

ZONING BOARD OF ADJUSTMENT, PANEL C  
MONDAY, JUNE 27, 2016  
AGENDA

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BRIEFING	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.

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**Donna Moorman, Chief Planner**  
**Steve Long, Board Administrator**  
**Jennifer Munoz, Senior Planner**

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**MISCELLANEOUS ITEM**

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Approval of the May 16, 2016 Board of Adjustment Panel C Public Hearing Minutes	M1
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**UNCONTESTED CASES**

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<b>BDA156-056(SL)</b>	5111 East Side Avenue <b>REQUEST:</b> Application of Ryan Wehner, represented by Zachary Webster, for special exceptions to the fence height and visual obstruction regulations	1
<b>BDA156-060(SL)</b>	3910 Gaston Avenue <b>REQUEST:</b> Application of Robert Reeves for a special exception to the off-street parking regulations at	2
<b>BDA156-061(JM)</b>	11922 Audelia Road <b>REQUEST:</b> Application of Migjen Fetaj for a special exception to the fence height regulations	3
<b>BDA156-067(SL)</b>	10370 N. Central Expressway <b>REQUEST:</b> Application of Maxwell Fisher of Masterplan for a special exception to the off-street parking regulations	4

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**REGULAR CASE**

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**BDA156-065(SL)**

6730 Sunnyland Lane

**REQUEST:** Application of Steven Wood for a variance to the front yard setback regulations

5

## EXECUTIVE SESSION NOTICE

The Commission/Board may hold a closed executive session regarding any item on this agenda when:

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 Commission/Board 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 §551.086]

**(Rev. 6-24-02)**

**FILE NUMBER:** BDA156-056(SL)

**BUILDING OFFICIAL'S REPORT:** Application of Ryan Wehner, represented by Zachary Webster, for special exceptions to the fence height and visual obstruction regulations at 5111 East Side Avenue. This property is more fully described as Lot 9, Block D/1422, and is zoned D(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain an 8 foot high fence, which will require a 4 foot special exception to the fence height regulations, and to locate/maintain items in required visibility triangles, which will require special exceptions to the visual obstruction regulations.

**LOCATION:** 5111 East Side Avenue

**APPLICANT:** Ryan Wehner  
Represented by Zachary Webster

**REQUESTS:**

The following requests have been made on a site that is developed with a multifamily structure/use:

1. A request for a special exception to the fence height regulations of 4' is made to maintain 8' high wood fences and gate.
2. Requests for special exceptions to the visual obstruction regulations are made to maintain portions of the 8' high wood fence in the 20' visibility triangles at the driveway into the site from East Side Avenue.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:**

Section 51A-4.602 of the Dallas Development Code states that the board may grant a special exception to the height requirement for fences when in the opinion of the board, the special exception will not adversely affect neighboring property.

**STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:**

The Board shall grant a special exception to the requirements of the visual obstruction regulations when, in the opinion of the Board, the item will not constitute a traffic hazard.

**STAFF RECOMMENDATION (fence height):**

No staff recommendation is made on this or any request for a special exception to the fence height regulations since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring property.

**STAFF RECOMMENDATION (visual obstruction):**

Approval, subject to the following condition:

- Compliance with the submitted revised site plan/elevation is required.

Rationale:

- The Sustainable Development and Construction Department Project Engineer had indicated that he has no objections to the requests with the condition that the submitted site plan is imposed as a condition to this request.
- The applicant had substantiated how the location of 8' high wood fence in the 20' visibility triangles at the driveway into the site from East Side Avenue does not constitute a traffic hazard.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: D(A) (Duplex)  
North: D(A) (Duplex)  
South: D(A) (Duplex)  
East: D(A) (Duplex)  
West: D(A) (Duplex)

**Land Use:**

The subject site is developed with a multifamily structure/use. The areas to the north, south, east, and west appear to be 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 (fence height):**

- This request focuses on maintaining 8' high wood fences and gate on a site developed with a multifamily structure use.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard.
- The site is zoned D(A) Duplex which requires a minimum front yard setback of 25'.
- The applicant has submitted a revised site plan/elevation of the proposal in the front yard setback that reaches a maximum height of 8'.

- The following additional information was gleaned from the submitted revised site plan/elevation:
  - One of the fences exceeding 4' in height on the subject site is approximately 50' in length parallel to the street, and approximately 15' in length perpendicular to the street on the east and west sides of the site in the front yard setback. This fence/gate is approximately 10' from the property line or 18' from the pavement line.
  - The other fence exceeding 4' in height on the subject site is perpendicular to the street on the east side of the site, and located approximately 4' from the front property line and 21' into the 25' from yard setback.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other fences above 4 feet high which appeared to be located in a front yard setback.
- Two homes front the proposal. Neither of these have fences in the front yard setback.
- As of June 17<sup>th</sup>, no letters had been submitted in support of or in opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 4' will not adversely affect neighboring property.
- Granting this special exception of 4' with a condition imposed that the applicant complies with the submitted revised site plan/elevation would require the proposal exceeding 4' in height in the front yard setback to be maintained in the location and of the heights and materials as shown on this document.

**GENERAL FACTS/STAFF ANALYSIS (visual obstruction):**

- These requests focus on maintaining portions of the 8' high wood fence in the 20' visibility triangles at the driveway into the site from East Side Avenue.
- The Dallas Development Code states the following: A person shall not erect, place, or maintain a structure, berm, plant life or any other item on a lot if the item is:
  - in a visibility triangle as defined in the Code (45-foot visibility triangles at street intersections, and 20 foot visibility triangles at drive approaches and at alleys on properties zoned single family); and
  - between two and a half and eight feet in height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).
- The applicant has submitted a revised site plan/elevation denoting portions of the existing 8' wood fence located in the 20' visibility triangles at the driveway into the site from East Side Avenue.
- The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Has no objections if certain conditions are met" with the following additional comment: "subject to the site plan."
- The applicant has the burden of proof in establishing how granting the requests for special exceptions to the visual obstruction regulations to maintain an 8' high solid wood fence in the two 20' visibility triangles at the driveway into the site from East Side Avenue does not constitute a traffic hazard.

- Granting these requests with the condition that the applicant complies with the submitted revised site plan/elevation would require the items in the visibility triangles to be limited to and maintained in the locations, height and materials as shown on this document.

**Timeline:**

May 25, 2016: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

May 10, 2016: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

May 11, 2016: The Board Administrator emailed the applicant’s representative 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 June 8<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the June 17<sup>th</sup> 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.”

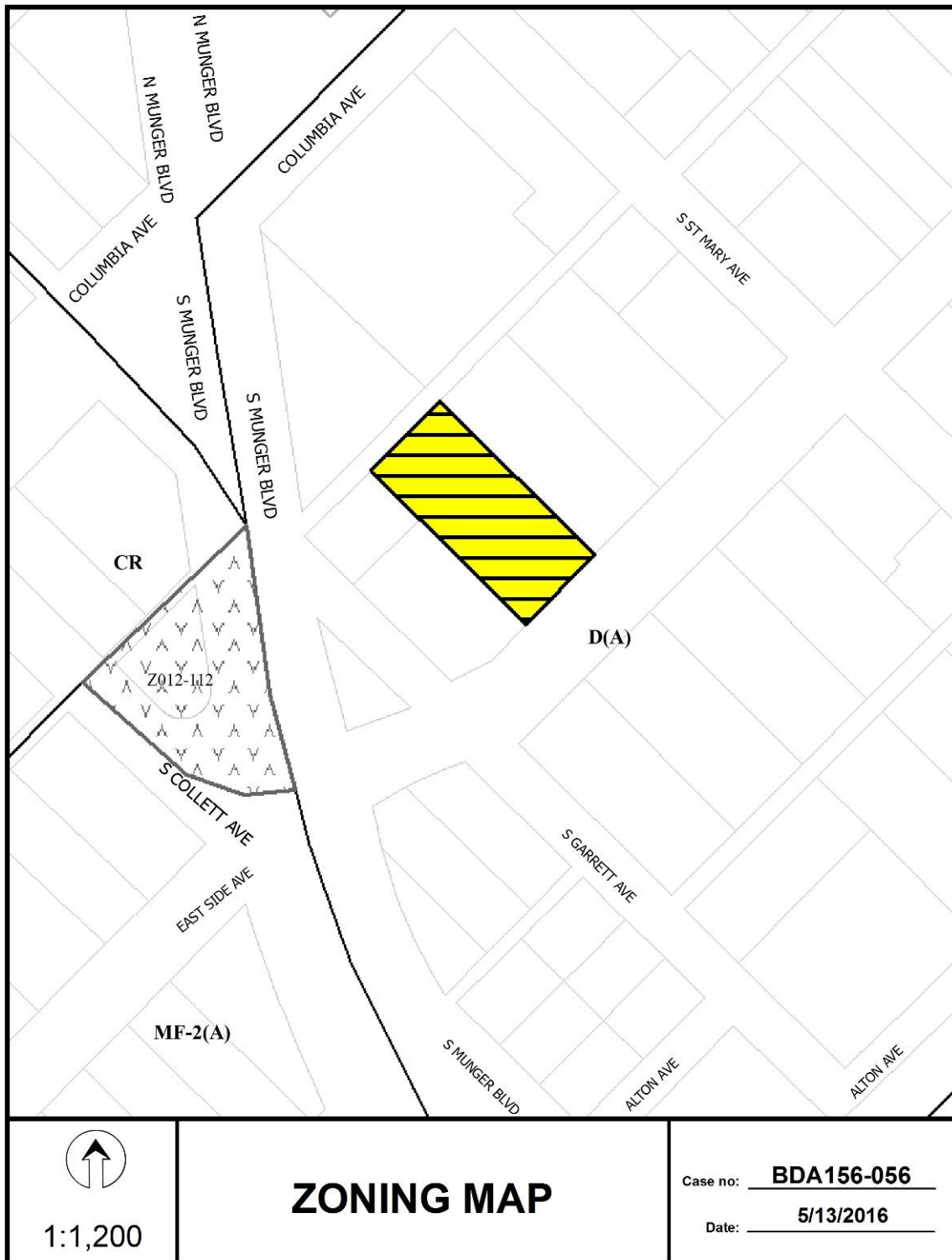
June 14, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection, Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

June 14, 2016: The Board Administrator made the applicant’s representative aware of the fact that the fence represented on the submitted site plan/elevation shows an 8’ high wood fence with vertical wood slats that does not coincide with the existing wood fence on the subject site that is of horizontal wood slats, and that because of this discrepancy, he will be required to modify the existing fence to that what is shown on his submitted site plan/elevation if he does not submit a revised site plan/elevation prior to or at the public hearing that represents a fence with horizontal wood slats.

June 17, 2016: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked “Has no objections if certain conditions are met” with the following additional comment: “subject to the site plan.”

June 17, 2016: The applicant’s representative submitted additional documentation on this application (a revised site plan/elevation) (see Attachment A).



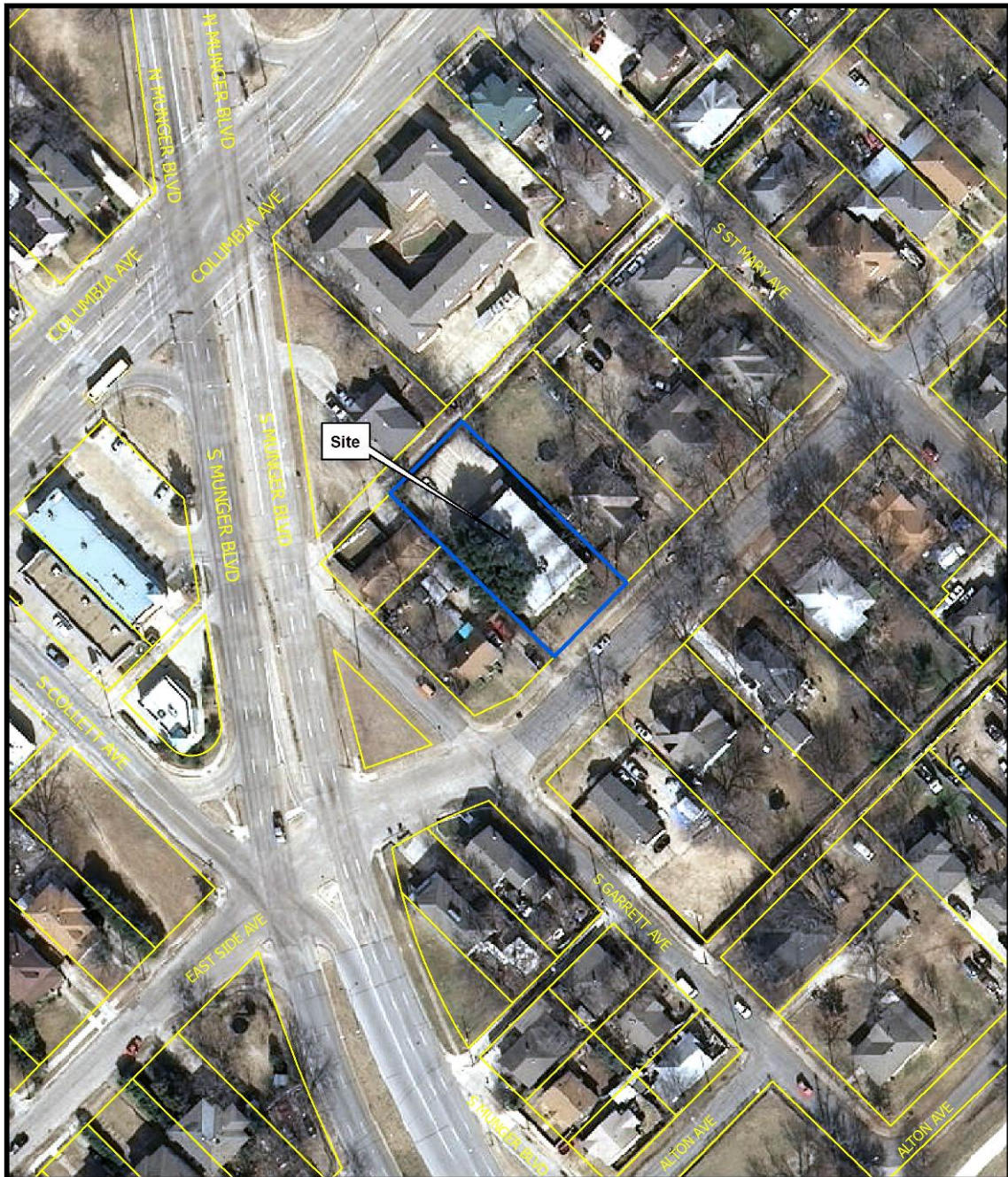


1:1,200

# ZONING MAP

Case no: BDA156-056

Date: 5/13/2016



1:1,200

## AERIAL MAP

Case no: BDA156-056

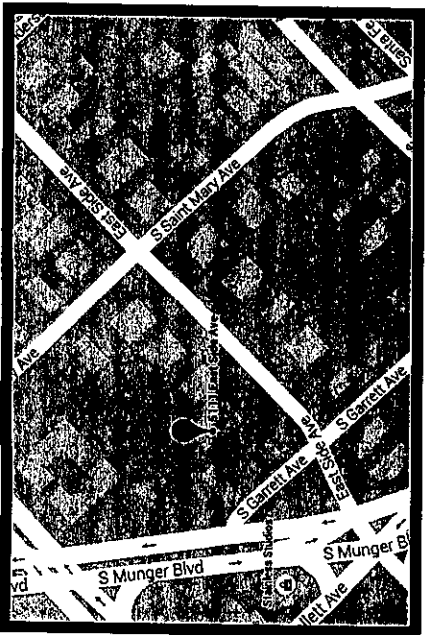
Date: 5/13/2016

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 "Planning and Designing a Better Tomorrow"  
 317 E. JEFFERSON BLVD.  
 DALLAS, TX. 75203  
 TEL. (214) 948-4300  
 FAX. (214) 948-9544

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE REFERRED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BEFORE BEGINNING CONSTRUCTION OF ANY KIND, ALL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION, CONSTRUCTION SERVICES, HVAC, AND STRUCTURAL, BEFORE BEGINNING CONSTRUCTION OF ANY KIND, MUST BE OBTAINED FROM THE CITY OF DALLAS, TEXAS, AND ALL CONTRACTORS OF THIS JOB MUST BE AWARE OF ANY APPLICABLE ORDINANCES, RULES, AND REGULATIONS THAT MAY APPLY TO THIS PROJECT. GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS. HOWEVER, BECAUSE OF THE VARIANCE IN GEOPHYSIC LOCATIONS, CONSTRUCTION CONDITIONS, OR DEFICIENCIES ON THESE PLANS, OWNER/BUILDER MUST COMPLY WITH ALL APPLICABLE CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE PURCHASE OF THESE PLANS ENTERS THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE, ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.

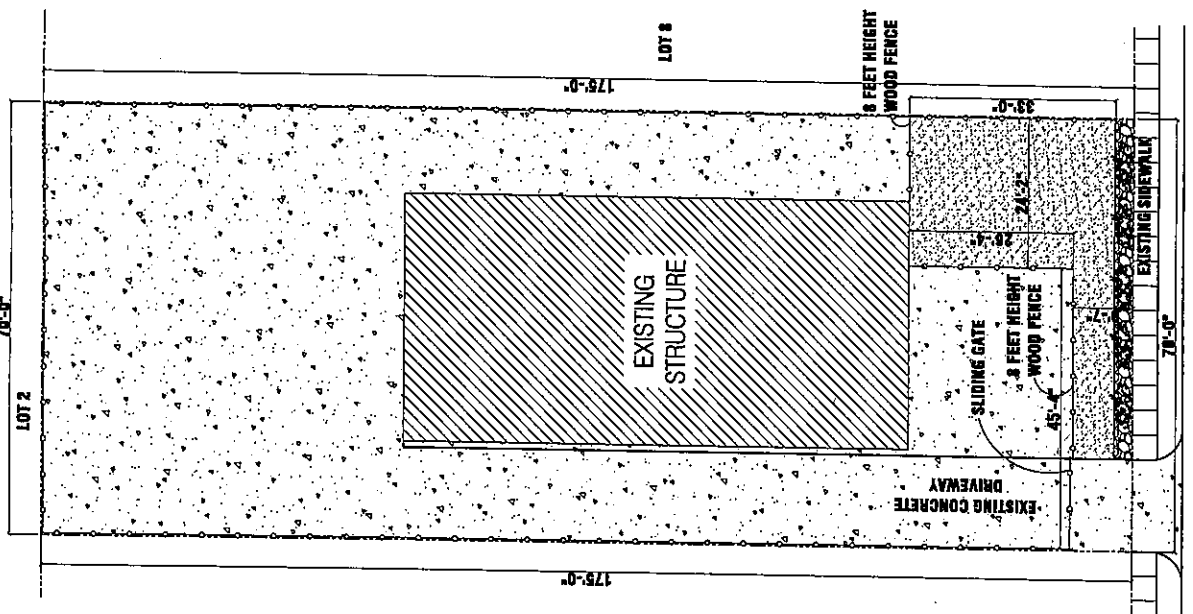
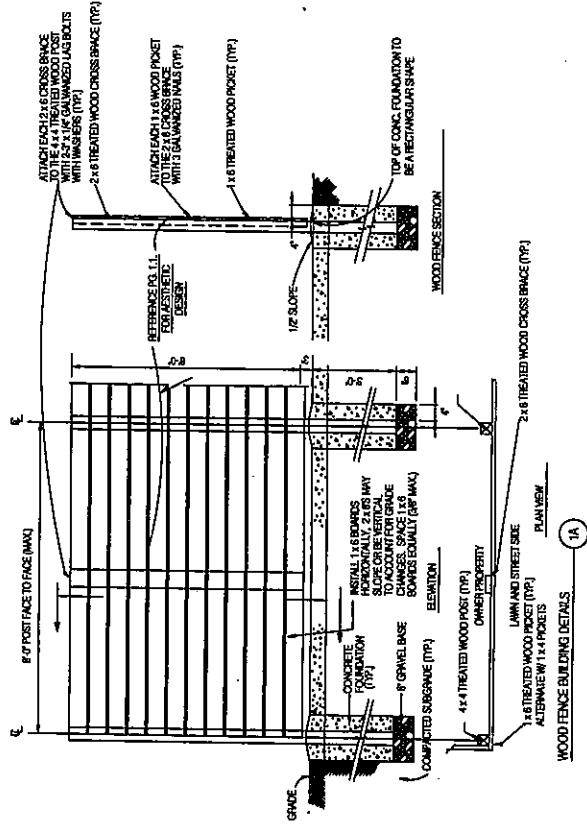
Project Name & Address  
 5111 EAST SIDE AVE.  
 DALLAS, TX.  
 75214

Project	Sheet
SITE PLAN	1
Date	03/24/16
Scale	1 to 20 = 1'
Drawn By	J.R.



VICINITY MAP  
 -for reference only

LEGAL DESC:  
 FREEMANS COLUMBIA AVE  
 BLK D/1422 LOT 9



SITE PLAN  
 SCALE: 1 IN = 20'-0"



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 156-056

Data Relative to Subject Property:

Date: 3-25-16

Location address: 5111 East Side Avenue, Dallas Tx 75214 Zoning District: D(A)

Lot No.: 9 Block No.: D11422 Acreage: .30 Census Tract: 24.00

Street Frontage (in Feet): 1) 75 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): East Side Lifestyles LLC

Applicant: Ryan Wehner Telephone: 760-716-2061

Mailing Address: 7075 Twin Hills Ave Ste. 600, Dallas TX Zip Code: 75231

E-mail Address: Ryan@wehnermultifamily.com

Represented by: Zachary Webster Telephone: 469-631-6103

Mailing Address: 7075 Twin Hills Ave. Ste. 600, Dallas Tx. Zip Code: 75231

E-mail Address: Zachary@wehnermultifamily.com

Affirm that an appeal has been made for a Variance   , or Special Exception X, of four foot fence height in front yard, and visibility triangle obstruction at driveway

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 fence is designed in such a way as to not have a negative impact on the community, and to improve the appearance of the surrounding neighborhood.

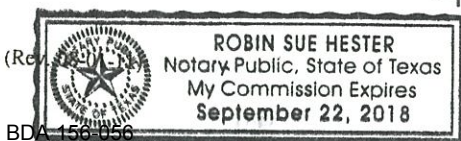
Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Ryan Wehner (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 25th day of March, 2016



[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

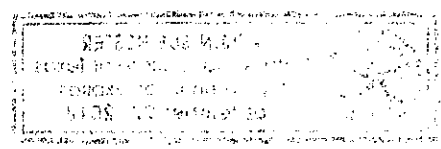
Building Official's Report

I hereby certify that Ryan Wehner  
represented by Zachary Webster  
did submit a request for a special exception to the fence height regulations, and for a special  
exception to the visibility obstruction regulations  
at 5111 East Side Avenue

BDA156-056. Application of Ryan Wehner represented by Zachary Webster for a special exception to the fence height regulations and a special exception to the visibility obstruction regulations at 5111 East Side Avenue. This property is more fully described as Lot 9, Block D/1422, and is zoned D(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulation, and to construct a single family residential fence structure in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,

