Planner: Jason Pool

FILE NUMBER: SPSD 212-001(JP) DATE INITIATED: September 7, 2022

LOCATION: Southwest corner of Fairmount Street and McKinney Avenue

COUNCIL DISTRICT: 14

SIZE OF REQUEST: Approximately 2.07 acres CENSUS TRACT: 18.00

REPRESENTATIVE: Chris Bauer

APPLICANT: FocusEGD

OWNER: Murphy Plaza, LLC

REQUEST: An application to expand and create a new subdistrict within the

McKinney Avenue Sign District on property within the McKinney Avenue Sign District and the Uptown Sign District zoned Planned Development District No. 193, Subdistrict 160, located on the

southwest corner of Fairmount Street and McKinney Avenue.

SUMMARY: The purpose of this request is to create a new subdistrict, entirely

within the McKinney Avenue Sign District, that would consolidate all sign provisions for the subject site. Currently, the sign provisions for the southwest portion of the site are provided by the Uptown Sign District, while the northeast portion of the site is provided by the

McKinney Avenue Sign District (Spine subdistrict).

CPC RECOMMENDATION: <u>Approval</u>, subject to conditions

STAFF RECOMMENDATION: Approval, subject to conditions

BACKGROUND INFORMATION:

- In general, the purpose of Article VII, the sign ordinance, is to promote health, safety, welfare, convenience, and enjoyment of the public, and, in part to achieve safety, communications efficiency, and landscape quality and preservation. This purpose can be found in 51A-7.101.
- Special Provision Sign Districts (SPSDs) are overlay districts established for the purpose of enhancing, preserving, or developing the character, quality, and property values of areas unique character and special development potential, and to protect public welfare. The purpose and provisions for creating a special provision sign district can be found in 51A-7.500. These overlays are applied to the base zoning provisions for signs, either a business zoning district or a non-business zoning district. The base zoning provisions for the area of request are for a business zoning district. These provisions can be found in 51A-7.300.
- Special Provision Sign District permitting procedures require a Certificate of Appropriateness (CA) for all signs within the district as part of the permit review. In most of SPSDs, including the McKinney Avenue and Uptown sign districts, signs that do not meet the criteria for expedited review in 51A-7.505(3), require the CA to be issued through the Committee review process outlined in 51A-7.7.505(5). Signs reviewed by the Committee are evaluated by the Special Sign District Advisory Committee (SSDAC) and either approved or denied by City Plan Commission (CPC) based on the sign's appropriateness to the sign district, with special attention to economic structure, and its effect on surrounding properties.
- The subject site lies within two special provision sign districts. The Uptown Sign District overlays the southwest portion of the property, while the northeast portion is overlayed by the McKinney Avenue Sign District (Spine Subdistrict).
- The site is surrounded entirely by Special Provision Sign District overlays. On the south and southwest is the Uptown Sign District, on the northwest the McKinney Avenue Peripheral Subdistrict, and on the northeast and east is the McKinney Avenue Spine Subdistrict.
- The Uptown Sign District was created on August 26, 1987. These provisions can be found in <u>51A-7.1100</u>. This sign district is generally bounded by Fairmount Street and Cedar Springs on the north, a line between Pearl Street and Olive Street on the south, a line between Thomas Avenue and McKinney Avenue on the east, and a line between Cedar Springs Road and Randall Street on the west.

The purpose of the Uptown Sign District is to:

 Regulate both the construction of new signs and the alteration of existing signs with a view towards enhancing, preserving, and developing the unique character of this district. 2. The general objectives of this division include those listed in <u>51A-7.101</u> as well as aesthetic consideration to insure that signs are appropriate to the architecture of the district, do no obscure significant architectural features of its buildings, and lend themselves to the developing character of the area.

The Uptown Sign District overlays the southwest portion of the request site along a line extended northwest from the termination of Leonard Street on the northeastern edge of the Uptown Sign District.

• The McKinney Avenue Sign District was created on December 11, 1991. These provisions can be found in <u>51A-71500</u>. The SPSD is divided into three subdistricts known as the Spine, Quadrangle, and Peripheral Subdistricts. This sign district is generally bounded by Lemmon Avenue on the north, Fairmount Street on the south, McKinney Avenue and Oak Grove Avenue on the east, and McKinney Avenue and Laclede Street on the west.

The purpose of the McKinney Avenue Sign District is to:

- 1. To protect the historical and architectural character of this district from inappropriate signs in terms of number (clutter), style, color, and materials.
- 2. To ensure that significant architectural features in this district are not obscured.
- 3. To encourage signs that are complimentary to the architectural styles and historical nature of the buildings and trolley in this district.
- 4. To ensure that the size and orientation of signs are geared toward the high number of pedestrians in this district.
- 5. To attract the public to the goods and services available in the district by enhancing the aesthetic quality of signs in this district.
- 6. To encourage artistic, creative, and innovative signs that reflect the themes of the area.
- 7. To promote safety, communications efficiency, and landscape quality and preservation as described in Section <u>51A-7.101</u>.

The McKinney Avenue Sign District overlays the northeast portion of the property along a line extended northwest from the termination of Leonard Street on the southwest edge of the Spine Subdistrict within the McKinney Avenue Sign District.

The Spine Subdistrict:

The Spine Subdistrict is linear in shape and generally overlays the lots along both sides of McKinney Avenue from Lemmon Avenue on the north to Fairmount Street on the south. The base zoning for signs in this area are for business zoning districts. The overlay regulations, in general, are more restrictive than base zoning regulations with material, color, and location restrictions as well as smaller sign allowances.

The Quadrangle Subdistrict:

The Quadrangle Subdistrict overlays the Quadrangle shopping center located directly north of the subject site. The base zoning for signs in this area are for non-business zoning districts. The overlay regulations are not as restrictive as base zoning regulations in this subdistrict. These regulations include provisions for larger detached signs, as well as the largest allowance of the sign district as a whole. By comparison, the attached sign regulations stay consistent with what is provided for in the Spine subdistrict.

PD No. 9 and the Peripheral Subdistrict:

Adjacent to the subject site to the northwest are overlays for Planned Development District No. 9 and the Peripheral Subdistrict of the McKinney Avenue Sign District. For the purposes of signs, this area is considered to be a non-business zoning district, based on the main uses and modifications made by the PD to the sign regulations. Most of the main uses provided for in this planned development district, pertain primarily to a Neighborhood Service District, which is a nonbusiness zoning sign district. This analysis is consistent with the current base zoning for most of the remaining portions of the Peripheral Subdistrict, and historically, for all of the Peripheral Subdistrict at the time of its adoption. Currently, the base zoning for some of the SPSD subdistrict has been changed to a business zoning district. The Peripheral Subdistrict sign provisions include a modification allowing for detached signs to be located in an area that is restricted by nonbusiness zoning provisions, between two-feet and 10-feet above grade. These provisions also restrict signs beyond what non-business zoning districts allow, by restricting each lot to 30-square feet of total signage. The Subdistrict restricts provisions for all signs, even further, by not allowing detached signs to be utilized on a lot where attached signs are utilized.

- The zoning for this site was recently amended under Z190-328 in March of 2021, to Planned Development Subdistrict No. 160 for a (HC) Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District. This was granted to allow the site a high-rise office development with restaurant and retail uses on the ground floor and for new standards for height and floor area ratio.
- The request site was previously developed as a restaurant and a personal service use. The new development, when completed, will include a 29-story office tower, nine-story office podium, and six-story parking podium.
- With regard to this application to create a new McKinney Ave subdistrict, the
 purpose is to consolidate the sign provisions for the subject site. The new
 subdistrict is to be located within the McKinney Avenue Sign District with provisions
 similar to the Spine subdistrict. The new subdistrict would provide conditions for
 the use of plastic faces on channel letters, additional projection and locations on
 flat attached signs, blade signs, monument signs, and window art displays.

 On November 8, the Special Sign District Advisory Committee recommended approval subject to conditions, with a revision to Section 51A-7.1508(f), which includes additional provisions limiting the number of multi-tenant monument signs to one, with the remaining two signs being limited to single-tenant monument signs not to exceed 50-square-feet.

STAFF ANALYSIS:

The purpose of this request is to create a new subdistrict, entirely within the McKinney Avenue Sign District, that would consolidate all sign provisions for the subject site. Currently, the sign provisions for the southwest portion of the site are provided by the Uptown Sign District, while the northeast portion of the site is provided by the McKinney Avenue Sign District (Spine subdistrict). The request, within the new subdistrict, is to provide conditions for the use of plastic faces on channel letters, additional projection and locations on flat attached signs, blade signs, monument signs, and window art displays.

Due to the overall change of use on the property (from single occupant buildings to a mixed-use high-rise), the nature of the site development, and the consistency with the purpose and intent for Special Provision Sign Districts; staff is in support of the request subject to conditions.

The applicant states that the sign allowances are confusing, and the request is necessary to aid in attracting prospective tenants. The approved sign provisions will provide consistent overlay simplicity and unity for the sign requirements throughout the site. The new overlay maintains the Certificate of Appropriateness process consistent with the rest of the district requiring committee review for CAs on all signs not meeting director approval criteria. This will help to ensure larger and more impactful signs stay appropriate to the district and do not negatively affect surrounding properties.

Generally, signs allowed in the Uptown and McKinney Avenue Sign Districts are different from signs allowed under general provisions for signs in business zoning districts by requiring signs that are smaller and that have more limitations and restrictions on materials, color, and location. The McKinney Avenue Sign District currently contains three subdistricts (Spine, Quadrangle, & Peripheral) each with slightly different provisions pertaining each of these aspects.

