

ZONING BOARD OF ADJUSTMENT, PANEL C
MONDAY, OCTOBER 16, 2017
AGENDA

BRIEFING	ROOM 5ES 1500 MARILLA STREET DALLAS CITY HALL	11:00 A.M.
PUBLIC HEARING	COUNCIL CHAMBERS 1500 MARILLA STREET DALLAS CITY HALL	1:00 P.M.

Neva Dean, Assistant Director
Steve Long, Board Administrator/ Chief Planner

MISCELLANEOUS ITEMS

Approval of the September 18, 2017 Board of Adjustment Panel C Public Hearing Minutes	M1
Consideration and approval of Panel C's 2018 Public Hearing Calendar	M2

UNCONTESTED CASES

BDA167-114(SL)	6920 Bob O Link Drive REQUEST: Application of Robert Reeves of Robert Reeves and Associates for a special exception to the landscape regulations	1
BDA167-118(SL)	8350 Park Lane REQUEST: Application of Karl A. Crawley, Masterplan, represented by Karl A. Crawley, for a special exception to the off-street parking regulations	2

HOLDOVER CASE

BDA167-097(SL) 2600 (aka 2604) Main Street 3
REQUEST: Application of Robert Baldwin of Baldwin and Associates for a special exception to the off-street parking regulations

REGULAR CASES

BDA167-106(SL) 2535 Cambria Boulevard 4
REQUEST: Application of Santos Martinez to appeal the decision of the administrative official

BDA167-113(SL) 605 Murdock Road 5
REQUEST: Application of Steven Wood for a variance to the front yard setback regulations

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code §551.089]

FILE NUMBER: BDA167-114(SL)

BUILDING OFFICIAL'S REPORT: Application of Robert Reeves of Robert Reeves and Associates for a special exception to the landscape regulations at 6920 Bob O Link Drive. This property is more fully described as Lot 1, Block 7/2984, and is zoned R-7.5(A), which requires mandatory landscaping. The applicant proposes to construct and maintain a structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 6920 Bob O Link Drive

APPLICANT: Robert Reeves of Robert Reeves and Associates

REQUEST:

A request for a special exception to the landscape regulations is made to demolish, remodel, and expand part of an existing church use/structure (Northridge Presbyterian Church), and not fully meet the landscape regulations, more specifically not provide the required landscape buffer strip with plant groups along the western, southern, and northern perimeters on the subject site.

STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPE AND TREE PRESERVATION REGULATIONS:

The board may grant a special exception to the landscape and tree preservation regulations of this article upon making a special finding from the evidence presented that:

- (1) strict compliance with the requirements of this article will unreasonably burden the use of the property;
- (2) the special exception will not adversely affect neighboring property; and
- (3) the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

In determining whether to grant a special exception, the Board shall consider the following factors:

- the extent to which there is residential adjacency;
- the topography of the site;
- the extent to which landscaping exists for which no credit is given under this article; and
- the extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted revised alternate landscape plan is required.

Rationale:

- The City of Dallas Chief Arborist recommends approval of the request concluding that strict compliance with the requirements of Article X will unreasonably burden the use of the property, and that the special exception will not adversely affect/negatively impact neighboring property.

BACKGROUND INFORMATION:

Zoning:

- Site: R-7.5(A) (Single family residential, 7,500 square feet)
- North: R-7.5(A) (Single family residential, 7,500 square feet)
- South: R-7.5(A) (Single family residential, 7,500 square feet)
- East: R-7.5(A) (Single family residential, 7,500 square feet)
- West: R-7.5(A) (Single family residential, 7,500 square feet)

Land Use:

The subject site is developed with a church use (Northridge Presbyterian Church). The areas to the north, east, south, and west are developed with single family uses.

Zoning/BDA History:

1. BDA989-294, Property at 6920 Bob-O-Link Drive (the subject site)

On September 20, 1999, the Board of Adjustment Panel C granted a request for a variance to the Residential Proximity Slope height regulations of 22.5' and imposed the following condition: 1) compliance with the submitted site plan and elevations is required.

The case report states that the request was made to replace an existing circa 1948 steeple/cupola roof element and to construct and maintain a gable roof on the westernmost portion of a proposed sanctuary.

GENERAL FACTS/STAFF ANALYSIS:

- This request for a special exception to the landscape regulations focuses on demolishing, remodeling, and expanding part of an existing church use/structure (Northridge Presbyterian Church), and not fully meeting the landscape regulations, more specifically not providing the required landscape buffer strip with plant groups along the western, southern, and northern perimeters on the subject site on the subject site.
- The Dallas Development Code requires full compliance with the landscape regulations when nonpermeable coverage on a lot or tract is increased by more than 2,000 square feet, or when work on an application is made for a building permit for construction work that increases the number of stories in a building on the lot, or increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24-month period.
- The applicant submitted a revised alternate landscape plan in conjunction with this application (see Attachment B).
- The City of Dallas Chief Arborist submitted a memo regarding the applicant's request (see Attachment C).
- The Chief Arborist's memo states the following with regard to "request":
 - The applicant requests a special exception to the landscape regulations in Article X. Since the demolition will reduce the floor area on the property, the new addition will expand the new floor area and will require the site to comply with the Article X ordinance. The applicant requests to allow for a revised alternative landscape plan which applies a modified artificial lot area in close proximity to the structure and areas north, and to allow the use of existing perimeter buffer strips with additional plantings.
- The Chief Arborist's memo states the following with regard to "provision":
 - The proposed plan includes an expanded floor area which projects southward. The revised alternate landscape plan provides for four new 6" diameter live oaks to the south to provide visual buffering of the structure. The applicant will use existing landscape areas to expand their screening of off-street parking along Bob O Link Drive and to maintain and enhance buffering on the west and east perimeters.
- The Chief Arborist's memo states the following with regard to "deficiencies":
 - The non-residential use is surrounded by properties in a residential district. This situation requires a minimum 10' perimeter landscape buffer strip with plant groups (10.125(b)(1) and (7)) along each applicable frontage. The western, southern, and northern perimeters indicate non-compliance with the landscape area requirement
 - The applicant is requesting that the maximum development area, shown on the plan as an artificial lot (10.122), to be the limit to required landscaping. Ordinance specifies the area should not be greater than 50% of the area of the building site. The southern field and perimeter of the property would be unchanged.

- The Chief Arborist’s memo states the following with regard to “factors”:
 - The applicant is removing 11 trees to the south of the existing structure for the purpose of new construction. Four 6” diameter live oaks will be placed south of the building to provide an expanding tree canopy buffer in relief.
 - The existing east garden and all other trees and landscape areas are to remain. Additional landscaping will be provided to screen and buffer the parking lots to the north and west.
 - All other requirements of Article X are met.
- The City of Dallas Chief Arborist recommends approval of the revised alternate landscape plan because strict compliance with the Article X regulations will unreasonably burden the use of the property, and that the special exception will not adversely affect neighboring properties.
- The applicant has the burden of proof in establishing the following:
 - Strict compliance with the requirements of the landscape regulations of the Dallas Development Code will unreasonably burden the use of the property; and the special exception will not adversely affect neighboring property.
- If the Board were to grant this request and impose the submitted revised alternate landscape plan as a condition to the request, the site would be provided exception from providing the required landscape buffer strip with plant groups along the western, southern, and northern perimeters on the subject site on the subject site.

Timeline:

August 11, 2017: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

September 12, 2017: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

September 12, 2017: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27th deadline to submit additional evidence for staff to factor into their analysis; and the October 6th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

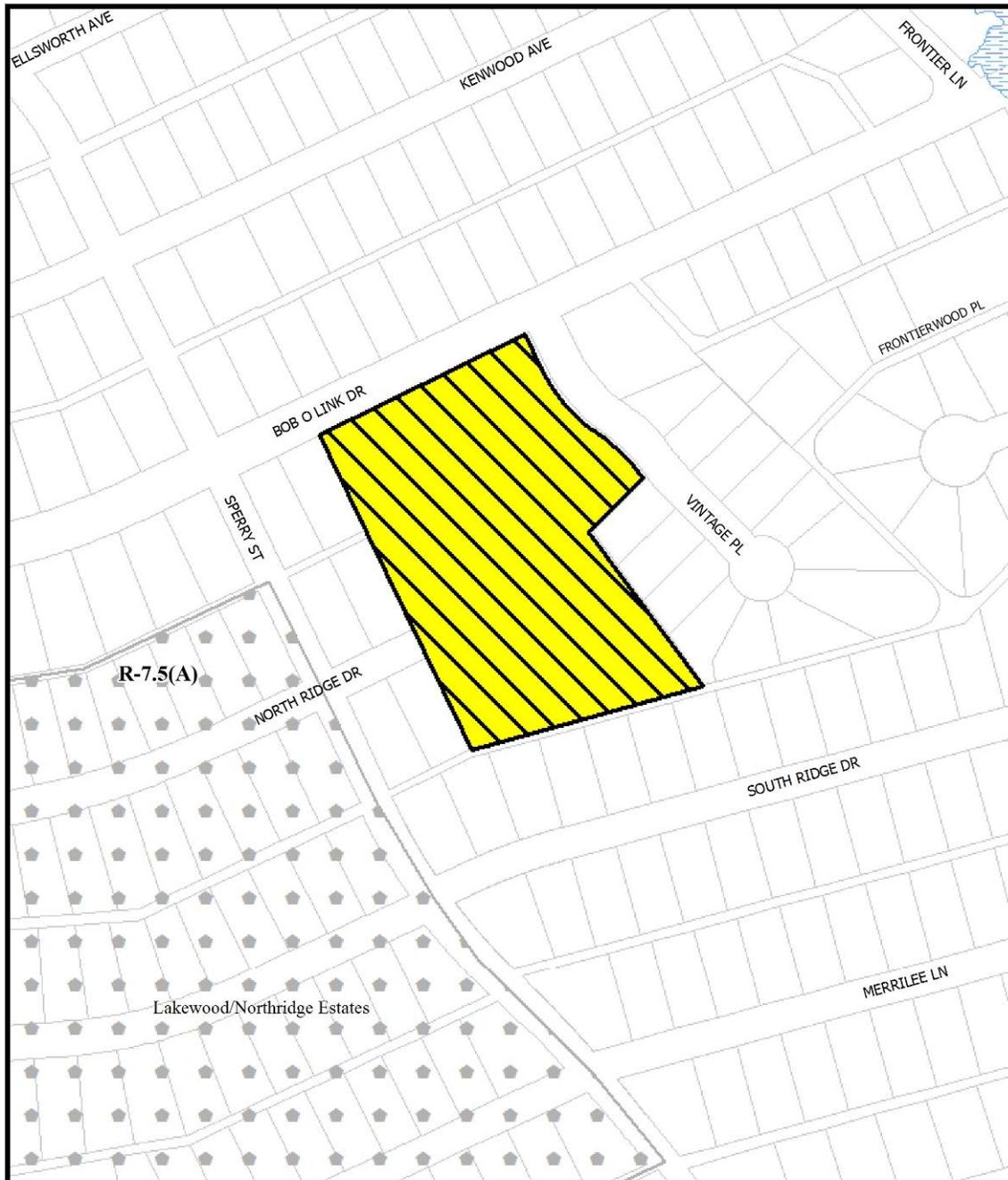
October 2, 2017: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment A).

October 3, 2017: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Assistant Director of Sustainable Development and Construction, the Sustainable Development and Construction Assistant Director of Engineering, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

No review comment sheets were submitted in conjunction with this application.

October 4, 2017: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment B).

October 4, 2017: The City of Dallas Chief Arborist submitted a memo regarding this request (see Attachment C).

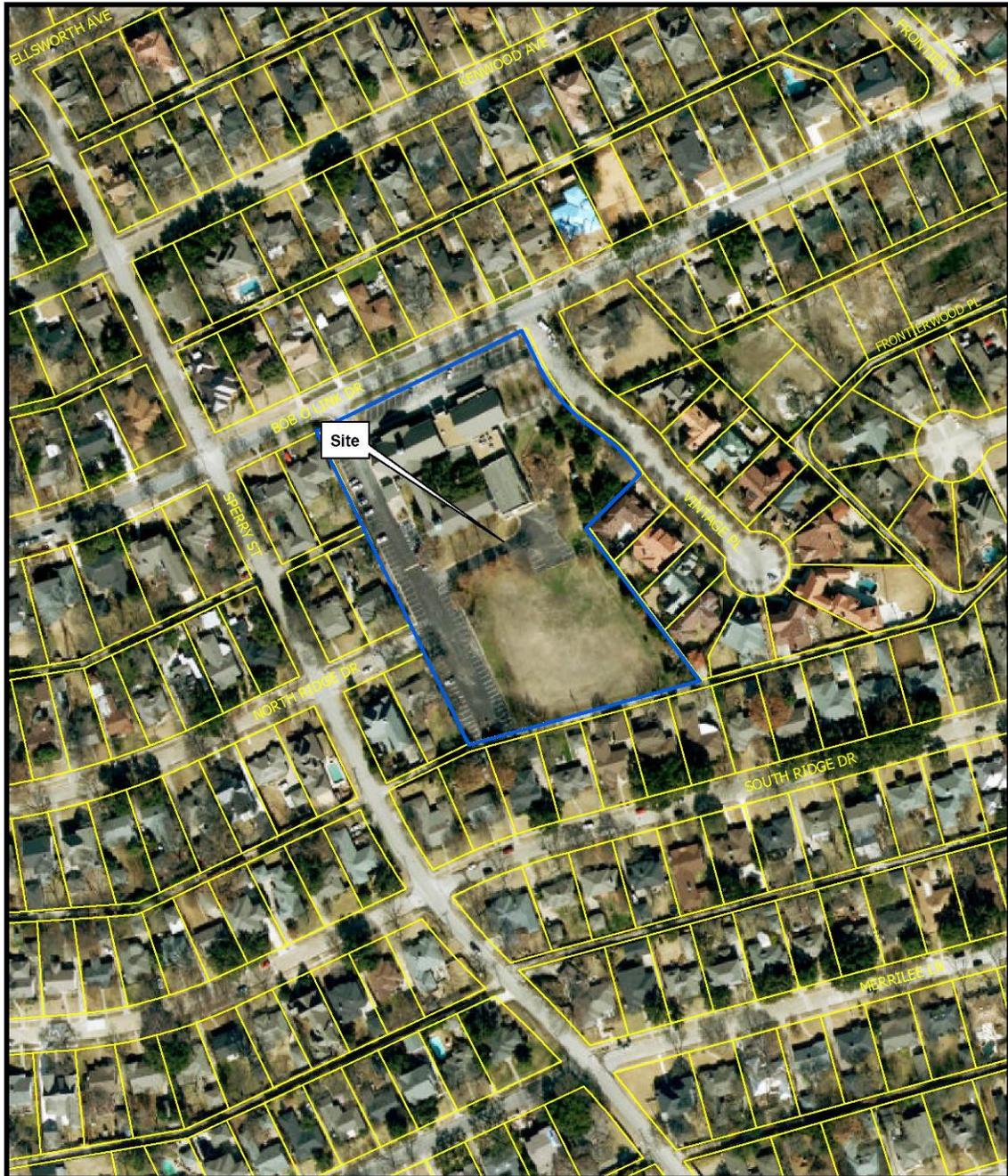


1:2,400

ZONING MAP

Case no: BDA167-114

Date: 9/21/2017



1:2,400

AERIAL MAP

Case no: BDA167-114

Date: 9/21/2017

BDA 167-114

Attach B

Pg 1

ROBERT REEVES
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

October 4, 2017

Phil Erwin & Todd Duerksen
320 E. Jefferson Blvd.
Dallas, Texas 785203

RE: Revised Landscape Plan
BDA 167-114
Northridge Presbyterian Church

Gentlemen:

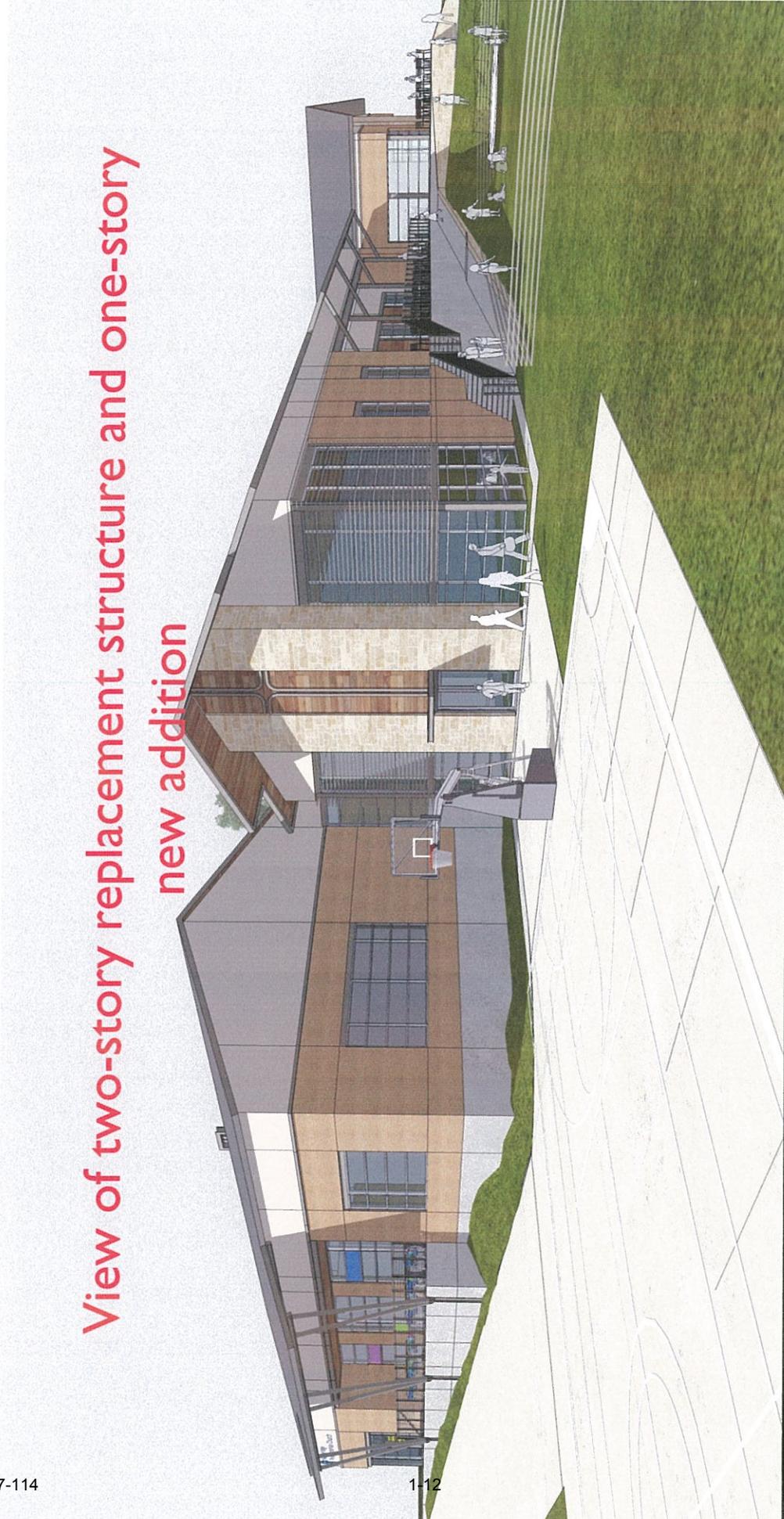
Attached is a revised landscape plan relating to the above mentioned board case. We have added four new 6" Live Oak trees along the south side of the building addition per Phil Erwin's input. Please let Steve Long and I know if this revised plan is acceptable and I will deliver hard copies to him. I sent him an email with the revised landscape plan earlier.

Respectfully:



Robert Reeves

View of two-story replacement structure and one-story new addition



LOWER LEVEL ENTRY

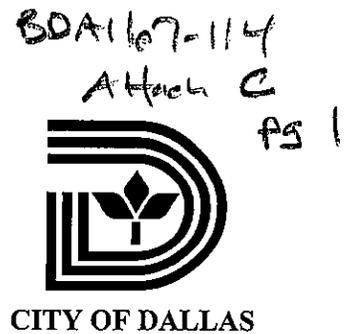


View of two-story replacement structure and existing playground



NEW YOUTH & ADULT CLASSROOM BUILDING

Memorandum



Date October 4, 2017
To Steve Long, Board Administrator
Subject BDA #167-114 6920 Bob O Link Drive

Request

The applicant requests a special exception to the landscape regulations in Article X. Since the demolition will reduce the floor area on the property, the new addition will expand the new floor area and will require the site to comply with the Article X ordinance. The applicant requests to allow for a revised alternative landscape plan which applies a modified artificial lot area in close proximity to the structure and areas north, and to allow the use of existing perimeter buffer strips with additional plantings.

Provision

The proposed plan includes an expanded floor area which projects southward. The revised alternate landscape plan provides for four new 6" diameter live oaks to the south to provide visual buffering of the structure. The applicant will use existing landscape areas to expand their screening of off-street parking along Bob O Link Drive and to maintain and enhance buffering on the west and east perimeters.

Deficiencies

The non-residential use is surrounded by properties in a residential district. This situation requires a minimum 10' perimeter landscape buffer strip with plant groups (10.125(b)(1) and (7)) along each applicable frontage. The western, southern, and northern perimeters indicate non-compliance with the landscape area requirement.

The applicant is requesting that the maximum development area, shown on the plan as an artificial lot (10.122), to be the limit to required landscaping. Ordinance specifies the area should not be greater than 50% of the area of the building site. The southern field and perimeter of the property would be unchanged.

Factors

- The applicant is removing 11 trees to the south of the existing structure for the purpose of new construction. Four 6" diameter live oaks will be placed south of the building to provide an expanding tree canopy buffer in relief.
- The existing east garden and all other trees and landscape areas are to remain. Additional landscaping will be provided to screen and buffer the parking lots to the north and west.
- All other requirements of Article X are met.

Recommendation

The chief arborist recommends approval of the revised alternative landscape plan because strict

BDA 167-114
Attach 2 pg 2

compliance with the Article X regulations will unreasonably burden the use of the property. The special exception will not adversely affect neighboring properties.

Philip Erwin
Chief Arborist
Building Inspection



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 167-114

Data Relative to Subject Property:

Date: 8/11/2017

Location address: 6920 Bob O Link Dr. Zoning District: 7.5(A) R-7.5(A)

Lot No.: 1 Block No.: 7/2984 Acreage: 4.62 Census Tract: 0080.00

Street Frontage (in Feet): 1) 350.86' 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Northridge Presbyterian Church

Applicant: Robert Reeves & Associates, Inc. Telephone: 214-749-0530

Mailing Address: 900 Jackson Street, Suite 160 Dallas, Texas Zip Code: 75202

E-mail Address: rob.reeves@sbcglobal.net

Represented by: Robert Reeves Telephone: 214-749-0530

Mailing Address: 900 Jackson Street, Suite 160 Dallas, Texas Zip Code: 75202

E-mail Address: rob.reeves@sbcglobal.net

Affirm that an appeal has been made for a Variance, or Special Exception X, of a 4'3" landscape buffer strip on the west side of the site and a 6' special exception of the landscape buffer strip on the north side of the site, in addition, a request for a special exception of 21% to the limitation of the size of an artificial lot, per Article X Sec. 51A-10.110. Special Exception.

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: We believe that strict compliance with the 10' wide landscape buffer strip requirement will unreasonably burden the use of the property causing the unreasonable expense of moving the existing parking lots to the south and east sides of the property, we also believe that the special exception will not adversely affect the neighboring property as the landscape buffer strips on the west and north sides of the property have been in place since 1950. Also, since the building remodeling will only increase the footprint of the existing building by 2,975 sf, we feel that the special exception of 21% to create an artificial lot will not violate the spirit of the landscape regulations.

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.

