

## Meeting #3 of the PD15 Working Group

Park Cities Baptist Church

August 29, 2017

6:00 – 7:30 p.m.

### **Attendees:**

District 13, City of Dallas

- City Plan Commissioner Margot Murphy

### Working Group Members:

Preston Tower

- John Pritchett
- Keith Burtner

Preston Place

- Arnold Spencer
- Joseph Meredith

Athena

- Carla Percival Young
- Jon Anderson

Diamond Head Condos

- Lee Shuey
- Marilyn Schroeder

Royal Orleans

- Ed Massman

Diplomat

- Robert Cammack
- Maura Conley

Madonna Villa

- John Welch

Harcourt House

- Robert Spurlock

Royal Arms

- Fred Pendleton

Bandera Villa

- Steve Dawson

Park Fontaine

- Nancy Kariel

## Meeting Summary

- I. **Recap of Working Group Meeting #1:** Commissioner Margot Murphy opened the meeting with a review of the prior meeting minute process for capture, comment and distribution. Representatives agreed that the minutes were an important tool for keeping area residents up to date on the proceedings and to initiate conversation.

Commissioner Murphy continued by reviewing City Staff positions to questions asked in the prior meeting. The full questions and answers are provided at the end of these notes. Clarity on some issues is still needed from the city.

One issue, the ability of condo buildings within PD-15 to vote their majority in PD-15 matters, was addressed. State statute says that unless an HOA has specific verbiage stating that an HOA Board cannot act on PD-15 matters (instead requiring individual ballots) then the default is for HOA Boards to vote the prevailing sentiment of their ownership in a single vote. Commissioner Murphy urged representatives of the six PD-15 complexes to check their documents and report their findings at the next meeting. Staff commented that having wording that allows individual voting versus HOA-level voting is extremely rare. (Again, full text at the end of these minutes)

- II. Scheduled urban planner Scott Polikov was unable to make the meeting so Commissioner Murphy led the discussion framing a policy for PD-15. Based on the prior meeting and new input, the group discussed the elements of a successfully redeveloped area including drainage, neighborhood character and the economics driving increased density. In a nutshell:
  - a. Density is required to make the parcels salable to developers to build and attract future residents. Density also increases the value of the land with a spillover effect to existing homeowners.
    - i. Density's effect on parking, specifically on-street parking. Several Working Group members stated that PD 15's existing 1.22 spaces per unit requirement may be inadequate. Commissioner Murphy suggested that we look at a like building with similar demographics to see how other properties have addressed the issue.
    - ii. Parking was also of concern surrounding underground versus above-ground parking structures. Generally, underground is preferred with any above-ground portion requiring "wrapping" or screening (the garage is largely indistinguishable from the remainder of the building, versus open air). The Athena has one type of wrapped garage.
    - iii. Density's effect on already poor storm drainage. Thus far it isn't assumed that sanitary sewage capacities will be an issue, but increased lot

coverage during redevelopment may increase existing storm drainage issues. Suggestions were made to recommend water permeable materials for areas like sidewalks along with assistance from developers to help control water.

- iv. Density fairness was discussed in relation to lot location. It was felt that lots along Northwest Hwy. offered more potential for density and height than those further north. Fairness will need to be addressed in future.
  - v. At the end a show of hands was asked for in relation to any objections to increased density and increased height, particularly along Northwest Hwy. frontage. The working group had no dissent.
- b. Neighborhood feel was discussed to address new construction fitting into the neighborhood. This was less of an architectural exercise than a general discussion about mature tree preservation, green space, walkability (and resulting sidewalks) and the secluded feel of the overall neighborhood (versus east of Edgemere Road).
- i. Construction methodologies were also discussed that included concrete and steel in some areas and wood-frame in other, less dense, areas. The point being that steel and concrete are longer-lasting materials and also look better longer with less maintenance.
    - 1. The group understands they cannot dictate construction methodology except in how they enable development. Simply, structures under seven stories will likely be wood while taller structures will be concrete (per city zoning guidelines).
    - 2. Construction was also brought up in conjunction with flammability. Regardless of construction methodology, all new multi-family building is required to utilize fire suppression technologies (e.g. sprinklers, fire breaks, etc.). These requirements were not required when the area was first developed.
  - ii. Rental versus condominium was revisited briefly. The city nor PD-15 can dictate the ownership scheme adopted.
  - iii. Unit size considerations were also discussed as a method to increase the quality of a development with a preference for larger unit sizes that are typically found in neighboring buildings. Like ownership scheme, minimum unit sizes, nor bedroom configurations can be dictated by the city or PD-15. But to this point, Commissioner Murphy and task force representative John Pritchett toured the newly opened Bandera apartments between Turtle Creek Blvd. and Hillcrest Roads. They reported that the largest configurations sold out first with the smaller one-bedrooms taking significantly longer to rent. Published rents are