*Philip Sikes*  
Philip Sikes, Building Official

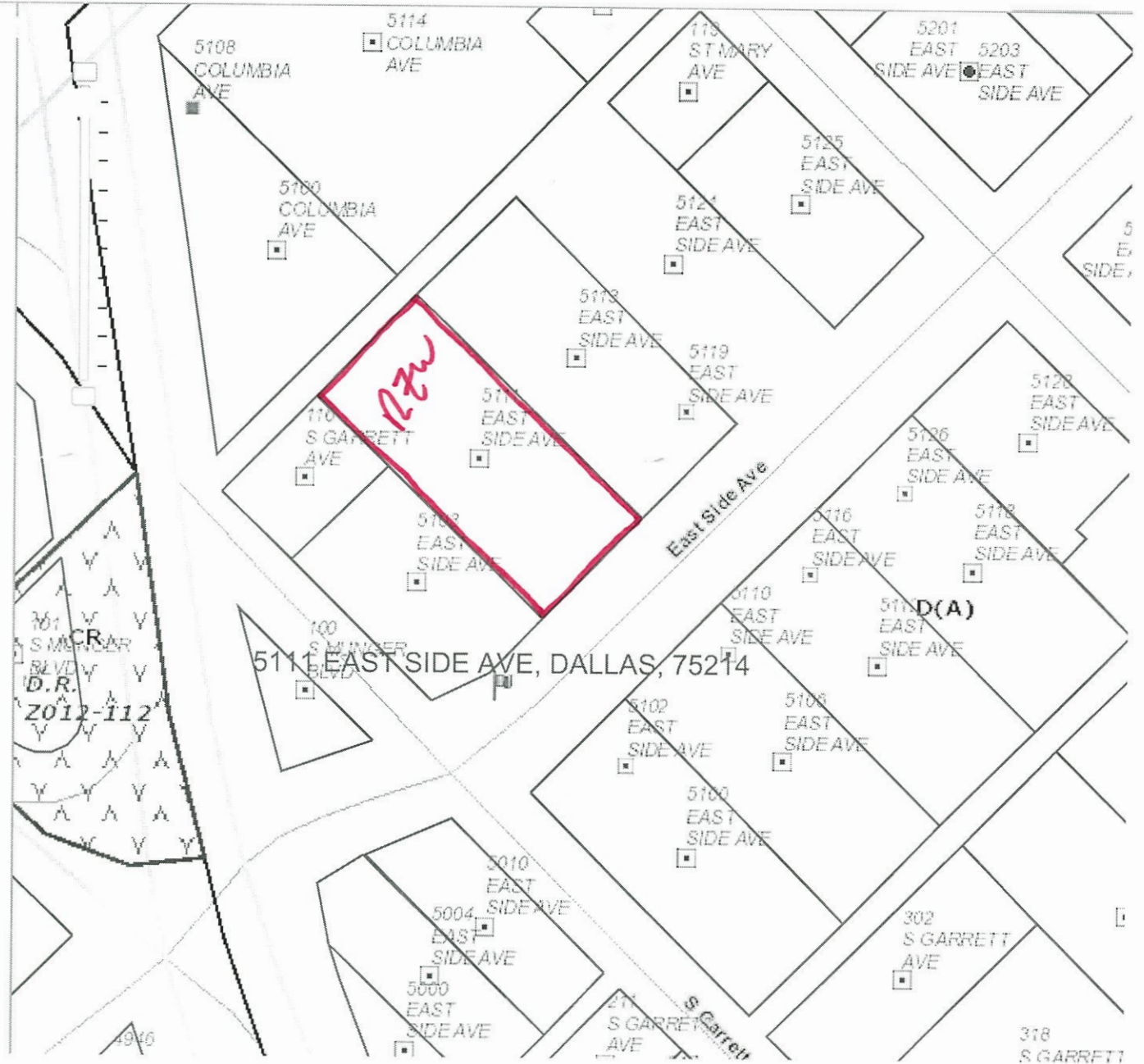


# City of Dallas

## Internal Development Research Site

### Legend

### Locate Property



5111 EAST SIDE AVE, DALLAS, 75214

CR  
BLVD  
D.R.  
2012-112

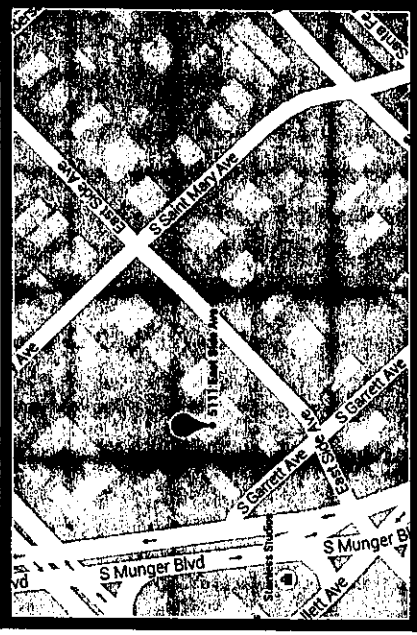


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Project Name & Address  
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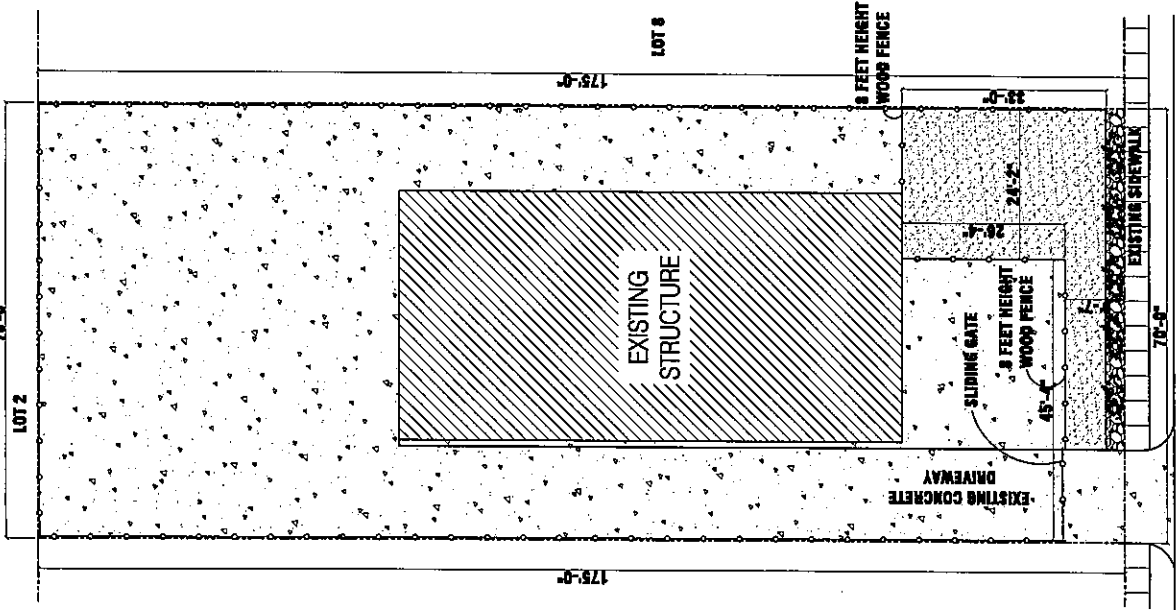
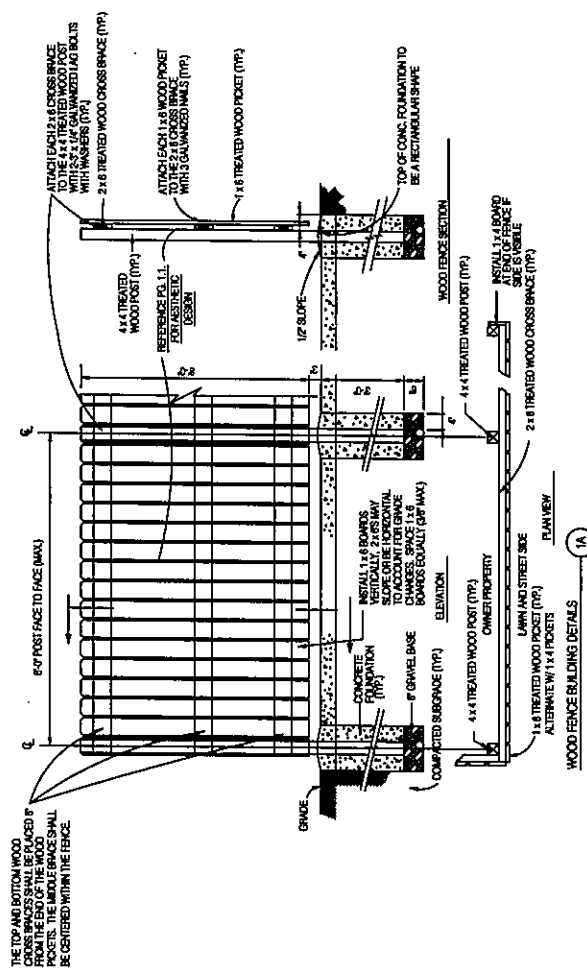
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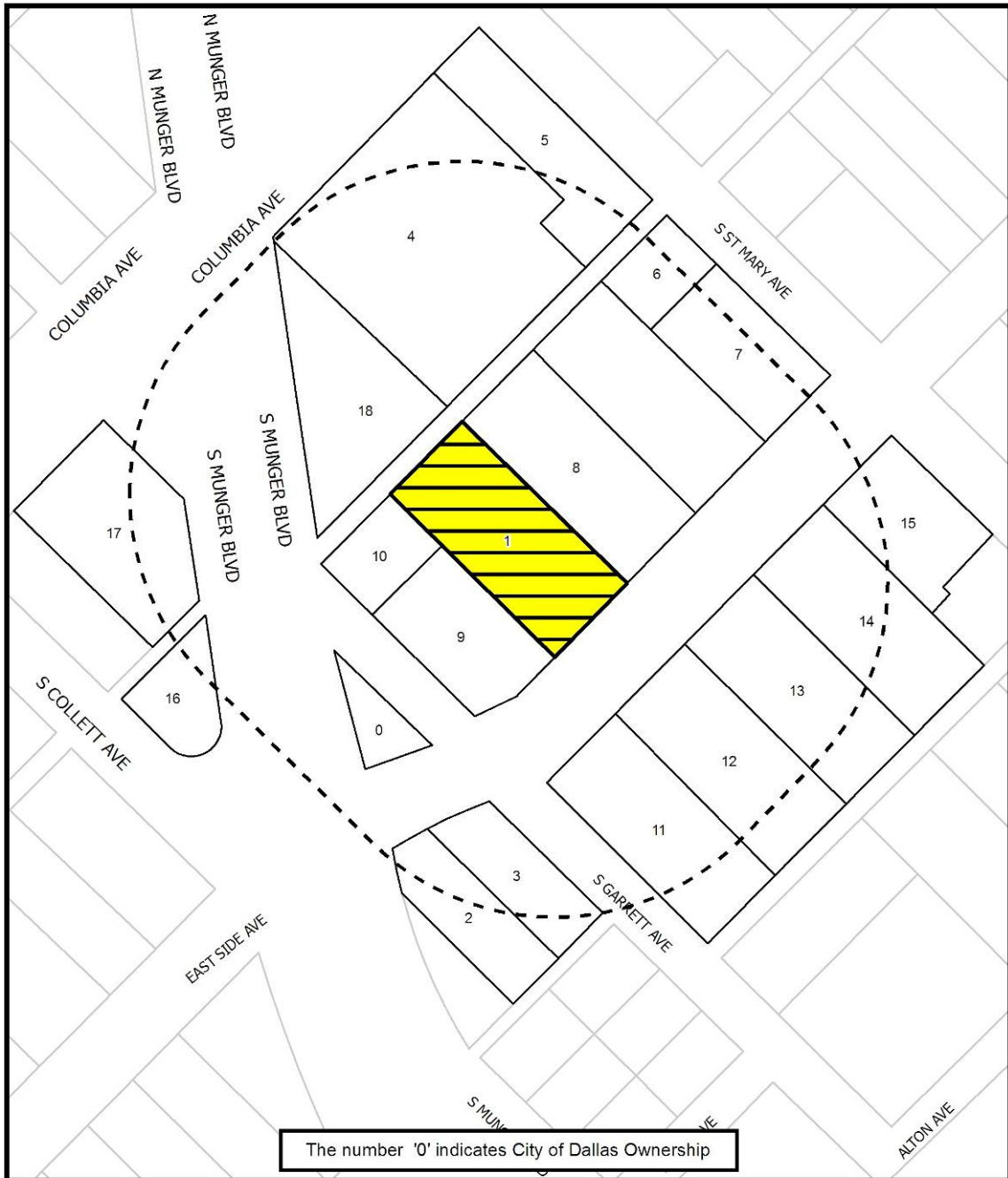
VICINITY MAP  
 -for reference only



LEGAL DESC:  
 FREEMANS COLUMBIA AVE  
 BLK D/1422 LOT 9







 1:1,200	<b>NOTIFICATION</b>		Case no: <b>BDA156-056</b>
	<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;">18</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: <b>5/13/2016</b>

## *Notification List of Property Owners*

### *BDA156-056*

#### *18 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5111 EAST SIDE AVE	EAST SIDE LIFESTYLES LLC
2	5004 EAST SIDE AVE	BAHR REBECCA
3	5010 EAST SIDE AVE	EMILIANO LUDIVINA R &
4	5114 COLUMBIA AVE	HOMeward BOUND INC
5	5126 COLUMBIA AVE	DARWISH MUSTAFA
6	119 ST MARY AVE	GUERRERO OLGA L
7	5125 EAST SIDE AVE	WEEKS VIVIAN GRACE LIFE ESTATE
8	5113 EAST SIDE AVE	TALAVERA RAFAEL & DIANA M
9	5103 EAST SIDE AVE	ANTONETTI ROBERT C
10	116 S GARRETT AVE	ANTONETTI ROBERT C
11	5100 EAST SIDE AVE	OLVERA JUAN M
12	5106 EAST SIDE AVE	GAMEZ NOE C & CELIA P
13	5112 EAST SIDE AVE	GAMEZ NOE C
14	5118 EAST SIDE AVE	HARMON CHRISTINA
15	5128 EAST SIDE AVE	BEAUDETTE JOSEPH E
16	101 S MUNGER BLVD	MILLER DEAN
17	5004 COLUMBIA AVE	MILLER DEAN
18	5108 COLUMBIA AVE	MURILLO MARIO D & ELENA

**FILE NUMBER:** BDA156-060(SL)

**BUILDING OFFICIAL'S REPORT:** Application of Robert Reeves for a special exception to the off-street parking regulations at 3910 Gaston Avenue. This property is more fully described as Lot 4A, Block A/777, and is zoned PD 298 (Subarea 12), which requires off-street parking to be provided. The applicant proposes to construct and/or maintain a structure for restaurant without drive-in or drive-through service, medical clinic or ambulatory surgical center, office, general merchandise or food store 3,500 square feet or less use, general merchandise or food store greater than 3,500, and multifamily uses, and provide 107 of the required 133 parking spaces, which will require a 26 space special exception to the off-street parking regulations.

**LOCATION:** 3910 Gaston Avenue

**APPLICANT:** Robert Reeves

**REQUEST:**

A request for a special exception to the off-street parking regulations of 26 spaces is made in conjunction with leasing an existing approximately 26,000 square foot building with a mix of restaurant without drive-in service, medical clinic, office, and general merchandise or food store, and multifamily uses, and providing 107 of the required 133 off-street parking spaces.

**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 26 spaces shall automatically and immediately terminate if and when the mix of restaurant without drive-in service, medical clinic, office, and general merchandise or food store, and multifamily uses is changed or discontinued.

Rationale:

- The Sustainable Development and Construction Department Project Engineer indicated that he has no objections to the applicant's request.

Zoning:

Site: PD No. 298 (Planned Development)  
North: PD No. 298 (Planned Development)  
South: PD No. 298 (Planned Development)  
East: PD No. 298 (Planned Development)  
West: PD No. 298 (Planned Development)

Land Use:

The subject site is developed with an approximately 26,000 square foot structure that appears to be leased with office and medical clinic uses. The areas to the north, east, south, and west are developed with a mixture of retail, office, and parking uses.

**Zoning/BDA History:**

1. BDA 045-272, Property at 3910 Gaston Avenue (the subject site)

On December 13, 2010, the Board of Adjustment Panel C granted a request for a special exception to parking regulations of 26 spaces. The board imposed the following conditions: 1) the special exception shall automatically and immediately terminate if and when a certificate of occupancy is issued for a use other than a restaurant, retail, office, medical clinic, or residential use; and 2) the special exception of 26 spaces shall apply to residential uses, medical clinic uses, office uses, and up to 13,230 square feet of retail uses, and up to 2,000 square feet of restaurant uses.

The case report stated that the request was made in conjunction with leasing an existing approximately 26,000 square foot building with a mix of residential, medical clinic, office, and retail uses, and providing 107 of the required 133 off-street parking spaces.

2. BDA 045-272, Property at 3910 Gaston Avenue (the subject site)

On March 15, 2005, the Board of Adjustment Panel C granted a request for a special exception to parking regulations of 26 spaces. The board imposed the following conditions: The special exception shall automatically and immediately terminate if and when the restaurant, retail, office, medical clinic, and residential uses on the site are changed or discontinued; the special exception of 26 spaces shall be tied to the City's parking agreement which allows for at least 41 extra spaces being made available on 3911 Gaston Avenue; and a copy of the parking agreement shall be submitted to the Board's Administrator once executed; and the special exception of 26 spaces shall apply to residential uses, medical clinic uses, offices uses, and up to 13,230 square feet of retail uses, and up to 2,000 square feet of restaurant uses.

The case report stated that the request was made in conjunction in conjunction with converting an existing vacant 26,712 square foot building from being exclusively used for medical clinic use to being used with a mix of uses including medical clinic, office, restaurant, retail, and residential uses.

3. BDA034-136, Property at 3910 Gaston Avenue (the subject site)

On March 15, 2004, the Board of Adjustment Panel C granted a request for a special exception to parking regulations of 26 spaces. The board imposed the following conditions: the special exception of 26 spaces shall automatically and immediately terminate if and when the medical clinic use on the site is changed or discontinued; the special exception of 26 spaces shall be tied to the City's parking agreement which allows for at least 41 extra spaces being made available on 3911 Gaston Avenue; and a copy of the parking agreement shall be submitted to the Board's Administrator once executed.

The case report stated that the request was made in conjunction with converting an existing 26,712 square foot building from an office use to a medical clinic use.

#### **GENERAL FACTS/STAFF ANALYSIS:**

- This request focuses on leasing an existing approximately 26,000 square foot building with a mix of restaurant without drive-in service, medical clinic, office, and general merchandise or food store, and multifamily uses, and providing 107 of the required 133 off-street parking spaces.
- The subject site is located in PD 298 (Subarea 12). The parking provisions in Chapter 51A apply with some modifications that do not apply to the uses proposed in this application.
- The Dallas Development Code requires the following off-street parking requirements:
  - Restaurant without drive-in or drive-through service use: As a main use: 1 space per 100 square feet of floor area. As a limited or accessory use: 1 space per 200 square feet of floor area.
  - Medical clinic or ambulatory surgical center use: 1 space per 200 square feet of floor area.
  - Multifamily use: 1 space per bedroom with a minimum of 1 space per bedroom.
  - General merchandise or food store 3,500 square feet or under use: 1 space per 200 square feet of floor area.
  - General merchandise or food store greater than 3,500 square feet use: 1 space per 200 square feet of floor area for uses with less than 10,000 square feet; 1 space per 220 square feet for uses with a floor area of 10,000 square feet or greater, but less than 40,000 square feet of floor area; 1 space per 250 square feet of floor area for uses with a floor area of 40,000 square feet or greater, but less than 100,000 square feet of floor area.

- Office use: 1 space per 333 square feet of floor area.
- The applicant has referenced that in December of 2010 (BDA090-010), the Board approved a 26 space parking special exception on the subject site and imposed conditions that limited retail uses to 13,230 square feet, and restaurant use to 2,000 square feet. The applicant has filed a new application to increase the square footage of the restaurant use from 2,000 to 4,700 square feet.
- The Sustainable Development Department Project Engineer has indicated that he has no objections to the request.
- The applicant has the burden of proof in establishing the following:
  - The parking demand generated by the mix of restaurant without drive-in service, medical clinic, office, and general merchandise or food store, and multifamily uses on the site does not warrant the number of off-street parking spaces required, and
  - The special exception of 26 spaces (or a 20 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 26 spaces shall automatically and immediately terminate if and when the medical clinic use is changed or discontinued, the applicant would be allowed to lease and maintain the structure on the site with the mix of restaurant without drive-in service, medical clinic, office, and general merchandise or food store, and multifamily uses, and provide 107 of the 133 code required off-street parking spaces.

**Timeline:**

- April 18, 2016: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- May 10, 2016: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C. 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.”
- May 10, 2016: 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 June 8<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the June 17<sup>th</sup> 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

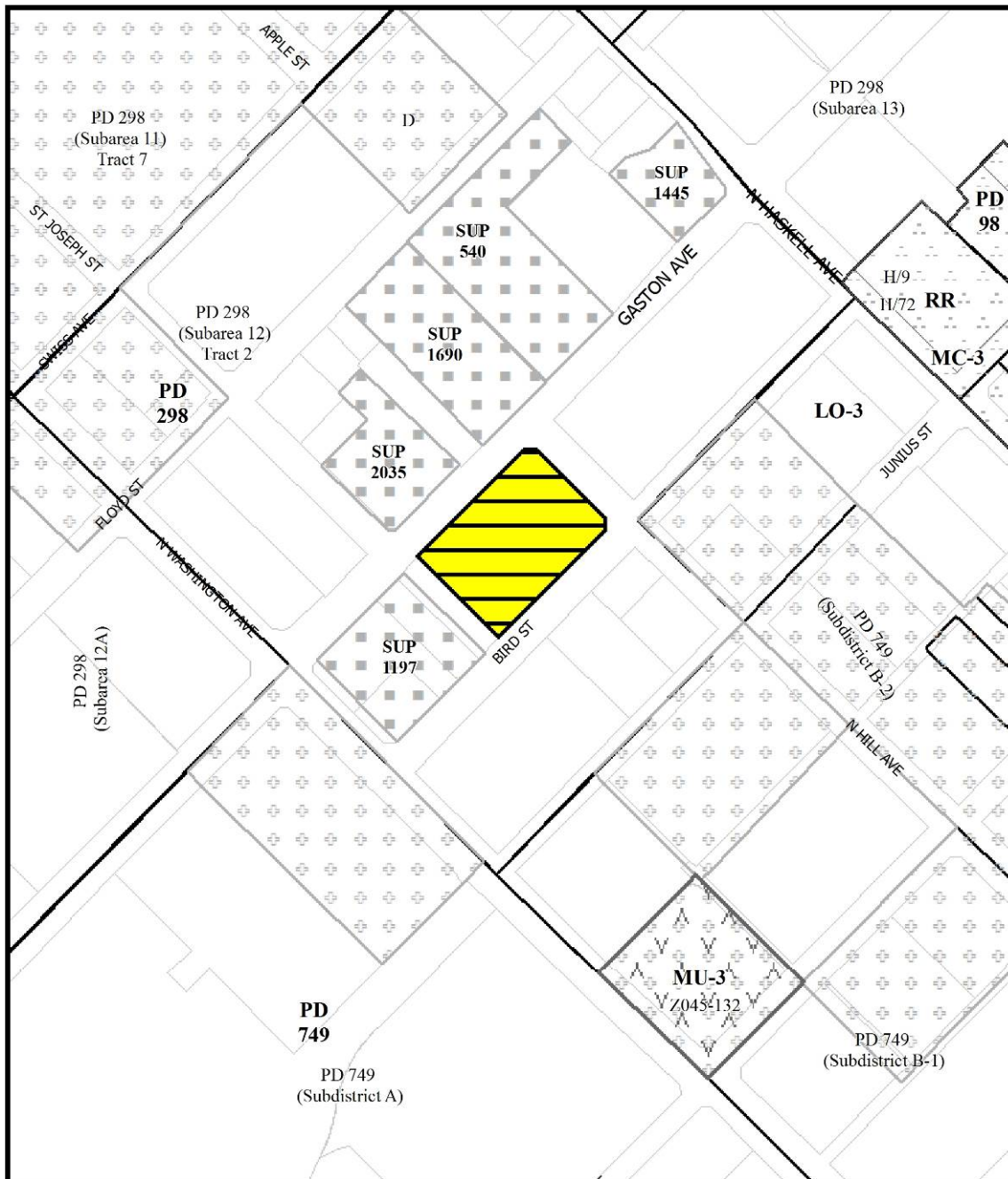


- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

June 6, 2016: The applicant submitted additional documentation on this application beyond what was submitted with the original application, and the Building Inspection Senior Plans Examiners/Development Code Specialist created a revised Building Official’s report (see Attachment A).

June 14, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection, Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

June 17, 2016: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked “Has no objection.”

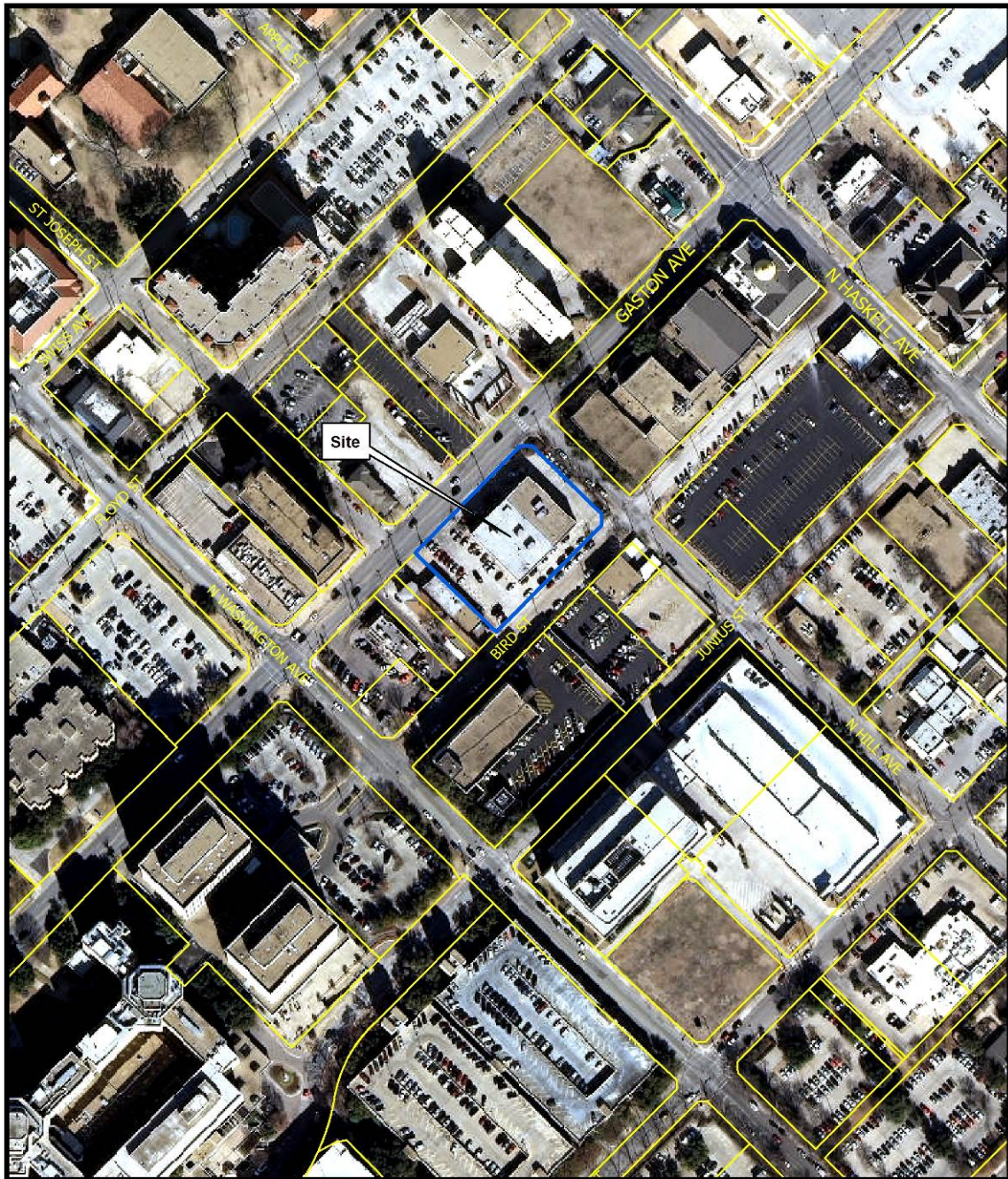


1:2,400

# ZONING MAP

Case no: BDA156-060

Date: 5/13/2016



1:2,400

## AERIAL MAP

Case no: BDA156-060

Date: 5/13/2016

**Long, Steve**

**From:** Long, Steve  
**Sent:** Monday, June 06, 2016 6:02 AM  
**To:** 'Robert Reeves'  
**Subject:** RE: Building Official's Report, BDA 156-060, 3910 Gaston Ave.

Pg 1

Thank you, Robert.

Steve

---

**From:** Robert Reeves [<mailto:rob.reeves@sbcglobal.net>]  
**Sent:** Sunday, June 05, 2016 1:44 PM  
**To:** Duerksen, Todd; Long, Steve  
**Subject:** Building Official's Report, BDA 156-060, 3910 Gaston Ave.

Todd, I have reviewed the Building Official's Report for Case BDA 156-060 and there needs to be a couple of corrections. Please add retail and office uses in the third sentence in your report. As you can see from my application form, these uses were requesting ; although, you crossed-through the uses. Not sure why, since my assistant filed this case.

Please let me know if you have any questions.

Steve, if the board approves this request, I anticipate conditions similar to the 12/13/10 case, except the 2,000 sq. ft. limitation on restaurant uses will be increased to 4,700 sq. ft. I decided to leave the residential use in the request. In addition to anticipated limitation on floor areas for retail and restaurant uses, the availability of 133 parking spaces (assuming 26 space special exception) will determine the floor area combinations for allowable uses.

**Robert Reeves**

*Robert Reeves & Associates, Inc.*  
900 Jackson Street, Suite 160  
Dallas, Texas 75202  
214-749-0530  
FAX: 214-749-5605  
[rob.reeves@sbcglobal.net](mailto:rob.reeves@sbcglobal.net)

Chairman																		
----------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

BDA156-060

Attach A B2

MEMORANDUM OF ACTION TAKEN BY THE BOARD OF ADJUSTMENT

Date of Hearing \_\_\_\_\_

Appeal was--Granted OR Denied \_\_\_\_\_

Remarks \_\_\_\_\_

**Building Official's Report**

**I hereby certify that** Robert Reeves

**did submit a request** for a special exception to the parking regulations  
**at** 3910 Gaston Avenue

BDA156-060. Application of Robert Reeves for a special exception to the parking regulations at 3910 Gaston Avenue. This property is more fully described as Lot 4A, Block A/777, and is zoned PD-298 (Subarea 12), which requires parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for restaurant without drive-in or drive-through service use, medical clinic or ambulatory surgical center use, office use, general merchandise or food store 3,500 sq.ft. or less use, general merchandise or food store greater than 3,500 sq.ft. use, and multifamily residential use, ar provide 107 of the required 133 parking spaces, which will require a 26 space special exception (19.5% reduction) to the parking regulation.

Sincerely,

*Philip Sikes*  
Philip Sikes, Building Official



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 156-060

Data Relative to Subject Property:

Date: April 18, 2015

Location address: 3910 Gaston Ave. Zoning District: Subarea 12 PD 298, Bryan Area Special Purpose District

Lot No.: 4A Block No.: A/777 Acreage: .9343 Census Tract: 22.00

Street Frontage (in Feet): 1)Gaston Ave. 248.33' 2)N. Hill Ave. 149.32' 3) Bird St. 230' 4) 5)

9027

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Gaston Biomedical LP

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 26-space parking special exception in order to use a 25,942 sq. ft. building for residential uses, medical clinic uses, office uses, and up to 13,230 sq. ft. of retail uses, and up to 4,700 sq. ft. of restaurant uses. cat of 133 req'd.

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 owner was approved for a 26 parking space special exception on 12/13/10, BDA 090-110. The owner would now like to lease up to a 4,700 sq. ft. space for a new IHOP restaurant. This request is justified because of off-setting hours of the proposed land uses, availability of public transit, availability of up to 41 spaces located at 3911 Gaston Ave., anticipated walk-in traffic from Baylor Hospital 1/2 block away, and the availability of metered on-street parking on adjacent streets.

