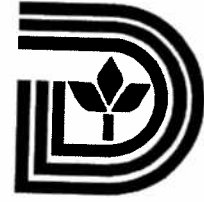


# Memorandum



CITY OF DALLAS

DATE November 14, 2009  
TO Honorable Mayor and Members of the City Council  
Subject Annette Strauss Artist Square Sound Mitigation Plan

Attached is a briefing that will be presented to the Council on Wednesday, November 19, 2008. This briefing will provide an update on the sound mitigation plan for the Annette Strauss Artist Square.

Please let me know if you have any questions or need additional information.

A handwritten signature in black ink, appearing to read 'Forest E. Turner'.

Forest E. Turner  
Interim Assistant City Manager

C: Mary K. Suhm, City Manager  
Deborah A. Watkins, City Secretary  
Thomas P. Perkins, Jr., City Attorney  
Craig D. Kinton, City Auditor  
Judge C. Victor Lander, Judiciary  
Ryan S. Evans, First Assistant City Manager  
A.C. Gonzalez, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Ramon F. Miguez, P.E., Assistant City Manager  
David K. Cook, Chief Financial Officer  
Helena Stevens-Thompson, Assistant to the City Manager

# Annette Strauss Artist Square Sound Mitigation Plan

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Briefing to Dallas City Council  
November 19, 2008



# Briefing Overview

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- Provide information to City Council on the plan to address the concerns of possible sound impact of the Annette Strauss Artist Square
- Summarize amendments to the Performing Arts Center Development Agreement and Dallas Symphony Association Use Agreement

# Dallas Center for the Performing Arts (DCPAF) Background

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- The City of Dallas and the Dallas Center for the Performing Arts Foundation (DCPAF) entered into the Performing Arts Center Development Agreement on December 15, 2005 (approved by City Council Resolution # 05-2859)
- Agreement authorizes Dallas Center for the Performing Arts Foundation to develop and manage the following venues in the Dallas Center for the Performing Arts:
  - Winspear Opera House
  - Wyly Theater
  - Performance Park
  - Annette Strauss Artist Square
  - City retains rights to develop and manage City Performance Hall

# DCPAF Background (cont.)

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## City of Dallas Public Investment:

- 1998 Bond Program
  - Prop 7 \$9,153,950  
(Land acquisition)
- 2003 Bond Program
  - Prop 5 \$9,004,070  
(Utility adjustments)
  - Prop 12 \$8,775,000  
(Annette Strauss Artist Square)
- 2006 Bond Program
  - Prop 5 \$38,235,104  
(City Performance Hall Phase I)

# DCPAF Background (cont.)

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- Dallas Center for the Performing Arts Foundation has conducted a capital campaign to raise \$338 million to develop the facilities
  - \$334 million contributed / pledged as of 10/6/08
  - The DCPAF campaign is the first ever in U.S. philanthropy to raise over 100 gifts of \$1 million or more (to date, over 120 gifts are over \$1 million)
  - One of the largest philanthropic campaigns for the performing arts in the U.S.
- The agreement is effective for a 40-year term (2049), with 5 consecutive 10-year renewal options
- City will provide the Foundation up to \$2.5 million annually for utilities and operations of the facilities

# DSA Background

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- The City of Dallas and the Dallas Symphony Association (DSA) entered into a Use Agreement for the Meyerson Symphony Center on September 18, 1985 (subsequently amended in 1995, 1999, and 2004)
- The Meyerson was built through public/private partnership
  - City \$49.3
  - DSA \$43 million
- The agreement is effective through August 31, 2019, with 10-year renewal options

# DSA Background (cont.)

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- The Use Agreement sets the terms under which the DSA uses and occupies the Meyerson and the City's responsibilities for the operation and management of the facility
  - City provides staffing, maintenance, security and utilities
  - DSA reimburses the City for a portion of the utilities
  - Scheduling of the venue is done in advance with priority given to DSA events



