

BOARD OF ADJUSTMENT, PANEL A  
TUESDAY, FEBRUARY 14, 2012  
AGENDA

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BRIEFING	5/E/S	11:30 a.m.
LUNCH		
PUBLIC HEARING	COUNCIL CHAMBERS, 1500 MARILLA STREET	1:00 P.M.

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**David Cossum, Assistant Director**  
**Steve Long, Board Administrator**

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**MISCELLANEOUS ITEMS**

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Approval of the **Tuesday, January 17, 2011**  
Board of Adjustment Public Hearing Minutes M1

**EXECUTIVE SESSION:** M2  
Executive session for attorney briefing pursuant to Tex.  
Gov't Code Section 551.071, regarding *Greg Hunsicker v.*  
*Dallas Board of Adjustment*, Cause No. DC-11-06581,  
BDA 101- 039, Property at 2819 Greenville Avenue

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**UNCONSTESTED CASES**

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**BDA 112-021** 703 McKinney Avenue 1  
**REQUEST:** Application of Thanh Nguyen for a  
special exception to the landscape regulations

**BDA 112-023** 1018 S. Akard Street 2  
**REQUEST:** Application of Kippen C. Schecht  
for a special exception to the off-street parking  
regulations

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**REGULAR CASE**

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**BDA 112-019** 2625 Elm Street 3  
**REQUEST:** Application of Ann Stevenson,  
represented by Rob Baldwin, for a special  
exception to the off-street parking regulations

## 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 A January 17, 2012 public hearing minutes.

**MISCELLANEOUS ITEM NO. 2**

Executive session for attorney briefing pursuant to Tex. Gov't Code Section 551.071, regarding *Greg Hunsicker v. Dallas Board of Adjustment*, Cause No. DC-11-06581, BDA 101- 039, Property at 2819 Greenville Avenue.

**FILE NUMBER:** BDA 112-021

**BUILDING OFFICIAL'S REPORT:**

Application of Thanh Nguyen for a special exception to the landscaping regulations at 703 McKinney Avenue. This property is more fully described as Lot 1A in City Block 1/405 and is zoned PD-193 (CA-2), which requires mandatory landscaping. The applicant proposes to construct a structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

**LOCATION:** 703 McKinney Avenue

**APPLICANT:** Thanh Nguyen

**REQUEST:**

- A special exception to the landscape regulations is requested in conjunction with maintaining a recently constructed approximately 1,500 square foot "patio addition" structure, and constructing and maintaining an outdoor stairwell structure on the subject site developed with a mixed use structure (The Brewery) with an approximately 36,000 square foot building footprint, and not fully providing required landscaping.

**STAFF RECOMMENDATION:**

Approval, subject to the following condition:

- Compliance with the submitted revised landscape plan is required.

Rationale:

- The City's Chief Arborist recommends approval of this request whereby, if the submitted revised landscape plan is imposed as a condition, the special exception would not compromise the spirit and intent of the landscaping requirements of PD 193.
- The applicant is precluded from fully adhering to PD 193 landscaping requirements (triggered by relatively small additions recently added/to be added on a property developed before the creation of the landscape ordinance (according to DCAD, 1896) given the topography of the property, placement near the freeway, and placement of retaining walls along Continental and McKinney Avenues.

**STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPE REQUIREMENTS  
IN OAK LAWN:**

Section 26(a)(4) of Ordinance No. 21859, which establishes PD 193, specifies that the board may grant a special exception to the landscaping requirements of this section if,

in the opinion of the Board, the special exception will not compromise the spirit and intent of this section. When feasible, the Board shall require that the applicant submit and that the property comply with a landscape plan as a condition to granting the special exception.

### **GENERAL FACTS:**

- PD 193 states that the landscape, streetscape, screening, and fencing standards shall become applicable to uses (other than to single family and duplex uses in detached structures) on an individual lot when work is performed on the lot that increases the existing building height, floor area ratio, or nonpermeable coverage of the lot unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.
- A revised landscape plan has been submitted (see Attachment A) that, according to the City of Dallas Chief Arborist, is deficient from the general requirements for landscaping area for the tree planning zone (2.5' – 5' from back of curb), sidewalks (location and width), and screening of off-street parking requirements of PD 193.
- On February 3, 2012, the City of Dallas Chief Arborist submitted a memo to the Board Administrator (see Attachment B). The memo stated the following:
  - Trigger:
    - Construction of a building addition and a new stairwell on the property.
  - Deficiencies:
    - The property is deficient from meeting the PD 193 tree planning zone (2.5' – 5' from back of curb), sidewalks (location and width), and screening of off-street parking requirements.
  - Factors:
    - The property and its evolved general condition extends to before the creation of the PD 193 ordinance. New landscaping has been added along the street frontages over time with other projects and roadway improvements. The current landscaping is non-compliant with current PD No. 193 standards but it is designed to benefit their patrons and to enhance the visible frontages along Continental, Houston, and McKinney.
    - Any new addition to floor area ratio on the property initiates landscaping requirements that would imply the entire property must brought into compliance with PD 193 Standards. The new addition was for an enclosed patio on the north end of the building. The stairway is not yet built but the plan accommodates changes for the design of the stairwell and the path to it.
    - The topography of the property, placement near the freeway, and placement of retaining walls along Continental and McKinney restrict placement of required landscaping.
  - Recommendation: Approval of the alternate landscape plan.

### **BACKGROUND INFORMATION:**

#### **Zoning:**

Site: PD 193 (CA-2) (Planned Development District, Central Area)  
North: PD 582 (Planned Development District)  
South: CA-1(A) (Central Area)  
East: CA-1(A) (Central Area)  
West: PD 193 (CA-2) (Planned Development District, Central Area)

### **Land Use:**

The subject site is developed with a mixed use structure (The Brewery). The areas to the north, east and south is developed with mixed uses; the area to the west is developed with a freeway (Stemmons Freeway).

### **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.

### **Timeline:**

- November 2, 2011: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- January 12, 2012: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.
- January 12, 2012: The Board Administrator emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the January 25<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the February 3<sup>rd</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.
- January 27, 2012: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment A).
- January 31, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for February public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Building Inspection Division Chief Planner, the Board

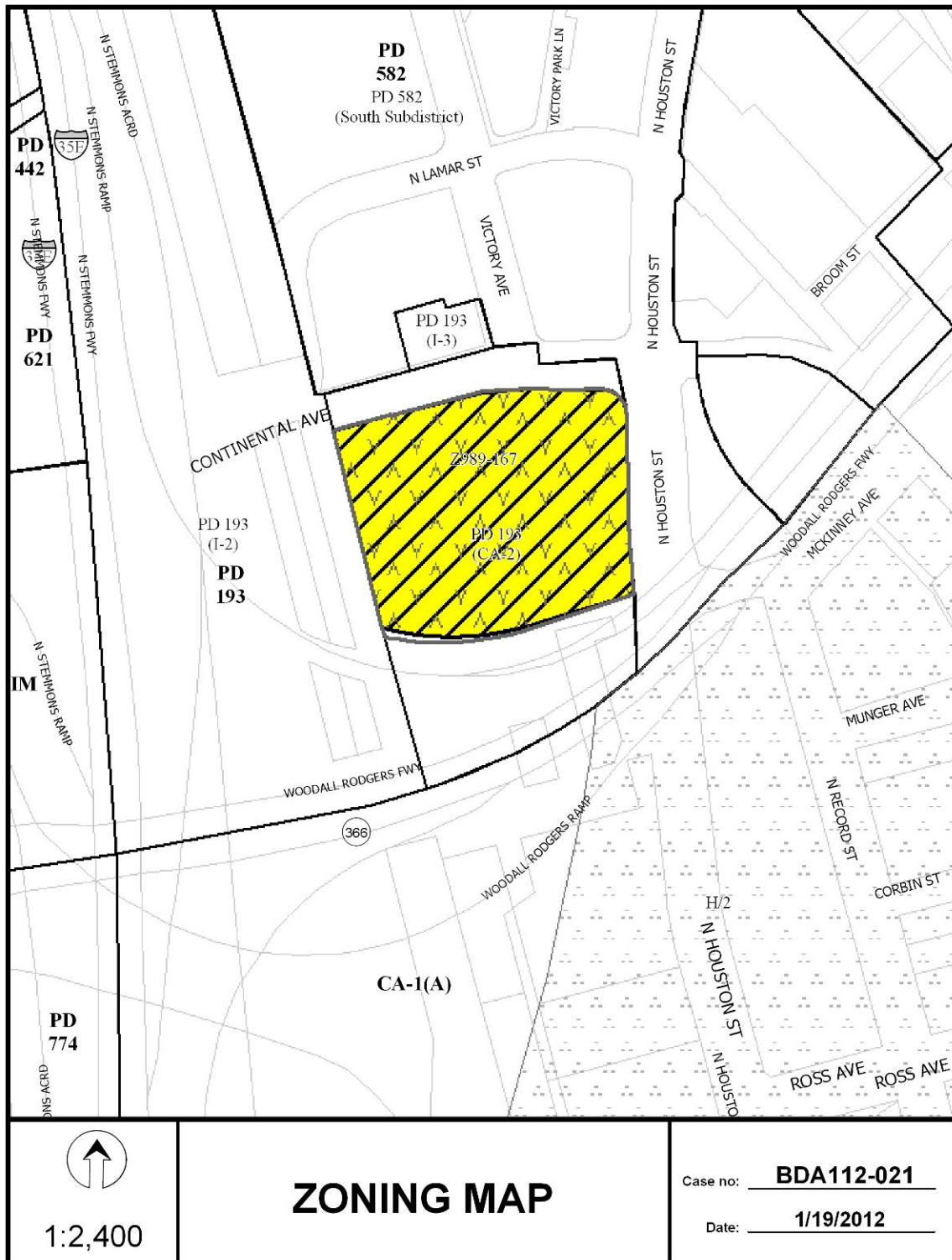
Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the Chief Arborist, and the Assistant City Attorney to the Board.

