

ACM: Dr. Eric A. Johnson

FILE NUMBER: Z190-170(AU) **DATE FILED:** December 31, 2019

LOCATION: North line of West Illinois Avenue, between Tyler Street and Boyd Street.

COUNCIL DISTRICT: 1 **MAPSCO:** 54 T

SIZE OF REQUEST: +/- 1.9 Acres **CENSUS TRACT:** 62.00

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc.

APPLICANT: Communications Tower Group, LLC

OWNER: Shiloh Ministries Baptist Church

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a TH-3(A) Townhouse District.

SUMMARY: The applicant proposes to construct a monopole tower for cellular communication within a concealment tower with an overall height of 69 feet on the subject site. The 50-foot by 50-foot wireless lease area is proposed approximately 78 feet west of South Tyler Street and approximately 133 feet from Boyd Street; and the tower and equipment is proposed to be surrounded by an eight-foot-tall concrete masonry unit (CMU) block wall.

CPC RECOMMENDATION: **Denial without prejudice.**

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is developed with a church and contains a 19,000-square foot building.
- The applicant seeks to construct a monopole tower for cellular communication on the north portion of the property, behind the existing church building. The tower is proposed to have an overall height of 69 feet and a stealth design. The 50-foot by 50-foot wireless lease area is proposed approximately 78 feet west of South Tyler Street and approximately 133 feet from Boyd Street; and the tower and equipment is proposed to be surrounded by an eight-foot-tall concrete masonry unit (CMU) block wall.
- A monopole cellular tower is allowed by Specific Use Permit only in all residential districts. The Dallas Development Code stipulates that a cellular tower is exempt from residential proximity slope height restrictions if a SUP is required for the cellular use and the impact of the tower height on an adjacent residential district is considered in the SUP process.

Zoning History:

There has been one recent zoning request in the area within the last five years.

- 1. Z156-156:** On September April 8, 2016, an automatic renewal of Specific Use Permit No. 1833 for an open-enrollment charter school was approved for a five-year period, on property zoned an LO-3, Limited Office District with Specific Use Permit No. 1833, located on the east line of South Vernon Avenue, north of West Illinois Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing / Proposed ROW
West Illinois Avenue	Principal Arterial	100 feet Bike Plan
Boyd Street	Local street	
South Tyler Street	Local street	

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

STAFF ANALYSIS

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

While the Plan does not specifically address telecommunication coverage, the Plan contains goals and policies for stabilization and strengthening of neighborhoods. Staff appreciates that telecommunication is a part of overall access to service and utilities and therefore, any increase will help accomplish the general goals of *forwardDallas!*

Surrounding Land Uses:

Area	Zoning	Land Use
Site	TH-3(A)	Church
North East West	TH-3(A)	Singe family
South	R-7.5(A)	Singe family

Land Use Compatibility:

The area of request is developed with a church and contains a 19,000-square foot building.

The applicant seeks to construct a monopole tower for cellular communication on the north portion of the property, behind the existing church building. The tower is proposed to have an overall height of 69 feet and a stealth design. The 50-foot by 50-foot wireless lease area is proposed approximately 78 feet west of South Tyler Street and

approximately 133 feet from Boyd Street; and the tower and equipment is proposed to be surrounded by an eight-foot-tall concrete masonry unit (CMU) block wall.

The proposed location of the stealth monopole tower is within a residential neighborhood, on a property with direct access from a major thoroughfare. The property is surrounded by single family homes on all sides, with schools being located further east.

The tower is proposed to be located on the north portion of the property, in the existing parking lot behind the church. The 69-foot high tower is proposed to be 12 feet away from the property line adjacent to single family lots. Staff recognizes the visual impact of the proposed tower located adjacent to single family lots but appreciates the placement in the rear portions of property, in the middle of the block, away from direct visibility along public streets and building façades.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant proposes to construct a monopole tower at this location to provide cellular coverage to users within the vicinity and has provided depictions of existing adjacent and proposed antenna sites on the following pages.

Staff supports the request and appreciates the concealed cellular array that is minimizing the visual effect of a cellular platform. The eight-foot-tall concrete masonry unit (CMU) block wall will provide concealment of the tower and equipment at the street level. Overall, the public utility service of increased coverage would significantly improve as shown by the following coverage maps.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Lot Size
	Front	Side/Rear				
TH-3(A) Townhouse	No min	SF: no min 5/10' Duplex 10'/10' Other	12 DU/acre	36 ft*	60% 25% for non-residential structures	SF: 2,000 sf Duplex: 6,000 sq. ft

* Section 51A-4.408 of the DDC provides an exception to height for utility and public service uses

Additionally, Section 51A-4.408 of the Dallas Development Code provides an exception of maximum structure height for utility and public service uses, including a tower/antenna for wireless communication. Therefore, the maximum structure height of 36 feet in the TH-3(A) Duplex District also does not apply to a tower/antenna for cellular communication. The distances between the proposed tower and the existing single-family structures are included in the SUP site plan; the closest distance being 67.8 feet to the west.

