

ZONING BOARD OF ADJUSTMENT, PANEL C  
MONDAY, AUGUST 24, 2015  
AGENDA

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BRIEFING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	12 NOON
PUBLIC HEARING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	1:00 P.M.

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**Donna Moorman, Chief Planner**  
**Steve Long, Board Administrator**

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**MISCELLANEOUS ITEM**

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Approval of the June 22, 2015 Board of Adjustment Panel C Public Hearing Minutes	M1
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**HOLDOVER CASE**

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<b>BDA 145-063</b>	1712 Commerce Street <b>REQUEST:</b> Application of Ed Simons for variances to the front yard setback and minimum sidewalk regulations, and a special exception to the landscaping requirements	1
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## 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)**

**MISCELLANEOUS ITEM NO. 1**

To approve the Board of Adjustment Panel C June 22, 2015 public hearing minutes.

**FILE NUMBER:** BDA 145-063

**BUILDING OFFICIAL'S REPORT:** Application of Ed Simons for variances to the front yard setback and minimum sidewalk regulations, and a special exception to the landscaping requirements at 1712 Commerce Street. This property is more fully described as Block 136/97-1/4, and is zoned PD 619 (Subdistricts A, B, & C), which requires a front yard setback of 10 feet from the street curb per the SP Secondary Pedestrian Precinct overlay in Section 51A-4.124(a)(8), and requires mandatory minimum sidewalks and landscaping. The applicant proposes to construct and/or maintain a structure and provide 5 foot front yard setbacks, which will require 5 foot variances to the front yard setback regulations, provide an alternate sidewalk plan, which will require variances to the minimum sidewalk regulations, and provide an alternate landscape plan, which will require a special exception to the landscaping requirements.

**LOCATION:** 1712 Commerce Street

**APPLICANT:** Ed Simons

**REQUESTS:**

The following requests have been made on a site that is in part developed with two multi-story office structures that the applicant intends to convert to two hotels, and in part developed with a surface parking lot that the applicant intends to develop with a ten-level parking garage for use by the hotels:

1. Requests for variances of up to 5' to the required minimum 10' foot setback measured from the street curb are made to construct and maintain the aforementioned ten-level parking garage to be located as close as 5' from the S. Ervay Street, Jackson Street, and Prather Street curb lines or as much 5' into these 10' required front yard setbacks;
2. Requests for variances to the minimum sidewalk regulations are made to construct and maintain the aforementioned ten-level parking garage and provide sidewalks along S. Ervay Street, Jackson Street, and Prather Street at a minimum 5' width when an average minimum sidewalk width of 15 feet and a minimum of width of 9' are required.
3. A request for a special exception to the landscaping requirements is made to construct and maintain the aforementioned ten-level parking garage, and not fully provide the landscaping regulations required for commercial parking garages and surface parking lots in the PD 619/CA-1 zoning districts.



**STANDARD FOR A VARIANCE:**

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

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

**STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPING REQUIREMENTS FOR COMMERCIAL PARKING GARAGES AND SURFACE PARKING LOTS IN PD 619/CA-1(A) ZONING:**

The board may grant a special exception to the landscaping requirements for commercial parking garages and surface parking lots in PD 619/CA-1(A) zoning if the board finds, after a public hearing, the special exception will not adversely affect the other properties within the subdistrict and strict compliance with the requirement would result in unnecessary hardship. If the Board grants a special exception, it must specify the length of time the special exception is effective.

**STAFF RECOMMENDATION (variances):**

Denial

Rationale:

- The applicant had not substantiated how the physical features of the flat, rectangular shaped, and approximately 40,500 square foot subject site with two front yard setbacks constrain it from being developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 619 zoning classification while simultaneously complying with code provisions including front yard setback and minimum sidewalk regulations.

**STAFF RECOMMENDATION (landscaping special exception):**

Denial

Rationale:

- The applicant had not substantiated how the special exception will not adversely affect the other properties within the subdistrict and strict compliance with the requirement would result in unnecessary hardship.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: PD 619 (Subdistricts A, B, &C) (Planned Development District)  
North: PD 619 (Subdistricts A, B, &C) (Planned Development District)  
South: CA-1 (Central Area)  
East: PD 619 (Subdistricts A, B, &C) (Planned Development District)  
West: PD 619 (Subdistricts A, B, &C) (Planned Development District)

**Land Use:**

The subject site is in part developed with two multi-story office structures, and in part developed with a surface parking lot. The areas to the north, east, and west are developed with a mix of retail, office, and residential uses; and the area to the south is developed with a surface parking lot.

**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 (front yard variances):**

- This request focuses on constructing and maintaining a ten-level parking garage on the subject site to be located 5' from the S. Ervay Street, Jackson Street, and Prather Street curb lines or 5' into these 10' required front yard setbacks.
- The subject site is located in PD 619 (Subdistricts A, B, and C) where yard regulations contained in CA-1(A) and where SP Secondary Pedestrian Precinct overlays apply.
- The Dallas Development Code states that lots located within a CA -1(A)-SP zoning district are required to provide a 10' setback measured from the street curb.
- A revised site plan has been submitted that indicates a structure as close as 5' from the S. Ervay Street, Jackson Street, and/or Prather Street curb lines or as much 5' into these 10' required front yard setbacks.
- While the revised site plan indicates that a portion of the existing structures on the site do not comply with the required front yard setback, the applicant has stated that his application is only focused on the new parking garage structure and not to remedy any aspect of nonconforming structures on the subject site.

- According to DCAD records, the “improvements” at 1712 Commerce Street is an “office building” that is 190,271 square feet in area built in 1956 and at 1700 Commerce Street is office building that is 132,218 square feet in area built in 1926.
- The two existing structures on the block are contributing structures to the Downtown Dallas National Register of Historic Places, one of which is currently going through local designation process (1700 Commerce Street, constructed in 1925).
- The proposed development on the request site, a 10 story parking garage, is being developed to support the rehabilitation of the two existing structures on the block.
- The subject site is flat, rectangular in shape, and is according to the application, 0.93 acres (or approximately 40,500 square feet) in area. The site is zoned PD 619 (Subdistricts A, B, and C). The site has three, 10’ front yard setbacks which is typical of any lot that with three street frontages that is not zoned single family, duplex, or agricultural.
- The applicant has the burden of proof in establishing the following:
  - That granting the variances 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 variances are 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 PD 619 zoning classification.
  - The variances 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 PD 619 zoning classification.
- If the Board were to grant the variance requests and impose the submitted revised site plan as a condition, the structure in the front yard setbacks would be limited to what is shown on this document where portions of the parking garage structure is located as close as 5’ into the required 10’ front yard setbacks.

**GENERAL FACTS/STAFF ANALYSIS (sidewalk variances):**

- This request focuses on constructing and maintaining a ten-level parking garage on the subject site and providing 5’ wide sidewalks along S. Ervay Street, Jackson Street, and Prather Street when an average minimum sidewalk width of 15’ and a minimum of width of 9’ is required.
- The subject site is located in PD 619 (Subdistricts A, B, and C) where additional provisions applicable to CA-1(A) and where SP Secondary Pedestrian Precinct overlays apply.
- The Dallas Development Code states certain sidewalk regulations for properties within CA -1(A)-SP zoning district, specifically that a building with a floor area ratio of 15 to one or less must have an average sidewalk of 15 feet and a minimum sidewalk width of 9 feet that is unobstructed by any structure or planting.

- A revised site plan has been submitted that indicates sidewalks along S. Ervay Street, Jackson Street, and Prather Street at a minimum 5' width.
- While the revised site plan indicates that sidewalks around the existing structures on the site do not comply with the sidewalk regulations, the applicant has stated that his application is only focused on sidewalks around the new parking garage structure and not to remedy any aspect of nonconforming sidewalks around the existing structures on the subject site.
- According to DCAD records, the "improvements" at 1712 Commerce Street is an "office building" that is 190,271 square feet in area built in 1956 and at 1700 Commerce Street is office building that is 132,218 square feet in area built in 1926.
- The two existing structures on the block are contributing structures to the Downtown Dallas National Register of Historic Places, one of which is currently going through local designation process (1700 Commerce Street, constructed in 1925).
- The proposed development on the request site, a 10 story parking garage, is being developed to support the rehabilitation of the two existing structures on the block.
- The subject site is flat, rectangular in shape, and is according to the application, 0.93 acres (or approximately 40,500 square feet) in area. The site is zoned PD 619 (Subdistricts A, B, and C). The site has three, 10' front yard setbacks which is typical of any lot that with three street frontages that is not zoned single family, duplex, or agricultural.
- The applicant has the burden of proof in establishing the following:
  - That granting the variances to the minimum sidewalk 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 variances are 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 PD 619 zoning classification.
  - The variances 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 PD 619 zoning classification.
- If the Board were to grant the variance requests and impose the submitted revised site plan, the width of the sidewalks on the subject site would be limited to what is shown on this document where sidewalks along S. Ervay Street, Jackson Street, and Prather Street at a minimum 5' width.

**GENERAL FACTS/STAFF ANALYSIS (landscaping special exception):**

- This request focuses on constructing and maintaining the aforementioned ten-level parking garage, and not fully providing the landscaping regulations required for commercial parking garages and surface parking lots in the PD 619/CA-1 zoning districts.

- The City of Dallas Chief Arborist had submitted a memo regarding this request to the Board Administrator (see Attachment E). The memo stated among other things how the request is triggered by new construction of a commercial parking garage.
- The City of Dallas Chief Arborist’s memo identifies that the deficiencies in this case are: 1) that tree grates are required for all trees planted in a public sidewalk where the applicant is proposing trees situated in an open planting bed, and 2) that shrubs are required to be a minimum of 30” in height where the applicant is proposing 18” shrubs.
- The City of Dallas Chief Arborist’s memo lists several factors for consideration:
  - The district regulations state the following: “Alternate landscape plan. The director may approve an alternative landscape plan only if compliance with this paragraph is not possible, the inability to comply is not self-created, and the alternative landscape plan is in keeping with the intent of this paragraph. An alternative landscape plan may include the placement of landscaping in alternative locations. An alternative landscape plan may reduce the square footage of landscape area if additional trees or shrubs are provided.”
  - An alternative landscape plan has not been submitted to the director under a parkway landscape permit review to determine if the plan may be approved under standard conditions. It has not been proven whether the site with or without the variances is unable to comply with the requirements of one tree or shrub in the adjoining parkway for each 30 feet of frontage.
  - Planting conditions in this ordinance for shrubs can vary from planting conditions for trees which require tree grates. Various methods can be used to create soil conditions for different plant types, including engineered solutions or smaller linear planting beds. The ordinance provides for significant variability in plant type, size, form, location, and species to allow maximum flexibility to designers.
  - There is no effective time period request from the applicant for the duration of the alternate landscape plan.
  - Landscaping shown facing Commerce Street is not part of this application for the commercial parking garage structure.
- The applicant has the burden of proof in establishing that the special exception will not adversely affect the other properties within the subdistrict and strict compliance with the requirement would result in unnecessary hardship.
- If the Board grants a special exception, it must specify the length of time the special exception is effective.
- If the Board was to grant this request and impose the submitted alternate landscape plan as a condition, the subject site would be provided exception from full compliance with the landscaping regulations required for commercial parking garages and surface parking lots in the PD 619/CA-1 zoning districts.

**Timeline:**

April 1, 2015:           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 12, 2015: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- May 13, 2015: 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 3<sup>rd</sup> deadline to submit additional evidence for staff to factor into their analysis; and the June 12<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 requests; and
  - the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."
- June 2, 4, 5 & 8, 2015: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachments A, B, C, and D).
- June 9, 2015: 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 Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.
- June 11, 2015: The Sustainable Development Project Engineer submitted a review comment sheet marked "recommends that this be denied" commenting Due to proximity to City Hall, Convention Center, Main Street Garden Park, and restaurant/retail along Commerce and Main Streets, sidewalk widths as prescribed by PD 619 is warranted. Vehicular traffic will increase with construction of garage and will result in increase of pedestrian traffic with hotel use. Recommendation of denial based on coordination with Thoroughfare Planning and Urban Design Group."
- June 12, 2015: The City of Dallas Chief Arborist submitted a memo regarding the request for a special exception to the landscaping requirements (see Attachment E).

- June 19, 2015: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment F).
- June 22, 2015: The Board of Adjustment Panel C conducted a public hearing on this application and delayed action on this application until their next public hearing to be held on August 24, 2015.
- June 22, 2015: The Board Administrator sent a letter to the applicant that noted the decision of the panel, the July 29<sup>th</sup> deadline to submit any additional information to staff for their review, and the August 14<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials.
- June 30, 2015: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment G).
- August 11, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.
- August 12, 2015: The City of Dallas Chief Arborist emailed the Board Administrator stating that no new information has come forward that influences his recommendation originally presented in June.
- August 13, 2015: The Sustainable Development Project Engineer re-submitted his review comment sheet from June 11<sup>th</sup> marked "recommends that this be denied" commenting Due to proximity to City Hall, Convention Center, Main Street Garden Park, and restaurant/retail along Commerce and Main Streets, sidewalk widths as prescribed by PD 619 is warranted. Vehicular traffic will increase with construction of garage and will result in increase of pedestrian traffic with hotel use. Recommendation of denial based on coordination with Thoroughfare Planning and Urban Design Group."

**BOARD OF ADJUSTMENT ACTION: JUNE 22, 2015**

APPEARING IN FAVOR: No one

APPEARING IN OPPOSITION: No one

MOTION: **Schulte**

I move that the Board of Adjustment in Appeal No. **BDA 145-063** hold this matter under advisement until **August 24, 2015**.

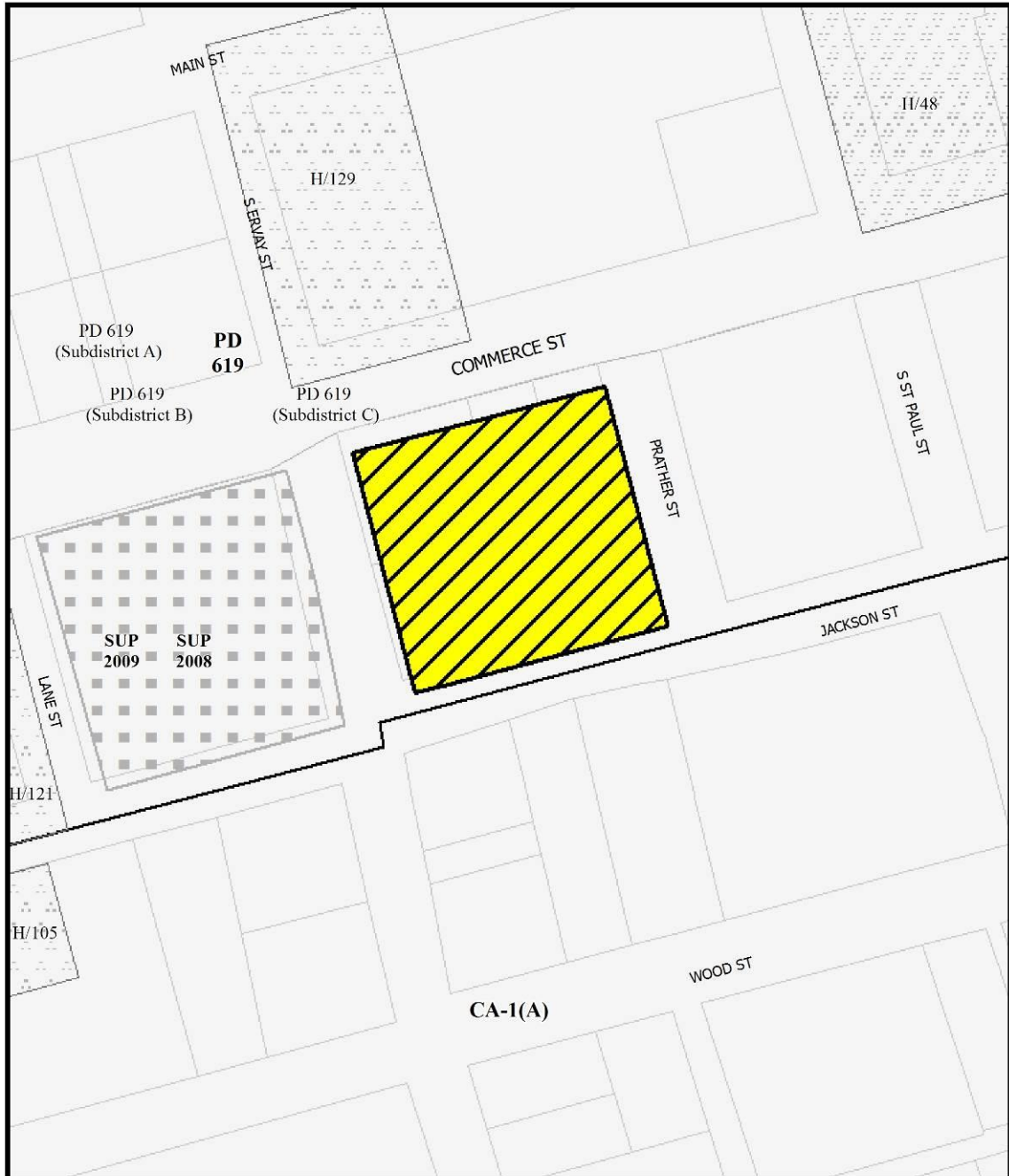
SECONDED: **Beikman**

AYES: 5 – Richardson, Coulter, Carreon, Schulte, Beikman

NAYS: 0 -

MOTION PASSED: 5 – 0 (unanimously)

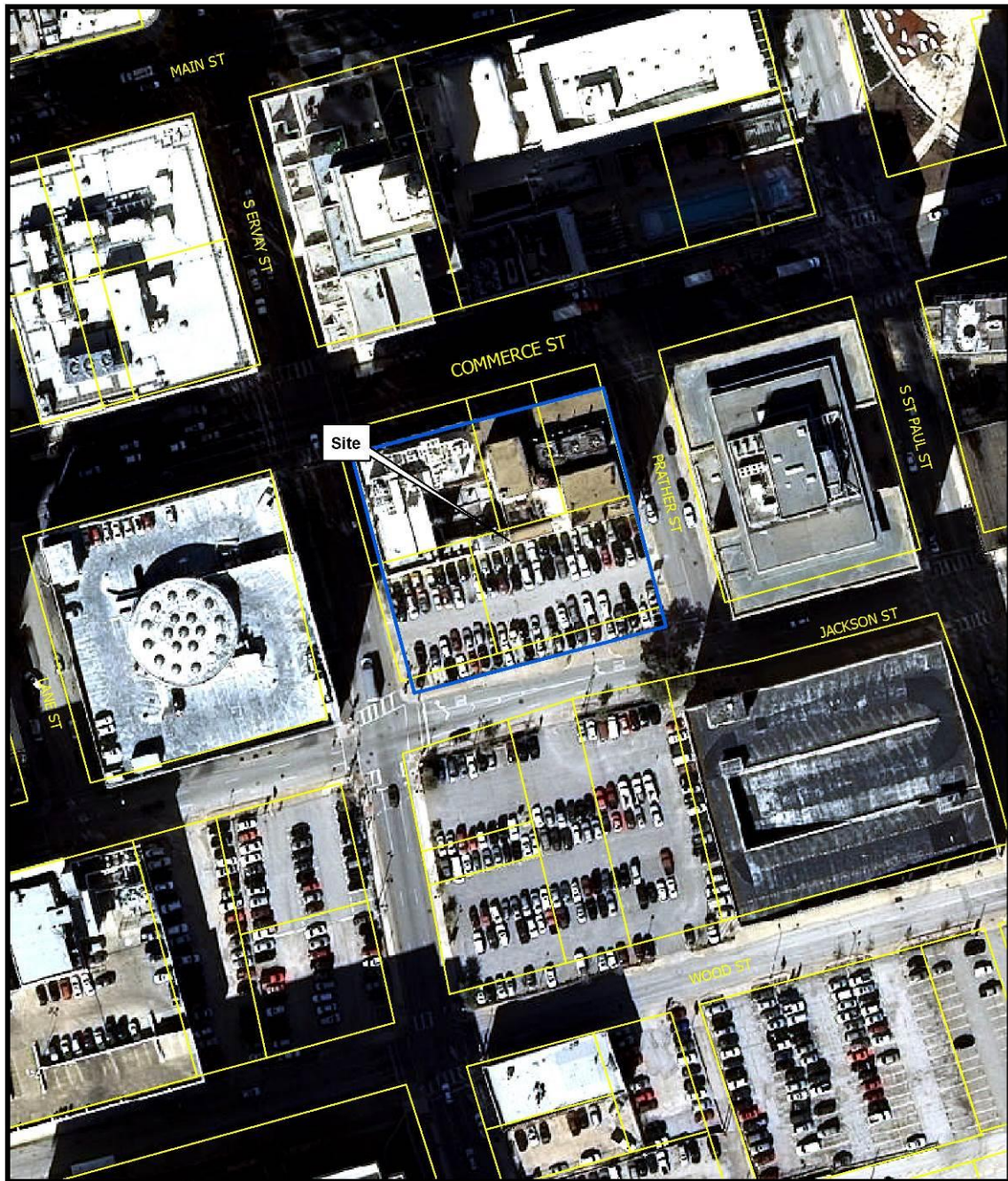




1:1,200

# ZONING MAP

Case no: BDA145-063  
 Date: 6/2/2015



1:1,200

# AERIAL MAP

Case no: BDA145-063

Date: 6/2/2015

**Long, Steve**

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**From:** Long, Steve  
**Sent:** Tuesday, June 02, 2015 1:00 PM  
**To:** 'Ed Simons'  
**Subject:** RE: 145-063

Thank you, Ed. I will print this email and add it to your file which will be part of what is discussed at the staff review team meeting next Tuesday, and incorporated into the docket that is emailed to you and the members that week of June 15<sup>th</sup>.

Thank you,

Steve

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**From:** Ed Simons [<mailto:esimons@masterplanconsultants.com>]  
**Sent:** Tuesday, June 02, 2015 11:43 AM  
**To:** Long, Steve  
**Subject:** 145-063

Steve, Here is what the architect has to say. Ed

Ed,

When we looked at this originally, having the setbacks caused us to lose too many parking spaces and we had to reduce the drive aisles to the bare minimum. When this was discussed with owner, the garage was then not feasible and would not provide the necessary parking for the hotel. The parking garage would not work and would be a dead project. This is why we have been pursuing other options and/or variances to keep the project alive. The setbacks just don't make sense on this property.

Thanks,

architects  
**maa**  
merriman  
associates

**MARC VERDUIN**  
PROJECT MANAGER  
300 N. FIELD ST. DALLAS, TX 75202  
(214) 347-8093  
[merriman-maa.com](http://merriman-maa.com)

*"Combining Urbanism and Design for Excellence"*

Ed Simons  
Masterplan Consultants  
900 Jackson Street, Suite 640  
Dallas, Texas 75202

O 214-761-9197  
F 214-748-7114  
M 214-914-9646

## Long, Steve

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**From:** Ed Simons <esimons@masterplanconsultants.com>  
**Sent:** Thursday, June 04, 2015 9:16 AM  
**To:** Long, Steve  
**Cc:** Lam, David  
**Subject:** 1712 Commerce  
**Attachments:** 15099 Tech Memo\_a 06-03-15.pdf

BDA 145-063  
Attach B  
Pg 1

Steve, Here is a report from Steve Stoner. Ed

Ed Simons  
Masterplan Consultants  
900 Jackson Street, Suite 640  
Dallas, Texas 75202

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F 214-748-7114  
M 214-914-9646



## **Technical Memorandum**

**To:** *Marc Verduin* — Merriman Associates Architects, Inc.  
**CC:** *Ed Simons* — Masterplan  
**From:** *Steve E. Stoner, P.E., PTOE* — DeShazo Group, Inc.  
**Date:** June 3, 2015  
**Re:** Pedestrian Analysis for 1712 Commerce in Dallas, Texas  
*DeShazo Project Number 15099*

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### **INTRODUCTION**

The services of **DeShazo Group, Inc.** (DeShazo) were retained by **Merriman Associates Architects, Inc.** on behalf of the Owner to prepare a Pedestrian Analysis for a proposed redevelopment project in downtown Dallas, Texas.

