 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	3352 N WINNETKA AVE	Dallas ISD
O	2	3326 N WINNETKA AVE	WESLEY RANKIN COMMUNITY
	3	3338 N WINNETKA AVE	IGLESIA CHRISTIANA
	4	1020 MCBROOM ST	HMK LTD
X	5	1016 MCBROOM ST	TORRES ALVARO
	6	3303 N WINNETKA AVE	RINCON SERGIO GUADALUPE
	7	3305 N WINNETKA AVE	ALEJANDRO SALOME M EST OF
	8	3311 N WINNETKA AVE	AYALA JOSE ANGEL II & KRYSTAL ALEJANDRO
	9	3313 N WINNETKA AVE	PANAMENO ANDRES A &
	10	3319 N WINNETKA AVE	ROJAS JULIAN
	11	3323 N WINNETKA AVE	SORIANO JULIO & SANDRA
	12	3322 CROSSMAN AVE	ALEJANDRO ARMANDO
	13	3318 CROSSMAN AVE	LOZANO ADRIANA
	14	3314 CROSSMAN AVE	AGUIN ELIZABETH Y
	15	3335 N WINNETKA AVE	BANDA MARIA C &
	16	3347 N WINNETKA AVE	GARCIA JERRY ZENON &
	17	3330 CROSSMAN AVE	MARTINEZ NORMA ALICIA

AGENDA ITEM # 60

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 10

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 27 V

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for private school use on property zoned an R-7.5(A) Single Family District on the north line of McCree Road, west of Aldwick Drive

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions

Z156-225(SM)

FILE NUMBER: Z156-225(SM)

DATE FILED: March 4, 2016

LOCATION: North line of McCree Road, west of Aldwick Drive

COUNCIL DISTRICT: 10

MAPSCO: 27V

SIZE OF REQUEST: Approximately 2.0 acres **CENSUS TRACT:** 130.04

OWNER: Highlands Christian Church

APPLICANT/ REPRESENTATIVE: Blackland Prairie Conservatory & Atelier

REQUEST: An application for a Specific Use Permit for private school use on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is for a five classroom private elementary school. The school will utilize a portion of Highlands Christian Church's property.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval of staff's recommended conditions based upon:

1. *Compatibility with surrounding uses and community facilities* – The proposed use is compatible with the surrounding area. The school is not requesting any additional changes to the site and the traffic from drop-off and pick-up times will circulate from McCree Road through the parking lot and back onto McCree Road as prescribed in the traffic management plan.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The services of the proposed school will provide a service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The Engineering Section has no objections to the application and recommends periodic updates to the traffic management plan as specified in the specific use permit conditions.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the request will comply with all applicable zoning regulations and standards. All proposed improvements will require compliance with the building code and require final inspection compliance with the site plan.

BACKGROUND INFORMATION

- The neighborhoods east of Aldwick Drive began development between 1952 and 1957 according to aerial photography.
- Grading of the subdivision to the north of the request site appears to begin in 1958 and all homes are constructed by 1968 according to aerial photography.
- The majority of the church building on the request site is also constructed in 1968 aerial photography.
- The sanctuary in the southwest corner of the request site is shown in 1979 aerial photography.
- The subdivision to the south of the request site was constructed in the 1990's and is shown in 1995 aerial photography.

Zoning History: There have been no recent zoning cases in the vicinity in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Dimension
McCree Road	Local	50' ROW

Traffic:

The Traffic Safety Engineering Section of the Department of Street Services and the Engineering Section of Sustainable Development and Construction have reviewed the request and recommended approval of the application subject to the traffic management plan.

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominate land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

In general, the applicant's proposal to provide private school facility at this location is consistent with the residential building block described in the Comprehensive Plan.

STAFF ANALYSIS:

Land Use Compatibility:

	Zoning	Land Use
Site	R-7.5(A)	Church
North & East	R-7.5(A)	Single Family
South	R-7.5(A), SUP 20	Single Family
West	R-7.5(A)	Churches

Surrounding land uses include single family to the north, east, and south. Two churches are located to the west of the request site; Saint James Episcopal Church offers an accessory Montessori care for children ages 18 months through 6 years and Lake Highlands Church offers an accessory Christian Child Enrichment Center for

infants through after-school care, according to both establishment websites. The site's existing vehicular access points are on McCree Road and will remain unchanged. The new private school proposes to occupy existing church facilities and operate at mutually exclusive times with the church with no additions proposed to the site.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request conforms with the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code.

Landscaping: Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements as no new construction is proposed on the site.

Parking: Pursuant to §51A-4.204 of the Dallas Development Code, schools require one and one-half parking spaces for each kindergarten/elementary school classroom. The proposed school is projected to have a total of five elementary school classrooms, which would require a total of eight parking spaces for the school. Since required off-street parking is calculated as a sum of all the uses on site, and the church will operate at mutually compatible hours, or at different times, the total parking requirement for the site is 103 parking spaces. The site has 97 parking spaces and when a certificate of occupancy application is submitted to Building Inspection, a shared parking agreement will be executed so that parking may be shared between the two uses.

Prior CPC Action – May 19, 2016:

Motion: It was moved to recommend **approval** of a Specific Use Permit for private school use for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan and conditions on property zoned an R-7.5(A) Single Family District on the north line of McCree Road, west of Aldwick Drive.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Notices: Area: 300 Mailed: 72
Replies: For: 5 Against: 1

Speakers: For (Did not speak): Mitchell Baumann, 9608 Summerhill Ln., Dallas, TX, 75238
Chris Baumann, 9608 Summerhill Ln., Dallas, TX, 75238
Against: None

List of Partners

Highlands Christian Church

9949 McCree Rd.

Dallas, TX 75238

Officers of the Board – July 1, 2015 – June 30, 2016

Kimberlie Brashear – Chair

Kevin Payne – Chair Elect

Chris Baumann – Treasurer

Mark Read – Secretary

Derek Muncy – Financial Secretary

Blackland Prairie Conservatory and Atelier

8834 Capri Dr.

Dallas, TX 75238

Officers

Tiffany Lipsett – President

Jason Lipsett – Treasurer

Shelly Biggerstaff - Secretary

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a private school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on FIVE YEARS, but is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. CLASSROOMS: The maximum number of classrooms is five.
5. INGRESS AND EGRESS: Ingress and egress must be provided in the locations 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. TRAFFIC MANAGEMENT PLAN:
 - A. In general. Operation of a private school must comply with the attached traffic management plan.
 - B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within the city rights-of-way.
 - C. Traffic study.
 - i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2017. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1 of each odd-numbered year.
 - ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- a. ingress and egress points;
- b. queue lengths;
- c. number and location of personnel assisting with loading and unloading of students;
- d. drop-off and pick-up locations;
- e. drop-off and pick-up hours for each grade level;
- f. hours for each grade level; and
- g. circulation.

iii. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

a. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

b. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

D. Amendment process.

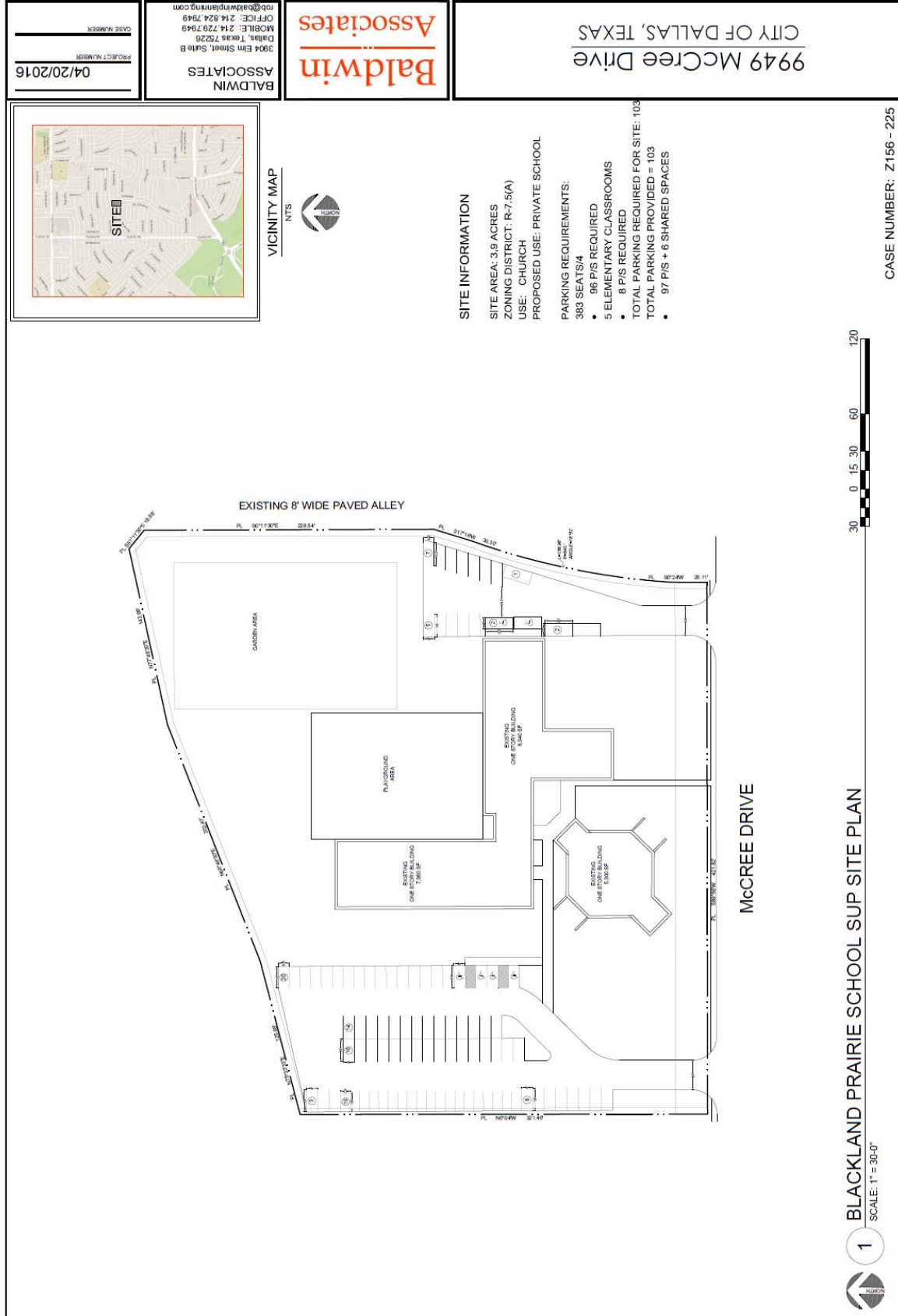
i. A traffic management plan may be amended using the minor amendment fee and public hearing process in Section 51A-4.1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

ii. 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.

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



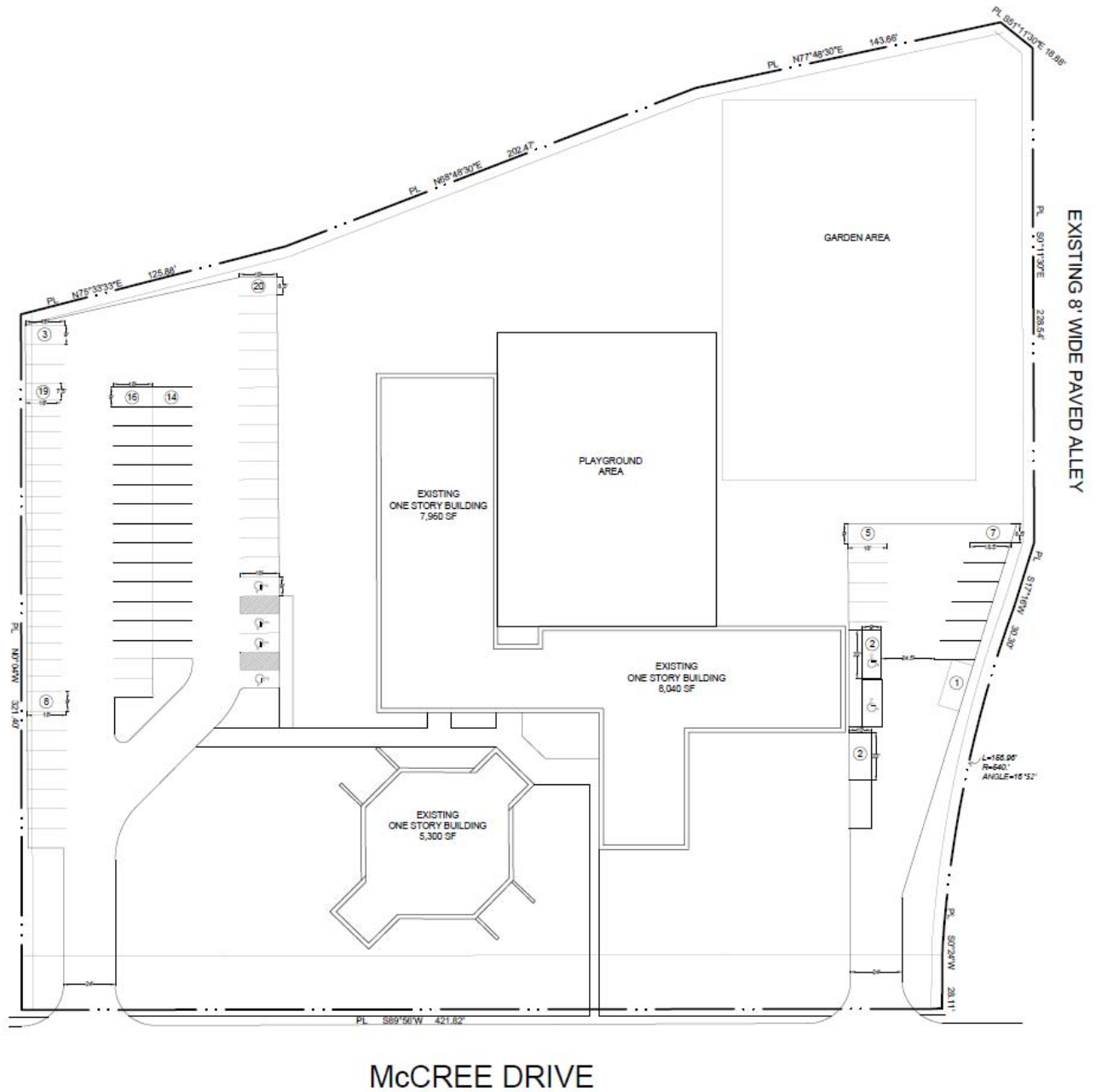
BLACKLAND PRAIRIE SCHOOL SUP SITE PLAN

SCALE: 1" = 30'-0"

1

CASE NUMBER: Z156 - 225

Enlarged Proposed Site Plan



Proposed Traffic Management Plan

BLACKLAND PRAIRIE CONSERVATORY AND ATELIER TRAFFIC MANAGEMENT PLAN, Z156-225 APRIL 2016

INTRODUCTION

The Blackland Prairie Conservatory and Atelier will be located on the north side of McCree Road at 9949 McCree Road, Dallas, Texas 75238. This school is proposed to open in August 2016 with an initial enrollment of 30 to 35 students. At full enrollment, which is projected to be reached in 2020, the school will have 90 students in grade levels from Kindergarten to 6th grade.

OVERVIEW

Blackland Prairie Conservatory and Atelier will be located on the north side of McCree Road as shown in **Figure 1**.

McCree Road – Bordering the school to the south, this is a two-lane roadway. McCree Road is not classified in the City of Dallas Thoroughfare Plan. The posted speed limit is 30 mph.

Figure 2 shows the proposed site plan. The campus will be served by two driveways along McCree Road. However, access will only be allowed via the west driveway location during drop off and pick-up times.

At maximum enrollment, Blackland Prairie Conservatory and Atelier will serve 90 students in Kindergarten to 6th grade. Daily start and end times are identified in **Table 1**. This table assumes full enrollment of the school.

Table 1: Projected Student Dismissal Numbers

Grade Level	Start Time	End Time	Percent of Enrollment Dismissed	# of Students
Kindergarten	8:45 AM	3:10 PM	40%	36
1st – 6th	8:30 AM	3:20 PM	60%	54
Total			100%	90

CITY OF DALLAS PARKING STANDARDS

Section 51.A-4.204 of the City of Dallas *Development Code* defines the parking requirements for institutional and community services. The City of Dallas code requires 1.5 parking spaces for each kindergarten/elementary school classroom. With 5 classrooms for Blackland Prairie Conservatory and Atelier, 8 parking spaces would be required for school use. Based on the site plan shown in Figure 2, the parking total of 97 spaces exceeds the City of Dallas requirements.

Figure 1: Vicinity Map

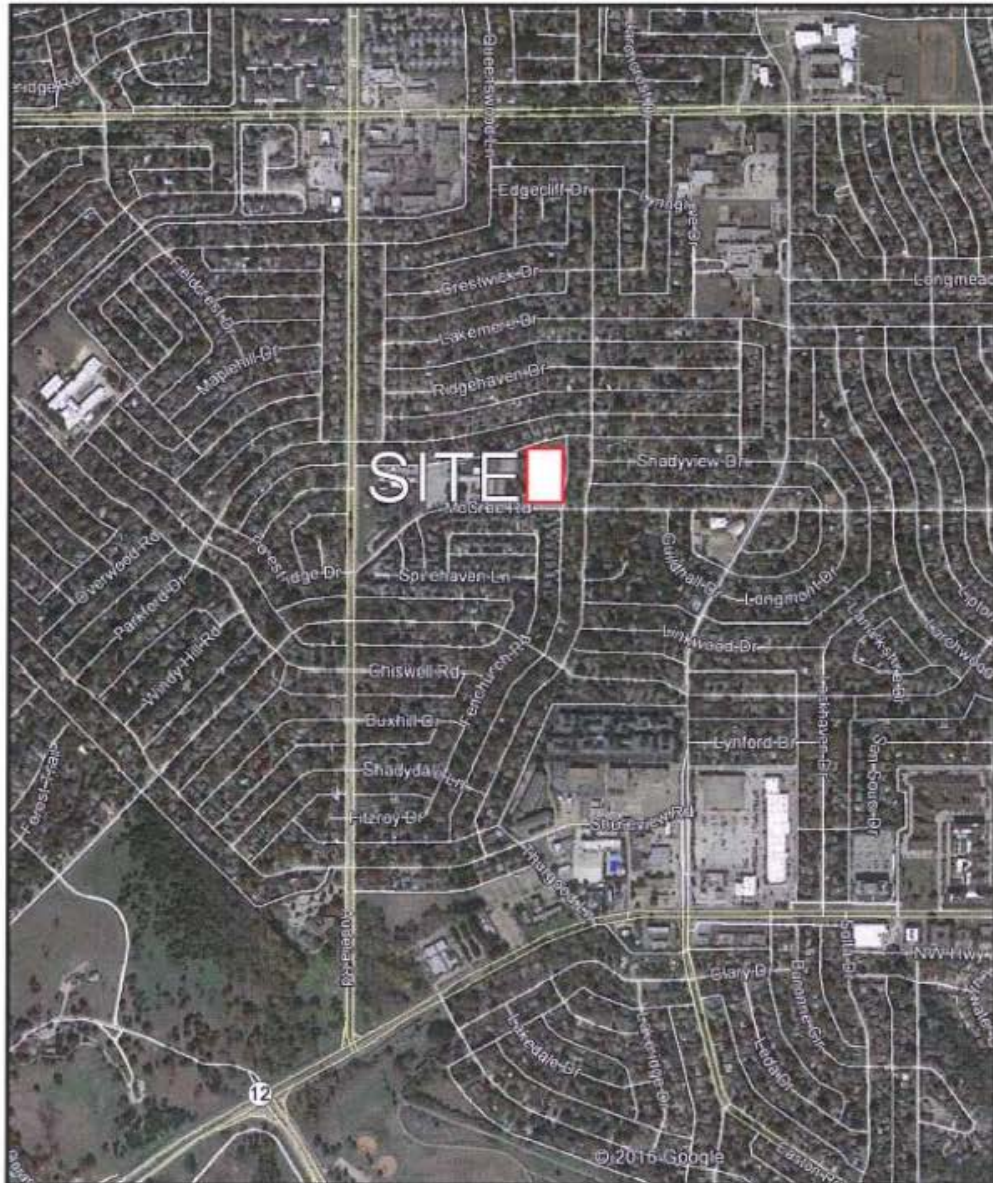
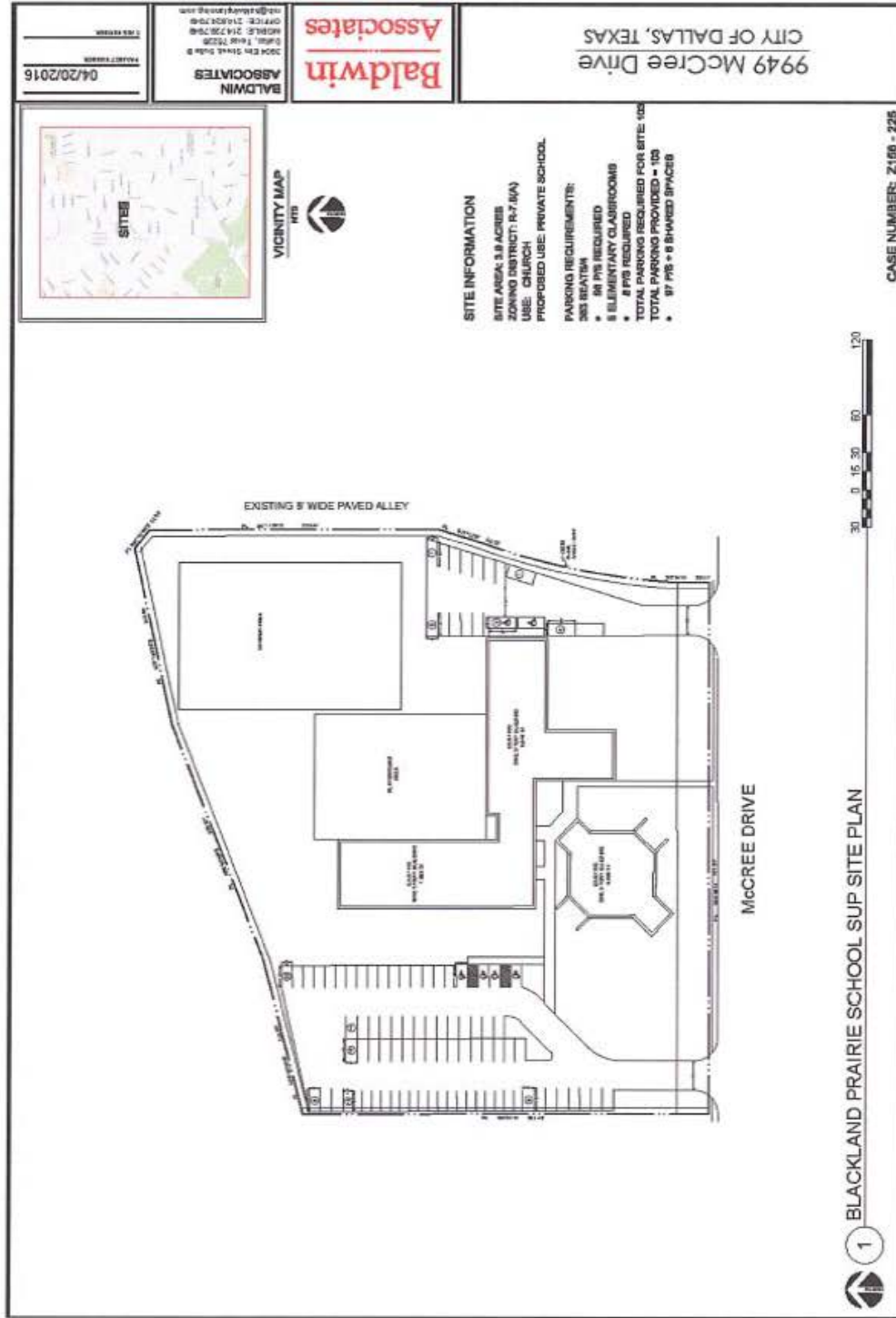


Figure 2: Site Plan



TRIP GENERATION

To develop trip rates for the Blackland Prairie Conservatory and Atelier, the number of vehicle trips generated by the private school and the directional splits were initially calculated based on information presented in ITE's *Trip Generation Manual, Ninth Edition*. The trip generation equations, directional splits and the numbers of trips generated by the proposed school at full enrollment are provided in **Table 2**.

Table 2: ITE Trip Generation Rates

Land Use	ITE Code	Equations ¹					
		AM Peak Hour			School PM Peak Hour		
Private School (K-8)	534	T = 0.90(X) + 3.01			T = 0.61(X) - 4.70		
		Directional Splits ²					
		AM Peak Hour			School PM Peak Hour		
		55 / 45			47 / 53		
		Estimated Trip Generation (90 students)					
		AM Peak Hour			School PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
		46	38	84	24	26	50

¹T = Trip Ends; X = Number of Students

²XX / YY = % entering vehicles / % exiting vehicles

QUEUING & PARKING ANALYSIS

The primary goal of the evaluation of the traffic circulation for the school is to minimize the impact on the adjacent public streets and to avoid queues on public roadways. At the Blackland Prairie Conservatory and Atelier, parents will be required to park and escort children during both drop-off and pick-up. No queuing of vehicles for pick-up or drop-off will be permitted. The proposed circulation plan will be the same for the morning drop-off periods (8:30 & 8:45 AM) and afternoon pick-up periods (3:10 & 3:20 PM). **Figure 3** shows the proposed circulation during drop-off and pick-up.

To determine the maximum accumulation of vehicles on site, a maximum parking requirement for pick-up/drop-off operations of one (1) parking space per five (5) students was assumed based on previous studies at other private schools. Under these assumptions, **Table 3** summarizes the projected number parking spaces needed for each dismissal period.

Table 3: Projected Queuing and Parking Space Demand by Dismissal Time

Dismissal Time	Percent of Enrollment Dismissed	Students	Queuing*		Parking Space Demand [vehicles]
			Feet	Vehicles	
3:10 PM	40%	36	0	0	8
3:20 PM	60%	54	0	0	11
Total	100%	90	---	---	---

* No queuing of vehicles for pick-up or drop-off will be permitted.

As shown by Figure 3 and Table 3, with 80 on-site parking spaces provided for use during drop-off and pick-up, the site is predicted to be able to store the vehicles during each of the dismissal periods. In the western parking lot (which will be used exclusively for parents), the 80 spaces can be used as follows: 11 for drop-off/pick-up operations (Table 3 maximum) and 69 for overflow parking if needed.

2015-2016 PROPOSED OPERATION

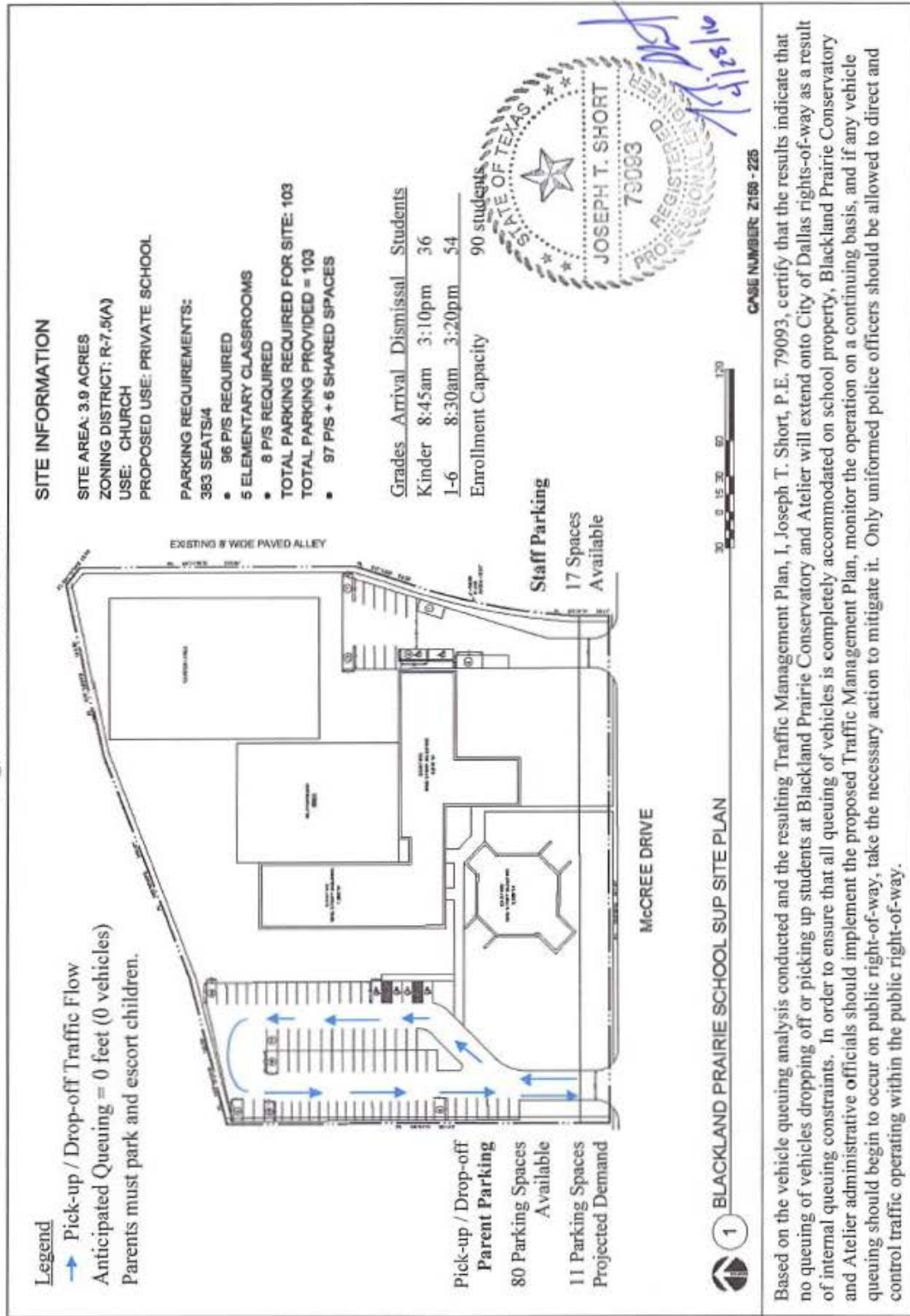
The arrival and dismissal traffic flow is expected to proceed as follows:

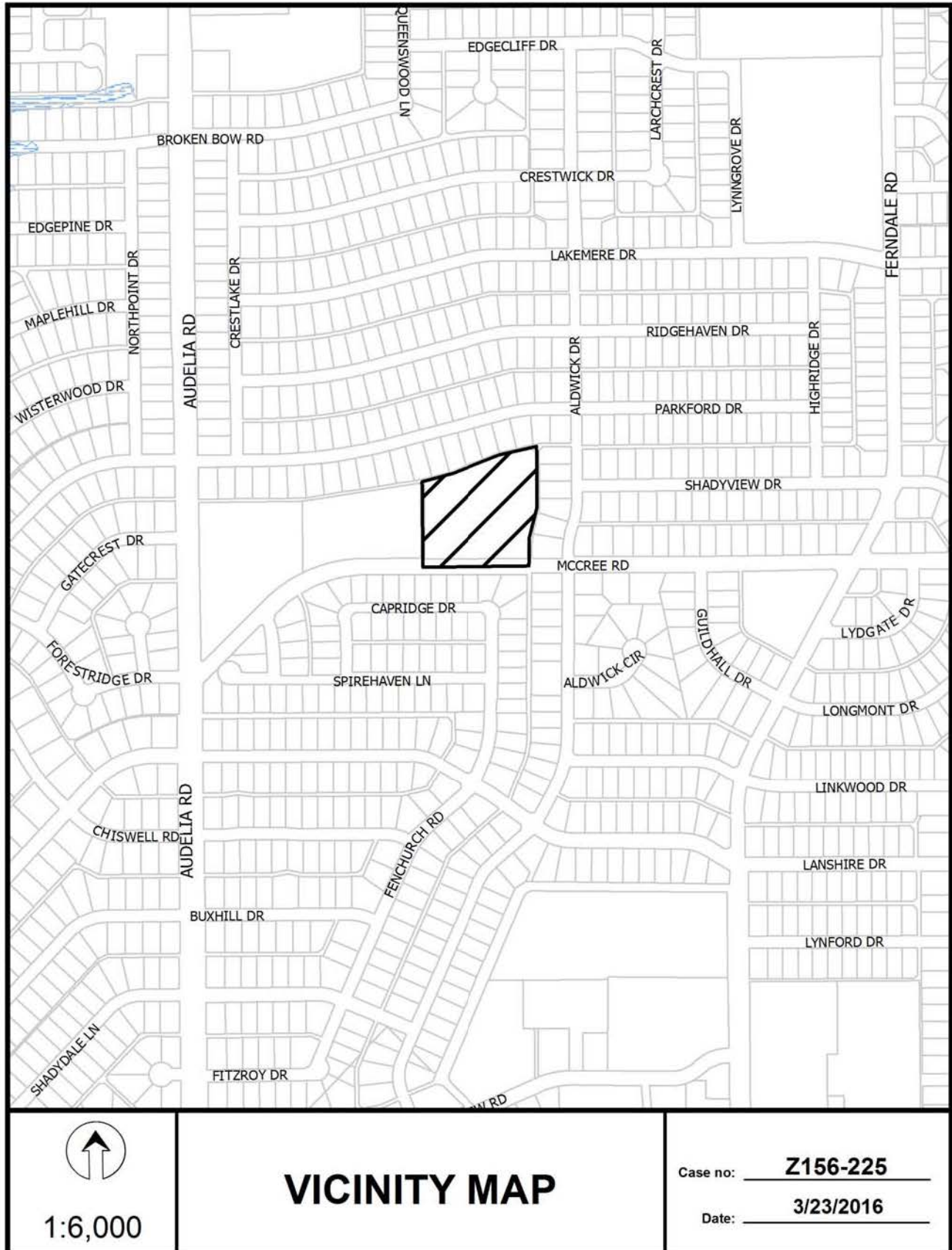
- Arrival Procedures
 - East driveway closed. All traffic will enter using the west driveway.
 - A counterclockwise movement is recommended. Parents will enter the west driveway, park in an open space, and escort their child(ren) to the school.
 - Parents will then exit the west driveway.
- Dismissal Procedures
 - East driveway closed. All traffic will enter using the west driveway.
 - A counterclockwise movement is recommended. Parents will enter the west driveway, park in an open space, and escort their child(ren) from the school.
 - Parents will then exit the west driveway.

