

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 24, 2016
COUNCIL DISTRICT(S): 1
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 54B

SUBJECT

A resolution **(1)** declaring one property containing approximately 4,497 square feet of unimproved land unwanted and unneeded, located near the intersection of Polk Street and Turner Avenue, and authorizing its advertisement for sale by public auction; **(2)** authorizing a Purchase and Sale Agreement to be prepared for the auctioned surplus property receiving the highest qualified bid that is sold absolute; and **(3)** waving the minimum reserve amount - Estimated Revenue: \$28,920

BACKGROUND

This item will declare a property containing approximately 4,497 square feet of unimproved land unwanted and unneeded, located near the intersection of Polk Street and Turner Avenue, and authorizing its advertisement for sale by public auction. This property has been routed to City departments and outside agencies to determine whether any had a need for the property.

Texas Local Government Code Section 253.008 authorizes municipalities to sell real property owned by the municipality at an advertised public auction. Section 272.001 states fair market value may be determined by the highest bid price obtained by a municipality at an advertised auction.

This property will be advertised for sale by public auction with a reservation of all oil, gas and other minerals in and under the property and a restriction prohibiting the placement of industrialized housing.

Upon receipt of the highest qualified bid sold absolute, a Purchase and Sale Agreement, approved as to form by the City Attorney, will be prepared for the highest bidder. Staff will ensure the highest bidder is qualified to bid and be awarded the property. This property will be sold by Deed without Warranty, approved as to form by the City Attorney.

This property will return to the tax rolls upon conveyance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on May 2, 2016.

FISCAL INFORMATION

Estimated Revenue: \$28,920

MAP

Attached

FORT WORTH AVE



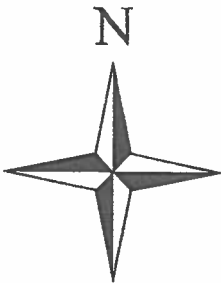
SYLVAN AVE

W COLORADO BLVD

626 Turner Ave
Block 3477

N TYLER ST

W DAVIS ST



N POLK ST

S POLK ST

S TYLER ST

W JEFFERSON BLVD

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 24, 2016
COUNCIL DISTRICT(S): 10
DEPARTMENT: Sustainable Development and Construction
City Attorney's Office
CMO: Ryan S. Evans, 671-9837
Christopher D. Bowers, 670-3491
MAPSCO: 17X

SUBJECT

Authorize a two-year lease agreement with Shawnee, Inc. for approximately 1,800 square feet of office space located at 9451 Lyndon B. Johnson Freeway, Suite 125, to be used as a Northeast Community Court for the period January 1, 2017 through December 31, 2018 - Not to exceed \$45,360 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This item authorizes a two-year lease agreement with Shawnee, Inc. for approximately 1,800 square feet of office space located at 9451 Lyndon B. Johnson Freeway, Suite 125. This lease will provide the Northeast Community Court to continue to serve the residents in the Northeast area of Dallas.

The lease will begin on January 1, 2017 through December 31, 2018.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on August 15, 2016.

FISCAL INFORMATION

\$45,360 - Current Funds (subject to annual appropriations)

