

FILE NUMBER: Z212-128(OA) **DATE FILED:** November 3, 2021

LOCATION: Northwest corner of North Griffin Street and Elm Street

COUNCIL DISTRICT: 14

SIZE OF REQUEST: Approx. 0.69 acres **CENSUS TRACT:** 31.01

APPLICANT: Big Outdoor Texas, LLC

OWNER: TOG Hotels Downtown Dallas LLC

REPRESENTATIVE: Suzan Kedron, Jackson Walker LLP

REQUEST: An application for the renewal of Specific Use Permit No. 2006 for an attached projecting non-premise district activity videoboard sign on property zoned a CA-1(A) Central Area District.

SUMMARY: The applicant proposes to allow the display and operation of an attached projecting sign on the Elm Street (southeastern) façade of an existing structure housing a hotel use. [Crown Plaza]

CPC RECOMMENDATION: Approval for a six-year period, subject to conditions.

STAFF RECOMMENDATION: Approval for a six-year period, subject to conditions.

BACKGROUND INFORMATION:

- Ordinance No. 27481, adopted by City Council on February 11, 2009, allowed for up to five non-premise district activity videoboard signs in the Downtown Special Provision Sign District. However, Ordinance No. 28347 was adopted by City Council on August 24, 2011, to increasing the maximum to 15 videoboards signs.
- Specific Use Permit No. 2006 for a videoboard sign was approved by City Council on January 23, 2013, for a six-year period and subsequently renewed for three years on April 10, 2019s.
- The request site is currently developed with a 444,675-square-foot hotel use [Crown Plaza]. The property has two attached projecting non-premise district activity videoboard signs. This SUP allows for the videoboard sign along Elm St.
- The existing sign attached projecting sign on the Elm Street (southeastern) façade is in compliance with the renewal conditions of SEC. 51A-7.909. Attached Non-Premise District Activity Videoboard Signs of the Dallas Development Code.

Zoning History: There have been three zoning changes in the vicinity during the last five years.

1. **Z189-165:** On Wednesday, April 10, 2019, the City Council approved the renewal of Specific Use Permit No. 2005 for an attached projecting non-premise district activity videoboard sign on property zoned a CA-1(A) Central Area District with Specific Use Permit No. 2005 [subject site western façade].
2. **Z189-164:** On Wednesday, April 10, 2019, the City Council approved the renewal of Specific Use Permit No. 2006 for an attached projecting non-premise district activity videoboard sign on property zoned a CA-1(A) Central Area District with Specific Use Permit No. 2006 [subject site, e].
3. **Z178-241:** On August 8, 2018, the City Council denied an application for a Specific Use Permit for an attached projecting non-premise district activity videoboard sign on property Planned Development District No. 619 with Specific Use Permit No. 2007, located on the northeast corner of the intersection of Griffin Street and Elm Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Required ROW
Elm Street	One-way Street per CBD	80 feet
N. Griffin Street	Two-way Street per CBD	100 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

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

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.3 Build a dynamic and expanded Downtown.

ECONOMIC ELEMENT

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN.

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

Policy 2.3.1 Restore Downtown Dallas as the economic and cultural heart of North Central Texas.

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

Videoboard Signs:

Currently, there are 11 active Specific Use Permits for videoboard signs since four of Specific Use Permits have expired. Should this SUP renewal be approved, the number of active videoboard signs in the Downtown SPSP District would not change. The SPSP only allows 15 videoboard signs within the district. Exhibit "A" shows a map with the status of the approved videoboard signs within the district.

No.	SUP No.	Location	Case No.	Approved	Expiration	ORD. #	Sign Installed (permit #)
1	1755*	1407 Main St (west & east façade)	Z145-276 (Renewal needed)	9/9/2015	10/13/2027	32028	0910095005
2							0910095006
3	1788	1321 Commerce (south façade)	Z145-277 (Renewal)	9/9/2015	10/13/2027	32029	0912305001
4	1791	1502/1509 Main St (West façade)	Z145-278 (Renewal)	9/9/2015	12/8/2027	32074	1104055002
5	1796	1530-1608 Main St (north façade)	Z189-298 (Renewal)	10/23/2019	10/23/2025	31367	1709191108
6	1957	1700 Pacific Ave (south façade)	Z178-123 (Renewal)	6/13/2018	6/13/2028	30881	1403311122
7	1958	1517 Main St (south façade)	Z178-124 (Renewal)	2/14/2018	2/14/2028	30781	1403311124
8	1959	1302 Elm St. (north façade)	Z178-214 (Amendment/Renewal)	6/27/2018	6/27/2024	30919	2003234008
9	2005	1015 Elm St (west façade)	Z189-165 (Renewal)	4/10/2019	4/10/2022	31172	2009161008
10	2006	1015 Elm St (south façade)	Z189-164 (Renewal)	4/10/2019	4/10/2022	31171	2009161012
11	2007	200 N Griffin St (south façade)	Z189-148 (renewal)	5/22/2019	5/22/2025	31228	1403311118
12	2008	1600 Commerce St (east façade)	Z189-147 (Renewal)	4/10/2019	4/10/2025	31165	1403311114
13	2009	1600 Commerce St (north façade)	Z189-146 (Renewal)	4/10/2019	4/10/2025	31164	1403311109
14	2302	2201 Main St (west façade)	Z178-242 (new SUP)	9/26/2018	9/26/2024	31010	1912194010
15	2411	1511 Elm Street	Z190-370 (new SUP)	3/24/2021	3/24/2027	31812	1403311114
*Includes 2 videoboard signs							

