



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

2145-028 **RECEIVED**

Data Relative to Subject Property: _____

Date:

FOR OFFICE USE ONLY
JAN 17 REC'D

Location address: 1900 E WHEATLAND RD

Zoning District: TH-2(A), MF-2(A), MF-3(A), CR

Lot No.: N/A

Block No.: N/A

Acreage: 157.22

Census Tract: _____

Street Frontage (in Feet): 1) 4,600 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): VM FUND I, LLC

Applicant: DAVID PITCHER, P.E. - KFM ENGINEERING

Telephone: 214-801-4936

Mailing Address: 3501 OLYMPUS BLVD, SUITE 100, DALLAS

Zip Code: 75019

E-mail Address: DPITCHER@KFM-LLC.COM

Represented by: N/A

Telephone: _____

Mailing Address: _____

Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance , or Special Exception , of _____

TREE MITIGATION REQUIREMENTS PER THE ATTACHED LETTER

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:

SEE ATTACHED LETTER FOR DETAILED EXPLANATION

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared DAVID PITCHER

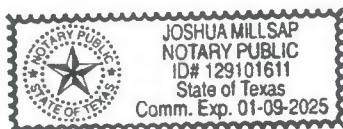
(Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 31 day of DECEMBER, 2024



[Signature]
Notary Public in and for Dallas County, Texas



December 24, 2024

Board of Adjustments
City of Dallas
1500 Marilla Street
Dallas, TX 75201

RE: Special Exception for Urban Forestry – University Hills

Dear Board Member,

Section 51A-10.132(4)(B)(i)(bb) states that forest stand delineation excludes areas within 50 feet of a one-percent chance floodplain. We would like to request a special exception of this requirement for a portion of our property that was affected by manmade agricultural channels.

The University Hills property is located at the Northwest corner of Lancaster Road and Interstate-20 and was historically farmland. Aerial photos attached as **Exhibit A** show that most of the property was well maintained farmland with manmade, agricultural channels through the center of the property. After the 1970s, the property was no longer maintained as farmland and was left to be overgrown. As the final photo depicts, the property is currently completely overgrown.

Development of the subject property will require the removal of trees within the historic farmland. A Forest Stand Delineation and Tree Survey was completed by Integrated Environmental Solutions in March of 2024 to assess the current site conditions and found that most of the previous farmland qualifies as and old-field under Section 51A-10.134.

However, there is a significant amount of old-field area within 50 feet of the one-percent chance floodplain, therefore disqualifying these areas from the old-field classification under Section 51A-10.132(4)(B)(i)(bb). The current one-percent chance floodplain was established by a study prepared by Half Associates for the City of Dallas in 2014. The current floodplain boundary is depicted in **Exhibit B**. Since the manmade channel was only designed for agricultural purposes, it does not contain the one-percent chance floodplain, and therefore encumbers a wide breadth of the property as compared to the natural channels to the north and west.

The hardship to this property occurred because the manmade channel was designed for agricultural purposes, creating a large one-percent chance floodplain. This floodplain does not allow the old farmland to qualify as an old-field and thereby significantly increase the tree mitigation fees required.

Given this hardship, we request that the Board of Adjustments allow a special exception to Section 51A-10.132(4)(B)(i)(bb), and allow area within 50 feet of a one-percent chance of flood to be qualified for a forest-stand delineation and an old-field classification. The area for this Special Exception would be the areas surrounding the manmade channels only and is depicted on **Exhibit B**.

If this request is granted, mitigation for remaining site trees would be provided by onsite canopy and ornamental trees. This re-investment into the community will have long term benefits and will maximize the effectiveness of the shared open spaces throughout the neighborhood. A Proposed Tree Exhibit has been provided as **Exhibit C** that depicts the proposed ornamental and canopy plantings to meet the remaining mitigation requirements.

If this request is not granted, the tree mitigation fee would be well above the current budget for open space landscaping, forcing the development to only provide minimum landscaping requirements for the open spaces. A Required Trees Exhibit has been provided as **Exhibit D** which depicts the required tree plantings.

We greatly appreciate your time and understanding of this matter and ask for your consideration and approval of this Special Exception.

