



**US Army Corps
of Engineers**®
Fort Worth District

Public Notice

Section 408 Request #: 408-SWF-2021-0030

Date issued: December 21, 2021

Close of comment period: January 21, 2022

USACE Point of Contact: Jason Story

**REQUEST TO ALTER A U.S. ARMY CORPS OF ENGINEERS
FEDERALLY AUTHORIZED CIVIL WORKS PROJECT UNDER 33 USC 408
(SECTION 408)**

TITLE: Section 408 Request # 408-SWF-2021-0030, 1333/1401 Oak Lawn Avenue

SUBJECT: Request for a Section 408 permission to alter the Dallas Floodway, a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project. Written comments are being solicited from anyone having an interest in this proposed alteration. Comments will become part of the USACE administrative record and will be considered in determining whether to approve the proposed alteration. Comments supporting, opposing, or identifying concerns that should be considered by the USACE in its decision process are welcome. Issuance of this notice does not imply USACE endorsement of the proposed alteration as described.

REQUESTER: Quadrant Investment Properties

LOCATION: The proposed project would be located at 1333 and 1401 Oak Lawn Avenue in Dallas, Texas.

NON-FEDERAL SPONSOR: City of Dallas

LOCATION MAP(S)/DRAWING(S): Attached figure

DESCRIPTION OF THE PROPOSED ALTERATION: The proposed alteration within the Dallas Floodway includes demolition of two existing one-story buildings and construction of a new ten-story 248,000 square foot office building. The Turtle Creek Pressure Sewer, an integral part of the Dallas Floodway interior drainage, is located beneath the subject property. The Turtle Creek Pressure Sewer is approximately 21 feet in diameter and buried 10-20 feet deep beneath the property. The Turtle Creek Pressure Sewer is located on the southern portion of private property adjacent to Oak Lawn Avenue where the demolition and construction of the new building would occur. The City of Dallas has a 40 foot wide easement for operation and maintenance of the

pressure sewer. Driveway and parking facilities are the primary features that would be constructed above the pressure sewer.

REGULATORY AUTHORITY: This request will be reviewed pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408). A requester has the responsibility to acquire other authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program. An approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

EVALUATION: The decision whether to grant the request for the alteration under Section 408 is based on several factors which are outlined in Engineer Circular 1165-2-220. The benefits which reasonably may be expected to accrue from the proposed alteration must be balanced against its reasonably foreseeable detriments. Review of the proposed alteration will be reviewed by a USACE technical review team considering the following factors:

1. *Impacts to the Usefulness of the USACE Project Determination.* The review team will determine if the proposed alteration would limit the ability of the federally authorized project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs.

2. *Injurious to the Public Interest Determination.* The review team will determine the probable impacts of the proposed alteration, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation.

3. *Environmental Compliance.* A decision on a Section 408 request is a federal action subject to the National Environmental Policy Act (NEPA) and other applicable federal environmental and cultural resources compliance requirements.

THREATENED AND ENDANGERED SPECIES: The USACE has reviewed an official list of species protected under the Endangered Species Act, and our initial review indicates the proposed alteration would have no effect to species listed by the United States Fish and Wildlife Service as threatened or endangered within the action area for the Section 408 jurisdiction.

HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES: The USACE has reviewed the proposed alteration for impacts to cultural resources. Our initial review indicates that 1333 Oak Lawn Avenue, Dallas, Texas is a significant cultural resource for its associations and design in the Trinity Industrial District 1928-1968. The proposed alteration will adversely impact this historic resource due to demolition. In accordance with Section 405(a) of the 2010 Supplemental Disaster Relief and Summer Jobs Act

