

AGENDA ITEM # 62

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 11, 2008
COUNCIL DISTRICT(S): 2, 6
DEPARTMENT: Department of Development Services
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 44 M R; 45 J N S T

SUBJECT

A public hearing to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned an IM Industrial Manufacturing District, CS Commercial Service District, CA-2(A) Central Area District, MU-2(SAH) Mixed Use District, Planned Development District No. 774, within the Downtown Special Provision Sign District with Specific Use Permit No. 432 for a Private Animal Pound and Specific Use Permit No. 1203 for a Government Installation Other Than Listed on property generally bounded by Continental Avenue to the north, Interstate 35 to the east and south, and the Trinity River levee to the west with consideration being given to appropriate zoning for that area including use, development standards, parking, landscaping, sign, and other appropriate regulations and an ordinance granting a Planned Development District and an ordinance terminating Specific Use Permit No. 432

Recommendation of Staff and CPC: Approval of a planned development district, subject to conditions and a regulating plan for property located south of the Union Pacific Rail Line, with termination of Specific Use Permit No. 432, and no change to zoning for property located north of the Union Pacific Rail Line
Z067-148(DW)

Note: This item was considered by the City Council at a public hearing on May 28, 2008, and was taken under advisement until June 11, 2008, with the public hearing open.

FILE NUMBER: Z067-148 (DW)

DATE FILED: January 24, 2007

LOCATION: Generally bounded by Continental Avenue to the north, Interstate 35 to the east and south, and the Trinity River levee to the west

COUNCIL DISTRICT: 2 & 6

MAPSCO: 44-M, R & 45-J, N, S, T

SIZE OF REQUEST: Approx. 229 acres

CENSUS TRACT: 100

REQUEST: A City Council authorized hearing to determine proper zoning on property zoned an IM Industrial Manufacturing District, CS Commercial Service District, CA-2(A) Central Area District, MU-2(SAH) Mixed Use District, Planned Development District No. 774, within the Downtown Special Provision Sign District with Specific Use Permit No. 432 for a Private Animal Pound and Specific Use Permit No. 1203 for a Government Installation Other Than Listed, with consideration given to appropriate zoning for that area including use, development standards, parking, landscaping, sign, and other appropriate regulations

SUMMARY: The authorization was initiated as part of the implementation for the Trinity River Corridor Comprehensive Land Use Plan, which calls for the area to redevelop into a higher-density, mixed use neighborhood.

CPC RECOMMENDATION: Approval of a planned development district, subject to conditions and a regulating plan for property located south of the Union Pacific Rail Line, with termination of SUP No. 432. No change to zoning for property located north of the Union Pacific Rail Line.

STAFF RECOMMENDATION: Approval of a planned development district, subject to conditions and a regulating plan for property located south of the Union Pacific Rail Line, with termination of SUP No. 432. No change to zoning for property located north of the Union Pacific Rail Line.

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BACKGROUND INFORMATION:

- The City Council authorized this public hearing on January 24, 2007, as part of the process to implement the Trinity River Corridor Comprehensive Land Use Plan that was adopted on March 9, 2005.
- As part of the review and rezoning process for priority areas identified in the Plan, the City Plan Commission has empanelled an ad hoc committee to work with the Urban Design Advisory Committee to take community input and develop zoning recommendations.
- The committees discussed the item at a total of 16 joint meetings, as well hosted two community meetings on December 4, 2006 and January 14, 2008. Approximately 70 people attended the first community meeting, which also included a discussion of other study areas along Industrial Boulevard. Approximately, 50 people attended the second community meeting that focused on the proposed regulations for the study area.
- The recommended approach utilizes form-based zoning regulations to guide redevelopment of the area in a manner that will ensure walkable districts that will complement the planned amenities within the Trinity River Park.
- The study area will serve to extend Downtown development to the Trinity River. An overlook at Reunion Boulevard will function as the primary access point into the park and the ceremonial entrance into the park.
- Planned park amenities within close proximity to the study area include the urban lake and promenade, a white water course at the northern end of the lake, and two signature bridges designed by Santiago Calatrava:
 - The Margaret Hunt Hill bridge currently under construction that will extend Woodall Rogers across the river to Singleton Boulevard; and
 - The Margaret McDermott Bridge along Interstate 30 as it crosses the river.
- On February 14, the City Plan Commission had a bus tour of the study area.
- On May 6, 2008, staff briefed the Trinity River Corridor project committee regarding this zoning case. A follow-up briefing is scheduled for May 20, 2008. Any amendments the Committee has to the City Plan Commission's recommended conditions will be provided as updated information to the City Council prior to the public hearing.

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Zoning History: There have been two zoning change requests in the area.

1. Z067-229 On October 24, 2007, the City Council approved an amendment to Planned Development District No. 621, the Old Trinity and Design District Special Purpose District to create a new subarea for the Old Trinity Industrial land use opportunity area to address building configuration, building height, building footprint, building orientation and view considerations.

2. Z067-288 On December 12, 2007, the City Council approved a planned development district on property generally bounded by Continental Avenue to the north, I-35 to the east, Union Pacific Railroad to the south, and the Trinity River levee to the west.

Thoroughfares/Streets:

Thoroughfares/Street	Type	ROW
Industrial Boulevard	Principal Arterial	Varies
Commerce Street	Principal Arterial	100 feet
Continental Avenue	Principal Arterial	100 feet

Land Use:

	Zoning	Land Use
Site	IM, CS, CA-2(A), MU-2 (SAH),PDD 774, with SUP 432 and SUP 1203	Commercial, Industrial, Institutional and vacant
North	PDD 621	Commercial and Mixed Use
East	CA-1	Downtown
Southeast	IM	Commercial
West	A(A), IR and PDD 468	Trinity River Park

STAFF ANALYSIS:

Comprehensive Plan:

LAND USE ELEMENT

The recommendation complies with the following land use goals and policies of the Comprehensive Plan because the proposed zoning removes a regulatory barrier that will allow the area to redevelop into a mixed use environment. The existing commercial and industrial zoning which predominates the area does not comply with the Trinity River Corridor Comprehensive Land Use Plan, nor does it allow for the type of mixed use development that is desired. There are also bonuses given for affordable housing, and environmental performance of buildings.

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

- Policy 1.1.1 Implement the Trinity River Corridor Plan.
- Policy 1.1.3 Build a dynamic and expanded downtown.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

- Policy 1.3.1 Create housing opportunities throughout Dallas.

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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

The recommendation complies with the following economic goals and policies of the Comprehensive Plan because the zoning is intended to allow for uses to be adapted to over time to respond to market conditions, allow for the redevelopment of areas adjacent to the Trinity River, expand downtown to the river and enhance the connection of park amenities to the CBD.

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.1 Focus economic development efforts on revitalization of the Trinity River Corridor.

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.1 Restore Downtown Dallas as the economic and cultural heart of North Central Texas.

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

HOUSING ELEMENT

The recommendation complies with the following housing goals and policies of the Comprehensive Plan because the zoning encourages affordable housing through floor area bonuses.

GOAL 3.3 EXPAND AFFORDABLE HOUSING ALTERNATIVES

Policy 3.3.2 Encourage distribution of affordable housing throughout the City and the region.

TRANSPORTATION ELEMENT

The recommendation complies with the following transportation goals and policies of the Comprehensive Plan because street sections are designed to create a quality pedestrian environment to improve walkability.

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

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Policy 4.2.2 Promote a network of on-street and off street walking and biking paths.

URBAN DESIGN ELEMENT

The recommendation complies with the following urban design goals and policies of the Comprehensive Plan because development and street standards are designed to create a quality public realm that will enhance the pedestrian experience.

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.

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.

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

The recommendation complies with the following environmental goals and policies of the Comprehensive Plan because the zoning requires LEED Silver eligibility for new construction greater than 10,000 square feet, and provides bonuses for LEED Gold and Platinum eligibility. Redevelopment of this area will also provide a walkable live-work-play environment. The use requirements also specifically spell out and allow for integrated renewable energy sources as an accessory use on a lot to encourage the use of wind or solar power.

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 ELEMENT

The recommendation complies with the following neighborhood goals and policies of the Comprehensive Plan because redevelopment of this area at the main gateway into the Trinity River Park will create a district that will serve to define Dallas' image and promote a unique identity for the city and this area along Industrial Boulevard.

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.3 Encourage a sense of community and identity.

Area Plans:

On March 9, 2005, City Council adopted the Trinity River Comprehensive Land Use Plan, which outlines desired development patterns within the Corridor and identifies 23 land use opportunity areas. These opportunity areas were subject to more detailed evaluation and policy recommendations, and represent specific development opportunities within the Corridor. The Mixmaster Riverfront land use opportunity area is indicated for mixed-use development that will connect downtown to the Trinity River Corridor.

Key urban design concerns outlined in the plan include avoiding a 'wall of buildings' that limits views along the river greenbelt edge; establishing riverfront development patterns that encourage new investment and redevelopment while protecting views from properties located further from the river's edge; and establishing riverfront development patterns that enhance the view looking back at the city from the trails, lakes, and wetlands inside the river greenbelt and from bridges crossing the river. Design concepts outlined in the Plan to address this issue included placing limitations on the buildings maximum façade width above 4 stories to between 20 and 50 percent, and limiting buildings immediately adjacent and parallel to the levee to a maximum of 3 stories of habitable structures above the levee.

Land Use Compatibility:

The Trinity River Corridor Comprehensive Land Use Plan recommends mixed use for the area, and outlines a desire to bring downtown development to the river's edge. The 229-acre study area is zoned predominantly IM Industrial Manufacturing, with areas zoned MU-2 (SAH), CS Commercial Service, and CA-2(A), and Planned Development District No. 774. The large share of commercial/industrial zoning on the property prevents the area from redeveloping into the walkable, mixed-use environment that is desired.

The proposed PD utilizes a form-based approach which is intended to emphasize the look and feel of a location to create a walkable environment. In a form-based zoning district:

- The standards and regulations should have predictable physical outcomes;
- The code should require the buildings, elements, and streetscape to define and shape the public space;
- The code should promote pedestrian-friendly blocks and an interconnected street network;
- The regulations should be specific to places shown on the regulating plan;
- The plans and graphics should be clearly labeled and accurate in what they represent; and
- The regulations should ensure high-quality public spaces defined by a variety of building types and uses.