The project is located at 1700 and 1712 Commerce Street – the block bound by Commerce Street on the north, S Ervay Street on the west, Jackson Street on the south, and Prather Street on the east. The proposed development entails conversion of two existing office towers into two hotels and constructing an adjoining ten-level parking garage (for use by the hotels) on the existing surface parking lot portion of the site. A preliminary site plan prepared by Merriman Associates Architects is attached for reference.

The property is zoned Planned Development District 619 (PD 619), Subdistricts A, B, and C and is located in the Secondary Pedestrian Precinct Overlay District (SP). Based upon the development regulations of these districts, a minimum front-yard setback of ten feet from the curb and a landscape plan with a minimum sidewalk is required along all street frontages. The existing office towers do not satisfy the setback and sidewalk requirements on the S Ervay Street and Prather Street frontages. The proposed design of the parking structure calls for matching the building lines of the existing office buildings along S Ervay and Prather frontages and to match the existing parking lot footprint along the Jackson Street frontage. Implementing this design would not comply with the setback and sidewalk criteria and would, therefore, require a variance for these items.

This analysis provides a technical review of the existing pedestrian characteristics and sidewalk conditions at the site and in the surrounding area to assist the City of Dallas representatives in understanding the request and the effect of the proposed conditions.

This study was prepared by registered professional engineers employed by DeShazo Group, Inc. of Dallas, Texas -- a licensed engineering firm providing professional services in traffic engineering, transportation planning, and related fields.

### ***Project Description***

The proposed garage will only serve the two adjacent hotels – the garage is not intended to serve general, public parking for users outside of the hotels. Hotel guests and employees utilizing the on-site parking would be able to access the buildings internally. Therefore, the garage is not anticipated to generate any significant increase to the pedestrian volumes on the surrounding streets.

The proposed parking garage would utilize the existing surface parking lot footprint. Implementing this design would result in no net change in the physical amount of available sidewalk. However, the garage would utilize only a single driveway on Jackson Street, and the driveway on Prather Street would only serve the loading dock. The existing driveway on S Ervay Street would be eliminated, thereby, allowing a more continuous sidewalk surface.

If the parking garage construction were to comply with the setback and sidewalk widths set forth by the existing ordinances, the sidewalk cross-section would abruptly change at the building façade. This resulting mid-block jog in the sidewalk width would be very awkward in appearance and would not achieve the desired effect of a continuous setback and sidewalk.

## **PEDESTRIAN ANALYSIS**

### ***Existing Conditions – Sidewalk Inventory***

DeShazo conducted an inventory of the existing sidewalk conditions in the vicinity of the site on June 1-2, 2015. [NOTE: At the time of the observations, the sidewalk on the S Ervay Street side of the building was closed to pedestrian traffic due to building construction that was underway. Therefore, site plan information was used to obtain the sidewalk dimension at this location.]

Exhibit 1 depicts a summary of the sidewalk inventory. As shown, within about two blocks of the site in all directions, many existing sidewalks provide less than ten feet of building setback.

### ***Existing Conditions – Pedestrian Demand***

Concurrent with the sidewalk inventory, DeShazo also conducted field observations of the existing pedestrian activity on the S Ervay, Jackson, and Prather street sidewalks fronting the site (that are the subject of the proposed variance). [For the sidewalk on S Ervay Street that was closed due to construction, pedestrian data was collected on the opposite side of the street.]

During the weekday lunch period and the morning peak period, DeShazo observed the following characteristics:

- The vast majority of pedestrians (estimated: > 90%) were traveling as individuals or in groups of two persons. Only on very infrequent occasions (i.e., about twice per hour) did the group size exceed two persons. In such cases, narrow sidewalks were a regular part of the pedestrian environment to which the pedestrians adapted seamlessly.



- Pedestrian volumes were very low. At any given time, the number of pedestrians on any given block did not exceed four persons.

## SUMMARY OF FINDINGS

The subject site of the proposed variance to building setback and minimum sidewalk width is the block bound by Commerce Street, Prather Street, Jackson Street, and S Ervay Street in downtown Dallas. The proposed redevelopment project will convert two vacant office buildings into two hotels and construct an adjoining parking garage for the exclusive use of the hotels. The garage will have an internal access to the buildings, so the proposed development is not expected to add any appreciable pedestrian demand on the surrounding sidewalks.

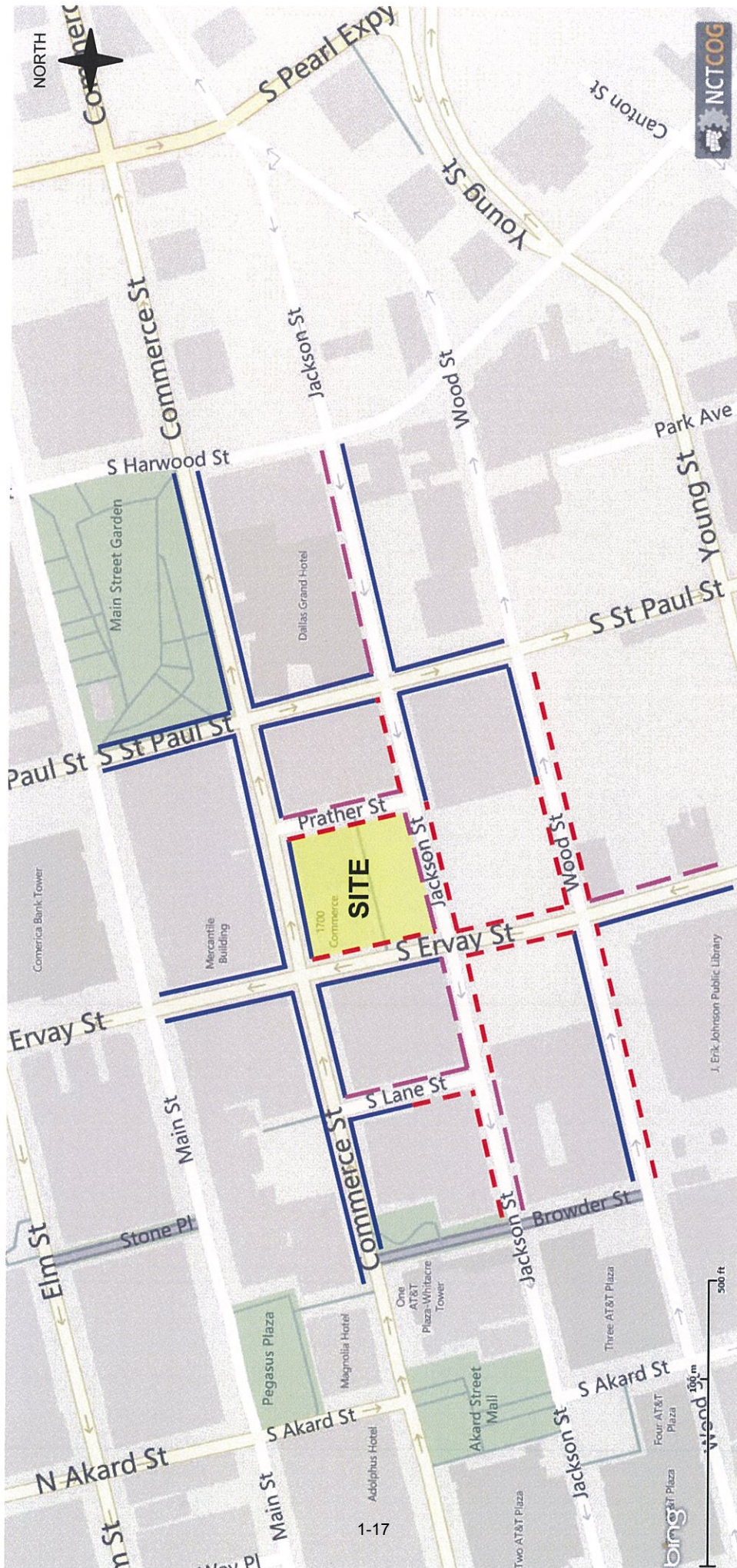
The north half of the subject site adjacent to the existing buildings (that are to remain) does not comply with the current setback and sidewalk width requirements. The southern portion of the site on which new construction is proposed would require a variance in order to occupy the same building envelope as the existing buildings. Approval of the requested variance would essentially allow for a uniform building line and maintain the existing sidewalk conditions. Denial of the variance would result in a visible offset between the building façades and sidewalk width where the new construction would meet the existing construction.

Based upon data collection conducted by DeShazo, existing sidewalk widths in the vicinity of the site vary greatly, block by block. Like with the blocks that are the subject of this variance request, many blocks do not achieve the desired minimum setback and sidewalk width of ten feet.

DeShazo also observed that the current pedestrian volume on the subject streets during peak periods was rather low -- no more than four pedestrians occupied either sidewalk at the same time. So, even if pedestrian volume were to double in the future, sidewalk capacity is not considered to be a concern.

*END OF MEMO*

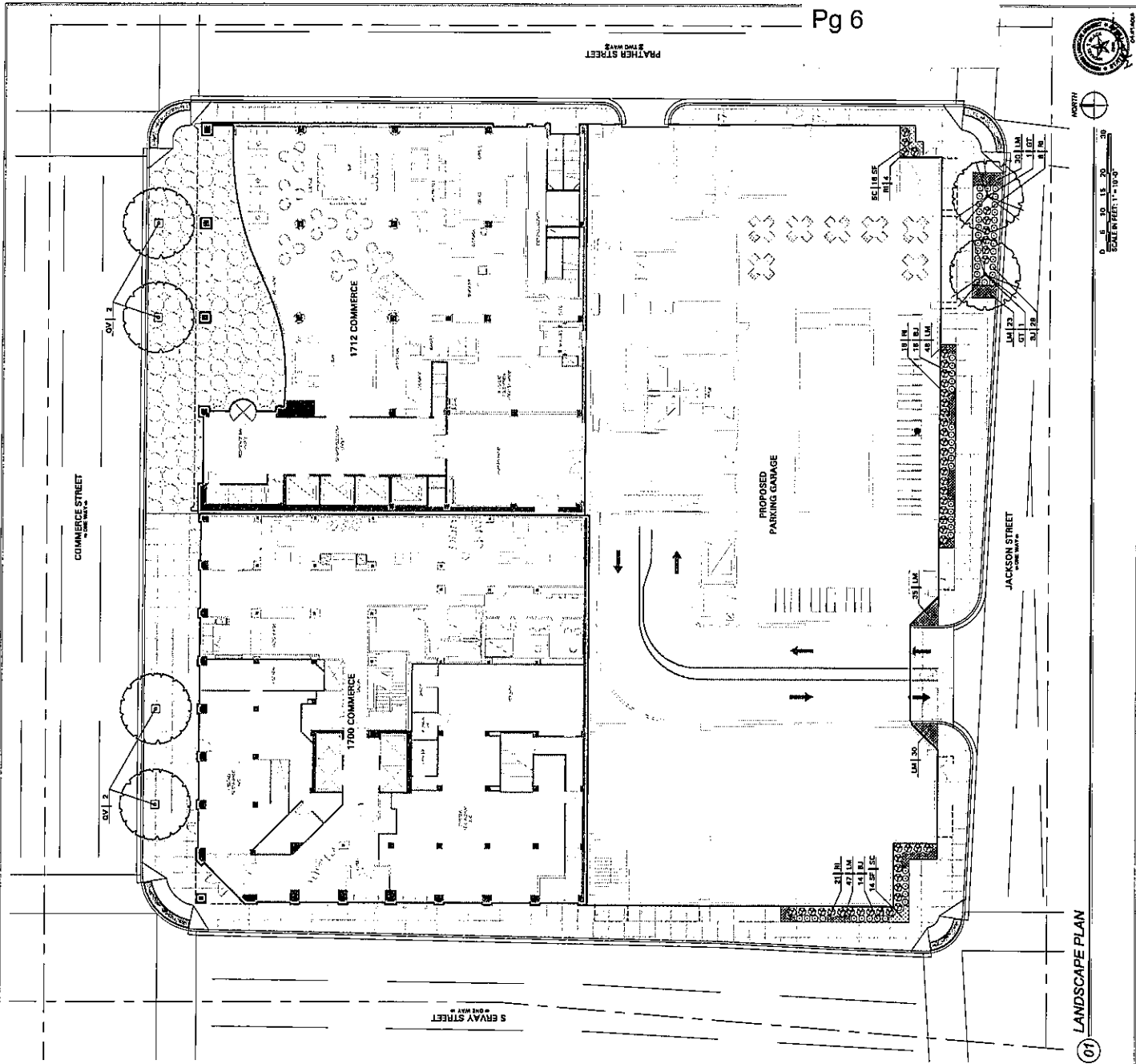




LEGEND:  
 >10 feet wide  
 8-10 feet wide  
 <8 feet wide

Exhibit 1.  
 Sidewalk Inventory, Existing Conditions  
 1712 Commerce Street





LANDSCAPE PLAN 01

**GENERAL LANDSCAPE NOTES:**

**LANDSCAPE NOTES:**

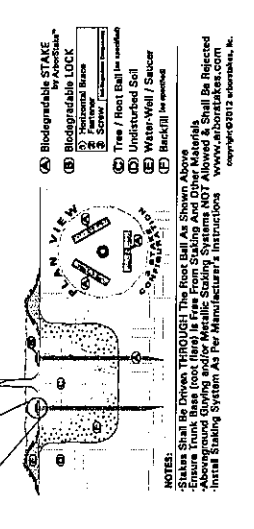
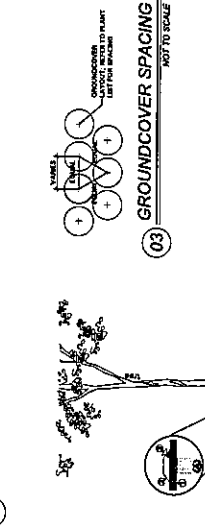
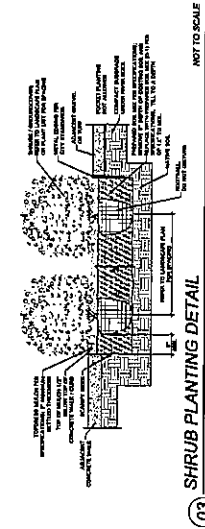
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL LOCAL ORDINANCES.
2. VERIFY EXISTING AND PROPOSED UTILITIES PRIOR TO CONSTRUCTION. VERIFY LOCATION OF EXISTING UTILITIES AS SHOWN BY OTHERS.
3. LOCATE AND MARK EXISTING UTILITIES PRIOR TO CONSTRUCTION. EXERCISE CAUTION WHEN WORKING AROUND EXISTING UTILITIES.
4. LOCATE AND MARK EXISTING UTILITIES PRIOR TO CONSTRUCTION. EXERCISE CAUTION WHEN WORKING AROUND EXISTING UTILITIES.
5. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS TO ACCOMMODATE MULCH.
6. MULCH SHALL BE 2" BELOW FINAL FINISHED GRADE IN PLANTING AREAS TO ACCOMMODATE MULCH.
7. TOP OF MULCH SHALL BE 1/2" BELOW FINAL FINISHED GRADE IN PLANTING AREAS TO ACCOMMODATE MULCH.

**MAINTENANCE NOTES:**

FOR THE MAINTENANCE OF ALL LANDSCAPING, ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED AND REPAIRED IN A RESPONSIBLE MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, TRIMMING, PRUNING, FERTILIZING, WATERING, WEEDING, AND REPLACING MULCH. ALL PLANT MATERIALS SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS SPECIFIED IN THE LANDSCAPE PLAN. ALL PLANT MATERIALS WHICH ARE DAMAGED OR DESTROYED SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE.

**LANDSCAPE TABULATIONS:**

TOTAL STREET TREES:	0
STREET FRONTAGE:	200 LINER FEET
PRATHER STREET:	190 LINER FEET
GRAY STREET:	190 LINER FEET
JACKSON STREET:	190 LINER FEET
TOTAL STREET FRONTAGE:	780 LINER FEET



**PLANT LIST:**

NOTE: CONTRACTOR TO VERIFY ALL QUANTITIES PER PLANS

SYM	SYM NAME	COMMON NAME	QTY.	SIZE	REMARKS
SC 1	Scrub Oak	Scrub Oak	1	8" GAL	BALL IN CONTAINER
LM 13	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 14	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 15	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 16	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 17	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 18	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 19	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 20	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 21	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 22	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 23	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 24	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 25	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 26	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 27	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 28	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 29	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 30	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 31	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 32	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 33	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 34	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
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LM 38	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 39	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
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LM 41	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 42	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 43	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 44	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 45	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 46	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 47	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 48	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 49	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 50	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 51	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 52	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
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LM 61	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
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LM 68	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 69	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 70	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
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LM 73	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
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LM 91	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
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LM 94	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 95	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 96	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 97	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 98	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 99	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED
LM 100	Large Tree	Large Tree	1	18" CAL	SPACING TO BE FACED

BDA145-063

Attach C



# Masterplan

Texas Land Use Consultants

June 5, 2015

Steve Long, Board Administrator  
1500 Marilla, Room 5B North  
Dallas, Texas 75202

Re: BDA 145-063

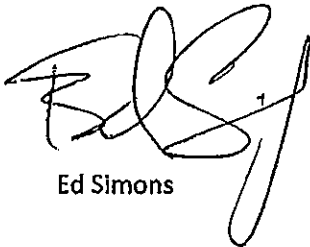
Dear Mr. Long:

This letter is intended to support the requests for a variance of the sidewalk standards required in the CA-1 district. The applicant proposes the construction of a 10 level parking garage to support the conversion of 2 buildings that front on Commerce to lodging uses. The parking garage triggers sidewalk requirements that exceed the needs of the area. We are extending the façade of both buildings along Ervay and Prather. Since the undeveloped part of our building site has 3 streets, the requirement that we provide a 10 foot setback from the curb has a similar impact to being required to provide multiple front yard setbacks. As a result we have a building site that is restrictive in area and warrants relief.

We have tried to provide sidewalks that are landscaped in a way that will attract pedestrians. The parking garage will not create any increase in pedestrian trips because everyone that uses it will arrive and leave in a car.

This project is important to the city in that it repurposes the old buildings to uses that will be more vital. Your recommendation for approval will be appreciated.

Please contact me at 214-761-9197 if you need more information.

