

ZONING BOARD OF ADJUSTMENT, PANEL B  
WEDNESDAY, OCTOBER 17, 2012  
AGENDA

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BRIEFING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	11:00 A.M.
PUBLIC HEARING	L1FN CONFERENCE CENTER AUDITORIUM 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 <b>Wednesday, September 19, 2012</b> Board of Adjustment Public Hearing Minutes	M1
Consideration and approval of Panel B's 2013 Public Hearing Schedule	M2

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**UNCONTESTED CASES**

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<b>BDA 112-099</b>	10340 Gaywood Road <b>REQUEST:</b> Application of Willie E. Cothrum of Masterplan for special exceptions to the fence height and visual obstruction regulations	1
<b>BDA 112-102</b>	2118 Alamo Street <b>REQUEST:</b> Application of Rob Vadala for a special exception to the landscape regulations	2

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**REGULAR CASES**

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<b>BDA 112-082</b>	601 Hawkins Street <b>REQUEST:</b> Application of Jonathan Vinson of Jackson Walker for a variance to the off-street parking regulations	3
<b>BDA 112-096</b>	2920 N. Henderson Avenue (AKA 2918 N. Henderson Avenue) <b>REQUEST:</b> Application of Ed Simons for a variance to the front yard setback regulations	4

## 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]

**MISCELLANEOUS ITEM NO. 1**

To approve the Board of Adjustment Panel September 19, 2012 public hearing minutes.

**MISCELLANEOUS ITEM NO. 2**

To approve the Board of Adjustment Panel B's 2013 public hearing calendar (see Attachment A).



**FILE NUMBER:** BDA 112-099

**BUILDING OFFICIAL'S REPORT:**

Application of Willie E. Cothrum of Masterplan for special exceptions to the fence height and visual obstruction regulations at 10340 Gaywood Road. This property is more fully described as Lot 1 in City Block F/5517 and is zoned R-1ac(A), which (1) limits the height of a fence in the front yard to 4 feet; (2) requires a 20 foot visibility triangle at driveway approaches; and (3) requires a 45 foot visibility triangle at street intersections. The applicant proposes to (1) construct and maintain a 9 foot 6 inch high fence, which will require a special exception to the fence height regulations of 5 foot 6 inches, and (2) locate and maintain items in required visibility triangles, which will require special exceptions to the visual obstruction regulations.

**LOCATION:** 10340 Gaywood Road

**APPLICANT:** Willie E. Cothrum of Masterplan

**REQUESTS:**

The following appeals had been made on a site that is developed with a single family home:

1. special exceptions to the fence height regulations of 5' 6" are made in conjunction with constructing and maintaining 6' high "open face" gates with 6' high masonry entry gate columns at the two driveways into the site from Meaders Lane, and a 9' 6" high "open face" entry gate with 9' 6" high masonry columns at the driveway into the site from Gaywood Road to be located in the site's two 50' platted required front yards (Meaders Lane and Gaywood Road); and
2. special exceptions to the visual obstruction regulations are made in conjunction with locating and maintaining:
  - (a) certain landscape materials (Crepe Myrtles) in the two 20' visibility triangles on either side of the two driveways into the site from Meaders Road,
  - (b) entry gate columns and portions of a 6' high holly hedge in the two 20' visibility triangles on either side of the driveway into the site from Gaywood Drive; and
  - (c) certain landscape materials (small lengths of a 6' high holly hedge) in the 45' visibility triangle at the intersection of Meaders Road and Gaywood Drive .

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

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

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

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

**STAFF RECOMMENDATION (fence height special exceptions):**

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

**STAFF RECOMMENDATION (visual obstruction special exceptions):**

Approval, subject to the following condition:

- Compliance with the submitted revised site plan is required.

Rationale:

- The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet marked “Has no objections” to the requests.
- The applicant has substantiated how the location of certain landscape materials and columns in the drive approaches and intersection visibility triangles do not constitute traffic hazards.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: R-1ac (A) (Single family district 1 acre)  
North: R-1ac (A) (Single family district 1 acre)  
South: R-1ac (A) (Single family district 1 acre)  
East: R-1ac (A) (Single family district 1 acre)  
West: R-1ac (A) (Single family district 1 acre)

**Land Use:**

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

**Zoning/BDA History:**

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

**Timeline:**

- August 24, 2012: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- September 12, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B.
- September 18, 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 September 26<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the October 5<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.
- September 20, 2012: The Board Administrator emailed the applicant with concerns related to his request for special exceptions to the visual obstruction regulations, specifically, how the lack of detail on the submitted site plan and the lack of having a full scale planting plan allowed staff to make certain determinations as to what items were being requested to be in drive approach visibility triangles and whether any item was to be located in the 45' visibility triangle at the intersection of Meaders Road and Gaywood Lane.
- September 27, 2012: The applicant amended his application and submitted additional information beyond what was submitted with the original application. (See Attachment A for a copy of the related amended application and amended Building Official's Report).
- October 2, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Building Inspection Senior Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.
- October 4, 2012: The applicant forwarded additional information beyond what was submitted with the original application, and at the October 2<sup>nd</sup> staff

review team meeting (see Attachment B). This information included a revised site plan and revised elevations.

October 5, 2012: The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet marked "Has no objections."

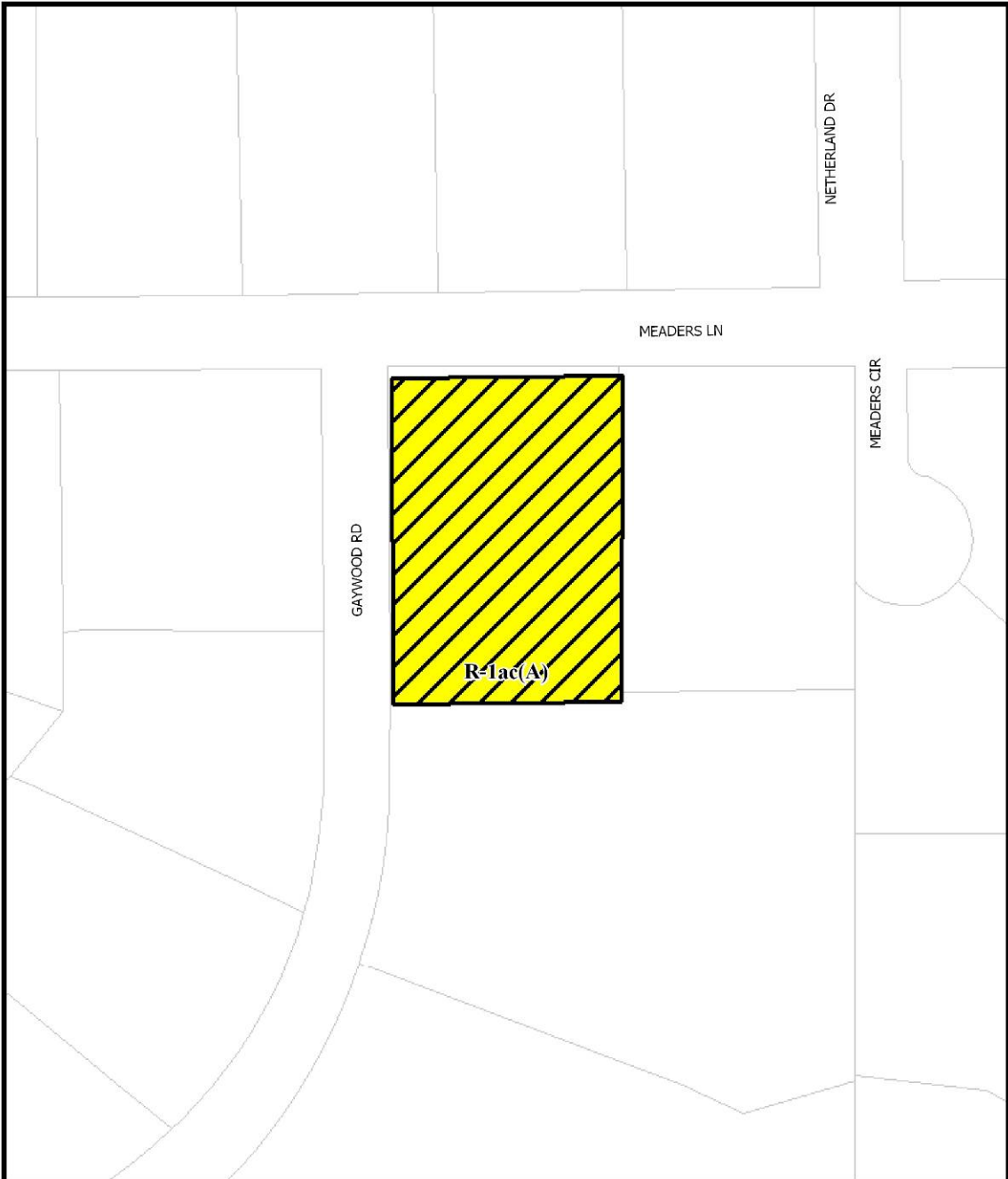
**GENERAL FACTS /STAFF ANALYSIS (fence height special exceptions):**

- These requests focus on constructing and maintaining 6' high "open face" gates with 6' high masonry entry gate columns at the two driveways into the site from Meaders Lane, and a 9' 6" high "open face" entry gate with 9' 6" high masonry columns at the driveway into the site from Gaywood Road.
- The subject site is a corner lot zoned R-1ac(A) with a single family structure and two street frontages of unequal distance. The site is located at the southeast corner of Meaders Lane and Gaywood Road.
- The site has a front yard setback along Meaders Lane as the shorter of the two frontages is always deemed the front yard setback on a corner lot of unequal frontage distance. The site's Gaywood Road frontage is deemed a front yard as well to maintain the continuity of the established front yard setbacks along this street because of the lots south that fronts Gaywood Road – a front yard that carries across the subject site along Gaywood Road to where it meets Meaders Lane; otherwise, this street frontage would be deemed a side yard where a 9' high fence can be constructed/maintained per code.
- The Dallas Development Code states that a person shall not erect or maintain a fence in a required yard more than 9' above grade, and additionally states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard.
- The applicant had submitted a revised site plan and revised elevations indicating that the proposal in the Meaders Lane and Gaywood Road required front yards reaches a maximum height of approximately 9' 6".
- The following additional information was gleaned from the submitted revised site plan:
  - The three gates range from 16' – 18' in length, and are approximately 0' - 3' from the property lines or approximately 13' -16' from the pavement lines where one single family home on each street (neither with a fence higher than 4' in height) fronts the proposal.
- The Board Administrator conducted a field visit of the site and surrounding area and noted one other fences higher than 4' in the immediate area in what appears to be a front yard setback: an approximately 6' high open wrought iron fence with approximately 8' high masonry columns immediately south of the subject site no recorded BDA history.
- As of October 8, 2012, no letters had been submitted in support of the proposal or in opposition.

- The applicant has the burden of proof in establishing that the special exceptions to the fence height regulations of 5' 6" will not adversely affect neighboring property.
- Granting this special exception of 5' 6" with a condition imposed that the applicant complies with the submitted revised site plan and revised elevations would require the proposal exceeding 4' in height in the Gaywood Road and Meaders Lane front yard setbacks to be constructed and maintained in the location and of the heights and materials as shown on these documents.

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

- These requests focus on locating and maintaining (1) certain landscape materials (Crepe Myrtles) in the two 20' visibility triangles on either side of the two driveways into the site from Meaders Road, (2) entry gate columns and portions of a 6' high holly hedge in the two 20' visibility triangles on either side of the driveway into the site from Gaywood Drive; and (3) certain landscape materials (small lengths of a 6' high holly hedge) in the 45' visibility triangle at the intersection of Meaders Road and Gaywood Drive.
- The Dallas Development Code states the following with regard to visibility triangles: A person shall not erect, place, or maintain a structure, berm, plant life or any other item on a lot if the item is:
  - in a visibility triangle as defined in the Code (45-foot visibility triangles at intersections and 20-foot visibility triangles at drive approaches); and
  - between 2.5 – 8 feet in height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).
 A revised site plan has been submitted showing the following items in the visibility triangles:
  1. In each of the four 20' visibility triangles at the two drive approaches into the site from Meaders Road: one Natchez White Crepe Myrtle 12' – 14' in height.
  2. In each of the two 20' visibility triangles at the drive approach into the site from Gaywood Drive: masonry columns and portions of a holly hedge 6' in height.
  3. In the 45' visibility triangle at the intersection of Meaders Road and Gaywood Drive: portions of a holly hedge 6' in height.
- The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet marked "Has no objections."
- The applicant has the burden of proof in establishing how granting the requests for special exceptions to the visual obstruction regulations to locate certain aforementioned landscape materials and columns in both drive approach and intersection visibility triangles on the site and as shown on the submitted revised site plan do not constitute traffic hazards.
- Granting these requests with a condition imposed that the applicant complies with the submitted revised site plan would require that the items in the aforementioned visibility triangles be limited to the locations, heights, and materials of those items as shown on this document.



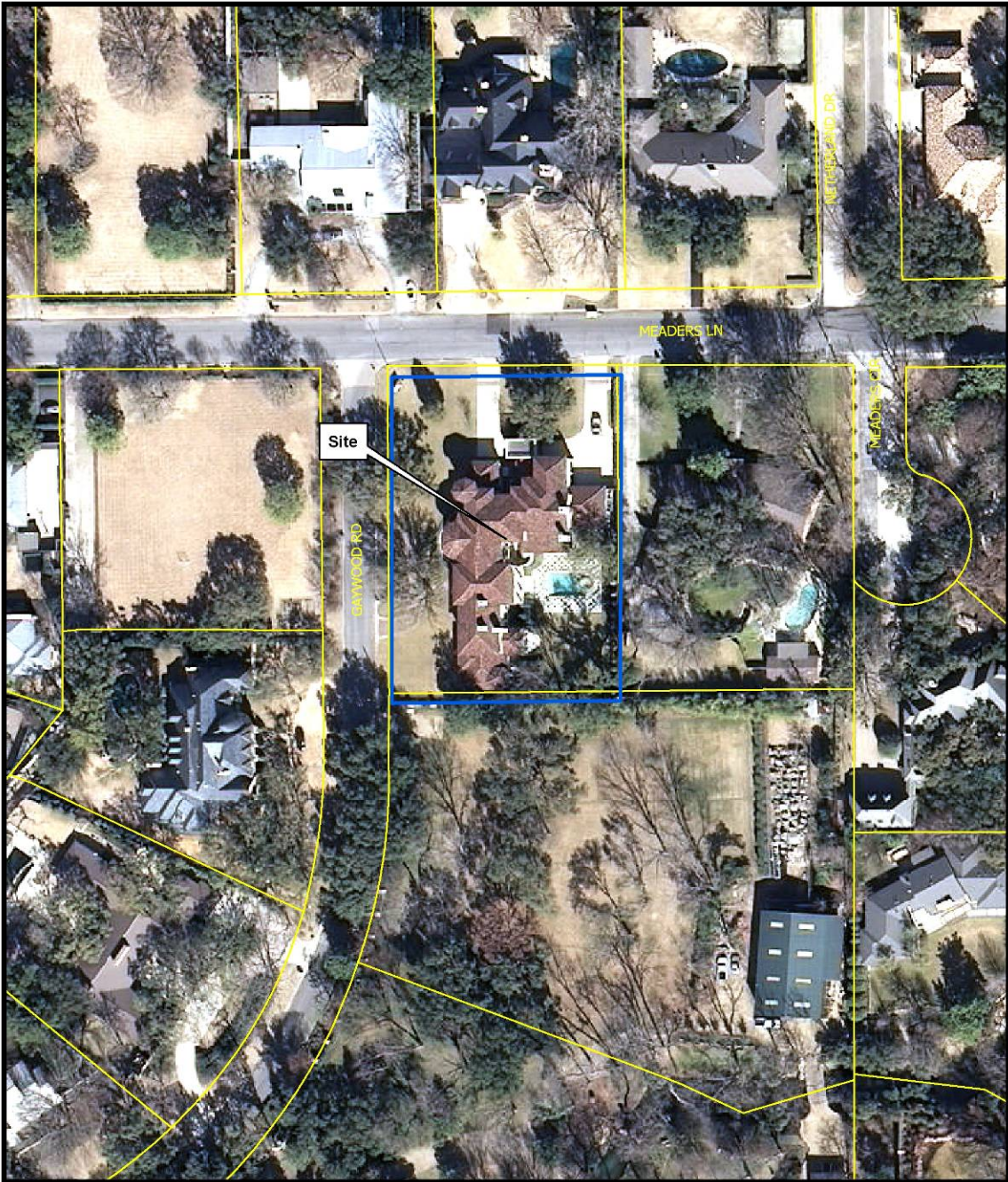
1:1,200

# ZONING MAP

Case no: BDA112-099

Date: 9/27/2012





1:1,200

# AERIAL MAP

Case no: BDA112-099

Date: 9/27/2012



BDA 112-099  
Attachment A  
P31

B

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-099

Data Relative to Subject Property:

Date: 8.24.12

Location address: 10340 Gaywood Drive - Rel. Zoning District: R-1 ac(A)

Lot No.: 1 Block No.: F/5517 Acreage: 1 acres Census Tract: 0076.05

Street Frontage (in Feet): 1) 251.05 2) 176.08 3) na 4) na 5) na

To the Honorable Board of Adjustment :

NE 25

Owner of Property/or Principal: Clay<sup>M</sup> Aaron and Tracy G. Aaron

Applicant: Willie E. Cothrum  
Telephone: 214-761-9197

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

Represented by: Masterplan Telephone: 214-761-9197

Mailing Address: same as above Zip Code: 75202

Affirm that a request has been made for a Variance     or Special Exception X, of 4.602(a)(1) re: maximum allowable height of three (3) gates; and, a special exception from (d)(2)(C) re: visibility obstruction regulations. \$5' height of fence in front yard @ driveways

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 seeks to construct three gates. The main entry gate proposed on Gaywood Road would be approximately 25 feet in length and nine feet in height while the two gates on Meaders Lane would be approximately 25 feet in length and reach 6.5 feet in height. The main entry gate would be located 13 feet from the Gaywood Drive street curb, encroaching into the 20-foot visibility triangle. The front yard patio prevents placement of the gate outside of the visibility triangle.

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: Willie E. Cothrum  
Applicant's name printed

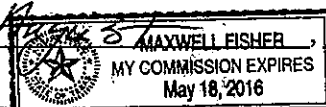
[Signature]  
Applicant's signature

Affidavit

Before me the undersigned on this day personally appeared Willie Cothrum 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.

[Signature]  
Affiant (Applicant's signature)

Subscribed and sworn to before me this 24 day of August 2012









04 October 2012

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

Dear Mr. Long,

Below you will find a summary of our proposal for BDA 112-099 on property located at 10340 Gaywood Road.

Fence Height:

Gate A: Maximum fence (gate) height increase from 4 feet to 9 feet, 6 inches at entry point on Gaywood.

Justification: The increase in height would provide a stately appearance in keeping with many of the other gates in this neighborhood. The openness of the gate material and limited size of structure, as opposed to a longer solid fence, would have a limited visual impact. The ornamental iron creates an inviting atmosphere while the height in combination with existing and planned vegetative hedge, securitizes the property.

Gates B & C: Maximum fence height from (gate) 4 feet to 6 feet on Meaders Road.

Gate B: 16 feet in length w/ (2) - 2 foot square columns 6 feet high (Total length of 20 feet)

Gate C: 16 feet in length w/ a 4 foot pedestrian gate w/ & (3) 2 foot square columns 6 feet high (Total length of 26 feet)

Justification: The increase in gate height from 4 to 6 feet allows a continuous screen with the established vegetative hedge. The increase in presence and visual impact created by the additional height is mitigated by the proposed 20-foot setback and openness of the gate material.

MASTERPLAN  
900 Jackson Street, Suite 640  
Dallas, Texas 75202  
Phone: (214) 761-9197  
Fax: (214) 748-7114  
Web: masterplanconsultants.com

Development and Zoning Consultants



Visibility Triangles:

Driveway/Gate A on Gaywood: Gate encroaches 7 feet into 20-foot visibility triangle. The 6' to 7' tall hedge also encroaches into triangle

Justification: The existing motor court and patio prevents placing the gate back 20 feet from Gaywood, out of visibility triangle. The gate and hedge of shrubs would be setback far enough to allow a vehicle to pull out to edge of driveway and clearly view oncoming traffic before proceeding to street. The internal storage depth of the main drive, at 15 feet, would allow adequate space for vehicle storage entering the property as the gate is opened. The Engineering Department has no objection to this request.

Driveway/Gates B & C: Two Crepe Myrtles encroach into visibility triangles at each driveway

Justification: Only the trunks of the 4 Crepe Myrtles would be located in the 2.5 to 8-foot profile of the visibility triangle as the more visually obscuring branches and leaves would be above 8 feet in height. These mitigating circumstances coupled with the 20-foot gate setback, allow safe and adequate conditions for motorist entering and leaving the site. The Engineering Department has no objection to this request.

Intersection Visibility Triangle: Hedge encroaches 16 feet into 45-foot visibility triangle

Justification: The majority of the triangle is free of obscurities as the corner contains all ground-level vegetation. The shrubs, setback 29 feet from the corner and 8 to 9 feet from the Meaders Road, allow ample sight lines for motorists at the intersection. Unlike our proposal of providing at least a 29-foot setback, there are other corners of this neighborhood where site elements encroach into visibility triangles to a much greater degree. The Engineering Department has reviewed and has no objection to the location of shrubs at the intersection.

Should you have any questions, please contact us at 214.761.9197.

Regards,

  
Maxwell Fisher, AICP  
Masterplan

MASTERPLAN  
500 South Ervay, Suite 112B  
Dallas, Texas 75201

Phone: (214) 761-9197  
Fax: (214) 748-7114  
Web: masterplanconsultants.com

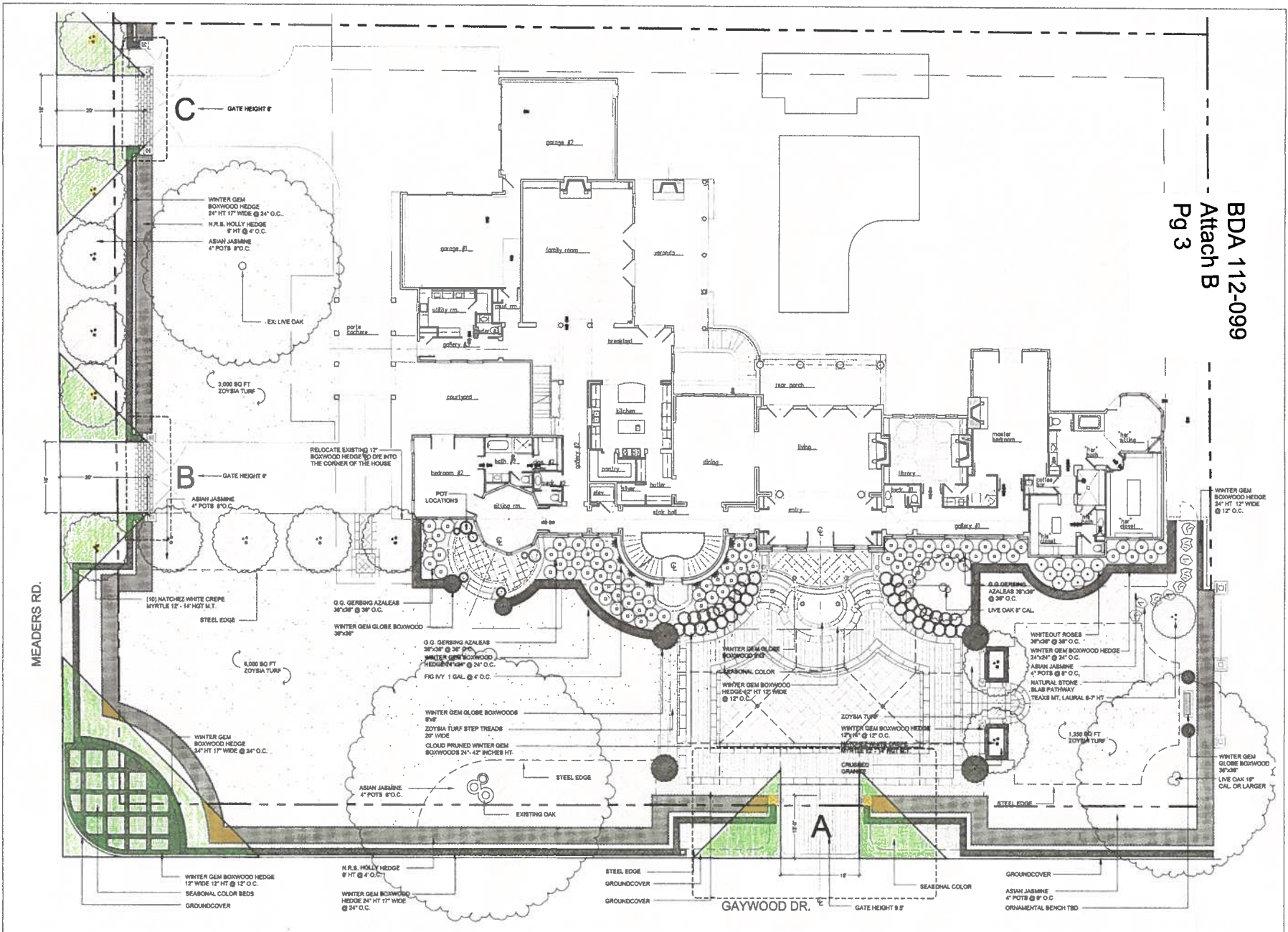
Revisions

1	ISSUED FOR CONSTRUCTION 05/01/2012
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Client Name: AARON  
 Plot No.: 11-042  
 Drawn By: PFL/USA  
 Approved By:  
 Date:

Sheet No.  
**P-1**  
 Planting Plan

BDA 112-099  
 Attach B  
 Pg 3

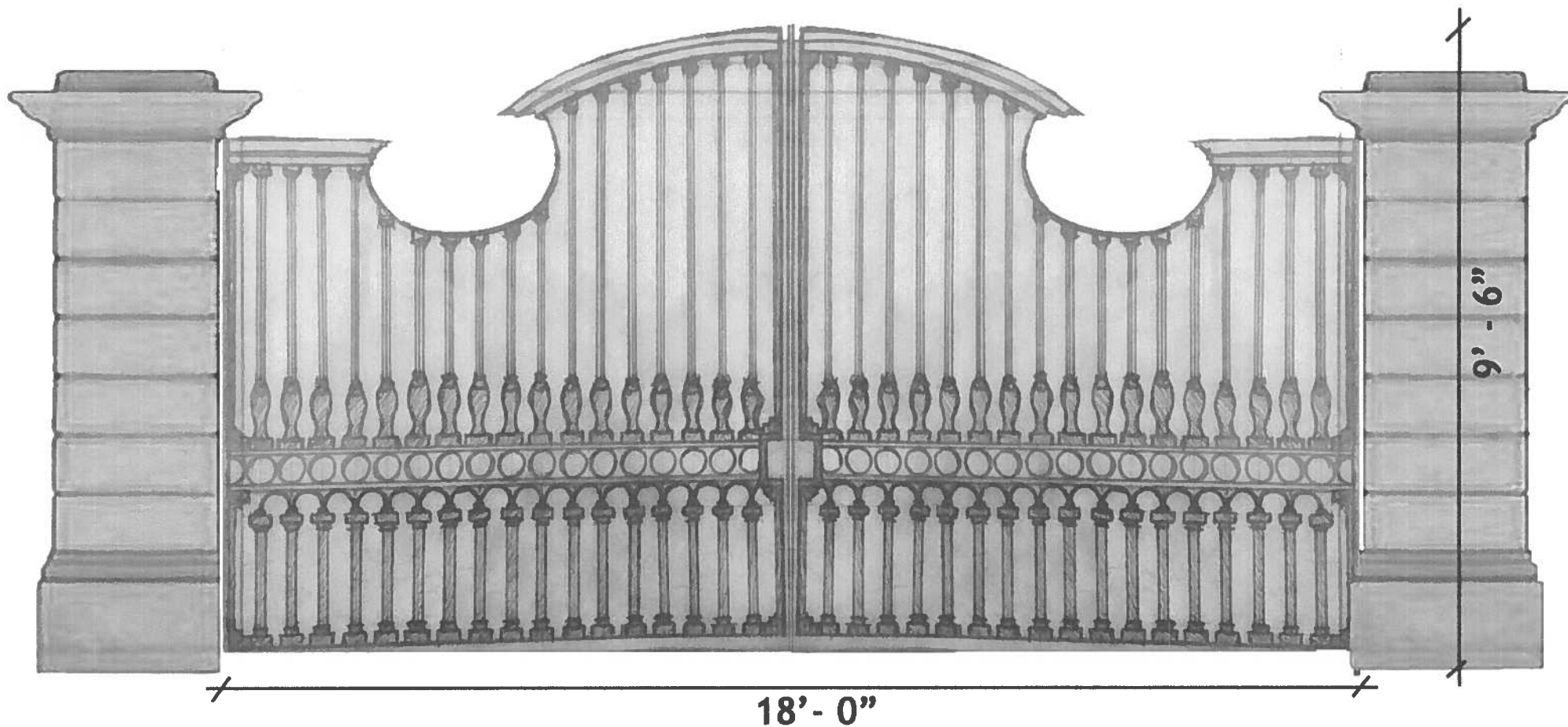


**A** LAYOUT PLAN: PLANTING

Scale: 1/8"=1'-0"

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10-4-12



18' - 0"

9' - 6"

- Sliding gate

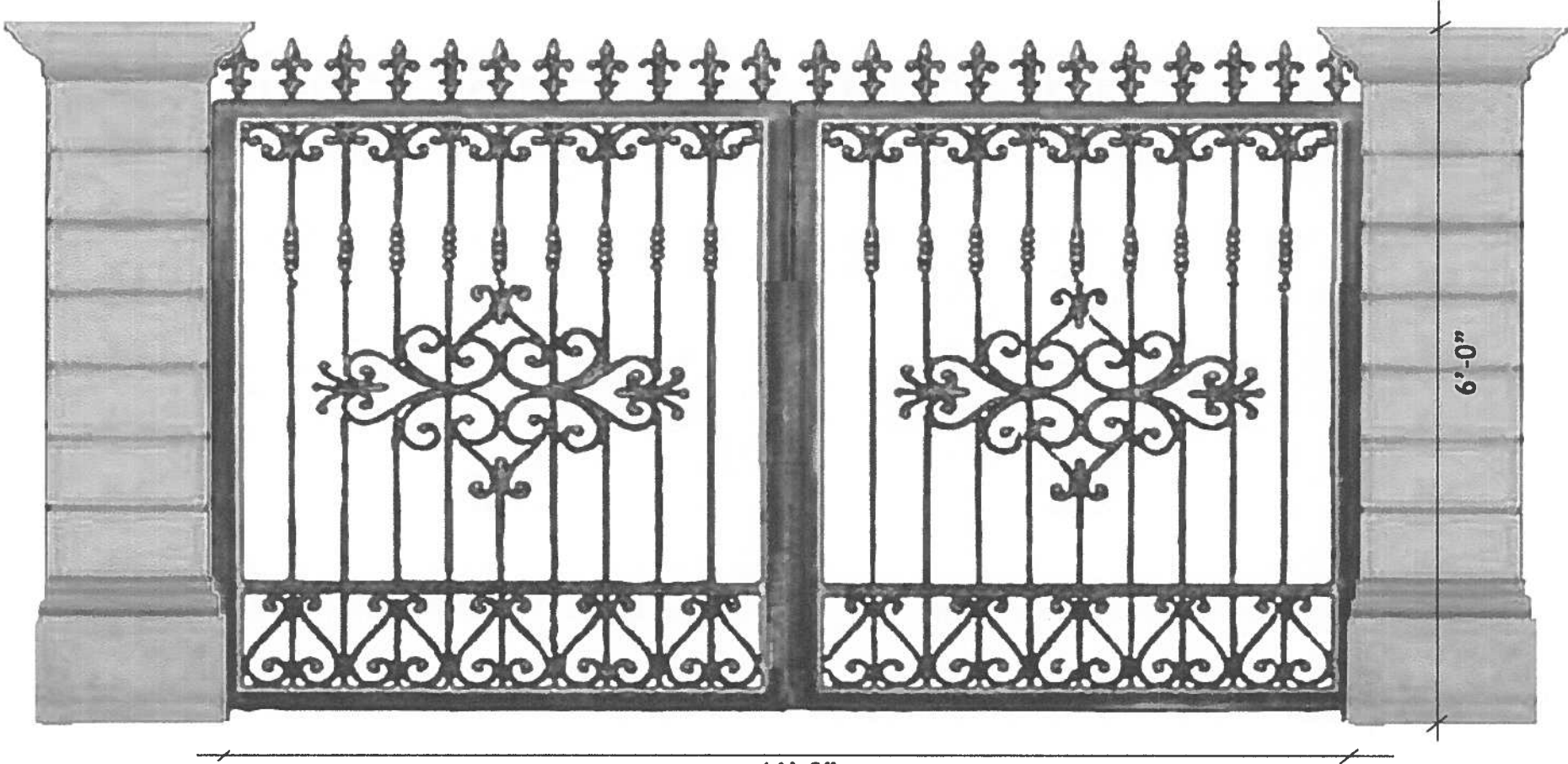
- Open face gate w/ masonry coulmns

# GATE ENTRY - A



# GATE - B

BDA 112-099  
Attach B  
Pg 5



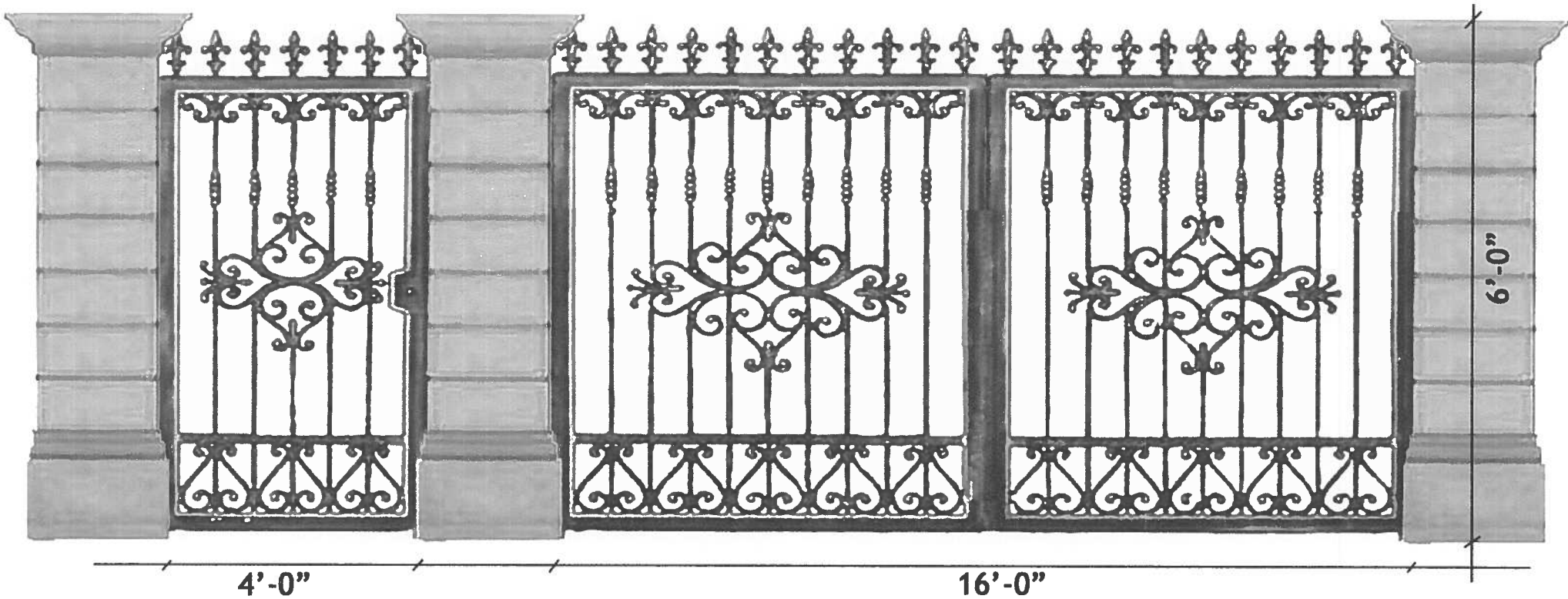
16'-0"  
- SWING GATE

- Open face gate w/ masonry columns

# GATE - C

- SWING GATE WITH PEDESTRIAN ACCESS
- Open face gate w/ masonry columns

BDA112-099  
Attach B  
Pg 6





City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-099

Data Relative to Subject Property:

Date: 8.24.12

Location address: 10340 Gaywood Drive Rd. Zoning District: R-1 ac(A)

Lot No.: 1 Block No.: F/5517 Acreage: 1 acres Census Tract: 0076.05

Street Frontage (in Feet): 1) 251.05 2) 176.08 3) na 4) na 5) na

To the Honorable Board of Adjustment :

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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 seeks to construct three gates. The main entry gate proposed on Gaywood Road would be approximately 25 feet in length and nine feet in height while the two gates on Meaders Lane would be approximately 25 feet in length and reach 6.5 feet in height. The main entry gate would be located 13 feet from the Gaywood Drive street curb, encroaching into the 20-foot visibility triangle. The front yard patio prevents placement of the gate outside of the visibility triangle.

