

FILE NUMBER: Z234-124(CR) **DATE FILED:** November 2, 2023

LOCATION: South line of Forest Lane, between Cromwell Drive and Marsh Lane

COUNCIL DISTRICT: 13

SIZE OF REQUEST: ± 3.75 acres **CENSUS TRACT:** 48113009607

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER/APPLICANT: UTEXIII Dallas Forest Park, LLC

REQUEST: An application for an amendment to Planned Development District No. 315.

SUMMARY: The purpose of the request is to allow the expansion of an existing mini-warehouse on the site.

STAFF RECOMMENDATION: **Approval**, subject to an amended development plan and amended conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned Planned Development (PD) District No. 315 and is developed with two structures connected by a breezeway. The structure to the rear of the property is an approximately 70,000 square-foot, 3-story office building. The front of the property along Forest Lane is developed with a 60,000 square-foot, 3-story mini-warehouse building.
- The abutting site to the west is currently zoned R-10(A) Single Family District and is currently developed with a church. Per PD 315, a residential proximity slope is projected from this abutting property pursuant to Section 51A-4.412 of the Dallas Development Code, limiting the structure height to 26 feet.
- The applicant is requesting to revise the PD conditions to state that the residential proximity slope not apply to the portion of the property within 390 feet of the right-of-way line of Forest Lane.

Zoning History:

There has been one zoning case in the area in the last five years.

1. **Z178-138:** On March 22, 2018, the City Plan Commission approved a revised development plan associated with PD 315, allowing for the construction of a 60,000 square-foot, 3-story mini-warehouse building on the south line of Forest Lane, between Cromwell Drive and Marsh Lane. [Subject Site]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Forest Lane	Principal Arterial	120 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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines 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 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.2 Establish clear and objective standards for land use planning.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Land Use:

	Zoning	Use
Site	PD 315	Mini-warehouse, and office
North	CR Community Retail District with DR [Z72-192] and DR [Z890-109]	Financial institution with drive-in window, and car wash
East	CR Community Retail District	Auto service center, Multi-tenant retail strip
South	R-10(A) Single Family District, SUP No. 4	Single family, Community Recreation Center
West	R-10(A) Single Family District	Church

Land Use Compatibility:

The area of request is currently zoned Planned Development (PD) District No. 315 and is developed with two structures connected by a breezeway. The structure to the rear of the property is an approximately 70,000 square-foot, 3-story office building. The front of the property along Forest Lane is developed with a 60,000 square-foot, 3-story mini-warehouse building. Abutting properties along Forest Lane are developed with a church, a multi-tenant commercial building, an auto service center, and miscellaneous retail uses.

The applicant is requesting the following changes to the approved PD 315 conditions to accommodate the expanded mini-warehouse use:

- 1) Increasing the permitted floor area for mini-warehouse uses from 60,000 square feet to 103,600 square feet, and increasing the permitted floor area for all uses on the Property from 174,240 square feet to 214,240 square feet; and
- 2) Removing the Residential Proximity Slope requirements of Section 51A-4.412 of the Dallas Development Code to any portion of the PD area within 390 feet of the right-of-way line of Forest Lane. This will allow for additional development within along the western portion of the PD area, where the abutting church use (zoned R-10(A) Single Family District) currently triggers the residential proximity slope restrictions. It should be noted that the distance of 390 feet was proposed due to the existing office building on site, of which the southern-most façade is 390 feet from the Forest Lane right-of-way. RPS will still be applicable from the south of the property until it reaches the districts existing maximum height of 70 feet. 70 feet will be the controlling height on the north portion of the property.

The proposed amendment to PD 315 does not alter any additional standards related to allowable uses or dimensional standards.

Staff supports the request due to the continuity of the existing mini-warehouse structure, and compatibility of land use intensity with surrounding developments along Forest Lane. The requested PD amendments are intended to allow for the efficient development of commercial property along Forest Lane and are not anticipated to have any adverse impacts on any residential properties. Projection of proximity slope by an extant residential zoning district on this major thoroughfare does not fulfill the spirit of RPS, and inappropriately obstructs development.