Sincerely,



David Pitcher
Vice President
KFM Engineering & Design
TBPE #: F-20821



CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 245-028

I, VM FUND I, LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1900 E. Wheatland Rd.
(Address of property as stated on application)

Authorize: David Pitcher, P.E. - KFM Engineering & Design
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: FOR TREE MITIGATION REQUIREMENTS AS STATED IN THE LETTER ATTACHED

WITH THIS APPLICATION

Roy Magno
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

agent Date 12/31/2024

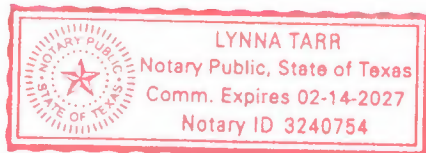
Before me, the undersigned, on this day personally appeared
Roy Magno

Who on his/her oath certifies that the above statements are true and correct to his/her best

knowledge. Subscribed and sworn to before me this 31st day of

December, 2024

[Signature]
Notary Public for Dallas County,
Texas



Commission expires on
2-14-2027



CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 245-028

I, VM FUND I, LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1900 E. Wheatland Rd.
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- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: FOR TREE MITIGATION REQUIREMENTS AS STATED IN THE LETTER ATTACHED

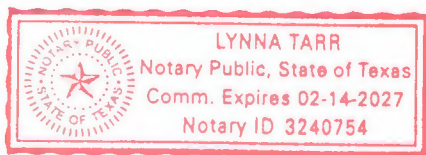
WITH THIS APPLICATION

Roy Magno
Print name of property owner or registered agent
agent Date 12/31/2024

[Signature]
Signature of property owner or registered agent

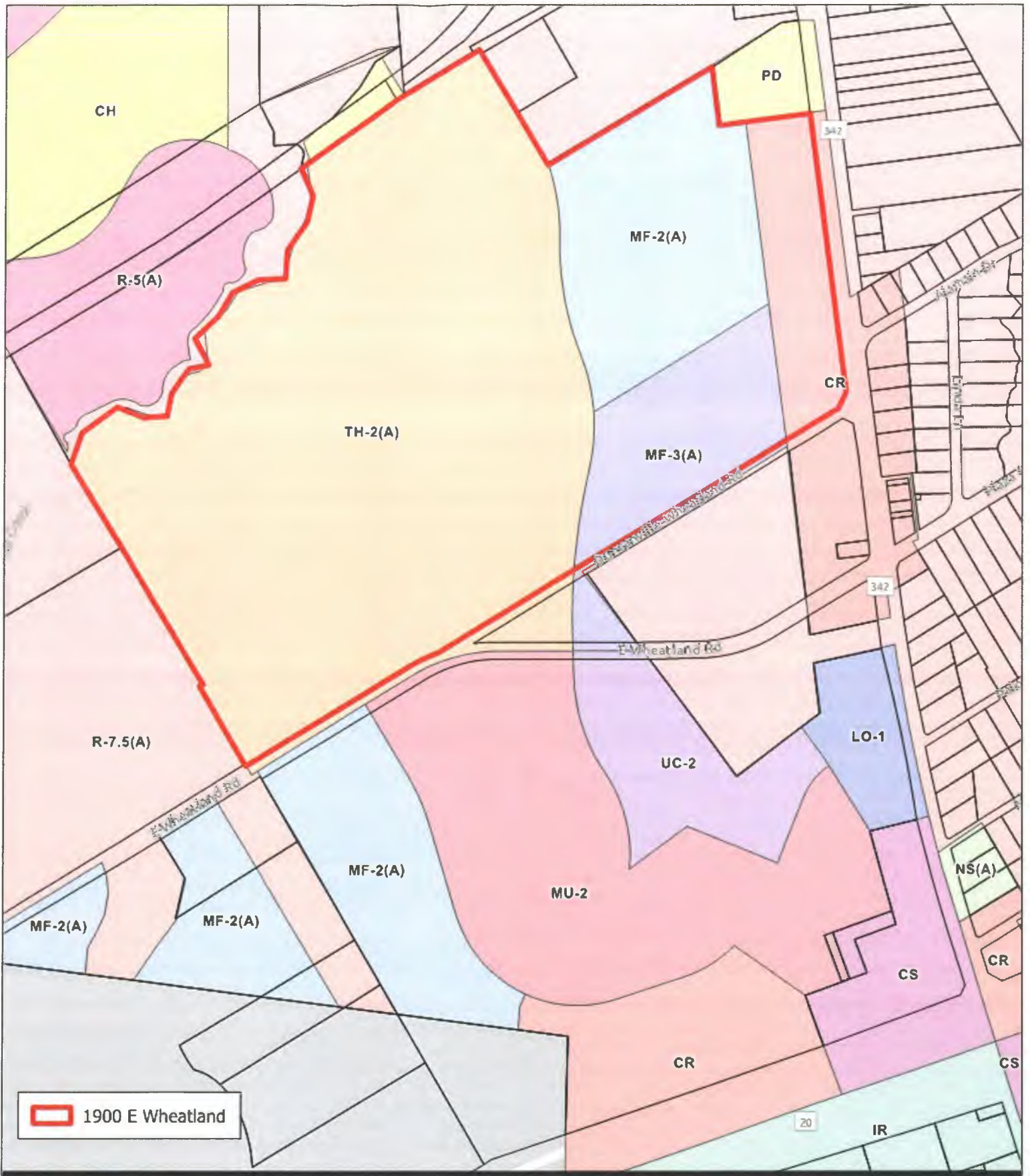
Before me, the undersigned, on this day personally appeared