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: Willie E. Cothrum

Applicant's name printed

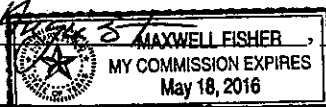
Applicant's signature

Affidavit

Before me the undersigned on this day personally appeared Willie Cothrum 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.

Affiant (Applicant's signature)

Subscribed and sworn to before me this 24 day of August 2012





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 Willie E. Cothrum

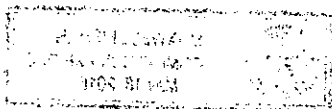
did submit a request for a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulations

at 10340 Gaywood Road

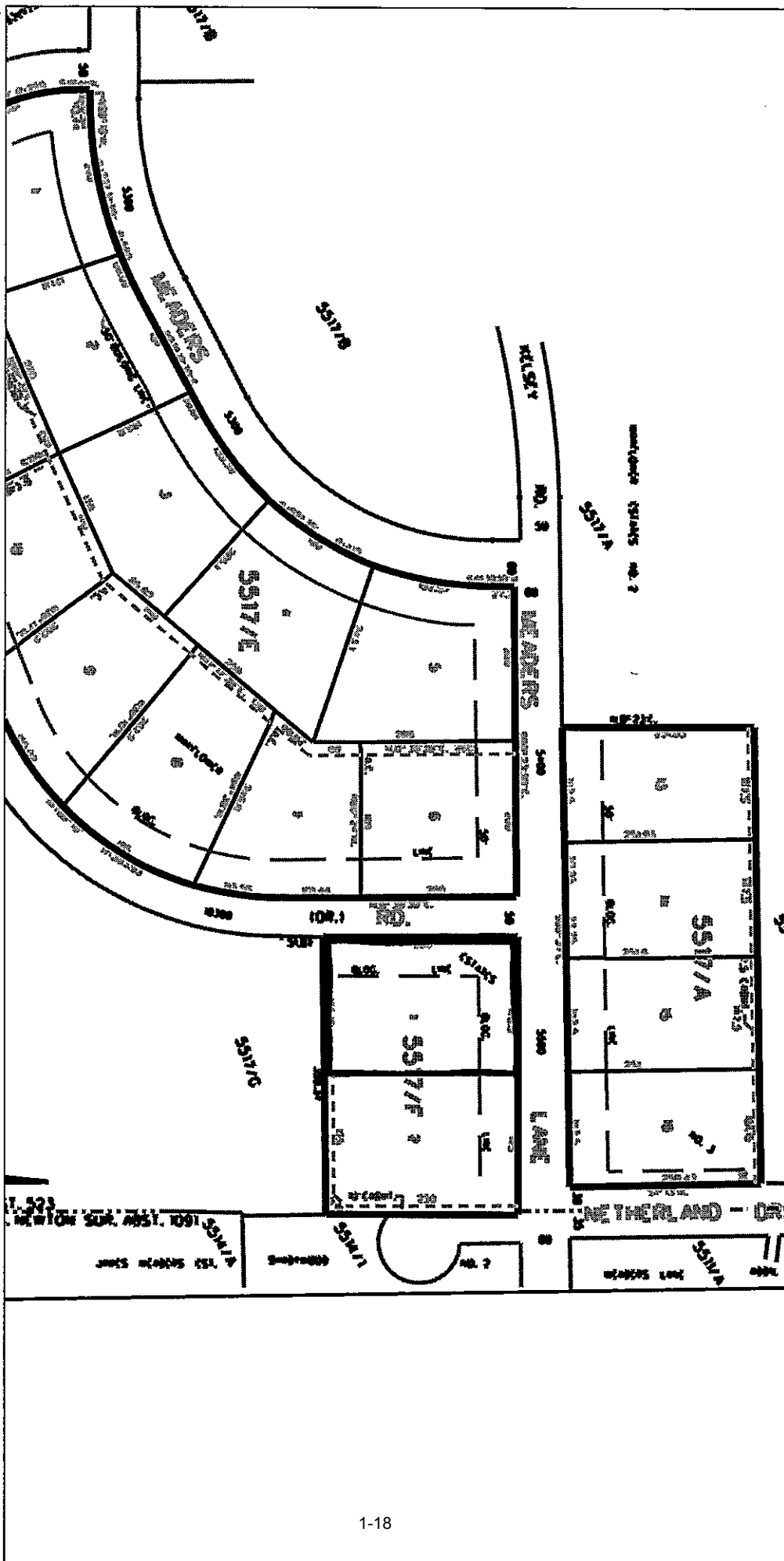
BDA112-099. Application of Willie E. Cothrum for a special exception to the fence height regulations and a special exception to the visibility obstruction regulations at 10340 Gaywood Road. This property is more fully described as lot 1 in city block F/5517 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct a 9 foot high fence in a required front yard, which will require a 5 foot special exception to the fence regulation, and to construct a single family residential fence in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,

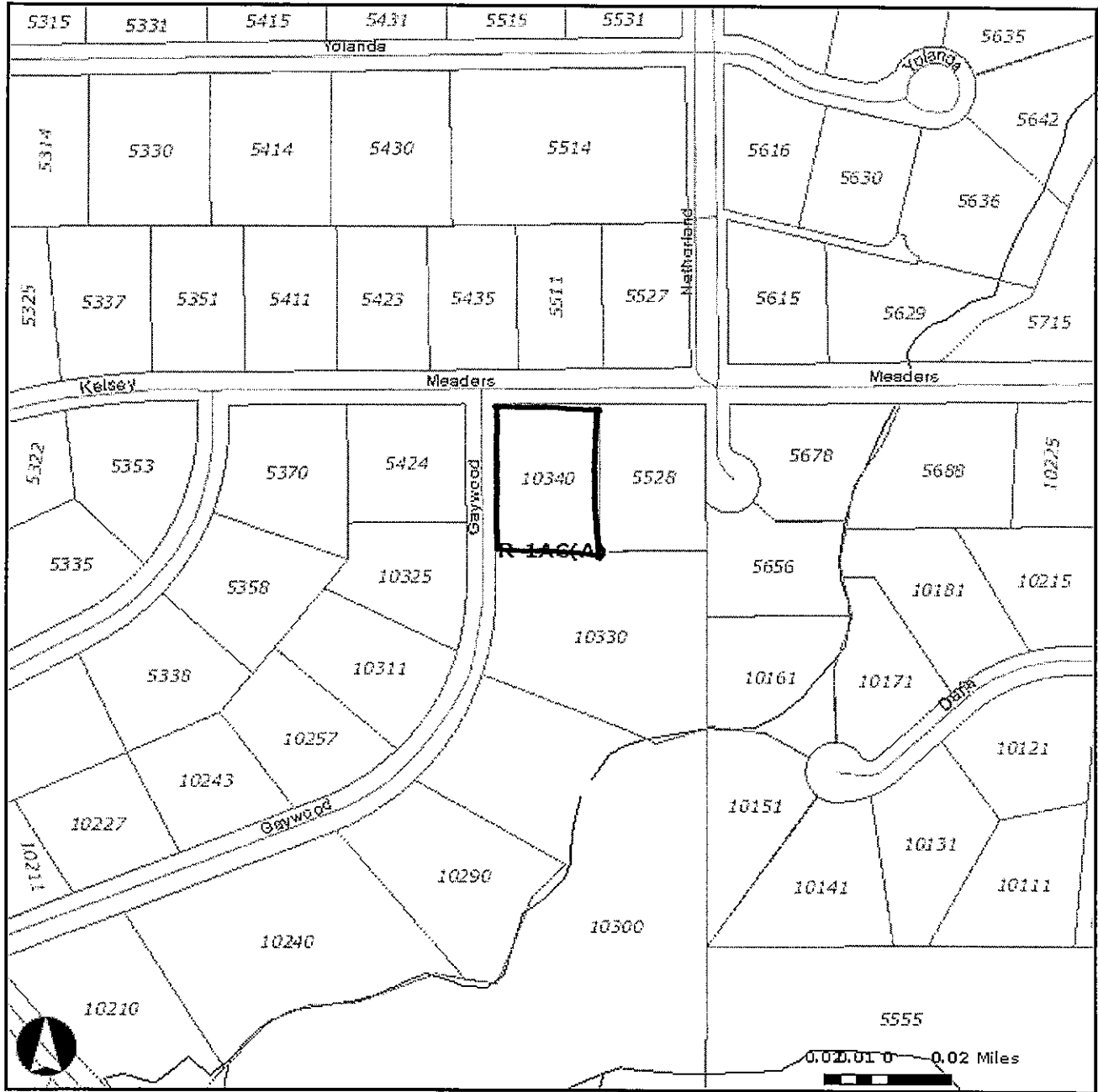
  
Lloyd Denman, Building Official



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# City of Dallas Zoning



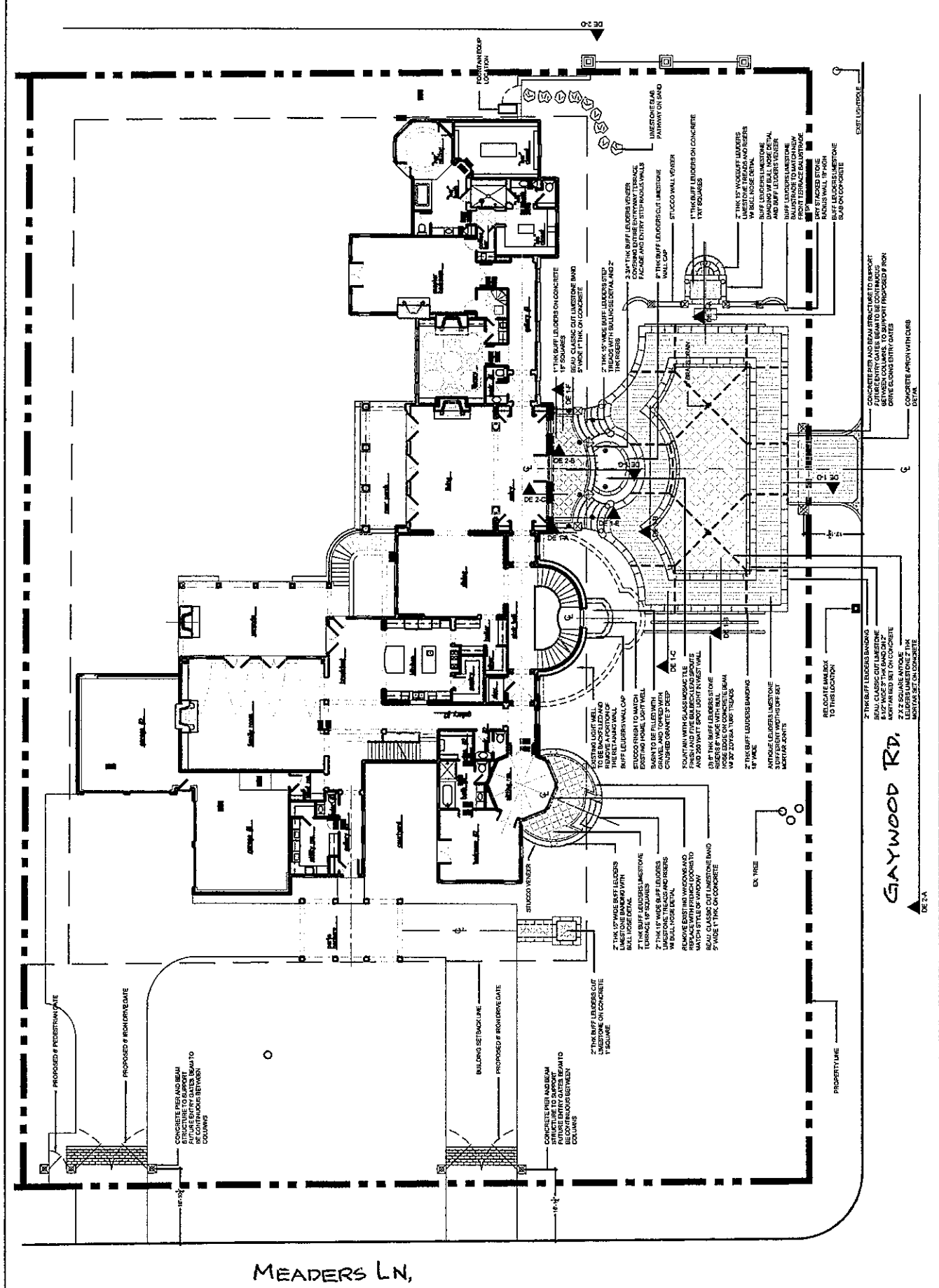
- |  |  |  |
|--|--|--|
| <p>City Boundaries</p> <p>County</p> <p>Certified Parcels</p> <p>DISD Sites</p> <p>Council Districts</p> <p>Waterways</p> <p>Parks</p> | <p>Dry Overlay</p> <p>Historic Overlay</p> <p>Historic Subdistricts</p> <p>NSO Overlay</p> <p>NSO Subdistricts</p> <p>MD Overlay</p> | <p>Base Zoning</p> <p>Floodplain</p> <p>100 Flood Zone</p> <p>Mill's Creek</p> <p>Peak's Branch</p> <p>X PROTECTED BY LEVEE</p> <p>Pedestrian Overlay</p> <p>Environmental Corridors</p> |
|--|--|--|

*M7*

Rev	Description
1	ISSUED FOR CONSTRUCTION 05/01/2012

Project No.	11427
Client	AARON
Architect	LAMBERT GARDEN DESIGN
Scale	1/8" = 1'-0"

ISSUED FOR CONSTRUCTION 05/01/2012

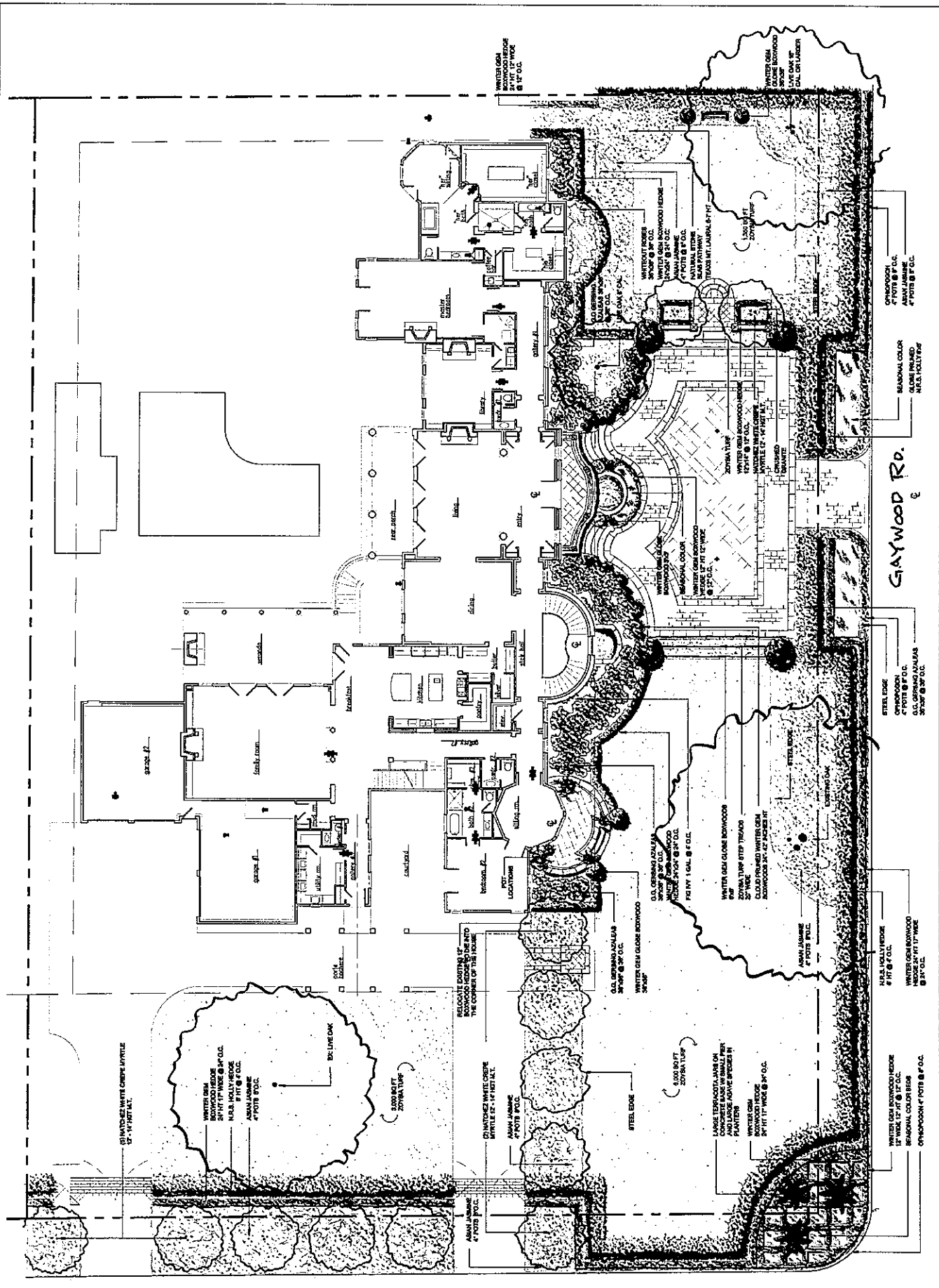


Scale: 1/8" = 1'-0"  
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 A MATERIALS

Revisions

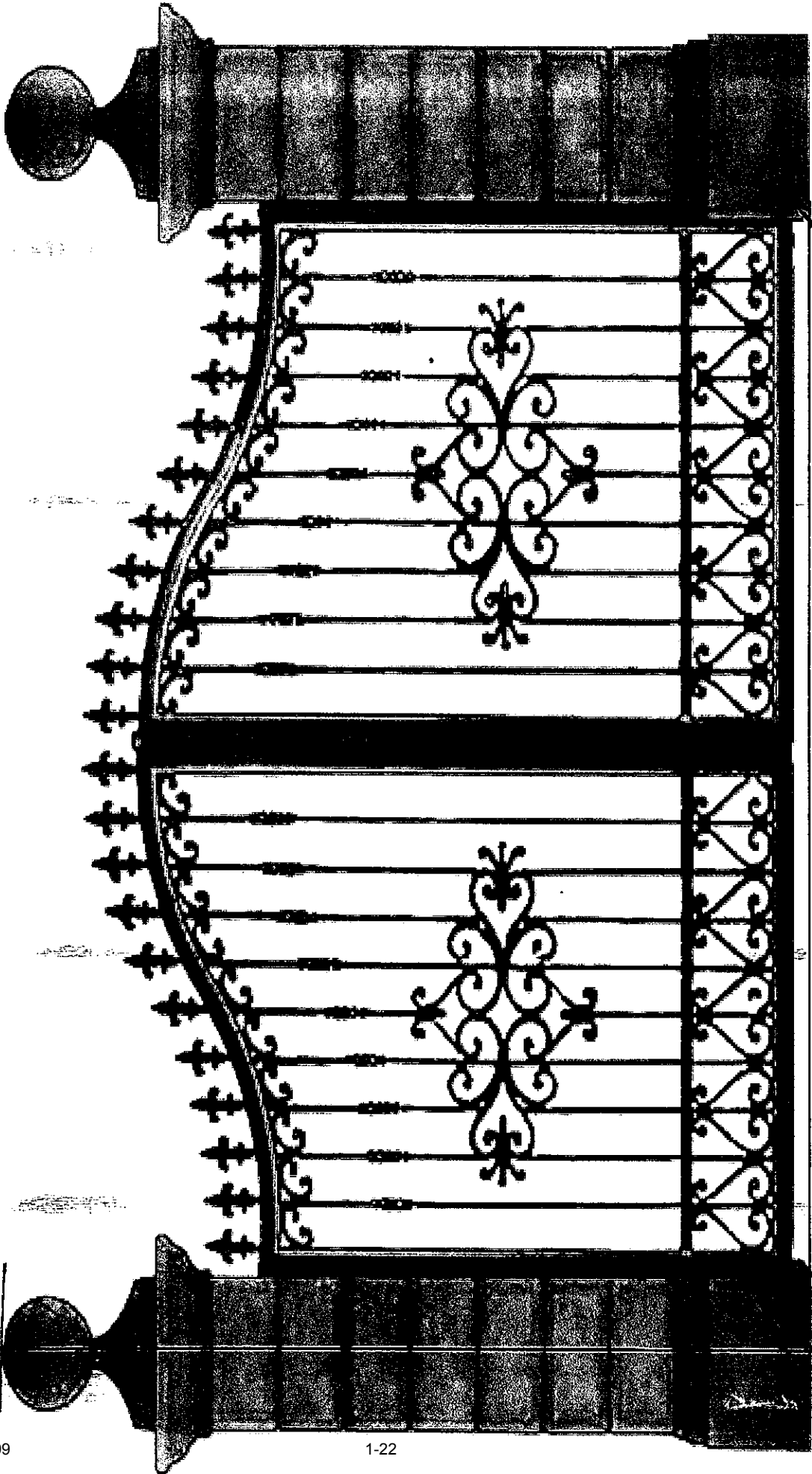
Client Name: AARON
Client No: P-1
Project No: 15-01
Drawn By: PFL
Scale: 1/8"=1'-0"
Issue Date: 05/01/2012

ISSUED FOR CONSTRUCTION 05/01/2012

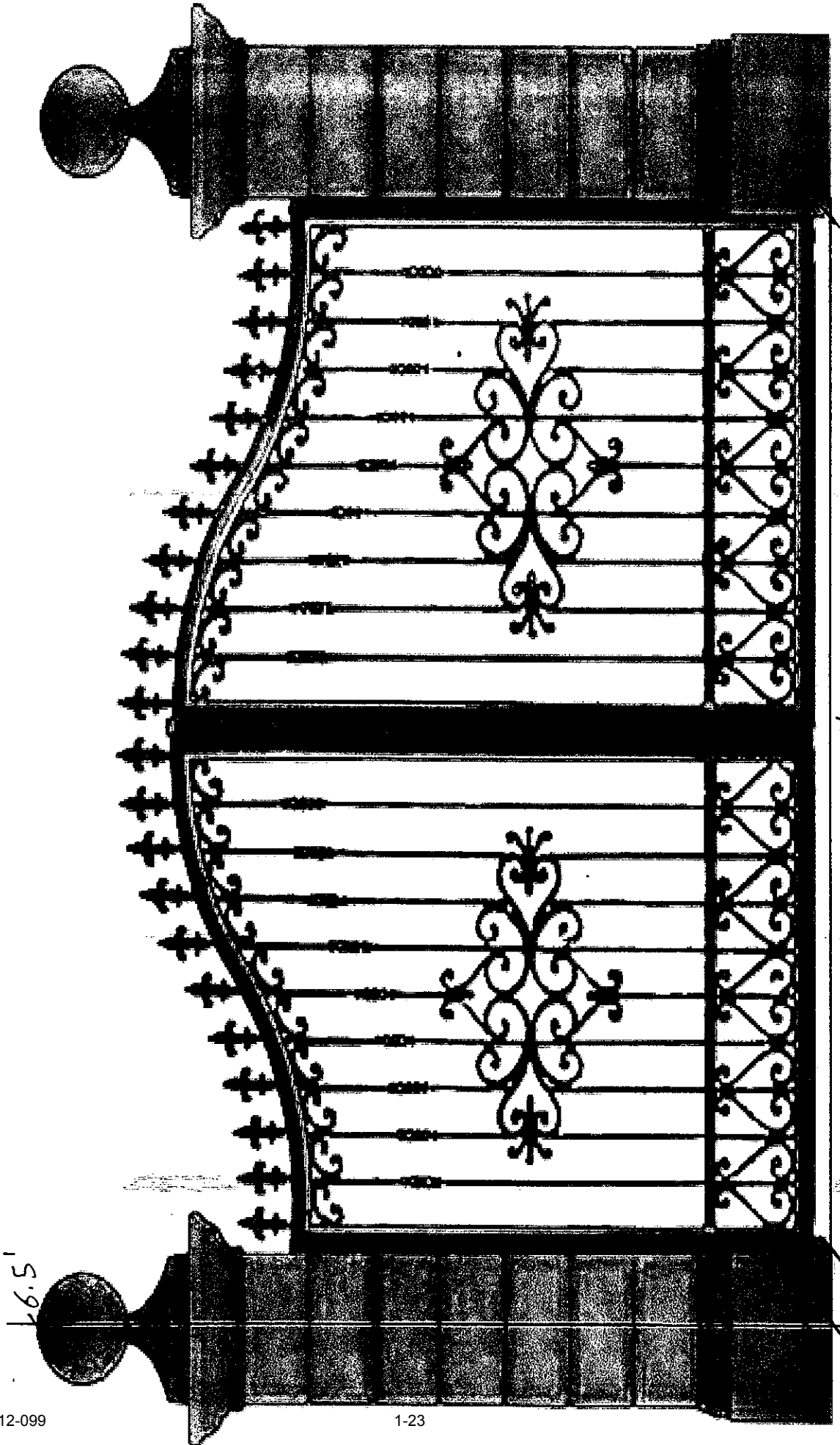


BDA 112-099

1-21



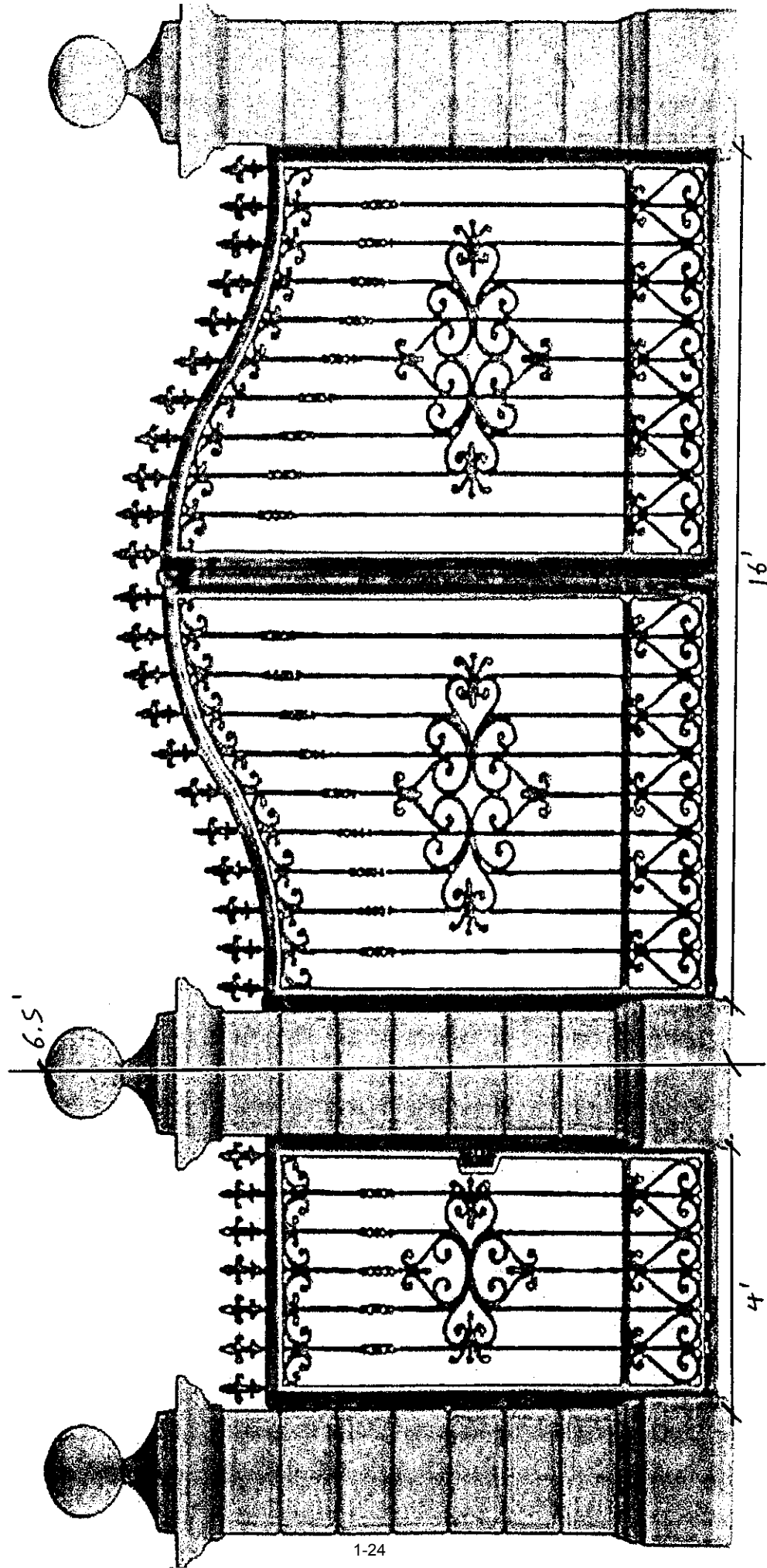
GAYWOOD RD. GATE



15.9'

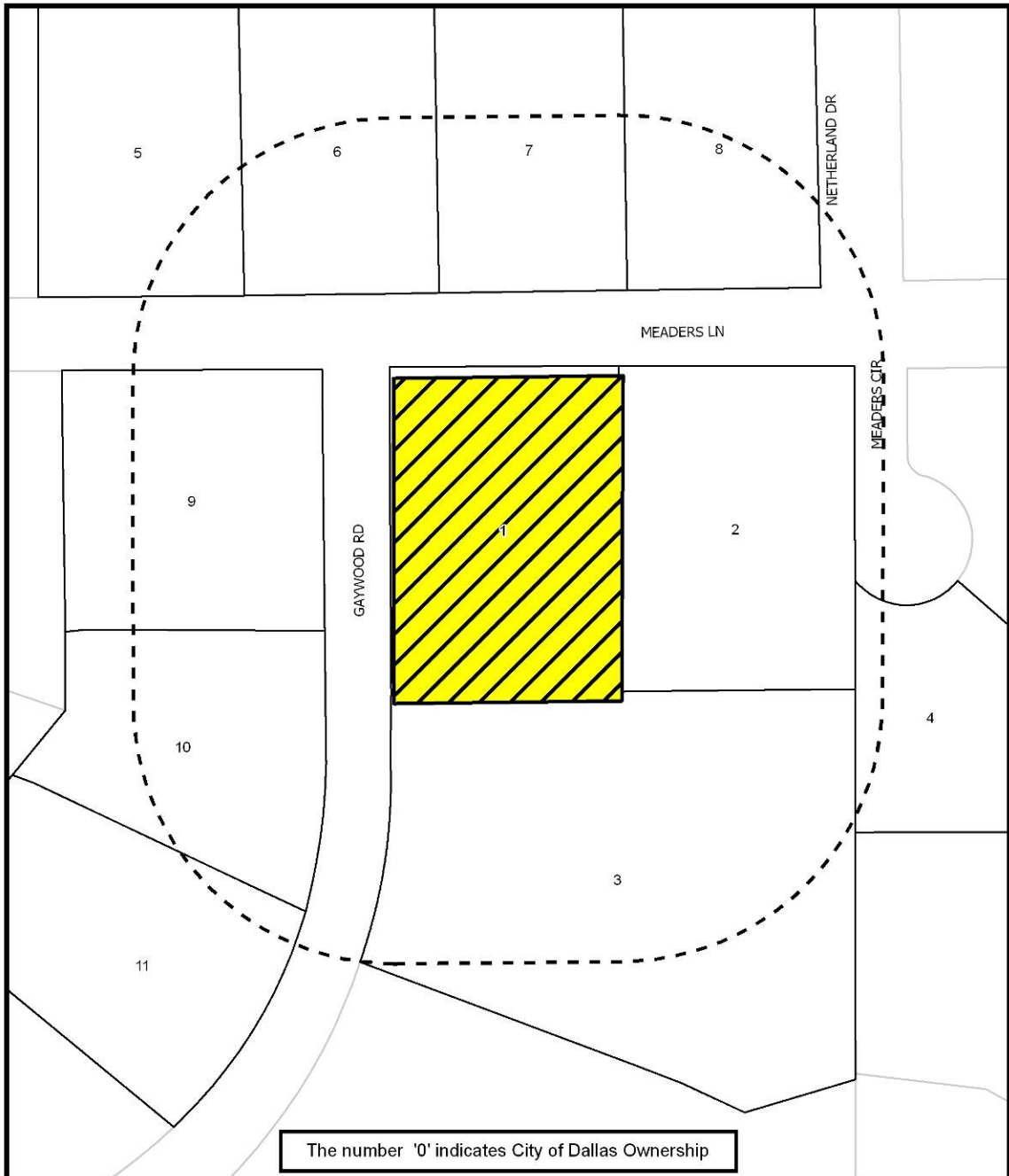
16'

MEADER LN., WEST GATE



MEADER LN., EAST GATES





The number '0' indicates City of Dallas Ownership

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>11</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>11</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <b>BDA112-099</b> Date: <b>9/27/2012</b>
<b>200'</b>	AREA OF NOTIFICATION					
<b>11</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

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

***BDA112-099***

## ***11 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	10340 GAYWOOD RD	MAINY TIME INC
2	5528 MEADERS LN	WIGLEY W ROBERT JR TRUST
3	10330 GAYWOOD RD	ARCADIAN ENERGY INC
4	5656 MEADERS CIR	MOHR ROBERT & LESLIE
5	5423 MEADERS LN	NELIGAN PATRICK J JR & MAURA
6	5435 MEADERS LN	TEICHMAN CHARLES & JOANNE
7	5511 MEADERS LN	FARRINGTON WALTER L III SARA
8	5527 MEADERS LN	PERKINS STEVEN & ANNETTE BAMBERGER PERKI
9	5424 MEADERS LN	KAROL THOMAS D
10	10325 GAYWOOD RD	MARSCHER GLENN W JR
11	10311 GAYWOOD RD	MAAS ERIC S & SHERYL

**FILE NUMBER:** BDA 112-102

**BUILDING OFFICIAL'S REPORT:**

Application of Rob Vadala for a special exception to the landscape regulations at 2118 Alamo Street. This property is more fully described as Tract 4 in City Block 298, a .2435 acre tract of land, zoned PD-193 (I-2), which requires mandatory landscaping. The applicant proposes to increase the nonpermeable coverage of the lot and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

**LOCATION:** 2118 Alamo Street

**APPLICANT:** Rob Vadala

**REQUEST:**

A special exception to the landscape regulations is requested in conjunction with increasing/expanding the nonpermeable coverage of the lot/subject site that is currently developed as a surface parking lot, and not fully complying with the tree planting zone, sidewalk, and screening of off-street parking requirements of the Oak Lawn Special Purpose District Landscaping Requirements.

**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.

**STAFF RECOMMENDATION:**

Approval, subject to the following condition:

- Compliance with the submitted landscape plan is required.

