

**MAY 22, 2024 CITY COUNCIL AGENDA**  
**CERTIFICATION**


This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated May 22, 2024. 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.



\_\_\_\_\_  
Kimberly Bizor Tolbert  
City Manager (i)

\_\_\_\_\_  
05/17/2024

\_\_\_\_\_  
Date



\_\_\_\_\_  
Jack Ireland  
Chief Financial Officer

\_\_\_\_\_  
05/17/2024

\_\_\_\_\_  
Date





# Memorandum



CITY OF DALLAS

DATE May 17, 2024

TO Honorable Mayor and Members of the City Council

SUBJECT **May 22, 2024 City Council FINAL Agenda – Additions/Revisions/Deletions Memorandum**

On May 10, 2024, a DRAFT City Council Agenda May 22, 2024, was provided for your review. This memorandum outlines any additions, revisions or deletions made to the FINAL agenda after the distribution of the DRAFT agenda. In addition, we have highlighted agenda items which have been briefed to the City Council and/or Committee by briefing memorandums.

Additional items and deletions to the DRAFT agenda are outlined below, including *revisions* to the FINAL agenda are underlined in blue and *deletions* are strikethrough in red. A brief explanation for revisions along with staff's contact information is provided.

## **Additions:**

- 48. 24-1753 Consideration of appointments to the Dallas Area Rapid Transit Board of Directors for Positions 01 and 02 for the 2024-2026 Board Term (Closed Session, if necessary, Personnel, Sec. 551.074, T. O. M. A.) (Name of nominee in the City Secretary's Office) - Financing: No cost consideration to the City
- 49. 24-1540 Authorize a one-year service contract, with one, one-year renewal option for the City Manager recruitment consultant for the Department of Human Resources - Baker Tilly US, LLP, most advantageous proposer of fifteen - Not to exceed \$134,375.00 - Financing: General Fund (subject to annual appropriations)

## **Revisions:**

- 7. 24-1572 Authorize a three-year service contract with two one-year renewal options for permitting software licenses and services for the Convention and Event Services Department's Office of Special Events with Event Approvals, Inc. - Not to exceed \$142,500.00 - Financing: Convention and Event Services Fund (subject to annual appropriations)  
**This item is being revised to add the M/WBE Information section. Please contact Joyce Williams, Director, Small Business Center Department, at 214-500-4217 or Rosa Fleming, Director, Department of Convention and Event Services, at 214-939-2755, for more information.**
- 8. 24-1486 Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of

Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$22,500,000.00; proceeds of the Bonds will be loaned to DevCo. LLC or its affiliate, Mondello Apartments, LLC (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as The Mondello and located at 2000 Highland Road, Dallas, Texas, ~~75288~~ [75228](#) (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

**This item is being revised to update the Council District and Subject. Please contact Cynthia Rogers-Ellickson, Director (i), Department of Housing & Neighborhood Revitalization, at 214-670-3601, for more information.**

Additionally, File ID No. 24-1481 was previously item 47 under Items for Individual Consideration has been placed under Consent and has caused a renumbering of several items from Item Nos. 2 through 47.

A memorandum was previously provided to the City Council and/or Committee regarding the following items. A link to the specific memorandums is also attached for more information.

### **Memorandums:**

8. 24-1486 Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$22,500,000.00; proceeds of the Bonds will be loaned to DevCo. LLC or its affiliate, Mondello Apartments, LLC (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as The Mondello and located at 2000 Highland Road, Dallas, Texas, ~~75288~~ [75228](#) (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City

of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City [The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this item on May 17, 2024.](#)

9. 24-1485 Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2) (E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$30,000,000.00; proceeds of the Bonds will be loaned to Generation Housing Partners, LLC or its affiliates, TX Tenison 2024, Ltd., (collectively referred to as the Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Tenison Lofts and located at 3500-3632 Samuell Boulevard, Dallas, Texas, 75223 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City [The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this item on May 17, 2024.](#)
10. 24-1484 Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation in one or more series of tax-exempt bonds in an amount not to exceed \$35,000,000.00; proceeds of the Bonds will be loaned to Generation Housing Partners, LLC or its affiliate, TX Illinois 2024, Ltd. (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Hi Line Illinois and located at 4710 West Illinois Avenue, Dallas, Texas, 75211 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this item on May 17, 2024.](#)

11. 24-1487 Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2) (E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$31,000,000.00; proceeds of the Bonds will be loaned April Housing, or its affiliate, 13695 Goldmark Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Waterford at Goldmark and located at 13695 Goldmark Drive, Dallas, Texas, 75240 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City [The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this item on May 17, 2024.](#)

12. 24-1488 Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2) (E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$32,000,000.00; proceeds of the Bonds will be loaned to April Housing, or its affiliate, 8004 West Virginia Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as West Virginia Apartments and located at 8004 West Virginia Drive, Dallas, Texas, 75237 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City [The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this item on May 17, 2024.](#)

13. 24-1431 Authorize **(1)** the sale of one vacant Land Transfer Program lot to Southfair Community Development Corporation and/or its affiliates, a Qualified Participating Developer under the Land Transfer Program (“Developer”) for the construction of up to two to three affordable housing units subject to restrictive covenants, a right of reverter, and execution and recording of all necessary documents, pursuant to the City’s Land Transfer Program; **(2)** the release of all non-tax City liens, notices or orders that were filed on the one Land Transfer Program lot prior or subsequent to the deeds transferring the lot the City of Dallas; and **(3)** execution of a development agreement with Developer for the construction of up to two to three homeownership townhome units on the Land Transfer Program lot - Estimated Revenue: General Fund \$1,972.28 (see Fiscal Information)  
[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on March 25, 2024.](#)
14. 24-1291 Authorize **(1)** the City Manager to negotiate and execute a development loan agreement and security documents with TX Tenison 2023, Ltd., an affiliate of Generation Housing Partners, LLC (together, the Applicant) in an amount not to exceed \$6,500,000.00 in Community Development Block Grant Disaster Recovery Funds (CDBG-DR), conditioned upon Applicant, or the entity named by the award, receiving 2023 4% Housing Tax Credit award or other funding source subject to approval of the City for the development of the Tenison Lofts at Samuell Grand, a 164-unit mixed-income affordable multifamily complex to be located at 3500-3632 Samuell Boulevard Dallas, Texas 75223 (Project); **(2)** the City Manager to negotiate and execute a development loan agreement and security documents with the Dallas Housing Finance Corporation (DHFC) or affiliate(s) thereof in an amount not to exceed \$4,500,000.00 in Community Development Block Grant and HOME Investment Partnerships (HOME) Funds to purchase and own the real property located at 3500-3632 Samuell Boulevard Dallas, Texas 75223 (Property); and **(3)** approve the DHFC as long-term ground lessor of the property to enter into a long-term ground lease with Applicant and/or its affiliates(s) for the development of the Property pursuant to 24 CFR 570.201(a) and (b), subject to compliance with all funding source requirements - Not to exceed \$11,000,000.00 - Financing: HOME Funds (\$1,000,865.51), Community Development Block Grant Funds (\$3,499,134.49), and Community Block Grant Disaster Recovery Funds (\$6,500,000.00)  
[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on April 23, 2024.](#)
23. 24-659 A resolution authorizing the adoption of the City of Dallas On-Street Parking and Curb Management Policy - Financing: This action has no cost consideration to the City (see Fiscal Information for future costs)  
[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on August 16, 2021.](#)

[The City Council was briefed by memorandum regarding this matter on July 7, 2023.](#)

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on September 18, 2023.](#)

[The City Council was briefed by memorandum regarding this matter on February 9, 2024.](#)

24. 24-660 An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 28-2, 28-26, 28-103, 28-104, 28-105, 28-106, 28-107, 28-108, 28-109, 28-110, 28-111, 28-112, 28-113, 28-114, 28-114.1, 28-114.11, and 28-114.12; **(1)** adding new Sections 28-103.1, 28-103.2, 28-103.3, and 28-114.13; **(2)** providing a paid parking area; **(3)** modifying the authority of the Director of Transportation to install and operate paid parking payment devices and setting the rates for paid parking in the paid parking area; **(4)** providing a penalty not to exceed \$500.00; **(5)** providing a saving clause; **(6)** providing a severability clause; and **(7)** providing an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on August 16, 2021.](#)

[The City Council was briefed by memorandum regarding this matter on July 7, 2023.](#)

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on September 18, 2023.](#)

[The City Council was briefed by memorandum regarding this matter on February 9, 2024.](#)

40. 24-1493 Authorize **(1)** amendment to the contract with Dallas College for instructional services for police academy training; **(2)** the receipt and deposit of additional funds in an amount not to exceed \$415,000.00 from Dallas College in the Dallas College Police Training Funds; and **(3)** an increase in appropriations in an amount not to exceed \$415,000.00 in the Dallas College Police Training Funds for the period September 1, 2023 through August 31, 2024 - Not to exceed \$415,000.00 - Financing: Dallas College Police Training Funds

[The Public Safety Committee was briefed by memorandum regarding this matter on May 13, 2024.](#)

41. 24-1492 Authorize a three-year service contract for maintenance, support, and licenses for an audio and video recording system for the Dallas Police Department - CALLYO 2009 CORP, sole source - Not to exceed \$148,584.60 - Financing: Confiscated Monies - State Fund



[The Public Safety Committee was briefed by memorandum regarding this matter on May 13, 2024.](#)

- PH2. 24-1483 A public hearing to receive comments on **(1)** the Proposed FY 2024-25 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds and Fiscal Year (FY) 2023-24 Reprogramming Funds; and **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2024-25 through FY 2028-29 - Financing: No cost consideration to the City [The City Council was briefed by memorandum regarding this matter on December 8, 2023.](#)

[The Government Performance and Financial Management Committee was briefed by memorandum regarding this matter on January 19, 2024.](#)

[The Government Performance and Financial Management Committee was briefed by memorandum regarding this matter February 26, 2024.](#)

- PH3. 24-1304 A public hearing to receive comments concerning the Dallas Tourism Public Improvement District (the District) expansion in accordance with Chapter 372 of the Texas Local Government Code, allowing the City to include property in a hotel-public improvement district (hotel-PID) with the property owner's consent if such property could have been included in the District, when created, without violating the petition thresholds, to provide supplemental public services funded by assessments on Dallas hotels with 100 or more rooms (Qualifying hotels); and, at the close of the public hearing authorize a resolution approving District boundary expansion to include an estimated one additional Qualifying hotel in the District not described in the resolution or petition renewing the District in 2016 and the resolutions approving the 2020, 2022, or 2023 boundary expansions (District expansion) - Financing: This action has no cost consideration to the City (see Fiscal Information) [The Economic Development Committee was briefed by memorandum regarding this matter on April 1, 2024.](#)

- PH4. 24-1305 A public hearing to receive comments concerning the renewal of the North Lake Highlands Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, to provide supplemental public services to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing, authorize: **(1)** approval of a resolution renewing the District for a period of ten years, from 2025 to 2034; **(2)** approval of the District's Service Plan for 2025-2034 to provide supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with Lake Highlands Improvement District Corporation, a Texas nonprofit corporation as the management entity for the District – Financing: This action has no cost consideration to the City (see Fiscal Information)

DATE May 17, 2024  
SUBJECT **May 22, 2024 City Council FINAL Agenda – Additions/Revisions/Deletions Memorandum**  
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[The Economic Development Committee was briefed by memorandum regarding this matter on April 1, 2024.](#)

PH5. 24-1306 A public hearing to receive comments concerning the renewal of the Prestonwood Public Improvement District (the “District”), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, to provide supplemental public services to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing, authorize: **(1)** approval of a resolution renewing the District for a period of ten years, from 2025 to 2034; **(2)** approval of the District’s Service Plan for 2025-2034 to provide supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with Prestonwood Homeowners Association, Inc., a Texas nonprofit corporation, as the management entity for the District – Financing: This action has no cost consideration to the City (see Fiscal Information)

[The Economic Development Committee was briefed by a memorandum regarding this matter on April 1, 2024.](#)

Please feel free to reach out to me or Jon Fortune, Deputy City Manager if you have questions or should you require additional information at this time.



Kimberly Bizzor Tolbert  
City Manager (I)

c:

Tammy Palomino, City Attorney  
Mark Swann, City Auditor  
Billerae Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Jon Fortune, Deputy City Manager  
Majed A. Al-Ghafry, Assistant City Manager

M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager  
Dr. Robert Perez, Assistant City Manager  
Donzell Gipson, Assistant City Manager (I)  
Robin Bentley, Assistant City Manager (I)  
Jack Ireland, Chief Financial Officer  
Genesis D. Gavino, Chief of Staff to the City Manager  
Directors and Assistant Directors



**RECEIVED**

**2024 MAY 17 PM 7:02**

**CITY SECRETARY  
DALLAS, TEXAS**

**City of Dallas**

*1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201*



**Public Notice**

**2 4 0 5 1 8**

**POSTED** **CITY SECRETARY  
DALLAS, TX**

**COUNCIL AGENDA**

**May 22, 2024  
9:00 AM**

(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 [bit.ly/cityofdallastv](http://bit.ly/cityofdallastv) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

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

## **Rules of Courtesy**

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

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

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to

## **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 [bit.ly/cityofdallastv](http://bit.ly/cityofdallastv) y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne en el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

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

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

## **Reglas de Cortesía**

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

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

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del

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.

Ayuntamiento Municipal, será expulsada de la cámara si el oficial que este presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisara al oficial que este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

## **Handgun Prohibition Notice for Meetings of Governmental Entities**

"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 pistol 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."*

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

*"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propiedad."*

**AGENDA  
CITY COUNCIL MEETING  
WEDNESDAY, MAY 22, 2024  
ORDER OF BUSINESS**

The City Council meeting will be held by videoconference and in the Council Chambers, 6th Floor at City Hall. Individuals who wish to speak in accordance with the City Council Rules of Procedure must sign up with the City Secretary's Office.

The public may attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person.

The following videoconference link is available to the public to listen to the meeting and Communications, Outreach, and Marketing (COM) will also stream the City Council meeting on Spectrum Cable Channel 16 and [bit.ly/cityofdallastv](https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m8acf8b95257aceabd5bdeec22f5143bb):

<https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m8acf8b95257aceabd5bdeec22f5143bb>

Public hearings will not be heard before 1:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**OPEN MICROPHONE**

MINUTES	Item 1
CONSENT AGENDA	Items 2-46
ITEMS FOR INDIVIDUAL CONSIDERATION	Item 47
ADDITION	Items 48-49
ZONING	Items Z1-Z11
PUBLIC HEARINGS AND RELATED ACTIONS	Items PH1-PH5

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



Invocation and Pledge of Allegiance

Agenda Item/Open Microphone Speakers

## **VOTING AGENDA**

1. [24-1303](#) Approval of Minutes of the May 8, 2024 City Council Meeting

## **CONSENT AGENDA**

### **Budget and Management Services**

2. [24-1481](#) An ordinance denying rates as requested by Atmos Energy Corporation Mid-Tex Division provided pursuant to its January 12, 2024 Dallas Annual Rate Review filing and setting rates as recommended by the City Manager - Financing: No cost consideration to the City

**Attachments:** [Ordinance](#)  
[Exhibit A](#)

### **City Attorney's Office**

3. [24-1503](#) Authorize Supplemental Agreement No. 1 to the professional services contract with Benzon Aviation Consulting, LLC to continue to assist the City of Dallas with developing and implementing strategies to address the airline use and lease agreements at Dallas Love Field Airport, and to lead negotiations with airlines at Dallas Love Field - Not to exceed \$200,000.00, from \$100,000.00 to \$300,000.00 - Financing: Aviation Fund

**Attachments:** [Resolution](#)

4. [24-1427](#) Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for continued legal counsel, advice, and representation for Dallas Police Department Police Officer Esteban Montenegro in connection with the lawsuit styled Bryan Riser v. Esteban Montenegro, Civil Action No. 3:22-CV-1014-K - Not to exceed \$80,000.00, from \$100,000.00 to \$180,000.00 - Financing: Liability Reserve Fund

**Attachments:** [Resolution](#)

5.     [24-1504](#)     Authorize Supplemental Agreement No. 2 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services to the City of Dallas in connection with the process, strategy, and negotiations for Love Field airline gate leases - Not to exceed \$500,000.00, from \$300,000.00 to \$800,000.00 - Financing: Aviation Fund

**Attachments:**     [Resolution](#)

**Department of Aviation**

6.     [24-818](#)     Authorize a five-year cooperative purchasing agreement for air tower maintenance and repairs with DBT Transportation Services, LLC through an interlocal agreement with the City of Grand Prairie - Not to exceed \$347,500.00 - Financing: Aviation Fund

**Attachments:**     [Resolution](#)

**Department of Convention and Event Services**

7.     [24-1572](#)     Authorize a three-year service contract with two one-year renewal options for permitting software licenses and services for the Convention and Event Services Department's Office of Special Events with Event Approvals, Inc. - Not to exceed \$142,500.00 - Financing: Convention and Event Services Fund (subject to annual appropriations)

**Attachments:**     [Resolution](#)



**Department of Housing & Neighborhood Revitalization**

8. [24-1486](#) Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2) (E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$22,500,000.00; proceeds of the Bonds will be loaned to DevCo. LLC or its affiliate, Mondello Apartments, LLC (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as The Mondello and located at 2000 Highland Road, Dallas, Texas, ~~75288~~ [75228](#) (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

9. [24-1485](#) Authorize (1) the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2) (E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$30,000,000.00; proceeds of the Bonds will be loaned to Generation Housing Partners, LLC or its affiliates, TX Tenison 2024, Ltd., (collectively referred to as the Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Tenison Lofts and located at 3500-3632 Samuell Boulevard, Dallas, Texas, 75223 (Development); and (2) the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

10. [24-1484](#) Authorize (1) the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2) (E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation in one or more series of tax-exempt bonds in an amount not to exceed \$35,000,000.00; proceeds of the Bonds will be loaned to Generation Housing Partners, LLC or its affiliate, TX Illinois 2024, Ltd. (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Hi Line Illinois and located at 4710 West Illinois Avenue, Dallas, Texas, 75211 (Development); and (2) the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

11. [24-1487](#) Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2) (E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$31,000,000.00; proceeds of the Bonds will be loaned April Housing, or its affiliate, 13695 Goldmark Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Waterford at Goldmark and located at 13695 Goldmark Drive, Dallas, Texas, 75240 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

12. [24-1488](#) Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2) (E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$32,000,000.00; proceeds of the Bonds will be loaned to April Housing, or its affiliate, 8004 West Virginia Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as West Virginia Apartments and located at 8004 West Virginia Drive, Dallas, Texas, 75237 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

13. [24-1431](#) Authorize **(1)** the sale of one vacant Land Transfer Program lot to Southfair Community Development Corporation and/or its affiliates, a Qualified Participating Developer under the Land Transfer Program ("Developer") for the construction of up to two to three affordable housing units subject to restrictive covenants, a right of reverter, and execution and recording of all necessary documents, pursuant to the City's Land Transfer Program; **(2)** the release of all non-tax City liens, notices or orders that were filed on the one Land Transfer Program lot prior or subsequent to the deeds transferring the lot the City of Dallas; and **(3)** execution of a development agreement with Developer for the construction of up to two to three homeownership townhome units on the Land Transfer Program lot - Estimated Revenue: General Fund \$1,972.28 (see Fiscal Information)

**Attachments:** [Map](#)  
[Resolution](#)  
[Exhibit A](#)

14. [24-1291](#) Authorize **(1)** the City Manager to negotiate and execute a development loan agreement and security documents with TX Tenison 2023, Ltd., an affiliate of Generation Housing Partners, LLC (together, the Applicant) in an amount not to exceed \$6,500,000.00 in Community Development Block Grant Disaster Recovery Funds (CDBG-DR), conditioned upon Applicant, or the entity named by the award, receiving 2023 4% Housing Tax Credit award or other funding source subject to approval of the City for the development of the Tenison Lofts at Samuell Grand, a 164-unit mixed-income affordable multifamily complex to be located at 3500-3632 Samuell Boulevard Dallas, Texas 75223 (Project); **(2)** the City Manager to negotiate and execute a development loan agreement and security documents with the Dallas Housing Finance Corporation (DHFC) or affiliate(s) thereof in an amount not to exceed \$4,500,000.00 in Community Development Block Grant and HOME Investment Partnerships (HOME) Funds to purchase and own the real property located at 3500-3632 Samuell Boulevard Dallas, Texas 75223 (Property); and **(3)** approve the DHFC as long-term ground lessor of the property to enter into a long-term ground lease with Applicant and/or its affiliates(s) for the development of the Property pursuant to 24 CFR 570.201(a) and (b), subject to compliance with all funding source requirements - Not to exceed \$11,000,000.00 - Financing: HOME Funds (\$1,000,865.51), Community Development Block Grant Funds (\$3,499,134.49), and Community Block Grant Disaster Recovery Funds (\$6,500,000.00)

**Attachments:** [Map](#)  
[Resolution](#)

15. [24-1426](#) Authorize the Dallas Public Facility Corporation to **(1)** acquire, develop, and own Bloc House Santa Fe Trail, a mixed-income, multifamily development to be located at 4533 Willow Street (Project); and **(2)** enter into a seventy-five-year lease agreement with Bloc House Santa Fe Trail, LLC or its affiliate, for the development of the Project - Estimated Revenue Forgone: General Fund \$23,549,377.00 for 75 years (see Fiscal Information)

**Attachments:** [Map](#)  
[Resolution](#)  
[Exhibit A](#)

**Department of Information and Technology Services**

16. [24-1387](#) Authorize a one-year cooperative purchasing agreement for help desk and desk-side support services for the Department of Information and Technology Services with GTS Technology Solutions, Inc. through The State of Texas Department of Information Resources cooperative agreement - Not to exceed \$2,908,232.40 - Financing: Data Services Fund

**Attachments:** [Resolution](#)

17. [24-1293](#) Authorize the **(1)** acceptance of a statutory distribution from the Commission on State Emergency Communications (CSEC) for the CSEC Prop 8 Next Generation (NG) 9-1-1 Service Fund to the City of Dallas emergency communication district in the base amount of \$6,709,001.31 pursuant to Sec. 771.0713, Health and Safety Code; **(2)** interest earnings accrued and distributed while deposited in the CSEC Prop 8 Next Generation 9-1-1 Service Fund in the amount of \$39,849.34, as approved by Proposition 8 and Texas Government Code 403, subchapter T, established by House Bill 9, passed by the 88th Texas Legislature for the period October 1, 2024 to September 30, 2025; **(3)** establishment of appropriations in an amount not to exceed \$6,748,850.65 in the CSEC Prop 8 Next Generation 9-1-1 Service Fund; **(4)** receipt and deposit of funds in an amount not to exceed \$6,748,850.65 into the CSEC Prop 8 Next Generation 9-1-1 Service Fund; and **(5)** execution of the agreement with CSEC and all terms, conditions, and documents required by the agreement - Not to exceed \$6,748,850.65 - Financing: CSEC Prop 8 Next Generation 9-1-1 Service Fund

**Attachments:** [Resolution](#)

**Department of Public Works**

18. [24-1584](#) An ordinance abandoning a water easement to Frankford Cemetery Association, Inc., the abutting owner, containing a total of approximately 499 square feet of land, located near the intersection of Addison and Trinity Mills Roads - Revenue: General Fund \$7,800.00, plus the \$20.00 ordinance publication fee

**Attachments:** [Map](#)  
[Ordinance](#)  
[Exhibit A](#)

19. [24-344](#) An ordinance granting a revocable license to Jeni's Splendid Ice Creams, LLC for the use of a total of approximately 75 square feet of land to occupy, maintain and utilize a sidewalk cafe, trash receptacle and an A-frame sign on a portion of Victory Park Lane right-of-way located near its intersection with Nowitzki Way - Revenue: General Fund \$200.00 annually and \$200.00 one-time fee, plus the \$20.00 ordinance publication fee

**Attachments:** [Map](#)  
[Ordinance](#)  
[Exhibit A](#)  
[Exhibit B](#)

20. [24-1653](#) Authorize acquisition from John F. Skelton, III, of approximately 9,618 square feet of land located near the intersection of Meandering Way and Rocky Top Circle for the Preston Ridge Trail Linear Park Project - Not to exceed \$307,000.00 (\$300,000.00, plus closing costs and title expenses not to exceed \$7,000.00) - Financing: Capital Gifts Donation & Development Fund

**Attachments:** [Map](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Resolution](#)

21. [24-82](#) Authorize Supplemental Agreement No. 2 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide additional engineering services for Marsalis Avenue Bridge over Cedar Creek/Dallas Zoo Bridge Repair in Bridge Repair Group 17-0001 - Not to exceed \$324,905.00, from \$256,665.00 to \$581,570.00 - Financing: 2023 Certificate of Obligation Fund

**Attachments:** [Map](#)  
[Resolution](#)

#### Department of Sanitation Services

22. [24-1428](#) Authorize Supplemental Agreement No. 1 to increase the service contract with Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, SCS Field Services for an expansion of scope in the operational management of the McCommas Bluff Landfill - Not to exceed \$852,500.00, from \$3,410,000.00 to \$4,262,500.00 - Financing: Sanitation Operation Fund

**Attachments:** [Resolution](#)

**Department of Transportation**

23. [24-659](#) A resolution authorizing the adoption of the City of Dallas On-Street Parking and Curb Management Policy - Financing: This action has no cost consideration to the City (see Fiscal Information for future costs)

**Attachments:** [Resolution](#)  
[Exhibit A](#)

24. [24-660](#) An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 28-2, 28-26, 28-103, 28-104, 28-105, 28-106, 28-107, 28-108, 28-109, 28-110, 28-111, 28-112, 28-113, 28-114, 28-114.1, 28-114.11, and 28-114.12; **(1)** adding new Sections 28-103.1, 28-103.2, 28-103.3, and 28-114.13; **(2)** providing a paid parking area; **(3)** modifying the authority of the Director of Transportation to install and operate paid parking payment devices and setting the rates for paid parking in the paid parking area; **(4)** providing a penalty not to exceed \$500.00; **(5)** providing a saving clause; **(6)** providing a severability clause; and **(7)** providing an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)

**Attachments:** [Ordinance](#)

25. [24-1340](#) Authorize a two-year master agreement for the purchase of Dynamic Message Signs and traffic signal materials for the Department of Transportation with Consolidated Traffic Controls, Inc. through the Houston-Galveston Area Council cooperative agreement - Estimated amount of \$7,000,000.00 - Financing: General Fund (\$2,984,000.00), Street and Transportation (A) Fund (\$56,000.00), Fair Park Capital Reserve Fund (\$2,900,000.00), Transportation Special Projects Fund (\$460,000.00), and Coronavirus State and Local Fiscal Recovery Fund (\$600,000.00)

**Attachments:** [Resolution](#)



**Office of Community Care**

26. [24-1279](#) Authorize the **(1)** fifth amendment to Contract No. HHS000455600001, with the Texas Health and Human Services Commission, Department of State Health Services for the Lactation Support Center Services Program (LSCS) to **(a)** accept additional funds and increase the contract in the amount of \$32,000.00, from \$2,339,020.00 to \$2,371,020.00; and **(b)** to amend the term of the contract period from September 1, 2019 through August 31, 2023 to September 1, 2023 through August 31, 2024; and **(2)** acceptance of additional grant funds for FY 2024 budget for Amendment No. 5 in the amount of \$32,000.00 for the continuation of the LSCS Program; **(3)** establishment of appropriations in an amount not to exceed \$32,000.00 in the FY24 LSCS - Pacify Fund; **(4)** receipt and deposit of grant funds in an amount not to exceed \$32,000.00 in the FY24 LSCS - Pacify Fund; and **(5)** execution of the fifth amendment to the contract and all terms, conditions, and documents required by contract - Not to exceed \$32,000.00, from \$2,339,020.00 to \$2,371,020.00 - Financing: FY24 LSCS Pacify Grant Fund

**Attachments:** [Resolution](#)

**Office of Economic Development**

27. [24-1526](#) Authorize a fourth amendment to the Tax Increment Development, Chapter 380 Grant, and Chapter 380 Loan Agreement ("2018 TIF/Chapter 380 Agreement") with WCWRD Inc and its affiliates or subsidiaries ("Developer"), approved as to form by the City Attorney, related to the Reimagine RedBird Mall Redevelopment Project ("Project"), now known as the Shops at RedBird, generally located at the southeast corner of Camp Wisdom Road and Westmoreland Road in the Mall Area Redevelopment TIF District, specifically including modifications to Section 2.C(7), Section 2.D(2), and Section 5.E as further described below, and any modifications to any other associated Project documents as may be necessary to effectuate the specific modifications described below; and as consideration for the fourth amendment, increase the Developer's minimum Investment Requirement by \$15,000,000.00 for the Project from \$135,000,000.00 to \$150,000,000.00 - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

Note: Agenda Item No. 28 and Agenda Item No. 29 must be considered collectively.

28. [24-1301](#) An ordinance **(1)** designating the City of Dallas as a media production development zone in accordance with Chapter 485A of the Texas Government Code; and **(2)** providing an effective date - Financing: No cost consideration to the City

**Attachments:** [Ordinance](#)  
[Exhibit A](#)

29. [24-1302](#) An ordinance **(1)** nominating approximately 2.435 acres located at 2901 Botham Jean Boulevard for State of Texas designation as a qualified media production location; **(2)** directing the City Manager to execute all necessary documents to submit an application for designation to the Music, Film, Television, and Multimedia Office within the Office of the Governor; **(3)** providing a repealing clause; and **(4)** providing an effective date - Estimated Sales Tax Revenue Foregone: General Fund \$150,000.00

**Attachments:** [Ordinance](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Exhibit C](#)

#### Office of Homeless Solutions

30. [24-1496](#) Authorize the **(1)** acceptance of a grant from the Texas Department of Housing and Community Affairs ("TDHCA") in the amount of \$78,434.00 to provide services to the homeless through the Homeless Housing and Services Program for the period April 1, 2024 through August 31, 2024; **(2)** establishment of appropriations in an amount not to exceed \$78,434.00 in the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$78,434.00 in the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund; **(4)** City Manager to enter into, represent the City with respect to, and execute, the contract with TDHCA for the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund; and **(5)** execution of the grant agreement with TDHCA and all terms, conditions, and documents required by the agreement - Not to exceed \$78,434.00 - Financing: FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund

**Attachments:** [Resolution](#)

**Office of Procurement Services**

31. [24-1505](#) Authorize a two-year master agreement for the purchase of frictional asphaltic preservation treatment and pre-treatment concentrate for the Department of Public Works - Hall Brothers, Inc., only bidder - Estimated amount of \$2,002,199.50 - Financing: General Fund

**Attachments:** [Resolution](#)

32. [24-1508](#) Authorize a one-year service contract, with one, one-year renewal option, for planning and production of the annual Dr. Martin Luther King Jr. Parade for the Office of Community Care - Sons of Solomon dba Hope Encourage Love Protect, most advantageous proposer of two - Not to exceed \$200,000.00 - Financing: General Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

33. [24-1307](#) Authorize a three-year service contract for emergency dewatering services during localized flood events within the city for the Water Utilities Department - Herc Rentals, Inc., lowest responsible bidder of two - Not to exceed \$5,253,400.00 - Financing: Stormwater Drainage Management Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

34. [24-1512](#) Authorize a three-year service price agreement for repairs, maintenance, and inspections for the railroad spur track system for the Water Utilities Department - Lone Star Railroad Contractors, Inc. in the estimated amount of \$484,651.10 and Coastline Rail Engineering, LLC in the estimated amount of \$44,985.60, most advantageous proposers of three - Total estimated amount of \$529,636.70 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

35. [24-1509](#) Authorize a three-year service price agreement for service and maintenance of water main pipeline joints for the Water Utilities Department - Miller Pipeline, Corp., only bidder - Estimated amount of \$1,031,965.00 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

36. [24-1510](#) Authorize a three-year service price agreement for sports officiating services for the Park & Recreation Department - Top Basketball Officials Association in the estimated amount of \$1,090,000.00 and Raymond Alford, Jr. dba Realford Consulting, LLC in the estimated amount of \$850,945.00 lowest responsible bidders of three - Total estimated amount of \$1,940,945.00 - Financing: General Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

#### **Park & Recreation Department**

37. [24-1480](#) Authorize (1) Amendment No. 1 to the Project Specific Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for the purpose of providing funding for the Trinity Forest Spine Trail Phase 2 from the Santa Fe Trail just north of Tenison Park Golf Course to the Dallas Area Rapid Transit Lawnview Station located at 5900 Scyene Road; (2) the receipt and deposit of funds from Dallas County in an amount not to exceed \$2,000,000.00 for the County's share of the project cost in the Capital Gifts, Donation and Development Fund; and (3) execution of the agreement including all terms, conditions, and documents required by the agreement - Estimated Revenue: Capital Gifts, Donation and Development Fund \$2,000,000.00

**Attachments:** [Map](#)  
[Resolution](#)

38. [24-1502](#) Authorize a three-year service price agreement for the provision of a cloud-based Enterprise Asset Management Software System from Vertosoft, LLC through the Texas Association of School Boards (BuyBoard) for the Park & Recreation Department - Not to exceed \$632,512.90 - Financing: General Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

39. [24-1479](#) Authorize a construction services contract for installation of playground equipment and Independent Safety Audit with Whirlix Design Inc. through the Texas Association of School Boards (BuyBoard) for the Juanita J. Craft Park Playground Renovation located at 4500 Spring Avenue - Not to exceed \$217,228.00 - Financing: General Fund

**Attachments:** [Map](#)  
[Resolution](#)

**Police Department**

40. [24-1493](#) Authorize (1) amendment to the contract with Dallas College for instructional services for police academy training; (2) the receipt and deposit of additional funds in an amount not to exceed \$415,000.00 from Dallas College in the Dallas College Police Training Funds; and (3) an increase in appropriations in an amount not to exceed \$415,000.00 in the Dallas College Police Training Funds for the period September 1, 2023 through August 31, 2024 - Not to exceed \$415,000.00 - Financing: Dallas College Police Training Funds

**Attachments:** [Resolution](#)  
[Schedule A](#)

41. [24-1492](#) Authorize a three-year service contract for maintenance, support, and licenses for an audio and video recording system for the Dallas Police Department - CALLYO 2009 CORP, sole source - Not to exceed \$148,584.60 - Financing: Confiscated Monies - State Fund

**Attachments:** [Resolution](#)

**Water Utilities Department**

42. [24-1347](#) Authorize (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled CITY OF DALLAS VS. ONE MORRELL LLC, et al., Cause No. CC-23-02112-C, pending in Dallas County Court at Law No. 3, for acquisition from One Morrell, LLC of a tract of land containing approximately 206,362 square feet, improved with commercial structures and supporting facilities, located on Morrell Avenue near its intersection with Sargent Road for the Dallas Floodway Extension Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$4,473,000.00 (\$4,450,000.00, plus closing costs and title expenses not to exceed \$23,000.00) - Financing: Stormwater Drainage Management Capital Construction Fund (\$1,492,597.87), Flood Protection and Storm Drainage Facilities Fund (\$2,560,673.30), and Trinity River Corridor Project Fund (\$419,728.83)

**Attachments:** [Map](#)  
[Resolution](#)

43. [24-1415](#) Authorizes acquisition of a drainage easement from Heather Heflin for approximately 675 square feet of land located at 2424 Knight Street near its intersection with Sylvester Avenue for the Throckmorton-Reagan Drainage Improvements Project - Not to exceed \$29,844.00 (\$27,844.00, plus closing costs and title expenses not to exceed \$2,000.00) - Financing: Storm Drainage Management Capital Construction Fund

**Attachments:** [Map](#)  
[Resolution](#)  
[Exhibit A](#)  
[Exhibit B](#)

44. [24-942](#) Authorize two professional services contracts with two consulting firms, for the most highly qualified proposals to provide construction materials testing services during the installation of capital improvement projects at water treatment and distribution facilities - East Texas Testing Laboratory Inc. dba ETTL Engineers & Consultants Inc., in an amount not to exceed \$300,000, and Alliance Geotechnical Group, Inc., in an amount not to exceed \$300,000.00 - Total not to exceed \$600,000.00 - Financing: Water Capital Improvement G Fund (\$375,000.00) and Water Construction Fund (\$225,000.00)

**Attachments:** [Map](#)  
[Resolution](#)

45. [24-1410](#) Authorize a construction services contract for flood protection and storm drainage relief improvements associated with the Pensive Drive Channel and Walnut Hill Lane storm drainage system - Austin Filter Systems, Inc., lowest responsible bidder of four - Not to exceed \$16,497,925.00 - Financing: 2024 Certificate of Obligation Fund (\$11,711,255.00), Water Capital Improvement F Fund (\$1,000,000.00), Wastewater Capital Improvement F Fund (\$2,512,545.00), Water Capital Improvement G Fund (\$271,110.00), and Water Construction Fund (\$1,003,015.00)

**Attachments:** [List](#)  
[Map](#)  
[Resolution](#)

46. [24-868](#) Authorize a construction services contract for the installation of storm drainage improvements and water and wastewater main replacements at seven locations (list attached to the Agenda Information Sheet) - SYB Construction Co., Inc., lowest responsible bidder of three - Not to exceed \$13,877,982.60 - Financing: Flood Control (D) Fund (2017 General Obligation Bond Fund) (\$2,057,403.12), 2024B Certificate of Obligation Fund (\$7,474,691.88), Water Capital Improvement G Fund (\$2,616,107.60) and Wastewater Capital Improvement F Fund (\$1,729,780.00)

**Attachments:** [List](#)  
[Maps](#)  
[Resolution](#)

### **ITEMS FOR INDIVIDUAL CONSIDERATION**

#### **City Secretary's Office**

47. [24-1562](#) 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)

### **ADDITIONS:**

### **OTHER ITEMS FOR INDIVIDUAL CONSIDERATION**

#### **City Secretary's Office**

48. [24-1753](#) Consideration of appointments to the Dallas Area Rapid Transit (DART) Board of Directors for Positions 01 and 02 for the 2024-2026 Board Term. (Closed Session, if necessary, Personnel, Sec. 551.074, T. O. M. A.) (Name of nominee in the City Secretary's Office) - Financing: No Cost Consideration to the City

**Attachments:** [Resolution](#)

#### **Office of Procurement Services**

49. [24-1540](#) Authorize a one-year service contract, with one, one-year renewal option for the City Manager recruitment consultant for the Department of Human Resources - Baker Tilly US, LLP, most advantageous proposer of fifteen - Not to exceed \$134,375.00 - Financing: General Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

**PUBLIC HEARINGS AND RELATED ACTIONS****Department of Planning and Urban Design****ZONING CASES - CONSENT**

- Z1. [24-1529](#) A public hearing to receive comments regarding an application for and an ordinance granting **(1)** an LI Light Industrial District; and **(2)** a Specific Use Permit for commercial motor vehicle parking on property zoned A(A) Agricultural District, on the west line of Bonnie View Road, north of Logistics Drive

Recommendation of Staff: (1) Approval of an LI Light Industrial District; and (2) approval of a Specific Use Permit for commercial motor vehicle parking for a five-year period, subject to a site plan and conditions

Recommendation of CPC: (1) Approval of an LI Light Industrial District; and (2) approval of a Specific Use Permit for commercial motor vehicle parking for a five-year period, subject to a site plan and conditions

Z223-198(MP)

**Attachments:** [Case Report](#)

- Z2. [24-1530](#) A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2337 for the sale of alcoholic beverages in conjunction with a general merchandise food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of Great Trinity Forest Way and Murdock Road

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to conditions

Recommendation of CPC: Approval for a one-year period, subject to conditions

Z223-236(GB)

**Attachments:** [Case Report](#)



- Z3. [24-1531](#) A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses and an assisted living facility use on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast line of Inwood Road, northeast of Lemmon Avenue  
Recommendation of Staff: Approval, subject to a development plan and conditions  
Recommendation of CPC: Approval, subject to a development plan and conditions  
Z223-250(LG)

**Attachments:** [Case Report](#)

- Z4. [24-1533](#) A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict on property zoned a GR General Retail Subdistrict and an MF-2 Multiple-Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Lemmon Avenue, Throckmorton Street, Bowser Avenue, and Reagan Street  
Recommendation of Staff: Approval, subject to a conceptual plan, a development plan, a landscape plan, and staff's recommended conditions  
Recommendation of CPC: Approval, subject to a conceptual plan, a development plan, a landscape plan, and recommended conditions  
Z223-260(MP)

**Attachments:** [Case Report](#)

- Z5. [24-1535](#) A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District uses on property zoned a GO(A) General Office District, on the south line of LBJ Freeway, between Noel Road and Montfort Drive  
Recommendation of Staff: (1) Approval, subject to a development plan and conditions; [and (2) approval of the termination of deed restrictions, as amended [Z72-269], as volunteered by the applicant]\*  
Recommendation of CPC: (1) Approval, subject to a development plan, and conditions; [and (2) approval of the termination of deed restrictions, as amended [Z72-269], as volunteered by the applicant]\*  
Z223-305(MB)

**Attachments:** [Case Report](#)

- Z6. [24-1536](#) A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 989, on the southeast corner of South Saint Augustine Drive and Grady Lane  
Recommendation of Staff: Approval, subject to an amended development plan, an amended traffic management plan, and amended conditions  
Recommendation of CPC: Approval, subject to an amended development plan, an amended traffic management plan, and amended conditions  
Z223-343(JA)

**Attachments:** [Case Report](#)

ZONING CASES - INDIVIDUAL

- Z7. [24-1534](#) A public hearing to receive comments regarding an application for and an ordinance granting (1) a new subdistrict for FWMU-5 Walkable Urban Mixed Use Form Subdistrict uses on property zoned a D(A) Duplex Subdistrict, a CC Community Commercial Subdistrict, and a P(A) Parking Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District; (2) a Specific Use Permit for a commercial parking lot or garage on property zoned a CC Subdistrict and a D(A) Subdistrict within Planned Development District No. 595; and (3) a Specific Use Permit for a commercial parking lot or garage on property zoned a CC Subdistrict within Planned Development District No. 595, on property generally along the southwest line of South Central Expressway, northwest of Pennsylvania Avenue, and east of Julius Schepps Freeway
- Recommendation of Staff: (1) Approval of a new subdistrict for FWMU-5 Subdistrict uses, subject to a subarea map exhibit and staff's recommended conditions; (2) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions; and (3) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions
- Recommendation of CPC: (1) Approval of a new subdistrict for FWMU-5 Subdistrict uses, subject to a subarea map exhibit and conditions; (2) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions; and (3) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions
- Z223-268(LG)

**Attachments:** [Case Report](#)

- Z8. [24-1537](#) A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned an FWMU-3-SH Walkable Urban Mixed Use Form Subdistrict with a Shopfront Overlay within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast line of Botham Jean Boulevard, southeast of South Boulevard
- Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommendation conditions
- Recommendation of CPC: Approval for a one-year period, subject to a site plan and conditions
- Z234-101(GB)

**Attachments:** [Case Report](#)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

- Z9. [24-1352](#) A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2415 for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District, on the southeast corner of Cedar Crest Boulevard and East Kiest Boulevard  
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions  
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions  
Z223-163(JM)  
Note: This item was deferred by the City Council at the public hearing on April 10, 2024 and is scheduled for consideration on May 22, 2024.

**Attachments:** [Case Report](#)

- Z10. [24-1239](#) A public hearing to receive comments regarding an application for an MU-1 Mixed Use District on property zoned an R-10(A) Single Family District, on the northeast line of Seagoville Road, southeast of Ravenview Road  
Recommendation of Staff: Approval  
Recommendation of CPC: Denial without prejudice  
Z223-195(AU)  
Note: This item was deferred by the City Council before opening public hearings on December 13, 2023, February 14, 2024, and March 27, 2024, and is scheduled for consideration on May 22, 2024.

**Attachments:** [Case Report](#)

- Z11. [24-1356](#) A public hearing to receive comments regarding an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an RR Regional Retail District, on the west line of Upton Street, between East Clarendon Drive and Viola Street  
Recommendation of Staff: Approval  
Recommendation of CPC: Approval  
Z223-299(LC)  
Note: This item was deferred the City Council at the public hearing on April 10, 2024 and is scheduled for consideration on May 22, 2024.

**Attachments:** [Case Report](#)

**MISCELLANEOUS HEARINGS****Budget and Management Services**

- PH1. [24-1162](#) A public hearing to receive comments on the FY 2024-25 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City
- PH2. [24-1483](#) A public hearing to receive comments on **(1)** the Proposed FY 2024-25 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds and Fiscal Year (FY) 2023-24 Reprogramming Funds; and **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2024-25 through FY 2028-29 - Financing: No cost consideration to the City

**Office of Economic Development**

- PH3. [24-1304](#) A public hearing to receive comments concerning the Dallas Tourism Public Improvement District (the District) expansion in accordance with Chapter 372 of the Texas Local Government Code, allowing the City to include property in a hotel-public improvement district (hotel-PID) with the property owner's consent if such property could have been included in the District, when created, without violating the petition thresholds, to provide supplemental public services funded by assessments on Dallas hotels with 100 or more rooms (Qualifying hotels); and, at the close of the public hearing authorize a resolution approving District boundary expansion to include an estimated one additional Qualifying hotel in the District not described in the resolution or petition renewing the District in 2016 and the resolutions approving the 2020, 2022, or 2023 boundary expansions (District expansion) - Financing: This action has no cost consideration to the City (see Fiscal Information)

**Attachments:** [Resolution](#)  
[Exhibit A](#)  
[Exhibit A-1](#)  
[Exhibit A-2](#)  
[Exhibit B](#)

- PH4. [24-1305](#) A public hearing to receive comments concerning the renewal of the North Lake Highlands Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, to provide supplemental public services to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing, authorize: **(1)** approval of a resolution renewing the District for a period of ten years, from 2025 to 2034; **(2)** approval of the District's Service Plan for 2025-2034 to provide supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with Lake Highlands Improvement District Corporation, a Texas nonprofit corporation as the management entity for the District - Financing: This action has no cost consideration to the City (see Fiscal Information)

**Attachments:**    [Resolution](#)  
                              [Exhibit A](#)  
                              [Exhibit B](#)

- PH5. [24-1306](#) A public hearing to receive comments concerning the renewal of the Prestonwood Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, to provide supplemental public services to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing, authorize: **(1)** approval of a resolution renewing the District for a period of ten years, from 2025 to 2034; **(2)** approval of the District's Service Plan for 2025-2034 to provide supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with Prestonwood Homeowners Association, Inc., a Texas nonprofit corporation, as the management entity for the District - Financing: This action has no cost consideration to the City (see Fiscal Information)

**Attachments:**    [Resolution](#)  
                              [Exhibit A](#)  
                              [Exhibit B](#)

**EXECUTIVE SESSION NOTICE**

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]





# Agenda Date: May 22, 2024

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	SEC	N/A	Approval of Minutes of the May 8, 2024 City Council Meeting
2.	N/A	I	BMS	NC	An ordinance denying rates as requested by Atmos Energy Corporation Mid-Tex Division provided pursuant to its January 12, 2024 Dallas Annual Rate Review filing and setting rates as recommended by the City Manager - Financing: No cost consideration to the City
3.	N/A	C	ATT	\$200,000.00	Authorize Supplemental Agreement No. 1 to the professional services contract with Benzon Aviation Consulting, LLC to continue to assist the City of Dallas with developing and implementing strategies to address the airline use and lease agreements at Dallas Love Field Airport, and to lead negotiations with airlines at Dallas Love Field - Not to exceed \$200,000.00, from \$100,000.00 to \$300,000.00 - Financing: Aviation Fund
4.	N/A	C	ATT	\$80,000.00	Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for continued legal counsel, advice, and representation for Dallas Police Department Police Officer Esteban Montenegro in connection with the lawsuit styled Bryan Riser v. Esteban Montenegro, Civil Action No. 3:22-CV-1014-K - Not to exceed \$80,000.00, from \$100,000.00 to \$180,000.00 - Financing: Liability Reserve Fund
5.	N/A	C	ATT	\$500,000.00	Authorize Supplemental Agreement No. 2 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services to the City of Dallas in connection with the process, strategy, and negotiations for Love Field airline gate leases - Not to exceed \$500,000.00, from \$300,000.00 to \$800,000.00 - Financing: Aviation Fund
6.	3	C	AVI	\$347,500.00	Authorize a five-year cooperative purchasing agreement for air tower maintenance and repairs with DBT Transportation Services, LLC through an interlocal agreement with the City of Grand Prairie - Not to exceed \$347,500.00 - Financing: Aviation Fund
7.	All	C	CCT	\$142,500.00	Authorize a three-year service contract with two one-year renewal options for permitting software licenses and services for the Convention and Event Services Department's Office of Special Events with Event Approvals, Inc. - Not to exceed \$142,500.00 - Financing: Convention and Event Services Fund (subject to annual appropriations)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
8.	<del>97</del> <u>7</u>	C	HOU	NC	Authorize (1) the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$22,500,000.00; proceeds of the Bonds will be loaned to DevCo. LLC or its affiliate, Mondello Apartments, LLC (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as The Mondello and located at 2000 Highland Road, Dallas, Texas, <del>75288</del> <u>75228</u> (Development); and (2) the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City
9.	2	C	HOU	NC	Authorize (1) the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$30,000,000.00; proceeds of the Bonds will be loaned to Generation Housing Partners, LLC or its affiliates, TX Tenison 2024, Ltd., (collectively referred to as the Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Tenison Lofts and located at 3500-3632 Samuell Boulevard, Dallas, Texas, 75223 (Development); and (2) the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
10.	1	C	HOU	NC	<p>Authorize (1) the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation in one or more series of tax-exempt bonds in an amount not to exceed \$35,000,000.00; proceeds of the Bonds will be loaned to Generation Housing Partners, LLC or its affiliate, TX Illinois 2024, Ltd. (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Hi Line Illinois and located at 4710 West Illinois Avenue, Dallas, Texas, 75211 (Development); and (2) the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City</p>
11.	11	C	HOU	NC	<p>Authorize (1) the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$31,000,000.00; proceeds of the Bonds will be loaned April Housing, or its affiliate, 13695 Goldmark Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Waterford at Goldmark and located at 13695 Goldmark Drive, Dallas, Texas, 75240 (Development); and (2) the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City</p>

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
12.	8	C	HOU	NC	Authorize (1) the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$32,000,000.00; proceeds of the Bonds will be loaned to April Housing, or its affiliate, 8004 West Virginia Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as West Virginia Apartments and located at 8004 West Virginia Drive, Dallas, Texas, 75237 (Development); and (2) the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City
13.	7	C	HOU	REV \$1,972.28	Authorize (1) the sale of one vacant Land Transfer Program lot to Southfair Community Development Corporation and/or its affiliates, a Qualified Participating Developer under the Land Transfer Program ("Developer") for the construction of up to two to three affordable housing units subject to restrictive covenants, a right of reverter, and execution and recording of all necessary documents, pursuant to the City's Land Transfer Program; (2) the release of all non-tax City liens, notices or orders that were filed on the one Land Transfer Program lot prior or subsequent to the deeds transferring the lot the City of Dallas; and (3) execution of a development agreement with Developer for the construction of up to two to three homeownership townhome units on the Land Transfer Program lot - Estimated Revenue: General Fund \$1,972.28 (see Fiscal Information)
14.	2	C	HOU	GT	Authorize (1) the City Manager to negotiate and execute a development loan agreement and security documents with TX Tenison 2023, Ltd., an affiliate of Generation Housing Partners, LLC (together, the Applicant) in an amount not to exceed \$6,500,000.00 in Community Development Block Grant Disaster Recovery Funds (CDBG-DR), conditioned upon Applicant, or the entity named by the award, receiving 2023 4% Housing Tax Credit award or other funding source subject to approval of the City for the development of the Tenison Lofts at Samuell Grand, a 164-unit

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					mixed-income affordable multifamily complex to be located at 3500-3632 Samuell Boulevard Dallas, Texas 75223 (Project); (2) the City Manager to negotiate and execute a development loan agreement and security documents with the Dallas Housing Finance Corporation (DHFC) or affiliate(s) thereof in an amount not to exceed \$4,500,000.00 in Community Development Block Grant and HOME Investment Partnerships (HOME) Funds to purchase and own the real property located at 3500-3632 Samuell Boulevard Dallas, Texas 75223 (Property); and (3) approve the DHFC as long-term ground lessor of the property to enter into a long-term ground lease with Applicant and/or its affiliates(s) for the development of the Property pursuant to 24 CFR 570.201(a) and (b), subject to compliance with all funding source requirements - Not to exceed \$11,000,000.00 - Financing: HOME Funds (\$1,000,865.51), Community Development Block Grant Funds (\$3,499,134.49), and Community Block Grant Disaster Recovery Funds (\$6,500,000.00)
15.	2	C	HOU	REV- \$23,549,377.00	Authorize the Dallas Public Facility Corporation to (1) acquire, develop, and own Bloc House Santa Fe Trail, a mixed-income, multifamily development to be located at 4533 Willow Street (Project); and (2) enter into a seventy-five-year lease agreement with Bloc House Santa Fe Trail, LLC or its affiliate, for the development of the Project - Estimated Revenue Forgone: General Fund \$23,549,377.00 for 75 years (see Fiscal Information)
16.	N/A	C	DSV	\$2,908,232.40	Authorize a one-year cooperative purchasing agreement for help desk and desk-side support services for the Department of Information and Technology Services with GTS Technology Solutions, Inc. through The State of Texas Department of Information Resources cooperative agreement - Not to exceed \$2,908,232.40 - Financing: Data Services Fund
17.	All	C	DSV	\$6,748,850.65	Authorize the (1) acceptance of a statutory distribution from the Commission on State Emergency Communications (CSEC) for the CSEC Prop 8 Next Generation (NG) 9-1-1 Service Fund to the City of Dallas emergency communication district in the base amount of \$6,709,001.31 pursuant to Sec. 771.0713, Health and Safety Code; (2) interest earnings accrued and distributed while deposited in the CSEC Prop 8 Next Generation 9-1-1 Service Fund in the amount of \$39,849.34, as approved by Proposition 8 and Texas Government Code 403, subchapter T, established by House Bill 9, passed by the 88th Texas Legislature for the period October 1, 2024 to September 30, 2025; (3) establishment of appropriations in an amount not to exceed \$6,748,850.65 in the CSEC Prop 8 Next Generation 9-1-1 Service Fund; (4) receipt and deposit of funds in an amount not to exceed \$6,748,850.65 into the CSEC Prop 8

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Next Generation 9-1-1 Service Fund; and (5) execution of the agreement with CSEC and all terms, conditions, and documents required by the agreement - Not to exceed \$6,748,850.65 - Financing: CSEC Prop 8 Next Generation 9-1-1 Service Fund
18.	12	C	PBW	REV \$7,800.00	An ordinance abandoning a water easement to Frankford Cemetery Association, Inc., the abutting owner, containing a total of approximately 499 square feet of land, located near the intersection of Addison and Trinity Mills Roads - Revenue: General Fund \$7,800.00, plus the \$20.00 ordinance publication fee
19.	2	C	PBW	REV \$400.00	An ordinance granting a revocable license to Jeni's Splendid Ice Creams, LLC for the use of a total of approximately 75 square feet of land to occupy, maintain and utilize a sidewalk cafe, trash receptacle and an A-frame sign on a portion of Victory Park Lane right-of-way located near its intersection with Nowitzki Way - Revenue: General Fund \$200.00 annually and \$200.00 one-time fee, plus the \$20.00 ordinance publication fee
20.	12	C	PBW	\$307,000.00	Authorize acquisition from John F. Skelton, III, of approximately 9,618 square feet of land located near the intersection of Meandering Way and Rocky Top Circle for the Preston Ridge Trail Linear Park Project - Not to exceed \$307,000.00 (\$300,000.00, plus closing costs and title expenses not to exceed \$7,000.00) - Financing: Capital Gifts Donation & Development Fund
21.	4	C	PBW	\$324,905.00	Authorize Supplemental Agreement No. 2 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide additional engineering services for Marsalis Avenue Bridge over Cedar Creek/Dallas Zoo Bridge Repair in Bridge Repair Group 17-0001 - Not to exceed \$324,905.00, from \$256,665.00 to \$581,570.00 - Financing: 2023 Certificate of Obligation Fund
22.	All	C	SAN	\$852,500.00	Authorize Supplemental Agreement No. 1 to increase the service contract with Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, SCS Field Services for an expansion of scope in the operational management of the McCommas Bluff Landfill - Not to exceed \$852,500.00, from \$3,410,000.00 to \$4,262,500.00 - Financing: Sanitation Operation Fund
23.	All	C	TRN	NC	A resolution authorizing the adoption of the City of Dallas On-Street Parking and Curb Management Policy - Financing: This action has no cost consideration to the City (see Fiscal Information for future costs)
24.	All	C	TRN	NC	An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 28-2, 28-26, 28-103, 28-104,

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					28-105, 28-106, 28-107, 28-108, 28-109, 28-110, 28-111, 28-112, 28-113, 28-114, 28-114.1, 28-114.11, and 28-114.12; (1) adding new Sections 28-103.1, 28-103.2, 28-103.3, and 28-114.13; (2) providing a paid parking area; (3) modifying the authority of the Director of Transportation to install and operate paid parking payment devices and setting the rates for paid parking in the paid parking area; (4) providing a penalty not to exceed \$500.00; (5) providing a saving clause; (6) providing a severability clause; and (7) providing an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)
25.	All	C	TRN	\$6,400,000.00	Authorize a two-year master agreement for the purchase of Dynamic Message Signs and traffic signal materials for the Department of Transportation with Consolidated Traffic Controls, Inc. through the Houston-Galveston Area Council cooperative agreement - Estimated amount of \$7,000,000.00 - Financing: General Fund (\$2,984,000.00), Street and Transportation (A) Fund (\$56,000.00), Fair Park Capital Reserve Fund (\$2,900,000.00), Transportation Special Projects Fund (\$460,000.00), and Coronavirus State and Local Fiscal Recovery Fund (\$600,000.00)
26.	All	C	OCC	GT	Authorize the (1) fifth amendment to Contract No. HHS000455600001, with the Texas Health and Human Services Commission, Department of State Health Services for the Lactation Support Center Services Program (LSCS) to (a) accept additional funds and increase the contract in the amount of \$32,000.00, from \$2,339,020.00 to \$2,371,020.00; and (b) to amend the term of the contract period from September 1, 2019 through August 31, 2023 to September 1, 2023 through August 31, 2024; and (2) acceptance of additional grant funds for FY 2024 budget for Amendment No. 5 in the amount of \$32,000.00 for the continuation of the LSCS Program; (3) establishment of appropriations in an amount not to exceed \$32,000.00 in the FY24 LSCS - Pacify Fund; (4) receipt and deposit of grant funds in an amount not to exceed \$32,000.00 in the FY24 LSCS - Pacify Fund; and (5) execution of the fifth amendment to the contract and all terms, conditions, and documents required by contract - Not to exceed \$32,000.00, from \$2,339,020.00 to \$2,371,020.00 - Financing: FY24 LSCS Pacify Grant Fund
27.	8	C	ECO	NC	Authorize a fourth amendment to the Tax Increment Development, Chapter 380 Grant, and Chapter 380 Loan Agreement ("2018 TIF/Chapter 380 Agreement") with WCWRD Inc and its affiliates or subsidiaries ("Developer"), approved as to form by the City Attorney, related to the Reimagine RedBird Mall Redevelopment Project ("Project"), now known as the Shops at RedBird, generally located at the southeast corner of Camp

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Wisdom Road and Westmoreland Road in the Mall Area Redevelopment TIF District, specifically including modifications to Section 2.C(7), Section 2.D(2), and Section 5.E as further described below, and any modifications to any other associated Project documents as may be necessary to effectuate the specific modifications described below; and as consideration for the fourth amendment, increase the Developer's minimum Investment Requirement by \$15,000,000.00 for the Project from \$135,000,000.00 to \$150,000,000.00 - Financing: No cost consideration to the City
28.	All	C	ECO	NC	An ordinance (1) designating the City of Dallas as a media production development zone in accordance with Chapter 485A of the Texas Government Code; and (2) providing an effective date - Financing: No cost consideration to the City
29.	7	C	ECO	REV- \$150,000.00	An ordinance (1) nominating approximately 2.435 acres located at 2901 Botham Jean Boulevard for State of Texas designation as a qualified media production location; (2) directing the City Manager to execute all necessary documents to submit an application for designation to the Music, Film, Television, and Multimedia Office within the Office of the Governor; (3) providing a repealing clause; and (4) providing an effective date - Estimated Sales Tax Revenue Foregone: General Fund \$150,000.00
30.	All	C	OHS	GT	Authorize the (1) acceptance of a grant from the Texas Department of Housing and Community Affairs ("TDHCA") in the amount of \$78,434.00 to provide services to the homeless through the Homeless Housing and Services Program for the period April 1, 2024 through August 31, 2024; (2) establishment of appropriations in an amount not to exceed \$78,434.00 in the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund; (3) receipt and deposit of funds in an amount not to exceed \$78,434.00 in the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund; (4) City Manager to enter into, represent the City with respect to, and execute, the contract with TDHCA for the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund; and (5) execution of the grant agreement with TDHCA and all terms, conditions, and documents required by the agreement - Not to exceed \$78,434.00 - Financing: FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund
31.	All	C	POM	\$2,002,199.50	Authorize a two-year master agreement for the purchase of frictional asphaltic preservation treatment and pre-treatment concentrate for the Department of Public Works - Hall Brothers, Inc., only bidder - Estimated amount of \$2,002,199.50 - Financing: General Fund



ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
32.	All	C	POM	\$200,000.00	Authorize a one-year service contract, with one, one-year renewal option, for planning and production of the annual Dr. Martin Luther King Jr. Parade for the Office of Community Care - Sons of Solomon dba Hope Encourage Love Protect, most advantageous proposer of two - Not to exceed \$200,000.00 - Financing: General Fund (subject to annual appropriations)
33.	All	C	POM	\$5,253,400.00	Authorize a three-year service contract for emergency dewatering services during localized flood events within the city for the Water Utilities Department - Herc Rentals, Inc., lowest responsible bidder of two - Not to exceed \$5,253,400.00 - Financing: Stormwater Drainage Management Fund (subject to annual appropriations)
34.	All	C	POM	\$529,636.70	Authorize a three-year service price agreement for repairs, maintenance, and inspections for the railroad spur track system for the Water Utilities Department - Lone Star Railroad Contractors, Inc. in the estimated amount of \$484,651.10 and Coastline Rail Engineering, LLC in the estimated amount of \$44,985.60, most advantageous proposers of three - Total estimated amount of \$529,636.70 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)
35.	All	C	POM	\$1,031,965.00	Authorize a three-year service price agreement for service and maintenance of water main pipeline joints for the Water Utilities Department - Miller Pipeline, Corp., only bidder - Estimated amount of \$1,031,965.00 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)
36.	All	C	POM	\$1,940,954.00	Authorize a three-year service price agreement for sports officiating services for the Park & Recreation Department - Top Basketball Officials Association in the estimated amount of \$1,090,000.00 and Raymond Alford, Jr. dba Realford Consulting, LLC in the estimated amount of \$850,945.00 lowest responsible bidders of three - Total estimated amount of \$1,940,945.00 - Financing: General Fund (subject to annual appropriations)
37.	2, 9	C	PKR	REV \$2,000,000.00	Authorize (1) Amendment No. 1 to the Project Specific Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for the purpose of providing funding for the Trinity Forest Spine Trail Phase 2 from the Santa Fe Trail just north of Tenison Park Golf Course to the Dallas Area Rapid Transit Lawnview Station located at 5900 Scyene Road; (2) the receipt and deposit of funds from Dallas County in an amount not to exceed \$2,000,000.00 for the County's share of the

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					project cost in the Capital Gifts, Donation and Development Fund; and (3) execution of the agreement including all terms, conditions, and documents required by the agreement - Estimated Revenue: Capital Gifts, Donation and Development Fund \$2,000,000.00
38.	All	C	PKR	\$632,512.90	Authorize a three-year service price agreement for the provision of a cloud-based Enterprise Asset Management Software System from Vertosoft, LLC through the Texas Association of School Boards (BuyBoard) for the Park & Recreation Department - Not to exceed \$632,512.90 - Financing: General Fund (subject to annual appropriations)
39.	7	C	PKR	\$217,228.00	Authorize a construction services contract for installation of playground equipment and Independent Safety Audit with Whirlix Design Inc. through the Texas Association of School Boards (BuyBoard) for the Juanita J. Craft Park Playground Renovation located at 4500 Spring Avenue - Not to exceed \$217,228.00 - Financing: General Fund
40.	All	C	DPD	\$415,000.00	Authorize (1) amendment to the contract with Dallas College for instructional services for police academy training; (2) the receipt and deposit of additional funds in an amount not to exceed \$415,000.00 from Dallas College in the Dallas College Police Training Funds; and (3) an increase in appropriations in an amount not to exceed \$415,000.00 in the Dallas College Police Training Funds for the period September 1, 2023 through August 31, 2024 - Not to exceed \$415,000.00 - Financing: Dallas College Police Training Funds
41.	All	C	DPD	\$148,584.60	Authorize a three-year service contract for maintenance, support, and licenses for an audio and video recording system for the Dallas Police Department - CALLYO 2009 CORP, sole source - Not to exceed \$148,584.60 - Financing: Confiscated Monies - State Fund
42.	4	C	DWU	<del>\$4,463,116.71</del> <u>\$4,473,000.00</u>	Authorize (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled CITY OF DALLAS VS. ONE MORRELL LLC, et al., Cause No. CC-23-02112-C, pending in Dallas County Court at Law No. 3, for acquisition from One Morrell, LLC of a tract of land containing approximately 206,362 square feet, improved with commercial structures and supporting facilities, located on Morrell Avenue near its intersection with Sargent Road for the Dallas Floodway Extension Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$4,473,000.00 (\$4,450,000.00, plus closing costs and title expenses not to exceed \$23,000.00) - Financing: Stormwater Drainage Management Capital Construction Fund (\$1,492,597.87), Flood Protection and Storm Drainage Facilities Fund (\$2,560,673.30), and Trinity River Corridor Project Fund (\$419,728.83)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
43.	2	C	DWU	\$29,844.00	Authorizes acquisition of a drainage easement from Heather Heflin for approximately 675 square feet of land located at 2424 Knight Street near its intersection with Sylvester Avenue for the Throckmorton-Reagan Drainage Improvements Project - Not to exceed \$29,844.00 (\$27,844.00, plus closing costs and title expenses not to exceed \$2,000.00) - Financing: Storm Drainage Management Capital Construction Fund
44.	5, 7, 9, 10, 12, Outside	C	DWU	\$600,000.00	Authorize two professional services contracts with two consulting firms, for the most highly qualified proposals to provide construction materials testing services during the installation of capital improvement projects at water treatment and distribution facilities - East Texas Testing Laboratory Inc. dba ETTL Engineers & Consultants Inc., in an amount not to exceed \$300,000, and Alliance Geotechnical Group, Inc., in an amount not to exceed \$300,000.00 - Total not to exceed \$600,000.00 - Financing: Water Capital Improvement G Fund (\$375,000.00) and Water Construction Fund (\$225,000.00)
45.	6, 13	C	DWU	\$16,497,925.00	Authorize a construction services contract for flood protection and storm drainage relief improvements associated with the Pensive Drive Channel and Walnut Hill Lane storm drainage system - Austin Filter Systems, Inc., lowest responsible bidder of four - Not to exceed \$16,497,925.00 - Financing: 2024 Certificate of Obligation Fund (\$11,711,255.00), Water Capital Improvement F Fund (\$1,000,000.00), Wastewater Capital Improvement F Fund (\$2,512,545.00), Water Capital Improvement G Fund (\$271,110.00), and Water Construction Fund (\$1,003,015.00)
46.	2, 5, 6, 7	C	DWU	\$13,877,982.60	Authorize a construction services contract for the installation of storm drainage improvements and water and wastewater main replacements at seven locations (list attached to the Agenda Information Sheet) - SYB Construction Co., Inc., lowest responsible bidder of three - Not to exceed \$13,877,982.60 - Financing: Flood Control (D) Fund (2017 General Obligation Bond Fund) (\$2,057,403.12), 2024B Certificate of Obligation Fund (\$7,474,691.88), Water Capital Improvement G Fund (\$2,616,107.60) and Wastewater Capital Improvement F Fund (\$1,729,780.00)
47.	N/A	I	SEC	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)
48.	N/A	I	SEC	N/A	Consideration of appointments to the Dallas Area Rapid Transit Board of Directors for Positions 01 and 02 for the 2024-2026 Board Term

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					(Closed Session, if necessary, Personnel, Sec. 551.074, T. O. M. A.) (Name of nominee in the City Secretary's Office) - Financing: No cost consideration to the City
49.	N/A	I	POM	\$134,375.00	Authorize a one-year service contract, with one, one-year renewal option for the City Manager recruitment consultant for the Department of Human Resources - Baker Tilly US, LLP, most advantageous proposer of fifteen - Not to exceed \$134,375.00 - Financing: General Fund (subject to annual appropriations)
Z1.	8	PH	PNV	NC	A public hearing to receive comments regarding an application for and an ordinance granting (1) an LI Light Industrial District; and (2) a Specific Use Permit for commercial motor vehicle parking on property zoned A(A) Agricultural District, on the west line of Bonnie View Road, north of Logistics Drive Recommendation of Staff: (1) Approval of an LI Light Industrial District; and (2) approval of a Specific Use Permit for commercial motor vehicle parking for a five-year period, subject to a site plan and conditions Recommendation of CPC: (1) Approval of an LI Light Industrial District; and (2) approval of a Specific Use Permit for commercial motor vehicle parking for a five-year period, subject to a site plan and conditions Z223-198(MP)
Z2.	8	PH	PNV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2337 for the sale of alcoholic beverages in conjunction with a general merchandise food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of Great Trinity Forest Way and Murdock Road Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to conditions Recommendation of CPC: Approval for a one-year period, subject to conditions Z223-236(GB)
Z3.	13	PH	PNV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses and an assisted living facility use on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast line of Inwood Road, northeast of Lemmon Avenue Recommendation of Staff: Approval, subject to a development plan and conditions

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Recommendation of CPC: Approval, subject to a development plan and conditions Z223-250(LG)
Z4.	14	PH	PNV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict on property zoned a GR General Retail Subdistrict and an MF-2 Multiple-Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Lemmon Avenue, Throckmorton Street, Bowser Avenue, and Reagan Street Recommendation of Staff: Approval, subject to a conceptual plan, a development plan, a landscape plan, and staff's recommended conditions Recommendation of CPC: Approval, subject to a conceptual plan, a development plan, a landscape plan, and recommended conditions Z223-260(MP)
Z5.	13	PH	PNV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District uses on property zoned a GO(A) General Office District, on the south line of LBJ Freeway, between Noel Road and Montfort Drive Recommendation of Staff: (1) Approval, subject to a development plan and conditions; [and (2) approval of the termination of deed restrictions, as amended [Z72-269], as volunteered by the applicant]* Recommendation of CPC: (1) Approval, subject to a development plan, and conditions; [and (2) approval of the termination of deed restrictions, as amended [Z72-269], as volunteered by the applicant]* Z223-305(MB)
Z6.	5	PH	PNV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 989, on the southeast corner of South Saint Augustine Drive and Grady Lane Recommendation of Staff: Approval, subject to an amended development plan, an amended traffic management plan, and amended conditions Recommendation of CPC: Approval, subject to an amended development plan, an amended traffic management plan, and amended conditions Z223-343(JA)
Z7.	7	PH	PNV	NC	A public hearing to receive comments regarding an application for and an ordinance granting (1) a new subdistrict for FWMU-5 Walkable Urban Mixed Use Form Subdistrict uses on property zoned a D(A) Duplex Subdistrict, a CC Community Commercial Subdistrict, and a P(A) Parking Subdistrict within Planned Development District No. 595, the South

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					<p>Dallas/Fair Park Special Purpose District; (2) a Specific Use Permit for a commercial parking lot or garage on property zoned a CC Subdistrict and a D(A) Subdistrict within Planned Development District No. 595; and (3) a Specific Use Permit for a commercial parking lot or garage on property zoned a CC Subdistrict within Planned Development District No. 595, on property generally along the southwest line of South Central Expressway, northwest of Pennsylvania Avenue, and east of Julius Schepps Freeway</p> <p>Recommendation of Staff: (1) Approval of a new subdistrict for FWMU-5 Subdistrict uses, subject to a subarea map exhibit and staff's recommended conditions; (2) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions; and (3) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions</p> <p>Recommendation of CPC: (1) Approval of a new subdistrict for FWMU-5 Subdistrict uses, subject to a subarea map exhibit and conditions; (2) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions; and (3) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions</p> <p>Z223-268(LG)</p>
Z8.	7	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned an FWMU-3-SH Walkable Urban Mixed Use Form Subdistrict with a Shopfront Overlay within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast line of Botham Jean Boulevard, southeast of South Boulevard</p> <p>Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommendation conditions</p> <p>Recommendation of CPC: Approval for a one-year period, subject to a site plan and conditions</p> <p>Z234-101(GB)</p>
Z9.	4	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2415 for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District, on the southeast corner of Cedar Crest Boulevard and East Kiest Boulevard</p>

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					<p>Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions</p> <p>Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions</p> <p>Z223-163(JM)</p> <p>Note: This item was deferred by the City Council at the public hearing on April 10, 2024 and is scheduled for consideration on May 22, 2024.</p>
Z10.	8	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for an MU-1 Mixed Use District on property zoned an R-10(A) Single Family District, on the northeast line of Seagoville Road, southeast of Ravenview Road</p> <p>Recommendation of Staff: Approval</p> <p>Recommendation of CPC: Denial without prejudice</p> <p>Z223-195(AU)</p> <p>Note: This item was deferred by the City Council before opening public hearings on December 13, 2023, February 14, 2024, and March 27, 2024, and is scheduled for consideration on May 22, 2024.</p>
Z11.	4	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an RR Regional Retail District, on the west line of Upton Street, between East Clarendon Drive and Viola Street</p> <p>Recommendation of Staff: Approval</p> <p>Recommendation of CPC: Approval</p> <p>Z223-299(LC)</p> <p>Note: This item was deferred the City Council at the public hearing on April 10, 2024 and is scheduled for consideration on May 22, 2024.</p>
PH1.	N/A	PH	BMS	NC	<p>A public hearing to receive comments on the FY 2024-25 Operating, Capital, and Grant &amp; Trust Budgets - Financing: No cost consideration to the City</p>
PH2.	N/A	PH	BMS	NC	<p>A public hearing to receive comments on (1) the Proposed FY 2024-25 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds and Fiscal Year (FY) 2023-24 Reprogramming Funds; and (2) the new Five-Year Consolidated Plan, covering the period of FY 2024-25 through FY 2028-29 - Financing: No cost consideration to the City</p>

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
PH3.	1, 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14	PH	ECO	NC	A public hearing to receive comments concerning the Dallas Tourism Public Improvement District (the District) expansion in accordance with Chapter 372 of the Texas Local Government Code, allowing the City to include property in a hotel-public improvement district (hotel-PID) with the property owner's consent if such property could have been included in the District, when created, without violating the petition thresholds, to provide supplemental public services funded by assessments on Dallas hotels with 100 or more rooms (Qualifying hotels); and, at the close of the public hearing authorize a resolution approving District boundary expansion to include an estimated one additional Qualifying hotel in the District not described in the resolution or petition renewing the District in 2016 and the resolutions approving the 2020, 2022, or 2023 boundary expansions (District expansion) - Financing: This action has no cost consideration to the City (see Fiscal Information)
PH4.	10	PH	ECO	NC	A public hearing to receive comments concerning the renewal of the North Lake Highlands Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, to provide supplemental public services to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing, authorize: (1) approval of a resolution renewing the District for a period of ten years, from 2025 to 2034; (2) approval of the District's Service Plan for 2025-2034 to provide supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with Lake Highlands Improvement District Corporation, a Texas nonprofit corporation as the management entity for the District - Financing: This action has no cost consideration to the City (see Fiscal Information)
PH5.	12	PH	ECO	NC	A public hearing to receive comments concerning the renewal of the Prestonwood Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, to provide supplemental public services to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing, authorize: (1) approval of a resolution renewing the District for a period of ten years, from 2025 to 2034; (2) approval of the District's Service Plan for 2025-2034 to provide supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with Prestonwood Homeowners Association, Inc., a Texas nonprofit corporation, as the management entity for the District -



ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Financing: This action has no cost consideration to the City (see Fiscal Information)

**TOTAL ~~\$66,651,837.06~~ \$66,796,095.35**





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1303

**Item #:** 1.

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**SUBJECT**

Approval of Minutes of the May 8, 2024 City Council Meeting





## Agenda Information Sheet

**File #:** 24-1481

**Item #:** 2.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

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

**DEPARTMENT:** Budget and Management Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

An ordinance denying rates as requested by Atmos Energy Corporation Mid-Tex Division provided pursuant to its January 12, 2024 Dallas Annual Rate Review filing and setting rates as recommended by the City Manager - Financing: No cost consideration to the City

### **BACKGROUND**

Atmos Energy Corporation Mid-Tex Division (Atmos) provides natural gas utility service in Dallas in accordance with City franchise Ordinance No. 27793 and Title 3, Subtitle A Texas Utilities Code, Gas Utility Regulatory Act (GURA). On June 22, 2011, the City of Dallas approved Atmos' tariff Dallas Annual Rate Review (DARR), which provides a mechanism by which Atmos shall file for an annual review of its rates. On May 13, 2020 the City Council adopted an ordinance amending the DARR tariff to allow for an extension of time if a state of emergency is in effect within the City of Dallas during the review period.

On January 12, 2024, Atmos filed its rate increase request under the DARR tariff. In its filing, Atmos requested an increase in annual revenue of \$43.1 million in base rates and \$4.8 million for recovery of securitization regulatory asset expenses for a total increase of \$47.9 million from within the City of Dallas. Atmos requested that the new rates become effective June 1, 2024.

The City of Dallas shall have 135 days to review and render a decision on the Company's filed schedules and work papers. The City contracted with Garrett Group LLC (Garrett) to assist City staff in reviewing the DARR filings and gas rate cases. Garrett has expertise in reviewing gas rate cases and is currently assisting the City with the Atmos Pipeline rate case at the Railroad Commission of Texas. After reviewing the January 12, 2024 rate filing and supplemental information received from Atmos, Garrett determined that the requested rate increase was not justified.

The City staff, and outside legal counsel met with Atmos on numerous occasions, both in person and by electronic virtual meetings/conference call to negotiate a settlement of the pending rate request. The City staff was able to reach a proposed settlement with Atmos and the City Manager recommends adoption of the proposed settlement regarding rates to be charged by Atmos.

Per the terms of the settlement agreement, Atmos rates will increase from customers within the City of Dallas and become effective on June 1, 2024.

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

The Government Performance and Financial Management Committee will be briefed on the “Dallas Annual Rate Review filing” on May 21, 2024.

**FISCAL INFORMATION**

No cost consideration to the City.

May 22, 2024

**Ordinance No. \_\_\_\_\_**

**WHEREAS**, Atmos Energy Corp., Mid-Tex Division (“Atmos”) provides natural gas utility service within the City of Dallas in accordance with Ordinance No. 27793; and

**WHEREAS**, on February 14, 2018, the City of Dallas adopted Ordinance No. 30777 which approved new rates for gas distribution service in the City of Dallas including Rider DARR-Dallas Annual Rate Review (“Rider DARR”), and

**WHEREAS**, Atmos filed for a \$47.9 million annual increase including revenue related taxes applicable to Dallas customers on January 12, 2024 pursuant to terms of the Dallas Annual Rate Review (DARR) tariff; and

**WHEREAS**, the City of Dallas has determined that Atmos failed to demonstrate the reasonableness of the requested increase; and

**WHEREAS**, Atmos and the City of Dallas have agreed to an annual rate increase of \$45.086 million including the increase to revenue related taxes to customers within the City of Dallas to settle and resolve the 2024 DARR filing; and

**WHEREAS**, the Rider DARR as amended establish an effective date for new rates of June 1, 2024, and

**WHEREAS**, the tariffs attached to this Ordinance, including tariffs, R-Residential Sales, C-Commercial Sales, I-Industrial Sales and T-Transportation, and rate riders WNA-Weather Normalization Adjustment (Dallas) and CEE-Conservation and Energy Efficiency are determined to be fair and reasonable; Now, Therefore,

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

**SECTION 1.** That the rate adjustments and tariffs presented in the “Dallas Annual Rate Review Filing Test Year Ended 9-30-23” filed by Atmos Energy Corp. on January 12, 2024, are unreasonable and are therefore denied in all respects.

**SECTION 2.** That the tariffs attached hereto as Exhibit A, including tariffs, R-Residential Sales, C-Commercial Sales, I-Industrial Sales and T-Transportation, and rate riders WNA-Weather Normalization Adjustment (Dallas) and CEE-Conservation and Energy Efficiency are hereby approved effective June 1, 2024.

**SECTION 3.** That the City’s expenses in reviewing the DARR filing and negotiating the settlement are deemed reasonable and Atmos shall reimburse the City in full for the costs of City’s consultants and outside legal counsel.

May 22, 2024

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

APPROVED AS TO FORM:  
Tammy L. Palomino, City Attorney

BY: \_\_\_\_\_  
Assistant City Attorney



## Exhibit A

### MID-TEX DIVISION ATMOS ENERGY CORPORATION

<b>RATE SCHEDULE:</b>	<b>R – RESIDENTIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2024</b>	<b>PAGE:</b>

#### Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

#### Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

#### Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 34.00 per month
Rider CEE Surcharge	\$ 0.05 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 34.05 per month</b>
Commodity Charge – All <u>Ccf</u>	\$0.42860 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

#### Agreement

An Agreement for Gas Service may be required.

#### Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

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<sup>1</sup>Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2022.

## Exhibit A

### MID-TEX DIVISION ATMOS ENERGY CORPORATION

<b>RATE SCHEDULE:</b>	<b>C – COMMERCIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2024</b>	<b>PAGE:</b>

#### Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

#### Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

#### Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 76.75 per month
Rider CEE Surcharge	\$ (0.02) per month <sup>2</sup>
<b>Total Customer Charge</b>	<b>\$ 76.73 per month</b>
Commodity Charge – All Ccf	\$ 0.16672 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

#### Agreement

An Agreement for Gas Service may be required.

#### Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

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<sup>1</sup> Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2022.

## Exhibit A

### MID-TEX DIVISION ATMOS ENERGY CORPORATION

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2024</b>	<b>PAGE:</b>

#### Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

#### Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

#### Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,586.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.6962 per MMBtu
Next 3,500 MMBtu	\$ 0.5566 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.2393 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

#### Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

#### Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**Exhibit A**

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2024</b>	<b>PAGE:</b>

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

## Exhibit A

### MID-TEX DIVISION ATMOS ENERGY CORPORATION

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2024</b>	<b>PAGE:</b>

#### Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

#### Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

#### Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,586.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.5162 per MMBtu
Next 3,500 MMBtu	\$ 0.3766 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0593 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

#### Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

## Exhibit A

### MID-TEX DIVISION ATMOS ENERGY CORPORATION

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2024</b>	<b>PAGE:</b>

#### Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest “midpoint” price for the Katy point listed in *Platts Gas Daily* in the table entitled “Daily Price Survey” during such month, for the MMBtu of Customer’s monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer’s receipt quantities for the month.

#### Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer’s deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled “Daily Price Survey.”

#### Replacement Index

In the event the “midpoint” or “common” price for the Katy point listed in *Platts Gas Daily* in the table entitled “Daily Price Survey” is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

#### Agreement

A transportation agreement is required.

#### Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company’s Tariff for Gas Service.

#### Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**Exhibit A  
MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2024</b>	

Provisions for Adjustment

The base rate per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The regional weather station is Dallas.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

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

Where  
 $i$  = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$  = Weather Normalization Adjustment Factor for the  $i^{th}$  rate schedule or classification expressed in cents per Ccf

$R_i$  = base rate of temperature sensitive sales for the  $i^{th}$  schedule or classification utilized by the Commission in the Relevant Rate Order.

$HSF_i$  = heat sensitive factor for the  $i^{th}$  schedule or classification divided by the average bill count in that class

$NDD$  = billing cycle normal heating degree days

$ADD$  = billing cycle actual heating degree days

$BL_i$  = base load sales for the  $i^{th}$  schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the  $j^{th}$  customer in  $i^{th}$  rate schedule is computed as:

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

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

**Exhibit A  
MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2024</b>	<b>PAGE:</b>

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use Ccf	Heat use Ccf/HDD	Base use Ccf	Heat use Ccf/HDD
Dallas	13.80	.1957	211.24	1.0046



**Exhibit A  
MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>CEE – CONSERVATION AND ENERGY EFFICIENCY</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>06/01/2024</b>	<b>PAGE:</b>

**I. Purpose**

Atmos Energy Corporation's Mid-Tex Division provides a Conservation and Energy Efficiency program which offers assistance to residential and commercial customers to encourage reductions in energy consumption and lower energy utility bills. The proposal is one where Atmos Energy shareholders will fund a half of the allowable expenses incurred annually, with a customer rate component providing the remainder of the funding. The programs offered under Rate Schedule CEE will be consistent with similar conservation and energy efficiency programs offered by other gas utilities and may include, but not limited to residential and commercial customer rebates for high efficiency appliances and equipment, as well as a low income customer weatherization assistance program.

**II. Application**

Applicable to Rate R Sales Service and Rate C Commercial Sales Service customers only.

The Customer Charges under Rate Schedule R-Residential Sales and Rate Schedule C-Commercial Sales, shall be increased or decreased annually beginning July 1, 2013 by the CEE Cost Recovery Component (CEE) at a rate per bill in accordance with the following formula:

$$CEE = CRC + BA$$

Where:

**CRC** = Cost Recovery-Current. The CRC shall include all expected costs attributable to the Company's CEE program for the twelve month period ending June 30<sup>th</sup> of each year, including, but not limited to rebates paid, material costs, the costs associated with installation and removal of replaced materials and/or equipment, the cost of educational and customer awareness materials related to conservation/efficiency and the planning, development, implementation and administration of the CEE program. CRC will be calculated in a manner that results in non-recurring cost being recovered only once. Direct program costs will be identified by class and common administrative costs will be allocated to each class pro-rata based upon the proportion of direct costs. Administrative costs shall not exceed 15% of total CEE program costs.

**BA** = Balance Adjustment. The BA shall compute differences between Rider CRC collections by class and expenditures by class, including the pro-rata share of common administrative costs for each class for the twelve month period ending the prior December 31 and collect the over/under recovery during the 12 month period beginning July 1 of the following year.

**Class** = Rate R Sales Service customer and Rate C Sales Service customers.

**Exhibit A****MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>CEE – CONSERVATION AND ENERGY EFFICIENCY</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>06/01/2024</b>	<b>PAGE:</b>

**III. Administration**

A third-party administrator (Program Administrator) may coordinate general program administration. Program administration expenses will be funded from the annual budget.

**IV. Program Selection**

Program selection will be determined on annual basis and a summary of programs selected for the upcoming twelve-month period will be provided to interested parties on or before March 1<sup>st</sup> of each calendar year. The portfolio of program offerings will be designed to be impactful and cost effective based on Atmos' knowledge of its customer base and experience administering various conservation and energy efficiency program initiatives. The regulators and Company shall agree prospectively of any changes to the program.

**V. Report**

The Company will file an annual report with the Director of the Gas Services Division of the Railroad Commission on or before March 1 of each calendar year. The annual report shall also be made available on the Company's website. The annual report will identify the portfolio of program offerings the Company will provide during the twelve-month period commencing July 1 of each year. This annual filing shall include detailed calculations of the CRC and the Balancing Adjustments, as well as data on the total cost of the CEE Program and by each individual rebate program. Detailed tracking and reporting of program administration costs is also required.

**Exhibit A**

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>SUR - SURCHARGE</b>	
<b>APPLICABLE TO:</b>	<b>All Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2024</b>	<b>PAGE:</b>

**Application**

The allocated City of Dallas balance of the Unprotected portion of the Excess Deferred Income Taxes ("EDIT") remaining after implementation of rates at June 1, 2024 will be applied for a three (3) month period through Rider SUR – SURCHARGE. This will allow new rates to take effect and allow this refund to be fully passed to customers. The Unprotected EDIT credit amount applied to each residential customer bill is (\$5.40), for each commercial customer bill is (\$13.39) and for each industrial and transportation customer bill is (\$313.59) for each City of Dallas customer





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 24-1503

**Item #:** 3.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

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

**DEPARTMENT:** City Attorney's Office

**EXECUTIVE:** Tammy L. Palomino

### **SUBJECT**

Authorize Supplemental Agreement No. 1 to the professional services contract with Benzon Aviation Consulting, LLC to continue to assist the City of Dallas with developing and implementing strategies to address the airline use and lease agreements at Dallas Love Field Airport, and to lead negotiations with airlines at Dallas Love Field - Not to exceed \$200,000.00, from \$100,000.00 to \$300,000.00 - Financing: Aviation Fund

### **BACKGROUND**

This action will authorize Supplemental Agreement No. 1 to the professional services contract with Benzon Aviation Consulting, LLC to continue to assist the City of Dallas with developing and implementing strategies to address the airline use and lease agreements at Dallas Love Field Airport, and to lead negotiations with airlines at Dallas Love Field.

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

A confidential memorandum regarding this matter will be provided to the City Council on May 17, 2024.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Aviation Fund	\$200,000.00	\$0.00	\$0.00

Original Contract	\$100,000.00
Supplemental Agreement No. 1 (this action)	<u>\$200,000.00</u>

Total Funding	\$300,000.00
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**OWNER**

**Benzon Aviation Consulting, LLC**

Daniel Benzon, President

May 22, 2024

**WHEREAS,** the City of Dallas has engaged Benzon Aviation Consulting, LLC to continue to assist the City of Dallas with developing and implementing strategies to address the airline use and lease agreements at Dallas Love Field Airport, and to lead negotiations with airlines at Dallas Love Field; and

**WHEREAS,** on August 20, 2023, Administrative Action No. 23-6009, authorized a professional services contract with Benzon Aviation Consulting, LLC to assist the City of Dallas with developing and implementing strategies to address the airline use and lease agreements at Dallas Love Field Airport, and to lead negotiations with airlines at Dallas Love Field, in an amount not to exceed \$100,000.00; and

**WHEREAS,** the professional services of Benzon Aviation Consulting, LLC continue to be necessary.

**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. 1 to the professional services contract with Benzon Aviation Consulting, LLC, approved as to form by the City Attorney, to continue to assist the City of Dallas with developing and implementing strategies to address the airline use and lease agreements at Dallas Love Field Airport, and to lead negotiations with airlines at Dallas Love Field, in an amount not to exceed \$200,000.00, increasing the original contract amount from \$100,000.00 to \$300,000.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$200,000.00, in periodic payments to Benzon Aviation Consulting, LLC from Aviation Fund, Fund 0130, Department AVI, Unit 7736, Object 3070, Encumbrance/Contract No. AVI-2023-00022558, Vendor VC28659.

**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

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 24-1427

**Item #:** 4.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

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

**DEPARTMENT:** City Attorney's Office

**EXECUTIVE:** Tammy L. Palomino

### **SUBJECT**

Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for continued legal counsel, advice, and representation for Dallas Police Department Police Officer Esteban Montenegro in connection with the lawsuit styled Bryan Riser v. Esteban Montenegro, Civil Action No. 3:22-CV-1014-K - Not to exceed \$80,000.00, from \$100,000.00 to \$180,000.00 - Financing: Liability Reserve Fund

### **BACKGROUND**

This action will authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for continued legal counsel, advice, and representation for Dallas Police Department Police Officer Esteban Montenegro in connection with the lawsuit styled Bryan Riser v. Esteban Montenegro, Civil Action No. 3:22-CV-1014-K.

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

A confidential memorandum regarding this matter will be provided to the City Council on May 17, 2024.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Liability Reserve Fund	\$80,000.00	\$0.00	\$0.00

Original Contract	\$ 50,000.00
Supplemental Agreement No. 1	\$ 50,000.00
Supplemental Agreement No. 2 (this action)	<u>\$ 80,000.00</u>

Total Funding	\$180,000.00
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**OWNER**

**Fanning Harper Martinson Brandt & Kutchin, P.C.**

Thomas P. Brandt, Director

May 22, 2024

**WHEREAS**, the City of Dallas has engaged Fanning Harper Martinson Brandt & Kutchin, P.C. to provide legal counsel, advice, and representation for Dallas Police Department Police Officer Esteban Montenegro in connection with the lawsuit styled Bryan Riser v. Esteban Montenegro, Civil Action No. 3:22-CV-1014-K.; and

**WHEREAS**, on October 17, 2022, Administrative Action No. 22-6403, authorized a professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. to provide legal counsel, advice, and representation for Dallas Police Department Police Officer Esteban Montenegro, in an amount not to exceed \$50,000.00; and

**WHEREAS**, on September 22, 2023, Administrative Action No. 23-6170, authorized Supplemental Agreement No. 1 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for continued legal counsel, advice, and representation for Dallas Police Department Police Officer Esteban Montenegro, in an amount not to exceed \$50,000.00, increasing the contract amount from \$50,000.00 to \$100,000.00; and

**WHEREAS**, the professional legal services Fanning of Harper Martinson Brandt & Kutchin, P.C. continue to be necessary.

**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 Fanning Harper Martinson Brandt & Kutchin, P.C., approved as to form by the City Attorney, for continued legal counsel, advice, and representation for Dallas Police Department Police Officer Esteban Montenegro in connection with the lawsuit styled Bryan Riser v. Esteban Montenegro, Civil Action No. 3:22-CV-1014-K, in an amount not to exceed \$80,000.00, increasing the contract amount from \$100,000.00 to \$180,000.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$80,000.00, in periodic payments to Fanning Harper Martinson Brandt & Kutchin, P.C. from Liability Reserve Fund, Fund 0192, Department ORM, Unit 3890, Object 3033, Encumbrance/Contract No. ATT-2022-00020532, Vendor 399210.

**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 Information Sheet

**File #:** 24-1504

**Item #:** 5.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

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

**DEPARTMENT:** City Attorney's Office

**EXECUTIVE:** Tammy L. Palomino

### SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services to the City of Dallas in connection with the process, strategy, and negotiations for Love Field airline gate leases - Not to exceed \$500,000.00, from \$300,000.00 to \$800,000.00 - Financing: Aviation Fund

### BACKGROUND

This action will authorize Supplemental Agreement No. 2 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. to provide additional legal services to the City of Dallas in connection with the process, strategy, and negotiations for Love Field airline gate leases.

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

On December 13, 2023, the City Council authorized Supplemental Agreement No. 1 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services to the City of Dallas in connection with the process, strategy, and negotiations for Love Field airline gate leases by Resolution No. 23-1617.

A confidential memorandum regarding this matter will be provided to the City Council on May 17, 2024.

### FISCAL INFORMATION

Fund	FY 2024	FY 2025	Future Years
Aviation Fund	\$500,000.00	\$0.00	\$0.00

Original Contract	\$100,000.00
Supplemental Agreement No. 1	\$200,000.00
Supplemental Agreement No. 2 (this action)	<u>\$500,000.00</u>
Total Funding	\$800,000.00

**OWNER**

**Kaplan Kirsch & Rockwell, L.L.P.**

Peter J. Kirsch, Partner

May 22, 2024

**WHEREAS**, the City of Dallas has engaged Kaplan Kirsch & Rockwell, L.L.P. for additional legal services to the City of Dallas in connection with the process, strategy, and negotiations for Love Field airline gate leases; and

**WHEREAS**, on July 24, 2023, Administrative Action No. 23-5932, authorized a professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for legal services to the City of Dallas in connection with the process, strategy, and negotiations for Love Field airline gate leases, in an amount not to exceed \$100,000.00; and

**WHEREAS**, on December 13, 2023, the City Council authorized Supplemental Agreement No. 1 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services to the City of Dallas in connection with the process, strategy, and negotiations for Love Field airline gate leases, in an amount not to exceed \$200,000.00, from \$100,000.00 to \$300,000.00, by Resolution No. 23-1617; and

**WHEREAS**, the professional legal services of Kaplan Kirsch & Rockwell, L.L.P. continue to be necessary.

**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 Kaplan Kirsch & Rockwell, L.L.P., approved as to form by the City Attorney, for additional legal services to the City of Dallas in connection with the process, strategy, and negotiations for Love Field airline gate leases, in an amount not to exceed \$500,000.00, increasing the contract amount from \$300,000.00 to \$800,000.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$500,000.00, in periodic payments to Kaplan Kirsch & Rockwell, L.L.P. from Aviation Fund, Fund 0130, Department AVI, Unit 7736, Object 3070, Encumbrance/Contract No. AVI-2023-00022661, Vendor VC0000012035.

**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 Information Sheet

**File #:** 24-818

**Item #:** 6.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 3

**DEPARTMENT:** Department of Aviation

**EXECUTIVE:** Majed Al-Ghafry

### **SUBJECT**

Authorize a five-year cooperative purchasing agreement for air tower maintenance and repairs with DBT Transportation Services, LLC through an interlocal agreement with the City of Grand Prairie - Not to exceed \$347,500.00 - Financing: Aviation Fund

### **BACKGROUND**

This action does not encumber funds. The purpose of this cooperative purchasing agreement is to obtain DBT Transportation Services, LLC air tower maintenance & repairs for the Dallas Executive Airport. The maintenance includes semi-annual inspections on listed equipment and two additional site visits to conduct diagnostics and repairs, as well as as-needed maintenance services.

The General Services Administration cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Aviation Fund	\$69,500.00	\$69,500.00	\$208,500.00

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:



Contract Amount	Procurement Category	M/WBE Goal
\$347,500.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Interlocal Purchasing Agreements.</li> </ul>		
<ul style="list-style-type: none"> <li>DBT Transportation Services, LLC - Non-local; Workforce - 0.00% Local</li> </ul>		

## **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Interlocal Agreement/ Intergovernmental Agreement	<ul style="list-style-type: none"> <li>Interlocal agreements/intergovernmental agreements allow the City to take advantage of competitively bid contracts by a State agency or local government and enable the City to purchase goods or services at lower prices.</li> <li>Interlocal agreements/intergovernmental agreements are an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement.</li> </ul>
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## **OWNER**

### **DBT Transportation Services, LLC**

1500 Citywest Blvd.

Suite 550

Houston, TX 77042

Glenn Martin, Director of Finance

May 22, 2024

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

**SECTION 1.** That the City Manager is hereby authorized to execute a five-year cooperative purchasing agreement with DBT Transportation Services, LLC, approved as to form by the City Attorney, for air tower maintenance and repairs at Dallas Executive Airport, through an Interlocal Agreement with the City of Grand Prairie, in an amount not to exceed \$347,500.00. For services bid or proposed on an as-needed, unit price basis for performance of specified tasks, payments made to DBT Transportation Services, LLC shall be based only on the amount of such services directed to be performed by the City and properly performed by DBT Transportation Services, LLC under this contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$347,500.00 to DBT Transportation Services, LLC pursuant to this contract from Aviation Fund, Fund 0130, Department AVI, Unit 7731, Object Code 3210, Encumbrance/Contract No. AVI-2024-00023812, Vendor VC30185.

**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 Information Sheet

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**File #:** 24-1572

**Item #:** 7.

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**STRATEGIC PRIORITY:** Quality of Life, Arts & Culture  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Department of Convention and Event Services  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

Authorize a three-year service contract with two one-year renewal options for permitting software licenses and services for the Convention and Event Services Department's Office of Special Events with Event Approvals, Inc. - Not to exceed \$142,500.00 - Financing: Convention and Event Services Fund (subject to annual appropriations)

### **BACKGROUND**

Understanding that the City Manager goals for FY 20-21 included the acquisition of a permitting platform to improve customer service and efficiencies, Conventions and Event Services Department of Special Events (CES-OSE) completed a six-month comprehensive review of software options to streamline the needs of special event permit applicants while maintaining an auditable and fiscally responsive process that aligns with Special Event Ordinance - Chapter 42A. As a result of the review, staff recommended procurement of Event Approvals, Inc., a permitting platform specifically designed to meet the needs of local and regional governments and agencies which hold responsibility for special event processes.

In the Fall of 2021, CES-OSE staff submitted a Special Need Consideration Memo to the City Manager for signature requesting approval to engage a licensing contract for Event Approvals, Inc. for an annual licensing cost of \$49,500, which fell below the Administrative Action threshold. The memo was approved and a contract for \$49,500 for December 2021 was developed.

In the summer of 2022, Event Approvals, Inc. went live to the public with the launch of the Commercial Promoter Registration program followed by Special Event Permit applications. Trainings were provided to clients and internal and external stakeholders. Event Approvals, Inc. has been live to customers and clients for over two years with over six types of applications launched including: special event permits, commercial promoter registrations, streetlight pole banner permits, commercial filming permits, neighborhood market permits, and Fair Park Parking Licenses.

The Event Approvals, Inc. platform, has increased the transparency and efficiency of the permitting review process. CES-OSE has issued approximately 1,000 permits since the city launched the platform. There was no interruption of permitting services during the 2023 cyber-attack.

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

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Convention and Event Services Fund	\$47,500.00	\$47,500.00	\$47,500.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$142,500.00	Other Services	23.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
0.00%	0.00%	\$0.00
• This item does not meet the M/WBE subcontracting goal.		
• Event Approvals, Inc - Non-Local; Workforce - 0.00% Local		

**OWNER****Event Approvals, Inc**

Suite 600, 777 Hornby Street  
Vancouver, BC,  
Canada V6Z1S4

Karen Ng, Director of Customer Success

May 22, 2024

**WHEREAS**, the City desires to implement a special event permitting platform in an effort to process permit applications through its Office of Special Events (OSE); and

**WHEREAS**, it was determined that Event Approvals, Inc can best provide the required service; and

**WHEREAS**, on August 4, 2021, Administrative Action No. 21-6680 authorized a service agreement to provide permitting software to the Office of Special Events with Event Approvals, Inc, in an amount not to exceed \$49,500.00; and

**WHEREAS**, on February 10, 2022, Administrative Action No. 22-5324 authorized Supplemental Agreement No. 1 was authorized for a web-based permit management system, software use and hosting agreement with Event Approvals, Inc to include a payment structure to the agreement, with zero costs, having no effect on the contract amount; and

**WHEREAS**, on September 28, 2022, Administrative Action No. 22-6688 authorized Supplemental Agreement No. 2 was authorized to extend the agreement for a web-based permit management system, software use and hosting agreement with Event Approvals, Inc by six months, with zero costs, having no effect on the contract amount; and

**WHEREAS**, on March 30, 2023, Administrative Action No. 23-5617 authorized Supplemental Agreement No. 3 was authorized to extend the agreement for a web-based permit management system, software use and hosting agreement with Event Approvals, Inc by six months, with zero costs, having no effect on the contract amount; and

**WHEREAS**, on September 27, 2023, Administrative Action No. 23-6286 authorized Supplemental Agreement No. 4 was authorized for a web-based permit management system, software use and hosting agreement with Event Approvals, Inc to extend the agreement three months in an amount not to exceed \$11,250.00; and

**WHEREAS**, on January 9, 2024, Supplemental Agreement No. 5 was authorized for a web-based permit management system, software use and hosting agreement with Event Approvals, Inc to extend the agreement 91 days. No cost consideration, by Administrative Action No. 24-5120.

**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 service contract with Event Approvals, Inc, approved as to form by the City Attorney, for permitting software licenses and services for the Convention and Event Services Department's Office of Special Events for a term of three years, with two one-year renewal options, in

an amount not to exceed \$142,500.00.

May 22, 2024

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount of \$142,500.00 (subject to annual appropriations) to Event Approvals, Inc from Fund 0080, Department CCT, Unit 7815, Object 3099, Service Contract No. CCT-2024-00024892, Vendor VC23482.

**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 Information Sheet

**File #:** 24-1486

**Item #:** 8.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** [9](#) [7](#)  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Robin Bentley

### SUBJECT

Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$22,500,000.00; proceeds of the Bonds will be loaned to DevCo. LLC or its affiliate, Mondello Apartments, LLC (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as The Mondello and located at 2000 Highland Road, Dallas, Texas, ~~75288~~ [75228](#) (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

### BACKGROUND

DevCo, LLC or its affiliate, Mondello Apartments, LLC (collectively referred to as Borrower) proposes the DHFC or its affiliate (DHFC) acquire and renovate the property at 2000 Highland Road and subsequently enter into a long-term lease for the Development. The Development will consist of 150 renovated units. The 150 units are comprised of 42 one-bedroom and 108 two-bedroom units. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other features required by the Texas Department of Housing and Community Affairs (TDHCA).

The Mondello is a 2007 built, 150-unit, 55+ affordable housing property located in Dallas, Texas (6.3 miles east of Dallas Central Business District). The Property sits on 7.06 acres and has a density of 21.24 units/acre. Community amenities include a business center, clubhouse, fitness center, salon, theater room, swimming pool, elevator service, gated access, on-site laundry facility, barbecue, and picnic area.



Residents have public transportation access to downtown, utilizing the Ferguson at Highland stop of the Dallas Area Rapid Transit bus which is walking distance from the Property. The Property currently has 20% of units that are market-rate and unrestricted. DevCo is planning on converting them to 60% Area Median Income units to provide additional affordability at the property for the seniors aged 55 and better.

The proposed renovation budget is \$8,932,544.00 (approximately \$59,550.00/unit) in hard costs (exclusive of general contractor requirements, contractor's profit and overhead). Renovations will include the following:

- woods and plastic repairs (includes kitchen cabinets, countertops, etc.),
- drywall/floor/ceiling/paint,
- and plumbing/heating, ventilation, and air conditioning.

Major items include:

- kitchen cabinet replacement,
- new kitchen countertops,
- replacement of new roof shingles and underlayment,
- installation of luxury vinyl plank flooring,
- interior and exterior paint,
- mechanical system upgrades,
- low-flow toilets/showerheads, and
- air conditioning condenser and heat pump system replacement.

Planned rehabilitation includes light tenant-relocation during rehabilitation. During the renovations, there will be upgrades to eight units to be fully Americans with Disabilities Act (ADA) compliant. The scope of work for these units includes the reconfiguration of new kitchen cabinetry to allow for proper clearances, a renovated and enlarged bathroom to allow for proper clearances, new paint and flooring and new interior doors. The tenants in these units will need to be relocated for four weeks. In addition to the ADA upgrades, 142 units will have full unit renovations. The households in these units will need to be out of their apartments for one week to accommodate construction. At all units, residents, and their belongings, will need to be fully relocated while renovations are being completed in their units. Renovations may include new plumbing fixtures, light fixtures, cabinets & countertops, flooring, paint, roofing, appliances, and site amenities. DevCo has budgeted \$900,000.00 for tenant relocations (\$6,000.00/unit).

On October 13, 2022, the DHFC authorized an inducement in an amount not to exceed \$22,500,000.00. An application for the allocation of \$22,500,000.00 in private activity bonds was submitted to the Texas Bond Review Board and a bond reservation was received on January 22, 2024.

Since the Development is located within the City of Dallas, Section 147 (f) of the Internal Revenue Code requires that in order for the bonds to be tax exempt, the City Council, the applicable elected representative of the City of Dallas, must approve the issuance of the bonds by the Issuer following a public hearing. The City of Dallas is not asked to issue bonds. The bonds shall not be a debt, liability, or an obligation of the City nor shall any of the City's assets be pledged for payment of the bonds. The City's name will not appear on the bonds. The approval being requested is only for the purpose of complying with federal law and with regard to tax exempt debt.

The Tax Equity and Fiscal Responsibility Act (TEFRA) hearing notice was published in the *Dallas Morning News* on April 10, 2024. On April 18, 2024, the public hearing was held with no outside participants in attendance, and thus, no comments made. Under applicable federal income tax law, the TEFRA approval may only be valid for a one-year term. It is anticipated that the tax-exempt bonds to fund a portion of the costs for the Development will close on or about June 2024.

The Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code requires that the City of Dallas approve the issuance of bonds by the DHFC and their use to finance the construction and development of affordable housing.

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

On October 13, 2022, the DHFC authorized an inducement in an amount not to exceed \$22,500,000.00.

On January 11, 2023, the City Council held a public hearing and following, adopted a Resolution of No Objection related to the Development and Developer's 4% Non-Competitive Low Income Housing Tax Credits application to TDHCA by Resolution No. 23-0142.

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this item on May 17, 2024.](#)

#### **FISCAL INFORMATION**

No cost consideration to the City.

#### **MAP**

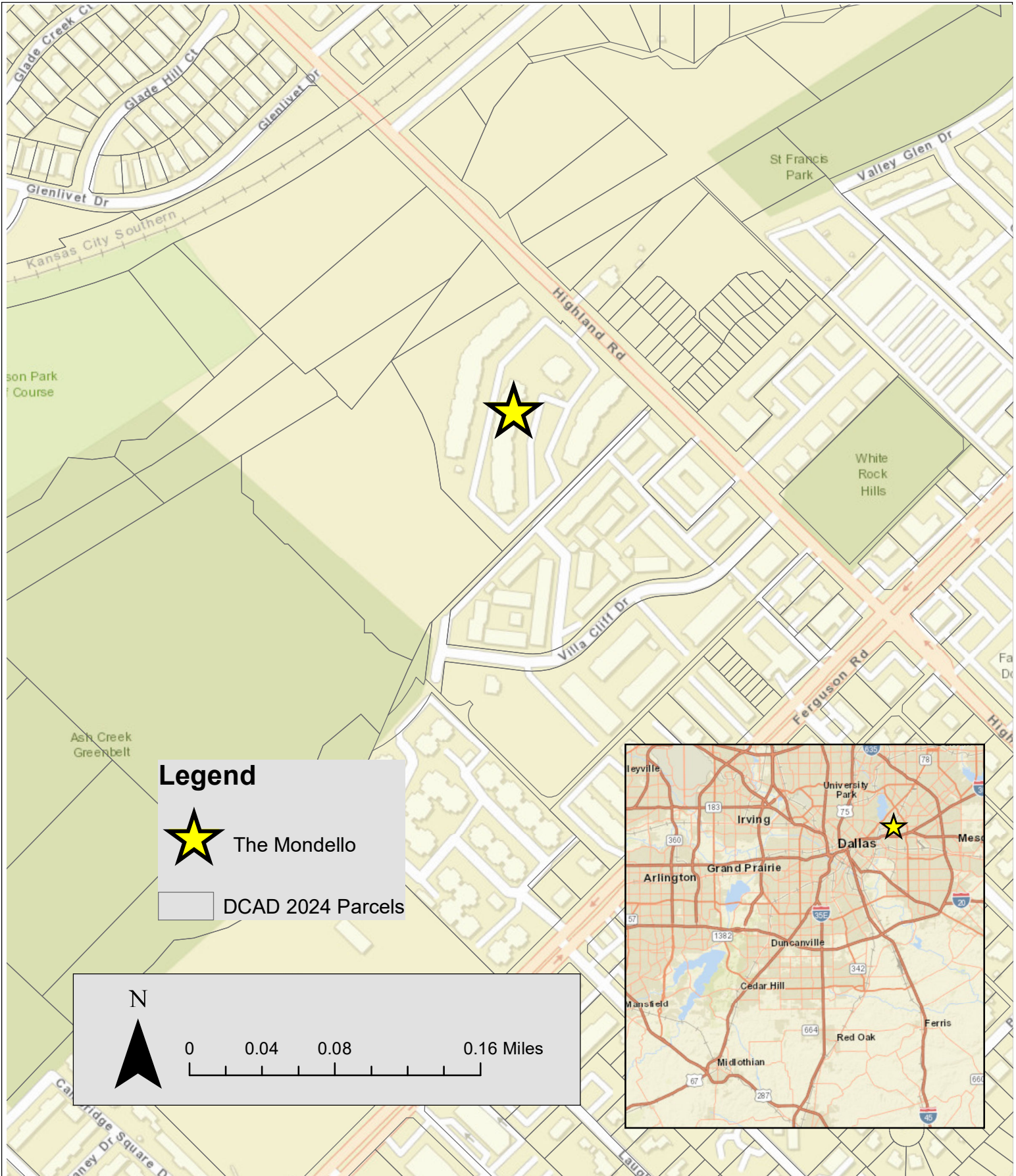
Attached



# The Mondello

## 2000 Highland Road

### Dallas, Texas



May 22, 2024

**WHEREAS**, the City of Dallas Housing Finance Corporation (DHFC or Issuer) intends to issue its Multifamily Housing Mortgage Revenue Bonds (The Mondello) Series 2024 in an amount not to exceed \$22,500,000.00 (Bonds); proceeds of the Bonds will be loaned to DevCo, LLC or its affiliate, Mondello Apartments, LLC (collectively referred to as Borrower) to finance a portion of the cost for the renovation of units for an affordable multifamily complex to be known as The Mondello and located at or near 2000 Highland Road, Dallas, Texas, 75228 (Development); and

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (Code), requires that any issue of tax-exempt multifamily housing revenue bonds be approved, after a public hearing following reasonable public notice, by an elected representative of the governmental unit on behalf of which such bonds are issued and having jurisdiction of the area in which the multifamily project is located; and

**WHEREAS**, the DHFC is a public instrumentality of the City of Dallas organized under the Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code (Act); and

**WHEREAS**, the Act requires the City of Dallas to approve the use of bond proceeds issued by the DHFC to finance the construction and development of affordable housing; and

**WHEREAS**, on April 10, 2024, DHFC published reasonable public notice of the Tax, Equity and Fiscal Responsibility Act (TEFRA) public hearing with respect to the Bonds and the Development in the *Dallas Morning News*, a newspaper of general circulation within the City of Dallas, and on April 18, 2024, the DHFC held the TEFRA public hearing with no outside participants in attendance and thus no comments made; and

**WHEREAS**, on January 22, 2024, the Texas Bond Review Board issued a bond reservation to the DHFC for the Development in an amount not to exceed \$35,000,000.00.

**Now, Therefore,**

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

**SECTION 1.** That, for purposes of Section 147(f) of the Code, the City Council of the City of Dallas (Governing Body), acting as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Code, does hereby approve the issuance of the Bonds by DHFC in an amount not to exceed \$22,500,000.00 the proceeds of which will be loaned to Borrower to finance a portion of the cost for the development of an approximately 150 unit affordable multifamily complex to be known as The Mondello and located at or near 2000 Highland Road, Dallas, Texas, 75228.

May 22, 2024

**SECTION 2.** That the approval of the City of Dallas is also for the purpose of satisfying the conditions and requirements of Section 147(f) of the Code and is not to be construed as an undertaking by the City of Dallas. The Bonds shall not constitute a liability, an indebtedness, or obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to the payment of the Bonds. The Bonds shall specifically provide that the Bonds are not a debt of the City of Dallas, Dallas County or the State of Texas and that the City of Dallas, Dallas County and State of Texas are not liable with respect to the Bonds.

**SECTION 3.** That notice of the TEFRA public hearing with respect to the Bonds and the Development was published in the *Dallas Morning News* on April 10, 2024, and on April 18, 2024, the public hearing was held with no outside participants in attendance, and thus no comments made.

**SECTION 4.** That to the extent applicable, the City Council of the City of Dallas hereby approves the application of the Act to the property on which the Development will be acquired and renovated and grants its approval for the use of proceeds of bonds issued by the DHFC pursuant to the Act to finance construction of the Development.

**SECTION 5.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager are hereby authorized, empowered and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

**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 Information Sheet

**File #:** 24-1485

**Item #:** 9.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Robin Bentley

### **SUBJECT**

Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$30,000,000.00; proceeds of the Bonds will be loaned to Generation Housing Partners, LLC or its affiliates, TX Tenison 2024, Ltd., (collectively referred to as the Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Tenison Lofts and located at 3500-3632 Samuell Boulevard, Dallas, Texas, 75223 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

### **BACKGROUND**

Generation Housing Partners, LLC or its affiliates, TX Tenison 2024, Ltd., (collectively referred to as the Borrower) proposes the DHFC or its affiliate (DHFC) acquire the property at 3500-3632 Samuell Boulevard and subsequently enter into a long-term lease for the Development. The Development will consist of 164 newly constructed units. The 164 units are comprised of 24 one-bedroom units, 76 two-bedroom units, and 64 three-bedroom units. The units will include nine-foot ceilings, granite countertops, faux wood flooring, Low-E thermal windows, low flow fixtures, ample storage, open floor plans, washer/dryer hook ups, and Energy Star Appliances. Tenison Lofts will be a 164-unit, Class A workforce housing revitalization project located in Dallas, Texas. Community amenities will include a state-of-the-art fitness center, community room, resort style pool, and computer learning center. The existing property(s) consists of a commercial strip center, with several existing businesses and associated parking. The intent of Generation Housing is to remove all existing buildings/structure and redevelop the property with a Class-A, new construction, mixed-income residential development.

The Borrower will also work with the Office of Integrated Public Safety Solutions for security input/upgrades, community activities, and incorporate best practices of Crime Prevention Through Environmental Design. Additionally, the Applicant will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The Borrower proposes to provide on-site resident services including:

1. Health wellness;
2. Free after school programs;
3. Financial literacy classes;
4. Homeownership classes; and
5. Community Activities.

On September 12, 2023, the DHFC authorized an inducement in an amount not to exceed \$30,000,000.00. On October 19, 2023, DHFC submitted an application for the allocation of \$30,000,000.00 in private activity bonds to the Texas Bond Review Board (TBRB). The DHFC is awaiting the bond reservation.

Since the Development is located within the City of Dallas, Section 147 (f) of the Internal Revenue Code requires that in order for the bonds to be tax exempt, the City Council, the applicable elected representative of the City of Dallas, must approve the issuance of the bonds by the Issuer following a public hearing. The City of Dallas is not asked to issue bonds. The bonds shall not be a debt, liability, or an obligation of the City nor shall any of the City's assets be pledged for payment of the bonds. The City's name will not appear on the bonds. The approval being requested is only for the purpose of complying with federal law and with regard to tax exempt debt.

The Tax Equity and Fiscal Responsibility Act ("TEFRA") hearing notice was published in the *Dallas Morning News* on April 10, 2024. On April 18, 2024, the public hearing was held with no outside participants in attendance, and thus, no comments made. Under applicable federal income tax law, the TEFRA approval may only be valid for a one-year term. It is anticipated that the tax-exempt bonds to fund a portion of the costs for the Development will close on or about June 2024.

The Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code requires that the City of Dallas approve the issuance of bonds by the DHFC and their use to finance the construction and development of affordable housing.

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

On September 12, 2023, the DHFC authorized an inducement in an amount not to exceed \$30,000,000.00.

On February 14, 2024, following a public hearing, City Council adopted a Resolution of No Objection related to the Development and Borrower's 4% Non-Competitive Low Income Housing Tax Credits application to TDHCA, by Resolution No. 24-0290.

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this item on May 17, 2024.](#)



**FISCAL INFORMATION**

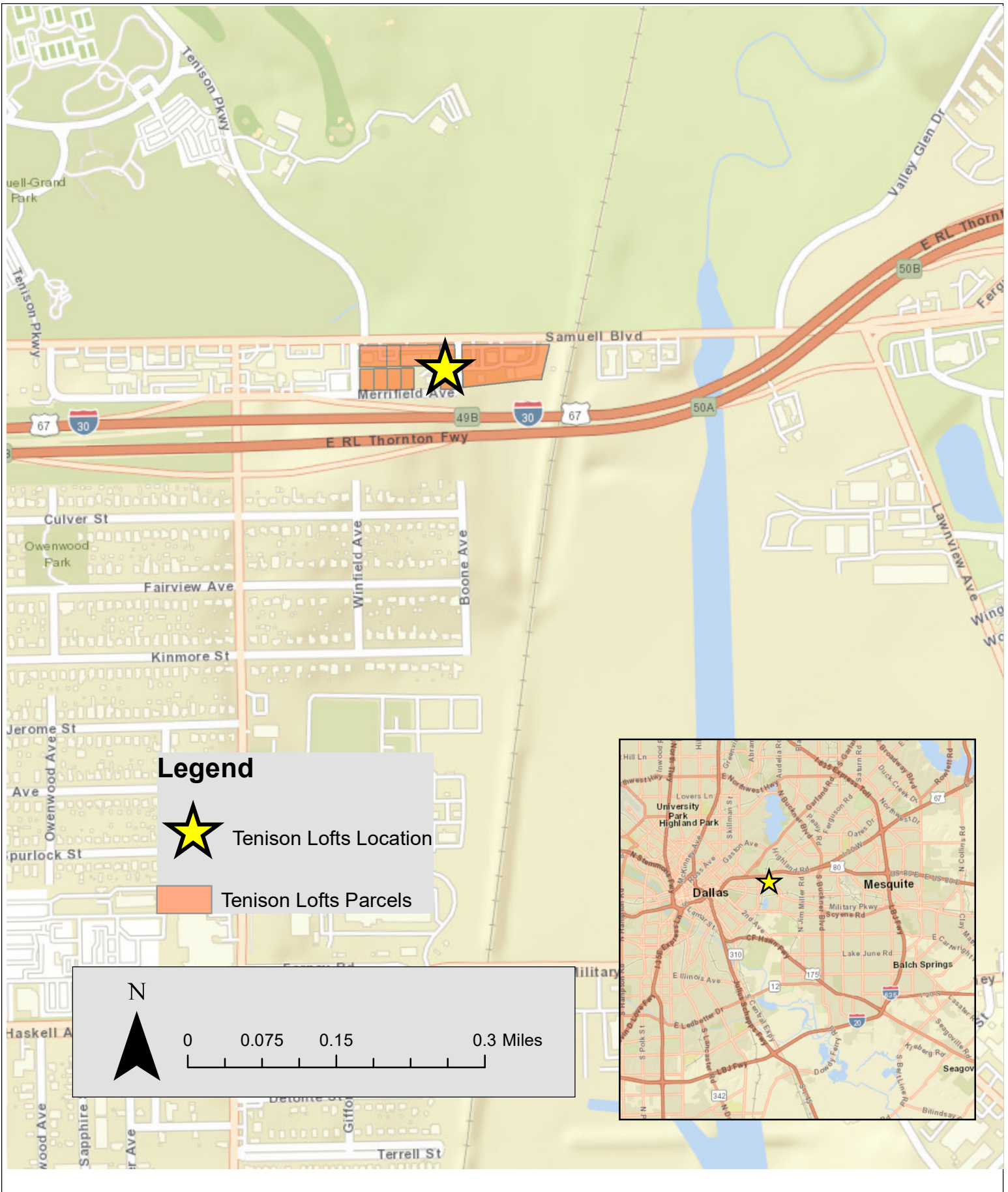
No cost consideration to the City.

**MAP**

Attached

# Tenison Lofts

3500-3632 Samuel Blud.  
Dallas, Texas



May 22, 2024

**WHEREAS**, the City of Dallas Housing Finance Corporation (DHFC or Issuer) intends to issue its Multifamily Housing Mortgage Revenue Bonds (Tenison Lofts) Series 2024 in an amount not to exceed \$30,000,000.00 (Bonds); proceeds of the Bonds will be loaned to Generation Housing Partners, LLC or its affiliates, TX Tenison 2024, Ltd., (collectively referred to as the Borrower) to finance a portion of the cost for the renovation of units for an affordable multifamily complex to be known as Tenison Lofts and located at or near 3500-3632 Samuell Boulevard, Dallas, Texas, 75223 (Development); and

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (Code), requires that any issue of tax-exempt multifamily housing revenue bonds be approved, after a public hearing following reasonable public notice, by an elected representative of the governmental unit on behalf of which such bonds are issued and having jurisdiction of the area in which the multifamily project is located; and

**WHEREAS**, the DHFC is a public instrumentality of the City of Dallas organized under the Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code (Act); and

**WHEREAS**, the Act requires the City of Dallas to approve the use of bond proceeds issued by the DHFC to finance the construction and development of affordable housing; and

**WHEREAS**, on April 10, 2024, DHFC published reasonable public notice of the Tax, Equity and Fiscal Responsibility Act (TEFRA) public hearing with respect to the Bonds and the Development in the *Dallas Morning News*, a newspaper of general circulation within the City of Dallas, and on April 18, 2024, the DHFC held the TEFRA public hearing with no outside participants in attendance and thus no comments made; and

**WHEREAS**, on October 19, 2023, DHFC submitted an application for the allocation of \$30,000,000.00 in private activity bonds to the Texas Bond Review Board. The DHFC is awaiting the bond reservation.

**Now, Therefore,**

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

**SECTION 1.** That, for purposes of Section 147(f) of the Code, the City Council of the City of Dallas (Governing Body), acting as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Code, does hereby approve the issuance of the Bonds by DHFC in an amount not to exceed \$30,000,000.00, the proceeds of which will be loaned to Borrower to finance a portion of the cost for the development of an approximately 164-unit affordable multifamily complex to be known as Tenison Lofts located at or near 3500-3632 Samuell Boulevard, Dallas, Texas, 75223.

May 22, 2024

**SECTION 2.** That the approval of the City of Dallas is also for the purpose of satisfying the conditions and requirements of Section 147(f) of the Code and is not to be construed as an undertaking by the City of Dallas. The Bonds shall not constitute a liability, an indebtedness, or obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to the payment of the Bonds. The Bonds shall specifically provide that the Bonds are not a debt of the City of Dallas, Dallas County or the State of Texas and that the City of Dallas, Dallas County and State of Texas are not liable with respect to the Bonds.

**SECTION 3.** That notice of the TEFRA public hearing with respect to the Bonds and the Development was published in the *Dallas Morning News* on April 10, 2024, and on April 18, 2024, the public hearing was held with no outside participants in attendance, and thus no comments made.

**SECTION 4.** That to the extent applicable, the City Council of the City of Dallas hereby approves the application of the Act to the property on which the Development will be acquired and renovated and grants its approval for the use of proceeds of bonds issued by the DHFC pursuant to the Act to finance construction of the Development.

**SECTION 5.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager are hereby authorized, empowered and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

**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 Information Sheet

**File #:** 24-1484

**Item #:** 10.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 1  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Robin Bentley

### **SUBJECT**

Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation in one or more series of tax-exempt bonds in an amount not to exceed \$35,000,000.00; proceeds of the Bonds will be loaned to Generation Housing Partners, LLC or its affiliate, TX Illinois 2024, Ltd. (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Hi Line Illinois and located at 4710 West Illinois Avenue, Dallas, Texas, 75211 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

### **BACKGROUND**

Generation Housing Partners, LLC, or its affiliate, TX Illinois 2024, Ltd. (collectively referred to as Borrower) proposes the Dallas Housing Finance Corporation (DHFC) or its affiliate acquire the property at 4710 West Illinois Avenue and subsequently enter into a long-term lease for the Development. The Development will consist of 200 newly constructed units. The unit mix includes 40 one-bedroom units, 100 two-bedroom units, and 60 three-bedroom units. The units will be equipped with large balconies, personal storage, granite countertops, Energy Star Appliances, and other Class-A features. The property also has a resort style swimming pool, children's playscape, and sports court, clubhouse, leasing center, furnished fitness center, community lounge, and business center. The community will offer laptops to its residents for "check out" to do schoolwork, tax preparation, budgeting and/or life planning, or for simple everyday needs. Lighted public sidewalks will be built along both West Illinois Avenue and Knoxville Street, enhanced with lush landscaping and street trees. Underground detention will be utilized to provide additional parking and resident amenities.

The Borrower will also work with the Office of Integrated Public Safety Solutions for security input/upgrades, community activities, and incorporate best practices of Crime Prevention Through Environmental Design. Additionally, the Developer will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The Borrower proposes to provide on-site resident services including:

1. Health and wellness classes;
2. Financial literacy classes;
3. Tax preparation classes;
4. Homeownership classes;
5. Fitness classes;
6. Monthly community events; and
7. Nutrition and Diet Seminars.

On September 12, 2023, the DHFC authorized an inducement in an amount not to exceed \$35,000,000.00. On October 19, 2023, the Borrower submitted an application for the allocation of \$35,000,000.00 in private activity bonds to the Texas Bond Review Board (TBRB). The DHFC is awaiting the bond reservation.

Since the Development is located within the City of Dallas, Section 147 (f) of the Internal Revenue Code requires that in order for the bonds to be tax exempt, the City Council, the applicable elected representative of the City of Dallas, must approve the issuance of the bonds by the Issuer following a public hearing. The City of Dallas is not asked to issue bonds. The bonds shall not be a debt, liability, or an obligation of the City nor shall any of the City's assets be pledged for payment of the bonds. The City's name will not appear on the bonds. The approval being requested is only for the purpose of complying with federal law and with regard to tax exempt debt.

The Tax Equity and Fiscal Responsibility Act (TEFRA) hearing notice was published in the *Dallas Morning News* on April 10, 2024. On April 18, 2024, the public hearing was held with no outside participants in attendance, and thus, no comments made. Under applicable federal income tax law, the TEFRA approval may only be valid for a one-year term. It is anticipated that the tax-exempt bonds to fund a portion of the costs for the Development will close on or about June 2024.

The Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code requires that the City of Dallas approve the issuance of bonds by the DHFC and their use to finance the construction and development of affordable housing.

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

On September 12, 2023, the DHFC authorized an inducement in an amount not to exceed \$35,000,000.00.

On February 14, 2024, the City Council held a public hearing and following, adopted a Resolution of No Objection related to the Development and Borrower's 4% Non-Competitive Low Income Housing Tax Credits application to TDHCA by Resolution No. 24-0289.

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on May 17, 2024.](#)

**FISCAL INFORMATION**

No cost consideration to the City.

**MAP**

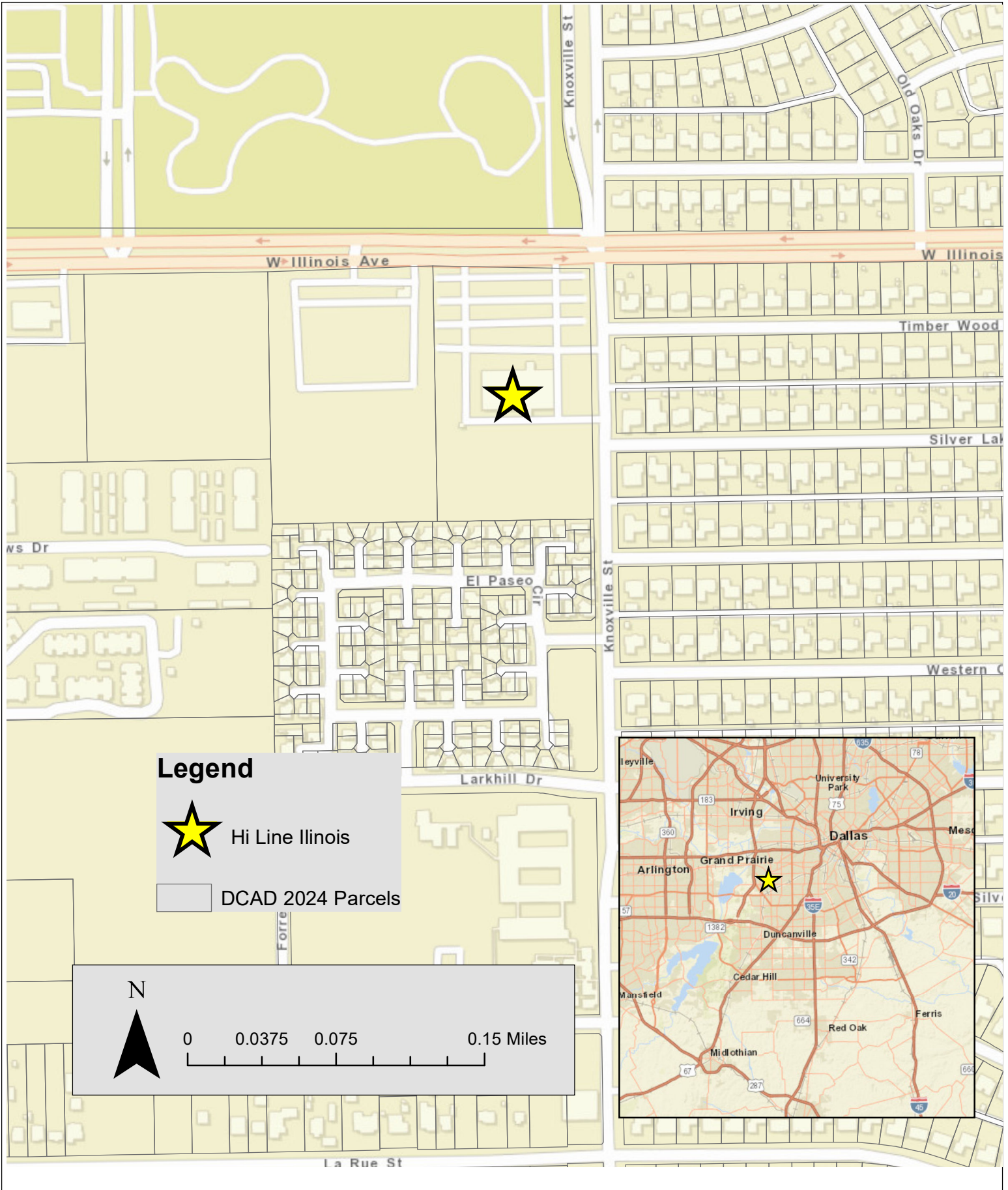
Attached



# Hi Line Illinois

## 4710 West Illinois Avenue

### Dallas, Texas





May 22, 2024

**WHEREAS**, the City of Dallas Housing Finance Corporation (DHFC or Issuer) intends to issue its Multifamily Housing Mortgage Revenue Bonds (Hi Line Illinois) Series 2024 in an amount not to exceed \$35,000,000.00 (Bonds); proceeds of the Bonds will be loaned to Generation Housing Partners, LLC., or its affiliate, TX Illinois 2024, Ltd. (collectively referred to as Borrower) to finance a portion of the cost for the renovation of units for an affordable multifamily complex to be known as Hi Line Illinois and located at or near 4710 West Illinois Avenue, Dallas, Texas, 75211 (Development); and

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (Code), requires that any issue of tax-exempt multifamily housing revenue bonds be approved, after a public hearing following reasonable public notice, by an elected representative of the governmental unit on behalf of which such bonds are issued and having jurisdiction of the area in which the multifamily project is located; and

**WHEREAS**, the DHFC is a public instrumentality of the City of Dallas organized under the Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code (Act); and

**WHEREAS**, the Act requires the City of Dallas to approve the use of bond proceeds issued by the DHFC to finance the construction and development of affordable housing; and

**WHEREAS**, on April 10, 2024, DHFC published reasonable public notice of the Tax, Equity and Fiscal Responsibility Act (TEFRA) public hearing with respect to the Bonds and the Development in the *Dallas Morning News*, a newspaper of general circulation within the City of Dallas, and on April 18, 2024, the DHFC held the TEFRA public hearing with no outside participants in attendance and thus no comments made; and

**WHEREAS**, on October 19, 2023, the Borrower submitted an application for the allocation of \$35,000,000.00 in private activity bonds to the Texas Bond Review Board. The DHFC is awaiting the bond reservation.

**Now, Therefore,**

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

**SECTION 1.** That, for purposes of Section 147(f) of the Code, the City Council of the City of Dallas (Governing Body), acting as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Code, does hereby approve the issuance of the Bonds by DHFC in an amount not to exceed \$35,000,000.00 the proceeds of which will be loaned to Borrower to finance a portion of the cost for the development of an approximately 200-unit affordable multifamily complex to be known as HiLine Illinois Apartments and located at or near 4710 West Illinois Avenue, Dallas, Texas 75211.

May 22, 2024

**SECTION 2.** That the approval of the City of Dallas is also for the purpose of satisfying the conditions and requirements of Section 147(f) of the Code and is not to be construed as an undertaking by the City of Dallas. The Bonds shall not constitute a liability, an indebtedness, or obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to the payment of the Bonds. The Bonds shall specifically provide that the Bonds are not a debt of the City of Dallas, Dallas County or the State of Texas and that the City of Dallas, Dallas County and State of Texas are not liable with respect to the Bonds.

**SECTION 3.** That notice of the TEFRA public hearing with respect to the Bonds and the Development was published in the *Dallas Morning News* on April 10, 2024, and on April 18, 2024, the public hearing was held with no outside participants in attendance, and thus no comments made.

**SECTION 4.** That to the extent applicable, the City Council of the City of Dallas hereby approves the application of the Act to the property on which the Development will be acquired and renovated and grants its approval for the use of proceeds of bonds issued by the DHFC pursuant to the Act to finance construction of the Development.

**SECTION 5.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager are hereby authorized, empowered and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

**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 Information Sheet

**File #:** 24-1487

**Item #:** 11.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 11  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Robin Bentley

### SUBJECT

Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$31,000,000.00; proceeds of the Bonds will be loaned April Housing, or its affiliate, 13695 Goldmark Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Waterford at Goldmark and located at 13695 Goldmark Drive, Dallas, Texas, 75240 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

### BACKGROUND

April Housing, or its affiliate, 13695 Goldmark Drive (TX) Owner, LP (collectively referred to as Borrower) proposes the DHFC or its affiliate (DHFC) acquire and renovate the property at 13695 Goldmark Drive and subsequently enter into a long-term lease for the Development. The Development will consist of 220 renovated units. The 220 units are comprised of 112 one-bedroom and 108 two-bedroom units. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other features required by the Texas Department of Housing and Community Affairs (TDHCA).

Waterford at Goldmark is a 1997 built, 220-unit, affordable housing property located in Dallas, Texas. Community amenities include a business center, clubhouse, fitness center, salon, theater room, swimming pool, elevator service, gated access, on-site laundry facility, barbecue, and picnic area.

Residents have public transportation access to downtown, utilizing the stop of the Dallas Area Rapid Transit bus which is walking distance from the Property.

The proposed renovation budget is \$8,880,000.00 (approximately \$40,000.00/unit) in hard costs (exclusive of general contractor requirements, contractor's profit, and overhead). Renovations will include the following:

- woods and plastic repairs (includes kitchen cabinets, countertops, etc.),
- drywall/floor/ceiling/paint, and
- plumbing/heating, ventilation, and air conditioning repair/replacement.

Major items include:

- replacement of new roof shingles and underlayment,
- installation of Luxury Vinyl Plank flooring,
- interior and exterior paint,
- mechanical system upgrades,
- low-flow toilets/showerheads, and
- air conditioner condenser and heat pump system replacement.

Planned rehab includes light tenant-relocation during rehab. During the renovations, there will be upgrades to eight units to be fully Americans with Disabilities Act (ADA) compliant. The scope of work for these units includes the reconfiguration of new kitchen cabinetry to allow for proper clearances, a renovated and enlarged bathroom to allow for proper clearances, new paint and flooring and new interior doors. The tenants in the units will need to be relocated for four weeks. In addition to the ADA upgrades, 142 units will have full unit renovations. The households in these units will need to be out of their apartments for one week to accommodate construction. At all units, residents, and their belongings, will need to be fully relocated while renovations are being completed in their units. Renovations may include new plumbing fixtures, light fixtures, cabinets & countertops, flooring, paint, roofing, appliances, and site amenities. The Applicant has budgeted \$880,000.00 for tenant relocations (\$4,000.00/unit).

On October 10, 2023, the DHFC authorized an inducement in an amount not to exceed \$31,000,000.00. On October 19, 2023, the Borrower submitted an application for the allocation of \$31,000,000.00 in private activity bonds to the Texas Bond Review Board. The DHFC is awaiting the bond reservation.

Since the Development is located within the City of Dallas, Section 147 (f) of the Internal Revenue Code requires that in order for the bonds to be tax exempt, the City Council, the applicable elected representative of the City of Dallas, must approve the issuance of the bonds by the Issuer following a public hearing. The City of Dallas is not asked to issue bonds. The bonds shall not be a debt, liability, or an obligation of the City nor shall any of the City's assets be pledged for payment of the bonds. The City's name will not appear on the bonds. The approval being requested is only for the purpose of complying with federal law and with regard to tax exempt debt.

The Tax Equity and Fiscal Responsibility Act (“TEFRA”) hearing notice was published in the *Dallas Morning News* on April 10, 2024. On April 18, 2024, the public hearing was held with no outside participants in attendance, and thus, no comments made. Under applicable federal income tax law, the TEFRA approval may only be valid for a one-year term. It is anticipated that the tax-exempt bonds to fund a portion of the costs for the Development will close on or about July 2024.

The Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code requires that the City of Dallas approve the issuance of bonds by the DHFC and their use to finance the construction and development of affordable housing.

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

On October 10, 2023, the DHFC authorized an inducement in an amount not to exceed \$31,000,000.00.

On February 14, 2024, the City Council held a public hearing and following, adopted a Resolution of No Objection related to the Development and Borrower’s 4% Non-Competitive Low Income Housing Tax Credits application to TDHCA by Resolution No. 24-0288.

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on May 17, 2024.](#)

### **FISCAL INFORMATION**

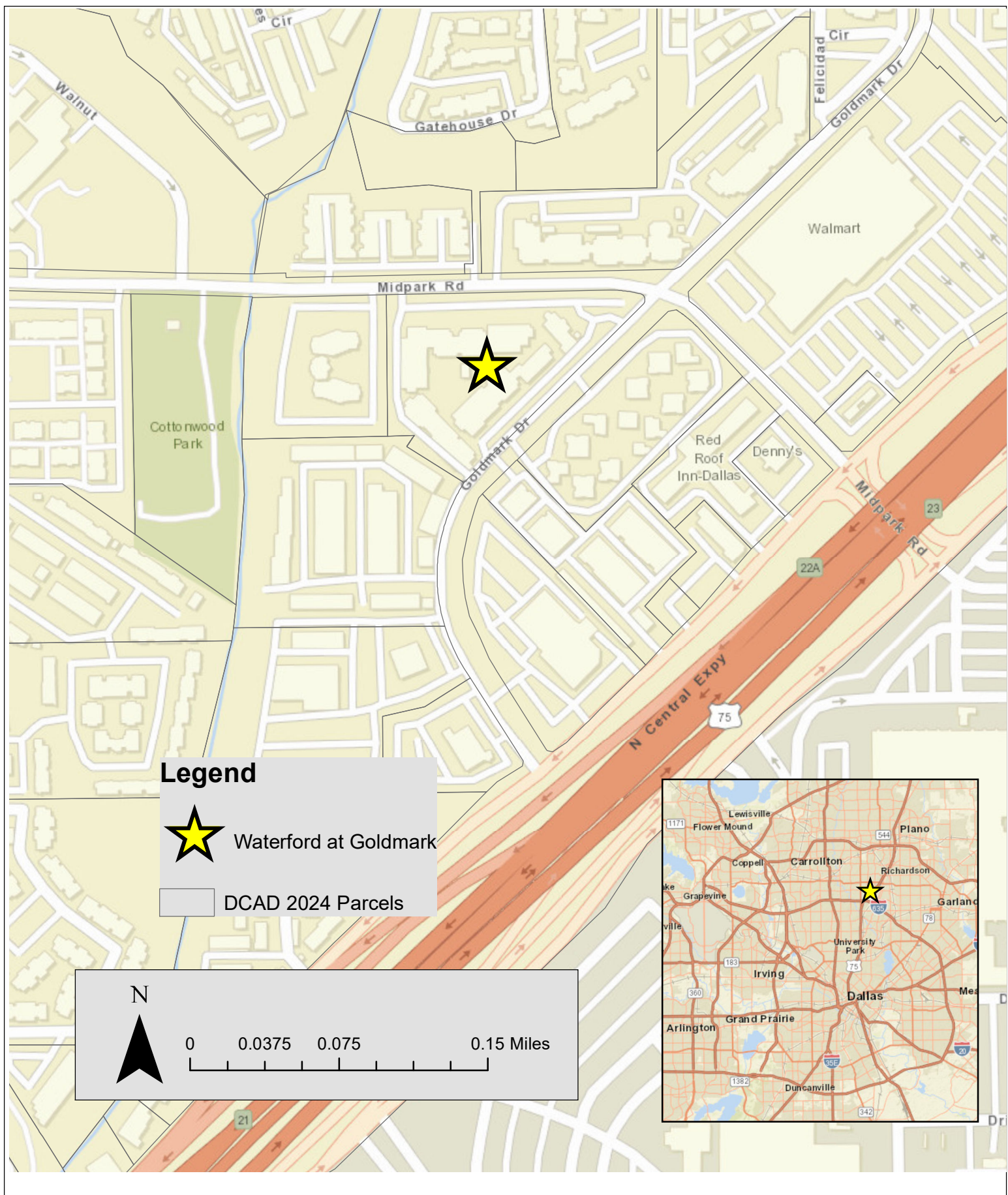
No cost consideration to the City.

### **MAP**

Attached



**Waterford at Goldmark**  
**13695 Goldmark Drive**  
**Dallas, Texas**



May 22, 2024

**WHEREAS**, the City of Dallas Housing Finance Corporation (DHFC or Issuer) intends to issue its Multifamily Housing Mortgage Revenue Bonds (Waterford at Goldmark) Series 2024 in an amount not to exceed \$31,000,000.00 (Bonds); proceeds of the Bonds will be loaned to April Housing, or its affiliate, 13695 Goldmark Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost for the renovation of units for an affordable multifamily complex to be known as Waterford at Goldmark and located at or near 13695 Goldmark Drive, Dallas, Texas, 75240 (Development); and

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (Code), requires that any issue of tax-exempt multifamily housing revenue bonds be approved, after a public hearing following reasonable public notice, by an elected representative of the governmental unit on behalf of which such bonds are issued and having jurisdiction of the area in which the multifamily project is located; and

**WHEREAS**, the DHFC is a public instrumentality of the City of Dallas organized under the Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code (Act); and

**WHEREAS**, the Act requires the City of Dallas to approve the use of bond proceeds issued by the DHFC to finance the construction and development of affordable housing; and

**WHEREAS**, on April 10, 2024, DHFC published reasonable public notice of the Tax, Equity and Fiscal Responsibility Act (TEFRA) public hearing with respect to the Bonds and the Development in the *Dallas Morning News*, a newspaper of general circulation within the City of Dallas, and on April 18, 2024, the DHFC held the TEFRA public hearing with no outside participants in attendance and thus no comments made; and

**WHEREAS**, on October 19, 2023, DHFC submitted an application for the allocation of \$31,000,000.00 in private activity bonds to the Texas Bond Review Board. The DHFC is awaiting the bond reservation.

**Now, Therefore,**

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

**SECTION 1.** That, for purposes of Section 147(f) of the Code, the City Council of the City of Dallas (Governing Body), acting as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Code, does hereby approve the issuance of the Bonds by DHFC in an amount not to exceed \$31,000,000.00 the proceeds of which will be loaned to Borrower to finance a portion of the cost for the development of an approximately 220 unit affordable multifamily complex to be known as Waterford at Goldmark located at or near 13695 Goldmark Drive, Dallas, Texas, 75240.

May 22, 2024

**SECTION 2.** That the approval of the City of Dallas is also for the purpose of satisfying the conditions and requirements of Section 147(f) of the Code and is not to be construed as an undertaking by the City of Dallas. The Bonds shall not constitute a liability, an indebtedness, or obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to the payment of the Bonds. The Bonds shall specifically provide that the Bonds are not a debt of the City of Dallas, Dallas County or the State of Texas and that the City of Dallas, Dallas County and State of Texas are not liable with respect to the Bonds.

**SECTION 3.** That notice of the TEFRA public hearing with respect to the Bonds and the Development was published in the *Dallas Morning News* on April 10, 2024, and on April 18, 2024, the public hearing was held with no outside participants in attendance, and thus no comments made.

**SECTION 4.** That to the extent applicable, the City Council of the City of Dallas hereby approves the application of the Act to the property on which the Development will be acquired and renovated and grants its approval for the use of proceeds of bonds issued by the DHFC pursuant to the Act to finance construction of the Development.

**SECTION 5.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager are hereby authorized, empowered and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

**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.





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 24-1488

**Item #:** 12.

**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Robin Bentley

### **SUBJECT**

Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$32,000,000.00; proceeds of the Bonds will be loaned to April Housing, or its affiliate, 8004 West Virginia Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as West Virginia Apartments and located at 8004 West Virginia Drive, Dallas, Texas, 75237 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April 18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City

### **BACKGROUND**

April Housing, or its affiliate, 8004 West Virginia Drive (TX) Owner, LP (collectively referred to as Borrower) proposes the DHFC or its affiliate (DHFC) acquire and renovate the property at 8004 West Virginia Drive and subsequently enter into a long-term lease for the Development. The Development will consist of 204 renovated units. The 204 units are comprised of 34 one-bedroom units, 130 two-bedroom units, and 40 three-bedroom units. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other features required by the Texas Department of Housing and Community Affairs (TDHCA)-required features.

West Virginia Apartments is a 2004 built, 204-unit, senior affordable housing property located in Dallas, Texas. Community amenities include a business center, clubhouse, fitness center, salon, theater room, swimming pool, elevator service, gated access, on-site laundry facility, barbecue, and picnic area.

The proposed renovation budget is \$8,816,000.00 (approximately \$40,000.00/unit) in hard costs (exclusive of general contractor requirements, contractor's profit and overhead). Renovations will include the following:

- woods and plastic repairs (includes kitchen cabinets, countertops, etc.),
- drywall/floor/ceiling/paint, and
- plumbing/heating, ventilation, and air conditioning.

Major items include:

- kitchen cabinet replacement,
- new kitchen countertops,
- replacement of new roof shingles and underlayment,
- installation of LVP flooring,
- interior and exterior paint,
- mechanical system upgrades,
- low-flow toilets/showerheads, and
- air conditioner condenser and heat pump system replacement.

Planned rehab includes light tenant-relocation during rehab. During the renovations, there will be upgrades to eight units to be fully Americans with Disabilities Act (ADA) compliant. The scope of work for these units includes the reconfiguration of new kitchen cabinetry to allow for proper clearances, a renovated and enlarged bathroom to allow for proper clearances, new paint and flooring and new interior doors. The tenants in these units will need to be relocated for four weeks. In addition to the ADA upgrades, 142 units will have full unit renovations. The households in these units will need to be out of their apartments for one week to accommodate construction. At all units, residents, and their belongings, will need to be fully relocated while renovations are being completed in their units. Renovations may include new plumbing fixtures, light fixtures, cabinets & countertops, flooring, paint, roofing, appliances, and site amenities. Housing has budgeted \$816,000.00 for tenant relocations (\$4,000.00/unit).

On October 10, 2023, the DHFC authorized an inducement in an amount not to exceed \$32,000,000.00. An application for the allocation of \$32,000,000.00 in private activity bonds was submitted to the Texas Bond Review Board and a bond reservation was received on February 7, 2024.

Since the Development is located within the city of Dallas, Section 147 (f) of the Internal Revenue Code requires that in order for the bonds to be tax exempt, the City Council, the applicable elected representative of the City of Dallas, must approve the issuance of the bonds by the Issuer following a public hearing. The City of Dallas is not asked to issue bonds. The bonds shall not be a debt, liability, or an obligation of the City nor shall any of the City's assets be pledged for payment of the bonds. The City's name will not appear on the bonds. The approval being requested is only for the purpose of complying with federal law and with regard to tax exempt debt.

The Tax Equity and Fiscal Responsibility Act (TEFRA) hearing notice was published in the *Dallas Morning News* on April 10, 2024. On April 18, 2024, the public hearing was held with no outside participants in attendance, and thus, no comments made. Under applicable federal income tax law, the TEFRA approval may only be valid for a one-year term. It is anticipated that the tax-exempt bonds to fund a portion of the costs for the Development will close on or about June 2024.

The Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code requires that the City of Dallas approve the issuance of bonds by the DHFC and their use to finance the construction and development of affordable housing.

On May 17, 2024, the Housing and Homelessness Solutions Committee will be briefed by memorandum on the development and the authorization of a Resolution of Support.

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

On October 10, 2023, the DHFC authorized an inducement in an amount not to exceed \$32,000,000.00.

On February 14, 2024, the City Council held a public hearing and following, adopted a Resolution of No Objection related to the Development and Borrower's 4% Non-Competitive Low Income Housing Tax Credits application to TDHCA by Resolution No. 24-0287.

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this item on May 17, 2024.](#)

### **FISCAL INFORMATION**

No cost consideration to the City.

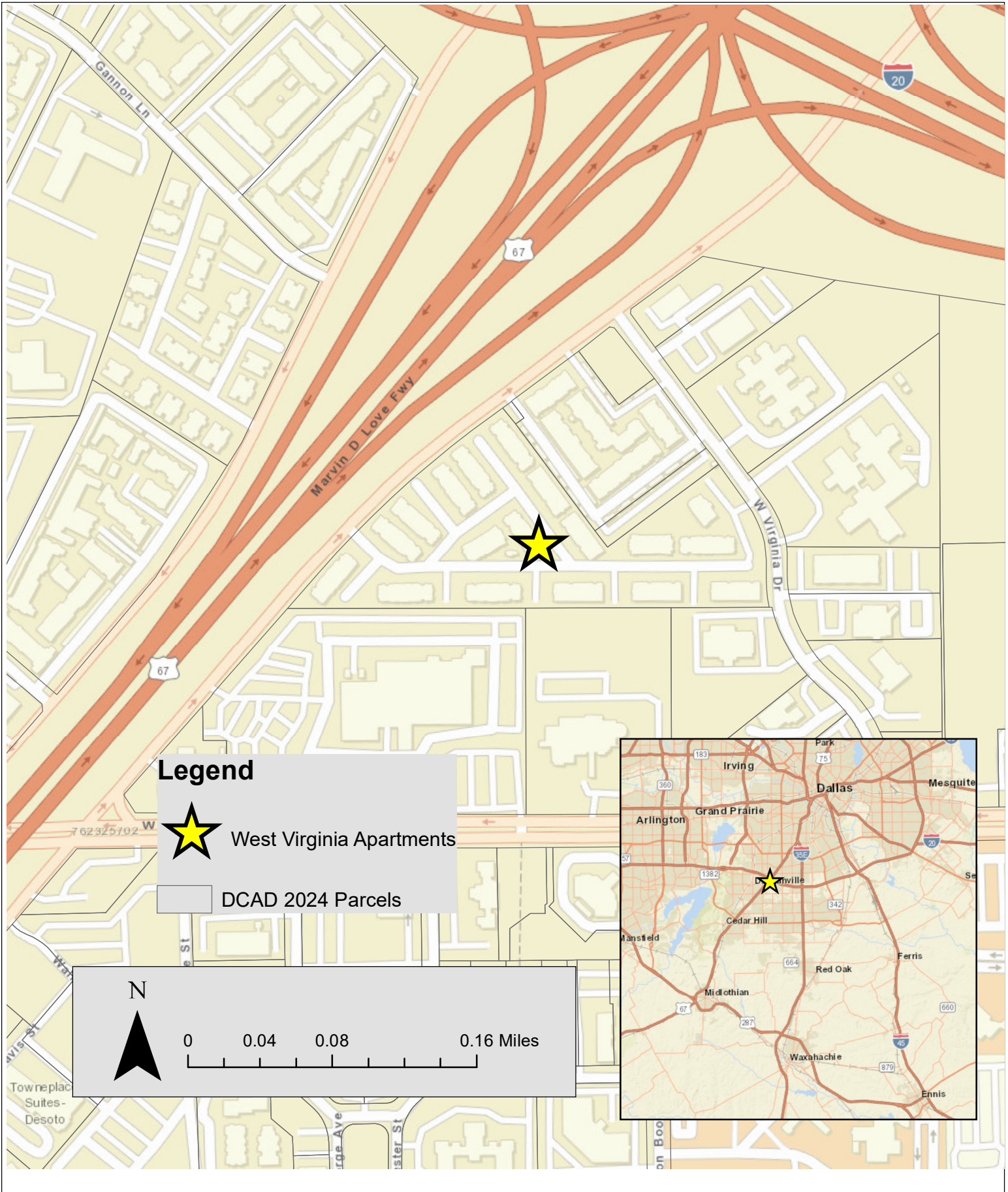
### **MAP**

Attached

# West Virginia Apartments

## 8004 West Virginia Drive

### Dallas, Texas





May 22, 2024

**WHEREAS**, the City of Dallas Housing Finance Corporation (DHFC or Issuer) intends to issue its Multifamily Housing Mortgage Revenue Bonds (West Virginia Apartments) Series 2024 in an amount not to exceed \$32,000,000.00 (Bonds); proceeds of the Bonds will be loaned to April Housing, or its affiliate, 8004 West Virginia Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost for the renovation of units for an affordable multifamily complex to be known as West Virginia Apartments and located at or near 8004 West Virginia Drive, Dallas, Texas, 75237 (Development); and

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (Code), requires that any issue of tax-exempt multifamily housing revenue bonds be approved, after a public hearing following reasonable public notice, by an elected representative of the governmental unit on behalf of which such bonds are issued and having jurisdiction of the area in which the multifamily project is located; and

**WHEREAS**, the DHFC is a public instrumentality of the City of Dallas organized under the Texas Housing Finance Corporations Act, Chapter 394 of the Texas Local Government Code (Act); and

**WHEREAS**, the Act requires the City of Dallas to approve the use of bond proceeds issued by the DHFC to finance the construction and development of affordable housing; and

**WHEREAS**, on April 10, 2024, DHFC published reasonable public notice of the Tax, Equity and Fiscal Responsibility Act (TEFRA) public hearing with respect to the Bonds and the Development in the *Dallas Morning News*, a newspaper of general circulation within the City of Dallas, and on April 18, 2024, the DHFC held the public hearing with no outside participants in attendance and thus no comments made; and

**WHEREAS**, on February 7, 2024, the Texas Bond Review Board issued a bond reservation to the DHFC for the Development in an amount not to exceed \$32,000,000.00.

**Now, Therefore,**

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

**SECTION 1.** That, for purposes of Section 147(f) of the Code, the City Council of the City of Dallas (Governing Body), acting as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Code, does hereby approve the issuance of the Bonds by DHFC in an amount not to exceed \$32,000,000.00 LP, the proceeds of which will be loaned to Borrower to finance a portion of the cost for the development of an approximately 204-unit affordable multifamily complex to be known as West Virginia Apartments and located at or near 8004 West Virginia Drive, Dallas, Texas, 75237.

May 22, 2024

**SECTION 2.** That the approval of the City of Dallas is also for the purpose of satisfying the conditions and requirements of Section 147(f) of the Code and is not to be construed as an undertaking by the City of Dallas. The Bonds shall not constitute a liability, an indebtedness, or obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to the payment of the Bonds. The Bonds shall specifically provide that the Bonds are not a debt of the City of Dallas, Dallas County or the State of Texas and that the City of Dallas, Dallas County and State of Texas are not liable with respect to the Bonds.

**SECTION 3.** That notice of the TEFRA public hearing with respect to the Bonds and the Development was published in the *Dallas Morning News* on April 10, 2024, and on April 18, 2024, the public hearing was held with no outside participants in attendance, and thus no comments made.

**SECTION 4.** That to the extent applicable, the City Council of the City of Dallas hereby approves the application of the Act to the property on which the Development will be acquired and renovated and grants its approval for the use of proceeds of bonds issued by the DHFC pursuant to the Act to finance construction of the Development.

**SECTION 5.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager are hereby authorized, empowered and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

**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 Information Sheet

**File #:** 24-1431

**Item #:** 13.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Robin Bentley

### **SUBJECT**

Authorize **(1)** the sale of one vacant Land Transfer Program lot to Southfair Community Development Corporation and/or its affiliates, a Qualified Participating Developer under the Land Transfer Program ("Developer") for the construction of up to two to three affordable housing units subject to restrictive covenants, a right of reverter, and execution and recording of all necessary documents, pursuant to the City's Land Transfer Program; **(2)** the release of all non-tax City liens, notices or orders that were filed on the one Land Transfer Program lot prior or subsequent to the deeds transferring the lot the City of Dallas; and **(3)** execution of a development agreement with Developer for the construction of up to two to three homeownership townhome units on the Land Transfer Program lot - Estimated Revenue: General Fund \$1,972.28 (see Fiscal Information)

### **BACKGROUND**

On May 22, 2019, the City Council adopted the Land Transfer Program by Resolution No. 19-0824, as amended, for the purpose of incentivizing: (1) the development of quality, sustainable housing that is affordable to the residents of the City and (2) the development of other uses that complement the City's Comprehensive Housing Policy (CHP), Economic Development Policy, or redevelopment policy. Specifically, the Land Transfer Program authorizes the City to sell qualifying City-owned real property and resell tax-foreclosed real property to for-profit, non-profit and/or religious organizations, as applicable, in a direct sale at less than fair market value of the land, consistent with the authorizing state statute or City ordinance. The tax foreclosed lots are being sold pursuant to 34.051 of the Texas Property Tax Code.

On April 12, 2023, the City Council adopted the Dallas Housing Policy 2033 to replace the CHP by Resolution No. 23-0443. On April 12, 2023, the City Council also authorized the continued operation of the housing programs previously authorized under the CHP, but now documented and restated in the Dallas Housing Resource Catalog (DHRC) under Resolution No. 23-0444.

In November 2021, an eligible developer SouthFair Community Development Corporation (Developer) submitted an application (proposal) to purchase a total of eleven Land Transfer Program lots. Housing staff evaluated the application pursuant to the standards set forth in the Land Transfer Program guidelines, which included determining whether the Developer met the eligibility standards to be deemed a "Qualified Participating Developer" and underwriting the proposal. The application was determined to be complete and was assigned a score. Housing staff collaborated with Qualified Participating Developer regarding the terms of sale of the vacant lot(s) as well as the terms related to the construction and subsequent sale of single-family housing units to income eligible homebuyers.

The Developer is a domestic 501(C)(3) nonprofit corporation established in 1991, incorporated in 1993, and is based in Dallas. The Developer has been a nonprofit developer in the area for 30 years.

The Developer has decided to move forward with one of the eleven Land Transfer lots at this time. The lot at 2614 Merlin will be incorporated into the current Merlin Townhomes development due to its proximity to the Developer already owned property. The lot will be replatted to be developed into two to three townhomes bringing the total number of townhomes on Merlin up to 14 or 16. These townhomes on this lot will be geared towards those families that fall into the 60-80% Area Median Income (AMI). The Developer is expected to apply for a certification to become Community Housing Development Organization (CHDO) and request CHDO funding that will allow these three-to-four bedroom, two-car garage, 1300-1600 square feet townhomes to sell for \$180,000.00 - \$228,000.00.

The development terms applicable to each lot are as follows:

**Vacant Lot Sales Price:** Attached as Exhibit A.

**Single-Family Home Sales Price:** The sales price of the home cannot exceed the current U.S Department of Housing and Urban Development (HUD) HOME homeownership sales price for the Dallas, TX HUD Metro FMR Area and must be affordable based on the income of the targeted homebuyer.

**Targeted Income of Homebuyer:** 60-80% AMI

**Construction Timeframe:** Developer must apply for a construction permit and close on any construction financing within 60 days of purchase from the City. In addition, Developer should complete construction and sale of each affordable housing unit to an income eligible homebuyer within two years of the date of acquisition of the vacant lot utilized for construction of the unit.

**Restrictive Covenants:** Developer must: (1) sell each lot to an income-eligible household and (2) prior to the sale, must provide to Department of Housing & Neighborhood Revitalization staff written documentation of the income of the proposed purchaser and the sales price. After sale of the home, the property must be occupied as an income-eligible household's principal residence during the entire term of the affordability period.

**Affordability Period:** Once the property is sold to an income-eligible household, it must be occupied as the household's principal place of residence for at least five years. If the original purchaser re-sells the property during the affordability period, the property may only be sold to another income-eligible household.



**Right of Reverter:** Title to the property may revert to the City if Developer has failed to take possession of the land within 90 calendar days after receiving the deed to the parcels of real property; (2) failed to complete construction of all required housing units or other required development on the real property, or failed to ensure occupancy by eligible households within the development timeframe set forth in the development agreement; (3) incurred a lien on the property because of violations of city ordinances and failed to fully pay off the lien within 180 days of the City's recording of the lien; or (4) sold, conveyed, or transferred the land without the consent of the City.

**Unit Sales Price:** Units must be sold to an income-eligible homebuyer between 60% - 80% of the area AMI, after developer subsidies, at a final sales price between \$180,000.00 and \$228,000.00. The City Manager may modify the sales price, so long as such modification complies with the CHP, as restated in the DHRC.

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

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on March 25, 2024.](#)

### **FISCAL INFORMATION**

Estimated Revenue: General Fund \$1,972.28

(Exhibit A details the Estimated Revenue the City of Dallas will receive from the sale of the lot in the amount of \$1,972.28. For tax foreclosed lots, the sales price for each lot is a minimum of \$1,000.00 for lots up to 7,500 square feet and an additional \$0.133 per square foot for lots which exceed 7,500 square feet. The City of Dallas will also collect recording fees at closing to ensure property legal documents are properly recorded in the amount of \$30.00. No revenue forgone due to no non-tax liens on properties.)

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$345,000.00	Construction	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
32.00%	32.00%	\$110,400.00
• This contract meets the M/WBE goal.		
• Southfair Community Development Corporation - Local; Workforce - 33.33% Local		

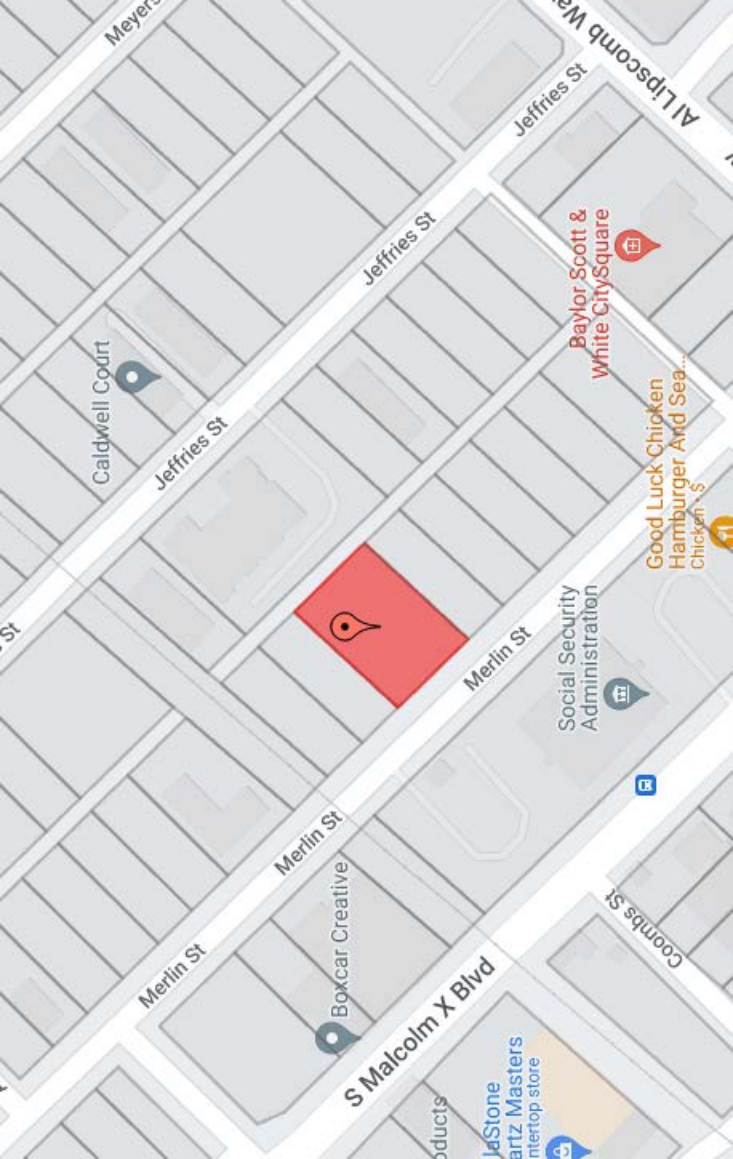
### **DEVELOPER**

#### **Southfair Community Development Corporation**

Annie Evans, Executive Director

**MAP**

Attached



Meyers

Al Lipscomb Way

Jeffries St

Jeffries St

Caldwell Court

Jeffries St

Baylor Scott & White CitySquare

Good Luck Chicken  
Hamburger And Sea...  
Chicken

Merlin St

Social Security Administration

Merlin St

Boxcar Creative

Merlin St

S Malcolm X Blvd

Coombs St

LaStone Artz Masters  
interior store



May 22, 2024

**WHEREAS**, on May 9, 2018, the City Council adopted the Comprehensive Housing Policy (CHP) by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP, the City Council authorized multiple amendments to the CHP on November 28, 2018, by Resolution No. 18-1680; on May 22, 2019, by Resolution No. 19-0824; on March 27, 2019, by Resolution No. 19-0429 and Ordinance No. 31142; on June 12, 2019, by Resolution No. 19-0884; on June 26, 2019, by Resolution No. 19-1041; on September 25, 2019, by Resolution No. 19-1498; on December 11, 2019, by Resolution No. 19-1864; on September 9, 2021, by Resolution No. 21-1450; on January 22, 2020, by Resolution No. 20-0188; on August 26, 2020, by Resolution No. 20-1220; on January 27, 2021, by Resolution No. 21-0212; on September 9, 2021, by Resolution No. 21-1450; on October 13, 2021, by Resolution No. 21-1655; on October 13, 2021, by Resolution No. 21-1656; on May 11, 2022, by Resolution No. 22-0744; and on September 28, 2022, by Resolution No. 22-1432; and

**WHEREAS**, on May 22, 2019, the City Council authorized amendments to the CHP to establish a Land Transfer Program (LTP) by Resolution No. 19-0824; and

**WHEREAS**, on April 12, 2023, the City Council adopted a Dallas Housing Policy 2033 (DHP33) to replace the CHP by Resolution No. 23-0443, and the Dallas Housing Resource Catalog (DHRC) to include the approved programs from the CHP by Resolution No. 23-0444; and

**WHEREAS**, the Department of Housing & Neighborhood Revitalization continues operating its programs, previously authorized and adopted under the CHP, now as restated in the DHRC approved on April 12, 2023; and

**WHEREAS**, on March 27, 2024, the City Council authorized amendments to several programs in the Dallas Housing Resource Catalog, by Resolution No. 24-0421; and

**WHEREAS**, Southfair Community Development Corporation (Developer) submitted a proposal to purchase eleven vacant LTP lot and currently desires to purchase one LTP lot to be replatted and developed up to two to three townhomes and to be incorporated into the current Merlin Townhomes Project located at 2614 Merlin St, Dallas, TX 75215; and

**WHEREAS**, the tax-foreclosed lot is being sold pursuant to 34.051 of the Texas Property Tax Code; and

**WHEREAS**, to assist in the affordable housing production goals established in the CHP and restated in the DHP33 and/or the DHRC, the City desires to enter into a development agreement with the Developer.

May 22, 2024

**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)** approve the sale of one Land Transfer Program (LTP) Lot held by the City to Southfair Community Development Corporation and/or its affiliates (Developer) for the purpose of developing affordable housing subject to restrictive covenants, a right of reverter, and execution of all necessary documents, pursuant to the City's Land Transfer Program; **(2)** release all non-tax City liens, notices or orders that were filed on one Land Transfer Program lot prior to or subsequent to the deed transferring the lot the City of Dallas; and **(3)** execute a development agreement with Developer for the construction of up to two to three affordable townhomes and incorporated into the current Merlin Townhomes Project located at 2614 Merlin St., Dallas, TX 75215, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to execute all documents, including, but not limited to deed without warranty (subject to right of redemption for tax lots), restrictive covenants, deed of trust and any necessary documents to effectuate the sale of one Transfer Program lot shown in **Exhibit A** to Developer pursuant to the terms of development as described herein, approved as to form by the City Attorney. All lot(s) may revert to the City if City Manager or his/her designee determines that the Developer has:

1. failed to take possession of the land within 90 calendar days after receiving the deed to the parcels of real property;
2. failed to complete construction of all required housing units or other required development on the real property, or failed to ensure occupancy by eligible households within the development timeframe set forth in the development agreement;
3. incurred a lien on the property because of violations of City ordinances and failed to fully pay off the lien within 180 days of the City's recording of the lien; or
4. sold, conveyed, or transferred the land without the consent of the City.

Upon determination by the City Manager that a condition described above has occurred, the City Manager is authorized to execute an instrument, approved as to form by the City Attorney, exercising against the parcel of real property the City's possibility of reverter with right to reentry. The City shall file notice of the reverter and reentry of the land by the City in the real property records of the county in which the parcel of real property is located, which notice must specify the reason for the reverter and reentry. The City shall provide a copy of the notice to the Developer in person or by mailing the notice to the Developer's post office address as shown on the tax rolls of the City or of the county in

which the land is located.

May 22, 2024

**SECTION 3.** That each tax foreclosed lot shall be sold to the Developer for a fixed price of \$1,000.00 for up to 7,500 square feet of land purchased under a single proposal, plus \$0.133 for each additional square foot of land purchased under the proposal, as detailed in **Exhibit A**. City will collect fees from Developer for the recording of documents related to the transfer of ownership. The proceeds from sale will be deposited to General Fund, Fund 0001, Department DEV, Balance Sheet Account 0519.

**SECTION 4.** That the City will provide Developer with a 120-day right of entry and due diligence period. During this period, the Developer will identify lot(s) with significant development challenges that may be undevelopable or may require significant remediation. Following the 120-day period, Developer must submit a final list of requested lot(s). The City may extend the due diligence period, as determined in the City's sole discretion.

**SECTION 5.** That the City Manager is hereby authorized to release all non-tax City liens, notices and orders that were filed on the lot, shown in **Exhibit A**, prior or subsequent to the deed transferring the lot to the City of Dallas, approved as to form by the City Attorney.

**SECTION 6.** That in addition to the conditions set out in the sections above, the development agreement shall include the following:

1. Developer is required to design, redevelop and construct single-family townhomes for sale to income-eligible homebuyers, on each LTP lot obtained by Developer from the City. Developer shall submit a development plan and the development plan must be approved by the City.
2. Upon transfer of ownership of each Land Transfer lot from the City to the Developer, Developer must maintain all vacant lots in compliance with all applicable city, state and federal regulations including maintaining the lot free of high weeds and litter.
3. No liens shall exist on the lot, except for liens related to the development of each lot. However, Developer shall ensure that each lot is free from liens or other encumbrances at the time of sale to each income-eligible homebuyer.
4. Developer shall ensure that all units have access to public sewer, public water, public road, and any other necessary utilities.
5. All units are to be sold to households earning between 60-80% of the of the Area Median Income (AMI). Each unit will be a minimum of three bedrooms, contain a two-car garage, and range from 1300-1600 square feet of living space. Units are to be sold to an income-eligible homebuyer at a sales price between \$180,000.00 and \$228,000.00.

May 22, 2024

6. All Project costs must be reasonable and customary and conform with the DHP33, DHRC and, and any other applicable City regulations.
7. Units must be equipped with the following Energy Star rated appliances in conformity with the development standards outlined in the CHP: refrigerator, range/oven, dishwasher and garbage disposal.
8. Units must meet applicable Section 504 Rehabilitation Act and Uniform Federal Accessibility Standards requirements. If units are presold, Developer must make the unit accessible upon the request of the prospective buyer.
9. All income eligible homebuyers must meet the eligibility criteria set forth in the DHRC – City of Dallas Homebuyer Assistance Program, or a successor program.
10. Developer shall construct and sell each unit to income-eligible homebuyers within two years from the date of sale by the City to Developer. Developer may receive a one-year extension of any deadlines in the development agreement, subject to prior approval of the City Manager or designee.
11. Developer shall submit a marketing plan to the City for review and approval prior to construction. The marketing plan must identify the steps it is proposing to take in marketing the housing units to income-eligible homebuyers.
12. The term of affordability for each unit is five years from the filing date of the deed transferring the unit from Developer to homebuyer, which shall be enforced by the restrictive covenants filed against each property.
13. The City Manager may authorize minor modifications to the Project to reduce the amount of lot(s) sold to Developer and to modify the unit sales price, so long as such modification complies with the CHP, as restated in the Dallas Housing Resource Catalog.
14. Developer shall obtain a building permit for at least one unit within 60 days from the date of sale to Developer from the City.

**SECTION 7.** That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to this transaction, until such time as the documents are duly approved by all parties and executed.

**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.



**Exhibit A**  
**SOUTHFAIR COMMUNITY DEVELOPMENT CORPORATION**

Lot #	Street #	Street Name	Neighborhood	CD	Area (SF)	Purchase Price	Type	Proposed Homebuyer AMI	Non- Tax Lien Amount
1	2614	Merlin	Jeffries-Meyers			\$ 1,972.28	tax foreclosed	60-80%	\$507.49
Total Purchase Price <sup>1</sup>						\$ 1,972.28	Total Non-Tax Lien Amount <sup>2</sup>		\$ 507.49
Total Recording Fees						\$ 30.00			
Total Purchase Price and Recording Fees						\$ 2,002.28			

<sup>1</sup> Dallas City Code Section 2-26.9

<sup>2</sup> DWU Revenue and Business Systems  
Division





## Agenda Information Sheet

**File #:** 24-1291

**Item #:** 14.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Robin Bentley

### **SUBJECT**

Authorize **(1)** the City Manager to negotiate and execute a development loan agreement and security documents with TX Tenison 2023, Ltd., an affiliate of Generation Housing Partners, LLC (together, the Applicant) in an amount not to exceed \$6,500,000.00 in Community Development Block Grant Disaster Recovery Funds (CDBG-DR), conditioned upon Applicant, or the entity named by the award, receiving 2023 4% Housing Tax Credit award or other funding source subject to approval of the City for the development of the Tenison Lofts at Samuell Grand, a 164-unit mixed-income affordable multifamily complex to be located at 3500-3632 Samuell Boulevard Dallas, Texas 75223 (Project); **(2)** the City Manager to negotiate and execute a development loan agreement and security documents with the Dallas Housing Finance Corporation (DHFC) or affiliate(s) thereof in an amount not to exceed \$4,500,000.00 in Community Development Block Grant and HOME Investment Partnerships (HOME) Funds to purchase and own the real property located at 3500-3632 Samuell Boulevard Dallas, Texas 75223 (Property); and **(3)** approve the DHFC as long-term ground lessor of the property to enter into a long-term ground lease with Applicant and/or its affiliates(s) for the development of the Property pursuant to 24 CFR 570.201(a) and (b), subject to compliance with all funding source requirements - Not to exceed \$11,000,000.00 - Financing: HOME Funds (\$1,000,865.51), Community Development Block Grant Funds (\$3,499,134.49), and Community Block Grant Disaster Recovery Funds (\$6,500,000.00)

### **BACKGROUND**

Generation Housing Partners, LLC submitted a proposal under the City's Notice of Funding Availability (NOFA), as amended, to receive gap financing in the form of a cash flow loan to support the construction of a 164-unit mixed-income multifamily complex. The NOFA was issued by the Department of Housing & Neighborhood Revitalization (Housing) in accordance with the City's Comprehensive Housing Policy (CHP), as amended by the Dallas Housing Policy 2033 (DHP33) and Dallas Housing Resource Catalog (DHRC).

The Housing Department administers programs to appropriately incentivize private investment for the development of quality, sustainable housing that is affordable to the residents of the City. Specifically, Housing administers the New Construction and Substantial Rehabilitation Program, which where necessary, seeks to provide financial assistance to new developments or substantially rehabilitate existing developments. All projects seeking financial assistance are required to submit a Notice of Intent to apply for financial assistance through NOFA to develop affordable homeownership and rental housing. As outlined in the NOFA, multiple sources of funding are available. However, proposed projects must meet specific thresholds to qualify for the use of a specific funding source. The proposed Tenison Lofts at Samuell Grand development received a fundable score of 112.5 points.

In addition to NOFA funding, the Applicant plans to utilize 2023 4.00% Non-Competitive Housing Tax Credits (4.00% Housing Tax Credits) from the Texas Department of Housing and Community Affairs to acquire and construct the development. The City Council approved a Resolution of No Objection on February 14, 2024, by Resolution No. 24-0290. On September 12, 2023, the Dallas Housing Finance Corporation (DHFC) Board of Directors adopted a resolution declaring its intent to issue bonds for the property and authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board. The requested NOFA Funds, if approved, will cover the gap created by recent market conditions, increased construction costs, and stabilize the viability and economics of the development.

The Applicant is a Texas-based developer, owner, and asset manager of Class A multi-family assets throughout the southwest. As a long term owner, the Applicant has been involved in the development, construction, and management of over 4,000 units with a capitalization value of approximately \$385,000,000.00. The units include multi-story apartment properties for families, seniors, senior cottages, rehabilitation, and adaptive reuse developments. The Applicant has partnered with the DHFC in three other developments (Estates at Shiloh, Estates at Ferguson, and Westmoreland Station) and intends to use Asset Living Property Management to manage the development once completed. Asset Living Property Management has been in the residential property business for 36 years and has developed approximately 20,000 units and currently manages over 24,000 units.

When formed, TX Tenison 2023, Ltd., a Texas limited partnership and the general partner of which is anticipated to be TX Tenison 2023 GP, LLC, will be a single asset entity solely owned by the DHFC. A to-be-formed special limited partnership company will be a special limited partner of TX Tenison 2024, Ltd., once the company is formed. TX Tenison 2024 SLP will be owner of the special limited partner. An amended and restated agreement of limited partnership will be executed to admit the tax credit equity investor as investor member once a tax credit equity investor is identified.

The DHFC or its affiliate(s) will acquire the site at 3500-3632 Samuell Boulevard, Dallas, Texas 75223 and subsequently enter into a 99-year ground lease with TX Tenison 2023, Ltd. City loan funds will be used to acquire and develop the Property. The Applicant proposes to remove all existing buildings and/or structures and redevelop the property with a Class-A, new construction, mixed-income residential development of 164 units on 3.4 acres. The existing property(s) consists of a commercial strip center, with several existing businesses and associated parking. The units will be comprised of 24 one-bedroom, 76 two-bedroom, and 64 three-bedroom units. The project will be a five-story wrap construction product. The units will include nine-foot ceilings, granite countertops, 100.00% masonry

exteriors, Low-e thermal windows, low flow fixtures, ample storage, Energy Star appliances, faux wood flooring, ceiling fans, covered entries, open floor plans, and Berber carpet. Community amenities will include a state-of-the-art fitness center, community room, resort style pool, and computer learning center.

Onsite resident services will include free health and wellness classes, income tax preparation, food pantry, health fair and flu shots, weekly exercise classes, notary services, community and social events, bi-weekly after-school programming, and financial literacy classes.

The Applicant will work with the Office of Integrated Public Safety Solutions for security input/upgrades, community activities, and incorporate best practices of Crime Prevention Through Environmental Design. Additionally, the Applicant will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The unit mix and rental rates are as follows:

Unit Type	AMI	Units	Rent
1BR	30.00%	6	\$ 519.00
1BR	50.00%	6	\$ 905.00
1BR	60.00%	6	\$1,099.00
1BR	70.00%	4	\$1,292.00
1BR	80.00%	2	\$1,486.00
2BR	30.00%	10	\$ 614.00
2BR	50.00%	12	\$1,078.00
2BR	60.00%	24	\$1,310.00
2BR	70.00%	20	\$1,542.00
2BR	80.00%	10	\$1,593.00
3BR	30.00%	8	\$ 702.00
3BR	50.00%	12	\$1,238.00
3BR	60.00%	14	\$1,506.00
3BR	70.00%	20	\$1,774.00
3BR	80.00%	10	\$1,798.00

Total development costs are anticipated to be approximately \$43,613,009.00 which includes the acquisition price for the land. The hard cost construction budget is anticipated to be \$27,571,941.00 which is \$168,121.59 per unit.

The anticipated financing sources and uses are as follows:

<b>Proposed Financing Sources</b>	<b>Amount</b>
Permanent Loan	\$ 18,290,057.00
Tax Credit Equity	\$ 12,643,339.00
City of Dallas HOME Loan	\$ 1,000,865.51
City of Dallas CDBG Loan	\$ 3,499,134.49
City of Dallas CDBG-DR Loan	\$ 6,500,000.00
Deferred Developer Fee	\$ 1,679,613.00
<b>Total</b>	<b>\$ 43,613,009.00</b>

<b>Proposed Uses</b>	<b>Costs</b>
Acquisition	\$ 4,505,000.00
Hard Costs	\$ 27,571,941.00
Soft Costs	\$ 904,460.00
Developer Fee	\$ 4,650,000.00
Financing Fees & Reserves	\$ 5,981,608.00
<b>Total</b>	<b>\$ 43,613,009.00</b>

After the development is complete, 24 of the 164 units to be made available to households earning 0.00%-30.00% Area Median Income (AMI), 30 of the 164 units to households earning 31.00% - 50.00% AMI, 44 of the 164 units to households earning 51.00% - 60.00% AMI, 44 of the 164 units to households earning 61.00% - 70.00% AMI, and 22 of the 164 units to households earning 71.00% - 80.00% AMI. Community Development Block Grant (CDBG) and CDBG-DR regulations require 51.00% of the total number of units or 84 units be reserved for households earning at or below 80.00% AMI. A subset of these affordable units will be counted as HOME-assisted units as well. All Community CDBG, CDBG-DR, and HOME-assisted units must remain affordable for a minimum of 20 years secured by a restrictive covenant as required by the DHRC and federal guidelines to ensure long-term affordability.

In April 2022, the U.S. Department of Housing and Urban Development (HUD) announced that approximately \$24.4 million of CDBG-DR funding has been allocated to the City of Dallas under the second tranche of funds released from the Disaster Relief and Supplemental Appropriations Act of 2022. This funding was allocated to the City as a result of the winter and ice storm that occurred in February 2021.

On December 14, 2022, the City Council held a public hearing to receive public comments and approved the final adoption of the 2022 CDBG-DR Budget and draft Action Plan to accept CDBG-DR Funds from HUD which included New Construction - Multi-Unit funds by Resolution No. 22-1836.

The CDBG-DR Funds must only be spent for necessary activities related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the "most impacted and distressed" areas of qualifying disasters. The entire City of Dallas is included in the MID. New construction of affordable housing is an eligible activity under HUD's CDBG-DR policy as it addresses a direct or indirect impact of the February 2021 winter and ice storm that resulted in damaged or destroyed available affordable housing stock in Dallas, Texas.

The development has been found to affirmatively further fair housing by the Office of Equity and Inclusion Fair Housing Division. Staff recommends approval of this item as it furthers the mixed-income housing goals of the DHP33, meets the threshold requirements of the NOFA, and the financial gap has been confirmed by third-party underwriting.

Staff confirmed that this Project would not be feasible but for the City's participation and that the Project furthers the goals of the DHP33. Staff recommends approval of this item to allow this mixed-income housing development to move forward.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction	October 2024
Complete Construction	October 2026

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

On June 22, 2016, the City Council authorized final adoption of the FY2016-17 HUD Consolidated Plan Budget which included \$5,132,323.00 in HOME Investment Partnerships Funds from the U.S. Department of Housing and Urban Development by Resolution No. 16-1066.

On December 14, 2022, the City Council held a public hearing and following the hearing, the City Council approved the final adoption of the 2022 Community Development Block Grant Disaster Recovery (CDBG-DR) Budget and draft Action Plan to accept CDBG-DR Funds from the U.S. Department of Housing and Urban Development which included New Construction - Multi-Unit funds by Resolution No. 22-1836.

On March 27, 2024, the City Council authorized final adoption of Substantial Amendment No. 3 to the FY 2023-24 Action Plan to reprogram unspent prior year CDBG Funds in the amount of \$4,500,000.00 from the Home Improvement & Preservation Program to the Residential Development Acquisition Loan Program by Resolution No. 24-0494.

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on April 23, 2024.](#)

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Community Development Block Grant Disaster Recovery Funds	\$ 6,500,000.00	\$0.00	\$0.00
HOME Funds	\$ 1,000,865.51	\$0.00	\$0.00
Community Development Block Grant Funds	\$ 3,499,134.49	\$0.00	\$0.00
Total	\$11,000,000.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$27,571,941.00	Construction	32.00%
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
32.00%	32.00%	\$8,823,021.12
• This contract meets the M/WBE goal.		
• Generation Housing Partners, LLC - Local; Workforce - 66.66% Local		

**OWNER/DEVELOPER****Generation Housing Partners, LLC**

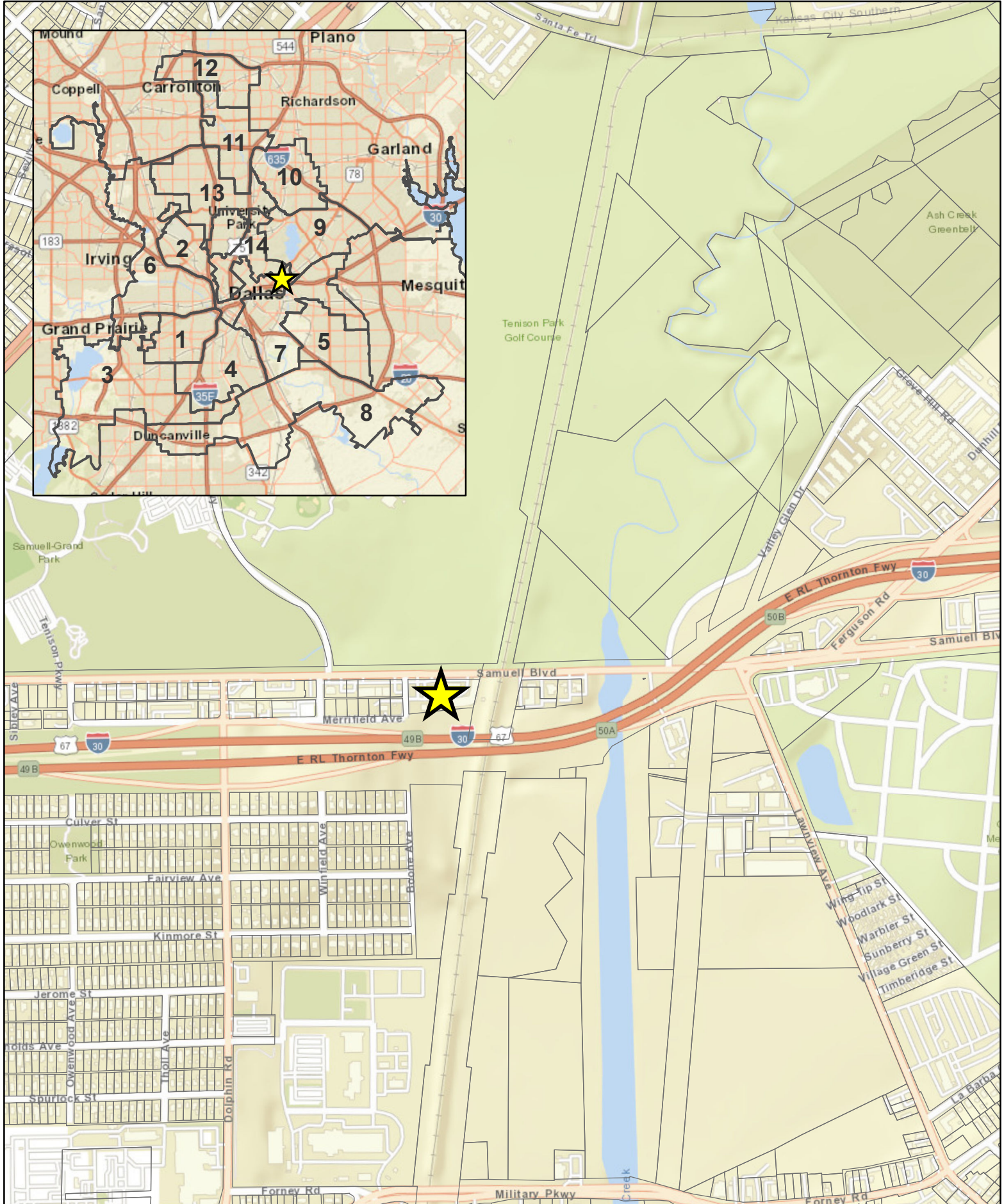
Adrian Iglesias, President

**MAP**

Attached



# Tenison Lofts at Samuel Grand





May 22, 2024

**WHEREAS**, on May 9, 2018, the City Council authorized the adoption of the Comprehensive Housing Policy (CHP), by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP, the City Council authorized multiple amendments to the CHP by on November 28, 2018, by Resolution No. 18-1680; on May 22, 2019, by Resolution No. 19-0824; on March 27, 2019, by Resolution No. 19-0429 and Ordinance No. 31142; on June 12, 2019, by Resolution No. 19-0884; on June 26, 2019, by Resolution No. 19-1041; on September 25, 2019, by Resolution No. 19-1498; on December 11, 2019, by Resolution No. 19-1864; on September 9, 2021, by Resolution No. 21-1450; on January 22, 2020, by Resolution No. 20-0188; on August 26, 2020, by Resolution No. 20-1220; on January 27, 2021, by Resolution No. 21-0212; on September 9, 2021, by Resolution No. 21-1450; on October 13, 2021, by Resolution No. 21-1655; on October 13, 2021, by Resolution No. 21-1656; on May 11, 2022, by Resolution No. 22-0744; on September 28, 2022, by Resolution No. 22-1432; and

**WHEREAS**, on August 7, 2020, the City issued a Notice of Funding Availability (NOFA), as amended, in accordance with the CHP; and

**WHEREAS**, on June 22, 2016, the City Council authorized final adoption of the FY2016-17 HUD Consolidated Plan Budget which included \$5,132,323.00 in HOME Investment Partnerships Funds from the U.S. Department of Housing and Urban Development (HUD), by Resolution No. 16-1066; and

**WHEREAS**, funding was allocated to the City as a result of winter storm that occurred in Dallas, Texas in February 2021 (FEMA Disaster No. 4586); and

**WHEREAS**, on April 2022, HUD announced that approximately \$24.4 million Community Development Block Grant Disaster Recovery funding has been allocated to the City of Dallas under the second tranche of funds released from the Disaster Relief and Supplemental Appropriations Act of 2022; and

**WHEREAS**, on December 14, 2022, following a public hearing, the City Council approved the final adoption of the 2022 Community Development Block Grant Disaster Recovery (CDBG-DR) Budget and draft Action Plan to accept CDBG-DR Funds from HUD which included New Construction – Multi-Unit funds, by Resolution No. 22-1836; and

**WHEREAS**, CDBG-DR Funds must be spent for necessary activities related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the “most impacted and distressed (MID)” areas of qualifying disasters and includes all of Dallas; and

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**WHEREAS**, new construction of affordable housing is an eligible activity under HUD's CDBG-DR policy as it addresses a direct or indirect impact of the February 2021 winter and ice storm that resulted in damaged or destroyed available affordable housing stock in Dallas, Texas; and

**WHEREAS**, on April 12, 2023, the City Council adopted the Dallas Housing Policy 2033 (DHP33) to replace the CHP, by Resolution No. 23-0443 and the Dallas Housing Resource Catalog (DHRC) to include the approved programs from the CHP, by Resolution No. 23-0444; and

**WHEREAS**, TX Tenison 2023, Ltd., an affiliate of Generation Housing Partners, LLC (together, the Applicant) submitted an application for gap financing for a proposed acquisition and development of a 164-unit mixed-income multifamily affordable housing rental complex known as Tenison Lofts located at 3500-3632 Samuell Boulevard in the City of Dallas, Texas 75223, including 24 one-bedroom, 76 two-bedroom, and 64 three-bedroom units to include amenities (Project), and received a fundable Notice of Funding Availability score of 112.5 of 143 points; and, passed a third-party underwriting review; and

**WHEREAS**, on September 12, 2023, the Dallas Housing Finance Corporation Board of Directors adopted a resolution authorizing a preliminary inducement declaring its intent to issue bonds for the Project and authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board; and

**WHEREAS**, on February 14, 2024, following a public hearing, the City Council approved a Resolution of No Objection for Applicant, for 4.00% Non-Competitive Low Income Housing Tax Credits for Tenison Lofts, by Resolution No. 24-0290; and

**WHEREAS**, on March 27, 2024, the City Council authorized final adoption of Substantial Amendment No. 3 to the FY 2023-24 Action Plan to reprogram unspent prior year CDBG Funds in the amount of \$4,500,000.00 from the Home Improvement & Preservation Program to the Residential Development Acquisition Loan Program, by Resolution No. 24-0494; and

**WHEREAS**, the Applicant has submitted an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2023 4.00% Non-Competitive Housing Tax Credit for the proposed acquisition of the land and construction of the proposed Project; and

**WHEREAS**, the Applicant will provide modern security features to include camera system and controlled access in accordance with the NOFA

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criteria and the Office of Fair Housing Division recommendations to ensure a safe living environment for all residents and staff; and

**WHEREAS**, to assist in the affordable housing production goals established in the CHP, as restated in the DHRC, acting in furtherance of the City's governmental function, the City finds and determines that the following transaction should be entered into **(1)** a development loan agreement and security documents with TX Tenison 2023 Ltd., an affiliate of Generation Housing Partners, LLC in an amount not to exceed \$6,500,000.00 in Community Development Block Grant Disaster Recovery Funds (CDBG-DR), conditioned upon Applicant receiving 2023 4% Housing Tax Credit award or other funding source subject to approval of the City for the development of the Tenison Lofts at Samuell Grand, a 164-unit mixed-income affordable multifamily complex to be located at 3500-3632 Samuell Boulevard Dallas, Texas 75223; **(2)** a development loan agreement and security documents with the City of Dallas Housing Finance Corporation (DHFC), or affiliate(s) thereof in an amount not to exceed \$4,500,000.00 in Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Funds to purchase and own the real property located at 3500-3632 Samuell Boulevard Dallas, Texas 75223 (Property) ; and **(3)** the DHFC to enter into a long-term ground lease with Applicant and/or its affiliate(s) for the development of the Project pursuant to 24 CFR 570.201(a), subject to compliance with all funding source requirements; and

**WHEREAS**, the DHFC or its affiliate will enter into a long-term ground lease with the Applicant; and

**WHEREAS**, the City Council finds and determines that the transaction with the DHFC and Applicant should be undertaken, approves the DHFC or an affiliate thereof to purchase and own the land using CDBG and HOME funds, and enter into a long-term ground lease with Applicant for the development of the Project and using CDBG-DR Funds.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager, is hereby authorized to **(1)** execute a development loan agreement and security documents with Generation Housing Partners, LLC and its affiliate, TX Tenison 2023, Ltd., (together, the Applicant) in an amount not to exceed \$6,500,000.00 in Community Development Block Grant Disaster Recovery Funds (CDBG-DR), conditioned upon Applicant, receiving 2023 4% Housing Tax Credit award or other funding source subject to approval of the City for the development of the Tenison Lofts at Samuell Grand, a 164-unit mixed-income affordable

**SECTION 1.** (continued)

multifamily complex to be located at 3500-3632 Samuell Boulevard Dallas, Texas 75223; **(2)** execute a development loan agreement and security documents with the Dallas Housing Finance Corporation (DHFC) or an affiliate(s) thereof in an amount not to exceed \$4,500,000.00 in Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Funds to purchase and own the real property located at 3500-3632 Samuell Boulevard Dallas, Texas 75223; and **(3)** pursuant to the city's rights under DHFC bylaws, approve the DHFC as long-term ground lessor of the property to enter into a long-term ground lease with Applicant for the development of the Project pursuant to 24 CFR 570.201(a) and (b), subject to compliance with all funding source requirements

**SECTION 2.** That the City Manager is hereby authorized to execute a development loan agreement with Applicant and with the DHFC, whether in the form of one agreement with each party or a single agreement including any financing and associate documents related to the loan agreement(s), applicable subordinations to third-party financial institution lien(s), and release of liens and termination of deed restrictions on the Property upon satisfaction of all applicable conditions, approved as to form by the City Attorney and subject to compliance with associated funding source requirements. The Director of Housing and Neighborhood Revitalization (Director) may extend deadlines up to two years.