The requested provisions for the new McKinney Avenue Maple Subdistrict attempt to maintain consistency with the McKinney Avenue Spine Subdistrict with a few key variations specific to this site as outlined below:

• 51A-7.1504(a)(2) and (e) define and provide for Blade signs. This is a new sign type to this SPSD and would remain specific to this subdistrict. These signs are proposed to be similar to projecting signs, however a distinction is made that specifies the sign have multiple faces with messages perpendicular to the façade. These signs would be limited to the Fairmont Street façade and could not be used in conjunction with any other projecting signs. The horizontal separation provision, similar to provisions for projecting signs with the Uptown Sign District, is intended to limit the amount of blade signs on the façade to approximately one per first floor

tenant. The size of these signs is consistent with what is allowed under base zoning provisions for business zoning districts, yet, unlike business zoning provisions, these signs can be used in conjunction with detached signs. Staff acknowledges these signs are an important factor in identifying first floor tenants to both pedestrian and vehicular traffic, since flat attached signs can be difficult to see from close proximity to the building or extreme angles and supports the provision as written.

- 51A-7.1504(a)(13) and (g) define and provide for Window Art Displays. This provision is similar to a provision within the Downtown Sign District (51A-7.915). These provisions, as proposed, are intended to limit these displays to the three, ground floor windows at the northwest end of the façade along Fairmont Street. Staff supports this requirement due to the displays being interior to the windows, the lack of impact on the right-of-way, and the nature of message.
- 51A-7.1506(b)(1)(D) allows for an additional use of plastic when applied to individual channel letters. Staff supports this provision due the high level of glass on each façade. Current conditions restrict signs to either sign cabinets with metal faces or reverse channel letters (halo-lit w/ metal faces). Staff feels that individual channel letters are less impactful on the building's architecture due to their reduced coverage over that of a sign cabinet and therefore more in line with the purpose of the Special Provision Sign District. Halo-lighting individual channel letters produces unique obstacles and undesirable effects on a glass surface. In general, signs mounted to glass must be attached at the mullion via a sign frame. This frame provides for an inconsistent surface and overall increased distance of the halo-lit sign from the surface that the light needs to reflect from. This can be overcome with a backplate; however, this defeats the purpose of reducing the impact of the sign on the architectural features of the facade. This increased distance and inconsistent surface coupled with the reflective nature of the glass (allowing the viewer to see behind the sign) cause major inconsistencies, as well as ineffectiveness in halo-lighting, making this application very difficult, if not impossible to read at night. In general, even when done effectively, halo-lighting is more difficult to read at night than a back-lit channel letter with a translucent face, especially from a distance or at extreme height. For these reasons, staff can acknowledge the necessity for back-lit channel letters with plastic faces. Staff can fully support this provision in light of the prohibition of the use of trim cap. Staff concludes this material is not complimentary to this subdistrict or to the district as a whole. The absence of trim cap requires back-lit, plastic face channel letters to be of more modern and secure construction, which complements the architecture of this specific development as well as providing greater longevity and enhancing the aesthetic quality of the sign.
- 51A-7.1506(c)(1) removes the type of light source restrictions within in this subdistrict. Staff supports this request based on LED being the industry standard for lighting sources in illuminated signs. Both the Uptown and McKinney Avenue sign districts were written prior to LED. The original intent was to prohibit light sources such as metal halide and florescent. These sources, as well as those originally provided for, have been replaced by much more efficient and less visually

obtrusive LED alternatives. Currently, LED replacements have since been developed for safer and more efficient applications of each of the provided for light sources as well as less visually obtrusive versions of all other sign lighting sources. Staff feels the use of LED lighting is appropriate to this type of development, in line with the intent of the overall district, and supports the idea of this being the primary source of lighting for signs.

- 51A-7.1507(a)(1) allows for flat attached signs to be located on any upper façade regardless of whether it is adjacent to a right-of-way. In general, signs located on upper facades are intended to be viewed from a distance beyond the adjacent right-of-way. In many cases, even when located on a façade adjacent to the right-of-way, these signs are not visible from this right-of-way without looking straight up. For this development, the tallest within either of the sign districts, this provision will mainly apply to the northwest façade and a portion of the southwest façade. Based on most of the immediately surrounding uses of these facades being businesses, staff does not feel this will have a heavy negative effect. However, there are two existing multi-family developments to the northeast (the Gables McKinney, approximately 150-feet) and northwest (the Selene, approximately 375-feet). The tallest of these multi-family developments is 14 stories. The conditions address these two developments by including a provision to limit the signs on an upper façade below the 14th floor to no more than two per façade.
- 51A-1507(c)(1) provides for flat attached signs to project up to 18-inches from the façade. Staff's understanding of the original intent of the eight-inch provision was geared toward prohibiting the use of back-lit, plastic-faced sign cabinets and signs that utilize non-authorized lighting sources. Plastic-faced sign cabinets and non-authorized lighting sources require signs to have more depth (and thus projection from the building) to avoid "hot spots" or areas of uneven lighting across the face of the sign. By reducing the depth of a sign, "hot spots" would be unavoidable without a metal-face cabinet with routed graphics. Staff feels that based on the original intent of the provision and the use of unauthorized lighting sources being obsolete; the eight-inch limitation is no longer relevant. This paired with the use of structural frames (that will be required to mount most modern signs on a glass façade) make the base business zoning provisions (allowing for signs, not considered projecting signs, to project up to 18-inches from the façade) appropriate.
- 51A-7.1508(f) provide for detached signs within this subdistrict. Under base business zoning district provisions, multi-tenant monument signs with a five-foot setback are allowed to have an effective area up to 125-square-feet. Staff concludes that consistency to base zoning is adequate for any identification or directional information needed on the site. The proposed provisions also limit these signs to a maximum height of six-feet. Additionally, under the base business zoning district provisions, all detached signs on the same premise must be located a minimum of 200-feet apart as per 51A-7.304(b)(5). Under the proposed provisions, the separation of detached signs is to be reduced by 25-feet. This provision is included, mainly, to provide for detached signs located on the Maple Street frontage. As a note, these signs will most likely require Committee review

for Certificates of Appropriateness, due to setback and/or size, therefore staff is in support of this provision as written.

 On December 13, 2022, the SSDAC revised conditions for detached signs limit the site to one multi-tenant monument sign and two single-tenant monument signs. Both staff and the applicant are in support of the revised conditions.

The following is a staff assembled table that contrasts what is allowed for signs under the provisions for business zoning districts, the Uptown Sign District, the McKinney Avenue Spine Subdistrict, proposed McKinney and the Avenue Maple Subdistrict. This comparison table shows that the applicant intends to seek provisions consistent with the McKinney Avenue Spine Subdistrict with some exceptions. These exceptions are related to materials (additional use of plastic), flat attached signs (additional projection and location), detached signs (adjustments to setback, spacing, & effective area provisions), blade signs (larger, more specific projecting signs), and window display signs.

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MCKINNEY AVE SPSD (Maple)	Same as Spine Subdistrict, except: • Provision for plastic faces on individual channel letters, provided no trim cap	Same as Spine subdistrict Same as Spine Subdistrict, except:	Drovicion for flot ottoched cirms on	Provision for that attached signs on all upper facades Allowed as attached sign - No specific regulations Flat attached signs allowed on arcades	Same as Spine Subdistrict, except: • Max. 18" projection	Same as Spine Subdistrict	Same as Spine Subdistrict, except: • Prohibited on Fairmont facade when blade sign/s are maintained		
MCKINNEY AVE SPSD (Spine)	In addition to base zoning: • Provisions for overhanging ROW • No sign projects above roof line • Rotation permitted • Use of plastic restricted (metal faces) • No florescent colors • Suggested type styles (scrif-based)	Prohibited - Brightness change In addition to base zoning: Combined effective area for all signs: - Lower facade - 10% of lower facade - Upper facade - 5% of lower facade	No small words on upper facades Projection based on sign type No sign projects above roof line	Allowed as attached sign - No specific regulations Flat attached signs allowed on arcades	In addition to base zoning Max. 8" projection No restriction on number	 One/premise/theater use - Max. 100 sf Be above bottom of 2nd fl windows Max. Height between 2'-6" & 6'-0" Max. Length N.T.E. 1/2 of facade No restrictions on word type 	In addition to base zoning • Be below 36' A.F.F.	 Max. 8 sf (below bottom of 2nd floor windows) & 15 sf (if above) Max. 4' projection 	
UPTOWN SPSD	In addition to base zoning: • Provisions for overhanging ROW • No sign projects above roof line • No movement allowed • Use of plastic restricted (metal faces) • No florescent colors • Suggested type styles (serif-based)	Prohibited - Brightness change In addition to base zoning: Max area for any sign is 30 sf, except: Painted applied signs, upper level signs, & marquee signs	 Word limit based on sign type No sign allowed to project between 8" & 12" horizontally from surface No sign projects above roof line Signs can be installed on any foode 	 Signs can be installed on any facade No vertical projection 2" horizontal projection; 30 sf max. Max. per facade 20 x # of entrances 	In addition to base zoning Max. 8" projection Type B Facade (not 20%-50% windows) One per facade, per premise; 8 words	 One per facade - Max. 90 sf/ea Must be parallel to facade Min. height 2'-0" No length restriction All words must be changeable 	In addition to base zoning • Be below 32' A.F.F. • Min. 16' from other projecting signs	• Max. 20 sf • Project from 18" up to 2' behind curb	
BASE ZONING	Base zoning provisions: • Generally, no signs in ROW • No roof signs or overhanging roof • Rotation permitted • No restrictions on color, material, or type styles	 Any sign can be digital w/ conditions Base zoning provisions: Combined effective area for all signs: Primary facade - 25% Secondary facade - 15% 	 Eight word limit for words over 4" Can project up to 4' above surface to which sign is attached Can be mounted at edge of roof Signs can be installed on our foods 	Signs can be installed on any facade Allowed as attached sign No specific regulations	 Allowed as attached sign Max. 18" projection No restriction on number 	Allowed as attached sign No specific regulations	Base zoning provisions: • One/premise or non-res. occupant • Prohibited on premise w/ detached sign	• Max. 20 sf • Max. 4' projection	• Special provision for up to 60 sf
TYPE OF SIGN	ALL SIGNS	ATTACHED (Gen.) Upper Facades	- Uptown - Above 1st floor windows or 16' - McKinney Ave - Above 36'	CANOPY /Arcades in McKinney Ave	FLAT ATTACHED	MARQUEE	PROJECTING		