Rationale:

- The City's Chief Arborist recommends approval of this request whereby, if the submitted 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 planting row and sidewalk shown on the landscape plan have been designed to be uniform with improvements to be made to an adjacent parking lot tract. The sidewalk shown on the landscape plan appears to be designed to align with the existing sidewalk configuration alongside the adjacent existing El Fenix restaurant sidewalk and structure.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: PD 193 (I-2) (Planned Development District, Industrial)  
North: PD 193 (I-2) (Planned Development District, Industrial)  
South: PD 193 (I-2) (Planned Development District, Industrial)  
East: PD 193 (I-2) (Planned Development District, Industrial)  
West: PD 193 (I-2) (Planned Development District, Industrial)

**Land Use:**

The subject site is developed as a surface parking lot. The areas to the north, south, and west are developed with surface parking lots; and the area to the east is developed with a retail/restaurant use (El Fenix Restaurant).

**Zoning/BDA History:**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. BDA 090-026, Property at 1610 Cedar Springs Road ( two lots northwest of the subject site)</li> </ol> | <p>On March 17, 2010, the Board of Adjustment Panel A granted a request for a special exception to the landscape regulations and imposed the submitted revised alternate landscape plan dated 3/9/2010 as a condition to the request. The case report stated that the request was made in constructing and maintaining a hotel structure (Hilton Garden Inn) on a site that appeared under development.</p> |
|---|---|

**Timeline:**

- August 22, 2012: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- September 12, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B.

September 19, 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 September 26<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the October 5<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 2, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Building Inspection Senior Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

October 5, 2012: The City of Dallas Chief Arborist submitted a memo that provided his comments regarding the request (see Attachment A).

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

- This request focuses on increasing/expanding the nonpermeable coverage of the lot/subject site that is currently developed as a surface parking lot, and not fully complying with the tree planting zone, sidewalk, and screening of off-street parking requirements of the Oak Lawn Special Purpose District Landscaping Requirements.
- This landscape special exception request is triggered by increasing the nonpermeable coverage on one of several tracts to be used by an adjacent use, El Fenix Restaurant.
- The applicant seeks exception from the landscaping requirements of PD 193, specifically the sidewalk, tree, and off-street parking screening requirements. 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 landscape plan has been submitted 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.
- The City of Dallas Chief Arborist supports the applicant's request.

- 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 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.

BDA112-102  
Attachment A  
PS1

# Memorandum



CITY OF DALLAS

DATE October 5, 2012

TO Steve Long, Board of Adjustment Administrator

SUBJECT # BDA 112 · 102                      2118 Alamo Street

The applicant is requesting a special exception to the landscape requirements of PD 193 (I-2). Conditions for landscape include 1) sidewalks, 2) tree planting zones, and 3) screening of off-street parking.

### Trigger

Increase of the nonpermeable coverage of Tract 4.

### Deficiencies

The proposed plan for Tract 4 is deficient the three required provisions for PD 193, Part 1 conditions for I-2 zoning.

Tree planting zone: PD 193 requires trees to be planted in a zone 2.5-5' from back of curb at a density of 1 tree per 25'. The proposed plan provides a zone of 6'-11' from back of curb at similar density.

Sidewalks: PD 193 requires a 6' sidewalk in an area from 5-12' from back of curb. The plan provides a sidewalk at back of curb.

Screening of off-street parking: PD 193 requires a screening a minimum of 3.5' height above the parking surface. The proposed plan does not provide screening.

### Factors

Tract 4 is one of several tracts to be used by El Fenix for parking. This tract is the only property of the group that has initiated the landscape requirements of PD 193, and the only property that seeks a special exception to the landscape requirements. The other tracts were previously paved.

A 25" pecan tree was legally removed from the property. Mitigation for the tree will be planted on Tract 4, as well as other tracts, as demonstrated on the overall landscape plan.

The owner of the multiple tracts has proposed to provide six-foot sidewalks and a tree planting zone along Alamo Street. No screening of off-street parking is proposed.

Additional protected planting areas are provided on the interior of the parking lot.

Pg 2

The planting row and sidewalk for Tract 4 were designed to be uniform with improvements to be made with the adjacent parking lot tract. The sidewalk continuity will also align with the existing sidewalk configuration alongside the existing El Fenix sidewalk and structure. Existing parking meters will be placed in the new sidewalk and not a landscape area.

The 5'-wide planting strip is proposed with Asian jasmine ground cover and 4 – 3.5" caliper cedar elm trees. The strip is narrow due to the space needs for vehicle maneuvering space and parking stalls in the lot. Line of sight may be compromised in the tight maneuvering areas near pedestrian walkways with a close proximity and combination of 3.5' tall shrubs and the new canopy trees in the narrow area. Minimal sight obstruction for the area is recommended along this street.

#### 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 112-102

Date: 8/30/12

Data Relative to Subject Property:

Location address: 2118 Alamo St. Zoning District: PD-193(I-2)

Lot No.: Tr. 4 Block No.: 298 Acreage: 0.2435 Census Tract: 19.00

Street Frontage (in Feet): 1) 115 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

*SW 22*

Owner of Property/or Principal: Triton Downtown, LLC

Applicant: ~~Triton Downtown, LLC~~ Telephone: ~~972-388-5421~~

Mailing Address: ~~11075 Harry Hines Blvd~~ Zip Code: ~~75229~~

Represented by: Rob Vadala Telephone: 972-207-8977

Mailing Address: 11075 Harry Hines Blvd. Zip Code: 75229

Affirm that a request has been made for a Variance , or Special Exception , of landscape regulations of PD-193

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:

applicant is unable to fully comply with the landscape requirements of PD-193 or the lot at 2118 Alamo St.

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: Rob Vadala Applicant's name printed [Signature] Applicant's signature [Initials]

Affidavit

Before me the undersigned on this day personally appeared Rob Vadala 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.

[Signature]  
Affiant (Applicant's signature)

Subscribed and sworn to before me this 4th day of September, 2012

Deannora Serrano  
Notary Public in and for Dallas County, Texas



MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman


**Building Official's Report**

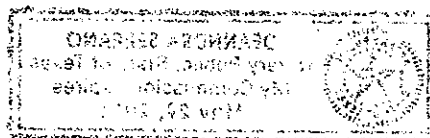
I hereby certify that ROB VADALA

did submit a request for a special exception to the landscaping regulations  
at 2118 Alamo Street

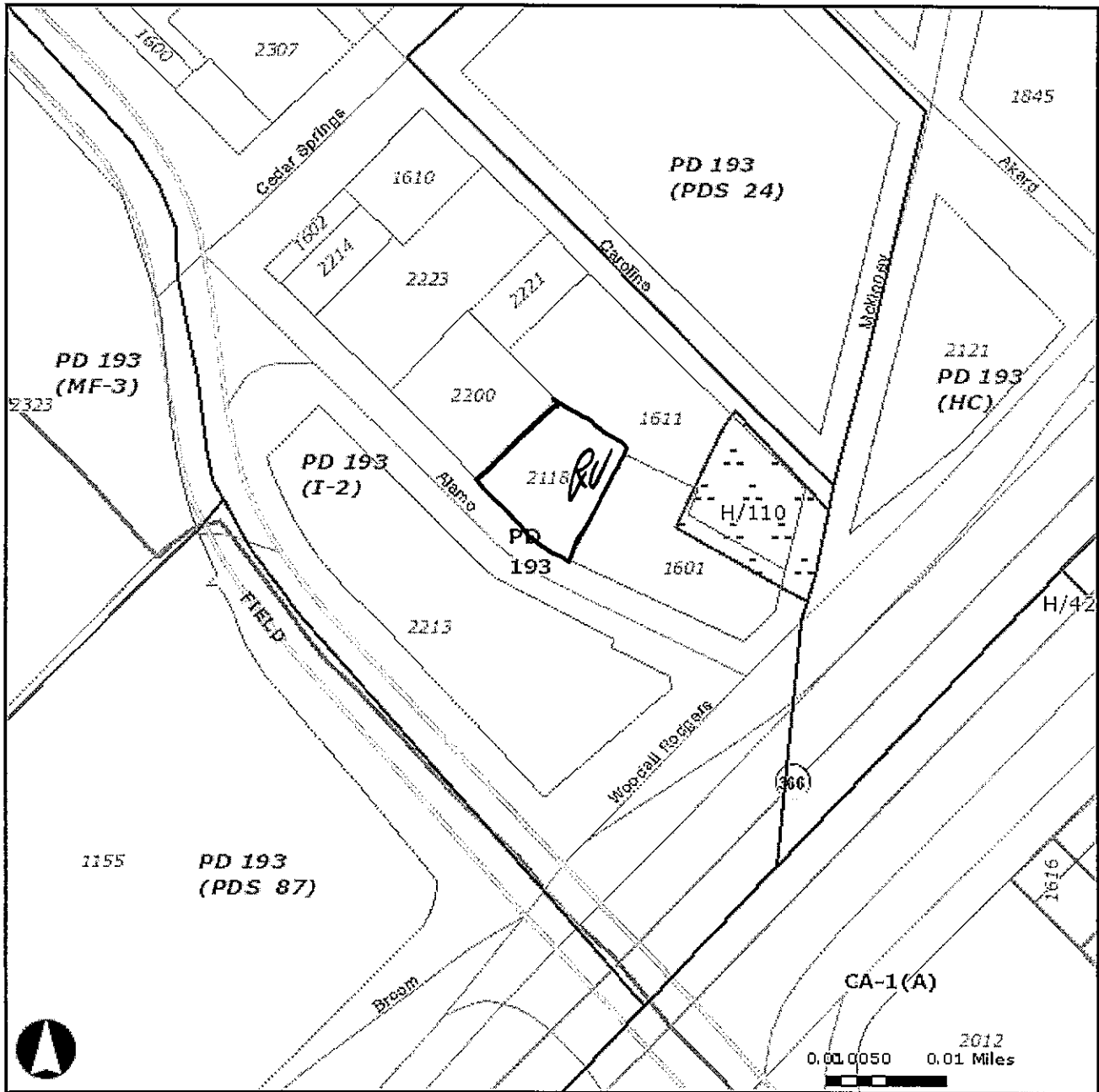
BDA112-102. Application of Rob Vadala for a special exception to the landscaping regulations at 2118 Alamo Street. This property is more fully described as tract 4 in city block 298, a .2435 acre tract of land and is zoned PD-193 (I-2), which requires mandatory landscaping. The applicant proposes to construct a nonresidential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

Sincerely,

  
Lloyd Denman, Building Official



# City of Dallas Zoning



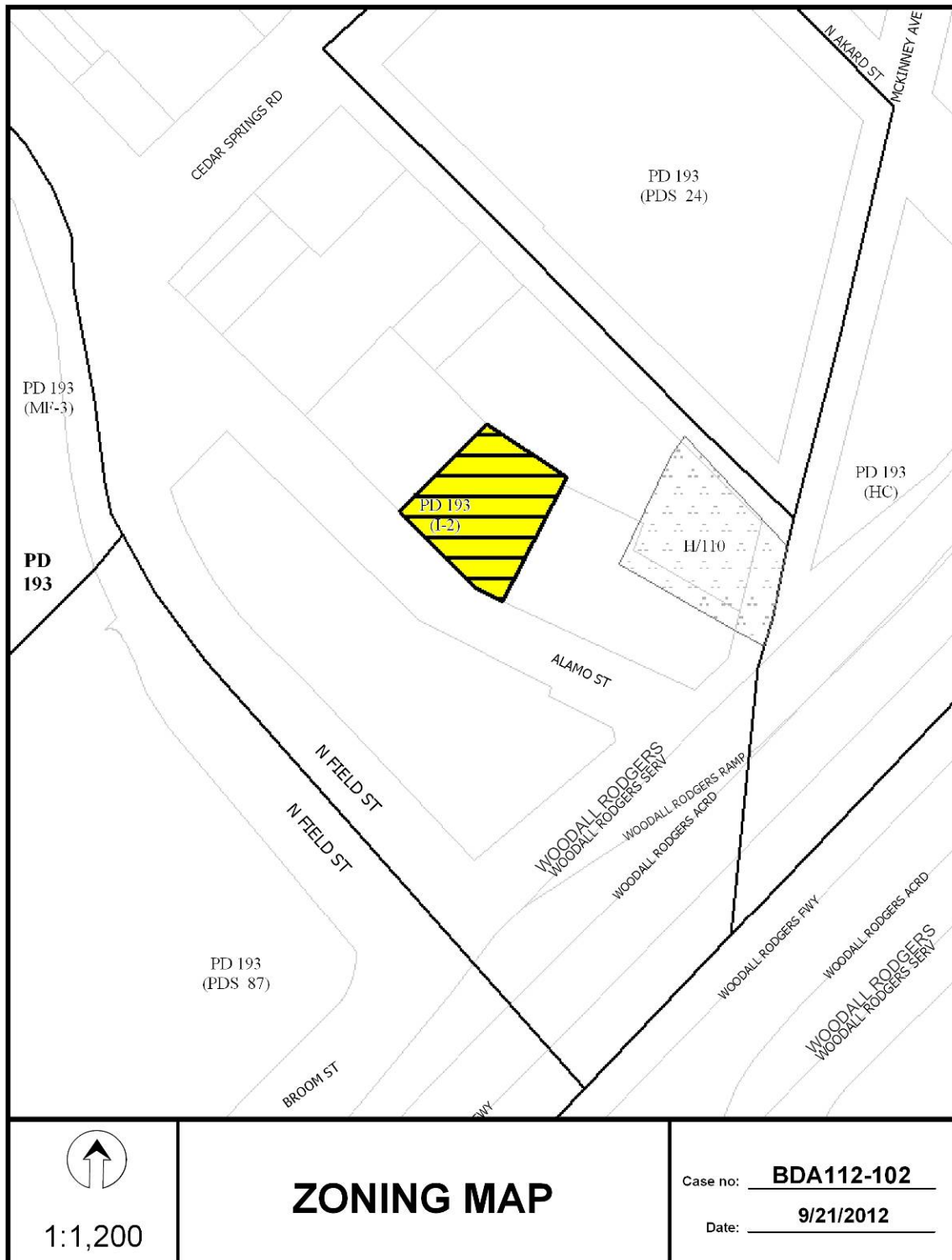
- City Boundaries
- County
- Certified Parcels
- DISD Sites
- Council Districts
- Waterways
- Parks

- SUP
- Dry Overlay
- D
- D-1
- Historic Overlay
- Historic Subdistricts
- NSO Overlay
- NSO Subdistricts

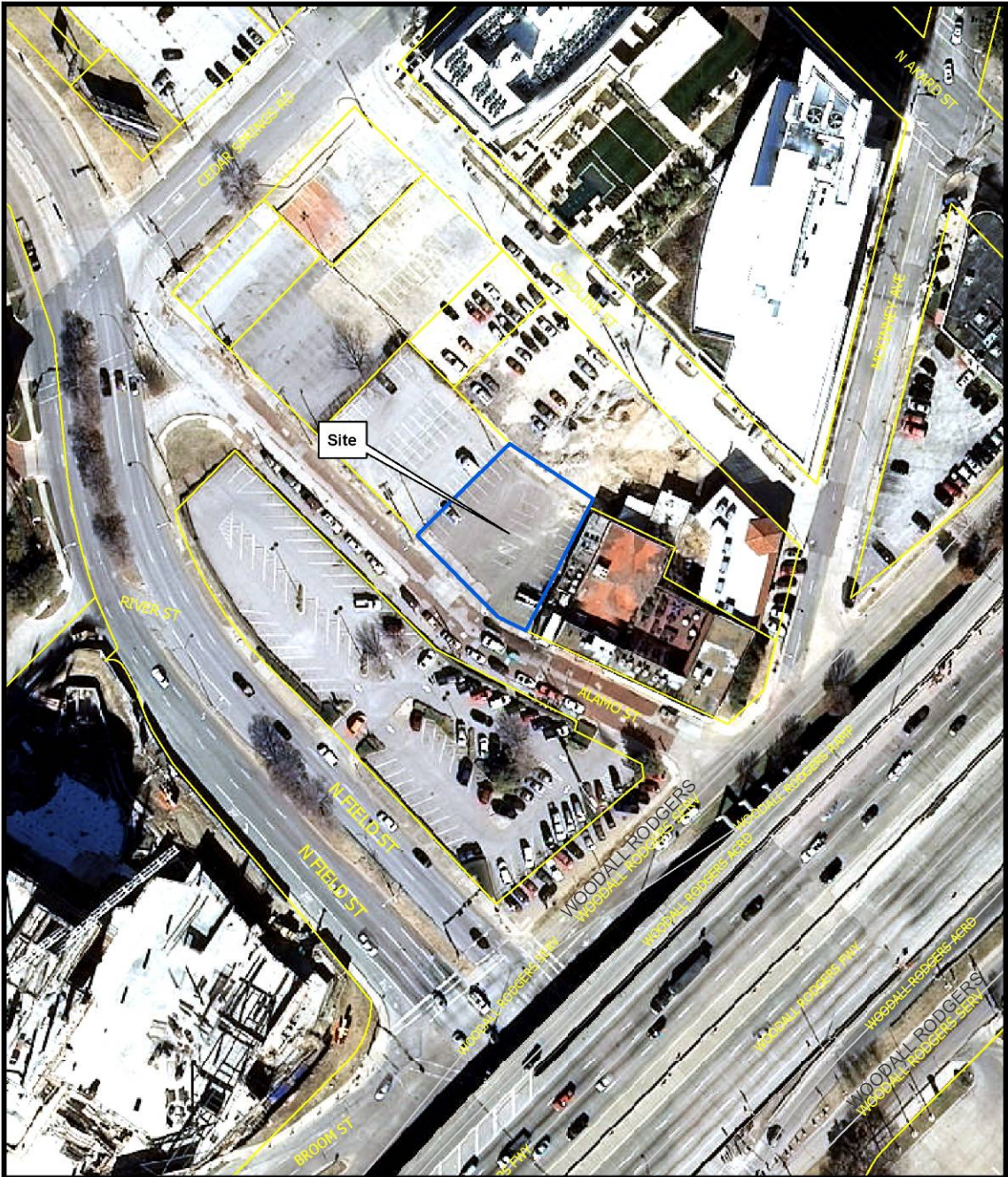
- PD193 Oak Lawn
- PDS Subdistricts
- Base Zoning
- Floodplain
- 100 Flood Zone
- Mill's Creek
- Peak's Branch
- X PROTECTED BY LEVEE
- Pedestrian Overlay









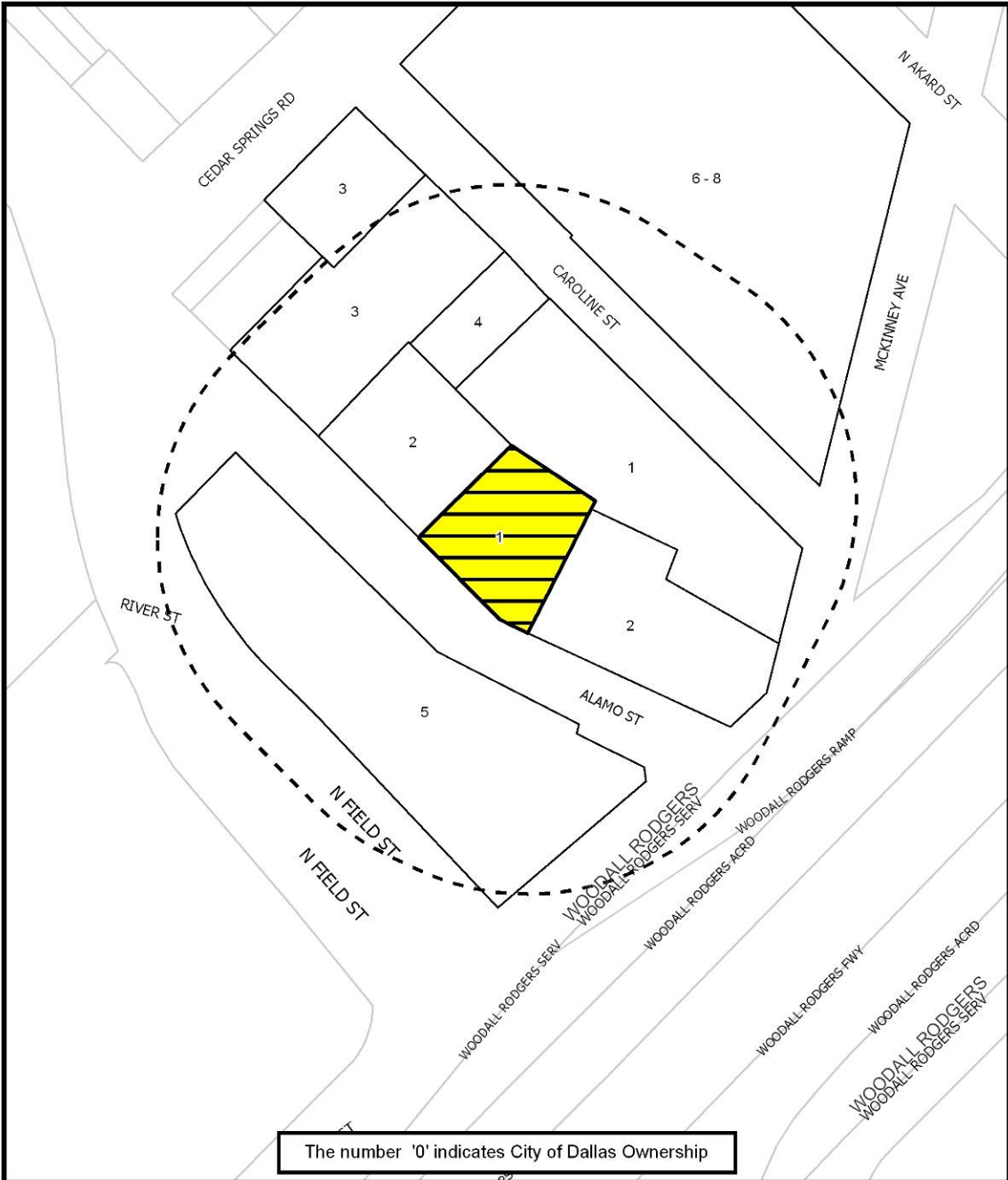


1:1,200

# AERIAL MAP

Case no: BDA112-102

Date: 9/21/2012



 1:1,200	<b>NOTIFICATION</b>		Case no: <b>BDA112-102</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;">8</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: <b>9/21/2012</b>



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

## ***BDA112-102***

### ***8 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2118 ALAMO ST	TRITON DOWNTOWN LLC
2	2200 ALAMO ST	FIREBIRD DOWNTOWN INC
3	1610 CEDAR SPRINGS RD	DALLAS LODGING LLC SIGNATURE HOSPITALITY
4	2221 CAROLINE ST	TRITON 5 DOWNTOWN LLC ATTN: MICHAEL D KA
5	2213 FIELD ST	FIREBIRD DOWNTOWN INC
6	1717 MCKINNEY AVE	GPI-M UPTOWN LP
7	1700 CEDAR SPRINGS RD	LG CEDAR SPRINGS LP SUITE 800
8	1717 MCKINNEY AVE	GIP-M UPTOWN LP

**FILE NUMBER:** BDA 112-082

**BUILDING OFFICIAL'S REPORT:**

Application of Jonathan Vinson of Jackson Walker for a variance to the off-street parking regulations at 601 Hawkins Street. This property is more fully described as a 0.394 acre parcel in City Block 317 and is zoned CA-2(A), which requires off-street parking. The applicant proposes to construct and maintain a structure for a mini-warehouse use and provide 6 of the required 28 parking spaces, which will require a variance of 22 spaces.

**LOCATION:** 601 Hawkins Street

**APPLICANT:** Jonathan Vinson of Jackson Walker

**REQUEST:**

A variance to the off-street parking regulations of 22 parking spaces (or a 79 percent reduction of the 28 off-street parking spaces that are required) is requested in conjunction with constructing and maintaining an approximately 61,000 square foot mini-warehouse use (Public Storage) on an undeveloped property. The applicant proposes to provide 6 (or 21 percent) of the required 28 off-street parking.

**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:

- (A) the variance is 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) the variance is 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) the variance is not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

**STAFF RECOMMENDATION:**

Denial

Rationale:

- The applicant has not substantiated how a literal enforcement of the code provisions would result in unnecessary hardship; how the variance is necessary to permit development of the subject site in that it is different from other parcels of land by its restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels with the same CA-2(A) zoning district; nor how the variance is not needed to relieve a self-created or personal hardship, nor for financial reasons only.
- Although the site is irregular in shape, the applicant has not substantiated how the requested variance to the off-street parking requirement is necessary to permit its development (even with its triangular shape) in a manner commensurate with the development upon other parcels of land with the same CA-2(A) zoning, or how with the physical features of the site preclude him from complying with off-street parking requirements for a mini-warehouse use with less square footage than what is proposed.
- In addition, the applicant has not substantiated how granting this variance to the number of required off-street parking spaces would not be contrary to the public interest. The Sustainable Development and Construction Department Engineering Division Assistant Director recommends denial of this request, commenting that the “multi-story structure without drive aisles for loading and unloading will need more than 6 parking spaces.”

**BACKGROUND INFORMATION:**

**Zoning:**

Site: CA -2(A) (Central Area)  
North: CA -2(A) (Central Area)  
South: CA -2(A) (Central Area)  
East: CA -2(A) (Central Area)  
West: CA -2(A) (Central Area)

**Land Use:**

The subject site is currently undeveloped. The areas to the north and west are freeways, the area to the east is developed with residential uses; and the area to the south is developed with mini-warehouse use.

**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:**

- June 27, 2012: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- July 17, 2012: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.
- July 17, 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 July 25<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the August 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 requests; and
  - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- July 19, 2012: The applicant submitted a revised site plan and the Building Inspection Senior Plans Examiner forwarded a revised Building Official's Report on this application (see Attachment A).
- July 28, 2012: The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet marked "Recommends that this be denied" commenting "The submitted parking study does not support 0 spaces. On-street parking will be contrary to the public interest in this area."
- July 31, 2012: 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 Department Current Planning Division Assistant Director, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, and the Assistant City Attorneys to the Board.
- August 1, 2012: The applicant requested postponement of the application until Panel B's September hearing.
- August 24, 2012: The applicant requested postponement of the application until Panel B's October hearing.
- September 27, 2012: The applicant amended his application and submitted a revised site plan (see Attachment B). The applicant also submitted information

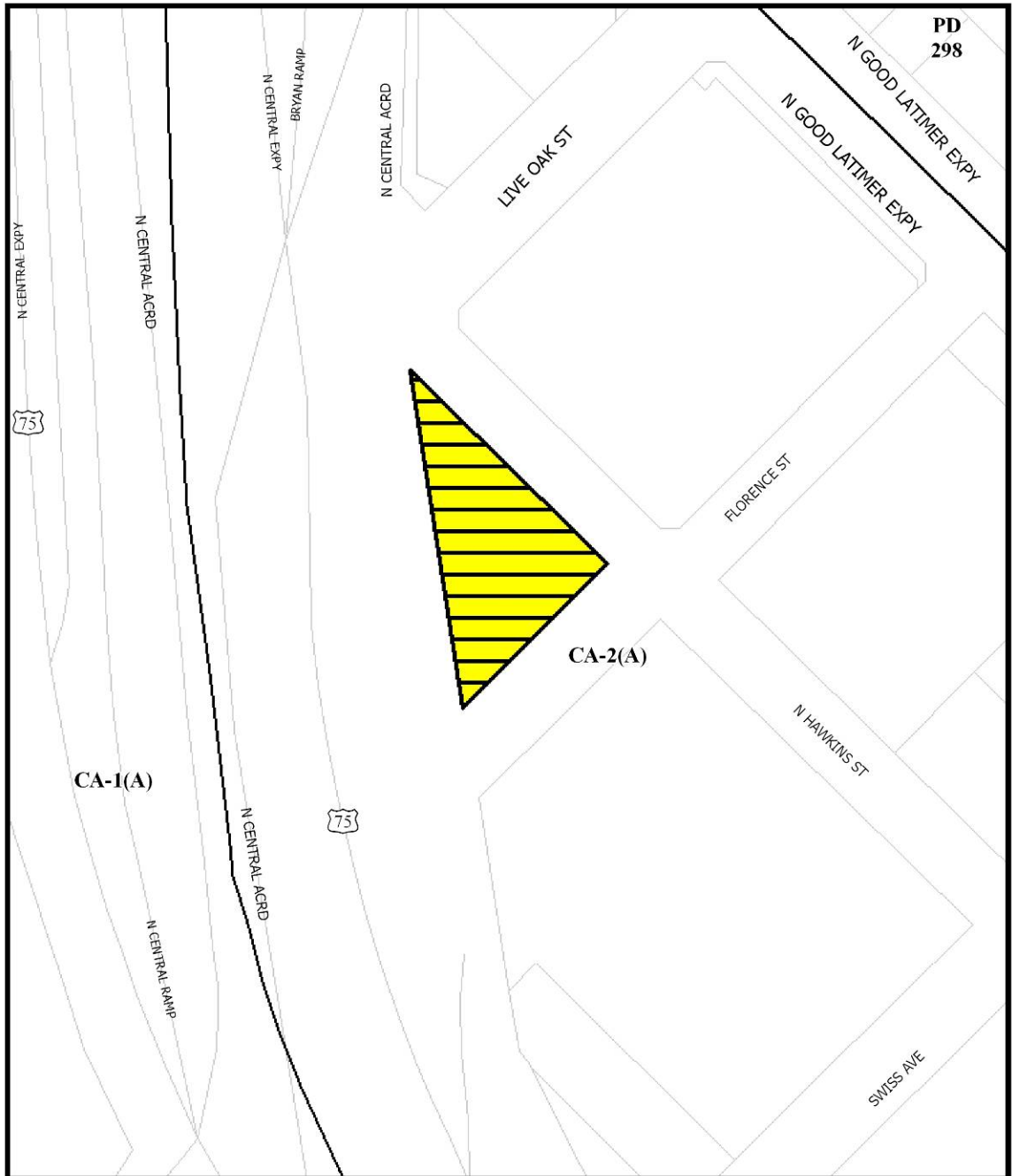
for staff review to be considered at the October 2<sup>nd</sup> staff review team meeting.

- October 2, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Building Inspection Senior Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.
- October 5, 2012: The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet marked "Recommends that this be denied" commenting "Multi-story structure without drive aisles for loading and unloading will need more than 6 parking spaces."
- October 5, 2012: The applicant forwarded additional information beyond what was submitted with the original application, and at the October 2<sup>nd</sup> staff review team meeting (see Attachment C).

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

- This request for a 22 space variance to the off-street parking regulations focuses on constructing and maintaining an approximately 61,000 square foot mini-warehouse use (Public Storage) on an undeveloped property. The applicant proposes to provide 6 (or 21 percent) of the required 28 off-street parking.
- The off-street parking regulations of the Dallas Development Code require the following off-street parking for a mini-warehouse use: 1 space per 3,000 square feet of floor area. However, because the site is zoned CA-2(A), the proposed 61,158 square foot mini-warehouse use is required to provide off-street parking for 56,158 square feet or 5,000 square feet less than the actual 61,158 square feet proposed on the site.
- Dallas Development Code Section 51A-4.311(a)(1) states that the Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces 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, the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets; and that 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.
- Because the applicant is seeking a 79 percent reduction to the off-street parking requirement, the applicant may only apply for a *variance* and only the variance standard applies.

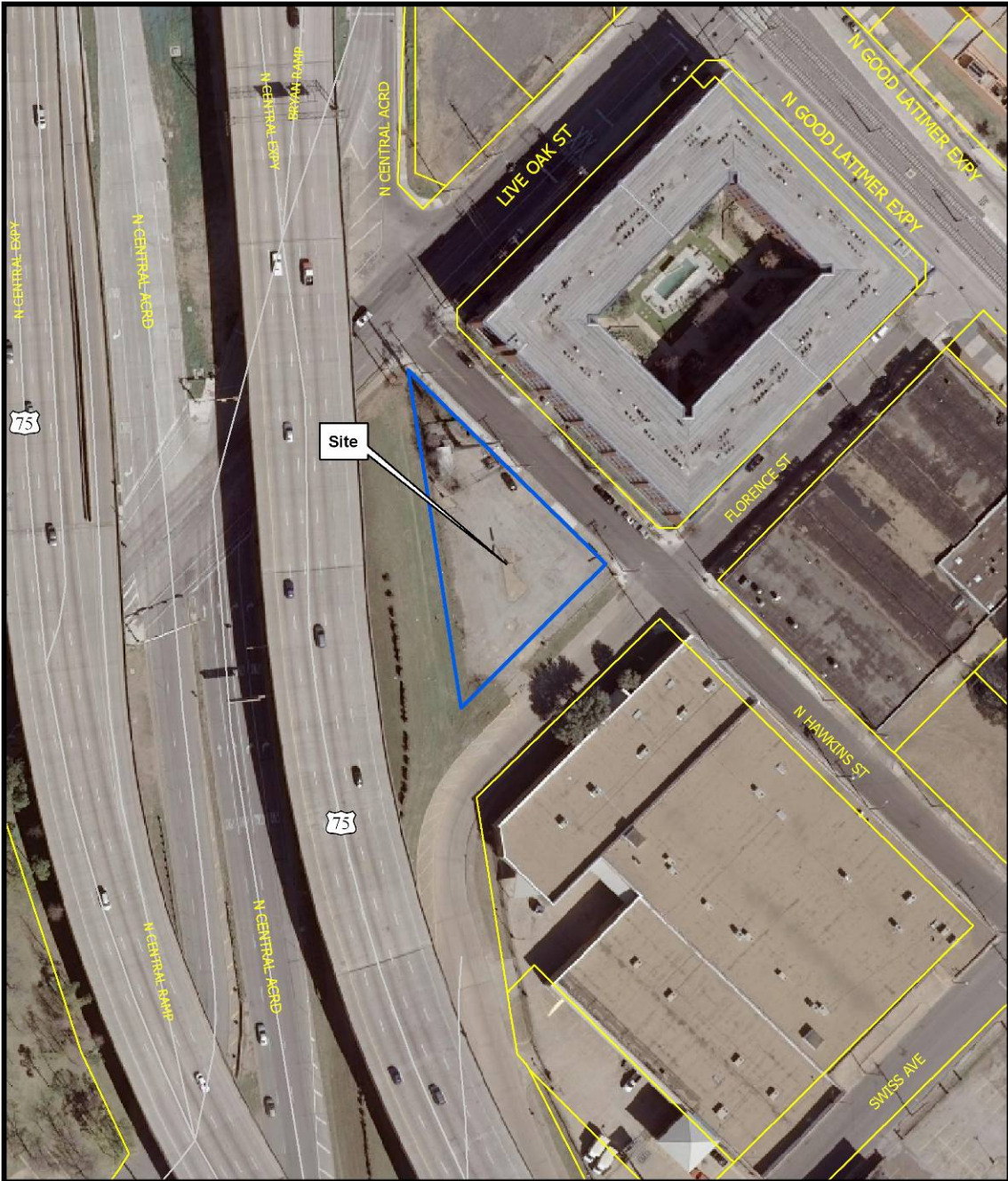
- The subject site is flat, triangular in shape, and according to the application, 0.3940 acres in area.
- DCAD records indicate “no improvements” for property at 601 Hawkins Street.
- The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet marked “Recommends that this be denied” commenting “Multi-story structure without drive aisles for loading and unloading will need more than 6 parking spaces.”
- The applicant has the burden of proof in establishing the following:
  - That granting the variance to the off-street parking regulations of 22 spaces will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
  - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same CA-2(A) zoning classification.
  - The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same CA-2(A) zoning classification.



  
 1:1,200

# ZONING MAP

Case no:     BDA112-082      
 Date:     7/26/2012



1:1,200

# AERIAL MAP

Case no: BDA112-082

Date: 7/26/2012





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 Jonathan Vinson

did submit a request for a variance to the parking regulations  
at 601 Hawkins Street

BDA112-082. Application of Jonathan Vinson for a variance to the parking regulations at 601 Hawkins Street. This property is more fully described as a .394 acre parcel in city block 317 and is zoned CA-2(A), which requires parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for a mini-warehouse use and provide 0 of the required 17 parking spaces, which will require a 17 space variance to the parking regulation.