# History of Annette Strauss Artist Square

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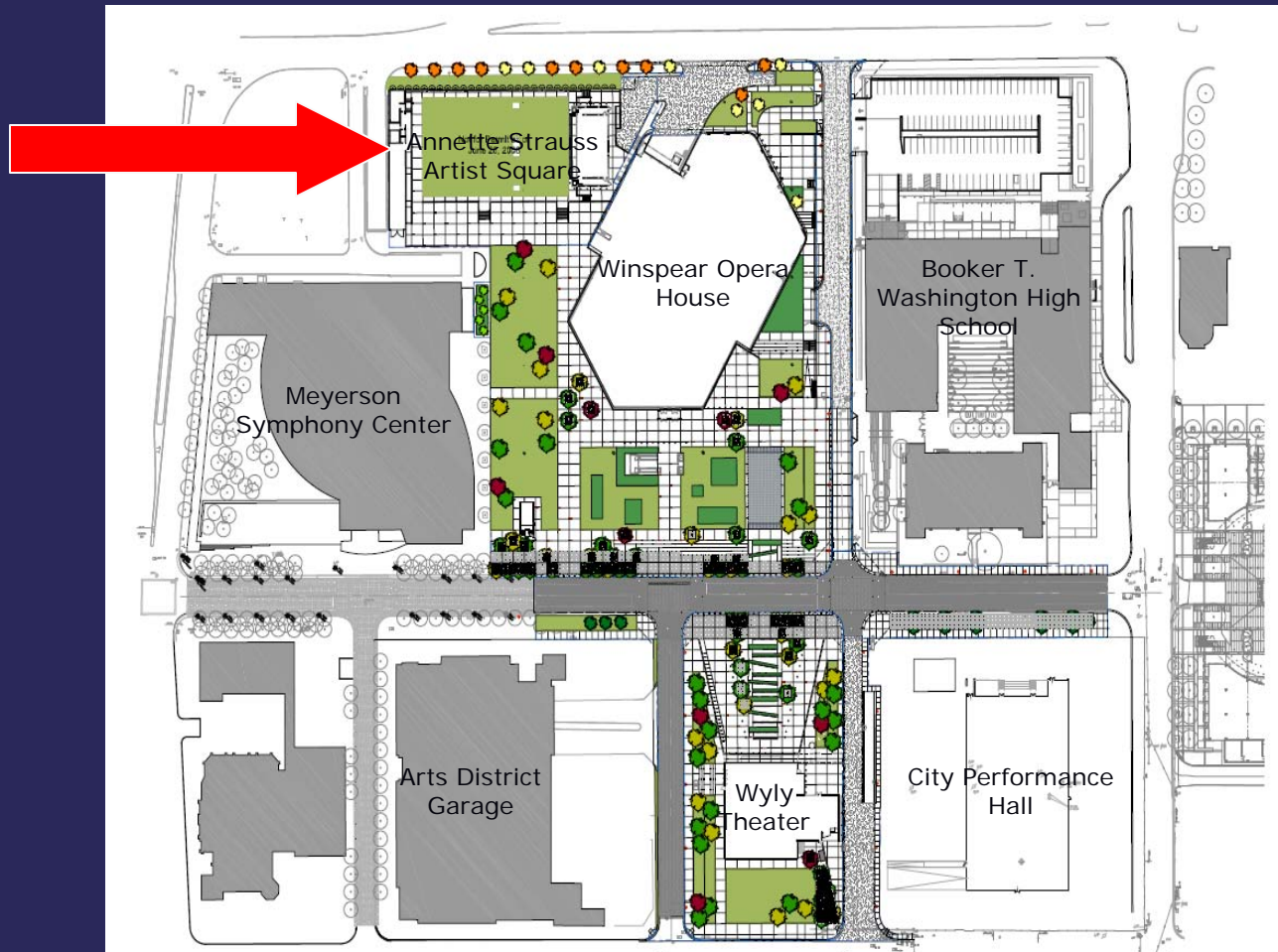
- 1988 The Planning Committee, Artists and Design Team present a design concept to City Council for a temporary landscape, art display and performance area to be known as "Artist Square" in land acquired by the City for the future development of the Arts District
- 1989 City approves the concept proposed for "Artist Square" and approves construction contract
- 1991 Programming begins at Artist Square
- 1998 City Council adopts resolution naming the space designated as "Artist Square" as the Annette Strauss Artists Square to honor and acknowledge Mayor Strauss's contributions to and support of the Dallas arts community
- 2003 Dallas Center for the Performing Arts Master Plan includes permanent Annette Strauss Artist Square
- 2005 The "old" Annette Strauss Artist Square "relocates" for the construction of the Dallas Center for the Performing Arts