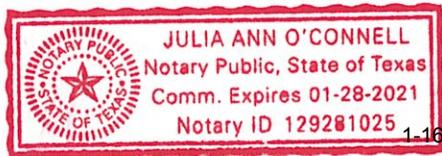
Affidavit

Before me the undersigned on this day personally appeared Robert Reeves (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: [Signature] (Affiant/Applicant's signature)

Subscribed and sworn to before me this 11th day of August 2017



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

9A

City of Dallas

Internal Development Research Site

Legend

Locate Property

Search by:

GIS Account #

OR

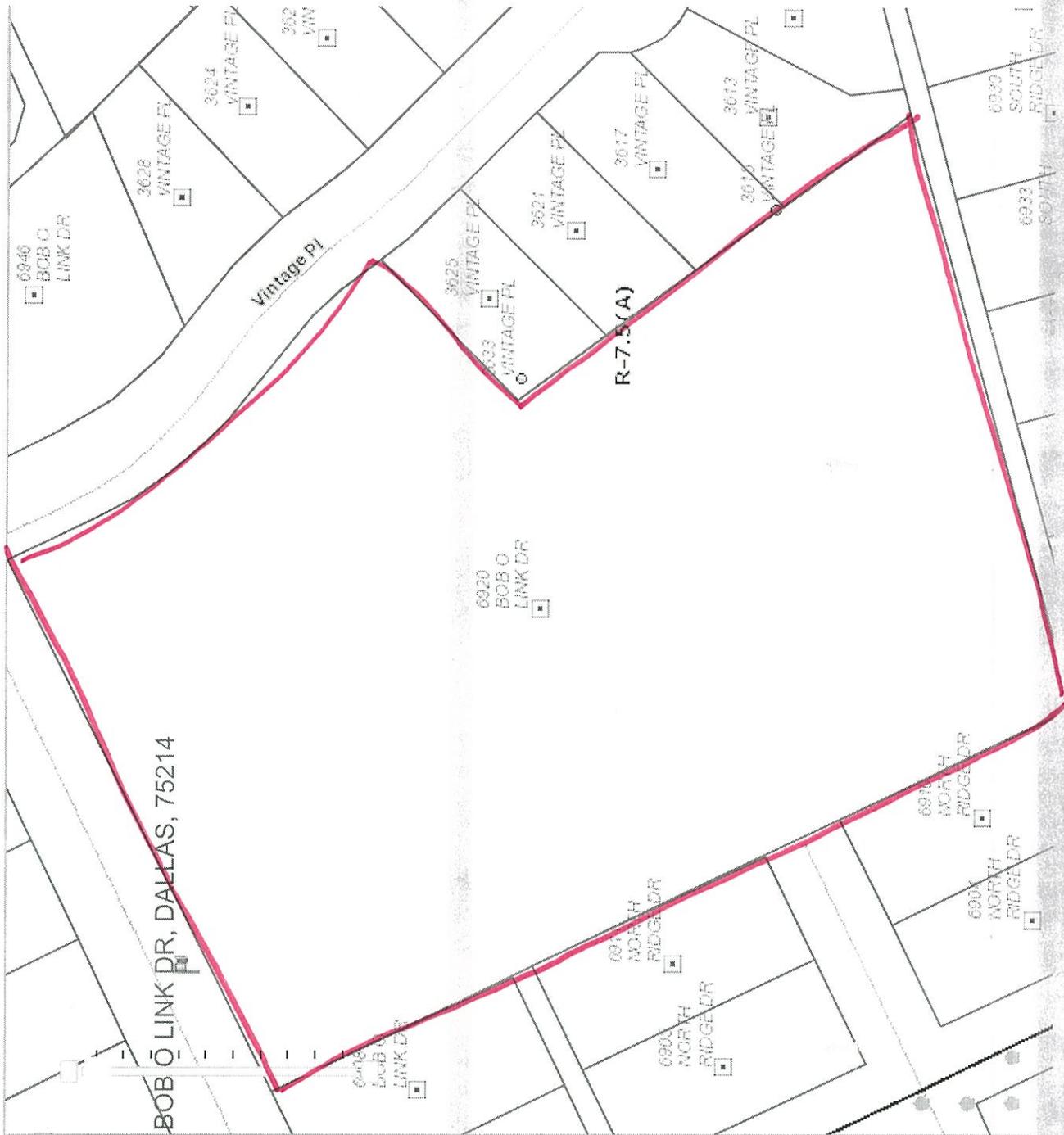
Street address.

6920 bob o link

OR

Parcel address.

Use street type for better re



ROBERT REEVES
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

August 10, 2017

Todd Duerksen, Senior Code Specialist
Building Inspection
Department of Sustainable Development and Construction
320 E. Jefferson Blvd.
Dallas, Texas 75203

RE: Special Exception Request for Alternate Landscape Plan
Northridge Presbyterian Church, 6920 Bob-O-Links Dr.

Dear Mr. Duerksen:

Northridge Presbyterian Church has initiated a demolition, remodeling, and minor floor area expansion of its existing facility located at 6920 Bob-O-Links Dr. The Church intends to enlarge the existing campus by only 2,975 square feet. In addition, the will demolish 17,179.86 square feet of its existing 34,359.68 square foot facility. The completed facility will have 37,334.68 square feet, which includes replacing the 17,179.86 square feet of demolished structures and increasing the floor area by 2,975 square feet.

Article X states that the landscape provisions are triggered when a structure is increase by more than 35 percent or 10,000 square feet, whichever is less. Since the church is only adding 2,975 square feet, they were within the 10,000 square foot trigger point. However, the trigger point is based on the 17,179.86 square foot replacement structure plus 2,975 square foot net increase in floor. Therefore, floor area increased by 20,154.86 square feet or 58.7%. The net increase floor area is only 8.7%.

Northridge Presbyterian Church is requesting a special exception to Article X Sec. 51A.10.125.(b).(1) – Perimeter landscape buffer strip from the 10' wide landscape buffer strip required along the length of the perimeter of the property where residential adjacency exists, to a 5'9" to 8'9" wide landscape buffer strip on the west side of the site and a 4' to 5'3" wide landscape buffer strip on the north side of the site. A special exception of 6' wide on the west side of the site and 4'3" wide on the north side of the site.

West – 5'9" wide landscape buffer strip, a special exception of 4'3"
North – 4' wide landscape buffer strip, special exception of 6'

We are also requesting a special exception of the limitation of the size of an artificial lot per Article X Sec. 51A-10-122 from 50% to 71% of the area of the building site, a special exception of 21%. The building site is 3.27 acres and the property is 4.62 acres, or 71% of the site.

Granting a special exception to the 10' wide landscape buffer strip requirement allows the church to retain the current parking lots on the west and north sides of the site, which is too close to the property line to accommodate the 10' wide landscape buffer strip, avoiding the enormous and unreasonable expense of moving the existing parking lots to the south and east sides of the property. We believe that strict compliance with the 10' wide landscape buffer strip requirement will unreasonably burden the use of the property, we also believe that the special exception will not adversely affect the neighboring property as the landscape buffer strips on the west and north sides of the property have been in place since 1950. Also, since the building remodeling will only increase the footprint of the existing building by 2,975 square feet, we feel that the special exception of 21% to create an artificial lot will not violate the spirit of the landscape regulations.

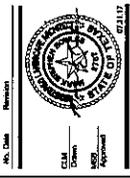
Respectfully:

A handwritten signature in black ink, appearing to read 'Robert Reeves', written in a cursive style.

Robert Reeves

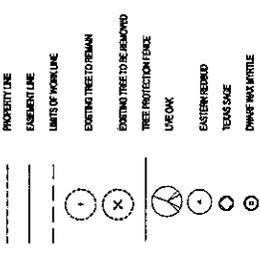


**NORTHRIDGE
 PRESBYTERIAN CHURCH**
 6920 BOB-O-LINK DR
 DALLAS, TEXAS 75214
BOARD OF ADJUSTMENTS APPEAL



Project No. 160308.06
 Date 08.03.17
L-100

LANDSCAPE LEGEND

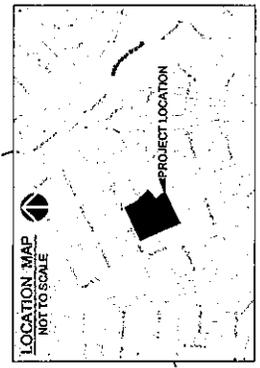
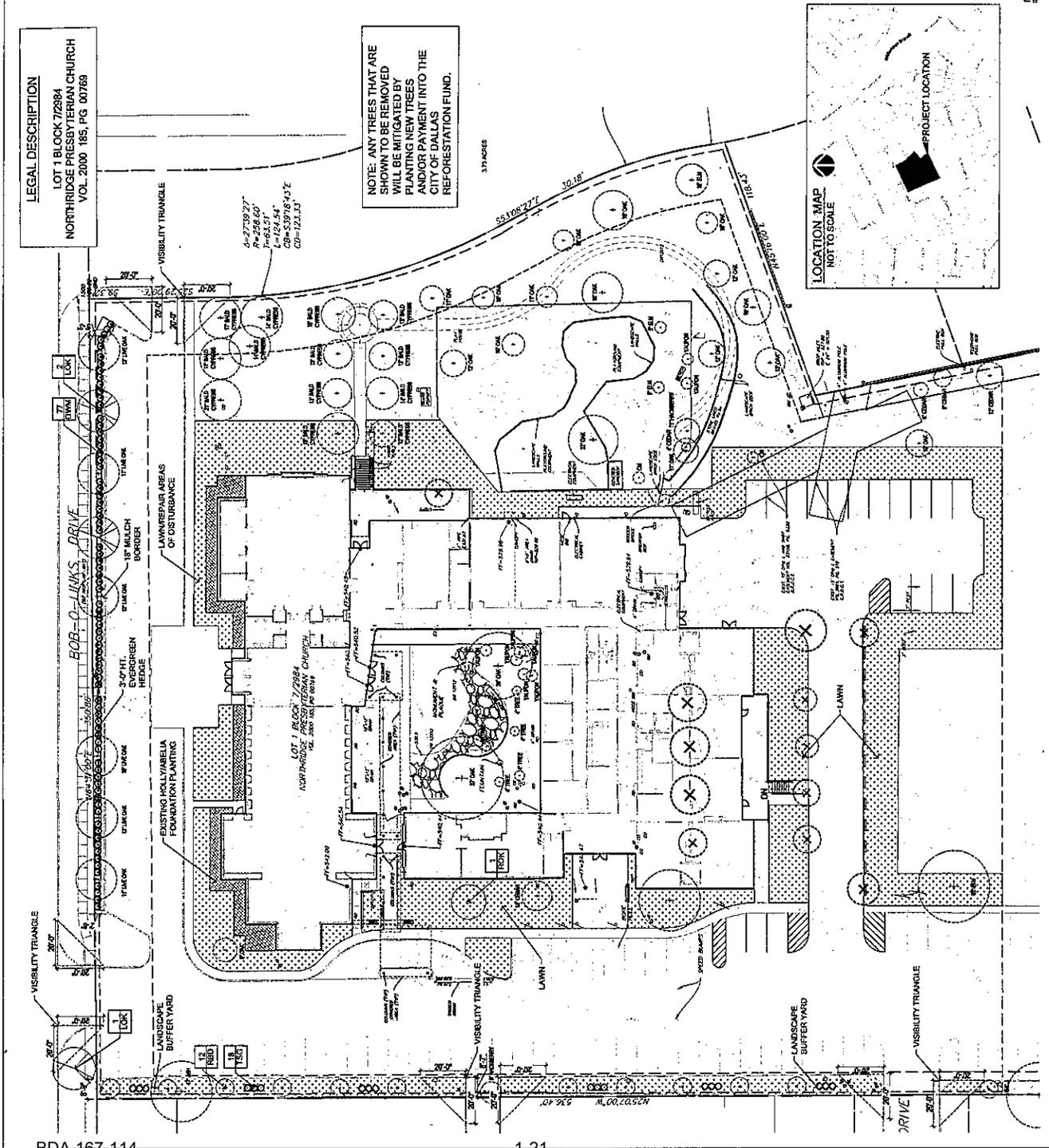


TREE PRESERVATION NOTES

- A. ALL TREES SHALL REMAIN UNLESS NOTED ON THEIR AER.
- B. NO SITE PREPARATION WORK SHALL BEGIN UNLESS A PROTECTIVE TREE PRESERVATION AND TREATMENT MEASURES HAVE NOT BEEN COMPLETED.
- C. ALL EXISTING TREES LOCATED TO REMAIN SHALL BE PROTECTED AT THE ROOT PROTECTION ZONE. THE RPZ SHALL BE DETERMINED BY TREE SIZE, PRECOMMENCED BY FRAMES FROM TRUNK FOR EVERY 1" IN DIAMETER OF TRUNK AT 45° FROM GROUND WITH A MINIMUM 9" DIAMETER FROM THE TRUNK.
- D. A CHALK LINE TRACE BARBER BEHIND THE RPZ SHALL BE DIRECTED AND MAINTAINED BY THE CONTRACTOR UNTIL CONSTRUCTION IS COMPLETED.
- E. RPZ SHALL BE SUSTAINED IN A NATURAL STATE AND SHALL BE FREE FROM VEHICULAR OR MECHANICAL TRAFFIC.
- F. THE RPZ SHALL BE COVERED WITH MULCH AND BE MAINTAINED BY GENERAL CONTRACTOR DURING CONSTRUCTION PHASE TO REDUCE MOISTURE STRESS.
- G. DURING CONSTRUCTION NO EXCESSIVE SOIL, ADDITIONAL FILL, MATERIAL, EQUIPMENT, LOADS, OR CONSTRUCTION GEAR SHALL BE PLACED INSIDE THE PROTECTION BARBER, NOR SHALL ANY SOIL BE REMOVED FROM WITHIN THE BARBER.
- H. ANY DAMAGE DONE TO EXISTING TREE CRUWNS OR ROOT SYSTEMS SHALL BE CUT CLEANLY IMMEDIATELY AFTERMAY. ALL WORKERS SHALL BE TRAINED IN TREE CARE AND MAINTENANCE. ALL TREE OPERATIONS SHALL BE DONE BY LICENSED TREE CARE OPERATIONS AND SHALL BE CUT CLEANLY.
- I. THE PROPOSED TRUNK BRACE AND ROOT GUARDS SHALL BE INSTALLED WITHIN THE RPZ OF ANY TREE TO BE PRESERVED. BRACES SHALL BE INSTALLED AT AN ANGLE OF 45 DEGREES TO THE TRUNK AND SHALL BE 2" THICK AND 4" WIDE. BRACES SHALL BE 1/2" LONGER THAN THE TRUNK AND SHALL BE INSTALLED WITHIN THE RPZ. BRACES SHALL BE ALLOWED OUTSIDE THE RPZ.
- J. THE RPZ SHALL REMAIN UNOPENED, I.E. COORDINATED UTILITIES AT COMPLETION OF LANDSCAPE INSTALLATION.
- K. THE ASSOCIATED TREE PROTECTION DETAIL COMPARES WITH THE TREE PROTECTION GUIDELINES FROM THE CITY OF DALLAS (ANYTIME).
- L. WHERE POSSIBLE PROVIDE FENCE TO TREE TRUNK LINE ON GROUP TREES AND TO CONTACT TO PROVIDE INCREASED PROTECTION.
- M. NO WORK SHALL BEGIN IN AREAS WHERE TREE PRESERVATION AND TREATMENT MEASURES HAVE NOT BEEN COMPLETED AND APPROVAL.
- N. TREES WHICH HAVE DAMAGED OR LOST DUE TO THE CONTRACTORS NEGLIGENCE DURING CONSTRUCTION SHALL BE REPLANTED PERIOD 90 DAYS IN ORIGINAL.
- O. TREES MUST BE MAINTAINED IN GOOD HEALTH THROUGHOUT THE CONSTRUCTION PROCESS. MAINTENANCE MAY INCLUDE BUT NOT LIMITED TO: WATERING, FERTILIZATION, PRUNING, ADDITIONAL MULCH APPLICATIONS AND OTHER MAINTENANCE AS NEEDED ON THE PROJECT.
- P. ROOTS SHALL BE CUT WITH A ROOT SAW OR BY HAND NOT BY AN EXCAVATOR OR OTHER BRAND CONSTRUCTION EQUIPMENT.

LEGAL DESCRIPTION
 LOT 1 BLOCK 7298A
 NORTH RIDGE PRESBYTERIAN CHURCH
 VOL. 2000 185, PG. 00769

NOTE: ANY TREES THAT ARE SHOWN TO BE REMOVED WILL BE MITIGATED BY PLANTING NEW TREES AND/OR PAYMENT INTO THE CITY OF DALLAS REFORESTATION FUND.



ROBERT REEVES
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

August 29, 2017

Todd Duerksen, Board Coordinator
Department of Sustainable Development & Construction
City of Dallas
320 E. Jefferson, Room 105
Dallas, Texas 75203

RE: BDA167-114 – Northridge Presbyterian Church Alternative Landscape Plan

Dear Todd,

Based on Phil Erwin's comments on August 21, 2017 we have revised the alternative landscape plan for Northridge Presbyterian Church, BDA167-114. Here is a summary of the changes:

1. We revised the plan to show the entire 4.62-acre site with a line delineating the artificial lot. A note was also added with the artificial lot area in square footage and acres.
2. We noted the type/species and caliper inches of the trees to be removed.
3. The revision also shows the residential properties on Vintage Place on the east side of the site.
4. We also confirmed that the church will not be adding an additional square footage to the chapel area, including additional pews which would impact the existing parking.

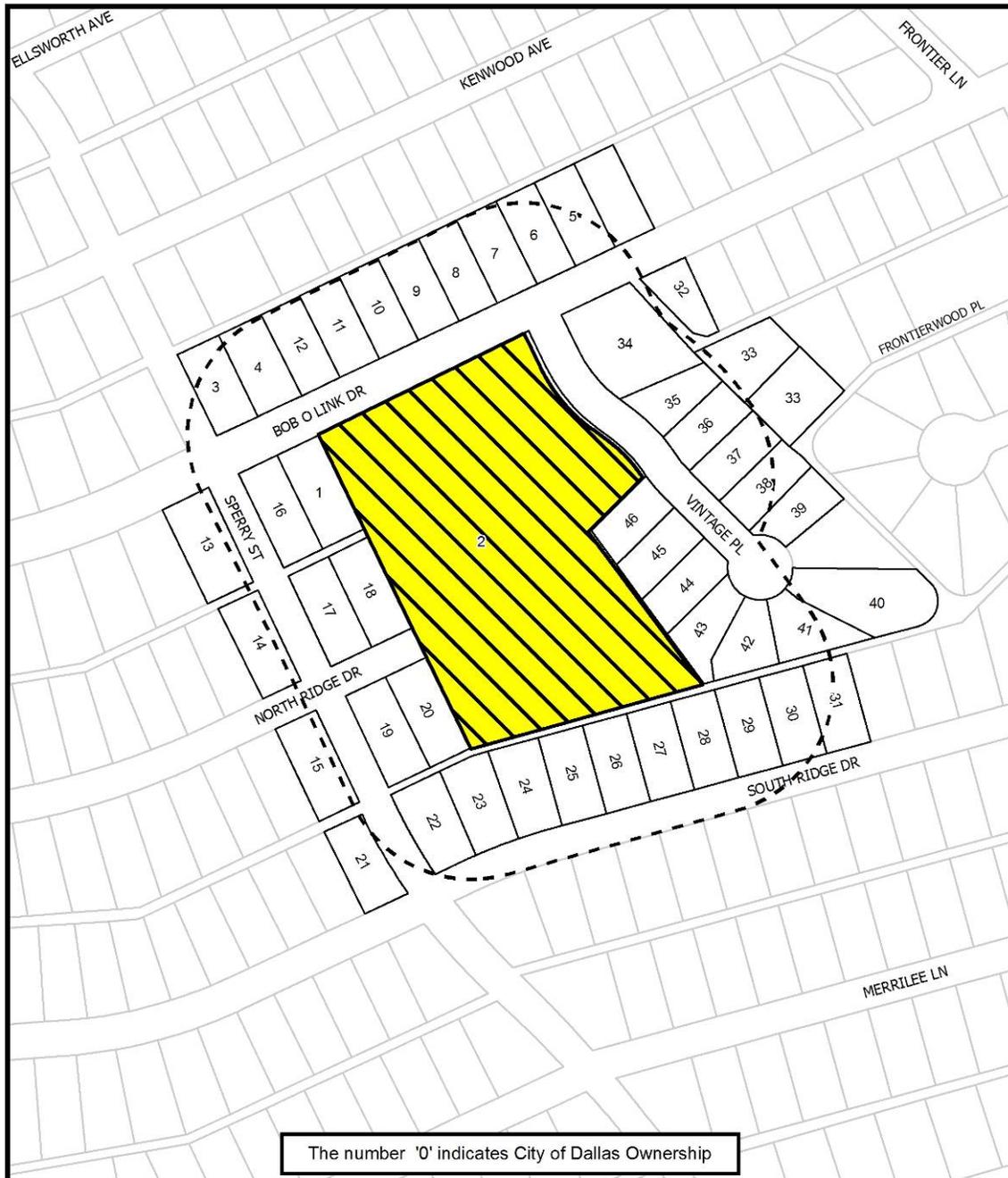
Please let us know if you have any questions or require any additional changes to the landscape plan.

Sincerely,



Robert Reeves

cc: Phil Erwin – 2 copies of plan
Steve Long – 2 copies of plan



 1:2,400	<h2>NOTIFICATION</h2>	Case no: BDA167-114
	<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">46</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: 9/21/2017

Notification List of Property Owners

BDA167-114

46 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6908 BOB O LINK DR	OVERBEY JAMES G
2	6920 BOB O LINK DR	NORTHRIDGE PRESBYTERIAN
3	6903 BOB O LINK DR	PLATNER KERT
4	6909 BOB O LINK DR	JACKSON JOE A &
5	6953 BOB O LINK DR	RYENOLDS KELLY & ISA
6	6947 BOB O LINK DR	WRIGHT JAMES A & MARCY G
7	6943 BOB O LINK DR	FLOREY RANDALL LYNN LIFE ESTATE
8	6937 BOB O LINK DR	THYAGARAJAN KARTHIKEYAN
9	6931 BOB O LINK DR	PALMER PATRICK &
10	6927 BOB O LINK DR	SEFEIN MARK N
11	6919 BOB O LINK DR	COTTON ALBERT R III &
12	6915 BOB O LINK DR	BRINKLEY KYLE
13	6838 BOB O LINK DR	STEPHENSON MICHAEL C &
14	6847 NORTHRIDGE DR	BRASHER HEATHER
15	6850 NORTHRIDGE DR	COLLINS MICHAEL J & BECKY G
16	6904 BOB O LINK DR	DICARLO NICHOLAS
17	6905 NORTHRIDGE DR	ROBERSON MICHAEL P &
18	6911 NORTHRIDGE DR	LOWERY PERRY
19	6904 NORTHRIDGE DR	WILLIAMSON STEVEN R &
20	6910 NORTHRIDGE DR	GRIFFITH GARY L ETAL
21	6859 SOUTHRIDGE DR	BOEHME PAUL
22	6905 SOUTHRIDGE DR	MCALLISTER GREG P & KRISTI R
23	6911 SOUTHRIDGE DR	ROYBAL KERRY T & PAULA B
24	6915 SOUTHRIDGE DR	AMBROSI ANA P
25	6921 SOUTHRIDGE DR	VALDEZ PAUL J
26	6927 SOUTHRIDGE DR	WILLIAMS GREGORY W &

Label #	Address	Owner
27	6933 SOUTHRIDGE DR	CONNELLY CLAUDE & JULIE
28	6939 SOUTHRIDGE DR	TURPIN M E MRS
29	6945 SOUTHRIDGE DR	GOODELL STEVE J & HEATHER
30	6951 SOUTHRIDGE DR	MAYER THOMAS P
31	6957 SOUTHRIDGE DR	CAROTHERS J CARR & ASHLEY
32	6952 BOB O LINK DR	ZOES NICK H
33	6920 FRONTIERWOOD PL	CAMBRIDGE HOMES URBAN LLC
34	6946 BOB O LINK DR	LAVIOLETTE STEPHEN O & KRISTI L
35	3628 VINTAGE PL	CLENCH BARRY & MARGARET
36	3624 VINTAGE PL	SEALE JOHNNY & CARLEY C
37	3620 VINTAGE PL	DUBOSE BEN & ALIISA
38	3616 VINTAGE PL	LEEDY KURT DAVID & TIFFANY L
39	3612 VINTAGE PL	MATEJA WILLIAM B & CASSANDRA C
40	3604 VINTAGE PL	SENDRA JAIME A
41	3605 VINTAGE PL	DILLON DAVID M
42	3609 VINTAGE PL	PERRY JAMES &
43	3613 VINTAGE PL	JOHNSON W ROBERT &
44	3617 VINTAGE PL	LATHAM ROBERT P
45	3621 VINTAGE PL	JOHNS THEODORE A
46	3625 VINTAGE PL	WEBER JAMES H & ADELE B

FILE NUMBER: BDA167-118(SL)

BUILDING OFFICIAL'S REPORT: Application of Karl A. Crawley, Masterplan, represented by Karl A. Crawley, for a special exception to the off-street parking regulations at 8350 Park Lane. This property is more fully described as Lots 1, 2, 3, 4, 5A, 5B, A, B, C, & D, in Block 13/5204, and is zoned MF-3(A), which requires parking to be provided. The applicant proposes to construct and/or maintain structures for a multifamily use, and provide 221 of the required 244 parking spaces, which will require a 23 space special exception to the off-street parking regulations.