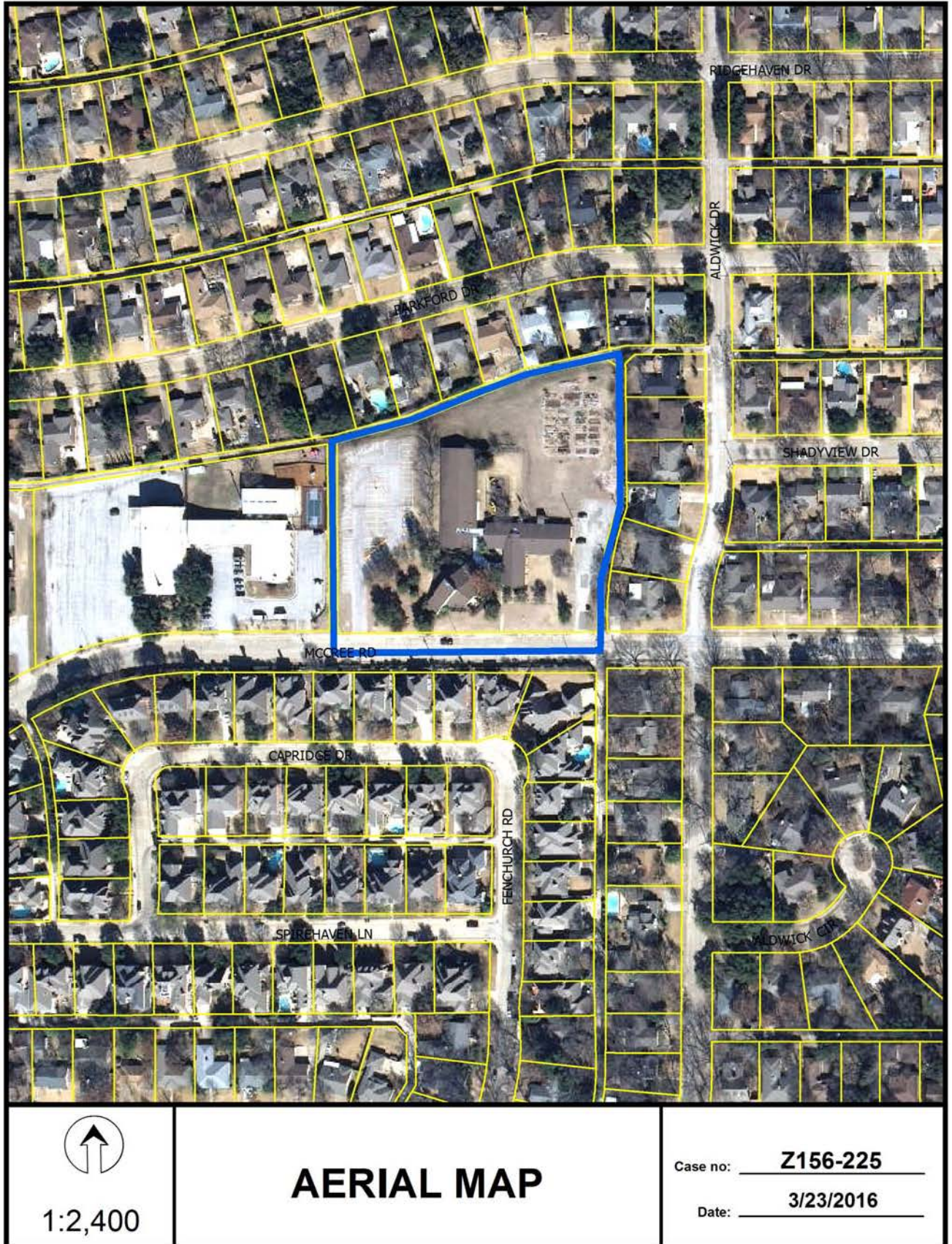
Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, I, Joseph T. Short, P.E. 79093, certify that the results indicate that no queuing of vehicles dropping off or picking up students at Blackland Prairie Conservatory and Atelier will extend onto City of Dallas rights-of-way as a result of internal queuing constraints. In order to ensure that all queuing of vehicles is completely accommodated on school property, Blackland Prairie Conservatory and Atelier administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should begin to occur on public right-of-way, take the necessary action to mitigate it. Only uniformed police officers should be allowed to direct and control traffic operating within the public right-of-way.

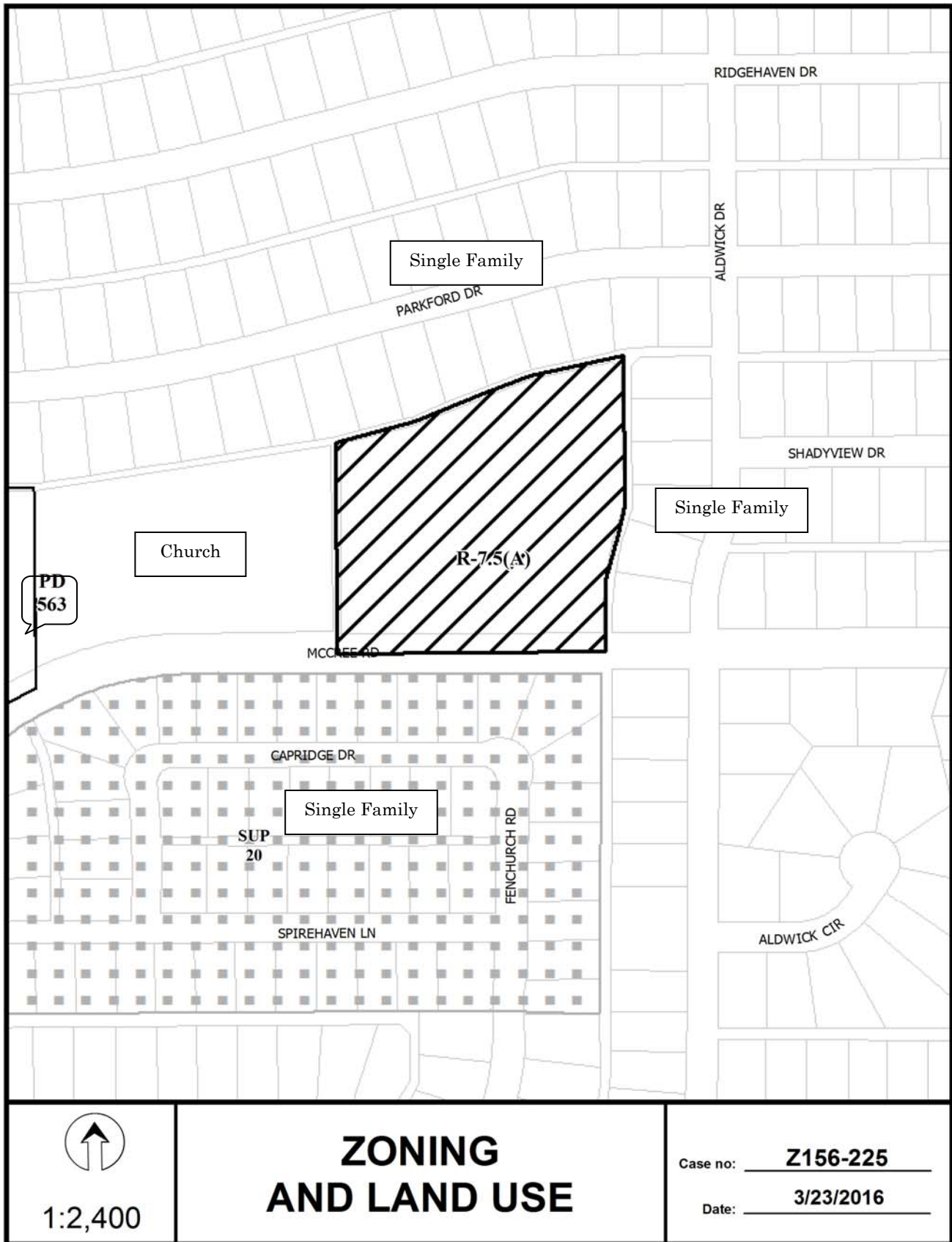


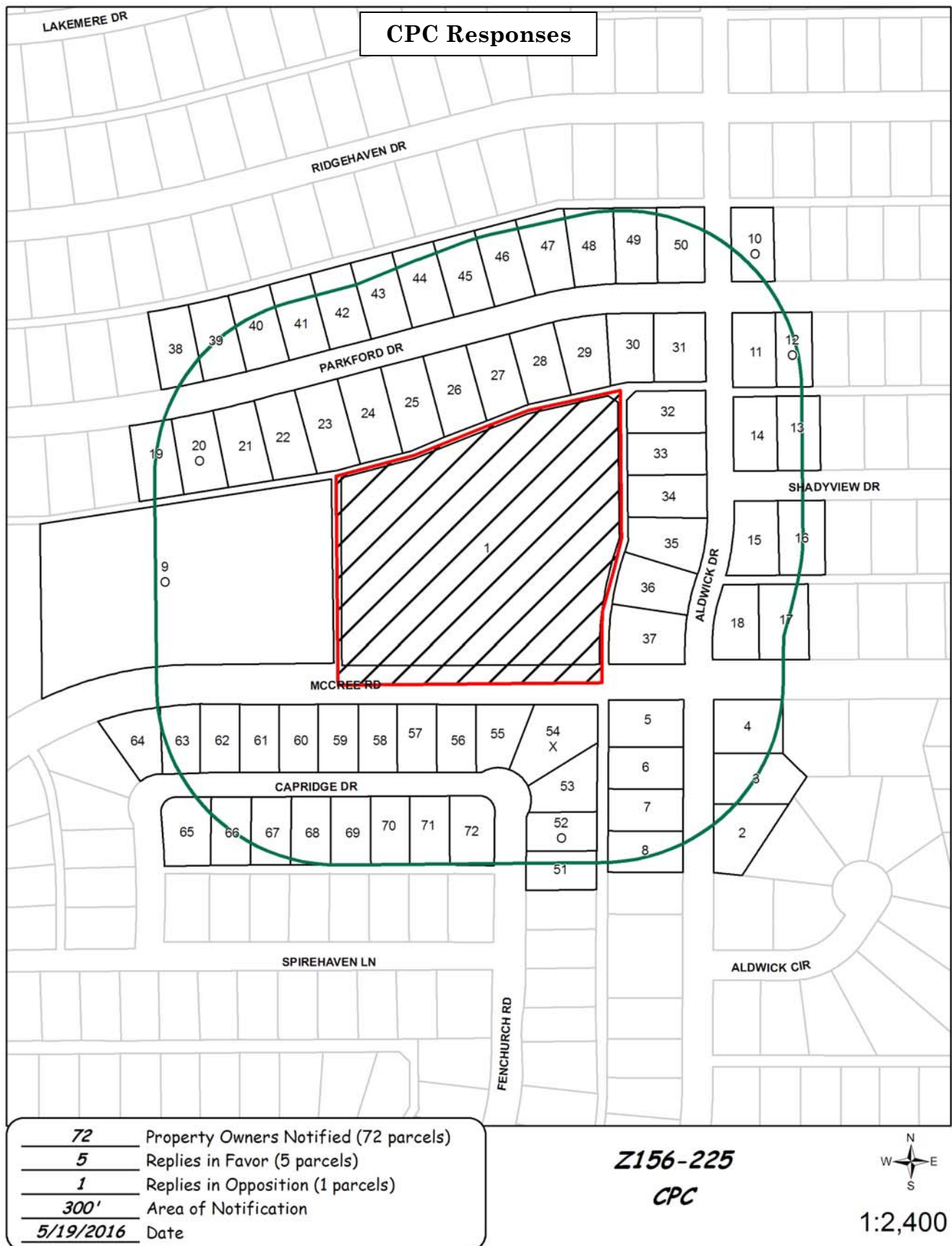
Figure 3: Circulation Plan











05/18/2016

Reply List of Property Owners***Z156-225******72 Property Owners Notified******5 Property Owners in Favor******1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	9949 MCCREE RD	HIGHLANDS CHRISTIAN CHURC
	2	9018 ALDWICK DR	KENT SCOTT & ELIZABETH
	3	9024 ALDWICK DR	WILCOX JENNIFER
	4	9030 ALDWICK DR	BYRD KATHI LYNN
	5	9031 ALDWICK DR	DORR BENJAMIN & HEATHER
	6	9025 ALDWICK DR	ENGEL CYNTHIA D &
	7	9021 ALDWICK DR	DESERT DONKEY INDUSTRY LLC
	8	9015 ALDWICK DR	GALLETTA LEO JOHN
O	9	9919 MCCREE RD	LAKE HIGHLANDS CHURCH OF
O	10	10005 PARKFORD DR	ADAMS STEPHEN M &
	11	10006 PARKFORD DR	CALLAGHAN CHAD G &
O	12	10010 PARKFORD DR	SCOTT STEVEN D
	13	10011 SHADYVIEW DR	MCDONALD ESTELL & BILLIE LOUISE
	14	10005 SHADYVIEW DR	TAYLOR CLIFTON DOUGLAS &
	15	10006 SHADYVIEW DR	GLUCK KRISTIAN M &
	16	10012 SHADYVIEW DR	LOVE JOHN TAYLOR & JENI
	17	10011 MCCREE RD	JORDAN JAMES & JANET
	18	10005 MCCREE RD	BULLOCK ROBERT L
	19	9854 PARKFORD DR	CLARK ROBERT C ETAL
O	20	9860 PARKFORD DR	DELONEY BETTY J LIFE ESTATE
	21	9866 PARKFORD DR	TEMPLETON JEFFERY M &
	22	9904 PARKFORD DR	MARTIN PATSY
	23	9910 PARKFORD DR	STONE JAMES W & KATHRYN
	24	9916 PARKFORD DR	SOLOMON ANDREW M & LAUREN G
	25	9924 PARKFORD DR	MARTIN VELLA JO
	26	9928 PARKFORD DR	MCCLOSKEY JAMES FRANCIS

05/18/2016

	<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
		27	9934 PARKFORD DR	HASLER CARL ROBERT &
		28	9940 PARKFORD DR	PRESSLER ADAM &
		29	9946 PARKFORD DR	OSORIO CHRISTIAN
		30	9952 PARKFORD DR	TEXAS EQUITY BUILDERS LP
		31	9958 PARKFORD DR	LILLY STEVEN M
		32	9209 ALDWICK DR	SIBLEY MATTHEW C
		33	9203 ALDWICK DR	JOYCE LORISE R
		34	9123 ALDWICK DR	GREEN MAX B
		35	9117 ALDWICK DR	CRAIGO JUDY K
		36	9111 ALDWICK DR	DUMMER ROSANNE M
		37	9105 ALDWICK DR	ALLEN PATRICK J &
		38	9855 PARKFORD DR	VIEGER TAYLOR
		39	9861 PARKFORD DR	BEAVERS MICHAEL A &
		40	9905 PARKFORD DR	FRITCHIE CAROL C
		41	9911 PARKFORD DR	JUSTUS GLADYS A
		42	9917 PARKFORD DR	WEBBER JEANNE KITTOCK
		43	9923 PARKFORD DR	KNABE DIETRICH & SARAH
		44	9929 PARKFORD DR	JONES LORENA
		45	9933 PARKFORD DR	REISOR KENNETH E & SUSAN MARIE
		46	9935 PARKFORD DR	NOLL KATHERINE E
		47	9941 PARKFORD DR	GRANDLE REID B & MARY V
		48	9949 PARKFORD DR	POPE JEAN HOWARD
		49	9957 PARKFORD DR	RANDLE ESTHER M TR
		50	9963 PARKFORD DR	ENLOW ROGER J
		51	9012 FENCHURCH RD	CABANISS KEVIN C &
	O	52	9016 FENCHURCH RD	VISSER GERTJAN PIETER &
		53	9020 FENCHURCH RD	DAVIS GARY WILLIAM &
	X	54	9963 CAPRIDGE DR	BARRY NANCY B
		55	9959 CAPRIDGE DR	NORTH BRIGHAM & CYNTHIA
		56	9955 CAPRIDGE DR	DIX WILLIAM E & SALLY W
		57	9951 CAPRIDGE DR	FRAZIER CHARLES T JR

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	9947	CAPRIDGE DR	REIFEIN WILBUR WINFIELD
59	9943	CAPRIDGE DR	NASH KASEY R & MARK P
60	9939	CAPRIDGE DR	VALACHOVIC MICHAEL & JILL
61	9935	CAPRIDGE DR	ATES ALLISON
62	9931	CAPRIDGE DR	RENTFRO JAMES L II &
63	9927	CAPRIDGE DR	ADAMS JAMES FLOYD &
64	9923	CAPRIDGE DR	REYNOLDS RACHEL WALLACE
65	9928	CAPRIDGE DR	TORIAN MARK EMMET & ANDRE M SWIFT
66	9932	CAPRIDGE DR	LONES GREGORY S &
67	9936	CAPRIDGE DR	NACHOWIAK DREW F
68	9940	CAPRIDGE DR	BUSH JAMES T & MELODY A
69	9944	CAPRIDGE DR	CAVERLEE ROBERT J &
70	9948	CAPRIDGE DR	HOPTONJONES GAYNELLE &
71	9952	CAPRIDGE DR	PAPANICOLAOU FOTIS &
72	9956	CAPRIDGE DR	PEELER WILLIAM R &

AGENDA ITEM # 61

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south line of Elm Street, east of Good Latimer Expressway

Recommendation of Staff and CPC: Approval for a three-year period, subject to revised conditions

Z156-230(SM)

FILE NUMBER: Z156-230(SM)

DATE FILED: March 11, 2016

LOCATION: South line of Elm Street, east of Good Latimer Expressway

COUNCIL DISTRICT: 2

MAPSCO: 45 M

SIZE OF REQUEST: Approx. 0.75 acres.

CENSUS TRACT: 204

APPLICANT: Patrick Bridges, Anvil Pub

REPRESENTATIVE: Audra Buckley, Permitted Development

OWNER: MGP Holdings, LLC

REQUEST: An application for the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.

SUMMARY: The applicant proposes to continue the use of the property of a bar, lounge, or tavern [Anvil Pub].

CPC RECOMMENDATION: **Approval** for a three-year period, subject to revised conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to revised conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a 4,500 square feet one-story structure used as a bar, lounge or tavern with a 500 square foot uncovered patio.
- On June 14, 2006, the City Council approved an amendment to PDD No. 269 which requires an SUP for this use category.
- On November 26, 2011, the City Council approved SUP No. 1913 for a two-year period.
- On August 14, 2013, the City Council approved the renewal of SUP 1913 for a three year period.
- No revisions or expansion of the use is being requested.

Zoning History:

1. Z134-222 On August 13, 2014, City Council approved the renewal of SUP No. 1757 for a Bar, lounge, or tavern and an Inside commercial amusement use for a Live music venue for a five-year period.
2. Z134-224 On December 10, 2014, the City Council approved SUP No. 2122 for a bar, lounge, or tavern for a two-year period.
3. Z145-114 On January 28, 2015, the City Council approved the renewal of SUP No. 2019 for a bar, lounge, or tavern for a two-year period.
4. Z145-121 On February 11, 2015, the City Council approved the renewal of SUP No. 1783 for a bar, lounge, or tavern for a five-year period.
5. Z145-160 On April 22, 2015, the City Council approved SUP No. 2144 for a bar, lounge, or tavern for a two-year period.
6. Z145-249 On August 12, 2015, the City Council approved the renewal of SUP No. 2050 for a bar, lounge, or tavern for a two-year period.
7. Z156-134 On February 24, 2016, the City Council approved SUP No. 2181 for a tattoo studio for a three-year period.

<u>Thoroughfare</u>	<u>Designation</u>	<u>ROW</u>
Elm Street	Minor Arterial	ROW

STAFF ANALYSIS:

Comprehensive Plan:

The request site lies within an Urban Mixed-Use Building Block. This Building Block provides for a healthy balance of housing, job, and shopping that permits residents to live, work, shop, and play in the same neighborhood. Wide sidewalks and pedestrian features offer alternative access options to this type of area, thus permitting foot and bike traffic to benefit from the mix of uses.

The request is consistent with this building block.

Land Use Compatibility: The applicant is requesting the renewal of SUP No. 1913 in order to continue operation of an existing bar. The use incorporates an uncovered patio (500 square feet) abutting the southern façade (see attached site plan)

The request site consists of a one-story structure that is situated in a blockface consisting of similar architectural character (structures that existed prior to June, 1984), all of which have enjoyed adaptive reuse as this area has enjoyed a significant presence for entertainment venues and compatible retail uses. With the continued expansion of services provided by DART (i.e., completion of the Green Line that traverses this general area), construction and occupancy of medium-density residential projects have established that, in part, serve the hospital campus and downtown central business district. The site is surrounded by a mix of office/retail/restaurant uses that are served by various surface parking lots and metered spaces along Elm 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.

Continuation of the proposed use is consistent with not only the most recent use on the property, but is similar in operational characteristics of other entertainment/retail venue uses in the immediate area. As noted above, the general land use in the immediate area provides for a significant presence of various retail and entertainment venue uses that serve the new housing stock in Deep Ellum as well as serving as a destination for patrons outside of the area.

As a result of this analysis, the request complies with the general provisions for consideration of renewal of SUP No. 1913, subject to conditions; no revisions are required to the existing site plan (see attached).

Traffic: The Engineering Section of the Department of Development Services has reviewed the requested renewal and determined it will not significantly impact the surrounding street system.

Off-Street Parking: PDD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for a bar, lounge, or tavern use on the first floor in an original building; after the first 2,500 square feet, the remainder is parked at one space per 100 square feet of floor area. The applicant occupies 4,500 square feet of floor area, thus a requirement of 20 spaces. The applicant provides for the required spaces via a City-approved parking agreement.

Additionally, it should be noted that a significant number of metered on-street parking spaces exist as well as surface parking lots throughout the immediate area west of the site.

Police Activity: There have been four reported offenses for the most recent three-year period associated with this location as noted below from the Dallas Police Department.

Date	Time	Offense
4/7/2016	23:50	ASSAULT
12/13/2015	2:00	VANDALISM & CRIMINAL MISCHIEF
11/14/2015	18:42	DISORDERLY CONDUCT
9/1/2015	20:40	ASSAULT
4/5/2015	19:40	ASSAULT

Prior CPC Action – May 19, 2016:

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern for a three-year period, subject to revised conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south line of Elm Street, east of North Good Latimer Expressway.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Notices: Area: 200 Mailed: 19
Replies: For: 6 Against: 0