Who on his/her oath certifies that the above statements are true and correct to his/her best
knowledge. Subscribed and sworn to before me this 31st day of
December, 2024



[Signature]
Notary Public for Dallas County,
Texas

Commission expires on
2-14-2027



 1900 E Wheatland



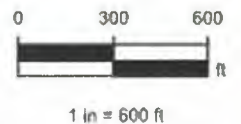
3501 OLYMPUS BLVD STE 100
DALLAS, TX 75019
469.899.0536
WWW.KFM.LLC.COM

TBPE: F-20821

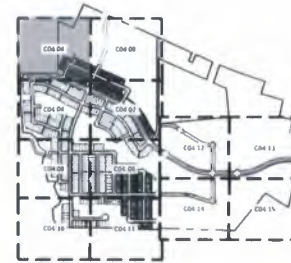
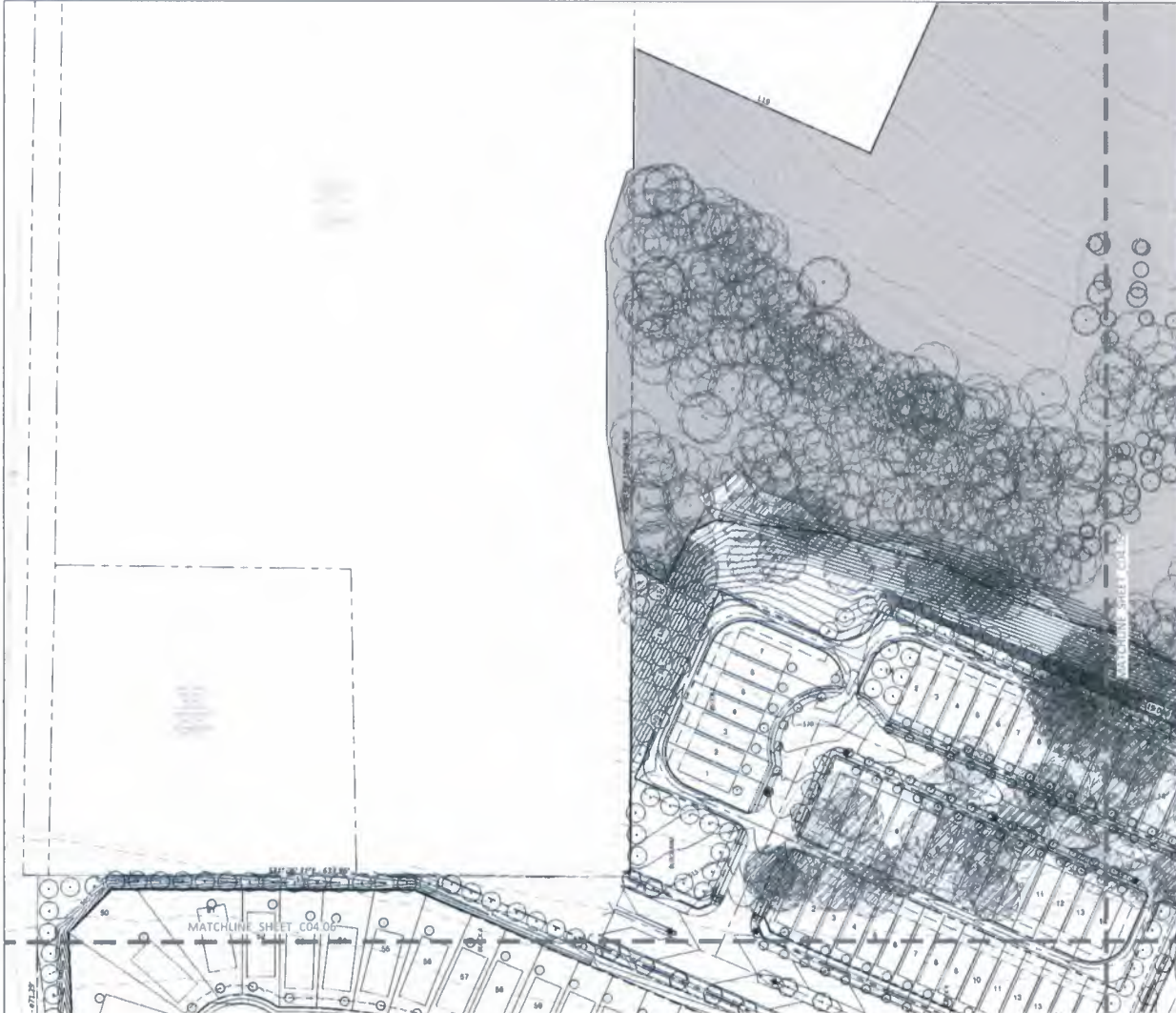
TITLE
DALLAS ZONING
EXHIBIT