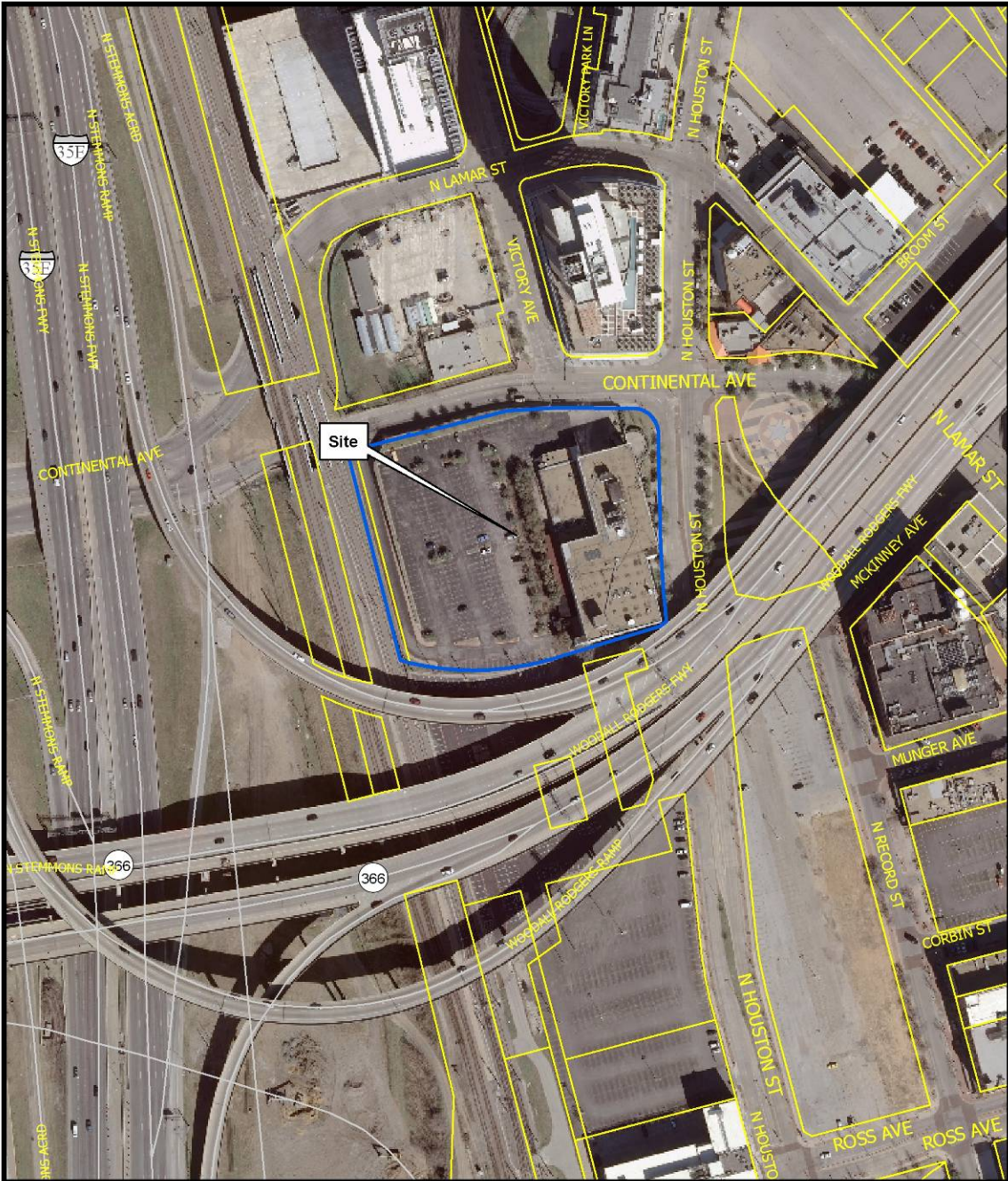
February 3, 2012: The City of Dallas Chief Arborist submitted a memo that provided his comments regarding the request (see Attachment B).

**STAFF ANALYSIS:**

- This landscape special exception request is triggered with maintaining a recently constructed approximately 1,500 square foot “patio addition” structure, and constructing and maintaining an outdoor stairwell structure on the subject site developed with a decades-old mixed use structure (The Brewery) with an approximately 36,000 square foot building footprint.
- The applicant seeks exception from the landscaping requirements of PD 193, specifically sidewalk, tree, and off-street parking screening requirements of this ordinance.
- The City of Dallas Chief Arborist supports the request with the imposition of the submitted revised landscape plan as a condition to the request for reasons that are detailed in his February 3<sup>rd</sup> memo to staff (see Attachment B).
- The applicant has the burden of proof in establishing the following:
  - The special exception (where an alternate landscape plan has been submitted that is deficient in meeting the sidewalk, tree, and off-street parking screening requirements of the PD 193 landscape regulations) will not compromise the spirit and intent of the section of the ordinance (Section 26: Landscape, streetscape, screening, and fencing standards).
- If the Board were to grant this request and impose the submitted revised landscape plan as a condition, the site would be granted exception from full compliance to the sidewalk, tree, and off-street parking/screening requirements of the Oak Lawn PD landscape ordinance.







1:2,400

# AERIAL MAP

Case no: **BDA112-021**

Date: **1/19/2012**

Long, Steve

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**From:** Tang Nguyen [wutnguyen@hotmail.com]  
**Sent:** Friday, January 27, 2012 10:11 AM  
**To:** Long, Steve  
**Subject:** FW: Landscape plan

pg 1

**Attachments:** Landscape plan



Landscape plan

Here is a copy of the revised plan.

-----Original Message-----

**From:** Noakes Engineer Inc.  
**Sent:** 26 Jan 2012 22:22:32 GMT  
**To:** tang  
**Subject:** Landscape plan



# Memorandum



CITY OF DALLAS

DATE February 3, 2012  
TO Steve Long, Board of Adjustment Administrator  
SUBJECT # BDA 112 · 021 703 McKinney Avenue

The applicant is requesting a special exception to the landscape requirements of PD 193, Part 1 (51P-193.126). The property is zoned PD 193 (CA-2).

### Trigger

Construction of a building addition and a new stairway.

### Deficiencies

In the CA(2) district of PD 193, the general requirements for landscaping are for the tree planting zone (2.5'-5' from back of curb), sidewalks (location and width), and screening of off-street parking. The property is deficient with all measures.

### Factors

The property, and its evolved general condition, extends to before the creation of the PD 193 ordinance. New landscaping has been added along the street frontages over time with other projects and roadway improvements. The current landscaping is non-compliant with current PD 193 standards, but it is designed to benefit their patrons and to enhance the visible frontages along Continental, Houston and McKinney.

Any new addition of the floor area ratio on the property initiates landscaping requirements that would imply the entire property must be brought into compliance with PD 193 standards. The new addition was for an enclosed patio on the north end of the building. The stairway is not yet built but the plan accommodates changes for the design of the stairway and the path to it.

The topography of the property, placement near the freeway, and placement of retaining walls along Continental and McKinney, restrict the placement of required landscaping.

### Recommendation

Approval of the submitted landscape plan.

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



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-021

Data Relative to Subject Property:

Date: 11/2/11

Location address: 703 MCKINNEY AVE DALLAS TX 75202 Zoning District: PD-193(CA-2)

Lot No.: 1A Block No.: 1405 Acreage: 3.6069 Census Tract: 19.00

Street Frontage (in Feet): 1) 268' 2) 336' 3) 493' 4) - 5) - SW 20A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): 703 MCKINNEY LTD PARTNERSHIP

Applicant: THANH NGUYEN Telephone: 504.201.2552

Mailing Address: 8320 EDGEPOINT TRL MUST TX Zip Code: 76053

E-mail Address: WUTNIGUYEN@HOTMAIL.COM

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance, or Special Exception X, of ALTERNATE LANDSCAPE PLAN

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:

EXISTING PROPERTY AND BUILDING LAYOUT ARE LAND LOCKED BY 3 RETAINING WALLS AND A CITY PARKING LOT, DUE TO THE BREWERY BUILDING'S HISTORICAL SIGNIFICANCE, THERE SHOULD BE MINIMAL MODIFICATIONS TO THE PROPERTY LAYOUT

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 THANH NGUYEN (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)

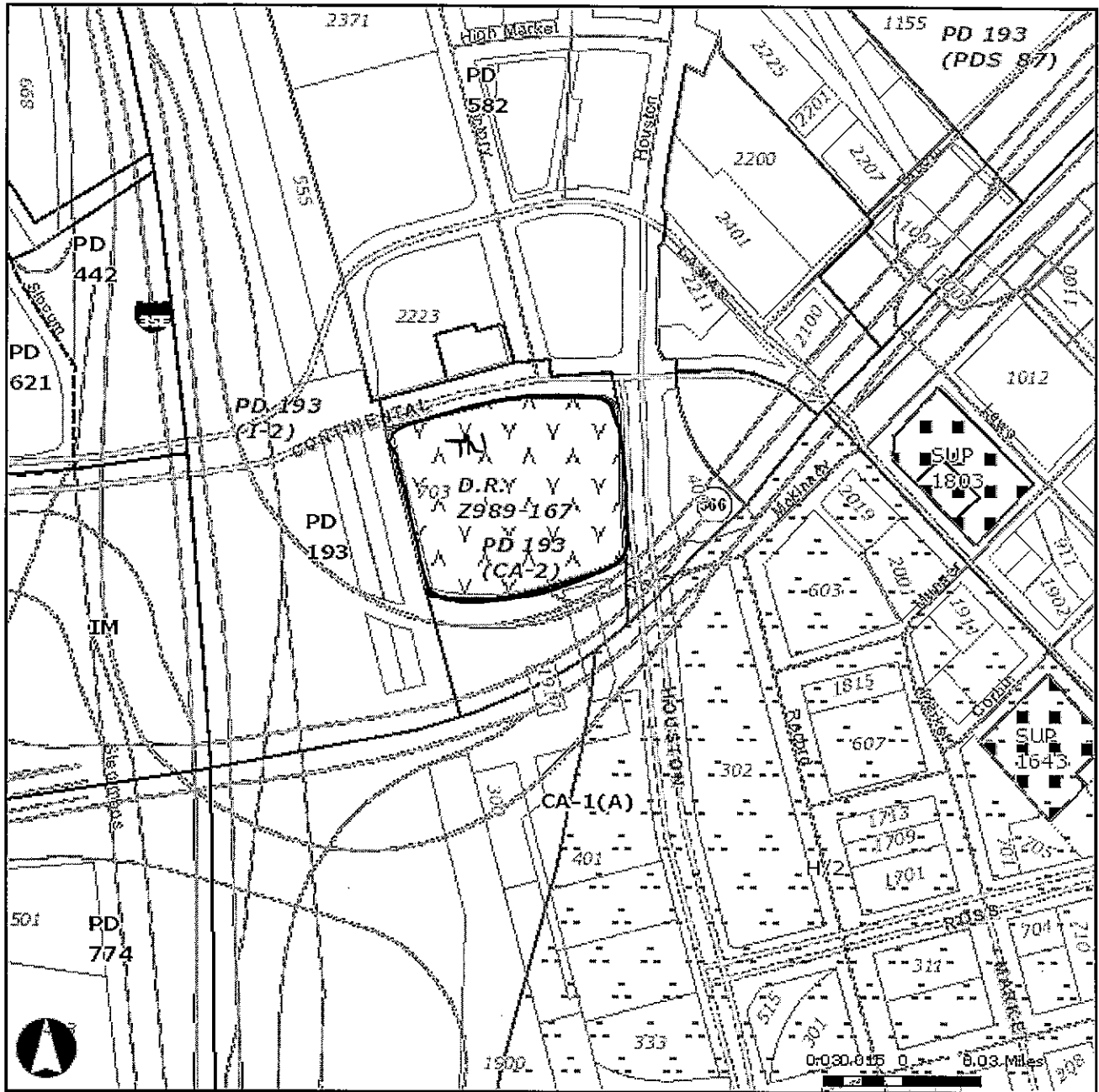
Subscribed and sworn to before me this 31st day of October, 2011