**SECTION 3.** That pursuant to the development loan agreement, the Applicant must provide 24 of the 164 units to be made available to households earning 0.00%-30.00% Area Median Income (AMI), 30 of the 164 units to households earning 31.00% - 50.00% AMI, 44 of the 164 units to households earning 51.00% - 60.00% AMI, 44 of the 164 units to households earning 61.00% - 70.00% AMI, and 22 of the 164 units to households earning 71.00% - 80.00% AMI, meeting CDBG and HOME requirements for 51.00% of total units reserved for household earning at or below 80.00% AMI. All Federally assisted units will remain affordable for a minimum of 20 years. There will be no market rate units. The Director may authorize minor changes to the affordability unit mix so long as the revised unit mix adheres to the Dallas Housing Policy 2033 and the Dallas Housing Resource Catalog, (together formerly known as the Comprehensive Housing Policy) and the project maintains a fundable NOFA score. Applicant must comply with Chapter 20A of the Dallas City Code, as amended, regarding the non-discriminatory treatment of housing voucher holders and lease the required number of units to voucher holders. These affordable voucher units must be dispersed throughout the residential floor area and shall have identical finish out and materials.

**SECTION 4.** Any CDBG-DR Funds disbursed to the Applicant will be on a reimbursable basis for vertical construction costs such as framing, roofing, carpentry, and other eligible costs, as allowed by federal regulations governing the use of the funds and the DHRC.



**SECTION 4. (continued)**

The City of Dallas loan to the Applicant is repayable and is subject to the following terms:

- A. The term of the loan shall be 40 years beginning from the effective date and ends on the maturity date. The maturity date and the repayment schedule shall be defined/detailed in the loan agreement and other financing documents for the loan, in accordance with the DHP33 and DHRC;
- B. Applicant shall complete construction of the 164 units within two years of the execution date, which may be extended by the Director for up to two years (unless prohibited by the applicable regulations);
- C. The unit mix will include 24 one-bedroom apartments, 76 two-bedroom apartments, and 64 three-bedroom apartments. The requirements of this subsection may be modified by the Director were permitted by the applicable CDBG-DR regulations;
- D. Loan amortization is 40 years, with an interest rate of one percent simple annual interest;
- E. Applicant must execute a promissory note(s) for the total loan amount;
- F. The Applicant or its affiliate(s) as ground lessee of the property shall execute and record deed restrictions on the property. The deed restrictions may be subordinate to deed restrictions issued by TDHCA, HUD and/or to other third-party financing (without waiving compliance with such deed restrictions) provided that the City's deed restrictions or regulatory agreement, as applicable, have priority over any monetary liens, and shall be recorded to secure the 20-year affordability period for the affordable units and the 15-year voucher period for the requirement to make best efforts to lease up to 10% of the units to holders of housing vouchers pursuant to Chapter 20A of the Dallas City Code and the DHP33 and DHRC;
- G. Applicant or its affiliate(s), as ground lessee, shall execute and record a deed of trust on the property, including the leasehold and all improvements to secure payment and performance which will be released once all terms and conditions of the CDBG, HOME, and CDBG-DR loan agreements are met;
- H. The City's lien for the CDBG-DR loan agreement may be subordinate to a financial institution's lien provided that: i) the City's deed restrictions or regulatory agreement, as applicable, have priority over any monetary liens and ii) any such subordination is in compliance with the requirements of the DHP33 and DHRC. In the event subordination agreements are required, the City agrees to provide the subordination agreement in a form acceptable to the City;
- I. The Applicant shall provide guarantees including a completion and operating deficit guaranty for the loan agreement;
- J. The Applicant must provide payment and performance bonds or guarantees, or acceptable equivalent methods of guarantees to the City in the total amount

**SECTION 4.** (continued)

of the construction of the development;

- K. Repayment of loan principal and interest shall be an annual surplus cash payment. The City's surplus cash loan funding will be structured with note provisions requiring that at least 50.00% of Eligible Cash, as defined in the DHP33 and DHRC, in excess of \$50,000.00 be paid annually to subordinate lenders (including funding partners and related parties) on a prorated basis;
- L. The CDBG, CDBG-DR, and HOME loans are each nonrecourse loans and the City's remedy is limited to foreclosure only, in the event of an uncured default; and
- M. Although the term, the maturity date, and the amortization are anticipated to be for a period of 40 years, the Director may adjust the period of years, subject to the applicable federal regulations, DHP33 and DHRC, so that it is of such length as required by the Applicant's senior lender but not longer than 12 months after the term of the senior loan.
- N. DHFC shall purchase and own the land, enter into a long-term ground lease with Applicant and take an ownership interest in the Project;

**SECTION 5.** The City of Dallas loan to the DHFC is repayable and is subject to the following terms:

- A. The term of the loan shall be 40 years beginning from the effective date and ends on the maturity date. The maturity date and the repayment schedule shall be defined/detailed in the loan agreement and other financing documents for the loan, in accordance with the DHP33 and DHRC;
- B. Applicant shall complete construction of the 164 units within two years of the execution date, which may be extended by the Director for up to two years (unless prohibited by the applicable regulations);
- C. The unit mix of the Project on the Property will include 24 one-bedroom apartments, 76 two-bedroom apartments, and 64 three-bedroom apartments. The requirements of this subsection may be modified by the Director were permitted by the applicable CDBG-DR regulations;
- D. Loan amortization is 40 years, with an interest rate of one percent simple annual interest;
- E. DHFC must execute a promissory note(s) for the total loan amount;
- F. DHFC, or its affiliate as owner of the Property, shall execute and record deed restrictions on the property. The deed restrictions may be subordinate to deed restrictions issued by TDHCA, HUD and/or to other third-party financing (without waiving compliance with such deed restrictions) provided that the City's deed restrictions or regulatory agreement, as applicable, have priority



**SECTION 5.** (continued)

- over any monetary liens, and shall be recorded to secure the 20-year affordability period for the affordable units and the 15-year voucher period for the requirement to make best efforts to lease up to 10% of the units to holders of housing vouchers pursuant to Chapter 20A of the Dallas City Code and the DHP33 and DHRC;
- G. The DHFC, or its affiliate(s), as owner of the property, shall execute and record a deed of trust on the property, including the leasehold and all improvements to secure payment and performance which will be released once all terms and conditions of the CDBG, HOME, and CDBG-DR loan agreements are met;
  - H. Repayment of loan principal and interest shall be an annual surplus cash payment. The City's surplus cash loan funding will be structured with note provisions requiring that at least 50.00% of Eligible Cash, as defined in the DHP33 and DHRC, in excess of \$50,000.00 be paid annually to subordinate lenders (including funding partners and related parties) on a prorated basis;
  - I. The CDBG, CDBG-DR, and HOME loans are each nonrecourse loans and the City's remedy is limited to foreclosure only, in the event of an uncured default; and
  - J. Although the term, the maturity date, and the amortization are anticipated to be for a period of 40 years, the Director may adjust the period of years, subject to the applicable federal regulations, DHP33 and DHRC, so that it is of such length as required by the senior lender of the DHFC or its affiliate as owner of the Property, but not longer than 12 months after the term of the senior loan.
  - K. DHFC shall purchase and own the land, enter into a long-term ground lease with Applicant and take an ownership interest in the Project;

**SECTION 6.** That both of the City of Dallas loan agreements are conditioned upon:

- A. The Project receiving 2023 4.00% Non-Competitive housing tax credit allocation from TDHCA or similar City-approved funding source allocation from TDHCA;
- B. Approval of equity, construction, and permanent financing documentation in a form acceptable to the City; and
- C. HUD federal requirements including environmental review, site and neighborhood standards, cost reasonableness, subsidy layering, and underwriting; and
- D. Applicant shall make a good faith effort to comply with the City's Business Inclusion and Development goal of 32.00% participation by certified Minority/Women-owned Business Enterprises for all hard construction expenditures of the Development (i.e., public and private improvements) and meet all reporting requirements of the City of Dallas Office of Business

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- Diversity; and All conditions listed in the DHP33 and DHRC for applicable developer programs; and
- E. Final underwriting; and
- F. Closing on equity and all other financing for the development.

**SECTION 6.** That the DHFC is authorized to purchase and own the Property, enter into a long-term ground lease with Applicant or an affiliate thereof, and take an ownership interest in the Project, conditioned on Applicant receiving a 2023 4% HTC award or similar City-approved financing source.

**SECTION 7.** That the City Manager is authorized to obligate the Applicant to make payment for the City's outside counsel legal fees for the drafting and negotiation of the loan agreement and any related financing, subordination and associated documents for the Project, approved as to form by the City Attorney (the Loan Documents), directly to the City's outside legal counsel on the date that all of the financing for construction of the Project and execution of the Loan Documents, as approved by the City, the Applicant's other lenders and all necessary parties, other than the federal funds (the Closing) takes place. In the event that the Closing does not occur, then Applicant is obligated to pay the City an amount equal to the City's outside legal fees incurred by the City to draft and negotiate the Loan Documents within thirty days of the date on which the Closing was to occur.

**SECTION 8.** That the Chief Financial Officer is hereby authorized disburse funds in an amount not to exceed \$6,500,000.00 in CDBG-DR funds to Generation Housing Partners or its affiliate TX Tenison 2023, Ltd (VC22649), and an amount not to exceed \$4,500,000.00 in HOME and CDBG funds to the DHFC Vendor 255006, or its affiliate for eligible expenditures and accepts supporting evidence as defined in the agreements from funding sources listed and described, as follows:

Community Development Block Grant FY 22-23 Reprogrammed Funds  
Fund CD22, Department HOU, Unit 6R05,  
Object 3015, Vendor 255006  
Encumbrance/Contract No. HOU-2024-00024929 \$2,845,997.95

Community Development Block Grant FY 23-24 Reprogrammed Funds  
Fund CD23, Department HOU, Unit 7R05,  
Object 3015, Vendor 255006  
Encumbrance/Contract No. HOU-2024-00024929 \$ 653,136.54

HOME Investment Partnership Fund FY 16-17 Funds  
Fund HM16, Department HOU, Unit 541A  
Object 3014, Vendor 255006

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**SECTION 8.** (continued)

Encumbrance/Contract No. HOU-2024-00024929	\$1,000,000.00
HOME Investment Partnership Fund FY 16-17 Funds	
Fund HM16, Department HOU, Unit 545A	
Object 3015, Vendor 255006	
Encumbrance/Contract No._HOU-2024-00024929	\$ 865.51

Community Development Block Grant Disaster Recovery FY 2022 Funds	
Fund CDD1, Department HOU, Unit 946G	
Object 3015, Vendor VC22649	
Encumbrance/Contract No._HOU-2024-00024514	<u>\$6,500,000.00</u>

Total amount not to exceed	\$11,000,000.00
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**SECTION 9.** That it is FURTHER RESOLVED that the City of Dallas hereby confirms that its Governing Body has voted specifically to authorize the Project to move forward.

**SECTION 10.** That the Chief Financial Officer is hereby authorized to record notes receivable - developers loan in Balance Sheet Account 033F and deferred revenue in Balance Sheet Account 050A for the amount of the loan in Section 8.

**SECTION 11.** That the Chief Financial Officer is hereby authorized upon receipt of payment on the notes receivable to record principal payment revenue in CDBG, CDBG-DR, and HOME Program Income, Fund HUPI, Department HOU, Unit 994G, Revenue Code 8520 and interest payment revenue in CDBG Program Income, Fund HUPI, Department HOU, Unit 6317, Revenue Source Code 8521.

**SECTION 12.** 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 loan and security documents are duly approved by all parties and executed.

**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 Information Sheet

**File #:** 24-1426

**Item #:** 15.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Robin Bentley

### SUBJECT

Authorize the Dallas Public Facility Corporation to **(1)** acquire, develop, and own Bloc House Santa Fe Trail, a mixed-income, multifamily development to be located at 4533 Willow Street (Project); and **(2)** enter into a seventy-five-year lease agreement with Bloc House Santa Fe Trail, LLC or its affiliate, for the development of the Project - Estimated Revenue Forgone: General Fund \$23,549,377.00 for 75 years (see Fiscal Information)

### BACKGROUND

Bloc House Santa Fe Trail, LLC (Applicant), a Texas limited liability company, submitted an application to the Dallas Public Facility Corporation (DPFC) (Corporation) for the development of Bloc House Santa Fe Trail, a 92-unit mixed income multifamily development to be located at (Project). The Corporation will own the site and improvements and lease the Project back to the Applicant or its affiliate. Pursuant to the Texas Public Facility Corporation Act, Chapter 303 of the Texas Local Government Code, as amended (Act), any public facility owned by a Public Facility Corporation is exempt from all ad valorem taxes. To qualify as a public facility, pursuant to the Act, a multifamily property must reserve at least 50% of the units for residents earning at or below 80% of the Area Median Income (AMI). The Project will reserve 40% of these units at 80%-AMI and 10% of these units at 60%-AMI.

The Applicant will be a limited liability company. The LLC is a partnership between Bloc House, Madison Partners and Crimson Building Company. Each partner is Texas-based with real estate development and multifamily construction experience, as well as commercial and mixed-use projects. Their current portfolio includes five multifamily projects in Dallas totaling approximately 600 units.

The property is a 92-unit low-rise multifamily development in East Dallas, just north of Fair Park and bordering the City's equity target area #1. The Project will be situated on 1.49 acres on Willow Street, along the Santa Fe Trail. Amenities will include a clubhouse, green space, fitness center and community events. The Project is accessible to Dallas Area Rapid Transit bus stops and bike trail.

The Project has been re-zoned for multifamily development without any opposition to the request. Bloc House has held three meetings with the surrounding neighborhoods and has received significant support from each neighborhood group. The project also has the support of from the Board of the Friend of the Santa Fe Trail. The Applicant will consult with the Office of Integrated Public Safety Solution for security input, community activities and the Crime Prevention Through Environmental Design.

The anticipated unit mix and rental rates are as follows:

Unit Type	AMI	Units	Rent
Studio	60%	9	\$1,136.00
Studio	80%	40	\$1,444.00
Studio	Market	37	\$1,510.00
2BR	50%	3	\$1,283.00
2BR	80%	3	\$1,473.00

The rents for individuals and families earning between 60% and 80% AMI are meant to provide housing to the “missing middle” of the market: residents that earn above low-income housing tax credit income restrictions of 60% AMI but would be cost burdened by market rents. These incomes range from approximately \$54,560.00 to \$77,900.00 in the City based on family size and represent a wide variety of employment sectors including, but not limited to, teachers, first responders, government employees, health care providers, etc. The rents for individuals and families earning below 60% are included to provide deeper affordability at this property. These incomes range from \$40,920.00 to \$58,440.00 depending on family size. This project also aims to provide a small number of units serving households at 50% AMI and below.

Total development costs are anticipated to be approximately \$14,682,259.00 which includes the acquisition price for the land. The development budget less soft/financial costs is anticipated to be approximately \$8,246,321.00, which is \$89,634.00 per unit.

Proposed Financing Sources	Amount
Mortgage Loan	\$ 8,804,568.00
Developer/Investor Equity	\$ 5,877,691.00
Total	\$14,682,259.00
Proposed Uses	Amount
Development Costs	\$ 8,246,321.00
Land Acquisition	\$ 2,265,684.00
Soft Costs/Other Costs	\$ 3,757,954.00
Contingency	\$ 412,300.00
Total	\$14,682,259.00

The Project will be owned by the Corporation and leased to the Applicant and other potential owners for a period of 75 years. In consideration for the Corporation's participation in the Project, the Corporation is estimated to receive \$10,393,005.00 in revenues over the 75 years of the lease. Potential proceeds to the DPFC include (1) a \$250,000.00 structuring fee paid at closing; (2) lease payments starting at \$58,398.00 and increasing by 3% annually upon stabilization; (4) a 15% sales commission after repayment of debt, equity, and preferred equity returns upon first sale of the Project; and (5) a 2% sales commission on all future sales. In the event of a sale during the life of the Project, the Corporation will continue to receive the annual lease payments. Upon termination of the 75-year lease, the Corporation will own the Project free and clear.

The revenues of the Corporation will be used to fund operations and the provision of additional affordable and workforce housing throughout the City. This proposed development results in foregone tax revenues for the City while the DPFC owns the asset. The 2023 City tax bill for this property (eight parcels) is \$7,607.00 and the 75-year estimate of foregone taxes is \$23,549,377.00. However, the workforce housing rental savings of \$51,753,912.00 over 75 years and the estimated \$10,393,005.00 in revenues provides the City with \$62,146,917.00 in benefits that outweigh the foregone revenue. Without the Dallas Public Facility Corporation's participation in this project, the project would require a subsidy of approximately \$28.6 million over the same period.

The Corporation's estimated revenues were calculated by the Corporation's partnership counsel and financial advisors. Market rent comps and current construction costs were analyzed to ensure the project costs were reasonable for the market. Corporation financial advisors also confirmed that but for the ad valorem tax exemption, the Project would not be economically feasible and would not attract responsible debt and equity investment in the property. The Corporation's revenue consideration and affordability levels were also analyzed to confirm that the ad valorem tax exemption does not over subsidize the Project.

The City is authorized by the Act to create a public facility corporation for the purposes established in the Act, including the financing, acquisition, construction, and leasing of public facilities under the Act. On June 24, 2020, the City Council authorized the creation of the Corporation to further the public purposes stated in the Corporation's articles of incorporation and bylaws pursuant to the Act by Resolution No. 20-1035, which were subsequently amended by Resolution No. 22-1194 (bylaws). Section 6.2 of the Corporation's bylaws requires City Council approval by written resolution prior to entering into any agreement that would result in a property tax exemption. Per Section 7.3 of the bylaws, any Public Facility related to multifamily residential development of the Corporation shall not proceed unless (1) the development of the Public Facility could not be feasible but for the Corporation's participation, and (2) the development of the Public Facility is in furtherance of the City of Dallas's Comprehensive Housing Policy (CHP), as restated in the Dallas Housing Policy 2033 (DHP33).

Staff and the Corporation's Counsel and Financial Advisors have confirmed that this Project would not be feasible but for the Corporation's participation and that the Project furthers the goals of the CHP, as restated in the DHP33. Staff recommends approval of this item to allow this mixed-income housing development to move forward.

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

On March 26, 2024, the Dallas Public Facility Corporation Board of Directors approved the negotiation and execution of a term sheet with the Applicant.

On April 23, 2024, the Housing and Homelessness Solutions Committee reviewed the project and recommended moving the proposal to the City Council.

**FISCAL INFORMATION**

Estimated Revenue Foregone: General Fund \$23,549,377.00 for 75-years

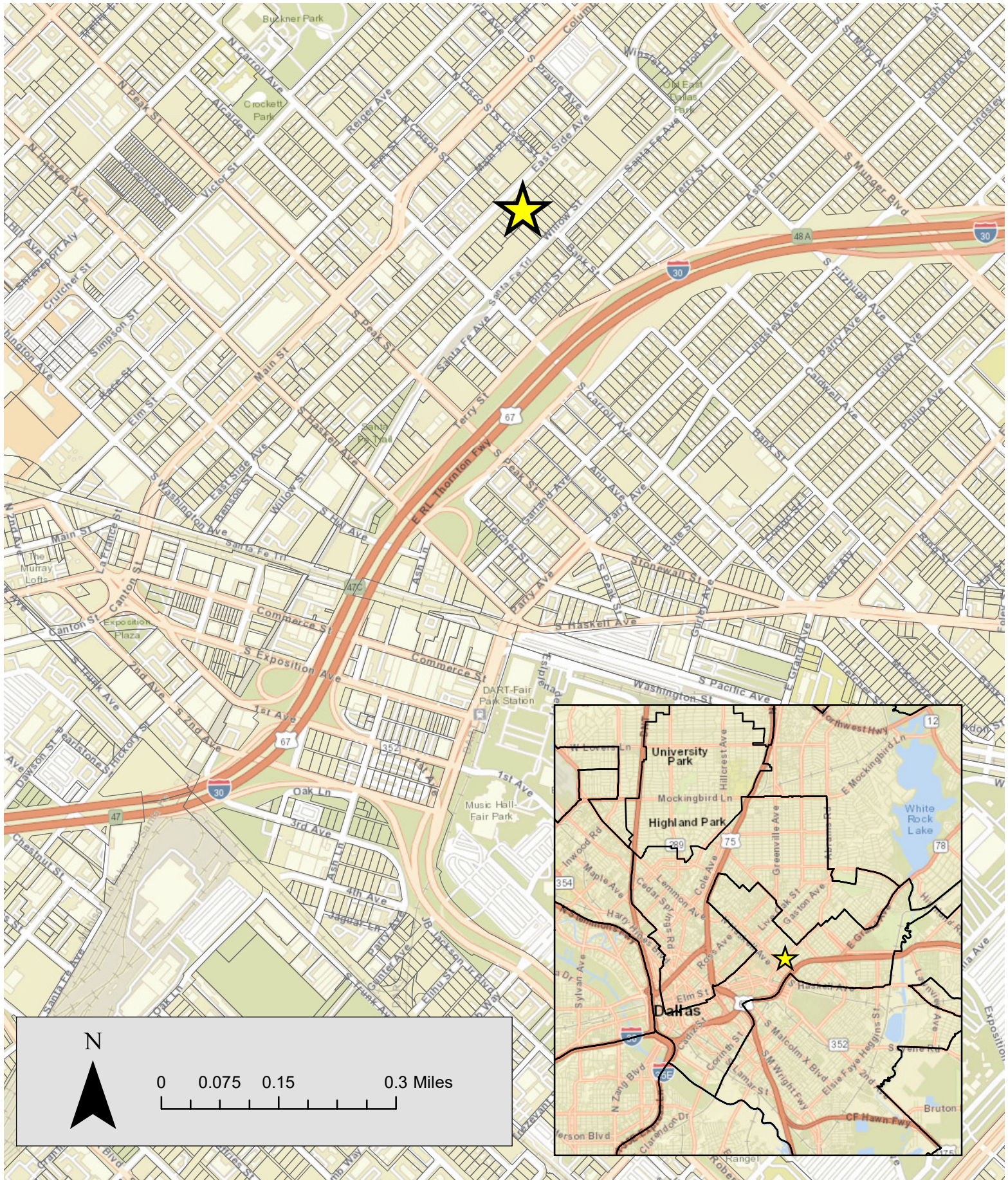
Exhibit A provides supporting details on the estimated \$10,143,005.00 in lease payments over 75 years in addition to an acquisition fee in the amount of \$250,000.00 totaling \$10,393,005.00 to the Corporation. The project will provide a projected amount of \$51,753,912.00 in rent savings over the 75-year period.

**MAP**

Attached



# Bloc House Santa Fe Trail





May 22, 2024

**WHEREAS**, the City of Dallas (City) is authorized by the Texas Public Facility Corporation Act, Chapter 303 of the Texas Local Government Code, as amended (Act) to create a public facility corporation for the purposes established in the Act, including to provide for financing, acquisition, and construction of public facilities under the Act; and

**WHEREAS**, on June 24, 2020, the City Council authorized the creation of the Dallas Public Facility Corporation (Corporation) to further the public purposes stated in the Corporation's articles of incorporation and bylaws pursuant to the Act by Resolution No. 20-1035, and the bylaws, as amended by Resolution No. 22-1194 (collectively, the governing documents); and

**WHEREAS**, on April 12, 2023, the City Council adopted the Dallas Housing Policy 2033 (DHP33) to replace the Comprehensive Housing Policy (CHP) by Resolution No. 23-0443, and the Dallas Housing Resource Catalog (DHRC) to include the approved programs from the CHP by Resolution No. 23-0444; and

**WHEREAS**, the Department of Housing & Neighborhood Revitalization continues operating its programs, previously authorized and adopted under the CHP, now as restated in the DHRC approved on April 12, 2023; and

**WHEREAS**, the Corporation, on behalf of the City, is empowered to finance the costs of public facilities that will provide decent, safe, and sanitary housing at affordable and market rents for residents of the City; and

**WHEREAS**, Bloc House Santa Trail, LLC (Applicant), a Texas limited liability company, submitted an application requesting that the Corporation partner with Applicant or its affiliate for the development, construction, and operation of Bloc House Santa Fe Trail, a proposed 92-unit residential housing development to be located at 4533 Willow Street (Project); and

**WHEREAS**, the Applicant proposes to develop new construction of 92 residential units including 86 studio units and 6 two-bedroom units; and

**WHEREAS**, upon completion of the new construction, at least 43 of the 92 units will be available to rent to households earning less than 80% of Area Median Income (AMI), and nine of the 92 units will be available to rent to households earning less than 60% of AMI, and three of the 92 units will be available to rent to households earning less than 50% of AMI and 37 of the 92 units will be leased at market rate rents subject to a lease agreement between the Corporation and Applicant; and

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**WHEREAS**, pursuant to the Act, the Project will be exempt from all ad valorem taxes; and

**WHEREAS**, that but for the Corporation's participation, the Project would not be economically feasible, and the Project furthers the goals of the CHP, as restated in the DHP33; and

**WHEREAS**, on March 26, 2024, the Corporation adopted a resolution declaring its intent to enter into a lease agreement with the Applicant or its affiliate and the authorization to negotiate and execute a term sheet with the Applicant; and

**WHEREAS**, pursuant to the Act and the governing documents, the City desires to authorize the Corporation's ownership of the Project to be located in an uncategorizable Market Value Analysis (MVA) market type and a lease agreement with the Applicant or its affiliate in order to provide mixed-income, workforce housing to the "missing middle" of the market: residents that earn above 60% AMI but would be cost burdened by market rents in the City. The rents for individuals and families earning below 80% AMI are included to provide deeper affordability at this property.

**Now, Therefore,**

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

**SECTION 1.** That the City Council hereby authorizes the Corporation to acquire, develop, and own Bloc House Santa Fe Trail and enter into a 75-year lease agreement with the Applicant or its affiliate for the development of Bloc House Santa Fe Trail to be located at 4533 Willow Street.

**SECTION 2.** That it is FURTHER RESOLVED that, pursuant to the Corporation's bylaws, the City of Dallas hereby confirms that the City Council has voted specifically to authorize the development to move forward.

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

Exhibit A  
Dallas Public Facility Corporation - Blochouse Santa Fe Trail  
75-Year Estimates



	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10	Y11	Y12	Y13	Y14	Y15
COD Property Taxes	\$ 7,607	\$ 44,719	\$ 92,121	\$ 94,885	\$ 97,731	\$ 100,663	\$ 103,683	\$ 106,793	\$ 109,997	\$ 113,297	\$ 116,696	\$ 120,197	\$ 123,803	\$ 127,517	\$ 131,343
Rent Savings	\$ -	\$ -	\$ 202,903	\$ 208,990	\$ 215,260	\$ 221,718	\$ 228,369	\$ 235,220	\$ 242,277	\$ 249,545	\$ 257,031	\$ 264,742	\$ 272,685	\$ 280,865	\$ 289,291
Acquisition Fee	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Lease Payment	\$ -	\$ -	\$ 39,766	\$ 40,959	\$ 42,188	\$ 43,453	\$ 44,757	\$ 46,100	\$ 47,483	\$ 48,907	\$ 50,374	\$ 51,886	\$ 53,442	\$ 55,045	\$ 56,697
Annual TTL Revenue	\$ 250,000	\$ -	\$ 39,766	\$ 40,959	\$ 42,188	\$ 43,453	\$ 44,757	\$ 46,100	\$ 47,483	\$ 48,907	\$ 50,374	\$ 51,886	\$ 53,442	\$ 55,045	\$ 56,697
Benefits (Sav. + Rev.)	\$ 250,000	\$ -	\$ 242,669	\$ 249,949	\$ 257,448	\$ 265,171	\$ 273,126	\$ 281,320	\$ 289,759	\$ 298,452	\$ 307,406	\$ 316,628	\$ 326,127	\$ 335,911	\$ 345,988

	Y16	Y17	Y18	Y19	Y20	Y21	Y22	Y23	Y24	Y25	Y26	Y27	Y28	Y29	Y30
COD Property Taxes	\$ 135,283	\$ 139,341	\$ 143,522	\$ 147,827	\$ 152,262	\$ 156,830	\$ 161,535	\$ 166,381	\$ 171,372	\$ 176,513	\$ 181,809	\$ 187,263	\$ 192,881	\$ 198,667	\$ 204,627
Rent Savings	\$ 297,970	\$ 306,909	\$ 316,116	\$ 325,600	\$ 335,368	\$ 345,429	\$ 355,792	\$ 366,465	\$ 377,459	\$ 388,783	\$ 400,447	\$ 412,460	\$ 424,834	\$ 437,579	\$ 450,706
Acquisition Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Lease Payment	\$ 58,398	\$ 60,150	\$ 61,954	\$ 63,813	\$ 65,727	\$ 67,699	\$ 69,730	\$ 71,822	\$ 73,976	\$ 76,196	\$ 78,482	\$ 80,836	\$ 83,261	\$ 85,759	\$ 88,332
Annual TTL Revenue	\$ 58,398	\$ 60,150	\$ 61,954	\$ 63,813	\$ 65,727	\$ 67,699	\$ 69,730	\$ 71,822	\$ 73,976	\$ 76,196	\$ 78,482	\$ 80,836	\$ 83,261	\$ 85,759	\$ 88,332
Benefits (Sav. + Rev.)	\$ 356,368	\$ 367,059	\$ 378,070	\$ 389,413	\$ 401,095	\$ 413,128	\$ 425,522	\$ 438,287	\$ 451,436	\$ 464,979	\$ 478,928	\$ 493,296	\$ 508,095	\$ 523,338	\$ 539,038

	Y31	Y32	Y33	Y34	Y35	Y36	Y37	Y38	Y39	Y40	Y41	Y42	Y43	Y44	Y45
COD Property Taxes	\$ 210,766	\$ 217,089	\$ 223,602	\$ 230,310	\$ 237,219	\$ 244,336	\$ 251,666	\$ 259,216	\$ 266,992	\$ 275,002	\$ 283,252	\$ 291,750	\$ 300,502	\$ 309,517	\$ 318,803
Rent Savings	\$ 464,227	\$ 478,154	\$ 492,499	\$ 507,274	\$ 522,492	\$ 538,167	\$ 554,312	\$ 570,941	\$ 588,069	\$ 605,711	\$ 623,883	\$ 642,599	\$ 661,877	\$ 681,734	\$ 702,186
Acquisition Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Lease Payment	\$ 90,982	\$ 93,711	\$ 96,523	\$ 99,418	\$ 102,401	\$ 105,473	\$ 108,637	\$ 111,896	\$ 115,253	\$ 118,711	\$ 122,272	\$ 125,940	\$ 129,718	\$ 133,610	\$ 137,618
Annual TTL Revenue	\$ 90,982	\$ 93,711	\$ 96,523	\$ 99,418	\$ 102,401	\$ 105,473	\$ 108,637	\$ 111,896	\$ 115,253	\$ 118,711	\$ 122,272	\$ 125,940	\$ 129,718	\$ 133,610	\$ 137,618
Benefits (Sav. + Rev.)	\$ 555,209	\$ 571,865	\$ 589,021	\$ 606,692	\$ 624,893	\$ 643,640	\$ 662,949	\$ 682,837	\$ 703,322	\$ 724,422	\$ 746,155	\$ 768,539	\$ 791,595	\$ 815,343	\$ 839,804

	Y46	Y47	Y48	Y49	Y50	Y51	Y52	Y53	Y54	Y55	Y56	Y57	Y58	Y59	Y60
COD Property Taxes	\$ 328,367	\$ 338,218	\$ 348,364	\$ 358,815	\$ 369,580	\$ 380,667	\$ 392,087	\$ 403,850	\$ 415,965	\$ 428,444	\$ 441,298	\$ 454,537	\$ 468,173	\$ 482,218	\$ 496,684
Rent Savings	\$ 723,251	\$ 744,949	\$ 767,297	\$ 790,316	\$ 814,026	\$ 838,446	\$ 863,600	\$ 889,508	\$ 916,193	\$ 943,679	\$ 971,989	\$ 1,001,149	\$ 1,031,183	\$ 1,062,119	\$ 1,093,982
Acquisition Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Lease Payment	\$ 141,747	\$ 145,999	\$ 150,379	\$ 154,890	\$ 159,537	\$ 164,323	\$ 169,253	\$ 174,330	\$ 179,560	\$ 184,947	\$ 190,496	\$ 196,210	\$ 202,097	\$ 208,160	\$ 214,404
Annual TTL Revenue	\$ 141,747	\$ 145,999	\$ 150,379	\$ 154,890	\$ 159,537	\$ 164,323	\$ 169,253	\$ 174,330	\$ 179,560	\$ 184,947	\$ 190,496	\$ 196,210	\$ 202,097	\$ 208,160	\$ 214,404
Benefits (Sav. + Rev.)	\$ 864,998	\$ 890,948	\$ 917,676	\$ 945,206	\$ 973,563	\$ 1,002,769	\$ 1,032,853	\$ 1,063,838	\$ 1,095,753	\$ 1,128,626	\$ 1,162,485	\$ 1,197,359	\$ 1,233,280	\$ 1,270,278	\$ 1,308,387

	Y61	Y62	Y63	Y64	Y65	Y66	Y67	Y68	Y69	Y70	Y71	Y72	Y73	Y74	Y75
COD Property Taxes	\$ 511,585	\$ 526,932	\$ 542,740	\$ 559,023	\$ 575,793	\$ 593,067	\$ 610,859	\$ 629,185	\$ 648,060	\$ 667,502	\$ 687,527	\$ 708,153	\$ 729,398	\$ 751,280	\$ 773,818
Rent Savings	\$ 1,126,802	\$ 1,160,606	\$ 1,195,424	\$ 1,231,287	\$ 1,268,225	\$ 1,306,272	\$ 1,345,460	\$ 1,385,824	\$ 1,427,399	\$ 1,470,221	\$ 1,514,327	\$ 1,559,757	\$ 1,606,550	\$ 1,654,746	\$ 1,704,389
Acquisition Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Lease Payment	\$ 220,837	\$ 227,462	\$ 234,285	\$ 241,314	\$ 248,553	\$ 256,010	\$ 263,690	\$ 271,601	\$ 279,749	\$ 288,142	\$ 296,786	\$ 305,689	\$ 314,860	\$ 324,306	\$ 334,035
Annual TTL Revenue	\$ 220,837	\$ 227,462	\$ 234,285	\$ 241,314	\$ 248,553	\$ 256,010	\$ 263,690	\$ 271,601	\$ 279,749	\$ 288,142	\$ 296,786	\$ 305,689	\$ 314,860	\$ 324,306	\$ 334,035
Benefits (Sav. + Rev.)	\$ 1,347,638	\$ 1,388,067	\$ 1,429,709	\$ 1,472,601	\$ 1,516,779	\$ 1,562,282	\$ 1,609,151	\$ 1,657,425	\$ 1,707,148	\$ 1,758,362	\$ 1,811,113	\$ 1,865,447	\$ 1,921,410	\$ 1,979,052	\$ 2,038,424



## Agenda Information Sheet

**File #:** 24-1387

**Item #:** 16.

**STRATEGIC PRIORITY:** Workforce, Education & Equity  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** N/A  
**DEPARTMENT:** Department of Information and Technology Services  
**EXECUTIVE:** Donzell Gipson

### **SUBJECT**

Authorize a one-year cooperative purchasing agreement for help desk and desk-side support services for the Department of Information and Technology Services with GTS Technology Solutions, Inc. through The State of Texas Department of Information Resources cooperative agreement - Not to exceed \$2,908,232.40 - Financing: Data Services Fund

### **BACKGROUND**

This cooperative purchasing agreement will provide continuous help desk and desktop support services for City of Dallas employees at all locations, to report Information Technology (IT) incidents to resolution, to request IT services, and to receive full life-cycle management of computer and computer-related equipment. The outsourcing of these services affords the City with the ability to leverage support as needed to address changing technology needs. This renewal includes a minor rate increase and enhanced dedicated support for Dallas Police Department (DPD), Municipal Court-Judiciary (CTJ), Mayor & City Council Office (MCC) & City Manager's Office (CMO).

### ***Key Benefits:***

- 24x7x365 IT Help Desk support for the entire City of Dallas staff
- Single point of contact for reporting problems or requesting services
- On-site Desktop Support technicians for installing, moving, changing and repairing computer equipment and software.
- Expanded support for Apple and Android devices.
- Full life-cycle management of computer equipment including procurement, storage, delivery, maintenance, warranty work, and decommissioning.

The contract also provides a mechanism to acquire optional services to address technology support needs for special events and large-scale technology projects.

The State of Texas Department of Information Resources agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

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

On May 25, 2016, the City Council authorized a five-year contract, with three one-year renewal options, for desktop support services with ARC Government Solutions, Inc. f/k/a Austin Ribbon & Computer Supplies, Inc. by Resolution No. 16-0870.

On May 12, 2021, the City Council authorized Supplemental Agreement No. 2 to exercise the first of three, one-year renewal options, to the service contract with GTS Technology Solutions, Inc. for desktop support services for the Department of information and Technology Services by Resolution No. 21-7063.

On May 25, 2022, the City Council authorized Supplemental Agreement No. 3 to exercise the second of three, one-year renewal options, to the service contract with GTS Technology Solutions, Inc. for desktop support services for the Department of information and Technology Services by Resolution No. 22-0814.

On August 9, 2023, the City Council authorized Supplemental Agreement No. 5 to exercise the third of three, one-year renewal options, to the service contract with GTS Technology Solutions, Inc. for desktop support services for the Department of information and Technology Services by Resolution No. 23-1070.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Data Services Fund	\$969,410.80	\$1,938,821.60	N/A

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$2,908,232.40	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	100.00%	\$2,908,232.40
<ul style="list-style-type: none"> <li>• The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements.</li> <li>• GTS Technology Solutions, Inc. - Non-Local; Workforce - 0.00% Local</li> </ul>		

## **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>• Cooperative purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> <li>• The cooperative purchasing agreement is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>
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## **OWNER**

**GTS Technology Solutions, Inc.**  
 9211 Waterford Centre Blvd., Suite 275  
 Austin, TX, 78758

Kelli Petty, Account Executive



May 22, 2024

**WHEREAS**, on May 25, 2016, the City Council authorized a five-year contract, with three one-year renewal options, for desktop support services with ARC Government Solutions, Inc. f/k/a Austin Ribbon & Computer Supplies, Inc., in an amount not to exceed \$13,728,369.00, by Resolution No. 16-0870; and

**WHEREAS**, on June 6, 2019, Administrative Action No. 19-6073 authorized Supplemental Agreement No. 1 for the purchase of a dedicated desktop support technician for Judiciary Department, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on May 12, 2021, the City Council authorized Supplemental Agreement No. 2 to exercise the first of three, one-year renewal options, to the service contract with GTS Technology Solutions, Inc. for desktop support services for the Department of information and Technology Services, in an amount not to exceed \$3,324,940.95, by Resolution No. 21-7063; and

**WHEREAS**, on May 25, 2022, the City Council authorized Supplemental Agreement No. 3 to exercise the second of three, one-year renewal options, to the service contract with GTS Technology Solutions, Inc. for desktop support services for the Department of information and Technology Services, in an amount not to exceed \$3,649,371.48, by Resolution No. 22-0814; and

**WHEREAS**, on January 13, 2023, Administrative Action No. 23-5297 authorized Supplemental Agreement No. 4 to accept 3 Statement of Works (SOW) for optional support services for 311, Virtual Private Network (VPN), and secure print support; and

**WHEREAS**, on August 9, 2023, the City Council authorized Supplemental Agreement No. 5 to exercise the third of three, one-year renewal options, to the service contract with GTS Technology Solutions, Inc. for desktop support services for the Department of information and Technology Services, in an amount not to exceed \$4,241,512.20, by Resolution No. 23-1070; and

**Now, Therefore,**

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



May 22, 2024

**SECTION 1.** That the City Manager is hereby authorized to execute a cooperative purchasing agreement for continuous help desk and desktop support services for the Department of Information and Technology Services with GTS Technology Solutions, Inc (263234) through the State of Texas Department of Information Resources cooperative agreement, approved as to form by the City Attorney, for a term of one-year, in an amount not to exceed \$2,908,232.40. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to GTS Technology Solutions, Inc shall be based only on the amount of the services directed to be performed by the City and properly performed by GTS Technology Solutions, Inc under the cooperative purchasing agreement.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$2,908,232.40 to GTS Technology Solutions, Inc. from Cooperative Purchasing Agreement Contract No. DSV-2024-00024328.

**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 Information Sheet

**File #:** 24-1293

**Item #:** 17.

**STRATEGIC PRIORITY:** Workforce, Education & Equity  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Department of Information and Technology Services  
**EXECUTIVE:** Donzell Gipson

### **SUBJECT**

Authorize the **(1)** acceptance of a statutory distribution from the Commission on State Emergency Communications (CSEC) for the CSEC Prop 8 Next Generation (NG) 9-1-1 Service Fund to the City of Dallas emergency communication district in the base amount of \$6,709,001.31 pursuant to Sec. 771.0713, Health and Safety Code; **(2)** interest earnings accrued and distributed while deposited in the CSEC Prop 8 Next Generation 9-1-1 Service Fund in the amount of \$39,849.34, as approved by Proposition 8 and Texas Government Code 403, subchapter T, established by House Bill 9, passed by the 88th Texas Legislature for the period October 1, 2024 to September 30, 2025; **(3)** establishment of appropriations in an amount not to exceed \$6,748,850.65 in the CSEC Prop 8 Next Generation 9-1-1 Service Fund; **(4)** receipt and deposit of funds in an amount not to exceed \$6,748,850.65 into the CSEC Prop 8 Next Generation 9-1-1 Service Fund; and **(5)** execution of the agreement with CSEC and all terms, conditions, and documents required by the agreement - Not to exceed \$6,748,850.65 - Financing: CSEC Prop 8 Next Generation 9-1-1 Service Fund

### **BACKGROUND**

On November 5, 2024, Texas voters enacted Constitutional Proposition 8 establishing the Texas Broadband Infrastructure Fund (the "Broadband Fund"), and the Governor has certified the results of the election. Under Constitutional Proposition 8 and Texas Government Code Chapter 403, subchapter T, as established by House Bill 9, the enabling legislation for Proposition 8, the Texas Comptroller shall make a one-time transfer of \$155.2 million from the Broadband Fund "as soon as practicable" to the NG 9-1-1 Service Fund established under Texas Health and Safety Code Section 771.0713. The recent amendments to Section 771.0713 of the Texas Health and Safety Code resulting from the passage of House Bill 3290 in the 2023 Regular Session of the Texas Legislature direct the Commission on State Emergency Communications to distribute the money transferred from the Broadband Fund into the NG 9-1-1 Service Fund, and require the Commission to distribute to each emergency communication district that does not participate in the state system a portion of the appropriated money in accordance with the specific formula set forth in Subsections (c-1) and (c-2) of Section 771.0713.

Information and Technology Services will use the funds for NG 9-1-1 core services including:

- Upgrading and maintaining hardware or software
- Integration and testing of new modules and components
- Expanding network technology for processing and storing video and photos
- GIS data conversion to the system's digital platform to provide more precise location information

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

This item has no prior action.

**FISCAL INFORMATION**

Estimated Revenue: CSEC Prop 8 Next Generation 9-1-1 Service Fund \$6,748,850.65

May 22, 2024

**WHEREAS**, under Constitutional Proposition 8 and Texas Government Code, Chapter 403, the Texas Comptroller shall make a transfer from the Broadband Fund to the Next Generation 9-1-1 Service Fund; and

**WHEREAS**, in the 2023 Regular Session of the Texas Legislature, the Commission on State Emergency Communications was directed to distribute the money transferred from the Broadband Fund to the Next Generation 9-1-1 Service Fund to each Emergency Communication District that does not participate in the state system a portion of the appropriated money in accordance with a specific formula; and

**WHEREAS**, the City of Dallas does not participate in the State system.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to accept a statutory distribution from the Commission on State Emergency Communications (CSEC) for the CSEC Prop 8 Next Generation (NG) 9-1-1 Service Fund to the City of Dallas Emergency Communication District (ECD) in the base amount of \$6,709,001.31 pursuant to Sec. 771.0713, Health and Safety Code and interest earnings accrued and distributed while deposited in the CSEC Prop 8 Next Generation NG 9-1-1 Service Fund in the amount of \$39,849.34, as approved by Proposition 8 and Texas Government Code 403, subchapter T, established by House Bill 9, passed by the 88th Texas Legislature, for the period of October 1, 2024 to September 30, 2025; and execute the ECD Certification with CSEC and all terms, conditions, and documents required by the agreement, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$6,748,850.65 in the CSEC Prop 8 Next Generation 9-1-1 Service Fund, Fund S415, Department DSV, Unit 679G, Object 3099.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed \$6,748,850.65 into the CSEC Prop 8 Next Generation 9-1-1 Service Fund, Fund S415, Department DSV, Unit 679G, and Revenue Code 6516.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$6,748,850.65 from the CSEC Prop 8 Next Generation 9-1-1 Service Fund, Fund S415, Department DSV, Unit 679C, Object 3099.

**SECTION 5.** That the City Manager is hereby authorized to return any funds distributed from the CSEC Prop 8 Next Generation 9-1-1 Service Fund that are not used for the purposes authorized by applicable state law to the State of Texas.

May 22, 2024

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

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

**SECTION 8.** That this contract is designated as Contract No. DSV-2024-00024969.

**SECTION 9.** 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

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1584

**Item #:** 18.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 12

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

An ordinance abandoning a water easement to Frankford Cemetery Association, Inc., the abutting owner, containing a total of approximately 499 square feet of land, located near the intersection of Addison and Trinity Mills Roads - Revenue: General Fund \$7,800.00, plus the \$20.00 ordinance publication fee

### **BACKGROUND**

This item authorizes the abandonment of a water easement to Frankford Cemetery Association, Inc., the abutting owner, containing a total of approximately 499 square feet of land. The area will be included with the property of the abutting owner for a multi-family development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required .

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

This item has no prior action.

### **FISCAL INFORMATION**

Revenue: General Fund \$7,800.00, plus the \$20.00 ordinance publication fee

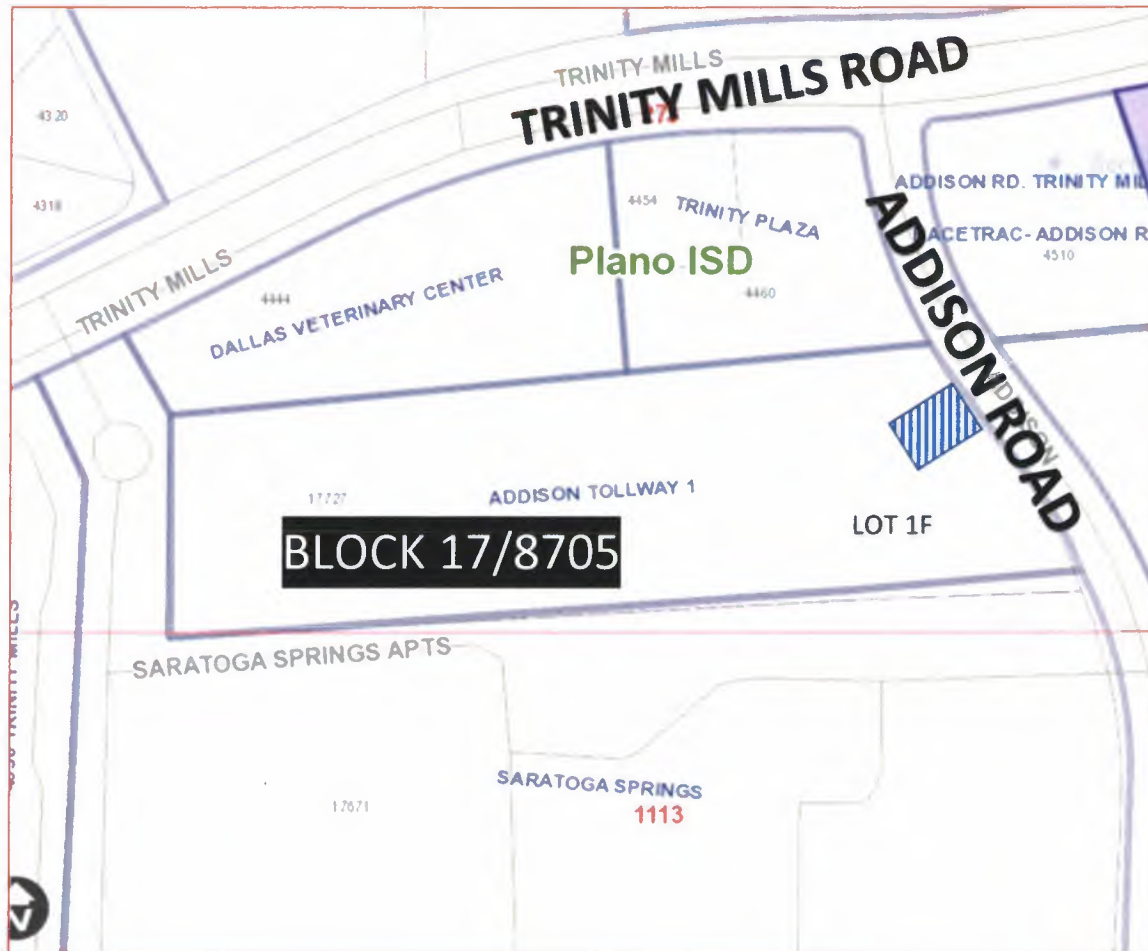
### **OWNER**

**Frankford Cemetery Association, Inc.**

Katherine Power, Director

### **MAP**

Attached



ABANDONMENT AREA:



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

An ordinance providing for the abandonment and relinquishment of a water easement, located in City Block 17/8705 in the City of Dallas and County of Collin, Texas; providing for the quitclaim thereof to Frankford Cemetery Association, Inc; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonments 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 Frankford Cemetery Association, Inc, a Texas nonprofit 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 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 **SEVEN THOUSAND EIGHT HUNDRED AND NO/100 (\$7,800.00) 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, Fund 0001, Department PBW, Balance Sheet 0519 and Department of Public Works - 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, Fund 0001, Department PBW, Unit 1181, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 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

**SECTION 8.** (continued)

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 Collin, Texas, which certified copy shall be delivered to the Director of Department of Public Works, 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 Public Works, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Public Works, 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 is also designated for City purposes as Contract No. PBW-2023-00022893.

**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:  
TAMMY L. PALOMINO,  
City Attorney

ALI HATEFI, Director  
Department of Public Works

BY

  
Assistant City Attorney

BY

  
for Assistant Director

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



**LEGAL DESCRIPTION**

DESCRIPTION, of a 499 square-foot (0.011-acre) tract of land situated in the George D. Drake Survey, Abstract No. 273, City of Dallas, Collin County, Texas; said tract being part of Lot 1F, Block 17/8705, Addison Tollway 1 Addition, an addition to the City of Dallas recorded in Cabinet L, Slide 311 of the Plat Records of Collin County, Texas and part of that certain tract of land described in Warranty Deed to Frankford Cemetery Association, Inc. recorded in Volume 552, Page 457 and by Quitclaim Deed recorded in Instrument No. 92-0058015, both of the Deed Records of Collin County, Texas; said 499-square-foot tract being more particularly described by metes and bounds as follows:

COMMENCING, at a 5/8-inch iron rod found in the west right-of-way line of Addison Road (a 60-foot-wide public right-of-way according to the plat recorded in Cabinet C, Slide 392 of said Plat Records); said point being the northeast corner of said Lot 1F, Block 17/8705, the southeast corner of Lot 1C, Block 17/8705, Trinity Plaza Addition, an addition to the City of Dallas, Texas according to the plat recorded in Cabinet K, Slide 132 of said Plat Records, and the beginning of a non-tangent curve to the left;

THENCE, with the said west right-of-way line of Addison Road, the east line of said Lot 1F, Block 17/8705 and said curve to the left, having a central angle of 03 degrees 56 minutes 24 seconds, a radius of 550.00 feet, a chord bearing and distance of South 32 degrees 53 minutes 25 seconds East, 37.81 feet, and an arc length of 37.82 feet to a point for corner at the POINT OF BEGINNING and the beginning of a compound curve to the left;

THENCE, continuing with the said west right-of-way line of Addison Road, the east line of said Lot 1F, Block 17/8705 and said curve to the left, having a central angle of 02 degrees 05 minutes 01 seconds, a radius of 550.00 feet, a chord bearing and distance of South 35 degrees 54 minutes 07 seconds East, 20.00 feet, and an arc length of 20.00 feet to a point for corner at the end of said curve; from said point a 1/2-inch iron rod found lies at the end of a curve having a central angle of 02 degrees 02 minutes 29 seconds, a radius of 550.00 feet, a chord bearing and distance of South 37 degrees 57 minutes 52 seconds East, 19.59 feet, and an arc length of 19.59 feet;

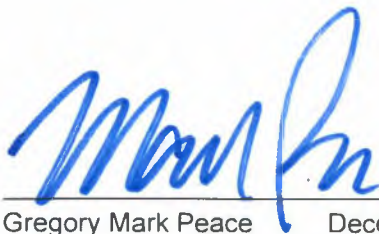
THENCE, departing the said west right-of-way line of Addison Road and the said east line of Lot 1F, Block 17/8705 and into and across said Lot 1F, Block 8705 the following three (3) calls:

South 54 degrees 33 minutes 55 seconds West, a distance of 25.00 feet to a point for corner;

North 35 degrees 54 minutes 07 seconds West, a distance of 20.00 feet to a point for corner;

North 54 degrees 33 minutes 55 seconds East, a distance of 25.00 feet to the POINT OF BEGINNING and containing 0.011 acres or 499 square feet of land, more or less.

Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, adjustment realization 2011, with an applied combined scale factor of 1.000152710.



Gregory Mark Peace December 4, 2023  
RPLS No. 6608



(For SPRG use only)

Reviewed by: SD  
Date: 12/15/23  
SPRG No. 6392

## WATER EASEMENT ABANDONMENT

ADDISON TOLLWAY 1 ADDITION  
PART OF LOT 1F, BLOCK 17/8705  
GEORGE D. DRAKE SURVEY, ABSTRACT NO. 273  
CITY OF DALLAS, COLLIN COUNTY, TEXAS  
DECEMBER 2023  
SHEET 1 OF 3



**BGE, Inc.**  
2595 Dallas Parkway, Suite 101, Frisco, TX 75034  
Tel: 972-464-4800 • www.bgeinc.com  
TBPELS Registration No. 10193953

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## LEGEND

(C.M.)	MONUMENT OF RECORD DIGNITY
CAB.	CABINET
INST. NO.	INSTRUMENT NUMBER
PG.	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
VOL.	VOLUME
O.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
P.R.C.C.T.	PLAT RECORDS OF COLLIN COUNTY, TEXAS
—	PROPOSED EASEMENT LINE
---	PROPERTY LINE
- - -	EXISTING EASEMENT LINE

LOT 1C, BLOCK 17/8705  
TRINITY PLAZA ADDITION  
(CAB. K, SLIDE 132)  
(P.R.C.C.T.)

777.84'  
310.35'

George D. Drake Survey  
Abstract No. 273

P.O.C.

5/8-INCH  
IRON ROD FOUND  
(C.M.)

±273' TO  
TRINITY MILLS  
C1 ROAD

P.O.B.

WATER EASEMENT  
ABANDONMENT  
(499 SQ. FT. OR 0.011 ACRES)

L3 C2  
L2 L1 C3  
1/2-INCH  
IRON ROD FOUND  
(C.M.)

ADDISON ROAD  
60' PUBLIC R.O.W.  
(CAB. C, SLIDE 392)  
(P.R.C.C.T.)

S 38°59'06" E 70.40'

1/2-INCH  
IRON ROD FOUND  
(C.M.)



0 15 30  
SCALE: 1" = 30'

LOT 1F, BLOCK 17/8705  
ADDISON TOLLWAY 1 ADDITION  
(CAB. L, SLIDE 311)  
(P.R.C.C.T.)

FRANKFORD CEMETERY ASSOCIATION, INC.  
(VOL. 552, PG. 457 AND  
INST. NO. 92-0058015)  
(D.R.C.C.T.)

## NOTES:

A legal description of even survey date accompanies this plat of survey.

Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, adjustment realization 2011, with an applied combined scale factor of 1.000152710.

10' CITY OF DALLAS  
DRAINAGE EASEMENT  
(INST. NO. 93-0047550)  
(D.R.C.C.T.)

*Gregory Mark Peace*

Gregory Mark Peace  
RPLS No. 6608

December 4, 2023



(For SPRG use only)

Reviewed by: SD  
Date: 12/15/23  
SPRG No. 6392

## WATER EASEMENT ABANDONMENT

ADDISON TOLLWAY 1 ADDITION  
PART OF LOT 1F, BLOCK 17/8705  
GEORGE D. DRAKE SURVEY, ABSTRACT NO. 273  
CITY OF DALLAS, COLLIN COUNTY, TEXAS  
DECEMBER 2023  
SHEET 2 OF 3



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LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S 54°33'55" W	25.00'
L2	N 35°54'07" W	20.00'
L3	N 54°33'55" E	25.00'

CURVE TABLE					
NUMBER	DELTA	RADIUS	CHORD BEARING	CHORD DISTANCE	ARC LENGTH
C1	3°56'24"	550.00'	S 32°53'25" E	37.81'	37.82'
C2	2°05'01"	550.00'	S 35°54'07" E	20.00'	20.00'
C3	2°02'29"	550.00'	S 37°57'52" E	19.59'	19.59'

(For SPRG use only)

Reviewed by: SDDate: 12/15/23

SPRG No. 6392

## WATER EASEMENT ABANDONMENT

ADDISON TOLLWAY 1 ADDITION  
PART OF LOT 1F, BLOCK 17/8705  
GEORGE D. DRAKE SURVEY, ABSTRACT NO. 273  
CITY OF DALLAS, COLLIN COUNTY, TEXAS  
DECEMBER 2023  
SHEET 3 OF 3

**BGE, Inc.**

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# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-344

**Item #:** 19.

---

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Majed Al-Ghafry

---

### **SUBJECT**

An ordinance granting a revocable license to Jeni's Splendid Ice Creams, LLC for the use of a total of approximately 75 square feet of land to occupy, maintain and utilize a sidewalk cafe, trash receptacle and an A-frame sign on a portion of Victory Park Lane right-of-way located near its intersection with Nowitzki Way - Revenue: General Fund \$200.00 annually and \$200.00 one-time fee, plus the \$20.00 ordinance publication fee

### **BACKGROUND**

This item grants a revocable license to Jeni's Splendid Ice Creams, LLC for the use of a total of approximately 75 square feet of land to occupy, maintain and utilize a sidewalk cafe, trash receptacle and an A-frame sign on a portion of Victory Park Lane right-of-way located near its intersection with Nowitzki Way. The use of this area will not impede pedestrian or vehicular traffic. The term of this license is four years.

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

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

This item has no prior action.

### **FISCAL INFORMATION**

Revenue: General Fund \$200.00 annually and \$200.00 one-time fee, plus the \$20.00 ordinance publication fee



**OWNER**

**Jeni's Splendid Ice Creams, LLC**

Charles Bauer, Managing Member

**MAP**

Attached



## LICENSE AREA

Sidewalk Café

Trash Receptacle

A-Frame Sign

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

An ordinance granting a revocable license to Jeni's Splendid Ice Creams, LLC to occupy, maintain and utilize a portion of Victory Park Lane right-of-way located near the intersection of Victory Park Lane and Nowitzki Way adjacent to City Block J/384 within the limits hereinafter more fully described, for the purpose of occupying, maintaining and utilizing a sidewalk café, trash receptacle and an A-frame sign; providing for the terms and conditions of this license; providing for the annual and one-time fee compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

ooo0ooo

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

**SECTION 1.** That a revocable license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Jeni's Splendid Ice Creams, LLC, a Delaware limited liability company, its successors and assigns, hereinafter referred to as "**GRANTEE**", to occupy, maintain and utilize for the purpose set out hereinbelow the tracts of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

**SECTION 2.** That this license is granted for a term of four (4) years, unless sooner terminated according to other terms and provisions herein contained.

**SECTION 3.** That **GRANTEE** shall pay to the City of Dallas the sum of **TWO HUNDRED AND NO/100 DOLLARS (\$200.00)** annually for the license herein granted for the sidewalk cafe, said sum to become due and payable on the 2<sup>nd</sup> day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **TWO HUNDRED AND NO/100 DOLLARS (\$200.00)** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2024. In addition, in accordance with the special fees established by Section 43-115.1 of the Dallas City Code, **GRANTEE** shall pay to the City of Dallas a one-time license fee in the sum of **TWO HUNDRED AND NO/100 DOLLARS (\$200.00)**, for the license herein granted for a trash receptacle and an A-frame sign, said sum to be paid prior to the final passage of this ordinance and shall cover the total consideration for said purpose during the license term. Such annual and one-time fee consideration, collectively, shall be in

**SECTION 3.** (continued)

addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of Department of Public Works 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 General Fund, Fund 0001, Department PBW, Unit 1181, Revenue Code 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 percent 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 Public Works of the City of Dallas: occupying, maintaining and utilizing a sidewalk café, a trash receptacle and an A-frame sign.

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

**SECTION 6.** That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right to terminate and cancel this license, at will, by Resolution passed by said Governing Body. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said Resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Public Works, 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 Public Works.



**SECTION 7.** That the license is subject to the following conditions, terms and reservations:

- a) **GRANTEE** shall be responsible for collection and removal of solid waste and recycle materials from receptacles placed in the licensed area, subject to the provisions of Dallas City Code Section 18-5. Materials placed in receptacles marked for recycling may not be collected as solid waste unless the items are not recyclable or the contents of the receptacle have become contaminated.
- b) **GRANTEE** shall maintain a minimum of eight feet of unobstructed public sidewalk.

**SECTION 8.** That upon the effectiveness of this ordinance, the Director of Department of Public Works, 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 Public Works, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

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

**SECTION 10.** That this license may not be assigned without prior written approval from the Director of Department of Public Works, 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 Public Works 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 Public Works, or designee, may terminate this license.

**SECTION 11.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Public Works, or designee. Upon receipt of the fees pursuant to Section 3 of this ordinance, an acceptable certificate

**SECTION 11.** (continued)

of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Public Works, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Public Works, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

**SECTION 12.** That this ordinance is also designated for City purposes as Contract No. PBW- 2024-00024004.

**SECTION 13.** That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:  
TAMMY L. PALOMINO,  
City Attorney

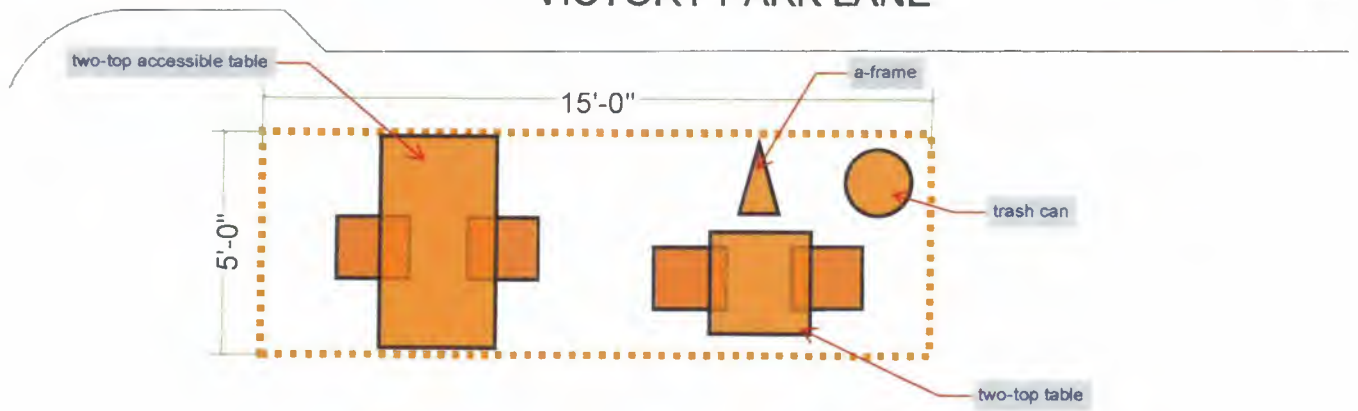
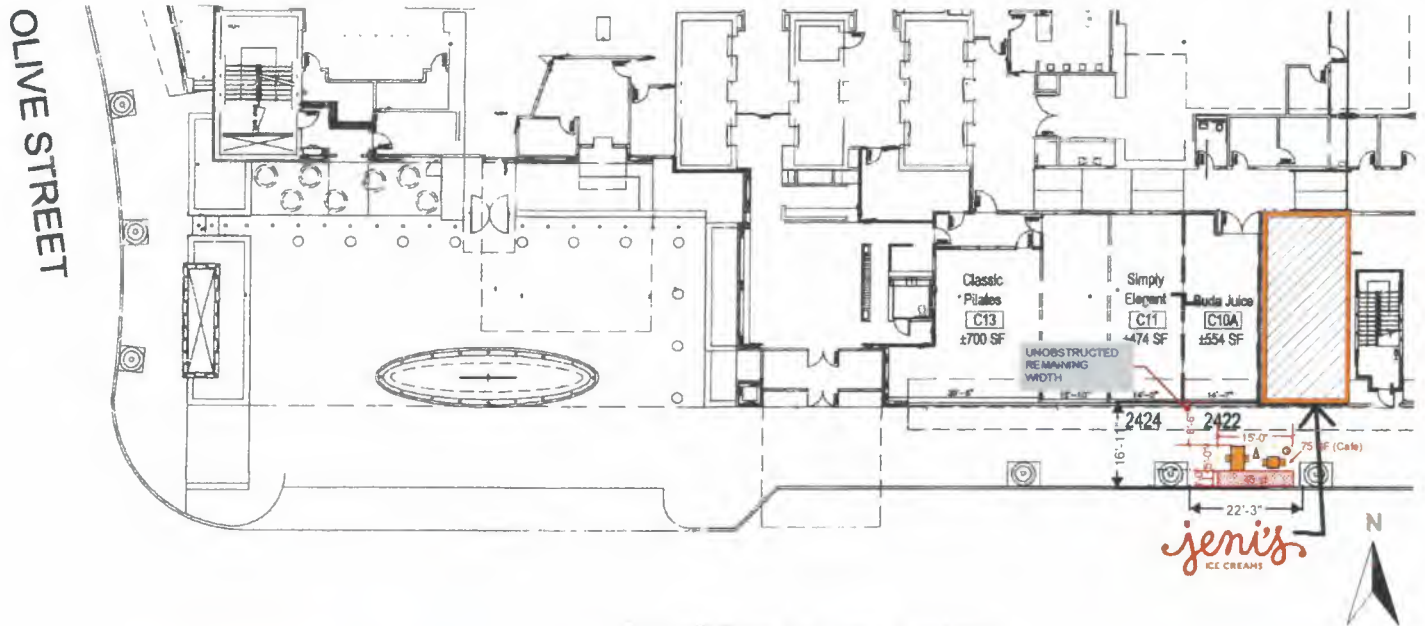
ALI HATEFI, Director  
Department of Public Works

BY Molly P. Ward  
Assistant City Attorney

BY Ali Hatefi  
FOR Assistant Director

Passed \_\_\_\_\_

# EXHIBIT A



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

1

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 Public Works, 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 Public Works 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 Public Works, 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 Public Works.
- (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 twelve (12) months following termination of this license and removal of the installations,



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

2

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 Public Works.
  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 Public Works, 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**

3

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**

4

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.





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 24-1653

**Item #:** 20.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 12

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Majed Al-Ghafry

### **SUBJECT**

Authorize acquisition from John F. Skelton, III, of approximately 9,618 square feet of land located near the intersection of Meandering Way and Rocky Top Circle for the Preston Ridge Trail Linear Park Project - Not to exceed \$307,000.00 (\$300,000.00, plus closing costs and title expenses not to exceed \$7,000.00) - Financing: Capital Gifts Donation & Development Fund

### **BACKGROUND**

This item, on behalf of the Park & Recreation Department, authorizes the acquisition from John F. Skelton, III, approximately 9,618 square feet of land located near the intersection of Meandering Way and Rocky Top Circle for the Preston Ridge Trail Linear Park Project. This property will be used for development of a future park site. The consideration is based on an independent appraisal presented to the property owner and that amount subsequently negotiated between the property owner and City staff. There are no relocations costs associated.

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

On February 22, 2024, the Park and Recreation Board authorized acquisition from John F. Skelton, III, of approximately 9,618 square feet of land located at the intersection of Meandering Way and Rocky Top Circle for the Preston Ridge Trail Linear Park Project.

### **FISCAL INFORMATION**

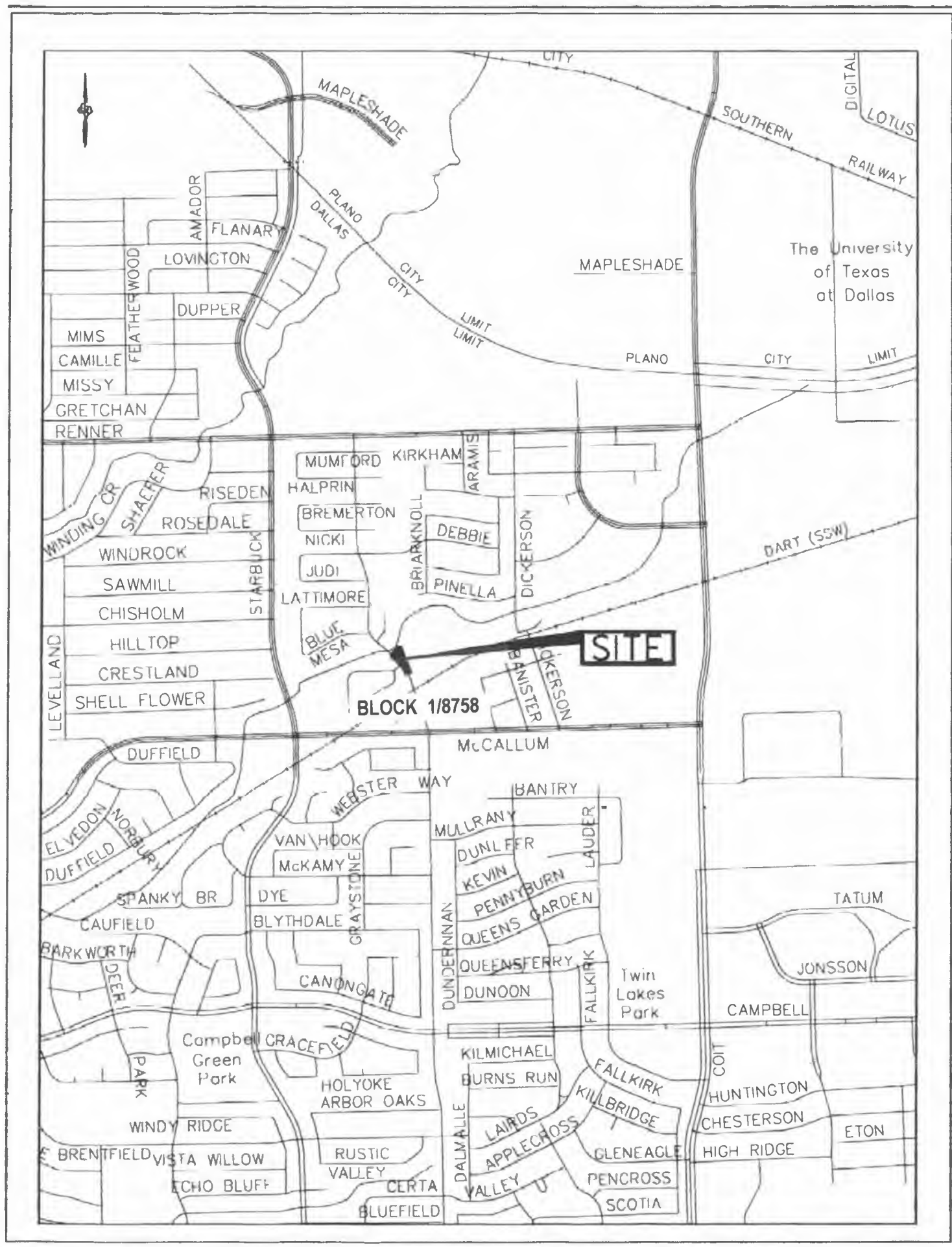
Fund	FY 2024	FY 2025	Future Years
Capital Gifts Donation & Development Fund	\$307,000.00	\$0.00	\$0.00

### **OWNER**

John F. Skelton, III

**MAP**

Attached



**Field Notes Describing a 9,618 Square Foot (0.2208 Acre)  
Common Green Area In Block 1/8758 Highlands of McKamy Phase IV Addition  
Owned by John F. Skelton, III  
Situated In the Collin County SchoolLand Survey, Abstract No. 169  
City of Dallas, Collin County, Texas**

BEING a 9,618 square foot (0.2208 acre) tract of land situated in the Collin County SchoolLand Survey, Abstract Number 169, City of Dallas, Collin County, Texas, and being all of Common Green Area, Official City Block Number 1/8758, Highlands of McKamy Phase IV Addition, an addition to the City of Dallas according to the plat thereof recorded in Volume B, Page 169, Map Records, Collin County, Texas and being all of the property conveyed to John F. Skelton, III described as Tract B according to the deed recorded in Volume 3213, Page 588, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 Inch Iron rod with cap marked "CRIADO" set at the most westerly corner of said Common Green Area in the northeast right-of-way line of Meandering Way (60' Right-of-Way) at the most southerly corner of the Floodway Management Area & Sewer Easement as shown on said Highlands of McKamy Addition, from which a 3/8 Inch Iron rod found at the most westerly corner of said Floodway Management Area & Sewer Easement at the south corner of Lot 11, Block 3/8758 bears North 50°23'49" West, a distance of 159.59 feet;

THENCE North 39°36'11" East, departing said Meandering Way and along the common line between said Common Green Area and said Floodway Management Area & Sewer Easement, a distance of 100.99 feet to a 5/8 Inch Iron rod with cap marked "CRIADO" set in the west line of a 100 foot Dallas Power & Light Company Easement as shown on said Highlands of McKamy Addition;

THENCE South 19°50'20" East, with the common line between said Common Green Area and said Dallas Power & Light Company Easement, a distance of 304.71 feet to a mag nail with washer stamped "CRIADO" set in the northeast right-of-way line of said Meandering Way;

THENCE with the common line between said Common Green Area and said Meandering Way and a non-tangent curve to the left having a central angle of 30°33'29", a radius of 388.29 feet, an arc length of 207.09 feet and a chord which bears North 35°07'05" West, a distance of 204.64 feet to a 3/8 Inch Iron rod found;

THENCE North 50°23'49" West, continuing with said common line, a distance of 64.98 feet to the POINT OF BEGINNING and containing 9,618 square feet, or 0.2208 acres of land, more or less.

BASIS OF BEARING: Bearings are based on the State Plane Coordinate System, NAD 83 (2011) Epoch 2010.00, Texas North Central Zone 4202.

The undersigned Registered Professional Land Surveyor (the "Surveyor") hereby certifies to the State of Texas that (a) this plat of survey and the property description set forth hereon were prepared from an actual on-the-ground survey of the real property (the "Property") described in the field notes on this plat of survey; (b) such survey was conducted by the Surveyor, or under their direction; (c) monuments shown hereon actually existed on the date of survey, and the location, size and type of material thereof are correctly shown; (d) except as shown hereon, there are no observable encroachments on to the Property or observable protrusions therefrom, there are no observable improvements on the Property, there are no observable easements or rights-of-way either burdening or benefitting the Property, and there are no observable discrepancies, conflicts, shortages in area or boundary line conflicts; (e) the Property has apparent access to and from a public roadway; (f) recorded easements listed in Title Commitment GF No. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT (g) the boundaries, dimensions and other details shown hereon are shown to the appropriate accuracy standards of the Manual of Practice for Land Surveying in Texas (2006) for a Category 1A, Condition II, Suburban Survey.



FIELD NOTES APPROVED:

DER 12-9-15

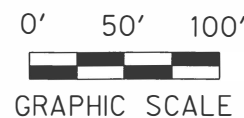
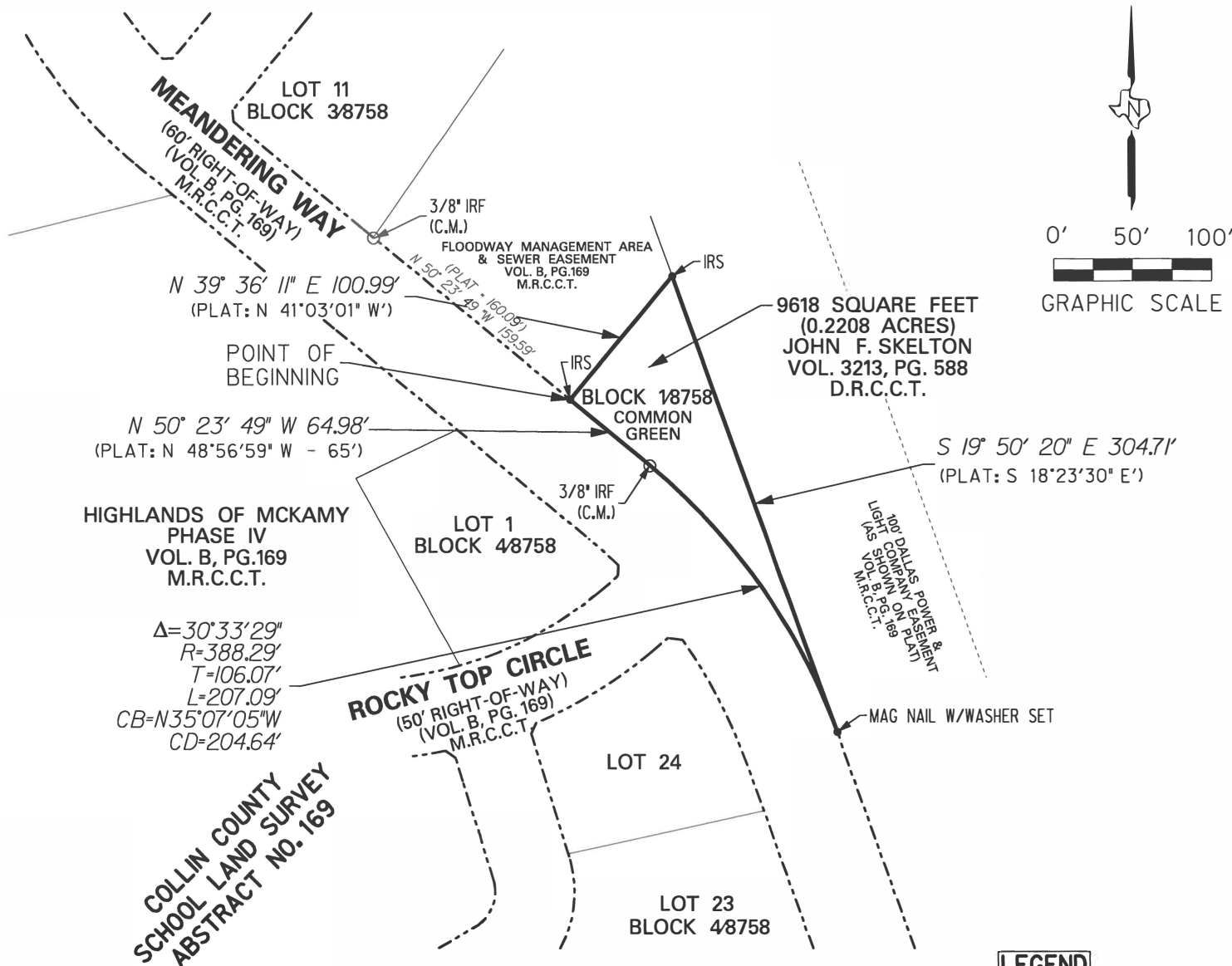


1/2

*Candy Hone, RPLS*  
CANDY HONE, R.P.L.S. No. 5867

*4/22/2015*  
DATE

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM,  
NAD 83 (2011) EPOCH 2010.00, TEXAS NORTH CENTRAL ZONE 4202.



# LEGEND

EXISTING RIGHT OF WAY LINE	---
SUBJECT TRACT	==
PROPERTY LINE	---
EASEMENT LINE	---
FOUND IRON ROD	○ IRF
(UNLESS NOTED OTHERWISE)	
5/8" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED 'CRIADO'	• IRS
CONTROLLING MONUMENT	(C.M.)
DEED RECORDS COLLIN COUNTY TEXAS	D.R.D.C.T.
MAP RECORDS COLLIN COUNTY TEXAS	M.R.C.C.T.

The undersigned Registered Professional Land Surveyor (the "Surveyor") hereby certifies to the State of Texas that (a) this plat of survey and the property description set forth hereon were prepared from an actual on-the-ground survey of the real property (the "Property") described in the field notes on this plat of survey; (b) such survey was conducted by the Surveyor, or under their direction; (c) monuments shown hereon actually existed on the date of survey, and the location, size and type of material thereof are correctly shown; (d) except as shown hereon, there are no observable encroachments on to the Property or observable protrusions therefrom, there are no observable improvements on the Property, there are no observable easements or rights-of-way either burdening or benefitting the Property, and there are no observable discrepancies, conflicts, shortages in area or boundary line conflicts; (e) the Property has apparent access to and from a public roadway; (f) recorded easements listed in Title Commitment GF No. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT (g) the boundaries, dimensions and other details shown hereon are shown to the appropriate accuracy standards of the Manual of Practice for Land Surveying in Texas (2006) for a Category IA, Condition II, Suburban Survey.



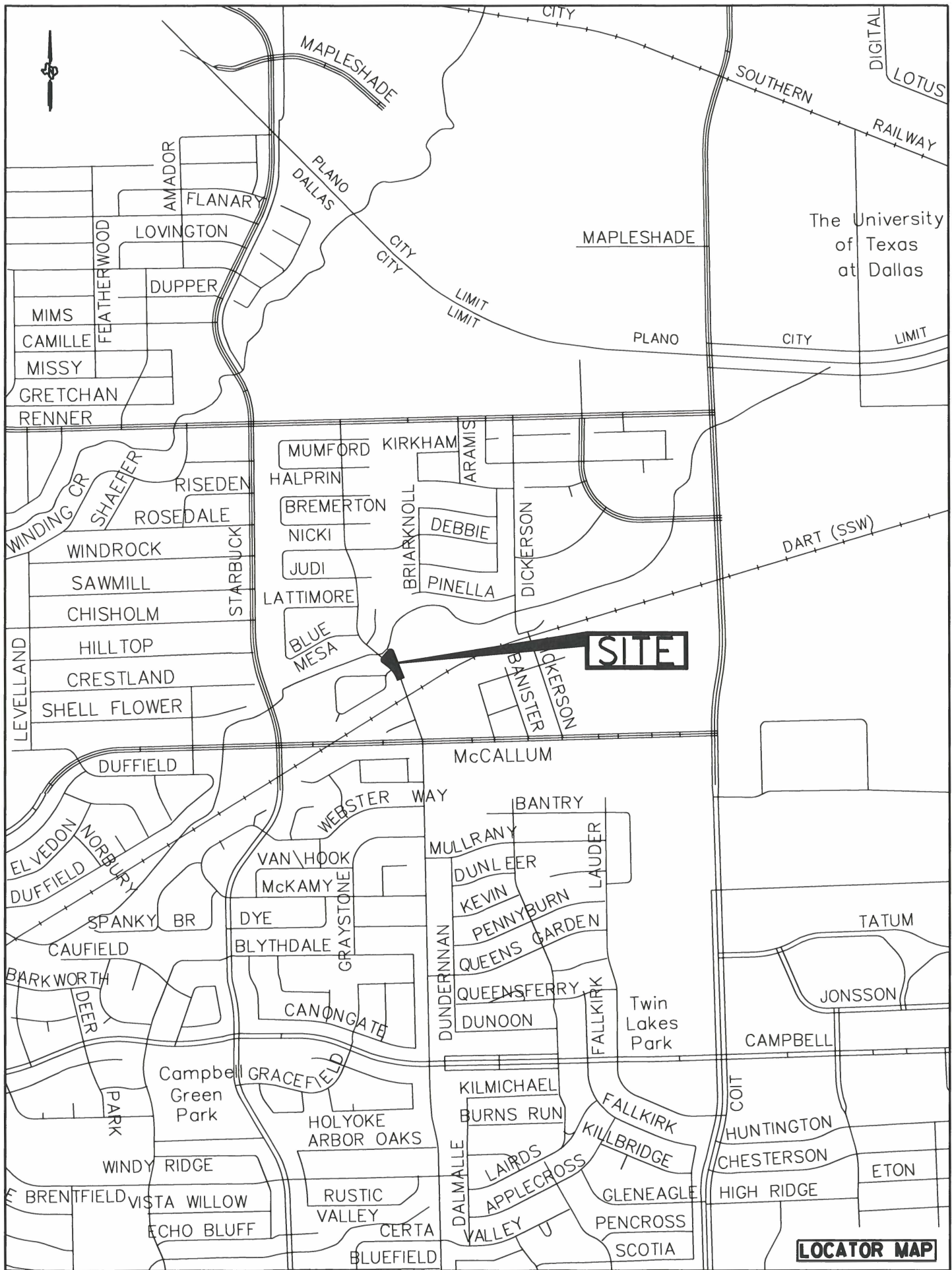
*Candy Hone, R.P.L.S.*  
CANDY HONE, R.P.L.S. No. 5867

*4/22/2015*  
DATE

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM,  
NAD 83 (2011) EPOCH 2010.00, TEXAS NORTH CENTRAL ZONE 4202.

2/2





## AFTER RECORDATION RETURN TO:

Mr. John F. Skelton, III  
Suite 1700  
5910 N. Central Expressway  
Dallas, Texas 75206

## Grantee's Mailing Address:

Suite 1700  
5910 N. Central Expressway  
Dallas, Texas 75206

## SPECIAL WARRANTY DEED



STATE OF TEXAS §  
COUNTIES OF DALLAS §  
and §  
COLLIN §

WHEREAS, McKamy Development Corporation ("McKamy") was the owner of (i) two tracts of real property situated in Dallas County, Texas, containing approximately .5419 acres and 2.929 acres, more particularly described as Tracts 1 and 2, respectively, on Exhibit "A" attached hereto and made a part hereof for all purposes and (ii) two tracts of real property situated in Collin County, Texas, containing 1,330 square feet of land and 0.229 acres of land, more particularly described as Tracts A and B, respectively, on Exhibit "A" hereto (the foregoing four tracts of land are collectively referred to as the "Land");

WHEREAS, McKamy was formally dissolved in 1986 by written agreement of its two shareholders, HAROLD L. TOMLINSON, a resident of the State of Florida ("Tomlinson") and JOHN F. SKELTON, III, a resident of Dallas County, Texas ("Skelton"), pursuant to which Tomlinson and Skelton each became the owner of an undivided 50% interest in the Land;

WHEREAS, Tomlinson by this deed desires to convey to Skelton all of his right, title and interest (which interest includes all of Tomlinson's undivided 50% interest) in the Land;

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, Tomlinson has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY to Skelton all of Tomlinson's right, title and interest (which interest includes Tomlinson's undivided 50% interest) in and to the Land, together with all of Tomlinson's title and interest in and to all (i) rights, easements and appurtenances thereto belonging, driveways and improvements thereon or connected therewith, and abutter's rights of access to and from each road, street, alley and way in front of or adjoining said real property, and (ii) that land lying in such roads, streets, alleys or ways immediately adjacent to the Land (all of the foregoing being hereinafter referred to as the "Property"), subject, however, to all the restrictions, easements, conditions and encumbrances of record on the date hereof (to the extent they are valid, existing and effect the Property).

TO HAVE AND TO HOLD the Property, subject as aforesaid, together with all and singular the rights and appurtenances thereto in anywise belonging unto Skelton, his heirs, personal representatives, successors and assigns, forever; and Tomlinson does hereby bind himself, his heirs, personal representatives, successors and assigns to warrant and forever defend all and singular the Property, subject as aforesaid, unto Skelton, his heirs, personal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Tomlinson but not otherwise.

90023 0371

3213 589

Skelton hereby assumes and agrees to pay all ad valorem taxes on the Land which are now owing or hereafter become due.

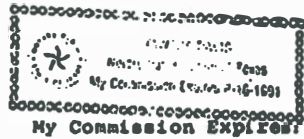
IN WITNESS WHEREOF, Tomlinson has executed this Special Warranty Deed to be effective this 22 day of January, 1990.

GRANTOR:

Harold L. Tomlinson  
Harold L. Tomlinson

STATE OF Ark. §  
COUNTY OF Ark. §

This instrument was acknowledged before me this 22 day of January, 1990 by Harold L. Tomlinson.



Notary Public in and for  
The State of Ark.

Printed Name  
Harold L. Tomlinson

90023 0372



**TRACT 1**

200

RD

1557

N 00°19' 52"E

8200

**EAST**

2006

3 M<sup>2</sup> CALLUM

90023 U373

3213 591

EXHIBIT "A" (CONTINUED)

TRACT 2

DESCRIPTION  
2.925 Acre Tract Adjacent to  
Highland of McKamy III

Being a tract of land out of the John Overton Survey, Abstract 1108 and also being in City Block 8200 in the City of Dallas, Dallas County, Texas and being more particularly described as follows:

Commencing at the Westernmost corner of Highland of McKamy III addition as filed in Volume 77120, Page 1318 of the Deed Records of Dallas County, Texas, said point also being on the Southeast line of the St. Louis and Southwestern Railroad Right-of-Way;

THENCE, Northeasterly along said right-of-way line 294.96 feet along a curve to the right having a radius of 5,679.65 feet, a central angle of  $02^{\circ} 58' 32''$ , and a chord bearing of  $N 56^{\circ} 33' 30'' E$  to the POINT OF BEGINNING;

THENCE, continuing Northeasterly along said right-of-way line around a curve to the right having a radius of 5,679.65 feet, a central angle of  $01^{\circ} 55' 49''$ , and a chord bearing of  $N 59^{\circ} 00' 40'' E$  to a point of tangency;

THENCE,  $N 59^{\circ} 58' 35'' E$ , 939.79 feet along said right-of-way line to a point for corner;

THENCE, the following courses and distances along the floodway management area dedicated by the Highland of McKamy III Plat:

S  $10^{\circ} 30' 45'' W$ , 99.73 feet;  
S  $51^{\circ} 02' 39'' W$ , 60.44 feet;  
S  $10^{\circ} 33' 19'' E$ , 163.77 feet;  
S  $51^{\circ} 55' 38'' W$ , 76.22 feet;  
S  $86^{\circ} 50' 23'' W$ , 326.50 feet;  
S  $45^{\circ} 25' 28'' W$ , 95.46 feet;  
N  $77^{\circ} 39' 39'' W$ , 131.03 feet;  
S  $02^{\circ} 17' 26'' W$ , 50.04 feet;  
S  $70^{\circ} 06' 53'' W$ , 149.94 feet;  
S  $61^{\circ} 13' 24'' W$ , 220.19 feet;  
N  $31^{\circ} 57' 14'' W$ , 46.33 feet to the POINT OF BEGINNING and containing 127,431 square feet or 2.925 acres of land, more or less.

90023 0374

EXHIBIT A (CONTINUED)

## TRACT A

That certain tract of land in Collin County, Texas being approximately 1,530 square feet and more particularly described as follows:

A tract of land containing 25,525 square feet, more or less, in the COLLIN COUNTY SCHOOL LAND SURVEY NO. 1 ABST. 169 Collin County, Texas; and being part of the E. T. Jackson 93.5 acre tract; and said 25,525 Sq. Ft. tract being more particularly described as follows:

BEGINNING at the point of intersection of the Southeast line of the St. Louis & Southwestern Railroad with the Southwest line of the T. P. & L. Co. right of way

THENCE, Southeasterly, along said T. P. & L. Co. right of way, as follows: 1st. S 18° 23' 30" E - 355.45 ft; 2nd. S 03° 33' 30" W - 60.52 ft to a point in the North line of Wells Road (60 ft wide)

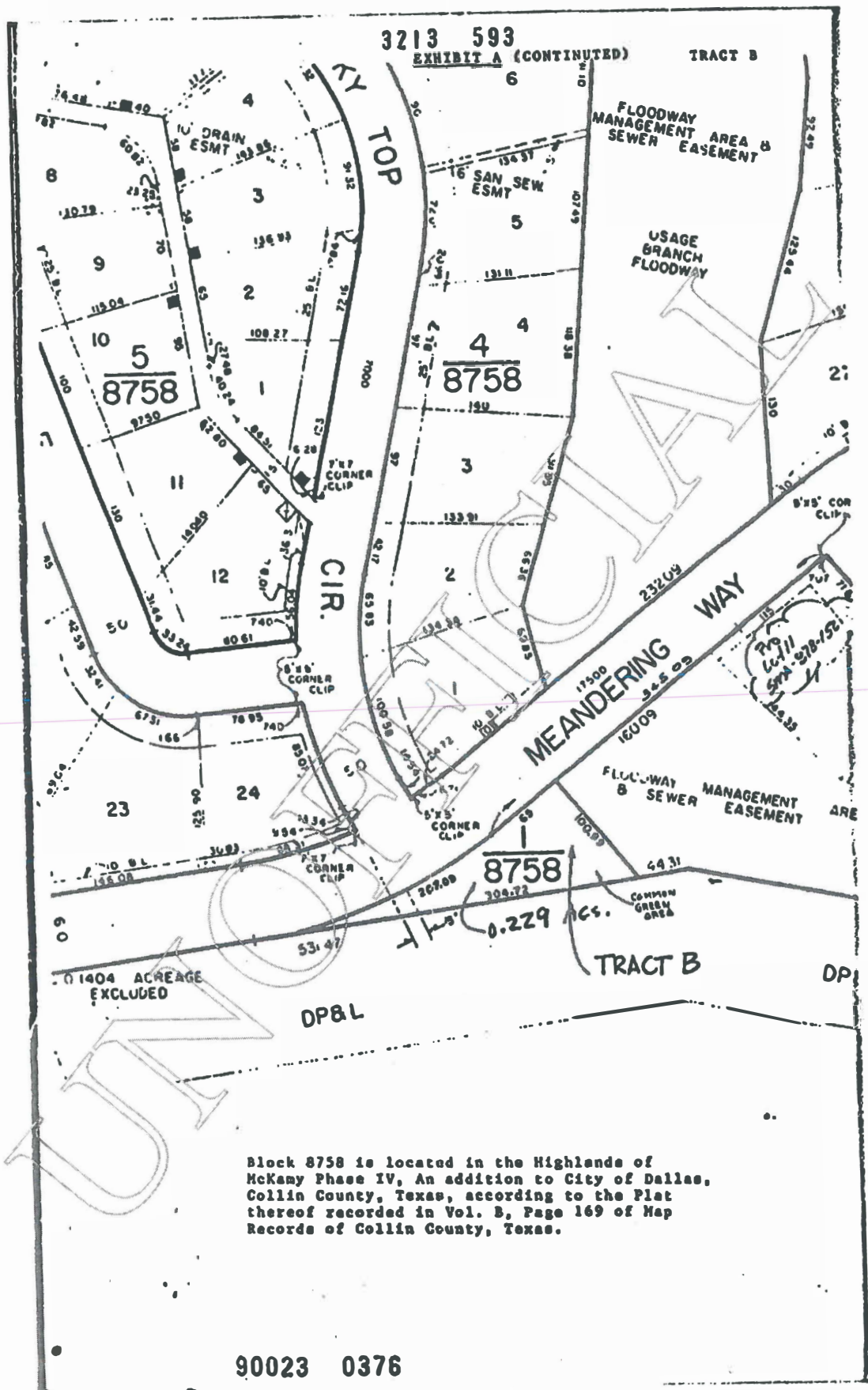
THENCE N 89° 15' 00" W, along the North line of Wells Road, 64.08 ft

THENCE N 03° 33' 30" E 51.25 ft

THENCE N 18° 23' 30" W - 355.45 ft to a point in the said Southeast line of the Railroad

THENCE N 60° 29' 00" E, along the Southeast line of said Railroad, 65.25 ft to the point of beginning.





3213 594

**AFTER RECORDING RETURN TO:**

Mr. Ralph Santos  
X Johnson & Gibbs  
Attorneys At Law  
100 Founders Square  
900 Jackson St.  
Dallas, Texas 75202-9000

90023 0377



90023-0370

3213 595

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE,  
RENTAL OR USE OF THE DESCRIBED REAL PROPERTY  
BECAUSE OF COLOR OR RACE IS INVALID AND UNEN-  
FORCEABLE UNDER FEDERAL LAW

Any provision herein which restricts the sale, rental or use of the described real property because of color or race is invalid and unenforceable under federal law.

STATE OF TEXAS  
COUNTY OF DALLAS

I hereby certify that the above was filed on the date and place named herein by and that said entry is recorded in the public and open office of the County Clerk of Dallas County, Texas as shown by the

FEB 2 1990



Carl Ballou  
COUNTY CLERK, Dallas County, Texas

THE OFFICE OF RECORDS  
COUNTY OF DALLAS  
I hereby certify that the above is a true and correct copy of the original as the same appears on the records of the County Clerk of Dallas County, Texas as shown by the

FEB 2 1990



COUNTY CLERK, Dallas County, Texas

FILED FOR RECORD 14th DAY OF Feb. A.D. 19 90 . at 8:46 A.M.  
DULY RECORDED 14th DAY OF Feb. A.D. 19 90  
BY: Metha Roberto DEPUTY. HELEN STARNES, County Clerk  
Collin County, Texas

# EXHIBIT B

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

## SPECIAL WARRANTY DEED

THE STATE OF TEXAS   §  
  §       KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF DALLAS   §

That John F. Skelton, III, a married man, not joined herein by spouse, as the property hereby conveyed constitutes no part of their business or residence homestead and is in his sole management and control (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Collin, State of Texas, for and in consideration of the sum of THREE HUNDRED THOUSAND AND NO/100 DOLLARS (\$300,000.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: None

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**John F. Skelton, III**

\* \* \* \* \*

STATE OF TEXAS       :  
COUNTY OF DALLAS    :

# EXHIBIT B

This instrument was acknowledged before me on \_\_\_\_\_  
by John F. Skelton, III.

\_\_\_\_\_  
Notary Public, State of TEXAS

\* \* \* \* \*

After recording return to:  
City of Dallas  
Department of Public Works  
Real Estate Division  
320 East Jefferson Boulevard, Room 203  
Dallas, Texas 75203  
attn: Mark Proctor, Real Estate Manager

Special Warranty Deed Log No. 50101 / Block 1/8758 Collin County

# Exhibit A

Field Notes Describing a 9,618 Square Foot (0.2208 Acre)  
Common Green Area In Block 1/8758 Highlands of McKamy Phase IV Addition  
Owned by John F. Skelton, III  
Situating In the Collin County School Land Survey, Abstract No. 169  
City of Dallas, Collin County, Texas

BEING a 9,618 square foot (0.2208 acre) tract of land situated in the Collin County School Land Survey, Abstract Number 169, City of Dallas, Collin County, Texas, and being all of Common Green Area, Official City Block Number 1/8758, Highlands of McKamy Phase IV Addition, an addition to the City of Dallas according to the plat thereof recorded in Volume B, Page 169, Map Records, Collin County, Texas and being all of the property conveyed to John F. Skelton, III described as Tract B according to the deed recorded in Volume 3213, Page 588, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap marked 'CRIADO' set at the most westerly corner of said Common Green Area in the northeast right-of-way line of Meandering Way (60' Right-of-Way) at the most southerly corner of the Floodway Management Area & Sewer Easement as shown on said Highlands of McKamy Addition, from which a 3/8 inch iron rod found at the most westerly corner of said Floodway Management Area & Sewer Easement at the south corner of Lot 11, Block 3/8758 bears North 50°23'49" West, a distance of 159.59 feet;

THENCE North 39°36'11" East, departing said Meandering Way and along the common line between said Common Green Area and said Floodway Management Area & Sewer Easement, a distance of 100.99 feet to a 5/8 inch iron rod with cap marked 'CRIADO' set in the west line of a 100 foot Dallas Power & Light Company Easement as shown on said Highlands of McKamy Addition;

THENCE South 19°50'20" East, with the common line between said Common Green Area and said Dallas Power & Light Company Easement, a distance of 304.71 feet to a mag nail with washer stamped 'CRIADO' set in the northeast right-of-way line of said Meandering Way;

THENCE with the common line between said Common Green Area and said Meandering Way and a non-tangent curve to the left having a central angle of 30°33'29", a radius of 388.29 feet, an arc length of 207.09 feet and a chord which bears North 35°07'05" West, a distance of 204.64 feet to a 3/8 inch iron rod found;

THENCE North 50°23'49" West, continuing with said common line, a distance of 64.98 feet to the POINT OF BEGINNING and containing 9,618 square feet, or 0.2208 acres of land, more or less.

BASIS OF BEARING: Bearings are based on the State Plane Coordinate System, NAD 83 (2011) Epoch 2010.00, Texas North Central Zone 4202.

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FIELD NOTES APPROVED:

DER 12-9-15



*Candy Hone, RPLS*  
CANDY HONE, R.P.L.S. No. 5867

4/22/2015  
DATE

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM,  
NAD 83 (2011) EPOCH 2010.00, TEXAS NORTH CENTRAL ZONE 4202.

# Exhibit A

LOT 11  
BLOCK 38758

MEANDERING WAY  
(60' RIGHT-OF-WAY)  
(VOL. B, PG. 169)  
M.R.C.C.T.

3/8" IRF  
(C.M.)

FLOODWAY MANAGEMENT AREA  
& SEWER EASEMENT  
VOL. B, PG. 169  
M.R.C.C.T.

N 39° 36' 11" E 100.99'  
(PLAT: N 41° 03' 01" W')

POINT OF  
BEGINNING

N 50° 23' 49" W 64.98'  
(PLAT: N 48° 56' 59" W - 65')

HIGHLANDS OF MCKAMY  
PHASE IV  
VOL. B, PG. 169  
M.R.C.C.T.

LOT 1  
BLOCK 48758

3/8" IRF  
(C.M.)

BLOCK 18758  
COMMON  
GREEN

9618 SQUARE FEET  
(0.2208 ACRES)  
JOHN F. SKELTON  
VOL. 3213, PG. 588  
D.R.C.C.T.

S 19° 50' 20" E 304.71'  
(PLAT: S 18° 23' 30" E')

100' DALLAS POWER &  
LIGHT COMPANY EASEMENT  
VOL. B, PG. 169  
M.R.C.C.T.

$\Delta = 30^\circ 33' 29''$   
 $R = 388.29'$   
 $T = 106.07'$   
 $L = 207.09'$   
 $CB = N35^\circ 07' 05'' W$   
 $CD = 204.64'$

ROCKY TOP CIRCLE  
(50' RIGHT-OF-WAY)  
(VOL. B, PG. 169)  
M.R.C.C.T.

LOT 24

LOT 23  
BLOCK 48758

MAG NAIL W/WASHER SET

COLLIN COUNTY  
SCHOOL LAND SURVEY  
ABSTRACT NO. 169

0' 50' 100'  
GRAPHIC SCALE

## LEGEND

The undersigned Registered Professional Land Surveyor (the "Surveyor") hereby certifies to the State of Texas that (a) this plat of survey and the property description set forth hereon were prepared from an actual on-the-ground survey of the real property (the "Property") described in the field notes on this plat of survey; (b) such survey was conducted by the Surveyor, or under their direction; (c) monuments shown hereon actually existed on the date of survey, and the location, size and type of material thereof are correctly shown; (d) except as shown hereon, there are no observable encroachments on to the Property or observable protrusions therefrom, there are no observable improvements on the Property, there are no observable easements or rights-of-way either burdening or benefitting the Property, and there are no observable discrepancies, conflicts, shortages in area or boundary line conflicts; (e) the Property has apparent access to and from a public roadway; (f) recorded easements listed in Title Commitment GF No. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT (g) the boundaries, dimensions and other details shown hereon are shown to the appropriate accuracy standards of the Manual of Practice for Land Surveying in Texas (2006) for a Category 1A, Condition II, Suburban Survey.

EXISTING RIGHT OF WAY LINE	—————
SUBJECT TRACT	—————
PROPERTY LINE	—————
EASEMENT LINE	—————
FOUND IRON ROD	○ IRF
(UNLESS NOTED OTHERWISE)	
5/8" IRON ROD SET WITH YELLOW	• IRS
PLASTIC CAP STAMPED 'CRIADO'	
CONTROLLING MONUMENT	(C.M.)
DEED RECORDS COLLIN COUNTY TEXAS	D.R.D.C.T.
MAP RECORDS COLLIN COUNTY TEXAS	M.R.C.C.T.



*Candy Hone, R.P.L.S.*  
CANDY HONE, R.P.L.S. No. 5867

4/22/2015  
DATE

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM,  
NAD 83 (2011) EPOCH 2010.00, TEXAS NORTH CENTRAL ZONE 4202.

May 22, 2024

**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 9,618 square feet of land located in Collin 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": Preston Ridge Trail Linear Park Project

"USE": The construction, maintenance and use as park property. The property is not officially dedicated as municipal park land until such time the property is developed for its intended use. Provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"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": John F. Skelton, III, 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": \$300,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$7,000.00

"AUTHORIZED AMOUNT": Not to exceed \$307,000.00

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

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

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



May 22, 2024

**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 conveying 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 hereby 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 \$300,000.00 payable out of Capital Gifts Donation and Development Fund, Fund 0530, Department PKR, Unit 919A, Object 4210, Program Number PKLAND, Activity PKLA, Encumbrance/Contract No. PKR-2021-00016726 and \$7,000.00 payable out of Capital Gifts Donation and Development Fund, Fund 0530, Department PKR, Unit 919A, Object 4230, Program Number PKLAND, Activity PKLA, Encumbrance/Contract No. PKR-2021-00016726. 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:  
TAMMY L. PALOMINO, City Attorney

BY: 

Assistant City Attorney



## Agenda Information Sheet

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**File #:** 24-82

**Item #:** 21.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 4

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

Authorize Supplemental Agreement No. 2 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide additional engineering services for Marsalis Avenue Bridge over Cedar Creek/Dallas Zoo Bridge Repair in Bridge Repair Group 17-0001 - Not to exceed \$324,905.00, from \$256,665.00 to \$581,570.00 - Financing: 2023 Certificate of Obligation Fund

### **BACKGROUND**

The City Council authorized a professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide engineering design for the repair of the four bridges in Bridge Repair Group 17-0001.

During design, the consultant prepared a condition assessment of the Marsalis Avenue Bridge. In the condition assessment the consultant recommended a complete replacement of the bridge superstructure or a complete replacement of the bridge. It was determined that a bridge replacement is necessary due to the bridge's age, deterioration, increasing maintenance needs, and impact to the surrounding properties. The consultant needed to perform preliminary engineering services required to complete the 2025 Federal Highway Administration's Bridge Investment Program application for funding consideration.

This action will authorize Supplemental Agreement No. 2 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide additional engineering services for Marsalis Avenue Bridge over Cedar Creek/Dallas Zoo Bridge Repair in Bridge Repair Group 17-0001.

If this action is delayed or deferred, it will delay the completion of preliminary engineering design and the submission of the Bridge Investment Program application, which may result in the loss of potential funding.



**ESTIMATED SCHEDULE OF PROJECT**

Began Design        February 2019  
 Complete Design    November 2024

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

On November 14, 2018, the City Council authorized a professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide engineering design for the repair of the four bridges in Bridge Repair Group 17-0001, by Resolution No. 18-1591.

On February 22, 2023, the City Council authorized Supplemental Agreement No. 1 to Nathan D. Maier Consulting Engineers, Inc. for additional engineering design for the repair of Maple Avenue Bridge over Turtle Creek and Camp Wisdom Bridge over Ricketts Branch Creek by Resolution No. 23-0292.

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
2023 Certificate of Obligation Fund	\$324,905.00	\$0.00	\$0.00

Professional Services Contract	\$ 197,590.00
Supplemental Agreement No. 1	\$ 59,075.00
Supplemental Agreement No. 2 (this action)	<u>\$ 324,905.00</u>

Total	\$581,570.00
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**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$324,905.00	Architecture & Engineering	34.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
59.36%	100.00%	\$324,905.00
• This contract exceeds the M/WBE goal.		
• Supplemental Agreement No 2 - 100.00% MWBE Overall Participation		
• Nathan D. Maier Consulting Engineers, Inc. - Local; Workforce - 28.00% Local		

**OWNER**

**Nathan D. Maier Consulting Engineers, Inc.**

12801 N. Central Expressway, Suite 1710

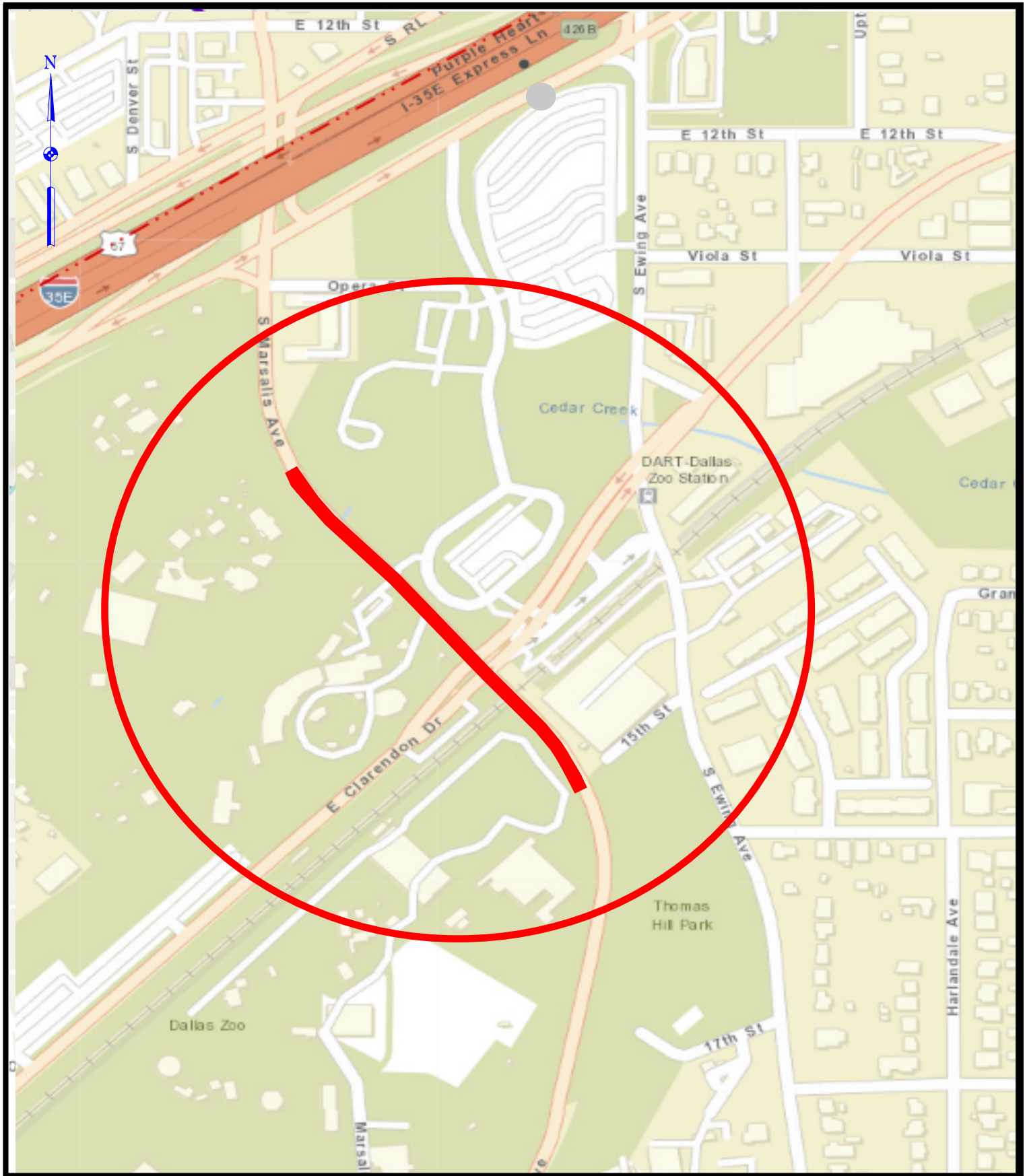
Dallas, Texas 75423

Jean Maier Dean, President/Chief Executive Officer

**MAPS**

Attached

**BRIDGE REPAIR GROUP 17-0001**  
**MARSALIS AVENUE BRIDGE OVER CEDAR CREEK/ DALLAS ZOO**  
**BRIDGE REPAIR**



**COUNCIL DISTRICT 4**

May 22, 2024

**WHEREAS**, Nathan D. Maier Consulting Engineers, Inc. was selected through the Request for Qualifications (CIZ1721) for the Bridge Repair Group 17-0001; and

**WHEREAS**, on November 14, 2018, the City Council authorized a professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide engineering design for the repair of four bridges in Bridge Repair Group 17-0001, in an amount not to exceed \$197,590.00, by Resolution No. 18-1591; and

**WHEREAS**, on February 22, 2023, the City Council authorized Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide additional engineering design for the repair of Maple Avenue Bridge over Turtle Creek and Camp Wisdom Road Bridge over Ricketts Branch Creek in Bridge Repair Group 17-0001, in an amount not to exceed \$59,075.00, increasing the contract from \$197,590.00 to \$256,665.00, by Resolution No. 23-0292; and

**WHEREAS**, it is now necessary to authorize Supplemental Agreement No. 2 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide additional engineering design for the repair of Marsalis Avenue Bridge over Cedar Creek/Dallas Zoo Bridge Repair in Bridge Repair Group 17-0001, in an amount not to exceed \$324,905.00, increasing the contract amount from \$256,665.00 to \$581,570.00.

**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 Supplemental Agreement No. 2 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc., approved as to form by the City Attorney, to provide additional engineering design for the repair of Marsalis Avenue Bridge over Cedar Creek/Dallas Zoo Bridge Repair in Bridge Repair Group 17-0001, in an amount not to exceed \$324,905.00, increasing the contract amount from \$256,665.00 to \$581,570.00.

**SECTION 2.** That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$324,905.00 to Nathan D. Maier Consulting Engineers, Inc. in accordance with the terms and conditions of the contract from 2023 Certificate of Obligation Fund, Fund 0797, Department PBW, Unit W957, Activity BRAM, Object 3210, Program PB17VA35, Encumbrance/Contract No. CX-PBW-2018-00008053, Vendor 354434.

May 22, 2024

**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.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 24-1428

**Item #:** 22.

**STRATEGIC PRIORITY:** Environmental & Sustainability  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Department of Sanitation Services  
**EXECUTIVE:** Dr. Robert Perez

### SUBJECT

Authorize Supplemental Agreement No. 1 to increase the service contract with Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, SCS Field Services for an expansion of scope in the operational management of the McCommas Bluff Landfill - Not to exceed \$852,500.00, from \$3,410,000.00 to \$4,262,500.00 - Financing: Sanitation Operation Fund

### BACKGROUND

This service contract includes environmental monitoring and consulting services essential for ensuring the City's compliance with environmental regulations concerning the McCommas Bluff Landfill and three transfer stations. By increasing funding levels, Sanitation Services can complete its capital improvement initiative to extend the overall lifespan of the site with construction of new landfill cells and update outdated infrastructure.

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

On September 9, 2020, the City Council authorized a three-year service contract, with two one-year renewal options, for environmental monitoring and consultant services for the Department of Sanitation Services - Stearns, Conrad and Schmidt, Consulting Engineers, SCS Filed Services, most advantageous prosper of four by Resolution No. 20-1530.

### FISCAL INFORMATION

Fund	FY 2024	FY 2025	Future Years
Sanitation Operation Fund	\$852,500.00	\$0.00	\$0.00

Original Contract	\$3,410,000.00
Supplemental Agreement No. 1 (this action)	<u>\$ 852,500.00</u>
Total Funding	\$4,262,500.00

**OWNER**

**Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, SCS Field Services**

James Walsh, President

May 22, 2024

**WHEREAS**, on September 9, 2020, the City Council authorized a three-year service contract, with two one-year renewal options, for environmental monitoring and consultant services for the Department of Sanitation Service- Stearns, Conrad and Schmidt, Consulting Engineers, SCS Field Services, most advantageous prosper of four, by Resolution No. 20-1530.

**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. 1 to the service contract with Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, SCS Field Services (VS0000010601), approved as to form by the City Attorney, for an expansion of scope as it relates to the capital improvements including new landfill cell construction and upgrade of outdated infrastructure, in an amount not to exceed \$852,500.00 increasing the original contract amount from \$3,410,000.00 to \$4,262,500.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$852,500.00 to Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, SCS Field Services from Service Contract No. SAN-2020- 00011853.

**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 its accordingly so resolved.







## Agenda Information Sheet

**File #:** 24-659

**Item #:** 23.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Transportation

**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A resolution authorizing the adoption of the City of Dallas On-Street Parking and Curb Management Policy - Financing: This action has no cost consideration to the City (see Fiscal Information for future costs)

### **BACKGROUND**

On April 28, 2021, the City Council unanimously adopted the Strategic Mobility Plan (SMP), also known as *Connect Dallas* by Resolution No. 21-0691. The SMP provides a framework for developing transportation policies, programs, and investment strategies by incorporating integrated transportation decision-making with housing, economic vitality, equity, environmental sustainability, innovation, and safety.

One of the policy recommendations within the SMP is to “Proactively Manage the City’s Curbside Assets.” As such, City staff, with input from stakeholders and the public, have been working to develop a comprehensive on-street parking management strategy and policy implementation plan referred to as the *City of Dallas On-Street Parking and Curb Management Policy*. The policy has garnered support from the Greater Dallas Planning Council.

The purpose of the On-Street Parking and Curb Management Policy is to further the SMP’s recommendation and create a more detailed set of policies and action items focused specifically on the following areas:

- Parking meters
- Time restrictions
- On-street signage
- Curb lane policies
- Loading zones (i.e. commercial, passenger, and autonomous vehicles)
- Special Users (i.e. residential, employee, and Americans with Disabilities Act)
- Access, safety, and equity
- Usage and prioritization

The proposed policy framework offers a range of solutions that are sensitive to land use, neighborhood context, density, and existing infrastructure. Many community organizations and City staff contributed to the policy language to ensure that the goals, policies, and strategies are achievable and fit within the context of the City of Dallas' many diverse and unique neighborhoods.

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

On September 23, 2020, the City Council authorized Supplemental Agreement No. 1 to the professional services contract with Kimley-Horn and Associates, Inc. for the addition of a comprehensive parking system management strategy and policy implementation plan by Resolution No. 20-1424.

On April 28, 2021, the City Council authorized the adoption of the City of Dallas SMP, known as *Connect Dallas*, and the coordination of initiatives and partnerships necessary to implement the actions and goals set forth in the SMP by Resolution No. 21-0691.

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on August 16, 2021. <https://cityofdallas.legistar.com/View.ashx?M=F&ID=9708878&GUID=CBE8865C-9870-4782-B799-A82997CCA2E9>](https://cityofdallas.legistar.com/View.ashx?M=F&ID=9708878&GUID=CBE8865C-9870-4782-B799-A82997CCA2E9)

The Transportation and Infrastructure Committee was briefed on the "Curb Lane Management Policy Study" on October 18, 2021.

The City Council was briefed on the "On-Street Parking and Curb Management Policy Study" on January 19, 2022.

The City Council was briefed on the "On-Street Parking and Curb Lane Management Policy" on January 18, 2023.

[The City Council was briefed by memorandum regarding this matter on July 7, 2023. <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdallascityhall.com%2Fgovernment%2Fcitymanager%2FDocuments%2FFY%252022-23%2520Memos%2FMCC%2520Memo%2520On-Street%2520Parking%2520and%2520Curb%2520Management%2520Policy%2520Update%20v5%2520\(003\)%20draft%2520\(003\).pdf&data=05%7C02%7Candreina.rocha%40dallas.gov%7C1df8d7a9167646d7ce3308dc75235469%7C2935709ec10c4809a302852d369f8700%7C0%7C0%7C638514041809733694%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjojV2luZmZlLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=kvLsZ3TCD9M44uJVBREfcTgTgruDCjCrrppSCbNI82A%3D&reserved=0>](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdallascityhall.com%2Fgovernment%2Fcitymanager%2FDocuments%2FFY%252022-23%2520Memos%2FMCC%2520Memo%2520On-Street%2520Parking%2520and%2520Curb%2520Management%2520Policy%2520Update%20v5%2520(003)%20draft%2520(003).pdf&data=05%7C02%7Candreina.rocha%40dallas.gov%7C1df8d7a9167646d7ce3308dc75235469%7C2935709ec10c4809a302852d369f8700%7C0%7C0%7C638514041809733694%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjojV2luZmZlLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=kvLsZ3TCD9M44uJVBREfcTgTgruDCjCrrppSCbNI82A%3D&reserved=0)

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on September 18, 2023. <https://cityofdallas.legistar.com/View.ashx?M=F&ID=12301745&GUID=204E85C4-19BF-4C64-83FF-F2DC744DA800>](https://cityofdallas.legistar.com/View.ashx?M=F&ID=12301745&GUID=204E85C4-19BF-4C64-83FF-F2DC744DA800)

The Transportation and Infrastructure Committee was briefed on the "Curb Lane Management Policy Study" on December 5, 2023.

[The City Council was briefed by memorandum regarding this matter on February 9, 2024.  
<https://dallascityhall.com/government/citymanager/Documents/FY23-24%20Memos/On-Street%20Parking%20and%20Curb%20Management%20Policy%20Update%201.12.24\\_v7%20%28002%29.pdf>](https://dallascityhall.com/government/citymanager/Documents/FY23-24%20Memos/On-Street%20Parking%20and%20Curb%20Management%20Policy%20Update%201.12.24_v7%20%28002%29.pdf)

### **FISCAL INFORMATION**

This action has no cost consideration to the City. Future costs will include implementation of recommended improvements such as striping parking stalls; painting curbs and upgrading coin-operated parking meters; additional staff to support implementation and management of the program; professional services to conduct parking occupancy surveys; and implementation of other parking management technology to collect, manage, and communicate parking data.



May 22, 2024

**WHEREAS**, on April 28, 2021, the City Council unanimously adopted the City's first-ever Strategic Mobility Plan by Resolution No. 21-0691; and

**WHEREAS**, the Strategic Mobility Plan (SMP) provides a framework for developing transportation policies, programs, and investment strategies by incorporating integrated transportation decision-making with housing, economic vitality, equity, environmental sustainability, innovation, and safety; and

**WHEREAS**, one of the policy recommendations within the SMP is to "Proactively Manage the City's Curbside Assets"; and

**WHEREAS**, the City of Dallas remains committed to the community priorities of affordability, travel choice, safety, economic vitality, innovation, environment, and equitable access to transportation; and

**WHEREAS**, City staff, with input from stakeholders and the public, have been working to develop a comprehensive on-street parking management strategy and policy implementation plan referred to as the *City of Dallas On-Street Parking and Curb Management Policy*; and

**WHEREAS**, this action will authorize the adoption of the City of Dallas On-Street Parking and Curb Management Policy.

**Now, Therefore,**

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

**SECTION 1.** That the City Council hereby authorizes the adoption of the City of Dallas On-Street Parking and Curb Management Policy ("policy"), attached hereto as **Exhibit A**.

**SECTION 2.** That the policy serves to inform and prioritize use of the curb and establish a data-driven process to install parking meters and set parking meter rates.

**SECTION 3.** That the City Manager hereby authorizes the Department of Transportation to coordinate with other City departments and partnering agencies to develop initiatives and partnerships necessary to implement the actions and goals set forth in the policy, subject to annual appropriations.

**SECTION 4.** That from time to time, staff may administratively update the policy document to provide clarifications that do not impact the goals, objectives, and policies outlined in the document.

May 22, 2024

**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.



# On-Street Parking and Curb Management Policy



APRIL 2024



City of Dallas



# ACKNOWLEDGEMENTS

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This document is the product of a collaborative planning effort that involved city staff, neighborhood and regional representatives, business owners, and consultants from the Dallas Strategic Mobility Plan team. The following individuals and groups contributed significantly to this effort throughout the course of the process.

## Project Team

Ghassan Khankarli, *Director*

Kathryn Rush, *Chief Planner*

Kierra Williams, *Transportation Planner*

Scott Walton, *Assistant Director*

## Stakeholder Advisory Committee

### City of Dallas Staff

Michael Melton, *Transportation - Parking Management (Former)*

Nauman Akbar, *Transportation - Parking Management*

Katlin Milner, *Transportation - Business Operations*

Aurobindo Majumdar, *Transportation - District Engineering*

Fernando Villareal, *Transportation - District Engineering*

Brittany Darrah, *Transportation - District Engineering (Former)*

Ricardo Ramos, *Transportation - District Engineering*

Kimberly Smith, *Transportation - Planning*

Jessica Scott, *Transportation - Planning*

David Nevarez, *Transportation - Development Services*

Sherrelle Russell, *Transportation - Field Operations*

Andreea Udrea, *Planning & Urban Design - Zoning*

Lori Levy, *Planning & Urban Design - Planning*

Arturo Del Castillo, *Planning & Urban Design - Planning*

Steven Doss, *Planning & Urban Design - Planning*

### Community Organizations

Evan Sheets, *Downtown Dallas Inc.*

Dustin Bullard, *Downtown Dallas Inc. (Former)*

Jacob Browning, *Downtown Dallas Inc. (Former)*

Kathy Stewart, *Uptown Dallas, Inc. (Former)*

Jon Hetzel, *Lower Greenville*

Stephanie Keller Hudiburg, *Deep Ellum Foundation*

Amanda Popken, *City Plan Commissioner (Former)*

Patrick Kennedy, *Space Between Design Studio*

### Regional Organizations

Hans-Michael Ruth, *Dallas Area Rapid Transit*

Travis Liska, *North Central Texas Council of Government*

Shawn Conrad, *North Central Texas Council of Government*

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# OVERVIEW

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The curb is a limited public resource and demand for access is growing. Essential to the economic vitality of various business districts across the city the curb use has traditionally been limited to customers and visitors through on-street parking and deliveries by providing areas to load and unload freight. In recent years, curbside pickup, dining, and e-commerce delivery has increased the need to allocate space at the curb in a sufficient and equitable manner. Managing the curb by addressing signage, markings, timing, usage, access, and cost is important to incentivize or disincentivize behavior at the curb to meet needs of all users.

On April 28, 2021, the Dallas City Council unanimously adopted the Dallas Strategic Mobility Plan. The plan represents a bold new way of thinking about the city's transportation challenges and creates a framework for investing and responding to problems in a way that best achieves the city's broader goals.

One of the policy recommendations contained in the plan is to "Proactively Manage the City's Curbside Assets." The purpose of this policy document is to further that recommendation and bring order to the city's parking management system, with the intended outcomes of:

- Supporting business districts by making it easier for customers to find an available parking space.
- Reducing congestion and conflicts in travel lanes by allocating adequate space and time for a wide range of users wanting access to the curb.
- Providing consistency in the application of curb lane management strategies.

This policy was prepared in close coordination with the Planning and Urban Design Department's effort to modernize the off-street parking minimums in Chapter 51A of the Dallas City Code. Competition for the curb

will gradually increase as future developments construct less new off-street parking and plan for street side emergency vehicle access. Growth in autonomous vehicle (AV) activity could also increase demand for on-street loading and unloading. Given these rising demands, this policy is a significant step in helping city staff determine the highest and best uses of limited curb space based on the goals and objectives defined below.

## Goals and Objectives

The City of Dallas On-Street Parking and Curb Management Policy supports the six Driving Principles in the Dallas Strategic Mobility Plan. The specific recommendations in this document are also intended to advance the more specific objectives outlined on the next page.

### Driving Principles



#### Safety

Improve safety for all modes of transportation.



#### Environmental Sustainability

Reduce vehicle miles traveled and provide a variety of travel options.



#### Equity

Provide safe, affordable access to opportunities for all city residents.



#### Economic Vitality

Integrate transportation investments with land use and economic priorities.
















#### Housing

Support the creation of affordable and varied housing options.



#### Innovation

Leverage technologies to meet 21<sup>st</sup> century challenges.

objectives for On-Street Parking & Curb Management	Relevant Driving Principle(s)
1 Provide for the safe and efficient movement of people and goods by effectively managing the curb space in commercial and mixed-use districts, using data and goals to drive decision-making processes.	  
2 Increase access to businesses in mixed-use and commercial districts by promoting adequate turnover of on-street parking stalls using time limits and parking meters.	  
3 Accommodate increasing loading needs and proactively manage loading and on-street parking demand for developments in commercial and mixed-use districts.	
4 Promote equity and accessibility and provide for the changing needs for curb lane use as transportation technologies and modes evolve.	 
5 Manage expectations and simplify the experience for all curb users by making curb use regulations predictable and easy to understand.	   

## Document Outline

The objectives are advanced through a more detailed set of policies, recommendations, and action items focused on the following areas:

- Prioritizing and allocating curb space (Chapter 2)
- Preparing local area parking and curb management plans (Chapter 3)
- Parking time limits (Chapter 4)
- Paid parking and rate setting (Chapter 5)
- Loading zones (Chapter 6)
- Parking for special users (i.e., employee parking, handicap parking, residential parking, and electric vehicles) (Chapter 7)
- Signs and pavement/ curb markings (Chapter 8)
- Communication (Chapter 9)

The topics that are covered in this document were identified as areas of interest during three workshops with stakeholders over the course of 2021. The recommendations and action items were informed by a review of the curb today that looked at existing regulations and practices compared to those of peer cities, and an inventory of curb uses on a representative sample of streets in four commercial and mixed-use districts in central Dallas.

**The findings and recommended actions are intended to be broadly applicable both within central Dallas and in other areas of the city where commercial and mixed-use developments have created a high level of demand and competition for on-street parking spaces.**

Many community organizations and city staff contributed to the policy language to ensure that the recommendations and action items are achievable and fit within the context of the City of Dallas's many diverse and unique neighborhoods.

The organization of the document is based on the geographic scale that the recommendations apply to. It starts with recommendations that apply citywide (Prioritizing and Allocating Curb Uses) before moving to smaller geographic areas like neighborhoods and Local Paring and Curb Management Plans. From there, the topics zoom in to treatments for individual streets (Time Limits, Paid Parking, Loading Zones, Employee Parking, Residential Parking, Electric Vehicle Parking, and Handicap Parking), then to the specific signs and markings on those streets. Note: "parking meters," "paid parking," and "parking payment devices" will be used interchangeably throughout this document. The document concludes with a discussion of ways the city can improve communication pertaining to curb use, followed by a summary of all action items.

# THE CURB TODAY

## 1

Curbs in commercial and mixed-used areas of Dallas currently serve a wide range of functions, ranging from traditional metered parking to valet services, commercial loading, bike racks, and parklets. Where these uses are located and how they are managed varies between neighborhoods and by individual block. To make informed decisions related to curb and metered parking management that are based on local data, a review of how the City of Dallas is currently regulating curb space was performed. Findings in this chapter include a detailed on-the-ground inventory of the various curb uses in sample locations throughout the city.

## Existing Curb Use Inventory

A curb use inventory was conducted in the spring of 2021 along a representative sample of streets in four Dallas districts; three inside Paid (Metered) Parking Areas (MPA) and one outside of these areas. They included the Downtown Central Business District, Uptown, Deep Ellum, and Bishop Arts. The curb use inventory was conducted using GPS-enabled technology. A team walked along identified curbs in each district to identify the type of curb use (e.g., No Parking, Loading, Time Limit Parking, etc.), the length of each curb use, and the associated regulatory information (e.g., enforcement hours, time limits, etc.).

**Figure 1.1** illustrates the location of each district included in this review. The districts and streets that were selected for the inventory were identified by the Department of Transportation staff as having the greatest conflicts, such as illegal parking, obstruction of travel lanes and pedestrian paths, and spillover parking into residential areas. They were also intended to represent the range of conditions that exist in areas with high demand for curb space. For example, Bishop Arts is intended to represent areas like Lower Greenville that have a mixture of restaurants, shops, and bars in a main street-type setting adjacent to residential neighborhoods. This document therefore illustrates how curb management could be implemented but is not prescriptive for a neighborhood. Districts highlighted in **Figure 1.1** are profiled in greater detail in this chapter.

Throughout the years, decisions about curb uses have been reactive, meaning changes have been made on a case-by-case basis to meet specific needs. This in part is why there are a variety of curb uses in each district. Due to the ad-hoc nature of curb management in the city to date, there are too many nuances in the curb uses to list all of them, so they have been consolidated into the categories listed below.

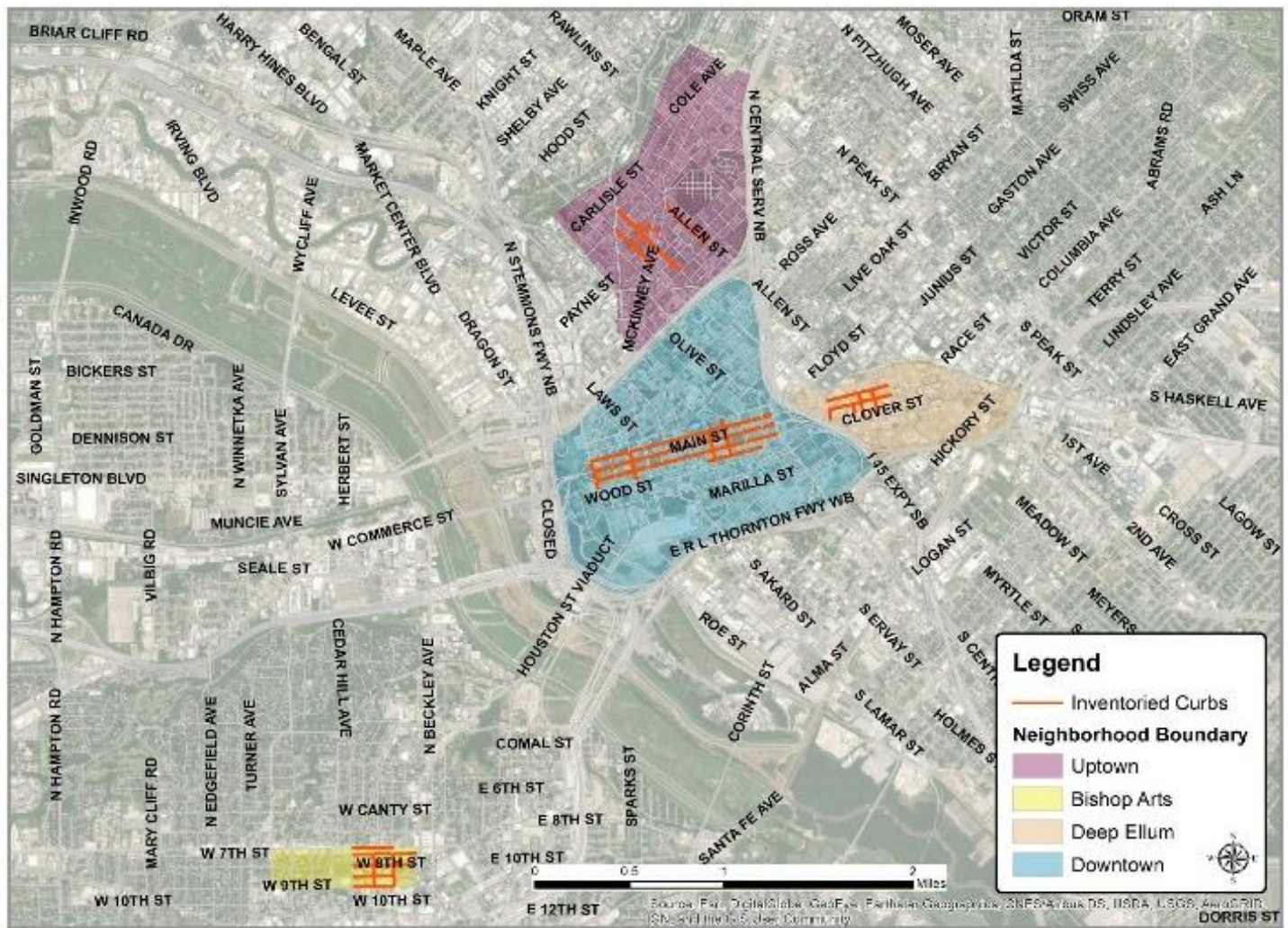
- **Travel Lane:** The lane next to the curb is actively used for vehicular or micromobility travel, serving as either a through lane or turn lane. This category also encompasses designated bus-only lanes and bus stops where buses make stops within the travel lane.
- **Free Parking:** Parking is permitted next to the curb and 1) payment is not required, and 2) there are no

time-of-day or time limit restrictions. Ways to tell whether a location is “Free” parking and not a travel lane include the absence of No Parking signs mid-block, the potential presence of No Parking signs around crosswalks, or the curb is indented.

- **Free - Time of Day Restricted:** Parking is only allowed next to the curb during certain hours of the day and payment is not required.
- **Free - Time Limits:** Parking is allowed next to the curb at all times of day, payment is not required, but there are time limits for how long a person can park in one spot.
- **Paid Parking:** Payment is required to park during a specified period of the day. Time-of-day and time limit restrictions may also be present.
- **Loading Zone:** Commercial/freight loading zone or passenger loading zone.
- **Permit Parking:** There are signs designating that a permit is required to park next to the curb.
- **Valet Parking:** Valet loading zone.
- **Other:** Miscellaneous (parklet/street seats, bike corrals, etc.).
- **No Parking - Restricted:** There are signs indicating that parking is prohibited. This also includes certain parts of a blockface such as the space within 20 feet of crosswalks, within 15 feet of intersections, where there are bulb-outs, and within 15 feet of fire hydrants, etc.
- **No Parking - Driveway:** A driveway is present, making it impossible to park on-street at that location.



Figure 1.1. Study Area



**Figure 1.2** illustrates the result of the field collection and shows the variety and wide range of curb use patterns across the districts. Later in this section, the curb uses in each district will be reviewed individually.

**Figure 1.3** demonstrates the total amount of curb space that does not allow parking, that is free, paid

(either with a payment or a permit), used for loading, and is used for other purposes, including bike racks and restaurant eating areas, by district.



Figure 1.2. Map of Curb Uses by District

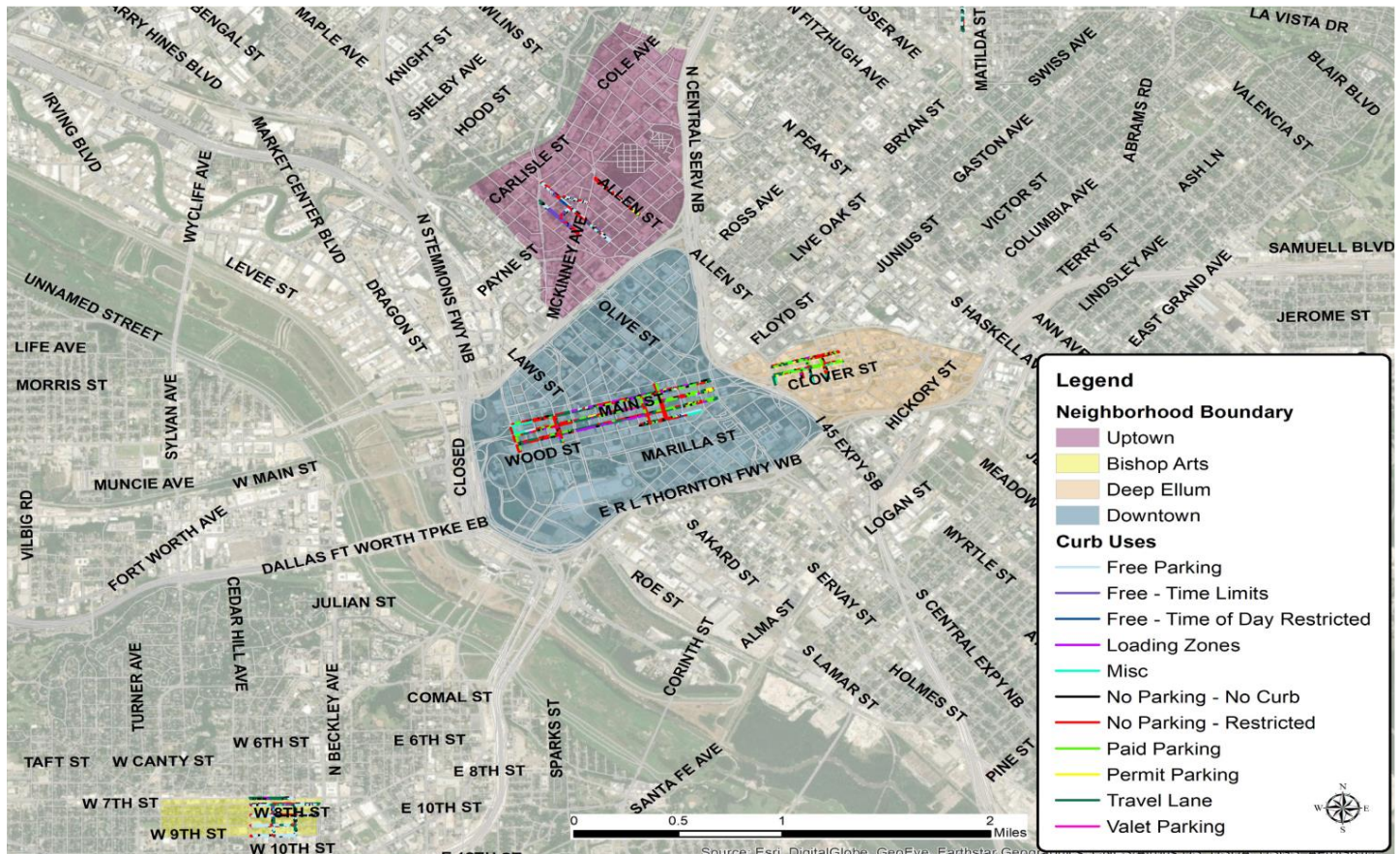
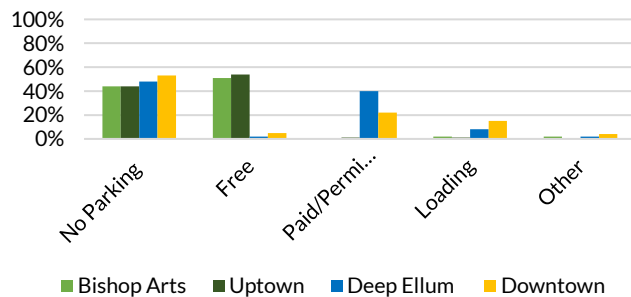


Figure 1.3. Aggregate of Curb Uses by District



Note: No Parking includes areas posted with "No Parking" signs, where parking is prohibited because there is no physical curb or because the curb use is a travel lane

Throughout Dallas, most curbs are used for a single purpose. Of the uses indicated, No Parking is the most prevalent, due to necessary setbacks at driveways, curb cuts, fire hydrants, etc. Also, in the neighborhoods surveyed, the curb lane is often used as a travel lane especially on primary arterials. Within Downtown there are some areas that convert from parking to a travel lane at peak commute times, also referred to as rush hour parking restrictions.

The following sections examine the curb uses in sections of the Downtown, Uptown, Bishop Arts, and Deep Ellum districts that were sampled.



## Downtown

Downtown Dallas is a vibrant mix of office, retail, government buildings, residents, restaurants, nightlife, and more. The most important curb functions in this area to support the various land uses are bus lanes and loading zones. Two main issues in the Downtown area are 1) unclear communication on how the curb can be used and when, and 2) the evolving definition for “loading zone.” To this last point, loading zones are historically thought of as places for large freight vehicles to stand for a length of time to drop-off goods for the surrounding businesses. Today, loading also includes Transportation Network Companies (TNCs), food delivery, and an increase in small-scale deliveries, such as those from USPS or other delivery services.

The curb uses and their locations for the streets sampled in the Downtown area are shown in **Figure 1.4**

on the following page. The map demonstrates that a lot of curb uses are present to serve the various needs in the Downtown area; however, they are not consistently located. The length and location of the curb uses is not consistent from block to block; and while there may be extenuating circumstances that make consistency challenging, there should be some consistency so that customers, delivery drivers, and other users know where to find loading zones, parking, and drop-off locations along any curb face regardless of the street they are on.

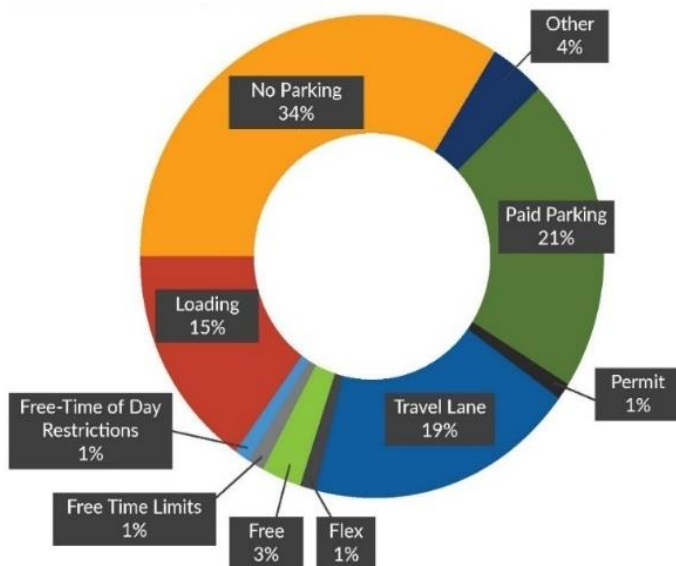
Viewing the same data in a different way, **Figure 1.5** summarizes the percentage of each use in relation to the total amount of curb length inventoried Downtown.



Figure 1.4. Downtown Curb Use Map



Figure 1.5. Downtown Curb Use Length Percentages



As shown in the map and the chart, the No Parking areas and travel lanes combined make up the majority of the curb uses, with the other large portion being dedicated to paid parking and loading zones. However, they are inconsistently located throughout, which can leave some areas feeling under-served and some users confused if they are not familiar with the area.

Another notable observation is that there are “flex” curb uses. These are areas where the curb is reserved for one use at one time of day (e.g., travel during rush hour) and another use for the remainder of the day (e.g., parking). In all flex uses observed, they were a combination of No Parking and another use. These areas establish a precedent to potentially expand the use of flex curb uses.



## Uptown

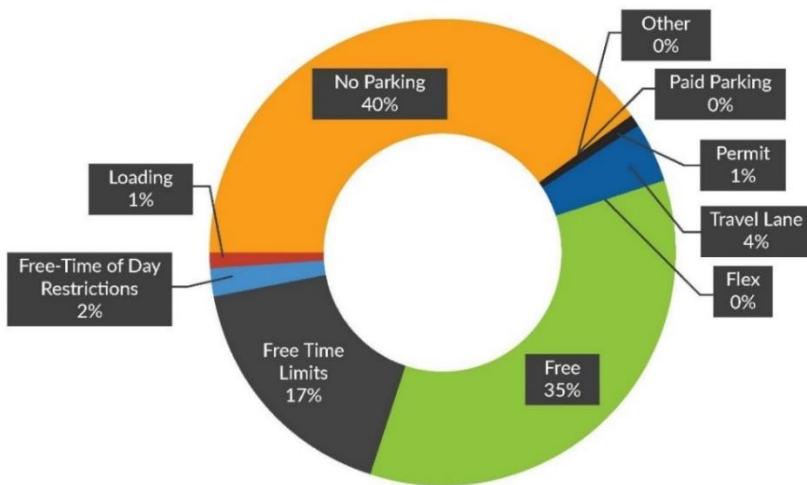
Uptown Dallas is characterized by long blocks that have a mixture of residential and commercial uses. The district has seen an increase in competition for curb space, particularly among micromobility options, green space to combat heat island effects, loading, and bicycles. Similarly, as density increases and more people are brought to the area, demand for curb use also increases.

The map shown in **Figure 1.6** on the following page illustrates the various curb uses in a portion of Uptown. **Figure 1.7** summarizes the curb uses as a percentage in relation to the total amount of curb length inventoried. The primary curb use in Uptown is No Parking, closely followed by free parking. Only 1% of the observed curb length is dedicated to loading zones. This is a challenge for businesses and multi-family residential areas that rely on loading zones. Any loading in this district must occur on the street in undesignated areas.

Figure 1.6. Uptown Curb Use Map



Figure 1.7. Uptown Curb Use Length Percentages







## Bishop Arts

Similar to Uptown, Bishop Arts is also characterized by long city blocks and has commercial areas surrounded by residential areas. The mixture of residential and commercial uses competing for curb space creates a challenging dynamic in the district. As shown on the following page, all on-street parking is free and only 12% of the free parking has time limit restrictions (e.g., 2-hour parking).

The map in **Figure 1.8** demonstrates the inconsistency of the placement of curb uses as well as the disparity between the types of curb uses present. **Figure 1.9** summarizes the curb uses as a percentage in relation to the total amount of curb length inventoried.

As previously stated, there are only three primary curb uses in the portion of the district that was inventoried, two of which do not allow parking, stopping, or standing of any kind. As seen with Uptown, Bishop Arts also has a small amount of space dedicated to loading zones, which means loading likely occurs in undesignated areas like travel lanes. Loading zones not only allow freight deliveries but also accommodate TNCs, such as Uber and Lyft, or other drop-off/pick-up services.

Figure 1.8. Bishop Arts Curb Use Map

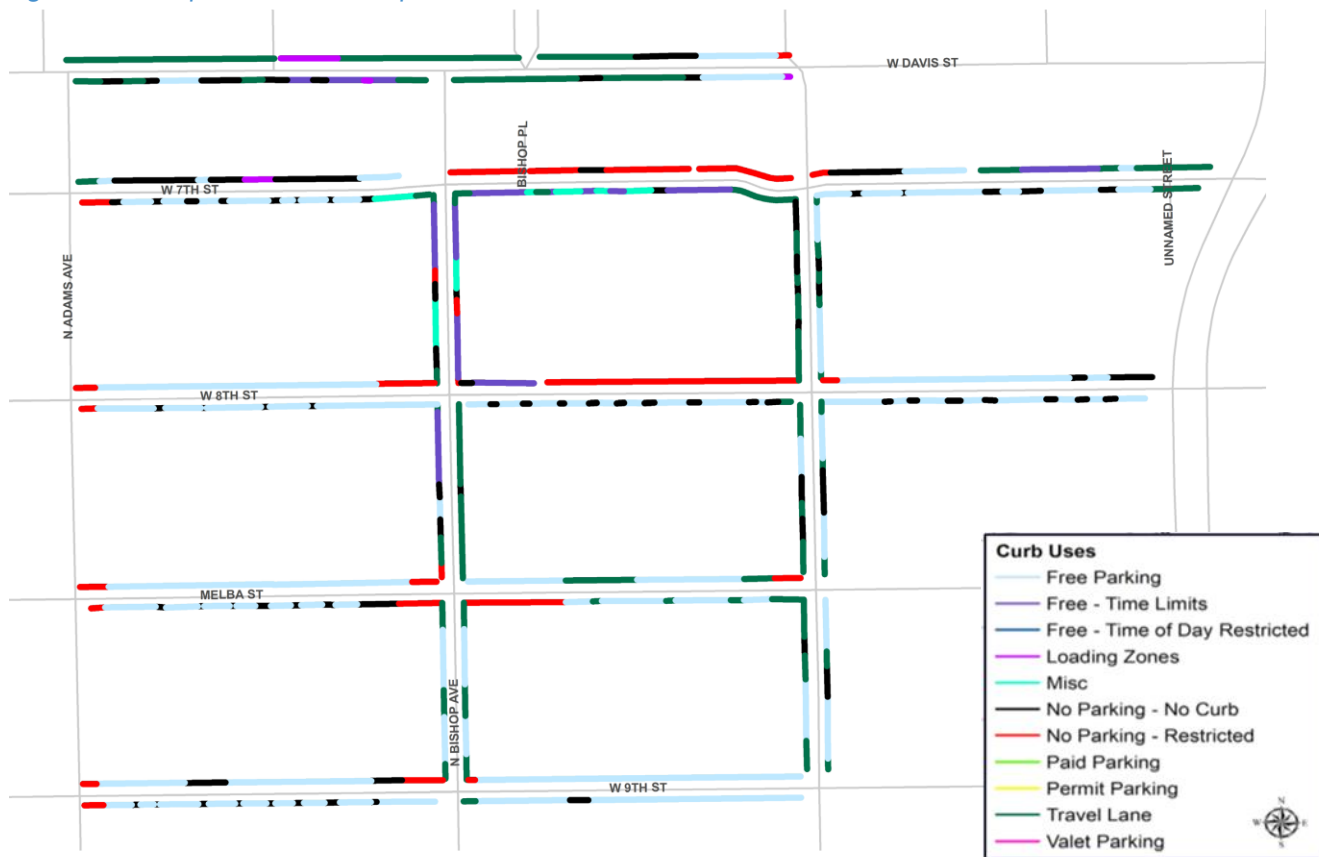
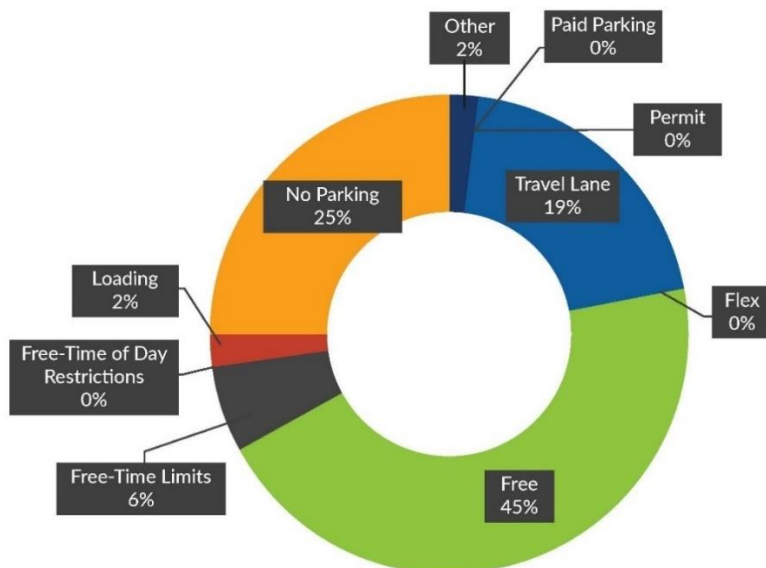


Figure 1.9. Bishop Arts Curb Use Length Percentages







## Deep Ellum

Deep Ellum is a mixed-used district with entertainment, commercial, warehouse, residential, business, and historical/cultural land uses. The vast mixture of uses creates a time-of-day characteristic which is unique to this district. It is busy throughout the entire day, where residential uses dominate in the mornings and evenings, business uses have peak operation during the day, and commercial and restaurant or other entertainment uses peak in the evenings. As such, there is a need to have the curbs be as fluid as the land uses and offer flexibility to support the changing needs.

**Figure 1.10** illustrates the type and location of curb uses observed in a portion of Deep Ellum. The map reflects

what is seen in the other districts, a disparity and mismatching of curb spaces, which can lead to inefficiencies in how the curbs are used. The chart shown in **Figure 1.11** summarizes the curb uses as a percentage in relation to the total amount of curb length inventoried.

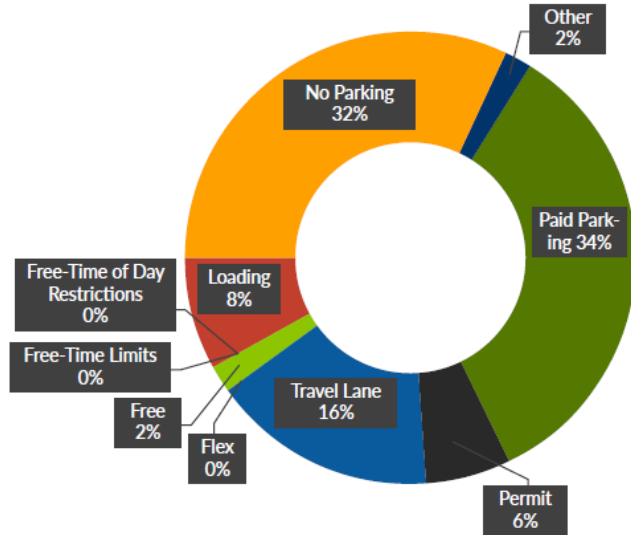
Unlike the other districts observed, the main curb use observed in Deep Ellum is paid parking. This is a reflection of the high demand and the types of land uses found in this area. Similar to the other districts is the lack of loading options. Consistent placement of loading zones and allowing those zones to be flexible by time of day, could optimize curb use efficiency.



Figure 1.10. Deep Ellum Curb Use Map



Figure 1.11. Deep Ellum Curb Use Length Percentages



# General Findings from Curb Use Inventory

During field review, three consistent challenges were identified that make curb use confusing for users, businesses, and city staff:

- **SIGNAGE** – there are a variety of signs throughout the city to convey the regulations for each curb use. At times, these may be confusing due to signs conflicting with curb use or due to the variety of curb uses and inconsistencies from block to block, street to street, or district to district.
- **PAYMENT OPTIONS** – passing through each district, a different payment option is presented for metered parking (credit card, coin, app, etc.). This can be confusing for users, including visitors, business patrons, employees, USPS, and freight delivery drivers, who travel between districts.
- **CONSISTENCY** – it is often encouraged to promote the unique characteristics of each district. However, consistency in terms of sign placement, curb coloring, etc. is an essential component of compliance assurance because users need to know what these various elements along the street mean. If elements along the curb are constantly shifting and changing from one area to another, the user will likely get confused on the element meanings in each area.

Additionally, there is a large disparity among the types of curb uses available. For example, in Bishop Arts, the sole sampled district that does not overlap with a MPA, 7-15% less curb space is designated No Parking than in the other three sampled districts. Downtown also stands out among the surveyed districts for its very high percentage of loading zone curb space, which takes up 7-14% more space than in the other districts. Although the sampled blocks are only a representation of the broader districts in which they lie, they nonetheless reveal that curb space allocation by use is highly inconsistent across Dallas.



# PRIORITIZING & ALLOCATING CURB SPACE

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## 2

**OBJECTIVE:** Provide for the safe and efficient movement of people and goods by effectively managing the curb space in commercial and mixed-use districts, using data- and goals-driven decision-making processes.

Prioritizing and determining what curb uses to allow on a given street is the foundation of curb management. These decisions should be based on adopted city plans and priorities. This chapter will provide the framework for prioritizing the use of the curb space in various contexts throughout Dallas, based on adjacent land use and roadway type. Subsequent chapters will focus specifically on strategies for managing on-street parking in commercial and mixed-use areas with high demand and businesses that rely on it. However, the decision to allow on-street parking must first be made, and that is the focus of this chapter.

## Types of Curb Uses

Many cities make curb use decisions on a case-by-case basis, typically in response to a request from a business, landowner, or other neighborhood stakeholder. However, efficient and effective curb management begins by understanding the underlying curb functions that each use serves, then making curb decisions that prioritize the functions that meet transportation and land use needs. Based on a review of peer city curb management programs, this report recommends that Dallas conceive of curb uses as serving five overall functions: access, activation, greening, mobility, and storage. **Figure 2.1** shows which uses are included under each function.

Some cities also include a sixth category, commerce. However, treating the needs of businesses as fundamentally separate from other stakeholders can contribute to a sense of competition among curb users. As **Figure 2.1** shows, curb uses that are important to businesses—like short-stay parking, loading/short-stay zones, or outdoor eating space—all serve multiple users and can be categorized under other functions.

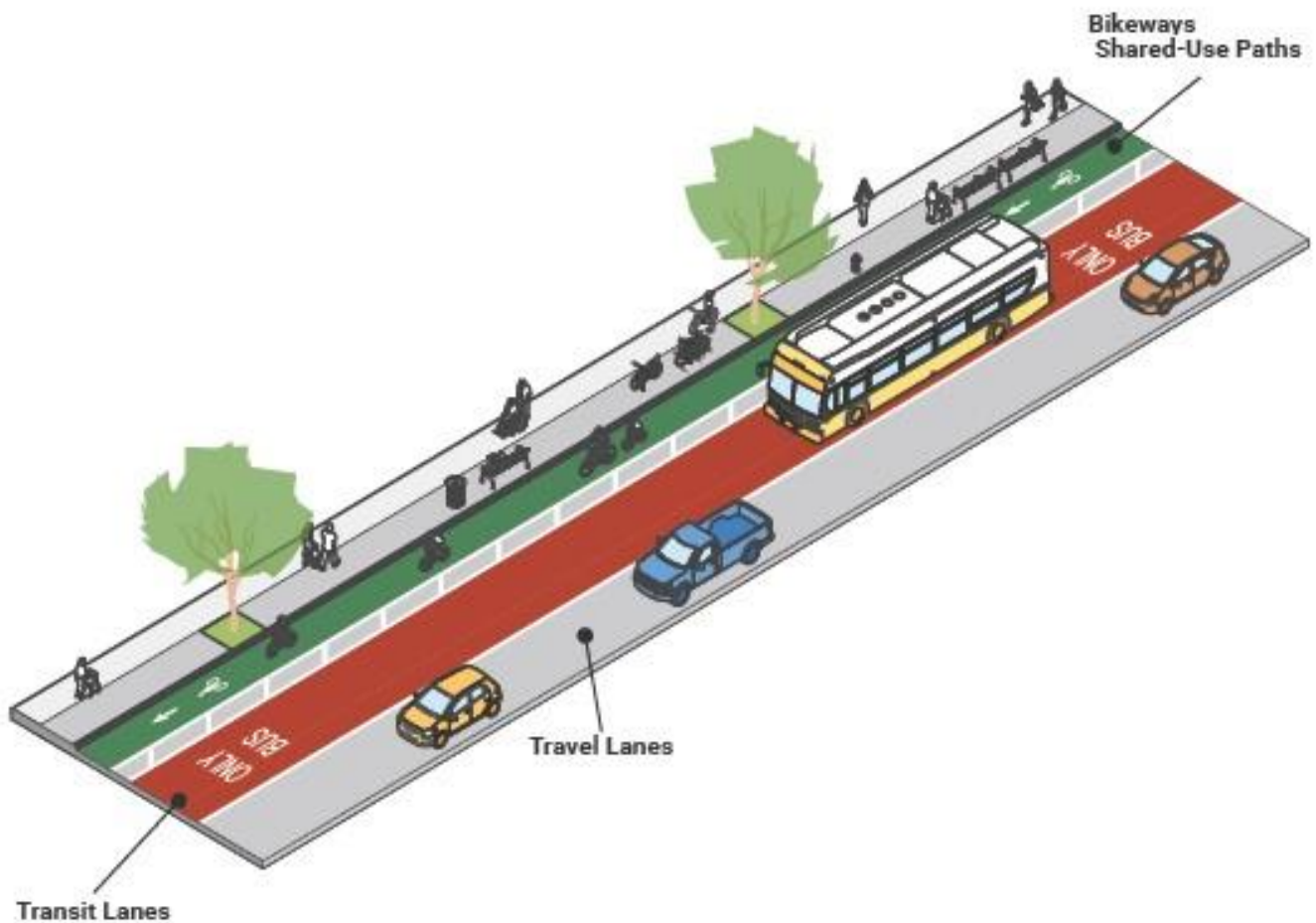
Figure 2.1. Curb Functions and Associated Uses

FUNCTION	DEFINITION	USES	
<b>Mobility</b>	Supports efficient movement of people and goods as they travel through the area	<ul style="list-style-type: none"> <li>• General purpose travel lanes</li> <li>• Sidewalks</li> <li>• Bikeways</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-use paths</li> <li>• Crosswalks</li> <li>• Transit lanes</li> </ul>
<b>Access</b>	Enables people and goods to make the connection between their mode of transportation and their trip origin/destination	<ul style="list-style-type: none"> <li>• Loading/short-stay zones (including use by private vehicle, home delivery, curbside pickup, commercial vehicle, taxi, valet, shuttle, and TNC)</li> <li>• Short-term parking – two hours or less (including ADA accessible spaces)</li> <li>• Bicycle and micro-mobility parking</li> </ul>	<ul style="list-style-type: none"> <li>• Bus, light rail, and trolley stops and stations</li> <li>• Driveways</li> <li>• Carshare parking</li> <li>• Crossing improvements</li> <li>• Garbage &amp; recycling collection</li> </ul>
<b>Activation</b>	Transforms streets into inviting, enjoyable public spaces	<ul style="list-style-type: none"> <li>• Food trucks</li> <li>• Sidewalk cafes</li> <li>• Parklets</li> <li>• Public art and lighting installations</li> </ul>	<ul style="list-style-type: none"> <li>• Public amenities (including trash cans, water fountains, street furniture, and other health and hygiene stations)</li> </ul>
<b>Greening</b>	Adds environmental services to support aesthetics, health, and resiliency	<ul style="list-style-type: none"> <li>• Planter boxes and planting strips</li> <li>• Trees and shrubs</li> </ul>	<ul style="list-style-type: none"> <li>• Art structures, information kiosks, ads, etc.</li> </ul>
<b>Storage</b>	Provides extended-stay spaces for vehicles and equipment when they are not in use	<ul style="list-style-type: none"> <li>• Long-term parking – more than two hours (including ADA accessible spaces)</li> <li>• Construction and equipment storage</li> <li>• Portable containers/storage pods</li> </ul>	<ul style="list-style-type: none"> <li>• Electric vehicle (EV) charging stations, as applicable</li> <li>• Reserved spaces for institutional users (including government officials and law enforcement)</li> </ul>

## MOBILITY

Mobility functions support the efficient movement of people and goods as they travel through the area. Mobility is the priority on most major arterials and throughout industrial areas and should be prioritized on streets that serve as main routes leading people into and through an area.

Prioritizing mobility on a transit street may mean dedicating a curb lane for transit use, while mobility on an industrial street will likely mean designing through lanes with freight vehicles in mind. Similarly, bicycle lanes improve mobility on designated bicycle routes but may be less important when not on a designated network of bikeways or low-stress shared streets.

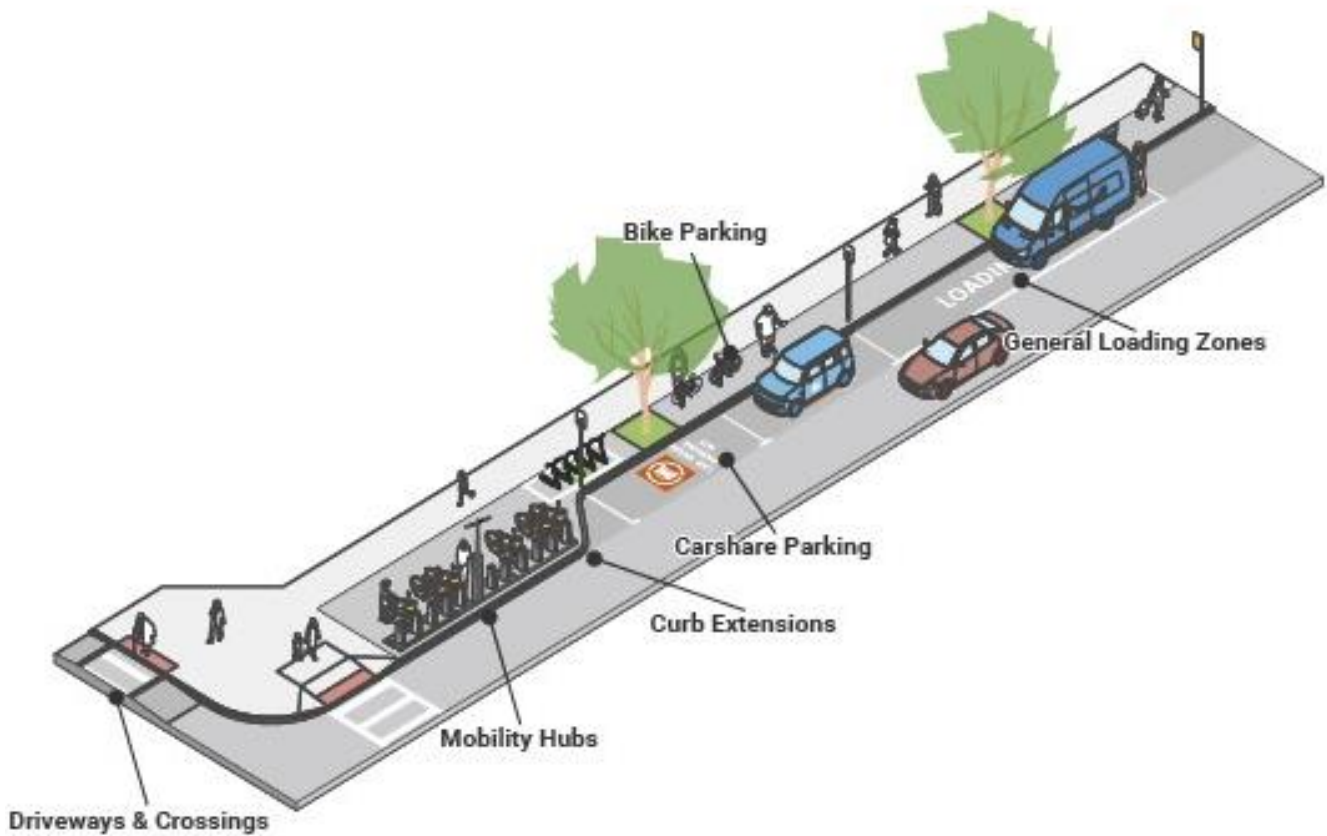




## ACCESS

Access functions enable people and goods to make the connection between their mode of transportation and their trip origin/destination. They are about getting people to and from their destination, allowing them to get on or off their bike, into or out of a vehicle, and onto or off of transit. Prioritizing access is especially important on minor arterials or collectors, depending on land use. Land uses with many destinations together benefit from access functions the most.

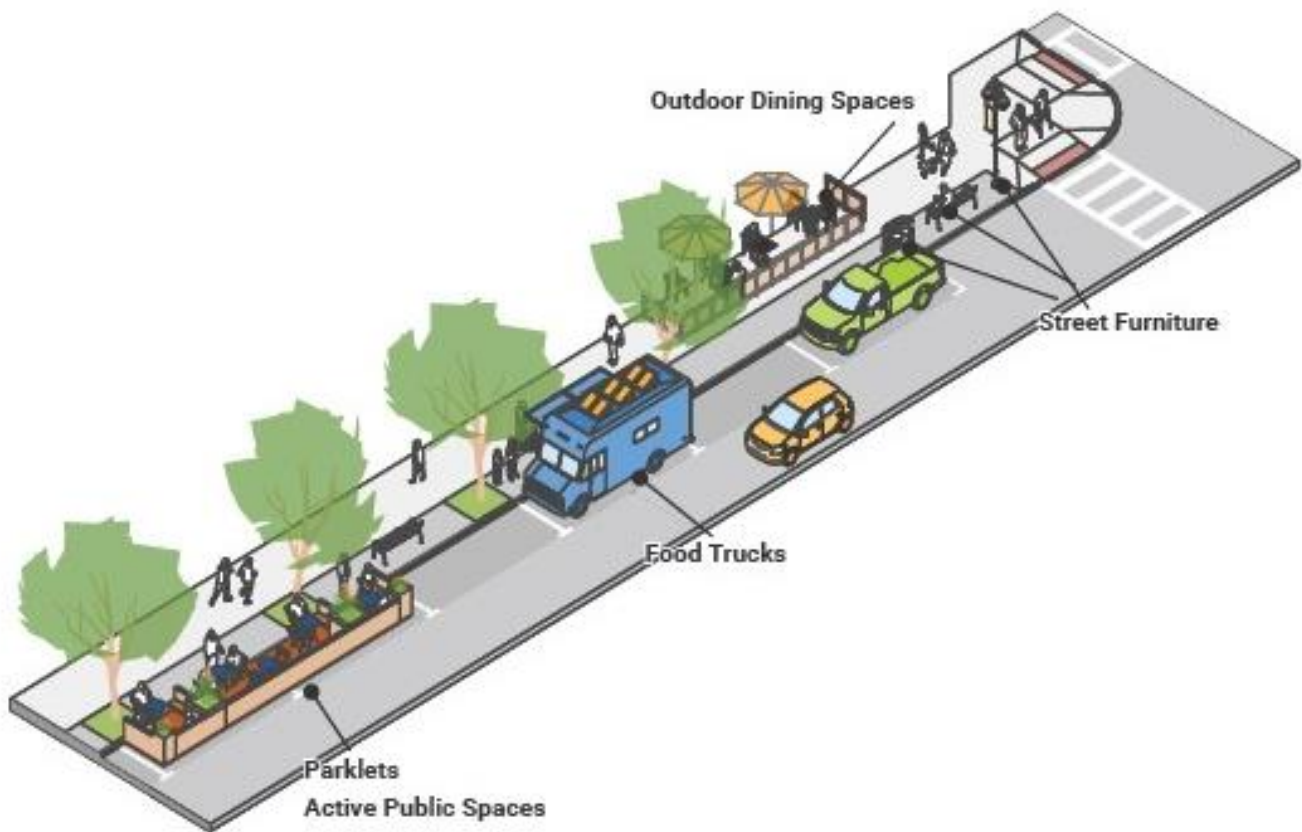
Access functions are constantly changing with technology and are driven by demand. Multi-modal uses such as mobility hubs are more recent introductions to the public realm, as are the needs for on-demand delivery and TNCs, that increase demand for loading/short-stay curb uses. A future with fully autonomous vehicles will also see increased demand for drop-off and pick-up space. Specific access needs should be evaluated before deciding on what access function the curb space should serve.



# ACTIVATION

Activation functions transform streets into inviting, enjoyable public spaces. They are suited for minor arterials and collectors, which support active land uses with plenty of local foot traffic but are more comfortable places to linger due to their lower vehicle volumes and speeds.

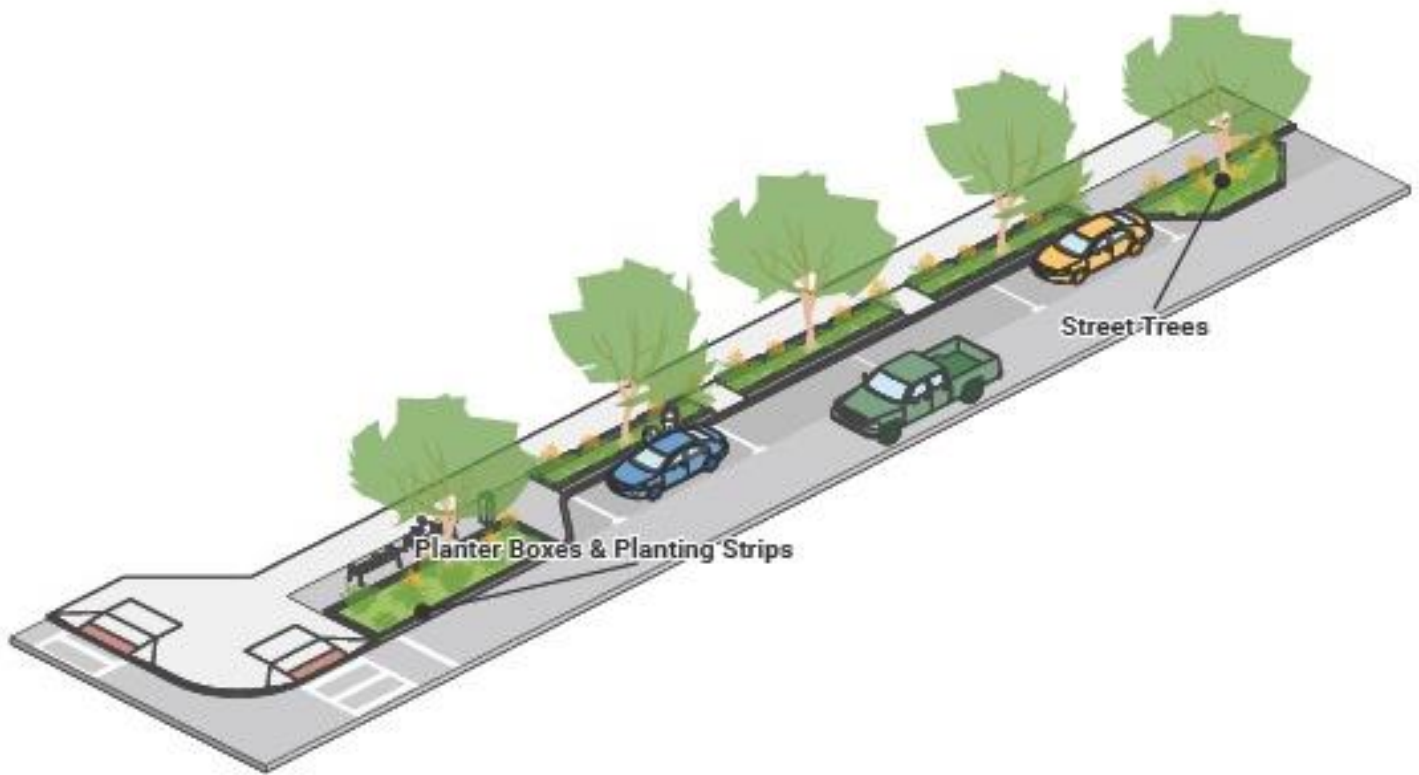
Prioritizing activation on a street is about making space for people to stay, observe, and linger, whether it is to eat at a sidewalk cafe, take a break on a bench, or observe public art.



## GREENING

Greening functions add environmental amenities to support aesthetics, health, and resiliency. Greening infrastructure provides separation from traffic on large streets, traffic calming, a pleasant pedestrian environment on smaller streets, and environmental amenities for any street.

Greening can come in a variety of forms depending on the street type, including planter boxes, planting strips, rain gardens, and street trees. The presence of greening element factors increases the desirability of a streetscape, improving aesthetics and providing shade to users, while also improving the environmental function of the street.

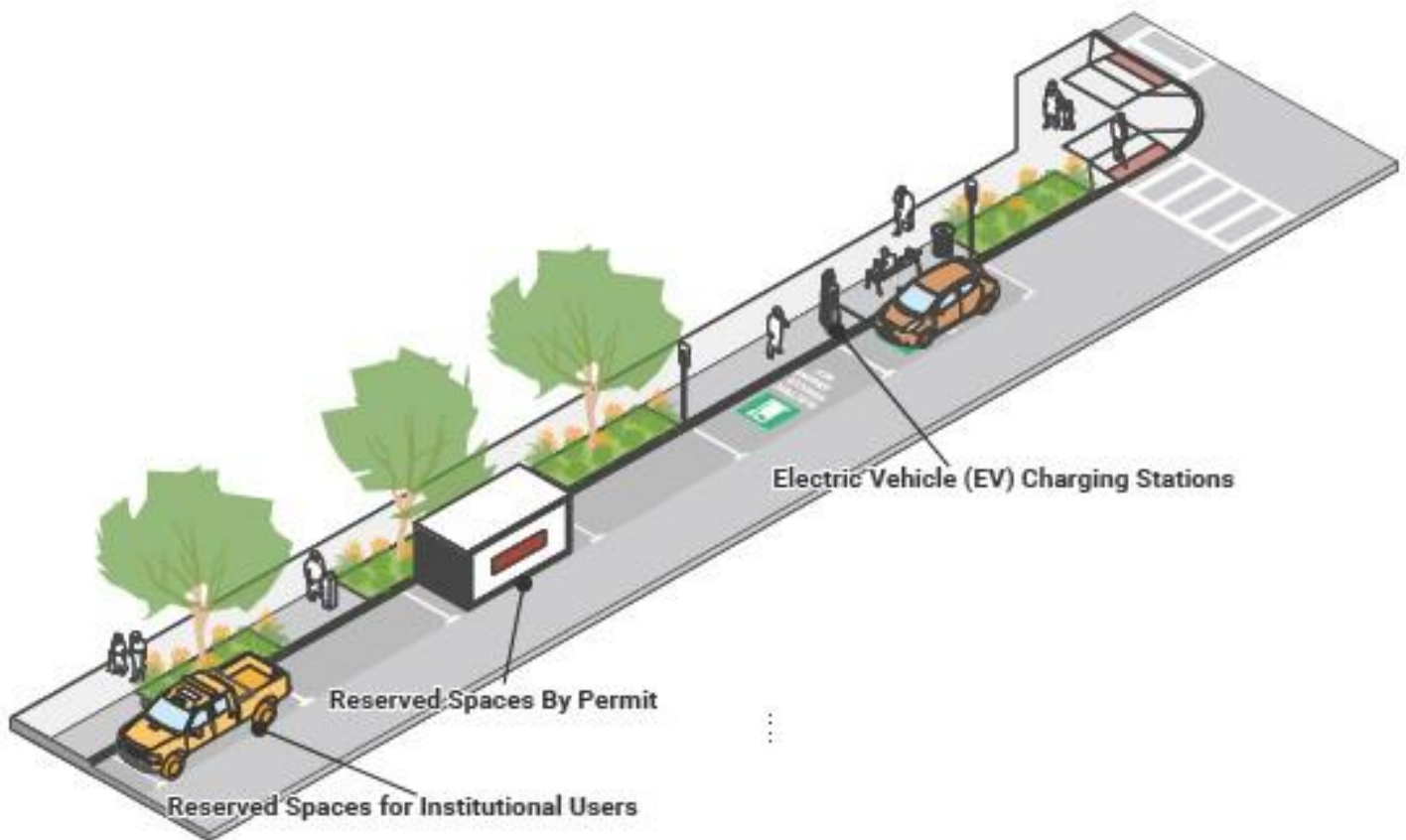




## STORAGE

Storage functions provide extended stay spaces for vehicles and equipment when they are not in use. Prioritizing storage infers that there is not a high need to quickly access the space for short-term stays or errands. As such, storage functions are typically prioritized on local streets, where the main curb space users are residents.

In most cases, if a street is prioritized for storage, the main curb use will be long-term private vehicle parking. That said, storage functions can also include construction and equipment storage, reserved spaces, storage pods, or EV charging stations.



# Prioritizing Curb Functions

Cities can most efficiently manage curb space by considering the overall functional needs and desired outcomes in a corridor or neighborhood, rather than making ad-hoc decisions on a case-by-case basis. This policy recommends that the city follow a three-step process in allocating curb space, which is shown in **Figure 2.2** and described below.

- 1) **Prioritize safety.** Through the Vision Zero Action Plan, the city has committed to a goal of reaching zero traffic fatalities and a 50% reduction in severe injuries by 2030. Improvements like No Parking around intersections, fire hydrants, and crosswalks, curb extensions, and dedicated turn lanes can be critical in preventing collisions and ensuring travelers can see each other with sufficient time to react. When allocating curb space, city staff should first determine whether any design solutions are needed to mitigate safety risks and address conflict points.
- 2) **Meet mobility goals required by plans and policies.** While businesses will often prioritize vehicular access above mobility, sufficient access cannot be had without sufficient mobility. Dallas has plans and policies that dictate where and how the public right-of-way should be used to achieve mobility goals. For example, the Dallas Bike Plan identifies routes where a dedicated bike facility will take priority over other

curbside uses. The Thoroughfare Plan dictates the number of travel lanes that need to be provided along arterial and collector roads. The Street Design Manual establishes the minimum width of pedestrian zone elements based on the type of street. City staff should consult the Dallas Bike Plan, Thoroughfare Plan, Street Design Manual, Pedestrian Overlay Zone requirements, Complete Streets Manual, and sidewalk requirements in zoning districts to determine what multimodal facilities take priority within streets' right-of-way. Once parking is permitted along a street, it is often very difficult to take away.

- 3) **Prioritize access, activation, greening, and storage based on the land use and transportation content.** In some circumstances, ensuring safety and mobility goals are met may take up most of the available right-of-way, including the space above and below the curb. However, in many locations in commercial and mixed-use areas, unallocated curb space will remain after these first priorities have been met. The land uses, multimodal mobility options, and neighborhood character together should guide decisions about what curb functions are most important. **Figure 2.3** recommends curb use priorities based on the land use and transportation contexts within Dallas.

Figure 2.2. Process for Allocating Curb Space

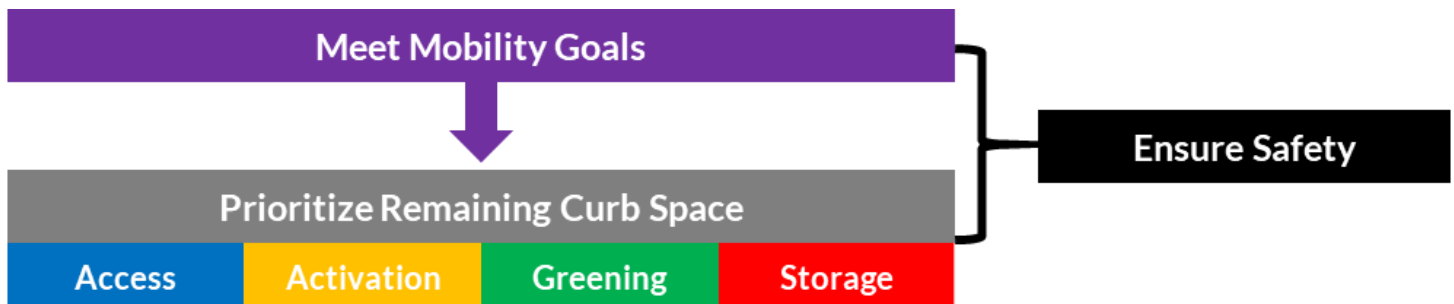


Figure 2.3. Recommended Priority Curb Functions by Land Use and Transportation Context

		STREET CLASSIFICATION		
		Principal and Minor Arterials	Collector Streets	Local Streets
STREET CONTEXT	Mixed-Use	Prioritize Access; Balance Activation, Greening	Prioritize Access; Balance Activation, Greening, Storage	Balance Access, Greening, Storage
	Commercial			
	Parkways	Prioritize Greening; Balance Access, Activation	Balance Activation, Greening	-
	Industrial	Prioritize Access	Prioritize Access, Greening Balance Storage	Prioritize Storage; Balance Access, Greening
	Residential	Prioritize Greening and Access	Balance Access, Greening, Storage	Balance Access, Greening, Storage

Note: functional classifications and contextual street types align with the Dallas Complete Streets Design Manual designations.

The recommendations in **Figure 2.3** reflect the ways that the land use characteristics of an area strongly influence how and why users seek to use the curb. For example, an entertainment district may see many visitors arriving and departing by transit, bicycle, rideshare (such as taxi, shuttle, or TNC), and carpool. The success of this district will depend in part on convenient multi-modal access, with longer-term parking primarily occurring in off-street parking lots and garages. In contrast, a residential neighborhood may be most desirable when the streets are well-planted with trees and offer convenient longer-term on-street parking—pointing to greening and storage as core functions, with uses related to access focused primarily on pick-up/drop-off at multi-family buildings.

**Figure 2.3** also indicates how a street’s functional classification determines the curb use priorities. After mobility, access is the priority on arterials, as these roads serve as the main routes leading people into an area. Activation may be better suited for collectors, which support active land uses with plenty of local foot traffic but are more comfortable places to linger due to their lower vehicle volumes and speeds. Long-term storage (i.e., parking for more than four hours) should generally be redirected to off-street parking lots and garages, and local streets and other lower-classification routes, which benefit from traffic calming and are less likely to be the sites of land uses that

generate frequent short trips. Depending on the urban context, greening may be a priority on streets of any size – to provide separation from traffic on large streets, traffic calming and a pleasant pedestrian environment on smaller streets, and environmental benefits anywhere.

There may be some cases where a specific curb use should be sited as close to a particular land use as possible. For example, establishing transit stations, ADA-accessible parking, and drop-off/pick-up zones in front of a land use that serves the disability community will maximize accessibility for those with limited mobility. In most cases, however, balancing distribution of curb uses within a larger area can offer reasonable convenience to all users, even if the use they seek is not directly in front of their destination. In a high-demand restaurant or entertainment district, most users will willingly walk a few blocks from their short-term parking, transit stop, or bicycle parking to their destination, and a commercial loading zone can generally serve all businesses within 100-200 feet. In summary, by selecting functional priorities based on land use and considering where to site curb uses from a neighborhood or district perspective, the City can improve the efficiency and functionality of its curb zones.





## Arranging Curb Uses Along a Block

A key tenet of designing safe and efficient transportation networks is predictability. The concept of predictability can and should be extended to curb management decisions, to provide a more seamless and user-friendly experience that promotes compliance. This section provides guidance on how and where to locate curb uses to create a more predictable experience for users.

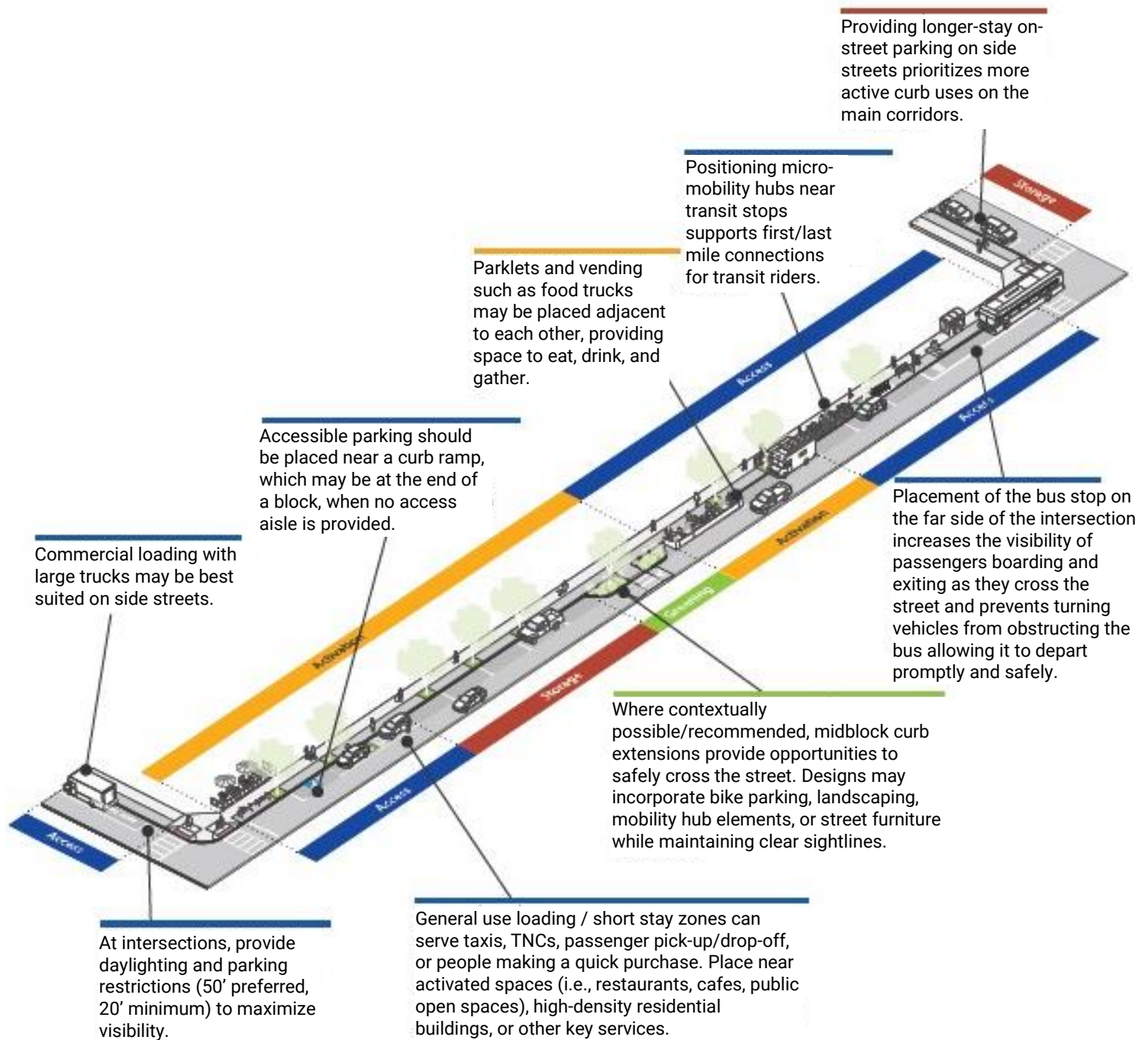
In an ideal setting, on-street parking would be the central use along a block, buffered by loading zones or taxi stands at the end of the block. However, in some locations it may be necessary to locate on-street spaces at the end of a block to account for transit or commercial vehicle loading. In other locations, especially in evening operations, it may be necessary to locate on-street parking on the end of blocks, buffering valet operations.