Speakers: None

Bridges and Bridges, LLC

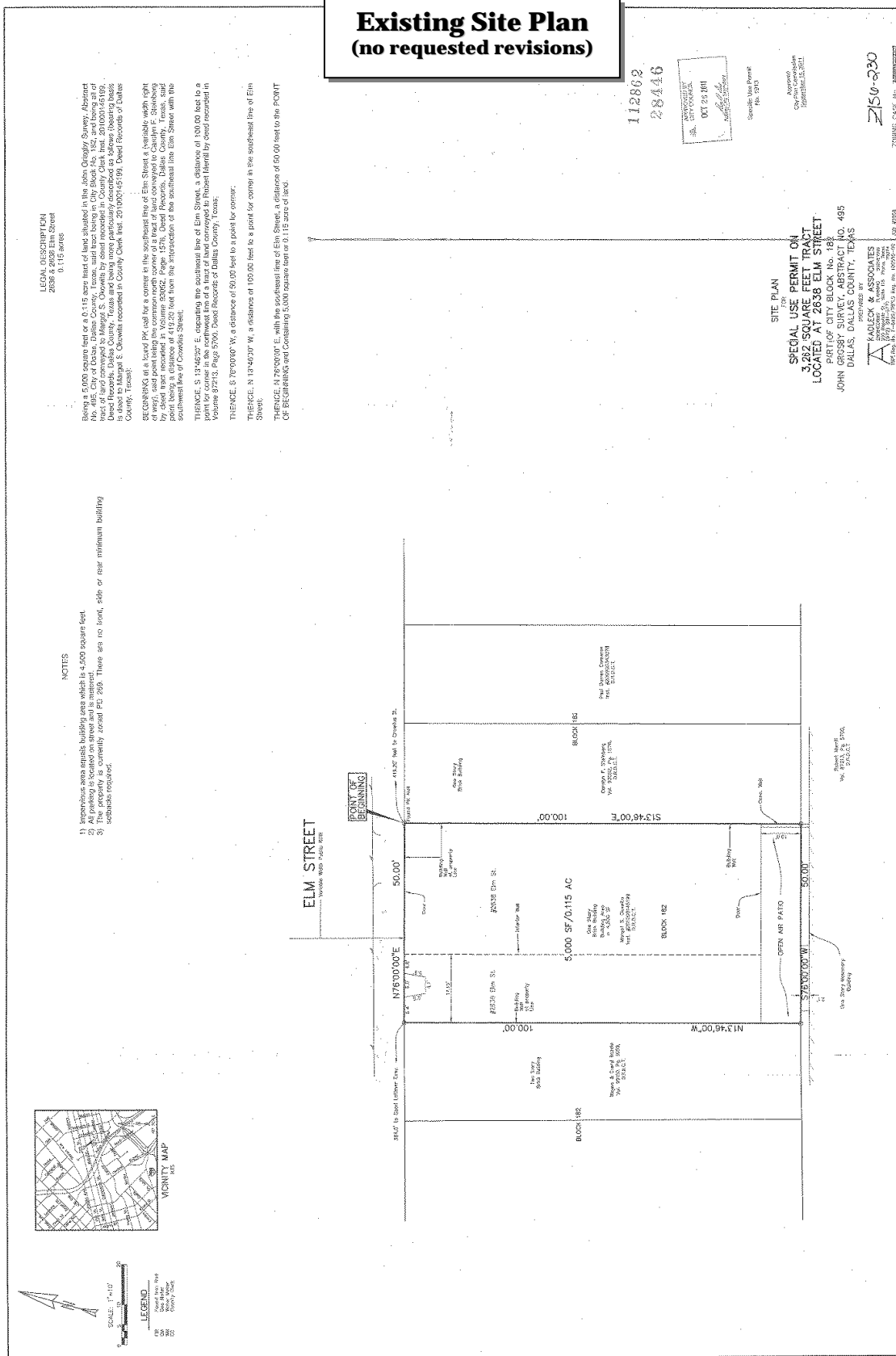
Patrick L Bridges, President

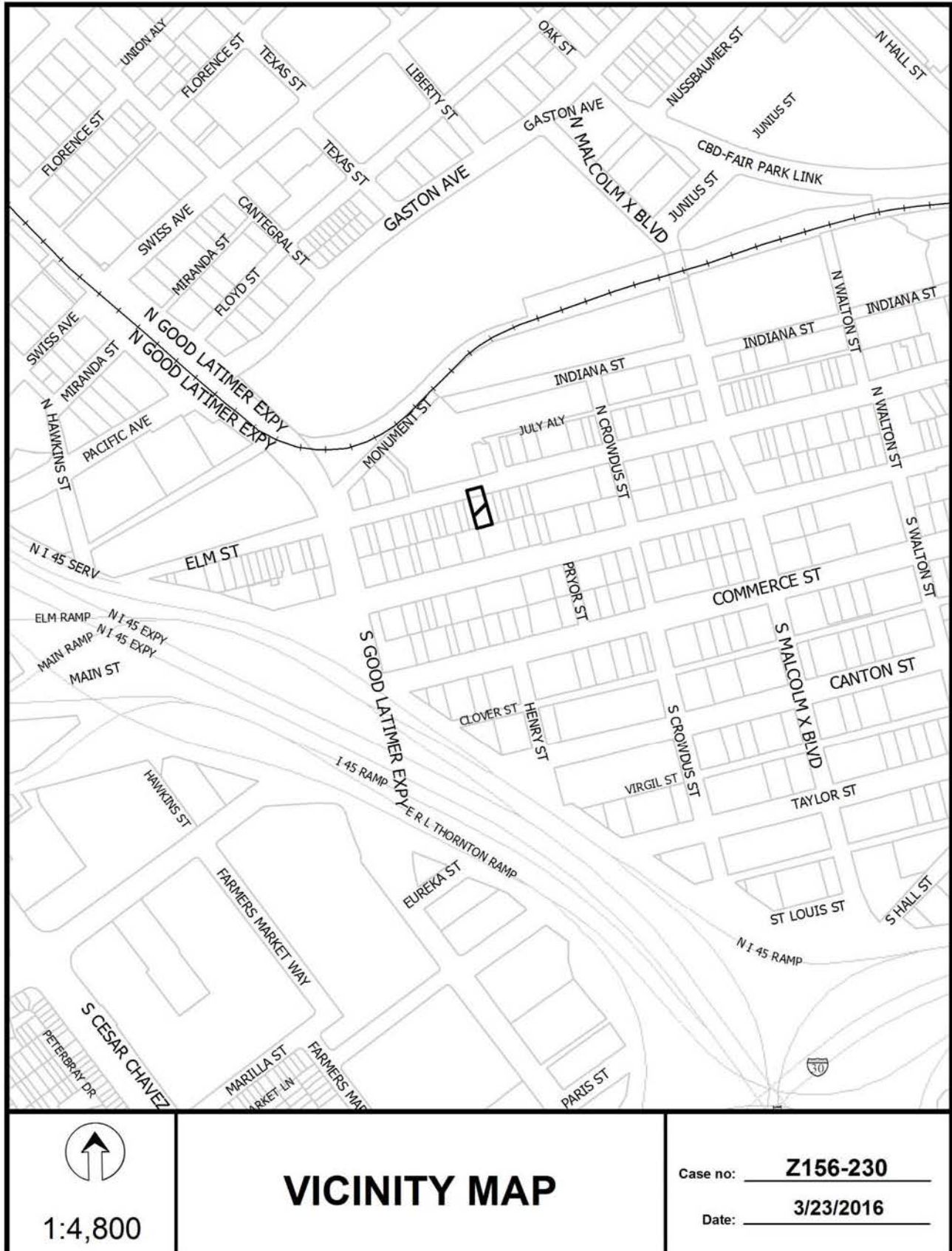
MGP Holdings, LLC

Margot Okowita, President

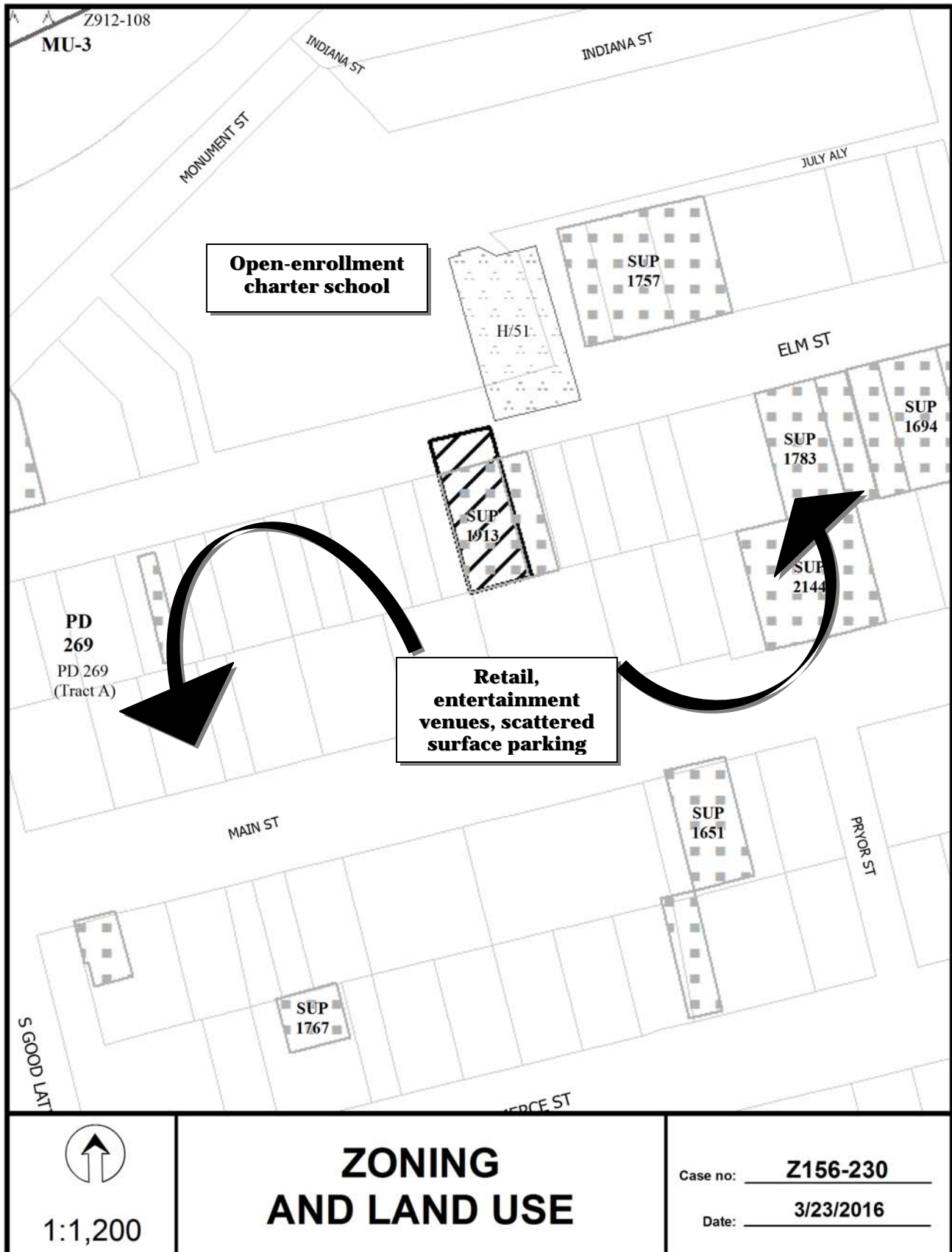
CPC RECOMMENDED AMENDING CONDITIONS FOR SUP NO. 1913

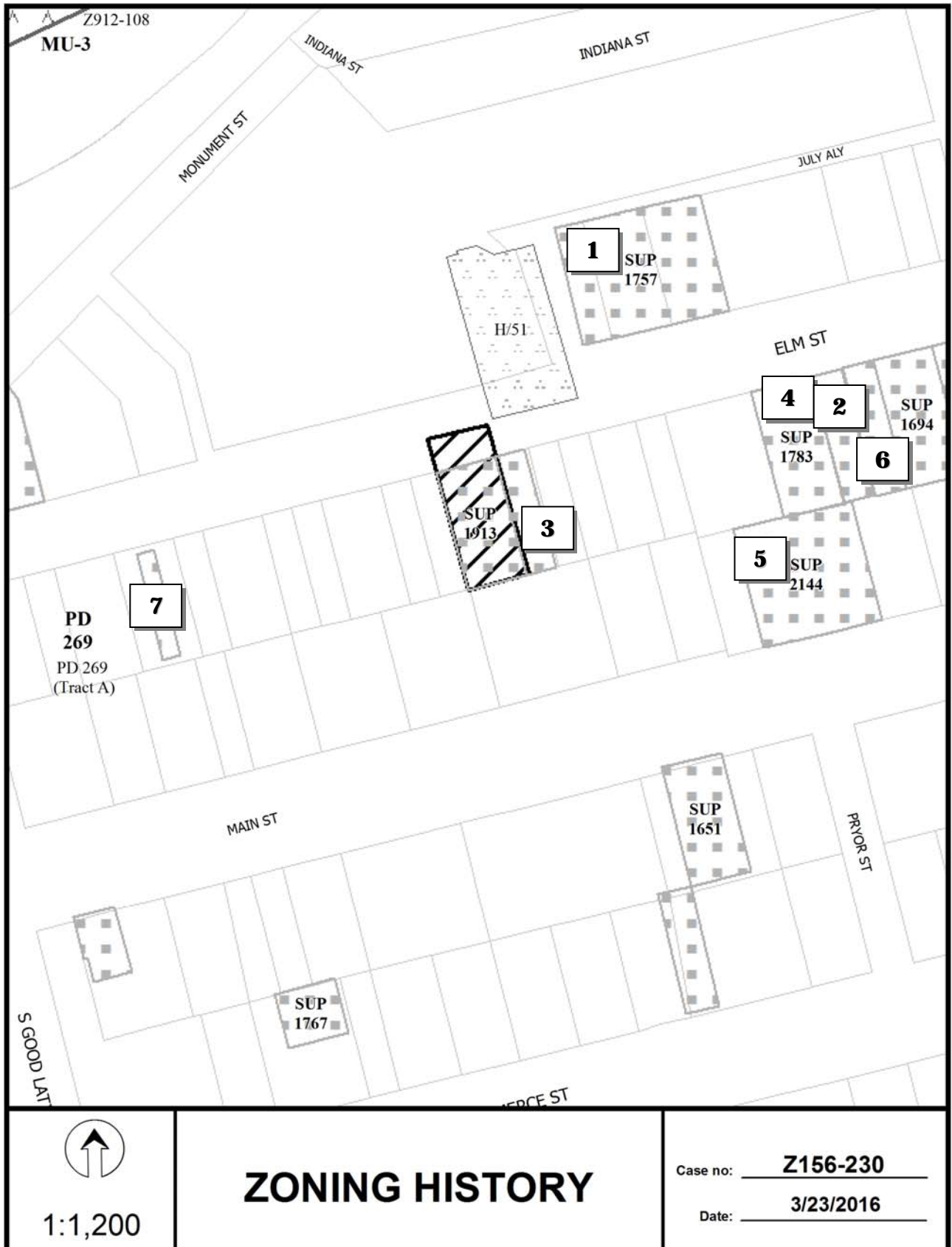
1. USE: The only use authorized by this specific use permit is a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three years) [August 14, 2016].
4. FLOOR AREA:
 - A. Maximum floor area for a bar, lounge and tavern is 4,500 square feet in the location [as] shown on the attached site plan.
 - B. Maximum land area for the uncovered patio is 500 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The bar, lounge or tavern may only operate between 4:00 p.m. and 2:00 a.m. (the next day), Monday through Friday, and between 11:00 a.m. and 2:00 a.m. (the next day), Saturday and Sunday.
6. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.
7. MAINTENANCE: The P[p] 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 [conditions], rules, and regulations of the City of Dallas.













05/18/2016

Reply List of Property Owners***Z156-230******19 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	2638 ELM ST	MGP HOLDINGS LLC
	2	2634 ELM ST	BAZZLE S WAYNE &
O	3	2626 ELM ST	ELM STREET LOFTS LTD
	4	2625 MAIN ST	42 DEEP ELLUM LP
O	5	2634 ELM ST	ROSE BARSHOP RESIDUARY TR
O	6	2628 ELM ST	ROSE BARSHOP RESIDUARY TR
	7	2644 ELM ST	CAMERON PAUL DARREN
	8	2635 MAIN ST	42 DEEP ELLUM LP
O	9	2620 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	10	2642 ELM ST	LALCO INC
	11	2650 ELM ST	ELM ELM LLC
	12	2650 MAIN ST	42 DEEP ELLUM LP
	13	2625 ELM ST	UPLIFT EDUCATION
O	14	2615 ELM ST	WESTDALE PPTIES AMERICA I LTD
O	15	2720 ELM ST	ELM STREET REALTY LTD
	16	2701 MAIN ST	42 DEEP ELLUM LP
	17	2707 ELM ST	BELMOR CORP
	18	2703 ELM ST	BELMOR CORP
	19	2701 ELM ST	BELMOR CORP

AGENDA ITEM # 62

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

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 renewal of Specific Use Permit No. 1914 for the sale of alcoholic beverages in conjunction with a commercial amusement (inside) on property zoned an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay on the southwest corner of R.L. Thornton Freeway and South Buckner Boulevard

Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions

Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions

Z156-213(OTH)

FILE NUMBER: Z156-213(OTH)

DATE FILED: February 25, 2016

LOCATION: Southwest corner of R.L. Thornton Freeway and South Buckner Boulevard

COUNCIL DISTRICT: 7

MAPSCO: 48-G

SIZE OF REQUEST: \pm 3,298 square feet

CENSUS TRACT: 122.07

REPRESENTATIVE: Roger Albright

APPLICANT: Garibaldi Sports Bar Private Club, Inc.

OWNER: 9334, Ltd., c/o S.L.J.C., GP

REQUEST: An application for the renewal of Specific Use Permit No. 1914 for the sale of alcoholic beverages in conjunction with a commercial amusement (inside) on property zoned an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue the use of the property for the sale of alcoholic beverages in conjunction with the existing restaurant without drive-in or drive-through service (Garibaldi Sports Bar Private Club, Inc.).

CPC RECOMMENDATION: **Approval** for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing use and the request to allow the continuation of the use of the property for the sale of alcoholic beverages in conjunction with a commercial amusement (inside) use is compatible with the adjacent retail uses in the area. The use should not negatively impact the surrounding area from a land use perspective.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use has had neither a positive nor negative contribution to the welfare of adjacent properties.
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.

Zoning History: There have not been any zoning changes requested in the near vicinity over the past 5 years.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
South Buckner Boulevard	Principal Arterial	Variable
R. L. Thornton Freeway	Freeway	Variable

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested renewal and determined it will not impact the surrounding street system.

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.

Multimodal corridors support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

In general, the applicant’s request for a Specific Use Permit for the sale of alcohol is consistent with the Comprehensive Plan.

STAFF ANALYSIS:

Land Use Compatibility:

The request site comprises ±3,239-square feet of floor area within a ±64,000 square-foot building utilized for retail and personal service uses. The existing uses are a commercial amusement (inside) for a ±300-square foot dance floor and a bar in conjunction with the commercial amusement (inside). A commercial amusement inside may be allowed by right in an RR Regional Retail District unless the floor area exceeds 2,500 square feet or more and is located within 300 feet of a residential district.

Specific Use Permit No. 1914 is for the sale of alcohol in conjunction with a commercial amusement (inside) use. The property is zone RR-D-1. The D-1 overlay requires an SUP for the sale of alcohol. Specific Use Permit No. 1914 was originally approved on

November 26, 2011 for a two-year period. A renewal was approved on September 25, 2013 for a three-year period. The SUP will expire on September 25, 2016.

The request site is surrounded by R.L. Thornton Freeway right-of-way to the north; surface parking to the east; retail and personal service uses and vehicle service center to the south; and retail uses 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.

Staff is supportive of the continuation of the existing use because it meets the intent of the comprehensive plan and it is compatible with the surrounding uses.

Parking:

Parking must be provided pursuant to §51A-4.200 of the Dallas Development Code. The commercial amusement (inside) requires one (1) space per 100 square feet of floor area. The area of request is 3,239 square feet with a 300 square feet dance floor. therefore, the applicant must provide 29 parking spaces for the commercial amusement and bar and 12 for the dance floor. The proposed/existing uses require a total of 41 parking spaces. The proposed site is located in a large retail center which has 429 parking spaces to serve the retail center. Parking must be provided as shown on the site plan.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

CPC ACTION:
May 19, 2016

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1914 for the sale of alcoholic beverages in conjunction with a commercial amusement (inside) for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions on property zoned an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay on the southwest corner of R.L. Thornton Freeway and South Buckner Boulevard.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Notices: Area: 200 Mailed: 1
Replies: For: 0 Against: 0

Speakers: None

List of Partners/Principals/Officers

9334, Ltd., c/o S.L.J Company, L.L.C. GP

Louis H. Lebowitz General Partner, President

Garibaldi Sports Bar Private Club, Inc.

Sandra Valenzuela Treasurer

Police Report:

A copy of the police report of all the offenses for the property is provided below for the period of October 26, 2013 to March 31, 2016. (Records for the use were not provided separately).

Crime Counts from Oct 26 2013 - Mar 24 2016 (Crime Part 1)

UCR Offense	Year			Grand Total
	2014	2015	2016	
OTHER THEFTS	3	6	0	9
ROBBERY-INDIVIDUAL	2	1	0	3
THEFT/BMV	4	1	2	7
THEFT/SHOPLIFT	2	0	0	2
UUMV	2	6	6	14
Grand Total	13	14	8	35

**Crime Counts from Jun 12 2013 - Mar 24 2016
(Crime Part 1)**

UCR Offense	Year		Grand Total
	2014	2015	
AGG ASSAULT - NFV	1	1	2
OTHER THEFTS	1	0	1
ROBBERY-INDIVIDUAL	2	0	2
THEFT/BMV	2	3	5
Grand Total	6	4	10

Crime Counts from Oct 26 2013 - Mar 24 2016 (Crime Part 2)

UCR Offense	Year			Grand Total
	2014	2015	2016	
ASSAULT	2	2	0	4
DISORDERLY CONDUCT	1	0	0	1
FRAUD	0	0	1	1
ROBBERY-INDIVIDUAL	0	2	0	2
THEFT/BMV	1	0	0	1
VANDALISM & CRIM MISCHIEF	1	0	0	1
Grand Total	5	4	1	10

**PROPOSED CONDITIONS
SUP No. 1914**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a commercial amusement (inside).
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

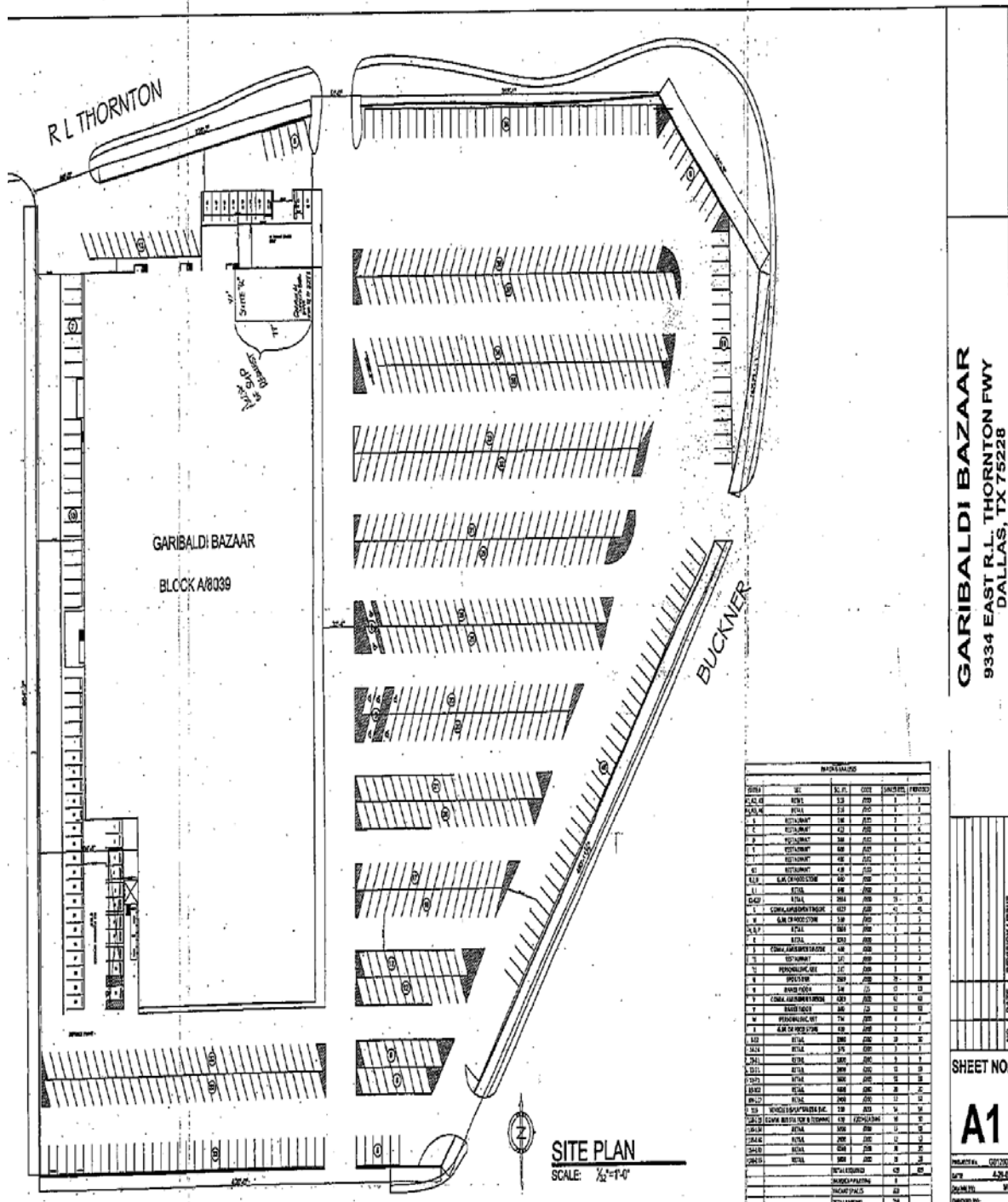
CPC Recommendation:

3. TIME LIMIT: This specific use permit is approved only for a period that expires on three years ~~August 21, 2017~~ and is eligible for automatic renewal for additional three-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 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.)

Staff's recommendation

3. TIME LIMIT: This specific use permit automatically expires on (three years) ~~on September 25, 2016~~, but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN

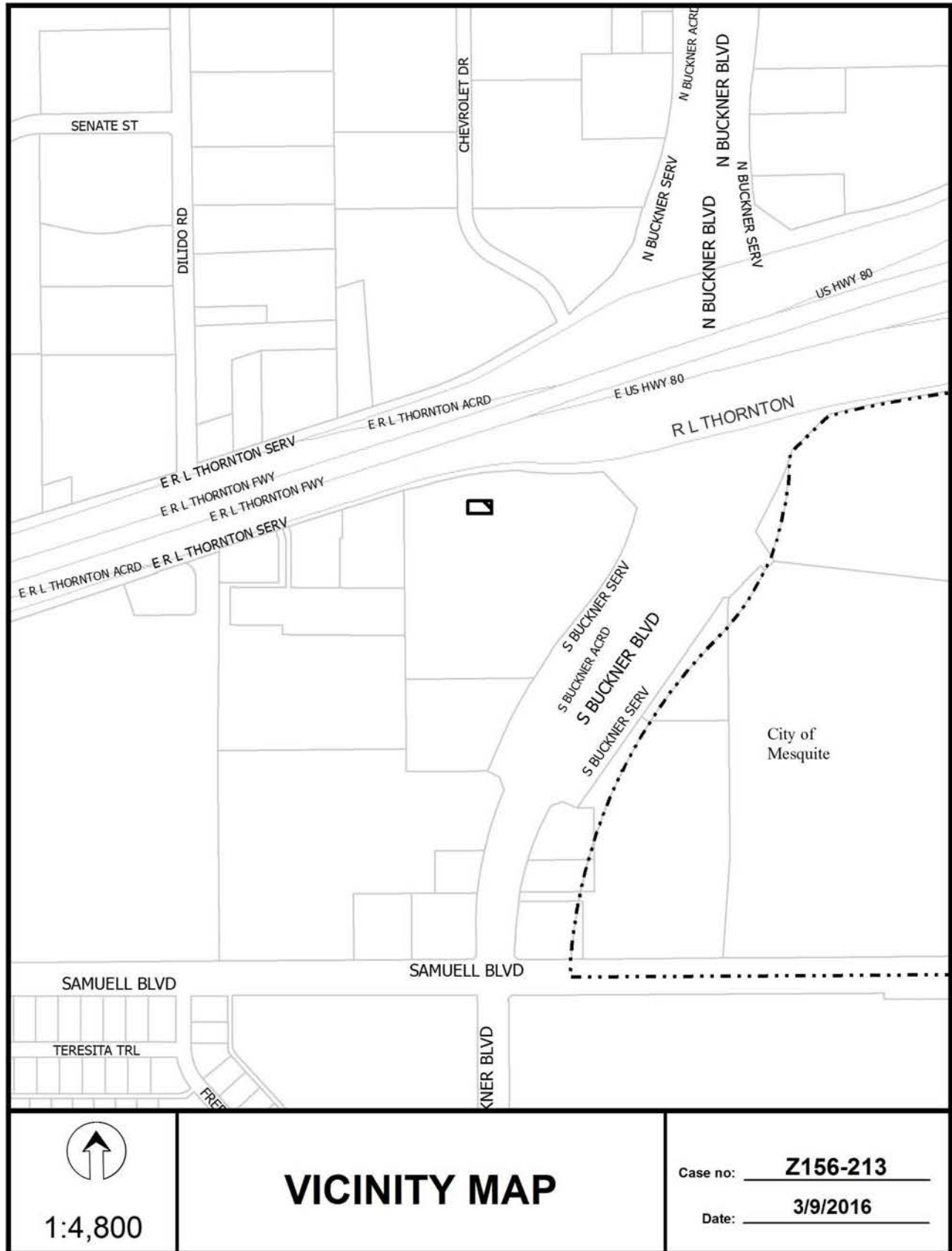


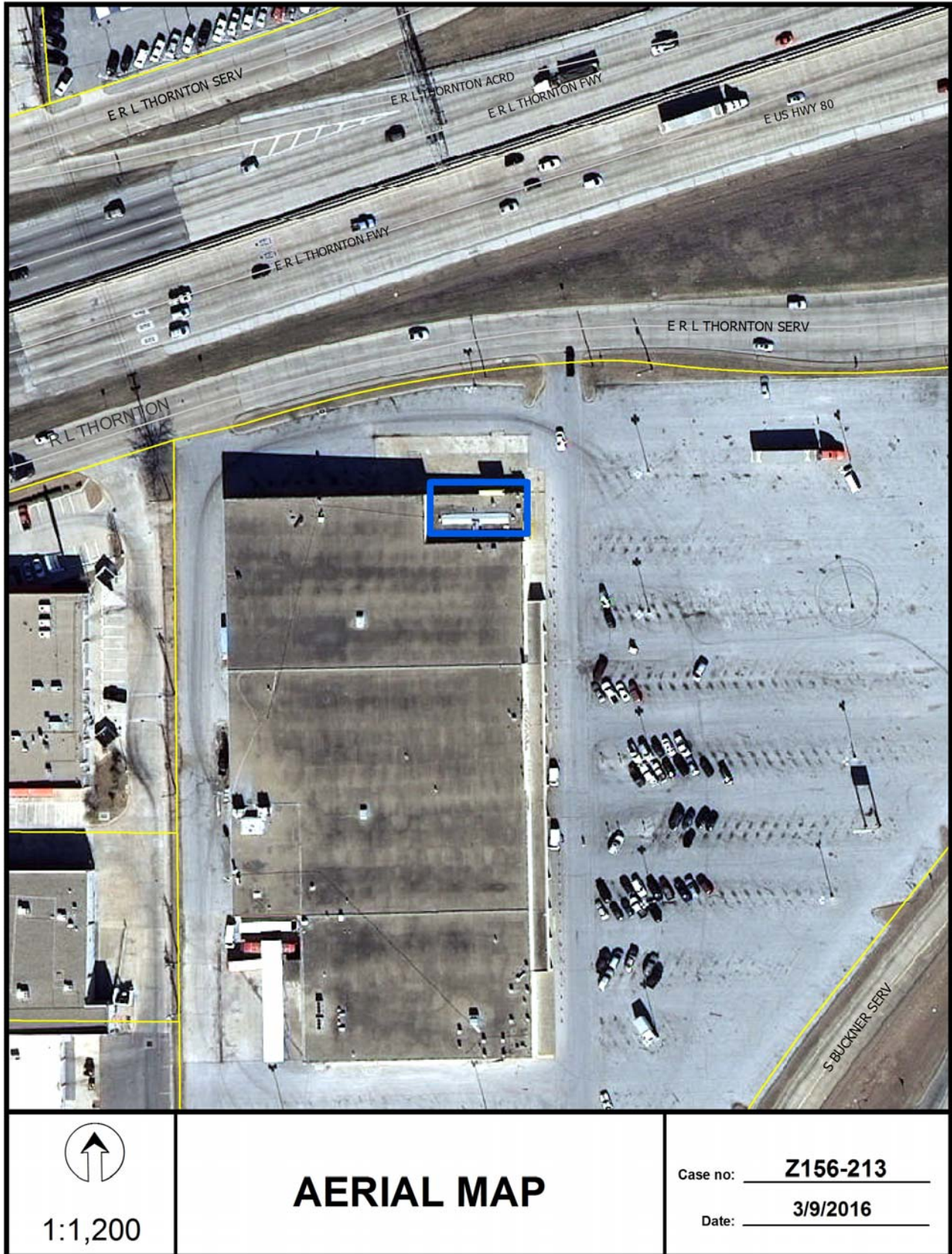
GARIBALDI BAZAAR
9334 EAST R.L. THORNTON FWY
DALLAS, TX 75228

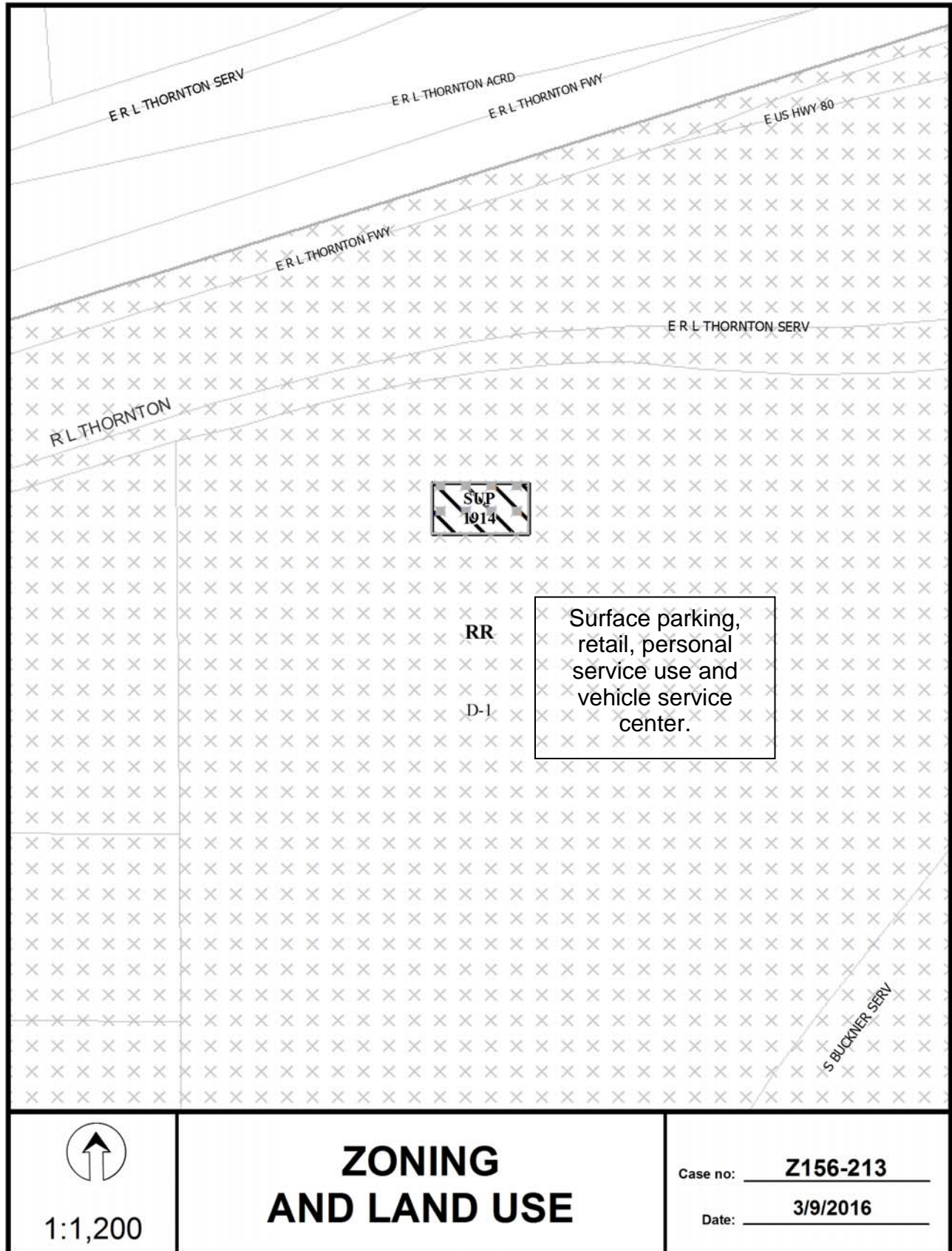
SHEET NO.