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

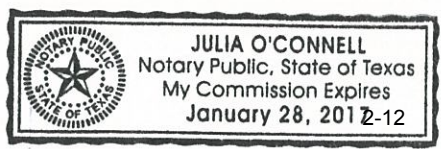
Before me the undersigned on this day personally appeared Robert Reeves (Affiant/Applicant's name printed)

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 18th day of April, 2016

(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 Robert Reeves

did submit a request for a special exception to the parking regulations  
at 3910 Gaston Avenue

BDA156-060. Application of Robert Reeves for a special exception to the parking regulations at 3910 Gaston Avenue. This property is more fully described as Lot 4A, Block A/777, and is zoned PD-298 (Subarea 12), which requires parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for restaurant without drive-in or drive-through service use, medical clinic or ambulatory surgical center use, and multifamily residential use and provide 107 of the required 133 parking spaces, which will require a 26 space special exception (19.5% reduction) to the parking regulator

Sincerely,

*Philip Sikes*  
Philip Sikes, Building Official





# City of Dallas

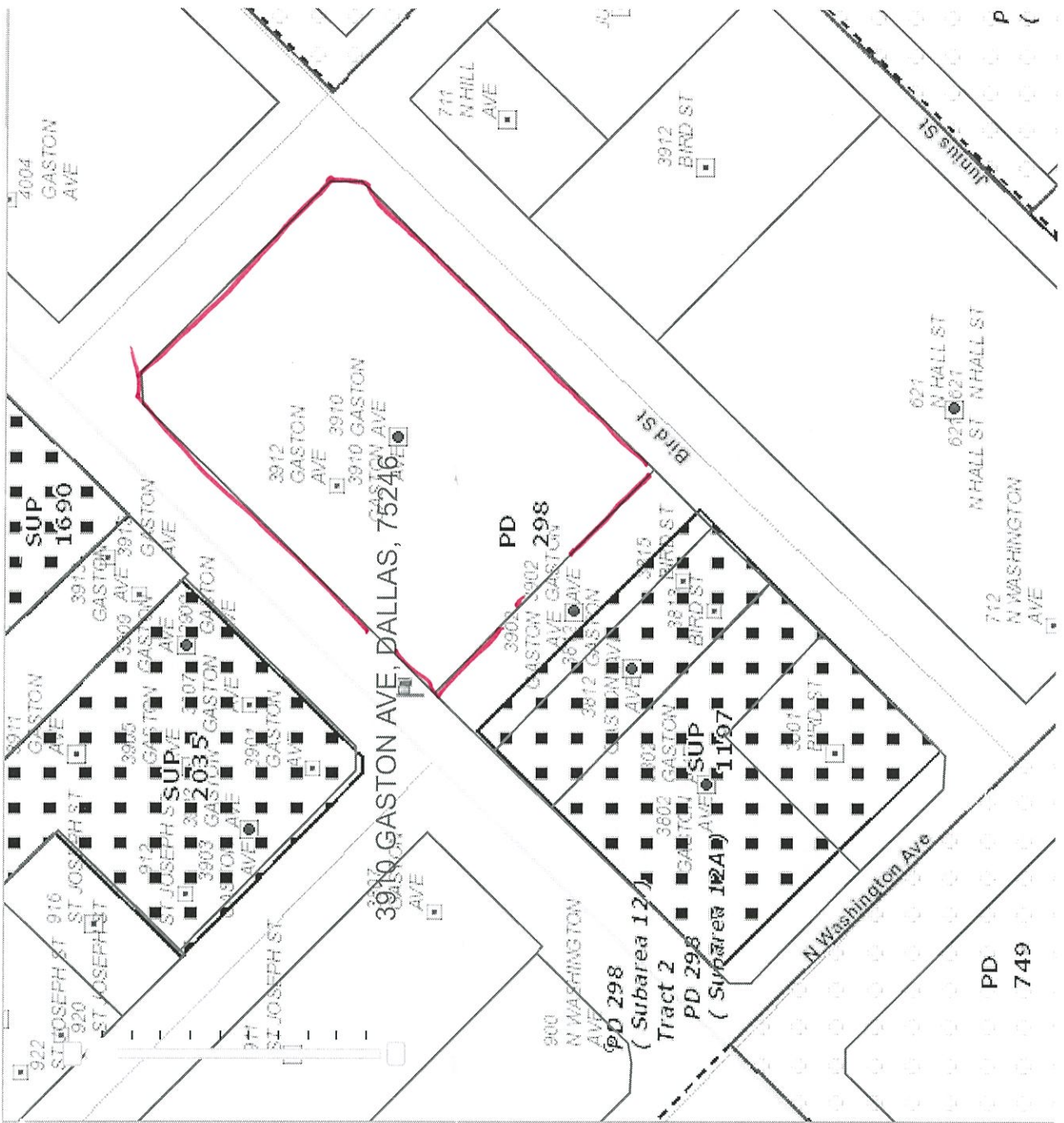
## Internal Development Research Site

Legend

Locate Property

BDA 156-060

2-15



JOB NUMBER

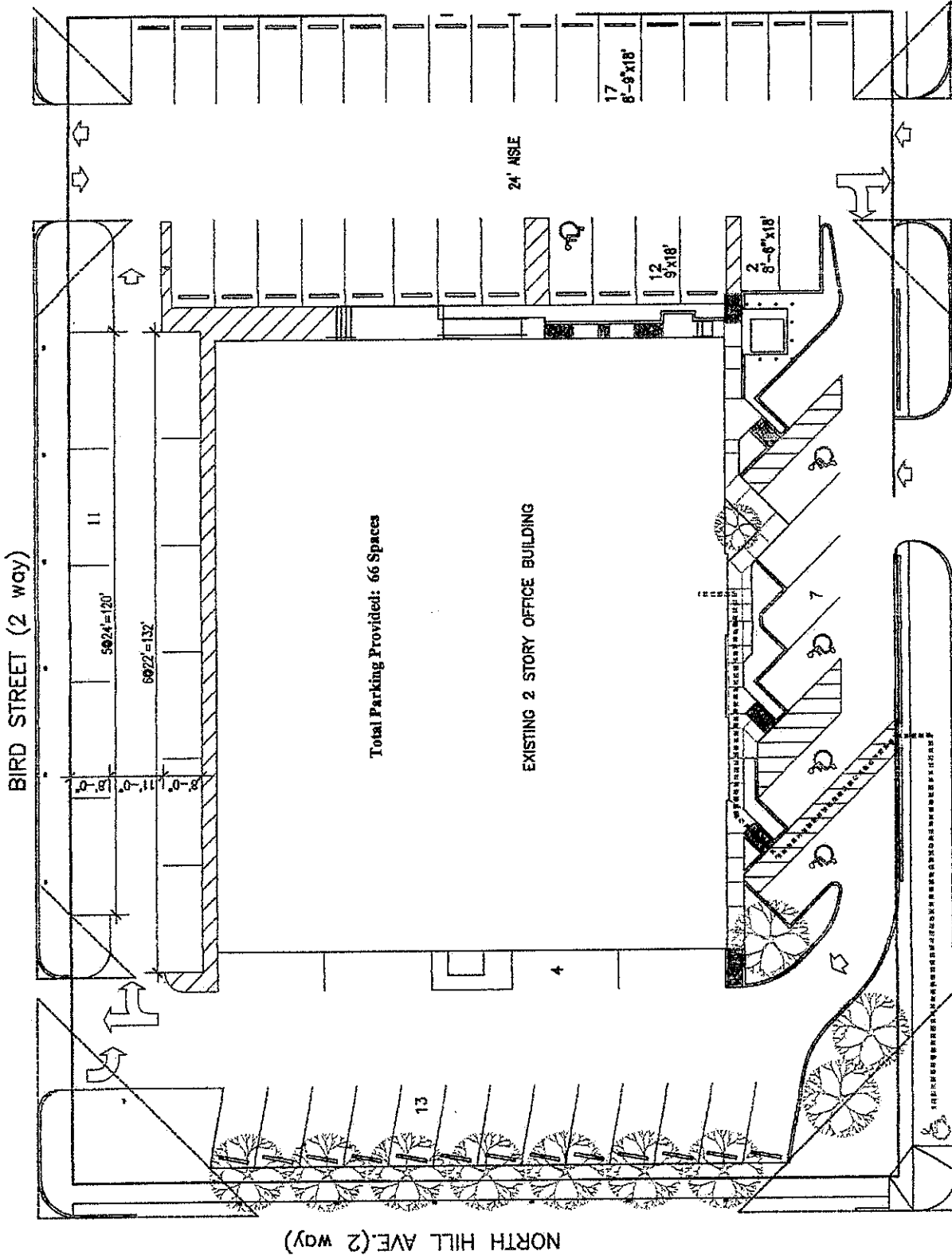
DATE

REVISION  
NO. DATE

TERMINAL IMPROVEMENTS FOR  
GRANITE CAPITAL  
2910 GASTON AVENUE  
DALLAS, TEXAS

SHEET NUMBER

101

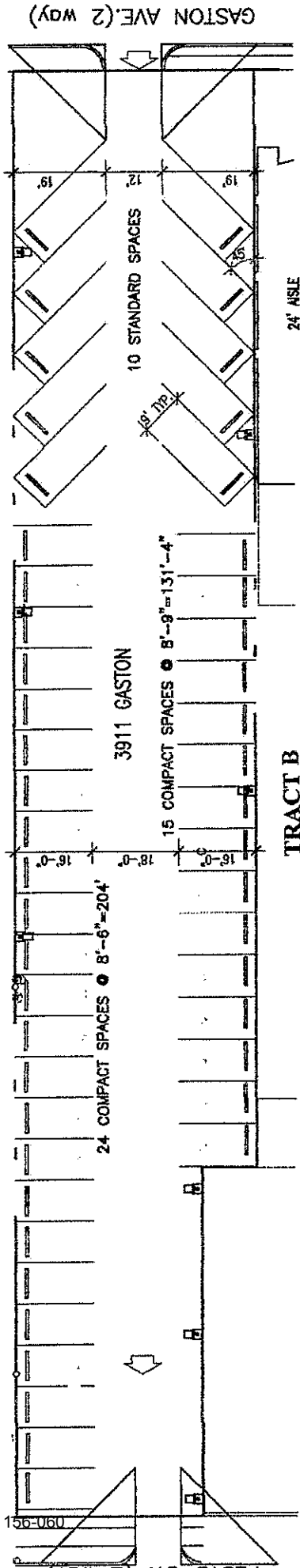


**SITE PLAN**  
SCALE: 1" = 20'

— (01) —

GASTON AVE. (2 way)

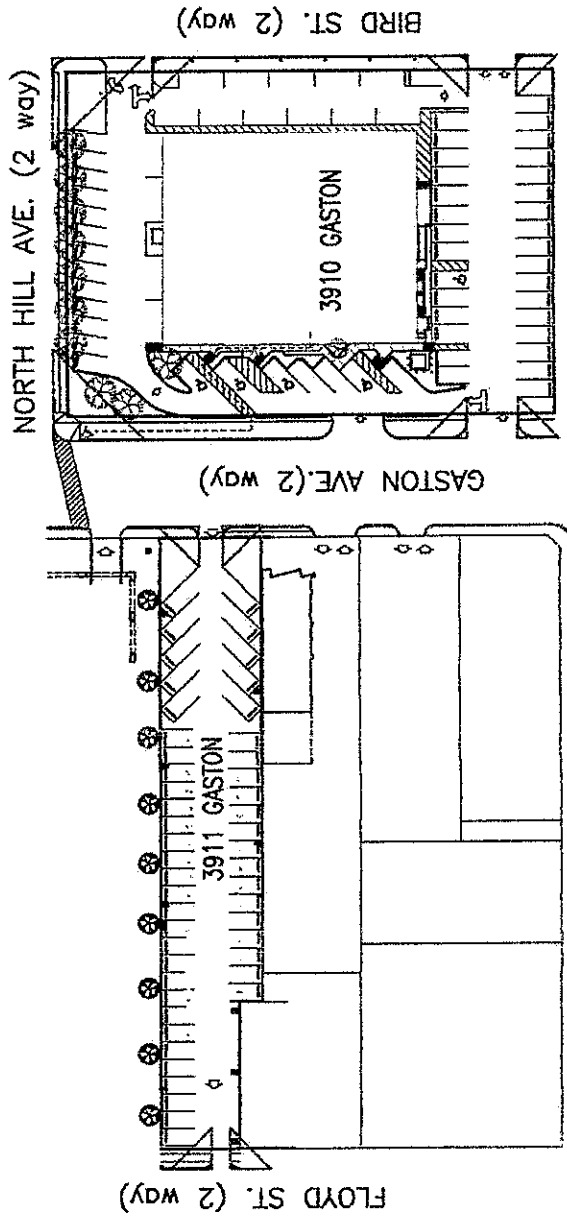
TRACTA



SITE PLAN B

SCALE: 1" = 20'

01



COMPOSITE SITE PLAN

NOT TO SCALE

01

JOB NUMBER

DATE

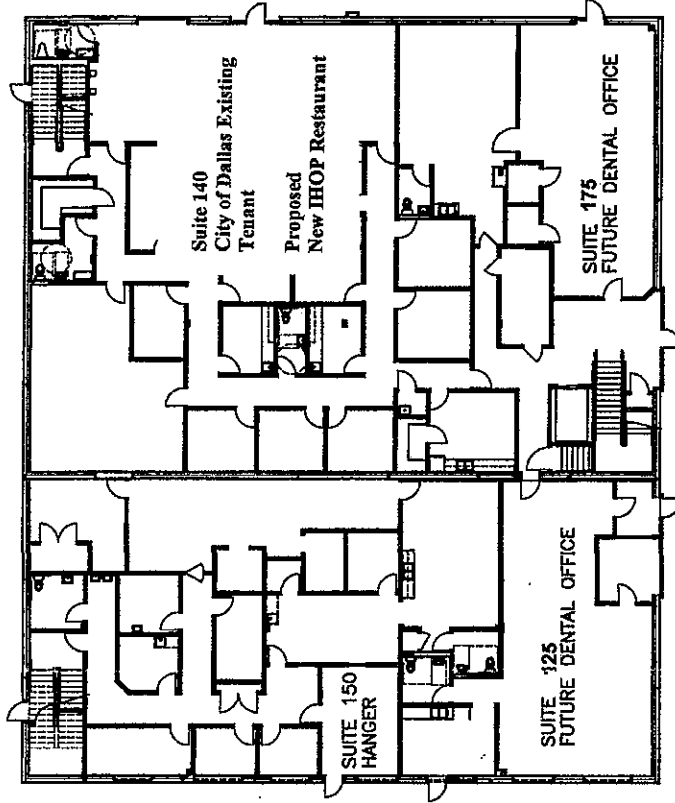
REVISION

NO. DATE


GRANITE CAPITAL  
 TENANT IMPROVEMENTS FOR  
 2810 GARDEN AVENUE  
 DALLAS, TEXAS

SHEET NUMBER

201



FIRST LEVEL FLOOR PLAN

01

Scale: 1" = 20'



JOB NUMBER

DATE

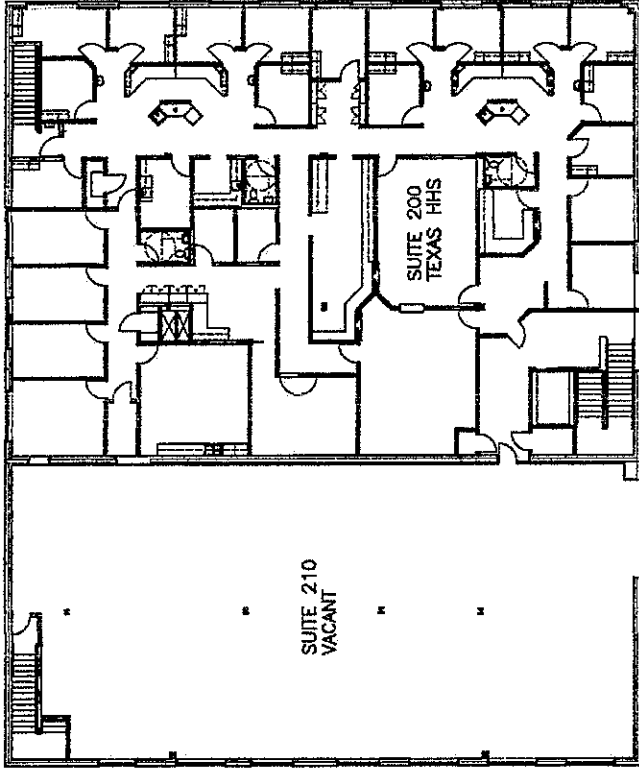
REVISION

NO. DATE


TEENANT IMPROVEMENTS FOR  
 GRANITE CAPITAL  
 3910 Gordon Avenue  
 Dallas, Texas

SHEET NUMBER

202



— (01) SECOND LEVEL FLOOR PLAN

Scale: 1" = 20'



ROBERT REEVES  
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

April 15, 2016

Steve Long, Board of Adjustment Administrator  
Department of Sustainable Development  
City of Dallas  
1500 Marilla Street, Room 5BN  
Dallas, Texas 75201

RE: 26 Space Parking Special Exception  
3910 Gaston Avenue

Dear Mr. Long:

On behalf of my client, David Sydney, we would like to amend one provision of the Board of Adjustment action for 3910 Gaston Avenue, BDA 090-110. On December 13, 2010 the board approved a 26 space parking special exception for 3910 Gaston Avenue with the stipulation that it applies to residential uses, medical clinic uses, office uses, and up to 13,230 square feet of retail uses, and up to 2,000 square feet of restaurant uses. We are submitting a new application for a 26 parking space special exception.

My client has been approached by IHOP restaurants that would like to use 4,700 square feet of the existing building for a new IHOP restaurant, which will be open 24-7. Therefore, the only actual amendment we are requesting is to change the 2,000 square foot limitation for a restaurant to 4,700 square feet. All other floor area limitation provisions previously approved by the board are part of this new request. We will continue to provide 66 parking spaces at 3910 Gaston Avenue and up to 41 spaces at 3911 Gaston Avenue, which is across the street. A remote parking agreement (Instrument #200503341149, Vol. 2005086, Page 14984 of the Dallas County Records) remotes in effect for up to 41 spaces located at 3911 Gaston Avenue.

Attached is a new Parking Demand Study prepared by the DeShazo Group, which shows that the 107 spaces we are providing will satisfy the parking needs for all the uses including a new 4,700 square foot IHOP restaurant. The current parking special exception request is justified based on peak parking demands, proximity of Baylor Hospital, which is ½ block from our site, proximity of bus and rail service, and availability of metered street parking. We anticipate a considerable amount of pedestrian traffic walking from Baylor Hospital to this restaurant.

Mr. Long, if you need further information let me know.

Sincerely:

A handwritten signature in black ink, appearing to read 'Robert Reeves', with a long, sweeping horizontal line extending to the right.

Robert Reeves

PARKING DEMAND ANALYSIS FOR  
**3910 GASTON AVENUE**  
DALLAS, TEXAS

*DeShazo Project No. 16050*

Prepared for:  
**Robert Reeves & Associates, Inc.**  
900 Jackson Street, Suite 160  
Dallas, Texas 75202

Prepared by:  
**DeShazo Group, Inc.**  
Texas Registered Engineering Firm F-3199  
400 South Houston Street, Suite 330  
Dallas, Texas 75202  
214.748.6740



*April 12, 2016*





Parking Demand Analysis for  
**3910 Gaston Avenue**

~ DeShazo Project No. 16050 ~

## **Table Of Contents**

INTRODUCTION .....	1
PARKING DEMAND ANALYSIS.....	2
<i>Parking Supply</i> .....	2
<i>Base Parking Code</i> .....	2
<i>Observed Parking Demand</i> .....	2
<i>Projected Parking Demand</i> .....	3
PARKING SPECIAL EXCEPTION REQUEST .....	3

## **Technical Memorandum**

**To:** Robert Reeves — Robert Reeves & Associates, Inc.  
**From:** David Nevarez, P.E. — DeShazo Group, Inc.  
**Date:** April 12, 2016  
**Re:** Parking Demand Analysis for 3910 Gaston Avenue in Dallas, Texas  
*DeShazo Project Number 16050*

---

### **INTRODUCTION**

The services of DeShazo Group, Inc. (DeShazo) were retained to analyze the parking needs for 3910 Gaston Avenue. DeShazo is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering and parking design and demand analysis and based in Dallas, Texas for over 36 years.

The subject site is more specifically described as follows.

- The property includes a two-story building with a total of 25,942 square feet of floor area; existing tenants are classified as medical clinic and office uses.
- The property is located on a 0.9343-acre tract of land at the intersection of Gaston Avenue and N Hill Avenue. It is platted Block A/0777, Lot 4A and zoned subarea 12 of the Planned Development (PD) District 298—the Bryan Area Special Purpose District.
- The site is located within convenient walking distance from Baylor University Medical Center (BUMC) at Dallas and other medical offices, commercial and institutional uses.
- The City of Dallas Board of Adjustment Panel C granted a 26-space exception to the off-street parking requirements on December 13, 2010 (BDA No. 090-110). This exception was justified based on an anticipated low parking demand attributed to the site's strategic location prone to a significant walk-in service. The decision of the Board was also subject to a specific building program with a maximum of 13,230 square feet of retail uses and 2,000 square feet of restaurant.

This study outlines the parking needs for the property under a proposed scenario that introduces an IHOP® as a proposed restaurant tenant. The proposed tenant's 4,700-square-foot floor area exceeds the maximum area imposed by the Board and would therefore terminate the existing 26-space exception.

The parking analysis of the proposed leasing program is based upon actual on-site parking demand and supplemented with DeShazo's professional judgment and experience with similar parking analysis. The purpose of this report is to document existing parking conditions, identify parking requirements in accordance with the Dallas Development Code and analyze the impact of the proposed conditions. Findings are intended to serve as basis to support a reconsideration of the Parking Special Exception to the off-street parking requirement for this property.

## PARKING DEMAND ANALYSIS

### Parking Supply

The total off-street parking supply for 3910 Gaston Avenue comprises 107 off-street spaces:

- A field-verified inventory of the on-site parking supply found a total of 66 parking spaces
- A Remote Parking Agreement (Instrument #200503341149, Vol. 2005086, page 14984 of the Dallas County Records) allows remote access of up to 41 additional spaces from 3911 Gaston Avenue, a part of City Block 765).

[NOTE: Additional on-street parking on N Hill Avenue and Bird Street is available for the subject site but not considered in this analysis.]

### Base Parking Code

As stipulated in PD 298, all parking provisions in Chapter 51A apply to the subject site, except for office uses which require *one space per 366 square feet* of floor area. As calculated in **Table 1**, the proposed leasing program requires 133 off-street spaces and results in a deficit of 26 spaces.

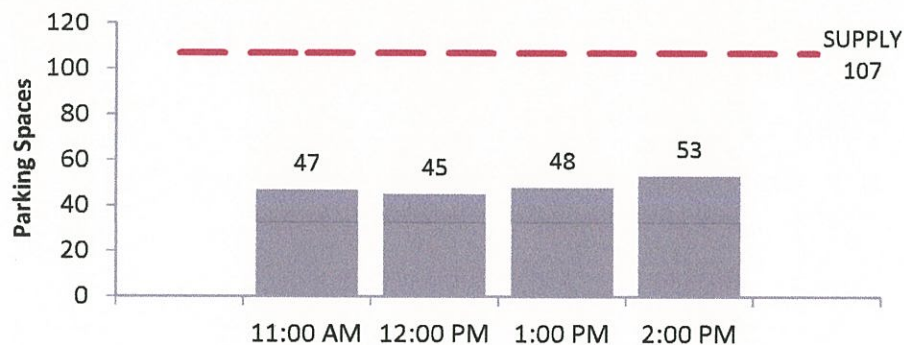
**Table 1. Code Parking Requirement for 3910 Gaston Avenue**

Use	Amount	Requirement	Spaces
Restaurant	4,700 SF	1 space / 100 SF	47.0
Medical Office	11,000 SF	1 space / 200 SF	55.0
Retail	1,400 SF	1 space / 200 SF	7.0
Office	8,842 SF	1 space / 366 SF	24.2
<b>Totals:</b>	<b>25,942 SF</b>		<b>133</b>
		Supply*:	107
		<b>Surplus/(Deficit):</b>	<b>(26)</b>

\* Parking supply includes 66 spaces on site plus 41 spaces at 3911 Gaston Avenue. NOTE: Calculation assumes an immediate termination of the existing 26-space exception if/when a CO is issued for a restaurant use greater than 2,000 SF.

### Observed Parking Demand

The subject site is currently 82% leased to medical and general office uses on the first floor with a vacancy available for the proposed restaurant tenant. A parking accumulation study took place on April 11, 2016 in order to validate the parking demand of the current uses. Field observations consisted of hourly parking counts from 11:00 to 2:00 PM during typical weekday operations of existing tenants. **Figure 1** shows an hourly profile of parking demand and a maximum of 53 cars at 2:00 PM; detailed data are provided in the Appendix.

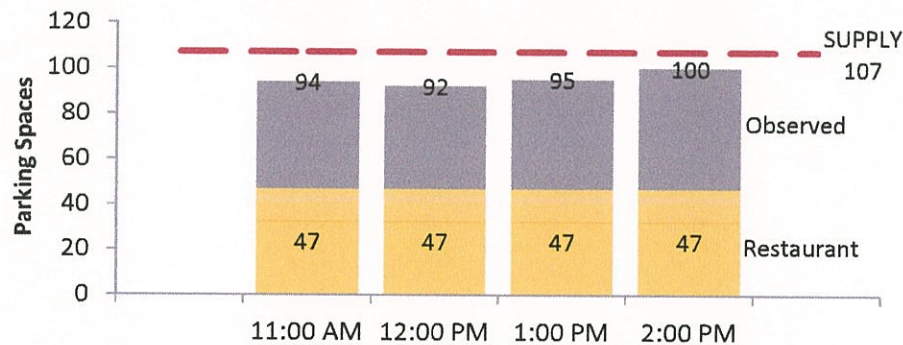


**Figure 1. Parking Demand for 3910 Gaston Avenue on April 11, 2016**

According to Google data information of “Popular Times” for IHOP®, the proposed restaurant tenant for 3910 Gaston Avenue, the restaurant peaks of customer demand occur around 11:00 PM on a weekday with a significantly higher parking demand on Saturday and Sunday. As shown in **Figure 1**, the peak parking demand for the uses on site occur outside of the representative of the traditional weekday lunch period. Overall site parking demand was less than 50% occupied during the course of the field observations.

**Projected Parking Demand**

Due to the density of medical and office uses in the surrounding area, the proposed restaurant should be characterized as an attractive option for employees in the immediate vicinity of the site. An evaluation of the proposed restaurant should take into account a significant reduction in parking generation based on the anticipated number of walk-in patrons. Still, superimposing the City of Dallas Code parking requirement for the proposed development (i.e. 47 spaces according to Table 1) on the observed parking demand results in a projected peak parking demand of no more than 100 spaces and a surplus of seven spaces, as depicted on **Figure 2**.



**Figure 2. Projected Parking Demand for 3910 Gaston Avenue**

**PARKING SPECIAL EXCEPTION REQUEST**

This parking study summarizes the Code parking requirement for 3910 Gaston Avenue in Dallas, Texas. Actual parking operations data were evaluated to determine the impact of a proposed restaurant tenant. Based upon the findings of this analysis, 107 spaces will satisfy the parking needs for the proposed conditions. However, a Code parking requirement of 133 spaces will result in a deficit of 26 spaces. A reduction of 26 required spaces (or 19.5%) for 3910 Gaston Avenue is warranted based upon the following considerations specified in the Dallas Development Code §51A-4.311(a)(2):

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

A total of 41 remote parking spaces are available for use by 3910 Gaston Avenue. Signs currently direct patrons to additional, remote parking at 3911 Gaston Street. NOTE: Hill Avenue and Bird Street also provide on-street parking available for payment on an hourly basis; these spaces are not included in this study.

***(B) The parking demand and trip generation characteristics for the occupancy for which the reduction is requested.***

According to the Institute of Transportation Engineers (ITE) *Parking Generation* manual (4<sup>th</sup> Edition), the projected average parking demand for a "High-Turnover (Sit-Down) Restaurant" is 26 parking spaces based on an average rate of 5.55 vehicles per 1,000 square feet or one space per 180 square feet. (See reference in **Appendix**.) Furthermore, the projected trip generation for this use is expected to be significantly reduced by walk-in/pedestrian traffic. However, a much higher rate of one space per 100 square feet (per City Code) was used in this analysis to provide a more conservative scenario.

In general, the parking reduction is justified based on the restaurant's strategic site's characteristics. The projected parking demand also takes into consideration the needs of both restaurant customers and current employees based upon actual field observations.

***(C) Whether or not the subject property or any property in the general area 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) The current and probably future capacities of adjacent and nearby streets based upon the city's thoroughfare plan.***

The surrounding street system is mature 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 walking distance (approximately an 8-to-10-minute walk) of DART Rail System's Green Line (Baylor Medical Center Station, Hall Street at Junius Street). Several DART public transit bus routes (001, 019, 044, 076, and 409) are 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.***

DART public transit is already a parking mitigation measure as it presents a viable transportation alternative mainly for employees. The site's strategic location is also attractive to area employees and students who opt to walk for breakfast, lunch, or dinner. Enforced towing is also imperative to control unauthorized parking.

The requested parking reduction will not create a traffic hazard nor restrict the restaurant's (or existing tenants') parking operations during typical peak hours. It is also presumed that it is in the best interest of the property owners to provide an appropriate parking environment to their clients.

