



## Legislation Text

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File #: 21-1828, Version: 1

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**STRATEGIC PRIORITY:** Quality of Life  
**AGENDA DATE:** November 10, 2021  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Park & Recreation Department  
**EXECUTIVE:** John D. Jenkins

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### **SUBJECT**

Authorize a ten-year development agreement, with one five-year renewal option, with Dallas 3100, LP ~~for the development, operation, and maintenance of a trail rest area and public trail from an adjacent development access to the Katy Trail located at 4825 Cole Avenue to:~~ (1) develop the property adjacent to the Katy Trail located at 4825 Cole Avenue; and (2) develop a portion of the Katy Trail with enhanced improvements to operate and maintain a trail access and trail rest area -  
Financing: No cost consideration to the City

### **BACKGROUND**

This action will authorize a ten-year development agreement, with one five-year renewal option, with Dallas 3100, LP for the development, operation, and maintenance of a trail rest area and public trail access for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4825 Cole Avenue.

In conjunction with the design and development of the proposed trail rest area and trail access, Dallas 3100, LP plans to develop the trail access area on its adjacent property with a seating area and food truck. Additionally, Dallas 3100, LP anticipates donating a portion of its proceeds from the food truck operation to non-profit groups that support the City's parks and trails.

The agreement will be subject to the following terms:

1. The term is for 10 years with one consecutive five-year renewal option.
2. Dallas 3100, LP, at its own cost, is responsible for the development of the design, plans and specifications for the improvements to be made to the park. Dallas 3100, LP will submit the design to the Park & Recreation Department for review and approval prior to commencement of construction.
3. Dallas 3100, LP, at its own cost, is responsible for the maintenance and repair of the improvements during the term of the agreement.

4. Dallas 3100, LP will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals.
5. Either party may terminate the agreement without cause with ninety days-notice. The Director may suspend or terminate the agreement with ten days-notice should it find that the public interest, safety, health, comfort and/or welfare require such action.
6. The trail corridor is owned by Dallas Area Rapid Transit over which the City has a trail easement. The agreement is subject to the terms of the City's easement.

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

On September 15, 2021, the Park and Recreation Board authorized a development agreement with Dallas 3100, LP for the development, operation, and maintenance of a trail rest area and public trail from an adjacent development access to the Katy Trail.

**FISCAL INFORMATION**

No cost consideration to the City.

**MAP**

Attached