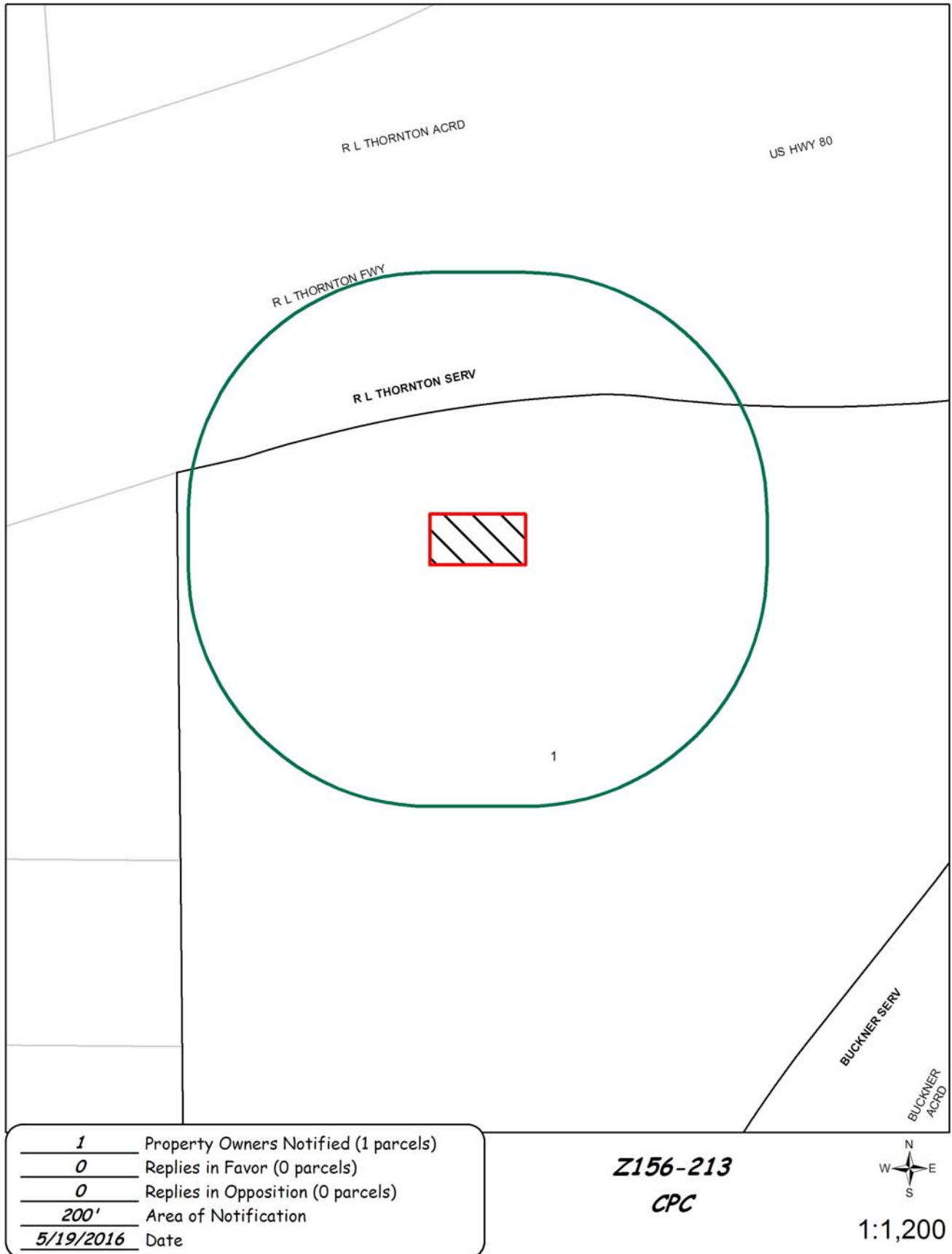
A1

DATE: 02/17/78
BY: J.S.B.
CHECKED: J.S.B.
DESIGNED: J.S.B.









Z156-213(OTH)

05/18/2016

Reply List of Property Owners

Z156-213

1 Property Owners Notified

0 Property Owners in Favor

0 Property Owners Opposed

Reply Label # Address

Owner

1 9334 E R L THORNTON FWY

9334 LTD

AGENDA ITEM # 63

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 36 T

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, north of Prospect Avenue

Recommendation of Staff: Approval for a three-year period, subject to conditions

Recommendation of CPC: Approval for a five-year period, subject to conditions

Z156-217(WE)

FILE NUMBER: Z156-217(WE) **DATE FILED:** February 26, 2016

LOCATION: East line of Greenville Avenue, north of Prospect Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 36 T

SIZE OF REQUEST: Approx. 1,240 sq. ft. **CENSUS TRACT:** 11.01

APPLICANT: O Dokie LLC

OWNER: Greenville 2100 Ltd.

REPRESENTATIVE: Roger Albright

REQUEST: An application for the renewal of Specific Use Permit No. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay.

SUMMARY: The purpose of this request is to continue to operate an existing bar, lounge or tavern use past 12:00 a.m. [Single Wide].

CPC RECOMMENDATION: **Approval** for a five-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The request site has been operating with a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use since September 2011. The use is compatible with the surrounding uses and should not negatively impact the area from a land use perspective.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use would not present a positive nor negative contribution to the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request site will conform to all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- The existing improvements are utilized for a bar, lounge, or tavern use. Additionally, the applicant will have to apply and receive a private license to use a 207 square foot area of the public sidewalk for an uncovered patio area (see attached site plan).
- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses, and furthermore required an SUP for any retail and personal service uses operating after 12:00 a. m.
- On September 14, 2011, the City Council approved SUP No. 1889 for a two-year period. On August 28, 2013, the City Council approved a renewal of SUP No. 1889 for a three-year period.
- The applicant is requesting the renewal of SUP No. 1889 to continue operation of the existing use past 12:00 a.m.
- The site lies within the Area 3 portion of Modified Delta Overlay No. 1.

Zoning History: There have been five zoning cases in the area over the past five years.

1. Z101-261 On August 10, 2011, the City Council approved a Specific Use Permit for a Late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period.
2. Z101-303 On September 14, 2011, the City Council approved a Specific Use Permit for a Late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period subject to a site plan and conditions.
3. Z101-326 On September 14, 2011, the City Council approved a Specific Use Permit for a Late-hours establishment limited to a restaurant without drive-in or drive-through service for a two-year period subject to a site plan and conditions.
4. Z101-260 On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a two-year period subject to a site plan and conditions. [Expired in 2013]
5. Z112-107 On December 14, 2011, the City Council approved a Specific Use Permit for a General merchandise or food store less than 3,500 square feet and a motor vehicle fueling station for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Greenville Avenue	Local	50 ft.	50 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

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 along a Main Street Block.

Main streets are modeled after the American tradition of "main street" as a place for living, working and shopping. Examples of these streets with concentrations of pedestrian activity include Jefferson Boulevard, Knox-Henderson and Lovers Lane. Main streets, typically no more than a mile long, are active areas with buildings one to four stories in height and usually placed right up to the sidewalk with parking available on-street. Away from the "main street," density quickly diminishes, thus minimizing impacts on nearby neighborhoods. This Building Block will likely be served by bus or rail and contain safe and pleasant walking environments. Streets have trees and wide sidewalks. There may even be landscaped paths from the "main street" to rear parking areas, sidewalk cafes, outdoor dining areas or courtyards. The primary public investment in these areas will be upgrading streets and walkways to create safe high-quality pedestrian environments.

LAND USE ELEMENT:

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns

Area Plans: Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that "the City enforce premise code violations as it does in other parts of the City of Dallas". Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that "initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action." Recommendations from both studies are still applicable today and consistent with authorized hearing SUP recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

Modified Delta Overlay No. 1: The request site is located within Modified Delta Overlay No. 1. In general terms, 'delta theory' means the number of nonconforming parking or loading spaces for a use that may be carried forward when the use is converted or expanded.

The 'modified delta', in effect, prohibits the application of the delta theory due to a ceasing of a need to encourage redevelopment and adaptive reuse of existing structures or that the continued application of the delta theory will create traffic congestion and public safety issues.

The site lies within Modified Delta Overlay No. 1 (MD-1), which consists of three 'Areas' in an area generally bounded by Ellsworth Avenue, west of Matilda Street, north of Ross Avenue, and east of Summit Avenue/Worcola Street. This site lies within the Area 3 portion of MD-1 which was adopted by the City Council on October 1, 1987.

A June 14, 1995 City Council resolution provides for replacing parking in the right-of-way that is lost due to locating public dining space (subject to the granting of a private license) within this area, and requiring parking for the public dining area (1 space/300 square feet of public dining space). Lastly, a June 28, 1995 amendment to the ordinance provides for the following: 1) a use that is discontinued or remains vacant for 12 months loses the right to carry forward nonconforming parking/loading under the delta theory; 2) the Board of Adjustment may not grant a special exception for required parking; 3) walking distance for remote parking is increased to 900 feet; and, 4) special parking may account for more than 50% of required parking for a use.

Land Use Compatibility:

	Zoning	Land Use
Site	PDD No. 842, SUP No. 1889	Bar, lounge or tavern
North	PDD No. 842	Restaurant
South	PDD No. 842	Restaurant
East	PDD No. 842	Surface parking, Multifamily
West	PDD No. 842	Restaurant

The request site is surrounded by a mix of office, retail, and entertainment uses. Medium density residential uses are developed on properties to the east, across the site's off-street parking area. The applicant's request is to continue to operate an existing bar, lounge or tavern use past 12:00 a.m.

The purpose of PDD No. 842 is to 'ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues.' As defined in the PDD, a late-hours establishment is any retail or personal service use that operates between 12:00 a.m. and 6:00 a.m., and furthermore requires an SUP for this defined use. Additionally,

the City Council adopted a compliance date of September 23, 2011 for any retail and personal service use operating beyond 12:00 a.m. to obtain the required SUP.

PDD No. 842 establishes the following criteria for consideration of an SUP for a late-hours establishment:

(e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):

(1) the number of citations issued by police to patrons of the establishment;

(2) the number of citations issued by police for noise ordinance violations by the establishment;

(3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;

(4) the number of Texas Alcoholic Beverage Code violations of the establishment; and

(5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

The applicant has operated at this location in a responsible manner, with two reported offenses during a two year period. In addition to the regulations of PDD No. 842, the Dallas Development Code establishes general criteria for any use requiring an SUP:

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 842	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

Landscaping: The request site will not trigger any landscaping that will comply will Article X. The existing development is not increasing any floor area or impervious surface.

Parking: Since 1985, the request site has been operating as a bar, lounge or tavern. There are 10 delta credits that exist on the Property and will continue to be used to satisfy the off-street requirement of this use.

Dallas Police Department: The following chart list the number of citations the request site occurred during the last 24 months based on the criteria in PDD No. 842 for a late hour establishment.

Citations within the last 24 months (04/17/2014 – 04/17/2016)

Factors to be considered	Request site
Number of Citations issued by police to patrons of the establishment	1
Number of Citations issued by police for noise ordinance violations by the establishment	0
Number of arrests for public intoxication or disorderly conduct associated with the establishment	1
Number of Texas Alcoholic Beverage Code violations of the establishment	0
Number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment	0
Total	2

CPC Action (May 19, 2016)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use for a five-year period, subject to conditions on property within Planned Development District No. 842 for CR Community Retail District Uses, on the east line of Greenville Avenue, north of Prospect Avenue.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston*, Davis,
Anantasomboon*, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 20
Replies: For: 3 Against: 0

Speakers: For: Roger Albright, 3301 Elm St., Dallas, TX, 75202
Patricia Carr, 5843 Vanderbilt Blvd., Dallas, TX, 75206
Against: None

LIST OF OFFICERS Greenville 2100 LLC
--

- Susan B. Reese President
- Larry Vineyard Vice President

LIST OF OFFICERS O Dokie, LLC

- Kimberly Finch, Sole Member

**CPC PROPOSED SUP
CONDITIONS**

1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation

3. TIME LIMIT: This specific use permit expires on ~~[August 28, 2016]~~, (five-year period from the passage of this ordinance).

Staff's Recommendation

3. TIME LIMIT: This specific use permit expires on ~~[August 28, 2016]~~, (three-year period from the passage of this ordinance).

4. FLOOR AREA: The maximum floor area is 1,000 square feet.

5. HOURS OF OPERATION:

A. The late-hours establishment may only operate between 12:00 a.m. (midnight) and 2:00 a.m. Monday through Sunday.

B. All customers must leave the Property by 2:15 a.m.

6. OUTDOOR LOUDSPEAKERS: Use of outdoor loudspeakers on the Property is prohibited.

7. OUTDOOR PATIO:

A. The maximum outdoor patio area is 207 square feet in the location shown on the attached site plan.

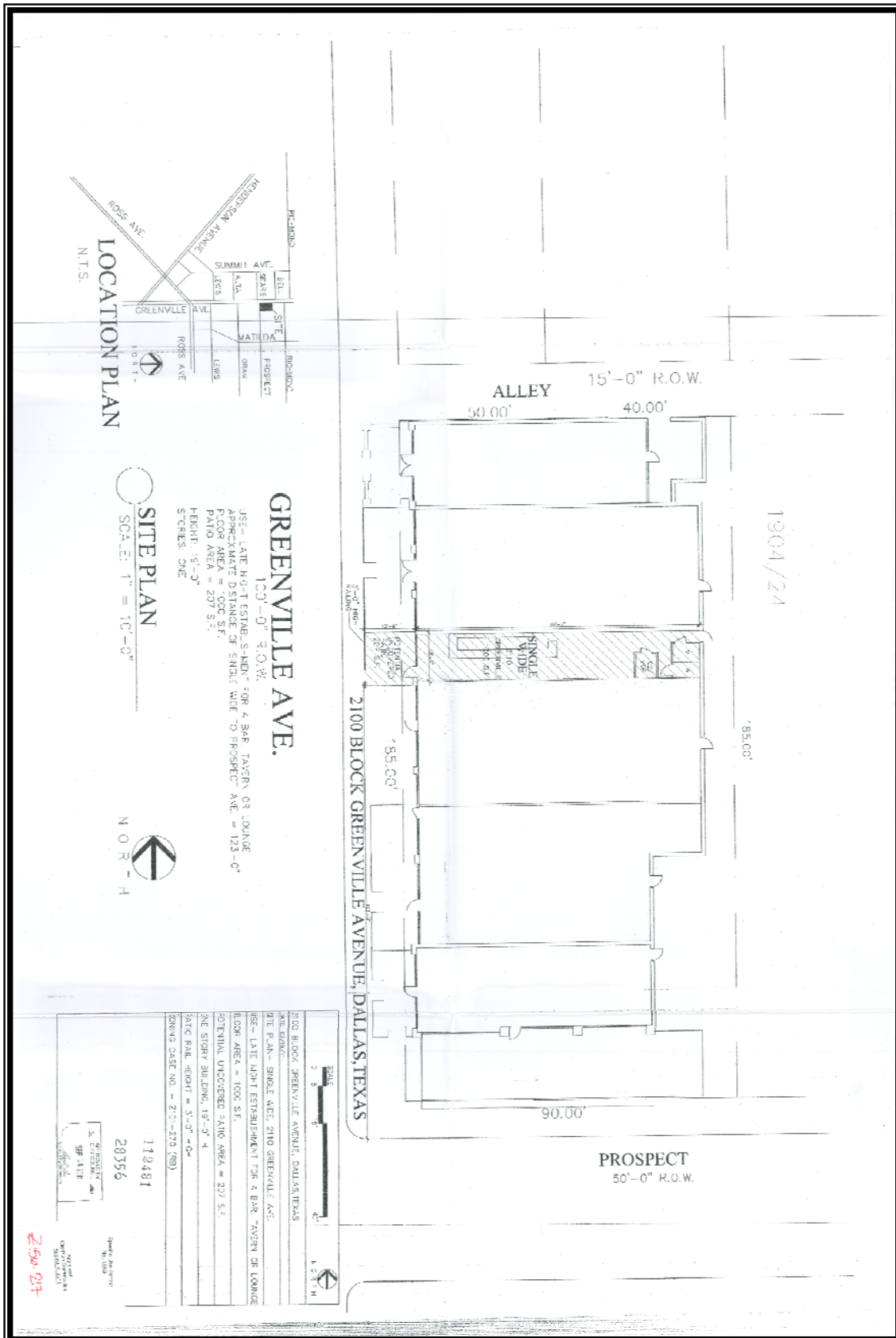
B. The patio must be uncovered.

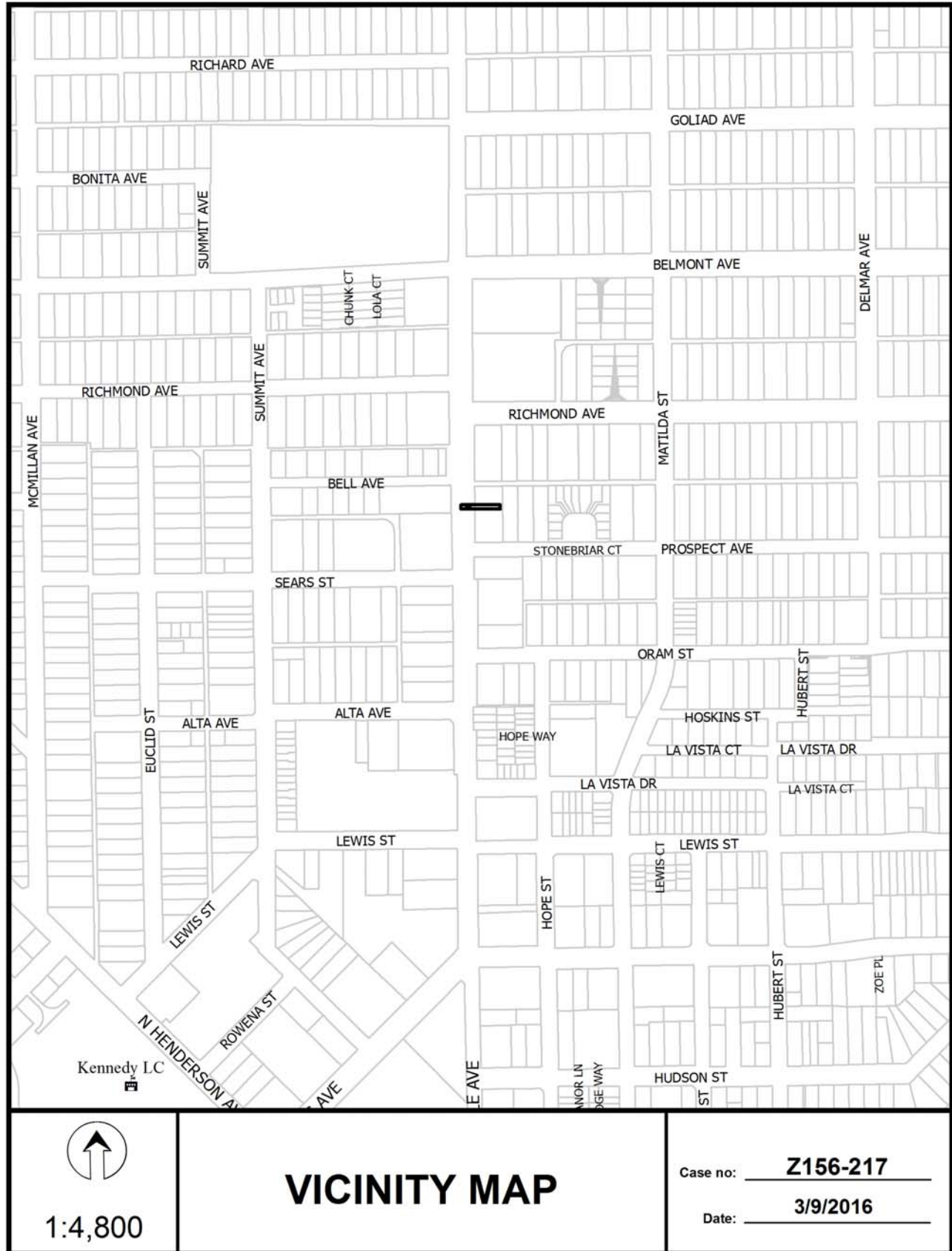
C. The owner or operator must obtain a private license for an outdoor patio, with a copy of the private license provided to the building official, before the outdoor patio may be used by customers.

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.

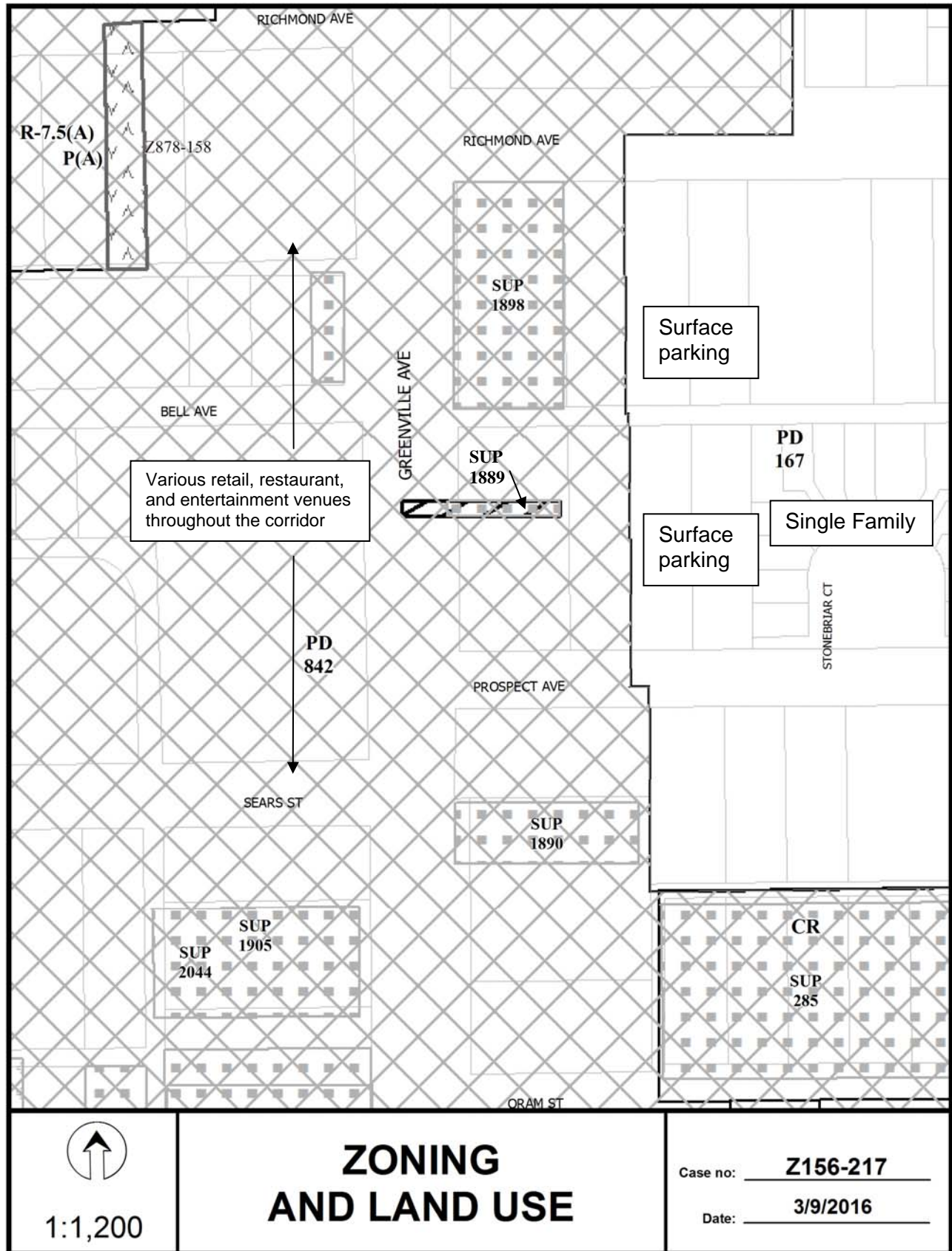
EXISTING SITE PLAN

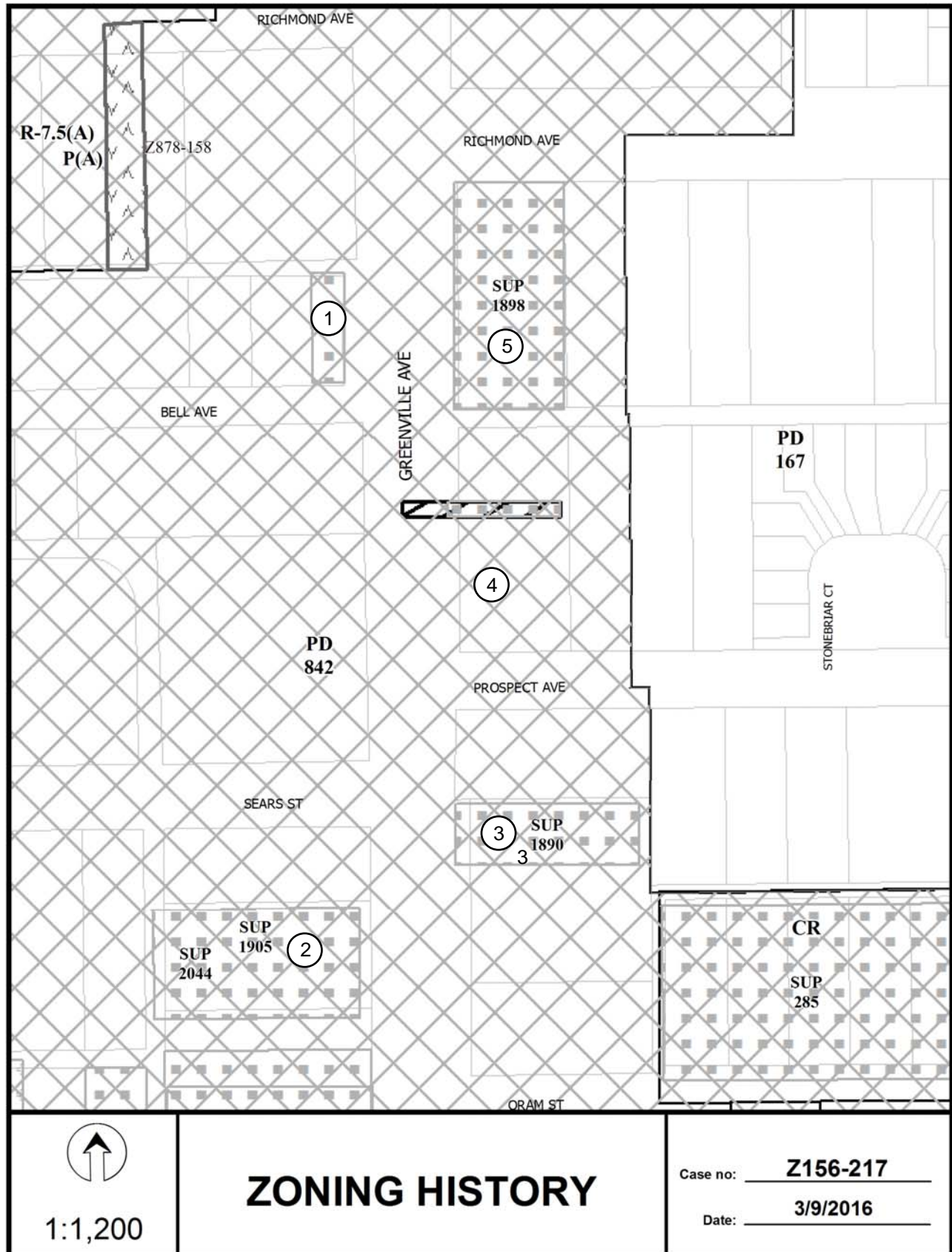




Z156-217(WE)





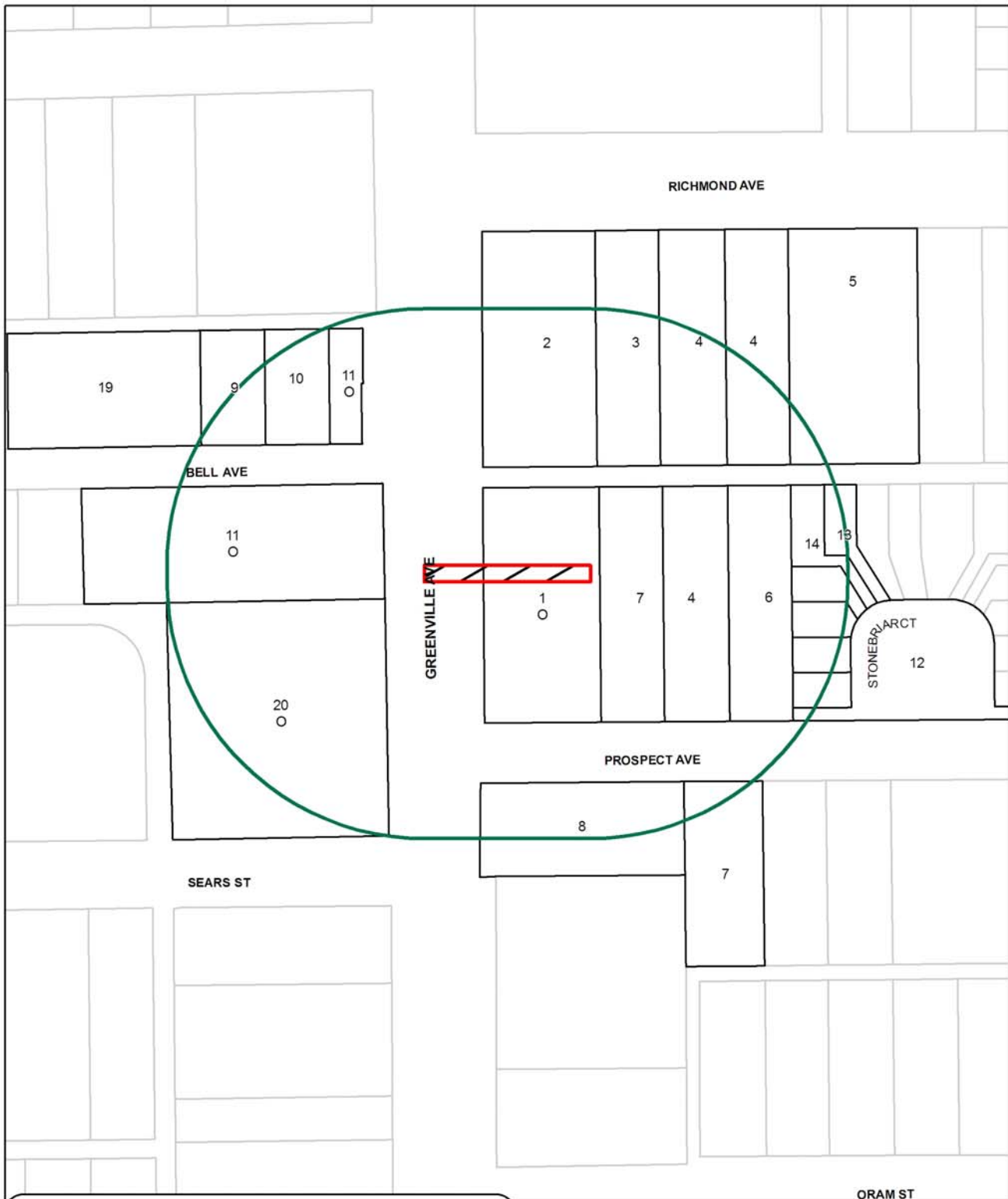


ZONING HISTORY

Case no: Z156-217
Date: 3/9/2016

1:1,200

CPC RESPONSES



<u>20</u>	Property Owners Notified (24 parcels)
<u>3</u>	Replies in Favor (4 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>5/19/2016</u>	Date

Z156-217
CPC



1:1,200

Notification List of Property Owners

Z156-217

20 Property Owners Notified 3 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	2100 GREENVILLE AVE	GREENVILLE 2100 LTD
	2	5702 RICHMOND AVE	GREENVILLE ROSS PTNR LTD
	3	5710 RICHMOND AVE	SANCHEZ FIDENCIO
	4	5714 RICHMOND AVE	REESE GRANDCHILDRENS
	5	5722 RICHMOND AVE	EUSTACHIO PIETRO
	6	5719 PROSPECT AVE	MADISON PACIFIC DEV COM
	7	5711 PROSPECT AVE	ANDRES FAMILY TRUST
	8	2026 GREENVILLE AVE	ANDRES FAMILY TRUST
	9	5639 BELL ST	EATON ROAD LTD
	10	5643 BELL ST	BATM PROP LP
O	11	2101 GREENVILLE AVE	2001 GREENVILLE VENTURE
	12	2100 STONEBRIAR CT	STONEBRIAR CT H O A
	13	6 STONEBRIAR CT	KELLEY STEPHANIE C &
	14	5 STONEBRIAR CT	CUMMINGHAM CAROLINE
	15	4 STONEBRIAR CT	STOKES ROBERT CHARLES
	16	3 STONEBRIAR CT	MATTHEW JOHN W &
	17	2 STONEBRIAR CT	WHITE SHARI
	18	1 STONEBRIAR CT	HOOPER NICOLE E
	19	5627 BELL ST	LEFEBVRE DALE
O	20	2001 GREENVILLE AVE	2001 GREENVILLE VENTURE LTD

AGENDA ITEM # 64

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 36 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in service use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Lewis Street

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

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

Z156-224(WE)

FILE NUMBER: Z156-224(WE) **DATE FILED:** March 14, 2016
LOCATION: On the northeast corner of Greenville Avenue and Lewis Street
COUNCIL DISTRICT: 14 **MAPSCO:** 36 X
SIZE OF REQUEST: Approx. 29,010 sq. ft. **CENSUS TRACT:** 11.01

APPLICANT: Dien Nguyen

OWNER: 1800 Greenville Partners, LLC

REPRESENTATIVE: Lam Tran

REQUEST: An application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in service use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay.