LOCATION: 8350 Park Lane

APPLICANT: Karl A. Crawley, Masterplan
Represented by Karl A. Crawley

REQUEST:

A request for a special exception to the off-street parking regulations of 23 spaces is made to retain a Certificate of Occupancy for an existing circa 1970's multifamily development with 212 units (244 bedrooms) currently being remodeled (but not recently expanded), and provide 221 (or 91 percent) of the 244 required off-street parking spaces on the subject site.

STANDARD FOR A SPECIAL EXCEPTION TO THE OFF-STREET PARKING REGULATIONS:

- 1) The Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets. The maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(A). For the commercial amusement (inside) use and the industrial (inside) use, the maximum reduction authorized by this section is 75 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). For the office use, the maximum reduction authorized by this section is 35 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). Applicants may seek a special exception to the parking requirements under this section and an administrative

parking reduction under Section 51A-4.313. The greater reduction will apply, but the reduction may not be combined.

- 2) In determining whether to grant a special exception, the board shall consider the following factors:
 - (A) The extent to which the parking spaces provided will be remote, shared, or packed parking.
 - (B) The parking demand and trip generation characteristics of all uses for which the special exception is requested.
 - (C) Whether or not the subject property or any property in the general area is part of a modified delta overlay district.
 - (D) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
 - (E) The availability of public transit and the likelihood of its use.
 - (F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.
- 3) In granting a special exception, the board shall specify the uses to which the special exception applies. A special exception granted by the board for a particular use automatically and immediately terminates if and when that use is changed or discontinued.
- 4) In granting a special exception, the board may:
 - (A) Establish a termination date for the special exception or; otherwise provide for the reassessment of conditions after a specified period of time;
 - (B) Impose restrictions on access to or from the subject property; or
 - (C) Impose any other reasonable conditions that would have the effect of improving traffic safety or lessening congestion on the streets.
- 5) The board shall not grant a special exception to reduce the number of off-street parking spaces required in an ordinance granting or amending a specific use permit.
- 6) The board shall not grant a special exception to reduce the number of off-street parking spaces expressly required in the text or development plan of an ordinance establishing or amending regulations governing a specific planned development district. This prohibition does not apply when:
 - (A) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes references to the existing off-street parking regulations in Chapter 51 or this chapter; or
 - (B) the regulations governing that specific district expressly authorize the board to grant the special exception.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- The special exception of 23 spaces shall automatically and immediately terminate if and when the multifamily use is changed or discontinued.

Rationale:

- The Sustainable Development Department Assistant Director of Engineering indicated that he has no objections to the applicant's request.

BACKGROUND INFORMATION:

Zoning:

Site: MF-3(A) (Multifamily)
North: PD 65 (Planned Development)
South: MF-3(A) (Multifamily)
East: MF-3(A) (Multifamily)
West: MF-3(A) (Multifamily)

Land Use:

The subject site is developed with a multifamily use. The areas to the north, south, east and west are developed mostly as multifamily uses.

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

- This request for a special exception to the off-street parking regulations of 23 spaces focuses on retaining a Certificate of Occupancy for an existing circa 1970's multifamily development with 212 units (244 bedrooms) currently being remodeled (but not recently expanded), and providing 221 (or 91 percent) of the 244 required off-street parking spaces on the subject site.
- The Dallas Development Code requires the following off-street parking requirement:
 - Multifamily use: 1 space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided if the required parking is restricted to resident parking only. (In this particular case, the multifamily use with 244 bedrooms would require 244 spaces).
- The applicant states that when the property was developed in the early 1970's, the multifamily development complied with off-street parking requirements but that a discovery was made during a recent renovation of the complex that over the years, additional units had been added and that the use was not in compliance with the off-street parking requirement.
- The submitted parking study states among other things that based on two observations of actual parking demand during the early-morning hours, the peak parking demand did not exceed 203 parked vehicles (equivalent to 215 vehicles at 100 percent capacity). The applicant proposes to provide 221 spaces.

- The Sustainable Development Department Assistant Director of Engineering has submitted a review comment sheet marked “Has no objections” with the following comment: “Evening site visit revealed dozens of open parking spaces” and a photograph taken of the subject site (see Attachment B).
- The applicant has the burden of proof in establishing the following:
 - The parking demand generated by the “multifamily” use on the site does not warrant the number of off-street parking spaces required, and
 - The special exception of 23 spaces (or 9 percent reduction of the required off-street parking) would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.
- If the Board were to grant this request, and impose the condition that the special exception of 23 spaces shall automatically and immediately terminate if and when the multifamily use is changed or discontinued, the applicant could retain the Certificate of Occupancy for an existing circa 1970’s multifamily development with 212 units (244 bedrooms) currently being remodeled, and provide 221 (or 91 percent) of the 244 required off-street parking spaces.

Timeline:

August 24, 2017: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

September 12, 2017: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

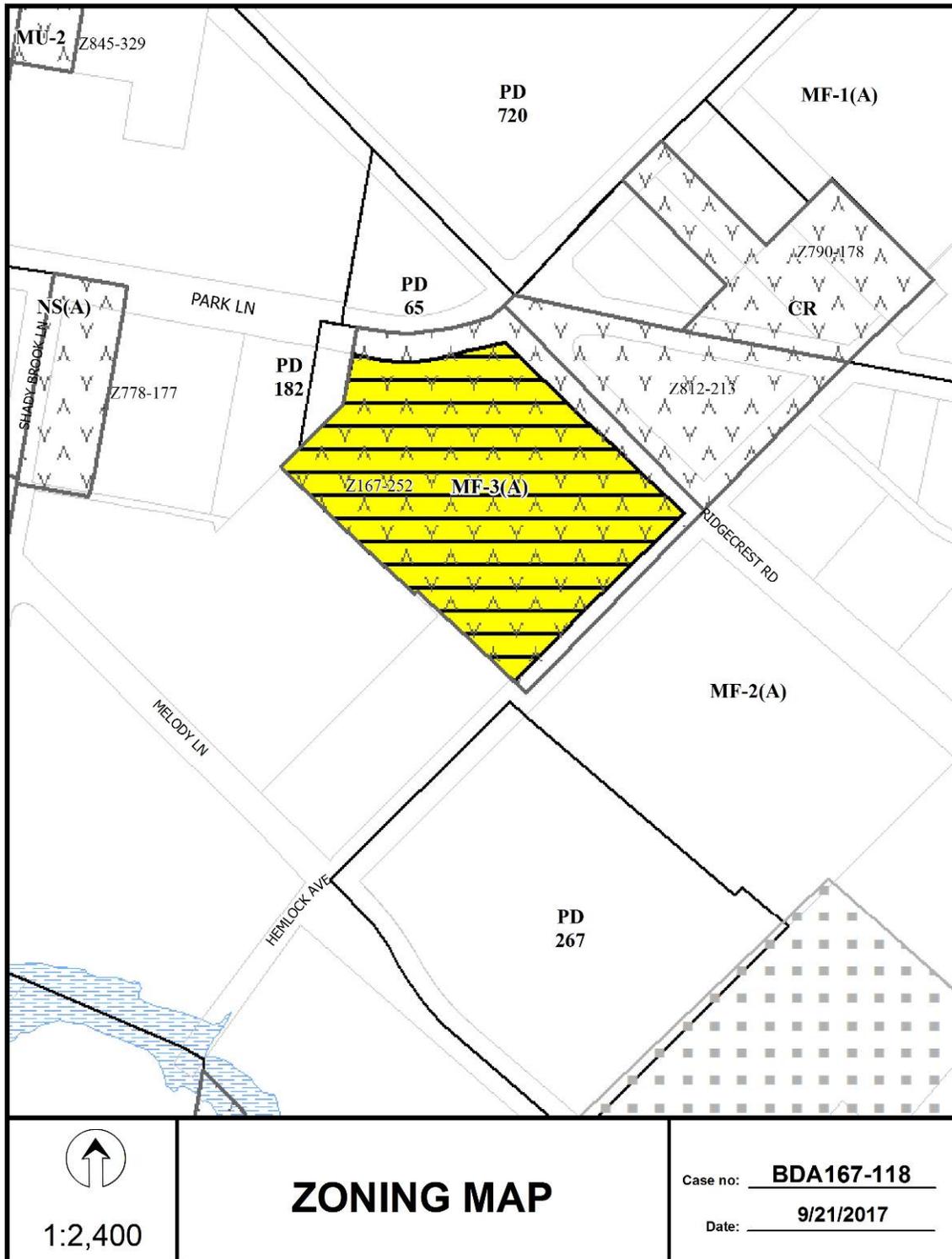
September 12, 2017: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27th deadline to submit additional evidence for staff to factor into their analysis; and the October 6th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

September 27, 2017: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment A).

October 3, 2017: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Assistant Director of Sustainable Development and Construction, the Sustainable Development and Construction Assistant Director of Engineering, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

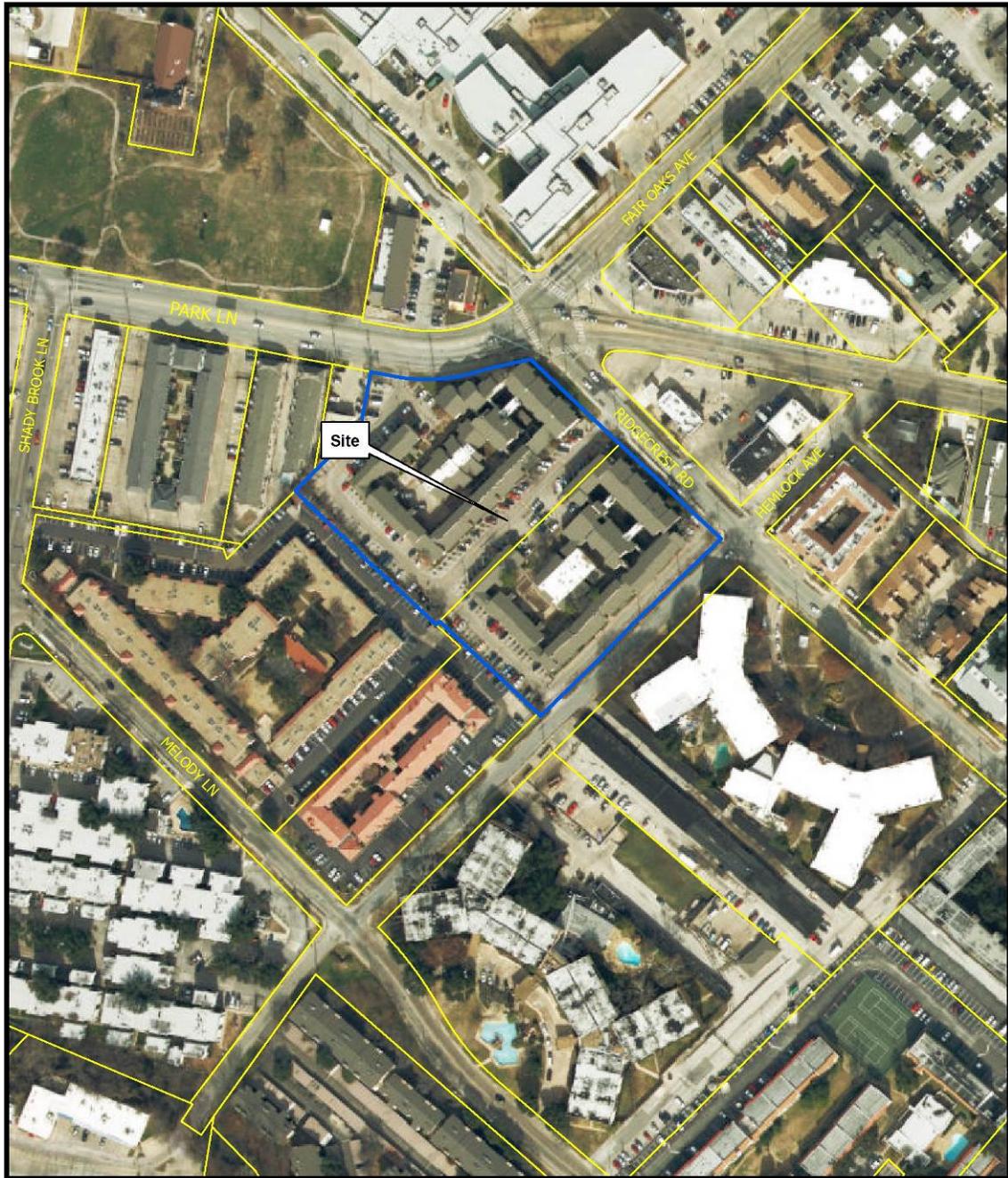
October 5, 2017: The Sustainable Development Department Assistant Director of Engineering has submitted a review comment sheet marked "Has no objections" with the following comment: "Evening site visit revealed dozens of open parking spaces" and a photograph taken of the subject site (see Attachment B).



1:2,400

ZONING MAP

Case no: BDA167-118
 Date: 9/21/2017

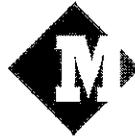


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AERIAL MAP

Case no: BDA167-118

Date: 9/21/2017



Masterplan

Land Use Consultants

September 27, 2017

Mr. Steve Long
Board Administrator
City of Dallas
1500 Marilla, 5BN
Dallas, TX 75201

RE: BDA 167-118, 8350 Park Lane

Mr. Long:

The current property owner of 8350 Park Lane and 5918 Ridgecrest Road, seeks to obtain a Special Exception to the parking regulations for 23 parking spaces for the apartment complex located at the above address. The property was developed in the early 1970's and is comprised of what was originally two complexes which are currently under one ownership. The combined site was purchased on September 15, 2015 by the present owner, Buena Vida CRP 17, LP. In the intervening period, the Owner has worked towards rehabbing and upgrading the property. A building permit was issued and work was begun. Work was underway when it was determined by Building Inspection (BI) staff that the site had more units than allowed in the then MF-2(A) zoning. Research showed that the site was under compliance at the time of initial permitting but over the decades the number of units was increased by previous owners. The solution to solve this problem such that a CO could be issued was to obtain a zoning change to allow the number of units to come into conformance. An MF-3(A) district with deed restrictions limiting the number of units to that existing (214) and a maximum height of 36 feet was approved by the City Council in May of this year. This brings us to the parking shortage.

In researching and working through the zoning change it was determined that the site was short 23 parking spaces per what was required. The solution to this problem was this Special Exception request. The site requires a minimum of 244 parking spaces based on one space per bedroom. The site provides a total of 222 parking spaces for a deficit of 9%. A Parking Analysis was performed by Pacheco Koch and was attached to the application. The Study shows that the percentage of occupied spaces ranged from 84% to 91% with an occupancy rate of 94%. Pacheco Koch projected the number of parking spaces that would be used with 100% occupancy. Using this projection the number of occupied spaces would still be between 89% and 97%. The site is located within ¼ mile of the Park Lane rail station and is located on a Bus Route with a bus stop located on the site.

I have attached a copy of the approved Site Plan for the permit that delineates the spaces that were permitted in 1972. The Site Plan shows a row of parallel parking spaces within the site adjacent to Hemlock Avenue. There were 26 spaces shown between the building and the property line. When the present owner purchased the site this row of parking had been removed and replaced by a Fire Lane. If this parking was still in place there would not be a shortage of parking. The need of a Fire Lane must have outweighed the need of parking or was required at later date after construction; either way the site is short on parking today.

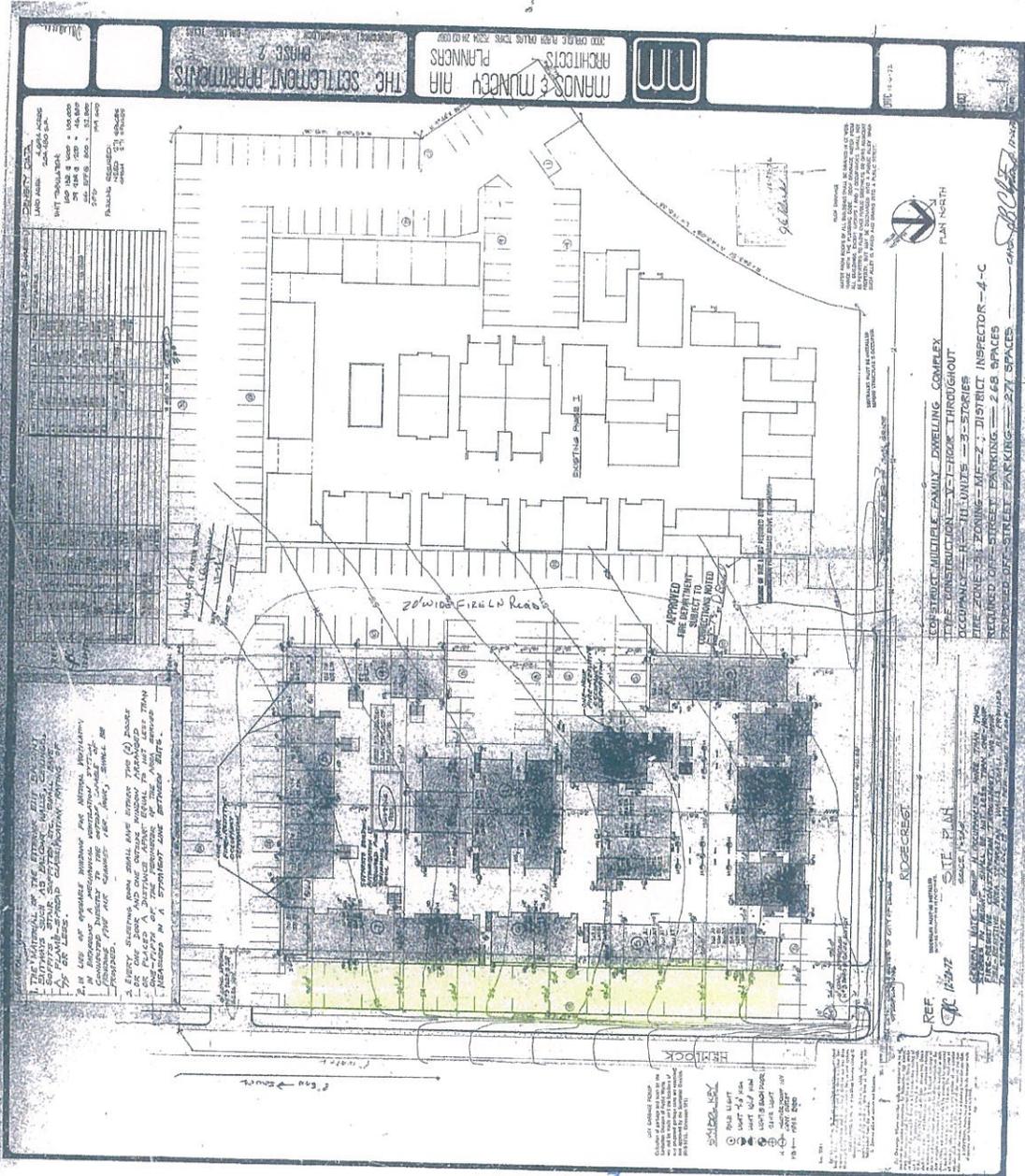


BDA 167-118
Attach A
Pg 2

It is my believe that there is more than adequate parking available on the site. The parking analysis shows that even at 100% occupancy there is still excess parking on the site. This coupled with the proximity to both bus service and rail service makes the available parking adequate to meet the demands of the site with no detriment to the surrounding properties; therefore, we would recommend approval of the request.

Sincerely,

Karl A Crawley
President



5118 Ridgcrest Rd.

121

NOTE: This is a microfilm copy from
the Building Inspection / Central
Files Office. Copies cannot be
photocopied. 4-44 1444- 814-4444

BDA 167-118
Attach B
pg 1

REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING OCTOBER 16, 2017 (C)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Has no objections | <input type="checkbox"/> BDA 167-106(SL) |
| <input type="checkbox"/> Has no objections if certain conditions are met (see comments below or attached) | <input type="checkbox"/> BDA 167-113(SL) |
| <input type="checkbox"/> Recommends that this be denied (see comments below or attached) | <input type="checkbox"/> BDA 167-114(SL) |
| <input type="checkbox"/> No comments | <input checked="" type="checkbox"/> BDA 167-118(SL) |
| | <input type="checkbox"/> |

COMMENTS:

Evening site visit
revealed dozens of
open parking spaces.

- | |
|--------------------------|
| <input type="checkbox"/> |

Joseph W. DeWanna
Name/Title/Department
Assistant Director

10-5-17
Date

Please respond to each case and provide comments that justify or elaborate on your response. Dockets distributed to the Board will indicate those who have attended the review team meeting and who have responded in writing with comments.

BDA 167-
11B
Attach B
Pg 2





City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 167-118

Data Relative to Subject Property:

Date: 8-24-17

Location address: 8350 PARK LANE 1-3, 4, 5A, 5B 5918 RIDGELEST PD Zoning District: MF-3(A)

Lot No.: A, B, C, D Block No.: 13/5204 Acreage: 4.478 AC Census Tract: 78.18

Street Frontage (in Feet): 1) 390' 2) 385' 3) 300' 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): BUENA VIDA CRP 17, LP

Applicant: KARL A CRAWLEY, MASTERPLAN Telephone: 214 961-9199

Mailing Address: 900 JACKSON ST. STE 640 DALLAS TX Zip Code: 75202

E-mail Address: karl@masterplanconsultants.com

Represented by: KARL A CRAWLEY Telephone: 214 961-9199

Mailing Address: SAME AS APPLICANT Zip Code:

E-mail Address: SAME AS APPLICANT

Affirm that an appeal has been made for a Variance, or Special Exception, of 23 PARKING SPACES FROM THE 244 SPC'S REQ'D. FOR A MULTIFAMILY USE.

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: THE EXISTING PARKING ALONG WITH AVAILABLE MASS TRANSIT MAKES THE PARKING ADEQUATE FOR THE DEVELOPMENT.