Development Standards

Following is a description of the development standards applicable in PD 315:

District	Setback		Height	Lot Cvrg.	Special Standards	Primary Uses
	Front	Side/Rear				
Existing: PD 315 (Base LO-1)	15 ft	20 ft when adjacent to residential districts; 0 ft in other cases	70 ft	80%	Proposed: Reduction to RPS for north half of property	Office & Mini-warehouse

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in PD 315, as amended.

Parking:

Per Section 51A-4.213(7) of the Dallas Development Code and PD No. 315, parking for the mini-warehouse and office uses on site is required at the following ratios:

- Mini-warehouse: 6 spaces required
- Office: 1 space required per 333 square feet of floor area

Based on the above-listed ratios, 216 parking spaces are required. The proposed amended site plan illustrates 233 parking spaces on 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 currently in an “B” MVA area.

List of Officers

UTEXIII Dallas Forest Park, LLC
Scott Wyckoff, Managing Principal
Nathanael Bennett, Managing Principal

PROPOSED CONDITIONS

ARTICLE 315.

PD 315.

SEC. 51P-315.101. LEGISLATIVE HISTORY.

PD 315 was established by Ordinance No. 20399, passed by the Dallas City Council on July 26, 1989. Ordinance No. 20399 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 20399; 25850)

SEC. 51P-315.102. PROPERTY LOCATION AND SIZE.

PD 315 is established on property generally located along the south line of Forest Lane, west of the west line of Marsh Lane. The size of PD 315 is approximately 4.0 acres. (Ord. Nos. 20399; 25850)

SEC. 51P-315.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(1) Massage establishment does not include duly licensed beauty parlors or barber shops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction.

(2) Massage does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. (Ord. Nos. 20399; 25850; 28141)

SEC. 51P-315.104. DEVELOPMENT PLAN.

Use of the Property must comply with the development plan (Exhibit 315A). The approval of the development plan replaces any residential adjacency review or development impact review otherwise required by the Dallas Development Code. (Ord. Nos. 20399; 25850)

SEC. 51P-315.105. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses

permitted in the LO-1 Limited Office District subject to the same conditions applicable in the LO-1 Limited Office District, as set out in Chapter 51A. For example, a use permitted in the LO-1 Limited Office District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the LO-1 Limited Office District is subject to DIR in this district; etc.

(b) The following additional main uses are permitted by right:

- Mini-warehouse.
- Personal service uses. [*Massage establishment prohibited.*]

(c) All mini-warehouse uses must be contained entirely within the main buildings, as shown on the development plan, and have no exterior public entrances except through the general building entrances. (Ord. Nos. 20399; 25850; 28141)

SEC. 51P-315.106. DENSITY.

Maximum permitted floor area for mini-warehouse uses is ~~60,000~~ **103,600** square feet. Floor area for all uses on the Property combined is limited to ~~174,240~~ **217,840** square feet. (Ord. Nos. 20399; 25850)

SEC. 51P-315.107. MAXIMUM LOT COVERAGE.

Maximum permitted lot coverage on the Property, including above-grade parking structures, is 80 percent. (Ord. Nos. 20399; 25850)

SEC. 51P-315.108. MAXIMUM HEIGHT.

(a) Maximum height. Maximum height for any structure on the Property is 70 feet, and maximum number of stories is five. Parking garages are exempt from the story number limitation, but must comply with the maximum structure height.

(b) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. (Ord. Nos. 20399; 25850) The Residential Proximity Slope requirements of Section 51A-4.412 of the Dallas Development Code do not apply to any portion a structure within 390 feet of the right-of-way line of Forest Lane.

SEC. 51P-315.109. OFF-STREET PARKING.

Off-street parking must be provided in accordance with the requirements of the Dallas Development Code. (Ord. Nos. 20399; 25850)

SEC. 51P-315.110. LANDSCAPING.