The built environment is intended to be pedestrian-friendly and urban based on the Trinity River Comprehensive Land Use Plan. The conditions address uses, design standards, street sections, building placement and height to create the desired pedestrian environment.

The PD conditions provide for an intensity of development that is similar to downtown/Central Area, as recommended by the Trinity River Comprehensive Land Use Plan.

Streets. The recommended zoning outlines a palette of street types, all of which emphasize the pedestrian experience. In addition to the travel way, the regulations outline requirements for planting and amenity zones to allow for placement of pedestrian amenities and other required furnishings, along with defining the width of the sidewalks and whether areas outside of store fronts are appropriate for use as cafes or other active uses.

Yard, lot and space. The yard, lot, and space regulations are different from typical PD conditions, in that there are build-to lines generally at the property lines. A minimum percentage of the lot frontage must have the building constructed at the build-to line, creating a predictable street wall. These requirements vary by street type. A height map outlines the required minimum and allowed maximum heights

Design Standards. The PD conditions address fenestration in the design standards, including minimum story dimensions, street-orienting primary entrances, facade articulation, storefront treatments, and tower coverage. The tower coverage restricts coverage on the taller portions of a building to maintain view permeability along the levee. This is consistent with the principles in the Trinity River Comprehensive Land Use Plan, preventing the “wall of building” affect.

Pedestrian amenities, such as benches, street lamps, and canopies, are required to enhance the pedestrian experience and encourage street-level activity.

Uses. The PD conditions list main uses permitted that are similar to those in a mixed use, central area, or urban corridor district. Certain uses have additional situations when they are permitted and specify how those uses can be compatible in the intended pedestrian environment. There are also pedestrian use requirements that will ensure active street frontages on key streets as outlined on the regulating plan. A minimum density of multifamily is required to promote a dense residential component in a mixed use area.

Further, the conditions also establish regulations dealing with nonconforming uses in the corridor. The proposed conditions establish a sunset date for any nonconforming industrial uses of 5 years, and grants the Board of Adjustment the ability to grant an extension to the sunset period for uses that can establish that the time period did not allow adequate time to amortize their investment. This is similar approach that was utilized in other planned development districts where there was a desire to further facilitate the transition of uses in an area. Similarly, the proposed conditions also

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prohibit the Board from allowing a change for one nonconforming use to another. Additionally, a point of discussion that the committee wanted reflected in the record dealt with abandonment of nonconforming uses in the corridor. Nonconforming use regulations in Section 51A-4.704 indicate that the right to operate a nonconforming use terminates if the use is discontinued for six months or more. An initial proposal reduced this time period to three months or more for nonconforming uses in the corridor. While there was discussion regarding the merits of such a reduction facilitating the transition of the area to a more mixed-use environment, the recommendation was amended to defer back to existing Chapter 51A requirements.

The committee also recommended that the application fee and two-year waiver requirement be waived for 18 months for uses now requiring an SUP. This would provide an incentive to current businesses owners and operators to comply with the proposed planned development district. This provision is not included in the conditions; rather it becomes part of the ordinance adopting the planned development district.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
PDD Mixed Use	Build-to lines	0'	Min. 60 units/acre	Min. 36'-75'	N/A	Open space, lower coverage, tower orientation	Retail, office, residential, lodging
Existing							
MU-2 Mixed use-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	Office, retail & personal service, lodging, residential
CA-2(A) Central area	0'	0'	20.0 FAR	Any legal height	100%		All but the heaviest industrial uses
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office
IM Industrial manufacturing	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping:

Landscaping requirements were written specifically with a dense-urban environment in mind, and focus on the use of street trees, as well as other site and hardscaping requirements, such as shade coverage, paving material and roof reflectivity.

The list of allowed trees is provided to ensure the types of trees are appropriate for a dense, urban environment.

Miscellaneous:

On October 14, 1968, City Council approved a Specific Use permit for a Private Animal Pound for a permanent time period for property located on Industrial Boulevard, north of Interstate 30. Conditions of the SUP required all animal runs or pens to be completely enclosed. Allowed uses under the current proposed planned development district allow and animal shelter or clinic without outside runs by right. As a result, the existing SUP is not necessary, and staff is recommending its termination.

On December 12, 2007, City Council approved Planned Development District No. 774 for property located at Continental Avenue and Industrial Boulevard. The planned development district is consistent with the Trinity River Corridor Comprehensive Land Use Plan, and CPC and staff are recommending that zoning north of the Union Pacific Railroad line remain unchanged.

CPC Action

April 24, 2008

Motion: It was moved to recommend **approval** of a planned development district, for property south of the Union Pacific Rail Line, subject to a regulating plan and conditions, **approval** of the termination of Specific Use Permit No 432, and **no change** to zoning for property north of the Union Pacific Rail Line on property zoned an IM Industrial Manufacturing District, CS Commercial Service District, CA-2(A) Central Area District, MU-2(SAH) Mixed Use District Planned Development District No. 774, within the Downtown Special Provision Sign District with Specific Use Permit No. 432 for a Private Animal Pound and Specific Use Permit No. 1203 for a Government Installation other than listed or property generally bounded by Continental Avenue to the north, Interstate 35 to the east and south, and the Trinity River levee to the west.

Maker: Emmons
Second: Weiss
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 78
Replies: For: 3 Against: 4

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Janis Jelnick, 14304 Coral Harbour Cr., Farmers Branch, T
Against: None

Ad Hoc/UDAC Action

January 8, 2008

It was moved to accept the revised Green Building Requirements as written.

Motion made by: Odell Motion seconded by: Davis
Item passed unanimously: Item passed on a divided vote: _____
Item failed unanimously: _____ Item failed on a divided vote: _____

It was moved to revise the open space recommendation to require 10 percent of a lot be allocated to open space and to revise the requirements to ensure that there are no loopholes in how the open space may be provided.

Motion made by: Odell Motion seconded by: Tycher
Item passed unanimously: _____ Item passed on a divided vote:
Item failed unanimously: _____ Item failed on a divided vote: _____

For: Davis, Lueder, Odell, Tycher, Emmons, Weiss, and Lozano
Against: Blizzard, Prothro, McAlester, Bagley, Pollock, and Ekblad

Speakers:

Lauren Oznick, Jiffy Properties

January 15, 2008

It was moved to amend the recommendation to require underground utilities on private property.

Motion made by: Ekblad Motion seconded by: Prothro
Item passed unanimously: Item passed on a divided vote: _____
Item failed unanimously: _____ Item failed on a divided vote: _____

It was moved to amend the recommendation to require SUPs for the following uses: tattoo parlors, massage parlors, piercing studios, and allow the remainder of personal service uses by right.

Motion made by: Ekblad Motion seconded by: Prothro
Item passed unanimously: Item passed on a divided vote: _____
Item failed unanimously: _____ Item failed on a divided vote: _____

It was moved to forward the staff recommendation for the Mixmaster Riverfront study area to the City Plan Commission for consideration as amended by the Committee.

Motion made by: Odell Motion seconded by: Lozano
Item passed unanimously: Item passed on a divided vote: _____
Item failed unanimously: _____ Item failed on a divided vote: _____

Speakers:

Sandy Jacobs
Lauren Oznick
Linda Henry

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It was moved to amend the nonconforming structure requirements to follow Chapter 51A.

Motion made by: **Jones-Dodd**

Motion seconded by: **Bagley**

Item passed unanimously: **X**

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

Speakers:

Brian Caine, CHPD Property

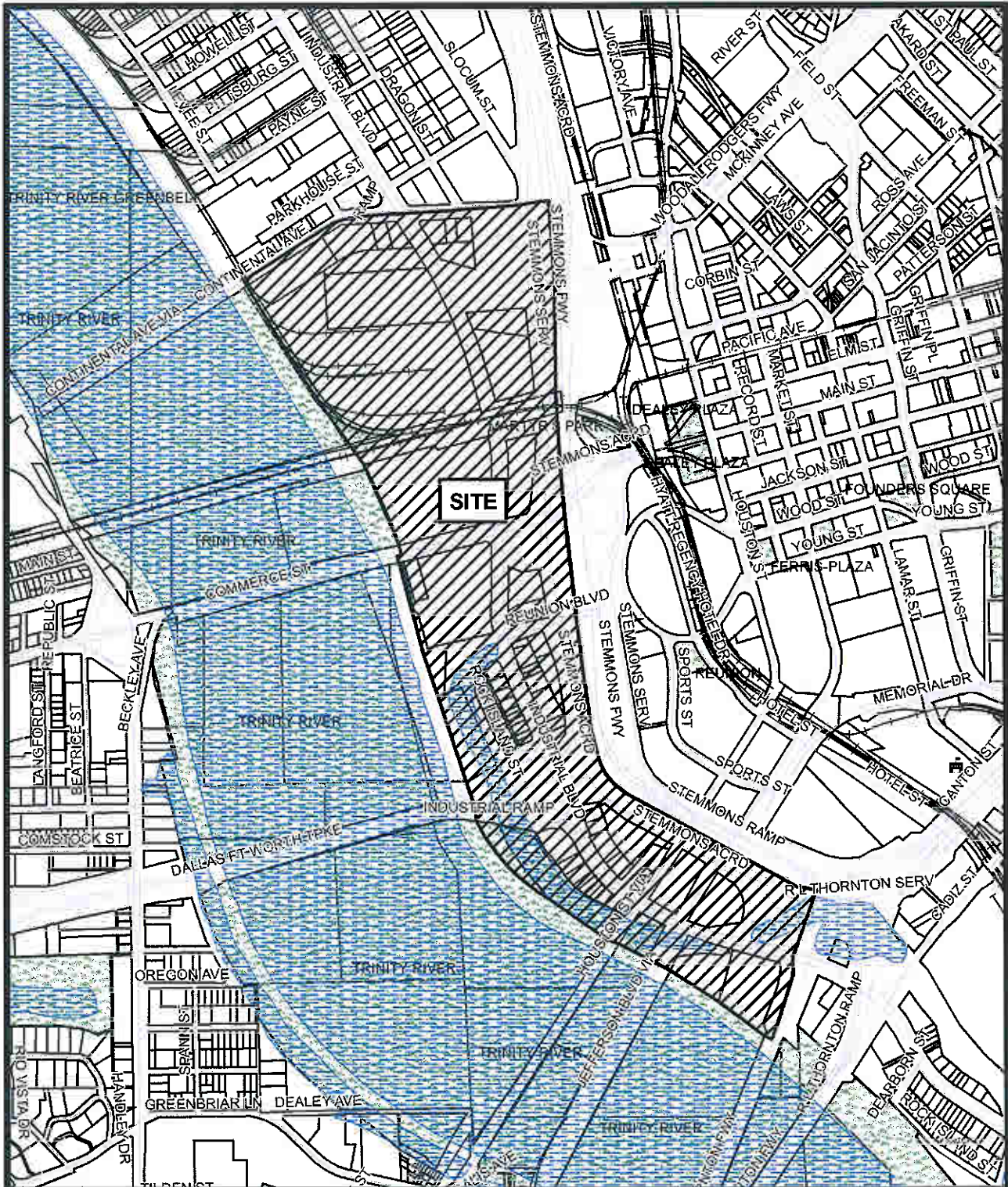
Don Raines, WRT Design

Jonathan Vinson, Jackson Walker

Lauren Oznick, Jiffy Properties

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**CPC RECOMMENDED CONDITIONS FOR THE
TRINITY RIVER CORRIDOR SPECIAL PURPOSE DISTRICT
Z067-148(DW)**