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



# City of Dallas Zoning



City Boundaries

- City Boundaries
- County
- Certified Parcels
- DISD Sites
- Council Districts
- Waterways
- Parks

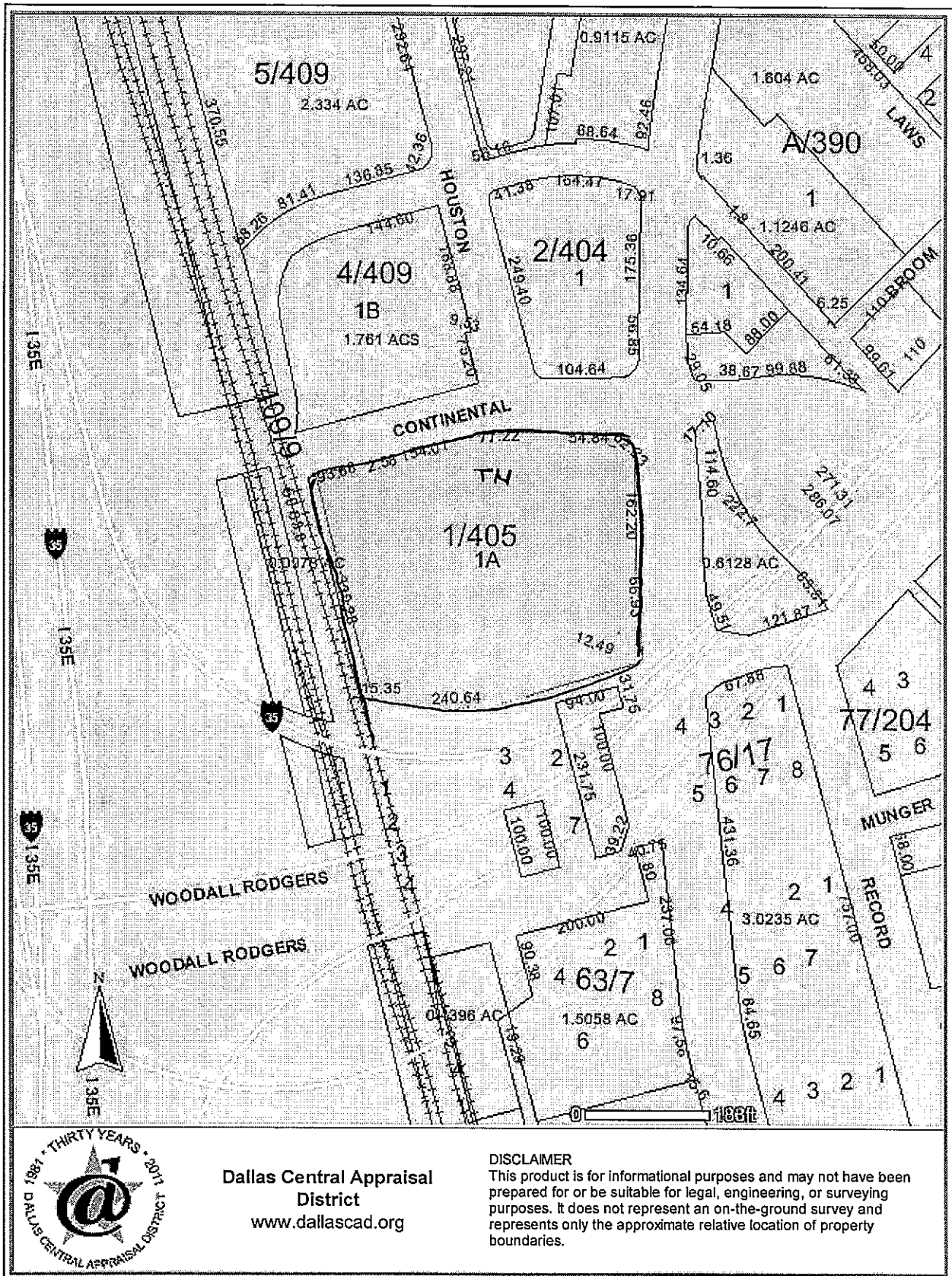
Municipal Setting Designations

- Deed Restrictions
- SUP
- Dry Overlay
- Historic Overlay
- Historic Subdistricts

NSO Subdistricts

- NSO Subdistricts
- MD Overlay
- CD Subdistricts
- PD Subdistricts
- PD193 Oak Lawn
- PDS Subdistricts
- Base Zoning





Dallas Central Appraisal District  
www.dallascad.org

**DISCLAIMER**  
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





CITY OF DALLAS

AFFIDAVIT

Appeal # BDA 112-021

I, Michael McNulty <sup>#02 703 McKinney, (TD) PARTNERSHIP</sup>, Owner of the subject property

at (address): 703 MCKINNEY AVE DALLAS TX 75202

Authorize (Applicant's name) THANH NGUYEN

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

         Variance (specify below)

Special Exception (specify below)

         Other Appeal (specify below)

MICHAEL MCNULTY VICE PRESIDENT  
703 MCKINNEY LTD [Signature] 10-31-11  
PARTNERSHIP

Print name of property owner      Signature of property owner      Date

Before me the undersigned on the day of personally appeared Michael S. McNulty.

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

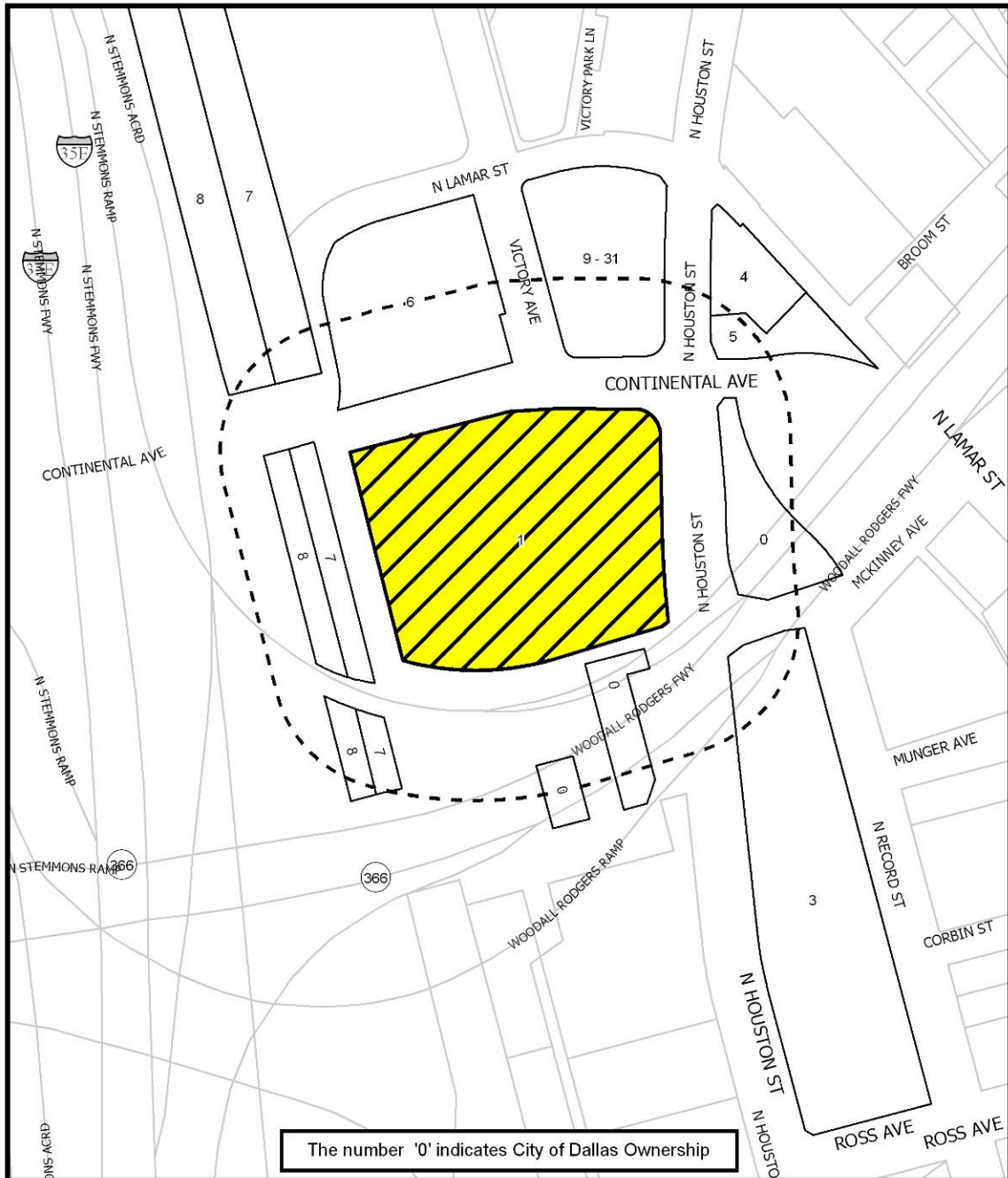
Subscribed and sworn to before me this 31<sup>st</sup> day of October, 2011



[Signature]

Notary Public for Dallas County, Texas

Commission expires on November 12, 2014



 1:2,400	<b>NOTIFICATION</b>		Case no: <b>BDA112-021</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;">31</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <b>1/19/2012</b>	