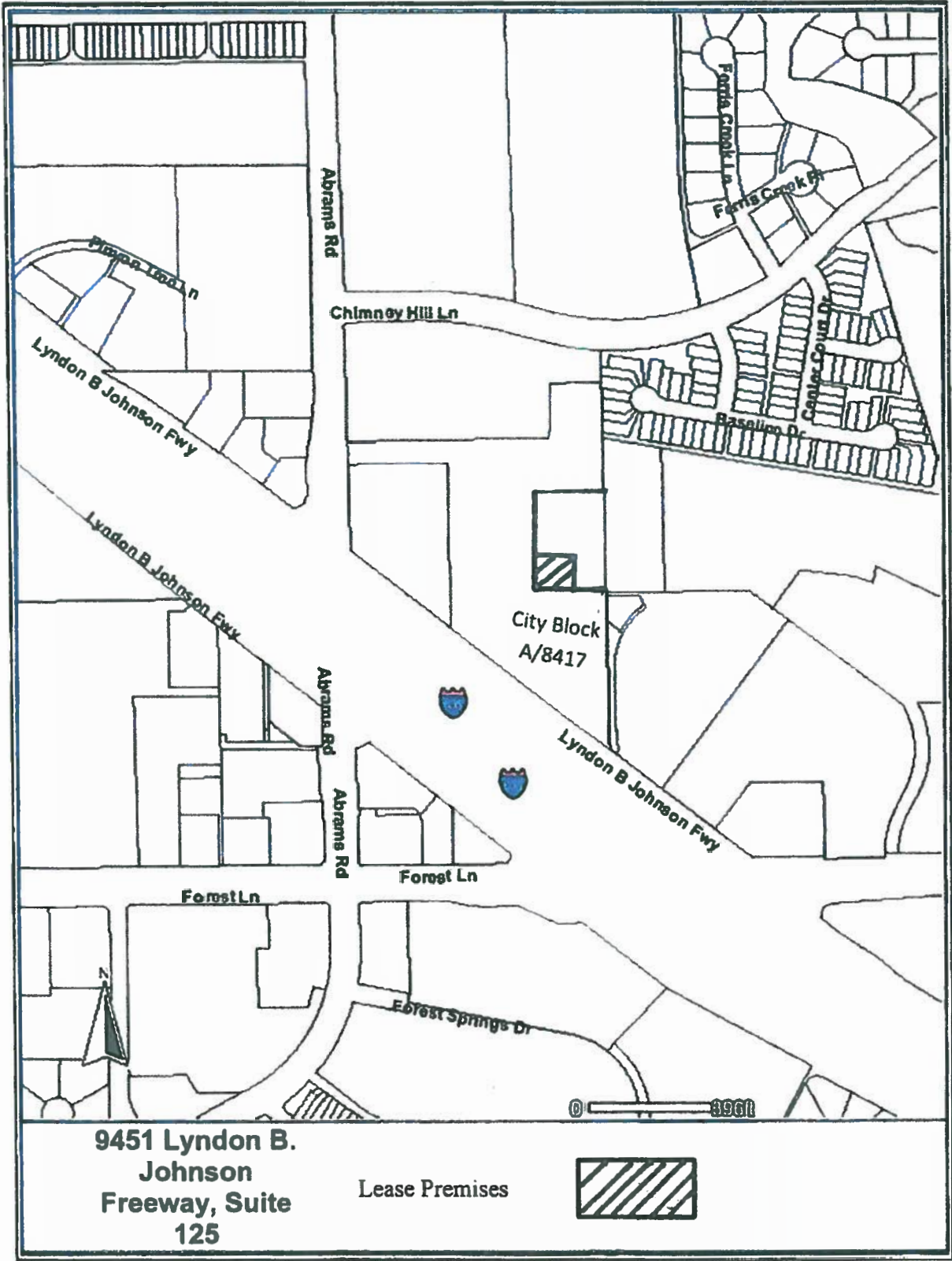
OWNER

Shawnee, Inc.

Kareem Noorani, Director

MAP

Attached



9451 Lyndon B.
Johnson
Freeway, Suite
125

Lease Premises



KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 24, 2016
COUNCIL DISTRICT(S): 10
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 16X

SUBJECT

An ordinance granting a revocable license to Raising Cane's Restaurants, LLC for the use of a total of approximately 1,145 square feet of land to occupy, maintain and utilize landscaping and irrigation on portions of Forest Lane right-of-way, near its intersection with North Central Expressway - Revenue: \$200 one-time fee, plus the \$20 ordinance publication fee

BACKGROUND

This item grants a revocable license to Raising Cane's Restaurants, LLC for the use of a total of approximately 1,145 square feet of land to occupy, maintain and utilize landscaping and irrigation on portions of Forest Lane right-of-way, near its intersection with North Central Expressway. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to Economic Development Committee on August 15, 2016.

