



UTILITY TOWER PLANNING AND ZONING REPORT

October 17, 2013

CROWN CASTLE CORPORATION
3 Rosemeade Parkway. Dallas, Texas 75019

Prepared For:

XYZ Lending and ABC LLP, To Be Formed LLC

FOR NEW ORDERS AND OTHER PLANNING & ZONING SERVICES,
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[HTTP://WWW.ZONINGWORX.COM](http://WWW.ZONINGWORX.COM)

(405) 928-9679

INFO@ZONINGWORX.COM

Report # 1001



THE FOLLOWING REPORT WAS PREPARED BY:

Jane, Doe AICP

If you have any questions, comments, or revisions regarding this report,
please contact your personal Planning and Zoning Analyst at
JaneDoe@ZoningWorx.com or at (405) 928-9679 EXT. 101

Report # 1001



CONTENTS

- 1.) Summary of Zoning Requirements
 - 1.1) Property Address & Jurisdiction Information
 - 1.2) Specific Zoning Information
 - 1.3) Development Questions
 - 1.4) Minimum and Maximum Requirements for Subdividing
 - 1.5) Special Development Questions
 - 1.6) Important Dates of Tower Permitting and Zoning Approval
 - 1.7) Legal Conformance and Statement
 - 1.8) Property Condemnation
 - 1.9) Historic Designation
 - 1.10) Future Planning and/or Takings
 - 1.11) Architectural Design Code Conformance
 - 1.12) Signs and Monuments Code Conformance
 - 1.13) Environmental Set-backs
 - 1.14) Supplemental Municipal Documents Summary
 - 1.15) Final Conclusions
 - 1.16) Property Zoning Summary & Comments
 - 1.17) Sources
- 2.) Reliance Letter / Rebuild Statement
- 3.) Legal Description
- 4.) Municipal Documents
- 5.) Certificates of Occupancy
- 6.) Zoning Ordinance / Land Development Code
- 7.) Applicable Zoning District
- 8.) Off-Street Parking Requirements
- 9.) Provisions for Non-compliance / Non-conformities
- 10.) Definitions
- 11.) Zoning Map
- 12.) Neighborhood Plan



1.0

Summary Of Zoning Requirements

1.1 Property Address & Jurisdiction Information

Site Name:	North Dallas Cell Tower	
Project #:	CC-111-222-33	
Site Coordinates:	Latitude: 33° 0'40.49"N	Longitude: 96°51'19.21"W
Property Address:	1113 SHADY OAKS CIR, Dallas, TX 75287	
Property Size:	3,023.06 Sq. Ft. /0.069 Acres	
County:	Denton County, Texas	
Jurisdiction:	City of Dallas, Texas	
Municipalities Contact Information and Sources:		
Municipalities Website:	County	
Zoning Code Website:	http://gis.dallascityhall.com/zoningweb/	

1.2 Specific Zoning Information

Type of Facility / Structure Type :	Free Standing Monopole	
Zoning Classification:	SUP CR (Specific Use Permit- Community Retail)	
Is the Cell Tower Permitted?	Yes	No
Parcel Size:	3,023.06 Sq. Ft. /0.069 Acres	
Site Specific Zoning Information:		
Site was split from lot 3/A / 3.247 Acre Parcel		

Source: Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas

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1.3 Development Questions (if applicable)

Is the subject property subdivided or not? Yes No

If so, when? Documentation is supplied by:

Property was split September 6th, 2013. Olga Torres-Holyoak, Senior City Planner, Dallas, Texas

If not, can the parcel be subdivided? Yes No

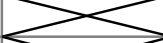
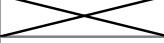
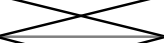
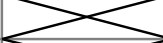
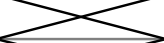
If so, documentation and process is:

N/A: Not Applicable

Source: Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas

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1.4 Requirements for Subdividing (if applicable)