(a) Landscaping must be provided as shown on the development plan. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 20399; 25850; 28141)

SEC. 51P-315.111. SIGNS.

All signs must comply with the provisions for non-business zoning districts contained in Article VII, "Sign Regulations," of the Dallas Development Code. (Ord. Nos. 20399; 25850)

SEC. 51P-315.112. GENERAL REQUIREMENTS.

Development of the Property must comply with the requirements of all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 20399; 25850)

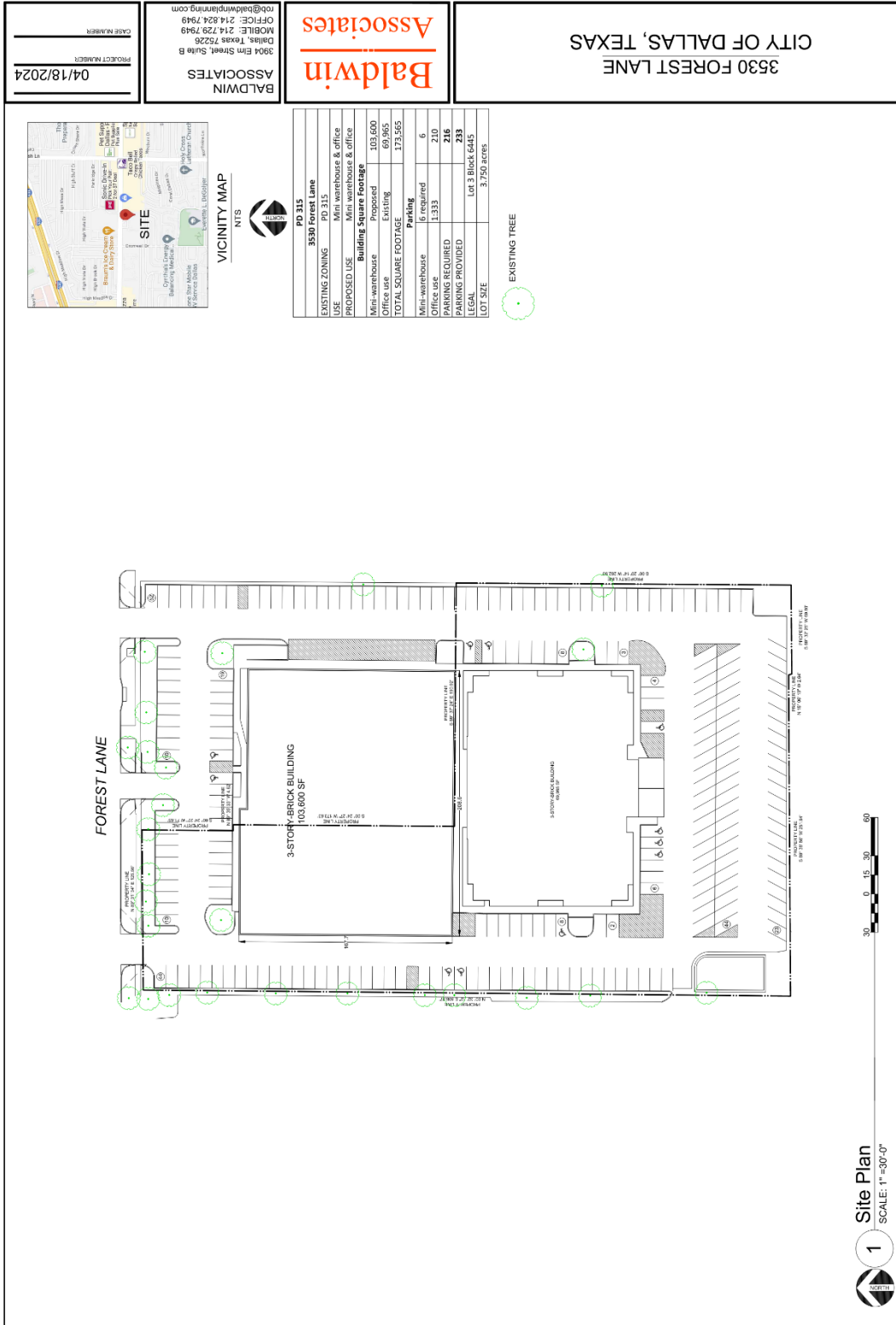
SEC. 51P-315.113. PAVING.