Sincerely,

  
Lloyd Denman, Building Official



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-082

Data Relative to Subject Property:

Date: 6-27-12

Location address: 601 Hawkins Street Zoning District: CA-2(A)

Lot No.: N/A Block No.: 317 Acreage: 0.3940 Census Tract: 0022.00

Street Frontage (in Feet): 1) 217.27 2) 157.99 3) 268.30 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

*SE 27*

Owner of Property/or Principal: PS Texas Holdings, Ltd.

Applicant: Jackson Walker L.L.P./Jonathan G. Vinson Telephone: 214-953-5941

Mailing Address: 901 Main Street, Suite 6000 Zip Code: 75202

Represented by: Jackson Walker L.L.P./Jonathan G. Vinson Telephone: 214-953-5941

Mailing Address: 901 Main Street, Suite 6000 Zip Code: 75202

Affirm that a request has been made for a Variance , or Special Exception , of to the off-street parking regulations of Sec. 51A-4.124(b)(5) and Sec. 51A-4.301 of the Dallas Development Code, for a reduction from 17 spaces required, to 8 spaces provided (a reduction of 9 spaces), in the configuration shown on the Site Plan. *for a mini-warehouse use.*

*for 9/26/12  
for 6/27/12  
for*

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:

Granting of the requested variance will not be contrary to the public interest; and, owing to special conditions (including irregular shape, adjacency to elevated IH-45, and City of Dallas right-of-way acquisition), to be described further in supplementary materials to be provided to City Staff, literal enforcement of the referenced regulations would result in unnecessary hardship. The variance is necessary to permit development of this specific parcel of land in a manner commensurate with other parcels in CA-2(A) zoning, and is not to relieve a self-created or personal hardship, nor for financial reasons only.

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: Jackson Walker, L.L.P.  
By: Jonathan G. Vinson  
Applicant's name printed

*Jonathan G. Vinson*  
Applicant's signature

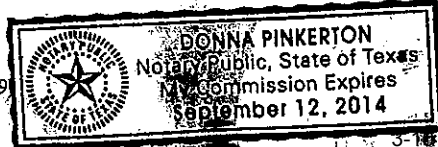
Affidavit

Before me the undersigned on this day personally appeared Jonathan G. Vinson 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.

*Jonathan G. Vinson*  
Affiant (Applicant's signature)

Subscribed and sworn to before me this 27th day of June, 2012

*Donna Pinkerton*  
Notary Public in and for Dallas County, Texas

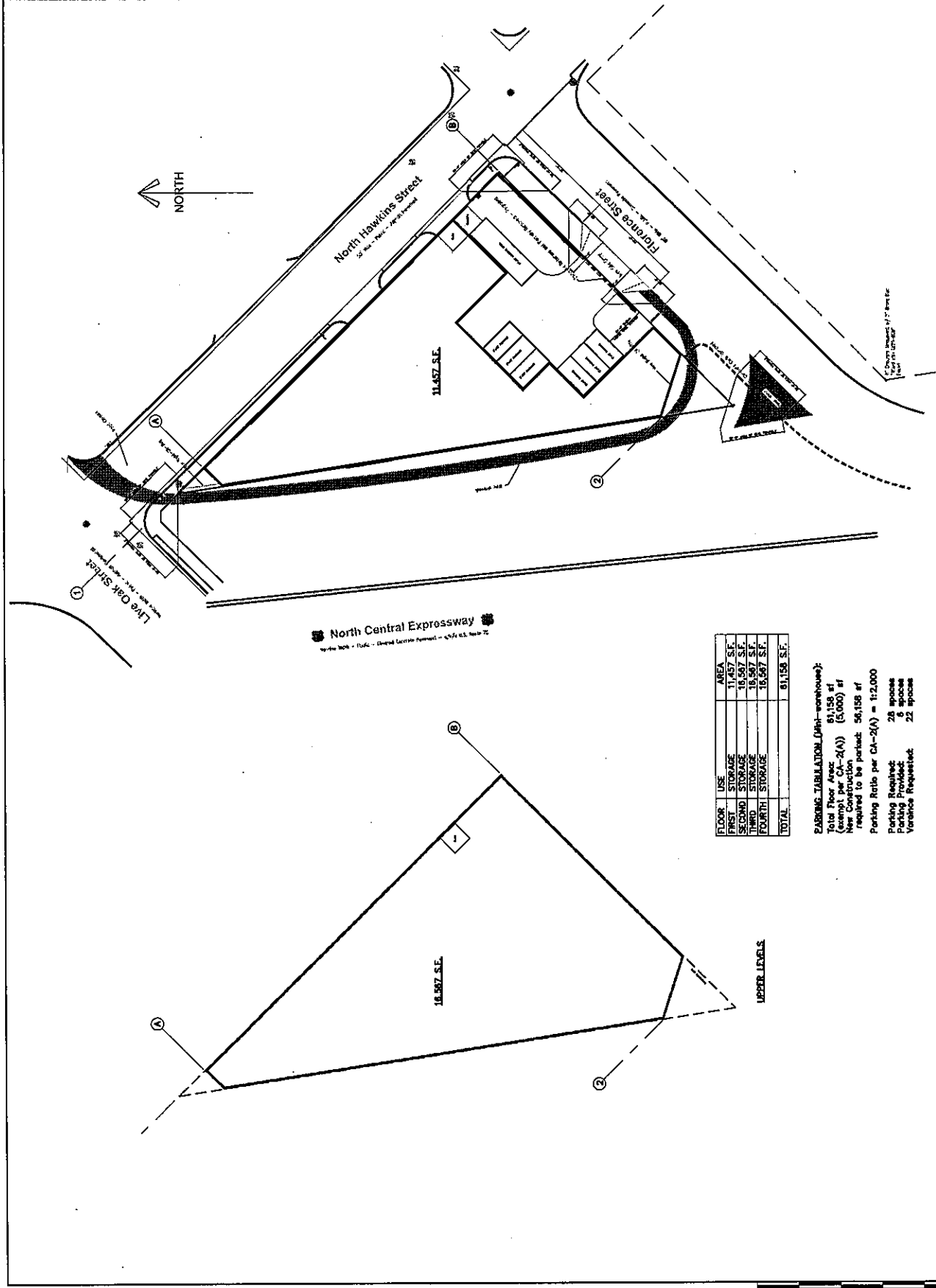


**Ignarri Architects**  
 David N. Lummis AIA  
 801 Commerce Street, Suite 1000  
 Dallas, Texas 75202  
 Phone: 214.760.1234  
 Fax: 214.760.1235  
 ignarri.com

**Public Storage**  
 Public Storage  
 701 Western Avenue  
 Danville, CA 94501

NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY	08/15/12	DL
2	REVISED	08/15/12	DL
3	REVISED	08/15/12	DL
4	REVISED	08/15/12	DL
5	REVISED	08/15/12	DL
6	REVISED	08/15/12	DL
7	REVISED	08/15/12	DL
8	REVISED	08/15/12	DL
9	REVISED	08/15/12	DL
10	REVISED	08/15/12	DL
11	REVISED	08/15/12	DL
12	REVISED	08/15/12	DL
13	REVISED	08/15/12	DL
14	REVISED	08/15/12	DL
15	REVISED	08/15/12	DL
16	REVISED	08/15/12	DL
17	REVISED	08/15/12	DL
18	REVISED	08/15/12	DL
19	REVISED	08/15/12	DL
20	REVISED	08/15/12	DL

**NEW FACILITY FOR PUBLIC STORAGE**  
 2438 SWISS ROAD  
 DALLAS, TEXAS



FLOOR	USE	AREA
FIRST	STORAGE	11,457 S.F.
SECOND	STORAGE	16,507 S.F.
THIRD	STORAGE	16,507 S.F.
FOURTH	STORAGE	16,507 S.F.
TOTAL		61,150 S.F.

**PARKING TABULATION (parking - warehouse):**  
 Total Floor Area: 61,150 sf  
 (exempt per CA-2(A)) (5,000) sf  
 New Construction required to be parked: 56,150 sf  
 Parking Ratio per CA-2(A) = 1:2,000  
 Parking Required: 28 spaces  
 Parking Provided: 8 spaces  
 Variance Requested: 22 spaces

ARCHITECTURAL SITE PLAN  
 01  
 12/27/12

9-27-12

Attach  
pg 3

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 Jonathan Vinson

did submit a request for a variance to the parking regulations  
at 601 Hawkins Street

BDA112-082. Application of Jonathan Vinson for a variance to the parking regulations at 601 Hawkins Street. This property is more fully described as a .394 acre parcel in city block 317 and is zoned CA-2(A), which requires parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for a mini-warehouse use and provide 6 of the required 28 parking spaces, which will require a 22 space variance to the parking regulation.

Sincerely,

  
Lloyd Denman, Building Official



Jonathan G. Vinson  
(214) 953-5941 (Direct Dial)  
(214) 661-6809 (Direct Fax)  
jvinson@jw.com

October 5, 2012

Hon. Chair and Members, Panel B  
Zoning Board of Adjustment  
City of Dallas  
1500 Marilla Street, Room 5BN  
Dallas, TX 75201

**Re: BDA 112-082; 601 Hawkins Street**

Dear Members of the Board of Adjustment:

**I. Introduction.** This is an Application for a variance to the parking regulations applicable to this site, to reduce the parking from 28 spaces required to 6 spaces provided, for a variance of 22 spaces (under the maximum development scenario depicted on the accompanying revised Site Plan, attached). I will discuss below the location, the ownership, and the prospective use of the site; the applicable parking regulations; the actual parking demand; and how this request meets the variance standards, including property characteristics and other factors.

**II. Site Characteristics; Owner/Operator.** This is a very unusual site in its configuration, being an exact right triangle located between Florence Street, Hawkins Street, and the elevated portion of North Central Expressway, just outside the Downtown freeway loop. The total area of the site is 0.3940 acres, so the site, besides being exactly triangular, is relatively small, probably largely due to a right-of-way acquisition decades ago for the construction of the freeway. I have attached a series of captioned aerial and site photos for your information.

The site is owned by PS Texas Holdings Limited, an entity of Public Storage, Inc., a nationwide provider of mini-warehouse facilities headquartered in California. Public Storage is a very experienced and very successful operator of mini-warehouses in many different locations and environments, and thus has an excellent idea of what actual parking demand is needed to serve their customers. Public Storage also owns and operates the facility on the south side of Florence Street, and now wishes to build on this vacant property to serve the growing needs of their customers who live in Downtown and nearby areas.

**III. Applicable Parking Requirement.**

**A. The CA-2(A) Requirement is Excessive.** One peculiarity of this site is that it is located in CA-2(A) zoning. What is significant about this for our purpose is that, while the regular Chapter 51A parking requirement for mini-warehouse is now, after approval of the September 26, 2012, Development Code amendments, a six space requirement, fixed CA-2(A) has its own parking regulations which apparently supersede the Chapter 51A parking regulations, as confirmed by Mr. Todd Duerksen of the Building Inspection staff.

8523612v.1 135104/00004

901 Main Street, Suite 6000 • Dallas, Texas 75202 • (214) 953-6000 • fax (214) 953-5822

Hon. Chair and Members, Panel B  
Zoning Board of Adjustment  
City of Dallas  
October 5, 2012  
Page 2

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In this instance, these regulations are more restrictive and actually penalize this use. That is, CA-2(A) provides that the first 5,000 square feet of new construction does not require off-street parking; however, after that 5,000 square feet threshold, one parking space must be provided for each additional 2,000 square feet of density, without regard to the use. It is apparent that this CA-2(A) parking standard was intended to encourage adaptive reuse and redevelopment in Downtown – but in this instance it actually *penalizes* this use, just because it happens to be in the CA-2 district.

Therefore, this proposed 61,158 square feet mini-warehouse, after subtracting the 5,000 square feet which are exempt under CA-2(A), must provide parking for the remaining 56,158 square feet at a ratio of 1:2,000, for a parking requirement of 28 spaces. This is vastly excessive for this use and location. We have worked hard on our site plan, and we now propose to provide six parking spaces on site, in addition to the 18 spaces already located on the Public Storage property just on the other side of Florence Street. The cell tower is proposed to be removed so the building can be “shifted” to accommodate this parking.

**B. The Actual Parking Demand is Much Less.** Actual demand for parking at mini-warehouse facilities has been studied extensively by Public Storage itself as well as others. We included with our original Application a parking study commissioned by Public Storage for its facilities in the Los Angeles area. This study concludes in Table 6, based on a study of five locations in dense urban areas of Southern California, that the actual parking demand per 1,000 square feet ranges from 0.13 spaces to 0.21 spaces

Since the last time we provided information to Staff, we have had a parking demand study done by Mr. Steve Stoner, P.E., of DeShazo Associates (*copy attached*). This study confirms an appropriate parking supply of nine spaces under the maximum development scenario, but bear in mind, also, that 18 spaces already exist directly across the street on the other Public Storage property, so we believe that the six spaces on-site will be sufficient, given the availability of the other 18 spaces, three times what the normal Code requirement now is for mini-warehouse.

**C. Our Request is the Same as the New City of Dallas Standard.** The City of Dallas approved at the September 26 Council meeting modifications to parking requirements for mini-warehouse and other uses, and changed the parking requirement for the mini-warehouse use from one space for each 3,000 square feet of floor area to a flat total of six spaces for *any* mini-warehouse (other than in CA zoning). We suggest that a more urban mini-warehouse location does not need even that many parking spaces, in particular with the other parking available across the street. While the CA-2(A) requirement would still control, this new standard of six spaces, the result of much study by the City Staff itself, undoubtedly much better reflects the actual parking demand.

**IV. All of the Variance Standards Are Met.** In addition, this request meets all of the elements of the variance standard. As regards property hardship, I have already mentioned the very odd shape of the property, that is, an exact right triangle. Beyond that, portions of the property are now subject to a City of Dallas right-of-way take, these also being indicated on the Survey, leaving a very oddly-shaped and much-diminished property upon which to build this project. The property is also immediately adjacent to the elevated portion of North Central Expressway at this location, which rises about around 30 feet above grade, the site has very confusing and difficult access.

These property hardship conditions clearly prevent development commensurate with other developments in the CA-2(A) classification. Because of the very poor access and visibility and the

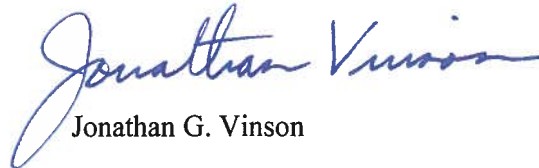
presence of the elevated freeway, in addition to the other characteristics, this lot is not at all suitable for any kind of retail, residential or office development, so the mini-warehouse use at this location, with its ability to serve the growing population Downtown and nearby, is the highest and best use for this property.

Therefore, this is also not contrary to the public interest. Please note that the Board of Directors of the Live Oak Lofts HOA, our neighbors across the street, have voted to take no position on this request (see attached e-mail). A number of emails were sent to the Staff early during the pendency of this request, before the current six spaces were proposed. Many of these emails expressed concern over parking issues in the area, but these appear largely to be attributable to the Lizard Lounge and other clubs – not to our current or future mini-warehouse facilities. This will be a well-designed facility and will be respectful of our neighbors.

The hardship is also not self-created or personal, nor is the variance requested for financial reasons only. The CA-2(A) parking requirement for this use is simply very excessive. Granting of this request will facilitate the development of the site with this low-intensity, low-traffic, quiet use, as an amenity to serve the growing Downtown population.

Thank you very much for your consideration of all of these factors. We look forward to appearing at your October 17th public hearing, where we will respectfully ask that you approve our parking variance request.

Very truly yours,



Jonathan G. Vinson

JGV/dv

cc: Jim Fitzpatrick  
Frank Caccuro  
Bob Ignarri  
Ken Kauker  
Steve Stoner  
Bill Dahlstrom



## List of Attachments

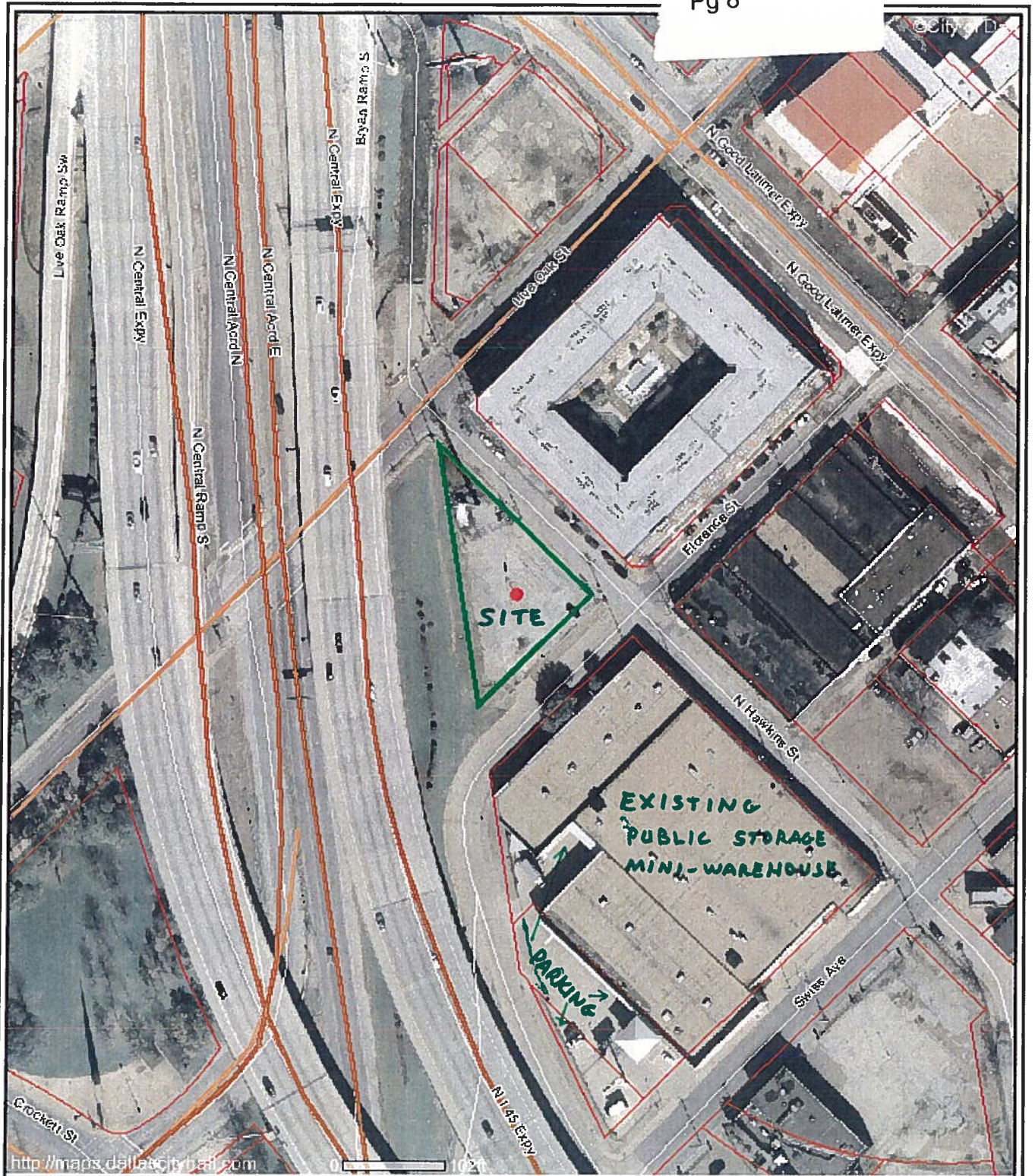
1. Survey (illustrates property hardship conditions).
2. Current proposed Site Plan.
3. Captioned aerial and site photographs (numbered 1 through 8 for reference).
4. DeShazo Group Parking Demand Analysis dated September 27, 2012.
5. Excerpts from Development Code amendments on parking requirements, passed at Council September 26, 2012.
6. Excerpt from CA-2(A) regulations on parking requirements (supercedes preceding item, per Building Inspection).
7. September 17 email from Board member of Live Oak Lofts HOA.











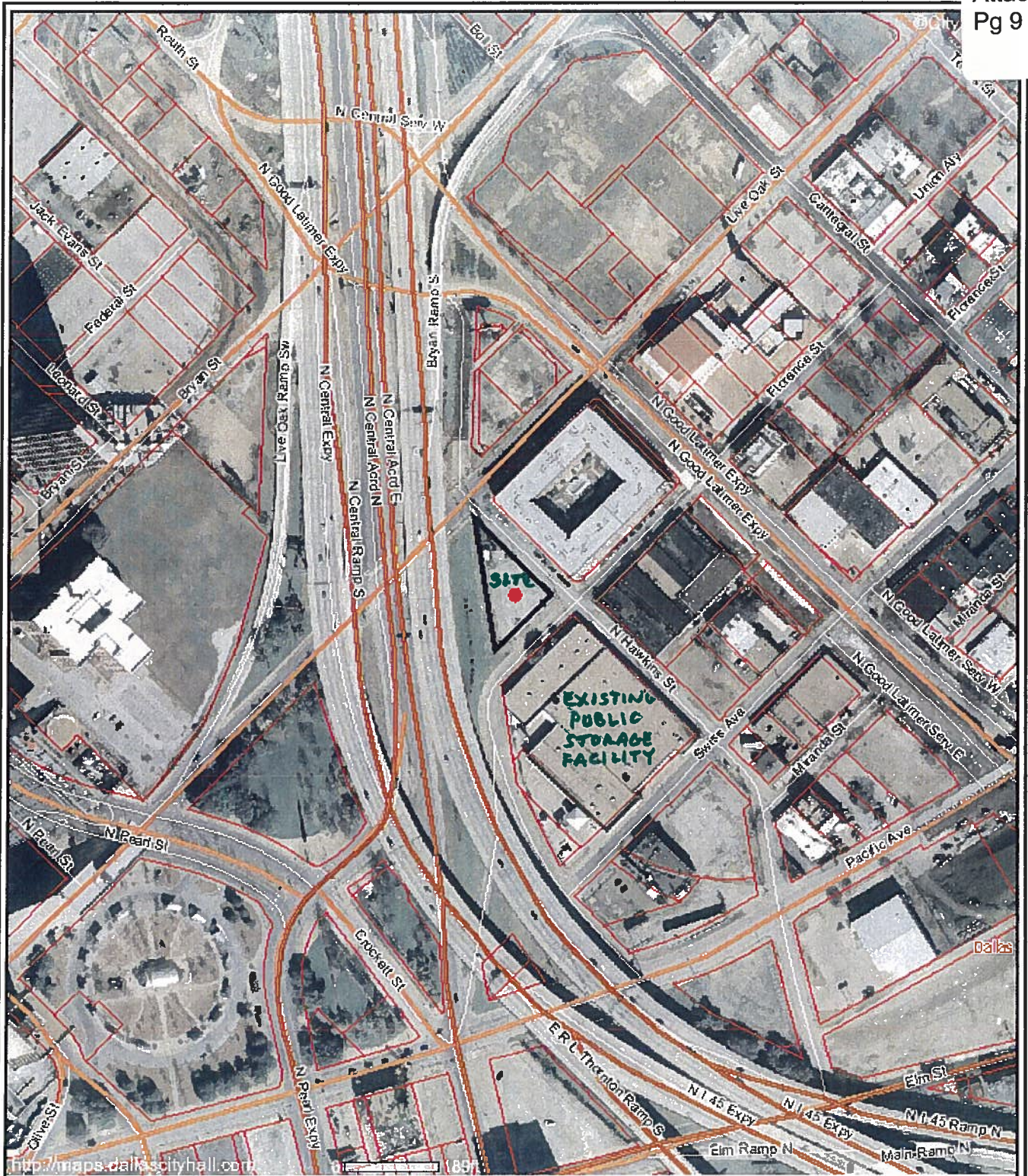
**City of Dallas**  
1500 Marilla Street  
Dallas, Texas 75201

DISCLAIMER - The accuracy of this data within this map is not to be taken / used as data produced by a Registered Professional Land Surveyor for the State of Texas. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



**1. Overhead aerial view of site.**





<http://maps.dallascityhall.com/>



**City of Dallas**  
 1500 Marilla Street  
 Dallas, Texas 75201

DISCLAIMER - The accuracy of this data within this map is not to be taken / used as data produced by a Registered Professional Land Surveyor for the State of Texas. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



## 2. Overhead aerial view of vicinity.





To see all the details that are visible on the screen, use the "Print" link next to the map.

3. Oblique aerial view of site.





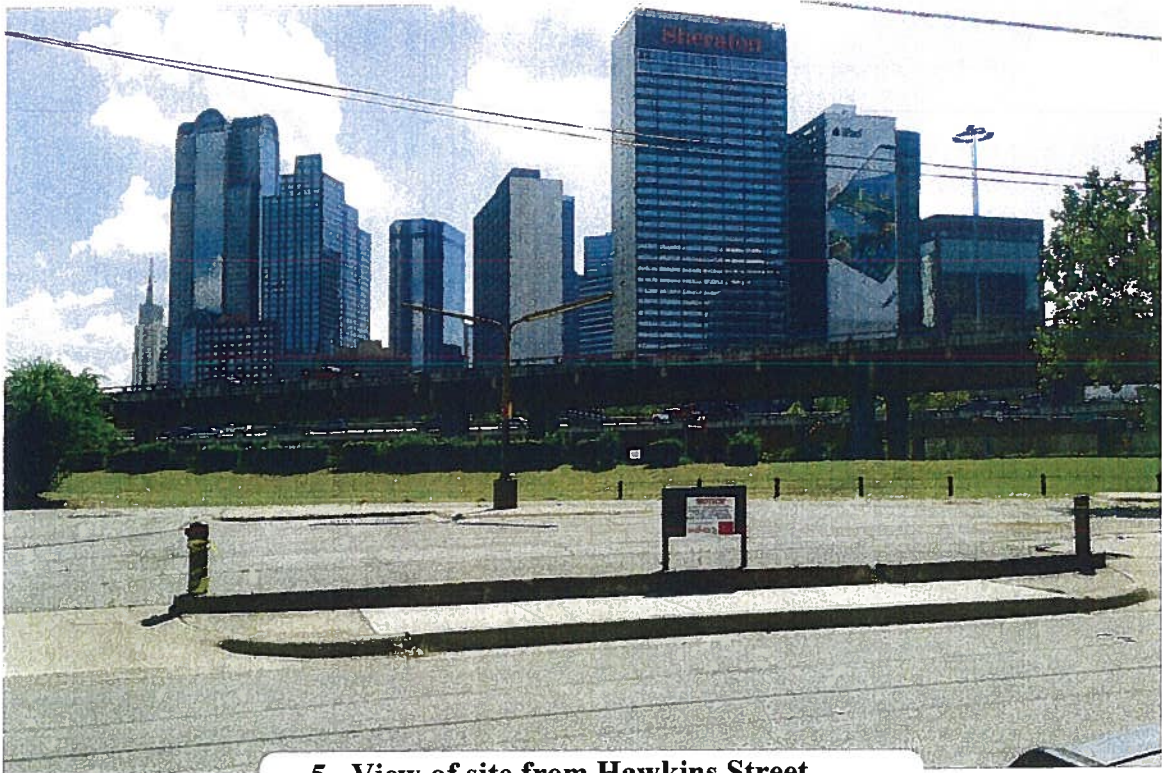


To see all the details that are visible on the screen, use the "Print" link next to the map.



4. Oblique aerial view of vicinity.





**5. View of site from Hawkins Street west towards elevated freeway and Downtown.**



**6. View of site from Florence Street.**





**7. View of site from berm in right-of-way under freeway.**

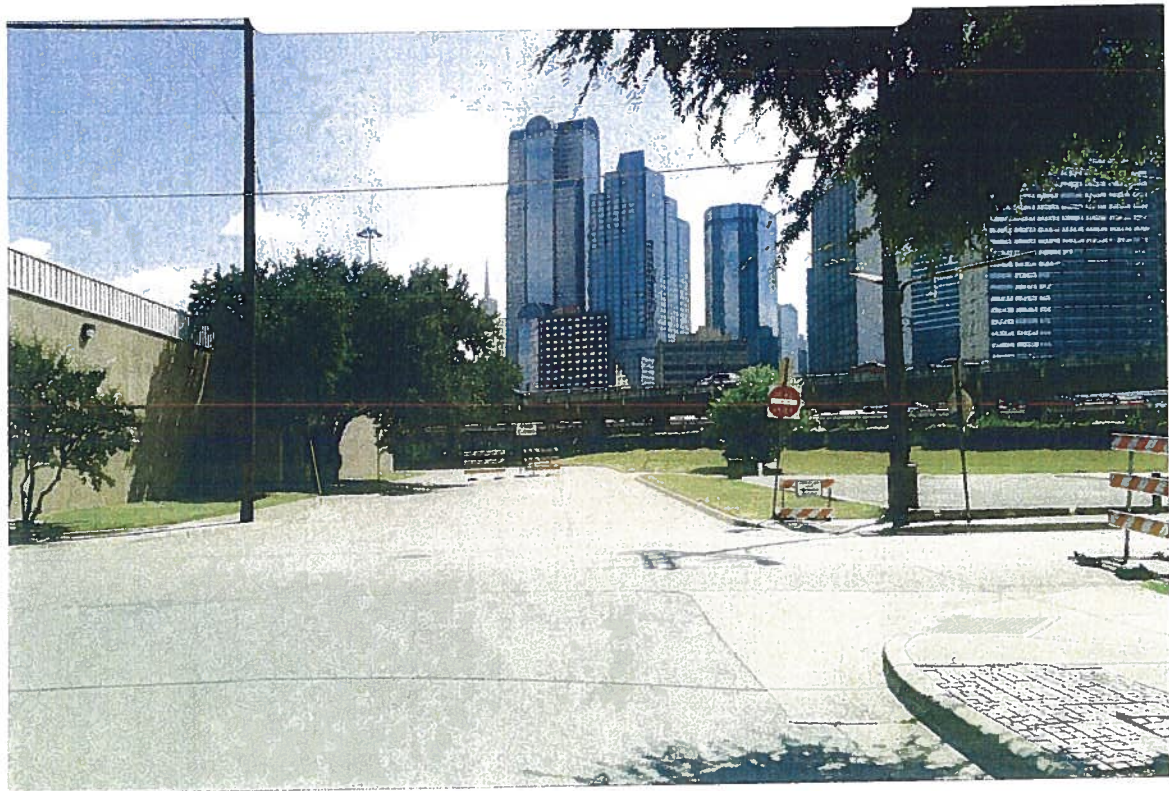


**8. View south on Hawkins Street – site is on right (the dumpsters are not ours).**





**9. View east on Florence Street (site is on left-note width of street).**



**10. View west on Florence Street (site is on right-existing Public Storage facility on left).**

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**PARKING DEMAND ANALYSIS FOR  
COMMERCIAL STORAGE FACILITY AT  
601 N. HAWKINS STREET  
DALLAS, TEXAS**

---

*Prepared for:*

**Jackson Walker L.L.P.**  
901 Main Street, Suite 6000  
Dallas, Texas 75202

*Prepared by:*

**DeShazo Group, Inc.**  
*Texas Registered Engineering Firm – 3199*  
400 South Houston Street  
Suite 330 • Union Station  
Dallas, Texas 75202  
Phone (214) 748-6740

*September 27, 2012*





*Traffic. Transportation Planning. Parking. Design.*

400 S. Houston Street, Suite 330  
Dallas, TX 75202  
ph. 214.748.6740  
[deshazogroup.com](http://deshazogroup.com)

## Technical Memorandum

**To:** *Mr. Jonathan G. Vinson* — Jackson Walker L.L.P.  
**From:** *Steve E. Stoner, P.E., PTOE* — DeShazo Group, Inc.  
**Date:** September 27, 2012  
**Re:** **Parking Demand Analysis for Commercial Storage Facility at 601 Hawkins Street in Dallas, Texas**  
*DeShazo Project No. 12138*

---

### INTRODUCTION

The services of **DeShazo Group, Inc.** (DeShazo) were retained by **Jackson Walker L.L.P.** on behalf of the property owner to analyze the parking needs for a proposed commercial storage (mini-warehouse) facility located at 601 N. Hawkins Street in Dallas, Texas. The property is currently zoned as CA-2(A) (Central Area) and is subject to the ordinances published in Chapter 51A of the City of Dallas Development Code of Ordinances.

A request to the Board of Adjustment is being made for a variance to reduce the minimum parking requirement for the subject property. This memorandum is provided to summarize the projected parking demand characteristics for the proposed development. This study will be provided to City of Dallas staff for technical review and consideration.

**DeShazo Group, Inc.** (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering and parking design and demand analysis.

### PARKING REDUCTION REQUEST

The proposed project is being designed by Ignarri Lummins Architects. The site plan had not been finalized at the time of this study, but the gross floor area of the development is expected to be either 39,757 SF (referred to herein as "Scenario A") or 61,158 SF ("Scenario B"). A preliminary site plan is enclosed for reference. A summary of the base parking code calculation from Chapter 51A is summarized in **Table 1**.

*Parking Analysis for Commercial Storage Facility  
601 N. Hawkins Street - Dallas, Texas  
Page 1*

Table 1. Code Parking Reduction Calculation

Condition	Quantity	Ratio	Spaces Required
"Scenario A"	39,757 SF	1.0 spaces per 2,000 SF of floor area in excess of 5,000 SF	17
"Scenario B"	61,158 SF	[51A-4.124(b)(5)(B)]	28

NOTE: Use and code interpretations provided by Jackson Walker.

Based upon direct application of the default parking requirement ratios, the overall site would typically require 17 parking spaces for "Scenario A", or 28 parking spaces for "Scenario B".

**PARKING DEMAND**

The proposed commercial storage use is a very low-volume, low-occupancy land use that generates very little traffic or parking. According to the Institute of Transportation Engineers (ITE) *Parking Generation* manual (4<sup>th</sup> Edition), "mini-warehouse" use typically generates an average peak demand of 0.14 parked vehicles per 1,000 square feet of gross floor area (see excerpt provided in the Appendix).

For "Scenario A", based upon the proposed gross floor area of 39,757 square feet, the anticipated peak parking demand of six (6) vehicles is anticipated. For "Scenario B", based upon the proposed gross floor area of 39,757 square feet, the anticipated peak parking demand of nine (9) vehicles is anticipated.

Hence, the default code parking requirement for this use under either development scenario significantly exceeds the anticipated parking demand.

**SUMMARY**

The purpose of this study is to validate the proposed parking reduction for the proposed commercial storage facility at 601 N. Hawkins Street. Due to the extremely low traffic and parking demand generated by the use, the anticipated parking demand is expected to be significantly less than the code parking requirement.

Based upon parking demand information published by the Institute of Transportation Engineers, the projected parking demand for a building of 39,757 square feet at peak conditions is expected to be only six parked vehicles. Table 2 summarizes the specifics of the study.