Of all the curb uses identified in this document, on-street parking needs to remain the most flexible in its location and placement. However, one constant that should be applied throughout commercial and mixed-use areas in Dallas is to provide similar groupings of on-street spaces. Short duration parking (e.g., 30-minute limits) should not be included within the same block that has mostly two-hour parking. Similarly, passenger loading, commercial vehicle loading, and taxi stands should not be placed in the center of on-street parking sections. Rather, these uses should be located to buffer on-street uses from the intersection and allow vehicles to enter and exit these loading areas more easily. The application and location of on-street parking and loading should be decided based on adjacent land uses and competing curb lane needs.

Curb uses on a typical block should support the land use and transportation context. Once street space has been allocated to ensure safety and achieve multi-modal mobility, the space above and below the curb can be used to meet priorities related to access, activation, greening, and storage.

**Figure 2.4** shows how different curb uses might be arranged along a block face in a mixed-use district, demonstrating some of the best practices for enhancing safety, comfort, and convenience for people in active urban neighborhoods.

*Figure 2.4. Best Practices for Locating Curb Uses Along a Block*





# Action Items

The action items in the following table are needed to realize the recommendations in this chapter.

#	ACTION	COST	TERM
2.1	Using the curb use inventory created for this effort as a starting point, expand and maintain an up-to-date GIS-based inventory of curb uses in central Dallas and areas that require active curb management and parking enforcement.	\$	Medium



# CREATING LOCAL PARKING & CURB MANAGEMENT PLANS

## 3

**OBJECTIVE:** Increase access to businesses in mixed-use and commercial districts by promoting adequate turnover of on-street parking stalls using time limits and parking meters.

Historically, most curb management decisions in Dallas have been made on a case-by-case basis, generally in response to service requests that are submitted by members of the public that are requesting treatments like No Parking signs, parking time limits signs, or loading zones at specific locations. However, there may be times when a more holistic review of an area is needed.

Indications of a need for greater parking management in an area include:

- On-street parking is more than 85% occupied for most of the day on *multiple contiguous blocks*, leading to a greater prevalence of illegal parking activities (stopping or parking in the travel lanes, parking too close to intersections, etc.) and concerns about emergency vehicle access. (See the Paid Parking chapter for the reasoning behind the 85% threshold.)
- Extensive use of valet parking, which can discourage patrons from making short visits to shops. Valets also require frequent enforcement to ensure their operations do not impact safe and efficient roadway operations or use on-street parking stalls to park vehicles.

- Business-generated parking spilling into residential neighborhoods and requests for more Residential Parking Permit zones in an area.
- Development/redevelopment activity resulting in increasing residential densities and intensity of non-residential uses.
- Reductions in on- and off-street parking capacity resulting in more competition for curb access.
- Frequent requests from residents and businesses for parking enforcement and/or increased parking management.

This chapter is intended to provide a framework for creating an on-street parking and curb management plan for an area, with the focus being on creating plans for areas in and around entertainment and commercial districts. The step-by-step process is shown in **Figure 3.1**. Depending on the size and complexity of the area being studied, consultant support may be needed to prepare the plan. This framework can be used as a starting point for preparing a Request for Proposal. Funding could come from a Public Improvement District (PID), or through a budget enhancement request from the City's General Fund.



# Process for Creating a Local Parking & Curb Management Plan

## Step 1: Initiate Process

The plan creation process may be initiated and sponsored by a business district, neighborhood association, or by the City. Business owners and residents interested in pursuing parking management strategies should work with their representative business association, neighborhood association, or Public Improvement District (PID) (hereafter collectively referred to as “association”) to request the creation of a plan. The association must submit a letter of interest to the Department of Transportation that includes a description of the parking issues in the area, the days of the week and hours of the day in which they are occurring, the areas in which they are occurring, any discussions that have occurred between businesses and residents in the area, and the association’s point-of-contact for the effort.

During the initial meeting between the association and the Department of Transportation, it should be determined whether the Department of Transportation or the association will sponsor the effort, depending on available resources and the size and needs of the proposed plan area. Regardless of who leads the effort, the association and the Department of Transportation will partner and provide input throughout the process. Additional items that should be documented or established at this time include:

- The issues and needs for the entire area and for specific locations.
- The goals for parking and curb management in the area (e.g., increase access to shops by encouraging parking turnover, reduce congestion and safety issues caused by illegal parking improve access for commercial delivery vehicles, etc.).
- The timeline and next steps for preparing a plan.
- Stakeholders that should be part of a Workgroup or Parking Committee for the effort.
- The proposed boundary for the plan.

Figure 3.1. Local Area Parking & Curb Management Planning Process



## Defining the Plan Boundary

The following guidance may be used to define the boundary of the area to be studied.

- The proposed boundary for the plan will often follow that of the business district.
- The boundary should be centered around the key generator(s) that cause on-street parking to be above 85% occupancy on surrounding blocks and extend around those generators the distance that most people are willing to park and walk. Industry guidance for how far people are generally willing to park and walk to their ultimate destinations is between 300 and 600 feet for retail customers, 1,200 to 1,500 feet for employee parking, and up to 2,000 feet for special event locations like stadiums and arenas (Smith & Butcher, 2008)<sup>1</sup>. Factors that can impact the distance include the walking environment, the familiarity of the user with the area, the perception of security, the perception of barriers or conflicts along the walking route, and the cost of alternatives to walking. Observations as well as input from local businesses, residents, and visitors will be used to inform the distance that people are parking and walking to the generators.
- Highways, major roads, and railroads are often considered to be barriers to walking and can help define the boundary

## Step 2: Document Existing Conditions

A detailed inventory of on-street parking supply and current parking management strategies is required to inform the extent of data collection efforts and identify areas that may need new management strategies. This includes documenting the existing curb uses, the number of parking stalls in the area classified by type of parking space (e.g., 2-hour parking, loading zone, valet zone, handicap parking, etc.), occupancy, the length of time people park, and any parking or loading challenges. Off-street parking supply and occupancy could also be documented.

Local stakeholders and city staff should work together to identify the boundaries for the occupancy and turnover study which, depending on the size of the proposed plan area, may be a representative sample of the larger area.

## Step 3: Recommend Parking and Curb Management Strategies

If the occupancy survey determines that occupancy exceeds 85% and the issues span multiple blocks, the stakeholder group and city staff will develop a set of recommended strategies for plan area. The recommendations may consist of various strategies that are described in subsequent chapters in this document. Input on the recommendations should be collected from key stakeholders, adjacent neighborhood groups, and city staff through usual information gathering methods typically used to gather input, including community meetings, focus group meetings and surveys. The department or agency that would be responsible for leading the implementation of each strategy would also be proposed at this time.

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<sup>1</sup> Smith, M. S. & Butcher, T. A. (2008, May). How Far Should Parkers Have to Walk? Parking, 47(4), National Parking Association. ISSN: 0031-2193

## Step 4: Finalize Recommendations and Implement

After revising the recommendations and responsibilities based on the feedback received, the recommendations and responsibilities would be finalized and approved by the Department of Transportation, and an implementation plan prepared. The Department of Transportation will lead implementation of the on-street parking management strategies. If parking meters or Residential Parking Only zones are recommended, staff will work with appropriate stakeholders to initiate the processes and take the requests to City Council for approval, as required. If the need to create new off-street parking

supply is recommended, the association would be the primary lead for that action item, in coordination with the Office of Economic Development, the Planning and Urban Design Department, the Development Services Department, and the Department of Transportation, or future departments that handle the responsibilities of the current departments.

## Step 5: Monitoring

Regular monitoring of system performance helps to ensure that the implemented recommendations have the intended effect. Annual performance monitoring is recommended.

# PARKING TIME LIMITS

## 4

**OBJECTIVE:** Increase access to businesses in mixed-use and commercial districts by promoting adequate turnover of on-street parking stalls using time limits and parking meters.

The use of time limits and restrictions is a tool used to enact turnover and circulation within parking spaces, while providing greater exposure for adjacent businesses throughout the day. This section discusses the regulations and practices related to parking time limits, and the recommended criteria for implementing time limits going forward.

## Existing Conditions

Section 28-26 of the City Code authorizes the traffic engineer to install time limits. Like parking meters, time limits are another tool to discourage people from parking for long periods of time in front of businesses.

Across Dallas, there are numerous blocks that have paid and unpaid time-limited parking stalls. However, there is no policy currently in place to decide when new time-limited parking restrictions should be implemented and how long the limits should be.

Paid parking stalls in the Central Business District, Baylor, Uptown/Victory, and Southwestern Medical Paid (Metered) Parking Areas have time limits that vary considerably between spaces, with time limits of 2-hours, 4-hours, 10-hours, and 12-hours in one area. Parking time limits may vary along individual blocks, such as along Broom Street, which has time limits of 2 hours and 4 hours. In the Cedars, time limits are all 2

hours. In the Deep Ellum and Park Central Paid (Metered) Parking Areas, time limits are all 4 hours. In the Jefferson Paid (Metered) Parking Areas, most parking stalls have time limits of 2 hours; however, the parking stalls along Crawford Street have time limits of 4 hours.

Outside of the Paid (Metered) Parking Areas, 2-hour and 4-hour time limits can be found sporadically, such as along Fairmont Street and Routh Street in Uptown, Bishop Avenue in Bishop Arts, along Gaston Avenue next to Lakewood Shopping Center, and in Preston Center. There are also shorter-duration time limits, like 10-minute parking, in front of certain businesses that rely on short customer visits, like coffee shops, donut shops, and dry cleaners.

Time limits only work to promote turnover when there is regular enforcement of them. Without parking meters, it can be difficult to tell how long a vehicle has been parked in a given space. License Plate Recognition (LPR) technology can assist with this; however, it requires the establishment of a vendor contract for the software to be implemented.

The next section provides a framework for establishing new time-limited parking or modifying existing time limits.

# Criteria for Implementing Time Limits

When determining what time limits to implement in paid parking zones and in special cases, it is recommended that 2-hour zones serve as the default. Additional data and land use information are needed to implement 15/30-minute or 4-hour zones. Two-hour and 4-hour time limits often require greater levels of enforcement to ensure compliance when compared to 15- and 30-minute time limits; therefore, it is recommended that the installation of 2- and 4- hour time limits be accompanied by parking meters or paid parking devices, which have been shown to increase compliance with time limits.

To determine appropriateness of time limits, consult with businesses and residents and consider parking availability goals in commercial and mixed-use areas, the nature of nearby land uses, the availability of alternative parking options, and other relevant factors.

## High Turnover (15-30 Minute Limit)

Some businesses rely on high customer turnover and 2-hour parking may not provide sufficient turnover to meet their customers' needs. For these businesses, such as coffee shops, dry cleaners, day cares, banks, post offices, or other businesses where a high percentage of customers stay for 15 minutes or less, a shorter base time may be necessary. By implementing a shorter duration time limit, such as 15 or 30 minutes rather than 2 hours, a parking space could turnover 16 times in an 8-hour period, rather than 4 times. Shorter time limits could potentially increase revenues for business owners due to ease of access. For example, if an average shopping trip takes 30 minutes and an average purchase level is \$5.00, a retailer could make an additional \$60 per day or a little more than \$15,000 per year. Furthermore, these locations should not be accompanied by parking meters, as the time it takes to pay the meter could be a deterrence to customers given the short nature of the trip.

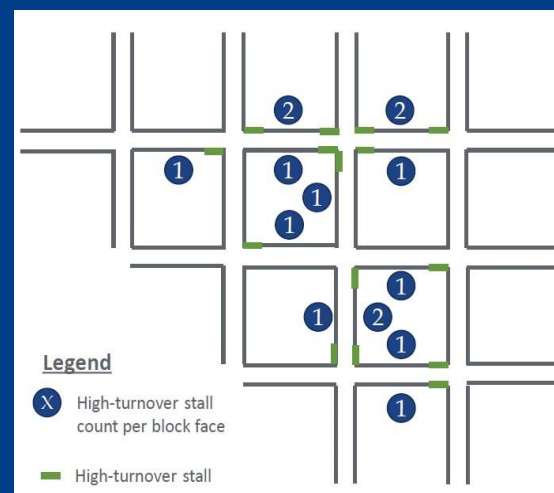
When a high-turnover space has already been installed on the corner closest to the requesting business, staff

will review each request for additional high-turnover spaces on a case-by-case basis taking into account proximity of the next closest high-turnover space location as well as available occupancy, turnover, and citation data.

It is recommended that 15/30-minute and 4-hour parking spaces be reviewed at least once every two years to determine if conditions supporting their use have changed and if the time limits should be modified.

High turnover spaces will be considered when the following criteria are met:

- The requesting business is recognized as a qualified high turnover business type or is able to demonstrate an average stay duration of 15 minutes or less.
- The requesting business does not have private off-street parking available for customers.
- On-street parking occupancy on the adjacent block exceeds 85% for at least two hours during the most recent round of data collection.

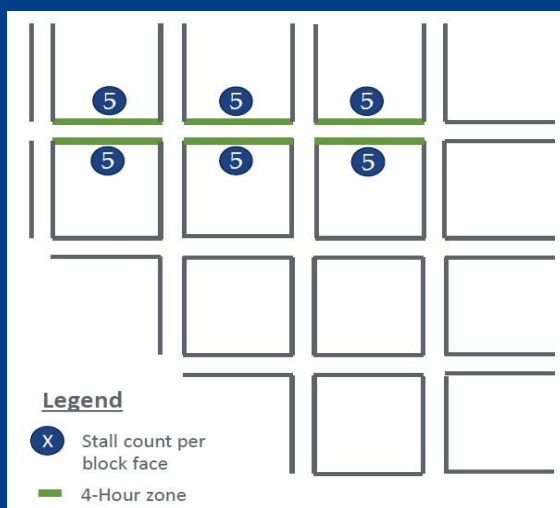


## Low Turnover (2-4 Hour Limit)

In areas where certain businesses or institutions attract visitors who stay for two hours or more, a 2-hour time limit on parking can be overly restrictive. In such cases, especially when there are no nearby off-street public parking alternatives, implementing 4-hour time zones can offer more convenient parking choices

Four-hour zones may be requested by businesses provided the following criteria are met:

- The proposal seeks to convert 40 on-street parking stalls across contiguous blocks from 2-hour to 4-hour parking, ensuring consistent time limits within the area, rather than having isolated blocks with different time limits, to avoid confusion among visitors.
- Near the proposed 4-hour zone, there are no public off-street parking facilities available, or the nearby off-street public parking areas consistently have average occupancy rates of 85% or higher for 3 or more hours daily.
- The proposed 4-hour zone encompasses various destinations where visitors typically stay between 2 and 4 hours on average.
- The average parking duration on each block proposed for conversion is consistently 3 hours or more, as per citation or occupancy data.



## Peak Hour Parking Restrictions

Peak hour parking restrictions (also known as rush hour parking restrictions) prohibit parking along a street only during peak hours (e.g., 7-9 a.m. and 4-6 p.m.), allowing the parking lane to be used as a travel lane during those times. Peak hour parking restrictions should only be implemented in very special circumstances after careful consideration. These restrictions require high levels of enforcement to be effective, and enforcement officers that can be dedicated to enforcing the zone during peak hours should be identified before zones are installed. Without adequate enforcement, unexpected merging could cause traffic congestion to be worse than if there were no parking restrictions. These restrictions also typically create unexpected lane drops at the ends of the zone during off-peak hours when parking is allowed, and driver confusion and sudden need to merge will need to be carefully considered.

# PAID PARKING

## 5

**OBJECTIVE:** Increase access to businesses in mixed-use and commercial districts by promoting adequate turnover of on-street parking stalls using time limits and parking meters.

Since they were first installed in Oklahoma City in 1935, the purpose of parking meters (also referred to a “paid parking” in this document) has been to reduce circling and cruising for parking in cities’ central business districts and other high activity commercial districts by making parking more available.<sup>2</sup> Cruising for parking in turn creates other negative externalities, like pollution, noise, and congestion.<sup>3</sup>

Without significant financing to build new parking (a supply-oriented approach), the primary way to accomplish this objective is by pricing on-street parking in a way that encourages people who will be parking for longer periods of time (e.g., employees and commuters) to park in off-street spaces (a demand-side approach). But just setting parking at any rate can either a) not increase parking availability (if the price is too low), or b) exceed the amount drivers are willing to pay for the added convenience and reduce patron traffic at local businesses (if the price is too high). That is why cities implement parking pricing programs that modify parking rates based observed occupancy levels. Shoup (2009) calls this the Goldilocks principle; that the right price for curb parking is the lowest price that can produce one or two vacant parking spaces on each block. Everyone will

see that curb parking is readily available, and at the same time, no one can say that performance parking prices will drive customers away if almost all curb spaces are occupied.<sup>4</sup>

This idea is far from new. A 1956 book by the United States Bureau of Public Roads recommended maintaining a curb occupancy rate of no more than 85%-90% to mitigate cruising, circling the block looking for a parking space.<sup>2</sup> And research has shown that parking meters perform well in allocating limited space to a maximum number of users.<sup>5</sup>

- A study by Ottosson et. al (2013) found that pricing affects parking duration: motorists park for shorter time on average during the day in neighborhoods with increased rates and longer in neighborhoods with decreased rates and that performance-based parking increases turnovers during peak periods.<sup>6</sup>
- A study of San Francisco’s SFPark pilot program, which used variable, demand-based pricing, found that rate changes helped achieve the City’s occupancy goal of 60%-80% and reduced cruising by 50%.<sup>3</sup>
- The impact of underpriced on-street parking on urban traffic congestion in the peak periods has been modeled by Glazer and Niskanen (1992),

<sup>2</sup> Millard-Ball, A., Weinberger, R. R., & Hampshire, R. C. (2014). Assessing the impacts of San Francisco’s parking pricing experiment. *Transportation Research Part A: Policy and Practice*, 63, 76-92.

<sup>3</sup> Fabusuyi, T. Hampshire, R. C. (2018). Rethinking performance-based parking pricing: A case study of SFPark. *Transportation Research Part A: Policy and Practice*, 115, 90-101.

<sup>4</sup> Shoup, D. (2009). The price of parking on a great street. *Parking Today*, 14(2), 22-23.

<sup>5</sup> Adiv, A. & Wang, W. (1987). *On-street parking meter behavior* (Publication No. MI-11-0009-02).

<sup>6</sup> Ottosson, D. B., Chen, C., Wang, T., & Lin, H. (2013). The sensitivity of on-street parking demand in response to price changes: A case study in Seattle, WA. *Transport Policy*, 25, 222-232.



Arnott and Rowse (1999), Arnott and Inci (2006), and Shoup (2006).<sup>7</sup>

More recently, some of the focus of pricing on-street parking has shifted to the relationship to alternative modes of transportation. Low parking prices likely induce travel and encourage driving, while at the same time taking up space that could otherwise be used to improve access to businesses by alternative modes of transportation (Shoup, 2005).<sup>8</sup> Pricing on-street parking in cities' central business districts can ensure the city is not subsidizing convenient access for drivers at the expense of walking, bicycling or transit facilities. Some cities even use the revenue from parking meters to fund improvements to walking, bicycling, and transit (Shoup, 2016).<sup>9</sup>

This chapter describes the current state of on-street parking in Dallas (at the time of the document's adoption); presents new policies that will be used going forward to determine when to create or modify the boundaries of Paid (Metered) Parking Areas, install new parking meters, changing parking meter rates, establish Event Parking Areas and rates; and provides guidance on establishing Parking Benefit Districts and using parking technology.

## Existing Conditions

### Paid (Metered) Parking Regulations

Parking meters are an important source of revenue for the city. In 2018 (prior to COVID-19), meters yielded approximately \$3,150,000 in revenue. Citations for meter violations yielded another \$540,000 the same year. The city's approximately 3,540 (as of December 2023) parking meters are spread across nine Paid (Metered) Parking Areas. Parking meters cannot be installed outside of these areas, the boundaries of which are established in the City Code and shown in **Figure 5.1**.

Dallas City Code Article 11, Sections 28-114.1 and 28-114.2 establishes detailed parking meter regulations for individual street blocks in Paid (Metered) Parking Areas, including the meter rates and active meter time ranges. These regulations are summarized in **Figure 5.2**. In all areas, meters are active from Monday to Sunday.

In the Central Business District Paid (Metered) Parking Area, meter rates for individual blocks range from \$0.05/hour to \$1.50/hour for a parking space, with the exception of the Woodall Rogers Frontage Road, which has a split rate and charges as high as \$2.50/hour in the evening on weekdays. With split rates, the parking rate changes based on the time of day and day of the week. Adding to the complexity, the times in which the meters are active, and payment is required to park changes depending on the block, with some blocks having meter hours of 7 a.m. – 6 p.m. and other blocks having hours of 7 a.m. – midnight.

In the other eight Paid (Metered) Parking Areas, meter rates range from \$0.05/hour to \$1.25/hour for a parking space. There is only one split rate in these areas: on Victory Avenue in the Uptown/Victory area, where the rate is as high as \$2.00/hour in the evening hours.

Some of the parking meters generate much more revenue than others, in part because parking demand is higher on some blocks and partially because the meter rates are highly inconsistent. Fifty percent of all Dallas meters have not had their rates updated in the last 10-20 years and an additional 11% have not had their rates updated in over 20 years. As a result of this inconsistency, parking rates and time limits vary significantly within and across Paid (Metered) Parking Areas. Additionally, current meter rates are much lower than those in comparable cities. Together, these parking conditions suggest that Dallas's on-street parking system is currently operating well below its potential, leading to lost revenues.

<sup>7</sup> Hymel, K. (2014). Do parking fees affect retail sales? Evidence from Starbucks. *Economics of Transportation*, 3(3), 221-233.

<sup>8</sup> Shoup, D. (2005). *The high cost of free parking*. Planners Press, American Planning Association.

<sup>9</sup> Shoup, D. (2016). Parking benefit districts. *The Access Almanac*, 49, 35-37.

Figure 5.1. Existing Paid (Metered) Parking Areas

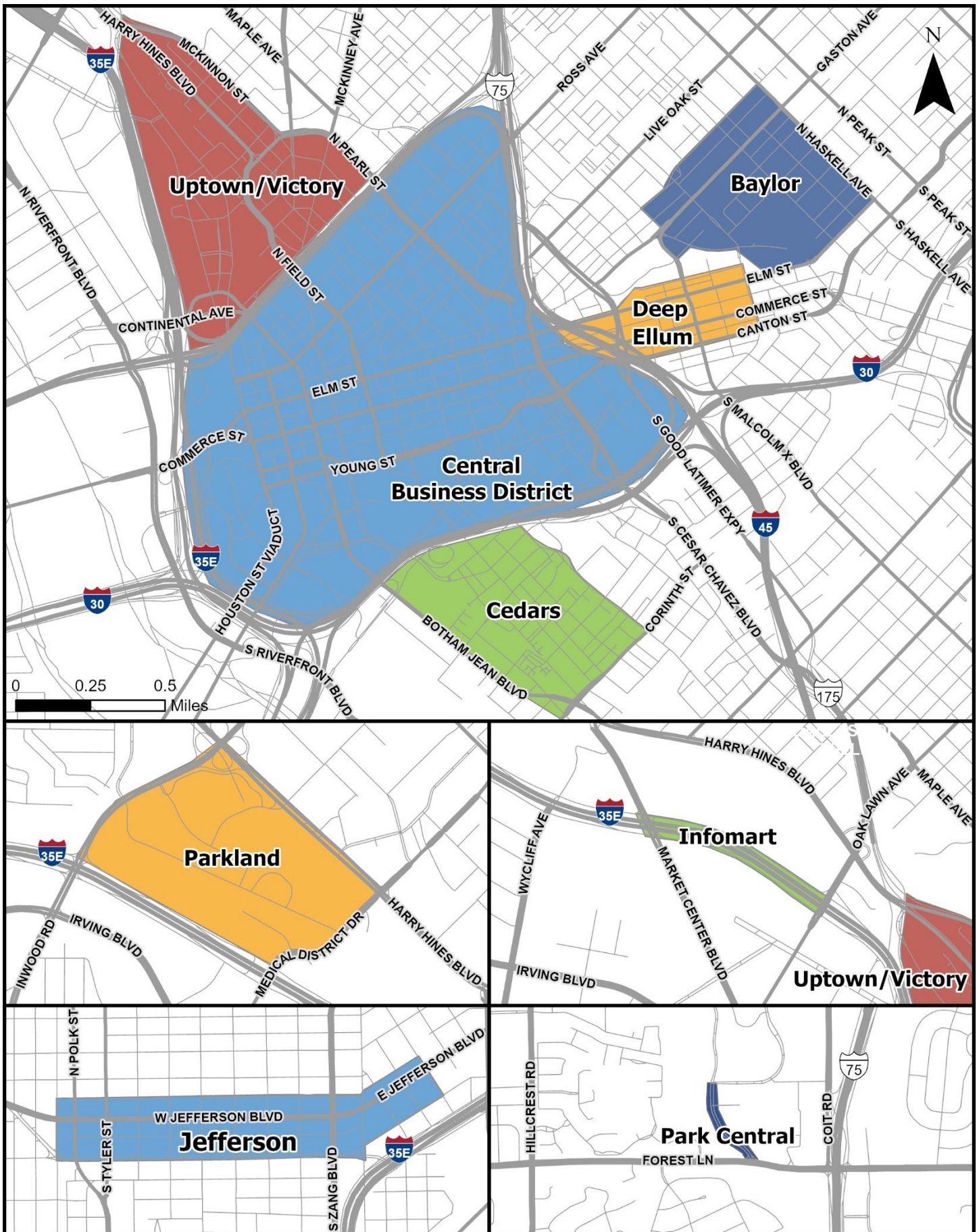


Figure 5.2. Dallas Parking Meter Rates and Times

METERED PARKING AREAS	HOURLY RATES (VARIES BY BLOCK)	TIMES WHEN METERS ARE ACTIVE (VARIES BY BLOCK)	SPLIT RATES: LOCATION, RATES, & APPLICABLE TIMES
Central Business District	\$1.50 \$1.25 \$1.00 \$0.60 \$0.50 \$0.30 \$0.25 \$0.20 \$0.15 \$0.10 \$0.05	7am-6pm 7am-12am	Woodall Rogers Service Road: Mon - Fri: \$1.50 - 7am-9am \$2.00 - 9am-6pm \$2.50 - 6pm-12am Sat - Sun: \$2.00 - 7am-12am
Baylor	\$0.25 \$0.20 \$0.10 \$0.05	7am-6pm 7am-12am	None
Cedars	\$0.60	7am-6pm	None
Deep Ellum	\$0.50 \$0.30 \$0.25 \$0.10	6pm-12am 7am-12am 7am-6pm	None
Infomart	\$0.30	7am-12am	None
Jefferson	\$0.25 \$0.20 \$0.10	10am-4pm	None
Park Central	\$0.50	7am-6pm	None
Parkland	\$0.60 \$0.30 \$0.20	7am-6pm 7am-12am	None
Uptown/ Victory	\$1.25 \$0.60 \$0.30 \$0.25 \$0.05	7am-12am 7am-6pm 10am-4pm	Victory Ave: Mon - Sun: \$1.00 - 7am-5pm \$2.00 - 5pm-12am

## Peer City Parking Rates Comparison

The Dallas Strategic Mobility Plan identified several peer cities against which Dallas is typically compared when evaluating mobility: San Antonio, Phoenix, Austin, Atlanta, and Charlotte. A survey of these cities' parking rates and policies was conducted, the results of which are summarized in **Figure 5.3**. A clear conclusion emerged: Dallas is dramatically underpricing its metered parking compared to its peer cities.

In general, Dallas's peer cities charge \$1.00 to \$2.00/hour for on-street parking, with Austin charging as high as \$5.00/hour depending on the duration of the vehicle's stay (known as variable pricing). The average

on-street rate among the peer cities of \$1.90/hour is forty cents above Dallas's maximum rate, indicating that a baseline rate adjustment is overdue. Dallas was also the only city surveyed that specifies in its code the areas of the city in which meters may be installed, and what rate they must be set at in different parts of the city.

Cities that use performance-based parking pricing were also reviewed. In general, the cities surveyed in **Figure 5.4** do not exceed a maximum rate adjustment of \$0.50-\$0.60/hour up or down from the current rate. Most cities adjust in increments of \$0.25 or \$0.50/hour.

*Figure 5.3. Survey of Parking Meter Rates and Policies in Peer Cities*

CITY	DALLAS	SAN ANTONIO	PHOENIX	AUSTIN	ATLANTA	CHARLOTTE
Population	1,348,890	1,434,625	1,608,139	961,855	498,715	874,579
Population Density (people/sq. mi.)	3,970.40	2,875.86	3,105.35	3,006.36	3,600	2,846.38
Price Range On-Street (per hour)	\$0.05 - \$1.50	\$1.80	\$1.00 - \$1.50	\$2.00 - \$5.00	\$2.00	\$1.00
Period of Review for Adjustment	None	12-18	None	12 Months	None	None
Adjustment Range (per hour)	None	Unknown	Unknown	\$0.25 - \$0.50	None	None
Time Limit Range	1 Hour 2 Hour 4 Hours 6 Hours	15/30 Minutes 2 Hours 8 Hours 10 Hours 24 Hours	15/30 Minutes 2 Hours 4 Hours 8 Hours	10 Hours	2 hours 3 Hours 4 Hours	15 Minutes 1 Hour 2 Hours
Rate Type	Fixed	Fixed	Fixed	Variable	Fixed	Fixed



Figure 5.4. Parking Meter Rates and Policies of Cities with Performance-Based Pricing

CITY	SEATTLE	SAN FRANCISCO	PORTLAND
Price Range	\$0.50 - \$5.00	\$0.25 - \$6.00	\$1.00 - \$5.00
Adjustment	+/- \$0.50	+/- \$0.25	+/- \$0.20, \$0.40, \$0.60
Guidance	> 90%: Increase > 85%: Watch for 1 Year < 70%: Watch for 1 Year < 65%: Decrease	> 80%: Increase < 60%: Decrease < 30%: Decrease	> 85%: Increase < 65%: Decrease
Period	12 Months	2 Months	12 Months
Time Limits	2 Hours 3 Hours (after 5pm) 4 Hours 10 Hours	4 Hours No Limit	15/30 Minutes 2 Hours 4 Hours

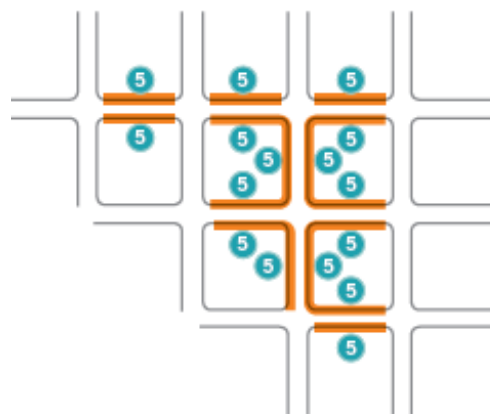
## Overview of the Recommendations

The following sections provide recommendations to help Dallas move towards a performance-based parking pricing framework, in which encouraging economic vitality by promoting parking turnover is the goal. **The performance metric is to have one to two parking spaces available on a block face throughout the day in commercial and mixed-use areas.** Topics covered in the following sections include:

- Criteria for creating new Paid (Metered) Parking Areas or modifying the boundaries of existing areas
- When to install new paid parking stalls or parking meters
- When to adjust parking meter rates, and by how much
- When to establish and adjust event parking rates
- How parking meter revenues could be used (Parking Benefit Districts)
- Parking meter technology considerations
- Methods for collecting occupancy data to make data-driven decisions

# Creating or Modifying Paid (Metered) Parking Areas

On-street parking in the City of Dallas can only be designated as paid parking (e.g., by installing meters or signs) in Paid (Metered) Parking Areas, the boundaries of which are defined in Chapter 28 of the City Code. This section describes the process for warranting new areas or making changes to the boundaries of existing areas. Only areas where a need to install parking meters to promote turnover has been identified, either through a local area parking or curb management plan or through occupancy surveys and discussions with local stakeholders, should be evaluated for the creation of Paid (Metered) Parking Areas.



## Step 1: Ensure Criteria are Met

The following criteria must be met to recommend the establishment of a new Paid (Metered) Parking Area or the expansion of an existing area.

### Requirement 1: Land Use Context

A Paid (Metered) Parking Area shall not be established unless the land use in the area is predominantly characterized by commercial uses or a mix of uses including retail, entertainment, commercial, medical, educational, civic, and residential uses.

### Requirement 2: Minimum Size

Paid (Metered) Parking Areas shall consist of a minimum of 80 on-street parking stalls, along 16 contiguous block faces, or eight contiguous blocks. By ensuring that blocks with paid parking are contiguous, the traveling and parking experience in an area is more predictable and easier to navigate for visitors. Furthermore, requiring a minimum number of paid parking stalls ensures the necessary enforcement of the parking meters will be cost effective. However, exceptions to the minimum may be considered on a case-by-case basis.

### Requirement 3: Minimum Parking Demand

Effective parking management ensures that there are typically one to two open parking stalls per block. According to best practice, this corresponds to an occupancy rate of approximately 85% during peak hours. A Paid (Metered) Parking Area should not be installed unless the following occupancy warrants are met.

- Average occupancy of parking stalls in the proposed Paid (Metered) Parking Area reaches or exceeds 85% during 3 or more hours during the day, and
- Average occupancy of parking stalls in the proposed Paid (Metered) Parking Area reaches or exceeds 70% during 5 or more hours during the day

The area included within the calculation must be observed over at least two days. This two-tiered approach is intended to avoid situations where paid parking is heavily used for a small portion of the day (e.g., around dinnertime), but remain largely unused for most of the day. In those situations, it may be difficult to recoup the cost of installing, maintaining, and operating the parking meters.

The occupancy study may include a larger area than the proposed Paid (Metered) Parking Area to ensure that data for the areas of highest demand are captured.

Figure 5.5. Summary of Warrants for Establishing or Modifying Paid (Metered) Parking Areas

REQUIREMENTS	DATA NEEDED
<b>Requirement 1:</b> Is it a commercial or mixed-use area?	Land Use
<b>Requirement 2:</b> Does the area include:	# of Stalls
• At least 80 parking stalls and	# Block Faces
• At least 16 contiguous block faces, or	# of Blocks
• At least 8 contiguous blocks	
<b>Requirement 3:</b> Does average occupancy of parking stalls in the proposed area:	# Hours ≥85%
• Reach or exceed 85% occupancy for ≥3 hours over ≥2 days, and	# Hours ≥70%
• Reach or exceed 70% occupancy for ≥5 hours over ≥2 days	

## Step 2: Public Meeting and City Council Approval

Before making a recommendation to City Council on the establishment of a new Paid (Metered) Parking Area or the modification of the boundaries of an existing area, the Department of Transportation shall hold a public meeting to allow input into the changes being presented.

Implementing paid on-street parking will, by design, shift parking demands within an area. Parking demands are likely to increase in surrounding areas with unregulated on-street parking. At least 20 days prior to the public meeting, written notice of the meeting shall be sent to all properties and neighborhood and business associations inside the proposed boundaries and within 200 feet of the proposed boundaries.

Following the public meeting, the Department of Transportation will submit the final boundary to City Council for approval to amend the relevant section in Chapter 28 of the City Code.



# Installing New Paid Parking Spaces or Parking Meters

Designating new paid parking stalls or installing parking meters may be considered as a tool to promote turnover in commercial and mixed-use areas. Parking spaces may be designated as paid parking by installing meters, installing signs, and marking the limits of parking spaces. The following section presents a series of requirements that must be met to install new meters and designate paid parking spaces. Locations that meet these requirements do not necessarily need to have parking meters, but such locations would have this option as a management tool.

## Warrants for Installing New Paid Parking Spaces or Parking Meters

### Requirement 1: Located in a Paid (Metered) Parking Area

The location must be in the boundaries of a Paid (Metered) Parking Area identified in Chapter 28 of the code.

### Requirement 2: On-Street Parking Already Permitted

On-street parking must already be a permitted use of the curb. The decision about whether to allow on-street parking requires a separate engineering review.

### Requirement 3: Contiguity

For paid parking spaces to be designated or for meters to be installed on a given block, the block must be adjacent to another block with paid parking or that is also proposed for paid parking.

### Requirement 4: Parking Occupancy Warrants Met

Following a performance-based process informed by observed demand and turnover, paid parking spaces or parking meters should not be installed unless the following occupancy warrants are met:

- Average occupancy of parking spaces along the block reaches or exceeds 85% during 3 or more hours during the day, and
- Average occupancy of parking spaces along the block reaches or exceeds 70% during 5 or more hours during the day

The area included within the calculation must be observed over at least two days. This two-tiered approach is intended to avoid situations where parking meters are heavily used for a small portion of the day (e.g., around dinnertime), but remain largely unused for most of the day. In those situations, it may be difficult to recoup the cost of installing, maintaining, and operating the parking meters.

### Requirement 5: Outreach to Surrounding Areas

At least ten days prior to installing parking meters or paid parking spaces, a written notice should be given to all properties within 500 feet of the location where paid parking spaces or parking meters will be installed. The notice should include:

- Operation start date
- Hourly parking rate
- Parking time limits
- Enforcement hours
- Other restrictions that may apply

If the parking meters are to be installed within close proximity to single-family residential areas, it may be necessary to measure parking demands in nearby single-family residential areas before and after the installation of meters to determine if a Resident Parking Only (RPO) zone is needed. The RPO zone creation process is independent from the parking meter installation process and should follow the established procedures outlined in the Dallas City Code Section 28-121.

Figure 5.6. Summary of Warrants for Installing Parking Meters or Designating New Paid Parking Spaces

REQUIREMENT 1		DATA NEEDED
Is the location within the boundaries of a Paid (Metered) Parking Area?		Name of Paid (Metered) Parking Area
REQUIREMENT 2		
Is on-street parking already permitted?		Existing Curb Use
REQUIREMENT 3		
Is the location adjacent to a block with paid parking?		Name of Adjacent Block with Parking Meters or Paid Parking Spaces
REQUIREMENT 4		
Does average occupancy of parking spaces along the block:		# Hours $\geq 85\%$
• Reach or exceed 85% occupancy for $\geq 3$ hours over $\geq 2$ days, and		
• Reach or exceed 70% occupancy for $\geq 5$ hours over $\geq 2$ days		# Hours $\geq 70\%$
REQUIREMENT 5		
Has a written notice been sent to all properties within 500 feet of the upcoming paid parking or meter installation location		# of Notices

# Adjusting Paid Parking Rates

Increasing rates has been shown by several studies to decrease parking occupancy and decreasing rates has been shown to increase parking occupancy (Wilson, 2015). The goal of Dallas's performance-based parking pricing program is to set the **LOWEST PRICE** that achieves the goal of one or two open parking spaces on each block face during business hours, thereby making it easier for patrons to access businesses, mitigating the need to circle the block to find parking, and reducing traffic congestion. If the price is too high and many parking spaces remain vacant, nearby stores lose customers, and the city loses tax revenue. If the price is too low and no spaces are vacant, people will be discouraged from visiting an area. Therefore, correctly pricing parking based on demand is the key tool by which the city will meet its performance goal.

Currently, hourly parking meter rates in Dallas vary between \$0.05 and \$1.50/hour. To allow for a performance-based pricing approach, and based on the research into peer cities, an hourly rate range between \$1.00 and \$6.00 per hour is recommended for approval by City Council. To maintain a flexible range of rates, they should be adjusted up or down by \$0.25 or \$0.50/hour at least once a year as needed. These adjustment increments and timeframes are intended to ensure that prices will not rapidly increase or decrease and acknowledge the city's current resources to conduct occupancy surveys and adjust rates each year. It is further recommended that the Department of Transportation Director have the authority to make meter rate adjustments that remain within this range. The Director's decision would be informed by the data metrics described in this chapter.

**Figure 5.7** shows the amount that rates should be adjusted up or down based on the measured occupancy to meet the city's goal. These adjustment amounts are based on the findings in *Parking Management for Smart Growth* (Wilson, 2015), that parking elasticity values typically range from -0.1 to -0.4, with -0.3 being the most common value. That is a 10% price increase expected to reduce demand by 3%.

The following data should be collected within each paid parking zone in each Paid (Metered) Parking Area as inputs into the performance-based meter rate adjustment process:

- Hourly occupancy percentage by block face, collected over at least two days during hours when meters are active
- Average duration of stay by block and posted time limit, collected over at least two days during hours when meters are enforced
- Violation rates, calculated based on observed duration of stay data and posted time limits
- Annual on-street meter transactions (as a check to review the total number and distribution of transactions between blocks within the zone)
- Citation rates (as a check to confirm levels of enforcement)

This data should be collected at least once every year using consistent processes to allow for year-to-year comparisons. Some paid parking zones are too large to allow for cost-effective data collection across all parking stalls. Large zones may be sampled using a statistically valid representation of the larger paid parking zone.

**Meter rates should be REDUCED according to Figure 5.7 if occupancy for the paid parking zone is less than 65%. If average occupancy remains less than 65% for two contiguous adjustment periods and rates are at the minimum level, staff should consider relocating the parking meters to an area of higher demand within the Paid (Metered) Parking Area.**

Meter rates should be **INCREASED** according to Figure 5.7 if:

- Average occupancy in the paid parking zone reaches or exceeds 85% during 3 or more hours during the day, and
- Average occupancy in the paid parking zone reaches or exceeds 70% during 5 or more hours during the day.

In some cases, known land use changes, low citation rates, or any number of other local factors could lead to a delayed or modified rate adjustment compared to the outcome of the data-driven process. For example, it should be taken into special consideration that pricing in proximity to government buildings remain affordable to not burden residents trying to access services. These recommendations should be documented and submitted to the Department of Transportation Director within 90 days of the completed data collection report for consideration.

*Figure 5.7. Recommended Hourly Rate Adjustments Based on Average Occupancy*

STARTING RATE	DECREASE BY \$0.50	DECREASE BY \$0.25	NO CHANGE	INCREASE BY \$0.25	INCREASE BY \$0.50
\$1.00	-	-	< 85%	85% - 97%	≥ 97%
\$1.25	-	61% - 65%	65% - 85%	85% - 95%	≥ 95%
\$1.50	< 61%	61% - 65%	65% - 85%	85% - 94%	≥ 93%
\$1.75	< 57%	57% - 65%	65% - 85%	85% - 93%	≥ 92%
\$2.00	< 58%	58% - 65%	65% - 85%	85% - 92%	≥ 91%
\$2.25	< 59%	59% - 65%	65% - 85%	85% - 91%	≥ 90%
\$2.50	< 60%	60% - 65%	65% - 85%	85% - 90%	≥ 90%
\$2.75	< 60%	60% - 65%	65% - 85%	85% - 90%	≥ 90%
\$3.00	< 60%	60% - 65%	65% - 85%	85% - 90%	≥ 89%
\$3.25	< 61%	61% - 65%	65% - 85%	85% - 89%	≥ 89%
\$3.50	< 61%	61% - 65%	65% - 85%	85% - 89%	≥ 89%
\$3.75	< 61%	61% - 65%	65% - 85%	85% - 89%	≥ 89%
\$4.00	< 61%	61% - 65%	65% - 85%	85% - 89%	≥ 89%
\$4.25	< 62%	62% - 65%	65% - 85%	85% - 88%	≥ 88%
\$4.50	< 62%	62% - 65%	65% - 85%	85% - 88%	≥ 88%
\$4.75	< 62%	62% - 65%	65% - 85%	85% - 88%	≥ 88%
\$5.00	< 62%	62% - 65%	65% - 85%	85% - 88%	≥ 88%
\$5.25	< 62%	62% - 65%	65% - 85%	85% - 88%	≥ 88%
\$5.50	< 62%	62% - 65%	65% - 85%	85% - 88%	≥ 88%
\$5.75	< 62%	62% - 65%	65% - 85%	85% - 86%	-
\$6.00	< 63%	63% - 65%	65% - 85%	-	-

Rates may vary between paid parking zones in a Paid (Metered) Parking Area but should be consistent within paid parking zones to provide predictability for users. The intended effect of rate adjustments is primarily to redistribute parking between areas of higher and lower demand within a Paid (Metered) Parking Area. In some cases, the boundaries of paid parking zones may need to be adjusted as part of rate

adjustment process. Economic vitality is supported by providing visitors with tiered parking pricing options within an area. Regular data collection can also identify if previous rate changes resulted in a shift in parking demand or an overall reduction in parking demand within an area.

# Establishing Event Parking Rates

Dallas has many large event venues, such as the American Airlines Center, Cotton Bowl/Fair Park, and Dallas Convention Center. Because large events draw many more people than a typical weekday, they can cause gridlock around the event venues as drivers struggle to find parking. Many cities raise the cost of parking during events to maximize their revenue and encourage attendees to use other modes of transportation to access event locations, alleviating congestion.

Presently, Dallas does not have event parking rates in the Dallas City Code. Establishing and codifying event parking rates would enable the regulation of event-day parking by the Department of Transportation, helping Dallas maximize its on-street parking efficiency. It is recommended that City Council adopt event parking rates into the code, with a minimum hourly event rate of \$3.00 and a maximum hourly rate of \$10.00. The initial event rate for an area should be based on the normal meter rate for that paid parking zone, as shown in **Figure 5.8**.

## Implementing Event Parking Rates

To implement event parking rates, decisions regarding pricing, time limits, and revenue allocation are subject to the following requirements.

### Requirement 1: Located in a Paid (Metered) Parking Area

The area proposed for event on-street parking rates should be located in a Paid (Metered) Parking Area.

### Requirement 2: Event Size

Only events which are expected to draw at least 10,000 attendees should be considered for increased event on-street parking rates.

### Requirement 3: Data Driven

A parking demand study during a representative event should be completed to inform the boundaries of where event parking rates would be implemented within the Paid (Metered) Parking Area.

## Setting and Adjusting Event Parking Rates

Event rates should initially be set based on the parking meter rate along each block during non-event times, as shown in **Figure 5.8**.

*Figure 5.8. Event Parking Rate Recommendations*

NORMAL RATE FOR THE PAID PARKING ZONE	EVENT RATE (2 HOURS BEFORE AND AFTER EVENT TIME)
\$1.00	\$3.00
\$1.25	
\$1.50	
\$1.75	
\$2.00	
\$2.25	
\$2.50	\$7.00
\$2.75	
\$3.00	
\$3.25	
\$3.50	
\$3.75	
\$4.00	
\$4.25	
\$4.50	\$10.00
\$4.75	
\$5.00	
\$5.25	
\$5.50	
\$5.75	
\$6.00	

As with the performance-based pricing for standard meter rates it is recommended that the Department of Transportation Director have the authority to make meter rate adjustments that remain within the range of \$3.00/hour to \$10.00/hour, with input from local stakeholders, based on a data-driven process. Rates should be adjusted up or down from the starting rates shown in **Figure 5.8** by \$1.00, \$2.00, or \$3.00/hour as recommended in **Figure 5.9** based on occupancy data. A maximum annual adjustment of +/- \$3.00/hour is recommended. Using these parameters and an assumed elasticity factor of -0.30 to inform the magnitude of adjustment, the following data-driven rate adjustment process should be used to inform rate adjustment recommendations for the Director's review:

- Meter rates should be **REDUCED** according to **Figure 5.9** if the average occupancy in the paid parking zone for the event area is less than 65%.

- Meter rates should be **INCREASED** according to **Figure 5.9** if the average occupancy in the paid parking zone for the event area exceeds 85% during two or more hours during the event.

Even with increased rates, if on-street parking is priced lower than event rates in nearby off-street facilities, it is likely that occupancies will continue to exceed 85% during events. The proposed rate adjustment process is therefore presented as a guide to inform the magnitude of rate adjustments, and in many cases, the Department of Transportation Director may elect to maintain existing event rates or implement a lower rate increase than suggested by **Figure 5.9**. The primary consideration when determining the rate adjustment should be the effectiveness of the proposed rate in encouraging the use of alternative modes for travel to and from events.

*Figure 5.9. Recommended Hourly Rate Adjustments for Event Parking Areas*

STARTING RATE	DECREASE BY \$3.00	DECREASE BY \$2.00	DECREASE BY \$1.00	NO CHANGE	INCREASE BY \$1.00	INCREASE BY \$2.00	INCREASE BY \$3.00
\$ 3.00	-	-	-	< 85%	85% - 95%	≥ 95%	-
\$ 4.00	-	-	< 65 %	65% - 85%	85% - 93%	≥ 93%	-
\$ 5.00	-	< 59%	59% - 65%	65% - 85%	85% - 91%	91% - 97%	≥ 97%
\$ 6.00	< 55%	55% - 60%	60% - 65%	65% - 85%	85% - 90%	90% - 95%	≥ 95%
\$ 7.00	< 56%	56% - 61%	61% - 65%	65% - 85%	85% - 89%	89% - 94%	≥ 94%
\$ 8.00	< 57%	57% - 61%	61% - 65%	65% - 85%	85% - 89%	≥ 89%	-
\$ 9.00	< 58%	58% - 62%	62% - 65%	65% - 85%	≥ 85%	-	-
\$ 10.00	< 59%	59% - 62%	62% - 65%	≥ 65%	-	-	-

# Parking Benefit Districts

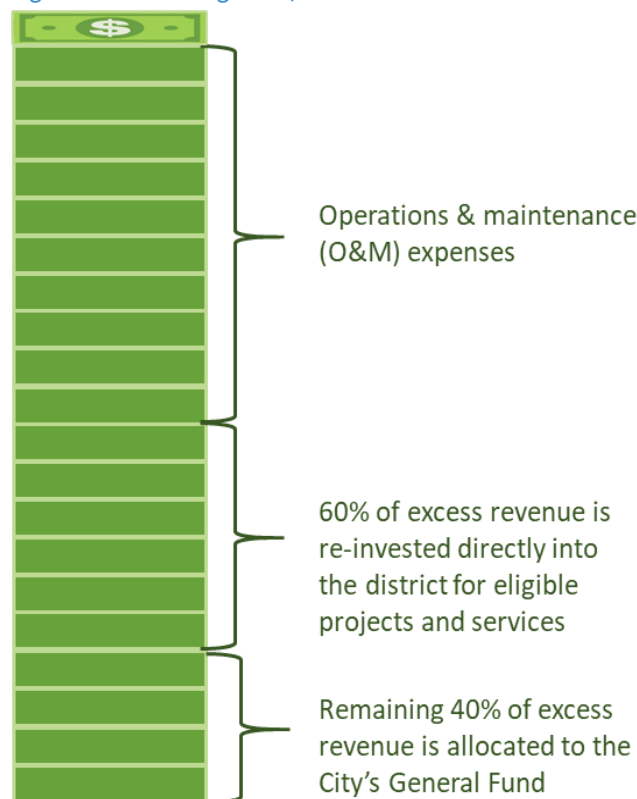
The benefits of parking meters and changing parking rates, such as making it easier for business patrons to find a parking space, may not be enough to assuage the concerns of business owners when it comes to installing meters or increasing meter rates. However, if meter revenue is dedicated to specific, additional public services in metered areas, residents and business owners will be much more inclined to support performance-based pricing. Directing a certain portion of the meter revenue back into the neighborhood is done through the creation of a Parking Benefit District (PBD).

The amount of revenue generated that will go to the PBD is typically 50-60% of the remaining revenue from parking meters after the cost of operating and maintaining the parking meters and PBD has been paid for. Through conversations with stakeholders, 60% was determined to be the optimal number for Dallas. By having 40% of the remaining revenue go back to the general fund for citywide services that also benefit less affluent neighborhoods, concerns about inequality can be addressed.

The boundaries, decision-making structure, financing framework, and improvements and programs that the PBD can fund must be defined through a separate ordinance adopted by City Council. The geographic boundaries are often the same as the Paid (Metered) Parking Area or, if applicable, the Public Improvement District (PID) for that area.

The following steps outline the considerations and process that should be used to create PBDs in Dallas. It is based on the process used by the City of Austin.

Figure 5.10. Parking Benefit District Revenue Allocation





## PBD Implementation Process

### Step 1: Initiate Process

A representative of a Public Improvement District, business association, or neighborhood association whose boundaries are completely or partially located within the proposed PBD may make a request to the Director of Transportation for the creation of a PBD.

The Director shall ensure the following minimum criteria are met for the creation of a PBD before continuing to Step 2.

- a. The proposed boundaries of the PBD must be located within the boundaries of an existing Paid (Metered) Parking Area.

The PBD must include enough paid parking spaces to generate enough revenue for meaningful programs or improvements once all annual expenses are paid, including the maintenance and operations of the paid parking in the PBD. At the time that a district is created, the required paid parking spaces may include both existing and new spaces; however, the minimum number of paid parking spaces required for the PBD should be calculated at the outset. For example, assuming a meter rate of \$1.50/hour and 85% occupancy rate with 100% payment compliance, a PBD would require approximately 300 paid parking spaces to generate \$500,000 in revenue annually. However, it is important to acknowledge that various factors impact revenue, with meter rates and payment compliance among vehicles occupying spaces being the most significant. Additionally, factors such as the use of paid parking spaces for freight delivery, passenger pick-up/drop-off stands, valet services, construction, and special events, which may render spaces unusable to the general public, also contribute to revenue dynamics.

- b. The applicant must have support from all Public Improvement Districts, business associations, and neighborhood associations that are wholly or partially within the PBD.

### Step 2: Pre-application Meeting

Following the receipt of the request, city staff will arrange a pre-application meeting with the applicant and any other relevant stakeholders to discuss:

- Justification for the need to create a PBD.
- The proposed boundaries of the PBD.
- Proposed makeup of the advisory committee that will govern the PBD. This could be an existing PID Board.
- Proposed programs and projects to be funded by revenue from the PBD.
- The number of existing paid parking spaces and the minimum number of paid parking spaces that will be needed within the PBD to generate sufficient revenue to support the PBD.
- Other parking management strategies.

### PBD Advisory Committee

The purpose of the advisory committee is to provide oversight and make a recommendation to the Department of Transportation Director on how the PBD revenue from the previous year should be spent. All committee meetings would be open to the public and subject to public records law. The committee could take one of several potential forms, such as:

- An existing community organization, such as a PID Board.
- A newly created appointed or volunteer committee, which could include residents, property owners, and businesses.
- A non-profit community development organization.

### Revenue Expenditure Options

A defined list of PBD revenue expenditures should be defined in the adopting ordinance. Examples of eligible projects and programs are listed below. The list is not intended to be comprehensive but rather a starting point.

- Sidewalk widening, repairs, or power-washing and graffiti removal
- Tree planting and landscaping

- Lighting
- Wayfinding
- Streetcar operations
- Bicycle infrastructure and amenities
- Transit passes for employees of businesses in the PBD
- Transit infrastructure and amenities
- Public safety
- Street maintenance
- Parking structure

Note: Because of the nature of performance-based pricing, prices may not increase at the same rate as inflation. Parking demand is also susceptible to changes in the economy or weather. Therefore, caution should be used when using PBD revenues to fund ongoing and costly projects or programs where the cost of maintenance and operation will continue to rise over time. Examples include parking structures or transit service, which should be funded principally by a more stable form of revenue like a Public Improvement District.

All parking revenue is collected and distributed by the City and will be retained by the City. All improvements or programs funded by parking revenue expenditures must follow city purchasing procedures.

### Step 3: Submit the Application

After the pre-application meeting, the applicant may submit a formal application for the creation of a PBD. The application should address the following, at minimum:

- The boundaries of the proposed district identified by streets and static land features.
- A justification for the proposed district.
- A visual representation of the proposed block faces that have paid parking spaces or that are proposed to have paid parking spaces.
- The minimum number of paid parking spaces the district will have.

- The proposed makeup of the advisory committee.
- The proposed types of projects and programs that may be funded with the PBD revenue.
- Letters of support or relevant community meeting notes.

The City will develop a template application.

### Step 4: Community Meeting

The applicant is required to convene a community meeting after the application is submitted. At least two weeks before the meeting the applicant must coordinate with Department of Transportation staff to send notification of the meeting by e-mail to all registered neighborhood organizations whose boundaries are in proximity to the proposed district boundaries, place at least two signs providing notification of the meeting on each block face and distribute flyers within the proposed district.

### Step 5: City Council Approval

City staff will draft the ordinance that will be taken to City Council to create the PBD. The ordinance would include the boundaries of the PBD, the net percent of the public paid parking revenue that would go back to the PBD (60%), the minimum number of paid parking spaces that the PBD must contain, the defined list of PBD revenue expenditures, and the makeup and role of the advisory committee. City Council would reserve the right to terminate a PBD if paid parking spaces do not generate more than the amount needed to pay all annual expenses.

### Step 6: Implementation

The committee will meet regularly as a group and with the broader community to compile a list of recommended programs and projects for proposed revenue expenditure. City staff will work with the committee to identify eligible projects and programs. Once a list of projects and programs for the year is finalized, an annual work plan will be developed to document the allocation of funds. Department of Transportation staff will attend the committee meetings and support committee activities.

## PBD Success Stories



**Boulder, CO**

Boulder experienced a 12% increase in carpooling, reducing parking demand by 850 spaces. The meter revenue for the PBD was used to fund projects for their district, including employee transit passes, a Wi-Fi network, and Pearl Street Mall improvements.



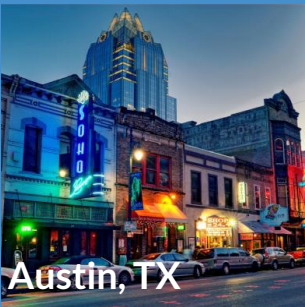
**Old Pasadena, CA**

Old Pasadena borrowed against future meter revenues and funded streetscape, parking, maintenance, and safety projects, reversing the decline in the district. A sales tax revenue increase created a cycle of reinvestment, making the city a popular destination. The first year of the PBD resulted in a 100% increase in sales tax revenues.



**San Diego, CA**

Funds from the PBD in San Diego were used to revitalize their historic district through infrastructure improvements, including directional signs, landscaping, and pedestrian improvements.



**Austin, TX**

The Austin PBD experienced a 10% growth in sales tax and 16% growth in mixed beverage receipts. Projects funded by meter revenue include sidewalk and streetscape improvements.

# Parking Meter Technology and Infrastructure

Dallas owns and operates approximately 3,540 parking meters as of December 2023, which are a combination of single and multi-space meters. Approximately 45% of the existing parking meters operate with digital technology, allowing electronic payment methods. In order to continue operating effectively and efficiently, a continued focus on technological enhancements will need to be prioritized. A recent shift has been the implementation of 4G and 5G networks, and the impending suspension of support for meters that use the 2G network. These network shifts require enhancements to the parking meters themselves, which come at a cost. Planning for the parking meter maintenance and capital upgrades associated with technological advances will be critical to ensuring ease of use for customers, implementation of variable parking meter rate, and efficiency in enforcement.

The following meter technologies will be needed as part of all future upgrades (at minimum):

- Pay by credit card and pay by-cell options in all areas
- Ability to remotely program on-street rates
- Wireless communication enabled to allow for more streamlined enforcement
- Ability to show vacant stalls in a parking zone in a public-facing online platform for smartphone application.
- Option for in-meter or camera-based license plate recognition (LPR)\*
- Option to communicate with an in-meter or 3rd party digital count system\*

\*The last two features would potentially lower the labor costs for meter enforcement and allow city staff to better monitor parking occupancy rates.

## Selecting the Type of Parking Meter

The types of parking payment options include:

- Single-Space Meters: Coin-Operated Meters and Smart Meters
- Multi-Space Smart Meters: Pay-And-Display, Pay-By-Plate, Pay-by-Space
- Pay-by-Phone Only

An evaluation of the pros and cons of each option was conducted. Multi-space pay-by-plate meters have the greatest number of pros and least number of cons, followed by single-space smart meters. For the detailed list of pros and cons, see Appendix 1. There will likely need to be flexibility in the use of single-space versus multi-space meters, based on the circumstances of the area. However, it is recommended that the types of meters used in Dallas be kept to a minimum, such as one style of single-space smart meter and one-style of pay-by-plate multi-space meter.

## Data Collection - Making Data-Driven Decisions

Data collection is a necessary and nuanced component of curb management as it guides decision makers in determining how the curb is used, by what means curb space can be used more efficiently, where enforcement is needed, and in what manner can safety be improved, and congestion reduced. Methods for collecting parking data vary widely, ranging in cost, efficiency, and data accessibility. Although using technology is more convenient and accurate, in some cases, manual data collection may be more appropriate. When selecting a data collection method, various factors should be considered to ensure the method is appropriate based on the capacity of the organization, such as:





- Technology integration
- Reliability of the technology or manual data collection methods
- Purchase, installation, and maintenance costs
- Staffing requirements (FHWA, 2020)

This section discusses four data collection methods typically used when managing the curb, grouped by the level of expense.

## High Tech Data Collection

### Parking Space Sensors

Parking space sensors typically use sensor technology or digital-camera technology to detect when a vehicle is present in the space. The sensors can be placed in pavement, affixed to single-space parking meters, or hung from ceilings in parking garages (FHWA, 2020).

Cities have found that vehicle sensors have benefited the community by guiding enforcement efforts, simplifying data collection, and by directing motorists to available spaces through smartphone applications or online mapping tools. These data sources are indirectly helping to reduce congestion and vehicle emissions and enhance the parking experience. While sensors provide a continuous, in-depth view into the use of the on-street parking system, they have high operation and maintenance costs that have made them prohibitively expensive for most cities.

### License Plate Recognition Technology

License Plate Recognition (LPR) technology automates the enforcement and data collection process by taking pictures of the license plates of parked vehicles. The systems can be hand-held or vehicle-mounted and work in daylight and low-light conditions. It is important to note that vehicle mounted systems can result in errors if the offender's license plate is obscured or if the respective vehicle is moving too fast (FHWA, 2020).

LPR can be used to enhance enforcement practices by collecting parking behavior data to assist in parking

management decisions that are data driven and specific to how the parking system operates.

With LPR, it can be determined how many vehicles are parked in both on-street and off-street facilities each hour, how long vehicles are parked and their movement behaviors throughout the area, and if a vehicle lacks a necessary permit. LPR units can also assist officers with identifying offenders that have been issued multiple citations, identifying stolen or wanted vehicles, and preventing fraud by replacing printed permits with license plates (FHWA, 2020). If the data indicates a pattern of violations in a certain area, management practices or policies can be adjusted accordingly.

LPR technology is currently used on a limited scale by the city, but there are significant opportunities for expanding this camera technology to additional city vehicles, while reducing staffing requirements for enforcement personnel.

## Medium-Tech Data Collection

### Manual Data Collection

Manual data collection requires personnel to go out into the field to conduct observations along a block face for a specified period or review collected video footage to identify curb user behavior as well as the frequency and volume. Data collection efforts could be conducted annually or throughout the year, depending on how often parking rates are adjusted and how often the city would like to test how changes in practices or policies are impacting the use of the curb. Collection should be conducted at similar times of year so that data comparisons are for similar conditions seasonally.

As manual collection can be a large undertaking, small neighborhoods are ideal for this method as the entire

inventory within the area can be covered. Large neighborhoods can also use this method if the technology is not available. However, if periodic counts are required, it is recommended to only count the inventory of a sample area within the neighborhood that is representative of the larger neighborhood (FHWA, 2020)<sup>10</sup>.

While manual data collection is prone to error, takes time, and does not provide real-time data, the costs associated with it are relatively low when compared to the high-tech approaches, especially if data collection is conducted using existing staff rather than a third party.

## Low-Tech Data Collection

### Revenue & Transaction Data

A recent performance pricing pilot study at Carnegie-Mellon University relied on monthly revenue and transaction data gathered from the system's pay stations to identify parking occupancy and apply rate adjustments accordingly. This same strategy could be used as a low-cost option to estimate approximate parking occupancy, using the data generated by the existing pay-by-space parking meters. In this strategy, the total hours parked in a month (determined through meter revenue data) would be compared to the total hours of parking available for the month to identify approximate parking occupancy. The formula below represents how parking occupancy would be calculated.

$$\text{Parking Occupancy Estimate} = \frac{[\text{Hours of Enforcement}] \times [\text{Days in Month}] \times [\text{\# of Meters}]}{\text{Total Hours Parked in a Month}}$$

<sup>10</sup> (FHWA), F. H. (2020, July 1). *Contemporary Approaches to Parking Pricing: A Primer*. Retrieved from United States Department of Transportation - Federal Highway Administration: [https://ops.fhwa.dot.gov/publications/fhwahop12026/sec\\_3.htm](https://ops.fhwa.dot.gov/publications/fhwahop12026/sec_3.htm)

# Action Items

The action items in the following table are needed to realize the recommendations in this chapter.

#	ACTION	COST	TERM
5.1	<p>Modify Chapter 28 of the Dallas City Code to rename Metered Parking Areas as Paid Parking Areas and provide guidance for when it may be appropriate to establish or modify the boundaries of a Paid (Metered )Parking Area; and remove the block-specific meter zones, rates and enforcement times and instead provide parameters for when to utilize parking meters and adjust meter rates.</p> <p>The parameters may include:</p> <ul style="list-style-type: none"> <li>• Guidance for when the installation or removal of paid parking spaces is appropriate. Changes to meters must be based on measured vehicle occupancy on a set of blocks, with the goal of having one or two open spaces on each block face throughout the day.</li> <li>• Rates can be adjusted no more frequently than once every 90 days 6 months.</li> <li>• Rates can only be adjusted in increments of \$0.25 to \$0.50 per hour.</li> <li>• The minimum parking meter rate is \$1.00 per hour. The maximum parking meter rate is \$6.00 per hour.</li> </ul>	\$	Short
5.2	After amending the code, increase all meter rates that are currently less than \$1.00 per hour to \$1.00 per hour.	\$	Short
5.3	Evaluate a progressive or tiered rate structure to accommodate longer stays, allowing motorists to stay beyond the time limit if they paid for it.	\$	Medium
5.4	Evaluate the minimum and maximum rates every five years and amend Chapter 28 as needed.	\$	Long
5.5	Conduct a parking occupancy survey of all metered parking spaces to determine if rates should be increased or decreased, or if meters should be removed.	\$\$\$	Medium
5.6	Identify areas to implement event parking rates and begin discussions with area stakeholders.	\$	Medium
5.7	Consider amending the Dallas City Code to enable the establishment of Parking Benefit Districts.	\$	Short
5.8	Identify at least one area that could be an applicable candidate for a Parking Benefit District and begin discussions with local stakeholders.	\$	Short
5.9	Develop an application form for districts and neighborhoods to use to apply to establish a Parking Benefit District.	\$	Short
5.10	Consider adopting a standard partnership agreement that defines city baseline services (e.g., meter installation, maintenance, standard signs, and markings) and supplemental services (e.g., technology solutions, mobility pilots, pedestrian amenities) that might be provided by community partners and public improvement districts.	\$	Medium
5.11	Develop a maintenance and phasing plan to upgrade parking meter technology.	\$	Short
5.12	Ensure parking meter payment technology is up to date with payment methods of the day by completing the upgrade of coin-operated meters with credit card-enabled smart meters, while also ensuring spaces are available for people to pay by cash. Implement smart meters where only app-based payment exists today.	\$\$\$	Medium



#	ACTION	COST	TERM
5.13	Expand the use of LPR technology to increase the efficiency of parking occupancy surveys and parking enforcement. Consider piloting technologies to allow for more automated occupancy surveying.	\$\$\$	Medium
5.14	Update the parking meter hooding and temporary removal section of the code (Section 28-114.12) to establish criteria and revise the fee structure to account for the temporary and permanent removal or relocation of paid parking spaces and associated hardware.	\$	Short

# LOADING ZONES

## 6

**OBJECTIVE:** Accommodate increasing loading needs and proactively manage loading and on-street parking demand for developments in commercial and mixed-use districts.

After parking, the second most predominant use of the curb in an urban environment are loading zones. Loading zones are dedicated curbside spaces that provide for personal and commercial deliveries and passenger pick-up and drop-off. Historically, most loading zones were commercial, but over time other types of zones have been added. The city now has seven types of signed loading zones- 1) taxi 2) valet 3) passenger 4) freight 5) commercial 6) band and 7) rideshare. However, it is important to note that enforcement of the last two, band and rideshare, is not currently mandated by ordinance.

The surge in online shopping, app-based deliveries, and the popularity of ride-hailing services such as Uber and Lyft has drawn increased focus on loading zones, bringing to light various issues, including:

**1. Lack of loading zones.** Insufficient curb space in business districts and mixed-use areas for both commercial delivery vehicles and non-commercial vehicles engaged in app-based deliveries or passenger pick-up and drop-off has led to illegal parking and loading in travel lanes and encroachment on intersections, causing traffic obstruction, congestion, and safety concerns.

**2. Ordinances regulating commercial loading are either outdated or ambiguous.** The outdated and ambiguous ordinances governing commercial loading in Dallas pose significant challenges for enforcement:

- The City Code's unclear provisions permit any vehicle to occupy loading zones during loading or unloading, complicating efforts to restrict non-commercial vehicles.
- Only vehicles meeting the city's definition of commercial vehicles, which must display specific state license plates, are permitted to utilize freight loading zones without a permit. However, these designated plates are no longer issued by the state of Texas meaning all vehicles must obtain a permit to use freight loading zones legally.
- The term "freight" as a loading zone designation may not fully represent the diverse range of commercial vehicles used for deliveries in urban environments. Today, delivery operations involve various vehicle types and sizes beyond traditional freight transport, including vans, pick-up trucks, and even passenger cars, catering to specific delivery needs in the retail, food service, and e-commerce industries. Relying solely on "freight" for loading zone designation might overlook the nuanced demands of delivery logistics, risking misclassification or exclusion of essential vehicles for urban commerce.
- The inconvenient process of obtaining or renewing loading zone permits, requiring

individuals to physically visit the Oak Cliff Municipal Center, exacerbates the issues. This requirement imposes additional burdens as it requires allocation of time and resources to make the in-person visit and consequently, deters compliance with permit requirements.

**3. Loading zones have been signed that currently have no grounds for enforcement in the code.**

Certain uses, such as band loading zones and rideshare zones, are marked with signage but are not currently regulated in accordance with the city code. The code does not categorize band loading zones as a designated curb use, resulting in a lack of established limitations or compliance standards for them. While rideshare zones are defined within the code, there is insufficient language to enforce their appropriate utilization.

**4. Challenges with valet parking.** Certain locations experience ongoing problems with valet operators, as some operate in close proximity to one another, causing traffic congestion and generating a public nuisance that is difficult to regulate.

**5. Increasing loading demand caused by new development.** New developments, especially hotels, high-density multi-family residential, and restaurants often lack capacity to accommodate demand for app-based deliveries to residents and visitors, resulting in frequent obstruction of travel lanes. Additionally, the proposal to reduce or eliminate off-street parking requirements could further intensify these issues.

**6. Lack of a strategy to respond to emerging technology.** Technological advancements in the e-commerce and ridesharing industry have exacerbated existing issues resulting from limited access to the curb. While the imminent deployment of autonomous vehicles (AV) in ridesharing holds promise for enhanced safety and transportation efficiency, it also introduces new challenges, such as changes in travel behavior due to the elimination of passenger-supervised parking. Consequently, this shift will increase the demand for space to be reallocated from traditional parking spaces to loading zones. Predicting the adoption rate of fully

AVs adds complexity to forecasting the impact on curbsides. Nonetheless, failing to adjust curbside regulations to effectively integrate emerging technology may lead to mobility issues and traffic congestion.

It is essential for loading zones to adapt to the various and evolving loading demands. Such adaptability ensures optimal utilization of the city's curb space, effectively serving the needs of businesses, delivery services, and other users in a balanced manner. The subsequent section will detail recommendations for addressing the identified issues. When implementing these recommendations, Department of Transportation staff should prioritize the following considerations:

1. Encourage off-street freight deliveries
2. Mitigate congestion, improve air quality, and focus on safety
3. Achieve a balanced approach to the allocation of curbside space



# Recommendations

## 1. Install more loading zones and expand the use of combination zones

The following recommendations should be considered to increase curb access for vehicles engaged in freight and passenger loading activity:

**Expand the use of combination zones.** To optimize curb space usage, consider implementing more combination zones that accommodate different users of the curb throughout the day or week. These zones would cater to commercial or passenger loading during peak times and transition to parking or other uses when demand is low. This approach addresses the issue of valuable curb space sitting empty or being misused. However, implementing combination zones requires addressing challenges such as signage, enforcement, and potential curb painting or other methods to color code the curb.

To enhance combination zone utilization, revise Section 28-89 to enable flexible passenger loading zone hours. Create five to ten combination zone options with corresponding signage, seeking input from businesses and delivery firms during the process. Unregulated time slots on signage could permit free parking, aligning with drivers' preferences. Additionally, if the city chooses to implement curb painting or other color-coding methods, it should be carefully considered within the regulations.

**Establish siting criteria for loading zones.** Strategically position loading zones near their destinations, preferably situating commercial loading zones with a minimum length of 20 feet the beginning of blocks to facilitate vehicle maneuvering and access to curb ramps. Ensure that zones accommodating delivery trucks, or two passenger vehicles are at least 40 feet long. Passenger loading zones should vary in length from 40 to 140 feet, depending on location and

anticipated loading activity. Select locations that minimize traffic disruption by avoiding congested or problematic areas. Avoid heavy foot traffic zones, crosswalks, and areas where pedestrians may encounter difficulty navigating around loading activities.

**Develop an application process for requests to establish loading zones.** The city should formalize the process for reviewing and approving requests to install and remove loading zones. A streamlined application process, taking into user demands, is essential for efficient management. In business areas, especially those with mixed-use buildings, loading zones should take precedence over passenger vehicle parking when there is a proven need for additional loading space (e.g., a request is received, illegal loading is observed, etc.) to address safety and congestion concerns. City engineers must assess off-street options before considering new on-street loading zones. Requests to remove existing zones should follow a similar process.

When reviewing requests, the following information should be considered, among other factors:

- The days of the week and the hours of the day that experience the highest activity levels, as well as the typical duration of loading/unloading events.
- The location of the nearest on-street loading zone with respect to the requested loading zone location.
- The days, hours, times, and time limits of the nearest on-street loading zone.
- The size (linear length) of the nearest loading zone.

**Establish an annual review process.** To be proactive, consider implementing a regular review of loading zone necessity to address changes in business locations and turnovers, ensuring optimal utilization and alignment with business needs. Key metrics for review include occupancy, turnover, duration of stay, violation rates, and peak hour of use.



## 2. Modernize and clarify commercial loading regulations and improve permitting

City policies should aim to provide delivery access while minimizing the impacts of delivery operations on traffic congestion, parking availability, and safety. The city should consider the following recommendations to address the diverse needs of delivery recipients who depend on this curb function.

**Remove ambiguity from the code to ensure enforceability.** Clear and unambiguous regulations are imperative for various reasons.

- **Provide a solid foundation for enforcing regulations.** Clear regulations leave little room for interpretation, it becomes easier to identify violations and take appropriate action.
- **Promote fairness and equal treatment.** Rules are precise and leave no room for subjective interpretation preventing potential disparities in enforcement.
- **Enhance compliance.** Curb users are likely to adhere to rules when they understand them clearly avoiding unintentional violations due to confusion.
- **Create efficient administrative processes.** Well-defined regulations streamline these processes enabling easier interpretation, application, and enforcement.

The city should amend Chapter 28 to establish a clearer and more objective regulatory framework, incorporating the following changes:

- Eliminate the provision allowing any vehicle to utilize a loading zone for loading or unloading.
- Modernize the definition of commercial vehicles to encompass all vehicles that typically engage in commercial delivery activity, including vans and box trucks commonly utilized for parcel and e-commerce deliveries.
- Modernize terminology by changing “freight curb loading zone” to “commercial loading zone.”

If the definition of commercial vehicles is updated to include box trucks and commercial delivery vans, these vehicles would no longer be required to obtain a loading zone permit to use freight or commercial loading zones that could either be seen as unfair to passenger vehicles that must pay to use the curb in Paid (Metered) Parking Areas, or it could result in demand exceeding supply for the use of the zones. The city should further evaluate the following questions and seek input from business districts and commercial vehicle operators.

- Should passenger vehicles be allowed to use freight or commercial loading zones if they obtain a permit? If so, should conditions apply?
- Should commercial vehicles be required to pay a parking meter fee or obtain a monthly or annual permit to use freight or commercial loading zones?
- If permits are required for all vehicles to access loading zones, should the time restrictions to load/unload be regulated by the loading permit or the loading zone?
- Should the permit cost be determined by factors such as vehicle type, size, preferred loading locations (designated loading zones or paid parking spaces), desired loading times (30 min, 1 hour, 2 hour, etc.), or a combination of these factors?



Furthermore, implementing an online platform for loading zone permit applications and renewals will streamline the process. This digital approach allows businesses and individuals to electronically submit required documentation and payments, minimizing the need for in-person visits.

### 3. Evaluate process to assess requests for private or unregulated curb uses

Careful consideration and evaluation is crucial when assessing requests to reserve curb space for private use. While there may be circumstances where reserving public right-of-way for private use is deemed appropriate, it is essential that such decisions be made transparently, with fairness, and with due consideration for the broader community's interests and welfare. The city should consider the following recommendation to promote efficiency, safety, and fairness in allocating valuable curb space.

**Avoid creating signs for unregulated uses.** To ensure consistency, enforceability, and adherence to established guidelines, it is advisable to refrain from creating signs for curb uses that are not regulated in the Dallas City Code. If it is determined that the new use of the curb is valid and serves the broader public interest, the code should first be amended by City Council before signs are installed.



### 4. Evaluate valet regulations to balance demand for valet stands with other curb uses

Valet stands operating in Downtown and other mixed-use areas are often located in close proximity to one another. This exacerbates parking issues, which could be alleviated through enhanced parking management strategies. Valet is usually marketed as a resource for drivers to avoid unfamiliar or complex parking conditions. The city recognizes that the use of curb space for valet operations provides a public benefit, while also recognizing the negative impact of valet operations on curb space and travel, such as impeding traffic, interfering with the rights of others using the streets and curb, inducing public safety issues, and generally creating a public nuisance that is often a challenge to enforce. Therefore, permitting valet parking operations should be approached as a special privilege, not as a matter of right.

By considering the following recommendations, the city can work towards mitigating the overabundance of

valet parking, promoting a more organized and efficient use of curb space, and reducing the adverse effects on traffic flow and public spaces.

**Revise siting criteria.** Valet stands, operating on-street, should be strategically positioned at or near the center of a blockface to mitigate the potential impact of vehicular queuing on nearby intersections. Centralizing these stands not only minimizes conflicts and enhances uniformity but also facilitates the consolidation of multiple stands, optimizing service efficiency for several businesses. Enforcing a one-stand-per-blockface policy further mitigates disruptions to pedestrian and vehicular traffic, while also reducing the loss of on-street parking spaces for valet services. When allocating permits to operators, the city should prioritize those who apply first on a first-come, first-served basis, especially if multiple operators are seeking to establish stands on a blockface.

**Evaluate fee structure.** While the city currently collects an annual application fee, parking obstruction fee, and a fee for the installing of signs and markings, the city should review the current fee structure to determine if adjustments are needed to cover the cost of administration, enforcement, and the true value of the curb space. Additionally, evaluate fines for noncompliance, considering adjustments to enhance their effectiveness in deterring valet operators from creating public nuisances.

Where parking meters exist, it is not stated in the Code whether valet parking services must also pay for the hooding or removal of parking meters. The cost to “hood” parking meters is 70% of the maximum hourly capacity of each meter to be hooded multiplied by the hourly rate for the meter. If this cost is not included, valet parking services are paying significantly less than members of the public pay to use those parking spaces. For example, the hourly rate of parking meters on Commerce Street in downtown is \$1.50, and meters are active Monday-Sunday from 7:00 a.m. to 6:00 p.m. If a metered parking space on Commerce Street was occupied 70% of the time, it would generate \$4,215.75 annually.





## 5. Ensure loading needs are met during development review process

The city should consider the following recommendations to manage loading activities for new development and new uses in existing development:

**New development.** For new development, account for loading and short-term parking needs especially for hotels, high-density multi-family residential, and restaurants. Prioritize off-street loading, with facilities designed to meet the building's service needs.

**Existing development.** To accommodate new uses in existing buildings, consider creative strategies like combination loading zones, alleyway access, off-peak deliveries, and shared valet.

**Consider changes to the code to manage loading activities.** Evaluate Chapter 51A of the code for possible modifications to adapt off-street loading requirements for hotels, restaurants, bars, and high-density residential areas to accommodate the growing prevalence of rideshare and on-demand delivery services in the planning and design of loading spaces. One potential modification could be to amend to Chapter 51A to mandate developers create loading operation plans for specific uses, such as hotels, bars, and high-density multi-family residential buildings.

**Off-street parking code amendment coordination.** Maintain ongoing coordination with the team responsible for amending the Off-street parking code. This involves proactively identifying potential implementation obstacles, refining policies, and ensuring alignment with the city's overarching goals and objectives.

## 6. Plan for an uncertain future

Effective curb management necessitates a flexible strategy capable of adapting to diverse potential futures and shifts in behavior. It is crucial to acknowledge that what may seem unimaginable today could become common tomorrow. Crafting a curb management strategy that accommodates the activities of both passenger and freight carriers today, while planning for the future, including the integration of autonomous vehicles, is essential. This strategy should be adaptable and resilient to uncertainties. The following recommendations can help plan for future technologies:

### **Acknowledge and start conversations early.**

Successful integration of emerging technologies, such as autonomous vehicles, entails an initial step of acknowledging their imminent deployment. Successful integration requires early and thorough conversations among a diverse array of stakeholders including city officials, freight operators, technology companies, businesses, and other impacted stakeholders. These discussions serve as a foundational element, fostering informed decision-making and cultivating a collaborative environment that accommodates the varied interests and needs of all stakeholders involved. It is essential that these conversations be inclusive, allowing for a thorough exploration of the potential impacts autonomous vehicles. This approach promotes a shared understanding among all stakeholders, recognizing the impacts, benefits, and challenges associated with the introduction of autonomous vehicles. Key aspects addressed in these discussions include infrastructure requirements, regulatory frameworks, safety considerations, equitable access, and broader implications for the city. This approach provides room to incorporate innovation in a manner, that ensures that integration is seamless, but also prioritizes the well-being of the broader community, efficiency, and is sustainable long term.

### Consider Autonomous Vehicles when siting loading zones.

The arrival of AVs is expected to bring significant changes to the built environment, presenting new challenges. One critical challenge is the necessity for additional drop-off and pick-up zones. In response to these challenges, a report by the American Planning Association, titled "Planning for Autonomous Mobility (2018)," puts forth several recommendations for cities to prepare for an AV future. Specifically related to curb management, the city should consider the following strategies:

- **Proactively identify potential locations for pick-up and drop-off zones for passengers and deliveries utilizing AV technology.** Ensure these locations do not conflict with other curb functions or traffic operations. Priority should be given to

locations with minimal curb uses, particularly those serving multiple buildings in commercial or mixed commercial-residential areas, ensuring convenient access for both passengers and freight carriers.

- **Establish regulations and management strategies for pick-up and drop-off activities.** To mitigate congestion and minimize conflicts with other modes, program these activities spatially and temporally, by regulating how AVs may operate within a designated zone or general area. This may include constraining AVs to particular locations and/or time periods or specifying the types of AVs permitted to operate within a zone.<sup>11</sup>

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<sup>11</sup> Crute, J., Riggs, W., Chapin, T.S., & Stevens, L. (2018) *Planning for Autonomous Mobility*. PAS Report 592. American Planning Association

# Action Items

The action items in the following table are needed to realize the recommendations in this chapter.

#	ACTION	COST	TERM
6.1	Map locations of existing loading zones and post online for public viewing.	\$	Medium
6.2	Proactively identify locations for combination loading zones.	\$	Medium
6.3	Establish an application process and criteria to process requests for loading zones	\$	Short
6.4	Amend Chapter 28 of the Dallas City Code as needed to: <ul style="list-style-type: none"> <li>Remove ambiguous language hindering loading zone enforcement</li> <li>Modernize the definition of commercial vehicles</li> <li>Modernize terminology by changing “freight” to “commercial.”</li> </ul>	\$	Medium
6.5	Establish an online permitting system for commercial loading zone permits	\$	Medium
6.6	Modify Chapter 43 of the Dallas City Code to adjust the valet license fee structure to account for administrative and enforcement costs as well as revenue lost due to obstruction of parking spaces; clarify enforcement procedures including violations, fees, revocations, and reinstatement of licenses	\$	Short
6.7	Evaluate the following potential changes to Chapter 51A of the City Code to better manage loading activities: Evaluate the following potential changes to Chapter 51A of the City Code to better manage loading activities: <ul style="list-style-type: none"> <li>Ensure the off-street loading requirements for hotels, restaurants and bars, and high-density residential account for the increasing use of rideshare and on-demand delivery in the provision and design of loading spaces.</li> <li>Require developers to prepare a loading operation plan for certain uses (e.g., hotels, bars, high-density multi-family residential).</li> </ul>	\$	Medium
6.8	Amend Chapter 28 of the Dallas City Code to provide flexibility to passenger loading zones by eliminating the requirement that they be effective at all times and replacing it with language specifying that they shall be effective as indicated by signage or markings.	\$	Short
6.9	Develop five to ten options for combination zones and associated signage	\$	Medium

# PARKING FOR SPECIAL USERS

7

**OBJECTIVE:** Promote equity and accessibility and provide for the changing needs for the curb as transportation technologies and modes evolve.

Curb space should be equitably available to serve the most people and best interests of a neighborhood. Proactively planning for users ensures that access for neighborhood businesses and residents are not disproportionately affected by demands of the curb from outside users, that disabled users have proper accommodations, and that emerging technology can be implemented with existing infrastructure or with feasible modifications to infrastructure. This chapter covers:

- Employee parking
- Residential parking permits
- Electric vehicle parking
- Handicap parking

## Employee Parking

An increase in the minimum on-street parking rate and a move to performance-based parking pricing has raised concerns about the impact on service industry workers earning low wages that work for businesses with limited or no dedicated off-street parking, particularly when real or perceived criminal activity presents concerns about walking long distances to and from the business when shifts end late at night after transit service has ended. At the same time, when employees park for long periods of time in front of or near businesses, the lack of readily available parking can deter potential patrons from visiting those same businesses. Based on a review of other cities' practices, several strategies were identified for providing parking or transportation for service industry employees in areas like Downtown and Deep Ellum that could be considered by the city and stakeholders.

### 1. Shared Parking Arrangements with Private Property Owners

Because employee parking is typically longer-term parking (i.e., more than four hours), when identifying locations for employee parking, off-street locations such as parking lots and garages should be the focus, so as not to take valuable short-term on-street spaces for customers. Shared parking arrangements can be beneficial to both the business and the parking lot and garage owners. Once benefits have been identified and concerns addressed, the arrangement should have the following components at minimum:

- Restricting the use of certain parking spaces to employees of the contributing business
- Shared costs for maintenance, improvements, security, and enforcement

## 2. Parking Permit for Underutilized Streets

Even in the densest area, there are on-street parking areas that go unused throughout the day. Another strategy is for the city to create a permit to allow employees to park on underutilized streets, thereby leaving parking spaces in high demand areas to visitors and customers. Permits should be limited to ensure parking demand can be accommodated, and parking for nearby businesses or residents remains accessible. For most cities, these permits allow employees to park for unlimited periods of time, but they still have to pay the parking meter.

## 3. Travel Demand Management

Reducing employee parking demand allows more parking for customers. Create an incentive program to encourage employees to travel to work by other means than a vehicle. The program can include a variety of incentives and options, such as:

- Transit pass subsidies
- Rideshare subsidies
- Emergency ride home services
- Carpool/vanpool matching services

## Case Studies

### Austin, TX Affordable Parking Program: A City-Facilitated Shared Parking Arrangement

The Affordable Parking Program is a public-private partnership between the City of Austin, Downtown Austin Alliance, and parking management vendors (i.e., private companies that manage parking lots and garages). The initiative's goal is to reduce economic barriers for downtown employees who commute downtown by car. Downtown Austin's service and entertainment industry employees can access parking options at affordable monthly rates as early as 3:00 p.m. and stay as late as 7:00 a.m. during the week, and park up to 24 hours during the weekend, depending on the

garage. Permit holders are granted access to a designated garage for \$35-\$40 per month.

The City of Austin manages the application process for city-owned garages while privately-owned garages manage their own application process. There is no cost to the city or private garage/lot operators to participate in the program, however; the operator must agree on a set permit price the employee would pay to park at a designated garage. The city works with Downtown Austin Alliance to identify businesses whose employees would benefit from the program and to promote the program by advertising participating garages and parking availability.

Currently, there are over 20 public and private garages/lots participating in the program. To participate, applicants must show proof of employment in the entertainment service industries within the downtown Austin pay-to-park metered areas. Participants have described the program as a win-win: employees have access to more affordable parking, and operators of private lots/garages see higher demand and revenue than they otherwise would in off-peak hours

### Case Study: Portland, OR Area Parking Permit Program

The Area Parking Permit Program is intended to help alleviate commuter parking (i.e., parking by those with no apparent connection or business within the permit area) in mostly residential areas by creating a visitor time limit. Those who do have businesses or live in the area may apply to purchase an annual permit, allowing them to park beyond the visitor limit. Each of the zones' visitor time limits and hours are designed around the needs of the individual neighborhood.

To create an Area Parking Permit Program zone, residents and businesses seeking a remedy for the lack of available parking in their area due to commuter parking must initiate the process. Majority (greater than 60%) of the properties who vote, must vote in favor of the program. Area Parking Permit Program zones cannot be created in metered parking areas.

### Case Study: Boulder, CO Employee Eco Pass Program - A Transportation Demand Management Program

In the early 1990's, the City of Boulder launched the pilot employee Eco Pass program. Concentrated in the Central Area General Improvement District (CAGID), one of the nation's oldest parking benefit districts, the district's revenue funds free transit passes for city employees and also offers downtown employers partially subsidized EcoPasses that they can provide to their employees. There are a limited number of employee EcoPasses and availability is limited to permanent and full-time employees.

Businesses with at least a 6-month commercial lease that are within the CAGID, the Downtown Boulder Business Improvement District area, and the University Hill General Improvement District are included in the City of Boulder's employee EcoPass program. Businesses must first sign up for the EcoPass program. Once approved, employees then get the Authorization Form from their company's EcoPass.

### Case Study: San Luis Obispo, CA Validation Tickets and Employee Quarterly Parking Pass

This program was created to help alleviate downtown parking demand. Downtown businesses can purchase validation tickets to provide parking validation for customers (or staff) in any of the three downtown parking structures.

This quarterly employee pass provides downtown employees with access to reduced parking rates in the downtown parking structures. Each pass provides unrestricted access for one vehicle between the hours of 6:00 am – 12:00 am. Employees that work in downtown are eligible for a Free City Bus Pass.

## Recommendation

There are many factors that need to be discussed between business districts and the city before more specific recommendations can be finalized. When potential strategy options were presented to Dallas City Council as part of a briefing on this policy document in January 2022, the majority of City Council members did not support subsidizing employee parking for private businesses. It is recommended that a workshop be convened with business district representatives. Topics of discussion may include, but are not limited to:

- The types of strategies that should be pursued
- Roles and responsibilities
- If the parking permit strategy:
  - What streets should be selected for employee parking?
  - Is parking only for employees on that street, are employees allowed to park beyond the given time limits, or are employees given passes that are a reduced rate compared to what they might otherwise have to pay to park on that street?
  - Should the number of permits be limited per business?
  - Should there be a maximum income qualification?
  - What should the cost of the permits be?
- If the Transportation Demand Management Strategy:
  - How would the discounted transit passes or carpool incentives be funded?
  - Should the number be limited per business?
  - Should there be a maximum income qualification?

# Residential Parking Permits

## Existing Programs

The city's residential parking programs make on-street spaces available for use by residences and businesses in close proximity to commercial and mixed-use areas where the spaces would otherwise be occupied by commuter or visitor vehicles. Zones are established to restrict on-street parking during certain hours and days and allow only those vehicles displaying a parking permit to park within the zone.

The city operates two residential parking permit programs, as defined in Division 5B and 5C of Chapter 28, Article XI of the Code.

### 1. Residential Permit Parking (RPP) Program.

Limited to the Deep Ellum neighborhood, the program's purpose is to address the problems that arise when streets are used for parking vehicles by persons using adjacent commercial, industrial, and commuter facilities, but who do not reside in the neighborhood, making it challenging for Deep Ellum residents to obtain easy and adequate parking near their residences.

- The director may designate RPP zones in Deep Ellum as they determine "necessary to provide for the parking needs of the residents of that district."
- Only resident motor vehicles displaying a valid permit may parking in those zones.
- To be eligible for a permit, a person must reside within the Deep Ellum District. An annual permit costs \$25 for the first vehicle in the household, and \$50 for each additional vehicle.

**2. Resident Parking Only (RPO) Program.** Limited to neighborhoods where residential streets (i.e., streets in which the majority of lots are occupied by single-family or duplex uses) are used for parking by people accessing adjacent nonresidential generators, creating problems like hazardous traffic conditions, air and noise pollution, litter, and the inability of residents to

obtain easy and adequate parking near their residences. A "nonresidential parking generator" is "any facility, other than a structure used for a single-family or duplex use, that generates more parking needs than the facility can fully accommodate," including commercial, institutional, or commuter facilities. Only complete blocks of a residential street may be designated as a resident-parking-only zone, on one or both sides of the street.

- The director may designate RPO zones upon receipt of a petition and \$50 application fee, and if a parking study commissioned by the director shows that more than 60% of parking spaces are in use, and 20% or more of the vehicles using the parking spaces are not owned or operated by owners or occupants of residents or business establishments within the area requested to be designated as an RPO zone.
- Only permitted vehicles may park in RPO zones.
- The RPO zone applicants must pay \$42 for each RPO sign required to be installed.
- Businesses located in a proposed zoned are also allowed to apply for permits.
- Up to six permits may be issued to individual residence or business establishments. The annual permit fee is \$6.
- RPO permit holders can apply for temporary permits for visitors attending a party or special event at the residence or business establishment. The fee is \$0.10 for each temporary permit, and residences or business establishments may receive up to 50 per month. Temporary permits expire at noon on the day following the date stamped on the permit.

Today, there are 77 blocks identified as RPO zones in the Dallas. The largest number of RPO zones are located in and around the State-Thomas area, Henderson, and Lower Greenville. The majority of the zones do not meet the criteria in the code.



## Recommendations

City policies recognize that residents have an expectation that the neighborhood will not be overrun with parking by commuters and those transacting business in nearby commercial areas, and that on-street parking for their vehicles and those of their guests should be available for their use in the general vicinity of their residence. However, the cost and convenience of the parking depends upon the residential density and the extent of available public right-of-way. For example, in general, residents in single-family homes may expect to be able to park their own vehicle within a block of their home, while residents of high-rise apartments may expect that service vehicles and guests may have to park a few blocks away at peak times.

The city's goal is to achieve a balance between maximizing on-street parking utilization and access to businesses with the residents' desire for convenient on-street parking and preserved neighborhood character and needs of adjacent business districts. To improve the residential parking permit programs, a more detailed review with of peer city practices and stakeholder discussions is needed. Community engagement opportunities will be provided to gather feedback from city residents. The following items should be considered during those discussions.

- 1) Whether the RPP and RPO zones should continue to exclude non-permit-holders entirely, or the regulations and associated signs be modified to instead exempt permit-holders from time limit restrictions in the zones. This would prevent non-residents and commuters from parking on residential blocks for long periods of time, while ensuring that the curb is not reserved solely for use by residents in mixed-use areas. In looking at other cities' residential parking program, almost none of them granted exclusive use of blocks to permit holders. Most programs allow permit-holders to be exempt from time-limit restrictions on designated blocks.
- 2) Whether the notification process should be changed.
- 3) Whether the RPP program and the RPO program should be consolidated to improve the efficiency of program management.
- 4) Whether RPP or RPO zones should be restricted to streets that are abutted by mostly single-family homes.
- 5) Whether businesses should be allowed to obtain RPO permits, for example for employees or visitors, as allowed today.
- 6) The restrictions on and process for obtaining visitor permits.
- 7) Whether to establish a period review process for evaluating the continued need for RPP and RPO zones.
- 8) Whether to reduce the number of permits that may be issued to each residence to better match the number of parking spaces along a block.
- 9) The cost of permits
- 10) The goals of RPP and RPO zones and the criteria for establishing new zones.

# Electric Vehicles

Electromobility, also known as e-mobility, is the use of electric vehicles (EV), including cars, bikes, scooters, buses, and trucks that are powered fully, or in part, by electricity from the power grid. The use of e-mobility has increased dramatically in recent years with the trend expected to continue in the coming years. Per Dallas-Fort Worth (DFW) Clean Cities Coalition, electric cars currently represent 1% of cars registered in Dallas. However, between December 2021 and December 2022, registered ownership of electric cars in the city increased 35%, from 7,700 to 10,347.

Although the use of e-mobility has increased, the lack of publicly accessible electric vehicle charging infrastructure has resulted in “range anxiety”—a fear of running out of charge before reaching a destination or an available charging point. The perception of EV’s having low range and the uneven distribution of charging stations deters many from considering it as a reliable form of transportation and is a hindrance to large-scale adoption. Given residents, commuters, and visitors travel to the Dallas’s business districts to live, work, and play, it is important that EV charging is available, accessible, and convenient for various charging needs.

To prepare for the increasing use of e-mobility, it is recommended the city take a proactive approach to accommodate the growing demand by working with stakeholders to develop policy/guidance to improve the city’s network of charging stations, supporting the Comprehensive Environmental & Climate Action Plan’s (CECAP) goal of increasing access to sustainable, affordable transportation options.

As EV charging infrastructure is often considered a semi-permanent use and can conflict with other curb uses, it is recommended for the city to focus EV charging infrastructure in off-street parking locations

or on corridors where transit and bike infrastructure is not prioritized, if on-street charging is preferred.

## Considerations for an On-street EV Charging Policy

The following questions need to be answered to create a policy for on-street EV charging.

- Should the city focus on EV charging stations in off-street parking lots and garages, or allow EV charging stations to be installed for parking spaces along public streets?
- Should the city be the one to pay for, install, maintain, and operate the charging stations, or should licenses be granted to private companies to install, maintain, and operate charging stations in the public right-of-way?
- Should stations located in the public right-of-way be accessible to all members of the public and not limited to members of a provider or the owner of the charging stations?
- Should inspections be included in the permitting process to ensure chargers are in good condition?
- If the space is a metered parking space, should the meter rate be added on top of the cost to charge the vehicle?
- If the adjacent property owner is the entity that is licensed to install, operate, and maintain the charging stations, how will responsibility of the charging station be addressed if the property is sold to a new owner?
- Should there be a limit on the number of charging stations spaces allowed per block?

# Handicap Parking

Providing adequate parking for persons with disabilities is important to ensure equal access to the curb for the most vulnerable curb users with diverse mobility needs. Along all public street parking areas, marked or metered, and in off-street lots and garages, provide ADA spaces in accordance with current federal, state, and local ADA regulations and guidance. This includes the Public Rights-of-Way Accessibility Guidelines (PROWAG), Texas Manual on Uniform Traffic Control Devices (TMUTCD), Chapter 681 of the Texas Transportation code, and section 4.3.7.3 of the Dallas Street Design Manual.

## Guidelines

When locating on-street ADA parking spaces, consider key factors for accessibility and compliance.

**Number of Spaces:** Determine the appropriate number of ADA-accessible spaces based on the total parking capacity and the requirements outlined in PROWAG.

*Figure 7.1 Minimum Required Number of ADA Parking Spaces*

TOTAL NUMBR OF METERED OR DESIGNATED PARKING SPACES	MINIMUM REQUIRED # OF ADA PARKING SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 and over	4 percent of total

**Slope and Grade:** Ensure the slope and grade comply with PROWAG to avoid steep slopes challenging for those with mobility impairments.

**Space Dimensions:** Follow PROWAG for the dimensions of ADA-accessible spaces, including the width of the space and the adjacent access aisle.

**Visibility and Signage:** Provide clear and visible signage indicating the presence of ADA-accessible spaces. Ensure that the signage is easily seen from the road and includes the international symbol of accessibility as outlined in the TMUTCD.

**Accessibility Features:** Ensure that the selected locations have appropriate access to curb ramps and the adjacent sidewalk is clear of obstacles for wheelchair or scooter access.

**Proximity to Key Destinations:** Ensure ADA-accessible spaces are conveniently located near essential services and amenities like government facilities, healthcare, shopping, entertainment, education, and transit hubs for enhanced accessibility.

**Consultation with Stakeholders:** Seek input from relevant advocacy groups and stakeholders to address the diverse needs of the community.

**Compliance with Regulations:** Ensure that the design and placement of ADA-accessible spaces comply with local, state, and federal accessibility regulations, including the Americans with Disabilities Act (ADA) requirements.

Addressing these considerations can transform the curb into a more inclusive and accessible environment for persons with disabilities who depend on it to access their destinations

# Action Items

The action items in the following table are needed to realize the recommendations in this chapter.

#	ACTION	COST	TERM
7.1	<b>Employee Parking:</b> Convene a workshop with business district representatives to discuss strategies for employee parking.	\$	Short
7.2	<b>Residential Parking:</b> Review the Residential Permit Parking Program and Resident-parking-only Program, with input from business districts and neighborhood associations, to determine if programs are meeting intended purposes and there are no unintended impacts on communities of color, low-income residents, renters, and other curb users. Modify programs, with input from business districts and neighborhood associations, as needed	\$	Medium
7.3	<b>EV Parking:</b> Compile research and case studies of other cities' EV charging policies, programs, and practices, in consultation with state and federal policies and guidelines. Collect stakeholder and public input on the considerations for EV charging infrastructure. Present the findings and draft recommendation to the appropriate City committee. Finalize the City's policy for on-street EV charging, as applicable.	\$	Medium
7.4	<b>Handicap Parking:</b> Determine the number of handicap parking spaces that need to be installed in Paid (Metered) Parking Areas to meet national accessibility guidelines. Determine where the spaces should be located and begin installation.	\$	Medium
7.5	<b>Handicap Parking:</b> Update the Street Design Manual and the DDOT Sign Catalog to incorporate handicap-accessible parking standards.	\$	Medium

# SIGNS AND MARKINGS

## 8

**OBJECTIVE:** Manage expectations and simplify the experience for all curb users by making it predictable and easy to understand.

The design of parking time limit signs, No Parking, and other signs communicating the use of the curb is established by the Dallas Department of Transportation's Traffic Sign Standards current edition, which defers to the Federal Highway Administration (FHWA) and the Texas Manual on Uniform Traffic Control Devices (TMUTCD). Signs for off-street parking are typically implemented by private entities, each with their own unique style. The variety of signage dilutes the overall look and feel of an area, while confusing motorists about where and when it is legal to park. Providing signage and markings that are consistent across the city minimizes confusion and reinforces curb users' expectations.

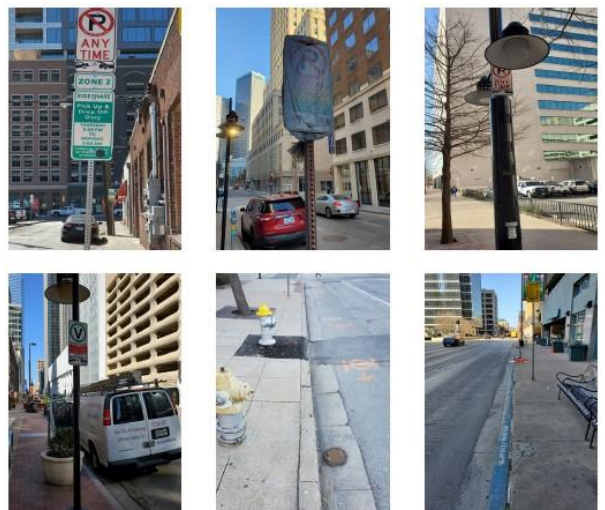
Issues and opportunities for improvement related to existing signs and markings communicating the use of the curb were identified by stakeholders and through a review of best practices they include:

### 1. Lack of delineation of on-street parking spaces:

Most business districts lack pavement markings to delineate the limits of individual on-street parking stalls, even if single-space meters are used. This leads to driver confusion about where parking is allowed, instances where parked vehicles are not aligned with any single parking meter, and it also

makes it difficult to enforce parking in metered parking stalls. Per Section 28-105 of the Code, "the driver of a vehicle shall park the vehicle in a metered parking stall so that the entire vehicle is within the limit lines marked on the curb or street designating the parking stall." This regulation cannot be enforced without parking stall markings.

2. **Inconsistent use of curb paint:** Inconsistent application of curb paint, coupled with the inconstant use of colors, contributes to a lack of clarity in defining parking regulations.
3. **Confusing signage.** The absence of arrows on No Parking signs, solely relying on words, creates confusion for motorists trying to determine where along the curb it is legal to park.



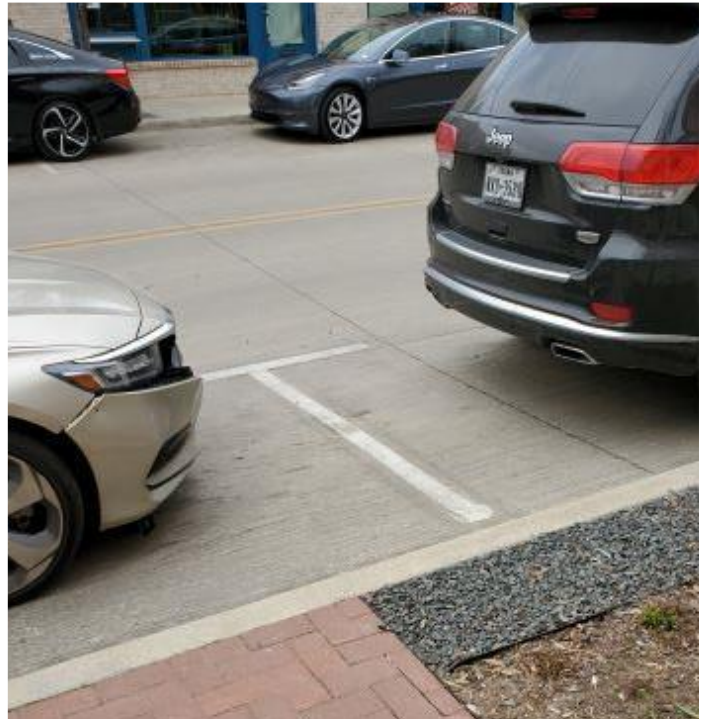


# Delineate Parking Meter Stalls and Zones

Of the issues noted above, the lack of delineation for on-street metered parking is the most pervasive and would be an easy solution to implement. Striping on-street stalls would achieve the following benefits:

- It would be clear to drivers with limited literacy or English Proficiency where it is legal to park
- Drivers would have a clear understanding of which meter goes with which space
- Drivers may find it easier to get in and out of parallel parking during busy conditions, which would reduce traffic delays
- Safety would be improved at intersections, driveways, and pedestrian crossings by clearly delineating setbacks
- It would be easier to see and enforce when drivers park outside of legal parking areas (e.g., to close to crosswalks or fire hydrants)
- Loading zones, Street Seats, micro-mobility stations, etc. would be allocated to a defined area
- Future License Plate Recognition (LPR) and vehicle count systems could be implemented to monitor occupancy across a defined number of on-street stalls

A policy decision needs to be made about whether the city's current standard parking stall markings should also be used to delineate non-metered parking stalls, and when the use of a solid line separating the parking lane from the travel lane is appropriate.



## Paint Curbs

The purpose of painting curbs is to communicate to drivers specific on-street parking rules. The use of curb paint can be used to supplement on-street signage or to reduce signage clutter by communicating the restrictions via curb color. The TMUTCD permits curb paint without signs if a legible word marking indicating the regulation is present on the curb. Curb paint without word markings or signs may be used in certain situations. This is applicable, for instance, when conveying a general prohibition by statute on parking within a specified distance of a STOP sign, YIELD sign, driveway, fire hydrant, or crosswalk.

Painting curbs can make the curb use regulations visible from a greater distance, reduce the chance of misunderstanding, and make driver navigation easier and more predictable. This could be particularly beneficial in Paid (Metered) Parking Areas where there is a high demand for the curb that often leads to sign clutter and illegal parking.

It is recommended that the City of Dallas make greater use of painting curbs. Due to the additional maintenance expense this would entail, it is recommended that painting curbs be limited to Paid (Metered) Parking Areas as these areas have the highest demand for curb space and the greatest

potential for conflicts. Because Paid (Metered) Parking Areas have greater regulation of the curb and require a higher number of signs, painting the curbs would likely have a negligible impact on maintenance costs if it is accompanied by a reduced number of signs that must be maintained.

**Figure 8.1** shows the curb colors that are recommended for Dallas and what they represent. These recommendations are based on a review of other cities and relevant literature and are consistent with the TMUTCD and best practices. The curb colors

would need to be added to Chapter 28 of the Dallas City Code to be enforceable.

After the color curbs are added to the code to be enforceable, a phased implementation, funding, and maintenance plan should be created for implementing colored curbs and reducing sign clutter in Paid (Metered) Parking Areas. It is recommended that the implementation plan start with painting curbs red around fire hydrants.

*Figure 8.1. Curb Use Colors*

CURB COLOR	PURPOSE	DESCRIPTION	SAMPLE APPLICATIONS	ADDITIONAL SIGNS OR MARKINGS
<b>Red</b>	No Parking Any Time	Applied at locations where parking and stopping is prohibited at all times.	The clear zone by a fire hydrant or crosswalk, at bus stops, or along travel lanes where parking is prohibited at all times.	Should be supplemented by No Parking signs as required, although this could create confusion about whether parking is prohibited when signs are not present.
<b>No Color</b>	Parking Allowed	The curb may be used for parking. Parking may be restricted at certain times of day or day of week, or to residents with permits.	The curb next to metered parking stalls, 15-minute parking zones, free all-day parking, and RPO zones.	Signs may be needed to indicate time-of-day or day-of-week restrictions, time restrictions, that payment is required to park, or that a permit is required to park.
<b>Yellow</b>	Commercial /Passenger Loading Only	The curb may only be used for passenger and/or commercial delivery loading at all times.	The curb next to freight loading zones, passenger or rideshare loading zones, valet zones, or flex loading zones.	Signs to indicate the type of loading zone and any special time limits or time-of-day restrictions.
<b>Blue</b>	Disabled Parking	Parking only for people with disabled placards or plates. Typically applied at all times with no exceptions for time of day or day of week.	At parking stalls designated for handicap parking. (see additional discussion in the Special Users chapter.)	Handicap parking signs and markings, as required in TMUTCD.



# Update Signage

As demands for the curb and new uses for the curb (e.g., rideshare, deliveries) have increased over the past 10 years, and as the Dallas Department of Transportation staff have come and gone, there is a need to take a fresh look at the design and placement of the signs regulating the use of the curb. This section identifies some of the issues and opportunities that have been identified related to curb use signage, and the corresponding recommendations.

Some of the major issues and opportunities with the signage, as noted by city staff and members of the stakeholder committee, include:

- **Sign clutter:** Some neighborhoods have an overabundance of signage; this may be confusing to visitors and lead to an increase in traffic circulation and decreased driver awareness of pedestrians, bicyclists, and scooter riders.
- **Third-party/ private signage:** There are some instances of private and third-party signage placed along the block face. These signs are inconsistent in terms of font colors and placement, and it is unclear if any of these signs are done with city approval.
- **Misalignment of signs with curb features:** In many cases, signposts are not aligned with appropriate setbacks for driveways and intersections, or signs fail to delineate the limits of the stated curb use or restriction.
- **Missing signage:** Parking stalls with paid parking regulations often lack signage indicating that motorists must pay to park and what the time limits are. No Parking signs are sometimes missing around fire hydrants.
- **Ambiguous signage:** The use of words rather than arrows on No Parking signs to indicate where the

restriction applies has been reported to cause confusion about where it is illegal to park.

- **Conflicting signage with curb usage:** Parking meters in a rideshare zone with overlapping hours.
- **Unnecessary signage:** Most signs have a “towing enforced” supplemental sign, but the city rarely conducts towing.

The current standards for sign placement and messaging should be reviewed. Below, are broad recommendations for consideration:

- Provide signage and markings for curb uses that is consistent within districts and across the city and is easy to see and comprehend. This may require adding additional types of signs to the city’s traffic sign standards, such as, flex loading zone signs, parking time limit signs, and paid parking signs.
- Utilize symbols rather than, or in addition to, words whenever possible.
- Replace the No Parking signs in the current edition of the department’s Traffic Sign Standards with signs that utilize arrows.
- When arrows are used, ensure signs are installed at a 45-degree angle to the curb so it is clearer where the arrows are pointing.
- Minimize sign clutter by using strategies like painting curbs red for No Parking in Paid (Metered) Parking Areas.

The National Association of City Transportation Officials (NACTO) provides several guidelines for messaging and design of downtown signage given the changing requirements for curbs and on-street usage. It is recommended that the city conduct a more in-depth review of signage and wayfinding to supplement the recommendations contained in this document.

# Action Items

The action items in the following table are needed to realize the recommendations in this chapter.

#	ACTION	COST	TERM
8.1	Stripe the limit lines of all metered parking stalls in accordance with Section 28-105 of the code.	\$\$	Medium
8.2	Develop standards for whether and how non-metered parking stalls should be marked, and when it is appropriate to stripe a solid line to separate the parking area from the travel lane.	\$	Medium
8.3	Amend Chapter 28 of the Dallas City Code to make red and yellow curb markings enforceable.	\$	Short
8.4	Create standard details for curb markings	\$	Short
8.5	Develop a phasing plan for implementing curb markings	\$	Medium
8.6	Identify funding to implement painted curbs in Paid (Metered) Parking Areas, with the goal of completing implementation in one area per year, starting with the Downtown Central Business District. Painting curbs red around fire hydrants, intersections, and driveways in accordance with the No Parking regulations in the code should be the top priority. A potential funding source could be the increased revenue from performance-based parking meter pricing.	\$\$	Long
8.7	Develop new standard for No Parking signs that use arrows and symbols rather than words to indicate where the regulation applies. Begin implementing the new standard signs as requests for new No Parking signs come in or signs need to be replaced.	\$	Short
8.8	Finalize the city's standard signs for passenger loading, commercial/freight loading, and combination zones, with input gathered from local business districts, and add to the Traffic Sign Standards as funds are available, implement this new signage in commercial and mixed-use areas in a systematic manner, completing all updates in one Paid (Metered) Parking Areas before moving to the next.	\$	Short
8.9	Implement paid parking signage where absent, in accordance with TMUTCD.	\$\$	Short
8.10	Develop a sign replacement program when new types of signs are developed, to avoid confusion and provide predictability.	\$	Medium
8.11	Designate bus only lanes with proper markings and signage.	\$	Medium
8.12	Revise striping and signage budget to account for increased cost to update signage and install markings.	\$	Short

**OBJECTIVE:** Manage expectations and simplify the experience for all curb users by making it predictable and easy to understand.

Implementing curb management tools and policies, including performance-based parking pricing, requires effective communication of meter rates, policies, and curb use regulations to users. Clear communication helps reduce confusion and frustration while promoting a better understanding of curb operations. This chapter will outline communication strategies aimed at improving customer experience and conveying essential information to users.

## Provide Real Time Availability

### Smartphone Applications

Smartphone apps provide easily accessible information and vehicle navigation to motorists. Information included in a smartphone app could include parking locations, rates, restrictions, and real-time availability (if technology permits). In many cases, cities provide their parking data in an open-source format, to allow interested smartphone app developers to incorporate the data into a larger network at no cost to the city. Such smartphone app developers include ParkMe and Parkopedia, who are more interested in creating a database of parking information on a national scale than developing individual parking apps for cities. The type of data sources that could be fed into the development of a smartphone app could include sensor data (if implemented) and meter transaction data for on and off-street facilities. At the time of this report, Google has recently implemented a parking difficulty feature in pilot communities (Atlanta, Charlotte, Tampa, Phoenix, and 20 other locations) that provides information about how

challenging parking will be based on an input destination. It is envisioned that future iterations would also be able to help determine less challenging parking within a proximate distance from the user's destination.

## Provide Education

Customer outreach is an essential piece to educating the public on the goals, objectives, regulations, and practices of the city's performance parking program. The goal of outreach is to encourage understanding and compliance with the new program. The following section summarizes the different outreach efforts that could be implemented as part of an on-going outreach campaign. While the final outreach campaign will likely contain a combination of outreach efforts, it is essential that branding and messaging remain clear and consistent throughout to support customer recognition and understanding.

### Website

Many times, visitors plan where they are going to park by researching parking options online. For a fully functioning performance parking and curb management programs, it is imperative that the parking rates and rate adjustments are properly communicated to the public to reduce confusion and driver frustration. In addition to communicating parking rates, the city's website provides an excellent opportunity to educate the public on the performance parking pricing program. The website should be expanded to include information on the program such as:

- A description of the program purpose and how it works
- The goals of the program
- The benefits the program provides
- Frequently asked questions

- Program contact information
- Annual data collection results
- Rate adjustment announcements
- Rate structure
- Parking maps and associated rates

## Videos

Another opportunity to educate the public is to produce a short video that explains performance parking pricing program elements and the benefits it will provide. This video should be posted on the website, as well as be distributed to other media outlets and stakeholder groups to reach a wider audience.

## Business Information Packet

Before the program is initiated, the city should develop a packet to be distributed to area businesses, organizations, and neighborhood groups that contains information on the new program. The packet should be developed for electronic and print distribution and should include:

- A description of the program, including how it works and the benefits it will provide to the community
- Information on how to use the parking system
- Information on how the program is structured including the rate setting policies
- Information on how users will be notified of rate changes

## Enforcement Officers

Parking enforcement officers interact with parkers daily and are a great resource to speak with the public regarding the performance parking pricing program. The parking enforcement officers should be educated on the objectives of the program and how it works. This will enable them to effectively communicate the program's message to motorists.

# Action Items

The action items in the following table are needed to realize the recommendations in this chapter.

#	ACTION	COST	TERM
9.1	In future contract negotiations with parking meter vendors, prioritize vendors that can provide real-time data to parking apps.	\$	Long
9.2	Add the following information to the Parking Management Program website: <ul style="list-style-type: none"> <li>• Information on paid parking: a map showing the location of metered parking areas, a description of parking meter rates and time limits, information on performance-based parking pricing, etc.</li> <li>• Information on special signs and their meanings, such as commercial loading zone signs, passenger loading zone signs, flex use loading zones, handicap parking, RPO signs, paid parking signs, etc.</li> <li>• A map showing the location of loading zones.</li> <li>• A map showing the location of RPO districts.</li> </ul>	\$	Short

# IMPLEMENTATION & PHASING

10

The implementation plan organizes critical actions, considering timeframes for completion following policy adoption and funding availability. Short-term actions can be completed within the first year after policy adoption, medium-term actions within three years, and long-term actions within five years. Costs are categorized as inexpensive (\$ = \$0-\$50k), moderately expensive (\$\$ = \$50-\$200k), or expensive (\$\$\$ = >\$200k).

While most actions require planning, funding, or staff time, some must be promptly executed to build momentum and prepare for future actions. The Priority Action Item table identifies a critical action needing City Council approval. A set of code amendments is ready for City Council consideration, to be presented immediately after the adoption of the On-Street Parking and Curb Management Policy.

Following the approval of the policy document and initial ordinance amendments, the City Council should expect subsequent ordinance amendments and follow-up actions as recommendations are implemented.

## Amendments to Policy

From time to time, staff may administratively update the policy document to provide clarifications that do not impact the goals, objectives, and policies outlined in the document.

## Maintenance of Policy Document

The most current policy should always be posted and be available on the Department of Transportation or Parking Management program website.

Figure 10.1 Priority Action Items Immediately Following the Policy Adoption

	#	Action	Cost
Priority Action Items	5.1	<p><b>Paid Parking:</b> Modify Chapter 28 of the Dallas City Code to rename Metered Parking Areas as Paid Parking Areas and provide guidance for when it may be appropriate to establish or modify the boundaries of a Paid (Metered) Parking Area; and remove the block-specific meter rates and enforcement times and instead provide parameters for when to utilize parking meters and adjust meter rates.</p> <p>The parameters may include:</p> <ul style="list-style-type: none"> <li>• Guidance for when the installation or removal of paid parking spaces is appropriate. Changes to meters must be based on measured vehicle occupancy on a set of blocks, with the goal of having one or two open spaces on each block face throughout the day.</li> <li>• Rates can be adjusted no more frequently than once every 6 months.</li> <li>• Rates can only be adjusted in increments of \$0.25 to \$0.50 per hour.</li> <li>• The minimum parking meter rate is \$1.00 per hour. The maximum parking meter rate is \$6.00 per hour.</li> </ul>	\$

Figure 10.2 Short-Term Action Items

	#	Action	Cost
Short-Term Action Items (Within 1 Year)	5.2	<b>Paid Parking:</b> After amending the Code, increase all meter rates that are currently less than \$1.00 per hour to \$1.00 per hour.	\$
	5.7	<b>Paid Parking:</b> Consider amending the Dallas City Code to enable the establishment of parking benefit districts.	\$
	5.8	<b>Paid Parking:</b> Identify at least one area that could be an applicable candidate for a parking benefit district and begin discussions with local stakeholders.	\$
	5.9	<b>Paid Parking:</b> Develop and application form for districts and neighborhoods to use to apply to establish a Parking Benefit District.	\$
	5.11	<b>Paid Parking:</b> Develop a maintenance and phasing plan to upgrade parking meter technology.	\$
	5.14	<b>Paid Parking:</b> Update the parking meter hooding and temporary removal section of the code (Section 28-114.12) to establish criteria and revise the fee structure to account for the temporary and permanent removal of paid parking spaces and associated hardware, lost revenue, and relocation of paid parking spaces.	\$
	6.3	<b>Loading Zones:</b> Establish an application process and criteria to process requests for loading zones	\$
	6.6	<b>Loading Zones:</b> Modify Chapter 43 of the Dallas City Code to adjust the valet license fee structure to account for administrative and enforcement costs as well as revenue lost due to obstruction of parking spaces; clarify enforcement procedures including violations, fees, revocations, and reinstatement of licenses	\$
	6.8	<b>Loading Zones:</b> Amend Chapter 28 of the Dallas City Code to provide flexibility to passenger loading zones by eliminating the requirement that they be effective at all times and replacing it with language specifying that they shall be effective as indicated by signage or markings.	\$
	7.1	<b>Employee Parking:</b> Convene a workshop with business district representatives to discuss strategies for employee parking. Take a recommendation to City Council within two years of policy adoption.	\$
	8.3	<b>Signs and Markings:</b> Amend Chapter 28 of the Dallas City Code to make red and yellow curb markings enforceable.	\$
	8.4	<b>Signs and Markings:</b> Create standard detail for curb markings	\$
	8.7	<b>Signs and Markings:</b> Develop new standard for No Parking signs that use arrows and symbols rather than words to indicate where the regulation applies. Begin implementing the new standard signs as requests for new No Parking signs come in or signs need to be replaced.	\$
	8.8	<b>Signs and Markings:</b> Finalize the city's standard signs for passenger loading, commercial/freight loading, and combination zones, with input gathered from local business districts, and add to the Traffic Sign Standards as funds are available, implement this new signage in commercial and mixed-use areas in a systematic manner, completing all updates in one Paid (Metered) Parking Areas before moving to the next.	\$

Figure 10.2 Short-Term Action Items (cont'd)

#	Action	Cost
8.9	<b>Signs and Markings:</b> Implement paid parking signage where absent, in accordance with TMUTCD.	\$\$
8.12	<b>Signs and Markings:</b> Revise striping and signage budget to account for increased cost to update signage and install markings	\$
9.2	<b>Communication:</b> Add the following information to the Parking Management Program website: <ul style="list-style-type: none"> <li>• Information on paid parking: a map showing the location of metered parking areas, a description of parking meter rates and time limits, information on performance-based parking pricing, etc.</li> <li>• Information on special signs and their meanings, such as commercial loading zone signs, passenger loading zone signs, flex use loading zones, handicap parking, RPO signs, paid parking signs, etc.</li> <li>• A map showing the location of loading zones.</li> <li>• A map showing the location of RPO districts.</li> </ul>	\$



Figure 10.3 Medium-Term Action Items

	#	Action	Cost
Medium-Term Action Items (Within 3 Years)	2.1	<b>Prioritizing and Allocating Curb Uses:</b> Using the curb use inventory created for this effort as a starting point, expand and maintain an up-to-date GIS-based inventory of curb uses in central Dallas and areas that require active curb management and parking enforcement.	\$\$
	5.3	<b>Paid Parking:</b> Evaluate a progressive or tiered rate structure to accommodate longer stays, allowing motorists to stay beyond the time limit if they paid for it.	\$
	5.5	<b>Paid Parking:</b> Conduct a parking occupancy survey of all metered parking spaces to determine if rates should be increased or decreased, or if meters should be removed.	\$\$\$
	5.6	<b>Paid Parking:</b> Identify areas to implement event parking rates and begin discussions with area stakeholders.	\$
	5.10	<b>Paid Parking:</b> Consider adopting a standard partnership agreement that defines city baseline services (e.g., meter installation, maintenance, standard signs, and markings) and supplemental services (e.g., technology solutions, mobility pilots, pedestrian amenities) that might be provided by community partners and public improvement districts.	\$
	5.12	<b>Paid Parking:</b> Ensure parking meter payment technology is up to date with payment methods of the day by completing the upgrade of coin-operated meters with credit card-enabled smart meters, while also ensuring spaces are available for people to pay by cash. Implement smart meters where only app-based payment exists today.	\$\$\$
	5.13	<b>Paid Parking:</b> Expand the use of LPR technology to increase the efficiency of parking occupancy surveys and parking enforcement. Consider piloting technologies to allow for more automated occupancy surveying.	\$\$\$
	6.1	<b>Loading Zones:</b> Map locations of existing loading zones and post online for public viewing.	\$
	6.2	<b>Loading Zones:</b> Proactively identify locations for combination loading zones.	\$
	6.4	<b>Loading Zones:</b> Amend Chapter 28 of the Dallas City Code as needed to: <ul style="list-style-type: none"> <li>Remove ambiguous language hindering loading zone enforcement</li> <li>Modernize the definition of commercial vehicles</li> <li>Modernize terminology by changing “freight” to “commercial”</li> </ul>	\$
	6.5	<b>Loading Zones:</b> Establish an online permitting system for commercial loading zone permits	\$
	6.7	<b>Loading Zones:</b> Evaluate the following potential changes to Chapter 51A of the City Code to better manage loading activities: <ul style="list-style-type: none"> <li>Ensure the off-street loading requirements for hotels, restaurants and bars, and high-density residential account for the increasing use of rideshare and on-demand delivery in the provision and design of loading spaces.</li> <li>Require developers to prepare a loading operation plan for certain uses (e.g., hotels, bars, high-density multi-family residential).</li> </ul>	\$
	6.9	<b>Loading Zones:</b> Develop five to ten options for combination zones and associated signage	\$
	7.2	<b>Residential Parking:</b> Review the Residential Permit Parking Program and Resident-parking-only Program, with input from business districts and neighborhood associations, to determine if programs are meeting intended purposes and there are no unintended impacts on communities of color, low-income residents, renters, and other curb users. Modify programs, with input from business districts and neighborhood associations, as needed.	\$

Figure 10.3 Medium-Term Action Items (cont'd)

	#	Action	Cost
Medium-Term action Items (Within 3 Years)	7.3	<b>EV Parking:</b> Compile research and case studies of other cities' EV charging policies, programs, and practices, in consultation with state and federal policies and guidelines. Collect stakeholder and public input on the considerations for EV charging infrastructure. Present the findings and draft recommendation to the appropriate City committee. Finalize the City's policy for on-street EV charging, as applicable.	\$
	7.4	<b>Handicap Parking:</b> Determine the number of handicap parking spaces that need to be installed in Paid (Metered) Parking Areas to meet national accessibility guidelines. Determine where the spaces should be located and begin installation.	\$\$
	7.5	<b>Handicap Parking:</b> Update the Street Design Manual and the DDOT Sign Catalog to incorporate handicap-accessible parking standards.	\$
	8.1	<b>Signs and Markings:</b> Stripe the limit lines of all metered parking stalls in accordance with Section 28-105 of the code.	\$\$
	8.2	<b>Signs and Markings:</b> Develop standards for whether and how non-metered parking stalls should be marked, and when it is appropriate to stripe a solid line to separate the parking area from the travel lane.	\$
	8.5	<b>Signs and Markings:</b> Develop a phasing plan for implementing curb markings	\$
	8.10	<b>Signs and Markings:</b> Develop a sign replacement program when new types of signs are developed, to avoid confusion and provide predictability.	\$
	8.11	<b>Signs and Markings:</b> Designate bus only lanes with proper markings and signage.	\$

## 10.4 Long-Term Action Items

	#	Action	Cost
Long-Term Action Items (Within 5 Years)	5.4	<b>Paid Parking:</b> Evaluate the minimum and maximum rates every five years and amend Chapter 28 as needed.	\$
	8.6	<b>Signs and Markings:</b> Identify funding to implement painted curbs in Paid (Metered) Parking Areas, with the goal of completing implementation in one area per year, starting with the Downtown Central Business District. Painting curbs red around fire hydrants, intersections, and driveways in accordance with the No Parking regulations in the code should be the top priority. A potential funding source could be the increased revenue from performance-based parking meter pricing.	\$\$
	9.1	<b>Communication:</b> In future contract negotiations with parking meter vendors, prioritize vendors that can provide real-time data to parking apps.	\$

# APPENDIX

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## Parking Meter Technology Pros-Cons

The following summary of pros and cons of parking meter technology options is based on the Federal Highway Administration's 2020 publication, "Contemporary Approaches to Parking Pricing: A Primer."

Technology Option	How Users Pay	How Enforcement Works	Pros	Cons	Other Notes
<b>1. Single-Space Coin-Operated Meters</b>	Users pay at the meter next to their car, either with coins or through the app (after scanning the QR code on the meter).	Enforcement officers must visually inspect the meter to see if it is expired-- and, if there is also a Pay-by-Phone option, check an additional database-- before issuing a parking citation.	<ol style="list-style-type: none"> <li>1. User convenience to pay at the space rather than at a central payment location.</li> <li>2. Provide a visual reminder to users (i.e., the meter itself) that they must pay to park.</li> <li>3. Meter failures affect only one parking space rather than an entire block face.</li> <li>4. No wireless technology costs.</li> </ol>	<ol style="list-style-type: none"> <li>1. Limited payment options accepted (only coin and pay-by-phone).</li> <li>2. Challenging to adjust prices, report revenue collected, and monitor utilization.</li> <li>3. No automatic alerts to operations about system failures. (Requires users to report or regular inspections, decreasing the revenue that could be collected.</li> <li>4. Enforcement is more time-consuming and labor-intensive.</li> <li>5. More infrastructure to maintain than multi-space meters or Pay-by-Phone only.</li> <li>6. More sidewalk clutter than multi-space meters or app only.</li> <li>7. Enforcement officers must visually inspect every parking meter, making enforcement less efficient.</li> </ol>	
<b>2. Single-Space "Smart" Meters</b>	Users pay at the meter next to their car, either with coins, cash, credit card, or through the app (after scanning the QR code on the meter).	Enforcement officers utilize wireless devices to check the status of each space.	<ol style="list-style-type: none"> <li>1. User convenience to pay at the space rather than at a central payment location.</li> <li>2. Provide a visual reminder to users (i.e., the meter itself) that they must pay to park.</li> <li>3. Meter failures affect only one parking space rather than an entire block face.</li> <li>4. Many payment options accepted (coins, bills, card, pay-by-phone).</li> <li>5. The meters are wirelessly networked to allow real-time reporting, automatically report system failures, and support dynamic pricing.</li> <li>6. Can also integrate with pay-by-phone (app) systems, improving enforcement.</li> </ol>	<ol style="list-style-type: none"> <li>1. More infrastructure to maintain than multi-space meters or Pay-by-Phone only.</li> <li>2. More sidewalk clutter than multi-space meters or Pay-by-Phone only.</li> <li>3. If time is left on a meter, it could be used by a new vehicle, rather than the new vehicle having to start the clock over. In addition to impacting revenue, this could also make it challenging to accurately collect data on user behaviors like average time parked (which can inform what time limits are set).</li> </ol>	If Pay-by-Phone is available, it must be integrated with meters and LRP technology for enforcement to be efficient. Otherwise, Enforcement Officers must check multiple databases before issuing a parking citation.

Technology Option	How Users Pay	How Enforcement Works	Pros	Cons	Other Notes
<b>3. Multi-Space Pay-And-Display</b>	Users to walk to a central pay station, make their payment, and place a receipt on their vehicle's dashboard.	Enforcement officers must visually inspect the receipt on each vehicle dashboard to determine if the vehicle has paid and that they have not violated time limits.	<ol style="list-style-type: none"> <li>1. Many payment options accepted (coins, bills, card, pay-by-phone).</li> <li>2. The meters are wirelessly networked to allow real-time reporting, automatically report system failures, and support dynamic pricing.</li> <li>3. Can also integrate with pay-by-phone (app) systems, improving enforcement</li> <li>4. Less infrastructure to maintain than single-space meters.</li> <li>5. Less sidewalk clutter than single-space meters.</li> </ol>	<ol style="list-style-type: none"> <li>1. Greater user inconvenience than single-space meters, as user must walk to a central kiosk to pay.</li> <li>2. Greater user inconvenience than other multi-space and Pay-by-Phone Only options, as user must walk to kiosk to pay and back to their car again to display receipt.</li> <li>3. If the meter fails, it effects all spaces on the entire block face.</li> <li>4. Enforcement officers must visually inspect the receipt on every vehicle's dashboard, making enforcement less efficient.</li> <li>5. More infrastructure to maintain than Pay-by-Phone Only.</li> </ol>	The kiosk should be centralized on the block and there should be signs indicating users must pay at the kiosk, to avoid contested tickets from people claiming they did not realize they had to pay to park.
<b>4. Multi-Space Pay-by-Plate</b>	Users input their license plate number when making payment at the multi-space meter or in the Pay-by-Phone system (if available).	Enforcement officers will scan your license plate number with their handheld ticketing device to verify your payment. For enforcement to be most efficient, officers would only get out of their car to issue tickets if there is a block with many cars that in violation, allowing them to focus their energy on the blocks with the greatest number of violators in the least amount of time.	<ol style="list-style-type: none"> <li>1. Many payment options accepted (coins, bills, card, pay-by-phone).</li> <li>2. The meters are wirelessly networked to allow real-time reporting, automatically report system failures, and support dynamic pricing.</li> <li>3. Can also integrate with pay-by-phone (app) systems, improving enforcement.</li> <li>4. Less infrastructure to maintain than single-space meters.</li> <li>5. Less sidewalk clutter than single-space meters.</li> <li>6. If the meter fails, customers can pay for parking at any multi-space meter kiosk so long as the customer properly enters their license plate number and the zone number in which they parked.</li> </ol>	<ol style="list-style-type: none"> <li>1. Greater user inconvenience than single-space meters, as user must walk to a central kiosk to pay.</li> <li>2. More meter infrastructure to maintain than Pay-by-Phone Only.</li> </ol>	The kiosk should be centralized on the block, with signs indicating users must pay at the kiosk, to avoid contested tickets from people claiming they did not realize they had to pay to park. If Pay-by-Phone is available, it must be integrated with meters and LRP technology for enforcement to be efficient. Otherwise, enforcement officers must check multiple databases before issuing a parking citation.

Technology Option	How Users Pay	How Enforcement Works	Pros	Cons	Other Notes
<b>5. Multi-Space Pay-by-Space</b>	Similar to Pay-by-Plate, but instead users enter a space number associated with their parking space when they pay at the multi-space meter.	Enforcement officers use wireless devices to check the status of each space. For enforcement to be most efficient, officers would only get out of their car to issue tickets if there was a block with many cars in violation, allowing them to enforce the greatest number of violators in the least amount of time.	<ol style="list-style-type: none"> <li>Many payment options accepted (coins, bills, card, pay-by-phone).</li> <li>The meters are wirelessly networked to allow real-time reporting, automatically report system failures, and support dynamic pricing.</li> <li>Can also integrate with pay-by-phone (app) systems, improving enforcement.</li> <li>Less infrastructure to maintain than single-space meters.</li> <li>Less sidewalk clutter than single-space meters.</li> </ol>	<ol style="list-style-type: none"> <li>Greater user inconvenience than single-space meters, as user must walk to a central kiosk to pay.</li> <li>If the meter fails, it effects all spaces on the entire block face.</li> <li>More meter infrastructure to maintain than Pay-by-Phone Only.</li> <li>Requires signing or striping of each individual space number.</li> <li>Integration with Pay-by-App may be more challenging, unless every parking space in the system is assigned a unique number. That would make making changes to parking spaces more challenging.</li> </ol>	
<b>6. Pay-by-Phone Only</b>	Pay-by-phone technology allows users to pay for parking by phone, text message, or a smart phone application.	The systems can integrate with "smart" single-space and multi-space meters and LPR technology. The integration with LPR means enforcement officers using that technology can be automatically notified of time violations. If not integrated with meters or LPR, pay-by-phone systems require enforcement officers to check an additional database before issuing a parking citation.	<ol style="list-style-type: none"> <li>Allows for real-time reporting and support dynamic pricing (if there are separate QR or ID codes for each block).</li> <li>More efficient enforcement - occurs similarly to Pay-by-Plate. Enforcement Officers can check the payment status of each vehicle by scanning their license plate using a wireless device.</li> <li>No meter infrastructure to maintain.</li> <li>No way to meters to fail and impact revenue (unless the pay-by-phone system fails).</li> <li>Less sidewalk clutter than single-space meters.</li> </ol>	<ol style="list-style-type: none"> <li>Limited payment options accepted (only credit card). Person must have a working phone to park. May pose barriers for low-income, handicap, or disabled people.</li> <li>Users are typically required to download an app, pre-register and provide a credit card number. Infrequent visitors may be reluctant to download an app, and the amount of time it takes to install the app and create an account can be significant when compared to simply entering a credit card into a machine.</li> <li>Greater user inconvenience than single-space meters, as user must walk to a sign to read or scan the code to pay.</li> </ol>	There are two ways in which this system charges for parking. Option 1 ("start duration"): user arrives at parking location, enters or scans a code associated with the location, and selects the amount of time they would like to park. Option 2 ("start stop"): requires parkers to contact the system when they first park and when ready to leave.





## Agenda Information Sheet

**File #:** 24-660

**Item #:** 24.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Transportation

**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 28-2, 28-26, 28-103, 28-104, 28-105, 28-106, 28-107, 28-108, 28-109, 28-110, 28-111, 28-112, 28-113, 28-114, 28-114.1, 28-114.11, and 28-114.12; **(1)** adding new Sections 28-103.1, 28-103.2, 28-103.3, and 28-114.13; **(2)** providing a paid parking area; **(3)** modifying the authority of the Director of Transportation to install and operate paid parking payment devices and setting the rates for paid parking in the paid parking area; **(4)** providing a penalty not to exceed \$500.00; **(5)** providing a saving clause; **(6)** providing a severability clause; and **(7)** providing an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)

### **BACKGROUND**

This amendment would implement a recommended strategy referenced in the second objective of the On-Street Parking and Curb Management Policy, which reads as follows:

*Objective 2: Increase access to businesses in mixed-use and commercial districts by promoting adequate turnover of on-street parking stalls using time limits and parking meters.*

*Action 5.1: Modify Chapter 28 of the Dallas City Code to rename Metered Parking Areas as Paid Parking Areas and provide guidance for when it may be appropriate to establish or modify the boundaries of a Paid (Metered) Parking Area; and remove the block-specific meter rates and enforcement times, and instead provide parameters for when to utilize parking meters and adjust meter rates.*

This amendment would also implement a policy recommendation referenced in the Strategic Mobility Plan (SMP), also known as *Connect Dallas*, that was adopted in April 2021, by Resolution No. 21-0691:

*Policy Recommendation: Proactively Manage the City's Curbside Mobility Assets*



*Specific Action: Update parking meter rates and introduce dynamic pricing to better manage parking utilization in paid parking districts.*

This amendment intends to accomplish the policy recommendation by:

- 1) Adding definitions for “paid parking space,” “paid parking area,” and “parking payment device.”
- 2) Renaming the existing Metered Parking Areas as “paid parking areas” to reflect new terminology.
- 3) Giving the Director of the Department of Transportation (Director) the authority to make recommendations to the City Council to establish or modify boundaries of paid parking areas.
- 4) Eliminating block-specific meter rates and enforcement times from the code to enable a more nimble and proactive approach to curb management. This involves establishing policy guidance within the code for the installation and removal of paid parking, as well as setting rates, tied to the goal of maintaining one or two open parking spaces on each block face in areas with high demand. This is accomplished by:
  - a. Establishing a minimum and maximum parking meter rate in the code: minimum hourly rate of \$1.00 and a maximum hourly rate of \$6.00.
  - b. Giving the Director the authority to set paid parking rates within the established limits.
  - c. Giving the City Traffic Engineer the authority to designate paid parking spaces within paid parking areas on the basis of parking studies.
  - d. Requiring the City Traffic Engineer to notify property owners within 500 feet of the location where paid parking spaces will be designated (replacing the existing requirement that only requires a written notice to City Council members).
- 5) Updating meter and parking ban holidays to include holidays more recently adopted by the City Council, including Juneteenth, Indigenous People’s Day, and Veterans Day.

In alignment with the policy goal of maintaining one or two available parking spaces on each block face, rate adjustments and the establishment or removal of paid parking space regulations will be determined by the measured occupancy of city blocks. This approach ensures a performance-based system.

The amendment would also consider the Driving Principle of “Equity” in the SMP: the price of on-street parking would still generally be lower than the average rates in surrounding private parking lots and garages, and much lower than a traffic citation, which are historically issued more frequently when there is a lack of available parking.

This amendment will take effect on October 1, 2024, in all areas of the City except the Deep Ellum Paid Parking Area. The extension to October 1, 2024, will allow the City to develop and execute a communications and outreach campaign to inform the public about the rate changes, and reprogram meters with the new rates. The rates in the Deep Ellum Paid Parking Area will take effect on May 8, 2026. This two-year delay from the date of the ordinance adoption will allow for additional off-street parking capacity to be developed in Deep Ellum and will coincide with the substantial completion of the Commerce Street two-way conversion project. The current rates in Deep Ellum as of May 7, 2024, shall remain in effect until May 8, 2026.

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

On September 23, 2020, the City Council authorized Supplemental Agreement No. 1 to the professional services contract with Kimley-Horn and Associates, Inc. for the addition of a comprehensive parking system management strategy and policy implementation plan by Resolution No. 20-1424.

On April 28, 2021, the City Council authorized the adoption of the City of Dallas SMP, known as *Connect Dallas*, and the coordination of initiatives and partnerships necessary to implement the actions and goals set forth in the SMP by Resolution No. 21-0691.

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on August 16, 2021. <https://cityofdallas.legistar.com/View.ashx?M=F&ID=9708878&GUID=CBE8865C-9870-4782-B799-A82997CCA2E9>](https://cityofdallas.legistar.com/View.ashx?M=F&ID=9708878&GUID=CBE8865C-9870-4782-B799-A82997CCA2E9)

The Transportation and Infrastructure Committee was briefed on the “Curb Lane Management Policy Study” on October 18, 2021.

The City Council was briefed on the “On-Street Parking and Curb Management Policy Study” on January 19, 2022.

The City Council was briefed on the “On-Street Parking and Curb Lane Management Policy” on January 18, 2023.

[The City Council was briefed by memorandum regarding this matter on July 7, 2023. <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdallascityhall.com%2Fgovernment%2Fcitymanager%2FDocuments%2FFY%252022-23%2520Memos%2FMCC%2520Memo%2520On-Street%2520Parking%2520and%2520Curb%2520Management%2520Policy%2520Update%20v5%2520\(003\)%20draft%2520\(003\).pdf&data=05%7C02%7Candreina.rocha%40dallas.gov%7C1df8d7a9167646d7ce3308dc75235469%7C2935709ec10c4809a302852d369f8700%7C0%7C0%7C638514041809733694%7CUnknown%7CTWFpbGZsb3d8eyJWljoImMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=kvLsZ3TCD9M44uJVBREfcTgTgruDCjCrrppSCbNI82A%3D&reserved=0>](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdallascityhall.com%2Fgovernment%2Fcitymanager%2FDocuments%2FFY%252022-23%2520Memos%2FMCC%2520Memo%2520On-Street%2520Parking%2520and%2520Curb%2520Management%2520Policy%2520Update%20v5%2520(003)%20draft%2520(003).pdf&data=05%7C02%7Candreina.rocha%40dallas.gov%7C1df8d7a9167646d7ce3308dc75235469%7C2935709ec10c4809a302852d369f8700%7C0%7C0%7C638514041809733694%7CUnknown%7CTWFpbGZsb3d8eyJWljoImMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=kvLsZ3TCD9M44uJVBREfcTgTgruDCjCrrppSCbNI82A%3D&reserved=0)

[The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on September 18, 2023. <https://cityofdallas.legistar.com/View.ashx?M=F&ID=12301745&GUID=204E85C4-19BF-4C64-83FF-F2DC744DA800>](https://cityofdallas.legistar.com/View.ashx?M=F&ID=12301745&GUID=204E85C4-19BF-4C64-83FF-F2DC744DA800)

The Transportation and Infrastructure Committee was briefed on the “Curb Lane Management Policy Study” on December 5, 2023.

[The City Council was briefed by memorandum regarding this matter on February 9, 2024. <https://dallascityhall.com/government/citymanager/Documents/FY23-24%20Memos/On-Street%20Parking%20and%20Curb%20Management%20Policy%20Update%201.12.24\\_v7%20%28002%29.pdf>](https://dallascityhall.com/government/citymanager/Documents/FY23-24%20Memos/On-Street%20Parking%20and%20Curb%20Management%20Policy%20Update%201.12.24_v7%20%28002%29.pdf)

## **FISCAL INFORMATION**

This action has no cost consideration to the City. Implementation of the recommended changes may increase the monthly revenue generated by on-street parking meters. Ordinance enforcement of a penalty up to \$500.00 may also generate additional revenues to the City.



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

An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 28-2, 28-26, 28-103, 28-104, 28-105, 28-106, 28-107, 28-108, 28-109, 28-110, 28-111, 28-112, 28-113, 28-114, 28-114.1, 28-114.11, and 28-114.12; adding new Sections 28-103.1, 28-103.2, 28-103.3, and 28-114.13; providing a paid parking area; modifying the authority of the director of transportation to install and operate paid parking payment devices and setting the rates for paid parking in the paid parking area; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Subsection (a) of Section 28-2, "Definitions," of Article I, "In General," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code is amended to read as follows:

"(a) In this chapter:

(1) ALLEY means any narrow street described in this chapter that has no legal or official name other than "alley."[-]

(2) APPROVED ABBREVIATIONS. The following approved abbreviations may be used in connection with issuing traffic tickets, citations, and complaints for violation of the Dallas Traffic Ordinance: "Street" may be abbreviated as "St."; "Avenue" may be abbreviated as "Ave." or "Av."; "Freeway" may be abbreviated as "Frwy." or "Fwy."; "Lane" may be abbreviated as "Ln."; "Drive" may be abbreviated as "Dr."; "Road" may be abbreviated as "Rd."; "Boulevard" may be abbreviated as "Blvd."; "Expressway" may be abbreviated as "Exp.", "Ewy." or "Expwy."; "Place" may be abbreviated as "Pl."; "Court" may be abbreviated as "Ct."; "Parkway" may be abbreviated as "Pkw."; "Circle" may be abbreviated as "Cir."; "Highway" may be abbreviated as "Hwy."; "Plaza" may be abbreviated as "Plz."; "Square" may be abbreviated as "Sq."; and "Terrace" may be abbreviated as "Ter." In all cases where the word is abbreviated it shall be understood to mean the same as though fully written out.

(3) ARTERIAL means a street designated as either a principal or a minor arterial in the city's thoroughfare plan.

(4) BOOT means a lockable vehicle wheel clamp or similar device that is designed to be placed on a parked vehicle to prevent the operation of the vehicle until the device is unlocked and removed.

(5[4.4]) CHIEF OF POLICE means the chief of the police department of the city or the chief's authorized representative.

(6[4.2]) CITY MARSHAL means the city marshal of the city, or the marshal's authorized representative.

(7[5]) COLLECTOR-DISTRIBUTOR ROAD means an auxiliary roadway, separated laterally from, but generally parallel to, the freeway through roadway, which serves to collect and distribute traffic from several access connections between selected points of ingress to and egress from the through traffic lanes.

(8[6]) COMMERCIAL VEHICLE means any vehicle that displays a valid commercial, truck, or truck-tractor state license plate.

(9[7]) CURB means the lateral lines of a roadway, whether constructed above grade or not, which are not intended for vehicular travel.

(10[8]) DIRECTOR means the director of the department designated by the city manager to enforce and administer this chapter, and includes representatives, agents, and department employees designated by the director.

(11[9]) DIVIDED ROADWAY or DIVIDED HIGHWAY means a roadway or highway divided into two roadways by leaving an intervening space or by a physical barrier, or clearly indicated dividing section between the two roadways.

(12[10]) HORSE means any saddle or harness animal.

(13[11]) IMMOBILIZE means to place a boot on a parked vehicle to prevent the operation of the vehicle until the boot is unlocked and removed.

(14[12]) LIMIT LINES means boundaries of paid parking spaces ~~[areas]~~, loading zones, safety or danger zones, crosswalks, and lines marked for the purpose of excluding traffic and parking.

(15[13]) LOADING ZONE means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

~~[(14) METER AND PARKING BAN HOLIDAYS include only the following days:~~

~~(A) New Years Day (January 1);~~

- (B) ~~Martin Luther King's Birthday (third Monday in January);~~
- (C) ~~President's Day (third Monday in February);~~
- (D) ~~Memorial Day (last Monday in May);~~
- (E) ~~Independence Day (July 4);~~
- (F) ~~Labor Day/Cesar E. Chavez Day (first Monday in September);~~
- (G) ~~Thanksgiving Day (fourth Thursday in November); and~~
- (H) ~~Christmas Day (December 25).]~~

(16[45]) ONE-WAY STREET means any street or highway on which traffic is restricted to movement in one direction only.

(17[46]) OPERATOR means any person in control of a vehicle, including a railroad train or vehicle being towed.

(18) PAID PARKING AREA means any area where parking is regulated by pay-to-park signage and payment is required at the paid parking payment device.

(19) PAID PARKING HOLIDAYS include only the following days:

- (A) New Year's Day (January 1);
- (B) Martin Luther King's Birthday (third Monday in January);
- (C) President's Day (third Monday in February);
- (D) Memorial Day (last Monday in May);
- (E) Juneteenth National Independence Day (June 19)
- (F) Independence Day (July 4);
- (G) Labor Day/Cesar E. Chavez Day (first Monday in September);
- (H) Indigenous Peoples' Day (second Monday in October);
- (I) Veterans Day (November 11)
- (J) Thanksgiving Day (fourth Thursday in November); and

(K) Christmas Day (December 25).

(20) PAID PARKING PAYMENT DEVICE means any device used to accept payment for parking, such as parking meters, pay station kiosks, mobile devices, or other methods approved by the director.

(21) PAID PARKING SPACE means a space that is delineated on a public right-of-way for which payment is required to park a vehicle.

(22[17]) PARK or PARKING means the standing of vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

(23[18]) PARKING BAN means certain hours during the day at which time standing, parking, or stopping of a vehicle is prohibited along the curb of designated streets as indicated by signs authorized by the traffic engineer.

(24[18.1]) PARKING ENFORCEMENT OFFICER means the person designated by the city manager to perform the functions of parking enforcement officer or his authorized representative.

(25[19]) PARKING VIOLATION means a violation of any provision of this chapter governing the stopping, standing, or parking of a vehicle.

(26[20]) PARKWAY means that portion of a street or highway between the curb lines or the lateral lines of a roadway and the adjacent property lines, not intended for the use of pedestrians; also, the intervening space between the roadways of a divided street or highway or any island or area, whether or not clearly defined by curbs or markings, which divides any portion of any street, highway, or intersection into separate lanes for vehicular traffic.

(27[20.1]) PEACE OFFICER means officers who are required to obtain and maintain a commission through the Texas Commission on Law Enforcement and listed in Section 2.12 of the Texas Code of Criminal Procedure. This includes police officers, city marshals, and arson investigators.

(28[21]) PUBLIC PLACE means any place where the general public has a right to assemble, or to which people commonly resort for purposes of business, amusement, recreation or other lawful purpose.

(29[22]) SERVICE ROAD means an auxiliary roadway adjacent to a freeway, expressway, or arterial that is used by traffic desiring access to abutting property and by traffic seeking ingress to or egress from the adjacent freeway, expressway, or arterial.

(30[23]) STAND or STANDING means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.



(31[24]) STOP or STOPPING, when prohibited, means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

(32[25]) TIME STANDARD (OFFICIAL), for purposes of designating certain hours in this chapter, means central standard time or central daylight-saving time as may be in current use in the city.

(33[26]) TRAFFIC DIVISION means the traffic division of the police department of the city.

(34[27]) TRAFFIC ENGINEER means the person designated by the city manager to perform the functions of traffic engineer or his authorized representative.

(35) VEHICLE has the meaning assigned to it by Section 541.201 of the Texas Transportation Code, as amended.

(36[28]) VIADUCT means a bridge-like structure to carry a roadway over a valley or ravine, or across another roadway.”

SECTION 2. That of Subsection (b) of Section 28-26, “Parking Designations; Authority to Install,” of Article V, “Traffic-Control Devices,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code is amended to read as follows:

“(b) After making such studies, the traffic engineer shall:

(1) designate those areas and times on public streets and highways in the city where parking, stopping, or standing should be allowed, or parking bans should be in effect, and regulate parking, stopping, standing, or parking bans by installing appropriate signs, by installing paid parking payment devices or designating paid parking spaces [meters] (when authorized by Division 4, “Paid Parking Payment Devices,” or Article XI, “Stopping, Stading, and Parking Generally,” [Section 28-103] of this chapter), or by marking curbs, giving notice that parking, stopping, or standing is allowed or parking bans are in effect and for what period of time; ~~and~~

(2) determine when parking, stopping, or standing motor vehicles should be prohibited on public streets or highways in the city and regulate such prohibition by installing appropriate signs, by providing individual signs or information on each paid parking payment device [meter] so affected, or by marking curbs, giving notice that parking, stopping, or standing, is prohibited; and

(3) paint or mark each individual paid parking space.”

SECTION 3. That Division 4, “Parking Meters,” of Article XI, “Stopping, Standing, and Parking Generally,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code is amended to read as follows:

**“Division 4. Paid Parking Payment Devices ~~[Meters]~~.**

**SEC. 28-103. AUTHORITY TO INSTALL AND OPERATE PAID PARKING PAYMENT DEVICES ~~[METERS; WHERE INSTALLED]~~.**

~~[(a)]~~ For parking in city rights-of-way and other city controlled parking areas under the control of the transportation department, t[T]he director [of transportation] or his designee is authorized to [install parking meters only in the following metered parking areas]:

(1) Make recommendations to city council to establish or modify the boundaries of paid parking areas. In making these recommendations, the director may consider the factors in Section 28-103.1(b).

(2) Establish or modify the hours when paid parking is in effect in accordance with Section 28-103.2(e) and (f).

(3) Establish rates to be charged at paid parking payment devices, within the limits established this division.

(4) Vary rates and hours that may be charged at paid parking payment devices to achieve approximately one to two parking spaces available on each block face in accordance with this division.

**SEC. 28-103.1. PAID PARKING AREA.**

(a) The paid parking area is established in the following areas:

<b><u>PAID</u> <del>[METERED]</del> PARKING AREA</b>	<b>BOUNDARIES</b>
Baylor	Gaston Avenue to Washington Avenue to Swiss Avenue on the north; Haskell Avenue on the east; Elm Street to Hall Street to Indiana Boulevard on the south; and Malcolm X Boulevard to Junius Street to Oak Street on the west.
Central Business District (includes West End Historical District and Klyde Warren Park)	Woodall Rodgers Freeway on the north; Julius Schepps Freeway on the east; R. L. Thornton Freeway on the south; and Stemmons Freeway on the west. (West End is bounded by Woodall Rodgers Freeway on the north; Field Street on the east; Elm Street on the south; and Stemmons Freeway on the west.) (Klyde Warren Park is bounded by the Woodall Rodgers Freeway westbound service

	road on the north; Pearl Street on the east; the Woodall Rodgers Freeway eastbound service road on the south; and St. Paul Street on the west.)
Deep Ellum	Indiana Boulevard on the north; Exposition Avenue on the east; Canton Street on the south; and Good-Latimer Expressway on the west.
Infomart	Stemmons Freeway north service road on the north; Oak Lawn Avenue on the east; Stemmons Freeway south service road on the south; and Market Center Boulevard on the west.
Jefferson	Sunset Avenue on the north; Crawford Street on the east; Twelfth Street on the south; and Willomet Avenue on the west.
Park Central	Merit Drive on the north; the east side of Park Central Drive on the east; Forest Lane on the south; and the west side of Park Central Drive on the west.
Parkland	Harry Hines Boulevard on the north; Medical District Drive on the east; Stemmons Freeway on the south; and Inwood Road on the west.
Cedars	R. L. Thornton Freeway on the north; Ervay Street on the east; Corinth Street on the south; and <u>Botham Jean Boulevard</u> [ <del>Lamar Street</del> ] on the west.
Uptown/Victory	Stemmons Freeway from Woodall Rodgers Freeway to the Dallas North Tollway; <u>McKinnon</u> [ <del>McKinnon</del> ] Street from the Dallas North Tollway to Pearl Street; Pearl Street from McKinnon Street to Woodall Rodgers Freeway; and Woodall Rodgers Freeway from Pearl Street to Stemmons Freeway.

(b) The director may consider the following factors in making a recommendation to city council on the establishment of new paid parking areas or in making modifications to the boundaries of existing paid parking areas:

- (1) Adjacent property owner and property tenant interest in having parking management using paid parking payment devices.
- (2) Need for increased turnover of parking spaces.
- (3) Need to assist in the enforcement of parking time restrictions.
- (4) Impact on existing paid parking area enforcement.

~~[No parking meter may be installed in any area of the city other than a metered parking area described in Subsection (a), unless approved by city council ordinance.]~~

(c) ~~[The total number of parking meters in any metered parking area described in Subsection (a), as that number is determined on October 1 of each fiscal year, may not be increased by more than 10 percent within that fiscal year, unless the installation of each excess parking meter is approved by city council resolution.]~~

~~(d) At least four weeks before installing any parking meter in a metered parking area described in Subsection (a), the director shall give written notice of the proposed installation to each city council member.~~

~~(e) The department of transportation shall place and maintain all parking meters. Meters must be placed upon the curb alongside of designated parking stalls or in an area that is central to several parking stalls assigned to a multi-space metered unit. The meters must indicate the time limit in effect in each stall, the hours the limit is operative, the appropriate payment that is required to be deposited, and the method of payment accepted by the meter.~~

~~(f)] All parking meters installed in the city before May 22, 1996 are considered to have been installed with city council authorization and approval.~~

## **SEC. 28-103.2. PAID PARKING SPACES.**

(a) Paid parking space may only be designated or paid parking payment device may only be installed in the public right-of-way in the paid parking area.

(b) Paid parking spaces may be established on the basis of parking studies, with the policy goal of having one to two parking spaces available throughout the day on block faces in commercial and mixed-use areas, and to aid in the regulation, control, and inspection of the parking of vehicles.

(c) At least 10 days before installing any paid parking payment device or designating a paid parking space, the traffic engineer shall give written notice to all property owners within 500 feet of the location where paid parking spaces will be designated.

(d) Paid parking payment devices must be placed on the curb alongside paid parking spaces or in an area that is central to several paid parking spaces. On either the paid parking payment device or pay-to-park signage located on the blockface, adjacent to the paid parking spaces, information must be provided regarding the days and hours when payment is required, the cost to park, the methods of payment accepted, and the maximum time for which parking is lawfully permitted.

(e) Except as provided in this section, where paid parking payment devices have been installed or paid parking spaces designated, payment between the hours of 7:00 a.m. and 6:00 p.m., Monday through Sunday is required unless it is a paid parking holidays or the director has modified the paid parking hours.

(f) The director shall consider the following factors when modifying the paid parking hours

(1) The operating hours of nearby businesses.

(2) The measured occupancy on a set of blocks to achieve approximately one to two parking spaces available on each block face.

**SEC. 28-103.3.****RATE SETTING FOR PAID PARKING.**

(a) Except as provided in this division, parking rates for paid parking spaces may be set up to \$6.00 per hour ("Maximum Hourly Rate"). When parking rates are in effect, parking rates may be set no lower than \$1.00 per hour ("Minimum Hourly Rate").

(b) The director shall adjust rates based on the measured occupancy on a set of blocks with a policy goal of achieving approximately one to two parking spaces available on each block face throughout the day.

**SEC. 28-104.****INDICATION OF EXPIRATION OF PARKING TIME.**

(a) Except as provided in Subsection (b) this section, each paid parking payment device ~~[meter]~~ shall display an indicator showing legal parking upon the deposit of an appropriate payment. The parking time allowed by the payment amount must be clearly indicated on the paid parking payment device ~~[meter]~~. Each paid parking payment device ~~[meter]~~ shall continue operation from the time payment is made until expiration of the appropriate parking time. At the end of that parking time, the paid parking payment device ~~[meter]~~ shall indicate by the display of a signal that the lawful parking period has expired.

(b) Parking time is not required to be displayed on the paid parking payment device ~~[meter]~~ if payment has been made by telephone or the Internet. A person who pays for ~~[metered]~~ parking by telephone or the Internet will receive an electronic receipt or other form of confirmation of the transaction indicating the parking time allowed by the payment. The owner, operator, manager, or driver of the vehicle parked in the paid ~~[metered]~~ parking space is responsible for knowing when the allowed parking time will expire. Parking time allowed through a payment transaction by telephone or the Internet may also be accessed and displayed on a handheld device carried by a police officer or other person authorized to issue parking citations.

**SEC. 28-105.****VEHICLE TO BE PARKED WITHIN LIMIT LINES OF PAID PARKING SPACES ~~[AT METERS]~~.**

In addition to complying with other parking regulations in this chapter, the driver of a vehicle shall park the vehicle in a paid parking space ~~[metered parking stall]~~ so that the entire vehicle is within the limit lines marked on the curb or street designating the parking space ~~[stall]~~.

**SEC. 28-106.****PAYMENT REQUIRED.**

During the hours when paid parking ~~[period when the parking time limit]~~ is in effect and payment at a paid parking payment device ~~[for metered parking]~~ is required, the ~~[owner, operator, manager, or]~~ driver of a vehicle shall, upon entering a paid ~~[metered]~~ parking space, immediately pay the parking rate for the amount of time the driver intends to park in the space using [deposit an appropriate payment in] the paid parking payment device ~~[meter]~~ assigned to the parking space ~~[or pay for parking at the space by use of a telephone or the Internet. The parking space may then be used by the vehicle for the period of time shown by the indicator on the meter or, if payment~~

was made by use of a telephone or the Internet, as indicated on the electronic receipt or other form of confirmation received for the payment transaction].

**SEC. 28-107.                                      PARKING WHERE PAID PARKING PAYMENT DEVICE  
[METER] HAS EXPIRED.**

A vehicle is illegally parked if it is found parked or standing in a paid ~~[metered]~~ parking space, and:

(1)        sufficient payment for the use of the paid parking space was not paid using a paid parking payment device ~~[the parking meter assigned to that space displays a signal showing the lawful parking period has expired, unless payment for the metered parking space was made by the use of a telephone or the Internet];~~ or

(2)        the allowed parking time paid for the paid ~~[metered]~~ parking space ~~[by using a telephone or the Internet has expired]~~.

**SEC. 28-108.                                      PARKING WHERE PAID PARKING PAYMENT DEVICE  
[METER] IS DISPLAYING A VIOLATION SIGNAL.**

(a)        During the hours when paid parking ~~[period when the time limit]~~ is in effect ~~[and payment for metered parking is required]~~, a person shall not permit a vehicle under the person's control to remain in any paid ~~[metered]~~ parking space while the paid parking payment device ~~[meter]~~ assigned to the parking space is displaying a signal indicating that all parking time has expired.

(b)        It is a defense to prosecution under Subsection (a) ~~[of this section]~~ that the person paid for the paid ~~[metered]~~ parking space using a telephone or the Internet and the parking time purchased by the payment transaction had not expired.

**SEC. 28-109.                                      STOPPING, STANDING, OR PARKING BEYOND  
MAXIMUM LEGAL TIME LIMIT PROHIBITED.**

(a)        In this section, MAXIMUM LEGAL TIME LIMIT means the amount of continuous time that a person may park a vehicle in paid parking space ~~[purchase from a parking meter for parking at a metered parking space]~~, regardless of whether payment is actually made.

(b)        A person commits an offense if he stops, stands, or parks a vehicle in a paid ~~[metered]~~ parking space for a period of time longer than the maximum legal time limit posted on the paid parking payment device or sign ~~[meter]~~ assigned to that parking space.

**SEC. 28-110.                                      USE OF PAID [METERED] PARKING SPACES FOR  
LOADING AND UNLOADING.**

The use of a paid ~~[metered]~~ parking space for loading and unloading merchandise from a commercial vehicle, or from a passenger-type vehicle displaying a valid loading zone permit, will

be permitted between the hours of 7:00 a.m. and 10:00 a.m. without the deposit of a payment in the paid parking payment device [meter] assigned to the parking space, except for paid parking spaces with defined no parking time limits.

**SEC. 28-111. TAMPERING WITH PAID PARKING PAYMENT DEVICES [METERS].**

A person commits an offense if he defaces, tampers with, opens, destroys, or impairs a paid parking payment device [meter] installed under the provisions of this chapter, unless authorized by the traffic engineer.

**SEC. 28-112. DEPOSIT OF SLUGS AND NON-AUTHORIZED PAYMENT DEVICES PROHIBITED.**

A person commits an offense if he deposits or causes to be deposited in a paid parking payment device [meter] a slug or device other than a coin of the United States or other payment device posted as being accepted by the paid parking payment device [meter].

**SEC. 28-113. COLLECTION AND DISPOSITION OF MONEY DEPOSITED.**

The director [~~of transportation~~] shall designate persons to make regular collections of the money deposited in paid parking payment device [meters], which must be deposited to the credit of the city the same as funds that are collected through the municipal courts. The deposits must be made in a special account called "parking meter funds," which must be disbursed on order of the city council. The persons designated by the director [~~of transportation~~] to make the collections shall furnish a good and sufficient bond to the city to ensure the city the collection and safe handling of the funds arising from the operation of paid parking payment devices [meters].

**SEC. 28-114. CONVENIENCE FEE FOR PAID PARKING PAYMENTS BY TELEPHONE OR THE INTERNET.**

A convenience fee of \$0.35 will be assessed, in addition to the paid parking fee, for payment of paid [~~metered~~] parking by use of a telephone or the Internet.

**SEC. 28-114.1. RESERVED. [~~ZONES WITHIN THE CENTRAL BUSINESS DISTRICT.~~**

(a) ~~One dollar fifty cents an hour zones. A person shall pay an hourly rate of \$1.50 for the use of a metered parking space upon the following streets or portions of streets within the central business district during the following effective times:~~

(1) ~~Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Akard Street	100-200 N.	Both	Main Street to Pacific Avenue



Austin Street	200 N.	Both	Elm Street to Pacific Avenue
Austin Street	100-300 S.	Both	Main Street to Wood Street
Commerce Street	500-1900	Both	Houston Street to Harwood Street
Crockett Street	600	Both	San Jacinto Street to Bryan Street
Elm Street	500-1900	Both	Houston Street to Harwood Street
Ervay Street	100-700 N.	Both	Main Street to Ross Avenue
Ervay Street	100-400 S.	Both	Main Street to Young Street
Federal Street	1600-1900	Both	Akard Street to Harwood Street
Field Street	100-600 N.	Both	Main Street to Ross Avenue
Field Street	100-300 S.	Both	Main Street to Wood Street
Harwood Street	400-800 N.	Both	Live Oak Street to Ross Avenue
Houston Street	100 N.	Both	Main Street to Elm Street
Houston Street	100-300 S.	Both	Main Street to Wood Street
Jackson Street	500-1700	Both	Houston Street to Prather Street
Lamar Street	200 N.	Both	Elm Street to Pacific Avenue
Lamar Street	100-300 S.	Both	Main Street to Wood Street
Lane Street	200	Both	Commerce Street to Jackson Street
Live Oak Street	1900	Both	St. Paul Street to Harwood Street
Main Street	500-1900	Both	Houston Street to Harwood Street
Market Street	100 N.	Both	Main Street to Elm Street
Market Street	100-300 S.	Both	Main Street to Wood Street
Olive Street	500-800 N.	Both	Bryan Street to Ross Avenue
Pacific Avenue	1900	Both	St. Paul Street to Harwood Street
Pearl Street	500-800 N.	Both	Live Oak Street to Ross Avenue
Prather Street	200	Both	Commerce Street to Jackson Street
Record Street	300 S.	Both	Jackson Street to Wood Street
Ross Avenue	1800-2000	Both	Ervay Street to Live Oak Street
San Jacinto Street	1600-2300	Both	Ervay Street to Leonard Street
San Jacinto Place	1900	Both	San Jacinto Street to St. Paul Street
St. Paul Street	300-600 N.	Both	Live Oak Street to San Jacinto Street
Wood Street	500-1600	Both	Houston Street to Ervay Street

(2) Monday through Sunday from 7:00 a.m. until 12 midnight only.

STREET	BLOCK(S)	SIDE(S)	EXTENT
Commerce Street	2000-2100	Both	Harwood Street to Central Expressway
Elm Street	2000-2100	Both	Harwood Street to Central Expressway
Live Oak Street	2000-2100	Both	Harwood Street to Pearl Street
Main Street	2000-2100	Both	Harwood Street to Central Expressway

(b) ~~One dollar twenty five cents an hour zones.~~ A person shall pay an hourly rate of \$1.25 on Monday through Sunday, from 7:00 a.m. until 12 midnight only, for the use of a metered parking space upon all streets or portions of streets within the central business district, except as otherwise provided in this section.

(c) One dollar an hour zones – streets. A person shall pay an hourly rate of one dollar on Monday through Sunday, from 7:00 a.m. until 12 midnight only, for the use of a metered parking space upon the following streets or portions of streets within the central business district:

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Corbin Street	600-900	Both	Record Street to Laws Street
Hord Street	900	Both	Lamar Street to Laws Street
Lamar Street	300-2000 N.	Both	Pacific Avenue to McKinney Avenue
Market Street	300-1800 N.	Both	Pacific Avenue to Munger Avenue
McKinney Avenue	600-900	Both	Record Street to Laws Street
Munger Avenue	600-900	Both	Record Street to Laws Street
Record Street	300-1900 N.	Both	Pacific Avenue to McKinney Avenue
Ross Avenue	500-800	Both	Pacific Avenue to Lamar Street

(d) One dollar an hour zones – parking lots. A person shall pay an hourly rate of one dollar on Monday through Sunday, from 7:00 a.m. until 6:00 p.m. only, for the use of a metered parking space upon the following areas within the central business district:

<b>PARKING LOT</b>	<b>BOUNDARIES</b>
City Hall	Marilla Street
	Ervay Street
	Canton Street
	Akard Street

(e) Sixty cents an hour zones. A person shall pay an hourly rate of 60 cents for the use of a metered parking space upon the following streets or portions of streets within the central business district during the following effective times:

(1) Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Akard Street	500-700 S.	Both	Young Street to Canton Street
Ervay Street	500-700 S.	Both	Young Street to Canton Street
Ervay Street Service Road	500-700 S.	Both	Young Street to Canton Street
Evergreen Street	500	Both	Young Street to Marilla Street
Field Street	400 S.	Both	Wood Street to Young Street
Griffin Street	400-600 S.	Both	Wood Street to Ceremonial Drive
Lamar Street	300-600 S.	Both	Jackson Street to Ceremonial Drive
Marilla Street	1300-1800	Both	Field Street to Park Avenue
Park Avenue	400 S.	Both	Wood Street to Young Street
Ross Avenue	900-2300	Both	Lamar Street to Leonard Street
St. Paul Street	400 S.	Both	Wood Street to Young Street
Young Street	500-1700	Both	Houston Street to St. Paul Street

(2) Monday through Sunday from 7:00 a.m. until 12 midnight only.

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Houston Street	300-2000 N.	Both	Pacific Avenue to McKinney Avenue
Lamar Street	2100 N.	Both	McKinney Avenue to Broom Street
Laws Street	1700-2000 N.	Both	Ross Avenue to McKinney Avenue

(f) Fifty cents an hour zones. A person shall pay an hourly rate of 50 cents on Monday through Sunday, from 7:00 a.m. until 12 midnight only, for the use of a metered parking space upon the following streets or portions of streets within the central business district:

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Commerce Street	2200-2400	Both	Central Expressway to Julius Schepps Freeway
Elm Street	2200	Both	Pearl Expressway to Central Expressway
Main Street	2200	Both	Central Expressway to Julius Schepps Freeway

(g) Thirty cents an hour zones. A person shall pay an hourly rate of 30 cents for the use of a metered parking space upon the following streets or portions of streets within the central business district during the following effective times:

(1) Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Akard Street	1700-1900 N.	Both	Ross Avenue to the Woodall Rodgers Freeway south service road
Flora Street	2000	Both	Harwood Street to Olive Street
Harwood Street	400 S.	Both	Wood Street to Young Street
Harwood Street	1700-1900 N.	Both	Ross Avenue to the Woodall Rodgers Freeway south service road
Munger Avenue	1800	Both	Akard Street to St. Paul Street
Munger Avenue	2000	Both	Harwood Street to Olive Street
Olive Street	1700-1900 N.	Both	Ross Avenue to the Woodall Rodgers Freeway south service road
Park Avenue	500 S.	Both	Young Street to Marilla Street
Pearl Expressway	200 S.	Both	Wood Street to Commerce Street
St. Paul Street	500-700 S.	Both	Young Street to Canton Street
St. Paul Street	1700-1900 N.	Both	Ross Avenue to the Woodall Rodgers Freeway south service road
Woodall Rodgers Freeway (South Service Road)	1800-2000	Both	Akard Street to Olive Street
Wood Street	2000	Both	Harwood Street to Pearl Expressway

(2) Monday through Sunday from 7:00 a.m. until 12 midnight only.

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Pacific Avenue	2000	Both	Harwood Street to Olive Street

Pearl Expressway	100 S. 400 N.	Both	Commerce Street to N. Central Expressway
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(h) ~~Twenty-five cents an hour zones.~~ A person shall pay an hourly rate of 25 cents for the use of a metered parking space upon the following streets or portions of streets within the central business district during the following effective times:

(1) ~~Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Corbin Street	1100-1200	Both	Griffin Street to Magnolia Street
Flora Street	2400-2700	Both	Leonard Street to N. Central Expressway
Griffin Street	1700-2000 N.	Both	Ross Avenue to McKinney Avenue
Hawkins Street	1000-1200 N.	Both	San Jacinto Street to Ross Avenue
Jackson Street	2100	Both	Pearl Expressway to Central Expressway
Leonard Street	600-1100 N.	Both	Bryan Street to Ross Avenue
Magnolia Street	1900-2000 N.	Both	Corbin Street to McKinney Avenue
Munger Avenue	1100-1700	Both	Griffin Street to Akard Street
San Jacinto Street	2400-2700 N.	Both	Leonard Street to N. Central Expressway
Woodall Rodgers Freeway (South Service Road)	1400-1700	Both	Field Street to Akard Street

(2) ~~Monday through Sunday from 7:00 a.m. until 12 midnight only.~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Corbin Street	900-1000	Both	Laws Street to Griffin Street
McKinney Avenue	1000-1300	Both	Laws Street to Field Street
Munger Avenue	900-1000	Both	Laws Street to Griffin Street
Pacific Avenue	2100-2300	Both	Olive Street to Julius Schepps Freeway

(i) ~~Twenty cents an hour zones.~~ A person shall pay an hourly rate of 20 cents for the use of a metered parking space upon the following streets or portions of streets within the central business district during the following effective times:

(1) ~~Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Crockett Street	300 N.	Both	Pacific Avenue to Pearl Expressway
Crockett Street	1700-1900 N.	Both	Ross Avenue to the Woodall Rodgers Freeway south service road

Fairmount Street	700-1000 N.	Both	Federal Street to San Jacinto Street
Federal Street	2400	Both	Leonard Street to Hawkins Street
Field Street	1700-2000 N.	Both	Ross Avenue to the Woodall Rodgers Freeway south service road
Flora Street	2100-2300	Both	Olive Street to Leonard Street
Freeman Street	1700-1800 N.	Both	Ross Avenue to Munger Avenue
Harwood Street	500 S.	Both	Young Street to Canton Street
Hord Street	1000-1100 N.	Both	Laws Street to Griffin Street
Munger Avenue	2200	Both	Pearl Street to Crockett Street
Pearl Street	1700-1900 N.	Both	Ross Avenue to the Woodall Rodgers Freeway south service road
Ross Avenue	2400-2700	Both	Leonard Street to N. Central Expressway
Routh Street	600-1600	Both	N. Central Expressway to Ross Avenue
Woodall Rodgers Freeway (South Service Road)	2100-2300	Both	Olive Street to Leonard Street

(2) Monday through Sunday from 7:00 a.m. until 12 midnight only.

STREET	BLOCK(S)	SIDE(S)	EXTENT
Elm Street	2300	Both	Central Expressway to Julius Schepps Freeway
Live Oak Street	2200-2300	Both	Pearl Expressway to N. Central Expressway

(j) Fifteen cents an hour zones streets. A person shall pay an hourly rate of 15 cents for the use of a metered parking space upon the following streets or portions of streets within the central business district during the following effective times:

(1) Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.

STREET	BLOCK(S)	SIDE(S)	EXTENT
Akard Street	800 S.	Both	Canton Street to Cadiz Street
Browder Street	800-900 S.	Both	Canton Street to Corsicana Street
Cadiz Street	1400-2200	Both	Akard Street to 300 feet east of S. Central Expressway
Canton Street	1400-2100	Both	Akard Street to Central Expressway
Central Expressway	200-1200 S.	Both	Commerce Street to R. L. Thornton Freeway
Corsicana Street	1500-1800	Both	Browder Street to Park Avenue
Ervay Street	800-1000 S.	Both	Canton Street to R. L. Thornton Freeway
Harwood Street	900-1200	Both	Cadiz Street to R. L. Thornton Freeway
Lamar Street	700 S.	Both	Ceremonial Drive to Memorial Drive
Marilla Street	1900	Both	Park Avenue to Harwood Street

Park Avenue	800 S.	Both	Canton Street to Cadiz Street
Pearl Expressway	300-1200 S.	Both	Jackson Street to R. L. Thornton Freeway
Young Street	1800-2100	Both	St. Paul Street to Central Avenue

(2) Monday through Sunday from 7:00 a.m. until 12 midnight only.

STREET	BLOCK(S)	SIDE(S)	EXTENT
Central Expressway	100 S. 200 N.	Both	Commerce Street to Pacific Avenue

(k) ~~Fifteen cents an hour zones~~ parking lots. A person shall pay an hourly rate of 15 cents on Monday through Sunday, 24 hours a day, for the use of a metered parking space upon the following areas within the central business district:

PARKING LOT	BOUNDARIES
Central Expressway	Woodall Rodgers Freeway north service road
	Central Expressway east service road
	Julius Schepps Freeway
	Central Expressway west service road
Julius Schepps Freeway	Central Expressway
	Julius Schepps Freeway east service road
	R.L. Thornton Freeway
	Julius Schepps Freeway west service road
Woodall Rodgers Freeway	Woodall Rodgers Freeway north service road
	Central Expressway east service road
	Woodall Rodgers Freeway south service road
	Fairmount Street

(l) ~~Ten cents an hour zones~~. A person shall pay an hourly rate of 10 cents on Monday through Sunday, from 7:00 a.m. until 6:00 p.m. only, for the use of a metered parking space upon the following streets or portions of streets within the central business district:

STREET	BLOCK(S)	SIDE(S)	EXTENT
Harwood Street	600 S.	Both	Canton Street to Cadiz Street

(m) ~~Five cents an hour zones~~. A person shall pay an hourly rate of five cents on Monday through Sunday, from 7:00 a.m. until 6:00 p.m. only, for the use of a metered parking space upon the following streets or portions of streets within the central business district:

STREET	BLOCK(S)	SIDE(S)	EXTENT
Akard Street	900 S.	Both	Cadiz Street to R.L. Thornton Freeway
Austin Street	600-700 S.	Both	Ceremonial Drive to Memorial Drive

Boll Street	1200-1700 N.	Both	San Jacinto Street to Flora Street
Canton Street	2200-2400	Both	Central Expressway to Julius Schepps Freeway
Fairmount Street	1700-1900 N.	Both	Ross Avenue to the Woodall Rodgers Freeway south service road
Good Latimer Expressway	500-800 S.	Both	Cadiz Street to R.L. Thornton Freeway
Hawkins Street	400 S.	Both	Young Street to Canton Street
Leonard Street	1700-1900	Both	Ross Avenue to the Woodall Rodgers Freeway south service road
Munger Street	2400	Both	Leonard Street to Fairmount Street
Park Avenue	900-1000 S.	Both	Cadiz Street to St. Louis Street
Routh Street	1700-1900 N.	Both	Ross Avenue to the Woodall Rodgers Freeway south service road
St. Louis Street	1800-2100	Both	St. Paul Street to Central Expressway
St. Paul Street	800-1000 S.	Both	Canton Street to St. Louis Street
Taylor Street	2000-2100	Both	Harwood Street to S. Central Expressway
Woodall Rodgers Freeway (South Service Road)	2400-2800 N.	Both	Leonard Street to Central Expressway
Young Street	2200-2300	Both	Central Expressway to Julius Schepps Freeway

(n) ~~Split hourly rate zones — parking lots — Klyde Warren Park.~~ A person shall pay an hourly rate of \$1.50 from 7:00 a.m. until 9:00 a.m. on Monday through Friday, \$2.00 from 9:00 a.m. until 6:00 p.m. on Monday through Friday, \$2.50 from 6:00 p.m. until 12 midnight on Monday through Friday, \$2.00 from 7:00 a.m. until 12 midnight on Saturday and Sunday, and no charge from 12 midnight until 7:00 a.m. on Monday through Sunday, for the use of a parking space upon the following area within the central business district:

<b>PARKING LOT</b>	<b>BOUNDARIES</b>
Klyde Warren Park	St. Paul Street
	Woodall Rodgers Freeway eastbound service road
	Pearl Street
	Woodall Rodgers Freeway westbound service road

(o) ~~Split hourly rate zones — parking lots — West End Lot No. 2.~~ A person shall pay an hourly rate of 75 cents from 7:00 a.m. until 5:00 p.m. on Monday through Friday, \$1.25 from 7:00 a.m. until 5:00 p.m. on Saturday and Sunday, \$1.25 from 5:00 p.m. until 12 midnight on Monday through Sunday, and no charge from 12 midnight until 5:00 a.m. on Monday through Sunday, for the use of a parking space upon the following areas within the central business district:

<b>PARKING LOT</b>	<b>BOUNDARIES</b>
West End Lot No. 2	Woodall Rodgers Freeway north service road
	Record Street



	<del>Woodall Rodgers Freeway south service road</del>
	<del>Laws Street</del>

(p) ~~Split daily rate zones — parking lots.~~ A person shall pay a daily rate of two dollars from 5:00 a.m. until 5:00 p.m. on Monday through Friday, five dollars from 5:00 a.m. until 5:00 p.m. on Saturday and Sunday, and five dollars from 5:00 p.m. until 5:00 a.m. on Monday through Sunday, for the use of a parking space upon the following areas within the central business district:

<b>PARKING LOT</b>	<b>BOUNDARIES</b>
Brewery Lot	<del>Woodall Rodgers Freeway north service road</del>
	<del>Record Street</del>
	<del>Woodall Rodgers Freeway south service road</del>
	<del>Stemmons Freeway east service road</del>
Deep Ellum Lot No. 1 (located in Interstate 345 right-of-way)	<del>Good Latimer Expressway</del>
	<del>Commerce Street</del>
	<del>Henry Street</del>
	<del>Canton Street</del>
Deep Ellum Lot No. 2 (located in Interstate 345 right-of-way)	<del>Main Street</del>
	<del>Good Latimer Expressway</del>
	<del>Commerce Street</del>
	<del>Julius Schepps Freeway</del>
Deep Ellum Lot No. 3 (located in Interstate 345 right-of-way)	<del>Elm Street</del>
	<del>Good Latimer Expressway</del>
	<del>Main Street</del>
	<del>Julius Schepps Freeway</del>
West End Lot No. 1	<del>Woodall Rodgers Freeway north service road</del>
	<del>Field Street</del>
	<del>Woodall Rodgers Freeway south service road</del>
	<del>Laws Street</del>

(q) ~~Split hourly rate zones — streets.~~ A person shall pay an hourly rate of \$1.50 from 7:00 a.m. until 9:00 a.m. on Monday through Friday, \$2.00 from 9:00 a.m. until 6:00 p.m. on Monday through Friday, \$2.50 from 6:00 p.m. until 12 midnight on Monday through Friday, \$2.00 from 7:00 a.m. until 12 midnight on Saturday and Sunday, and no charge from 12 midnight until 7:00 a.m. on Monday through Sunday, for the use of a parking space upon the following streets within the central business district:

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Woodall Rodgers Freeway eastbound service road	1700-1900	South	Akard Street to Harwood Street
Woodall Rodgers Freeway westbound service road	1900-2100	North	St. Paul Street to Pearl Street]

**SEC. 28-114.2.**

**INTERIM HOURLY RATES FOR PAID PARKING IN THE DEEP ELLUM PAID PARKING AREA [ZONES OUTSIDE THE CENTRAL BUSINESS DISTRICT].**

(a) ~~[One dollar twenty five cents an hour zones. A person shall pay an hourly rate of \$1.25 on Monday through Sunday, from 7:00 a.m. until 12 midnight only, for the use of a metered parking space upon the following streets or portions of streets outside the central business district:~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Akard Street	2600	Both	Lyte Street to Payne Street
Alamo Street	2500	Both	Olin Welbourne Street to Field Street
All Star Way	1400	Both	Victory Avenue to Houston Street
Broom Street	900	Both	Lamar Street to Field Street
Caroline Street	2500	Both	Payne Street to Field Street
Continental Avenue	2200-2400	Both	Trinity Railway Express tracks to Ross Avenue
High Market Street	600	Both	Victory Avenue to Houston Street
Houston Street	2100-2400 N.	Both	Continental Avenue to Olive Street
Houston Street	2500 N.	East	Olive Street to Payne Street
Lamar Street	2200-2600 N.	Both	Broom Street to Trinity Railway Express tracks
Lyte Street	1500	Both	Houston Street to Akard Street
Museum Way	600	Both	Victory Avenue to Houston Street
Olin Welbourne Street	1600	Both	Alamo Street to Caroline Street
Olive Street	2900-3000	Both	Victory Avenue to Field Street
Payne Street	1600	Both	Houston Street to Akard Street
Valor Place	2500	Both	Olive Street to 182 feet north of Olive Street
Victory Park Lane	2200-2400	Both	High Market Street to Olive Street

(b) ~~[Sixty cents an hour zones. A person shall pay an hourly rate of 60 cents for the use of a metered parking space upon the following streets or portions of streets outside the central business district during the following effective times:~~

(1) ~~Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Bellevue Street	900-1000	Both	Botham Jean Boulevard to Wall Street

Botham Jean Boulevard	1400-2000	Both	Bellevue Street to Corinth Street
Lofland Street	2100	Both	Harry Hines Boulevard to Redfield Street
Redfield Street	5200	Both	Lofland Street to Butler Street

(2) Monday through Sunday from 7:00 a.m. until 12 midnight only.

STREET	BLOCK(S)	SIDE(S)	EXTENT
Broom Street	900-1300	Both	Lamar Street to Field Street
Houston Street	2100-2400 N.	Both	McKinney Avenue to Wichita Street
Lamar Street	1000-1300 S.	Both	R. L. Thornton Freeway to Bellevue Street
Lamar Street	2200 N.	Both	Broom Street to 257 feet north of Broom Street
Lamar Street	2300-2600 N.	Both	Houston Street to Victory Street

(e)] Fifty cents an hour zone[s]. A person shall pay an hourly rate of 50 cents for the use of a paid [metered] parking space upon the following streets or portions of streets in the Deep Ellum paid parking area Monday through Sunday from 6:00 p.m. until 12 midnight only. [outside the central business district during the following effective times:

(1) Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.

STREET	BLOCK(S)	SIDE(S)	EXTENT
Medical Center Drive	5200-5400	Both	Motor Street to 2,784 feet north of Motor Street
Park Central Drive	11800-11900	Both	Forest Lane to Merit Drive

(2) Monday through Sunday from 6:00 p.m. until 12 midnight only.]

STREET	BLOCK(S)	SIDE(S)	EXTENT
Canton Street	2700-3000	Both	N. Good Latimer Expressway to Hall Street
Commerce Street	2600-3200	Both	N. Good Latimer Expressway to Trunk Avenue
Crowdus Street	100-200	Both	Indiana Boulevard to Canton Street
Elm Street	2500-3200	Both	Hawkins Street to Trunk Avenue
Good Latimer Expressway	100	Both	Elm Street to Commerce Street
Hall Street	100-200 N.	Both	Indiana Boulevard to Main Street
Hall Street	100-200 S.	Both	Main Street to Canton Street
Henry Street	200-300 S.	Both	Commerce Street to Canton Street
Indiana Boulevard	2800	Both	Crowdus Street to Malcolm X Boulevard
Main Street	2500-3200	Both	Julius Schepps Freeway to Trunk Avenue
Malcolm X Boulevard	100-200	Both	Indiana Boulevard to Canton Street
Walton Street	200-400	Both	Elm Street to Junius Street

(b[~~d~~]) Thirty cents an hour zones. A person shall pay an hourly rate of 30 cents on Monday through Sunday, from 7:00 a.m. until 12 midnight only, for the use of a paid [~~metered~~] parking space upon all streets or portions of streets in the Deep Ellum paid parking area [~~outside the central business district~~] except as otherwise provided in this section.

(e) Twenty-five cents an hour zones. A person shall pay an hourly rate of 25 cents for the use of a metered parking space upon the following streets or portions of streets outside the central business district during the following effective times:

(1) Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Bookhout Street	2600-3000	Both	Yeargan Street to Ivan Street
Crutcher Street	3300-3500	Both	Hall Street to Pauline Street
Harwood Street	2100-3100 N.	Both	Woodall Rodgers Freeway south service road to 500 feet north of Ivan Street
Hill Street	300-800	Both	Elm Street to Gaston Avenue
Junius Street	2900-3000	Both	Oakland Street to Walton Street
McKinney Avenue	1600-2200	Both	Woodall Rodgers Freeway south service road to Pearl Street
Olive Street	2100-2400	Both	Woodall Rodgers Freeway south service road to Cedar Springs Road
Pearl Street	2900-3000 N.	Both	Randall Street to Yeargan Street
St. Paul Street	2100-2200 N.	Both	Woodall Rodgers Freeway north service road to Cedar Springs Road
Swiss Avenue	3000-3200	Both	Oak Street to Gordon Street
Washington Street	300-500	Both	Elm Street to Worth Street
Worth Street	3900-4000	Both	Washington Avenue to Haskell Avenue

(2) Monday through Sunday from 7:00 a.m. until 12 midnight only.

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Akard Street	2100-2400 N.	Both	Woodall Rodgers Freeway to Ashland Street
Alamo Street	2100-2200 N.	Both	Woodall Rodgers Freeway to Cedar Springs Road
Ashland Street	1500-1600	Both	Field Street to Akard Street
Caroline Street	2200-2400 N.	Both	McKinney Avenue to Wichita Street
Cedar Springs Road	1500-1800	Both	Field Street to Akard Street
Floyd Street	3000-3200	Both	Oak Street to Hall Street
Hall Street	200 N.	Both	Elm Street to Indiana Boulevard
Walton Street	200-400	Both	Elm Street to Hall Street

- (3) ~~Monday through Sunday from 10:00 a.m. until 4:00 p.m. only.~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Adams Street	200-300 S.	Both	Sunset Avenue to Centre Street
Ashland Street	1700-1900	Both	Alamo Street to Cedar Springs Road
Beckley Avenue	100-200 S.	Both	Sunset Avenue to Centre Street
Bishop Avenue	200-300	Both	Sunset Avenue to Centre Street
Jefferson Boulevard	100 E. - 1000 W.	Both	Storey Street to Polk Street
Madison Avenue	100 N. - 300 S.	Both	Ninth Street to Centre Street
Polk Street	200-300 S.	Both	Sunset Avenue to Centre Street
Tyler Street	200-300 S.	Both	Sunset Avenue to Centre Street
Zang Boulevard	200-300 S.	Both	Sunset Avenue to Centre Street

(f) ~~Twenty cents an hour zones.~~ A person shall pay an hourly rate of 20 cents for the use of a metered parking space upon the following streets or portions of streets outside the central business district during the following effective times:

- (1) ~~Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Floyd Street	3900-4000	Both	St. Joseph Street to Haskell Street(S)
Medical Center Drive	5500-5600	Both	Inwood Road to 1,145 feet south of Inwood Road
Nussbaumer Street	3000-3200	Both	Oak Street to Hall Street
Swiss Avenue	3300-3600	Both	Hall Street to Gordon Street
Swiss Circle	3300	Both	Hall Street to Swiss Avenue
Worth Street	3100-3200	Both	Walton Street to Hall Street

- (2) ~~Monday through Sunday from 10:00 a.m. until 4:00 p.m. only.~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Patton Avenue	100-200 S.	Both	Tenth Street to Twelfth Street
Storey Street	100-200 S.	Both	Tenth Street to Twelfth Street
Twelfth Street	300-400 E.	Both	Storey Street to Patton Avenue

(c[g]) ~~Ten cents an hour zones.~~ A person shall pay an hourly rate of 10 cents for the use of a paid [metered] parking space upon the following streets or portions of streets in the Deep Ellum paid parking area Monday through Sunday from 7:00 a.m. until 12 midnight only. [outside the central business district during the following effective times:

- (1) ~~Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.~~

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Bird Street	4000	Both	Hill Street to Haskell Street

Central Expressway	2200-2400 N.	Both	Hawkins Street to Gaston Street
Crutcher Street	3800-4000	Both	Washington Street to Haskell Street
Floyd Street	3300-3500	Both	Hall Street to Kirk Alley
Hall Street	300 N.	Both	Indiana Boulevard to Crutcher Street
Hawkins Street	300-700 N.	Both	Gaston Avenue to Live Oak Street
Junius Street	4000	Both	Hill Street to Haskell Street
Oakland Avenue	600-900	Both	Worth Street to Gaston Avenue
Oak Street	700-1100	Both	Junius Street to Swiss Avenue
St. Joseph Street	1000	Both	Swiss Avenue to Floyd Street
Simpson Street	3800-4000	Both	Washington Street to Haskell Avenue
Swiss Avenue	2400-2500	Both	Florence Street to N. Good Latimer Expressway

(2) ~~Monday through Sunday from 7:00 a.m. until 12 midnight only.]~~

STREET	BLOCK(S)	SIDE(S)	EXTENT
Indiana Boulevard	3000	Both	Walton Street to Hall Street

(d) Expiration of interim hourly rates. This section expires on May 8, 2026. On or after May 8, 2026, the hourly rates for the area described in Subsection (a) is determined by Sections 28-103.2 and 28-103.3.