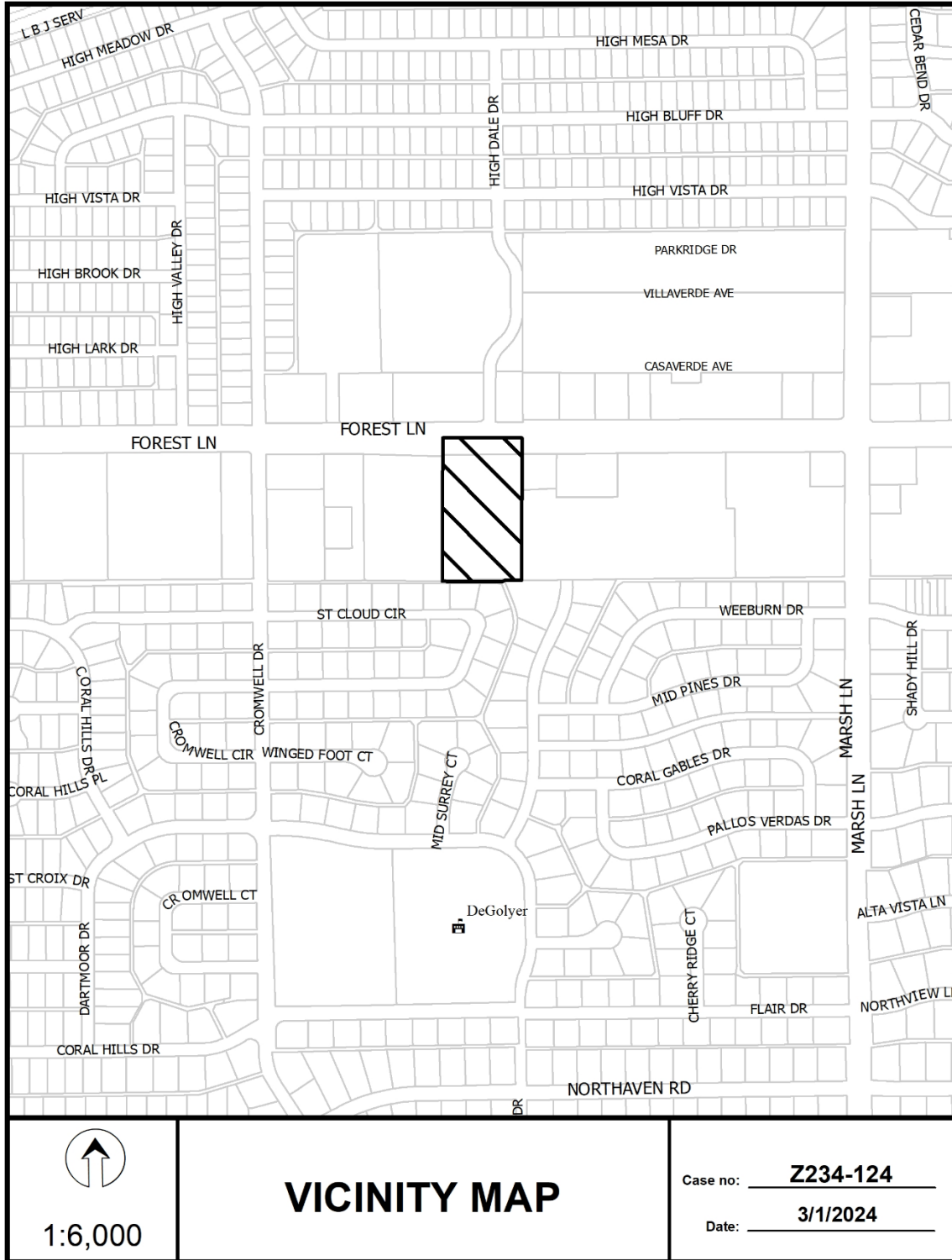
All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 20399; 25850)