between \$1.55-\$1.98 per square foot (depending on size and view). It's likely PD-15 would generate higher rental amounts.

- iv. Views from the towers were of concern to those residents, however the city can't regulate or show favoritism towards view preservation. That said, the towers contain the overwhelming proportion of units in PD-15 and are unlikely to approve structures that significantly impede their views.

VI. **Next Steps:** The next four meetings are scheduled for:

6:00PM; Park Cities Baptist Church; Collins Rooms 1 & 2

September 12, 2017

September 26, 2017

October 10, 2017

October 24, 2017

VII. Adjournment

City Plan Commissioner Margot Murphy

## **Addendum: City staff answers to prior questions**

1. Under what circumstances will an applicant be able to file a zoning case for a *portion* of P.D. 15? For the portion of the PD, would staff only ask for the additional units that were previously determined as “available” (with Approval of a Development Plan, so assuming that’s not a Minor Amendment, then a full zoning case). What would it take to be able to apply for additional units beyond what Staff says is available now?

**RESPONSE:**

**For more units than what staff has determined are available, the entire PD would need to be part of the zoning request. A subarea (or a combination of subareas) can apply for changes to most everything except the number of units without having to bring in the entire PD.**

2. What other regulations aside from density and unit count (such as setbacks, landscape, sidewalks, parking, etc) can a zoning case be filed for a portion of the P.D.?

**RESPONSE:**

**Pretty much anything.**

3. At our most recent meeting of the Working Group, it was mentioned that several units in Preston Tower and The Athena have been combined. For the most part, two adjacent units were purchased and combined to form one big unit. In at least one instance three units have been combined to form one unit. Does this combination change the calculation? Presumably at total of 660 units are allowed in PD 15 as interpreted by Cossum letter dated June 30, 2017. However, the development plans were not amended to reflect the combined units. Can you please clarify?

**RESPONSE:**

**The number of units will be reviewed when a request (zoning case or building permit) is submitted. Staff would ask for the number of units in each development. Hopefully the conversions obtained building permits.**

4. How are the ballots calculated for any zoning case? Are ballots calculated in the same manner for authorized hearings?

**RESPONSE:**

**Reply forms are mailed to all property owners. If there is a condo, the governing body usually has the authority to respond on behalf of the condo development as a whole. The reply form the governing body would be reflected for all property owners. We have had one or two condo developments in the past 16 years that had by-laws or minutes to reflect that each individual property owner can reply on his/her behalf. If the latter is the case, each property owner must submit the by-laws or minutes along with their reply**

form that allow this. Staff would need to have 50% plus one of the property owners to respond in kind (support or opposition) for the reply to count. An authorized hearing is a zoning case.

5. How does city code define and calculate density?

**RESPONSE:**

**Code definition of density – the ratio of dwelling units to lot area. By definition, streets are not included in the density calculation – only the lot. Therefore, when determining how many units are allowed in PD No. 15, one would first find the size of the “lot” and then determine the density based on the lot size. Just in case you would like the definition of a lot – a building site that fronts on a public or private street, except that in the case of a planned development district, the building site may front on an access easement, and in the case of a shared access development, the building site may front on a shared access area.**