Land Use:

	Zoning	Land Use
Site	CA-1(A)	Hotel, [Crown Plaza]
North	CA-1(A)	DART West Transfer Center
East	PDD No. 619	Hotel [Hilton]
South	CA-1(A)	Financial Institution
West	PDD No. 619, H/2	Office, Surface Parking Lot

Land Use Compatibility:

The approximate 0.69-acre area of request is zoned a CA-1(A) Central Area District with SUP No. 2005 and SUP No. 2006. The request site is developed with a 23-story, 444,675-square-foot hotel use [Crown Plaza] with parking garage. The applicant is seeking the renewal of Specific Use Permit No. 2006 for an attached projecting non-premise district activity videoboard sign on the Elm Street façade of the hotel.

Uses surrounding the area of request include the DART West Transfer Center to the north, a hotel use [Hilton] to the east, a bank use to the south and an office and surface parking lot to the west.

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 existing projecting sign is consistent with the general provision for a Specific Use Permit and with the provisions for attached non-premise district activity videoboard signs in Section 51A-7.909 as they pertain to content, location and number, size, SUP requirement, installation, projecting, and building occupancy requirements. Therefore, staff supports the request and recommends approval for a six-year period subject to conditions.

Development Standards:

A maximum of 15 non-premise district activity videoboard signs are permitted within the Downtown SPSP and may only be erected on buildings with frontage on streets within the Retail Subdistrict bounded by Jackson Street, Lamar Street, Pacific Street, and Cesar Chavez Boulevard.

Non-premise district activity videoboard signs may not be placed on Pacific Avenue between Akard Street and Ervay Street. Non-premise district activity videoboard signs may not be placed on building facades facing Main Street Garden or Belo Garden.

A maximum of one non-premise district activity videoboard sign is permitted per block face. Non-premise district activity videoboard signs must have a minimum of 100 square feet in effective area and may have maximum a of 150 square feet in effective area.

Non-premise district activity videoboard signs are only permitted by SUP.

Projecting non-premise activity videoboard signs:

- must have a vertical orientation with height exceeding the width at a minimum of 16:9 width-to-height ratio.
- may project a maximum of 12 feet into the right-of-way.
- must have a minimum clearance of 15 feet above the sidewalk and a maximum clearance of 35 feet above the sidewalk; and
- must have video displays on both sides of the sign.

All videoboard signs:

- must contain a default mechanism that freezes the image in one position in case of malfunction.
- must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
 - the ambient light level measure in lux, divided by 256 and then rounded down to the nearest whole number, equals the dimming level: then
 - the dimming level, multiplied by .0039 equal the brightness level: then
 - the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed brightness, measured in nits.
- must be turned off between 1:00 a.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday; and
- may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.

Non-premise district activity videoboard signs:

- must have a full color display able to display a minimum of 281 trillion color shades: and
- must be able to display a high-quality image with a minimum resolution equivalent to 19mm maximum pixel size.

Changes of message must comply with the following:

- Each message must be displayed for a minimum of eight seconds.
- Changes of message must be accomplished within two seconds.
- Changes of message must occur simultaneously on the entire sign face; and
- No flashing, dimming, or brightening of message is permitted except to accommodate changes of message

Landscaping:

The Dallas Development Code does not require any landscaping for videoboard signs in addition to the requirements applicable to the base use on the site.

Parking:

The Dallas Development Code does not require any parking spaces for videoboard signs in addition to the requirements applicable to the base use on the site.

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). The area of request is not located an “E” MVA cluster.

LIST OF OFFICERS

Big Outdoor Texas, LLC

Brad Berkley, CEO
Erin Watkins, Secretary

TOG Hotels Downtown Dallas LLC

Terry Tagnazzini, President

CPC Action

March 24, 2022

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2006 for an attached projecting non-premise district activity videoboard sign for a six-year period, subject to conditions on property zoned a CA-1(A) Central Area District, on the northwest corner of North Griffin Street and Elm Street.