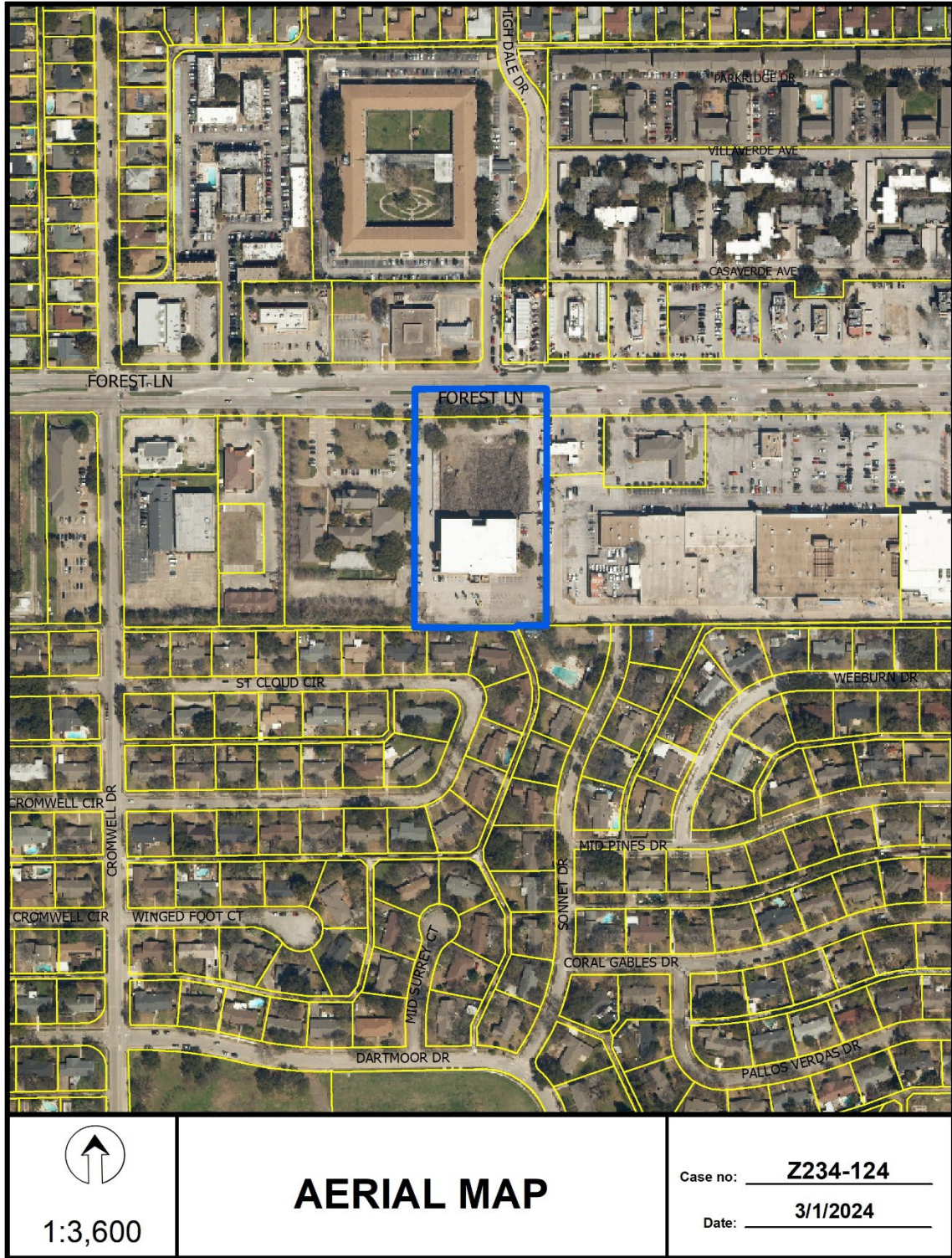
SEC. 51P-315.114. COMPLIANCE WITH CONDITIONS.