FISCAL INFORMATION

Revenue: \$200 one-time fee, plus the \$20 ordinance publication fee

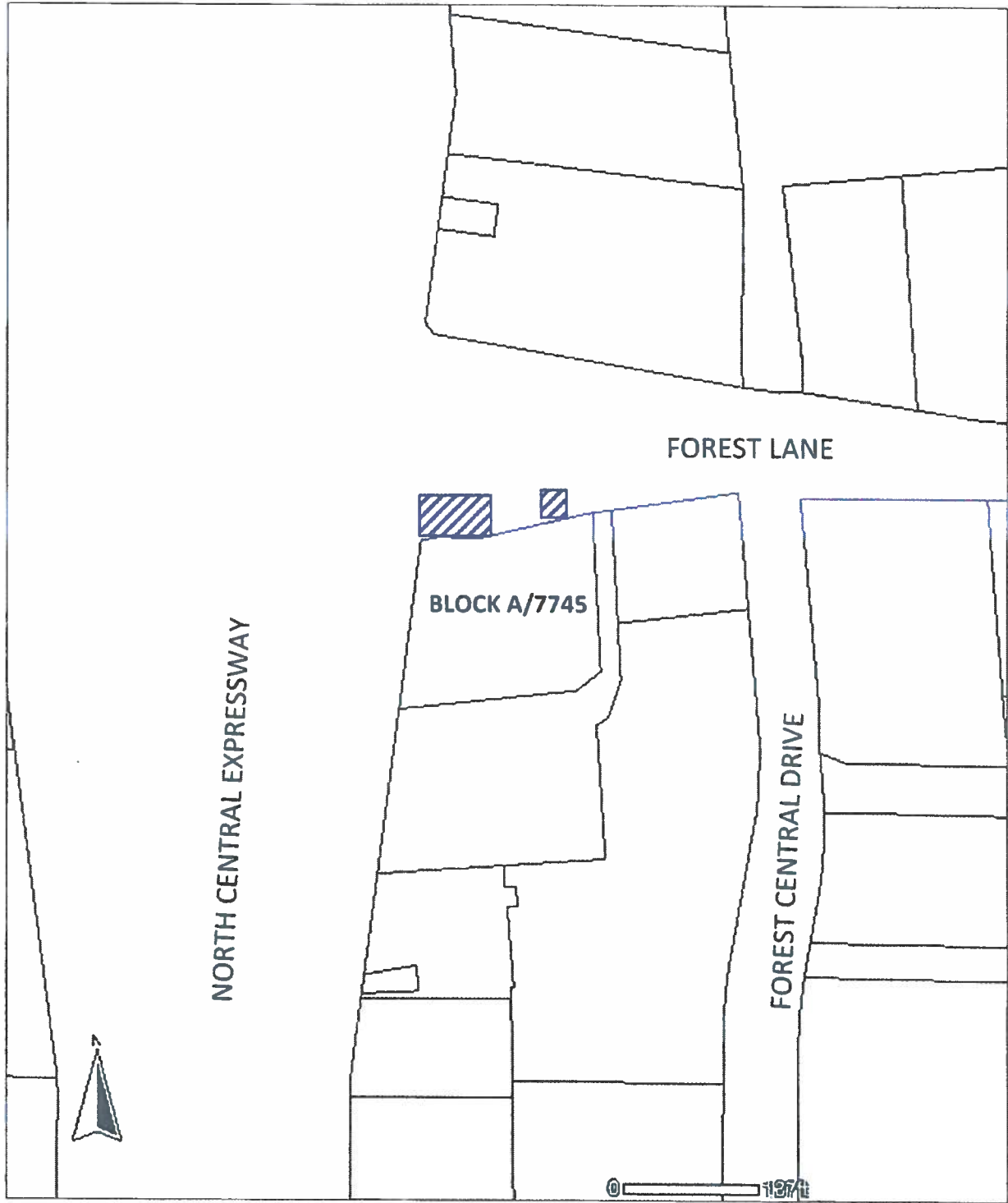
OWNER

Raising Cane's Restaurants, LLC

Brad Sanders, Director

MAP

Attached



LICENSE AREA 

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 24, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize amendments to the City Plan Commission's (CPC) Rules of Procedure relating to additional or revised conditions, plans, or deed restrictions submitted to the Commission after the case report was distributed to CPC - Financing: No cost consideration to the City

BACKGROUND

Chapter 51A-3.101(d)(3) of the Dallas Development Code allows the City Plan Commission to adopt, subject to City Council approval, rules governing its proceedings. The CPC asked its Rules Committee to discuss a possible amendment regarding additional or revised conditions, plans, or deed restrictions submitted to the Commission after the case report was finalized and distributed for the public hearing. The Commission felt a rule regarding last minute changes was necessary due to several cases having significant changes the week before or the day of the public hearing. The Rules Committee met four times and presented amendments to the full Commission for consideration. City Plan Commission recommends amendments to their Rules of Procedure to help ensure the Commission, the staff, and the public have adequate time to review significant changes to a requested zoning change.