	Existing Municipal Requirements		Existing Property Conditions		Subdividing Requirements	
Structure Set-Back Requirements:	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Front (Min / Max)	15 Ft.		126 Ft.		15 Ft.	
Side(s) (Min / Max)	0 Ft.		8 Ft.	22.48 Ft.	0 Ft.	
Rear (Min / Max)	20 Ft.		20.66 Ft.	0 Ft.	20 Ft.	
Lot Dimensions:						
Minimum Lot Width	None; N/A		None; N/A		None; N/A	
Minimum Lot Frontage:	None; N/A		None; N/A		None; N/A	
Minimum Lot Depth:	None; N/A		None; N/A		None; N/A	
Minimum Lot Size / Area	None; N/A		None; N/A		None; N/A	
Maximum Tower Height	54 Ft. 4 Stories		66 Ft.		Special Use Permit required if height exceeds 60 Ft.	
Maximum Density	1.5 FAR		.9 FAR		1.5 FAR	
Parking / Loading Requirements	1 space / no Handicapped Spaces		1 Space		1 space / no Handicapped Spaces	
Landscaping / Open Space Requirements	60 % Lot Coverage		1,102 Sq. Ft. / 51,836.4 Sq. Ft. 2.1 % Lot Coverage		60 % Lot Coverage	
Sign Requirements	None; N/A		None; N/A		None; N/A	
Accessory Building Requirements	Mounted cellular antennas may not exceed 12 feet above the structure to which they are attached		Mounted cellular antennas may not exceed 12 feet above the structure to which they are attached		Mounted cellular antennas may not exceed 12 feet above the structure to which they are attached	

Additional Set-Backs or Requirements

The tower must be removed if it is not in operation for 12 months or a certificate of occupancy must be issued for another use of the tower and operations must be in affect within 12 months.

Municipality Contact and Sources:

Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas
Phone : 214-948-4475
Kim Haynie, Coordinator III, Sustainable Development & Construction, City of Dallas, Texas
Phone: 214-948-4084
Olga Torres-Holyoak Senior Planner, Sustainable Development and Construction, City of Dallas, Texas
Phone: 214-670-4525

[City of Dallas Cell Tower Code](#)

[Community Retail \(CR\) Zoning Code](#)

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1.5 Special Development Questions (answered with every report)

Through what process can the subject tower be subdivided?

The subject tower could be divided through the Denton County and the City of Dallas, Texas

How long of a process does it take for the tower to be subdivided?

The process for the tower to be subdivided can take between 2-6 months +

See Attached Time Line (if applicable)

Can the tower be moved and re-erected?

If the tower is moved or re-erected, it will need to be decommissioned and then need to re apply for a Specific Use Permit.
There is a chance the City of Dallas, TX might not approve the subject property's new Specific Use Permit.

1.6 Important Dates of Tower Permitting and Zoning Approval

Zoning Ordinance Adopted Date:

March 1st, 1987

Tower Approval Zoning Date:

November 11th, 1992

Does the tower require separate certificates of occupancy for each collocation?

Yes

No

If so, what are the dates of Certificate of Occupancy for operation? **March 1st, 2013**

Provided documentation of Permitting and Zoning Approval Attached

Refer to Special Use Permit Z912-281/9308-N and Zoning Ordinance 21472

Municipality Contact and Sources:

Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas
Phone : 214-948-4475
Kim Haynie, Coordinator III, Sustainable Development & Construction, City of
Dallas, Texas
Phone: 214-948-4084
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1.7 Legal Conformance and Statement

Is the subject property is: **Conforming** Non-Conforming

Non-conforming Characteristics:

Does the zoning approval expire ? **Yes** No

If so, when? Details and Documentation: **12 months after the Cell Tower is decommissioned or not actively used.**

Are there any discrepancies between the current approved tower and the zoning code in place at the time of approval? **Yes** **No**

If so, when? Details and Documentation:

N/A; Not Applicable

Does the tower have any notices of violations **Yes** **No**

If so, what are they? Details and Documentation:

N/A; Not Applicable

If so, how are these issues resolved (providing details)

N/A; Not Applicable

Are there any annual reports, renewals, updates or other filing requirements to maintain this site?

Yes **No**

If so, are all of the fillings current and up to date? **Yes** No

If not, please provided documentation of the process and information required to update / renewal any permits or approvals:

N/A; Not Applicable

Source(s): Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas

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1.8 Property Condemnation

Currently, there are no plans for road construction that would result in condemnation or taking of the right-of-way from the subject property.

1.9 Historic Designation

The property is not located in a historic district.