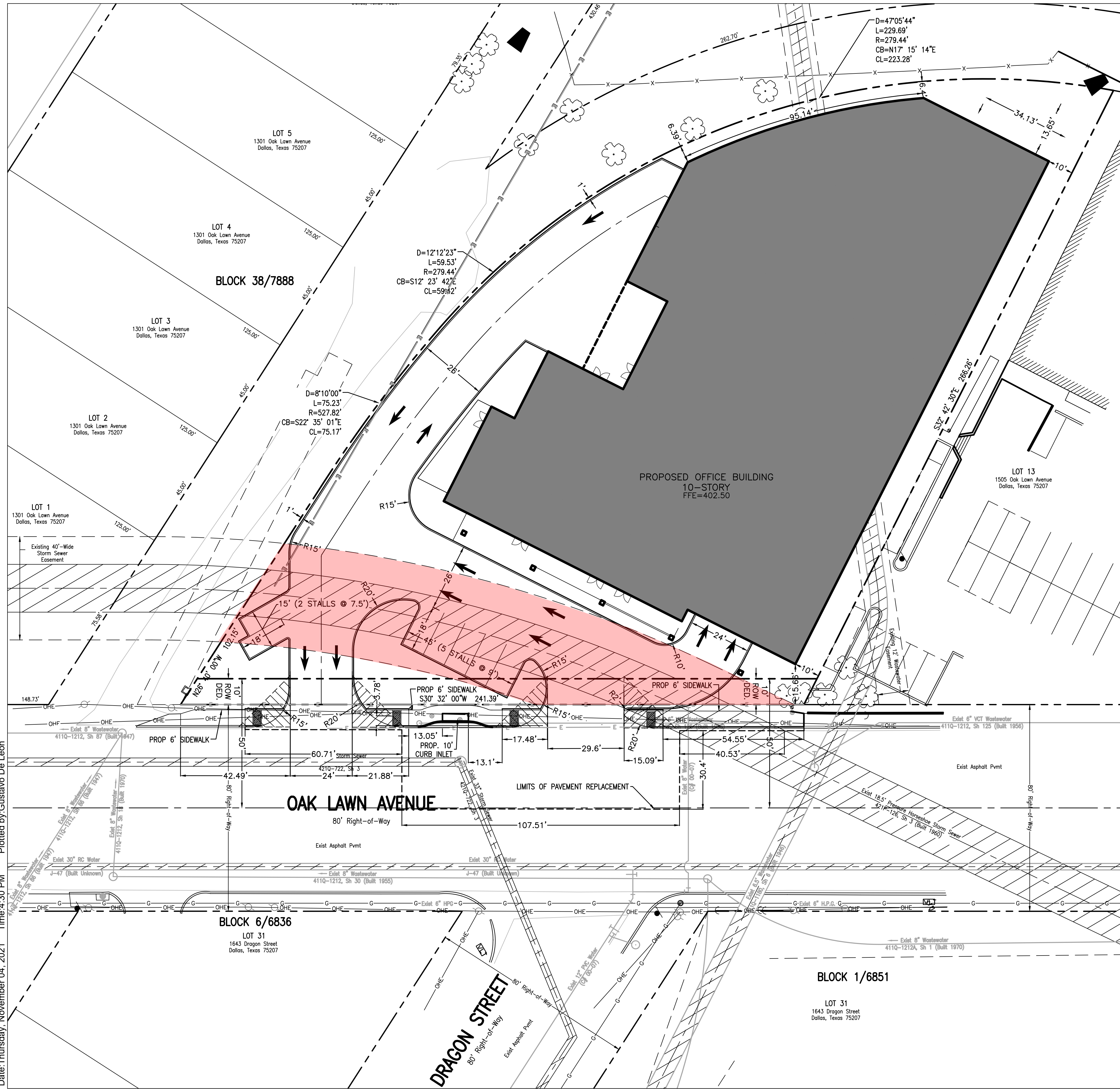
(Public Law [PL] 111-212), which states that the Secretary of the Army shall not be required to make National Historic Preservation Act determinations regarding the Dallas Floodway, the impacts to this historic resource are assessed and mitigated through NEPA. Mitigation for the loss of this historic resources consists of Historic American Building Survey (HABS) Level II Recordation of the 1333 Oak Lawn Avenue warehouse in Dallas, Texas, and acceptance of this recordation into the Library of Congress by the National Park Service.

SOLICITATION OF COMMENTS: The USACE is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed alteration. Comments received will be considered by the USACE to determine whether to issue, modify, condition, or deny a permission for this proposed alteration.

It should be noted that materials submitted as part of the Section 408 request become part of the public record and are available to the public under the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the Fort Worth District, Corps of Engineers, Office of Counsel.

It is presumed that all parties receiving this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed alteration as described herein.

CLOSE OF COMMENT PERIOD: Written comments on the proposed alteration must reach this office on or before the close of the comment period. Comments must reference the Section 408 Request ID # and project name. Comments and requests for additional information should be submitted to jason.e.story@usace.army.mil. Telephone inquiries should be directed to Mr. Jason Story, at (817) 886-1852. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available. For more information on Section 408, visit the Fort Worth District Section 408 webpage at <https://www.swf.usace.army.mil/Missions/Section-408/>.