The basis of the amendments are a 1986 Council resolution regarding changes to zoning requests at the City Council public hearing. The CPC Rules of Procedure amendments include (1) adding a definition of "significant change"; (2) providing procedures when a case should be held due to a significant change, a new request, or a change or changes that altered the fundamental character of the proposal; and (3) allowing CPC to determine, by majority vote, that the changes are *de minimus* in nature and do not warrant being held under advisement. A minor change to the rules is to add the word "Advisory" back in the Zoning Ordinance Committee and Urban Design Committee. Advisory was removed in the 2009 amendment. The proposed changes are listed below.

BACKGROUND (Continued)

Significant change means a change to a zoning application that results in any of the following:

1. An increase in the maximum number of dwelling units per acre or per lot.
2. An increase in maximum structure height.
3. An increase in the maximum floor area ratio.
4. An increase or decrease in building setbacks.
5. An increase in maximum lot coverage.
6. An increase or decrease in the landscaped area.
7. An increase or decrease in the number of required parking spaces.

The following changes would require the CPC to hold a request meeting the criteria listed below under advisement for at least two meetings unless the majority of CPC determined the proposed change was *de minimus* in nature.

1. A request for a zoning district classification that neither the applicant, staff, nor a Commissioner proposed beforehand. Notwithstanding, a change requiring new notification would have to be held so staff could properly advertise the case.
2. A request was a significant change as defined in the Rules of Procedure.
3. A request for other changes that the Commission finds individually or collectively, alter the fundamental character of the proposal, or that significantly affect the impact of the proposal on adjacent properties or on area transportation facilities.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 2, 2016, the City Plan Commission approved the proposed amendments to their Rules of Procedure.

FISCAL INFORMATION

No cost consideration to the City.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 24, 2016
COUNCIL DISTRICT(S): 13
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 24M

SUBJECT

An ordinance abandoning a portion of an access and underground utility easement to John McReynolds and Ann McReynolds, the abutting owners, containing approximately 6,985 square feet of land, located near the intersection of Strait Lane and Dorset Road - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of an access and underground utility easement to John McReynolds and Ann McReynolds, the abutting owners. The area will be included with the property of the abutting owners for the construction of a new single-family residence. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to Economic Development Committee on August 15, 2016.

