



*Town of Highland Park, Texas*  
**TOWN COUNCIL MEETING**  
**AGENDA**

*4:00 PM*  
*June 26, 2017*

*4700 Drexel Drive*  
*Town Council Chamber*

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**WORK SESSION - 4:00 PM**

**I. CALL TO ORDER**

**II. DISCUSSION**

- A. Discuss any of the agenda items provided on the Regular Agenda of the June 26, 2017 Town Council meeting.

**TOWN COUNCIL REGULAR AGENDA - 4:00 P.M.**

**I. CALL TO ORDER**

**II. INVOCATION**

**III. CITIZEN COMMENTS REGARDING ITEMS NOT ON THE AGENDA**

This is an opportunity for the public to address the Town Council on any subject not on the Agenda. In accordance with the Texas Open Meetings Act, the Town Council may not discuss issues raised or make any decision at this time. Issues raised may be referred to Town staff for research and possible future action.

**IV. PUBLIC HEARING**

- A. Conduct a public hearing to receive the recommendation of the Zoning Commission and public comments regarding a request from the Highland Park Independent School District to amend the planned development ordinance to allow construction of a two-story addition to the southeast corner of Armstrong Elementary School at 3600 Cornell Avenue.

**V. CONSENT AGENDA**

All items under the Consent Agenda are considered to be routine by the Town Council and will be enacted by one motion and vote. There will be no separate discussion of items unless a request by a Council Member is made prior to the time of the Town Council voting on the motion. In such event, the item will be removed, without debate, from the general order of business and

considered in its normal sequence.

- A. Consider approval of the minutes of the Town Council study session held on April 4, 2017.
- B. Consider approval of the minutes of the Town Council meeting held on April 10, 2017.
- C. Consider approval of staff utilizing the professional services of Bureau Veritas of North America to conduct the plan review and inspection services for the renovation and addition to Building G in the Highland Park Village.

## **VI. MAIN AGENDA**

- A. Consider approval of an ordinance amending the planned development ordinance for Armstrong Elementary School to allow construction of a two-story addition to the southeast corner of the school building at 3600 Cornell Avenue.

## **VII. CLOSED SESSION**

- A. In accordance with Texas Government Code Chapter 551, Subchapter D, Section 551.071 - CONSULTATION WITH ATTORNEY - the Town Council will convene into closed session to consult with and seek legal advice from the Town Attorney regarding a Department of Public Safety claim/audit.

## **VIII. OPEN SESSION**

- A. Pursuant to Section 551.102 of the Texas Government Code, the final action, decision, or vote regarding VII. A. above, shall be made, if any.

## **IX. ADJOURNMENT**

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### **SPECIAL ACCOMMODATIONS FOR TOWN COUNCIL MEETINGS**

Let us know if you need special assistance of any kind.

Please contact the Town of Highland Park Administrative staff at (214) 521-4161

7:30 a.m. to 4:30 p.m., Monday through Friday.



## TOWN OF HIGHLAND PARK

### Agenda Briefing

Council Meeting: June 26, 2017

Department: Building Inspection

Director: Ronnie Brown

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#### TITLE

Conduct a public hearing to receive the recommendation of the Zoning Commission and public comments regarding a request from the Highland Park Independent School District to amend the planned development ordinance to allow construction of a two-story addition to the southeast corner of Armstrong Elementary School at 3600 Cornell Avenue.

#### BACKGROUND

On May 31, 2017, the Zoning Commission reviewed the zoning application submitted by the Highland Park Independent School District (the "District"), conducted a public hearing, and recommended approval to allow the construction of a two-story addition to the southeast corner of Armstrong Elementary School ("Armstrong"), 3600 Cornell Avenue. The addition will accommodate administrative offices and a music room on the first floor and vocational and flex space on the second floor. During the public hearing, the District withdrew its request to construct an exterior learning deck on the north side of the school due to inadequate information provided on the plans. The District acknowledged that a request for the exterior learning deck may be formally submitted in the future.

Staff reviewed the District's traffic study for this campus. The addition of an administrative office suite and vocational classrooms on the southeast corner of the building, along with the reduction in the student population from 593 students to 550, should have no negative impact upon the traffic patterns around the campus.

Notice of the Town Council public hearing, was published in *The Park Cities News* on June 8, 2017. Following this public hearing, the Council will consider an ordinance amending the site plan to allow construction of a two-story addition to the planned development and comprehensive site plan for the Armstrong campus.

Based on public comments received at the Zoning Commission meeting, the District provided a revised site plan depicting new plantings and trees adjacent to the addition. Planting areas have been accommodated between the building addition and the sidewalks on the south and east sides and along the north side of the addition. Two new new trees are planned for the northeast corner of the addition as viewed from Byron Avenue.

#### RECOMMENDATION

The staff recommends approval to amend the planned development ordinance to allow construction of a two-story addition to the southeast corner of the Armstrong Elementary School campus. This item was reviewed by the Town Council at its study session on June, 20, 2017.

## FINANCIAL IMPACT

None.

## **ATTACHMENTS:**

### **File Name**

### **Description**

Zoning\_Application\_\_\_\_Traffic\_Study\_Summary.pdf

Zoning Application

Armstrong\_Elementary\_Plans\_Revised\_(Plantings)\_6-20-2017.pdf

Plans (Revised w-Trees/Plantings)

TC\_PH-(PC\_News)-3600\_Cornell\_HPISD\_PD\_2017-06-26.docx

Copy of Published Notice

3600\_Cornell\_Avenue\_-\_Armstrong\_Elementary\_-\_Two-Story\_Addn\_SE\_Corner\_-\_5-31-2017..docx

Draft Minutes of Zoning Commission PH



THE TOWN OF  
*Highland Park*  
TEXAS

4700 Drexel Drive, Highland Park, TX 75205

214-521-4161 office 214-559-9335 fax

**Department of Building Inspection**

*(PLEASE COMPLETE A SEPARATE APPLICATION FOR EACH REQUEST)*

(The application WILL NOT be scheduled for a review until a completed application is submitted to the Building Inspection Department.)

**I. TYPE OF APPLICATION:**  
(please check one)

- ☐ Zoning Change / Amendment  
☐ Planned Development - New  
☒ Planned Development - Amendment  
☐ Platting (Replat)



**II. ADDRESS OF PROJECT:** 3600 Cornell Ave, Dallas, TX 75205

**III. APPLICANT INFORMATION:**

<u>Current Land Owner</u>		<u>Applicant or Agent of Owner</u>
	<i>Signature</i>	
<u>Ed Levine, Highland Park ISD</u>	<i>Printed Name</i>	<u>Brett Holzle, Stantec Architecture</u>
<u>3941 Colgate Ave</u>	<i>Mailing Address</i>	<u>5717 Legacy Dr, Suite 250</u>
<u>Dallas, TX 75225</u>		<u>Plano, TX 75024</u>
<u>469.231.3328</u>	<i>Telephone Number</i>	<u>214.514.1506</u>
	<i>Fax Number</i>	

**IV. PROJECT INFORMATION:**  
(Complete all information)

Proposed Project Name (if applicable): Additions and Renovations to Armstrong Elementary School

Street Address of Project: 3600 Cornell Ave, Dallas TX 75205

Existing Zoning District: PD - 1307

Proposed Zoning District (if applicable): n/a

Legal Description(s) of Project (Lot, Block, Addition):

**V. APPLICATION EXPLANATION (Please type or print legibly, or submit a detailed explanation in letter format):**

As part of the 2016 Bond Program new elementary schools are being provided at all other campuses. As such a small addition and renovations are required to provide similar program offerings as those at the other campuses. Those spaces include flexible learning spaces, foreign language classrooms, new art and music classrooms. The additions and renovations will also help to address some undersized classrooms as compared to the new buildings.

The building facade will substantially match the existing building in materials, scale and proportion.

There will be no new parking spaces provided as part of this addition renovation.

The traffic impact analysis produced in 2015 is current to the proposed building additions and the reduced functional capacity from 593 to 550 students

An existing private water line at the southwest corner of the site will be adjusted for the new construction.

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**Date:** March 30, 2017  
**To:** Kirk Smith, Town of Highland Park  
**From:** Cameron L. Williams, PE, PTOE, PTP  
**Re:** Armstrong Elementary School Traffic Circulation

## Introduction

It is understood that Highland Park ISD (HPISD) has interior renovations and exterior additions planned for Armstrong Elementary School. The improvements include renovating existing classrooms and providing an exterior addition at the southeast corner of the building. The exterior addition will provide office/administration space as well as new music and art rooms. The exterior additions will not affect existing parking counts or traffic flows. Furthermore, and more importantly, the renovations will not increase the student population at Armstrong Elementary. Alternatively, the student population at Armstrong Elementary will decrease after the renovations. The purpose of this memo is to summarize previous conducted traffic studies as they relate to the planned renovations and additions.

## Previous Traffic Studies

At least three previous traffic studies have been completed for Armstrong Elementary School in recent years. In 2010 a traffic study was completed which was associated with a school exterior addition. That addition included an expansion along the west side of the school adjacent to St. Johns Drive. The 2010 study included collecting traffic counts and on-site observations during morning and afternoon pick-up and drop-off times. Based on descriptions and exhibits in the report the morning and afternoon traffic flows were the same as seen in 2015. The 2010 study did provide two potential traffic circulation scenarios for HPISD and the Town of Highland Park to consider. The two scenarios recommended some additional one-way flows on various streets at various times of the day. It does not appear that either one of these scenarios were implemented. Note, in 2010 there were only two crossing guards working near the school. A copy of that study is provided in the Appendix to this memo.