[(3) ~~Monday through Sunday from 10:00 a.m. until 4:00 p.m. only.~~

STREET	BLOCK(S)	SIDE(S)	EXTENT
Lancaster Avenue	100 N.	Both	Ninth Street to Tenth Street
Llewellyn Avenue	200-300 S.	Both	Sunset Avenue to Centre Street

(h) Five cents an hour zones. A person shall pay an hourly rate of five cents for the use of a metered parking space upon the following streets or portions of streets outside the central business district during the following effective times:

(1) ~~Monday through Sunday from 7:00 a.m. until 6:00 p.m. only.~~

STREET	BLOCK(S)	SIDE(S)	EXTENT
Akard Street	2400 N.	Both	Ashland Street to Harwood Street
Bryan Street	4100-4300	Both	Haskell Avenue to Burlew Street
Nussbaumer Street	2900	Both	Oakland Street to Oak Street
Peak Street	1300-1400	Both	Gaston Avenue to Scurry Street

(2) ~~Monday through Sunday from 7:00 a.m. until 12 midnight only.~~

STREET	BLOCK(S)	SIDE(S)	EXTENT
McKinney Avenue	1700 N.	Both	Akard Street to the Woodall Rodgers Freeway north service road

(i) ~~Split hourly rate zones.~~ A person shall pay an hourly rate of one dollar from 7:00 a.m. until 5:00 p.m., two dollars from 5:00 p.m. until 12 midnight, and no charge from 12 midnight until 7:00 a.m. on Monday through Sunday, for the use of a metered parking space upon the following streets or portions of streets outside the central business district:

<b>STREET</b>	<b>BLOCK(S)</b>	<b>SIDE(S)</b>	<b>EXTENT</b>
Houston Street	2500 N.	West	Olive Street to All Star Way
Victory Avenue	2200-2700	Both	Continental Avenue to Trinity Railway Express tracks

**SECS. 28-114.3 THRU 28-114.10. RESERVED.**

**SEC. 28-114.11. RESERVED. [CENTRAL BUSINESS DISTRICT.]**

~~For purposes of this division, the central business district is defined as that area bounded by Woodall Rodgers Freeway on the north, Julius Schepps Freeway on the east, R. L. Thornton Freeway on the south, and Stemmons Freeway on the west.]~~

**SEC. 28-114.12. RESTRICTED ACCESS TO PAID PARKING SPACES [METER HOODING AND TEMPORARY REMOVAL FEES]; EXCEPTIONS.**

(a) A person requiring the hooding or temporary removal of a paid parking payment device [meter] shall pay to the director [of transportation] a daily charge, excluding official parking [meter] holidays, of 70 percent of the maximum hourly capacity of each paid parking payment device hooded times the prevailing rate on the paid parking payment device [meter].

(b) In addition to the fee required in Subsection (a), a person requiring the hooding of a paid parking payment device [meter] shall pay a labor charge of \$55, plus one dollar for each paid parking payment device [meter] hooded.

(c) In addition to the fee required in Subsection (a), a person requiring the temporary removal of a paid parking payment device [meter] shall pay a labor charge of \$75 for each paid parking payment device [meter] removed. A person requiring temporary removal of a paid parking payment device [meter] shall also pay the costs of labor and materials incurred in reinstalling the meter after temporary removal. The minimum reinstallation charge is \$104 per meter.

(d) This section does not apply to:

(1) a utility company engaged in construction or repair activities for any city, county, state, or federal agency;

(2) a contractor performing work under a city, county, state, or federal contract;

or



(3) any city, county, state, or federal agency requiring the hooding or temporary removal of a paid parking payment device [~~meter~~] in the performance of its governmental functions.

(e) The fees required by Subsection (a) of this section will not be assessed against a person requiring the hooding or temporary removal of paid parking payment device [~~meter~~] to reconstruct, repair, or replace an existing street, sidewalk, curb, or other city infrastructure in the public right-of-way if:

(1) the reconstruction, repair, or replacement of the infrastructure is performed in compliance with all applicable city ordinances and state and federal laws; and

(2) the infrastructure is, in the opinion of the city, restored to better than its former condition.

(f) Fees will only be waived under Subsection (e) for the period of time reasonably necessary to complete the reconstruction, repair, or replacement of the infrastructure, not to exceed 30 days.

**SEC. 28-114.3.**

**PAID PARKING RATES IN CITY OWNED OR OPERATED PARKING LOTS.**

A person shall pay an hourly or daily rate for the use of a paid parking space in the following city owned or operated parking lots:

<b><u>PARKING LOT</u></b>	<b><u>BOUNDARIES</u></b>	<b><u>RATE EFFECTIVE DAYS</u></b>	<b><u>RATE EFFECTIVE HOURS</u></b>	<b><u>RATE</u></b>
<u>City Hall surface parking</u>	<u>Marilla Street to the north, Ervay Street to the east, Canton Street to the south, and Akard Street to the west</u>	<u>Monday through Sunday</u>	<u>7:00 a.m. until 6:00 p.m.</u>	<u>\$1.00/hour</u>
<u>Julius Schepps Freeway (located in the IH 45 right of way)</u>	<u>IH 30 to the north and Botham Jean Boulevard to the south</u>	<u>Monday through Sunday</u>	<u>24 hours per day</u>	<u>\$1.00/hour</u>
<u>Woodall Rodgers Freeway (located in the Spur 366 right of way)</u>	<u>Woodall Rodgers Freeway westbound service road to the north, North Central Expressway southbound service road to the east, Woodall Rodgers Freeway eastbound</u>	<u>Monday through Sunday</u>	<u>24 hours per day</u>	<u>\$1.00/hour</u>

	<u>service road to the south, and Routh Street to the west</u>			
<u>Klyde Warren Park</u>	<u>St. Paul Street to the west, Woodall Rodgers Freeway eastbound service road to the south, Pearl Street to the east, Woodall Rodgers Freeway westbound service road to the north</u>	<u>Monday through Friday</u>	<u>7:00 a.m. until 9:00 a.m.</u>	<u>\$1.50/hour</u>
			<u>9:00 a.m. until 6:00 p.m.</u>	<u>\$2.00/hour</u>
			<u>6:00 p.m. until 12 midnight</u>	<u>\$2.50/hour</u>
		<u>Saturday and Sunday</u>	<u>7:00 a.m. until 12 midnight</u>	<u>\$2.00/hour</u>
<u>Brewery Parking Lot</u> <u>(located in the Spur 366 right of way)</u>	<u>Record Street to the east, and Dallas Area Rapid Transit rail tracks to the west Woodall Rodgers Freeway westbound service road to the north, Woodall Rodgers Freeway eastbound service road to the south</u>	<u>Monday through Friday</u>	<u>5:00 a.m. until 5:00 p.m.</u>	<u>\$2.00/day</u>
			<u>5:00 p.m. until 5:00 a.m.</u>	<u>\$5.00/day</u>
			<u>24 hours per day</u>	<u>\$5.00/day</u>
		<u>Saturday and Sunday</u>	<u>24 hours per day</u>	<u>\$5.00/day</u>
<u>Deep Ellum Parking Lot A</u> <u>(located in the Interstate 345 right of way)</u>	<u>Elm Street to the north and Main Street to the south Good-Latimer Expressway to the east, and Ceasar Chavez Boulevard to the west.</u>	<u>Monday through Friday</u>	<u>5:00 a.m. until 5:00 p.m.</u>	<u>\$2.00/day</u>
			<u>5:00 p.m. until 5:00 a.m.</u>	<u>\$5.00/day</u>
			<u>24 hours per day</u>	<u>\$5.00/day</u>
		<u>Saturday and Sunday</u>	<u>24 hours per day</u>	<u>\$5.00/day</u>
<u>Deep Ellum Parking Lot B</u> <u>(located in the Interstate 345 right of way)</u>	<u>Main Street to the north, Good-Latimer Expressway to the east, Commerce Street to the south, and Ceasar Chavez Boulevard to the west.</u>	<u>Monday through Friday</u>	<u>5:00 a.m. until 5:00 p.m.</u>	<u>\$2.00/day</u>
			<u>5:00 p.m. until 5:00 a.m.</u>	<u>\$5.00/day</u>
			<u>24 hours per day</u>	<u>\$5.00/day</u>
		<u>Saturday and Sunday</u>	<u>24 hours per day</u>	<u>\$5.00/day</u>
<u>Deep Ellum Parking Lot C</u> <u>(located in the Interstate 345 right of way)</u>	<u>Commerce Street to the north, Canton Street to the south, Good-Latimer Expressway to the</u>	<u>Monday through Friday</u>	<u>5:00 a.m. until 5:00 p.m.</u>	<u>\$2.00/day</u>
			<u>5:00 p.m. until 5:00 a.m.</u>	<u>\$5.00/day</u>
			<u>24 hours per day</u>	<u>\$5.00/day</u>
		<u>Saturday and Sunday</u>	<u>24 hours per day</u>	<u>\$5.00/day</u>

	<u>west, and Henry Street to the east.</u>			
<u>West End Parking Lot No. 1</u> <u>(located in the Spur 366 right of way)</u>	<u>Broom Street to the north, Field Street to the east, McKinney Avenue to the south, and Laws Street to the west</u>	<u>Monday through Friday</u>	<u>5:00 a.m. until 5:00 p.m.</u>	<u>\$2.00/day</u>
			<u>5:00 a.m. until 5:00 p.m.</u>	<u>\$5.00/day</u>
		<u>Monday through Sunday</u>	<u>5:00 p.m. until 5:00 a.m.</u>	<u>\$5.00/day</u>
<u>West End Parking Lot No. 2</u> <u>(located partially in the Spur 366 right of way)</u>	<u>Broom Street to the north, Laws Street to the east, McKinney Avenue to the south, and Lamar Street to the west</u>	<u>Monday through Friday</u>	<u>5:00 a.m. until 5:00 p.m.</u>	<u>\$1.00/hour</u>
			<u>5:00 p.m. until 12 midnight</u>	<u>\$1.25/hour</u>
		<u>Saturday and Sunday</u>	<u>5:00 a.m. until 12 midnight</u>	<u>\$1.25/hour</u>

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 5. That Chapter 28 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 8. That this ordinance shall take effect October 1, 2024.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

DRAFT





## Agenda Information Sheet

**File #:** 24-1340

**Item #:** 25.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Transportation

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

Authorize a two-year master agreement for the purchase of Dynamic Message Signs and traffic signal materials for the Department of Transportation with Consolidated Traffic Controls, Inc. through the Houston-Galveston Area Council cooperative agreement - Estimated amount of \$7,000,000.00 - Financing: General Fund (\$2,984,000.00), Street and Transportation (A) Fund (\$56,000.00), Fair Park Capital Reserve Fund (\$2,900,000.00), Transportation Special Projects Fund (\$460,000.00), and Coronavirus State and Local Fiscal Recovery Fund (\$600,000.00)

### **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 according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of Dynamic Message Signs for arterial roadways and associated materials including controllers and mounting mechanisms for the Department of Transportation. Additionally, traffic signal materials such as controllers, cabinets, and poles will also be purchased through this agreement.

Dynamic Message Signs are electronic signs that provide drivers with real-time traffic alerts. Dynamic Message Signs can promote road safety and awareness by providing travelers with information on traffic delays, scheduled construction activities, safety messages, and special events.

The Houston-Galveston Area Council cooperative agreement is authorized by the Texas Government Code Chapter 791, Texas Local Government Code Chapter 271, Subchapter F, Section 271.102 which authorizes a local government to participate in a Cooperative Purchasing Program with another government or a cooperative organization.

Coronavirus State and Local Fiscal Recovery Funds are eligible within the Qualified Census Tract areas to improve various intersections to promote the safety of all right-of-way users including motorist, cyclists, and pedestrians.

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

On June 23, 2021, the City Council authorized the acceptance of grant funds from the U.S. Department of Treasury for the Coronavirus State and Local Fiscal Recovery Fund to provide relief during the ongoing COVID-19 pandemic by Resolution No. 21-1149.

On September 22, 2021, the City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the American Rescue Plan Act Funds from the U.S. Department of Treasury for the Coronavirus State and Local Fiscal Recovery Fund by Resolution No. 21-1590.

On September 28, 2022, the City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2022-23 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the American Rescue Plan Act Funds from the U.S. Department of Treasury for the Coronavirus State and Local Fiscal Recovery Fund by Resolution No. 22-1480.

On October 12, 2022, the City Council authorized a Project Specific Funding Agreement with Dallas County for a Major Capital Improvement Project (MCIP) in the amount of \$500,000.00, reduced by \$40,000.00 for County in-house project delivery costs for a total of \$460,000.00, for the purpose of constructing transportation improvements on Dynamic Message Sign Board, MCIP Project No. 30251, Fair Park Area by Resolution No. 22-1535.

On April 26, 2023, the City Council authorized an amendment to Resolution No. 22-1535, previously approved on October 12, 2022, for a Project Specific Agreement with Dallas County (MCIP Project No. 30251) for the purpose of constructing transportation improvements on Dynamic Message Sign Board - Fair Park Area to authorize the City of Dallas' local contribution to the project, in the amount of \$2,540,000.00, by Resolution No. 23-0561.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
General Fund	\$ 144,000.00	\$1,420,000.00	\$1,420,000.00
Street and Transportation (A) Fund	\$ 9,000.00	\$ 28,000.00	\$ 19,000.00
Fair Park Capital Reserve Fund	\$ 0.00	\$2,900,000.00	\$ 0.00
Transportation Special Projects Fund	\$ 460,000.00	\$ 0.00	\$ 0.00
Coronavirus State and Local Fiscal Recovery Fund	\$ 600,000.00	\$ 0.00	\$ 0.00
Total	\$1,213,000.00	\$4,348,000.00	\$1,439,000.00



**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$7,000,000.00	Goods	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>• The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements.</li> </ul>		
<ul style="list-style-type: none"> <li>• Consolidated Traffic Controls, Inc. - Non-local; Workforce - 0.00% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>• Cooperative purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> <li>• Cooperative purchasing agreements are an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>
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**OWNER****Consolidated Traffic Controls, Inc.**

1016 Enterprise Pl.  
Arlington, TX 76001

David Walker, Chief Executive Officer



May 22, 2024

**WHEREAS**, on September 14, 1994, the City Council authorized the addition of the Houston-Galveston Area Council to the existing list of participants in the City's Cooperative Purchasing Program by Resolution No. 94-3338; and

**WHEREAS**, on May 27, 2021, the Houston-Galveston Area Council entered into an agreement with Consolidated Traffic Controls, Inc., for administrative services related to the purchase of traffic control, enforcement, and signal preemption equipment; and

**WHEREAS**, on June 23, 2021, the City Council authorized the acceptance of grant funds from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Fund to provide relief during the ongoing COVID-19 pandemic by Resolution No. 21-1149; and

**WHEREAS**, on September 22, 2021, the City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the American Rescue Plan Act Funds from the U.S. Department of Treasury for the Coronavirus State and Local Fiscal Recovery Fund by Resolution No. 21-1590; and

**WHEREAS**, on September 28, 2022, the City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2022-23 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the American Rescue Plan Act funds from the U.S. Department of Treasury for the Coronavirus State and Local Fiscal Recovery Fund by Resolution No. 22-1480; and

**WHEREAS**, on October 12, 2022, the City Council authorized a Project Specific Funding Agreement with Dallas County for a Major Capital Improvement Project (MCIP) in the amount of \$500,000.00, reduced by \$40,000.00 for County in-house project delivery costs for a total of \$460,000.00, for the purpose of constructing transportation improvements on Dynamic Message Sign Board, MCIP Project No. 30251, Fair Park Area by Resolution No. 22-1535; and

**WHEREAS**, on April 26, 2023, the City Council authorized an amendment to Resolution No. 22-1535, previously approved on October 12, 2022, for a Project Specific Agreement with Dallas County (MCIP Project No. 30251) for the purpose of constructing transportation improvements on Dynamic Message Sign Board - Fair Park Area to authorize the City of Dallas' local contribution to the project in the amount of \$2,540,000.00, by Resolution No. 23-0561; and

**WHEREAS**, the City's cooperative agreement with Houston-Galveston Area Council is authorized by the Texas Government Code Chapter 791, Texas Local Government Code Chapter 271, Subchapter F, Section 271.102 which authorizes a local government to participate in a Cooperative Purchasing Program with another government or a cooperative organization; and

May 22, 2024

**WHEREAS**, Coronavirus State and Local Fiscal Recovery Funds are eligible within the Qualified Census Tract areas to improve various intersections to promote the safety of all right-of-way users including motorist, cyclists, and pedestrians; and

**WHEREAS**, it is now the desire of the City to execute a master agreement with Consolidated Traffic Controls, Inc. through the cooperative agreement with Houston-Galveston Area Council for the purchase of Dynamic Message Signs and traffic signal materials.

**Now, Therefore,**

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

**SECTION 1.** That a master agreement for the purchase of Dynamic Message Signs and traffic signal materials for the Department of Transportation is authorized with Consolidated Traffic Controls, Inc. (050249) through the Houston-Galveston Area Council cooperative agreement, approved as to form by the City Attorney, for a term of two years, in the estimated amount of \$7,000,000.00. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for Dynamic Message Signs and traffic signal materials. If a written contract is required or requested for any or all purchases of Dynamic Message Signs and traffic signal materials under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

**SECTION 3.** That in order to reimburse and finance the authorized disbursements described herein from General Obligation bonds, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series 2017A, and Series 2017B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$7,000,000.00, but not more than the amount of budgetary appropriations for this master agreement during its term to Consolidated Traffic Controls, Inc. from Master Agreement Contract No. TRN-2024-00024696.

May 22, 2024

**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 Information Sheet

**File #:** 24-1279

**Item #:** 26.

**STRATEGIC PRIORITY:** Workforce, Education & Equity

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Community Care

**EXECUTIVE:** M. Elizabeth Cedillo-Pereira

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### **SUBJECT**

Authorize the **(1)** fifth amendment to Contract No. HHS000455600001, with the Texas Health and Human Services Commission, Department of State Health Services for the Lactation Support Center Services Program (LSCS) to **(a)** accept additional funds and increase the contract in the amount of \$32,000.00, from \$2,339,020.00 to \$2,371,020.00; and **(b)** to amend the term of the contract period from September 1, 2019 through August 31, 2023 to September 1, 2023 through August 31, 2024; and **(2)** acceptance of additional grant funds for FY 2024 budget for Amendment No. 5 in the amount of \$32,000.00 for the continuation of the LSCS Program; **(3)** establishment of appropriations in an amount not to exceed \$32,000.00 in the FY24 LSCS - Pacify Fund; **(4)** receipt and deposit of grant funds in an amount not to exceed \$32,000.00 in the FY24 LSCS - Pacify Fund; and **(5)** execution of the fifth amendment to the contract and all terms, conditions, and documents required by contract - Not to exceed \$32,000.00, from \$2,339,020.00 to \$2,371,020.00 - Financing: FY24 LSCS Pacify Grant Fund

### **BACKGROUND**

Since 2010, the Health and Human Services Commission (HHSC) funded the Dallas Lactation Care Center through a grant contract with the City of Dallas Women, Infants and Children (WIC) Program. The Dallas Lactation Care Center is a specialty walk-in clinic located in the heart of the Dallas Medical District. The staff includes a Registered Nurse, Internationally Board-Certified Lactation Consultants (IBCLC) and Breastfeeding Peer Counselors who provide comprehensive breastfeeding support and assistance to mothers currently enrolled in the WIC Program. The Dallas Lactation Care Center also serves as a training center for students and resident physicians who want to expand their knowledge in the field of lactation. In 2014, the Dallas Lactation Care Center received the IBCLC Care Award which is recognition by the International Board of Lactation Consultant Examiners and International Lactation Consultant Association for excellence in lactation care.



The City of Dallas will work with the HHSC, Community Health Improvement Division, Maternal and Child Health Unit to develop and implement the Lactation Support Center Services - Strategic Expansion Program. This program, through the Dallas Lactation Care Center shall provide population-based public health services and implement strategies that will increase accessibility, quality, and coordination of breastfeeding support services in the contractor's service delivery area. The services provided under this contract complement and expand upon the services by the City of Dallas under the HHSC WIC Dallas Lactation Center contract, by which the HHSC WIC Program Funds the City of Dallas to act as: (1) a lactation resource center for the Special Supplemental Nutrition Program for mothers with breastfeeding problems; (2) a training center for WIC local agency staff and other health providers to receive clinical experience working with breastfeeding mothers; and (3) a statewide Breastfeeding Resource Center for health providers to utilize for information and assistance when working with pregnant and breastfeeding women.

The total amount of this contract will not exceed \$2,371,020.00, of which \$32,000.00 is funding from Department of State Health Services for Fiscal Year (FY) 2024. With all renewals exercised, the total contract amount is projected to be \$2,371,020.00.

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

On May 13, 2020, the City Council authorized a contract with the Texas Health and Human Services, DSHS for the Lactation Support Center Services Program to accept additional grant funds from the U.S. Department of Health and Human Services passed through the Health and Human Services Commission for FY 2021 allocation by Resolution No. 20-0732.

On August 11, 2021, the City Council authorized a contract with the Texas Health and Human Services, DSHS for the Lactation Support Center Services Program to accept additional grant funds from the U.S. Department of Health and Human Services passed through the Health and Human Services Commission for FY 2022 allocation by Resolution No. 21-1237.

On June 22, 2022, the City Council authorized a contract with the Texas Health and Human Services, DSHS for the Lactation Support Center Services Program to accept additional grant funds from the U.S. Department of Health and Human Services passed through the Health and Human Services Commission for FY 2023 allocation by Resolution No. 22-0972.

On August 9, 2023, the City Council authorized a contract with the Texas Health and Human Services, DSHS for the Lactation Support Center Services Program to accept additional grant funds from the U.S. Department of Health and Human Services for FY 2023 allocation by Resolution No. 23-1041.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
FY24 LSCS- Pacify Grant Fund	\$32,000.00	\$0.00	\$0.00

Funding Summary:

<u>Funding</u>	<u>FY 2023</u>	<u>FY 2024</u>
State Funding (DSHS)	<u>\$ 0.00</u>	<u>\$32,000.00</u>
Total	\$ 0.00	\$32,000.00



May 22, 2024

**WHEREAS**, on February 11, 2015, the City Council authorized a contract for the Lactation Resource and Training Center Strategic Expansion Program for the Women, Infants and Children (WIC) Program, in an amount not to exceed \$390,000.00, by Resolution No. 15-0272; and

**WHEREAS**, from August 2016 to August 2019, the City of Dallas continued to receive annual grant allocation from the Dallas State Health Services for the Lactation Resource and Training Center Strategic Expansion Program under the Contract No. 2015-047695-001; and

**WHEREAS**, on August 14, 2019, the City Council authorized a contract with the Texas Health and Human Services, Department of State Health Services (DSHS) for the Lactation Support Center Services Program to accept additional grant funds from the U.S. Department of Health and Human Services for FY 2020 allocation by Resolution No. 19-1112; and

**WHEREAS**, on May 13, 2020, the City Council authorized a contract with the Texas Health and Human Services, DSHS for the Lactation Support Center Services Program to accept additional grant funds from the U.S. Department of Health and Human Services for FY 2021 allocation by Resolution No. 20-0732; and

**WHEREAS**, on August 11, 2021, the City Council authorized a contract with the Texas Health and Human Services, DSHS for the Lactation Support Center Services Program to accept additional grant funds from the U.S. Department of Health and Human Services for FY 2022 allocation by Resolution No. 21-1237; and

**WHEREAS**, on June 22, 2022, the City Council authorized a contract with the Texas Health and Human Services, DSHS for the Lactation Support Center Services Program to accept additional grant funds from the U.S. Department of Health and Human Services for FY 2023 allocation by Resolution No. 22-0972; and

**WHEREAS**, on August 9, 2023, the City Council authorized a contract with the Texas Health and Human Services, DSHS for the Lactation Support Center Services Program to accept additional grant funds from the U.S. Department of Health and Human Services for FY 2023 allocation by Resolution No. 23-1041; and

**WHEREAS**, the total amount of this contract will not exceed \$2,371,020.00, of which \$32,000.00 is funding from the DSHS. With all renewals exercised, the total contract amount is projected to be \$2,371,020.00; and

**WHEREAS**, the City of Dallas will benefit in this contract for the FY 2024 grant allocation.

May 22, 2024

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to **(1)** execute the fifth amendment to Contract No. HHS000455600001 with the Texas Health and Human Services Commission, Department of State Health Services for the Lactation Support Center Services Program (LSCS) to **(a)** accept additional funds and increase the contract in the amount of \$32,000.00, from \$2,339,020.00 to \$2,371,020.00; and **(b)** to amend the term of the contract period from September 1, 2019 through August 31, 2023 to September 1, 2023 through August 31, 2024; and **(2)** execution of an amendment to the contract and all terms, conditions, and documents required by the contract, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$32,000.00 in the FY24 LSCS – Pacify Grant Fund, Fund S400, Department MGT, Unit 676Y, Object 3070.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed \$32,000.00 from the DSHS in an amount not to exceed \$32,000.00 in the FY24 LSCS – Pacify Grant Fund, Fund S400, Department MGT, Unit 676Y, Revenue Code 6509.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed \$32,000.00, from FY24 LSCS – Pacify Grant Fund, Fund S400, Department MGT, Unit 676Y, Object 3070.

**SECTION 5.** That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation of the grant as may be necessary to satisfy the Texas Health and Human Services Commission.

**SECTION 6.** That the City Manager is hereby authorized to reimburse the Texas Health and Human Services Commission any expenditure identified as ineligible. The City Managers shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 90 days after the reimbursement.

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

**SECTION 8.** That this contract is designated as Contract No. WIC-2024-00024611.

**SECTION 9.** 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 Information Sheet

**File #:** 24-1526

**Item #:** 27.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Robin Bentley

### **SUBJECT**

Authorize a fourth amendment to the Tax Increment Development, Chapter 380 Grant, and Chapter 380 Loan Agreement ("2018 TIF/Chapter 380 Agreement") with WCWRD Inc and its affiliates or subsidiaries ("Developer"), approved as to form by the City Attorney, related to the Reimagine RedBird Mall Redevelopment Project ("Project"), now known as the Shops at RedBird, generally located at the southeast corner of Camp Wisdom Road and Westmoreland Road in the Mall Area Redevelopment TIF District, specifically including modifications to Section 2.C(7), Section 2.D(2), and Section 5.E as further described below, and any modifications to any other associated Project documents as may be necessary to effectuate the specific modifications described below; and as consideration for the fourth amendment, increase the Developer's minimum Investment Requirement by \$15,000,000.00 for the Project from \$135,000,000.00 to \$150,000,000.00 - Financing: No cost consideration to the City

### **BACKGROUND**

Since the 2018 TIF/Chapter 380 Agreement with the Developer was authorized by City Council in June 2018, the Developer has continued to make substantial progress on the Project, now known as Shops at RedBird, generally located at the southeast corner of Camp Wisdom Road and Westmoreland Road in the Mall Area TIF District.

In February 2024, the Developer submitted a request for three relatively minor amendments to the 2018 TIF/Chapter 380 Agreement to address an issue arising over the past few years mostly due to the COVID-19 pandemic and its lasting impact on shifting market demand for certain Project elements that had been contemplated in 2017-2018 when the terms and conditions of the 2018 TIF/Chapter 380 Agreement were originally negotiated. The requested amendments are also associated with the Developer's need for greater flexibility to creatively consummate private financing necessary to navigate the impacts of the pandemic and continue development of the Project (specifically redevelopment of the former Macy's building) without additional City funding.

On April 29, 2024, the Mall Area Redevelopment TIF District Board of Directors unanimously approved the proposed amendments and forwarded a recommendation of approval to City Council.

With this agenda item, City Council is being asked to authorize a fourth amendment to the 2018 TIF/Chapter 380 Agreement, approved as to form by the City Attorney, specifically including (deletions are shown as strikethroughs; additions are shown in italicized and underlined font):

- a. amending Section 2.C(7) as follows:

“Renovating and modernizing existing mechanical, electrical and structural systems including lighting, HVAC, flooring, and ceilings to create an office environment on the second floor of the in-line portion of the Mall, and in the ~~former Macy's building and the former Dillard's building~~ as described on Exhibit A-1 and shown on Exhibit A-2 (the former Macy's, the former Dillard's, and the in-line Mall buildings but excluding the parking areas which are included within the parcels containing such buildings being referred to collectively herein as the "Main Mall Properties") by December 31, 2025;”

- b. amending Section 2.D(2) as follows:

“Developer shall achieve a minimum occupancy of (i) at least 75% of ground floor retail space immediately surrounding the "green space" as noted in the Concept Plan and (ii) at least 60% on all other new construction and within the Main Mall Properties *(excluding, if it has not yet been renovated and/or redeveloped, the former Macy's building)* by the CO Date and these retail spaces must continue to be occupied at these levels throughout the term of the Agreement (the "Occupancy Requirement"), the initial achievement of which shall be subject to extension under Section 1.B.”

- c. amending Section 5.E as follows:

“Partial Lien Releases. Prior to repayment of the Loan, the City shall execute partial releases of its lien and/or execute subordination agreements for portions of the Property that are contributed, sold or ground leased to unaffiliated third parties for vertical development of multifamily, hotel, or other commercial, residential, or mixed-use developments. Notwithstanding the foregoing, until the Loan is paid in full, Developer shall ensure that the Main Mall Properties remain under the direct ownership and control of the Loan Guarantor or under ownership and control of a subsidiary entity of which the Loan Guarantor is the sole member and/or holds a controlling interest in such subsidiary entity; *provided, however, that, with the prior written consent of the Director of the Office of Economic Development, such consent not to be unreasonably withheld, the former Macy's building may be contributed to a joint venture in which the Loan Guarantor receives a percentage of the joint venture commensurate with the value of the Macy's property only if doing so will result in the redevelopment/adaptive reuse of the former Macy's building into a hotel or other use(s) acceptable to Director that is expected to increase the value of the former Macy's building.*”



- d. as consideration to the City for the specific amendments listed above, amending Section 2.A to increase the Developer's minimum Investment Requirement by \$15,000,000 for the Project from \$135,000,000 to \$150,000,000; and
- e. making any modifications to any other associated Project documents as may be necessary to effectuate the specific amendments described herein.

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

On April 29, 2024, the Mall Area Redevelopment TIF District Board of Directors unanimously approved the proposed amendments and forwarded a recommendation of approval to City Council.

The Economic Development Committee was briefed regarding this matter on May 6, 2024.

### **FISCAL INFORMATION**

No cost consideration to the City.

### **DEVELOPER/ENTITY**

#### **WCWRD Inc**

Peter Brodsky, President/Director

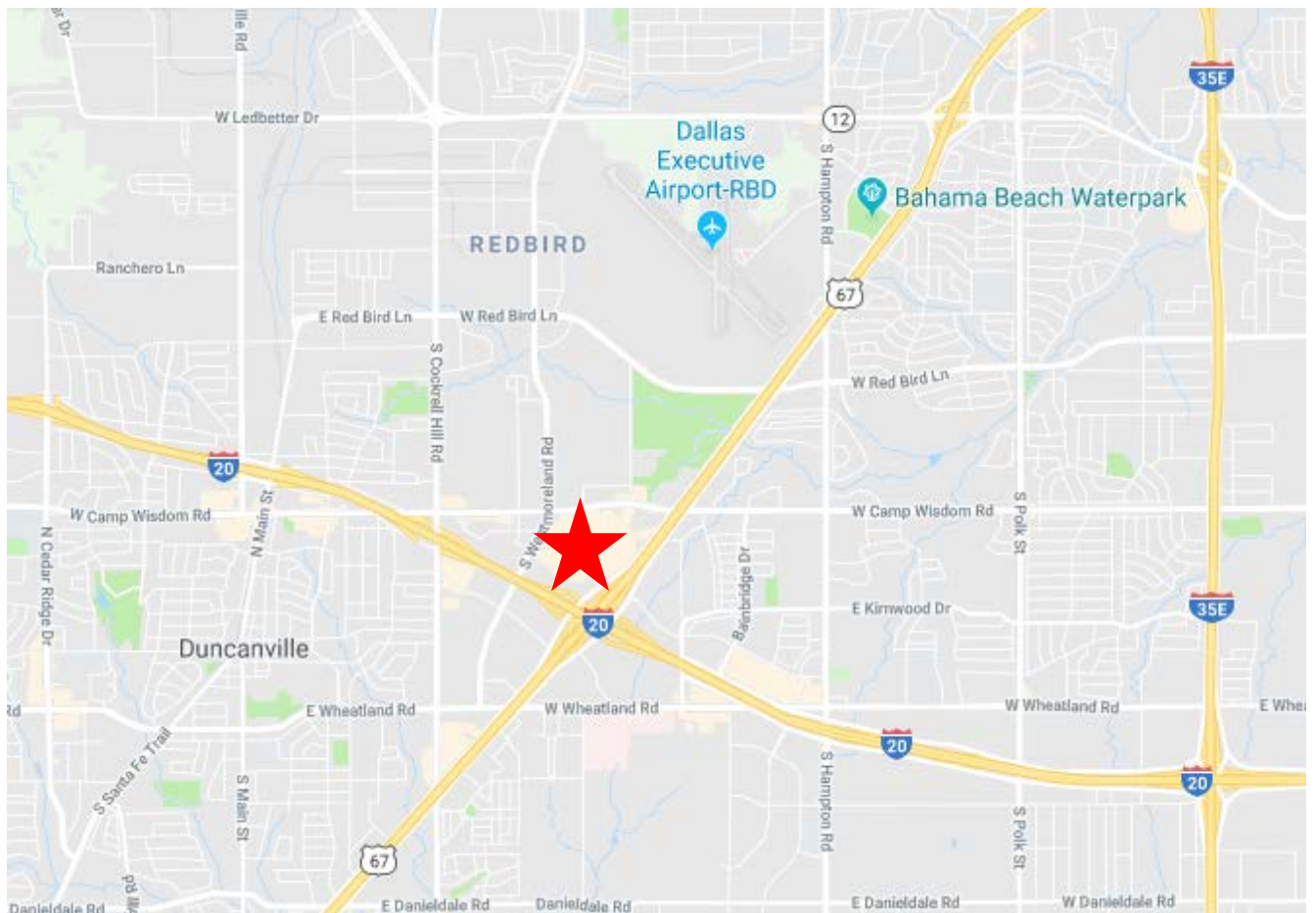
#### **3663 Investors LP**

Peter Brodsky, Manager of General Partner (3663 Investors GP LLC)

### **MAP**

Attached

## Location Map



May 22, 2024

**WHEREAS**, WCWRD Inc, by and through its affiliates and subsidiaries, is redeveloping RedBird Mall located at 3662 West Camp Wisdom Road; and

**WHEREAS**, the Reimagine RedBird Mall Redevelopment Project ("Project") is supporting increased density and diversified uses in a more pedestrian-oriented development pattern to enhance economic vibrancy, improve quality of life, and provide permanent employment opportunities to southern Dallas; and

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

**WHEREAS**, the use of economic development incentives is a necessary tool to attract catalyst developments to southern Dallas; and

**WHEREAS**, on May 14, 2014, the City Council authorized the designation of the Mall Area Redevelopment TIF District in accordance with the Tax Increment Financing Act, as amended, V.T.C.A. Texas Tax Code, Chapter 311, by Resolution No. 14-0783; Ordinance No. 29340; 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 RedBird Mall area in southern Dallas; and

**WHEREAS**, on June 17, 2015, the City Council authorized the Mall Area Redevelopment TIF District Project Plan and Reinvestment Zone Financing Plan by Resolution No. 15-1145; Ordinance No. 29771; and

**WHEREAS**, on January 13, 2016, the City Council authorized a Chapter 380 Grant Agreement ("2016 Chapter 380 Grant Agreement") to provide Developer with a \$2,400,000.00 grant for the Project, such grant being secured by a deed of trust ("Deed of Trust") encumbering the Project by Resolution No. 16-0103; and

**WHEREAS**, on June 13, 2018, the City Council authorized a first amendment to the 2016 Chapter 380 Grant Agreement to extend all dates by eighteen months by Resolution No. 18-0850; and

May 22, 2024

**WHEREAS**, on June 13, 2018, the City Council authorized a Tax Increment Development, Chapter 380 Grant, and Chapter 380 Loan Agreement ("2018 TIF/Chapter 380 Agreement") with Developer in consideration of the RedBird Mall Redevelopment Project, providing: (1) a conditional grant in an amount not to exceed \$10,000,000.00; (2) a 15-year interest-only subordinate loan in an amount not to exceed \$12,000,000.00 ("Loan"); (3) a development agreement awarding an amount not to exceed \$15,600,000.00 in tax increment funding from the Mall Area Redevelopment TIF District; and (4) an assignment of all tax increment payable under the 2018 TIF/Chapter 380 Agreement to the City, the Loan and performance obligations which are secured by the Deed of Trust and a guaranty provided by 3662 Investors, LP by Resolution No. 18-0850; and

**WHEREAS**, on January 8, 2020, the City Council authorized: (1) a New Markets Tax Credit transaction between the Dallas Development Fund and its subsidiaries, Capital One N.A. and its subsidiaries and Developer for improvements within the RedBird Mall Redevelopment Project; and (2) a second amendment to the 2016 Chapter 380 Grant Agreement, a first amendment to the 2018 TIF/Chapter 380 Agreement, and amendment or execution of any other documents necessary to: (A) release the property owned by OMRB LLC (being the Foot Locker) and the property owned by OMRB II LLC (being the Lawn) from the lien Deed of Trust and the indebtedness evidenced by the City's 15-year interest-only subordinate loan; (8) specifically remove the condition of the disbursement of the second loan installment that all 2017 General Obligation Bond Funds be fully disbursed and expended by Developer and allow the second loan installment to be disbursed on or before January 31, 2020; (C) increase the Developer's required total minimum investment for the Project by \$1,000,000.00 from \$115,000,000.00 to \$116,000,000.00 as consideration for (A) and (B); and (D) make such other modifications which may be necessary to effectuate the foregoing amendments by Resolution No. 20-0118; and

May 22, 2024

**WHEREAS**, on May 13, 2020, the City Council authorized: (1) a third amendment to the 2016 Chapter 380 Grant Agreement and a second amendment to the 2018 TIF/Chapter 380 Agreement, approved as to form by the City Attorney, related to the RedBird Mall Redevelopment Project to: (a) increase the amount of the 2018 Chapter 380 conditional grant by \$3,000,000.00 in bond funds; (b) remove the requirement that the Developer make any Distributable Cash Payments to the City pari passu with distributions of cash flow to the Project's equity investors; and (c) increase the minimum Investment Requirement for the Project by \$14,000,000.00; (2) placement of a deed of trust in favor of the City on the former Sears Property and, at the request of the Developer, any other future properties acquired by the Developer within the Westmoreland-IH 20 Sub-District of Tax Increment Reinvestment Zone Number Twenty; and (3) the City Manager to negotiate and execute any other documents, including but not limited to Subordination, Non-Disturbance, and Attornment agreements necessary to accommodate the Project in accordance with City Council approved terms, approved as to form by the City Attorney by Resolution No. 20-0763; and

**WHEREAS**, on June 23, 2021, the City Council authorized a fourth amendment to the 2016 Chapter 380 Grant Agreement, a third amendment to the 2018 TIF/Chapter 380 Agreement, and any amendments to any other documents, including but not limited to deeds of trust and promissory notes, necessary to accommodate the Project in accordance with the City Council-approved terms, approved as to form by the City Attorney, to: (a) modify Programmatic Requirements in the 2018 TIF/Chapter 380 Agreement to (i) reduce by 60,000 gross square feet (from a minimum of 100,000 gross square feet to a minimum of 40,000 gross square feet) the Developer's requirement to construct new retail, restaurant, and entertainment buildings and (ii) authorize the Developer to use reasonable efforts to prepare and convey property within the Project site to a hotel developer; (b) clarify authorization for the Developer to obtain mezzanine and preferred equity financing and authorization for the City to enter into intercreditor agreements and/or recognition agreements, as applicable; (c) extend the maturity date on the Loan authorized by the 2018 TIF/Chapter 380 Agreement by five years until June 2038; (d) authorize the release of a portion of the property within the Project site ("Sears Property") to a third-party purchaser upon completion of the initial phase of tenant improvements and prior to the Loan's maturity date; and (e) modify the Developer's ability to sell the Project prior to maturity of the Loan, subject to the Loan and assignment of the 2018 TIF/Chapter 380 Agreement; and as consideration for the amendments: (i) increase the Developer's minimum Investment Requirement by \$5,000,000.00 for the Project from \$130,000,000.00 to \$135,000,000.00, (ii) add a requirement to the Programmatic Requirements that the Developer make reasonable efforts to prepare and convey property within the Project site for a grocery store or renovate and lease space within an existing building within the Project site for a grocery store, (iii) require that the Developer pay interest current on the Loan to the extent that the TIF Subsidy does not fully repay the Loan during the extended term, and (iv) prohibit the Developer from distributing any net proceeds of the sale of the Sears

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Property to equity shareholders and require the Developer to use the net proceeds to either repay debt that is senior to the City's lien in payment priority, pay for remaining Infrastructure Work, invest in additional building improvements on property secured by the City's lien, or acquire additional properties in the Project area to be added to the City's collateral by Resolution No. 21-1156; and

**WHEREAS**, since the 2018 TIF/Chapter 380 Agreement was authorized by the City Council in June 2018, Developer has made substantial progress on the Project; and

**WHEREAS**, in February 2024, Developer submitted a request for three relatively minor amendments to the 2018 TIF/Chapter 380 Agreement to address an issue arising over the past few years mostly due to the COVID-19 pandemic and its lasting impact on shifting market demand for certain Project elements that had been contemplated in 2017-2018 when the terms and conditions of the 2018 TIF/Chapter 380 Agreement were originally negotiated; and

**WHEREAS**, the requested amendments are also associated with the Developer's need for greater flexibility to creatively consummate private financing necessary to navigate the impacts of the pandemic and continue development of the Project (specifically redevelopment of the former Macy's building) without additional City funding; and

**WHEREAS**, on April 29, 2024, the Mall Area Redevelopment TIF District Board of Directors unanimously approved the proposed amendments and forwarded a recommendation of approval to City Council; and

**WHEREAS**, on May 6, 2024, the Economic Development Committee of City Council was briefed regarding this matter.

**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 fourth amendment to the Tax Increment Development, Chapter 380 Grant, and Chapter 380 Loan Agreement ("2018 TIF/Chapter 380 Agreement") with WCWRD Inc and its affiliates or subsidiaries ("Developer"), approved as to form by the City Attorney, related to the Reimagine RedBird Mall Redevelopment Project ("Project"), now known as the Shops at RedBird, generally located at the southeast corner of Camp Wisdom Road and Westmoreland Road in the Mall Area Redevelopment TIF District, specifically including modifications to Section 2.C(7), Section 2.D(2), and Section 5.E as further described below, and any modifications to any other associated Project documents as may be necessary to effectuate the specific modifications described below; and as consideration for the fourth amendment, increase the Developer's minimum Investment Requirement by \$15,000,000.00 for the Project from \$135,000,000.00 to \$150,000,000.00.

May 22, 2024

**SECTION 2.** That the following amendments to the 2018 TIF/Chapter 380 Agreement shall be made, specifically including (deletions are shown as strikethroughs; additions are shown in italicized and underlined font):

a. amending Section 2.C(7) as follows:

“Renovating and modernizing existing mechanical, electrical and structural systems including lighting, HVAC, flooring, and ceilings to create an office environment on the second floor of the in-line portion of the Mall, and in ~~the former Macy’s building and~~ the former Dillard’s building as described on Exhibit A-1 and shown on Exhibit A-2 (the former Macy’s, the former Dillard’s, and the in-line Mall buildings but excluding the parking areas which are included within the parcels containing such buildings being referred to collectively herein as the “Main Mall Properties”) by December 31, 2025;”

b. amending Section 2.D(2) as follows:

“Developer shall achieve a minimum occupancy of (i) at least 75% of ground floor retail space immediately surrounding the “green space” as noted in the Concept Plan and (ii) at least 60% on all other new construction and within the Main Mall Properties (excluding, if it has not yet been renovated and/or redeveloped, the former Macy’s building) by the CO Date and these ~~retail~~ spaces must continue to be occupied at these levels throughout the term of the Agreement (the “Occupancy Requirement”), the initial achievement of which shall be subject to extension under Section 1.B.”

c. amending Section 5.E as follows:

“Partial Lien Releases. Prior to repayment of the Loan, the City shall execute partial releases of its lien and/or execute subordination agreements for portions of the Property that are contributed, sold or ground leased to unaffiliated third parties for vertical development of multi-family, hotel, or other commercial, residential, or mixed-use developments. Notwithstanding the foregoing, until the Loan is paid in full, Developer shall ensure that the Main Mall Properties remain under the direct ownership and control of the Loan Guarantor or under ownership and control of a subsidiary entity of which the Loan Guarantor is the sole member and/or holds a controlling interest in such subsidiary entity; provided, however, that, with the prior written consent of the Director of the Office of Economic Development, such consent not to be unreasonably withheld, the former Macy’s building may be contributed to a joint venture in which the Loan Guarantor receives a percentage of the joint venture commensurate with the value of the Macy’s property only if doing so will result in the redevelopment/adaptive reuse of the former Macy’s building into a hotel or other use(s) acceptable to Director that is expected to increase the value of the former Macy’s building.”



May 22, 2024

**SECTION 2.** (continued)

- d. as consideration to the City for the specific amendments listed above, amending Section 2.A to increase the Developer's minimum Investment Requirement by \$15,000,000.00 for the Project from \$135,000,000.00 to \$150,000,000.00; and
- e. making any modifications to any other associated Project documents as may be necessary to effectuate the specific amendments described herein.

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

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



## Agenda Information Sheet

**File #:** 24-1301

**Item #:** 28.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Robin Bentley

### **SUBJECT**

An ordinance **(1)** designating the City of Dallas as a media production development zone in accordance with Chapter 485A of the Texas Government Code; and **(2)** providing an effective date - Financing: No cost consideration to the City

### **BACKGROUND**

A Media Production Development Zone (MPDZ), which is authorized by Section 485A of the Texas Government Code and administered by the Texas Film Commission, is a state-based incentive program that allows for a sales and use tax exemption over a two-year period for the construction, maintenance, expansion, improvement, or renovation of a media production facility located in a qualified media production location (QMPL). The Media Production Development Zone Act (Act) outlines the parameters for the creation of an MPDZ within the state to strengthen Texas economy by maintaining and bolstering its media production industry.

Per the Act, an MPDZ is required to have adequate workforce, infrastructure, facilities, or resources to support the production and completion of moving image projects and will contain a QMPL within its geographical boundaries. Each MPDZ designation is effective for a maximum of five years after the date the last QMPL was designated within the zone. The sales and use exemption only applies to projects that have been designated as a QMPL, and each QMPL designation requires city council approval. Each MPDZ may contain up to three active QMPLs at one time, however, there is a limit of five total MPDZs per region and 10 total active MPDZs throughout the state.

As allowed under state law, this item is to be considered concurrently with an item authorizing the city's nomination of the property located at 2901 Botham Jean Boulevard, Dallas, Texas 75215 for designation as a QMPL within MPDZ No. 1.

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

Information about this item was provided to the Economic Development Committee on May 6, 2024.

**FISCAL INFORMATION**

No cost consideration to the City.

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

An ordinance designating the City of Dallas as a media production development zone in accordance with Chapter 485A of the Texas Government Code; and providing an effective date.

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

WHEREAS, Chapter 485A of the Texas Government Code, the Media Production Development Zone Act (Act), allows for the designation of media production development zones in the State of Texas to maintain, strengthen, and promote the media production industry in Texas in the face of competition from other states, and;

WHEREAS, the Act offers exemptions to the limited sales, excise, and use taxes to qualified persons who build, construct, renovate, improve, or expand a media production facility within the state; and

WHEREAS, the City desires to use the Act as a tool to incentivize additional economic development within the City; and

WHEREAS, the City meets the requirements of the Act as a media production development zone, as the City has the adequate workforce, infrastructure, facilities, or resources to support the production and completion of moving image projects; and, subject to approval from the Music, Film, Television and Multimedia Office within the Office of the Governor of the State of Texas, it will contain a qualified media production location within its geographical boundaries that meets the criteria under Section 485A.102 of the Act; Now, Therefore,

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

SECTION 1. That the findings of the city council are hereby approved and adopted.

SECTION 2. That the City of Dallas, Texas is hereby designated as Media Production Development Zone No. 1, in accordance with Texas Government Code Chapter 485A. A map depicting the precise boundaries of the City of Dallas, Texas that comprise MPDZ No. 1 is attached hereto as Exhibit A and made a part of the ordinance for all purposes.

SECTION 3. 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:

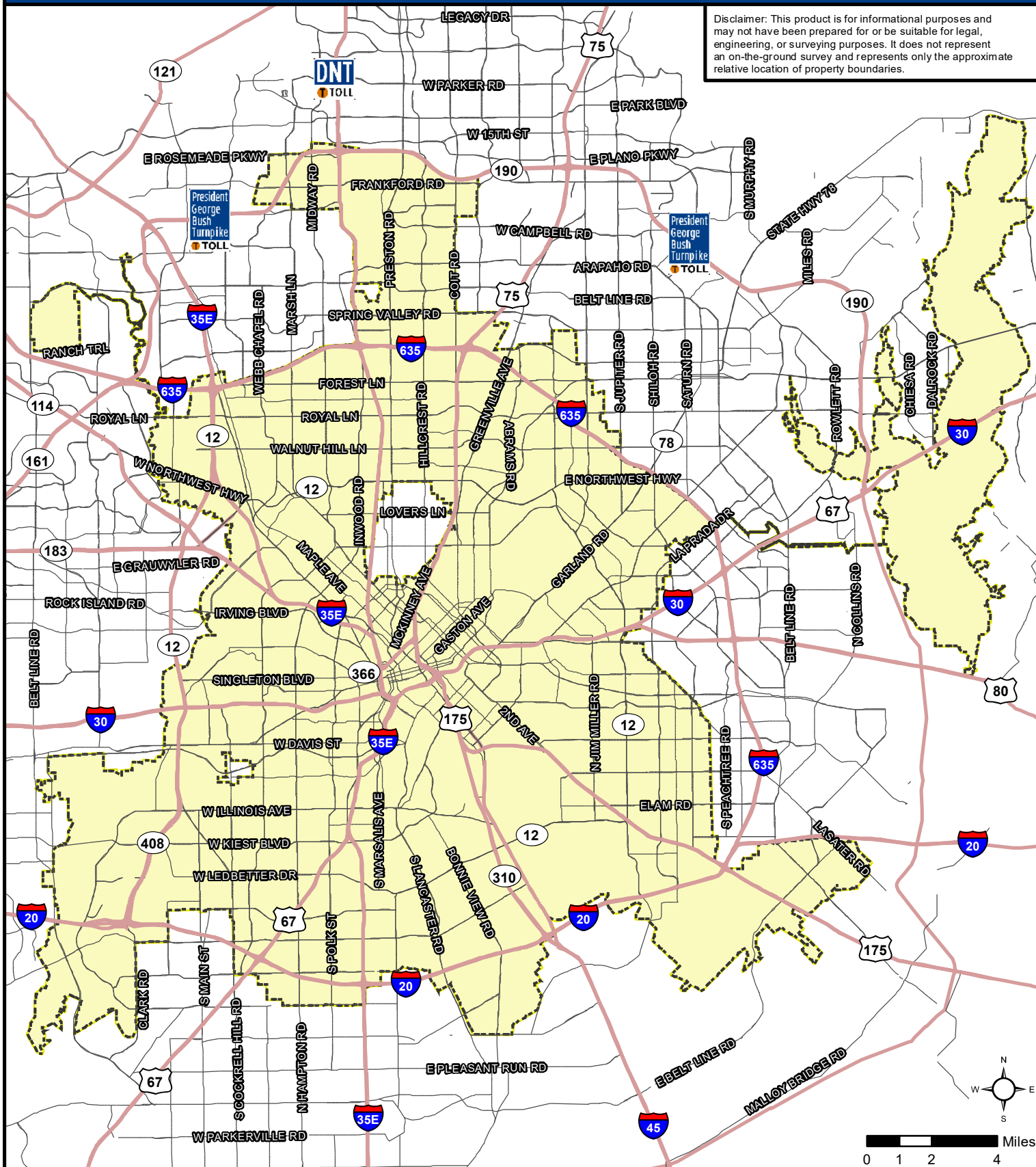
TAMMY L. PALOMINO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

# City of Dallas - 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.



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### Legend

-  City of Dallas  
 Highways  
 Major Streets

Source: City of Dallas, 2024.



## Agenda Information Sheet

**File #:** 24-1302

**Item #:** 29.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Robin Bentley

### **SUBJECT**

An ordinance **(1)** nominating approximately 2.435 acres located at 2901 Botham Jean Boulevard for State of Texas designation as a qualified media production location; **(2)** directing the City Manager to execute all necessary documents to submit an application for designation to the Music, Film, Television, and Multimedia Office within the Office of the Governor; **(3)** providing a repealing clause; and **(4)** providing an effective date - Estimated Sales Tax Revenue Foregone: General Fund \$150,000.00

### **BACKGROUND**

Media Production Development Zones (MPDZ) are authorized by Chapter 485A of the Texas Government Code, known as the Media Production Development Zones Act (Act), and is administered by the Texas Film Commission. MPDZ is a state-based incentive program which allows for a sales and use tax exemption for the construction, maintenance, expansion, improvement, or renovation of a media production facility at a qualified media production location (QMPL) over a two year period. The Act outlines the parameters for the creation of MPDZs within the state to strengthen Texas's economy by maintaining and bolstering its media production industry. For a location to take advantage of the tax savings of the MPDZ, it must be designated as a QMPL by City Council.

Pursuant to the Act, this project meets the criteria for the City of Dallas's nomination as a QMPL as the proposed project is located within a MPDZ and is a building or other facility that is being renovated solely for the purpose of being converted into one or more media production facilities.

This item authorizes the City nomination of the first QMPL project in Dallas's newly created MPDZ No. 1, for state consideration of the qualified MPDZ project. South Side Studios Dallas, LLC (SSSD), located at 2901 Botham Jean Boulevard, Dallas, Texas 75215, is an existing converted warehouse situated on 11 acres that has served as a production studio facility in south Dallas. For decades, SSSD has been Dallas's leading filming space for feature film and television, having served hundreds of productions, including television's Queen of the South (USA), The Chosen (TBN) Dallas (reboot) (TNT), and Prison Break (Fox).



Historically, the facility has leased two of the three warehouse buildings on the property: (1) the West Stage Building (approximately 70,000 square feet) which contains stage space and production offices, and (2) the Forest Building (approximately 50,000 square feet) consisting of additional offices, a mill area, wardrobe storage, and prop shop.

In 2023, developer Matthews Holdings Southwest and Talon Entertainment Finance partnered to create SSSD to renovate the original spaces in the West Building, including unconditioned spaces that lack soundproofing, into a state-of-the-art, purpose-built studio production facility. SSSD's project includes an estimated \$6.275M in renovations that will modernize studio production facilities on the site, currently home to three warehouse-type buildings. The project also includes approximately \$1.533M in furniture, fixtures, and equipment purchases, including an LED virtual production wall, plus film and video production equipment to serve as rental inventory for in- and out-of-house productions.

When renovations are complete, SSSD estimates its annual revenue will start at \$2.95M (2025) and could employ as many as 250 crew members and 200 cast members plus interns and/or students interested in on-the-job training. SSSD operations itself will have a staff of 13 employees (with wages totaling \$770K in 2025, est.) and the facility operations team will rely on outsourced local vendors to support the facility. They include, but are not limited to, HVAC, plumbing, electrical maintenance vendors, janitorial, IT support, and security guards.

OED staff recommends City support of the MPDZ incentives for SSSD as a QMPL to support growth of the media industry and foster tangible investment in assets that strengthen the City's tax base, as well as to support creation of jobs in the target areas, in accordance with the City of Dallas Economic Development Policy.

The City council may nominate other locations within the City of Dallas Media Production Development Zone No. 1 for designation as a QMPL by the state and receive the same sales tax exemptions. There is a limitation of three locations allowed at any one time in an MPDZ in accordance with the Act and each QMPL designation is effective for two years.

A local sales tax exemption would serve as the local incentive for this project and is estimated to be approximately \$150,000.00 in the aggregate.

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

Information about this item was provided to the Economic Development Committee on May 6, 2024.

On May 22, 2024, an item considering authorization of the creation of City of Dallas Media Production Development Zone No. 1 will be considered concurrently.

### **FISCAL INFORMATION**

Estimated Sales Tax Revenue Foregone: General Fund \$150,000.00

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

An ordinance nominating approximately 2.435 acres located at 2901 Botham Jean Boulevard for State of Texas designation as a qualified media production location; directing the city manager to execute all necessary documents to submit an application for designation to the Music, Film, Television, and Multimedia Office within the Office of the Governor; providing a repealing clause; providing an effective date.

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

WHEREAS, it is in the interest of the City to support and secure business operations within the City and the economic vitality and employment opportunities that these business operations bring for Dallas residents; and

WHEREAS, Chapter 485 of the Texas Government Code, the Media Production Development Zone Act (Act), allows for the designation of media production development zones and qualified media production locations in the State of Texas to maintain, strengthen, and promote the media production industry in Texas; and

WHEREAS, the City meets the requirements of the Act as a media production development zone, and in accordance with the Act, the city council authorized an ordinance recognizing and designating the city as a media production development zone (MPDZ No. 1); and

WHEREAS, a map depicting the precise boundaries of the City that comprises MPDZ No. 1 is attached hereto as Exhibit A and made a part of the ordinance for all purposes; and

WHEREAS, the Act provides that qualified persons, as defined by Section 485A.201 of the Act, may receive a two-year exemption from sales and use taxes on items used for the construction, maintenance, expansion, improvement, or renovation of a media production facility at a qualified media production location and the building improvements housing that facility, as well as on items used to equip such a media production facility; and

WHEREAS, South Side Studios Dallas, LLC (SSSD) submitted an application to the city requesting nomination of a media production location for the property located at 2901 Botham Jean Boulevard, Dallas, Texas 75215 (Location) as a qualified media production location in accordance with the Act, and the City desires to nominate the Location for designation by the Office of the Governor of the State of Texas as a qualified media production location in MPDZ No. 1 in accordance with the Act; a site plan and legal description of the property are attached hereto as Exhibit B and made a part of the ordinance for all purposes; and

WHEREAS, SSSD is situated on an 11-acre parcel at the Location and houses three warehouse spaces, two of which have been previously used for film and television production; and

WHEREAS, for this project (Project), the west warehouse will be renovated to include the construction of three dedicated soundstages totalling 43,035 square feet; and

WHEREAS, the local sales tax exemption would serve as the local incentives for this Project and is estimated to be approximately \$150,000, in the aggregate; and

WHEREAS, pursuant to Section 485A.102 of the Act, the Location meets the criteria for a qualified media production location designation as it is land or other real property that is in MPDZ No. 1 and the real property is a building to be renovated and expanded solely for the purpose of being converted into one or more media production facilities; and

WHEREAS, SSSD has submitted an economic impact analysis of the Project prepared by TXP, Inc. to the City. The economic impact analysis is attached hereto as Exhibit C and made a part of this ordinance for all purposes. As illustrated by the economic impact analysis, the Project spending increases regional economic activity by \$13.6 million, labor income by \$4.7 million, and employment by 86.6 jobs; and

WHEREAS, in consideration of the foregoing, the City desires to nominate SSSD for designation as a qualified media production location in accordance with the Act and hereby finds that designation as such by the Office of the Governor is in the best interest of the City and the State of Texas; Now, Therefore,

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

SECTION 1. That the findings of the city council are hereby approved and adopted.

SECTION 2. The city council hereby nominates the Location owned by South Side Studios Dallas, LLC located at 2901 Botham Jean Boulevard, Dallas, Texas 75215, and further described in this ordinance, as a qualified media production development location pursuant to Chapter 485A of the Texas Government Code.

SECTION 3. The city manager is directed to execute and submit an application for designation pursuant to Section 485A.106 of the Texas Government Code to the Music, Film, Television, and Multimedia Office within the Office of the Governor, and any subsequent reporting required by state law.

SECTION 4. That the qualified media production location designation shall take effect on the date of designation by the Office of the Governor of the State of Texas and terminate two years therefrom in accordance with section 485A.111 of the Texas Government Code.

SECTION 5. 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:

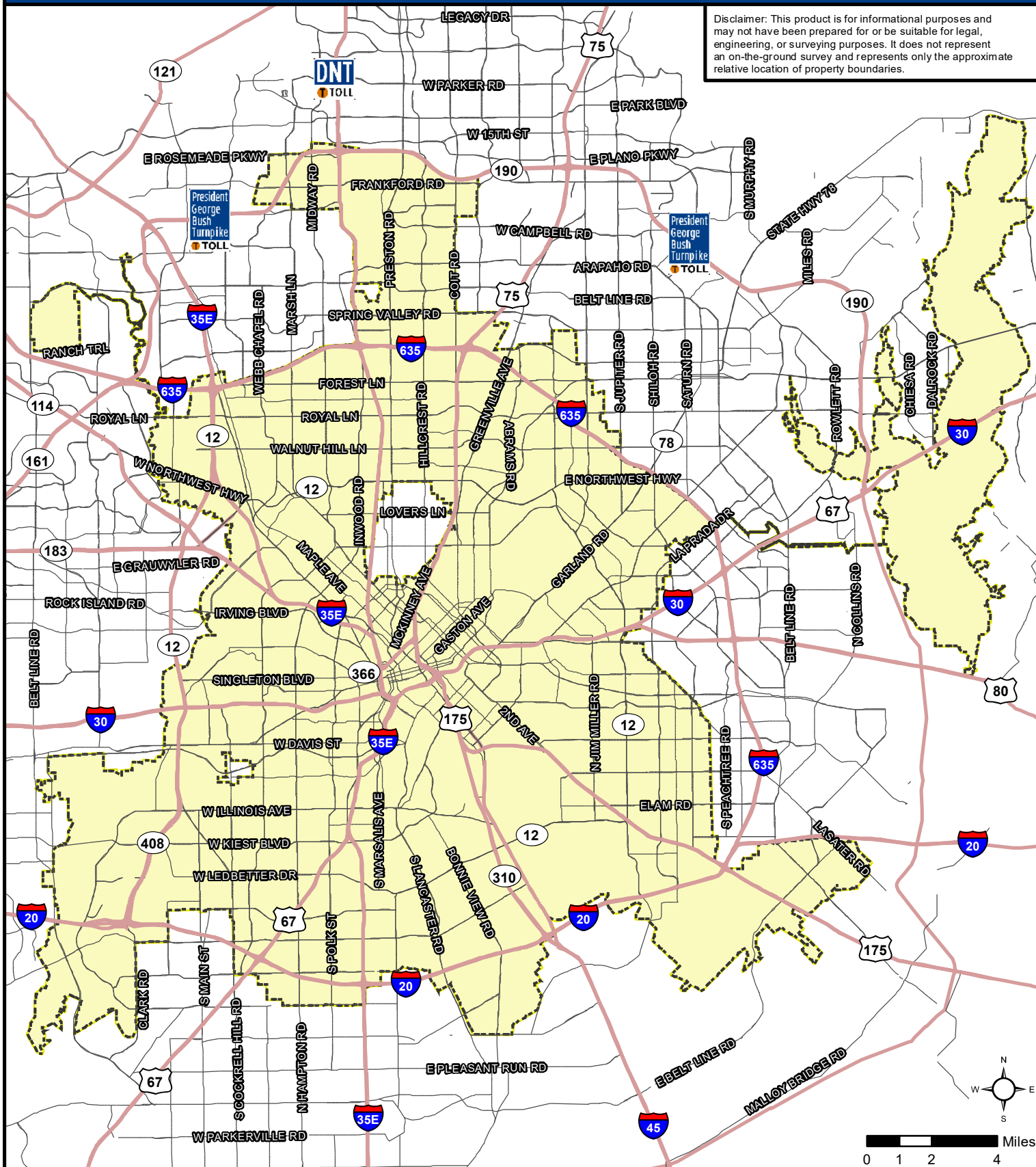
TAMMY L. PALOMINO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

# City of Dallas - Exhibit A



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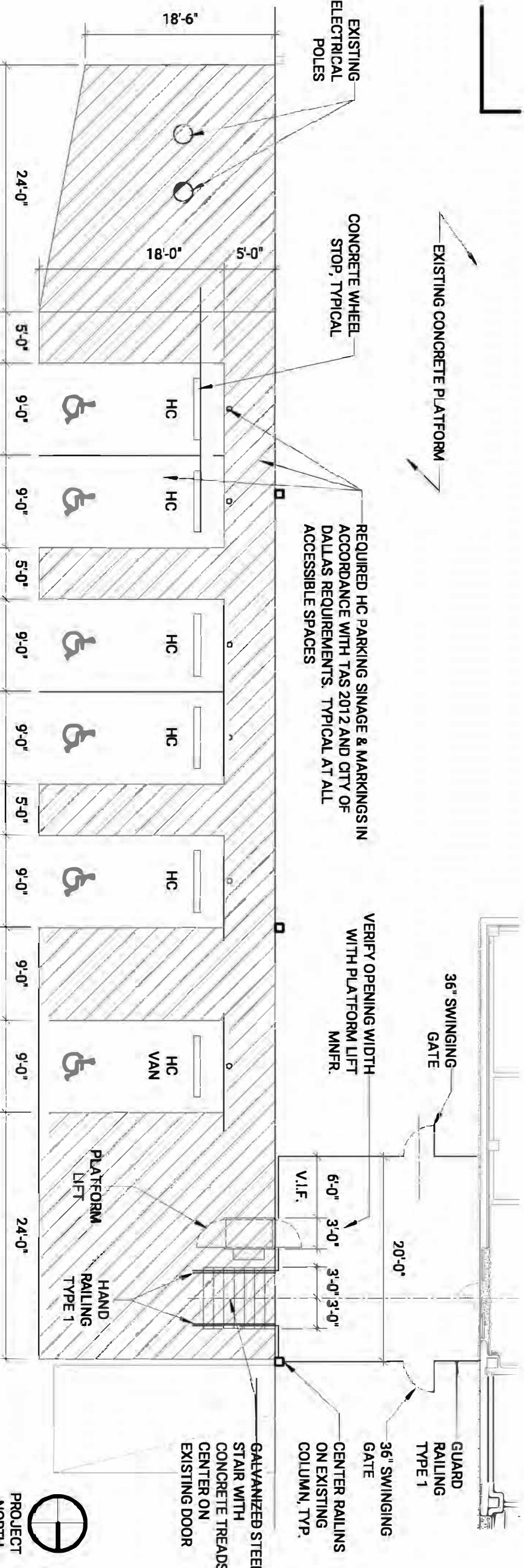
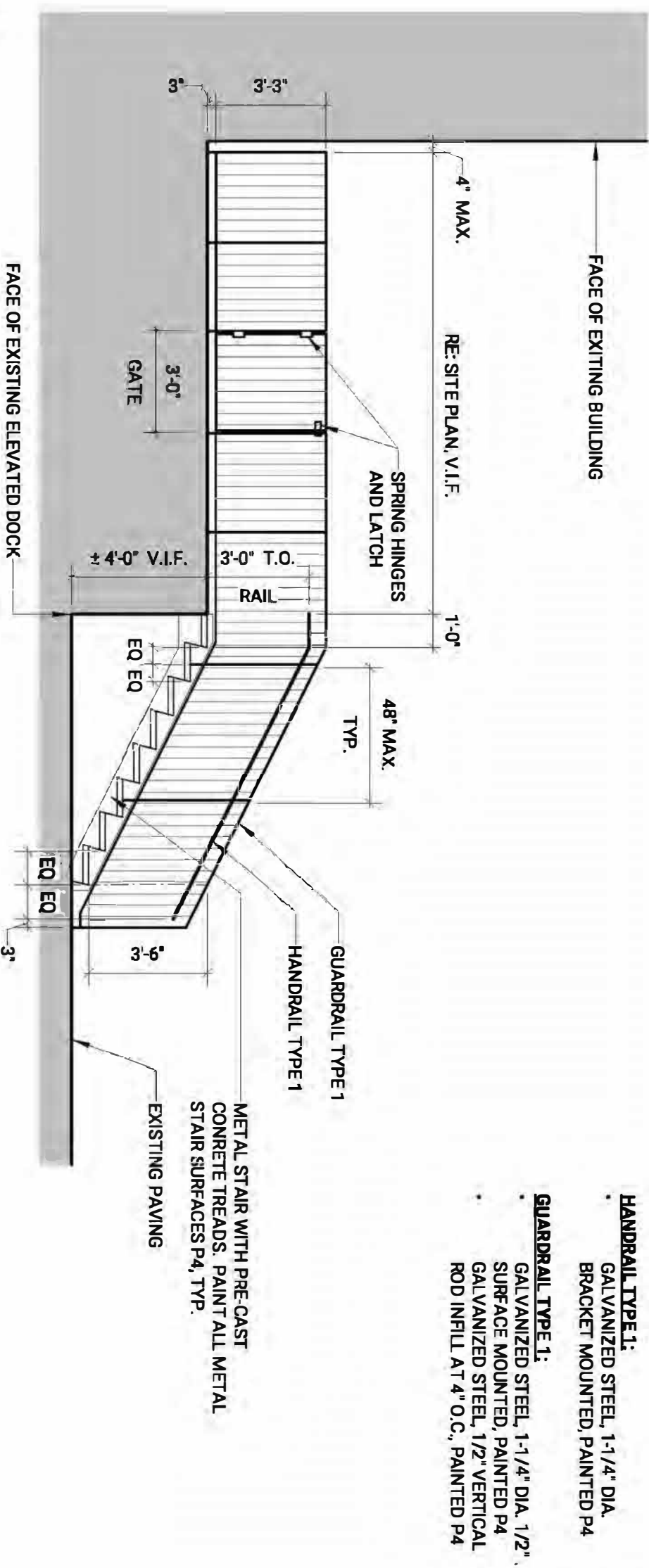
Created 05.03.2024 - CityOfDallas.RK

### Legend

-  City of Dallas  
 Highways  
 Major Streets

Source: City of Dallas, 2024.



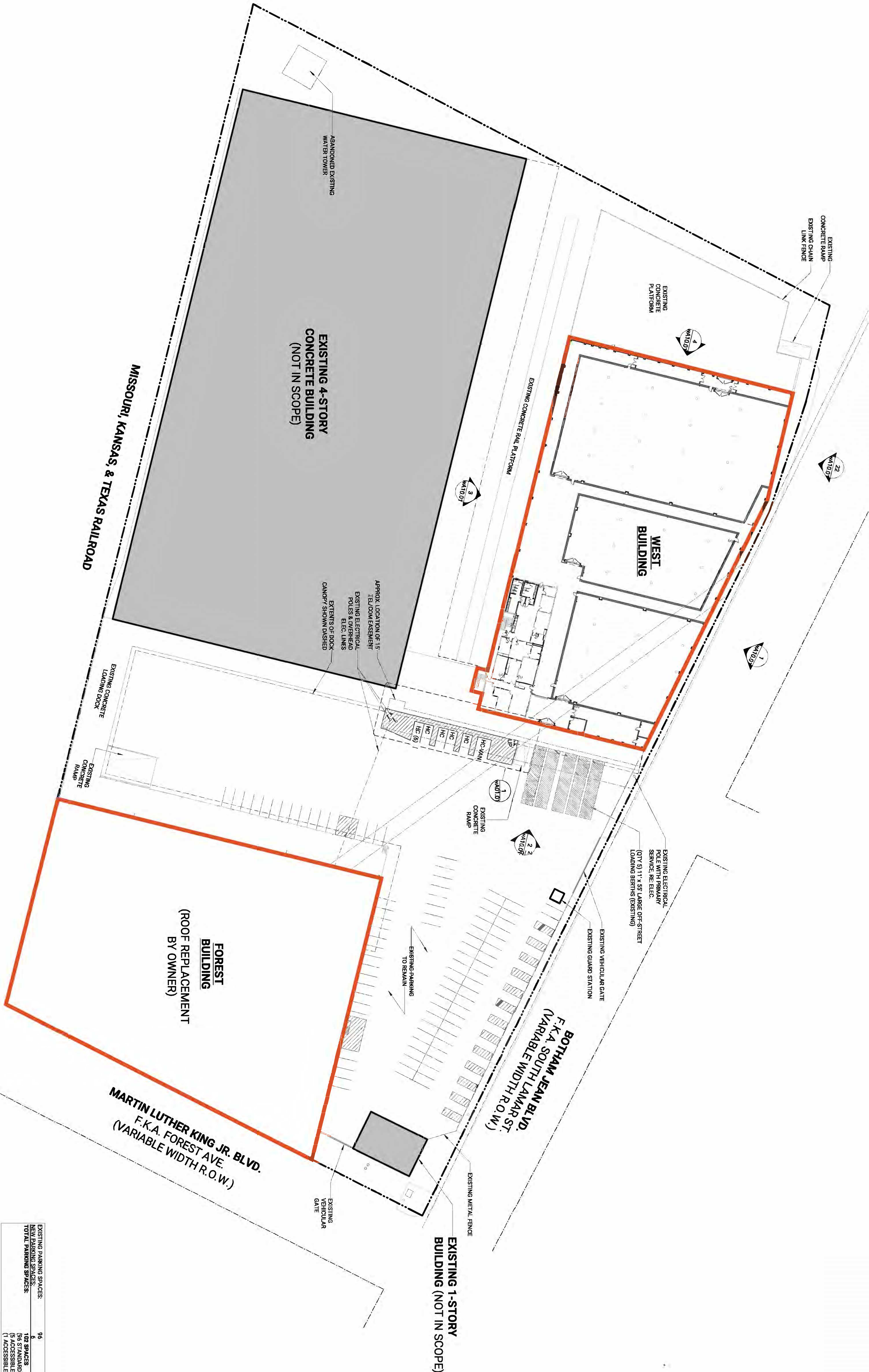


2 DTL - RAILING TYPES

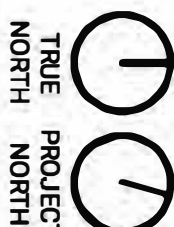
1/4" = 1'-0"

1 SITE PLAN - ENLARGED- WEST ENTRY

3/32" = 1'-0"



EXISTING PARKING SPACES:	94
NEW PARKING SPACES:	6
TOTAL PARKING SPACES:	100 SPACES
	(55 STANDARD, 45 ACCESSIBLE VAN)
	(7 ACCESSIBLE VAN)





**South Side Studios LLC  
2901 Botham Jean Boulevard  
Dallas, Texas 75215**

**Legal Description**

BEING a 483,473 square foot (11.10 acre) tract of land situation in the H.C. LONG SURVEY, Abstract No. 762, City Block 1218, City of Dallas, Dallas County, Texas, same being all of that certain tract I conveyed to CCH LAMAR PARTNERS I, L.P. by Special Warranty Deed recorded in Instrument Number 20080228060, Official Public Records, Dallas County, Texas, and being more particularly described a follows:

BEGINNING at a 5/8" iron rod found at the intersection of the northwest right-of-way line of Martin Luther King Jr. Boulevard (Variable Width R.O. W.) (formerly known as Forest Avenue, by Ordinance No. 16967) and the northeast right-of-way line of Missouri Kansas & Texas Railroad;

THENCE North 58 degrees 49 minutes 06 seconds West, departing said northwest right-of-way line and along said northeast right-of-way, for a distance of 941.50 feet, to a 5/8" iron rod with Purple plastic cap stamped, "RPLS 6451" set in the south line of Block A/1114, out to the WILLOWBROOK SUBDIVISION, an addition to the City of Dallas, Dallas County, Texas, by Plat recorded in Volume 74227, Page 516, Deed Records, Dallas County, Texas;

THENCE North 43 degrees 50 minutes 44 seconds East, departing said northeast right-of-way lien and along said south line, for a distance of 596.11 feet, to a 1" pipe found for the east corner of said Block A/1114, same being in the southwest right-of-way lien of South Lamar Street (Variable Width R.O.W.);

THENCE South 58 degrees 47 minutes 16 seconds East, departing said south line, and along said southwest right-of-way line, for a distance of 102.14 feet, to a 5/8" iron rod with Purple plastic cap stamped, "RPLS 6451" set;

THENCE South 52 degrees 41 minutes 01 seconds East, continuing along said southwest right-of-way, for a distance of 100.00 feet, to a 5/8" iron rod with Purple plastic cap stamped, "RPLS 6451" set;

THENCE South 46 degrees 34 minutes 46 seconds East, continuing along said southwest right-of-way line, for a distance of 722.47 feet, to "X" cut set at the intersection of said southwest right-of-way and the aforementioned northwest right-of-way line of Martin Luther King Jr. Boulevard;

THENCE South 44 degrees 13 minutes 46 seconds West, departing said southwest right-of-way and along said northwest right-of-way line, for a distance of 428.78 feet, to the POINT OF BEGINNING and containing 483,473 square feet or 11.100 acres of land more or less.

# EXHIBIT C

## Economic Impact Study

South Side Studios Dallas, LLC



March 5, 2024

Mr. Ray Brandte  
Chief Financial Officer  
South Side Studio Dallas, LLC  
11321 Winthrop Lake Drive  
Riverview, Florida 33578

Mr. Brandte,

Thank you for the opportunity to provide consulting services to South Side Studio Dallas, LLC. The attached memo highlights TXP's findings related to the economic and tax impact of South Side Studios' proposed renovation and modernization project in Dallas, Texas. TXP has organized the analysis and results based on the requirements of the State of Texas Media Production Facilities Development Program.

To assist the City of Dallas and State of Texas in reviewing your application, TXP has summarized the State of Texas Media Production Facilities Development Program. This document is intended to satisfy the requirements of the economic impact analysis.

Please do not hesitate to contact me with any questions or comments.

Best regards,

A handwritten signature in blue ink, appearing to read 'Travis D. James', is written over a light blue horizontal line.

Travis D. James  
Vice President



### South Side Studios Renovation and Modernization Project Summary

- South Side Studios (SSS) is an existing converted warehouse on 11 acres that has served as a production studio facility in south Dallas, Texas.
- South Side Studios Dallas, LLC (SSSD) proposes to renovate the original spaces in the West Building, including unconditioned spaces that do not have soundproofing, into a state-of-the-art, purpose-built Studio Production Facility.
- The scope of work also includes a new roof and soundproofing at a second warehouse known as the Forest Building.
- SSSD will serve as the studio's operator, overseeing the leasing of soundstages, including an LED virtual production stage, production offices, post- production facilities, mill, and support facilities located on a secure lot with 2 acres of parking.
- SSSD will also rent camera, grip, and lighting production equipment, trailers, stake-bed trucks, and other vehicles.
- SSSD's project includes an estimated \$6.275 million in hard construction renovations as well as approximately \$1.532 million in furniture, fixtures, and equipment purchases.
- Because the project is nonresidential, a significant portion of the project costs could be subject to state and local sales tax.
- SSSD's proposed renovation will take approximately 6 months to complete.
- To be conservative, TXP has assumed all construction inputs are purchased from City of Dallas vendors. This assumption and the corresponding sales tax loss represent the maximum in forgone City sales tax revenue.

**Table 1: South Side Studios Business Activity by Year**

	2024	2025	2026	2027	2028
	Year 1	Year 2	Year 3	Year 4	Year 5
Economic Activity	\$737,500	\$2,950,000	\$3,466,250	\$3,748,406	\$3,842,116
Wages	\$320,833	\$770,000	\$789,250	\$808,981	\$829,206
Employment*	13	13	13	13	13

Source: South Side Studios Dallas, LLC

\* Includes full-time and part-time Texas-based cast, crew, and corporate employees

**Table 2: South Side Studios Machinery and Equipment Costs**

Component	Cost Estimate*
Office and Hair/Make-Up/Green Rooms FF&E	\$179,012
LED Volume Wall Technology	\$450,000
Arri ALEXA Mini LF Camera Package	\$257,000
Sony Camera, Grip, Lighting Equipment	\$646,952
<b>Total</b>	<b>\$1,532,964</b>

Source: South Side Studios Dallas, LLC

\*These costs exclude sales tax



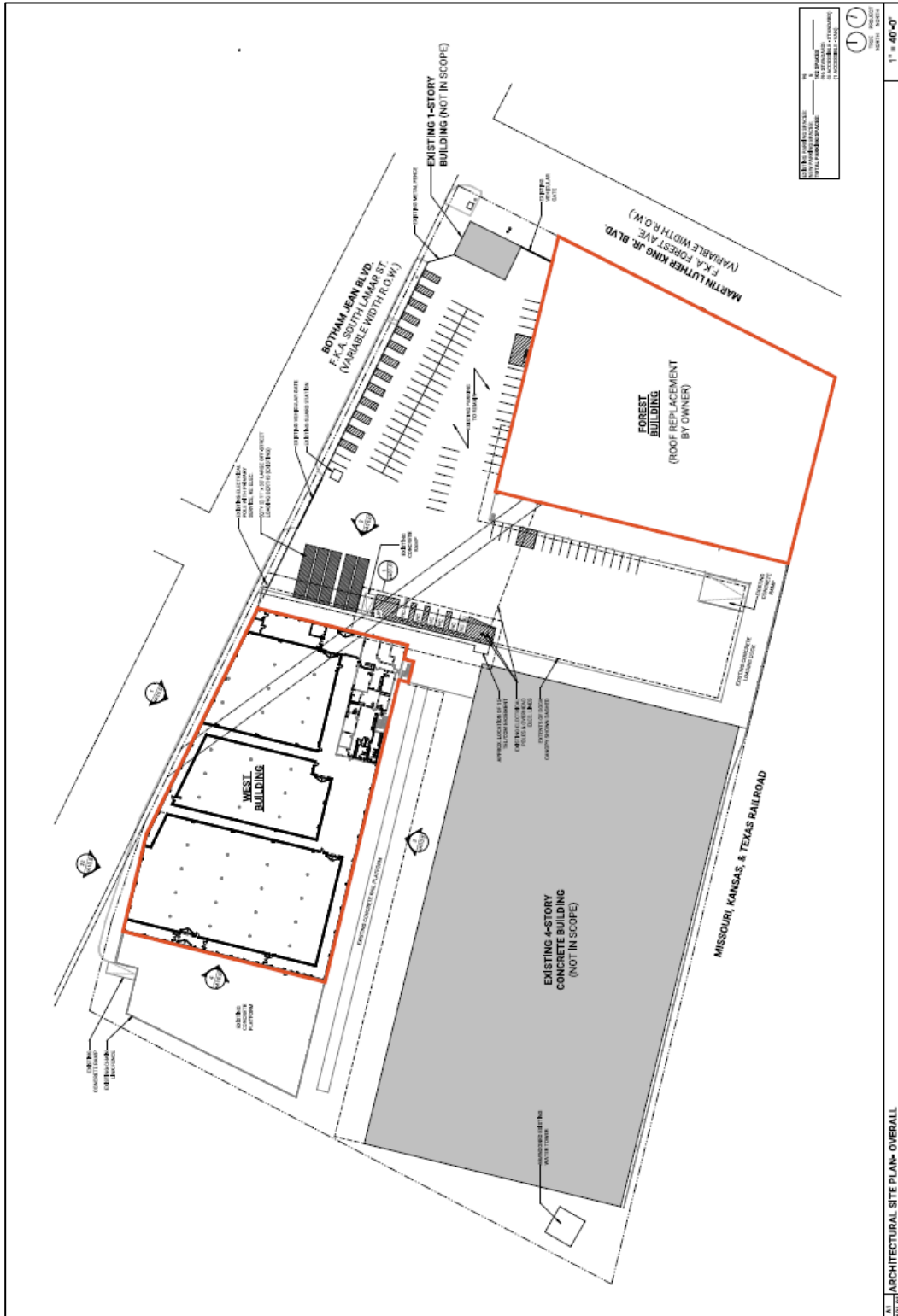
**Table 3: South Side Studios Construction Costs**

Component	Cost Estimate
Roof	\$2,448,260
Demolition	\$46,000
Drywall	\$880,200
Paint	\$134,700
Vinyl Graphics	\$1,900
Doors/Frames/Hardware	\$92,200
Flooring	\$43,600
Concrete Sealer	\$13,100
Cabinetry	\$14,600
Solid Surface Tops	\$8,600
Roll Up Doors	\$82,000
Restroom Partitions & Accessories	\$21,300
Landings, Stairs and Handrails	\$6,200
Wheelchair Lift	\$20,500
Fence/Fencing	\$3,000
Parking Striping	\$4,900
HVAC	\$483,600
Electrical	\$682,500
Plumbing	\$178,600
Concrete	\$11,000
Masonry	\$134,000
Fire Alarm	\$15,700
Fire/Sprinklers	\$34,500
Audio Video	\$27,800
Access Controls/Cctv	\$63,200
General Conditions	\$170,000
Overhead/Profit	\$158,685
Subtotal	\$5,797,422
Sales Tax @ 8.25%	\$478,287
<b>Total Cost</b>	<b>\$6,275,710</b>

Source: Kpost Company, CCI Commercial Construction



Figure 1: West Building Site Plan



Source: parscale



### Economic Impact of Methodology

An economy can be measured in a number of ways. Four of the most common are “**Output**” which describes total economic activity and is equivalent to a firm’s gross sales, “**Value Added**” which equals gross output of an industry or a sector less its intermediate inputs, “**Labor Income**” which corresponds to wages and benefits, and “**Employment**” which refers to permanent jobs that have been created in the local economy.

In an input-output analysis of new economic activity, it is useful to distinguish three types of expenditure effects: direct, indirect, and induced.

**Direct effects** are production changes associated with the immediate effects or final demand changes. The payment made by an out-of-town visitor to a hotel operator is an example of a direct effect, as would be the taxi fare that visitor paid to be transported into town from the airport.

**Indirect effects** are production changes in backward-linked industries caused by the changing input needs of directly affected industries – typically, additional purchases to produce additional output. Satisfying the demand for an overnight stay will require the hotel operator to purchase additional cleaning supplies and services, for example, and the taxi driver will have to replace the gasoline consumed during the trip from the airport. These downstream purchases affect the economic status of other local merchants and workers.

**Induced effects** are the changes in regional household spending patterns caused by changes in household income generated from the direct and indirect effects. Both the hotel operator and taxi driver experience increased income from the visitor’s stay, for example, as do the cleaning supplies outlet and the gas station proprietor. Induced effects capture the way in which this increased income is in turn spent by them in the local economy.

The interdependence between different sectors of the economy is reflected in the concept of a “multiplier.” An output multiplier, for example, divides the total (direct, indirect and induced) effects of an initial spending injection by the value of that injection – i.e., the direct effect. The higher the multiplier, the greater the interdependence among different sectors of the economy. An output multiplier of 1.4, for example, means that for every \$1,000 injected into the economy, another \$400 in output is produced in all other sectors.

For this project, TXP used Dallas-Fort Worth-Arlington, TX Metropolitan Statistical Area RIMS II multipliers (2012 U.S. Benchmark I-O data and 2021 Regional Data).





**Table 4: Final Demand Multipliers: 7 – Construction**

Output	Value-Added	Earnings	Employment
2.3516	1.2770	0.8187	14.9856

Source: RIMS II

**Table 5: Direct Effect Multipliers: 7 – Construction**

Earnings	Employment
1.9327	2.1873

Source: RIMS II

**Table 6: Final Demand Multipliers: 7 – Construction**

Sector	Output	Value-Added	Earnings	Employment
Agriculture, forestry, fishing, hunting	0.0006	0.0002	0.0001	0.0067
Mining	0.0171	0.0100	0.0038	0.0349
Utilities	0.0193	0.0113	0.0029	0.0227
Construction	1.0126	0.5215	0.4290	6.9377
Durable goods manufacturing	0.1525	0.0602	0.0322	0.4756
Nondurable goods manufacturing	0.1036	0.0296	0.0168	0.2167
Wholesale trade	0.1072	0.0646	0.0270	0.2939
Retail trade	0.1358	0.0872	0.0468	1.3984
Transportation and warehousing	0.0631	0.0291	0.0185	0.4185
Information	0.0537	0.0281	0.0098	0.1162
Finance and insurance	0.1219	0.0668	0.0342	0.5793
Real estate and rental and leasing	0.1788	0.1290	0.0284	1.1735
Professional, scientific, tech. services	0.0958	0.0638	0.0471	0.5522
Management of companies	0.0296	0.0187	0.0129	0.1313
Administrative and waste services	0.0448	0.0285	0.0211	0.4867
Educational services	0.0142	0.0098	0.0066	0.1725
Health care and social assistance	0.0985	0.0606	0.0455	0.7870
Arts, entertainment, and recreation	0.0109	0.0070	0.0042	0.1516
Accommodation	0.0087	0.0052	0.0024	0.0697
Food services and drinking places	0.0365	0.0191	0.0113	0.4403
Other services	0.0465	0.0257	0.0172	0.4493
Households	0.0000	0.0009	0.0009	0.0711
<b>Total Impact</b>	<b>2.3517</b>	<b>1.2769</b>	<b>0.8187</b>	<b>14.9858</b>

Source: RIMS II



Using the RIMS II model, South Side Studios' activity most closely matches 512100 – Motion picture and video industries.

**Table 7: Final Demand Multipliers: 512100 – Motion picture and Video Industries**

Output	Value-Added	Earnings	Employment
1.7623	1.0584	0.4679	13.2638

Source: RIMS II

**Table 8: Direct Effect Multipliers: 512100 – Motion picture and Video Industries**

Earnings	Employment
1.9809	1.6691

Source: RIMS II

**Table 9: Final Demand Multipliers: 512100 – Motion picture and Video Industries**

Sector	Output	Value-Added	Earnings	Employment
Agriculture, forestry, fishing, hunting	0.0003	0.0001	0.0001	0.0036
Mining	0.0032	0.0019	0.0008	0.0055
Utilities	0.0110	0.0064	0.0017	0.0126
Construction	0.0078	0.0033	0.0022	0.0374
Durable goods manufacturing	0.0133	0.0055	0.0029	0.0415
Nondurable goods manufacturing	0.0404	0.0133	0.0073	0.1223
Wholesale trade	0.0328	0.0198	0.0083	0.0899
Retail trade	0.0457	0.0294	0.0159	0.4708
Transportation and warehousing	0.0349	0.0166	0.0105	0.2647
Information	1.0805	0.6453	0.2543	8.3455
Finance and insurance	0.0876	0.0483	0.0236	0.3825
Real estate and rental and leasing	0.1295	0.0921	0.0217	0.8390
Professional, scientific, tech. services	0.0750	0.0505	0.0331	0.4356
Management of companies	0.0169	0.0107	0.0074	0.0749
Administrative and waste services	0.0351	0.0233	0.0175	0.4183
Educational services	0.0085	0.0058	0.0040	0.1019
Health care and social assistance	0.0565	0.0350	0.0260	0.4337
Arts, entertainment, and recreation	0.0278	0.0202	0.0112	0.5547
Accommodation	0.0060	0.0036	0.0017	0.0481
Food services and drinking places	0.0233	0.0123	0.0075	0.2832
Other services	0.0264	0.0144	0.0099	0.2575
Households	0.0000	0.0005	0.0005	0.0406
<b>Total Impact</b>	<b>1.7625</b>	<b>1.0583</b>	<b>0.4681</b>	<b>13.2638</b>

Source: RIMS II



### Construction Economic Impact of the South Side Studios Project

The following table depicts how SSS expansion spending ripples through the Dallas MSA economy. This spending increases regional economic activity by \$13.6 million, labor income by \$4.7 million, and employment by 86.6 jobs. This table illustrates how the SSS project encourages and promotes regional economic growth in other sectors of the economy.

The input into the model was \$5.8 million in construction spending (see tables 3).

**Table 12: Total Economic Impact of the South Side Studios Project Construction Spending**

Sector	Output	Value Add	Earnings	Employment
Agriculture, forestry, fishing, hunting	\$3,468	\$1,156	\$578	0.0
Mining	\$98,849	\$57,806	\$21,966	0.2
Utilities	\$111,566	\$65,321	\$16,764	0.1
Construction	\$5,853,481	\$3,014,606	\$2,479,897	40.1
Durable goods manufacturing	\$881,548	\$347,995	\$186,137	2.7
Nondurable goods manufacturing	\$598,875	\$171,107	\$97,115	1.3
Wholesale trade	\$619,685	\$373,430	\$156,077	1.7
Retail trade	\$785,012	\$504,072	\$270,534	8.1
Transportation and warehousing	\$364,759	\$168,217	\$106,942	2.4
Information	\$310,421	\$162,436	\$56,650	0.7
Finance and insurance	\$704,661	\$386,147	\$197,698	3.3
Real estate and rental and leasing	\$1,033,579	\$745,703	\$164,170	6.8
Professional, scientific, tech. services	\$553,786	\$368,805	\$272,268	3.2
Management of companies	\$171,107	\$108,098	\$74,570	0.8
Administrative and waste services	\$258,973	\$164,748	\$121,972	2.8
Educational services	\$82,085	\$56,650	\$38,152	1.0
Health care and social assistance	\$569,394	\$350,307	\$263,019	4.5
Arts, entertainment, and recreation	\$63,009	\$40,465	\$24,279	0.9
Accommodation	\$50,292	\$30,059	\$13,874	0.4
Food services and drinking places	\$210,994	\$110,410	\$65,321	2.5
Other services	\$268,800	\$148,563	\$99,427	2.6
Households	\$0	\$5,203	\$5,203	0.4
<b>Total Impact</b>	<b>\$13,594,342</b>	<b>\$7,381,305</b>	<b>\$4,732,614</b>	<b>86.6</b>

Source: TXP, Inc.



### Economic Impact of South Side Studios Annual Operations

The following table illustrates how normal business activity at SSS ripples through the Dallas-Fort Worth MSA economy. Over the next five years, SSS' annual impact on the regional economy will increase with inflation.

**Table 13: Total Economic Impact of South Side Studios Annual Operations (Direct + Indirect + Induced)**

Year	Output	GDP/ Value Add	Earnings	Employment
Year 1	\$1,299,696	\$780,570	\$635,539	22
Year 2	\$5,198,785	\$3,122,280	\$1,525,293	22
Year 3	\$6,108,572	\$3,668,679	\$1,563,425	22
Year 4	\$6,605,816	\$3,967,313	\$1,602,511	22
Year 5	\$6,770,962	\$4,066,496	\$1,642,574	22

Source: TXP, Inc.

### State of Texas Tax impact of South Side Studios

Applying the percentage of state tax revenue to GDP (3.34 percent) against economic activity attributable to SSS's expansion project and construction, the state is projected to receive \$0.8 million in net new tax revenue over the next five years.

**Table 14: State of Texas Estimated Tax Revenue Impact of South Side Studios Annual Operations**

Phase	Annual State GDP	Annual Tax Impact (3.34% ratio)
Construction	\$7,381,305	\$246,387
Year 1	\$780,570	\$26,055
Year 2	\$3,122,280	\$104,221
Year 3	\$3,668,679	\$122,460
Year 4	\$3,967,313	\$132,429
Year 5	\$4,066,496	\$135,739
New State Tax Revenue		\$767,292

Source: TXP, Inc.



### About TXP, Inc.

TXP is an economic analysis and public policy consulting firm founded in 1987 in Austin, Texas. Since then, TXP has grown into a team of professionals whose diverse backgrounds allow us to craft customized solutions to client problems. Our clients have discovered that TXP is the firm to hire when there is not an immediate, obvious, or simple solution to their economic or public policy challenge. Our reputation for having the right people to analyze issues from a variety of perspectives has made TXP the firm to call first for professionals in the public sector and business arenas. In addition to drawing on the expertise of our firm members, we regularly partner with urban planning, engineering, and public policy firms — as well as Ph.D.s in varying disciplines — to put together teams uniquely suited to our clients' needs.

TXP has worked with a wide range of not-for-profits and private sector clients to provide illumination through analytical support, always with a strategic view of the big picture. Members of TXP are involved in the community and understand the challenges faced by an increasingly complex world, as heightened media attention and an ever more diverse set of stakeholders shine a brighter spotlight on public decision-making and public policy.

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Any statements involving matters of opinion or estimates, whether or not so expressly stated, are set forth as such and not as representations of fact, and no representation is made that such opinions or estimates will be realized. The information and expressions of opinion contained herein are subject to change without notice, and shall not, under any circumstances, create any implications that there has been no change or updates.







## Agenda Information Sheet

**File #:** 24-1496

**Item #:** 30.

**STRATEGIC PRIORITY:** Housing & Homelessness Solutions

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Homeless Solutions

**EXECUTIVE:** Dr. Robert Perez

### **SUBJECT**

Authorize the **(1)** acceptance of a grant from the Texas Department of Housing and Community Affairs ("TDHCA") in the amount of \$78,434.00 to provide services to the homeless through the Homeless Housing and Services Program for the period April 1, 2024 through August 31, 2024; **(2)** establishment of appropriations in an amount not to exceed \$78,434.00 in the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$78,434.00 in the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund; **(4)** City Manager to enter into, represent the City with respect to, and execute, the contract with TDHCA for the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund; and **(5)** execution of the grant agreement with TDHCA and all terms, conditions, and documents required by the agreement - Not to exceed \$78,434.00 - Financing: FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund

### **BACKGROUND**

Beginning in 2009, the State Legislature has appropriated funding to be administered by the TDHCA for the Homeless Housing and Services Program (HHSP), to provide funding to the largest cities in Texas (with a population greater than 285,500), in support of services to homeless individuals and families. There are currently nine cities receiving HHSP funding: Arlington, Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Houston, Plano, and San Antonio.

The purpose of the HHSP Program is to provide housing and services for individuals and families who are homeless or at risk of homelessness. Eligible activities are administrative costs, case management, construction/conversion/rehabilitation, essential services, homelessness prevention, homelessness assistance (like rapid re-housing), operation of emergency shelters, and other local programs approved by TDHCA.

The City of Dallas has received HHSP funding since 2010 and has used the funding primarily to provide operating assistance for The Bridge Homeless Assistance Center as leverage for the City of Dallas and Dallas County operational funding.

On March 21, 2024, TDHCA notified the City of Dallas of its FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund available for reallocation in the amount of \$78,434.00.

Approval of this item will authorize acceptance of the grant from TDHCA in an amount not to exceed \$78,434.00 to provide services to the homeless through HHSP. All services related to the grant will be reported in the Homeless Management Information System.

Under the HHSP rule, each municipality receiving HHSP funding must provide a resolution that, in addition to accepting the grant, includes specific authorization to enter a contract with TDHCA for HHSP Funds and provides the title of the person authorized to represent the entity and having signature authority to execute a contract.

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

On September 23, 2020, the City Council authorized acceptance of a grant from the Texas Department of Housing and Community Affairs to provide services to the homeless through the Homeless Housing and Services Program, for the period September 1, 2020 through August 31, 2021, by Resolution No. 20-1437.

On August 11, 2021, the City Council authorized acceptance of a grant from the Texas Department of Housing and Community Affairs to provide services to the homeless through the Homeless Housing and Services Program for the period September 1, 2021 through August 31, 2022, by Resolution No. 21-1253.

On September 14, 2022, the City Council authorized acceptance of a grant from the Texas Department of Housing and Community Affairs to provide services to the homeless through the Homeless Housing and Services Program for the period September 1, 2022 through August 31, 2023, by Resolution No. 22-1368.

On August 23, 2023, the City Council authorized acceptance of a grant from the Texas Department of Housing and Community Affairs in the amount of \$979,310.00 to provide services to the homeless through the Homeless Housing and Services Program for the period September 1, 2023 through August 31, 2024, by Resolution No. 23-1151.

On December 13, 2023, the City Council authorized acceptance of a grant from the Texas Department of Housing and Community Affairs in an amount of \$164,293.00 to provide services to the homeless through the Homeless Housing and Services Program for the period September 1, 2023 through May 31, 2024, by Resolution No. 23-1660.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund	\$78,434.00	\$0.00	\$0.00

May 22, 2024

**WHEREAS**, beginning in 2009, the State Legislature has appropriated funds to be administered by the Texas Department of Housing Community Affairs (“TDHCA”) to fund the Homeless Housing and Services Program (“HHSP”) in Texas cities with a population of 285,500 or more; and

**WHEREAS**, nine cities currently receive HHSP funding, including: Arlington, Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Houston, Plano, and San Antonio; and

**WHEREAS**, the City of Dallas has received HHSP funding since 2010, and has used the funding to provide operating assistance for The Bridge Homeless Assistance Center as leverage for City of Dallas and Dallas County funding; and

**WHEREAS**, on March 21, 2024, TDHCA notified the City of Dallas of its FY 2024 HHSP Reallocation Fund in the amount of \$78,434.00 for the period April 1, 2024 through August 31, 2024, and the City desires to accept this award for the continued provision of homeless assistance to persons experiencing homelessness.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to accept a grant from the Texas Department of Housing and Community Affairs (“TDHCA”) in the amount of \$78,434.00 to provide services to the homeless through the Homeless Housing and Services Program (“HHSP”) for the period April 1, 2024 through August 31, 2024, and execute the grant agreement with TDHCA and all terms, conditions, and documents required by the agreement, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$78,434.00 in the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund, Fund S414, Department MGT, Unit 679D, Object 3070.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit TDHCA grant funds in an amount not to exceed \$78,434.00 in the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund, Fund S414, Department MGT, Unit 679D, Revenue Code 6516.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$78,434.00 from the FY 2024 TDHCA Homeless Housing and Services Program Reallocation Fund, Fund S414, Department MGT, Unit 679D, Object 3070.

May 22, 2024

**SECTION 5.** That the City Manager is hereby authorized to provide additional information and take other actions or make adjustments relating to the grant budget as may be necessary in order to satisfy TDHCA requirements.

**SECTION 6.** That the City Manager is hereby authorized to reimburse TDHCA any HHSP expenditures identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

**SECTION 7.** That the City Manager shall keep the appropriate City Council Committee informed of all final TDHCA HHSP monitoring reports no later than 30 days after the receipt of the report.

**SECTION 8.** That this contract is designated as Contract No. OHS-2024-00024777.

**SECTION 9.** 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 Information Sheet

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**File #:** 24-1505

**Item #:** 31.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Donzell Gipson

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### **SUBJECT**

Authorize a two-year master agreement for the purchase of frictional asphaltic preservation treatment and pre-treatment concentrate for the Department of Public Works - Hall Brothers, Inc., only bidder - Estimated amount of \$2,002,199.50 - Financing: General Fund

### **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 according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of frictional asphaltic preservation treatment and pre-treatment concentrate for use by the Department of Public Works. Onyx frictional mastic surface treatment has been engineered to develop early strength and reduce downtime with faster application and the return of regular traffic. Onyx is a central plant manufactured technology that is applied to roadway without dilution. This manufacturing method allows for increased quality control and quality assurance. This material is designed to protect roadways and minimize scheduled maintenance treatments.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

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

On April 28, 2021, the City Council authorized a two-year master agreement for the purchase of frictional asphaltic preservation treatment and pre-treatment concentrate for the Department of Public Works with Hall Brothers, Inc. by Resolution No. 21- 0701.

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
General Fund	\$1,001,099.75	\$1,001,099.75	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$2,002,199.50	Goods	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
0.00%	0.00%	\$0.00
<ul style="list-style-type: none"> <li>The Request for Bid method of procurement resulted in the lowest responsive bidders being selected.</li> </ul>		
<ul style="list-style-type: none"> <li>Hall Brothers, Inc. - Non-local; Workforce - 0.00% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> </ul>
	<ul style="list-style-type: none"> <li>Negotiations are not allowed</li> </ul>

The Office of Procurement Services received the following bid from solicitation number BM24-00023768. We opened it on March 29, 2024. We recommend the City Council award this master agreement in its entirety to the only bidder.

<b><u>Bidder</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
Hall Brothers, Inc.	1196 East Pony Express Hwy. Marysville, KS 66508	\$2,002,199.50

Note: The Office of Procurement Services conducted a single bid review and found no exceptions.

**OWNER**

**Hall Brothers, Inc.**

Rob Lauer, President



May 22, 2024

**WHEREAS**, on April 28, 2021, the City Council authorized a two-year master agreement for the purchase of frictional asphaltic preservation treatment and pre-treatment concentrate for the Department of Public Works with Hall Brothers, Inc. in the estimated amount of \$1,520,250, by Resolution No. 21-0701.

**Now, Therefore,**

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

**SECTION 1.** That a master agreement for the purchase of frictional asphaltic preservation treatment and pre-treatment concentrate for the Department of Public Works is authorized with Hall Brothers, Inc. (VC22208), approved as to form by the City Attorney, for a term of two years, in the estimated amount of \$2,002,199.50. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for frictional asphaltic preservation treatment and pre-treatment concentrate for the Department of Public Works. If a written contract is required or requested for any or all purchases of frictional asphaltic preservation treatment and pre-treatment concentrate for the Department of Public Works under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$2,002,199.50, but not more than the amount of budgetary appropriations for this master agreement during its term to Hall Brothers, Inc. from Master Agreement Contract No. PBW-2024-00023768.

**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 Information Sheet

**File #:** 24-1508

**Item #:** 32.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Donzell Gipson

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### **SUBJECT**

Authorize a one-year service contract, with one, one-year renewal option, for planning and production of the annual Dr. Martin Luther King Jr. Parade for the Office of Community Care - Sons of Solomon dba Hope Encourage Love Protect, most advantageous proposer of two - Not to exceed \$200,000.00 - Financing: General Fund (subject to annual appropriations)

### **BACKGROUND**

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

This service contract will provide for the planning and production of the annual Dr. Martin Luther King Jr. Parade for the Office of Community Care. These services will include the marketing and promotion of the event, securing sponsors, and the logistics and organization of participants on event day. This event symbolizes the need to continue Dr. King's legacy while focusing on equity, diversity, and opportunities within the community.

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

- Office of Community Care (2)
- Office of Equity and Inclusion (1)
- Small Business Center Department (1)
- Office of Procurement Services (1)\*

\*The Office of Procurement Services evaluated cost and local preference, if applicable.

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

- |   |           |
|---|-----------|
| • Project workplan                                | 40 points |
| • Prior experience                                | 15 points |
| • Organizational capacity and cultural competency | 15 points |
| • Cost  | 15 points |
| • Special requirements                            | 10 points |
| • Local preference                                | 5 points  |

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$18.24; the selected vendor meets this requirement.

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

This item has no prior action.

#### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
General Fund	\$25,000.00	\$100,000.00	\$75,000.00

#### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$200,000.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
• This item is Other Services and no availability and disparity in the market.		
• Sons of Solomon dba Hope Encourage Love Protect - Local; Workforce - 0.00% Local		

#### **PROCUREMENT INFORMATION**

## Method of Evaluation for Award Type:

Request for Proposal	<ul style="list-style-type: none"> <li>• Utilized for professional, personal, revenue, and planning services</li> <li>• Recommended offeror is the responsible offeror whose proposal most closely meets established criteria for the services advertised, based on demonstrated competence and qualifications at a fair and reasonable price</li> <li>• Always involves the evaluation by committee</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following proposals from solicitation number BEZ23-00022040. We opened them on December 22, 2023. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

\*Denotes successful proposer(s)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>
*Sons of Solomon dba Hope Encourage Love Protect	400 N. Ervay St. #133054 Dallas, TX 75313	94.0
Dallas Black Chamber of Commerce	2922 Martin Luther King Jr. Blvd. Suite 104, Building A Dallas, TX 75215	67.5

**OWNER****Sons of Solomon dba Hope Encourage Love Protect**

Rhea Clinton Baker II, President

May 22, 2024

**WHEREAS**, the City annually celebrates Dr. Martin Luther King Jr. Day with a parade organized by the Office of Community Care; and

**WHEREAS**, the Office of Community Care requires professional services for the planning and production of the parade; and

**WHEREAS**, on March 24, 2022, Administrative Action No. 22-5516 authorized a one-year service contract for the planning and production of the 2023 annual Dr. Martin Luther King, Jr. Parade for the Office of Community Care through the Martin Luther King, Jr. Community Center with Sons of Solomon dba Hope Encourage Love Protect, in an amount not to exceed \$100,000.00; and

**WHEREAS**, on August 11, 2023, Administrative Action No. 23-6056 authorized a one-year service contract for the planning and production of the 2024 annual Dr. Martin Luther King, Jr. Parade for the Office of Community Care through the Martin Luther King, Jr. Community Center with Sons of Solomon dba Hope Encourage Love Protect, in an amount not to exceed \$100,000.00.

**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 service contract with Sons of Solomon dba Hope Encourage Love Protect (VC21063), approved as to form by the City Attorney, for the planning and production of the annual Dr. Martin Luther King Jr. Parade for the Office of Community Care for a term of one year, with a one, one-year renewal option, in an amount not to exceed \$200,000.00. If the service was bid or proposed on an as needed basis, unit price basis for performance of specified tasks, payments made to Sons of Solomon dba Hope Encourage Love Protect shall be based only on the amount of the services directed to be performed by the City and properly performed by Sons of Solomon dba Hope Encourage Love Protect under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$200,000.00 (subject to annual appropriations) to Sons of Solomon dba Hope Encourage Love Protect from Service Contract No. OCC-2023-00022040.

**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 Information Sheet

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**File #:** 24-1307

**Item #:** 33.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Donzell Gipson

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### **SUBJECT**

Authorize a three-year service contract for emergency dewatering services during localized flood events within the city for the Water Utilities Department - Herc Rentals, Inc., lowest responsible bidder of two - Not to exceed \$5,253,400.00 - Financing: Stormwater Drainage Management Fund (subject to annual appropriations)

### **BACKGROUND**

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

This service contract will provide for emergency dewatering services during localized flood events within the city for the Water Utilities Department. Services provided by this contract will augment City staff during rain events which cause localized flooding within certain areas of the city. In these cases the contractor will be required to pump water from the flooded area downstream to the nearest manhole, storm drain, or when close enough for the equipment to reach over the levee. This type of localized flooding can be caused by pump overload, a blocked pipe, failed pump, or no nearby pumping station. The contractor will be required to mobilize necessary personnel, pumping equipment, and vehicles as needed to service various locations and terrain (e.g. paved and unpaved surfaces). The contractor is required to remove up to 60,000 gallons of water per minute when necessary.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$18.24; the selected vendor meets this requirement.

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Stormwater Drainage Management Fund	\$76,822.00	\$400,000.00	\$4,776,578.00

### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$5,253,400.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Request for Bid method of procurement resulted in the lowest responsible bidder being selected.</li> <li>Herc Rentals, Inc. - Local; Workforce - 8.57% Local</li> </ul>		

### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> <li>Negotiations are not allowed</li> </ul>
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The Office of Procurement Services received the following bids from solicitation number BP23-00023136. We opened them on December 15, 2023. We recommend the City Council award this service contract in its entirety to the lowest responsive and responsible bidder.



\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Herc Rentals, Inc.	10966 Harry Hines Blvd. Dallas, TX 75229	\$5,253,400.00
Xylem, Inc.	2310 McDaniel Dr. Carrollton, TX 75006	\$9,930,000.00

**OWNER****Herc Rentals, Inc.**

Lawrence Siber, Chief Executive Officer  
Aaron Birnbaum, Chief Operating Officer

May 22, 2024

**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 Herc Rentals, Inc. (146874), approved as to form by the City Attorney, for emergency dewatering services during localized flood events within the city for the Water Utilities Department for a term of three years, in an amount not to exceed \$5,253,400.00. If the service was bid or proposed on an as needed basis, unit price basis for performance of specified tasks, payments made to Herc Rentals, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Herc Rentals, Inc. under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$5,253,400.00 (subject to annual appropriations) to Herc Rentals, Inc. from Service Contract No. POM-2023-00023136.

**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 Information Sheet

**File #:** 24-1512

**Item #:** 34.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Donzell Gipson

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### **SUBJECT**

Authorize a three-year service price agreement for repairs, maintenance, and inspections for the railroad spur track system for the Water Utilities Department - Lone Star Railroad Contractors, Inc. in the estimated amount of \$484,651.10 and Coastline Rail Engineering, LLC in the estimated amount of \$44,985.60, most advantageous proposers of three - Total estimated amount of \$529,636.70 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

### **BACKGROUND**

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide for repairs, maintenance, and inspections for the railroad spur track system for the Water Utilities Department. The Water Utilities Department receives essential bulk chemicals by railroad car that are used in the treatment and purification of water. Maintaining the railroad track infrastructure is essential to meeting safety standards and enables railroad cars to safely enter the Water Utilities Department properties. Coastline Rail Engineering will perform railroad track inspections and Lone Star Railroad Contractors, Inc. will provide maintenance and repair services.

The City has four Water Utilities Department properties that contain approximately 13,000 feet of existing railroad tracks which will be maintained through this agreement:

- Bachman Water Purification Plant
- Central Wastewater Treatment Plant
- Eastside Water Purification Plant
- Elm Fork Water Purification Plant

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

- Department of Equipment and Fleet Management (1)
- Department of Transportation (1)
- Small Business Center Department (1)
- Water Utilities Department (1)
- Office of Procurement Services (1)\*

\*The Office of Procurement Services evaluated cost and local preference, if applicable.

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

- Cost and timeframe 30 points
- Approach 25 points
- Experience 25 points
- Business Inclusion and Development Plan 15 points
- Local Preference Program 5 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$18.24; the selected vendor meets this requirement.

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

On January 13, 2021, the City Council authorized a three-year service price agreement for railroad spur track inspections, maintenance, and repair services for the Water Utilities Department with Lone Star Railroad Contractors, Inc. and Coastline Rail Engineering, LLC by Resolution No. 21-0145.

#### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Dallas Water Utilities Fund	\$176,544.00	\$176,544.00	\$176,548.70

#### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$529,636.70	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>• This item is Other Services and no availability and disparity in the market.</li> <li>• Coastline Rail Engineering, LLC - Non-local; Workforce - 0.00% Local; Lone Star Railroad Contractors, Inc. - Non-local; Workforce - 0.00% Local</li> </ul>		

## **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	<ul style="list-style-type: none"> <li>• Utilized for high technology procurements, insurance procurements, and other goods and services</li> <li>• Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications</li> <li>• Always involves a team evaluation</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following proposals from solicitation number BTZ23-00022298. We opened them on July 14, 2023. We recommend the City Council award this service price agreement to the most advantageous proposers.

\*Denotes successful proposers

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
*Coastline Rail Engineering, LLC	650 North Sam Houston Pkwy. E. Suite 541 Houston, TX 77060	73.33
*Lone Star Railroad Contractors, Inc.	4201 South I-45 Ennis, TX 75119	68.67
RailWorks Track Systems, LLC.	2591 Northeast 28th St. Fort Worth, TX 76111	35.13

## **OWNERS**

### **Lone Star Railroad Contractors, Inc.**

Josh Newman, President

### **Coastline Rail Engineering, LLC**

Dr. Nick Coleman, P.E., Principal

May 22, 2024

**WHEREAS**, on January 13, 2021, the City Council authorized a three-year service price agreement for railroad spur track inspections, maintenance, and repair services for the Water Utilities Department with Lone Star Railroad Contractors, Inc. in the estimated amount of \$365,428.70 and Coastline Rail Engineering, LLC in the estimated amount of \$51,840.00, in a total estimated amount of \$417,268.70, by Resolution No. 21-0145.

**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 service price agreement with Lone Star Railroad Contractors, Inc. (VS0000007206) in the estimated amount of \$484,651.10 and Coastline Rail Engineering, LLC (VC22552) in the estimated amount of \$44,985.60, approved as to form by the City Attorney, for repairs, maintenance, and inspections for the railroad spur track system for the Water Utilities Department for a term of three years, in the total estimated amount of \$529,636.70. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term. Payments made to Lone Star Railroad Contractors, Inc. and Coastline Rail Engineering, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Lone Star Railroad Contractors, Inc. and Coastline Rail Engineering, LLC under the service price agreement. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$529,636.70 (subject to annual appropriations), but not more than the amount of budgetary appropriations for this service price agreement during its term to Lone Star Railroad Contractors, Inc. and Coastline Rail Engineering, LLC from Service Price Agreement Contract No. DWU-2023-00022298.

**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 Information Sheet

**File #:** 24-1509

**Item #:** 35.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Donzell Gipson

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### **SUBJECT**

Authorize a three-year service price agreement for service and maintenance of water main pipeline joints for the Water Utilities Department - Miller Pipeline, Corp., only bidder - Estimated amount of \$1,031,965.00 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

### **BACKGROUND**

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide for service and maintenance of water main pipeline joints for the Water Utilities Department. This agreement provides for the Water Utilities Department to continue to service and maintain water main pipeline joints that have become exposed. The internal pipe joint seal technology prevents the seepage of media such as grease, dust, debris, roots and solid or semisolid matter into the pipelines by way of the joints.

The sealant technology used will bridge gaps at a joint between two pipes that develop during the life span of the pipe. All joint gaps, deep imperfections, or low areas will be properly filled to the full depth of the gap between the pipe and joints and rendered flush with the internal surface of the pipe. The use of the internal pipe joint seal technology improves the performance and extends the life of the pipelines, joints, and valves. The awarded vendor will be responsible for the application of this technology.

Normal damage to the pipelines and joints occurs by corrosion, erosion, deterioration, and structural cracks which develop during the life span of pipes and joints. Currently Water Utilities Department maintain 5,047 miles of water mains throughout the City.



As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$17.82; the selected vendor meets this requirement.

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Dallas Water Utilities Fund	\$28,665.00	\$343,980.00	\$659,320.00

### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$1,031,965.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Request for Bid method of procurement resulted in the lowest responsive bidders being selected.</li> <li>Miller Pipeline, Corp. - Non-local; Workforce - 0.00% Local</li> </ul>		

### **PROCUREMENT INFORMATION**

Method of Evaluation of for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> <li>Negotiations are not allowed</li> </ul>
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The Office of Procurement Services received the following bid from solicitation number BO23-00021444. We opened it on April 14, 2023. We recommend the City Council award this service price agreement in its entirety to the only bidder.

**Bidders****Address****Amount**

Miller Pipeline, Corp. 46234	8850 Crawford Road	\$1,031,965.00	Indianapolis, IN
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**OWNER**

**Miller Pipeline, Corp.**

Dale Anderson, President

May 22, 2024

**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 price agreement with Miller Pipeline, Corp. (VS0000021421), approved as to form by the City Attorney, for service and maintenance of water main pipeline joints for the Water Utilities Department for a term of three years, in the estimated amount of \$1,031,965.00. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term. Payments made to Miller Pipeline, Corp. shall be based only on the amount of the services directed to be performed by the City and properly performed by Miller Pipeline, Corp. under the service price agreement. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$1,031,965.00 (subject to annual appropriations), but not more than the amount of budgetary appropriations for this service price agreement during its term to Miller Pipeline, Corp. from Service Price Agreement Contract No. DWU-2023-00021444.

**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 Information Sheet

**File #:** 24-1510

**Item #:** 36.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Donzell Gipson

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### **SUBJECT**

Authorize a three-year service price agreement for sports officiating services for the Park & Recreation Department - Top Basketball Officials Association in the estimated amount of \$1,090,000.00 and Raymond Alford, Jr. dba Realford Consulting, LLC in the estimated amount of \$850,945.00 lowest responsible bidders of three - Total estimated amount of \$1,940,945.00 - Financing: General Fund (subject to annual appropriations)

### **BACKGROUND**

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide for sports officiating services for the Park & Recreation Department. These sports officiating services are for multiple game types such as basketball, baseball, soccer, flag football, volleyball, softball, and kickball. Sports officiating services will include referees, umpires, timekeepers, and scorekeepers, for each game type.

All youth programs teach the value of practice, sportsmanship, teamwork, and individual development, while building a positive image and understanding of the sport. This service price agreement will help facilitate Park & Recreation Department's focus on introducing and improving the fundamental skills of a particular sport, by encouraging and promoting healthy competition through officials providing safe, regulated, and fair league play.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$18.24; the selected vendor meets this requirement.

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

On April 4, 2024, the Park & Recreation Board authorized sports officiating services with Top Basketball Officials Association and Realford Consulting, LLC.

On August 14, 2019, the City Council authorized a three-year service price agreement for sports officiating services for the Park and Recreation Department with Top Basketball Official Association, Meto Fort Worth ASA dba USA Softball of DFW, and Dallas Sports Alliance dba Oak Cliff Sports Group by Resolution No. 19-1121.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
General Fund	\$161,745.41	\$161,745.41	\$1,617,454.18

### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$1,940,945.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Request for Bid method of procurement resulted in the lowest responsive bidders being selected.</li> <li>Top Basketball Officials Association- Local; Workforce - 0.00% Local; Raymond Alford, Jr. dba Realford Consulting, LLC - Local; Workforce - 0.00% Local</li> </ul>		

### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> <li>Negotiations are not allowed</li> </ul>
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The Office of Procurement Services received the following bids from solicitation number BD24-00023526. We opened them on December 29, 2023. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Top Basketball Officials Association	506 Forsythe Dr. Dallas, TX 72517	Multiple groups
*Raymond Alford, Jr. dba Realford Consulting, LLC	7540 Gayglen Dr. Dallas, TX 75217	Multiple groups
Flip Five Enterprise LLC	2709 Clovermeadow Dr. Fort Worth, TX 76123	Non-responsive

### **OWNERS**

#### **Top Basketball Officials Association**

Carl Richardson, President

#### **Raymond Alford, Jr. dba Realford Consulting, LLC**

Raymond Alford, Owner

May 22, 2024

**WHEREAS**, on August 14, 2019, the City Council authorized a three-year service price agreement for sports officiating services for the Park and Recreation Department with Top Basketball Official Association in an estimated amount of \$1,066,500.00, Meto Fort Worth ASA dba USA Softball of DFW in an estimated amount of \$772,880.00, and Dallas Sports Alliance dba Oak Cliff Sports Group in an estimated amount of \$45,000.00, in the total amount of \$1,884,380.00, by Resolution No. 19-1121.

**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 service price agreement with Top Basketball Officials Association (VS0000040023) in the estimated amount of \$1,090,000.00 and Raymond Alford, Jr. dba Realford Consulting, LLC (VC30941) in the estimated amount of \$850,945.00, approved as to form by the City Attorney, for sports officiating services for the Park & Recreation Department for a term of three years in the total estimated amount of \$1,940,945.00. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term. Payments made to Top Basketball Officials Association and Raymond Alford, Jr. dba Realford Consulting, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Top Basketball Officials Association and Raymond Alford, Jr. dba Realford Consulting, LLC under the service price agreement. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$1,940,945.00 (subject to annual appropriations), but not more than the amount of budgetary appropriations for this service price agreement during its term to Top Basketball Officials Association and Raymond Alford, Jr. dba Realford Consulting, LLC from Service Price Agreement Contract No. PKR-2024-00023526.

**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 Information Sheet

**File #:** 24-1480

**Item #:** 37.

**STRATEGIC PRIORITY:** Quality of Life, Arts & Culture  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 2, 9  
**DEPARTMENT:** Park & Recreation Department  
**EXECUTIVE:** John D. Jenkins

### **SUBJECT**

Authorize **(1)** Amendment No. 1 to the Project Specific Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for the purpose of providing funding for the Trinity Forest Spine Trail Phase 2 from the Santa Fe Trail just north of Tenison Park Golf Course to the Dallas Area Rapid Transit Lawnview Station located at 5900 Scyene Road; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$2,000,000.00 for the County's share of the project cost in the Capital Gifts, Donation and Development Fund; and **(3)** execution of the agreement including all terms, conditions, and documents required by the agreement - Estimated Revenue: Capital Gifts, Donation and Development Fund \$2,000,000.00

### **BACKGROUND**

This action will authorize Amendment No. 1 to the Project Specific Agreement (PSA) with Dallas County for funding of Phase 2 of the Trinity Forest Spine Trail Project. The City is funding a total of \$28,535,000.00 towards the cost of Phase 1 and Phase 2 of the project. In the PSA, Dallas County provided \$3,335,000.00 for Phase 1 construction and, by this Amendment No. 1, will provide \$2,000,000.00 towards construction of Phase 2. The actual award of the construction contract will be by separate action.

The Trinity Forest Spine Trail was identified in the *Dallas Trail Network Master Plan* as the primary link in southeast Dallas to the trail network. The Trinity Forest Spine Trail, when fully completed, will connect to the existing AT&T Trail. Additionally, the Trinity Forest Spine Trail will connect to the planned Five Mile Creek Trail, Trinity Forest Trail, and other trails in southern Dallas. The segment of the Trinity Forest Spine Trail currently under design will provide access to major public transportation, employment, residential areas, and a community park-Samuell-Grand Park.

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

On December 12, 2019, the Park and Recreation Board authorized a Project Funding Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for trail design of Phase 1 of the Trinity Forest Spine Trail.

On January 8, 2020, the City Council Council authorized a Project Funding Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for trail design of Phase 1 of the Trinity Forest Spine Trail by Resolution No. 20-0131.

On June 3, 2021, the Park and Recreation Board authorized a Project Specific Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for Phase 1 construction of the Trinity Forest Spine Trail.

On June 23, 2021, the City Council Council authorized a Project Specific Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for construction of Phase 1 of the Trinity Forest Spine Trail by Resolution No. 21-1135.

On April 18, 2024, the Park and Recreation Board authorized Amendment No. 1 to the Project Funding Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for trail design of Phase 2 of the Trinity Forest Spine Trail.

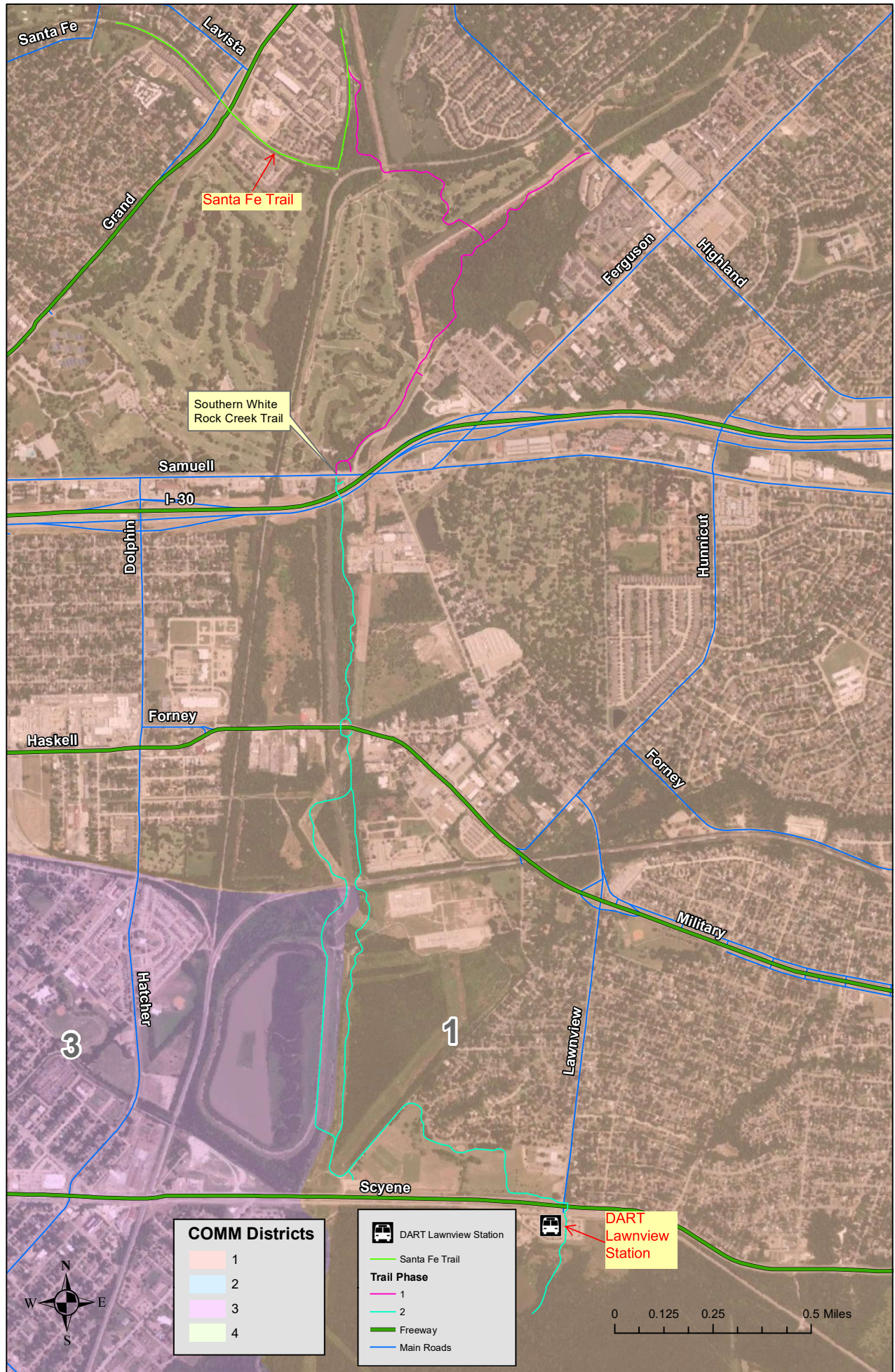
### **FISCAL INFORMATION**

Estimated Revenue: Capital Gifts, Donation & Development Fund \$2,000,000.00

### **MAP**

Attached

# Trinity Forest Spine Trail







May 22, 2024

**WHEREAS**, Chapter 791 of the Texas Government Code and Texas Transportation Code Article 251 provides authorization for local governments to contract with each other for the performance of governmental functions and services, and joint funding of transportation projects; and

**WHEREAS**, on January 8, 2020, the City Council authorized a Project Funding Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for trail design of Phase 1 of the Trinity Forest Spine Trail from the Santa Fe Trail just north of Tenison Park Golf Course to the Dallas Area Rapid Transit Lawnview Station located at 5900 Scyene Road by Resolution No. 20-0131; and

**WHEREAS**, on June 23, 2021, the City Council authorized a Project Specific Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, for trail construction of Phase 1 of the Trinity Forest Spine Trail from the Santa Fe Trail just north of Tenison Park Golf Course to the Dallas Area Rapid Transit Lawnview Station located at 5900 Scyene Road by Resolution No. 21-1135; and

**WHEREAS**, Dallas County and the City of Dallas (City) desire to be partners on the development of the Trinity Forest Spine Trail; and

**WHEREAS**, the Project Specific Agreement (PSA) with Dallas County designated terms for the assignment of the City as the lead agency for the construction of Phase 1 of the Trinity Forest Spine Trail Project, established the trail alignment (map), Dallas County funding participation and Dallas County attendance at meetings and inspection of construction of the planned approximately eight-mile Trinity Forest Spine Trail from the Santa Fe Trail just north of Tenison Park Golf Course to the Dallas Area Rapid Transit Lawnview Station located at 5900 Scyene Road; and

**WHEREAS**, the construction cost of Phase 1 and Phase 2 of the project is approximately \$33,870,000.00, of which \$3,335,000.00 was funded by Dallas County in the PSA, and the remaining cost is to be funded by the City of Dallas; and

**WHEREAS**, the City and Dallas County now desire to amend the PSA to provide additional funding for Phase 2. Dallas County will provide \$2,000,000.00 additional funding for Phase 2 construction of the project.

**Now, Therefore,**

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

May 22, 2024

**SECTION 1.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute Amendment No. 1 to the Project Specific Agreement with Dallas County, County Transportation Major Capital Improvement Projects 10233, approved as to form by the City Attorney, for the purpose of providing funding for the Trinity Forest Spine Trail Phase 2 and the receipt and deposit of funds in an amount not to exceed \$2,000,000.00 for the Dallas County's share of the Phase 2 project costs, and execution of the agreement including all terms, conditions, and documents required by the agreement.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed \$2,000,000.00 from Dallas County in the Capital Gifts, Donation & Development Fund, Fund 0530, Department PKR, Unit W511, Revenue Code 6511, Program 0530W511.

**SECTION 3.** That upon completion of the project the City will manage, operate, and maintain the trail within the City limits as part of its trail network.

**SECTION 4.** That this contract is designated as Contract No. PKR-2024-00024985.

**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 Information Sheet

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**File #:** 24-1502

**Item #:** 38.

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**STRATEGIC PRIORITY:** Quality of Life, Arts & Culture  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Park & Recreation Department  
**EXECUTIVE:** John D. Jenkins

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### **SUBJECT**

Authorize a three-year service price agreement for the provision of a cloud-based Enterprise Asset Management Software System from Vertosoft, LLC through the Texas Association of School Boards (BuyBoard) for the Park & Recreation Department - Not to exceed \$632,512.90 - Financing: General Fund (subject to annual appropriations)

### **BACKGROUND**

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

This service price agreement will be primarily used to assess preventive & predictive park asset and equipment maintenance for the Park & Recreation Department. This will allow for data driven park asset and equipment maintenance decisions. It will also be used to monitor and track fixed assets, in addition to equipment parts and inventory management.

The scope of work for this service shall include an annual subscription service for software updates, phone support, problem solving including patches, fixes, etc., additional software licenses and staff training.

The Texas Association of School Boards (BuyBoard) cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.



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

On August 12, 2020, the City Council authorized a three-year service price agreement for the annual subscription service to the MicroMain computerized maintenance management software system for Park & Recreation Department with MicroMain Corporation by Resolution No. 20-1158.

On April 14, 2024, the Park and Recreation Board authorized a three-year service price agreement for the provision of a cloud-based Enterprise Asset Management Software System for the Park & Recreation Department from Vertosoft, LLC.

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
General Fund	\$210,837.63	\$210,837.63	\$210,837.64

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$632,512.90	Goods	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements.</li> <li>Vertosoft, LLC - Non-local; Workforce - 0.00% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> <li>Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>
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**OWNER**

**Vertosoft, LLC**

1602 Village Market Boulevard

SE Suite 320

Leesburg, VA 20175

Jay Colavita, President

Chet Hayes, Chief Technology Officer

May 22, 2024

**WHEREAS**, on August 12, 2020, the City Council authorized a three-year service price agreement for the annual subscription service to the MicroMain computerized maintenance management software system with MicroMain Corporation (512066) for the Park & Recreation Department, in an amount not to exceed \$45,588.73, by Resolution No. 20-1158.

**Now, Therefore,**

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

**SECTION 1.** That the Park and Recreation Board President and the City Manager are hereby authorized to execute a three-year service price agreement with Vertosoft, LLC, approved as to form by the City Attorney, for the delivery of a cloud-based Enterprise Asset Management System Solution for the Park & Recreation Department for a term of three years, in an amount not to exceed \$632,512.90. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Vertosoft, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Vertosoft, LLC under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$632,512.90 to Vertosoft, LLC from General Fund, Fund 0001, Department PKR, Unit 5257, Object 4735, Commodity 92045, Vendor VC31196, Service Price Agreement No. PKR-2024-00024555.

**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 Information Sheet

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**File #:** 24-1479

**Item #:** 39.

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**STRATEGIC PRIORITY:** Quality of Life, Arts & Culture  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Park & Recreation Department  
**EXECUTIVE:** John D. Jenkins

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### **SUBJECT**

Authorize a construction services contract for installation of playground equipment and Independent Safety Audit with Whirlix Design Inc. through the Texas Association of School Boards (BuyBoard) for the Juanita J. Craft Park Playground Renovation located at 4500 Spring Avenue - Not to exceed \$217,228.00 - Financing: General Fund

### **BACKGROUND**

On March 15, 2024, a proposal was received for the Juanita J. Craft Park Playground Renovation for the installation of playground equipment and Independent Safety Audit. Whirlix Design Inc. a Texas Association of School Boards (BuyBoard) vendor, provided a bid proposal in the amount of \$217,228.00 for the installation of playground equipment and Independent Safety Audit.

This action authorizes a construction services contract with Whirlix Design Inc. to install the playground equipment and Independent Safety Audit located at the Juanita J. Craft Park Playground, in an amount not to exceed \$217,228.00.

The scope of work includes:

- The installation of playground equipment.
- Independent Safety Audit to be conducted.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction	August 2024
Complete Construction	September 2024

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

On April 18, 2024, the Park and Recreation Board authorized a construction contract with Whirlix Design Inc. through the Texas Association of School Boards (BuyBoard) for installation of playground equipment and Independent Safety Audit for the Juanita J. Craft Park Playground Renovation located at 4500 Spring Avenue.

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
General Fund	\$217,228.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$217,228.00	Construction	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
36.46%	36.46%	\$79,191.00
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements, however, the prime contractor is subcontracting with a certified WBE.</li> <li>Whirlix Design Inc. - Non-local; Workforce - 0.00% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> <li>Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>
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**OWNER****Whirlix Design Inc.**

1916 K Avenue  
Plano, TX 75074

Greg Hawkins, Vice President Business Development

**MAP**

Attached







Esri Community Maps Contributors, Baylor University, Texas Parks & Wildlife, ©  
OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies,  
Inc. METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

0 165 330 Feet

# Juanita J. Craft Park Playground Replacement

4500 Spring Ave  
Dallas, TX 75210  
District 7





May 22, 2024

**WHEREAS,** the City desires to enter into a construction contract with Whirlix Design Inc. through the Texas Association of School Boards (Buyboard) for installation of playground equipment and Independent Safety Audit for the Juanita J. Craft Park Playground Renovation located at 4500 Spring Avenue, in an amount not to exceed \$217,228.00.

**Now, Therefore,**

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

**SECTION 1.** That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a construction services contract with Whirlix Design Inc. through the Texas Association of School Boards (Buyboard), approved as to form by the City Attorney, for installation of playground equipment and Independent Safety Audit for the Juanita J. Craft Park Playground Renovation located at 4500 Spring Avenue, in an amount not to exceed \$217,228.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$217,228.00 to Whirlix Design Inc. in accordance with the terms and conditions of the contract from General Fund, Fund 0001, Department PKR, Unit 5222, Object 4599, Activity PLGI, Program PKJJCRFT, Commodity 91200, Vendor VS96582, Encumbrance/Contract No. PKR-2024-00024517.

**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 Information Sheet

**File #:** 24-1493

**Item #:** 40.

**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Police Department  
**EXECUTIVE:** Jon Fortune

### SUBJECT

Authorize **(1)** amendment to the contract with Dallas College for instructional services for police academy training; **(2)** the receipt and deposit of additional funds in an amount not to exceed \$415,000.00 from Dallas College in the Dallas College Police Training Funds; and **(3)** an increase in appropriations in an amount not to exceed \$415,000.00 in the Dallas College Police Training Funds for the period September 1, 2023 through August 31, 2024 - Not to exceed \$415,000.00 - Financing: Dallas College Police Training Funds

### BACKGROUND

The City of Dallas operates a police academy that provides basic training to all new recruits as well as in-service training to all veteran personnel. Through this agreement, the Texas Higher Education Coordinating Board in coordination with Dallas College will reimburse the City of Dallas for instructional and administrative costs in support of the academy training program including, but not limited to, instructional aids, operational equipment and supplies, and staff development. All expenditures by the Dallas Police Department shall be approved by Dallas College and the Chief of Police or designee of the Chief of Police. The reimbursement is paid to the City based on certifiable instructional hours from the Texas Higher Education Coordinating Board.

On October 11, 2023, the City Council authorized renewal of the contract with Dallas College, approved as to form by the City Attorney, for instructional services for police academy training for the two-year period September 1, 2023 through August 31, 2025, in an amount not to exceed \$630,000.00. This amendment will provide \$415,000.00 in additional funding for the period September 1, 2023 through August 31, 2025.

	<u>Original award</u>	<u>Amendment</u>	<u>Revised award</u>
FY2024	\$315,000.00	\$415,000.00	\$730,000.00
FY2025	\$315,000.00	\$ 0.00	\$315,000.00

The Dallas Police Department will use this additional funding to support the increase of cost associated with training requirements in House Bill 8.

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

On August 26, 2015, the City Council authorized renewal of the contract with El Centro College of DCCCD for instructional services for police academy training by Resolution No. 15-1554.

On November 9, 2016, the City Council authorized an amendment to the Interlocal contract with Dallas County Community College District (dba El Centro College) to modify the clauses of the original contract by Resolution No. 16-1817.

On August 23, 2017, the City Council authorized the renewal of the contract with El Centro College of DCCCD for instructional services for police academy training by Resolution No. 17-1318.

On August 28, 2019, the City Council authorized the renewal of the contract with El Centro College of DCCCD for instructional services for police academy training by Resolution No. 19-1282.

On September 9, 2021, the City Council authorized the renewal of the contract with El Centro College of DCCCD for instructional services for police academy training by Resolution No. 21-1475.

On October 11, 2023, the City Council authorized the renewal of the contract with El Centro College of DCCCD for instructional services for police academy training by Resolution No. 23-1410.

[The Public Safety Committee was briefed by memorandum regarding this matter on May 13, 2024.](#)

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Dallas College Police Training Funds	\$415,000.00	\$0.00	\$0.00

May 22, 2024

**WHEREAS**, the City of Dallas owns and operates a police academy approved by the Texas Higher Education Coordinating Board and the Commission on Law Enforcement Officer Standards and Education; and

**WHEREAS**, El Centro College of the Dallas County Community College District (DCCCD) (hereafter referred to as the "College") has agreed to place all basic training for police recruits, including regular and reserve, and in-service training for veteran officers, in its Community Service Program; and

**WHEREAS**, on August 28, 2019, the City Council authorized renewal of the contract with College for instructional services for police academy training, including receipt of payment from El Centro for the two-year period September 1, 2019 through August 31, 2021, in an amount not to exceed \$500,548.00, by Resolution No. 19-1282; and

**WHEREAS**, on September 9, 2021, the City Council authorized the renewal of the contract with College for instructional services for police academy training, including receipt of payment from El Centro for the two-year period September 1, 2021 through August 31, 2023, in an amount not to exceed \$500,548.00, by Resolution No. 21-1475; and

**WHEREAS**, on October 11, 2023, the City Council authorized the renewal of the contract with El Centro College of DCCCD for instructional services for police academy training, including receipt of payment from El Centro for the two-year period September 1, 2023 through August 31, 2025, by Resolution No. 23-1410.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to execute an amendment to the contract with Dallas College, approved as to form by the City Attorney, for instructional services for police academy training for the period September 1, 2023 through August 31, 2024, in an amount not to exceed \$415,000.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed \$415,000.00 in Dallas College Police Training Fund, Fund 0699, Department DPD, Unit 6303, Revenue Code 6526.

**SECTION 3.** That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$415,000.00, in accordance with the attached Schedule A.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$415,000.00 from Dallas College Police Training Fund, Fund 0699, Department DPD, Unit 6303, in accordance with the attached Schedule A.

May 22, 2024

**SECTION 5.** That this contract is designated as Contract No. DPD-2023-00022925.

**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.

**SCHEDULE A**

DCCCD El Centro Policing Training

Fund 0699, Unit 6303

September 1, 2023- August 31, 2025

OBJT	Current Budget	Increase for 2023- 2025 Budget	2023-2025 Budget
1202	\$ 70,000.00		\$ 70,000.00
2110	\$ 87,000.00		\$ 87,000.00
2120	\$ 57,000.00		\$ 57,000.00
2185	\$ -		\$ -
2200	\$ -		\$ -
2231	\$ 337,313.00		\$ 337,313.00
2232	\$ -		\$ -
2252	\$ -		\$ -
2261	\$ 41,000.00		\$ 41,000.00
2280	\$ 2,666,528.00	\$ 315,000.00	\$ 2,981,528.00
2590	\$ -		\$ -
2710	\$ 135,700.00		\$ 135,700.00
2720	\$ -		\$ -
2730	\$ -		\$ -
2731	\$ 265,203.53		\$ 265,203.53
2735	\$ -		\$ -
2760	\$ -		\$ -
2770	\$ 160,519.37		\$ 160,519.37
2780	\$ 100,725.36		\$ 100,725.36
2790	\$ 91,000.00		\$ 91,000.00
2860	\$ 1,000.00		\$ 1,000.00
2890	\$ 60,000.00	\$ 100,000.00	\$ 160,000.00
3030	\$ 3,000.00		\$ 3,000.00
3040	\$ -		\$ -
3050	\$ 25,000.00		\$ 25,000.00
3053	\$ -		\$ -
3060	\$ 20,000.00		\$ 20,000.00
3070	\$ 173,000.00		\$ 173,000.00
3085	\$ 9,560.00		\$ 9,560.00
3090	\$ 14,700.00		\$ 14,700.00
3099	\$ 1,278,296.00		\$ 1,278,296.00
3110	\$ 72,475.00		\$ 72,475.00
3150	\$ 1,000.00		\$ 1,000.00
3210	\$ 128,000.00		\$ 128,000.00
3320	\$ -		\$ -
3340	\$ 10,000.00		\$ 10,000.00
3341	\$ 13,000.00		\$ 13,000.00
3361	\$ 770,931.80		\$ 770,931.80
3363	\$ -		\$ -



3364	\$	-	\$	-
3420	\$	15,000.00	\$	15,000.00
3435	\$	3,000.00	\$	3,000.00
3450	\$	4,000.00	\$	4,000.00
3549	\$	-	\$	-
3610	\$	5,000.00	\$	5,000.00
4310	\$	38,000.00	\$	38,000.00
4420	\$	8,000.00	\$	8,000.00
4710	\$	220,583.00	\$	220,583.00
4720	\$	63,000.00	\$	63,000.00
4731	\$	449,461.00	\$	449,461.00
4735	\$	-	\$	-
4740	\$	16,000.00	\$	16,000.00
4760	\$	11,000.00	\$	11,000.00
4770	\$	355,000.00	\$	355,000.00
4780	\$	40,000.00	\$	40,000.00
4860	\$	2,000.00	\$	2,000.00
4890	\$	120,021.00	\$	120,021.00
5110	\$	-	\$	-
		<b>\$7,942,017.06</b>	<b>\$415,000</b>	<b>\$8,357,017.06</b>



## Agenda Information Sheet

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**File #:** 24-1492

**Item #:** 41.

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**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Police Department  
**EXECUTIVE:** Jon Fortune

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### **SUBJECT**

Authorize a three-year service contract for maintenance, support, and licenses for an audio and video recording system for the Dallas Police Department - CALLYO 2009 CORP, sole source - Not to exceed \$148,584.60 - Financing: Confiscated Monies - State Fund

### **BACKGROUND**

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

This service contract will provide for maintenance, support, and licenses for an audio and video recording system for the Department of Information and Technology Services.

The Dallas Police Department (DPD) uses the system to record telephone conversations and video. Without this service, DPD will lose an invaluable tool used in multiple operational divisions. This service allows officers to gather evidentiary material to help build cases for prosecution while maintaining covert capacity.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

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

On September 22, 2021, the City Council authorized a three-year service contract for maintenance, support, and licenses for an audio and video recording system for the Department of Information and Technology Services in the amount of \$92,920.00 with CALLYO 2009 CORP for callyo recording system used by the Dallas Police Department through January 31, 2024, and the ratification of \$24,440.00 for the Department of Information and Technology Services to pay outstanding invoices for the purchase of maintenance, support, and licenses for an audio and video recording system, in an amount not to exceed \$117,360.00, by Resolution No. 21-1565.

[The Public Safety Committee was briefed by memorandum regarding this matter on May 13, 2024.](#)

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Confiscated Monies - State Fund	\$47,640.96	\$49,503.36	\$51,440.28

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$148,584.60	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
• This item is Other Services and is a Sole Source.		
• CALLYO 2009 CORP - Non-local; Workforce - 0.00% Local		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Sole Source	<ul style="list-style-type: none"> <li>Utilized for procurements where functional requirements can only be satisfied by one vendor, such as those where patents, copyrights or monopolies exists</li> <li>Exempted from competitive bidding process</li> <li>The Office of Procurement Services conducted a sole source review and found no exceptions</li> </ul>
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**OWNER**

**CALLYO 2009 CORP**

John (Jack) Mollov, President

May 22, 2024

**WHEREAS**, on July 1, 2016, Administrative Action No. 16-6048 authorized a two-year master agreement for systems updates on cell phones, three-way radios, recording devices SMS monitors with CALLYO 2009 CORP, in an amount not to exceed \$50,000.00; and

**WHEREAS**, on April 19, 2018, Administrative Action No. 18-5678 authorized to extend the service contract for one year for systems updates on cell phones, three-way radios, recording devices SMS monitors with CALLYO 2009 CORP from June 30, 2018 to June 30, 2019, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on September 19, 2019, Administrative Action No. 19-6565 authorized a one-year service contract for callyo recording system software and updates for recording from cell Action phones, three-way radios, and SMS monitors with CALLYO 2009 CORP, in an amount not to exceed \$30,240.00; and

**WHEREAS**, on May 26, 2020, Administrative Action No. 20-5643 authorized Supplemental Agreement No. 1 to extend the term of the agreement with CALLYO 2009 CORP for callyo recording system used by the Dallas Police Department through October 31, 2020, in an amount not to exceed \$12,560.00, from \$30,240 to \$42,800.00; and

**WHEREAS**, on October 5, 2020, Administrative Action No. 20-6023 authorized Supplemental Agreement No. 2 to extend the term of the agreement with CALLYO 2009 CORP for callyo recording system used by the Dallas Police Department through January 1, 2021, in an amount not to exceed \$8,430.00, from \$42,800.00 to \$51,230.00; and

**WHEREAS**, on September 22, 2021, the City Council authorized **1)** a three-year service contract for maintenance, support, and licenses for an audio and video recording system for the Department of Information and Technology Services in the amount of \$92,920.00 with CALLYO 2009 CORP for callyo recording system used by the Dallas Police Department through January 31, 2024, and **(2)** the ratification of \$24,440.00 for the Department of Information and Technology Services to pay outstanding invoices for the purchase of maintenance, support, and licenses for an audio and video recording system, in an amount not to exceed \$117,360.00, by Resolution No. 21-1565.

**Now, Therefore,**

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

May 22, 2024

**SECTION 1.** That the City Manager is hereby authorized to execute a service contract with CALLYO 2009 CORP (VS0000075580), approved as to form by the City Attorney, for maintenance, support, and licenses for an audio and video recording system for the Dallas Police Department for a term of three years, in an amount not to exceed \$148,584.60. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to CALLYO 2009 CORP shall be based only on the amount of the services directed to be performed by the City and properly performed by CALLYO 2009 CORP under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$148,584.60 to CALLYO 2009 CORP from Service Contract No. DPD-2024-00023555.

**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 Information Sheet

**File #:** 24-1347

**Item #:** 42.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 4

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Kimberly Bizer Tolbert

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### **SUBJECT**

Authorize **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled CITY OF DALLAS VS. ONE MORRELL LLC, et al., Cause No. CC-23-02112-C, pending in Dallas County Court at Law No. 3, for acquisition from One Morrell, LLC of a tract of land containing approximately 206,362 square feet, improved with commercial structures and supporting facilities, located on Morrell Avenue near its intersection with Sargent Road for the Dallas Floodway Extension Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$4,473,000.00 (\$4,450,000.00, plus closing costs and title expenses not to exceed \$23,000.00) - Financing: Stormwater Drainage Management Capital Construction Fund (\$1,492,597.87), Flood Protection and Storm Drainage Facilities Fund (\$2,560,673.30), and Trinity River Corridor Project Fund (\$419,728.83)

### **BACKGROUND**

On May 11, 2022, the City Council authorized the acquisition of this property, by Resolution No. 22-0737. The property owner was offered \$4,135,174.00, which was based on a written appraisal from an independent certified appraiser. The property owner did not accept the offer.

On October 26, 2022, the City Council authorized a condemnation proceeding, by Resolution No. 22-1627 and the City filed an eminent domain proceeding to acquire the property. After a hearing before the Special Commissioners on February 27, 2024, the property owner was awarded \$4,450,000.00. This item authorizes deposit of the amount awarded by the Special Commissioners for the property, which is \$314,826.00 more than the \$4,158,174.00 City Council originally authorized for this acquisition.

The City has no control over the Special Commissioners appointed by the judge or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession of the property and proceed with its improvements, must deposit the amount awarded by the Special Commissioners in the registry of the Court.

Future relocation assistance may be necessary for this acquisition.



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

On May 11, 2022, the City Council authorized an acquisition from One Morrell, LLC of a tract of land containing approximately 206,362 square feet, improved with commercial structures and supporting facilities, located on Morrell Avenue near its intersection with Sargent Road for the Dallas Floodway Extension Project by Resolution No. 22-0737.

On October 26, 2022, the City Council authorized the second step of acquisition for condemnation by eminent domain to acquire a tract of land containing approximately 206,362 square feet, from One Morrell, LLC, located on Morrell Avenue near its intersection with Sargent Road for the Dallas Floodway Extension Project by Resolution No. 22-1627.

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Stormwater Drainage Management Capital Construction Fund	\$1,492,597.87	\$0.00	\$0.00
Flood Protection and Storm Drainage Facilities Fund	\$2,560,673.30	\$0.00	\$0.00
Trinity River Corridor Project Fund	\$ 419,728.83	\$0.00	\$0.00
Total	\$4,473,000.00	\$0.00	\$0.00

**OWNER**

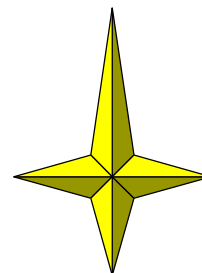
**One Morrell, LLC**

Eyal Gabbay, Director

**MAP**

Attached

**N**



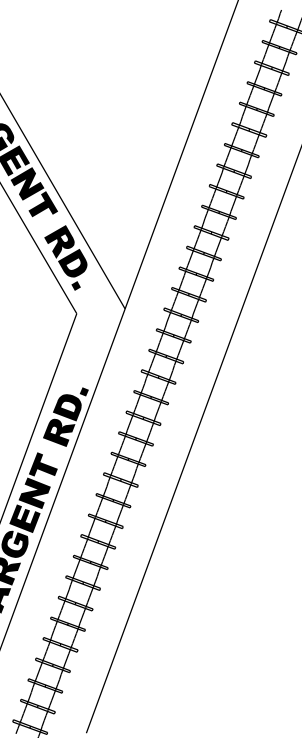
**AREA TO BE  
ACQUIRED**

**BLOCK  
5907**

**MORRELL AVENUE**

**SARGENT RD.**

**SARGENT RD.**



May 22, 2024

**A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS' AWARD AND SETTLEMENT OF A CONDEMNATION PROCEEDING, AND IF OBJECTIONS ARE FILED, SETTLEMENT OF A CONDEMNATION LAWSUIT, FOR AN AMOUNT NOT TO EXCEED THE AWARD.**

*All said capitalized terms are defined in Section 1 below.*

**WHEREAS**, OWNER refused to sell the PROPERTY INTEREST in and to the PROPERTY to CITY for the OFFICIAL OFFER AMOUNT contained in the FIRST RESOLUTION; and

**WHEREAS**, The City Attorney filed a CONDEMNATION PROCEEDING for the acquisition of the PROPERTY INTEREST in and to the PROPERTY for the PROJECT pursuant to the SECOND RESOLUTION; and

**WHEREAS**, the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING rendered the SPECIAL COMMISSIONERS' AWARD AMOUNT, which the City Council wishes to deposit with the County Clerk of Dallas County, Texas, so that CITY may take possession of the PROPERTY INTEREST in and to the PROPERTY; and

**WHEREAS**, the Dallas City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING, and if objections are filed, the CONDEMNATION LAWSUIT, for an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT:

**Now, Therefore,**

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

**SECTION 1.** T h a t For the purposes of this resolution, the following definitions shall

apply: "CITY": The City of Dallas

"FIRST RESOLUTION": Resolution No. 22-0737 approved by the Dallas City Council on May 11, 2022, authorizing negotiations, which is incorporated herein by reference.

"SECOND RESOLUTION": Resolution No. 22-1627 approved by the Dallas City Council on October 26, 2022, authorizing filing of a condemnation proceeding, which is incorporated herein by reference.

May 22, 2024

**SECTION 1.** (continued)

"CONDEMNATION PROCEEDING/LAWSUIT": Cause No. CC-23-02112-C, in Dallas County Court at Law No. 3, and styled CITY OF DALLAS VS. ONE MORRELL LLC, et al., filed pursuant to City Council Resolution No. 22- 1627.

"PROPERTY": Approximately 206,362 square feet of land in Dallas County, Texas, as described in the CONDEMNATION PROCEEDING.

"PROJECT": Dallas Floodway Extension

"USE": The installation, use, and maintenance of a levee, swale, channel or other improvements, together with such appurtenant facilities as may be necessary, however, to the extent fee title to the PROPERTY is acquired through instrument, such title *in* and to the PROPERTY shall not be limited to, or otherwise deemed restricted, to the USE herein provided.

"OWNER": One Morrell, LLC, provided, however, that the term "OWNER" as used in this resolution means all persons or entities having an ownership interest, regardless of whether those persons or entities are actually named herein.

"OFFICIAL OFFER AMOUNT": \$4,135,174.00

"SPECIAL COMMISSIONERS' AWARD AMOUNT": \$4,450,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$23,000.00

"AUTHORIZED AMOUNT": Not to exceed \$4,473,000.00 (SPECIAL COMMISSIONERS' AWARD plus CLOSING COSTS AND TITLE EXPENSES)

"DESIGNATED FUNDS": SPECIAL COMMISSIONERS' AWARD AMOUNT payable out of the:

Stormwater Drainage Management Capital Construction Fund  
Fund 0063, Department SDM, Unit W632, Activity TRPP  
Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022- 0001836

\$1,492,597.87

Flood Protection and Storm Drainage Facilities Fund  
Fund 1T23, Department SDM, Unit W632, Activity TRPP  
Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365

\$ 853,568.13

May 22, 2024

**SECTION 1.** (continued)

Flood Protection and Storm Drainage Facilities Fund  
Fund 7T23, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 509,799.88

Trinity River Corridor Project Fund  
Fund 2P14, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 324,299.00

Flood Protection Storm Drainage Fund  
Fund 0L23, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 112,952.48

Flood Protection Fund  
Fund 6R23, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 125,605.60

Flood Protection and Storm Drainage Facilities Fund  
Fund 8P23, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 123,359.41

Flood Protection and Storm Drainage Facilities Fund  
Fund 0P23, Department SDM, Unit W632  
Activity TRPP, Program PB87W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 110,802.71

Flood Protection and Storm Drainage Facilities Fund  
Fund 3T23, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 469,645.88

Flood Protection and Storm Drainage Facilities Fund  
Fund BT23, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 42110  
Encumbrance/Contract No. SDM-2022-00018365 \$ 100,000.00

May 22, 2024

**SECTION 1.** (continued)

Trinity River Corridor Project Fund  
Fund 6P14, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 73,019.15

Flood Protection and Storm Drainage Facilities Fund  
Fund 0N23, Department SDM, Unit W632  
Activity TRPP, PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 66,025.75

Trinity River Corridor Project Fund  
Fund 9P14, Department SDM, Unit W632  
Activity TRPP, Program PB898W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 12,527.39

Trinity River Corridor Project Fund  
Fund TP14, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 9,883.29

Flood Protection and Storm Drainage Facilities Fund  
Fund 1P23, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4210  
Encumbrance/Contract No. SDM-2022-00018365 \$ 65,913.46

Flood Protection and Storm Drainage Facilities Fund  
Fund 1P23, Department SDM, Unit W632  
Activity TRPP, Program PB98W397, Object 4230  
Encumbrance/Contract No. SDM-2022-00018365 \$ 23,000.00

Total amount not to exceed \$4,473,000.00

**SECTION 3.** That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$314,826.00 in Stormwater Drainage Management Capital Construction Fund, Fund 0063, Department SDM, Unit W632, Activity TRPP, Object 4210.

May 22, 2024

**SECTION 4.** That the City Attorney is hereby authorized to acquire the PROPERTY INTEREST in and to the PROPERTY by instrument, or judgment, for the SPECIAL COMMISSIONERS' AWARD AMOUNT. If the PROPERTY INTEREST in and to the PROPERTY is being acquired by instrument, the Chief Financial Officer is hereby authorized to issue a check, to be paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT, made payable to OWNER, or the then current owner(s) of record, or to the title company insuring the transaction described herein. If the PROPERTY INTEREST in and to the PROPERTY is not being acquired through instrument, the Chief Financial Officer is hereby authorized to issue a check, to be paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT, made payable to the County Clerk of Dallas County, Texas, to be deposited into the registry of the Court, to enable CITY to take possession of the PROPERTY INTEREST in and to the PROPERTY without further action of the Dallas City Council. The Chief Financial Officer is further authorized and directed to issue another check, to be paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS AND TITLE EXPENSES, made payable to the title company insuring the transaction described herein. The Special Commissioners Award Amount and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

**SECTION 5.** That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the CONDEMNATION LAWSUIT, for an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT.

**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:

Tammy L. Palomino, City Attorney

A handwritten signature in blue ink, appearing to read "A. J. C.", is written over a horizontal line. The signature is fluid and cursive.

Assistant City Attorney





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 24-1415

**Item #:** 43.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Majed Al-Ghafry

### **SUBJECT**

Authorizes acquisition of a drainage easement from Heather Heflin for approximately 675 square feet of land located at 2424 Knight Street near its intersection with Sylvester Avenue for the Throckmorton-Reagan Drainage Improvements Project - Not to exceed \$29,844.00 (\$27,844.00, plus closing costs and title expenses not to exceed \$2,000.00) - Financing: Storm Drainage Management Capital Construction Fund

### **BACKGROUND**

This item authorizes the acquisition of a drainage easement from Heather Heflin for approximately 675 square feet of land located at 2424 Knight Street near its intersection with Sylvester Avenue for the Throckmorton-Reagan Drainage Improvements Project. This property will be used for the purpose of improving the storm drainage system to address flooding in the area. The consideration is based on an independent appraisal. There are no relocation benefits associated with this acquisition.

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

This item has no prior action.

### **FISCAL INFORMATION**

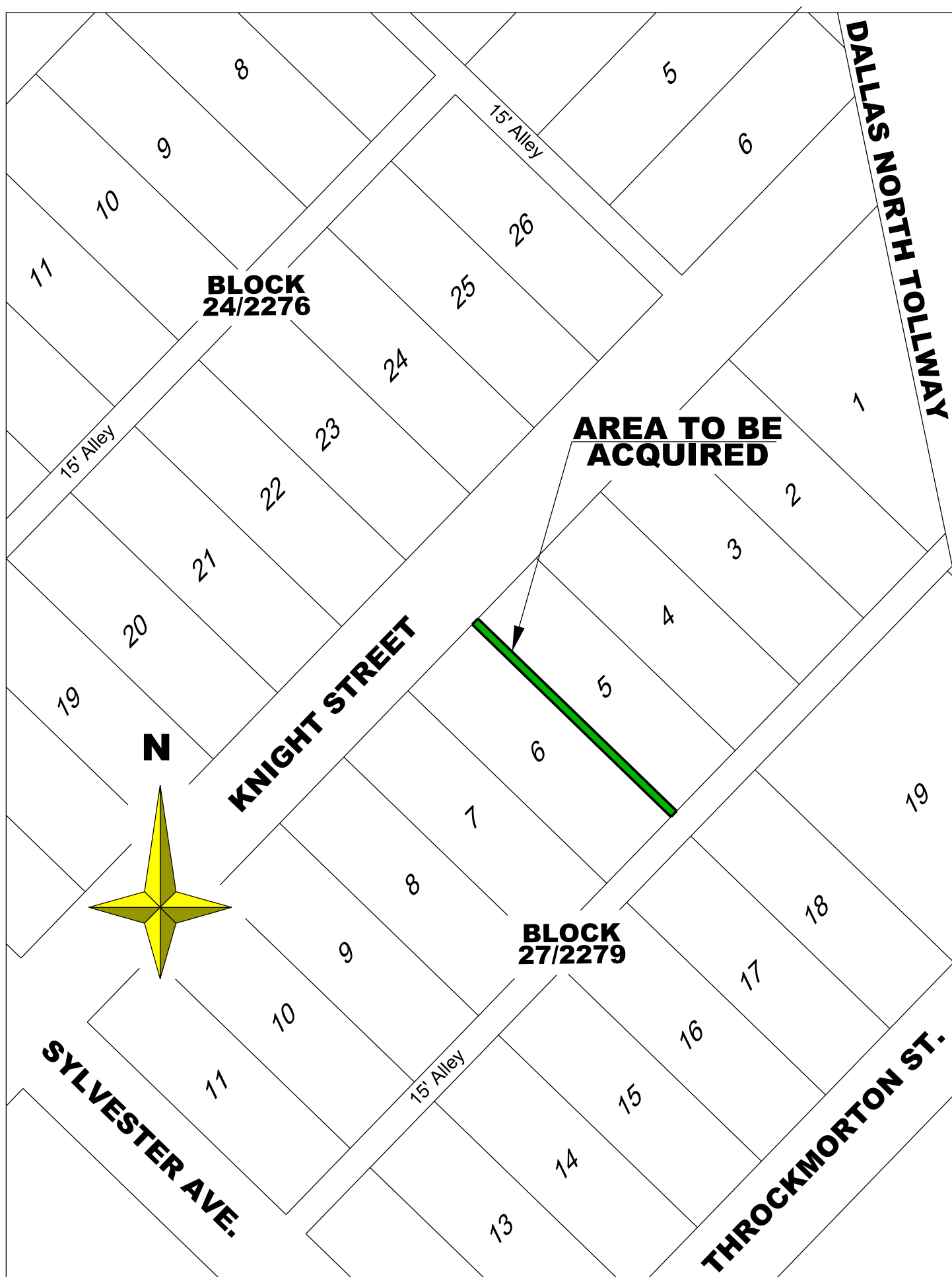
Fund	FY 2024	FY 2025	Future Years
Storm Drainage Management Capital Construction Fund	\$29,844.00	\$0.00	\$0.00

### **OWNER**

Heather Heflin

### **MAP**

Attached



May 22, 2024

**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 Authorize acquisition of a drainage easement containing approximately 675 square feet of land located in Dallas County, Texas, and being the same property more particularly described in Exhibit A, attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Throckmorton-Reagan Drainage Improvements Project

"USE": The installation, use, and maintenance of a pipeline or lines and or other improvements as may be necessary for the control of drainage and flooding provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Easement 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": Heather J. Heflin 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": \$27,844.00

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

"AUTHORIZED AMOUNT": Not to exceed \$29,844.00

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

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

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

May 22, 2024

**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 payable out of the SDM – Capital Construction Fund, Fund 0063, Department SDM, Unit W198, Activity SD01, Program No. TW17W198, Object 4210, Encumbrance/Contract No. SDM-2022-00019653; and CLOSING COSTS AND TITLE EXPENSES payable out of the SDM – Capital Construction Fund, Fund 0063, Department SDM, Unit W198, Activity SD01, Program No. TW17W198, Object 4230, Encumbrance/Contract No. SDM-2024-00023634. 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:  
Tammy L. Palomino, City Attorney

BY:   
Assistant City Attorney

**FIELD NOTES DESCRIBING A 675 SQUARE FOOT (0.015 ACRE)  
DRAINAGE EASEMENT  
IN BLOCK 27/2279  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**Exhibit A**

**BEING** a 675 square foot (0.015 acre) tract of land out of the James A. Sylvester Survey, Abstract No. 1383, Dallas County, Texas, lying in Lot 5, Block 27/2279, Clifton Place No. 2, an addition to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 2, Page 214, Map Records, Dallas County, Texas (M.R.D.C.T.), also being out of a tract of land conveyed to Heather J. Heflin, by General Warranty Deed with Vendor's Lien recorded in Instrument Number 202000227869, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and being more particularly described by metes and bounds as follows:

**BEGINNING** at a cut "X" set at the westerly corner of said Lot 5, said point also being the northerly corner of Lot 6 of said Block 27/2279, and said point also being in the southeasterly right-of-way line of Knight Street (a 50-foot right-of-way)(Volume 2, Page 214, M.R.D.C.T.);

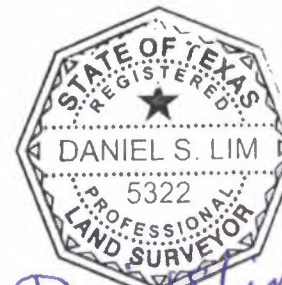
**THENCE** North 44°03'33" East, along the northwesterly line of said Lot 5 and the southeasterly right-of-way line of said Knight Street, a distance of 4.50 feet to a cut "X" set for corner;

**THENCE** South 45°56'27" East, departing the northwesterly line of said Lot 5 and the southeasterly right-of-way line of said Knight Street, over and across said Lot 5, a distance of 150.00 feet to a 1/2-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" for corner, said point also being in the southeasterly line of said Lot 5 and the northwesterly line of a 15-foot alley (Volume 2, Page 214, M.R.D.C.T.);

**THENCE** South 44°03'33" West, along the southeasterly line of said Lot 5 and the northwesterly line of said 15-foot alley, a distance of 4.50 feet to a 1/2-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" at the southerly corner of said Lot 5, said point also being the easterly corner of said Lot 6;

**THENCE** North 45°56'27" West, departing the northwesterly line of said 15-foot alley, along the common line of said Lots 5 and 6, a distance of 150.00 feet to the **POINT OF BEGINNING**, containing 675 square feet or 0.015 acres of land, more or less.

**BASIS OF BEARING:** Bearings are based on the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983.



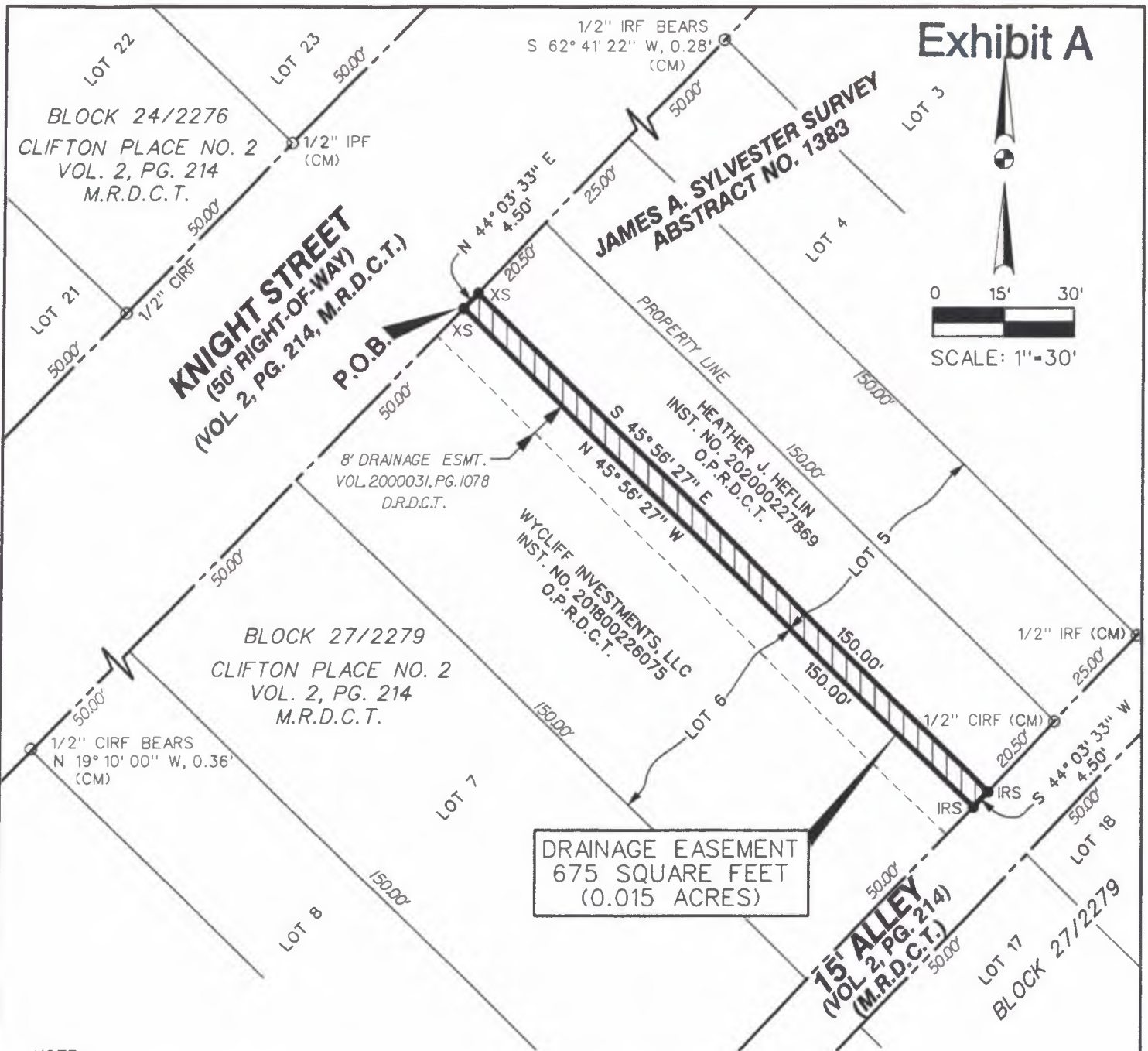
*Daniel S. Lim*  
04-14-2022

*Dee Hest*  
FIELD NOTES APPROVED:  
4/15/22





# Exhibit A

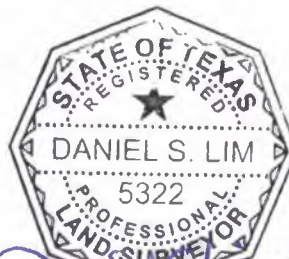


## NOTE:

BASIS OF BEARING is the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983.

## LEGEND:

- CIRF - 1/2-INCH IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"
- IRS - 1/2-INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"
- IPF - IRON PIPE FOUND
- IRF - IRON ROD FOUND
- XS - CUT "X" SET
- CM - CONTROLLING MONUMENT
- 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



*Daniel S. Lim*  
04-14-2022

**LIM & ASSOCIATES, inc.**  
engineering & surveying consultants  
TBPELS Surveying Firm 101236-00  
1112 N. Zang Boulevard, Suite 200  
Dallas, Texas 75203  
Tel. (214) 942-1888 Fax (214) 942-8881

DRAINAGE EASEMENT  
675 SQUARE FEET  
(0.015 ACRES)  
IN  
LOT 5, BLOCK 27/2279  
CLIFTON PLACE NO. 2  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

## DRAINAGE EASEMENT

## Exhibit B

THE STATE OF TEXAS   §  
                                      §  
COUNTY OF DALLAS    §

KNOW ALL PERSONS BY THESE PRESENTS:

That Heather J. Heflin, an unmarried woman (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of TWENTY SEVEN THOUSAND EIGHT HUNDRED FORTY-FOUR AND NO/100 DOLLARS (\$27,844.00) 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, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, an easement for the purpose of constructing, maintaining and using storm water drainage facilities in, under, over, through, across and along all that certain lot, tract or parcel of land described in Exhibit A, attached hereto and made a part hereof by reference for all purposes.

The City is acquiring this property for the purpose of constructing, maintaining and using storm water drainage improvements including the right to make the improvements on such grade and according to such plans and specifications as will, in its opinion, best serve the public purpose. The payment of the purchase price for the property herein conveyed shall be considered full compensation for same and for any diminution in value that may result to remaining property by virtue of project proximity thereto, grade alignment, utility installation, or the alteration of drainage patterns and facilities.

Should one or more of the Grantor(s) herein be natural persons and not joined by their respective spouse, it is conclusively presumed that the land herein conveyed is not the residence or business homestead of such Grantor(s). Should one or more of the Grantors herein be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of such a party has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

The City shall have the right to remove and keep removed from the permanent easement herein granted any and all structures, fences, trees, shrubs, growths or other obstructions which may endanger or interfere with the construction, reconstruction, maintenance or proper function of said stormwater drainage facilities.

Nothing in this easement shall be construed as a waiver by the City of any connection charge or charges imposed by ordinance or Charter of the City of Dallas.

SPECIAL PROVISIONS: "NONE".

TO HAVE AND TO HOLD the above described easement, 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 easement 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 \_\_\_\_\_, 2024.

## Exhibit B

By: \_\_\_\_\_

Heather J. Heflin

\* \* \* \* \*

STATE OF TEXAS       §

COUNTY OF DALLAS   §

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_,  
2024 by Heather J. Heflin.

\_\_\_\_\_  
Notary Public, State of Texas

After recording return to:  
City of Dallas  
Department of Water Utilities  
Real Estate Division  
1500 Marilla Street, 4AN  
Dallas, Texas 75203  
Attn: Byron Cole

Drainage Easement Log No. DWU814

**FIELD NOTES DESCRIBING A 675 SQUARE FOOT (0.015 ACRE)  
DRAINAGE EASEMENT  
IN BLOCK 27/2279  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**Exhibit A**

**BEING** a 675 square foot (0.015 acre) tract of land out of the James A. Sylvester Survey, Abstract No. 1383, Dallas County, Texas, lying in Lot 5, Block 27/2279, Clifton Place No. 2, an addition to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 2, Page 214, Map Records, Dallas County, Texas (M.R.D.C.T.), also being out of a tract of land conveyed to Heather J. Heflin, by General Warranty Deed with Vendor's Lien recorded in Instrument Number 202000227869, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and being more particularly described by metes and bounds as follows:

**BEGINNING** at a cut "X" set at the westerly corner of said Lot 5, said point also being the northerly corner of Lot 6 of said Block 27/2279, and said point also being in the southeasterly right-of-way line of Knight Street (a 50-foot right-of-way)(Volume 2, Page 214, M.R.D.C.T.);

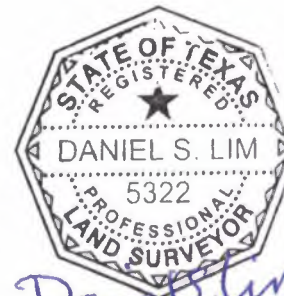
**THENCE** North 44°03'33" East, along the northwesterly line of said Lot 5 and the southeasterly right-of-way line of said Knight Street, a distance of 4.50 feet to a cut "X" set for corner;

**THENCE** South 45°56'27" East, departing the northwesterly line of said Lot 5 and the southeasterly right-of-way line of said Knight Street, over and across said Lot 5, a distance of 150.00 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" for corner, said point also being in the southeasterly line of said Lot 5 and the northwesterly line of a 15-foot alley (Volume 2, Page 214, M.R.D.C.T.);

**THENCE** South 44°03'33" West, along the southeasterly line of said Lot 5 and the northwesterly line of said 15-foot alley, a distance of 4.50 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" at the southerly corner of said Lot 5, said point also being the easterly corner of said Lot 6;

**THENCE** North 45°56'27" West, departing the northwesterly line of said 15-foot alley, along the common line of said Lots 5 and 6, a distance of 150.00 feet to the **POINT OF BEGINNING**, containing 675 square feet or 0.015 acres of land, more or less.

**BASIS OF BEARING:** Bearings are based on the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983.

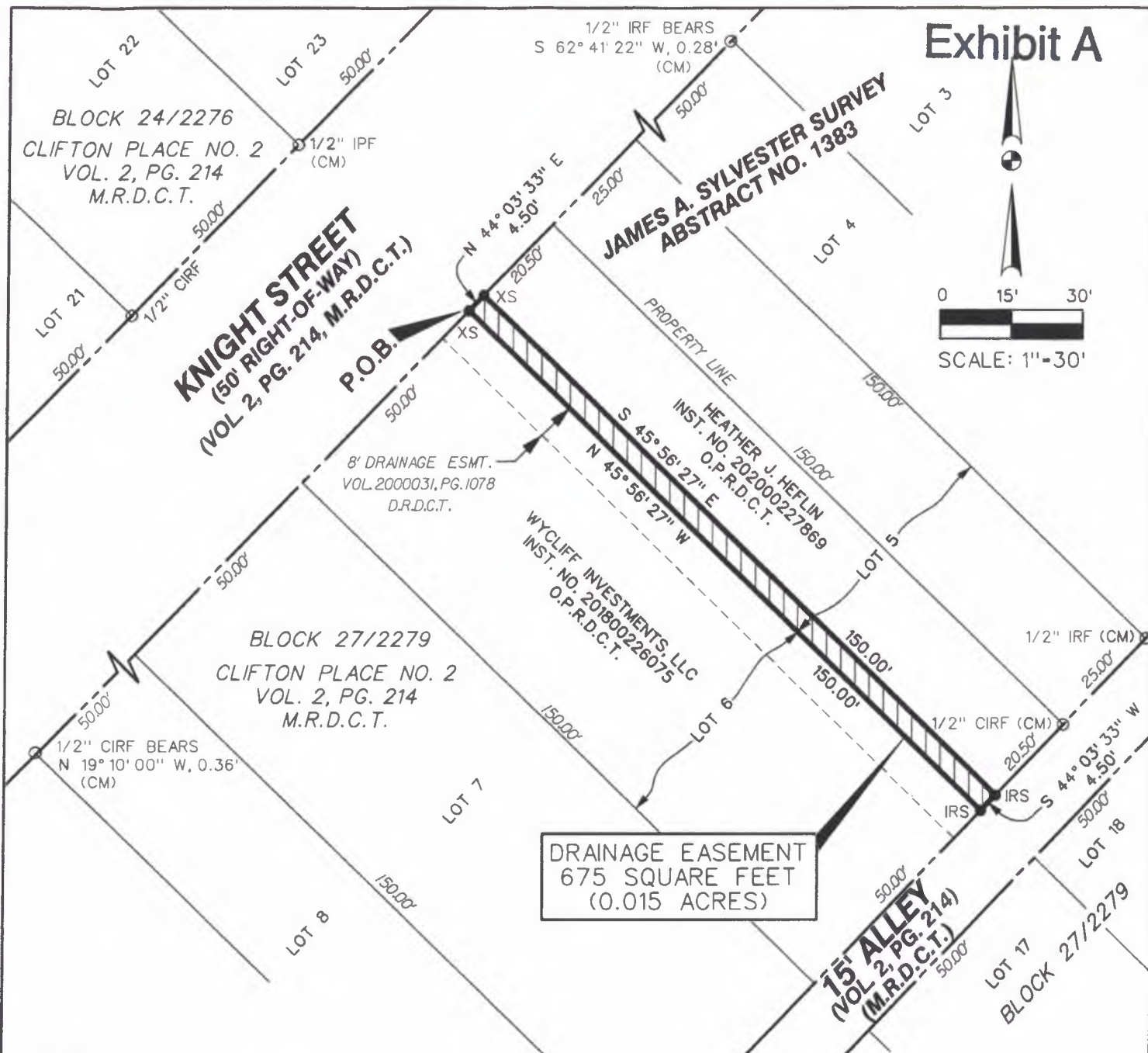


*Daniel S. Lim*  
*04-14-2022*

*Dee Hoot*  
**FIELD NOTES APPROVED:**  
*4/15/22*



# Exhibit A



*Daniel S. Lim*  
04-14-2022



**& ASSOCIATES, inc.**  
engineering & surveying consultants  
TBPELS Surveying Firm 101236-00  
1112 N. Zang Boulevard, Suite 200  
Dallas, Texas 75203  
Tel. (214) 942-1888 Fax (214) 942-8881

**DRAINAGE EASEMENT**  
**675 SQUARE FEET**  
**(0.015 ACRES)**  
**IN**  
**LOT 5, BLOCK 27/2279**  
**CLIFTON PLACE NO. 2**  
**CITY OF DALLAS**  
**DALLAS COUNTY, TEXAS**



## Agenda Information Sheet

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**File #:** 24-942

**Item #:** 44.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 5, 7, 9, 10, 12, Outside

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

Authorize two professional services contracts with two consulting firms, for the most highly qualified proposals to provide construction materials testing services during the installation of capital improvement projects at water treatment and distribution facilities - East Texas Testing Laboratory Inc. dba ETTL Engineers & Consultants Inc., in an amount not to exceed \$300,000, and Alliance Geotechnical Group, Inc., in an amount not to exceed \$300,000.00 - Total not to exceed \$600,000.00 - Financing: Water Capital Improvement G Fund (\$375,000.00) and Water Construction Fund (\$225,000.00)

### **BACKGROUND**

Dallas Water Utilities (DWU) provides water to approximately 2.6 million residents in the City of Dallas and neighboring communities. DWU operates three potable water treatment plants: Bachman, Elm Fork, and East Side. The combined treatment capacity of these facilities is 900 million gallons per day. DWU's water delivery system consists of 22 pump stations, 21 storage tanks, 18 pressure planes, and over 5,000 miles of pipeline infrastructure. As part of DWU's capital improvement program, infrastructure improvements projects are happening across the utility.

This action will authorize professional services contracts with two consulting firms, Alliance Geotechnical Group, Inc. and East Texas Testing Laboratory Inc. dba ETTL Engineers & Consultants Inc. for construction materials testing services associated with capital improvement projects, including water treatment facilities, pump stations, and elevated water storage tanks. Construction materials testing is required to ensure the installation meets project requirements and specifications. Testing services include soil and base material testing, in-place density and compaction testing, aggregate testing, concrete testing, asphaltic concrete testing, coring services, non-destructive testing, and other quality assurance related services as needed.

Alliance Geotechnical Group, Inc. and East Texas Testing Laboratory Inc. dba ETTL Engineers & Consultants Inc. were selected as the most highly qualified proposers from a shortlist of two proposers, to perform construction materials testing services for these improvements based on submitted qualifications from a shortlist developed in accordance with the City of Dallas Administrative Directive 4-05 procurement guidelines. The contracts will cover a period of two years and provide necessary testing services for the capital improvement projects implemented by DWU.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Testing Services                      May 2024  
Complete Testing Services                  May 2026

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Water Capital Improvement G Fund	\$375,000.00	\$0.00	\$0.00
Water Construction Fund	\$225,000.00	\$0.00	\$0.00
Total	\$600,000.00	\$0.00	\$0.00

### **Council District                      Amount**

5	\$ 60,000.00
7	\$ 60,000.00
9	\$ 60,000.00
10	\$ 60,000.00
12	\$ 60,000.00
Outside	<u>\$300,000.00</u>
Total	\$600,000.00

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$600,000.00	Architecture & Engineering	34.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
34.50%	67.00%	\$402,000.00
• This contract exceeds the M/WBE subcontracting goal, one Prime is MBE.		
• Alliance Geotechnical Group, Inc - Local; Workforce - 0.08% Local • East Texas Testing Laboratory, Inc dba ETTL Engineers & Consultants Inc. - Non Local; Workforce - 45.00%		

### **PROCUREMENT INFORMATION**

In accordance with the City of Dallas Administrative Directive 4-05 procurement guidelines, Alliance Geotechnical Group, Inc. and East Texas Testing Laboratory Inc. dba ETTL Engineers & Consultants Inc. were selected as the most qualified consultant for this project.