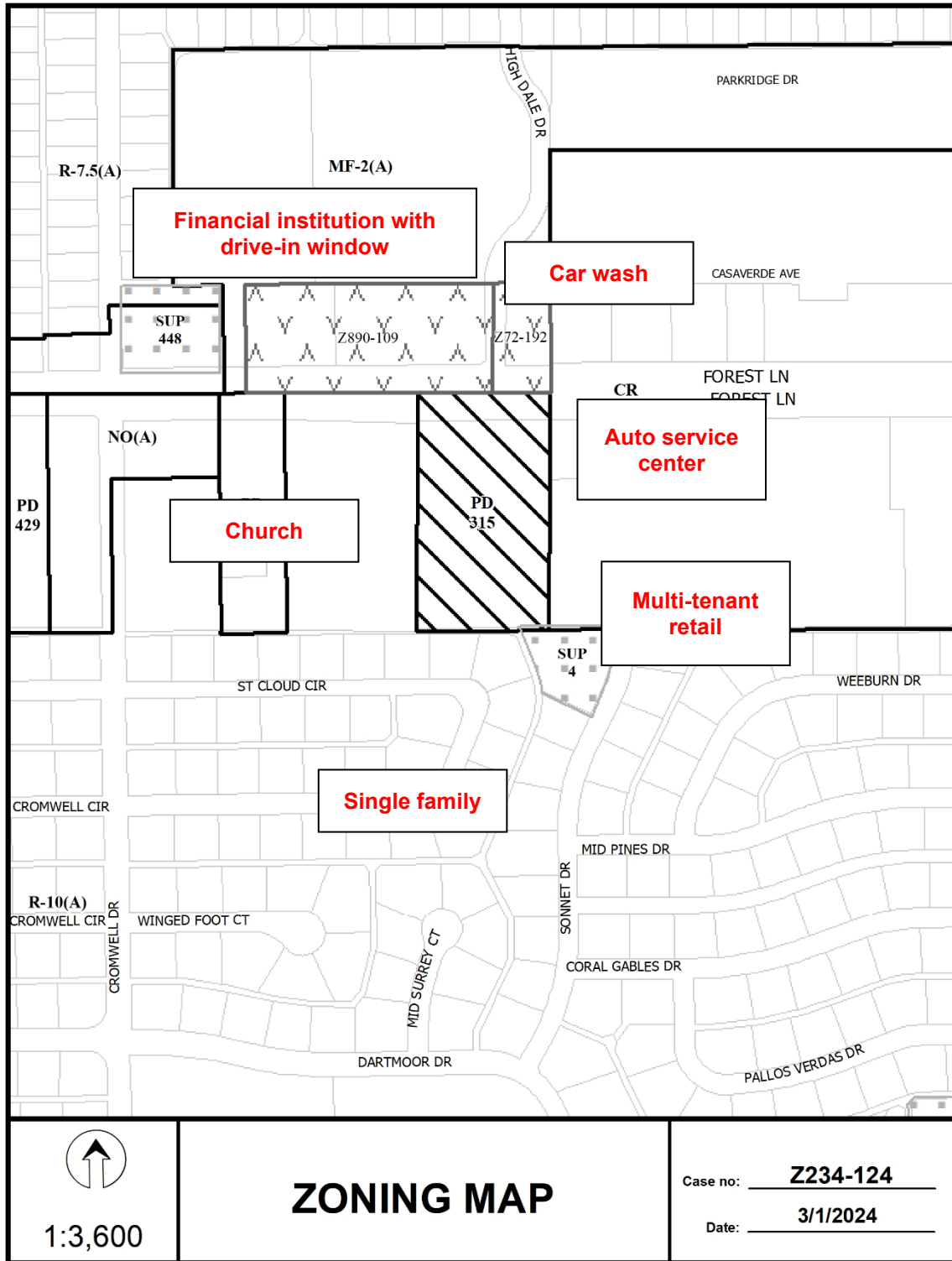
The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 20399; 25850)