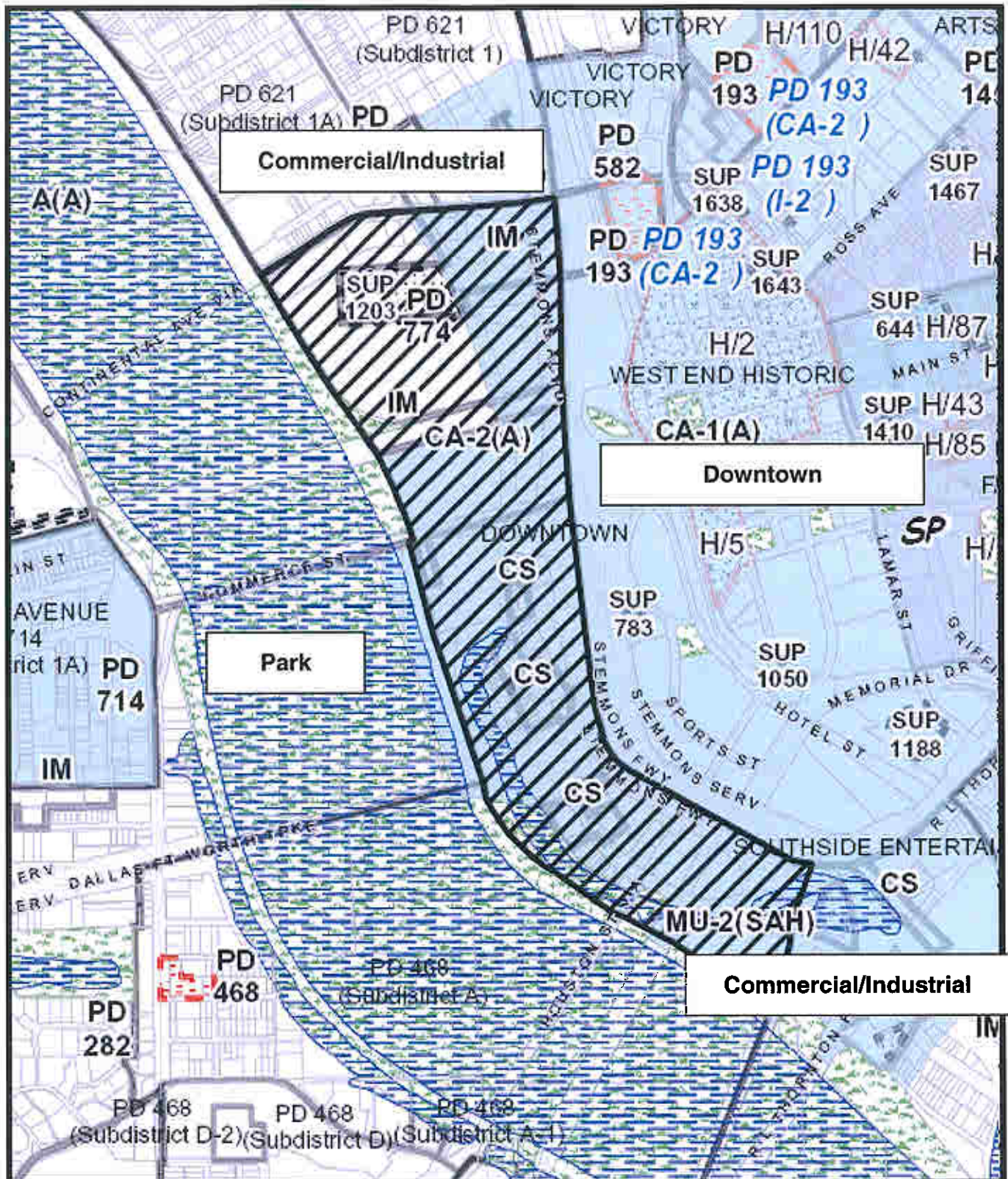


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VICINITY MAP

Map no: J-7, K-7

Case no: Z067-148 DW



Commercial/Industrial

Downtown

Park

Commercial/Industrial

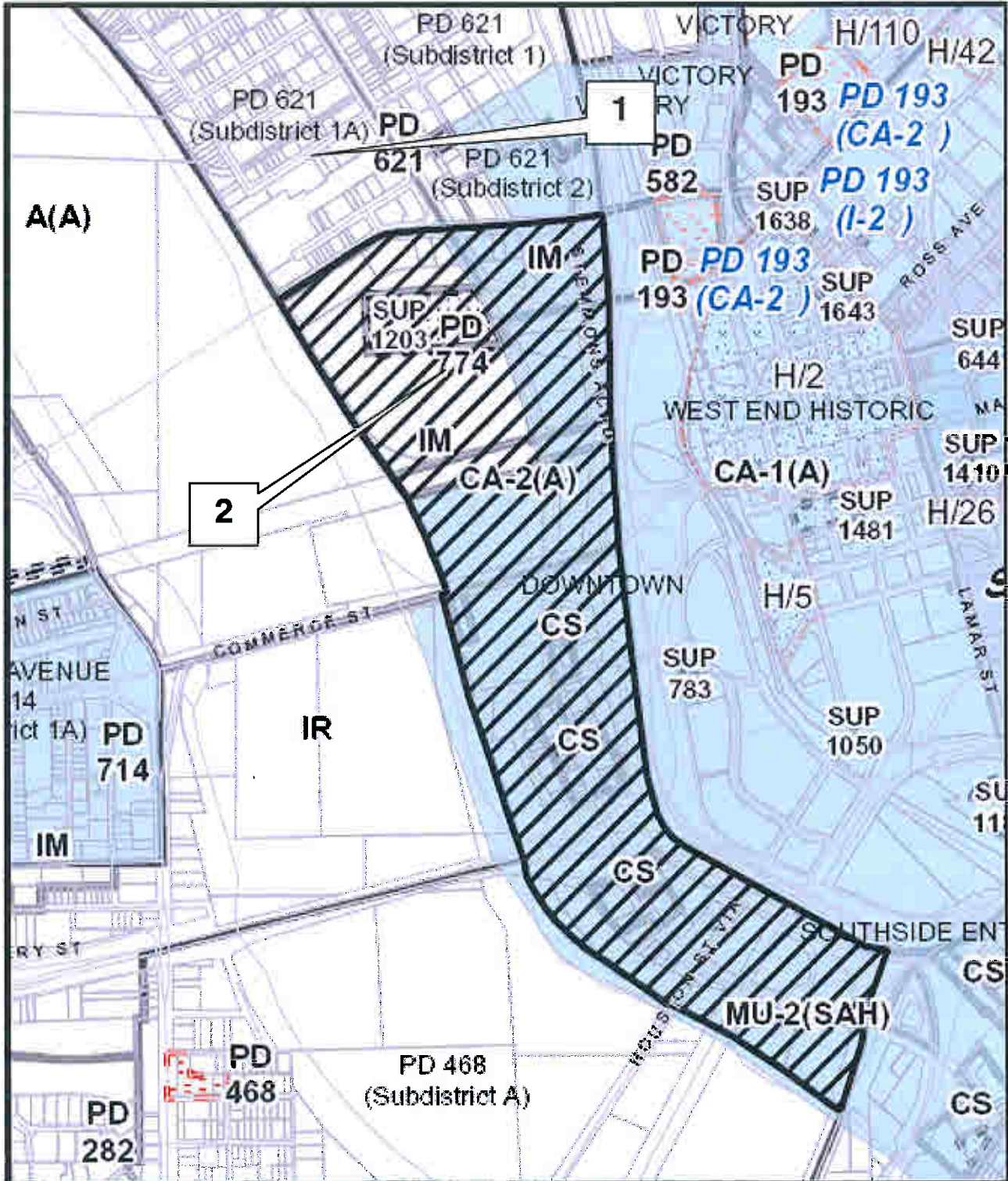


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ZONING MAP

Map no: J-7, K-7

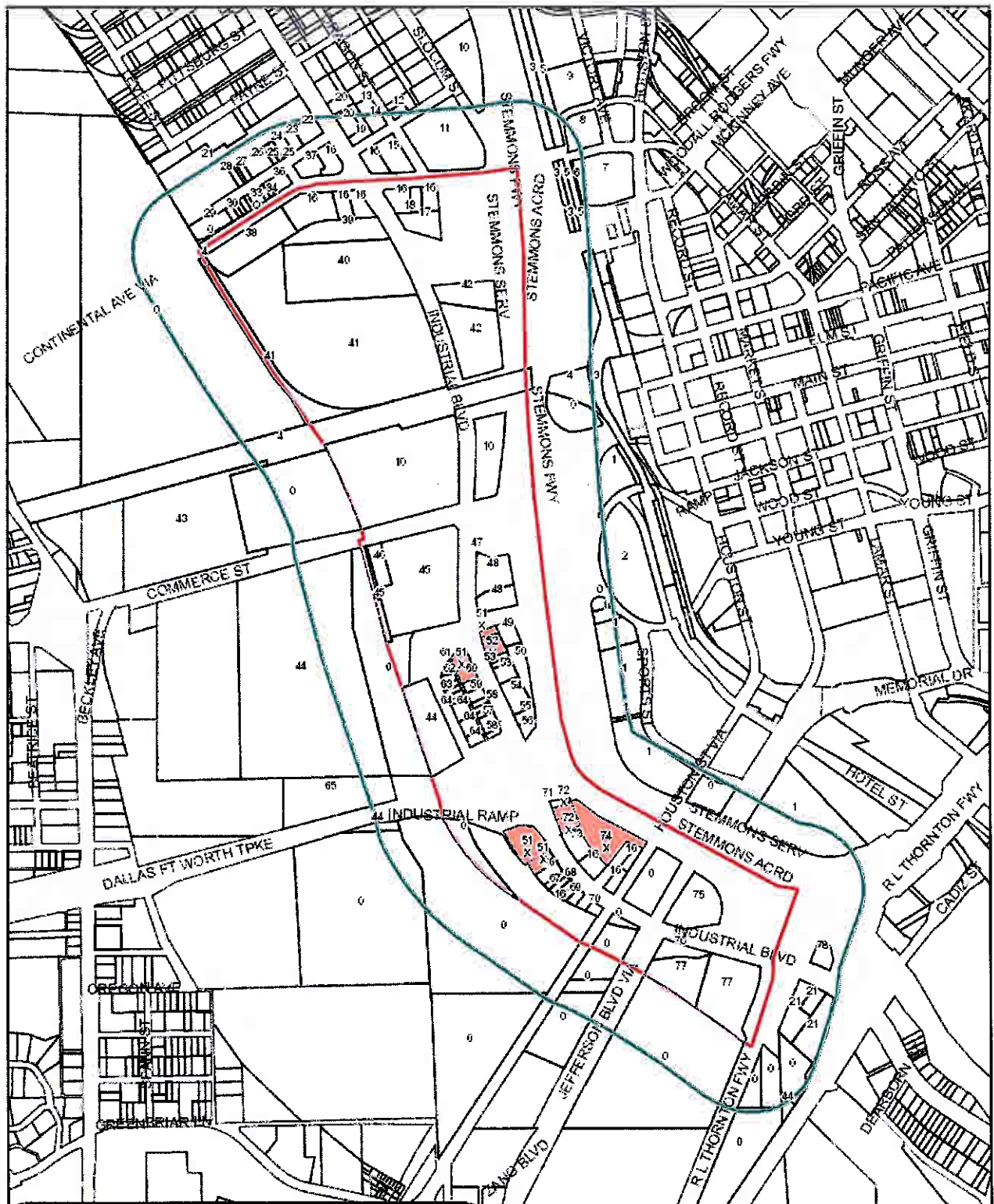
Case no: Z067-148 DW



1:12,400

ZONING HISTORY

Map no: J-7, K-7
Case no: Z067-148 DW



78	Property Owners Notified (157 parcels)
9	Replies in Favor (5 parcels)
4	Replies in Opposition (9 parcels)
500'	Area of Notification
04/24/2008	Date

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CPC



1:11,800

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Notification List of Property Owners
Z067-148 (DW)(KRua)

78 Property Owners Notified

Label #	Address	Owner
1	400 STEMMONS	HUNT WOODBINE REALTY CORP
2	300 REUNION	REUNION HOTEL LP
3	1900 OAK LAWN	DALLAS & FT WORTH CITIES
4	9999 NO NAME	UNION PACIFIC RR CO
5	555 2ND	DART
6	703 MCKINNEY	DALLAS AREA RAPID TRANSIT
7	703 MCKINNEY	703 MCKINNEY LTD PS
8	2201 LAMAR	ANLAND 2A LP
9	2323 VICTORY	BLOCK L LAND LP
10	123 COMMERCE	DALLAS COUNTY OF
11	319 CONTINENTAL	GLI ACQUISITION CO
12	900 DRAGON	MASSOUD CARMEN FAMILY
13	915 DRAGON	SEELCCO PARTNERS LTD
14	905 DRAGON	VCP INTERNATIONAL INC
15	233 CONTINENTAL	GREYHOUND LINES INC
16	222 CONTINENTAL	PRESCOTT INTERESTS LTD
17	650 INDUSTRIAL	PRESCOTT INTERESTS
18	212 CONTINENTAL	GAMR LTD
19	902 INDUSTRIAL	REPPAS INC
20	920 INDUSTRIAL	CCFP LIMITED
21	915 INDUSTRIAL	TEXAS UTILITIES ELEC CO
22	909 INDUSTRIAL	INVESTMENT PROPERTIES INC
23	179 PARKHOUSE	NESBITT REGINALD MATTHEWS
24	171 PARKHOUSE	BMJ PROPERTIES LP
25	163 PARKHOUSE	SHARIFF & SONS PTRS LTD
26	155 PARKHOUSE	MATHIS LAND PARTNERSHIP

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Label #	Address	Owner	
27	137	PARKHOUSE	GALICIA ALAN & GINA
28	135	PARKHOUSE	TRINITY RIVER
29	100	PARKHOUSE	ROBBIE DRIVE LTD
30	114	PARKHOUSE	HALEBIAN CLEO JANE
O31	118	PARKHOUSE	APPLETON JENNIFER LAUREN
O32	126	PARKHOUSE	APPLETON INVESTMENTS LC
O33	130	PARKHOUSE	APPLETON JAMES K
34	146	PARKHOUSE	SPRINT COMMUNICATIONS CO
35	148	PARKHOUSE	US SPRINT COMMUNICATIONS
36	801	CORE	801 CORE ST PTNRS LLC
37	801	INDUSTRIAL	DUIL PPTIES LLC
38	110	CONTINENTAL	110 CONTINENTAL LP
39	505	INDUSTRIAL	500 NORTH INDUSTRIAL LP
40	521	INDUSTRIAL	TEXAS DEPT TRANSPORTATION
41	505	INDUSTRIAL	WATERFRONT TOWERS LP
42	501	STEMMONS	JEFFERSON SKYLINE LP
43	119	COMMERCE	DALLAS COUNTY LID
44	101	CADIZ	CITY & COUNTY LEVEE
45	100	COMMERCE	CHPD-LP
46	106	COMMERCE	TEXAS STATE OF
47	210	INDUSTRIAL	ARONOFF ROCHELLE
48	250	INDUSTRIAL	FRANCIS FAMILY
49	212	REUNION	FLYNN ROBERTA
50	212	REUNION	WISK STACEY
X51	503	INDUSTRIAL	JIFFY PROPERTIES LP
X52	314	INDUSTRIAL	TAYLOR DAVID D JR ET AL
53	350	INDUSTRIAL	RIEKE LUCY CHRISTINE TR