FISCAL INFORMATION

Revenue: \$5,400, plus the \$20 ordinance publication fee

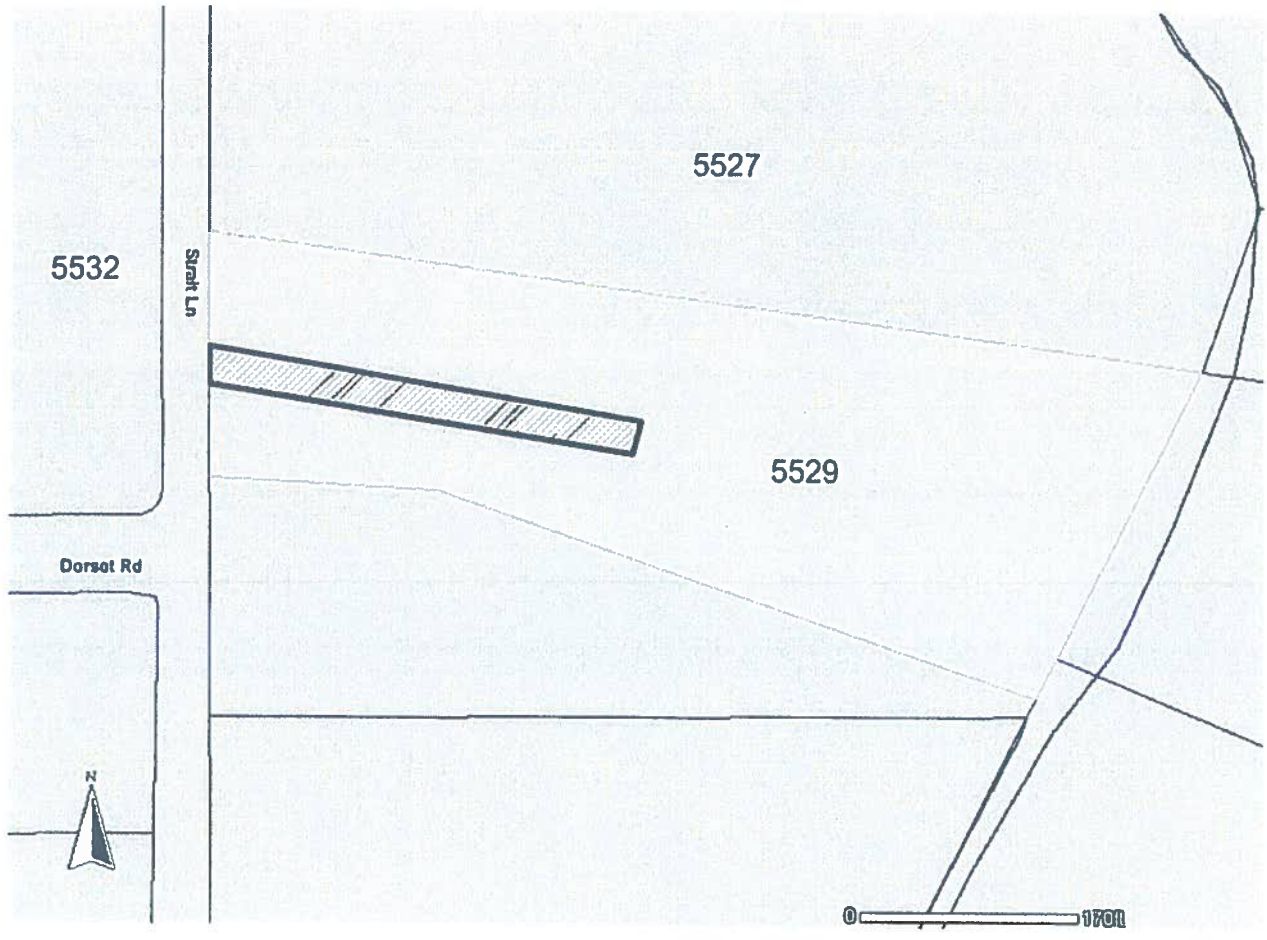
OWNERS

John McReynolds

Ann McReynolds

MAP

Attached



Log: 41795

 = Abandonment Area

Applicant: John & Ann McReynolds

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 24, 2016
COUNCIL DISTRICT(S): 8
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 76 F

SUBJECT

Authorize acceptance of a zoning application on property with delinquent taxes located at 3422 Cedardale Road - Financing: No cost consideration to the City

BACKGROUND

Section 51A-1.104.1 of the Development Code states "...when submitting an application, the applicant must submit proof, such as a tax certificate, that property taxes and any city fees, fines, or penalties are not delinquent on the subject property. Unless such proof is submitted, the application will be considered incomplete and returned to the applicant." The code allows a waiver of this requirement by two thirds vote of the City Council. The waiver may be made if (1) it "will facilitate urban redevelopment, historic conservation, or an important planning objective"; (2) "a pending sale of the property is contingent on the zoning application, and the applicant can supply evident, such as a contract of sale, that the taxes and any city fees, fines, or penalties will be paid at closing"; or (3) "the applicant can demonstrate financial hardship that makes payment of taxes impossible, and approval of a waiver will improve the applicant's ability to pay the taxes and any city fees, fines, or penalties".

The applicant TCDFW Acquisitions, LLC, representing the owner, Shirley Davis, has requested a waiver of the requirement that taxes be paid prior to the acceptance of an application for a zoning case on property located at 3422 Cedardale Road. The applicant indicates the deferral will facilitate urban redevelopment, historic conservation, or an important planning objective. In addition, the applicant stated that the taxes and penalties will be paid at the time of closing, which will happen after the zoning has been approved. The applicant proposes to combine this property with property within a larger area for an industrial (warehouse/distribution) development.

BACKGROUND (Continued)

The property, 3422 Cedardale Road, is comprised of one parcel with a homestead exemption on a one acre portion resulting in two parcels for taxing purposes. As of the end of August 2016, a total of \$108,322.82 in taxes and penalties will be owed on the property. The one-acre homestead parcel has a base of \$656.29 taxes due with \$280.91 in penalties and interest. The homestead-portion owes taxes and penalties for 2014 (\$389.60 base plus \$556.32 penalties) and 2015 (\$266.69 base plus \$114.71 penalties). The non-homestead parcel is an approximately eight acre parcel that has \$107,385.62 in taxes and penalties owed. The non-homestead portion owes taxes from 1999.