Table 2. Parking Summary

CONDITION	PARKING	
	"Scenario A"	"Scenario B"
Existing Parking Requirement (Chapter 51A)	17 spaces	28 spaces
Projected Peak Parking Demand	6 spaces	9 spaces
Requested Parking Surplus	11 spaces	19 spaces

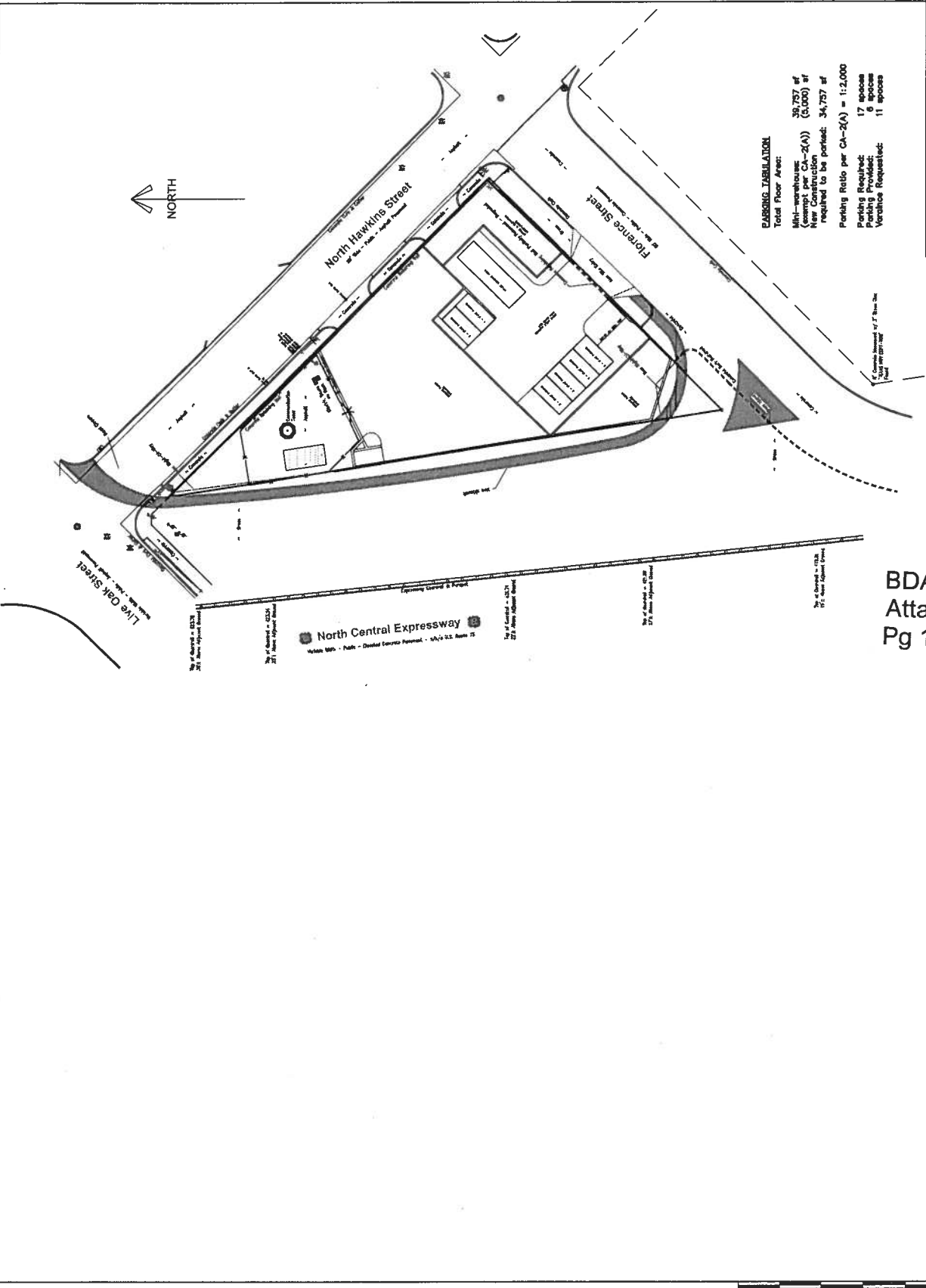
END OF MEMO



NEW FACILITY FOR  
**PUBLIC STORAGE**  
 2439 SWISS ROAD  
 DALLAS, TEXAS

DATE	01/12/12
CLIENT	Public Storage
PROJECT NO.	2439 Swiss Road
PROJECT NAME	Public Storage Facility
PROJECT TYPE	Commercial
PROJECT LOCATION	2439 Swiss Road, Dallas, TX
PROJECT STATUS	Pre-Construction
PROJECT PHASE	Site Plan
PROJECT DESCRIPTION	Construction of a new Public Storage facility consisting of 17 units, 17,000 sq ft of storage space, and 11,000 sq ft of parking area.
PROJECT OWNER	Public Storage
PROJECT ARCHITECT	Lumarr Architects
PROJECT ENGINEER	Public Storage
PROJECT CONTRACTOR	Public Storage
PROJECT BUDGET	\$10,000,000
PROJECT SCHEDULE	12 Months
PROJECT RISK	Low
PROJECT COMPLIANCE	Local, State, Federal
PROJECT NOTES	See attached drawings for details.

39,757 sf  
 Total Floor Area:  
 39,757 sf  
 (excl. 5,000 sf)  
 (5,000 sf)  
 New Construction  
 required to be parked: 34,757 sf  
 Parking Ratio per CA-2(A) = 1:2,000  
 Parking Required: 17 spaces  
 Parking Available: 17 spaces  
 Variance Requested: 11 spaces



ARCHITECTURAL SITE PLAN  
 REF: 01  
 SOURCE: 1/26/12

BDA112-082  
 Attach C  
 Pg 18

## Land Use: 151 Mini-Warehouse

### Description

Mini-warehouses are buildings in which a number of storage units or vaults are rented for the storage of goods. They are typically referred to as "self-storage" facilities. Each unit is physically separated from other units, and access is usually provided through an overhead door or other common access point.

### Database Description

- Average parking supply ratio: 0.2 spaces per 1,000 square feet (sq. ft.) gross floor area (GFA) (two study sites).

The Saturday parking demand ratio for a site with 1,400 storage units was 0.77 vehicles per 100 storage units. Parking demand data at this site were collected for six consecutive hours between 1:00 and 7:00 p.m., and the peak period of demand occurred between 4:00 and 5:00 p.m.

The following table presents a time-of-day distribution of parking demand for three study sites.

Based on Vehicles per 1,000 sq. ft. GFA	Weekday	
	Percent of Peak Period	Number of Data Points*
Hour Beginning		
12:00-4:00 a.m.	--	0
5:00 a.m.	--	0
6:00 a.m.	--	0
7:00 a.m.	31	3
8:00 a.m.	24	3
9:00 a.m.	59	3
10:00 a.m.	91	3
11:00 a.m.	100	3
12:00 p.m.	55	3
1:00 p.m.	45	3
2:00 p.m.	46	3
3:00 p.m.	40	2
4:00 p.m.	88	1
5:00 p.m.	27	1
6:00 p.m.	35	1
7:00 p.m.	27	1
8:00 p.m.	--	0
9:00 p.m.	--	0
10:00 p.m.	--	0
11:00 p.m.	--	0

\* Subset of database

### Study Sites/Years

#### Canada:

Burnaby, BC (1991); Coquitlam, BC (1991); Richmond, BC (1991)

#### United States:

Santa Barbara, CA (1998); Hadley, MA (2008)

### 4<sup>th</sup> Edition Source Number

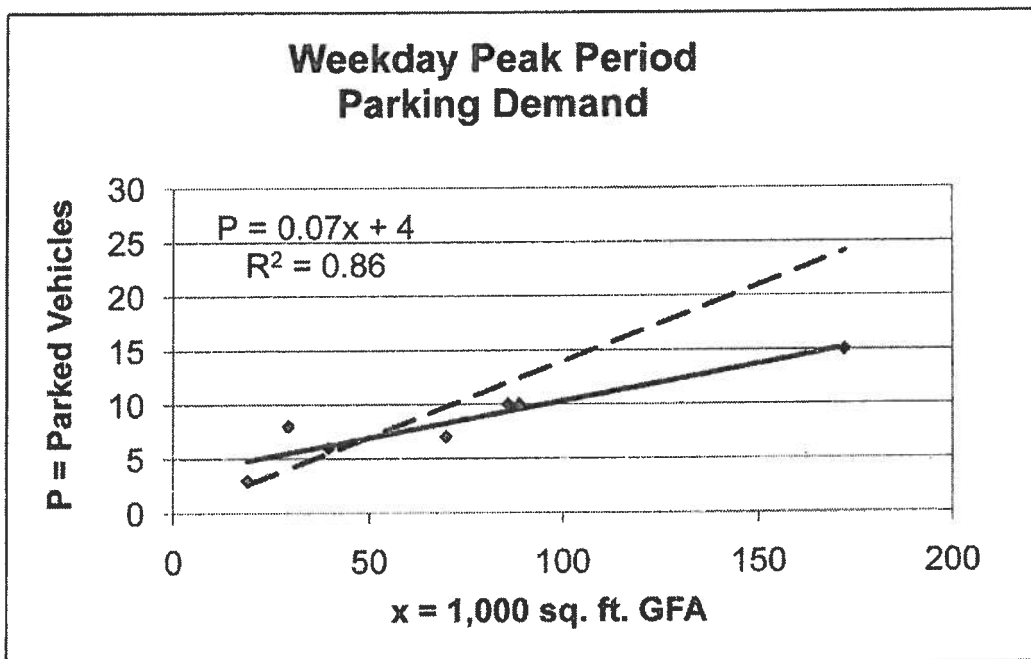
1115



## Land Use: 151 Mini-Warehouse

**Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA  
 On a Weekday**

Statistic	Peak Period Demand
Peak Period	10:00 a.m.–12:00 p.m.; 4:00–5:00 p.m.
Number of Study Sites	7
Average Size of Study Sites	72,000 sq. ft. GFA
Average Peak Period Parking Demand	0.14 vehicles per 1,000 sq. ft. GFA
Standard Deviation	0.06
Coefficient of Variation	44%
Range	0.09–0.27 vehicles per 1,000 sq. ft. GFA
85th Percentile	0.17 vehicles per 1,000 sq. ft. GFA
33rd Percentile	0.11 vehicles per 1,000 sq. ft. GFA

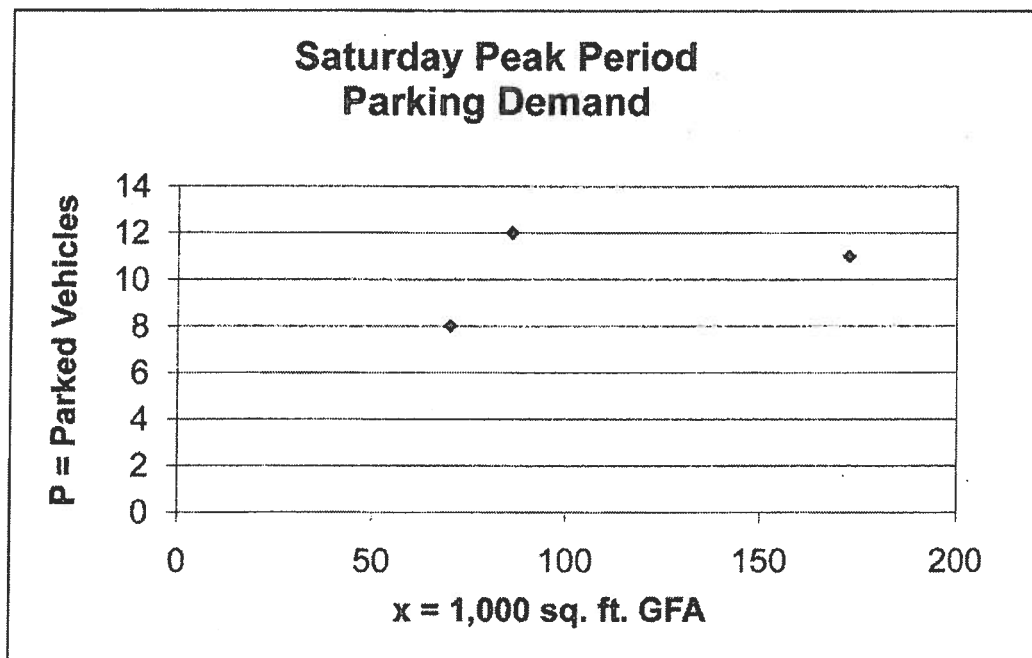


◆ Actual Data Points      — Fitted Curve      - - - Average Rate

## Land Use: 151 Mini-Warehouse

**Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA  
 On a: Saturday**

Statistic	Peak Period Demand
Peak Period	9:00–10:00 a.m.
Number of Study Sites	3
Average Size of Study Sites	109,000 sq. ft. GFA
Average Peak Period Parking Demand	0.11 vehicles per 1,000 sq. ft. GFA
Standard Deviation	0.04
Coefficient of Variation	36%
Range	0.06–0.14 vehicles per 1,000 sq. ft. GFA
85th Percentile	0.13 vehicles per 1,000 sq. ft. GFA
33rd Percentile	0.10 vehicles per 1,000 sq. ft. GFA



◆ Actual Data Points

**AGENDA ITEM # 69**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** September 26, 2012  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** N/A

**SUBJECT**

Consideration of amendments to Chapter 51 and Chapter 51A, "Dallas Development Code, as amended," by amending off-street parking requirements for certain uses, amending parking special exception requirements, amending parking lot tree requirements, providing for administrative parking reductions, and allowing a taxidermist use in industrial districts and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval  
DCA090-010

**HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY, SEPTEMBER 26, 2012**  
*ACM: Ryan S. Evans*

**FILE NUMBER:** DCA 090-010 (DC)

**DATE INITIATED:** 06/17/2010

**TOPIC:** Parking Regulations

**COUNCIL DISTRICT:** All

**CENSUS TRACT:** All

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**PROPOSAL:** Consideration of amendments to Chapter 51 and Chapter 51A, "Dallas Development Code, as amended," by amending off-street parking requirements for certain uses, amending parking special exception requirements, amending parking lot tree requirements, providing for administrative parking reductions, and allowing a taxidermist use in industrial districts.

**SUMMARY:** The primary purpose of this proposal is to amend the off-street parking requirements for certain uses to more accurately reflect the actual parking demand and allow for administrative exceptions (reductions) to-off street parking requirements in specific circumstances.

**STAFF RECOMMENDATION:** Approval.

**CPC RECOMMENDATION:** Approval.



### **BACKGROUND INFORMATION:**

- This item was brought before the Zoning Ordinance Committee (ZOC) for discussion out of a concern that existing parking requirements for certain uses did not reflect actual parking demand for the uses and the parking needed for a particular use classification could vary dramatically between different businesses. An additional concern was that all parking should be subject to landscape regulations whether required parking or parking beyond that required by code.
- ZOC considered parking regulations between June 17, 2010 and November 3, 2011. Of the 26 land use classifications reviewed during that period, the committee recommended modifications to the minimum parking requirements of 17 uses.
- The committee solicited assistance and testimony from, engineers with traffic and parking expertise, representatives from the development industry, neighborhood representatives, city staff from Building Inspection and Zoning, and developer consultants.
- Several drafts of proposed ordinance language were prepared and considered by ZOC before the final draft was adopted at the November 3, 2011 meeting.
- The City Plan Commission was briefed on this item on December 15, 2011 and January 5, 2012. CPC recommended approval of the proposed amendments on January 19, 2012.
- The City Council Transportation and Environment Committee was briefed on the recommendations of the City Plan Commission on April 23, 2012, March 26, 2012 and August 28, 2012.
- A summary table is attached to this report detailing the proposed parking changes.

### **ANALYSIS:**

The Zoning Ordinance Committee considered this item over the course of a year. During this time the committee conducted research, held public meetings, had consultations with parking and traffic engineers, and had discussions with the development industry and neighborhood representatives. Research included surveying other cities parking requirements and gathering information on best practices from organizations such as the Urban Land Institute (ULI), American Planning Association (APA), and Institute of Transportation Engineers (ITE). In addition local transportation engineers and consultants were contacted and provided input to the discussion. The primary objective of the committee was to ensure that current parking requirements adequately reflected actual demand for parking. Excessive parking requirements have detrimental environmental impacts including excessive storm water runoff and

DCA 090-010

contributing to urban heat island effects. Inadequate parking requirements can have negative impacts on surrounding neighborhoods and traffic flow. The final recommendations of the committee reflect a balance of all of these concerns. The committee made every effort to minimize unnecessary impervious coverage while ensuring that adequate parking was provided. Staff is fully supportive of the proposed amendments and has determined they are consistent with the objectives of *forwardDallas! Comprehensive Plan.*

#### **CITY COUNCIL COMMITTEE**

The City Council Transportation and Environment Committee was briefed on the recommendations of the City Plan Commission on April 23, 2012, March 26, 2012 and August 28, 2012. The Committee was supportive of the changes to the parking ratio requirements proposed by the City Plan Commission. The committee did have some concerns with the proposal on administrative exceptions to parking requirements. At the August 28, 2012 committee meeting, staff presented a revised set of options regarding administrative exceptions. The committee recommended that these options be forwarded to the Council for consideration. The revised options are included in the summary of the proposal.

DCA 090-010

**CPC ACTION (January 19, 2012):**

**Motion:** It was moved to recommend **approval** of amendments to Chapter 51 and Chapter 51A, "Dallas Development Code, as amended," by amending off-street parking requirements for certain uses, amending parking special exception requirements, amending parking lot tree requirements, providing for administrative parking reductions, and allowing a taxidermist use in industrial districts, with the following changes: 1) Revise (7) Mini-warehouse, (C) to read as follows: "(C) Require off-street parking: Six spaces are required. Spaces may not be used for outside storage, vehicle storage or parking for vehicles for rent. No handicapped parking is required." 2) Revise Section 51A-4.313, Administrative Parking Reductions to include the following: 1) Restaurant, bar, lounge and tavern used within 1200 feet of a platform of a rail transit station not be eligible for an administrative reduction, and 2) Uses within 1200 feet walking distance of an improved rail trolley platform qualify for a maximum administrative reduction of 5 percent.

Maker: Wolfish  
Second: Bagley  
Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Abtahi, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish,  
Schwartz, Alcantar

Against: 0  
Absent: 1 - Peterson  
Vacancy: 0

**Speakers:** For: Suzan Kedron, 901 Main St., Dallas, TX, 75202  
Dallas Cothrum, 900 Jackson St., Dallas, TX, 75201  
Against: None

**SUMMARY OF PROPOSED ORDINANCE CHANGES**

<b>SEC</b>	<b>USE</b>	<b>CURRENT PARKING REQUIREMENT (IF CHANGED)</b>	<b>PROPOSED ADDITION/CHANGE</b>
1 30	Multifamily	1 space per 500 square feet of dwelling unit floor area within the building site except in CA 1 and CA2, only one space per dwelling unit; only floor area within a dwelling unit is included in calculation; not less than 1 space nor more than 2.5 spaces are required for each dwelling unit in a MF structure 36 feet in height or less; not less than one space nor more than 2 spaces are required for each dwelling unit in a MF structure over 36 ft. in height	1 space per bedroom. An additional one-quarter space per unit must be provided for guest parking if the required parking is limited principally to residents
2 31	Retirement Housing	0.7 space per dwelling unit plus one space per 300 square feet of floor area not in a dwelling unit or suite	1 space per dwelling unit or suite
3 26	Child Care Facility	1 space for each 500 square feet of floor area	Added a provision providing that if an SUP is required for the use, the parking requirement may be established in the ordinance granting the SUP, otherwise 1 space for each 500 square feet of floor area
4 27	Church	1 space per 4 fixed seats or 1:28 square feet of sanctuary	Added a provision that for churches with less than 5,000 square feet of floor area located in a shopping center with greater than 20,000 square feet in floor area, one space per 333 square feet in floor area
5 29	Public or Private School	1 1/2 spaces for each kindergarten/elementary school classroom 3 1/2 spaces for each junior high/middle school classroom 9 1/2 spaces for each senior high school classroom	Added a provision providing that if an SUP is required for the use, the parking requirement may be established in the ordinance granting the SUP
6 32	Business School	1 space per 25 square feet of classroom	Added a provision clarifying that personal services accessory to such use must be parked to the appropriate parking requirement
7 23	Technical School	1 space per 25 square feet of classroom	Added a provision clarifying that personal services accessory to such use must be parked to the appropriate parking requirement

5



SEC	USE	CURRENT PARKING REQUIREMENT (IF CHANGED)	PROPOSED ADDITION/CHANGE
8 28	Library, Art Gallery, Museum	1 space per 500 square feet of floor area	Library: no change Art Gallery or Museum: 1 space per 600 square feet of floor area
9 33	Inside Commercial Amusement	1 space per 25 square feet of dance floor and 1 space per 100 square feet of floor area for the remainder of the use	Added a provision that no special exception may be granted for a dance hall
10 40	Taxidermist	1 space per 300 square feet of floor area	1 space per 600 square feet of floor area
11 35	Furniture Store	1 space per 500 square feet of floor area	1 space per 500 square feet of floor area open to the public. 1 space per 1000 square feet of floor area for storage and warehouse areas not open to the public
12 38	Home Improvement Center	1 space per 200 square feet of floor area	1 space per 275 square feet of retail floor area, plus 1 space per 1000 square feet of site area exclusive of parking area
13 34	Car Wash	None	Single Unit-type car washes: None Tunnel Type Car Washes: 3 spaces
14 43	Open Storage Outside Storage	1 space per 2000 square feet of site area	1 space per 5000 square feet of site area, up to a maximum of five spaces
15 25	Outside Salvage	Minimum of 5 spaces	Added a provision providing that if an SUP is required for the use, the parking requirement may be established in the ordinance granting the SUP, otherwise a minimum of 5 spaces
16 41	Mini- Warehouse	1 space per 3000 square feet of floor area	6 spaces are required. Spaces may not be used for outside storage
17 42	Office/Show- room Warehouse	Office: 1 space per 333 square feet of floor area Showroom/Warehouse: 1 space per 1000 square feet of floor area	Office: No Change Showroom/Warehouse: 1 space per 1000 square feet of floor area for the first 20,000 square feet of floor area. 1 space per 4,000 square feet of floor area for any floor area in excess of 20,000 square feet

9

SEC	USE	CURRENT PARKING REQUIREMENT (IF CHANGED)	PROPOSED ADDITION/CHANGE
18 44	Accessory Community Center (Private)	1 space per 100 square feet of floor area	1 space per 100 square feet of floor area, but none if this use is accessory to a multifamily use and is used primarily by residents
19	LI District	N/A	Added Taxidermist to the list of permitted uses
20	IR District	N/A	Added Taxidermist to the list of permitted uses
21	IM District	N/A	Added Taxidermist to the list of permitted uses
22	Job or Lithographic Printing	1 space per 300 square feet of floor area	1 space per 600 square feet of floor area
24	Metal Salvage Facility	1 space per 500 square feet of floor area A minimum of 5 spaces	Added a provision that the parking requirement may be established in the ordinance granting the SUP, otherwise a minimum of 5 spaces is required. Deleted 1 space per 500 square feet requirement
36	General Merchandise or Food Store greater than 3,500 square feet	1 space per 200 square feet of floor area	1 space per 200 square feet of floor area for uses with less than 10,000 square feet of floor area. 1 space per 220 square feet of floor area for uses with a floor area of 10,000 square feet or greater, but less than 40,000 square feet. 1 space per 250 square feet of floor area for uses with a floor area of 40,000 square feet or greater, but less than 100,000 square feet
37	General Merchandise or Food Store 100,000 square feet or more	1 space per 200 square feet of floor area	1 space per 300 square feet of floor area
39	Taxidermist	1 space per 300 square feet of floor area	Revised to permit this use by right in Commercial Service and industrial districts

7

SEC. 51A-4.124. CENTRAL AREA DISTRICTS.

(b) CA-2(A) district.

(5) Off-street parking and loading. In this district, for *all uses* except single family and duplex, off-street parking is *only required for a new building or an addition to an existing building at a ratio of one parking space for each 2,000 square feet of floor area which exceeds 5,000 square feet.* No off-street parking is required for a building with 5,000 square feet or less of floor area. *If there is a conflict, this paragraph controls over other off-street parking regulations in this chapter.* Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

**Vinson, Jonathan**

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**From:** Karl Ludwig <karl.metrostudio@gmail.com>  
**Sent:** Monday, September 17, 2012 8:57 PM  
**To:** Vinson, Jonathan  
**Subject:** Re: storage facility

Jonathan,

The HOA board met tonight and decided to take no official stance on your client's building proposal. We will neither oppose nor endorse the plan. Considering the apparent lack of interest among the owners I suspect you will receive no objection whatsoever at the October 17th hearing.

Thanks for keeping me informed,  
Karl Ludwig

On Aug 31, 2012, at 1:42 PM, Vinson, Jonathan wrote:

Good afternoon, Karl - I wanted to get back to you on the Public Storage parking variance case. We have asked the City Staff to not notice the case for September 19, but instead to notice it for the October 17 hearing date, so there will not be a hearing on this prior to that date. If you can let your other Board members know, and if there's any way to communicate that to all of the owners, I would appreciate it, it might save someone a trip to City Hall.

We are also continuing to work on a parking demand study, revised site plan to show additional spaces, and some other ideas, including the ones you suggested, to do a good quality and neighbor-friendly design.

When you talk to the other Board members, I want to offer again to meet with your Board, the other owners, and any or all of the neighbors who would like to hear from us, so we can update everyone on where we are and what we are doing. We would very much appreciate it if you could let us know what the best way to reach out to everyone would be. Thanks very much.

**Jonathan G. Vinson**  
**Jackson Walker L.L.P.**  
**901 Main Street, Suite 6000**  
**Dallas, Texas 75202**  
**Office: 214-953-5941**  
**Cell: 214-770-4636**  
**Fax: 214-661-6809**  
**E-mail: [jvinson@jw.com](mailto:jvinson@jw.com)**



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-082

Data Relative to Subject Property:

Date: 6-27-12

Location address: 601 Hawkins Street Zoning District: CA-2(A)

Lot No.: N/A Block No.: 317 Acreage: 0.3940 Census Tract: 0022.00

Street Frontage (in Feet): 1) 217.27 2) 157.99 3) 268.30 4) \_\_\_\_\_ 5) \_\_\_\_\_

*SE 27*

To the Honorable Board of Adjustment :

Owner of Property/or Principal: PS Texas Holdings, Ltd.

Applicant: Jackson Walker L.L.P./Jonathan G. Vinson Telephone: 214-953-5941

Mailing Address: 901 Main Street, Suite 6000 Zip Code: 75202

Represented by: Jackson Walker L.L.P./Jonathan G. Vinson Telephone: 214-953-5941

Mailing Address: 901 Main Street, Suite 6000 Zip Code: 75202

Affirm that a request has been made for a Variance , or Special Exception , of to the off-street parking regulations of Sec. 51A-4.124(b)(5) and Sec. 51A-4.301 of the Dallas Development Code, for a reduction from 17 spaces required, to 8 spaces provided (a reduction of 9 spaces), in the configuration shown on the Site Plan. *for a mini-warehouse use.*

*6/22/12  
JGV*

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:

Granting of the requested variance will not be contrary to the public interest; and, owing to special conditions (including irregular shape, adjacency to elevated IH-45, and City of Dallas right-of-way acquisition), to be described further in supplementary materials to be provided to City Staff, literal enforcement of the referenced regulations would result in unnecessary hardship. The variance is necessary to permit development of this specific parcel of land in a manner commensurate with other parcels in CA-2(A) zoning, and is not to relieve a self-created or personal hardship, nor for financial reasons only.

**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: Jackson Walker, L.L.P.  
By: Jonathan G. Vinson  
Applicant's name printed

*Jonathan G. Vinson*  
Applicant's signature

Affidavit

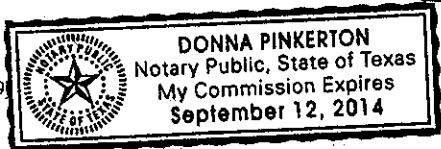
Before me the undersigned on this day personally appeared Jonathan G. Vinson who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

*Jonathan G. Vinson*  
Affiant (Applicant's signature)

Subscribed and sworn to before me this 27<sup>th</sup> day of June, 2012

*Donna Pinkerton*  
Notary Public in and for Dallas County, Texas

8254936v1  
(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 Jonathan Vinson

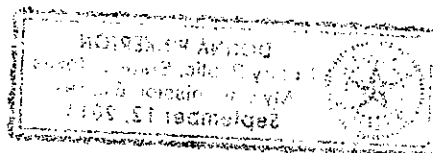
did submit a request for a variance to the parking regulations

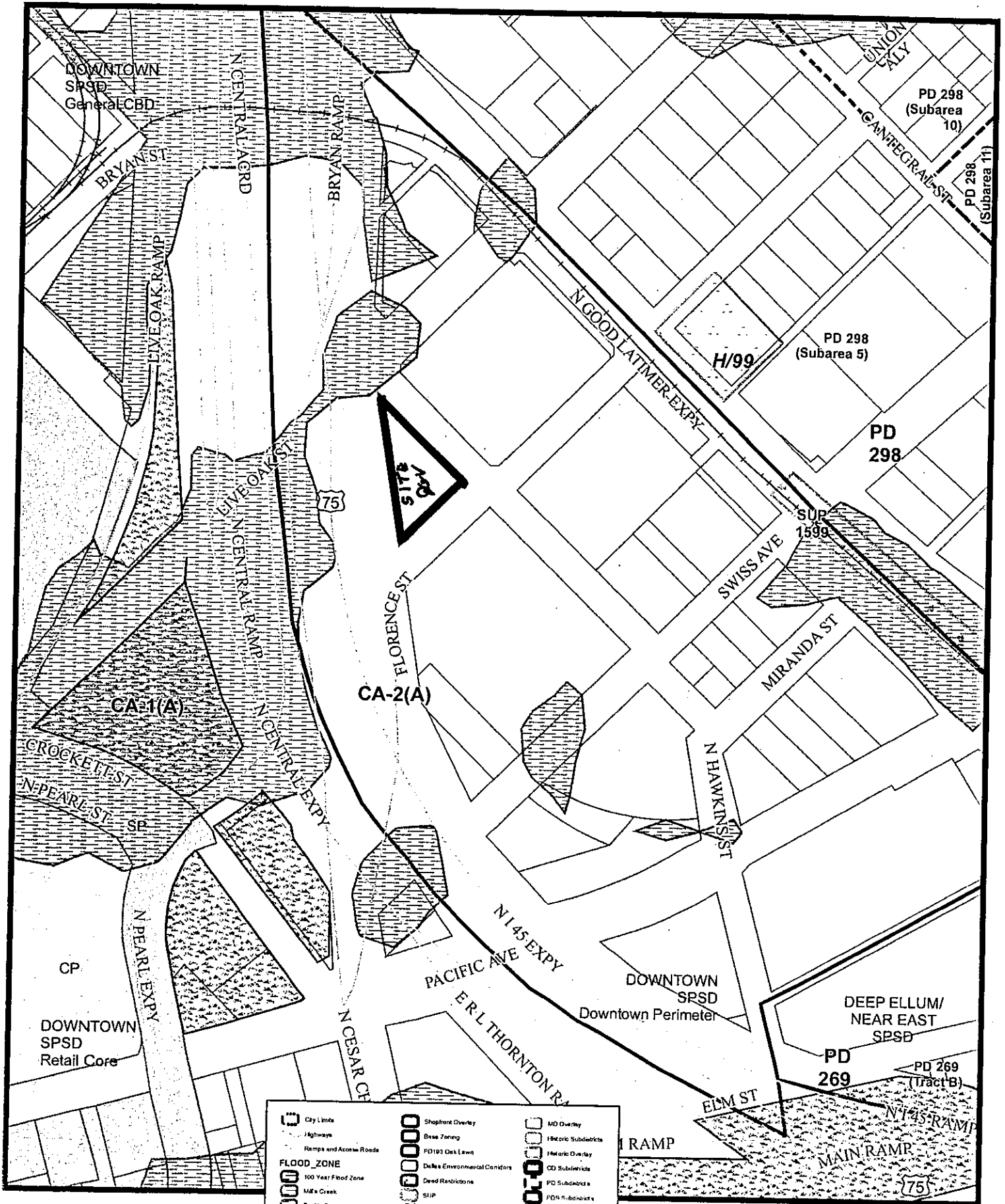
at 601 Hawkins Street

BDA112-082. Application of Jonathan Vinson for a variance to the parking regulations at 601 Hawkins Street. This property is more fully described as a .394 acre parcel in city block 317 and is zoned CA-2(A), which requires parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for a mini-warehouse use and provide 8 of the required 25 parking spaces, which will require a 17 space variance to the parking regulation.