The 2013 study was an update to the 2010 study. No new traffic data was collected as part of the 2013 study. The 2013 study provided an updated and recommended traffic circulation flow to the school which modified the one-way street recommendations made in the 2010 study. Based on descriptions and exhibits in the report the morning and afternoon traffic flows were the same as seen in 2015. A copy of the 2013 study is also provided in the Appendix.

In 2015 a new study was completed which included observations of morning and afternoon traffic operations. The purpose of this study was to evaluate existing conditions and make recommendations as they relate the planned renovations which are the same renovations described in the introduction. Note, the 2015 study found the same circulation patterns as observed in the 2010 study. The 2015 study did anticipate the consolidation of the afternoon pick-up time periods from three separate time periods to two periods. The 2015 study did provide general behavioral recommendations and an optional traffic circulation plan should an additional afternoon pick-up area be needed. A copy of the 2015 study is also provided in the Appendix.

## Updates

The only modification from the 2015 study is there are now only two afternoon pick-up times. Those times are as follows:

- 3:00 PM
  - Kindergarten at the southwest corner
  - 1<sup>st</sup> Grade at the northeast corner
- 3:15 PM
  - 2<sup>nd</sup> Grade at the southwest corner
  - 3<sup>rd</sup> Grade at the southeast corner
  - 4<sup>th</sup> Grade at the northeast corner

As mentioned previously, the consolidation of three afternoon pick-up times to two pick-up times was discussed in the 2015 study. The overall queue lengths were not expected to significantly increase per the analysis in the 2015 study. Additionally, with the proposed renovations, the student population will actually be decreasing compared to the existing student population.

The 2015 study did briefly mention the consideration of an underground parking garage; however, those concepts have been dismissed and not pursued further as the school is not losing any parking associated with the planned additions.

The 2015 report did not provide any major changes to the traffic circulation but really only provided recommendations regarding behavioral issues surrounding the existing traffic flows in order to improve flows. The 2015 study did provide an optional traffic circulation flow should an additional traffic circulation pattern be needed. That optional plan allowed for the opening of Byron Avenue between St. Johns Drive and Cornell Avenue. That optional plan is still applicable with one minor change. Traffic accessing the third drop-off lane on Byron Avenue should flow counterclockwise from St. Johns Drive to Cornell Avenue to allow for students to be picked-up on the passenger side of the vehicle. See Figure 1 for this optional traffic flow.

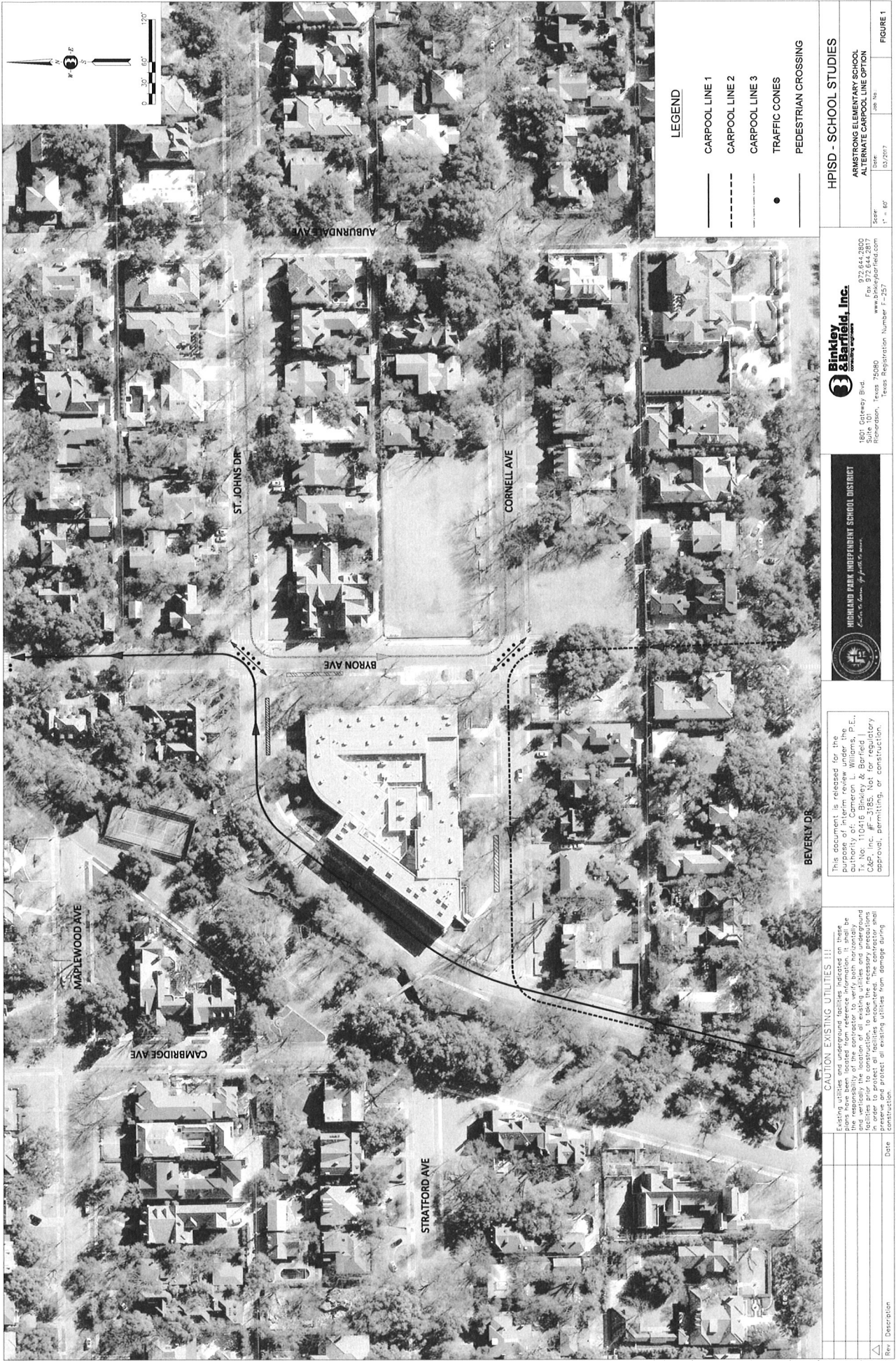
## Conclusion

Armstrong Elementary is located on a very tight site with limited options as they relate to traffic circulation. Several studies have been completed over the years but not significant changes have been implemented. The proposed renovations and additions are not anticipated to affect the existing traffic flow around the school. Furthermore, the planned renovations are anticipated to reduce the student population at Armstrong Elementary which should result in a minor decrease in traffic.

Any major changes to the traffic circulation would likely require one-way flows on existing two-way streets. Unless the Town of Highland Park and HPISD have a desire for such operations, no changes are recommended at this time.

## Appendix

<b>2010 TRAFFIC STUDY .....</b>	<b>29 PAGES</b>
<b>2013 TRAFFIC STUDY .....</b>	<b>24 PAGES</b>
<b>2015 TRAFFIC STUDY .....</b>	<b>14 PAGES</b>



**Binkley & Barfield, Inc.**  
 Consulting Engineers  
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 Richardson, Texas 75080  
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 Texas Registration Number F-257

This document is released for the purpose of interim review under the authority of Cameron L. Williams, P.E., C.E., No. 110416 Binkley & Barfield, Inc. It is not to be used for final design, approval, permitting, or construction.

**CAUTION EXISTING UTILITIES !!!**  
 Existing utilities and underground facilities located on these drawings are shown for information only. It is the responsibility of the contractor to verify both horizontally and vertically the location and depth of all existing utilities and facilities prior to construction. To take the necessary precautions in order to protect all facilities encountered. The contractor shall be responsible for locating and protecting all existing utilities from damage during construction.