Maker: Rubin
Second: Hampton
Result: Carried: 12 to 0

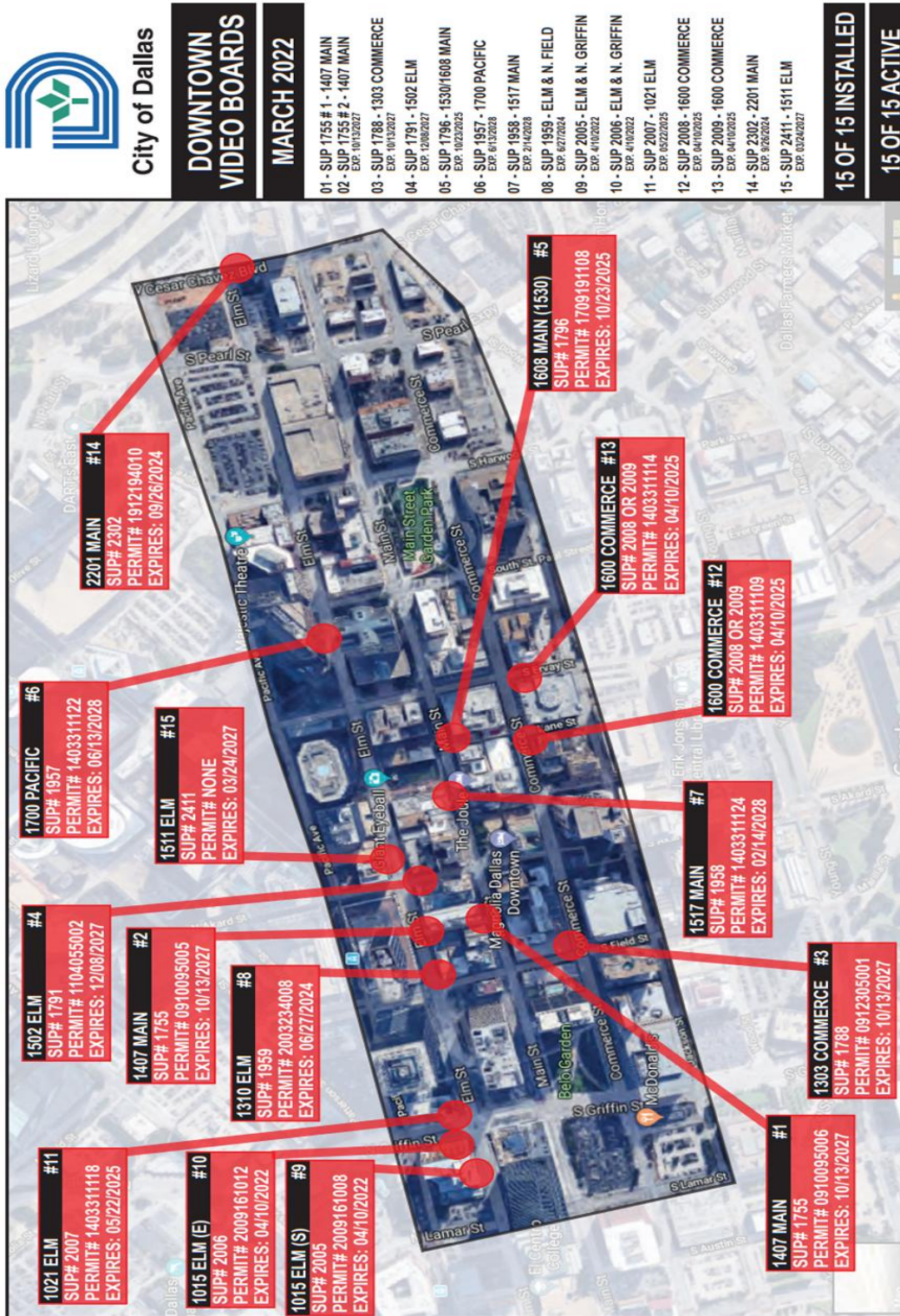
For: 12 - Hampton, Anderson, Shidid, Carpenter, Blair,
Jung, Housewright, Gibson, Haqq, Stanard,
Kingston, Rubin

Against: 0
Absent: 1 - Popken
Vacancy: 2 - District 3, District 7

Notices:	Area: 200	Mailed: 13
Replies:	For: 0	Against: 0

Speakers: None

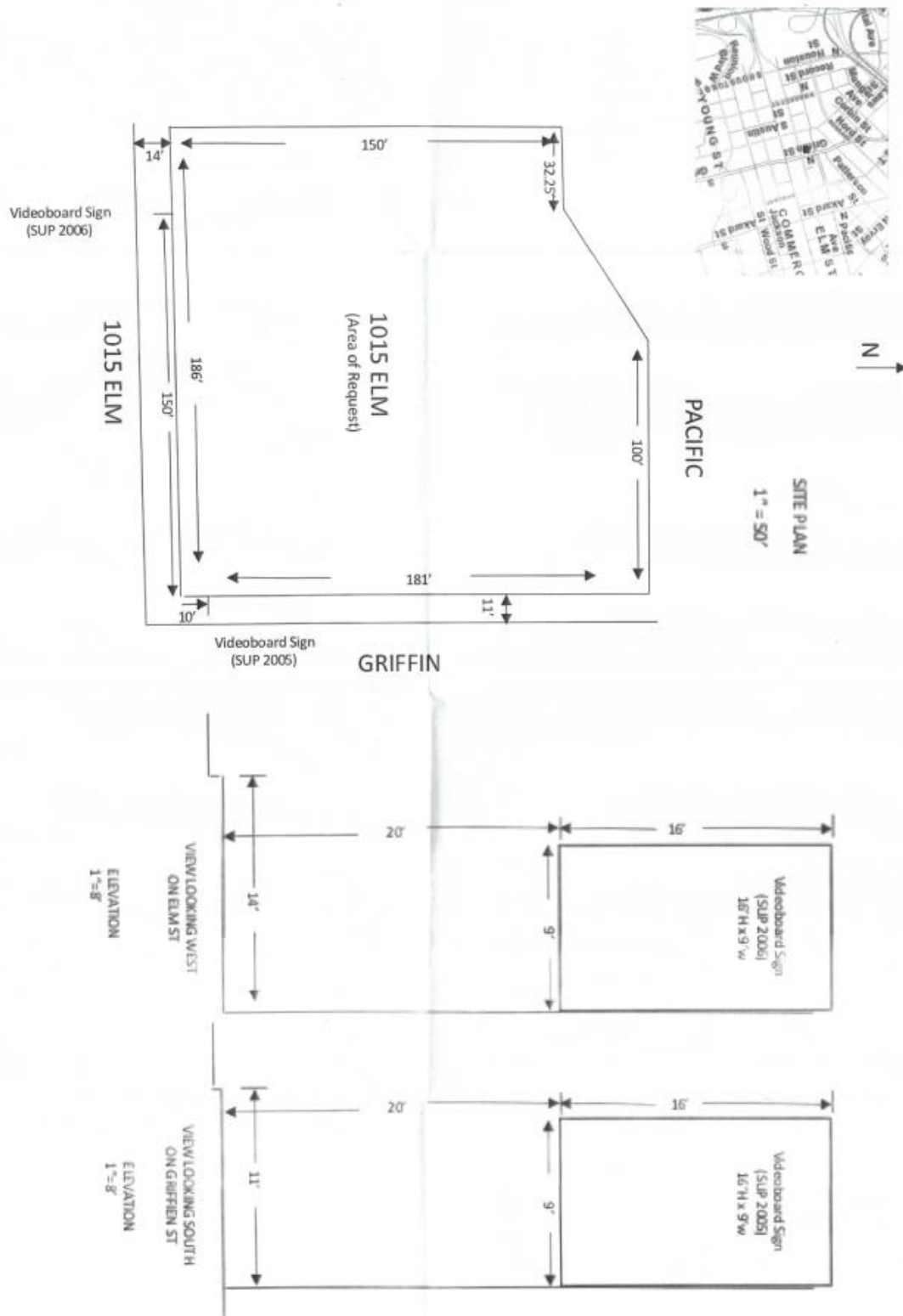
**Videoboards Current & Renewals
(Exhibit A)
July 21**