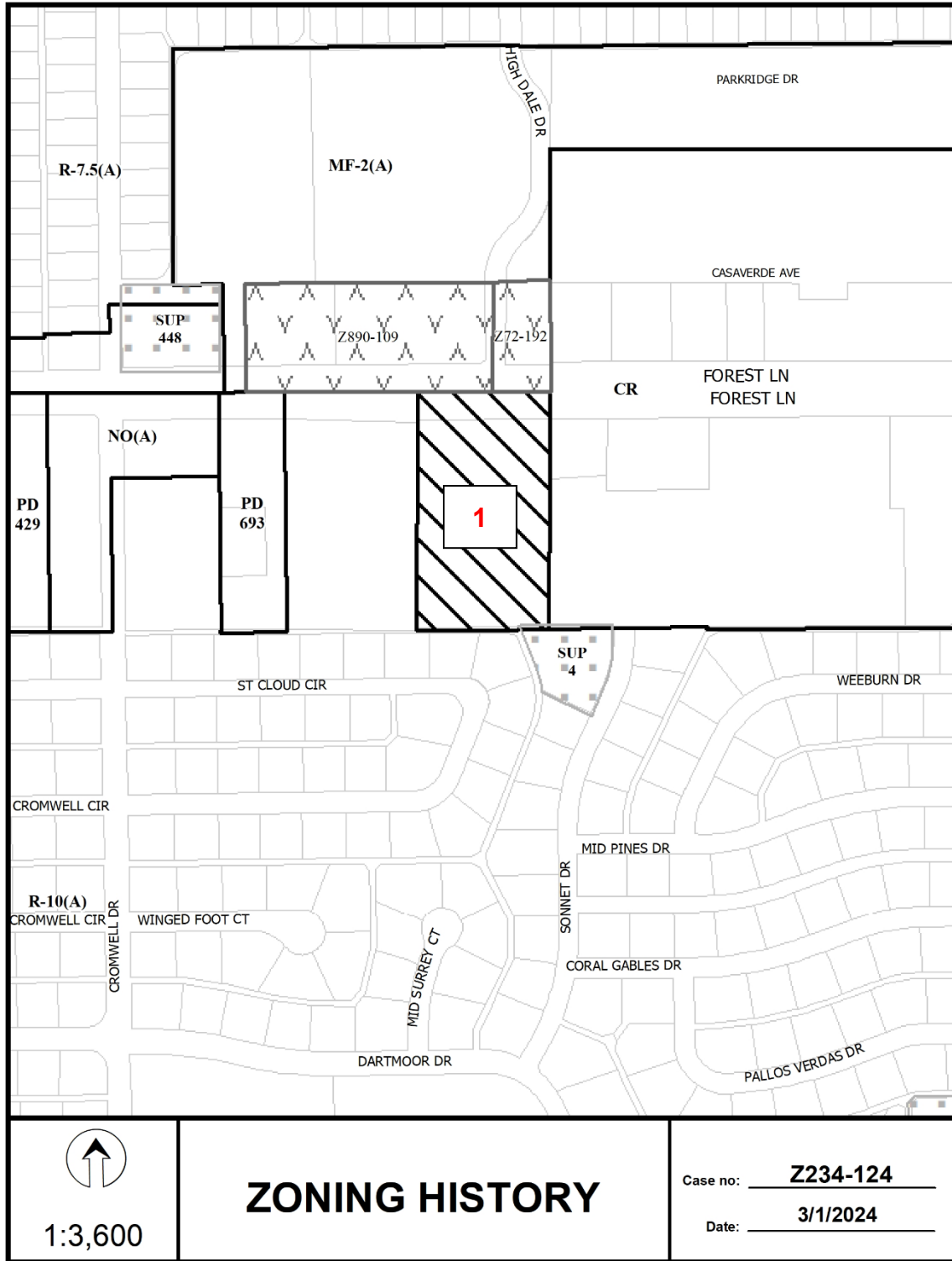
PROPOSED DEVELOPMENT PLAN