Rev	Description	Date

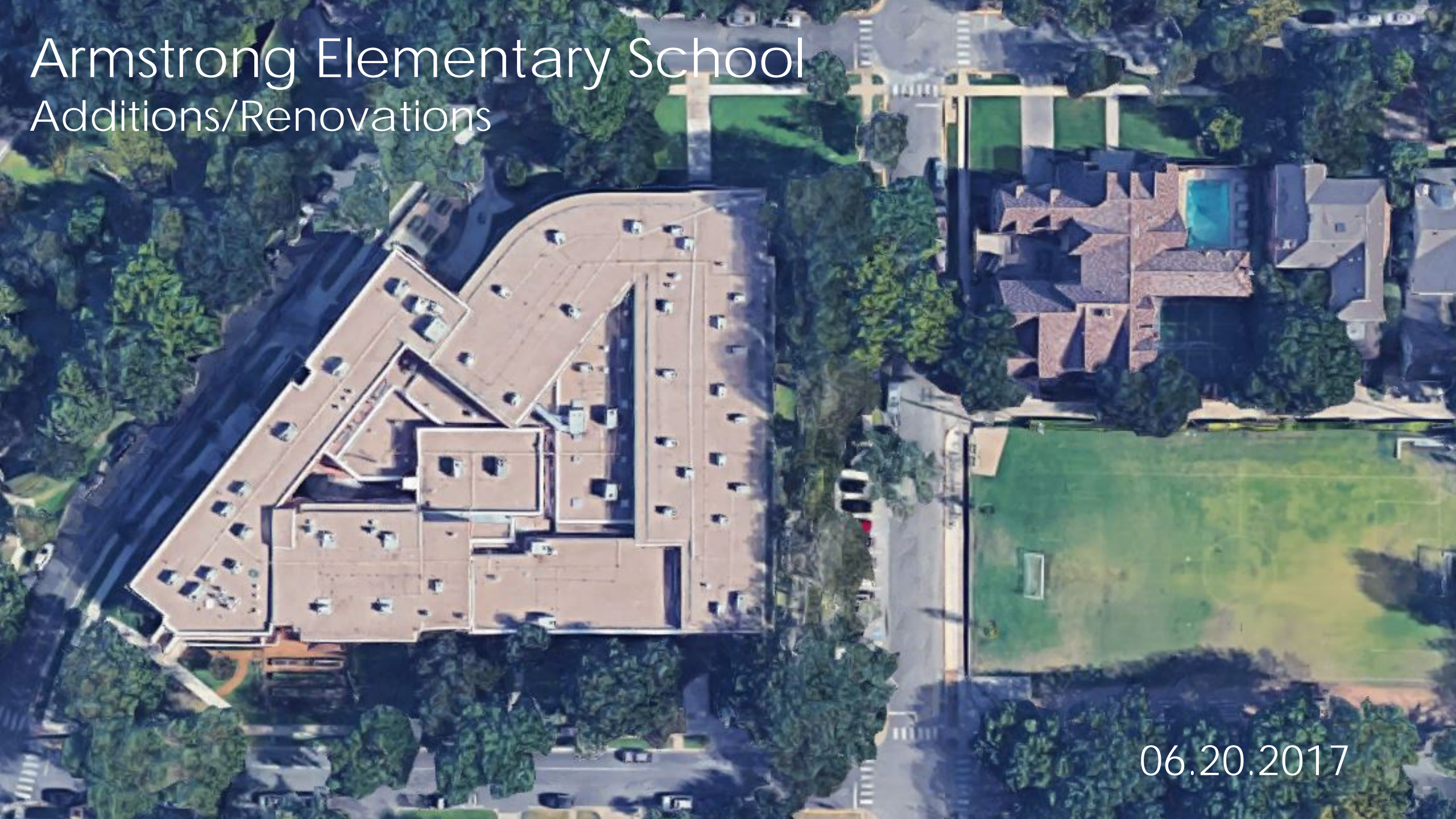
DATE: 10/10/2017  
 DRAWN BY: J. WILSON  
 CHECKED BY: J. WILSON  
 APPROVED BY: J. WILSON

FIGURE 1



# Armstrong Elementary School

## Additions/Renovations



06.20.2017



# SITE PLAN





1<sup>ST</sup> FLOOR









Armstrong E.S.





Armstrong E.S. New Rendering





Armstrong E.S. New Rendering





Armstrong E.S. New Rendering



**TOWN OF HIGHLAND PARK, TEXAS  
TOWN COUNCIL PUBLIC HEARING**

The Town Council will conduct a public hearing at 4:00 p.m. on Monday, June 26, 2017, at 4700 Drexel Drive, Highland Park, Texas, to receive a recommendation from the Zoning Commission and public comments on a request to amend the Planned Development Ordinance for the Armstrong Elementary School campus at 3600 Cornell Avenue, by constructing a two-story addition to the southeast corner of the school.

For additional information regarding this application, contact Kirk Smith at (214) 521-4161 or [ksmith@hptx.org](mailto:ksmith@hptx.org).

MINUTES OF A MEETING OF THE ZONING COMMISSION OF THE TOWN OF HIGHLAND PARK, TEXAS HELD AT THE TOWN HALL, 4700 DREXEL DRIVE, ON WEDNESDAY, MAY 31, 2017, AT 4:00 P.M. TO CONSIDER A REQUEST FROM THE HIGHLAND PARK INDEPENDENT SCHOOL DISTRICT TO AMEND THE PLANNED DEVELOPMENT ORDINANCE FOR THE JOHN S. ARMSTRONG ELEMENTARY SCHOOL CAMPUS BY ALLOWING THE CONSTRUCTION OF: (I) A TWO-STORY ADDITION TO THE SOUTHEAST CORNER OF THE SCHOOL; AND (II) AN EXTERIOR LEARNING DECK ON THE NORTH SIDE OF THE SCHOOL.

Present at the meeting were: Margaret Keliher, Chair, and Commission Members Brian Ficke and Alison Hunsicker. Absent from the meeting were Commission Members Rick Jones and Carolyn Seay.

Madam Chair Keliher called the meeting to order and explained the procedure the Commission would follow in considering the request.

Kirk Smith, Development Services Manager, described the two components of the request. A two-story addition is proposed on the southeast corner of the building to provide administrative offices and improved music and art areas on the first floor and vocational and flexible education classes on the second floor. The proposed addition will extend approximately thirty-eight feet (38') beyond the existing east wall toward Byron Avenue and approximately fourteen feet (14') beyond the south wall toward Cornell Avenue. The District also plans to construct an elevated exterior learning deck on the north side of the building that would extend approximately twenty feet (20') beyond the north wall of the school toward St. Johns Drive and be approximately eighteen inches (18") above ground. Mr. Smith explained that Ordinance No. 1307 established the Planned Development ("PD") for the Armstrong Elementary School campus in 1993. Any changes to the PD require a review by the Town's Zoning Commission, a public hearing, and a recommendation by the Zoning Commission to the Town Council. The Town Council will conduct a public hearing on June 26, 2017, at 4:00 p.m. to receive the recommendation of the Zoning Commission and hear public comments prior to taking action on the request. Mr. Smith further explained that the application noted a reduction in the student population from 593 students to 550. He added that a traffic impact study was conducted and determined that the proposed renovations and additions should not affect the existing traffic flow around the school. In fact, a minor decrease in traffic is anticipated due to the reduced number of students.

Kirk Smith stated that notice of the meeting was mailed to thirty-seven (37) residences within two hundred feet (200') on May 11, 2017, and the meeting agenda was posted on the bulletin boards at Town Hall and on the Town's website on May 26, 2017.

Madam Chair Keliher asked if the Zoning Commission Members had questions, to which there was no response.

Kirk Smith introduced Brett Holzle, with Stantec Architecture, who explained that the District conducted community meetings at the end of April and the beginning of May to inform the surrounding neighbors of the proposed improvements. Mr. Holzle advised the Commission that following the community meetings and to accommodate concerns expressed by neighbors, a decision was made to save the large tree on the southeast corner of the building. He described the floor plans of the two-story addition that will provide an administration suite of offices,

dedicated space for the music room and the art room, and improvements to the ADA-accessible ramp in the auditorium on the first floor. The second floor will provide flexible learning spaces with access for all grades. The exterior brick on the addition will match the existing brick. No parking spaces will be added to the east side of the building.

Madam Chair Keliher asked if the Zoning Commission Members had questions. Alison Hunsicker asked about the proposed learning deck on the north side of the building. Kirk Smith explained that adequate detail regarding the deck was not available, and stated that if the addition is approved, the ordinance will reflect that a future request will be made for the 'space innovation lab.' Brian Ficke asked the number of parking spaces on the east side of the building; Brett Holzle verified that the nine existing spaces will not change. Madam Chair Keliher asked the size of Armstrong Elementary School. Brett Holzle stated that the school is approximately 64,000 square feet, compared with the District's new schools ranging in size from 105,000 to 110,000 square feet.

Madam Chair Keliher asked if the Commission Members had further questions. Hearing none, she asked Kirk Smith if any correspondence was received in support of the request. Mr. Smith replied that no correspondence was received in support of the request.

Madam Chair Keliher asked if anyone in the audience wished to speak in favor of the request, to which there was no response.

Madam Chair Keliher asked if the Town received any correspondence in opposition to the request, to which Kirk Smith replied in the negative.

Madam Chair Keliher asked if anyone in the audience wished to speak in opposition to the request. Cindy Howell Hodge, 3600 St. Johns Drive, stated that she lives across the street on the north side of the school, and asked for more information regarding the proposed deck. According to Mrs. Hodge, the deck was not discussed at the meeting two months ago with a small representation of the neighbors in attendance. Brett Holzle explained that at that meeting, the deck was not discussed because not enough detail was available to present it; he acknowledged that the deck should have been mentioned at that meeting. Ms. Hodge then asked about windows/storm shelter on the [northeast] corner near the parked cars. Brett Holzle explained that the storm shelter area will have an opaque surface that looks like a window. Ms. Hodge asked if the corner view could be softened with foliage and trees to make its stark appearance more aesthetically pleasing. Mr. Holzle explained that an area approximately one and one-half feet between the building and the sidewalk will accommodate a hedgerow. Ms. Hodge further inquired about the potential of installing trees to soften the building's starkness. Roberta Bracken, 3605 and 3607 Cornell Avenue, explained that she owns two properties in close proximity to the school and asked what greenery is planned for the front (Cornell) side of the school, and if any existing trees will be removed. Brett Holzle explained that the drawings shown are an artist's representation, and the plan is to save the trees in the front of the school. Mrs. Bracken expressed a concern that the building looks too stark.