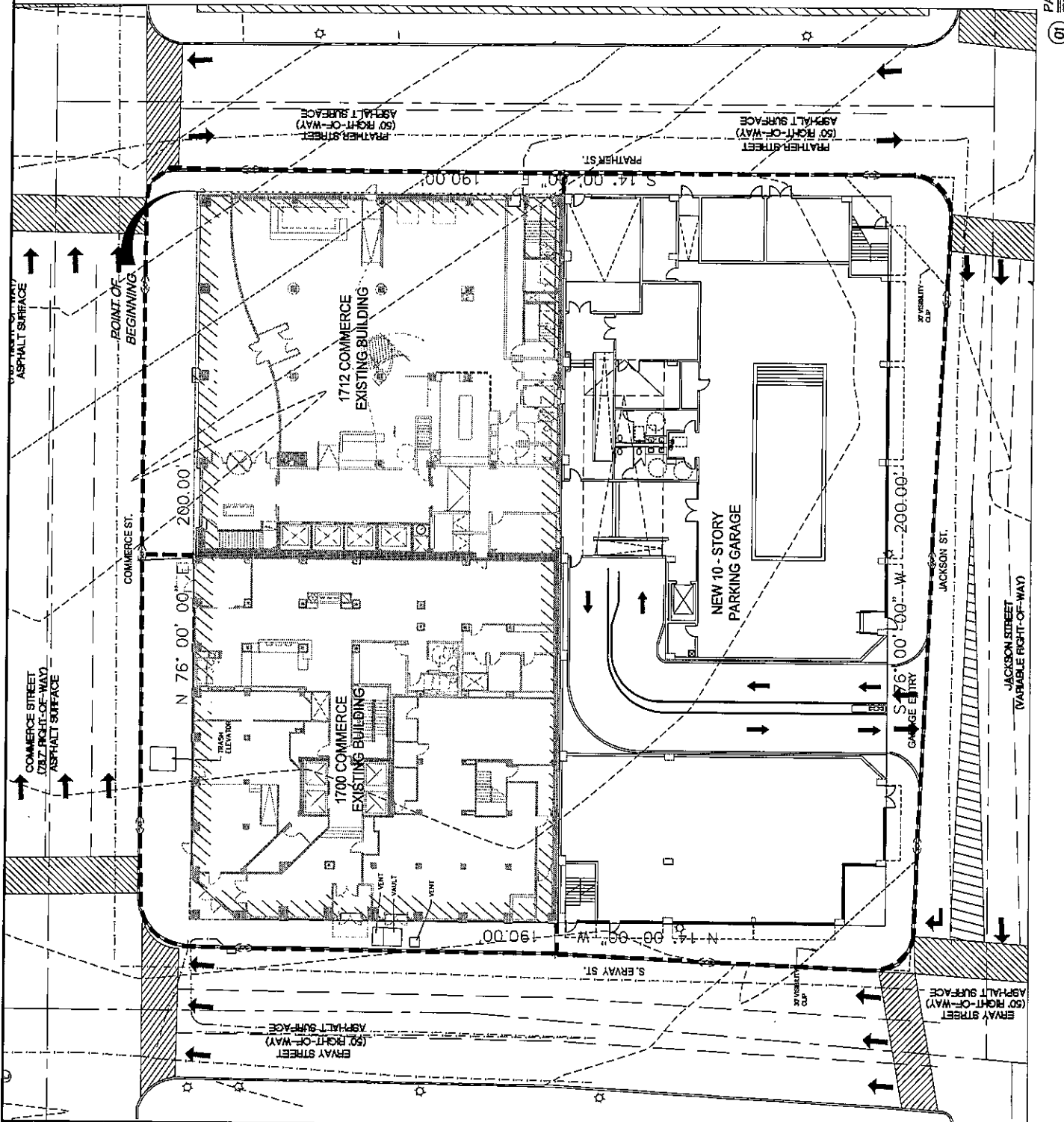


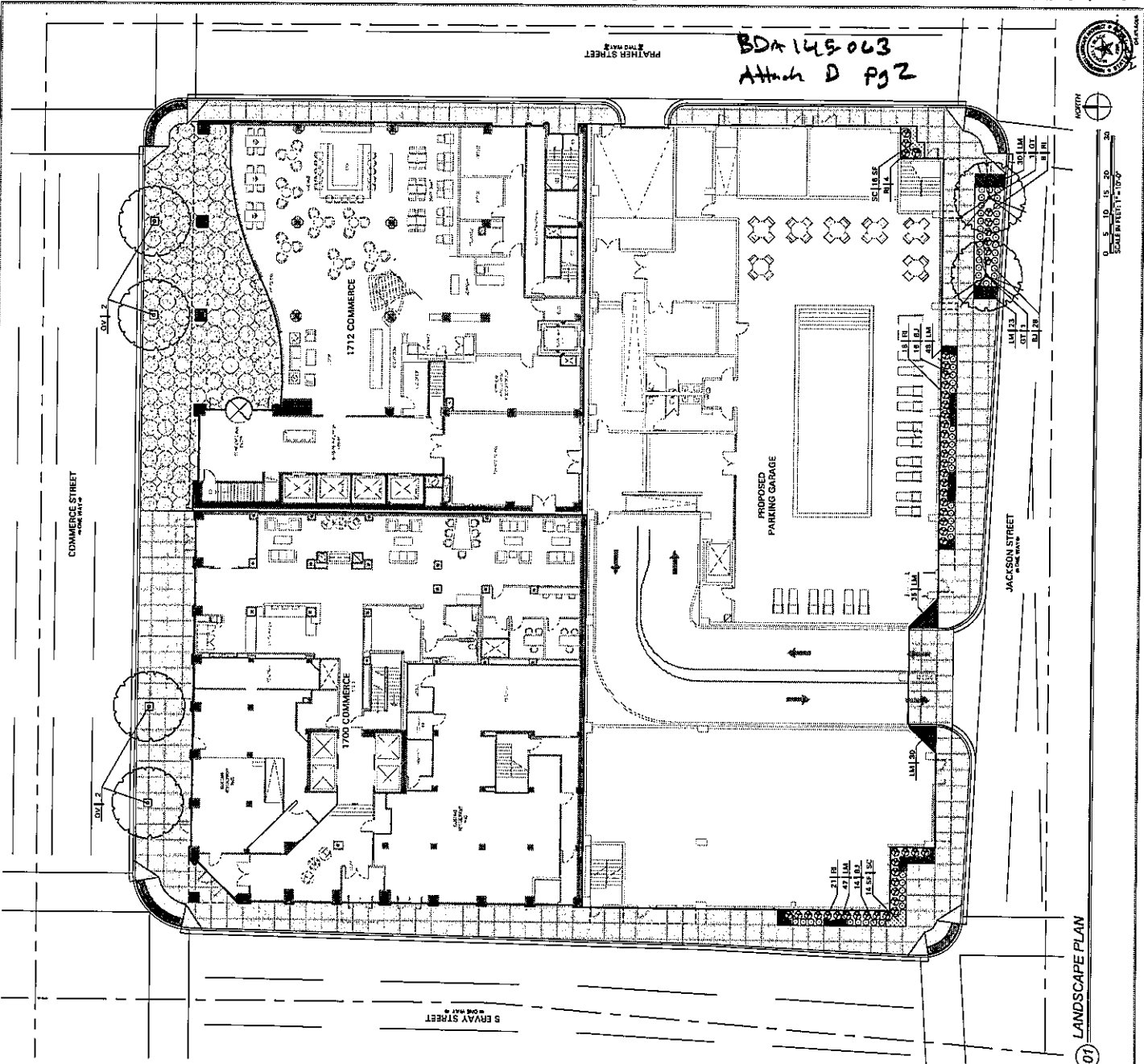
Ed Simons

BDA 145-063  
Attach D  
PS 1

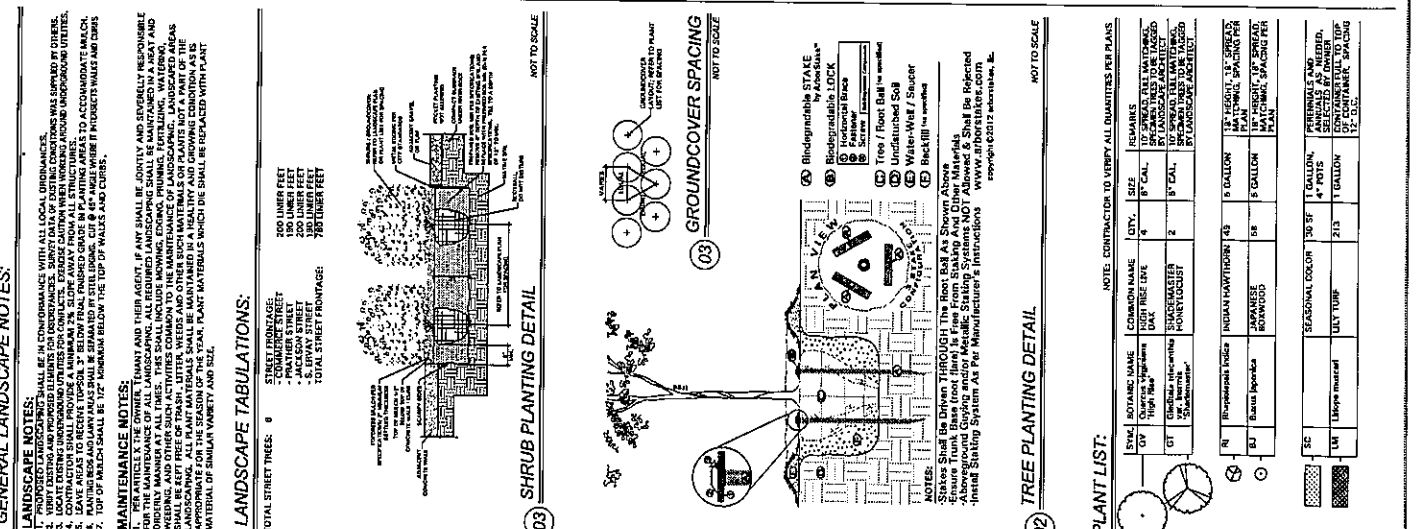
PARKING GARAGE SITE PLAN  
SCALE: 1/8" = 1'-0"

6-8





01 LANDSCAPE PLAN



**GENERAL LANDSCAPE NOTES:**

- LANDSCAPE NOTES:**
1. PROVIDE LANDSCAPE NOTES TO BE IN CONFORMANCE WITH ALL LOCAL ORDINANCES.
  2. LOCATE TREE SPACING AND LANDSCAPE NOTES TO BE IN CONFORMANCE WITH ALL LOCAL ORDINANCES. VERIFY DATA OF EXISTING CONDITIONS WILL SURVIVE BY OTHERS.
  3. LOCATE TREE SPACING AND LANDSCAPE NOTES TO BE IN CONFORMANCE WITH ALL LOCAL ORDINANCES. VERIFY DATA OF EXISTING CONDITIONS WILL SURVIVE BY OTHERS.
  4. CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
  5. PLANTINGS SHALL BE MAINTAINED TO THE MAINTENANCE STANDARD OF THE MAINTENANCE CONTRACTOR TO ACCOMMODATE MAINT.
  6. PLANTINGS SHALL BE MAINTAINED TO THE MAINTENANCE STANDARD OF THE MAINTENANCE CONTRACTOR TO ACCOMMODATE MAINT.
  7. TOP OF MAINT SHALL BE 1/2" INHIBITION BELOW THE TOP OF WALLS AND CURBS.
- MAINTENANCE NOTES:**
1. PER ARTICLE 6. THE OWNER, TENANT AND THEIR AGENT, IF ANY SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER. WEEDING AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPED AREAS SHALL BE MAINTAINED TO THE MAINTENANCE STANDARD OF THE MAINTENANCE CONTRACTOR TO ACCOMMODATE MAINT.
- APPROPRIATE FOR THE SEASON OF THE YEAR, PLANT MATERIALS WHICH ARE TO BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE.

**LANDSCAPE TABULATIONS:**

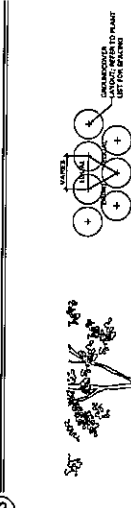
TOTAL STREET TREES:

- STREET FRONTAGE: 200 LINER FEET
- COMMERCE STREET: 200 LINER FEET
- JACKSON STREET: 200 LINER FEET
- ERVAY STREET: 150 LINER FEET

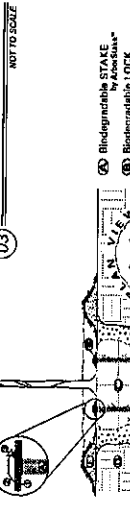
TOTAL STREET FRONTAGE:

750 LINER FEET

**SHRUB PLANTING DETAIL**



**GROUNDCOVER SPACING**



**TREE PLANTING DETAIL**



**PLANT LIST:**

NOTE: CONTRACTOR TO VERIFY ALL QUANTITIES PER PLANS

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
01	Quercus virginiana	White Oak	4	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
02	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
03	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
04	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
05	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
06	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
07	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
08	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
09	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
10	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
11	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
12	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
13	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
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15	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
16	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
17	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
18	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
19	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
20	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
21	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
22	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
23	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
24	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
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26	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
27	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
28	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
29	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
30	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT

1712 COMMERCE HOTEL & PARKING GARAGE LANDSCAPE PLAN

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
01	Quercus virginiana	White Oak	4	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
02	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
03	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
04	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
05	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
06	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT
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30	Stachytarax distichus	Hairy Yellow Top	2	8" CAL.	10' SPREAD TREE MATERIALS BY LANDSCAPE ARCHITECT

6-8

BDA 145-063  
Attach E  
PEI



CITY OF DALLAS

## Memorandum

DATE June 12, 2015  
TO Steve Long, Board of Adjustment Administrator  
SUBJECT # BDA 145 · 063 1212 Commerce Street

The applicant is requesting a special exception to the landscape requirements of CA-1(A) for commercial parking garages and surface parking lots.

### Trigger

New construction of a commercial parking garage in the CA-1(A) district.

### Deficiencies

The proposed alternate landscape plan does meet or exceed the required 'one tree or one shrub in the adjoining parkway for each 30 feet along the frontage abutting the right-of-way.' The plants (mainly shrubs) are distributed to primarily face Jackson and Ervay streets. However, tree grates are required for all trees planted in a public sidewalk. The trees are situated within an open planting bed. The shrubs shown at 18" height do not comply with the requirement of a minimum of 30" height.

### Factors

The district regulations state the following: "Alternative landscape plan. The director may approve an alternative landscape plan only if compliance with this paragraph is not possible, the inability to comply is not self-created, and the alternative landscape plan is in keeping with the intent of this paragraph. An alternative landscape plan may include placement of landscaping in alternative locations. An alternative landscape plan may reduce the square footage of landscape area if additional trees or shrubs are provided."

An alternative landscape plan has not been submitted to the director under a parkway landscape permit review to determine if the plan may be approved under standard conditions. It has not been proven the site with, or without, the variances, is unable to comply with the requirements of one tree or one shrub in the adjoining parkway for each 30 feet of frontage.

Planting conditions in this ordinance for shrubs can vary from planting conditions for trees which require tree grates. Various methods can be used to create soil conditions for different plant types, including engineered solutions or smaller linear planting beds. The ordinance provides for significant variability in plant type, size, form, location, and species to allow maximum flexibility to designers.

There is no effective time period request from the applicant for the duration of the alternate landscape plan.

Landscaping shown facing Commerce Street are not a part of this application for the commercial parking garage structure.

### Recommendation

The chief arborist recommends denial of the proposed alternate landscape plan because the applicant has not proven strict compliance with the landscape requirements of this district would result in unnecessary hardship.

Philip Erwin, ISA certified arborist #TX-1284(A)  
Chief Arborist

BDA 145-063

Attach F



# Masterplan

Texas Land Use Consultants

June 19, 2015

Steve Long, Board Administrator  
1500 Marilla Street, Room 5B North  
Dallas, Texas 75201

Re: BDA 145-063

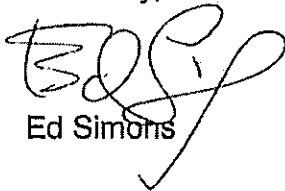
Dear Mr. Long:

The owners of the property at 1712 Commerce have requested the board to take this case under advisement until their next hearing date.

We need the time to further detail the nature of our property hardship.

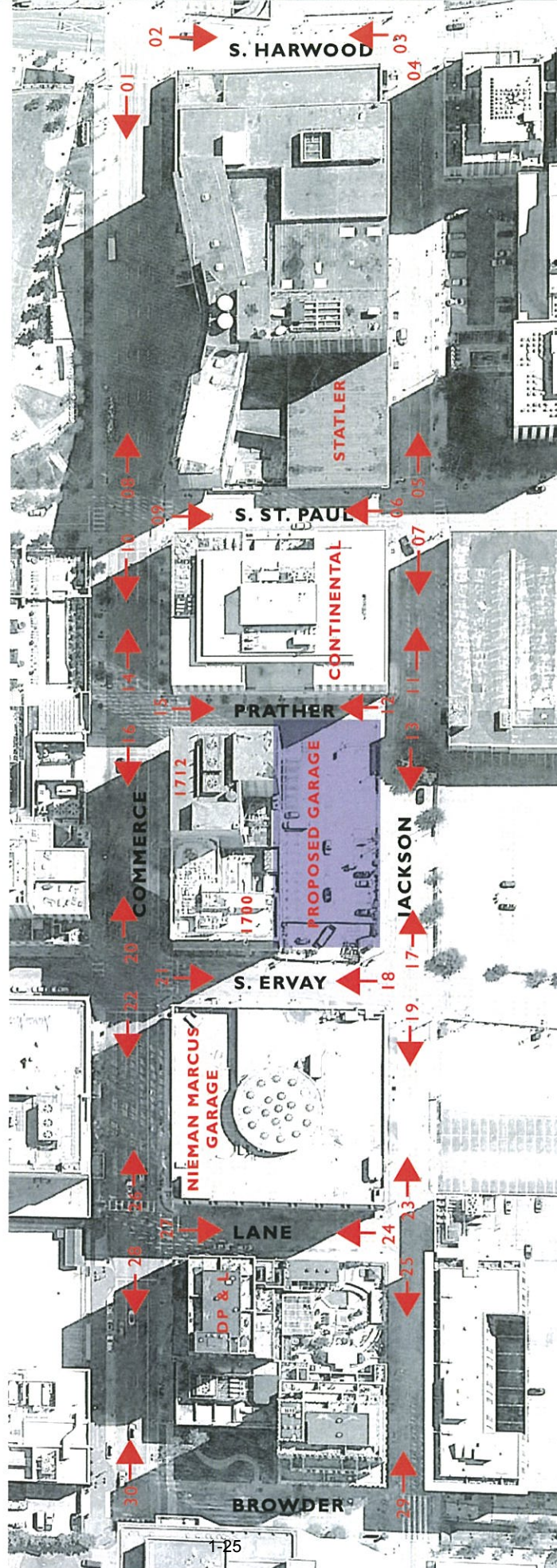
Thanks for your attention.

Sincerely,



Ed Simons



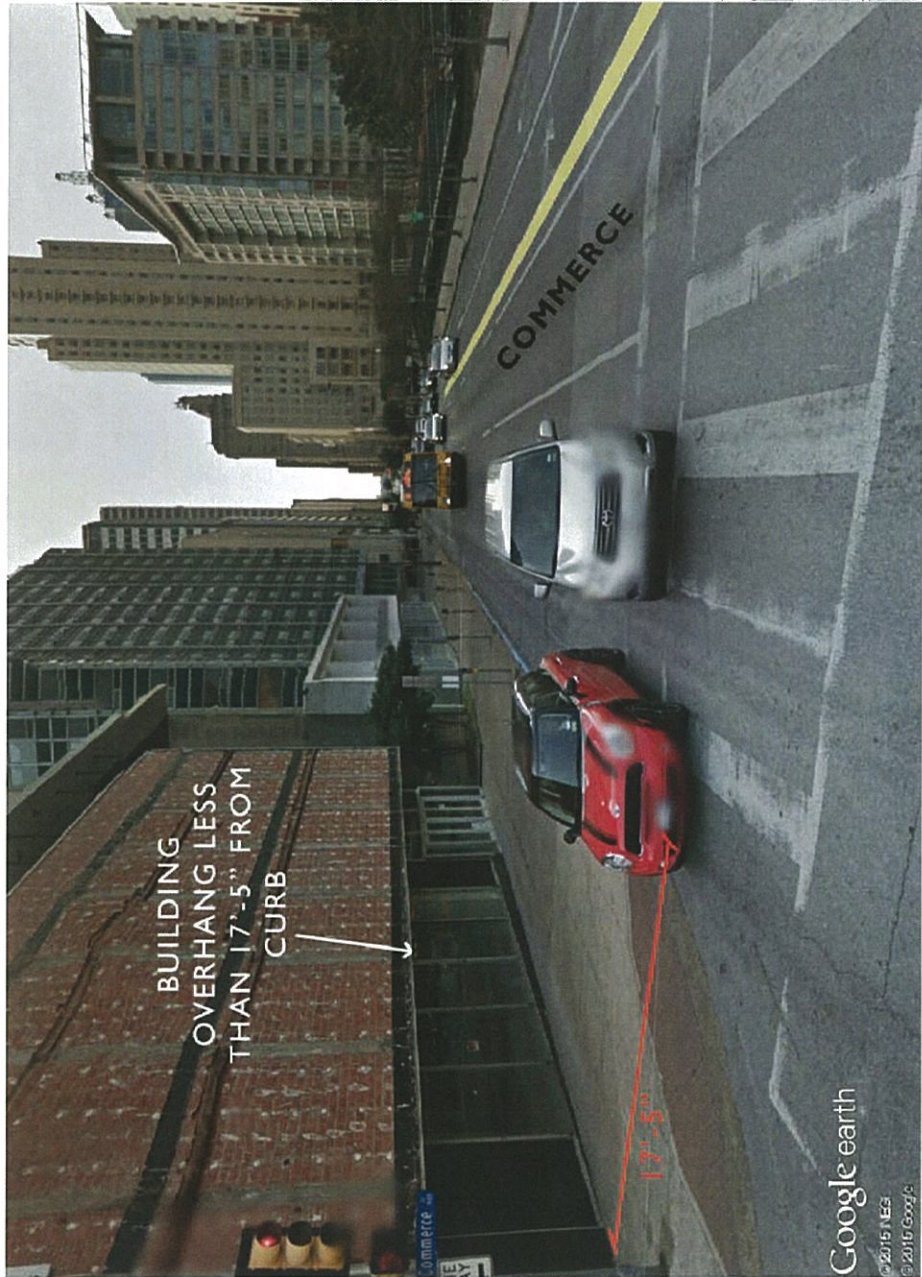


1712 COMMERCE - RESIDENCE INN / AC HOTEL BY MARRIOTT  
 dallas, texas  
 maa.2014062 06.16.15



STREET	SMALLEST	LARGEST
S. HARWOOD STREET	6'-4"	10'-8"
S. ST. PAUL STREET	8'-4"	12'-0"
PRATHER STREET	6'-5"	10'-6"
S. ERVAY STREET	7'-3"	17'-6"
LANE STREET	7'-6"	11'-0"
COMMERCE STREET	12'-5"	24'-2"
JACKSON STREET	6'-8"	19'-11"

1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
 dallas, texas  
 maa 2014062  
 06.16.15