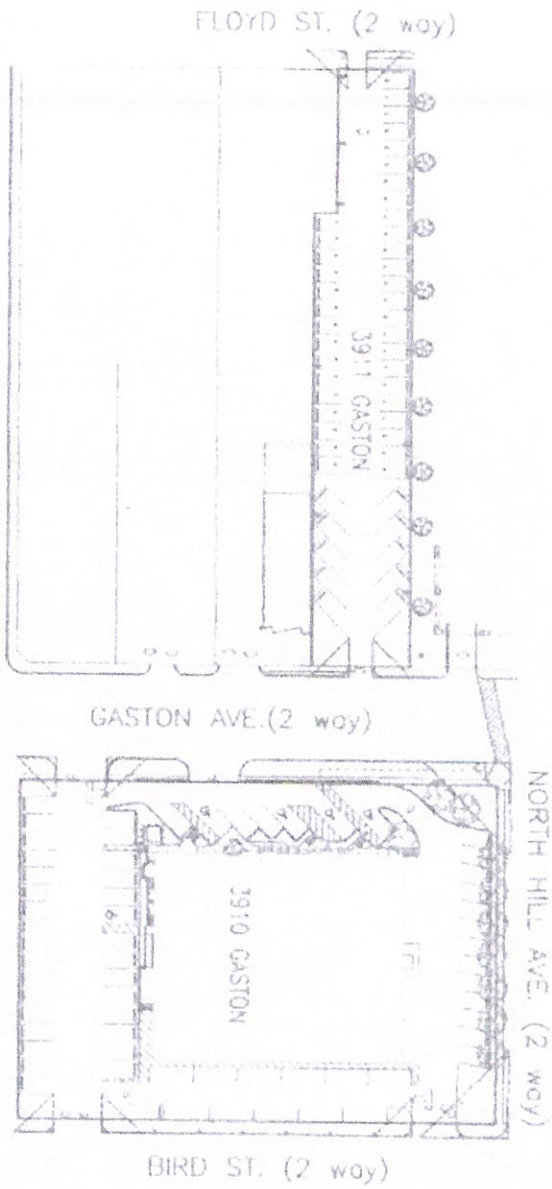
END OF MEMO

# ***Appendix***

Area Location: **3910 Gaston Ave**  
 Location: **3910 Gaston Ave**  
 City/State: **Dallas, Texas**  
 Project Number: **16050**  
 Date: **April 11, 2016**  
 Day of Week: **Monday**  
 Collector(s): **HN**  
 Conditions: **Normal**

Pkg Lot Location>	Accumulation Counts											Subtotals EXCLUDING adjacent on-street parking	Subtotals INCLUDING adjacent on-street parking
	3910 Gaston Avenue						ON-STREET PARKING						
Pkg Area #1	Pkg Area #2	Pkg Area #3	Pkg Area #4	Pkg Area #5	Pkg Area #6	Pkg Area #7	Pkg Area #8	Pkg Area #9	Pkg Area #10	Pkg Area #11			
11:00 AM	3	10	9	4	5	1	8	7	5	1	4	47	57
12:00 PM	3	9	7	4	5	1	9	7	3	4	2	45	54
1:00 PM	8	7	9	4	4	2	7	7	4	3	3	48	58
2:00 PM	6	11	10	5	5	1	8	7	5	4	4	53	66
												0	0
												0	0
												0	0
												0	0
												0	0
												0	0
Peak Percent	20%	58%	83%	83%	83%	50%	75%	100%	100%	67%	67%		
Peak Hour Percent	15%	58%	83%	83%	83%	25%	67%	100%	100%	67%	67%	49.5%	53.2%

Parking Area #1 provides 56 spaces; Remote Parking agreement allows use of up to 41 spaces for use of 3911 Gaston Avenue.



01 COMPOSITE SITE PLAN  
SCALE: 1"=40'

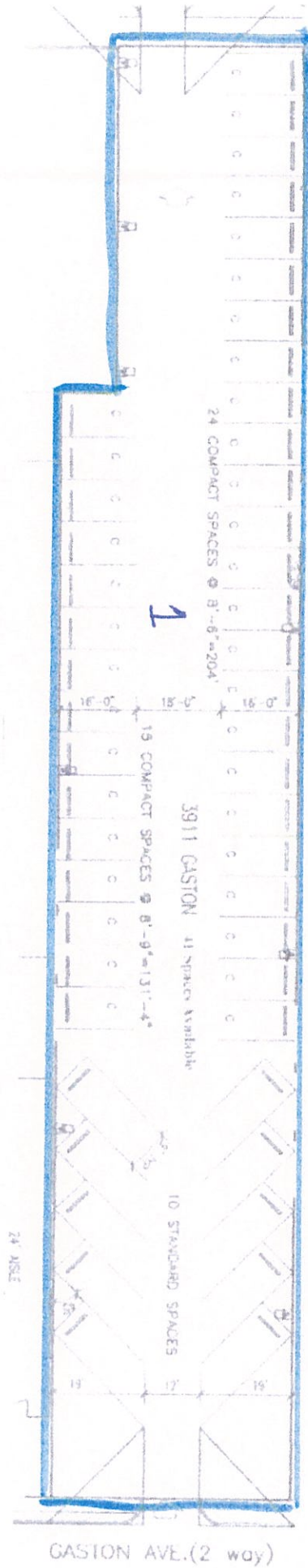
# - PARKING AREA NUMBER

TENANT IMPROVEMENTS FOR  
GRANITE CAPITAL  
3910 Gaston Avenue  
Dallas, Texas

SHEET NUMBER

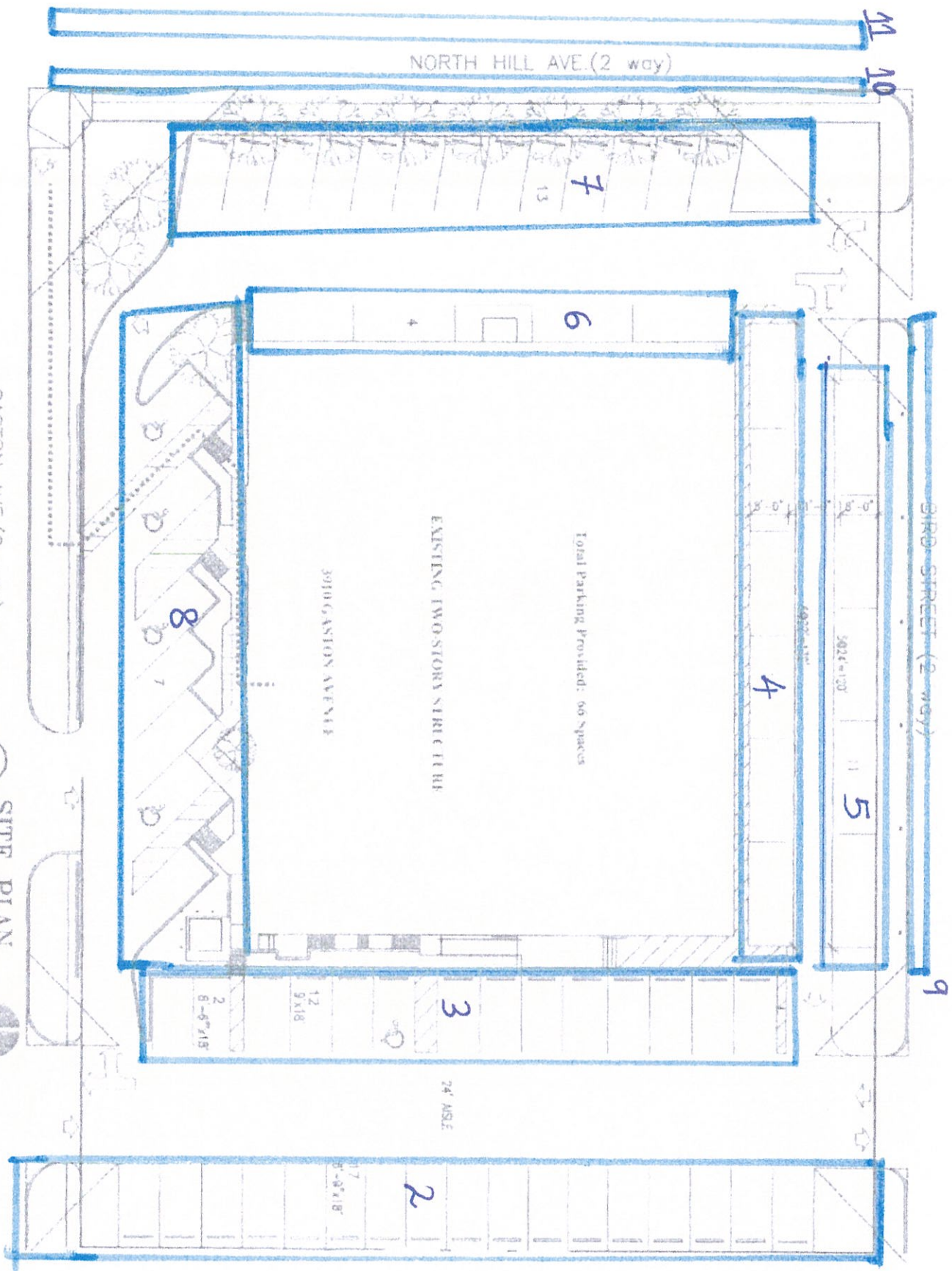
102

BDA 156-060



01 SITE PLAN B  
SCALE: 1"=40'





GASTON AVE. (2 way)

NORTH HILL AVE (2 way)

BIRD STREET (2 way)

EXISTING TWO-STORY STRUCTURE  
3910 GASTON AVENUE

Total Parking Provided: 66 Spaces

SITE PLAN

01

SCALE 1"=40'



NORTH

# - PARKING AREA NUMBER

101

SHEET NUMBER

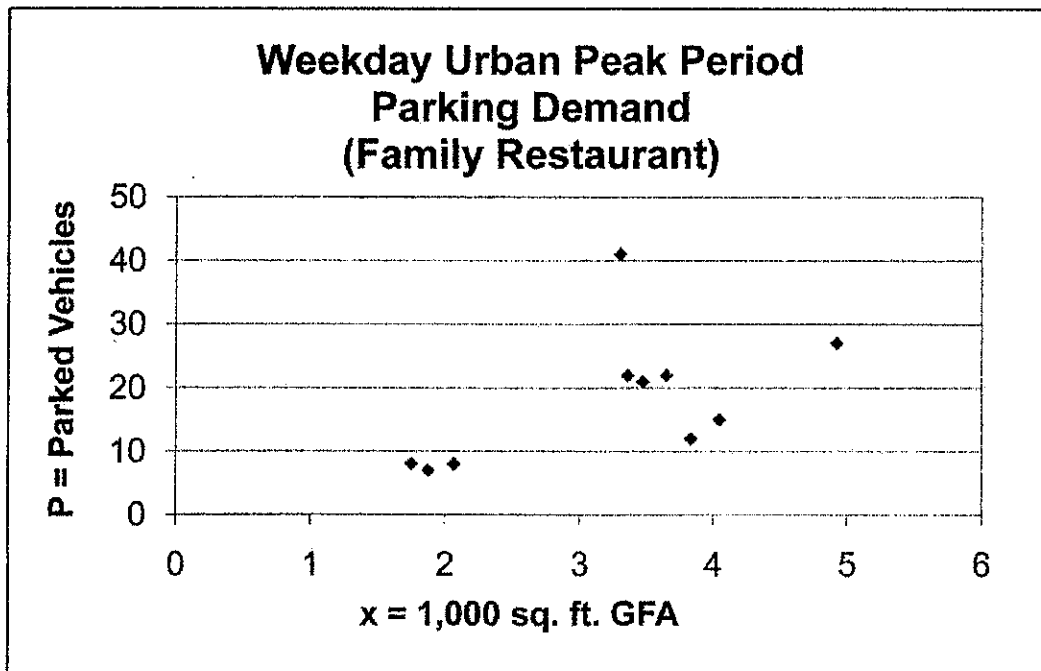
RENTAL IMPROVEMENTS FOR  
GRANITE CAPITAL  
3910 Gaston Avenue  
Dallas, Texas

REVISION NO.	DATE	DATE

# Land Use: 932 High-Turnover (Sit-Down) Restaurant

**Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA**  
**On a: Weekday**  
**Land Use Code Subset: Family Restaurant (No Bar or Lounge)**  
**Location: Urban**

Statistic	Peak Period Demand
Peak Period	11:00 a.m.–1:00 p.m.; 6:00–8:00 p.m.
Number of Study Sites	10
Average Size of Study Sites	3,200 sq. ft. GFA
Average Peak Period Parking Demand	5.55 vehicles per 1,000 sq. ft. GFA
Standard Deviation	2.69
Coefficient of Variation	48%
Range	3.13–12.41 vehicles per 1,000 sq. ft. GFA
85th Percentile	6.37 vehicles per 1,000 sq. ft. GFA
33rd Percentile	3.86 vehicles per 1,000 sq. ft. GFA



◆ Actual Data Points

REMOTE PARKING AGREEMENT  
(including church uses)

STATE OF TEXAS )  
                  )  
COUNTY OF Dallas )

KNOW ALL PERSONS BY THESE PRESENTS:

I.

Gaston Biomedical, L.P. ("Owner A") is the owner of the below described property ("Tract A"), which is the recipient of parking spaces:  
Street Address 3910 Gaston Ave. Property Description: Lot 4 A, Block A/777, Addition Gilbert X-Ray Company, Zoning District PD No. 298, more particularly described in Instrument # \_\_\_\_\_, in the Deed Records of \_\_\_\_\_ County, Texas. The below described use ("Use A") is located on Tract A: Medical Clinic and office.  
Floor area of Use A: 25,942 sq. ft. Total number of off-street parking spaces required for Use A: 91. Number of off-street parking spaces on Tract A provided for Use A to meet parking requirement: 66.

II.

Seely Family Partnership ("Owner B") is the owner of the below described property ("Tract B"), which is providing the parking spaces:  
Street Address 3911 Gaston Ave. Property Description: Lots 6, 12, and 13, Block 765, Addition St. Joseph, Zoning District PD No. 298, more particularly described in Instrument # 4268, in the Deed Records of Dallas County, Texas. The below described use ("Use B") is located on Tract B: Commercial parking lot. Floor area of Use B: 0 Total number of off-street parking spaces required for Use B: 0. Total number of off-street parking spaces located on Tract B providing special parking for Use A: 25.

III.

In order that all uses governed by this agreement may operate in compliance with the off-street parking regulations in the Dallas Development Code of the Dallas City Code ("Code"), as amended, and derive all the benefits from such compliance, and for such other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, as Owner A and Owner B have agreed upon, Owner A and Owner B agree to enter into this Agreement.

IV.

Owner A and Owner B agree that Tract B shall be used to provide 25 required off-street parking spaces for Use A to comply with the Code. The walking distance between Tract A and Tract B is 60 feet.

V.

Owner A and Owner B agree to comply with the off-street parking regulations in the Code.

VI.

The location of the off-street parking spaces on Tract B is shown on a site plan that is attached to and made a part of this agreement. The site plan must provide sufficient information to demonstrate compliance with the Code and all other applicable ordinances and regulations of the City of Dallas ("City").

VII.

This agreement may be amended or terminated only upon the filing, in the Deed Records of the county or counties in which Tracts A and B are located, of an instrument approved by the building official of the City and approved as to form by the city attorney. The building official shall approve an instrument amending or terminating this agreement if:

- (1) all uses providing parking and all uses on the property for which parking is provided under this agreement fully comply with the off-street parking regulations in the Code, as amended, by a means other than this parking agreement; or
- (2) all uses on the property for which parking is provided under this agreement cease to operate and terminate their certificates of occupancy.

Owner A or Owner B shall file the amending or terminating instrument in the Deed Records of the county or counties in which Tract A and Tract B are located at the sole cost and expense of Owner A or Owner B. After filing the amending or terminating instrument in the Deed Records, Owner A or Owner B shall file two copies of the instrument with the building official. No amendment or termination of this agreement is effective until the amending or terminating instrument is filed in accordance with this paragraph.

VIII.

This agreement inures to the benefit of, and is enforceable by, the parties to the agreement and the City. If a use is being operated in violation of this agreement, the building official shall revoke the certificate of occupancy for that use. Owner A and Owner B acknowledge that the City has the right to enforce this agreement by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against any person violating or attempting to violate this agreement, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce this agreement against a person, Owner A and Owner B agree that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs from that person.

IX.

Owner A and Owner B agree to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in conjunction with this agreement and the City granting, revoking, or withholding a building permit and/or certificate of occupancy by reason of this agreement.

X.

Owner A and Owner B understand and agree that this agreement shall be governed by the laws of the State of Texas.

XI.

Prior to the issuance of the building permit and/or certificate of occupancy for Use A, Owner A or Owner B shall file this agreement in the Deed Records of the county or counties in which Tracts A and B are located at the sole cost and expense of Owner A or Owner B. After filing this agreement in the Deed Records, Owner A or Owner B shall file two copies of this agreement with the building official.

XII.

Owner A and Owner B understand and agree that this agreement shall be a covenant running with the land with respect to both Tract A and Tract B, and that this agreement shall fully bind any and all successors, heirs, and assigns of Owner A or Owner B who acquire any right, title, or interest in or to Tract A or Tract B, or any part of those tracts. Any person who acquires any right, title, or interest in or to Tract A or Tract B, or any part of those tracts, thereby agrees and covenants to abide by and fully perform this agreement.

XIII.

Unless stated otherwise in this agreement, the definitions and provisions of CHAPTER 51A of the Dallas City Code, as amended, apply and are incorporated into this agreement as if recited in this agreement.

XIV.

In the event that Tract A and Tract B are or ever become owned by the same person or entity, then this person or entity intends this agreement to be construed as a deed restriction, and that the Doctrine of Merger not apply.

XV.

If the building official places any conditions upon the approval of this parking agreement, those conditions shall be attached to and made a part of this agreement. If conditions are placed upon the approval of this agreement, Owner A and Owner B agree that they shall comply with each condition and understand that a failure to so comply shall constitute a violation of this agreement.

XVI.

Owner A and Owner B each certify and represent that there are no liens or mortgages, other than liens for *ad valorem* taxes, against their respective tracts if there are no signatures of lienholders or mortgagors subscribed below.

XVII.

The invalidation of any provision of this agreement by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

EXECUTED at county of Lake Park, Floyd County, Georgia, 7 County, Silasbee, this 23rd day of January, 2010.

GABA Biomedical LP  
Owner A  
By: [Signature]  
Printed Name: DAVID SYDNEY  
Title: Managing partner

Seely Family Partnership  
Owner B  
By: [Signature]  
Printed Name: Kathleen C. Lewis  
Title: Manager

CONSENT AND CONCURRENCE OF LIENHOLDERS OR MORTGAGORS:

N/A  
Tract A Lienholder/Mortgagor  
By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

N/A  
Tract B Lienholder/Mortgagor  
By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

APPROVED:

APPROVED AS TO FORM:  
THOMAS P. PERKINS, JR.,  
City Attorney

\_\_\_\_\_  
Building Official  
(or authorized representative)

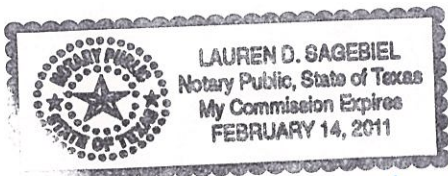
\_\_\_\_\_  
Assistant City Attorney

ATTACH THE APPROPRIATE ACKNOWLEDGMENTS FOR ALL SIGNATORIES, INCLUDING OWNER A, OWNER B, AND LIENHOLDERS/MORTGAGORS (IF APPLICABLE).

STATE OF TEXAS *ls*  
COUNTY OF ~~DALLAS~~ *Gillespie*

This instrument was acknowledged before me on September 23, 2010 by David J. Sydney, President, of Granite Genpar, Inc., on behalf of Gaston Biomedical, L.P., known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated as the act and deed of said limited partnership.

Given under my hand and seal of office on this 23<sup>rd</sup> day of September, 2010.



Lauren D. Sagebiel  
Notary Public, State of Texas

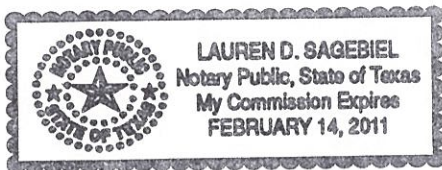
My commission expires 2/14/11.



STATE OF TEXAS <sup>ls</sup>  
COUNTY OF ~~DALLAS~~ <sup>Gillespie</sup>

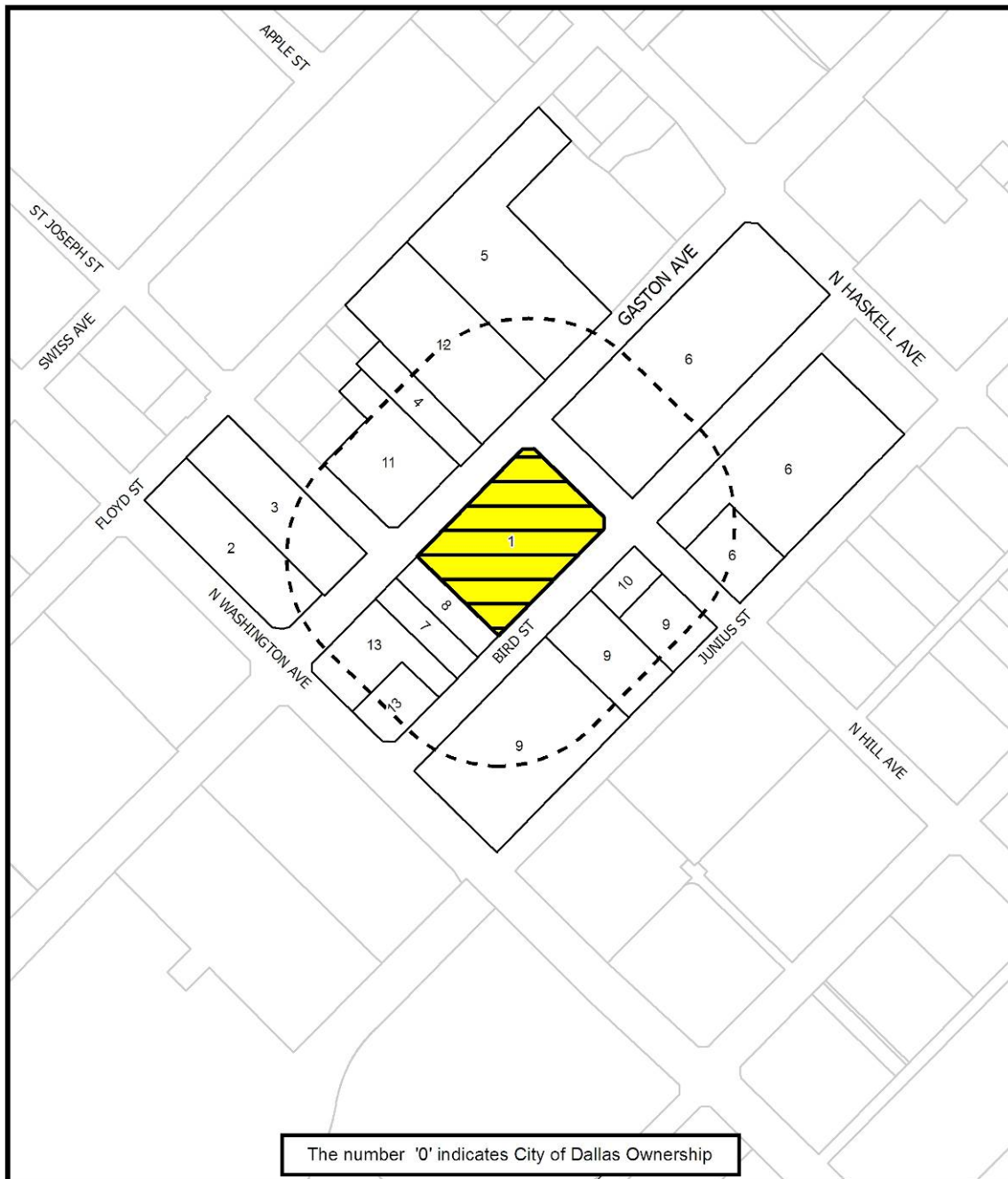
This instrument was acknowledged before me on September 23, 2010 by Kathleen Lewis, Manager, of Seely Family Partnership, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated as the act and deed of said partnership.

Given under my hand and seal of office on this 23<sup>rd</sup> day of September, 2010.



Lauren D Sagebiel  
Notary Public, State of Texas

My commission expires 2/14/11.



1:2,400

## NOTIFICATION

**200'**

AREA OF NOTIFICATION

**13**

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA156-060**

Date: **5/13/2016**

## ***Notification List of Property Owners***

### ***BDA156-060***

#### ***13 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3910 GASTON AVE	GASTON BIOMEDICAL LP
2	3801 GASTON AVE	MONDRIAN MEDICAL LP
3	911 ST JOSEPH ST	DICKINSON PLACE
4	3911 GASTON AVE	BANDY ROLAND
5	4005 GASTON AVE	CRISWELL CENTER FOR
6	4024 GASTON AVE	CRISWELL CENTER FOR
7	3812 GASTON AVE	MCDONALDS REAL ESTATE COMPANY
8	3902 GASTON AVE	NEVIL HOLLY D JR &
9	712 N WASHINGTON AVE	WASHINGTON TOWER JV
10	711 N HILL AVE	CLARK FAMILY TRUST
11	3903 GASTON AVE	SCSDFINNELL LTD
12	3921 GASTON AVE	NCNB TEXAS NATL BANK
13	3802 GASTON AVE	MCDONALDS REAL ESTATE COMPANY

**FILE NUMBER:** BDA156-061(JM)

**BUILDING OFFICIAL'S REPORT:** Application of Migjen Fetaj, for a special exception to the fence height regulations at 11922 Audelia Road. This property is more fully described as Tract 3, Block 8441, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct and maintain an 8 foot high fence in a required front yard, which will require 4 foot special exceptions to the fence height regulations.

**LOCATION:** 11922 Audelia Road

**APPLICANT:** Migjen Fetaj

**REQUEST:**

A request for special exceptions to the fence height regulations of 4' are made to construct and maintain an 8' wooden fence along approximately 325' of frontage on Audelia Road.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:**

Section 51A-4.602 of the Dallas Development Code states that the board may grant a special exception to the height requirement for fences when in the opinion of the board, the special exception will not adversely affect neighboring property.

**STAFF RECOMMENDATION:**

No staff recommendation is made on this or any request for a special exception to the fence height regulations since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring property.

**BACKGROUND INFORMATION:**

**Zoning:**

<u>Site:</u>	R-7.5(A) (Single family district 7,500 sq. ft.)
<u>North, East &amp; South:</u>	R-7.5(A) (Single family district 7,500 sq. ft.)
<u>Northwest:</u>	MF-1(A) (Multifamily)
<u>Southwest:</u>	CR (Community retail district)

## **Land Use:**

The subject site is developed with a single family home. The areas to the north and east are developed with single family uses. To the south is undeveloped land in the floodplain. To the northwest are apartments. To the southwest and far south are retail shops and restaurants.

## **Zoning/BDA History:**

None.

## **GENERAL FACTS/STAFF ANALYSIS:**

- The current request is for an 8' high cedar board-on-board privacy fence within the 25' front yard building setback along the front yard of the subject site on Audelia Road.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard.
- The applicant has submitted a site plan/elevation of the proposal with notations indicating that the fence will be up to 8 feet high.
- The following additional information was gleaned from the submitted site plan:
  - The proposal is represented as being approximately 375' in length parallel to Audelia Road. They have been advised and the plan indicates they will be providing the required 20' visibility triangle for the gate entryway off of Audelia Road on the south end of the property. This will be the only point of vehicular access for the site. They will be closing out a secondary entrance at the north end of the property near the front of the house. Turnaround will be completed on-site (no backing-out onto Audelia Road).
  - The proposal is represented as being located approximately 4' from the property line on Audelia Road, except at the driveway gate entrance where they provide a 20' visibility triangle setback at minimum. The 4' difference is not labeled on the site plan.
  - An existing front yard fence above the height restriction of 4' will be removed after the result of this case. It has not been shown on the site plans for this reason.
- All surrounding properties facing the subject area of request (frontage along Audelia Road) do not have the same height restrictions for front yard fences (MF-1(A) and CR). The apartments have a fence seemingly taller than 4', but wrought iron (see-through).
- As of June 17, 2016, no letters have been submitted in support/opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 4' will not adversely affect neighboring property.

- Granting this special exception of 4' with a condition imposed that the applicant complies with the submitted site plan/elevation would require the proposal exceeding 4' in height in the front yard setback to be modified and maintained in the location and of the height and materials as shown on this document.