Madam Chair Keliher explained that another public hearing would be scheduled to address the request for an exterior learning deck, and asked the residents if they were in opposition to the request for the two-story addition. Cindy Hodge stated that she is in favor of the request for the two-story addition, without the exterior deck.



Madam Chair Keliher asked the audience for other comments. Hearing none, Madam Chair Keliher closed the public hearing at 4:25 p.m.

Madam Chair Keliher asked for additional questions and/or comments from the Zoning Commission, to which there was no response.

On a motion by Alison Hunsicker, seconded by Brian Ficke, the Zoning Commission voted unanimously to recommend approval of a request from the Highland Park Independent School District to amend the site plan of the planned development ordinance at 3600 Cornell to allow the construction of a two-story addition on the southeast corner of the building.

Kirk Smith stated that the Town Council will conduct a public hearing to receive the recommendation of the Zoning Commission and hear public comments before considering final action on the zoning request.

There being no further business to come before the Zoning Commission, the meeting was adjourned at 4:26 p.m.

APPROVED on this \_\_\_\_ day of \_\_\_\_\_, 2017.

BY:

Margaret Keliher  
Chair

ATTEST:

Gayle Kirby  
Town Secretary

MINUTES OF A STUDY SESSION OF THE TOWN COUNCIL OF THE TOWN OF  
HIGHLAND PARK, TEXAS, HELD AT THE TOWN HALL, 4700 DREXEL DRIVE, ON  
TUESDAY, APRIL 4, 2017, AT 8:00 A.M.

Present at the meeting were Mayor Joel T. Williams, III, Mayor Pro Temp Bob Carter, and Town Council Members Margo Goodwin, and John McKnight. Absent from the meeting were Town Council Members David Dowler and Eric Gambrell.

Mayor Williams called the study session to order.

UPCOMING AGENDA DISCUSSION

Action

*No items assigned to this category.*

Consent

*“Consider referring to the Zoning Commission a request from the Highland Park Independent School District to amend the Planned Development site plan for the expansion of McCulloch Intermediate School/Highland Park Middle School.”* Kirk Smith, Development Services Manager, explained that the Town and the City of University Park have entered into an Interlocal Agreement regarding the expansion project at the Highland Park Middle School/McCulloch Intermediate School that grants each municipality authority for the portion of the project that falls within the corporate limits of the specific municipality. The Town received a request to consider amending the Site Plan of the Planned Development to allow construction of a three-story addition to the south side of the building and an underground parking garage that will accommodate two hundred (200) cars. Mr. Smith further explained that the Highland Park Independent School District held an informational meeting for the neighbors on March 6, but it was not well attended. A second meeting was scheduled for April 6, 2017. The request is scheduled to be heard by the Town’s Zoning Commission on April 27, and its recommendation will be brought to the Town Council in May. The staff recommends approval. Mayor Williams asked the Council if they wished to ask any questions, to which there was no response.

To accommodate the guests in attendance, Mayor Williams rearranged the order of agenda items.

FUTURE AGENDAS DISCUSSION

*“Review and discuss a proposed amendment to the site plan of Planned Development 1, the Highland Park Village, to enlarge the stair tower on the west side of Building G to accommodate relocating the service elevator and the fire riser room.”* Kirk Smith explained that the Village representatives asked to extend the width of the recently-approved stair tower on the west side of Building G to accommodate relocating the service elevator and fire riser room. In response to questions from Council Member Goodwin, Mr. Smith stated that the expansion would have no impact on parking or traffic. Paul Sandman, Assistant Director of Public Safety added that based on the width of the Town’s widest fire engine, there is adequate space for the Town’s fire equipment and that of the City of University Park and/or the City of Dallas, if assistance was requested by the Town. In response to further questions, Mr. Smith verified that the bollards will provide protection from vehicular movement for pedestrians; the total of thirteen parking spaces

adjacent to Building G remains unchanged; and the valet stand will be moved closer to the building's north entrance. Joseph D. O'Brien, III, President and Chief Executive Officer, AG Hill Partners, LLC, owner of the Village, stated that after receiving approval for the modifications to Building G by the Town Council in February, his architect suggested moving the fire riser room and the service elevator. Mr. O'Brien added that he does not anticipate the scope of the project or the size of the building footprint to change.

*"Review and discuss proposed amendments to the site plan of Planned Development 1, the Highland Park Village, to: (i) add a new second floor consisting of 1,175 square feet of Retail use above 94 HP Village in Building F; (ii) convert 5,669 square feet of Designer Fashion use to Fine Jewelry use at 51 HP Village in Building E; and (iii) amend the transportation and parking plan by reducing the surplus parking by 9 spaces."* Kirk Smith described the proposed modifications to Building F, and the benefit of this work being done at the same time as Building G. The second floor addition at 94 HP Village and the change in use at 51 HP Village result in a reduction of nine surplus parking spaces. Becki Snow, General Manager of the Village, explained that the tenant at 94 HP Village in Building F requested a larger space, but none was available; adding the second floor will provided the needed space.

## REPORTS

*"Review and discuss proposed construction hours for the exterior modifications to Building F and Building G, in the Highland Park Village."* Kirk Smith stated that the staff recommends a cut-off time of 10:00 p.m. for construction-related activity. Joseph O'Brien explained that the Village staff worked with the architect, the contractor, and Town staff to determine how to best manage this construction project. In Mr. O'Brien's opinion, performing certain activities, such as demolition of the concrete around the windows on the second floor, drilling piers/setting approximately 15 columns, and lifting the steel for installation on the third floor, merit consideration of working past the 10:00 p.m. cutoff time in the interest of public safety. To mitigate the noise associated with the construction, sound attenuation panels were added to the construction plan. Michelle Smith, Construction Manager, explained that panels measuring 24 feet high will be installed daily from 8:00 p.m. to 10:00 p.m. to insulate the first and second floors; work with the manual lifts will occur behind the panels. The panels will be removed at the end of the workday. Additionally, panels measuring 12 feet tall will be set on the perimeter of the third floor, and will stay in place during construction. A fenced and gated work space between Building G and Building F will provide access for deliveries, but will be closed to through-traffic. Signs and security personnel will be in place to redirect non-construction vehicular traffic. In response to questions from the Council, Mrs. Smith explained that pedestrian traffic will be allowed at specified points; scrims designed to look like the building will be wrapped around the scaffolding, but are not part of the sound attenuation panels. The Council asked questions regarding the construction timeframe, the sequence of various stages of construction, consideration of the residents who live in close proximity to the Village, and travel routes for the trucks hauling debris to the dump in Lewisville. Mrs. Smith stated that the demolition behind the scrim will require one month (May to June); the foundation, which is possibly the loudest component of the construction, will begin around June 12, and end in July. The installation of the steel beams is not as loud, but can be dangerous; the truck-mounted crane that lifts the steel is one of the loudest components of the project. Following the discussion, a suggestion to host a community meeting to solicit input from the neighbors was made. Mayor Williams advised the Village representatives that any complaints from the neighbors regarding

noise/construction activity would trigger reconsideration of allowing night-time construction work. Joseph O'Brien advised the Council that the Village would host a neighborhood meeting at the Mockingbird Room in the Village's corporate offices and send a letter to the adjacent residents notifying them of the date and time.

## UPCOMING AGENDA DISCUSSION

### Consent

*"Review and discuss a proposed Agreement with Carter Concessions for Services related to the Town Swimming Pool."* Kathleen Stewart, Town Services Manager, explained that the agreement will formalize the relationship between the Town and Dave Carter, Manager of the Swim Pool. Bill Lindley asked that the details regarding the percentage paid to Mr. Carter for providing concessions and managing activities be clearly specified in the agreement.

*"Review and discuss a contract for concrete repairs on the streets to be resurfaced this year."* Heath Haseloff, Project Engineer, explained that the scope of this contract provides for the repairs to the streets selected to be resurfaced for the annual concrete repair project. Six bids were received. Concrete prices have been steady over the last few years, and although prices are still high, they did not increase. HQS Construction, LLC submitted the low bid, which was comparable with the staff's estimate. HQS has completed satisfactory work in the Cities of Frisco, Plano, and the Town of Fairview.

*"Review and discuss a certified arborist's assessment of the Monarch Pecan tree located on Armstrong Parkway."* Ronnie Brown, Director of Town Services, explained that the Pecan tree is 152 years old; a tree risk assessment was conducted to develop best management practices in order to prolong the life of the tree. Preservation Tree was engaged as the Town's consultant. Micah Pace and A.J. Tibedeaux, representing Preservation Tree, were present to describe their assessment, recommendations and answer questions. Mr. Pace described four high risk factors associated with the tree, any one of which would be of concern. Recommendations for the next twelve months were listed and tasks were designated to Preservation Tree or to the Town staff. Preservation Tree will continue monitoring and assessing the Pecan tree's condition and make further recommendations.