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

***BDA112-021***

## ***31 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	703 MCKINNEY AVE	703 MCKINNEY LTD PS
2	703 MCKINNEY AVE	DALLAS AREA RAPID TRANSIT
3	302 HOUSTON ST	DORBET INC
4	2211 LAMAR ST	DORBET INC STE 650 LB 36
5	2201 LAMAR ST	DORBET INC SUITE 650 LB 36
6	2223 VICTORY AVE	BLOCKS GKM LP ATTN: MICHAEL D CRAVER
7	555 2ND AVE	DART
8	1900 OAK LAWN AVE	DART & FT WORTH TRANSP AUTH
9	2200 HOUSTON ST	BLOCK J LP ATTN : MICHAEL D CRAVER
10	2200 VICTORY AVE	CROSBY TERENCE E & NORA
11	2200 VICTORY AVE	BROWN RICHARD R & TRACEY L BROWN
12	2200 VICTORY AVE	SHEFFIELD KIT C & CHRISTIE L SHEFFIELD
13	2200 VICTORY AVE	LEON RICHARD & SANDRA F LEON
14	2200 VICTORY AVE	PELOSI STEVEN & PELOSI ANDREA
15	2200 VICTORY AVE	LUJAN GIOVANNI M UNIT 1104
16	2200 VICTORY AVE	MORGAN PAUL J & TIFFANY E UNIT 1302
17	2200 VICTORY AVE	BLOCK J LP ATTN: MICHAEL D CRAVER
18	2200 VICTORY AVE	BREHM DAVID & MARIE KELLY
19	2200 VICTORY AVE	WILLIAMS MICHAEL W
20	2200 VICTORY AVE	MILLER STEPHEN W & MARGARET E UNIT 1604
21	2200 VICTORY AVE	GIRALDO HERNAN F UNIT 1701
22	2200 VICTORY AVE	FANG XIAO EN FAMILY LP
23	2200 VICTORY AVE	WAN YUNGLIANG
24	2200 VICTORY AVE	DRUM FERRELL D
25	2200 VICTORY AVE	ANDRADA MARISSA J
26	2200 VICTORY AVE	MAITINO PAUL &

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2200 VICTORY AVE	SANDERS E GLEN & KAREN K
28	2200 VICTORY AVE	CROSBY DOUG & JULIE B
29	2200 VICTORY AVE	SEPULVEDA RICARDO
30	2200 VICTORY AVE	MATEJEK ROBERT R APT 2701
31	2200 VICTORY AVE	CHALMERS JAMES C STE 400

**FILE NUMBER:** BDA 112-023

**BUILDING OFFICIAL'S REPORT:**

Application of Kippen C. Schecht for a special exception to the off-street parking regulations at 1018 S. Akard Street. This property is more fully described as Lot 1A in City Block 13/84 and is zoned PD-317 (Subdistrict 3), which requires parking to be provided. The applicant proposes to construct a structure for a child-care facility use and provide 66 of the required 78 parking spaces, which will require a special exception of 12 spaces to the off-street parking regulations.

**LOCATION:** 1018 S. Akard Street

**APPLICANT:** Kippen C. Schecht

**REQUEST:**

- A special exception to the off-street parking regulations of 12 parking spaces (or a 15 percent reduction of the 78 off-street parking spaces that are required) is requested in conjunction with constructing and maintaining an approximately 39,000 square foot child-care facility use (Vogel Alcove) on a site that is undeveloped. The applicant proposes to provide 66 (or 85 percent) of the required 78 off-street parking spaces.

**STAFF RECOMMENDATION:**

Approval, subject to the following condition:

- The special exception shall automatically and immediately terminate if and when the child-care facility use is changed or discontinued.

Rationale:

- The applicant has substantiated how the parking demand generated by the proposed child-care facility 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 Sustainable Development and Construction Department Project Engineer has indicated that he has no objections to the applicant's request.

**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 already existing nonconforming rights. For the commercial amusement (inside) use and the industrial (inside) use, the maximum reduction authorized by this section is 50 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to already existing nonconforming rights.

- 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.

#### **GENERAL FACTS:**

- The Dallas Development Code requires the following off-street parking requirement:
  - Child-care facility: One space per 500 square feet of floor area.



The applicant proposes to provide 66 (or 85 percent) of the required 78 off-street parking spaces.

## **BACKGROUND INFORMATION:**

### **Zoning:**

Site: PD No. 317 (Planned Development)  
North: CA-1(A) (Central Area)  
South: PD No. 317 (Planned Development)  
East: PD No. 317 (Planned Development)  
West: PD No. 317 (Planned Development)

### **Land Use:**

The subject site is currently undeveloped. The area to the north is a freeway (Interstate 30); and the areas to the east, south, and west are developed with a mix of 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.

### **Timeline:**

December 14, 2011: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

January 12, 2012: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

January 12, 2012: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the January 25<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the February 3<sup>rd</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.

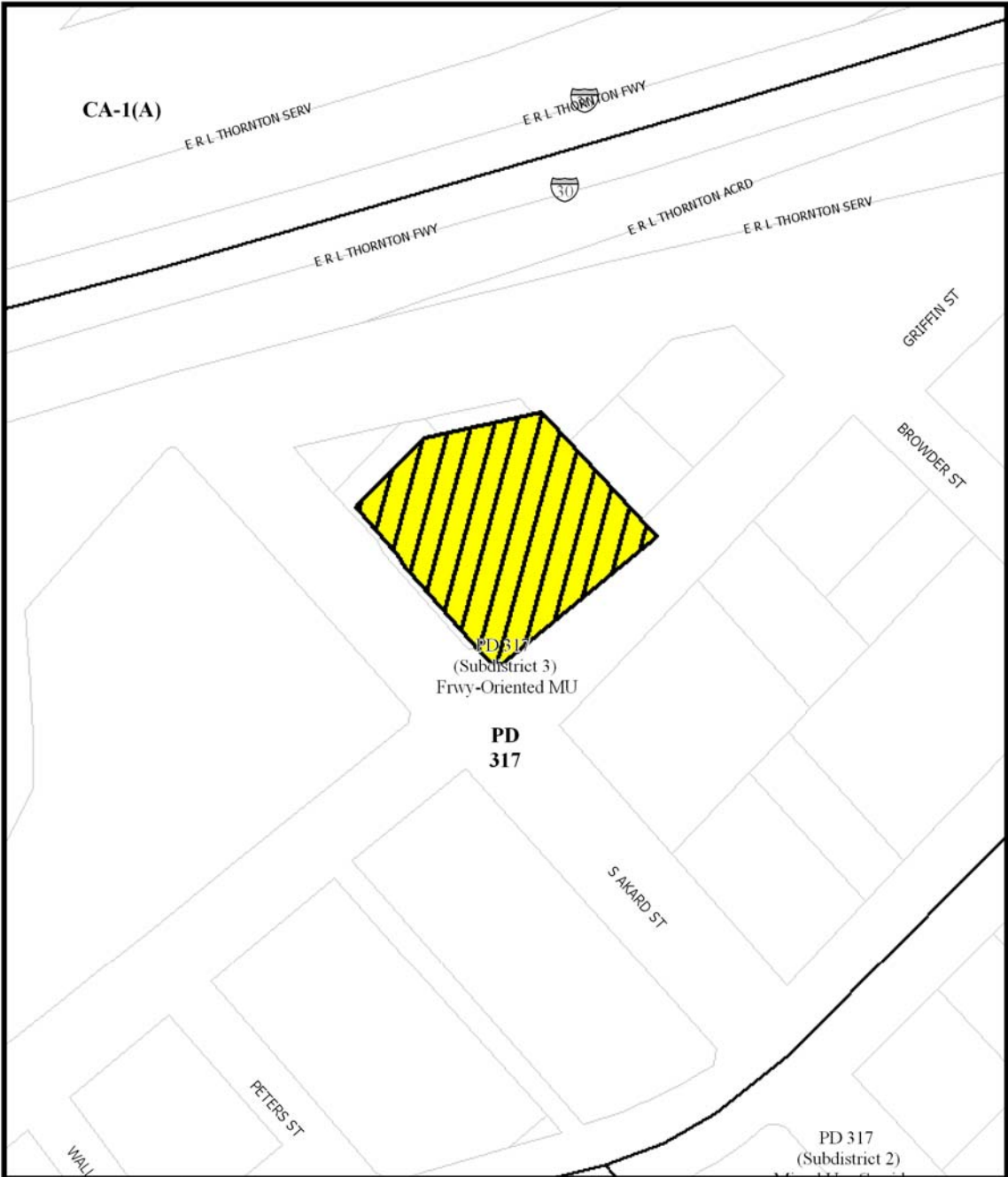
January 31, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for February public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development

and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Building Inspection Division Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the Chief Arborist, and the Assistant City Attorney to the Board.

February 1, 2012: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked “Has no objections.”

### **STAFF ANALYSIS:**

- This request focuses on the applicant’s proposal to construct and maintain an approximately 39,000 square foot child-care facility use (Vogel Alcove) on a site that is undeveloped, and provide 66 (or 85 percent) of the required 78 off-street parking spaces.
- The applicant has submitted a document stating how the majority of users of the proposed child-care facility use (day care for the homeless population) will arrive to the proposed facility by way of a DART system – either by bus (with a bus stop at the intersection of Akard and Griffin Streets) or by train (with a light rail station between 1,500- 1,600 feet from the site). The applicant has stated how the current existing facility that the use is in (a property immediately south of the subject site which the applicant intends to relocate to the proposed new facility on the subject site) serves the same purpose as what is proposed for the new facility to be located on the subject site.
- The Sustainable Development and Construction Department Project Engineer has submitted a review comment sheet marked “Has no objections.”
- The applicant has the burden of proof in establishing the following:
  - The parking demand generated by the proposed child-care facility use on the site does not warrant the number of off-street parking spaces required, and
  - The special exception of 12 spaces (or a 15 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 12 spaces shall automatically and immediately terminate if and when the child-care facility use is changed or discontinued, the applicant would be allowed to construct/maintain the proposed structure on the undeveloped site with this specific use and provide only 66 of the 78 code required off-street parking spaces.