In assessing the height of the proposed tower and the distance to the closest single-family property, staff considers the visual intrusion of the proposed tower to be significant to the surrounding neighborhood. Staff balanced the visual intrusion of the proposed structure with the improvement of the service provided when making the recommendation to support the request. Therefore, to help better assess the compatibility of the proposal with the neighborhood, staff is recommending a shorter period of time, with no eligibility for automatic renewal periods. This way the SUP will be evaluated periodically, allowing more frequent input from the surrounding property owners.

The City Plan Commission recommended denial without prejudice of the application for a Specific Use Permit for a tower/antenna for cellular communication use. The City Plan Commission found the request will not “contribute to, enhance, or promote the welfare of the area of request and adjacent properties.”

Parking:

Parking will be provided in accordance to the parking requirements in the Dallas Development Code, as amended, which is one space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment (“auxiliary building”) greater than 120 square feet. No auxiliary building is proposed; therefore, no additional parking is triggered by the development of this use.

Landscaping:

In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because less than 2,000 square feet of non-permeable surface will be installed.

Staff is recommending a landscape buffer around the outer perimeter of the screening wall on all sides to ensure a better visual compatibility with the surroundings. The applicant did not include staff's recommendation on the proposed site plan.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, it abuts an "G" MVA cluster to the north, east, and west, and an "F" MVA cluster to the south.

LIST OF OFFICERS

SHILOH MINISTRIES BAPTIST CHURCH

Reverand Johnnie Bradley – Senior Pastor

John Branch – Deacon Administrator

Kelton Lemons – Deacon Administrator

John Lemons – Deacon Administrator

Kerry Jones – Deacon Administrator

Lonnie McKnight – Deacon Administrator

Loys Washington – Deacon Administrator

COMMUNICATIONS TOWER GROUP, LLC

Ricardo Loor – Member and CEO

CPC Action
July 9, 2020

Motion: It was moved to recommend **denial without prejudice** of a Specific Use Permit for a tower/antenna for cellular communication on property zoned a TH-3(A) Townhouse District, on the north line of West Illinois Avenue, between Tyler Street and Boyd Street, due to non-enhancement to the quality of the community.

Maker: MacGregor
Second: Hampton
Result: Carried: 11 to 4

For: 11 - MacGregor, Hampton, Stinson, Shidid,
Carpenter, Jung, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 4 - Johnson, Jackson, Blair, Housewright
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 115
Replies: For: 0 Against: 19

Speakers: For: David Hargrove, 322 Lochside Dr., Cary, NC, 27518
Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Kelton Lemons, 921 W. Illinois Ave., Dallas, TX, 75224
Against: None

Z190-170(AU)

**Existing antennas in the area
(Exhibit provided by the applicant)**

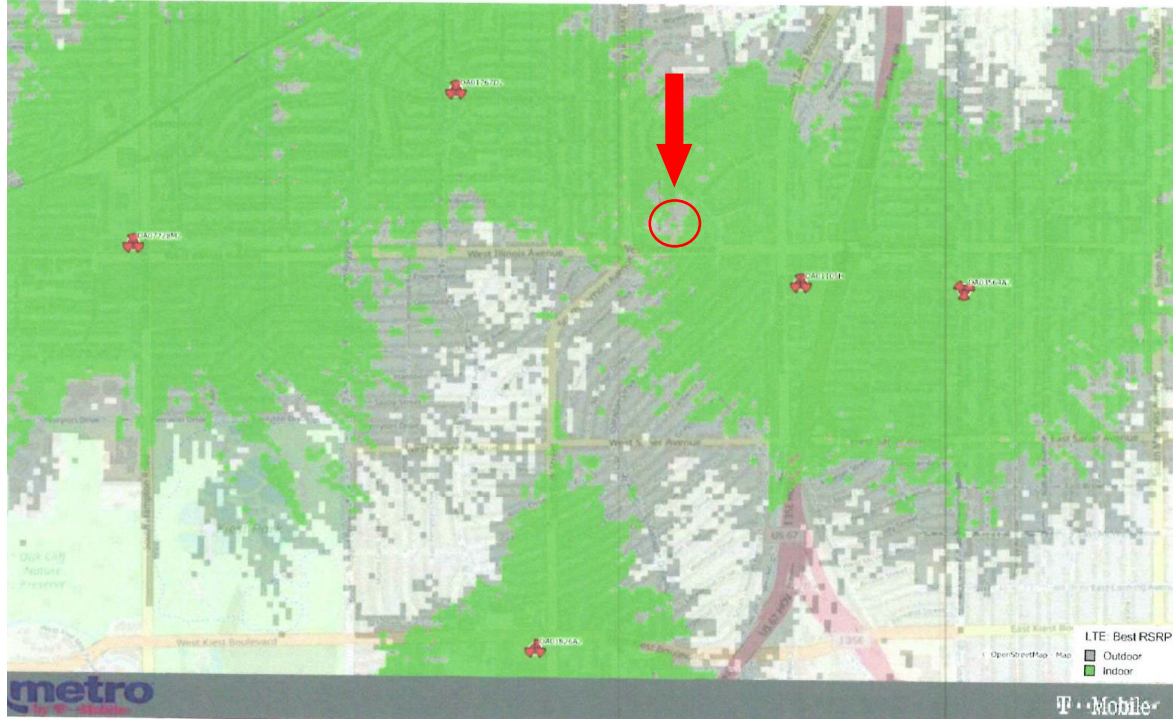
DA03553 – Surrounding area (Google Earth)