TYPE OF SIGN	YPE OF SIGNS D 212-001 BASE ZONING	UPTOWN SPSD	MCKINNEY AVE SPSD (Spine)	MCKINNEY AVE SPSD (Maple)	
WINDOW	In addition to attached signs • Max. 15% of window	In addition to base zoning Max. 25% of window	In addition to base zoning Max. 25% of window or 10% of the facade area, whichever is less If neon, max. 15% of window	Same as Spine Subdistrict	SPSD212-00
	Must be located in bottom 1/3 of window	 No location restrictions Max. 8" letter height No taped signs 	Prohibited on upper facades)1(JP)
DETACHED	In addition to attached signs In per frontage	In addition to base zoning • 1 per 220° of frontage	In addition to base zoning In per frontage	Same as Spine Subdistrict, except: • I monument sign per frontage	
	 Allowances based on setbacks Min. 0' setback Max. 200 sf Max. 35' height 	Allowances based on setbacks - Min. 5' setback - Max. 120 sf - Max. 20' height	 Allowances based on setbacks Min. 5' setback Max. 20 sf (S); 150 sf (Q); 15 sf (P) Max. height - 20' 	Allowances based on setbacks & sign type: - Min. 5' setback - Max. height - 6' - Multi-tenant - Max. 125 sf - Limit one - Single-tenant - Max. 50 sf - Limit two	
	• Min. 200' spacing; Monuments required if < 250' of non-business zoning district	ed		• Min. 175' spacing; Monument signs are required	
MOVEMENT	• Max. 2 sf & 2' height	• Max. 4 sf & 2'-6" height	Allowed under base zoning provisions	Allowed under base zoning provisions	
CONTROL	No limit on number	• Limit to 2 signs per vehicle entrance			
(DIRECTIONALS)	Directional information only	• Use or Directional information only			
	Must be on private property	• Can be non-premise & in ROW - Min. 5' from back of curb			
		• No red, green, or external lighting			
SPECIAL PURPOSE (BANNERS)	 Prohibited 	 Attached & detached allowed (3) (30) day periods & (1) 45 day/year 	• Prohibited	• Prohibited	
BLADE	No provisions	No provisions	No provisions	Limited to Fairmont Street facade	
SIGNS	Allowed as projecting signs	Allowed as projecting signs	Allowed as projecting signs	• Max. 20 sf	
				 4' maximum projection Must be located between 12' A.F.F. & 36' A.F.F. (within lower facade) 	
				• Must have min. 25' horizontal spacing	
WINDOW ART DISPLAY	• No provisions	• No provisions	No Provisions	• Limited to being located within ground floor windows on the Fairmount Street facade	

MARCH 23, 2023 - DRAFT CITY PLAN COMMISSION MINUTES

23-856 SPSD212-001(JP)

Motion: It was moved to recommend **approval** of an expansion of and the creation of a new subdistrict within the McKinney Avenue Sign District, subject to conditions on property within the McKinney Avenue Sign District and the Uptown Sign District zoned Planned Development District No. 193, Subdistrict 160, on the southwest corner of Fairmount Street and McKinney Avenue.

Maker: Kingston Second: Carpenter Result: Carried: 12 to 0

For: 12 - Hampton, Herbert, Anderson, Shidid,

Carpenter, Wheeler-Reagan, Blair, Jung,

Planner: Jason Pool

Treadway, Hagg, Kingston, Rubin

Against: 0

Absent: 2 - Housewright, Stanard

Vacancy: 1 - District 1

Notices: Area: 500 Mailed: 146 Replies: For: 1 Against: 0

Speakers: For: Chris Bauer, 1909 Woodall Rodgers Fwy., Dallas, TX, 75201

Against: None

SSDAC Action:

December 13, 2022

SPSD 212-001(JP)

Motion: It was moved to **approve** an expansion of and the creation of a new subdistrict within the McKinney Avenue Sign District on property within the McKinney Avenue Sign District and the Uptown Sign District, subject to revised conditions for detached signs in 51A-7.1508(f) as follows: 1) limit multi-tenant monument signs to one, not to exceed 150-square-feet and 2) limit single-tenant monument signs to two, not to exceed 50-square-feet on property zoned the McKinney Avenue Sign District and the Uptown Sign District within Planned Development District No. 193, Subdistrict 160.

Maker: Carpenter Second: Peadon

Result: Carried: 4 to 0

For: 4 - Peadon, Dumas, Webster, and

Carpenter

Against: 0 - none

Absent: 2 - Haqq, Hardin

Conflict: 0 - none

Speakers: Chris Bauer of FocusEGD

Jeff DeBruin of Trammel Crow Maddy Pollock of Trammell Crow

List of Property Owners

Zoning Application for 2401, 2421, and 2425 McKinney Ave. & 2507 Fairmount St.

2401 McKinney, LLC 2100 McKinney, Suite 800 Dallas, Texas 75201

Murphy Plaza, LLC Attn: Martin Adler P.O. Box 941428 Plano, Texas 75094

Officers and Directors

Applicant: 2401 McKinney, LLC

Managing Member: 2401 McKinney Venture. LLC

Sole Member: TCDFW Office Development, Inc.

Chief Executive Officer and President

President

Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Vice President
Vice President

Secretary

Assistant Secretary & General Counsel

Treasurer

Scott A. Krikorian Scott A. Krikorian

Adam B. Nims Adam Saphier Adam Weers John A. Stirek

Lindsey S. Caplan

Lisa Sher

Michael J. Lafitte Nick Buehner Joel Behrens Thomas E. Finan Rebecca M. Savino

Lisa Sher

Lindsey S. Caplan

Owner: Murphy Plaza, LLC

Manager

Matt W. Barrier

Manager

Mike A. Thomas

Division 51A-7.1500. Provisions for McKinney Avenue Sign District.

SEC. 51A-7.1501. DESIGNATION OF SIGN DISTRICT.

A special provision sign district is hereby created to be known as the McKinney Avenue Sign District. The McKinney Avenue Sign District is that area within the following described boundaries:

(Contains revised metes and bounds for the McKinney Avenue Sign District)

SEC. 51A-7.1501. DESIGNATION OF SIGN DISTRICT.

A special provision sign district is hereby created to be known as the McKinney Avenue Sign District. The McKinney Avenue Sign District is that area within the following described boundaries:

(Contains revised metes and bounds for the McKinney Avenue subdistricts – Spine, Maple, Quadrangle, and Peripheral)

SEC. 51A-7.1503. PURPOSE.

The purpose of this division is to regulate both the construction of new signs and the alterations of existing signs with a view towards enhancing, preserving, and developing the unique character of this district. These sign regulations have been developed with the following objectives in mind:

- (a) To protect the historical and architectural character of this district from inappropriate signs in terms of number (clutter), style, color, and materials.
 - (b) To ensure that significant architectural features in this district are not obscured.
- (c) To encourage signs that are complimentary to the architectural styles and historical nature of the buildings and trolley in this district.
- (d) To ensure that the size and orientation of signs are geared toward the high number of pedestrians in this district.
- (e) To attract the public to the goods and services available in the district by enhancing the aesthetic quality of signs in this district.
- (f) To encourage artistic, creative, and innovative signs that reflect the themes of the area.
- (g) To promote safety, communications efficiency, and landscape quality and preservation as described in Section 51A-7.101. (Ord. 21145)

SEC. 51A-7.1504. DEFINITIONS.

- (a) Unless the context clearly indicates otherwise, in this division:
 - (1) ARCADE means any structure that is attached to a building and neither fully enclosed on all sides nor structural to the building itself, which is covered by a roof having the primary function of weather protection for a walkway.

- (2) <u>BLADE SIGN means a multi-face attached sign in the Maple Subdistrict containing messages that are perpendicular to the building façade.</u>
- (2 3) FLAT ATTACHED SIGN means an attached sign projecting from a building and parallel to the building facade.
 - (3 4) HIGHRISE BUILDING means a building that has a height of more than 36 feet.
- (45) LOWER FACADE means the area of a highrise building facade that is 36 feet or less above grade when measured vertically.
 - (5 6) LOWRISE BUILDING means a building that has a height of 36 feet or less.
- (67) MARQUEE SIGN means a sign attached to, applied on, or supported by a permanent canopy projecting over a pedestrian street entrance of a building, and consisting primarily of changeable panels, words, or characters.
- (78) PAINTED APPLIED SIGN means a sign painted directly onto the exterior facade of a building, not including doors and windows.
- (8 9) PROJECTING ATTACHED SIGN means an attached sign projecting 18 or more inches from a building.
- $(9\ 10)$ SMALL WORD means a word with no character that exceeds four inches in height.
 - (10-11) THIS DISTRICT means the McKinney Avenue Sign District.
- (11 12) UPPER FACADE means the area of a highrise building facade that is more than 36 feet above grade when measured vertically.
- (13). WINDOW ART DISPLAY means an exhibit or arrangement placed within a street level storefront window in the Maple Subdistrict.
 - (12 14) WINDOW SIGN means a sign painted or affixed to a window.
- (b) Except as otherwise provided in this section, the definitions contained in Sections 51A-2.102 and 51A-7.102 apply to this division. In the event of a conflict, this section controls. (Ord. 21145)

SEC. 51A-7.1505. SIGN PERMIT REQUIREMENTS.