GEOMETRIC NOTES

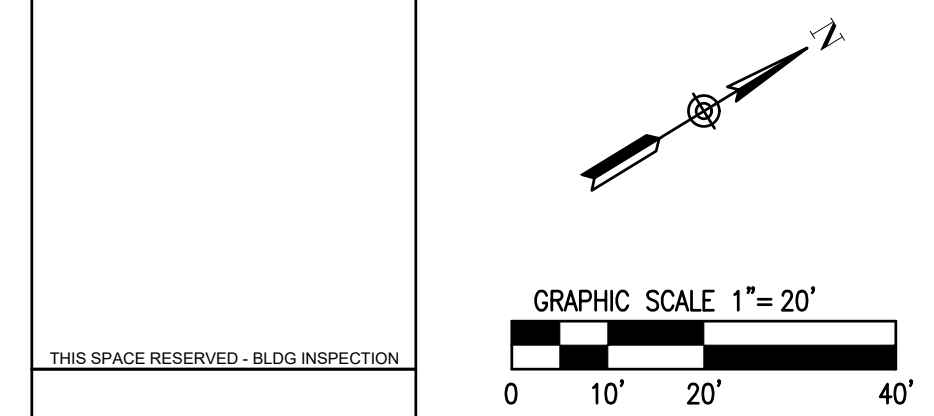
- 1) ALL DIMENSIONS ARE FROM BACK OF CURB OR OUTSIDE FACE OF BUILDING UNLESS NOTED OTHERWISE.
- 2) ALL RADII ARE 3-FT UNLESS NOTED OTHERWISE.
- 3) ALL PAVEMENT MARKINGS SHALL BE 4" PAINT CONFORMING TO MUNICIPAL STANDARDS, UNLESS NOTED OTHERWISE, OR AS PROVIDED FOR IN THE DETAILS.
- 4) THE CROSS SLOPE ON ALL SIDEWALKS SHALL NOT EXCEED 2.0% MAXIMUM IN ALL DIRECTIONS.
- 5) ALL SIDEWALKS INTERSECTING WITH CURB SHALL BE CONSTRUCTED WITH HANDICAP RAMPS.
- 6) STAIR AND DOORWAY LOCATIONS ARE SHOWN FOR REFERENCE ONLY. REFER TO THE ARCHITECTURAL PLANS FOR DETAILS.
- 7) ALL RAISED REFLECTIVE PAVEMENT MARKERS USED WITH SKIP DASHES SHALL BE CENTERED IN THE GAP BETWEEN SEGMENTS.
- 8) ALL LOT DIMENSIONS, SETBACK LINES, EASEMENTS, ETC., SHOWN ARE APPROXIMATE. SEE PLAT OF SUBDIVISION FOR EXACT DIMENSIONS.

LEGEND

- Visibility Triangle
- 20'x20' (DRIVEWAY)
- 45'x45' (STREET)

NOTE:

THERE ARE NO PROPOSED IMPROVEMENTS TO BE MADE TO ANY PAVEMENT MARKINGS OF PUBLIC ROADS OR TO TRAFFIC SIGNS.
A STREET LIGHTING PLAN WILL NOT BE REQUIRED FOR THIS PROJECT AS THERE ARE NO PROPOSED CHANGES OR IMPROVEMENTS.



THIS SPACE RESERVED - BLDG INSPECTION
THIS SPACE RESERVED - ENGINEERING

CENTERLINE LINE DATA		
LINE No.	LENGTH	DIRECTION

CENTERLINE CURVE DATA					
CURVE No.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH

REVISIONS			
REV NO.	DATE	DESCRIPTION	BY

JACOB & HEFNER ASSOCIATES
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Firm Registration No. F-21096 PHONE: (972) 834-7318
www.jacobandhefner.com

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.
S201-280	WW21-337	DP21-125

DIMENSION CONTROL & SIGNAGE PLAN
1333 OAK LAWN AVENUE
SITE IMPROVEMENTS
SUSTAINABLE DEVELOPMENT & CONSTRUCTION
CITY OF DALLAS, DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
SEL	JRG	11/4/2021			C05.01

PRELIMINARY
THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF AND INTERIM REVIEW UNDER THE AUTHORITY OF STEPHANIE E. LAUGHLIN P.E. NO. 95763 ON 11/4/2021

CONTRACT INFORMATION	
CONTRACT NO. (IF APPLICABLE)	DATE
CONTRACTOR	

Filename: F992-Sht-Dimensional Control Plan.dwg
 Date: Thursday, November 04, 2021 Time: 4:30 PM
 Plotted by: Gustavo De Leon