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Coverage – existing situation:
(Exhibit provided by the applicant)

CURRENT RSRP



Coverage – with proposed tower:
(Exhibit provided by the applicant)

PROPOSED RSRP@ 60'



PROPOSED SUP CONDITIONS

1. **USE:** The only use authorized by this specific use permit is a tower/antenna for cellular communication limited to a monopole cellular tower.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan and elevation.

Applicant's request:

3. **TIME LIMIT:** This specific use permit expires on ... (ten years from the passage of the ordinance) but is eligible for automatic renewal for additional 10-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)

Staff's recommendation:

3. **TIME LIMIT:** This specific use permit expires on ... (five years from the passage of the ordinance).
4. **COLLOCATION:** Any tower/antenna for cellular communication over 65 feet in height must be constructed to support the antenna arrays for at least two other wireless communication carriers and the tower/antenna for cellular communication must be made available to other carriers upon reasonable terms.
5. **COMMUNICATION TOWER:** The tower/antenna for cellular communication must be a stealth monopole (cables, antennas, and other similar equipment must be located within the structure) and must be painted or finished in a neutral color. The maximum diameter of the tower is 72 inches.
6. **HEIGHT:** The tower/antenna for cellular communication may not exceed 69 feet, including the four-foot lightning rod.

Applicant's request:

7. **SCREENING:** The lease area must be screened by an eight-foot-tall solid fence and secured by a 14-foot-wide access gate in the location shown on the attached site plan.

Staff's recommendation:

7. **SCREENING:**

- a. The lease area must be screened by an eight-foot-tall solid fence and secured by a 14-foot-wide access gate in the location shown on the attached site plan.
- b. The outer perimeter of the fence must be provided with a 10-foot landscape buffer shown on the attached site plan. The landscape buffer must be planted with evergreen plant materials located in a bed at least three feet wide with a minimum soil depth of 24 inches. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed, must be a minimum of three feet tall at time of planting, and must obtain a minimum height of eight feet within three years of planting. Installation of the 10-foot landscape buffer landscaping must be completed prior to issuance of a certificate of occupancy for the monopole cellular tower.

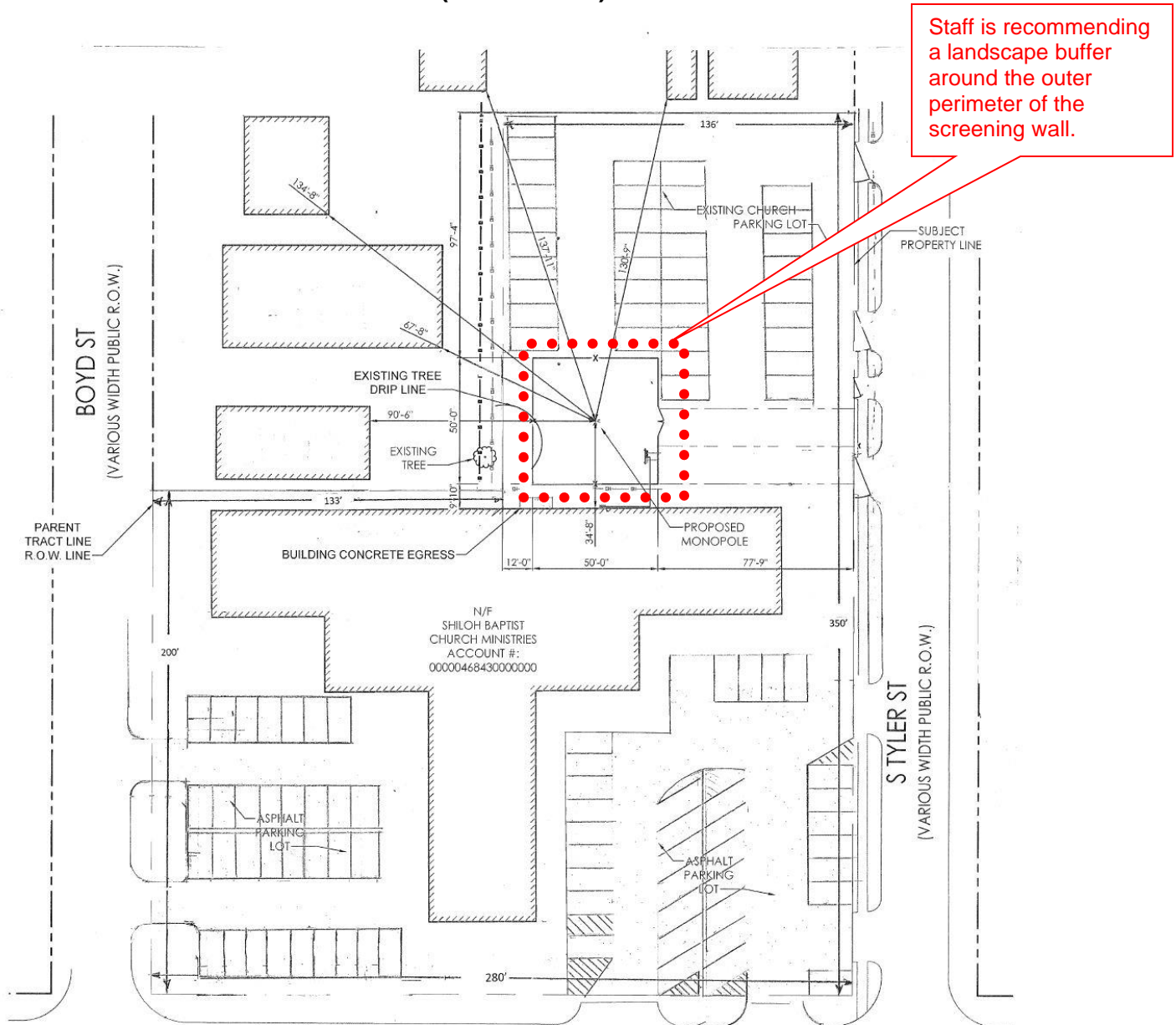
8. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.

9. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

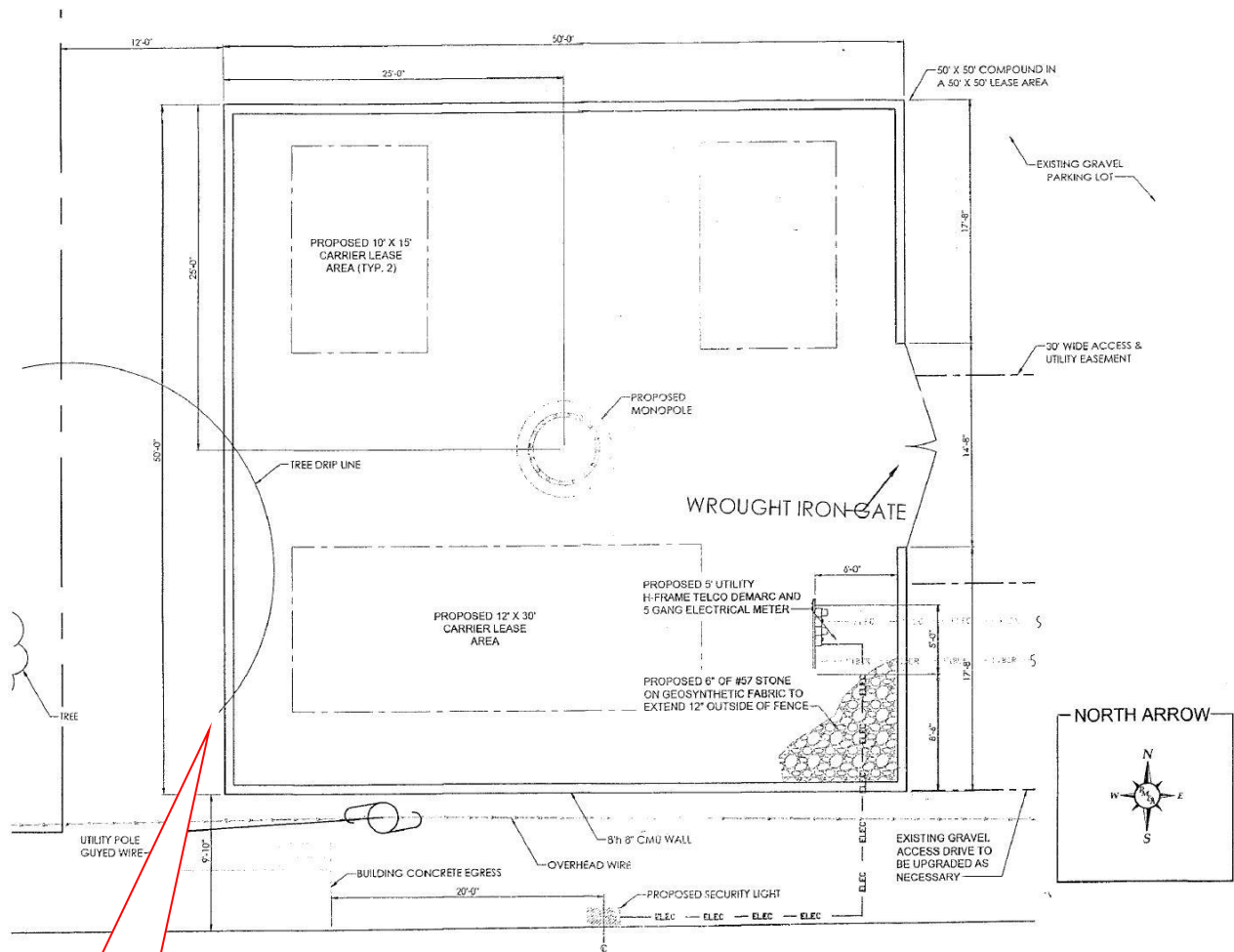
Staff is recommending a landscape buffer around the outer perimeter of the screening wall.