The regulations relating to the erection of all signs in this district are expressly modified as follows:

- (a) No person may alter, erect, maintain, expand, or remove a sign in this district without first obtaining a sign permit from the city. This section does not apply to government signs described in Section 51A-7.207.
- (b) The procedure for obtaining a sign permit is outlined in Section 51A-7.505. Section 51A-7.602 does not apply to signs in this district. (Ord. 21145)

SEC. 51A-7.1506. SPECIAL PROVISIONS FOR ALL SIGNS.

The regulations relating to the erection of all signs in this district are expressly modified as follows:

- (a) Signs in right-of-way. Signs in this district are permitted to overhang the public right-of-way subject to city franchising requirements.
 - (b) Materials.

- (1) The use of plastic is prohibited, except when it is:
- (A) used as a decoration (as opposed to a character) on the exterior face of a sign, in which case no more than five percent of the effective area of the sign may consist of plastic;
- (B) placed behind the exterior face of a sign in places where that face has been cut in the shape of a character; or
 - (C) used in or on a marquee sign.
- (D) used as the exterior face of individual channel letters in the Maple Subdistrict where channel letters are either trim-capless, or use metal fabricated retainers.
- (2) Although not required, painted applied signs and enameled metal sheet signs are encouraged.
 - (c) Lighting.
- (1) The only light sources that may be used to illuminate a sign are cold cathode, neon, and incandescent lamps, except in the Maple Subdistrict where this does not apply.
- (2) A light source external to a sign may illuminate a sign if the light does not cross into either a public right-of-way or a residential zoning district.
 - (3) Illuminated signs on translucent fabric are encouraged.
- (4) No light used to illuminate a sign may turn on or off, or change its brightness more than twice a day.
 - (d) Colors. Fluorescent and neon colors on signs are prohibited. (Ord. 21145)

SEC. 51A-7.1507. SPECIAL PROVISIONS FOR ATTACHED SIGNS.

The regulations relating to the erection of attached signs in this district are expressly modified as follows:

- (a) Location restrictions.
 - (1) No attached sign may be erected on a facade unless it faces a public right-of-way that is adjacent to the lot where the sign is proposed to be located, except that flat attached signs may be located on any upper façade within the Maple subdistrict.
 - (2) <u>In the Maple subdistrict, flat attached signs on upper facades located below the 14th floor are limited to two per façade.</u>
- (23) No small words may be on an attached sign erected partially or totally within an upper facade in either the Spine. Maple. or Quadrangle Subdistricts.
 - (3 4) In the Peripheral Subdistrict, no attached sign may be erected on:
 - (A) an upper facade; or
 - (B) a lot where a detached sign is erected.
 - (b) Effective area.
- (1) Spine, Maple, and Quadrangle Subdistricts. In the Spine, Maple and Quadrangle Subdistricts, the combined effective area of all attached signs:
 - (A) on a lowrise building or a lower facade may not exceed ten percent of the total area of the building facade or the lower facade, as the case may be; and
- (B) on an upper facade may not exceed five percent of the total area of the lower facade.

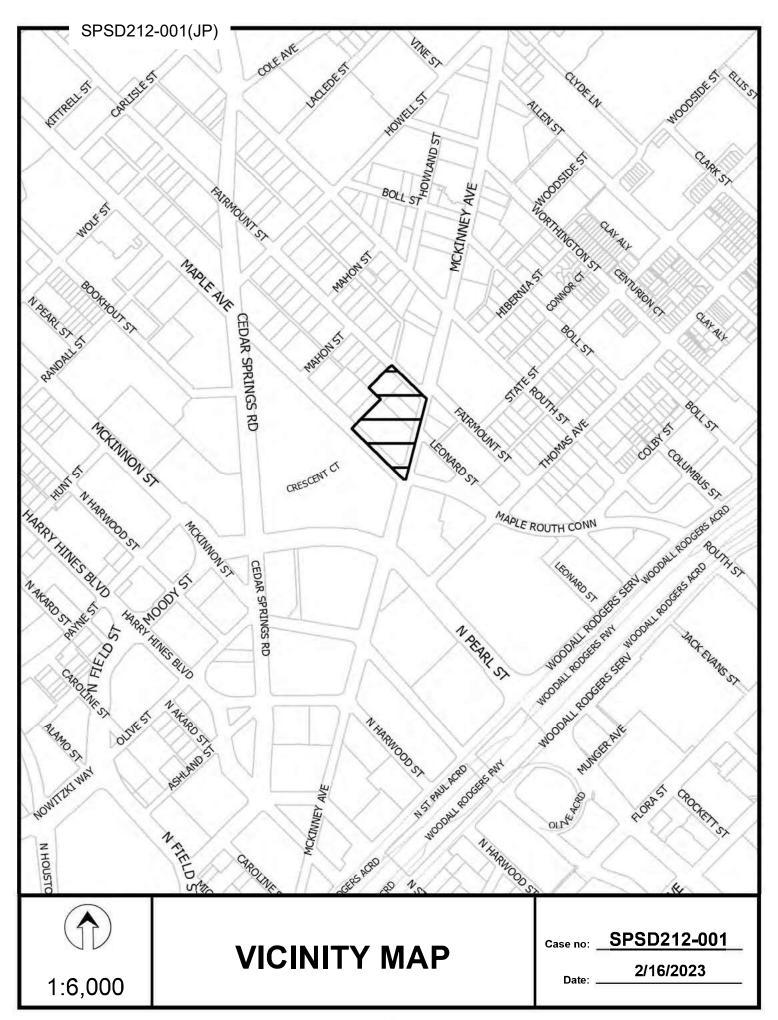
- (2) Peripheral Subdistrict. In the Peripheral Subdistrict, the combined effective area of all attached signs on a lowrise building or a lower facade may not exceed eight percent of the total area of the building facade or the lower facade, as the case may be.
 - (c) Flat attached signs.
 - (1) No flat attached sign may project more than eight inches from a building, except in the Maple subdistrict flat attached signs may project up to 18 inches from a building.
- (2) A flat attached sign may be erected on an arcade, but it may not project above the roof of the attached building.
 - (d) Projecting attached signs.
- (1) A projecting attached sign may be erected on an arcade, but it may not project above the roof of the attached building.
- (2) No projecting attached sign may be erected partially or totally within an upper facade.
- (3) No face of a projecting attached sign erected below the bottom of a second story window may exceed eight square feet.
- (4) No face of a projecting attached sign erected above the bottom of a second story window may exceed 15 square feet.
- (5) In the Maple subdistrict, projecting attached signs are prohibited on a façade maintaining one or more blade signs.
 - (e) Blade signs in the Maple Subdistrict:
 - (1) may only be located on a façade facing Fairmont Street;
 - (2) may not exceed 20 square feet in effective area;
 - (3) may not be lower than 12 feet above grade or outside of the lower façade;
 - (4) may not be more than four feet from the façade or above a roof of a building.
 - (5) must maintain a minimum 25 foot horizontal separation from all other blade signs.
- (e f) Marquee signs.
 - (1) No marquee sign may:
 - (A) exceed 100 square feet in effective area;
- (B) be longer than one-half of the length of the frontage of the building to which the marquee is attached; and
 - (C) be located above the bottom of a second story window.
 - (2) A marquee sign must:
 - (A) be parallel to the surface to which it is attached; and
 - (B) have a height dimension between two and six feet.
 - (3) No premise may have more than one marquee sign.
 - (4) A marquee sign may be erected only on a building that contains a theater use.
 - (5) A marquee sign may consist of up to 100 percent plastic.
 - (fg) Window signs.
- (1) Except as modified by Paragraph (2), the effective area of a window sign may not exceed more than 25 percent of the area of a window or 10 percent of the facade area, whichever is less.

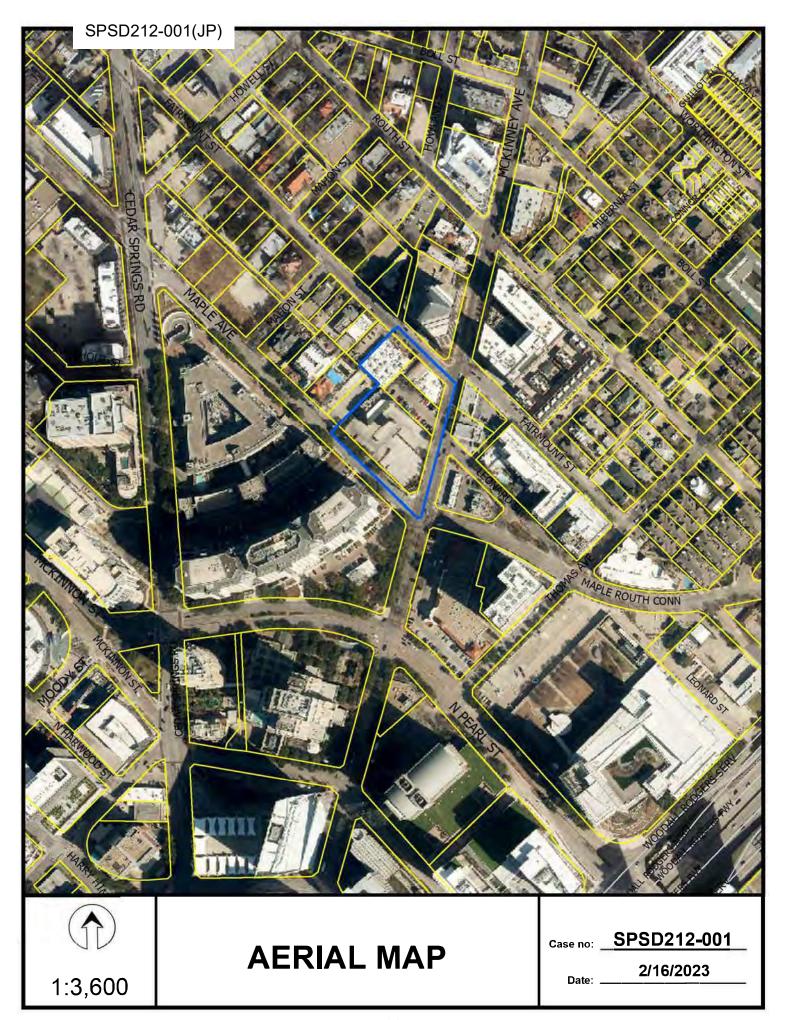
- (2) If a window sign uses neon <u>or LED</u> bulbs, the effective area of that sign may not exceed more than 15 percent of the area of a window.
 - (3) No window sign may be erected on an upper facade. (Ord. 21145)
- (g-h) Window Art Displays on the ground floor of a building are allowed subject to the following regulations:
- (1) A window art display must be located within a window on a facade facing Fairmont Street and may contain only a promotional message, generic graphics (including three-dimensional artifacts or objects), cultural event or activity, merchandize only if sold by a tenant occupying space within the premise, a message identifying the sponsor of the display, or a message referring to the sale or lease of the premises.
 - (2) No sign permit or certificate of appropriateness is required to erect or remove a window art display.