54	352	INDUSTRIAL	DALLAS SOCIETY FOR PREV
55	370	INDUSTRIAL	SPCA OF TEXAS
56	378	INDUSTRIAL	CLARK ROBERT E
57	339	INDUSTRIAL	LAKHANI MEHMOOD &

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Label #	Address	Owner
58	355 INDUSTRIAL	LAKHANI MEHMOOD
59	331 INDUSTRIAL	DENNY W M EST
60	323 INDUSTRIAL	LAMS FAMILY LTD
61	200 ROCK ISLAND	METROPLEX TELEPHONE CO
62	304 ROCK ISLAND	THOMPSON RUSSELL W
63	310 ROCK ISLAND	THOMPSON WILLIAM D
64	326 ROCK ISLAND	ROCK ISLAND INC
65	100 IH 30	TEXAS STATE OF
66	525 INDUSTRIAL	LITTLE L W
67	527 INDUSTRIAL	LITTLE MRS L W
68	531 INDUSTRIAL	DREAMS INC
69	543 INDUSTRIAL	MITCHELL YARA L
70	603 INDUSTRIAL	FOUTS JOHN
71	424 INDUSTRIAL	HENSLEY ROBERT F SR
X72	438 INDUSTRIAL	NGS PARTNERSHIP LTD
73	518 INDUSTRIAL	PNYX
X74	538 INDUSTRIAL	HAS PARTNERSHIP LTD
75	612 INDUSTRIAL	TRINITY RIVER DEV LC
76	130 JEFFERSON	DALLAS COUNTY FLOOD
77	801 INDUSTRIAL	INDUSTRIAL GOLD RUSH LTD
78	908 INDUSTRIAL	C A H PROPERTIES

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Early Notification List

Al Romero
PO Box 870875
Mesquite, TX 75150

Anthony Jones
PO Box 0711
Galveston, TX 77553

Betty Wadkins
2843 Modesto Drive
Dallas, TX 75227

Bridge Ballowe c/o Nextel
1680 N. Prospert Dr.
Ricardson, TX 75081

Cindy Harris
4310 Buena Vista #8
Dallas, TX 75205

Clarence F Cope
10404 Ferndale
Dallas, TX 75238

Jane Guerrini
7032 Lupton
Dallas, TX 75225

Jeff Bosse
PO Box 4738
Dallas, TX 75208

Katie Pascuzzi
2720 N Stemmons Frwy Suite 900
Dallas, TX 75207

Leanne Witek
16660 N Dallas Pkwy #1200
Dallas, TX 75248

Marcus Wood
6060 N Central Expy Ste 333
Dallas, TX 75206

Pam Conley
901 N Madison Avenue
Dallas, TX 75208

Rob Baldwin
401 Exposition
Dallas, TX 75226

Robert P. Garza
412 E. Sixth St.
Dallas, TX 75203

Stephanie Pegues
1500 Marilla 5FS
Dallas, TX 75201

Steve Craft
P O Box 542225
Dallas, TX 75354

Steve Kim
4318 Sexton Ln.
Dallas, TX 75229

Alpha Testing, Inc
Virginia Brown
2209 Wisconsin St, Ste 100
Dallas, TX 75229

Am. Metro/Study Corp
Marque Nelson
14881 Quorum Dr #400
Dallas, TX 75240

Arborilogical Services, Inc.
Bill Seaman
16 Steel Rd.
Wylie, TX 75098

Axley & Hargrove
James Schnurr
3400 Carlisle St, #400
Dallas, TX 75204-1268

Bluffview Homeowner
Pat White
4714 Wildwood
Dallas, TX 75209

Cedar Vista Conservation
Chris Lomax
6439 Dixie Garden Ln
Dallas, TX 75236

Dallas ISD
Stan Armstrong
3700 Ross Ave, Box 61
Dallas, TX 75204

Dallas Planning Asoc
Stuart Pully
P O Box 781609
Dallas, TX 75378

FW Dodge Reports
Donna McGuire
9155 Sterling Dr. Ste 160
Dallas, TX 75063

Jackson Walker
Suzan Kedron
901 Main St. #6000
Dallas, TX 75202

Kiestwood Neighbors
Neoma Shafer
2538 W Kiest Blvd
Dallas, TX 75233

Lake Highlands AIA
Terri Woods
9603 Rocky Branch Drive
Dallas, TX 75243

Master Plan
J Kimborough
900 Jackson St
Dallas, TX 75202

Z067-148(DW)