PROPOSED ELEVATION (ENLARGED)

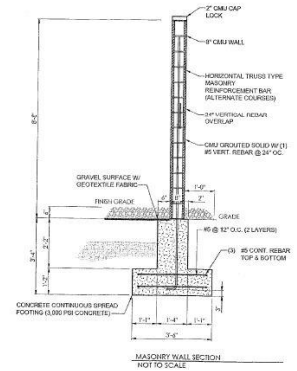
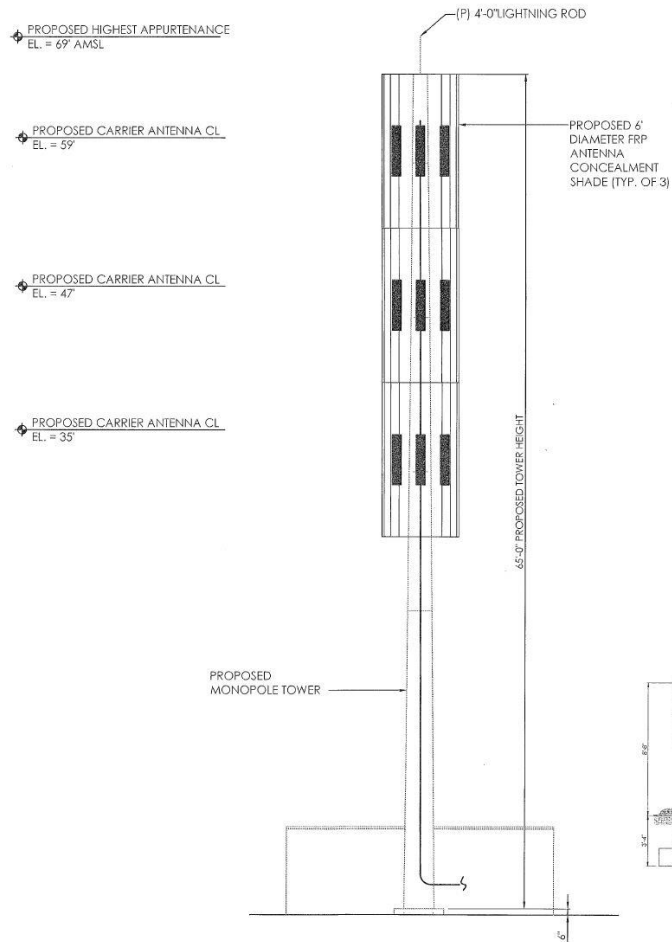


PROPOSED SITE PLAN (ENLARGED)

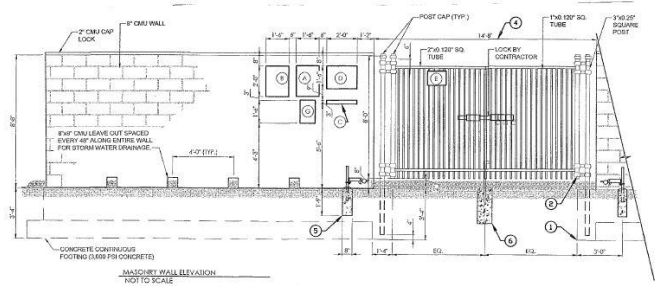


Staff is recommending a landscape buffer around the outer perimeter of the screening wall, on all sides.

PROPOSED ELEVATION (ENLARGED)