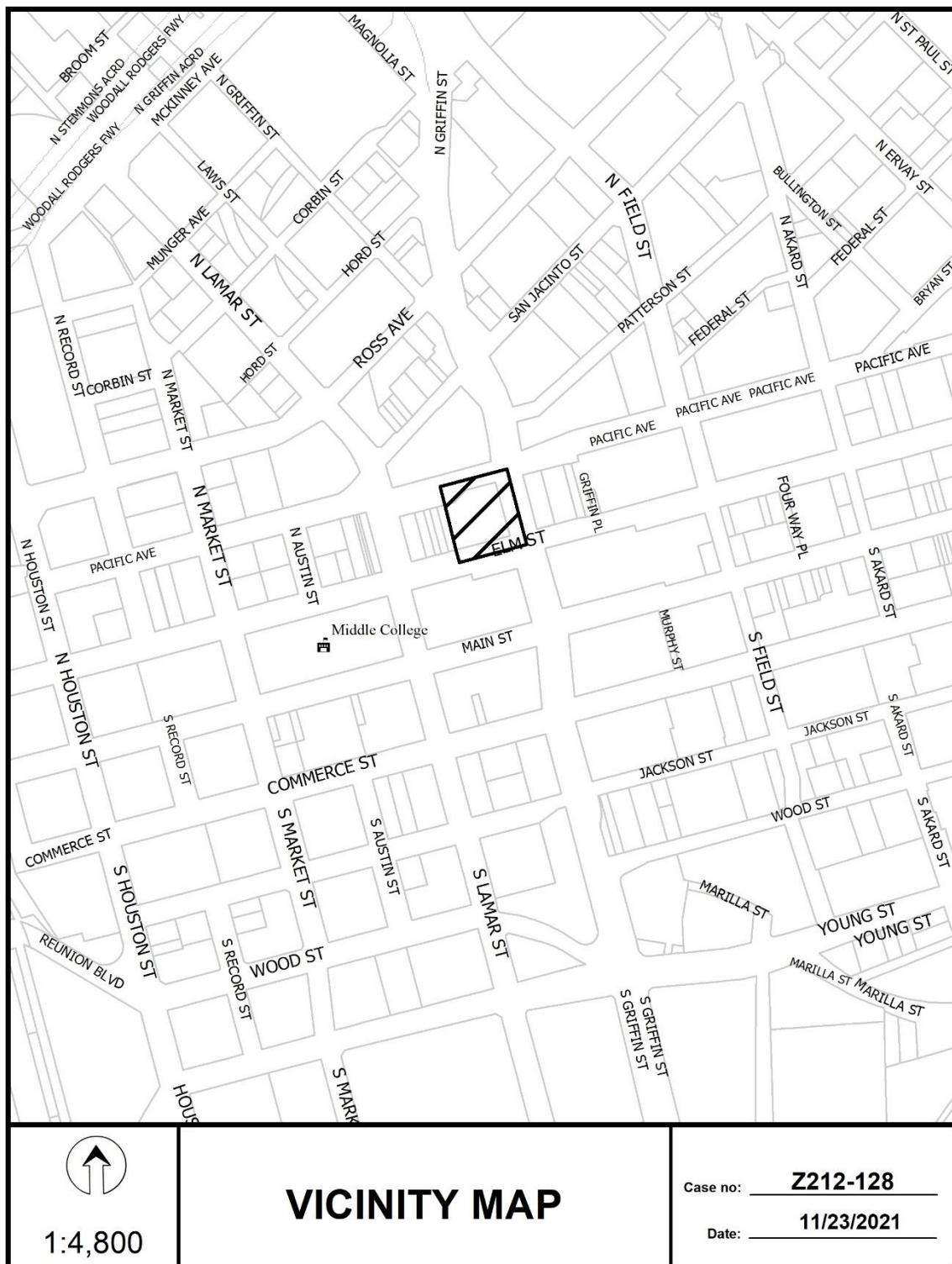


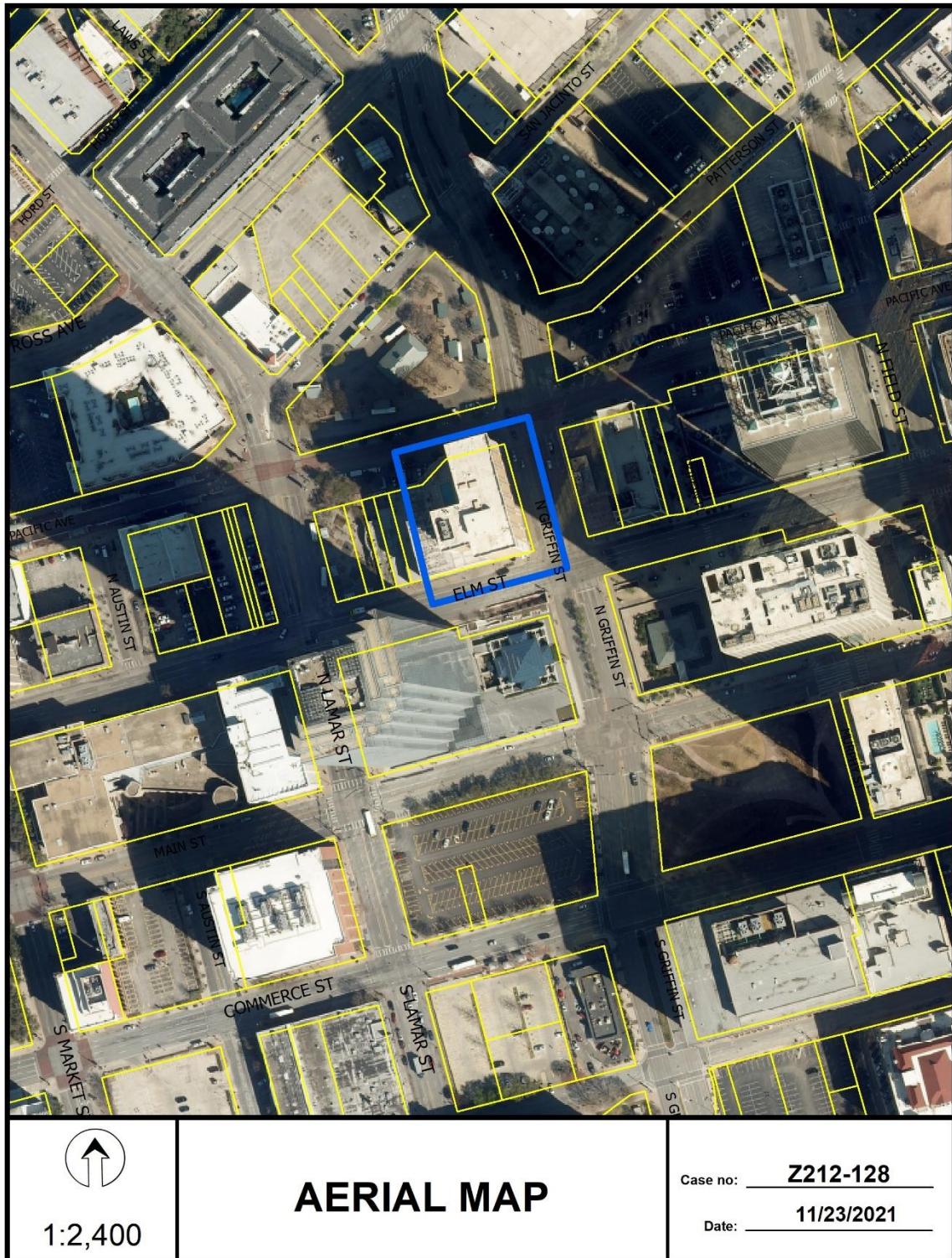
CPC RECOMMENDED SUP CONDITIONS

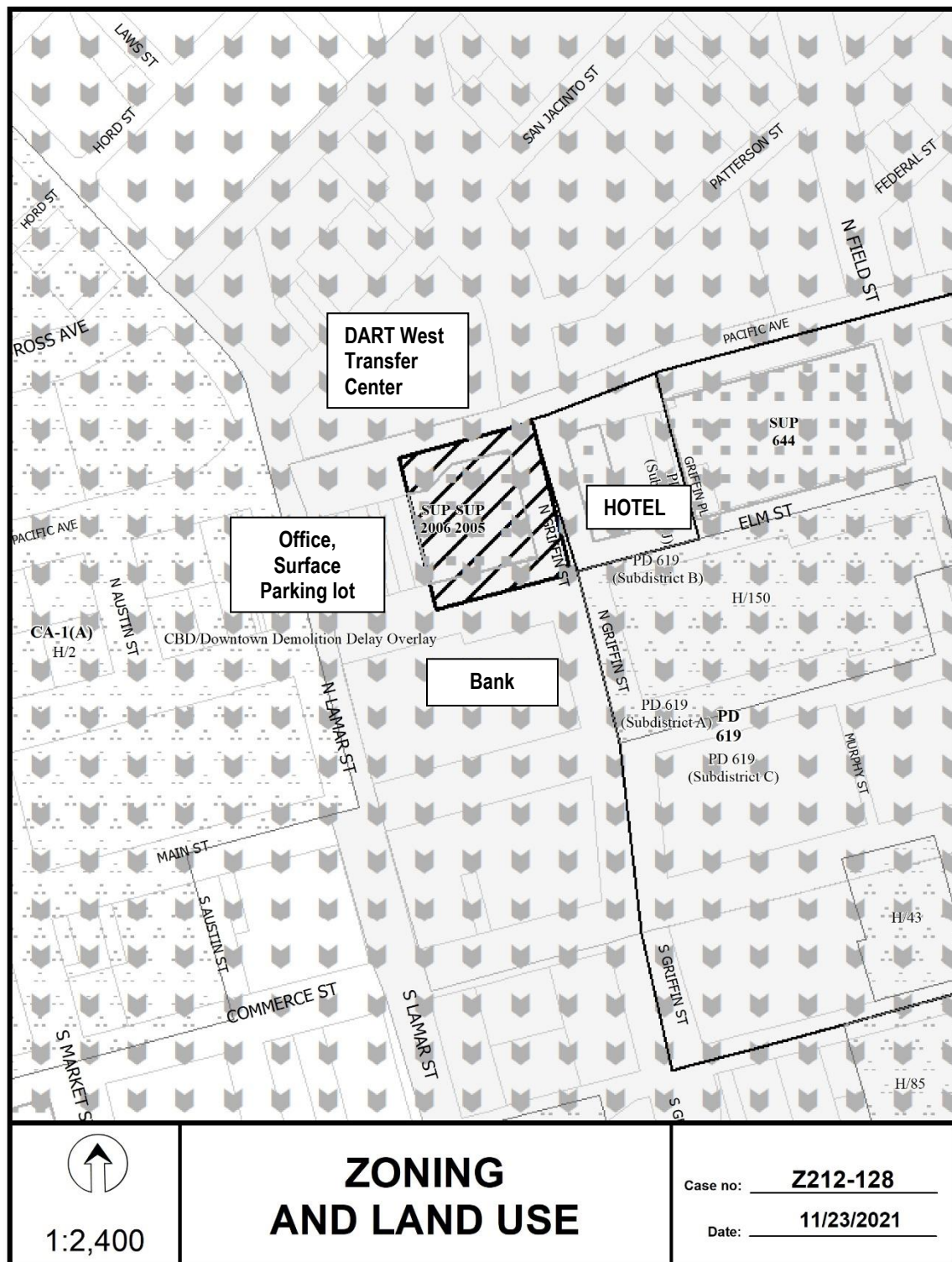
1. USE: The only use authorized by this specific use