Sincerely,

  
Lloyd Denman, Building Official

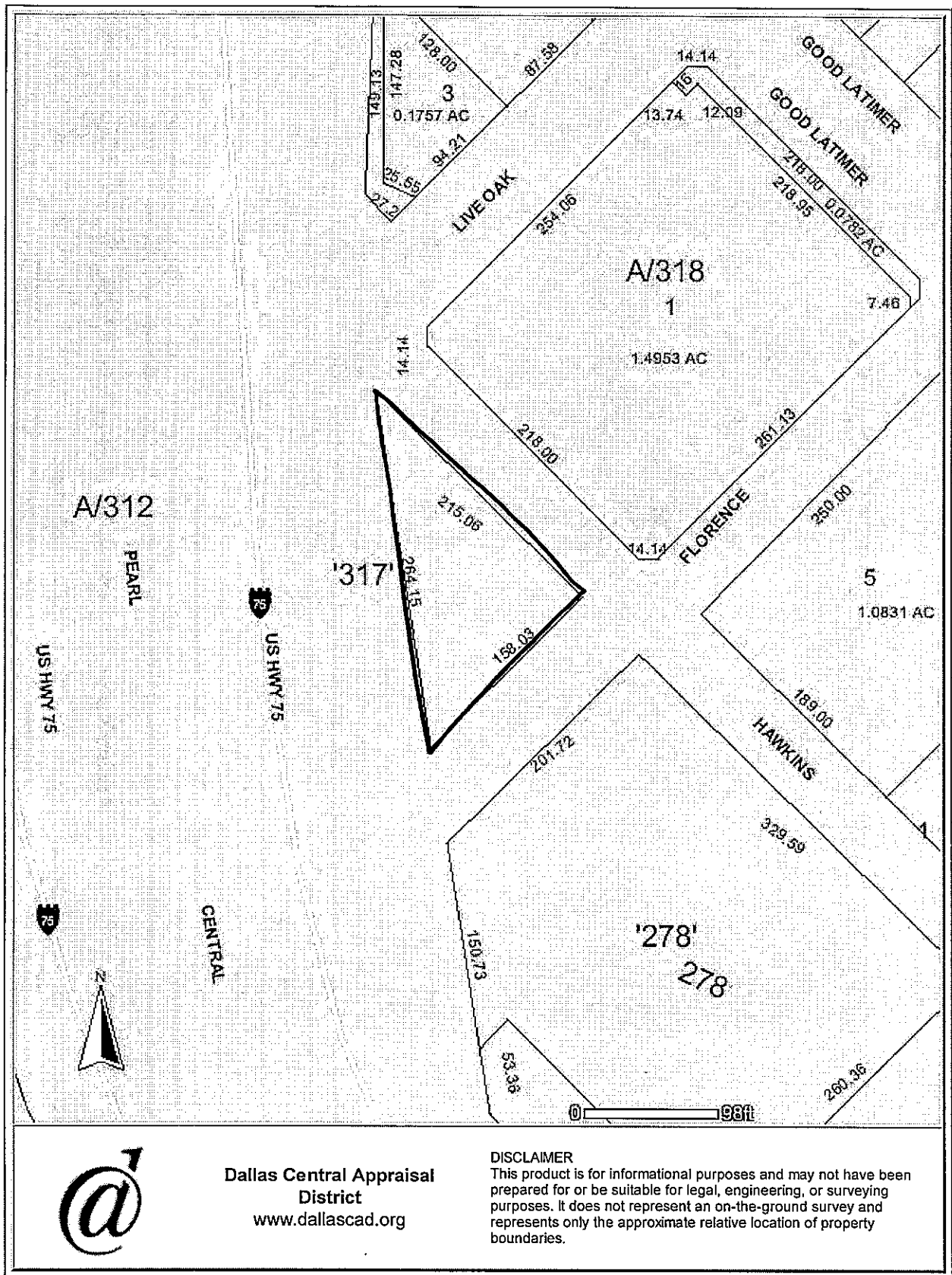




1:2,400

City Limits	Shoptfront Overlay	MD Overlay
Highways	Base Zoning	Historic Subdistricts
Ramps and Access Roads	PD193 Oak Lawn	Historic Overlay
<b>FLOOD_ZONE</b>	Delex Environmental Corridors	CD Subdistricts
100 Year Flood Zone	Dead Restrictions	PD Subdistricts
Milk's Creek	SLIP	PDR Subdistricts
Peak's Branch	D	MSD Subdistricts
X PROTECT BY LEVEE	D-1	MSD Overlay
Paisa	SP	Equipment Overlay
Height Map Overlay		
Parking Management Overlay		

Case ID:  
Printed: 6/19/2012

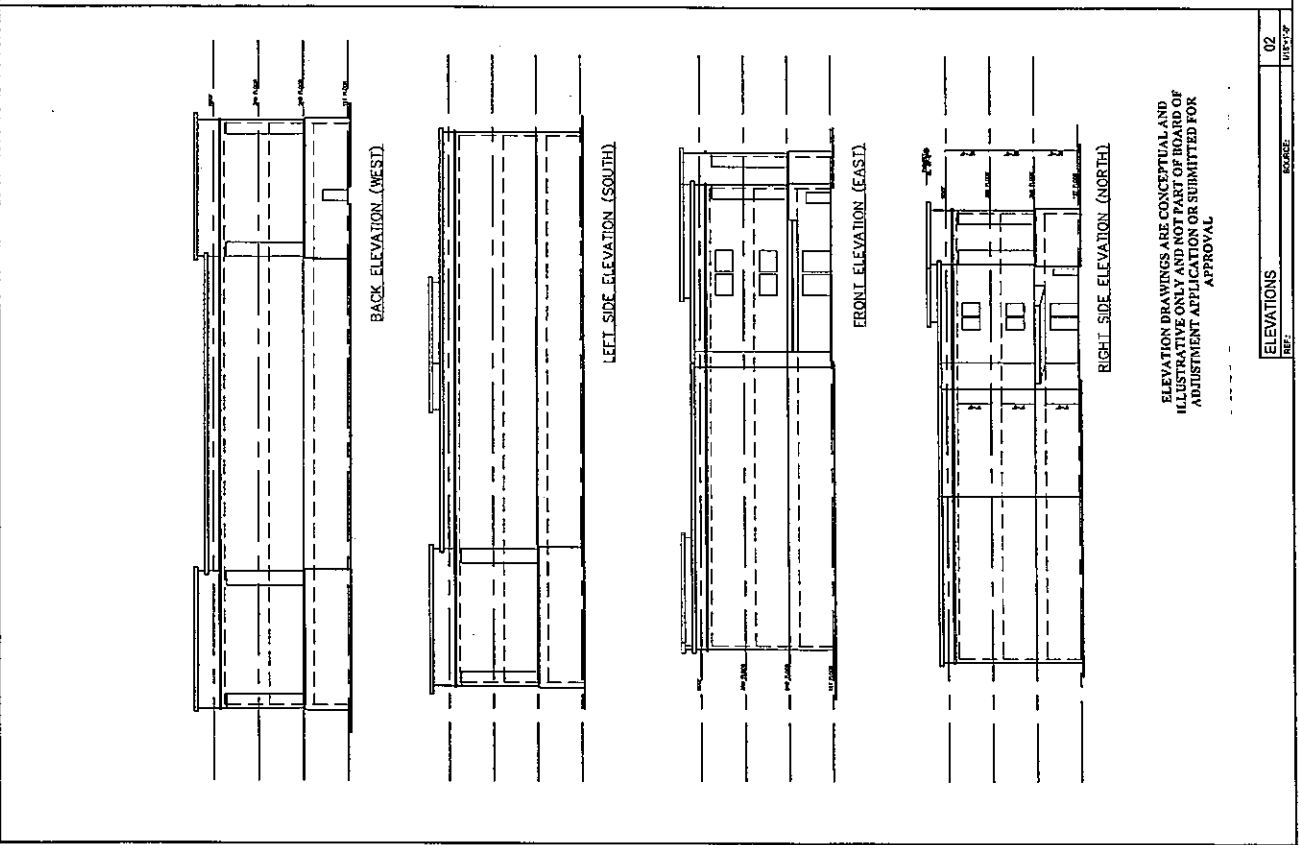
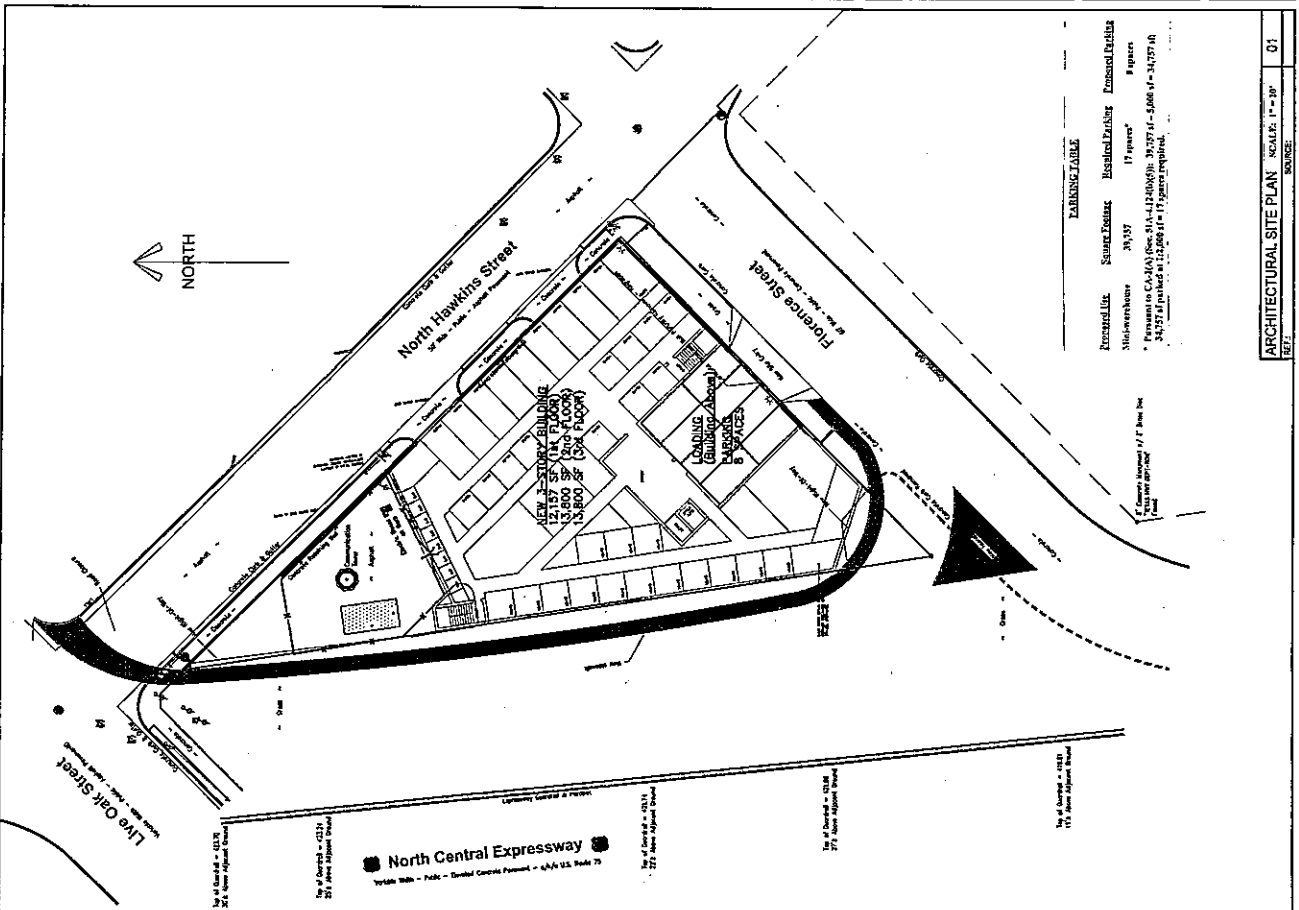


Dallas Central Appraisal District  
www.dallascad.org

**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.



DATE	DESCRIPTION
12/15/11	ISSUED FOR PERMITS
01/10/12	REVISED PER COMMENTS
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**TRIP GENERATION AND PARKING STUDY  
FOR PUBLIC STORAGE FACILITIES  
IN LOS ANGELES AREA**

**Prepared for:**

**PUBLIC STORAGE, INC.**

**Prepared by:**

**Crain & Associates  
2007 Sawtelle Boulevard, Suite 4  
Los Angeles, California 90025  
(213) 473-6508**

**September 1987**

## INTRODUCTION

Public Storage, Inc. (PSI), a developer of self-storage, mini-warehouse facilities throughout the country, retained Crain & Associates to conduct a study of its facilities in the Los Angeles area to determine their trip-generating characteristics. In addition, PSI requested that a parking analysis be performed for these facilities in conjunction with the trip generation study. Results of both analyses would be compared to current standards and requirements to determine whether those standards and requirements may be appropriate for these type of facilities.

The following report describes the subject facilities, methodology, analysis, findings and conclusions of the study. An Appendix also is included, which summarizes the data collected.

## DESCRIPTION OF FACILITIES

PSI is the largest developer and manager of self-storage facilities in the United States. Generally, a PSI facility consists of one to seven buildings, single-story and/or multi-story, containing an aggregate of between 300 and 1,000 storage spaces or units. The facilities are leased for storage purposes only. Other uses such as retail, repair and fabrication, are prohibited in the lease agreement. Storage space is leased by both individuals and businesses.

A facility site is approximately two to five acres, located in or near large population centers and close to concentrations of apartment complexes, single-family residences and commercial developments. The sites usually can be seen and/or accessed from a freeway or major thoroughfare.

Each facility has a security manager's quarters in one of the buildings near the site entrance. The manager's quarters includes a small office for transacting business with present and prospective tenants. The area containing the storage units is a secured area. Access into and out of this area is enabled by electrically operated gates opened by a push-button, coded-control mechanism, with each tenant having his or its own special access code number.

Parking is provided on-site near the manager's quarters and the storage buildings. However, parking for the storage buildings may not actually be striped since the layout of the buildings and the tenant's need to have close-by parking may preclude an effective striped parking arrangement. Instead, large unmarked areas are available near and between the buildings, which allow convenient parking access to most storage units.

There are approximately 70 PSI sites in the Los Angeles area at the present time, ranging between 20,000 and 140,000 square feet of available building area. The majority are in the 40,000 to 80,000 square-foot category, with the average size between 62,000 and 63,000 square feet. Overall, about 85 percent of these facilities in this area are occupied.

## METHODOLOGY AND ANALYSIS

Initially, it was decided to try to utilize the computerized access tapes generated by the PSI facilities. As described earlier, each PSI facility is equipped with a push-button, coded-control security device. This device is linked to a monitor-computer, which registers the identity of any tenant at any given time. Through this means, the identity and total count of tenant vehicles can be obtained for any period. This information is continually provided on a printed tape each day.

By matching the entering and leaving code numbers, along with the corresponding times, peak-hour as well as 24-hour trip generation rates could be computed relatively easily. Similarly, the elapsed time between inbound and outbound code numbers would yield the length of stay of each vehicle, which would infer parking duration and, consequently, parking accumulation, the total number of vehicles parking in a given area at a given time. The peak parking accumulation would be the measure of most critical parking need, from which parking rates could be calculated.

Thus, it appeared that both trip generation and parking information could be readily derived from the register tapes. Further, since each PSI facility could furnish these tapes, a large sample size covering an extended period of time could be examined, allowing for more confidence and less statistical error in the final results.

Since data analysis of the nearly 70 facilities in the area was not feasible, PSI was requested to furnish printed tapes for ten of its more active facilities in the area, covering the same two-week period, including weekends. Unfortunately, upon close examination of the tapes, it was found that the information recorded was

unreliable and inaccurate and could not be rectified by selecting other sites and/or time periods.

The major flaw was that many vehicles were registered as entering a facility but never leaving or vice-versa. Thus, at the end of the day the inbound and outbound flows were not balanced, with many vehicles unmatched. Based on conversations with the managers of these facilities, there should be an equal number of entering and departing vehicles each day, except in unusual circumstances.

It was obvious from random field checks that the reason for the large discrepancies on the coded tapes was due to tailgating; that is, one vehicle immediately following another vehicle into or out of the facility after the lead driver had opened the security gate. Since the gates have some delay before they close, it is possible for other vehicles to go through without code-accessing. This could occur 10 to 25 percent of the time, especially during periods of peak usage when more vehicles access the system. In addition, it was noted that the coded security system applied only to those entering and leaving the secured storage area. Visitors and others parking near the manager's quarters had unrestricted access and were not monitored by the computer. Therefore, even if the printouts were reliable, they would not fully account for the total peak-hour or daily trip generation of the facility.

It was concluded that the only way to obtain complete and accurate information for all vehicles accessing a facility would be by continuous human observation. Since such field surveys can be very expensive and time-consuming, it was decided to conduct surveys at five of the previously selected ten sites in the Los Angeles area. The five selected sites were as follows:

<u>Name of Facility</u>	<u>Address</u>	<u>Size of Facility</u>	
		<u>Available Units</u>	<u>Available Square Feet</u>
Glendale/San Fernando	4820 San Fernando Road, Glendale	929	88,710
La Cienega	3401 South La Cienega Boulevard, Los Angeles	1,224	98,230
Long Beach/Cherry	4140 Cherry Avenue, Long Beach	706	70,500
Los Angeles/Beverly	3636 Beverly Boulevard, Los Angeles	1,171	81,426
Wilmington	501 East Pacific Coast Highway, Wilmington	1,119	133,859

Each site was surveyed on two weekdays, Tuesday and Thursday, and a Saturday during the month of July, 1987. Field personnel recorded every vehicle using all facility driveways, inbound and outbound, from 7:00 AM to 7:30 PM each day. (These observations were 30 minutes longer than the 7:00 AM to 7:00 PM period that these facilities were open.) Determinations were made as to whether those accessing the sites were tenants, visitors or other type of trip-makers (such as lost drivers, "U"-turners, illegal parkers, etc.). Lastly, times were recorded for each entering and departing vehicle.

As mentioned previously, these five facilities were considered by PSI to be among its more highly used facilities. At the time of the field surveys, these facilities had an average occupancy of 95 percent. It could be anticipated, therefore, that the surveys probably would result in trip generation and parking rates higher than might be expected were a much broader spectrum of facilities examined.



It also should be noted that during the month of July, PSI was advertising a bargain rate to attract new tenants. Large banners were placed outside these facilities, advertising a \$1 rental fee for the first month of tenancy. The increase in traffic due to the campaign could be expected to further skew the trip generation and parking demand at these sites toward higher than normal results. For these reasons, it could be said that the study includes somewhat "worst case" type conditions.

Since field observations were not made during the 7:30 PM to 7:00 AM period when the facilities were closed, it cannot be said that the collected data absolutely account for all traffic that might have accessed the facilities in a 24-hour period. It is possible that during the late evening or early morning hours, the manager, his family and/or visitors, may have generated a few trips. However, these potential after-hours trips would be a very small amount. They would have only a negligible effect on the overall trip generation and none on the critical peak-hour generations since all trips were recorded during the regular time period. For practical purposes, it would be reasonable to assume that the total trip generation observed during the 7:00 AM to 7:30 PM period represents the 24-hour trip generation.

Upon completion of the field surveys, the collected data were reviewed and analyzed manually for each day and site. In most cases, complete and balanced inbound and outbound vehicle movements were found. Where discrepancies occurred, the differences were extremely slight, amounting to only one vehicle more or less than the opposing movement. (In those instances, one additional vehicle was added later to the daily tally to achieve an exact balance.)

For peak-hour trip generation, the data were analyzed for the highest number of vehicle trips recorded for a 60-minute period during the peak-hour periods of 7:00 to 10:00 AM and 3:00 to 6:00 PM. In addition, an analysis was made of the peak trip

generation, the highest 60-minute vehicle measurement at each facility, regardless of the time of day. These numbers, as well as the total daily trip generation of the facility, were then related to the available storage area of the facility. As an additional step, the trip generations also were related to the occupancy of each facility. These calculations yielded trip generation rates according to available and occupied units, and available and occupied square feet. These rates were further analyzed in order to determine average trip generation values for both a weekday and a Saturday. As a final procedure, these rates were compared to the trip generation rates given for a "Mini-Warehouse" use in the nationally recognized *Institute of Transportation Engineers Trip Generation Manual (Third Edition, 1982)*.

All of the relevant information regarding the aggregated field data, trip generation analysis and comparison of trip generation rates has been assembled in Tables 1 through 5 in the Appendix.

Using the same information gathered for the trip generation study, a manual analysis was performed to determine the parking needs of these facilities. The analysis focused only on the expected parking usage associated with the storage facilities themselves, that is, the secured areas where the vast majority of the parking demand occurs as tenants access their units. No analysis was made of the parking situation in the nonsecured areas of the facilities. Since the survey was oriented toward evaluating the amount of parking needed within the secured area, no records were made of the actual parking maneuvers around the storage buildings.

By performing a parking accumulation analysis, a profile of the total number of vehicles assumed to have been parked inside at the end of each hourly period was obtained for each day and site. A peak parking accumulation analysis also was

made to determine the maximum number of vehicles parked at any one time, no matter how brief the period. The hourly and peak parking accumulation results are depicted graphically in Figures 1 through 5 of the Appendix.

It is evident from those figures that except at one site, the highest peak parking accumulation occurred on Saturday. Therefore, to determine a parking rate that should be adequate for even most periods of high parking demand, the Saturday peak parking accumulation quantities at each facility were used. These quantities were divided by the appropriate storage sizes, available and occupied, of each facility, resulting in individual parking generation rates. These rates were then combined to arrive at average parking rates, as shown in Table 6, Appendix.

For comparison purposes, several local governmental agencies in the Los Angeles area were contacted regarding parking requirements for self-storage or mini-warehouse uses. Only a few jurisdictions presently have parking requirements specifically for such uses. Most agencies continue to rely on industrial or manufacturing use parking requirements or variations thereof. Table 7, Appendix, lists current parking requirements of some of these agencies.

Using the current code parking requirements of the appropriate jurisdictions for the five study facilities, a comparison was made with the parking quantities calculated according to the average parking rate determined above. An additional comparison was made with the highest peak parking accumulation found for each facility. These comparisons are shown in Table 8 of the Appendix.

## FINDINGS AND CONCLUSIONS

### Findings

Although the sample size for the trip generation and parking study was rather small, each of the five study facilities was surveyed extensively. From the information collected in the study, the following findings about Public Storage (PSI) facilities in the Los Angeles area are indicated:

#### **Trip Generation**

- o PSI facilities are a relatively low trip-generating use.
- o The PM peak-hour trip generation is greater than the AM peak-hour generation.
- o The peak trip generation usually occurs between noon and closing time, and frequently does not coincide with the PM peak-hour generation. The peak trip generation is approximately 15 percent of the 24-hour generation.
- o The Saturday 24-hour trip generation is approximately 35 to 40 percent higher than the weekday generation, although the Saturday AM peak-hour generation is only slightly higher than the weekday AM peak-hour generation.
- o Approximately 75 percent of the trip generation is due to tenant use trips; the remainder is attributable to visitor and other type of trips.

- o The trip rates determined in this study for weekday AM and PM peak hours and peak generation are very similar to the Institute of Transportation Engineers (ITE) rates for a mini-warehouse use. The rates also are quite similar for Saturday peak generation. However, the study's 24-hour rates are about 25 percent less for a weekday and about 15 percent more for Saturday.
- o The basis of trip generation, either "per (storage) unit" or "per 1,000 gross square feet," generally yield similar results, with the per unit basis being slightly more accurate.

#### **Parking Demand**

- o Peak parking accumulation in the storage facility area (i.e., tenant parking) does not necessarily coincide with the peak trip generation of the facility.
- o Peak parking accumulation in the storage facility area usually occurs on Saturday and usually after 12 PM.
- o The average duration of parking in the storage facility area is approximately 30 to 35 minutes per vehicle.
- o Unless variances are granted, the code parking requirements of most local jurisdictions for self-storage/mini-warehouse facilities generally are excessive by at least 100 percent.

#### **Conclusions**

Based on the findings indicated above, it can be concluded that PSI facilities and similar self-storage facilities are relatively low trip generators during both the peak

and 24-hour periods. The results of this study tend to validate the ITE weekday and Saturday trip generations rates for the most critical AM and PM peak-hour and peak generation periods. For weekday and Saturday 24-hour trip generation, there is less similarity between the study rates and the ITE rates. Nevertheless, intuitively as well as based on study observations, it does appear that the ITE Saturday 24-hour trip generation rate should be higher, at least equal to its weekday rate.

It also can be concluded that most typical code parking requirements for industrial and manufacturing uses and which are commonly used by many jurisdictions, are inappropriate for self-storage type facilities. Such parking requirements are much greater than necessary for even the normal peak parking demands of these facilities.

## APPENDIX

TABLE 1

SUMMARY OF TRIP GENERATION  
PUBLIC STORAGE FACILITIES

Public Storage Facility	Units Available/Occupied		Square Feet Available/Occupied		Day of Week	AM Peak Hour (Occurring in 7-10 AM Period)			PM Peak Hour (Occurring in 3-6 PM Period)			Peak Hour Generation of Facility			24-Hour Total		
	Available	Occupied	Available	Occupied		I/B	O/B	Total	I/B	O/B	Total	I/B	O/B	Total	I/B	O/B	Total
Glendale/ San Fernando	929	894	88,710	85,130	Tuesday	7	7	14	11	13	24	11	28	39	108	108	216
	(96.2%)	(96.0%)			Thursday	8	8	16	10	14	24	13	14	27	117	117	234
					Saturday	9	4	13	11	12	23	17	19	36	107	107	214
La Cienega	1,224	1,099	98,230	88,515	Tuesday	11	11	22	9	15	24	13	14	27	111	111	222
	(89.8%)	(90.1%)			Thursday	12	8	20	9	9	18	20	16	36	124	124	248
					Saturday	15	10	25	26	26	52	29	36	65	214	214	428
Long Beach/ Cherry	706	703	70,500	70,000	Tuesday	5	3	8	9	9	18	9	9	18	63	63	126
	(99.6%)	(99.3%)			Thursday	15	13	28	10	15	25	16	14	30	100	100	200
					Saturday	8	5	13	11	11	22	14	15	29	102	102	204
Los Angeles/ Beverly	1,171	1,163	81,426	80,904	Tuesday	3	4	7	13	11	24	13	11	24	71	71	142
	(99.3%)	(99.4%)			Thursday	2	3	5	11	9	20	11	9	20	65	65	130
					Saturday	7	4	11	10	12	22	11	14	25	85	85	170
Wilmington	1,119	1,036	133,859	120,488	Tuesday	12	9	21	12	10	22	16	20	36	113	113	226
	(92.6%)	(90.0%)			Thursday	8	5	13	9	13	22	16	19	35	111	111	222
					Saturday	15	13	28	14	22	36	30	22	52	178	178	356



**SUMMARY OF CALCULATED TRIP GENERATION RATES  
PUBLIC STORAGE FACILITIES**

Public Storage Facility	Day Of Week	Trip Generation Rate: Per Available Unit (Per Occupied Unit)						Peak Hour Generation of Facility			
		AM Peak Hour		PM Peak Hour		24-Hour Total		I/B	O/B	Total	
		I/B	O/B	I/B	O/B	I/B	O/B	I/B	O/B	Total	
Glendale/ San Fernando	Tuesday	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.01 (0.01)	0.03 (0.03)	0.04 (0.04)	0.23 (0.24)
	Thursday	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.25 (0.26)
	Saturday	0.01 (0.01)	0.00 (0.00)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.02 (0.02)	0.02 (0.02)	0.04 (0.04)	0.23 (0.24)
La Cienega	Tuesday	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.18 (0.20)
	Thursday	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.00 (0.01)	0.01 (0.01)	0.01 (0.02)	0.02 (0.02)	0.01 (0.01)	0.03 (0.03)	0.20 (0.23)
	Saturday	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.02 (0.02)	0.03 (0.03)	0.04 (0.05)	0.02 (0.03)	0.03 (0.03)	0.05 (0.06)	0.35 (0.39)
Long Beach/ Cherry	Tuesday	0.01 (0.01)	0.00 (0.00)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.18 (0.18)
	Thursday	0.02 (0.02)	0.02 (0.02)	0.04 (0.04)	0.02 (0.02)	0.02 (0.02)	0.04 (0.04)	0.02 (0.02)	0.02 (0.02)	0.04 (0.04)	0.28 (0.28)
	Saturday	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.02 (0.02)	0.02 (0.02)	0.04 (0.04)	0.29 (0.29)

**SUMMARY OF CALCULATED TRIP GENERATION RATES  
PUBLIC STORAGE FACILITIES**

Public Storage Facility	Day Of Week	Trip Generation Rate: Per Available Unit (Per Occupied Unit)												
		AM Peak Hour		PM Peak Hour		Peak Hour		Peak Hour		24-Hour				
		I/B	O/B	Total	I/B	O/B	Total	I/B	O/B	Total	I/B	O/B	Total	
Los Angeles/ Beverly	Tuesday	0.00 (0.00)	0.01 (0.01)	0.01 (0.01)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.12 (0.12)
	Thursday	0.00 (0.00)	0.00 (0.00)	0.00 (0.00)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.11 (0.11)
	Saturday	0.01 (0.01)	0.00 (0.00)	0.01 (0.01)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.15 (0.15)
Wilmington	Tuesday	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.20 (0.22)
	Thursday	0.01 (0.01)	0.00 (0.00)	0.01 (0.01)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.01 (0.01)	0.02 (0.02)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.20 (0.21)
	Saturday	0.02 (0.02)	0.01 (0.01)	0.03 (0.03)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.01 (0.01)	0.02 (0.02)	0.03 (0.03)	0.03 (0.03)	0.02 (0.02)	0.05 (0.05)	0.32 (0.34)

**SUMMARY OF CALCULATED TRIP GENERATION RATES  
PUBLIC STORAGE FACILITIES**

Public Storage Facility	Day Of Week	Trip Generation Rate: Per Available 1,000 Square Feet (Per Occupied 1,000 Square Feet)											
		AM Peak Hour		PM Peak Hour		Peak Hour		Generation of Facility		24-Hour Total			
		I/B	O/B	Total	I/B	O/B	Total	I/B	O/B	Total	I/B	O/B	Total
Glendale/ San Fernando	Tuesday	0.08 (0.08)	0.08 (0.08)	0.16 (0.16)	0.12 (0.12)	0.15 (0.15)	0.27 (0.28)	0.12 (0.13)	0.32 (0.33)	0.44 (0.46)	2.43 (2.54)		
	Thursday	0.09 (0.10)	0.09 (0.09)	0.18 (0.19)	0.11 (0.12)	0.16 (0.16)	0.27 (0.28)	0.14 (0.15)	0.16 (0.17)	0.30 (0.32)	2.64 (2.75)		
	Saturday	0.10 (0.10)	0.05 (0.05)	0.15 (0.15)	0.12 (0.13)	0.14 (0.14)	0.26 (0.27)	0.19 (0.20)	0.22 (0.22)	0.41 (0.42)	2.41 (2.51)		
La Cienega	Tuesday	0.11 (0.13)	0.11 (0.12)	0.22 (0.25)	0.09 (0.10)	0.15 (0.17)	0.24 (0.27)	0.13 (0.14)	0.14 (0.16)	0.27 (0.30)	2.26 (2.51)		
	Thursday	0.12 (0.14)	0.08 (0.09)	0.20 (0.23)	0.09 (0.10)	0.09 (0.10)	0.18 (0.20)	0.21 (0.23)	0.16 (0.18)	0.37 (0.41)	2.52 (2.80)		
	Saturday	0.15 (0.17)	0.10 (0.11)	0.25 (0.28)	0.26 (0.29)	0.27 (0.30)	0.53 (0.59)	0.29 (0.33)	0.37 (0.40)	0.66 (0.73)	4.36 (4.84)		
Long Beach/ Cherry	Tuesday	0.07 (0.07)	0.04 (0.04)	0.11 (0.11)	0.13 (0.13)	0.13 (0.13)	0.26 (0.26)	0.13 (0.13)	0.13 (0.13)	0.26 (0.26)	1.79 (1.80)		
	Thursday	0.21 (0.21)	0.19 (0.19)	0.40 (0.40)	0.14 (0.14)	0.21 (0.22)	0.35 (0.36)	0.23 (0.23)	0.20 (0.20)	0.43 (0.43)	2.84 (2.86)		
	Saturday	0.11 (0.12)	0.07 (0.07)	0.18 (0.19)	0.15 (0.15)	0.16 (0.16)	0.31 (0.31)	0.19 (0.19)	0.21 (0.21)	0.41 (0.41)	2.89 (2.91)		

TABLE 3 (Continued)

SUMMARY OF CALCULATED TRIP GENERATION RATES  
PUBLIC STORAGE FACILITIES

Trip Generation Rate: Per Available 1,000 Square Feet  
(Per Occupied 1,000 Square Feet)

Public Storage Facility	Day Of Week	AM Peak Hour		PM Peak Hour		Peak Hour		24-Hour Total	
		I/B	O/B	I/B	O/B	I/B	O/B	Total	Total
Los Angeles/ Beverly	Tuesday	0.04 (0.04)	0.05 (0.05)	0.16 (0.16)	0.13 (0.14)	0.16 (0.16)	0.13 (0.13)	0.29 (0.29)	1.74 (1.75)
	Thursday	0.02 (0.02)	0.04 (0.04)	0.14 (0.14)	0.11 (0.11)	0.14 (0.14)	0.11 (0.11)	0.25 (0.25)	1.60 (1.61)
	Saturday	0.09 (0.09)	0.05 (0.05)	0.12 (0.12)	0.15 (0.15)	0.14 (0.14)	0.17 (0.17)	0.31 (0.31)	2.09 (2.10)
Wilmington	Tuesday	0.09 (0.10)	0.07 (0.07)	0.09 (0.10)	0.07 (0.08)	0.12 (0.13)	0.15 (0.17)	0.27 (0.30)	1.69 (1.88)
	Thursday	0.06 (0.07)	0.04 (0.04)	0.07 (0.07)	0.09 (0.11)	0.12 (0.13)	0.14 (0.16)	0.26 (0.29)	1.56 (1.84)
	Saturday	0.11 (0.12)	0.10 (0.11)	0.11 (0.12)	0.16 (0.18)	0.22 (0.25)	0.17 (0.18)	0.39 (0.43)	2.66 (2.96)

**TABLE 4**  
**AVERAGE TRIP GENERATION RATES**  
**PUBLIC STORAGE FACILITIES**

		<u>Per Available Unit</u>	<u>Per Occupied Unit</u>	<u>Per Available 1,000 Square Feet</u>	<u>Per Occupied 1,000 Square Feet</u>
<b><u>Weekday</u></b>					
<b>AM Peak Hour (7-10 AM)</b>					
	Inbound	0.01	0.01	0.09	0.10
	Outbound	0.01	0.01	0.08	0.08
	Total	0.02	0.02	0.17	0.18
<b>PM Peak Hour (3-6- PM)</b>					
	Inbound	0.01	0.01	0.11	0.12
	Outbound	0.01	0.01	0.13	0.14
	Total	0.02	0.02	0.24	0.26
<b>Peak Hour Generation</b>					
	Inbound	0.01	0.01	0.15	0.16
	Outbound	0.02	0.02	0.16	0.17
	Total	0.03	0.03	0.31	0.33
<b>24-Hour</b>	<b>Total</b>	<b>0.20</b>	<b>0.20</b>	<b>2.12</b>	<b>2.23</b>
<b><u>Saturday</u></b>					
<b>AM Peak Hour (7-10 AM)</b>					
	Inbound	0.01	0.01	0.11	0.12
	Outbound	0.01	0.01	0.08	0.08
	Total	0.02	0.02	0.19	0.20
<b>PM Peak Hour (3-6- PM)</b>					
	Inbound	0.01	0.01	0.15	0.16
	Outbound	0.02	0.02	0.18	0.19
	Total	0.03	0.03	0.33	0.35
<b>Peak Hour Generation</b>					
	Inbound	0.02	0.02	0.21	0.22
	Outbound	0.02	0.02	0.23	0.24
	Total	0.04	0.04	0.44	0.46
<b>24-Hour</b>	<b>Total</b>	<b>0.27</b>	<b>0.28</b>	<b>2.88</b>	<b>3.06</b>

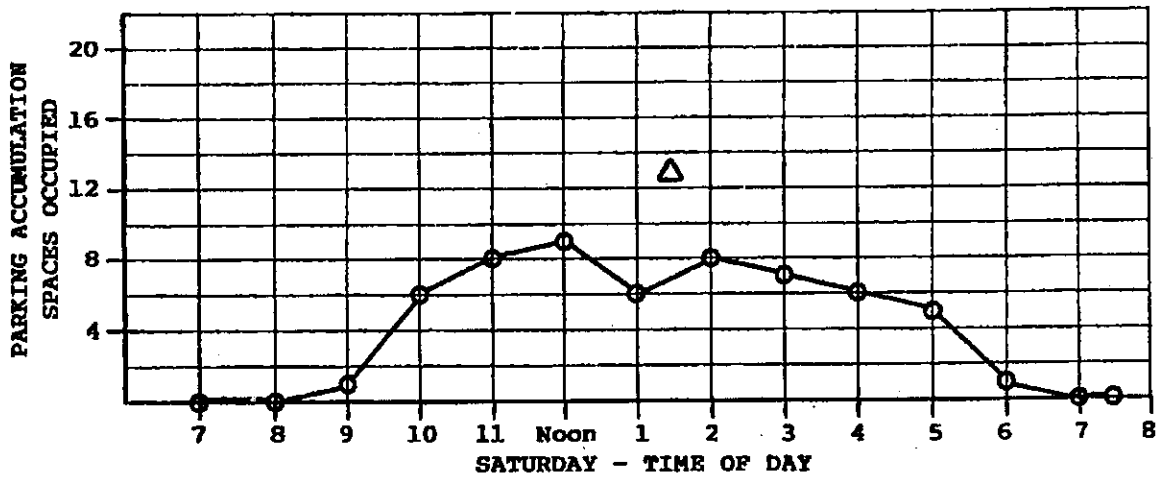
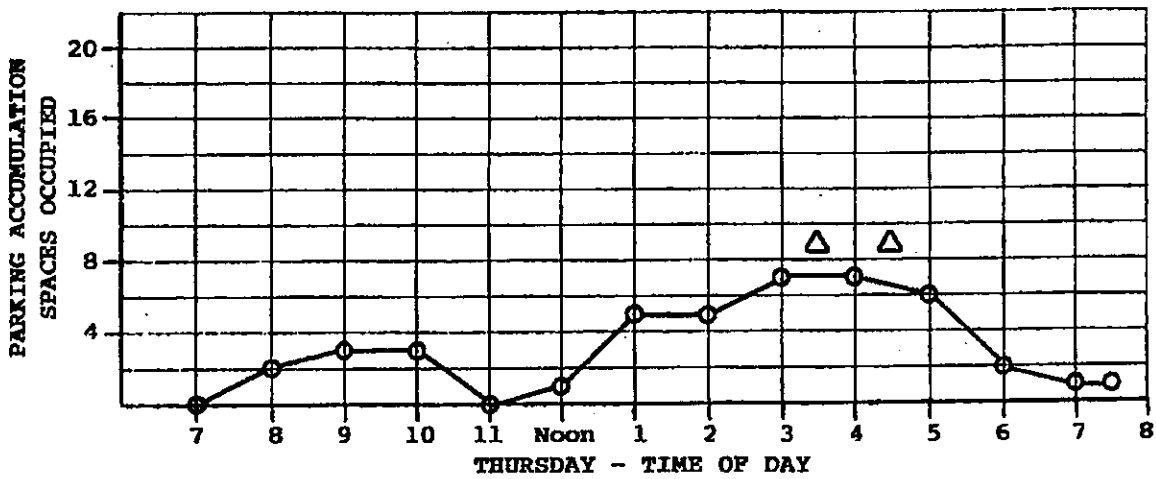
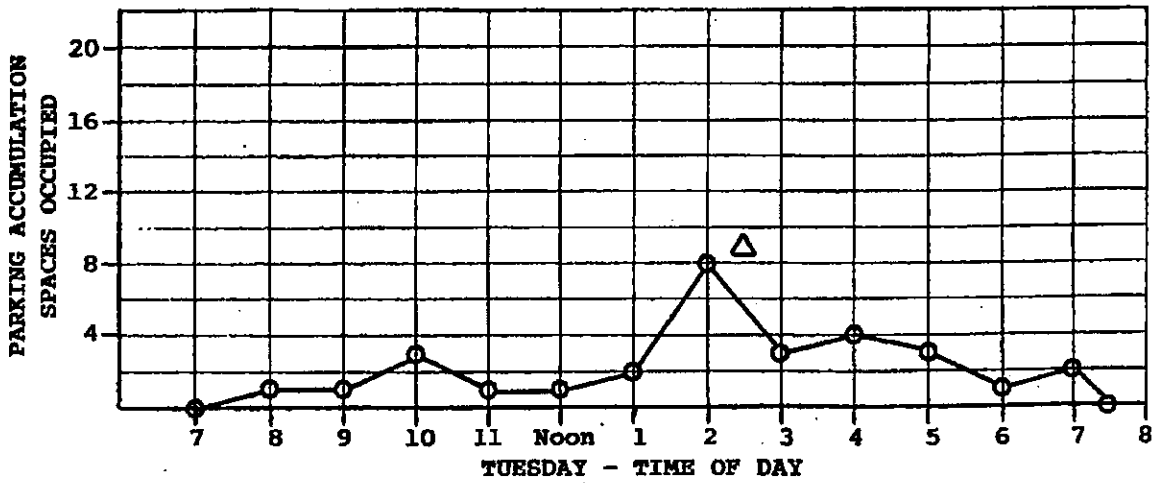
**TABLE 5**  
**COMPARISON OF TRIP GENERATION RATES**

	<u>Average Trip Generation Rate</u>				
	<u>ITE Manual, "Mini-Warehouse," Land Use Code 151</u>		<u>Public Storage Facilities</u>		
	<u>Per Unit</u>	<u>Per 1,000 Gross Square Feet</u>	<u>Per Unit</u>	<u>Per Available 1,000 Square Feet</u>	<u>Per 1,000 Gross Square Feet*</u>
<b><u>Weekday</u></b>					
AM Peak Hour (Total)	0.02	0.17	0.02	0.17	0.18
PM Peak Hour (Total)	0.03	0.29	0.02	0.24	0.25
Peak Hour Generation (Total)	0.03	0.32	0.03	0.31	0.33
24- Hour (Total)	0.28	2.80	0.20	2.10	2.20
<b><u>Saturday</u></b>					
Peak Hour Generation (Total)	0.04	0.40	0.04	0.44	0.46
24- Hour (Total)	0.25	2.50	0.27	2.90	3.10

\* The "Per 1,000 Gross Square Feet" rates for Public Storage facilities are adjusted rates, assuming that the available square footages are approximately 95 percent of the gross square footages.