1712 COMMERCE - RESIDENCE INN / AC HOTEL BY MARRIOTT  
 dallas, texas  
 maa 30-4067

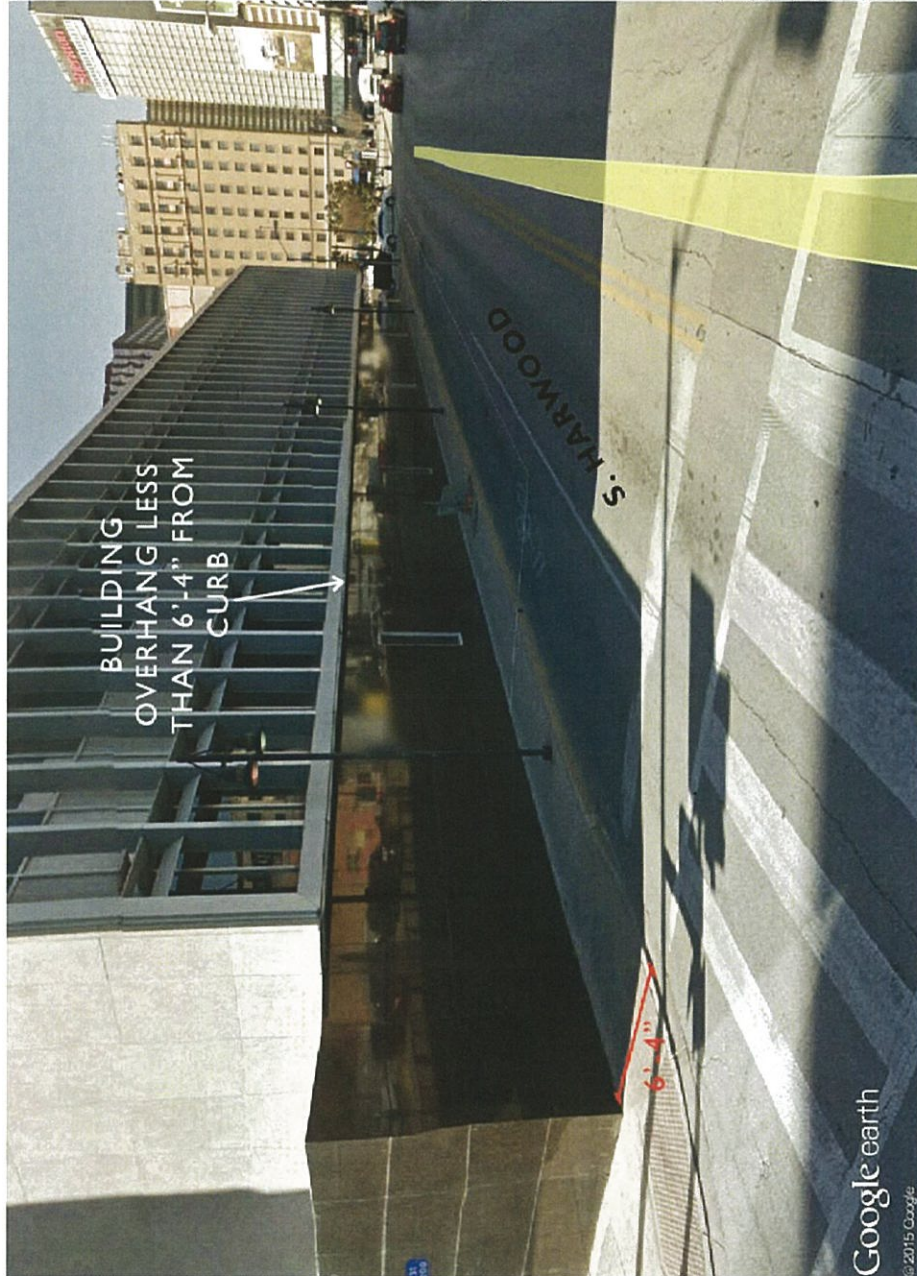
06.16.15





1712 COMMERCE - RESIDENCE INN I AC HOTEL BY MARRIOTT  
dallas, texas  
maa 2014-06/2  
06.16.15

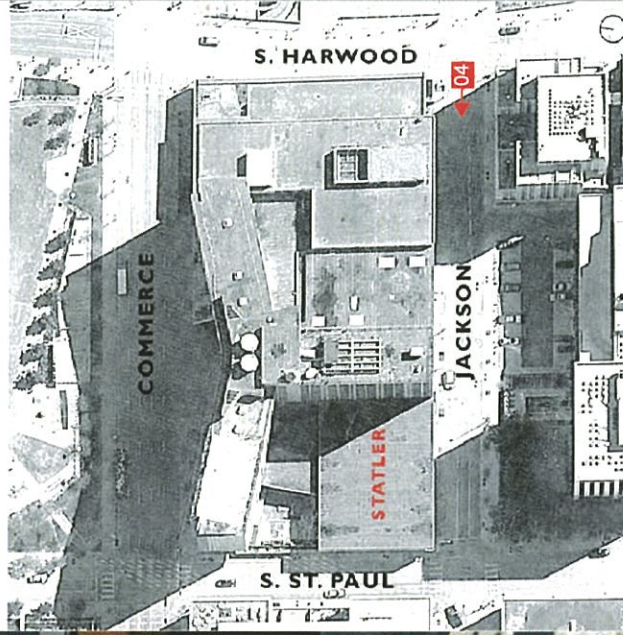
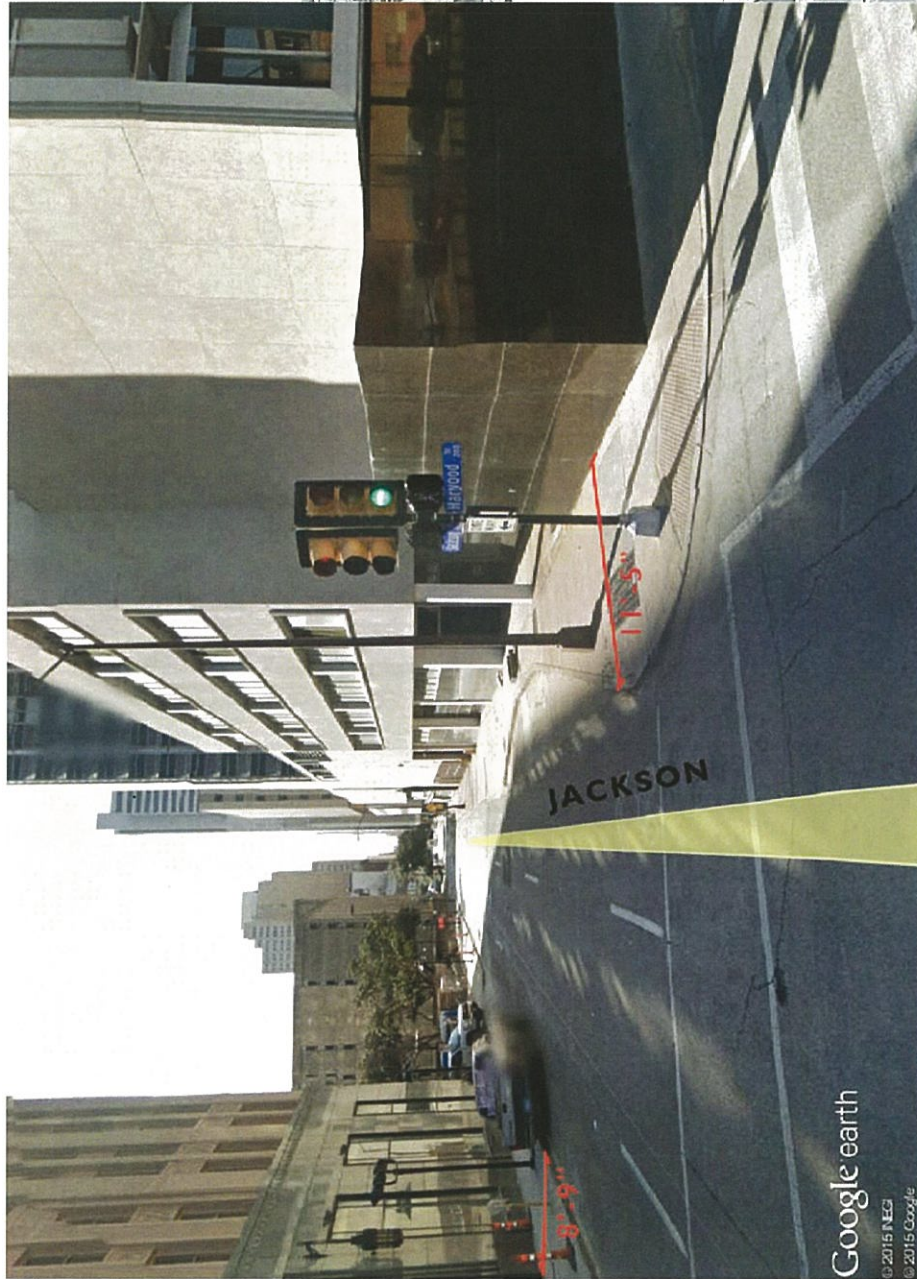




BUILDING  
OVERHANG LESS  
THAN 6'-4" FROM  
CURB

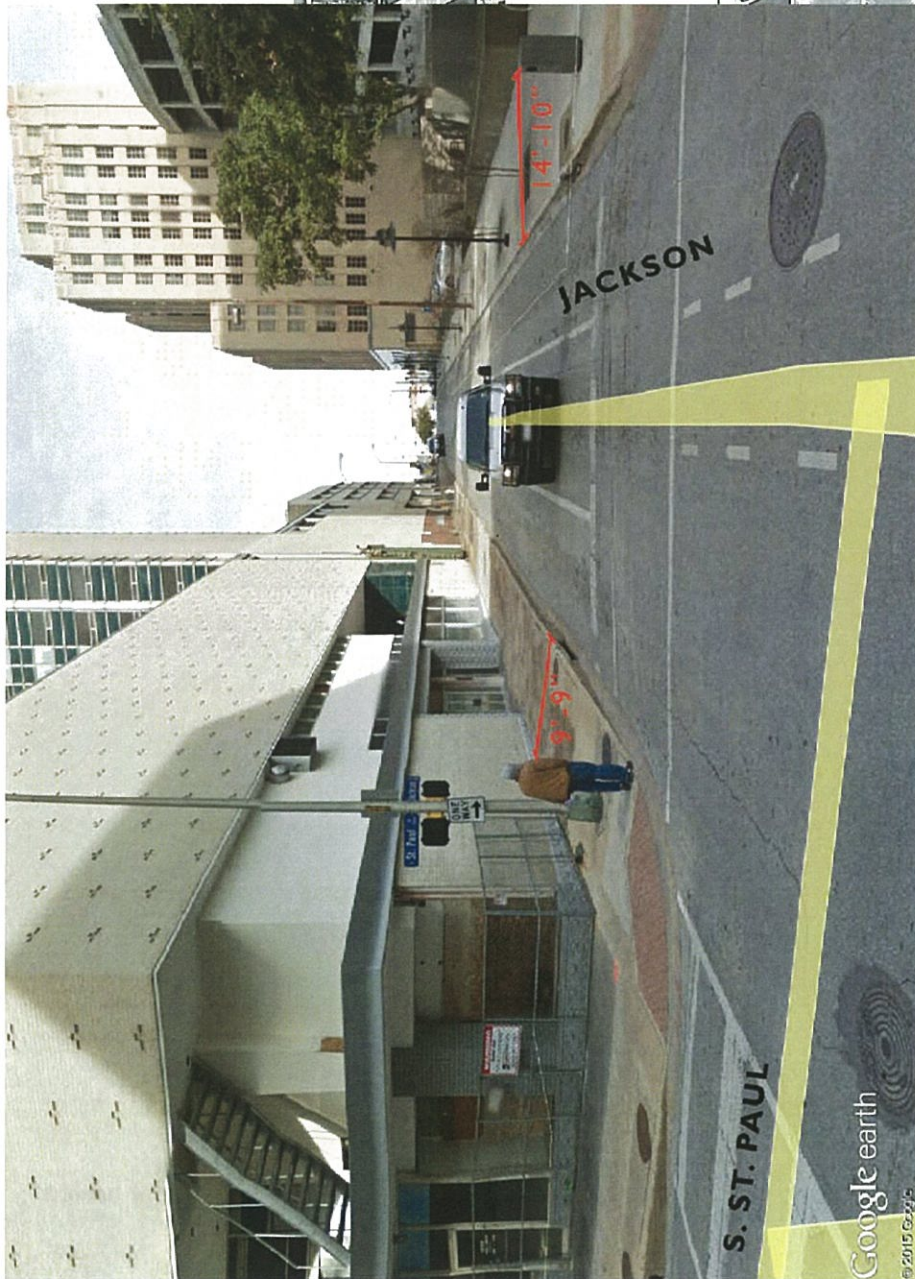
1712 COMMERCE - RESIDENCE INN LAC HOTEL BY MARRIOTT  
dallas, texas  
m.a.a. 2014.06.15





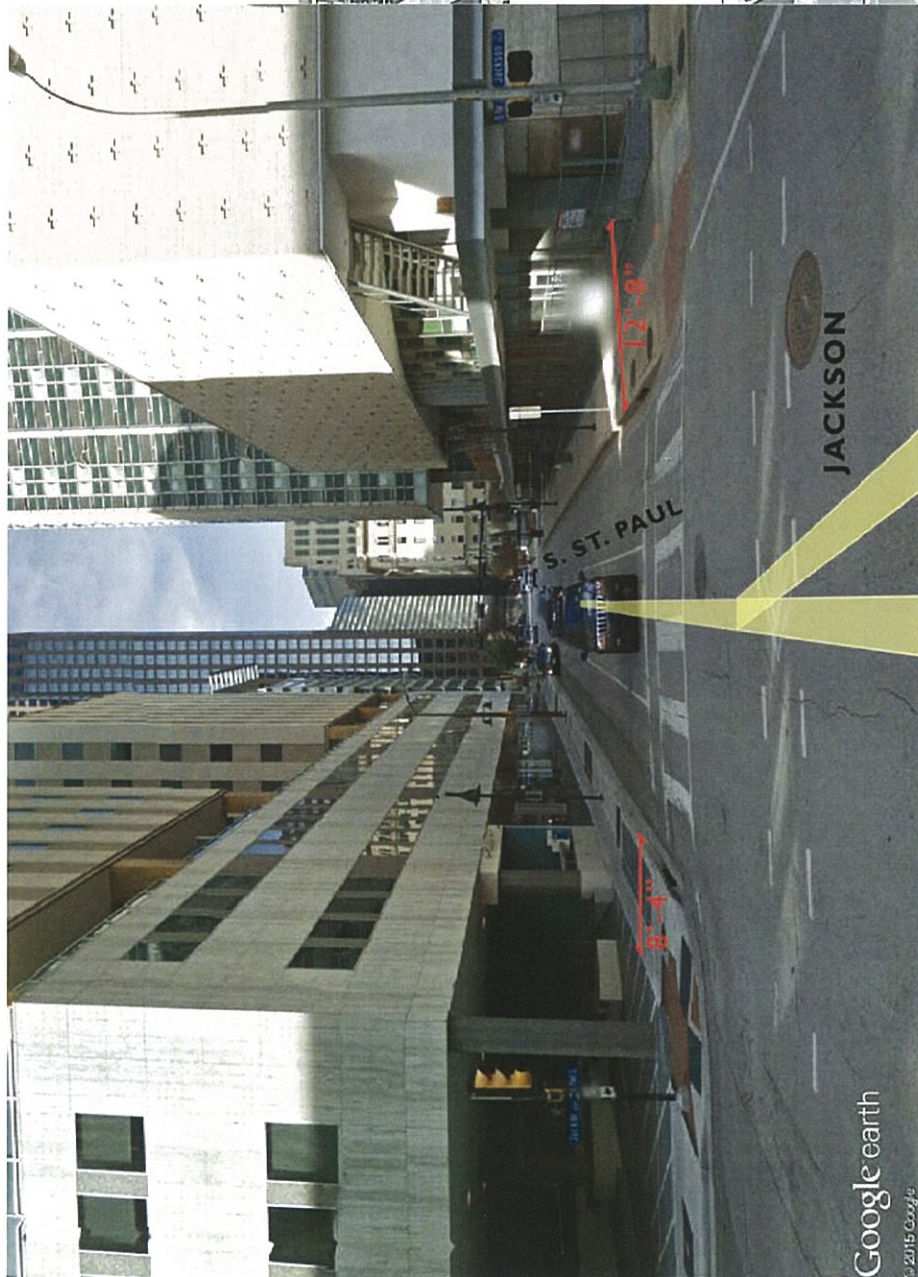
1712 COMMERCE - RESIDENCE INN LAC HOTEL BY MARRIOTT  
dallas, texas  
mox 2014067 06.16.15





1712 COMMERCE - RESIDENCE INN LAC HOTEL BY MARRIOTT  
dallas, texas  
mxa 2014067  
06.16.15





1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
mxa 2014-06-7  
06.16.15





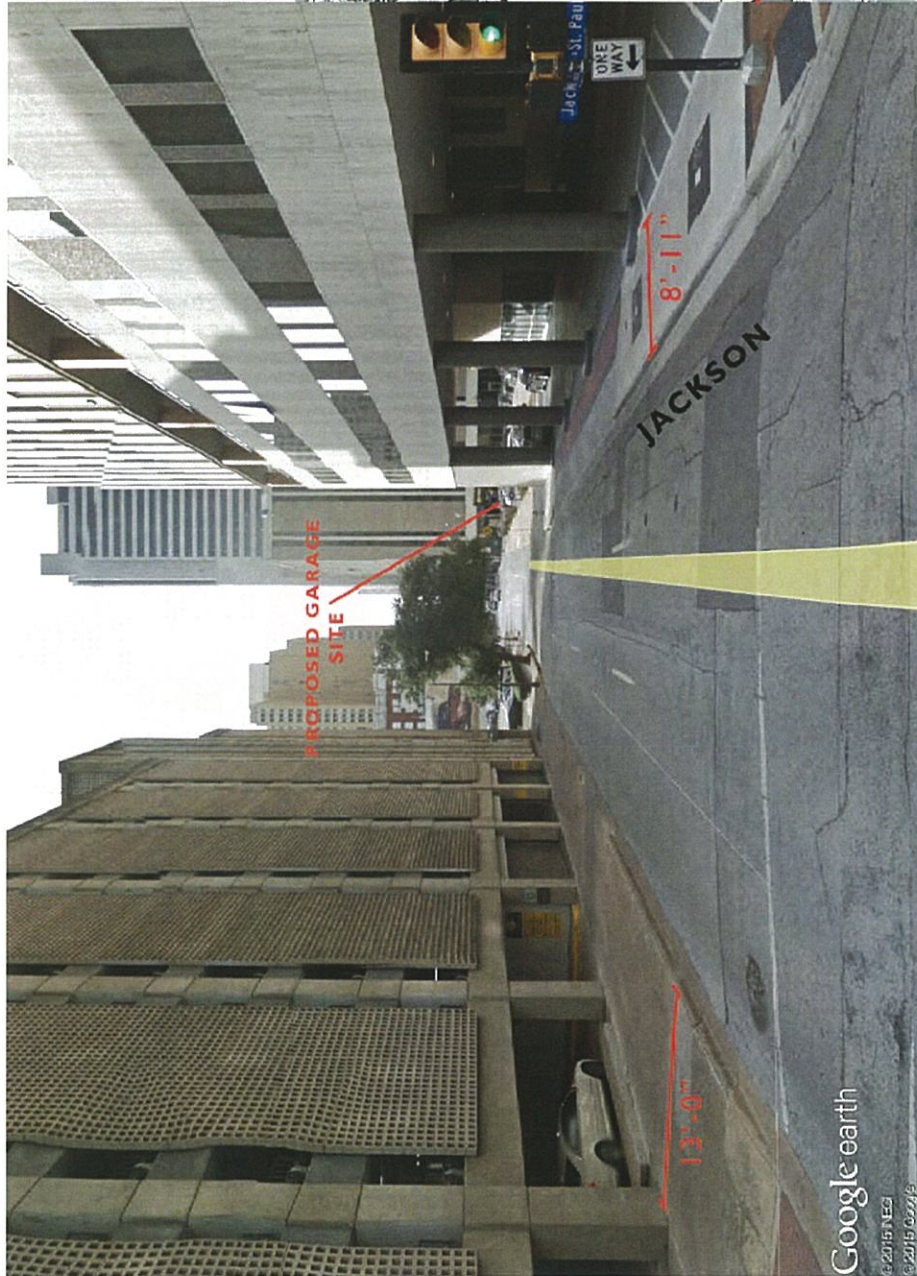


IMAGE 07

1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
mca 2014/06/2 06/16/15









BDA 145-063  
Attach G  
Pg 11

IMAGE 09



1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
mss 2014/06/7  
06.16.15



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dallas, texas  
mra 2014067

06.16.15



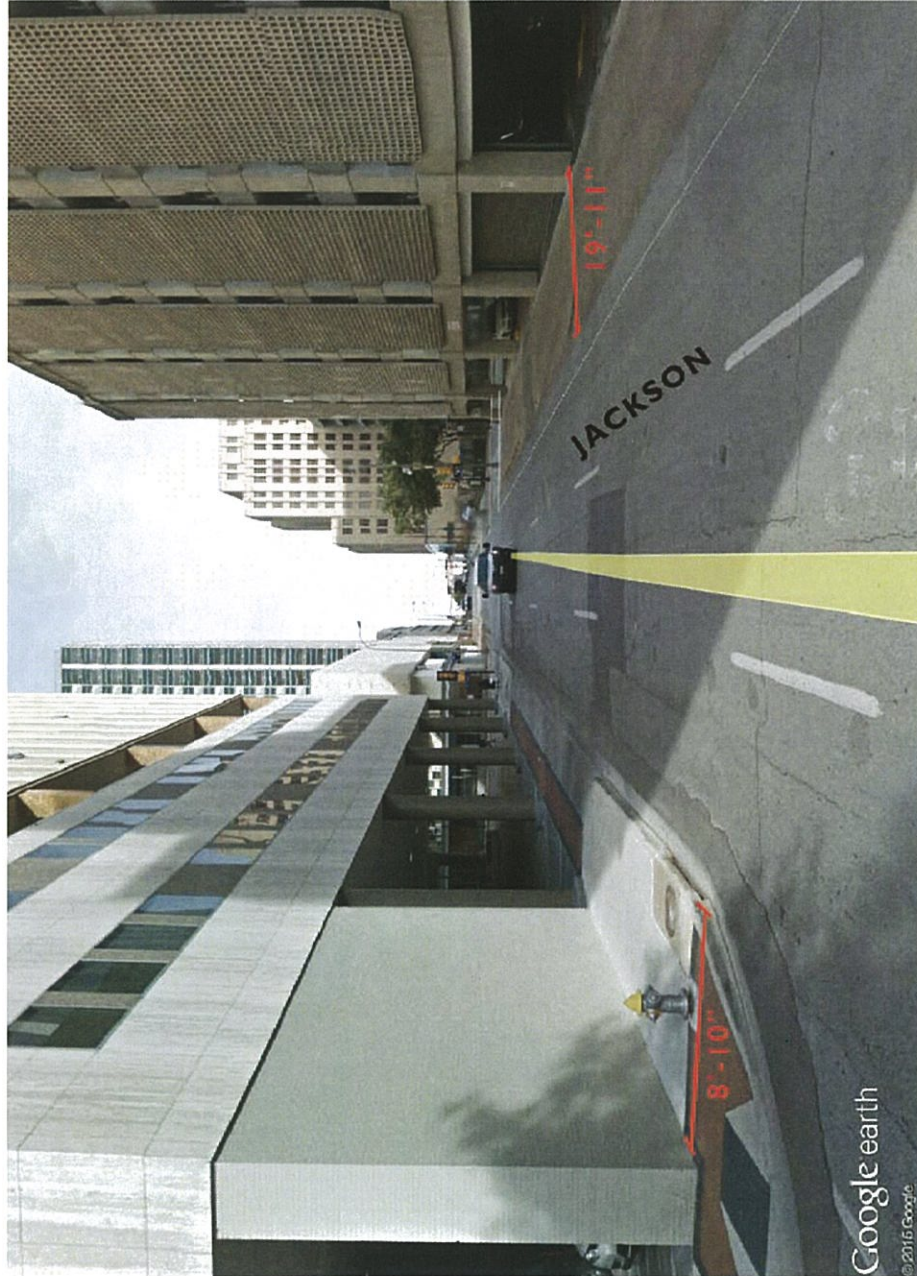
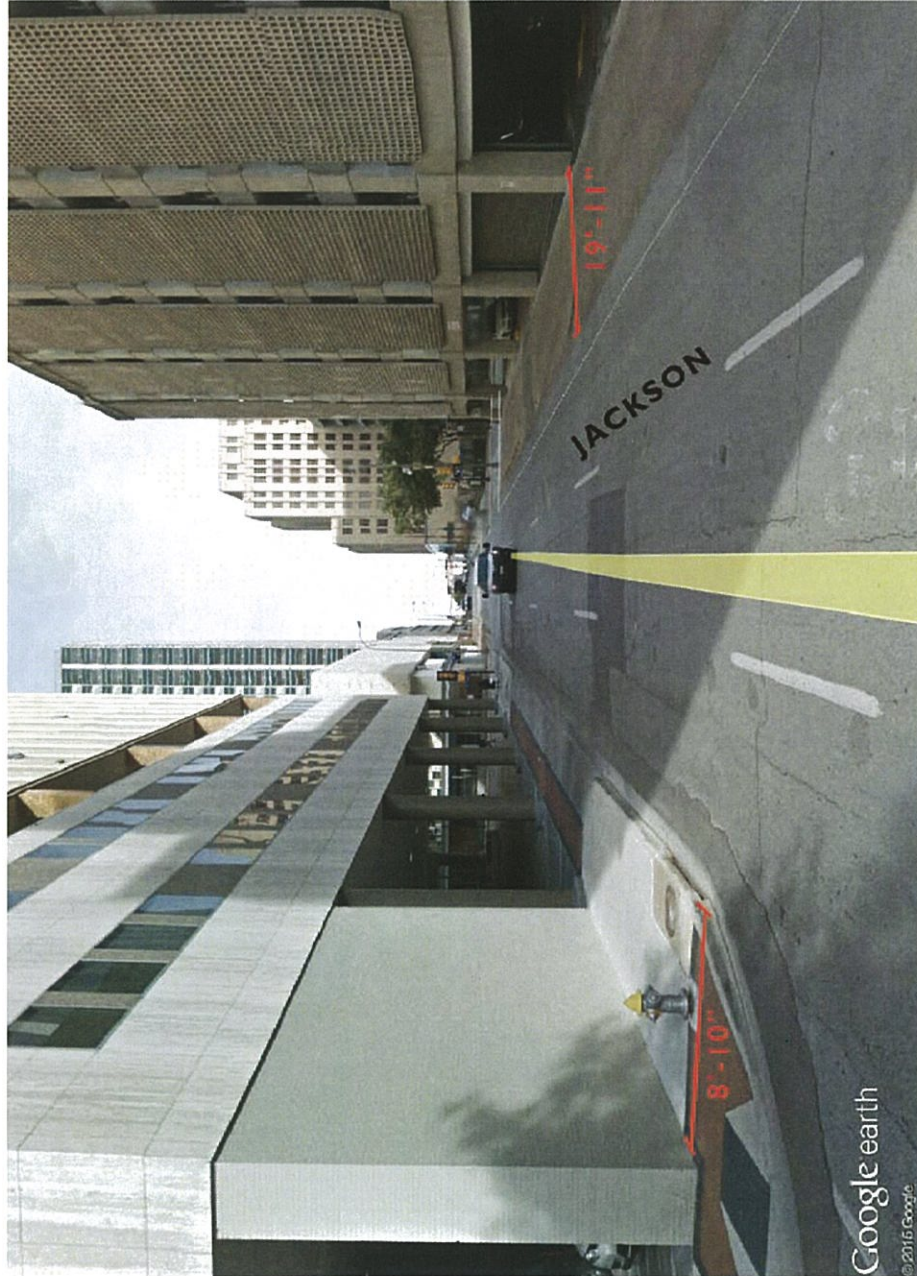