PROJECT
UNIVERSITY HILLS

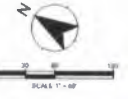
CLIENT
HOQUE GLOBAL



PROJECT NUMBER:
010195001
DECEMBER 31, 2024



NETMAP
813



**PRELIMINARY
NOT FOR CONSTRUCTION**

KFM
ENGINEERING & DESIGN

REGISTERED PROFESSIONAL ENGINEER
P. E. NO. 100888 DATE 12/21/17

- DEMOLITION LEGEND**
- EXISTING TREE TO REMAIN
 - EXISTING TREE TO BE REMOVED
 - REPLACEMENT TREES
 - EXISTING CURBS & STAMPS
 - OLD FIELD RUNS
 - AREA TO BE CLEARED OF UNDERBUSH/ PROTECTED TREES TO REMAIN
 - UNCLAS EXCEPTION AREA

NOTES:
* REFER TO SHEET C04.03 FOR GENERAL CONSTRUCTION NOTES.

CAUTION!

LOHN RACTOR NO CONTRACT FOR 19243 DMP-CALL 11511516
11 800 544 8111/11511516/11511516 FROM NO CONSTRUCTION
CONSTRUCTION. IT IS THE USER'S RESPONSIBILITY FOR OBTAINING ALL
NECESSARY PERMITS IN THE PROJECT AREA. IN FIELD CONDITIONS,
DIPLEX INDICATED FROM THE LOCATION SHOWN ON THE PLANS.
THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO
PROCEEDING WITH CONSTRUCTION.

REVISIONS

| REV NO | DATE | DESCRIPTION | BY |
|--------|------|-------------|----|
| | | | |
| | | | |

KFM ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TX 75219 817 208221

| PLAT NO. | BLDG PERMIT NO | DEV ENGINEERING TRACKING NOS. |
|----------|----------------|-------------------------------|
| S234-108 | YYYYMMDDXXXX | WW28-534 DP26-200 |
| S234-109 | | |
| S234-110 | | |

TREE MITIGATION PLAN
UNIVERSITY HILLS
NW CORNER OF LANCASTER ROAD AND IH-20
DEMOLITION SERVICES
CITY OF DALLAS, DALLAS COUNTY, TEXAS

| REVIEW BY: | DRAWN BY: | DATE: | TITLE: | NUMBER: | SHEET: |
|------------|-----------|------------|--------|---------|--------|
| DMP | KF | 11/20/2024 | 24 | 200 | C04.04 |

CAUTION - FIBER OPTIC
UNDERGROUND FIBER OPTIC CABLES IN AREA A
CONTRACT 11511516/11511516/11511516 FROM NO CONSTRUCTION
CONSTRUCTION. IT IS THE USER'S RESPONSIBILITY FOR OBTAINING ALL
NECESSARY PERMITS IN THE PROJECT AREA. IN FIELD CONDITIONS,
DIPLEX INDICATED FROM THE LOCATION SHOWN ON THE PLANS.
THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO
PROCEEDING WITH CONSTRUCTION.

CAUTION - TELEPHONE
UNDERGROUND TELEPHONE CABLES IN AREA A
CONTRACT 11511516/11511516/11511516 FROM NO CONSTRUCTION
CONSTRUCTION. IT IS THE USER'S RESPONSIBILITY FOR OBTAINING ALL
NECESSARY PERMITS IN THE PROJECT AREA. IN FIELD CONDITIONS,
DIPLEX INDICATED FROM THE LOCATION SHOWN ON THE PLANS.
THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO
PROCEEDING WITH CONSTRUCTION.

CAUTION - GAS
UNDERGROUND GAS MAINS IN AREA A
CONTRACT 11511516/11511516/11511516 FROM NO CONSTRUCTION
CONSTRUCTION. IT IS THE USER'S RESPONSIBILITY FOR OBTAINING ALL
NECESSARY PERMITS IN THE PROJECT AREA. IN FIELD CONDITIONS,
DIPLEX INDICATED FROM THE LOCATION SHOWN ON THE PLANS.
THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO
PROCEEDING WITH CONSTRUCTION.