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 KARL A CRAWLEY (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: [Signature] (Affiant/Applicant's signature)

Subscribed and sworn to before me this 22nd day of August, 2017

(Rev. 08-01-11)



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

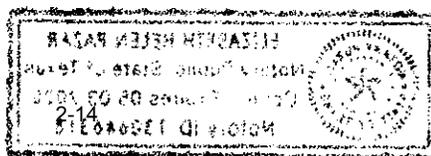
I hereby certify that Karl A. Crawley

did submit a request for a special exception to the parking regulations
at 8350 Park Lane

BDA167-118. Application of Karl A. Crawley for a special exception to the parking regulations at 8350 Park Lane. This property is more fully described as Lots 1, 2, 3, 4, 5A, 5B, A, B, C, & D, in Block 13/5204, and is zoned MF-3(A), which requires parking to be provided. The applicant proposes to construct a residential structure for a multifamily use, and provide 221 of the required 244 parking spaces, which will require a 23 space special exception (9.4% reduction) to the parking regulation.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



August 21, 2017
PK# 4007-17.286

PARKING DEMAND ANALYSIS

Project:
Villas Del Solamar
In Dallas, Texas

Prepared for:
City of Dallas

On behalf of:
Buena Vista CRP 17, LP

Prepared by:

Steve E. Stoner, P.E., PTOE



7557 Rambler Road, Suite 1400
Dallas, Texas 75231-2388
(972) 235-3031 www.pkce.com
TX. REG: ENGINEERING FIRM F-14439
TX. REG. SURVEYING FIRM LS-10193805-00

PARKING DEMAND ANALYSIS
Villas Del Solamar
Dallas, Texas

TABLE OF CONTENTS

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Purpose 1
Project Description..... 1
PARKING CODE REVIEW 1
PARKING DEMAND ANALYSIS..... 2
Approach 2
Observed Parking Demand 2
SUMMARY OF FINDINGS 3
PARKING SPECIAL EXCEPTION CONSIDERATIONS..... 5

LIST OF EXHIBITS:

- Exhibit 1. Site Location Map
- Exhibit 2. Existing Site Plan

LIST OF TABLES:

- Table 1. Base Code Parking Requirement
- Table 2. Code Parking Deficit
- Table 3. Existing On-Site Parking Accumulation Summary
- Table 4. Projected Peak Parking Demand at Full Occupancy Based Upon
Observed Demand (Vacancy Per Code)
- Table 5. Parking Analysis Summary

INTRODUCTION

The services of **Pacheco Koch** (PK) were retained by **Buena Vista CRP 17, LP**, to conduct a Parking Demand Analysis (PDA) for the existing 212-unit multifamily development known as *Villas Del Solamar* (the "Project") located at 8350 Park Lane in Dallas, Texas. A site location map (**Exhibit 1**) and an existing site plan prepared by Piburn & Carson, LLC (**Exhibit 2**) are provided at the end of this report.

The Owner is seeking Parking Special Exception to reconcile the parking requirement for the property. Submittal of a PDA, prepared by a skilled professional is one of the requirements of the City's process. This PDA was prepared in accordance with industry and local standards by registered professional engineers employed by Pacheco Koch. Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional services in traffic engineering, transportation planning, parking analysis, and related fields.

Purpose

A PDA is an investigation of actual parking demand characteristics for a specific site with specific land use(s). The analysis is designed to take into consideration any site-specific factors that may affect parking demand. Therefore, the results presented in this analysis may not apply to other examples of the same land use.

Parking demand is theoretically represented by local zoning ordinances. However, in many cases, these ordinances are overly-simplified and/or over-generalized and do not sufficiently reflect actual parking needs. The purpose of this PDA is to compare the actual parking needs with the corresponding code requirements to illustrate the differences and provide justification for a potential reduction in the code parking requirement for the property. Approval of any reduction is a subject to the approval process of the City of Dallas.

Project Description

Based upon data provided by the Owner representatives, the existing apartment community consists of 212 dwelling units (244 total bedrooms). Occupancy at the time of this study was 94.3% at the time of the study. The property provides 216 off-street spaces.

PARKING CODE REVIEW

The study site is currently zoned MF-2(A). Parking requirements for multifamily use are outlined in Section 51A-4.209 of the Dallas Development Code. Specifically, multifamily uses require 1 parking space per bedroom (plus, 0.25 spaces per unit for visitor parking if the parking supply is restricted to resident-only spaces). A summary of the resulting net parking requirement is summarized in **Table 1**.

Table 1. Base Code Parking Requirement

LAND USE	QUANTITY AND RATIO	SPACES REQUIRED
Multifamily (212 DU, 244 bedrooms)	244 bedrooms @ 1 space/bedroom (no additional visitor parking required)	244

The site currently provides 216 marked parking spaces and five unmarked (but used) spaces—which the Owner intends to have striped—for a total, on-site parking supply of 221 spaces. The resulting tabulation corresponds to a code deficit of 23 spaces as summarized in the following table.

Table 2. Code Parking Deficit

LAND USE	PARKING SPACES
Parking Supply	Marked: 216
	Unmarked: 5
	Total: 221
Based Parking Code Requirement	244
Parking Code Deficit	23

A Special Exception request would be for 23 off-street parking spaces, or 9.4% of the total required spaces.

PARKING DEMAND ANALYSIS

Submittal of a Parking Demand Analysis is required as part of the review process for the Parking Special Exception. The Staff review of the analysis are provided to the Board of Adjustments for consideration.

Approach

To validate the requested parking reduction, actual parking demand was measured on the subject site at peak demand periods. These resulting data points were compared to the base code parking requirement to provide the basis for the proposed Parking Special Exception.

Observed Parking Demand

Actual, observed parking utilization counts are considered to be the best representation of site-specific parking demand characteristics. Pacheco Koch conducted on-site parking accumulation counts at approximately 2:00 AM on Friday, July 21st, 2017 and Monday, July 24th, 2017. A summary of those parking occupancy data is provided **Table 3**.

Table 3. Existing On-Site Parking Accumulation Summary

DATA POINT	ON-SITE PARKED VEHICLES AT CURRENT OCCUPANCY	UTILIZATION OF PARKING SUPPLY (221-space Supply)
2:05 AM on Friday, July 21 st , 2017	187	84.6%
2:15 AM on Monday, July 24 th , 2017	203	91.9%

To account for current vacancies, the parking demand was extrapolated at the observed parking rate for a hypothetical condition in which all dwelling units were occupied. The resulting projected parking demand at full occupancy is summarized in **Table 4**.

Table 4. Projected Peak Parking Demand at Full Occupancy Based Upon Observed Demand (Vacancy Per Code)

DATA POINT	PROJECTED ON-SITE PARKED VEHICLES AT 100% OCCUPANCY	UTILIZATION OF PARKING SUPPLY (221-space Supply)
2:05 AM (Friday, July 21 st , 2017)	198	89.7%
2:15 AM (Monday, July 24 th , 2017)	215	97.4%

Based upon the estimated conditions, a minimum parking surplus of at least six (6) parking space would be expected at full occupancy.

SUMMARY OF FINDINGS

The subject site contains a 212-unit apartment community that is currently 94.3% occupied. The property currently provides 221 off-street parking spaces after restriping. Under base code parking requirements, 244 off-street parking spaces are required, which correlates to a 23-space code parking deficiency.

However, based upon two observations of actual parking demand during the early-morning hours, the peak parking demand did not exceed 203 parked vehicles (equivalent to 215 parked vehicles at 100% occupancy). Therefore, a minimum surplus of six (6) parking spaces is estimated to exist if the site were fully occupied based upon current parking rates.

In order to reconcile the code parking requirement, a Parking Special Exception for 23 parking spaces (9.4% of the total parking requirement) is being requested. Based upon actual data collected on the subject site, it is anticipated that the current parking supply is sufficient for the existing land use.

August 21, 2017

The following table summarizes the results of the parking demand analysis performed herein.

Table 5. Parking Analysis Summary

SCENARIO	EXISTING CONDITIONS	PROPOSED CONDITIONS
Observed Peak Parking Demand	203	203
Projected Peak Parking Demand at Full Occupancy	215	215
Parking Supply	221	221
Base City Code Parking Requirement	244	244 -23 221
Code Deficit	-23 (11.5%)	0 (0%)

END OF MEMO

August 21, 2017

PARKING SPECIAL EXCEPTION CONSIDERATIONS

A Special Exception to the code parking requirement for the property located at 8350 Park Lane is requested from the City of Dallas Board of Adjustments. Based upon the findings of this analysis, the proposed parking supply of 216 spaces will be sufficient to serve the peak parking needs of the subject site at full occupancy, and the reduction of 28 required parking spaces is warranted.

Pursuant to Section 51A-4.311(a)(2) of the Dallas Development Code, the Board of Adjustment shall consider the following factors in determining whether to grant a Special Exception for parking demand:

(A) *The extent to which the parking spaces provided will be remote, shared, or packed.*

The proposed condition does not rely on remote, shared, or packed parking.

(B) *The parking demand and trip generation characteristics of all uses for which the special exception is requested.*

Based upon the parking demand analysis provided herein, the parking characteristics of the proposed uses will be satisfied by the proposed, on-site parking supply. Trip generation of all proposed uses are consistent with the land uses allowed under the current zoning classification.

(C) *Whether or not the subject property or any property in the general area is part of a modified delta overlay district.*

The subject property and surrounding properties are not part of a modified delta overlay district.

(D) *The current and probably future capacities of adjacent and nearby streets based upon the city's thoroughfare plan.*

All designated thoroughfares in the vicinity of the subject site, including Park Lane, Shady Brook Lane, and Fair Oaks Avenue, are constructed to their respective, ultimate cross-section and operate below capacity.

(E) *The availability of public transit and the likelihood of its use.*

The subject property is served by two immediately adjacent DART Bus Routes (502 and 506) and is within a walking distance of 1,870 feet (0.35 miles) from the DART Park Lane Light Rail station. It is likely that some portion of site generated trips will be conducted via transit, which may reduce vehicle ownership.

(F) *The feasibility of parking mitigation measures and the likelihood of their effectiveness.*

The property provides available parking for tenants and visitors. In the unlikely event that parking mitigation is needed, on-site property management is available to manage, enforce, and/or create parking policies as needed.

END OF SECTION



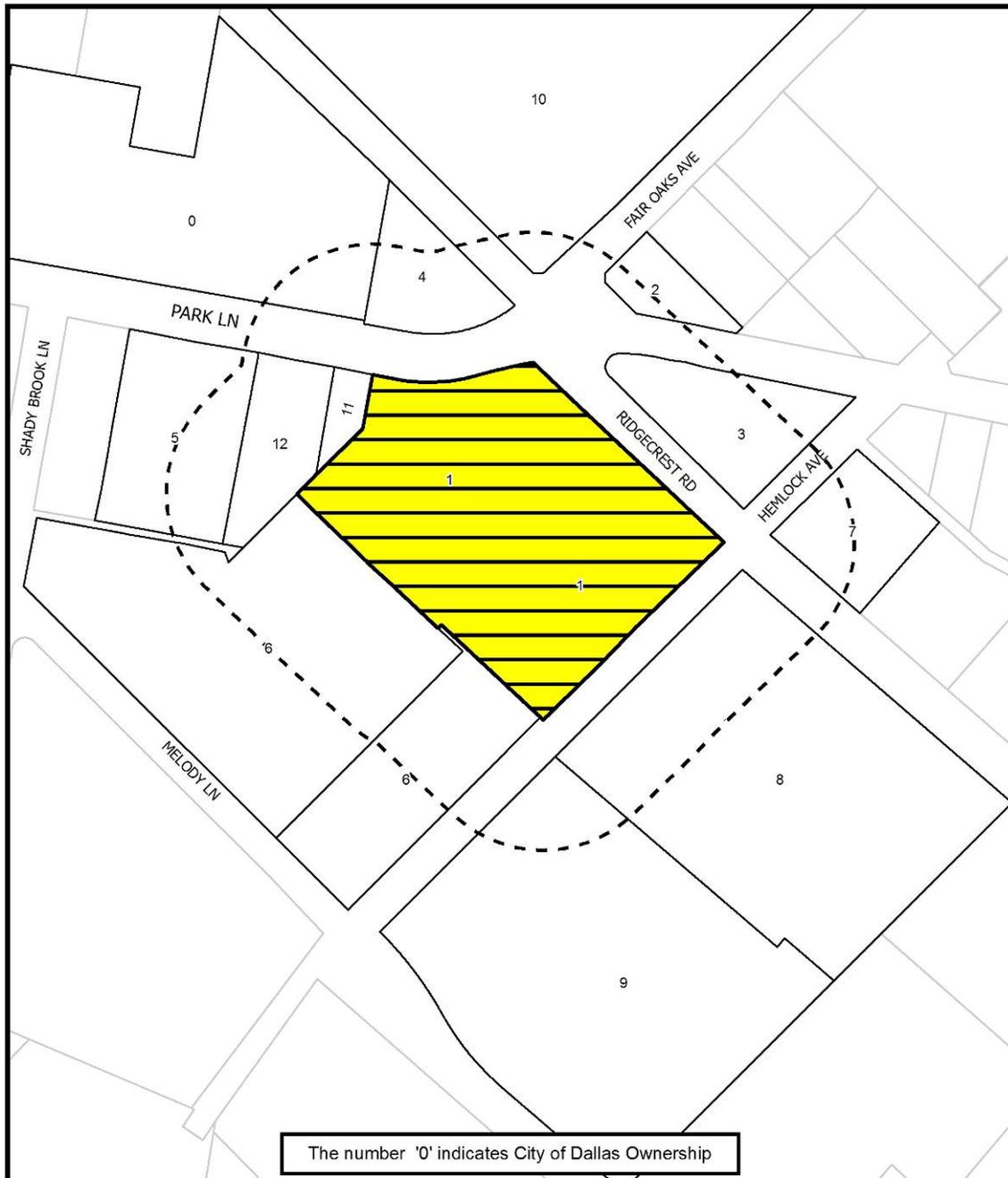
EXHIBIT 1. SITE LOCATION MAP

*Parking Demand Analysis
Villas del Solamar*

APPENDIX: ON-SITE PARKING ACCUMULATION

Parking Analysis for Villas del Solamar Apartments
 8350 Park Lane - Dallas, Texas
 Pacheco Koch

	Date	Time	Parking Supply		Existing Demand Current Occupancy		Projected Demand at 100% Occupancy		
			Marked Spaces	Unmarked Spaces	Parked Vehicles	Parking Occupancy	Parked Vehicles	Parking Occupancy	
	Thursday/Friday	7/21/2017	2:05 AM	216	5	187	84.6%	198.22	89.7%
		Area 1	49	0	43				
		Area 2	50	5	38				
		Area 3	68	0	64				
		Area 4	49	0	42				
	Sunday/Monday	7/24/2017	2:15 AM	216	5	203	91.9%	215.18	97.4%
		Area 1	49	0	46		45		
		Area 2	50	5	48		48		
		Area 3	68	0	63		63		
		Area 4	49	0	46		46		



 1:2,400	NOTIFICATION		Case no: BDA167-118
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">12</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 9/21/2017	

Notification List of Property Owners

BDA167-118

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5918 RIDGECREST RD	BUENA VIDA CRP 17 LP
2	7014 FAIR OAKS AVE	PARK LANE REAL ESTATE INVESTMENTS INC
3	8420 PARK LN	164568 CANADA INC
4	8347 PARK LN	WADFH PARTNERSHIP
5	8320 PARK LN	DALLAS HOUSING AUTHORITY
6	5929 MELODY LN	APARTMENT VENTURES LLC
7	6003 RIDGECREST RD	RESERVICES COURTYARD LLC
8	6036 RIDGECREST RD	CENTER PARK EQUITY FUND LLC &
9	6011 MELODY LN	CC FOUNTAINS LLC
10	7001 FAIR OAKS AVE	Dallas ISD
11	8336 PARK LN	BELAYE MESFIN &
12	8330 PARK LN	NORTHWEST PARK CONDOMINIUM LLC

FILE NUMBER: BDA167-097(SL)

BUILDING OFFICIAL'S REPORT: Application of Robert Baldwin of Baldwin and Associates for a special exception to the off-street parking regulations at 2600 (aka 2604) Main Street. This property is more fully described as Lot 2, Block A/183, and is zoned PD-269 (Tract A), which requires parking to be provided. The applicant proposes to construct and/or maintain a structure for a commercial amusement (inside) use, and provide 48 of the required 192 off-street parking spaces, which will require a 144 space special exception to the off-street parking regulations.

LOCATION: 2600 (aka 2604) Main Street

APPLICANT: Robert Baldwin of Baldwin and Associates

REQUEST:

A request for a special exception to the off-street parking regulations of 144 spaces is made to occupy and lease an existing approximately 21,000 square foot vacant structure, and construct and maintain an approximately 3,000 square foot addition with an inside commercial amusement (bowling alley) use, and provide 48 (or 25 percent) of the 192 off-street parking spaces required by code.

STANDARD FOR A SPECIAL EXCEPTION TO THE OFF-STREET PARKING REGULATIONS:

- 1) The Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets. The maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(A). For the commercial amusement (inside) use and the industrial (inside) use, the maximum reduction authorized by this section is 75 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). For the office use, the maximum reduction authorized by this section is 35 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). Applicants may seek a special exception to the parking requirements under this section and an administrative parking reduction under Section 51A-4.313. The greater reduction will apply, but the reduction may not be combined.

- 2) In determining whether to grant a special exception, the board shall consider the following factors:
 - (A) The extent to which the parking spaces provided will be remote, shared, or packed parking.
 - (B) The parking demand and trip generation characteristics of all uses for which the special exception is requested.
 - (C) Whether or not the subject property or any property in the general area is part of a modified delta overlay district.
 - (D) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
 - (E) The availability of public transit and the likelihood of its use.
 - (F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.
- 3) In granting a special exception, the board shall specify the uses to which the special exception applies. A special exception granted by the board for a particular use automatically and immediately terminates if and when that use is changed or discontinued.
- 4) In granting a special exception, the board may:
 - (A) Establish a termination date for the special exception or; otherwise provide for the reassessment of conditions after a specified period of time;
 - (B) Impose restrictions on access to or from the subject property; or
 - (C) Impose any other reasonable conditions that would have the effect of improving traffic safety or lessening congestion on the streets.
- 5) The board shall not grant a special exception to reduce the number of off-street parking spaces required in an ordinance granting or amending a specific use permit.
- 6) The board shall not grant a special exception to reduce the number of off-street parking spaces expressly required in the text or development plan of an ordinance establishing or amending regulations governing a specific planned development district. This prohibition does not apply when:
 - (A) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes references to the existing off-street parking regulations in Chapter 51 or this chapter; or
 - (B) the regulations governing that specific district expressly authorize the board to grant the special exception.

STAFF RECOMMENDATION (September 18 & October 16, 2017):

Approval, subject to the following condition:

- The special exception of 144 spaces shall automatically and immediately terminate if and when the commercial amusement (inside) is changed or discontinued.

Rationale:

- The Sustainable Development Department Assistant Director of Engineering indicated that he has no objections to the applicant's request.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	PD 269 (Tract A) (Planned Development)
<u>North:</u>	PD 269 (Tract A) (Planned Development)
<u>South:</u>	PD 269 (Tract A) (Planned Development)
<u>East:</u>	PD 269 (Tract A) (Planned Development)
<u>West:</u>	PD 269 (Tract B) (Planned Development)

Land Use:

The subject site is developed with a vacant, approximately 21,000 square foot vacant structure. The area immediately north is a surface parking lot; and the areas to the east, south, and west are developed with a mix of residential and nonresidential uses.

Zoning/BDA History:

1. BDA012-119, Property at 2600 Main Street (the subject site)

On January 22, 2002, the Board of Adjustment Panel C granted a request for a variance to the off-street parking regulations and imposed the following conditions: 1) compliance with the submitted site plan is required; and 2) that the variances be changed from 15 spaces to 8 spaces.

The case report states that the request for variance to the off-street parking regulations of 15 spaces was made to transition and expand spaces in an existing vacant restaurant/bar structure (a structure that formerly housed the Copper Tank Brewing Company was being transitioned to the American's Pub).
2. BDA956-134, Property at 2600 Main Street (the subject site)

On January 23, 1996, the Board of Adjustment Panel C granted a request for a variance to the off-street parking regulations of 31 spaces needed to complete and maintain a 14,000 square foot restaurant/bar use (Copper Tank Brewing Company). The Board imposed the following conditions: That this variance terminates in two years or when the zoning regulations applying to this use are amended by the City Council to reduce

the number of parking spaces whichever comes first.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on occupying and leasing an existing approximately 21,000 square foot vacant structure, and constructing and maintaining an approximately 3,000 square foot addition with an inside commercial amusement (bowling alley) use, and providing 48 (or 25 percent) of the 192 off-street parking spaces required by code.
- While PD 269 specifies off-street parking requirements for certain uses permitted in the zoning district, does not provide a specific off-street parking requirement for the proposed inside commercial amusement use. As a result, the PD ordinance states that the off-street parking requirement for this use is that what is provided in Chapter 51. Chapter 51 requires the following off-street parking requirement:
 - Inside commercial amusement: one space per 100 square feet of floor area.
- The applicant notes that PD 269 states that no off-street parking is required for the first 2,500 square feet of floor area in an original building; that no off-street parking spaces are required for the first 5,000 square feet of floor area in an original building for retail-related uses or professional, personal service, and custom craft uses; and that a reduction of 10 percent of the parking requirement is allowed for uses located within one-fourth of a mile from a rail station.
- The applicant has submitted a table indicating that while 213 off-street parking spaces are required for the proposed use on the site, the applicant is entitled to the 10 percent parking reduction for proximity to a DART station hence an off-street parking requirement of 192 spaces.
- The applicant has submitted a document which states among other things that: 1) while PD 269 does not provide stipulations or parking requirements specifically for bowling alleys (instead, bowling alleys are classified as “inside commercial amusement” use, the parking requirement for bowling alleys per Chapter 51A is six spaces per land, where the theoretical parking requirement for the proposed 8-lane tenant would be 39 spaces; and 2) the ITE’s projected peak demand of the use on the subject site is 30 vehicles. (The applicant proposes to provide 48 off-street parking spaces).
- On September 7 and October 5, 2015, the Sustainable Development Department Assistant Director of Engineering submitted review comment sheets marked “Has no objections.”
- The Board of Adjustment Panel C conducted a public hearing on this application on September 18, 2017, and delayed action on this application until their next public hearing to be held on October 16, 2017. (The applicant has not submit any additional information on this application between the September hearing and October 6, 2017).
- The applicant has the burden of proof in establishing the following:
 - The parking demand generated by the proposed inside commercial inside (bowling alley) use does not warrant the number of off-street parking spaces required, and

- The special exception of 89 spaces (or a 22 percent reduction of the required off-street parking) would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.
- If the Board were to grant this request, and impose the condition that the special exception of 144 spaces shall automatically and immediately terminate if and when the commercial amusement inside use is changed or discontinued, the applicant could occupy and lease the existing structure and construct and maintain the addition on the subject site with commercial amusement inside use, and provide 48 (or 25 percent) of the 192 required off-street parking spaces.

Timeline:

- July 12, 2017: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- August 8, 2017: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, “If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case”.
- August 8, 2017: The Board Administrator emailed the applicant the following information:
- a copy of the application materials including the Building Official’s report on the application;
 - an attachment that provided the public hearing date and panel that will consider the application; the August 30th deadline to submit additional evidence for staff to factor into their analysis; and the September 8th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- September 5, 2017: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for September public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director of Engineering, the Sustainable Development and Construction Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

September 7, 2017: The Sustainable Development Department Assistant Director of Engineering submitted a review comment sheet marked "Has no objections".

September 18, 2017: The Board of Adjustment Panel C conducted a public hearing on this application. The Board delayed action on this application until their next public hearing to be held on October 16, 2017.

September 21, 2017: The Board Administrator wrote the applicant a letter of the board's action; the September 27th deadline to submit additional evidence for staff to factor into their analysis; and the October 6th deadline to submit additional evidence to be incorporated into the Board's docket materials.

October 3, 2017: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Assistant Director of Sustainable Development and Construction, the Sustainable Development and Construction Assistant Director of Engineering, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

October 5, 2017: The Sustainable Development Department Assistant Director of Engineering submitted a review comment sheet marked "Has no objections".