**Timeline:**

April 21, 2016: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

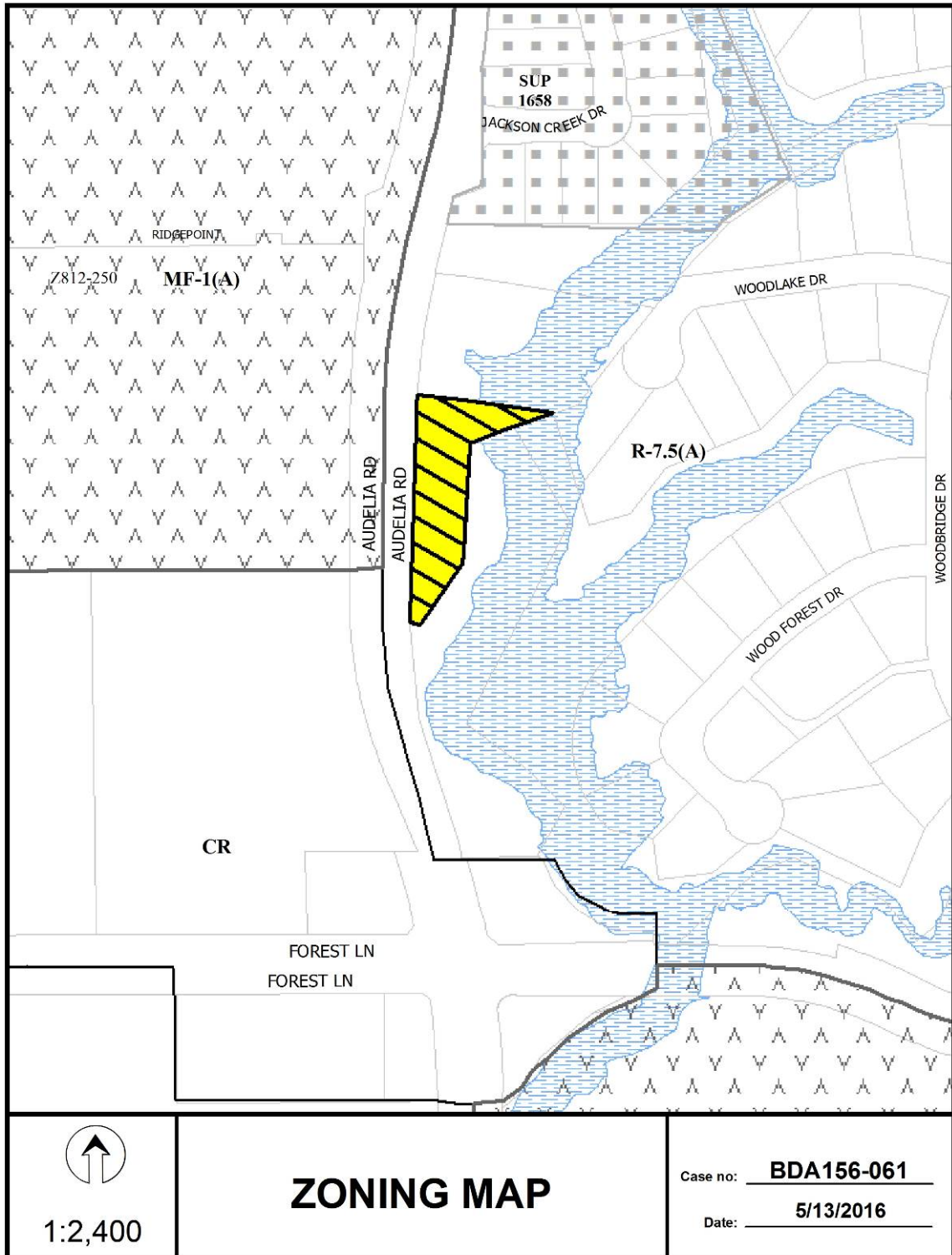
May 10, 2016: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

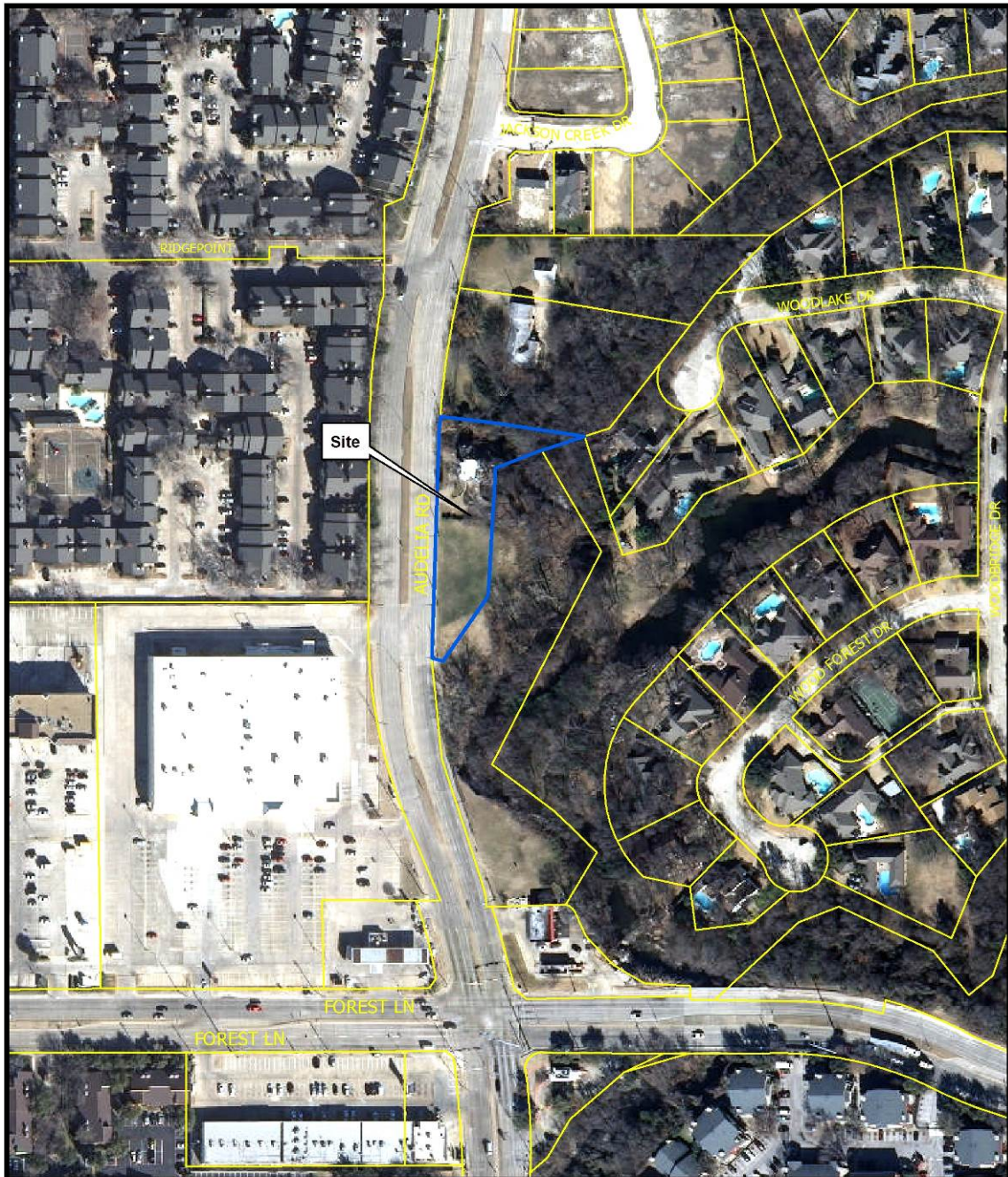
May 17, 2016: The Board Administrator emailed the applicant’s representative the following information:

- 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 June 8<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the June 17<sup>th</sup> 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.”

June 14, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for May public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Sustainable Development and Construction Building Inspection Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Project Engineer, the Sustainable Development and Construction Board of Adjustment Senior Planner, and the Assistant City Attorneys to the Board.

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





Site



1:2,400

# AERIAL MAP

Case no: BDA156-061

Date: 5/13/2016





APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 156-061

Data Relative to Subject Property:

Date: 4-21-16

Location address: 11922 Audelia, rd Dallas

Zoning District: R-7.5(A)

Lot No.: TR3 Block No.: 8441 Acreage: 0.821

Census Tract: 190.19

Street Frontage (in Feet): 1) 375 2) 3) 4) 5) NES A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Astrit Fetaj

Applicant: Migjen Fetaj Telephone: 214-315-3429

Mailing Address: 11922 Audelia rd, Dallas Texas Zip Code: 75243

E-mail Address: prolondonbuilder@gmail.com

Represented by: Migjen Fetaj Telephone: 214-315-3429

Mailing Address: 11922 audelia rd, Dallas Texas Zip Code: 75243

E-mail Address: prolondonbuilder@gmail.com

Affirm that an appeal has been made for a Variance [check], or Special Exception, of

A 4 foot fence extension in front yard.

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:

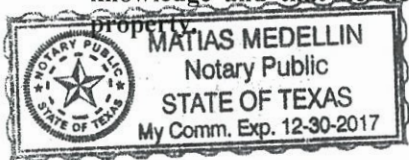
I am concerned for my safety and the safety of my family, due to the high crime happening in the area. The current fence is too low and allows access to thieves and trespassers

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 Migjen Fetaj (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



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

Subscribed and sworn to before me this 21 day of April, 2016

MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

Date of Hearing \_\_\_\_\_

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

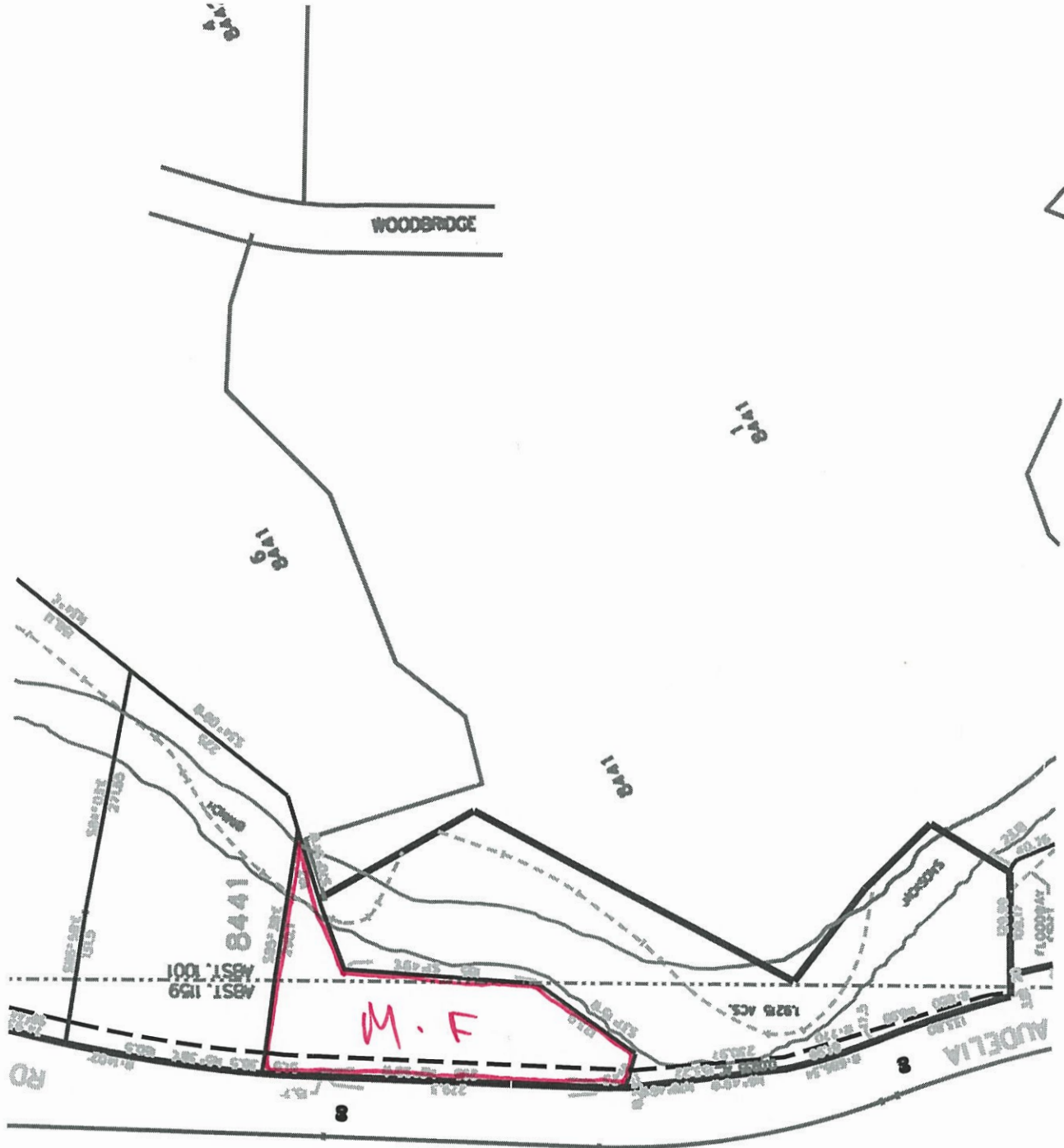
I hereby certify that Migjen Fetaj

did submit a request for a special exception to the fence height regulations  
at 11922 Audelia Road

BDA156-061. Application of Migjen Fetaj for a special exception to the fence height regulations at 11922 Audelia Road. This property is more fully described as Tract 3, Block 8441, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulation.

Sincerely,

*Philip Sikes*  
Philip Sikes, Building Official

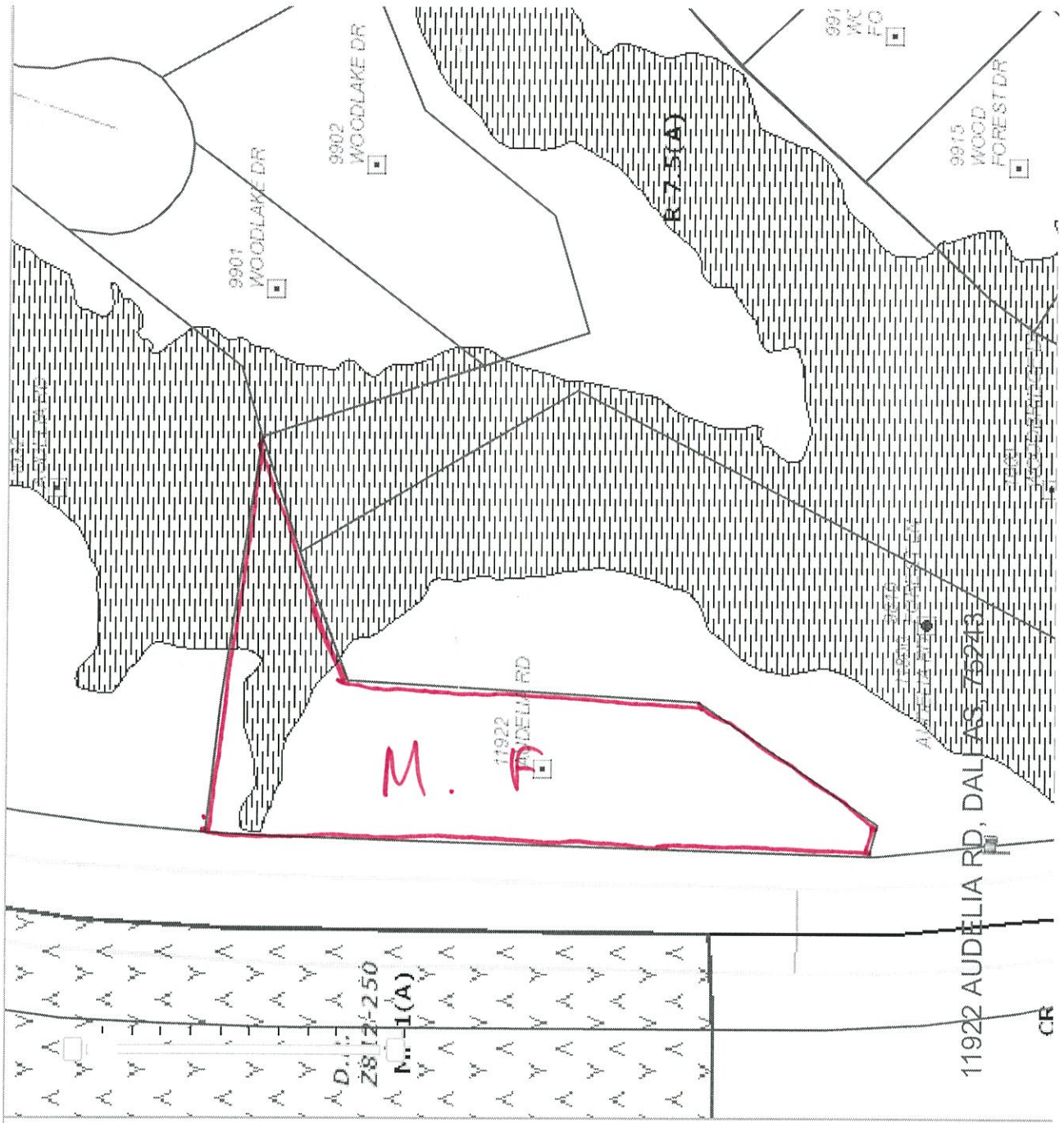


# City of Dallas

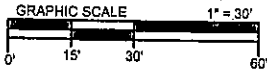
## Internal Development Research Site

Legend

Locate Property



Ruby Lee Wooten  
Vol. 5552, Pg. 450  
D.R.D.C.T.



$\Delta = 02^{\circ}18'19''$   
 $R = 1392.00'$ ;  $L = 56.0'$   
 Chd. Brg. =  $N 01^{\circ}34'52''$   
 Chd. L =  $56.01'$

OVERHEAD POWER LINE  
VOL. 1934, PG. 598

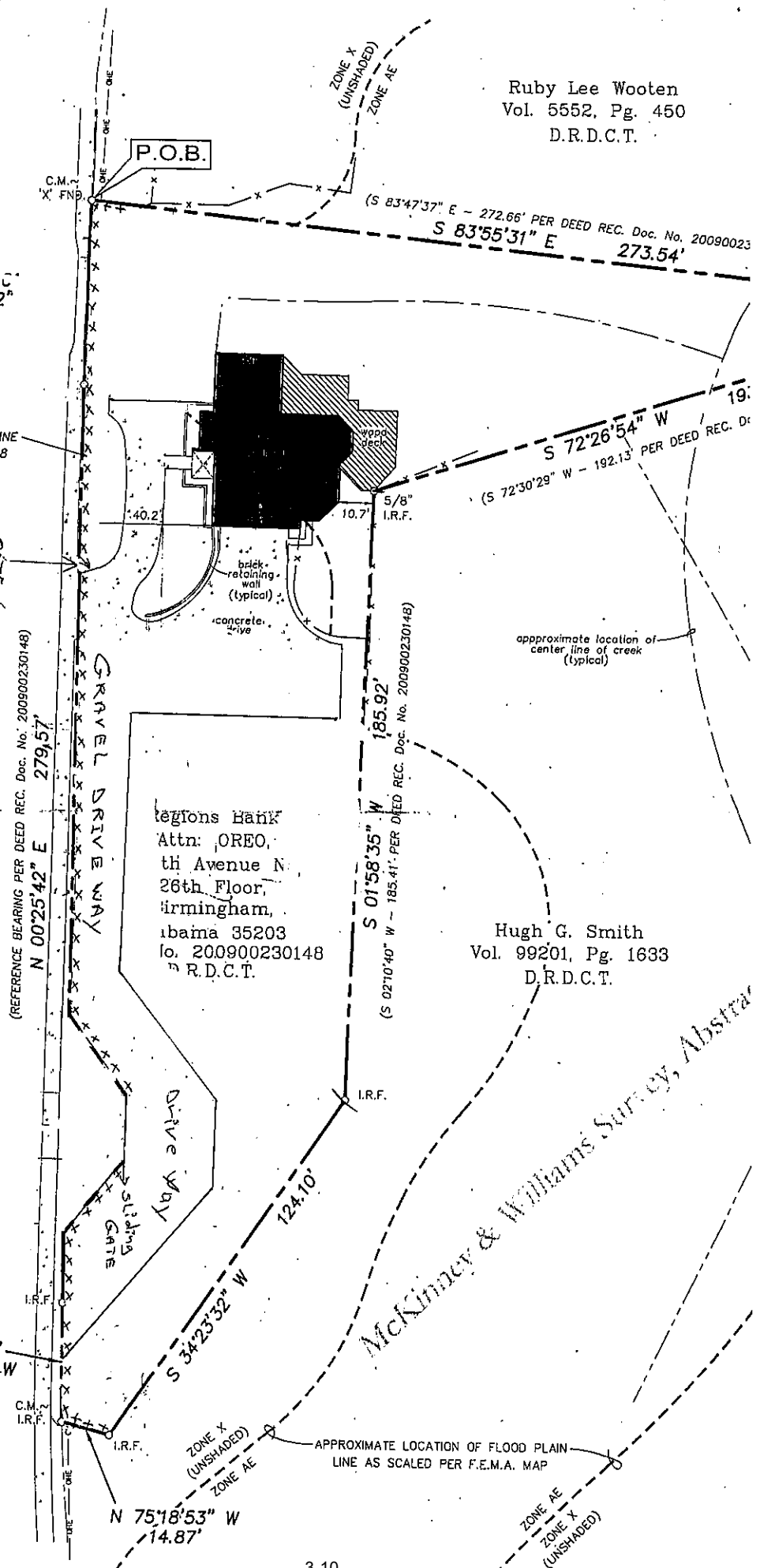
**AUDELIA ROAD**  
(VARIABLE WIDTH R.O.W.)

**LEGEND**

X	FENCE
—	OVERHEAD POWER
PP	POWER POLE
LP	LIGHT POLE
—	GUY WIRE(S)
I.R.F.	IRON ROD FOUND
I.R.S.	IRON ROD SET
T.M.O.T.	TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT
F.C.P.	FENCE CORNER POST
I.P.F.	IRON PIPE FOUND
F.H.	FIRE HYDRANT
SS/DO	SANITARY SEWER CLEAN-OUT
SSMH	SANITARY SEWER MAN HOLE
WM	WATER METER
WV	WATER VALVE
ICV	IRRIGATION CONTROL VALVE
TCM	TELEPHONE CABLE MARKER
TMH	TELEPHONE MAN HOLE
CA.T.V.	CABLE TELEVISION SUB-SURFACE BOX
CON	CONCRETE
AS	EDGE OF ASPHALT
COV	COVERED AREA

KEEP 20 FT X 20 FT  
VISIBILITY TRIANGLES CLEAR

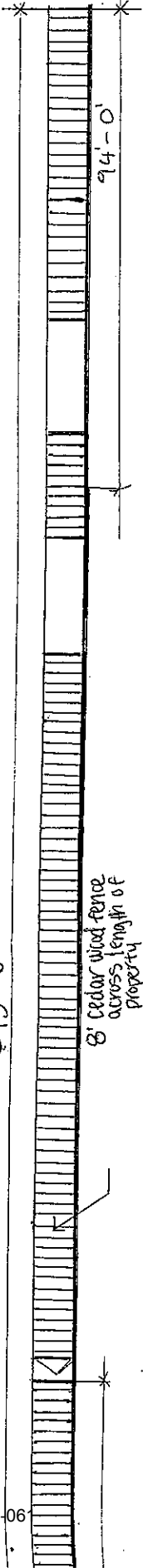
$\Delta = 02^{\circ}41'09''$   
 $R = 770.00'$ ;  $L = 36.09'$   
 Chd. Brg. =  $N 00^{\circ}54'53''$  W  
 Chd. L =  $36.09'$



Hugh G. Smith  
Vol. 99201, Pg. 1633  
D.R.D.C.T.

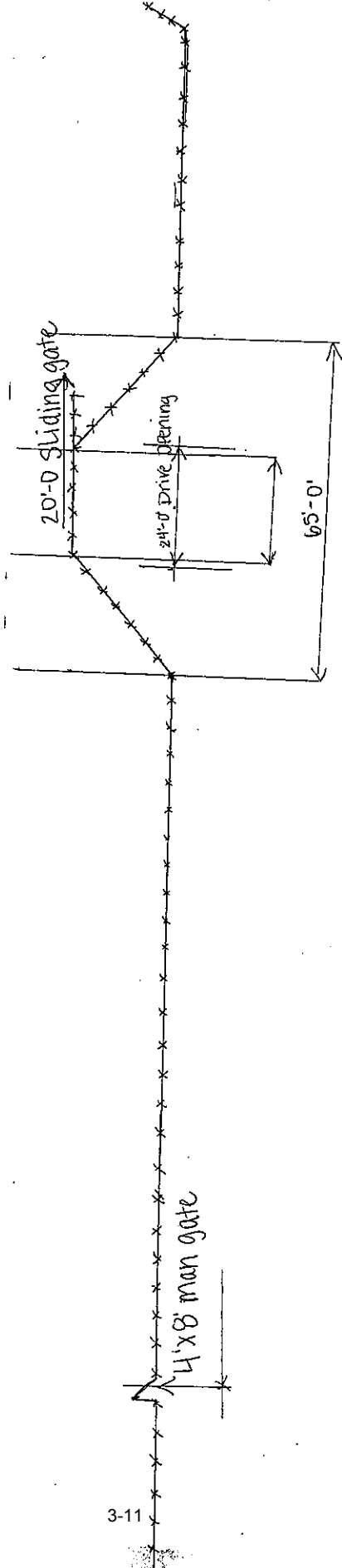
*McKinney & Williams Survey, Abstract*

375'-0"



8' cedar wood fence across length of property

2x6" pressure treated across length of property



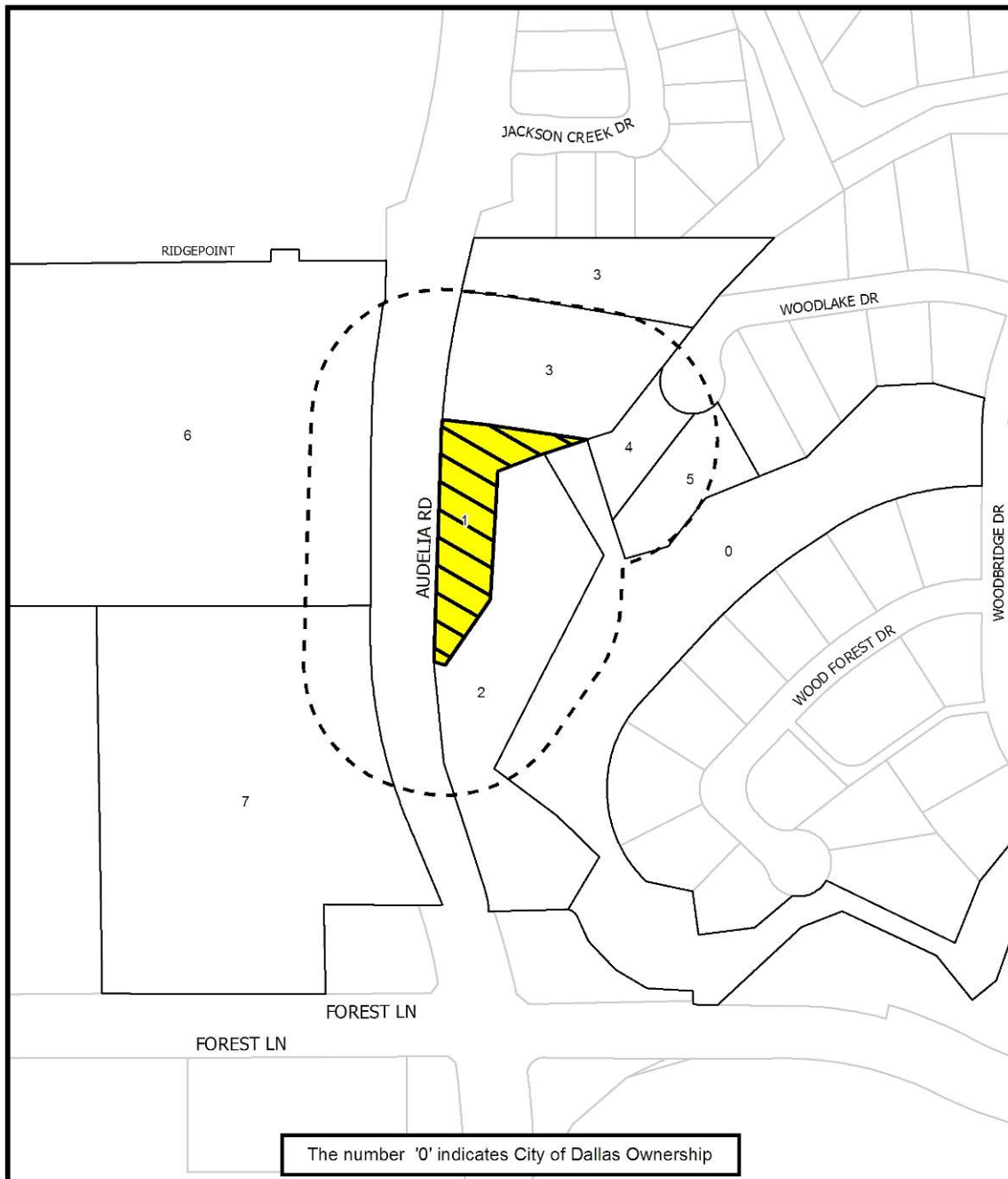
20'-0" Sliding gate

24'-0" Drive opening

65'-0"

KEEP 20FT X 20FT VISIBILITY TRIANGLES CLEAR

West Side Fence Elevation		DR.
SCALE: 1" = 20'	APPROVED BY:	RE
DATE: 4-20-2016		
Project: Audelia Road Fence		DR.
Gianna Gilaesmann		A



1:2,400

## NOTIFICATION

200'

AREA OF NOTIFICATION

7

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA156-061**

Date: **5/13/2016**

## *Notification List of Property Owners*

***BDA156-061***

### *7 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11922 AUDELIA RD	FETAJ ASTRIT
2	11800 AUDELIA RD	SMITH HUGH G
3	11932 AUDELIA RD	WOOTEN RUBY LEE
4	9901 WOODLAKE DR	BROCIOUS JASON D
5	9902 WOODLAKE DR	VELA LESLIE K &
6	11991 AUDELIA RD	ROC TX INDIGO LLC
7	9779 FOREST LN	ALDI TX LLC



**FILE NUMBER:** BDA156-067(SL)

**BUILDING OFFICIAL'S REPORT:** Application of Maxwell Fisher of Masterplan for a special exception to the off-street parking regulations at 10370 N. Central Expressway. This property is more fully described as Lot 2, Block B/7292, and is zoned MU-3(SAH), which requires off-street parking to be provided. The applicant proposes to construct and maintain a structure for a hotel or motel use and provide 115 of the required 131 parking spaces which will require a 16 space special exception to the off-street parking regulations.