Year	Base Tax	Penalties, Interest, and ACC*	Total
1999	\$326.85	\$842.11	\$1,168.96
2000	\$972.28	\$2,370.92	\$3,343.20
2001	\$986.91	\$2,331.50	\$3,318.41
2002	\$994.86	\$2,211.55	\$3,206.41
2003	\$1,004.10	\$2,091.56	\$3,095.66
2004	\$1,911.58	\$3,712.77	\$5,624.35
2005	\$1,329.03	\$2,482.62	\$3,811.65
2006	\$1,824.40	\$3,145.26	\$4,969.66
2007	\$4,927.78	\$6,898.90	\$11,826.68
2008	\$1,972.95	\$2,833.15	\$4,806.10
2009	\$7,995.95	\$8,135.43	\$16,131.38
2010	\$4,575.19	\$5,252.31	\$9,827.50
2011	\$4,666.38	\$4,685.05	\$9,351.43
2012	\$4,410.44	\$3,792.99	\$8,203.43
2013	\$4,413.88	\$3,160.33	\$7,574.21
2014	\$3,707.12	\$2,120.47	\$5,827.59
2015	\$3,710.79	\$1,588.21	\$5,299.00
Total	\$49,730.49	\$57,655.13	\$107,385.62

No city fees, fines, or penalties are due.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



CITY OF DALLAS

TAX DEFERRAL APPLICATION

DEPARTMENT OF PLANNING & DEVELOPMENT
City Hall Room 5B-North
Dallas, Texas 75201
(214) 670-4209

FILE NO: - / - PLANNER: CC DATE:

Applicants MUST fill out Sections 1 and 2 COMPLETELY
SECTION 3 to be completed by STAFF ONLY

SECTION 1: APPLICANT/OWNER INFORMATION

Please Print

PLANNED DEVELOPMENT DISTRICT: NEW
 AMENDMENT GENERAL ZONING CHANGE
SPECIFIC USE PERMIT: NEW REMOVAL OF DEED RESTRICTION
 AMENDMENT DEED RESTRICTION AMENDMENT
 RENEWAL CITY PLAN COMMISSION AUTHORIZED HEARING

Applicant: TCDFW Acquisitions, LLC Telephone: (214) 863 4276

Address: 2100 Mckinney Avenue, Suite 800 City/State/Zip: Dallas, Texas 75201

APPLICANT'S STATUS: (Check One) OWNER TENANT PROSPECTIVE BUYER
Property Owner must sign the application or submit a notarized letter of authorization.

Representative: Jake Marks Telephone: (214) 863 4276

Address: 2100 Mckinney Ave. Suite 800 City/State/Zip: Dallas, Texas 75201

Owner: Shirley Davis Telephone: ()

Address: 3422 Cedardale Road City/State/Zip: Dallas, Texas 75241-7614

OWNERSHIP (Check One) INDIVIDUAL TRUST PARTNERSHIP CORPORATION
If ownership is a trust, partnership, or corporation, name the partners or principals and their addresses and positions on a separate attachment

Signature of Applicant

Signature of Owner

SECTION 2: TAX DEFERRAL REQUEST INFORMATION

SITE LOCATION: 3422 Cedardale Road

SITE STREET ADDRESS: 3422 Cedardale Road CROSS STREET Cleveland Road

LOT NO(S): _____ BLOCK NO: 8310 SIZE OF REQUEST: 8.0 acres EXISTING ZONING: Agricultural

REASON FOR REQUEST
 DEFFERAL WILL FACILITATE URBAN REDEVELOPMENT, HISTORIC CONSERVATION, OR AN IMPORTANT PLANNING OBJECTIVE.
 DEFFERAL WILL FACILITATE A PENDING SALE OF THE PROPERTY.
 DEFFERAL IS NEEDED DUE TO FINANCIAL HARDSHIP

ADDITIONAL INFORMATION: _____

CITY TAX ID NO: 0831000000010100 CITY TAXES/FINES OWED? YES NO
If Yes, what is amount? \$ 106,790.98

CENSUS TRACT: 332 COUNCIL DISTRICT: 8 MAPSCO (Page/Cell): 76F ZONING MAP NO: Q-8

SECTION 3: STAFF CHECKLIST

- ZONING MAPS
- TAX PLATS
- SURVEY (if needed)
- TAX WAIVER STATEMENT
- CONTRACT OF SALE
- INDEX LOG BOOK
- CORRECT LOT & BLOCK
- \$200 FILING FEE
- PROPER SIGNATURES
- PROPERTY TAXES OWED
- FINES OWED
- CITY FEES OWED
- PENALTIES OWED