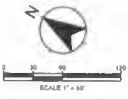
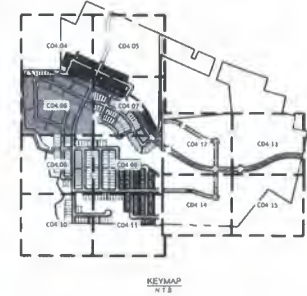
CAUTION - POWER
UNDERGROUND ELECTRICAL CABLES IN AREA A
CONTRACT 11511516/11511516/11511516 FROM NO CONSTRUCTION
CONSTRUCTION. IT IS THE USER'S RESPONSIBILITY FOR OBTAINING ALL
NECESSARY PERMITS IN THE PROJECT AREA. IN FIELD CONDITIONS,
DIPLEX INDICATED FROM THE LOCATION SHOWN ON THE PLANS.
THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO
PROCEEDING WITH CONSTRUCTION.

CAUTION
Advanced Marking Infrastructure
(AMII) Markers in Area A

AMII Markers shall be demarcated, as indicated, and maintained in accordance with the AMII Standard (CIS) 2010. AMII Markers shall be placed in accordance with the AMII Standard (CIS) 2010. AMII Markers shall be placed in accordance with the AMII Standard (CIS) 2010. AMII Markers shall be placed in accordance with the AMII Standard (CIS) 2010.

CONTRACT INFORMATION

CONTRACT NO _____ DATE _____
CONTRACTOR _____



PRELIMINARY
NOT FOR CONSTRUCTION

KFM
ENGINEERING & DESIGN


3 PILES DR. IN ...
P.E. No. ...

- DEMOLITION LEGEND**
- EXISTING TREE TO REMAIN
 - EXISTING TREE TO BE REMOVED
 - REPLACEMENT TREES
 - EXISTING FOREST STANDS
 - OLD FIELD PLOTS
 - AREA TO BE CLEARED UNDEVELOPED PROTECTED TREES TO REMAIN
 - SPECIAL EXCEPTION AREA

NOTES
* REFER TO SHEET E03 FOR GENERAL CONSTRUCTION NOTES.

CAUTION!

CONTRACTOR TO CONTACT THE TEXAS ONE CALL SYSTEM 1-800-368-8377 AT LEAST 48 HOURS PRIOR TO COMMENCING CONSTRUCTION. AFTER THE JOB IS UNOCCUPIED FOR IMPROVED AND EXISTING UTILITIES IN THE PROJECT AREA. IF FIELD CONDITIONS OR A 15 MIGHT OCCUR FROM THE LOCAL JOB SHOW ON THE PLAN, THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION.



| REVISIONS | | | |
|-----------|------|-------------|----|
| REV. NO. | DATE | DESCRIPTION | BY |
| | | | |
| | | | |

KFM ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TX 75019 #F-20821

| | | |
|----------|-----------------|-------------------------------|
| PLAT NO. | BLDG PERMIT NO. | DEV ENGINEERING TRACKING NOS. |
| 5234-108 | YYYYMMDDXXXX | WW24-534 CP24-200 |
| 5234-109 | | |
| 5234-110 | | |

CAUTION - FIBER OPTIC
UNOCCUPIED AREA. CABLES IN AREA. CONTACT FIBER OPTIC CO. TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1 800 344 8377

CAUTION - GAS
UNOCCUPIED GAS MAIN IN AREA. CONTACT UTILITY ENERGY COMPANY TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1 800 344 8377/1 800 345 3000

CAUTION - TELEPHONE
UNOCCUPIED TELEPHONE CABLES IN AREA. CONTACT S.B.C. TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1 800 344 8377

CAUTION - POWER
UNOCCUPIED ELECTRICAL CABLES IN AREA. CONTACT TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1 800 344 8377