Council Member McKnight left the meeting at 9:35 a.m.

*"Review and discuss a resolution suspending the rate increase requested by Oncor Electric Delivery Company."* Steven Alexander, Director of Administrative Services and Chief Financial Officer, explained that the Town is a member of a consortium, the Oncor Cities Steering Committee. The Committee engages experts and consultants to review rate requests and make recommendations to the member cities. The experts recommend that the Town suspend the current rate request for 90 days to give the consultants adequate time to study and negotiate with Oncor, with the goal of seeking a settlement rather than allowing the rate increase as requested.

*"Review and discuss a Project Specific Agreement with Dallas County for partial funding for improvements along Mockingbird Lane between Airline Road and the Dallas North Tollway."* No discussion.

*"Review and discuss the proposed Conceptual Design and Development of Hackberry Creek Improvements."* Bill Lindley recommended that this item be deferred to the next study session when all Town Council Members may be present.

*“Review and discuss the Fiscal Year 2017-18 Combined Operating and Capital Budget preparation process.”* Bill Lindley asked to defer this item to the next study session.

There being no further business to come before the Council, the meeting was adjourned at 9:50 a.m.

APPROVED on this the 26th day of June, 2017.

By:

Joel T. Williams, III  
Mayor

ATTEST:

Gayle Kirby  
Town Secretary

MINUTES OF A MEETING OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD AT THE TOWN HALL, 4700 DREXEL DRIVE, ON MONDAY, APRIL 10, 2017, AT 8:00 A.M.

Present at the meeting were Mayor Joel T. Williams, III, Mayor Pro Tem Bob Carter, and Town Council Members David Dowler, Eric Gambrell, Margo Goodwin, and John McKnight.

Mayor Williams called the meeting to order and asked the Town Council if they wished to discuss any item(s) on the Regular Agenda, to which there was no response.

Mayor Williams gave the Invocation.

Mayor Williams asked if anyone in the audience wished to speak on any subject not on the agenda, to which there was no response.

Mayor Williams asked Janice Burke and Cameron Earles, Communications Specialists in the Department of Public Safety, to join him in front of the dais as he presented a proclamation recognizing April 9-15, 2017, as National Public Safety Telecommunicators Week in the Town of Highland Park.

On a motion by Council Member McKnight, seconded by Council Member Goodwin, the Council voted unanimously to approve Items A. through F. on the Consent Agenda. Prior to the vote, Mayor Williams stated that the Council reviewed the items at its study session on April 4, 2017, and explained that with a consent agenda, several items are voted upon in one motion; any Council Member could request that any item(s) be removed for discussion and voted upon separately. Mayor William asked if any Council Member had such a request, to which there was no response.

- A. *Consider referring to the Zoning Commission a request from the Highland Park Independent School District to amend the Planned Development site plan for the expansion of McCulloch Intermediate School/Highland Park Middle School.*
- B. *Consider approval of an agreement with Carter Concessions for services related to the Town Swimming Pool.*
- C. *Consider approval of a contract for concrete repairs on the streets to be resurfaced.*
- D. *Consider approval of a Project Specific Agreement with Dallas County for partial funding for improvements along Mockingbird Lane between Airline Road and the Dallas North Tollway.*
- E. *Consider approval of Resolution No. 003-17 suspending the effective date of the rate increase requested by Oncor Electric Delivery Company.*

RESOLUTION NO. 003-17

A RESOLUTION OF THE TOWN OF HIGHLAND PARK, TEXAS SUSPENDING THE APRIL 21, 2017, EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE TOWN TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES;

APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.

*F. Consider approval of a Solid Waste Collection and Recycling Services Contract with Republic Waste Services.*

There being no further business to come before the Council, the meeting was adjourned at 8:07 a.m.

APPROVED on this the 26th day of June, 2017.

By:

Joel T. Williams, III  
Mayor

ATTEST:

Gayle Kirby  
Town Secretary



# TOWN OF HIGHLAND PARK

## Agenda Briefing

Council Meeting: June 26, 2017

Department: Building Inspection

Director: Ronnie Brown

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### TITLE

Consider approval of staff utilizing the professional services of Bureau Veritas of North America to conduct the plan review and inspection services for the renovation and addition to Building G in the Highland Park Village.

### BACKGROUND

In 2008, the Town entered into an agreement with Bureau Veritas of North America ("BVNA") to provide third-party plan review and inspection services for the Building Inspection Department on an "as-needed" basis. The fee for their services is a valuation formula that is calculated from the total value of the project. Historically, the Town has used this service for larger, more complicated projects such as the Dallas Country Club, the Town Hall/Department of Public Safety renovation, and most recently, the multi-family project at 4502 Abbott Avenue. The cost of the professional services for the proposed work on Building G exceeds \$50,000, and therefore, requires approval by the Town Council.

Attached is a copy of the original agreement executed on December 15, 2008, a copy of the Town Council meeting minutes in 2008 regarding this agreement, and a copy of the calculated fees related to a \$17 million construction value for the project.

### RECOMMENDATION

Staff recommends approval. This agenda item was reviewed by the Town Council at its study session on June 20, 2017.

### FINANCIAL IMPACT

BVNA does not charge the professional services fee until the building permit is issued. BVNA's fee is \$66,223.84 for the Plan Review and Inspection Services for the Building and Fire Alarm/Sprinkler related work on this project.

### ATTACHMENTS:

File Name	Description
BVNA_Agreement_2008.pdf	BVNA Professional Services Agreement
BVNA_agreement_TCM_08-12-2015_(optimized).pdf	Town Council meeting minutes - December 15, 2008
BV_Calculation_Building_G_HPSV.pdf	BVNA Fee Calculation





## **MASTER CONTRACT FOR PLAN REVIEW AND INSPECTION SERVICES**

This Agreement is for plan review and inspection services provided by **Bureau Veritas North America Inc.**, (herein called "BVNA"), for the **Town of Highland Park** (Jurisdiction). BVNA will have an exclusive contract for Third Party Plan Review and Inspection of Residential and Commercial Projects.

BVNA and the representatives of BVNA are charged as the Department of Building Safety for the provisions of the Jurisdiction's Adopted Building Code, Residential Code, Mechanical Code, Electrical Code, Plumbing Code, and Energy Code as defined by the International Building Code as published by the International Code Council.

BVNA and the representatives of BVNA are charged with the enforcement of the provisions of the Jurisdiction's Building Code, Residential Code, Mechanical Code, Electrical Code, Plumbing Code, and Energy Code acting in good faith and without malice in the discharge of the duties required by these codes or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties.

### **Plan Review**

Plan Review services shall be conducted as required by the Jurisdiction's Building Code, Residential Code, Mechanical Code, Electrical Code, Plumbing Code, Energy Code, and other provided documents as approved by the Jurisdiction. Applicants will be notified of Plan Review Comments and are responsible for addressing comments to the satisfaction of the Jurisdiction. The Jurisdiction has final interpretive authority over all plans and specifications. Permits are issued by the Jurisdiction.

### **Inspections**

Inspection services shall be conducted as required by the Jurisdiction's Building Code, Residential Code, Mechanical Code, Electrical Code, Plumbing Code, and Energy Code. Special inspections as specified in chapter 17 of the adopted International Building Code are not included and may be required as specified in the International Building Code. Any violations of the Jurisdiction's codes or concealment of any work prior to approval by BVNA will be reported to the Building Official of the Jurisdiction. The Building Official of the Jurisdiction is the final interpretive authority and the Certificate of Occupancy will be issued at the discretion of the Jurisdiction.

### **Fire Code Plan Review and Inspections**

Fire Code Plan Review and Inspection services for Fire Sprinkler and Fire Alarm systems shall be conducted as required by the Jurisdiction's adopted Fire Code and other specifications provided by the Jurisdiction. The Jurisdiction has final interpretive authority over all plans and specifications. Permits are issued by the Jurisdiction.

### **Fees**

In exchange for the services, the Jurisdiction will pay to BVNA fees according to the schedule attached hereto and incorporated herein for all purposes on Exhibit A ("Fee Schedule"), and Exhibit B ("Fee Schedule"). The Jurisdiction will be billed for services rendered monthly or as agreed upon per project assignment.



## **Indemnification**

BVNA shall indemnify the jurisdiction, its elected officials, officers, employees, attorneys and agents against, and hold harmless from, any and all liability, suits claims, actions, causes of action costs, expenses or fees (including reasonable attorney's fees), including but not limited to any injury to, or the death of, any person, damage to, or destruction of any property resulting from, or based upon, in whole or in part, any act or omission of BVNA, his or her agents/employees, under this agreement. The provision of this paragraph shall survive the termination of this agreement.

## **Risk Allocation and Limitation of Liability**

Jurisdiction agrees that in no instance shall BVNA be responsible, in total or in part, for the errors or omissions of any other professional, contractor, Subcontractor or any other party. Jurisdiction also agrees that BVNA shall not be responsible for the means, methods, procedures performance or safety of the construction contractors or Subcontractors, or for their errors or omissions.