IMAGE 11



1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
may 2014/06/7  
06.16.15







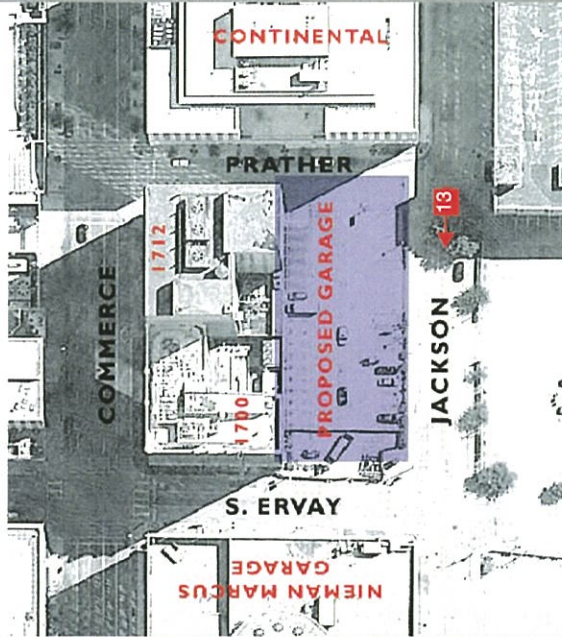
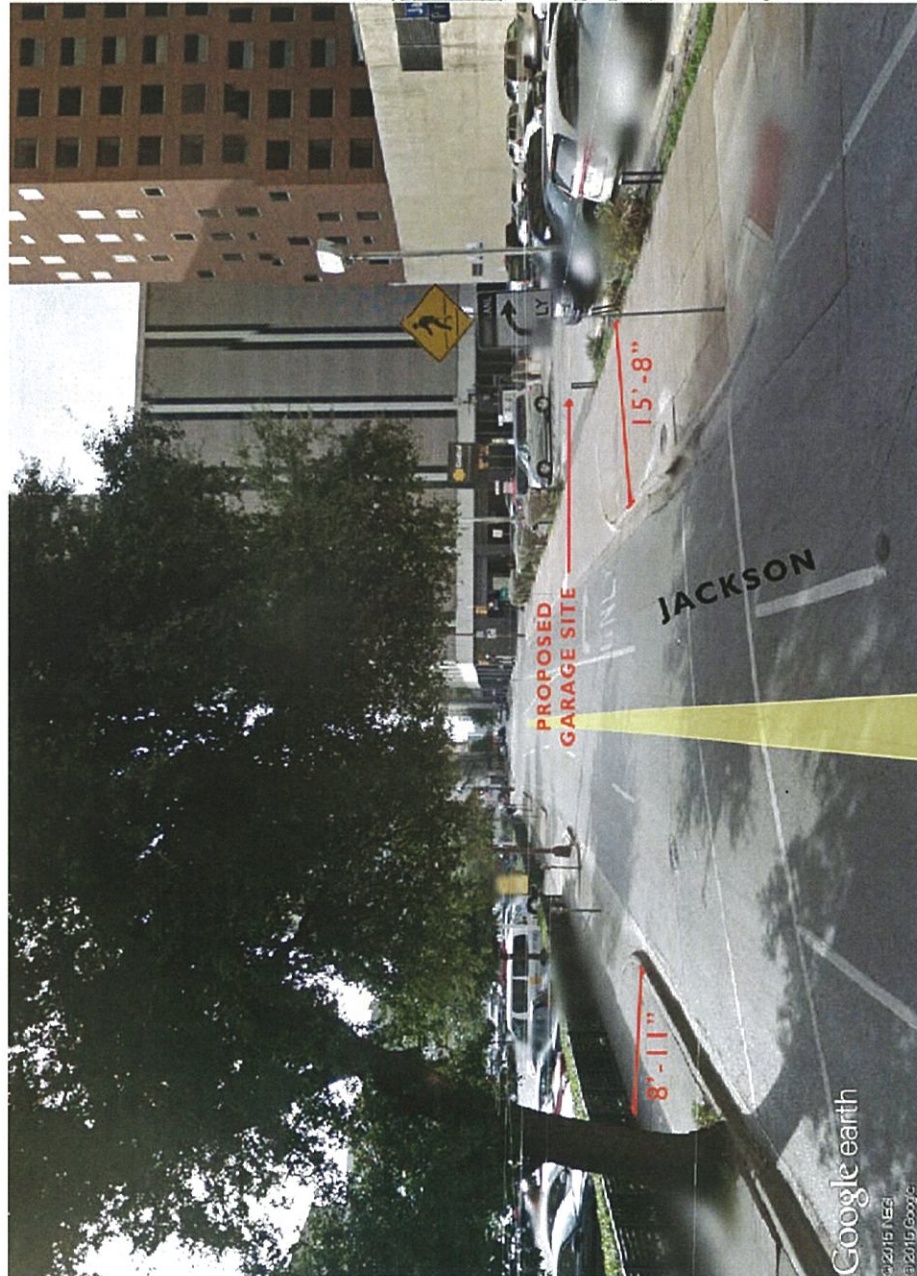
1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
mex 2014067 06.16.15

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BDA 145-063  
Attach G  
Pg 15

IMAGE 13



1712 COMMERCE - RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
max 40,406.7  
06.16.15



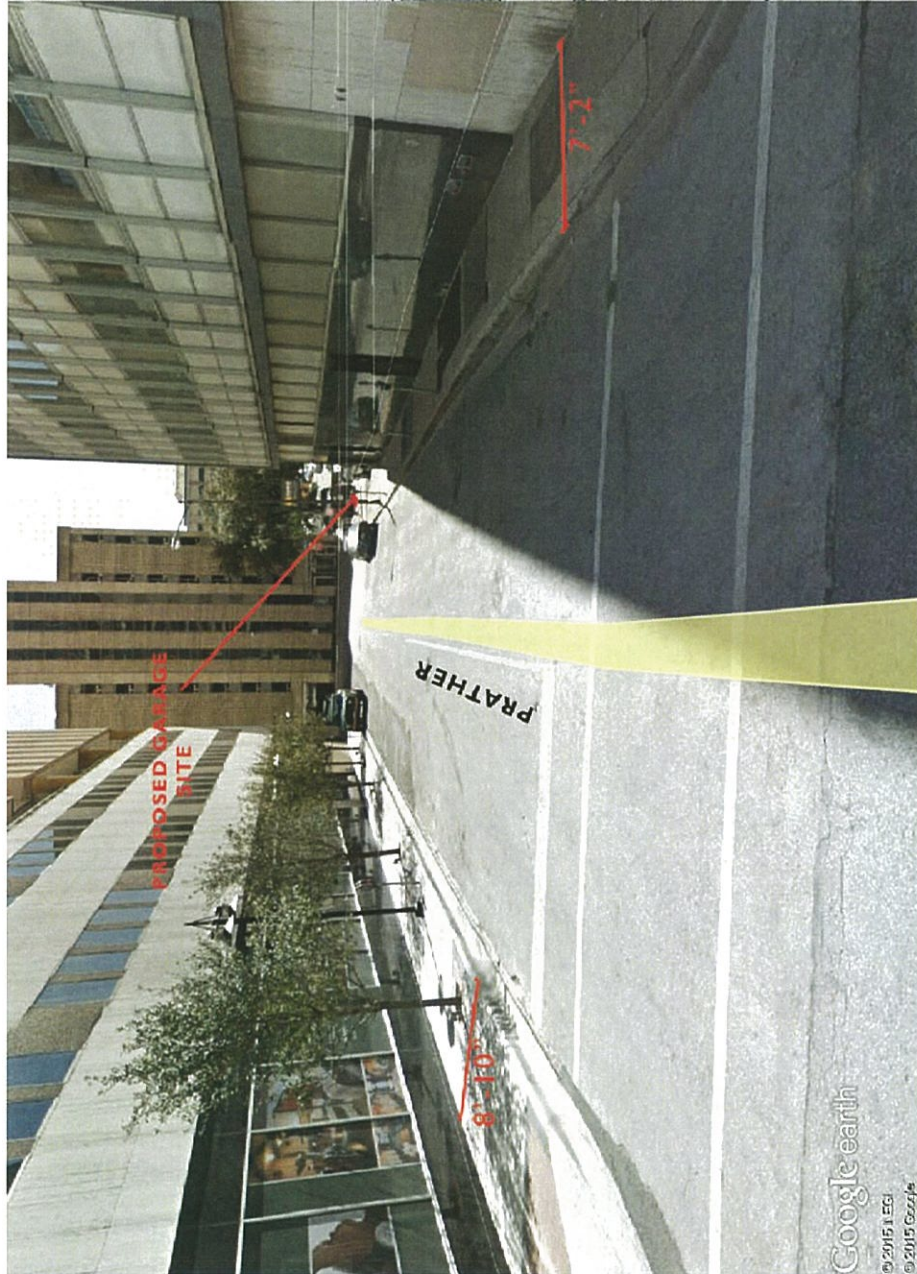




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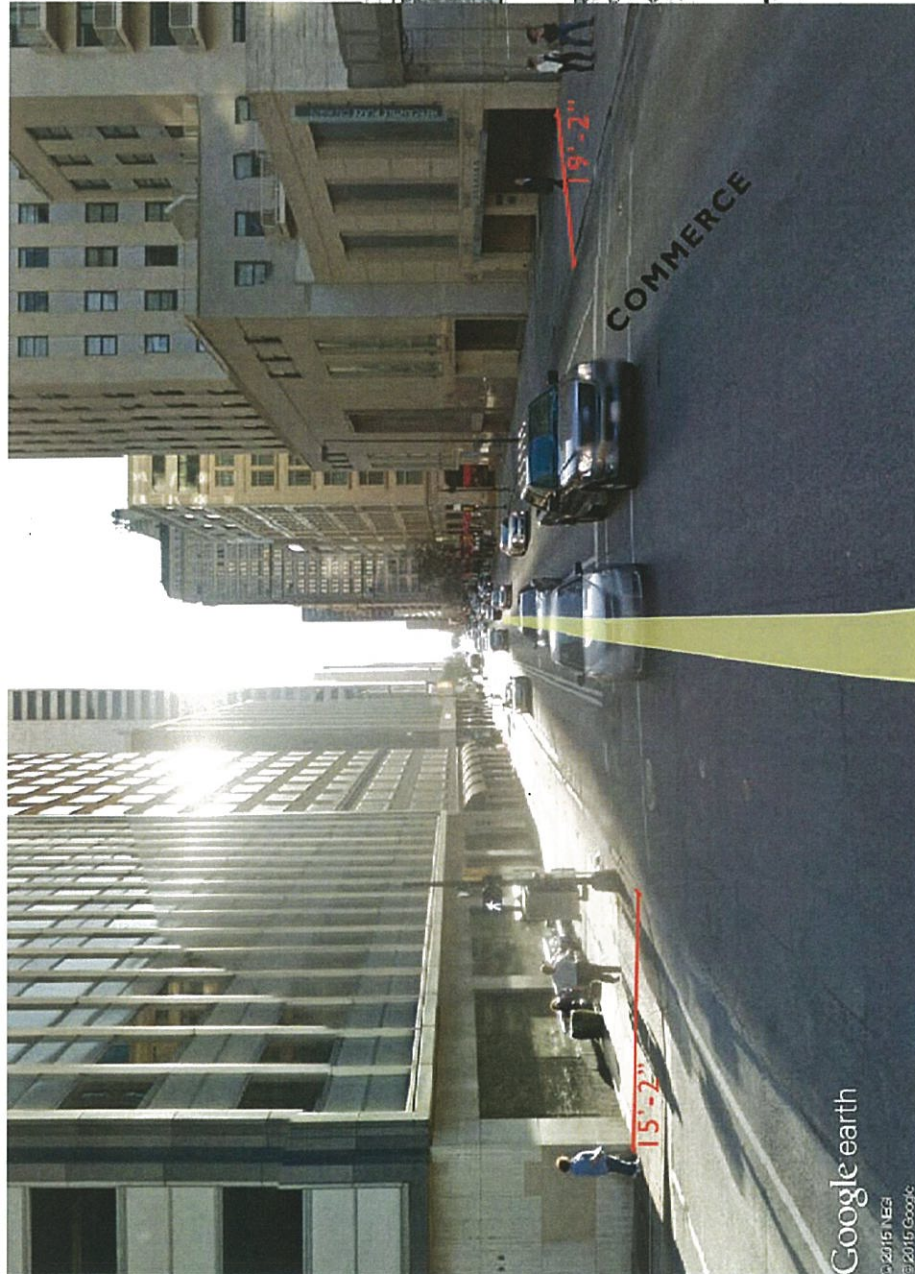




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 dallas, texas  
 06.16.15  
 max 20-4067



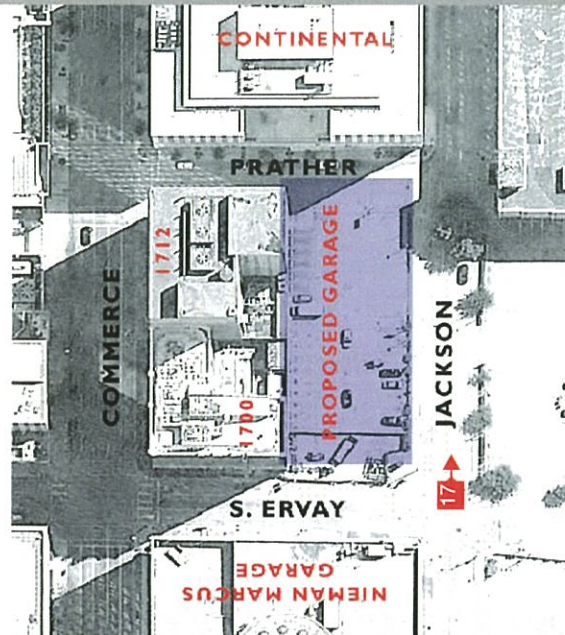
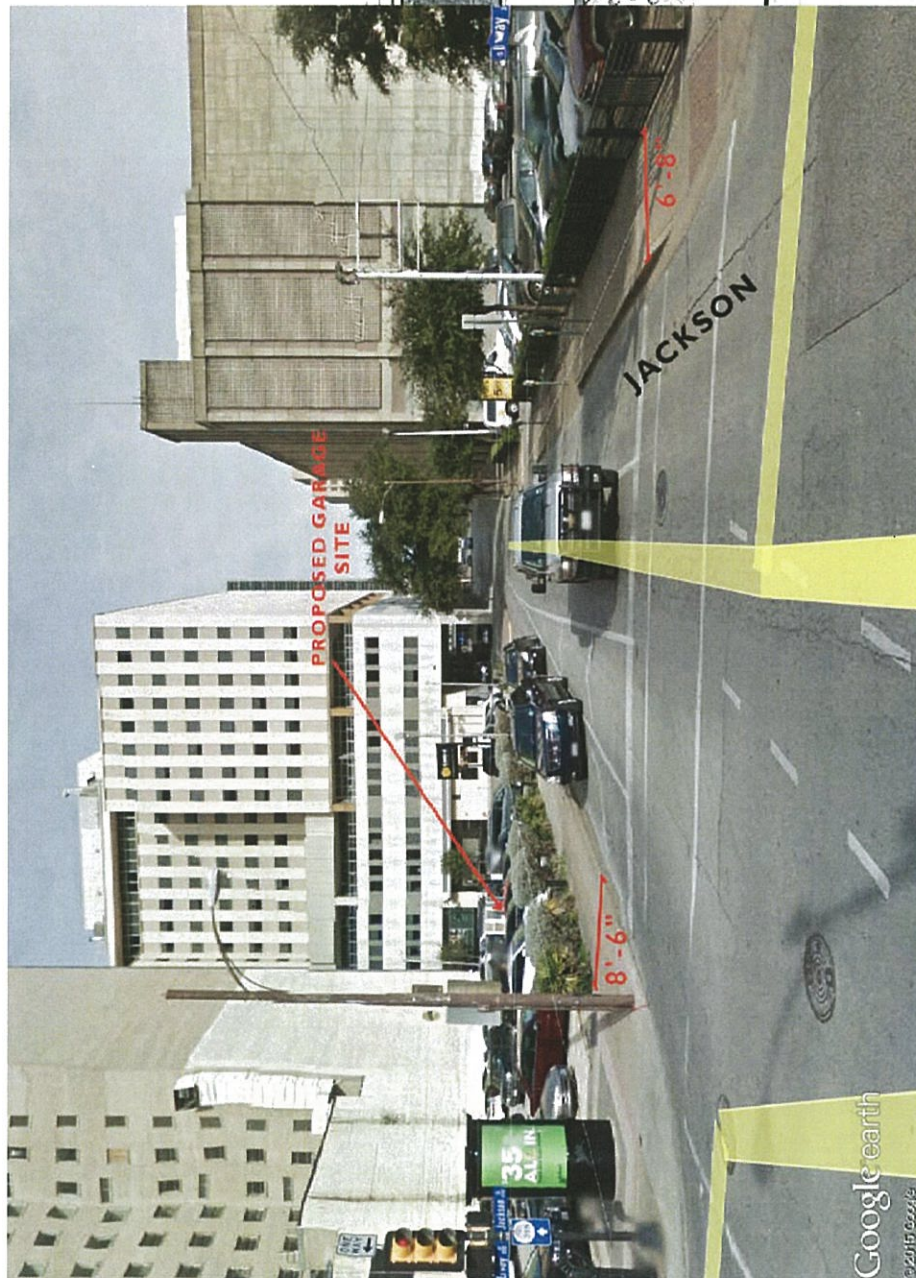




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 DALLAS, TEXAS  
 MAY 2014/06/7  
 06.16.15



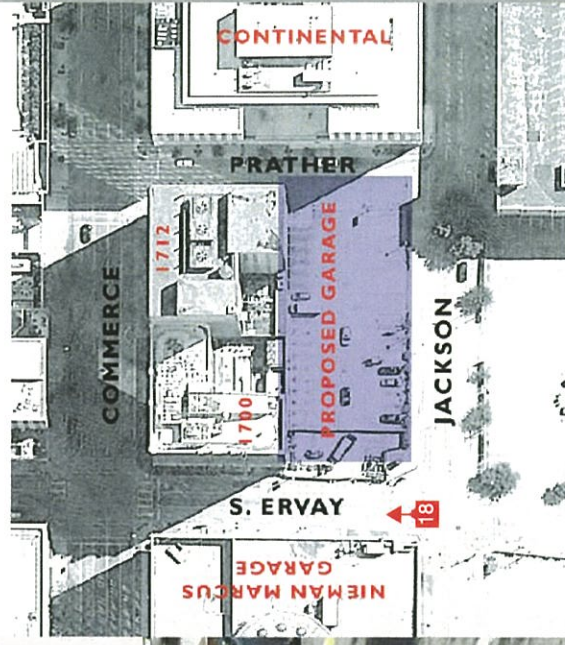
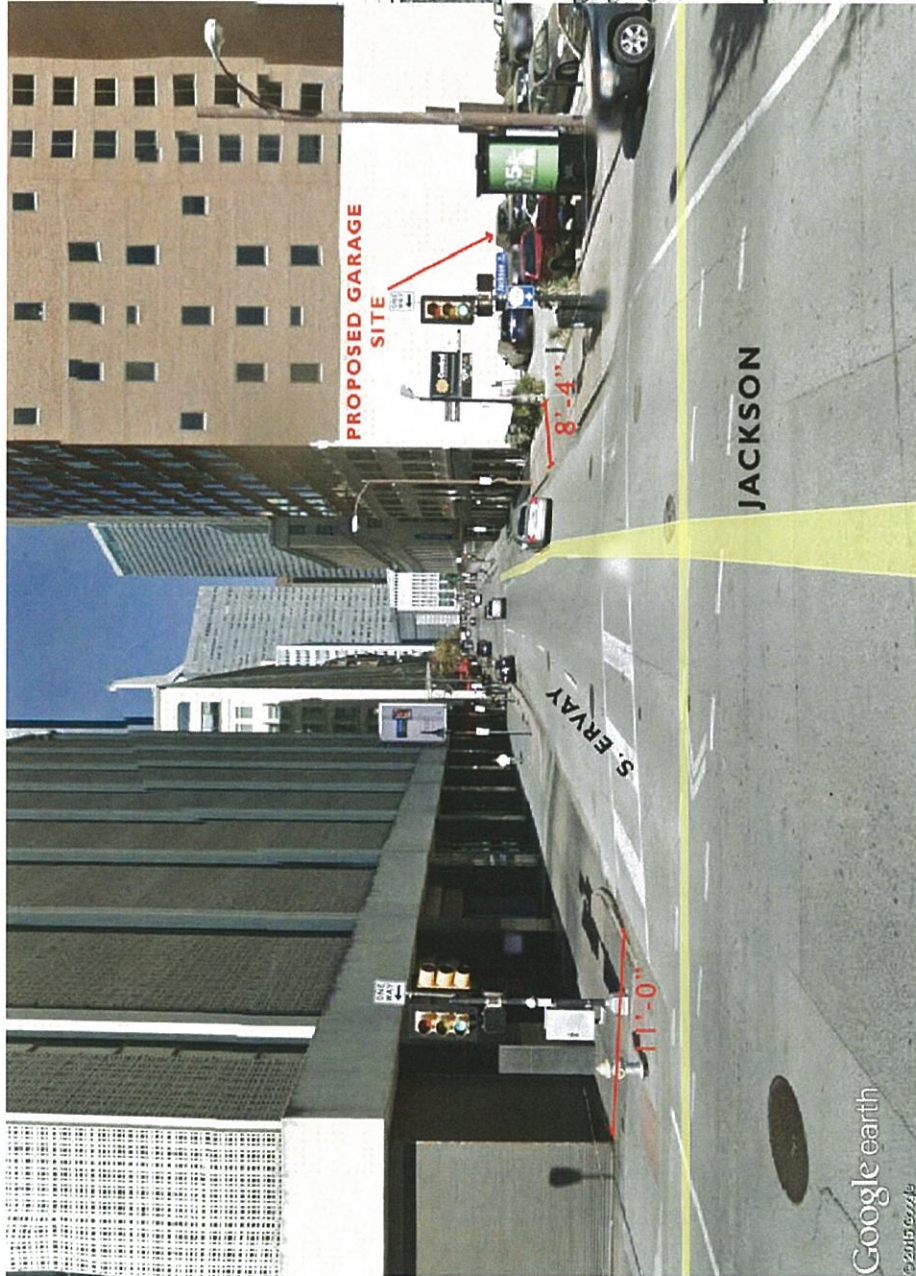
BDA 145-063  
Attach G  
Pg 19