permit is an attached projecting non-premise district activity videoboard sign.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.
3. TIME LIMIT: This specific use permit expires on_____, six-year period from the passage of this ordinance.
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. 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.

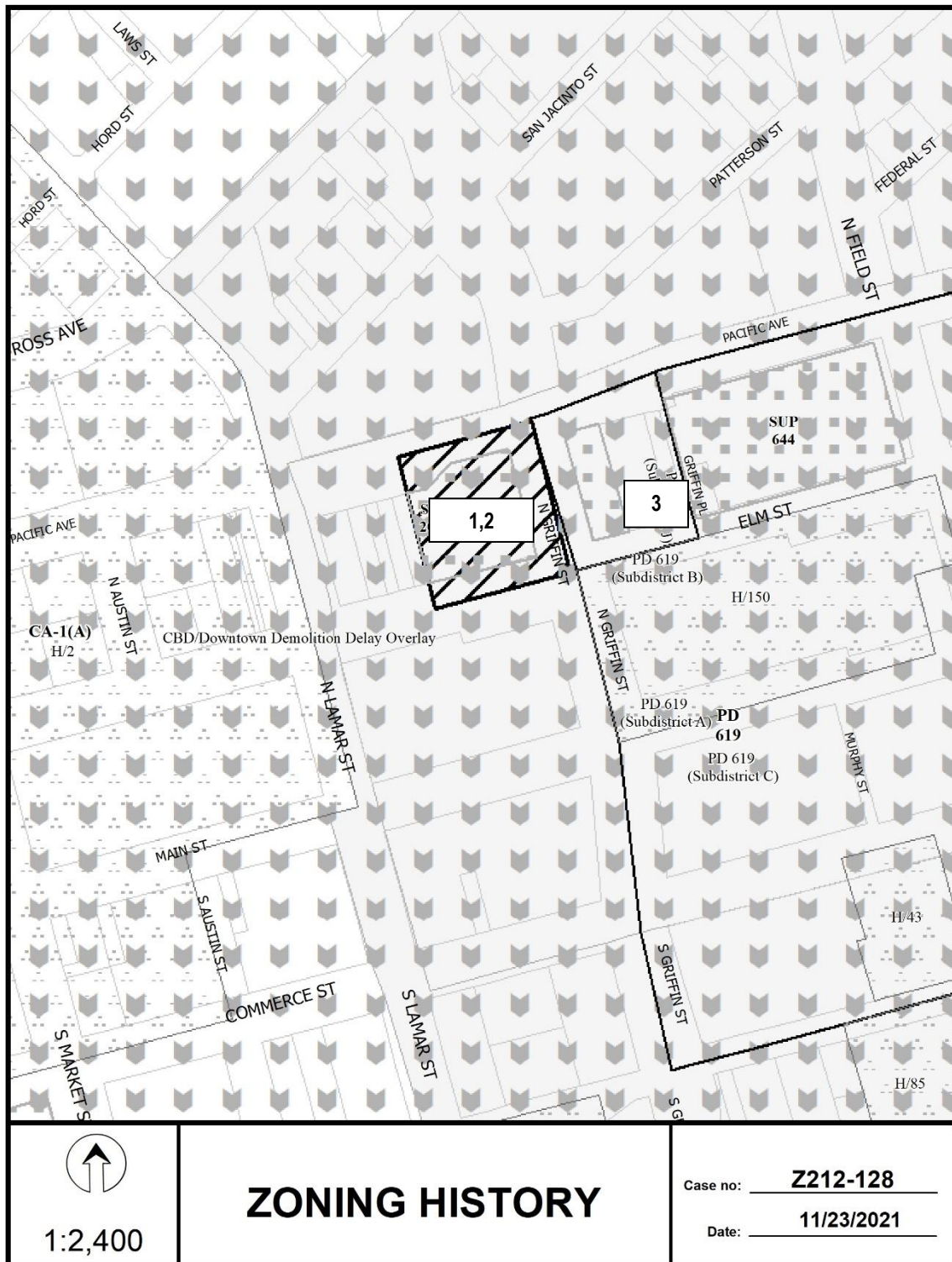
EXISTING SITE PLAN (no changes)