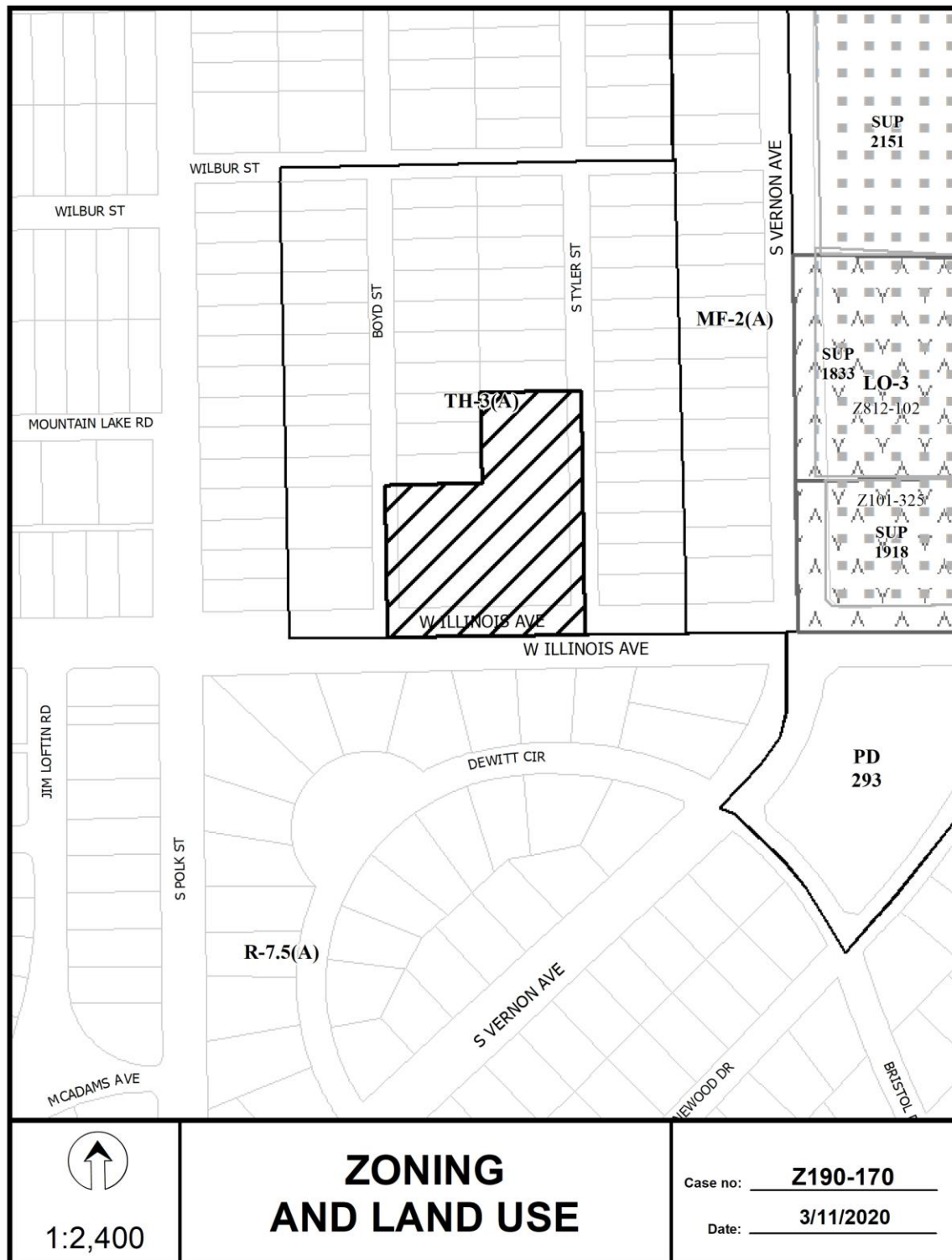


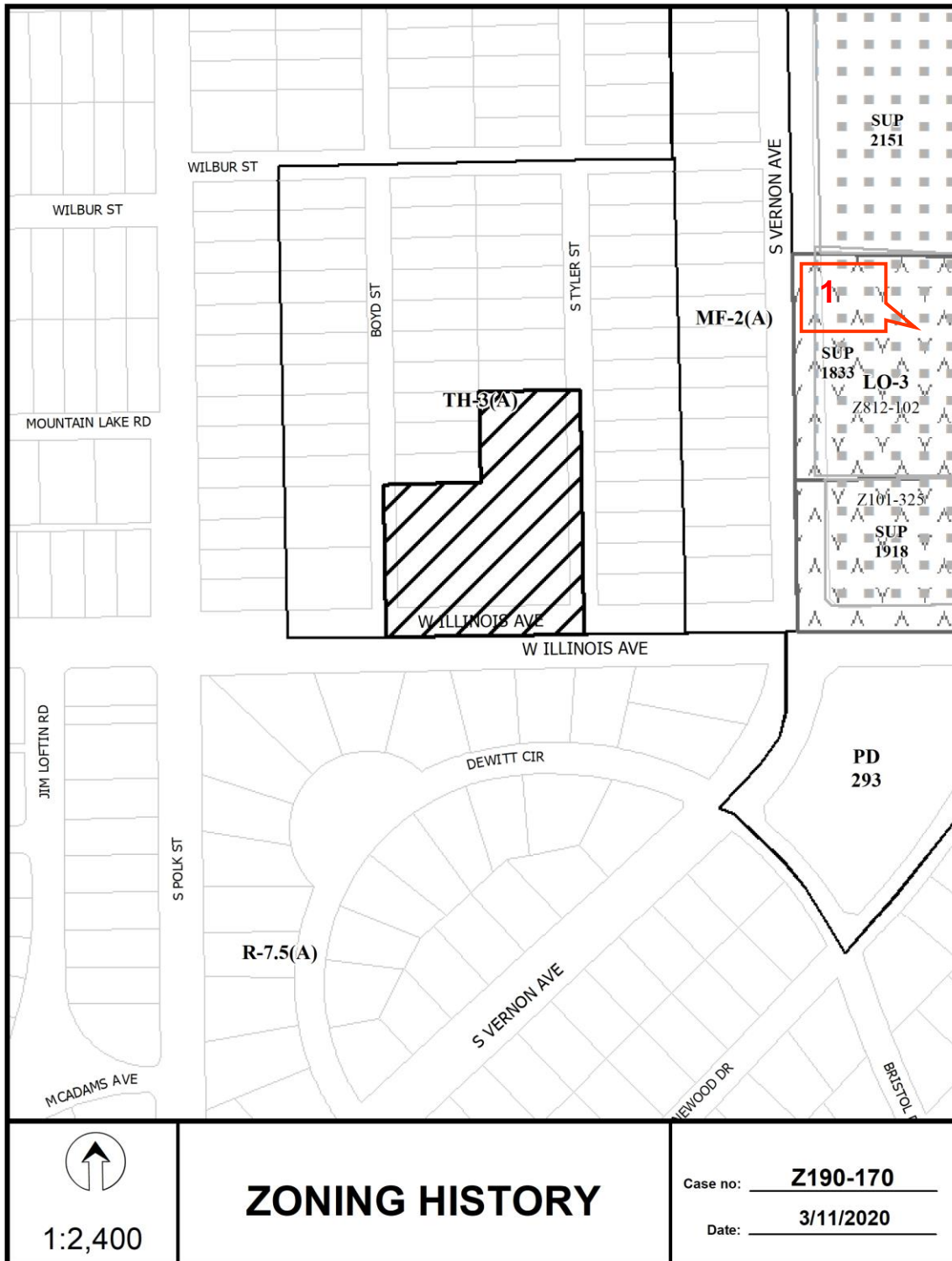
SITE DATA	
LOT AREA	83,400 SF
BUILDING AREA	19,000 SF
PARKING REQUIRED	103
PARKING PROVIDED	103