**Note:** The Institute of Transportation Engineers (ITE) Trip Generation Manual does not provide information regarding inbound and outbound peak-hour rates for the mini-warehouse use.





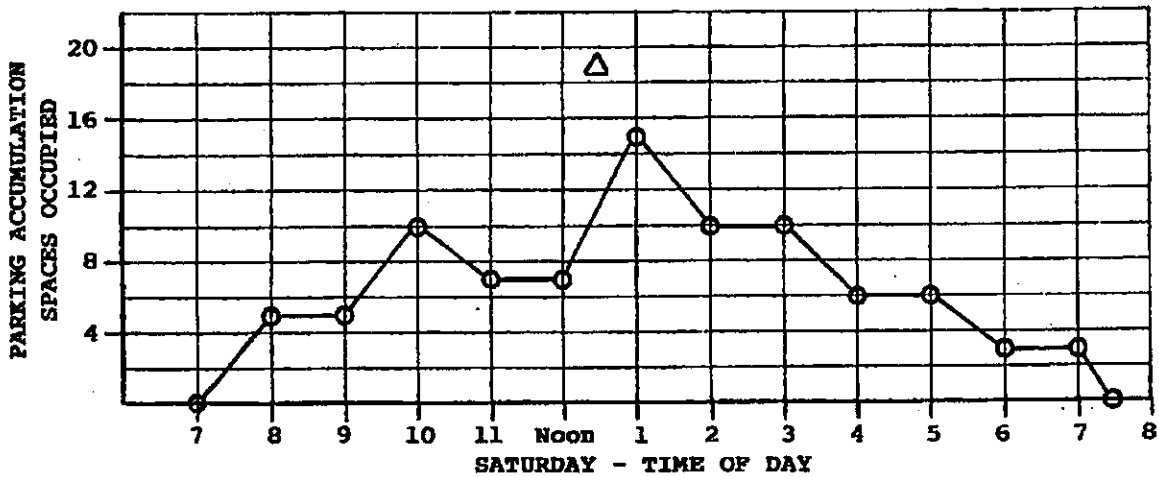
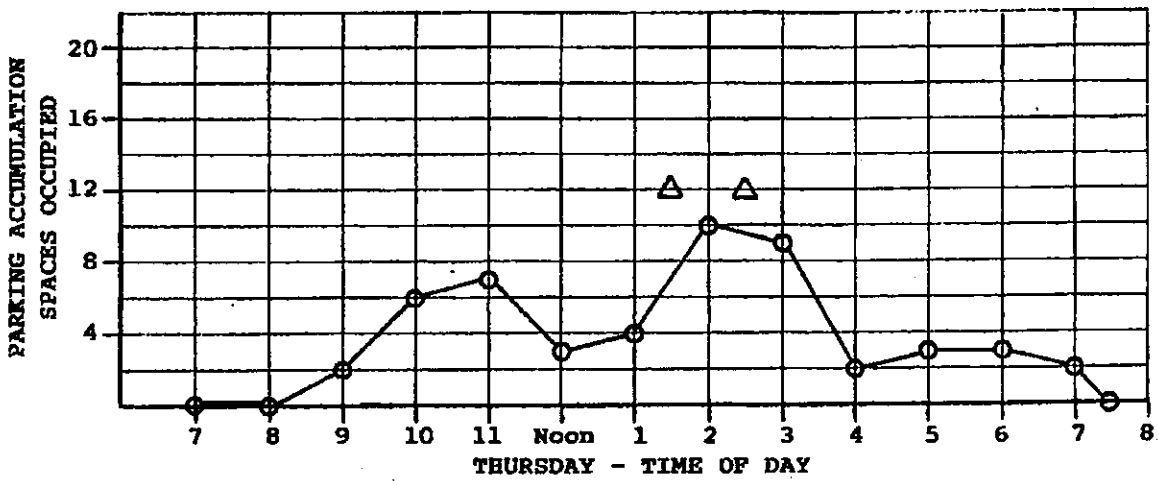
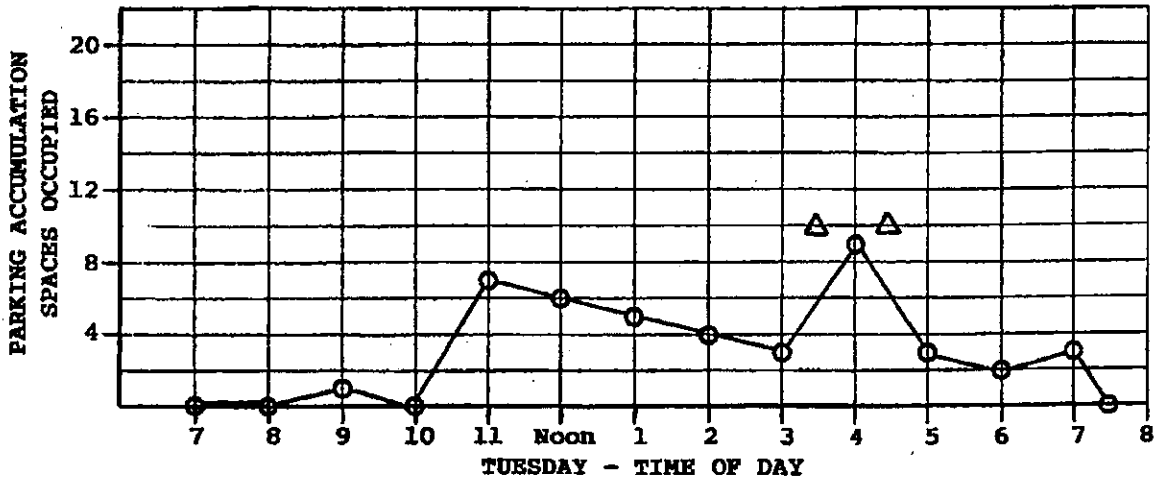
△ DENOTES PEAK ACCUMULATION

**FIGURE 1**  
**HOURLY PARKING ACCUMULATION**  
**GLENDALE/SAN FERNANDO FACILITY**



**CRAIN & ASSOCIATES**  
 3007 Sawtelle Boulevard  
 Los Angeles, California 90085  
 (818) 473-6508

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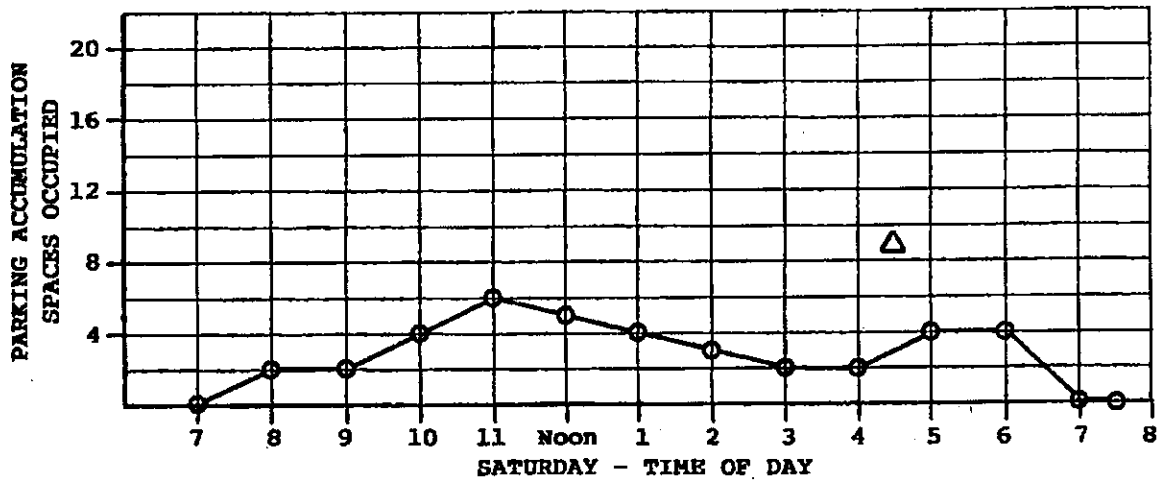
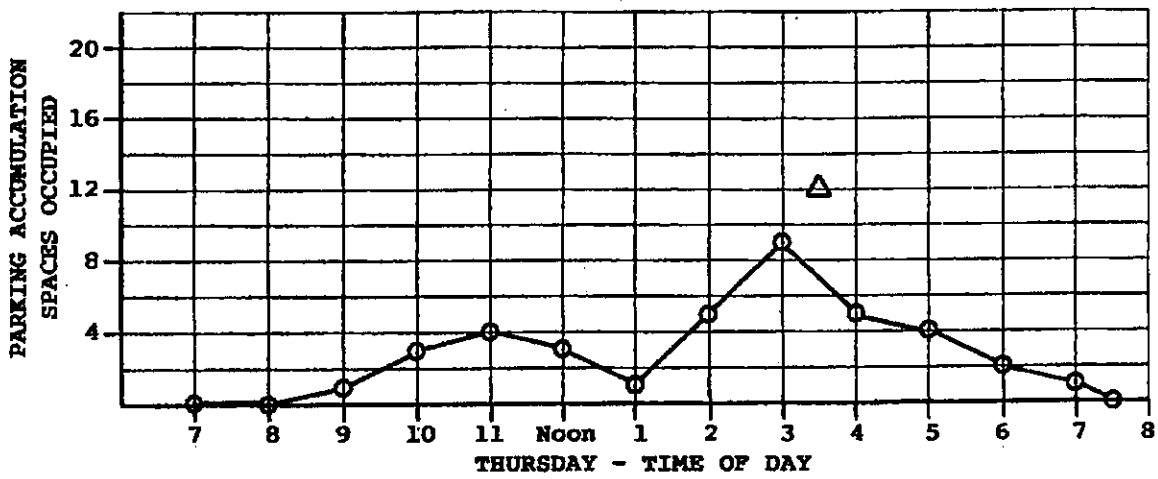
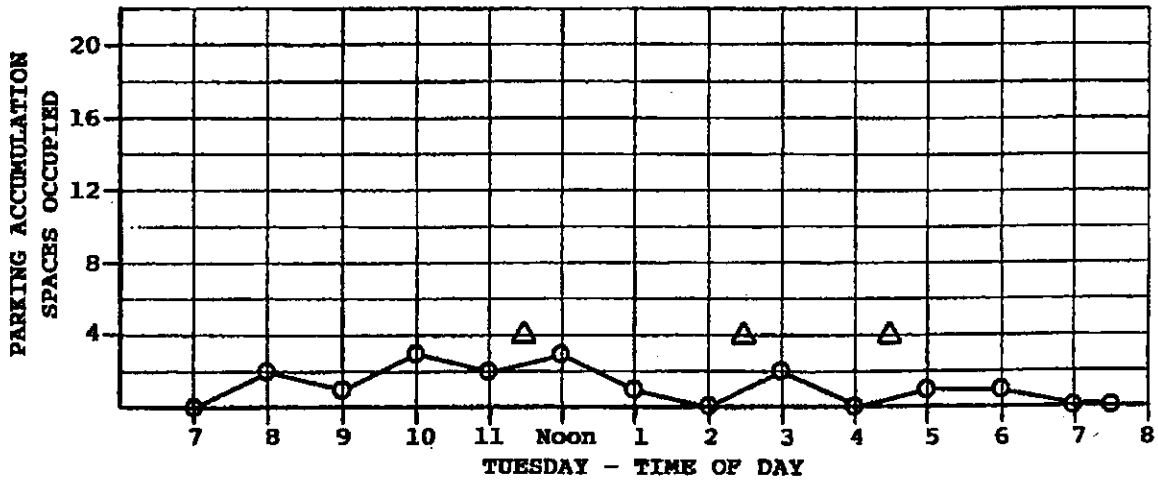
△ DENOTES PEAK ACCUMULATION

**FIGURE 2**  
**HOURLY PARKING ACCUMULATION**  
**LA CIENEGA FACILITY**



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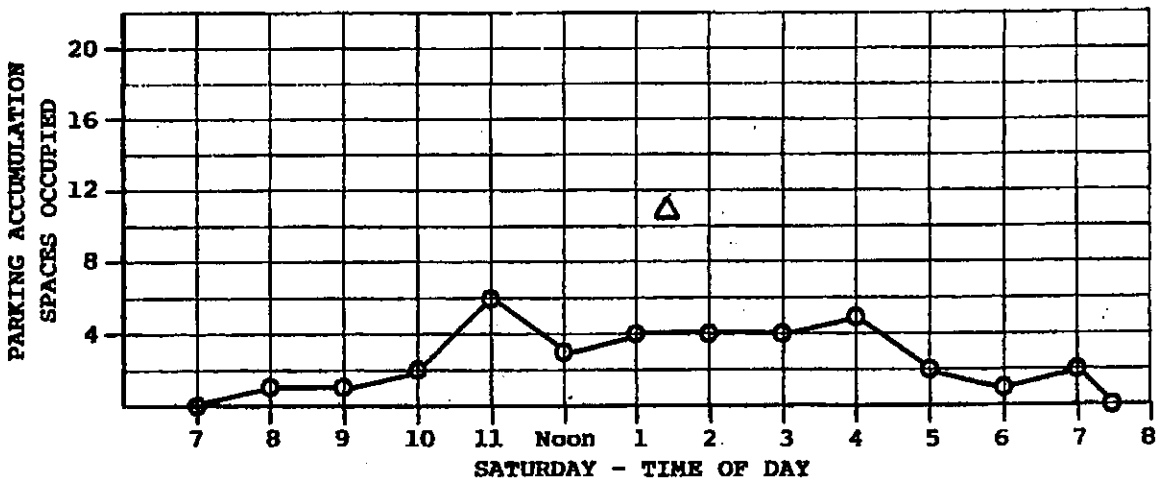
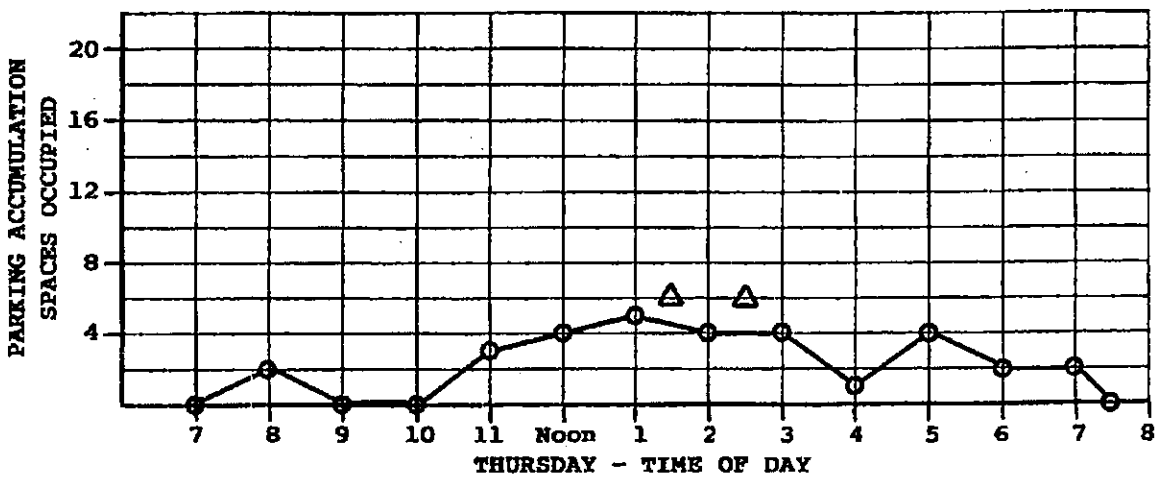
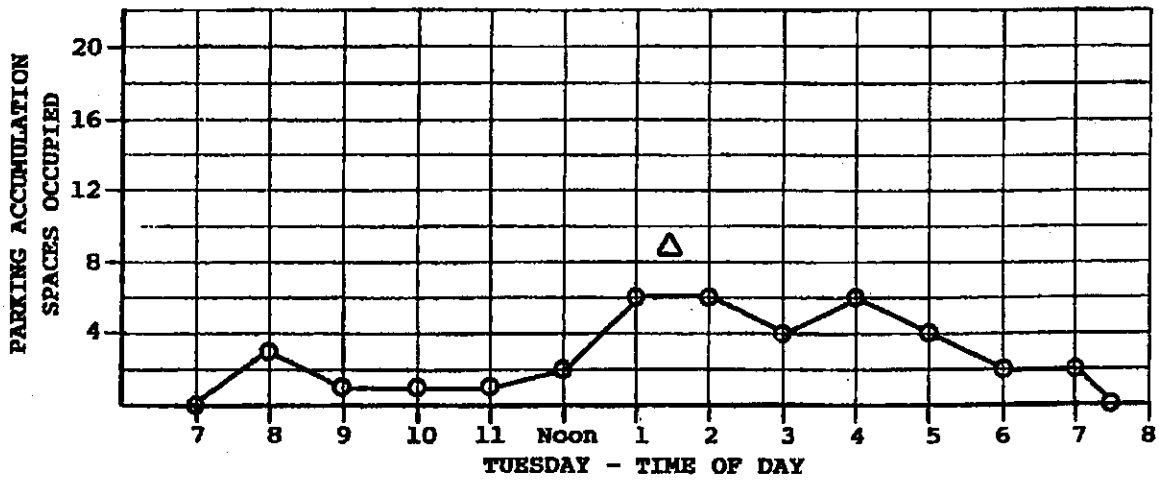
△ DENOTES PEAK ACCUMULATION

**FIGURE 3**  
**HOURLY PARKING ACCUMULATION**  
**LONG BEACH FACILITY**



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 Los Angeles, California 90085  
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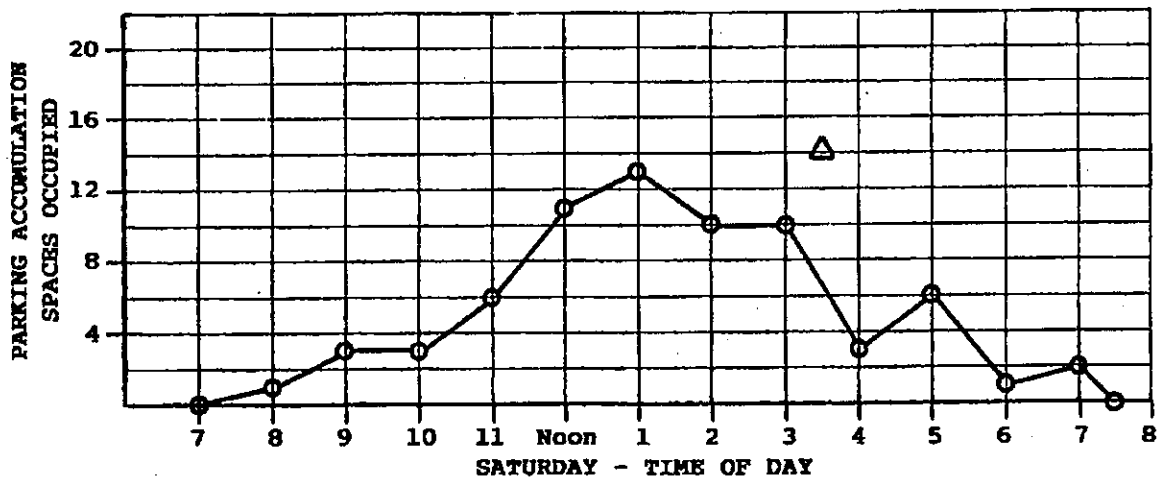
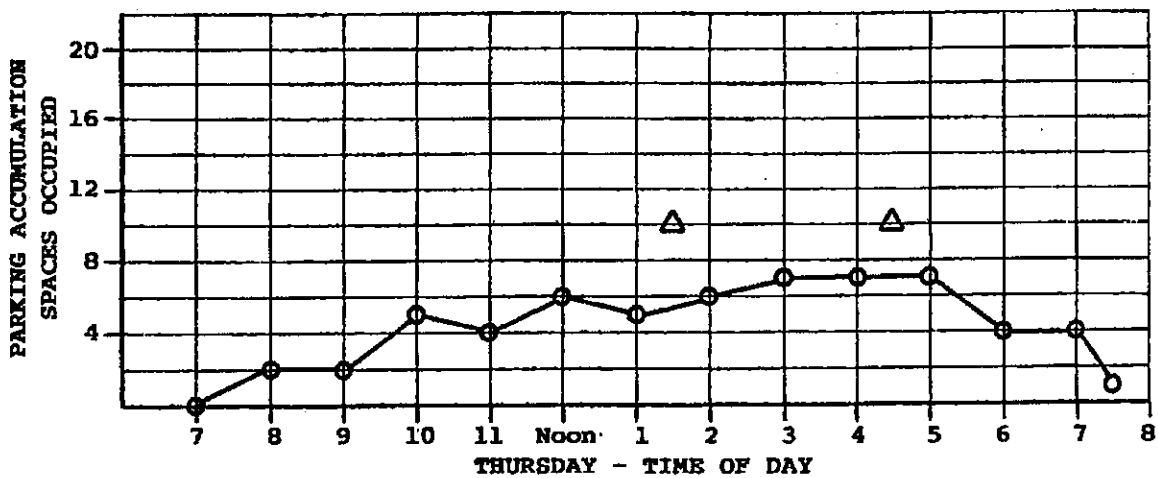
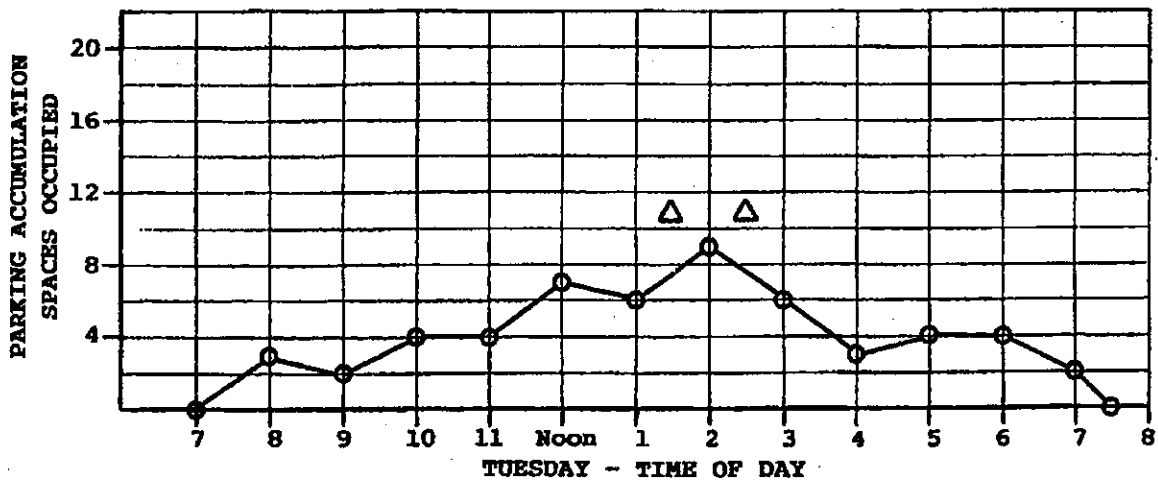
△ DENOTES PEAK ACCUMULATION

**FIGURE 4**  
**HOURLY PARKING ACCUMULATION**  
**LOS ANGELES/BEVERLY FACILITY**



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△ DENOTES PEAK ACCUMULATION

**FIGURE 5**  
**HOURLY PARKING ACCUMULATION**  
**WILMINGTON FACILITY**



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**TABLE 6**

**SUMMARY OF CALCULATED PARKING RATES  
PUBLIC STORAGE FACILITIES**

Public Storage Facility	Units		Square Feet Available/Occupied	Saturday Peak Parking Accumulation (Spaces)	Parking Rate		Per 1,000 Square Feet	
	Available	Occupied			Per Unit Available	Per Unit Occupied	Available	Occupied
Glendale/San Fernando	929	894 (96.2%)	88,710/85,130 (96.0%)	13	0.01	0.01	0.15	0.15
La Cienega	1,224	1,099 (89.8%)	98,230/88,515 (90.1%)	19	0.02	0.02	0.21	0.21
Long Beach/Cherry	706	703 (99.6%)	70,500/70,000 (99.3%)	9	0.01	0.01	0.13	0.13
Los Angeles/Beverly	1,171	1,163 (99.3%)	81,426/80,904 (99.4%)	11	0.01	0.01	0.14	0.14
Wilmington	1,119	1,036 (92.6%)	133,859/120,488 (90.0%)	20	0.02	0.02	0.15	0.17

**Average Parking Rate: Per Available Unit = 0.01**

**Per Occupied Unit = 0.01**

**Per Available 1,000 Square Feet = 0.20 (rounded)**

**Per Occupied 1,000 Square Feet = 0.20 (rounded)**

**TABLE 7**

**CURRENT PARKING REQUIREMENTS OF LOCAL AGENCIES IN LOS ANGELES AREA  
FOR SELF-STORAGE/MINI-WAREHOUSE USES**

<u>Jurisdiction</u>	<u>Parking Requirement</u>
City of El Monte	<p>0-3,000 GSF: 1 space/250 GSF            3,001-5,000 GSF: 1 space/500 GSF            5,001-10,000 GSF: 1 space/750 GSF            10,001-50,000 GSF: 1 space/1,000 GSF            50,001 + GSF: 1 space/1,250 GSF</p> <p>(Typically, El Monte has been granting variances of at least 50% from these requirements for mini-warehouse uses. The City is in the process of developing specific parking requirements for such uses.)</p>
City of Glendale	1 space/1,000 GSF
City of Long Beach	<p>3 spaces + 1 space/100 units</p> <p>(For manager's quarters, 2 spaces for residence + 4 spaces/1,000 GSF for office.)</p>
City of Los Angeles	1 space/500 GSF for first 10,000 GSF; then 1 space for each 5,000 GSF thereafter
County of Los Angeles	<p>1 space/1,000 GSF</p> <p>(Typically, the County has been granting "parking permit" variances from these requirements for mini-warehouse uses. The County is in the process of developing specific parking requirements for such uses.)</p>
City of Pasadena	<p>4 spaces/10,000 GSF</p> <p>(For manager's quarters, 2 spaces for residence + 3 spaces/1,000 GSF for office.)</p>
City of Santa Monica	Unclear. The City is studying proposal requiring 1 space/4,000 GSF, and for manager's quarters, 2 spaces for residence + 4 spaces/1,000 GSF for office.)
City of Torrance	<p>1 space/1,500 GSF</p> <p>(For manager's quarters, 1 space for residence + 4 spaces/1,000 GSF for office.)</p>
City of Whittier	<p>1 space/1,500 GSF</p> <p>(For manager's quarters, 2 spaces for residence + 1 space/225 GSF for office.)</p> <p>(Typically, Whittier has been granting variances from these requirements for mini-warehouse uses.)</p>



**TABLE 8  
COMPARISON OF PARKING RATES**

<u>Public Storage Facility</u>	<u>Peak Parking Accumulation (Spaces)</u>	<u>Current</u>		<u>Recommended</u>	
		<u>Code</u> <u>Parking Space Requirement</u>	<u>Parking Surplus( + )/ Deficiency(-)</u>	<u>Parking Space Requirement (0.20/1,000 GSF)</u>	<u>Parking Surplus( + )/ Deficiency (-)</u>
Glendale/San Fernando (88,710 SF; 929 units)	13	94	+ 81	19	+ 6
La Cienega (98,230 SF; 1,224 units)	19	39	+ 20	21	+ 2
Long Beach/Cherry (70,500 SF; 706 units)	12	11	- 1	15	+ 3
Los Angeles/Beverly (81,426; 1,171 units)	11	36	+ 25	18	+ 7
Wilmington (133,859 SF; 1,119 units)	20	47	+ 27	29	+ 9

A-15

- Notes:
1. Parking requirements vary from jurisdiction to jurisdiction but normally are stated "per 1,000 gross square feet." The square footages above are available square footages, which are assumed to be approximately 95 percent of the gross square footages.
  2. Parking requirements for the managers' quarters are not included in the above calculations.
  3. The number of spaces has been rounded up to the next whole number.



781 units

Eagle Rock, Visits

March, 2003

June-02	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	Totals							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
7:00 AM-8:00 AM	3	0	2	2	0	4	1	3	1	3	5	0	1	6	4	2	4	4	3	2	2	4	3	2	4	3	3	2	4	77	
8:00 AM-9:00 AM	2	0	2	1	1	2	3	3	2	2	1	4	1	4	2	1	3	5	4	6	5	2	2	2	2	7	6	4	2	94	
9:00 AM-10:00 AM	4	1	3	7	5	6	7	4	2	4	0	3	3	6	6	2	5	11	8	4	8	5	3	5	4	7	4	1	131		
10:00 AM-11:00 AM	2	1	5	4	3	0	3	5	3	3	4	6	7	3	2	2	3	13	8	7	8	3	8	3	2	6	2	1	116		
11:00 AM-12:00 PM	6	3	5	2	2	2	7	6	5	6	2	3	7	5	3	2	3	5	2	4	6	5	2	4	3	1	3	7	117		
12:00 PM-1:00 PM	7	3	4	2	2	2	2	7	9	7	2	2	12	2	2	2	2	2	8	3	2	2	2	1	3	6	1	12	120		
1:00 PM-2:00 PM	3	7	1	3	3	1	2	8	5	2	3	2	1	8	4	7	3	2	1	8	3	2	3	2	1	4	8	1	0	99	
2:00 PM-3:00 PM	5	4	3	4	4	0	3	4	4	6	3	4	1	2	3	2	3	2	5	7	1	1	5	2	4	2	4	7	6	103	
3:00 PM-4:00 PM	6	2	3	2	2	7	4	4	3	2	4	1	3	4	3	5	3	5	1	0	2	5	2	5	8	6	3	8	9	118	
4:00 PM-5:00 PM	5	4	4	8	2	4	2	3	3	3	1	2	5	6	4	1	2	5	5	1	2	9	1	1	4	3	2	6	5	107	
5:00 PM-6:00 PM	2	3	4	2	2	2	3	1	4	3	1	3	6	2	2	2	5	10	5	5	3	5	3	2	1	1	2	11	2	99	
6:00 PM-7:00 PM	1	2	2	1	2	2	2	5	3	6	8	0	1	1	1	4	5	5	0	8	4	3	4	2	1	3	5	1	5	94	
Totals	46	30	38	36	31	32	37	53	41	48	34	27	45	51	36	33	34	48.5	44	63	49	48	35	42	41	45	45	50	63	48	1274

6 one hour periods with 10 or more customers on property

December-02	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	Totals									
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
7:00 AM-8:00 AM	1	2	2	2	3	5	4	3	4	5	2	3	2	4	3	3	0	4	3	5	2	3	2	2	0	1	1	3	1	2	79	
8:00 AM-9:00 AM	1	2	3	4	4	5	7	2	5	3	2	2	1	3	4	6	1	3	4	1	4	2	1	4	0	4	5	4	2	5	100	
9:00 AM-10:00 AM	5	5	4	5	1	3	9	3	3	4	3	0	6	5	2	3	3	4	4	5	2	6	1	3	1	5	2	1	1	104		
10:00 AM-11:00 AM	9	3	3	8	0	4	4	2	2	3	3	3	3	6	5	2	5	1	3	5	7	3	3	5	0	4	4	2	4	9	117	
11:00 AM-12:00 PM	7	3	7	5	8	3	1	4	6	4	6	2	3	8	5	8	1	1	5	4	2	4	2	3	3	2	5	4	3	126		
12:00 PM-1:00 PM	7	3	4	1	2	6	6	3	2	2	2	1	5	3	9	3	4	4	6	2	4	4	2	3	2	5	4	4	0	3	106	
1:00 PM-2:00 PM	10	5	8	8	2	3	7	3	3	6	3	4	4	3	2	2	3	2	7	3	5	3	5	6	1	3	5	2	6	1	127	
2:00 PM-3:00 PM	6	3	3	4	2	2	7	6	2	5	0	3	0	6	10	4	2	4	5	2	8	2	5	2	0	5	1	3	2	8	114	
3:00 PM-4:00 PM	6	6	4	6	6	2	6	7	5	4	4	3	7	7	2	2	4	5	3	2	4	4	4	5	2	0	1	2	3	8	127	
4:00 PM-5:00 PM	12	5	6	7	4	5	4	7	4	6	3	4	5	3	5	1	3	5	3	2	7	2	8	5	0	5	8	7	6	150		
5:00 PM-6:00 PM	5	8	6	7	3	4	5	6	1	1	6	5	2	4	5	3	4	4	2	7	2	3	5	1	0	6	4	8	5	123		
6:00 PM-7:00 PM	4	5	4	4	3	6	1	1	8	2	2	2	5	1	2	1	2	2	2	1	2	1	1	2	0	1	2	8	1	76		
Totals	73	60	54	57	37	48	80	47	38	61	36	31	45	51	36	32	39	47	38	46	36	41	38	41	38	6	39	42	46	39	45	1351