# Annette Strauss Artist Square

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- Location designated in the Dallas Center for the Performing Arts Master Plan completed in 2003 by Foster + Partners, OMA and Michel Desvigne
  - Located WEST of the Winspear Opera House, NORTH of the Meyerson Symphony Center
- Designed by Foster + Partners / Good Fulton Farrell

# Annette Strauss Artist Square (cont.)



## Annette Strauss Artist Square (cont.)

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- Permanent stage house with lighting and sound equipment
- Stage house and dock adjacent to the Opera House truck dock
- Stage house and portion of lawn to be shaded by Winspear canopy
- Maximum capacity is 5,000 people



# Possible Sound Concerns

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- Possible sound penetration into the Meyerson Symphony Center
- Three expert acousticians for the Dallas Symphony Association, Dallas Center for the Performing Arts, and City of Dallas have studied the issue
  - Artec Consultants (DSA)
  - Sound Space Design (DCPAF)
  - Kirkegaard Associates (City)

## Possible Sound Concerns (cont.)

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- Multiple recommendations on how to address the possible problem
- All have been discussed and evaluated against cost, feasibility and potential effectiveness
- Plan to mitigate possible sound penetration has been discussed with the DCPAF and the DSA

# Plan to Mitigate Possible Sound Penetration

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1. Modifications to the design of the facility
  - Concrete or grout filled CMU subwoofer compartments
  - Continuous surface acoustic barrier on stage tower and subwoofer compartments
  - Barrier walls intended to reduce low-frequency subwoofer sound
  - Moving the stage house is *not* a feasible modification (design and cost)
    - Additional \$6.16 million

# Plan (cont.)

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2. Sound technology
  - Distributed sound system with directional speakers to serve front audience and secondary speakers to serve audience in back
  - Computer-aided sound monitoring and control systems
  - Trained operators



# Plan (cont.)

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3. Administrative controls
  - Performer contracts that require:
    - Use of in-house audio system
    - Well-defined technical limits specifying maximum allowable sound pressure levels
    - Contractual penalties for violation of sound limits
  - Joint plan for scheduling at the Meyerson / Strauss

# Plan (cont.)

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## Joint Plan for Scheduling

- **No amplified sound events will be scheduled** at the Strauss on the following times:
  - Dallas Symphony Association performances and rehearsals (Classical, Pops, Casual Classics, Youth Concerts, Community Concerts, etc.)
  - Performances by the following classical music groups: Dallas Wind Symphony, Greater Dallas Youth Orchestra, Greater Dallas Children's Chorus and Turtle Creek Chorale
- Restrictions on activities at the Strauss during weekdays (M-Th, 8-5 and F, 8-12):
  - No activities with sustained noise over 90dB (busy traffic noise level)
  - No sound checks
  - Load-in, rigging, lighting set up, tuning, equalizing allowed (subject to the 90dB limit)

# Next Steps

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- Amend Performing Arts Center Development and Use Agreements to include design, technology and administrative controls for Annette Strauss Artist Square
  - Amendments to be presented to City Council on December 10, 2008
- Finalize joint plan for scheduling working with the DSA and DCPAF
- Amend Dallas Symphony Association Use Agreement to include joint plan for scheduling (Council action date TBD)



# Questions or Comments

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