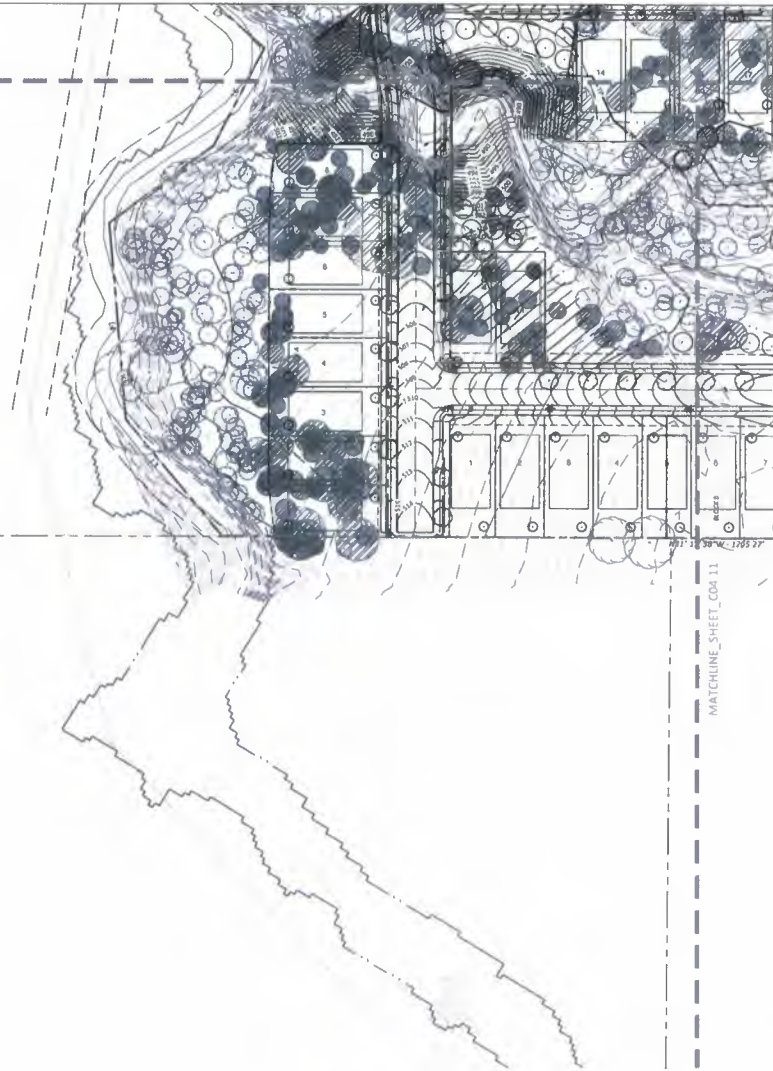
CAUTION
Advanced Meeting Infrastructure (AMI) Areas in Area
Not to be disturbed. All work to be completed, approved, inspected, or installed by AMI Personnel Only.
Contact AMI: Dallas, Texas
Phone: 1 800 344 8377
Email: amiprogram@kfm.com

CONTRACT INFORMATION
CONTRACT NO. _____ DATE _____
CONTRACTOR _____

TREE MITIGATION PLAN
UNIVERSITY HILLS
NW CORNER OF LANCASTER ROAD AND IH-20
DEVELOPMENT SERVICES
CITY OF DALLAS, DALLAS COUNTY, TEXAS

| REVIEW BY | DRAWN BY | DATE | FILE NUMBER | SHEET |
|-----------|----------|------------|-------------|------------|
| DMP | KF | 11/20/2024 | 24 | 200 C04.06 |

MATCHLINE_SHEET_C04.08

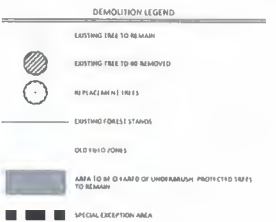


**PRELIMINARY
NOT FOR CONSTRUCTION**

KFM
ENGINEERING & DESIGN

3501 OLYMPUS BLVD., SUITE 100
DALLAS, TX 75019

THIS SHEET INCLUDES UNDERGROUND UTILITIES




NOTES

- REFER TO SHEET C04.03 FOR GENERAL CONSTRUCTION NOTES

CAUTION!

CONTRACTOR TO CONTACT THE TEXAS ONE-CALL SYSTEM (1-800-844-8177) AT LEAST 48 HOURS PRIOR TO COMMENCING CONSTRUCTION. LEAVE NO UNEXPOSED EXPOSURES FOR ANY UNREPAIRED EXISTING UTILITIES IN THE PROJECT AREA. IF FIELD CONDITIONS ARE SIGNIFICANTLY DIFFERENT FROM THE LOCATION, THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION.



