

Planner: Oscar Aguilera

FILE NUMBER: SPSD234-002 **DATE INITIATED:** March 1, 2024

LOCATION: Northwest corner of Commerce Street and S. Austin Street

COUNCIL DISTRICT: 14

SIZE OF REQUEST: Approx .172 acres **CENSUS TRACT:** 31.01

REPRESENTATIVE: Sheils Winnubst PC / Philip Kingston

APPLICANT/ OWNER: 701 Commerce Level Office LLC

REQUEST: An application to create a new subdistrict, MKT Subdistrict, within the West End Historic Sign District on a property zoned CA-1(A) Central Area District with Historic Overlay No 2.

SUMMARY: The applicant proposes to create a new subdistrict that would allow one supergraphic sign to be located on the east wall face of the property's building.

STAFF RECOMMENDATION: Approval.

SSDAC RECOMMENDATION: Approval, subject to conditions.

WEST END HISTORIC SIGN DISTRICT

https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-87204

BACKGROUND INFORMATION:

- On June 22, 2016, the City Council approved the West End Historic Sign District.
- The West End Historic SPSP allows supergraphics in two subdistricts – the Purse Building Subdistrict and the Antioch Church Subdistrict.
- Dallas City Code Section 51A-7.102(16.1) states that a HIGHWAY BEAUTIFICATION ACT (HBA) SIGN means a non-premise sign that is within 660 feet of an expressway or new expressway right-of-way and whose message is visible from the main traveled way.
- The Designation Committee and the Landmark Commission have reviewed the proposed supergraphic sign and support this request with conditions. The conditions are that ties (hardware fasteners) are involved to support the signage. The ties must be attached via the mortar joints, to protect the masonry.
- On May 14, 2024, the Special Sign District Advisory Committee recommended approval of this request with a 10-year sunset condition as noted in the attached proposed conditions.

STAFF ANALYSIS:

The requested site is developed with the Missouri, Kansas, and Texas Railway Co. of Texas general office building constructed in 1914. This structure is commonly known as the Katy Building. The lot to the east of the Katy Building is developed with a surface parking lot.

The applicant seeks to create the new subdistrict solely to allow the supergraphic to receive revenue from premise and non-premise advertising to serve as an income generator to help preserve the building. The applicant stated the revenue obtained from the supergraphic, “will contribute to the building’s commercial viability without harming the look and feel of the historic district.”

The proposed subdistrict would allow one supergraphic sign to be located on the east wall face of the property’s building. The proposed minimum effective area is 1,200 square feet with a maximum effective area of 6,500 square feet. The proposed height may not be lower than 10 feet above grade level. The supergraphic sign would comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

Staff **recommends approval**. The proposed supergraphic sign’s message is not visible to vehicles traveling on Commerce Street, which is one-way at this location. The supergraphic sign’s message is only visible to pedestrians or vehicles traveling west bound on Main Street. The supergraphic sign is limited by a maximum area, display duration, and minimum height.

Comparison of supergraphic sign regulations

	Antioch Church Subdistrict – West End	Purse Building Subdistrict – West End	MKT Subdistrict– West End	Market Center Subdistrict Farmers Market
Number	1 (east façade)	1 (east façade)	1 (east façade)	2
Size	2,500 sf - 6,500 sf	2,500 sf - 6,500 sf	1,200 sf - 6,500 sf	No limit
Display duration	Six months	No limit	Six months	Four months
Sunset	9-27-2027	Does not sunset	10-year sunset from approval date	Does not sunset
Other		May not cover existing painted sign.	The height may not be lower than 10 feet above grade level.	

SSDAC action
May 14, 2024

MOTION: It was moved to approve the creation of the MKT Subdistrict, within the West End Historic Sign District. The Special Sign District Advisory Committee recommended approval of the creation of the MKT Subdistrict, within the West End Historic Sign District with a 10-year sunset condition from the Ordinance approval date.

Maker: Dumas
Second: Hardin
Result: Carried: 4 to 0

For: 4 - Peadon, Webster, Hardin, & Dumas.
Against: 0
Absent: 1 - Haqq
Conflict: 0

Speakers – Philip T. Kingston - Sheils Winnubst PC

East façade - View from Commerce St.



East façade- View from Main St.



East façade- View from Lamar St.



East façade - View from S. Austin St.



List of Officers for
701 Commerce Level Office LLC

**701 COMMERCE LEVEL OFFICE LLC,
a Texas Limited liability company**

**By: Iconic Investors, LLC,
a Delaware limited liability company,
its manager**

By: William M. Bennett, Manager

Staff's Proposed Amendments

Division 51A-7.1001 West End Historic Sign District, (d) The MKT subdistrict.

SEC. 51A-7.1007.3. MKT SUBDISTRICT.