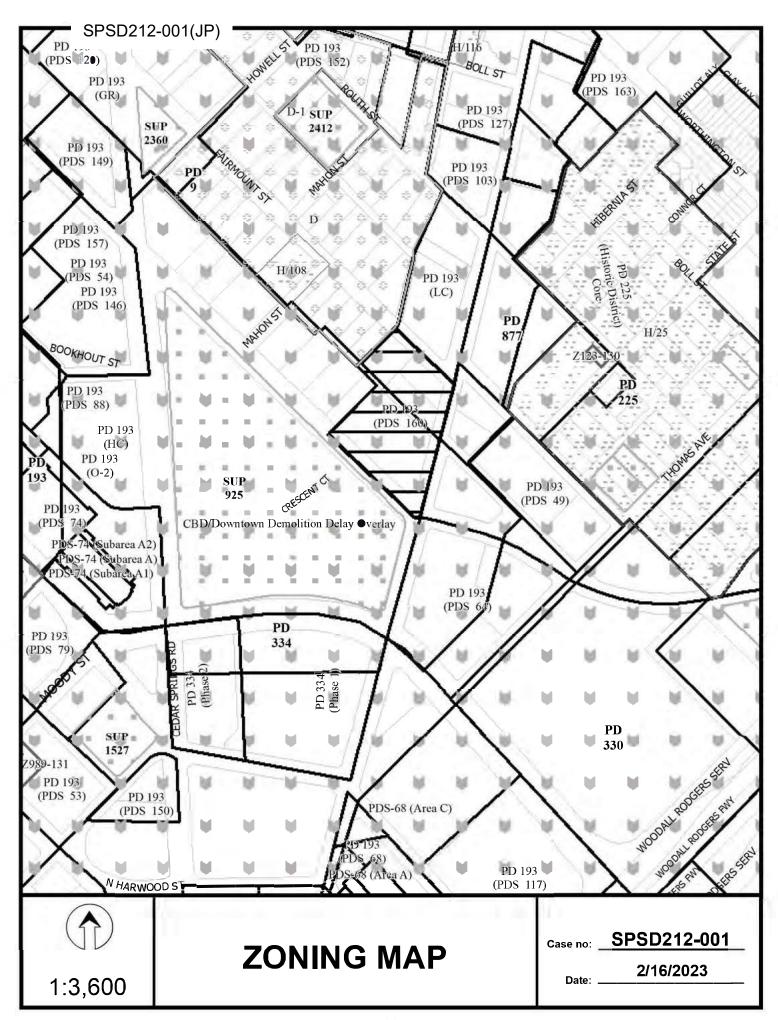
SEC. 51A-7.1508. SPECIAL PROVISIONS FOR DETACHED SIGNS.

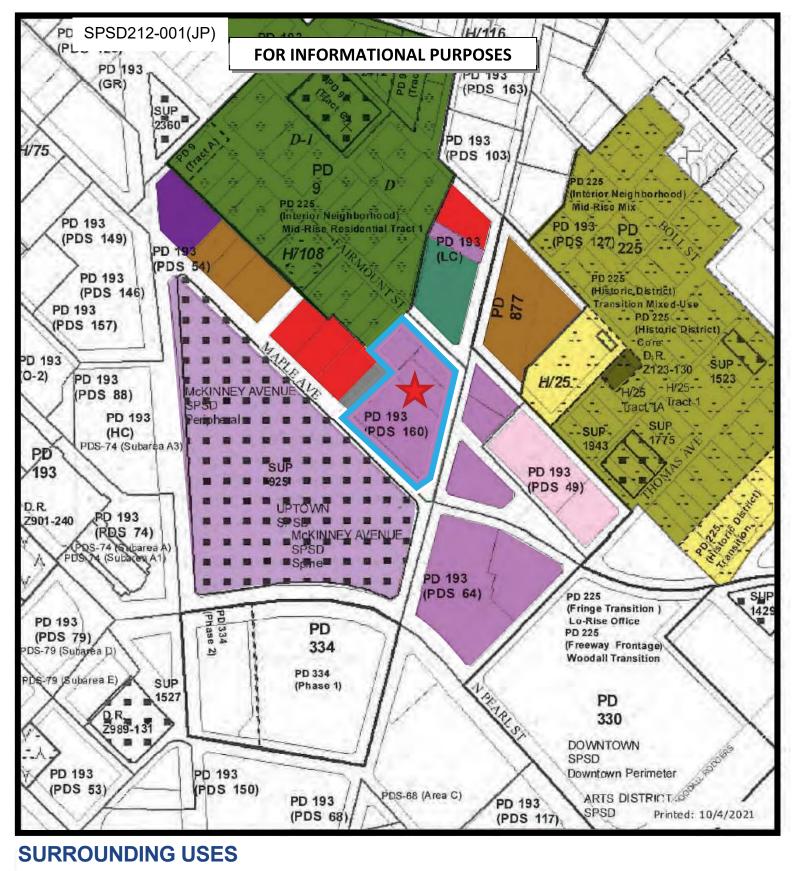
The regulations relating to the erection of detached signs in this district are expressly modified as follows:

- (a) No detached sign may:
 - (1) exceed 20 feet in height; or
 - (2) be located within five feet of any public right-of-way.
- (b) Except in the Maple Subdistrict, If a detached sign has an effective area of more than 10 square feet, it must be located at least 10 feet from any public right-of-way.
- (c) Except in the Maple Subdistrict. Ano detached sign may have an effective area of more than:
 - (1) 150 square feet if the sign is located in the Quadrangle;
 - (2) 20 square feet if the sign is located in the Spine Subdistrict; and
 - (3) 15 square feet if the sign is located in the Peripheral Subdistrict.
- (d) In the Peripheral Subdistrict, no detached sign may be erected on a lot where an attached sign is erected.
 - (e) Detached non-premise signs are prohibited in this district. (Ord. 21145)
- (f) In the Maple Subdistrict, except for movement control signs as provided in Section 51A-7.205(e), detached signs are allowed as provided:
- (1) one multi-tenant monument sign is permitted, not to exceed 125 square feet in effective area or six feet in height;
- (2) two single-tenant monument signs are permitted not to exceed 50 square feet in effective area or six feet in height and;
- (3) each monument sign must maintain a minimum separation of 175 feet from all other monument signs within the subdistrict.









- Parking
- **Multi-Family**
- Office
- Lodging
- Restaurant
- Mixed Use

 - Hotel
 - Restaurant Retail
 - Office
- **Mixed Use**
- Restaurant Bank
- **Mixed Use**
 - Office
 - Restaurant

- PD 9
 - Lodging Office

 - Restaurant
 - Retail Personal Service
- PD 225 (Historic Core)
- - Single Family Multi-Family
 - Lodging Office

 - Restaurant
 - Retail Personal Service

PD 225 (Historic NS)

- Multi-Family
- PD 225 (Historic Transition MU)
 - **Multi-Family**

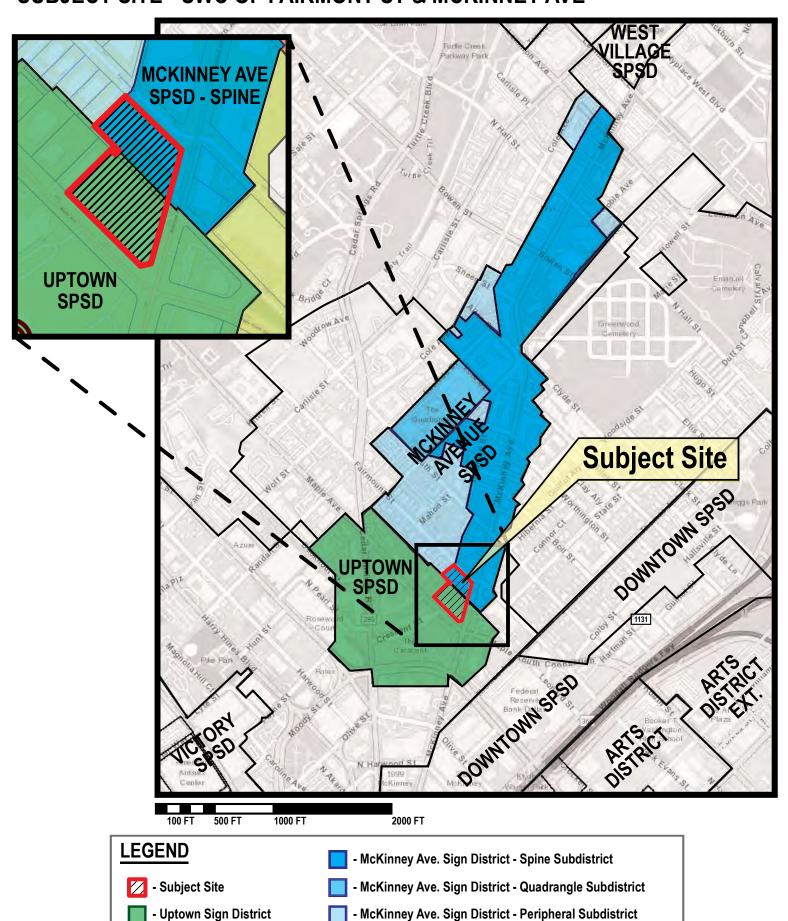
SPSD212-001(JP)