**LOCATION:** 10370 N. Central Expressway

**APPLICANT:** Maxwell Fisher of Masterplan

**REQUEST:**

A request for a special exception to the off-street parking regulations of 16 spaces is made to complete and maintain a five-story, 124-room hotel use (Hampton Inn) with approximately 1,400 square feet of meeting room space, and provide 115 of the required 131 off-street parking spaces.

**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 16 spaces shall automatically and immediately terminate if and when the hotel or motel use is changed or discontinued.

Rationale:

- The Sustainable Development and Construction Department Project Engineer indicated that he has no objections to the applicant's request.

Zoning:

Site: MU-3 (SAH) (Mixed Use)  
North: MC-1 (Multiple Commercial)  
South: MU-3 (SAH) (Mixed Use)  
East: MU-3 (SAH) (Mixed Use)  
West: MU-2 (Mixed Use)

Land Use:

The subject site is under development. The area to the north is developed with retail uses, the area to the east is developed with a hospital use; the area to the south is undeveloped and is the subject site of an application to the Board of Adjustment Panel A on June 28, 2016 (BDA156-068); and the area to the west is North Central Expressway.

**Zoning/BDA History:**

1. BDA156-068, Property at 10350 N. Central Expressway (the lot south of the subject site)

On June 28, 2016, the Board of Adjustment Panel A will consider a request for a special exception to the off-street parking regulations of 15 spaces made in conjunction to construct and maintain a five-story, 110-room hotel with approximately 2,700 square feet of meeting space, on a site in part undeveloped and in part developed with a surface parking lot, and provide 109 of the required 124 off-street parking spaces.

**GENERAL FACTS/STAFF ANALYSIS:**

- This request focuses on completing and maintaining a five-story, 124-room hotel use with approximately 1,400 square feet of meeting room space, and providing 115 of the required 131 off-street parking spaces.
- The Dallas Development Code requires the following off-street parking requirements:
  - Hotel or motel use: 1 space for each unit for units 1 to 250;  $\frac{3}{4}$  space for each unit for units 251-500;  $\frac{1}{2}$  space for all units over 500; plus 1 space per 200 square feet of meeting room.

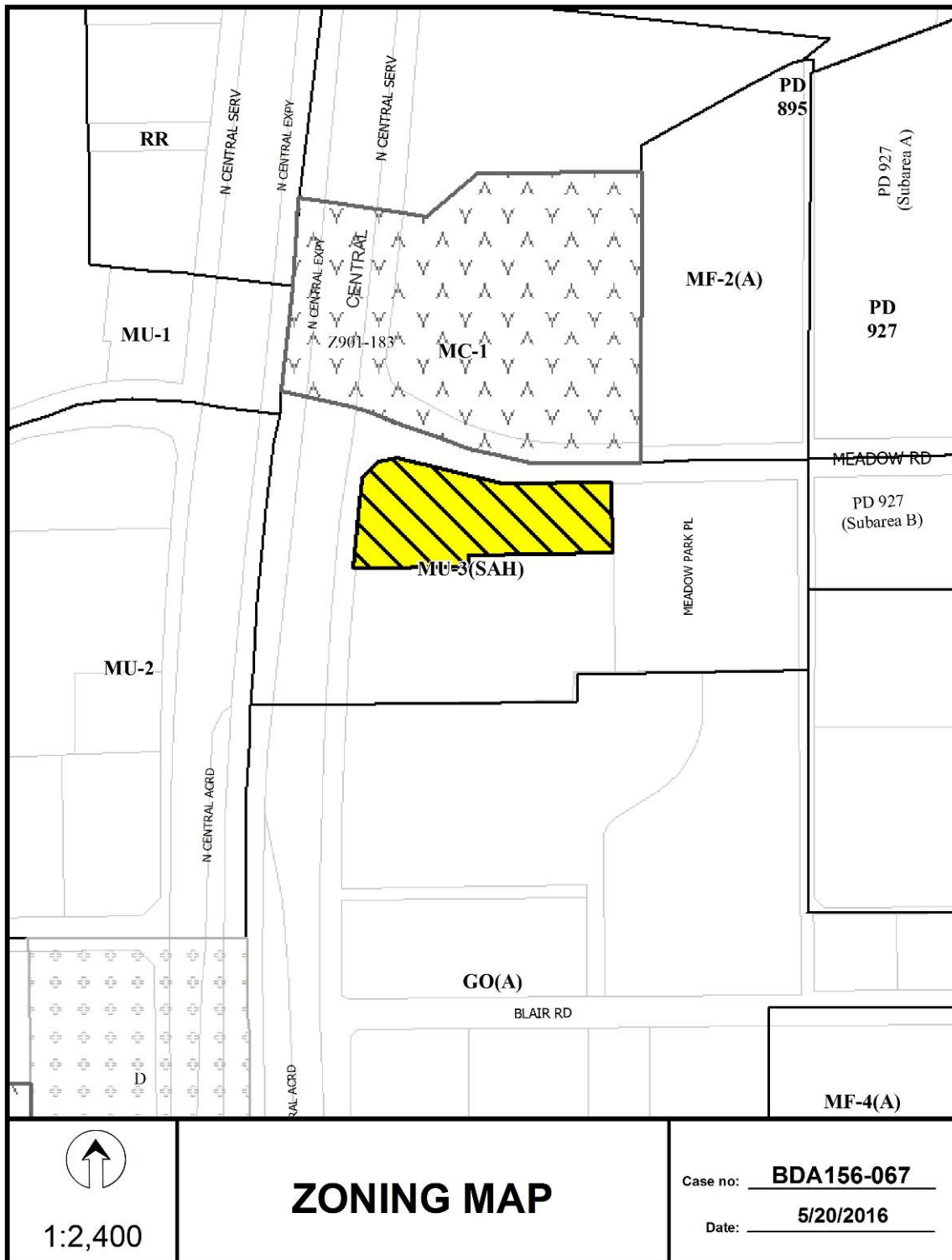
- The applicant has submitted a parking study which states among other things that the projected peak parking demand for the proposed use based upon data from the Institute of Transportation Engineers is 0.60 parked vehicles per occupied room on a weekday and 0.66 parked vehicles per room on a Saturday, which is less than the City's base parking requirement of 1 space per unit. (124 guestrooms parked at 0.66 spaces per room would total 82 spaces; the applicant proposes to provide 115 spaces).
- The Sustainable Development Department Project Engineer has indicated that he has no objections to the request.
- The applicant has the burden of proof in establishing the following:
  - The parking demand generated by the "hotel or motel" use on the site does not warrant the number of off-street parking spaces required, and
  - The special exception of 26 spaces (or a 12 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 16 spaces shall automatically and immediately terminate if and when the medical clinic use is changed or discontinued, the applicant would be allowed to construct and maintain the structure on the site with this specific use ("hotel or motel") with the specified square footage, and provide 115 of the 131 code required off-street parking spaces.

**Timeline:**

- May 6, 2016: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- May 13, 2016: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- May 13, 2016: 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 June 8<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the June 17<sup>th</sup> 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."

June 14, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection, Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

June 17, 2016: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Has no objections."





1:2,400

# AERIAL MAP

Case no: BDA156-067

Date: 5/20/2016



E

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 156-067

Data Relative to Subject Property:

Date: 5/6/16

Location address: 10370 N. Central Expressway Zoning District: MU-3(SAH)

Lot No.: 2 Block No.: B/7292 Acreage: 2.118 Census Tract: 0078.22

Street Frontage (in Feet): 1 215 2 413 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_ NEAA

To the Honorable Board of Adjustment:

Owner of Property/or Principal Meadow Hospitality, LP % Dhaval Patel

Applicant: Maxwell Fisher, AICP Masterplan Telephone: 214.761.9197

Mailing Address 900 Jackson Street, Suite 640 Zip Code: 75202

Represented by: -- Telephone: --

Mailing Address: -- Zip Code: --

Affirm that a request has been made for a Variance   , or Special Exception X, of     
A reduction of 16 parking spaces from the required 131 spaces for a hotel use.

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason:

The minimum off-street parking space requirement exceeds projected parking demand.  
See attached memorandum for additional information.

Note to Applicant: If the relief requested in this application is granted by the Board of Adjustment, said 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.

Respectfully submitted: Maxwell Fisher [Signature]  
Applicant's name printed Applicant's signature

Affidavit

Before me the undersigned on this day personally appeared MAXWELL FISHER who on (his/her) oath certifies that the above statements are true and correct to his best knowledge and that he is the owner/or principal/or authorized representative of the subject property.

[Signature]  
Affiant (Applicant's signature)

Subscribed and sworn to before me this 9th day of MAY, 2016

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

(Rev. 08-20-09)





**MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT**

Date of Hearing \_\_\_\_\_

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

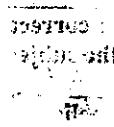
Chairman

**Building Official's Report**

I hereby certify that Maxwell Fisher

did submit a request for a special exception to the parking regulations  
at 10370 N. Central Expressway

BDA156-067. Application of Maxwell Fisher for a special exception to the parking regulations at 10370 N. Central Expressway. This property is more fully described as Lot 2 Block B/7292, and is zoned MU-3(SAH), which requires parking to be provided. The applicant proposes to construct a nonresidential structure for a hotel or motel use and provide 115 of the required 131 parking spaces which will require a 16 space special exception (12% reduction) to the parking regulation.



Sincerely,

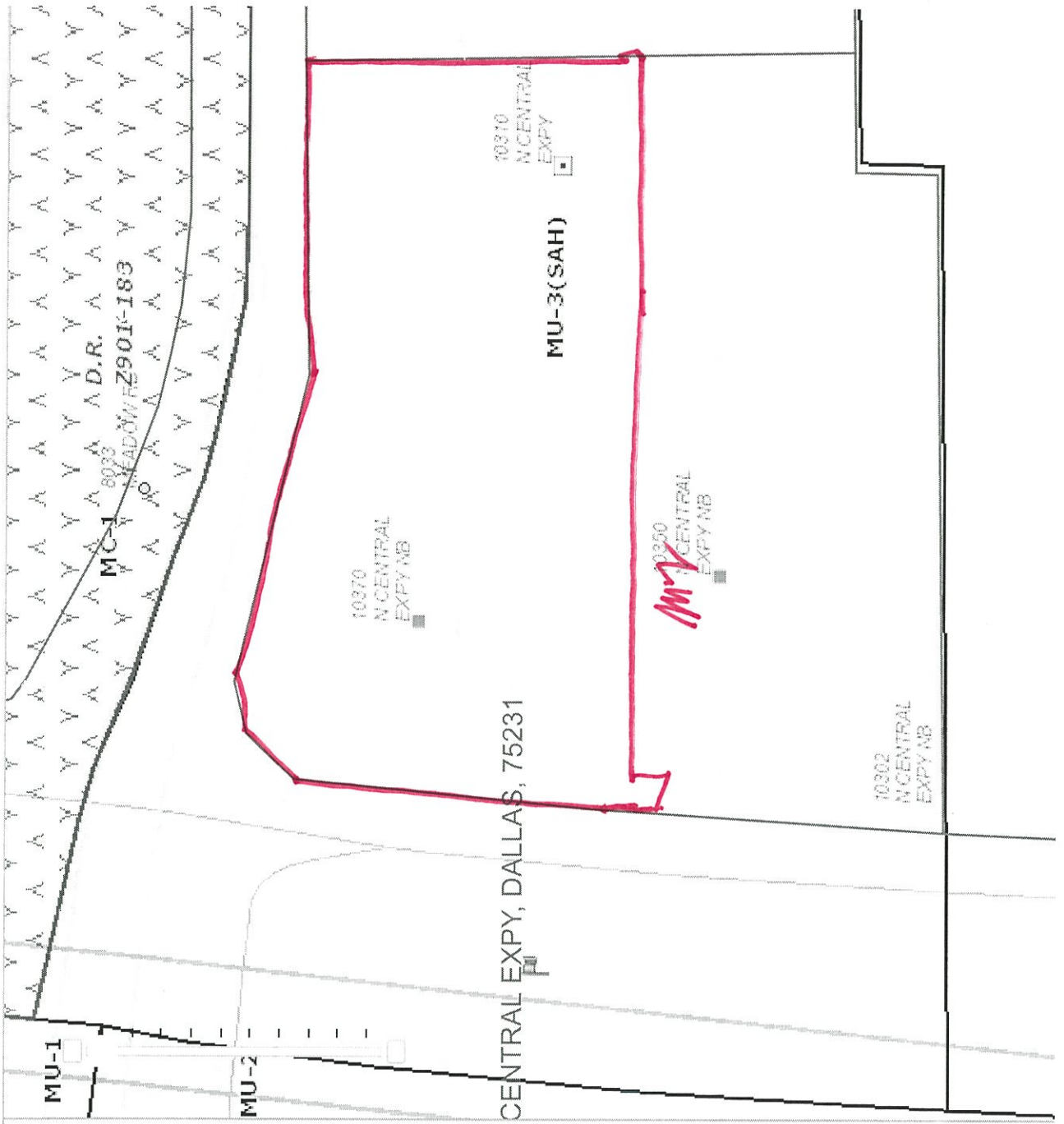
*Philip Sikes*  
Philip Sikes, Building Official

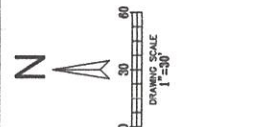
# City of Dallas

## Internal Development Research Site

Legend

Locate Property





THIS DOCUMENT IS INFORMATION ONLY. IT IS NOT TO BE USED FOR ANY PURPOSE WITHOUT THE AUTHORITY OF CUMULUS DESIGN. DATE: 05/04/16

LOT 2 SITE PLAN

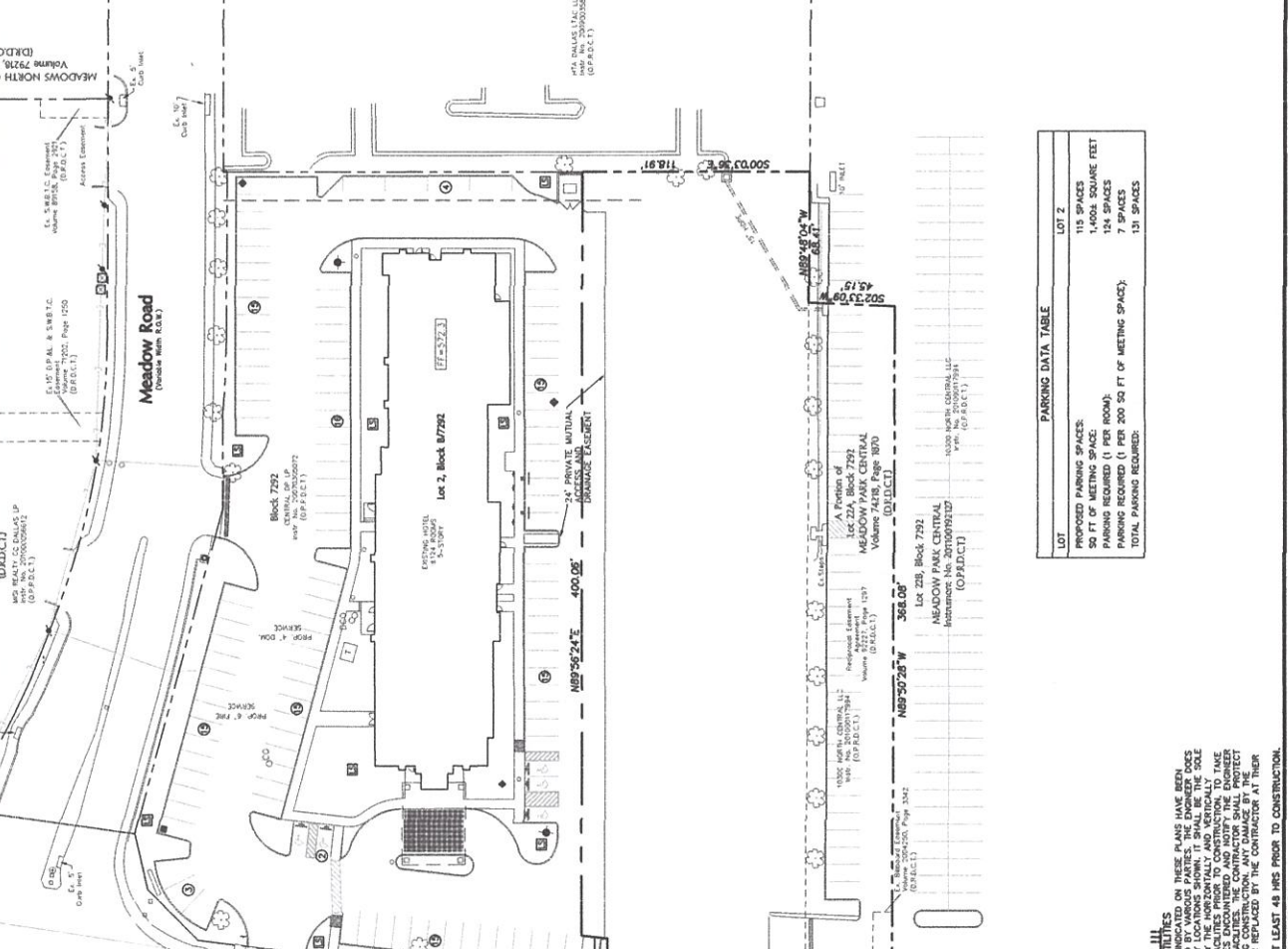
PLOT DATE: 05/04/16  
DRAWING SCALE: 1" = 30'  
PROJECT NUMBER: CD15036  
SHEET NUMBER: LOT2

**LEGEND**

- EXISTING CURB
- - - PROPOSED CURB
- ⊙ PARKING SPACES IN A ROW
- ⊠ PROPOSED LANDSCAPING AREA

**SITE NOTES:**

1. ALL DIMENSIONS ARE TO FACE OF CURB, EDGE OF PAVEMENT, FACE OF ROAD AND THE NORTHBOUND FRONTAGE ROAD OF NORTH CENTRAL EXPRESSWAY.
2. THE SITE IS NOT LOCATED IN A FLOOD PLAIN, ESCARPMENT, NEAR ANY MAJOR WATER BODIES, DRENCH, MARSHES OR DRAINAGE AREAS.
3. THE SITE IS NOT LOCATED IN AN AREA WITH SIGNIFICANT GEOTECHNICAL PROBLEMS.
4. THE SITE IS NOT LOCATED IN AN AREA WITH SIGNIFICANT SOIL CONTAI... (text partially obscured)



**PARKING DATA TABLE**

LOT	LOT 2
PROPOSED PARKING SPACES:	115 SPACES
50 FT OF MEETING SPACE:	1,400+ SQUARE FEET
PARKING REQUIRED (1 PER ROOM):	124 SPACES
PARKING REQUIRED (1 PER 200 SQ FT OF MEETING SPACE):	7 SPACES
TOTAL PARKING REQUIRED:	131 SPACES

**CAUTION !!!**  
UNDERGROUND UTILITIES  
EXISTING UTILITIES AND UNDERGROUND UTILITIES SHOWN ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS PARTIES. THE ENGINEER DOES NOT GUARANTEE THE ACCURACY OF THIS INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL UTILITIES AND UNDERGROUND FACILITIES FROM DAMAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE UTILITY COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING OR REPLACING ALL UTILITIES AT THEIR OWN EXPENSE.

CALL TEXAS ONE CALL @ 1-800-245-6345 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.



09 May 2016

TO: Dallas Board of Adjustment

FROM: Maxwell Fisher, AICP

RE: Special Exception to Minimum Off-street Parking Requirements – LOT 2/BLOCK B/7292 – 10370 N. Central Expressway

On behalf of Meadow Hospitality LLC, Masterplan requests approval of a special exception of the on-site parking space requirements. The special exception is requested to accommodate a Hampton Inn and Suites hotel at the southeast corner of Meadow Road and Central Expressway. The request is to decrease the parking space requirement from 131 to 115 spaces. The five-story, 124-room hotel would primarily serve travelers frequenting Presbyterian Hospital, Forest Park Medical Center, Medical City Hospital, general offices and other nearby activities. A significant number of hotel guests travel to and from the hotel by various types of travel services where vehicles pick up and drop off guests, and therefore do not park in an on-site parking space.

The Dallas Development Code doesn't recognize a business hotel in that the land use classification and parking requirements fall under a general "Hotel or motel use" with a parking requirement of one parking space per room plus one parking space for each 200 square feet of meeting space. Parking demand data indicates that hotels predominately serving business travelers demand less parking accommodations. Generally this data suggests that fewer parking spaces need to be supplied to accommodate the parking demand at such facilities. The parking demand analysis demonstrates actual parking demand is less than the conventional parking requirement.

The Dallas Development Code requires additional parking based on the amount of floor area devoted to meeting space at a rate of 1 parking space per 200 square feet of floor area. This additional requirement would in theory accommodate any additional visitors meeting patrons staying at the hotel. A substantial number of hotel patrons check in late and check out early as part of their business day. Whereas, meeting space would be used generally during business hours when hotel rooms are less occupied and overall parking demand is low. The greater parking space vacancy would easily accommodate any additional parking demand associated with meetings. The meeting space will be mostly underutilized during peak parking demand, which is late PM to early AM hours. Moreover, a business group traveling together may use the meeting space independently, or without local visitors and additional parking demand. As such, the parking requirement is disproportionately high if additional parking is required for meeting space in these instances when those same patrons are staying in a room also requiring parking.

On-site Shuttle Service: The hotel developer owns and operates a number of hotels in DFW and would own and operate this facility. As part of planned hotel operations, the owner will provide complimentary shuttle service to patrons. This shuttle service would take patrons to and from the hotel to various destinations within a limited radius. This service would support those without vehicles.

Dallas Area Rapid Transit (DART): DART provides light rail service via the Red and Orange lines. The nearest station for these lines is approximately one-half mile to the southeast at its intersection with Walnut Hill Lane. Patrons may walk from hotel to station for daytime activities. Moreover, the on-site shuttle service would also transport patrons to that station as needed. There are also three nearby DART

bus stations, with one along the Central Expressway Service Road and two along Meadow Road, immediately adjacent to the hotel site.

Rideshare Services: The emergence of rideshare services, such as UBER and LYFT, as well as conventional taxi and shuttle services have shifted the reliance on the use of personal vehicles or leasing of motor vehicles. Many of the hotel patrons uses these services. Airport shuttle service would take visitors to and from the airport while aforementioned rideshare services would serve those mid-stay trips taken by hotel guests.

Based upon the aforementioned considerations, we respectfully request a special exception to the minimum parking space requirements. Parking demand data demonstrates parking demand for business hotels is markedly less than other types of hotels. A substantial percentage of patrons will utilize various modes of transportation that only generates drop off and pick up traffic. Moreover, the parking requirement for hotel uses requires additional parking for meeting space that goes underutilized during peak hour, or is used by patrons only.

Should you have any questions, or need additional information, don't hesitate to email at [maxwell@masterplanconsultants.com](mailto:maxwell@masterplanconsultants.com) or contact us at 214.761.9197

May 23, 2016

PK# 3812-16.188

# PARKING DEMAND ANALYSIS

*Project:*

**Hampton Inn – 10370 N. Central Expressway**

*In Dallas, Texas*

*Prepared for:*

**City of Dallas**

*On behalf of:*

**Whitestone Hospitality Management LLC**



5/23/16

*Prepared by:*



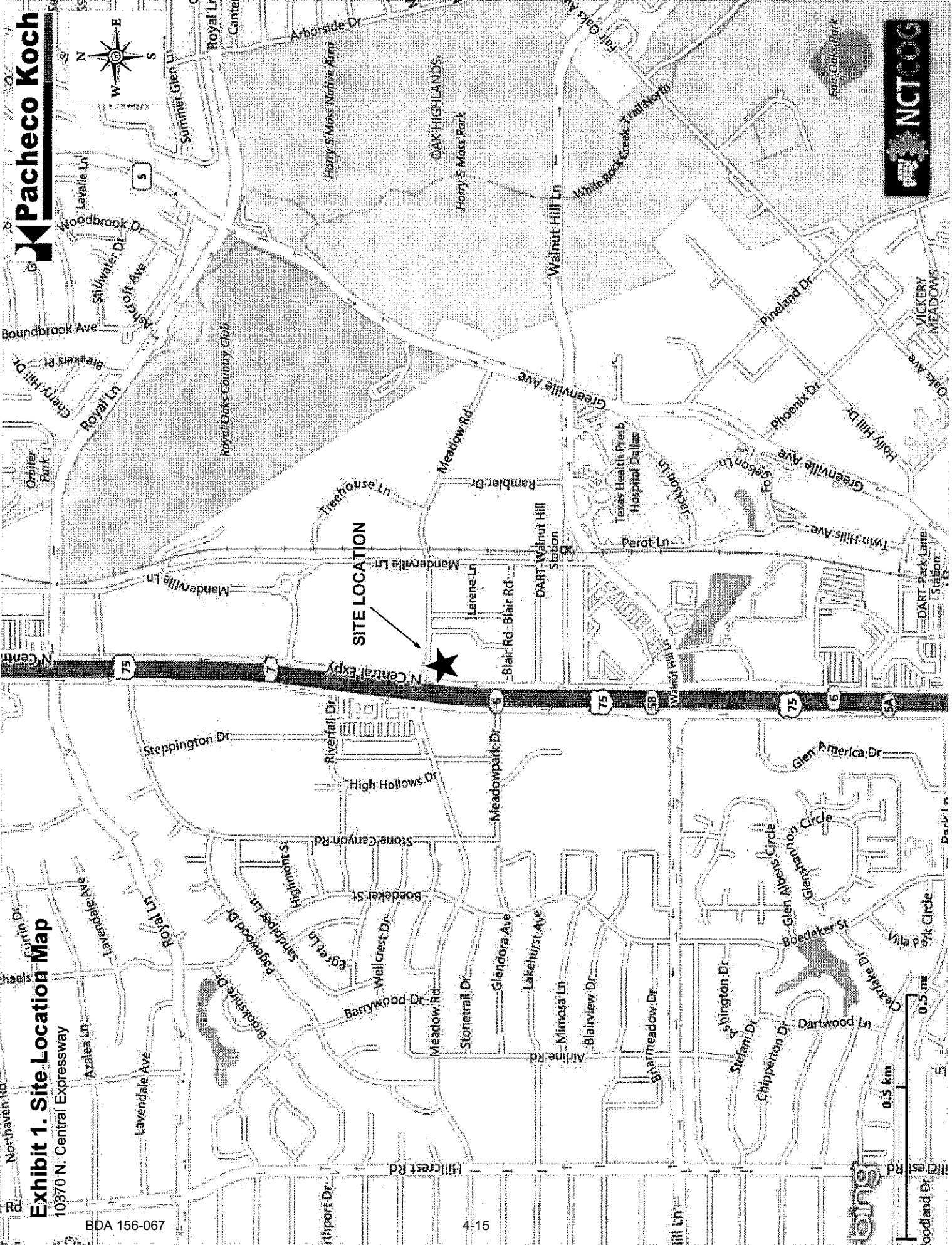
7557 Rambler Road, Suite 1400

Dallas, Texas 75231-2388

(972) 235-3031 [www.pkce.com](http://www.pkce.com)

TX. REG: ENGINEERING FIRM F-14439

TX. REG. SURVEYING FIRM LS-10193805-00



**Exhibit 1. Site Location Map**

10370 N. Central Expressway

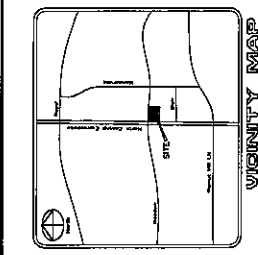
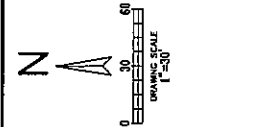
BDA 156-067