MetroStudy Corp
Rebecca Webb
14881 Quorum Dr #400
Dallas, TX 75254

N Pk Lovefied Comm Civic League
Joyce Lockley
4718 Wateka Dr.
Dallas, TX 75209

Quick Trip Co.
Teri Dorazil
14450 Trinity Blvd. #300
Fort Worth, TX 76155

United HOA
Norma Parry
1515 Reynaldston Ln.
Dallas, TX 75232

Margaret L Ray
3211 Cherrywood
Dallas, TX 75235

Cochran Heights
Hector Garcia
3601 Turtle Creek Blvd #901
Dallas, TX 75219

Harwood International, Inc.
Jerry Jackson
2828 N Harwood, Suite 1600
Dallas, TX 75201

Mt. Lakes NA
Vicki L Crow
5907 Oro Way
Dallas, TX 75211

Pleasant Wood/Grove
J. Eugene Thomas
P O Box 50051
Dallas, TX 75250

Micheal R Coker Co
Michael R Coker
2700 Swiss Ave. #100
Dallas, TX 75209

Oak Cliff Chamber
Joe Burkleo
545 Lacewood Drive
Dallas, TX 75224

Robert Reeves & Assoc. Inc.
Robert Reeves
900 Jackson St, Suite 160
Dallas, TX 75202

United HOA
Thelma J. Norman
2628 Blackstone Dr.
Dallas, TX 75237

Vicki Keene
738 Cedar Hill Dr
Dallas, TX 75208

Glen Oaks HOA
Eli Davis
912 Timber Dell Ln
Dallas, TX 75232

Ledbetter Coalition
David Barrientos
5414 Bernal Drive
Dallas, TX 75212

N Oak Cliff St Sweepers
Ruby Jones
1630 Navaro
Dallas, TX 75208

Raleigns-Hall Group
Frank M Stick
4224 N Hall St
Dallas, TX 75219

Minyards Properties Inc
Dennis O'Malley
777 Freeport Pkwy
Coppell, TX 75019

PARC DU LAC
Linda Sharp
12126 Vendome Place
Dallas, TX 75230

Signs Manufacturing
William Watson
4610 Mint Way
Dallas, TX 75236

W.A.R.N.
Tashia Moseley
5353 Maple Ave. Ste. 200
Dallas, TX 75235

Citizens Beat Committee
Dorothy Head
4115 McNeil St
Dallas, TX 75227

Harwood International, Inc.
Julie Morris
2828 N Harwood, Suite 1600
Dallas, TX 75201

Mt. Lakes NA
LLoyd Powell
136 S Merryfield Rd.
Dallas, TX 75211

Oak Lawn Comm. Prosecutor
Tanya Oliveira
9801 Harry Hines Blvd
Dallas, TX 75220

W Dal Chamber of Commerce
John Ward
P O Box 224301
Dallas, TX 75222

AGENDA ITEM # 51

KEY FOCUS AREA: Economic Vibrancy
Better Cultural, Arts and Recreational Amenities
Education Enhancements

AGENDA DATE: June 11, 2008

COUNCIL DISTRICT(S): 5

DEPARTMENT: Park & Recreation
Trinity River Corridor Project

CMO: Paul D. Dyer, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: 68-A

SUBJECT

Authorize an increase in the contract with Sedalco, LP for furnishing and installing furniture, additional handrails along arrival path, additional humidistats and carbon dioxide sensors to assure Leadership in Energy and Environmental Design Gold certified status, regrading and reseeding along access road, and structural steel modifications for the Trinity River Audubon Center - Not to exceed \$260,805, from \$11,864,879 to \$12,125,684 - Financing: 1998 Bond Funds

BACKGROUND

The original contract with Sedalco, LP for the construction of the Trinity River Audubon Center and additional work associated with the Deepwood Landfill closure, including utilities, landscaping, and a barrier fence, in an amount not to exceed \$10,789,400, was approved by Council on February 14, 2007, by Resolution No. 07-0470.

Change Order No. 1, approved by Administrative Action No. 07-2231 on July 17, 2007 was for labor and materials for two additional fire hydrants and associated components along the Trinity River Audubon Center entrance road, in an amount not to exceed \$12,083, making a revised contract amount of \$10,801,483.

Change Order No. 2, approved by Council on September 12, 2007 by Resolution No. 07-2612 was for the construction of the discovery garden, evaporative condensed water chiller, TXU serviced and transformer cost, and additional select fill at the Trinity River Audubon Center (formerly "Trinity Interpretive Center"), in an amount not to exceed \$813,147, making a revised contract amount of \$11,614,630.

BACKGROUND (Continued)

Change Order No. 3, approved by Council on November 12, 2007 by Resolution No. 07-3323 was for a rainwater harvesting system which collects run-off from the roof and stores the water in tanks to be used for landscape irrigation at the Trinity River Audubon Center, in an amount not to exceed \$100,714, making a revised contract amount of \$11,715,344.

Change Order No. 4, approved by Council on January 9, 2008 by Resolution No. 08-0157 was for the removal of a damaged tree and installation of a signature tree near the main entrance, additional guardrails for the elevated trails and boardwalks, enhancements to the cafe, and additional electrical and plumbing upgrades for the maintenance area for the Trinity River Audubon Center, in an amount not to exceed \$73,435, making a revised contract amount of \$11,788,779.

Change Order No. 5, approved by Administrative Action No. 08-0783 on February 26, 2008 was for modifications to structural steel components, provide hardware and components for the student by-pass door emergency release, provide alternate ozone and pressure relief containment to discovery gardens aquarium filter system and add three opposite hand animal "paws" to create two paws per animal for prints, in an amount not to exceed \$19,414, making a revised contract amount of \$11,808,193.

Change Order No. 6, approved by Council on May 28, 2008 by Resolution No. 08-1545 was for the installation of a public address system and credit for trail modifications at the Trinity River Audubon Center for a net not-to-exceed amount of \$56,686, making a revised contract amount of \$11,864,879.

Change Order No. 7, approved by the Park and Recreation Board on May 15, 2008, provides for furnishing and installing furniture, additional handrails along arrival path, additional humidistats and carbon dioxide sensors to assure Leadership in Energy and Environmental Design (LEED) Gold certified status, regrading and reseeding along access road, and structural steel modifications for the Trinity River Audubon Center, in an amount not to exceed \$260,805, making a revised contract amount of \$12,125,684.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	July 2008
Complete Construction	August 2008

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized advertisement for a Request for Competitive Sealed Proposals on June 1, 2006.

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

City Council authorized rejection of the only proposal received and authorized re-advertisement for a new Request for Competitive Sealed Proposals on September 13, 2006, by Resolution No. 06-2478.

The Park and Recreation Board authorized award of the contract on January 18, 2007.

City Council authorized award of the contract on February 14, 2007, by Resolution No. 07-0470.

The Park and Recreation Board authorized Change Order No. 2 on September 6, 2007.

City Council authorized Change Order No. 2 on September 12, 2007, by Resolution No. 07-2612.

The Park and Recreation Board authorized Change Order No. 3 on October 18, 2007.

City Council authorized Change Order No. 3 on November 12, 2007, by Resolution No. 07-3323.

The Park and Recreation Board authorized Change Order No. 4 on December 13, 2007.

City Council authorized Change Order No. 4 on January 9, 2008, by Resolution No. 08-0157.

The Park and Recreation Board authorized Change Order No. 6 on May 1, 2008.

The Park and Recreation Board authorized Change Order No. 7 on May 15, 2008.

City Council authorized Change Order No. 6 on May 28, 2008, by Resolution No. 08-1545.

FISCAL INFORMATION

1998 Bond Funds - \$260,805

Original Contract	\$10,789,400
Change Order No. 1	\$12,083
Change Order No. 2	\$813,147
Change Order No. 3	\$100,714
Change Order No. 4	\$73,435
Change Order No. 5	\$19,414
Change Order No. 6	\$56,686
Change Order No. 7 (this action)	<u>\$260,805</u>
Total	\$12,125,684

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Sedalco, LP

White Male	37	White Female	6
Black Male	0	Black Female	0
Hispanic Male	5	Hispanic Female	3
Other Male	1	Other Female	0

OWNER

Sedalco, LP

Tom Kader, President

MAP

Attached

GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Sedalco, LP for furnishing and installing furniture, additional handrails along arrival path, additional humidistats and carbon dioxide sensors to assure Leadership in Energy and Environmental Design Gold certified status, regrading and reseeding along access road, and structural steel modifications for the Trinity River Audubon Center - Not to exceed \$260,805, from \$11,864,879 to \$12,125,684 - Financing: 1998 Bond Funds

Sedalco, LP is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$58,896.50	22.58%
Non-local contracts	\$201,908.50	77.42%
TOTAL THIS ACTION	\$260,805.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alpha Applicators	BMDB35991Y1208	\$1,000.00	1.70%
Maroney Excavation	WFDB35162Y1008	\$13,305.50	22.59%
Total Minority - Local		\$14,305.50	24.29%