BOARD OF ADJUSTMENT ACTION: SEPTEMBER 18, 2017

APPEARING IN FAVOR: Robert Baldwin, 3904 Elm St., #B, Dallas, TX

APPEARING IN OPPOSITION: No one

MOTION: Foster

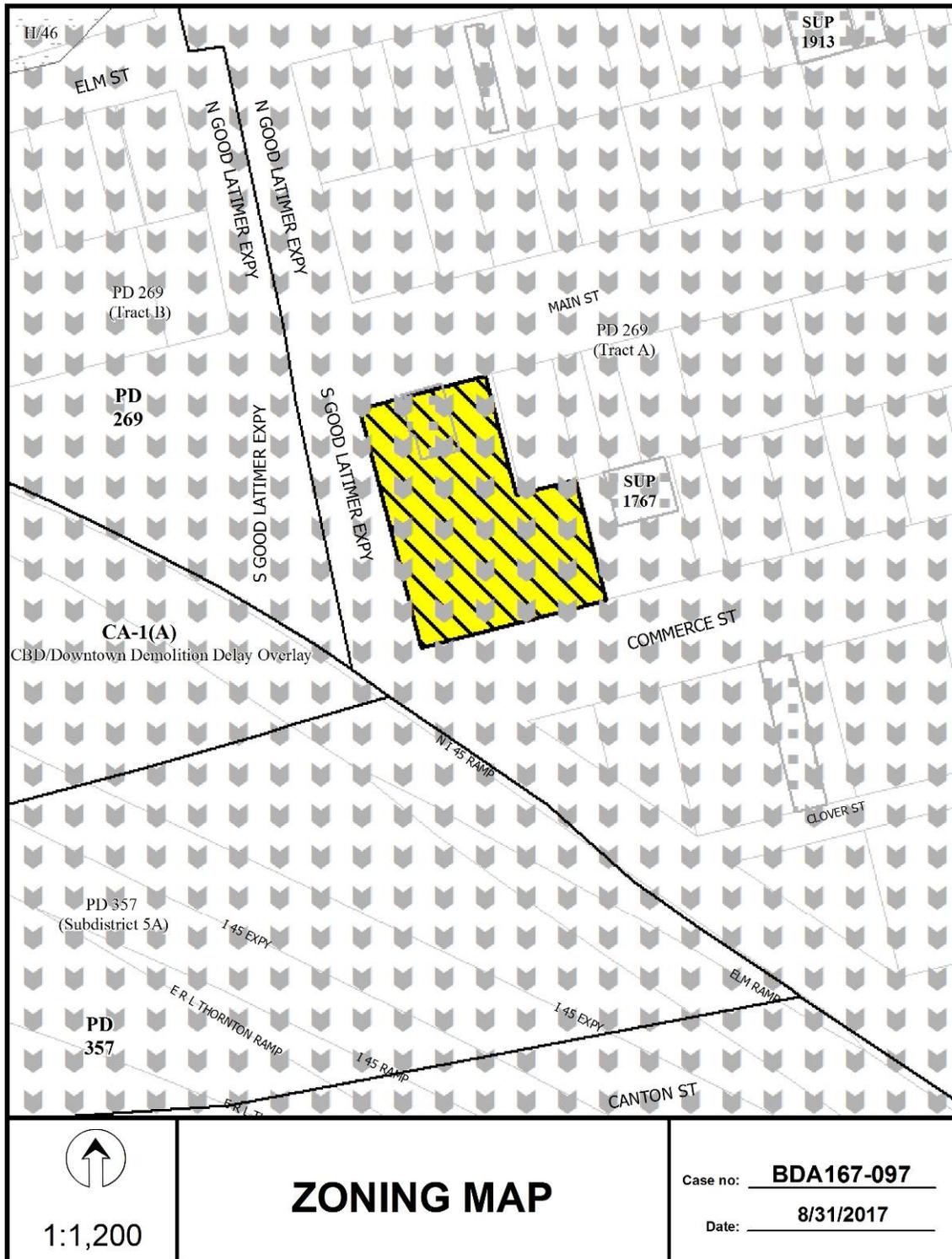
I move that the Board of Adjustment, in **Appeal No. BDA 167-097**, hold this matter under advisement until **October 16, 2017**.

SECONDED: Agnich

AYES: 4 – Richardson, Foster, Gambow, Agnich

NAYS: 0

MOTION PASSED: 4 – 0 (unanimously)





1:1,200

AERIAL MAP

Case no: **BDA167-097**

Date: **8/31/2017**



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 167-097

Data Relative to Subject Property:

Date: July 12, 2017

Location address: 2600 and 2604 Main St Zoning District: PD 269 Tract A

Lot No.: Tr 2 Block No.: 183 Acreage: 0.5 ac Census Tract: 204.00

Street Frontage (in Feet): 1) 200 2) 104.5 3) 110 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): AP Deep Ellum, LLC

Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance __, or Special Exception X, of the parking regulations of 144 spaces (75%) for an inside commercial amusement use of the 192 spaces required.

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: The proposed commercial amusement will be for a bowling alley with eight bowling lanes. The property has multiple public owned parking lots and commercial parking lots within 1,500 feet of the site. It is within walking distance to the Deep Ellum DART station. Also see submitted parking study.

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 Robert Baldwin (Affiant/Applicant's name printed)

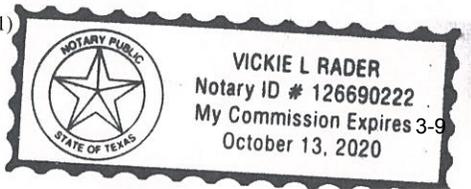
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: [Signature] (Affiant/Applicant's signature)

Subscribed and sworn to before me this 12th day of July, 2017

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

(Rev. 08-01-11)



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Robert Baldwin

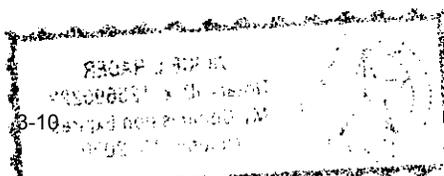
did submit a request for a special exception to the parking regulations
at 2600 Main Street (aka: 2604 Main Street)

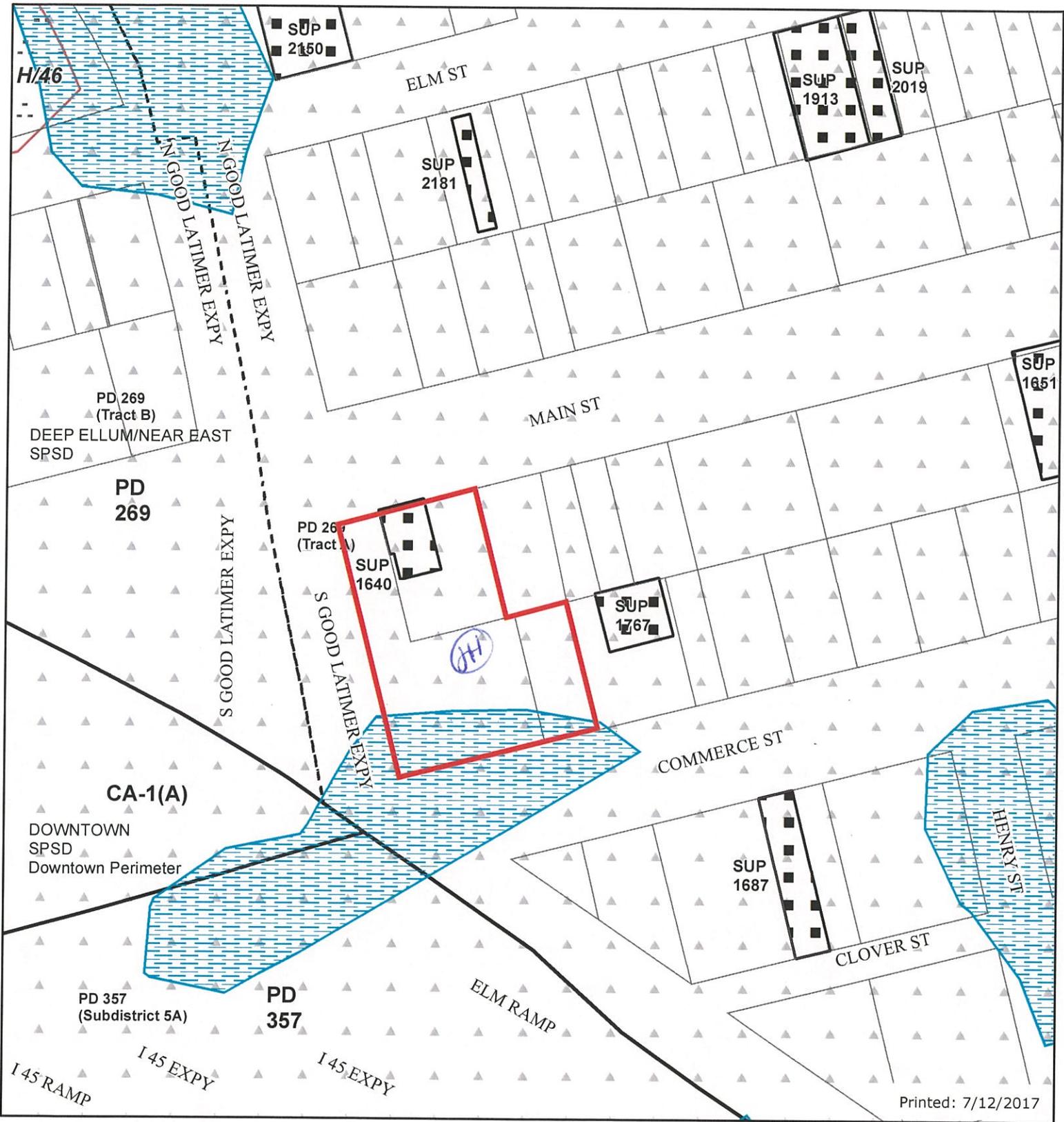
BDA167-097. Application of Robert Baldwin for a special exception to the parking regulations at 2600 Main Street. This property is more fully described as tract 2, Block 183 and is zoned PD-269 (Tract A), which requires parking to be provided. The applicant proposes to construct a nonresidential structure for a commercial amusement (inside) use and provide 48 of the required 192 parking spaces, which will require a 144 space special exception (75% reduction) to the parking regulation.

Sincerely,

Philip Sikes
Philip Sikes, Building Official

BDA 167-097





Printed: 7/12/2017

Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | CP | NSO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | SPSP Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | SPSP Overlay | Historic Subdistricts | Barking Management Overlay |
| Parks | Deed Restrictions | Historic Overlay | 3-12 |
| | SUP | Height Map Overlay | Shop Front Overlay |

This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.' (Texas Government Code § 2051.102)

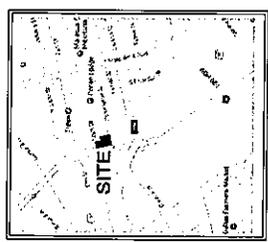


07/19/2017

BALDWIN ASSOCIATES
 3904 Elm Street, Suite B
 Dallas, Texas 75226
 MOBILE: 214.729.7949
 OFFICE: 214.824.7949
 rob@baldwinplanning.com

Baldwin
 Associates

2600 MAIN STREET
 CITY OF DALLAS, TEXAS



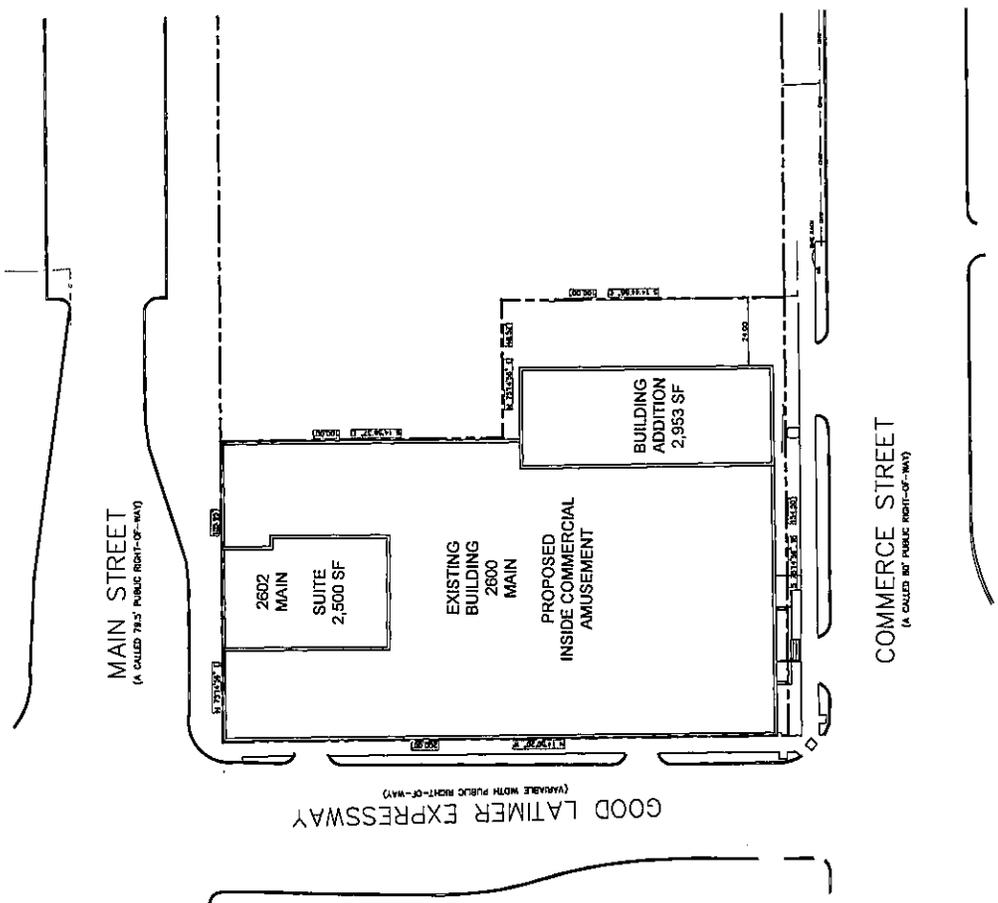
VICINITY MAP
 NTS



SITE INFORMATION

2600 MAIN STREET
 USE: INSIDE COMMERCIAL AMUSEMENT
 AREA: 23,855 SF

2602 MAIN STREET
 USE: TATTOO PARLOR
 AREA: 2,500 SF



1 BOARD OF ADJUSTMENT SITE PLAN
 SCALE: 1" = 20'-0"





TECHNICAL MEMORANDUM

To: Scott Rohrman — 42 Deep Ellum, LP
Cc: Robert Baldwin — Baldwin Associates
From: David Nevarez, PE, PTOE — *DeShazo Group, Inc.*
Date: June 20, 2017
Re: **Parking Analysis for Coppertank Building at 2600 Main Street in Dallas, Texas**
DeShazo Project No. 17075

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering and parking design and demand analysis. The services of DeShazo were retained to study the parking needs for a proposed commercial development located at 2600 Main Street in Dallas, Texas. The property owner is proposing to replat 2600 Main Street with an adjacent property (2604 Main Street) to build a one-story building with a total of 23,835 square feet of gross building area. The proposed tenant is an 8-lane bowling alley.

This report presents a summary of a technical evaluation of the parking needs for the proposed eight-lane bowling alley at 2600 Main Street. Findings of this analysis are intended to support a reduction of the City of Dallas off-street parking requirements.

CODE PARKING REQUIREMENT

The property is located in Planned Development (PD) District 269—the Deep Ellum/Near East Side District. It is subject to the off-street parking requirements stipulated in Section 51P-269.105(j)(1): An Inside Commercial Amusement use requires one space per 100 square feet of floor area. However, no off-street parking is required for the first 2,500 square feet of floor area in an *Original Building*¹. Also, no off-street parking spaces are required for the first 5,000 square feet of floor area in an *Original Building* for retail-related uses or professional, personal service, and custom crafts uses. **Table 1** provides a summary of the Code parking requirement for 2600 Main Street.

Table 1. Default City Code Parking Requirement for 2600 Main Street

TENANT	LAND USE	CITY CODE	AMOUNT	RATE <i>(1 space per)</i>	REQUIRED PARKING
Suite A	Personal Service	51P-269.105(j)(1)(M)	2,263 SF	--	0
Suite 110	Inside Comm. Amusement	51P-269.105(j)(1)(K)	23,835 SF <i>minus 2,500 SF</i>	100 SF	213
TOTAL:					213 spaces

¹ An *Original Building* is defined in section 51P-269.104(c)(27) as a *building constructed on or before June 27, 1984, with a floor area that has not been increased by more than 5,000 square feet.*

Furthermore, Section 51P-269.105(j)(4)(5) allows a reduction of ten percent of the parking requirement for uses located within one-fourth of a mile (or 1,320 feet) of a rail station. The property is located approximately 1,000 feet from the Deep Ellum DART Station and qualifies for the reduction as calculated in **Table 2**.

Table 2. Code Parking Requirement for 2600 Main Street

PARKING REQUIREMENT	SPACES
Default Parking Requirement (<i>See Table 1</i>)	213
10% Reduction for proximity to DART Station [51P-269.105(j)(4)(5)]	-21
Total Parking Requirement:	192 Spaces

As shown in **Table 2**, a total of 192 spaces are required to satisfy the City of Dallas Code parking requirement based upon direct application of the Dallas Development Code. DeShazo acknowledges that City Code requirements establish standards for the functional design of efficient parking facilities, thus reducing congestion and minimizing external effects on neighboring land uses, as stated in the *City of Dallas Development Code*. However, based upon DeShazo’s professional experience in the analysis of parking demands, the operational characteristics and, consequently, parking needs of the proposed land use, there is merit in examining the parking demand for this specific property.

NOTE: PD 269 does not provide stipulations or parking requirements specifically for bowling alleys. Instead, bowling alleys are classified as Inside Commercial Amusement use. For reference purpose only, the parking requirement for bowling alleys per Chapter 51A [Section 51A-4.210(a)(7)(C)(ii)] is six spaces per lane. 51A also allows an administrative reduction of twenty percent for retail and personal services uses located within 1,200 feet of a rail station. Thus, the theoretical parking requirement per Chapter 51A for the proposed eight-lane tenant would be 39 spaces.

PUBLISHED DATA

As a validation for the recommended parking supply for the proposed bowling alley, published parking demand data is available from the Institute of Transportation Engineers (ITE). Their *Parking Generation* manual, 4th Edition (2010) provides a reliable compilation of parking demand data from various land uses collected around the country over several years. ITE defines a Bowling Alley (LU 437) as “...recreational facilities that include bowling lanes. A small lounge, restaurant, and/or snack, video games and pool tables may also be available.” **Table 3** provides an excerpt of the published parking demand rates.

Table 3. Published Parking Demand Data for Bowling Alley

	URBAN	SUBURBAN (<i>for reference only</i>)
Observed Range	2.21-4.08 vehicles per lane	4.42-5.95 vehicles per lane
Avg. Peak Demand	3.13 vehicles per lane	5.02 vehicles per lane
85th Percentile	3.78 vehicles per lane	5.58 vehicles per lane

SOURCE: The Institute of Transportation Engineers (ITE) Parking Generation manual, 4th Edition (2010), LU 437

Based upon ITE data, the 85th percentile peak parking demand (a design value) of 3.78 spaces per lane equates to 30 vehicles for the proposed eight-lane bowling alley.

UNIQUE PARKING CHARACTERISTICS

The proposed bowling alley will consist of eight bowling lanes. Bowling alleys are generally visited by patrons arriving in groups. It is common for a significant number of guests to arrive in single vehicles. In addition, given the trends and characteristics of the Deep Ellum district, it is reasonable to anticipate a significant number of patrons to use alternative modes of transportation such as ride-sharing companies (e.g. Uber, Lyft).

The site is located within convenient walking distance (approximately 1,000 linear feet or less than five minutes) of DART Rail System's Green Line (the Deep Ellum Station). Several DART public bus routes (11; 19; 76; and D-LINK, Route 722) are also within walking distance and provide an alternative mode of transportation for employees and patrons.

AVAILABLE PUBLIC PARKING

DeShazo conducted field observations and parking accumulation counts of available public parking in the immediate vicinity of the subject site on Saturday, June 10 and June 17, 2017. Field observations consisted of parking accumulation counts at 9:00 PM and 11:00 PM, which are typical peak hours for both the proposed tenant and adjacent uses. Findings indicate that sufficient pay-for-parking is currently available in the immediate vicinity of the subject property—specifically in City-owned public lots located immediately west of the site, across from Good Latimer Expressway. Parking lot locations and utilization data are illustrated in **Exhibit 1**.

SUMMARY

This study summarizes the Code parking requirement and projected parking needs for a proposed bowling alley (or "Inside Commercial Amusement" use) located at 2600 Main Street in Dallas, Texas. Based upon application of the standard parking requirements from the City of Dallas Development Code, 192 parking spaces are required for the development. However, a parking reduction is supported based upon the property's specific location, the proposed land use's specific characteristics, and anecdotal experience from similar developments in the Dallas-Fort Worth area.

In accordance with Section 51A-4.311(a)(1), the Board of Adjustment may grant a special exception to authorize a maximum reduction of 75% of the number of off-street parking spaces required for "Inside Commercial Amusement" uses. DeShazo supports the maximum exception allowed (i.e. a reduction) of 144 spaces (or 75% of the required 192 spaces) based upon the results of this technical analysis, professional judgment and experience from similar parking. Table 4 summarizes parking comparisons for the proposed bowling alley.

Table 4. Parking Analysis Summary for the Proposed Bowling Alley

REFERENCE	PARKING
ITE's Projected Peak Demand	30 vehicles
Ch. 51A (<i>For reference purpose only</i>)	39 spaces
Proposed Supply (75% Reduction)	48 spaces
Code Requirement per PD 269	192 spaces

PARKING SPECIAL EXCEPTION REQUEST

A Parking Special Exception is requested from the City of Dallas Board of Adjustment. Based upon findings of this analysis, a requirement of 48 spaces will satisfy the parking needs for the proposed bowling alley at 2600 Main Street in Dallas, Texas. A reduction of 144 required spaces is warranted based upon the following considerations as specified in the Dallas Development Code §51A-4.311(a)(2):

(A) The extent of which the parking spaces provided will be assigned, shared, or packed.

The parking reduction request is a function of the site's specific parking demand characteristics. This analysis includes public pay-for-parking available in the immediate vicinity of the site. In addition, per Section 51P-269.105(j)(4)(5), *on-street parking spaces may be counted toward the parking requirement of the use adjacent to the on-street parking space*. A total of eleven public, metered parking spaces are provided along the frontage on Good Latimer Expressway and Commerce Street.

(B) The parking demand characteristics for the occupancy for which the reduction is requested.

According to the ITE *Parking Generation* manual (4th Edition), the projected 85th percentile parking demand for the proposed bowling alley is 30 parking cars based on a rate of 3.78 *vehicles per lane*. Furthermore, the projected parking generation for this use is expected to be significantly reduced due to the typical characteristics of the urban environment in the Deep Ellum area.

(C) Whether or not the subject property is part of a modified delta overlay district.

The requested parking reduction is based upon the site's unique parking demand characteristics and is not based upon any special zoning adjustments.

(D) Current and probably future capacities of adjacent streets based upon city's thoroughfare plan.

The surrounding street system is developed and is generally constructed to the anticipated ultimate plans. The site provides ample site access to the surrounding roadway network.

(E) The availability of public transit and the likelihood of its use.

The site is located within convenient walking distance (approximately 1,000 linear feet or less than five minutes) of DART Rail System's Green Line (the Deep Ellum Station). Several DART public bus routes (11; 19; 76; and D-LINK, Route 722) are also within walking distance and provide an alternative mode of transportation for employees and patrons.

