



WIRELESS & BILLBOARD SITES

Billboard & Cell Tower Zoning Report

Zoning research for telecommunications towers, rooftop wireless and billboard sites.

PROPERTY

North Dallas Cell Tower

1113 Shady Oaks Cir, Dallas, TX 75287

PARCEL NUMBER

See Section 3.0

REPORT DATE

October 17, 2013

PREPARED FOR

**Crown Castle Corporation, 3 Rosemeade
Parkway, Dallas, Texas 75019**

**XYZ Lending and ABC LLP, To Be Formed
LLC**

REPORT NUMBER

ZW-1004

PREPARED BY

Jane Doe, AICP

ALTA 3.0 & 3.1 compliant

Accepted by Fannie Mae & Freddie Mac

\$3,000,000 GL & E&O

PREPARED BY

Jane Doe, AICP

Planning and Zoning Analyst

QUESTIONS OR REVISIONS

Contact your planning and zoning analyst

JaneDoe@zoningworx.com
(405) 928-9679 ext. 101

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SECTION 1.0

Summary of Zoning Requirements

Tower siting, permitting, subdivision and conformance findings from the City of Dallas.

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

MUNICIPAL CONTACT INFORMATION AND SOURCES

MUNICIPALITY WEBSITE	Denton County
ZONING CODE WEBSITE	gis.dallascityhall.com/zoningweb

1.2 Specific Zoning Information

TYPE OF FACILITY / STRUCTURE	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

1.3 Development Questions (if applicable)

Is the subject property subdivided?

YES

NO

IF SO, WHEN? DOCUMENTATION IS SUPPLIED BY

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

If not, can the parcel be subdivided?

YES

NO

IF SO, DOCUMENTATION AND PROCESS

N/A; not applicable

SOURCE Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas

1.4 Minimum and Maximum Requirements for Subdividing (if applicable)

STANDARD	EXISTING MUNICIPAL REQUIREMENTS		EXISTING PROPERTY CONDITIONS		SUBDIVIDING REQUIREMENTS	
	MIN	MAX	MIN	MAX	MIN	MAX
STRUCTURE SETBACKS						
Front	15 Ft.	—	126 Ft.	—	15 Ft.	—
Side(s)	0 Ft.	—	8 Ft.	22.48 Ft.	0 Ft.	—
Rear	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		0.9 FAR		1.5 FAR	
Parking / loading	1 space; no accessible spaces		1 space		1 space; no accessible spaces	
Landscaping / open space	60% lot coverage		1,102 Sq. Ft. / 51,836.4 Sq. Ft. 2.1% lot coverage		60% lot coverage	
Signs	None; N/A		None; N/A		None; N/A	
Accessory buildings	Mounted cellular antennas may not exceed 12 Ft. above the structure to which they are attached		Mounted cellular antennas may not exceed 12 Ft. above the structure to which they are attached		Mounted cellular antennas may not exceed 12 Ft. above the structure to which they are attached	

ADDITIONAL SETBACKS 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 effect within 12 months.

MUNICIPALITY CONTACTS	CODE REFERENCES
Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas 214-948-4475	City of Dallas Cell Tower Code Community Retail (CR) Zoning Code
Kim Haynie, Coordinator III, Sustainable Development & Construction, City of Dallas, Texas 214-948-4084	
Olga Torres-Holyoak, Senior Planner, Sustainable Development and Construction, City of Dallas, Texas 214-670-4525	

1.5 Special Development Questions (answered with every report)

Through what process can the subject tower be subdivided?

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

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

The process can take 2 to 6 months or more.
See attached timeline (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 reapply 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	March 1, 1987
TOWER ZONING APPROVAL	November 11, 1992

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

YES

NO

CERTIFICATE OF OCCUPANCY FOR OPERATION	March 1, 2013
PERMITTING AND ZONING APPROVAL DOCUMENTATION	Attached. Refer to Special Use Permit Z912-281/9308-N and Zoning Ordinance 21472.