SUMMARY: The purpose of this request is to allow for a restaurant to operate past 12:00 a.m. [Wabi House].

CPC RECOMMENDATION: Approval for a one-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* – The request site has been operating as a restaurant without a drive-in service under various certificate of occupancies since 2009. In June 2015, the Building Official issued a CO certificate of occupancy to the owner for a restaurant without a drive-in service. The use is compatible with the surrounding uses and should not negatively impact the area from a land use perspective. Staff is recommending a Specific Use Permit for a two year period to allow the owner to operate within the boundaries of the SUP conditions and determine if the owner is a good neighbor. If within the two year period the owner established themselves as a good neighbor, they can submit an application for a longer time period.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use would not present a positive nor negative contribution to the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request site will conform to all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses, and furthermore requires an SUP for any retail and personal service uses operating after 12:00 a.m.
- The site lies within the Area 3 portion of Modified Delta Overlay No. 1.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Greenville Avenue	Local	50 ft.	50 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

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 along a Main Street Block.

Main streets are modeled after the American tradition of "main street" as a place for living, working and shopping. Examples of these streets with concentrations of pedestrian activity include Jefferson Boulevard, Knox-Henderson and Lovers Lane. Main streets, typically no more than a mile long, are active areas with buildings one to four stories in height and usually placed right up to the sidewalk with parking available on-street. Away from the "main street," density quickly diminishes, thus minimizing impacts on nearby neighborhoods. This Building Block will likely be served by bus or rail and contain safe and pleasant walking environments. Streets have trees and wide sidewalks. There may even be landscaped paths from the "main street" to rear parking areas, sidewalk cafes, outdoor dining areas or courtyards. The primary public investment in these areas will be upgrading streets and walkways to create safe high-quality pedestrian environments.

LAND USE ELEMENT:

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns

Area Plans: Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that "the City enforce premise code violations as it does in other parts of the City of Dallas". Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that "initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action." Recommendations from both studies are still applicable today and consistent with authorized hearing SUP recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

Modified Delta Overlay No. 1: The request site is located within Modified Delta Overlay No. 1. In general terms, 'delta theory' means the number of nonconforming parking or

loading spaces for a use that may be carried forward when the use is converted or expanded.

The 'modified delta', in effect, prohibits the application of the delta theory due to a ceasing of a need to encourage redevelopment and adaptive reuse of existing structures or that the continued application of the delta theory will create traffic congestion and public safety issues.

The site lies within Modified Delta Overlay No. 1 (MD-1), which consists of three 'Areas' in an area generally bounded by Ellsworth Avenue, west of Matilda Street, north of Ross Avenue, and east of Summit Avenue/Worcola Street. This site lies within the Area 3 portion of MD-1 which was adopted by the City Council on October 1, 1987.

A June 14, 1995 City Council resolution provides for replacing parking in the right-of-way that is lost due to locating public dining space (subject to the granting of a private license) within this area, and requiring parking for the public dining area (1 space/300 square feet of public dining space). Lastly, a June 28, 1995 amendment to the ordinance provides for the following: 1) a use that is discontinued or remains vacant for 12 months loses the right to carry forward nonconforming parking/loading under the delta theory; 2) the Board of Adjustment may not grant a special exception for required parking; 3) walking distance for remote parking is increased to 900 feet; and, 4) special parking may account for more than 50% of required parking for a use.

Land Use Compatibility:

	Zoning	Land Use
Site	PD No. 842	Restaurant
North	PD No. 842, MF-2(A)	Retail, Multifamily
South	PD No. 842	Auto related use
East	MF-2(A)	Multifamily
West	PD No. 691	Multifamily, Retail

The request site is surrounded by a mix of retail, auto related uses and Multifamily uses. Medium density residential uses are developed on properties to the east, across Hope Street. The applicant's request is to allow for the restaurant to operate past 12:00 a.m.

The purpose of PDD No. 842 is to 'ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues.' As defined in the PDD, a late-hours establishment is any retail or personal service use that operates between 12:00 a.m. and 6:00 a.m., and furthermore requires an SUP for this defined use. Additionally, the City

Council adopted a compliance date of September 23, 2011 for any retail and personal service use operating beyond 12:00 a.m. to obtain the required SUP.

PDD No. 842 establishes the following criteria for consideration of an SUP for a late-hours establishment:

(e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):

(1) the number of citations issued by police to patrons of the establishment;

(2) the number of citations issued by police for noise ordinance violations by the establishment;

(3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;

(4) the number of Texas Alcoholic Beverage Code violations of the establishment; and

(5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

The applicant has operated at this location in a responsible manner, with one reported offense during a two year period. In addition to the regulations of PDD No. 842, the Dallas Development Code establishes general criteria for any use requiring an SUP:

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 842	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

Landscaping: The request site will not trigger any landscaping that will comply will Article X. The existing development is not increasing any floor area or impervious surface.

Parking: Since 2009, the request site has been operating as a restaurant without a drive-in service. The off-street parking requirement for a restaurant is one space per 100 square feet of floor area. Based on the total floor area, the applicant is required to provide 31 parking spaces. The request site is meeting the off-street parking requirements.

Dallas Police Department: The following chart list the number of citations the request site occurred during the last 24 months based on the criteria in PDD No. 842 for a late hour establishment.

Citations within the last 24 months (04/17/2014 – 04/17/2016)

Factors to be considered	Request site
Number of Citations issued by police to patrons of the establishment	0
Number of Citations issued by police for noise ordinance violations by the establishment	0
Number of arrests for public intoxication or disorderly conduct associated with the establishment	0
Number of Texas Alcoholic Beverage Code violations of the establishment	0
Number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment	1
Total	1

CPC Action (May 19, 2016)

Motion: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in service use for a one-year period, subject to a site plan and conditions with the operation until 2:00 a.m. on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Lewis Street.

Maker: Ridley
Second: Rieves
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung*, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 63
Replies: For: 1 Against: 0

Speakers: For: Lan Tran, 1802 Greenville Ave., Dallas, TX, 75204
Against: Patricia Carr, 5843 Vanderbilt Blvd., Dallas, TX, 75206

<p>LIST OF OFFICERS 1800 Greenville Partners, LLC</p>
--

- Dien Nguyen Partner
- Lam Tran Partner
- Phong Tran Partner

CPC SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to a restaurant without drive-in service.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation

3. TIME LIMIT: This specific use permit expires on_____, (one-year period from the passage of this ordinance).

Staff's Recommendation

3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance).

4. FLOOR AREA: The maximum floor area is 3,100 square feet.

5. HOURS OF OPERATION:

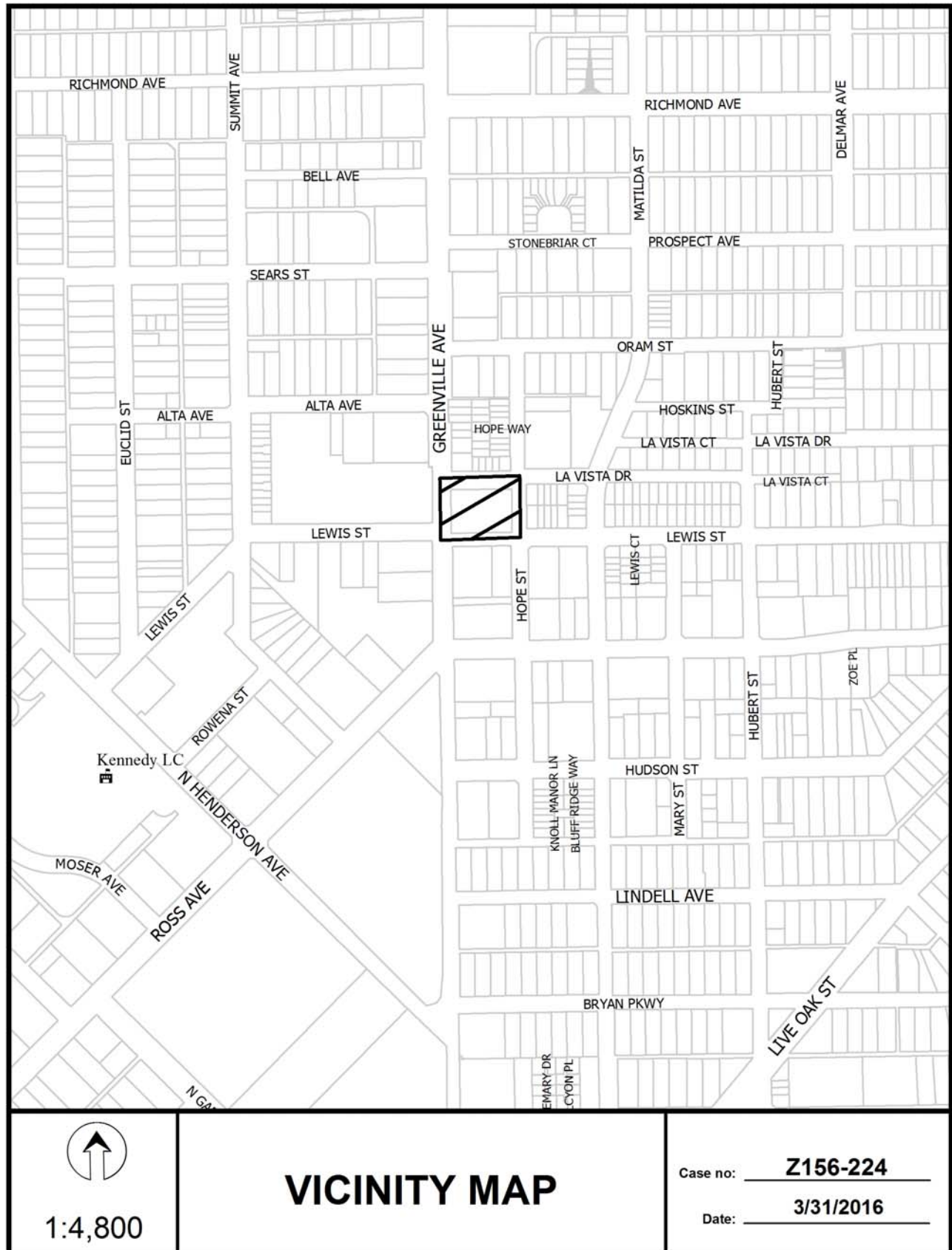
A. The late-hours establishment to serve alcoholic beverages may only operate between 12:00 a.m. (midnight) and 2:00 a.m. Monday through Sunday.

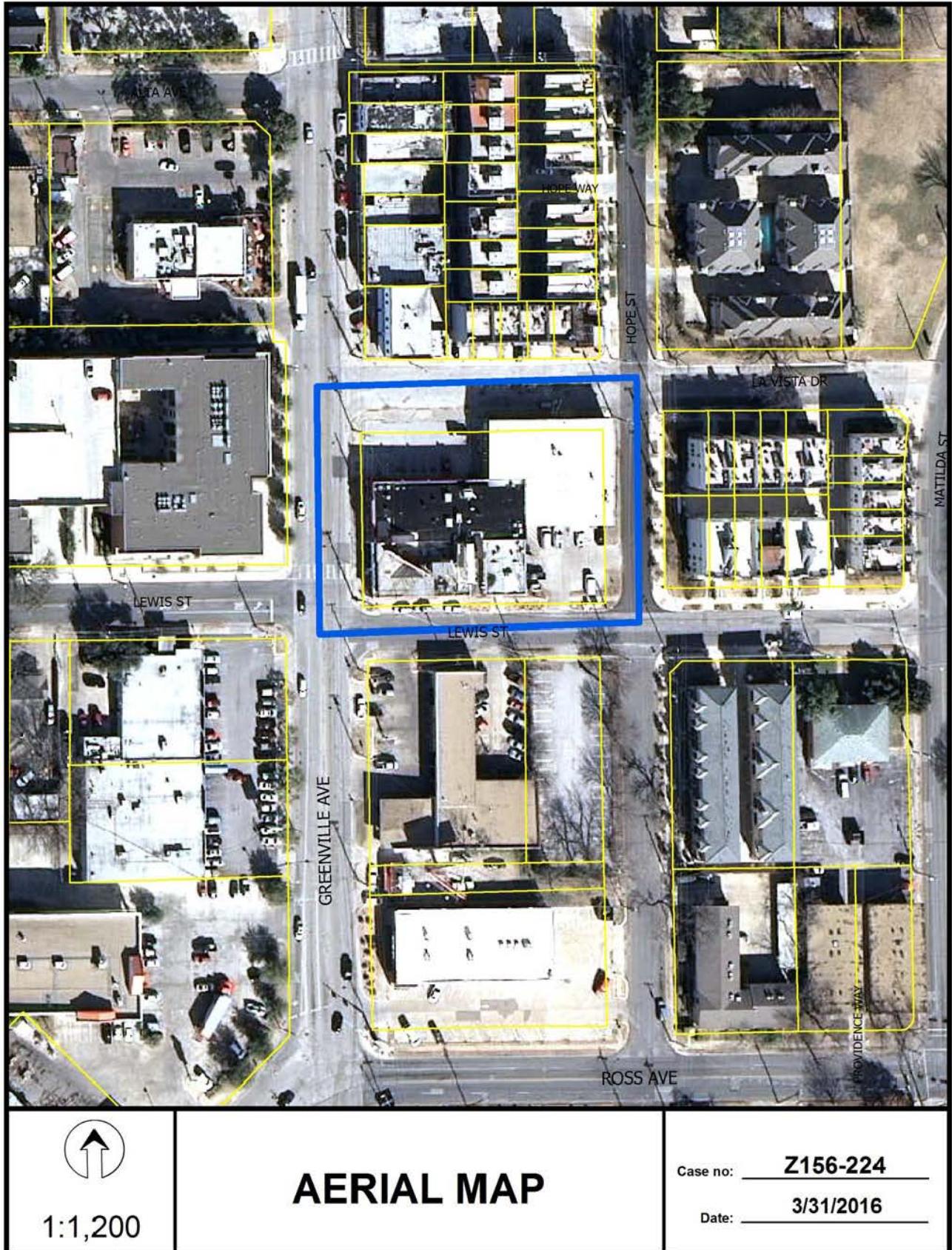
6. OUTDOOR LOUDSPEAKERS: Use of outdoor loudspeakers on the Property is prohibited.

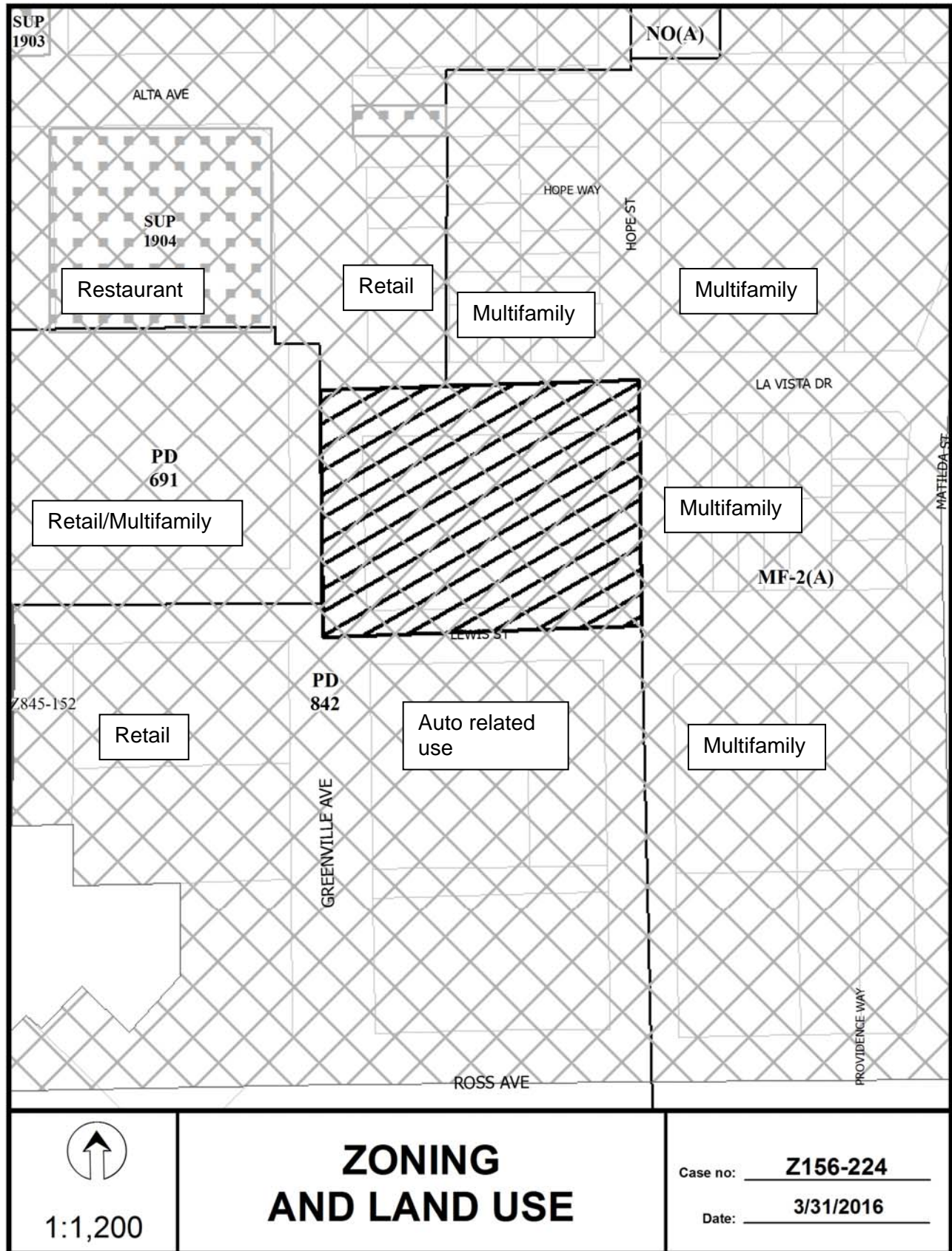
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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.

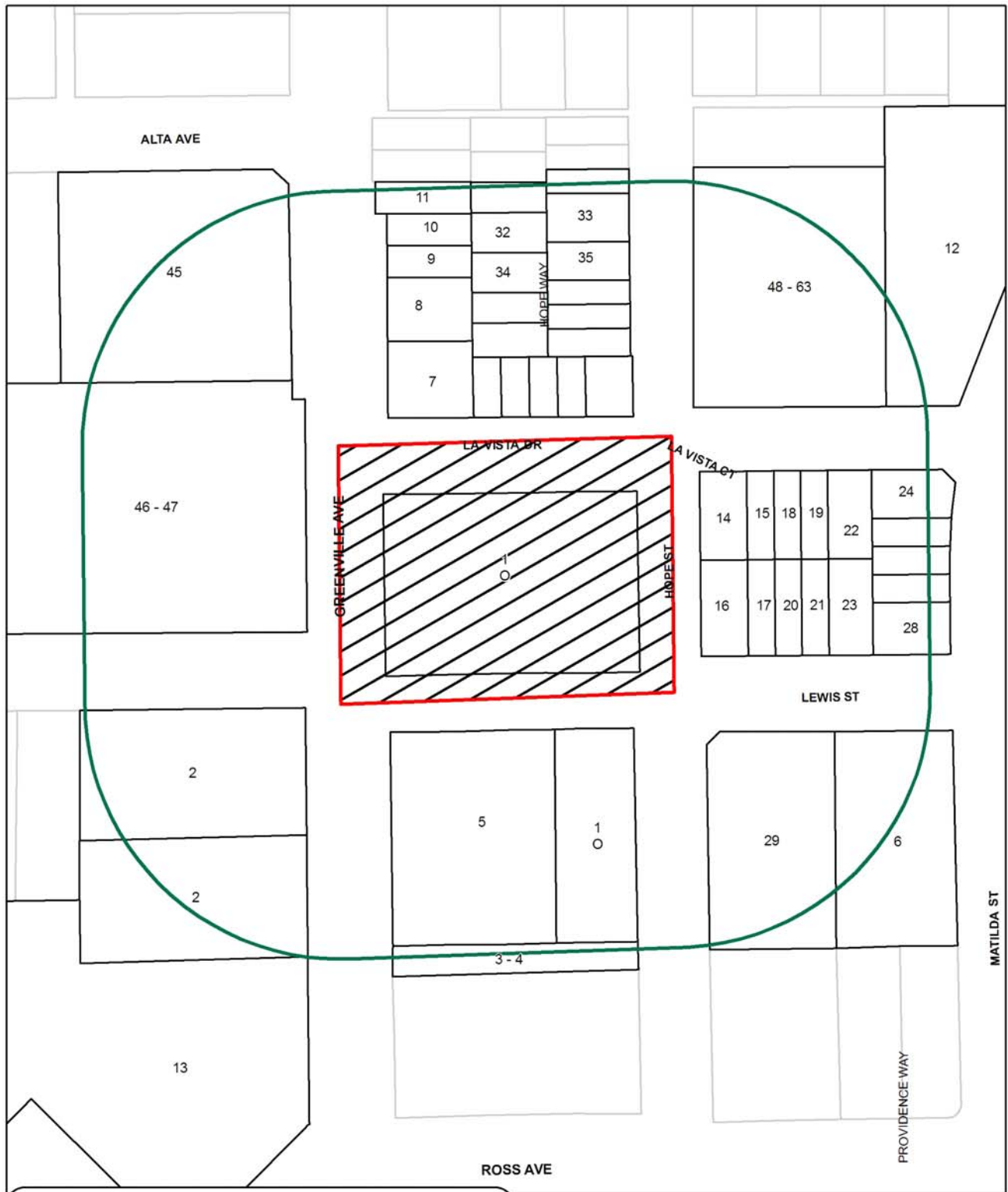








CPC RESPONSES



<u>63</u>	Property Owners Notified (49 parcels)
<u>1</u>	Replies in Favor (2 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>5/19/2016</u>	Date

Z156-224
CPC



1:1,200

Notification List of Property Owners

Z156-224

63 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	1802 GREENVILLE AVE	1800 GREENVILLE PARTNERS LLC
	2	1733 GREENVILLE AVE	MACATEE FAMILY LIMITED
	3	1706 GREENVILLE AVE	SKILLERN & MAJORS
	4	1708 GREENVILLE AVE	LEAKE SAM S SR TR
	5	1710 GREENVILLE AVE	LEAKE SAM S SR TR
	6	5610 LEWIS ST	MATILDA APARTMENTS LP
	7	1900 GREENVILLE AVE	TRUST REAL ESTATE
	8	1904 GREENVILLE AVE	GALANIS CHRIS V ETAL
	9	1908 GREENVILLE AVE	BATM PROPERTIES LP
	10	1910 GREENVILLE AVE	MORENO RICHARD
	11	1912 GREENVILLE AVE	CAMPBELL OLIVER
	12	5735 LA VISTA DR	MPC MATILDA PARTNERS LP
	13	5429 ROSS AVE	CHAN ALVIN B INC
	14	5702 LA VISTA DR	JOHNSON C RYAN
	15	5704 LA VISTA DR	DOUGLAS KENNETH D
	16	5603 LEWIS ST	COHEN JUSTIN EVAN
	17	5605 LEWIS ST	GENERALOVICH MIKE M
	18	5706 LA VISTA DR	ABEL ALLY CIN I
	19	5708 LA VISTA DR	MCLEOD ALEXANDER W &
	20	5607 LEWIS ST	KOTEK THOMAS & NAOMI TRUST
	21	5609 LEWIS ST	GARCIA JOSE JR & KARMEL
	22	5710 LA VISTA DR	REED JASON
	23	5611 LEWIS ST	SMITH PRESTON L
	24	1811 MATILDA ST	BAUMANN MARK
	25	1809 MATILDA ST	AMOS GREGORY C &
	26	1807 MATILDA ST	FALGOUST DAMIEN

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	1805 MATILDA ST	BROWNGARCIA SONJA J
	28	1803 MATILDA ST	HOYLAND TIM
	29	5604 LEWIS ST	TOPSPIN DEV LP %
	30	1918 HOPE WAY	MARCH SEAN
	31	1915 HOPE WAY	ALARCON WALDO & YAZMIN R
	32	1913 HOPE WAY	HERNDON LINDSEY
	33	1916 HOPE WAY	VALLOPPILLIL SURESH J
	34	1911 HOPE WAY	NIEHUUS MICHAEL
	35	1912 HOPE WAY	CRAVENS KIMBERLY A
	36	1910 HOPE WAY	DANISH DAVID
	37	1909 HOPE WAY	KEEPMAN MATTHEW
	38	1908 HOPE WAY	GANDHI ANUPAMA K
	39	1907 HOPE WAY	BAILEY TERRENCE V
	40	1906 HOPE WAY	ROSS MICHELLE M
	41	5715 LA VISTA DR	CATHCART DAVID
	42	5713 LA VISTA DR	CHIANG THOMAS S &
	43	5711 LA VISTA DR	WHITE JULIUS
	44	5709 LA VISTA DR	SHANE MARIO M & RACHELLE
	45	1827 GREENVILLE AVE	LOWGREEN PS
	46	1811 GREENVILLE AVE	WRPV XI VUE GV DALLAS LP
	47	1811 GREENVILLE AVE	GREENWAY GREENVILLE LP
	48	1910 HOPE ST	MOJICA EDWARD
	49	1910 HOPE ST	SNAVELY CAROLINE M
	50	1910 HOPE ST	YOUSEY AARON M & KATHLEEN P
	51	1910 HOPE ST	KUPERMAN YELENA
	52	1910 HOPE ST	CROUCH EDIE D
	53	1910 HOPE ST	DE LA CERDA PEDRO &
	54	1910 HOPE ST	BEAHM CYNTHIA DIANE
	55	1910 HOPE ST	RADIGAN MEGAN M
	56	1910 HOPE ST	UTKOV GARY S & CAROL C
	57	1910 HOPE ST	KOBAYASHI AARON S &

Z156-224(WE)

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	1910 HOPE ST	MERZ RYAN E
	59	1910 HOPE ST	HOPE STREET RENTAL COMPANY LLC
	60	1910 HOPE ST	ANKERSEN KRISTEN A
	61	1910 HOPE ST	FONT JORGE & MARY
	62	1910 HOPE ST	VITALE JOSEPH K & ANNE
	63	1910 HOPE ST	BREWSTER LLOYD R & DANA L

AGENDA ITEM # 65

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 G; H; L; M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 298, the Bryan Area Special Purpose District, on property zoned Subdistrict 5 and Subdistrict 10 within Planned Development District No. 298, in an area bounded by Bryan Street, Texas Street, Live Oak Street, and Cantegral Street

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

Z145-233(OTH)

FILE NUMBER: Z145-233(OTH)

DATE FILED: July 11, 2012

LOCATION: Bounded by Bryan Street, Texas Street, Live Oak Street, and Cantegral Street.

COUNCIL DISTRICT: 14

MAPSCO: 45 G, H, L, M

SIZE OF REQUEST: Approx. 2.1895 acres

CENSUS TRACT: 22.00

APPLICANT: Greystar GP II, LLC

OWNER: Biscuit Holdings, Ltd.

REPRESENTATIVE: Jackson Walker, L.L.P./Suzan Kedron, Steve Dimitt

REQUEST: An application for a subdistrict within Planned Development District No. 298, the Bryan Area Special Purpose District, on property zoned Subdistrict 5 and Subdistrict 10 within Planned Development District No. 298.

SUMMARY: The applicant proposes to develop the property with a minimum of 350 multifamily units and a minimum of 50,000 square feet for retail uses.

CPC RECOMMENDATION: Approval, subject to a development plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan and conditions.

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed subdistrict will be to accommodate the development of 350 multifamily units and a minimum of 50,000 square feet for retail uses. Staff does not foresee the proposed development to negatively impact upon surrounding properties. The property is surrounded by multifamily to the north and east; undeveloped and construction for multifamily to the south and west; undeveloped, office restaurant, and the Latino Cultural Center to the south east and south. The proposed uses for the new subdistrict are those of the existing Subarea 5.
2. *Traffic impact* – The proposed development is bounded by Live Oak, Texas Street, Bryan Street and Cantegral Street. Staff requested a Traffic Impact Analysis. The TIA shows that the proposed development will significantly increase the level of service in the area. Therefore, staff is requesting that the applicant prepare and re-evaluate the Traffic Impact Analysis one year after the retail component of the development is open or the residential component of the development reaches 80% occupancy, whichever comes first.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas!* Comprehensive Plan states that this area is within the Urban Neighborhood Building Block. The requested zoning district is consistent with the Urban Neighborhood Building Block. The proposed development complies with the intent of the comprehensive plan.

Zoning History: There has not been any zoning change within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Bryan Street	NA	70 feet
Cantegral Street	NA	50 feet
Live Oak Street	NA	70 feet
Texas Street	NA	Variable ROW

Traffic:

As previously stated, staff is concerned about the level of service decrease due to the proposed development. The intensity of the proposed development triggered a Traffic Impact Analysis requirement for staff to make a determination of the appropriateness of the proposed access points and traffic flow. Based on the TIA, staff determined that the proposed development will significantly decrease the level of service in the area. Therefore, staff is requesting that the applicant prepare and re-evaluate the Traffic Impact Analysis one year after the retail component of the development is open or the residential component of the development reaches 80% occupancy, whichever comes first.

The report will give staff the opportunity to review the traffic conditions surrounding the development, on Texas Street at the three lane driveway approach for the grocery store, and at the intersection of Cantegral Street and Live Oak Street. If the Director or the Director's representative and Street Services are not satisfied with the report's findings, staff will request that the applicant change the access points on Texas Street to be reduced to only one left lane and only one right lane to alleviate any deficiencies in the level of services at this location. Other options may be considered when the report is submitted for evaluation. The applicant must bring the site to compliance or implement an acceptable way to improve the level of service within six months of the Director or the Director's representative and Street Services decision. Failure to comply with the Director's request to resolve the issue, the Director shall notify the City Plan Commission.