### **OWNERS**

#### **Alliance Geotechnical Group, Inc.**

Robert P. Nance, President

#### **East Texas Testing Laboratory Inc. dba ETTL Engineers & Consultants Inc.**

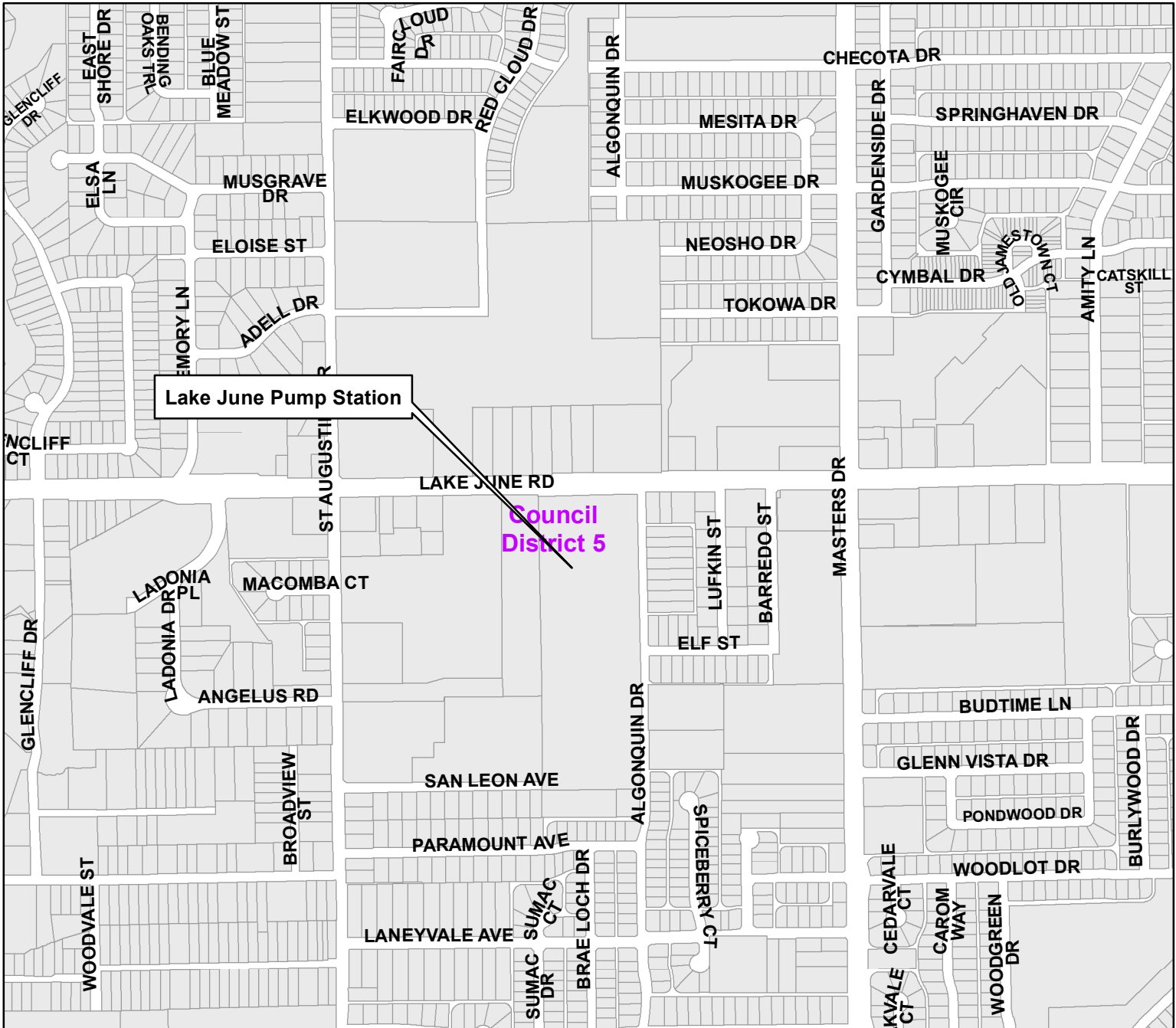
Chris Taylor, Vice President

### **MAP**

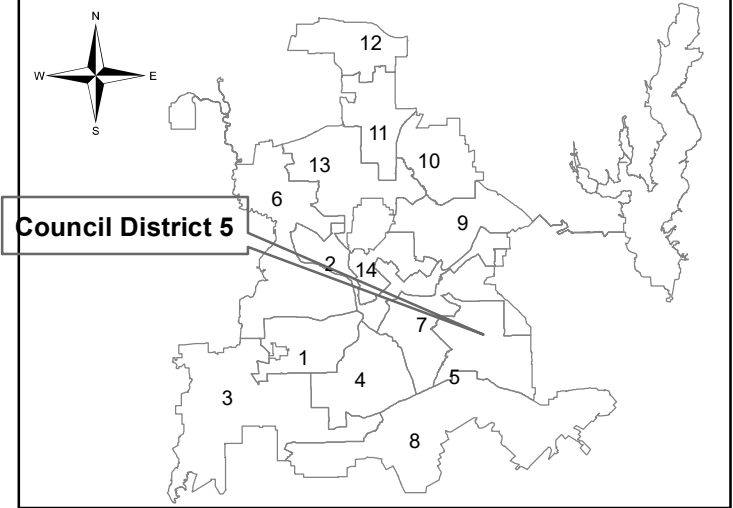
Attached



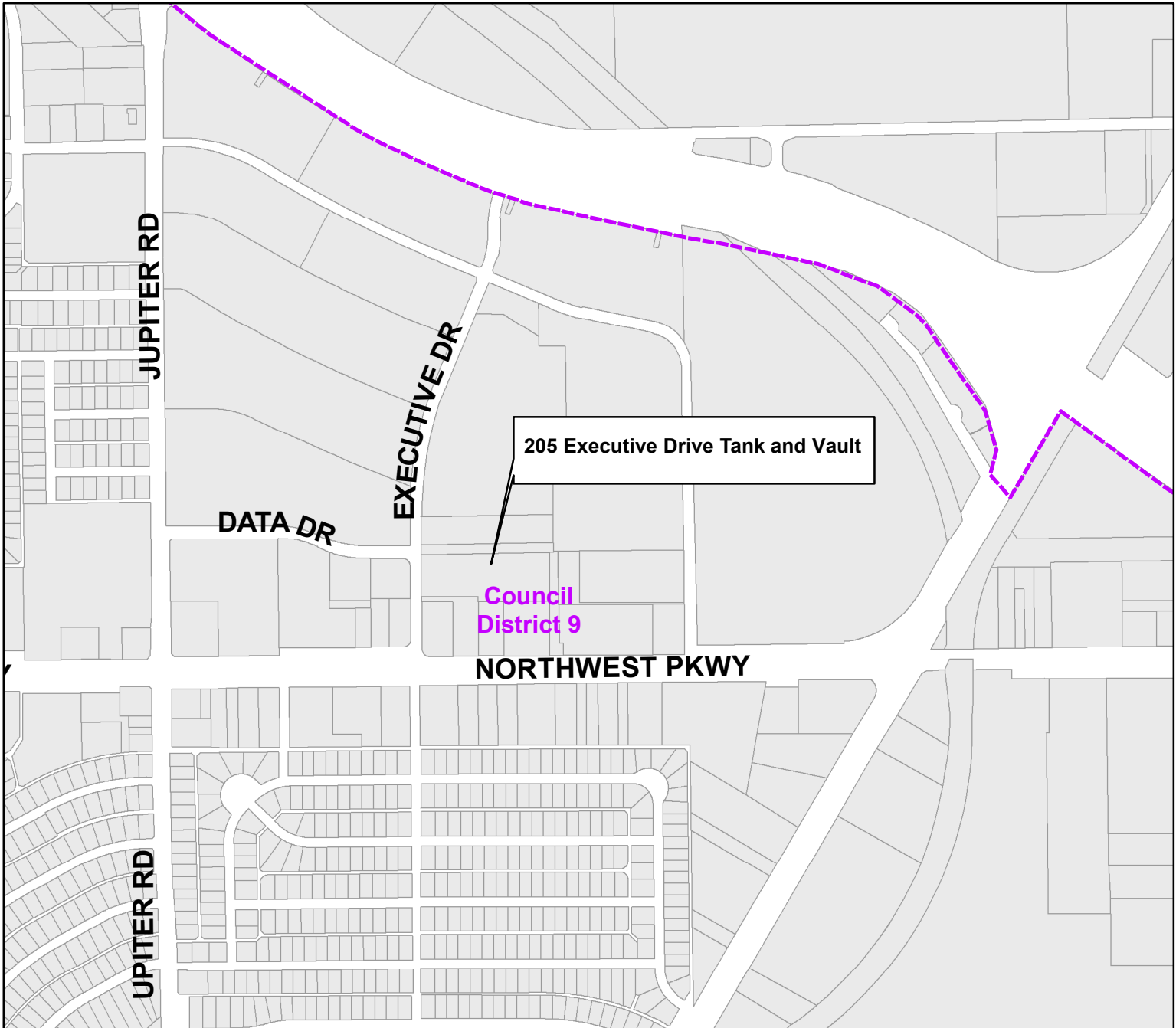




Lake June Pump Station

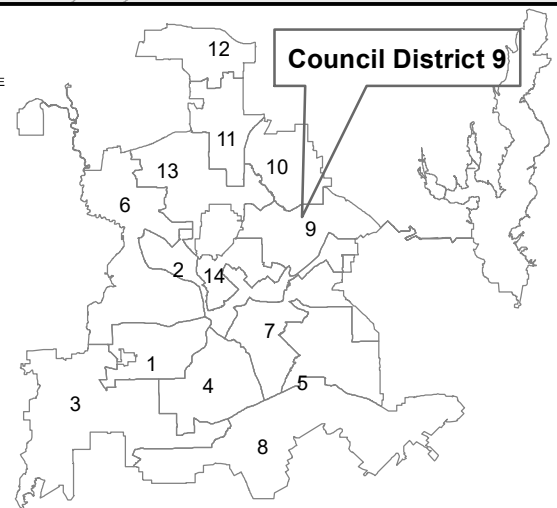
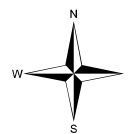


Dallas Water Utilities  
Lake June Pump Station  
Construction Materials Testing  
Contract 23-519



J

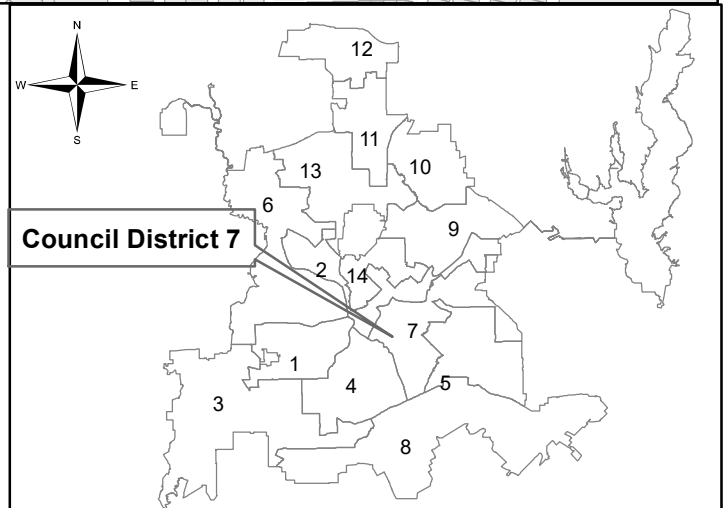
205 Executive Drive Tank and Vault



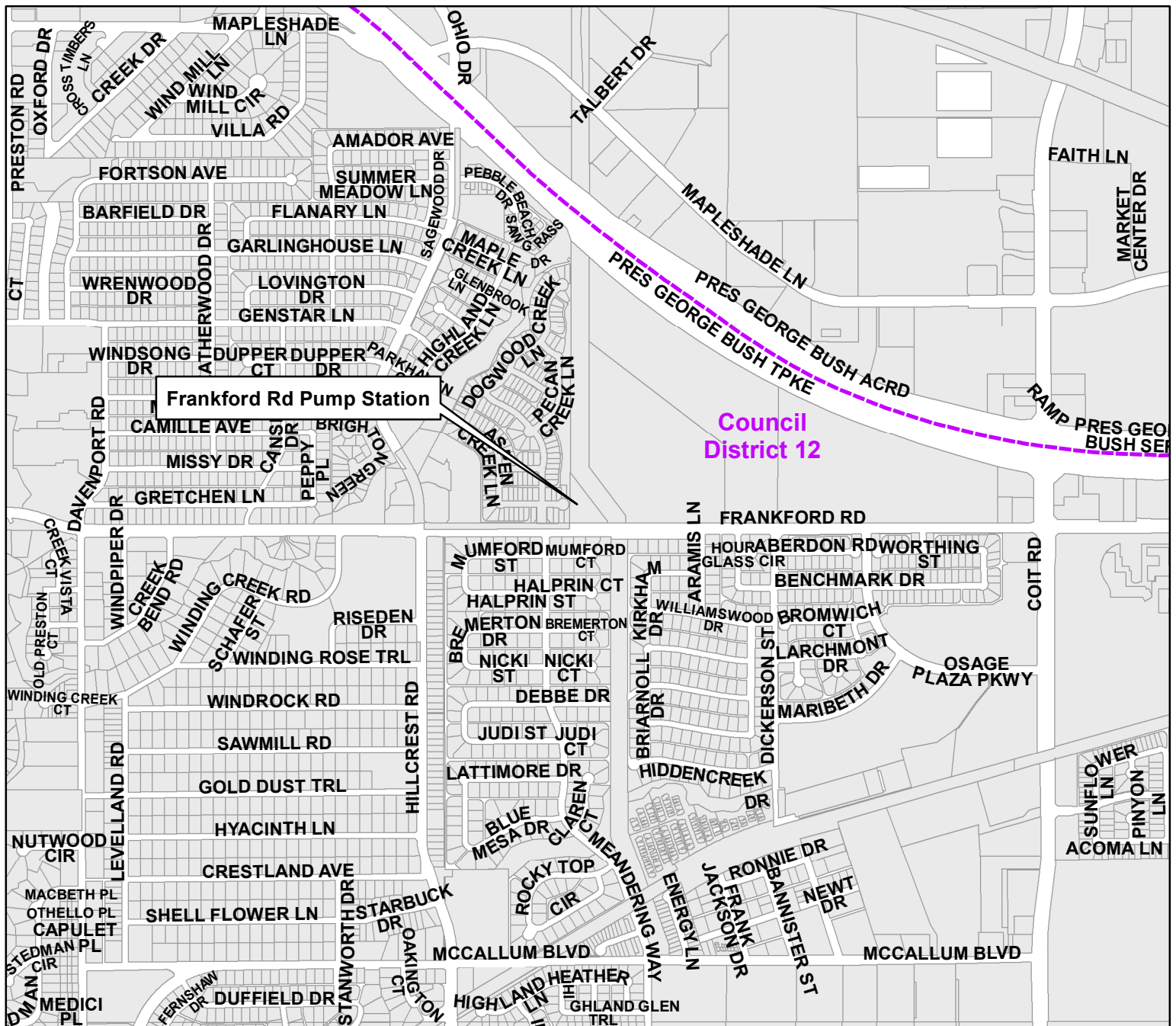
**Dallas Water Utilities**  
**205 Executive Drive Tank**  
**Construction Materials Testing**  
**Contract 23-519**



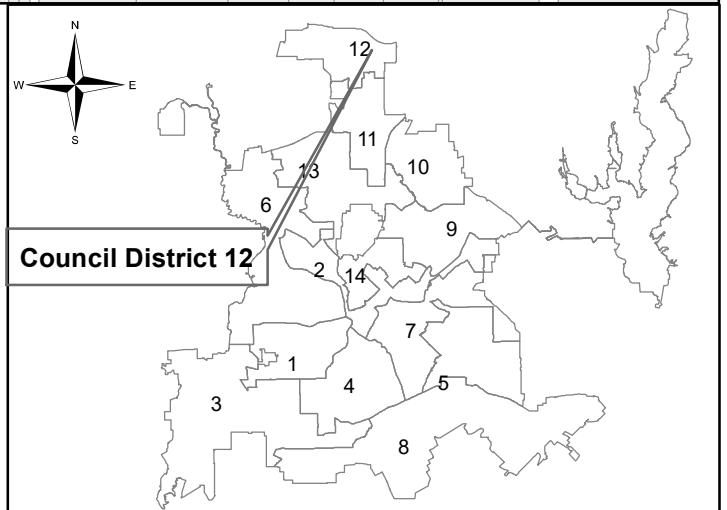
## Jim Miller Pump Station



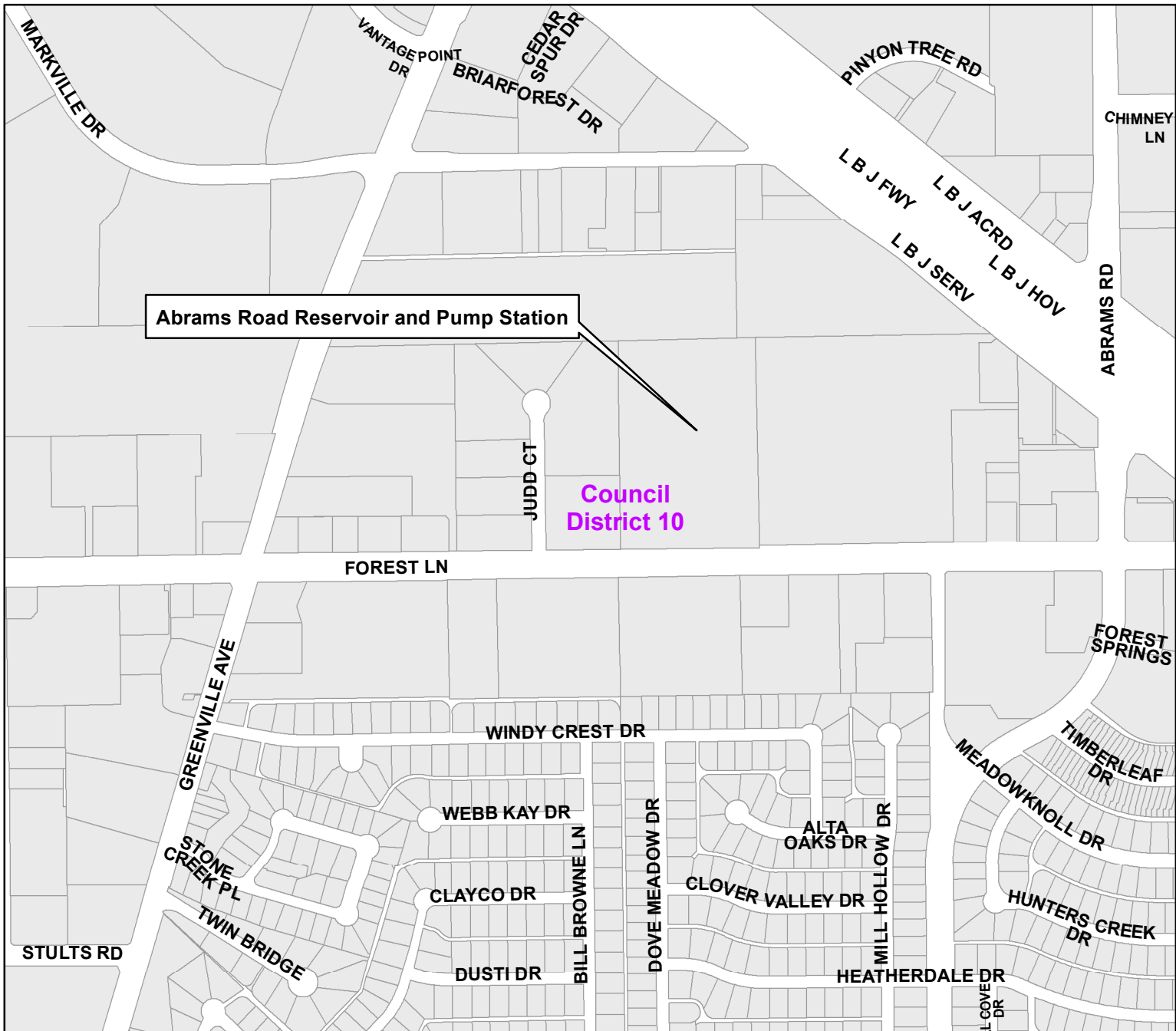
**Dallas Water Utilities  
Jim Miller Pump Station  
Construction Materials Testing  
Contract 23-519**



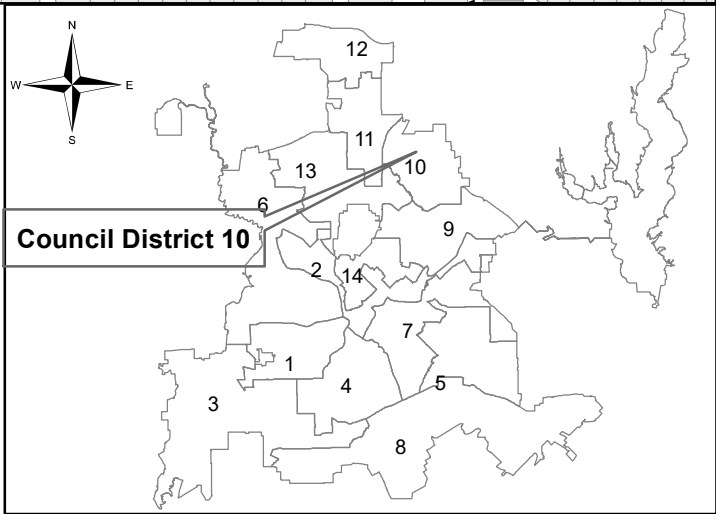
Frankford Road Pump Station



Dallas Water Utilities  
Frankford Road Pump Station  
Construction Materials Testing  
Contract 23-519

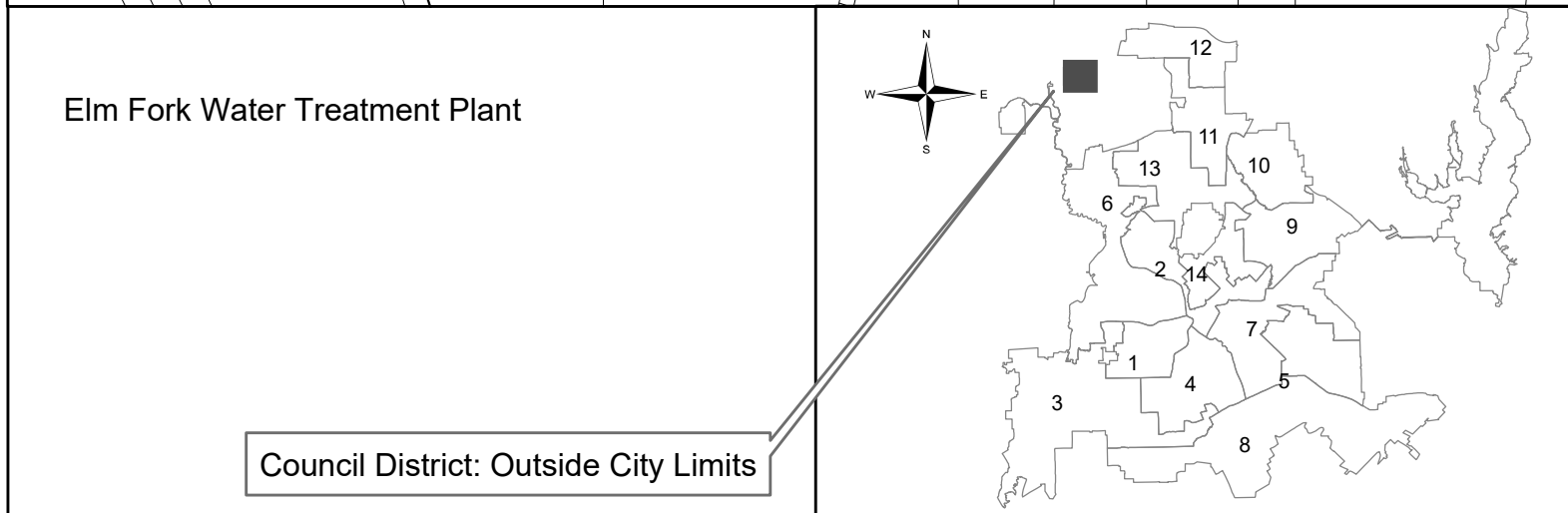
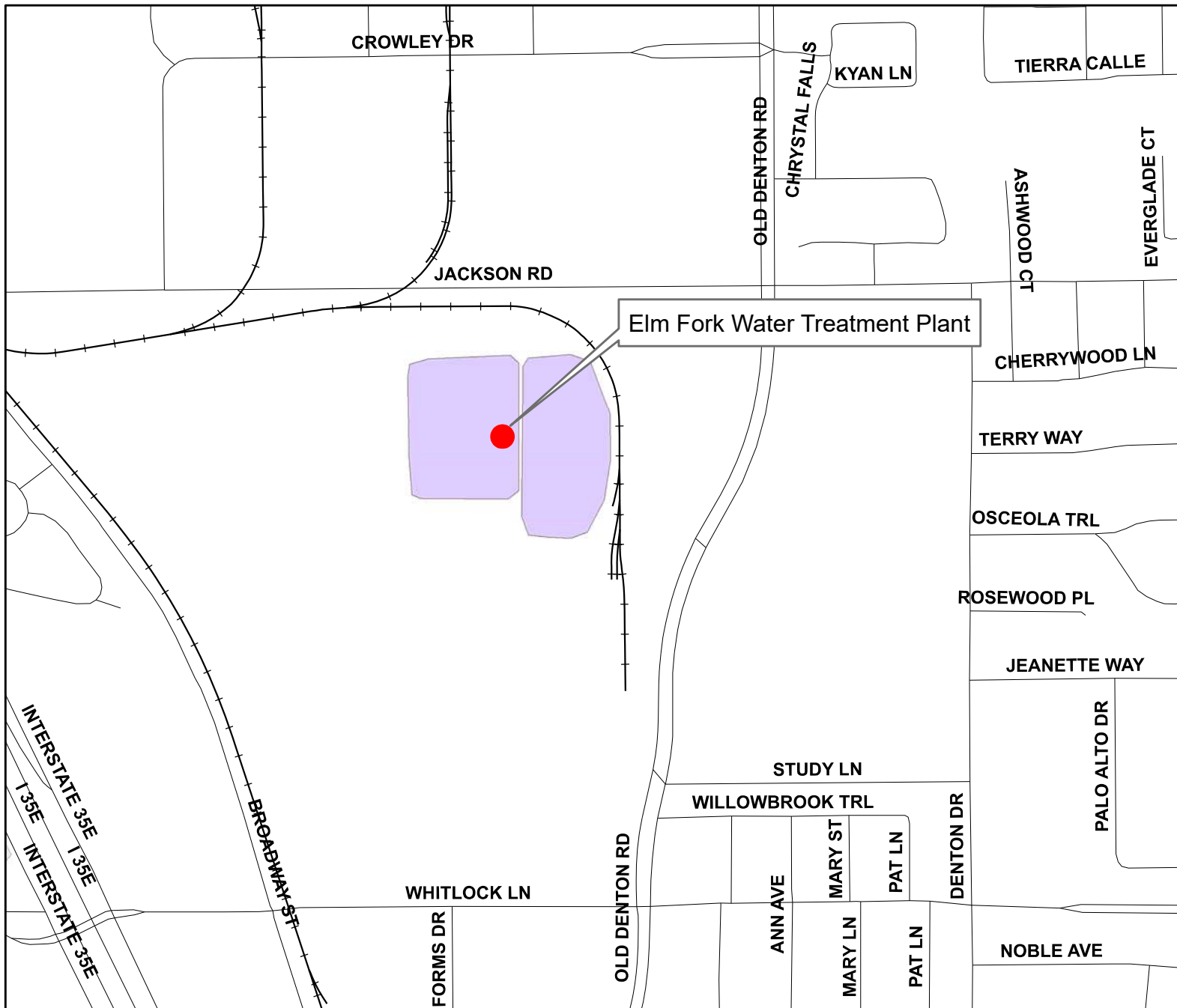


**Abrams Road Reservoir and Pump Station**



**Dallas Water Utilities**  
**Abrams Road Reservoir and Pump Station**  
**Construction Materials Testing**  
**Contract 23-519**





**Dallas Water Utilities**  
**Elm Fork Water Treatment Plant**  
**Construction Materials Testing**  
**Contract 23-521**

May 22, 2024

**WHEREAS**, construction materials testing services are required during the installation of capital improvement projects at water treatment and water distribution facilities by Dallas Water Utilities; and

**WHEREAS**, construction materials testing services ensure the installation meets project requirements and specifications; and

**Now, Therefore,**

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

**SECTION 1.** That the proposals submitted by two consultants in the amount of \$600,000.00 be approved and the consultants be authorized to perform the required engineering services.

**SECTION 2.** That the City Manager is hereby authorized to execute contracts with East Texas Testing Laboratory Inc. dba E TTL Engineers & Consultants, Inc. and Alliance Geotechnical Group, Inc., approved as to form by the City Attorney.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$600,000.00, as follows:

**a.** East Texas Testing Laboratory, Inc. dba E TTL Engineers & Consultants Inc., 2000 East Randol Mill Road, Arlington, Texas 76011, for construction materials testing services during the installation of capital improvement projects at water treatment and distribution facilities:

Water Capital Improvement G Fund	
Fund 5115, Department DWU, Unit PW40	
Object 4113, Program 723519, Vendor 500059	
Encumbrance/Contract No. DWU-2024-00023603	\$300,000.00

**b.** Alliance Geotechnical Group, Inc., 3228 Halifax Street, Dallas, Texas 75247 for construction materials testing services during the installation of capital improvement projects at water treatment and distribution facilities:

Water Construction Fund	
Fund 0102, Department DWU, Unit CW50	
Object 4113, Program 723521, Vendor 338366	
Encumbrance/Contract No. DWU-2024-00023604	\$225,000.00

Water Capital Improvement G Fund	
Fund 5115, Department DWU, Unit PW40	
Object 4113, Program 723521, Vendor 338366	
Encumbrance/Contract No. DWU-2024-00023604	<u>\$ 75,000.00</u>

Total amount not to exceed	\$600,000.00
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May 22, 2024

**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 Information Sheet

**File #:** 24-1410

**Item #:** 45.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 6, 13

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

Authorize a construction services contract for flood protection and storm drainage relief improvements associated with the Pensive Drive Channel and Walnut Hill Lane storm drainage system - Austin Filter Systems, Inc., lowest responsible bidder of four - Not to exceed \$16,497,925.00 - Financing: 2024 Certificate of Obligation Fund (\$11,711,255.00), Water Capital Improvement F Fund (\$1,000,000.00), Wastewater Capital Improvement F Fund (\$2,512,545.00), Water Capital Improvement G Fund (\$271,110.00), and Water Construction Fund (\$1,003,015.00)

### **BACKGROUND**

Fourteen homes in the Pensive Drive Neighborhood are susceptible to flooding due to undersized drainage infrastructure. The drainage system for the Pensive Drive neighborhood involves a trapezoidal concrete-lined channel that subsequently connects to a storm drainage line in Walnut Hill Lane. The Walnut Hill Lane storm drainage line was installed in the 1960s and consists of a ten-foot diameter elliptical pipe with a horseshoe shape.

This action will authorize a construction contract with Austin Filter Systems, Inc. to upsize and rehabilitate the existing Pensive Drive Channel and install a bypass storm drainage system within Pensive Drive from the alley north of Timberview Road to Walnut Hill Lane. The bypass relief system will divert flow from the Channel and convey it downstream along Pensive Drive directly into the Walnut Hill storm drainage system. Together the modified channel and new bypass system will have more capacity to handle peak stormwater flows and mitigate flood risks. The construction project also includes the rehabilitation of the existing drainage system along Walnut Hill, the installation of new water and wastewater mains in Pensive Drive targeted for replacement, and the restoration of pavement affected by construction. Once the improvements are completed, 10 of the 14 homes susceptible to flooding will be protected from the 100-year storm event and some level of mitigation will be provided for the remaining four properties

The following chart illustrates Austin Filter Systems, Inc.'s contractual activities with the City of Dallas for the past three years:

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TRN</u>
Projects Completed	1	0	0	0
Active Projects	3	0	0	0
Change Orders	2	0	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

**ESTIMATED SCHEDULE OF PROJECT**

Begin Construction            September 2024  
 Complete Construction      May 2027

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

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
2024 Certificate of Obligation Fund	\$11,711,255.00	\$0.00	\$0.00
Water Capital Improvement F Funds	\$ 1,000,000.00	\$0.00	\$0.00
Wastewater Capital Improvement F Fund	\$ 2,512,545.00	\$0.00	\$0.00
Water Capital Improvement G Fund	\$ 271,110.00	\$0.00	\$0.00
Water Construction Fund	\$ 1,003,015.00	\$0.00	\$0.00
Total	\$16,497,925.00	\$0.00	\$0.00

<u>Council District</u>	<u>Amount</u>
6	\$ 8,000,000.00
13	\$ 8,497,925.00
Total	\$16,497,925.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$16,497,925.00	Construction	32.00%
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
32.03%	32.03%	\$5,285,027.00
• This contract meets the M/WBE goal.		
• Austin Filter Systems, Inc. - Non-local; Workforce - 74.00% Local		

### **PROCUREMENT INFORMATION**

The following four bids with quotes were opened on November 17, 2023:

\*Denotes successful bidder

#### **Bidders**

#### **Bid Amount**

*Austin Filter Systems, Inc. 2812 North Bagdad Road Leander, TX 78620	\$16,497,925.00
A & B Construction, LLC	\$19,026,949.00
Flow-Line Construction, Inc.	\$19,579,493.00
Ragle, Inc.	\$27,485,885.62

#### **OWNER**

**Austin Filter Systems, Inc.**

Mark Tounge, President

#### **MAP**

Attached

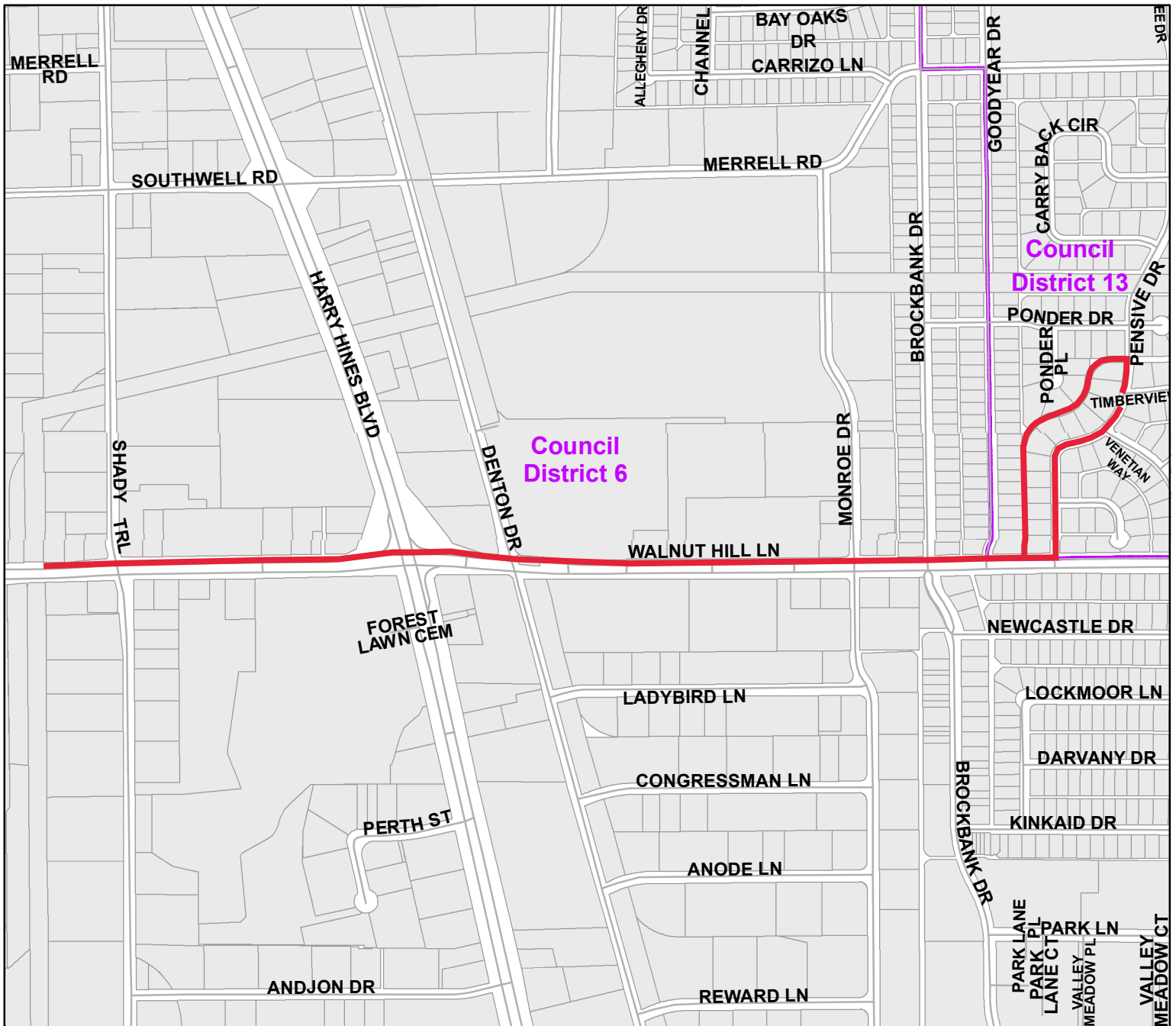
Segment List  
Pensive Drive Channel and Walnut Hill Lane Storm Drainage Improvements  
**Contract No. 23-257/258**

**District 6**

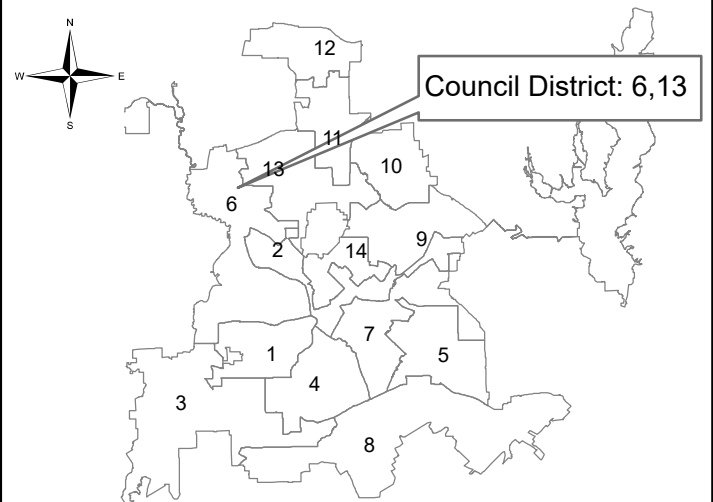
Walnut Hill Lane Storm Drainage System Improvements

**District 13**

Pensive Drive Storm Drainage Relief and Channel Improvements



Pensive Drive Channel and Walnut Hill Lane  
Drainage System







May 22, 2024

**WHEREAS**, on November 17, 2023, four bids were received for flood protection and storm drainage relief improvements associated with the Pensive Drive Channel and Walnut Hill Lane storm drainage system, Contract No. 23-257/258 listed as follows:

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
Austin Filter Systems, Inc.	\$16,497,925.00
A & B Construction, LLC	\$19,026,949.00
Flow-Line Construction, Inc.	\$19,579,493.00
Ragle, Inc.	\$27,485,885.62

**WHEREAS**, the bid submitted by Austin Filter Systems, Inc., 2812 N. Bagdad Road, Leander, Texas 78620, in the amount of \$16,497,925.00 is the lowest and best of all bids received.

**Now, Therefore,**

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

**SECTION 1.** That the bid submitted by Austin Filter Systems, Inc., in the amount of \$16,497,925.00 for doing the work covered by the plans, specifications, and contract documents, Contract No. 23-257/258, be accepted.

**SECTION 2.** That the City Manager is hereby authorized to execute a construction services contract with Austin Filter Systems, Inc., approved as to form by the City Attorney, for flood protection and storm drainage relief improvements associated with the Pensive Drive Channel and Walnut Hill Lane storm drainage system, in an amount not to exceed \$16,497,925.00.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$16,497,925.00 to Austin Filter Systems, Inc., as follows:

2024 Certificate of Obligation Fund Fund 0798, Department SDM, Unit W212 Object 4599, Program TW17W212 Encumbrance/Contract No. SDM-2024-00024057 Vendor VS0000036279	\$11,711,255.00
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Wastewater Capital Improvement F Fund Fund 4116, Department DWU, Unit PS40 Object 4560, Program 723258 Encumbrance/Contract No. SDM-2024-00024057 Vendor VS0000036279	\$ 2,238,572.00
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May 22, 2024

**SECTION 3** (Continued)

Wastewater Capital Improvement F Fund  
Fund 4116, Department DWU, Unit PS42  
Object 4560, Program 723258  
Encumbrance/Contract No. SDM-2024-00024057  
Vendor VS0000036279 \$ 273,973.00

Water Construction Fund  
Fund 0102, Department DWU, Unit CW40  
Object 4550, Program 723257  
Encumbrance/Contract No. SDM-2024-00024057  
Vendor VS0000036279 \$ 1,003,015.00

Water Capital Improvement F Fund  
Fund 4115, Department DWU, Unit PW20  
Object 4550, Program 723257  
Encumbrance/Contract No. SDM-2024-00024057  
Vendor VS0000036279 \$ 1,000,000.00

Water Capital Improvement G Fund  
Fund 5115, Department DWU, Unit PW42  
Object 4550, Program 723257  
Encumbrance/Contract No. SDM-2024-00024057  
Vendor VS0000036279 \$ 271,110.00

Total amount not to exceed \$16,497,925.00

**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 Information Sheet

**File #:** 24-868

**Item #:** 46.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

**COUNCIL DISTRICT(S):** 2, 5, 6, 7

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Majed Al-Ghafry

### **SUBJECT**

Authorize a construction services contract for the installation of storm drainage improvements and water and wastewater main replacements at seven locations (list attached to the Agenda Information Sheet) - SYB Construction Co., Inc., lowest responsible bidder of three - Not to exceed \$13,877,982.60 - Financing: Flood Control (D) Fund (2017 General Obligation Bond Fund) (\$2,057,403.12), 2024B Certificate of Obligation Fund (\$7,474,691.88), Water Capital Improvement G Fund (\$2,616,107.60) and Wastewater Capital Improvement F Fund (\$1,729,780.00)

### **BACKGROUND**

This action will authorize a construction services contract with SYB Construction Co., Inc., for storm drainage improvements to address localized flooding issues. The construction contract includes storm drainage and flood management improvements at seven locations, including 9321 Prairie Oak Drive, 4804 Hollow Ridge, Hatfield Branch at Seagoville Channel Improvements, Joe's Creek - W. Fork Bridge at Walnut Hill Lane, 3602 Loganwood, Junius Street at Baylor Medical Center and Abshire Lane. The construction work will consist of channel improvements, removing and replacing existing culverts, removing, and replacing existing storm drainage pipes, and capacity improvements to the existing drainage system.

In addition to storm drainage improvements, the contract will include water and wastewater main replacements at three locations - 9321 Prairie Oak Drive, Junius Street at Baylor Medical Center, and Abshire Lane. The water and wastewater main replacements will address substandard water and wastewater mains in the same project areas as the storm drainage improvements. This includes the installation of approximately 34,170 feet of water and wastewater mains ranging in size from 6-inch to 16-inch in diameter.

The existing water and wastewater mains were built between 1902 and 1963. The water mains contribute to water quality issues, in addition to excessive maintenance and service interruptions. The wastewater mains also contribute to excessive amounts of inflow and infiltration into the wastewater collection system, resulting in wastewater overflows and high maintenance costs. The installation will improve the capacity of the water and wastewater systems and will reduce maintenance costs.

The following chart illustrates SYB Construction Co., Inc.'s contractual activities with the City of Dallas for the past three years:

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TRN</u>
Projects Completed	0	0	0	0
Active Projects	4	0	0	0
Change Orders	0	0	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction      July 2024  
Complete Construction      July 2026

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Flood Control (D) Fund (2017 General Obligation Bond Fund)	\$ 2,057,403.12	\$0.00	\$0.00
2024B Certificate of Obligation Fund	\$ 7,474,691.88	\$0.00	\$0.00
Water Capital Improvement G Fund	\$ 2,616,107.60	\$0.00	\$0.00
Wastewater Capital Improvement F Fund	\$ 1,729,780.00	\$0.00	\$0.00
Total	\$13,877,982.60	\$0.00	\$0.00

#### **Council District**

#### **Amount**

2	\$ 1,787,335.60
5	\$ 3,214,680.00
6	\$ 3,023,705.00
7	\$ 5,852,262.00
Total	\$13,877,982.60

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$13,877,982.60	Construction	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
20.65%	20.65%	\$2,865,421.29
• This contract does not meet the M/WBE goal, but complies with good faith efforts.		
• SYB Construction Co Inc. - Local; Workforce - 30.71% Local		

## **PROCUREMENT INFORMATION**

The following three bids with quotes were opened on December 8, 2023:

\*Denotes successful bidder

### **Bidders**

### **Bid Amount**

*SYB Construction Co., Inc. 421 Compton Irving, TX 75061	\$13,877,982.60
A & B Construction, LLC	\$15,387,210.00
West Texas Rebar Placers, Inc.	\$23,417,592.50

### **OWNER**

**SYB Construction Co., Inc.**

Walter R. Bennett, President

### **MAP**

Attached

Segment List  
Storm Drainage Improvements at Various Locations Phase H  
**Contract No. 23-149**

**District 2**

Junius Street at Baylor Medical Center

**District 5**

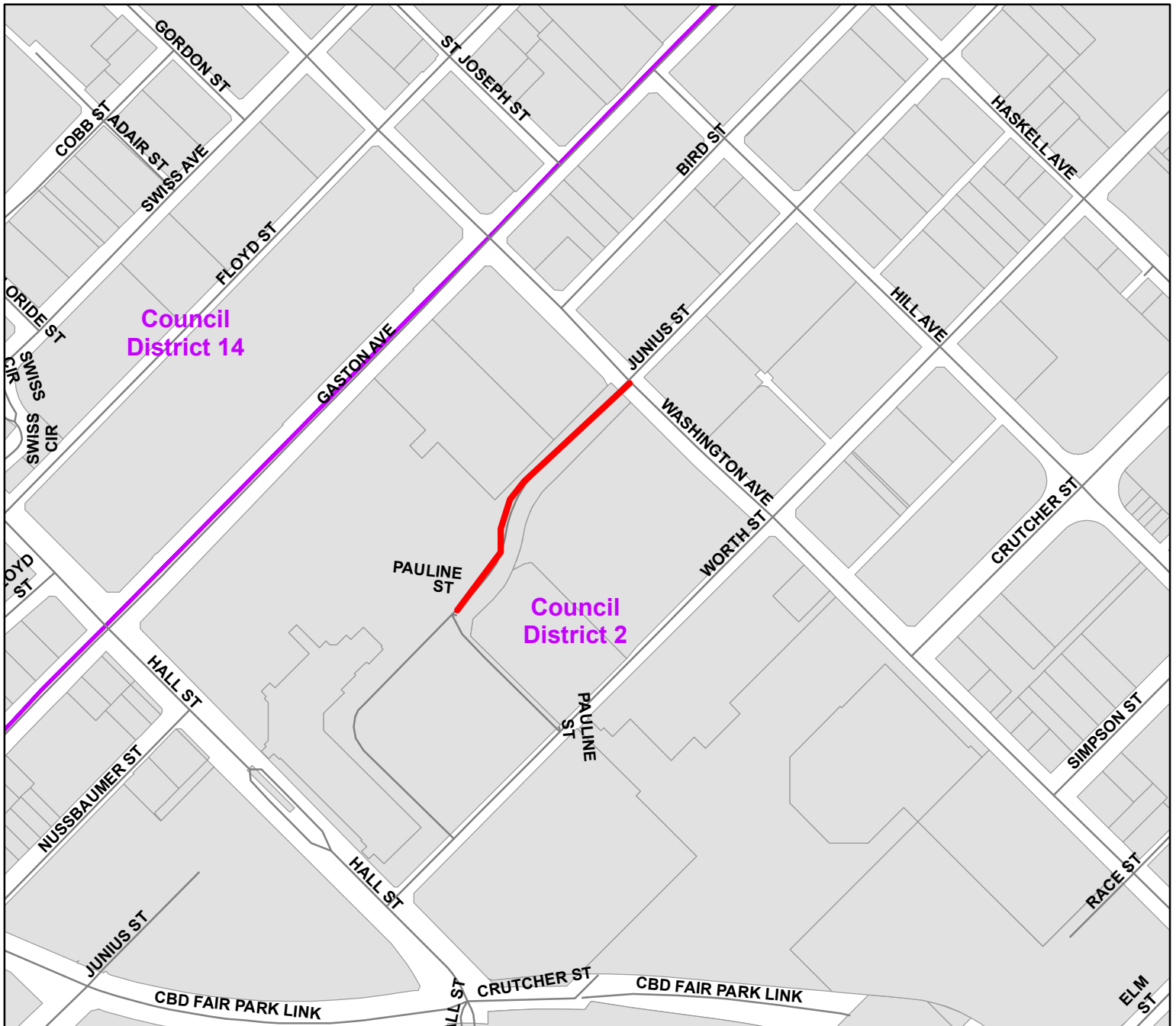
Hatfield Branch at Seagoville Channel Improvements  
3602 Loganwood Drive  
9321 Prairie Oak Drive (RL Area 33)

**District 6**

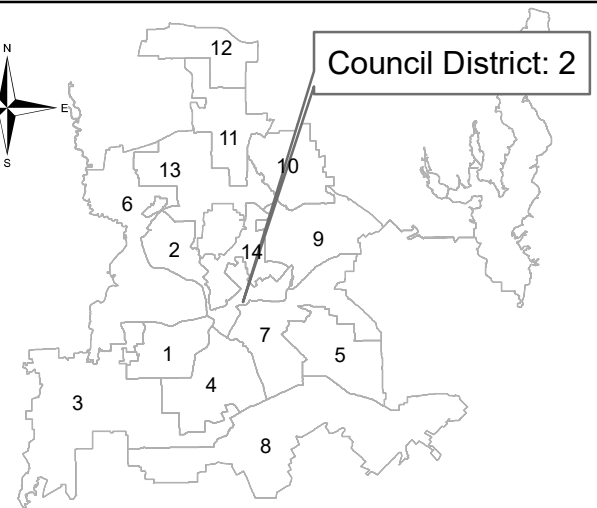
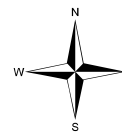
Joe's Creek – W Fork Bridge at Walnut Hill Lane

**District 7**

Abshire Lane from Peavy Road to east of Freeport Drive and Cadenza Lane south and  
Freeport Drive to Abshire Lane south  
4804 Hollow Ridge Road

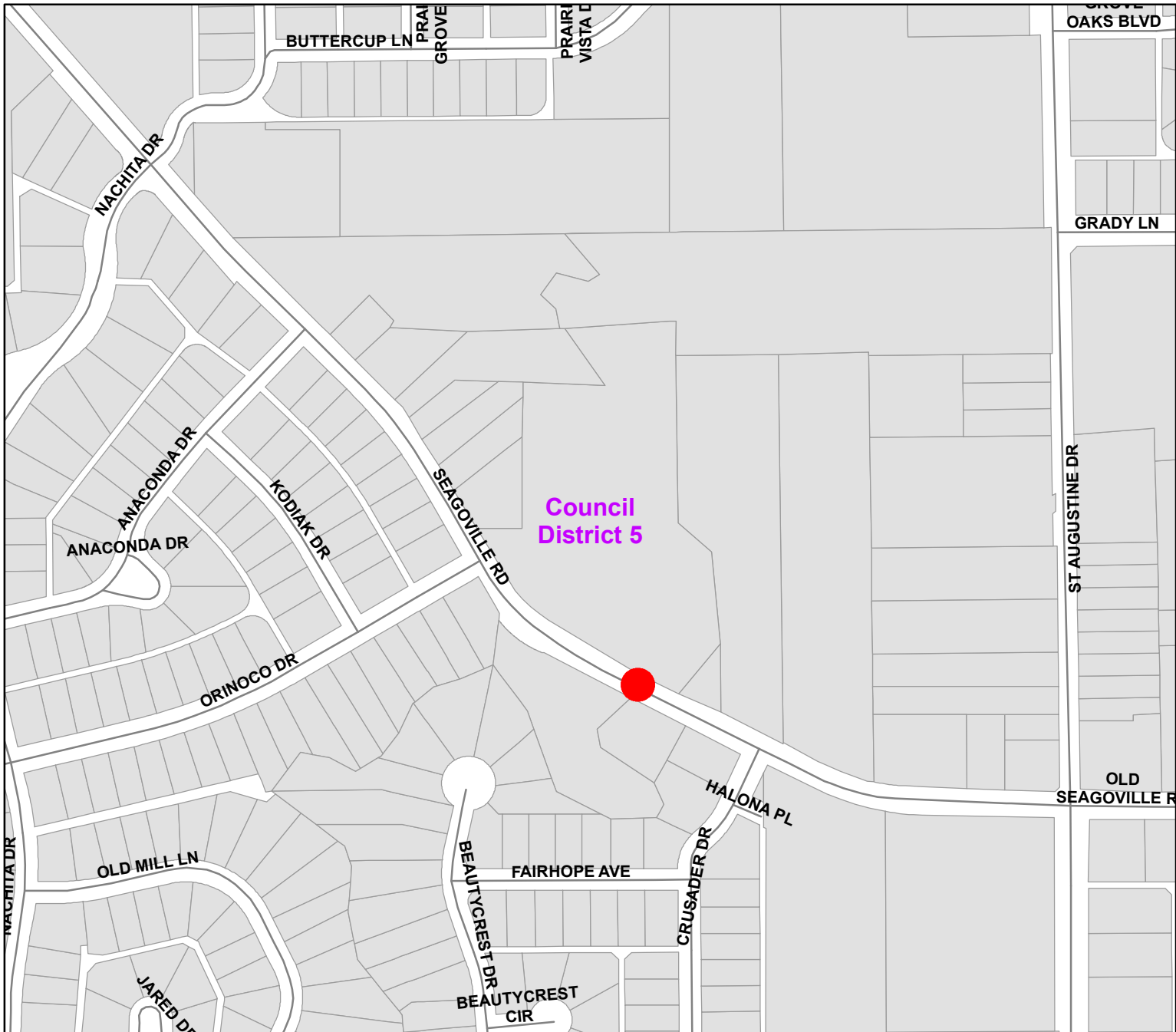


Junius Street at Baylor Medical Center

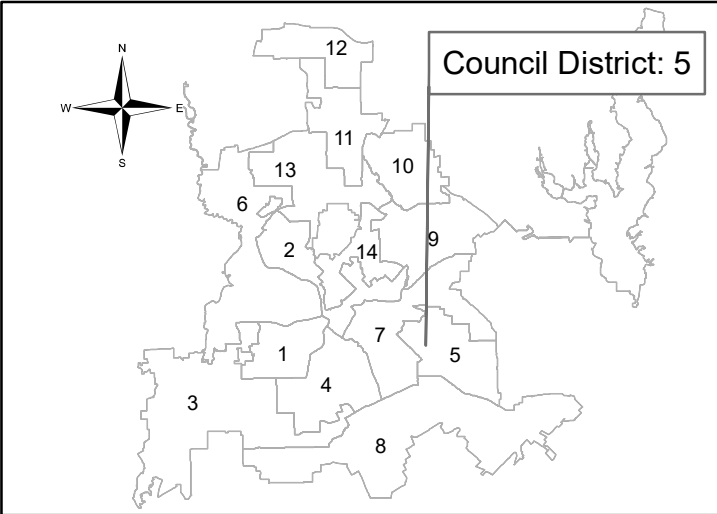


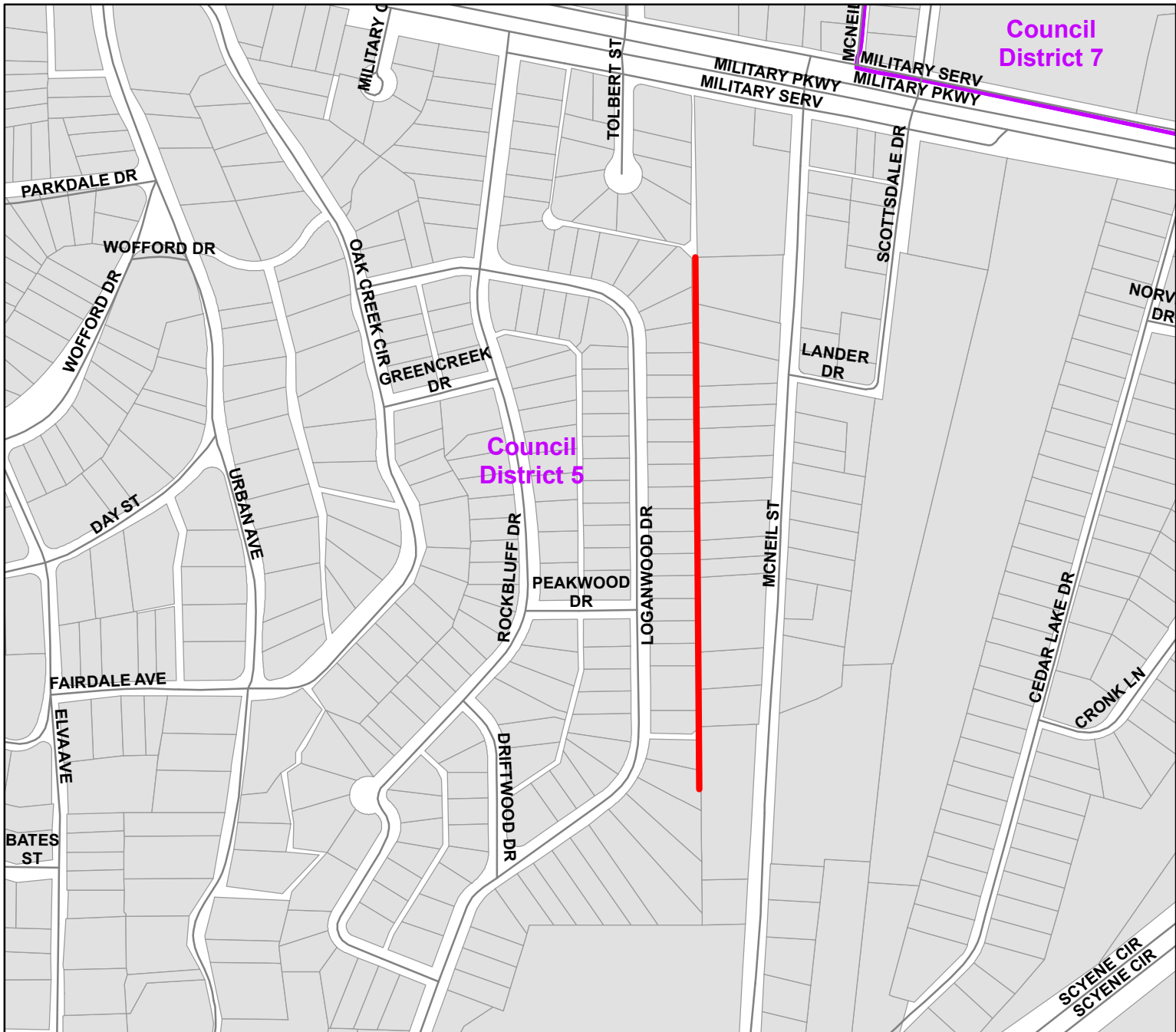
**Dallas Water Utilities**  
**Contract No. 23-149**  
**Storm Drainage Improvements at Various Locations Phase H**



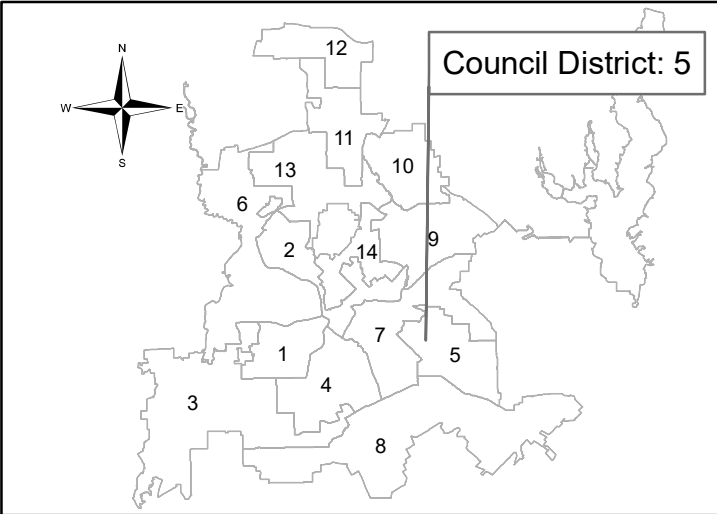


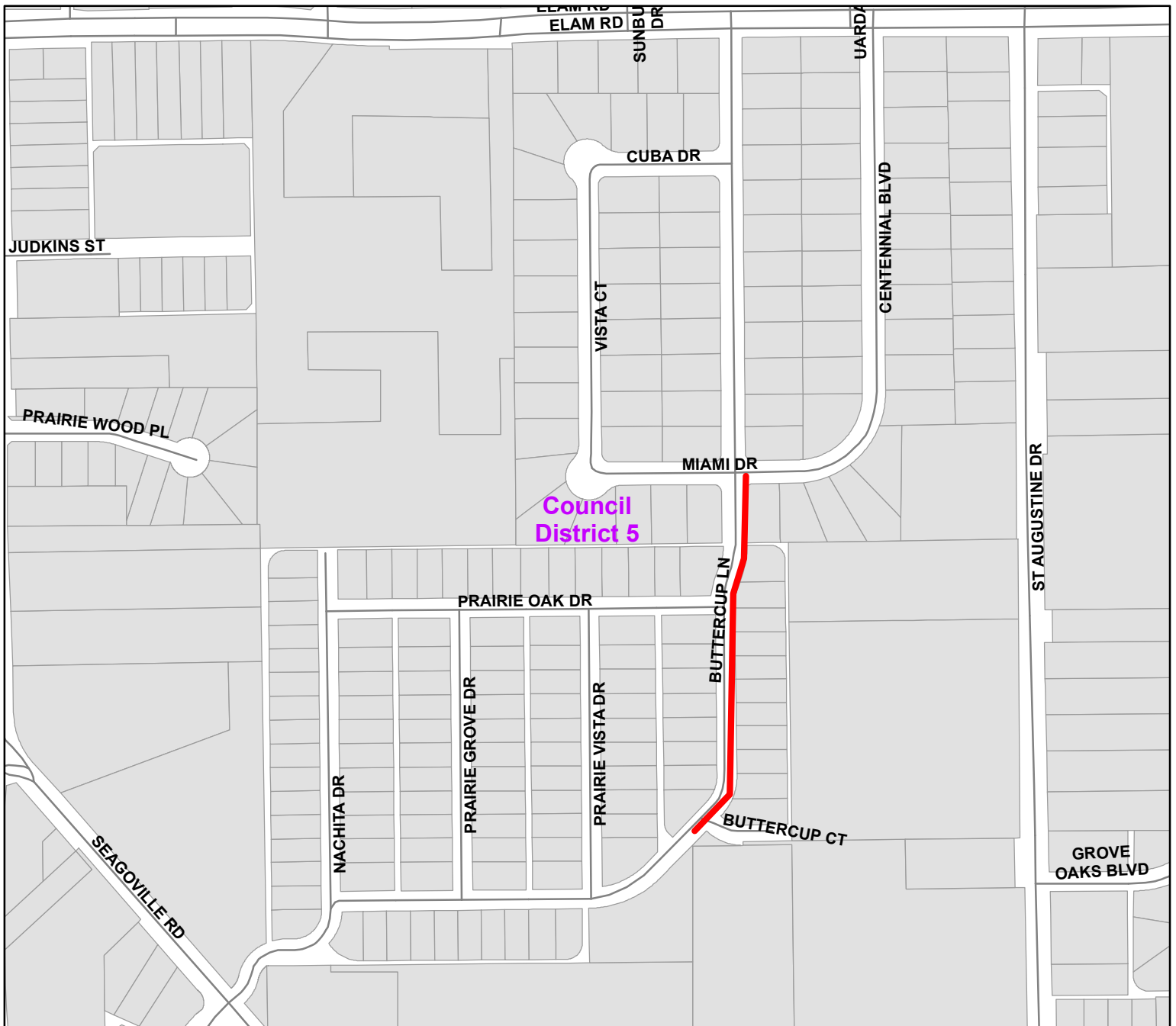
Hatfield Branch at Seagoville Channel Improvements



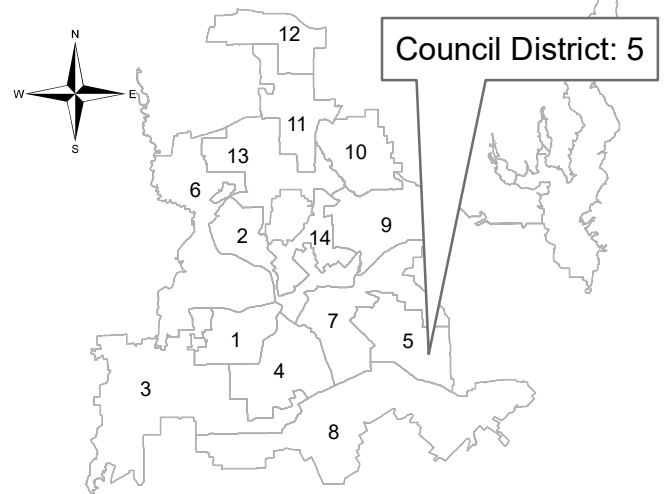


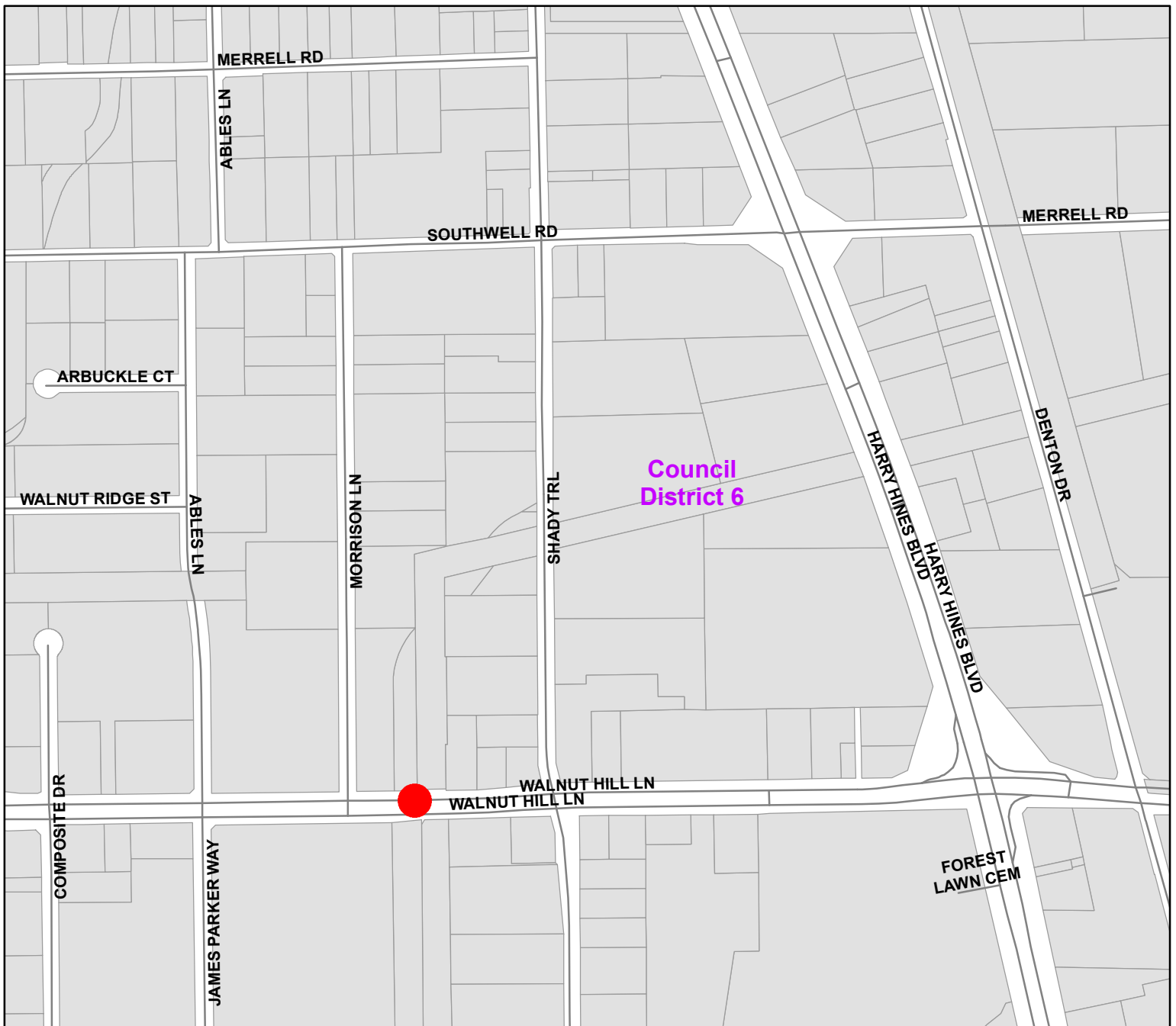
3602 Loganwood Drive



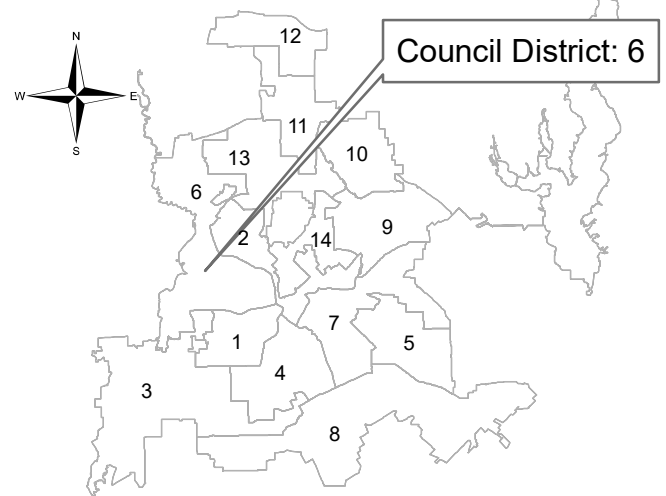


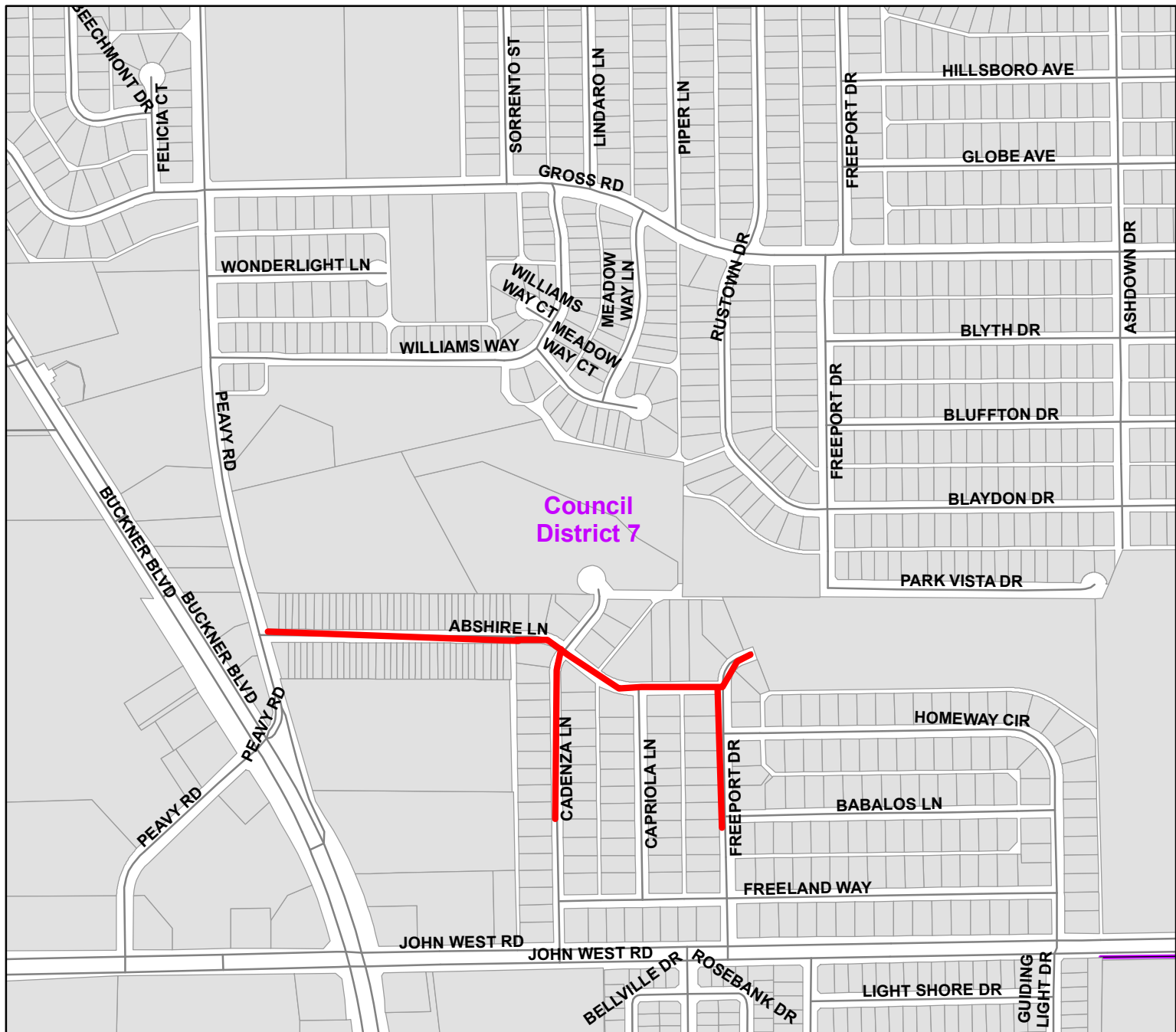
9321 Prairie Oak Drive (RL Area 33)



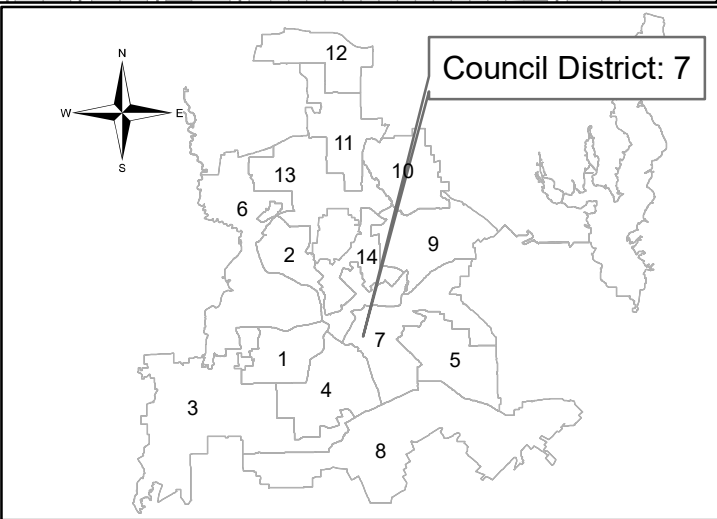


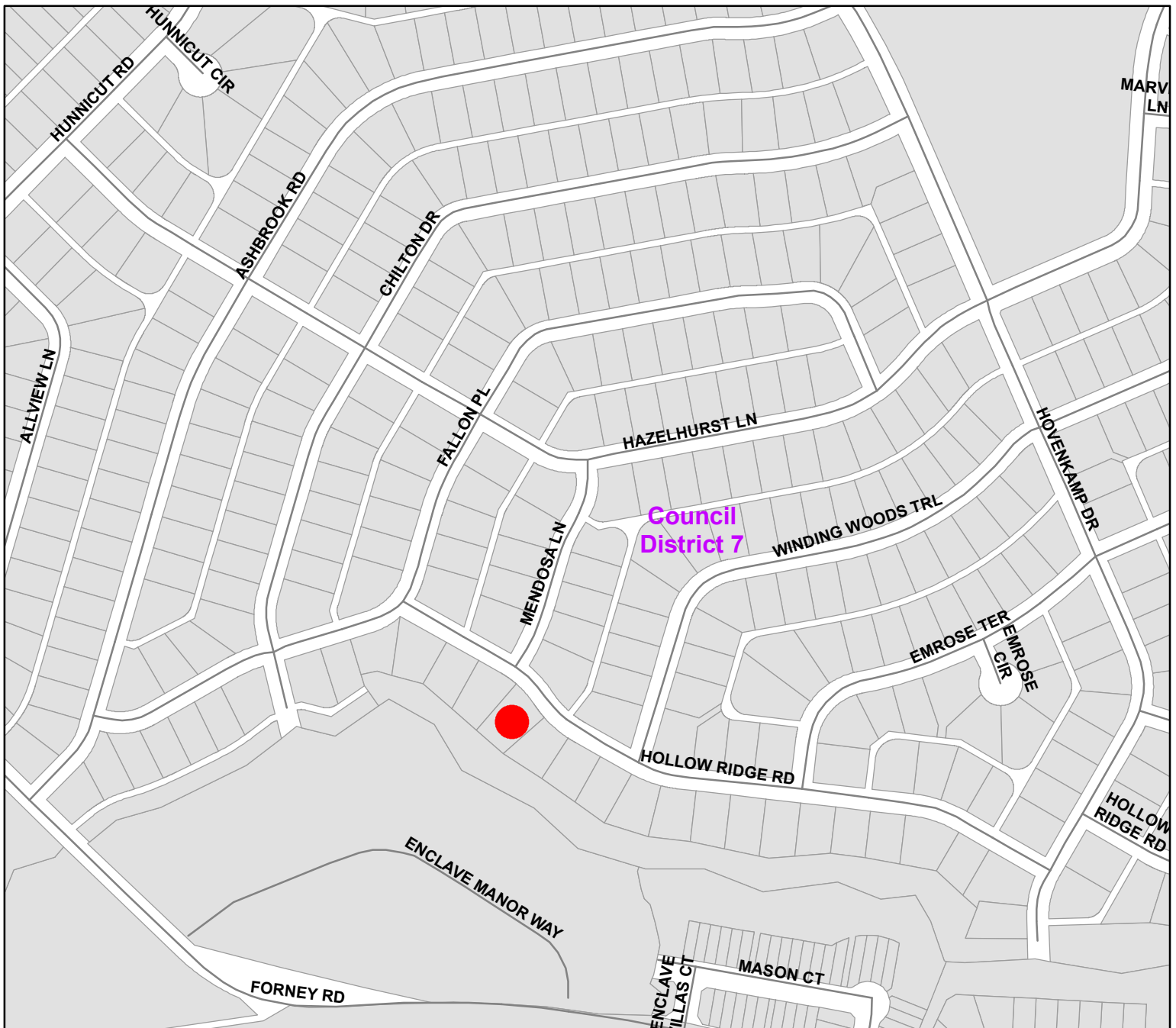
Joe's Creek – W Fork Bridge at Walnut Hill Lane



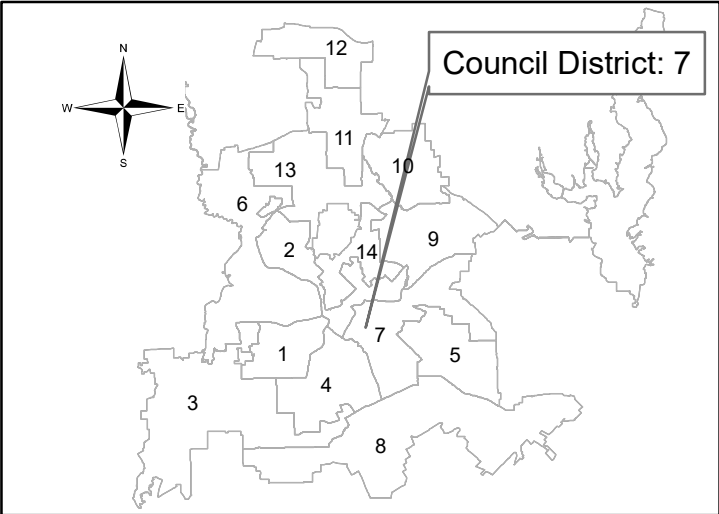


Abshire Lane from Peavy Road to east of Freeport Drive and Cadenza Lane south and Freeport Drive to Abshire Lane south





4804 Hollow Ridge Road







May 22, 2024

**WHEREAS,** on December 8, 2023, three bids were received for the installation of storm drainage improvements and water and wastewater main replacements at seven locations, Contract 23-149 listed as follows:

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
SYB Construction Company, Inc.	\$13,877,982.60
A & B Construction, LLC	\$15,387,210.00
West Texas Rebar Placers, Inc.	\$23,417,592.50

**WHEREAS,** the bid submitted by SYB Construction Company, Inc., 421 Compton Avenue, Irving, Texas 75061, in the amount of \$13,877,982.60, is the lowest and best of all bids received.

**Now, Therefore,**

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

**SECTION 1.** That the bid submitted by SYB Construction Company, Inc., in the amount of \$13,877,982.60 for doing the work covered by the plans, specifications, and contract documents, Contract No. 23-149, be accepted.

**SECTION 2.** That the City Manager is hereby authorized to execute a construction services contract with SYB Construction Company, Inc., approved as to form by the City Attorney, for the installation of storm drainage improvements and water and wastewater main replacements at seven locations, in an amount not to exceed \$13,877,982.60.

**SECTION 3.** That in order to reimburse and finance the authorized disbursements described herein from General Obligation bonds, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series 2017A, and Series 2017B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$13,877,982.60 to SYB Construction Company, Inc., as follows:

Flood Control (D) Fund	
Fund 1V23, Department SDM, Unit VD66	
Object 4599, Activity SD01, Program TW17VD66	
Encumbrance/Contract No. SDM-2024-00023996	
Vendor 507202	\$ 354,262.56

May 22, 2024

**SECTION 4.** (continued)

2024B Certificate of Obligation Fund Fund 0799, Department SDM, Unit VD66 Object 4599, Activity SD01, Program TW17VD66 Encumbrance/Contract No. SDM-2024-00023996 Vendor 507202	\$ 619,232.44
Flood Control (D) Fund Fund 1V23, Department SDM, Unit VD74 Object 4599, Activity SD01, Program TW17VD74 Encumbrance/Contract No. SDM-2024-00023996 Vendor 507202	\$ 215,993.08
2024B Certificate of Obligation Fund Fund 0799, Department SDM, Unit VD74 Object 4599, Activity SD01, Program TW17VD74 Encumbrance/Contract No. SDM-2024-00023996 Vendor 507202	\$ 182,516.92
Flood Control (D) Fund Fund 1V23, Department SDM, Unit VD71 Object 4599, Activity SD01, Program TW17VD71 Encumbrance/Contract No. SDM-2024-00023996 Vendor 507202	\$ 207,000.00
Flood Control (D) Fund Fund 1V23, Department SDM, Unit VD47 Object 4599, Activity SD01, Program TW17VD47 Encumbrance/Contract No. SDM-2024-00023996 Vendor 507202	\$ 246,657.48
2024B Certificate of Obligation Fund Fund 0799, Department SDM, Unit VD47 Object 4599, Activity SD01, Program TW17VD47 Encumbrance/Contract No. SDM-2024-00023996 Vendor 507202	\$2,777,047.52
Flood Control (D) Fund Fund 1V23, Department SDM, Unit VD69 Object 4599, Activity SD01, Program TW17VD69 Encumbrance/Contract No. SDM-2024-00023996 Vendor 507202	\$ 212,962.00

May 22, 2024

**SECTION 4.** (continued)

2024B Certificate of Obligation Fund  
Fund 0799, Department SDM, Unit VD69  
Object 4599, Activity SD01, Program TW17VD69  
Encumbrance/Contract No. SDM-2024-00023996  
Vendor 507202 \$1,246,758.00

2024B Certificate of Obligation Fund  
Fund 0799, Department SDM, Unit VD39  
Object 4599, Activity SD01, Program TW17VD39  
Encumbrance/Contract No. SDM-2024-00023996  
Vendor 507202 \$ 951,635.00

Flood Control (D) Fund  
Fund 1V23, Department SDM, Unit VD62  
Object 4599, Activity SD01, Program TW17VD62  
Encumbrance/Contract No. SDM-2024-00023996  
Vendor 507202 \$ 820,528.00

2024B Certificate of Obligation Fund  
Fund 0799, Department SDM, Unit VD62  
Object 4599, Activity SD01, Program TW17VD62  
Encumbrance/Contract No. SDM-2024-00023996  
Vendor 507202 \$1,697,502.00

Water Capital Improvement G Fund  
Fund 5115, Department DWU, Unit PW42  
Object 4550, Program 723149, Vendor 507202  
Encumbrance/Contract No. SDM-2024-00023996 \$ 1,610,772.00

Wastewater Capital Improvement F Fund  
Fund 4116, Department DWU, Unit PS42,  
Object 4560, Program 723150, Vendor 507202  
Encumbrance/Contract No. SDM-2024-00023996 \$ 1,324,950.00

May 22, 2024

**SECTION 4.** (continued)

Water Capital Improvement G Fund  
Fund 5115, Department DWU, Unit PW42  
Object 4550, Program 723149, Vendor 507202  
Encumbrance/Contract No. SDM-2024-00023996 \$ 430,870.60

Wastewater Capital Improvement F Fund  
Fund 4116, Department DWU, Unit PS42  
Object 4560, Program 723150, Vendor 507202  
Encumbrance/Contract No. SDM-2024-00023996 \$ 404,830.00

Water Capital Improvement G Fund  
Fund 5115, Department DWU, Unit PW42  
Object 4550, Program 723149, Vendor 507202  
Encumbrance/Contract No. SDM-2024-00023996 \$ 574,465.00

Total amount not to exceed \$13,877,982.60

**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.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1562

**Item #:** 47.

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**AGENDA DATE:** May 22, 2024

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

**DEPARTMENT:** City Secretary's Office

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### **SUBJECT**

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





## Agenda Information Sheet

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**File #:** 24-1753

**Item #:** 48.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** May 22, 2024

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

**DEPARTMENT:** City Secretary's Office

**EXECUTIVE:** Bilierae Johnson

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### **SUBJECT**

Consideration of appointments to the Dallas Area Rapid Transit Board of Directors for Positions 01 and 02 for the 2024-2026 Board Term (Closed Session, if necessary, Personnel, Sec. 551.074, T. O. M. A.) (Name of nominee in the City Secretary's Office) - Financing: No Cost Consideration to the City

### **BACKGROUND**

The Dallas Area Rapid Transit (DART) Board was structured by the Texas Legislature in 1993. Membership is allocated among member cities according to population, with recalculations after every United States (U.S.) census. Members of the DART Board serve staggered terms of two years with 8 of the positions' terms beginning July 1 of odd-numbered years and 7 positions' terms beginning July 1 of even numbered years. The enabling legislation provides that a member city may not rule by order or ordinance limit the number of terms a member may serve.

On August 23, 2011, the DART Board approved a reallocation of the Board based on the 2010 U.S. Census data. As a result, the City of Dallas lost one direct appointment to the Board previously shared with the cities of Cockrell Hill, Glenn Heights and Plano. The City of Dallas is now entitled to 7 full members and 1 shared member with the City of Cockrell Hill. This now provides the terms of 6 members to expire in even-numbered years and 2 to expire on odd-numbered years.

This action provides for appointments to Positions 01 and 02 for the 2024-2026 board term, beginning July 1, 2024 and ending June 30, 2026.

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

On May 20, 2024, the Transportation and Infrastructure Committee (TRNI) interviewed the nominees and selected the nominees as its recommendation to the City Council for appointment.



**FISCAL INFORMATION**

No cost consideration to the City.

May 22, 2024

**WHEREAS**, the City Council, as of the 2011 reallocation, is responsible for appointing 7 full members and 1 shared member with the City of Cockrell Hill, to the DART Board of Directors; and

**WHEREAS**, the members of the DART Board of Directors serve staggered two-year terms, commencing July 1, pursuant to Section 452.578 of the Texas Transportation Code; and

**WHEREAS**, the members of the DART Board of Directors for Positions 01 and 02 will expire June 30, 2024.

**Now, Therefore,**

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

**SECTION 1.** That the following individuals are hereby appointed to the DART Board with the board service to begin July 1, 2024 and expire June 30, 2026, and assigned as follows:

POSITION 01	_____
POSITION 02	_____

**SECTION 2.** That the City Council may, by resolution, remove any DART Board of Directors appointed by this resolution at any time, with or without cause. That such DART Board of Directors may be removed only upon an affirmative vote of nine city council members and through adoption of another resolution.

**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 Information Sheet

**File #:** 24-1540

**Item #:** 49.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

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

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Donzell Gipson

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### **SUBJECT**

Authorize a one-year service contract, with one, one-year renewal option for the City Manager recruitment consultant for the Department of Human Resources - Baker Tilly US, LLP, most advantageous proposer of fifteen - Not to exceed \$134,375.00 - Financing: General Fund (subject to annual appropriations)

### **BACKGROUND**

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

This service contract will provide for the City Manager recruitment consultant for the Department of Human Resources. This service contract outlines comprehensive executive search services specifically designed to recruit the next City Manager for the City. The scope of services includes a thorough search strategy and candidate identification process, followed by meticulous screening and evaluation. In addition, the selected firm will actively engage stakeholders and coordinate community input, ensuring Diversity, Equity, and Inclusion are prioritized throughout the recruitment journey. Utilizing cutting-edge digital strategies, the selected firm will maintain ongoing communication and transparency with all parties involved. In-depth candidate interviews will be conducted, culminating in the selection of the most appropriate candidate, and providing them with comprehensive onboarding support.

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

- Ad Hoc Committee on Administrative Affairs Council Members (5)
- Small Business Center Department (1)\*

The Small Business Center evaluated the Business Inclusion, and Development Plan.

The committee selected the successful respondents on the basis of demonstrated competence and

qualifications under the following criteria:

- Experience, qualifications, local and regional market knowledge 55 points
- Project understanding, method 20 points
- Cost and fee structure 10 points
- Business Inclusion and Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$18.24; the selected vendor meets this requirement.

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

This item has no prior action.

#### **FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
General Fund	\$134,375.00	\$0.00	\$0.00

#### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$134,375.00	Other Services	23.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
5.95%	5.95%	\$7,998.00
• This contract does not meet the M/WBE subcontracting goal.		
• Baker Tilly US, LLP - Non-local; Workforce - 0.00% Local		

#### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Request for Proposal	<ul style="list-style-type: none"> <li>• Utilized for professional, personal, revenue, and planning services</li> <li>• Recommended offeror is the responsible offeror whose proposal most closely meets established criteria for the services advertised, based on demonstrated competence and qualifications at a fair and reasonable price</li> <li>• Always involves the evaluation by committee</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following proposals from solicitation number BBZ24-00024463. We opened them on March 29, 2024. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
*Baker Tilly US, LLP	17 Cowboys Way Suite 800 Frisco, TX 75034	83.92
MGT of America	4320 West Kennedy Boulevard Suite 200 Tampa, FL 33609	75.72
Affion Public	1960 Creek Hollow Lane Hershey, PA 17033	74.40
Gallagher Benefit Services, Inc.	2850 Golf Road Rolling Meadows, IL 60008	69.28
Bob Murray & Associates	1544 Eureka Road Suite 280 Roseville, CA 95661	67.16
Strategic Government Resources, Inc.	6502 Glen Abbey Street Abilene, TX 79606	57.20
JG Consulting	605 East University Avenue Suite 101 Georgetown, TX 78626	50.00
Berkeley Search Consultants	1990 N. California Boulevard Suite 1206 Walnut Creek, CA 94596	49.60
Aquiyl Business Services	1115 Mac Arthur Drive Suite 4206	47.76

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	Carrollton, TX 75077	
ADASTAFF, Inc.	704 Hunters Row Court Mansfield, TX 76063	41.80
The Merraine Group Inc.	544 NW University Boulevard Suite 101 Port St. Lucie, FL 34986	41.40
The Energists	12012 Wickchester Lane Suite 170 Houston, TX 77079	41.20
The Adinek Group	6543 South Las Vegas Boulevard Las Vegas, NV 89119	40.00
BBM Staffing	4242 Medical Drive Suite 200 San Antonio, TX 78229	20.00
Realford Consulting LL	8500 North Stemmons Freeway Suite 5070 Dallas, TX 75247	15.00

**OWNER****Baker Tilly US, LLP**

Jeffrey L. Ferro, Chief Executive Officer  
Charles R. Droege, Chief Operating Officer

May 22, 2024

**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 Baker Tilly US, LLP (VS0000039784), approved as to form by the City Attorney, for the City Manager recruitment consultant for the Department of Human Resources for a term of one-year, with one, one-year renewal option, in an amount not to exceed \$134,375.00. If the service was bid or proposed on an as needed basis, unit price basis for performance of specified tasks, payments made to Baker Tilly US, LLP shall be based only on the amount of the services directed to be performed by the City and properly performed by Baker Tilly US, LLP under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$134,375.00 (subject to annual appropriations) to Baker Tilly US, LLP from Service Contract No. PER-2024-00024463.

**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

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1529

**Item #:** Z1.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting **(1)** an LI Light Industrial District; and **(2)** a Specific Use Permit for commercial motor vehicle parking on property zoned A(A) Agricultural District, on the west line of Bonnie View Road, north of Logistics Drive

Recommendation of Staff: (1) Approval of an LI Light Industrial District; and (2) approval of a Specific Use Permit for commercial motor vehicle parking for a five-year period, subject to a site plan and conditions

Recommendation of CPC: (1) Approval of an LI Light Industrial District; and (2) approval of a Specific Use Permit for commercial motor vehicle parking for a five-year period, subject to a site plan and conditions

Z223-198(MP)

**FILE NUMBER:** Z223-198(MP) **DATE FILED:** February 6, 2023

**LOCATION:** West line of Bonnie View Road, north of Logistics Drive

**COUNCIL DISTRICT:** 8

**SIZE OF REQUEST:** ±3.0 acres **CENSUS TRACT:** 48113016709

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**APPLICANT:** Aaron Banda

**OWNER:** Final Liquidation Outlet, Inc.

**REQUEST:** An application for (1) an LI Light Industrial District; and (2) a Specific Use Permit for commercial motor vehicle parking on property zoned an A(A) Agricultural District.

**SUMMARY:** The purpose of the request is to allow commercial motor vehicle parking on the site.

**STAFF RECOMMENDATION:** (1) **Approval** of an LI Light Industrial District; and (2) **approval** of a Specific Use Permit for commercial motor vehicle parking for a five-year period, subject to a site plan and conditions.

**CPC RECOMMENDATION:** (1) **Approval** of an LI Light Industrial District; and (2) **approval** of a Specific Use Permit for commercial motor vehicle parking for a five-year period, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The subject parcel is an undeveloped 3.0 acre lot.
- The proposed use is commercial motor vehicle parking.
- The lot would be accessed from Bonnie View Road.
- The area and its surroundings are generally light industrial in character.
- The proposed use necessitates a specific use permit due to being within 500 feet of A(A) Agricultural zoning.

**Zoning History:**

There has been one zoning case in the area in the past five years.

1. **Z201-345:** On January 12, 2022, City Council approved a request for 1) a CS Commercial Services District with deed restrictions volunteered by the applicant, and 2) a Specific Use Permit [SUP No. 2439] for commercial motor vehicle parking on property zoned an A(A) Agricultural District on the south line of Telephone Road west of Bonnie View Road.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Bonnie View Road	Minor Arterial	100-foot ROW Bike Plan

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

The proposed development will require full engineering at permitting to evaluate existing and proposed drainage patterns and verify compliance with all City standards including zero lot-to-lot storm drainage.

Bonnie View Rd is on the City of Dallas Thoroughfare Plan and classified as Principal Arterial with M-6-D(A) dimensions which requires 100 feet of ROW (or 50 feet from established centerline.)

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

**LAND USE ELEMENT**

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.2** Focus on Southern Sector development opportunities.

**ECONOMIC ELEMENT**

**GOAL 2.1 PROMOTE BALANCED GROWTH**

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

**Policy 2.1.4** Support efforts to expand targeted business and industry development within the Southern Sector.

**GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT**

**Policy 2.2.4** Focus on logistics-related jobs for the expansion of employment opportunities, particularly in the Southern Sector.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	A(A) Agricultural District	Undeveloped
<b>North</b>	CS Commercial Service District	Undeveloped
<b>East</b>	Subdistrict LI w/in PD No. 761, the Dallas Logistics Port Special Purpose District	Warehouse
<b>South</b>	CS Commercial Service District with deed restrictions Z201-345 and SUP No. 2439	Commercial motor vehicle parking
<b>West</b>	CS Commercial Service District with deed restrictions Z201-345 and SUP No. 2439	Commercial motor vehicle parking

**Land Use Compatibility:**

The request site is situated in an area that has generally been transitioning from agricultural land to warehouse and supporting non-residential uses, including outside storage and commercial motor vehicle related uses to the west and southwest of the request site. Much of the wider vicinity to the north and west along Bonnie View Road has been rezoned previously to a CS Commercial Service District or an LI Light Industrial District. Across Bonnie View Road to the east of the request site is a warehouse developed in accordance with the LI Subdistrict within PD No. 761. Staff supports the proposed zoning change as compatible with the surrounding properties and consistent with the development patterns within the area.

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 finds that each of these criteria are met by the proposed SUP.

If approved, the request would improve consistency among districts throughout the block, and only two A(A) zoned parcels would remain. There is a clear trend of parcels along Bonnie View Road moving toward light industrial zoning and uses. Due to the adjacency of the request site to the LI Subdistrict within PD No. 761, surrounding roadway improvements have been completed along Bonnie View Road abutting the current request property.

### Development Standards

District	Setbacks		Height	Lot Coverage <sup>1</sup>	Density/FAR	Special Standards
	Front	Side/Rear				
<b>Existing A(A)</b>	50' min No max	20' min side  50' min rear for single family structures  10' min rear for other permitted structures	24' max  No max stories	10% max for residential structures  25% max for nonresidential structures	No max dwelling unit density  No max FAR  Minimum lot size for residential use is three acres	Continuity of blockface
<b>Proposed LI</b>	15' min No max  50' min is required for the request site due to required continuity with the A(A) district on the same blockface	No min side or rear yard setback is required for the request site	70' max  Max 5 stories	80% max	FAR: 0.5 max for retail/personal service uses, 0.75 max for lodging, office, and retail/personal service uses combined, 1.0 max for all uses combined	DIR for trip gen > 6000 per day and 500 trips per acre per day  Continuity of blockface

<sup>1</sup>Lot coverage includes above-ground parking structures but does not include surface parking lots or other paving.

The above standards apply to development under an LI Light Industrial District on this site. A 50' front setback would apply to structures due to blockface continuity with A(A) district extant on the block.

**Land Use Comparison:**

Following is a comparison table showing differences in the permitted uses between the existing and proposed zoning districts.

<b>KEY:</b> • use allowed by right    ★ consult use regs RAR – Residential Adjacency Review SUP – Specific User Permit; DIR – Development Impact Review	Existing A(A)	Proposed LI
<b>AGRICULTURAL USES</b>		
Animal production	•	
Commercial stable	•	
Crop production	•	•
Private stable		
<b>COMMERCIAL AND BUSINESS SERVICE USES</b>		
Building repair and maintenance shop		RAR
Bus or rail transit vehicle maintenance or storage facility		RAR
Catering service		•
Commercial cleaning or laundry plant		RAR
Custom business services		•
Custom woodworking, furniture construction, or repair		•
Electronics service center		•
Job or lithographic printing		RAR
Labor hall		SUP
Machine or welding shop		RAR
Machinery, heavy equipment, or truck sales and services		RAR
Medical or scientific laboratory		•
Technical school		•
Tool or equipment rental		•
Vehicle or engine repair or maintenance		•
<b>INDUSTRIAL USES</b>		
Alcoholic beverage manufacturing		RAR
Industrial (inside) not potentially incompatible		RAR
Industrial (inside) potentially incompatible		RAR
Industrial (inside) light manufacturing		•
Industrial (outside) not potentially incompatible		
Industrial (outside) potentially incompatible		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Gas drilling and production	SUP	SUP
Gas pipeline compressor station		
Municipal waste incinerator		
Organic compost recycling facility	SUP	
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	•	SUP
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>		
Adult day care facility	SUP	•
Cemetery or mausoleum	SUP	SUP
Child-care facility	SUP	•
Church	•	•
College, university, or seminary	•	•
Community service center	SUP	SUP
Convalescent and nursing homes, hospice care, and related institutions	SUP	
Convent or monastery	•	
Foster home	SUP	
Halfway house		SUP

Land use comparison table cont'd on next page

<b>KEY:</b> • use allowed by right    ★ consult use regs RAR – Residential Adjacency Review SUP – Specific User Permit; DIR – Development Impact Review			<b>Existing A(A)</b>	<b>Proposed LI</b>
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES, cont'd</b>				
Hospital			SUP	SUP
Library, art gallery, or museum			SUP	
Public school other than open enrollment charter school			RAR	RAR
Private school or Open enrollment charter school			SUP	SUP
<b>LODGING USES</b>				
Hotel or motel				★ [SUP, RAR]
Extended stay hotel or motel				SUP
Lodging or boarding house				•
Overnight general-purpose shelter				★
<b>MISCELLANEOUS USES</b>				
Attached non-premise sign				SUP
Carnival or circus (temporary)			BO auth	BO auth
Detached non-premise sign				
Hazardous waste management facility				
Placement of fill material				
Temporary construction or sales office			•	•
<b>OFFICE USES</b>				
Alternative financial establishment				SUP
Financial institution without drive-in window				•
Financial institution with drive-in window				RAR
Medical clinic or ambulatory surgical center				•
Office				•
<b>RECREATION USES</b>				
Country club with private membership			SUP	•
Private recreation center, club, or area			SUP	•
Public park, playground, or golf course			•	•
<b>RESIDENTIAL USES</b>				
College dormitory, fraternity, or sorority house			•	
Duplex				
Group residential facility				
Handicapped group dwelling unit			★	
Manufactured home park, manufactured home subdivision, or campground				
Multifamily				
Residential hotel				
Retirement housing				
Single family			•	
<b>RETAIL AND PERSONAL SERVICE USES</b>				
Ambulance service				
Animal shelter or clinic without outside run			•	•
Animal shelter or clinic with outside run			SUP	★ [SUP]
Auto service center				RAR
Alcoholic beverage establishments				★
Business school				•
Car wash				RAR
Commercial amusement (inside)				★ [SUP]
Commercial amusement (outside)			SUP	
Commercial motor vehicle parking				★ [SUP]
Commercial parking lot or garage				RAR
Convenience store with drive-through				
Drive-in theater			SUP	
Dry cleaning or laundry store				•
Furniture store				•
General merchandise or food store 3,500 square feet or less				•
General merchandise or food store greater than 3,500 square feet				
General merchandise or food store 100,000 square feet or more				SUP
Home improvement center, lumber, brick or building materials sales yard				RAR
Household equipment and appliance repair				•
Liquefied natural gas fueling station				★ [SUP]

Land use comparison table cont'd on next page



<b>KEY:</b> • use allowed by right    ★ consult use regs RAR – Residential Adjacency Review SUP – Specific User Permit; DIR – Development Impact Review			<b>Existing A(A)</b>	<b>Proposed LI</b>
<b>RETAIL AND PERSONAL SERVICE USES, cont'd</b>				
Mortuary, funeral home, or commercial wedding chapel				
Motor vehicle fueling station				•
Nursery, garden shop, or plant sales				
Outside sales				
Paraphernalia shop				SUP
Pawn shop				
Personal service uses				•
Restaurant without drive-in or drive-through service				RAR
Restaurant with drive-in or drive-through service				DIR
Surface parking				
Swap or buy shop				
Taxidermist				•
Temporary retail use				•
Theater				•
Truck stop				SUP
Vehicle display, sales, and service				RAR
<b>TRANSPORTATION USES</b>				
Airport or landing field				
Commercial bus station and terminal				RAR
Heliport				SUP
Helistop			SUP	SUP
Private street or alley				
Railroad passenger station				SUP
Railroad yard, roundhouse, or shops				
STOL (short takeoff or landing port)				
Transit passenger shelter			•	•
Transit passenger station or transfer center			SUP	★ [SUP]
<b>UTILITY AND PUBLIC SERVICE USES</b>				
Commercial radio or television transmitting station			SUP	SUP
Electrical generating plant				
Electrical substation			SUP	•
Local utilities			★ [SUP, RAR]	★ [SUP, RAR]
Police or fire station			SUP	•
Post office				•
Radio, television, or microwave tower			SUP	RAR
Refuse transfer station			SUP	
Sanitary landfill			SUP	
Sewage treatment plant			SUP	
Tower/antenna for cellular communication			★	★
Utility or government installation other than listed			SUP	SUP
Water treatment plant			SUP	
<b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>				
Auto auction				RAR
Building mover's temporary storage yard				
Contractor's maintenance yard				
Freight terminal				
Livestock auction pens or sheds			SUP	
Manufactured building sales lot				RAR
Mini warehouse				•
Office showroom/warehouse				•
Outside storage				RAR
Petroleum product storage and wholesale				
Recycling buy-back center				★
Recycling collection center				★
Recycling drop-off container			★	★
Recycling drop-off for special occasion collection			★	★
Sand and gravel or earth sales and storage			SUP	
Trade center				•
Vehicle storage lot				
Warehouse				RAR

End of land use comparison table

**Landscaping:**

Landscaping and tree preservation must be provided in accordance with the requirements in Article X, as amended.

**Parking:**

Parking is required to be provided in accordance with Chapter 51A, as amended.

There is no minimum parking requirement for commercial motor vehicle parking.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is located within an "H" MVA area.

Z223-198(MP)

### **List of Officers**

Final Liquidation Outlet, Inc.

Aaron Banda

Maria Irais Banda

**CPC Action**  
**APRIL 4, 2024**

**Motion:** It was moved to recommend 1) **approval** of an LI Light Industrial District and 2) **approval** of a Specific Use Permit for commercial motor vehicle parking for a five-year period, subject to a site plan and conditions on property zoned A(A) Agricultural District, on the west line of Bonnie View Road, north of Logistics Drive.

Maker: Rubin  
Second: Housewright  
Result: Carried: 14 to 0

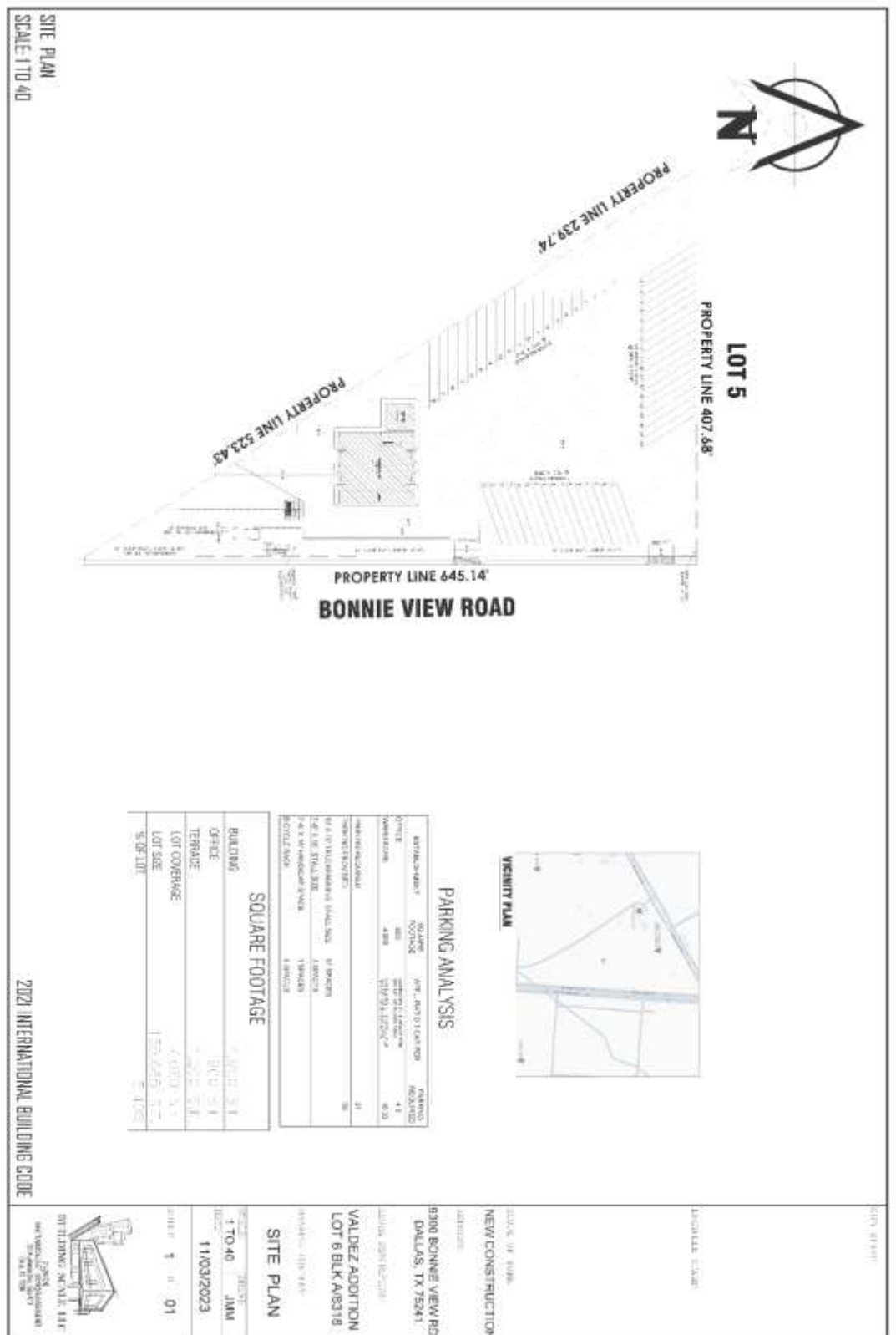
For: 14 - Chernock, Hampton, Herbert, Forsyth, Shidid, Carpenter,  
Wheeler-Reagan, Blair, Sleeper, Housewright, Haqq, Hall, Kingston,  
Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

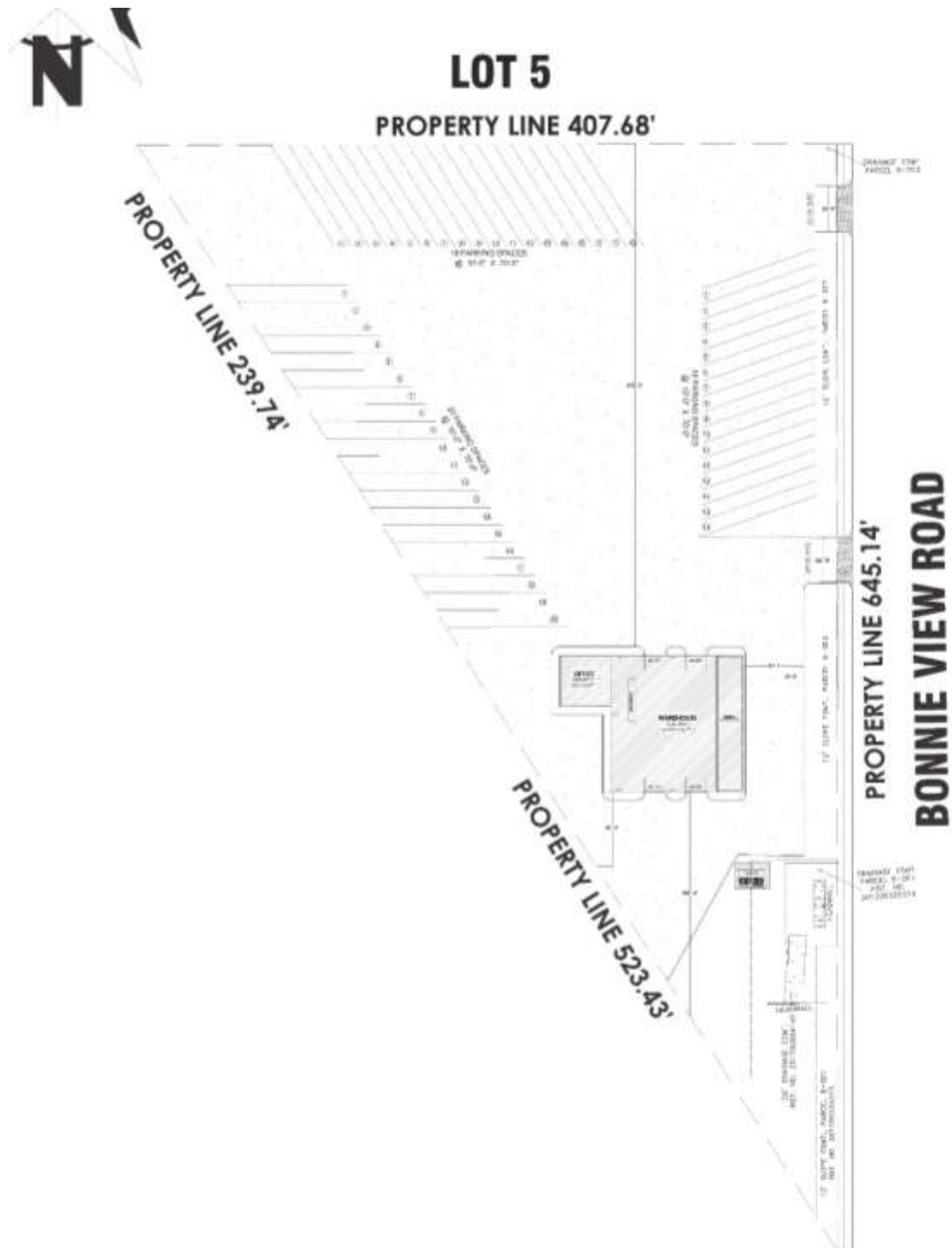
<b>Notices:</b>	Area: 300	Mailed: 7
<b>Replies:</b>	For: 1	Against: 0

**Speakers:** None

## CPC RECOMMENDED SITE PLAN



## CPC RECOMMENDED SITE PLAN



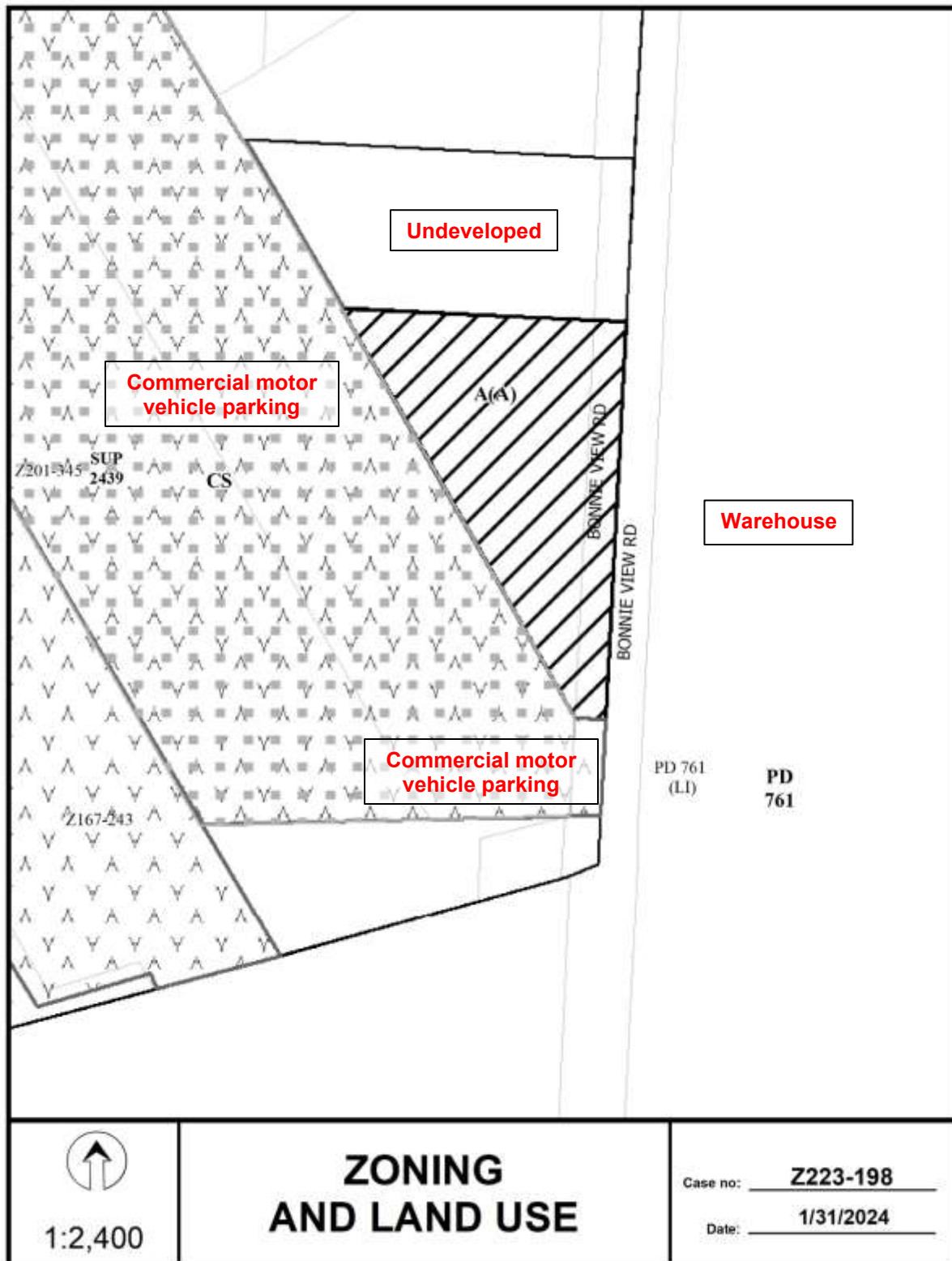
**CPC RECOMMENDED CONDITIONS**

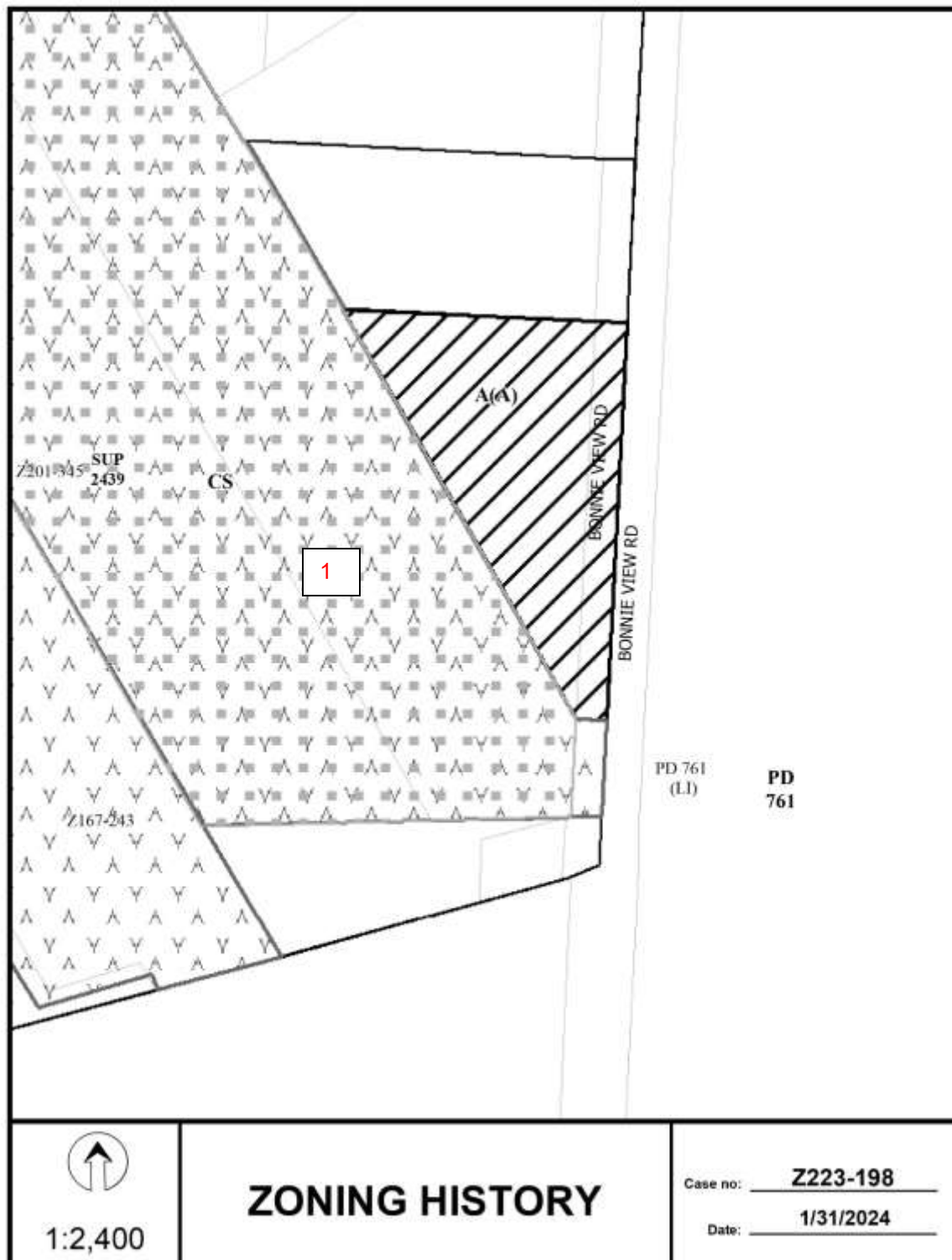
1. USE: The only use authorized by this Specific Use Permit is commercial motor vehicle parking.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five-years from the passage of this ordinance).
4. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



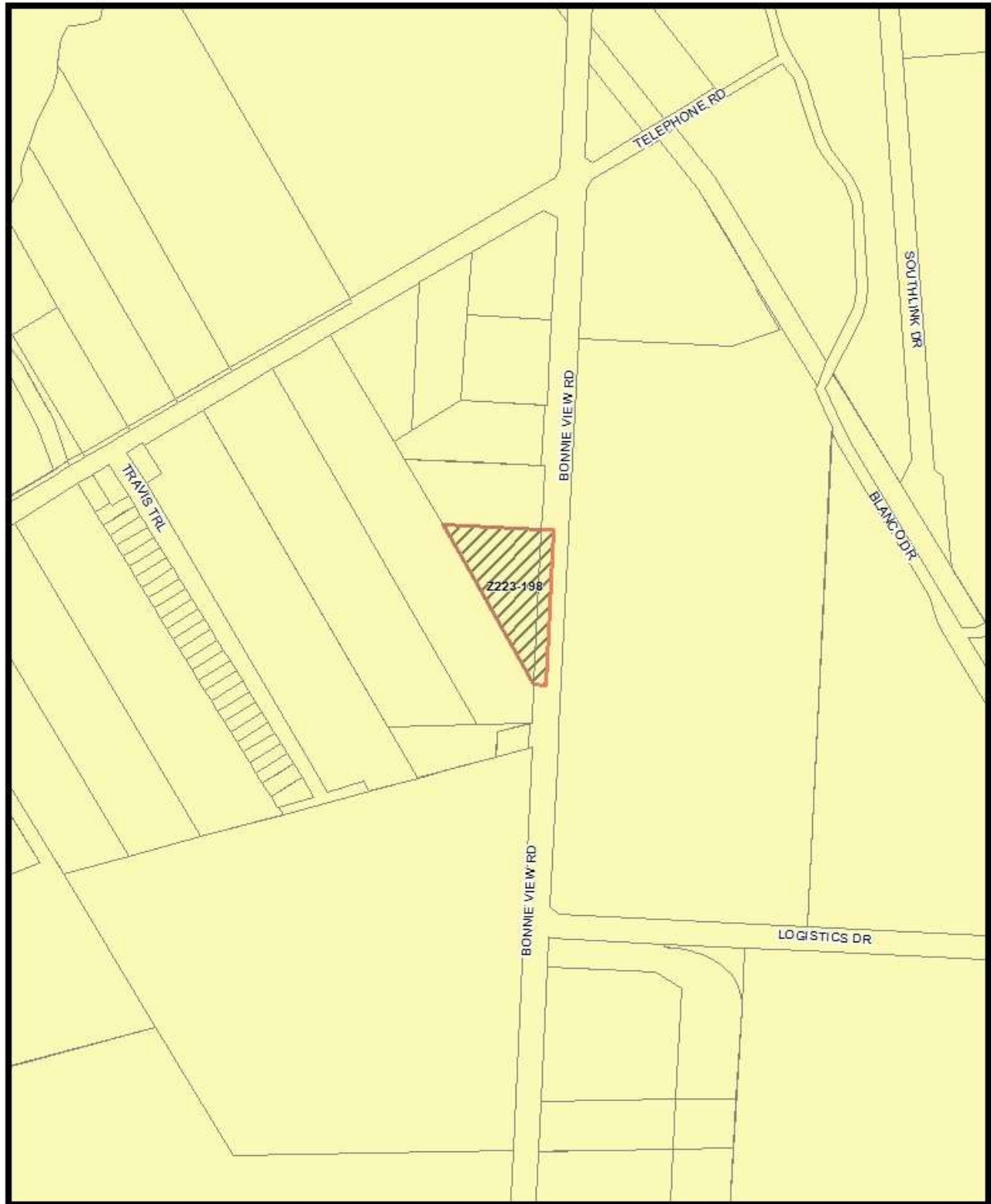












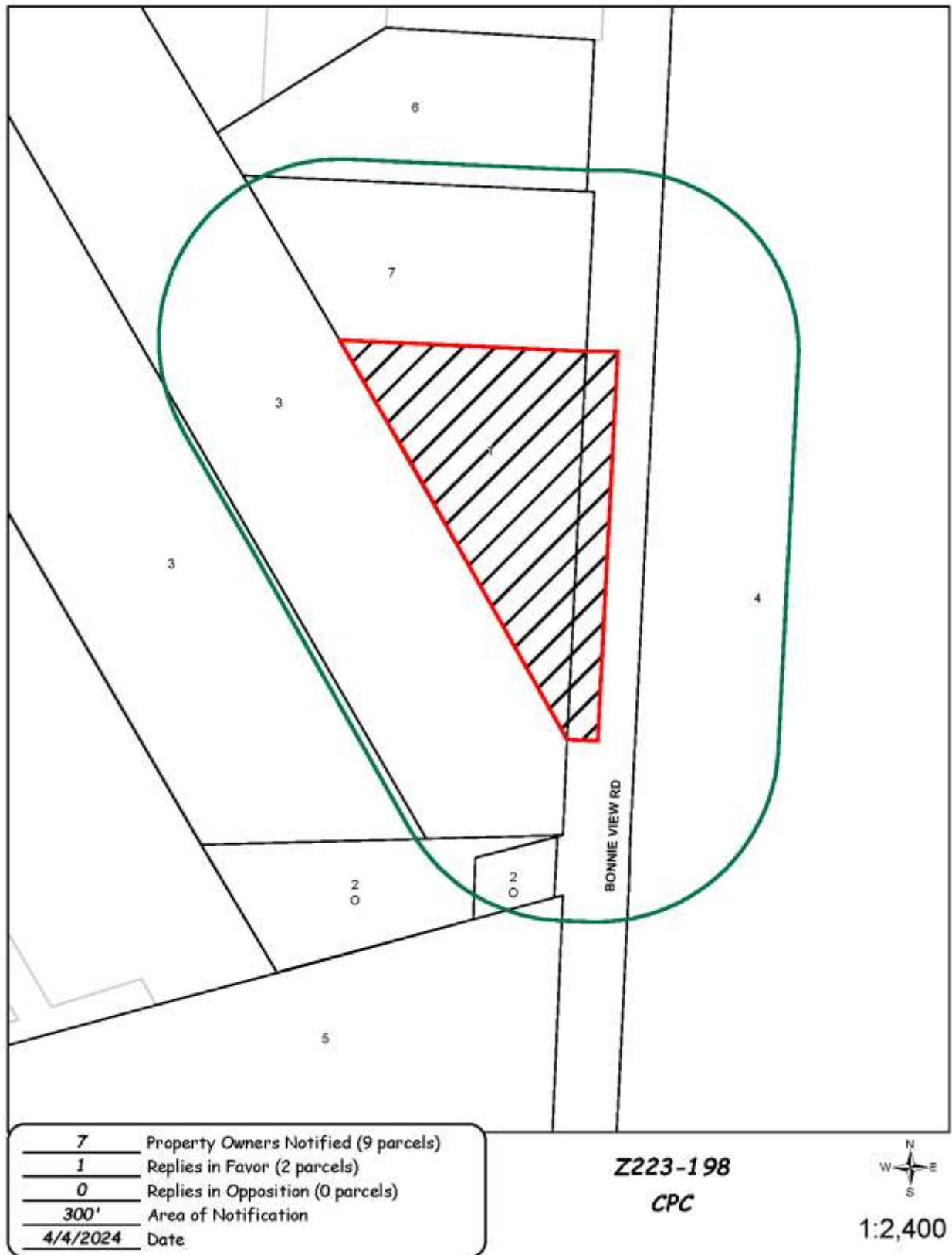
Market Value Analysis A B C D E F G H I NA



1:6,000

## Market Value Analysis

Printed Date: 1/31/2024



Z223-198(MP)

04/03/2024

***Reply List of Property Owners***

***Z223-198***

***7 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	9300 BONNIE VIEW RD	FINAL LIQUIDATION OUTLET INC
O	2	9867 BONNIE VIEW RD	FENNER PAT &
	3	4100 TELEPHONE RD	NFL LOGISTICS LLC
	4	9890 BONNIE VIEW RD	SCM SOUTH DALLAS LLC
	5	10101 BONNIE VIEW RD	HALLE PROPERTIES LLC
	6	9306 BONNIE VIEW RD	BARAJAS FAMILY INVESTMENTS LLC
	7	9300 BONNIE VIEW RD	LEIJA JAVIER &



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1530

**Item #:** Z2.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2337 for the sale of alcoholic beverages in conjunction with a general merchandise food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of Great Trinity Forest Way and Murdock Road

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to conditions

Recommendation of CPC: Approval for a one-year period, subject to conditions

Z223-236(GB)

**FILE NUMBER:** Z223-236(GB) **DATE FILED:** March 21, 2023

**LOCATION:** Southwest corner of Great Trinity Forest Way and Murdock Road

**COUNCIL DISTRICT:** 8

**SIZE OF REQUEST:** 21,344 square feet **CENSUS TRACT:** 48113011601

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**OWNER:** Enigman Enterprises Inc- Karim Pirani

**APPLICANT:** Robert Nunez

**REQUEST:** An application for an amendment to Specific Use Permit No. 2337 for the sale of alcoholic beverages in conjunction with a general merchandise food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay.

**SUMMARY:** The purpose of the request is to allow the continued sale of alcoholic beverages in conjunction with a general merchandise food store 3,500 square feet or less.

**CPC RECOMMENDATION:** **Approval** for a one-year period, subject to conditions.

**STAFF RECOMMENDATION:** **Approval** for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to conditions.



## **BACKGROUND INFORMATION:**

- The area of request is currently zoned RR Regional Retail District with a D-1 Liquor Control Overlay. The property is currently developed with a general merchandise food store.
- The most recent renewal of Specific Use Permit No. 2337 was approved on June 12, 2019, for a two-year period with automatic renewal for additional two-year periods and for the use of the sale of alcoholic beverages in conjunction with a general merchandise food store 3,500 square feet or less. The applicant filed for renewal of the SUP on March 21, 2023.
- The applicant requests the renewal of SUP No. 2337 for a period of two year with eligibility for automatic renewal for additional two-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended.
- With the exception of the time limit, the applicant does not propose any changes to the existing conditions or site plan of SUP No. 2337.

## **Zoning History:**

There have been five zoning cases in the area in the last five years.

1. Z167-221: On April 10, 2018, the City Council approved an application for a Specific Use Permit to allow for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, expiring June 24, 2040, with eligibility for automatic renewal for additional twenty-year periods, located at the Northwest corner C.F. Hawn Freeway and Great Trinity Forest Way.
2. Z190-165: On August 12, 2020, the City Council approved an application for a Specific Use Permit for vehicle display, sales, and service for a five-year period located at the Northwest corner of South Buckner Boulevard and C.F. Hawn Freeway.
3. Z190-122: On March 24, 2021, the City Council approved an application for a Specific Use Permit to allow for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period located at south line of Great Trinity Forest Way east of Oklaunion Drive.
4. Z201-195: On August 14, 2021, the City Council approved an application for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a five-year period, located southeast of the intersection of Great Trinity Forest Way and Murdock Road.
5. Z212-130: On June 25, 2022, the City Council approved an application for a Specific Use Permit to allow for an office showroom/warehouse, for a ten-year period with

eligibility for automatic renewal for additional ten-year periods, located along the west line of Pleasant Drive north of the intersection of Pleasant Drive and C.F. Hawn Freeway.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing/Proposed ROW</b>
Great Trinity Forest Way	Principal Arterial	100 feet
Murdock Road	Major Arterial	50 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it 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 request complies with the following land use goals and policies of the Comprehensive Plan:

**LAND USE ELEMENT**

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

**URBAN DESIGN ELEMENT**

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1.** Encourage a balance of land uses within walking distance of each other.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	RR Regional Retail District	GMFS <3,500 sq. ft., motor vehicle fueling station
<b>North</b>	Planned Development District No. 533	Retail uses
<b>East</b>	RR Regional Retail District	Retail uses, motor vehicle fueling station
<b>South</b>	RR Regional Retail District	Retail uses
<b>West</b>	RR Regional Retail District	Retail uses

*(All surrounding properties and the subject property have a D-1 Liquor Control overlay)*

**Land Use Compatibility:**

The 21,344 square-foot site is developed with a general merchandise or food store 3,500 square feet or less. The renewal of this SUP will not alter the current character of the surrounding areas.

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.

General merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,

- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.
- 

The 12 B inspection was completed on February 2, 2024.

Staff recommends approval subject to the proposed conditions. The requested renewal of SUP No. 2337 is not contrary to the public interest.

**Landscaping:**

Any new development on the property will require landscaping in accordance with the landscaping requirements in Article X, as amended. No new development or expansion is proposed; therefore, no additional landscaping is required.

**Parking:**

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area. For the 2,700 square foot building, 14 spaces would be required. The site plan depicts 16 parking spaces.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policymakers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The site is located in an “H” MVA area.

**Crime Report:**

A copy of the police report of offenses recorded at this property is provided below, based on Dallas Police Department's crime statistics.

These statistics were collected in the time period between January 9, 2018 and March 1, 2024.

**Offenses**

Offenses (Summary)	Count of Incidents
ASSAULT – Bodily Injury Only	1
ASSAULT- Offensive Contact	4
BMV	0
BURGLARY OF BUILDING - FORCED ENTRY	1
CRIM MISCHIEF >OR EQUAL \$750 < \$2,500	0
DISCHARGE FIREARM IN CERTAIN MUNICIPALITIES	0
POSS OF DANGEROUS DRUG	0
THEFT OF PROP (AUTO ACC) <\$100 - (NOT EMP)	0
UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	0
UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS	1
<b>Grand Total</b>	<b>7</b>

**Arrests**

Arrests (Summary)	Count of Incidents
PUBLIC INTOXICATION	8
<b>Grand Total</b>	<b>8</b>

Calls

Calls (Summary)	Count of Problem
Major Disturbance	59
Loud Music Disturbance	0
Meet Compliant	
40-Other	41
40/01	15
Major Accident	4
Intoxicated Person	0
Disturbed Armed Encounter Vehicle	0
<b>Grand Total</b>	<b>119</b>

Z223-236(GB)

**List of Officers**

Corporate Entity: Enigma Enterprises

Doing Business As: Texaco

Officer: Shamim Pirani

**CPC Action**  
**April 4, 2024**

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 2337 for the sale of alcoholic beverages in conjunction with a general merchandise food store 3,500 square feet or less for a one-year period, subject to a site plan and conditions on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of Great Trinity Forest Way and Murdock Road.

Maker: Blair  
Second: Shidid  
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Forsyth, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Sleeper,  
Housewright, Haqq, Hall, Kingston, Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

<b>Notices:</b>	Area: 200	Mailed: 7
<b>Replies:</b>	For: 0	Against: 0

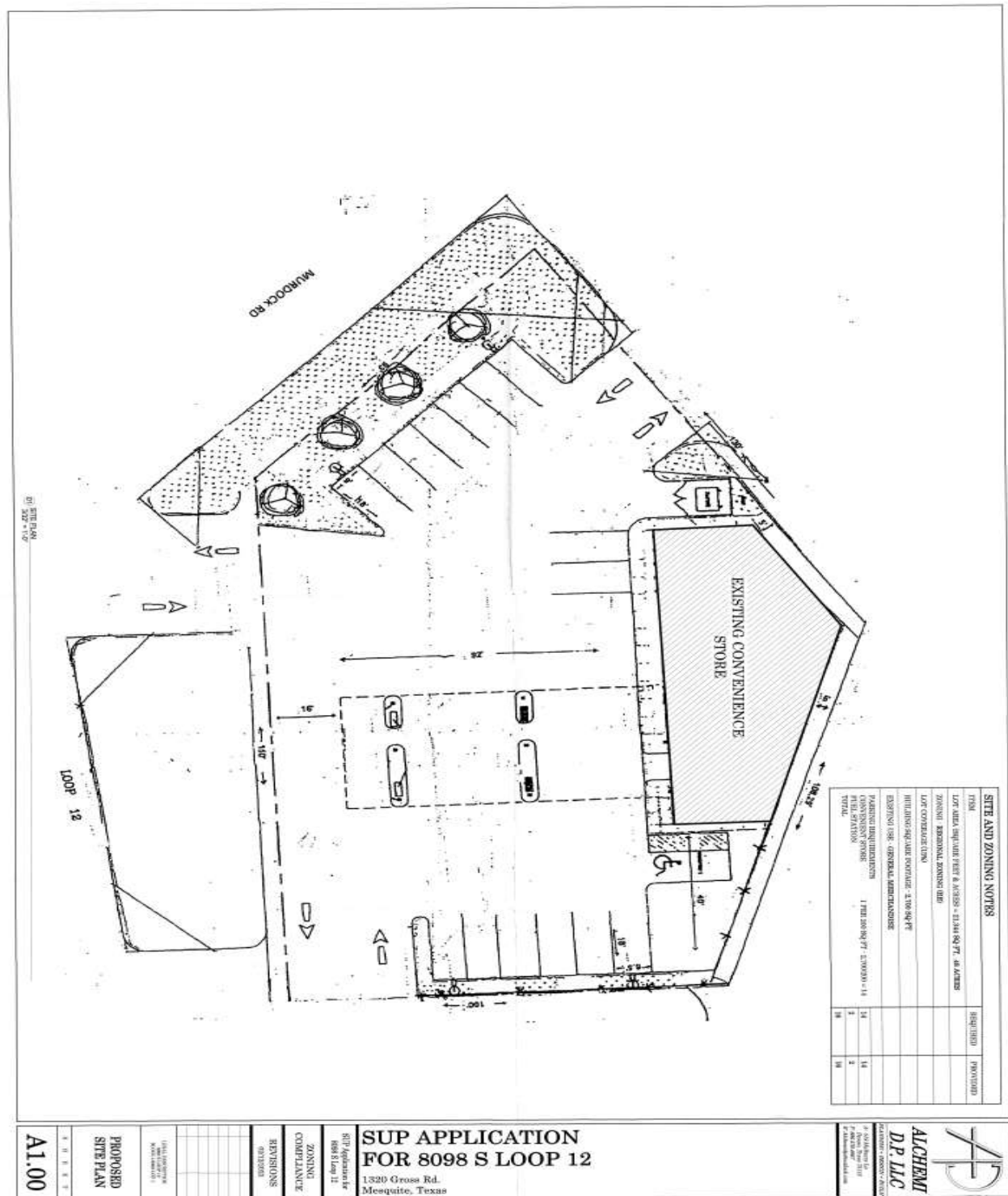
**Speakers:** For: Robert Nuñez, 513 Mulberry Ln., DeSoto, TX, 75115  
Against: None



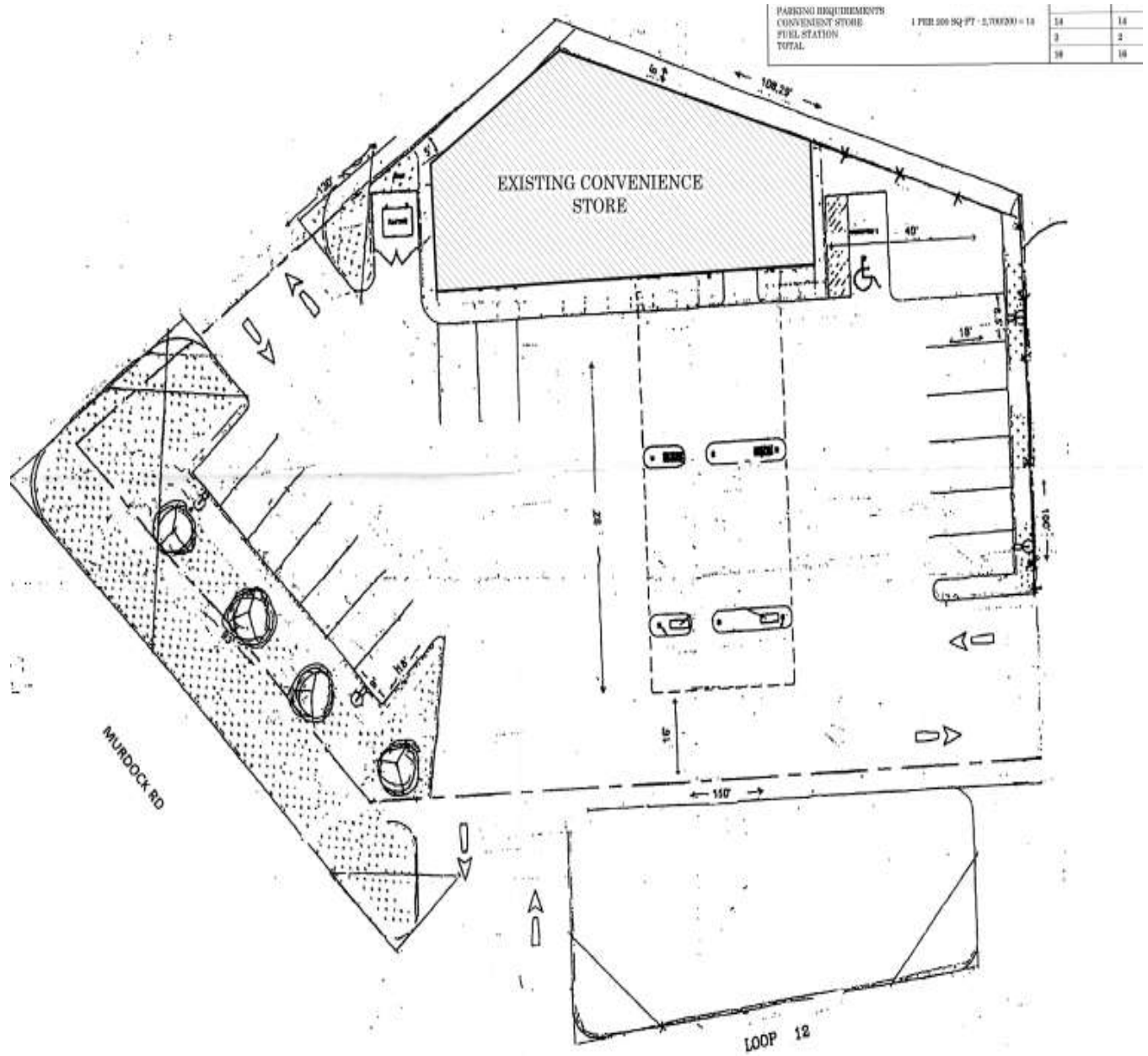
### **CPC RECOMMENDED CONDITIONS**

1. USE: The only use authorized by this Specific Use Permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on .... (two years from the passage of this ordinance) but is eligible for automatic renewal for an additional two-year period pursuant to Section 51A-44.219 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 180<sup>th</sup> but before the 120<sup>th</sup> 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 the 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 (NO CHANGES PROPOSED)



**EXISTING SITE PLAN (NO CHANGES PROPOSED)**  
(Enlarged)

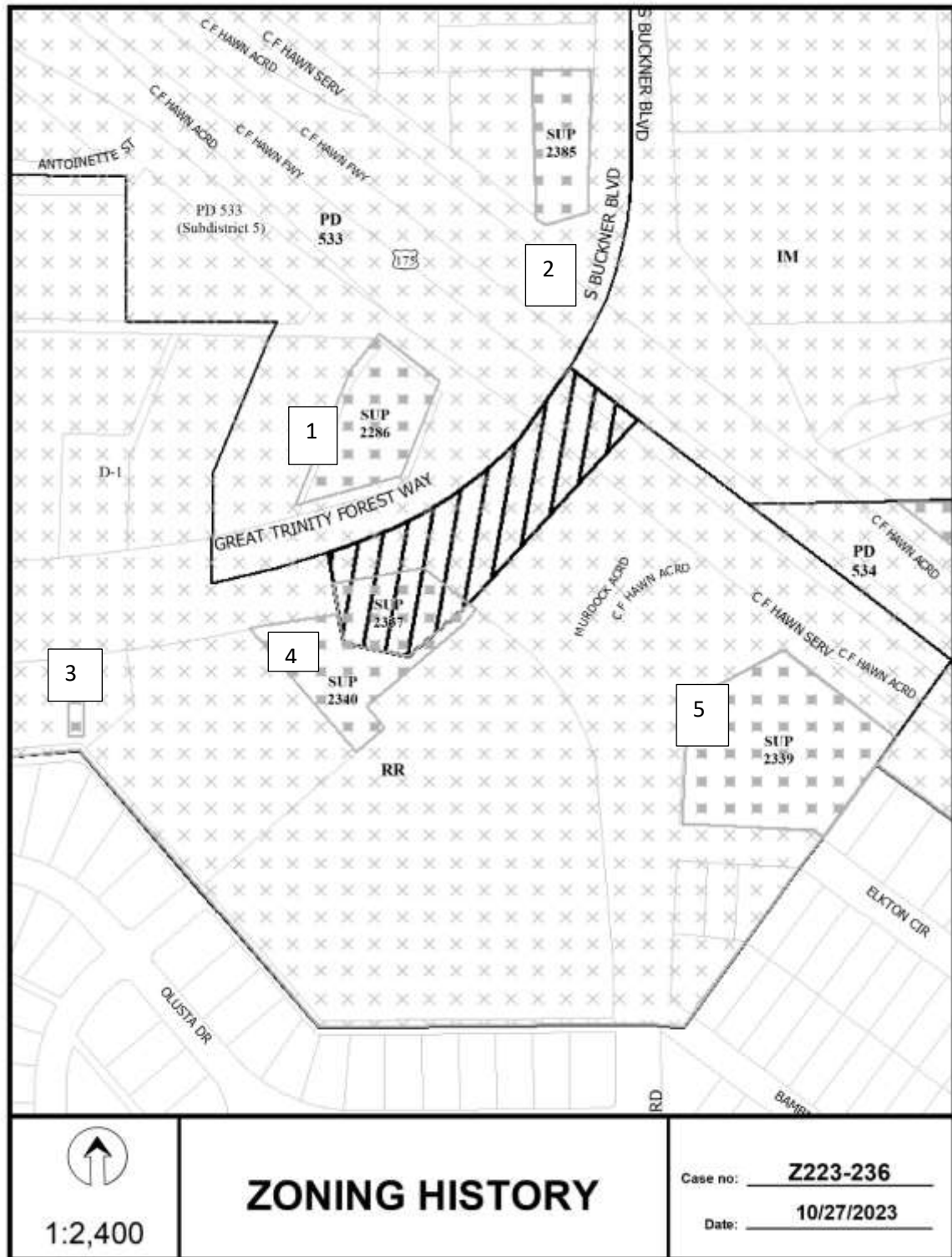


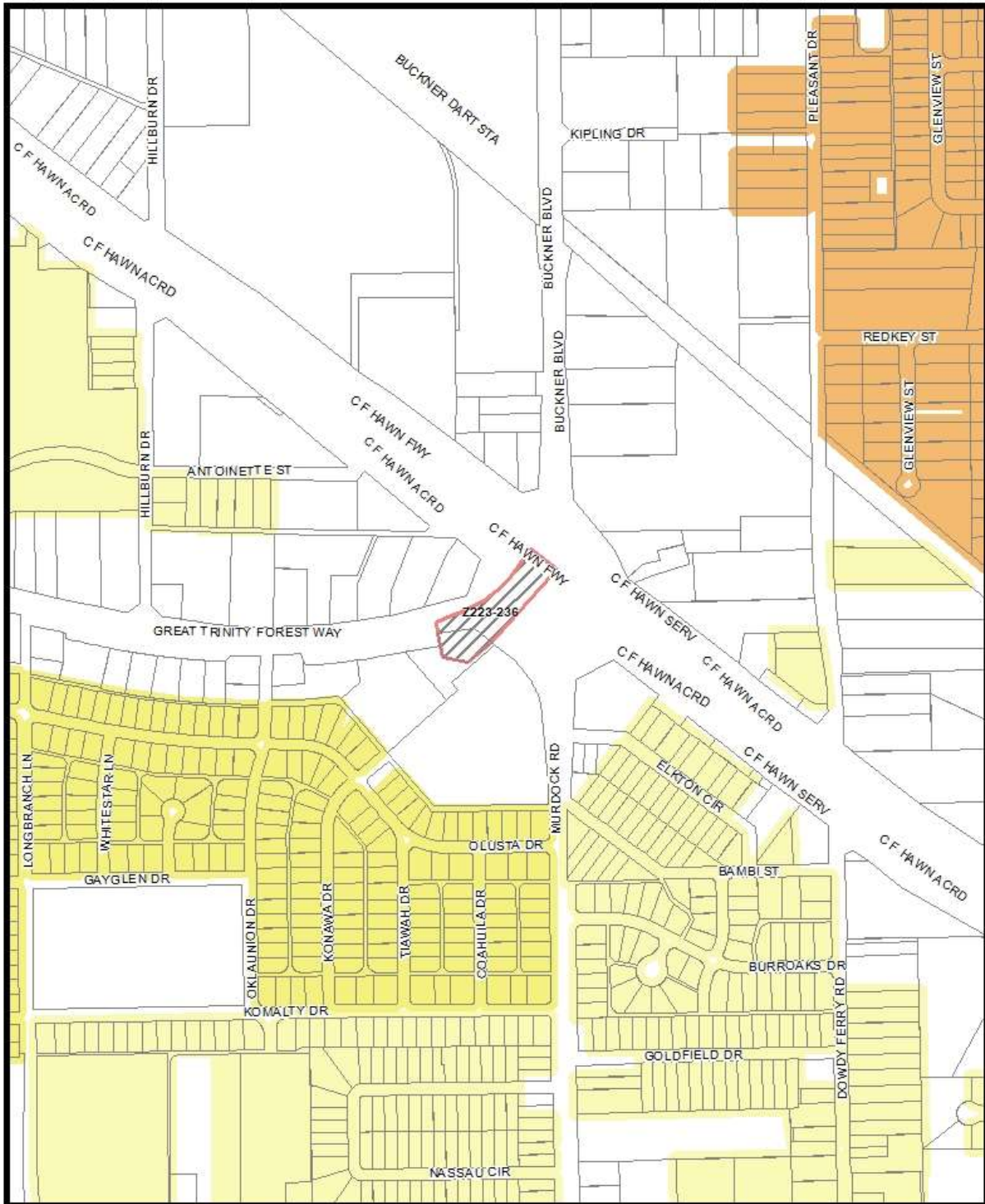












Market Value Analysis

A	B	C	D	E	F	G	H	I	NA
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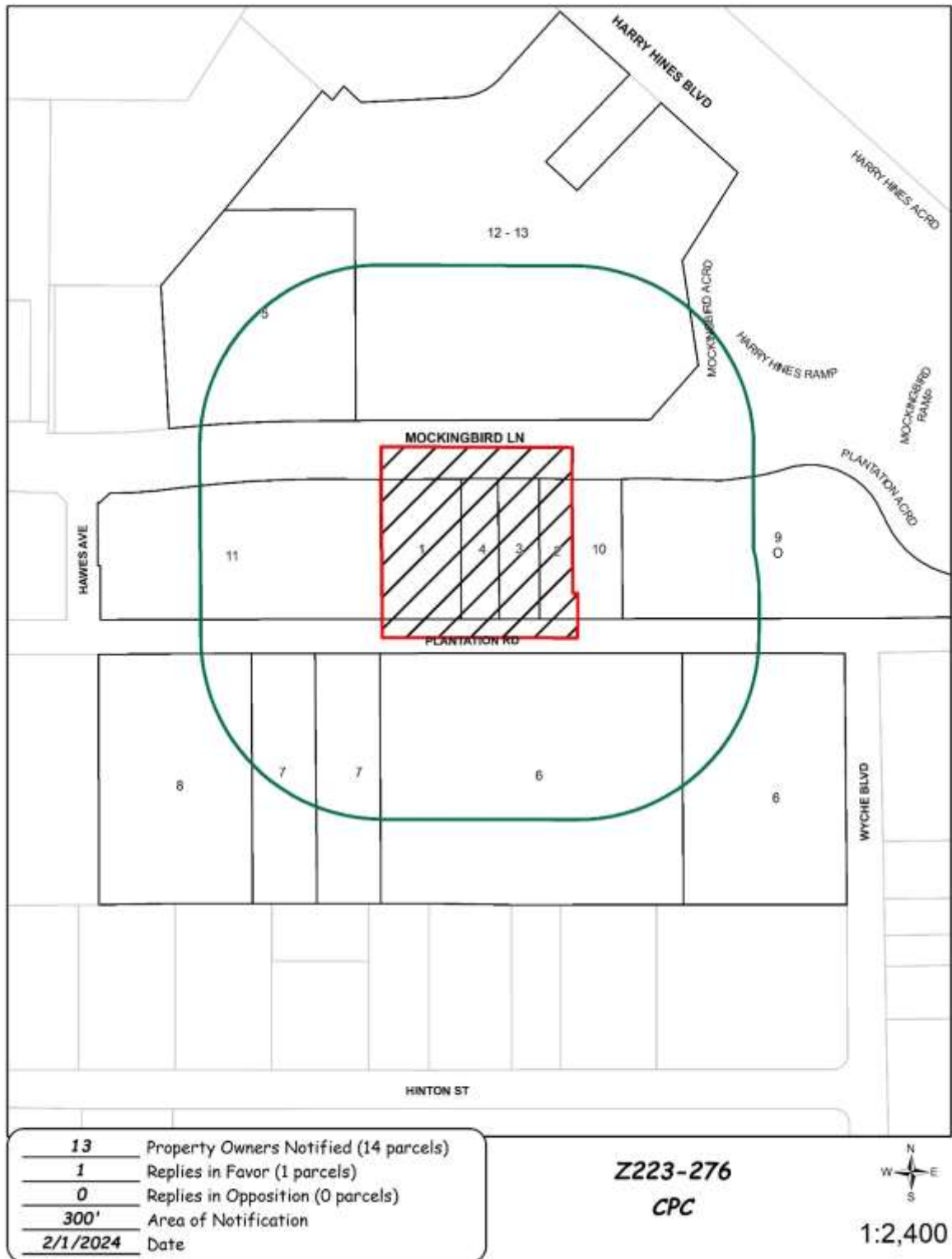


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# Market Value Analysis

Printed Date: 10/27/2023





Z223-236(GB)

04/03/2024

## ***Reply List of Property Owners***

**Z223-236**

***7 Property Owners Notified    0 Property Owners in Favor    0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8098	GREAT TRINITY FOREST WAY	ENIGMA ENTERPRISES INC
2	7932	GREAT TRINITY FOREST WAY	KIMODALE INC
3	8000	GREAT TRINITY FOREST WAY	R & R SULEIMAN LLC
4	121	MURDOCK RD	UNITED HOUSE OF PRAYER
5	8015	C F HAWN FWY	DFW DISTRIBUTOR PETROLEUM INC
6	8055	GREAT TRINITY FOREST WAY	MCDONALDS USA LLC
7	8025	GREAT TRINITY FOREST WAY	COLE FD PORTFOLIO IV LLC



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1531

**Item #:** Z3.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 13  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses and an assisted living facility use on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast line of Inwood Road, northeast of Lemmon Avenue

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

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

Z223-250(LG)

**FILE NUMBER:** Z223-250(LG) **DATE FILED:** April 13, 2023  
**LOCATION:** Southeast line of Inwood Road, northeast of Lemmon Avenue  
**COUNCIL DISTRICT:** 13  
**SIZE OF REQUEST:** Approx. 3.035 acres **CENSUS TRACT:** 48113000609

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**REPRESENTATIVE:** Tommy Mann, Winstead PC

**APPLICANT:** Harbert South Bay Partners, LLC

**OWNER:** Fairwood Apartments, LTD

**REQUEST:** An application for a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses and an assisted living facility use on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The purpose of the request is to allow modified development standards primarily related to permitted uses, setbacks, lot size, density, lot coverage, parking, and design standards to allow the development of an assisted living facility.

**CPC RECOMMENDATION:** Approval, subject to a development plan and conditions.

**STAFF RECOMMENDATION:** Approval, subject to a development plan and conditions.

**BACKGROUND INFORMATION:**

- The area of request is currently developed with several two-story multifamily buildings and is zoned MF-2 District within Planned Development No. 193.
- The applicant is proposing to develop the property with an assisted living facility and a reduction in parking space requirement. The existing zoning does not allow this use; therefore, they are requesting a new subdistrict to permit this use and define terms and requirements for it.
- The conditions define the “assisted living facility” use as: a permanent residential facility, requiring an assisted living facility license from the State of Texas for all units, which furnishes (in single or multiple facilities) food, shelter, laundry, and other assistance, which may include memory care and in activities of daily living to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment. Food is prepared in a centralized kitchen with a centralized dining facility. Individual dwelling units and suites may have kitchens.
- The pedestrian realm will be enhanced by design standards that ensure a safe and activated sidewalk and require below grade parking.

**Zoning History:**

There has been one zoning case in the area in the last five years.

1. **Z201-152:** On April 14, 2021, City Council approved an application for a Specific Use Permit for a bank or savings and loan office with a drive-in window use for a ten-year period with eligibility for automatic renewal for additional ten-year periods, on the east corner of Lemmon Avenue and Inwood Road.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Inwood Road	Principal Arterial	100 feet Bike Plan
Lemmon Wood Plaza	Local Street	50 feet
Fairfax Avenue	Local Street	50 feet
La Foy Boulevard	Local Street	60 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it 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 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

**LAND USE ELEMENT**

**GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPEMNT PRIORITIES

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

**GOAL 1.3** PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

**Policy 1.3.3** Create housing opportunities throughout Dallas.

**ECONOMIC ELEMENT**

**GOAL 2.1** PROMOTE BALANCED GROWTH

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

**URBAN DESIGN ELEMENT**

**GOAL 5.1** PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

**Policy 5.1.1** Promote pedestrian friendly streetscapes.

**Policy 5.1.2** Define urban character in downtown and urban cores.

**Policy 5.1.3** Encourage complementary building height, scale, design, and character.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	MF-2 Multiple Family Subdistrict, within Planned Development No. 193	Multiple-family
<b>North</b>	MF-2(A) Multifamily District	Multifamily
<b>Northeast</b>	MF-2 Multiple Family Subdistrict, within Planned Development No. 193	Multiple-family
<b>South</b>	TH-3 Townhouse Subdistrict, within Planned Development No. 193	Single Family
<b>Southwest</b>	Planned Development Subdistrict No. 5, within Planned Development No. 193	Restaurant with drive-through service
<b>Northwest</b>	LC Subdistrict, within Planned Development No. 193, CS Commercial Service District	Motor vehicle repair, Industrial (inside)

**Land Use Compatibility:**

The area of request is currently developed with several two-story apartment buildings and is zoned MF-2 Multiple Family Subdistrict within Planned Development No. 193. The site is surrounded by multiple-family use to the northeast, single family use to the south, restaurant with drive-through service use to the southwest, and motor vehicle repair use and industrial (inside) use to the northwest.

The existing MF-2 Multiple Family Subdistrict allows for the development of retirement housing use; however, it does not allow an assisted living facility use. Therefore, the applicant requests a new subdistrict within Planned Development No. 193 to allow for the development of an assisted living facility use and permit a lesser number of required parking spaces. The proposed land use would be complementary to the surrounding uses in the area, while introducing a new variety of housing not available in the vicinity of the site. In terms of varying from the base zoning, variations to yard, lot, and space regulations and design standards in the proposed Planned Development Subdistrict would tie to the assisted living facility use.

Staff supports the request because the proposed use will add an appropriately designed development with an additional diversity of housing.

## Development Standards

Following are the development standards for the current MF-2 Subdistrict and the proposed changes within the new Planned Development Subdistrict, which otherwise uses MF-2 Subdistrict as a base.

District	Setback		Density	Height	Lot Cvrgr.
	Front	Side/Rear			
Current: MF-2 within PD No. 193	20' Single Family  OTHER: 15'	Duplex Side: 5' Duplex Rear: 10'  Multifamily less than 36' in height Side: 10' Multifamily less than 36' in height Rear: 10'  OTHER Side: 10' OTHER Rear: 15'	2,000 sq. ft.- SF 3,000 sq. ft. each – Duplex 800 sq. ft. – E 1,000 sq. ft. – 1 BR 1,200 sq. ft. – 2 BR 150 sq. ft. – each add BR	36'	60% Res. 50% Nonres.
Proposed: New PDS (Assisted Living Facility use)	15'	10' Below grade parking structure: 0'	No min. lot area per dwelling unit 170 units max	36'	70%

## Design Standards

The following design standards are proposed within the new Planned Development Subdistrict. Bicycle racks, benches, and trash receptables are required along each street frontage. Unobstructed sidewalks are required along all street frontages, with a minimum width of 6 feet and a minimum five-foot-wide buffer. Pedestrian scale lighting must be provided at regular intervals along all building facades facing a public street. The required transparency along Inwood Road is 15% and 12% along Lemmon Wood Plaza. Along Fairfax Avenue the transparency requirement is 20%, except 15% between Lemmon Wood Plaza and La Foy Boulevard. All parking for an assisted living facility must be located underground, except for spaces for temporary or short term use by deliveries. A minimum of 35,000 square feet of open space must be provided, or roughly 27% of the lot.

### Landscaping:

Landscaping and screening will be provided in accordance with Part I of Planned Development No. 193.



**Parking:**

The parking and off-street loading requirements of the proposed new Subdistrict will default to Part I of Planned Development No. 193. In addition to these requirements, the assisted living facility use will require 0.7 spaces per dwelling unit or suite, which mirrors the requirement for retirement housing use in PD 193, except that no additional parking is required based on square footage of common areas. This would require a minimum of 119 spaces for the 170 maximum units.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is currently within a “C” MVA area. To the northwest is a “E” MVA area.

**List of Officers and Directors**

Applicant:

HARBERT SOUTH BAY PARTNERS, LLC

Managing Member: Joseph P. McGonigle

Managing Member Harbert Management Company, LLC

HARBERT MANAGEMENT COMPANY, LLC

Managing Member: Kimberly Clayburn

Managing Member: Jason Harbert

**CPC Action**  
**April 4, 2024**

**Motion:** It was moved to recommend **approval** of a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses and an assisted living facility use, subject to a development plan and conditions on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast line of Inwood Road, northeast of Lemmon Avenue.

Maker: Rubin  
Second: Housewright  
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Forsyth, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Sleeper,  
Housewright, Haqq, Hall, Kingston, Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Notices:** Area: 500 Mailed: 272  
**Replies:** For: 12 Against: 1

**Speakers:** For: None  
For (did not speak): Adam Murphy, 2828 Routh St., 100, Dallas, TX 75201  
Against: None

## **CPC RECOMMENDED CONDITIONS**

### **Division S-\_\_\_\_. PD 193 Subdistrict.**

#### **SEC. S-\_\_\_\_.101. LEGISLATIVE HISTORY.**

PD Subdistrict \_\_\_\_ was passed by the Dallas City Council on \_\_\_\_\_, 2024.

#### **SEC. S-\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict \_\_\_\_ is established on property located on Inwood Road between Bordeaux Avenue and Lemmon Avenue. The size of PD Subdistrict \_\_\_\_ is approximately 3.035 acres.

#### **SEC. S-\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division:

(1) **ASSISTED LIVING FACILITY** means a permanent residential facility, requiring an assisted living facility license from the State of Texas for all units, which furnishes (in single or multiple facilities) food, shelter, laundry, and other assistance, which may include memory care and in activities of daily living to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment.

(2) **OPEN SPACE** means the portion of a building site that is principally open to the sky except for building overhangs or portions of the open space area underneath a portion of a building that provides shade above the open space. Architectural elements such as colonnades, pergolas, and gazebos and/or structures supporting outdoor activities such as, but not limited to, shade structures, kiosks, or seating areas may be included in open space area. Open space may be located on top of a below ground parking structure.

(3) **SUBDISTRICT** means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a residential zoning district.

#### **SEC. S-\_\_\_\_.105. EXHIBITS.**

(a) The following exhibits are incorporated into this division for an assisted living facility:

- (1) Exhibit S-\_\_\_A: assisted living facility development plan.

**SEC. S-\_\_\_,106. DEVELOPMENT PLAN.**

(a) In general. Except as provided in this section, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply.

(b) Assisted living facility. For an assisted living facility, development and use of the Property must comply with the development plan (Exhibit S-\_\_\_A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

**SEC. S-\_\_\_,107. MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the MF-2 Multiple-family Subdistrict, subject to the same conditions applicable in the MF-2 Multiple-family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 Multiple-family Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-2 Multiple-family Subdistrict is subject to DIR in this Subdistrict; etc.

- (b) The following additional main uses are permitted b right:

-- Assisted living facility.

**SEC. S-\_\_\_,108. ACCESSORY USES.**

- (a) In this section:

(1) ART STUDIO means a facility, within an assisted living facility and for the exclusive use of the residents, where art is displayed.

(2) CAFE OR FOOD STORE means a facility, within an assisted living facility and for the exclusive use of the residents, where food and beverages are sold to residents.

(3) DRUG FACILITY means a facility, within an assisted living facility and for the exclusive use of the residents, where drugs are dispensed.

(4) MOVIE THEATRE means a facility, within an assisted living facility and for the exclusive use of the residents, where motion pictures are shown.

(5) SALON means a facility, within an assisted living facility and for the exclusive use of the residents, where barber/beauty shop services are provided.

(b) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

(c) The following accessory uses are permitted by right within this subdistrict but may not be open to the general public:

- Art studio.
- Cafe or food store.
- Community center (private).
- Drug facility.
- Game court (private).
- Movie theatre.
- Salon.
- Swimming pool (private).

**SEC. S-\_\_\_\_.109. YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as generally provided in this section, the yard, lot, and space regulations for the MF-2 Multiple-family Subdistrict apply.

(b) Assisted living facility. For an assisted living facility, the below yard, lot, and space regulations apply.

(1) Front yards. Except as provided in this subsection, minimum front yard is 15 feet.

(i) An encroachment of an unenclosed structure is permitted within the front setback along Inwood Road provided it is less than 16 feet in height.

(ii) A screening fence with a maximum height of 9 feet may be located within the front yards on La Foy Boulevard and Fairfax Avenue in front of the loading and service area.

(ii) Below grade parking structures may extend into the front yard.

(2) Side and rear yard: Minimum side yard is 10 feet. Minimum rear yard is 10 feet.

(C) Below grade parking structures may extend into the side and rear yards.

(3) Minimum lot area. For an assisted living facility, no minimum lot area per dwelling unit or suite.

(4) Density. Maximum number of dwelling units and suites is 170.

(5) Lot Coverage. Maximum lot coverage is 70%.

**SEC. S-\_\_\_\_.110. URBAN DESIGN STANDARDS FOR AN ASSISTED LIVING FACILITY**

(a) Pedestrian amenities. Along each street frontages, a minimum of two of each of the following pedestrian amenities must be provided:

(1) Benches.

(2) Trash receptacles.

(3) Bicycle racks.

(b) Architectural elements. A minimum of one of the following architectural elements must be provided at all public entrances:

(1) Architecturally prominent public entrance.

(2) Canopy.

(3) Awning.

(4) Attached tower.

(5) Turret.

(c) Building articulation. Street-facing facades must provide articulation that is a minimum depth of 2 feet variation within the vertical plane at least once every 100 feet of façade length.

(d) Sidewalks.

(1) At each intersection of driveway and sidewalk, crosswalks must be constructed of a material that differs in finish and color from that of vehicular ingress and egress driveways.

(2) Sidewalks must be continuous and level across all driveways and curb cuts and designed to be at the same grade as the existing sidewalk, subject to approval of the director.

(3) A minimum unobstructed sidewalk width of six feet with a minimum five-foot-wide buffer is required along all street frontages.

(e) Pedestrian scale lighting must be provided at regular intervals along all building facades facing a public street

(f) Minimum required open space is 35,000 square feet.

(g) Minimum required transparency for street-facing facades:

(1) Along Inwood Road: 15%.

(2) Along Fairfax Avenue: 20%, except 15% between Lemmon Wood Plaza and La Foy Boulevard.

(3) Along Lemmon Wood Plaza: 12%.

**SEC. S-\_\_\_\_.111.**

**OFF-STREET PARKING AND LOADING.**

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) Assisted living facility.\_

(1) All parking must be located underground. Only surface parking intended for short term pick up and drop off is permitted.

(2) Required parking for an assisted living facility is 0.7 spaces per dwelling unit or suite.

**SEC. S-\_\_\_\_.112. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. S-\_\_\_\_.113. LANDSCAPING.**

Landscaping and screening must be provided in accordance with Part I of this article.

**SEC. S-\_\_\_\_.114. SIGNS.**

Signs must comply with the provisions for business zoning districts in Article VII.

**SEC. S-\_\_\_\_.115. ADDITIONAL PROVISIONS.**

(a) In general.

(1) The Property must be properly maintained in a state of good repair and neat appearance.

(2) 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.

(3) Except as provided in this division, development and use of the Property must comply with Part I of this article.

(b) Retirement housing. Retirement housing may have a common dining facility.

(c) Assisted living facility. Assisted living facility may have centralized kitchens where food is prepared and centralized dining facilities. Individual dwelling units and suites may have kitchens.

**SEC. S-\_\_\_\_.116. COMPLIANCE WITH CONDITIONS.**

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

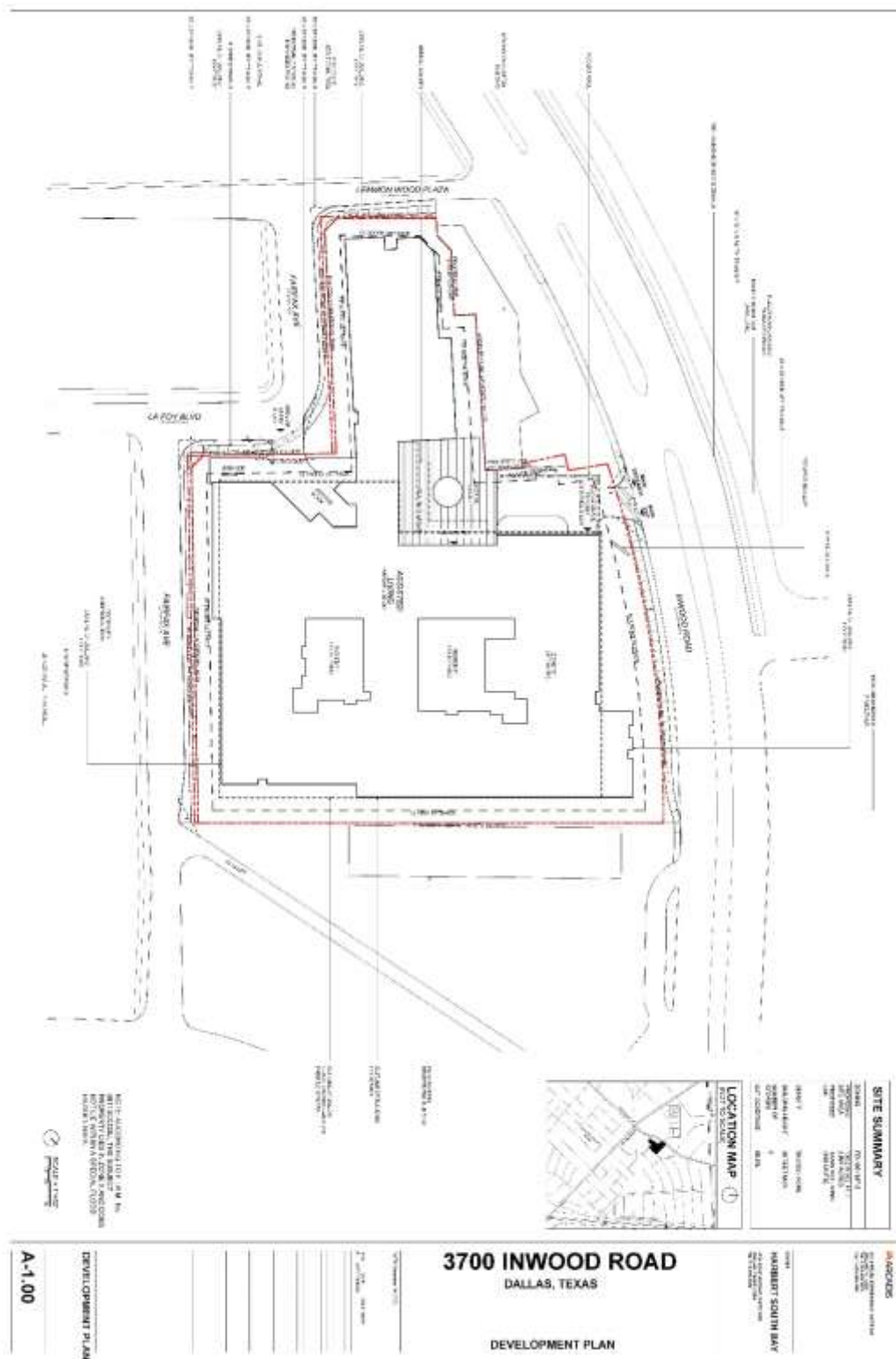
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with



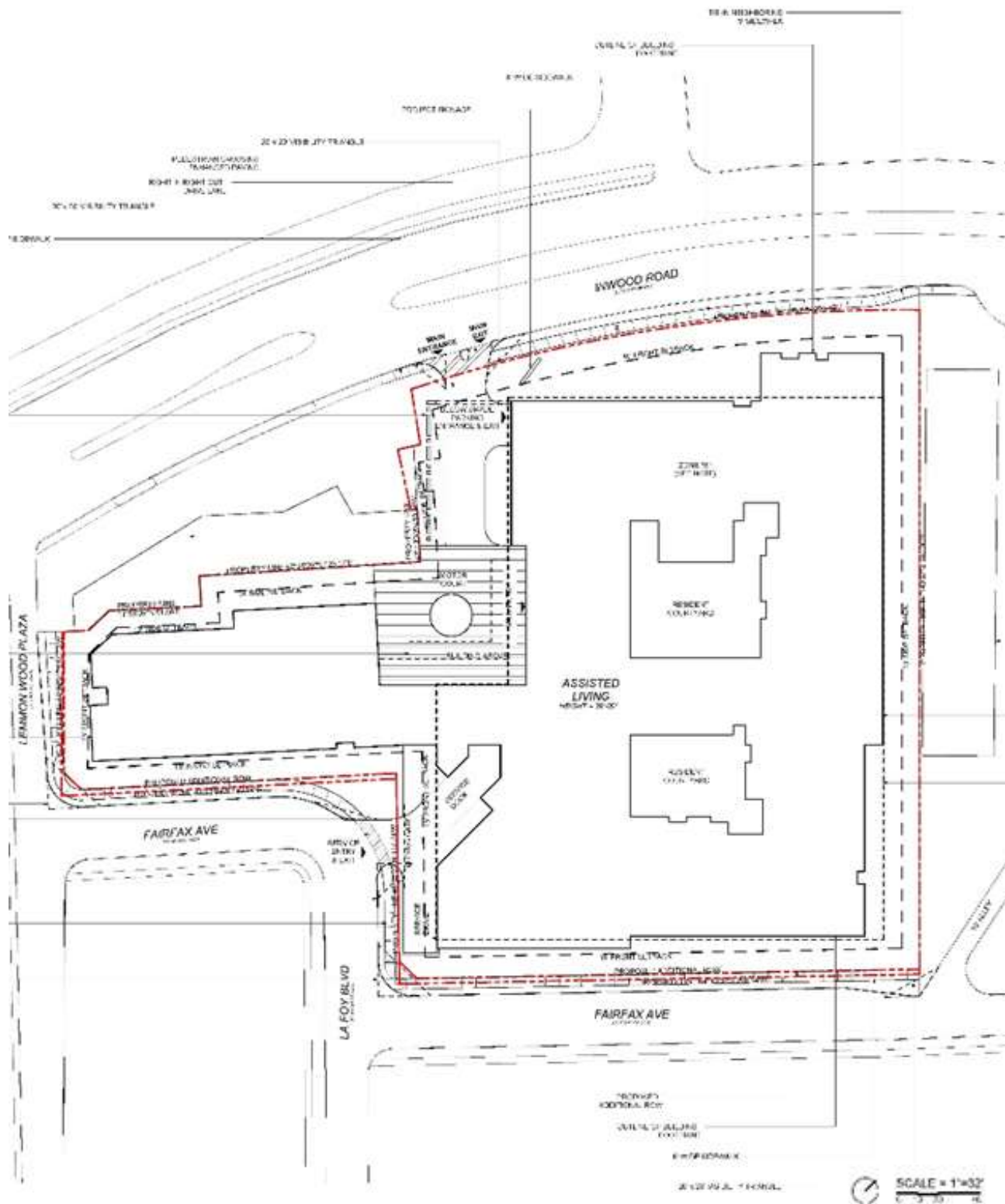
Z223-250(LG)

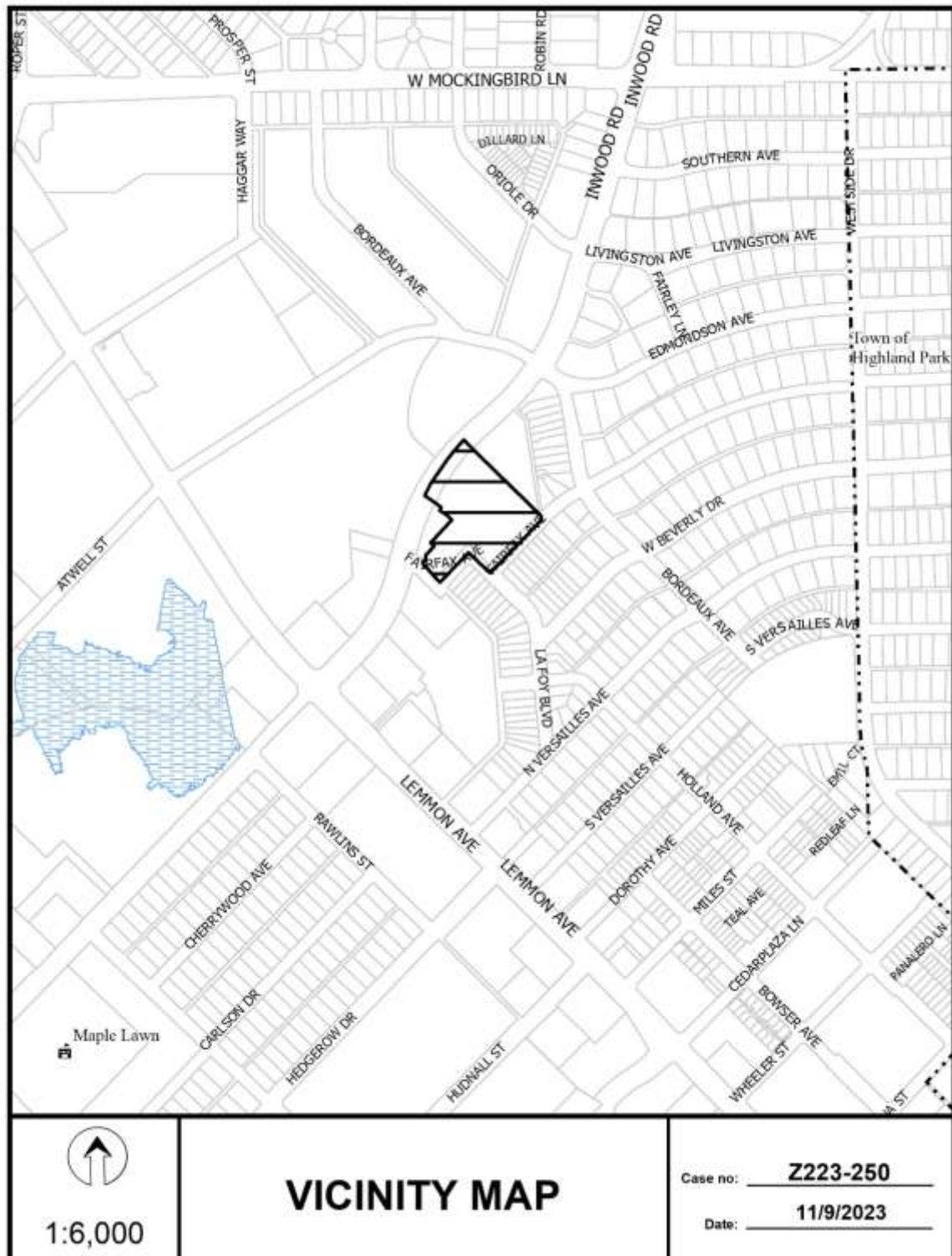
this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

# CPC RECOMMENDED DEVELOPMENT PLAN



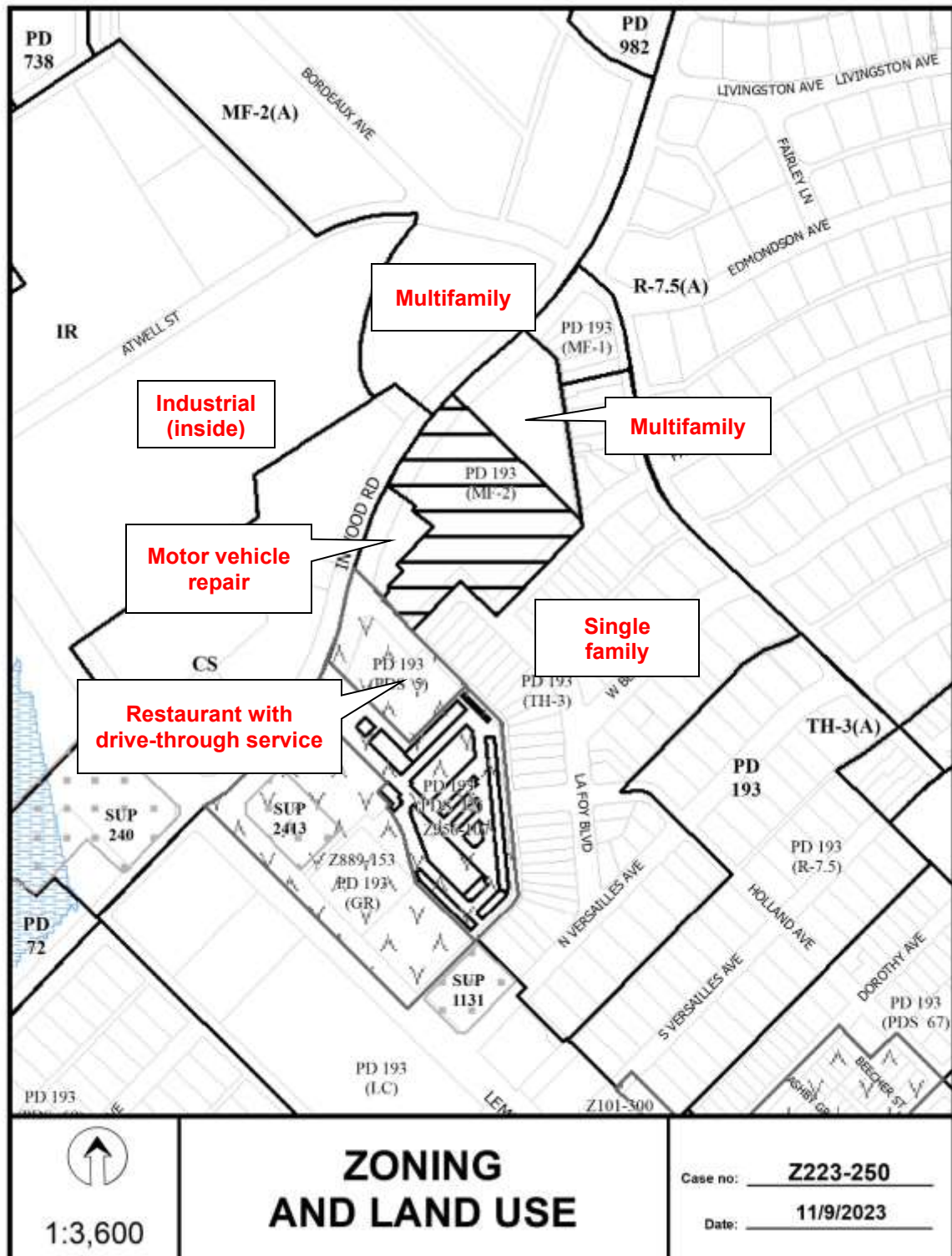
## CPC RECOMMENDED DEVELOPMENT PLAN



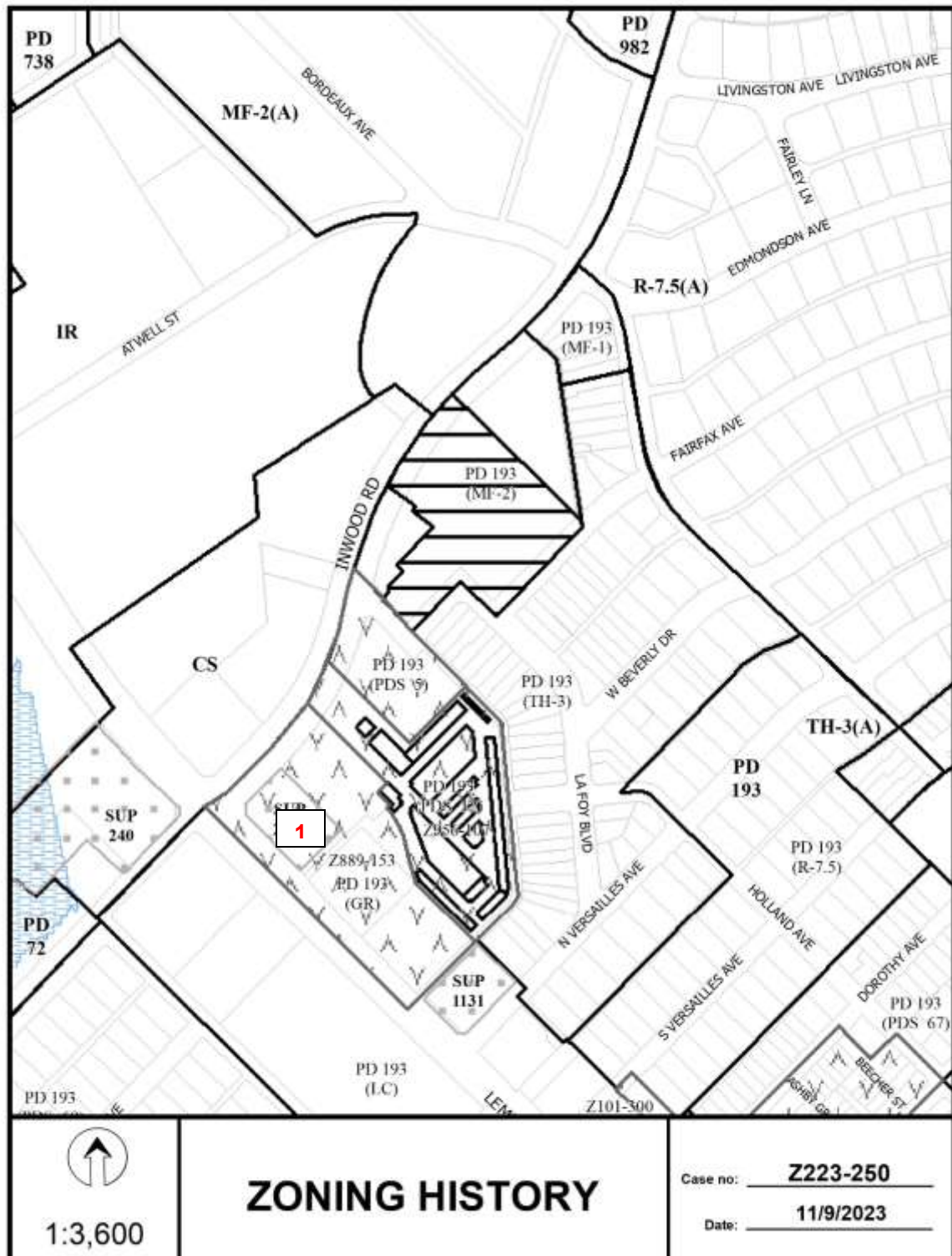


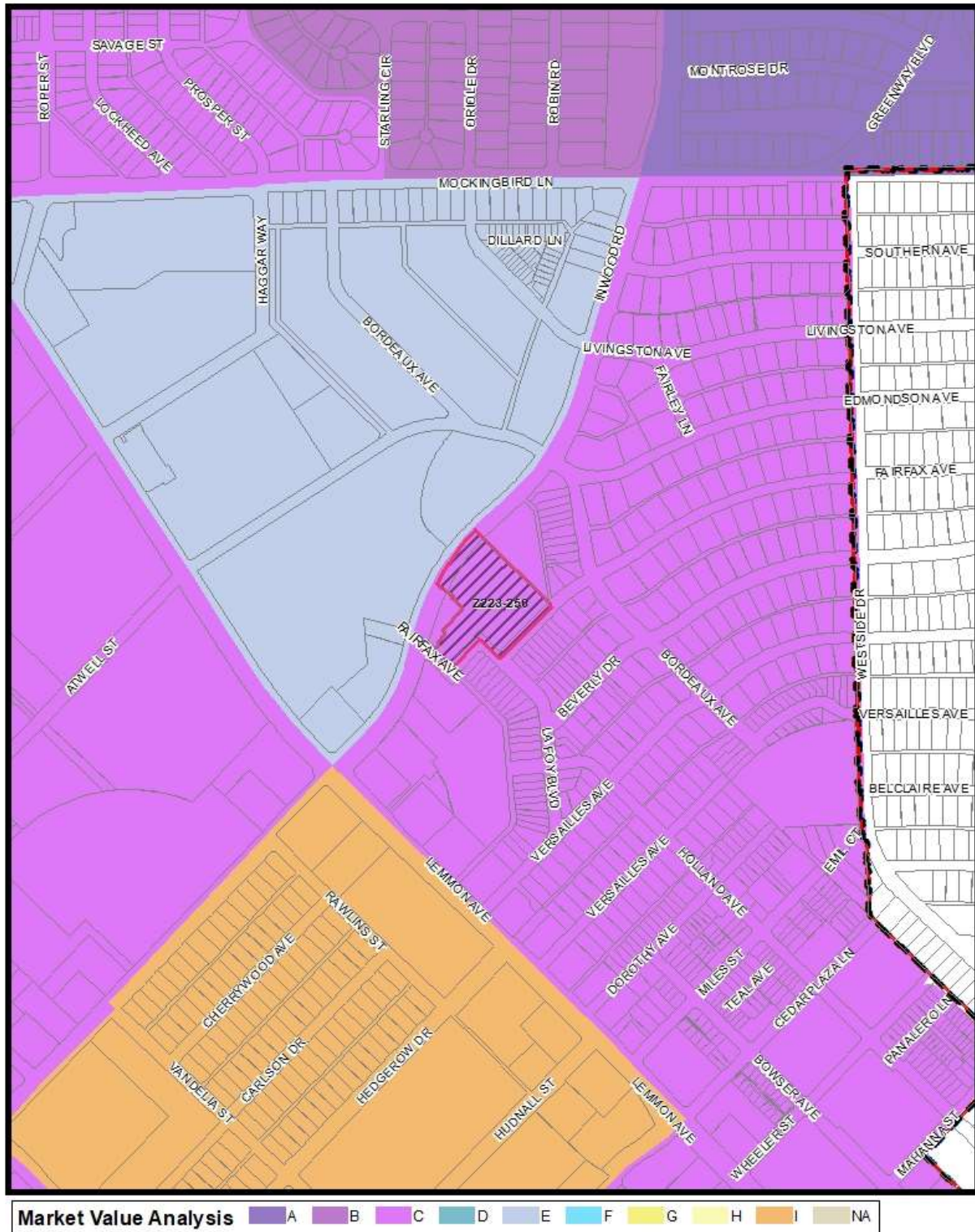








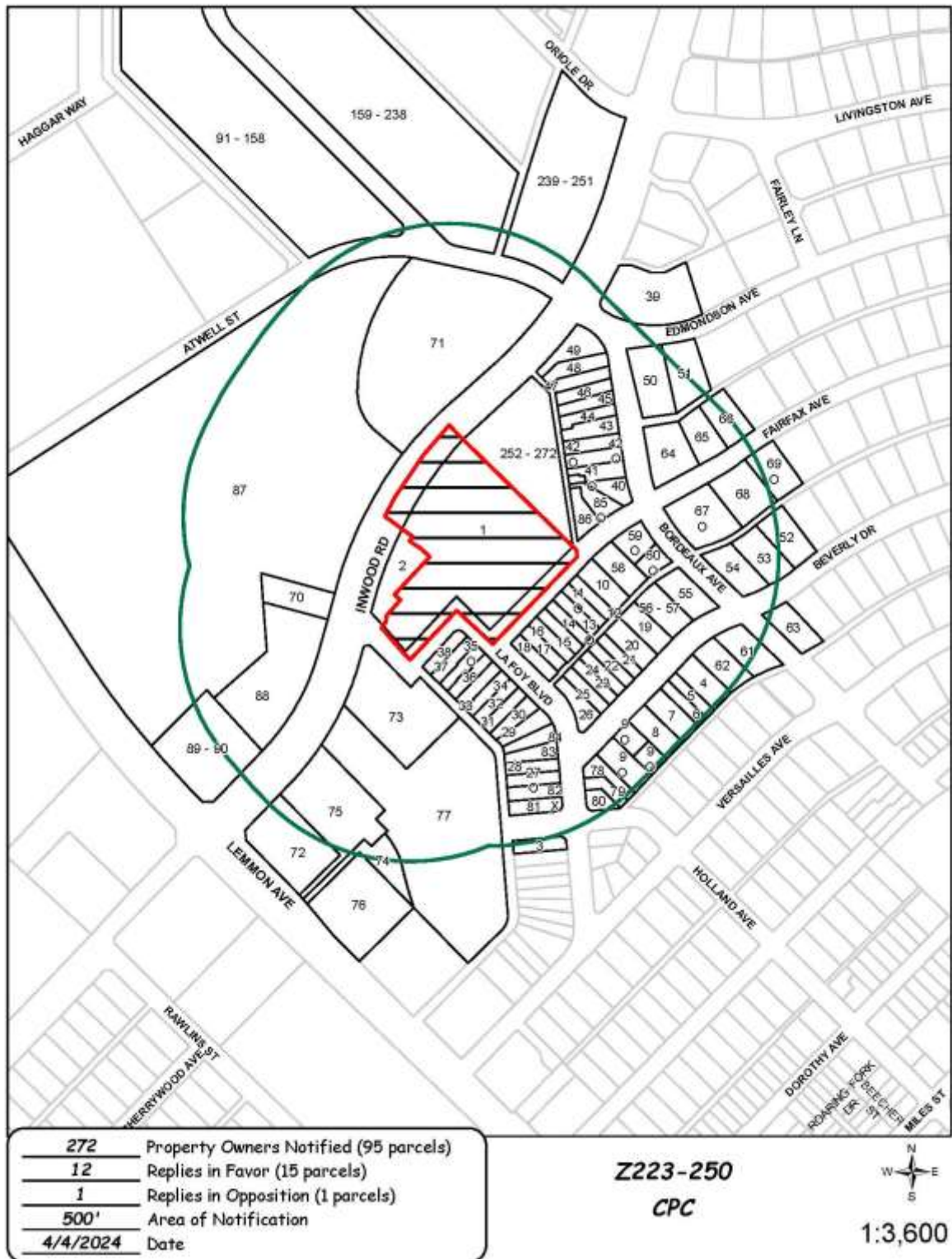




## Market Value Analysis

Printed Date: 1/10/2024





04/03/2024

***Reply List of Property Owners******Z223-250******272 Property Owners Notified******12 Property Owners in Favor******1 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	3700 INWOOD RD	FAIRWOOD APARTMENTS LTD
	2	3620 INWOOD RD	CQFT LLC
	3	5519 LA FOY BLVD	WITCHER RUCKER D
	4	3728 W BEVERLY DR	LILLY WILLIAM R
	5	3724 W BEVERLY DR	LKR PROPERTIES LLC
	6	3722 W BEVERLY DR	PERRY JOSEFINE ANN LIVING TRUST
	7	3718 W BEVERLY DR	SL HUMPHRIES LLC
	8	3714 W BEVERLY DR	DPC BEVERLY LLC
O	9	3706 W BEVERLY DR	JACKSON HENRY LLC
	10	3722 FAIRFAX AVE	MDS CUSTOM BUILDERS
O	11	3716 FAIRFAX AVE	ALSOP CHARLES ROYCE
	12	3718 FAIRFAX AVE	WEBSTER WINSTON SCOTT
O	13	3712 FAIRFAX AVE	BIRKELAND BRYAN &
	14	3710 FAIRFAX AVE	DHAROD CHRIS SUNIL
	15	3708 FAIRFAX AVE	JAMES MARGARET & STEPHEN
	16	3706 FAIRFAX AVE	MASON SCHEL CHALFANT
	17	3702 FAIRFAX AVE	COLLETT THOMAS ARTHUR & JAN
	18	3700 FAIRFAX AVE	SANFORD ETHAN L & NINA NIU
	19	3723 W BEVERLY DR	OLERIO HOMES LLC
	20	3721 W BEVERLY DR	3719 21 W BEVERLY LLC
	21	3717 W BEVERLY DR	BROWN JAMES R & NANCY D
	22	3715 W BEVERLY DR	KHURANA EDITH TR
	23	3709 W BEVERLY DR	FELDMAN ELLEN M &
	24	3711 W BEVERLY DR	PEARL ALISON
	25	3707 W BEVERLY DR	MOORER CONNIE &
	26	3705 W BEVERLY DR	WILKINSON KATHRYN A

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	27	5607 LA FOY BLVD	JOHNSON OLIVER F &
	28	5609 LA FOY BLVD	SKWERES TRAVIS &
	29	5619 LA FOY BLVD	DRAKE CHRISTOPHER &
	30	5621 LA FOY BLVD	JOE FELICIA NICOLE
	31	5625 LA FOY BLVD	MADDEN WALES H III & NITA M
	32	5627 LA FOY BLVD	BRIDGET JOHNSTON
	33	5633 LA FOY BLVD	BLOODWORTH JOE & LUCY
	34	5631 LA FOY BLVD	MORRIS A LEE
O	35	5637 LA FOY BLVD	NEUMANN CHERYL A
	36	5635 LA FOY BLVD	HEFFINGTON TOM D
	37	5641 LA FOY BLVD	EVANS CARL L JR
	38	5643 LA FOY BLVD	GIORDANO JONN V
	39	5203 EDMONDSON AVE	AUMAN SHERRILL LEONARD JR
	40	6007 BORDEAUX AVE	SPENCE CHARLES M
O	41	6009 BORDEAUX AVE	WEISFELD RONALD A
O	42	6017 BORDEAUX AVE	CROSSLEY DELIA STALEY &
	43	6109 BORDEAUX AVE	DEPRIEST ALEXANDRA
	44	6111 BORDEAUX AVE	LINDGREN PAMELA
	45	6121 BORDEAUX AVE	JENSEN MARTIN R & JENNIFER JO
	46	6123 BORDEAUX AVE	CARTER ROBERT III & JENNIFER P
	47	6125 BORDEAUX AVE	STOOL MARIA TERESA S M
	48	6129 BORDEAUX AVE	SCHMIDT PATRICIA
	49	6131 BORDEAUX AVE	KEHOE ANDREW
	50	5204 EDMONDSON AVE	MIES STEVEN MANAGEMENT TRUST
	51	5210 EDMONDSON AVE	REYNOLDS COURTNEY
	52	3815 W BEVERLY DR	MURRAY CATHERINE FONDREN &
	53	3809 W BEVERLY DR	GIBBONS KYLE ENGLAND
	54	3801 W BEVERLY DR	COOPER LEE &
	55	3735 W BEVERLY DR	CUSTER WALTER J JR LIFE EST &
	56	3731 W BEVERLY DR	GILES FAMILY LIVING TRUST &
	57	3733 W BEVERLY DR	GILES FAMILY LIVING TRUST

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	3724 FAIRFAX AVE	RL RESIDENCES LLC
O	59	3730 FAIRFAX AVE	LARKIN JAMES E & CYNTHIA A SCHUERMANN
O	60	5919 BORDEAUX AVE	BOUNDS SUSAN D & WILLIAM G
	61	3740 W BEVERLY DR	TURNER MICHAEL S
	62	3734 W BEVERLY DR	WOODLAWN PROPERTIES LLC
	63	3802 W BEVERLY DR	FERRETTI JOSEPH J &
	64	3807 FAIRFAX AVE	YEE KIM
	65	3815 FAIRFAX AVE	LANDEN JAMES E JR &
	66	3821 FAIRFAX AVE	MONTGOMERY DAKON Q & KIMBERLY R
O	67	3806 FAIRFAX AVE	BUENO GONZALO
	68	3814 FAIRFAX AVE	PALTER KATHLEEN
O	69	3822 FAIRFAX AVE	SMITH PETER G
	70	3605 INWOOD RD	KAYCEETEE PARTNERS LLC
	71	6201 BORDEAUX AVE	CHEVELLE APT GROUP LLC
	72	5636 LEMMON AVE	5636 LEMMON LLC
	73	3602 INWOOD RD	RETAIL BUILDINGS INC
	74	3540 INWOOD RD	CONSTANCE LEMMONWOOD LTD
	75	3524 INWOOD RD	HALLE PPTIES LLC
	76	5622 LEMMON AVE	CONSTANCE LEMMONWOOD LTD
	77	3540 INWOOD RD	STORAGE TRUST PROPERTIES
	78	3700 W BEVERLY DR	SCOTT RAY
	79	5606 LA FOY BLVD	TERAUCHI STEPHANIE YUKO
	80	5602 LA FOY BLVD	SCHMITZ JAMES MACINTYRE &
	81	5601 LA FOY BLVD	THOMPSON VAUGHN
X	82	5603 LA FOY BLVD	KENDALL E J
	83	5611 LA FOY BLVD	SCHERMER ZACHARY & DENISE
	84	5615 LA FOY BLVD	PIERCEALL RYAN
O	85	3727 FAIRFAX AVE	JONES CLAY ELLIS
	86	3725 FAIRFAX AVE	FERRANTE KARIN AGIUS &
	87	6000 LEMMON AVE	RAYTHEON COMPANY
	88	3515 INWOOD RD	ASBURY DALLAS VOL LLC

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	5704 LEMMON AVE	COLE AMY W CAMPBELL
	90	5704 LEMMON AVE	CAMPBELL HENRY V III
	91	6473 BORDEAUX AVE	WELTY KAREN D
	92	6475 BORDEAUX AVE	ROSSON JIM C
	93	6477 BORDEAUX AVE	TALLEY MARK
	94	6479 BORDEAUX AVE	KUEHL ANNE D
	95	6481 BORDEAUX AVE	HALL FAITH N &
	96	6483 BORDEAUX AVE	HALLMAN KATRINA
	97	6485 BORDEAUX AVE	KENNY EILEEN M
	98	6487 BORDEAUX AVE	COOPER TRUMAN
	99	6489 BORDEAUX AVE	SEPTIEN CESAR HERRERA
	100	6491 BORDEAUX AVE	ARM REAL ESTATE LLC
	101	6493 BORDEAUX AVE	MITCHELL JAMES MICHAEL &
	102	6495 BORDEAUX AVE	OHMER JEFFREY D
	103	6497 BORDEAUX AVE	JONES LISA D
	104	6499 BORDEAUX AVE	SMITH MICHAEL J
	105	6461 BORDEAUX AVE	JEFFERY ELISE
	106	6463 BORDEAUX AVE	CRONE MARY ELLEN
	107	6465 BORDEAUX AVE	EHG LLC
	108	6467 BORDEAUX AVE	GATEWOOD ROBERT H JR &
	109	6469 BORDEAUX AVE	WHITE CHARLES CLAYTON
	110	6471 BORDEAUX AVE	SMITH YARISA D
	111	6453 BORDEAUX AVE	YOCH MANAGEMENT TRUST
	112	6455 BORDEAUX AVE	HAMMES DULCINEA NICOLE
	113	6457 BORDEAUX AVE	FOSTER JEAN C
	114	6459 BORDEAUX AVE	TURLEY STEPHEN D
	115	6413 BORDEAUX AVE	JENNINGS ZACHARY EDWARD
	116	6415 BORDEAUX AVE	WHITEHILL MARGARET LEE
	117	6417 BORDEAUX AVE	HAUGH JOSEPH E &
	118	6419 BORDEAUX AVE	MAYO MICHEAL J
	119	6421 BORDEAUX AVE	MAY ELEANOR S

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	6423 BORDEAUX AVE	BECK JENNIFER L
	121	6425 BORDEAUX AVE	CLAYTON SARAH
	122	6427 BORDEAUX AVE	KLEIN STEVEN F & DANA C
	123	6429 BORDEAUX AVE	GOFORTH GEORGE
	124	6431 BORDEAUX AVE	SMITH NATHAN SAMUEL
	125	6433 BORDEAUX AVE	HALL TYLER
	126	6435 BORDEAUX AVE	HARP CRYSTAL
	127	6437 BORDEAUX AVE	GUTIERREZ CHRISTOPHER M
	128	6439 BORDEAUX AVE	SONNIER SCHALACEY
	129	6441 BORDEAUX AVE	REZAI CAMERON PARKER &
	130	6443 BORDEAUX AVE	RUSHING JUSTIN ALEXANDER &
	131	6445 BORDEAUX AVE	NOSENCHUK ROBERT & WENDY
	132	6447 BORDEAUX AVE	KNIGHT LAURA CHRISTINE
	133	6449 BORDEAUX AVE	JAMIEETHAM KANNIKAR
	134	6451 BORDEAUX AVE	SONG FAMILY REVOCABLE TRUST THE
	135	6401 BORDEAUX AVE	KELLEY NANCY
	136	6403 BORDEAUX AVE	KRITTENBRINK CHRISTOPHER
	137	6405 BORDEAUX AVE	HUSSAIN NAVAID
	138	6407 BORDEAUX AVE	PERRY RICHARD
	139	6409 BORDEAUX AVE	MCGOWAN RHONDA
	140	6411 BORDEAUX AVE	THOMAS JONATHAN T
	141	6337 BORDEAUX AVE	MEULENAERE DAVID K
	142	6339 BORDEAUX AVE	GALLAGHER PAT
	143	6341 BORDEAUX AVE	DOSSETT DENNIS L
	144	6343 BORDEAUX AVE	RUEDEMANN NANCY SUE
	145	6345 BORDEAUX AVE	WILDBURGER ADELLE M
	146	6347 BORDEAUX AVE	ROATH KAREN D
	147	6349 BORDEAUX AVE	HILL THOMAS AUSBON
	148	6351 BORDEAUX AVE	HILL THOMAS A
	149	6353 BORDEAUX AVE	BEASLEY MARGARET L
	150	6359 BORDEAUX AVE	MEHENDALE NEELESH H ETAL

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	6361 BORDEAUX AVE	HEIMLICH ERIC V & CYNTHIA R
	152	6363 BORDEAUX AVE	WILDBURGER ADELLE M
	153	6365 BORDEAUX AVE	ADAMEK JOHNNY R &
	154	6367 BORDEAUX AVE	USRY CHERYL A
	155	6369 BORDEAUX AVE	TENISCI JOSHUA
	156	6371 BORDEAUX AVE	HUNTER RICHARD B JR
	157	6373 BORDEAUX AVE	LULSEGED LIDYA ASSEFA
	158	6375 BORDEAUX AVE	FIGURELLI BARBARA
	159	6456 BORDEAUX AVE	BORDEAUX 6456 LAND TRUST
	160	6458 BORDEAUX AVE	MOITZ MELISSA & RICHARD JR
	161	6460 BORDEAUX AVE	SCHULTZE ULRIKE
	162	6462 BORDEAUX AVE	FAUSETT SCOTT K
	163	6464 BORDEAUX AVE	ROSENTHAL JOSEPHINE A
	164	6466 BORDEAUX AVE	RODRIGUEZ CARLOS EDINSON &
	165	6468 BORDEAUX AVE	TFO REALTY LLC
	166	6470 BORDEAUX AVE	COWLEY KAREN H
	167	6472 BORDEAUX AVE	KAZI SABIHA
	168	6474 BORDEAUX AVE	FREEMAN REBECCA E
	169	6476 BORDEAUX AVE	HINOJOSA ALICIA C
	170	6478 BORDEAUX AVE	LEWIS SHERIDAN F
	171	6480 BORDEAUX AVE	D & L BORDEAUX LLC
	172	6482 BORDEAUX AVE	MBLS REVOCABLE TRUST
	173	6484 BORDEAUX AVE	COLLINS CHRISTA
	174	6488 BORDEAUX AVE	BOGAN MADELEINE
	175	6490 BORDEAUX AVE	MCMAHON LAUREN K
	176	6492 BORDEAUX AVE	LUCAS CHRISTINA MARIE
	177	6496 BORDEAUX AVE	DETOTA JORDAN TIMOTHY
	178	6498 BORDEAUX AVE	FRANK PORFIRIA J
	179	6444 BORDEAUX AVE	PRETZLAFF KARA &
	180	6446 BORDEAUX AVE	CODY CRISTAL L
	181	6448 BORDEAUX AVE	KOBS MAX

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	6450 BORDEAUX AVE	AMINMAHMOUDI MASOUMEH &
	183	6452 BORDEAUX AVE	FREEMAN CARRA
	184	6400 BORDEAUX AVE	GASS CHARLEEN S
	185	6402 BORDEAUX AVE	HINOJOSA EMMANUEL
	186	6404 BORDEAUX AVE	GAMBER JOY ELAINE & ROYAL NATHANIEL
	187	6406 BORDEAUX AVE	WAGNER RACHEL
	188	6408 BORDEAUX AVE	SHIELDS JOSEPH M
	189	6410 BORDEAUX AVE	SARVER HEATHER L
	190	6412 BORDEAUX AVE	JONES CATHERINE
	191	6414 BORDEAUX AVE	UNGUREANU VANDA
	192	6416 BORDEAUX AVE	SMITH OLIVIA GRACE
	193	6418 BORDEAUX AVE	YEGRES HARRY F &
	194	6420 BORDEAUX AVE	BURNS SHERILYN JOY
	195	6422 BORDEAUX AVE	PASS JOHN
	196	6424 BORDEAUX AVE	KOBS JEFFREY & HEATHER
	197	6426 BORDEAUX AVE	PORTER RONALD JAMES
	198	6428 BORDEAUX AVE	SEARIGHT DANIEL S
	199	6430 BORDEAUX AVE	CLIFTON DOUGLAS W
	200	6432 BORDEAUX AVE	NALL STEVE
	201	6434 BORDEAUX AVE	HALL JEFFREY A
	202	6436 BORDEAUX AVE	MORGAN MELISSA BETH ET AL
	203	6438 BORDEAUX AVE	ENLOW FAMILY TRUST
	204	6440 BORDEAUX AVE	PORCARI CYNTHIA L
	205	6442 BORDEAUX AVE	SANDOVAL BARRY D
	206	6336 BORDEAUX AVE	MELISH LEONARD JEROME JR
	207	6338 BORDEAUX AVE	VISSER JOHN E
	208	6340 BORDEAUX AVE	MONTGOMERY MARGARET
	209	6342 BORDEAUX AVE	HURST JAMES C
	210	6344 BORDEAUX AVE	GERTSON CAROL A
	211	6346 BORDEAUX AVE	JOHNSON JIM S & SUSAN H
	212	6348 BORDEAUX AVE	SHEIKH KHADIJA



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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	6350 BORDEAUX AVE	ENKE ERINN SHALENE
	214	6352 BORDEAUX AVE	WITT CAROLINE W
	215	6354 BORDEAUX AVE	KC&G PROPERTIES LLC
	216	6356 BORDEAUX AVE	PERRYMAN KRISTAN
	217	6358 BORDEAUX AVE	ZEPEDA JUAN PABLO
	218	6360 BORDEAUX AVE	ROYE JAMES ANDREW
	219	6362 BORDEAUX AVE	JACKSON MICHEAL W
	220	6364 BORDEAUX AVE	IRWIN WILLIAM C
	221	6366 BORDEAUX AVE	DION LONA JEAN
	222	6368 BORDEAUX AVE	HENDRIX CHRIS E
	223	6370 BORDEAUX AVE	VALDEZ AIDEN B
	224	6372 BORDEAUX AVE	MCELYEA MATTHEW S
	225	6374 BORDEAUX AVE	RABE HAYLEY
	226	6376 BORDEAUX AVE	CROSSLEY ANNE BLAIR
	227	6378 BORDEAUX AVE	FARAH MARY ELYSE
	228	6324 BORDEAUX AVE	COX AMY SUE
	229	6326 BORDEAUX AVE	ELDER JAMES LEE III
	230	6328 BORDEAUX AVE	JOSEPH TOM S & STEFFI ALIE
	231	6330 BORDEAUX AVE	PATTERSON SHERRY S
	232	6332 BORDEAUX AVE	SUAREZ PETER M JR
	233	6334 BORDEAUX AVE	ACTKINSON SCOTT RAY &
	234	6314 BORDEAUX AVE	FERGUSON NANCY S
	235	6316 BORDEAUX AVE	GONZALEZ VERONICA DARLENE
	236	6318 BORDEAUX AVE	WIMSA LLC
	237	6320 BORDEAUX AVE	FORD LEIGH R
	238	6322 BORDEAUX AVE	DRENNAN JOHN T
	239	3909 INWOOD RD	INWOOD HIGHLAND LLC
	240	3909 INWOOD RD	SANTANGELO WILLIAM C MD REVOCABLE TRUST
	241	3913 INWOOD RD	ALFORD LORIEN
	242	3913 INWOOD RD	ROARK JUDGE FRANKLIN III
	243	3917 INWOOD RD	OSTRANDER CRAIG D

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	244	3917 INWOOD RD	KELLER ANTHONY PAUL
	245	3921 INWOOD RD	MCWILLIAMS COLBY L
	246	3921 INWOOD RD	WOODWARD ANTHONY JOSEPH
	247	3921 INWOOD RD	4T ESTATE INVESTMENTS LLC
	248	3925 INWOOD RD	PETKOVSKI JACQUELINE JO
	249	3925 INWOOD RD	NEALY DEBBRA
	250	3929 INWOOD RD	STEGER GROUP HOLDINGS LLC
	251	3937 INWOOD RD	PIERCE SUE HELEN
	252	3810 INWOOD RD	IRASTORZA RAMON
	253	3810 INWOOD RD	SCHACKNOW TAMAR &
	254	3810 INWOOD RD	JEFFRIES CHRISTOPHER
	255	3810 INWOOD RD	ONE HOME REALTY II LLC
	256	3810 INWOOD RD	ONE HOME REALTY II LLC
	257	3810 INWOOD RD	ONE HOME REALTY II LLC
	258	3810 INWOOD RD	MASSEY JANETT
	259	3810 INWOOD RD	HARDEMAN DANNY L
	260	3810 INWOOD RD	MALDONADO OSCAR J &
	261	3810 INWOOD RD	3810 INWOOD LLC
	262	3810 INWOOD RD	ONE HOME REALTY IV LLC
	263	3800 INWOOD RD	FAULKNER SANDRA G
	264	3800 INWOOD RD	ONE HOME REALTY III LLC
	265	3810 INWOOD RD	GYR LISA LIFE ESTATE
	266	3800 INWOOD RD	GONZALEZ RICARDO LIFE EST
	267	3800 INWOOD RD	COLVIN MICKY L
	268	3800 INWOOD RD	RECHY JON F
	269	3800 INWOOD RD	ONE HOME REALTY V LLC
	270	3810 INWOOD RD	ONE HOME REALTY V
	271	3810 INWOOD RD	ONE HOME REALTY III LLC
	272	3810 INWOOD RD	ONE HOME REALTY II



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1533

**Item #:** Z4.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict on property zoned a GR General Retail Subdistrict and an MF-2 Multiple-Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Lemmon Avenue, Throckmorton Street, Bowser Avenue, and Reagan Street

Recommendation of Staff: Approval, subject to a conceptual plan, a development plan, a landscape plan, and staff's recommended conditions

Recommendation of CPC: Approval, subject to a conceptual plan, a development plan, a landscape plan, and recommended conditions

Z223-260(MP)

**FILE NUMBER:** Z223-260(MP) **DATE FILED:** May 24, 2023

**LOCATION:** An area bounded by Lemmon Avenue, Throckmorton Street, Bowser Avenue, and Reagan Street

**COUNCIL DISTRICT:** 14

**SIZE OF REQUEST:** 3.076 acres **CENSUS TRACT:** 48113000606

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**REPRESENTATIVE:** Tommy Mann, Winstead PC

**APPLICANT:** Trademark Acquisition Limited Partnership

**OWNER:** HEB Grocery Company, LLC

**REQUEST:** An application for a Planned Development Subdistrict on property zoned a GR General Retail Subdistrict and an MF-2 Multiple-Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The purpose of the request is to allow for modified development standards primarily related to uses, setbacks, density, lot coverage, floor area ratio, height, design standards, parking, landscaping, and mixed income housing to develop the site with residential and retail uses.