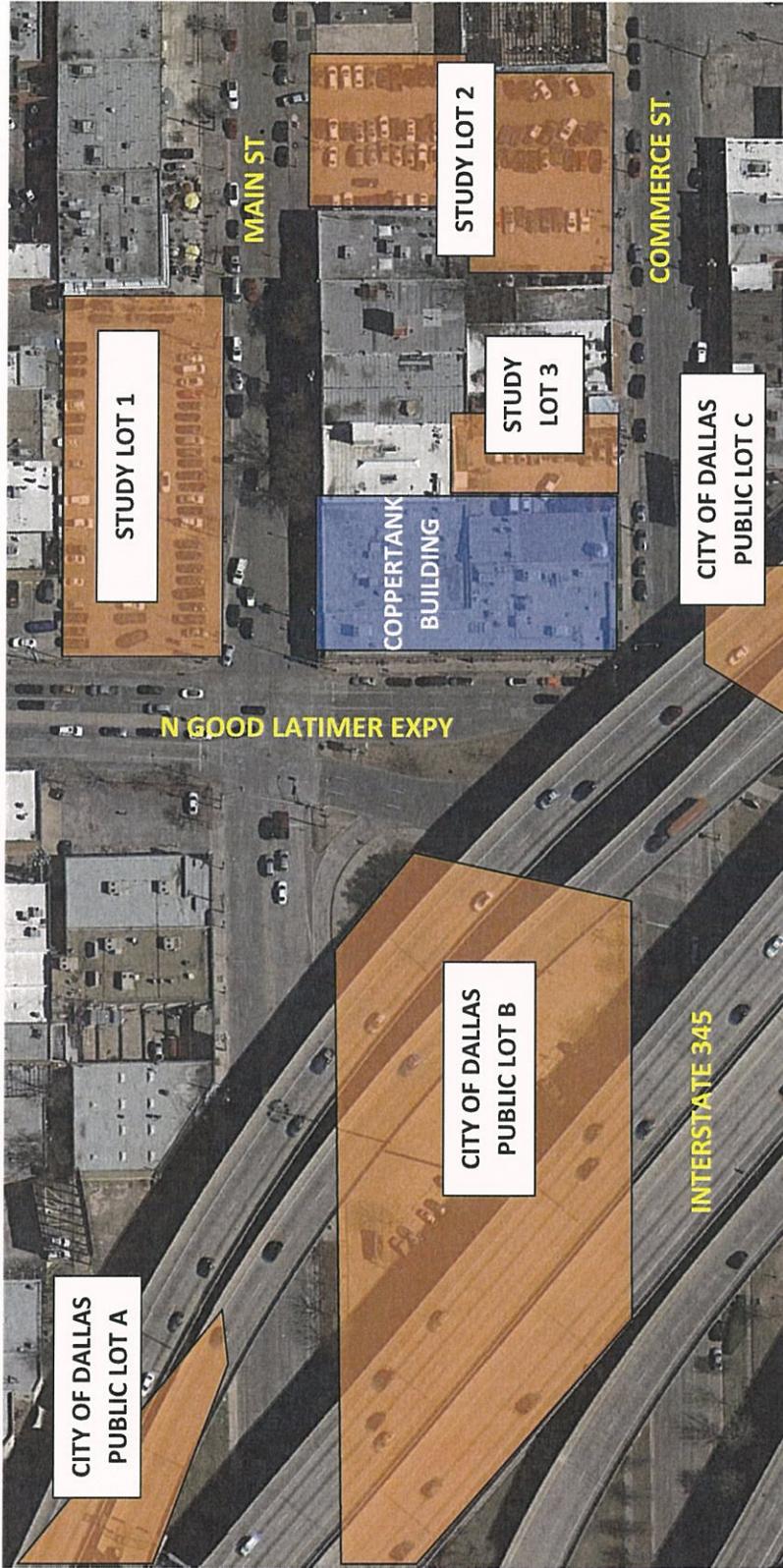
(F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.

The use of alternative modes of transportation is a significant factor in the determination of an adequate parking supply for the proposed bowling alley. The site's strategic location in the Deep Ellum area is an attractive destination for employees and patrons to rely on public transit and other alternative modes of transportation (e.g. Uber, Lyft). The projected parking demand should also include efficiencies as a result of synergy among other uses in the area (e.g., patrons visiting other bars or restaurants before and/or after visiting the bowling alley).

In summary, DeShazo recommends approval of the 144-space reduction to authorize the proposed land use operation. The requested parking reduction will neither create a traffic hazard nor restrict the subject property's operations. It is also presumed that it is in the best interest of the property owner to provide an appropriate parking environment for their patrons.

END OF MEMO

Exhibit 1. Available Off-Street Public Parking Data



NOTE: DeShazo commissioned additional parking demand observations on Saturday, June 17, 2017 during a scheduled event at *The Bomb Factory*. Public lots A and B still provided more than 80 available spaces during the event around 9:00 PM.

Lot	Supply	Observed Parking on June 10, 2017		Available	
		9 PM	11 PM	Parking at 9 PM	Parking at 9 PM
Public Lot A	50	4 (8%)	4 (8%)	46 (92%)	46 (92%)
Public Lot B	159	68 (43%)	78 (49%)	91 (57%)	91 (57%)
Public Lot C	90	33 (37%)	24 (27%)	57 (63%)	57 (63%)
Study Lot 1	75	75 (100%)	75 (100%)	--	--
Study Lot 2	93	93 (100%)	93 (100%)	--	--
Study Lot 3	19	17 (89%)	17 (89%)	--	--
Total:				194 spaces	194 spaces

APPENDIX

*Parking Analysis for
2600 Main Street*

Land Use: 437 Bowling Alley

Description

Bowling alleys are recreational facilities that include bowling lanes. A small lounge, restaurant and/or snack bar, video games and pool tables may also be available.

Database Description

The database consisted of a mix of suburban and urban sites. Parking demand rates at the suburban sites differed from those at urban sites and, therefore, the data were analyzed separately.

- Average site parking supply ratio: 5.6 spaces per lane (13 study sites).

Saturday parking demand was observed at one study site with 64 lanes in a suburban setting. The peak period parking demand ratio was 3.47 vehicles per lane between 11:00 p.m. and 12:00 a.m.

All of the study sites were counted during non-summer months.

Factors such as the extent of ancillary activities (for example, billiards, lounge) and transitions between activities (when one bowling league had not yet ended and the next was about to begin) may have affected parking demand.

The following table presents the time-of-day distribution of parking demand, based on data from the two suburban sites and three urban sites.

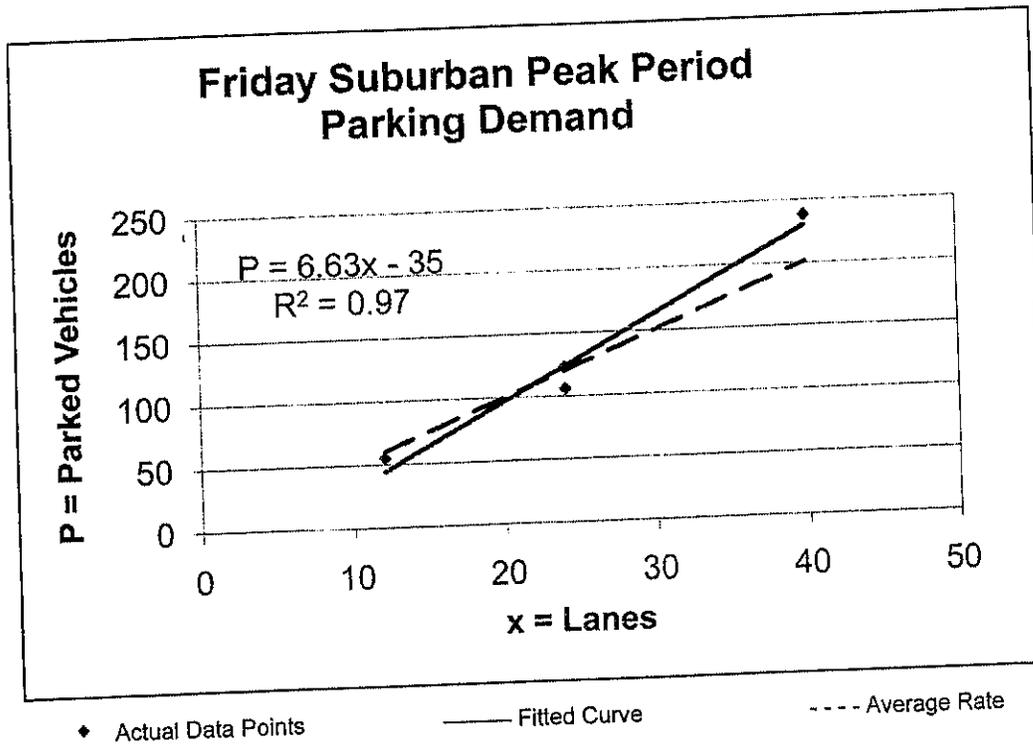
<i>Based on Vehicles per Lane</i>	<i>Non-Friday Weekday</i>	
	<i>Percent of Peak Period</i>	<i>Number of Data Points*</i>
Hour Beginning		
12:00-4:00 a.m.	—	0
5:00 a.m.	—	0
6:00 a.m.	—	0
7:00 a.m.	—	0
8:00 a.m.	—	0
9:00 a.m.	—	0
10:00 a.m.	—	0
11:00 a.m.	—	0
12:00 p.m.	—	0
1:00 p.m.	—	0
2:00 p.m.	—	0
3:00 p.m.	—	0
4:00 p.m.	—	0
5:00 p.m.	51	5
6:00 p.m.	83	5
7:00 p.m.	99	5
8:00 p.m.	100	5
9:00 p.m.	81	5
10:00 p.m.	—	0
11:00 p.m.	—	0

* Subset of database

Land Use: 437 Bowling Alley

Average Peak Period Parking Demand vs. Lanes
On a: Friday
Location: Suburban

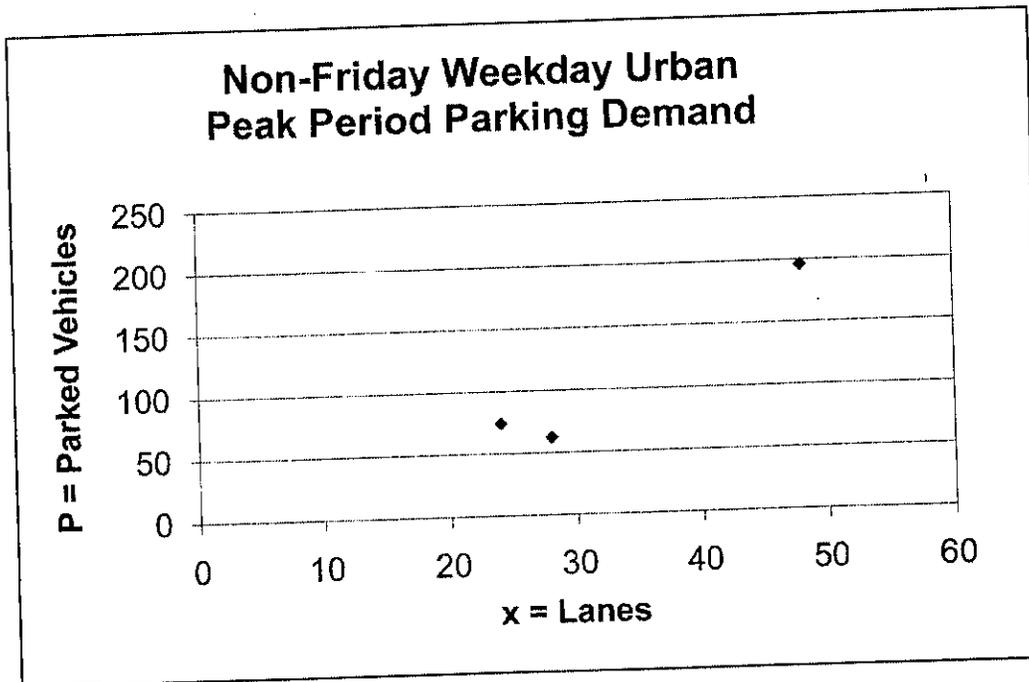
Statistic	Peak Period Demand
	Peak Period
Number of Study Sites	4
Average Size of Study Sites	25 lanes
Average Peak Period Parking Demand	5.02 vehicles per lane
Standard Deviation	0.69
Coefficient of Variation	14%
Range	4.42-5.95 vehicles per lane
85th Percentile	5.58 vehicles per lane
33rd Percentile	4.58 vehicles per lane



Land Use: 437 Bowling Alley

Average Peak Period Parking Demand vs. Lanes
On a: Non-Friday Weekday
Location: Urban

Statistic	Peak Period Demand
Peak Period	7:00–10:00 p.m.
Number of Study Sites	3
Average Size of Study Sites	33 lanes
Average Peak Period Parking Demand	3.13 vehicles per lane
Standard Deviation	0.94
Coefficient of Variation	30%
Range	2.21–4.08 vehicles per lane
85th Percentile	3.78 vehicles per lane
33rd Percentile	2.79 vehicles per lane



◆ Actual Data Points



 1:1,200	NOTIFICATION	Case no: BDA167-097			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">14</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	14	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
14	NUMBER OF PROPERTY OWNERS NOTIFIED				

Notification List of Property Owners

BDA167-097

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2611 COMMERCE ST	42 DEEP ELLUM LLC
2	2625 MAIN ST	42 DEEP ELLUM LP
3	2509 MAIN ST	WESTDALE MAIN LTD
4	2612 COMMERCE ST	DEEP ELLUM HOLDINGS LLC
5	2604 ELM ST	SEJ ASSET MGMT & INVESTMENT CO
6	2610 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
7	2523 MAIN ST	ELM STREET LOFTS LTD
8	2603 MAIN ST	PARKIN ART JOINT VENTURE
9	2612 MAIN ST	KRISITIAN KEVIN 2612 LLC
10	2623 COMMERCE ST	KLUCK LINDA LOU
11	2620 MAIN ST	BLANTON JEANNE
12	2630 COMMERCE ST	WESTDALE PPTIES AMERICA I
13	2622 COMMERCE ST	SDL PARTNERS LTD
14	2616 COMMERCE ST	NOLA LTD

FILE NUMBER: BDA167-106(SL)

BUILDING OFFICIAL'S REPORT: Application of Santos Martinez to appeal the decision of the administrative official regarding 2535 Cambria Boulevard. This property is more fully described as Tract 23, Block H/2794, and is zoned CD 2, which requires compliance with conservation district architectural standards. The applicant proposes to appeal the decision of an administrative official in denying the approval of a conservation district work review.

LOCATION: 2535 Cambria Boulevard

APPLICANT: Santos Martinez

REQUEST:

A request is made to appeal the decision of the administrative official, in this particular application, the Building Official, where the submitted application states "property owner seeks to maintain installation of single hung windows on residential structure rather than double hung windows".

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

Dallas Development Code Sections 51A-3.102(d)(1) and 51A-4.703(a)(2) state that any aggrieved person may appeal a decision of an administrative official when that decision concerns issues within the jurisdiction of the Board of Adjustment.

The Board of Adjustment may hear and decide an appeal that alleges error in a decision made by an administrative official. Tex. Local Gov't Code Section 211.009(a)(1).

Administrative official means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue. Dallas Development Code Section 51A-4.703(a)(2).

BACKGROUND INFORMATION:

Zoning:

Site: CD 2 (Conservation District)
North: CD 2 & R-7.5(A) (Conservation District and Single family residential, 7,500 square feet)
South: CD 2 (Conservation District)
East: R-7.5(A) (Single family residential, 7,500 square feet)
West: CD 2 (Conservation District)

Land Use:

The subject site is developed with a single family use. The areas to the north, south, east and west are developed with single family uses.

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

- The board shall have all the powers of the administrative official on the action appealed. The board may in whole or in part affirm, reverse, or amend the decision of the official.

Timeline:

July 19, 2017: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

September 12, 2017: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

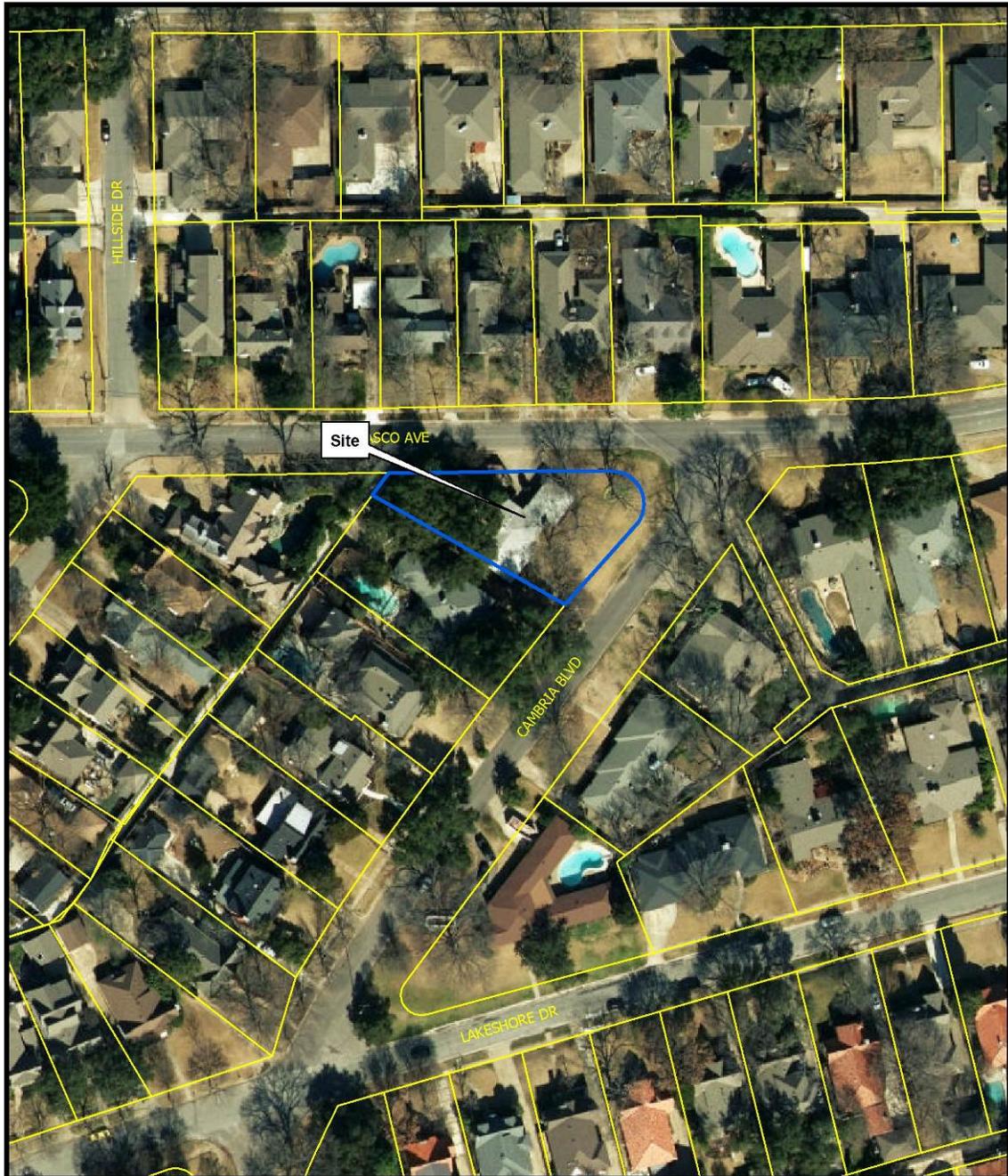
September 12, 2017: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27th deadline to submit additional evidence for staff to factor into their analysis (with a notation that staff does not form a recommendation on this type of application); and the October 6th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the outline of procedure for appeals from decisions of the building official to the board of adjustment; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- October 3, 2017: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Assistant Director of Sustainable Development and Construction, the Sustainable Development and Construction Assistant Director of Engineering, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction

Department Senior Planner, and the Assistant City Attorney to the Board.

No review comment sheets were submitted in conjunction with this application.





 1:1,200	<h1>AERIAL MAP</h1>	Case no: <u>BDA167-106</u> Date: <u>9/21/2017</u>
--	---------------------	--



C

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 167-106

Data Relative to Subject Property:

Date: 7-19-17

Location address: 2535 Cambria Blvd. Zoning District: CD 2

Lot No.: tract 23 Block No.: H/2794 Acreage: .3722 Census Tract: 80.00

Street Frontage (in Feet): 1) 200 2) 112 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Benjamin Charles Lee & Blythe H. Lee

Applicant: Santos T. Martinez Telephone: 214-761-9197

Mailing Address: Zip Code:

E-mail Address:

Represented by: Telephone:

Mailing Address: 900 Jackson, Suite 640 Dallas, TX Zip Code: 75202

E-mail Address: santos@masterplanconsultants.com

Affirm that an appeal has been made for a Variance , or Special Exception , of appeal the decision of the building official

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:

property owner seeks to maintain installation of single hung windows on residential structure rather than double hung windows

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 Santos T. Martinez (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 21 day of July, 2017

Veronica Martinez Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)



City of Dallas

Internal Development Research Site

Legend

Locate Property

Search by:

GIS Account #

Locate

OR

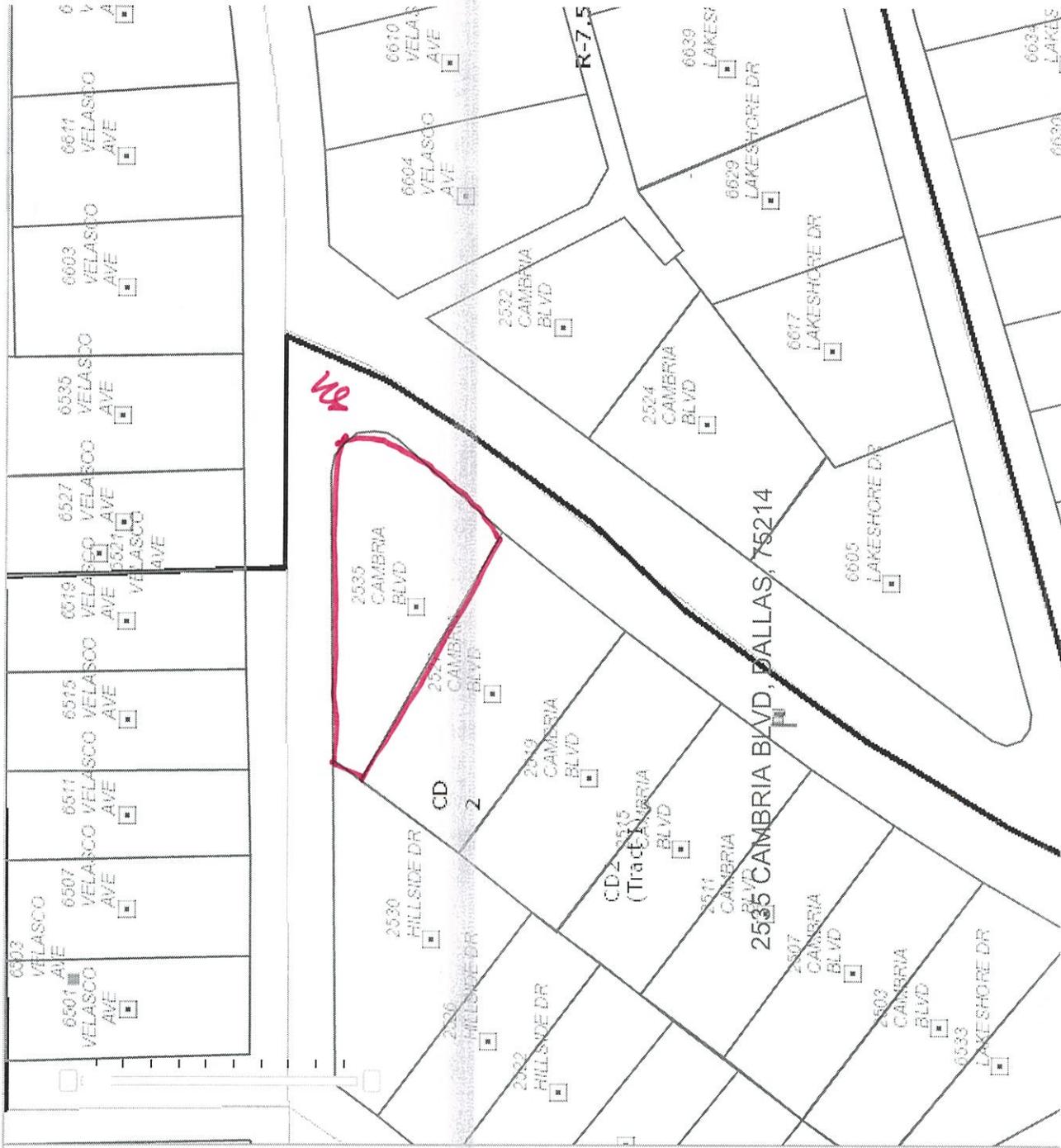
Street address.
2535 cambria

Locate

OR

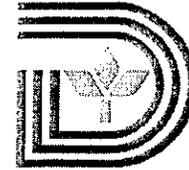
Parcel address.
Use street type for better re

Locate





Conservation District Denial



Lakewood Conservation District

City of Dallas

Date Applied: 08/02/17

Date Reviewed: 08/02/17

Address: 2535 CAMBRIA BLVD

Applicant: MARTINEZ, SANTOS
900 JACKSON
SUITE 640
DALLAS, TX 75202
(214) 761-9197
santos@masterplanconsultants.co

Architectural Style: Colonial Revival

Proposed Work: Other - no permit required

Request a change from double-hung windows to single-hung windows on Colonial Revival style house.