Z190-170(AU)



MVACluster A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 3/11/2020



07/08/2020

Reply List of Property Owners***Z190-170******115 Property Owners Notified******0 Property Owners in Favor******19 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	921 W ILLINOIS AVE	SHILOH BAPTIST CHURCH MINISTRIES
	2	1102 WILBUR ST	CAMPOS JOSE C
	3	1106 WILBUR ST	REQUENA JOAQUIN & MARIA A
	4	1111 MOUNTAIN LAKE RD	BRAVO JANETH G
	5	1107 MOUNTAIN LAKE RD	FERGUSON WILLIAM W
	6	1103 MOUNTAIN LAKE RD	ANGIES REALTY INC
X	7	1112 MOUNTAIN LAKE RD	ADERMAN DANIEL M
	8	1104 MOUNTAIN LAKE RD	WEST JAMES A
	9	2323 BOYD ST	REACHI JACOBO
	10	2322 BOYD ST	RODRIGUEZ ALBINO &
	11	2318 BOYD ST	MARTINEZ NORA
	12	2327 S TYLER ST	RODRIGUEZ CESAR
	13	2323 S TYLER ST	AGUILAR JOSE AGUILAR &
	14	2319 S TYLER ST	TORRES JOSE CARLOS
	15	2326 S TYLER ST	GONZALEZ FRANCISCO &
	16	2322 S TYLER ST	ORTEGA SANTIAGO JR &
	17	2318 S TYLER ST	GREATER NEW HOPE MISSIONARY BAPTIST
	18	2327 S VERNON AVE	WALKER CHARLES FRANKLIN
	19	2526 S POLK ST	PUGA ALFREDO
	20	2522 S POLK ST	SUAREZ FRANCISCO &
	21	2518 S POLK ST	MARTINEZMARQUEZ MA GUADALUPE
	22	2514 S POLK ST	MERCADO AGUSTIN C
X	23	2510 S POLK ST	YANES FELIPE &
	24	2506 S POLK ST	SAAVEDRA MARIA G
	25	2502 S POLK ST	YANEZ FRANCISCO & FLOR
	26	2426 S POLK ST	HERNANDEZ ADAM

07/08/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2420 S POLK ST	MOLINA PASCUAL & MARIA
	28	2418 S POLK ST	GUEVARA MARTIN & MARIA
	29	2414 S POLK ST	VALDEZ ALFONSO &
	30	2410 S POLK ST	MORALES MARCELA
	31	2404 S POLK ST	PEREZ SANDRA PATRICIA CHAVEZ &
	32	2400 S POLK ST	PEREZ FRANCISCO
	33	2527 BOYD ST	DISMORE SOCORRO
	34	2519 BOYD ST	WHITCHER CHARLES L
	35	2511 BOYD ST	RANGEL GLORIA
	36	2507 BOYD ST	ROMERO LUIS & FLAVIA R
X	37	2501 BOYD ST	WILKINSON AMELIA
X	38	2427 BOYD ST	SKINNER RUTH E
	39	2421 BOYD ST	PALMA ANDRES
X	40	2419 BOYD ST	ALCANTAR VIDAL & EVELIA
X	41	2415 BOYD ST	ARRELLANO OSCAR &
	42	2411 BOYD ST	MONSIVAIS CELIA
X	43	2407 BOYD ST	VASQUEZ SILVESTRE &
X	44	2403 BOYD ST	ALCANTAR VIDAL &
X	45	2504 BOYD ST	OROSCO PEDRO & NICOLASA
X	46	2500 BOYD ST	SOTO MARTINA
X	47	2426 BOYD ST	SAUCEDA CANDELARIA &
	48	2424 BOYD ST	PEDROZA JUAN GERARDO &
	49	2418 BOYD ST	ESPINOSA OSCAR
	50	2410 BOYD ST	RODRIGUEZ JOSE
	51	2404 BOYD ST	MARTINEZ CIRILO &
X	52	2427 S TYLER ST	GONZALEZ FRANCISCO
	53	2421 S TYLER ST	WISTERIA HILLS 20 LLC
X	54	2419 S TYLER ST	BARRIENTOS RAUL EST OF
X	55	2415 S TYLER ST	ACOSTA NORMA
	56	2411 S TYLER ST	STRACENER JOHN W
	57	2405 S TYLER ST	MARIS RUSSELL A