(a) In general. Except as provided in this division, the provisions of the West End Historic Sign District apply in this subdistrict.

(b) Definitions. In this subdistrict:

(1) **SUPERGRAPHIC SIGN** means a large attached premise or non-premise sign on a mesh or fabric surface, a projection of a light image onto a wall face without the use of lasers, or painted or vinyl adhesive signage.

(2) **WALL FACE** means an uninterrupted blank plane of a wall, from vertical edge to vertical edge, from its highest edge to its lowest edge. Edges can be established by a distinct change in materials or off-set which runs across (transects) the entire wall in a straight line.

(c) Supergraphic sign.

(1) Number. A maximum of one supergraphic sign is permitted.

(2) Visual display and coverage.

(A) The supergraphic sign must have one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).

(i) Multiple displays giving an appearance of multiple signs are prohibited.

(ii) The effective area of text is the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word.

(B) The supergraphic sign is intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(i) encourage the use of illustrative images or other non-repetitive design elements;

(ii) encourage visually interesting, vibrant, and colorful designs;

(iii) discourage use of solid colors or repetitive design elements; and

(iv) discourage an image of a single product or product logo without other graphic elements.

(C) The supergraphic sign may be internally or externally illuminated. If internally illuminated, the supergraphic sign may consist of translucent materials, but not transparent materials.

(D) The supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

(3) Effective area. Minimum permitted effective area is 1,200 square feet. Maximum

permitted effective area is 6,500 square feet.

- (4) Height. The supergraphic sign may not be lower than 10 feet above grade level.
- (5) Location. The supergraphic sign may only be located on the east facade of the building.
- (6) Additional provisions.

(A) All hardware fasteners for the supergraphic sign must be attached via the mortar joints, to protect the masonry and comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

(B) The supergraphic sign may not be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.

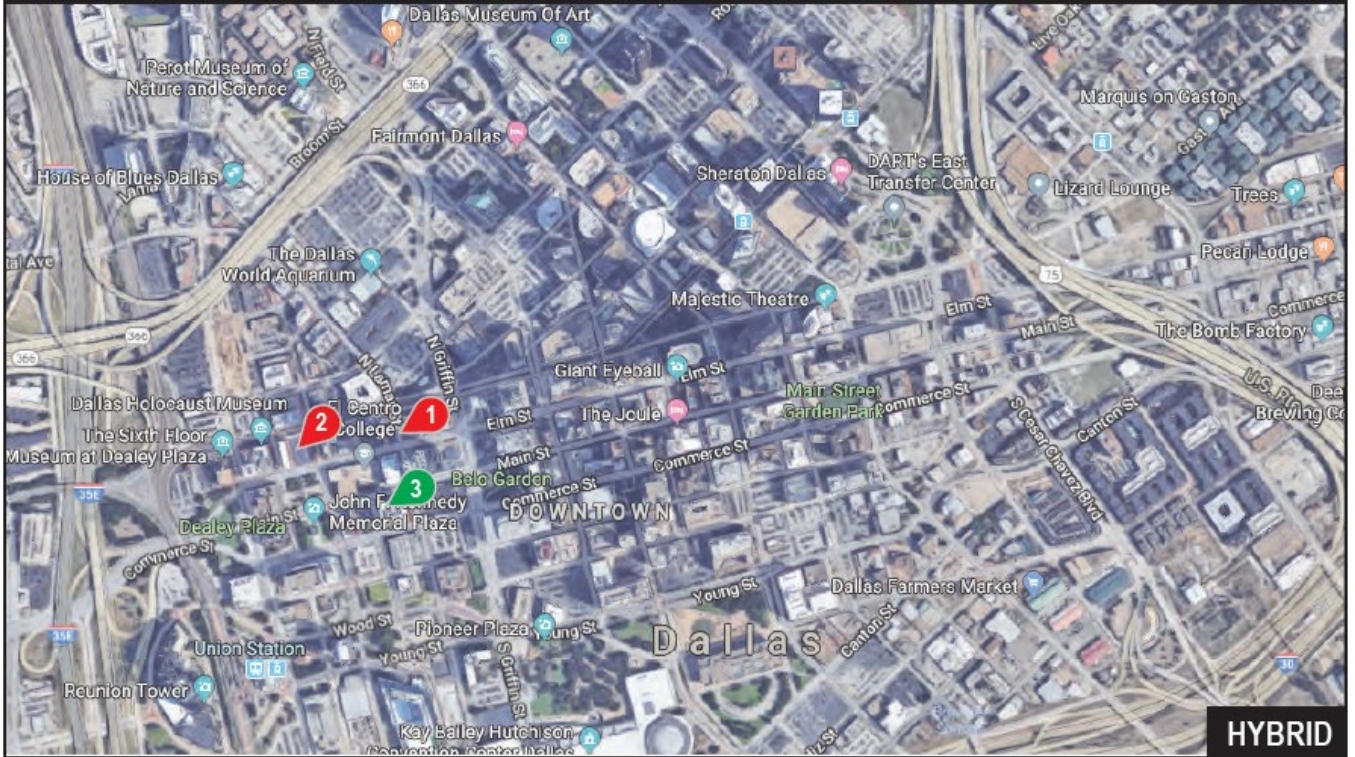
(C) The supergraphic sign may not display the same message for more than six consecutive months in any 12-month period.