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 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 multifamily. 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.

In general, the proposed zoning district conforms to the intent of the Comprehensive Plan. This proposed development will contribute to the effort of creating a vibrant community in the Downtown area.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 298 Subarea 5 on a portion and Subarea 10 on a portion	Undeveloped
North	PD No. 298 Subarea 5 & 10	Multifamily and undeveloped
South	PD No. 298 Subarea 5 & 10	Multifamily, Latino Cultural Center, parking lot, office and personal service

Land Use Compatibility:

The approximately 2.1895 acres request site is currently undeveloped. The request is for a new subarea to develop a minimum of 350 multifamily units and a minimum of 50,000 square feet of retail. Neither Subarea 5 nor Subarea 10 limits retail area or residential density. The proposed development will be compatible with the surrounding uses. The property is mainly surrounded by undeveloped and multifamily development to the north; multifamily, undeveloped, office, personal use service, parking lot and the Latino Cultural Center to the south.

The property is subject to a public/private partnership with the Office of Economic Development. The developer is required to provide a minimum of 350 dwelling units and a minimum number of square feet for retail uses. The applicant is currently in the process of negotiating the terms of the agreement with the Department of Economic Development, which does not affect the zoning request.

Parking: The applicant is proposing a total of 30 bicycle parking spaces for the site. All other parking requirements will comply with Section 51P-298-115 of the PD. Bicycle parking is required as follows:

- (a) The greater of two bicycle parking spaces per building site or one bicycle parking space per 25 required off-street parking spaces required.
- (b) No more than 30 bicycle parking spaces are required on any building site.

A rough calculation of the required number of parking spaces for the proposed uses is 200 for retail at 1 space per 250 square feet or retail use. The applicant is proposing a

minimum of 50,000 square feet of retail use. For the residential development, the applicant will be required to provide one parking space per bedroom. The applicant indicated that the development will be of 350 efficiency units. Therefore, the required parking would be 350 spaces. The total required parking for the site would be 550 spaces. Calculating the bicycle parking at 1 per 25 required parking spaces, the total is 22 bicycle spaces. The applicant is proposing 8 surplus spaces for bicycles.

Landscaping: The landscaping requirements will comply with PD No. 298 in combination with Article X. The applicant is proposing minor changes in the landscape for the proposed site. Due to the configuration of the structure on Texas Street, there will only be 8 trees on that side of the property. The applicant is compensating for that tree along the other street fronts of the property.

Setbacks:

The applicant is proposing to provide a minimum setback five feet on all street frontages. Planned Development District No. 298 in general, requires a minimum front yard setback of 15 feet. No side yard setback is required. Staff supports the proposed setbacks. For the purpose of this subarea, all streets are considered street frontages.

Staff supports the increase in floor area ratio to allow for the proposed density and the proposed retail development on the property. The City is encouraging higher densities in the downtown area and services and uses that support the increased density.

The City Plan Commission recommended the approval of the setback with the exception that a four feet encroachment into the five foot front yard setback in specific locations as depicted in the proposed development plan and condition is allowed.

Signs:

The applicant had initially requested an increase in the size of blade signs. Staff believes that the applicant should comply with the existing sign provisions in Planned Development District No. 298. The PD states that the signage provisions of Division 51A-7.200 apply in all subareas except that no detached premise sign with an effective area greater than 200 square feet is permitted in any subarea.

The City Plan Commission recommended the approval of the sign conditions with the exception to delete reference to blade signs. The applicant indicated the blade sign would be a discussion with the neighborhood and may be a future amendment.

Comparison of existing zoning and request:

	Subdistrict 5	Subdistrict 10	Proposed Subdistrict
Front yard	15 feet. For streets fronting Pedestrian linkage streets, setbacks must be as shown in Exhibit 298C	15 feet. For streets fronting Pedestrian linkage streets, setbacks must be as shown in Exhibit 298C	5 feet. For streets fronting Pedestrian linkage streets, setbacks must be as shown in Exhibit 298C
Height	270 feet	100 feet	165 feet
Lot Coverage	90 percent	90 percent	90 percent
Floor Area Ratio	4:1	4:1	5.85:1

CPC ACTION:
May 19, 2016

Motion: It was moved to recommend **approval** of a new subdistrict within Planned Development District No. 298, the Bryan Area Special Purpose District, subject to a revised development plan and revised conditions with the following revisions: Insert a provision to Section 51P-298-112, under Setbacks that encroachments in the setbacks along Live Oak Street, Texas Street and Cantegral Street permitted up to maximum of 4 feet into a 5 foot setback at location identified on the development plan. Locations are: along Cantegral Street from the corner of Live Oak Street to the residential parking entrance, and along Live Oak Street from the area identified as having translucent patio rails around the corner onto Texas Street to the loading dock entrance curb cut, on property zoned Subdistrict 5 and Subdistrict 10 within Planned Development District No. 298 the Bryan Area Special Purpose District on area bounded by Bryan Street, Texas Street, Live Oak Street, and Cantegral Street.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis,
Anantasomboon, Abtahi, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Haney
Vacancy: 0

Notices: Area: 500 Mailed: 28
Replies: For: 4 Against: 0

Speakers: For: Andrew Orr, 600 E. Las Colinas Blvd., Irving, TX, 75039
Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201
Larry Sparks, 600 E. Las Colinas Blvd., Irving, TX, 75039
Against: None

PARTNERS & PRINCIPLES

Greystar GP II, LLC – List of Officers and Partners

President: Robert A. Faith

Vice-Presidents:

William C. Maddux
J. Derek Ramsey
Scott Wise
Cliff Nash
Trent Conner
Laird Sparks
Adam Brown
Derek Brown
David Reid
Todd Wigfield
Ashley Heggie
Brandon Henry
Josh Carper

Biscuit Holdings, Ltd.

General Partner: Malouf Interests, Inc.

President and Secretary: Matt Malouf

Vice President: Steve Gregory

CPC PROPOSED CONDITIONS

ARTICLE 298.

PD 298.

Bryan Area Special Purpose District

SEC. 51P-298.101. LEGISLATIVE HISTORY.

PD 298 was established by Ordinance No. 20049, passed by the Dallas City Council on August 24, 1988. Ordinance No. 20049 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 20049 was amended by Ordinance No. 20820, passed by the Dallas City Council on November 28, 1990, and Ordinance No. 21885, passed by the Dallas City Council on November 10, 1993. (Ord. Nos. 10962; 19455; 20049; 20820; 21885; 24914)

SEC. 51P-298.102. PROPERTY LOCATION AND SIZE.

PD 298 is established on property generally bounded by North Central Expressway, Roseland Avenue and its northeastward prolongation, Fitzhugh Avenue, San Jacinto Street, Peak Street, Gaston Avenue, and Good-Latimer Expressway. The size of PD 298 is approximately 455.04 acres. (Ord. Nos. 20049; 24914; 27573)

SEC. 51P-298.103. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions.

(1) **COMMERCIALLY COMPATIBLE SINGLE FAMILY USE** means a moderately dense single family use that is compatible with commercial development. The residential proximity slope does not emanate from commercially compatible single family uses.

(2) **GROUND COVER** means living plant material of species which generally reach a height of three inches or less upon maturity, installed in such a manner so as to form a continuous cover over the ground.

(3) **LABOR AGENCY** means an agency that offers or attempts to procure or procures employment for common workers, or that offers or attempts to procure or procures common workers for employers. For purposes of this definition, "common worker" means an individual who performs labor involving physical toil that does not require a particular skill, training in a particular occupation, craft, or trade, or practical or familiar knowledge of the principles or processes of an art, science, craft, or trade.

(4) **PARKWAY** means the portion of a right-of-way located between the street curb and the property line of an adjoining lot.

(5) **PEDESTRIAN LINKAGE STREETS** mean streets in the Bryan Area SPD that serve as linkages between major activity centers and that are designed to promote pedestrian use.

(6) PROJECTED STREET CURB means the future location of the street curb consistent with the city thoroughfare plan as determined by the director of public works and transportation.

(7) TREE PLANTING ZONE means the area parallel to and between two and one half and ten feet from the back of the projected street curb.

(b) Interpretations. Unless otherwise stated, all references to code sections in this article refer to sections in Chapter 51A. In addition, the definitions, interpretations, and other provisions of Chapter 51A apply to the Bryan Area SPD unless expressly modified by these conditions. (Ord. Nos. 20049; 24914)

SEC. 51P-298.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 298A: subarea boundary map.
- (2) Exhibit 298B: Subarea 9 requirements.
- (3) Exhibit 298C: major street and pedestrian linkage systems.
- (4) Exhibit 298D: standard construction details for barrier free ramps.
- (5) Exhibit 298E: use chart.
- (6) Exhibit 298F: property descriptions for portions of Subareas 1, 3, and 4.
- ~~(7) Exhibit 298G: development plan for Subarea 11.~~
- (8) Exhibit 298I: master parking and floor area plan for the Baylor Expanded District.
- (9) Exhibit 298I-1: master parking and floor area plan supplement for the Baylor Expanded District.
- (10) Exhibit 298I-2: total floor area tabulation form for the Baylor Expanded District.
- (11) Exhibit 298J: tabulation of total floor area in Subarea 12A.
- (12) Exhibit 298K: development plan for Subarea 10B. (Ord. Nos. 28056; 29390)
- (13) Exhibit 298L: development plan for Subarea 5A.

SEC. 51P-298.104. CREATION OF SUBAREAS.

A map showing the boundaries of the ~~18-19~~ subareas of the Bryan Area SPD is provided as Exhibit 298A. (Ord. Nos. 20049; 24914; 25177; 25960; 26179; 26308; 26388; 26707; 28056; 29099; 29390)

SEC. 51P-298.105. SUBAREA 9 CONDITIONS.

Subarea 9 is subject to the regulations governing the R-7.5(A), TH-2(A), MF-2(A), MU-1, MU-1-D, and CR districts of Chapter 51A. The zoning district category applicable to each tract in Subarea 9 is shown on Exhibit 298B. The conditions contained in Sections 298.103 and 298.106 through 298.117 do not apply to Subarea 9. (Ord. Nos. 20049; 24914)

SEC. 51P-298.105.1. DEVELOPMENT PLANS.

(a) Except as provided in this section, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

(b) Development and use of Subarea 11 must comply with the development plan for Subarea 11 (Exhibit 298G).

(c) Development and use of Subarea 10B must comply with the development plan for Subarea 10B (Exhibit 298K). If there is a conflict between the text of this article and the development plan for Subarea 10B, the text of this article controls. (Ord. Nos. 25177; 25960; 29390)

(d) Development and use of Subarea 5A must comply with the development plan for Subarea 5A (Exhibit 298L). If there is a conflict between the text of this article and the development plan for Subarea 5A, the text of this article controls.

SEC. 51P-298.106. LANDSCAPING.

(a) General requirements. The landscaping provisions of Article X apply in the Bryan Area SPD. The following additional requirements apply in all subareas except Subareas 1A, 6, and 9. Compliance with previously approved landscape plans is not required.

(b) Street trees.

(1) Location, number, and type of trees required.

(A) Except as provided in this subsection, each building site must have at least one tree located within the tree planting zone. A tree is not considered located within the tree planting zone unless its trunk is entirely within the zone.

(B) The number of trees required is calculated by dividing the number of feet or lot frontage by 30 for property abutting pedestrian linkage streets and by 50 in all other cases. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number.

(C) All required trees must be recommended for local area use by the director of parks and recreation and must be "canopy trees" and "large trees" as defined in Article X.

(D) In Subarea 10B, street trees are not required along Carmel Street.

(E) In Subarea 5A, a total of 36 street trees are required. However, only 9 street trees are required along Texas Street.

(2) Minimum tree height and trunk caliper. Required trees must have a minimum height of 15 feet, and a minimum trunk caliper of four inches.

(3) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The center of a trunk of a required tree, measured at grade, must be within the following distance of the center of the trunk of another required tree, measured at grade:

(A) Thirty feet along pedestrian linkage streets, as shown in Exhibit 298C₂

(B) Fifty feet along all other streets.

(4) Tree grates required in sidewalks. Tree grates must be provided for all trees within a public sidewalk. These tree grates must:

(A) conform to city standards and specifications; and

(B) be large enough to permit healthy tree growth.

(5) Points for street trees. Each tree provided in accordance with Paragraph (3)(A) is awarded eight points. Each tree provided in accordance with Paragraph (3)(B) is awarded six points.

(c) Front yard landscaping and parkway landscaping.

(1) Three points will be awarded if, along pedestrian linkage streets, enhanced paving is provided in at least 50 percent of the area between the main structure and the curb, or if ground cover is provided in 25 percent of this area.

(2) Building sites along pedestrian linkage streets must achieve at least one-half of their landscaping credits in the area between the main structure and the curb.

(d) Sidewalks.

(1) Where the director of public works and transportation determines that sufficient right-of-way exists, sidewalks must be a minimum of eight feet in width for pedestrian linkage streets and, except as provided in this subsection, six feet in width in all other cases. If the director of public works and transportation determines that the foregoing standard cannot be satisfied within existing right-of-way, a sidewalk must be no less than four feet in width.

(2) Barrier free ramps, as shown on Drawing No. 1007 of the department of public works and transportation "Standard Construction Details" (Exhibit 298D), must be provided in the Bryan Area SPD.

(3) In Subarea 10B, sidewalks are not required along Carmel Street.

(e) Pedestrian amenities.

(1) Three points will be awarded for pedestrian scale lighting. To qualify as pedestrian scale lighting, lighting must:

(A) provide a minimum of 1.5 foot candles; and

(B) be mounted at a height no greater than 14 feet.

(2) A building site located in Subarea 3 must achieve at least two points in the parkway fronting the pedestrian linkage streets through the use of pedestrian scale lighting or pedestrian facilities as described in Section 51A-10.107(f)(2).

(3) In Subarea 10B, sidewalks are not required along Carmel Street.

(f) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or pavement [other than for the sidewalk required under Paragraph (4) of this section] in the parkway. An application for a parkway landscape permit, if required, must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the construction and planting proposed.

(2) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, he shall issue a parkway landscape permit to the property owner; otherwise, he shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this subsection if compliance is made impossible due to the director's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of way. (Ord. Nos. 20049; 24914; 25177; 25960; 28056; 29390; 29558)

SEC. 51P-298.107.

USES.

(a) The use chart (Exhibit 298E) establishes for each subarea the permitted and limited uses, and those uses requiring a specific use permit.

(b) Commercially compatible single family uses must comply with the following requirements:

(1) This use is subject to the standards and definitions of Subparagraphs (A), (D), and (E) of Section 5 1 A-4.209(6). Except in portions of Subareas 1, 3, and 4, as described in Exhibit 298F, this use is also subject to the off-street parking requirements of Subparagraph (C) of Section 51A-4.209(6).

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(2) Except in portions of Subareas 1, 3, and 4, as described in Exhibit 298F, a minimum of 12 dwelling units per acre is required.

(3) No residential proximity slope emanates from building sites developed with this use.

(4) This use is permitted in all subareas except Subarea 9, as shown on Exhibit 298E.

(5) In portions of Subareas 1, 3, and 4, as described in Exhibit 298F, this use is subject to the following standards:

(A) Maximum dwelling unit density is 18 dwelling units per acre.

(B) Maximum structure height is 36 feet.

(C) Maximum number of stories is two.

(D) Maximum lot coverage is 60 percent.

(E) Minimum lot size is 2,000 square feet.

(F) One off-street parking space is required per lot.

(c) Labor agency uses must comply with the following requirements:

(1) This use is permitted by SUP only in the subareas indicated in Exhibit 298E.

(2) Operation of this use must be conducted wholly inside. A waiting area must be shown on the site plan which is large enough to accommodate all common worker candidates. The specific use permit ordinance may limit the number of common worker candidates permitted in the waiting area of the labor agency use.

(3) The site plan must show a separate area for pickup and drop-off of all persons using the facility. This area must not include the right-of-way area.

(4) This use is treated as an office use for purposes of calculating off street loading requirements.

(d) A governmental installation: inside vehicle service center use must comply with the following requirements:

(1) Definition: An installation owned or leased by a governmental entity or agency where vehicles are repaired, maintained, serviced, or stored in conjunction with the normal operation of the entity or agency. This use includes periodic vehicular inspection, maintenance, and repair, as well as modification of vehicles and their equipment to accomplish the particular purposes of the governmental entity or agency.

(2) Subareas permitted: Permitted by right in Subarea 5 only.

(3) Required off-street parking: One space per 500 square feet of floor area.

(4) Required off-street loading:

SQUARE FEET OF

TOTAL REQUIRED

FLOOR AREA IN STRUCTURE

SPACES OR BERTHS

0 to 60,000
Each additional 60,000
or fraction thereof

1
1

(5) **Additional provisions:**

(A) Except for permitted accessory uses, this use must be wholly contained inside of an enclosed structure.

(B) The sale of goods and services to the public is prohibited. (Ord. Nos. 20049; 20820; 21885; 24914; 25960; 26179; 26388; 26707; 26994; 27322)

SEC. 51P-298.108. NONCONFORMING USES.

(a) Except as provided in this section, the nonconforming use provisions in Chapter 51A apply.

(b) In Subarea 1, all nonconforming uses must be brought to conformance no later than April 26, 2008, except that those uses that became nonconforming as a result of city council action on April 27, 2005 must be brought to conformance no later than April 26, 2010. The owner of a nonconforming use in Subarea 1 may appeal to the board of adjustment for a later compliance date at any time up to the conformance date set forth in this subsection if the owner will not be able to recover his investment in the use (up to the date of nonconformance) by the conformance date set forth in this subsection. The fee for the appeal of the compliance date is the same as the fee for a nonresidential special exception before the board of adjustment as set forth in Chapter 51A. (Ord. Nos. 20049; 24914; 25960)

SEC. 51P-298.109. RESIDENTIAL PROXIMITY SLOPE.

A 1:3 residential proximity slope emanates from the property line of any property within Subarea 6 or any R(A), D(A), or TH(A) district adjacent to the Bryan Area SPD. A 1:1 residential proximity slope emanates for a distance of 50 feet from the property line of any MF(A) district or planned development district for multifamily uses adjacent to the Bryan Area SPD. If any portion of a structure is over 26 feet in height, that portion may not be located above the applicable residential proximity slope. Exceptions:

(1) The residential proximity slopes does not apply to limit the height of structures located in Subarea 7.

(2) 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. (Ord. Nos. 20049; 24914)

SEC. 51P-298.110. MAXIMUM HEIGHTS.

Unless further restricted under Sections 51P-298.107(b) and 51P-298.109, maximum structure heights for each subarea within the Bryan Area SPD are as follows:

<u>Subarea</u>	<u>Maximum Structure Height (in feet)</u>
-----------------------	--

1, 1A, and 1B	120
3	160
4	54
5	270
<u>5A</u>	<u>165</u>
6	36-40
7	39
8	100
10, 10A, and 10B	100
11 and 11A	100
12 and 12A	160
13	54

(Ord. Nos. 21885; 24914; 25960; 26388; 28056; 29099; 29390)

SEC. 51P-298.111. STORIES IN SUBAREA 7.

Maximum number of stories permitted in Subarea 7 is:

- (1) four if at least one-half of the structure is occupied by residential uses; and
- (2) three in all other cases. (Ord. Nos. 20049; 24914; 26388)

SEC. 51P-298.112. SETBACKS.

(a) Front yard.

- (1) Except as provided in this paragraph, the minimum front yard setback is five feet in all subareas.
- (2) No minimum front yard setback is required in Subareas 1A and 1B for structures in existence on November 10, 2010.
- (3) Except as provided in this paragraph, the maximum front yard setback is 15 feet in Subareas 1, 1A, 1B, 3, 4, 5, 8, 10, 10A, 12, and 13 in front yards fronting on Pedestrian Linkage Streets as shown on Exhibit 298C.
- (4) No maximum front yard setback is required in Subareas 1A and 1B for structures in existence on November 10, 2010.
- (5) Maximum front yard setback is 25 feet in Subareas 6 and 7.
- (6) No maximum front yard setback is required in Subareas 11A and 12A.

Staff Recommendation

~~(7) Except as provided in this paragraph, the minimum front yard setback is five feet for subarea 5A.~~

~~A. Encroachments up to 4 feet into a 5 foot setback are permitted on Live Oak Street, Cantegral Street and Texas Street at the following locations:~~

~~i) Along Cantegral Street from the curb of Live Oak Street to the residential parking entrance drive;~~

~~ii) Along Live Oak Street in the area identified on the development plan as the translucent patio rail; and~~

~~iii) Along Texas Street from Live Oak Street to the off street loading dock.~~

CPC Recommendation:

~~(7) Except as provided in this paragraph, the minimum front yard setback is five feet for subarea 5A.~~

~~A. Encroachments up to 4 feet into a 5 foot setback are permitted on Live Oak Street, Cantegral Street and Texas Street at the following locations:~~

~~i) Along Cantegral Street from the curb of Live Oak Street to the residential parking entrance drive;~~

~~ii) Along Live Oak Street in the area identified on the development plan as the translucent patio rail; and~~

~~iii) Along Texas Street from Live Oak Street to the off-street loading dock.~~

(b) Side yard.

(1) Except as provided in this paragraph, no side yard setback is required in Subareas 1, 1A, 1B, 3, 4, 5, 5A, 7, 8, 10, 11, 12, and 13; however, if a side yard setback is provided, it must be a minimum of 10 feet.

(2) No side yard setback is required in Subarea 6; however, if a side yard setback is provided, it must be a minimum of five feet.

(3) No side yard setback is required in Subareas 10A, 10B, 11A, and 12A.

(4) No side yard setback is required in Subareas 1A and 1B for structures in existence on November 10, 2010.

(c) Rear yard. The minimum rear yard setback is five feet in all subareas. (Ord. Nos. 20049; 24914; 25960; 26388; 28056; 29099; 29390)

SEC. 51P-298.113.

MAXIMUM COVERAGE.

Unless further restricted under Section 51P-298.107(b), maximum lot coverages in each subarea within the Bryan Area SPD are as follows:

<u>Subarea</u>	<u>Maximum Lot Coverage (percent)</u>
1, 1A, and 1B	90
3	70*
	80***
4	90
5 <u>and 5A</u>	90
6	80
7	70*
	90**
8	70*
	80***
10, 10A and 10B	90
11 and 11A	70*
	80***
12 and 12A	90
13	90

*Applies if less than one-half of the floor area of the structure is occupied by residential uses.

**Applies if at least one-half of the floor area of the structure is occupied by residential uses.

***Applies if at least 10 percent of the floor area of the structure is occupied by residential uses.

(Ord. Nos. 21885; 24914; 25960; 26388; 28056; 29099; 29390)

SEC. 51P-298.114.

SIGNS.

(a) The sign provisions for business zoning districts contained in Division 51A-7.300 apply to all subareas except Subareas 6 and 9. The sign provisions for non-business zoning districts contained in Division 51A-7.400 apply in Subarea 6. Subarea 9 is subject to the definitions and provisions of either business signs or non-business signs in Chapter 51A, whichever apply in accordance with those provisions. The signage provisions of Division 51A-7.200 apply in all subareas except that no detached premise sign with an effective area greater than 200 square feet is permitted in any subarea. (Ord. Nos. 20049; 24914; 26388)

(b) Subarea 5A

(1) Except as otherwise provided in this paragraph, the sign provisions for business zoning districts contained in Division 51A-7.300 apply to Subarea 5A.

(2) Definitions. For purposes of this section, the following definitions apply:

(A) ARCADE SIGN means any sign that is mounted under a canopy and is perpendicular to the building to which the canopy is attached. This sign is intended to be read from the pedestrian walkway.

(B) CANOPY means a permanent, non-fabric architectural element projecting from the face of a building.

(C) CANOPY SIGN means a sign attached to, applied on, or supported by a canopy.

(3) The maximum number of words of a height equal to or exceeding four inches allowed on any building façade as set forth in Division 51A-7.305(c) is 12.

(4) Arcade Signs.

(A) Arcade signs may not exceed 27 square feet in effective area.

(B) Arcade signs may not descend closer to grade than 10 feet.

(5) Canopy Signs.

(A) Canopy signs may project up to 6 feet above a canopy.

(B) Canopy signs may not exceed 210 square feet in effective area.

SEC. 51P-298.115.PARKING REQUIREMENTS.

(a) The parking provisions in Chapter 51A apply in the Bryan Area SPD, except as modified below:

(1) General merchandise establishments located in Subarea 3 are only required to provide one parking space per 250 square feet of floor area.

(2) In Subarea 5, a minimum of 30 bicycle parking spaces are required. Bicycle parking must comply with Sec. 51A-4.332.

(3) In order to provide adequate off-street parking for large scale mixed use development projects, the following are excluded in the calculation of off-street parking requirements:

(A) Ten percent of the required parking for the office use when that use totals in excess of 150,000 square feet in floor area and is developed on the same lot with a use qualifying for an exception under Subparagraphs (B) or (C).

(B) Ten percent of the required parking for the hotel and motel use when that use totals in excess of 150 guest rooms and is developed on the same lot with a use qualifying for an exception under Subparagraphs (A) or (C).

(C) Ten percent of the required parking for the retail and personal service uses, when those uses total in excess of 15,000 square feet in floor area and are developed on the same lot with a use qualifying for an exception under Subparagraphs (A) or (B).

(D) Fifteen percent of the required parking for college, university, or seminary classrooms when developed on a campus providing at least 100 units of campus housing.

(E) Fifty percent of the required parking for the following uses when developed on the same lot with an office use with more than 150,00 square feet of floor area or a hotel or motel use with more than 125 guest rooms:

(i) Bar, lounge, or tavern;

(ii) Catering service;

(iii) Country club with private membership; or

(iv) Restaurant without drive-in or drive-through service.

(3) The college, university, or seminary use located at 3909 Swiss Avenue must provide the following required off-street parking:

(A) one space per 25 square feet of classroom; and

(B) that parking required in Section 51A-5.209 for all residential uses located in the campus area.

All required parking must be provided within the campus area generally bounded by North Washington Avenue, Floyd Street, Haskell Avenue, Swiss Avenue, Peak Street, and Live Oak Avenue.

(4) Office uses, other than medical office uses, in all subareas except Subarea 9 are only required to provide one parking space per 366 square feet of floor area. Medical office uses, and any office use located in Subarea 9, must provide parking in accordance with the requirements of Chapter 51A.

(5) A labor agency use must provide one parking space per 200 square feet of office floor area, and one parking space per 50 feet of lobby floor area.

(6) The city council shall consider the feasibility of reducing the parking requirements for any structure that is designated as a historic landmark in the Bryan Area SPD.

(b) Special parking provisions in Subareas 10A, 11A, and 12A. Except as provided in this subsection, the following special parking provisions apply to Subareas 10A, 11A, and 12A.

(1) In general. All uses within the Baylor expanded district must comply with the Master Parking and Floor Area requirements in Subsection (b)(8) of this section.

(2) Master Parking and Floor Area Plan purpose. Because off-street parking requirements for Baylor-related uses may be provided in remote locations throughout the Baylor expanded district, the Master Parking and Floor Area Plan (Exhibit 298I) identifies available off-street parking, determines the amount of required off-street parking, and ensures that each Baylor-related use within the Baylor expanded district meets the off-street parking requirements. To maintain adequate required off-street parking for all uses within the Baylor expanded district, the Master Parking and Floor Area Plan must be updated when floor area is added or removed from a building (Exhibit 298I-1).

(3) Definitions. In this section:

(A) BAYLOR EXPANDED DISTRICT means the property in Subareas 10A, 11A, and 12A of PD 298 and PD 749.

(B) BAYLOR-RELATED USE means any of the following uses within the Baylor expanded district:

- Adult day care facility.
- Ambulance service.
- Child-care facility.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Day home.
- Extended stay hotel or motel.
- Helistop.
- Hospital.

- Hotel or motel.
- Medical clinic or ambulatory surgical center.
- Medical or scientific laboratory.
- Office.
- Residential hotel.

(C) BAYLOR-RELATED USE SPECIAL PARKING means parking spaces located within the Baylor expanded district and available for use by Baylor-related uses.

(D) BAYLOR SHUTTLE means a private shuttle bus service that connects Baylor-related uses to Baylor-related use special parking spaces.

(E) MASTER PARKING AND FLOOR AREA PLAN means the Master Parking and Floor Area Plan shown on Exhibit 298I, and as revised and supplemented in accordance with this article.

(F) REQUIRED BAYLOR-RELATED USE SPECIAL PARKING means the total number of required parking spaces for all Baylor-related uses that satisfy their off-street parking requirements with Baylor-related use special parking.

(4) Application. Off-street parking requirements for Baylor-related uses may be satisfied with Baylor-related use special parking as shown on the Master Parking and Floor Area Plan and subject to the requirements in this subsection.

(5) Number of spaces available and required. The number of Baylor-related use special parking spaces existing on June 28, 2006, is 8,755. The number of required Baylor-related use special parking spaces existing on June 28, 2006, is 7,089. Reductions in floor area from the floor area existing on June 28, 2006, will result in adjustments to the number of Baylor-related use special parking spaces required as follows: one parking space per bed for hospital use, and one space per 200 square feet of floor area for any other use.

(6) Baylor shuttle.

(A) The Baylor shuttle service must be available for use from 5:30 am to 8 pm Monday through Friday with service to all stops at intervals of not more than 20 minutes for all occupants, employees, and guests of Baylor-related uses that satisfy their off-street parking requirements with Baylor-related use special parking.

(B) The Baylor shuttle service must stop within 300 feet of the nearest entrance to a Baylor-related use and within 300 feet of each parking lot providing Baylor-related use special parking.

(C) In this subsection, distance is measured from the shuttle stop to the nearest entrance of the main use or from the nearest pedestrian access to the parking lot to the shuttle stop, measured along the most convenient pedestrian walkway.

(D) The building official may extend the distance to a maximum of 600 feet unless the extension would:

(i) significantly discourage use of the Baylor-related use special parking,

- (ii) unreasonably endanger the safety of persons or property, or
- (iii) not otherwise be in the public interest.

(7) Agreement required.

(A) No written agreement is required if the fee simple owner of the real property on which the Baylor-related use is located is the same as the fee simple owner of the real property on which the Baylor-related use special parking is provided. Otherwise, a written agreement is required in accordance with this paragraph.

(B) The written agreement must comply with the special parking agreement requisites in Section 51A-4.328.

(C) A copy of the written agreement must be provided to the building official at the time application is made for a building permit or certificate of occupancy.

(8) Master Parking and Floor Area Plan supplements.

(A) A Master Parking and Floor Area Plan supplement must be submitted to and approved by the building official (see Exhibit 298I-1) if an application is made for:

(i) a building permit, demolition permit, or a certificate of occupancy that modifies the parking requirements for any use satisfying all or part its off-street parking requirement with Baylor-related use special parking;

(ii) approval of a parking agreement for any use or parking within the Baylor expanded district; or

(iii) a building permit, demolition permit, or certificate of occupancy that modifies the parking requirements in connection with additions to or reductions in floor area that have occurred since the last supplement that are not described in this paragraph, such as destruction of a building by fire or expiration or withdrawal of a building permit application.