FOR INFORMATIONAL PURPOSES

URPOSES 212-001(JP)

CURRENT CONDITIONS

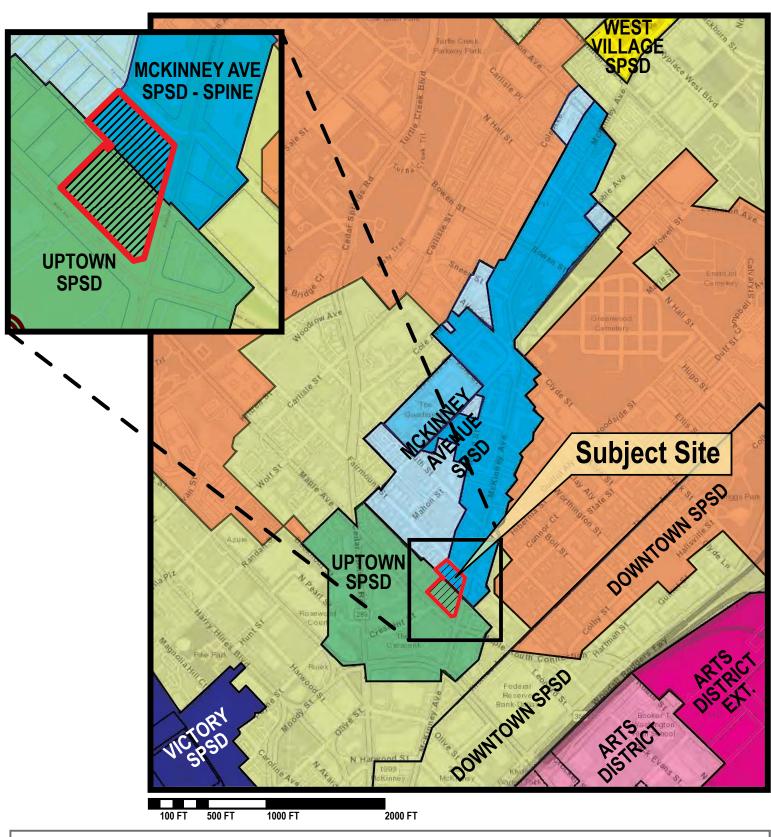
SUBJECT SITE - SWC OF FAIRMONT ST & MCKINNEY AVE



FOR INFORMATIONAL PURPOSES 212-001(JP)

SIGN DISTRICTS

SUBJECT SITE - SWC OF FAIRMONT ST & MCKINNEY AVE



LEGEND

- Subject Site

- Uptown Sign District

- McKinney Ave. Sign District - Spine Subdistrict

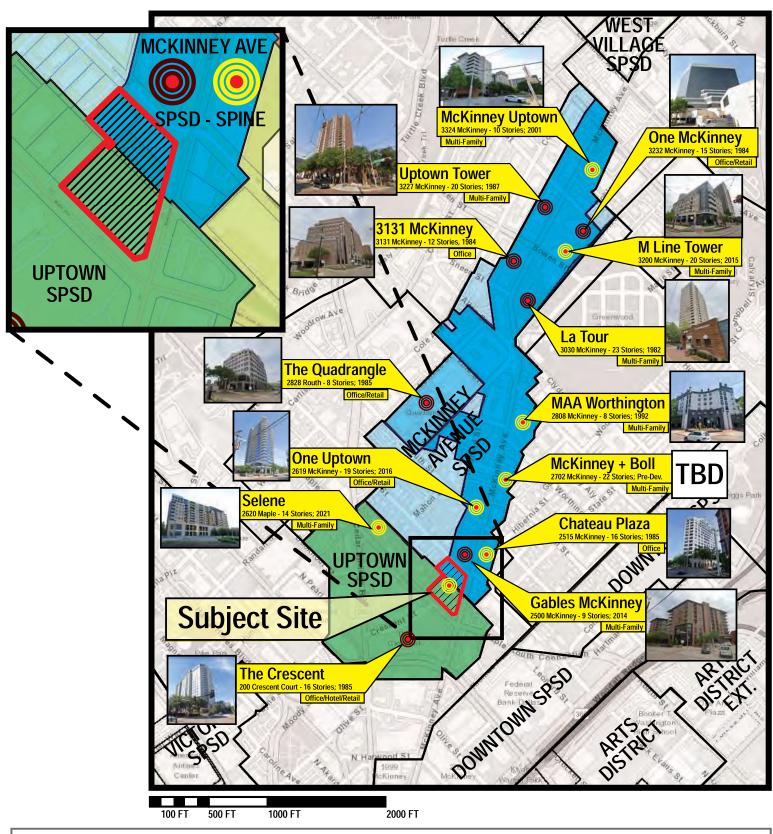
- McKinney Ave. Sign District Quadrangle Subdistrict
- McKinney Ave. Sign District Peripheral Subdistrict
- Victory Sign District | West Village Sign District
- Arts Distinct | Arts District Extension

- Business Zoning District **
- Non-Business Zoning District **
- May include additional Planned **Development provisions**

212-001(JP)