1.10 Future Planning and/ or Takings (if available)

At this time the municipality, county, or state are not planning any road takings. The city is planning on updating their neighborhood plan in 2016

1.11 Architectural Design Code Conformance (if available)

The subject property is in current conformance with the city's architectural codes.

1.12 Sign's and Monument's Code Conformance (if available)

The current signs and monuments are in conformance with the municipal code

1.13 Environmental Setbacks (if available)

The current site requires a 15 ft. Riparian set-back. The subject property currently sits 20 feet from the current Riparian zone.

1.14 Supplemental Municipal Documents included in this report are :

- | | | |
|---|---|---|
| ☒ Zoning
Approval | ☒ Zoning
Ordinance | ☒ Planning Commission Meeting
Minutes |
| ☒ Permits | ☒ Licenses | ☒ Certificate of Occupancy /
Operation |
| ☒ Board of Adjustment Meeting Minutes | ☒ Any Other Municipal Approvals | ☒ Other |

Source: Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas

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1.15 Final Conclusions

Conformance Status:	The Subject Property is Legal, Conforming
Non Conformance Characteristics:	The subject tower surpasses the legal requirement of 60 feet.
Recommended Action:	Keep the tower in active use for 12 months.
Rebuildability Clause:	A new Tower would need a new Special Use Permit if it was to be rebuilt.

1.16 Property Zoning Summary & Comments

The subject property is currently legal and conforming to the CR, Community Retail District. The subject property was given special consideration and thus is legal under the Specific Use Permit: Z912-281/9308-N and Zoning Ordinance: 21472. If the subject property was not approved under the Specific Use Permit, the subject property's tower would not be able to exceed 60 feet in height thus making the property non-conforming. If the subject property's tower was to be rebuilt or deconstructed and rebuilt, the tower's Specific Use Permit would be voided. In this case, the Tower would need to reapply for a Specific Use Permit to be reconstructed to exceed 60 feet.

1.17 Sources

Municipal and Government Jurisdictional Sources	Attachment Sources
Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas Phone : 214-948-4475 Kim Haynie, Coordinator III, Sustainable Development & Construction, City of Dallas, Texas Phone: 214-948-4084 Olga Torres-Holyoak Senior Planner, Sustainable Development and Construction, City of Dallas, Texas Phone: 214-670-4525	City of Dallas Cell Tower Code Community Retail (CR) Zoning Code

For purposes of this report, Zoningworx has relied on information provided by the above sources

This report was prepared by David Goldman. If you have any questions, please contact David Goldman Directly at (405) 928-9679 Extension 101 or by email at Dgoldman@Zoningworx.com

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2.0

Reliance Letter / Rebuild Statement



2.0 Reliance Letter

Reference Number #12345

October 17th, 2013
XYZ Lending Corporation, as Administrative Agent
ZoningWorx
11740 Euclid Ave.
Cleveland, OH 44106

Subject: 1113 SHADY OAKS CIR, Dallas, TX 75287

To Whom It May Concern:

This letter confirms that the property referenced above is zoned SUP CR (Specific Use Permit- Community Retail), which zoning designation permits the use of the property as a Wireless Communication Tower as approved by City of Dallas (Zoning Ordinance 53-3-01-1987). Permitted uses for the property are: Wireless Communication Towers, and Radio Antennas. Attached hereto are copies of the applicable zoning laws, ordinances, variances, resolutions, permits, and regulations reflecting such designation. The property and the improvements located thereon, and the use thereof comply with all such laws, ordinances, variances, resolutions and regulations, including without limitation, those applicable to use, density, setbacks and parking. In the event of casualty, the property can be reconstructed to its current location, configuration and size.

Sincerely,

John Doe, AICP
Professional Certified Planner

If you have any questions at anytime regarding this reliance letter, please contact us
24 hours a day at (405) 928-9679 or by email at
Questions@Zoningworx.com

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3.0

Legal Description



4.0

Municipal Documents



5.0

Certificate Of Occupancy



6.0

Zoning Ordinance / Land Development Code



7.0

Applicable Zoning District



8.0

Off-Street Parking Requirements



9.0

Provisions for Non-Compliance/Non-Comformities



10.0

Definitions



11.0

Zoning Map



12.0

Neighborhood Plan