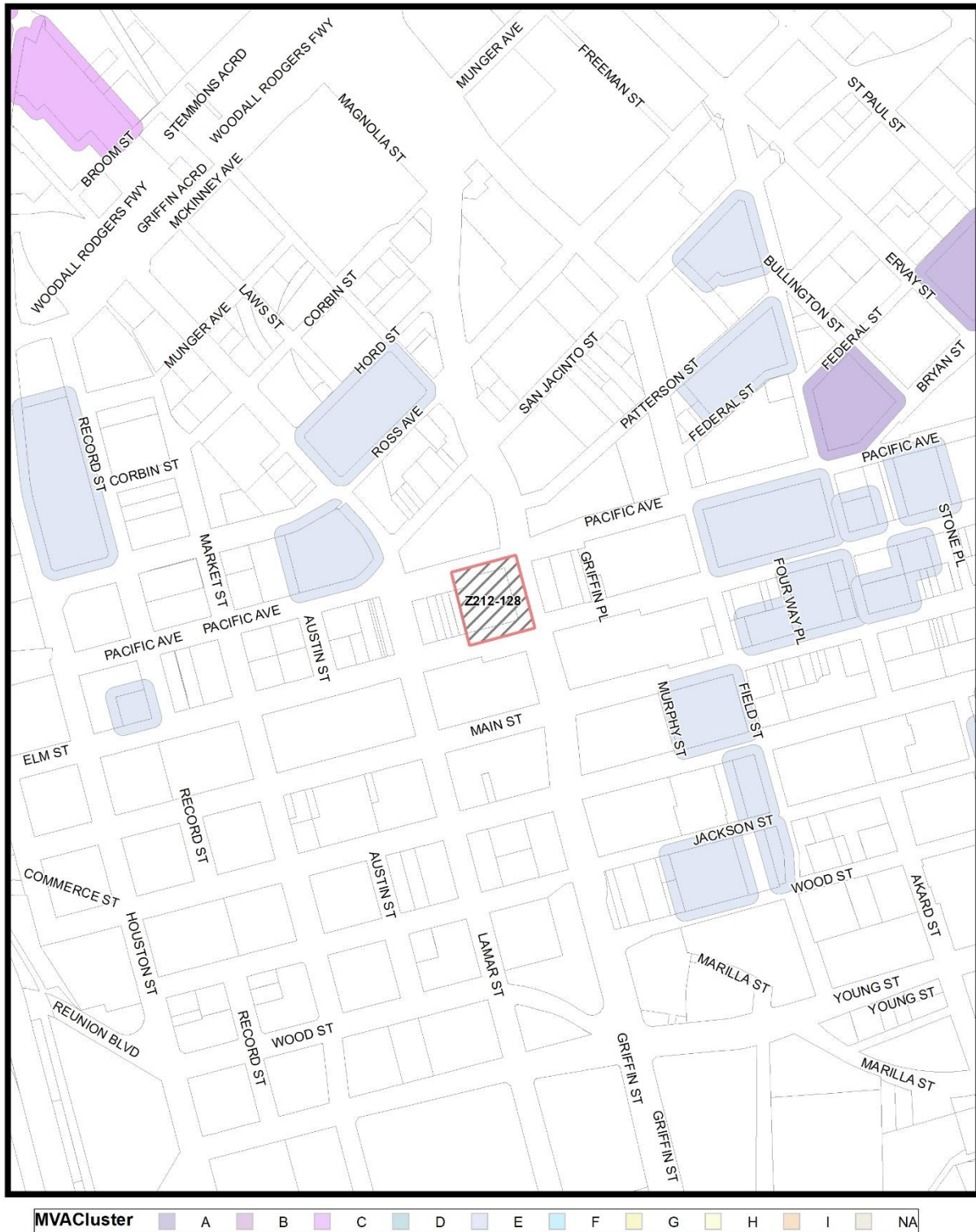








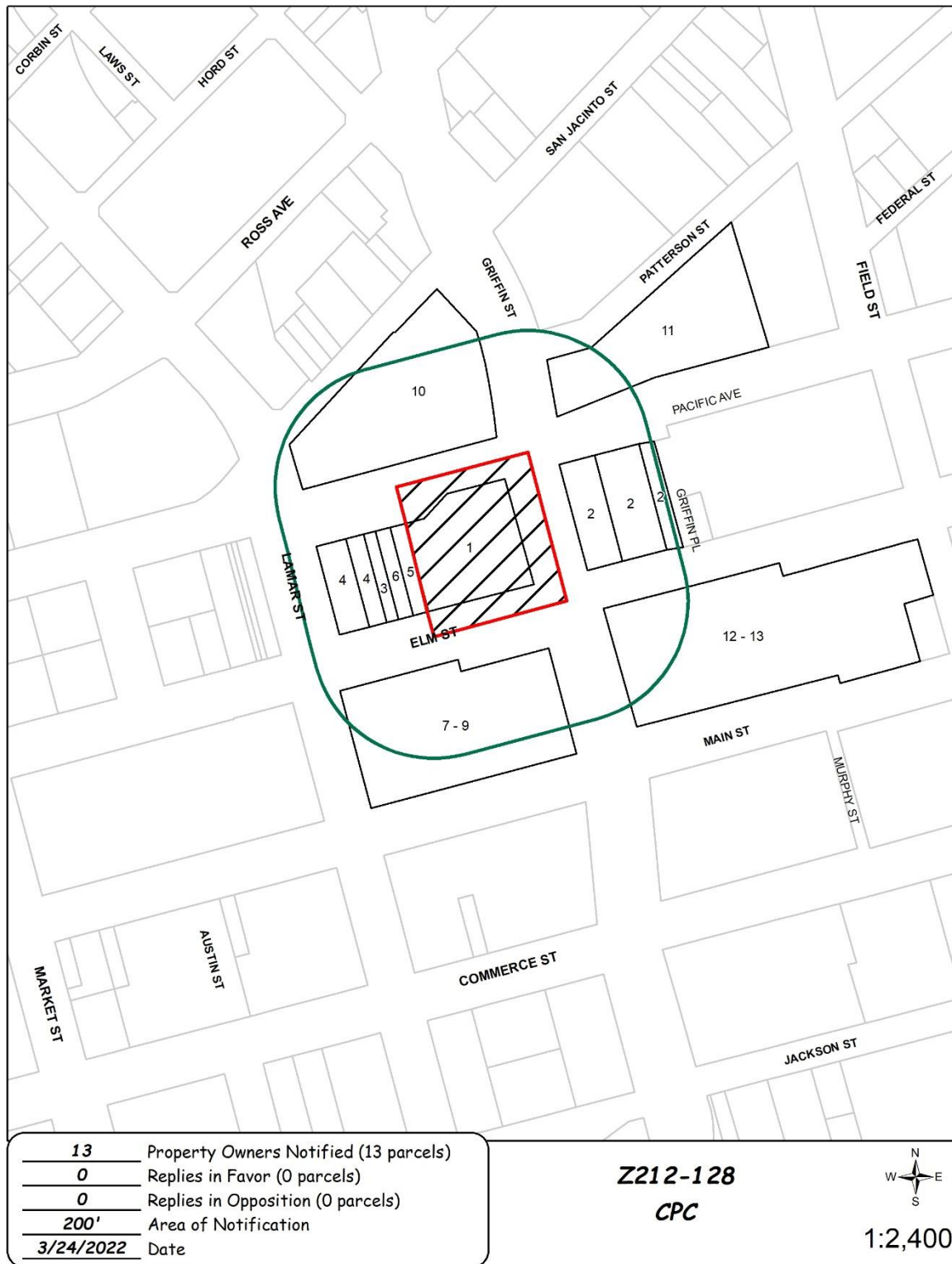
Z212-128(OA)



1:4,800

Market Value Analysis

Printed Date: 11/23/2021



03/23/2022

Reply List of Property Owners***Z212-128******13 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1015	ELM ST	TOG HOTELS DOWNTOWN
2	1025	ELM ST	APPLE TEN HOSPITALITY
3	907	ELM ST	HARMON FRANK G III ET AL
4	901	ELM ST	DART
5	911	ELM ST	TOG HOTELS DOWNTOWN DALLAS LLC
6	909	ELM ST	909 ELM STREET LLC
7	901	MAIN ST	DALLAS MAIN LP
8	101	S LAMAR ST	INTERFIRST BANK DALLAS
9	901	MAIN ST	INTERFIRST BANK DALLAS
10	202	N LAMAR ST	DALLAS AREA RAPID TRANSIT
11	1100	PATTERSON AVE	CHAVEZ LAND INCOME
12	1201	MAIN ST	ONE MAIN PLACE HOTEL LLC
13	1201	MAIN ST	ONE MAIN PLACE OFFICE LLC