Permit is required: NO

Work is Denied

1. Double-hung windows are required for Colonial Revival-style windows if windows are visible from a street. Required per Ord. 200009(7)(a)(1) and the Conceptual Plan(Exhibit A)(I). Current proposal for single-hung windows does not meet the requirements of the provisions of the ordinance.

Philip Sikes, Building Official

The application was reviewed for compliance with the development standards and design requirements for this Conservation District Ordinance.

This certificate applies only to the work identified on this document. Additional work will have to be reviewed separately.

DENIED



Ben & Blythe Lee
 2535 Cambria
 Lot 23 / Block H / 2794
 Dallas, Texas

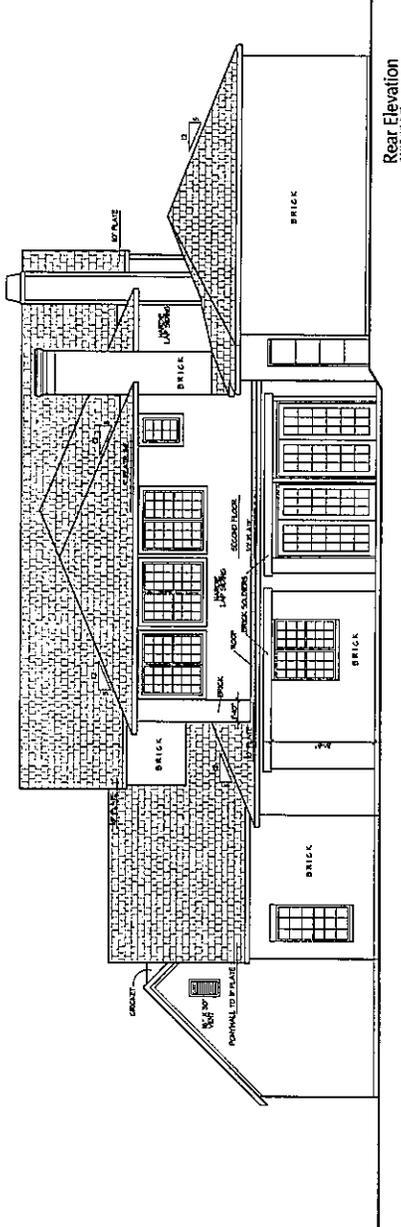
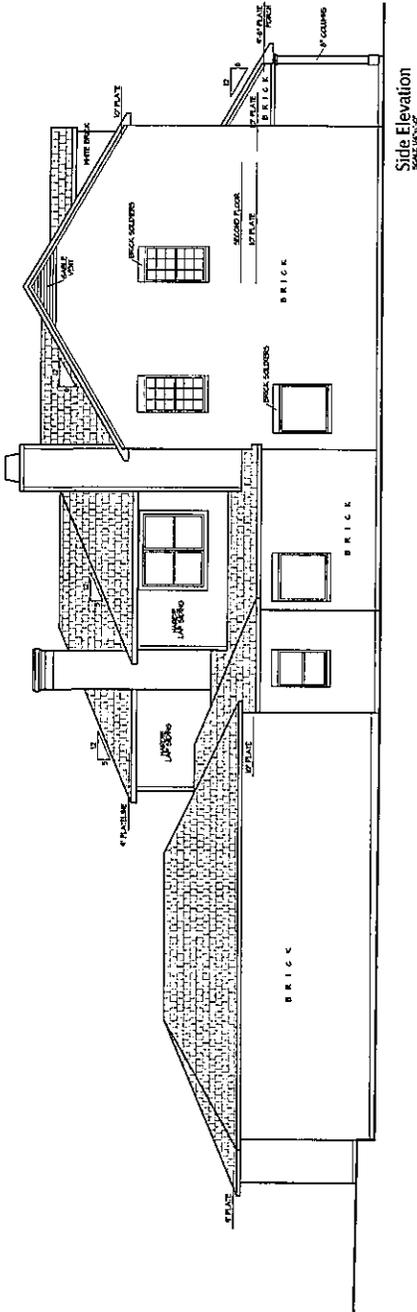
Identification Log	
Date	Revision
2/22/14	Review
4/22/14	Architect
4/22/14	Client/Owner
5/20/14	Revisions per City

**BOB
 ANDERSON
 ARCHITECT**

401 E. Royal Lane, Suite 211, Irving, TX 75039
 (972) 251-9999
 www.bobanderson.net

Elevations

Plan No. 10024 Sheet
 Date: 10/11/13
 Scale: 1/8" = 1'-0" **A-5** of 5





CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 167-106

I, Benjamin C. Lee, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 2535 Cambria Blvd. Dallas, TX 75214
(Address of property as stated on application)

Authorize: Santos T. Martinez (Masterplan)
(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)

XX Other Appeal (specify below)

 appeal the decision of the building official

Benjamin C. Lee [Signature] 7/14/17
Print name of property owner/agent Signature of property owner/agent Date

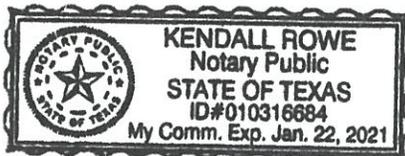
Before me, the undersigned, on this day personally appeared _____

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 14 day of July, 2017

[Signature]
Notary Public for Dallas County, Texas

Commission expires on 01/22/2021





CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 167-106

I, Blythe Holzgraeve Lee, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 2535 Cambria Blvd, Dallas, TX 75214
(Address of property as stated on application)

Authorize: Santos Martinez
(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)

 X Other Appeal (specify below)

appeal decision of building official

Blythe Lee Blythe Lee 8/3/17
Print name of property owner/agent Signature of property owner/agent Date

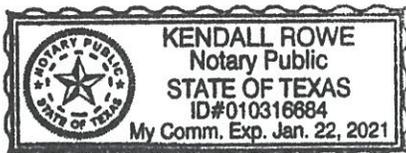
Before me, the undersigned, on this day personally appeared Blythe Lee

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 3 day of August, 2017

Kendall Rowe
Notary Public for Dallas County, Texas

Commission expires on 01/22/2021





CITY OF DALLAS

Outline of Procedure for Appeals from Decisions of an Administrative Official

An appeal of an administrative official's decision may have very structured procedures that resemble a court hearing, or it may have more informal procedures that resemble a typical case brought before the Board of Adjustment. The parties can decide how they want to present their case. This document accounts for both scenarios. Please note that although there are time limits listed in this outline, the presiding officer reserves the right to alter these time limitations to promote fairness and efficiency.

- I. Explanation of the procedures by the presiding officer
- II. Swearing in of all persons who will testify in the case
- III. Applicant's case: 20 minute limit
 - a. This may resemble a typical Board case where the applicant merely presents his argument to the Board. It may also resemble a court hearing where the applicant gives an opening statement, calls witnesses, and offers evidence.
 - b. If the applicant calls a witness, the administrative official is able to cross examine the witness.
 - c. The applicant may conduct a redirect of his witness.
 - d. The applicant may submit documents to the Board Secretary as long as they comply with the documentary evidence rules set forth in the Board's Rules of Procedures.
 - e. The Board may ask questions at any time. Board member questions will not count towards the time limitation.
- IV. The Administrative Official's case: 20 minute limit
 - a. This may resemble a typical Board case where the administrative official presents his argument to the Board. It may also resemble a court hearing where the administrative official gives an opening statement, calls witnesses, and offers evidence.

- b. If the administrative official calls a witness, the applicant is able to cross examine the witness.
 - c. The administrative official may conduct a redirect of his witness.
 - d. The administrative official may submit documents to the Board Secretary as long as they comply with the documentary evidence rules set forth in the Board's Rules of Procedures.
 - e. The Board may ask questions at any time. Board member questions will not count towards the time limitation.
- V. Rebuttal by the applicant (optional): 3 minutes
- VI. Closing Statements
- a. Applicant's closing statement (optional): 3 minutes
 - b. The administrative official's closing statement (optional): 3 minutes
- VII. Move and second to either affirm, reverse, or amend the administrative official's decision.
- VIII. Open discussion of the case by Board members
- IX. Voting: Four concurring votes are required to reverse or amend the administrative official's decision.



 1:1,200	NOTIFICATION		Case no: BDA167-106
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">24</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 9/21/2017

Notification List of Property Owners

BDA167-106

24 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2535 CAMBRIA BLVD	LEE BENJAMIN CHARLES &
2	6507 VELASCO AVE	GRAMS MICHAEL PAUL IRREVOCABLE
3	6514 WESTLAKE AVE	KEY JOHN MICHAEL
4	6515 VELASCO AVE	SWANFELDT H ANDREW &
5	6511 VELASCO AVE	HAMILTON KYLE R &
6	6501 VELASCO AVE	MCCLANAHAN MARK
7	6519 VELASCO AVE	LOGSDON RICHARD E & MINDY WARD
8	2515 CAMBRIA BLVD	PERRON MATTHEW P & KATHRYN ANN
9	2519 CAMBRIA BLVD	YOXALL THOMAS G &
10	2527 CAMBRIA BLVD	LAMBERT ROBERT J &
11	2530 HILLSIDE DR	MAST DAYTON A
12	2526 HILLSIDE DR	RAMIREZ EMMA
13	2522 HILLSIDE DR	CALLENDER JOHN
14	2532 CAMBRIA BLVD	CLARK BRUCE & DORCY
15	2524 CAMBRIA BLVD	SMIT MICHAEL M
16	6605 LAKESHORE DR	GREGG JOHN GUION
17	6617 LAKESHORE DR	DAMELE JOHN J & ANN E
18	6629 LAKESHORE DR	MILLER STEPHEN E &
19	6610 VELASCO AVE	TANKERSLEY RUSSELL K
20	6604 VELASCO AVE	HABERSTOCK CHRISTA SOPHIA E
21	6611 VELASCO AVE	LADD ANDREW
22	6603 VELASCO AVE	SEITER CHARLES J JR
23	6535 VELASCO AVE	BARNETT STACIE K
24	6527 VELASCO AVE	NAGLER THOMAS A

FILE NUMBER: BDA167-113(SL)

BUILDING OFFICIAL'S REPORT: Application of Steven Wood for a variance to the front yard setback regulations at 605 Murdock Road. This property is more fully described as Lot 49, Block 7970, and is zoned R-7.5(A), which requires a front yard setback of 25 feet. The applicant proposes to construct and maintain a structure and provide a 3 foot front yard setback (a 5 foot setback measured at grade with a 2 foot roof eave) which will require a 22 foot variance to the front yard setback regulations.

LOCATION: 605 Murdock Road

APPLICANT: Steven Wood

REQUEST:

A request for a variance to the front yard setback regulations of 22' is made to construct and maintain a one-story single family home structure with a total foundation area of approximately 2,200 square feet, part of which is to be located 3' (roof eave) from one of the site's two front property lines (Nassau Circle) or 22' into this 25' front yard setback on a site that is undeveloped.

STANDARD FOR A VARIANCE:

The Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

- (A) not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;
- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- (C) not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

STAFF RECOMMENDATION:

Denial

Rationale:

- While staff recognized at the time of the October 3rd staff review team meeting that the subject site is unique and different from most lots in the R-7.5(A) zoning district in that it is restrictive in area due to having two, 25' front yard setbacks; that the 50' wide subject site has only 20' of developable width available once a 25' front yard setback is accounted for on the north and a 5' side yard setback is accounted for on the south; and that if the lot were more typical to others in the zoning district with only one front yard setback, the 50' wide site would have 40' of developable width; staff concluded that the applicant had not substantiated how the lot could not be developed in a manner commensurate with the development upon other parcels of land with the same R-7.5(A) zoning district.

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5(A) (Single family residential 7,500 square feet)
North: R-7.5(A) (Single family residential 7,500 square feet)
South: R-7.5(A) (Single family residential 7,500 square feet)
East: R-7.5(A) (Single family residential 7,500 square feet)
West: R-7.5(A) (Single family residential 7,500 square feet)

Land Use:

The subject site is undeveloped. The areas to the north, south, and west are undeveloped, and the area to the east is developed with single family residential uses.

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

- This request for variance to the front yard setback regulations of 22' focuses on constructing and maintaining a one-story single family home structure with approximately 1,700 square feet of living area and with a total foundation area of approximately 2,200 square feet, part of which (roof eave) is to be located 3' from one of the site's two front property lines (Nassau Circle) or 22' into this 25' front yard setback on an undeveloped site.
- The property is located in an R-7.5(A) zoning district which requires a minimum front yard setback of 25 feet.

- The subject site is located at the southwest corner of Nassau Circle and Murdock Road. Regardless of how the structure is proposed to be oriented to front Murdock Road, the subject site has 25' front yard setbacks along both street frontages. The site has a 25' front yard setback along Murdock Road, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in this zoning district. The site also has a 25' front yard setback along Nassau Circle, the longer of the two frontages of this corner lot, which is typically regarded as a side yard where a 5' side yard setback is required. But the site's Nassau Circle frontage that would function as a side yard on the property is treated as a front yard setback nonetheless to maintain the continuity of the established front yard setback established by the lots to the west that front/are oriented northward towards Nassau Circle.
- The submitted scaled site plan indicates that the wall of the proposed structure is located 5' from the Nassau Circle front property line or 20' into this 25' front yard setback but the application is made for a variance of "22' to the FYSB on Nassau to include the 2' roof overhang".
- The Dallas Development Code states that cantilevered roof eaves and balconies may project up to five feet into the required front yard.
- According to DCAD records, there are "no main improvement" or "no additional improvements for property addressed at 605 Murdock Road.
- The subject site is flat, rectangular in shape (approximately 141' x 50'), and according to the submitted application is 0.16 acres (or approximately 7,050 square feet) in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area.
- Most lots in the R-7.5(A) zoning district have one 25' front yard setback, two 5' side yard setbacks, and one 5' rear yard setback; this site has two 25' front yard setbacks and two 5' side yard setbacks.
- The site plan represents that approximately 1/2 of the approximately 2,200 square foot foundation footprint is located in the 25' Nassau Circle front yard setback.
- The 50' wide subject site has 20' of developable width available once a 25' front yard setback is accounted for on the north and a 5' side yard setback is accounted for on the south. If the lot were more typical to others in the zoning district with only one front yard setback, the 50' wide site would have 40' of developable width.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing

this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.

- If the Board were to grant the variance request, and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document– which in this case is a structure that would be located 3’ from the site’s Nassau Circle front property line (or approximately 22’ into this 25’ front yard setback).

Timeline:

August 18, 2017: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

September 12, 2017: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

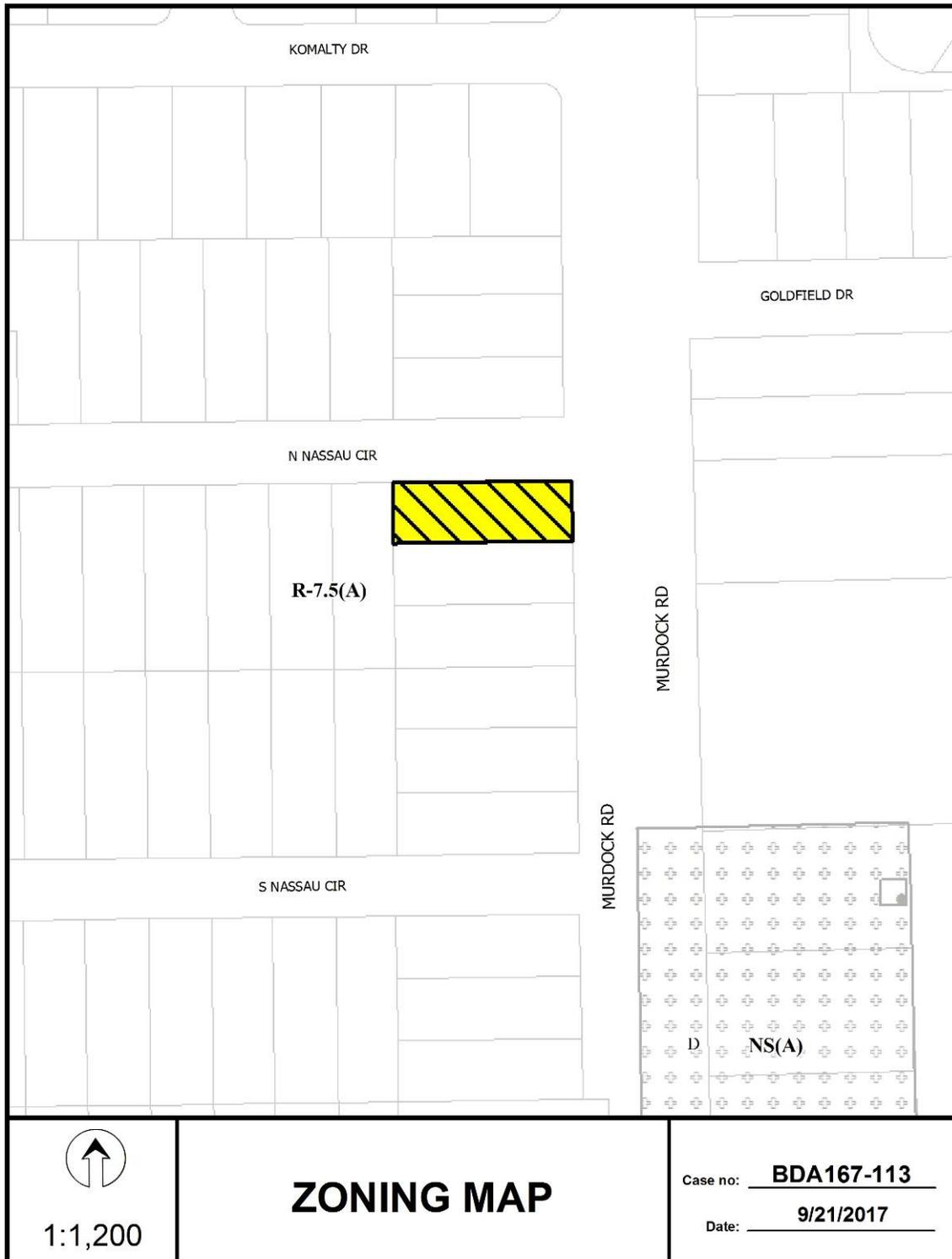
September 12, 2017: The Board Administrator emailed the applicant the following information:

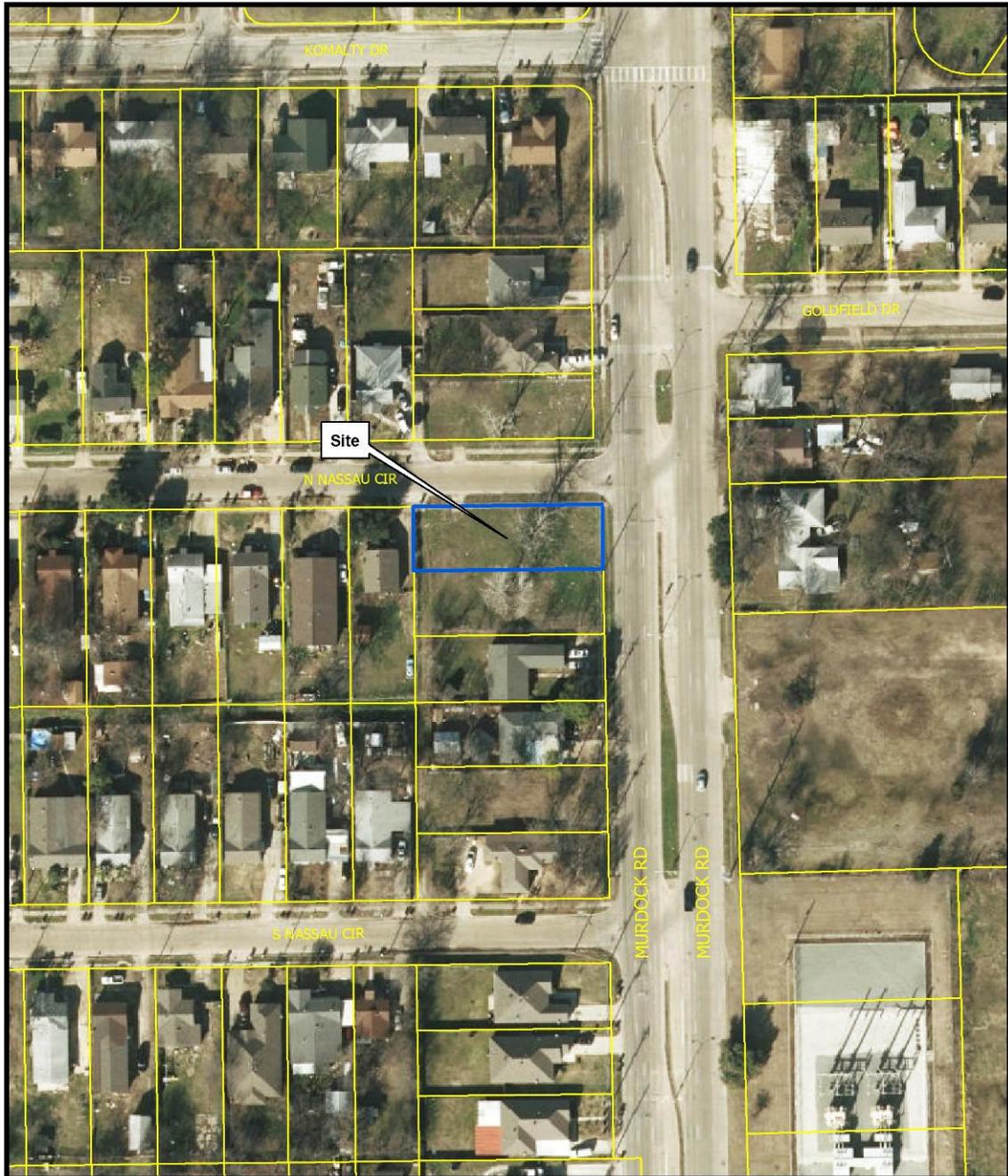
- an attachment that provided the public hearing date and panel that will consider the application; the September 27th deadline to submit additional evidence for staff to factor into their analysis; and the October 6th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

October 3, 2017: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Assistant Director of Sustainable Development and Construction, the Sustainable Development and Construction Assistant Director of Engineering, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

No review comment sheets were submitted in conjunction with this application.

October 4, 2017: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment A). Note that this information was not factored into the staff recommendation since it was submitted after the October 3rd staff review team meeting.





1:1,200

AERIAL MAP

Case no: BDA167-113

Date: 9/21/2017

BDA 167-113
Attach 4
B1



Texas Permit and Development
PO Box 3293, Forney, Texas 75126

(817) 682-7218 steven@txpermit.com



10/1/2017

Members of the Board
City of Dallas
1500 Marilla St, Dallas, TX 75201

Dear Members of the Board,

I am applying for a Variance to the Front Yard Setback along the N Nassau Circle side of 22', this brings the house to what a normal setback would be if not on a corner lot of 5' with a 2' roof overhang. In Chapter 51A-4.112 it refers to the front yard setback of 25' and the side yard setback of 5' for standard setbacks on a normal lot, this however is a corner lot making it abnormal. Therefore, with the additional setback imposed by the development code for being on a corner lot we will be required to provide an additional 20' of setback more than any normal lot in the zoning district. In doing so we have lost the 20' of building space along the N Nassau Circle side and are unable to build a house that is commensurate with the property considering how small our lot is. We are only allowed 2200 square foot of the lot that we are allowed to develop on, when other properties have on average 3300 or more. I have attached a chart that shows that we are trying to stay in touch with the neighborhood and not over build our lot. Which is very clear by the plans we provided, we are only building a 1 story structure right at 2200 square feet.