Non-Local Contractors / Sub-Contractors

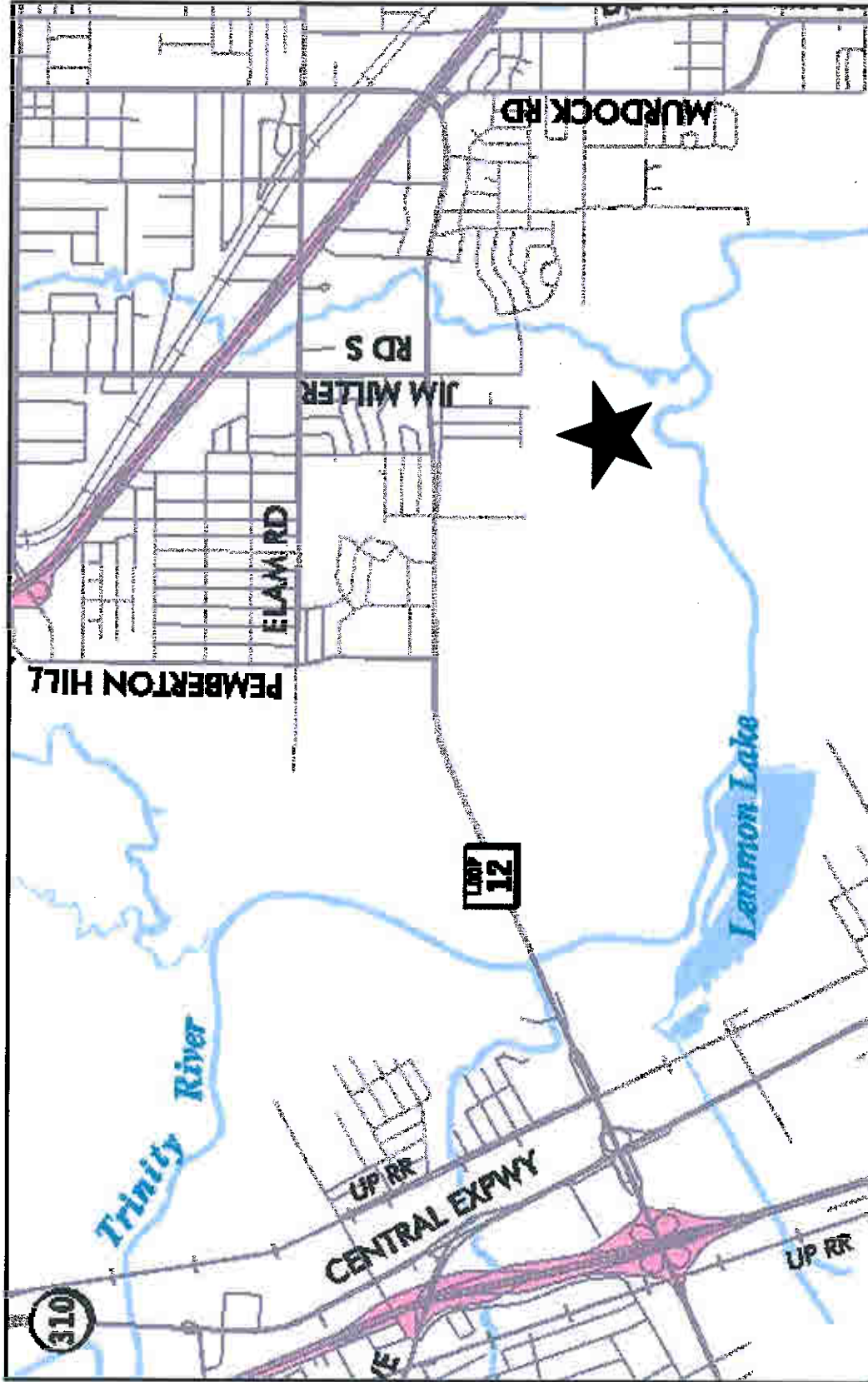
<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Business Interiors	WFWB354741008	\$144,199.45	71.42%
Ironhorse Ironworks	WFWB36158Y1208	\$430.00	0.21%
Total Minority - Non-local		\$144,629.45	71.63%

TOTAL MWBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$1,000.00	0.38%	\$104,029.00	0.86%
Hispanic American	\$0.00	0.00%	\$74,620.00	0.62%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$157,934.95	60.56%	\$2,573,473.95	21.22%
Total	\$158,934.95	60.94%	\$2,752,122.95	22.70%

Trinity River Audubon Center

Council District 5



Mapsc0 #68-A

June 11, 2008

WHEREAS, on February 14, 2007, Resolution No. 07-0470, Sedalco, LP was awarded a contract for the construction of the Trinity River Audubon Center (formerly Trinity Interpretive Center" and additional work associated with the Deepwood Landfill closure, including utilities, landscaping, and a barrier fence for a contract amount of \$10,789,400; and

WHEREAS, on July 17, 2007, Administrative Action No. 07-2231, approved Change Order No.1 for labor and materials for two additional fire hydrants and associated components along the Trinity River Audubon Center (formerly "Trinity Interpretive Center") entrance road, in an amount not to exceed \$12,083, increasing the original contract amount from \$10,789,400 to \$10,801,483; and

WHEREAS, on September 12, 2007, Resolution No. 07-2612, approved Change Order No. 2 for the construction of the discovery garden, evaporative condensed water chiller, TXU service and transformer cost, and additional select fill at the Trinity River Audubon Center (formerly "Trinity Interpretive Center"), in an amount not to exceed \$813,147, increasing the contract amount from \$10,801,483 to \$11,614,630; and

WHEREAS, on November 12, 2007, Resolution No. 07-3323, approved Change Order No. 3 for the purchase of a rainwater harvesting system which collects run-off from the roof and stores the water in tanks to be used for landscape irrigation at the Trinity River Audubon Center (formerly "Trinity Interpretive Center"), in an amount not to exceed \$100,714, increasing the contract amount from \$11,614,630 to \$11,715,344; and

WHEREAS, on January 9, 2008, Resolution No. 08-0157, approved Change Order No. 4 for the removal of a damaged tree and installation of a signature tree near the main entrance, additional guardrails for the elevated trails and boardwalks, enhancements to the cafe, and additional electrical and plumbing upgrades for the maintenance area for the Trinity River Audubon Center, in an amount not to exceed \$73,435, increasing the contract amount of \$11,715,344 to \$11,788,779; and

WHEREAS, on February 26, 2008, Administrative Action No. 08-0783, approved Change Order No. 5 for the modifications to structural steel components, hardware for the student by-pass door emergency release, ozone and pressure relief containment to Discovery Garden aquarium filter system and add three opposite hand animal "paws" to create two paws per animal for prints for the Trinity River Audubon Center, in an amount not to exceed \$19,414, increasing the contract amount of \$11,788,779 to \$11,808,193; and

WHEREAS, on May 28, 2008, Resolution No. 08-1545, approved Change Order No.6 for the installation of a public address system and credit for trail modifications at the Trinity River Audubon Center, in an amount not to exceed \$56,686, increasing the contract amount of \$11,808,193 to \$11,864,879.

June 11, 2008

WHEREAS, this Change Order provides for furnishing and installing furniture, additional handrails along arrival path, additional humidistats and carbon dioxide sensors to assure LEED Gold certified status, regrading and reseeding along access road, and structural steel modifications at the Trinity River Audubon Center, in an amount not to exceed \$260,805, increasing the contract amount of \$11,864,879 to \$12,125,684.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute Change Order No. 7 to the contract with Sedalco, LP for the construction of the Trinity River Audubon Center (formerly "Trinity Interpretive Center") for furnishing and installing furniture, additional handrails along arrival path, additional humidistats and carbon dioxide sensors to assure LEED Gold certified status, regarding and reseeding along access road, and structural steel modifications for the Trinity River Audubon Center, in an amount not to exceed \$260,805, increasing the contract amount from \$11,864,879 to \$12,125,684.

SECTION 2. That the City Controller be and is hereby authorized to pay the amount of \$260,805 to Sedalco, LP as follows:

1998 Trinity River Corridor Fund 8P14, Unit N966,
Department PBW, Object 4310, Activity TRPP,
Program PB98N966, CT-PBW98N966E1,
Commodity 91200, Vendor 500168, in an amount not to exceed \$260,805

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

AGENDA ITEM # 67

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: June 11, 2008

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation
Trinity River Corridor Project

CMO: Paul D. Dyer, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: 44G 42C

SUBJECT

A public hearing to receive comments on the proposed use of a portion of Trinity River Park for the installation of a new 345 kV power transmission line; and, at the close of the hearing, consideration of a resolution authorizing the use; and authorizing the City to deposit payment from Oncor for the fair market value of the easements - Estimated Revenue: \$107,831

BACKGROUND

Oncor is planning a new 345 kV power transmission line connecting the Norwood Switching Station, located in Irving, with the West Levee Switching Station, located on Beckley Avenue in Dallas. The West Levee Switching Station serves the electrical demands for the Central Business District and surrounding areas. Currently, an existing 345 kV transmission line serves the West Levee Switching Station, and to ensure continued safe and reliable electricity and to accommodate for future growth in the project area, an additional 345 kV transmission line is needed. The project is currently planned for completion in 2009.

Since major public and private investment is planned for the Trinity River Corridor that will result in this area becoming an extension of, and connecting to, the existing Central Business District, City Staff worked closely with Oncor over a period of several years to determine a preferred route for the new transmission line. On March 3, 2004, the City Council approved a locally preferred route for the proposed Norwood to West Levee transmission line to avoid routes along the river levees that would conflict with planned high density development along the levees, along Canada Drive and in the vicinity of the future Woodall Rodgers Signature Bridge. The proposed route would also accommodate future consolidation of existing transmission lines currently along the East Levee, thereby reducing the cost of relocating lines that would be in conflict with planned development. This action was included in Oncor's submission of the application for a Certificate of Convenience and Necessity (CCN) to the Public Utility Commission in March 2006.