## **Insurance**

BVNA shall during the term hereof obtain and maintain in full force and effect at its sole cost and expense the following policies of insurance: (1) a policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the Provider's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$1,000,000 Dollars per occurrence for injury to persons (including death), and for property damage; (2) policy of automobile liability insurance covering any vehicles owned and/or operated by BVNA, its officers, agents, and employees, and used in the performance of this Agreement; and (3) statutory Worker's Compensation Insurance covering all of BVNA's employees involved in the provision of services under this Agreement.

All insurance and certificate(s) of insurance shall contain the following provisions: (1) name the Jurisdiction, its officers, agents and employees as additional insured's as to all applicable coverage with the exception of Workers Compensation Insurance; (2) provide for at least thirty (30) days prior written notice to the Jurisdiction for cancellation, non-renewal, or material change of the insurance; (3) provide for a waiver of subrogation against the Jurisdiction for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance

All insurance companies providing the required insurance shall either be authorized to transact business in Texas and rated at least "B" by AM Best or other equivalent rating service.

A certificate(s) of insurance evidencing the required insurance by BVNA and its contractors and subcontractors shall be submitted to the Jurisdiction prior to commencement of any work.

BVNA shall require its contractors and subcontractors who perform work for BVNA pursuant to this Agreement to obtain and maintain the insurance policies and coverage required herein and shall include in all contracts, subcontracts, and bid documents with such contractors and subcontractors the insurance requirements set forth herein, and that each such contractor and subcontractor shall provide the Jurisdiction with separate certificates of insurance or such other documentation as is reasonably required by Jurisdiction to evidence that such contractor and/or subcontractor has obtained and maintains the required insurance policies and coverage.



### **Status of Contractor**

It is the intention of the parties that BVNA shall be an independent contractor and not an employee of the Jurisdiction for all purposes, including but not limited to, the application of the Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Act, provisions of the Internal Revenue Code. Jurisdiction will not pay for or provide Workers Compensation Insurance on BVNA. BVNA shall coordinate scheduled task with the Jurisdiction. BVNA will be required to pay federal self-employment taxes upon amounts received under this Agreement.

### **Resolution of Disputes**

All claims, disputes, controversies or matters in question arising out of, or relating to, this Agreement or any breach thereof, including but not limited to disputes arising out of alleged design defects, breaches of contract, errors, omissions, or acts of professional negligence, (collectively "Disputes") shall be submitted to mediation before and as a condition precedent to pursuing any other remedy. Upon written request by either party to this Agreement for mediation of any dispute, Jurisdiction and BVNA shall select a neutral mediator by mutual agreement. Such selection shall be made within ten (10) calendar days of the date of receipt by the other party of the written request for mediation. In the event of failure to reach such agreement or in any instance when the selected mediator is unable or unwilling to serve and a replacement mediator cannot be agreed upon by Jurisdiction and BVNA within ten (10) calendar days, a mediator shall be chosen as specified in the Construction Industry Mediation Rules of the American Arbitration Association then in effect, or any other appropriate rules upon which the parties may agree. Any cause of action brought against BVNA shall be brought within one-year of the discovery of the complained work or services performed under this Agreement. Should either party to this Agreement commence any legal action against the other party arising out of this Agreement, the prevailing party shall be entitled to recover its reasonable litigation expenses, including court costs, expert witness fees, discovery expenses, and attorney's fees.

### **Assigns**

Neither party may assign this Agreement or any right or obligation hereunder without the prior written consent of the other party, which shall not be unreasonably withheld or delayed; provided, however, that no consent shall be necessary in the event of an assignment to a successor entity resulting from a merger, acquisition or consolidation by either party or an assignment to an Affiliate of either party if such successor or Affiliate assumes all obligations under this Agreement. Any attempted assignment, which requires consent hereunder, shall be void and shall constitute a material breach of this Agreement if such consent is not obtained.

### **Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of the state where the work is performed in a court of competent jurisdiction.

### **Waiver of Jury Trial**

Each party waives its right to a jury trial in any court action arising between the parties, whether under this Agreement or otherwise related to the work being performed under this Agreement.



### Third Party Beneficiary

It is expressly understood & agreed that the enforcement of these terms and conditions shall be reserved to Jurisdiction and BVNA. Nothing contained in the agreement shall give or allow any claim or right of action whatsoever by any third person. It is the express intent of Jurisdiction and BVNA that any such person or entity, other than Jurisdiction or BVNA, receiving services or benefits under this agreement shall be deemed an incidental beneficiary.

### Non-Solicitation / Hiring of Employees

To promote an optimum working relationship, Jurisdiction agrees in good faith not to directly or indirectly employ or otherwise engage any employee of BVNA or any person employed by BVNA, within the prior six month period without the prior written consent of BVNA. This restriction shall apply during the term of and for a period of one (1) year after the termination of this Agreement. Jurisdiction further agrees that loss of any such employee would involve considerable financial loss of an amount that could not be readily established by BVNA. Therefore, in the event that Jurisdiction should breach this provision and without limiting any other remedy that may be available to BVNA, Jurisdiction shall pay to BVNA a sum equal to the employee's current annual salary plus 12 additional months of the employee's current annual salary for training of a new employee as liquidated damages.

### Interpretation of Agreement

This Agreement shall be interpreted as though prepared by all parties and shall not be construed unfavorably against either party.

### Termination

This agreement may be terminated without penalty by either party with 90 days written notice.

Rick Herzberger  
Representative of Bureau Veritas North America Inc.

*Rick Herzberger*  
Print Name

Division Director, Texas CCC

Title

*December 18, 2008*  
Date

Town of Highland Park, Texas

Jurisdiction

*William H. Seay Jr.*  
Representative of Jurisdiction

William H. Seay, Jr.  
Print Name

Mayor

Title

December 15, 2008  
Date



## EXHIBIT A FEE SCHEDULE

### Commercial and Multi-Family construction plan review\*

Valuation	Fee
\$1. <sup>00</sup> to \$10,000. <sup>00</sup>	\$50. <sup>00</sup>
\$10,001. <sup>00</sup> to \$25,000. <sup>00</sup>	\$70.69 for the first \$10,000. <sup>00</sup> plus \$5.46 for each additional \$1000. <sup>00</sup>
\$25,001. <sup>00</sup> to \$50,000. <sup>00</sup>	\$152.59 for the first \$25,000. <sup>00</sup> plus \$3.94 for each additional \$1000. <sup>00</sup>
\$50,001. <sup>00</sup> to \$100,000. <sup>00</sup>	\$251.09 for the first \$50,000. <sup>00</sup> plus \$2.73 for each additional \$1000. <sup>00</sup>
\$100,001. <sup>00</sup> to \$500,000. <sup>00</sup>	\$387.59 for the first \$100,000. <sup>00</sup> plus \$2.19 for each additional \$1000. <sup>00</sup>
\$500,001. <sup>00</sup> to \$1,000,000. <sup>00</sup>	\$1,263.59 for the first \$500,000. <sup>00</sup> plus \$1.85 for each additional \$1000. <sup>00</sup>
\$1,000,001. <sup>00</sup> and up	\$2,188.59 for the first \$1,000,000. <sup>00</sup> plus \$1.23 for each additional \$1000. <sup>00</sup>

### Single Family Residential construction plan review and inspection\* Commercial and Multi-Family construction inspection\*

Valuation	Fee
\$1. <sup>00</sup> to \$10,000. <sup>00</sup>	\$76. <sup>92</sup>
\$10,001. <sup>00</sup> to \$25,000. <sup>00</sup>	\$108.75 for the first \$10,000. <sup>00</sup> plus \$8.40 for each additional \$1000. <sup>00</sup>
\$25,001. <sup>00</sup> to \$50,000. <sup>00</sup>	\$234.75 for the first \$25,000. <sup>00</sup> plus \$6.06 for each additional \$1000. <sup>00</sup>
\$50,001. <sup>00</sup> to \$100,000. <sup>00</sup>	\$386.25 for the first \$50,000. <sup>00</sup> plus \$4.20 for each additional \$1000. <sup>00</sup>
\$100,001. <sup>00</sup> to \$500,000. <sup>00</sup>	\$596.25 for the first \$100,000. <sup>00</sup> plus \$3.36 for each additional \$1000. <sup>00</sup>
\$500,001. <sup>00</sup> to \$1,000,000. <sup>00</sup>	\$1,940.25 for the first \$500,000. <sup>00</sup> plus \$2.85 for each additional \$1000. <sup>00</sup>
\$1,000,001. <sup>00</sup> and up	\$3,365.25 for the first \$1,000,000. <sup>00</sup> plus \$1.89 for each additional \$1000. <sup>00</sup>

\*All fees billed upon issuance of the permit by the jurisdiction.



**Exhibit B  
Fee Schedule**

**Fire Code Plan Review Services (fire alarm and sprinkler system)\***

Up to \$500,000	\$850
\$500,000 to \$1,000,000	\$1,100
\$1,000,000 to \$3,000,000	\$1,600
\$3,000,000 to \$6,000,000	\$2,400
\$6,000,000 and up	\$2,400 plus \$0.25 for each additional \$1,000

**Fire Code Inspection Services (fire alarm and sprinkler system)\***

Up to \$500,000	\$1,050
\$500,000 to \$1,000,000	\$1,350
\$1,000,000 to \$3,000,000	\$1,900
\$3,000,000 to \$6,000,000	\$2,850
\$6,000,000 and up	\$2,850 plus \$0.25 for each additional \$1,000

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**Value (\$) is total value of project**

**\*All fees billed upon issuance of the permit by the jurisdiction**



MINUTES OF A MEETING OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD AT THE TOWN HALL, 4700 DREXEL DRIVE, AT 4:00 P.M., ON MONDAY, DECEMBER 15, 2008.