ACCEPTED BY: JE DATE ACCEPTED: 7/29/10 DATE WITHDRAWN: _____



CITY OF DALLAS

TAX DEFERRAL APPLICATION

DEPARTMENT OF PLANNING & DEVELOPMENT
City Hall Room 5B-North
Dallas, Texas 75201
(214) 670-4209

FILE NO: - / - PLANNER: CC DATE:

Applicants MUST fill out Sections 1 and 2 COMPLETELY
SECTION 3 to be completed by STAFF ONLY

SECTION 1: APPLICANT/OWNER INFORMATION

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 AMENDMENT GENERAL ZONING CHANGE
 SPECIFIC USE PERMIT: NEW REMOVAL OF DEED RESTRICTION
 AMENDMENT DEED RESTRICTION AMENDMENT
 RENEWAL CITY PLAN COMMISSION AUTHORIZED HEARING

Applicant: TCDFW Acquisitions, LLC Telephone: (214) 863 4276

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Property Owner must sign the application or submit a notarized letter of authorization.

Representative: Jake Marks Telephone: (214) 863 4276

Address: 2100 Mckinney Ave. Suite 800 City/State/Zip: Dallas, Texas 75201

Owner: Shirley Davis Telephone: ()

Address: 3422 Cedardale Road City/State/Zip: Dallas, Texas 75241-7614

OWNERSHIP (Check One) INDIVIDUAL TRUST PARTNERSHIP CORPORATION
If ownership is a trust, partnership, or corporation, name the partners or principals and their addresses and positions on a separate attachment


Signature of Applicant


Signature of Owner

SECTION 2: TAX DEFERRAL REQUEST INFORMATION

SITE LOCATION: 3422 Cedardale Road

SITE STREET ADDRESS: 3422 Cedardale Road CROSS STREET: Cleveland Road

LOT NO(S): _____ BLOCK NO: 8310 SIZE OF REQUEST: 1.0 acres EXISTING ZONING: Agricultural

REASON FOR REQUEST
 DEFERRAL WILL FACILITATE URBAN REDEVELOPMENT, HISTORIC CONSERVATION, OR AN IMPORTANT PLANNING OBJECTIVE.
 DEFERRAL WILL FACILITATE A PENDING SALE OF THE PROPERTY.
 DEFERRAL IS NEEDED DUE TO FINANCIAL HARDSHIP

ADDITIONAL INFORMATION: _____

CITY TAX ID NO: 08310000000101HS CITY TAXES/FINES OWED? YES NO If Yes, what is amount? \$ 929.31

CENSUS TRACT: 332 COUNCIL DISTRICT: 8 MAPSCO (Page/Cell): 76F ZONING MAP NO: Q-8

SECTION 3: STAFF CHECKLIST

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> ZONING MAPS | <input type="checkbox"/> INDEX LOG BOOK | <input checked="" type="checkbox"/> PROPERTY TAXES OWED |
| <input checked="" type="checkbox"/> TAX PLATS | <input checked="" type="checkbox"/> CORRECT LOT & BLOCK | <input type="checkbox"/> FINES OWED |
| <input checked="" type="checkbox"/> SURVEY (if needed) | <input checked="" type="checkbox"/> \$200 FILING FEE | <input type="checkbox"/> CITY FEES OWED |
| <input checked="" type="checkbox"/> TAX WAIVER STATEMENT | <input checked="" type="checkbox"/> PROPER SIGNATURES | <input type="checkbox"/> PENALTIES OWED |
| <input checked="" type="checkbox"/> CONTRACT OF SALE | | |