REVISIONS

| REV. NO. | DATE | DESCRIPTION | BY |
|----------|------|-------------|----|
| | | | |
| | | | |

KFM ENGINEERING & DESIGN
3501 OLYMPUS BLVD. SUITE 100
DALLAS, TX 75019 #F-Z0821

| PLAT NO. | BLOG PERMIT NO. | DEV ENGINEERING TRACKING NOS. |
|----------|-----------------|-------------------------------|
| 5234-108 | YYYYMMDDXXXX | WW24-534 DP24-200 |
| 5234-109 | | |
| 5234-110 | | |

TREE MITIGATION PLAN
UNIVERSITY HILLS
NW CORNER OF LANCASTER ROAD AND IH-20
DEVELOPMENT SERVICES
CITY OF DALLAS, DALLAS COUNTY, TEXAS

| REVIEW BY | DRAWN BY | DATE | FILE NUMBER | SHEET |
|-----------|----------|------------|-------------|------------|
| DMP | KF | 11/20/2024 | 24 | 200 C04.10 |

CAUTION - FIBER OPTIC
UNDERGROUND FIBER OPTIC CABLES IN AREA. CONTACT FIBER OPTIC CO. TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1.800.344.9317

CAUTION - GAS
UNDERGROUND GAS MAINS IN AREA. CONTACT AMUND ENERGY CORP. TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1.800.344.8177/1.800.344.3009

CAUTION - TELEPHONE
UNDERGROUND TELEPHONE CABLES IN AREA. CONTACT SBC TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1.800.344.8177

CAUTION - POWER
UNDERGROUND 115KV HIGH CABLES IN AREA. CONTACT TDU TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1.800.344.8177

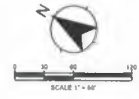
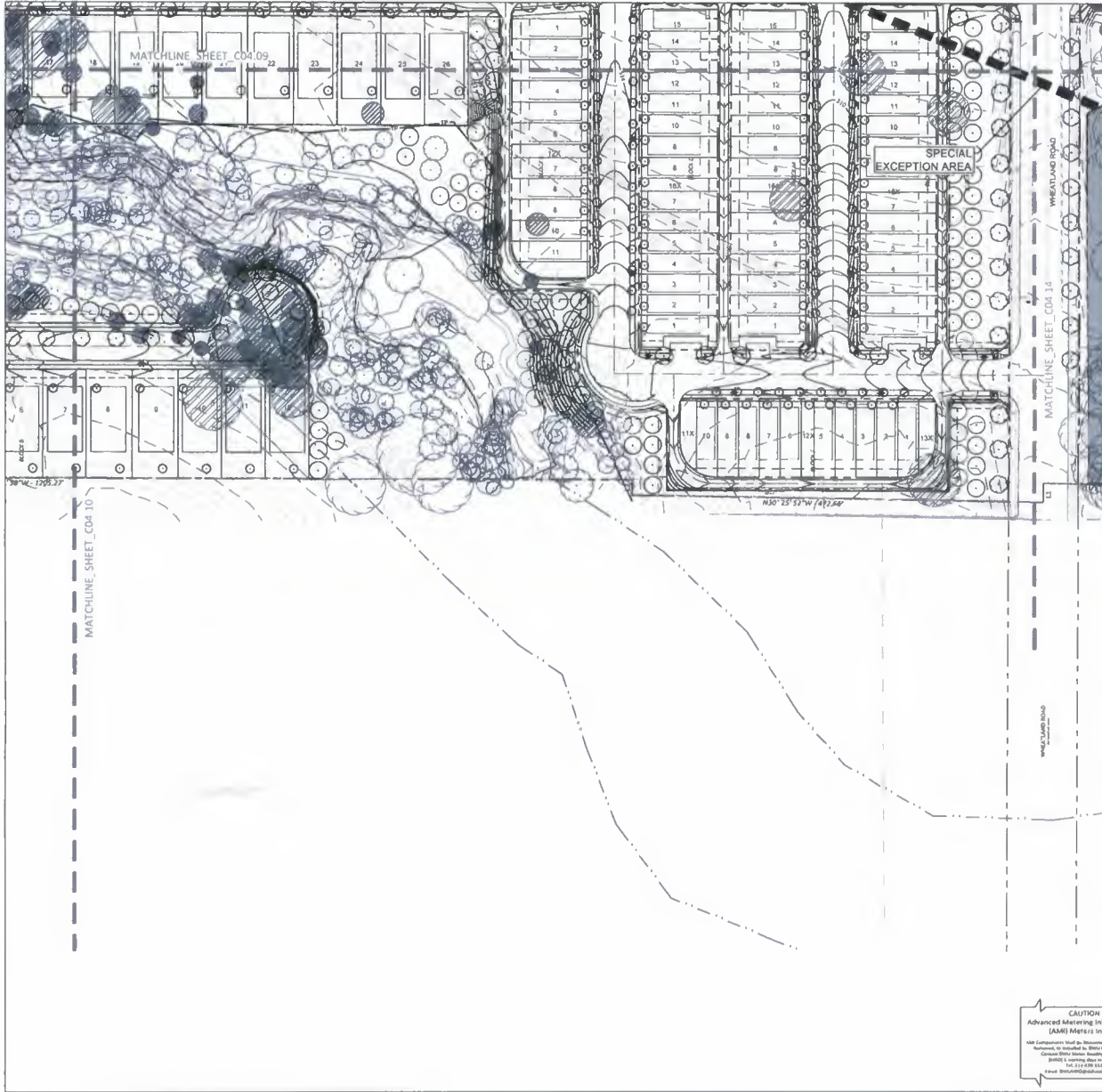
CAUTION
Advanced Meeting Information Structure (AMIS) Meetings in Area