07/08/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	2401 S TYLER ST	WALKER CHARLES F
	59	811 W ILLINOIS AVE	KEDRIC & PATRICIA COUCH
	60	2523 S VERNON AVE	GARCIA CONSUELO
	61	2526 S TYLER ST	ERRISURIZ NELLYDA TRUST
X	62	2522 S TYLER ST	GALLEGOS MIGUEL C ETUX
X	63	2518 S TYLER ST	VAZQUEZ ADRIAN GUADALUPE
	64	2514 S TYLER ST	DEJESUS BRIAN & SARAI GABRIELA
	65	2510 S TYLER ST	KARNS GUSTAVO A
	66	2506 S TYLER ST	LUGO CARMEN
	67	2502 S TYLER ST	AVILES JOSE &
	68	2426 S TYLER ST	MUNOZ MARIA D & MIGUEL A
X	69	2424 S TYLER ST	CATES ANITA JO
X	70	2418 S TYLER ST	ALANIS LUIS M
	71	2414 S TYLER ST	WALKER CHARLES FRANKLIN
	72	2410 S TYLER ST	HOFFNAGLE JORDAN
	73	2406 S TYLER ST	WALKER CHARLES FRANKLIN &
	74	2509 S VERNON AVE	FLORES MARIA ROSARIS RODRIGUEZ
	75	2507 S VERNON AVE	CARDENAS MARIO &
	76	2503 S VERNON AVE	WYRICK BILLIE JO TR
	77	2417 S VERNON AVE	WALKER CHARLES F &
	78	2405 S VERNON AVE	WALKER CHARLES FRANKLIN &
	79	1027 DEWITT CIR	HYMAN MATTHEW
	80	1019 DEWITT CIR	GARZA ALFREDO & LUCY
	81	1015 DEWITT CIR	LOPEZ GABRIEL J &
	82	1009 DEWITT CIR	YANKIE JAMES FRANKLIN
	83	1003 DEWITT CIR	ABROM JACQUELINE D
	84	943 DEWITT CIR	OLVERA JOSE L
	85	939 DEWITT CIR	RODRIGUEZ JOE D
	86	935 DEWITT CIR	MURILLO ANTONIO & MARISOL
	87	927 DEWITT CIR	BAUM MICHELLE D
	88	921 DEWITT CIR	PACHECO ARMANDO C &

07/08/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	917 DEWITT CIR	917 DEWITT A SERIES OF MAX2 INV LLC
	90	2535 S VERNON AVE	RATLIFF KENNETH
	91	2539 S VERNON AVE	ZAPATA BENITA
	92	1018 DEWITT CIR	HERNANDEZ ANTINA
	93	1010 DEWITT CIR	WISNER ROOSEVELT C & LISA
	94	1002 DEWITT CIR	ALRIDGE MARY SMALLWOOD
	95	932 DEWITT CIR	LOPEZ JOE
	96	926 DEWITT CIR	QUINTERO JESUS &
	97	918 DEWITT CIR	MARTINEZ ANGELA J
	98	906 DEWITT CIR	TAPIA JOVITA
	99	2619 S VERNON AVE	PARSONS GWENDOLYN M
	100	2625 S VERNON AVE	DUARTE ANTHONY C
	101	2703 S VERNON AVE	ALVAREZ JOSE & MARIA A
	102	2711 S VERNON AVE	TREES IRA ALBERT
	103	2622 S VERNON AVE	VASQUEZ MARINA JESUS
	104	2610 S VERNON AVE	RAMIREZ ERNESTO GONZALEZ &
	105	2602 S VERNON AVE	WEINER BETTYE DORIS K
	106	1103 W ILLINOIS AVE	JARAMILLO ELIDA T
	107	1107 W ILLINOIS AVE	ESCOBEDO BARBARA K
	108	1111 W ILLINOIS AVE	AVILES YOLANDA
	109	2526 JIM LOFTIN RD	SCHOENFELD MICHAEL E
X	110	2534 JIM LOFTIN RD	VALERO JESUS &
	111	2542 JIM LOFTIN RD	SUSTAITA RAUL &
	112	2324 S VERNON AVE	ACADEMY OF DALLAS
	113	2510 S VERNON AVE	UPLIFT EDUCATION
	114	753 W ILLINOIS AVE	COMERICA BANK TEXAS
	115	2511 S VERNON AVE	VASQUEZ ANGEL