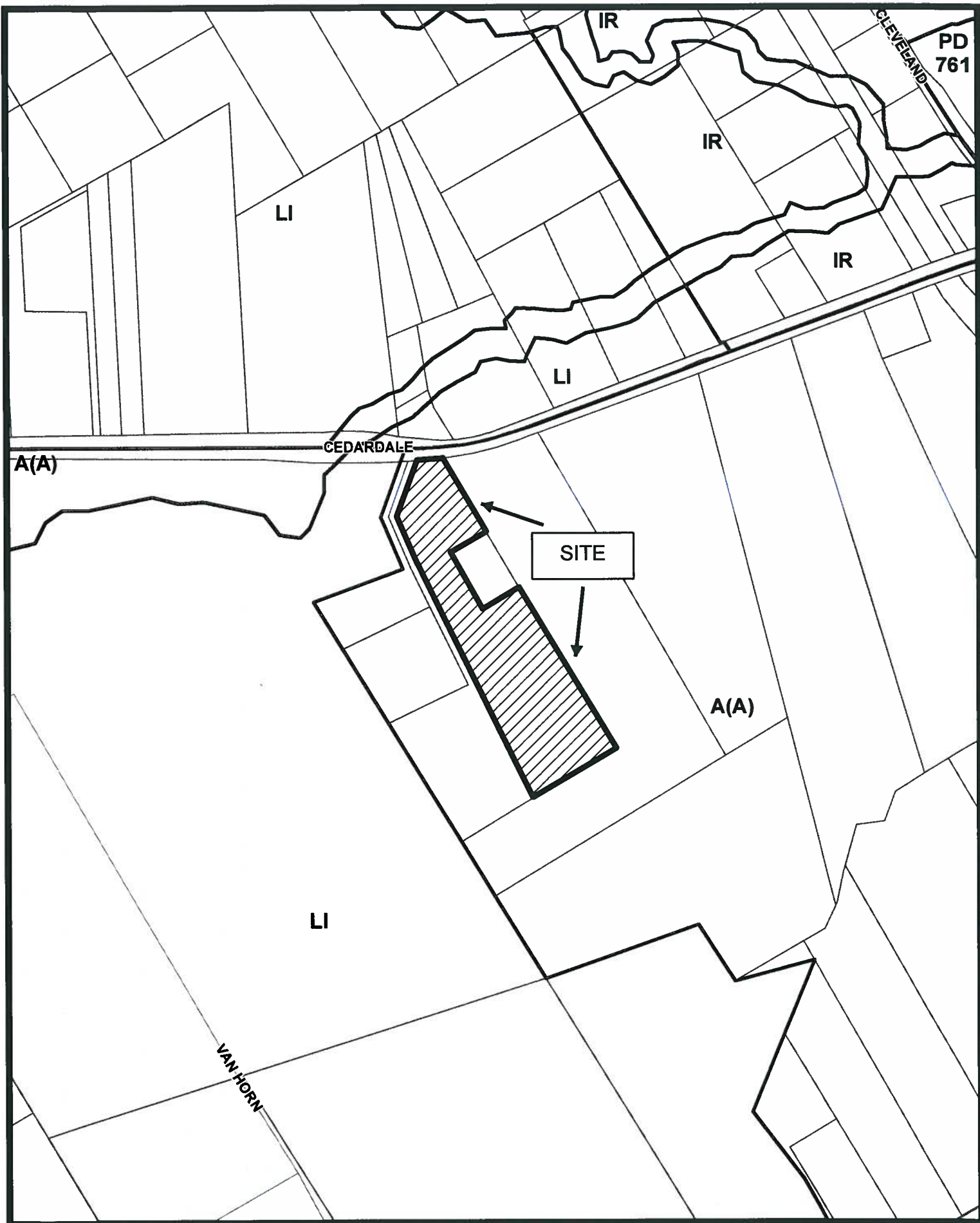
ACCEPTED BY:  DATE ACCEPTED: 7/29/16 DATE WITHDRAWN: _____

TCDFW Acquisitions, LLC Officers

A Delaware limited Liability Company
doing business in Texas as TCDFW Acquisitions I, LLC

By: TCDFW Development, Inc.
A Delaware corporation
Its Managing Member
Scott Krikorian, CEO and President

Chief Executive Officer	Scott A. Krikorian
President	Scott A. Krikorian
Executive Vice President	Adam Saphier
Executive Vice President	James H. Matoushek
Executive Vice President	John A. Stirek
Executive Vice President	Matthew J. Nickels, III
Executive Vice President	Michael S. Duffy
Executive Vice President	Scott A. Dyche
Executive Vice President	T. Christopher Roth
Senior Vice President	Joel Behrens
Vice President	S. Denton Walker, III
Vice President	Valarie Gonzales
Secretary	Rebecca M. Savino
Assistant Secretary	Scott A. Dyche
Treasurer	James H. Matoushek
General Counsel	Scott A. Dyche
Director	Michael S. Duffy
Director	Scott A. Dyche



1:6,000

3422 Cedardale Road