400 Comptons Road, Suite 100, Dallas, TX 75244
Phone: 1.817.426.1317
Email: info@amisdallas.com

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____

CONTRACTOR _____



PRELIMINARY
NOT FOR CONSTRUCTION

KFM
ENGINEERING & DESIGN

8 HIGHWAY 411 - Suite 100, Dallas, TX 75248
P. O. Box 10000 - DALLAS, TEXAS 75210

THIS SHEET REQUIRES ALSO APPLICATION

DEMOLITION LEGEND

| | |
|--|---|
| | EXISTING TREE TO REMAIN |
| | EXISTING TREE TO BE REMOVED |
| | REPLACEMENT TREES |
| | EXISTING FOREST STANDS |
| | OLD UTILITY POLES |
| | AREA TO BE OFF-LIMITS OR UNIMPROVED PROTECTED TREES TO REMAIN |
| | SPECIAL EXCEPTION AREA |

NOTES
• REFER TO SHEET C04.03 FOR GENERAL CONSTRUCTION NOTES.

CAUTION!

CONTRACTOR TO CONTACT THE TEXAS ONE-CALL SYSTEM 1-800-368-8377 AT LEAST 48 HOURS PRIOR TO COMMENCING CONSTRUCTION. KFM IS NOT RESPONSIBLE FOR ANYTHING LEFT BEHIND BY THE CONTRACTOR. IF FIELD CHECKERS ON THE SITE REPORT ANY HAZARDOUS MATERIALS OR OTHER CONDITIONS, THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION.

REVISIONS

| REV. NO. | DATE | DESCRIPTION | BY |
|----------|------|-------------|----|
| | | | |
| | | | |

KFM ENGINEERING & DESIGN
3503 OLYMPUS BLVD SUITE 100
DALLAS, TX 75219 #F-20821

| PLAT NO. | BLDG PERMIT NO. | DEV ENGINEERING TRACKING NOS. |
|----------|-----------------|-------------------------------|
| 5234-108 | YYYYMMDDXXXX | WW24-534 DP24-200 |
| 5234-109 | | |
| 5234-110 | | |

TREE MITIGATION PLAN
UNIVERSITY HILLS
NW CORNER OF LANCASTER ROAD AND IH-20
DEVELOPMENT SERVICES
CITY OF DALLAS, DALLAS COUNTY, TEXAS

| REVIEW BY | DRAWN BY | DATE | FILE | NUMBER | SHEET |
|-----------|----------|------------|------|--------|--------|
| DMP | KF | 11/20/2024 | 24 | 200 | C04.11 |

CAUTION - FIBER OPTIC
UNDO REAROUND FIBER OPTIC CABLES IN AREA CONTACT FIBER OPTIC CO. TWO WORKING DAYS PRIOR TO CONSTRUCTION
PHONE: 1 800 344 8377

CAUTION - GAS
UNDO REAROUND GAS MAINS IN AREA CONTACT TEXAS ENERGY COMP TWO WORKING DAYS PRIOR TO CONSTRUCTION
PHONE: 1 800 344 8377

CAUTION - TELEPHONE
UNDO REAROUND TELEPHONE CABLES IN AREA CONTACT SBC TWO WORKING DAYS PRIOR TO CONSTRUCTION
PHONE: 1 800 344 8377

CAUTION - POWER
UNDO REAROUND ELECTRICAL CABLES IN AREA CONTACT SBC TWO WORKING DAYS PRIOR TO CONSTRUCTION
PHONE: 1 800 344 8377

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____
CONTRACTOR _____

CAUTION
Advanced Metering Infrastructure (AMI) Meters in Area
Site Coordinates: 32.810000, -96.810000
Meters are installed by Smart Metering Systems, Inc.
Copyright © 2014 Smart Metering Systems, Inc.
All rights reserved. No part of this document may be reproduced without the written permission of Smart Metering Systems, Inc.
File: 11/20/2024 11:27
Email: SmartMetering@smartmetering.com