Present at the meeting were Mayor William H. Seay, Jr., Mayor Pro Tem Gail Madden, and Council Members Andrew Barr, Larry Nixon, and Bruce M. "Smokey" Swenson.

Mayor Seay called the meeting to order.

Council Member Beecherl gave the Invocation.

On a motion by Mayor Pro Tem Madden, seconded by Council Member Beecherl, the Council voted unanimously to approve the minutes of the Town Council meeting held November 24, 2008, with a correction to add the Cities of Seagoville and Lancaster and Southern Methodist University to the entities participating in the City of Midlothian's Firearms Training Facility.

Mayor Seay recognized Susan Harris from Atmos Energy Corporation; Ian McCann from the Dallas Morning News; Dale Selzer, Architect; and Dr. Ben Coker and Jon Polando from the Highland Park Independent School District, in attendance at the Council meeting.

Mayor Seay recessed the Council meeting and convened a public hearing to receive the recommendation of the Zoning Commission on requests from the Highland Park Independent School District to amend the site plans for Bradfield Elementary School and Highland Park Middle School and McCulloch Intermediate School. James Fisher, Town Secretary, explained that the HPISD requested their application to amend the site plan at Armstrong Elementary School be removed from the agenda to provide an opportunity to meet with residents around the campus and consider alternate locations on the site. The Zoning Commission conducted a public hearing on November 25, 2008, and unanimously recommends approval of the requests to amend the site plans of Bradfield Elementary School and Highland Park Middle School and McCulloch Intermediate School. The schools are zoned as Planned Developments and any changes to the site plans must be approved by the Council. The Council is required to conduct a public hearing and consider final action. Mr. Fisher explained that the Council was provided a copy of the notice of the public hearing that was published in *The Park Cities News*, a copy of the minutes from the Zoning Commission public hearing, a copy of a letter from Jon Polando explaining the requests, and site plans for the proposed additions. Upon questioning, Dr. Ben Coker, Assistant Superintendent of Business Services, explained that input received from the citizens at the Zoning Commission public hearing prompted the District's Board of Directors to consider alternate layouts and sketches for the Armstrong Elementary School campus. HPISD will resubmit the request for Armstrong Elementary School at a later date. Mayor Seay closed the public hearing and reconvened the Council meeting.

On a motion by Mayor Pro Tem Madden, seconded by Council Member Nixon, the Council voted unanimously to approve Ordinance No. 1775 amending the site plan for Bradfield Elementary School, a Planned Development, to provide for additions. James Fisher, explained that a two-story addition to the west end of the building will provide new classrooms; a one-story addition to the north side of the building will provide for kitchen expansion and a new enclosed fire exit stairway for the second floor Auditorium.



#### ORDINANCE NO. 1775

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS ("TOWN") AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, **CHAPTER 14, "ZONING," SECTION 26 "LIST OF SPECIFIC USE PERMITS, PLANNED DEVELOPMENTS AND COMBINED BUILDING SITES,"** TO AMEND THE SITE PLAN FOR PD ORDINANCE NO. 1308, BRADFIELD ELEMENTARY SCHOOL TO PROVIDE FOR A TWO-STORY ADDITION ON THE WEST END OF THE BUILDING FOR CLASSROOMS AND A ONE-STORY ADDITION ON THE NORTH SIDE OF THE BUILDING FOR KITCHEN EXPANSION AND AN ENCLOSED FIRE EXIT STAIRWAY; PROVIDING A VALIDITY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

On a motion by Council Member Swenson, seconded by Mayor Pro Tem Madden, the Council voted unanimously to approve Ordinance No. 1776 amending the site plan for McCulloch Intermediate and Highland Middle Schools, a Planned Development, to provide for additions, expansion of the parking lot, and modifications to the athletic field.

#### ORDINANCE NO. 1776

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS ("TOWN") AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, **CHAPTER 14, "ZONING," SECTION 26 "LIST OF SPECIFIC USE PERMITS, PLANNED DEVELOPMENTS AND COMBINED BUILDING SITES,"** TO AMEND THE SITE PLAN FOR PD ORDINANCE NO. 1257, NEW MIDDLE SCHOOL TO PROVIDE FOR ADDITIONS, EXPANSION OF THE PARKING LOT, AND MODIFICATIONS TO THE ATHLETIC FIELD; PROVIDING A VALIDITY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

On a motion by Council Member Nixon, seconded by Council Member Barr, the Council voted unanimously to approve Ordinance No. 1777 amending the site plan for the Highland Park United Methodist Church to provide for replacing monument signs at the intersections of Mockingbird Lane and Hillcrest Avenue and Mockingbird Lane and Bishop Boulevard, and at the northeast corner of their property facing Bishop Boulevard. James Fisher explained that the church is a Planned Development, and any changes to the site plan require approval by the Town Council. The Public Works Committee reviewed this request on November 20, 2008, and requested additional information regarding signs in the Town. Town staff provided photographs of signs in the Town to the Public Works Committee on December 11, 2008, and the Committee recommended approval. The maximum height of 5.3 feet is comparable to the Southern Methodist University sign at the corner of Mockingbird Lane and Airline Road. Mr. Fisher added that the Zoning Commission plans to review sign regulations in the future.



#### ORDINANCE NO. 1777

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS ("TOWN") AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, **CHAPTER 14, "ZONING," SECTION 26 "LIST OF SPECIFIC USE PERMITS, PLANNED DEVELOPMENTS AND COMBINED BUILDING SITES,"** TO AMEND THE SITE PLAN FOR PD ORDINANCE NO. 1425 HIGHLAND PARK UNITED METHODIST CHURCH TO PROVIDE FOR NEW SIGNAGE; PROVIDING A VALIDITY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

On a motion by Council Member Beecherl, seconded by Mayor Pro Tem Madden, the Council voted unanimously to approve Ordinance No. 1778 amending the 2008-2009 Budget. Bill Pollock, Director of Fiscal and Human Resources, explained that the Budget amendments allocate funds for previous actions approved by the Town Council, including funding an additional \$5,000 for the DARE program; \$18,500 for the SRO program; \$4,000 in donated funds for police supplies; increasing the allocation for the Mockingbird Lane Reconstruction Project by \$220,000 for the purchase of a tract of land and other improvements; and decreasing the appropriation for transfer to the Capital Projects Fund by \$23, 500.

#### ORDINANCE NO. 1778

AN ORDINANCE OF THE TOWN OF HIGHLAND PARK ("TOWN"), TEXAS, AMENDING THE TOWN'S 2008-2009 BUDGET, AS AMENDED, APPROPRIATING FUNDS FOR THE TOWN'S SHARE OF COSTS FOR PROVIDING A DRUG ABUSE RESISTANCE EDUCATION ("DARE") PROGRAM AT HIGHLAND PARK MIDDLE SCHOOL; A SCHOOL RESOURCE OFFICER ("SRO") AT HIGHLAND PARK HIGH SCHOOL; THE PURCHASE AND IMPROVEMENT OF A TRACT OF LAND AT 3520 MOCKINGBIRD LANE; AND THE USE OF DONATED AND DESIGNATED FUNDS FOR THE DEPARTMENT OF PUBLIC SAFETY.

On a motion by Council Member Nixon, seconded by Mayor Pro Tem Madden, the Council voted unanimously to approve a request from Jeff S. Fronterhouse to construct a masonry wall located in the Town's right-of-way at 4001 Gillon Avenue. James Fisher explained that in 1983, the Town approved a seven-foot (7') wall and an eighteen-inch (18") retaining wall in the front yard by an agreement which excluded the Town from responsibility for the liability, upkeep, and maintenance of the wall. Jeff Fronterhouse, the current homeowner, has requested approval to replace the retaining wall and seven-foot wall in the Town's right-of-way on the condition that he would be responsible for the wall. A copy of the proposed Use of Public Right-of-Way agreement was provided to the Council with Mr. Fronterhouse's letter of request, a drawing of the proposed wall, and photographs of the existing wall. The Council discussed the terms of the agreement. Upon questioning, Bill Lindley, Town Administrator, explained that the Town is allowing use of Town property; it is not giving the property to the homeowner.



On a motion by Council Member Barr, seconded by Council Member Swenson, the Council voted unanimously to approve an agreement with Bureau Veritas North America, Inc., to provide third party review and inspection services for certain construction projects in the Town. James Fisher explained that the Council previously approved contracting with Bureau Veritas, subject to drafting an agreement. The agreement contains all the terms requested by the Council, including a provision for liability insurance indemnifying the Town. Albert D. Hammack, Town Attorney, stated that he researched Bureau Veritas and determined that they are not a party to any litigation in Texas.