Cumulus Design  
 Firm #14810  
 2080 N. Highway 360, Suite 240  
 Grand Prairie, Texas 75050  
 Tel. 214.235.0307

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 DESIGN, INC. 1/27/14 ON  
 05/07/16

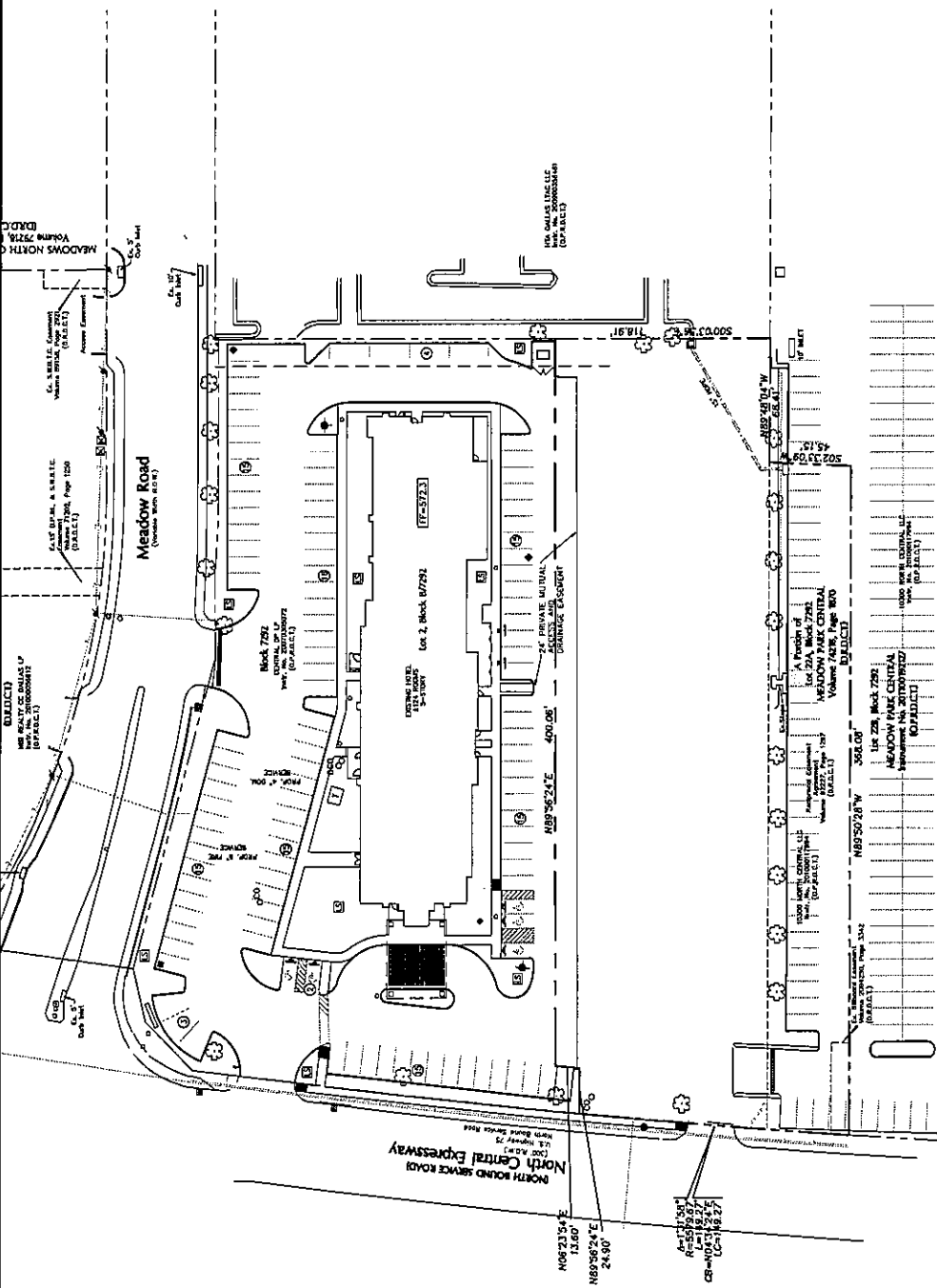
LOT 2 SITE PLAN  
 HILTON GARDEN INN U.S. 75 NEAR MEADOW ROAD  
 CITY OF DALLAS  
 DALLAS COUNTY, TEXAS

LOT 2  
 SHEET NUMBER  
 C0150326  
 PROJECT NUMBER  
 1" = 30'  
 DRAWING SCALE  
 05/07/16  
 PLOT DATE



- LEGEND
- EXISTING CURB
  - PROPOSED CURB
  - PARKING SPACES IN A ROW
  - PROPOSED LANDSCAPING AREA

SITE NOTES:  
 1. THE POINTS OF INTEREST AND ELEVATIONS FROM THE SITE WILL BE FROM MEADOW ROAD AND THE NEIGHBORING FRONTAGE ROAD OF NORTH CENTRAL EXPRESSWAY.  
 2. ALL DIMENSIONS ARE TO FACE OF CURB, EDGE OF PARAPET, FACE OF BUILDING OR AS OTHERWISE INDICATED.  
 3. ALL SIDEWALKS SHALL MAINTAIN A 3% MAXIMUM CROSS SLOPE AND 3% MINIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL. ALL ADA SIDEWALKS SHOULD INCLUDE ALL LANDSCAPE, BARRIERS, ETC. AS REQUIRED BY CODE.  
 4. THE SITE IS NOT LOCATED IN A FLOOD PLAIN OR FLOOD HAZARD AREA. NEAR ANY MAJOR WATER BODIES, SPECIAL TREATMENT OR DRAINAGE FACILITIES.



LOT	PARKING DATA TABLE	LOT 2
PROPOSED PARKING SPACES:		115 SPACES
EXISTING PARKING SPACES:		124 SPACES
PARKING RESERVED (1 PER 200 SQ FT OF MEETING SPACE):		7 SPACES
TOTAL PARKING REQUIRED:		131 SPACES

**III. CAUTION !!!**  
 UNDERGROUND UTILITIES  
 EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED BY FIELD SURVEY AND SHOWN AS APPROXIMATE LOCATIONS. THE CONTRACTOR SHALL NOT ASSUME THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION. TO TAKE PRECAUTIONS TO PROTECT ALL UTILITIES ENCOUNTERED AND NOTIFY THE ENGINEER IMMEDIATELY IN WRITING OF ANY DISCREPANCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL UTILITIES FROM DAMAGE DURING CONSTRUCTION. ANY DAMAGE TO UTILITIES SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT THEIR OWN EXPENSE.  
 CALL: TEXAS ONE CALL @ 1-800-245-4545 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.



## EXECUTIVE SUMMARY

---

The services of **Pacheco Koch** were retained by Whitestone Hospitality Management LLC to conduct a Parking Demand Analysis for the proposed, 124-room, business hotel – a *Hampton Inn* located at 10370 N. Central Expressway in the southeast corner of the interchange of US 75 and Meadow Road in Dallas, Texas. Under direct application of the Development Code, 131 parking spaces would be required. The site accommodates 115 parking spaces. Therefore, the Owner is requesting a Special Exception for a 16-space (12%) parking reduction to better align the parking requirement with the actual parking demand. The resulting request equates to a parking supply of 0.93 parking spaces per guest room. This study is being provided to the City in support of the request.

Following a technical review of the projected parking need for the development, the following findings and recommendations were determined by Pacheco Koch.

**FINDING:** The projected peak parking demand for the proposed use based upon published data from the *Parking Generation* manual, 4th Edition (2010), published by the **Institute of Transportation Engineers (ITE)**, is 0.60 parked vehicles per occupied room on a weekday and 0.66 parked vehicles per room on a Saturday, which is less than the City's base parking requirement of 1 space per guest room, plus 1 space per 200 square feet of meeting room.

**FINDING:** Based upon a parking data collection at a similar hotel – Hampton Inn & Suites at 4201 Reggis Court in Fort Worth, Texas – the parking demand was observed to be very comparable to the ITE data (0.55 and 0.65 parked vehicles per occupied room on a weekday and weekend, respectively), which also supports the request.

- ❖ **RECOMMENDATION:** The proposed site will provide 115 parking spaces, which is 33 spaces more than the projected peak demand of 82 spaces. Therefore, the proposed 16-space code parking reduction is justified.

END

## TABLE OF CONTENTS

EXECUTIVE SUMMARY ..... i

INTRODUCTION ..... 1

*Purpose* ..... 1

*Project Description*..... 1

*Code Parking Requirement* ..... 2

PARKING DEMAND ANALYSIS..... 2

*Approach* ..... 2

*Published Parking Data* ..... 2

*Observed Parking Demand* ..... 3

SUMMARY OF FINDINGS ..... 4

APPENDIX A ..... 7

Parking Special Exception CONSIDERATIONS ..... 7

LIST OF TABLES:

- Table 1. Development Program Summary
- Table 2. Base Code Parking Requirement
- Table 3. Projected Peak Parking Generation Summary Based Upon  
Published Data
- Table 4. Parking Occupancy Data Summary
- Table 5. Analysis Summary Table

LIST OF EXHIBITS:

- Schematic Design Plans (prepared by *Cumulus Design*)

## INTRODUCTION

---

The services of **Pacheco Koch** (PK) were retained by Whitestone Hospitality Management LLC to conduct a Parking Demand Analysis (PDA) for a proposed business hotel development located at 10370 N. Central Expressway in the southeast corner of the interchange of US 75 and Meadow Road in Dallas, Texas.

The proposed development consists of a 124-room *Hampton Inn*. A site location map (Exhibit 1) and a preliminary site plan (prepared by Cumulus Design) is attached to this report for reference purposes.

The Owner is seeking a Special Exception to the base parking requirement from the City of Dallas to facilitate development of the Project. 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 Parking Demand Analysis is an investigation of actual and/or published 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**

The Project is a stand-alone, select-service hotel. A summary of the proposed development program is provided in **Table 1**.

Table 1. Development Program Summary

USE	AMOUNT
Guest Rooms	124
Meeting Room(s)	1,460 SF

*NOTE: The development program provided above is based upon the most current and complete information available at the time of this study publication.*

Based upon the proposed site plan, the site will provide 115 off-street parking spaces.

The hotel will also provide a free shuttle service for hotel guests to travel within three miles of the site. Destinations include: Medical City Dallas Hospital, Texas Health Presbyterian Hospital Dallas, NorthPark Center, Preston Center, Texas Instruments, etc.

**Code Parking Requirement**

The study site is currently zoned MU-3(SAH) as defined in Chapter 51A of the Dallas Development Code. The proposed use, "Hotel or motel", is allowed under the current zoning designation. The base parking requirement for this use is: 1 space for each unit for units 1 to 250; ¾ space for each unit for units 251 to 500; ½ space for all units over 500; plus, 1 space per 200 square feet of meeting rooms.

The base parking requirement for the proposed development is summarized in **Table 2.**

Table 2. Base Code Parking Requirement

LAND USE		AMOUNT <sup>[A]</sup>	RATE	DIRECT PARKING REQUIRED
Hotel: Guest Rooms	51A-4.205(1)(C)	124 Rooms	1 space/1 Room	124
Hotel: Meeting Rooms		1,460 SF	1 space/200 SF	7
<b>Total</b>	--	--	--	<b>131</b>

[A] Based upon the site plan prepared by Cumulus Design as of May 4, 2016.

**PARKING DEMAND ANALYSIS**

Submittal of a Parking Demand Analysis is required as part of the review process for the requested adjustment to the base parking requirement. The Staff will provide a review of the analysis and provide a technical recommendation.

**Approach**

To validate the parking demand for the subject site, information was compiled from two sources: (1) published parking demand data from credible industry sources; and (2) actual parking demand data collected at similar facilities. These resulting data points were then compared to the base code parking requirement to provide the basis for the proposed parking reduction.

**Published Parking Data**

The *Parking Generation* manual, 4th Edition (2010), published by the **Institute of Transportation Engineers (ITE)**, is the preeminent source of technical parking demand data. The manual is a compilation of actual parking generation data and statistics by land use as collected over several decades by creditable sources

across the country. Though the manual is not comprehensive, data are provided for several land uses. Use of the ITE equations and rates to project peak parking demand is widely recognized, when applicable; however, application of engineering judgment to interpret the data is strongly advised.

The ITE Parking Generation manual does provide estimated peak parking demand rates for a business hotel use of 0.60 and 0.66 parked vehicles per occupied room for a weekday and Saturday, respectively. ITE does explain that a business hotel use (and, therefore, the published parking demand rates) may include such accommodations as: breakfast/beverage bar and small-scale meeting rooms. These parking demand rates reflect the overall peak demand for all aforementioned functions, collectively. These rates do account for use of alternate travel modes, such as transit, taxis, shuttles, etc.; however, some sites may have a greater-than-average proportion of alternative mode trips and warrant an additional reduction (no additional reductions were applied in this analysis).

NOTE: The proposed hotel will provide a free shuttle service to guests that travels within a 3-mile radius of the site.

**Table 3** provides a summary of the projected parking demand for the main uses on site based upon ITE rates. Excerpts from the ITE Parking Generation manual are provided in the Appendix.

*Table 3. Projected Peak Parking Generation  
Summary Based Upon Published Data*

LAND USE	QUANTITY	RATE	PROJECTED PEAK PARKING DEMAND
Business Hotel (ITE Land Use Code 312)	124 Rooms	0.60 per occupied room (weekday)	74 (weekday)
		0.66 per occupied room (Saturday)	82 (Saturday)

As shown in **Table 3** above, the projected peak parking demand for the proposed hotel development, based on ITE's methodology, is 82 parking spaces – 37% lower than the corresponding code parking requirement of 131 spaces. This "overstatement" of the code criteria justifies a request for a reduction of the requirement.

### **Observed Parking Demand**

Actual, observed parking utilization counts on-site, or at a comparable location, are considered to be the best representation of site- or use-specific parking demand characteristics. For this reason, Pacheco Koch selected Hampton Inn & Suites – 4201 Reggis Court, Fort Worth, Texas – as a study location due to its similarity to the proposed development with regard to type of clientele, travel mode, location characteristics, etc. Parking accumulation counts were conducted on the site daily between 5:00-6:00 AM on May 13-16, 2016. A summary of those parking occupancy data are summarized **Table 4**.

Table 4. Parking Occupancy Data Summary

DATE OF COUNT	DATA CATEGORY	Hampton Inn, SH 360 Fort Worth, TX
		Total Rooms: 116 Avail. Pkg. Spaces: 127
Friday, May 13, 2016	Occupied Rooms	104
	Parked Vehicles*	55
	Parked Vehicles/ Occupied Rooms	0.53
Saturday, May 14, 2016	Occupied Rooms	110
	Parked Vehicles*	53
	Parked Vehicles/ Occupied Rooms	0.48
Sunday, May 15, 2016	Occupied Rooms	69
	Parked Vehicles*	45
	Parked Vehicles/ Occupied Rooms	0.65
Monday, May 16, 2016	Occupied Rooms	114
	Parked Vehicles*	47
	Parked Vehicles/ Occupied Rooms	0.41

\* All parking counts were conducted between the hour of 5:00 AM-6:00 AM.

The on-site parking accumulation data indicate that the peak parking demand is significantly lower than the number of spaces required by code and is generally comparable to the published ITE data.

## SUMMARY OF FINDINGS

NOTE: Recommendations presented in this report reflect the opinion of Pacheco Koch based solely upon technical analysis and professional judgment.

The following findings and recommendations are based upon buildout of the subject property in accordance with the development scenario outlined in the *Project Description* section of this report.

**FINDING:** The projected peak parking demand for the proposed use based upon published data from the *Parking Generation* manual, 4th Edition (2010), published by the **Institute of Transportation Engineers (ITE)**, is 0.60 parked vehicles per occupied room on a weekday and 0.66 parked vehicles per room on a Saturday, which is less than the City's base parking requirement of 1 space per guest room, plus or 1 space per 200 square feet of meeting room.

**FINDING:** Based upon a parking data collection at a similar hotel – Hampton Inn & Suites at 4201 Reggis Court in Fort Worth, Texas – the parking demand was observed to be very comparable to the ITE data (0.55 and

0.65 parked vehicles per occupied room on a weekday and weekend, respectively), which also supports the request.

- ❖ **RECOMMENDATION:** The proposed site will provide 115 parking spaces, which is 33 spaces more than the projected peak demand of 82 spaces. Therefore, the proposed 16-space code parking reduction is justified.

A summary of the analysis and Special Exception request is provided in **Table 5**.

Table 5. Analysis Summary Table

QUANTITY	PARKING SPACES/ REQUIREMENT <i>(Equivalent Ratio)</i>
Based Parking Code Requirement	131 <i>(net = 1.06 space/room)</i>
Projected Peak Demand	82 <i>(0.66 space/room)</i>
Parking Spaces Provided	115 <i>(net = 0.93 space/room)</i>
Special Exception Request	16 <i>(12% reduction)</i>

Also see **Appendix A** for a list of additional considerations for a Special Exception as outlined in the Dallas Development Code.

END OF MEMO

# APPENDIX



## APPENDIX A.

### **PARKING SPECIAL EXCEPTION CONSIDERATIONS**

---

A Parking Special Exception is requested from the City of Dallas Board of Adjustments for the proposed business hotel development located at 10370 North Central Expressway. Based upon the findings of this analysis, parking needs would easily be served the proposed parking supply of 115 spaces. The requested reduction of 16 required spaces is warranted based upon the preceding study.

Based upon §51A-4.2(a)(2) of the Dallas Development Code, granting a Special Exception shall take into account the following considerations:

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

The proposed parking supply 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.*

The anticipated parking demand and trip generation characteristics of the proposed use are expected to be typical and consistent with the corresponding data published by the Institute of Transportation Engineers.

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

The subject site is not part of a modified delta overlay district.

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

The surrounding street system is mature and is generally constructed to the anticipated ultimate plans. The site provides sufficient access to the surrounding roadway network and will not have a significant impact on the current volumes.

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

The site is located immediately adjacent to two existing DART public stops for Bus Routes 502 and 506. The site is also within 0.5 miles of the DART Rail System's Red/Orange Lines (Walnut Hill Station) and one additional bus line (Routes No. 582). It is anticipated that guests of the hotel will have a moderate likelihood of using transit, while hotel employees are anticipated to have a high likelihood of using public transit.

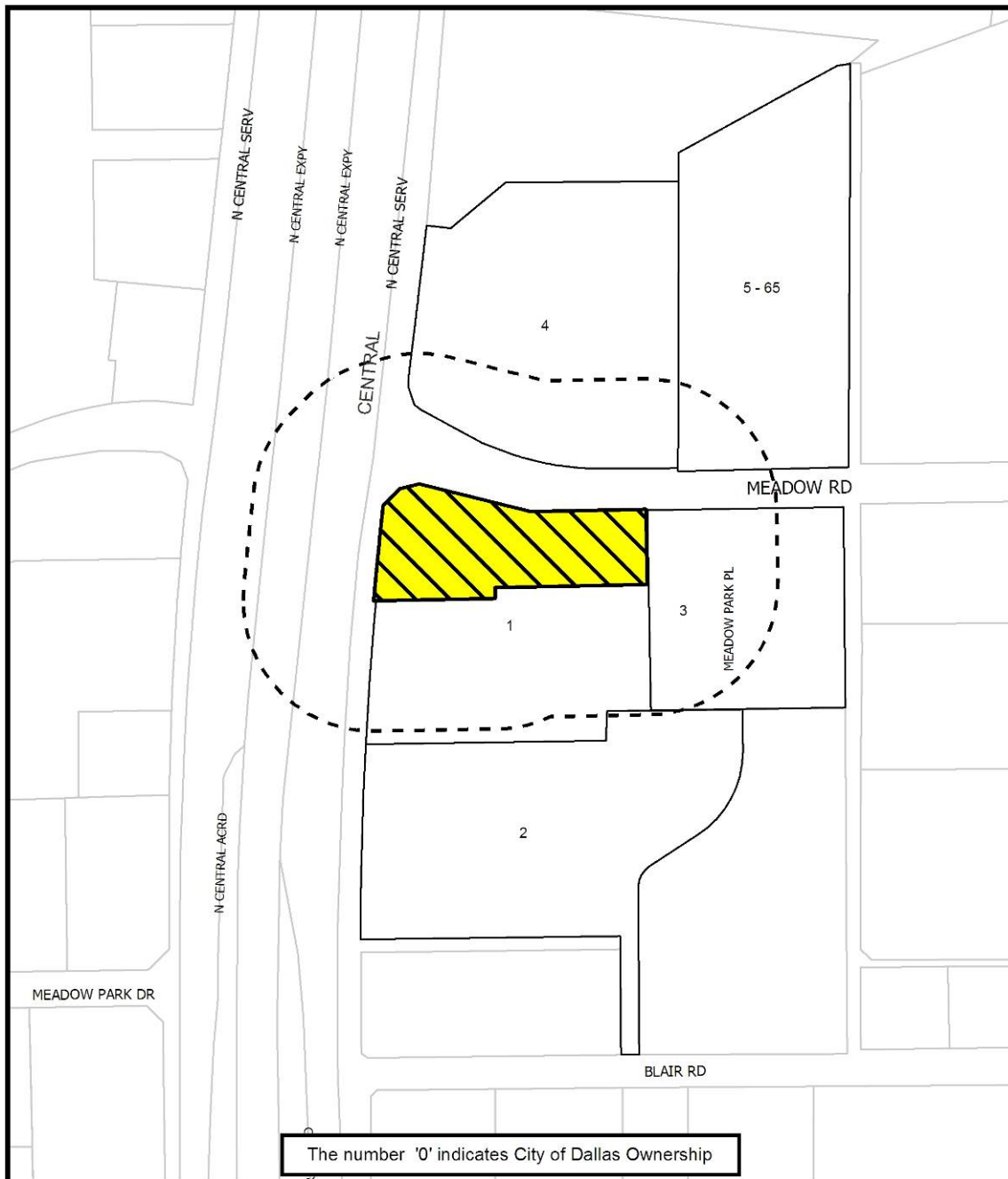
- (F) *The feasibility of parking mitigation measures and the likelihood of their effectiveness.*

The hotel will provide a free shuttle service for guests to travel within a three-mile radius. The site is also easily accessible by taxi and online transportation networks, such as Uber, Lyft, etc. The hotel caters to business travelers who

frequently travel by these alternative travel modes, which is highly effective at minimizing parking demand.

It is our opinion that the requested parking reduction will not create a traffic hazard nor restrict the mixed use development during typical peak hours.

END



 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>65</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>65</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u><b>BDA156-067</b></u> Date: <u><b>5/20/2016</b></u>
<b>200'</b>	AREA OF NOTIFICATION					
<b>65</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

## *Notification List of Property Owners*

***BDA156-067***

***65 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	10310 N CENTRAL EXPY	MEADOW HOSPITALITY LP
2	10300 N CENTRAL EXPY	10300 NORTH CENTRAL LLC
3	8050 MEADOW RD	HTA DALLAS LTAC LLC
4	10400 N CENTRAL EXPY	MISI REALTY CC DALLAS LP
5	8059 MEADOW RD	MESSEYE ABEIR
6	8059 MEADOW RD	TODORA TONY
7	8057 MEADOW RD	WEAVER TOM
8	8057 MEADOW RD	8057 MEADOW ROAD #201 LAND TRUST
9	8057 MEADOW RD	NEWAY ZEKARIAS
10	8057 MEADOW RD	ABEBE ZUFAN
11	8055 MEADOW RD	WEAVER THOMAS R
12	8055 MEADOW RD	FRIEDRICH ELIZABETH E &
13	8055 MEADOW RD	CUNNINGHAM SHEREICE
14	8057 MEADOW RD	CUNNINGHAM SHEREICE
15	8055 MEADOW RD	KEBEDE TAFESECH
16	8063 MEADOW RD	WEAVER TOM R
17	8063 MEADOW RD	WEAVER TOM & GLENDA
18	8065 MEADOW RD	MALLARD WARREN L
19	8065 MEADOW RD	HUEY JOSEPH D & LORI A
20	8067 MEADOW RD	CHILDRESS CAROLYN H
21	8065 MEADOW RD	YEMANE SOLOMON
22	8065 MEADOW RD	JORDAN JAMES C &
23	8067 MEADOW RD	NGUYEN LAM P
24	8069 MEADOW RD	BENAVIDES OSCAR
25	8069 MEADOW RD	HARTGROVE GRACE T
26	8069 MEADOW RD	ASKY MAZYAR

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	8069 MEADOW RD	OUZTS JOHN B JR
28	8071 MEADOW RD	GARCIA CYNTHIA
29	8071 MEADOW RD	WOLTER DIANE
30	8071 MEADOW RD	MESSEYE ABIER
31	8071 MEADOW RD	YANACEK CANDACE L
32	8075 MEADOW RD	PINNEBOG INVESTMENTS LLC
33	8075 MEADOW RD	NGUYEN LAM P
34	8075 MEADOW RD	SINGLETON PAULA K
35	8075 MEADOW RD	MEDINA JUANA
36	8081 MEADOW RD	MISGINA HAIMANOT BERAK
37	8081 MEADOW RD	SALCEDO DANNIEL E
38	8081 MEADOW RD	SOLOMON YEMANE KIFLU
39	8081 MEADOW RD	VILLAFUERTE ARMANDO
40	8083 MEADOW RD	MAYO HEDWIG J
41	8083 MEADOW RD	VALDEZ FEDERICO C &
42	8083 MEADOW RD	ARMSTRONG YENY A
43	8083 MEADOW RD	LARUMBE ZULEMA
44	8085 MEADOW RD	WALKER GEORGE FURMAN
45	8085 MEADOW RD	MEADOW 8085#226 LAND TRUST
46	8085 MEADOW RD	MITCHELL LAURENCE
47	8087 MEADOW RD	KIRK CHARLES GLEN
48	8087 MEADOW RD	MINCKLER CHRISTOPHER R &
49	8087 MEADOW RD	HOLCOMB JAMES RUSSELL III
50	8089 MEADOW RD	GLO NITE INC
51	8089 MEADOW RD	JOHNSTON HILLARY
52	8089 MEADOW RD	HAILE TESHOME S
53	8091 MEADOW RD	BENAVIDES OSCAR R JR
54	8091 MEADOW RD	ALEMU HULUMSEW ABEBE
55	8093 MEADOW RD	KIDANE MULU HABITE &
56	8093 MEADOW RD	BENEVIDES OSCAR
57	8091 MEADOW RD	CHOU AMY &

05/20/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	8093 MEADOW RD	ABRAHA SELAMAWIT
59	8095 MEADOW RD	MIZU KASSAHUN
60	8095 MEADOW RD	TAN JINI L
61	8095 MEADOW RD	SHEPHERD MARGARET
62	8095 MEADOW RD	SEUBERT SALLY A
63	8095 MEADOW RD	STOKES CATRIONA
64	8095 MEADOW RD	FOSTER CORRIE LEE
65	8079 MEADOW RD	DYGOWSKI LAURIEANN

**FILE NUMBER:** BDA156-065(SL)

**BUILDING OFFICIAL'S REPORT:** Application of Steven Wood for a variance to the front yard setback regulations at 6730 Sunnyland Lane. This property is more fully described as Lot 1, Block 1/2976, 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 10 foot front yard setback measured at the foundation with a maximum 18" roof eave, which will require a 15 foot variance to the front yard setback regulations.

**LOCATION:** 6730 Sunnyland Lane

**APPLICANT:** Steven Wood

**REQUEST:**

A request for a variance to the front yard setback regulations of 15' is made to replace an existing one-story single family home structure with a two-story single family home structure, part of which is to be located 10' from the front property line or 15' into the 25' front yard setback.

**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, 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:

- Staff recognizes that the subject site is unique and different from most lots in the R-7.5(A) zoning district in that it is irregular in shape, however, staff recommends denial because:
  - 1) the subject site is approximately 5,000 square feet larger in area than most lots in the R-7.5(A) zoning district; and
  - 2) the applicant had not provided information documenting that the replacement home with approximately 5,800 square feet of living space (approximately 4,000 square feet larger in area than the single family home that exists on the site) is commensurate with the development found 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 developed with a single family home structure that the applicant intends to demolish and replace with another single family home structure. The areas to the north, east, south, 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:**

- This request focuses on replacing an existing one-story single family home structure with a two-story, single family home structure with approximately 5,800 square feet of a/c space, part of which is to be located 10' from the site's front property line or 15' into the 25' front yard setback.
- The property is located in an R-7.5(A) zoning district which requires a minimum front yard setback of 25 feet.



- A scaled site plan has been submitted indicating that the proposed structure is located as close as 10' from the front property line or as much as 15' into this 25' front yard setback.
- According to DCAD records, the "main improvement" for property addressed at 6730 Sunnyland Lane is a structure built in 1950 with 1,974 square feet of living/total area with the following "additional improvements": a 72 square foot storage building.
- The subject site is relatively flat, triangular in shape, and according to the submitted application is 0.288 acres (or approximately 12,500 square feet) in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area.
- 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 structures 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 10' from the site's front property line (or 15' into the 25' front yard setback).