HIGH-RISE BUILDINGS

SUBJECT SITE - SWC OF FAIRMONT ST & MCKINNEY AVE

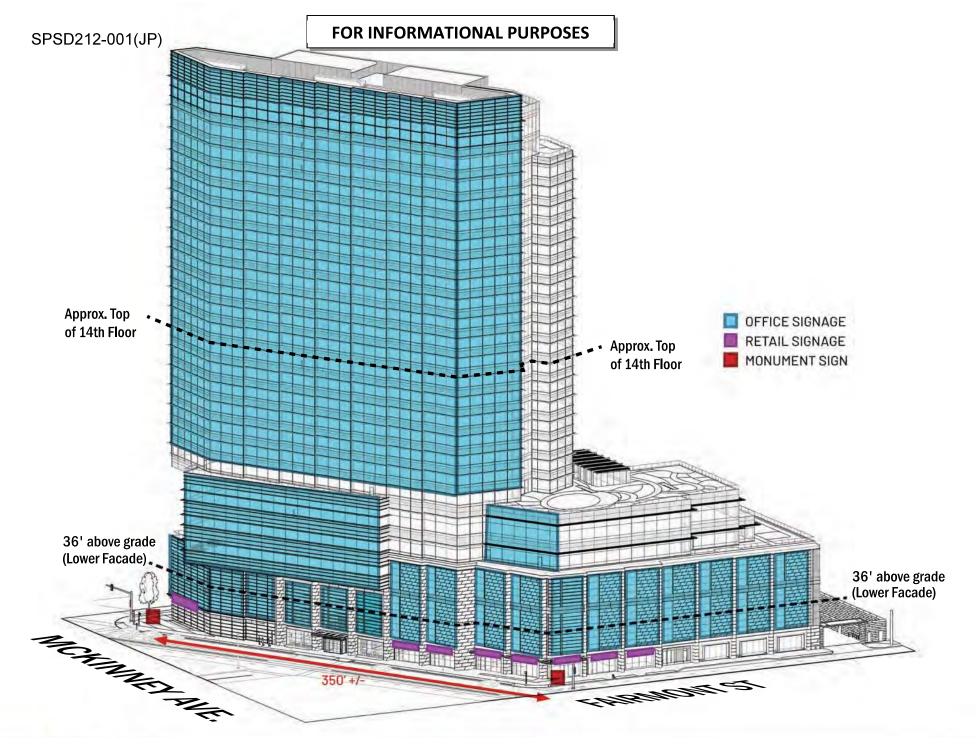


LEGEND

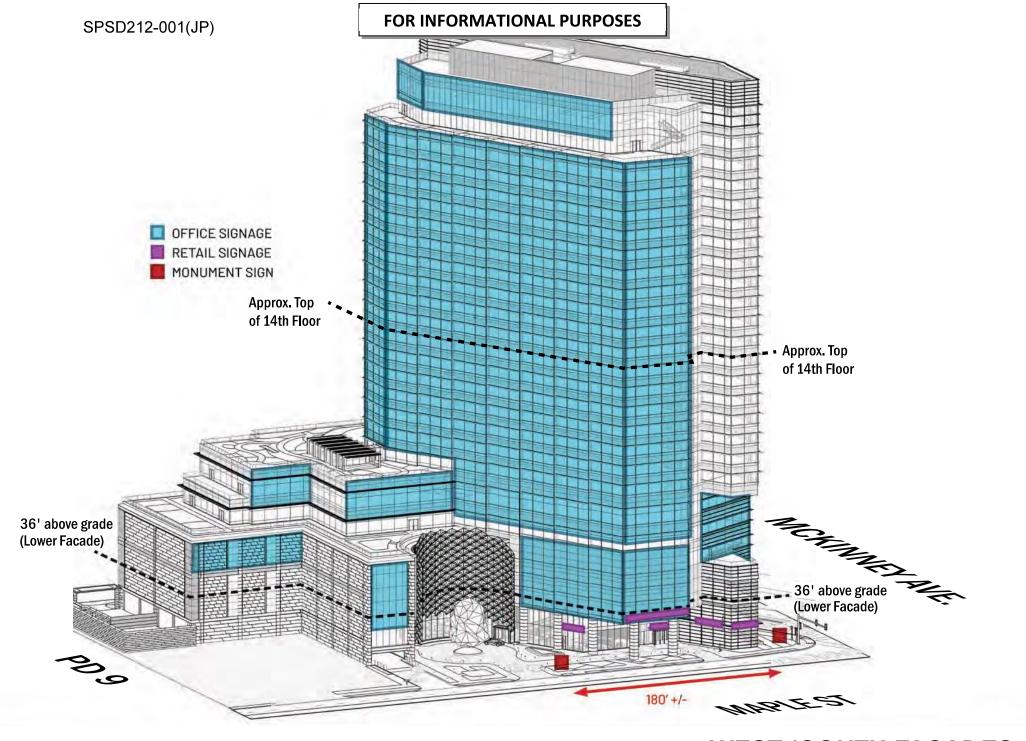
Subject Site

- Uptown Sign District

- McKinney Ave. Sign District Spine Subdistrict
- McKinney Ave. Sign District Quadrangle Subdistrict
- McKinney Ave. Sign District Peripheral Subdistrict
- Hi-rise* constructed prior to SPSDs
- Hi-rise* constructed post SPSDs
 - * Buildings having more than six stories above grade

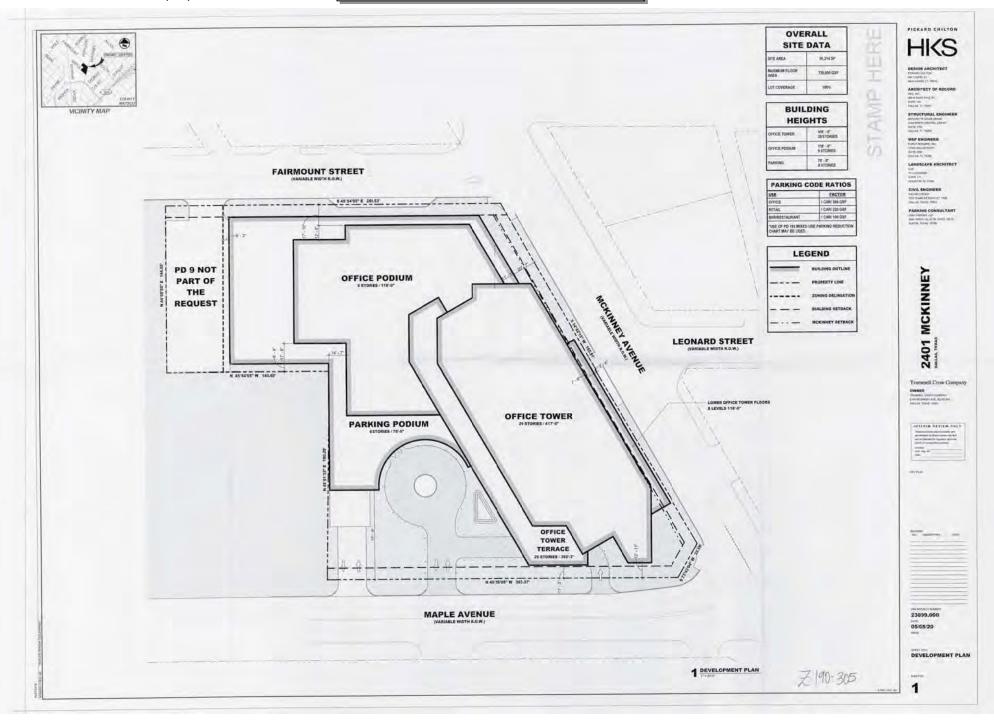


EAST/NORTH FACADES

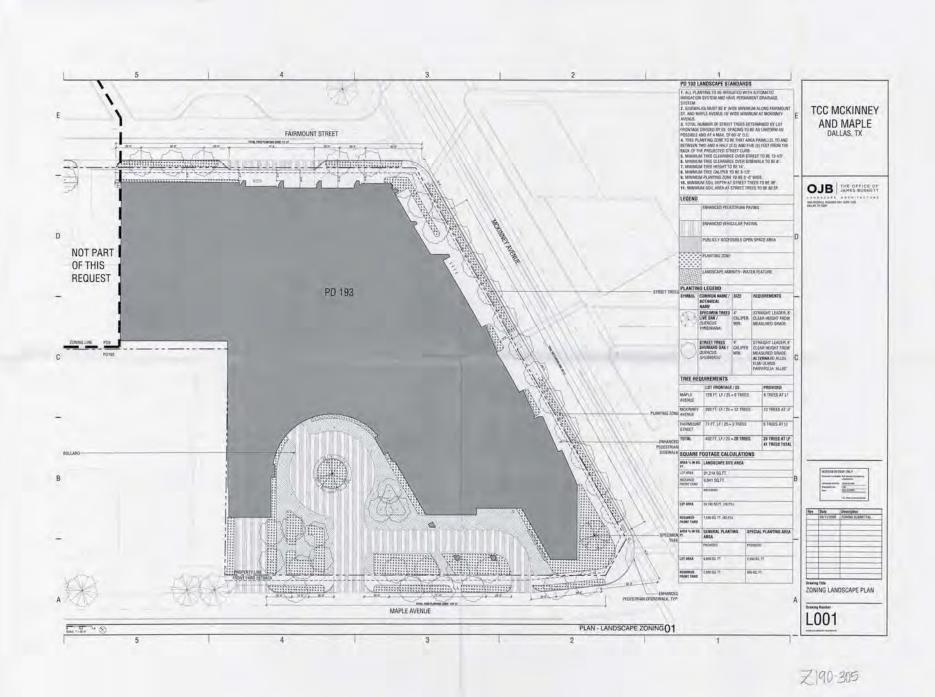


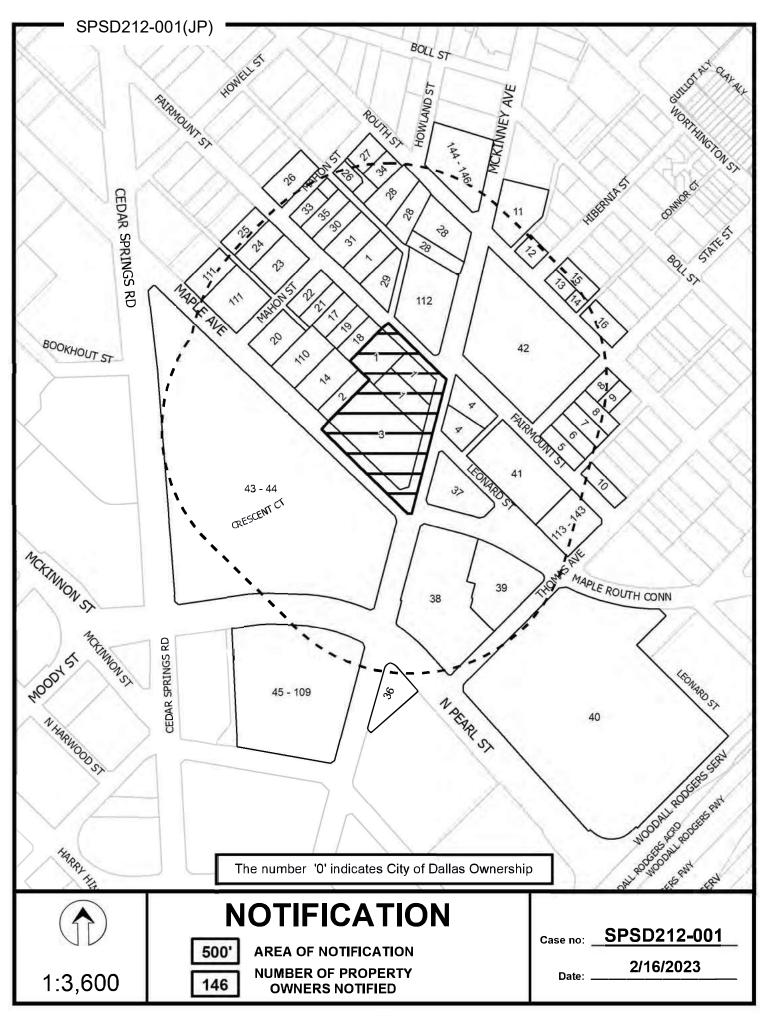
WEST/SOUTH FACADES

FOR INFORMATIONAL PURPOSES



FOR INFORMATIONAL PURPOSES





02/16/2023

Notification List of Property Owners SPSD212-001

146 Property Owners Notified

Label #	Address		Owner
1	2507	FAIRMOUNT ST	MURPHY PLAZA LLC
2	2504	MAPLE AVE	PASHA & SINA INC
3	2401	MCKINNEY AVE	2401 MCKINNEY LLC
4	2400	MCKINNEY AVE	MCKINNEY OH LLC
5	2500	STATE ST	MCBRIDE THOMAS R
6	2504	STATE ST	CHASE SPRING CREEK LLC
7	2508	STATE ST	PELLETIER GEORGE TRUSTEE
8	2512	STATE ST	PELLETIER GEORGE A
9	2317	ROUTH ST	PELLETIER GEORGE ET AL
10	2501	THOMAS AVE	5701 MAIN STREET LLC
11	2602	MCKINNEY AVE	SL6 MCKINNEY LP
12	2601	HIBERNIA ST	FATIMA LLC
13	2600	HIBERNIA ST	HIBERNIA INVESTMENT LLC
14	2414	ROUTH ST	PASHA & SINA INC
15	2604	HIBERNIA ST	NICHOLS DOUGLAS R &
16	2601	STATE ST	ALLORA LLC
17	2521	FAIRMOUNT ST	BLL LP
18	2515	FAIRMOUNT ST	MURPHY PLAZA LLC
19	2517	FAIRMOUNT ST	LWO REAL ESTATE II LLC
20	2516	MAPLE AVE	HEYMANN CLAIRE L
21	2525	FAIRMOUNT ST	BLL LP
22	2527	FAIRMOUNT ST	KAME YUGEN SEKININ JIGYO
23	2603	FAIRMOUNT ST	2603 FAIRMOUNT INVESTORS
24	2611	FAIRMOUNT ST	DCMS FOUNDATION
25	2701	FAIRMOUNT ST	MAPLE MARKETING CORP
26	2700	FAIRMOUNT ST	MORTON PRODUCTION INC &