SOURCE Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas

1.7 Legal Conformance Statement

Is the subject property:

CONFORMING

NON-CONFORMING

NON-CONFORMING CHARACTERISTICS

None

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, 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?

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 filings current and up to date?

YES

NO

IF NOT, DOCUMENTATION OF THE PROCESS AND INFORMATION REQUIRED TO UPDATE OR RENEW ANY PERMITS OR APPROVALS

N/A; not applicable

SOURCE Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas

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 / Takings (if available)

At this time, the municipality, county and state are not planning any road takings. The city plans to update its 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 Signs and Monuments 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 setback. The subject property currently sits 20 Ft. from the riparian zone.

1.14 Supplemental Municipal Documents Included in This Report

■ 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

1.15 Final Conclusions

CONFORMANCE STATUS	Legal, conforming
NON-CONFORMANCE CHARACTERISTICS	The subject tower exceeds the 60 Ft. height limit; the added height is allowed under the Specific Use Permit.
RECOMMENDED ACTION	Keep the tower in active use. Approval lapses if the tower is out of operation for 12 months.
REBUILDABILITY CLAUSE	A new tower would need a new Specific Use Permit if it were 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 is legal under Specific Use Permit Z912-281/9308-N and Zoning Ordinance 21472. Without the Specific Use Permit, the tower could not exceed 60 Ft. in height, which would make the property non-conforming. If the tower were deconstructed and rebuilt, its Specific Use Permit would be voided, and the tower would need to reapply for a Specific Use Permit to be reconstructed above 60 Ft.

1.17 Sources

MUNICIPAL AND GOVERNMENT JURISDICTIONAL SOURCES

Todd Duerksen, Senior Zoning Plans Examiner, City of Dallas, Texas
214-948-4475

Kim Haynie, Coordinator III, Sustainable Development & Construction, City of Dallas, Texas
214-948-4084

Olga Torres-Holyoak, Senior Planner, Sustainable Development and Construction, City of Dallas, Texas
214-670-4525

ATTACHMENT SOURCES

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 Jane Doe, AICP. If you have any questions, please contact Jane Doe directly at (405) 928-9679 ext. 101 or JaneDoe@zoningworx.com.

SECTION 2.0

Reliance Letter / Rebuild Statement

REFERENCE NUMBER #12345

October 17, 2013

XYZ Lending Corporation, as Administrative Agent
c/o ZoningWorx
11470 Euclid Ave.
Cleveland, OH 44106

RE: 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). This zoning designation permits the use of the property as a wireless communication tower as approved by the 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 this 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,

Jane Doe, AICP
Professional Certified Planner

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



SECTION 3.0

Legal Description

The legal description of the subject property, from the survey or title commitment.

ATTACHMENT FOLLOWS



SECTION 4.0

Municipal Documents

Zoning verification, permits, approvals and other records obtained from the municipality.

ATTACHMENT FOLLOWS



SECTION 5.0

Certificates of Occupancy

Certificates of occupancy on file for the subject property.

ATTACHMENT FOLLOWS



SECTION 6.0

Zoning Ordinance / Land Development Code

Relevant excerpts of the jurisdiction's zoning ordinance or land development code.

ATTACHMENT FOLLOWS



SECTION 7.0

Applicable Zoning District

District regulations for the property's zoning classification.

ATTACHMENT FOLLOWS



SECTION 8.0

Off-Street Parking Requirements

Parking and loading regulations applied in this report.

ATTACHMENT FOLLOWS



SECTION 9.0

Provisions for Non-Compliance / Non-Conformities

Code provisions governing nonconforming uses, structures and lots.

ATTACHMENT FOLLOWS



SECTION 10.0

Definitions

Code definitions for the terms used in this report.

ATTACHMENT FOLLOWS



SECTION 11.0

Zoning Map

Zoning map showing the subject property and surrounding districts.

ATTACHMENT FOLLOWS



SECTION 12.0

Neighborhood Plan

Comprehensive or neighborhood plan excerpts covering the subject property.

ATTACHMENT FOLLOWS