1:1,200

# ZONING MAP

Case no: **BDA112-023**

Date: **1/19/2012**

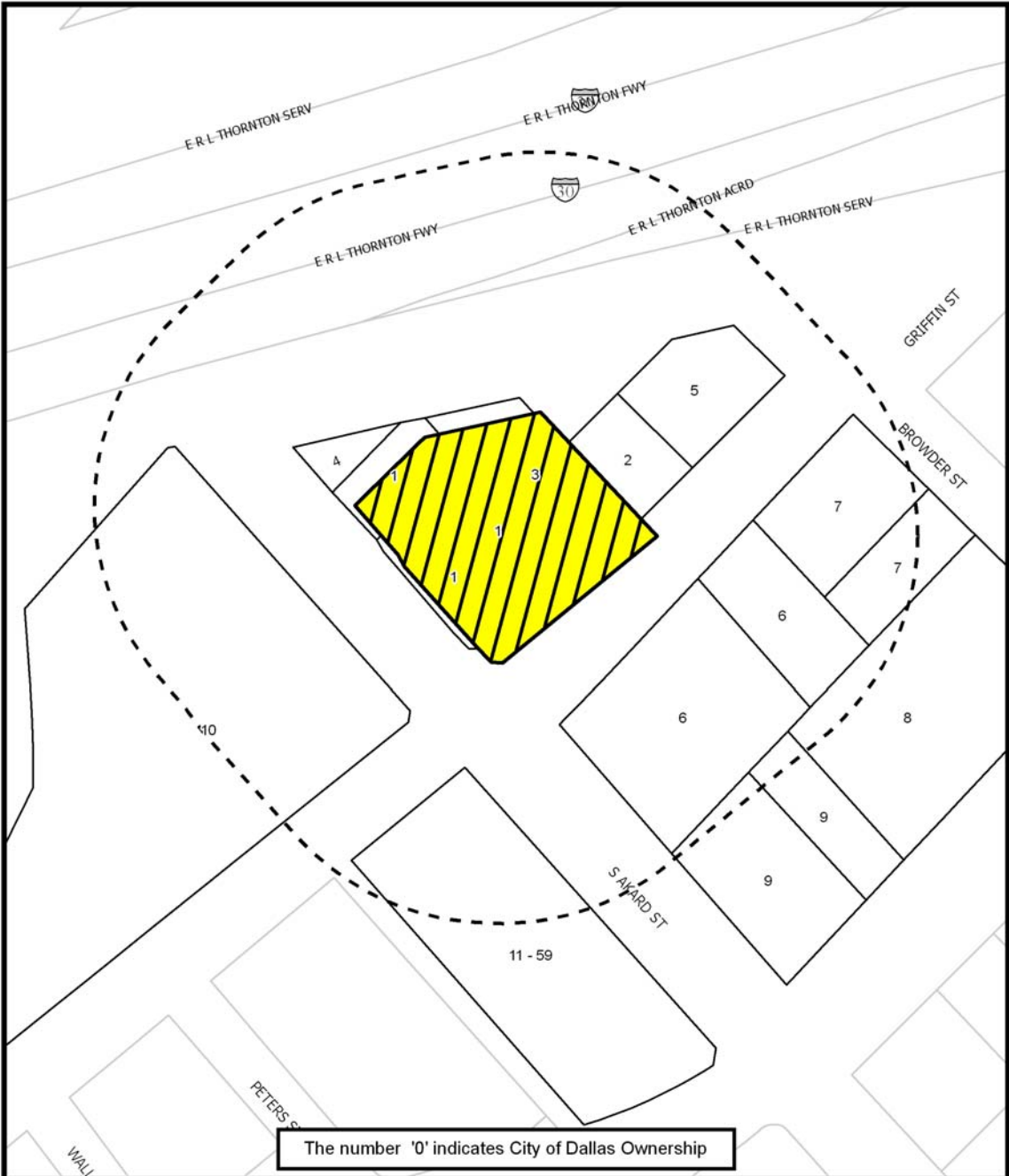


1:1,200

# AERIAL MAP

Case no: BDA112-023

Date: 1/19/2012



 1:1,200	<b>NOTIFICATION</b>		Case no: <b>BDA112-023</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;">59</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: <b>1/19/2012</b>

# *Notification List of Property Owners*

***BDA112-023***

## ***59 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1008 AKARD ST	VOGEL ALCOVE
2	1413 GRIFFIN ST	TIME WARNER CABLE DALLAS LP
3	1407 GRIFFIN ST	VOGEL ALCOVE DBA VOGEL ALCOVE
4	1000 AKARD ST	FAULKNER INV CO LTD
5	1423 GRIFFIN ST	HOMeward BOUND INC
6	1100 AKARD ST	VOGEL ALCOVE SUITE 262
7	1107 BROWDER ST	CONNER MARGARET C ET AL
8	1409 GRIFFIN ST	CAUDILL DOUG
9	1407 GRIFFIN ST	COOK PAUL D PMB 24
10	1011 AKARD ST	HAMILTON 1011 LP &
11	1111 AKARD ST	DALLAS BUZZ LTD
12	1111 AKARD ST	BAINES ROBERT E UNIT 200
13	1111 AKARD ST	REED THOMAS MARK
14	1111 AKARD ST	HYMAN TIMOTHY
15	1111 AKARD ST	ROBINSON TYLER LEE UNIT 203
16	1111 AKARD ST	SCHWINER RICHARD J
17	1111 AKARD ST	AHMAD SYED M &
18	1111 AKARD ST	COTTER VICTORIA ANN UNIT 206
19	1111 AKARD ST	BAYER CHRISTOPHER
20	1111 AKARD ST	BROCK JOE R
21	1111 AKARD ST	DUBLE KENNETH BRYAN & TAMMY BETH GREENBE
22	1111 AKARD ST	GRANDEY CHAD EDWARD
23	1111 AKARD ST	BREHM JENNIFER L
24	1111 AKARD ST	DUKE DAVID A
25	1111 AKARD ST	FEDERAL NATIONAL MORTGAGE ASSOCIATION
26	1111 AKARD ST	REISMAN MARK L

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1111 AKARD ST	FAULKNER JULIE A
28	1111 AKARD ST	KIES MICHAEL C & WENDY C
29	1111 AKARD ST	ANDERSON THOMAS I
30	1111 AKARD ST	MENDEZ ROBERT G
31	1111 AKARD ST	MARTIN SANDRA
32	1111 AKARD ST	KEARNEY DAVID W
33	1111 AKARD ST	BELL FREDERICK M & ELAINE
34	1111 AKARD ST	CAMPBELL SHAWNEILLE Y
35	1111 AKARD ST	PHILIP SIMI SUSAN & BINOJ K PETER UNIT 3
36	1111 AKARD ST	WRIGHT JOHN IAN
37	1111 AKARD ST	DESSOUKY SHIMAA Y
38	1111 AKARD ST	HAMILTON JANE HOPE
39	1111 AKARD ST	BLAZIN MICHAEL J
40	1111 AKARD ST	SANCHEZ JAY P & ARCELIA
41	1111 AKARD ST	CUELLAR CATHERINE
42	1111 AKARD ST	WEN HOWARD
43	1111 AKARD ST	POWELL GORDON C & JANE A
44	1111 AKARD ST	ACOSTA RAUL A
45	1111 AKARD ST	TOWERS RICHARD A
46	1111 AKARD ST	WEITZMAN JERALD
47	1111 AKARD ST	MILLER PAUL
48	1111 AKARD ST	FOSTER GREGORY R & DEANN
49	1111 AKARD ST	AUTREY JAMES MICHAEL
50	1111 AKARD ST	BETTINGER LYNN R JR UNIT 406
51	1111 AKARD ST	THOMAS AMANDA A T
52	1111 AKARD ST	CHERNOCK CHRISTIAN
53	1111 AKARD ST	TOMAN MELISSA UNIT 409
54	1111 AKARD ST	BASS JOHN WESLEY
55	1111 AKARD ST	SANDOVAL DAVID E
56	1111 AKARD ST	NAMKOONG YUNJOO UNIT 412
57	1111 AKARD ST	CURRY KEVIN
58	1111 AKARD ST	FEDERAL NATIONAL MORTGAGE ASSN
59	1111 AKARD ST	REED THOMAS M

**FILE NUMBER:** BDA 112-019

**BUILDING OFFICIAL'S REPORT:**

Application of Ann Stevenson, represented by Rob Baldwin, for a special exception to the off-street parking regulations at 2625 Elm Street. This property is more fully described as Lots 1-5 & 13-16 in City Block 286 and Lots 16-23 in City Block C/483 and is zoned PD-269 (Tract A), which requires off-street parking to be provided. The applicant proposes to construct and/or maintain a structure for a public or private school use and provide 180 of the required 229 off-street parking spaces, which will require a special exception of 49 spaces to the off-street parking regulations.

**LOCATION:** 2625 Elm Street

**APPLICANT:** Application of Ann Stevenson  
Represented by Rob Baldwin

**REQUEST:**

- A special exception to the off-street parking regulations of 49 parking spaces (or a 21 percent reduction of the 229 off-street parking spaces that are required) is requested in conjunction with maintaining an existing approximately 85,000 square foot structure with a public or private school use (Uplift School). The applicant proposes to provide 180 (or 79 percent) of the required 229 off-street parking spaces in conjunction with maintaining the square footage within the existing structure with the proposed mix of middle and high school classrooms (This request is prompted by leasing the existing structure on the subject site with a use with a higher off-street parking requirement than what had originally been on the subject site – a public or private school use as opposed to office use).

**STAFF RECOMMENDATION:**

Denial

Rationale:

- The Sustainable Development and Construction Department Project Engineer recommends that this application be denied because the applicant has not submitted a parking study by a registered professional engineer for review.
- The applicant had not substantiated how the parking demand generated by the proposed public or private school use does not warrant the number of off-street parking spaces required, nor how the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.

**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 already existing nonconforming rights. For the commercial amusement (inside) use and the industrial (inside) use, the maximum reduction authorized by this section is 50 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to already existing nonconforming rights.
- 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.

## **GENERAL FACTS:**

- The Dallas Development Code requires the following off-street parking requirement for “public or private school” use”
  - One and one-half spaces for each kindergarten/elementary school classroom;
  - Three and one-half spaces for each junior high/middle school classroom,
  - Nine and one-half spaces for each senior high school classroom.PD No. 269 provides the following additional parking reduction for proximity to DART Stations: The off-street parking requirement for uses located within one-fourth mile of a DART light-rail station may be reduced by 10 percent.  
The applicant proposes to provide 180 (or 79 percent) of the required 229 off-street parking spaces in conjunction with the structure on the subject site being leased/maintained with the a public or private school use with what is represented on the submitted site plan to include 18 middle school classrooms and 20 high school classrooms.
- The applicant’s representative forwarded additional information beyond what was submitted with the original application (see Attachments A and B).

## **BACKGROUND INFORMATION:**

### **Zoning:**

<u>Site:</u>	PD No. 269 (Planned Development)
<u>North:</u>	PD No. 269 (Planned Development)
<u>South:</u>	PD No. 269 (Planned Development)
<u>East:</u>	PD No. 269 (Planned Development)
<u>West:</u>	PD No. 269 (Planned Development)

### **Land Use:**

The subject site is currently developed with vacant structure that according to the applicant’s submitted site plan in conjunction with this request has approximately 85,000 square feet of building area. The areas to the north, east, south, and west are developed with a mix of 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.