3 one hour periods with 10 or more customers on property



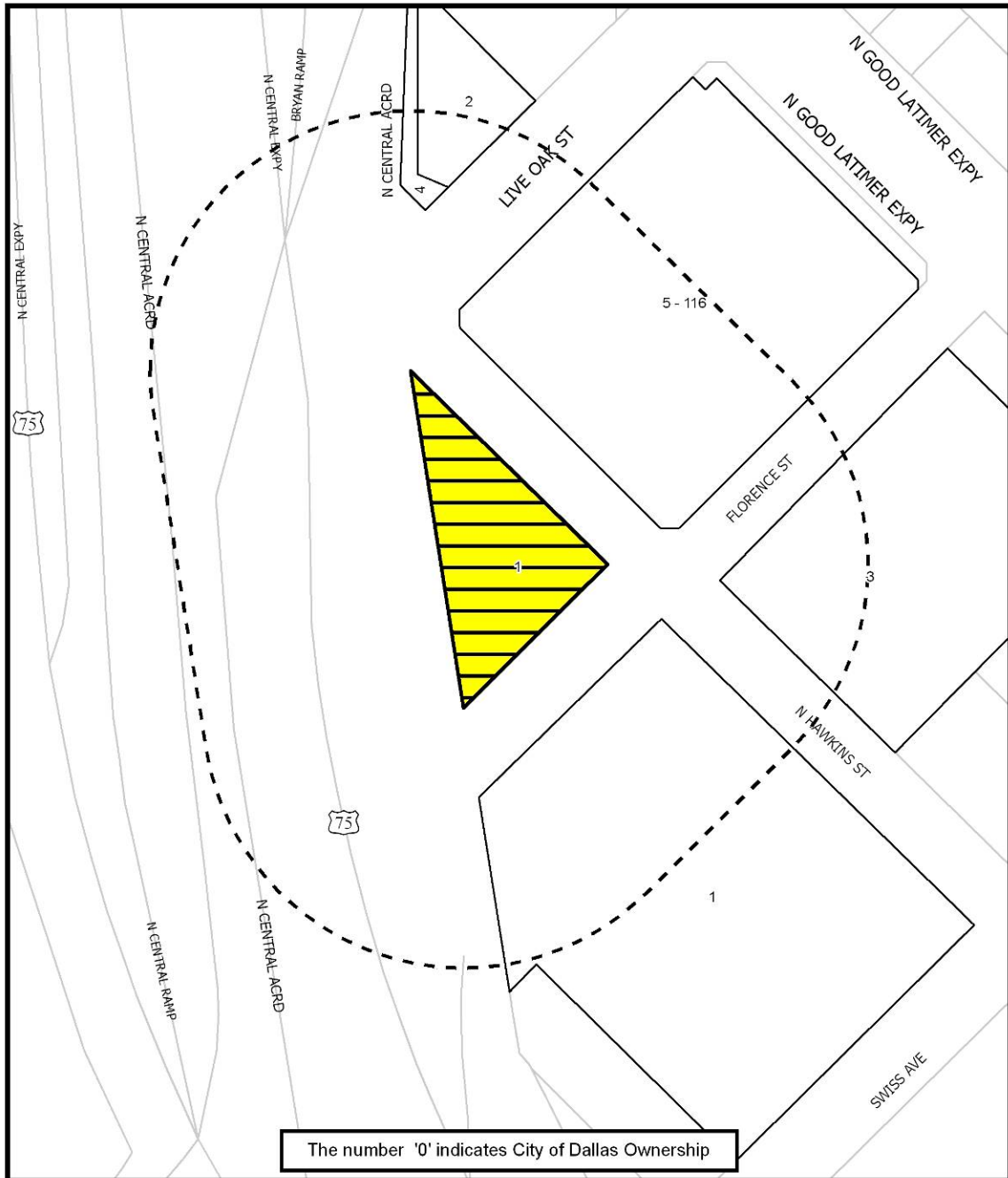
June-04

	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Total							
6:00am	1	0	1	1	1	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	2	23					
7:00am	0	3	4	3	1	8	3	1	0	5	2	4	1	0	3	5	1	0	1	2	6	0	2	6	5	4	2	4	7	90	
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9:00am	8	8	6	9	9	9	11	10	16	13	8	6	10	8	5	8	14	6	7	14	12	8	10	10	6	11	3	6	6	263	
10:00am	16	9	11	10	6	17	13	11	13	7	9	11	11	12	7	7	11	11	12	8	13	9	13	11	7	10	12	19	11	326	
11:00am	18	7	21	15	14	10	12	17	4	9	10	17	12	15	11	8	9	14	18	7	8	12	11	9	8	10	12	12	9	11	350
12:00pm	17	17	8	15	13	8	8	13	8	17	9	17	6	13	9	11	7	12	11	14	14	15	10	11	9	11	14	12	14	11	360
1:00pm	18	10	18	19	19	18	12	9	13	11	16	12	21	13	9	6	12	13	6	12	18	16	10	12	14	8	17	8	13	16	399
2:00pm	10	12	10	6	13	7	9	12	14	7	21	13	9	7	11	8	10	9	18	6	23	16	12	8	19	15	16	29	18	23	393
3:00pm	13	10	13	12	14	7	12	13	8	11	10	17	8	9	8	10	18	11	13	3	15	11	15	8	11	13	14	13	15	29	374
4:00pm	10	7	10	11	15	10	6	8	14	12	5	12	4	6	10	18	13	10	12	4	11	8	6	5	16	10	15	11	17	18	313
5:00pm	7	9	8	8	10	6	8	11	10	9	4	5	2	5	5	6	10	8	6	8	10	8	9	8	12	11	7	11	11	13	245
6:00pm	8	3	8	5	1	5	2	7	9	9	6	6	4	9	6	4	6	5	2	2	7	13	5	5	8	10	7	7	6	7	182
7:00pm	11	6	6	4	1	2	1	4	5	13	1	6	2	3	5	3	1	2	3	1	5	6	0	10	3	4	3	4	5	8	128
8:00pm	3	1	2	2	2	3	3	2	1	2	2	6	2	2	3	0	3	0	5	1	1	2	3	2	1	4	3	4	5	73	
Totals	147	108	136	124	129	118	106	122	127	133	109	138	98	106	96	98	120	108	118	87	149	128	115	113	122	131	129	143	146	167	3669

7 one hour periods when there were 20 or more tenants at the property

47 one hour periods when there were 15 or more tenants at the property

Traffic to the facility during commuting hours is light



 1:1,200	<b>NOTIFICATION</b>		Case no: <b>BDA112-082</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;">116</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: <b>7/26/2012</b>

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

***BDA112-082***

## ***116 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2439 SWISS AVE	PS TEXAS HOLDINGS LTD DEPT PT TX 25508
2	2505 LIVE OAK ST	MARGAUX CITY LIGHTS PTNRS STE 610
3	615 GOOD LATIMER EXPY	GOOD LATIMER LP
4	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT
5	2502 LIVE OAK ST	WATKINS DAMON E
6	2502 LIVE OAK ST	SNYDER COREY
7	2502 LIVE OAK ST	RATLIFF RILI ANN
8	2502 LIVE OAK ST	REYES CARLOS
9	2502 LIVE OAK ST	LANGLITZ JEFFREY R & MARGARET L LANGLITZ
10	2502 LIVE OAK ST	MARSH TONY UNIT 106
11	2502 LIVE OAK ST	FISCHER CORIE
12	2502 LIVE OAK ST	WIMBERLEY TODD
13	2502 LIVE OAK ST	MCCOY TARA GOINS UNIT 109
14	2502 LIVE OAK ST	KARGER STEPHANIE & RENNELLS JEFF
15	2502 LIVE OAK ST	MASH LANA K & ANTHONY J ARAGONA
16	2502 LIVE OAK ST	CRAIG JAMES C
17	2502 LIVE OAK ST	MILLER TONI D UNIT 113
18	2502 LIVE OAK ST	HOLLOWAY GARY J
19	2502 LIVE OAK ST	HOULIHAN CHRIS & CHERISH UNIT 115
20	2502 LIVE OAK ST	MAGUIRE JOHN M
21	2502 LIVE OAK ST	BAUDOIN JOHN
22	2502 LIVE OAK ST	MILES LIVE OAK LLLP
23	2502 LIVE OAK ST	TERRELL PAUL A & NORMA L
24	2502 LIVE OAK ST	JIMENEZ OSCAR P
25	2502 LIVE OAK ST	VINSON DANA N
26	2502 LIVE OAK ST	BREITHAUPT CATHERINE H UNIT 122



27	2502	LIVE OAK ST	LLOYD GEOFFREY D
28	2502	LIVE OAK ST	VITTETOE CHRIS
29	2502	LIVE OAK ST	MCCLELLEN ANDREW C
30	2502	LIVE OAK ST	LIVE OAK LOFTS CONDO ASSOC INC
31	2502	LIVE OAK ST	TALMAGE MARK E
32	2502	LIVE OAK ST	BREWINGTON MAXIE J JR
33	2502	LIVE OAK ST	HERSHEY BAIRD & HERSHEY SHARON K
34	2502	LIVE OAK ST	STONE KRIS
35	2502	LIVE OAK ST	MONTGOMERY CHRIS W
36	2502	LIVE OAK ST	WHITE SHAJUANDA MICHELLE
37	2502	LIVE OAK ST	ELLISON JASON S
38	2502	LIVE OAK ST	AVANT BENJAMIN O #134
39	2502	LIVE OAK ST	HERSHEY JOSHUA & JESSICA
40	2502	LIVE OAK ST	DHANE BEAU J & JOHN M DHANE
41	2502	LIVE OAK ST	FUENTES AIRALI
42	2502	LIVE OAK ST	ELSKAMP WILLIAM J JR UNIT 138
43	2502	LIVE OAK ST	EDWARDS RODERICK
44	2502	LIVE OAK ST	BAZAN JOHN
45	2502	LIVE OAK ST	STEWART INDIA I &
46	2502	LIVE OAK ST	STATES DANIEL R & JESSICA L
47	2502	LIVE OAK ST	SULLIVAN MARIN UNIT #205
48	2502	LIVE OAK ST	GRAY LUCILLE
49	2502	LIVE OAK ST	JOHNSON PRICE L
50	2502	LIVE OAK ST	SELLERS BOBBY D. SUITE 208
51	2502	LIVE OAK ST	ANDERHOLM JOHN SCOTT UNIT 209
52	2502	LIVE OAK ST	BALDWIN JUSTIN F
53	2502	LIVE OAK ST	SUMMERVILLE NICHOLAS A
54	2502	LIVE OAK ST	ULLRICH DONALD ALLEN & CONSTANCE JANE
55	2502	LIVE OAK ST	DEAN ALLISON M
56	2502	LIVE OAK ST	FURZE ALEXIS D UNIT 214
57	2502	LIVE OAK ST	CARLYLE DAN A UNIT 215
58	2502	LIVE OAK ST	FORD ERIC
59	2502	LIVE OAK ST	ABINGTON CLAY
60	2502	LIVE OAK ST	WERTZ BRYAN
61	2502	LIVE OAK ST	JITAN SHERIF

62	2502	LIVE OAK ST	GUBBINS TERESA
63	2502	LIVE OAK ST	APPLE MICHAEL
64	2502	LIVE OAK ST	STAFFORD JAMES III
65	2502	LIVE OAK ST	PENTECOST VINCENT T UNIT 223
66	2502	LIVE OAK ST	CISNEROS JAMES
67	2502	LIVE OAK ST	DAVIS AARON E
68	2502	LIVE OAK ST	SOLL ADAM
69	2502	LIVE OAK ST	PICKETT JILL A & SOTO JORGE L
70	2502	LIVE OAK ST	WATKINS PHYLLIS R
71	2502	LIVE OAK ST	HUFF JACK H
72	2502	LIVE OAK ST	GLOVER KRISTI
73	2502	LIVE OAK ST	HSBC BANK USA
74	2502	LIVE OAK ST	BRAKENRIDGE SCOTT
75	2502	LIVE OAK ST	BENJAMIN HELEN
76	2502	LIVE OAK ST	HUSSEY SEAN M
77	2502	LIVE OAK ST	PONCE BARBARA YAZZEL
78	2502	LIVE OAK ST	ROTHERMEL RYAN R #238
79	2502	LIVE OAK ST	MARSHALL ASHLEY K
80	2502	LIVE OAK ST	VILLA STEVEN
81	2502	LIVE OAK ST	SIFRIT DANIEL W
82	2502	LIVE OAK ST	GRABEKLIS JAY
83	2502	LIVE OAK ST	PURGATORIO DANIEL D UNIT 7
84	2502	LIVE OAK ST	BALLARD SCOTT
85	2502	LIVE OAK ST	DAVIS VIRGINIA A & ARNOLD R DAVIS
86	2502	LIVE OAK ST	LACY JOHN A # 308
87	2502	LIVE OAK ST	MOURI VALLI
88	2502	LIVE OAK ST	MILLER VANESSA A

89	2502	LIVE OAK ST	LANEHART WILL D
90	2502	LIVE OAK ST	BURCHEL JONATHAN # 312
91	2502	LIVE OAK ST	ROBERT JAMES E UNIT 313
92	2502	LIVE OAK ST	SULLIVAN MARK P UNIT 314
93	2502	LIVE OAK ST	YOST HARVEY D III
94	2502	LIVE OAK ST	CRUZ AARON
95	2502	LIVE OAK ST	BAILEY DIETRICH D UNIT 317
96	2502	LIVE OAK ST	LUSTIG LEE M
97	2502	LIVE OAK ST	SANDERS KAREN D
98	2502	LIVE OAK ST	HOLLEY JOE D
99	2502	LIVE OAK ST	SHIELDS WILLIAM OLIVER II
100	2502	LIVE OAK ST	CLEMENTS JOSEPH WRIGHT APT 525
101	2502	LIVE OAK ST	BOATNER JOHN S
102	2502	LIVE OAK ST	CROSSFIELD BRADLEY &
103	2502	LIVE OAK ST	LOUREIRO DONNA M & ROBERT A
104	2502	LIVE OAK ST	DEMOSS MICHAEL B UNIT 326
105	2502	LIVE OAK ST	BUFORD REALTY LLC
106	2502	LIVE OAK ST	LUDWIG KARL W
107	2502	LIVE OAK ST	BRUNKER DOUGLAS B
108	2502	LIVE OAK ST	HERBERT HOWARD & CONNIE
109	2502	LIVE OAK ST	BRANDL TOM L & KELLI J
110	2502	LIVE OAK ST	DAVIS PAUL E
111	2502	LIVE OAK ST	VEGA JAIME D UNIT 333
112	2502	LIVE OAK ST	WAGNER MARK A
113	2502	LIVE OAK ST	CRAWFORD CARLETON J
114	2502	LIVE OAK ST	FRANK STEVEN
115	2502	LIVE OAK ST	RAMOS JUN A UNIT 337
116	2502	LIVE OAK ST	APGAR JONATHAN M

**FILE NUMBER:** BDA 112-096

**BUILDING OFFICIAL'S REPORT:**

Application of Ed Simons for a variance to the front yard setback regulations at 2920 N. Henderson Avenue (AKA 2918 N. Henderson Avenue). This property is more fully described as Lots 4, 6, & 7 in City Block 9/1971, a 0.326 acre building site and is zoned PD-462, which requires a front yard setback of 15 feet. The applicant proposes to construct and maintain a structure and provide a 0 foot front yard setback, which will require a variance of 15 feet

**LOCATION:** 2920 N. Henderson Avenue (AKA 2918 N. Henderson Avenue)

**APPLICANT:** Ed Simons

**REQUEST:**

A variance to the front yard setback regulations of 15' is requested in conjunction with completing and maintaining (according to the submitted site plan) an approximately 950 square foot (approximately 50' x 19.5') "new patio" structure, most of which would be located in the site's 15' Henderson Avenue front yard setback on a property developed with an alcoholic beverage establishments use (The Dram).

**STANDARD FOR A VARIANCE:**

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

- 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;
- 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
- not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

**STAFF RECOMMENDATION:**

## Denial

### Rationale:

- The applicant has not substantiated how a literal enforcement of the code provisions would result in unnecessary hardship; how the variance is necessary to permit development of the subject site in that it is different from other parcels of land by its restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels with the same CA-2(A) zoning district; nor how the variance is not needed to relieve a self-created or personal hardship, nor for financial reasons only.
- Although the subject site is slightly irregular in shape with two front yard setbacks (typical of any lot in this zoning district with two street frontages), the applicant has not substantiated how these features of the approximately 14,000 square foot site preclude him from developing it in a manner commensurate with development on other similarly zoned PD 462 properties. The site is currently developed with an alcoholic beverage establishment use that appears to be comply with the setbacks without requiring any variance.
- The applicant has not provided information to show that, owing to special conditions, a literal enforcement of the regulations would result in an unnecessary hardship or that the requested variance is not to relieve self-created or personal hardship or for financial reasons only.

### **BACKGROUND INFORMATION:**

#### **Zoning:**

<u>Site:</u>	PD 462 (Planned Development)
<u>North:</u>	CR (Community Retail)
<u>South:</u>	PD 462 (Planned Development)
<u>East:</u>	CS (Commercial Service)
<u>West:</u>	PD 462 (Planned Development)

#### **Land Use:**

The subject site is developed with an alcoholic beverage establishment use (The Dram). The areas to the north, east, south, and west are developed with a combination of retail uses and surface parking lots.

#### **Zoning/BDA History:**

1. BDA 056-033, 2912 N. Henderson Avenue ( the lot south of the subject site)      On November 15, 2005, the Board of Adjustment Panel A granted a variance to the front yard setback regulations of 15' and imposed the submitted site plan and elevation as a condition. The case report states that the request was made in

conjunction with constructing and maintaining an approximately 720 square foot porch addition.

2. BDA 989-187  
2822 N Henderson Avenue (two lots southeast of the subject site)  
On April 20, 1999, the Board of Adjustment Panel B granted a variance to the front yard regulations, a variance to the off-street parking regulations for screening, special exceptions to the landscape regulations, special exceptions to the tree preservation regulations, and a special exception to the visibility regulations in conjunction with constructing an addition to a nonconforming structure and a parking structure.
3. BDA 967-267  
2831 N. Henderson Avenue (two lots south of the subject site)  
On August 18, 1997 the Board of Adjustment granted a variance to the front yard setback regulations of 15 feet in conjunction with maintaining a dumpster for an existing retail use.
4. BDA 967-216  
2847 N. Henderson Avenue (two lots south of the subject site)  
On April 22, 1997 the Board of Adjustment granted a variance to the front yard setback regulations of 15 feet and a special exception to the visibility regulations in conjunction with maintaining an existing patio.

**Timeline:**

- August 23, 2012: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- September 12, 2012: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.
- September 19, 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 September 26<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the October 5<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board’s docket materials;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 2, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Building Inspection Senior Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

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

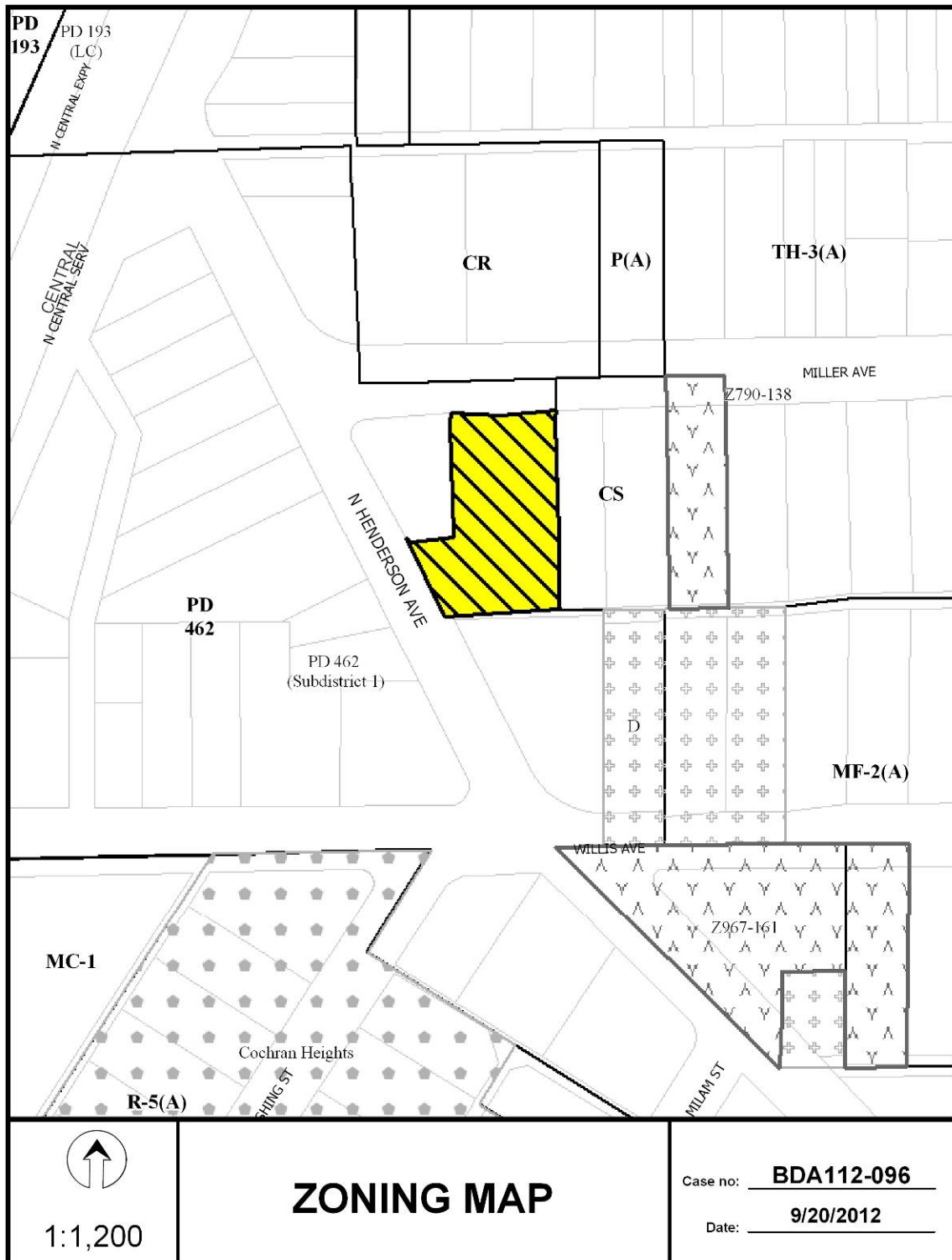
### **GENERAL FACTS/STAFF ANALYSIS:**

- This request focuses completing and maintaining (according to the submitted site plan) an approximately 950 square foot (approximately 50' x 19.5') "new patio" structure, most of which would be located in the site's 15' Henderson Avenue front yard setback on a property developed with an alcoholic beverage establishments use (The Dram).
- The minimum front yard setback on a lot zoned PD 462 is 15' and the maximum front yard setback is 30'. The applicant has submitted a plot plan/site plan indicating a "new patio" structure that is located on the site's front property line (or 15' into the required 15' front yard setback). The applicant also submitted a document labeled "A1" drawings including a partial site plan and three elevations.
- According to calculations taken from the applicant's submitted plot/site plan by the Board Administrator, virtually all of the approximately 950 square foot structure is located in the 15' front yard setback.
- The site is flat, "L" shaped, and according to the application, 0.326 acres (or approximately 14,000 square feet) in area. The PD 462-zoned subject site has two street frontages and two front yard setbacks as any corner property with two street frontages would that is not zoned agricultural, single family, or duplex.
- According to DCAD records, the "improvements" for property at "2920 N. Henderson Avenue" is a "free standing retail store" with 7,970 square feet built n 1929.
- The applicant has the burden of proof in establishing the following:
  - That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
  - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD 462 zoning classification.
  - The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing



this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD 462 zoning classification.

- If the Board grants the front yard variance of 15', imposing the submitted site plan as a condition would limit the structure's encroachment into the setback to what is shown on this site plan.



# ZONING MAP

Case no: **BDA112-096**  
 Date: **9/20/2012**



1:1,200

# AERIAL MAP

Case no: BDA112-096

Date: 9/21/2012



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-096

Data Relative to Subject Property:

Date: August 23, 2012

Location address: 2920 N. Henderson (AKA! 2918) Zoning District: PD 462

Lot No.: 4, 6, and 7 Block No.: 9/1971 Acreage: .326 Census Tract: 10.01

Street Frontage (in Feet): 1 67.35' 2 80' 3) \_\_\_\_\_ 4) \_\_\_\_\_  
5) \_\_\_\_\_

To the Honorable Board of Adjustment:

Owner of Property/or Principal Henderson Grand L.L.C.

Applicant: Ed Simons Telephone: 214-761-9197

Mailing Address ~~2800 N. Henderson, Suite 200~~ Zip Code: 752066593


Represented by: Masterplan Telephone: 214-761-9197

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

Affirm that a request has been made for a Variance X, or Special Exception   , of Front yard setback variance of 15 feet

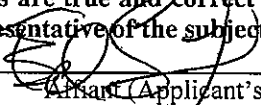
Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: An open unenclosed patio was constructed 2 feet above grade. The patio provides 0' front yard setback. A 15 foot setback is required.

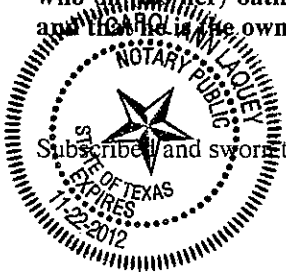
Note to Applicant: If the relief requested in this application is granted by the Board of Adjustment, said permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Respectfully submitted: Ed Simons Applicant's name printed  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.

  
Affiant (Applicant's signature)



Subscribed and sworn to before me this 23 day of August, 2012

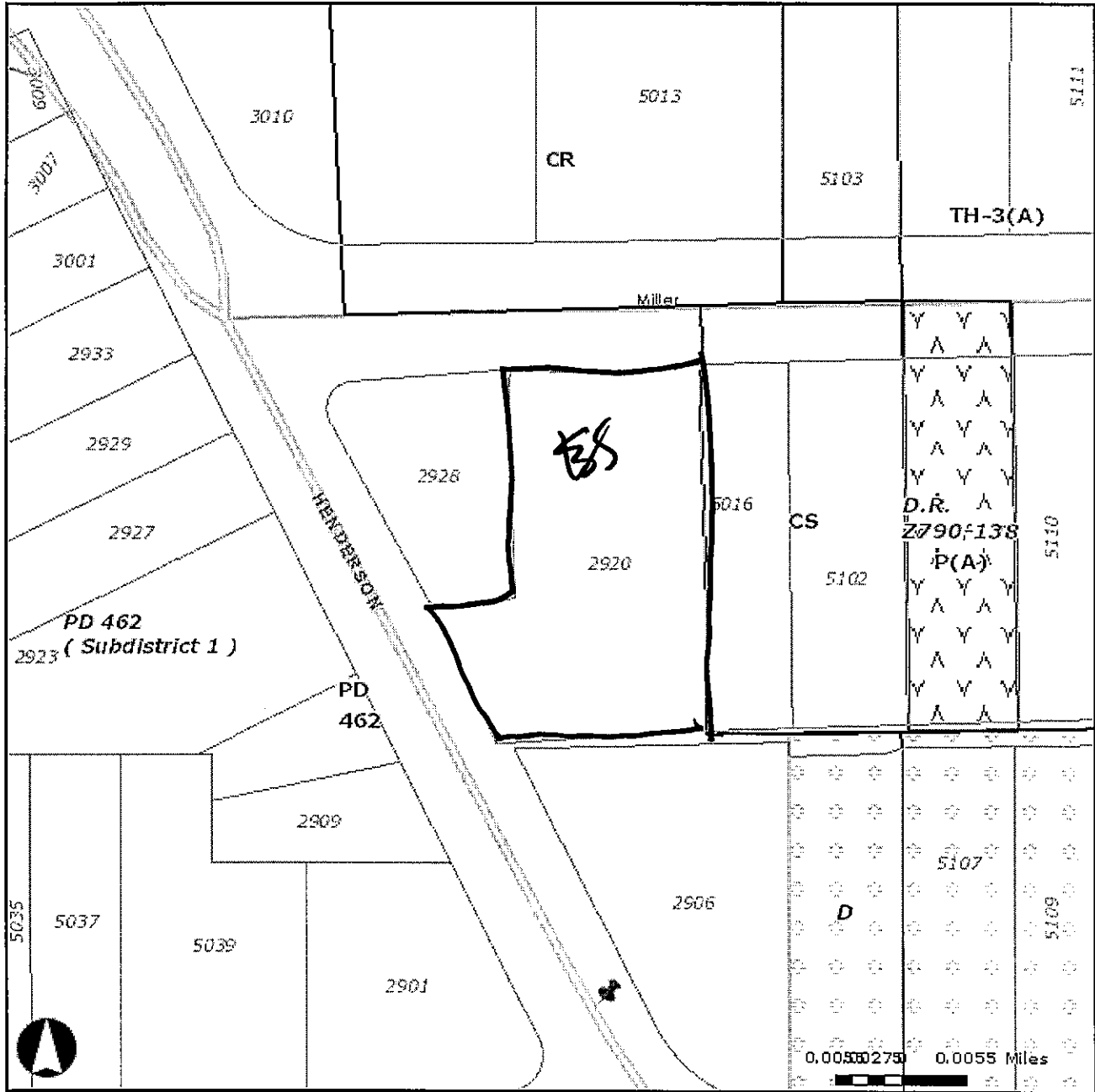
  
Notary Public in and for Dallas County, Texas







# City of Dallas Zoning



**Address Candidates**

- Address Candidates
- City Boundaries
- County
- Certified Parcels
- DISD Sites
- Council Districts
- Waterways

**SUP**

- Dry Overlay
- D
- D-1
- Historic Overlay
- Historic Subdistricts
- NSO Overlay
- NSO Subdistricts

**PDS Subdistricts**

- Base Zoning
- Floodplain
- 100 Flood Zone
- Mill's Creek
- Peak's Branch
- X PROTECTED BY LEVEE
- Pedestrian Overlay
- CP





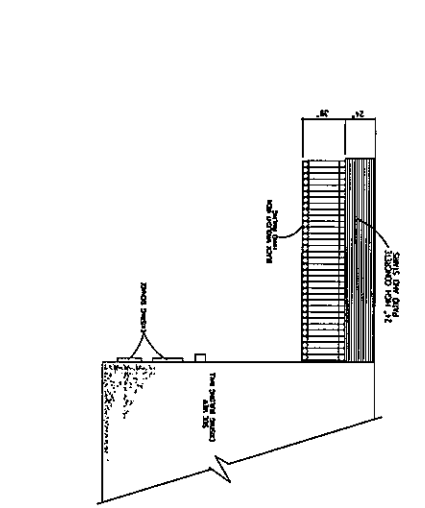
BRUCE ABRAHAM ARCHITECTS  
 5421 PROMISELAND DR., FRISCO, TEXAS 75035  
 214-908-7141

BRUCE ABRAHAM DESIGNS

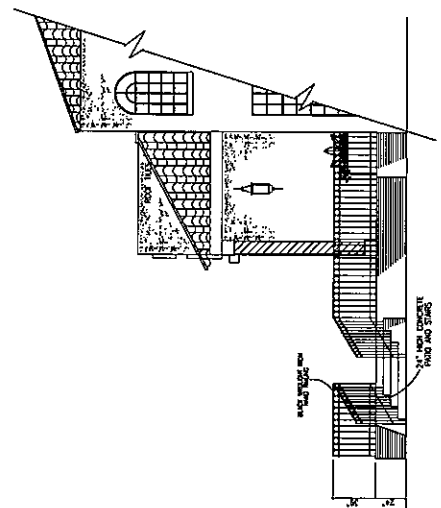
THE DRAM  
 DALLAS, TEXAS

DATE:	05-01-2017
SCALE:	1/4" = 1'-0"
PROJECT:	THE DRAM
CLIENT:	BRUCE ABRAHAM ARCHITECTS
DESIGNER:	BRUCE ABRAHAM
DATE:	05-01-2017
SCALE:	1/4" = 1'-0"
PROJECT:	THE DRAM
CLIENT:	BRUCE ABRAHAM ARCHITECTS
DESIGNER:	BRUCE ABRAHAM

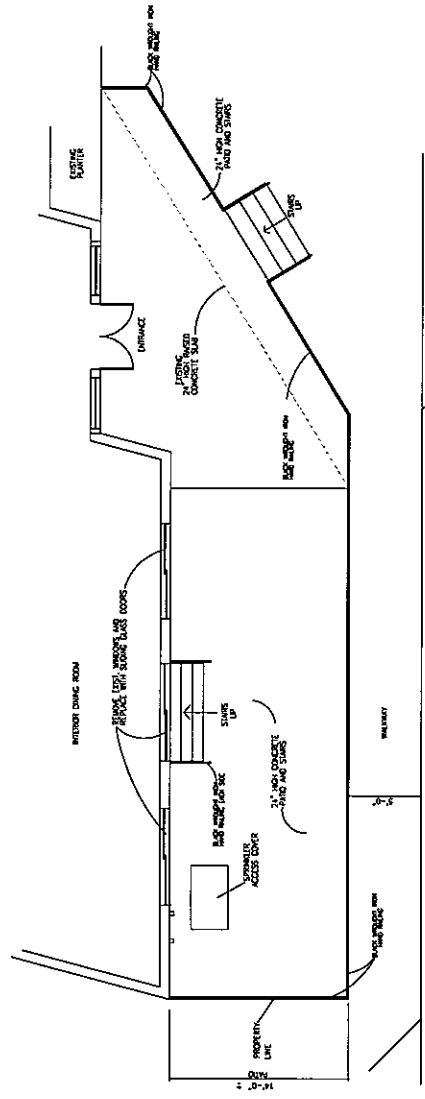
A1



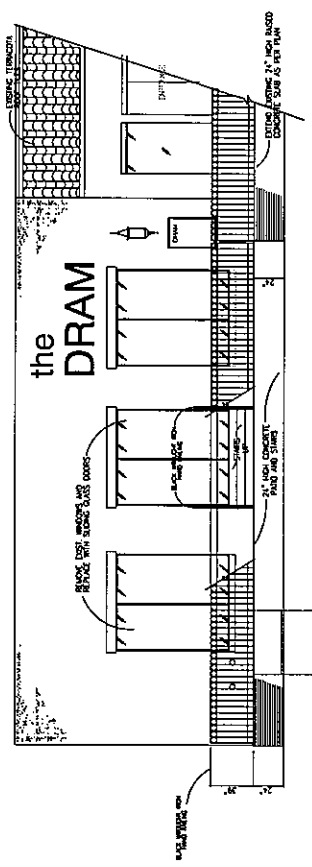
PATIO AND RAILING LEFT SIDE ELEVATION  
 SCALE: 1/4" = 1'-0"



PATIO AND RAILING RIGHT SIDE ELEVATION  
 SCALE: 1/4" = 1'-0"



PROPOSED PATIO ELEVATION AND RAILING  
 SCALE: 1/4" = 1'-0"



PLAN VIEW  
 OUTDOOR CONCRETE PATIO  
 SCALE: 1/4" = 1'-0"





 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>19</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>19</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <b>BDA112-096</b> Date: <b>9/20/2012</b>
<b>200'</b>	AREA OF NOTIFICATION					
<b>19</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

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

***BDA112-096***

## ***19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5109 WILLIS AVE	HENDERSON GRAND LLC STE 200
2	5103 MILLER AVE	HENDERSON COMMONS LP STE 106
3	5107 MILLER AVE	MILLER STREET INVESTMENTS
4	5111 MILLER AVE	LLANO MILLER ROSS INV PPTY LLC
5	5115 MILLER AVE	ANDERSON GABE D IV
6	5102 MILLER AVE	SEVEN RIDGE INVESTMENTS LTD
7	5110 MILLER AVE	KERNE BRIDGE PROPERTIES LTD
8	5114 MILLER AVE	MILLER STREET INV LP
9	5113 WILLIS AVE	L A PARTNERSHIP
10	2928 HENDERSON AVE	3928 HENDERSON LLC
11	5013 MILLER AVE	LAMAR MILLER INVESTMENTS LP
12	3012 HENDERSON AVE	CENTRAL PRODUCTS COMPANY SUITE 1100
13	3007 HENDERSON AVE	HENDERSON AT CENTRAL INC
14	3001 HENDERSON AVE	3001 HENDERSON REAL EST LP %TRISTAN SIMO
15	2933 HENDERSON AVE	POTTER EVA J TRUSTEE THE EVA POTTER MORG
16	2927 HENDERSON AVE	POTTER INVESTMENTS LTD
17	2929 HENDERSON AVE	MORGAN EVA POTTER TRUSTEE THE EVA POTTER
18	2901 HENDERSON AVE	PRESTON PATIO BLDG INC
19	5037 WILLIS AVE	POTTER EVA J TRUSTEE THE EVA POTTER MORG