1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
mss 2014/06/7  
06.16.15





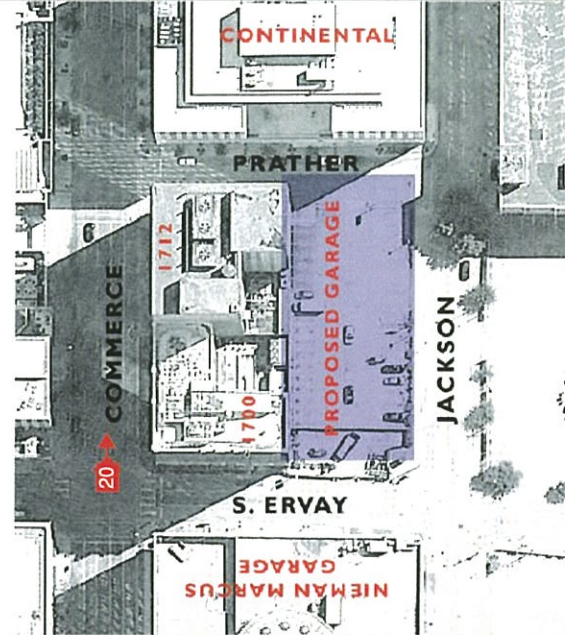






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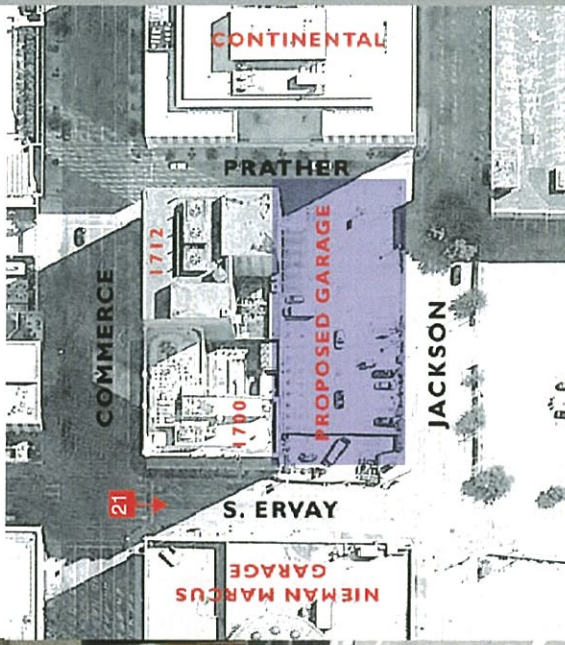
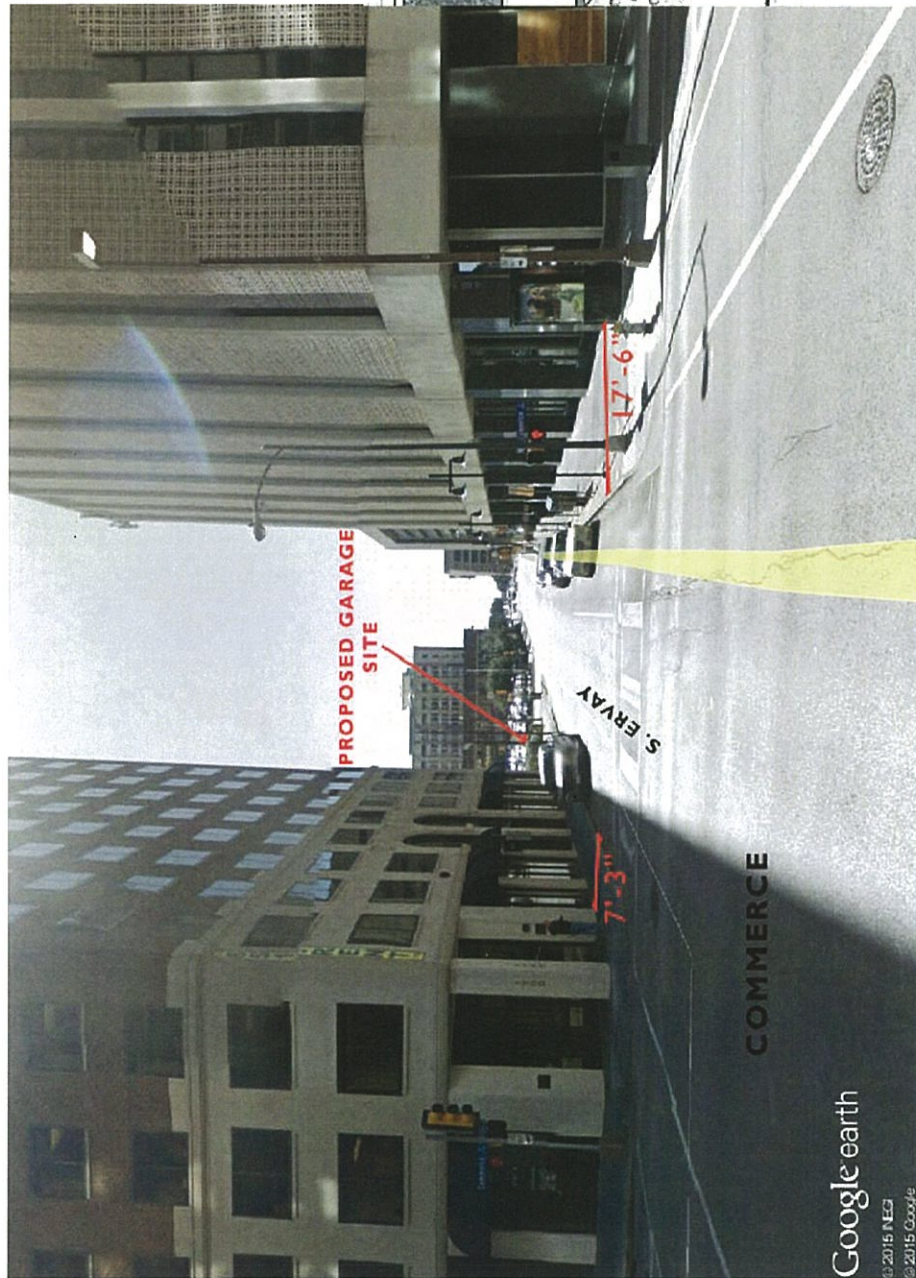




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 maa 2014-06-17  
 06.16.15







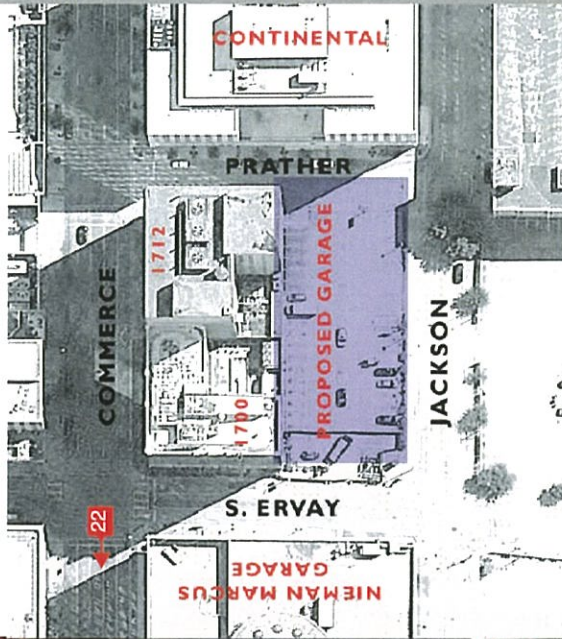
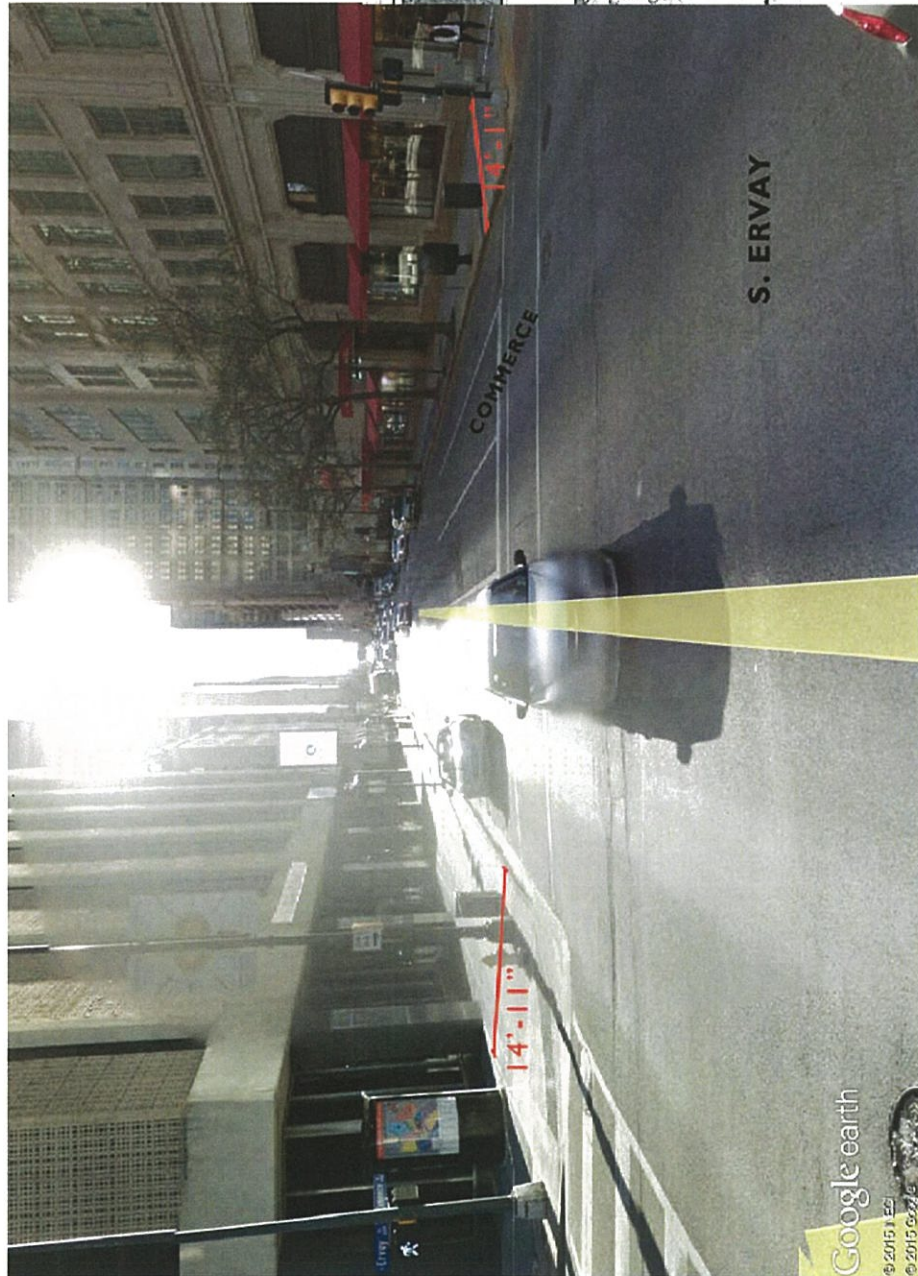
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 dallas, texas  
 msa 10-14/167  
 06.16.15

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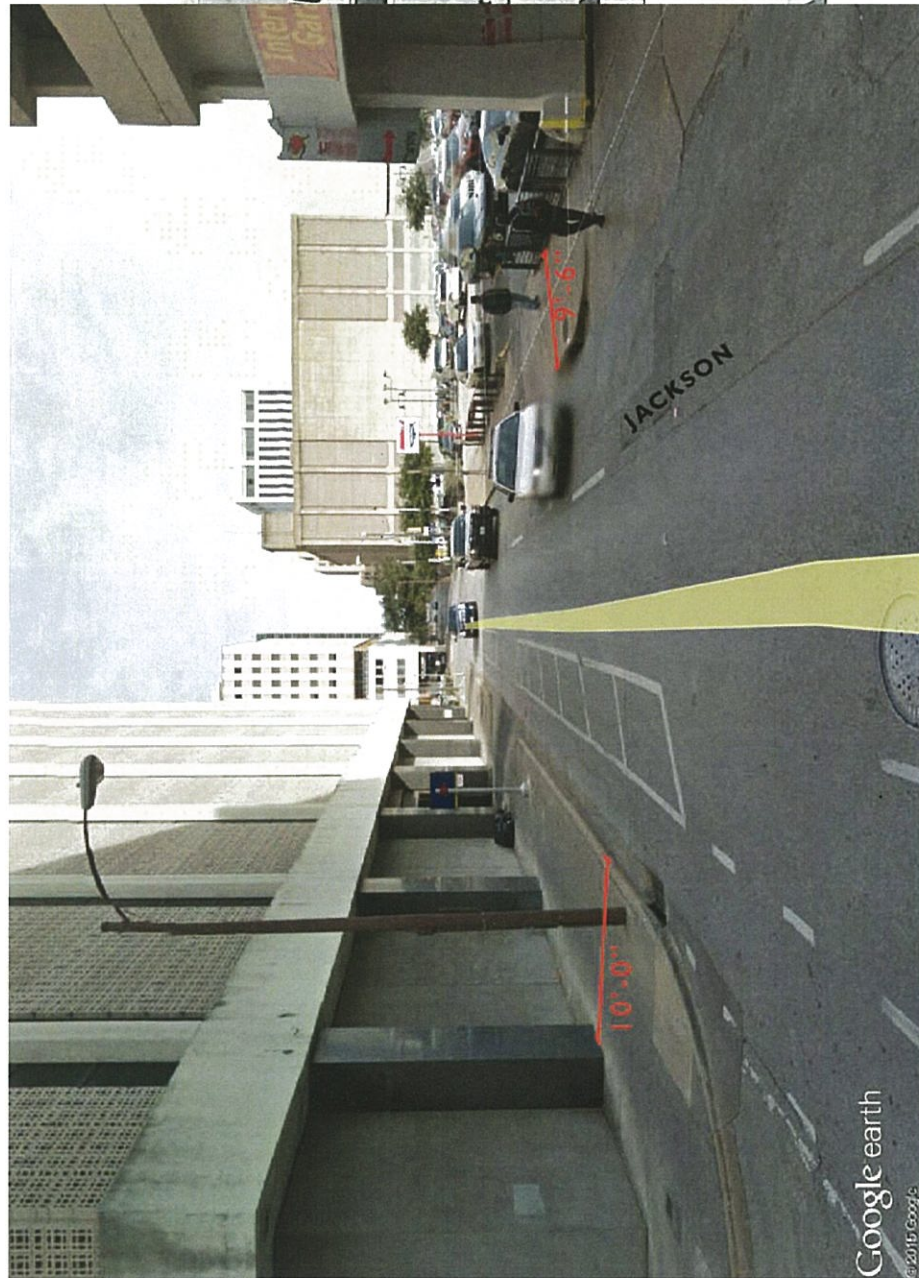


BDA 145-063  
Attach G  
Pg 24



1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
mss 2014067  
06.16.15





1712 COMMERCE RESIDENCE INN 1 AC HOTEL BY MARRIOTT  
dallas, texas  
m007014067 06/16/15





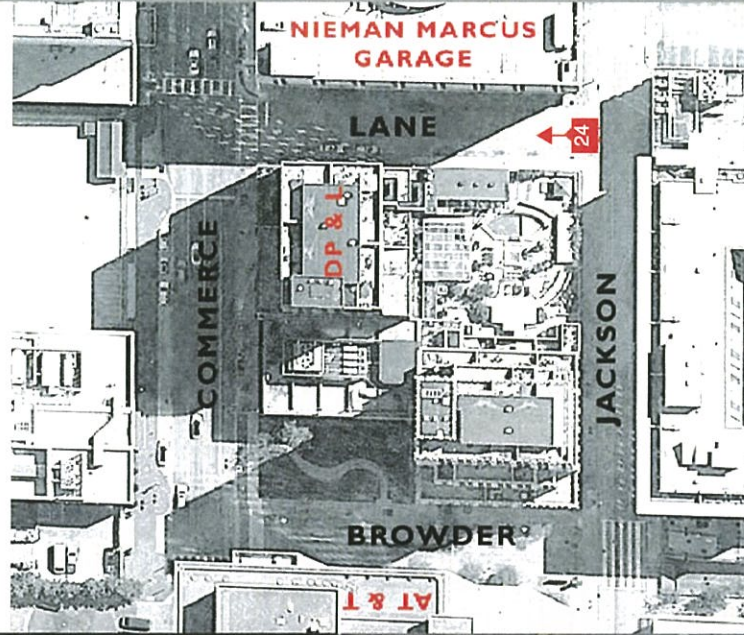


IMAGE 24

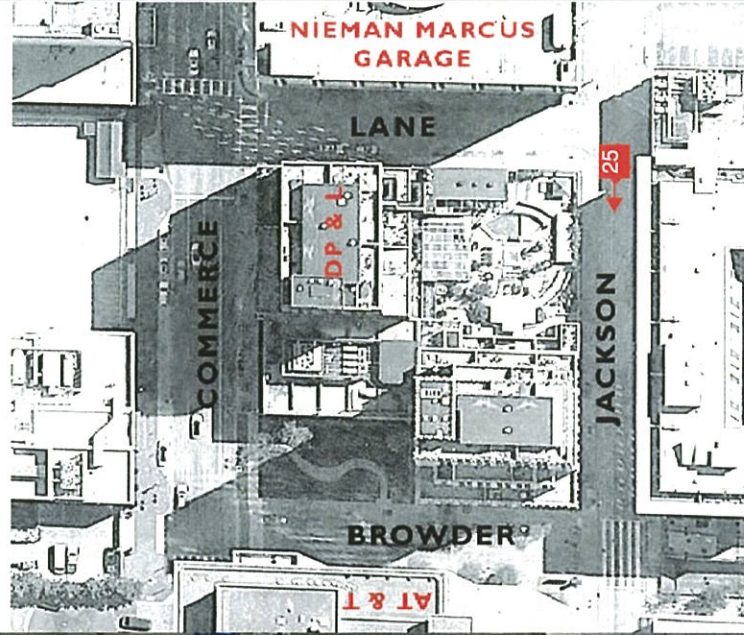
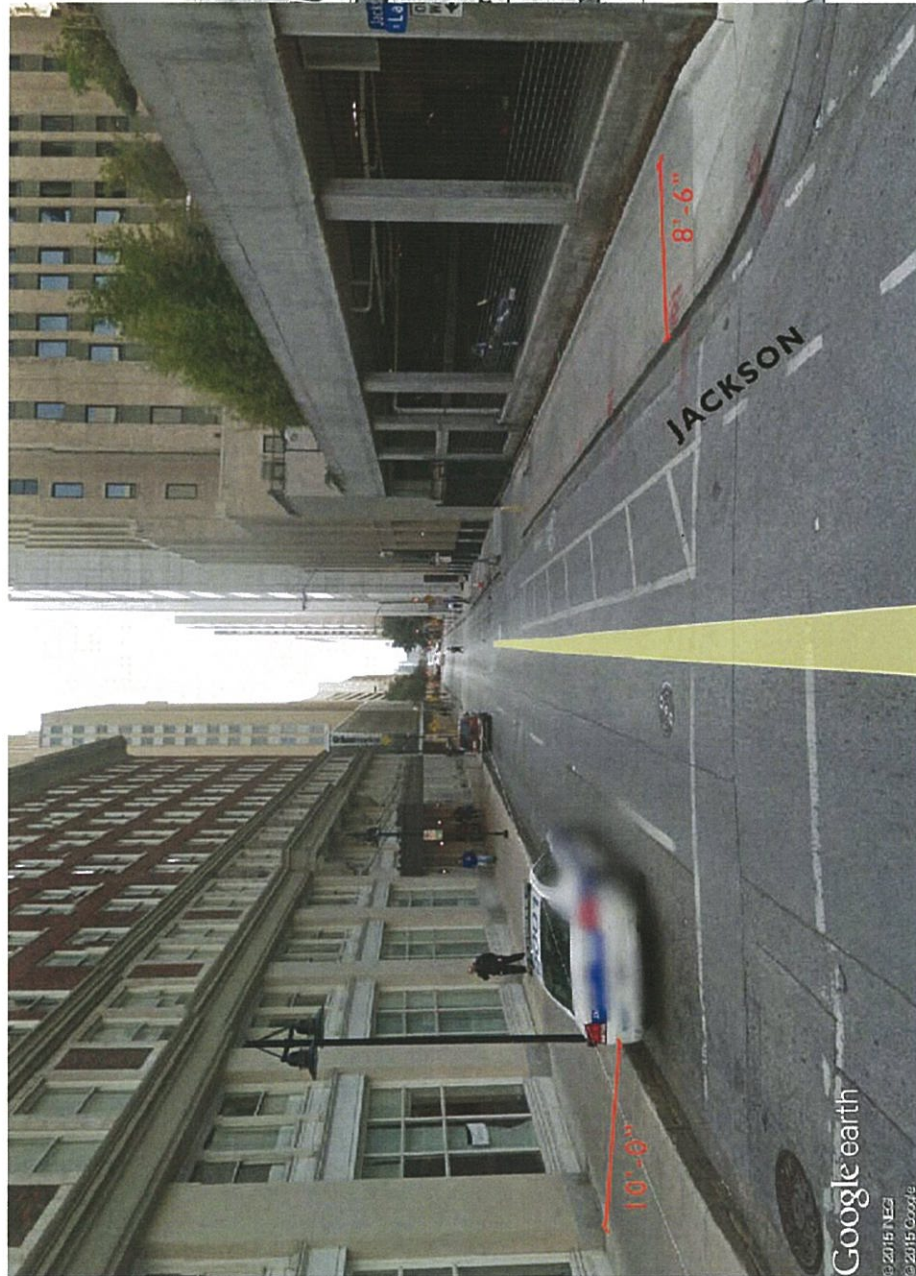
1712 COMMERCE - RESIDENCE INN LAC HOTEL BY MARRIOTT

dallas, texas  
mex 701-406-7

05.16.15



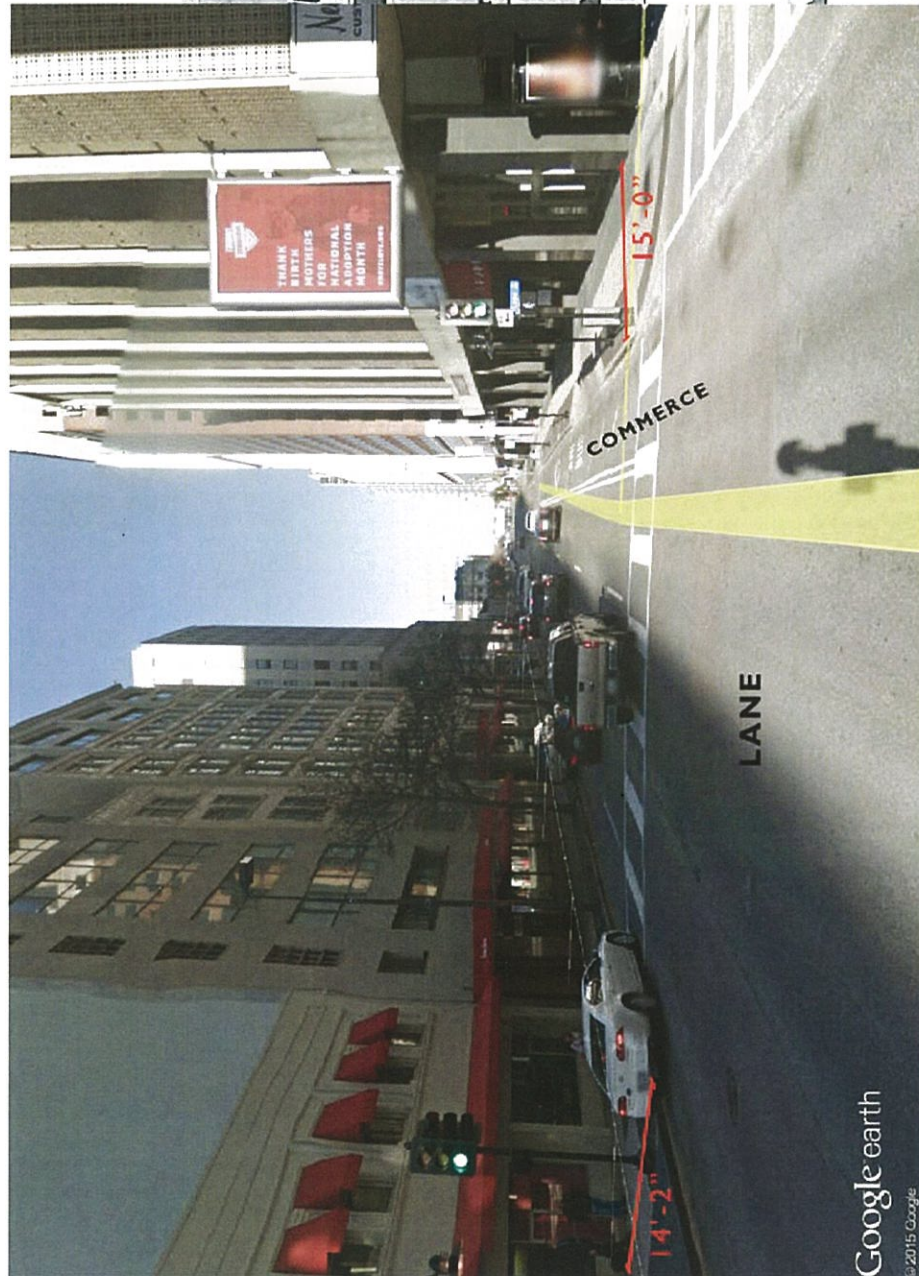




1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
 dallas, texas  
 maa 2014067 06.16.15