(D) The supergraphic sign must be removed on or before 10 years from the creation of the MKT subdistrict. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after 10 years from the creation of the MKT subdistrict, and all permits authorizing a supergraphic sign automatically expire on that date.

- (d) This section expires 10 years from the creation of the MKT subdistrict, unless re-enacted before that date. The city plan commission and city council shall review this section before its expiration date.

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WEST END HISTORIC SIGN DISTRICT SUPERGRAPHIC LOCATIONS **MAY 2024**



HYBRID

EXISTING

1 - 805 ELM (E Elev) - 4,800 sq. ft. - exp. SIX MONTH

2 - 601 ELM (E Elev) - 20,210 sq. ft. - exp. NONE

PROPOSED

9 - 701 COMMERCE (E Elev) - 1,200-6,500 sq. ft. - exp. SIX MONTH



1:6,000

VICINITY MAP

Case no: SPSD234-002

Date: 6/3/2024

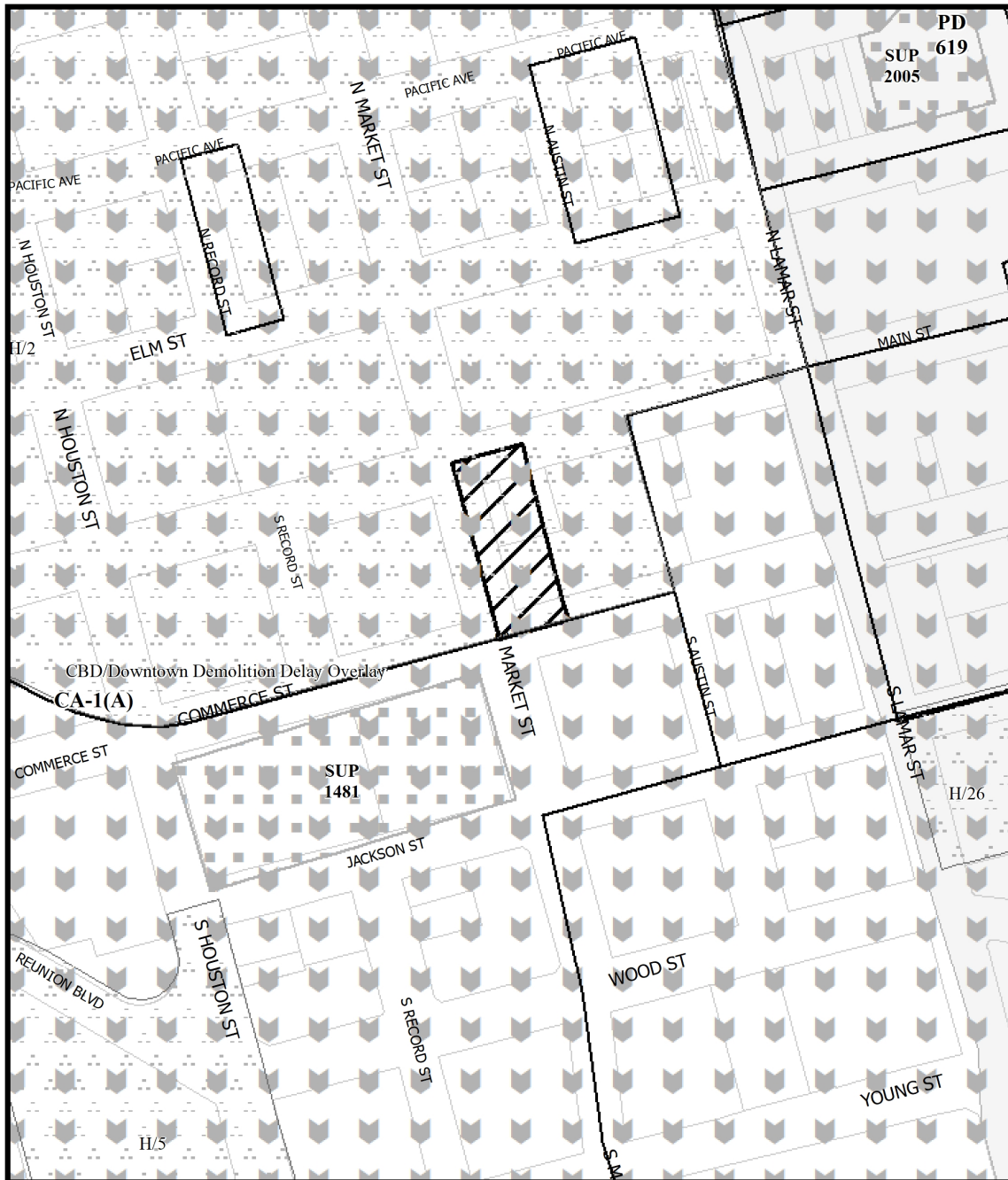


1:2,400

AERIAL MAP

Case no: SPSD234-002

Date: 6/3/2024



1:2,400

ZONING MAP

Case no: SPSD234-002

Date: 6/3/2024



 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">500'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">59</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	500'	AREA OF NOTIFICATION	59	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>SPSD234-002</u> Date: <u>6/3/2024</u>
500'	AREA OF NOTIFICATION					
59	NUMBER OF PROPERTY OWNERS NOTIFIED					

06/03/2024

Notification List of Property Owners***SPSD234-002******59 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	702 MAIN ST	701 COMMERCE LEVEL OFFICE LLC
2	509 ELM ST	501 ELM LOFTS LLC
3	509 ELM ST	WING BRODERICK JAMES
4	509 ELM ST	MITCH & MURRAY TRUST
5	509 ELM ST	LUHRING CHRISTOPHER P &
6	509 ELM ST	KEY JOHN
7	509 ELM ST	BAGBY JAMES DOUGLAS & NAOKO SUZUKI