**STAFF RECOMMENDATION:** **Approval**, subject to a conceptual plan, a development plan, a landscape plan, and staff's recommended conditions.

**CPC RECOMMENDATION:** **Approval**, subject to a conceptual plan, a development plan, a landscape plan, and recommended conditions.

**PD No. 193:**

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=193>

**PD No. 193 Yard, Lot, and Space:**

[dallascityhall.com/departments/city-attorney/articles/Exhibits/YardLotSpace.pdf](https://dallascityhall.com/departments/city-attorney/articles/Exhibits/YardLotSpace.pdf)

**BACKGROUND INFORMATION:**

- The area of request is currently zoned a GR General Retail Subdistrict and an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and currently exists as multiple undeveloped parcels, surface parking, a vacant commercial structure, and four attached single family homes.
- The existing zoning districts allow the multiple family use throughout, and office and retail uses on the southwestern half. However, the development standards of the districts limit the massing and design of the site to the existing standards of GR and MF-2.
- To build to the desired development plan, the applicant requests to adjust the development standards of the entire block, including floor area ratio and height. To accomplish this, they are requesting a new Planned Development Subdistrict (PDS) with a mixed income housing development bonus tied to an increase over a base for floor area ratio and height.
- The change in development standards would allow the applicant to spread the massing and height more evenly around the site rather than pushing it all toward Lemmon Avenue, while not increasing the overall entitlements for the site.
- The applicant also proposes modified development standards primarily related to setbacks, height, lot coverage, unit density, landscaping, and design standards.
- The public realm will be enhanced by design standards that increase transparency, ensure safe and activated sidewalks, reduce driveway sizes, and require screened parking.
- The applicant proposes a development plan, landscape plan, and conceptual plan. The development plan, in addition to the conditions, prescribes a building with height focused along Lemmon Avenue with only moderate increases in height above the base towards Bowser Avenue. The landscape plan and conditions describe the minor variations from the base Part 1 landscaping. The conceptual plan depicts how GR uses and MF-2 uses are separated on the site, while allowing it to be developed as one complex.

**Zoning History:**

There has been one zoning case in the area in the last five years.

1. **Z212-172:** On June 8, 2022, the City Council approved the termination of volunteered deed restrictions [Z834-110] on property zoned Planned Development Subdistrict No. 151 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest line of Oak Lawn Avenue, southwest of Lemmon Avenue.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing / Proposed ROW
Lemmon Avenue	Principal Arterial	90 feet / 90 feet
Throckmorton Street	Local Street	60 feet
Bowser Avenue	Local Street	60 feet
Reagan Street	Local Street	60 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it 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, outlining several goals and policies which serve as a framework for assisting in evaluating the applicant's request. The request complies with the following land use goals and policies of the Comprehensive Plan:

**LAND USE ELEMENT**

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

**GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS**

**Policy 1.3.1** Create housing opportunities throughout Dallas.

**GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT**

**Policy 1.4.2** Develop a multi-modal transportation network.

**Policy 1.4.3** Embrace environmental sustainability.

## **ECONOMIC ELEMENT**

### **GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS**

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

## **TRANSPORTATION ELEMENT**

### **GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS**

**Policy 4.2.2** Promote a network of on-street and off-street walking and biking paths.

**Policy 4.2.3** Promote efficient, cost-effective and environmentally friendly movement of vehicles.

## **URBAN DESIGN ELEMENT**

### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY**

**Policy 5.1.1** Promote pedestrian friendly streetscapes.

**Policy 5.1.2** Define urban character in downtown and urban cores.

**Policy 5.1.3** Encourage complementary building height, scale, design, and character.

**Policy 5.1.4** Enhance visual enjoyment of public space.

### **GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

**Policy 5.2.1** Maintain neighborhood scale and character.

**Policy 5.2.2** Promote the character of the city's significant districts, linkages, and areas.

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.

## **ENVIRONMENT ELEMENT**

### **GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY**

**Policy 6.3.1** Promote green building practices.

**Policy 6.3.3** Limit vehicle miles traveled.

## **Neighborhood Plus Plan**

### **Goal 4 Attract and Retain the Middle Class**

**Policy 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

**Goal 6 Enhance Rental Housing Options**

**Policy 6.1** Raise the quality of rental property through better design standards, proactive and systematic code enforcement, and zero tolerance towards chronic offenders.

**Policy 6.2** Expand affordable housing options and encourage its distribution throughout the city and region.

**Comprehensive Environmental and Climate Action Plan (CECAP)**

**Goal 3: Dallas' communities have access to carbon-free, affordable, transportation options.**

**T10** Adopt a target corridor, district, or city-wide mode split goals to help reinforce policies aimed at reducing single-occupancy vehicle use

**T14** Adopt a revised parking ordinance strategy that supports new mode split goals and land use strategy that minimizes available parking in transit-oriented districts.

**T15** Implement green infrastructure programs that sets specific design and performance standards that treat the Right of way (ROW) as both a mobility and green infrastructure asset

The staff recommended conditions which include reduced minimum parking requirements, ROW design standards, and bicycle storage facilities support the low carbon and mode split goals of CECAP.

**Area Plan:**

**The 360 Plan**

The 360 Plan is a strategic document that sets a clear, cohesive vision for Downtown Dallas and its surrounding neighborhoods, guiding the City Center to continued, long-term success. The plan was adopted by City Council in April 2011 and updated in 2015, 2016, and 2017. The area of request is located within the Uptown area of the plan.

The applicant's inclusion of urban design standards meets the 360's strategy to Promote Great Placemaking through the following goals:

**1 ENSURE EXCELLENT URBAN DESIGN TO ENHANCE QUALITY OF LIFE AND ECONOMIC VALUE**

**2 ACTIVATE THE PUBLIC REALM**

The project's standards for transparency, enhanced sidewalks, and pedestrian amenities all contribute to the 360 plan's placemaking and urban design goals.



**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	MF-2 Multiple Family Subdistrict and GR General Retail Subdistrict within PD No. 193	Undeveloped
<b>Northwest</b>	MF-2 Multiple Family Subdistrict and GR General Retail Subdistrict within PD No. 193	Auto service center, Single-family (attached)
<b>Northeast</b>	MF-2 Multiple Family Subdistrict within PD No. 193	Multiple-family
<b>Southeast</b>	MF-2 Multiple Family Subdistrict and GR General Retail Subdistrict within PD No. 193	Multiple-family, restaurant without drive through
<b>Southwest</b>	GR General Retail Subdistrict within PD No. 193	Restaurants without drive through, office uses, retail uses

**Land Use Compatibility:**

The area of request consists of a collection of individual lots totaling around 133,390 square feet. The property currently includes multiple undeveloped parcels, surface parking, a vacant commercial structure, and four attached single family homes. A 15-foot alley runs through the center of the site and stands as the boundary between the two existing zoning districts. The applicant plans to abandon this alley, but approval of this zoning case does not constitute approval of an abandonment.

Properties northeast, southeast, and southwest of the site are currently built out as multiple-family. There is a restaurant without drive-through service to the southeast across Reagan Street. Across Lemmon, there is an office building, a retail strip, and two drive-through restaurants. Across Throckmorton Street to the northwest, there is an auto service center and a single-family attached subdivision. The proposed residential and retail uses would be complimentary with the surrounding area.

The particular development standards proposed would allow a more even distribution of massing throughout the site and require a more walkable building format. The proposed conditions do not introduce commercial uses into the residential half of the block, but encourage GR General Retail uses along Lemmon Avenue, where it is most appropriate.

Overall, staff supports the applicant's request because it will add an appropriately designed development while offering additional diversity of housing. The project will include design and landscaping standards that contribute to a more active pedestrian experience in proximity to walkable retail streets, as well as design features that meet the

environmental goals of the comprehensive plan and CECAP. Additionally, the request complies with the design and placemaking objectives of the 360 Plan.

### Development Standards

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Min Lot Area / unit</u>	<u>FAR</u>	<u>Height</u>	<u>Lot Coverage</u>
	<u>Front</u>	<u>Side/Rear</u>				
<u>Existing MF-2</u> <u>PD No. 193</u>	15'	10' / 25' (No side or rear on AOR)	Studio 800 1 BR 1,000 2 BR 1,200 +1 +150 (66 1 BR total MF-2 portion)	N/A	36'	60% res 50% nonres
<u>Existing GR</u> <u>PD No. 193</u>	10' 25' above 36'	10' / 25' (No side or rear on AOR)	Studio 100 1 BR 125 2 BR 150 +1 +25 (528 1 BR total GR portion)	2.5:1	120'	80% res 80% nonres
<u>Proposed New PDS,</u> <u>PD No. 193</u>	Lemmon: 10'					
	Throckmorton and Reagan: 15' Grade-36' 25' above 36' Bowser: 15' Grade to 36' 45' above 36'	MF-2 default: 10' / 25' (No side or rear on AOR)	Max 416 units 5% micro in addition to: 5% at 61-80 (21 units)	Base: 2.0:1  MIH: 3.4:1	85' closest to Lemmon  36' closest to Bowser	90%

The request would see the maximum height decrease on the property from 120 feet to 85 feet.

Under the new zoning, it would decrease from the maximum of 85 feet near Lemmon, decrease to 60 feet moving northwest, and decrease to 36 feet for the northeastern most 45 feet of the property. The weighted average height across the parcels in the current zoning entitlement would be 78 feet. The weighted average of the proposed zoning configuration would be 68.4 feet, and would allow a more gradual downward slope in building height moving northeast, rather than an abrupt change in character.

The bulk is limited by the proposal to increase the existing FAR from 2.5 to 3.41.

For reference, the GR portion of the lot, which currently has a 2.5 FAR, would allow a 154,000 square foot structure on that half of the area of request. The existing MF-2 subdistrict is not governed by FAR, but is primarily limited by its maximum height of 36

feet. For this lot, the buildable square footage for the whole site with a 2.0 FAR base would be approximately 264,000 square feet. Under a 3.4 FAR, the buildable square footage would be approximately 448,000 square feet. The increase in lot coverage from 80% to 90% is appropriate as the remaining ten percent is required to be provided as open space at street level and an additional 15% is required to be provided as open space which would likely be elevated. Generally, in a dense environment such as Oak Lawn, high lot coverages encourage effective use of land.

## **Design Standards**

The proposed PDS must include the design standards of 4.1107 except where specified.

- Parking: Parking structures must be screened by either an active use with a minimum of 15 feet of floor area or have a similar architecture and appearance to the main structure. These 15 feet, rather than the 4.1107 typical 25 feet, allow the applicant to place their garage on the Lemmon half of the site while still locating retail between the garage and the street. Exterior openings must include a minimum of 42 inch headlight screening. Exterior surface parking is prohibited.
  - Staff recommended conditions also include reduced parking minimums in accordance with 4.1107, which helps activate private space and generate pedestrian trips.
- Sidewalks: Staff recommendation and the applicant's request call for sidewalks with a minimum of eight unobstructed feet with a five-foot landscape buffer along Lemmon Avenue. Staff recommends that all other frontages have a minimum of six foot unobstructed sidewalk with a five foot parkway. The applicant requests to reduce sidewalk widths to five feet on the northeast portion of the site on Reagan, Bowser, and Throckmorton.
- Language has been added to clearly delineate and protect the sidewalk in proximity to on-site drive aisles. Per 4.1107, all sidewalks must have distinct crossings and must be continuous and level across driveway and curb cuts.
- Lighting: Per 4.1107, pedestrian scale lighting is required along the street frontages. Beyond providing even and comfortable lighting, the lighting structures provide human scale definition at the street level.
- Transparency: Per 4.1107, transparency is required to be evenly spaced along the façade. A transparent surface is required for every 25 linear feet of continuous street-fronting facade. Beyond this requirement, 40% of the ground floor along

Lemmon Avenue must be transparent. This helps activate the street with a visual connection to the interior of the structure.

- Individual entries: Per 4.1107, should the applicant put residential units on the ground floor, 60% adjacent to a street would be required to have individual access to the sidewalk. This shortens walking distance for residents and activates the sidewalk throughout the block.
- Fencing: Per 4.1107, fences are required to be a maximum of four feet in the front yard. This further aids in visual interaction between the street and structure.
- Street furniture: A combination of two of the following street furniture types is required on each frontage: bicycle rack, bench, and trash receptacles.
- Open space: 13,000 square feet of open space, approximately ten percent of the property, must be located at ground level. In total, 34,000 square feet of open space must be provided either on ground floor, above ground floor, or above a parking structure.
- Driveways: Driveway widths and numbers are limited, ensuring safer pedestrian passage around the site through the public realm. Where the driveways cross sidewalks, each driveway is limited to a 25-foot maximum. Only one such driveway is permitted each on the frontages of Lemmon Avenue, Reagan Street, and Throckmorton Street. No driveways are permitted on Bowser Avenue.
- Sustainable performance features: The applicant also proposes sustainable performance features including drip irrigation and micro-mobility charging stations.

### **Mixed Income Housing:**

The applicant is proposing to tie the increase in heights and floor area ratio to the provision of mixed income housing. The applicant's request is to increase the FAR from the proposed base of 2.0:1 to 3.4:1, provided the applicant provides five percent of units available to households at 61 percent to 100 percent of Area Median Family Income (AMFI).

In a Type 2 bonus, the bonus provided and the base are specifically set by the PD ordinance. Despite this, it is advisable for these bonuses and bases to mirror the base code as best as possible. Although the existing MIHDB program does not have an exact analog for PD 193's GR General Retail and MF-2 Subdistricts, staff considers an MU-3 Mixed Use District as an approximate equivalent for comparison of bonuses. Below is the schedule of bonuses for FAR in an MU-3 District and an "E" MVA area.

<b>MVA "E"</b>	<b>Additional FAR</b>
<b>5% at 61%-80% AMI</b>	<b>1.0</b>
10% at 61%-80% AMI	2.0
10% at 61%-80% AMI; and 5% at 81%-100% AMI	3.0

The first bonus in the table is most comparable to achieve the requested 1.4 additional FAR. Five percent of the maximum 416 units would be 21 units.

### **Landscaping:**

The proposed PDS requires that landscaping be provided in accordance with both Part 1 of PD No. 193 and the proposed landscape plan.

Arborist's staff has reviewed the proposed landscape plan and determined it complies generally with the spirit of Part 1. The applicant requests minor deviations to the standard landscaping requirements from PD No. 193. The proposed landscaping conditions negate the garage screening requirements of Part 1 so as to not conflict with the conditions of 4.1107, which continue to apply, and to permit a ground floor courtyard (open space) adjacent to a garage. Additionally, the conditions allow for reduced total street trees along Throckmorton in order to allow for the preservation of existing live oaks on this frontage. Should these existing live oaks be removed, typical street plantings would be required on this frontage. Arborist's recommendation called for the prohibition of live oaks as street trees on the Lemmon Avenue frontage in the interest of façade visibility.

### **Parking:**

In general, the parking requirements in the proposed PDS default to Part I of PD No. 193.

In keeping with the standards of 4.1107, staff recommends conditions requiring a minimum of one-half space per all units. This would require a minimum of 208 spaces for the 416 maximum units. As with any minimum required parking, these ratios only reflect the minimum amount required. The developer may provide additional parking beyond these. Reducing overparking, especially in transit rich areas, is a goal supported by CECAP, as mentioned above, and implemented as policy citywide under the mixed income development housing bonus.

The applicant's requested condition calls for a higher required parking, one and a quarter spaces for each typical unit and one-half space for each micro-unit and income restricted unit. This would require a minimum of 468 spaces for the 374 typical units, and 21 spaces for the micro-units and income restricted units, assuming approval of 5% micro-units and

5% income restricted units. This would total to 489 spaces. Additional parking would be required for any proposed retail use, which have variable ratios within PD 193, generally from one space per 100 square feet to one space per 220 square feet.

The conditions require four medium loading spaces and four small loading spaces.

A minimum of 12 bicycle parking spaces would be required along street frontages.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is located with an “E” MVA area. There is an “F” MVA area to the southwest as well as “D” MVA areas to the northwest, northeast, and southwest.

## **List of Officers**

### **Trademark Acquisition Limited Partnership**

TPC GP LLC (General Product)

Terry Montesi (Chairman, Director, CEO)

Tommy Miller (CIO, Managing Director)

Phill Pearson (SR VP Leasing)

Clay Walton (VP Leasing)

David Pratt (VP Leasing)

Fremon Baker (SR VP Development)

Jeff Johnson (Exec VP Development)

John Pharr (SR VP Portfolio)

Steve Sumell (Exec VP Portfolio)

Kyle Minter (VP Finance & Assessment)

Stacey Whitt (SR VP Accounting)

Weston Graves (VP Portfolio Development)

Chris Herman (VP Construction)

### **HEB Grocery Company, LLC/H-E-B, LP**

HEBCO GP, LLC

Charles C Butt (CEO)

Martin H Otto (COO)

Judith A Lindquist (General Counsel)

Megan S Rooney (CFO)

Craig L Boyan (President)

**CPC Action**  
**APRIL 4, 2024**

**Motion:** It was moved to recommend **approval** a Planned Development Subdistrict, subject to staff's recommendations as briefed; a conceptual plan, development plan, and landscape plan and conditions with the following changes:

- On the conditions – and I just want to make sure we are all on the same page:
  - **SEC. S-\_\_\_\_.107.** add
    - (b) GR Tract. The only main uses permitted are those main uses permitted in the General Retail District, subject to the same conditions applicable in the General Retail District, as set out in Part I of this article. For example, a use permitted in the General Retail 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 General Retail is subject to DIR in this district; etc.
    - (c) MF-2 Tract. The only main uses permitted are those main uses permitted in the MF-2 District, subject to the same conditions applicable in the MF-2 District, as set out in Part I of this article. For example, a use permitted in the MF-2 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 is subject to DIR in this district; etc.
  - Section 110, disregard Staff's recommendations regarding minimum parking and go with the Applicant's parking language
  - Section 111, disregard Staff's recommended sidewalk language and go with the Applicant's language with the following change for Throckmorton, Reagan & Bowser Ave:
    - "minimum 5' wide sidewalks unobstructed and minimum average parkway width of 9 feet, provided the sidewalk width may be reduced to 4' in order to preserve existing trees."
- Same changes to be reflected on the Landscape plan
  - Section 112, (c) Bicycle Parking, add to the end "At least 3 of these spaces must be accessible to the public."
  - Section 116, adopt staff's recommendation regarding reserved units.
  - Section 117, add the following sections:
    - (d) Bar/Restaurant Uses. Outdoor bar/dining areas may not be operated after midnight.
    - (e) Amplified sound. All uses may not utilize outdoor amplified sound systems after 11:00 pm.
- On the Landscape Plan, add
  - Existing site trees on the landscape plan must be preserved but may be removed and replaced in the event of tree loss by means of disease or unintentional damage, subject to approval by the director. Except for a temporary construction or sales office use, a building permit may not be



issued for work on the Property until the building official has approved a tree preservation plan for these existing trees.

- Reduce caliper of trees to 4" on Lemmon

on property zoned a GR General Retail Subdistrict and an MF-2 Multiple-Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Lemmon Avenue, Throckmorton Street, Bowser Avenue, and Reagan Street.

Maker: Kingston  
Second: Hampton  
Result: Carried: 14 to 0

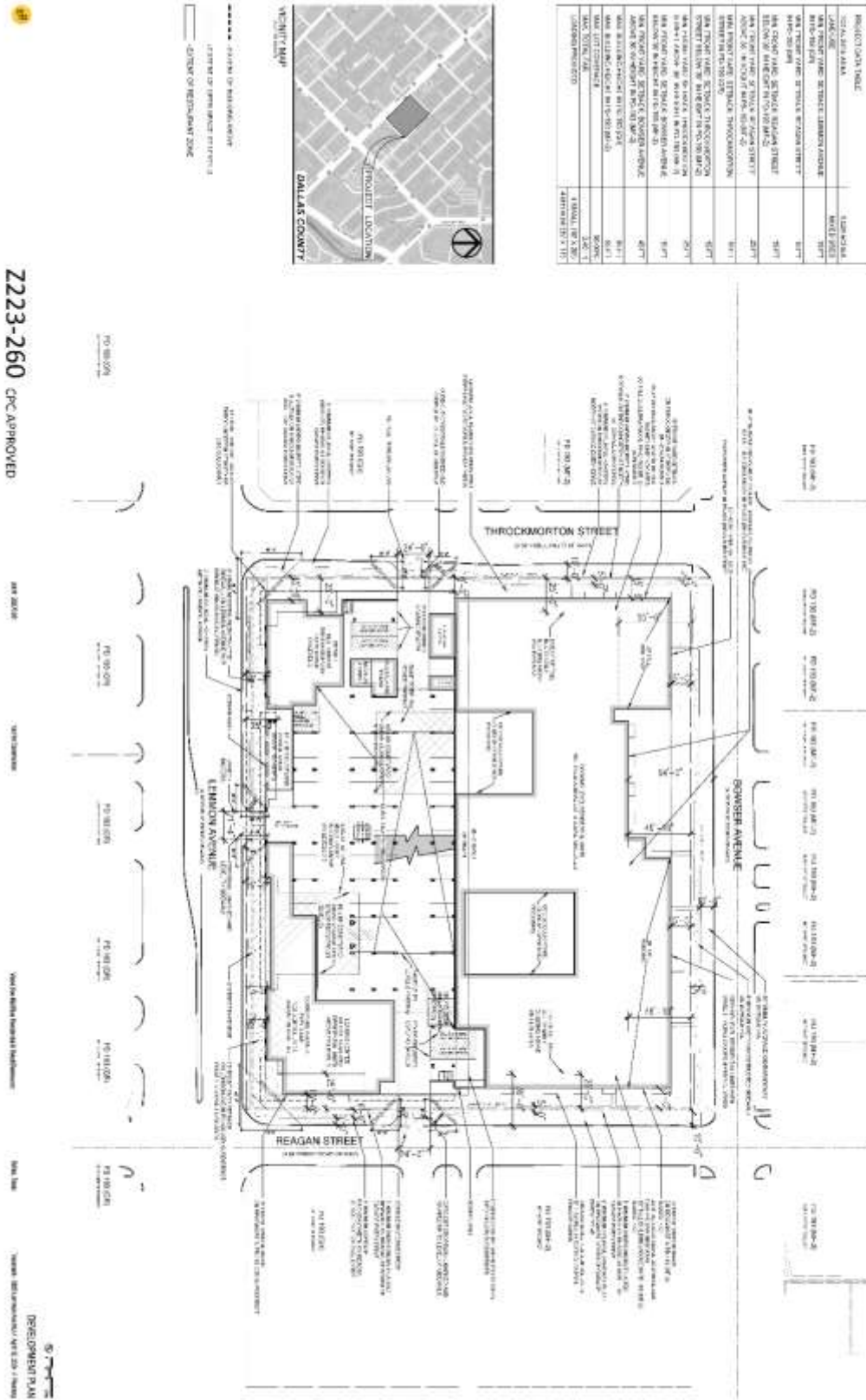
For: 14 - Chernock, Hampton, Herbert, Forsyth, Shidid, Carpenter, Wheeler-Reagan, Blair, Sleeper, Housewright, Haqq, Hall, Kingston, Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

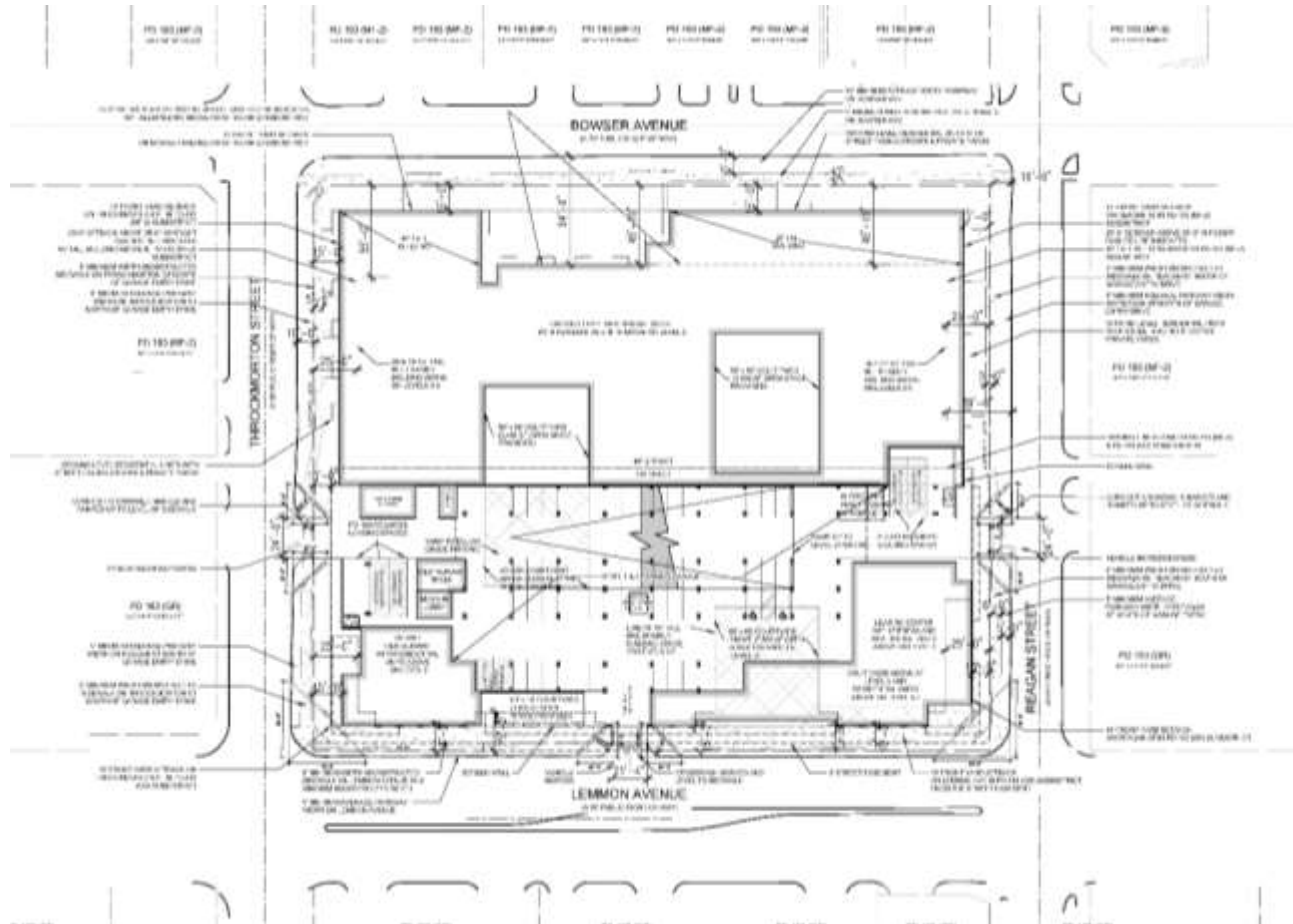
**Notices:** Area: 500 Mailed: 402  
**Replies:** For: 6 Against: 3

**Speakers:** For: Chad Colley, 3800 Maple Ave., Dallas, TX, 75219  
Tommy Mann, 500 Winstead Building, Dallas, TX 75201  
Evan Lieb Beattie, 4442 Southcrest Rd., Dallas, TX 75229  
Jeffrey W. McLaughlin, 3818 Holland Ave., Dallas, TX, 75219  
Adam Murphy, 2820 Routh St., 100, Dallas, TX 75201  
Against: None

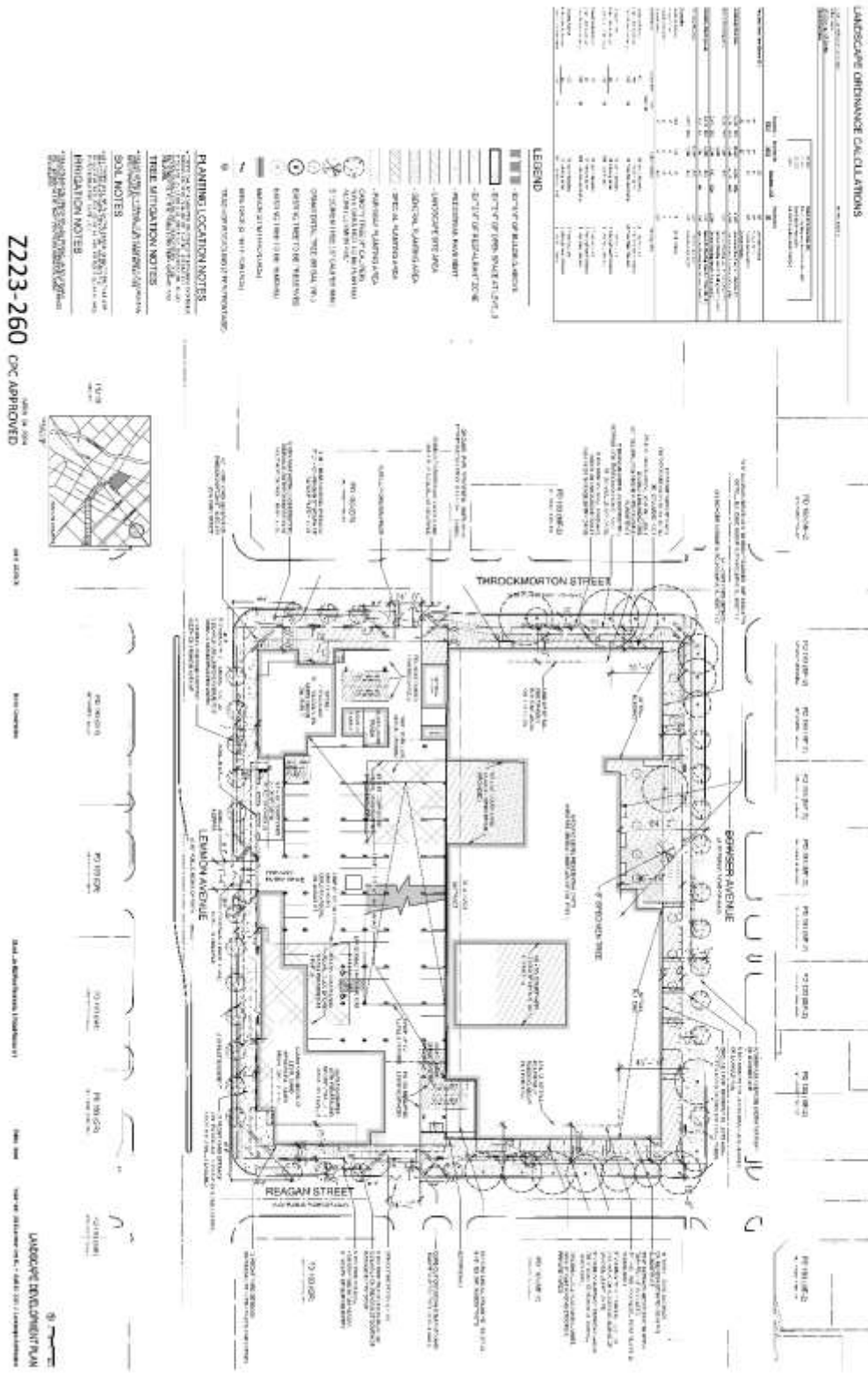
# CPC RECOMMENDED DEVELOPMENT PLAN



**CPC RECOMMENDED DEVELOPMENT PLAN (ENLARGED)**

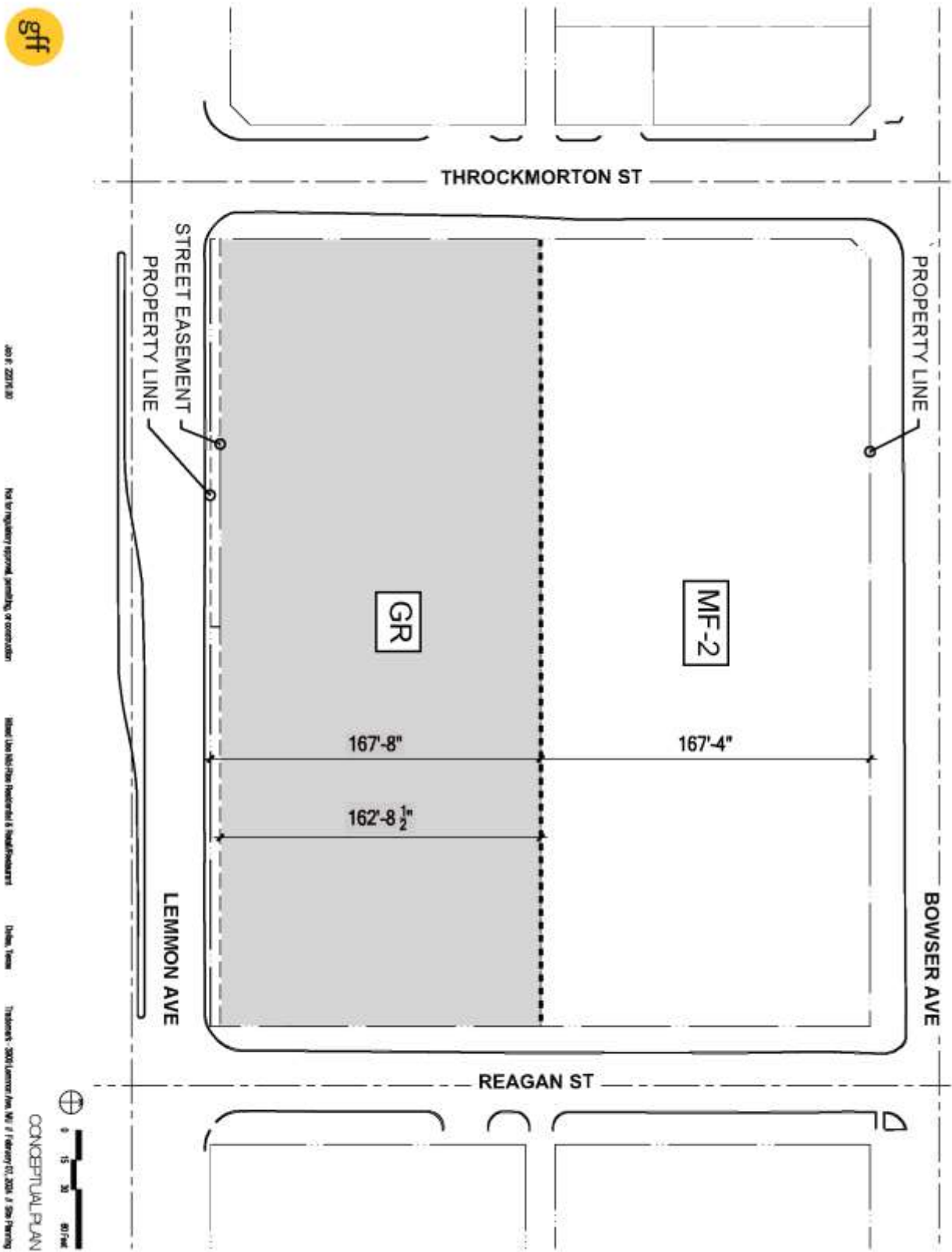


# CPC RECOMMENDED LANDSCAPE PLAN

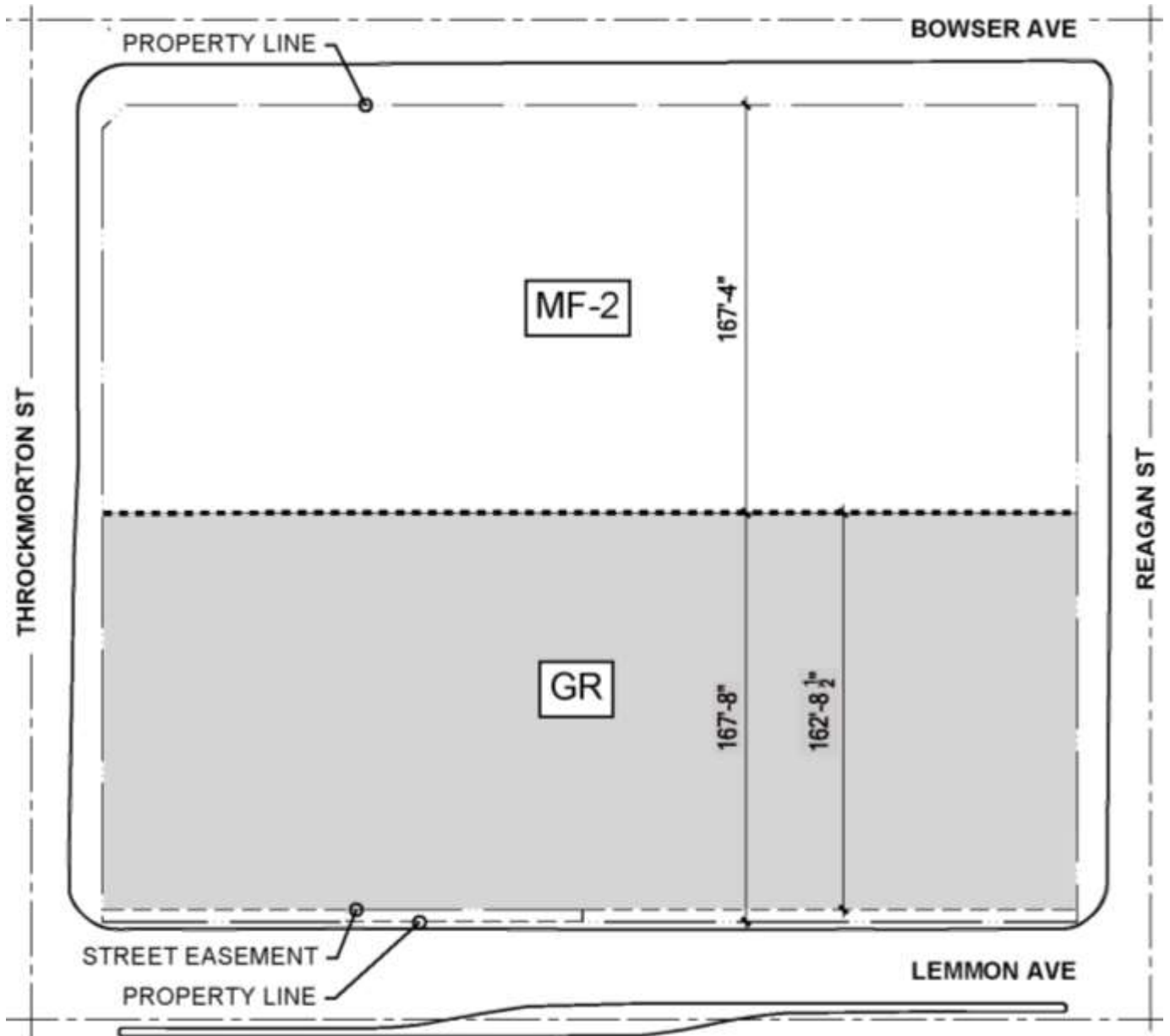




CPC RECOMMENDED CONCEPTUAL PLAN



CPC RECOMMENDED CONCEPTUAL PLAN (ENLARGED)



## **CPC RECOMMENDED CONDITIONS**

**Division S-\_\_\_. Subdistrict \_\_\_.**

### **SEC. S-\_\_\_.101. LEGISLATIVE HISTORY.**

PD Subdistrict \_\_\_ was established by Ordinance No. \_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_, 20\_\_.

### **SEC. S-\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict \_\_\_ is established on property located on the east corner of Lemmon Avenue and Throckmorton Street. The size of PD Subdistrict \_\_\_ is approximately 3.076 acres.

### **SEC. S-\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division:

(1) **HABITAT GARDEN** means any planting areas that are native or native adaptive species to North Texas with low water or very low water consumption characteristics with the intention of attracting or providing habitat for bees, birds, butterflies, or other pollinators or a combination thereof. The landscaping shall be maintained with industry best practices to promote the healthy development and maintenance of pollinator habitats.

(2) **GR TRACT** means the area of the property zoned PD 193 General Retail as of (date of adoption of ordinance) and indicated on the conceptual plan (Exhibit A).

(3) **MICRO-MOBILITY CHARGING** means an electrical charging station or outlet available for charging micro-mobility vehicles such as e-scooters and e-bikes.

(4) **MICRO-UNIT** means an efficiency, studio, or one-bedroom unit less than 450 square feet in size.

(5) **MF-2 TRACT** means the area of the property zoned PD 193 MF-2 multifamily as of (date of adoption of ordinance) and indicated on the conceptual plan (Exhibit A).

(6) **OPEN SPACE** means an area or areas that meet the requirements and allowances of Section 51A-4.1107(f)(1).

(7) **SUBDISTRICT** means a subdistrict of PD 193.

(8) **TRANSPARENCY** means the total area of window and door openings filled with glass expressed as a percentage of the total street-level facade.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a residential zoning district.



**SEC. S-\_\_\_\_.104. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit S-\_\_A: conceptual plan.
- (2) Exhibit S-\_\_B: development plan.
- (3) Exhibit S-\_\_C: landscape plan.

**SEC. S-\_\_\_\_.105. CONCEPTUAL PLAN.**

(a) Use of the Property must comply with the conceptual plan (Exhibit S-\_\_A). The conceptual plan defines only the division of uses throughout the Subdistrict. If there is a conflict between the text of this division and the conceptual plan, the text of this division controls.

**SEC. S-\_\_\_\_.106. DEVELOPMENT PLAN.**

(a) For a project receiving a bonus pursuant to Sec. S-\_\_\_\_.116, development and use of the Property must comply with the development plan (Exhibit S-\_\_B). If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all other uses, no development plan is required and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and development schedule do not apply.

**SEC. S-\_\_\_\_.107. MAIN USES PERMITTED.**

- (a) Main uses are permitted according to the tracts as described below and in the conceptual plan described in SEC. S-\_\_\_\_.105.
- (b) (b) GR Tract. The only main uses permitted are those main uses permitted in the General Retail District, subject to the same conditions applicable in the General Retail District, as set out in Part I of this article. For example, a use permitted in the General Retail 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 General Retail is subject to DIR in this district; etc.
- (c) (c) MF-2 Tract. The only main uses permitted are those main uses permitted in the MF-2 District, subject to the same conditions applicable in the MF-2 District, as set out in Part I of this article. For example, a use permitted in the MF-2 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 is subject to DIR in this district; etc.

**SEC. S-\_\_\_\_.108. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

(b) In this subdistrict, the following accessory uses are not permitted:

- Private stable.
- Amateur communication tower.
- Open storage.

**SEC. S-\_\_\_109. YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-2 multiple-family subdistrict apply in this subdistrict.

(b) The yard, lot, and space standards are governed by the regulations defined in this section, and are not subject to the locations described in the Conceptual Plan Exhibit S-\_\_\_A.

(1) Except as otherwise provided in this section: 2.0 to 1.

(b) For a project that qualifies for a bonus pursuant to Sec. S-\_\_\_116:

(1) Front yard. For purposes of this subdistrict, frontages along Lemmon Avenue, Throckmorton Street, Regan Street, and Bowser Avenue are considered front yards.

(A) Lemmon Avenue: Minimum front yard is 10 feet.

(B) Throckmorton Street and Reagan Street.

(i) For portions of a structure with a max height of 60 feet or less :

(1) For structures 36 feet in height or less, minimum front yard is 15 feet.

(2) For structures taller than 36 feet in height, minimum front yard is 25 feet.

(ii) For portions of a structure with a max height of building where height permitted by SEC. S-\_\_\_109.(b) (3) is greater than 60 feet or more, minimum front yard is 10 feet.

(C) Bowser Avenue.

(i) For structures 36 feet in height or less, minimum front yard is 15 feet.

(ii) For structures taller than 36 feet in height, minimum front yard is 45 feet.

(2) Density. Maximum number of dwelling units is 416.

(3) Height.

(A) Except as provided in this paragraph, Within 155 feet of Lemmon Avenue: 85, maximum structure height is 85 feet.

## Z223-260(MP)

(B) Except as provided in this paragraph, Between 155 feet and 285 feet of Lemmon Avenue, maximum structure height is 60 feet.

(C) Except as provided in this paragraph, More than 285 feet from Lemmon Avenue, maximum structure height is 36 feet.

(D) The following structures may project a maximum of 10 feet above the maximum structure height:

- (i) Elevator penthouse or bulkhead.
- (ii) Mechanical equipment room.
- (iii) Cooling tower.
- (iv) Tank designed to hold liquids.
- (v) Visual screens that surround roof-mounted mechanical equipment.
- (vi) Chimney and vent stacks.
- (vii) Parapet walls (a maximum of six feet above the maximum structure height).

(4) Maximum lot coverage. Maximum lot coverage is 90 percent.

(A) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(c) Floor area ratio.

(1) For a project qualifying for a bonus pursuant to Sec. S-\_\_\_ 116: 3.4 to 1.

### SEC. S-\_\_\_ 110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) For a project that qualifies for a bonus pursuant to Sec. S-\_\_\_ 116.

#### **Staff's Recommended Conditions**

(1) Minimum parking shall be required in accordance with Section 51A-4.1107(c).

~~(2) For micro-units and units restricted to specific income levels pursuant to Sec. S-\_\_\_ 116, 0.5 spaces per dwelling unit are required.~~

(1) Except for micro-units and units restricted to specific income levels pursuant to Sec. S-\_\_\_ 116, 1.25 spaces per dwelling unit are required.

(2) For micro-units and units restricted to specific income levels pursuant to Sec. S-\_\_\_ 116, 0.5 spaces per dwelling unit are required.

(3) Required loading is 4 medium spaces and 4 small spaces. The small loading spaces must be located in the ground level of the parking structure.

**SEC. S-\_\_\_\_.111. URBAN DESIGN STANDARDS.**

(a) Sidewalks and Parkways.

(1) Lemmon Avenue. Minimum eight-foot-wide sidewalk with at least six feet unobstructed and minimum average parkway width of five feet.

**Staff's Recommended Conditions**

(2) All other frontages: Minimum six-foot-wide unobstructed sidewalk and minimum average parkway width of five feet.

~~(2) Throckmorton Street and Reagan Street north of driveway, as shown on the development plan. Minimum five foot unobstructed sidewalks are required with a minimum average parkway width of 9 feet, provided the sidewalk width may be reduced to 4' in order to preserve existing trees.~~

~~(3) Throckmorton Street and Reagan Street south of driveway, as shown on the development plan. Minimum six foot wide unobstructed sidewalk and minimum average parkway width of five feet.~~

~~(4) Bowser Avenue. Minimum five foot unobstructed sidewalks are required with a minimum average parkway width of 9 feet, provided the sidewalk width may be reduced to 4' in order to preserve existing trees.~~

(2) Throckmorton Street and Reagan Street north of driveway, as shown on the development plan. Minimum five foot unobstructed sidewalks are required with a minimum average parkway width of 9 feet, provided the sidewalk width may be reduced to four feet in order to preserve existing trees.

(3) Throckmorton Street and Reagan Street south of driveway, as shown on the development plan. Minimum six-foot-wide unobstructed sidewalk and minimum average parkway width of five feet.

(4) Bowser Avenue. Minimum five foot unobstructed sidewalks are required with a minimum average parkway width of 9 feet, provided the sidewalk width may be reduced to four feet in order to preserve existing trees.

(b) Pedestrian amenities. Along each of the frontages of Throckmorton Street, Bowser Avenue, Reagan Street and Lemmon Avenue, a minimum of two of each of the following pedestrian amenities must be provided:

- (1) Benches.
- (2) Trash receptacles.
- (3) Bicycle racks.

(c) Architectural elements. A minimum of one of the following architectural elements must be provided at all public entrances:

- (1) Architecturally prominent public entrance.
- (2) Canopy.
- (3) Awning.
- (4) Attached tower.

(e) Transparency. Except as provided in this subsection, facades facing Lemmon Avenue must have a minimum transparency of forty percent for that portion of the facade between grade and fifteen feet in height. Windows must be clear or unpainted, or, if treated, must be transparent or translucent. Spandrel glass and backpainted glass are not considered transparent. This subsection does not apply to parking structures.

(f) Open space. For a development containing 100 or more dwelling units, a minimum of 34,000 square feet of open space must be provided. 13,000 square feet of the total open space must be located on the ground. Open space may be located on top of a parking structure.

(g) Driveway maximums:

(1) Along Lemmon Avenue, Reagan Street, and Throckmorton Street, where an ingress or egress driveway crosses a sidewalk, maximum width of each driveway shall be 25 feet per frontage. One such driveway is permitted on each of these frontages.

(2) Along Bowser Street, no ingress or egress driveways are permitted on this frontage. (Ord. \_\_\_\_)

(h) External surface parking is prohibited.

(i) Except within a required visibility triangle, where sidewalks abut any on-site driving surface, loading area, or parking surface the following buffering must be used:

- (1) Landscaping plantings with a minimum height of 36 inches; or
- (2) Bollards with a minimum height of 36 inches, spaced no more than six feet in distance from each other.

(j) At the intersection of each driveway with a sidewalk or pedestrian path, driveways must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing.

**SEC. S-\_\_\_\_.112. SUSTAINABLE DESIGN FEATURES FOR A PROJECT THAT QUALIFIES FOR A BONUS PURSUANT TO SEC. S- \_\_\_\_116**

(a) Drip Irrigation. Except for lawn areas, drip irrigation shall be utilized for maintenance of plantings.

(b) Charging areas. Micro-mobility charging and parking for at least 10 vehicles must be provided.

(c) Bicycle Parking. A minimum total of 12 bicycle parking spaces must be located along street frontages and be accessible and visible from sidewalks. At least 3 of these spaces must be accessible to the public.

(d) Façade Lighting. Exterior lighting sources, if used, must be oriented down and onto the property they light and generally away from adjacent residential properties.

(e) Micro units. A minimum of 5% of dwelling units shall be micro-units. Micro units may not be counted for purposes of qualifying for a mixed-income housing bonus pursuant to Sec. S-\_\_\_\_.116(b).

(f) A minimum of 30 percent of the podium roof area shown on the development plan shall be covered with improvements that minimize heat production such as turf, synthetic turf, raised planters, photovoltaic cells, swimming pools, water features, and shade structures.

(g) Recycling containers shall be available for residents and on-site workers.

(h) Irrigation.

(1) Condensate from mechanical equipment greater than 5 tons in size must be captured and reused for irrigation.

(2) Detention and rainwater harvesting must be utilized for irrigation.

#### **SEC. S-\_\_\_\_.113. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

#### **SEC. S-\_\_\_\_.114. LANDSCAPING.**

(a) In general. Except as provided below for a project that qualifies for a bonus pursuant to Sec. S-\_\_\_\_.116, landscaping must be provided in accordance with Part 1 of this article.

(b) Landscaping for a project that qualifies for a bonus pursuant to Sec. S-\_\_\_\_.116.

(1) Except as otherwise provided in this subsection, landscaping must be provided in accordance with Part 1 of this article and as shown on the landscape plan, Exhibit S-\_\_\_\_.B. If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(2) All plantings within the special and general planting areas must comply with habitat garden standards.

(3) General planting area may be located aboveground on an outside roof deck, rooftop garden, pool area, patio, or similar type of outside common area.

(4) Live oaks may not be used for street trees along Lemmon Avenue.

(5) The number of trees required with the tree planting zoning along Throckmorton is 8, provided the four large live oaks existing prior to 2024 as shown on the landscape plan are preserved. Otherwise, street trees are required on this frontage per Sec. 51P-193.126(b)(5).

(7) The garage screening required in Sec. 51P-193.126(b)(3)(D) is not applicable to a parking structure concealed by the main building.

(8) The building official may allow tree and other planting locations to change at time of permitting in order to avoid conflicts with utilities.

(9) The landscaping must be maintained with industry best practices to promote the healthy development and maintenance of pollinator habitats.

(10) Existing site trees on the landscape plan must be preserved but may be removed and replaced in the event of tree loss by means of disease or unintentional damage, subject to approval by the director. Except for a temporary construction or sales office use, a building permit may not be issued for work on the Property until the building official has approved a tree preservation plan for these existing trees.

(c) Plant materials must be maintained in a healthy, growing condition.

**SEC. S-\_\_\_115. SIGNS.**

(a) Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

**SEC. S-\_\_\_116. DEVELOPMENT BONUSES FOR MIXED-INCOME HOUSING**

(a) In general. Except as provided in this section, compliance with Division 51A-4.1100, as amended, is required to obtain the development bonuses in Section S-\_\_\_\_.109.

(b) Reserved units. The height and floor area ratio development bonuses set forth in Section S-\_\_\_109 apply if a minimum of five percent of the residential units are available to household earning between 61 percent and 80 percent of the area median family income.

(c) Development regulations. Except as otherwise provided in this subsection, compliance with Section 51A-4.1107 is required. In the event of a conflict between Section 51A-4.1107 and this Subdistrict, this Subdistrict controls.

(1) Façade areas enclosing parking structure or loading areas are not subject to the transparency requirements of Sec. 51A-4.1107(d)(1).

(2) That portion of the ground-level floor facing the street of any multi- floor parking facility must have an active use other than parking, with a minimum depth of 15 feet, or must have an exterior facade that is similar in materials, architecture, and appearance to the facade of the main structure. Exterior parking structure facade openings must provide solid screening a minimum 42 inches from the floor level within the parking structure to screen vehicles and vehicle headlights.

**SEC. S-\_\_\_117. ADDITIONAL PROVISIONS.**

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Development and use of the Property must comply with Part I of this article.

(d) Bar/Restaurant Uses. Outdoor bar/dining areas may not be operated after midnight.

**Staff's Recommended Conditions**

~~(d) Bar/Restaurant Uses. Outdoor bar/dining areas may not be operated after midnight.~~

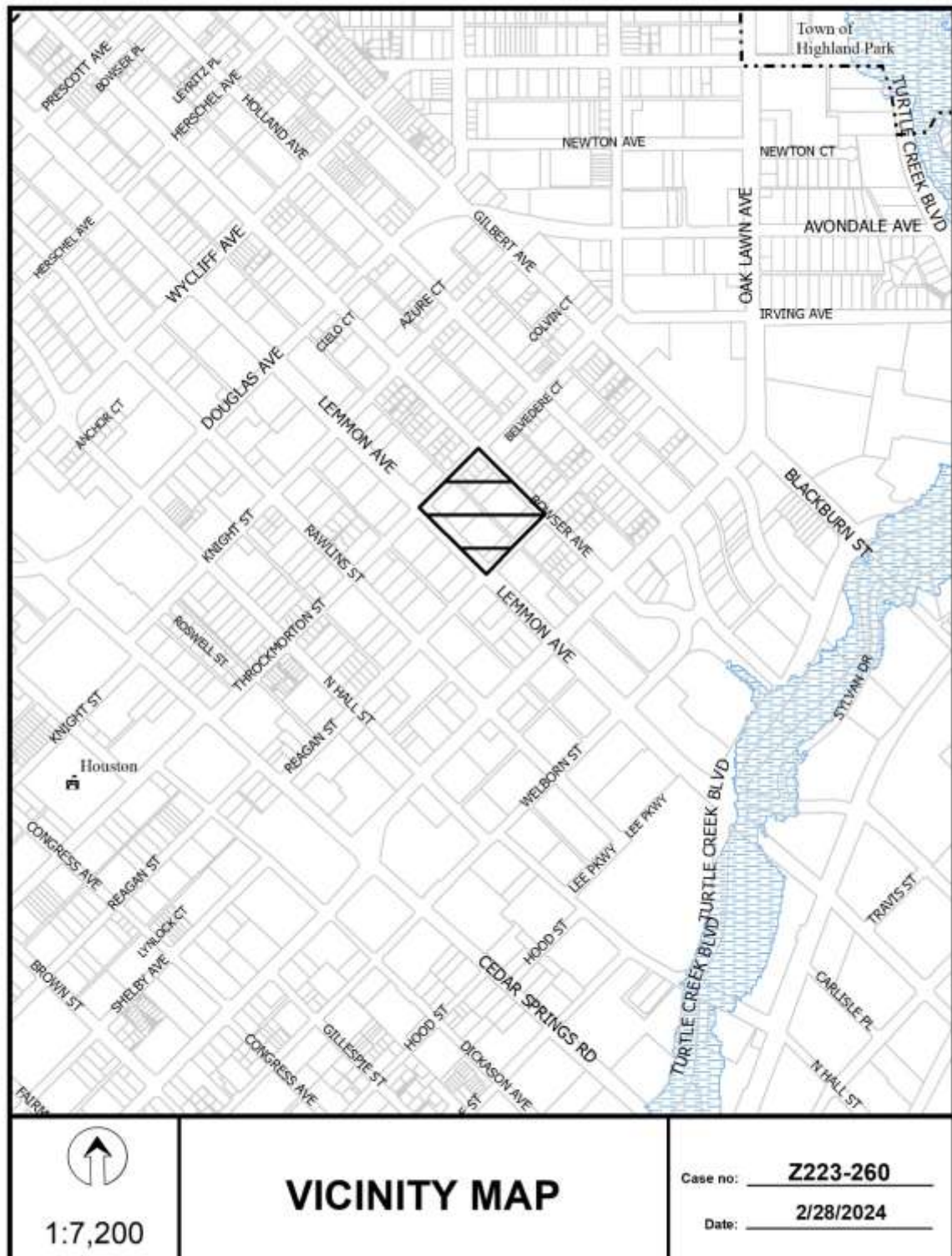
- (e) (Amplified sound. All uses may not utilize outdoor amplified sound systems after 11:00 pm.

**SEC. S-\_\_\_\_.118. COMPLIANCE WITH CONDITIONS.**

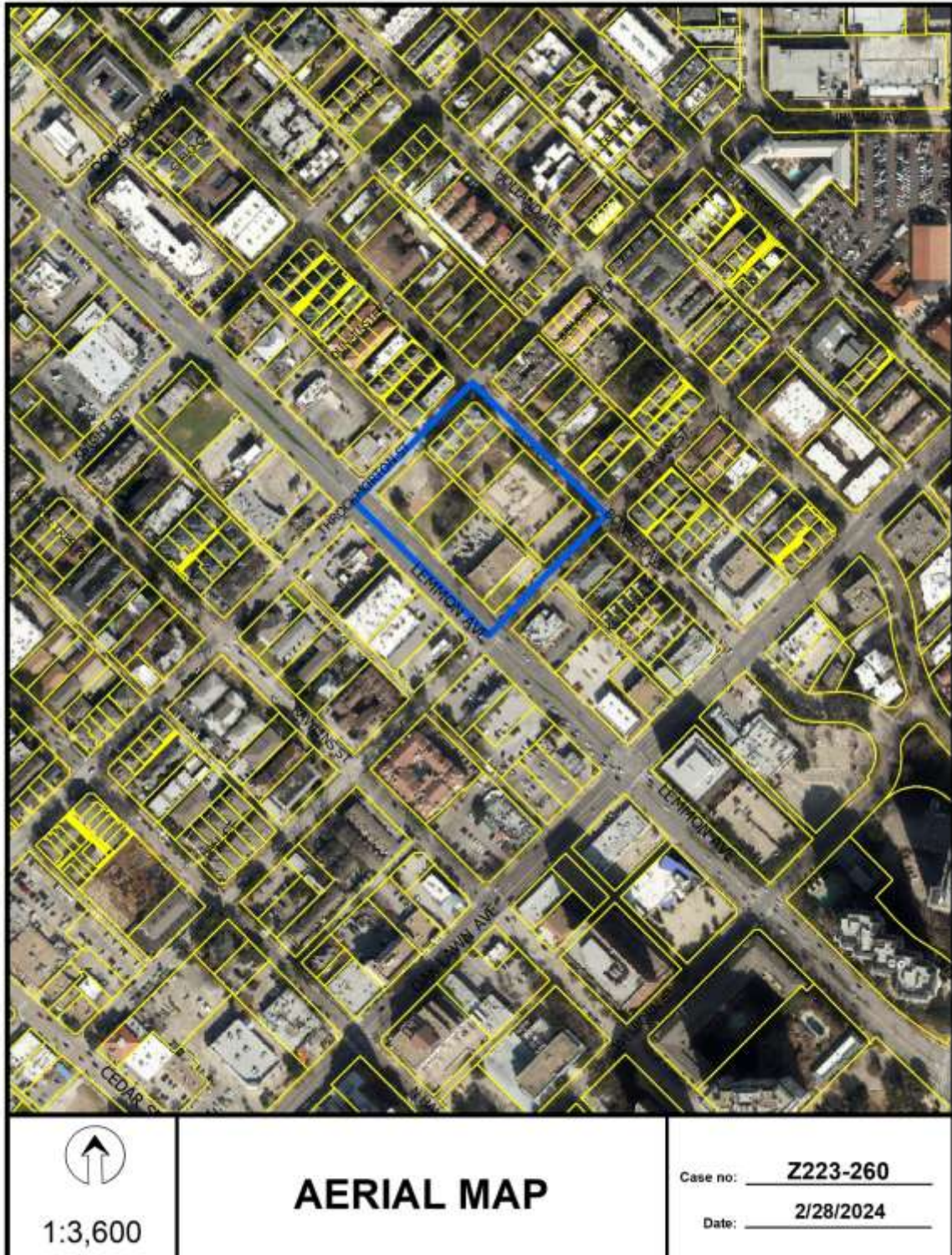
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

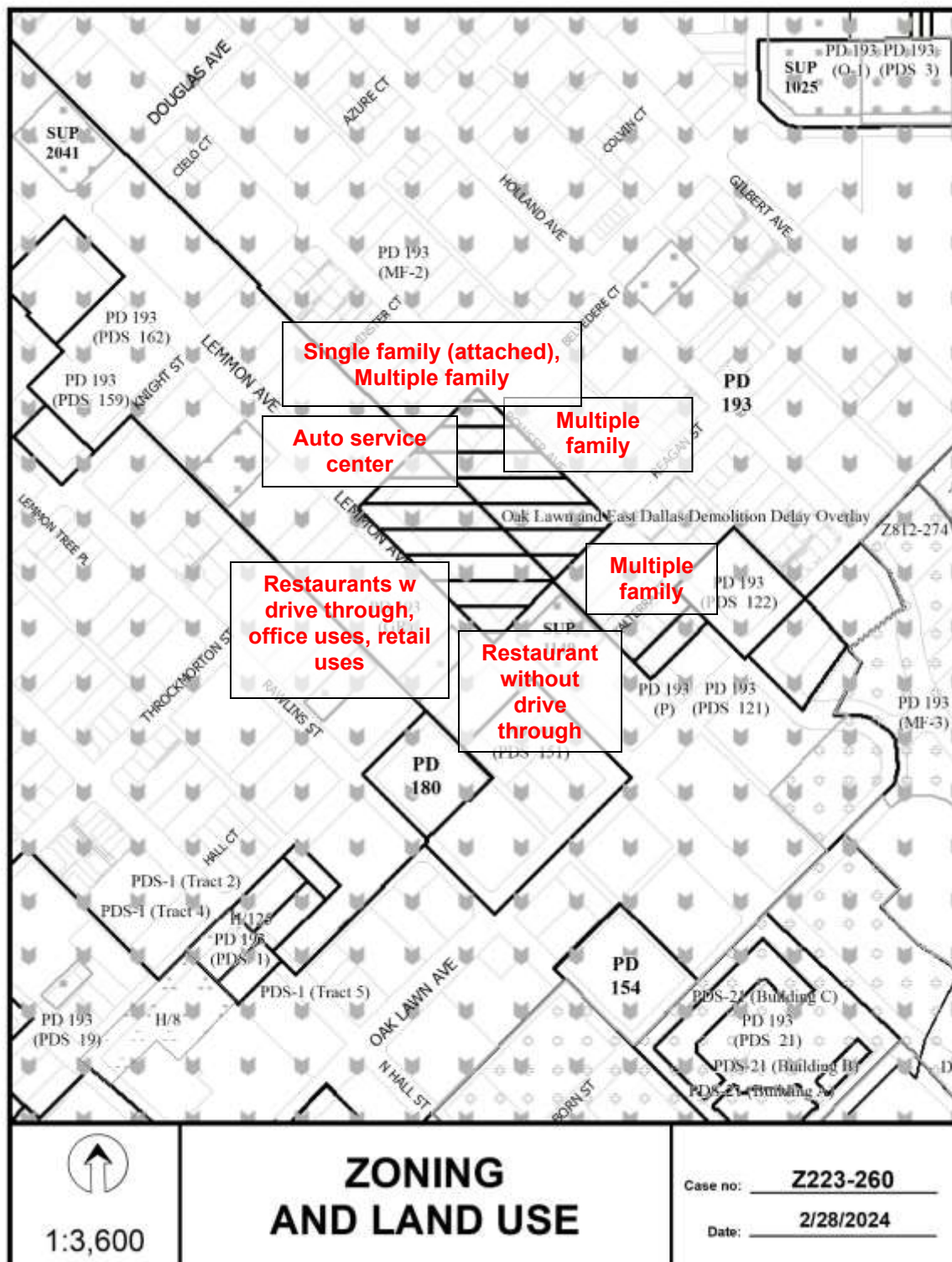






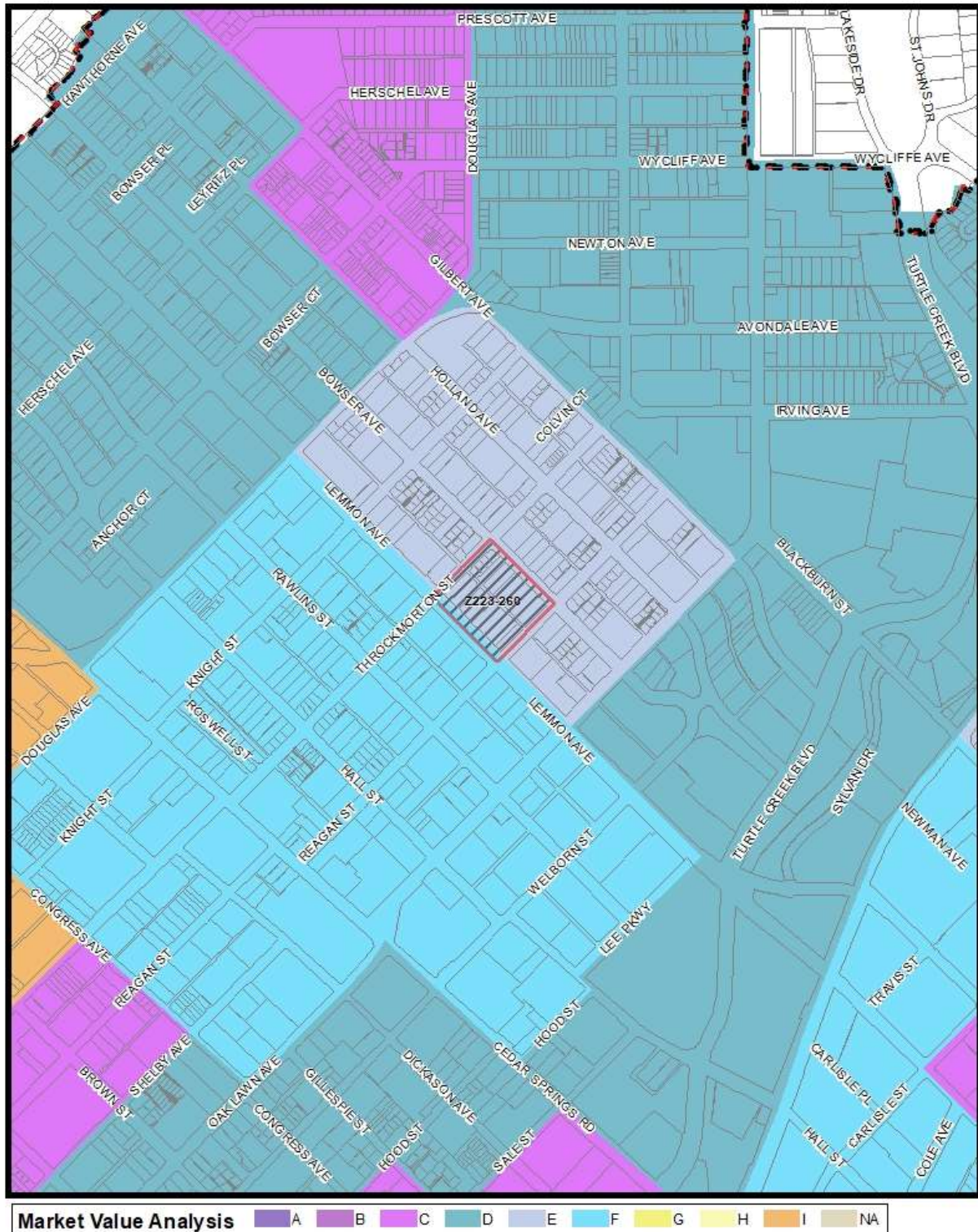










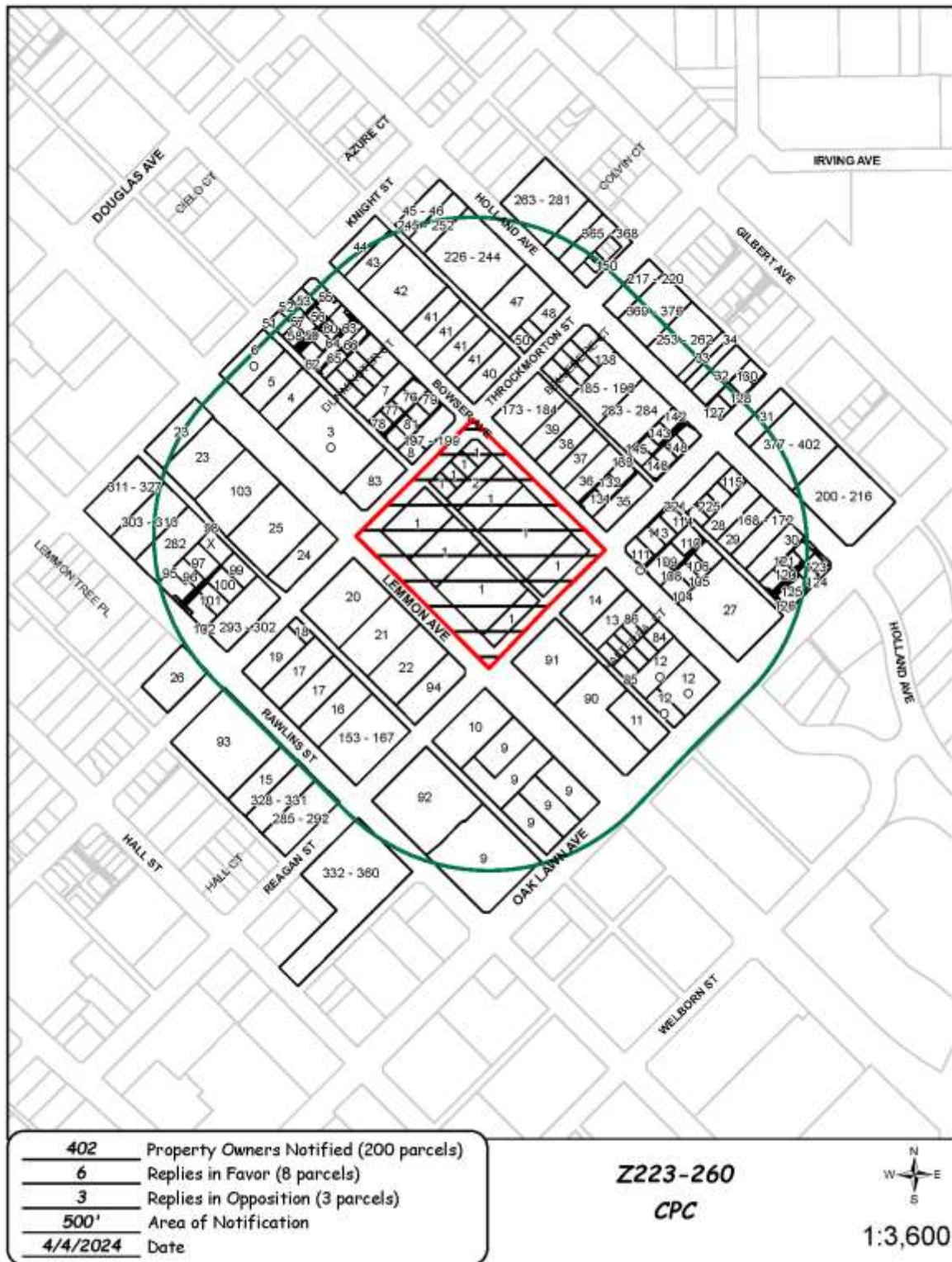


1:7,200

# Market Value Analysis

Printed Date: 2/28/2024





04/03/2024

***Reply List of Property Owners******Z223-260******402 Property Owners Notified   6 Property Owners in Favor   3 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	3900 LEMMON AVE	HEB GROCERY COMPANY LP
	2	3927 BOWSER AVE	HEB GROCERY COMPANY LP
O	3	4018 LEMMON AVE	ROSSMORE ENTERPRISES
	4	4026 LEMMON AVE	BURKMAN INVESTMENTS INC
	5	4030 LEMMON AVE	FARR TERESA M
O	6	4038 LEMMON AVE	TRAYMORE PARTNERS LTD
	7	4015 BOWSER AVE	AMBER RENTALS LLC
	8	3515 THROCKMORTON ST	ZOTOS COURTNEY V
	9	3435 OAK LAWN AVE	RP LEMMON PPTIES LP
	10	3827 LEMMON AVE	LEMINA PARTNERS LTD
	11	3509 OAK LAWN AVE	Taxpayer at
O	12	3519 OAK LAWN AVE	3519 OAKLAWN PARTNERS LTD
	13	3825 BOWSER AVE	BAYAT ALI & SARA EHSANI
	14	3827 BOWSER AVE	PHOL INVESTMENT INC
	15	3913 RAWLINS ST	3913 RAWLINS STREET LLC
	16	3912 RAWLINS ST	ROCKAPR15 LLC
	17	3916 RAWLINS ST	MALT INVESTMENTS INC
	18	3412 THROCKMORTON ST	KOINIS PAULINE C ET AL
	19	3928 RAWLINS ST	MALT INVESTMENTS INC
	20	3923 LEMMON AVE	BLUE PROPERTIES LLC
	21	3915 LEMMON AVE	STANLEY GAINES & VICKIE
	22	3911 LEMMON AVE	WEST LLC
	23	4037 LEMMON AVE	RTK RESOURCES LP
	24	4001 LEMMON AVE	4001 LEMMON AVENUE LLC
	25	4015 LEMMON AVE	WEEDN REALTY LTD
	26	4003 RAWLINS ST	PGH DIVIDE LLC

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3607	OAK LAWN AVE	ASSET MANAGEMENT ASSOC
28	3823	HOLLAND AVE	SHOOK JASON &
29	3819	HOLLAND AVE	YOUNG ELLE J
30	3811	HOLLAND AVE	COMPTON DALLAS PROPERTIES LP
31	3830	HOLLAND AVE	SWANSON REID
32	3906	HOLLAND AVE	WESTFIELD JOHN D
33	3912	HOLLAND AVE	CGI FAMILY LIVING TRUST
34	3910	HOLLAND AVE	SANDFORT JAMES D & KRISTEN A
35	3900	BOWSER AVE	OTT NATHANIEL BENTZIN
36	3910	BOWSER AVE	VINCENT BENJAMIN & SHELBY
37	3914	BOWSER AVE	SON 3 ENTERPRISES LLC
38	3918	BOWSER AVE	MICHLIN JUDY
39	3922	BOWSER AVE	GERMANY JAMES M
40	4000	BOWSER AVE	KEELEY ROBERT THEODORE
41	4006	BOWSER AVE	KEELEY ROBERT THEODORE
42	4026	BOWSER AVE	FULKS PAUL M EST &
43	4032	BOWSER AVE	DUNCAN MICHAEL DENNIS
44	4040	BOWSER AVE	HPS PROPERTIES LLC
45	4035	HOLLAND AVE	YAHALOM ZUR
46	4035	HOLLAND AVE	GOONETILLEKE ANTHONY &
47	4011	HOLLAND AVE	MCWORTH REAL ESTATE LLC
48	4001	HOLLAND AVE	SALON ESTATE LLC
49	3619	THROCKMORTON ST	WHITESIDE KRISTI PAIGE
50	3617	THROCKMORTON ST	BARTELS SCOTT R &
51	3550	KNIGHT ST	PRITCHARD JOHN DANIEL
52	3554	KNIGHT ST	WEEKS JOHN J & ANGELIC M
53	3558	KNIGHT ST	ATERNO ELIZABETH & JOSEPH D
54	4045	BOWSER AVE	DIXON JOYCE
55	4043	BOWSER AVE	TILLMAN ANTHONY &
56	4041	BOWSER AVE	FOSTER JANET M
57	4039	BOWSER AVE	WARRINGTON DEBRA K



04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	4037 BOWSER AVE	BRYARLY MEREDITH ANNE &
	59	4029 BOWSER AVE	BROGLEY CHAD STEPHEN
	60	4031 BOWSER AVE	DRAKE BENJAMIN TAYLOR
	61	4033 BOWSER AVE	DECAMP MONICA
	62	4035 BOWSER AVE	BAZLEH SEYED MOHAMMAD
	63	4023 BOWSER AVE	HOOK JEFFERY DWAYNE &
	64	4027 BOWSER AVE	SAWHNEY MANAV S &
	65	4021 BOWSER AVE	STALLION GROWTH FUND LLC
	66	4025 BOWSER AVE	QUINTERO JULIAN ESTEBAN &
	67	4019 BOWSER AVE	DARRAH SAMUEL &
	68	3581 DUNMINSTER CT	HOPSON KAYLAN BROOKE
	69	3561 DUNMINSTER CT	KRASKIN ANTON
	70	3541 DUNMINSTER CT	MENZIA JOHN JOSEPH
	71	4017 BOWSER AVE	SEFTON MARYANNE C TRUST
	72	3580 DUNMINSTER CT	LIN HELEN
	73	3560 DUNMINSTER CT	KOCH URSULA PATRICIA
	74	3540 DUNMINSTER CT	CHAFFEE BRYAN
X	75	4007 BOWSER AVE	COHEN LUCIENNE HILTON &
	76	4007 BOWSER AVE	HOFKER BEATRIX
	77	4007 BOWSER AVE	PERRY KATHRYN VIRGINIA
	78	4007 BOWSER AVE	MONTGOMERY WILLIAM &
	79	4007 BOWSER AVE	ESCH MATTHEW
	80	4007 BOWSER AVE	CLENNEY LAURA LIVING TRUST
	81	4007 BOWSER AVE	DALES TUNA TREAT FUND
O	82	4007 BOWSER AVE	NELSON JAMES HAYS & KELLY SONGY
	83	4004 LEMMON AVE	DALLAS LUBE VENTURE LLC
	84	3817 BOWSER AVE	JOSEPH SUSAN &
	85	3817 BOWSER AVE	JOSEPH SUSAN &
	86	3553 KALTERRA CT	MOUZABI SARA
	87	3541 KALTERRA CT	KIRKLAND JONATHAN C
	88	3517 KALTERRA CT	AGADONI MAX ALBERT

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	3505 KALTERRA CT	GILL FAMILY LIVING TRUST THE
	90	3820 LEMMON AVE	GSSW LEMMON OAKLAWN LLC
	91	3826 LEMMON AVE	KLINE TRUST INV LTD
	92	3838 RAWLINS ST	NAKASH LINCOLN COURT LLC
	93	3921 RAWLINS ST	DALLAS COUNTY MENTAL HEALTH
	94	3903 LEMMON AVE	3903 LEMMON AVE LLC
	95	4016 RAWLINS ST	KAY GLENDA LIVING TR
	96	4014 RAWLINS ST	COHEN ALAN GOLD
	97	4012 RAWLINS ST	CORNWELL KAITLYN ELEANOR &
X	98	4010 RAWLINS ST	WIKENCZY CHRISTOPHER P &
	99	4008 RAWLINS ST	MCCOY C FRANCE &
	100	4006 RAWLINS ST	HAWKINS STEVEN B
	101	4004 RAWLINS ST	RUTLEDGE GEORGE &
	102	4002 RAWLINS ST	QUINONES WILLIAM A
	103	4023 LEMMON AVE	SGB LEMMON LLC
	104	3816 BOWSER AVE	COIT ALBERT
	105	3816 BOWSER AVE	WEINKAUF MARGARET
	106	3816 BOWSER AVE	PATEL NIKITA & AMAR THAKRAR
	107	3816 BOWSER AVE	BEAR ALAN HOWARD & JOAN MARIE
	108	3820 BOWSER AVE	RINAOLO RICHARD THOMAS
	109	3822 BOWSER AVE	PATEL AMIT & AMISHA
	110	3824 BOWSER AVE	SANCHEZ FELIX & LOURDES
O	111	3834 BOWSER AVE	GRIFFO BOB C
X	112	3608 REAGAN ST	HAMILTON BILL T & DEBBIE
	113	3610 REAGAN ST	CHELLGREN ZELDA &
	114	3612 REAGAN ST	BOYER LIVING TR
	115	3827 HOLLAND AVE	OLIVER STEPHEN R
	116	3827 HOLLAND AVE	MADRIGAL ALICIA
	117	3827 HOLLAND AVE	WHEAT WHITNEY SUSANNE
	118	3827 HOLLAND AVE	BRASEL MARY J
	119	3807 HOLLAND AVE	SWANEY LAURA A

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	3805 HOLLAND AVE	MANTANI NIKHILESH R &
	121	3803 HOLLAND AVE	BRNTLEY CORY BRYAN &
	122	3801 HOLLAND AVE	NOORDSY MICHAEL
	123	3637 OAK LAWN AVE	WATSON REVOCABLE TRUST
	124	3633 OAK LAWN AVE	ZHOU YUANZHENG
	125	3629 OAK LAWN AVE	PALETTI NHUTHUY & ERIC NATHAN
	126	3625 OAK LAWN AVE	JAMESON MICHAEL
	127	3701 REAGAN ST	RICHARDS CHARLOTTE CARTER
	128	3705 REAGAN ST	GRIFFIN JAMIE JOSEPH
	129	3709 REAGAN ST	MALHOTRA VINEET &
	130	3715 REAGAN ST	SAVAGE KRISTEN S & JASON R
	131	3902 BOWSER AVE	NEWCOMB MADISON RUFFIN &
	132	3904 BOWSER AVE	REHMATULLAH ASIF & SAMINA
	133	3906 BOWSER AVE	OSGOOD JEFFREY S &
	134	3991 HOLLAND AVE	VANDERZANDE ROBERT & CHANDA
	135	THROCKMORTON ST	ESSERMAN MARK A & LEDINA
	136	THROCKMORTON ST	VANDERSLICE DEANANN R
	137	THROCKMORTON ST	CRANFILL CHAD O &
	138	3981 HOLLAND AVE	KENNEDY KRISTEN MICHELLE &
	139	3660 BELVEDERE CT	KUMAR SUCHIT
	140	3640 BELVEDERE CT	BACCUS ROY BRUCE & MARY L
	141	3620 BELVEDERE CT	GRIFFITH KEITH & PATRICIA
	142	3909 HOLLAND AVE	SOLOMON NIKKI
	143	3907 HOLLAND AVE	ANDRADE DANTE G
	144	3905 HOLLAND AVE	Taxpayer at
	145	3903 HOLLAND AVE	STEINFELD ROBERT H
	146	3633 REAGAN ST	SPAULDING JESSICA A &
	147	3637 REAGAN ST	RUTHERFORD AMY A AMENDED AND
	148	3641 REAGAN ST	WOODS MARY L
O	149	3645 REAGAN ST	HARRIS JEFFREY B
	150	4002 HOLLAND AVE	4002 HOLLAND HOA

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	4002	HOLLAND AVE	NAVAS ERNESTO
152	4002	HOLLAND AVE	KAZANOWSKI KATELYN &
153	3904	RAWLINS ST	BASH BRECK LAWRENCE
154	3904	RAWLINS ST	LOHNER JACK E JR
155	3904	RAWLINS ST	WENHAM MARK &
156	3904	RAWLINS ST	SMITH JENNIFER L
157	3904	RAWLINS ST	XU MENG YU
158	3904	RAWLINS ST	HAYLOCK DUNCAN & COURTNEY
159	3904	RAWLINS ST	DELANO JEANA M
160	3904	RAWLINS ST	JONES KRISTEN ALLEN
161	3904	RAWLINS ST	HAYLOCK DUNCAN & COURTNEY
162	3904	RAWLINS ST	OROZCO IVAN
163	3904	RAWLINS ST	TURNER ELIZABETH J
164	3904	RAWLINS ST	COOK NOAH G
165	3904	RAWLINS ST	UDDIN NASIR
166	3904	RAWLINS ST	KACZMAREK JACOB
167	3904	RAWLINS ST	VILLARREAL ANA GABRIELA
168	3815	HOLLAND AVE	BUNCE DUANE LEE &
169	3815	HOLLAND AVE	KOZENKOVAITE VICTORIA
170	3815	HOLLAND AVE	SMITH BRYAN D
171	3815	HOLLAND AVE	YATES JOE III
172	3815	HOLLAND AVE	TAM CONSTANCE M & JIMMY P
173	3930	BOWSER AVE	BEARDSLEY EDWARD L &
174	3930	BOWSER AVE	FROMSTEIN BENJAMIN DAVID
175	3930	BOWSER AVE	TISON CHRISTOPHER ALLAN
176	3930	BOWSER AVE	SHANKLES JORDAN L
177	3930	BOWSER AVE	JENEVEIN JANE M &
178	3930	BOWSER AVE	SHEEHAN KATHERINE
179	3930	BOWSER AVE	WILSON SAM
180	3930	BOWSER AVE	TRUONG JOSEPH
181	3930	BOWSER AVE	PHILLIPS JAMES A REVOCABLE TRUST

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	3930	BOWSER AVE	ROSS MICHELLE E
183	3930	BOWSER AVE	ACARREGUI COURTNEY MICHELLE
184	3930	BOWSER AVE	KIRKSEY YOLANDA D
185	3919	HOLLAND AVE	CHOVANEC JOSEPH WILLIAM
186	3919	HOLLAND AVE	LANGSTON NOAH &
187	3919	HOLLAND AVE	COWLEY DOROTHY SUSAN
188	3919	HOLLAND AVE	SUSANTIO RUDY
189	3919	HOLLAND AVE	MAY LAURA
190	3919	HOLLAND AVE	LEDESMA MICHAEL
191	3919	HOLLAND AVE	BURNS DAN E
192	3919	HOLLAND AVE	NAJJAR KAREEM
193	3919	HOLLAND AVE	HESS HANNAH JEAN T
194	3919	HOLLAND AVE	MACHADO IRELIA & JORGE MORILLO SR
195	3919	HOLLAND AVE	ZHANG HANNING
196	3919	HOLLAND AVE	SCHUSS EVAN
197	4001	BOWSER AVE	THOMPSON SUELLEN S
198	4001	BOWSER AVE	HESS JONATHAN LUCAS
199	4001	BOWSER AVE	COLLEY HEIDI RAE &
200	3800	HOLLAND AVE	ACOSTA MATTHEW CHRISTIAN &
201	3800	HOLLAND AVE	BATES SCOTT
202	3800	HOLLAND AVE	MURRAY PATRICIA E
203	3800	HOLLAND AVE	TRAN VAN THU
204	3800	HOLLAND AVE	KHAN MOHAMMED MUSTAFA &
205	3800	HOLLAND AVE	SPEEGLE CHRISTOPHER F
206	3800	HOLLAND AVE	JAJI SEBNEM &
207	3800	HOLLAND AVE	HUYNH LONG
208	3800	HOLLAND AVE	FREIBERGER PETER P III
209	3800	HOLLAND AVE	GOMEZPALACIO RODRIGO
210	3800	HOLLAND AVE	HULS JULIE
211	3800	HOLLAND AVE	MARTINEZ EDGAR &
212	3800	HOLLAND AVE	KHAN MICHAEL S & STACIE E

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	3800	HOLLAND AVE	CHOU LILY
214	3800	HOLLAND AVE	POLLARI ALLISON
215	3800	HOLLAND AVE	HERMAN CHRISTOPHER K
216	3800	HOLLAND AVE	EASON RICHARD GRANT
217	3930	HOLLAND AVE	SMITH KAREN MICHELLE
218	3930	HOLLAND AVE	TA DOAN
219	3930	HOLLAND AVE	BENNETT ANDREW LIVING TRUST &
220	3930	HOLLAND AVE	FARVARDIN SHEREAN &
221	3624	REAGAN ST	DAVIS DONALD & SALLY
222	3622	REAGAN ST	BACHMANN RAYMOND JOHN & APRIL
223	3620	REAGAN ST	BALLEW MAURICE & SHARON
224	3618	REAGAN ST	TOCCI PHILIP
225	3616	REAGAN ST	BES2012 TEXAS PROPERTY LLC
226	4015	HOLLAND AVE	YARBROUGH ERICA
227	4015	HOLLAND AVE	HALE LYNN W
228	4015	HOLLAND AVE	CGI ENTERPRISES LLC
229	4015	HOLLAND AVE	SCOFIELD JAMES S & PAULA W
230	4015	HOLLAND AVE	CANTRELL TAYLOR
231	4015	HOLLAND AVE	BROWN DANA BENNETT
232	4015	HOLLAND AVE	ARC FAMILY REAL ESTATE LLC
233	4015	HOLLAND AVE	MARTIN SARAH J
234	4015	HOLLAND AVE	CHIDESTER JAY MARK
235	4015	HOLLAND AVE	MERCADO PATRICIA
236	4025	HOLLAND AVE	LEWIS ROBERT & JILLIAN
237	4025	HOLLAND AVE	WARD NICOLE
238	4025	HOLLAND AVE	COGANHORNER ERIN
239	4025	HOLLAND AVE	SMITH SUZANNE M
240	4025	HOLLAND AVE	WEST DOUGLAS G
241	4025	HOLLAND AVE	PRYBYLOWSKI ANDREW
242	4025	HOLLAND AVE	SUMLIN RICHARD
243	4025	HOLLAND AVE	GRAVIS MARY CAROLYN

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	4025	HOLLAND AVE	WATSON COURTNEY
245	4031	HOLLAND AVE	RAMUSAT ANTOINE
246	4031	HOLLAND AVE	DICKHANER KRISTIN &
247	4031	HOLLAND AVE	BORGA BRANDON
248	4031	HOLLAND AVE	ECTON CRISTY A
249	4031	HOLLAND AVE	MONTMELIAN LLC
250	4031	HOLLAND AVE	WETZEL CAMERON
251	4031	HOLLAND AVE	SIMONE JOHN
252	4031	HOLLAND AVE	PANDYA AMIT & REEMA REVOCABLE
253	3918	HOLLAND AVE	KNOWLTON PAUL & JEANNINE
254	3918	HOLLAND AVE	FOARD ALLISON
255	3918	HOLLAND AVE	HAMILTON KELCEY
256	3918	HOLLAND AVE	BAKER JENNIFER
257	3918	HOLLAND AVE	FARRIS JOHN & LORA
258	3918	HOLLAND AVE	STRYER STEVN
259	3918	HOLLAND AVE	COHEN JONATHAN &
260	3918	HOLLAND AVE	CENTER ROSE CAROLINE
261	3918	HOLLAND AVE	MARTIN PRISCILLA
262	3918	HOLLAND AVE	FORSDICK GRACE E
263	4020	HOLLAND AVE	SPEEGLE STACEY
264	4020	HOLLAND AVE	BASHYAM MANI
265	4020	HOLLAND AVE	BARRY ANDREW ALLEN
266	4020	HOLLAND AVE	WARBINGTON RICK D
267	4020	HOLLAND AVE	QUETIN JANE H
268	4020	HOLLAND AVE	NGUYEN THIEN D
269	4020	HOLLAND AVE	ALSINA MICHAEL KELLY &
270	4020	HOLLAND AVE	BOLDEN LARRY
271	4020	HOLLAND AVE	MALDONADO DANIELA
272	4020	HOLLAND AVE	PEACE MANDIE
273	4020	HOLLAND AVE	ASTURIAS EDISON
274	4020	HOLLAND AVE	SEFCHIK KIRK PATRICK

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	4020	HOLLAND AVE	OLISY LLC
276	4020	HOLLAND AVE	PAFF JORDAN & KETURAH
277	4020	HOLLAND AVE	MESA RICARDO
278	4020	HOLLAND AVE	SAROKHANIAN FAMILY TRUST
279	4020	HOLLAND AVE	KNOBLER DONALD R
280	4020	HOLLAND AVE	RADOWICK BRIAN
281	4020	HOLLAND AVE	JACOBS TAYLOR
282	4020	RAWLINS ST	BENNETT FAMILY TRUST
283	3911	HOLLAND AVE	AVANT LLC
284	3911	HOLLAND AVE	AVANT LLC
285	3311	REAGAN ST	ELLIOTT MILES DAVIS
286	3315	REAGAN ST	KIRLEY JULIEANNA
287	3317	REAGAN ST	LESZINSKI SLAWOMIR
288	3319	REAGAN ST	SMITH KENISHA L
289	3319	REAGAN ST	WU RENQING
290	3321	REAGAN ST	HARTNER ASHTON
291	3905	RAWLINS ST	ALVARADO ANDREW
292	3905	RAWLINS ST	IPENEMA INVESTMENTS LTF
293	4000	RAWLINS ST	MCLEAN MARY E &
294	4000	RAWLINS ST	NUNEZ NAYIROBI
295	4000	RAWLINS ST	ADAIR TAYLOR
296	4000	RAWLINS ST	TOWNEND WILLIAM H
297	4000	RAWLINS ST	KLYMOV YEVGEN
298	4000	RAWLINS ST	GROSECLOSE LARRY E &
299	4000	RAWLINS ST	NYMARK JAMES P TRUST
300	4000	RAWLINS ST	ROBBINSELROD CHRISTINE
301	4000	RAWLINS ST	PEPIN SCOTT M
302	4000	RAWLINS ST	WOLF MICHAEL R & CLARISSA BAEZA
303	4030	RAWLINS ST	HAYES NATALIE I
304	4030	RAWLINS ST	WU CHI YUAN & WEI YING
305	4030	RAWLINS ST	WALL RICHARD JOHN



04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
306	4030	RAWLINS ST	PROZNIK MADELINE
307	4030	RAWLINS ST	DEVASHER MARTHA ATKINSON
308	4030	RAWLINS ST	GENTILE STEPHANIE M
309	4030	RAWLINS ST	SEGLER TROY GLENN JR &
310	4030	RAWLINS ST	WU JAFFEE CHIH KAI
311	4034	RAWLINS ST	LAYTON STEPHANIE
312	4034	RAWLINS ST	ROE MICHAEL ALAN
313	4034	RAWLINS ST	HIRA RANDEEP SINGH
314	4034	RAWLINS ST	MINDE COLLEEN E
315	4034	RAWLINS ST	FARUQUI RIZWAN
316	4034	RAWLINS ST	RODRIGUEZ ROSALINDA
317	4034	RAWLINS ST	HILL DAVID & ROCAMONTES EMILY
318	4034	RAWLINS ST	NEGRON EDGAR E
319	4034	RAWLINS ST	NELSON SCOTT & MARTHA
320	4034	RAWLINS ST	BHARGAVA AYUSH
321	4034	RAWLINS ST	VOLESKY NICOLE EVELYN
322	4034	RAWLINS ST	GIACOBBE ROBERT L
323	4034	RAWLINS ST	RASTEGAR CYRUS
324	4034	RAWLINS ST	FORCE STACY
325	4034	RAWLINS ST	VULPITTA RACHEL
326	4034	RAWLINS ST	GRADY ALEXANDRA
327	4034	RAWLINS ST	SMITH KIRSTEN BRIANNE
328	3909	RAWLINS ST	IPENEMA INVESTMENTS LTF
329	3909	RAWLINS ST	PENSCO TRUST COMPANY CUSTODIAN
330	3909	RAWLINS ST	BIRNBAUM MARC A
331	3909	RAWLINS ST	SANFORD EHTAN LANCE
332	3817	RAWLINS ST	BAHRAMI SHOHREH
333	3817	RAWLINS ST	ARDIZZONI HEATHER
334	3817	RAWLINS ST	VARGAS JO ANN
335	3817	RAWLINS ST	ODLE ZACHARY
336	3817	RAWLINS ST	MIOT DANIEL &

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	337	3817 RAWLINS ST	FAIRBANKS BENJAMIN H & TATE S
	338	3817 RAWLINS ST	BODINE BART R
	339	3817 RAWLINS ST	HOLLEY NICK R
	340	3320 REAGAN ST	HARROD JAMES M TRUST
	341	3320 REAGAN ST	MATHEWS MICHAEL G
	342	3320 REAGAN ST	RICHARDSON LARRY W JR
	343	3320 REAGAN ST	DREES HOWARD J & SARA
	344	3320 REAGAN ST	HARROD JAMES MICHAEL TR
	345	3320 REAGAN ST	GARRETT GARY LYNN &
	346	3320 REAGAN ST	COMPTON RONIT SHALOM
	347	3320 REAGAN ST	PEREZ PATRICIA
	348	3320 REAGAN ST	DAVIS DAVID PAUL
	349	3320 REAGAN ST	LOUP BENJAMIN JOSEPH
	350	3320 REAGAN ST	CHAMBERLAIN ERNEST DON
	351	3320 REAGAN ST	CHUI WAI L
	352	3818 N HALL ST	AUGUSTINE CATHRYN CAROLE &
	353	3818 N HALL ST	HAWKS NATHAN
	354	3818 N HALL ST	SINGH GURPAL GILL &
	355	3818 N HALL ST	PORTER DONOVAN
	356	3818 N HALL ST	NASH KEVIN
	357	3818 N HALL ST	FOLEY CHRISTOPHER
	358	3818 N HALL ST	HILTY DAWN
	359	3818 N HALL ST	JOHNSON CHRISTINA
	360	3818 N HALL ST	MILLER STEPHEN E
	361	4008 HOLLAND AVE	YUAN MENGAN
	362	4008 HOLLAND AVE	CARTER KEVIN C
	363	4008 HOLLAND AVE	KANE LINDSAY A
	364	4008 HOLLAND AVE	CRAWFORD LAURA BETH
	365	4006 HOLLAND AVE	HINSHAW KRISTEN EMILY
	366	4006 HOLLAND AVE	ENIX MASON
	367	4006 HOLLAND AVE	S WALSH DESIGN LLC

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
368	4006	HOLLAND AVE	BIERNER LARA E
369	3926	HOLLAND AVE	BROWN JULIE BALDWIN
370	3926	HOLLAND AVE	BERNHARD STACEY
371	3926	HOLLAND AVE	STANKEY MEAGHAN M
372	3926	HOLLAND AVE	INTERRANTE MARK F &
373	3926	HOLLAND AVE	MANN JENNIFER K
374	3926	HOLLAND AVE	BRUCE BRIAN & SUSAN
375	3926	HOLLAND AVE	RANTA MATTHEW K &
376	3926	HOLLAND AVE	BAXTER ELIZABETH &
377	3818	HOLLAND AVE	LANG LINDSEY A
378	3818	HOLLAND AVE	GIBSON MICHAEL W &
379	3818	HOLLAND AVE	JENDRICKS BENJAMIN HARTLIEB &
380	3818	HOLLAND AVE	LOWRANCE LOWELL
381	3818	HOLLAND AVE	HAUBRICH MARILYN
382	3818	HOLLAND AVE	WALTERS KATHRYN L
383	3818	HOLLAND AVE	CUNNINGHAM DANA E ALLYSON
384	3818	HOLLAND AVE	MITTAL GARIMA
385	3818	HOLLAND AVE	SARIEDDINE MAJED &
386	3818	HOLLAND AVE	MAIER EMIL & NATALIA &
387	3818	HOLLAND AVE	BROWN DIANA CAROLE & ROGER D
388	3818	HOLLAND AVE	BECKER ADAM DANIEL
389	3818	HOLLAND AVE	HUTTO CHARLES
390	3818	HOLLAND AVE	LAWHON DAVID C
391	3818	HOLLAND AVE	PALFREY CAMPBELL III
392	3818	HOLLAND AVE	GORE BOBBIE A
393	3818	HOLLAND AVE	SALEH WALID & RANIA
394	3818	HOLLAND AVE	THOMAS RALPH & KIM
395	3818	HOLLAND AVE	BLUM DENA R
396	3818	HOLLAND AVE	JAKSA KACIE E
397	3818	HOLLAND AVE	COYNE SUSAN M
398	3818	HOLLAND AVE	HERRERASEPTIEN GONZALO &

Z223-260(MP)

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	399	3818 HOLLAND AVE	BARABA ELIZABETH A
	400	3818 HOLLAND AVE	NIEVA MARIA CECILIA
	401	3818 HOLLAND AVE	MCLAUGHLIN JEFFREY WADE &
	402	3818 HOLLAND AVE	VELEZ LOPEZ MYRNA A



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1535

**Item #:** Z5.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 13  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District uses on property zoned a GO(A) General Office District, on the south line of LBJ Freeway, between Noel Road and Montfort Drive

Recommendation of Staff: (1) Approval, subject to a development plan and conditions; [*and (2) approval of the termination of deed restrictions, as amended [Z72-269], as volunteered by the applicant*]\*

Recommendation of CPC: (1) Approval, subject to a development plan, and conditions; [*and (2) approval of the termination of deed restrictions, as amended [Z72-269], as volunteered by the applicant*]\*

Z223-305(MB)

**FILE NUMBER:** Z223-305(MB) **DATE FILED:** July 12, 2023

**LOCATION:** South line of LBJ Freeway, between Noel Road and Montfort Drive

**COUNCIL DISTRICT:** 13

**SIZE OF REQUEST:** Approx. 8.6 acres **CENSUS TRACT:** 48113009604

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**REPRESENTATIVE:** Tommy Mann, Winstead PC

**OWNERS:** 5580 LBJ LLC

**APPLICANT:** LBJ Financial Owner, LLC

**REQUEST:** An application for a Planned Development District for MU-2 Mixed Use District uses on property zoned a GO(A) General Office District.

**SUMMARY:** The purpose of the request is to allow modified development standards primarily related to setbacks, density, floor area ratio, height, design standards, and mixed income housing to allow multifamily.

**CPC RECOMMENDATION:** (1) **Approval**, subject to a development plan conditions; [and (2) **approval** of the termination of deed restrictions as amended [Z72-269] as volunteered by the applicant]\*.

**STAFF RECOMMENDATION:** (1) **Approval**, subject to a development plan and conditions; [and (2) **approval** of the termination of deed restrictions as amended [Z72-269] as volunteered by the applicant]\*.

**BACKGROUND INFORMATION:**

- The area of request is currently zoned a GO(A) General Office District.
- The request site is approximately 8.6 acres in size.
- Site is currently developed with three office buildings and a four-story parking garage.
- The proposed development will involve a retrofit of the existing ten-story building as multifamily and the demolition and replacement of the existing six-story buildings with new multifamily buildings.
- To build to the desired development plan, the applicant requests additional dwelling unit density. To accomplish this, they are requesting a new Planned Development District (PD) with a mixed income housing development bonus (MIHDB) tied to an increase in dwelling unit density.
- The applicant also proposes modified development standards primarily related to setbacks, height, floor area ratio, parking, and design standards.
- The public realm will be enhanced by design standards that ensure safe and activated sidewalks and improve the pedestrian experience for both residents and other users.
- During the CPC hearing, a discussion was had regarding moving the driveway along LBJ Freeway to the west with access to the garage. Applicant provided an updated development plan which was reviewed by Engineering, which did not object to the modification. As such, the development plan reflects discussion during CPC.
- \* At the time of the CPC hearing, the application included voluntary termination of deed restrictions. After the hearing, the city attorney's office determined that the deed restrictions as amended expired on November 14, 1992. As such, the recommendation for approval of termination of deed restrictions as amended [Z72-269] is moot and no longer necessary.

**Zoning History:**

**1. Z190-106:** On February 12, 2020, City Council approved an application for a Specific Use Permit for a commercial amusement (inside) use on property zoned Subdistrict 3 (Tract 2), Midtown Green Walkable Urban Mixed Use District (WMU-20) within Planned Development District No. 887, the Valley View-Galleria Area Special Purpose District on the southwest corner of Montfort Drive and James Temple Drive.

**2. Z201-293:** On January 12, 2022, City Council approved an application for the termination of deed restrictions [Z789-149] on property zoned an MU-3 Mixed Use District on the southeast corner of Lyndon B. Johnson Freeway and Dallas North Tollway.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
LBJ Freeway	Highway	-
Noel Road	Local Street	-
Montfort Drive	Community Collector	60 feet

**Traffic:**

The Engineering Division of Development Services reviewed a Traffic Impact Study dated March 22, 2024 for the proposed ACRAM Development located along the southern side of Lyndon B Johnson Freeway between Noel Road and Montfort Drive. The report documents an evaluation of the subject site, existing infrastructure, and impact of proposed development. The assessment indicates that the proposed development can be successfully incorporated into the surrounding local roadway network.

However, the analysis does not provide a technical justification for the proposed north driveway located on the service road. The driveway cuts through an existing right turn lane and is located approximately 300 feet from the intersection. While the curb cut is an existing condition, the development is proposing to create a prominent access in and out of the parking garage.

The proposed operations will significantly impact the operations of the service road by adding more than 100 vehicles per hour in and out of the driveway. The proposed condition does not comply with City or the Texas Department of Transportation driveway spacing standards. The proposed condition also requires a deviation that City of Dallas Engineering staff will not support, given the likelihood of traffic cutting through five lanes of traffic to access the U-turn lanes at Montfort.

Staff recommends revising the proposed development plan to either remove access to the garage, or to remove the driveway entirely. If the proposed condition cannot be approved at permitting, the applicant may need to return to zoning to amend the development plan.

**STAFF ANALYSIS:****Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in



evaluating the applicant's request. The request complies with the following land use goals and policies of the Comprehensive Plan:

## **LAND USE ELEMENT**

### **GOAL 1.1    ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.7** Ensure appropriately located capacity to achieve growth targets.

### **GOAL 1.2    PROMOTE DESIRED DEVELOPMENT**

**Policy 1.2.1** Use Vision Building Blocks as a general guide for desired development patterns.

### **GOAL 1.3    PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS**

**Policy 1.3.1** Create housing opportunities throughout Dallas.

## **ECONOMIC ELEMENT**

### **GOAL 2.1    PROMOTE BALANCED GROWTH**

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

## **URBAN DESIGN ELEMENT**

### **GOAL 5.1    PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY**

**Policy 5.1.1** Promote pedestrian-friendly streetscapes.

**Policy 5.1.3** Encourage complementary building height, scale, design, and character.

## **Neighborhood Plus Plan**

### **Goal 4** Attract and Retain the Middle Class

**Policy 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

**Goal 6** Enhance Rental Housing Options

**Policy 6.1** Raise the quality of rental property through better design standards, proactive and systematic code enforcement, and zero tolerance towards chronic offenders.

**Policy 6.2** Expand affordable housing options and encourage its distribution throughout the city and region.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	GO(A) General Office	Office building (vacant)
<b>North</b>	Planned Development District No. 887	Office
<b>South</b>	MF-1(A) Multifamily District	Multifamily
<b>East</b>	MU-2 Mixed Use with deed restrictions [Z767-120], MC-1 Mixed Commercial with deed restrictions [Z74-144]	Retail
<b>West</b>	MU-3 Mixed Use with deed restrictions [Z201-293]	Office, Hotel

**Land Use Compatibility:**

The request site is currently developed with three office buildings. The applicant is requesting a Planned Development District. Applicant's proposed conditions would deviate from base zoning to allow smaller front and side setbacks. Applicant's proposed conditions include standards that would be triggered upon meeting the provisions of the Mixed Income Housing Development Bonus (MIHDB).

The immediate surroundings of the site are a mix of office, retail, and residential uses. The corridor around LBJ Freeway is substantially developed with high-rise buildings as well as one- and two-story buildings. Immediately south of the subject site is a multifamily development with a two-story apartment complex.

Staff supports the requested Planned Development District as the area is suitable for more intensive multifamily development. The city's comprehensive plan identifies the area as an urban mixed-use Vision Building Block. The base MU-2 Mixed Use zoning district would allow for existing entitlements to office uses and heights while also allowing for multifamily development.

## Development Standards

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Lot Size / Dwelling Unit Density</u>	<u>FAR</u>	<u>Height</u>	<u>Lot Coverage</u>
	<u>Front</u>	<u>Side/Rear</u>				
<b><u>Existing GO(A)</u></b>	15' Add'l 20' for portion of structure > 45' in height	20' where adjacent to residential, no min. in all other cases  Tower spacing: add'l 1' setback for each 2' in height above 45', up to total setback of 30'	No min. lot size No max. dwelling unit density	4.0	270' (existing deed restrictions limited to 182')	80% max.
<b><u>Base MU-2</u></b>	15' Add'l 20' for portion of structure > 45' in height	20' where adjacent to residential, no min. in all other cases  Tower spacing: add'l 1' setback for each 2' in height above 45', up to total setback of 30'	No min. lot size. For 50 du/ac with no MUP; 75 with mix of 2 categories; 100 with mix of 3 or more	For residential and office, ranges from 1.6 to 1.9.	135' base, 180' MUP with retail	80% max.
<b><u>Proposed New PD</u></b>	LBJ: 20' Noel/Montfort: 10'  No urban form setback required	10'  No tower spacing for existing parking structure	No min. lot size 50 du/ac base, 85 du/ac with MIHDB.	4.0	182'	80% max.

## Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

### LEGEND

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200
L	Use permitted by right as a Limited Use (51A-4.218)
RC	Use permitted as Restricted Component in GO(A) district

	Existing	Proposed
Use	GO(A)	MU-2
<b>AGRICULTURAL USES</b>		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
<b>COMMERCIAL AND BUSINESS SERVICE USES</b>		
Building repair and maintenance shop		
Bus or rail transit vehicle maintenance or storage facility		
Catering service	L	•
Commercial cleaning or laundry plant		
Custom business services		•
Custom woodworking, furniture construction, or repair		
Electronics service center	L	•
Job or lithographic printing		
Labor hall	S	S
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory	•	•
Technical school		
Tool or equipment rental		•
Vehicle or engine repair or maintenance		
<b>INDUSTRIAL USES</b>		
Alcoholic beverage manufacturing		
Gas drilling and production	S	S

	Existing	Proposed
Use	GO(A)	MU-2
Gas pipeline compressor station		
Industrial (inside)		
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	S	S
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>		
Adult day care facility	L	•
Cemetery or mausoleum	S	S
Child-care facility	L	•
Church	•	•
College, university, or seminary	•	•
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		R
Convent or monastery	•	•
Foster home		•
Halfway house		S
Hospital	R	S
Library, art gallery, or museum	•	•
Open-enrollment charter school or private school	S	S
Public school other than an open-enrollment charter school	R	R
<b>LODGING USES</b>		
Hotel or motel	★	★
Extended stay hotel or motel	S	S
Lodging or boarding house		
Overnight general purpose shelter	★	★
<b>MISCELLANEOUS USES</b>		
Carnival or circus (temporary)		
Hazardous waste management facility		
Placement of fill material	★	★
Temporary construction or sales office	•	•

	Existing	Proposed
Use	GO(A)	MU-2
<b>OFFICE USES</b>		
Alternative financial establishment	S	S
Financial institution without drive-in window	•	•
Financial institution with drive-in window	D	D
Medical clinic or ambulatory surgical center	•	•
Office	•	•
<b>RECREATION USES</b>		
Country club with private membership	•	•
Private recreation center, club, or area	•	•
Public park, playground, or golf course	•	•
<b>RESIDENTIAL USES</b>		
College dormitory, fraternity, or sorority house	•	•
Duplex	RC	•
Group residential facility		★
Handicapped group dwelling unit	★	
Manufactured home park, manufactured home subdivision, or campground		
Multifamily	RC	•
Residential hotel		★
Retirement housing		•
Single family	RC	
<b>RETAIL AND PERSONAL SERVICE USES</b>		
Ambulance service		
Animal shelter or clinic without outside runs		•
Animal shelter or clinic with outside runs		
Auto service center		R
Alcoholic beverage establishment	S*	S
Business school	•*	•
Car wash		R
Commercial amusement (inside)		•/S
Commercial amusement (outside)		S
Commercial motor vehicle parking		
Commercial parking lot or garage		R
Convenience store with drive-through		S
Drive-in theater		
Dry cleaning or laundry store	•*	•
Furniture store		•
General merchandise or food store 3,500 square feet or less	•*	•

	Existing	Proposed
Use	GO(A)	MU-2
General merchandise or food store greater than 3,500 square feet		•
General merchandise or food store 100,000 square feet or more		S
Home improvement center, lumber, brick or building materials sales yard		
Household equipment and appliance repair		•
Liquefied natural gas fueling station		
Liquor store		•
Mortuary, funeral home, or commercial wedding chapel		•
Motor vehicle fueling station	L	•
Nursery, garden shop, or plant sales	•*	•
Outside sales		
Paraphernalia shop		S
Pawn shop		
Personal service use	•*	•
Restaurant without drive-in or drive-through service	R*	R
Restaurant with drive-in or drive-through service		D
Surface parking		
Swap or buy shop		S
Taxidermist		
Temporary retail use		•
Theater		•
Truck stop		
Vehicle display, sales, and service		
<b>TRANSPORTATION USES</b>		
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop	S	
Private street or alley		
Railroad passenger station	S	
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)		
Transit passenger shelter	★	★
Transit passenger station or transfer center	★	★
<b>UTILITY AND PUBLIC SERVICE USES</b>		
Commercial radio or television transmitting station	•	•

	Existing	Proposed
Use	GO(A)	MU-2
Electrical generating plant		
Electrical substation	•	•
Local utilities	★	★
Police or fire station	•	•
Post office	•	•
Radio, television, or microwave tower	R	<b>S</b>
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	★	★
Utility or government installation other than listed	S	S
Water treatment plant		
<b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini-warehouse		<b>S</b>
Office showroom/warehouse		
Outside storage		
Petroleum product storage and wholesale		
Recycling buy-back center	★	★
Recycling collection center	★	★
Recycling drop-off container	★	★
Recycling drop-off for special occasion collection	★	★
Sand, gravel, or earth sales and storage		
Trade center		
Vehicle storage lot		
Warehouse		

\*Retail and personal service uses in the GO(A) district must be contained entirely within a building and may not have a floor area that, in combination with the floor areas of other retail and personal services uses in the building, exceeds 10 percent of the total floor area of the building.



### **Design Standards**

The proposed PD includes design standards that generally follow the provisions of 4.1107, with the following changes:

- A minimum of 65,000 square feet of open space [defined in PD conditions] is required; this would be considered an enhancement over base code, with 17% of the site dedicated to open space rather than the standard 10%.
- No active use or exterior façade similar in materials, architecture, and appearance to the façade of the main structure is required for existing parking structure.
- Street-level residential uses fronting along LBJ Expressway are not required to have individual entries that access the street with an improved path connecting to the sidewalk
- Sidewalks must be located in an area parallel to and between two feet and twenty-five feet of the back of the projected street curb

### **Mixed Income Housing**

The applicant proposes to tie the increase in dwelling unit density and reduction in setbacks to the provision of mixed income housing. The applicant's request is to increase the dwelling unit density from 50 dwelling units per acre to 85 dwelling units per acre, contingent on the applicant providing five percent of units available to households at 81 percent to 100 percent of Area Median Family Income (AMFI).

In a Type 2 bonus, the bonus provided, and the base are specifically set by the PD ordinance. Despite this, it is advisable for these bonuses and bases to mirror the base code as best as possible. Staff considers an MU-2 Mixed Use District as an appropriate base for this development. The additional deviations not tied to the MIHDB are to retain conformity for the existing site conditions, as the MU-2 Mixed Use District would otherwise not allow the existing 10-story building.

### **Landscaping:**

Landscaping will be provided per Article X regulations.

### **Parking:**

The proposed conditions would require parking in accordance with the provisions of the Dallas Development Code. For a multifamily development that meets the MIHDB provisions, parking shall be required in accordance with Sec. 51A-4.1107(c).

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is within an “I” MVA area.

**List of Officers**

**LBJ Financial Owner, LLC**

David Taylor, Managing Member

J. Matthew Cassin, Managing Member

Isaac Zion, Managing Member

**5580 LBJ, LLC**

David Bolour, Managing Member

**CPC Action**  
**April 4, 2024**

**Motion:** It was moved to recommend 1) **approval** of a Planned Development District for MU-2 Mixed Use District uses, subject to a revised development plan and conditions; and 2) **approval** of the termination of deed restrictions as amended [Z72-269] as volunteered by the applicant on property zoned a GO(A) General Office District, on the south line of LBJ Freeway, between Noel Road and Montfort Drive.

Maker: Hall  
Second: Herbert  
Result: Carried: 13 to 0

For: 13 - Chernock, Hampton, Herbert, Forsyth, Shidid,  
Carpenter, Blair, Sleeper, Housewright, Haqq,  
Hall, Kingston, Rubin

Against: 0  
Absent: 1 - Wheeler-Reagan  
Vacancy: 1 - District 11

<b>Notices:</b>	Area: 500	Mailed: 219
<b>Replies:</b>	For: 1	Against: 0

**Speakers:** For: Tommy Mann, 500 Winstead Building, Dallas, TX, 75201  
Kevin Hickman, 9474 Gatetrail Dr., Dallas, TX, 75238  
Against: None

**CPC RECOMMENDED CONDITIONS**

**ARTICLE \_\_**

**PD \_\_**

**SEC. 51P-\_\_\_\_.101. LEGISLATIVE HISTORY.**

PD \_\_ was established by Ordinance No. \_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_, 20\_\_.

**SEC. 51P-\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD \_\_ is established on property located on the south side of LBJ Expressway between Montfort Drive and Noel Road. The size of PD \_\_ is approximately 8.60 acres.

**SEC. 51P-\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. If there is a conflict between this article and Chapter 51A, this article controls.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51A.

(c) This subdistrict is considered to be a nonresidential zoning district.

**SEC. 51P-\_\_\_\_.104 EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit \_\_A: development plan.

**SEC. 51P-\_\_\_\_.105 DEVELOPMENT PLAN.**

(a) For a project containing more than 250 dwelling units, 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.

**SEC. 51P-\_\_\_\_.106 MAIN USES PERMITTED.**

(a) In general. The only main uses permitted are those main uses permitted in the MU-2 Mixed Use District, subject to the same conditions applicable in the MU-2 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-2 Mixed Use 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 MU-2 Mixed Use District is subject to DIR in this district, etc.

**SEC. 51P-\_\_\_\_.107. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

**SEC. 51P-\_\_\_\_.108. YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MU-2 Mixed Use District apply in this district.

(b) Floor area ratio: Maximum floor area ratio is 4.0.

(c) Maximum height: Unless further restricted under 51A-4.125(e)(4)(E)(i), maximum structure height is 182 feet.

(d) Front yard.

(1) For frontage on LBJ Expressway, minimum front yard setback is 20 feet.

(2) For frontage on Noel Road and Montfort Drive, minimum front yard setback is 10 feet.

(A) No urban form setback is required.

(e) Side and rear yard.

(1) Minimum side and rear yard is 10 feet.

(A) No tower spacing or additional setback is required for a parking structure that existed on (date of adoption of this article).

(d) Dwelling unit density.

(1) Maximum dwelling unit density. Except as provided in this subsection, maximum dwelling unit density is 50 dwelling units per acre.

(2) Maximum dwelling unit density bonus. If compliant with section P-\_\_\_\_.114, maximum dwelling unit density is 90 dwelling units per acre.

**SEC. 51P-\_\_\_109. OFF-STREET PARKING AND LOADING.**

(a) In general. Consult 51A Sec. 4.300 for the specific off-street parking and loading requirements for each use.

(b) Multifamily: if a development meets the provisions in Section P-\_\_\_\_.114, minimum parking shall be required in accordance with Section 51A-4.1107(c).

**SEC. 51P-\_\_\_\_.110. SUSTAINABLE DESIGN FEATURES FOR A PROJECT CONTAINING MIXED INCOME HOUSING**

(a) Drip irrigation shall be utilized for maintenance of plantings, and plant species that are native or adapted to north central Texas with reduced, low, or very low water consumption characteristics shall be used.

(b) Recycling containers shall be available for residents and on-site workers.

(c) Water efficient plumbing fixtures shall be utilized.

(d) Pedestrian lighting must be provided at regular intervals along all building facades facing a public street.

(e) Bicycle Parking. Bicycle parking must be located along street frontages.

**SEC. 51P-\_\_\_\_.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-\_\_\_\_.112. LANDSCAPING.**

See Article X.

**SEC. 51P-\_\_\_\_113. SIGNS.**

(a) Signs must comply with the provisions for business zoning districts in Article VII.

**SEC. 51P-\_\_114. DEVELOPMENT BONUSES FOR MIXED-INCOME HOUSING FOR A SPECIAL PROJECT.**

(a) In general. Except as provided in this section, compliance with Division 51A-4.1100, as amended, is required to obtain the development bonuses in Section 51P-\_\_\_\_.108.

(b) Reserved units. A minimum of 5 percent of the residential units must be made available at an affordable rate with an income band of 81 percent to 100 percent of adjusted median family income.

(c) Except as provided below, compliance with Section 51A-4.1107 is required.

(1) A minimum of 65,000 square feet of open space is required.

(2) No active use or exterior façade similar in materials, architecture, and appearance to the façade of the main structure is required for a parking structure that existed on (date of adoption of this article).

(3) Street-level residential uses fronting along LBJ Expressway are not required to have individual entries that access the street with an improved path connecting to the sidewalk

(4) Sidewalks fronting along LBJ Expressway must be located in an area parallel to and between five feet and twenty-five feet of the back of the projected street curb.

(5) All other sidewalks must be located in an area parallel to and between two feet and twenty-five feet of the back of the projected street curb.

**SEC. 51P-\_\_115. ADDITIONAL PROVISIONS.**

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

**SEC. 51P-\_\_116. COMPLIANCE WITH CONDITIONS.**

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

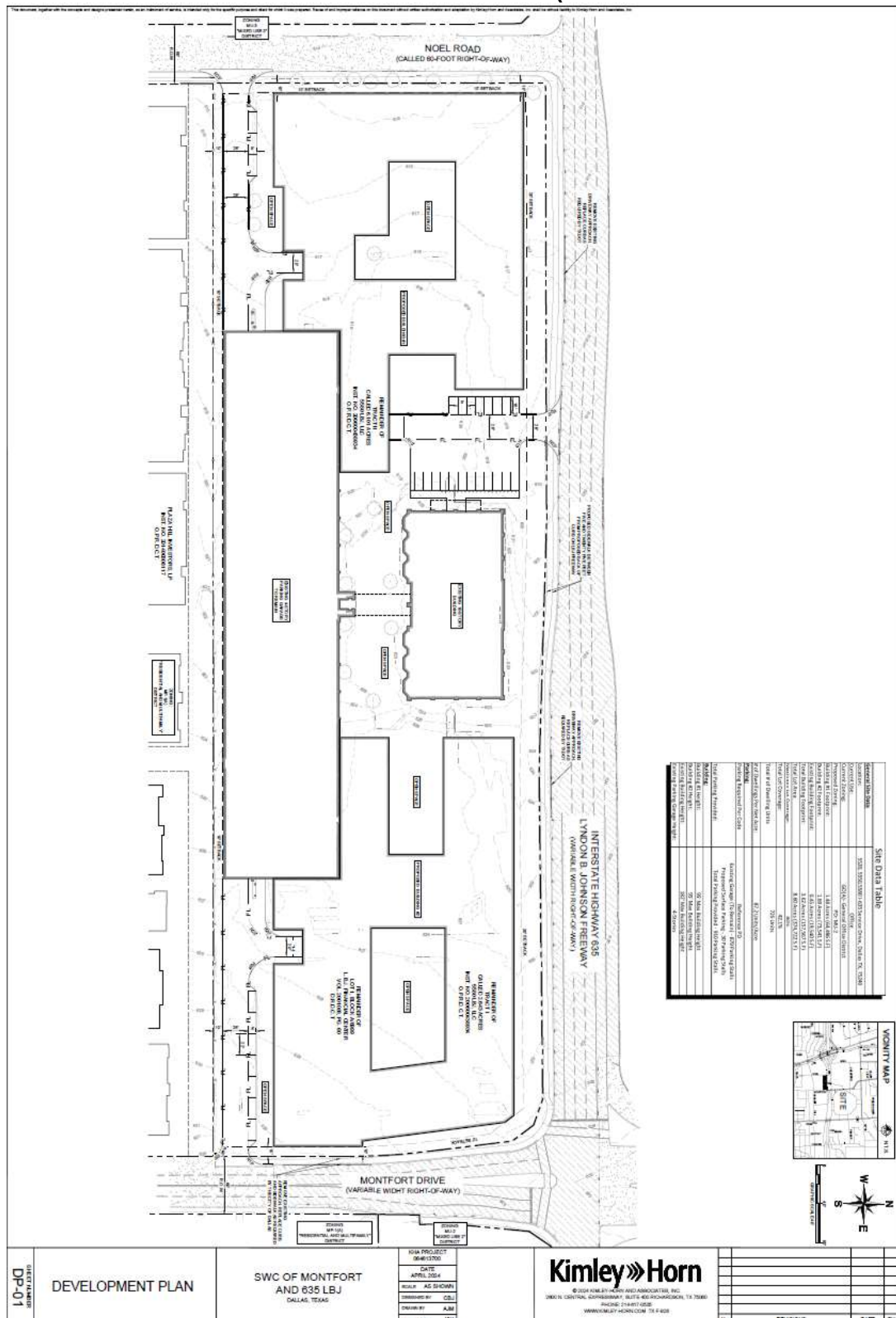
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been



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full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

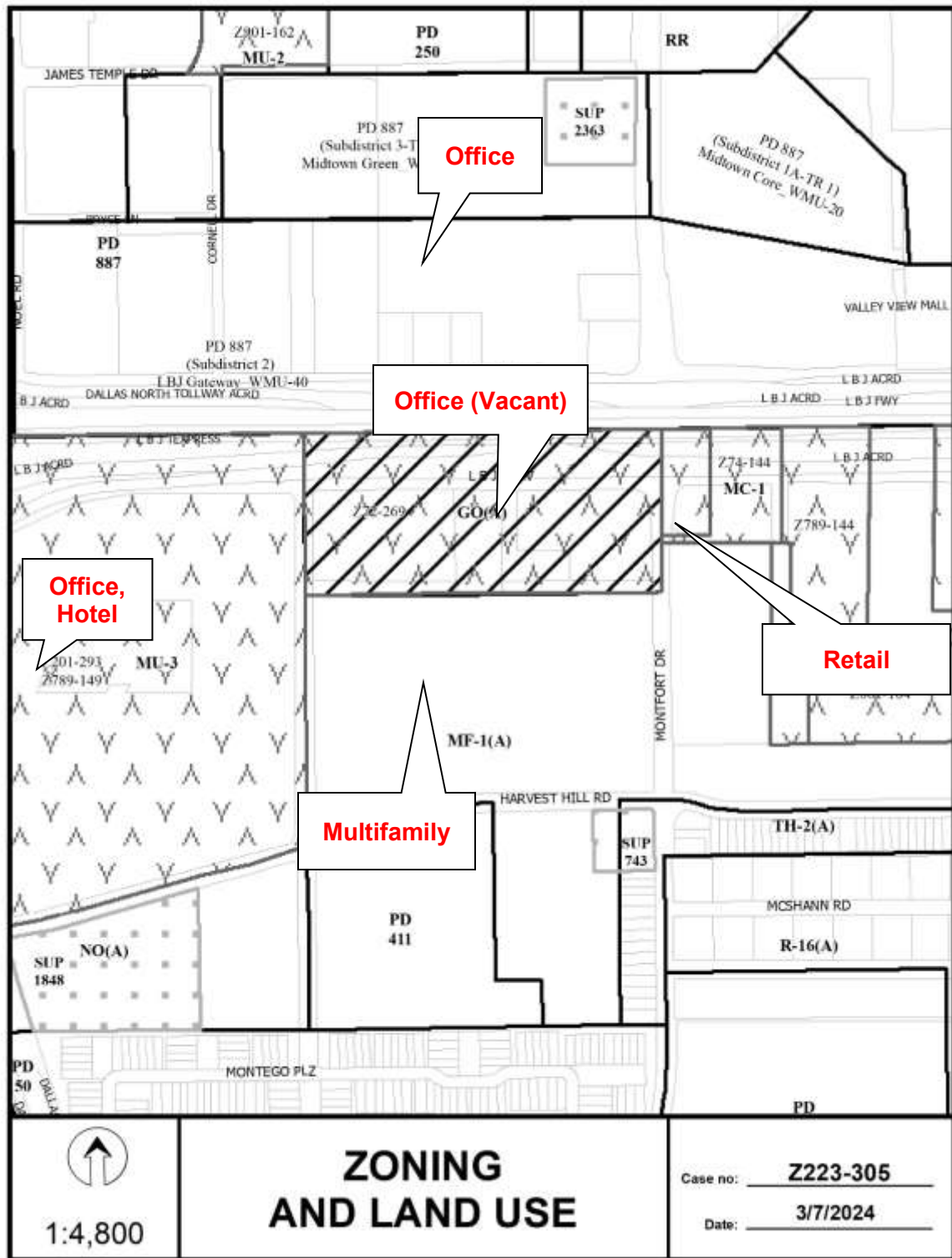
### CPC RECOMMENDED DEVELOPMENT PLAN (REVISED PER DISCUSSION)



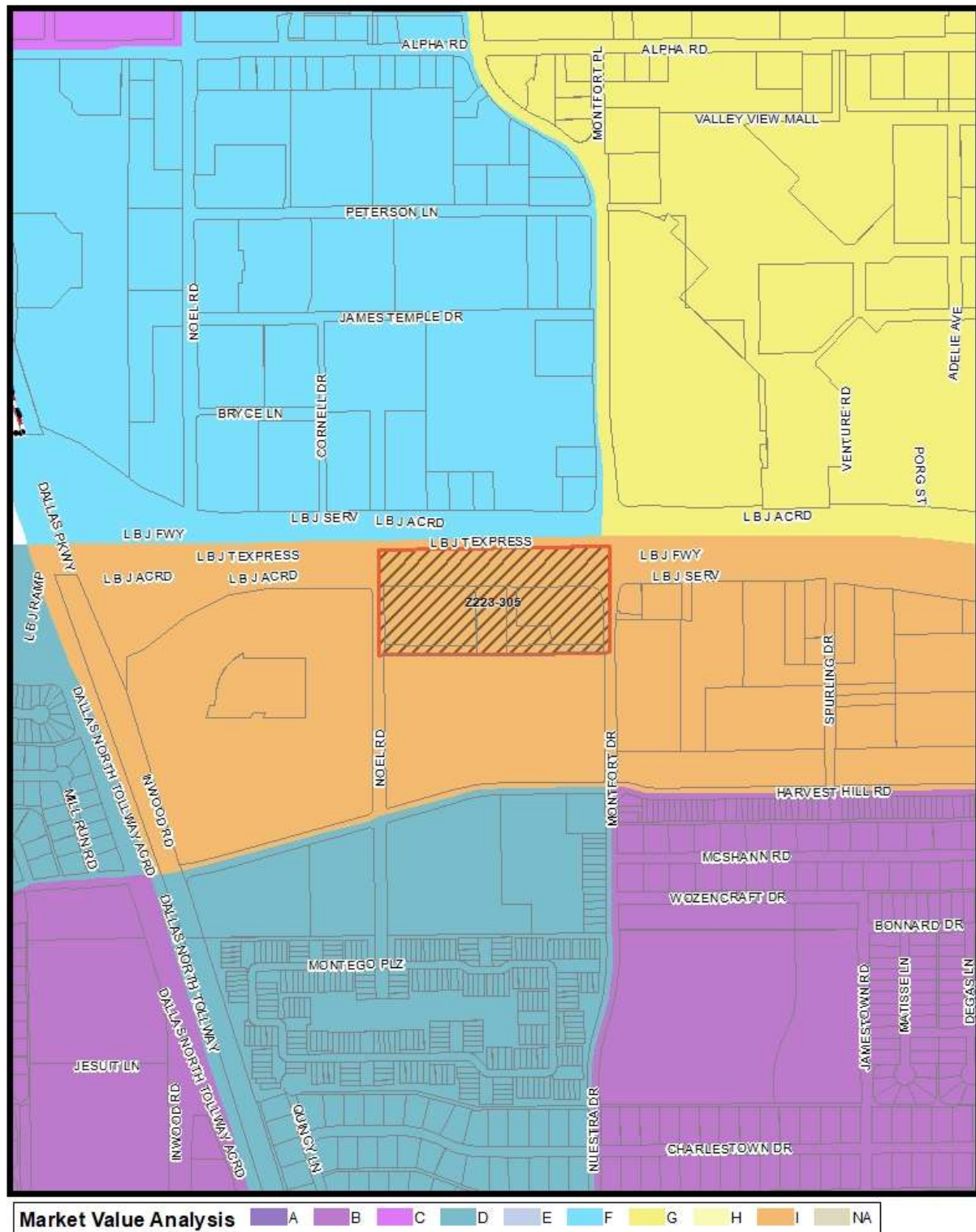








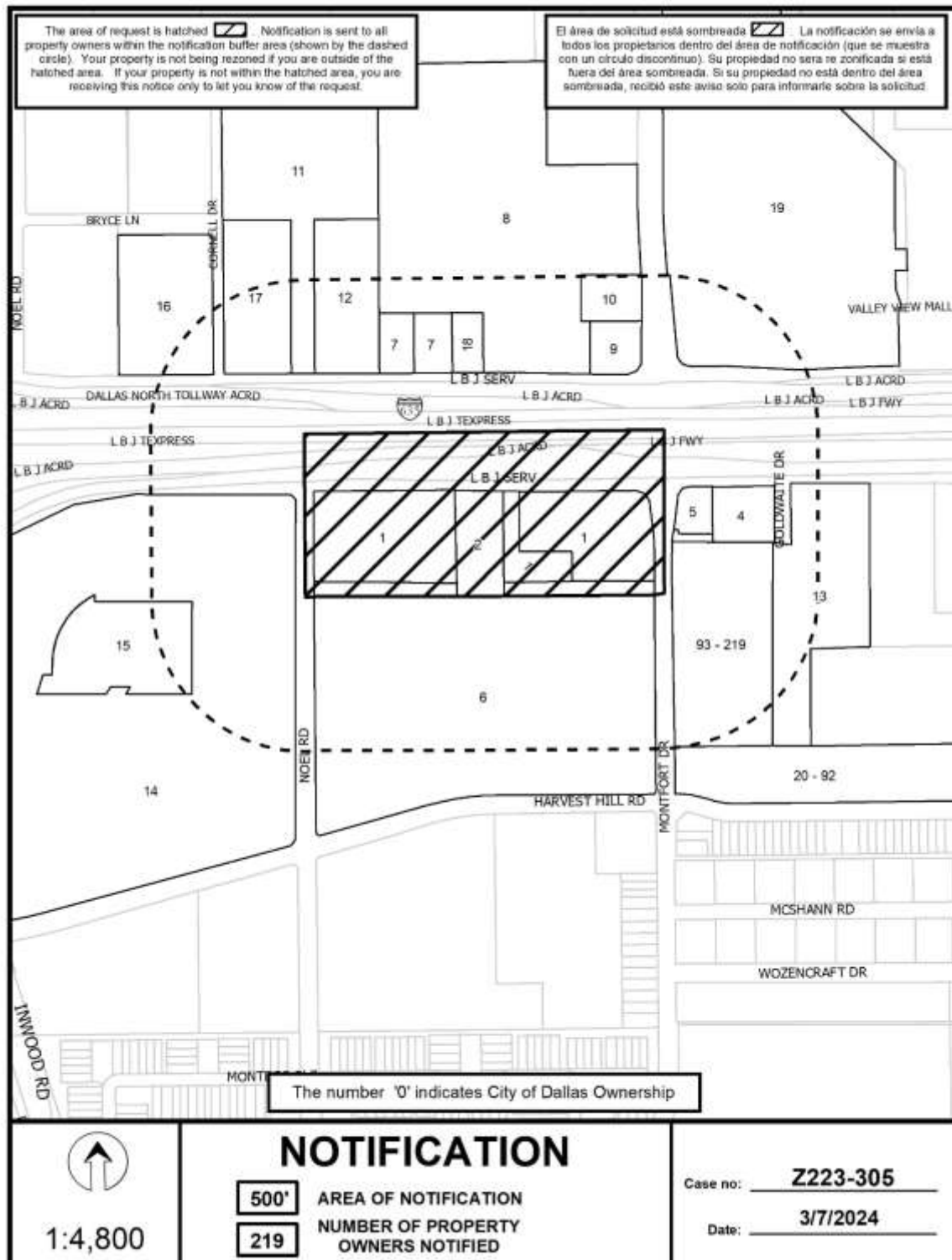




1:7,200

## Market Value Analysis

Printed Date: 3/7/2024





04/03/2024

***Reply List of Property Owners*****Z223-305****219 Property Owners Notified    1 Property Owners in Favor    0 Property Owners Opposed**

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	5580 LBJ FWY	5580 LBJ LLC
	2	5550 LBJ FWY	BOLOUR MEHDI TRUSTEE
	3	12850 MONTFORT DR	ACCESSBANK TEXAS
	4	5644 LBJ FWY	ACCESSBANK TEXAS
	5	5620 LBJ FWY	MONTFORT SQUARE REALTY LLC
	6	5575 HARVEST HILL RD	PLAZA HILL INVESTORS LP
	7	5539 LBJ FWY	NAYEB FAMILY LP
	8	13131 MONTFORT DR	DAYTON HUDSON CORP
	9	5631 LBJ FWY	SRG COMMERCIAL LLC
	10	13105 MONTFORT DR	MCDONALDS USA LLC
	11	5501 LBJ FWY	Dallas ISD
	12	5525 LBJ FWY	MANARA HOLDINGS LLC
O	13	5710 LBJ FWY	MB MIDTOWN LLC
	14	5400 LBJ FWY	TEACHERS INSURANCE AND
	15	5410 LBJ FWY	TREA DALLAS LINCOLN CENTER LLC
	16	13001 CORNELL DR	DALLAS MIDTOWN VENTURE LLC
	17	5429 LBJ FWY	TR LBJ CAMPUS PARTNERS LP
	18	5549 LBJ FWY	MONTFORT LBJ LTD
	19	13138 MONTFORT DR	DALLAS MONTFORT POROPROPERTY LLC
	20	5601 HARVEST HILL RD	PETERSON MARGARET
	21	5601 HARVEST HILL RD	WALKER RENEE &
	22	5601 HARVEST HILL RD	ON INVESTMENTS LLC
	23	5601 HARVEST HILL RD	JAVAID NADIA
	24	5603 HARVEST HILL RD	GONZALEZ ALFONSO V &
	25	5603 HARVEST HILL RD	GARCIA JOSE A & ROXANA Y
	26	5603 HARVEST HILL RD	DLB LLC

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5603 HARVEST HILL RD	ALFIA DEAN ZION
	28	5605 HARVEST HILL RD	LY HUONG K THI
	29	5605 HARVEST HILL RD	KASSAMALI GULBANU
	30	5607 HARVEST HILL RD	ESPINOSA LINO R
	31	5611 HARVEST HILL RD	NWOSU LINUS A & DOROTHY A
	32	5611 HARVEST HILL RD	COHEN COTA NIZVATE
	33	5605 HARVEST HILL RD	BOGNEY DONOVAN &
	34	5605 HARVEST HILL RD	MASHETTIWAR KAUSHIK
	35	5607 HARVEST HILL RD	MUHVIC BRANKO & KADIRA
	36	5607 HARVEST HILL RD	FLORES CARLOS
	37	5609 HARVEST HILL RD	SILVERI DONNABELLE FERNANDEZ
	38	5609 HARVEST HILL RD	HERNANDEZ ARNULFO &
	39	5611 HARVEST HILL RD	MCD INVESTMENT INC
	40	5611 HARVEST HILL RD	HERNANDEZ ALMA A
	41	5615 HARVEST HILL RD	LEMUS GEORGE
	42	5615 HARVEST HILL RD	IBARRA ROGELIO
	43	5617 HARVEST HILL RD	VANIAN MARY TRUSTEE
	44	5617 HARVEST HILL RD	MORENO MARIA ELIZABETH &
	45	5615 HARVEST HILL RD	JIANG BAOGUI
	46	5615 HARVEST HILL RD	ELFENBEIN ESTER
	47	5621 HARVEST HILL RD	SLB DEVELOPMENT LLC
	48	5621 HARVEST HILL RD	LEVY ALYSON
	49	5621 HARVEST HILL RD	LOPEZ GERARDO
	50	5625 HARVEST HILL RD	GARCIA MARIA INGRIS BRISELDA
	51	5625 HARVEST HILL RD	GONZALEZ MARIA AMPARO
	52	5623 HARVEST HILL RD	MOST JOHELEN STERN &
	53	5623 HARVEST HILL RD	JONES BARBARA ANN
	54	5703 HARVEST HILL RD	IBARRA RAQUEL
	55	5703 HARVEST HILL RD	ON INVESTMENTS LLC
	56	5701 HARVEST HILL RD	WHEELER STEPHEN PIERCE
	57	5701 HARVEST HILL RD	CHU WILLIAM

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	5625 HARVEST HILL RD	KIDAKAM KEVIN
	59	5625 HARVEST HILL RD	ORELLANA SOFIA
	60	5623 HARVEST HILL RD	PRESTON HAVEN VENTURES
	61	5623 HARVEST HILL RD	PROPERTY MGMT INTEGRATION INC
	62	5703 HARVEST HILL RD	ALFIA ADAM
	63	5701 HARVEST HILL RD	ALFIA DOR
	64	5701 HARVEST HILL RD	STOKES VERNON JR
	65	5705 HARVEST HILL RD	CHAVEZ ROSA LINDA
	66	5705 HARVEST HILL RD	GARCIA ANSELMA
	67	5709 HARVEST HILL RD	OLTROGGE EUGENE M &
	68	5717 HARVEST HILL RD	WIREMAN CYNTHIA ANN
	69	5717 HARVEST HILL RD	DATA AREA TORAH ASSN
	70	5719 HARVEST HILL RD	DALLAS AREA TORAH ASSOCIATION
	71	5719 HARVEST HILL RD	ASHBY CATHERINE
	72	5721 HARVEST HILL RD	1397 EAST 7TH STREET TRUST
	73	5723 HARVEST HILL RD	ZALTA CAROLYN & MICHAEL
	74	5723 HARVEST HILL RD	PALLASA MYPHEN
	75	5717 HARVEST HILL RD	BENCHOFF ERIC J &
	76	5717 HARVEST HILL RD	TESFAMICAEL MEHARI SEMERE
	77	5719 HARVEST HILL RD	LOPO VERED
	78	5721 HARVEST HILL RD	CASTANEDA LUCAS
	79	5723 HARVEST HILL RD	ALFIA DAVID
	80	5725 HARVEST HILL RD	IBARRA GABRIELA V
	81	5725 HARVEST HILL RD	TAJVIDI MANSOUR YEKRANGI
	82	5727 HARVEST HILL RD	LAM PHUONG TU
	83	5727 HARVEST HILL RD	GONZALEZ LEOBARDO &
	84	5725 HARVEST HILL RD	BERGER DENNIS L & RIVKA R &
	85	5727 HARVEST HILL RD	PAMMIT BIENVENIDO S &
	86	5727 HARVEST HILL RD	DIAZ ROLANDO & SILVIA G
	87	5731 HARVEST HILL RD	VANIAN HEATHER A
	88	5731 HARVEST HILL RD	KEYES DANIEL & EMMA
	89	5731 HARVEST HILL RD	BARIKE SHIMON

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	90	5731 HARVEST HILL RD	GONZALEZ ROGELIA
	91	5735 HARVEST HILL RD	ESPINOZA ROBERTO S
	92	5735 HARVEST HILL RD	LORENZOTTI FRANCO & MARIA
	93	12888 MONTFORT DR	BROWN BETTY JO
	94	12888 MONTFORT DR	GONZALEZ MIGUEL A
	95	12888 MONTFORT DR	AC KING INVESTMENTS LLC
	96	12888 MONTFORT DR	CRUZ ANTONIO A
	97	12888 MONTFORT DR	SANCHEZ JUAN CARLOS
	98	12888 MONTFORT DR	FAROOQ MUHAMMED
	99	12888 MONTFORT DR	ORSHIR LLC
	100	12888 MONTFORT DR	MEHANI AVIRAM
	101	12888 MONTFORT DR	SLATER PAMELA R
	102	12888 MONTFORT DR	LARUMBE GUSTAVO
	103	12888 MONTFORT DR	JORDAN GEORGE & YVONNE
	104	12888 MONTFORT DR	TORRES VICTOR
	105	12888 MONTFORT DR	TEBONG ALEXANDER W
	106	12888 MONTFORT DR	CABEZA MAURICIO
	107	12888 MONTFORT DR	REYES JUANA
	108	12888 MONTFORT DR	HSUEH JENNY
	109	12888 MONTFORT DR	AK GROUP MANAGEMENT LLC
	110	12888 MONTFORT DR	INTERIANO LEYLA SARAI VARGAS &
	111	12888 MONTFORT DR	CARRANZA JUANA E
	112	12888 MONTFORT DR	HSUEH JULIE YU CHU
	113	12888 MONTFORT DR	HSUEH JULIE YU
	114	12888 MONTFORT DR	WARD ELMER D &
	115	12888 MONTFORT DR	DELACRUZ MARC A
	116	12888 MONTFORT DR	CORAGLIO ROMINA YURIKO
	117	12888 MONTFORT DR	RODRIGUEZ SAMMY
	118	12888 MONTFORT DR	RODRIGUEZ GRACIELA & BRENDA
	119	12888 MONTFORT DR	BRACHA INC
	120	12888 MONTFORT DR	HISKIYAHU HILA

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	121	12888 MONTFORT DR	SHERENIAN MANAS
	122	12888 MONTFORT DR	MCLEOD TRACE &
	123	12888 MONTFORT DR	TORRES VICTOR H
	124	12888 MONTFORT DR	HARRISON ALLEN J
	125	12888 MONTFORT DR	GONZALEZ JOSE
	126	12888 MONTFORT DR	SUSTAITA JUAN
	127	12888 MONTFORT DR	PORTILO JOSEFINA
	128	12888 MONTFORT DR	GONZALEZ GLADYS
	129	12888 MONTFORT DR	VAZQUEZ MARIA DE LA PAZ
	130	12888 MONTFORT DR	SHERENIAN MANAS
	131	12888 MONTFORT DR	DE GUIA THERESA
	132	12888 MONTFORT DR	FAROOQ MUHAMMAD
	133	12888 MONTFORT DR	WEISFELD RONALD A
	134	12888 MONTFORT DR	MORTAZAVI SAMMY &
	135	12888 MONTFORT DR	CADRA SEAD & NERMINA
	136	12888 MONTFORT DR	RUSSELL JESSICA C
	137	12888 MONTFORT DR	BLUE DAVID B
	138	12888 MONTFORT DR	AVALOS JOSE LUIS ORTIZ &
	139	12888 MONTFORT DR	RONI HENDERSON LLC
	140	12888 MONTFORT DR	NGUYEN LOAN & MIKE
	141	12888 MONTFORT DR	SCHENK ANTHONY
	142	12888 MONTFORT DR	ULATE OSCAR
	143	12888 MONTFORT DR	ZETINA CONCEPCION ESCOFFIE &
	144	12888 MONTFORT DR	JORDAN GEORGE E
	145	12888 MONTFORT DR	FLOAT FOUR LLC
	146	12888 MONTFORT DR	SMITH MITZIE
	147	12888 MONTFORT DR	RITTER WILLIAM
	148	12888 MONTFORT DR	CONTRERAS ANTONIO &
	149	12888 MONTFORT DR	A E H MGMT LLC
	150	12888 MONTFORT DR	NU PROPERTIES LLC
	151	12888 MONTFORT DR	KONG PUI

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	152	12888 MONTFORT DR	GUEVARA JOSEFINA
	153	12888 MONTFORT DR	RODRIGUEZ JUAN AND LUZ E
	154	12888 MONTFORT DR	WANG WEI MIN
	155	12888 MONTFORT DR	OSTERREICHER ARIEL
	156	12888 MONTFORT DR	SUN LEECHU & HELEN CHOW
	157	12888 MONTFORT DR	NGUYEN HAI
	158	12888 MONTFORT DR	LAM PHUONG TU
	159	12888 MONTFORT DR	SHEFFIELD ALICE M
	160	12888 MONTFORT DR	STROMAIN DANIELLE
	161	12888 MONTFORT DR	QUINONES MARCO A & MARY A
	162	12888 MONTFORT DR	SHEINBERGER AKIVA
	163	12888 MONTFORT DR	RODRIGUEZ JUAN
	164	12888 MONTFORT DR	WANG WEIMING
	165	12888 MONTFORT DR	STEARNS PARKS H
	166	12888 MONTFORT DR	LI KWOK SHUN &
	167	12888 MONTFORT DR	BOLIVER DOUGLAS B
	168	12888 MONTFORT DR	OPREA FLORICA ANA ESTATE OF
	169	12888 MONTFORT DR	ORLEANS KIMBERLY A
	170	12888 MONTFORT DR	ANGUIANO JUANA IRIS
	171	12888 MONTFORT DR	VAKNIN MOMI & SUSAN NAOMI
	172	12888 MONTFORT DR	CUBILLASGUEVARA MARIEDIL
	173	12888 MONTFORT DR	POMARA DAVID L
	174	12888 MONTFORT DR	RODRIGUEZ ANSELMO
	175	12888 MONTFORT DR	LOPEZ CHRISTIAN J
	176	12888 MONTFORT DR	RODRIGUEZ JUAN &
	177	12888 MONTFORT DR	GONZALEZ JOSE F &
	178	12888 MONTFORT DR	SANTOS ANGELA MARIA
	179	12888 MONTFORT DR	WANG WEIGANG
	180	12888 MONTFORT DR	KITEL VALENTINA &
	181	12888 MONTFORT DR	HAGHIGHAT MOE

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	12888 MONTFORT DR	WANG WEI MIN
	183	12888 MONTFORT DR	GREENWELL LINDA SUE
	184	12888 MONTFORT DR	TAO XIAO XIAN
	185	12888 MONTFORT DR	PANIAGUA AMANDA V
	186	12888 MONTFORT DR	PORRAS NOAH J
	187	12888 MONTFORT DR	JAIMES BALTAZAR & ILDA
	188	12888 MONTFORT DR	GUZMAN RIGOBERTO TOLEDO
	189	12888 MONTFORT DR	WANG WEIGANG &
	190	12888 MONTFORT DR	CIAR PERCY
	191	12888 MONTFORT DR	ASHRAF SYED IMRAN
	192	12888 MONTFORT DR	ORTIZ DORA ELIA URIBE &
	193	12888 MONTFORT DR	CASTELLANO OSCAR
	194	12888 MONTFORT DR	MAUND WILLIAM H
	195	12888 MONTFORT DR	GONZALEZ HILDA
	196	12888 MONTFORT DR	TANG TONY
	197	12888 MONTFORT DR	GAPONENKO MARINA
	198	12888 MONTFORT DR	GAPONENKO TATYANA
	199	12888 MONTFORT DR	GEBBIA ANTHONY VITTORIO &
	200	12888 MONTFORT DR	SONG SHUJENG &
	201	12888 MONTFORT DR	NICODEMUS MARY JOHN & MOSES
	202	12888 MONTFORT DR	CARNAHAN CODY LEE
	203	12888 MONTFORT DR	AVALOS JOSE LUIS ORTIZ &
	204	12888 MONTFORT DR	FAZEL MALIHEH KAZAMZADEHA
	205	12888 MONTFORT DR	RAUSCH THOMAS R
	206	12888 MONTFORT DR	VOLCANO PROPERTIES LLC
	207	12888 MONTFORT DR	GEBRU SAMRAWIT M &
	208	12888 MONTFORT DR	SHEPARD HOLDINGS LLC
	209	12888 MONTFORT DR	RODRIGUEZ ANSELMO
	210	12888 MONTFORT DR	PANIAGUA ALFONSO &
	211	12888 MONTFORT DR	RALSTON DAVID W
	212	12888 MONTFORT DR	ESPINOZALOPEZ NATHANAEL &
	213	12888 MONTFORT DR	RODRIGUEZ JOSE RICARDO

Z223-305(MB)

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	214	12888 MONTFORT DR	WELDAGORGIS MEBRAT Z
	215	12888 MONTFORT DR	RODRIGUEZ GRACIELA &
	216	12888 MONTFORT DR	ESPINOZA NATHANAEL L
	217	12888 MONTFORT DR	EDWARDS AARON L REVOCABLE
	218	12888 MONTFORT DR	ARREDONDO DELIA
	219	12888 MONTFORT DR	RODRIGUEZ JAIME ALONSO





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1536

**Item #:** Z6.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 5  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 989, on the southeast corner of South Saint Augustine Drive and Grady Lane

Recommendation of Staff: Approval, subject to an amended development plan, an amended traffic management plan, and amended conditions

Recommendation of CPC: Approval, subject to an amended development plan, an amended traffic management plan, and amended conditions

Z223-343(JA)

**FILE NUMBER:** Z223-343(JA) **DATE FILED:** September 27, 2023

**LOCATION:** Southeast corner of South Saint Augustine Drive and Grady Lane

**COUNCIL DISTRICT:** 5

**SIZE OF REQUEST:** Approx. 31.543 acres **CENSUS TRACT:** 48113011701

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**REPRESENTATIVE:** Warren Ellis, Land Use Planning & Zoning Services

**APPLICANT/OWNER:** Dallas Independent School District

**REQUEST:** An application for an amendment to Planned Development District No. 989.

**SUMMARY:** The applicant proposes to construct an approximately 30,100 square foot athletic building, which will also serve as a storm shelter, and an approximately 11,260 square foot community family resource center; to relocate the softball field; to provide an approximately 23,000 square foot area for future expansion; and to update the traffic management plan at an existing public high school. [*H. Grady Spruce High School*]

**CPC RECOMMENDATION:** **Approval**, subject to an amended development plan, an amended traffic management plan, and amended conditions.

**STAFF RECOMMENDATION:** **Approval**, subject to an amended development plan, an amended traffic management plan, and amended conditions.

**Planned Development District No. 989:**

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=989>

## **BACKGROUND INFORMATION:**

- Planned Development District (PD) No. 989 was established by ordinance No. 30514 passed by City Council on June 14, 2017, on property previously zoned an R-7.5(A) Single Family District.
- The primary purpose for the establishment of PD No. 989 was to allow a public-school use by right, with modified development standards allowing certain encroachments into front yard setbacks, subject to the development plan and traffic management plan included as exhibits in the establishing ordinance. An addition to the existing school, including 10 additional classrooms, and a total of 865 surface parking spaces were authorized at the time the PD was established.
- PD 989 was amended in February 2019 to modify (reduce) the off-street parking requirements to accommodate a detention area at the southwest corner of the property in an existing surface parking lot adjacent to South Saint Augustine Drive. A screening provision for the detention area was added to the PD conditions as part of this amendment, and an amended development plan was provided noting the changes to the surface parking lot.
- The currently proposed building addition will house a relocated community family resource center and an athletic building/storm shelter. To accommodate the new addition, the existing softball field will be relocated to the southeast corner of South Saint Augustine Drive and Grady Lane, an area currently developed with an [underutilized] surface parking lot. The application also includes a request for a reduction in the off-street parking requirement, based on provided traffic study, and reconfiguration of the campus parking layout.
- Selected sidewalk/buffer upgrades, pedestrian amenities, and additional landscape conditions for planting the new surface parking lot to Article X standards are also included in the request.

## **Zoning History:**

There have been four zoning change requests in the area in the last five years.

1. **Z190-264:** On August 12, 2020, Specific Use Permit No. 2065 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet was automatically renewed for a five-year time period on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of South Seagoville Road and Crenshaw Drive.
2. **Z190-343:** On January 27, 2021, City Council approved an ordinance permitting property zoned a CS Commercial Service District with a D-1 Liquor Control Overlay on the east line of Crenshaw Drive, south of South Seagoville Road, to be used under Specific Use Permit No. 2405 for the sale of alcoholic beverages in conjunction with

a general merchandise or food store greater than 3,500 square feet for a two-year time period.

3. **Z190-364:** On April 14, 2021, City Council approved an ordinance permitting property zoned an R-7.5(A) Single Family District on the west line of South Saint Augustine Drive, south of South Seagoville Road, to be used under Specific Use Permit No. 2414 for a community service center for a three-year time period.
4. **Z201-124:** On December 30, 2020, Specific Use Permit No. 2178 for an open-enrollment charter school was automatically renewed for a ten-year time period on property within Planned Development District No. 956 on the southwest corner of Old Seagoville Road and South Masters Drive.

### **Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Proposed ROW</b>
Grady Lane	Local	-
South Saint Augustine Drive ( <i>Scyene to Prairie Creek</i> )	Community Collector	Minimum-4 lanes-Undivided ( <i>can be striped and operated as 2 to 4 lanes</i> ) 40' pavement; 60' ROW; bike plan
<sup>1</sup> Crenshaw Drive	Local	-
Old Seagoville Road	Local	-

<sup>1</sup> Although it remains a street easement (per plat) at this time, the portion of Crenshaw Drive between Grady Lane and Old Seagoville Road operates functionally as a local street and is treated as such for development purposes.

### **Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the current request and does not anticipate that it will significantly impact the surrounding roadway system. The Transportation Department supports the zoning request and will collaborate with school officials to enforce the TMP.

### **STAFF ANALYSIS:**

#### **Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan*, adopted by City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is consistent with the following goals and policies of the comprehensive plan:

### **LAND USE ELEMENT**

#### **GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics

**1.1.5.7** Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries, and schools.

## **ECONOMIC ELEMENT**

### **GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS**

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

## **TRANSPORTATION ELEMENT**

### **GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS**

**Policy 4.2.2** Promote a network of on street and off-street walking and biking paths.

## **URBAN DESIGN ELEMENT**

### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

**Policy 5.1.1** Promote pedestrian friendly streetscapes

**Policy 5.1.3** Encourage complementary building height, scale, design, and character.

New development should be appropriate to the context of its location in density, intensity, and size, particularly when adjacent to existing residential areas, historic or conservation districts.

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.

### **Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Planned Development District No. 989	Public high school
<b>North</b>	R-7.5(A), and PD No. 662	Single Family, Public School [Julius Dorsey Elementary School], Undeveloped
<b>East</b>	R-7.5(A)	Undeveloped, Private Recreation Area
<b>South</b>	R-5(A), R-7.5(A), PD No. 956 w/SUP No. 2178, CR-D-1	Single Family, Retail, Undeveloped, and Church with an SUP for an Open-enrollment Charter School
<b>West</b>	R-7.5(A), and MF-2(A)	Multifamily, Fire Station, Single Family, & Undeveloped

**Land Use Compatibility:**

Surrounding land uses consist of a public school [Julius Dorsey Elementary School], single family, and undeveloped land to the north; a private recreation area (tennis courts for the school) and undeveloped land to the east; retail uses, single family, a church with an open-enrollment charter school and undeveloped land to the south; and multifamily, a fire station, single family, and undeveloped land to the west. Land uses further east, across September Lane, include more single family residential.

The school has been in operation at the site since 1972. The use continues to be compatible with surrounding uses.

**Landscaping:**

In general, landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended. Additional landscaping conditions also require hedgerow screening of an existing detention area. The current proposal adds a provision to trigger Article X landscaping for the north parking lot when Article X is triggered for the proposed building addition.

The city arborist reviewed the current request and anticipates that the site can conform to Article X. Trees shown on the proposed amended development plan are existing on the site and will be retained. A landscape plan will be required for review at permitting and the applicant has already begun working with city staff regarding the landscape plan. The city arborist supports the current zoning request as proposed and will coordinate with the applicant at permitting for further review of landscaping requirements at the request site.

**Parking:**

The Dallas Development Code determines the off-street parking requirement for a school using the following criteria: 1) the number of classrooms, and 2) the grade level of the school's students (e.g., elementary, middle, or high school). Parking for a high school is typically required at nine- and one-half spaces per high school classroom.

City Council approved a reduced parking ratio for Spruce High School [9.25 spaces per high school classroom] in 2019. Based on this standard, the school would be required to provide a total of 657 spaces for 71 classrooms. However, based on the traffic study provided, the applicant requests to provide 463\* total off-street parking spaces for the site. Staff supports the proposed reduction based on projected demand of 382 total spaces as determined by the applicant's engineer.

[\*Note: The amended development plan recommended for approval by City Plan Commission showed a total of 463 parking spaces on site; however, the data table on that plan incorrectly listed the total as 464 spaces. The applicant has provided a corrected plan, which is included in the docket, with the correctly tabulated 463 off-street parking spaces.]

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to target intervention strategies more precisely in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple, representing the strongest markets (A through C), to orange, representing the weakest markets (G through I). The area of request is located within an 'H' MVA cluster.

**Dallas ISD Trustees and Administration**

*(current as of 3-5-24)*

Dallas ISD Board of Trustees:

District 1 **Edwin Flores**  
District 2 **Sarah Weinberg** – Board Secretary  
District 3 **Dan Micciche** – First Vice President  
District 4 **Camile White**  
District 5 **Maxie Johnson** – Second Vice President  
District 6 **Joyce Foreman**  
District 7 **Ben Mackey**  
District 8 **Joe Carreon**  
District 9 **Justin Henry** – President

Dallas ISD Administration:

**Dr. Stephanie Elizalde** – Superintendent of Schools  
**Dr. Pamela Lear** – Deputy Superintendent of Staff and Racial Equity  
**Dr. Brian C. Lusk** – Deputy Superintendent of Academics and Transformations  
**Brent Alfred, AIA** – Chief Construction Officer  
**Robert Abel** – Chief of Human Capital Management  
**Dr. Tamika Alford-Stephens** – Chief Financial Officer  
**Libby Daniels** – Chief of Communication  
**Tiffany Huitt** – Chief of School Leadership  
**Sean Brinkman** – Chief Technology Officer  
**Angie Gaylord** – Chief of Academics  
**Shannon Trejo** – Chief of Innovation  
**David Bates** – Chief Operations Officer  
**Jon T Dahlander** – Chief Partnerships and Intergovernmental Relations Officer



Z223-343(JA)

**CPC Action  
May 2, 2024**

**Z223-343(JA)**

Planner: Jenniffer Allgaier

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 989, subject to a revised amended development plan, a revised amended traffic management plan, and amended conditions on the southeast corner of South Saint Augustine Drive and Grady Lane.

Maker: Wheeler-Reagan  
Second: Rubin  
Result: Carried: 15 to 0

For: 15 - Chernock, Hampton, Herbert, Forsyth, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Sleeper,  
Housewright, Eppler, Haqq, Hall, Kingston,  
Rubin

Against: 0  
Absent: 0  
Vacancy: 0

<b>Notices:</b>	Area: 500	Mailed: 192
<b>Replies:</b>	For: 1	Against: 1

**Speakers:** For: None

For (Did not speak): Warren Ellis, 8700 Stonebrook Pkwy., Frisco, TX 75034  
Anne Hildenbrand, 9731 Champa Dr., Dallas, TX 75218  
Steve Stoner, 7557 Rambler Rd., Dallas, TX 75243

Against: None

## **CPC-Recommended Amended PD 989 Conditions**

### **ARTICLE 989.**

#### **PD 989.**

#### **SEC. 51P-989.101. LEGISLATIVE HISTORY.**

PD 989 was established by Ordinance No. 30514, passed by the Dallas City Council on June 14, 2017. Subsequently, Ordinance No. 30514 was amended by Ordinance No. 31126, passed by the Dallas City Council on February 27, 2019, and Ordinance No. #####, passed by the Dallas City Council on May 22, 2024. (Ord. Nos. 30514; 31126; #####)

#### **SEC. 51P-989.102. PROPERTY LOCATION AND SIZE.**

PD 989 is established on property located at the southeast corner of Saint Augustine Drive and Grady Lane. The size of PD 989 is approximately 31.543 acres. (Ord. 30514)

#### **SEC. 51P-989.103. 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. (Ord. 30514)

#### **SEC. 51P-989.104. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 989A: development plan.
- (2) Exhibit 989B: traffic management plan. (Ord. 30514)

#### **SEC. 51P-989.105. DEVELOPMENT PLAN.**

(a) For a public school [~~other than an open enrollment charter school~~], development and use of the Property must comply with the development plan (Exhibit 989A). 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. (Ord. Nos. 30514; #####)

**SEC. 51P-989.106. 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~~]. (Ord. Nos. 30514; #####)

**SEC. 51P-989.107. ACCESSORY USES.**

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 30514)

**SEC. 51P-989.108. YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Encroachments. Accessory athletic field structures may encroach into the required front yard up to 16 feet, as shown on the development plan.

(c) Height. For a public school [~~other than an open enrollment charter school~~], maximum structure height is 38 feet. (Ord. Nos. 30514; #####)

**SEC. 51P-989.109. 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) A~~[For a public school other than an open-enrollment charter school, parking may be located in the required front yard along Saint Augustine Drive and the]~~ minimum of 464 off-street parking ~~[requirement is]~~ spaces must be provided for a public ~~[per]~~ high school ~~[classroom]~~. (Ord. Nos. 30514; 31126; #####)

## **SEC. 51P-989.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. 30514)

### **SEC. 51P-989.110.1 FENCING.**

(a) Except as provided in this section, fences must be constructed and maintained in accordance with the fence standards in Sec. 51A-4.602(a).

(b) For a public school use, a maximum six-foot-tall fence may be located in a required yard along a street frontage if all of the following conditions are met:

(1) For each square foot of surface area, the fence must be a minimum 50 percent open;

(2) Gates for vehicular traffic must be located a minimum of 20 feet from the back of the street curb;

(2) The fence must comply with the visual obstruction regulations in Sec. 51A-4.602; and

(3) The fence may not inhibit compliance with landscaping, sidewalks, buffers, or other regulations applicable to the Property. (Ord. No. #####)

## **SEC. 51P-989.111. LANDSCAPING.**

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Saint Augustine Drive detention pond screening. Except when in conflict with drainage requirements, a minimum three-foot tall hedgerow is required between Saint Augustine Drive and the detention pond as shown on the development plan. The hedgerow must consist of evergreen plant materials recommended for local area use by the building official. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of

the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.

(c) When landscaping is required in accordance with Article X for the new building addition shown on the attached development plan, a landscape plan that complies with Section 51A-10.123 must be submitted to and approved by the building official for the H2 surface parking lot prior to obtaining a building permit. The H2 surface parking lot shall be included as part of the artificial lot associated with the new building addition shown on the attached development plan. Planting and irrigation for the H2 surface parking lot must be installed and inspected prior to issuance of a final certificate of occupancy for the new building addition.

(d) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 30514; 31126; #####)

## **SEC. 51P-989.112. 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 989B).

(b) Queuing. Queuing is only permitted as shown on the attached traffic management plan. Student drop-off and pick-up are permitted within city rights of way only in the locations shown on the traffic management plan.

(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, 2025 [2018], or within six months after students first begin attending classes in the proposed building addition shown on the development plan, whichever is later. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st [March 1] of each odd [even]-numbered year.

(A) If the Property owner or operator fails to submit the required initial traffic study by November 1, 2025, or within six months after students first begin attending classes in the proposed building addition shown on the development plan, whichever is later, the director shall notify the city plan commission.

(B) If the Property owner of operator fails to submit a required update of the traffic study to the director by November 1st of each odd-numbered year, the director shall notify the city plan commission.

(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 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. (Ord. Nos. 30514; #####)

**SEC. 51P-989.112.1. DESIGN STANDARDS FOR A PUBLIC SCHOOL.**

(a) Sidewalks and buffers. Prior to the issuance of a certificate of occupancy, sidewalks and buffers must be provided as follows:

(1) South Saint Augustine Drive. A minimum six-foot-wide unobstructed sidewalk with a minimum five-foot-wide buffer must be provided along the entire length of street frontage abutting the Property.

(2) Grady Lane. Provided the sidewalk is in good repair and ADA compliant, the existing sidewalk along the Grady Lane frontage may remain as shown on the development plan; however, when this sidewalk is replaced it must have a minimum unobstructed width of six-feet and a minimum five-foot-wide buffer is required.

(3) Crenshaw Drive. A minimum six-foot-wide unobstructed sidewalk with a minimum five-foot-wide buffer must be provided along the entire length of street frontage along the east line of Crenshaw Drive. A sidewalk is not required along the west line of Crenshaw Drive at this time; however, when a sidewalk is installed in this location it must have a minimum unobstructed width of six-feet and a minimum five-foot-wide buffer is required.

(4) Old Seagoville Road. Provided the sidewalk is in good repair and ADA compliant, the existing sidewalk along the Old Seagoville Road frontage may remain as shown on the development plan; however, when this sidewalk is replaced it must have a minimum unobstructed width of six-feet and a minimum five-foot-wide buffer is required.

(b) Pedestrian amenities.

(1) The following pedestrian amenities must be provided prior to the issuance of a certificate of occupancy:

(A) Area 1. A minimum of four benches, one trash receptacle, and three bicycle racks must be provided in Area 1 as noted on the development plan.

(B) Area 2. A minimum of two benches, one trash receptacle, and one bicycle rack must be provided in Area 2 as noted on the development plan.

(C) Area 3. A minimum of two benches, one trash receptacle, and one bicycle rack must be provided in Area 3 as noted on the development plan.

(D) Area 4. A minimum of two benches, one trash receptacle, and one bicycle rack must be provided in Area 4 as noted on the development plan.

(2) Pedestrian amenities must be accessible from the public sidewalk but may not be located in a manner that reduces the unobstructed sidewalk width to less than what is required.

(c) Light standards for athletic fields. Light standards may be provided for the athletic fields shown on the development plan with the following conditions:

(1) The light standards may be located in a required yard.

(2) The light standards may not exceed 80 feet in height. Residential proximity slope does not apply to the light standards.

(3) The light standards may only operate Monday through Thursday between 6:30 a.m. and 9:00 p.m.

(4) Lighting is limited to a practice involving a Dallas Independent School District athletic team or other University Interscholastic League organization.

(5) The lighting must meet the International Dark Sky Association standards for community -friendly sports lighting design. (Ord. No. #####)

**SEC. 51P-989.113. SIGNS.**

Signs must comply with the provisions for non-business zoning districts in Article VII. (Ord. 30514)

**SEC. 51P-989.114. ADDITIONAL PROVISIONS.**

(a) For a public school [~~other than open enrollment charter school~~], at each driveway and sidewalk intersection, sidewalks must be constructed of a material that differs in color from that of vehicular ingress and egress driveways.

(b) The Property must be properly maintained in a state of good repair and neat appearance.

(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(d) Fencing in a required front yard surrounding a parking lot may not exceed six feet in height. (Ord. Nos. 30514; #####)

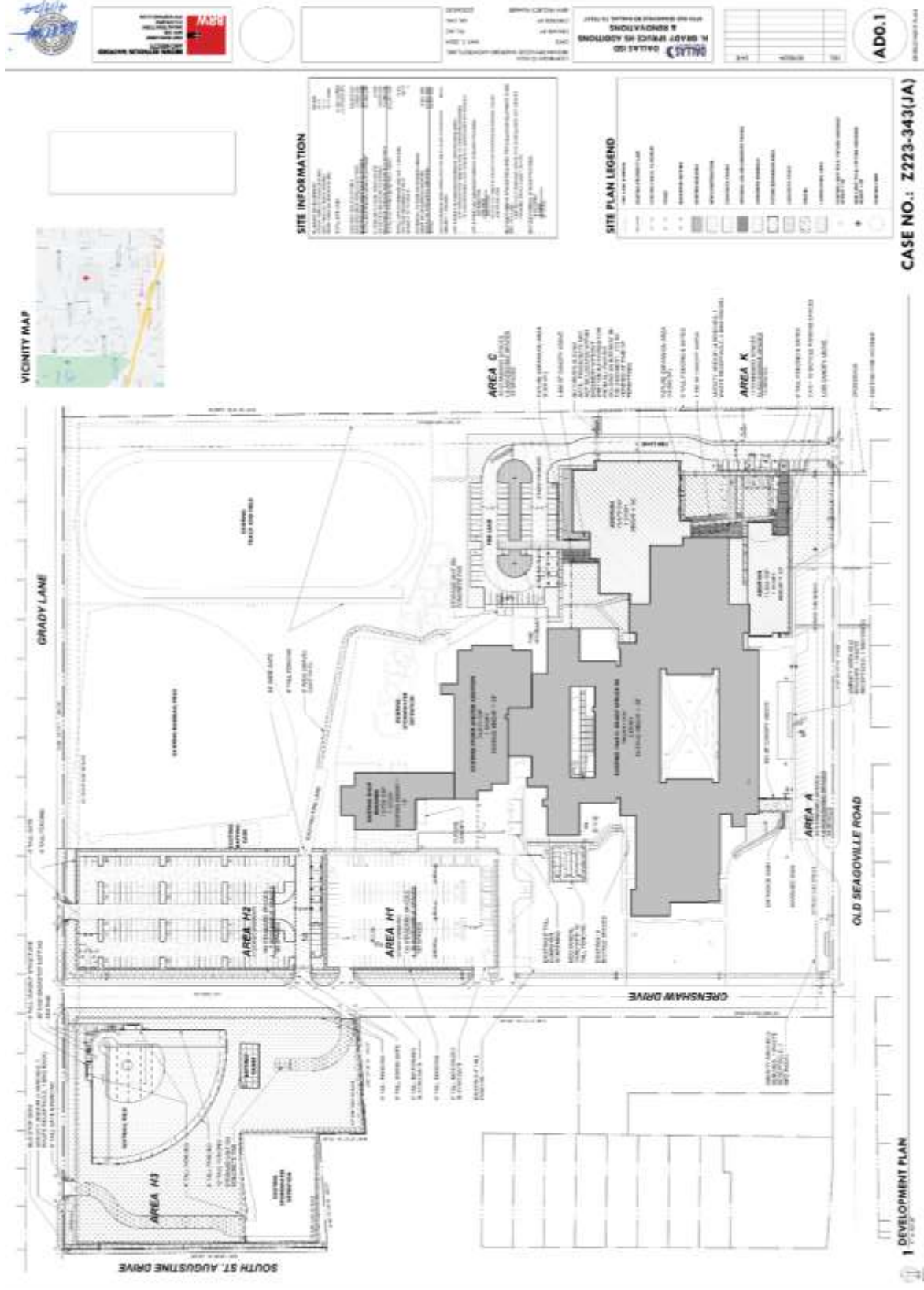
**SEC. 51P-989.115. COMPLIANCE WITH CONDITIONS.**

(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 city.

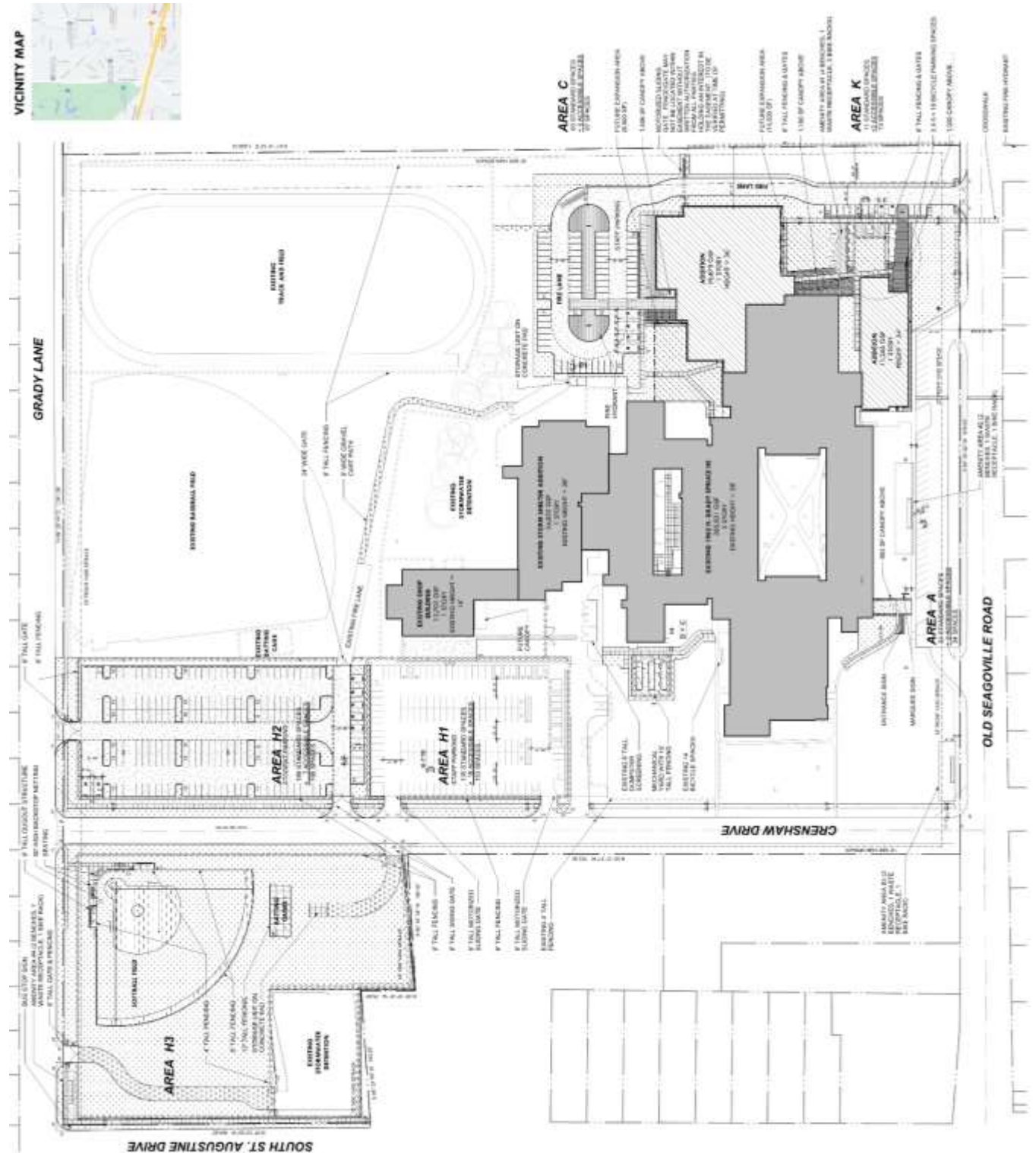
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 30514)



# CPC-Recommended Amended PD 989 Development Plan



## CPC-Recommended Amended PD 989 Development Plan [*Enlarged*]



## CPC-Recommended Amended Traffic Management Plan

January 3, 2024

WW# 0044552.00

# TRAFFIC MANAGEMENT PLAN

Z223-343



Dallas Independent School District (DISD)  
H. Grady Spruce High School  
CITY OF DALLAS

### Introduction

The services of **Pacheco Koch (PK)** were retained by **Dallas Independent School District (DISD)** to prepare a Traffic Management Plan (TMP), as requested by the City of Dallas, for the existing H. Grady Spruce High School described below. The school has an existing enrollment of 1,467 students and is anticipated to remain after improvements are complete.

As described in Appendix A6 of the City of Dallas *Street Design Manual*, a school Traffic Management Plan is a "site-specific plan providing guidelines to coordinate traffic circulation during school peak hours. TMPs should promote strategies to manage all modes of transportation and maintain student safety paramount at all times. An effective plan requires continual planning, renewed understanding and coordinated efforts by city staff, school administration and staff, neighbors, parents, and students.

This TMP was prepared by registered engineers at Pacheco Koch who are experienced in transportation and traffic engineering (the "Engineer"). Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional engineering and related services.

The engineer performed most recent on-site drop-off and dismissal field observations on Tuesday, May 16, 2023 and Wednesday, May 17, 2023 during morning and afternoon periods that validates all information in this report.

### 1. TMP EXHIBIT

(See attached Exhibit 1 - Traffic Management Plan)



7557 Rambler Road, Suite 1400  
Dallas, Texas 75231-2388  
(972) 235-3031 [www.pkce.com](http://www.pkce.com)  
TX.REG: ENGINEERING FIRM F-469  
TX. REG. SURVEYING FIRM LS-100080-00

January 3, 2024

## 2. SCHOOL LOCATION AND DESCRIPTION

- **School site location:** 9733 Old Seagoville Road, Dallas, Texas
- **Description of adjacent roadways:**
  - **Adjacent Streets:**
    - **Old Seagoville Road:**
      - Cross-section: Two lanes, two-way operation, undivided.
      - Sidewalk connectivity evident along frontage of school. [School Zone]
      - Speed Limit: 30 mph [School Zone of 20 mph]
    - **Crenshaw Drive:**
      - Cross-section: Two lanes, two-way operation [northbound one-way operational during school hours], undivided.
      - Sidewalk connectivity evident along frontage of school.
      - Speed Limit: 30 mph
    - **Grady Lane:**
      - Cross-section: Two lanes, two-way operation, undivided.
      - Sidewalk connectivity evident along frontage of school.
      - Speed Limit: 30 mph
  - **Adjacent Intersections:**
    - Old Seagoville Road and Crenshaw Drive - Marked crosswalks (faded) on all approaches, barrier free ramps provided on all corners.
    - Old Seagoville Road and Campus Drive - Marked crosswalks (faded) on all legs, barrier free ramps provided on south corners.
    - Crenshaw Drive and Grady Lane - Marked crosswalk (faded) on south leg, barrier free ramps provided on south corners.