BACKGROUND (Continued)

In June 2007, the Public Utility Commission of Texas (PUCT) approved the West Levee Norwood transmission line along the City Council's locally preferred route using:

- Aerial structures beginning at the Norwood Switching Station located in Irving, the transmission line will cross the Trinity River just north of the TRE Railway and west of Regal Row, and will run along the East Levee of the Trinity River toward Irving Boulevard (an easement has been requested to cross City Property at this location);
- Aerial structures along the median of Irving Boulevard, from approximately Regal Row to Sylvan Avenue;
- Aerial structures across the Trinity River east (downstream) of the Sylvan Bridge to near the West Levee and Canada Drive (an easement has been requested to cross City property at this location); and
- Underground along the West Levee of the Trinity River (below Canada Drive) from near the Sylvan Bridge to the West Levee Switching Station.

The route was deemed best because it:

- Avoids routing of the new transmission line along the levees of the Trinity River;
- Provides for underground installation of the segment from the West Levee switching station to near Sylvan Avenue below Canada Drive; and
- Creates the opportunity to consolidate the existing 138 kV transmission lines along the East Levee from Sylvan Avenue with the new transmission line along Irving Boulevard.

The PUCT approved route calls for a portion of the new line to be constructed on City property parallel to and approximately 130 feet east of the centerline of the proposed Sylvan Avenue Bridge between the Trinity River Levee system. The route also crosses City property at a second location West of Regal Row and North of Irving Boulevard. In order for the transmission line to cross the Trinity River on aerial structures in these two locations, Oncor has submitted a request for easements from the City of Dallas.

Oncor will provide a survey for both requested easements and will pay the City of Dallas the fair market value of the easements, in accordance with State Law.

In compliance with the Law, Oncor in cooperation with the City of Dallas has determined that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of park land.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 3, 2004, City Council approved the locally preferred route for the West Levee Norwood transmission line by Resolution No. 04-0855.

On April 14, 2004, City Council authorized a Memorandum of Understanding between the City and Oncor by Resolution No. 04-1251.

On May 23, 2007, City Council authorized an agreement with Oncor permitting the escrow of \$4.5 M in City funds to pay for the City's 25% share of the incremental cost to place a portion of the West Norwood transmission line underground by Resolution No. 07-1589.

On March 4, 2008, the Trinity River Corridor Project Committee was briefed.

On April 17, 2008, the Park and Recreation Board approved the placement of the transmission line.

On April 22, 2008, the Trinity River Corridor Project Committee was briefed.

On May 14, 2008, City Council authorized the public hearing by Resolution No. 08-1421.

FISCAL INFORMATION

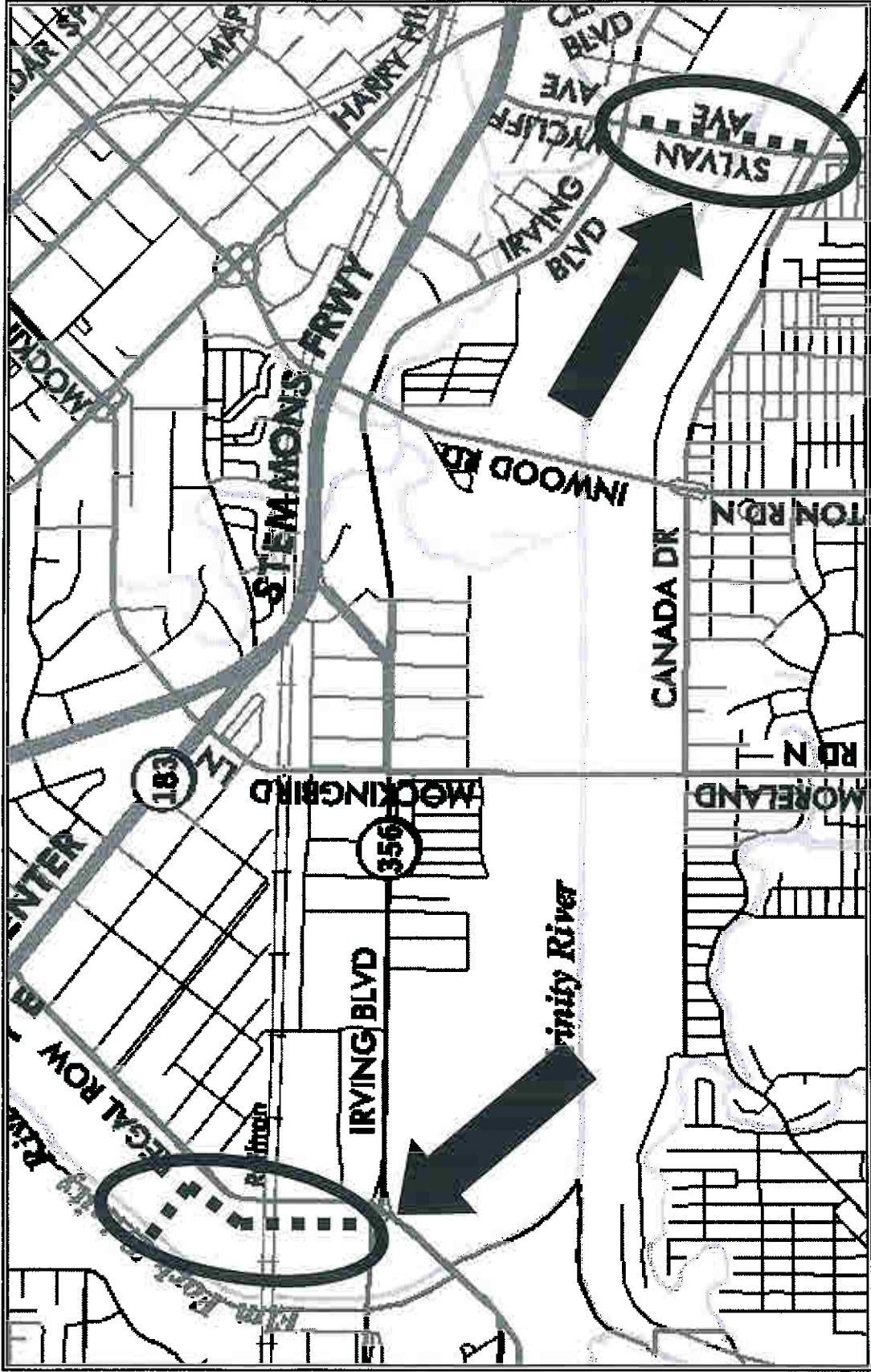
Estimated Revenue - \$107,831

MAP

Attached.

Trinity River Park – Proposed Oncor Easement

Council District 6



Mapsc0 #44-G, 42-C

June 11, 2008

WHEREAS, the City of Dallas owns land in Dallas known as Trinity River Park, which was acquired for park, flood control, and transportation purposes; and

WHEREAS, Oncor Electric Delivery (Oncor) has requested the conveyance of two permanent easements for the installation of 345 kV power transmission line connecting the Norwood Switching Station, located in Irving, with the West Levee Switching Station, located on Beckley Avenue in Dallas, and the Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, the West Levee Switching Station serves the electrical demands for the Central Business District and surrounding areas; and

WHEREAS, an existing 345 kV transmission line currently serves the West Levee Switching Station, and to ensure continued safe and reliable electricity and to accommodate for future growth in the project area, an additional 345 kV transmission line is needed; and,

WHEREAS, on March 3, 2004, the City Council approved a locally preferred route for the proposed 345 kV transmission line from Norwood Switching Station to West Levee Switching Station as follows: aerial structures along the median of Irving Boulevard, from approximately Regal Row to Sylvan Avenue; aerial structures across the Trinity River downstream of the Sylvan Bridge to the West Levee, and underground along Canada Drive, from near Sylvan Bridge to the West Levee Switching Station; and,

WHEREAS, the City and Oncor were parties to Docket No. 32455, involving the application of Oncor for a Certificate of Convenience and Necessity for a proposed 345 kV electric transmission line from the West Levee switching station in Dallas to the Norwood switching station in Irving; and,

WHEREAS, on May 23, 2007, the City Council authorized an agreement with Oncor permitting the escrow of \$4.5 million in City funds to pay for the City's twenty-five percent share of the incremental cost of placing the Canada Drive segment underground; and,

WHEREAS, on June 7, 2007, the Public Utility Commission of Texas (PUCT) issued an order that required Oncor to install the West Levee Norwood transmission line along the locally preferred route and to place the Canada Drive segment underground and directed the City of Dallas to execute a contract with Oncor under which the City would pay for twenty-five percent of the incremental cost of placing the Canada Drive segment underground; and,

WHEREAS, on June 7, 2007, the PUCT also issued an order that the remaining \$13.5 million in incremental underground installation cost to be "uplifted" to the system-wide transmission rate; and,

June 11, 2008

WHEREAS, the PUCT approved route calls for a portion of the new line to be constructed on City property parallel to and approximately 130 feet east of the centerline of the proposed Sylvan Avenue Bridge between the Trinity River Levee system and at a second location, West of Regal Row and North of Irving Boulevard; and,

WHEREAS, since Oncor has eminent domain authority, the referendum, notice and bidding requirements of Chapter 253 and 272 of the Texas Local Government Code are not applicable to the City's conveyance of an easement involving park land; and,

WHEREAS, the Texas Parks and Wildlife code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as park land, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; **Now, Therefore,**

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

SECTION 1. That as a result of the public hearing on June 11, 2008, it is hereby determined that there is no feasible and prudent alternative to this use of park land and that all reasonable planning to minimize harm to the park has been taken.

SECTION 2. That since the public hearing has been held, the use is authorized subject to the following terms and conditions:

1. Submittal of boundary surveys describing the two authorized easement areas.
2. Payment of fair market value for the easement areas as determined by an independent fee appraisal into the park land acquisition and improvement account, as required by State Law.

SECTION 3. That the City is authorized to deposit payment in the amount of \$107,831 from Oncor for the fair market value of the easements into Fund 0530, PKR P453, Revenue Source 8482, in accordance with State Law.

SECTION 4. That the City Manager is authorized to execute all easement and right-of-way documents necessary to convey the easement to Oncor to be attested by the City Secretary upon approval as to form by the City Attorney.

June 11, 2008

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.