Label #	Address		Owner
27	2707	ROUTH ST	TURTLE CREEK MANOR INC
28	2609	ROUTH ST	OR ASSET HOLDINGS LP
29	2520	FAIRMOUNT ST	2520 FAIRMOUNT STREET
30	2600	FAIRMOUNT ST	2600 FAIRMOUNT LLC
31	2530	FAIRMOUNT ST	KORNYE GEORGE W &
32	2512	MAHON ST	GINSBURG BROOKE &
33	2610	FAIRMOUNT ST	GINSBURG BROOKE MINORS
34	2703	ROUTH ST	DAYTON JOHN W
35	2604	FAIRMOUNT ST	SMITH SHARON HAYSLIP
36	2120	MCKINNEY AVE	MCPP 2100 MCKINNEY LLC
37	2324	MCKINNEY AVE	MAPLE AND MCKINNEY L P
38	2222	MCKINNEY AVE	AMREIT UPTOWN DALLAS LP
39	2212	MCKINNEY AVE	MRT UPTOWN RESIDENTIAL LLC
40	2200	N PEARL ST	FEDERAL RESERVE BANK OF
41	2332	LEONARD ST	GIVENS RECORDS DEV LP
42	2500	MCKINNEY AVE	LG ROUTH LP
43	100	CRESCENT CT	GPIF TC OWNER LLC
44	100	CRESCENT CT	CRESCENT TC INVESTORS LP
45	2121	MCKINNEY AVE	CRESCENT RCD OWNER LLC
46	2525	N PEARL ST	STRONG ASA & NANCY
47	2525	N PEARL ST	ADELGLASS JEFFREY &
48	2525	N PEARL ST	SONNENSCHEIN INVESTMENTS LTD
49	2525	N PEARL ST	HIXSON WALTER A
50	2525	N PEARL ST	CHEW ALBERT E III & GEORGINA
51	2525	N PEARL ST	RAK PROPERTIES INC
52	2525	N PEARL ST	CLIFTON MATTHEW & EMILY
53	2525	N PEARL ST	COTTEL WILLIS I TRUSTEE
54	2525	N PEARL ST	MAROON CREEK TRUST
55	2525	N PEARL ST	DYMERSKA JUSTYNA
56	2525	N PEARL ST	QUIST SHARON S
57	2525	N PEARL ST	MOSER FAMILY TRUST

Label #	Address		Owner
58	2525	N PEARL ST	PEJOVICH 2020 BRENDA
59	2525	N PEARL ST	LAT REAL ESTATE LLC
60	2525	N PEARL ST	WALLACE BJ & MARJORIE K
61	2525	N PEARL ST	P2 RE INVESTMENTS LLC
62	2525	N PEARL ST	POWELL MARK W
63	2525	N PEARL ST	DAS NATASHA
64	2525	N PEARL ST	TOELLER GARY RICHARD & ANNE S TRUSTEES
65	2525	N PEARL ST	HASHEM OMAR & MIASSAR
66	2525	N PEARL ST	FONBERG PETER
67	2525	N PEARL ST	GLAZER MICHAEL S
68	2525	N PEARL ST	SMITH LINDA J
69	2525	N PEARL ST	ABOU QAMAR MAAMOUN Y
70	2525	N PEARL ST	MITCHELL F LANE
71	2525	N PEARL ST	GALLETTA NANCY J
72	2525	N PEARL ST	BAILEY CHARLES R & VIRGINIA H
73	2525	N PEARL ST	KLS INVESTMENTS LLC
74	2525	N PEARL ST	FDRE LLC
75	2525	N PEARL ST	ROBINSON MATTHEW SCOTT &
76	2525	N PEARL ST	NORMAN DANIEL A JR
77	2525	N PEARL ST	EDWARDS THOMAS CHARLES &
78	2525	N PEARL ST	MULTIPLE REALTY LLC
79	2525	N PEARL ST	DIXON GENE JR & VICTORIA
80	2525	N PEARL ST	BROWER SHANNON
81	2525	N PEARL ST	DARWISH DANA
82	2525	N PEARL ST	YAMINI SARA M
83	2525	N PEARL ST	QUIST SHARON S
84	2525	N PEARL ST	1013 NW LOOP 410 VENTURE
85	2525	N PEARL ST	MITCHELL KEITH & LOIS TRUST THE
86	2525	N PEARL ST	CLEAVE ROCERT C VAN
87	2525	N PEARL ST	HAUSLEIN FERDINAND A JR
88	2525	N PEARL ST	GIAMARTINO EMMA & VINCENT

Label #	Address		Owner
89	2525	N PEARL ST	LEE JAMES J & DORIS P
90	2525	N PEARL ST	SMITH BRADLEY A
91	2525	N PEARL ST	DOUGLASS GREGORY
92	2525	N PEARL ST	NURENBERG PAMELA &
93	2525	N PEARL ST	MARTIN JACK L &
94	2525	N PEARL ST	HAFFAR NABILA
95	2525	N PEARL ST	MACRAE TERRY A & MARY H FAMILY
96	2525	N PEARL ST	WEBB CARL B
97	2525	N PEARL ST	ROSS STEPHANIE REVOCABLE TRUST
98	2525	N PEARL ST	SCHAKE ERIC
99	2525	N PEARL ST	RINEARSON LEIGH REVOCABLE LIVING
100	2525	N PEARL ST	SCHNITZER KENNETH LEE JR
101	2525	N PEARL ST	MAYER SUSAN HOLLINSWORTH
102	2525	N PEARL ST	KARKOUTLY AMAN &
103	2525	N PEARL ST	FREEMAN JOSHUA SR &
104	2525	N PEARL ST	QUINN TERRENCE JEROME &
105	2525	N PEARL ST	WAGNER DUER III
106	2525	N PEARL ST	HADDOCK RON W &
107	2525	N PEARL ST	SOLOMON WILLIAM T & GAY F
108	2525	N PEARL ST	LARKIN JOHN G &
109	2525	N PEARL ST	RIBMAN JAMES W & DARCY L
110	2512	MAPLE AVE	HEIDARI ALI
111	2610	MAPLE AVE	2620 MAPLE OWNER LLC
112	2515	MCKINNEY AVE	CHATEAU PLAZA HOLDINGS LP
113	2300	LEONARD ST	AUSSIE PROPERTIES LLC
114	2300	LEONARD ST	KELLY JOSEPH T & BONNIE L
115	2300	LEONARD ST	RUBDOWN LLC
116	2300	LEONARD ST	BONNEVILLE LP
117	2300	LEONARD ST	BOSWELL MARK S
118	2300	LEONARD ST	VERSES SOCRATES & JUDY
119	2300	LEONARD ST	RANDALL PAMELA G

Label #	Address		Owner
120	2300	LEONARD ST	SASSIG PROPERTIES LLC
121	2300	LEONARD ST	GLOGAU A I REVOCABLE TRUST &
122	2300	LEONARD ST	LABEN GARY S &
123	2300	LEONARD ST	SPOOR CLAYTON & PAYTON
124	2300	LEONARD ST	SAUS PROPERTIES LLC SERIES 3
125	2300	LEONARD ST	SAUS PPTIES LLC SERIES 8
126	2300	LEONARD ST	SMITH CHARISSA L &
127	2300	LEONARD ST	ROMERO LAURA MARINA L
128	2300	LEONARD ST	TUCKER JOHN IV
129	2300	LEONARD ST	MARSHALL CHRIS
130	2300	LEONARD ST	BREAK POINT LLC
131	2300	LEONARD ST	SIERS SCOTT A
132	2300	LEONARD ST	OLEARY TIMOTHY P
133	2300	LEONARD ST	DALEHITE JESSE J III
134	2300	LEONARD ST	BROWN JON STEFAN
135	2300	LEONARD ST	BOOKSTAFF HOWARD & EVAN
136	2300	LEONARD ST	RANDALL PAMELA
137	2300	LEONARD ST	SIERS SCOTT ANDREW
138	2300	LEONARD ST	SAUS PROPERTIES LLC
139	2300	LEONARD ST	EATON PAUL
140	2300	LEONARD ST	AREFI GINO R
141	2300	LEONARD ST	FICHTER MARK L &
142	2300	LEONARD ST	DALLAS METRO CLUB LLC
143	2300	LEONARD ST	CINCO AMIGOS LLC
144	2619	MCKINNEY AVE	ONE DALLAS UPTOWN VENTURE LLC
145	2619	MCKINNEY AVE	ONE UPTOWN VENTURE LLC
146	2619	MCKINNEY AVE	ONE UPTOWN VENTURE LLC