### **Timeline:**

December 4, 2011: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

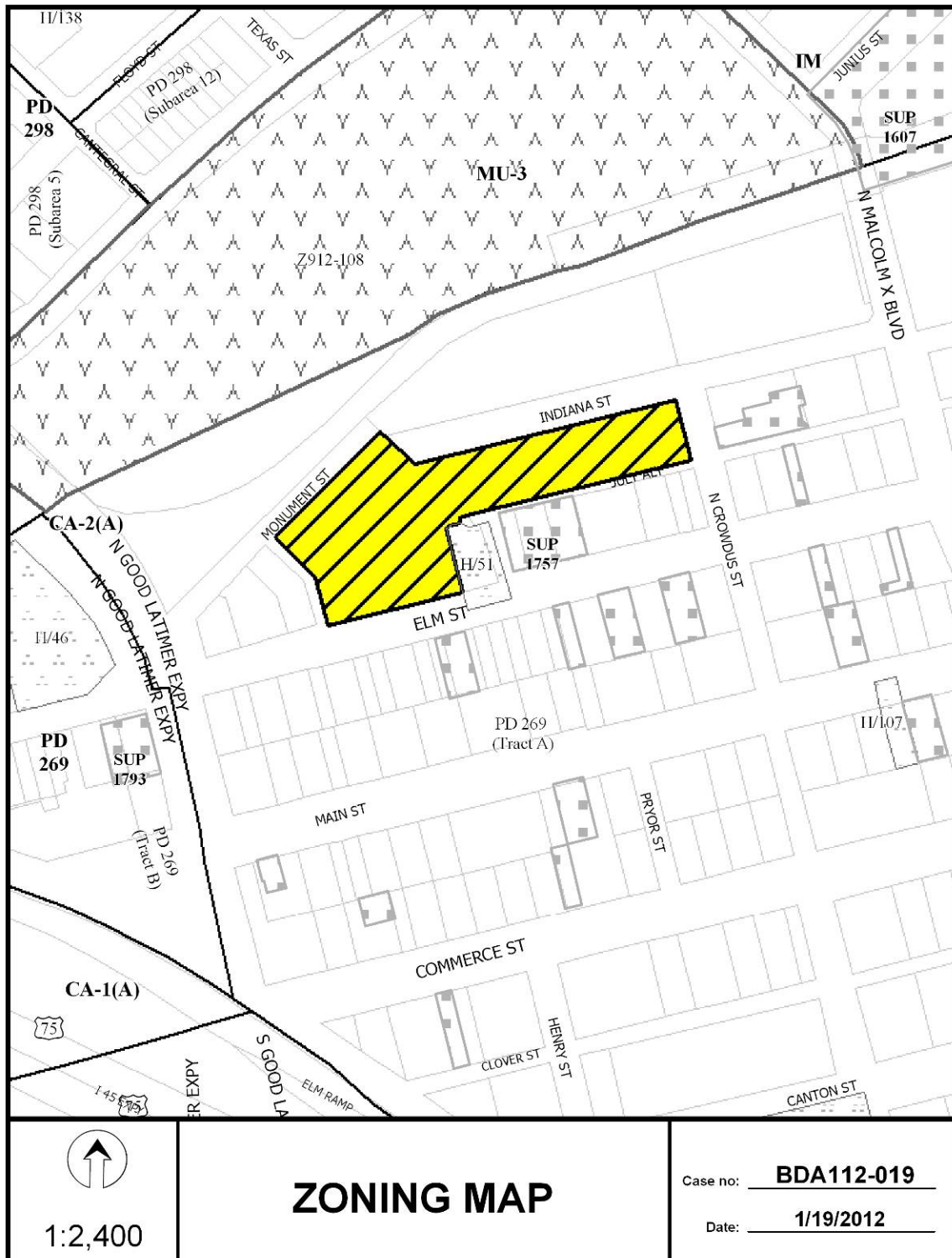
- January 12, 2012: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.
- January 12, 2012: The Board Administrator emailed the applicant's representative the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the January 25<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the February 3<sup>rd</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.
- January 23, 2012: The Sustainable Development and Construction Department Historic Preservation Planner emailed the Board Administrator a "no objection" comment to the request.
- January 27, 2012: The applicant's representative submitted additional information to staff beyond what was submitted with the original application (see Attachment A).
- January 31, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for February public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Building Inspection Division Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the Chief Arborist, and the Assistant City Attorney to the Board.
- February 1, 2012: The applicant's representative submitted additional information to staff beyond what was submitted with the original application (see Attachment B).
- February 1, 2012: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Recommends that this be denied" adding the following comments: "Need to submit parking study by a registered professional engineer for review."

**STAFF ANALYSIS:**

- This request focuses on the applicant's proposal to lease the existing approximately 85,000 square foot structure on the subject site with a use with a higher off-street

parking requirement than what had originally been on the subject site – a public or private school use (Uplift School) as opposed to office use, and provide 180 (or 79 percent) of the 229 off-street parking spaces required.


- The Sustainable Development and Construction Department Project Engineer has submitted a review comment sheet marked “Recommends that this be denied” commenting how the applicant should submit a parking study prepared by a registered professional engineer for review in order to justify his parking reduction request.
- The applicant has the burden of proof in establishing the following:
  - The parking demand generated by the public or private school use on the site does not warrant the number of off-street parking spaces required, and
  - The special exception of 49 spaces (or a 21 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 49 spaces shall automatically and immediately terminate if and when the public or private school use is changed or discontinued, the applicant would be allowed to lease/maintain the site with this specific use and provide only 180 of the 229 code required off-street parking spaces.



# ZONING MAP

Case no: **BDA112-019**  
 Date: **1/19/2012**



  
1:2,400

# AERIAL MAP

Case no: BDA112-019  
Date: 1/19/2012

Baldwin  
Associates

January 27 2012

Mr. Steve Long  
Board of Adjustment Administrator  
City of Dallas  
1500 Marilla Street  
Dallas, Texas 75201

Re: BDA 112-019

Dear Steve,

This firm is representing Uplift Education in their efforts to obtain a Special Exception to the City of Dallas off-street parking requirements to allow them to operate a new charter school in the building known as 2624 Elm Street in Deep Ellum. We are specifically requesting a reduction of 49, or 21%, of the total required parking for this use. We are confident that this request is reasonable and compatible with the spirit and intent of the City's development regulations.

Uplift Education is based in Irving, Texas and operates a network of 20 high-performing, tuition-free, public charter schools serving 5,700 students in underserved areas across the Dallas/Fort Worth Metroplex. Uplift offers a college preparatory curriculum supported by a positive culture of high expectations and strong student-teacher relationships. Uplift Education is a 501(c)(3) corporation and has attracted funding from local and national donors, such as the Communities Foundation and the Michael & Susan Dell Foundation. The Washington Post recently ranked two of their schools (North Hill Prep and the Peak Academy) as two of the top 11 public schools in the country. They are seeking the proper approvals to open a school in Deep Ellum.

The proposed facility will be housed in a building that was extensively renovated in the late 1980s and early 1990s for an office building. Trammell Crow Healthcare Services operated out of this building for several years. The property is located within the Deep Ellum Planned Development District (Tract A, PD 269). A school is allowed by right in this zoning district. Given current plans, the school will initially operate with far fewer classrooms than they expect at ultimate occupancy. The existing parking provided with the facility will accommodate all of the required parking for the school until the final occupancy is reached. The administrators at Uplift are being proactive in seeking this special exception. They want to make sure that if they make a financial and physical investment in the Deep Ellum neighborhood, they will not have to move due to lack of parking if they are successful and the number of classrooms increase.

Based on current projections, Uplift is projecting a total of 18 middle school classrooms and 20 high school classrooms. This classroom breakdown would trigger the need for a total of 253 parking spaces. The Deep Ellum PD allows for an automatic 10% reduction in parking if a property is within .25 mile of a DART Station. In this case, we are within 775 feet walking distance to the Deep Ellum DART station, so this parking reduction applies, which results in a total parking requirement for this use of 229 spaces.

The building has an accompanying off-street parking lot that can accommodate 126 parking spaces. In addition, the Deep Ellum PD recognizes that the land use patterns in the area are different from areas of Dallas that developed after the wide-spread use of the private automobile and allows on-street parking immediately adjacent to the Property to count towards the required parking. With the off-street parking field and the on-street parking allowance, the total available parking allotted to the property is 180 parking spaces, leaving a deficit of 49 spaces.

This property is blessed in its location and the operating characteristics of the other uses in the vicinity. As mentioned earlier, the property is located within 775 feet of the Deep Ellum DART Station. In addition, the land uses in the vicinity are all entertainment uses that have peak hours that are not during school hours. The City of Dallas does not charge for on-street parking during school hours so all of the on-street parking can be used by students free of charge during school hours, if needed. One must also keep in mind that although the school is open to all students, the majority of the students are unlikely to be driving personal vehicles to school. The transportation modal split in this case will reflect a much greater use of public transportation than would be found for a suburban school. The students attending this campus will carpool or take public transportation. This is why this is such a good location for this school. It is located on the light rail and bus lines and is easy to get to without a private car.

In reviewing Section 51A-4.311 of the *Dallas Development Code* there are specific items the Board shall consider in evaluating this request.

- A) *The extent, to which the parking spaces provided will be remote, shared or packed parking.* - The parking spaces provided will all be located immediately adjacent to the building and will not be organized as packed parking. All of the spaces provided are real spaces and in the proper location.
- B) *The parking demand and trip generation characteristics of all uses for which the Special Exception is requested.* The parking requirement is 3.5 spaces per classroom for middle school and 9.5 spaces per classroom for high school classrooms. These requirements are essentially the number of spaces required for new, greenfield schools across the country and do not adequately reflect the parking demand or trip generation for inner city schools

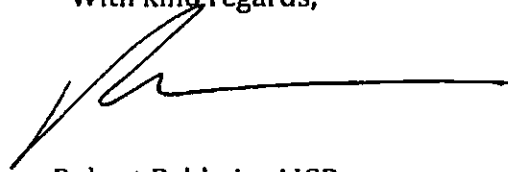


with superior access to public transportation and serving students that do not all have access to private automobiles.

- C) *Whether the subject property or any property in the area is part of a modified delta overlay district.* The property is not 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.* This portion of Elm Street is part of a one-way couplet. There is no indication that the city has any intention of widening the street. As a one-way street bringing cars into Downtown, it works well.
- E) *The availability of public transit and the likelihood of its use.* As mentioned previously, the subject property is served well by public transit and given the anticipated economic status of the students attending this school; it is likely that the public transit will be the prime mode of transportation for a large majority of the students.
- F) *The feasibility of parking mitigation measures and the likelihood of their success.* It is unlikely that any parking mitigation measures will be needed. However, if it becomes apparent that parking is an issue with this use, the school can adopt polices limiting student parking to the parking that is available.

Thank you very much for your help with this. If you have any questions or if I can be of any assistance, please do not hesitate to contact me.