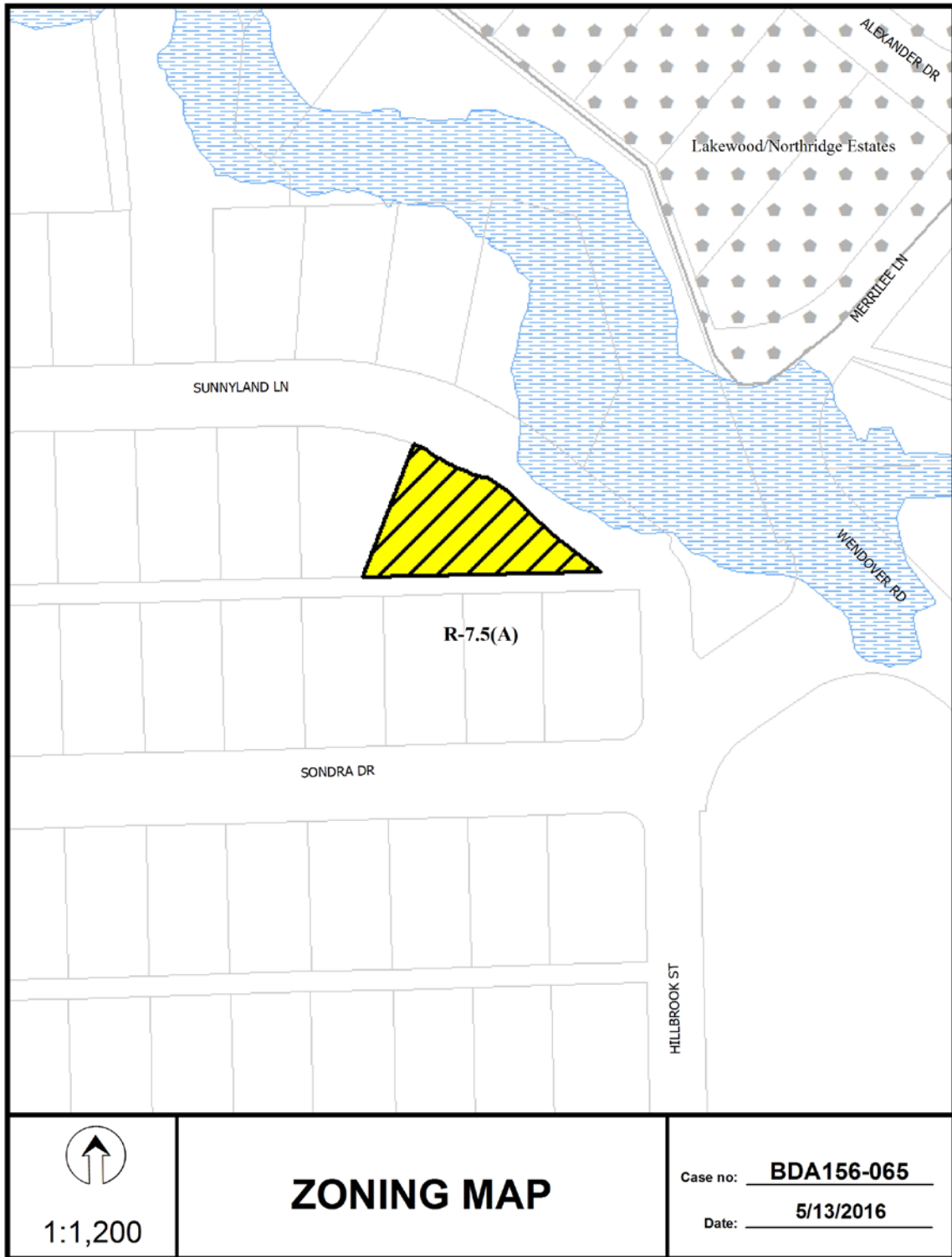
**Timeline:**

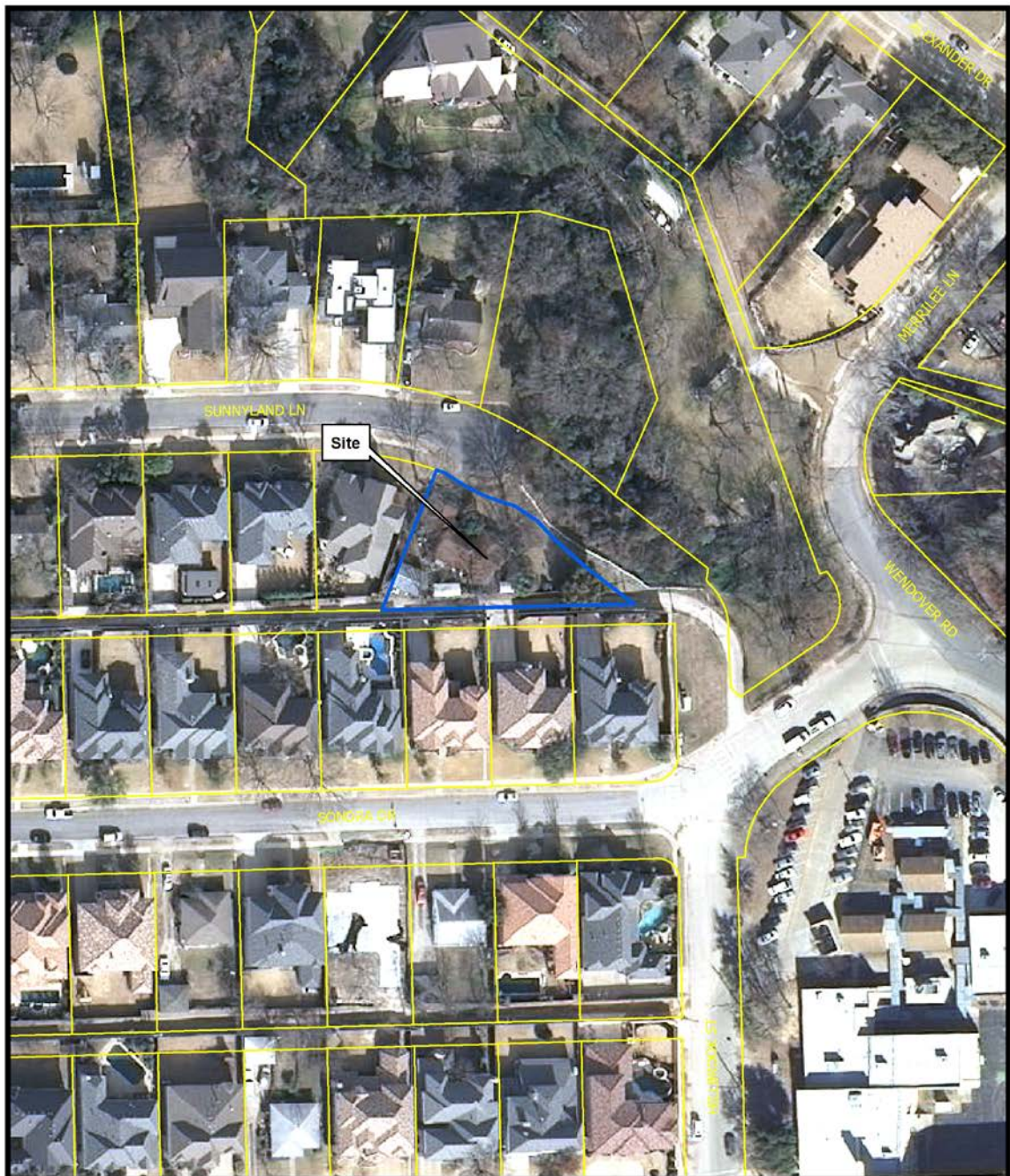
- April 21, 2016:       The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- May 10, 2016:        The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

- May 11, 2016: 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 June 8<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the June 17<sup>th</sup> 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."

June 14, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection, Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

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





1:1,200

# AERIAL MAP

Case no: **BDA156-065**

Date: **5/13/2016**



C

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 156-065

Data Relative to Subject Property:

Date: 4/21/16

Location address: 6730 Sonnyland Ln. Zoning District: R-7.5(A)

Lot No.: 1 Block No.: 12976 Acreage: .288 Census Tract: 80.00

Street Frontage (in Feet): 1) 176' 2) 3) 4) 5) 585B

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): James D. Borke and Rachel M. Borke

Applicant: Steven Wood Telephone: 8176827218

Mailing Address: 17810 Davenport Suite 109 Zip Code: 75252

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 15' to the front yard setback measured at the foundation

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 have a second frontyard setback that is making it difficult to build a common sense house to the neighborhood, and would like to encroach into the front yard set back at 15' where there is no built road

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

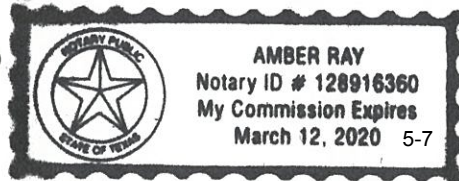
Before me the undersigned on this day personally appeared Steven Wood (Affiant/Applicant's name printed)

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 21st day of April, 2016

(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 Steven Wood

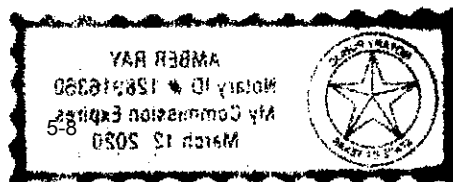
did submit a request for a variance to the front yard setback regulations  
at 6730 Sunnyland Lane

BDA156-065. Application of Steven Wood for a variance to the front yard setback regulations at 6730 Sunnyland Lane. This property is more fully described as Lot 1, Block 1/2976, and is zoned R-7.5(A), which requires a front yard setback of 25 feet. The applicant proposes to construct and maintain a single family residential structure and provide a 10 foot front yard setback measured at the foundation with a maximum 18" roof eave, which will require a 15 foot variance to the front yard setback regulation.

Sincerely,

*Philip Sikes*  
Philip Sikes, Building Official

BDA 156-065

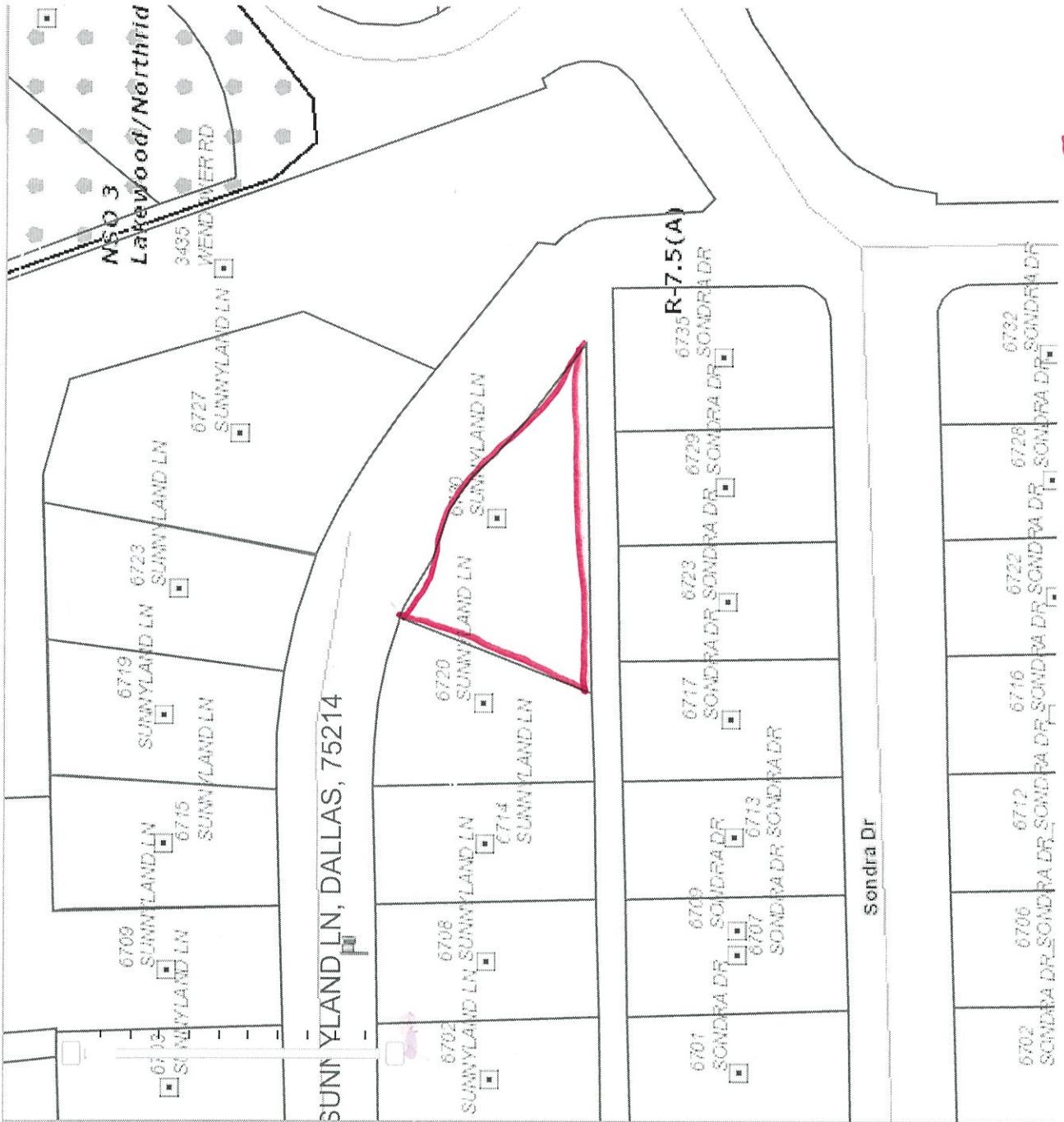


# City of Dallas

## Internal Development Research Site

Legend

Locate Property

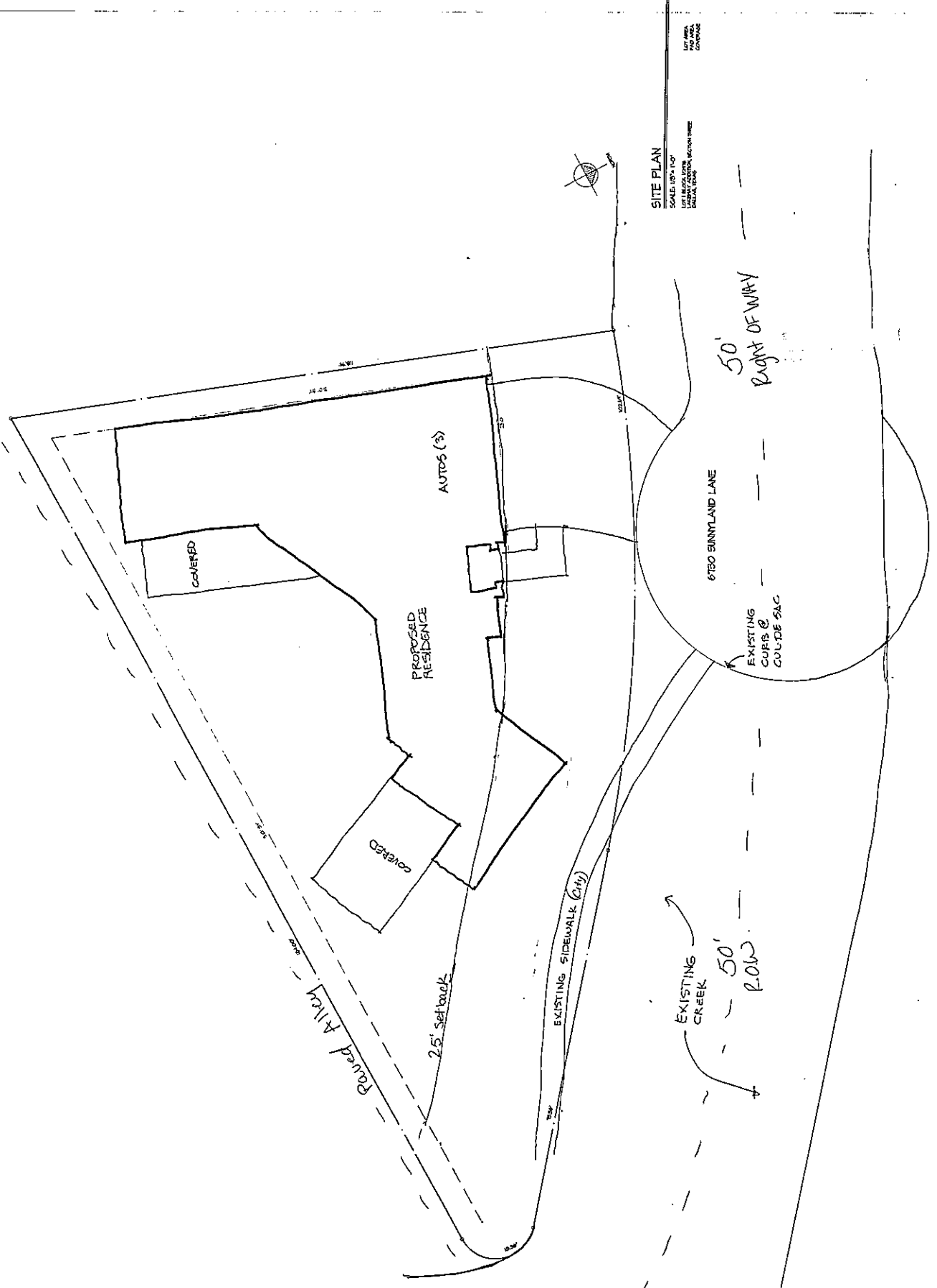


*800 4/26*

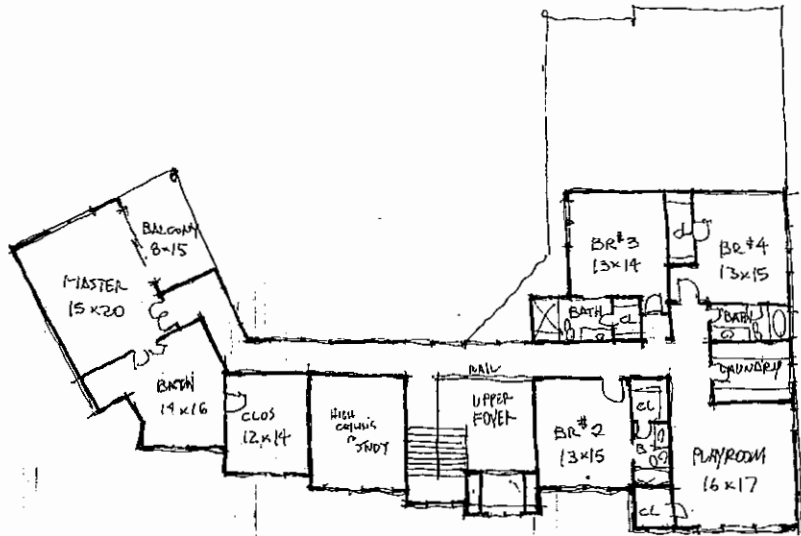


See 4/26





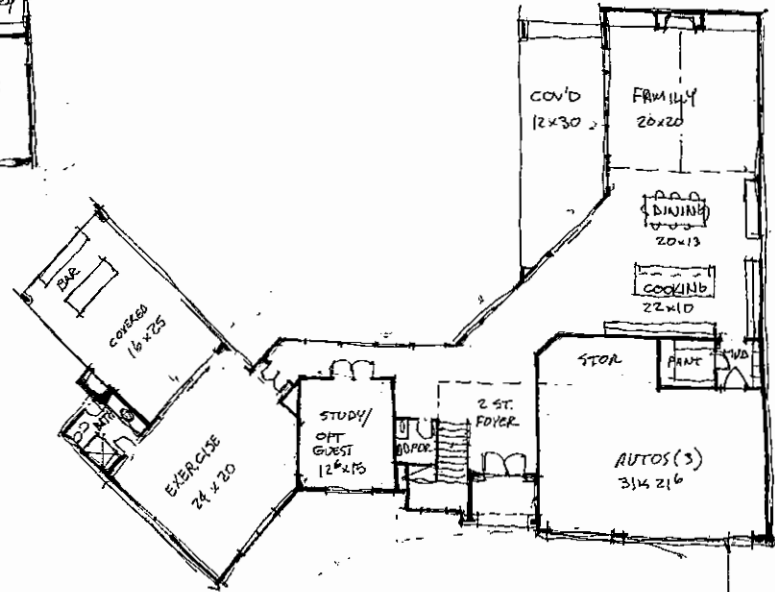
**SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 LOT AREA: 10,000 SQ. FT.  
 LOT AREA: 10,000 SQ. FT.  
 LOT AREA: 10,000 SQ. FT.



UPPER LEVEL FLOOR PLAN

1/8" = 1'-0"

AREAS (APPROX)	
LOWER	3140 SF
UPPER	2650 SF
TOTAL A/C	5790 SF

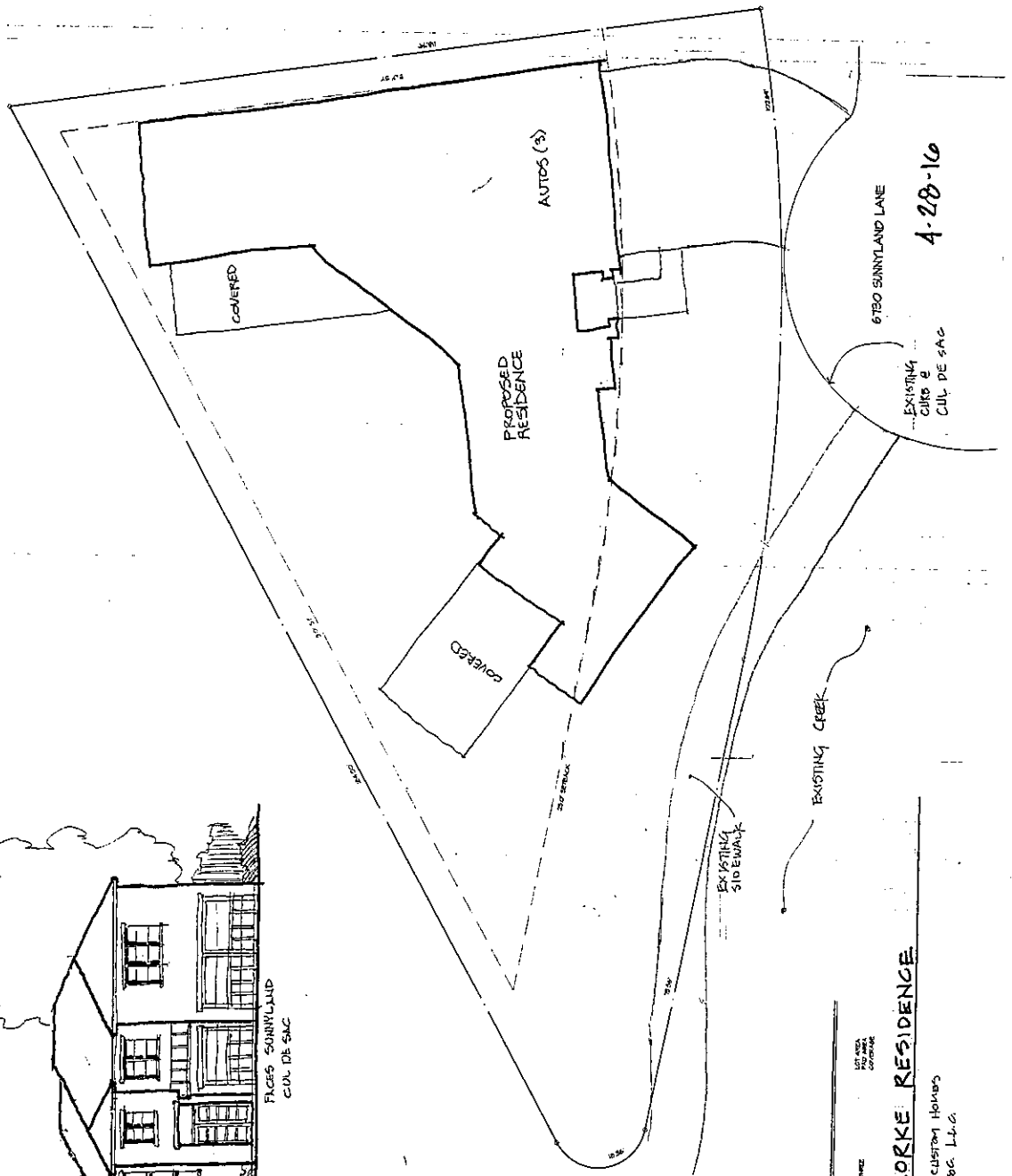
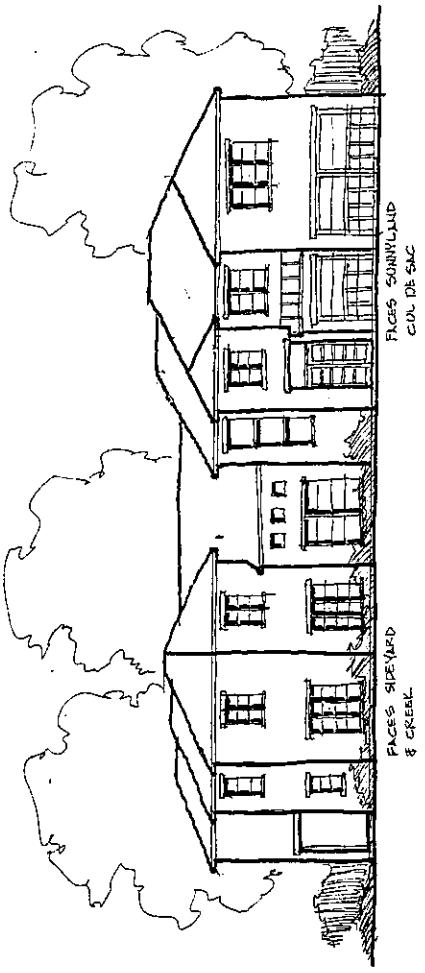


LOWER LEVEL FLOOR PLAN

1/8" = 1'-0"

THE RORKE RESIDENCE  
 RON DAVIS CUSTOM HOMES  
 COVERT + ASSOC. LLC

4-28-16



SITE PLAN  
 SCALE: 1/8" = 1'-0"  
 ALL DIMENSIONS SHOWN ARE APPROXIMATE  
 EXCEPT WHERE SHOWN OTHERWISE  
 THE RORKE RESIDENCE  
 BOB DAVIS CUSTOM HOMES  
 CONERT + ASSOC. L.L.C.

6780 SUNNYLAND LANE  
 4-28-10  
 EXISTING CUL DE SAC  
 CUL DE SAC



 1:1,200	<b>NOTIFICATION</b>		Case no: <b>BDA156-065</b>
	<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;">23</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: <b>5/13/2016</b>

## *Notification List of Property Owners*

### *BDA156-065*

#### *23 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6730 SUNNYLAND LN	TREWITT KATHERINE R
2	6720 SUNNYLAND LN	COSTA JOHN M & LISA M
3	6714 SUNNYLAND LN	KING ALLEN & MARILYN
4	6708 SUNNYLAND LN	COOPER PAUL
5	6702 SUNNYLAND LN	SMITH JOCELYN T & SEAN B
6	6701 SONDR A DR	DARBY JAMES &
7	6709 SONDR A DR	HAYTER MARTIN JOHN & EMILY DAWN PRESSON
8	6713 SONDR A DR	FARRELL WILLIAM G & STACEY M
9	6717 SONDR A DR	MCLEOD ADAM W
10	6723 SONDR A DR	BRADFORD SCOTT A & JENNIFER W
11	6729 SONDR A DR	BERINHOUT NEAL & SHARON A
12	6735 SONDR A DR	TOLIA VEERAL & DEEPTI
13	6732 SONDR A DR	BATJER HENRY H III & JANET
14	6728 SONDR A DR	BARRETT JAMES A & KARYN M
15	6722 SONDR A DR	FIFE JEREMY D & JENNIFER S
16	6716 SONDR A DR	VANDIJK LISA M & CHRISTIAN T VAN DIJK
17	6723 SUNNYLAND LN	ROSEWOOD CUSTOM BUILDERS LLC
18	6719 SUNNYLAND LN	PALAMAR KATHERINE S &
19	6715 SUNNYLAND LN	CAMPITI ANTHONY J &
20	6709 SUNNYLAND LN	SMITH MICHAEL E &
21	6727 SUNNYLAND LN	THE TREWITT TRUST
22	3000 HILLBROOK ST	Dallas ISD
23	3435 WENDOVER RD	WILSON NORMA JUNE