Distribution:
Park and Recreation Department
Trinity River Corridor Project Office

ADDENDUM ITEM # 10

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities
AGENDA DATE: June 11, 2008
COUNCIL DISTRICT(S): 6
DEPARTMENT: Trinity River Corridor Project
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 44-R

SUBJECT

Authorize **(1)** a contract for the fabrication and installation of a fabric shade structure, site preparation, fine grading, and landscaping for a pavilion and observation deck at the Trinity Lakes located at the intersection of Beckley Avenue and Commerce Street - Fast Trak Construction, Inc., best value proposer of three in the amount of \$248,815, and **(2)** the establishment of appropriations in the amount of \$100,000 in the Fast Track Overlook Fund - Not to exceed \$248,815 - Financing: 1998 Bond Funds (to be partially reimbursed from Private Funds)

BACKGROUND

This action will award a contract for the fabrication and installation of a fabric shade structure, site preparation, fine grading, and landscaping for a pavilion and observation deck at the Trinity Lakes located at the intersection of Beckley Avenue and Commerce Street to Fast Trak Construction, Inc., best value proposer of three, in the amount of \$248,814.80. On May 8, 2008, three proposals were received and it was determined that Fast Trak Construction, Inc. was the best value proposer. Proposals based on Request for Competitive Sealed Proposals (RFCSP) were evaluated based on the following criteria:

1. Proposed Construction Contract Amount	40%
2. Qualifications/Experience/References for Prime Firm	20%
3. Subcontractor Experience	15%
4. Good Faith Effort Plan	10%
5. Financial Sufficiency	5%
6. Schedule/Time of Completion	<u>10%</u>
Total	100%

BACKGROUND (continued)

The City will coordinate with MetLife regarding signage for this project, which will be added to the project as a change order in August 2008. A donation of \$100,000 for project expenses from MetLife Foundation via the Trust for Public Land (TPL) will be made to the City upon substantial completion of this project by October 2008.

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2007
Completed Design	April 2008
Begin Construction	July 2008
Complete Construction	October 2008

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Trinity River Corridor Project Committee authorized the Fast Track Overlook project on On April 8, 2008.

FISCAL INFORMATION

\$248,814.80 - 1998 Bond Funds (to be partially reimbursed from private funds)

M/WBE INFORMATION

Awaiting GFE recommendation from Business Development and Procurement Services.

ETHNIC COMPOSITION

Fast Trak Construction, Inc.

White Male	5	White Female	4
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	1
Other Male	0	Other Female	0

PROPOSAL INFORMATION

*Denotes successful proposer

<u>Proposers</u>	<u>Base Bid</u>	<u>Scores</u>
*Fast Trak Construction, Inc. 1150 Empire Central, Dallas, TX	\$248,814.80	3735.00
Phoenix I Restoration and Construction, Ltd.	\$258,000.00	3733.40
Texas Standard Construction, Ltd.	\$499,000.00	1286.00

OWNERS

Fast Trak Construction, Inc.

Anna Cicur, President
Shane Gair, Vice President
Leslie Hallman, Secretary
John Cicur, III, Treasurer

MAP

Attached

GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize (1) a contract for the fabrication and installation of a fabric shade structure, site preparation, fine grading, and landscaping for a pavilion and observation deck at the Trinity Lakes located at the intersection of Beckley Avenue and Commerce Street - Fast Trak Construction, Inc., best value proposer of three in the amount of \$248,815, and (2) the establishment of appropriations in the amount of \$100,000 in the Fast Track Overlook Fund - Not to exceed \$248,815 - Financing: 1998 Bond Funds (to be partially reimbursed from Private Funds)

Fast Trak Construction is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$104,151.80	41.86%
Total non-local contracts	\$144,663.00	58.14%
TOTAL CONTRACT	\$248,814.80	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Fast Trak Construction	WFWBE15420509	\$52,497.80	50.41%
Total Minority - Local		\$52,497.80	50.41%

Non-Local Contractors / Sub-Contractors

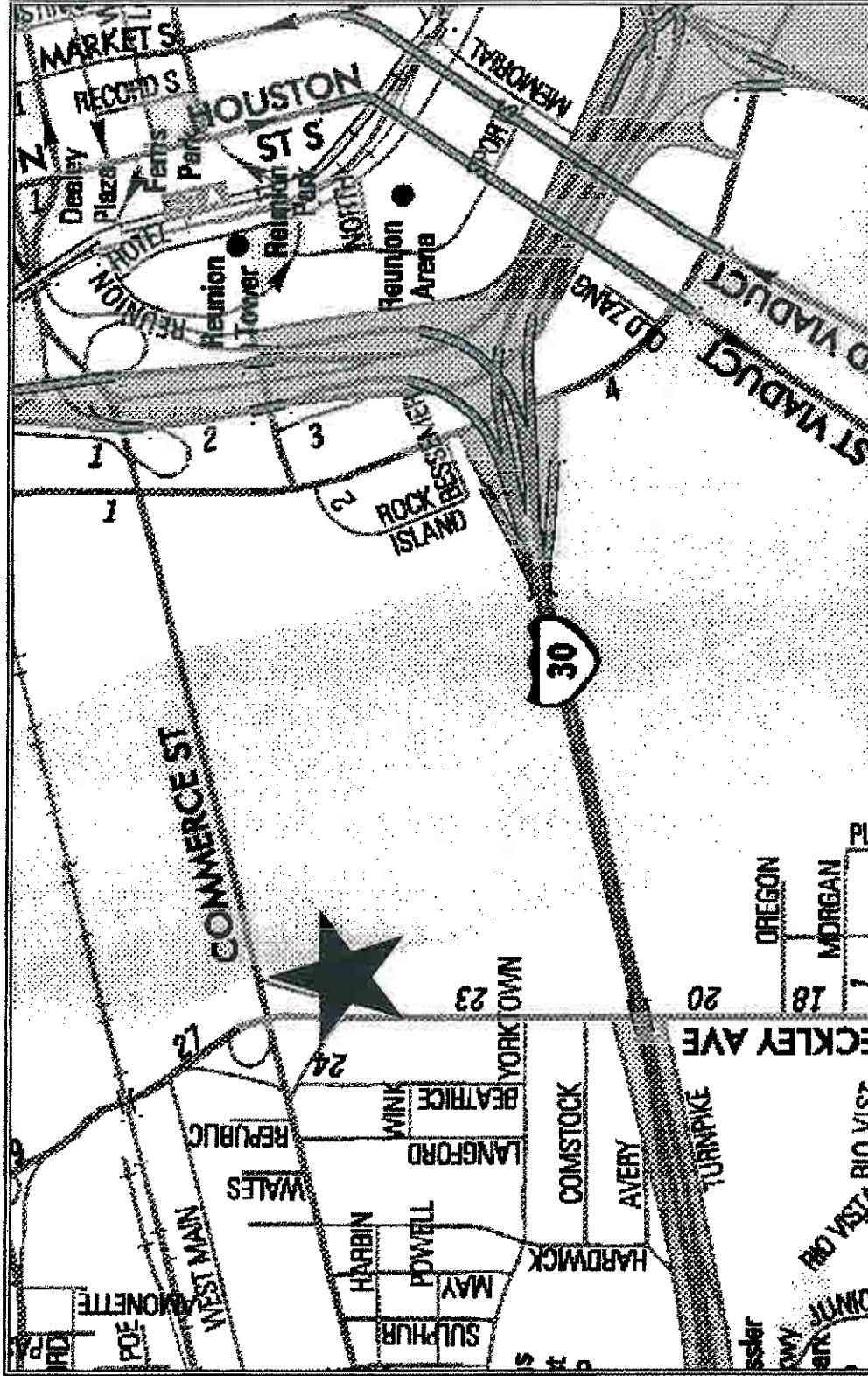
<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Cowtown Traffic Control	BMDB34906Y0908	\$2,612.00	1.81%
Dirt Trucking	HMDB35030Y1008	\$4,000.00	2.77%
Custom Crete	WFDB36877Y0309	\$3,650.00	2.52%
Total Minority - Non-local		\$10,262.00	7.09%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$2,612.00	1.05%
Hispanic American	\$0.00	0.00%	\$4,000.00	1.61%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$52,497.80	50.41%	\$56,147.80	22.57%
Total	\$52,497.80	50.41%	\$62,759.80	25.22%

Trinity Lakes Fast Track Observation Deck

Council District 6



Beckley Avenue at Commerce Street

Mapsc0 #44-R

June 11, 2008

WHEREAS, on May 28, 2008, three proposals were received for the fabrication and installation of a fabric shade structure, site preparation, fine grading and landscaping for a pavilion and observation deck at the Trinity Lakes located at the intersection of Beckley Avenue and Commerce Street, with the proposal provided by Fast Trak Construction, Inc., best value for the City of Dallas; and,

<u>Proposers</u>	<u>Base Bid</u>	<u>Scores</u>
Fast Trak Construction, Inc.	\$248,814.80	3735.00
Phoenix I Restoration and Construction, Ltd.	\$258,000.00	3733.40
Texas Standard Construction, Ltd.	\$499,000.00	1286.00

WHEREAS, Fast Trak Construction, Inc., provided a final and best offer in the amount of \$248,814.80 for the fabrication and installation of a fabric shade structure, site preparation, fine grading and landscaping for a pavilion and observation deck at the Trinity Lakes located at the intersection of Beckley Avenue and Commerce Street; and,

WHEREAS, a donation of \$100,000 for project expenses from MetLife Foundation via the Trust for Public Land (TPL) will be made upon substantial completion of this project by October 2008.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a contract with Fast Trak Construction, Inc. for the fabrication and installation of a fabric shade structure, site preparation, fine grading and landscaping for a pavilion and observation deck at the Trinity Lakes located at the intersection of Beckley Avenue and Commerce Street, in an amount not to exceed \$248,814.80.

SECTION 2. That the City Manager is hereby authorized to execute a contract with Fast Trak Construction, Inc., after approval as to form by the City Attorney's Office.

SECTION 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Trinity River Corridor Fund 6P14, Department PBW, Unit N963, Object 4420, Activity TRPP, Program PB98N963, CT-PBW08N963I01, Commodity 90977, Vendor VS0000029869, in an amount not to exceed	\$248,814.80
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June 11, 2008

SECTION 4. That the City Controller is hereby authorized to receive and deposit funds in an amount not to exceed \$100,000 from MetLife Foundation via Trust for Public Land (TPL) in the Fast Track Overlook Fund, Agency PBW, Org N963, Revenue Source 8411.

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.