With kind regards,



Robert Baldwin, AICP

PROJECT NUMBER  
02/01/12

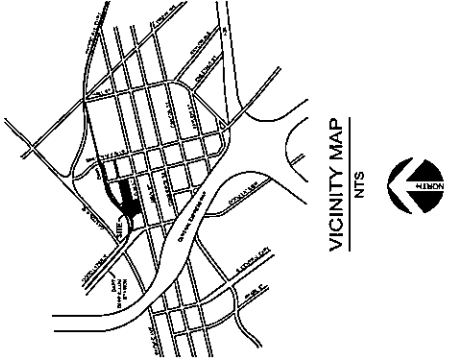
CASE NUMBER

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

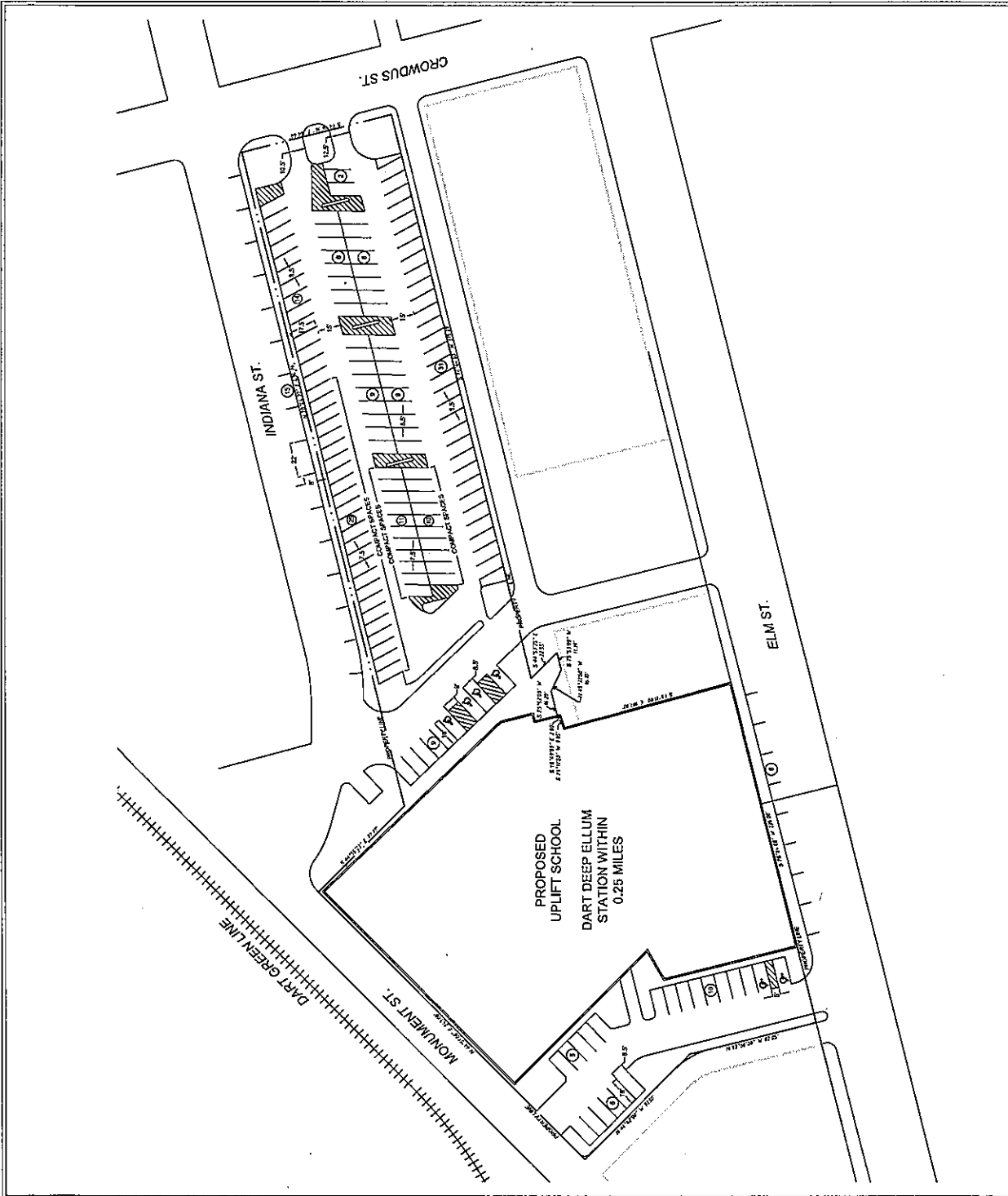
**Baldwin Associates**

**UPLIFT SCHOOL**  
CITY OF DALLAS, TEXAS

BDA112-019  
Attach B



<b>SITE INFORMATION</b>	LAND AREA   2.2468 AC
	BUILDING AREA   85,886 SF
	HEIGHT   2 STORIES
	LOT COVERAGE   43.6 %
<b>PARKING ANALYSIS</b>	
MIDDLE SCHOOL - 18 ROOMS	63 SPACES
HIGH SCHOOL - 20 ROOMS	190 SPACES
@ 9.5 SPACES/ROOM	253
PRELIMINARY TOTAL	253
DART 10% REDUCTION	24 SPACES
PRELIMINARY TOTAL	229 SPACES
2 1/2% BDA SPECIAL EXEMPTION	49 SPACES
<b>TOTAL REQUESTED SPACES (AFTER SPECIAL EXEMPTION)</b>	<b>180 SPACES</b>
<b>PROVIDED SPACES</b>	<b>180 SPACES</b>



2-1-12



MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

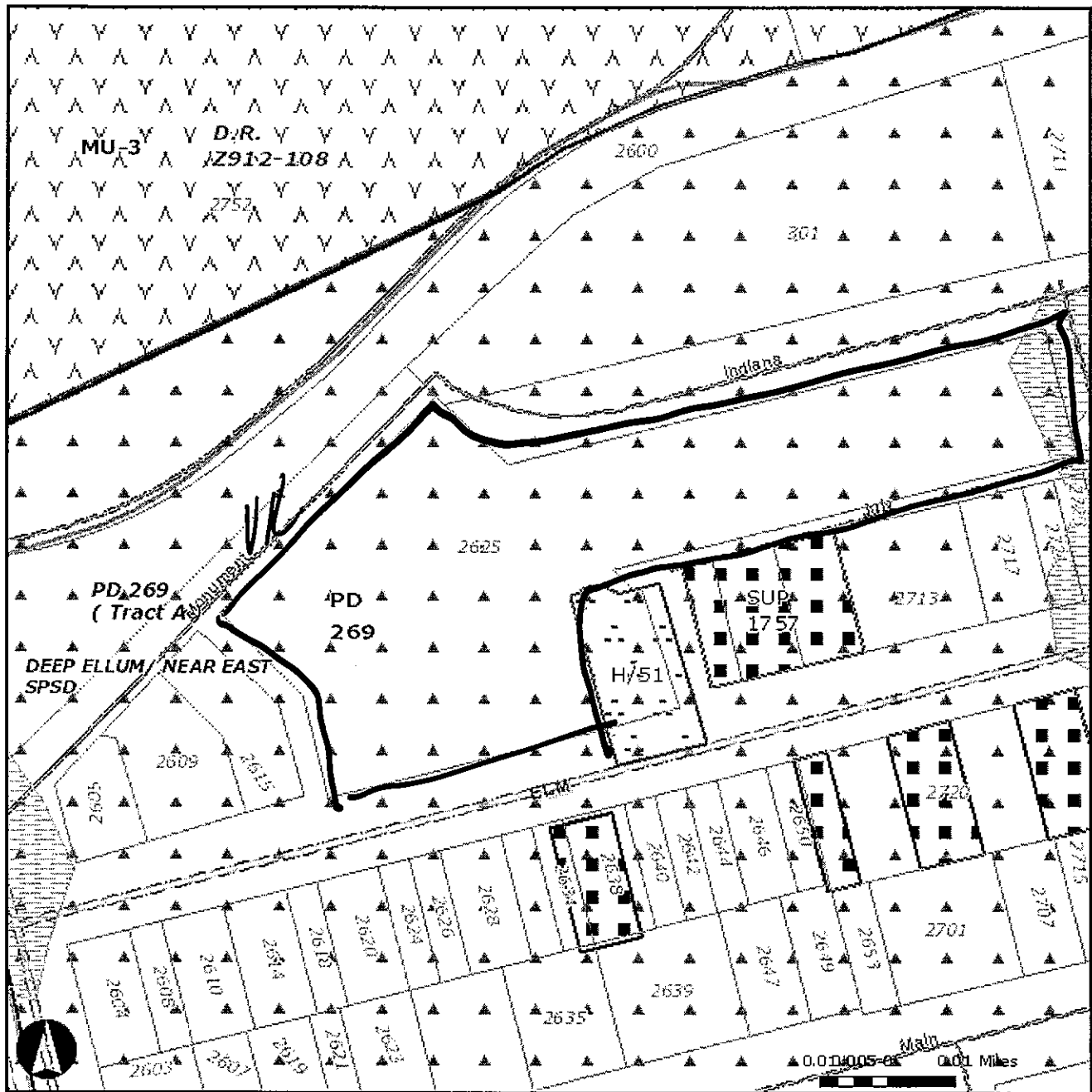
I hereby certify that Ann Stevenson  
represented by Baldwin Associates  
did submit a request for a special exception to the parking regulations  
at 2625 Elm Street

BDA112-019. Application of Ann Stevenson represented by Baldwin Associates for a special exception to the parking regulations at 2625 Elm Street. This property is more fully described as lots 1-5 & 13-16 in city block 286 and lots 16-23 in city block C/483 and is zoned PD-269 (Tract A), which requires parking to be provided. The applicant proposes to construct a nonresidential structure for a public or private school use and provide 180 of the required 229 parking spaces, which will require a 49 space special exception (21.4% reduction) to the parking regulation.