(B) A Master Parking and Floor Area Plan supplement must include:

(i) the number assigned to each Baylor-related use special parking lot,

(ii) the boundaries of each Baylor-related use special parking lot,

(iii) any changes to the number of Baylor-related use special parking spaces since the last approved supplement,

(iv) a corresponding table indicating

(aa) the number of parking spaces available in each Baylor-related use special parking lot;

(bb) the number of parking spaces designated for

Baylor-related parking lot;

(cc) the number of parking spaces designated as on-site

(dd) the number of spaces designated as remote parking subject to a parking agreement (citing the recording information of the parking agreement and the location of the use); and

(ee) the number of spaces that are not available as Baylor-related use special parking.

(v) a revised floor area tabulation for the Baylor expanded district in the form shown on Exhibit 298I-2, and

(vi) a revised Master Parking and Floor Area Plan that shows:

(aa) the floor area being added or removed; and

(bb) other changes to the Master Parking and Floor Area Plan since the last update, including changes to the floor area of existing buildings; new buildings; demolished buildings; changes to parking areas; and revisions to streets, alleys, or private drives.

(C) The building official shall maintain a copy of each approved Master Parking and Floor Area Plan supplement.

(D) A property owner may charge a fee to use required off-street parking for Baylor-related uses in the Baylor expanded district.

(c) Special parking provisions for Subarea 1 0B.

(1) Enclosed garages fronting Carmel Street may be located within five feet of the Property line, and must be equipped with automatic garage doors that are maintained in working order at all times.

(2) The visual obstruction regulations in Section 51A-4.602(d) do not apply to dwelling units fronting on Carmel Street.

(3) Dwelling units fronting on Carmel Street do not count toward any guest parking requirements.

(4) Along Carmel Street, at no time may the areas in front of the enclosed garages be used for parking of vehicles.

(5) Along Carmel Street, in front of the dwelling units shown on the development plan, no parking is allowed, and “No Parking” signs must be provided in accordance with the standard city specifications and completed to the satisfaction of the director of public works and transportation.

(6) A total of 10 guest parking spaces are required for Subarea 1 0B.

(i) The guest parking spaces must comply with the dimensional

requirements of the Dallas Development Code.

(ii) Six guest parking spaces must be located on the Property.

(iii) Four guest parking spaces may be located in the Live Oak Street right-of-way, immediately adjacent to Subarea 10B. (Ord. Nos. 20049; 24914; 26388; 26707; 29390)

SEC. 51P-298.116. FLOOR AREA RATIO AND FLOOR AREA.

(a) Maximum floor area ratios in each subarea within the Bryan Area SPD are as follows:

<u>Subarea</u>	<u>Maximum Floor Area Ratio</u>
1, 1A, and 1B	4:1
3	4:1
4	2:1
5	4:1
<u>5A</u>	<u>5.85:1</u>
6	None
7	3:1*
	2:1**
8	2.5:1
10, 10A, and	3:1
11 and 11A	2.5:1
12 and 12A	4:1
13	2:1

*Applies if at least one-half of the floor area of the structure is occupied by residential uses. **Applies in all other cases.

(b) The maximum total floor area permitted in Subarea 12A is 1,334,848 square feet. (Ord. Nos. 20049; 24914; 25960; 26388; 28056; 29099; 29390)

SEC. 51P-298.117. RECONCILIATION OF REGULATIONS APPLICABLE TO SUBAREA 6.

The special development standards contained in Ordinance Nos. 16029, 16858, 17676, and 17966 apply to Subarea 6. In the event of a conflict between the provisions of this article and the special development standards, the more restrictive regulation applies. (Ord. Nos. 20049; 24914)

SEC. 51P-298.118. HIGHLY REFLECTIVE GLASS PROVISIONS.

Highly reflective glass may not be used as an exterior building material on any building or structure in the Bryan Area SPD. For the purposes of these restrictions, highly reflective glass means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.) (Ord. Nos. 20049; 24914)

SEC. 51P-298.119. FENCES.

(a) Fencing material for properties fronting on Ross Avenue, Live Oak Street, and Gaston Avenue must be wrought iron, tubular steel, or similar material, or a combination of these items, with up to a four-foot-high masonry base.

(b) Fencing material for all other properties must be wrought iron, tubular steel, chain link, wood, or similar materials or a combination of these items with up to a four-foot-high masonry base.

(c) Razor wire and barbed wire fencing are prohibited in this district within 50 feet of the back-of-curb on the following streets:

- (1) Gaston.
- (2) Good Latimer.
- (3) Haskell.
- (4) Live Oak.
- (5) Peak.
- (6) Ross.
- (7) Washington.

(d) Nonconforming razor wire and barbed wire fencing materials must be removed by April 26, 2008.

(e) Maximum fence height.

- (1) Except as further limited in this subsection, maximum fence height is nine feet.
- (2) For all residential uses, maximum fence height in the required front yard is four feet.

(f) Razor wire and barbed wire fencing are prohibited in Subarea 1A. (Ord. Nos. 25960; 28056)

SEC. 51P-298.120. SPECIAL PROVISIONS FOR SUBAREAS 10A, 11A, AND 12A.

(a) Definitions. In this section,

(1) BAYLOR EXPANDED DISTRICT means the property in Subareas 10A, 11A, and 12A of PD 298 and PD 749.

(2) PROPERTY OWNER means the Baylor University Medical Center or its successors.

(b) Traffic Management Plan (TMP) in general.

(1) Instead of requiring a TMP prior to the passage of this ordinance, the property owner must submit a TMP for review by the director by June 28, 2007.

(2) No building permit may be issued that will result in a total floor area in the Baylor expanded district exceeding 4,068,964 square feet until the property owner submits a revised TMP for review by the director. Thereafter, a revised TMP must be submitted with each additional 500,000 square feet in total floor area. The building official shall determine if a revised TMP is required by using the cumulative floor area calculation for the Baylor expanded district as shown on the last approved supplement to the Master Parking and Floor Area Plan.

(3) The preparation and submission of the TMP and its revisions are the responsibility of the property owner. The TMP and its revisions must be:

(A) prepared by a registered professional engineer skilled in transportation engineering; and

(B) approved by the director.

(c) Contents of the TMP. The TMP and its revisions must be in writing and must report on the following:

(1) The planned and actual operations of the street system within and in the immediate vicinity of the Baylor expanded district, describing traffic controls, lane operations, signal timing patterns, signage, dedicated lanes, crosswalks in the right-of-way, the impact of public transportation, and traffic control personnel including security personnel directing traffic.

(2) The planned and scheduled construction of the street system within and in the immediate vicinity of the Baylor expanded district during the construction of roadways and buildings.

(3) The planned and actual maintenance and management of traffic within and in the immediate vicinity of the Baylor expanded district during the construction of roadways and buildings.

(4) Development and occupancy levels within the Baylor expanded district.

(5) Vehicular congestion and pedestrian safety concerns at locations within and in the immediate vicinity of the Baylor expanded district together with an analysis of and recommendations for appropriate mitigation measures.

(d) Approval by the director. The director shall approve the TMP and its revisions following the procedures and standards in Subsection 51A-4.803(e) through (k) regarding site plan review.

(e) Subarea 12A. The building official shall not issue a building permit for new construction in Subarea 12A without a completed floor area tabulation form (Exhibit 298J). The applicant shall provide documentation of floor area reduction from demolition of structures or expiration or withdrawal of previous building permit applications for new construction. The applicant must file a copy of each completed floor area tabulation form with the building official at the time the application is made for the building permit. (Ord. Nos. 26388; 26707)

(f) Subarea 5A. The property owner shall prepare a traffic study evaluating the intersection of Cantegral and Live Oak. The traffic study must be submitted to the director after one of the following, whichever occurs first (i) eighty percent occupancy of the multifamily section of the project or (ii) within one year of the final certificate of occupancy for the retail section of the project. If the Director or the

Director's representative and Street Services are not satisfied with the report's findings, staff will request that the applicant changes the access points on Texas Street to be reduced to only one left lane and only one right lane to alleviate any deficiencies in the level of services at this location. Other options may be considered when the report is submitted for evaluation. The applicant must bring the site to compliance or implement an acceptable way to improve the level of service within six months of the Director or the Director's representative and Street Services decision. Failure to comply with the Director's request to resolve the issue, the Director shall notify the City Plan Commission.

SEC. 51P-298.121. GENERAL REQUIREMENTS.

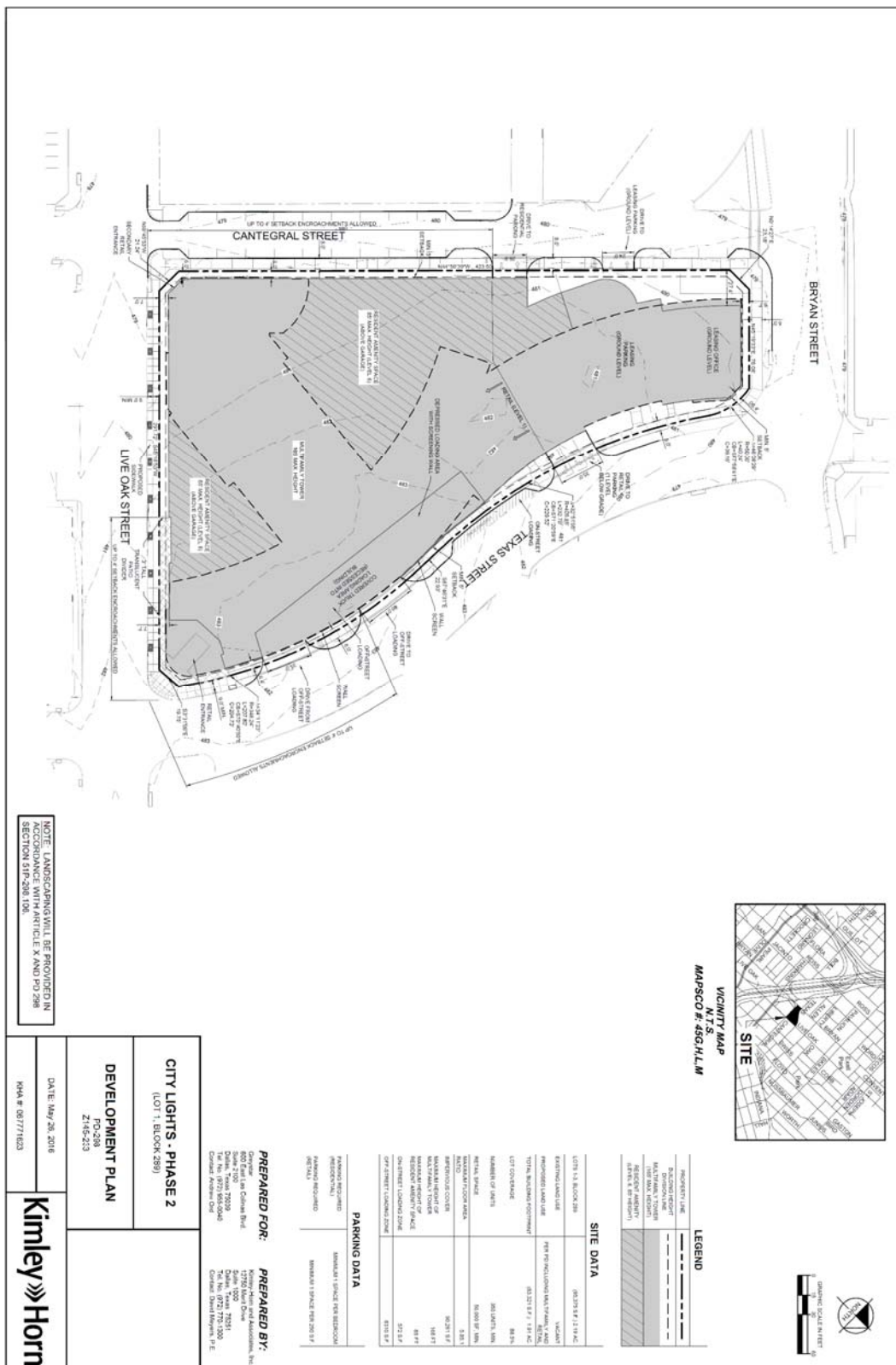
Development of the Property must comply with the requirements of all ordinances, rules, and regulations of the city. (Ord. Nos. 20049; 24914; 25960; 26102; 26388)

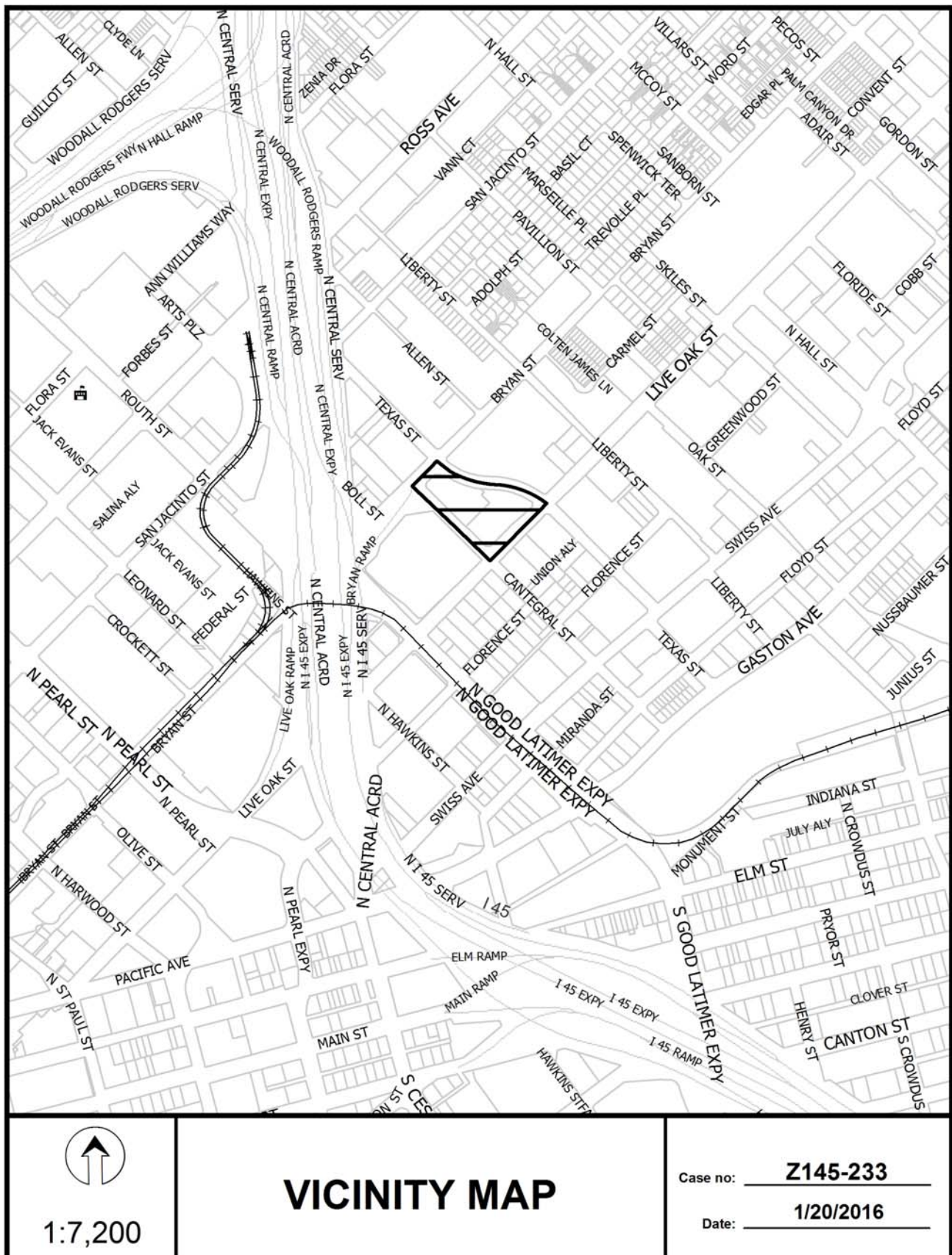
SEC. 51P-298.122. COMPLIANCE WITH CONDITIONS.

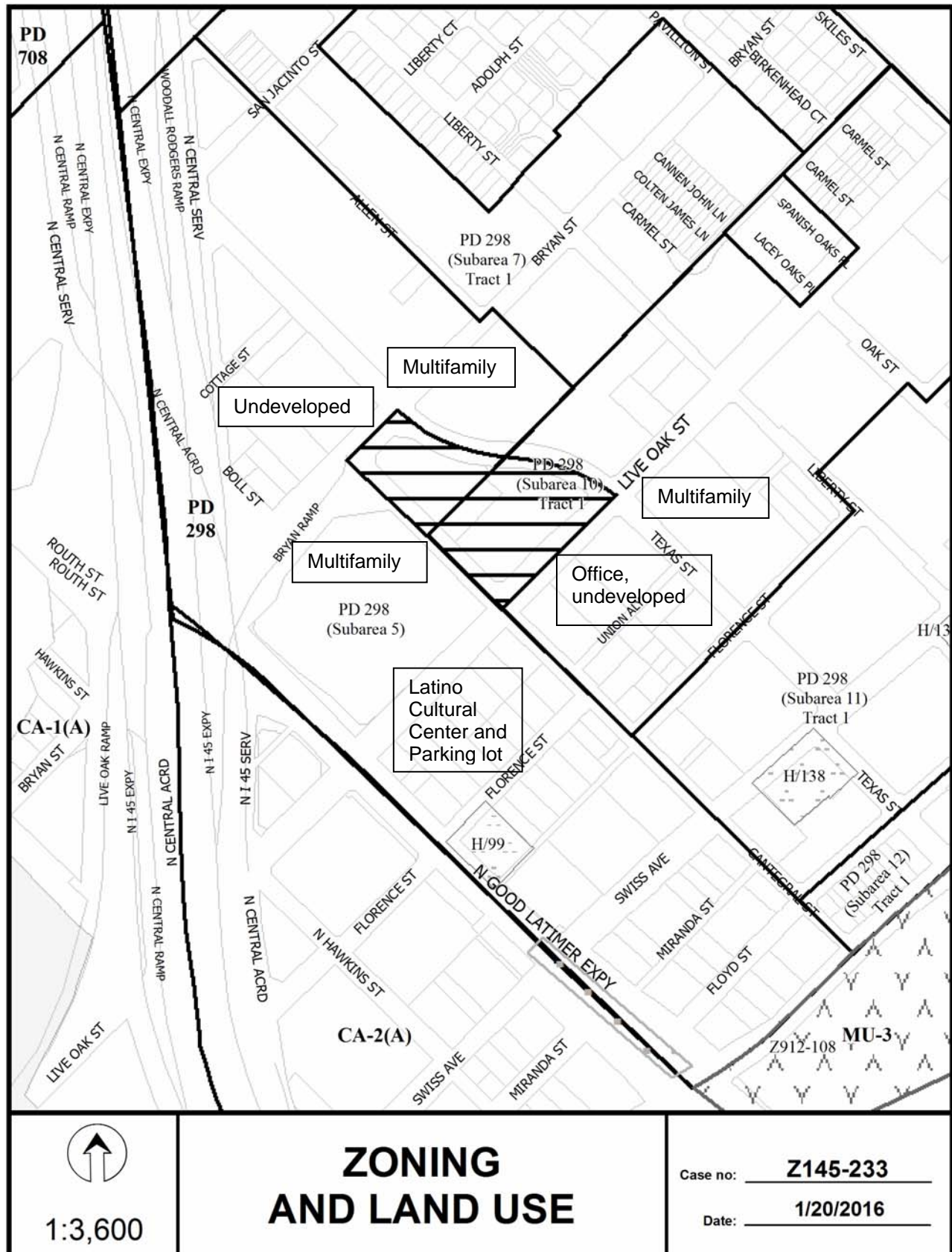
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit or 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. 20049; 24914; 25960; 26102; 26388)

PROPOSED DEVELOPMENT PLAN







CPC RESPONSES



05/18/2016

Reply List of Property Owners***Z145-233******28 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	2713 LIVE OAK ST	MINERVA PARTNERS LTD
	2	2633 SWISS AVE	MARTINEZ FERNANDO
	3	2613 SWISS AVE	BONNESS PROPERTY COMPANY
O	4	624 N GOOD LATIMER EXPY	MEADOWS FOUNDATION INC
	5	2709 BRYAN ST	TM DEVELOPMENT PARTNERS LTD
	6	805 TEXAS ST	910 N CENTRAL LLC
	7	815 ALLEN ST	BLACKMAN NEELY L &
	8	2815 LIVE OAK ST	NER O W LLC
	9	707 LIBERTY ST	YEUNG SHIU F
	10	2817 LIVE OAK ST	LIVE OAK SHOPPING CENTER LLC
O	11	2708 LIVE OAK ST	UNION ALLEY I LIMITED
O	12	2700 LIVE OAK ST	UNION ALLEY I LTD PS
	13	607 TEXAS ST	HOPE COTTAGE INC
	14	606 CANTEGRAL ST	CANTEGRAL LP
	15	2707 FLORENCE ST	CARTUSCIELLO CODY A
	16	600 CANTEGRAL ST	DEVLIN ESTANISLADA FLANIGAN
	17	510 CANTEGRAL ST	2705 SWISS AVE LLC
	18	814 N GOOD LATIMER EXPY	ELAN DALLAS CITY LIGHTS OWNER LP
	19	910 TEXAS ST	CH REALTY VI HC MF DALLAS BRYAN PLACE
	20	2801 LIVE OAK ST	CWS TEXAS ST LP &
	21	2720 LIVE OAK ST	SMD LIVE OAK LLC &
	22	2711 FLORENCE ST	LYON RICHARD G
	23	2711 FLORENCE ST	WEINERTH DAVID &
	24	2711 FLORENCE ST	BELL AMAR
O	25	2720 UNION ALLEY ST	UNION ALLEY I LIMITED PARTNERSHIP
	26	2757 SWISS AVE	DALLAS CASA

Z145-233(OTH)

05/18/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2800	LIVE OAK ST	VOLUNTEER CTR OF DALLAS
28	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 8

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 76 M R

SUBJECT

A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.428 acres of the current 0.510 acres of land, located at 1000 Bonnie View Road, of which the 0.510 acres are within the floodplain of Sheppard Branch, Fill Permit 16-02 - Financing: No cost consideration to the City

BACKGROUND

This request is to fill approximately 0.428 acres of the current 0.510 acres of floodplain, from a total tract of 61.699 acres, to be used for an industrial development. The proposed fill is located at 1000 Bonnie View Road within the floodplain of Sheppard Branch.

A neighborhood meeting was held at the Tommie M. Allen Recreation Center on April 20, 2016. Attendees included the developer's engineer and three City staff members. No citizens from the area attended. There has been no objection to the fill permit.

The fill permit application meets all engineering requirements for filling in the floodplain as specified in Part II of the Dallas Development Code, Section 51A-5.105(h). The applicant has not requested a waiver of any criteria. Accordingly, the City Council should approve this application; or, it may pass a resolution to authorize acquisition of the property under the laws of eminent domain and may then deny the application in order to preserve the status quo until acquisition.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNER/APPLICANT

Dermody Properties
2860 South River Road, Suite 480
Des Plaines, IL 60078

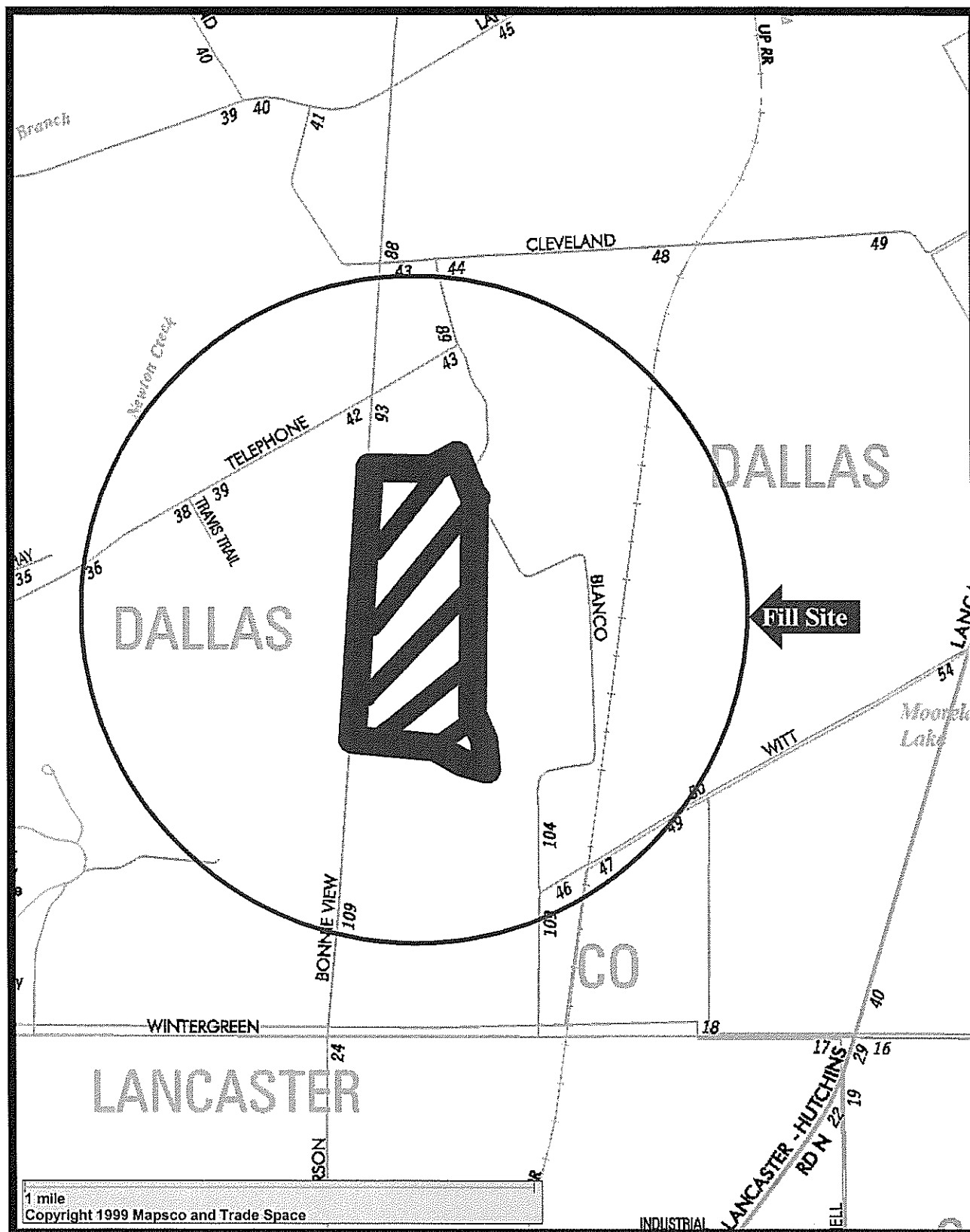
ENGINEER

Mr. Brad W. Pickering, P.E, CFM,
Kimley-Horn and Associates, Inc.
12750 Merit Drive
Dallas, Texas 75251

MAP

Attached.

Fill Permit 16-02

**Mapsc076-M, R**

AGENDA ITEM # 67

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 9

DEPARTMENT: Planning and Urban Design

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

MAPSCO: 38 G L M; 39 J K

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Gus Thomasson Road from Easton Road to Mesquite City Limits from an existing (EXISTING) roadway designation to a special four-lane divided (SPCL 4D) roadway within 80 to 85 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

The proposed amendment aligns with the community's vision outlined in the draft Greater Casa View Area Plan which prioritizes pedestrian enhancements. This Complete Streets project will create a multi-modal sustainable roadway that will improve walkability and enhance the pedestrian experience by widening the sidewalk and adding a landscape buffer between pedestrians and vehicles. It will improve safety in the area by adding pedestrian lighting. The reduced cross section can accommodate existing and projected traffic volumes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The City Plan Commission Transportation Committee acted on this item on May 5, 2016, and followed staff recommendation of approval.

The City Plan Commission acted on this item on May 19, 2016, and followed staff recommendation of approval.

Information about this item will be provided to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

Gus Thomasson Road

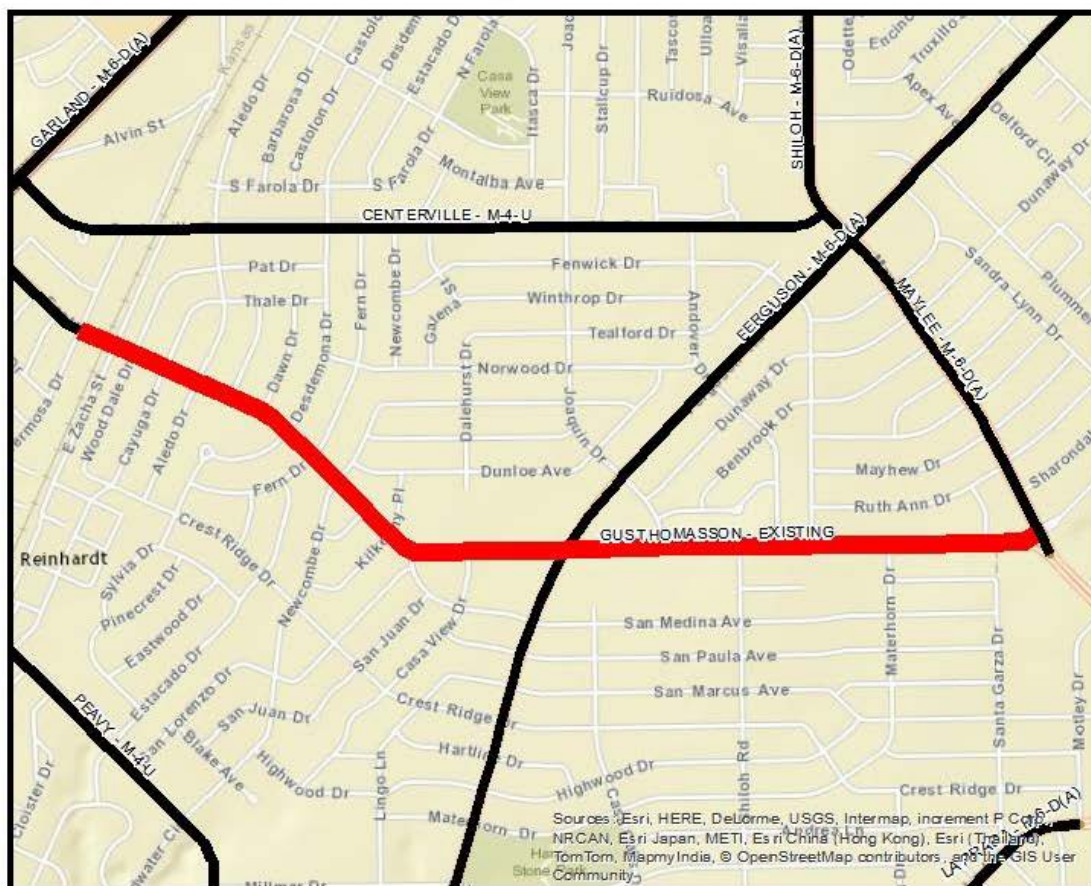
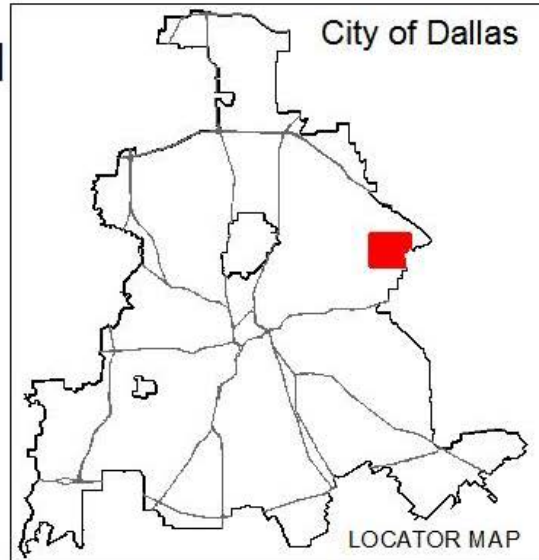
Easton Road to Mesquite City Limits

Council District: 9

MAPSCO: 38-G,L,M; 39-J,K



Thoroughfare Plan Amendment Map



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 9

DEPARTMENT: Office Of Environmental Quality

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

MAPSCO: 38 J

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by 9371 Garland, LLC and the City of Dallas, located near the intersection of Garland Road and North Buckner Boulevard and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to 9371 Garland, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the Designated Property is underlain by a perched shallow groundwater bearing unit encountered at approximately 15 feet below ground surface (bgs) and extending to approximately 25 feet bgs where the Austin Chalk Limestone is first encountered. The Austin Chalk is considered a regional aquitard and is composed primarily of light gray limestone chalk and marl. The estimated thickness of the Austin Chalk in the area is approximately 200 feet. The Austin Chalk is underlain by a second regional aquitard, the Eagle Ford Shale, which has an estimated thickness of 450 feet in the area. The direction of groundwater flow beneath the Designated Property is to the west-northwest. A portion of the groundwater has been affected by tetrachloroethene (PCE), trichloroethene (TCE), and Cis-1,2-dichloroethene (Cis-1,2-DCE) at concentrations above groundwater ingestion standards. There are two suspected sources of these chemicals, one on-site and one off-site. The suspected onsite source is the former Dry Clean Super Center that operated as a dry cleaning facility from at least 1999 until November 2015, and was located on the northeastern tract of the Designated Property. The suspected offsite source is the historical dry cleaning operations located approximately 200 feet east of the Designated Property at 9440 Garland Road in Suite 110 of the Casa Linda Plaza Shopping Center. This suite was occupied by multiple dry cleaning tenants from at least 1967 through sometime around 1989, including the former Top Hat Cleaners facility.