Furthermore, in constructing this project with the esteemed board members approval, this project will not adversely affect any neighboring properties or the neighborhood in its entirety. Our hope is to do everything we can to improve the neighborhood and its surroundings.

Sincerely,

A handwritten signature in blue ink, appearing to be "Steven W. L.", written in a cursive style.

Texas Permit and Development





BDA-167-113
Attach A
P52

Address	Home Size	Lot Size	Buildable Area	Lot Coverage
605 Murdock	2195	7072	2220	31%
609 Murdock	2195	7083	3930	31%
8029 N Nassau Circle	1432	7481	4200	19%
7502 Ridgewick Drive	1593	7549	4255	21%
307 Tiawah Drive	1558	7390	3450	21%
2574 El Cerrito	2087	7709	3920	27%
6022 Ellsworth	2563	7200	3300	36%
6343 Anita	1887	8060	3840	23%
6260 Mccommas	5273	9656	4437	55%
9915 Lakemere	2102	9088	4800	23%
10128 Parkford	2196	7575	3450	29%
6267 Malcolm	2796	7440	3420	38%



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 167-113

Data Relative to Subject Property:

Date: 8/18/17

Location address: 605 Murdock Rd Zoning District: R-7.5A

Lot No.: 49 Block No.: 7970 Acreage: .16 Census Tract: 116.01

Street Frontage (in Feet): 1) 50' 2) 141.2' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Camden Homes, LLC

Applicant: Steven Wood Telephone: 8176827218

Mailing Address: PO Box 3293 Zip Code: 75246

E-mail Address: Steven@txpermit.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance , or Special Exception _____, of 22' to the FYSB on Nassau to include the 2' roof overhang

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:

We are asking for a variance to the imposed double front yard setback in order to build something commensurate to the neighborhood. We are not trying to overbuild our lot, we are only trying to build a house that is commensurate in square footage with the zoning district

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.

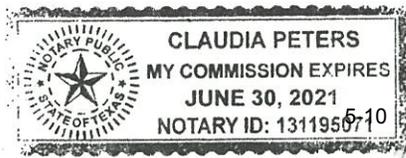
Affidavit

Before me the undersigned on this day personally appeared Steven Wood
(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: [Signature]
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 18th day of August 2017



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

City of Dallas

Internal Development Research Site

Legend

Locate Property

Search by:

GIS Account #

Locate

OR

Street address.

605 murdock

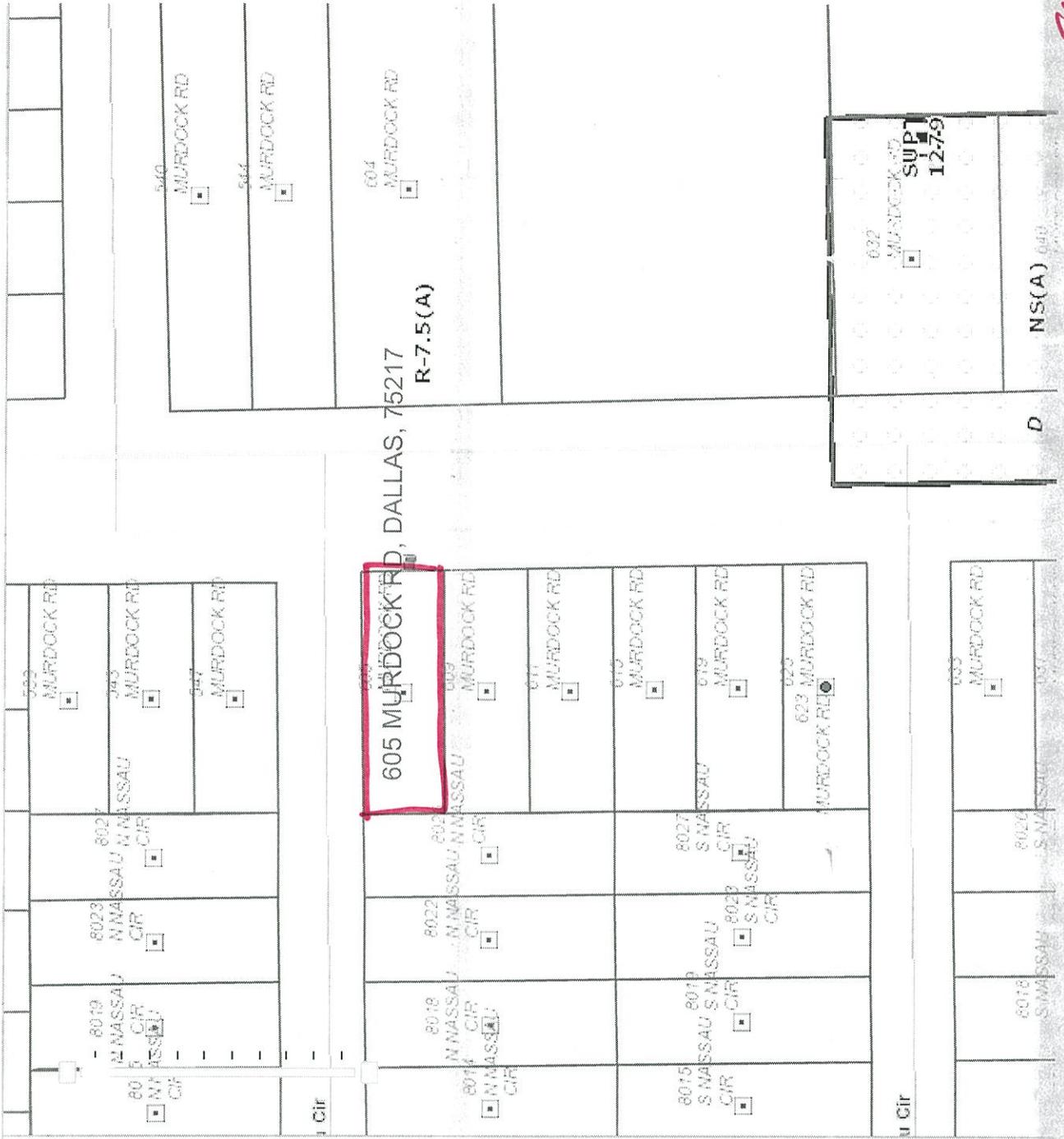
Locate

OR

Parcel address.

Use street type for better re

Locate



Handwritten red initials and the number '1279'.



**CAMDEN
HOMES**

CAMDEN-HOMES
9400 N. Central Expy: Suite 475
Dallas, TX 75231
972.479.8888
WEBA ADDRESS:
www.camden-homes.com

GENERAL INFORMATION:

THIS DRAWING WAS PREPARED FROM INFORMATION FURNISHED BY THE HOME BUILDER. BUILDER SHOULD REVIEW THIS DRAWING TO ENSURE COMPLIANCE WITH ALL ZONING AND BUILDING CODE REGULATIONS FOR THIS PROPERTY.

BEFORE CONSTRUCTION OF ANY KIND, THE BUILDER OR CONTRACTOR SHALL VERIFY ALL PROPERTY LINES, SIDE YARD SETBACKS, AND EASEMENTS IN CONNECTION WITH ALL FEDERAL, STATE, AND LOCAL CODES, ORDINANCES, AND RESTRICTIONS.

STREET, ALLEY AND UTILITY LOCATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO DEVELOPMENT PLANS FOR CONSTRUCTION. BUILDER SHOULD CONFIRM THAT THIS LAYOUT HAS NO CONFLICTS WITH INLETS, TRASH ENCLOSURES, OR OTHER STRUCTURES.

1705C-LEFT

SUBDIVISION:

Meadow Woods

BLOCK:

7970

LOT #:

49

STREET ADDRESS:

605 Murrlock

TOWN:

Dallas, TX

SCALE:

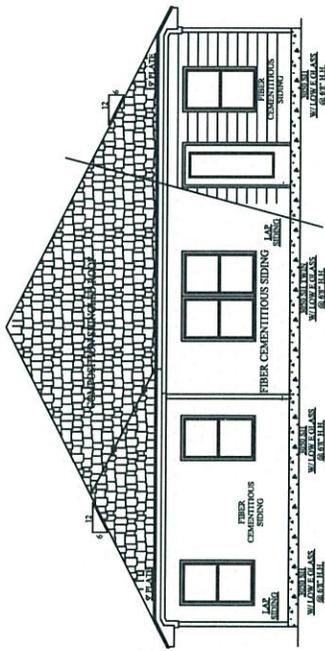
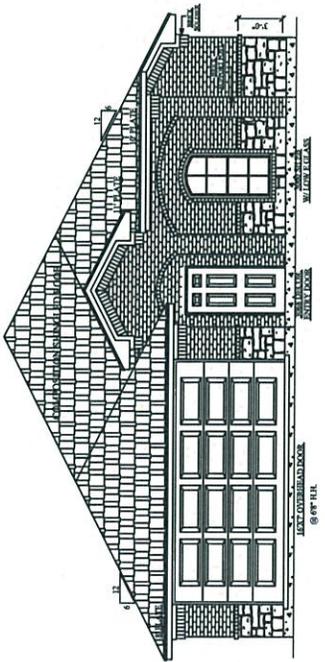
NOTED

DATE:

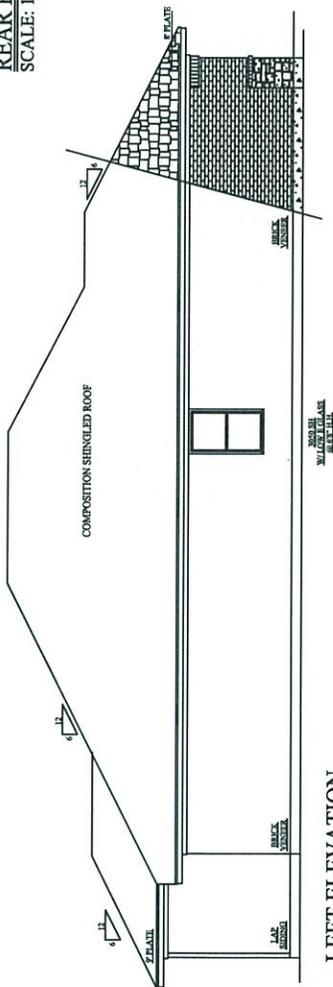
8/17/2017

REV.

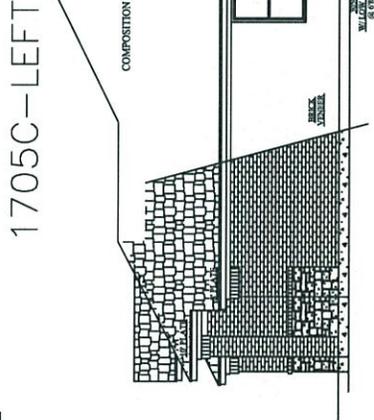
SHEET #



REAR ELEVATION
SCALE: 1/8" = 1'-0"



LEFT ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



**CAMDEN
HOMES**

CAMDEN-HOMES
9400 N. Central Expwy, Suite 475
Dallas, TX 75231
972-470-8888
1705C-LEFT
www.camdenhomes.com

GENERAL INFORMATION:

THIS DRAWING WAS PREPARED FROM INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT AND ENGINEER SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT AND ENGINEER SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

BEFORE CONSTRUCTION OF ANY KIND, THE ARCHITECT OR CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, SIDE YARD SETBACKS, AND EASEMENTS. THE ARCHITECT AND ENGINEER SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

STREET ALLEY AND GROUND LEVEL ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO DEVELOPMENT PLANS FOR CONSTRUCTION. BUILDER SHOULD CONFIRM THAT THIS LAYOUT HAS NO CONFLICTS WITH INLETS, TRAPS, MANHOLES, GUTTERS, OR OTHER STRUCTURES.

1705C-LEFT

SUBDIVISION:
MEADOW WOODS

BLOCK:
7970

LOT #:
49

STREET ADDRESS:
605 MURDOCK

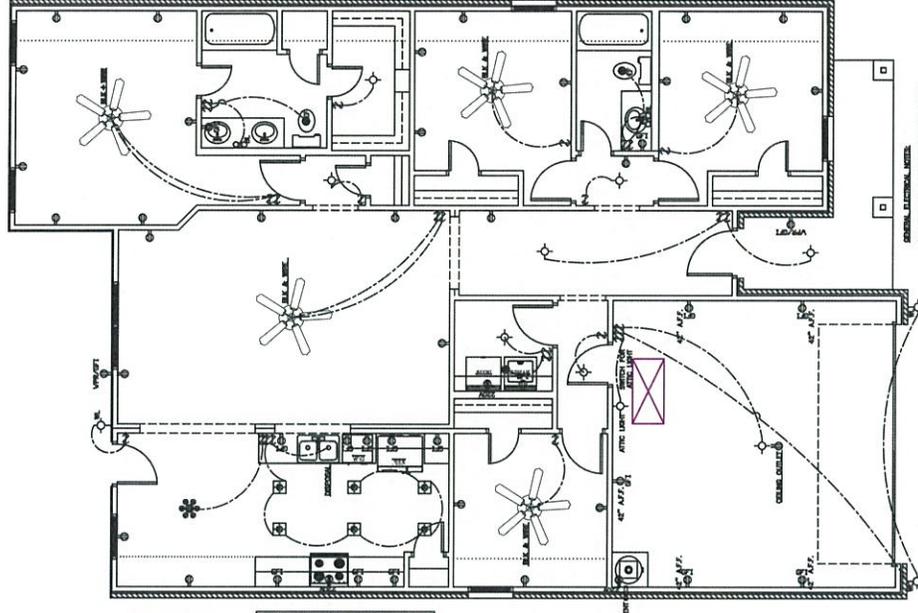
TOWN:
DALLAS, TX

SCALE: NOTED

DATE: 8/17/2017

REV. A

SHEET #



- GENERAL ELECTRICAL NOTES:**
1. VERIFY ALL EXISTING ELECTRICAL, PLUMBING, AND MECHANICAL CONDITIONS PRIOR TO CONSTRUCTION.
 2. ALL WIRING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL CODES.
 3. ALL WIRING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL CODES.
 4. ALL WIRING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL CODES.

WINDOW SCHEDULE

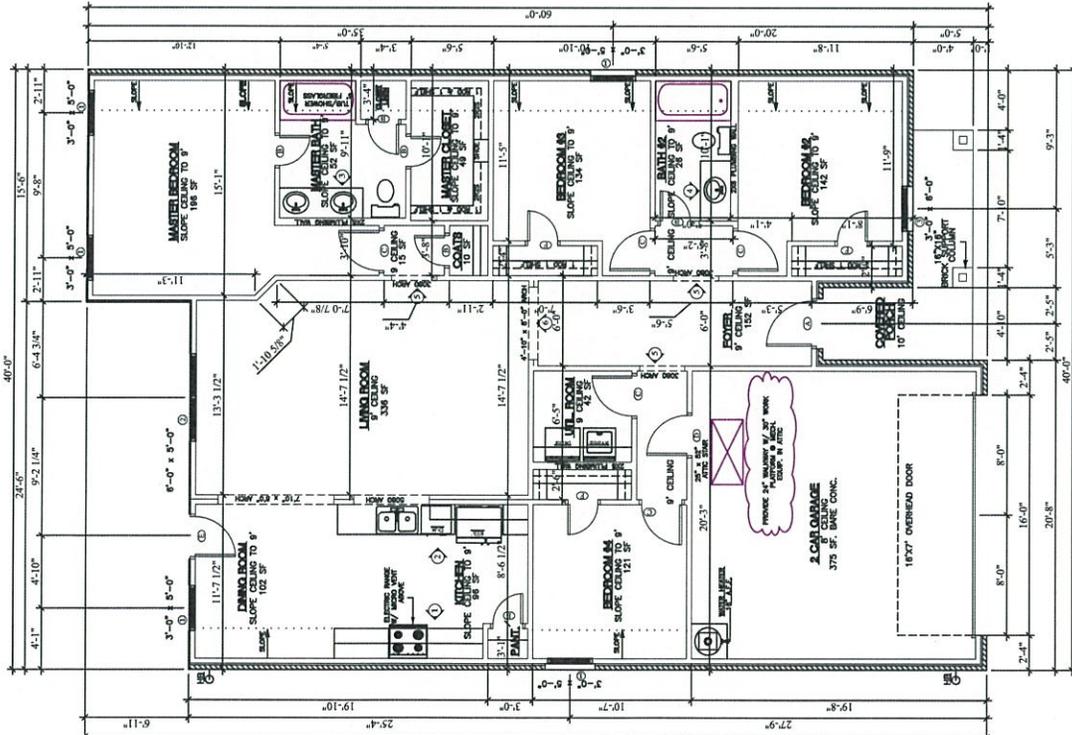
SIZE	COUNT	OPENING ID	LIBRARY NAME
3'-0" x 5'-0"	5	1	SH
6'-0" x 8'-0"	1	2	SH MALLED
3'-0" x 6'-0"	1	3	SH EB DL

DOOR SCHEDULE

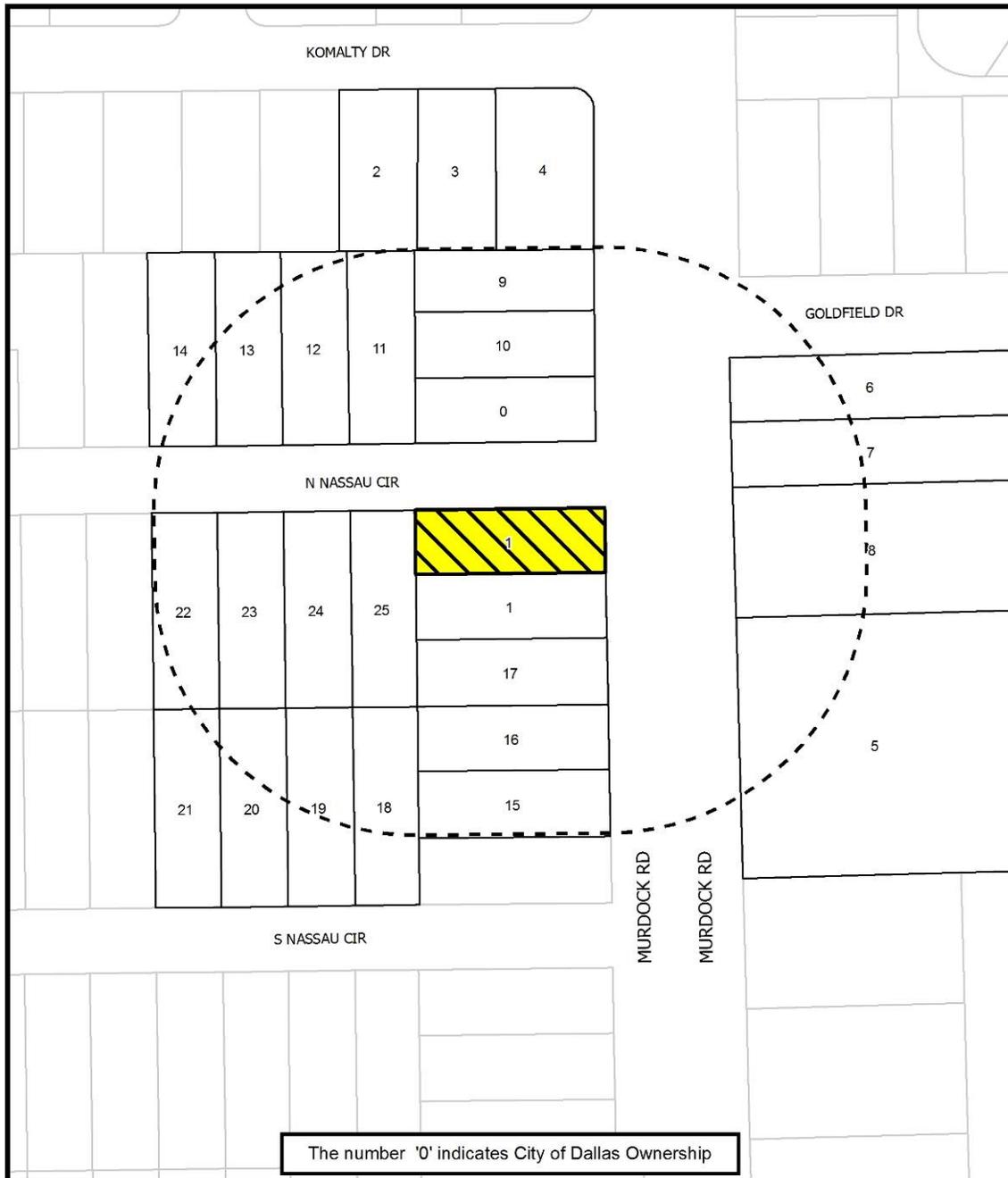
SIZE	COUNT	TYPE	OPENING ID
3'-0"	1	DECOR. EXT. DOOR	A
2'-0"	6	INT. DOOR	B
2'-8"	5	INT. DOOR	C
2'-8"	1	SOLID CORE EXT. DOOR	D
2'-8"	1	FALL LITE EXT. DOOR	E
2'-10" x 8'-0"	3	INT. DOOR	F

AREA TOTALS
LIVING AREA 1705
2 CAR GARAGE 400
COVERED PORCH 80
TOTAL FOUNDATION 2185

ELECTRICAL PLAN
SCALE: 1/8" = 1'-0"



FLOOR PLAN
SCALE: 1/8" = 1'-0"



 1:1,200	<h2 style="margin: 0;">NOTIFICATION</h2> <table style="margin: 10px auto; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; padding: 2px 5px; font-weight: bold;">200'</td> <td style="padding: 2px 5px;">AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px 5px; font-weight: bold;">25</td> <td style="padding: 2px 5px;">NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	25	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> BDA167-113 </u> Date: <u> 9/21/2017 </u>
200'	AREA OF NOTIFICATION					
25	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA167-113

25 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	609 MURDOCK RD	CAMDEN HOMES LLC
2	8036 KOMALTY DR	WRIGHT MAE D
3	8040 KOMALTY DR	WRIGHT DOROTHY MAE
4	8046 KOMALTY DR	HERNANDEZ ANGELA
5	600 MURDOCK RD	HERNANDEZ LUIS JR
6	540 MURDOCK RD	PERDOMO JOSE MAURICIO &
7	544 MURDOCK RD	CAMBEROS ALFONSO & LUISA
8	604 MURDOCK RD	LANDA LIZETH &
9	539 MURDOCK RD	CINDOMENDOZA JULIAN &
10	543 MURDOCK RD	BECCA PROPERTIES LLC
11	8027 N NASSAU CIR	SANTOS J SALOME &
12	8023 N NASSAU CIR	SETURINO ERNESTO & MARIA
13	8019 N NASSAU CIR	NAJERA ASHLEY & B KYLE
14	8015 N NASSAU CIR	PEREZ ALVARO &
15	619 MURDOCK RD	THOMPSON LONZO
16	615 MURDOCK RD	HERNADEZ LUIS & VIRGINIA
17	611 MURDOCK RD	DAVIS VIRGINIA K
18	8027 S NASSAU CIR	RELLES ANTONIO & RAFAELA REYES
19	8023 S NASSAU CIR	NERI MAXIMINO REYES &
20	8019 S NASSAU CIR	SELVERA JOSE MEDINA
21	8015 S NASSAU CIR	QUINTERO DAVID &
22	8014 N NASSAU CIR	CALIXTO JUAN & BEATRIZ
23	8018 N NASSAU CIR	ARCHILLA JUAN G
24	8022 N NASSAU CIR	RODRIGUEZ SALVADOR &
25	8026 N NASSAU CIR	PEREZ MARIA &