1712 COMMERCE - RESIDENCE INN / AC HOTEL BY MARRIOTT  
 dallas, texas  
 map: 7014067  
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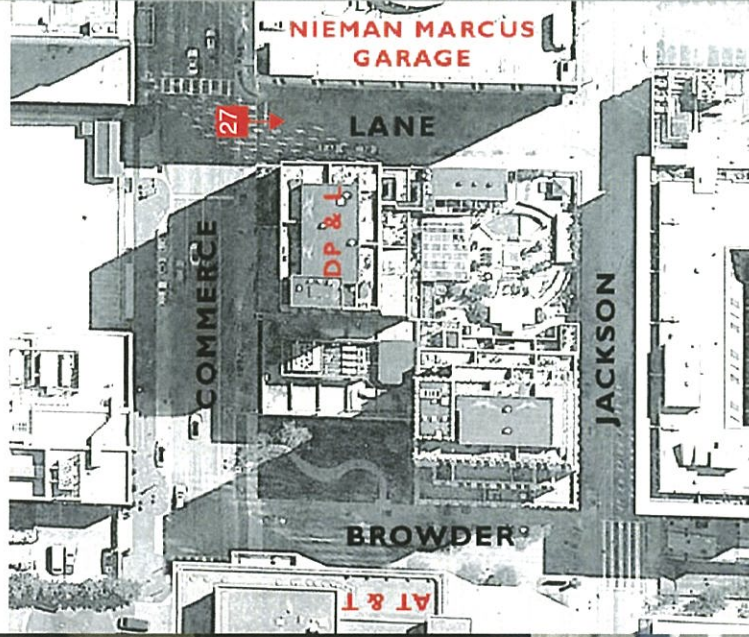
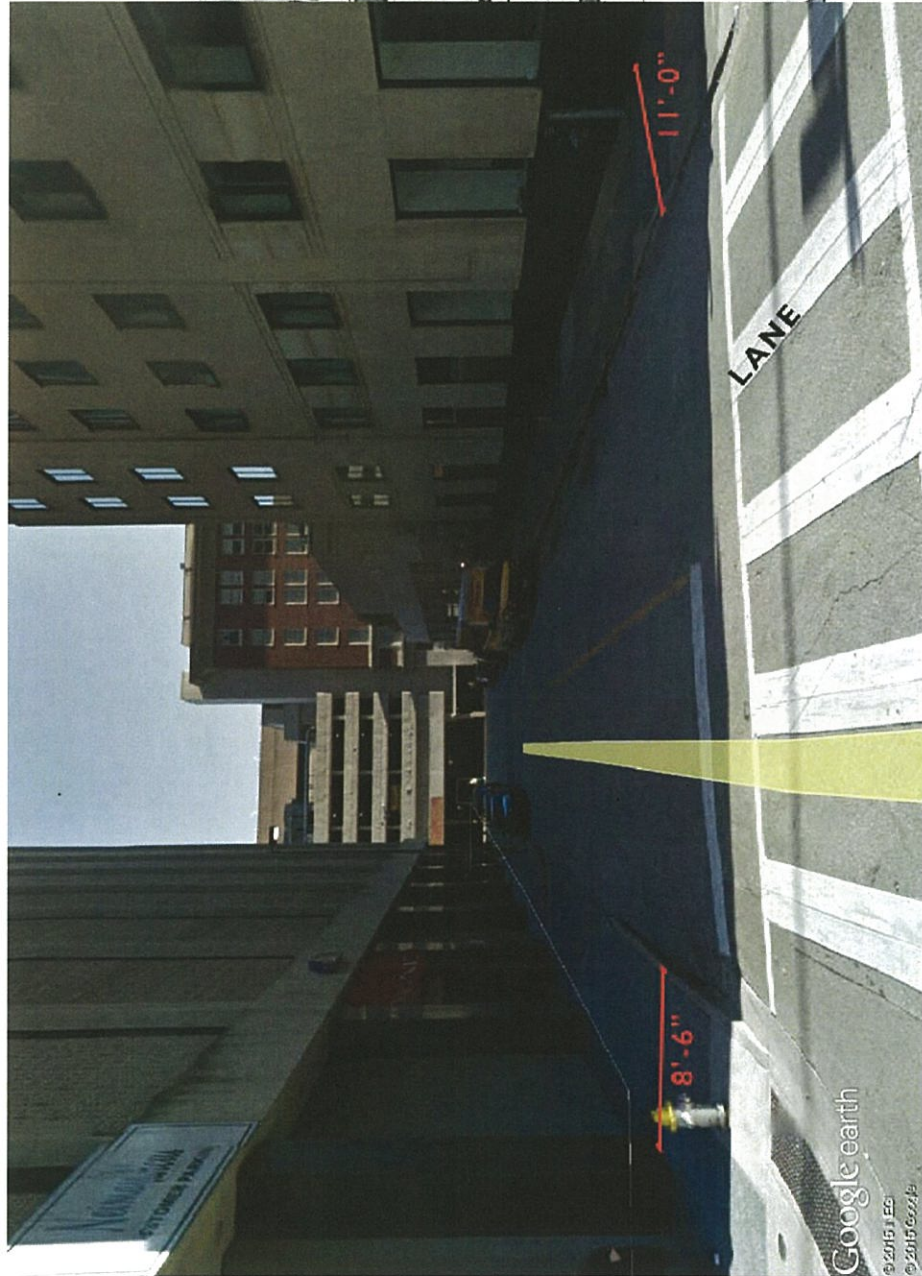
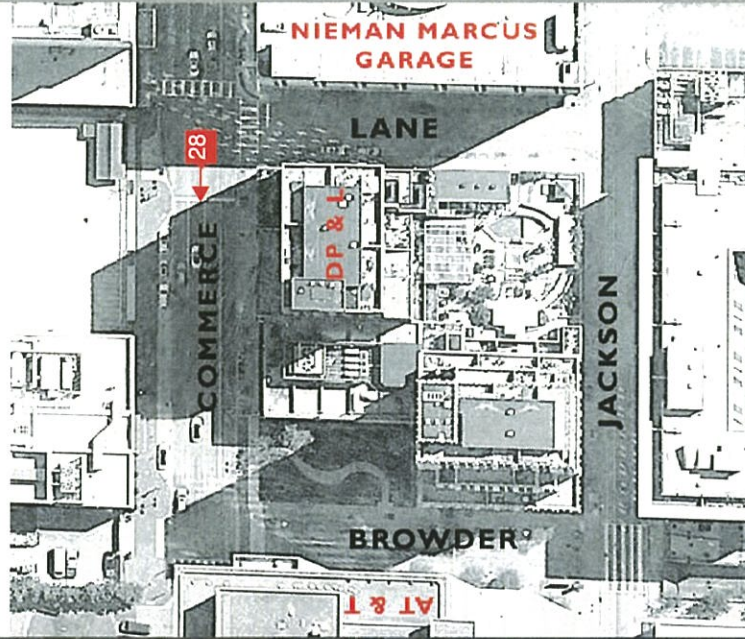
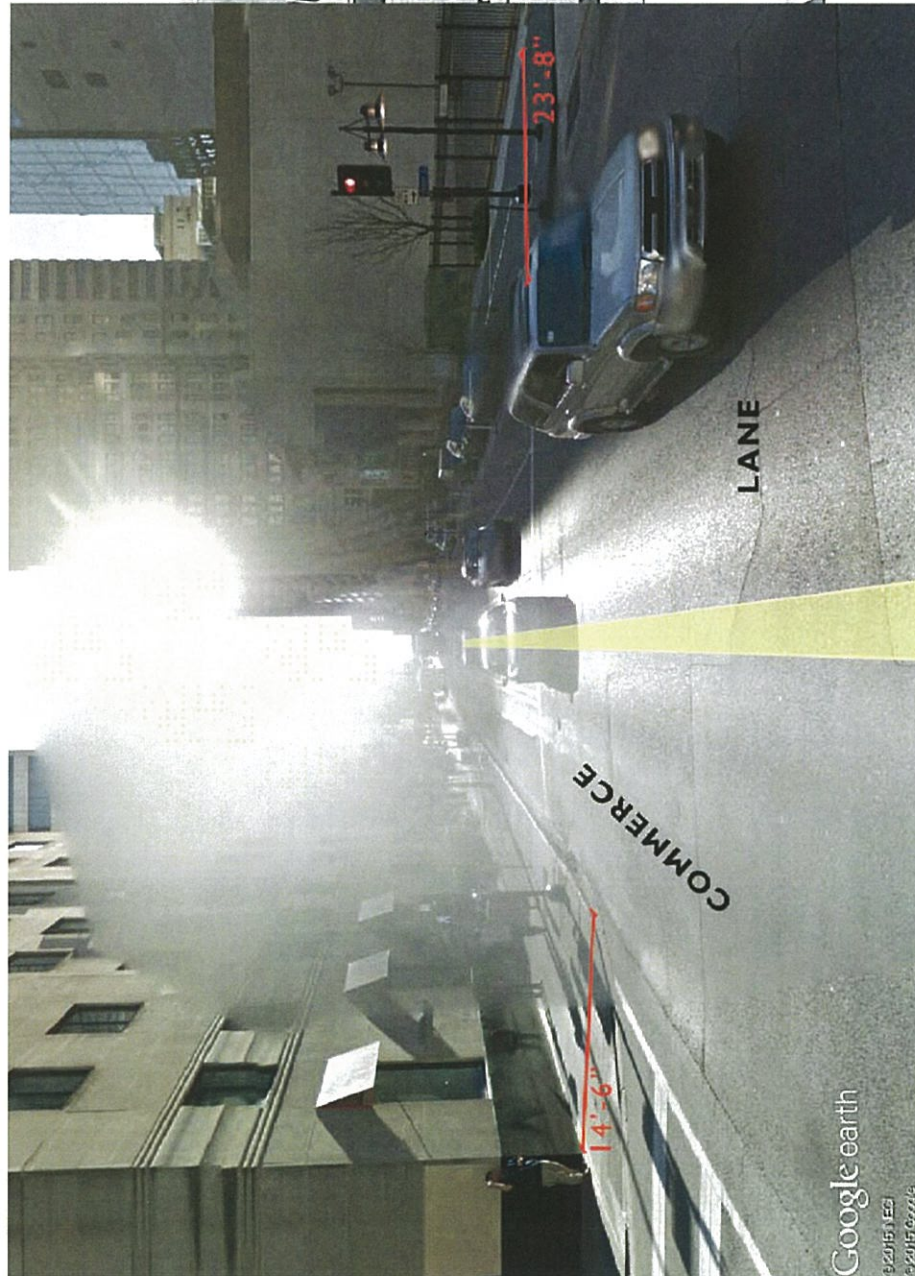


IMAGE 27

1712 COMMERCE - RESIDENCE INN LAC HOTEL BY MARRIOTT  
dallas, texas  
marr 20-40067  
06.16.15







1712 COMMERCE - RESIDENCE INN LAC HOTEL BY MARRIOTT  
 dallas, texas  
 map 7/11/4/16/7 06.16.15



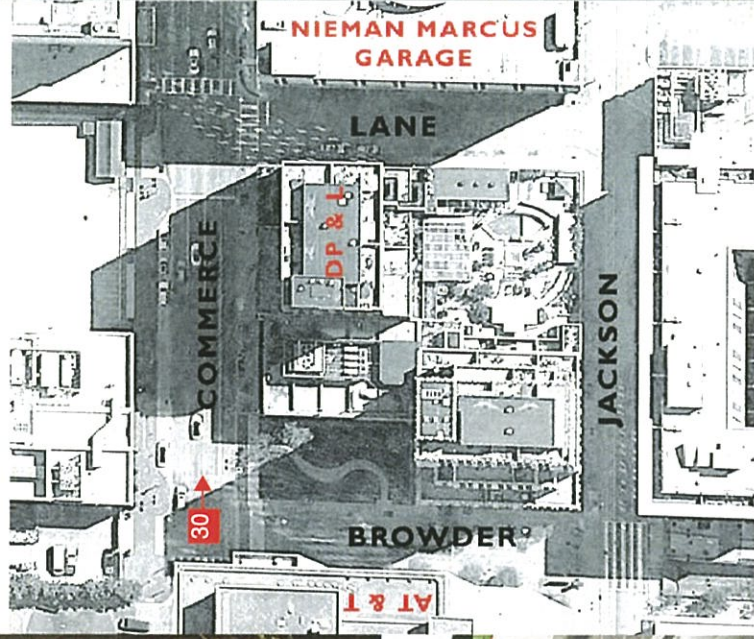
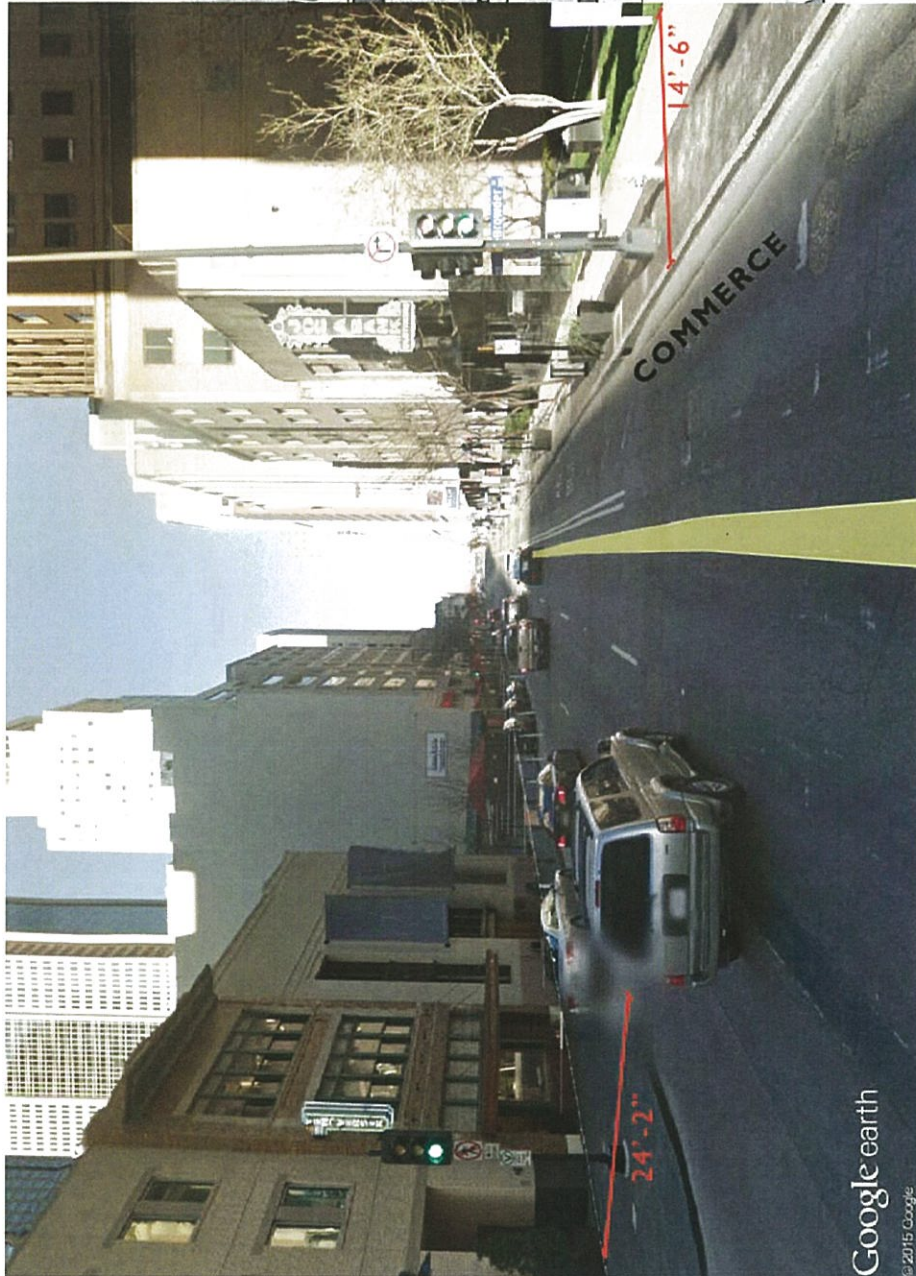




1712 COMMERCE - RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
mso 2014067  
06.16.15

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1712 COMMERCE RESIDENCE INN / AC HOTEL BY MARRIOTT  
dallas, texas  
mxa 2014062 05/16/15

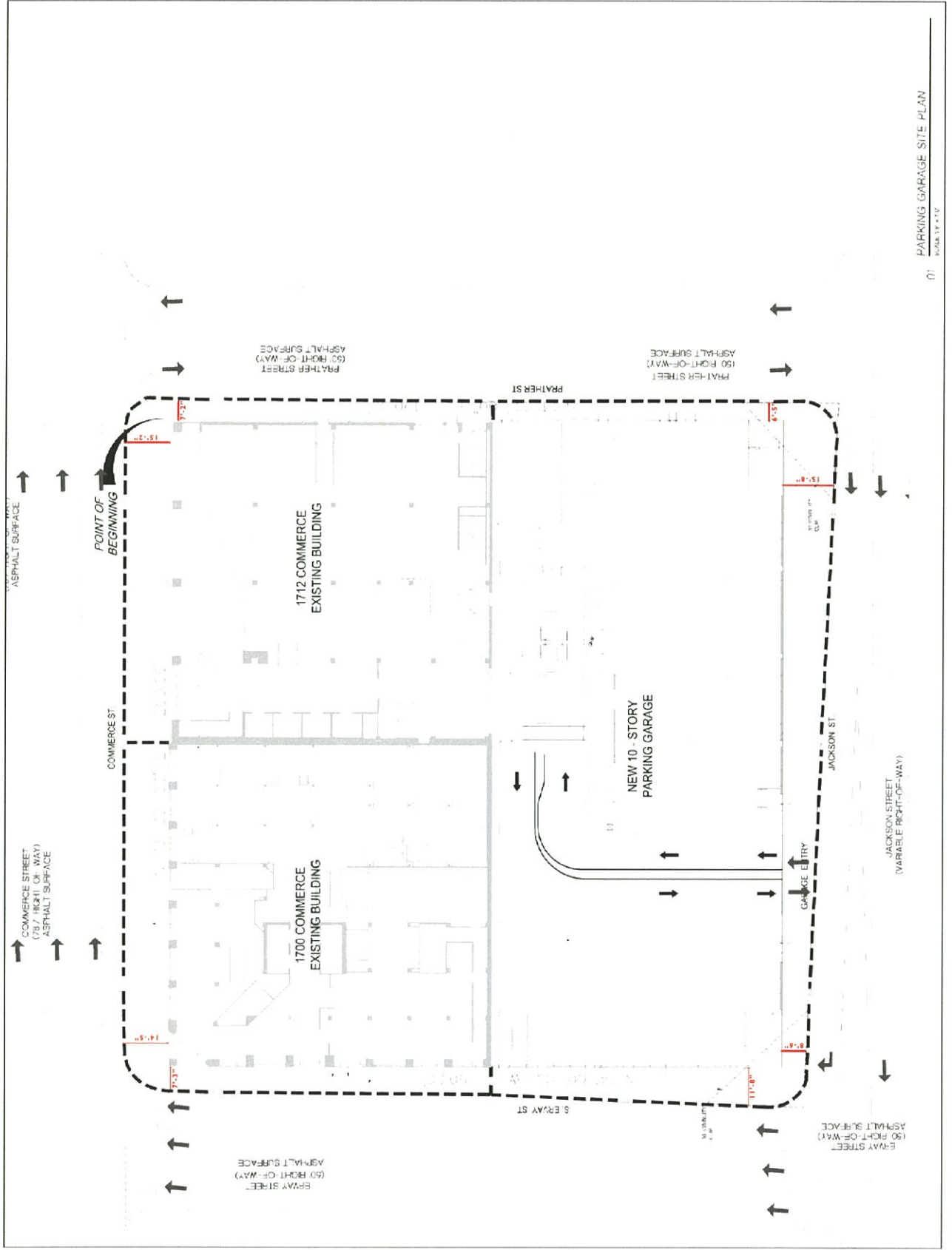


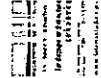


1712 COMMERCE HOTEL & PARKING GARAGE  
 DALLAS, TX 75201

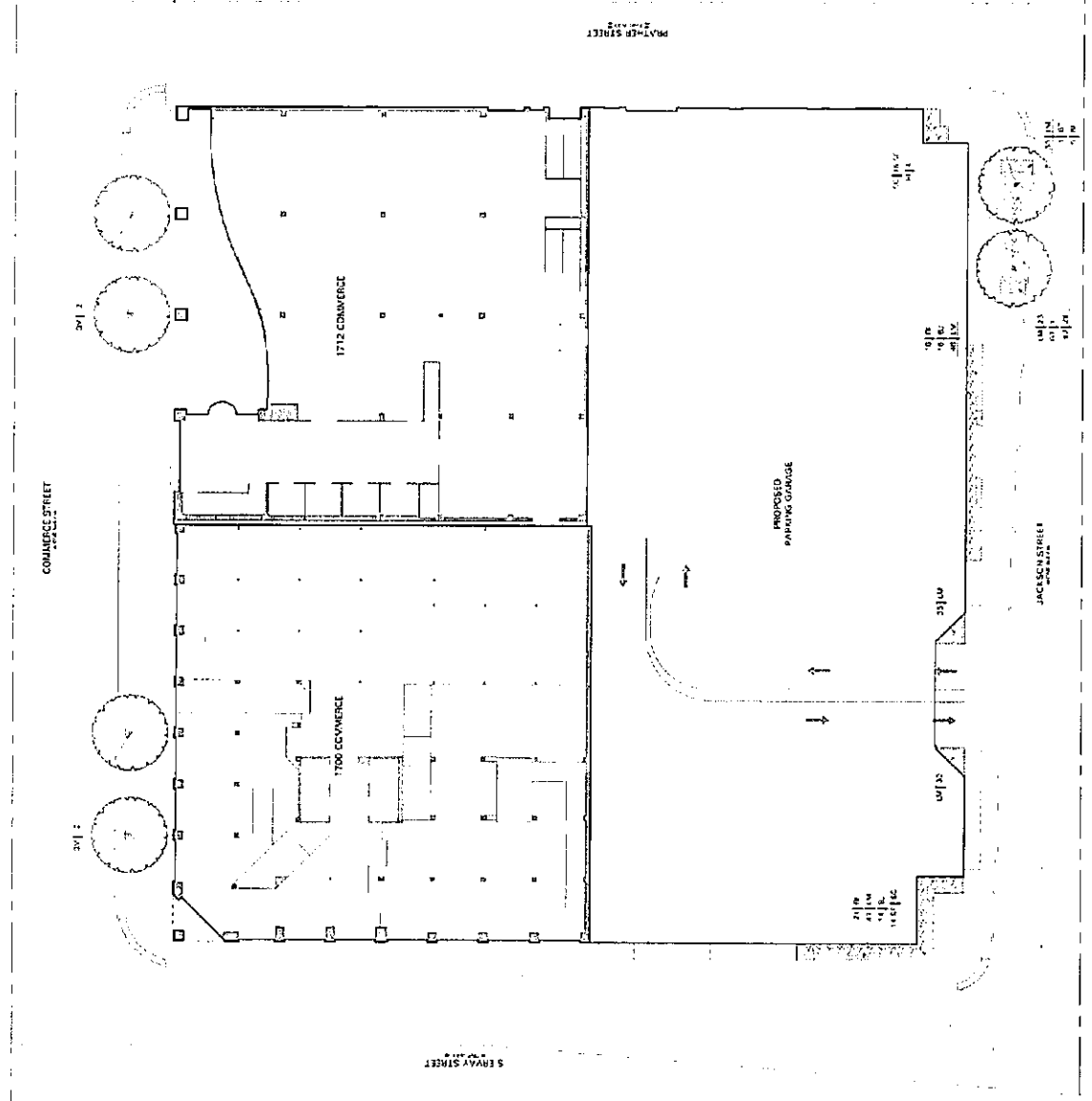


GA101  
 01 PARKING GARAGE SITE PLAN  
 SCALE: 1/4" = 1'-0"





1712 COMMERCE  
 HOTEL & PARKING GARAGE  
 DALLAS, TX 75201



**GENERAL LANDSCAPE NOTES:**

- 1. LANDSCAPE NOTES: SEE THE BIDDING DRAWINGS FOR ALL SPECIFICATIONS.
- 2. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF DALLAS PLANTING SPECIFICATIONS.
- 3. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF DALLAS PLANTING SPECIFICATIONS.
- 4. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF DALLAS PLANTING SPECIFICATIONS.
- 5. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF DALLAS PLANTING SPECIFICATIONS.
- 6. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF DALLAS PLANTING SPECIFICATIONS.
- 7. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF DALLAS PLANTING SPECIFICATIONS.