8	509 ELM ST	BLAIR CARY &
9	509 ELM ST	DOWL SOPHIA
10	509 ELM ST	WIRZ CHARLES
11	509 ELM ST	NOVEMBER SON RESIDENCE TRUST
12	509 ELM ST	BURGESS KIMBERLY
13	509 ELM ST	SCHMITZ CATHY ANN
14	509 ELM ST	FAGAN REVOCABLE TR
15	509 ELM ST	TROUPE GUY H
16	509 ELM ST	LEE YUNHENG
17	509 ELM ST	TRUDELLE JONATHAN
18	509 ELM ST	HINOJOSA LUIS P
19	509 ELM ST	GARZA RUBEN A & LINH T
20	509 ELM ST	SEESSELBERG CHARLES
21	509 ELM ST	KENNEDY MARGARET A
22	509 ELM ST	HAN JACQUELINE
23	509 ELM ST	GABBERT ASHLEY MAG
24	509 ELM ST	OTSTOTT HILARY ALISON &
25	509 ELM ST	LOMONOVA ANASTASIYA
26	509 ELM ST	MARKLE BRAXTON
27	509 ELM ST	BASNET CHHITIZ &
28	509 ELM ST	MOULDEN DOUGLAS E
29	509 ELM ST	ANDRADE JOSUE MARTIN
30	509 ELM ST	SELLERS STEPHEN B &
31	509 ELM ST	DELP ROBERT KYLE SR &

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32	509	ELM ST	SOUZA LUIZ GUSTAVO
33	500	ELM ST	County of Dallas
34	512	JACKSON ST	Taxpayer at
35	611	ELM ST	7223 L P
36	605	ELM ST	609 ELM LLC
37	605	ELM ST	PRESERVE PURSE LLC
38	304	S RECORD ST	RICHMAN TRUSTS
39	211	N AUSTIN ST	211 N AUSTIN LLC &
40	208	N MARKET ST	208 N MARKET LLC
41	701	ELM ST	DALLAS COLLEGE
42	711	ELM ST	Taxpayer at
43	710	MAIN ST	DALLAS MAIN LP
44	706	MAIN ST	LAWYERS BLDG OF DALLAS
45	712	COMMERCE ST	BANANAQUIT PARTNERS LP
46	700	JACKSON ST	DCPG I INC
47	811	ELM ST	ANTIOCH CHURCH
48	804	PACIFIC AVE	ANTIOCH CHURCH
49	804	PACIFIC AVE	ANTIOCH CHURCH
50	207	S LAMAR ST	DALLAS TERM RY & UN DEPOT
51	205	S LAMAR ST	GH LAMAR ST DALLAS TX LLC
52	804	COMMERCE ST	FIRSTGROUP SERVICES INC
53	800	JACKSON ST	METRO DALLAS DOWNTOWN
54	311	S LAMAR ST	Taxpayer at
55	901	MAIN ST	DALLAS MAIN LP
56	101	S LAMAR ST	INTERFIRST BANK DALLAS
57	901	MAIN ST	INTERFIRST BANK DALLAS
58	309	S MARKET ST	309 S MARKET STREET LLC
59	800	MAIN ST	INTERFIRST BANK DALLAS