January 3, 2024

NOTE: It is generally recommended that all applicable crosswalks/barrier free ramps/sidewalks comply with current ADA accessibility requirements. Pacheco Koch is not certified to provide a full ADA compliance inspection, which is performed by licensed inspectors during the design and permitting process. All pavement markings, traffic signs, school zones, and pedestrian infrastructure improvements are recommended to be upgraded at permitting as applicable and meet current city and TMUTCD standards.

### 3. INGRESS/EGRESS POINTS OF ACCESS

- **Vehicular Ingress/Egress Points:**
  - Old Seagoville Road: Three Driveways (existing and proposed)
  - Crenshaw Drive: Six Driveways (including two to access the Student Parking Lot)
  - Grady Lane: Three Driveways (including two to access the Student Parking Lot)
  - Faculty and staff park within the parking lots immediately south, east, and northwest of the school building, entering and exiting throughout the entire day. The access points for the faculty and staff parking lot to the south and east of the school building are located along Old Seagoville Road. Additionally, the access points for the faculty and staff parking lot to the northwest of the school building are located along Crenshaw Drive.
  - The student parking lot is located west of Crenshaw Drive, where students can enter in the morning and exit in the afternoon. Two access points for the student parking lot are located along Crenshaw Drive with the northernmost driveway being gated. With improvements to the site, this lot will be repurposed as a softball field. The parking lots east of Crenshaw Drive will serve as the student lot in the future.
  - The existing student parking lot is currently underutilized. It is proposed that the new student parking lot be converted to be utilized for pick-up in the afternoon. Vehicular access to this new student parking lot would remain with one driveway on Crenshaw Drive and one driveway on Grady Lane.
- **Student (Building) Ingress/Egress Points:**
  - The main student pedestrian access is at the western doors along Old Seagoville Road. Secondary access is provided northwest of the building and northeast of the building.

### 4. QUEUING SUMMARY TABLE

The following table presents the projected queuing vehicle accumulation for the subject campus. The calculations for vehicle accumulation and parking are based

January 3, 2024

upon estimated ratios – estimated linear feet of queue per student – along with the assumptions provided by (DISD) for this campus have been validated by on-site drop-off and dismissal observations conducted on Tuesday, May 16, 2023 and Wednesday, May 17, 2023. All information provided in the table below is strictly for the afternoon student pick-up release period.

See Section 12(b) for specific information on the methodology and calculations used in the table below. Specific separation of modes of transportation was provided by DISD and is provided in Section 6.

Table 1. Queuing Summary Table

Dismissal Period (Loading Zone)	Grades	Start/ End Times*	Total Enrollment		Maximum Vehicle Accumulation	(On-Site) Storage Capacity (veh)	Surplus /Deficit (veh)
			Existing	Proposed	Proposed (Existing)		
1	9 <sup>th</sup> – 12 <sup>th</sup>	9:10 AM – 4:30 PM	1,467	1,467	224 (224)	160 (44)	-64 (-180)

\*All times are subject to change

## 5. CIRCULATION

This section provides on-site traffic circulation, including any temporary traffic control devices.

### Description of Existing Conditions

- **On-Site Circulation:**

Parent traffic enters the area traveling via Old Seagoville Road and Crenshaw Drive. Parent traffic queues/stands in the queuing recessed area on site south of the school building as well as on the eastbound and westbound curbsides of Old Seagoville Road past the frontage of the property. Parent vehicles also queues/stands on the northbound and southbound curbsides of Crenshaw Drive, Campus Drive, and Legacy Drive.

Fourteen (14) school buses load and unload students along the northbound curbside of Crenshaw Drive adjacent to the site. Buses arrive in a staggered manner and loads students all at once. Buses depart to the north as Crenshaw Drive operates as one-way northbound during school hours.

Staff and visitor parking lots are provided surrounding the site.

- **Temporary Traffic Control Devices:**

- Temporary traffic control devices are not proposed to be used for this TMP in order to facilitate drop-off/pick-up operations.

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### Description of Proposed Conditions

(NOTE: only changes to the Existing Conditions are mentioned below)

- **On-Site Circulation:**

Parent traffic is to enter the new to be constructed parking lot east of the school building via a new driveway on Old Seagoville Road.

Parent traffic is to enter the new, to be constructed, student parking lot northwest of the school building and east of Crenshaw Drive via the northernmost driveway on Crenshaw Drive. Traffic will travel in a counterclockwise manner and exit the queueing area through the easternmost driveway on Grady Lane after the vehicle has sufficiently unloaded/loaded the student(s) exiting/entering the vehicle. The students will be picked in the parent waiting area as shown in the exhibit. The students will be loaded in the student parking area. There is no designated student loading area similar to an elementary or middle school. As this is a high school, students walk to their parent vehicles and do not wait at a specific location.

- **Temporary Traffic Control Devices:**

- Temporary traffic control devices are not proposed to be used for this TMP in order to facilitate drop-off/pick-up operations.

- **EVALUATION OF SCHOOL ZONES:**

- Relocation of the school zones is not recommended.

## 6. DROP-OFF/PICK-UP COORDINATION

This section provides proposed student drop-off/pick-up coordination information.

- **Subject School Recommended Loading System:**

- Monitored Non-Sequential System

**DEFINITIONS:**

A "Administer Sequential Loading System" refers to a managed system that enforces a prescribed policy for picking up students at a specific release time. Passenger loading and vehicle departures are sequential and consecutive order based upon order of arrival. During a prior coordination phase, drivers are provided with some form of identification that school personnel observe upon arrival so that the corresponding passenger is prepped for loading before the vehicle arrives at the designated loading area. In situations with a double queue line, students are loaded in "groups" where students enter several vehicles in an instance. After, that group of vehicles depart, then another group of vehicles pull forward for the next set of students to enter each vehicle. Groups of vehicles can contain 5-10 vehicles at one time.

January 3, 2024

A "Monitored Non-Sequential System" refers to a more commonly used managed system that includes a passively supervised protocol that monitors and discourages unsafe activity along the perimeter of the site. This protocol manages students that wait to exit the building at parent vehicle arrival to get to their destination. Passenger loading and vehicle departures are considered non-consecutive to allow drivers to circulate through the area on a more random, but structured basis.

An "Unmanaged System" refers to an unmanaged protocol where students are not monitored or supervised during the loading period. Vehicle arrivals are non-consecutive and circulate through the area on a more random basis without the supervision of school staff.

- **Separation of modes of transportation:**

- Bus: 10%
- Walk: 15%
- Student Drivers: 5%
- Picked Up by Parent: 70%

NOTE: Information provided by Dallas Independent School District (DISD) and validated with field observations

- **School Hours:**

- 9:10 AM – 4:30 PM

## 7. SCHOOL STAFF ASSISTANCE

- Number:
  - Observed: 4-7
  - Desired: 4-7
- Location:
  - Observed: South of the school building
  - Desired: South of the school building
- Staff Requirements and expectations:
  - Staff assistance shall be present to allow students to enter and exit the school building in a safe and efficient manner.



January 3, 2024

## **8. ADULT SCHOOL CROSSING GUARDS AND/OR OFF-DUTY DEPUTIZED OFFICERS**

- Number:
  - Existing Conditions: 2
  - Proposed Conditions: 2
- Location:
  - Existing Conditions: South of the school building near the main entrance
  - Proposed Conditions: South of the school building near the main entrance

January 3, 2024

## 9. SCHOOL ADMINISTRATION INPUT STATEMENT

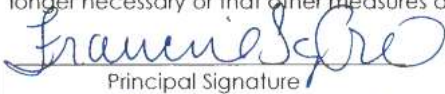
The engineer collaborated with both the School District personnel and on-site staff/principal and Student Transportation Services as needed, before and during the process of creation of the Traffic Management Plan.

The site engineer, the architect and the traffic engineer have collaborated the traffic patterns of parent routes, bus routes, and recommendations of the TMP with the on-site and District personnel. The onsite and District personnel have completed a thorough review and any changes that have been discussed have been applied to this version of the plan.

### REVIEW AND COMMITMENT

This school traffic management plan (TMP) for DISD H. Grady Spruce High School was developed with the intent of optimizing safety and efficiently accommodating vehicular traffic generated during the school's typical student drop-off and pick-up periods. This plan was developed with direct input from individuals familiar with the general characteristics of the traffic needs of the school. It is important to note that a concerted and ongoing effort by and the full participation of the school administration are essential to accomplish these goals.

By the endorsement provided below, the school administration hereby agrees to implement, adhere to, and support the strategies presented in this TMP for which the school is held responsible until or unless the City of Dallas deems those strategies are no longer necessary or that other measures are more appropriate.

  
Principal Signature

5/6/24  
Date

Name: Francine Taylor  
Title: PRINCIPAL

January 3, 2024

## 10. ENGINEER SEAL

This report is signed, stamped, and dated by a licensed Professional Engineer in the State of Texas with specific expertise in transportation and traffic engineering.

## 11. REPORT FORMAT

This report follows the City of Dallas Traffic Management Plan format as described in Appendix A6 of the City of Dallas *Street Design Manual*.

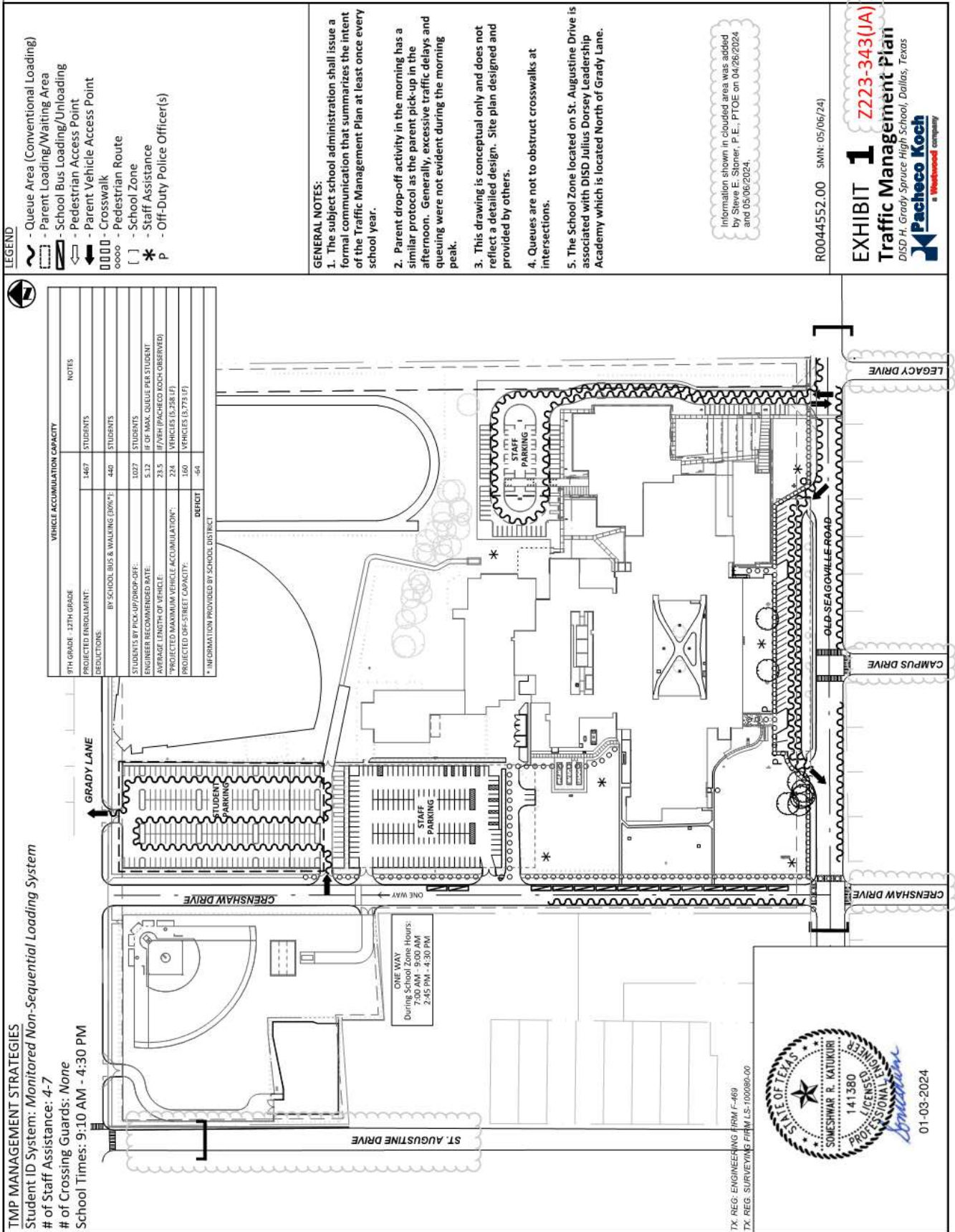
## 12. OTHER ITEMS WHERE APPLICABLE

- a) School Bus Operations: (See Section 5)
- b) Methodology:
  - a. Engineer Recommended Rate: 5.12 linear feet per student
  - b. Average Length of Vehicle: 23.5 feet
  - c. Separation of modes of transportation:
    - i. Bus: 10%
    - ii. Walk: 15%
    - iii. Students Drivers: 5%
    - iv. Picked Up by Parent: 70%
- NOTE: Information provided by Dallas Independent School District (DISD) and validated with field observations
- d. Projected maximum vehicle accumulation: 224
- e. Projected on-site storage capacity: 156
- f. Surplus/Deficit: -68
- c) Proposed Pedestrian Routes: The pedestrian routes are based on the attendance zone map when finalized. The attendance zone was not provided at the time of this study and/however, the anticipated (and observed) pedestrian routes include the sidewalk paths along Old Seagoville Road.
- d) Existing Parking Management Strategies:
  - a. On-street parking restrictions:
    - i. Old Seagoville Road: Eastbound curbside restrictions during school hours
  - b. Onsite parking:

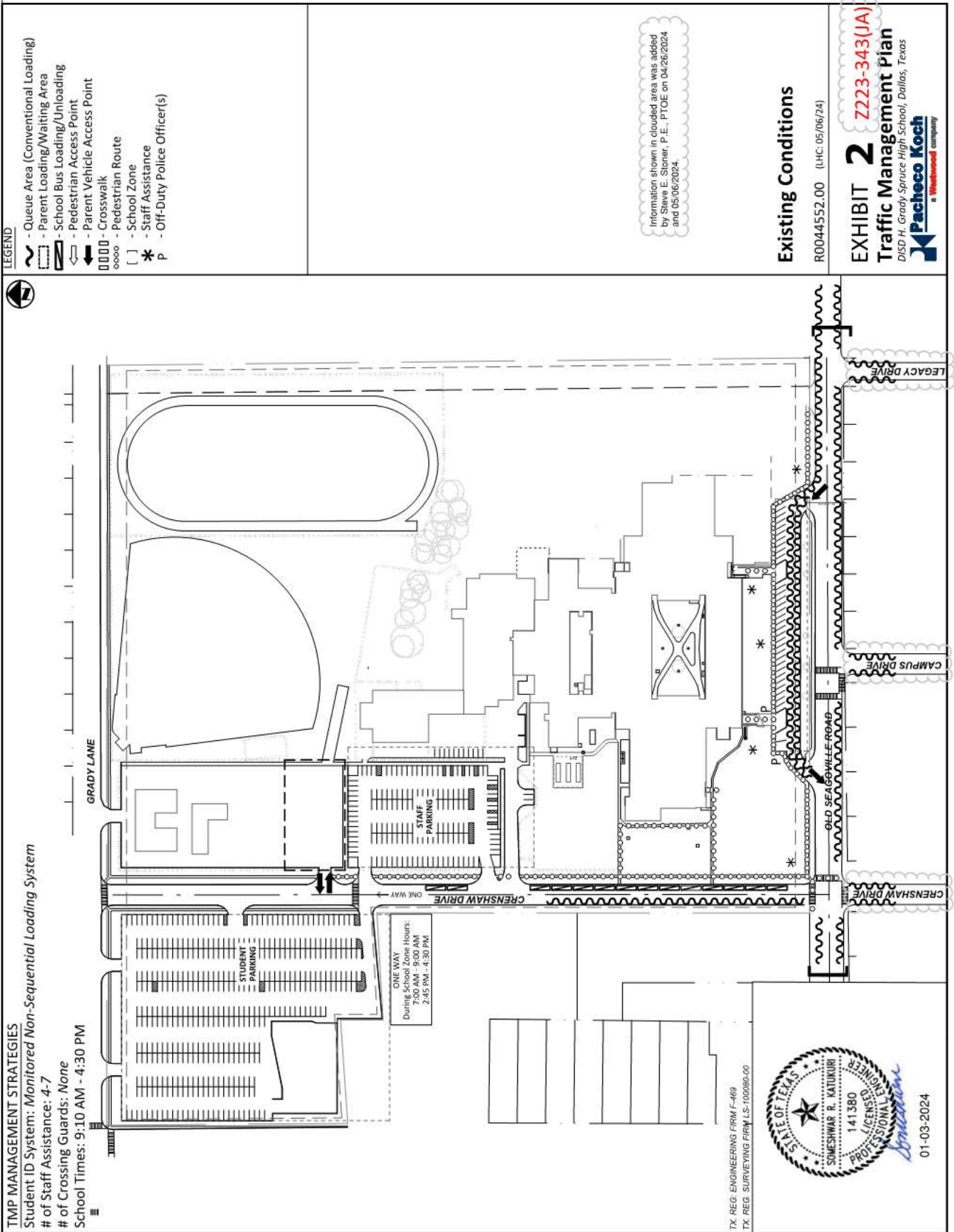
January 3, 2024

- i. Faculty Parking: South, east, and northwest of building
- ii. Visitor Parking: South of building
- iii. Student Parking: Northwest of building
- e) Recommendations (if applicable) for walking/biking: (See **Exhibit 1**)
  - a. No changes to existing school zones
- f) Other Recommendations: (See **Exhibit 1**)

END OF MEMO







**September 2023 Traffic Assessment Study - FOR REFERENCE**

**September 18, 2023**

WW# 0044552.00

# PRELIMINARY TRAFFIC ASSESSMENT

*Project:*

**DISD H. Grady Spruce High School**

*In Dallas, Texas*

*Prepared for:*

**City of Dallas**

*On behalf of:*

**Dallas Independent School District (DISD)**

*Prepared by:*



Hunter W. Lemley, P.E., PTOE



7557 Rambler Road, Suite 1400  
Dallas, Texas 75231-2388  
(972) 235-3031 [www.pkce.com](http://www.pkce.com)  
TX REG. ENGINEERING FIRM F-469  
TX REG. SURVEYING FIRM LS-100080-00

September 18, 2023



**PRELIMINARY TRAFFIC ASSESSMENT**  
**DISD H. Grady Spruce High School**  
Dallas, Texas

**TABLE OF CONTENTS**

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2. SITE PLAN .....	1
3. TRIP GENERATION.....	3
4. PARKING GENERATION.....	3
5. ROADWAY CONDITIONS.....	4
6. EVALUATION OF TRAFFIC OPERATIONS .....	5
7. SITE ACCESS EVALUATION .....	5
8. CERTIFICATION STATEMENT .....	7

LIST OF TABLES:

- Table 1. Projected Trip Generation Summary
- Table 2. Projected Parking Generation Summary
- Table 3. Base Code Parking Requirements

LIST OF EXHIBITS:

- Exhibit 1. Site Location Map
- Exhibit 2. Site Distribution Exhibits



September 18, 2023

The services of **Pacheco Koch (PK)** were retained by **BRW Architects** on behalf of **Dallas Independent School District (DISD)** to prepare a Preliminary Traffic Assessment, as requested by the City of Dallas, for the proposed development described below.

As described in Appendix A6 of the City of Dallas *Street Design Manual*, the purpose of a Preliminary Traffic Assessment is "to provide a snapshot of traffic information and potential issues related to a proposed development" and "to provide a technical justification to waive a traditional Traffic Impact Analysis."

This study was prepared by registered engineers at Pacheco Koch who are experienced in transportation and traffic engineering (the "Engineer"). Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional engineering and related services.

## 1. PROJECT DESCRIPTION

NAME OF DEVELOPMENT: DISD H, Grady Spruce High School

PROPERTY ADDRESSES: 9733 Old Seagoville Road, Dallas, TX 75217

LAND USE(S): Public school other than an open-enrollment charter school

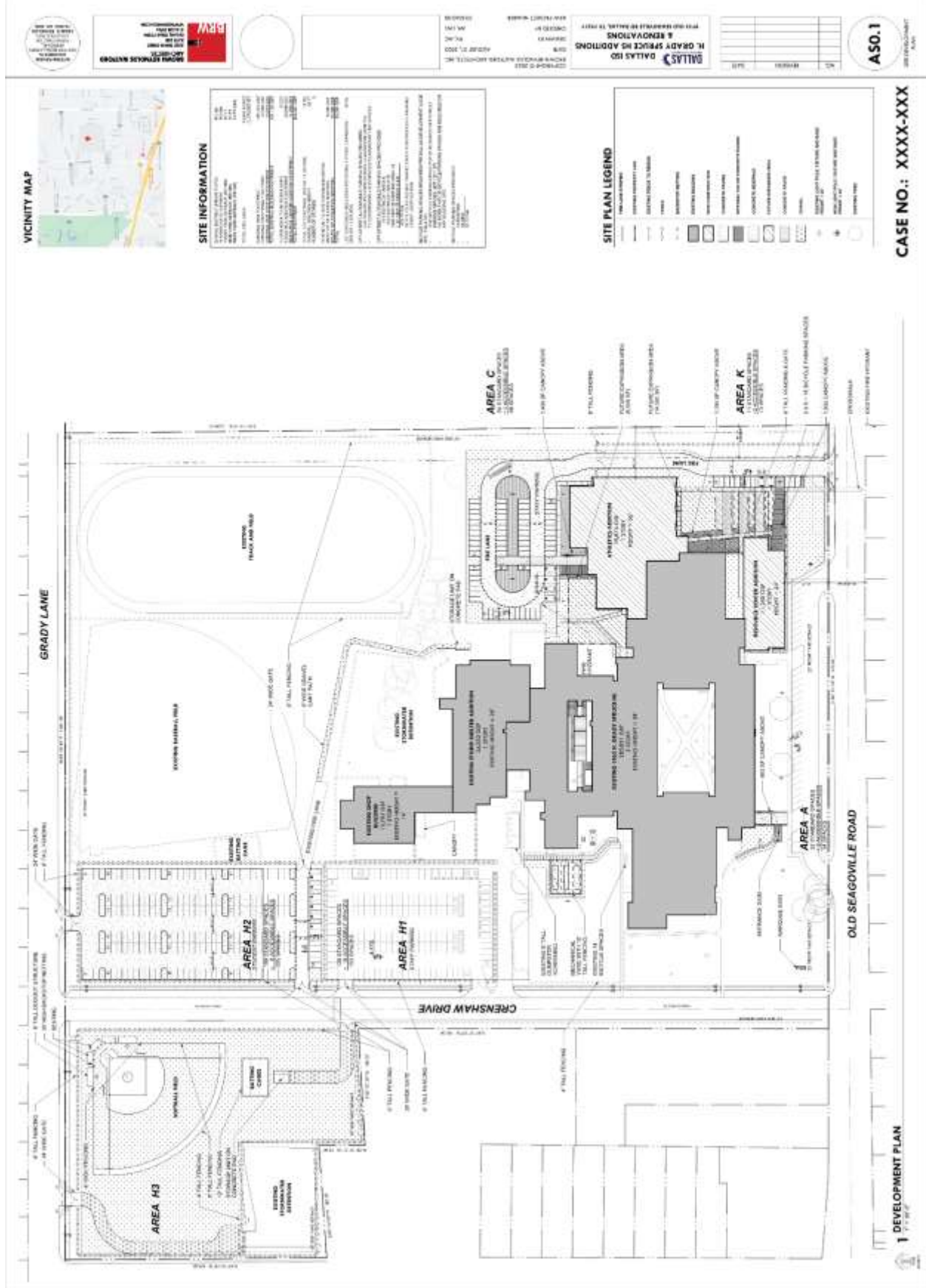
EXISTING ZONING: PD-989

PROPOSED ZONING: (no change)

SITE ACCESS: Three driveways (one entry only, one exit only) on Old Seagoville Road with additional access to staff parking lots. Six driveways on Crenshaw Drive with additional access to student and staff parking lots. Three driveways on Grady Lane with additional access to student and staff parking lots.

## 2. SITE PLAN

(see next page)



April 25, 2024

### 3. TRIP GENERATION

Table 1. Projected Trip Generation Summary

LAND USE (ITE LUC)	DAILY TRIP ENDS (WEEKDAY)	AM PEAK HOUR TRIP ENDS (ADJACENT STREET PEAK)	PM PEAK HOUR TRIP ENDS (ADJACENT STREET PEAK)
		Total (In/Out)	Total (In/Out)
Existing and Proposed Uses			
High School (1,467 Students) (ITE LUC: #525)	2,846	763 (519/244)	205 (99/106)

Source: Institute of Transportation Engineers Trip Generation handbook, 11<sup>th</sup> Edition.

### 4. PARKING GENERATION

Table 2. Projected Parking Generation Summary

LAND USE (ITE LUC)	QUANTITY	AVERAGE RATE	PROJECTED PEAK PARKING DEMAND*
High School (ITE LUC #530)	1,467 Students	0.26	<b>381</b>

Source: Institute of Transportation Engineers Parking Generation handbook, 5<sup>th</sup> Edition.

Table 3. Base Code Parking Requirements

(Proposed Development, Based upon PK interpretations of City Code)

LAND USE	QUANTITY	RATE	PARKING REQUIREMENT
Public School [51A-4.204(17)(C)(iii)]	71 Rooms	9.25 space per classroom	657

NOTE: Based upon PK's interpretations of applicable City of Dallas parking requirements. Some parking reductions may apply.

EXISTING PARKING SUPPLY: 776 PROPOSED PARKING SUPPLY:

464

Updated on 04/25/2024 by  
Steve E. Stoner, P.E., PTDE

Based on the above, the district is proposing for a reduction in parking spaces. This study shows that on a typical day, the maximum vehicles parked on-site is 226 vehicles. Below is a summary of the findings for the parking observations.

Parking Count Observations (See Appendix for detailed exhibit):

- Existing Student lot A: 0 vehicles
- Northern Faculty Lot B: 27 vehicles
- Northern Staff/Teacher Lot C: 110 vehicles
- Northern Maintenance Lot D: 6 vehicles
- Southern Visitor Lot E: 29 vehicles

September 18, 2023

- Eastern Visitor Lot F: 54 vehicles
- Grady Lane: 6 vehicles
- Old Seagoville Road: 26 vehicles

TOTAL: 258 vehicles (226 vehicles on site)

## 5. ROADWAY CONDITIONS

### ADJACENT ROADWAYS:

- (A) Old Seagoville Road, between Crenshaw Drive and September Lane
- Existing conditions:
    - Lanes: *two lanes, two-way operation with on-street parking*
    - Adjacent Bus Stops/Transit Facilities: *none (local street)*
    - Pedestrian Facilities: *6' sidewalk on north side of the street and 3' sidewalk on south side of the street*
  - Current Traffic Volume:
    - Daily – 3,441 (Source: TxDOT, November 25, 2019)
    - Peak Hour – 329 [5:00-6:00 PM] (Source: same as above)
  - City of Dallas Thoroughfare Plan Designation: *none (local street)*
  - City of Dallas Bicycle Plan Designation: *On-Street Bicycle Facility*
- (B) Crenshaw Drive, between Old Seagoville Road and Grady Lane
- Existing conditions:
    - Lanes: *two lanes, two-way operation (northbound one-way during school hours)*
    - Adjacent Bus Stops/Transit Facilities: *none (local street)*
    - Pedestrian Facilities: *4' sidewalks on east side of the street, 4' sidewalk on west side of the street adjacent to the student parking lot only*
  - Current Traffic Volume: *not available*
  - City of Dallas Thoroughfare Plan Designation: *none (local street)*
  - City of Dallas Bicycle Plan Designation: *none*
- (C) Grady Lane, between Crenshaw Drive and September Lane
- Existing conditions:
    - Lanes: *two lanes, two-way operation with on-street parking*
    - Adjacent Bus Stops/Transit Facilities: *none (local street)*
    - Pedestrian Facilities: *4' sidewalks on north and south sides of the street*
  - Current Traffic Volume: *not available*
  - City of Dallas Thoroughfare Plan Designation: *none (local street)*
  - City of Dallas Bicycle Plan Designation: *none*

September 18, 2023

## 6. EVALUATION OF TRAFFIC OPERATIONS

### ADJACENT INTERSECTIONS:

#### (a) Streets: Old Seagoville Road and Crenshaw Drive

- ❑ Existing Intersection Traffic Control Device: STOP control on minor street
- ❑ Reported Crashes in Prior Three Years:
  - Total: 2
  - Fatality: 0
  - Serious Injury: 0

#### (b) Streets: Old Seagoville Road and Campus Drive

- ❑ Existing Intersection Traffic Control Device: STOP control on minor street
- ❑ Reported Crashes in Prior Three Years:
  - Total: 1
  - Fatality: 0
  - Serious Injury: 0

#### (c) Streets: Crenshaw Drive and Grady Lane

- ❑ Existing Intersection Traffic Control Device: STOP control on minor street
- ❑ Reported Crashes in Prior Three Years:
  - Total: 1
  - Fatality: 0
  - Serious Injury: 0

ANTICIPATED TRIP DISTRIBUTION: (see at the end of the memo)

This section provides on-site traffic circulation, including any temporary traffic control devices.

### Description of Existing Conditions

#### • On-Site Circulation:

Parent traffic enters the area traveling via Old Seagoville Road and Crenshaw Drive. Parent traffic queues/stands in the queuing recessed area on site south of the school building as well as on the eastbound and westbound curbsides of Old Seagoville Road past the frontage of the property. Parent vehicles also queues/stands on the northbound and southbound curbsides of Crenshaw Drive, Campus Drive, and Legacy Drive.

Fourteen (14) school buses load and unload students along the northbound curbside of Crenshaw Drive adjacent to the site. Buses arrive in a staggered manner and loads students all at once. Buses depart to the north as Crenshaw Drive operates as one-way northbound during school hours.

Staff and visitor parking lots are provided surrounding the site.

#### • Temporary Traffic Control Devices:



September 18, 2023



- Temporary traffic control devices are not proposed to be used for this TMP in order to facilitate drop-off/pick-up operations.

#### Description of Proposed Conditions

(NOTE: only changes to the Existing Conditions are mentioned below)

- **On-Site Circulation:**

Parent traffic is to enter the new to be constructed parking lot east of the school building via a new driveway on Old Seagoville Road.

Parent traffic is to enter the student parking lot northwest of the school building and of Crenshaw Drive via the easternmost driveway on Grady Lane. Traffic will travel in a clockwise manner and exit the queueing area through the westernmost driveway after the vehicle has sufficiently unloaded/loaded the student(s) exiting/entering the vehicle.
- **Temporary Traffic Control Devices:**
  - Temporary traffic control devices are not proposed to be used for this TMP in order to facilitate drop-off/pick-up operations.
- **EVALUATION OF SCHOOL ZONES:**
  - Relocation of the school zones is not recommended.

## 7. SITE ACCESS EVALUATION

- Old Seagoville Road: Three Driveways (existing and proposed)
- Crenshaw Drive: Six Driveways (including two to access the Student Parking Lot)
- Grady Lane: Three Driveways (including two to access the Student Parking Lot)
- Faculty and staff park within the parking lots immediately south, east, and northwest of the school building, entering and exiting throughout the entire day. The access points for the faculty and staff parking lot to the south and east of the school building are located along Old Seagoville Road. Additionally, the access points for the faculty and staff parking lot to the northwest of the school building are located along Crenshaw Drive.
- Students park within the parking lot west of Crenshaw Drive, entering in the morning and exiting in the afternoon. Two access points for the student parking lot are located along Crenshaw Drive with the northernmost driveway being gated. The access points along Grady Lane are also gated. All student traffic enters from the south and exits towards the north as Crenshaw Drive operates as one-way northbound during school hours.

September 18, 2023

- **RECOMMENDATION:** It is recommended to allow access to the driveways on Grady Lane and "gate" the open driveway on Crenshaw Drive to facilitate the parent drop-off that will now occur within the parking lot.

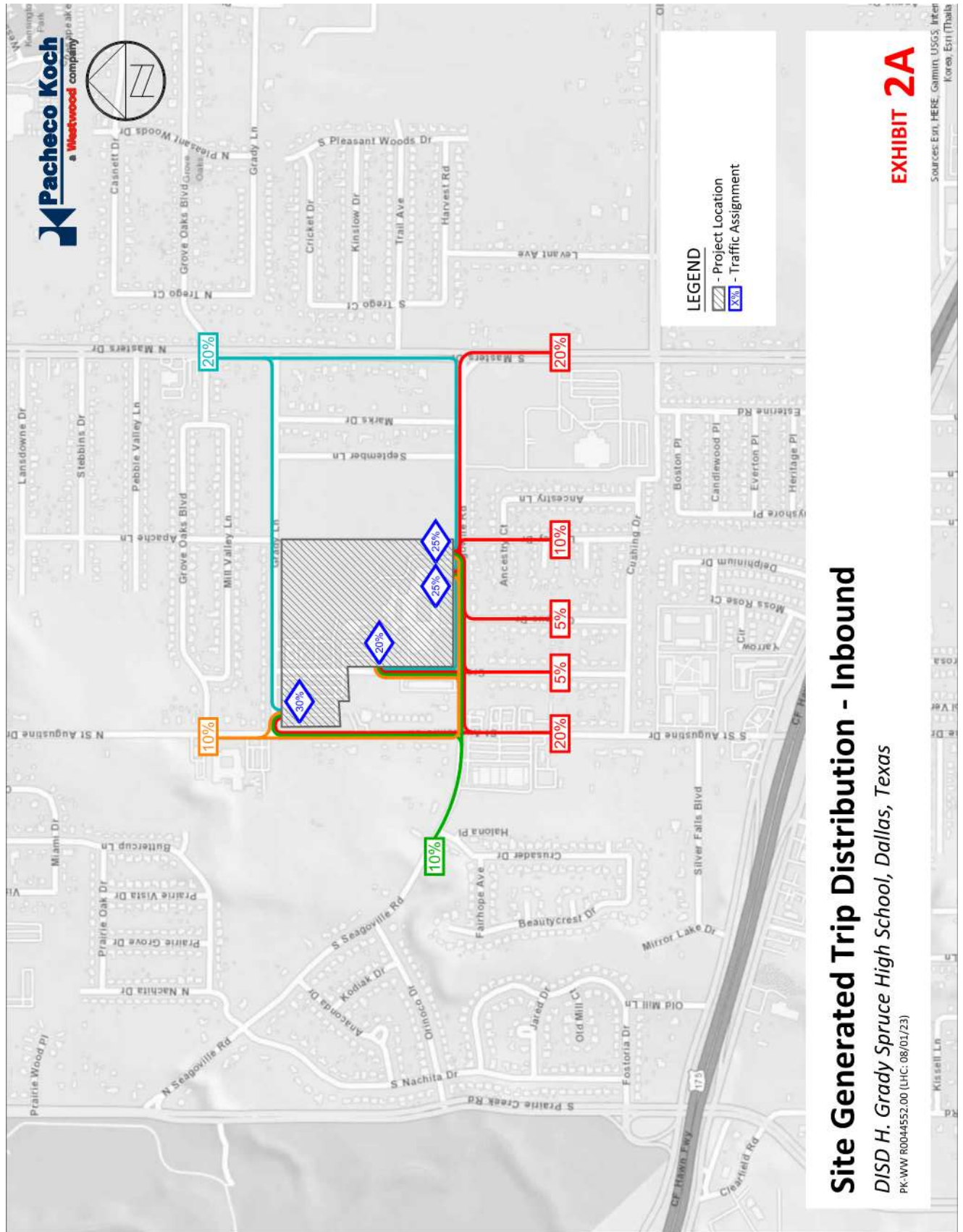
## **8. CERTIFICATION STATEMENT**

"I, Hunter W. Lemley, hereby certify that the information provided in this report is complete and accurate to the best of my knowledge."

END OF MEMO

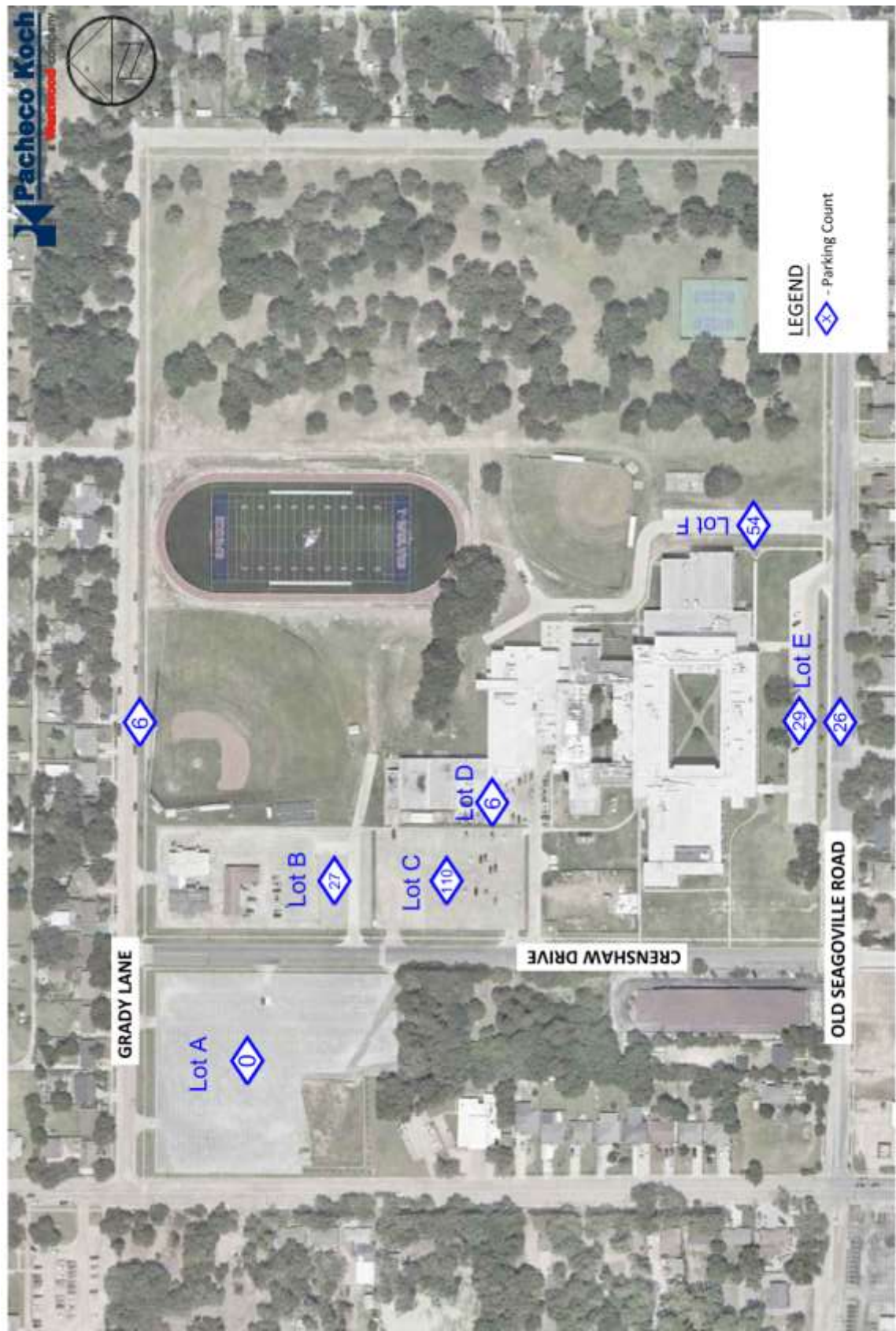


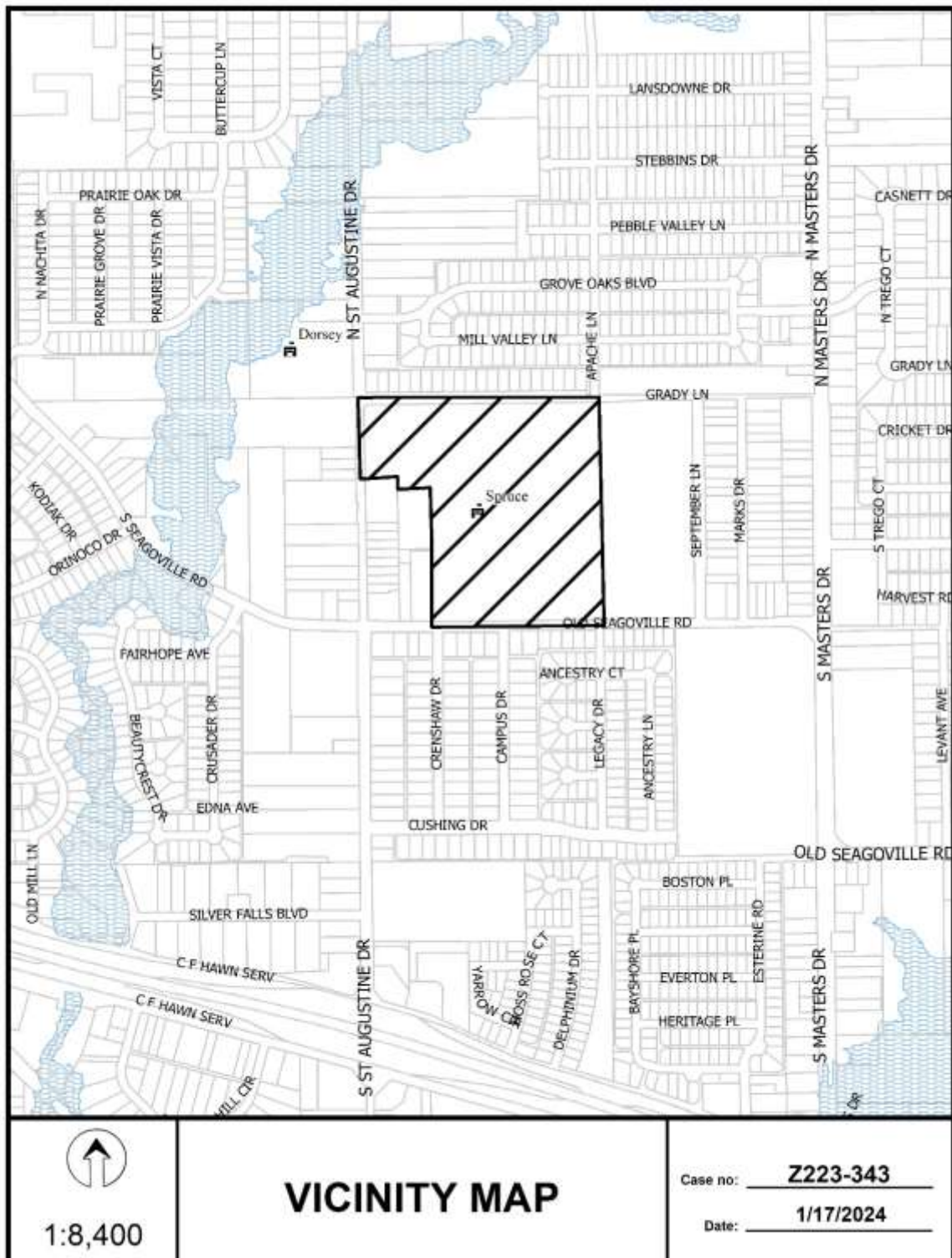






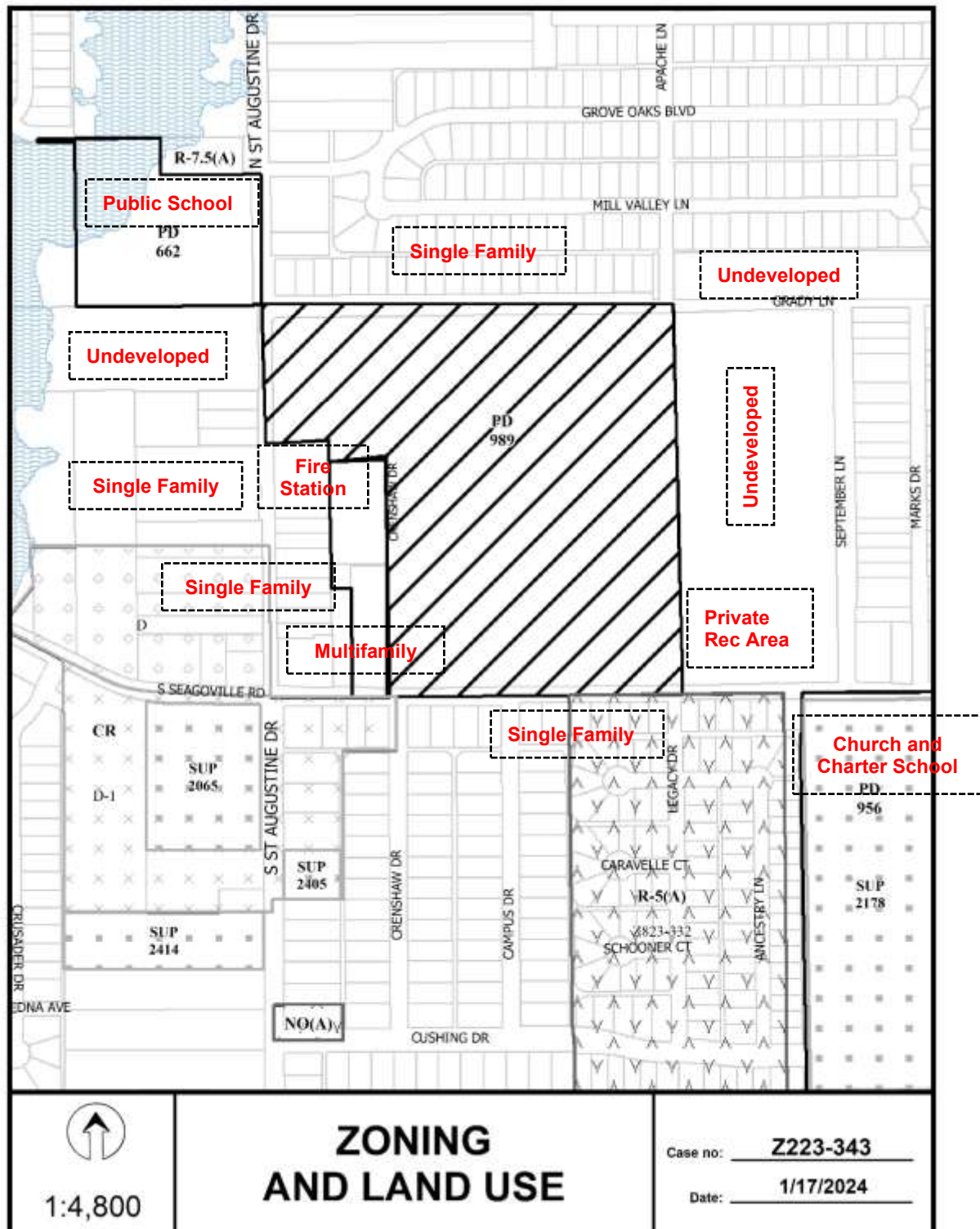






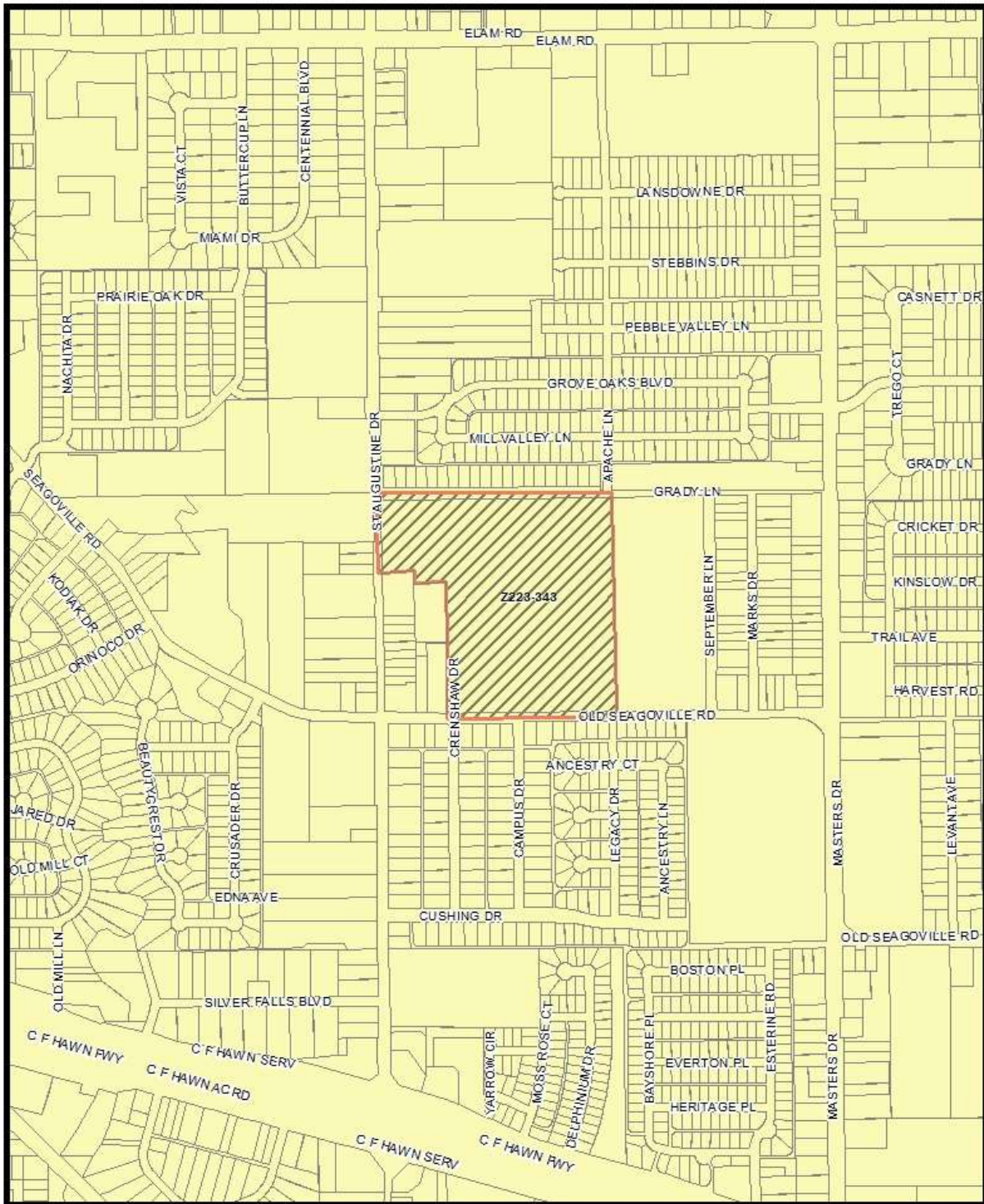












Market Value Analysis

A	B	C	D	E	F	G	H	I	NA
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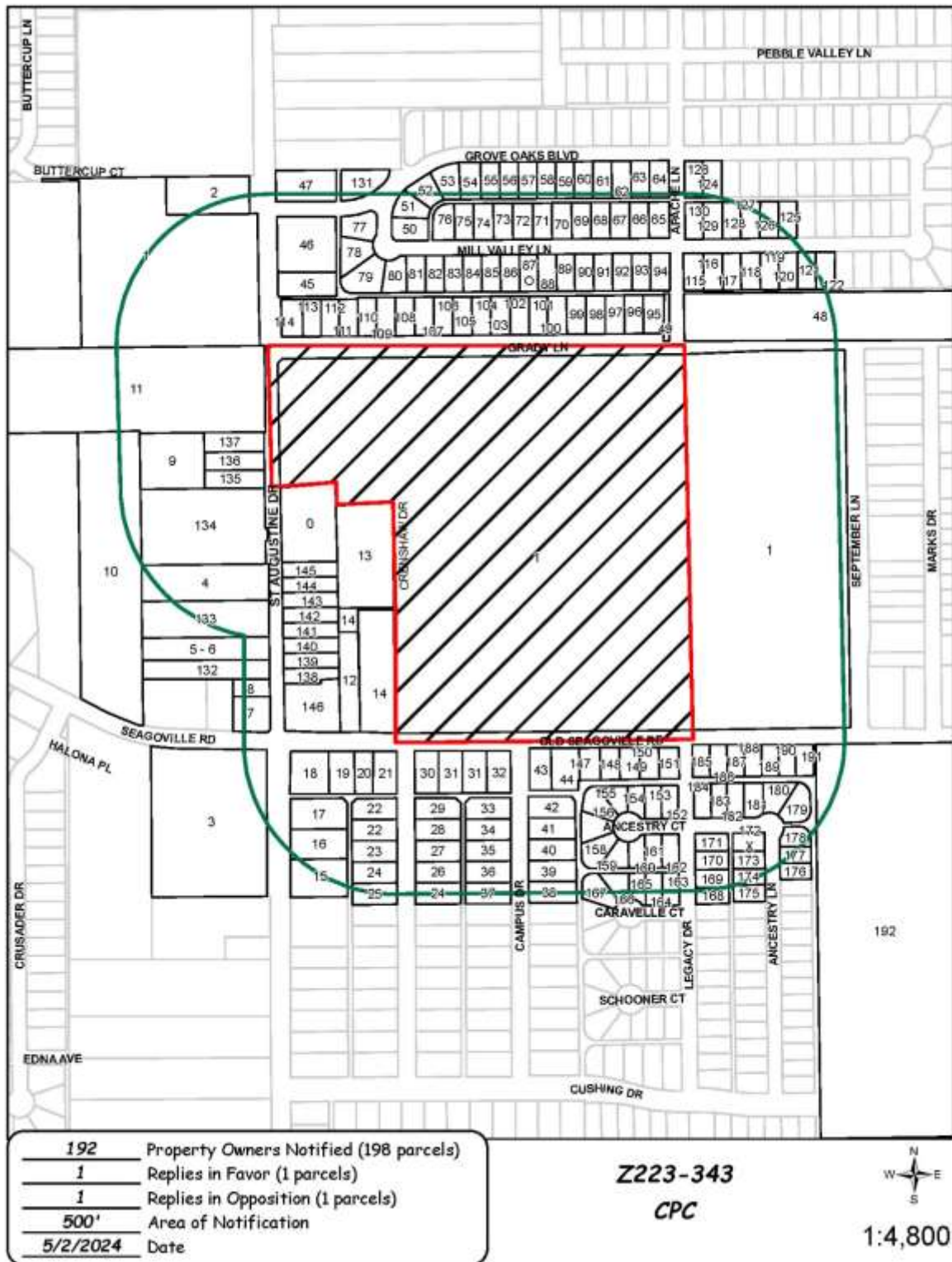


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# Market Value Analysis

Printed Date: 1/17/2024





05/01/2024

***Reply List of Property Owners*****Z223-343*****192 Property Owners Notified******1 Property Owners in Favor******1 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	133	N ST AUGUSTINE RD	Dallas ISD
2	149	N ST AUGUSTINE RD	ELAM CONGREGATION OF
3	333	S ST AUGUSTINE RD	BALLAS PROPERTIES LLC
4	201	S ST AUGUSTINE RD	IBARRA LUCIA JUAREZ
5	201	S ST AUGUSTINE RD	SOUTH CENTRAL MTG INC
6	225	S ST AUGUSTINE RD	SOUTH CENTRAL MTG INC
7	237	S ST AUGUSTINE RD	PEREZ REFUCIO & MARIA
8	233	S ST AUGUSTINE RD	POMPA FELIPE & ENELBA
9	340	S SEAGOVILLE RD	SOUTH CENTRAL MORTGAGE INC
10	316	S SEAGOVILLE RD	CHANG ROGER A
11	115	S ST AUGUSTINE RD	ENGLISH MARC S
12	9625	OLD SEAGOVILLE RD	ANAYADIAZ ALEJANDRO
13	200	CRENSHAW DR	WOOD SHAUN D & JENNIFER L
14	9633	SEAGOVILLE RD	ARA MANAGEMENT LLC
15	332	S ST AUGUSTINE RD	MILLER W C TRUSTEE
16	326	ST AUGUSTINE RD	OPALACH THOMAS
17	316	S ST AUGUSTINE RD	DANG TUAN N &
18	300	S ST AUGUSTINE RD	HO KATELIN THUY TIEN
19	9612	SEAGOVILLE RD	SOFIE INVESTMENTS LLC
20	9618	SEAGOVILLE RD	HELLMAN NATHANIEL ISAAC
21	9622	SEAGOVILLE RD	MANUEL LAURIANO AND INES
22	315	CRENSHAW DR	AREVALO NORMA A
23	325	CRENSHAW DR	PORTILLO REINA DE LAPAZ
24	331	CRENSHAW DR	SERRATO ADELFA
25	337	CRENSHAW DR	VILLEGAS ISIDRO &
26	330	CRENSHAW DR	SOSA MARTINA

05/01/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	324	CRENSHAW DR	SOSA JOSE J
28	318	CRENSHAW DR	DELGADO LUIS & SONIA
29	314	CRENSHAW DR	CHAVEZ LUCIANO NAVA
30	9706	SEAGOVILLE RD	CASTILLO RUBI VIELMA &
31	9710	SEAGOVILLE RD	PAZ ANTONIO
32	9720	SEAGOVILLE RD	DELGADO LUIS & SONIA
33	317	CAMPUS DR	DUELOS HENRY ALEXIS
34	321	CAMPUS DR	RODRIGUEZ EZEQUIEL
35	327	CAMPUS DR	ARAUJO MIGUEL ANGEL JR &
36	333	CAMPUS DR	SALVADOR MEJIADELGADO &
37	339	CAMPUS DR	NEGRETE AVELINA M
38	338	CAMPUS DR	COOK LARITA ANN
39	332	CAMPUS DR	REYESGARCIA JUANA TERESA &
40	326	CAMPUS DR	SANDOVAL JOSE
41	320	CAMPUS DR	AUGSTIN LUZ TOVAR &
42	316	CAMPUS DR	ESPINOZA MARIA
43	9804	OLD SEAGOVILLE RD	NEMETH ERICH
44	9810	SEAGOVILLE RD	MORENO RAMON &
45	128	N ST AUGUSTINE RD	SIMS JIMMY R & PATRICIA L
46	134	N ST AUGUSTINE RD	LUNA SONIA IMELDA DE &
47	150	N ST AUGUSTINE RD	CORNELL MARVIN ALLAN
48	101	N MASTERS DR	SIBLEY CHILDREN'S TRUST
49	9700	GRADY LN	S&S LENDING
50	9705	MILL VALLEY LN	OLIVA MARIA T
51	9706	GROVE OAKS BLVD	BONNER CORNELIUS
52	9714	GROVE OAKS BLVD	VAQUERA RUBEN
53	9720	GROVE OAKS BLVD	MARQUEZ JAVIER
54	9724	GROVE OAKS BLVD	CAMPOS JORGE A
55	9730	GROVE OAKS BLVD	HURD TARA L
56	9736	GROVE OAKS BLVD	DIAZ ALEJANDRINO
57	9740	GROVE OAKS BLVD	MOSLEY JAMES RICHARD

05/01/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	9804 GROVE OAKS BLVD	OLIVA DIONICIO
	59	9810 GROVE OAKS BLVD	RODRIGUEZ BENJAMIN
	60	9816 GROVE OAKS BLVD	STEWART GARY D & SONIA R
	61	9820 GROVE OAKS BLVD	RODRIGUEZ FERNANDO &
	62	9824 GROVE OAKS BLVD	JACKSON CONSTANCE ELAINE
	63	9830 GROVE OAKS BLVD	SANTIAGO ROGELIO
	64	9834 GROVE OAKS BLVD	GARCIA JESUS ESPARZA &
	65	9839 MILL VALLEY LN	MORENO DANNY &
	66	9835 MILL VALLEY LN	NUNEZ FIGUEROA EXAR M &
	67	9829 MILL VALLEY LN	SILOS NERI & MIRIAM
	68	9825 MILL VALLEY LN	C3H LLC
	69	9819 MILL VALLEY LN	MANDUJANO JUAN A RODRIGUEZ &
	70	9815 MILL VALLEY LN	STUART TIMOTHY
	71	9809 MILL VALLEY LN	HALL IVERY JR
	72	9805 MILL VALLEY LN	GRIFFIN VERNELL
	73	9747 MILL VALLEY LN	SILVA JUAN JOSE
	74	9741 MILL VALLEY LN	HERNANDEZ AGUSTIN EST OF
	75	9737 MILL VALLEY LN	SAVOY DEVELOPMENT & ACQUISITIONS LLC
	76	9729 MILL VALLEY LN	HALL TONJA A
	77	9706 MILL VALLEY LN	VEGA MARIA GUADALUPE LARA &
	78	9710 MILL VALLEY LN	RAMIREZ RAUL SERGIO &
	79	9714 MILL VALLEY LN	WIGGINS CAROLYN
	80	9718 MILL VALLEY LN	GIPSON RAYMOND L
	81	9724 MILL VALLEY LN	PAUL ANNIE P EST OF
	82	9728 MILL VALLEY LN	CARR TOMMY L
	83	9734 MILL VALLEY LN	ARRIAGA GLORIA &
	84	9738 MILL VALLEY LN	CASTILLA DANIEL VAZQUEZ
	85	9742 MILL VALLEY LN	LOPEZ DIEGO MUNIZ &
	86	9748 MILL VALLEY LN	COLEMAN CARRIE M
O	87	9806 MILL VALLEY LN	TAYLOR CLOIS JAMES
	88	9810 MILL VALLEY LN	MATTHEWS ALLEN WAYNE

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	9816 MILL VALLEY LN	BOWENS DELORIS
	90	9820 MILL VALLEY LN	CRUZ ELSA S &
	91	9826 MILL VALLEY LN	PORTUGAL JUAN & IMELDA
	92	9830 MILL VALLEY LN	RODEN RAYMOND W EST OF
	93	9836 MILL VALLEY LN	KELLEY R D
	94	9840 MILL VALLEY LN	ORTIZ VENTURA R &
	95	9841 GRADY LN	ESQUIVEL NOEL
	96	9835 GRADY LN	TOVAR JOSE A &
	97	9829 GRADY LN	LINARES JULIO &
	98	9823 GRADY LN	LINARES JAQUELYNE MITHCEL
	99	9817 GRADY LN	HERNANDEZ ROSA MARIA ROJAS &
	100	9811 GRADY LN	LINARES GLORIA L &
	101	9805 GRADY LN	TORRES JAIME MARTINEZ
	102	9741 GRADY LN	GONZALES JOSE RUBEN &
	103	9735 GRADY LN	LEIJA LUCIO & ROSALINDA
	104	9729 GRADY LN	AGUILAR MA DE LOURDES CHAVEZ
	105	9723 GRADY LN	CHITSEY DEBRA K TRUSTEE
	106	9717 GRADY LN	RAOUFPOUR SAADAT K
	107	9711 GRADY LN	MORALES PATRICIA &
	108	9705 GRADY LN	PARKER RANDY & CAROLYN J
	109	9635 GRADY LN	HARRELL EARNEST S
	110	9629 GRADY LN	ASCENT INVESTMENTS LLC
	111	9623 GRADY LN	AZA ZELENIA
	112	9617 GRADY LN	AZA EMILIO & MARIA R
	113	9611 GRADY LN	REYES EVA EDITH
	114	9605 GRADY LN	DN BRAYTON MANAGEMENT
	115	9906 MILL VALLEY LN	BLANDFORD GLADYS
	116	9912 MILL VALLEY LN	WILLIAMS AMOS L
	117	9918 MILL VALLEY LN	SANCHEZ LAURENCIO ESCALERA &
	118	9924 MILL VALLEY LN	NICKERSON CELENDIA
	119	9930 MILL VALLEY LN	CALDERON JOSE &

05/01/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	9936	MILL VALLEY LN	DAWSON EUGENE
121	9942	MILL VALLEY LN	PERALES FLORENCIO V
122	10006	MILL VALLEY LN	DURAN AURELIANO B SR
123	9906	GROVE OAKS BLVD	MORENO DANNY &
124	9912	GROVE OAKS BLVD	NINO MARIA JUANA
125	9935	MILL VALLEY LN	BROWN UNDREA LEATRICE
126	9929	MILL VALLEY LN	GOMEZ ANTONIO LARRANAGA &
127	9923	MILL VALLEY LN	HART RUBY
128	9917	MILL VALLEY LN	SMALL LEE J & BRENDA
129	9911	MILL VALLEY LN	SANTIBANEZ RENE
130	9905	MILL VALLEY LN	REZA MARIA &
131	9619	GROVE OAKS BLVD	HARRIS CLIFFORD & TERESA
132	229	S ST AUGUSTINE RD	PATINA EVERARDO &
133	215	S ST AUGUSTINE RD	MARTINEZ GERARDO
134	137	S ST AUGUSTINE RD	LOPEZ MARTINA SALAZAR
135	133	S ST AUGUSTINE RD	LOPEZ MARTIN & TERESA
136	129	S ST AUGUSTINE RD	OVALLE MARTIN
137	125	S ST AUGUSTINE RD	HERNANDEZ ISRAEL
138	278	S ST AUGUSTINE RD	HERNANDEZ JUAN & MARTHA
139	274	S ST AUGUSTINE RD	JIMENEZ PRISHNA
140	270	S ST AUGUSTINE RD	RAMIREZ SERGIO
141	266	S ST AUGUSTINE RD	SUAREZ HERMILO &
142	262	S ST AUGUSTINE RD	HERNANDEZ MICHELA R &
143	258	S ST AUGUSTINE RD	VELAZQUEZ WENDY
144	254	S ST AUGUSTINE RD	PEREZ JOSE LUIS
145	250	S ST AUGUSTINE RD	SANCHEZ JULIO &
146	9615	SEAGOVILLE RD	INTELLILY INVESTMENT LP
147	9816	SEAGOVILLE RD	AGUILAR HERACLIO PUENTE
148	9822	SEAGOVILLE RD	HERRERA RAY A
149	9828	SEAGOVILLE RD	VAZQUEZ RAUL &
150	9834	SEAGOVILLE RD	HEATH DAVID ET AL

05/01/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	9840 SEAGOVILLE RD	STURNS EARLINE
	152	9823 ANCESTRY CT	HERNANDEZ TRACY D
	153	9819 ANCESTRY CT	FAZ ALEJANDRO & MA IRMA
	154	9815 ANCESTRY CT	HILL MILTON JR
	155	9809 ANCESTRY CT	ROSSUM LENORA
	156	9805 ANCESTRY CT	HERNANDEZ RICARDO & PAULA
	157	9806 ANCESTRY CT	GARCIA C JOSE
	158	9810 ANCESTRY CT	BUIRL DONALD RAY
	159	9814 ANCESTRY CT	BARNES BARBARA JEAN
	160	9818 ANCESTRY CT	MAYFIELD YOLAUDA
	161	9822 ANCESTRY CT	TORRES RAMIRO & MINERVA BANUELOS ARRELLANO
	162	9826 ANCESTRY CT	MEJIA FRANCISCO JAVIER &
	163	9823 CARAVELLE CT	WALKER SHEILA J
	164	9819 CARAVELLE CT	WILLIAMS GERALDINE
	165	9815 CARAVELLE CT	ROYSTER RONNIE & JADA
	166	9809 CARAVELLE CT	WOODS RAYE EVELYN
	167	9805 CARAVELLE CT	WOOD RICHARD JR LIFE EST
	168	334 LEGACY DR	HERNANDEZ MARTIN
	169	330 LEGACY DR	HURNDON GWENDOLYN C
	170	326 LEGACY DR	OLIVA JULIO & ERICA
	171	322 LEGACY DR	LEGACY JV
X	172	331 ANCESTRY LN	HEADWAY LLC
	173	335 ANCESTRY LN	SOSA VICTOR R
	174	339 ANCESTRY LN	RODRIGUEZ ALEJANDRO
	175	343 ANCESTRY LN	MARTINEZ FEDERICO J &
	176	336 ANCESTRY LN	BAZAN FRANCISCO
	177	332 ANCESTRY LN	HERNANDEZ JOSE A &
	178	328 ANCESTRY LN	AQUINO MANUEL AGUIRRE &
	179	324 ANCESTRY LN	HERNANDEZ SANJUANA &
	180	320 ANCESTRY LN	DELGADO LUIS & SONIA
	181	316 ANCESTRY LN	COLEMAN WANDA S &

Z223-343(JA)

05/01/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	312	ANCESTRY LN	SANDOVAL FEDERICO &
183	308	ANCESTRY LN	DFW FLIP MODE LLC &
184	304	ANCESTRY LN	BRUNDAGE BRENDA JOHNSON
185	9906	SEAGOVILLE RD	CARRANZA SABINO & BERTA
186	9912	SEAGOVILLE RD	RAMIREZ ESMERALDA
187	9918	SEAGOVILLE RD	OLVERA MIRNA ELVIA
188	9924	SEAGOVILLE RD	LOPEZ HUMBERTO VAZQUEZ &
189	9930	SEAGOVILLE RD	CHACON NELSON
190	9936	SEAGOVILLE RD	DIAZ ALICIA
191	9942	SEAGOVILLE RD	MORENO JOSE &
192	445	S MASTERS DR	A+ CHARTER SCHOOLS





## Agenda Information Sheet

**File #:** 24-1534

**Item #:** Z7.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

### SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting **(1)** a new subdistrict for FWMU-5 Walkable Urban Mixed Use Form Subdistrict uses on property zoned a D (A) Duplex Subdistrict, a CC Community Commercial Subdistrict, and a P(A) Parking Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District; **(2)** a Specific Use Permit for a commercial parking lot or garage on property zoned a CC Subdistrict and a D(A) Subdistrict within Planned Development District No. 595; and **(3)** a Specific Use Permit for a commercial parking lot or garage on property zoned a CC Subdistrict within Planned Development District No. 595, on property generally along the southwest line of South Central Expressway, northwest of Pennsylvania Avenue, and east of Julius Schepps Freeway

Recommendation of Staff: (1) Approval of a new subdistrict for FWMU-5 Subdistrict uses, subject to a subarea map exhibit and staff's recommended conditions; (2) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions; and (3) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions

Recommendation of CPC: (1) Approval of a new subdistrict for FWMU-5 Subdistrict uses, subject to a subarea map exhibit and conditions; (2) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions; and (3) approval of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions

Z223-268(LG)

**FILE NUMBER:** Z223-268(LG)

**DATE FILED:** May 3, 2023

**LOCATION:** Generally located along the southwest line of South Central Expressway, northwest of Pennsylvania Avenue, and east of Julius Schepps Freeway

**COUNCIL DISTRICT:** 7

**SIZE OF REQUEST:** Approx. 7.880 acres

**CENSUS TRACT:** 48113020900

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**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

**OWNER:** Forest Theater, LLC; Forest Forward; Harold & Lois, LLC

**APPLICANT:** Forest Forward

**REQUEST:** An application for **(1)** a new subdistrict for FWMU-5 Walkable Urban Mixed Use Form Subdistrict uses on property zoned a D(A) Duplex Subdistrict, a CC Community Commercial Subdistrict, and a P(A) Parking Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District; **(2)** a Specific Use Permit for a commercial parking lot or garage on property zoned a CC Subdistrict and a D(A) Subdistrict within Planned Development District No. 595; and **(3)** a Specific Use Permit for a commercial parking lot or garage on property zoned a CC Subdistrict within Planned Development District No. 595.

**SUMMARY:** The purpose of the request is to allow modified development standards primarily related to permitted uses, setbacks, height, parking, landscaping, signs, and form district standards to allow a performing arts center. [Forest Theater]

**CPC RECOMMENDATION:** (1) **Approval** of a new subdistrict for FWMU-5 Subdistrict uses, subject to a subarea map exhibit and conditions; (2) **approval** of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions; and (3) **approval** of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions.

**STAFF RECOMMENDATION:** (1) **Approval** of a new subdistrict for FWMU-5 Subdistrict uses, subject to a subarea map exhibit and staff's

recommended conditions; (2) **approval** of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions; and (3) **approval** of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions.

**PD No. 595:** <https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=595>

**Art. XIII:** [https://codelibrary.amlegal.com/codes/dallas/latest/dallas\\_tx/0-0-0-93608](https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-93608)

**Art. XIII (Print):** <https://dallascityhall.com/departments/sustainabledevelopment/planning/Pages/form-districts.aspx>

## **BACKGROUND INFORMATION:**

- The applicant proposes a new subdistrict for FWMU-5 Walkable Urban Mixed Use Form Subdistrict uses within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District. Within this subdistrict, the applicant also proposes two separate Specific Use Permits (SUPs) for a commercial parking lot or garage.
- The portion of the request area bounded by Martin Luther King, Jr. Boulevard, Peabody Avenue, South Harwood Street, and South Central Expressway is currently developed with retail space and the Forest Theater, which is currently vacant. The applicant proposes to redevelop the site with a performing arts center, as defined in the proposed PD conditions. This is Item 1 of the request, as outlined on the first page of this report.
- The portion of the request area on the southwest line of South Central Expressway, between Pennsylvania Avenue and Peabody Avenue, is undeveloped land with vacant structures. The applicant proposes to develop a commercial parking lot or garage to facilitate the renovation of the Forest Theater. This is Item 2 of the request.
- The portion of the request area on the west corner of South Central Expressway and Martin Luther King, Jr. Boulevard is currently developed with a convenience store, which will remain. However, the applicant proposes a commercial parking lot or garage on the north and west of the convenience store to facilitate the renovation of the Forest Theater. This is Item 3 of the request.

## **Zoning History:**

There have been four zoning cases in the area in the last five years.

1. **Z212-300:** On May 24, 2023, City Council approved an application for a Specific Use Permit for a public school other than an open-enrollment charter school on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District in an area bounded by Warren Avenue, Wendelkin Street, Julius Schepps Freeway, Pennsylvania Avenue, and South Harwood Street.
2. **Z212-306:** On May 10, 2023, City Council approved an application for an amendment to and an expansion of Planned Development District No. 597 on property zoned an NC Neighborhood Commercial Subdistrict and an MF-2(A) Multifamily Subdistrict with deed restrictions [Z078-207] within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Pennsylvania Avenue and Holmes

Street.

3. **Z190-367:** On June 9, 2021, City Council approved an amendment to and an expansion of Planned Development District No. 597 on property zoned an FWMU-3 Walkable Urban Mixed Use Form Subdistrict with SH-3 Shop Front Overlay on a portion; an NC Neighborhood Commercial Subdistrict; and an MF-2(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, and Planned Development District No. 597 in an area generally bound by both sides of Peabody Avenue, Julius Schepps Freeway, Panama Place, and Holmes Street.
4. **Z190-234:** On September 9, 2020, City Council approved an application for a Specific Use Permit for a food or beverage store use on property zoned an FWMU-3 Walkable Urban Mixed Use Form Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shopfront Overlay on the west corner of South Ervay Street and South Boulevard.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing / Proposed ROW
Pennsylvania Avenue	Community Collector	60 ft.
South Central Expressway	At-grade Boulevard	-
Julius Schepps Freeway	Elevated Highway	-
Martin Luther King. Jr. Boulevard	Principal Arterial	120 ft. Bike Plan
South Harwood Street	Community Collector	70 ft.
Peabody Avenue	Local Street	60 ft.

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it 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 outlining several goals and policies which can serve as a framework for assisting in

evaluating the applicant's request.

The applicant's request complies with the land use goals and policies of the Comprehensive Plan outlined below. Additionally, staff's recommendation complies with the additional goals and policies marked with an asterisk (\*).

## **LAND USE ELEMENTS**

### **GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.1** Implement the Trinity River Corridor Plan.

**Policy 1.1.2** Focus on Southern Sector development opportunities.

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

### **GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

### **GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS**

**Policy 1.3.1** Create housing opportunities throughout Dallas. \*

### **GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT\***

**Policy 1.4.2** Develop a multi-modal transportation network. \*

**Policy 1.4.3** Embrace environmental sustainability. \*

## **ECONOMIC ELEMENT**

### **GOAL 2.1 PROMOTED BALANCED GROWTH**

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

**Policy 2.1.3** Support efforts to grow retail and residential opportunities in the Southern Sector.

**Policy 2.1.4** Support efforts to expand targeted business and industry development within the Southern Sector.

### **GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT**

**Policy 2.2.1** Focus economic development efforts on revitalization of the Trinity River Corridor.

**Policy 2.2.5** Focus on companies that represent the greatest potential for job growth and investment.

**Policy 2.2.8** Target business recruitment to match industry with specific geographic areas.

**GOAL 2.4      CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESS AND ENTREPRENEURS\***

**Policy 2.4.2** Restore Dallas as the premier city for conducting business within the region. \*

**GOAL 2.5      FOSTER A CITY OF GREAT NEIGHBORHOODS**

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**Policy 2.5.2** Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

**TRANSPORTATION**

**GOAL 4.2      PROMOTE A VARIETY OF TRANSPORTATION OPTIONS**

**Policy 4.2.2** Promote a network of on-street and off-street walking and biking paths.

**URBAN DESIGN**

**GOAL 5.1      PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY**

**Policy 5.1.1** Promote pedestrian-friendly streetscapes.

**Policy 5.1.2** Define urban character in downtown and urban cores.

**Policy 5.1.3** Encourage complementary building height, scale, design, and character.

**Policy 5.1.4** Enhance visual enjoyment of public space.

**GOAL 5.2      STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

**Policy 5.2.2** Promote the character of the city's significant districts, linkages and areas.

**Policy 5.2.3** Ensure attractive gateways into the city.

**Policy 5.2.4** Enhance retail, industrial and business operations.

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.

**ENVIRONMENT ELEMENT\***

**GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY\***

**Policy 6.3.1** Promote green building practices. \*

**Policy 6.3.3** Limit vehicle miles traveled. \*

**NEIGHBORHOOD PLUS PLAN**

**GOAL 4.1** Promote Dallas as a city of neighborhoods and publicize neighborhood assets and programs.

**GOAL 5.1** Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences. \*

**Action 5.1.3** Conduct rezoning in target areas to remove barriers to more diverse and affordable single family homeownership options including small-lot single family, duplexes, townhomes, cottage homes, and courtyard homes. \*

**GOAL 5.2** Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners. \*

**GOAL 6.1** Raise the quality of rental property through better design standards. \*

**GOAL 6.2** Expand affordable housing options and encourage its distribution throughout the city and region. \*



## **Area Plans**

### *South Dallas/Fair Park Economic Development Plan*

The South Dallas/Fair Park Economic Development Plan was adopted by City Council in September 2001. The South Dallas/Fair Park Economic Development Plan focuses on providing economic development revitalization strategy recommendations for the Dallas/Fair Park commercial corridor. It provides an analysis of the current conditions of the area, including land use and demographics. Development plan studies of both the neighborhood and community commercial areas are also done to guide zoning and prevent potential negative impacts of mixed use development. Current revitalization initiatives in both the public and private sector were outlined and followed by these fundamental objectives guiding corridor revitalizations:

Objective One: Holistic Strategy

Objective Two: Improve Basic Attributes

Objective Three: Increase Resources

Objective Four: Financial Support and Technical Assistance

Objective Five: Encourage Corridor Reinvestment

The site is located within the Community Commercial Area corridor, which is characterized by a mix of office, retail and commercial service uses serving both nearby residential areas, as well as the broader community.

The applicant's request is consistent with the goals and policies of the South Dallas/Fair Park Economic Development Plan. The proposed development furthers objectives One, Two, and Five. The fundamental objectives listed above are overall intended to encourage revitalization and reinvestment within the existing framework. The proposed change furthers the goal to improve the basic attributes, among which are urban design, well-maintained buildings, and access to goods and services. The reactivation and continued maintenance of this underutilized space encourages the property-by-property revitalization called for by this plan.

It is also worth noting that under Objective Five, the plan states that businesses such as performance halls make a positive contribution in that their patrons generally support restaurants, bars, and retail before and after performance activities. All of these activities are intended to increase business opportunity and provide capacity for financial reinvestment by existing and new businesses in key corridors throughout the area.

### *Trinity River Corridor Comprehensive Land Use Study*

The Trinity River Corridor Comprehensive Land Use Study was adopted by City Council in March 2005, and then revised in December 2009. The Trinity River Corridor is a unified

collection of diverse neighborhoods and business centers at the heart of a unified and thriving Dallas, connected by a ribbon of blue water and green spaces that is the Trinity River. Additionally, The Trinity River Corridor is the City's model for economic growth without physical, social or economic barriers, which attracts residents and visitors to live, learn, work, shop and play within a cosmopolitan urban core, and alongside the river's meandering environment.

Five objectives for future development in the Trinity Corridor add detail to the 2050 Vision Statement. They provide guidance that shapes this plan's recommendations for each part of this very large corridor. The five objectives are:

- Reconnect North and South Dallas
- Establish the role of economic development along the Trinity River
- Create a vibrant central city
- Establish the Trinity River floodplain as the front yard of the City
- Enhance the City's urban form to increase the appeal of urban life.

The request site is located within the North Trinity Forest District. New development in this area should benefit existing residents, in terms of job creation, business opportunity, retail availability, and enhanced neighborhood character. A neighborhood commercial corridor development along Martin Luther King, Jr. Boulevard would support adjacent higher density residential.

The applicant's request is consistent with the goals and policies of the Trinity River Corridor Comprehensive Land Use Study.

### *The 360 Plan*

The 360 Plan is a strategic document that sets a clear, cohesive vision for Downtown Dallas and its surrounding neighborhoods, guiding the City Center to continued, long-term success. The plan was adopted by City Council in April 2011 and updated in 2015, 2016, and 2017. The area of request is located within the South Dallas/Fair Park area of the plan.

The applicant's proposal to allow a mix of retail uses and staff's recommended conditions to permit a diversity of residential uses meet the 360 plan's strategy to Build Complete Neighborhoods through the following goals:

#### 1 DIVERSIFY AND GROW HOUSING

#### 3 GROW A DIVERSE MIX OF SERVICES AND RETAIL

The applicant's pedestrian oriented design standards and proposed retail uses contribute to a healthy mix of uses to build complete neighborhoods but would be best served by the allowance for residential uses to constitute a fully functioning mixed use district.

The applicant's inclusion of urban design standards meets the 360's strategy to Promote Great Placemaking through the following goals:

#### 1 ENSURE EXCELLENT URBAN DESIGN TO ENHANCE QUALITY OF LIFE AND

ECONOMIC VALUE  
2 ACTIVATE THE PUBLIC REALM

The project's form based design standards and pedestrian amenities all contribute to the 360 plan's placemaking and urban design goals.

Staff's recommendation to include amended parking and walkable design standards meets the 360 Plan's strategy to Advance Urban Mobility through the following goals:

1 ADOPT URBAN MOBILITY PRINCIPLES  
6 REFORM THE APPROACH TO PARKING

The project's pedestrian oriented design, DART access, and staff recommended dynamic parking standards advance both of these mobility goals of the 360 plan.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	D(A) Duplex Subdistrict, CC Community Commercial Subdistrict, P(A) Parking Subdistrict within PD No. 595	Vacant structures
<b>North</b>	R-7.5(A) Single family Subdistrict and a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park special Purpose District	Single family, personal service
<b>Northeast</b>	R-5(A) Single family Subdistrict and a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park special Purpose District	Personal service, single family, undeveloped, general merchandise or food store greater than 3,500 sq. ft., restaurant without drive-in service, fire station
<b>Southeast</b>	D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.	Duplex, single family, school
<b>Northwest</b>	FWMU-3 Subdistrict with Shopfront Overlay within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.	Julius Schepps Freeway, church, undeveloped land, single family, multifamily, childcare facility
<b>Southwest</b>	Planned Development District No. 597	Julius Schepps Freeway, office building, general merchandise or food store less than 3500 sq. ft., undeveloped land

**Land Use Compatibility:**

The area of request is currently developed with a vacant office building, vacant single family houses, vacant commercial structures, and a vacant theater [Forest Theater]. The area of request currently abuts an existing public school and residential neighborhood zoned a D(A) Duplex Subdistrict within Planned Development District No. 595 to the south. To the west across Julius Schepps Freeway there is undeveloped land as well as church, single family, multifamily, child-care facility, office, and general merchandise or food store less than 3,500 square feet uses. To the northeast across South Central Expressway there are single family, personal service use, general merchandise or food store greater than 3,500 square feet, restaurant without drive-in service, and fire station uses. Staff finds the applicant's requested use to be compatible with existing uses in the surrounding area.

The applicant proposes to redevelop the site with a performing arts center under the standards of an FWMU-5 Walkable Urban Mixed Use Form Subdistrict within PD No. 595. The proposed subdistrict conditions define performing arts center as a use that operates as a theater, community service center, alcoholic beverage establishment, public or private school, commercial amusement (inside), restaurant without drive-in or drive-through service, and office as those uses are defined in Article IV of Chapter 51A of the Dallas Development Code.

Additionally, the applicant proposes two separate Specific Use Permits (SUPs) for a commercial parking lot or garage. These SUPs will be within Subarea B of the proposed subdistrict. (The extent of Subarea B is outlined on the subarea map, which will serve as Exhibit 595 C within PD No. 595.) The first SUP (Item 2 of the request) will be on Tracts II and III of Subarea B. The second SUP (Item 3 of the request) will be on Tract I of Subarea B. The stated purpose of the parking lots is to facilitate the redevelopment of the performing arts center while under construction. Therefore, the proposed time limit is two years with no eligibility for automatic renewal.

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.

Although staff has no objection to the applicant's requested land use, staff recommends including residential uses and no minimum parking requirements because the request is for a mixed use form subdistrict, and no parking minimum will contribute to this character by generating pedestrian traffic and allowing a more diverse mix of uses.

These subdistricts are intended to create walkable urban neighborhoods where higher-density mixed use housing types promote less dependence on the automobile. These subdistricts should be located in proximity to regional transportation such as rail, light rail, freeways, and major thoroughfares. Staff recommends the enhanced development standards of an FWMU-5 Subdistrict that emphasize walkability and a pedestrian friendly environment, which is appropriate for this denser, urban style neighborhood with proximity to transit services and the downtown employment center.

The area is served by high frequency transit routes that directly connect to MLK Jr. Station, J. B. Jackson Jr. Transit Center, and Downtown Dallas. Staff's recommended conditions allow flexibility with regards to required parking, which helps activate private space and generates pedestrian trips.

### **Overview of Form Districts**

Form-based zoning differs from traditional zoning in that development standards focus primarily on the form of the building rather than its intended use. Under form-based zoning, the desired form of buildings is typically more urban in style. Buildings are constructed with multiple stories and are located at the front of the site, closer to the street. This, coupled with enhanced standards for transparency, building articulation, and pedestrian amenities, are intended to ensure an active streetscape.

Another key feature that lends itself to a more urban development form is a requirement that buildings fill a percentage of the width of the lot with the building façade. This street frontage requirement creates a streetscape that encourages and supports pedestrian activity and screens parking. Benefits to property owners include additional buildable area on the site; increased height, density, and floor area; and reduced parking requirements that encourage the use of multi-modal transportation.

The applicant's proposed subdistrict references the FWMU-5 Form Subdistrict within PD No. 595 for its base standards. The form subdistricts of PD No. 595 largely default to the standards of the form districts in Article XIII of Chapter 51A. The Article XIII equivalent of the FWMU-5

Form Subdistrict within PD No. 595 is the WMU-5 Form District.

The WMU-5 District is classified as low intensity among the several WMU Walkable Urban Mixed Use districts available in Article XIII. The WMU districts are intended to accommodate a mix of compatible uses in close proximity to one another in a pedestrian friendly environment. Although parcels of any size are eligible for a WMU district, Article XIII indicates these districts are intended for locations where a sufficient critical mass of dense, walkable urban mixed-use development exists or is definitely planned. This critical mass is present when:

- A. The surrounding area consists of at least 40 acres of existing or definitely planned WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics.
- B. The surrounding area consists of at least 25 acres proposed by and is part of and adopted area plan pursuant to *forwardDallas!* for WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics; or
- C. The applicant demonstrates that the surrounding area is at least 25 acres and is or will be a mix of dense residential, commercial, and other uses that will achieve the intent of this article for increased walkability, reduced vehicular trip generation, and reduced parking demand.

Article XIII also states that the WMU districts are appropriate for major job centers and concentrations of multifamily housing where an area plan pursuant to *forwardDallas!* has been adopted.

Staff finds the area of request to be appropriate for a WMU-5 District due to its proximity to an existing form district to the immediate northwest and west of Julius Schepps Freeway. Over 130 acres of WMU-3 zoning exists adjacent to the subject site, directly to the west. The establishment of a WMU district on the east side of Julius Schepps Freeway could assist in creating a linkage in neighborhood character between redevelopment on the west side of the freeway and the rest of the Martin Luther King, Jr. corridor to the northeast.

These F Form Subdistricts in PD No. 595 to the west are identical to the base WMU districts in regard to development standards, and all allow a variety of residential uses by right. The area is served by high frequency transit routes that directly connect to MLK Jr. Station, J. B. Jackson Jr. Transit Center, and Downtown Dallas. Existing high density multifamily districts also exist in the immediate vicinity that could be served by the diverse uses permitted in a WMU district.

## Use Comparison

### *Comparison Between Existing Zoning & Article XIII*

Form-based zoning in Article XIII achieves complementary urban form by regulating uses through several development types that allow different use categories. For example, the indoor recreation use category is allowed under the Mixed Use Shopfront (Mu) development type.

This development type is intended primarily for ground-story retail and upper-story residential or offices uses. Standards for the Mu development type further specify that ground-story spaces should be flexible enough to accommodate a variety of retail and office uses. Upper stories should be used for office or residential apartments. The building must be pulled up to the street. No on-site surface parking is permitted between the building and the street. On-site surface parking areas must be located to the rear of the building. Primary entrances must be prominent and street-facing. Large storefront windows must be provided to encourage interaction between the pedestrian and the ground-story space.

The applicant is also proposing an Open Space Lot (O) development type for a portion of Subarea A. This development type is intended to accommodate civic open space or natural area worthy of preservation. An open space lot is intended primarily to provide for public or private open space. Open space lots can also be used to accommodate commercial surface parking lots, although commercial surface parking lots may not be used to satisfy open space requirements. Under the O development type, the only permitted use categories are park or open space, plus utilities.

The applicant's proposed use of the site would fall primarily under the civic use categories within the Mu development type. However, a WMU-5 District would also allow other development types and use categories. Following is a comparison table showing differences in the permitted uses between the current D(A), CC, and P(A) subdistricts within PD No. 595 and a WMU-5 District in Article XIII. For brevity, uses shown in the WMU-5 column are limited to what is permitted under the Mu development type. Blank cells indicate a comparable land use is not specified for that district.

## Use Comparison Chart – Existing Zoning vs. Art. XIII

Existing: D(A)	Existing: CC	Existing: P(A)	WMU-5 (Art. XIII) Mu Development Type
<u>Agricultural uses.</u> -- Crop production. -- Market garden. [SUP]	<u>Agricultural uses.</u> -- Crop production. -- Market garden. [SUP]		
<u>Commercial and business service uses.</u> -- None permitted.	<u>Commercial and business service uses.</u> -- Catering service. -- Custom business services. -- Electronics service center. -- Job or lithographic printing. [3,500 square feet or less.] -- Medical or scientific laboratory. [SUP]		
<u>Industrial uses.</u> -- Gas drilling and production. [SUP] -- Temporary concrete or asphalt batching plant. [SUP]	<u>Industrial uses.</u> -- None permitted.		
<u>Institutional and community service uses.</u> -- Adult day care facility. [SUP] -- Cemetery or mausoleum. [SUP] -- Child-care facility. [SUP] -- Church. -- College, university, or seminary. [SUP] -- Community service center. [SUP] -- Convent or mastery. [SUP] -- Foster home. [SUP] -- Library, art gallery, or museum. [SUP] -- Public or private school. [SUP]	<u>Institutional and community service uses.</u> -- Adult day care facility. -- Cemetery or mausoleum. [SUP] -- Child-care facility. -- Church. -- College, university, or seminary. [SUP] -- Community service center. [SUP] -- Convalescent and nursing homes, hospice care, and related institutions. [SUP] -- Convent or monastery. -- Library, art gallery, or museum. -- Public or private school. [SUP]		<u>Civic use categories.</u> -- Community service [SUP], museum, library; day care; educational; social service [SUP]  <u>Place of worship use categories.</u> -- Place of worship
<u>Lodging uses.</u> -- None permitted.	<u>Lodging uses.</u> -- Hotel or motel. [SUP]		<u>Commerce use categories.</u> -- Upper stories only: Overnight lodging
<u>Miscellaneous uses.</u> -- Carnival or circus (temporary). [By special authorization of the building official.]	<u>Miscellaneous uses.</u> -- Temporary construction or sales office.		



**Use Comparison Chart – Existing Zoning vs. Art. XIII**

Existing: D(A)	Existing: CC	Existing: P(A)	WMU-5 (Art. XIII) Mu Development Type
-- Temporary construction or sales office.			
<u>Office uses.</u> None permitted.	<u>Office uses.</u> -- Alternative financial establishment. [SUP] -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR] -- Medical clinic or ambulatory surgical center. [SUP required for plasma or blood donation center.] -- Office.		<u>Office use categories.</u> -- Medical, office
<u>Recreation uses.</u> -- Country club with private membership. [SUP] -- Private recreation center, club, or area. [SUP] -- Public park, playground, or golf course.	<u>Recreation uses.</u> -- Private recreation center, club, or area. [SUP] -- Public park, playground, or golf course.		
<u>Residential uses.</u> -- Duplex. -- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).] -- Single family.	<u>Residential uses.</u> -- Live-work unit. [Only one dwelling unit per lot.]		<u>Residential use categories.</u> -- Upper stories: Single family living, Multifamily living, Group living
<u>Retail and personal service uses.</u> -- None permitted.	<u>Retail and personal service uses.</u> -- Alcoholic beverage establishments. [SUP] -- Ambulance service. [RAR] -- Animal shelter or clinic without outside run. [RAR] -- Auto service center. [SUP] -- Business school. -- Commercial amusement (inside). [SUP] -- Commercial parking lot or garage. [SUP] -- Dry cleaning or laundry store. -- Food or beverage store. [SUP if less than 5,000 square feet.] -- Furniture store. -- General merchandise store.		<u>Retail uses categories.</u> -- Ground story only: Drive-thru facility [SUP], restaurant or bar, retail sales, vehicle sales  <u>Service and entertainment use categories.</u> -- Commercial amusement (inside) [SUP], indoor recreation, personal service, including animal care  <u>Commerce use categories.</u> -- Ground story only: commercial parking

## Use Comparison Chart – Existing Zoning vs. Art. XIII

Existing: D(A)	Existing: CC	Existing: P(A)	WMU-5 (Art. XIII) Mu Development Type
	<ul style="list-style-type: none"> <li>-- Home improvement center; lumber, brick, or building materials sales yard. [DIR]</li> <li>-- Household equipment and appliance repair.</li> <li>-- Liquor store. [In CC(E) Enhanced only.]</li> <li>-- Mortuary, funeral home, or commercial wedding chapel.</li> <li>-- Motor vehicle fueling station.</li> <li>-- Nursery, garden shop, or plant sales.</li> <li>-- Personal service uses. [Massage establishment and tattoo or body piercing studio are prohibited.]</li> <li>-- Restaurant without drive-in or drive-through service. [RAR]</li> <li>-- Restaurant with drive-in or drive-through service. [DIR]</li> <li>-- Swap or buy shop. [SUP]</li> <li>-- Theater.</li> <li>-- Tobacco shop. [SUP]</li> <li>-- Vehicle display, sales, and service. [SUP]</li> </ul>		<ul style="list-style-type: none"> <li>-- Upper story only: commercial parking, passenger terminal limited to a helistop [SUP]</li> </ul>
<u>Transportation uses.</u> <ul style="list-style-type: none"> <li>-- Private street or alley. [SUP]</li> <li>-- Transit passenger shelter. [see Section <a href="#">51A-4.211.</a>]</li> <li>-- Transit passenger station or transfer center. [SUP]</li> </ul>	<u>Transportation uses.</u> <ul style="list-style-type: none"> <li>-- Transit passenger shelter.</li> <li>-- Transit passenger station or transfer center. [SUP or city council resolution.]</li> </ul>		<u>Civic use categories.</u> <ul style="list-style-type: none"> <li>-- Transit station.</li> </ul>
<u>Utility and public service uses.</u> <ul style="list-style-type: none"> <li>-- Electrical substation. [SUP]</li> <li>-- Local utilities. [SUP or RAR may be required. See Section <a href="#">51A-4.212(4).</a>]</li> <li>-- Police or fire station. [SUP]</li> <li>-- Radio, television, or microwave tower. [SUP]</li> </ul>	<u>Utility and public service uses.</u> <ul style="list-style-type: none"> <li>-- Electrical substation. [SUP]</li> <li>-- Local utilities. [SUP or RAR may be required. See Section <a href="#">51A-4.212(4)</a>, "Local utilities."]</li> <li>-- Police or fire station.</li> <li>-- Post office.</li> <li>-- Tower/antenna for cellular communication. [See Section <a href="#">51A-4.212(10.1)</a>,</li> </ul>		<u>Civic use categories.</u> <ul style="list-style-type: none"> <li>-- Government service, except detention center, jail, or prison</li> </ul>

**Use Comparison Chart – Existing Zoning vs. Art. XIII**

Existing: D(A)	Existing: CC	Existing: P(A)	WMU-5 (Art. XIII) Mu Development Type
-- Tower/antenna for cellular communication. [See <a href="#">Section 51A-4.212(10.1).</a> ] -- Utility or government installation other than listed. [SUP]	“Tower/antenna for cellular communication.” Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]		
<u>Wholesale, distribution, and storage uses.</u> -- Recycling drop-off container. [See <a href="#">Section 51A-4.213(11.2).</a> ] -- Recycling drop-off for special occasion collection. [See <a href="#">Section 51A-4.213(11.3).</a> ]	<u>Wholesale, distribution, and storage uses.</u> -- Mini-warehouse. [SUP] -- Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]		<u>Commerce use categories.</u> -- Upper stories only: Self-service storage

***Comparison Between Article XIII & Form Subdistricts in PD No. 595***

Because the proposed subdistrict will be nested within the regulations of PD No. 595, further comparison is necessary to determine the uses that will be permitted on the property. Per Sec. 51P-595.114.1(b)(1), the use regulations of the form subdistricts in PD No. 595 must be read together with the use categories in Article XIII. A use that is allowed for a particular development type in Article XIII is allowed in a form subdistrict only if it is also listed as a permitted use in PD No. 595. An SUP is required if it is required by either PD No. 595 or Article XIII.

In other words, a use is only permitted by right if both Article XIII *and* PD No. 595 say so. An SUP is required if Article XIII *or* PD No. 595 say so.

Following is a comparison table showing differences in the permitted uses between a WMU-5 Form District in Article XIII and an FWMU-5 Form Subdistrict in PD No. 595. The final column shows which uses are actually permitted on the property. For brevity, uses shown are limited to what is permitted under the Mu development type. An FWMU-5 Form Subdistrict would also allow other development types and uses. Blank cells indicate a comparable land use is not specified for that district.

**Use Comparison Chart – Art. XIII vs. PD No. 595**

WMU-5 (Art. XIII) Mu Development Type	FWMU-5 (PD No. 595) Mu Development Type	Permitted Uses
	<u>Agricultural uses.</u> -- Community garden. -- Market garden. [SUP]	
	<u>Commercial and business service uses.</u> -- Catering service. -- Custom business services. -- Electronics service center. -- Job or lithographic printing. [3,500 square feet or less.] -- Medical or scientific laboratory. [SUP]	
	<u>Industrial uses.</u> -- None permitted.	
<u>Civic use categories.</u> -- Community service [SUP], museum, library; day care; educational; social service [SUP]  <u>Place of worship use categories.</u> -- Place of worship	<u>Institutional and community service uses.</u> -- Adult day care facility. -- Cemetery or mausoleum. [SUP] -- Child-care facility. -- Church. -- College, university, or seminary. [SUP] -- Community service center. [SUP] -- Convalescent and nursing homes, hospice care, and related institutions. [SUP] -- Convent or monastery. -- Library, art gallery, or museum. -- Public or private school. [SUP]	<u>Institutional and community service uses.</u> -- Adult day care facility. -- Child-care facility. -- Church. -- College, university, or seminary. [SUP] -- Community service center. [SUP] -- Convalescent and nursing homes, hospice care, and related institutions. [SUP, upper stories only] -- Convent or monastery. -- Library, art gallery, or museum. -- Public or private school. [SUP]
<u>Commerce use categories.</u> -- Upper stories only: Overnight lodging	<u>Lodging uses.</u> -- Hotel or motel. [SUP]	<u>Lodging only.</u> -- Hotel or motel. [SUP, upper stories only]
	<u>Miscellaneous uses.</u> -- Temporary construction or sales office.	
<u>Office use categories.</u> -- Medical, office	<u>Office uses.</u> -- Alternative financial establishment. [SUP] -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR]	<u>Office uses.</u> -- Alternative financial establishment. [SUP] -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR]

**Use Comparison Chart – Art. XIII vs. PD No. 595**

WMU-5 (Art. XIII) Mu Development Type	FWMU-5 (PD No. 595) Mu Development Type	Permitted Uses
	-- Medical clinic or ambulatory surgical center. [SUP required for plasma or blood donation center.] -- Office.	-- Medical clinic or ambulatory surgical center. [SUP required for plasma or blood donation center.] -- Office.
	<u>Recreation uses.</u> -- Private recreation center, club, or area. [SUP] -- Public park, playground, or golf course.	
<u>Residential use categories.</u> -- Upper stories: Single family living, Multifamily living, Group living	<u>Residential uses.</u> -- College dormitory, fraternity, or sorority house. -- Duplex. -- Group residential facility. [SUP required if spacing component of Section 51A-4.209(b)(3) is not met.] -- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.] -- Live-work unit. [Only one dwelling unit per lot.] -- Multifamily. -- Retirement housing. -- Single family.	<u>Residential uses.</u> -- College dormitory, fraternity, or sorority house. [Upper stories only] -- Duplex. [Upper stories only] -- Group residential facility. [SUP required if spacing component of Section 51A-4.209(b)(3) is not met, upper stories only.] -- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met, upper stories only.] -- Live-work unit. [Only one dwelling unit per lot, upper stories only.] -- Multifamily. [Upper stories only] -- Retirement housing. [Upper stories only] -- Single family. [Upper stories only]
<u>Retail uses categories.</u> -- Ground story only: Drive-thru facility [SUP], restaurant or bar, retail sales, vehicle sales  <u>Service and entertainment use categories.</u> -- Commercial amusement (inside) [SUP], indoor recreation, personal	<u>Retail and personal service uses.</u> -- Alcoholic beverage establishments. [SUP] -- Ambulance service. [RAR] -- Animal shelter or clinic without outside runs. [RAR] -- Auto service center. [SUP] -- Business school. -- Commercial amusement (inside). [SUP]	<u>Retail and personal service uses.</u> -- Alcoholic beverage establishments. [SUP, ground story only] -- Animal shelter or clinic without outside runs. [RAR] -- Business school. -- Commercial amusement (inside). [SUP] -- Commercial parking lot or garage. [SUP]

**Use Comparison Chart – Art. XIII vs. PD No. 595**

WMU-5 (Art. XIII) Mu Development Type	FWMU-5 (PD No. 595) Mu Development Type	Permitted Uses
<p>service, including animal care</p> <p><u>Commerce use categories.</u></p> <p>-- Ground story only: commercial parking</p> <p>-- Upper story only: commercial parking, passenger terminal limited to a helistop [SUP]</p>	<p>-- Commercial parking lot or garage. [SUP]</p> <p>-- Dry cleaning or laundry store.</p> <p>-- Food or beverage store. [SUP if less than 5,000 square feet.]</p> <p>-- Furniture store.</p> <p>-- General merchandise store.</p> <p>-- Home improvement center; lumber, brick, or building materials sales yard. [DIR]</p> <p>-- Household equipment and appliance repair.</p> <p>-- Mortuary, funeral home, or commercial wedding chapel.</p> <p>-- Motor vehicle fueling station.</p> <p>-- Nursery, garden shop, or plant sales.</p> <p>-- Personal service uses. [Massage establishment and tattoo or body piercing studio are prohibited.]</p> <p>-- Restaurant without drive-in or drive-through service. [RAR]</p> <p>-- Restaurant with drive-in or drive-through service. [DIR]</p> <p>-- Swap or buy shop. [SUP]</p> <p>-- Theater.</p> <p>-- Tobacco shop. [SUP]</p>	<p>-- Dry cleaning or laundry store. [SUP, ground story only]</p> <p>-- Food or beverage store. [SUP if less than 5,000 square feet, ground story only]</p> <p>-- Furniture store. [Ground story only]</p> <p>-- General merchandise store. [Ground story only]</p> <p>-- Home improvement center; lumber, brick, or building materials sales yard. [DIR, ground story only]</p> <p>-- Mortuary, funeral home, or commercial wedding chapel. [Ground story only]</p> <p>-- Motor vehicle fueling station.</p> <p>-- Personal service uses. [Massage establishment and tattoo or body piercing studio are prohibited.]</p> <p>-- Restaurant without drive-in or drive-through service. [SUP, RAR, ground story only]</p> <p>-- Restaurant with drive-in or drive-through service. [SUP, DIR]</p> <p>-- Swap or buy shop. [SUP, ground story only]</p> <p>-- Theater.</p> <p>-- Tobacco shop. [SUP]</p>
<p><u>Civic use categories.</u></p> <p>-- Transit station.</p>	<p><u>Transportation uses.</u></p> <p>-- Transit passenger shelter.</p> <p>-- Transit passenger station or transfer center. [SUP or city council resolution.]</p>	<p><u>Transportation uses.</u></p> <p>-- Transit passenger shelter.</p> <p>-- Transit passenger station or transfer center. [SUP or city council resolution.]</p>
<p><u>Civic use categories.</u></p> <p>-- Government service, except detention center, jail, or prison</p>	<p><u>Utility and public service uses.</u></p> <p>-- Electrical substation. [SUP]</p> <p>-- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."]</p>	<p><u>Utility and public service uses.</u></p> <p>-- Police or fire station.</p> <p>-- Post office.</p>

**Use Comparison Chart – Art. XIII vs. PD No. 595**

WMU-5 (Art. XIII) Mu Development Type	FWMU-5 (PD No. 595) Mu Development Type	Permitted Uses
	-- Police or fire station. -- Post office. -- Tower/antenna for cellular communication. [See Section 51A- 4.212(10.1), “Tower/ antenna for cellular communication.” Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]	
<u>Commerce use categories.</u> -- Upper stories only: Self-service storage	<u>Wholesale, distribution, and storage uses.</u> -- Mini-warehouse. [SUP] -- Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]	<u>Wholesale, distribution, and storage uses.</u> -- Mini-warehouse. [SUP, upper stories only]

*Comparison Between Standard Form Subdistrict & Applicant’s Proposed Subdistrict*

After determining the uses permitted under a standard FWMU-5 Form Subdistrict in PD No. 595 for a Mu development type, one final comparison is needed to show the uses permitted in the proposed subdistrict within PD No. 595. Due to the complex interplay of permitted uses between Article XIII and PD No. 595, the applicant proposes to hardcode the uses that comprise the custom performing arts center use into the PD subdistrict. This will ensure that regardless of varying interpretations of uses, use categories, or development types, the performing arts center use will still be permitted. Staff is supportive of this approach.

Following is a comparison table showing differences in the permitted uses between a standard FWMU-5 Form Subdistrict in PD No. 595 for an Mu development type and the applicant’s proposed subdistrict. Also included is staff’s recommendation to permit all residential uses within the subdistrict. The yellow highlighting indicates modifications to the base subdistrict where the applicant and staff agree; the green highlighting indicates modifications where the applicant and staff disagree.

**Use Comparison Chart – Standard Form Subdistrict vs. Proposed Subdistrict**

FWMU-5 (PD No. 595) Mu Development Type	Proposed Subdistrict (Applicant's Request)	Proposed Subdistrict (Staff's Recommendation)
<u>Agricultural uses.</u> -- None permitted.		
<u>Commercial and business service uses.</u> -- None permitted.		
<u>Industrial uses.</u> -- None permitted.		
<u>Institutional and community service uses.</u> -- Adult day care facility. -- Child-care facility. -- Church. -- College, university, or seminary. [SUP] -- Community service center. [SUP] -- Convalescent and nursing homes, hospice care, and related institutions. [SUP, upper stories only] -- Convent or monastery. -- Library, art gallery, or museum. -- Public or private school. [SUP]	<u>Institutional and community service uses.</u> -- Adult day care facility. -- Child-care facility. -- Church. -- College, university, or seminary. [SUP] -- Community service center. [By right in Subarea A only; otherwise, permitted by SUP] -- Convalescent and nursing homes, hospice care, and related institutions. [SUP, upper stories only] -- Convent or monastery. -- Library, art gallery, or museum. -- Public or private school. [By right in Subarea A only; otherwise, permitted by SUP]	<u>Institutional and community service uses.</u> -- Adult day care facility. -- Child-care facility. -- Church. -- College, university, or seminary. [SUP] -- Community service center. [By right in Subarea A only; otherwise, permitted by SUP] -- Convalescent and nursing homes, hospice care, and related institutions. [SUP, upper stories only] -- Convent or monastery. -- Library, art gallery, or museum. -- Public or private school. [By right in Subarea A only; otherwise, permitted by SUP]
<u>Lodging only.</u> -- Hotel or motel. [SUP, upper stories only]	<u>Lodging only.</u> -- Hotel or motel. [SUP, upper stories only]	<u>Lodging only.</u> -- Hotel or motel. [SUP, upper stories only]
<u>Miscellaneous uses.</u> -- None permitted.		
<u>Office uses.</u> -- Alternative financial establishment. [SUP] -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR] -- Medical clinic or ambulatory surgical center. [SUP required for plasma or blood donation center.] -- Office.	<u>Office uses.</u> -- Alternative financial establishment. [SUP] -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR] -- Medical clinic or ambulatory surgical center. [SUP required for plasma or blood donation center.] -- Office.	<u>Office uses.</u> -- Alternative financial establishment. [SUP] -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR] -- Medical clinic or ambulatory surgical center. [SUP required for plasma or blood donation center.] -- Office.
<u>Recreation uses.</u> -- None permitted.		
<u>Residential uses.</u>	<u>Residential uses.</u>	<u>Residential uses.</u>



**Use Comparison Chart – Standard Form Subdistrict vs. Proposed Subdistrict**

FWMU-5 (PD No. 595) Mu Development Type	Proposed Subdistrict (Applicant's Request)	Proposed Subdistrict (Staff's Recommendation)
<ul style="list-style-type: none"> <li>-- College dormitory, fraternity, or sorority house. [Upper stories only]</li> <li>-- Duplex. [Upper stories only]</li> <li>-- Group residential facility. [SUP required if spacing component of Section 51A-4.209(b)(3) is not met, upper stories only.]</li> <li>-- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met, upper stories only.]</li> <li>-- Live-work unit. [Only one dwelling unit per lot, upper stories only.]</li> <li>-- Multifamily. [Upper stories only]</li> <li>-- Retirement housing. [Upper stories only]</li> <li>-- Single family. [Upper stories only]</li> </ul>	<ul style="list-style-type: none"> <li><del>College dormitory, fraternity, or sorority house.</del></li> <li><del>Duplex.</del></li> <li><del>Group residential facility.</del></li> <li><del>Handicapped group dwelling unit.</del></li> <li><del>Live-work unit.</del></li> <li><del>Multifamily.</del></li> <li><del>Retirement housing.</del></li> <li><del>Single family.</del></li> </ul>	<ul style="list-style-type: none"> <li>-- College dormitory, fraternity, or sorority house. [Upper stories only]</li> <li>-- Duplex. [Upper stories only]</li> <li>-- Group residential facility. [SUP required if spacing component of Section 51A-4.209(b)(3) is not met, upper stories only.]</li> <li>-- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met, upper stories only.]</li> <li>-- Live-work unit. [Only one dwelling unit per lot, upper stories only.]</li> <li>-- Multifamily. [Upper stories only]</li> <li>-- Retirement housing. [Upper stories only]</li> <li>-- Single family. [Upper stories only]</li> </ul>
<u>Retail and personal service uses.</u> <ul style="list-style-type: none"> <li>-- Alcoholic beverage establishments. [SUP, ground story only]</li> <li>-- Animal shelter or clinic without outside runs. [RAR]</li> <li>-- Business school.</li> <li>-- Commercial amusement (inside). [SUP]</li> <li>-- Commercial parking lot or garage. [SUP]</li> <li>-- Dry cleaning or laundry store. [SUP, ground story only]</li> <li>-- Food or beverage store. [SUP if less than 5,000 square feet, ground story only]</li> <li>-- Furniture store. [Ground story only]</li> </ul>	<u>Retail and personal service uses.</u> <ul style="list-style-type: none"> <li>-- Alcoholic beverage establishments. [By right in Subarea A only; otherwise, permitted by SUP, ground story only]</li> <li>-- Animal shelter or clinic without outside runs. [RAR]</li> <li>-- Business school.</li> <li>-- Commercial amusement (inside). [By right in Subarea A only; otherwise, permitted by SUP]</li> <li>-- Commercial parking lot or garage. [By right in Subarea A only; otherwise, permitted by SUP]</li> <li>-- Dry cleaning or laundry store. [SUP, ground story only]</li> </ul>	<u>Retail and personal service uses.</u> <ul style="list-style-type: none"> <li>-- Alcoholic beverage establishments. [By right in Subarea A only; otherwise, permitted by SUP, ground story only]</li> <li>-- Animal shelter or clinic without outside runs. [RAR]</li> <li>-- Business school.</li> <li>-- Commercial amusement (inside). [By right in Subarea A only; otherwise, permitted by SUP]</li> <li>-- Commercial parking lot or garage. [By right in Subarea A only; otherwise, permitted by SUP]</li> <li>-- Dry cleaning or laundry store. [SUP, ground story only]</li> </ul>

**Use Comparison Chart – Standard Form Subdistrict vs. Proposed Subdistrict**

FWMU-5 (PD No. 595) Mu Development Type	Proposed Subdistrict (Applicant's Request)	Proposed Subdistrict (Staff's Recommendation)
-- General merchandise store. [Ground story only] -- Home improvement center; lumber, brick, or building materials sales yard. [DIR, ground story only] -- Mortuary, funeral home, or commercial wedding chapel. [Ground story only] -- Motor vehicle fueling station. -- Personal service uses. [Massage establishment and tattoo or body piercing studio are prohibited.] -- Restaurant without drive-in or drive-through service. [SUP, RAR, ground story only] -- Restaurant with drive-in or drive-through service. [SUP, DIR] -- Swap or buy shop. [SUP, ground story only] -- Theater. -- Tobacco shop. [SUP]	-- Food or beverage store. [SUP if less than 5,000 square feet, ground story only] -- Furniture store. [Ground story only] -- General merchandise store. [Ground story only] -- Home improvement center; lumber, brick, or building materials sales yard. [DIR, ground story only] -- Mortuary, funeral home, or commercial wedding chapel. [Ground story only] -- Motor vehicle fueling station. -- Personal service uses. [Massage establishment and tattoo or body piercing studio are prohibited.] -- Restaurant without drive-in or drive-through service. [By right in Subarea A only; otherwise permitted by SUP, RAR, ground story only] -- Restaurant with drive-in or drive-through service. [SUP, DIR] -- Swap or buy shop. [SUP, ground story only] -- Theater. -- Tobacco shop. [SUP]	-- Food or beverage store. [SUP if less than 5,000 square feet, ground story only] -- Furniture store. [Ground story only] -- General merchandise store. [Ground story only] -- Home improvement center; lumber, brick, or building materials sales yard. [DIR, ground story only] -- Mortuary, funeral home, or commercial wedding chapel. [Ground story only] -- Motor vehicle fueling station. -- Personal service uses. [Massage establishment and tattoo or body piercing studio are prohibited.] -- Restaurant without drive-in or drive-through service. [By right in Subarea A only; otherwise permitted by SUP, RAR, ground story only] -- Restaurant with drive-in or drive-through service. [SUP, DIR] -- Swap or buy shop. [SUP, ground story only] -- Theater. -- Tobacco shop. [SUP]
<u>Transportation uses.</u> -- Transit passenger shelter. -- Transit passenger station or transfer center. [SUP or city council resolution.]	<u>Transportation uses.</u> -- Transit passenger shelter. -- Transit passenger station or transfer center. [SUP or city council resolution.]	<u>Transportation uses.</u> -- Transit passenger shelter. -- Transit passenger station or transfer center. [SUP or city council resolution.]
<u>Utility and public service uses.</u> -- Police or fire station. -- Post office.	<u>Utility and public service uses.</u> -- Police or fire station. -- Post office.	<u>Utility and public service use595s.</u> -- Police or fire station. -- Post office.
<u>Wholesale, distribution, and storage uses.</u>	<u>Wholesale, distribution, and storage uses.</u>	<u>Wholesale, distribution, and storage uses.</u>

**Use Comparison Chart – Standard Form Subdistrict vs. Proposed Subdistrict**

FWMU-5 (PD No. 595) Mu Development Type	Proposed Subdistrict (Applicant's Request)	Proposed Subdistrict (Staff's Recommendation)
-- Mini-warehouse. [SUP, upper stories only]	-- Mini-warehouse. [SUP, upper stories only]	-- Mini-warehouse. [SUP, upper stories only]

**Development Standards**

Beyond the regulation of uses through development types in Article XIII, each development type includes more traditional development standards (setbacks, density, height, etc.) in addition to enhanced development standards that contribute to a pedestrian friendly environment (street frontage, parking setbacks, transparency, etc.).

Following is a comparison table showing differences between the development standards of the current D(A), CC, and P(A) subdistricts within PD No. 595; a base FWMU-5 Form Subdistrict in PD No. 595 with an Mu development type; and the proposed subdistrict for FWMU-5 Form Subdistrict uses. Development standards have been consolidated to indicate what is applicable to the context of this particular site. Blank cells indicate a requirement is not specified for that development standard.

Standard	Existing: CC	Existing: D(A)	Existing: P(A)	Base: FWMU-5 (Mu)	Proposed: FWMU-5
Front setback area	None <sup>1,2</sup>	25'		Primary street: 5' min / 15' max Side street: 5' min / 15' max	Primary streets <sup>3</sup> -- MLK: None <sup>4</sup> -- SCE: No min / 19' max Side streets <sup>5</sup> -- SHS: No min / 27' max Open space lot: 10' <sup>6</sup>
Required street frontage				Primary street: 90% min Side street: 40% min	Primary streets: -- MLK: None -- SCE: 85% Side streets: -- SHS: 45% <sup>7</sup> Open space lot: 84%
Parking setback				Primary street: 30' min Side street: 5' min Abutting nonres: 5' min	No change from standard FWMU-5 (Mu)
Side Setback	15' adj to res Other: No min <sup>8</sup>	SF: 5' Duplex: 5' Other: 10'		Abutting nonres: 0' or 5' min	No change from standard FWMU-5 (Mu)
Rear Setback	15' adj to res Other: No min <sup>8</sup>	SF: 5' Duplex: 10' Other: 10'		Abutting nonres: 5' min	No change from standard FWMU-5 (Mu)
Density	0.75 FAR office 0.5 FAR retail 0.75 FAR overall	1 du/3,000 sf Min lot 6,000 sf			No change from standard FWMU-5 (Mu)
Height	54' 4 stories	36' No max stories		1 story min 5 stories / 80' max	No change from standard FWMU-5 (Mu)
Story height				Ground story: 15' min / 30' max Upper story: 10' min / 15' max	Ground story: None Upper story: None
Lot coverage	60%	60% res 25% nonres		100%	No change from standard FWMU-5 (Mu)
Ground story transparency				Primary street façade: 50% Side street façade: 25%	Primary street façade: -- MLK: 35% -- SCE: 18% Side street façade: 15%

Standard	Existing: CC	Existing: D(A)	Existing: P(A)	Base: FWMU-5 (Mu)	Proposed: FWMU-5
					Open space lot: 45%
Upper story transparency				Primary street façade: 20% Side street façade: 20%	Primary street façade: None Side street façade: None
Entrance				Required on primary street Entrance spacing: 100' Allowed on side street	No change from standard FWMU-5 (Mu)
Blank wall area				Primary street: 20' max Side street: None	Primary street: None
Special standards	Proximity Slope			Proximity slope	No change from standard FWMU-5 (Mu)

<sup>1</sup> If a front yard is provided, it must be a minimum of 15 feet with landscaping provided in accordance with Sec. 51P-595.118

<sup>2</sup> A front yard of up to five feet may be provided to the extent needed to accommodate a wider than standard sidewalk for any portion of the wider sidewalk that cannot be placed in the right-of-way

<sup>3</sup> Martin Luther King, Jr. Boulevard (MLK) and South Central Expressway (SCE) are designated as primary streets

<sup>4</sup> No minimum or maximum front setback area provided there is either legacy on-street parking or publicly accessible open space adjacent to the street

<sup>5</sup> South Harwood Street (SHS) and Peabody Avenue are designated as side streets

<sup>6</sup> Except for the area containing the three handicapped parking spaces, the required front setback is 10 feet

<sup>7</sup> No street frontage is required where there is publicly accessible open space adjacent to the street. Forty-five percent of the street frontage must be setback between zero and 15 feet.

<sup>8</sup> If a setback is provided, it must be at least five feet

### **Landscaping:**

Except as provided, landscaping will be provided in accordance with the landscaping requirements in Article X, as amended. The applicant requests to be exempt from Article X requirements for the portion of the district that fronts on Martin Luther King, Jr. Boulevard and South Central Expressway, and when the existing built conditions do not allow for conformance. All required trees within Subarea A must be no closer than 2.5 feet from pavement.

This mirrors the base requirement of Article X, but prescribes that this standard may not be varied from under the provisions of SEC. 51P- .111.(a)(2) and ensures required trees still maintain required planting distance. Except for the portion of the district fronting Martin Luther King, Jr. Boulevard, new commercial parking lots approved with an SUP must comply only with the street buffer set forth in Article X. This is to accommodate the

temporary nature of these surface parking lots, such that parking lot trees are not planted only to be removed in two years.

**Parking:**

Under a standard FWMU-5 Form Subdistrict in PD No. 595, the site must comply with the parking requirements for indoor recreation uses in Article XIII. This requirement is 1 space per 150 square feet. The applicant proposes the requirement of 150 spaces, based on previous permit plans for the site.

Staff recommends reducing the requirement for the proposed subdistrict to zero spaces required. As with any minimum required parking, these ratios only reflect the minimum amount required. The developer may provide additional parking beyond these. Reducing overparking, especially in walkable and transit rich areas, helps achieve the urban design and environmental goals of the comprehensive plan. Removing required minimums allow the applicant to provide parking flexibly and through agreements with other property owners, should they so choose. Removing required minimums assists the owner in acquiring agreements for parking, as they would not need to be recorded through deed with the city.

Additionally, the applicant requested conditions propose to modify the provisions of typical parking agreements under Chapter 51A-4.328. Removing required minimums eliminates the need for modifications to this section of code. This contributes to the long-term vitality of the area by not necessitating amendment of these agreements to lease to retail tenants, allowing housing with flexible parking, and tying up less land in the neighborhood with surface parking.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is currently within an "I" MVA area. To the northeast is an "G" MVA area, and to the southeast is an "H" MVA area.

**List of Officers**

Forest Theater, LLC

CitySquare Arts Opportunity Center, LLC (Forest Theater)

Forest Forward, Sole Member

Elizabeth Wattley, Sole Member, President

Harold & Lois, LLC

CitySquare Arts Opportunity Center, LLC (Forest Theater)

Forest Forward, Sole Member

Elizabeth Wattley, Sole Member, President

**CPC Action**  
**April 4, 2024**

**Motion:** It was moved to recommend 1) **approval** of a new subdistrict for FWMU-5 Walkable Urban Mixed Use Form Subdistrict uses, subject to a subarea map exhibit and **staff's** recommended conditions on property zoned a D(A) Duplex Subdistrict, a CC Community Commercial Subdistrict, and a P(A) Parking Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, in an area generally along the southwest line of South Central Expressway, northwest of Pennsylvania Avenue, and east of Julius Schepps Freeway; 2) **approval** of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions on property zoned a CC Subdistrict and a D(A) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest line of South Central Expressway, between Pennsylvania Avenue and Peabody Avenue; and 3) **approval** of a Specific Use Permit for a commercial parking lot or garage for a two-year period, subject to a site plan and conditions with the following changes:

- In section 104, "PERFORMING ARTS CENTER means a use that must include a theater and a community service center. This use may also include an alcoholic beverage establishment, public or private school, commercial amusement (inside), restaurant without drive-thru, and office."
- Follow the applicant's request for main uses, to prohibit residential uses.
- In Section 104, add "LEGACY BUILDING means the existing theater building located in Subarea A, constructed prior to 1950 as shown on Exhibit A"
- Section 114.2, Subdistrict 1, subsection (g) Additional Provisions, add paragraph (3) "The Legacy Building located Subarea A is recognized as an area of historical, architectural, and cultural significance to the citizens of Dallas. The legacy building (Forest Theater) front facade entry feature, original marquee and tower sign is protected. New construction is allowed if setback from protected elements and does not obscure any significant architectural feature."
- On Exhibit A, Subarea map, add Legacy Building footprint with existing entry feature, marquee and tower sign location noted on property zoned a CC Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the west corner of South Central Expressway and Martin Luther King, Jr. Boulevard.

Maker: Wheeler-Reagan  
Second: Herbert  
Result: Carried: 13 to 0



For: 13 - Chernock, Hampton, Herbert, Forsyth, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Sleeper,  
Housewright, Haqq, Hall, Kingston

Against: 0  
Absent: 0  
Vacancy: 1 - District 11  
Conflict: 1 - Rubin\*\*

\*\*out of the room, when vote taken

<b>Notices:</b>	Area: 500	Mailed: 103
<b>Replies:</b>	For: 0	Against: 0

**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
LaSher Walker, 3607 Hamburg Ct., Dallas, TX, 75215  
Michael Vela, 222 Main St., Salt Lake City, UT, 84103  
Margo Murphy, 3904 Elm St., Dallas, TX, 75226  
Willie Coleman, 3802 York St., Dallas, TX, 75210  
Brenda Edwards, 1411 Cooper St., Dallas, TX, 75215  
James Price, 3639 Wendelkin St., Dallas, TX, 75215  
Against: Michael Murphy, 3520 Wendelkin St., Dallas, TX, 75215  
Chartle Burns, 3730 Spence St., Dallas, TX, 75215

**CPC RECOMMENDED PD CONDITIONS**

**ARTICLE 595.**

**PD 595.**

**SOUTH DALLAS/FAIR PARK  
SPECIAL PURPOSE DISTRICT**

**SEC. 51P-595.101. LEGISLATIVE HISTORY.**

PD 595 was established by Ordinance No. 24726, passed by the Dallas City Council on September 26, 2001. (Ord. 24726)

**SEC. 51P-595.102. PROPERTY LOCATION AND SIZE.**

PD 595 is established on property generally bounded by the Union Pacific (DART) Railroad, the Southern Pacific Railroad, C.F. Hawn Freeway, the D.P.&L. Company easement, Central Expressway (S.M. Wright Freeway), the Southern Pacific Railroad, the Santa Fe Railroad, R.L. Thornton Freeway, Second Avenue, Parry Avenue, Robert B. Cullum Boulevard, Fitzhugh Avenue, Gaisford Street, and the common line between City Blocks 1820 and D/1821. PD 595 excludes the following planned development districts: 276, 320, 331, 354, 363, 477, 489, 513, 552, 557, 597, 660, 716, 729, 730, 746, 747, 764, 793, 806, 813, 849, 853, 856, 871, 892, 908, 911, 936, 1023, 1038, 1062, 1089, and 1090 and the form-base districts WMU-5 and WR-5 established in the area generally bounded by Elihu Street, Park Row Avenue, J.B. Jackson Boulevard, and Trunk Avenue. The size of PD 595 is approximately 3,337.428 acres. (Ord. Nos. 24726; 25351; 26034; 26037; 26351; 26365; 26875; 27252; 27518; 27580; 27612; 27635; 27679; 28208; 28223; 28269; 28288; 28328; 28697; 29052; 29316; 29319; 29335; 29664; 29677; 31101; 31386; 31664; 32256; 32272, 32458)

**SEC. 51P-595.103. CREATION OF SUBDISTRICTS.**

This district is divided into the following residential and nonresidential subdistricts:

- (1) Residential subdistricts.
  - (A) R-7.5(A) Single Family Subdistrict.
  - (B) R-5(A) Single Family Subdistrict.
  - (C) R-3.8(A) Single Family Subdistrict.
  - (D) D(A) Duplex Subdistrict.
  - (E) TH(1)(A) Townhouse Subdistrict.
  - (F) TH(2)(A) Townhouse Subdistrict.
  - (G) TH(3)(A) Townhouse Subdistrict.
  - (H) MF-1(A) Multifamily Subdistrict.

(I) MF-2(A) Multifamily Subdistrict.

(2) Nonresidential subdistricts.

(A) NC Neighborhood Commercial Subdistrict. The NC Neighborhood Commercial Subdistrict is characterized by small institutional and community service, office, and retail and personal service uses primarily serving nearby residential areas. The scale, intensity, and design of structures is similar to surrounding residential areas so as to minimize the impact on surrounding neighborhoods. Some uses are allowed only in the NC(E) Neighborhood Commercial Enhanced Subdistrict.

(B) CC Community Commercial Subdistrict. The CC Community Commercial Subdistrict is characterized by a mix of commercial and business service, institutional and community service, office, and retail and personal service uses serving both nearby residential areas and the broader South Dallas/Fair Park community. This subdistrict includes single-story and multi-story office development, large footprint buildings, and both surface parking and parking structures. Some uses are allowed only in the CC(E) Community Commercial Enhanced Subdistrict.

(C) RS-MU Regional Service Mixed Use Subdistrict. The RS-MU Regional Service Mixed Use Subdistrict is characterized by regional serving mixed use developments serving South Dallas/Fair Park and the surrounding region. This subdistrict should be located in proximity to regional transportation such as rail, light rail, freeways, and major thoroughfares. Some uses are allowed only in the RS-MU(E) Regional Service Mixed Use Enhanced Subdistrict.

(D) F Form Subdistricts. The F Form Subdistricts are characterized by mixed use developments that comply with Article XIII, "Form Districts." These subdistricts are intended to create walkable urban neighborhoods where higher-density mixed use housing types promote less dependence on the automobile. These subdistricts should be located in proximity to regional transportation such as rail, light rail, freeways, and major thoroughfares.

(E) RS-C Regional Service Commercial Subdistrict. The RS-C Regional Service Commercial Subdistrict is characterized by commercial developments providing goods and services to other businesses in South Dallas/Fair Park and the surrounding region. This subdistrict should be located in proximity to regional transportation such as rail, light rail, freeways, and major thoroughfares.

(F) RS-I Regional Service Industrial Subdistrict. The RS-I Regional Service Industrial Subdistrict is characterized by industrial developments serving South Dallas/Fair Park and the surrounding region. This subdistrict should be located in proximity to regional transportation such as rail, light rail, freeways, and major thoroughfares.

(G) P(A) Parking Subdistrict.

(H) Subdistrict 1.

#### **SEC. 51P-595.103.1.**

#### **EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit 595A: land use chart.

(2) Exhibit 595B: development standards summary chart. (Ord. 28860)

(3) Exhibit 595C: Subdistrict 1 subarea map.

**SEC. 51P-595.104. DEFINITIONS.**

Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In this district:

(1) **BODY PIERCING** means piercing of body parts, other than ears, to allow the insertion of jewelry.

(2) **CATERING SERVICE** means a facility for the preparation and storage of food and food utensils for off-premise consumption and service. No meals may be served on the premises of a catering service.

(3) **DISTRICT** means the entire planned development district (the South Dallas/Fair Park Special Purpose District) created by this article.

(4) **FOOD OR BEVERAGE STORE** means a retail store for the sale of food and beverages. The term "food or beverage store" includes a grocery, delicatessen, convenience store, and specialty foods store. This use does not include other uses in this article that are specifically listed.

(5) **GENERAL MERCHANDISE STORE** means a retail store for the sale of general merchandise. Typical general merchandise includes clothing and other apparel, equipment for hobbies and sports, gifts, flowers and household plants, dry goods, toys, furniture, antiques, books and stationery, pets, drugs, auto parts and accessories, and similar consumer goods. This use does not include other uses in this article that are specifically listed.

(6) **LEGACY BUILDING** means the existing theater building located in Subarea A, constructed prior to 1950 as shown on Exhibit A.

(7) **LIVE-WORK UNIT** means an interior space with street-level access that combines residential with office or retail and personal service uses. For purposes of spacing or proximity regulations, a live-work unit is considered a non-residential use.

(8) **MARKET GARDEN** means an area used for the raising or harvesting of agricultural crops such as vegetables, fruit, trees, grain, field forage, and other plant crops intended to provide food or fiber; or aquaponics facilities that include crop and fish production.

(9) **MASSAGE ESTABLISHMENT** and **MASSAGE** mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(10) **MIXED USE PROJECT** means a development on one building site with a combination of office, residential, and retail and personal service uses.

(11) **PERFORMING ARTS CENTER** means a use that must include a theater and a community service center. This use may also include an alcoholic beverage establishment, public or private school, commercial amusement (inside), restaurant without drive-thru, and office as those uses are defined in Article IV of Chapter 51A of the Dallas Development Code.

(12) **PUBLIC OR PRIVATE SCHOOL** means a public or private school as defined in Section

51A-4.204(17), as amended. A recreational or athletic facility owned or operated by a school for use by students is considered a public or private school.

(13) SUBDISTRICT means one of the subdistricts referred to in Section 51P-595.103 of this article.

(14) TATTOO OR BODY PIERCING STUDIO means a business in which tattooing or body piercing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(15) TOBACCO SHOP means a retail store principally for the sale of cigars, cigarettes, pipes, tobacco, and other related items. (Ord. Nos. 24726; 28860)

#### **SEC. 51P-595.105. INTERPRETATIONS.**

(a) Unless otherwise stated, all references to articles, divisions, or sections in this article are references to articles, divisions, or sections in Chapter 51A.

(b) The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to site plans, conceptual plans, development plans, development schedules, and landscape plans do not apply to this district.

(c) Section 51A-2.101, "Interpretations," applies to this article.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, "Limited Uses.")

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only. ["SUP" means "specific use permit." For more information regarding specific use permits, see Section 51A-4.219, "Specific Use Permit (SUP)."]

(4) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, "Site Plan Review." ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800, "Development Impact Review.")

(5) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, "Site Plan Review," a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800, "Development Impact Review.")

(e) If there is a conflict, the text of this article controls over the charts or any other graphic display attached to this ordinance. (Ord. 24726)

*[Editor's Note: Exhibit C (Land Use Chart) and Exhibit D (Development Standards Summary Charts) of Ordinance No. 24726 are labelled Exhibits 595A and 595B, respectively, and are included at the completion of the text of this article. Exhibit A of Ordinance No. 24726 and Exhibit B of Ordinance No. 24881 are not included as part of this article. For a graphic depiction and property descriptions of the district and its subdistricts at the time of its creation, see Ordinance Nos. 24726 and 24881. For a current graphic depiction of the subdistricts of PD 595, see Zoning Map Nos. J-8, J-9, K-7, K-8, K-9, L-8, and L- 9.]*

**SEC. 51P-595.106. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE R-7.5(A) SINGLE FAMILY SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.107. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE R-5(A) SINGLE FAMILY SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.107.1. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE R-3.8(A) SINGLE FAMILY SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.108. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE D(A) DUPLEX SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE TH(1)(A), TH(2)(A), AND TH(3)(A) TOWNHOUSE SUBDISTRICTS.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE MF-1(A) MULTIFAMILY SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.111. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE MF-2(A) MULTIFAMILY SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.112. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE NC NEIGHBORHOOD COMMERCIAL SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.113. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE CC COMMUNITY COMMERCIAL SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.114. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE RS-MU REGIONAL SERVICE MIXED USE SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.114.1. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE F FORM SUBDISTRICTS.**

(a) In general.

(1) Property within the F Form Subdistricts must be identified as Walkable Urban Mixed Use (WMU-3,-5,-8,-12,-20,-40), Walkable Urban Residential (WR-3,-5,-8,-12,-20,-40), Residential Transition (RTN). Property within the F Form Subdistricts may also be subject to the Shopfront Overlay (-SH), Height Map Overlay (-HM), or Parking Management Overlay (-PM).

(2) Except as provided in this section, see Article XIII, “Form Districts,” for use regulations and development standards.

(3) If there is a conflict between the provision of this section and Article XIII, this section controls.

(b) Main uses permitted.

(1) The use regulations in this section must be read together with use categories in Section 51A-13.306. A use that is allowed for a particular development type in Section 51A-13.306 is allowed in this district only if it is also listed in this subsection. A specific use permit is required if it is required by either this subsection or Section 51A-13.306.

(2) Except as provided in this subsection, the following are the only main uses permitted in the F Form Subdistricts.

- (1) Agricultural uses.
  - Community garden.
  - Market garden. *[SUP]*

- (2) Commercial and business service uses.
  - Catering service.
  - Custom business services.
  - Electronics service center.
  - Job or lithographic printing. *[3,500 square feet or less.]*
  - Medical or scientific laboratory. *[SUP]*
- (3) Industrial uses.

None permitted.
- (4) Institutional and community service uses.
  - Adult day care facility.
  - Cemetery or mausoleum. *[SUP]*
  - Child-care facility.
  - Church.
  - College, university, or seminary. *[SUP]*
  - Community service center. *[SUP]*
  - Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
  - Convent or monastery.
  - Library, art gallery, or museum.
  - Public or private school. *[SUP]*
- (5) Lodging uses.
  - Hotel or motel. *[SUP]*
- (6) Miscellaneous uses.
  - Temporary construction or sales office.
- (7) Office uses.
  - Alternative financial establishment. *[SUP]*
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. *[SUP]*
  - Medical clinic or ambulatory surgical center. *[SUP required for plasma or blood donation center.]*
  - Office.
- (8) Recreation uses.
  - Private recreation center, club, or area. *[SUP]*
  - Public park, playground, or golfcourse.
- (9) Residential uses.
  - College dormitory, fraternity, or sorority house.



- Duplex.
  - Group residential facility. *[SUP required if spacing component of Section 51A-4.209(b)(3) is not met.]*
  - Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
  - Live-work unit. *[Only one dwelling unit per lot.]*
  - Multifamily.
  - Retirement housing.
  - Single family.
- (10) Retail and personal service uses.
- Alcoholic beverage establishments. *[SUP]*
  - Ambulance service. *[RAR]*
  - Animal shelter or clinic without outside runs. *[RAR]*
  - Auto service center. *[SUP]*
  - Business school.
  - Commercial amusement (inside). *[SUP]*
  - Commercial parking lot or garage. *[SUP]*
  - Dry cleaning or laundry store.
  - Food or beverage store *[SUP if less than 5,000 square feet.]*
  - Furniture store.
  - General merchandise store.
  - Home improvement center; lumber, brick, or building materials sales yard. *[DIR]*
  - Household equipment and appliance repair.
  - Mortuary, funeral home, or commercial wedding chapel.
  - Motor vehicle fueling station.
  - Nursery, garden shop, or plant sales.
  - Personal service uses. *[Massage establishment and tattoo or body piercing studio are prohibited.]*
  - Restaurant without drive-in or drive-through service. *[RAR]*
  - Restaurant with drive-in or drive-through service. *[SUP]*
  - Swap or buy shop. *[SUP]*
  - Theater.
  - Tobacco shop. *[SUP]*
- (11) Transportation uses.
- Transit passenger shelter.
  - Transit passenger station or transfer center. *[SUP or city council resolution.]*
- (12) Utility and public service uses.
- Electrical substation. *[SUP]*
  - Local utilities. *[SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."]*
  - Police or fire station.
  - Post office.
  - Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1),*

*“Tower/antenna for cellular communication.” Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]*

(13) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]

(c) Alternative site plan.

(1) The alternative site plan process allows flexibility as necessary to meet the contingencies of development by allowing limited alteration to the building placement requirements of the form districts.

(2) Except as provided in this subsection, the provision of Section 51A-13.703 apply.

(3) Only the building setback requirements and parking setback requirements of the building placement provisions of the form districts may be altered by an alternative site plan.

(4) An application, on a form provided for that purpose, must be made to the director with a fee equal to the fee for an amendment to a specific use permit. The process for consideration and approval of an alternative site plan is the same as the process for amending a specific use permit.

(5) The city council shall approve an alternative site plan if the city council finds that the alternative site plan will:

(A) locate all proposed buildings as close as reasonably possible to the building placement requirements of the form districts, given the unique requirements of a development due to multiple street frontages, the size and depth of the lot, or the parking requirements of the proposed uses;

(B) contribute to, enhance, or promote walkable urban neighborhoods and pedestrian safety;

(C) compliment or be compatible with the surrounding development and community facilities; and

(D) not be detrimental to public health, safety or general welfare. (Ord. 28860)

## **SEC. 51P-595.114.2. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 1.**

(a) Subarea A.

(1) Main uses permitted. Except as provided in this paragraph, the only main uses permitted are those main uses permitted in the FWMU-5 Form Subdistrict, subject to the same conditions applicable in the FWMU-5 Form Subdistrict, as set out in Section 51P-595.114.1. For example, a use permitted in the FWMU-5 Form Subdistrict only by specific use permit (SUP) is permitted in Subarea A only by SUP; a use subject to development impact review

(DIR) in the FWMU-5 Form Subdistrict is subject to DIR in this district; etc.

(A) The following additional main uses are permitted in this subdistrict:

- Performing arts center.
- Community service center.
- Public or private school.
- Alcoholic beverage establishment.
- Theater.
- Commercial amusement (inside).
- Restaurant without drive-in or drive-through service.
- Office.

*CPC Recommendation, Applicant's Request*

(B) The following additional main uses are prohibited in this subdistrict:

- Residential uses.

*Staff's Recommendation*

~~(B) The following additional main uses are prohibited in this subdistrict:~~

~~Residential uses.~~

(2) Yard, lot, and space regulations. In general, the yard, lot, and space regulations for the FWMU-5 Subdistrict apply.

(A) For a performing arts center in Subarea A:

(i) Development type. A performing arts center is considered a Mixed Use Shopfront development type.

(ii) Street designations.

(1) South Central Expressway and Martin Luther King, Jr. Boulevard are designated as primary streets.

(2) South Harwood Street and Peabody Avenue are designated as side streets.

(iii) Except as provided in this section, the yard, lot, and space regulations for the FWMU-5 Form Subdistrict apply to a Mixed Use Shopfront.

(1) Front setback area.

(a) Martin Luther King, Jr. Boulevard: If there is either legacy on-street parking or publicly accessible open space adjacent to Martin Luther King, Jr. Boulevard, no minimum or maximum front setback is required.

(b) South Central Expressway: No minimum setback. Maximum front setback is 19 feet.

(c) South Harwood Street: No minimum setback. Maximum front setback is 27 feet.

(2) Required street frontage.

(a) Martin Luther King, Jr. Boulevard: No required street frontage.

(b) South Central Expressway: The required street frontage is 85 percent.

(c) South Harwood Street: No maximum street frontage is required where there is publicly accessible open space adjacent to the street.

(d) Open Space Lot: The required street frontage for the development that shares an artificial lot line with an Open Space Lot is 84 percent.

(3) Ground story transparency.

(a) Martin Luther King, Jr. Boulevard: The required ground story transparency is 35 percent.

(b) South Central Expressway: The required ground story transparency is 18 percent.

(c) South Harwood Street: The required ground story transparency is 15 percent.

(d) Open Space Lot: The ground story transparency requirement for the development that shares an artificial lot line with an Open Space Lot is 45 percent.

(4) Upper story transparency. No upper story transparency is required.

(5) Story height.

(a) No minimum or maximum ground story height.

(b) No minimum or maximum upper story height.

(c) No horizontal façade articulation required.

(6) Blank wall area. No maximum blank wall area on Martin Luther King, Jr. Boulevard or South Central Expressway.

(iv) Except as provided in this section, the yard, lot, and space regulations for the FWMU-5 Form Subdistrict apply to an Open Space Lot.

(1) Front setback area.

(a) South Harwood Street and Peabody Avenue: Except for the area containing the three handicapped parking spaces, the required front setback is 10 feet.

(b) Subarea B.

(1) Main uses permitted. Except as provided in this paragraph, the only main uses permitted are those main uses permitted in the FWMU-5 Form Subdistrict, subject to the same conditions applicable in the FWMU-5 Form Subdistrict, as set out in Section 51P-595.114.1. For example, a use permitted in the FWMU-5 Form Subdistrict only by specific use permit (SUP) is permitted in Subarea B only by SUP; a use subject to development impact review (DIR) in the FWMU-5 Form Subdistrict is subject to DIR in this district; etc.

(A) The following additional main uses are permitted in this subdistrict:

-- Commercial parking lot or garage. *[SUP]*

*CPC Recommendation, Applicant's Request*

(B) The following additional main uses are prohibited in this subdistrict:

-- Residential uses.

*Staff's Recommendation*

~~(B) The following additional main uses are prohibited in this subdistrict:~~

~~Residential uses.~~

(2) Yard, lot, and space regulations. The yard, lot and space regulations for the FWMU-5 Form Subdistrict apply.

*CPC Recommendation, Staff's Recommendation*

(c) Off-street parking and loading. No parking is required.

*Applicant's Request*

(c) Off-street parking and loading.

(1) In general. Except as provided in this subsection, off-street parking must comply with Section 51A-13.400.

(A) For purposes of calculating parking, the Property shall be considered one site.

(B) For Subarea A, 150 spaces are required for a performing arts center, and all other uses must park as provided in Section 51A-13.400.

(C) All required parking for Subarea A may be remote parking.

(2) On-street parking.

(A) Parking and loading along Martin Luther King, Jr. Boulevard and South Harwood Street may maneuver within the right-of-way.

(B) Except as provided in this paragraph, any on-street parking spaces that abut the building site may be counted as a reduction in the off-street parking requirement of the use adjacent to the on-street parking space. On-street parking must be striped in accordance with standard city specifications.

(i) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement for a mixed-use development.

(ii) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of the parking space ( $8 / 24 = 1/3$ ). The total number of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(3) Remote parking.

(A) Remote parking may be located on a separate lot that is within 800 feet of the use served by the remote parking.

(B) All valet parking operations must comply with the standards set forth in the Dallas City Code.

(C) The walking distance for remote parking may be extended by license as set out in Division 51-4.320.

(D) Section 51A-4.328(a) does not apply in this district. An agreement authorizing remote parking for a use may be based on a lease of the remote parking spaces only if the lease:

(i) is in writing on a form obtained from the building official;

(ii) contains legal descriptions of the properties affected;

(iii) set forth adequate consideration between the parties;

(iv) specifies the special parking being provided and the hours of operation of any use involved;

(v) state that all parties agree to defend, indemnify, and hold harmless the city of Dallas from and against all claims or liabilities arising out of or in connection with the agreement;

(vi) is governed by the laws of the State of Texas;

(vii) be approved by the building official and the city attorney as to form;

(viii) is signed by all owners of the properties affected;

(ix) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;

(x) is for a minimum term of three years; and

(xi) provides that both the owner of the lot occupied by the use benefitting from the parking and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(E) The remote parking provisions in this subparagraph or Division 51A-4.320 shall not affect or cause the reduction of delta credits.

(4) Loading. Loading for the theater use may occur on South Harwood Street. No other loading spaces are required for a performing arts center.

(5) Construction and maintenance provisions for off-street parking.

(A) The surface of a parking space, maneuvering area, or driveway that connects to a street or alley must consist of:

(i) concrete paving;

(ii) hot mix asphalt paving which consists of a binder and surface course;

(iii) a material of similar characteristics that is approved by the building official; or

(iv) permeable material including but not limited to decomposed granite. Permeable material may be used for unenclosed parking spaces, non-fire lane maneuvering areas for parking, and non-fire lane driveways.

(B) All fire lanes and handicapped parking spaces must be constructed of concrete or asphalt.

(d) Environmental performance standards. See Article VI.

(e) Landscaping.

(1) Except as provided in this subsection, see Article X, except as modified by Section 51P-595.118, "Landscaping."

(A) All required trees within Subarea A must be no closer than 2.5 feet from the pavement.

(B) The director has the authority to waive Article X requirements when the existing built conditions do not allow for conformance with Article X.

(C) The portion of the district that fronts on Martin Luther King, Jr. Boulevard and South Central Expressway are exempted from Article X requirements.

(2) Plant materials must be maintained in a healthy, growing condition.

(3) New surface parking lots approved with a Specific Use Permit must comply only with the street buffer set forth in Article X, except for the portion of the district fronting Martin Luther King, Jr. Blvd.

(f) Signs. Except as provided in this subsection, signs must comply with the provisions for business zoning districts contained in Article VII, "Sign Regulations."

(1) The existing marquee sign in Subarea A is permitted and does not count towards the calculation for attached signage.

(2) The existing pylon sign located on the east side of City Block 7/1144 in Subarea B is allowed to be replaced as needed, but cannot exceed existing height, area, or configuration.

(g) Additional provisions.

*CPC Recommendation, Staff's Recommendation*

(1) Pedestrian amenities. The following pedestrian amenities are required along the street frontages, except for Martin Luther King, Jr. Boulevard and South Central Expressway.

*Applicant's Request*

(1) Pedestrian amenities. The following pedestrian amenities are required along the street frontages, except for Martin Luther King, Jr. Boulevard and South Central Expressway.

(A) Two benches.

(B) Two trash cans.

(C) Pedestrian-scale lighting.

(D) One bicycle rack for at least five bicycles. This bicycle rack may count towards the minimum bicycle parking requirements.

(2) Minimum six-foot unobstructed sidewalks are required on public streets except for along Martin Luther King, Jr. Blvd. where only five-foot sidewalks are required.

(3) The Legacy Building located in Subarea A is recognized as an area of historical, architectural, and cultural significance to the citizens of Dallas. The legacy building (Forest Theater) front façade entry feature, original marquee, and tower sign is protected. New construction is allowed if setback from protected elements and does not obscure any significant architectural feature.

**SEC. 51P-595.115. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE RS-C REGIONAL SERVICE COMMERCIAL SUBDISTRICT.**

*OMITTED FOR BREVITY.*



**SEC. 51P-595.116. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE RS-I REGIONAL SERVICE INDUSTRIAL SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.117. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE P(A) PARKING SUBDISTRICT.**

*OMITTED FOR BREVITY.*

**SEC. 51P-595.118. LANDSCAPING.**

(a) In general. The regulations in this section must be read together with the regulations contained in Article X, "Landscape and Tree Preservation Regulations." In the event of a conflict between this section and Article X, this section controls.

(b) Front yard landscaping. If a 15-foot front yard is provided in the NC Neighborhood Commercial Subdistrict or the CC Community Commercial Subdistrict, it must be landscaped as follows:

(1) At least 40 percent of the front yard must be landscaped with trees, shrubs, or a combination of trees and shrubs that have the potential to attain a minimum height of 30 inches within a three-year time period.

(2) One tree having a caliper of at least three and one-half inches, or two trees each having a caliper of at least one and one-half inches, must be provided in the front yard for each 30 feet of lot frontage, exclusive of driveways, visibility triangles, and points of ingress or egress.

(3) No more than 60 percent of the front yard may be landscaped with walkways, plazas, courtyards, or other non-plant decorative landscape features.

(4) An underground irrigation system must be provided in the front yard. (Ord. 24726)

**SEC. 51P-595.119. SIGNS.**

(a) Signs within the residential subdistricts must comply with the provisions for non-business zoning districts contained in Article VII, "Sign Regulations."

(b) Signs within the nonresidential subdistricts must comply with the provisions for business zoning districts contained in Article VII, "Sign Regulations." (Ord. 24726)

(c) Subdistrict 1. See section 51P-595.114.2(f).

**SEC. 51P-595.120.                      ADDITIONAL PROVISIONS.**

- (a) Property within the district must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of property within the district must comply with all applicable federal and state laws and regulations, and with all applicable ordinance, rules, and regulations of the city.
- (c) Outside storage areas must be screened from the public right-of-way. See Section 51A- 4.602(b), “Required Screening.” (Ord. Nos. 24726; 26102)
- (d) Subdistrict 1. See 51P-595.114.2(g).

**SEC. 51P-595.121.                      COMPLIANCE WITH CONDITIONS.**

- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit or a certificate of occupancy for a use in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24726; 26102)

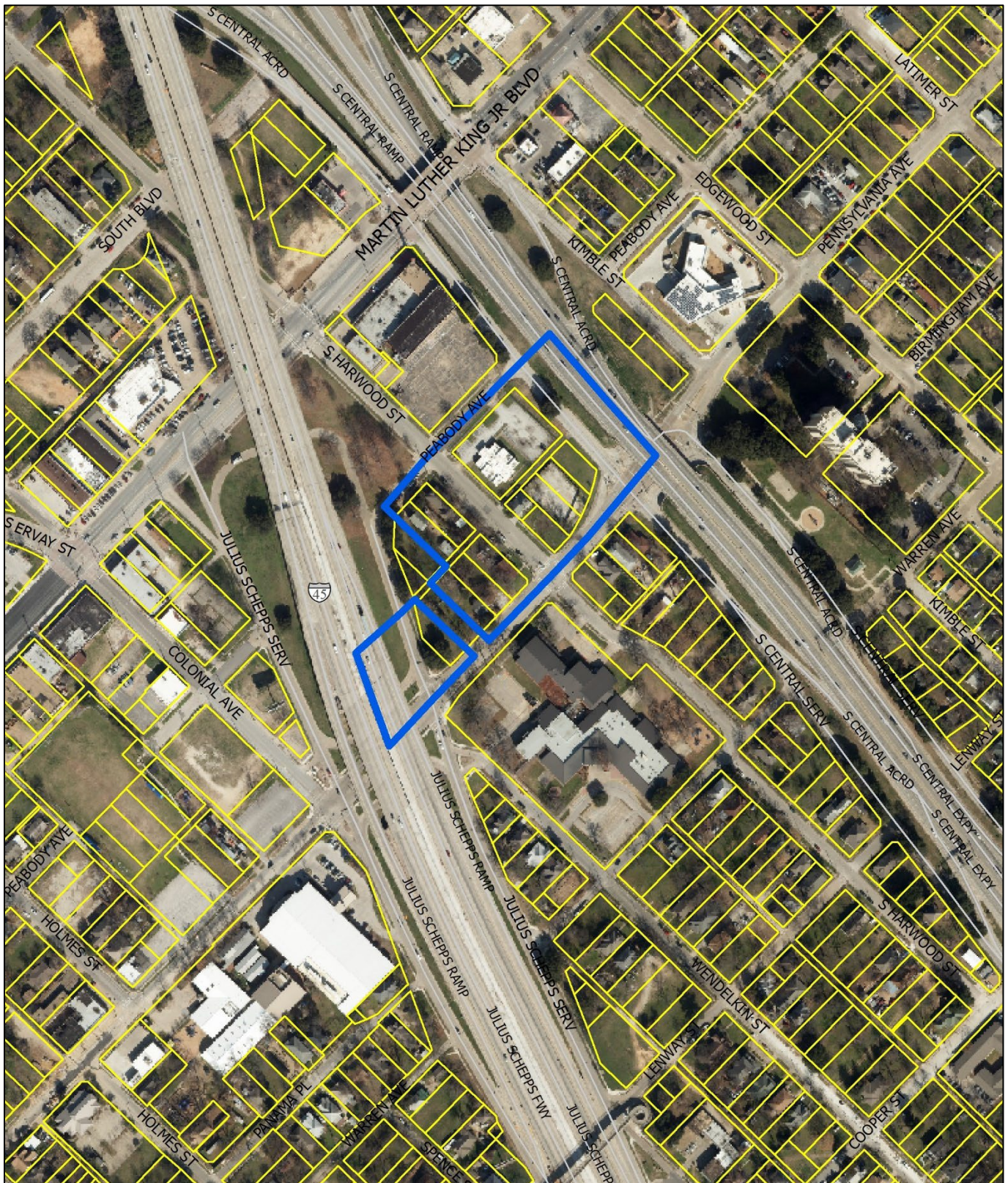


**CPC RECOMMENDED SUP CONDITIONS**  
**(Same for both SUP requests)**

1. USE: The only use authorized by this specific use permit is a commercial parking lot or garage.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years from the passage of the ordinance).
4. PARKING: Parking must be provided per the site plan.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. 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.



**AREA OF REQUEST – SUP #1**

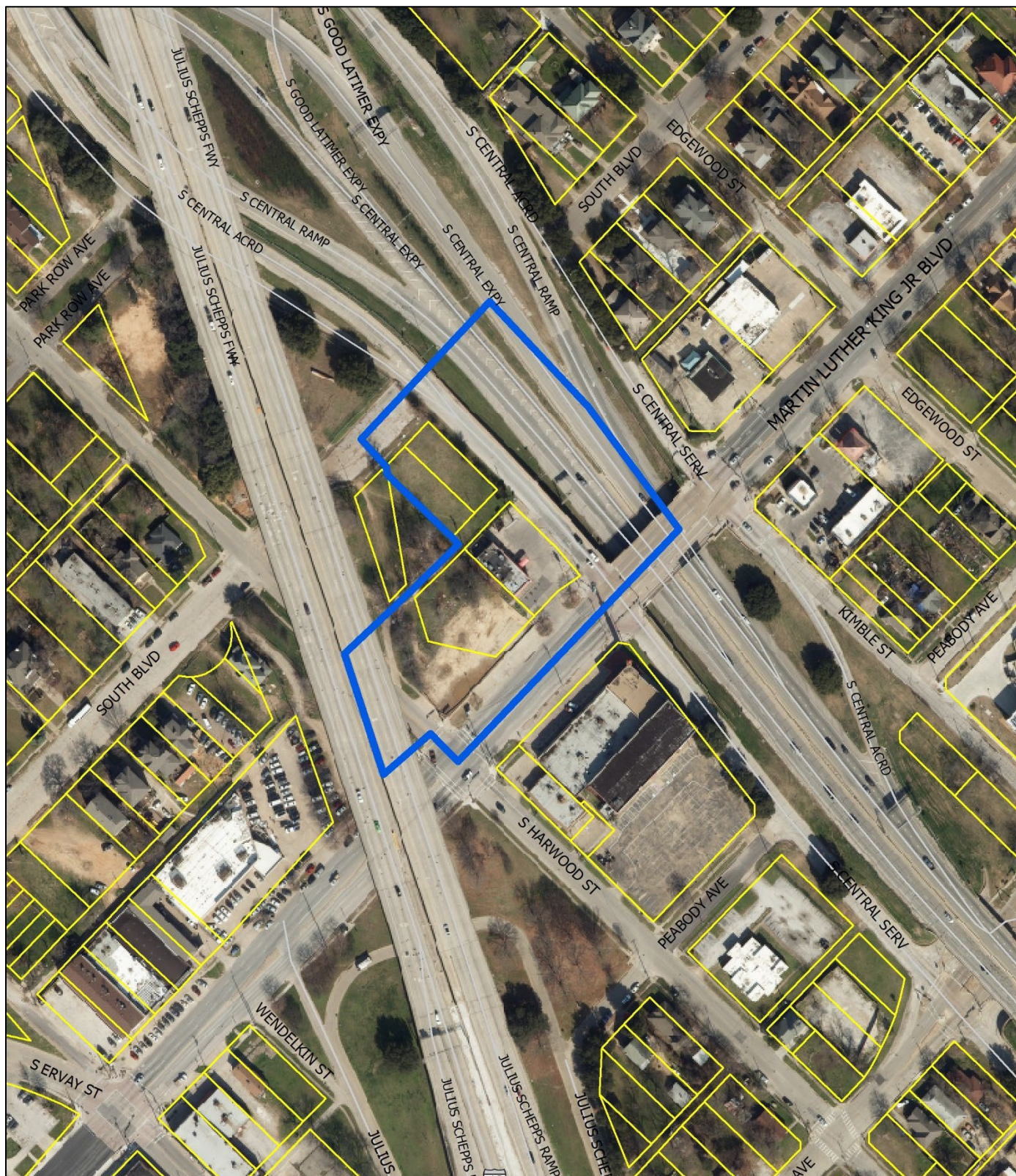






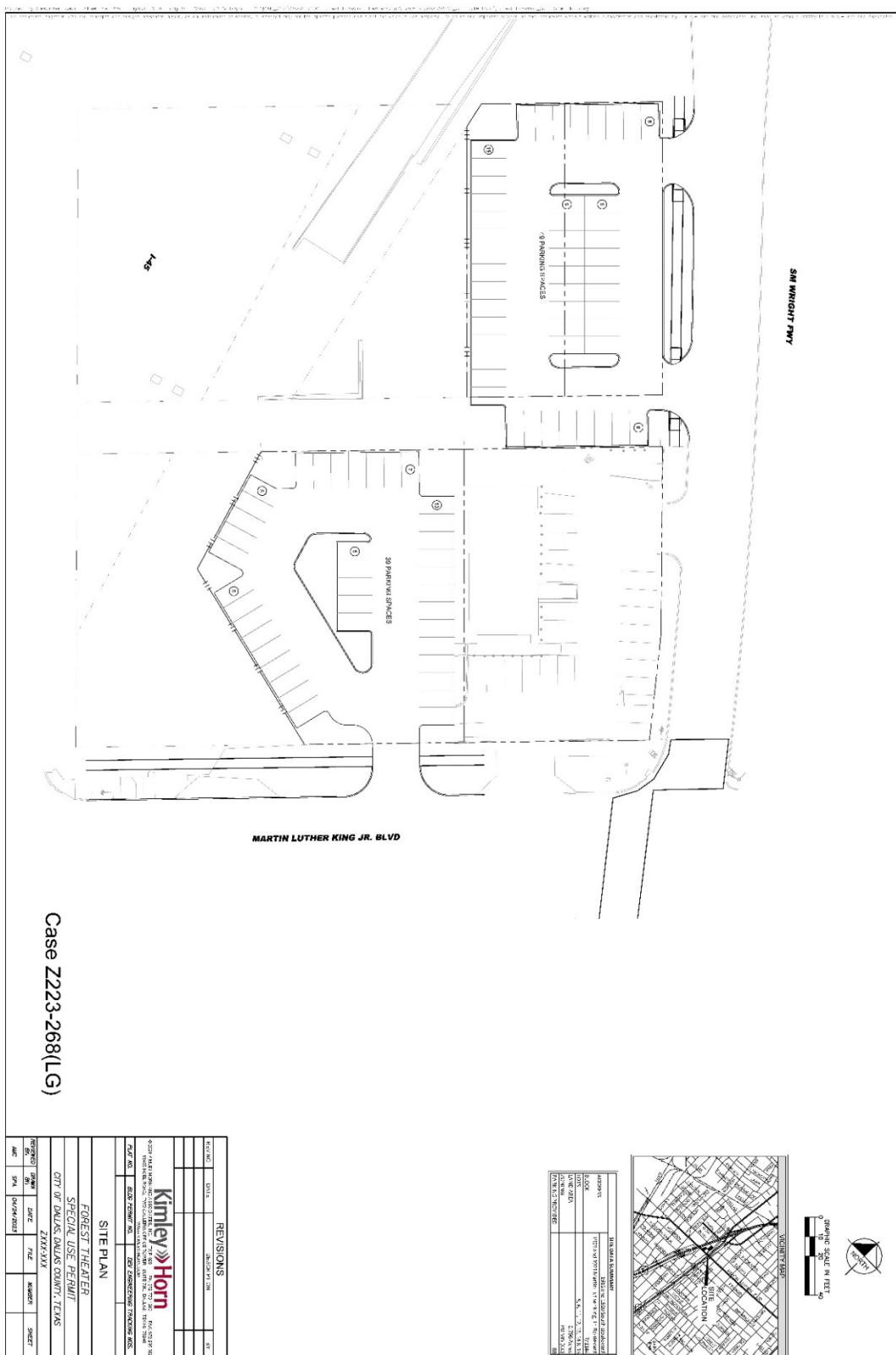


**AREA OF REQUEST – SUP #2**





## CPC RECOMMENDED SITE PLAN – SUP #2



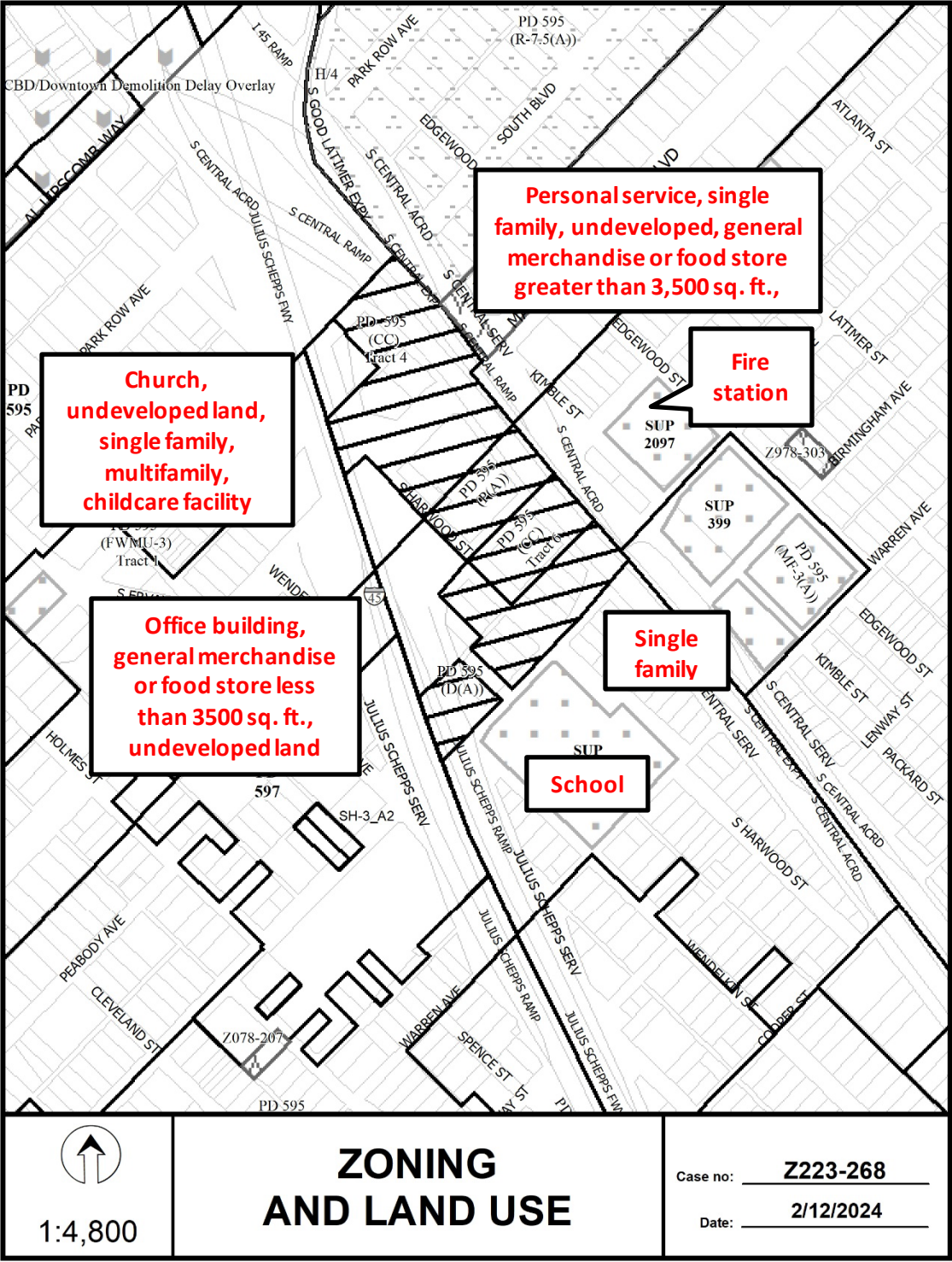


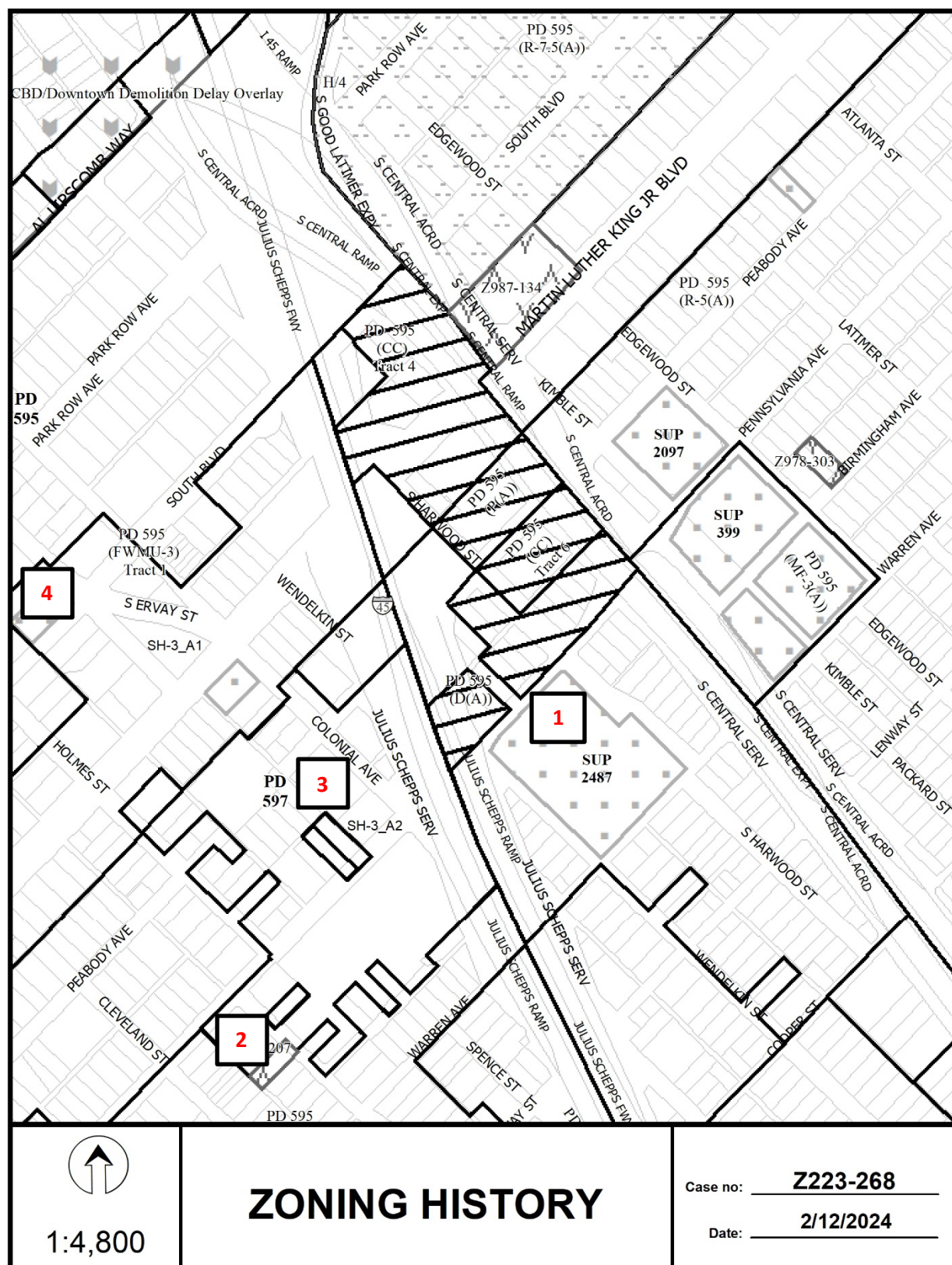




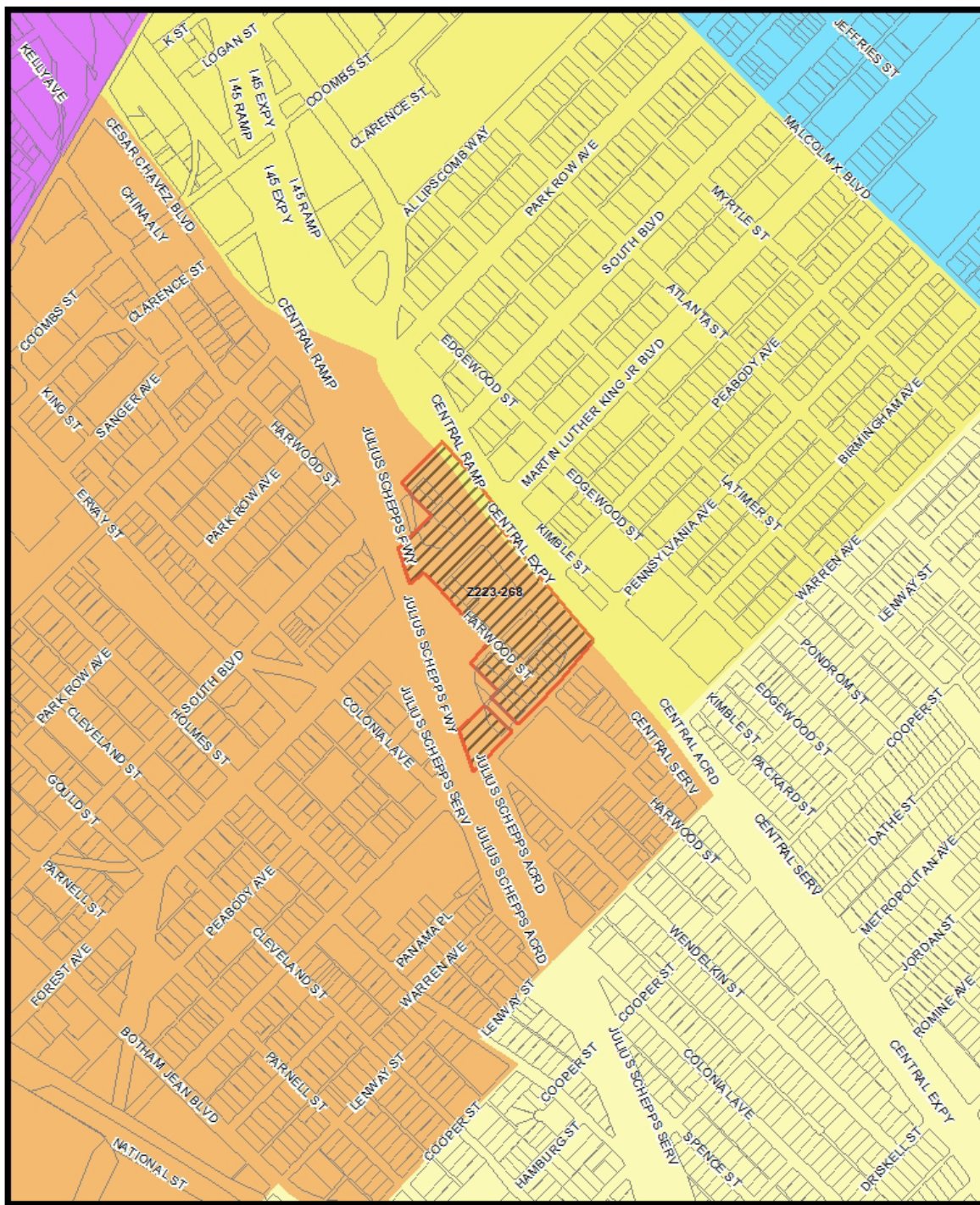












### Market Value Analysis

A B C D E F G H I NA



1:7,200

## Market Value Analysis

Printed Date: 2/12/2024





04/03/2024

***Reply List of Property Owners******Z223-268******103 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	1916 SOUTH BLVD	HAROLD & LOIS LLC
	2	1909 MARTIN LUTHER KING JR BLVD	HAROLD AND LOIS LLC
	3	1902 MARTIN LUTHER KING JR BLVD	FOREST THEATER LLC
	4	3000 S HARWOOD ST	FOREST THEATER LLC
	5	1904 MARTIN LUTHER KING JR BLVD	FOREST THEATER LLC
	6	1805 PENNSYLVANIA AVE	FOREST FORWARD
	7	1906 PEABODY AVE FOREST	THEARTER LLC
	8	1901 PENNSYLVANIA AVE	HAROLD & LOIS LLC
	9	3116 S HARWOOD ST	FOREST FORWARD
	10	1905 PENNSYLVANIA AVE	FOREST FORWARD
	11	1909 PENNSYLVANIA AVE	FOREST FORWARD
	12	1909 PENNSYLVANIA AVE	FOREST FORWARD
	13	1834 PARK ROW AVE	BLACK FIRE FIGHTERS ASSN
	14	1836 PARK ROW AVE	SNEED T A
	15	2811 S HARWOOD ST	BARAJAS FAMILY INVESTMENTS LLC
	16	1833 SOUTH BLVD	PEREZ ROBERTO &
	17	1837 SOUTH BLVD	TRIGG ELLEN D
	18	1841 SOUTH BLVD	Taxpayer at
	19	1821 SOUTH BLVD	CARTER BARBARA BRASHEAR
	20	1825 SOUTH BLVD	CORNERSTONE BAPTIST
	21	1829 SOUTH BLVD	CORNERSTONE COMMUNITY
	22	1810 SOUTH BLVD	REDEEMED CHRISTIAN CHURCH OF GOD
	23	1814 SOUTH BLVD	Taxpayer at
	24	1709 MARTIN LUTHER KING JR BLVD	REDEEMED CHRISTIAN CHURCH OF GOD
	25	1717 MARTIN LUTHER KING JR BLVD	WINWAY CORP OF DALLAS LLC
	26	1828 SOUTH BLVD	Taxpayer at

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	1832 SOUTH BLVD	Taxpayer at
	28	1836 SOUTH BLVD	Taxpayer at
	29	1840 SOUTH BLVD	BOOZER DEBRA YVONNE &
	30	1844 SOUTH BLVD	BOOZER DEBRA YVONNE &
	31	1824 SOUTH BLVD	Taxpayer at
	32	1912 SOUTH BLVD	ELLER MEDIA COMPANY
	33	1632 MARTIN LUTHER KING JR BLVD	1632 MLK LLC
	34	3013 COLONIAL AVE	JEANETTE INVESTMENTS II
	35	3015 COLONIAL AVE	ST PHILIPS SCHOOL & COMMUNITY CENTER
	36	3021 COLONIAL AVE	ST PHILIPS SCHOOL AND COMMUNITY CENTER
	37	1702 MARTIN LUTHER KING JR BLVD	Taxpayer at
	38	1706 MARTIN LUTHER KING JR BLVD	WASHINGTON SAMUEL
	39	1708 MARTIN LUTHER KING JR BLVD	RESOURCES ASSISTANTS CORP
	40	1714 MARTIN LUTHER KING JR BLVD	COOPER DON
	41	3016 COLONIAL AVE	Taxpayer at
	42	1709 PEABODY AVE	Taxpayer at
	43	1625 PENNSYLVANIA AVE	Taxpayer at
	44	1629 PENNSYLVANIA AVE	JAMES R BROWN REVOCABLE TRUST
	45	3103 COLONIAL AVE	Taxpayer at
	46	1700 PEABODY AVE	Taxpayer at
	47	3112 COLONIAL AVE	ST PHILLIPS SCHOOL &
	48	1808 PEABODY AVE	CONRAD ELEANOR
	49	1812 PEABODY AVE	DALLAS CITY OF COUNTY OF
	50	1809 PENNSYLVANIA	AVE IMPERIUM GLOBAL MANAGEMENT
	51	3307 COLONIAL AVE	Taxpayer at
	52	3213 WENDELKIN ST	HAROLD & LOTS LLC
	53	3217 WENDELKIN ST	RAMIREZ JORGE &
	54	3221 WENDELKIN ST	BENIGNO ZAMUDIO
	55	3303 WENDELKIN ST	SUCASA PARAISO INC
	56	3305 WENDELKIN ST	ROBERTS ALFRELYNN
	57	3309 WENDELKIN ST	WALLACE GENEVA B



04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	1715 WARREN AVE	LOPEZ KIMBERLY
	59	3317 WENDELKIN ST	ASHIOFU STEPHANIE
	60	1817 WARREN AVE	Dallas ISD
	61	3214 S HARWOOD ST	ACOSTA BERNABE J &
	62	3216 S HARWOOD ST	Taxpayer at
	63	1900 PENNSYLVANIA AVE	Taxpayer at
	64	1902 PENNSYLVANIA AVE	APARICIO BLANCA V
	65	1906 PENNSYLVANIA AVE	WORKS G W JR
	66	1914 PENNSYLVANIA AVE	Taxpayer at
	67	3302 S HARWOOD ST	MARSH ROSIE LEE EST OF
	68	3304 S HARWOOD ST	MORNING ALLEAN
	69	3308 S HARWOOD ST	Taxpayer at
	70	3312 S HARWOOD ST	SALALHUDDIN ARDUR
	71	3316 S HARWOOD ST	Taxpayer at
	72	2316 PARK ROW AVE	SNEED T A & ELSIE
	73	2313 SOUTH BLVD	GULLEY STEVONNE M
	74	2317 SOUTH BLVD	WHITAKER EDWARD B
	75	2323 SOUTH BLVD	JOHSAM INC
	76	2402 PARK ROW AVE	LAWSON HENRY T &
	77	2401 SOUTH BLVD	DEERING STEVEN LIVING TRUST
	78	2409 SOUTH BLVD	VIOLA HOUSE INC
	79	2402 SOUTH BLVD	WEST HEATHER RENEE &
	80	2406 SOUTH BLVD	REYNOLDS CARRIE LOUISE
	81	2403 MARTIN LUTHER KING JR BLVD	CHRISTIAN BARBARA A
	82	2400 MARTIN LUTHER KING JR BLVD	MYAP TRUST
	83	2404 MARTIN LUTHER KING JR BLVD	MYAP TRUST
	84	2401 PEABODY AVE	MYAP TRUST
	85	2308 SOUTH BLVD	THOMPSON JASMINE
	86	2310 SOUTH BLVD	OVERTON SHERIA CHANEY &
	87	2314 SOUTH BLVD	FELLOWS NICHOLAS D & FERRELL
	88	2320 SOUTH BLVD	SMITH RICK & JENNIFER

04/03/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	2321 MARTIN LUTHER KING JR BLVD	ASLAM PROPERTIES INC
	90	2320 MARTIN LUTHER KING JR BLVD	Z & H 1 REALTY LLC
	91	3014 KIMBLE ST	VILLA GABRIEL & REBECCA
	92	2305 PEABODY AVE	LOPEZ DIEGO
	93	2311 PEABODY AVE	FB DEVELOPERS LLC
	94	2313 PEABODY AVE	MUHAMMAD MOSQUE NO 48
	95	3015 EDGEWOOD ST	PHILLIPS BROOKE MARIE
	96	2317 PEABODY AVE	BUGGS ESTHER L
	97	2204 PEABODY AVE	CLAYTON LUCINDA VENTURE
	98	2209 PENNSYLVANIA AVE	ALI INVESTMENTS & CONSULTING
	99	3333 EDGEWOOD ST	DALLAS HOUSING AUTHORITY
	100	1819 MARTIN LUTHER KING JR BLVD	CORNERSTONE BAPTIST
	101	1624 PEABODY AVE	1600 PENNSYLVANIA
	102	2311 MARTIN LUTHER KING JR BLVD	AUTO DEVELOPMENT LLC
	103	2310 MARTIN LUTHER KING JR BLVD	CNB REAL ESTATE



## Agenda Information Sheet

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**File #:** 24-1537

**Item #:** Z8.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned an FWMU-3-SH Walkable Urban Mixed Use Form Subdistrict with a Shopfront Overlay within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast line of Botham Jean Boulevard, southeast of South Boulevard

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommendation conditions

Recommendation of CPC: Approval for a one-year period, subject to a site plan and conditions  
Z234-101(GB)



**FILE NUMBER:** Z234-101(GB) **DATE FILED:** July 19, 2023

**LOCATION:** Northeast line of Botham Jean Boulevard, southeast of South Boulevard

**COUNCIL DISTRICT:** 7

**SIZE OF REQUEST:** Approx. 22,956 sq ft **CENSUS TRACT:** 48113020900

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**OWNER:** Kevin Brooks Lovejoy [Sole Owner]

**APPLICANT:** Cee Gilmore

**REQUEST:** An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned an FWMU-3-SH Walkable Urban Mixed Use Form Subdistrict with a Shopfront Overlay within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

**SUMMARY:** The purpose of the request is to allow an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall.

**CPC RECOMMENDATION:** **Approval** for a one-year period, subject to site plan and conditions.

**STAFF RECOMMENDATION:** **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommended conditions.

**BACKGROUND INFORMATION:**

- The area of request is located at 2910 Botham Jean Boulevard.
- The structure was built in 1939 and is approximately 2,688 square feet.
- The only use authorized by this specific use permit is a bar, lounge, or tavern.
- The proposed bar, lounge, or tavern would operate Monday-Friday from 08:00 AM-01:00 AM; the next day, and Sunday 11:00 AM-11:00 PM.
- On March 20, 2024, the applicant submitted a revised site plan that shows the required 27 parking spaces.

**Zoning History:**

1. **Z190-192:** On August 12, 2020, City Council approved an application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shopfront Overlay on the northeast corner of South Lamar Street and South Boulevard.
2. **Z212-229:** On October 12, 2022, City Council approved a renewal of Specific Use Permit No. 2392 for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned an FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shopfront Overlay, located on the northeast corner of South Lamar Street and South Boulevard.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Botham Jean Boulevard	Principal Arterial	100 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it 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, outlining several goals and policies which serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

### **GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.2 Focus on Southern Sector development opportunities.**

### **GOAL 2.1 PROMOTE BALANCED GROWTH**

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

### **Area Plans:**

#### **Trinity River Corridor Comprehensive Land Use Study**

The Trinity River Corridor Comprehensive Land Use Study was adopted by City Council in March 2005 and later revised in December 2009. The Trinity River Corridor is a unified collection of diverse neighborhoods and business centers at the heart of a unified and thriving Dallas, connected by a ribbon of blue water and green spaces that is the Trinity River. Additionally, The Trinity River Corridor is the City's model for economic growth without physical, social, or economic barriers, which attracts residents and visitors to live, learn, work, shop, and play within a cosmopolitan urban core, and alongside the river's meandering environment.

Five objectives for future development in the Trinity Corridor add detail to the 2050 Vision Statement. They provide guidance that shapes this plan's recommendations for each part of this very large corridor. The five objectives are:

- Reconnect North and South Dallas
- Establish the role of economic development along the Trinity River
- Create a vibrant central city
- Establish the Trinity River floodplain as the front yard of the City
- Enhance the City's urban form to increase the appeal of urban life

The request complies with the following land use goals and policies of the Trinity River Corridor Comprehensive Land Use Study:

The Land Use Opportunity Plan for the Oak Cliff Gateway envisions a group of neighborhoods that offer residents a wide range of choices, from classic homes on tree-lined streets to apartments in high-rise mixed-use buildings overlooking the Trinity lakes.

### **South Dallas/Fair Park Economic Development Plan**

This South Dallas/Fair Park Economic Development Plan focuses on providing economic development revitalization strategy recommendations for the Dallas/Fair Park commercial corridor. It provides an analysis of the current conditions of the area, including land use and demographics. Development plan studies of both the neighborhood and community commercial areas are also done to guide zoning and prevent potential negative impacts of mixed-use development. Current revitalization initiatives in both the public and private sector were outlined and followed by these fundamental objectives guiding corridor revitalization:

1. Holistic Strategy
2. Improve Basic Attributes
3. Increase Resources
4. Financial Support and Technical Assistance
5. Encourage Corridor Reinvestment

The applicant's request is compatible with the South Dallas/Fair Park Economic Development Plan. The plan seeks to redevelop vacant lots and buildings.

### **DALLAS360 PLAN**

The Downtown Dallas 360 plan sets forth a strong vision for a dynamic, exciting future. It is intended to be a strategic, guiding plan rather than a regulatory document. While the 360 plan presents and prioritizes specific actions deemed critical for Downtown's future success, its broader recommendations and concepts are to be considered when reviewing development, making decisions, or considering investment, especially when a specific action may not yet have been taken. For example, while the 360 plan recommends that formal, enforceable design standards be adopted by the City of Dallas, delays or lack of funding may necessitate using the guidelines and recommendations found in Chapter IV in the interim.

The 360 plan supports the progress to develop these strategic gateways into Downtown. Importantly, any redevelopment of these sites must support the plan's principles and assist in implementing the Transformative Strategies. The South Arts District Focus Area has the potential to complement the adjacent Dallas Arts District by building on its unique character and creating bold and daring design. The South Arts District should emphasize walkable blocks and pedestrian oriented buildings that engage all of the surrounding streets. New development should establish an open, connected neighborhood that avoids



the self-contained environments that have been created in similar mixed-use private developments at Victory Park or in parts of Uptown. Any new development in this area also has the opportunity to transform the experience and presence along Ross Avenue (see Prototypical Intersection plan illustration on page 99). Good design of this environment can help heal the divide between the Arts District and Ross Avenue while luring arts patrons to experience more of Downtown. Developments should address Ross with active front entrances, retail uses, and pedestrian connections that link areas further south. “Destination” restaurants, arts-related retail, artist live/work housing and a possible arts-oriented education institution are appropriate to line Ross Avenue at critical intersections in the ground floors of new office or residential buildings.

### **Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD No. 595 FWMU-3-SH	Bar, Lounge, or Tavern
<b>Northeast</b>	PD No. 595 FWMU-3	Forest Park
<b>Southwest</b>	IM Industrial Manufacturing	Manufacturing
<b>East</b>	PD No. 595 FWMU-3-SH	Auto Service Center and Vehicle Display Sales and Service
<b>Northwest</b>	PD No. 595 FWMU-3-SH	Undeveloped

### **Land Use Compatibility:**

The area of request is currently surrounded by a park, manufacturing, auto service center, vehicle display sales and service, and undeveloped land.

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 has no objection to the requested uses or the requested time period. However, staff recommends striking the proposed conditions for landscaping and lighting, as they appear to not apply to the proposed uses.

Additionally, staff recommends holding the case under advisement to the March 21, 2024 CPC meeting so the applicant can make several required revisions to their proposed site plan:

- Plan needs to be to scale at 18x24 size
- Plan needs site data table showing required and provided parking
- Plan needs to show only request area, or label remainder of plan as 'not a part of request'
- Plan needs to show striping for a minimum of 27 required parking spaces

**Landscaping:**

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

**Parking:**

The existing structure is 2,688 square feet. The proposed bar, lounge, or tavern would operate Monday-Friday from 8:00 AM-1:00 AM; the next day, and Sunday 11:00 AM-11:00 PM.

Pursuant to the Dallas Development Code, the off-street parking requirement for a bar, lounge, or tavern is one space per 100 square feet of floor area. For 2,688 square feet of floor area, this equates to 27 required parking spaces.

The applicant is currently showing eight provided parking spaces on their proposed site plan. Staff recommends revisions to the applicant's proposed site plan that demonstrate they will be providing a minimum of 27 off-street parking spaces.

**Market Value Analysis:**

[Market Value Analysis \(MVA\)](#), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies

Z234-101(GB)

nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is currently within an “I” MVA area.

**Crime Report:**

Since June 2021, the property has had three calls to the Dallas Police Department, with one incident and no arrests.

Calls (Summary)	
Problem	Count of Problem
PSE/09 - Theft	1
40/01 - Other	1
ODJ - Off Duty Job	1
<b>Grand Total</b>	<b>3</b>

Incidents (Summary)	
Problem	Count of Problem
OTHER THEFT	1
<b>Grand Total</b>	<b>1</b>

**CPC Action**  
**April 4, 2024**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall for a one-year period, subject to a site plan and staff's recommended conditions with the following change: Hours of Operation: Monday thru Sunday, 8:00 a.m. to 1:30 a.m. (Next Day) on property zoned an FWMU-3-SH Walkable Urban Mixed Use Form Subdistrict with a Shopfront Overlay within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast line of Botham Jean Boulevard, southeast of South Boulevard.

Maker: Wheeler-Reagan  
Second: Blair  
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Forsyth, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Sleeper,  
Housewright, Haqq, Hall, Kingston, Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

<b>Notices:</b>	Area: 200	Mailed: 11
<b>Replies:</b>	For: 0	Against: 0

**Speakers:** For: Cee Gilmore, 1100 Peters St. Dallas, TX, 75215  
Against: None

### **CPC RECOMMENDED CONDITIONS**

1. Use: The only use authorized by this specific use permit is a bar, lounge, or tavern.
2. Site Plan: Use and development of the Property must comply with the attached site plan.
3. Time Limit: This specific use permit expires on (five years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

#### *Staff's Recommendation*

4. ~~Landscaping: Landscaping must be provided as shown on the attached site plan prior to the issuance of a certificate of occupancy for a private recreational facility.~~

#### *Applicant's Request*

5. Landscaping: Landscaping must be provided as shown on the attached site plan prior to the issuance of a certificate of occupancy for a private recreational facility.
6. Hours of Operation: The bar, lounge, or tavern may only operate between 8:00 a.m. and 1:00 a.m. (the next day) Monday through Friday; and between 11:00 a.m. and 11:00 p.m. on Sunday.