**MAINTENANCE NOTES:**

- 1. MAINTENANCE NOTES: SEE THE BIDDING DRAWINGS FOR ALL SPECIFICATIONS.
- 2. MAINTENANCE NOTES: SEE THE BIDDING DRAWINGS FOR ALL SPECIFICATIONS.
- 3. MAINTENANCE NOTES: SEE THE BIDDING DRAWINGS FOR ALL SPECIFICATIONS.
- 4. MAINTENANCE NOTES: SEE THE BIDDING DRAWINGS FOR ALL SPECIFICATIONS.
- 5. MAINTENANCE NOTES: SEE THE BIDDING DRAWINGS FOR ALL SPECIFICATIONS.
- 6. MAINTENANCE NOTES: SEE THE BIDDING DRAWINGS FOR ALL SPECIFICATIONS.
- 7. MAINTENANCE NOTES: SEE THE BIDDING DRAWINGS FOR ALL SPECIFICATIONS.

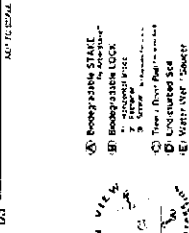
**LANDSCAPE TABULATIONS:**

DRAWING	PLANT	QUANTITY	REMARKS
01	SHRUB	10	SEE PLAN FOR LOCATION
02	TREE	5	SEE PLAN FOR LOCATION
03	GROUND COVER	200	SEE PLAN FOR LOCATION



03 SHRUB PLANTING DETAIL

**GROUND COVER SPACING**



02 TREE PLANTING DETAIL

**TREE PLANTING DETAIL**

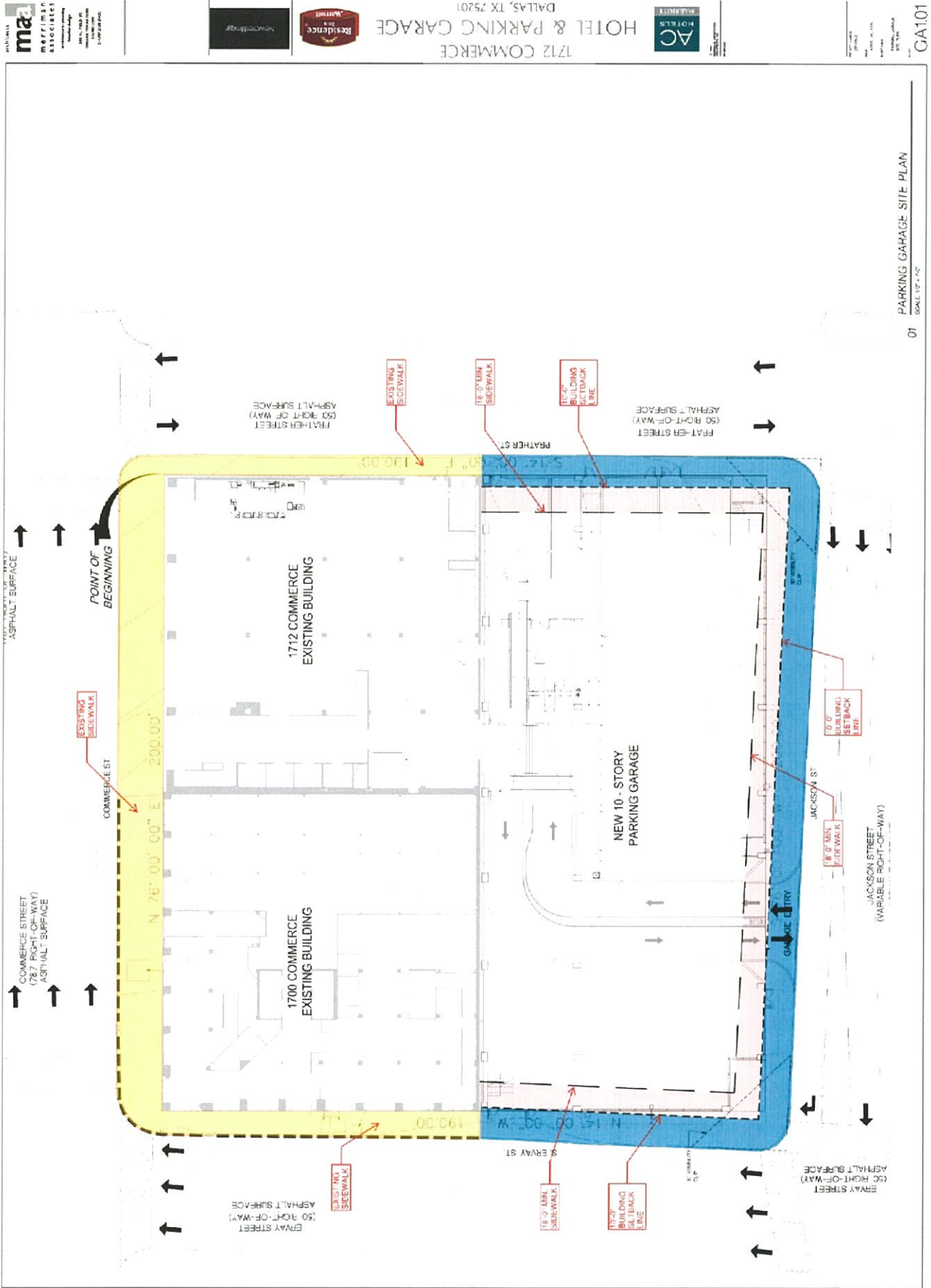
SYM	SPACING	PLANT NAME	SIZE	QUANTITY	REMARKS
1	10' x 10'	SHRUB	10"	10	SEE PLAN FOR LOCATION
2	10' x 10'	TREE	10"	5	SEE PLAN FOR LOCATION
3	10' x 10'	GROUND COVER	10"	200	SEE PLAN FOR LOCATION

**PLANT LIST**

SYM	PLANT NAME	SIZE	QUANTITY	REMARKS
1	SHRUB	10"	10	SEE PLAN FOR LOCATION
2	TREE	10"	5	SEE PLAN FOR LOCATION
3	GROUND COVER	10"	200	SEE PLAN FOR LOCATION

01 LANDSCAPE PLAN



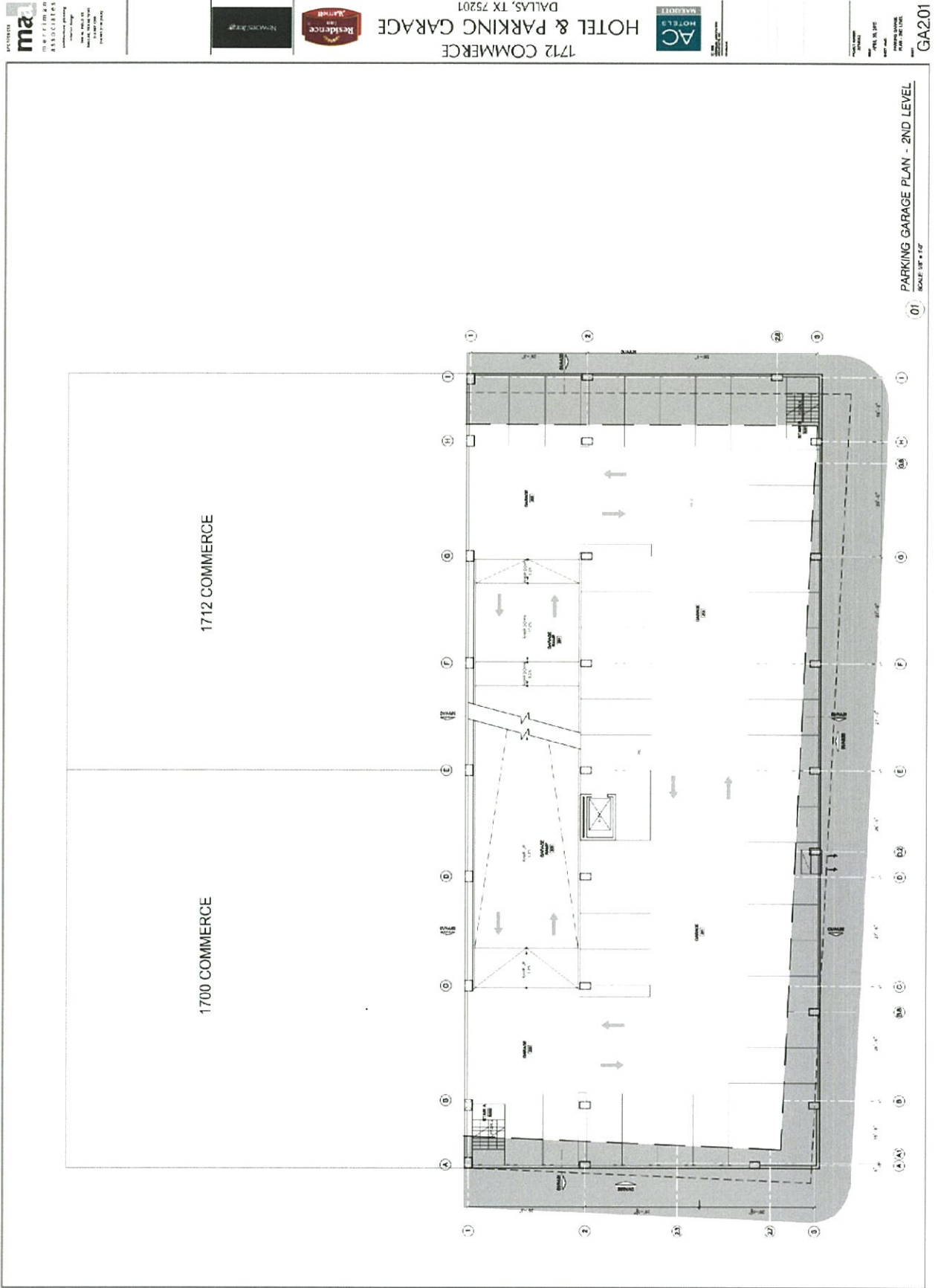


1712 COMMERCE HOTEL & PARKING GARAGE  
 DALLAS, TX 75201



DATE: 01/15/2024  
 SCALE: 1/8" = 1'-0"  
 SHEET: 01  
 PROJECT: 1712 COMMERCE HOTEL & PARKING GARAGE







City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-063

Data Relative to Subject Property:

Date: April, 1, 2015

Location address: 1712 Commerce Zoning District: PD 619 (Subd. A, B, & C)

Lot No.: All Block No.: 136/97!4 Acreage: .93 Census Tract: 31.01

Street Frontage (in Feet): 1 106.61 2 193.16 3 185.17 4 197.63 5) 5E28A

To the Honorable Board of Adjustment:

Owner of Property/or Principal Bright Supreme Bright Dallas, LLC and Supreme Bright Dallas II., LLC

Applicant: Ed Simons Telephone: 214-761-9197

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

Represented by: Same Telephone: \_\_\_\_\_

Mailing Address: Same Zip Code: \_\_\_\_\_

Affirm that a request has been made for a Variance x, or Special Exception   , of 5 feet to the minimum 10 setback from the curb, the minimum sidewalk requirements, and a special exception for an alternate landscape plan. \_\_\_\_\_

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 applicant proposes a new parking garage that will not provide the 10 foot minimum setback from the curb and will provide a 5 foot sidewalk width. The also will provide an alternate landscape plan.

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: Ed Simons  
Applicant's name printed

[Signature]  
Applicant's signature

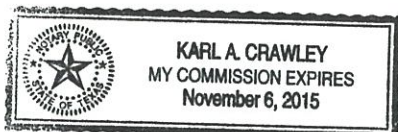
Affidavit

Before me the undersigned on this day personally appeared Ed Simons 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 1 day of April, 2015

[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 Ed Simons

did submit a request for a variance to the front yard setback regulations, and for a variance to the minimum sidewalk regulations, and for a special exception to the landscaping regulations

at 1712 Commerce Street

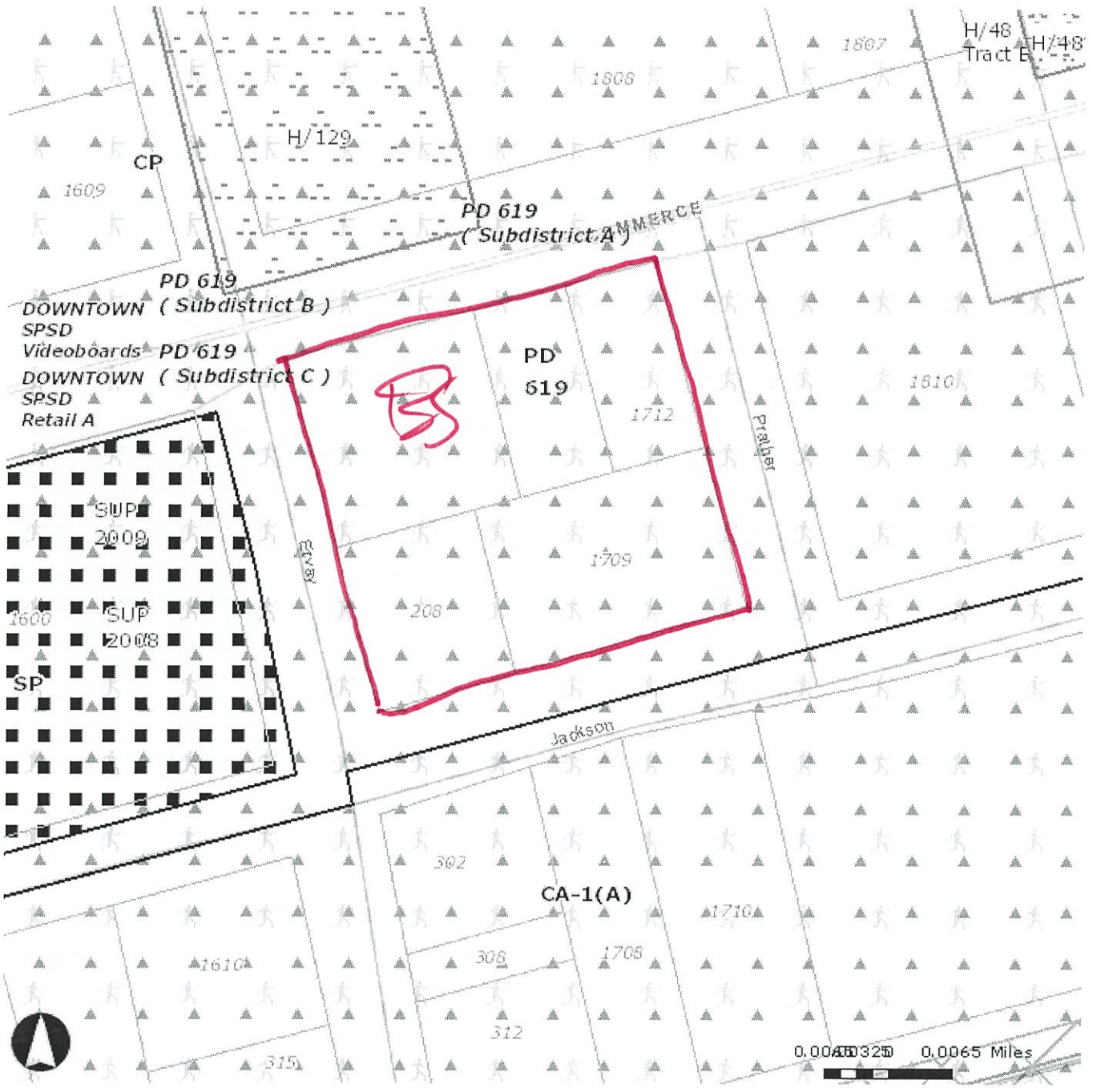
BDA145-063. Application of Ed Simons for a variance to the front yard setback regulations and a variance to the minimum sidewalk regulations and a special exception to the landscaping regulations at 1712 Commerce Street. This property is more fully described as Block 136/97-1/4, and is zoned PD-619 (Subdistricts A, B, & C), which requires a front yard setback of 10 feet from the street curb per the SP Secondary Pedestrian Precinct overlay in Section 51A-4.124(a)(8) and requires mandatory landscaping and requires mandatory minimum sidewalks. The applicant proposes to construct and maintain a nonresidential structure and provide a 5 foot front yard setback, which will require a 5 foot variance to the front yard setback regulation, and to provide an alternate sidewalk plan, which will require a variance to the minimum sidewalk regulations, and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

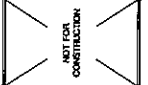
Sincerely,

  
Larry Holmes, Building Official

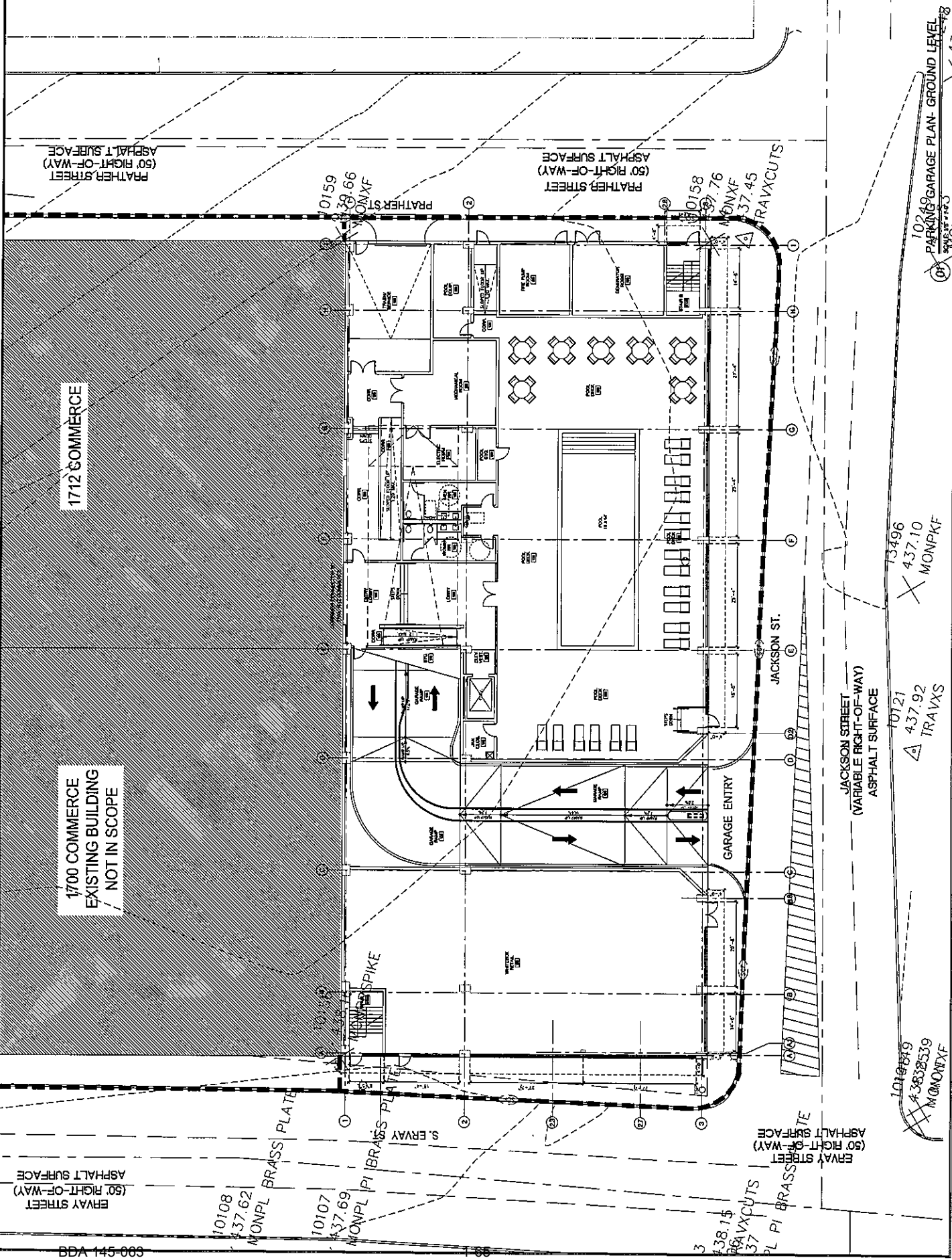








NO.	DATE	DESCRIPTION
1	10/15/18	ISSUED FOR PERMITS
2	10/15/18	ISSUED FOR PERMITS
3	10/15/18	ISSUED FOR PERMITS



1712 COMMERCE

1700 COMMERCE  
 EXISTING BUILDING  
 NOT IN SCOPE

ERVAY STREET  
 (50' RIGHT-OF-WAY)  
 ASPHALT SURFACE

JACKSON STREET  
 (VARIABLE RIGHT-OF-WAY)  
 ASPHALT SURFACE

10249 PARKING GARAGE PLAN- GROUND LEVEL





1:1,200

# NOTIFICATION

**200'** AREA OF NOTIFICATION  
**20** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA145-063**

Date: **6/2/2015**

# *Notification List of Property Owners*

## *BDA145-063*

### *20 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1712 COMMERCE ST	MERCANTILE DEVELOPMENT
2	1712 COMMERCE ST	MERCANTILE DEVELOPMENT
3	208 ERVAY ST	MERCANTILE DEVELOPMENT
4	1700 COMMERCE ST	1700 COMMERCE STREET LP
5	1603 COMMERCE ST	NEIMAN MARCUS CO LESSEE
6	1607 COMMERCE ST	ROGERS WILLIAM S ETAL
7	1609 COMMERCE ST	NEIMAN MARCUS GROUP INC
8	1600 COMMERCE ST	DALPARK LAND LEASE LTD
9	1610 JACKSON ST	1610 JACKSON LLC
10	315 ERVAY ST	315 ERVAY LLC
11	1808 MAIN ST	FC MERC COMPLEX LP
12	1810 COMMERCE ST	FC CONTINENTAL LANDLORD LLC
13	1708 JACKSON ST	RADER PARKING SYSTEM LP
14	308 ERVAY ST	RADER PARKING SYSTEMS LP
15	1603 COMMERCE ST	NEIMAN MARCUS CO
16	1622 MAIN ST	NEIMAN MARCUS CO LESSEE
17	1600 JACKSON ST	1600 JACKSON LLC
18	1600 JACKSON ST	SABO MARY ELIZABETH
19	1800 MAIN ST	FC MERC COMPLEX LP
20	1810 JACKSON ST	1810 JACKSON GARAGE LLC