BACKGROUND (Continued)

A portion of the designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in November 2015 and is designated as VCP Facility ID No. 2787.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting will be held on June 15, 2016 to receive comments and concerns. Notices of the meeting were sent to 576 property owners within 2,500 feet of the property and 46 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Garland Road and North Buckner Boulevard including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently, the northeastern tract located at 9371 Garland Road is vacant and anticipated to be redeveloped for commercial use. The southwestern tract located at 9365 Garland Road is currently a City of Dallas Fire Station and is anticipated to continue use as a Fire Station.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life and Environment Committee on June 13, 2016.

FISCAL INFORMATION

No cost consideration to the City

OWNERS

9371 Garland, LLC

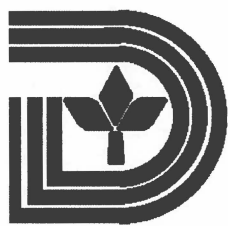
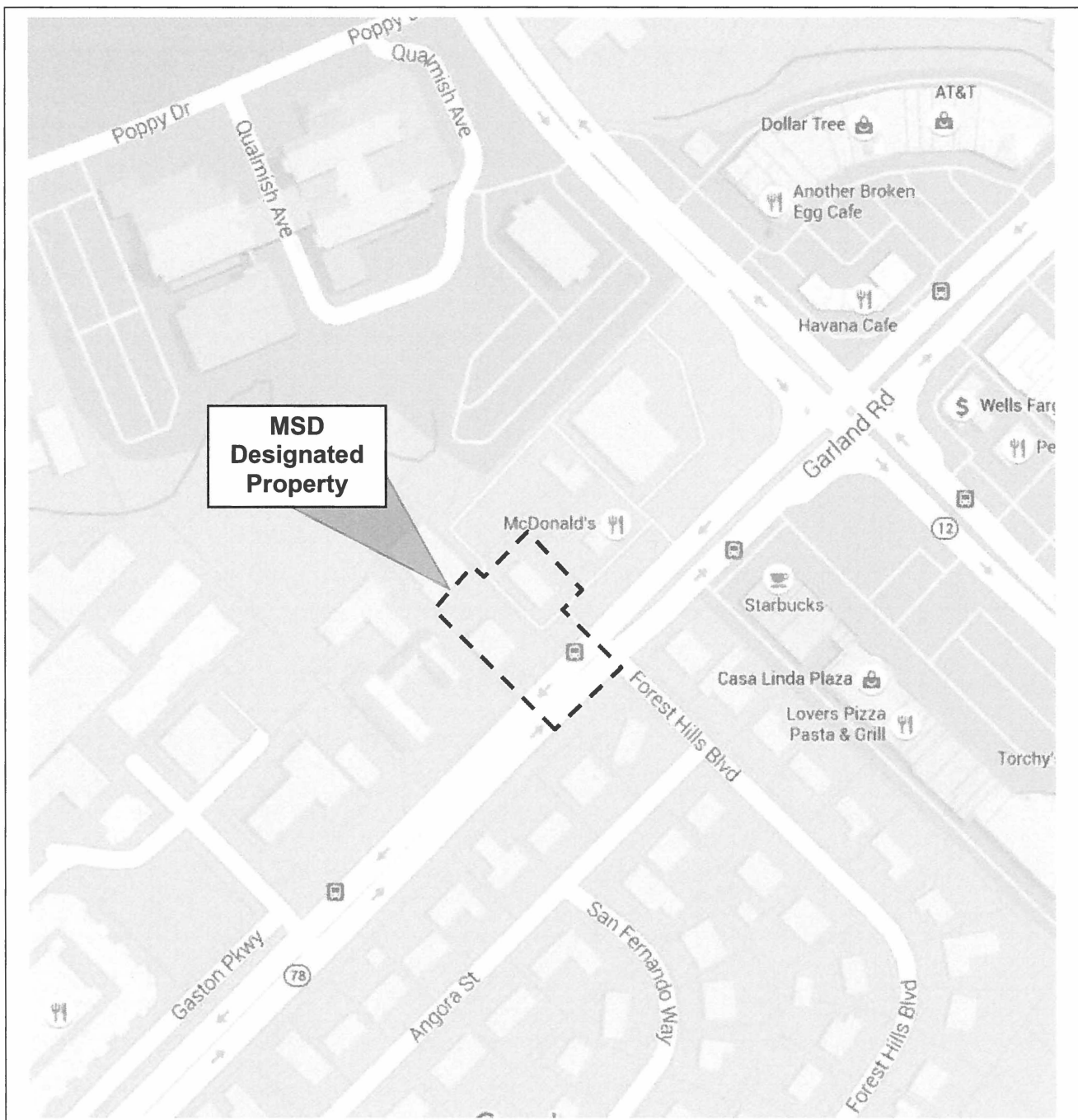
Douglas M. MacMahon, Manager

City of Dallas

A.C. Gonzalez, City Manager

MAP

Attached



CITY OF DALLAS



Municipal Setting Designation
Designated Property Boundary Map

MSD Log OEQ0057

Applicant – 9371 Garland, LLC

9371 and 9365 Garland Road

Dallas, TX 75218

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 9365 and 9371 Garland Road and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, “Municipal Setting Designations,” of Chapter 361, “Solid Waste Disposal Act,” of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, “Municipal Setting Designation Ordinance,” of Article VI, “Environmental Performance Standards,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the “designated property” means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, “designated groundwater” means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

- (1) Human consumption or drinking.
- (2) Showering or bathing.
- (3) Cooking.
- (4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

- (1) The potable use of the designated groundwater from beneath the designated property is prohibited.

- (2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.
- (3) The portion of the designated property assigned TCEQ Voluntary Clean-up Program No. 2787 must receive a Certificate of Completion from the Texas Commission on Environmental Quality by no later than June 22, 2018.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

- (1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than June 22, 2018. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

- (1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

- (2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;
- (3) recommend to the city council that this municipal setting designation ordinance be repealed;
- (4) request additional information or documentation from the applicant; or
- (5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed \$2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER D. BOWERS, Interim City Attorney

By _____
Assistant City Attorney

Passed _____

GIS_Approved

MUNICIPAL SETTING DESIGNATION SURVEY
C.A. LOVEJOY SURVEY, ABSTRACT No. 829
CITY OF DALLAS BLOCK NO. C/4414, DALLAS COUNTY, TEXAS

BEING all that certain tract or parcel of land situated in the C.A. Lovejoy Survey, Abstract No 829 in the City of Dallas, Dallas County, Texas and being a portion of Garland Road, having a variable with right-of-way and being all of that certain tract of land conveyed to City of Dallas, as recorded in Volume 2651, Page 258 of the Deed Records of Dallas County, Texas, and being all of Lots 2A, Block C/4414 of TCB-Casa Linda Addition, Revision 1, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 98095, Page 57 of the Map Records of Dallas County, Texas, also being all that certain tract of land conveyed to Akleanco, Inc, as recorded in Volume 99065, Page 3100 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a "X" found for the most westerly corner of said City of Dallas tract and interior ell corner of that certain tract of land conveyed to White Rock Community Church, as recorded in Volume 98085, Page 9324 of the Deed Records of Dallas County, Texas;

THENCE North 43 degrees 51 minutes 59 seconds East, along the northwest line of said City of Dallas tract and a southeast line of said Church tract, a distance of 102.06 feet to a point for the most northerly corner of said City of Dallas tract and the northerly most east corner of said Church tract, said point being in a southwest line of that certain tract of land conveyed to Texas Commerce Bank-Casa Linda, National Association, as recorded in Volume 80238, Page 2396 of the Deed Records of Dallas County, Texas;

THENCE South 45 degrees 13 minutes 13 seconds East, along the northeast line of said City of Dallas tract and a southwest line of said Bank tract, a distance of 21.67 feet to a "X" found for a south corner of said Bank tract and the most westerly corner of said Lot 2A;

THENCE along the northwest line of said Lot 2A and a southeast line of said Bank tract, the following four (4) courses:

North 44 degrees 46 minutes 47 seconds East, a distance of 32.00 feet to a "X" found for corner;

North 50 degrees 16 minutes 13 seconds East, a distance of 17.29 feet to a "X" found for corner;

North 44 degrees 30 minutes 45 seconds East, a distance of 37.86 feet to a "X" found for corner;

North 61 degrees 25 minutes 57 seconds East, a distance of 27.06 feet to a "X" found for corner;

THENCE South 45 degrees 13 minutes 13 seconds East, along the northeast line of said Lot 2A and the a southwest line of said Bank tract, passing at 15.6 feet the most westerly corner of that certain tract of land conveyed to System Capital Real Property Corporation, as recorded in Volume 200105, Page 309 of the Deed Records of Dallas County, Texas, continuing a total distance of 132.60 feet to a "X" found for an east corner of said Lot 2A and an interior ell corner of said System Capital tract;

LEGEND:

IRF	IRON ROD FOUND
"X" FND	X FOUND IN CONCRETE
SQ FT	SQUARE FEET
D.R.D.C.T	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS



TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com

Bearings are based on State Plane Coordinate System, Texas North Central Zone 4202, North American datum of 1983, (2011) on grid coordinate values, no scale and no projection.

JOB #: 1502856-2
DATE: 11/18/15
DRAWN BY: CRH
PAGE: 1 of 3

**MUNICIPAL SETTING DESIGNATION SURVEY
C.A. LOVEJOY SURVEY, ABSTRACT No. 829
CITY OF DALLAS BLOCK NO. C/4414, DALLAS COUNTY, TEXAS**

THENCE South 44 degrees 46 minutes 47 seconds West, along the most southerly east line of said Lot 2A and a northwest line of said System Capital tract, a distance of 42.49 feet to a "X" found for an interior ell corner of said Lot 2A and a west corner of said System Capital tract;

THENCE South 45 degrees 13 minutes 13 seconds East, along a northeast line of said Lot 2A and a southwest line of said System Capital tract, passing at 36.50 feet a "X" found for an easterly corner of said Lot 2A and the most southerly corner of said System Capital tract and the northwest right-of-way line of said Garland Road (called 110 foot right-of-way at this point), continuing a total distance of 146.27 feet to a point for corner in the southeast right-of-way line of said Garland Road and in the northwest line of Casa Linda Highlands, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 8, Page 435 of the Map Records of Dallas County, Texas;

THENCE South 44 degrees 12 minutes 02 seconds West, along the southeast line of said Garland Road and the northwest line of said Casa Linda Highlands, a distance of 168.66 feet to a point for corner;

THENCE North 45 degrees 56 minute 30 seconds West, a distance of 309.88 feet to the POINT OF BEGINNING and containing 57,202 square feet or 1.313 acres of land, more or less.

This document was prepared under 22TAC 663.21 and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

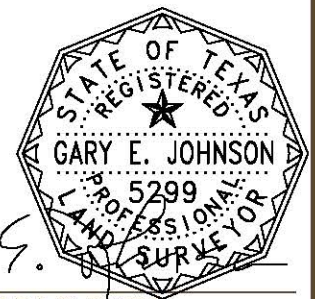
LEGEND:

IRF	IRON ROD FOUND
"X" FND	X FOUND IN CONCRETE
SQ FT	SQUARE FEET
D.R.D.C.T	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS



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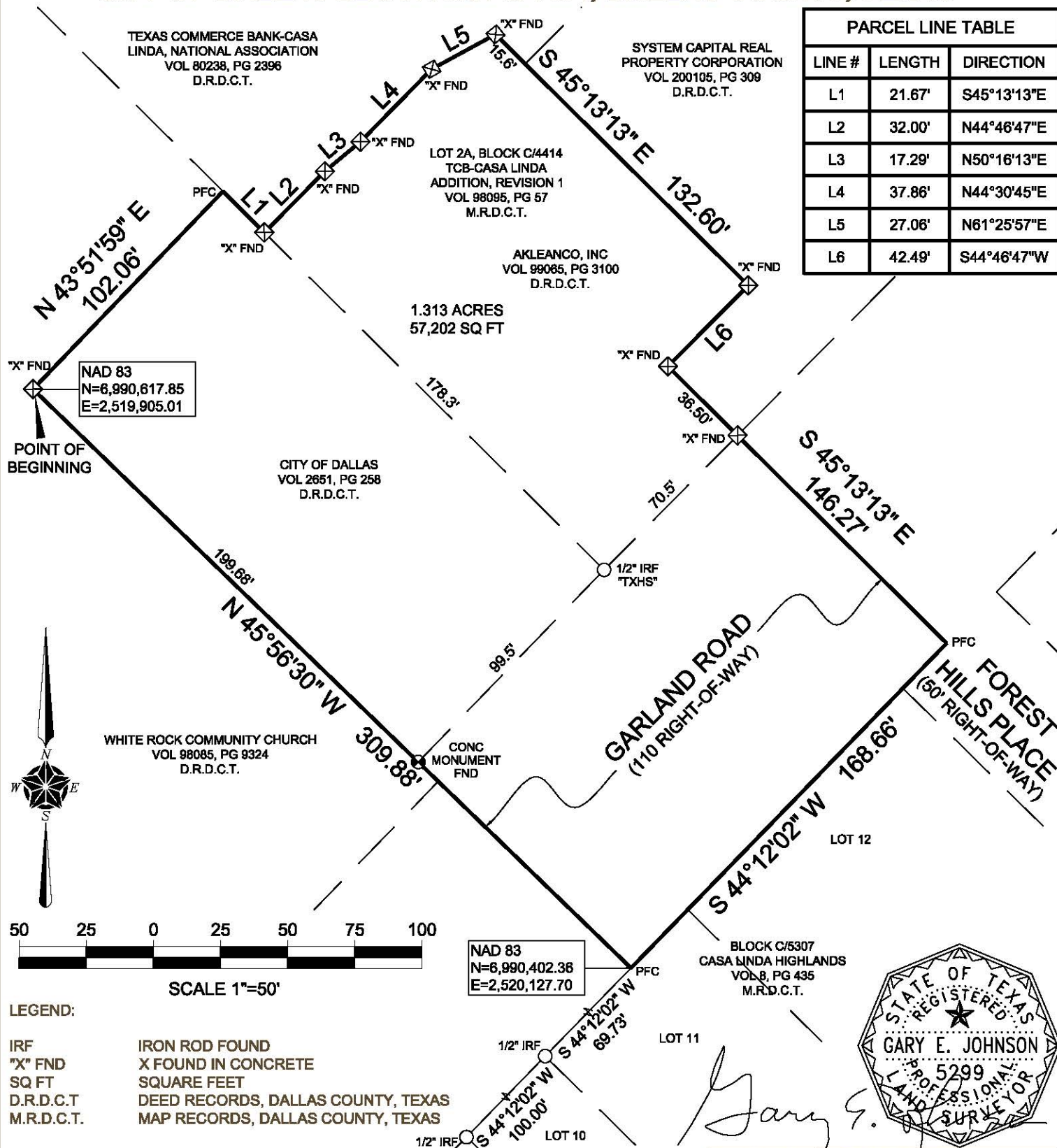
Gary E. Johnson, R.P.L.S. #5299



Bearings are based on State Plane Coordinate System, Texas North Central Zone 4202, North American datum of 1983, (2011) on grid coordinate values, no scale and no projection.

JOB #: 1502856-2
DATE: 11/18/15
DRAWN BY: CRH
PAGE: 2 of 3

**MUNICIPAL SETTING DESIGNATION SURVEY
C.A. LOVEJOY SURVEY, ABSTRACT No. 829
CITY OF DALLAS BLOCK NO. C/4414, DALLAS COUNTY, TEXAS**



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Bearings are based on State Plane Coordinate System, Texas North Central Zone 4202, North American datum of 1983, (2011) on grid coordinate values, no scale and no projection.

JOB #: 1502856-2
DATE: 11/18/15
DRAWN BY: CRH
PAGE: 3 of 3

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office Of Environmental Quality

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

MAPSCO: 46 J K

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Willow Building 3800 Ltd., located near the intersection of Willow Street and Commerce Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Willow Building 3800 Ltd., by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the designated property is underlain by shallow groundwater that is encountered at approximately 34 feet below ground surface (bgs) and extends to approximately 58 feet bgs at the top of the underlying Austin Chalk and Eagle Ford Shale confining units. These confining units are expected to be many hundreds of feet thick in this area of Dallas. The direction of groundwater flow beneath the designated property is to the south-southwest. The groundwater has been affected by chlorinated volatile organic compounds (CVOCs) including trichloroethylene (TCE), cis-1,2-dichloroethylene (Cis-1,2-DCE), and tetrachloroethylene (PCE); total petroleum hydrocarbons (TPH); and metals including arsenic, cadmium, and lead at concentrations above groundwater ingestion standards. The potential onsite source of CVOCs and TPH is from historical operations at the former John E. Mitchell Company, a machining and manufacturing facility that was used as a sheet metal works and machinery warehouse and operated from 1941 through at least 1970. The potential onsite source for metals is unknown, and there are no current or historical sources. However, the detected metals are naturally occurring and are reported at relatively low concentrations. The potential offsite source of CVOCs and TPH are historical operations at nearby facilities that used or stored similar chemicals.

BACKGROUND (Continued)

A portion of the designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in January 2014 and is designated as VCP Facility ID No. 2629.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting will be held on June 14, 2016 to receive comments and concerns. Notices of the meeting were sent to 554 property owners within 2,500 feet of the property and 84 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Willow Street and Commerce Street including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently, the designated property is occupied by various commercial entities including a woodworking business, automotive refurbishment and restoration businesses, a motorcycle restoration company, and vehicle and equipment storage. The anticipated near-term future use of the designated property is expected to continue as commercial use. The long-term future use will likely include redevelopment for commercial and/or residential purposes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life and Environment Committee on June 13, 2016.

FISCAL INFORMATION

No cost consideration to the City

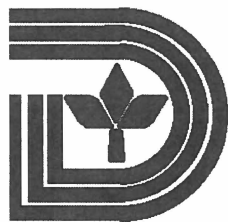
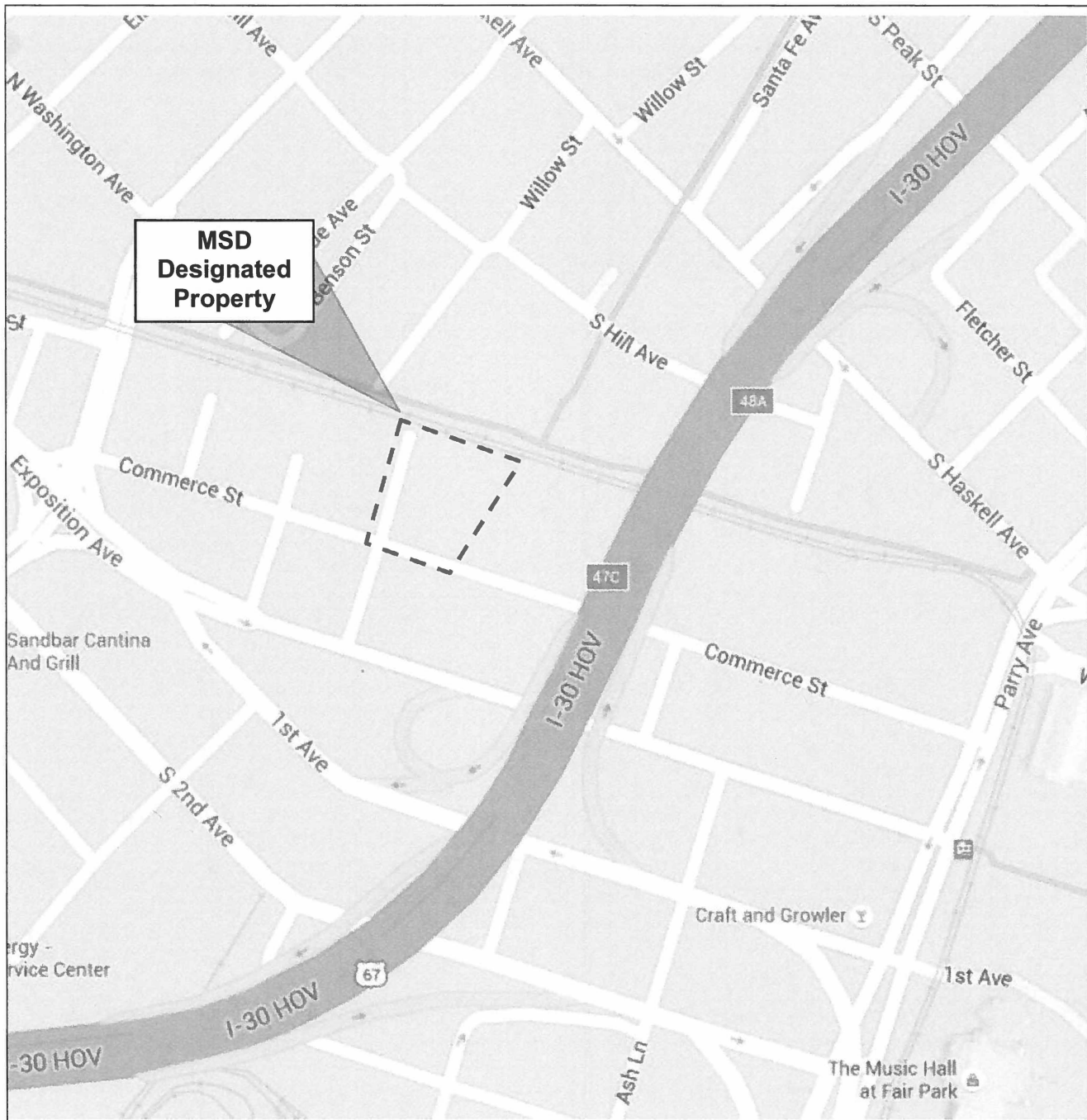
OWNER

Willow Building 3800 Ltd.

Millennium Urban Village, Inc., General Partner
John Miller, President

MAP

Attached



CITY OF DALLAS



**Municipal Setting Designation
Designated Property Boundary Map
MSD Log OEQ0052
Applicant – Willow Building 3800 Ltd.
3800, 3802, 3804, 3806, 3808,
and 3810 Willow Street
Dallas, TX 75226**

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 3800, 3802, 3804, 3806, 3808, and 3810 Willow Street and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, “Municipal Setting Designations,” of Chapter 361, “Solid Waste Disposal Act,” of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, “Municipal Setting Designation Ordinance,” of Article VI, “Environmental Performance Standards,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the “designated property” means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, “designated groundwater” means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

- (1) Human consumption or drinking.
- (2) Showering or bathing.
- (3) Cooking.
- (4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

- (1) The potable use of the designated groundwater from beneath the designated property is prohibited.

- (2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.
- (3) The portion of the designated property assigned Voluntary Cleanup Program Identification No. 2629 must receive a Certificate of Completion from the Texas Commission on Environmental Quality by no later than June 22, 2018.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

- (1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedance zone originating from sources on the designated property or migrating from the designated property no later than June 22, 2018. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

- (1) allow additional time to address the non-ingestion protective concentration level exceedance zone;

- (2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;
- (3) recommend to the city council that this municipal setting designation ordinance be repealed;
- (4) request additional information or documentation from the applicant; or
- (5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed \$2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER D. BOWERS, Interim City Attorney

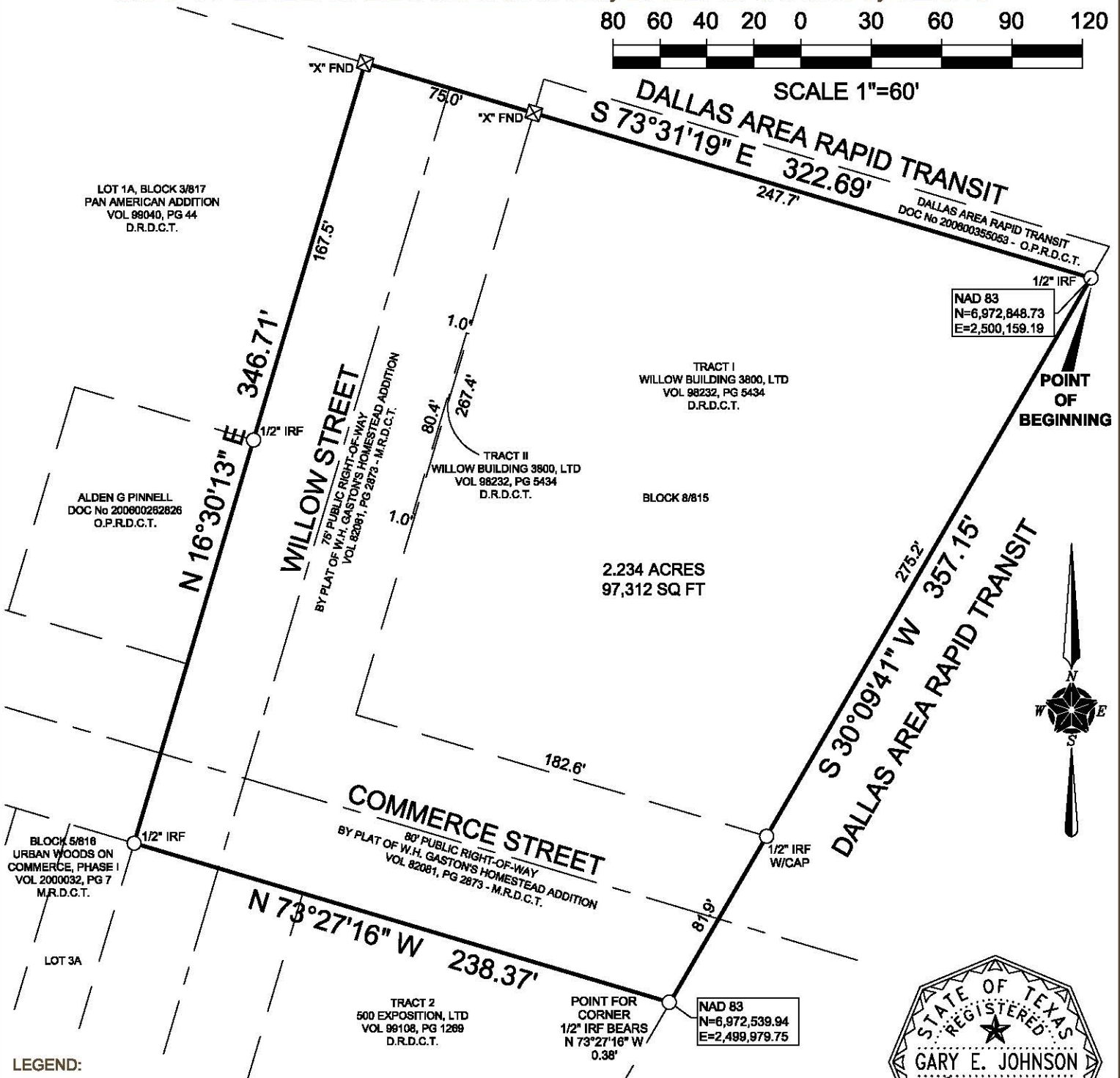
By _____
Assistant City Attorney

Passed _____

**MUNICIPAL SETTING DESIGNATION SURVEY
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS BLOCK NO. 8/815, DALLAS COUNTY, TEXAS**

80 60 40 20 0 30 60 90 120

SCALE 1"=60'



LEGEND:

IRF	IRON ROD FOUND
"X" FND	X FOUND IN CONCRETE
SQ.FT	SQUARE FEET
D.R.D.C.T	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS



TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com

BEARINGS ARE BASED ON NAD 83
GIS COORDINATE SYSTEM



Gary E. Johnson
Gary E. Johnson, R.P.L.S.# 5299

JOB# 1501095-1
DATE: 04/23/15
LAST REVISED: 08/17/15
DRAWN BY: CRH
Page 1 of 2

**MUNICIPAL SETTING DESIGNATION SURVEY
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS BLOCK NO. 8/815, DALLAS COUNTY, TEXAS**

BEING all that certain tract of parcel of land situated in the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas, and being all of Tracts I and II conveyed to Willow Building 3800, Ltd, as recorded in Volume 98232, Page 5434 of the Deed Records of Dallas County, Texas, and a portion of Willow Street and Commerce Street as dedicated by W.H. Gaston's Homestead Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 82081, Page 2873 of the Map Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found (Northing=6,972,848.73, Easting=2,500,159.19) for the northeast corner of said Willow Building 3800 tract and the southeast corner of that certain tract of land conveyed to Dallas Area Rapid Transit, as recorded under Document No 200600355063 of the Official Public Records of Dallas County, Texas, said point also being in the west right-of-way line of Gulf, Colorado & Santa Fe Railroad;

THENCE South 30 degrees 09 minutes 41 seconds West, along the east line of said Willow Building 3800 and the west line of said Gulf, Colorado & Santa Fe Railroad, a distance of 357.15 feet to a point for the northeast corner (Northing=6,972,539.94, Easting=2,499,979.75) of that certain Tract 2 to 500 Exposition, Ltd, as recorded in Volume 99108, Page 1269 of the Deed Records of Dallas County, Texas, a 1/2 inch iron rod found bears North 73 degrees 27 minutes 16 seconds West, a distance of 0.38 feet, said point also being in the south right-of-way line of said Commerce Street;

THENCE North 73 degrees 27 minutes 16 seconds West, along the south right-of-way line of said Commerce Street and the north line of said 500 Exposition tract, a distance of 238.37 feet to a 1/2 inch iron rod found for the southwest intersection of said Commerce Street and said Willow Street;

THENCE North 16 degrees 30 minutes 13 seconds East, along the west right-of-way line of said Willow Street, , a distance of 346.71 feet to an "X" found for the northwest corner of Lot 1A, Block 3/817 of Pan American Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 99040, Page 44 of the Map Records of Dallas County, Texas;

THENCE South 73 degrees 31 minutes 19 seconds East, over and across said Willow Street and along the north line of said Willow Building 3800 tract, a distance of 322.69 feet to the POINT OF BEGINNING and containing 97,312 square foot or 2.234 acre of land.




Gary E. Johnson, R.P.L.S.# 5299



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