On a motion by Council Member Beecherl, seconded by Council Member Swenson, the Council voted unanimously to deny an agreement with the Cities Aggregation Power Project (CAPP) for long-term electricity supply. Bill Pollock explained that CAPP set a deadline of December 17, 2008, for member cities to execute agreements to participate. CAPP negotiated a contract to purchase up to 150 MW of electric power for municipal government use. Mr. Pollock explained that when the agreement was first proposed, the cost savings to the Town would have been approximately \$65,000 to \$70,000 per year, but since natural gas prices have declined, the annual savings would be approximately \$25,000. The Town's liability would remain \$72,000 per year, billed on a monthly basis, for twenty-four years. The Town's share of the electric power is small, approximately 13/100 of one percent (1%). There is a possibility that the Town may join at a later date. At the current time, there are not enough member cities to go forward with the contract. The Council discussed possible benefits and negative aspects of the agreement. Entering into the agreement would require the Town to incur debt and pledge its taxing power as collateral. If necessary, a Court could require a municipality in default to adjust their tax rate to increase revenue to pay the debt. Bill Lindley suggested that the Council could pass over the agreement and allow staff to monitor progress, bringing it back to the Council at a later date.

On a motion by Council Member Swenson, seconded by Council Member Barr, the Council voted unanimously to approve a bid in the amount of \$31,500.00 received from Lawns of Dallas for the tree pruning of park locations and tree trimming in alley rights-of-way and easements, subject to verifying compliance with Texas statutes. Ronnie Brown, Director of Parks and Sanitation, explained that the Town contracts annually to professionally prune one-third of the Town's parks, 136 alley rights-of-way, and 48 easements. Five bids were received, with Lawns of Dallas submitting the lowest bid in the amount of \$47,500.00 for the specified work. The Town budgeted \$31,500.00 for this project. Four line items were removed from the bid package, reducing the total cost by \$16,000.00. Lawns of Dallas agreed to the reduction. Mr. Brown explained that although a portion of this work will be deferred one year, it will not adversely affect the parks or public safety within the parks. Upon questioning, Mr. Brown stated that he would prepare an analysis of the five (5) bids received on November 19, 2008, omitting Base Bid Item Nos. 1, 2, 3 and 11. The results of this analysis will be reviewed by the Town Attorney and the Town Administrator prior to issuing a purchase order. The Council and staff discussed State policies for bidding contracts.

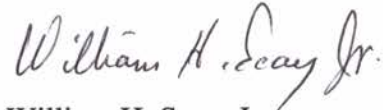
At 5:20 p.m., Mayor Seay announced that the Council would convene into Executive Session, as authorized by Section 551.071 of the Texas Government Code, to discuss pending litigation for Terrance Sheffield v. John Lee (Town of Highland Park Public Safety Officer).

The Executive Session was closed at 6:05 p.m., and the Council meeting reconvened in Open Session.

There being no further business to come before the Council, the meeting was adjourned at 6:07 p.m.

APPROVED on this the 26th day of January 2009.

By:

A handwritten signature in dark ink, reading "William H. Seay Jr." in a cursive script.

William H. Seay, Jr.  
Mayor

ATTEST:

A handwritten signature in dark ink, reading "James Fisher" in a cursive script.

James Fisher  
Town Secretary

# Bureau Veritas Valuation Based Permit Fee Calculators

Construction Valuation

\$17,000,000

## Construction Inspection and Review



**BUREAU  
VERITAS**

Commercial And  
Multi Family

One And Two  
Family

Inspection Fee

\$33,605.25

\$33,605.25

Plan Review Fee

\$21,868.59

No Charge

Commercial And  
Multi Family Total

**\$55,473.84**

One And Two  
Family Total

**\$33,605.25**

## Fire Inspection and Review



**BUREAU  
VERITAS**

Commercial And  
Multi Family

Inspection Fee

\$5,600.00

Plan Review Fee

\$5,150.00

Total

**\$10,750.00**

Revised: 10/3/2011

\$20,000,000 TOTAL PROJECT, BUT INCLUDES  
LANDSCAPING & CIVIL/SITE-WORK. \$17,000,000  
IS THE CONSTR VALUE FOR BUILD'G RENOVATION  
WORK. -K.SMITH.



# TOWN OF HIGHLAND PARK

## Agenda Briefing

Council Meeting: June 26, 2017

Department: Building Inspection

Director: Ronnie Brown

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### TITLE

Consider approval of an ordinance amending the planned development ordinance for Armstrong Elementary School to allow construction of a two-story addition to the southeast corner of the school building at 3600 Cornell Avenue.

### BACKGROUND

The attached ordinance describes the zoning request for which a public hearing was previously conducted by the Town Council. The ordinance will allow the Highland Park Independent School District (the "District") to construct a two-story addition to the southeast corner of the Armstrong Elementary School building campus, 3600 Cornell Avenue.

The proposed ordinance also specifies a required front yard setback of thirty-six feet (36') along the south side of the school (Cornell Avenue), a side yard setback of thirteen feet, ten inches (13'10") along the east side of the school (Byron Avenue), and includes a comprehensive site plan.

### RECOMMENDATION

The staff recommends approval to amend the planned development ordinance to allow construction of a two-story addition to the southeast corner of the Armstrong Elementary School campus at 3600 Cornell Avenue. This item was reviewed by the Town Council at its study session on June 20, 2017.

### FINANCIAL IMPACT

None.

### ATTACHMENTS:

File Name	Description
Amending_PD_Armstrong_Elementary-2-story_Addn_SE_Corner_.docx	Proposed Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, **CHAPTER 14 “ZONING,” SECTION 26 “LIST OF SPECIFIC USE PERMITS, PLANNED DEVELOPMENTS AND COMBINED BUILDING SITES,” 26-100 PD ORDINANCE NO. 1307, “ARMSTRONG ELEMENTARY AT BLOCK 53, LOTS 16-20, BLOCK 54, LOTS 1 AND 2, 20 FEET OF LOT 3, BLOCK 63, 20 FEET OF BLOCK 64, LOTS 7 AND 8, HIGHLAND PARK FOURTH INSTALLMENT, AN ADDITION TO THE TOWN OF HIGHLAND PARK, SECTION 2, AS AMENDED, WHICH CREATED A PLANNED DEVELOPMENT DISTRICT FOR ARMSTRONG ELEMENTARY SCHOOL, TO ALLOW CONSTRUCTION OF A TWO-STORY ADDITION TO THE SOUTHEAST CORNER OF THE SCHOOL BUILDING; PROVIDING A VALIDITY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, **Chapter 14, Zoning, of the Code of Ordinances of the Town of Highland Park, Texas**, is also known as the “Town’s Zoning Ordinance;” and

WHEREAS, the Armstrong Elementary School (“Armstrong”) Campus is a Planned Development (“PD”) with a comprehensive site plan adopted under Ordinance No. 1307 by the Town Council on June 5, 1995; and

WHEREAS, the Highland Park Independent School District (the “District”) has requested an amendment to the site plan to allow construction of a two-story addition to the southeast corner of the school building. The two-story addition will maintain a front yard setback of thirty six feet (36’) from Cornell Avenue, and a side yard setback of thirteen feet, ten inches (13’-10”) from Byron Avenue; and

WHEREAS, the District conducted a traffic evaluation (the “Traffic Study”) with Binkley and Barfield, Inc., consulting engineers of the past three traffic studies dated 2010, 2013, and 2015 and concluded with the reduction in the student population on this campus from 593 students to 550, there will be no negative impact to the current traffic patterns; and

WHEREAS, the Town’s Zoning Commission reviewed this request, conducted a public hearing on May 31, 2017, and recommended approval; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including, but not limited to the Open Meetings Act;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS:

SECTION 1. That, Ordinance No. 1307, Section 2, is hereby amended as depicted on the attached site plan labeled “Exhibit A” to allow construction of a two-story addition to the

southeast corner of the school building. This addition will maintain a front yard setback of thirty six feet (36') from the Cornell Avenue property line, and a side yard setback of thirteen feet, ten inches (13'10") from the Byron Avenue property line.

**SECTION 2.** That, **Chapter 14 “Zoning,” Section 26, “List of Specific Use Permits, Planned Developments and Combined Building Sites, 26-100”** of the Town's Zoning Ordinance, is hereby amended to add:

PD Ordinance No. \_\_\_\_ - Amending PD Ordinance No. 1307 for McCulloch Intermediate School/Highland Park Middle School to allow construction of a two-story addition to the southeast corner of the school building. This two-story addition will maintain a front yard setback of thirty six feet (36') from the Cornell Avenue property line, and a side yard setback of thirteen feet, ten inches (13'10") from the Byron Avenue property line.

**SECTION 3. Validity.** That, all ordinances of the Town of Highland Park in conflict with the provisions of this ordinance be, and the same are hereby superseded and all other provisions of the ordinances of the Town of Highland Park not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4. Severability.** That, should any paragraph, sentence, clause, phrase, or word of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected.

**SECTION 5. Incorporation.** That, this ordinance shall be deemed to be incorporated into the Code of Ordinances of the Town of Highland Park, Texas.

**SECTION 6. Effective Date.** That, this ordinance shall take effect immediately following its passage, approval and publication as provided by law, and it is accordingly so ordained.

PASSED AND APPROVED this the 26th day of June, 2017.

APPROVED AS TO FORM:

APPROVED:

Matthew C. G. Boyle  
Town Attorney

Joel T. Williams, III  
Mayor

ATTEST:

Gayle Kirby  
Town Secretary





## Exhibit A