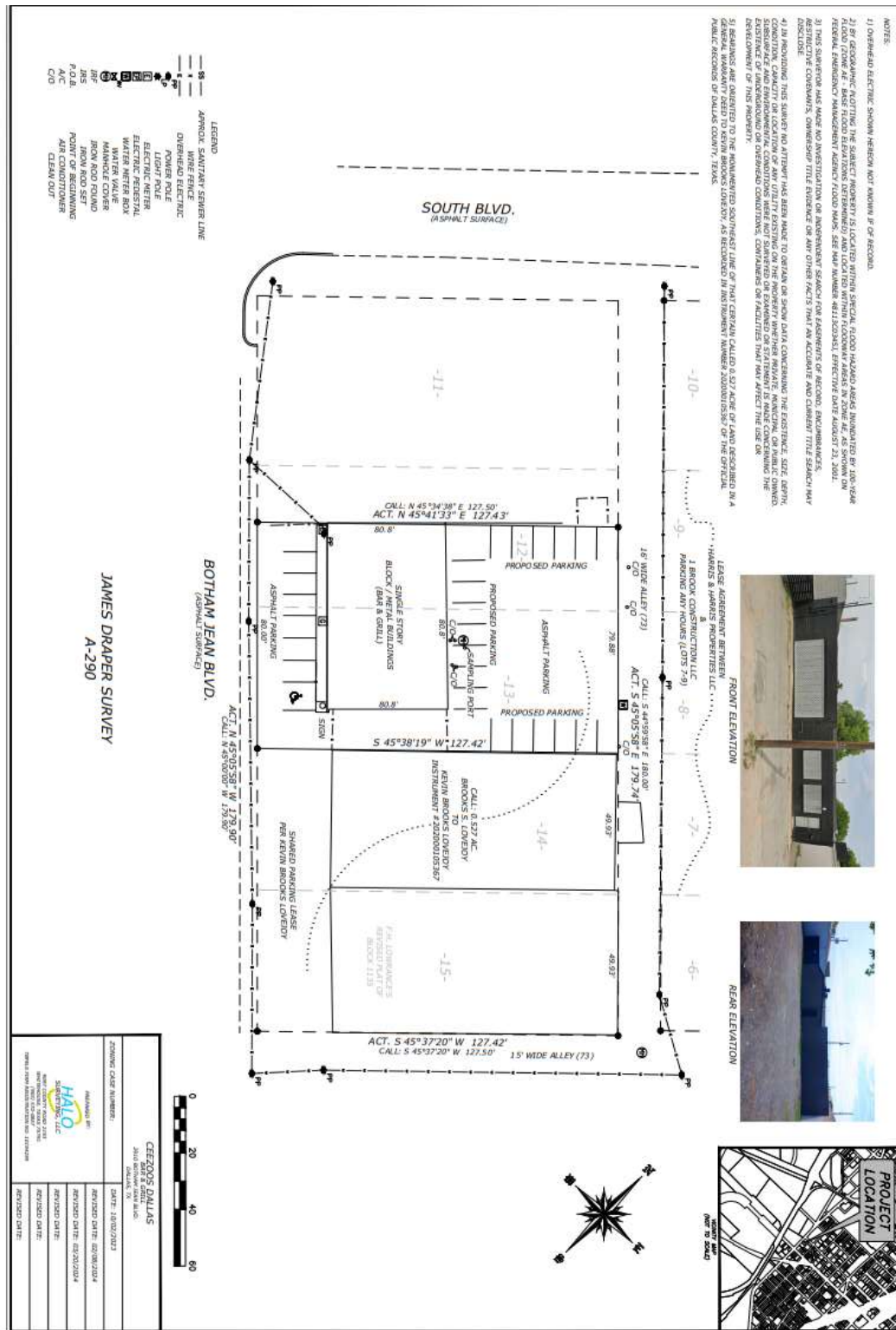
#### *Staff's Recommendation*

7. ~~Lighting: Field lighting is not permitted.~~

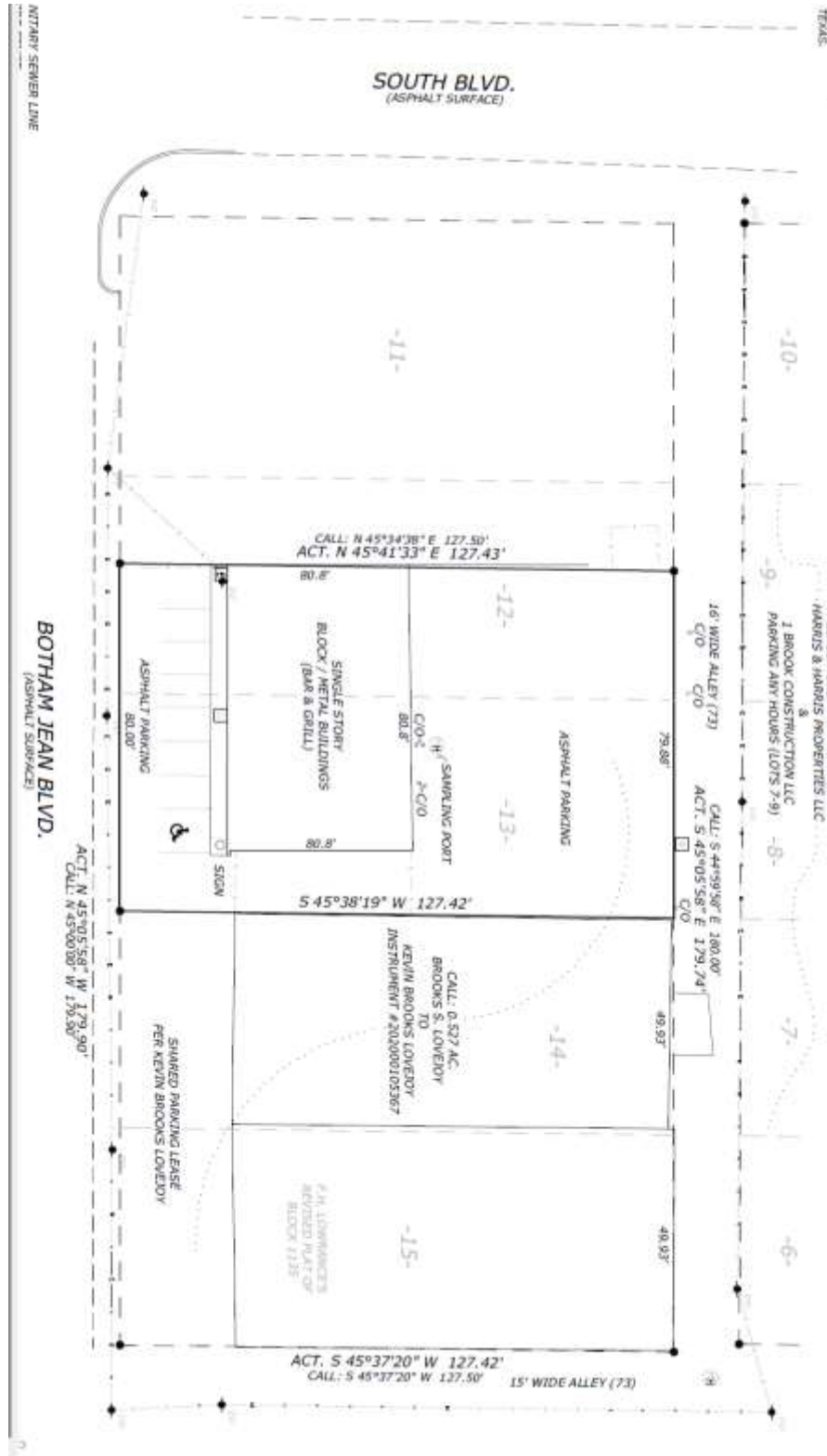
#### *Applicant's Request*

8. Lighting: Field lighting is not permitted.
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.

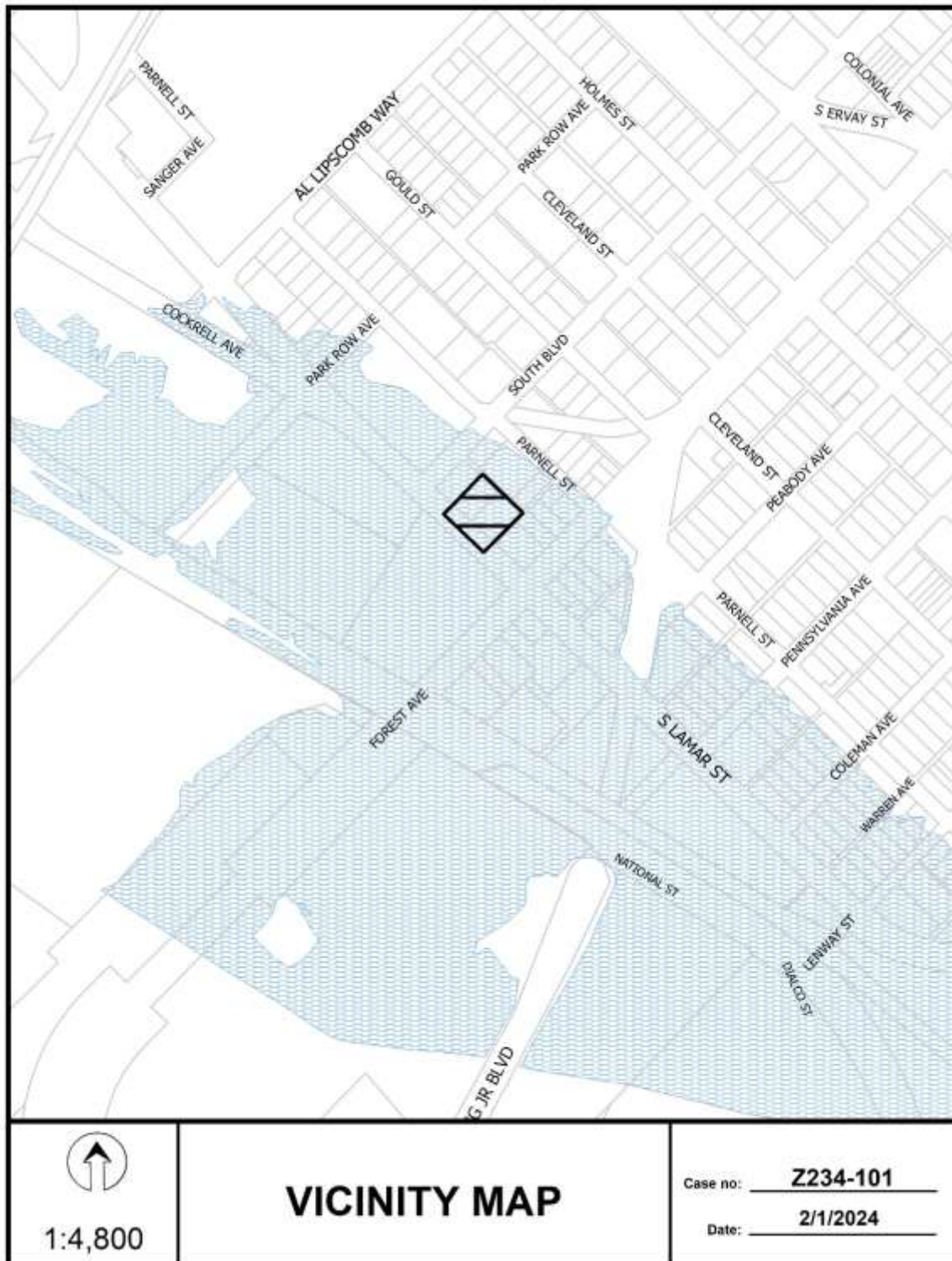
## CPC RECOMMENDED SITE PLAN



# CPC RECOMMENDED SITE PLAN (ENLARGED)

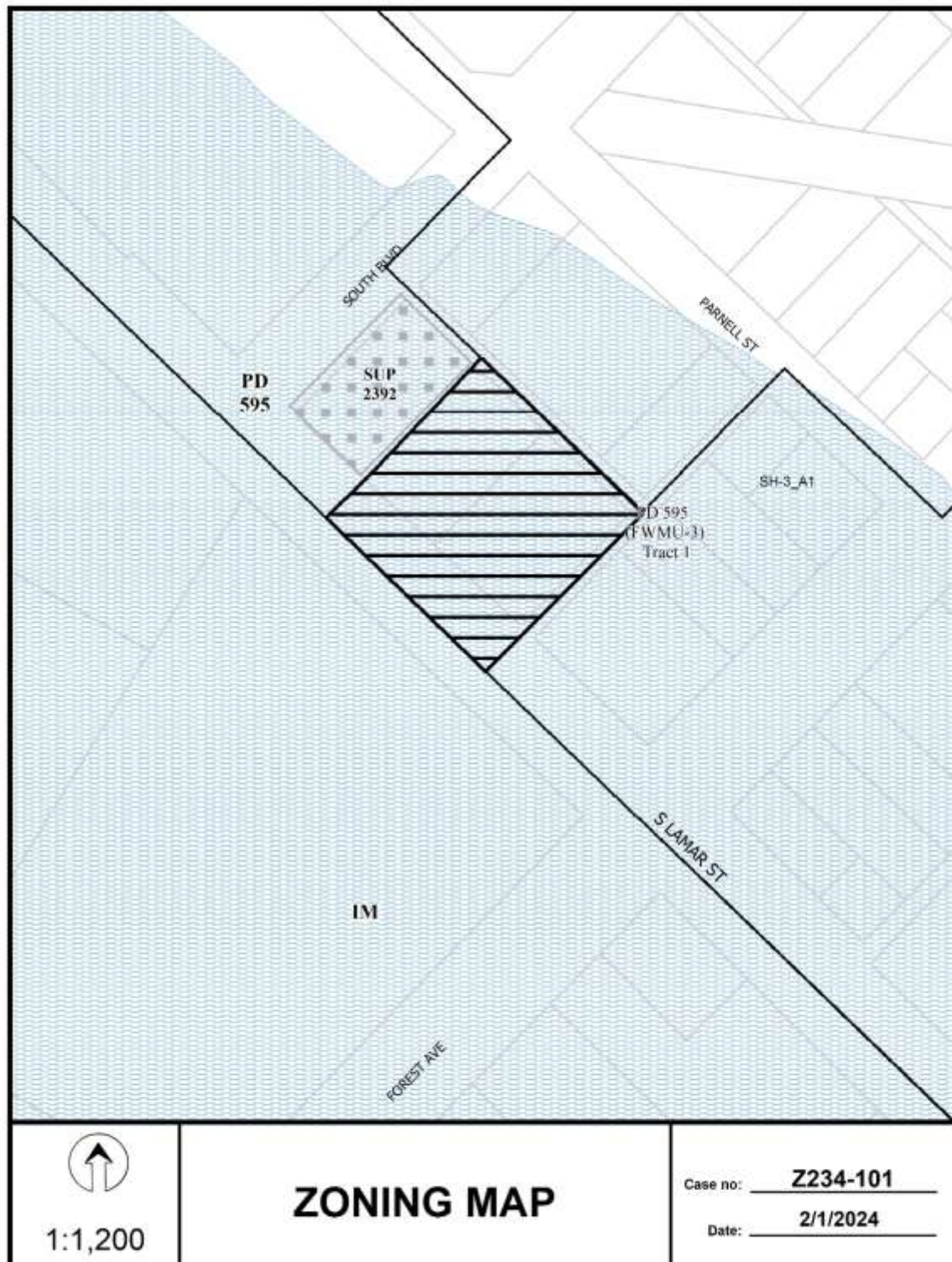


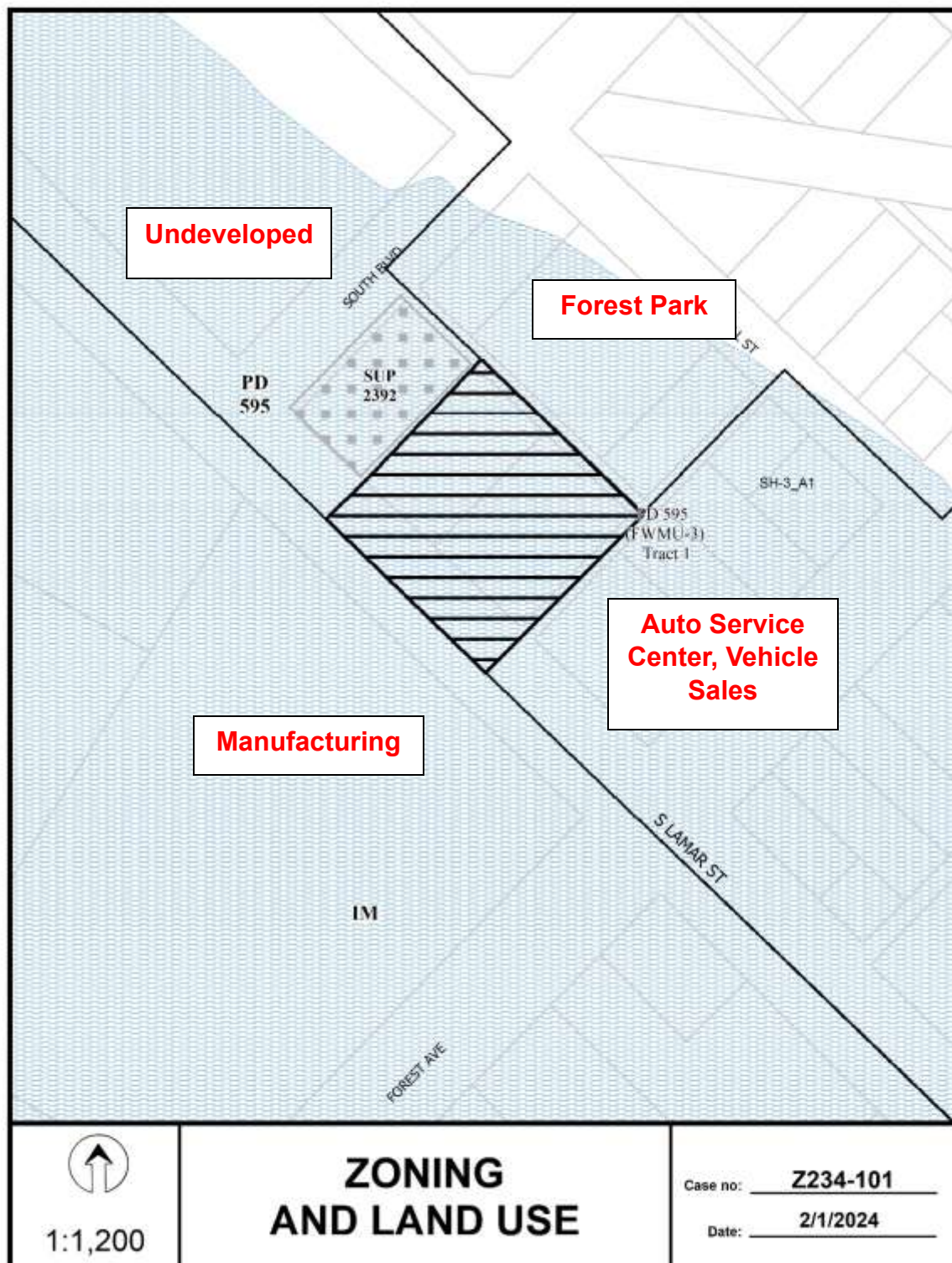




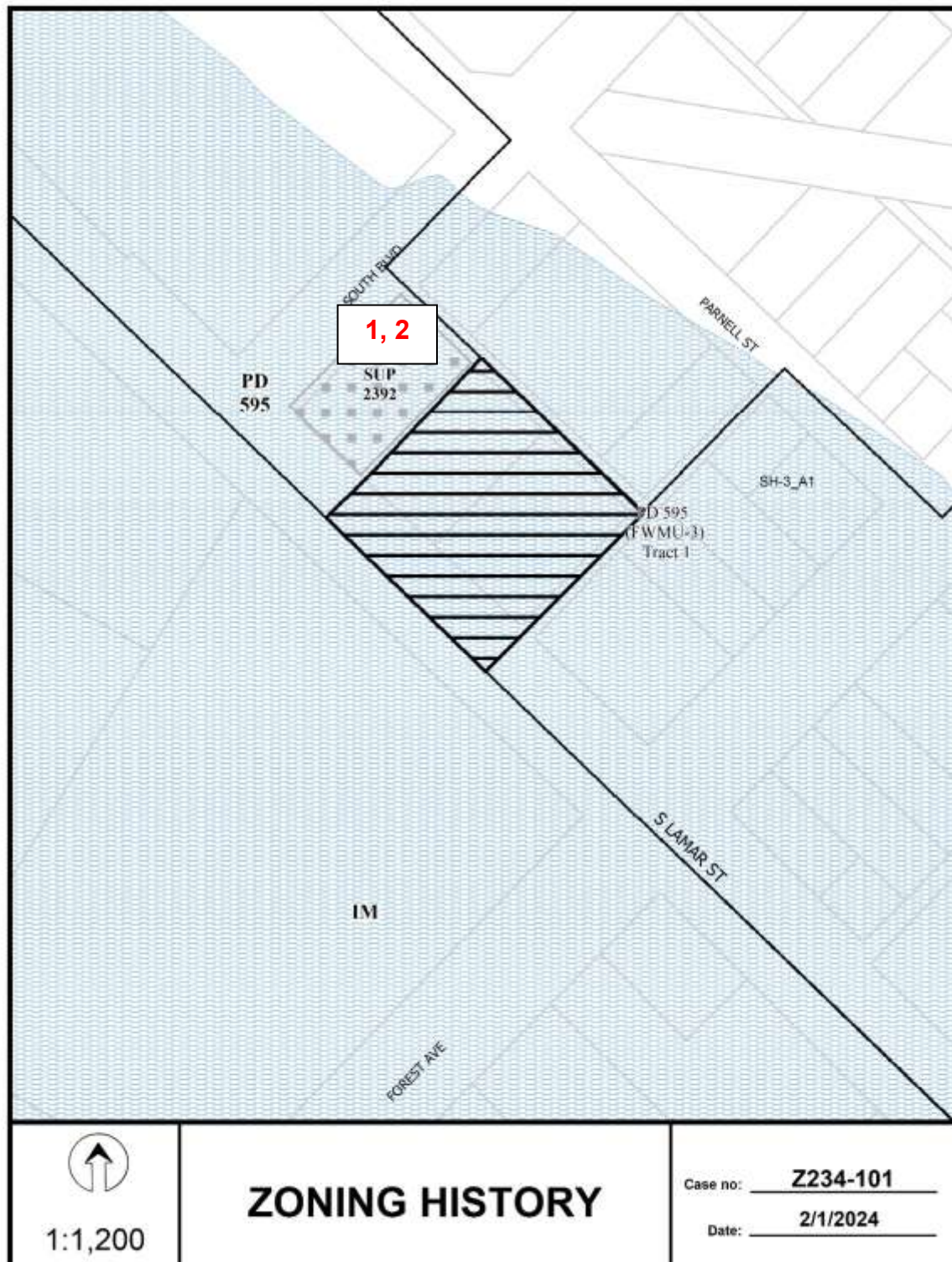


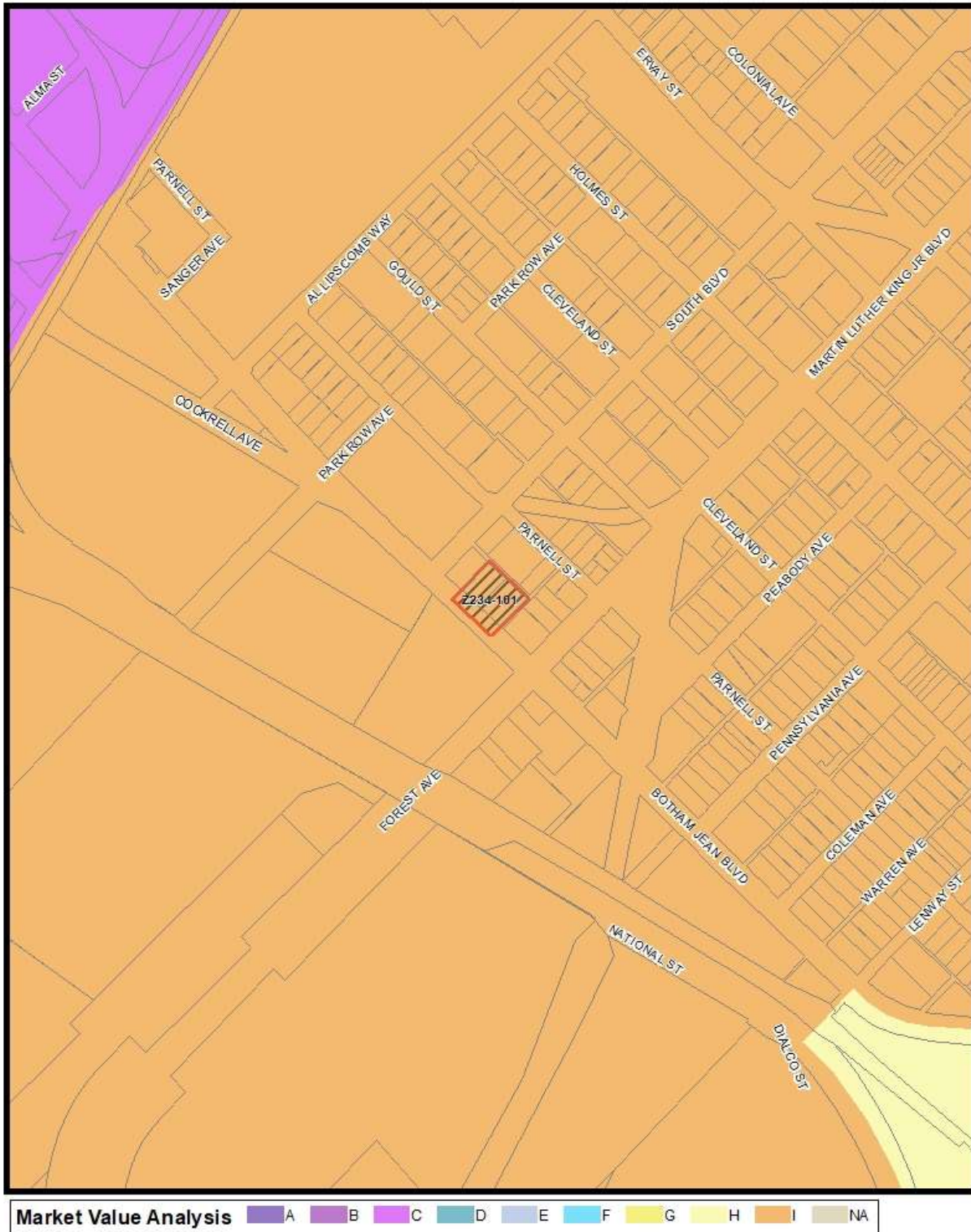












1:4,800

## Market Value Analysis

Printed Date: 2/1/2024





04/03/2024

***Reply List of Property Owners******Z234-101******11 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2910	BOTHAM JEAN BLVD	LOVEJOY KEVIN BROOKS
2	1200	PARK ROW AVE	CCH LAMAR PARTNERS I LP
3	1217	FOREST AVE	GEOFFREY SECURITY SVCS
4	2923	PARNELL ST	WAEYENBERGE CAMILLA VAN
5	1209	FOREST AVE	Taxpayer at
6	2928	BOTHAM JEAN BLVD	Taxpayer at
7	2915	PARNELL ST	Taxpayer at
8	2909	PARNELL ST	HARRIS AND HARRIS PROPERTIES LLC
9	2901	PARNELL ST	W2E INVESTMENTS LLC
10	2900	BOTHAM JEAN BLVD	MELISSA INVESTMENTS LLC
11	2927	BOTHAM JEAN BLVD	CCH LAMAR PARTNEERS I LP





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1352

**Item #:** Z9.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 4  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 2415 for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District, on the southeast corner of Cedar Crest Boulevard and East Kiest Boulevard

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions

Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions

Z223-163(JM)

Note: This item was deferred by the City Council at the public hearing on April 10, 2024 and is scheduled for consideration on May 22, 2024.

**FILE NUMBER:** Z223-163(JM) **DATE FILED:** December 22, 2022

**LOCATION:** Southeast corner of Cedar Crest Boulevard and East Kiest Boulevard

**COUNCIL DISTRICT:** 4

**SIZE OF REQUEST:** Approx. 0.55 acre **CENSUS TRACT:** 48113005500

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**REPRESENTATIVE:** Audra Buckley, Permitted Development

**APPLICANT/OWNER:** AMA Corporation

**REQUEST:** An application for an amendment to Specific Use Permit No. 2415 for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District.

**SUMMARY:** The purpose of the request is to allow the fueling station to continue operating within the multi-tenant retail center.

**STAFF RECOMMENDATION:** **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions.

**CPC RECOMMENDATION:** **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions.

**BACKGROUND INFORMATION:**

- On May 12, 2021, City Council granted SUP No. 2415 for a motor vehicle fueling station use for an initial two-year period. This application was filed on December 22, 2022, before the SUP expired on March 12, 2023. Construction and Convenience Store Registration requirements delayed the zoning case since June 2023.
- The area of request is zoned an NS(A) Neighborhood Service District and is currently developed with one structure with three suites: two general merchandise or food store 3,500 square feet or less uses and a dry cleaner or laundry store use.
- The general merchandise or food store and the dry cleaner or laundry store uses are allowed by right in the NS(A) District; however, the motor vehicle fueling station use is allowed by SUP only.

**Zoning History:** There have been no zoning requests in the vicinity in the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Required ROW
Kiest Blvd	Principal Arterial	100 feet
Cedar Crest Blvd Kiest to Stella	Community Collector	100 feet
Cedar Crest Blvd 11 <sup>th</sup> to Kiest	Principal Arterial	100 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Further review will be conducted when permits are requested for future development.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

**URBAN DESIGN ELEMENT****GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

**Policy 5.2.4** Enhance retail, industrial, and business operations.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	NS(A)	General merchandise or food store less than 3,500 sf; dry cleaner or laundry store
<b>Northeast</b>	CR with D Overlay, R-5(A)	Auto service center and undeveloped
<b>Southeast</b>	NS(A)	Multifamily
<b>South</b>	NS(A)	Undeveloped
<b>West</b>	CR	Vacant general merchandise or food store greater than 3,500 sf
<b>Northwest</b>	CR	Undeveloped

**Land Use Compatibility:**

The area of request is zoned an NS(A) Neighborhood Service District and is currently developed with one structure with three suites: two general merchandise or food store 3,500 square feet or less uses and a dry cleaner or laundry store use. The applicant obtained an SUP in 2021 to allow the motor vehicle fueling station, which has now completed construction.

Uses surrounding the area of request include an auto service center and undeveloped property to the northeast across Kiest Boulevard, and multifamily and undeveloped property to the southeast and south. A vacant general merchandise or food store greater than 3,500 square feet and undeveloped property is to the west and northwest.

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 recommending a five-year period with eligibility for automatic renewal for additional five-year periods. A shorter initial time period allows staff and the surrounding property owners to evaluate compliance with the conditions and site plan and comment on the compatibility of the use. Automatic renewal is being recommended as the property is adjacent to non-residential uses, except for the non-conforming multifamily uses to the southeast, and is located on two major roadways. The applicant is proposing to satisfy required parking through a remote parking agreement. The initial short time period will also allow staff to evaluate if the remote parking is working properly.

The applicant's request, subject to a site plan and conditions, complies with the general provisions for consideration of an SUP.

### **Development Standards:**

<b><u>DISTRICT</u></b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
<b><i>Existing:</i></b> NS(A) Neighborhood Service	15'	20' adjacent to res, other no min.	No max. dwg density. Max FAR = 0.5	35' for structures w/gable, hip, or gambrel roof; 30' other	40%	RPS and Visual Intrusion	Retail and personal service, office

### **Parking:**

Parking must be provided in accordance with the Dallas Development Code, as amended.

The approximately 7,729 square foot, one-story building contains three uses: two general merchandise or food store uses and a dry cleaner or laundry store use. Both uses require a ratio of one off-street parking space for every 200 square feet of floor area. Additionally, the parking regulations establish that for a motor vehicle fueling station, a minimum of two off-street parking are required. The total parking required for the site is 41 spaces.

As depicted on the proposed site plan, a total of 18 off-street parking spaces will be provided on site. The applicant indicated the additional required parking will be provided through a remote parking agreement per the Development Code.

### **Landscaping:**

At the time of development, landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

### **Market Value Analysis**

Market Value Analysis (MVA) is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an MVA Category. Property to the southeast is within an “E” MVA Category, and an “I” MVA Category is across Cedar Crest Boulevard to the northwest.

**CPC Action**  
**February 15, 2024**

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 2415 for a motor vehicle fueling station for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions on property zoned an NS(A) Neighborhood Service District, on the southeast corner of Cedar Crest Boulevard and East Kiest Boulevard.

Maker: Forsyth  
Second: Blair  
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Forsyth,  
Carpenter, Wheeler-Reagan, Blair, Sleeper,  
Housewright, Treadway, Haqq, Hall, Kingston,  
Rubin

Against: 0  
Absent: 1 - Shidid  
Vacancy: 0

<b>Notices:</b>	Area: 200	Mailed: 13
<b>Replies:</b>	For: 0	Against: 0

**Speakers:** None

## LIST OF OFFICERS

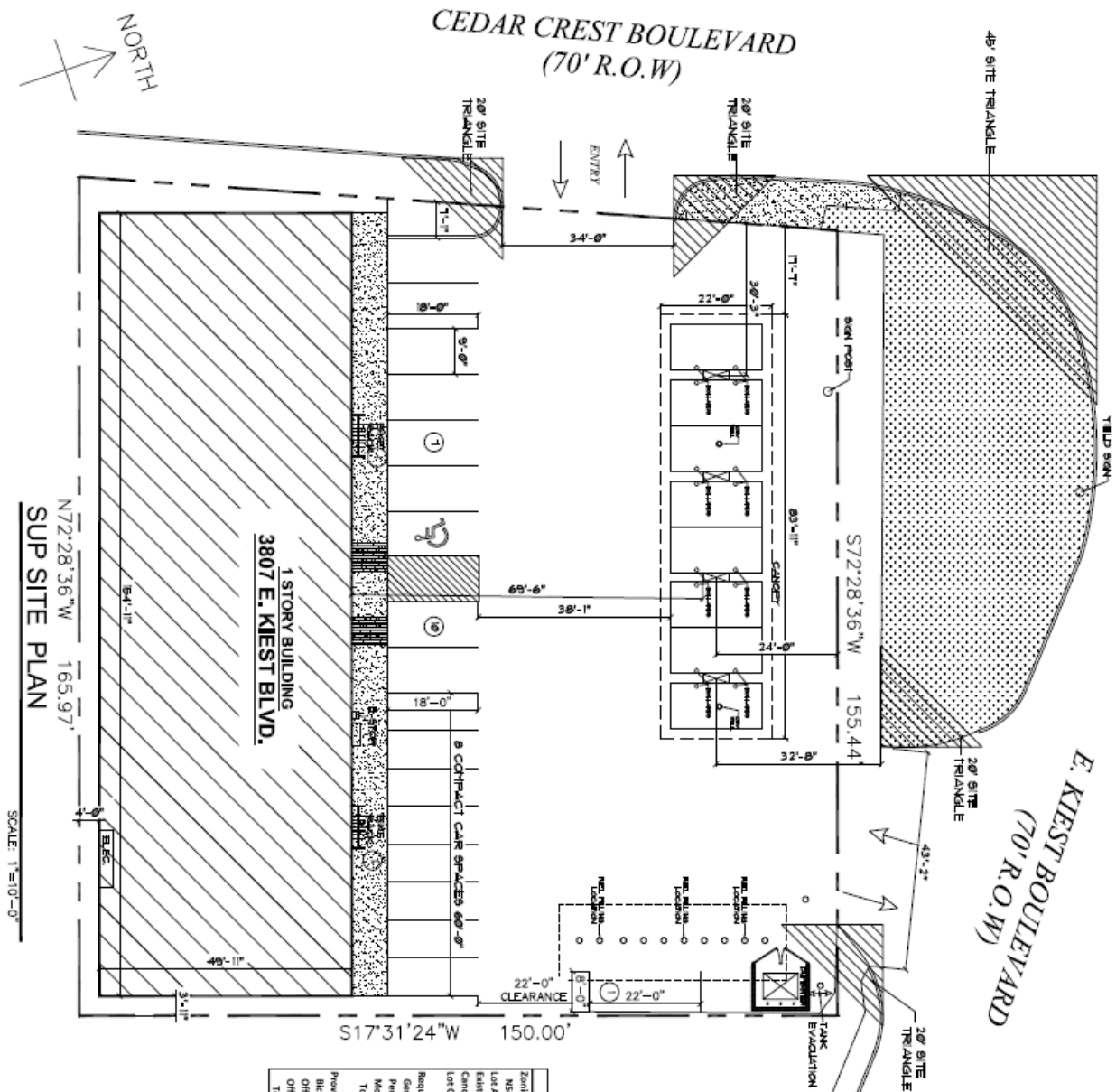
### **AMA Corporation**

Abdel Rizek Hijaz, President  
Anwar Haifa, Vice-President  
Mohammed Hijaz, Secretary



**CPC RECOMMENDED  
SUP CONDITIONS  
SUP No. 2415**

1. USE: The only use authorized by this specific use permit is a motor vehicle fueling station.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.
3. TIME LIMIT: This specific use permit expires on ~~March 12, 2023~~ (five years from the passage of this ordinance) but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. 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.

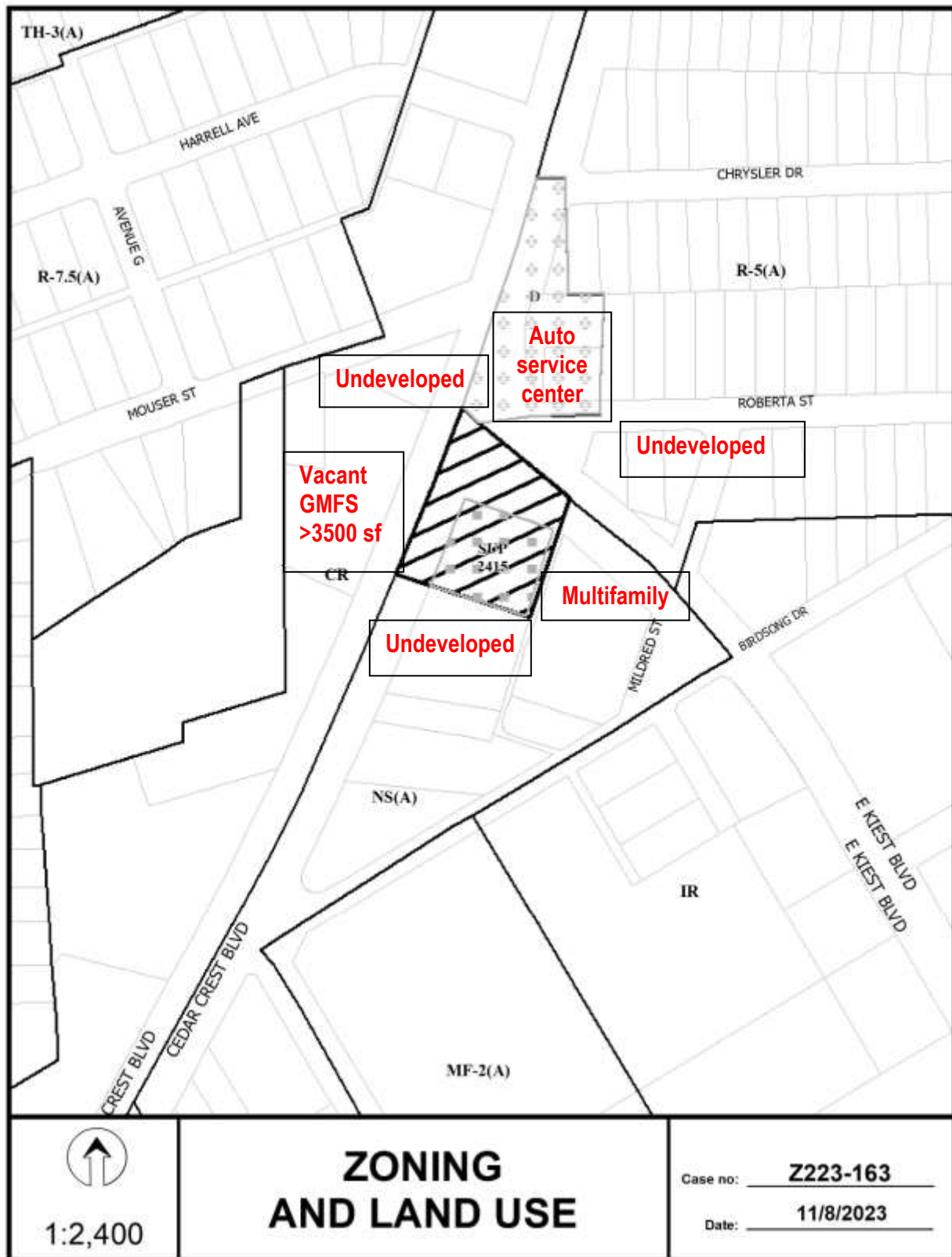


	Site Areas
<b>Zoning:</b> MSA with SLP for a Motor Vehicle Fueling Station Lot Area Existing 1-Story Structure Cemex Coverage Lot Coverage	24,133 SF 7779 SF 1865 SF 40%
<b>Required Parking:</b> General Merchandise Personal Service Use Motor Vehicle Fueling Station Total Required Parking	28 Spaces 11 Spaces 2 Spaces 41 Spaces
<b>Provided Parking:</b> Bicycle Parking: Rack of 6 Off-Street Parking (On-site) Off-Street Parking with Parking Agreement Total Provided Parking	2 spaces 18 Spaces 21 Spaces 41 Spaces







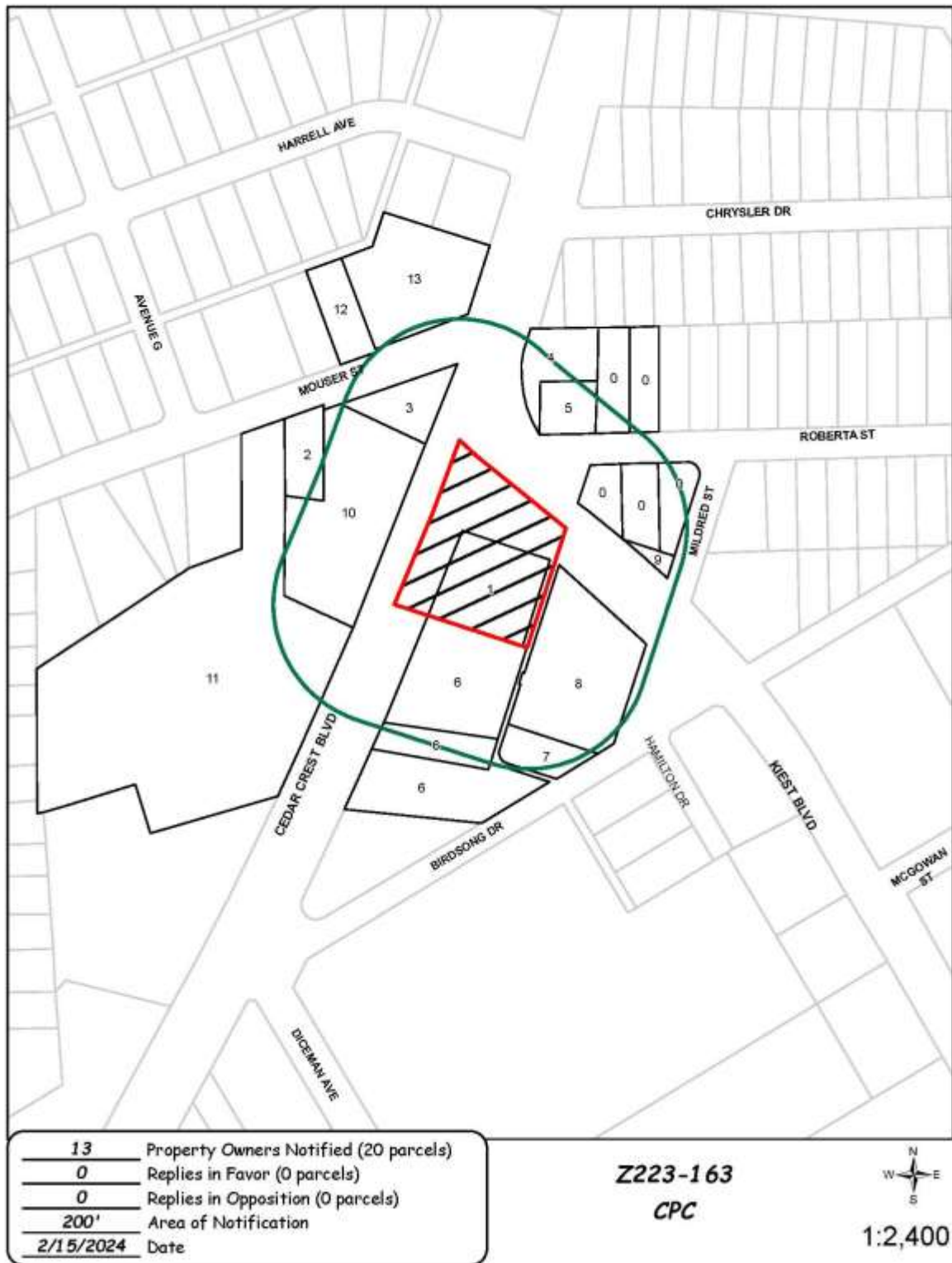




## Market Value Analysis

13

# CPC RESPONSES



Z223-163(JM)

02/14/2024

## ***Reply List of Property Owners***

**Z223-163**

***13 Property Owners Notified***

***0 Property Owners in Favor***

***0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	3801 E Kiest Blvd	A M A CORPORATION
	2	2214 Mouser St	TURNER LOUISE
	3	2697 CEDAR CREST BLVD	EBRAHIMI ALI
	4	2722 CEDAR CREST BLVD	Y & F PROPERTIES LLC
	5	2710 CEDAR CREST BLVD	WEBB TOMMY
	6	2660 CEDAR CREST BLVD	CITY OF HOPE PROJECT
	7	2615 BIRDSONG DR	MARCEY CONSTRUCTION COMPANY LLC
	8	3811 E Kiest Blvd	KIEST APTS LLC
	9	1015 MILDRED ST	GILLIAM MARK D
	10	2683 CEDAR CREST BLVD	A M A CORPORATION
	11	2653 CEDAR CREST BLVD	Taxpayer at
	12	2223 Mouser St	BRIONES CHER DANCER
	13	2303 Mouser St	SOUTHERN CROWN INC





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 24-1239  
Z10.

**Item #:**

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

### SUBJECT

A public hearing to receive comments regarding an application for an MU-1 Mixed Use District on property zoned an R-10(A) Single Family District, on the northeast line of Seagoville Road, southeast of Ravenview Road

Recommendation of Staff: Approval

Recommendation of CPC: Denial without prejudice

Z223-195(AU)

Note: This item was deferred by the City Council before opening public hearings on December 13, 2023, February 14, 2024, and March 27, 2024, and is scheduled for consideration on May 22, 2024.

**FILE NUMBER:** Z223-195(AU) **DATE FILED:** February 3, 2023  
**LOCATION:** Northeast line of Seagoville Road, southeast of Ravenview Road  
**COUNCIL DISTRICT:** 8  
**SIZE OF REQUEST:** Approx. 3.5 Acres **CENSUS TRACT:** 48113017101

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**OWNER/APPLICANT:** RSJ Developments LLC

**REPRESENTATIVE:** Erick Cortez

**REQUEST:** An application for an MU-1 Mixed Use District on property zoned an R-10(A) Single Family District.

**SUMMARY:** The applicant proposes to develop the site with a combination of residential and retail uses under the regulations of MU-1 zoning district.

**CPC RECOMMENDATION:** **Denial without prejudice.**

**STAFF RECOMMENDATION:** **Approval.**

**R-10(A) Single Family Residential District**

[https://codelibrary.amlegal.com/codes/dallas/latest/dallas\\_tx/0-0-0-75376](https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-75376)

**MU-1(A) Mixed Use District**

[https://codelibrary.amlegal.com/codes/dallas/latest/dallas\\_tx/0-0-0-78645](https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-78645)

## BACKGROUND INFORMATION

- The area of request, approximately 3.5 acres, is currently developed with a 1,221-square-foot house, one story in height, built in 1948 per DCAD records, with appurtenances.
- The purpose of the request is to develop the property with a mix of housing types and retail under the regulations of MU-1 Mixed Use zoning district.

### Zoning History

There have been no zoning change requests in the surrounding area in the past five years.

### Thoroughfares/Streets

Thoroughfare/Street	Type	Existing ROW	Required ROW
Seagoville Road	Minor Arterial	80'	80' Bike Plan

### Traffic

The Engineering Division of the Transportation Department has reviewed the request and determined that it 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 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is meeting the following goals and policies:

#### **LAND USE ELEMENT**

##### **GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS**

**Policy 1.3.1** Create housing opportunities throughout Dallas.

#### **URBAN DESIGN ELEMENT**

##### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY**

**Policy 5.1.3** Encourage complementary building height, scale, design, and character.

##### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.

## **Area Plan**

### **West Kleberg Community Plan**

The *West Kleberg Community Plan* was adopted by the City Council in April 2007 outlining several goals and policies which can serve as a more detailed framework for assisting in evaluating the applicant's request.

#### **Vision Statement**

To reflect "Old Kleberg's" historical heritage, to promote a strong rural atmosphere, to allow for future growth with sensitivity to future amenities and infrastructure of a modern urban environment.

The motto "country living in the city" reverberated throughout the course of the land use study. Citizens within this community share a strong sense of place and a connection to its former identity as the small town of Kleberg, TX.

#### **Goals**

##### **Land Use and Zoning:**

Protect the rural character of the community by encouraging commercial development along the commercial corridors.

**Future Policies:** Strongly encourage Residential Adjacency Review (RAR) and require buffering to minimize impact when commercial uses locate within 10 feet of residential neighborhoods.

##### **Economic Development:**

Economic development that encourages business retention and attracts new "neighborhood serving" business uses to the community.

**Future Policies:** Encourage new neighborhood-serving uses to locate along the Hwy.175, Kleberg Rd., Belt Line Rd. and Seagoville Rd. corridors.

##### **Housing:**

Encourage low to medium density housing to meet varied income levels.

While the Plan is focused on the protection of the rural character of the area, it also acknowledges the upcoming development and makes recommendation for the area's corridors calling for services to support the community's neighborhoods-based needs. Considering the location of the area of request on Seagoville Road, one of the area's thoroughfares, the proposal is meeting the Plan's overall vision.

**Land Use**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-10(A) Single Family	Single Family Home
<b>North</b>	R-10(A) Single Family	Single Family Home
<b>East</b>	R-10(A) Single Family	Single Family Home
<b>South</b>	R-10(A) Single Family	Single Family Home
<b>West</b>	NS(A) Neighborhood Service with D-1 Liquor Control Overlay	Auto-related Uses

**Land Use Compatibility**

The subject property is currently occupied by a single-family home with appurtenances. Properties to the north, east, and south are occupied with large-lot single family homes. Properties to west, across Seagoville Road, include auto-retail uses.

The applicant is intending to develop the site with approximately 40 multifamily units in a different combination of types, multiple units in one building or individual units attached, and an approximately 3,600 square-foot retail building facing Seagoville Road.

**Land uses Comparison Table****LEGEND**

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200 as applicable

<b>Land Uses</b>	<b>R-10(A)</b>	<b>MU-1(A)</b>
<b>(A) <u>Agricultural uses</u></b>		
Crop production	•	•
<b>(B) <u>Commercial and business service uses</u></b>		
Catering service		•
Custom business services		•
Electronics service center		•
Labor hall.		S
Medical or scientific laboratory.		S
<b>(C) <u>Industrial uses</u></b>		
Gas drilling and production.	S	S
Temporary concrete or asphalt batching plant.	S	S
<b>(D) <u>Institutional and community service uses</u></b>		
Adult day care facility.	S	•

Land Uses	R-10(A)	MU-1(A)
Cemetery or mausoleum.	S	S
Child-care facility.	S	•
Church.	•	•
College, university or seminary.	S	•
Community service center.	S	S
Convalescent and nursing homes, hospice care, and related institutions.		R
Convent or monastery.	S	•
Foster home.	S	•
Hospital		S
Library, art gallery, or museum.	S	•
Public or private school.	S	NA
Open-enrollment charter school or private school	NA	S
Public school	NA	R
<b>(E) Lodging uses</b>		
Extended stay hotel or motel.		S
Hotel or motel.		S/R ★
Short Term Rental		•
<b>(F) Miscellaneous uses</b>		
Attached non-premise sign		S
Carnival or circus (temporary). <i>[By special authorization of the building official.]</i>	★	★
Temporary construction or sales office.	•	•
<b>(G) Office uses</b>		
Financial institution without drive-in window		•
Financial institution with drive-in window		D
Medical clinic or ambulatory surgical center		•
Office		•
<b>(H) Recreation uses</b>		
Country club with private membership.	S	S
Private recreation center, club, or area.	S	S
Public park, playground, or golf course	•	•
<b>(I) Residential uses</b>		
College dormitory, fraternity, or sorority house		•
Duplex		•
Group residential facility. <i>[See Section 51A-4.209(3).]</i>		•
Handicapped group dwelling unit. <i>[See Section 51A-4.209(3.1).]</i>	★	
Multifamily		•
Residential hotel		•
Retirement housing		•
Single family	•	•
<b>(J) Retail and personal service uses</b>		
Alcoholic beverage establishments. <i>[See Section 51A-4.210(b)(4).]</i>		
Animal shelter or clinic without outside runs.		R
Auto service center.		R
Business school.		•
Car wash.		R

Land Uses	R-10(A)	MU-1(A)
Commercial amusement (inside). <i>[SUP may be required. See Section 51A-4.210(b)(7)(B).]</i>		S ★
Commercial amusement (outside).		S
Commercial parking lot or garage.		R
Dry cleaning or laundry store.		•
Furniture store.		•
General merchandise or food store 3,500 square feet or less.		•
General merchandise or food store greater than 3,500 square feet.		•
General merchandise or food store 100,000 square feet or more.		S
Mortuary, funeral home, or commercial wedding chapel.		•
Motor vehicle fueling station.		•
Nursery, garden shop, or plant sales.		•
Paraphernalia shop.		S
Personal service uses.		•
Restaurant without drive-in or drive-through service.		R
Restaurant with drive-in or drive-through service.		D
Swap or buy shop.		S
Temporary retail use.		•
Theater.		•
<b>(K) Transportation uses</b>		
Private street or alley.	S	
Transit passenger shelter. <i>[See Section 51A-4.211.]</i>	•	•
Transit passenger station or transfer center.	S	S or CC Resolution
<b>(L) Utility and public service uses</b>		
Commercial radio or television transmitting station		•
Electrical substation.	S	•
Local utilities. <i>[SUP or RAR may be required. See Section 51A-4.212(4).]</i>	S/R	S/R
Police or fire station.	S	•
Post office.		•
Radio, television, or microwave tower.	S	S
Tower/antenna for cellular communication. <i>[See Section 51A-4.212 (10.1).]</i>	★	★
Utility or government installation other than listed.	S	S
<b>(M) Wholesale, distribution, and storage uses</b>		
Mini-warehouse		S
Recycling buy-back center <i>[See Section 51A-4.213 (11).]</i>		★
Recycling collection center. <i>[See Section 51A-4.213 (11.1).]</i>		★
Recycling drop-off container. <i>[See Section 51A-4.213 (11.2).]</i>	★	★
Recycling drop-off for special occasion collection. <i>[See Section 51A-4.213 (11.3).]</i>	★	★



The proposed MU-1 Mixed Use District allows significantly more diverse uses than the existing R-10(A). The proposed change would have direct residential adjacency to multiple properties, but it is also a continuation of the non-residential, commercial zoning district at the corner of Seagoville Road and Ravenview Road. Staff appreciates the location along a thoroughfare and adjacent to the NS(A) Neighborhood Service district as an appropriate mixed-use buffer to the residential districts on the southeast of the area of request.

### **Development Standards Comparison Table**

<b>Development Standards</b>	<b>R-10(A)</b>	<b>MU-1(A)</b>
<b>Front Yard</b>	30'	15' Urban form setback: 20' for above 45' <i>Blockface continuity applies</i>
<b>Side Yard</b>	SF: 6' Other str: 10'	20' when adjacent to R, D, TH, MF Other: No min
<b>Rear Yard</b>	SF: 6' Other str: 15'	Tower spacing: 1' for each 2' above 45' to a max of 30'
<b>Dwelling Unit Density (DU/acre)</b>	No max	MUP: 15 → 25 <i>MIHDB*</i>
<b>FAR</b>	No max	MUP: 0.8 or 0.4 → 0.6 or 1.1
<b>Height</b>	30'	MUP: 80' → 120' <i>RPS applies</i>
<b>Lot Coverage</b>	Residential: 45% Other: 25%	80%
<b>Lot Size</b>	10,000 sf	No min
<b>Stories</b>	No max	90' = 7 stories 120' = 9 stories
<b>Additional Provisions</b>	Not more than one electrical utility service, and metered by not more than one electrical meter	DIR if trip generation exceeds threshold Visual Intrusion

\* When applicable, mixed-income housing bonus may be available for qualifying projects, as follows:

<b>MU-1</b>	<b>Set aside minimums (% of total residential units reserved in each income band, adjusted annually)</b>	<b>Additional Maximum Unit Density: 51A-4.125(d)(4)(C), plus:</b>
<b>MVA Category D, E, F</b>	5% at Income band 61-80 AMFI	65 per acre
	10% at Income band 61-80 AMFI;	80 per acre
	10% at Income band 61-80 AMFI; and 5% at Income band 81-100 AMFI	105 per acre

For the front yard setback, which will be along Seagoville Road, blockface continuity will apply, meaning the front yard would be 30 feet, the same as R-10(A). Per Sec. 51A-4.401(a)(6), if a blockface is divided by two or more zoning districts, the front yard for the entire blockface must comply with the requirements of the district with the greatest front yard requirement.

The Residential Proximity Slope applicable to this site would be generated by all R-10(A) zoning district adjacent to the property on the north, east, south sides. By a general estimate of maximum height, a narrow portion in the center of the property could reach a building height above 26 feet but not more than approximately 45 feet at peak of the slope; this would allow a bulk height of 30 to 35 feet.

The applicant intends to develop the property with 20 multifamily units. A rough estimation on a maximum number of units is hard to assess based solely on the allowable dwelling unit density, as the totality of development regulations together with the narrow lot configuration will limit the number of dwelling units. Considering the limited development rights due to the adjacency to single family residential zoning districts, like RPS and additional setbacks, staff estimates that the overall building massing will be compatible with the surrounding allowable building massing.

Considering the location along a thoroughfare, as a continuation of an NS(A) district, and the adjacency to residential districts that will significantly limit the allowable building massing to ensure compatibility in scale and trigger the RAR review to further limit the operation of certain uses, staff supports the applicant's request for an MU-1 Mixed Use district.

### **Landscaping**

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

### **Parking**

Parking must be provided in accordance with the Development Code, for each use accordingly. For a multifamily use, the code requires one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only.

If affordable units are provided, multifamily will be able to use the mixed income housing parking ratio in Sec. 51A-4.1100. This ratio requires a minimum one-half space per dwelling unit, with at least 15 percent of the required parking available for guest parking. This would simply be the *minimum* number of required spaces – the applicant could still provide additional spaces in excess of the required minimum.

### **Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is located within an “F” MVA cluster.

Z223-195(AU)

### **List of Officers**

#### **RSJ Developments LLC**

Ricardo Vega  
Sanjuanita Vega

**CPC Action**  
**October 5, 2023**

**Motion:** It was moved to recommend **denial without prejudice** of an MU-1 Mixed Use District on property zoned an R-10(A) Single Family District, on the northeast line of Seagoville Road, southeast of Ravenview Road.

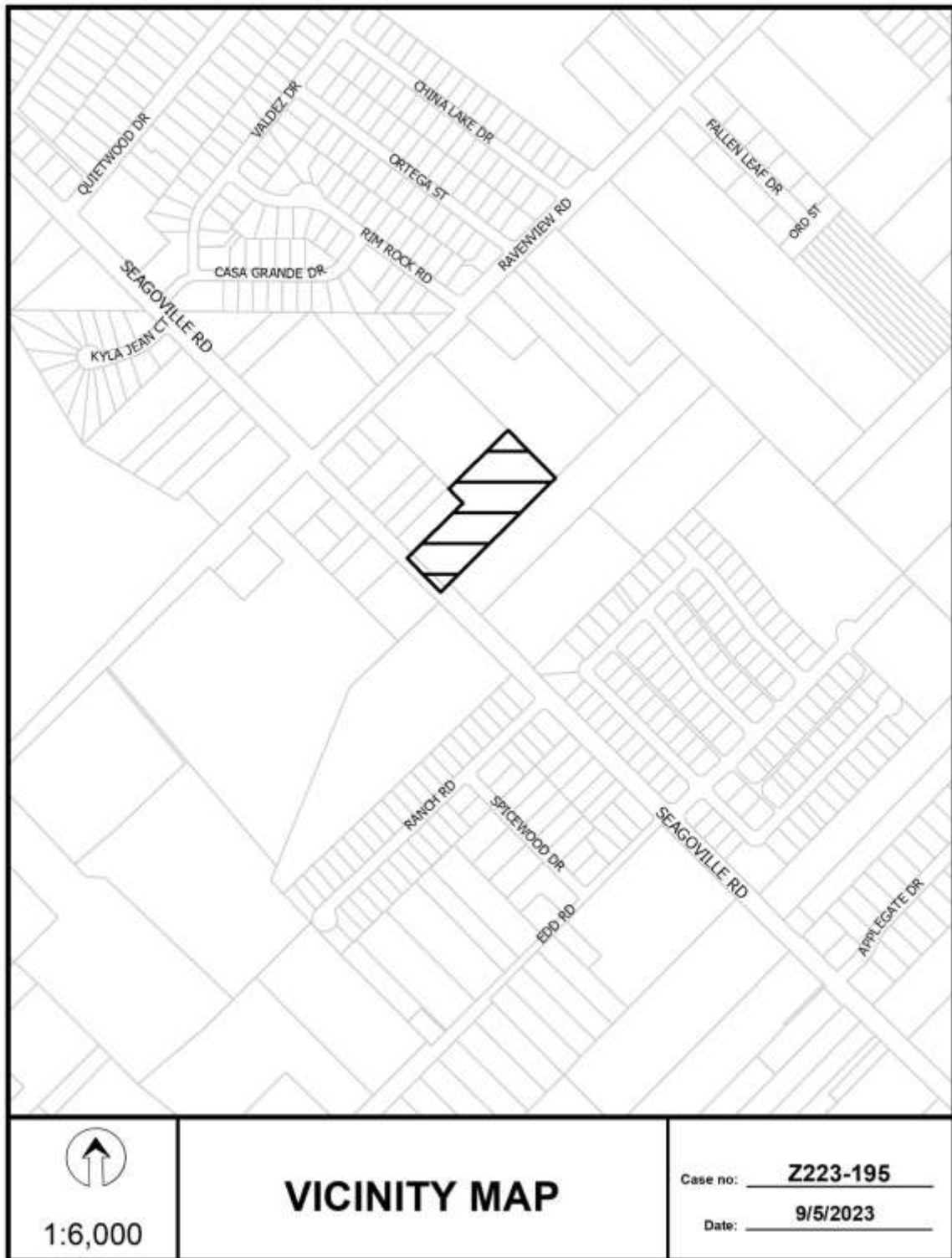
Maker: Blair  
Second: Hampton  
Result: Carried: 11 to 1

For: 11 - Chernock, Hampton, Herbert, Carpenter,  
Wheeler-Reagan, Blair, Jung, Housewright,  
Treadway, Hall, Kingston

Against: 1 - Rubin  
Absent: 3 - Anderson, Shidid, Haqq  
Vacancy: 0

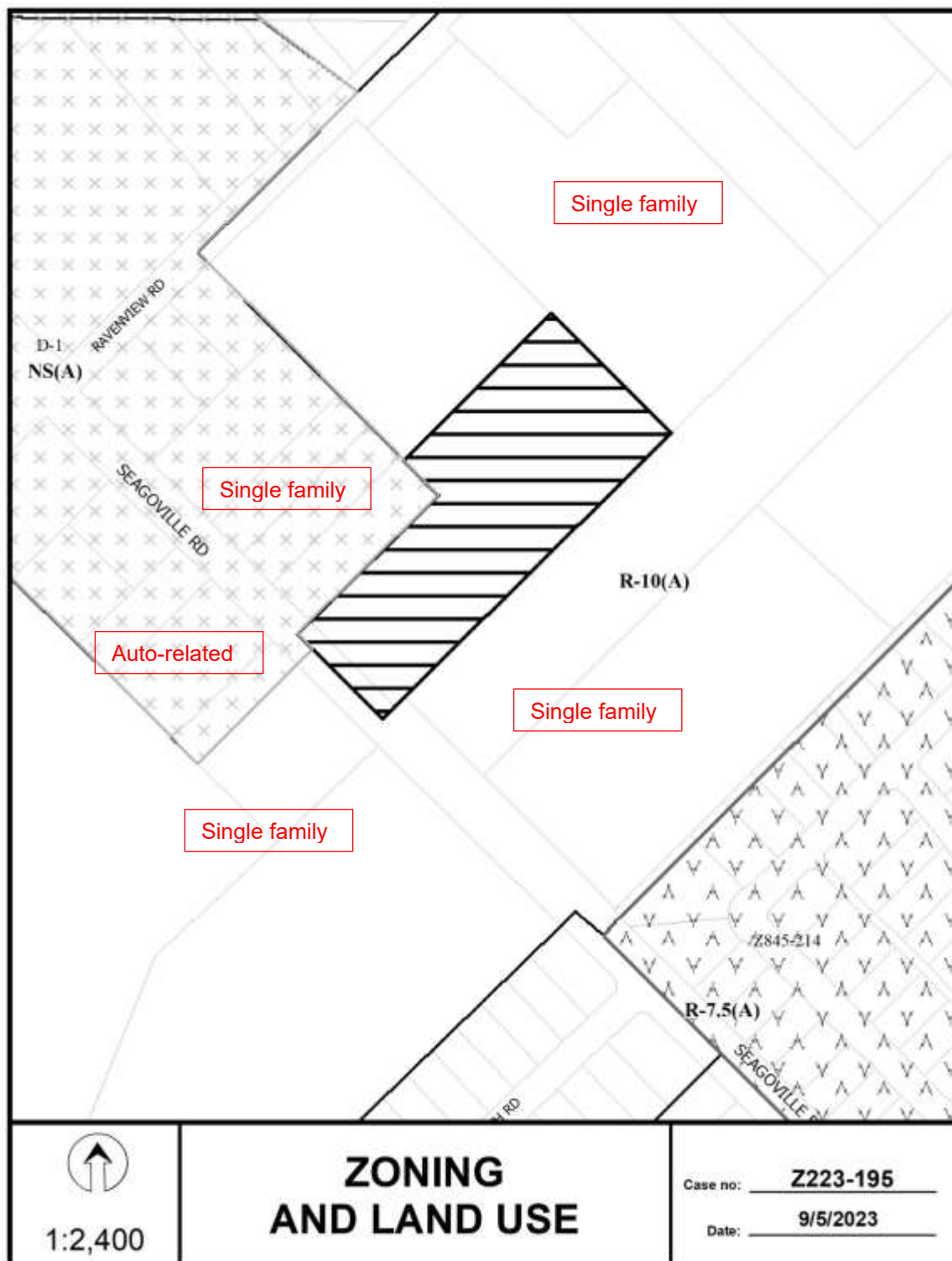
<b>Notices:</b>	Area: 300	Mailed: 18
<b>Replies:</b>	For: 0	Against: 3

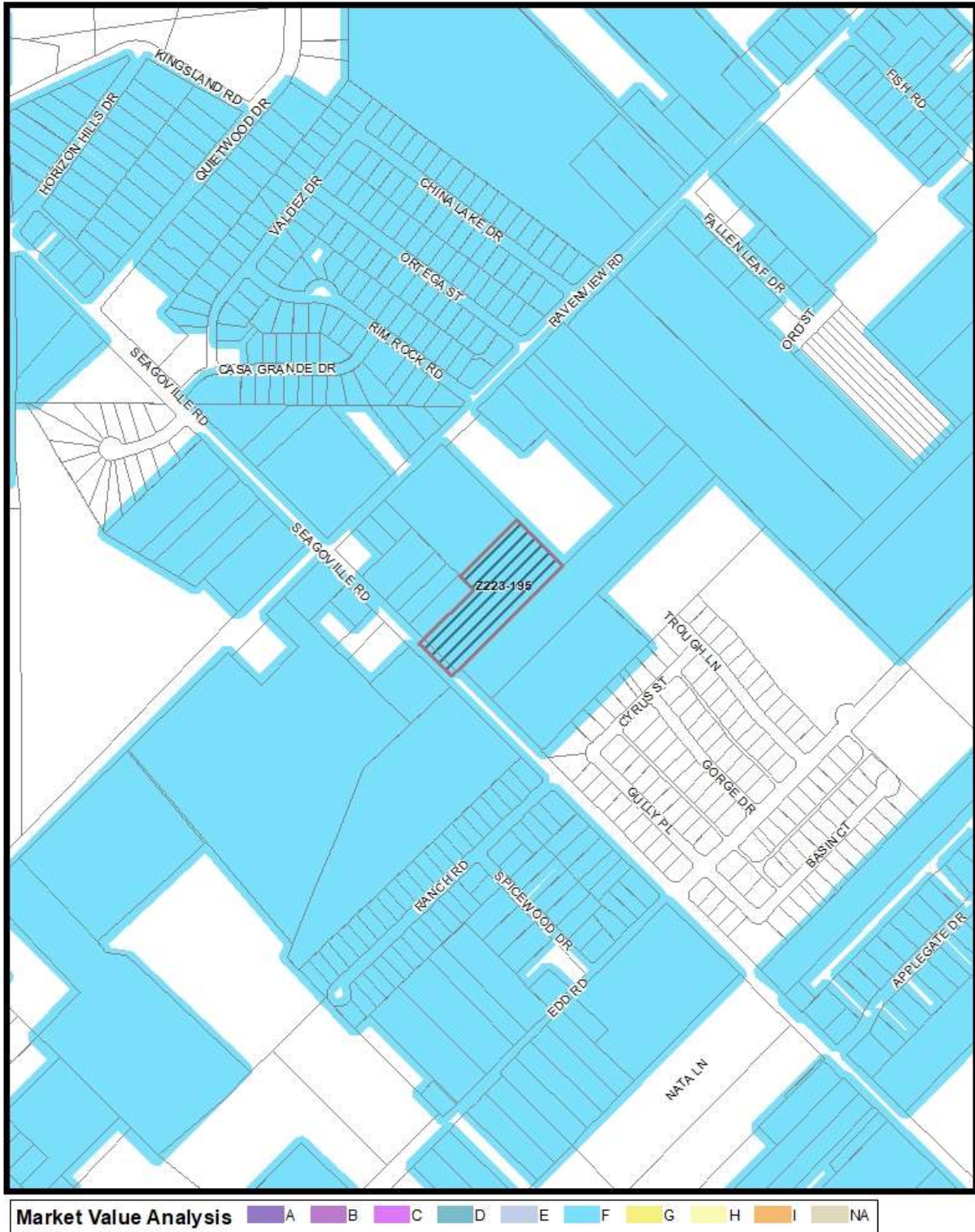
**Speakers:** For: Erick Cortez, Address not given  
Against: None











1:6,000

## Market Value Analysis

Printed Date: 9/5/2023



10/04/2023

***Reply List of Property Owners******Z223-195******18 Property Owners Notified      0 Property Owners in Favor      3 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	14225 SEAGOVILLE RD	GREESON TERRY & DONITA
X	2	14339 SEAGOVILLE RD	Taxpayer at
X	3	14300 SEAGOVILLE RD	PAZ ANTONIO &
	4	14143 SEAGOVILLE RD	LEDESMA PEDRO
X	5	14137 SEAGOVILLE RD	DAVIS EDNA SUE TULLEY ET
	6	14131 SEAGOVILLE RD	CHAVEZ MARCO A &
	7	14125 SEAGOVILLE RD	WILLIAMS MARILYN DIANE ET
	8	12934 RAVENVUE RD	MARTINEZ DANIEL
	9	12954 RAVENVUE RD	WILLIAMS IRA RAY &
	10	13010 RAVENVUE RD	KING MARY ESQUIVEL
	11	12700 RAVENVUE RD	SLAUGHTER PAUL &
	12	14120 SEAGOVILLE RD	VILLAGRANA FEDERICO & MARIA
	13	14130 SEAGOVILLE RD	HAAR JAMES
	14	14210 SEAGOVILLE RD	SNIDER BETTY LOU
	15	14100 SEAGOVILLE RD	BRANCH EUGENE
	16	14124 SEAGOVILLE RD	DOMINGUEZ ZEFERINO NOVA
	17	14340 SEAGOVILLE RD	SANCHEZ JESUS MEDINA &
	18	12958 RAVENVUE RD	TRUITT THOMAS J JR





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 24-1356

**Item #:** Z11.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 4  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an RR Regional Retail District, on the west line of Upton Street, between East Clarendon Drive and Viola Street

Recommendation of Staff: Approval

Recommendation of CPC: Approval

Z223-299(LC)

Note: This item was deferred the City Council at the public hearing on April 10, 2024 and is scheduled for consideration on May 22, 2024.

**FILE NUMBER:** Z223-299(LC) **DATE FILED:** July 11, 2023

**LOCATION:** West line of Upton Street, between East Clarendon Drive and Viola Street

**COUNCIL DISTRICT:** 4

**SIZE OF REQUEST:** 22,216 square feet **CENSUS TRACT:** 48113021000

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**REPRESENTATIVE:** Paul Carden

**OWNER/APPLICANT:** 935 Clarendon LLC

**REQUEST:** An application for an MU-2 Mixed Use District on property zoned an RR Regional Retail District.

**SUMMARY:** The purpose of the request is to allow multifamily on the property.

**STAFF RECOMMENDATION:** Approval.

**CPC RECOMMENDATION:** Approval.

**BACKGROUND INFORMATION:**

- The area of request is currently a vacant lot zoned an RR Regional Retail District, with a lot area of 22,216 square feet (0.51 acres).
- This is a corner lot at an intersection, with frontage on Viola Street, Upton Street and East Clarendon Drive.
- The applicant proposes the property be rezoned to an MU-2 Mixed Use District to allow multifamily on the property.
- To accomplish this, the applicant is requesting a general zoning change.

**Zoning History:**

There has been one zoning case in the area in the last five years.

- **Z223-308:** On July 26, 2023, staff received an application for a Specific Use Permit for a child-care facility on property zoned Tract 2H within Planned Development District No. 388, the Tenth Street Neighborhood Historic District, with H/60 Tenth Street Neighborhood Historic District Overlay, on the northeast corner of South Fleming Avenue and East Clarendon Drive. [held under advisement, until March 21, 2024 by the City Plan Commission]

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Viola Street	Local Street	-
Upton Street	Local Street	-
East Clarendon Drive	Community Collector	60 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards.



**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

**LAND USE ELEMENT**

**GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

**Policy 1.1.4** Capitalize on transit-oriented development opportunities.

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

**GOAL 1.3** PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

**Policy 1.3.1** Create housing opportunities throughout Dallas.

**ECONOMIC ELEMENT**

**GOAL 2.1** PROMOTE BALANCED GROWTH

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

**GOAL 2.5** FOSTER A CITY OF GREAT NEIGHBORHOODS

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**URBAN DESIGN ELEMENT**

**GOAL 5.2** STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

**Policy 5.2.1** Maintain neighborhood scale and character.

## NEIGHBORHOOD PLUS

**POLICY 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

**POLICY 5.2** Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.

### The Dallas Zoo Area Land Use Study:

The *Dallas Zoo Area Land Use Study* was adopted by the City Council in December 2001 and outlines five goals and objectives suggested by the steering committee with an overall goal that focuses on revitalization strategies and policy guidance for future growth and development in this area.

The request complies with the following goals and objectives of the Dallas Zoo Area Land Use Study:

## 2.0 LAND USE AND ZONING

### GOAL 2.2 COMMUNITY IDENTIFIED NEEDS

#### Land Use:

	Zoning	Land Use
Site	RR	Community retail, undeveloped
North	MF-2(A)	Multifamily
South	IM	Industrial retail
East	IM	Industrial retail
West	RR	Community Retail

#### Land Use Compatibility:

The area of request is currently a vacant lot zoned an RR District on the west line of Upton Street, between East Clarendon Drive and Viola Street. The area of request is currently undeveloped.

To the north of the property are multifamily uses, duplex, vacant lots, and single family zoned an MF-2(A) Multifamily District. To the south are vacant warehouses, to the southeast and east of the property are industrial, automotive, office, vacant lots, brewery, and other retail uses zoned an IM Industrial Manufacturing District. To the west of the property are automotive repair, motel, Dallas Zoo, DART Station and retail uses zoned an RR District. The uses to the south, southeast and east of the property seem to be

vacant. With this area being under development, staff finds the applicant's requested MU-2 District and proposed multifamily use to be appropriate and compatible with the surrounding area.

Staff supports the applicant's request and finds the proposed rezoning from an RR District to an MU-2 District to be appropriate for this area that has pre-existing residential uses adjacent to the site. This compatibility is further reflected in the development standards comparison table below.

### Development Standards

Following is a comparison of the development standards of the current RR District and the proposed MU-2 District.

District	Setback		Density	Height	Lot Cvrg	Special Standards
	Front	Side/Rear				
Existing: RR	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion
Proposed: MU-2	15'	20' adjacent to residential OTHER: No Min.	1.6 FAR base 2.0 FAR maximum + bonus for residential	135' 10 stories 180' 14 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion
MU-2 with MIH - 5% at 81-100%*			125 du/ac (No MUP) 150 du/ac (MUP=2) 175 du/ac (MUP=3)	Remove FAR for res		

\* Property is located in an "G" MVA area

To obtain the development bonuses listed above, the applicant would also need to adhere to the design standards for mixed-income housing provided in Chapter 51A. In general, these standards prioritize pedestrians and follow design principles compatible with the City of Dallas Complete Streets program. Development must also follow additional regulations related to fencing, parking location and design, transparency, and ground-floor doorways. Development must also include sidewalks, pedestrian lighting, and open space.

## Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

### LEGEND

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200

	Existing	Proposed
Use	RR	MU-2
<b>AGRICULTURAL USES</b>		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
<b>COMMERCIAL AND BUSINESS SERVICE USES</b>		
Building repair and maintenance shop		•
Bus or rail transit vehicle maintenance or storage facility		•
Catering service		•
Commercial cleaning or laundry plant		•
Custom business services		•
Custom woodworking, furniture construction, or repair		•
Electronics service center		•
Job or lithographic printing		•
Labor hall		S
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory		•
Technical school		•
Tool or equipment rental		•
Vehicle or engine repair or maintenance		•
<b>INDUSTRIAL USES</b>		
Alcoholic beverage manufacturing		S
Gas drilling and production	S	S

Use	RR	MU-2
Gas pipeline compressor station		
Industrial (inside)		
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	S	S
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>		
Adult day care facility	•	•
Cemetery or mausoleum	S	S
Child-care facility	•	•
Church	•	•
College, university, or seminary	S	•
Community service center	S	•
Convalescent and nursing homes, hospice care, and related institutions		•
Convent or monastery	•	•
Foster home		•
Halfway house		S
Hospital		•
Library, art gallery, or museum	•	•
Public or private school	R	S
<b>LODGING USES</b>		
Extended stay hotel or motel		S
Hotel or motel		•
Lodging or boarding house		•
Overnight general purpose shelter		★
<b>MISCELLANEOUS USES</b>		
Carnival or circus (temporary)	★	★
Hazardous waste management facility		
Placement of fill material		
Temporary construction or sales office	•	•
<b>OFFICE USES</b>		
Alternative financial establishment		S
Financial institution without drive-in window	•	•
Financial institution with drive-in window		D

Use	RR	MU-2
Medical clinic or ambulatory surgical center	•	•
Office	•	•
<b>RECREATION USES</b>		
Country club with private membership	•	•
Private recreation center, club, or area	S	•
Public park, playground, or golf course	•	•
<b>RESIDENTIAL USES</b>		
College dormitory, fraternity, or sorority house	S	•
Duplex		•
Group residential facility		★
Handicapped group dwelling unit		★
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		•
Residential hotel		•
Retirement housing		•
Single family		•
<b>RETAIL AND PERSONAL SERVICE USES</b>		
Ambulance service		•
Animal shelter or clinic without outside runs		
Animal shelter or clinic with outside runs		
Auto service center		•
Business school		•
Car wash		
Commercial amusement (inside)		S, ★
Commercial amusement (outside)		•
Commercial motor vehicle parking		
Commercial parking lot or garage		•
Convenience store with drive-through		
Dry cleaning or laundry store	•	•
Furniture store		•
General merchandise or food store 3,500 square feet or less	•	•
General merchandise or food store greater than 3,500 square feet		•
Home improvement center, lumber, brick or building materials sales yard		
Household equipment and appliance repair		•
Liquefied natural gas fueling station		
Motor vehicle fueling station		•
Nursery, garden shop, or plant sales		•

Use	RR	MU-2
Outside sales		•
Paraphernalia shop		
Pawn shop		
Personal service use	•	•
Restaurant without drive-in or drive-through service	R	•
Restaurant with drive-in or drive-through service		S
Surface parking		
Swap or buy shop		S
Taxidermist		•
Temporary retail use		•
Theater		•
Truck stop		
Vehicle display, sales, and service		S
<b>TRANSPORTATION USES</b>		
Airport or landing field		
Commercial bus station and terminal		D
Heliport		S
Helistop		S
Private street or alley		S
Railroad passenger station		•
Railroad yard, roundhouse, or shops		•
STOL (short take-off or landing port)		S
Transit passenger shelter	•	•
Transit passenger station or transfer center	S, ★	•
<b>UTILITY AND PUBLIC SERVICE USES</b>		
Commercial radio or television transmitting station		•
Electrical generating plant		
Electrical substation	S	•
Local utilities	★	★
Police or fire station	S	•
Post office	S	•
Radio, television, or microwave tower	S	•
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		S
Tower/antenna for cellular communication	★	★
Utility or government installation other than listed	S	•
Water treatment plant		S
<b>WHOLESALE, DISTRIBUTION, AND STORAGE USES</b>		
Auto auction		



Use	RR	MU-2
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		D
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini-warehouse		•
Office showroom/warehouse		•
Outside storage		S
Petroleum product storage and wholesale		
Recycling buy-back center		★
Recycling collection center		★
Recycling drop-off container	★	★
Recycling drop-off for special occasion collection	★	★
Sand, gravel, or earth sales and storage		
Trade center		•
Vehicle storage lot		
Warehouse		•

### **Landscaping:**

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

### **Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for multifamily is one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

If the applicant provides affordable units as part of the development, the off-street parking requirement for multifamily can be reduced to a minimum of 0.5 space per dwelling unit, provided that at least 15 percent of the required parking is available for guest parking. This would simply be the *minimum* number of required spaces – the applicant could still provide additional spaces in excess of the required minimum. The applicant would be required to comply with standard parking ratios at permitting.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to target intervention strategies more precisely in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is currently in a “G” MVA area. To the west is an “F” MVA area, and to the south is an “H” MVA area.

Z223-299(LC)

**List of Officers**

935 E Clarendon, LLC

Partners and Principals

Paul Carden, Manager

Mike Geisler, Member

**CPC Action**  
**March 7, 2024**

**Motion:** It was moved to recommend **approval** of an MU-2 Mixed Use District on property zoned an RR Regional Retail District, on the west line of Upton Street, between East Clarendon Drive and Viola Street.

Maker: Forsyth  
Second: Housewright  
Result: Carried: 12 to 0

For: 12 - Chernock, Hampton\*, Herbert, Forsyth, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Sleeper\*,  
Housewright, Haqq\*, Hall

Against: 0  
Absent: 3 - Treadway, Kingston, Rubin  
Vacancy: 0

\*out of the room, shown voting in favor

<b>Notices:</b>	Area: 200	Mailed: 22
<b>Replies:</b>	For: 2	Against: 0

**Speakers:** For: None  
Against: Paul Carden, 2007 Harlandale Ave., Dallas, TX, 75216

**January 18, 2024**

**Motion:** In considering an application for an MU-2 Mixed Use District on property zoned an RR Regional Retail District, on the west line of Upton Street, between East Clarendon Drive and Viola Street, it was moved to **hold** this case under advisement until March 7, 2024.

Maker: Forsyth  
Second: Hampton  
Result: Carried: 13 to 1

For: 13 - Hampton, Herbert, Forsyth, Carpenter,  
Wheeler-Reagan, Blair, Sleeper, Housewright,  
Treadway, Haqq, Hall, Kingston, Rubin

Against: 1 - Chernock  
Absent: 1 - Shidid  
Vacancy: 0

Z223-299(LC)

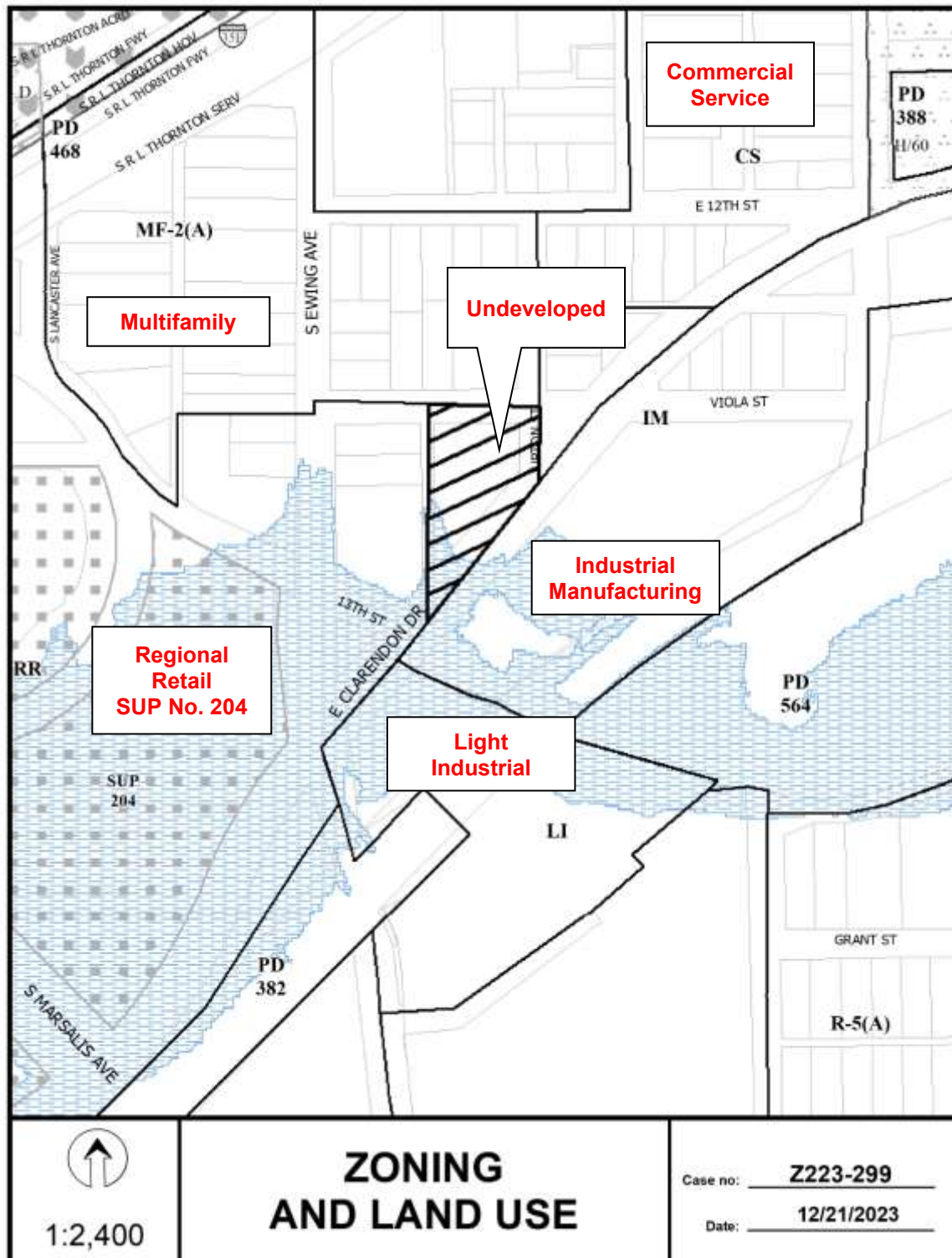
<b>Notices:</b>	Area:	200	Mailed:	22
<b>Replies:</b>	For:	2	Against:	0

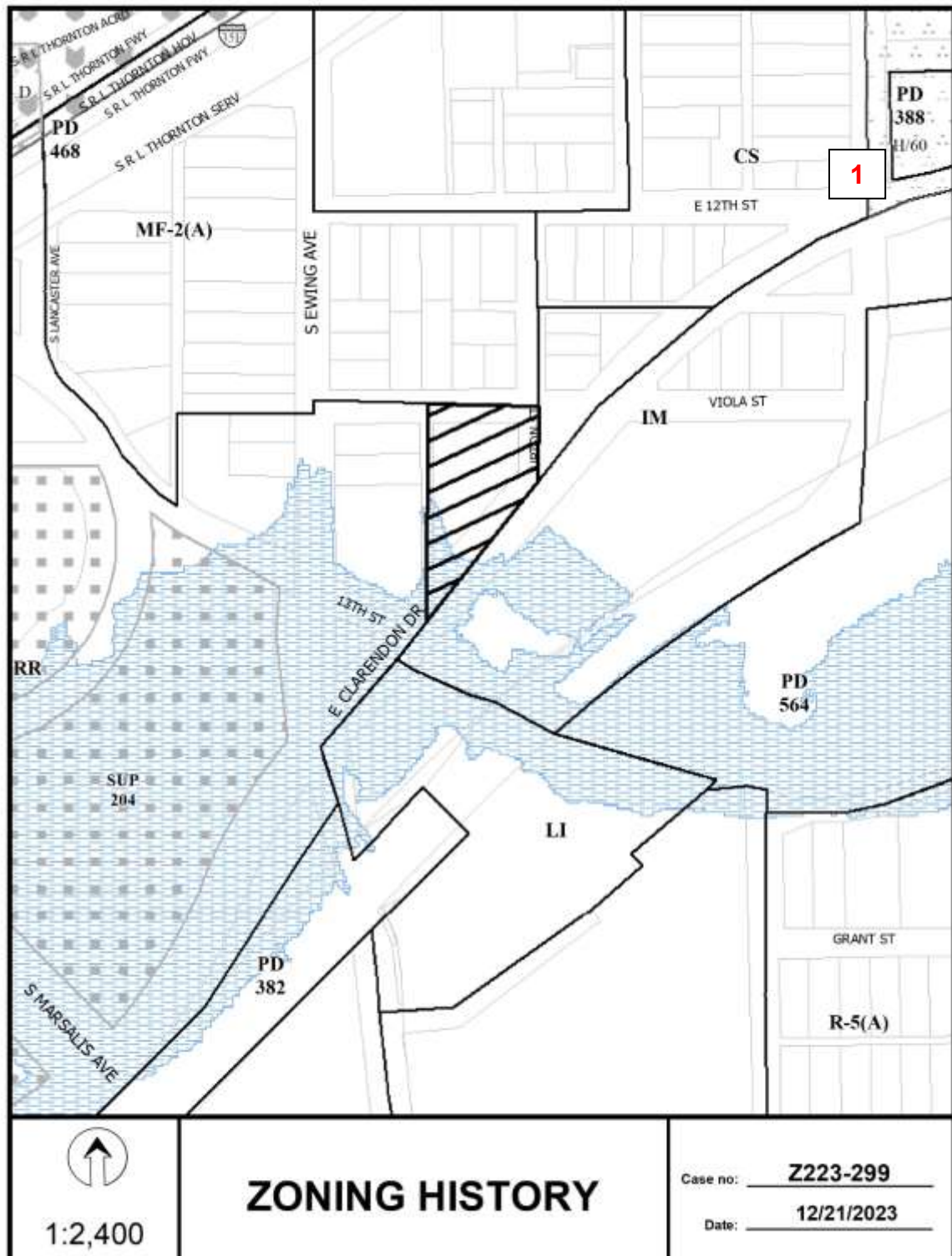
**Speakers:** For: Paul Carden, 2007 Harlandale Ave., Dallas, TX, 75216  
Against: None

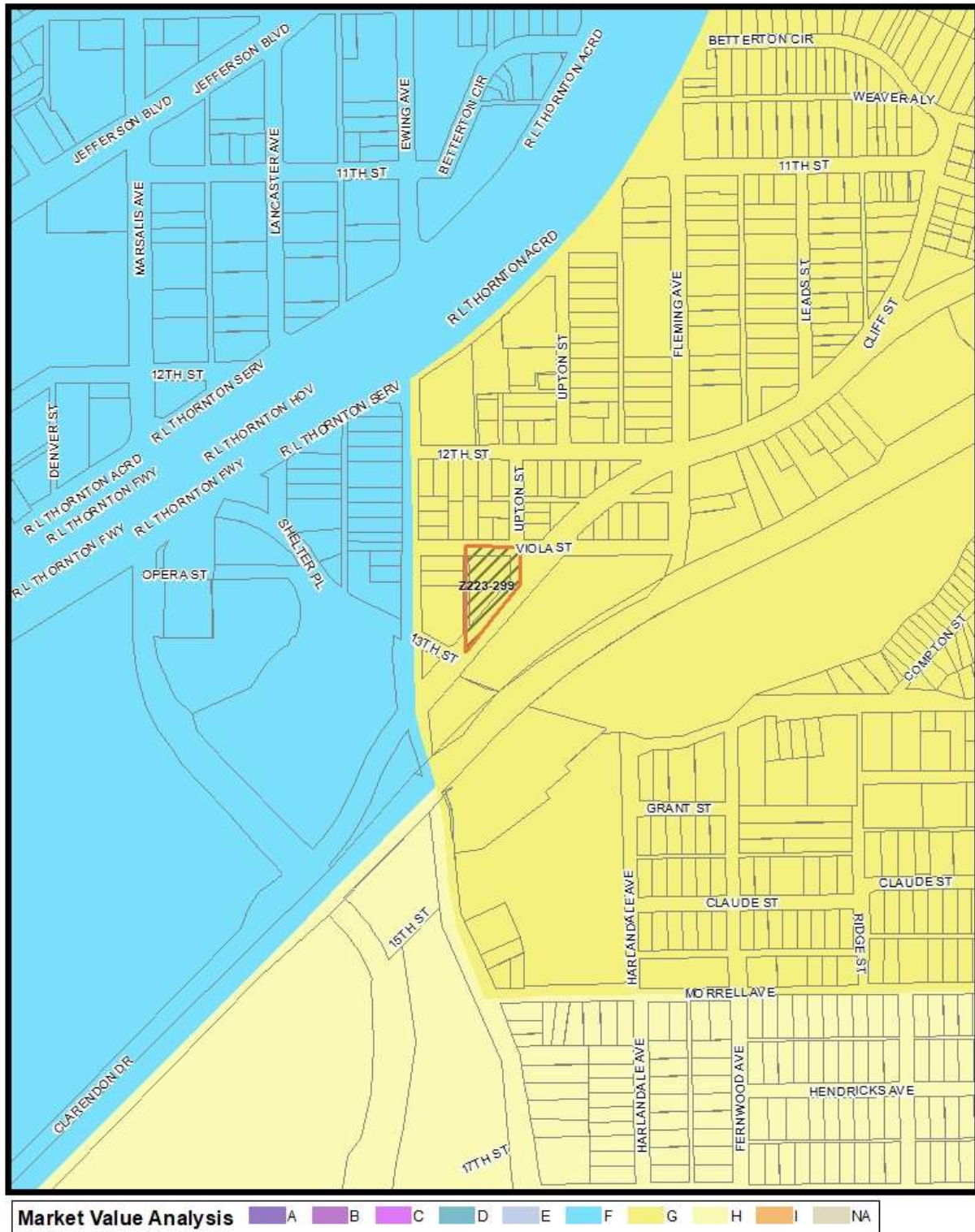
















03/06/2024

***Reply List of Property Owners******Z223-299******22 Property Owners Notified******2 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	935 E CLARENDON DR	935 CLARENDON LLC
	2	806 E 12TH ST	MONROY MARINA
	3	818 E 12TH ST	BARNES JAMES L EST OF & ETAL
	4	820 E 12TH ST	NEW DIMENSION HOMES LLC
	5	823 VIOLA ST	ELIZONDO ROBERT
	6	413 UPTON ST	ARLENES INC
	7	819 VIOLA ST	LOPEZ PATRICIO J
	8	815 VIOLA ST	LOPEZ PATRICK JOSHUA
	9	811 VIOLA ST	CASTILLO CAMERINO
	10	420 S EWING AVE	ROLLERSON BETTY
	11	418 S EWING AVE	Taxpayer at
	12	416 S EWING AVE	VELEZ ISABEL
	13	500 S EWING AVE	Taxpayer at
	14	504 S EWING AVE	Taxpayer at
	15	520 S EWING AVE	KLAST CORP
	16	900 E CLARENDON DR	PULLMOR ENTERPRISES INC
	17	902 E 12TH ST	GETSINGER SUZANNE MARIE
	18	904 E 12TH ST	BMH OAK CLIFF III LLC
O	19	924 VIOLA ST	930 CLARENDON LLC
	20	907 E CLARENDON DR	WOOLEN MATTIE
O	21	911 E CLARENDON DR	WATERS BROTHERS LLP
	22	401 S BUCKNER BLVD	DART



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 24-1162  
PH1.

**Item #:**

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

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

**DEPARTMENT:** Budget and Management Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

A public hearing to receive comments on the FY 2024-25 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

### **BACKGROUND**

Each year, the City of Dallas holds public hearings to provide the residents of Dallas the opportunity to speak on the upcoming year's budget. The hearing will be held at Dallas City Hall on May 22, 2024. Resident input is an important part of the budget development process.

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

On February 28, 2024, the City Council authorized a public hearing to be held on March 27, May 22, and August 28, 2024, by Resolution No. 24-0318.

### **FISCAL INFORMATION**

No cost consideration to the City.







## Agenda Information Sheet

**File #:** 24-1483  
PH2.

**Item #:**

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** May 22, 2024

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

**DEPARTMENT:** Budget and Management Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

A public hearing to receive comments on **(1)** the Proposed FY 2024-25 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds and Fiscal Year (FY) 2023-24 Reprogramming Funds; and **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2024-25 through FY 2028-29 - Financing: No cost consideration to the City

### **BACKGROUND**

Federal regulations require a public hearing on the City's Proposed FY 2024-2025 Consolidated Plan Budget for HUD grant funds, including Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), and FY 2023-24 Reprogramming Funds. Federal regulations also require a public hearing on the new Five-Year Consolidated Plan.

Federal regulations and the City's Citizen Participation Plan also require a public comment period of not less than 30 days and a public hearing to receive comments.

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

The City Council was briefed on the "HUD Consolidated Plan for FY 2024-25 through FY 2028-29" on October 18, 2023.

On November 2, 2023, the Centers for Disease Control and Prevention (CDC) was briefed and provided input on the process for development of the HUD Five-Year Consolidated Plan.

[The City Council was briefed by memorandum regarding this matter on December 8, 2023.](#)

[The Government Performance and Financial Management Committee was briefed by memorandum regarding this matter on January 19, 2024.](#)

On January 24, 2024, the City Council authorized (1) an extension through September 30, 2024 for CDBG Funds in CDBG funded projects that have not met the City's twelve-month obligation or twenty-four-month expenditure requirement; (2) preliminary adoption of Reprogramming Budget No. 1 (Substantial Amendment No. 2) to the FY 2023-24 Action Plan to use unspent CDBG CARES Act Relief Funds for the Emergency Rental Assistance Program; (3) establish a new fund to separate CDBG-DR Funds previously received to comply with HUD rules; and (4) a public hearing to be held on February 28, 2024, to receive comments on the proposed use of funds for Reprogramming Budget No. 1 (Substantial Amendment No. 2) to the FY 2023-24 Action Plan by Resolution No. 24-0164.

The City Council was briefed on the "HUD Five-Year Consolidated Plan for FY 2024-25 through FY 2028-29" on January 31, 2024.

[The Government Performance and Financial Management Committee was briefed by memorandum regarding this matter February 26, 2024.](#)

On February 28, 2024, the City Council authorized (1) rescinding the Community Development Block Grant Contract - Public Facility Improvements Project contract awarded to City Square Arts Opportunity Center, LLC, previously approved on January 21, 2021, by Resolution No. 21-0246, to complete public facility improvements to the Forest Theater located at 1918 Martin Luther King Jr. Boulevard; and (2) the funds to be reprogrammed for other eligible uses during the development of the FY 2024-25 Community Development Block Grant by Resolution No. 24-0316.

On February 28, 2024, the City Council authorized initial support of the approach for development of the new Five-Year Consolidated Plan, covering the period of FY 2027-25 through FY 2028-29 for the four HUD grant funds: CDBG, HOME, ESG, and HOPWA, as prescribed by federal regulations by Resolution No. 24-0317.

The CDC was briefed on the "City Manager's Proposed FY 2024-25 HUD Consolidated Plan Budget and new Five-Year Consolidated Plan", followed by CDC Committees held meetings to review the proposed budget, on March 7, 2024.

On April 4, 2024, the CDC approved the City Manager's proposed budget and new Five-Year Consolidated Plan, with the following amendment: revise the description of the new Drivers of Poverty Program to include childcare.

The City Council was briefed on the City Manager's Proposed FY 2024-25 HUD Consolidated Plan Budget and the new Five-Year Consolidated Plan on April 17, 2024.

The City Council was briefed on the "City Council Discussion and Amendments to the FY 2024-25 HUD Consolidated Plan Budget and new Five-Year Consolidated Plan" on May 1, 2024.

On May 8, 2024, the City Council authorized preliminary adoption of the FY 2024-25 HUD Consolidated Plan Budget, the new Five-Year Consolidated Plan, and a public hearing to receive comments on the proposed use of funds by Resolution No. 24-0655.

**FISCAL INFORMATION**

No cost consideration to the City.





## Agenda Information Sheet

**File #:** 24-1304  
PH3.

**Item #:**

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments concerning the Dallas Tourism Public Improvement District (the District) expansion in accordance with Chapter 372 of the Texas Local Government Code, allowing the City to include property in a hotel-public improvement district (hotel-PID) with the property owner's consent if such property could have been included in the District, when created, without violating the petition thresholds, to provide supplemental public services funded by assessments on Dallas hotels with 100 or more rooms (Qualifying hotels); and, at the close of the public hearing authorize a resolution approving District boundary expansion to include an estimated one additional Qualifying hotel in the District not described in the resolution or petition renewing the District in 2016 and the resolutions approving the 2020, 2022, or 2023 boundary expansions (District expansion) - Financing: This action has no cost consideration to the City (see Fiscal Information)

### **BACKGROUND**

The Public Improvement District Act, of the Texas Local Government Code, Chapter 372 (the Act), allows a city to create a hotel-public improvement district (hotel-PID) and to collect assessments from Qualifying hotel property owners. On June 13, 2012, the Dallas City Council established a hotel-PID named the Dallas Tourism Public Improvement District (the District). The District's boundaries are non-contiguous and include designated Qualifying hotel properties, as approved by City Council when the District was renewed on August 10, 2016, by Resolution No. 16-1250 and expanded on March 25, 2020, by Resolution No. 20-0520, on June 8, 2022, by Resolution No. 22-0897, and on May 24, 2023, by Resolution 23-0740. Qualifying hotel property owners recover the District assessment from hotel guests at a rate of 2.0% of the price of the room nights sold and remit this assessment monthly to the City. The City Controller's Office then forwards the District assessment collections, less an administrative fee retained by the City, to the Dallas Tourism Public Improvement District Corporation (DTPIDC), the District's management entity.

During its regular session, the 87th Texas Legislature enacted Senate Bill 804, which amended Section 372.0121 of the Act to allow the City to add and levy new hotel properties to the boundary of an existing hotel-PID with the property owner's consent if the petition threshold is met. State law requires signed petitions from owners of at least 60.0% of the appraised value of real property liable for assessment and at least 60.0% of the land area of real property or 60.0% of the record owners liable for assessment (e.g., petition threshold).

In accordance with the Act, on February 1, 2024, VisitDallas submitted a consent form signed on behalf of one hotel owner seeking inclusion in the District. The City staff reviewed the consent form and verified that owner of record of Qualifying hotels representing more than 83.8% of the appraised value and 63.3% of the land area of real property in the District liable for assessment have signed the petition or consent form, thereby exceeding the minimum expansion requirements set forth in the Act.

On April 24, 2024, the City Council authorized holding a public hearing to provide a reasonable opportunity for any interested person to speak for or against the District expansion and at the close of the hearing, consider a resolution to approve the District expansion. Notice of the public hearing was published in the Dallas Morning News, a newspaper of general circulation in the City, and mailings were sent to property owners of record in the District. No later than seven days after the City Council authorizes the District's expansion, City staff will file a copy of the authorizing resolution with the Dallas County Clerk's Office in accordance with Section 372.010 of the Act.

No changes will be made to the original Service Plan budget approved by City Council and the original hotels in 2016. Although adding new hotels to the DTPID may increase DTPID's assessment revenues, the total revenue that the DTPID can utilize is limited to the original revenue projections in the DTPID's service plan budget (capped at \$292.7 million assessment collections over 13-year DTPID term spanning October 2016 to September 2029). If, as a result of adding one hotel to the DTPID boundary, the DTPID's collections are expected to exceed the projected DTPID term revenue total, the DTPID would need to apply for an early renewal through a new petition and the City Council approval process.

For the FY 2023-24 Service Plan year, the District Service Plan is outlined as follows:

**(a) Nature of the Services and Improvements.** The purpose of the District will continue to be to enhance services and undertake certain improvements, in particular, special supplemental services relating to District marketing, business recruitment, and promotional activities authorized by the Act to improve and promote the District, including the provision of incentives by contractual agreement with VisitDallas to organizations to encourage them to bring their large and city-wide meetings to Dallas and to fund additional marketing by contractual agreement with VisitDallas to increase hotel stays within the City. The District will continue to supplement and enhance services within the assessment area.

**(b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of District improvements and services is expected to be \$33,689,734.00 in fiscal year (FY) 2024 and decrease to approximately \$25,997,945.00 in FY 2028. The estimated total net assessments collected during the next five-year period is \$137,539,170.00. The District shall incur no bonded indebtedness.

- (c) **Boundaries.** The District boundaries are located wholly within the city of Dallas, Texas. The District boundaries are as shown in **Exhibit A** and shall solely include non-contiguous hotel properties with 100 or more rooms within the city of Dallas as shown on the attached list marked **Exhibit A-1**.
- (d) **Method of Assessment.** The District assessment will be levied on Qualifying hotels located within the District. The proposed services and improvements costs shall be assessed in a manner that results in imposing equal shares of the cost of the services qualifying on similarly benefitted hotels. Under the Act, the apportionment of the cost of the services against property in the District must be based on special benefits accruing to the property because of the services and improvements provided. The total services and improvements costs shall be apportioned at a rate of 2.0% of room-nights sold at Qualifying hotels located within the District until the collective total budget for the current period is reached. Accordingly, those Qualifying hotels that sell more rooms will pay a greater portion of the assessment since those properties benefit more from the District's promotion and marketing services. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the District assessment. The total assessment must be annually reviewed and approved by the Dallas City Council. The future services and improvement costs that are budgeted in the FY 2023-24 Service Plan may be increased in amounts indicated in subsequent Service Plans, beyond the amount shown, subject to the limitations on the assessment per occupied room and the aggregate amount approved in the petition.
- (e) **Apportionment of costs between the District and the Municipality as a Whole.** The District shall continue to pay the cost of the supplemental services described in the Service Plan by assessment against the Qualifying hotels within the District, including City-owned qualifying hotels, such as the Omni Hotel.

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

On June 13, 2012, the City Council authorized the creation of the Tourism Public Improvement District and approval of the Service Plan and management contract by Resolution No. 12-1581.

On August 10, 2016, the City Council authorized the renewal of the Tourism Public Improvement District and approval of the Service Plan and management contract by Resolution No. 16-1250.

On March 25, 2020, pursuant to Section 372.007 of the Act, the City Council authorized the expansion of the Tourism Public Improvement District boundary to include 14 additional hotels by Resolution No. 20-0520.

On June 8, 2022, pursuant to Section 372.005(b-1) of the Act, the City Council authorized the expansion of the Tourism Public Improvement District boundary to include six additional hotels by Resolution No. 22-0897.

On May 24, 2023, pursuant to Section 372.005(b-1) of the Act, the City Council authorized the expansion of the Tourism Public Improvement District boundary to include two additional hotels by



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Resolution No. 23-0740.

[The Economic Development Committee was briefed by memorandum regarding this matter on April 1, 2024.](#)

On April 24, 2024, the City Council authorized a public hearing to be held on May 22, 2024, to receive comments concerning the renewal of the District by Resolution No. 24-0601.

**FISCAL INFORMATION**

This action has no cost consideration to the City. For Qualifying hotel properties, the total cost of the services and improvements to be provided shall be apportioned at a rate of 2.0% of room-nights sold at Qualifying hotels within the District territory until the collective total budget for the current period is reached.

May 22, 2024

**WHEREAS**, the Public Improvement District Assessment Act, codified in Texas Local Government Code, Chapter 372 (the “Act”) allows for a city or county governing body that receives a petition pursuant to Section 372.005 of the Act to establish a public improvement district, including a common characteristic public improvement districts; and

**WHEREAS**, on June 13, 2012, the Dallas City Council (“City Council”) established the Tourism Public Improvement District (the “District”), as a common characteristic public improvement district, in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit on hotel properties within the City, designated the Dallas Tourism Public Improvement District Corporation (“DTPIDC”) as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates, by Resolution No. 12-1581; and

**WHEREAS**, on May 23, 2016, the DTPIDC, which manages the District and represents Dallas hotels within the District, delivered to the City of Dallas a petition to renew the District in accordance the Act, and upon City staff review of the petition, staff has determined that property owners of record representing 89.7% of the appraised value of Dallas hotels with 100 or more rooms (“Qualifying Hotels”), and 63.7% of the land area for Qualifying Hotels executed the petition, meeting the Act’s thresholds to call a public hearing to consider the proposed renewal and expansion after which the City Council authorized renewal of the District; and

**WHEREAS**, on March 25, 2020, pursuant to Section 372.007 of the Act, the City Council authorized the District expansion to include 14 additional hotels, by Resolution No. 20-0520; and

**WHEREAS**, on June 8, 2022, pursuant to Section 372.005(b-1) of the Act, the City Council authorized the expansion of the Tourism Public Improvement District boundary to include six additional hotels, by Resolution No. 22-0897; and

**WHEREAS**, on May 24, 2023, pursuant to Section 372.005(b-1) of the Act, the City Council authorized the expansion of the Tourism Public Improvement District boundary to include two additional hotels, by Resolution No. 23-0740; and

**WHEREAS**, the Act allows the City Council to include and levy additional hotel properties to an existing hotel-PID, with hotel owner’s consent, if such property could have been included in the hotel-PID without violating the petition thresholds set forth in Section 372.005(b-1) of the Act; and

**WHEREAS**, on February 1, 2024, VisitDallas, which manages the District on behalf of the Dallas Tourism Public Improvement District Corporation, delivered to the City of Dallas a consent form signed on behalf of one hotel owner seeking inclusion in the District in accordance with the Act, and upon review, City staff has determined that property owners of record representing 83.8% of the appraised value of Qualifying Hotels, and 63.3% of

May 22, 2024

the land area for Qualifying Hotels executed the original petition or a consent form, thereby exceeding the Act's threshold requirements to call a public hearing to consider the proposed expansion after which the City Council may consider approval of the District expansion; and

**WHEREAS**, on April 24, 2024, the City Council called for a public hearing to be held on May 22, 2024, to hear comments and concerns regarding the renewal of the District and at the close of the public hearing, to consider a resolution to renew the District, by Resolution No. 24-0601; and

**WHEREAS**, pursuant to Section 372.009 of the Act, the City Council must hold a public hearing to consider the proposed expansion of the District to include an estimated one . additional over-100 room Dallas hotel as listed in **Exhibit A-2**, not described in the resolution or petition renewing the District in 2016 or expanding the District's boundaries in 2020, 2022, 2023.

**Now, Therefore,**

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

**SECTION 1.** That pursuant to the requirements of the Act, the City Council, after considering the evidence and testimony presented at the public hearing on May 22, 2024, hereby finds and declares that it is advisable to adopt a resolution expanding the boundaries of the District to include one additional hotel with 100 or more rooms located within the District territory attached hereto as **Exhibit A-2**.

The City Council makes the following findings concerning the Service Plan for the District:

- A. **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit on hotel properties within the City's boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.
- B. **Nature of the Services and Improvements.** The purpose of the District will continue to be to: enhance services; and undertake certain improvements, in particular, special supplemental services relating to District marketing, business recruitment, and promotional activities authorized by the Act to improve and promote the District, including the provision of incentives with VisitDallas to organizations to encourage them to bring their large and city-wide meetings to Dallas and to fund additional marketing by contractual agreement with VisitDallas to increase hotel stays within the City. The District will continue to supplement and enhance services within the assessment area.

**SECTION 1.** (continued)

- C. **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of District improvements and services is expected to be \$33,689,734.00 in fiscal year 2024 and decrease to approximately \$25,997,945.00 in fiscal year 2028. The estimated total net assessments collected during the next five-year period is \$137,539,170.00. The District shall incur no bonded indebtedness.
- D. **Boundaries.** The District boundaries are located wholly within the city of Dallas, Texas. The District boundaries are as shown in **Exhibit A** and shall solely include non-contiguous hotel properties with 100 or more rooms within the city of Dallas as shown on the attached list marked **Exhibit A-1**.
- E. **Method of Assessment.** The District assessment will be levied on Qualifying hotels located within the District. The proposed services and improvements costs shall be assessed in a manner that results in imposing equal shares of the cost of the services qualifying on similarly benefitted hotels. Under the Act, the apportionment of the cost of the services against property in the District must be based on special benefits accruing to the property because of the services and improvements provided. The total services and improvements costs shall be apportioned at a rate of 2.0% of room-nights sold at Qualifying hotels located within the District until the collective total budget for the current period is reached. Accordingly, those Qualifying hotels that sell more rooms will pay a greater portion of the assessment since those properties benefit more from the District's promotion and marketing services. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the District assessment. The total assessment must be annually reviewed and approved by the Dallas City Council. The future services and improvements cost that are budgeted in the FY 2023-24 Service Plan may be increased in amounts indicated in subsequent Service Plans, beyond the amount shown, subject to the limitations on the assessment per occupied room and the aggregate amount approved in the petition.
- F. **Apportionment of costs between the District and the Municipality as a Whole.** The District shall continue to pay the cost of the supplemental services described in the Service Plan by assessment against the Qualifying hotels within the District, including City-owned qualifying hotels, such as the Omni Hotel.

**SECTION 2.** That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

May 22, 2024

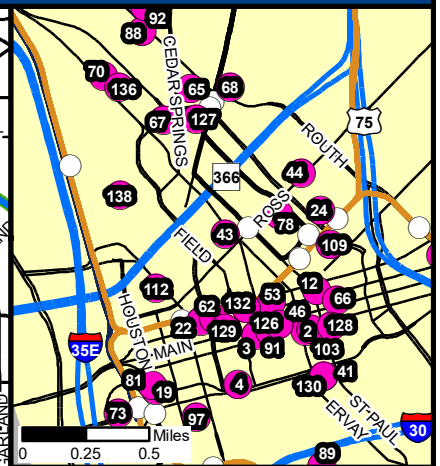
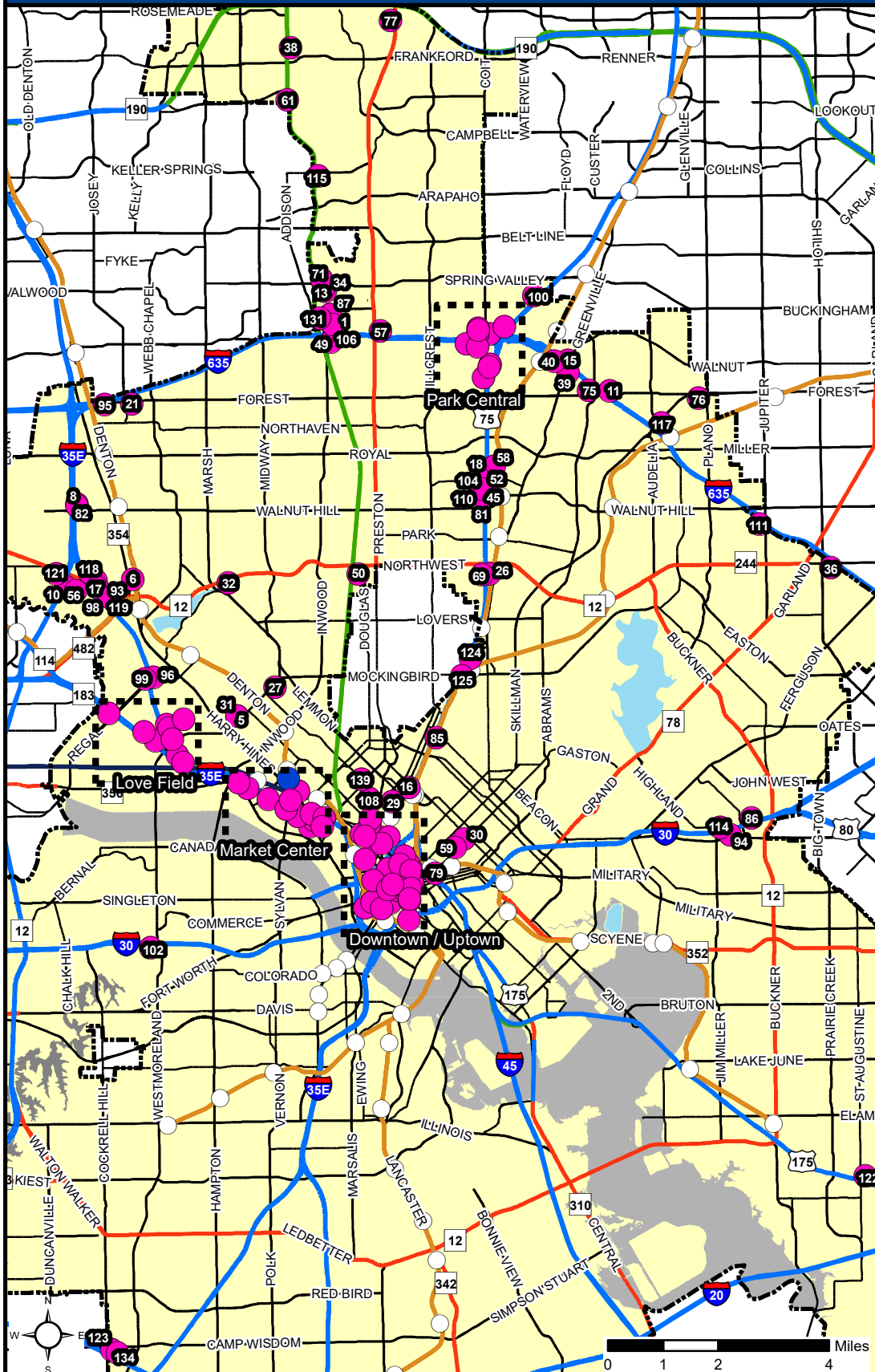
**SECTION 3.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the County tax roll. The notice contained the information required by the Act. The notice was mailed before the 15th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 4.** That the Director of the Office of Economic Development (or his or her designee) is directed to, no later than seven days after the date this resolution takes effect, shall file a copy of this resolution with the Dallas County Clerk's office in accordance with Section 372.010 of the Act.

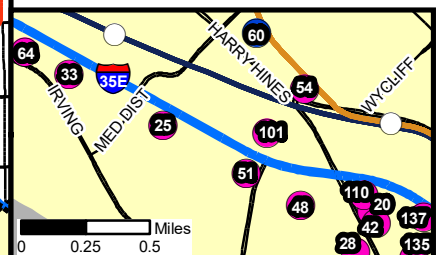
**SECTION 5.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

# Dallas Tourism PID Hotels

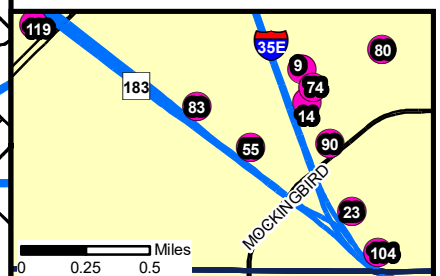
Exhibit A



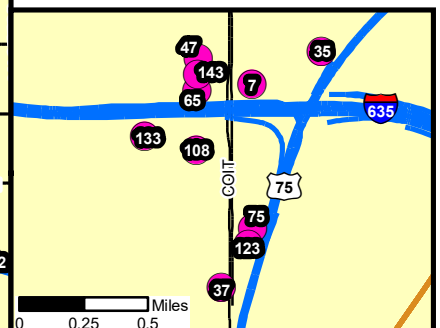
**Downtown / Uptown**



**Market Center**



**Love Field**



**Park Central**

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

- Current - FY23-24 Tourism PID Hotel
- New - FY23-24 Tourism PID Hotel

- Rail Station
- DART Light Rail
- Streetcar/Trolley
- Commuter Rail

- Freeway
- Tollway
- Highway
- Arterial

- Escarpment
- Flood Plain
- Lake
- City of Dallas

<b>Exhibit A1</b> <b>Tourism PID Boundary Expansion</b> <b>Current and Proposed Hotels over 100 Rooms in District Boundaries</b>				
Map	Current Hotel Name	ACC_NUM	ADDRESS	TotalVal
1	AC Hotel Dallas by the Galleria	007019000B0020000	5460 JAMES TEMPLE DR	\$ 21,600,000
2	AC Marriott Dallas Downtown	00000101698000100	1712 COMMERCE ST	\$ 26,500,000
3	Adolphus Hotel	000070000A01A9900	1321 COMMERCE ST	\$ 50,762,500
4	Aloft Dallas Downtown	00000100594000000	1033 YOUNG ST	\$ 16,250,000
5	Aloft Dallas Love Field*	002367000E0010000	2333 W MOCKINGBIRD LN	\$ 22,150,000
6	Anchor Motel	00000520699000000	10230 HARRY HINES BLVD	\$ 2,475,000
7	Best Western Plus Dallas Hotel & Conference Center	007756000E07B0000	8051 LBJ FWY	\$ 6,750,000
8	Best Western Plus Dallas Love Field	006512000301A0000	11069 COMPOSITE DR	\$ 4,924,000
9	Budget Suites of America Empire Central/Dallas	007940000M0020000	8150 N STEMMONS FWY	\$ 14,135,850
10	Budget Suites of America Loop 12/Dallas	006499000B0020000	10222 N WALTON WALKER BLVD	\$ 10,000,000
11	Budget Suites of America N Dallas	008420000A02A0000	9519 FOREST LN	\$ 12,150,000
12	Cambria Hotel	00C7714000HOTL100	1907 ELM ST	\$ 19,242,810
13	Candlewood Suites Dallas Galleria	007005000A01A0000	13939 NOEL RD	\$ 4,700,000
14	Candlewood Suites Dallas Market Center	007940000M0010000	7930 N STEMMONS FWY	\$ 10,715,000
15	Candlewood Suites Dallas Park Central	008408000A01B0000	12525 GREENVILLE AVE	\$ 5,500,000
16	Canopy by Hilton Dallas Uptown	00C154400000HOT00	2901 BLACKBURN	\$ 28,500,000
17	Comfort Suites NW Dallas Near Love Field	00649600020010000	2287 W NORTHWEST HWY	\$ 6,365,000
18	Courtyard by Marriott Dallas Central Expy	0072930C0002B0000	10325 N CENTRAL EXPY	\$ 6,700,000
19	Courtyard by Marriott Dallas Downtown/Reunion Distri	000024002205B0000	310 S HOUSTON ST	\$ 19,000,000
20	Courtyard by Marriott Dallas Medical/Market Center	007896000002A0000	2150 MARKET CENTER BLVD	\$ 12,585,000
21	Courtyard by Marriott Dallas Northwest	0065950B0018A0000	2930 FOREST LN	\$ 5,355,000
22	Crowne Plaza Dallas Downtown	00000100360000000	1015 ELM ST	\$ 18,000,000
23	Crowne Plaza Dallas Market Center	00000778556500000	7050 N STEMMONS FWY	\$ 20,500,000
24	Dallas Marriott Downtown	0000010554700D100	600 N PEARL ST	\$ 48,000,000
25	Dallas Marriott Suites Medical/Market Center	00790500600030000	2493 N STEMMONS FWY	\$ 23,840,000
26	DoubleTree by Hilton Hotel Dallas Campbell Centre	00000366506300000	8250 N CENTRAL EXPY	\$ 27,247,690
27	DoubleTree by Hilton Hotel Dallas Love Field	005719000A0030000	3300 W MOCKINGBIRD LN	\$ 19,300,000
28	DoubleTree by Hilton Hotel Dallas Market Center	00000775675000000	2015 MARKET CENTER BLVD	\$ 20,000,000
29	Dream Dallas	00000136309000000	3207 MCKINNEY AVE	\$ 2,047,630
30	Element Dallas Downtown East	000766000A0030000	4005 GASTON AVE	\$ 9,022,000
31	Element Dallas Love Field	002367000E0010000	2333 W MOCKINGBIRD LN	\$ 22,150,000
32	Embassy Suites by Hilton Dallas Love Field	00C57250000000100	3880 W NORTHWEST HWY	\$ 33,500,000
33	Embassy Suites by Hilton Dallas Market Center	00000776494500000	2727 N STEMMONS FWY	\$ 21,500,000
34	Embassy Suites by Hilton Dallas Near the Galleria	007006000A0020000	14021 NOEL RD	\$ 12,000,000
35	Embassy Suites by Hilton Dallas Park Central	0077560E0016B0000	13131 N CENTRAL EXPY	\$ 15,399,620
36	Executive Inn	0080480D0002A0000	12670 E NORTHWEST HWY	\$ 2,400,000
37	Extended Stay America - Dallas - Coit Rd.	007736000301A0000	12121 COIT RD	\$ 4,200,000
38	Extended Stay America - Dallas - Frankford Rd	COL-000002047964	18470 DALLAS PKWY	\$ 3,551,800
39	Extended Stay America - Dallas - Greenville Ave.	008415000001E0000	12270 GREENVILLE AVE	\$ 5,400,000
40	Extended Stay America - Dallas - N Park Central	008408000C0080000	9019 VANTAGE POINT DR	\$ 3,750,000
41	Fairfield Inn & Suites Dallas Downtown	00000101842000000	500 S ERVAY ST	
42	Fairfield Inn & Suites Dallas Medical Market Center	00789600000040000	2110 MARKET CENTER BLVD	\$ 6,250,000
43	Fairmont Dallas	00000112297000000	1717 N AKARD ST	\$ 58,000,000
44	HALL Arts Hotel	00C0677HOTELUNT00	2323 ROSS AVE	\$ 312,000
45	Hampton Inn & Suites by Hilton Dallas Central/N Park	007292000B0020000	10370 N CENTRAL EXPY	\$ 8,850,000
46	Hampton Inn & Suites Dallas Downtown	00000101704000000	1700 COMMERCE ST	\$ 17,341,650
47	Hawthorn Suites by Wyndham Park Central	0074970C000050100	7880 ALPHA RD	\$ 4,350,000
48	Hilton Anatole	007897000A0010000	2201 N STEMMONS FWY	\$ 88,705,370
49	Hilton Anatole 1	007897000A0010200	2201 N STEMMONS FWY	\$ 102,260,150
49	Hilton Dallas Lincoln Centre	007000000B0010100	5410 LBJ FWY	\$ 33,000,000
50	Hilton Dallas/Park Cities	005625000303A0100	5954 LUTHER LN	\$ 33,000,000
51	Hilton Garden Inn Dallas/Market Center	00000502372000000	2325 N STEMMONS FWY	\$ 16,750,000
52	Hilton Garden Inn Dallas-Central Expy/North Park Area	007292000B0030000	10350 N CENTRAL EXPY	\$ 8,500,000
53	Hilton Garden Inn Downtown	00C54550000000H00	1600 PACIFIC AVE	\$ 22,750,000
54	Holiday Inn Dallas Market Center	00000430081000000	4500 HARRY HINES BLVD	\$ 11,300,000
55	Holiday Inn Express & Suites Dallas Market Ctr - Love Fi	00000778423000000	7800 JOHN W CARPENTER FWY	\$ 8,650,000



<b>Exhibit A1</b> <b>Tourism PID Boundary Expansion</b> <b>Current and Proposed Hotels over 100 Rooms in District Boundaries</b>				
Map	Current Hotel Name	ACC_NUM	ADDRESS	TotalVal
56	Holiday Inn Express & Suites Dallas NW HWY - Love Field	0064990C000011100	2225 CONNECTOR DR	\$ 9,000,000
57	Holiday Inn Express & Suites N Dallas at Preston	0074370A000020000	6055 LBJ FWY	\$ 4,250,000
58	Home 2 Suites - N Park	007291000D01B0000	8180 MIDTOWN BLVD	\$ 9,500,000
59	Home 2 Suites- Baylor	000760000003A9800	3417 GASTON AVE	\$ 13,000,000
*60	Home2 Suites by Hilton Dallas Medical District Lovefield	005745000001E0000	4866 HARRY HINES BLVD	\$ 12,289,390
61	HomeTowne Studios Dallas - N Addison/Tollway	COL-000000153274	17425 DALLAS PKWY	\$ 4,589,860
62	Homewood Suites by Hilton Dallas Downtown	00000100363000000	1025 ELM ST	\$ 13,114,500
63	Homewood Suites by Hilton Dallas Market Center	00000776496000100	2747 N STEMMONS FWY	\$ 11,500,000
64	Hotel Alexis	007497000C02A0100	7815 LBJ FWY	\$ 4,050,000
65	Hotel Crescent Court	000948000201A0000	100 CRESCENT CT	\$ 75,789,350
65	Hotel Crescent Court	000948000201A9900	100 CRESCENT CT	\$ 583,210,650
66	Hotel Indigo Dallas Downtown	00000101944000000	1933 MAIN ST	\$ 13,725,000
67	Hotel Swexan	00000107950000000	2575 MCKINNON ST	\$ 40,200,000
68	Hotel ZaZa Dallas	000548000B03C0000	2332 LEONARD ST	\$ 35,400,000
68	Hotel ZaZa Dallas - Bungalows 1	00000113137000000	2501 THOMAS AVE	\$ 1,300,000
68	Hotel ZaZa Dallas - Bungalows 2	00000113134000000	2505 THOMAS AVE	\$ 1,300,000
69	Hyatt House Dallas/Lincoln Park	005450000P05A0000	8221 N CENTRAL EXPY	\$ 13,000,000
70	Hyatt House Dallas/Uptown	00093100020010000	2914 HARRY HINES BLVD	\$ 13,650,000
71	Hyatt Place Dallas N by the Galleria	007007000B0030000	5229 SPRING VALLEY RD	\$ 8,925,000
72	Hyatt Place Dallas/Park Central	007752000A0050000	12411 N CENTRAL EXPY	\$ 5,670,000
73	Hyatt Regency Dallas	00000108921000000	300 REUNION BLVD	\$ 76,982,500
74	InTown Suites Extended Stay Dallas - Brookriver Dr	007940000M0040000	8201 BROOKRIVER DR	\$ 5,000,000
75	InTown Suites Extended Stay Dallas - Forest Lane	00841200000040000	9355 FOREST LN	\$ 5,050,000
76	InTown Suites Extended Stay Dallas - Garland	008072000C01C0000	10477 METRIC DR	\$ 4,020,000
77	InTown Suites Extended Stay Dallas - Preston Rd	COL-000002053096	19059 PRESTON RD	\$ 4,308,790
78	JW Marriott Dallas Arts District	00C6249000HOTEL00	2000 ROSS AVE	\$ 73,425,000
79	Kimpton Pittman Hotel	000280000A0020100	2550 PACIFIC AVE	\$ 25,500,000
80	Knights Inn Market Center	0079370D000040000	1550 EMPIRE CENTRAL	\$ 3,750,000
81	La Quinta Inn & Suites Dallas Downtown	00000100117000000	302 S HOUSTON ST	\$ 7,500,000
82	La Quinta Inn & Suites Dallas I35 Walnut Hill Lane	006512000301B0000	2421 WALNUT HILL LN	\$ 4,800,000
83	La Quinta Inn & Suites Dallas Love Field	00794000E30020000	8300 JOHN W CARPENTER FWY	\$ 7,375,000
84	La Quinta Inn & Suites Dallas N Central	00000706557000000	10001 N CENTRAL EXPY	\$ 6,200,000
85	La Quinta Inn & Suites Dallas Uptown	00000192565000000	4440 N CENTRAL EXPY	\$ 4,200,000
86	Lamplighter Motel	00000725260000000	9001 E R L THORNTON FWY	\$ 2,950,000
87	Le Meridien Dallas by the Galleria	007017000C01A0000	13402 NOEL RD	\$ 23,000,000
88	Le Meridien Dallas, The Stoneleigh	000943000803C0000	2927 MAPLE AVE	\$ 30,843,850
89	Lorenzo Hotel	00000109564000000	1011 S AKARD ST	\$ 15,800,000
90	Love Field Hotel and Suites	00000778556800000	1241 W MOCKINGBIRD LN	\$ 2,719,650
91	Magnolia Hotel Dallas Downtown	00000101044000000	1401 COMMERCE ST	\$ 27,750,000
92	Marriott Dallas Uptown	000944000904A0000	3031 FAIRMOUNT ST	\$ 53,000,000
93	MCM Elegante Hotel & Suites	0064980A000010100	2320 W NORTHWEST HWY	\$ 6,995,500
94	Motel 6 Dallas - Fair Park #4616	0084740D000030000	8510 E R L THORNTON FWY	\$ 3,725,000
95	Motel 6 Dallas - Galleria #4657	006593000104A9900	2660 FOREST LN	\$ 3,657,200
96	Motel 6 Dallas - Market Center	00000576135000000	1625 REGAL ROW	\$ 4,595,000
97	Omni Dallas Hotel	000045005701A0000	555 S LAMAR ST	\$ 295,132,790
98	OYO Townhouse Dallas Love Field Airport	0064820A000010100	2383 STEMMONS TRL	\$ 4,500,000
99	Ramada by Wyndham Dallas Love Field	00000576129000000	1575 REGAL ROW	\$ 3,200,000
100	Red Roof Inn - Dallas Richardson	00000769000500000	13685 N CENTRAL EXPY	\$ 3,150,000
101	Renaissance Dallas Hotel	006055000C0010000	2222 N STEMMONS FWY	\$ 47,200,000
102	Residence Inn - Canyon	007212000N0010000	3425 CANYON BLUFF BLVD	\$ 10,300,000
103	Residence Inn by Marriott Dallas Downtown	00000101698000100	1712 COMMERCE ST	
104	Residence Inn by Marriott Dallas Market Center	005629000074B0000	6950 N STEMMONS FWY	\$ 7,000,000
105	Residence Inn by Marriott Dallas Park Central	007729000C0020000	7642 LBJ FWY	\$ 7,700,000
106	Residence Inn Dallas by the Galleria	007019000B0020000	5460 JAMES TEMPLE DR	
107	Residence Inn Dallas Central Expy	0072930C0002A0000	10333 N CENTRAL EXPY	\$ 5,780,000
108	Rosewood Mansion on Turtle Creek	001027000A02B0000	2821 TURTLE CREEK BLVD	\$ 59,500,000

<b>Exhibit A1</b> <b>Tourism PID Boundary Expansion</b> <b>Current and Proposed Hotels over 100 Rooms in District Boundaries</b>				
<b>Map</b>	<b>Current Hotel Name</b>	<b>ACC_NUM</b>	<b>ADDRESS</b>	<b>TotalVal</b>
109	Sheraton Dallas Hotel	000001054900000000	2117 LIVE OAK ST	\$ 121,225,250
110	Sheraton Suites Market Center Dallas	007896000000010000	2101 N STEMMONS FWY	\$ 23,250,000
111	Siegel Suites Dallas	007487000B01J0000	11350 LBJ FWY	\$ 4,600,000
112	Springhill Suites by Marriott Dallas Downtown/West End	00020500030010000	1907 N LAMAR ST	\$ 11,750,000
113	Springhill Suites Dallas	007294000025A0000	10111 N CENTRAL EXPY	\$ 7,300,000
114	Stay Express Inn Dallas Fair Park Downtown	00000813125000000	8303 E R L THORNTON FWY	\$ 2,450,000
115	Staybridge Suites Dallas Addison	008707000B0020000	16060 DALLAS PKWY	\$ 12,537,500
116	Sterling Hotel Dallas	00000779041000000	1055 REGAL ROW	\$ 1,760,000
117	Studio 6 Dallas Garland/Neast #5003	008069000C01C0000	9801 ADLETA BLVD	\$ 3,350,000
118	Studio 6 Dallas Love Field	006496000050020000	10326 FINNELL ST	\$ 5,695,000
119	Studio 6 Dallas Northwest #6035	005796000A0020000	2395 STEMMONS TRL	\$ 6,875,000
120	Studio 6 Dallas Richardson/N #5010	007752000A0010000	12301 N CENTRAL EXPY	\$ 5,700,000
121	Super 7 Inn Dallas	006486000703A0000	10335 GARDNER RD	\$ 1,435,000
122	Super 7 Inn Dallas Southeast	00000770132000000	9626 C F HAWN FWY	\$ 1,875,000
123	Super 7 Inn Dallas Southwest	00000654167600000	4220 INDEPENDENCE DR	\$ 2,275,000
124	The Beeman Hotel	005185000101E0000	6070 N CENTRAL EXPY	\$ 28,000,000
125	The Highland Dallas Curio Collection by Hilton	00C4508000HOTEL00	5300 N CENTRAL EXPY	\$ 28,750,000
126	The Joule	000077000004A0100	1530 MAIN ST	\$ 26,550,000
127	The Ritz-Carlton, Dallas	00094800030010100	2121 MCKINNEY AVE	\$ 83,000,000
128	The Statler Dallas Cuero Collection by Hilton	00000101695000000	1914 COMMERCE ST	\$ 92,000,000
129	The Westin Dallas Downtown	00C537200000HTL00	1201 MAIN ST	\$ 40,600,000
130	The Westin Dallas Park Central	00000767319250000	12720 MERIT DR	\$ 40,792,000
131	The Westin Galleria Dallas	0070020000000M200	13340 DALLAS PKWY	\$ 57,188,360
132	Thompson Hotels Dallas	00000100441000000	1401 ELM ST	\$ 205,000,000
133	TownePlace Suites by Marriott Dallas Downtown	00000101842000000	500 S ERVAY ST	\$ 63,227,260
134	Townhouse Suites	00693200030060000	4150 INDEPENDENCE DR	\$ 3,200,000
135	Tru by Hilton Dallas Market Center	00000137743000000	1949 N STEMMONS FWY	\$ 10,400,000
136	Unnamed Hotel @ The Lexi	00000134467000000	2815 N HARWOOD ST	\$ 762,450
137	Virgin Hotel Dallas	007888003605A0000	1445 TURTLE CREEK BLVD	\$ 55,500,000
138	W Dallas - Victory	00C05450000000A00	2440 VICTORY PARK LN	\$ 45,355,370
139	Warwick Melrose Hotel Dallas	001326000101A0000	3015 OAK LAWN AVE	\$ 28,900,000
140	Wyndham Dallas Suites Park Central	0074970C000050000	7800 ALPHA RD	\$ 18,597,090
*Proposed Additional Hotels				

Exhibit A2									
Tourism PID Boundary Expansion									
Proposed Hotels over 100 Rooms in District Boundaries									
ACC_NUM	Current Hotel Name	ADDRESS	CITY	STATE	ZIP	TotalVal	Parcel Area Sq Ft		
005745000001E0000	Home2 Suites by Hilton Dallas Medical District Lovefield	4866 HARRY HINES BLVD	Dallas	TX	75235	\$ 12,289,390	74,832.44		

<div>EXHIBIT B</div> <div>DALLAS TOURISM PUBLIC IMPROVEMENT DISTRICT</div> <div>FINAL SERVICE PLAN FY2024-FY2028</div>					
	FY2024 BUDGET	FY2025 BUDGET	FY2026 BUDGET	FY2027 BUDGET	FY2028 BUDGET
<b>REVENUE</b>					
Reserve	\$12,090,034.00	\$4,671,348.81	\$1,207,068.19	\$371,313.00	\$517,873.90
Net assessment revenue	\$20,692,000.00	\$21,767,000.00	\$24,618,000.00	\$23,388,000.00	\$24,888,000.00
Investment income	\$907,700.00	\$623,514.00	\$605,408.00	\$599,839.00	\$592,071.00
<b>TOTAL REVENUE</b>	<b>\$33,689,734.00</b>	<b>\$27,061,862.81</b>	<b>\$26,430,476.19</b>	<b>\$24,359,152.00</b>	<b>\$25,997,944.90</b>
<b>EXPENDITURES</b>					
Incentives & Sales Efforts	\$18,989,371.00	\$12,937,317.26	\$11,927,016.59	\$10,566,144.58	\$11,346,904.08
Marketing (Promotion/Advertising)	\$9,211,828.00	\$9,086,679.90	\$8,828,192.80	\$8,395,743.65	\$8,918,024.85
Site Visits & Familiarization Tours	\$2,698,740.00	\$2,239,051.40	\$2,522,340.80	\$2,398,783.90	\$2,548,007.10
Event Funding Application Pool	\$1,737,706.00	\$1,679,288.55	\$1,891,755.60	\$1,799,087.93	\$1,911,005.33
Operations/Research/Administration	\$1,052,089.11	\$1,119,525.70	\$1,261,170.40	\$1,199,391.95	\$1,274,003.55
<b>TOTAL EXPENDITURES</b>	<b>\$33,689,734.11</b>	<b>\$27,061,862.81</b>	<b>\$26,430,476.19</b>	<b>\$24,359,152.00</b>	<b>\$25,997,944.90</b>
<b>Incentives &amp; Sales Efforts</b>	Providing sustainable fuel for our city's successful convention and meeting business, DTPID funds Visit Dallas and Dallas Sports Commission incentives and sales programs. Incentives defray costs and provide feasible access to the Kay Bailey Hutchison Convention Center, which allows Dallas to compete with top cities for event business. This empowers engaged partnerships with key industry organizations. The primary objective targets diverse audiences for increased awareness of Dallas as a coveted destination for convention and sporting events. Board-approved commitments for events occurring in future periods are managed by DTPID in compliance with the Texas Public Funds Investment Act.				
<b>Marketing (Promotion/Advertising)</b>	DTPID funds marketing activities that keep Dallas top of mind as a business and leisure travel destination. DTPID's marketing funds combined with Visit Dallas' marketing budget allow for the purchase of print, radio, video, outdoor and digital ad placement in high-propensity markets targeted at consumers and meeting professionals. Funds also allow for contracted marketing services, collateral development, airport welcome signage, event sponsorship and focus group research to test campaigns.				
<b>Site Visits &amp; Familiarization Tours</b>	The excitement and possibilities that exist in Dallas are best experienced firsthand. Key decision-makers in corporate events, trade shows, sports, tourism - as well as members of the media and other influencers - are invited to take part in site visits and familiarization tours (FAMS). These structured experiences include stops at many different landmarks, hotels and restaurants, showcasing the depth and breadth of activities available for any group on its visit to Dallas. Ten percent of DTPID's spending is dedicated to paying non-staff travel and tour expenses to bring these decision-makers to Dallas to highlight everything that makes Dallas the star of the Lone Star State.				
<b>Event Funding Application Pool</b>	More than \$1.5 million per year of the DTPID's funds are approved annually to support local arts and cultural events marketing. Since DTPID's inception in 2012, its event marketing fund has contributed more than \$10 million to over 200 local arts and culture organizations, which have produced more than 600 events supported by this funding. Groups can apply for up to \$25,000 annually to help market their events that will generate at least 30 overnight visits to Dallas.				
<b>Operations/Research/Administration</b>	Research allows for an understanding of who is coming to Dallas, what they are doing while they are here, and demographic information associated with the visitors. In addition, funds facilitate the DTPID annual audit, insurance, and contract services, including an administrative fee paid to Visit Dallas, the City of Dallas Office of Economic Development and the City Controller's Office fees, among others.				



## Agenda Information Sheet

**File #:** 24-1305  
PH4.

**Item #:**

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 10  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Robin Bentley

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### **SUBJECT**

A public hearing to receive comments concerning the renewal of the North Lake Highlands Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, to provide supplemental public services to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing, authorize: **(1)** approval of a resolution renewing the District for a period of ten years, from 2025 to 2034; **(2)** approval of the District's Service Plan for 2025-2034 to provide supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with Lake Highlands Improvement District Corporation, a Texas nonprofit corporation as the management entity for the District - Financing: This action has no cost consideration to the City (see Fiscal Information)

### **BACKGROUND**

On February 1, 2024, Lake Highlands Improvement District Corporation, representing owners of real property located within the District, submitted petitions to the City of Dallas requesting the renewal of the District and approval of the District's Service Plan for a new 10-year term effective January 1, 2025 through December 31, 2034, in accordance with the Act.

City staff reviewed the petitions and verified that owners of record representing 77.8% of the appraised value and 67.6% of the land area of real property in the District liable for assessment had signed the petitions, thereby exceeding the minimum requirements for renewal set in the current City of Dallas Public Improvement District (PID) Policy and the Act. The City's PID Policy requires signed petitions from owners of at least 60.0% of the appraised value of real property liable for assessment and at least 60% of the land area of real property liable for assessment. Section 372.005 of the Act requires signed petitions from owners of at least 50.0% of the appraised value of real property liable for assessment and at least 50.0% of the land area of real property liable for assessment.

On April 24, 2024, the City Council authorized a public hearing for the renewal of the District to be held on May 22, 2024. Notice of the public hearing was published in the Dallas Morning News, a newspaper of general circulation in the City, and mailings were sent to property owners of record in the District. No later than seven days after the City Council authorizes the District's renewal and expansion, the City staff will file a copy of the authorizing resolution with the Dallas County Clerk's Office in accordance with Section 372.010 of the Act.

The City desires, by the calling and holding of such public hearing, to provide a reasonable opportunity for any owner of property located within the District to speak for or against the renewal of the District, the special assessment against each property owner of record of real property and real property improvements, exclusive of right-of-way, to provide funding for the District to provide supplemental services and improvements.

The petition for the District is outlined as follows:

- A. District Name.** The name of the District is North Lake Highlands Public Improvement District.
- B. District Location.** The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on **Exhibit A**.
- C. Nature of the Proposed Services and Improvements.** The purpose of the assessments to be levied in the District is to supplement and enhance services provided to or for the District's benefit including, but not limited to public safety and enhanced security, beautification, recreation, cultural enhancements, custodial and landscaping maintenance, capital improvements, trail improvements, common area improvements permissible under the Act, acquisition and installation of art, business recruitment, and development to promote the area in and around the District, marketing and promotional activities, distinctive lighting and signage, and related expenses incurred in, administering and operating the District as authorized by the Act and the City Council. To the extent of a conflict between the proposed permissible services and improvements referenced in this Petition, the Service Plan, and the Act, the Act shall prevail.
- D. Estimated Cost of the Services and Improvements** During the next ten-year term of the District, the estimated annual cost of services and improvements to be provided by the District is expected to begin at approximately \$1,275,795.00 in 2025 and to end at \$6,582,823.00 in 2034. The total estimated net assessment revenue to be collected during the ten-year period is approximately \$33,117,960.00. The District shall incur no bonded indebtedness. The 10-year budget detailing the estimated cost per year and total estimated costs for the entire term (the "Service Plan") is attached as **Exhibit B**.
- E. Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD").

The net assessment amount for 2025 is proposed to be \$1,275,795.00. The annual assessment rate for 2025 is approximately equal to \$0.12 per \$100.00 valuation. Once levied, this assessment rate shall not increase during the 2025 Service Plan year.

Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation, subject to appropriations set forth in the petition that renewed the District. Any future increase in the assessment rate would also be subject to a public hearing and City Council approval.

- F. Apportionment of Costs Between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property.

The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Tax Code (except under the provisions of Sections 11.24 and 11.28 of the Texas Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from the City real property taxes. Payment of assessments by exempt jurisdictions and entities must be established by contract. Property owned by tax-exempt religious organizations will be exempt from assessment as well as the City rights-of-way, City parks, railroad rights-of-way, and cemeteries. The City of Dallas is not responsible for payment of assessment against City-owned property in the District.

- G. District Management.** The District shall be managed by Lake Highlands Improvement District Corporation (LHIDC), a Texas nonprofit corporation established under the provisions of Section 501(c)(3) of the Internal Revenue Code, or its successors or assigns, as approved by property owners and the City Council. LHIDC will be responsible for the management of the District, development, and recommendation of an annually updated Service Plan, and perform other required responsibilities pursuant to a contract with the City. The City Council will review and approve annually the Service Plan and assessment plan, determine and levy assessments and conduct other functions as required by the Act.

- H. District Dissolution.** The District shall automatically dissolve on December 31, 2034, unless renewed or dissolved through the petition and approval process as provided by the Act. If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

- I. Advisory Body.** An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. At this time, staff is not recommending that an advisory board be appointed but is recommending that the responsibilities for the development and recommendation of the annual Service Plan and other duties of the advisory board contained in the Act be assigned to LHIDC or a successor entity approved by property owners and the City Council.



Following approval, the LHIDC will be contractually required to implement the Petitioned Service Plan in accordance with the Act and the following administrative provisions:

- i. **Service Plan Budget Modifications.** The Petitioned Service Plan covers a period of 10 years, group services and improvements to be provided into program categories ("Program Category"), and the percentage of available funds allocated to each Program Category by LHIDC. As required by the Act, changes to the adopted Annual Service Plan budget category percentages (%), need City Council approval.
- ii. **No Collection of Assessments in Excess of Petitioned Cost Total.** The City has no power to levy and collect assessments within the District in excess of the total cost of services and improvements that property owners agreed to when they signed the District's renewal petition. If appraised property values increase or decrease within the District, the apportionment of the cost among the property owners may change on an annual basis but the cumulative amount of assessment revenue that is generated over the District's term cannot exceed the total cost of services and improvements projected on the Petitioned Service Plan. Therefore, no over-collection of assessments is anticipated over the District's term. If, however, the District's cumulative, net assessment collections will exceed the cumulative assessments budgeted on the Petitioned Service Plan, LHIDC shall: (1) reduce the District's assessment rate in a subsequent year(s) to offset the over-collection, (2) return the assessment funds to the property owners, and/or (3) retain and not expend such additional assessments until a revised petition for an early renewal of the District that includes the additional assessments and increased service levels/costs is signed by the District property owners and approved by City Council, in accordance with the Act and the City's PID Policy.
- iii. **Excess Funds.** The District must identify any unspent assessment funds arising from greater than anticipated collections and/or lower than budgeted costs on the upcoming year's Annual Service Plan as either revenue available for current/future expenditures or return the excess funds to property owners, provided that the District's revenue at any time (inclusive of unspent carry-forward revenue and interest generated from assessments) does not exceed the total cost of services and improvements budgeted on the Petitioned Service Plan. Requests to carry-forward funds in excess of 20% of the District's budgeted collections, LHIDC must explain/justify why the District is carrying such a large fund balance (i.e. future capital improvement project, etc.). At no time shall carryover funds be used for services or improvements that were not approved in the District's Petition. If in the last year of the District's term, there are unspent funds, the City Council reserves the right to adjust the assessment rate to absorb such funds to the extent not otherwise approved by the City Council to be used during the District's ensuing renewal term. In all instances, the City Council shall have final approval as to whether the District and/or LHIDC is permitted to carry over assessments to the following year.

- iv. Expenditure Overruns and Use of Approved Fund Balance/Contingency Reserves.** If annual expenditures will exceed revenues (for example, due to lower than projected collections or greater than projected costs), LHIDC shall take measures to avoid a negative fund balance at year-end, such as: (1) reducing spending among Program Categories in a manner that best serves the interest of District property owners, tenants, and residents, provided that amendments to Program Category budget percentages require City Council approval, (2) accessing approved amounts set-aside in a budgeted contingency reserve category as applicable, (3) and/or accessing approved excess assessments carried forward from prior year fund balance.

The term of the District upon renewal is ten years, from 2025 to 2034. Pending approval, actual operations in the District will commence on January 1, 2025.

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

On August 9, 2017, the City Council authorized the creation of the North Lake Highlands Public Improvement District, approval of the Service Plan and management contract by Resolution No. 17-1232.

On September 12, 2018, the City Council authorized an amended and restated management contract with Lake Highlands Improvement District Corporation, the non-profit corporation designated as the management entity for the District to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Lake Highlands Improvement District Corporation, and to address other amendments to the agreement by Resolution No. 18-1315.

On August 23, 2023, the City Council authorized an ordinance approving and adopting the District's 2024 Service Plan, 2023 Assessment Plan and the 2023 Assessment Roll by Resolution No. 23-1182 and Ordinance No. 32534.

[The Economic Development Committee was briefed by memorandum regarding this matter on April 1, 2024.](#)

On April 24, 2024, the City Council authorized a public hearing to be held on May 22, 2024, to receive comments concerning the renewal of the District by Resolution No. 24-0602.

#### **FISCAL INFORMATION**

This action has no cost consideration to the City. For District property owners, the proposed assessment amount is approximately equal to \$0.12 per \$100.00 of appraised value as determined by the DCAD (i.e., property owners within the boundaries of the District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

May 22, 2024

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

**WHEREAS**, on February 1, 2024, the Lake Highlands Improvement District Corporation (“LHIDC”), representing owners of real property located within the Oak Lawn Hi-Line Public Improvement District (the “District”), delivered to the City of Dallas a petition to renew the District in accordance with the Act; and

**WHEREAS**, pursuant to Section 372.007 of the Act, City staff verified the petition and determined the owners of 77.8% of the appraised value of the taxable real property liable for assessment, and 67.6% of the land area of all taxable real property liable for assessment within the District executed the petition, in accordance with the necessary thresholds for the City Council to consider creation of the District; and

**WHEREAS**, the Act further requires that prior to the adoption of the resolution providing for the reestablishment of the District to provide supplemental public services to be funded by assessments on real property and real property improvements, City Council must hold a public hearing on: (i) the advisability of the improvements; (ii) the nature of the improvements; (iii) the estimated cost of the improvements; (iv) the boundaries of the public improvement district; (v) the method of assessment; and (vi) the apportionment of costs between the district and the municipality as a whole; and

**WHEREAS**, on April 24, 2024, the City Council called for a public hearing to be held on May 22, 2024, to hear comments and concerns regarding the renewal of the District and at the close of the public hearing, to consider a resolution to renew the District, by Resolution No. 24-0602; and

**WHEREAS**, after providing the notices required by Section 372.009 of the Act, City Council on May 22, 2024, conducted a public hearing on the advisability of the improvements and services, and adjourned such public hearing.

**Now, Therefore,**

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

May 22, 2024

**SECTION 1.** That pursuant to the requirements of the Act, City Council, after considering the Petition for the proposed District and evidence and testimony presented at the public hearing on May 22, 2024, hereby finds and declares:

- A. **District Name.** The name of the District is North Lake Highlands Public Improvement District.
- B. **Advisability of Services and Improvements Proposed for District.** It is advisable to renew the District to provide the services and improvements described in this Resolution and **Exhibit B**.
- C. **District Location.** The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on **Exhibit A**.
- D. **Nature of the Proposed Services and Improvements.** The purpose of the assessments to be levied in the District is to supplement and enhance services provided to or for the District's benefit including, but not limited to: public safety and enhanced security, beautification, recreation, cultural enhancements, custodial and landscaping maintenance, capital improvements, trail improvements, common area improvements permissible under the Act, acquisition and installation of art, business recruitment, and development to promote the area in and around the District, marketing and promotional activities, distinctive lighting and signage, and related expenses incurred to establish, administer, and operate the District as authorized by the Act and City Council. To the extent of a conflict between the proposed permissible services and improvements referenced in this Petition, the Service Plan, and the Act, the Act shall prevail.
- E. **Estimated Cost of the Services and Improvements.** During the next ten-year term of the District, the estimated annual cost of services and improvements to be provided by the District is expected to begin at approximately \$1,275,795.00 in 2025 and to end at \$6,582,823.00 in 2034. The total estimated net assessment revenue to be collected during the ten-year period is approximately \$33,117,960.00. The District shall incur no bonded indebtedness. The ten-year budget detailing the estimated cost per year and total estimated costs for the entire term (the "Service Plan") is attached as **Exhibit B**.
- F. **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD"). The net assessment amount for 2025 is proposed to be \$1,275,795.00. The annual assessment rate for 2025 is

**SECTION 1. (continued)**

approximately equal to \$0.12 per \$100.00 valuation. Once levied, this assessment rate shall not increase during the 2025 Service Plan year.

Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation, subject to appropriations set forth in the petition that renewed the District. Any future increase in the assessment rate would also be subject to a public hearing and City Council approval.

- G. **Apportionment of Costs Between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property.

The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Tax Code (except under the provisions of Sections 11.24 and 11.28 of the Texas Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by exempt jurisdictions and entities must be established by contract. Property owned by tax-exempt religious organizations will be exempt from assessment as well as City rights-of-way, City parks, railroad rights-of-way, and cemeteries. The City of Dallas is not responsible for payment of assessment against City-owned property in the District.

- H. **District Management.** The District shall be managed by Lake Highlands Improvement District Corporation (LHIDC), a Texas nonprofit corporation established under the provisions of Section 501(c)(3) of the Internal Revenue Code, or its successors or assigns, as approved by property owners and the City Council. LHIDC will be responsible for the management of the District, development, and recommendation of an annually updated Service Plan, and perform other required responsibilities pursuant to a contract with the City, approved as to form by the City Attorney. The City Council will review and approve annually the Service Plan and assessment plan, determine and levy assessments and conduct other functions as required by the Act.
- I. **District Dissolution.** The District shall automatically dissolve on December 31, 2034, unless renewed or dissolved through the petition and approval process as provided by the Act. If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

**SECTION 1.** (continued)

- J. **Advisory Body.** An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. At this time, staff is not recommending that an advisory board be appointed but is recommending that the responsibilities for the development and recommendation of the annual Service Plan and other duties of the advisory board contained in the Act be assigned to LHIDC or a successor entity approved by property owners and the City Council.

**SECTION 2.** That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the District is hereby authorized and re-established as a Public Improvement District under the Act in accordance with the findings as to the advisability of the services and improvements contained in this Resolution, with an effective date of January 1, 2025. The District shall be subject to all of the terms, conditions, limitations and reservations contained in the findings of Section 1 of this Resolution and **Exhibit B**.

**SECTION 4.** The District shall automatically dissolve on December 31, 2034 unless the District is renewed through the petition and approval process as provided by the Act, or the District is sooner terminated as provided by law. The power of the City to continue to levy and collect assessments within the District will cease, and the District will be dissolved on the date that a petition requesting dissolution is filed with the City Secretary of the City of Dallas and the petition contains the signatures of at least enough property owners in the District to make the petition sufficient under Section 372.005(b) of the Act.

**SECTION 6.** That City Council hereby approves the Petitioned Service Plan prepared by LHIDC which is attached hereto and made part hereof (**Exhibit B**) and directs LHIDC to implement it in accordance with the Act and the following contractually required administrative provisions:

- A. **Service Plan Budget Modifications.** The Petitioned Service Plan covers a period of 10 years, groups services and improvements to be provided into program categories ("Program Category"), and the percentage of available funds allocated to each Program Category by LHIDC. As required by the Act, changes to the adopted Annual Service Plan budget category percentages (%), need City Council approval.

**SECTION 6.** (continued)

- B. No Collection of Assessments in Excess of Petitioned Cost Total.** The City has no power to levy and collect assessments within the District in excess of the total cost of services and improvements that property owners agreed to when they signed the District's renewal petition. If appraised property values increase or decrease within the District, the apportionment of the cost among the property owners may change on an annual basis but the cumulative amount of assessment revenue that is generated over the District's term cannot exceed the total cost of services and improvements projected on the Petitioned Service Plan. Therefore, no over-collection of assessments is anticipated over the District's term. If, however, the District's cumulative, net assessment collections will exceed the cumulative assessments budgeted on the Petitioned Service Plan, LHIDC shall: (1) reduce the District's assessment rate in a subsequent year(s) to offset the over-collection, (2) return the assessment funds to the property owners, and/or (3) retain and not expend such additional assessments until a revised petition for an early renewal of the District that includes the additional assessments and increased service levels/costs is signed by the District property owners and approved by City Council, in accordance with the Act and the City's PID Policy.
- C. Excess Funds.** The District must identify any unspent assessment funds arising from greater than anticipated collections and/or lower than budgeted costs on the upcoming year's Annual Service Plan as either revenue available for current/future expenditures or return the excess funds to property owners, provided that the District's revenue at any time (inclusive of unspent carry-forward revenue and interest generated from assessments) does not exceed the total cost of services and improvements budgeted on the Petitioned Service Plan. For requests to carry-forward funds in excess of 20% of the District's budgeted collections, LHIDC must explain/justify why the District is carrying such a large fund balance (i.e. future capital improvement project, etc.). At no time shall carryover funds be used for services or improvements that were not approved in the District's Petition. If in the last year of the District's term, there are unspent funds, City Council reserves the right to adjust the assessment rate to absorb such funds to the extent not otherwise approved by City Council to be used during the District's ensuing renewal term. In all instances, City Council shall have final approval as to whether the District and/or LHIDC is permitted to carry over assessments to the following year.



**SECTION 6.** (continued)

- D. Expenditure Overruns and Use of Approved Fund Balance/Contingency Reserves.** If annual expenditures will exceed revenues (for example, due to lower than projected collections or greater than projected costs), LHIDC shall take measures to avoid a negative fund balance at year-end, such as: (1) reducing spending among Program Categories in a manner that best serves the interest of District property owners, tenants, and residents, provided that amendments to Program Category budget percentages require City Council approval, (2) accessing approved amounts set-aside in a budgeted contingency reserve category as applicable, (3) and/or accessing approved excess assessments carried forward from prior year fund balance.

**SECTION 7.** That pursuant to the exception granted by Section 252.022(a)(9) of the Texas Local Government Code, the City Manager is hereby authorized and directed, upon approval as to form by the City Attorney, to enter into a contract with LHIDC to manage special supplemental services to be paid from the assessments collected. The contract with LHIDC shall be in accordance with the Petitioned Service Plan and this Resolution and shall provide for compliance by the LHIDC with the Business Inclusion and Development Plan for participation of minorities and women providing services and improvements to the District.

**SECTION 8.** That the contract with LHIDC shall also provide for assessment collection services by Dallas County ("County") to the LHIDC for collection of the special assessments. The County shall receive a fee per account as compensation for its collection services. Currently, the fee is \$2.90 per account and subject to change by the County.

**SECTION 9.** That the contract with LHIDC shall provide that the City shall be responsible for disbursement of the assessments to the District. City will transfer assessment funds to LHIDC at least 30-45 days from the end of the previous month. Additionally, City will retain a percentage of the net assessments (assessments less collection service fees) for repayments, if any, required by the County in settlement of tax protests ("retainage funds"). If the retainage funds are not sufficient to address repayments, the deficiency funds shall be provided by LHIDC.

**SECTION 10.** That the contract shall include, but not limited to, the terms and conditions as set forth in the City of Dallas Public Improvement District Policy as amended on January 25, 2023, by Resolution No. 23-0220.

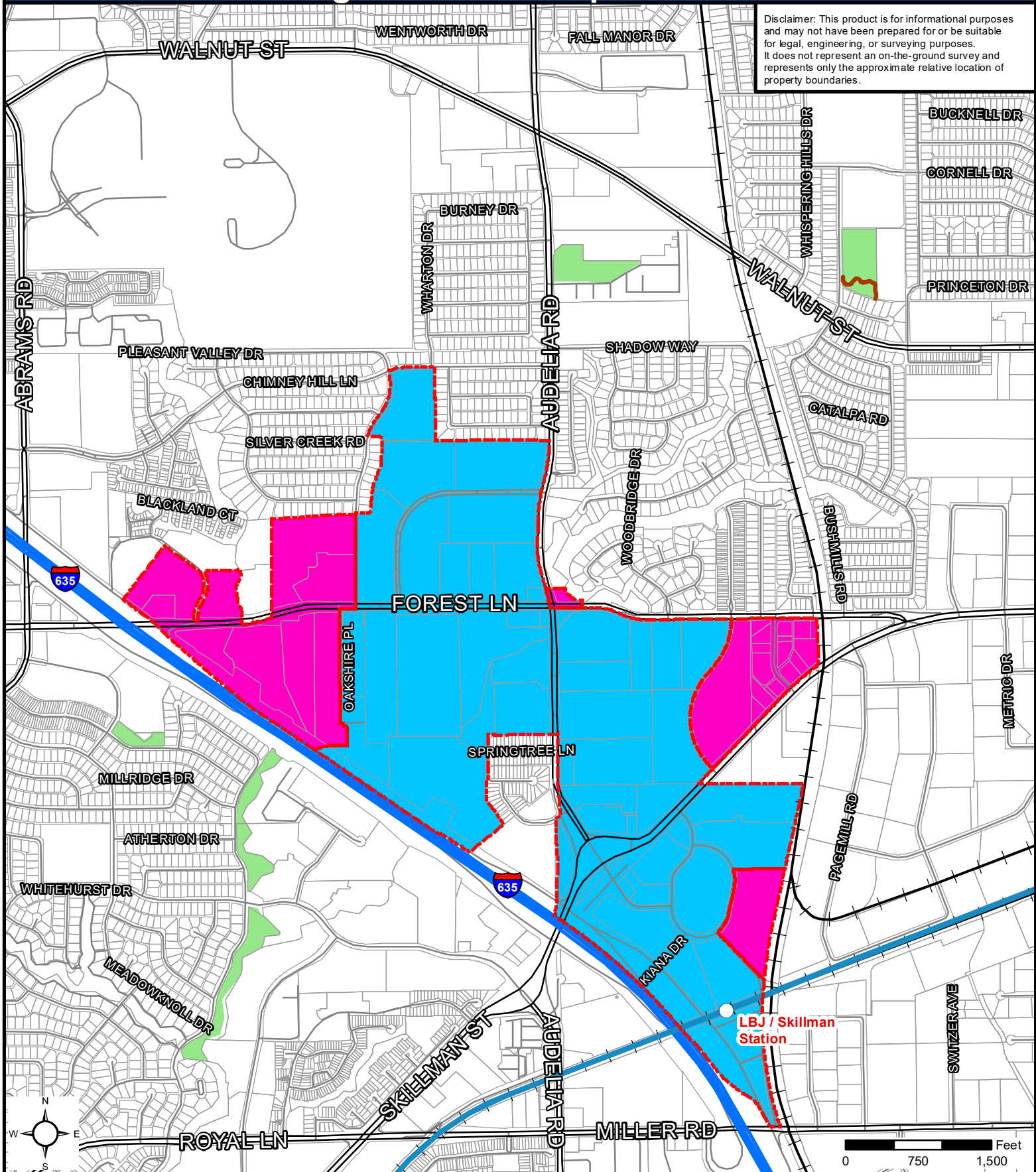
**SECTION 11.** That the Director of the Office of Economic Development (or his or her designee) is directed to, no later than seven (7) days after the date this resolution takes effect, shall file a copy of this resolution with the Dallas County Clerk's office in accordance with Section 372.010 of the Act.

May 22, 2024

**SECTION 12.** 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.

# North Lake Highlands PID Expansion Boundaries 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.



## Legend

- NLH PID
- NLH PID Proposed Expansion
- Park

- Parcel
- Park

- Rail Stops
- DART Blue Line
- Rail Line
- Highways
- Major Streets
- Trail - Existing
- Streets

**EXHIBIT B**  
**NORTH LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT**  
**PETITION SERVICE PLAN 2025-2034**

		2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
	%	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET
REVENUE											
Fund Balance from Previous Year *		\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000
Net Assessment Revenue **		\$1,275,795	\$1,530,954	\$1,837,145	\$2,204,574	\$2,645,489	\$3,174,586	\$3,809,504	\$4,571,405	\$5,485,685	\$6,582,823
TOTAL REVENUE		\$1,395,795	\$1,650,954	\$1,957,145	\$2,324,574	\$2,765,489	\$3,294,586	\$3,929,504	\$4,691,405	\$5,605,685	\$6,702,823
EXPENDITURES											
Public Safety <sup>1</sup>	46%	\$586,866	\$704,239	\$845,087	\$1,014,104	\$1,216,925	\$1,460,310	\$1,752,372	\$2,102,846	\$2,523,415	\$3,028,098
Public Area Improvements <sup>2</sup>	28%	\$357,223	\$428,667	\$514,401	\$617,281	\$740,737	\$888,884	\$1,066,661	\$1,279,993	\$1,535,992	\$1,843,190
Promotion/Marketing/Programming <sup>3</sup>	10%	\$127,580	\$153,095	\$183,714	\$220,457	\$264,549	\$317,459	\$380,950	\$457,140	\$548,569	\$658,282
Administration <sup>4</sup>	14%	\$183,714	\$220,457	\$264,549	\$317,459	\$380,950	\$457,140	\$548,569	\$658,282	\$789,939	\$947,926
Audit	1%	\$12,758	\$15,310	\$18,371	\$22,046	\$26,455	\$31,746	\$38,095	\$45,714	\$54,857	\$65,828
Insurance	1%	\$7,655	\$9,186	\$11,023	\$13,227	\$15,873	\$19,048	\$22,857	\$27,428	\$32,914	\$39,497
TOTAL EXPENDITURES	100%	\$1,275,795	\$1,530,954	\$1,837,145	\$2,204,574	\$2,645,489	\$3,174,586	\$3,809,504	\$4,571,405	\$5,485,685	\$6,582,823
FUND BALANCE / RESERVES <sup>5</sup>											
	9%	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000
TOTAL EXPENDITURES & RESERVES											
		\$1,395,795	\$1,650,954	\$1,957,145	\$2,324,574	\$2,765,489	\$3,294,586	\$3,929,504	\$4,691,405	\$5,605,685	\$6,702,823
* Estimated North Lake Highlands PID funds from the earlier term to carryover to the new term to be utilized for petitioned services.											
** Assumes a 20% increase in property values each year based on the future growth and development of Lake Highlands.											
<sup>1</sup> Including security patrols, patrol vehicle leases, safety lighting, crime reduction programs & events, and related expenses.											
<sup>2</sup> Including median upkeep, non-standard ROW improvements, irrigation, holiday lighting, distinctive lighting, streetscapes improvements, non standard improvements, wayfinding, signage, district art and murals, design, construction, graffiti removal, related services, aesthetic improvements, the establishment of parks and youth recreation sites, and educational programming.											
<sup>3</sup> Including website, marketing, outreach, marketing materials, branding efforts, programming, and business development.											
<sup>4</sup> Including office management expenses, rent, staff and annual property owner notice mailings.											
<sup>5</sup> Estimated fund balance from the previous year designated by the Board of Directors for projects that fall within the Capital Improvement Categories, which include: Forest Audelia/Skillman Median; Skillman Corridor Master Plan; District Art; Forest Audelia Intersection/Crosswalk; Skillman Bridge Gateway Signage; Forest Audelia Park; Banner Program; and any large scale improvements.											



## Agenda Information Sheet

**File #:** 24-1306  
PH5.

**Item #:**

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** May 22, 2024  
**COUNCIL DISTRICT(S):** 12  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Robin Bentley

### **SUBJECT**

A public hearing to receive comments concerning the renewal of the Prestonwood Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, to provide supplemental public services to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing, authorize: **(1)** approval of a resolution renewing the District for a period of ten years, from 2025 to 2034; **(2)** approval of the District's Service Plan for 2025-2034 to provide supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with Prestonwood Homeowners Association, Inc., a Texas nonprofit corporation, as the management entity for the District - Financing: This action has no cost consideration to the City (see Fiscal Information)

### **BACKGROUND**

On February 1, 2024, Prestonwood Homeowners Association, Inc., representing owners of real property located within the District, submitted petitions to the City of Dallas requesting the renewal of the District and approval of the District's Service Plan for a new ten-year term effective January 1, 2025 through December 31, 2034, in accordance with the Act.

City staff reviewed the petitions and verified that owners of record representing 75.2% of the appraised value and 74.3% of the land area of real property in the District liable for assessment had signed the petitions, thereby exceeding the minimum requirements for renewal set in the current City of Dallas Public Improvement District (PID) Policy and the Act. The City's PID Policy requires signed petitions from owners of at least 66.7% of the appraised value of real property liable for assessment and at least 66.7% of the land area of real property liable for assessment. Section 372.005 of the Act requires signed petitions from owners of at least 50.0% of the appraised value of real property liable for assessment and at least 50.0% of the land area of real property liable for assessment.

On April 24, 2024, the City Council authorized a public hearing for the renewal of the District to be held on May 22, 2024. Notice of the public hearing was published in the Dallas Morning News, a newspaper of general circulation in the City, and mailings were sent to property owners of record in the District. No later than seven days after the City Council authorizes the District's renewal, City staff will file a copy of the authorizing resolution with the Dallas County Clerk's Office in accordance with Section 372.010 of the Act.

The City desires, by the calling and holding of such public hearing, to provide a reasonable opportunity for any owner of property located within the District to speak for or against the renewal of the District, the special assessment against each property owner of record of real property and real property improvements, exclusive of right-of-way, to provide funding for the District to provide supplemental services and improvements.

The petition for the District is outlined as follows:

- A. District Name.** The name of the District is Prestonwood Public Improvement District.
- B. District Location.** The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on **Exhibit A**.
- C. Nature of the Proposed Services and Improvements.** The purpose of the assessments to be levied in the District is to supplement and enhance services provided to or for the District's benefit including, but not limited to: enhanced security and public safety, street signs, and related expenses incurred in, administering and operating the District as authorized by the Act and the City Council. To the extent of a conflict between the proposed permissible services and improvements referenced in this Petition, the Service Plan, and the Act, the Act shall prevail.
- D. Estimated Cost of the Services and Improvements.** During the next ten-year term of the District, the estimated annual cost of services and improvements to be provided by the District is expected to begin at approximately \$609,683.00 in 2025 and to end at \$1,007,194.00 in 2034. The total estimated net assessment revenue to be collected during the ten-year period is approximately \$8,185,510.00. The District shall incur no bonded indebtedness. The ten-year budget detailing the estimated cost per year and total estimated costs for the entire term (the "Service Plan") is attached as **Exhibit B**.
- E. Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD"). The net assessment amount for 2025 is proposed to be \$683,023.00. The annual assessment rate for 2025 is approximately equal to \$0.085 per \$100.00 valuation. Once levied, this assessment rate shall not increase during the 2025 Service Plan year.

Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation, subject to appropriations set forth in the petition that renewed the District. Any future increase in the assessment rate would also be subject to a public hearing and the City Council approval.

- F. Apportionment of Costs Between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property.

The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Tax Code (except under the provisions of Sections 11.24 and 11.28 of the Texas Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by exempt jurisdictions and entities must be established by contract. Property owned by tax-exempt religious organizations will be exempt from assessment as well as City rights-of-way, City parks, railroad rights-of-way, and cemeteries. The City of Dallas is not responsible for payment of assessment against City-owned property in the District.

- G. District Management.** The District shall be managed by Prestonwood Homeowners Association, Inc. (PHA), a Texas nonprofit corporation established under the provisions of Section 501(c)(4) of the Internal Revenue Code, or its successors or assigns, as approved by property owners and the City Council. PHA will be responsible for the management of the District, development, and recommendation of an annually updated Service Plan, and perform other required responsibilities pursuant to a contract with the City. The City Council will review and approve annually the Service Plan and assessment plan, determine and levy assessments and conduct other functions as required by the Act.

- H. District Dissolution.** The District shall automatically dissolve on December 31, 2034, unless renewed or dissolved through the petition and approval process as provided by the Act. If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

- I. Advisory Body.** An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. At this time, staff is not recommending that an advisory board be appointed but is recommending that the responsibilities for the development and recommendation of the annual Service Plan and other duties of the advisory board contained in the Act be assigned to PHA or a successor entity approved by property owners and the City Council.

Following approval, the PHA will be contractually required to implement the Petitioned Service Plan in accordance with the Act and the following administrative provisions:

- i. **Service Plan Budget Modifications.** The Petitioned Service Plan covers a period of 10 years, group services and improvements to be provided into program categories ("Program Category"), and the percentage of available funds allocated to each Program Category by PHA. As required by the Act, changes to the adopted Annual Service Plan budget category percentages (%), need City Council approval.
- ii. **No Collection of Assessments in Excess of Petitioned Cost Total.** The City has no power to levy and collect assessments within the District in excess of the total cost of services and improvements that property owners agreed to when they signed the District's renewal petition. If appraised property values increase or decrease within the District, the apportionment of the cost among the property owners may change on an annual basis but the cumulative amount of assessment revenue that is generated over the District's term cannot exceed the total cost of services and improvements projected on the Petitioned Service Plan. Therefore, no over-collection of assessments is anticipated over the District's term. If, however, the District's cumulative, net assessment collections will exceed the cumulative assessments budgeted on the Petitioned Service Plan, PHA shall: (1) reduce the District's assessment rate in a subsequent year(s) to offset the over-collection, (2) return the assessment funds to the property owners, and/or (3) retain and not expend such additional assessments until a revised petition for an early renewal of the District that includes the additional assessments and increased service levels/costs is signed by the District property owners and approved by the City Council, in accordance with the Act and the City's PID Policy.
- iii. **Excess Funds.** The District must identify any unspent assessment funds arising from greater than anticipated collections and/or lower than budgeted costs on the upcoming year's Annual Service Plan as either revenue available for current/future expenditures or return the excess funds to property owners, provided that the District's revenue at any time (inclusive of unspent carry-forward revenue and interest generated from assessments) does not exceed the total cost of services and improvements budgeted on the Petitioned Service Plan. Requests to carry-forward funds in excess of 20.0% of the District's budgeted collections, PHA must explain/justify why the District is carrying such a large fund balance (i.e. future capital improvement project, etc.) At no time shall carryover funds be used for services or improvements that were not approved in the District's Petition. If in the last year of the District's term, there are unspent funds, the City Council reserves the right to adjust the assessment rate to absorb such funds to the extent not otherwise approved by the City Council to be used during the District's ensuing renewal term. In all instances, the City Council shall have final approval as to whether the District and/or PHA is permitted to carry over assessments to the following year.
- iv. **Expenditure Overruns and Use of Approved Fund Balance/Contingency Reserves.** If annual expenditures will exceed revenues (for example, due to lower than projected collections or greater than projected costs), PHA shall take measures to avoid a negative fund balance at year-end, such as: (1) reducing spending among Program Categories in a manner that best serves the interest of District property owners, tenants, and residents, provided that amendments to Program Category budget percentages require the City Council approval, (2) accessing approved amounts set-aside in a budgeted contingency reserve category as applicable, (3) and/or accessing approved excess assessments carried forward from prior year fund balance.



The term of the District upon renewal is ten years, from 2025 to 2034. Pending approval, actual operations in the District will commence on January 1, 2025.

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

On May 14, 1997, the City Council authorized the creation of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 97-1575.

On August 11, 2004, the City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 04-2328.

On June 22, 2011, the City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 11-1796.

On May 23, 2018, the City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 18-0785.

On September 12, 2018, the City Council authorized an amended and restated management contract with Prestonwood Homeowners Association, the non-profit corporation designated as the management entity for the District to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Prestonwood Homeowners Association, and to address other amendments to the agreement by Resolution No. 18-1319.

On August 23, 2023, the City Council authorized an ordinance approving and adopting the District's 2024 Service Plan, 2023 Assessment Plan and the 2023 Assessment Roll by Resolution No. 23-1184 and Ordinance No. 32536.

[The Economic Development Committee was briefed by a memorandum regarding this matter on April 1, 2024.](#)

On April 24, 2024, the City Council authorized a public hearing to be held on May 22, 2024, to receive comments concerning the renewal of the District by Resolution No. 24-0603.

**FISCAL INFORMATION**

This action has no cost consideration to the city. For District property owners, the proposed assessment amount is approximately equal to \$0.085 per \$100.00 of appraised value as determined by the DCAD (i.e., property owners within the boundaries of the District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

May 22, 2024

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

**WHEREAS**, on February 1, 2024, the Prestonwood Homeowners Association, Inc. (“PHA”), representing owners of real property located within the Prestonwood Public Improvement District (the “District”), delivered to the City of Dallas a petition to renew the District in accordance with the Act; and

**WHEREAS**, pursuant to Section 372.007 of the Act, City staff reviewed the petition and determined the owners of 75.4% of the appraised value of the taxable real property liable for assessment, and 74.3% of the land area of all taxable real property liable for assessment within the District executed the petition, in accordance with the necessary thresholds for the City Council to consider creation of the District; and

**WHEREAS**, the Act further requires that prior to the adoption of the resolution providing for the reestablishment of the District to provide supplemental public services to be funded by assessments on real property and real property improvements, City Council must hold a public hearing on: (i) the advisability of the improvements; (ii) the nature of the improvements; (iii) the estimated cost of the improvements; (iv) the boundaries of the public improvement district; (v) the method of assessment; and (vi) the apportionment of costs between the district and the municipality as a whole; and

**WHEREAS**, on April 24, 2024, the City Council called for a public hearing to be held on May 22, 2024, to hear comments and concerns regarding the renewal of the District and at the close of the public hearing, to consider a resolution to renew the District, by Resolution No. 24-0603; and

**WHEREAS**, after providing the notices required by Section 372.009 of the Act, the City Council on May 22, 2024, conducted a public hearing on the advisability of the improvements and services, and adjourned such public hearing.

**Now, Therefore,**

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

May 22, 2024

**SECTION 1.** That pursuant to the requirements of the Act, City Council, after considering the Petition for the proposed District and evidence and testimony presented at the public hearing on May 22, 2024, hereby finds and declares:

- A. **District Name.** The name of the District is Prestonwood Public Improvement District.
- B. **Advisability of Services and Improvements Proposed for District.** It is advisable to renew the District to provide the services and improvements described in this Resolution and **Exhibit B**.
- C. **District Location.** The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on **Exhibit A**.
- D. **Nature of the Proposed Services and Improvements.** The purpose of the assessments to be levied in the District is to supplement and enhance services provided to or for the District's benefit including, but not limited to: enhanced security and public safety, street signs, and related expenses incurred to establish, administer, and operate the District as authorized by the Act and City Council. To the extent of a conflict between the proposed permissible services and improvements referenced in this Petition, the Service Plan, and the Act, the Act shall prevail.
- E. **Estimated Cost of the Services and Improvements.** During the next ten-year term of the District, the estimated annual cost of services and improvements to be provided by the District is expected to begin at approximately \$609,683.00 in 2025 and to end at \$1,007,194.00 in 2034. The total estimated net assessment revenue to be collected during the ten-year period is approximately \$8,185,510.00. The District shall incur no bonded indebtedness. The ten-year budget detailing the estimated cost per year and total estimated costs for the entire term (the "Service Plan") is attached as **Exhibit B**.
- F. **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD"). The net assessment amount for 2025 is proposed to be \$683,023.00. The annual assessment rate for 2025 is approximately equal to \$0.085 per \$100.00 valuation. Once levied, this assessment rate shall not increase during the 2025 Service Plan year.

**SECTION 1. (continued)**

Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation, subject to appropriations set forth in the petition that renewed the District. Any future increase in the assessment rate would also be subject to a public hearing and City Council approval.

- G. **Apportionment of Costs Between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property.

The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Tax Code (except under the provisions of Sections 11.24 and 11.28 of the Texas Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by exempt jurisdictions and entities must be established by contract. Property owned by tax-exempt religious organizations will be exempt from assessment as well as City rights-of-way, City parks, railroad rights-of-way, and cemeteries. The City of Dallas is not responsible for payment of assessment against City-owned property in the District.

- H. **District Management.** The District shall be managed by Prestonwood Homeowners Association (PHA), a Texas nonprofit corporation established under the provisions of Section 501(c)(4) of the Internal Revenue Code, or its successors or assigns, as approved by property owners and the City Council. PHA will be responsible for the management of the District, development, and recommendation of an annually updated Service Plan, and perform other required responsibilities pursuant to a contract with the City, approved as to form by the City Attorney. The City Council will review and approve annually the Service Plan and assessment plan, determine and levy assessments and conduct other functions as required by the Act.
- I. **District Dissolution.** The District shall automatically dissolve on December 31, 2034, unless renewed or dissolved through the petition and approval process as provided by the Act. If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

**SECTION 1.** (continued)

- J. **Advisory Body.** An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. At this time, staff is not recommending that an advisory board be appointed but is recommending that the responsibilities for the development and recommendation of the annual Service Plan and other duties of the advisory board contained in the Act be assigned to PHA or a successor entity approved by property owners and the City Council.

**SECTION 2.** That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the District is hereby authorized and re-established as a Public Improvement District under the Act in accordance with the findings as to the advisability of the services and improvements contained in this Resolution, with an effective date of January 1, 2025. The District shall be subject to all of the terms, conditions, limitations and reservations contained in the findings of Section 1 of this Resolution and **Exhibit B**.

**SECTION 4.** The District shall automatically dissolve on December 31, 2034 unless the District is renewed through the petition and approval process as provided by the Act, or the District is sooner terminated as provided by law. The power of the City to continue to levy and collect assessments within the District will cease, and the District will be dissolved on the date that a petition requesting dissolution is filed with the City Secretary of the City of Dallas and the petition contains the signatures of at least enough property owners in the District to make the petition sufficient under Section 372.005(b) of the Act.

**SECTION 6.** That City Council hereby approves the Petitioned Service Plan prepared by PHA which is attached hereto and made part hereof (**Exhibit B**) and directs PHA to implement it in accordance with the Act and the following contractually required administrative provisions:

- A. **Service Plan Budget Modifications.** The Petitioned Service Plan covers a period of 10 years, groups services and improvements to be provided into program categories ("Program Category"), and the percentage of available funds allocated to each Program Category by PHA. As required by the Act, changes to the adopted Annual Service Plan budget category percentages (%), need City Council approval.

**SECTION 6.** (continued)

- B. No Collection of Assessments in Excess of Petitioned Cost Total.** The City has no power to levy and collect assessments within the District in excess of the total cost of services and improvements that property owners agreed to when they signed the District's renewal petition. If appraised property values increase or decrease within the District, the apportionment of the cost among the property owners may change on an annual basis but the cumulative amount of assessment revenue that is generated over the District's term cannot exceed the total cost of services and improvements projected on the Petitioned Service Plan. Therefore, no over-collection of assessments is anticipated over the District's term. If, however, the District's cumulative, net assessment collections will exceed the cumulative assessments budgeted on the Petitioned Service Plan, PHA shall: (1) reduce the District's assessment rate in a subsequent year(s) to offset the over-collection, (2) return the assessment funds to the property owners, and/or (3) retain and not expend such additional assessments until a revised petition for an early renewal of the District that includes the additional assessments and increased service levels/costs is signed by the District property owners and approved by City Council, in accordance with the Act and the City's PID Policy.
- C. Excess Funds.** The District must identify any unspent assessment funds arising from greater than anticipated collections and/or lower than budgeted costs on the upcoming year's Annual Service Plan as either revenue available for current/future expenditures or return the excess funds to property owners, provided that the District's revenue at any time (inclusive of unspent carry-forward revenue and interest generated from assessments) does not exceed the total cost of services and improvements budgeted on the Petitioned Service Plan. For requests to carry-forward funds in excess of 20% of the District's budgeted collections, PHA must explain/justify why the District is carrying such a large fund balance (i.e. future capital improvement project, etc.) At no time shall carryover funds be used for services or improvements that were not approved in the District's Petition. If in the last year of the District's term, there are unspent funds, City Council reserves the right to adjust the assessment rate to absorb such funds to the extent not otherwise approved by City Council to be used during the District's ensuing renewal term. In all instances, City Council shall have final approval as to whether the District and/or PHA is permitted to carry over assessments to the following year.

**SECTION 6.** (continued)

- D. Expenditure Overruns and Use of Approved Fund Balance/Contingency Reserves.** If annual expenditures will exceed revenues (for example, due to lower than projected collections or greater than projected costs), PHA shall take measures to avoid a negative fund balance at year-end, such as: (1) reducing spending among Program Categories in a manner that best serves the interest of District property owners, tenants, and residents, provided that amendments to Program Category budget percentages require City Council approval, (2) accessing approved amounts set-aside in a budgeted contingency reserve category as applicable, (3) and/or accessing approved excess assessments carried forward from prior year fund balance.

**SECTION 7.** That pursuant to the exception granted by Section 252.022(a)(9) of the Texas Local Government Code, the City Manager is hereby authorized and directed, upon approval as to form by the City Attorney, to enter into a contract with PHA to manage special supplemental services to be paid from the assessments collected. The contract with PHA shall be in accordance with the Petitioned Service Plan and this Resolution and shall provide for compliance by the PHA with the Business Inclusion and Development Plan for participation of minorities and women providing services and improvements to the District.

**SECTION 8.** That the contract with PHA shall also provide for assessment collection services by Dallas County ("County") to the PHA for collection of the special assessments. The County shall receive a fee per account as compensation for its collection services. Currently, the fee is \$2.90 per account and subject to change by the County.

**SECTION 9.** That the contract with PHA shall provide that the City shall be responsible for disbursement of the assessments to the District. City will transfer assessment funds to PHA at least 30-45 days from the end of the previous month. Additionally, City will retain a percentage of the net assessments (assessments less collection service fees) for repayments, if any, required by the County in settlement of tax protests ("retainage funds"). If the retainage funds are not sufficient to address repayments, the deficiency funds shall be provided by PHA.

**SECTION 10.** That the contract shall include, but not limited to, the terms and conditions as set forth in the City of Dallas Public Improvement District Policy as amended on January 25, 2023, by Resolution No. 23-0220.

**SECTION 11.** That the Director of the Office of Economic Development (or his or her designee) is directed to, no later than seven (7) days after the date this resolution takes effect, shall file a copy of this resolution with the Dallas County Clerk's office in accordance with Section 372.010 of the Act.

May 22, 2024

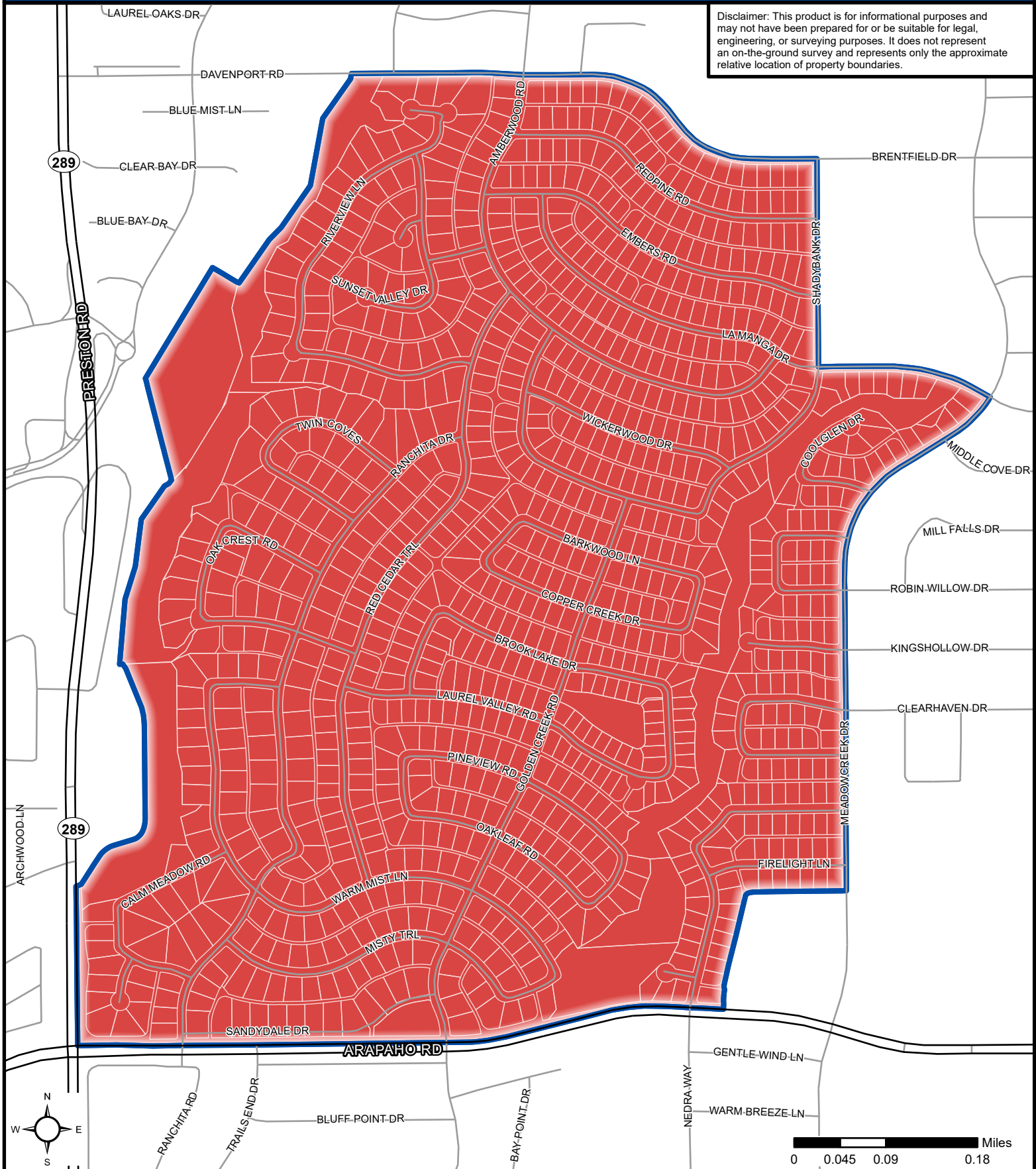
**SECTION 12.** This resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# Prestonwood PID Boundaries

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.



## Legend

- Prestonwood - 2023
- Tax Parcels - 2023

- Highway
- Major Streets
- Streets
- Streetcar/Trolley

**EXHIBIT B**  
**PRESTONWOOD PUBLIC IMPROVEMENT DISTRICT**  
**PETITION SERVICE PLAN 2025-2034**

	%	2025 BUDGET	2026 BUDGET	2027 BUDGET	2028 BUDGET	2029 BUDGET	2030 BUDGET	2031 BUDGET	2032 BUDGET	2033 BUDGET	2034 BUDGET
REVENUE											
Calendar Year Beginning Balance		\$33,862	\$107,203	\$185,210	\$238,585	\$257,242	\$262,650	\$253,370	\$261,451	\$288,117	\$305,809
Net Assessment Revenue		\$683,023	\$718,175	\$732,287	\$738,670	\$769,017	\$800,577	\$860,069	\$923,007	\$960,728	\$999,957
Interest on Cash Balances											
TOTAL REVENUE		\$716,885	\$825,377	\$917,497	\$977,255	\$1,026,259	\$1,063,227	\$1,113,439	\$1,184,458	\$1,248,844	\$1,305,766
EXPENDITURES											
Public Safety <sup>1</sup>	86%	\$522,585	\$548,714	\$581,637	\$616,535	\$653,527	\$692,739	\$727,376	\$763,745	\$801,932	\$842,029
Audit & Insurance <sup>2,3</sup>	5%	\$27,563	\$28,941	\$30,388	\$31,907	\$33,502	\$35,178	\$36,936	\$38,783	\$40,722	\$42,758
Administrative <sup>4</sup>	10%	\$59,535	\$62,512	\$66,888	\$71,570	\$76,580	\$81,940	\$87,676	\$93,813	\$100,380	\$107,407
Renewal Fee											\$15,000
TOTAL EXPENDITURES	100%	\$609,683	\$640,167	\$678,912	\$720,012	\$763,609	\$809,857	\$851,988	\$896,341	\$943,035	\$1,007,194
RESERVES *											
	18%	\$107,203	\$185,210	\$238,585	\$257,242	\$262,650	\$253,370	\$261,451	\$288,117	\$305,809	\$298,572
TOTAL EXPENDITURES & RESERVES											
		\$716,885	\$825,377	\$917,497	\$977,255	\$1,026,259	\$1,063,227	\$1,113,439	\$1,184,458	\$1,248,844	\$1,305,766

\* The % for each service category is calculated by dividing each category dollar amount by total expenditures. Ending reserves for CY 2034 to be rolled over to 2035 subject to successful renewal and Council approval. If renewal is not successful, any unobligated reserves will be returned to property owners.

<sup>1</sup> Public Safety includes officer compensation, bonus, replacing old street signs, and police car rental.

<sup>2</sup> Annual audit and insurance premium costs.

<sup>3</sup> Assumes insurance split with PHA consistent with current arrangements based on value received by both parties.

<sup>4</sup> Management fee (starting at \$50,000) and other admin costs.