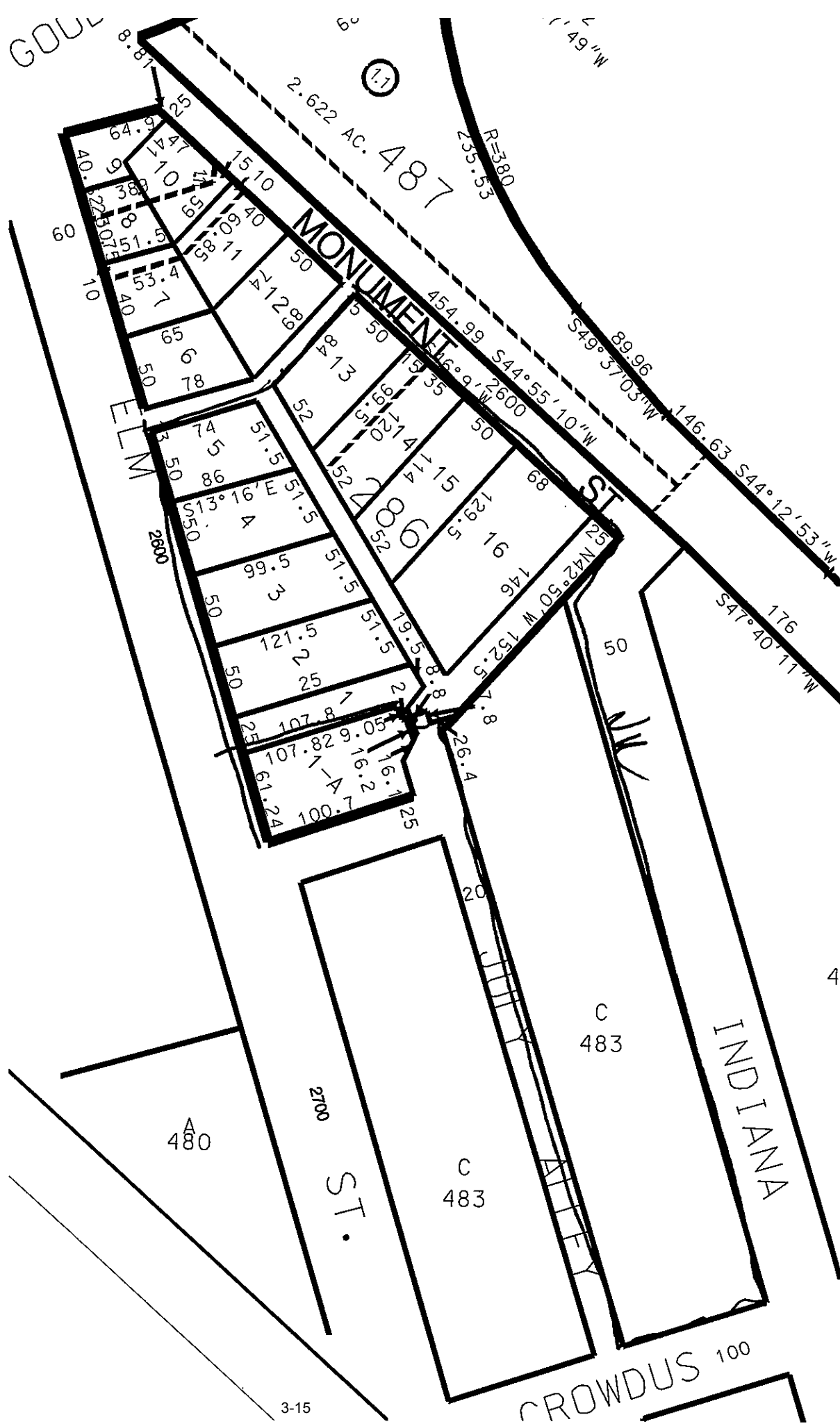
Sincerely,

  
Lloyd Denman, Building Official

# City of Dallas Zoning



- |                   |                       |                      |
|-------------------|-----------------------|----------------------|
| City Boundaries   | Dry Overlay           | Base Zoning          |
| County            | Historic Overlay      | Floodplain           |
| Certified Parcels | Historic Subdistricts | 100 Flood Zone       |
| DISD Sites        | NSO Overlay           | Mill's Creek         |
| Council Districts |                       | Peak's Branch        |
|                   |                       | X PROTECTED BY LEVEE |
|                   |                       | Pedestrian Overlay   |



GOULD

(1.1)

2.622 AC. 487

MONUMENT ST

ELM ST

ST

ST.

INDIANA

CROWDUS ALLEY

480

C 483

C 483

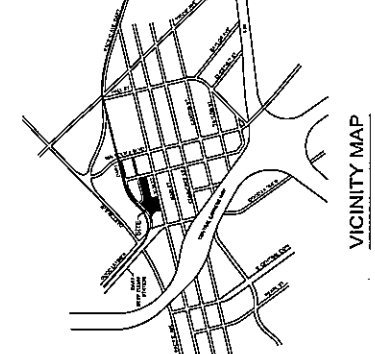
PROJECT NUMBER  
01/23/12

CASE NUMBER

BALDWIN ASSOCIATES  
3904 Elm Street, Suite 8  
Dallas, Texas 75226  
MOBILE: 214.729.7949  
OFFICE: 214.824.7949  
rob@baldwinplanning.com

Baldwin Associates

CITY OF DALLAS, TEXAS  
UPLIFT SCHOOL



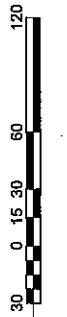
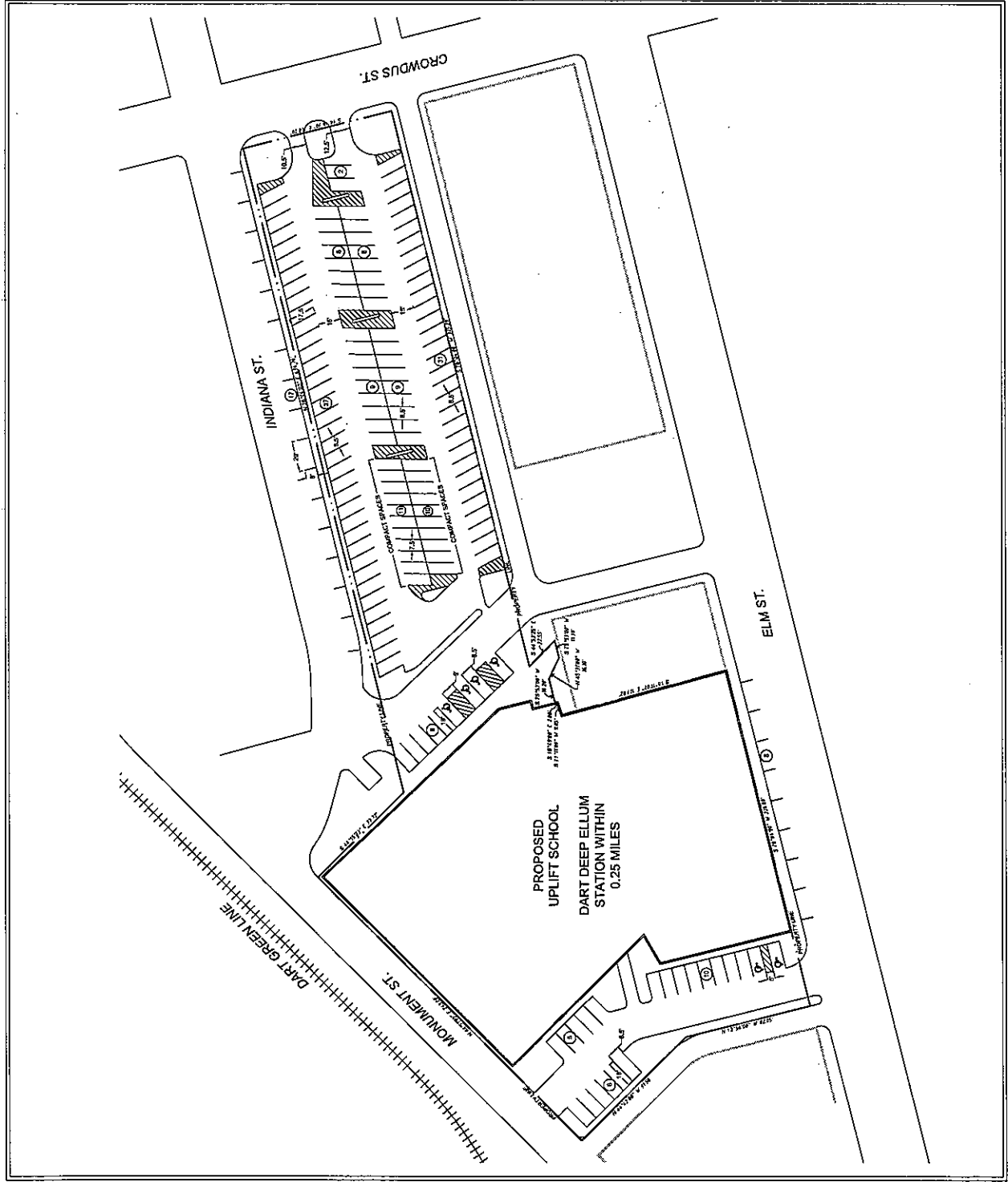
**SITE INFORMATION**

LAND AREA	2.2466 AC
BUILDING AREA	85,386 SF
HEIGHT	2 STORIES
LOT COVERAGE	49.6%

**PARKING ANALYSIS**

MIDDLE SCHOOL	18 ROOMS	63 SPACES
HIGH SCHOOL	20 ROOMS	190 SPACES
PRELIMINARY TOTAL		243
DART 10% REDUCTION		24 SPACES
21% BDA SPECIAL EXCEPTION		48 SPACES
TOTAL REQUESTED SPACES (AFTER SPECIAL EXCEPTION)		160 SPACES
PROVIDED SPACES		180 SPACES



1 SITE PLAN  
SCALE: 1" = 30'-0"





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

***BDA112-019***

## ***34 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2625 ELM ST	HRT PROPERTIES OF TX LTD
2	2626 ELM ST	ELM STREET LOFTS LTD
3	2625 MAIN ST	EVANS HENRY J
4	2634 ELM ST	ROSE BARSHOP RESIDUARY TR % STEVEN
SCHWA		
5	2628 ELM ST	ROSE BARSHOP RESIDUARY TR % STEVE SCHWAR
6	2604 ELM ST	PARK A LOT LTD % FRED BAKER
7	2610 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
8	2649 MAIN ST	PETERS WILSON G APT A
9	2608 ELM ST	PARK A LOT LTD PARKING CO OF AMERICA
10	2644 ELM ST	CAMERON PAUL DARREN
11	2635 MAIN ST	MERRILL ROBERT
12	2621 MAIN ST	PARK A LOT LP
13	2638 ELM ST	MGP HOLDINGS LLC
14	2640 ELM ST	AMERITRUST TEXAS NA AGENT FOR CAROLYN F
15	2634 ELM ST	BAZZLE S WAYNE & CHERYL C BAZZLE
16	2642 ELM ST	LALCO INC
17	2650 ELM ST	ELM ELM LLC
18	2646 ELM ST	TEXAS AUTO RADIATOR CO
19	2615 ELM ST	GRAVES ALBERT JR ET AL
20	2609 ELM ST	OWEN MRS ANN AHLUM #C-102
21	2720 ELM ST	ELM STREET REALTY LTD
22	2806 ELM ST	DEEP ELM I LTD % DON E CASS
23	2723 ELM ST	2723 ELM STREET JV ATTN JOHN BROUDE
24	2717 ELM ST	WESTDALE PPTIES AMERICA LTD
25	2717 ELM ST	DANIELL JAMES PARKER
26	2707 ELM ST	BELMOR CORP % CARL SKIBELL
27	2703 ELM ST	BELMOR CORP % CARL SKIBELL
28	2701 ELM ST	BELMOR CORP
29	2801 ELM ST	MAGERS SCOTT E & DOUGLAS E ALDRIDGE

30	2810	INDIANA BLVD	BLANTON DON
31	2811	ELM ST	MCCORMICK ARTHUR SR LFEST REM: A MCCORMI
32	2600	MONUMENT ST	DALLAS AREA RAPID TRANSIT
33	301	CROWDUS ST	BCS DALLAS LLC SUITE 101
34	2752	GASTON AVE	DEEP ELLUM MARQUIS LP