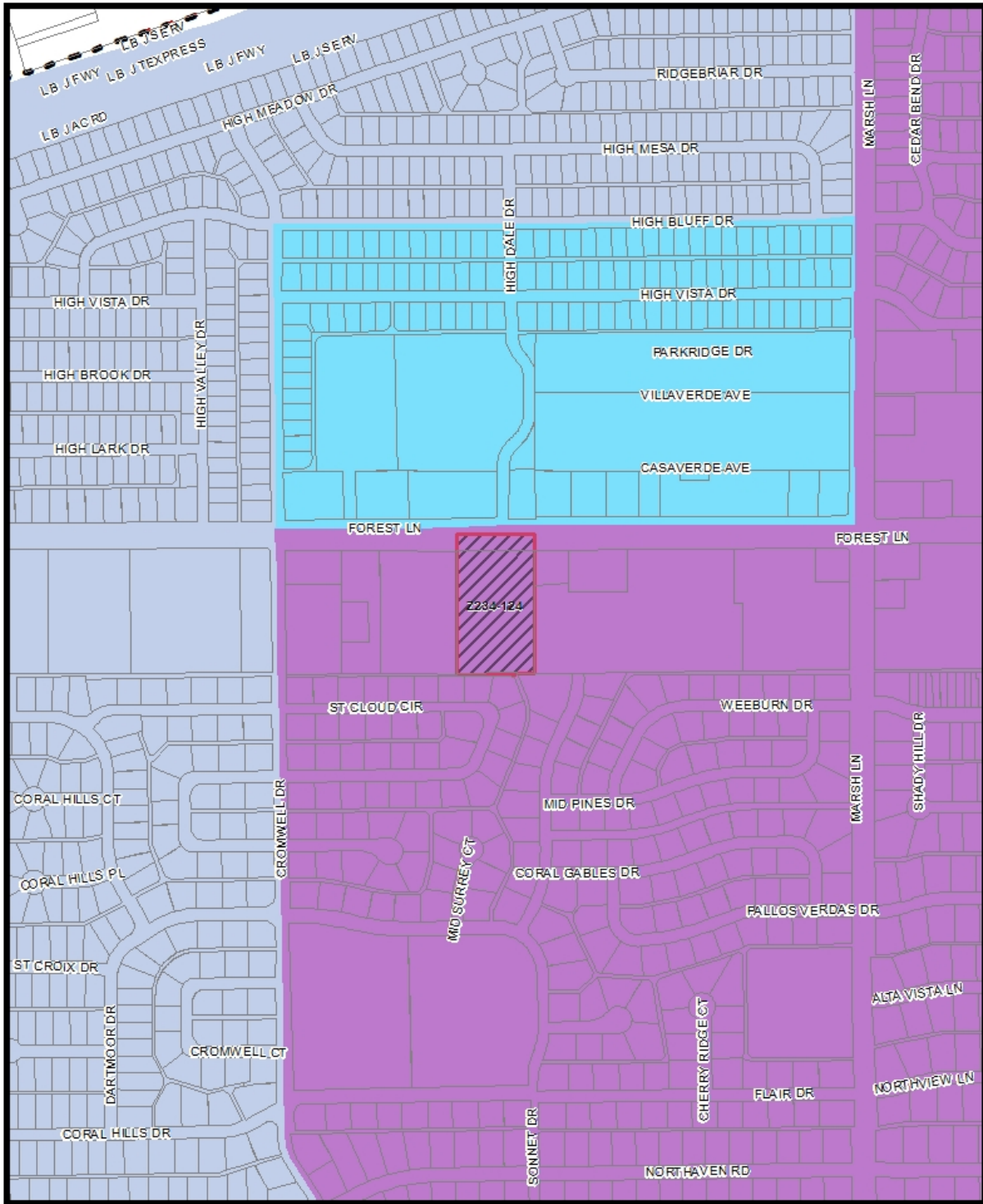










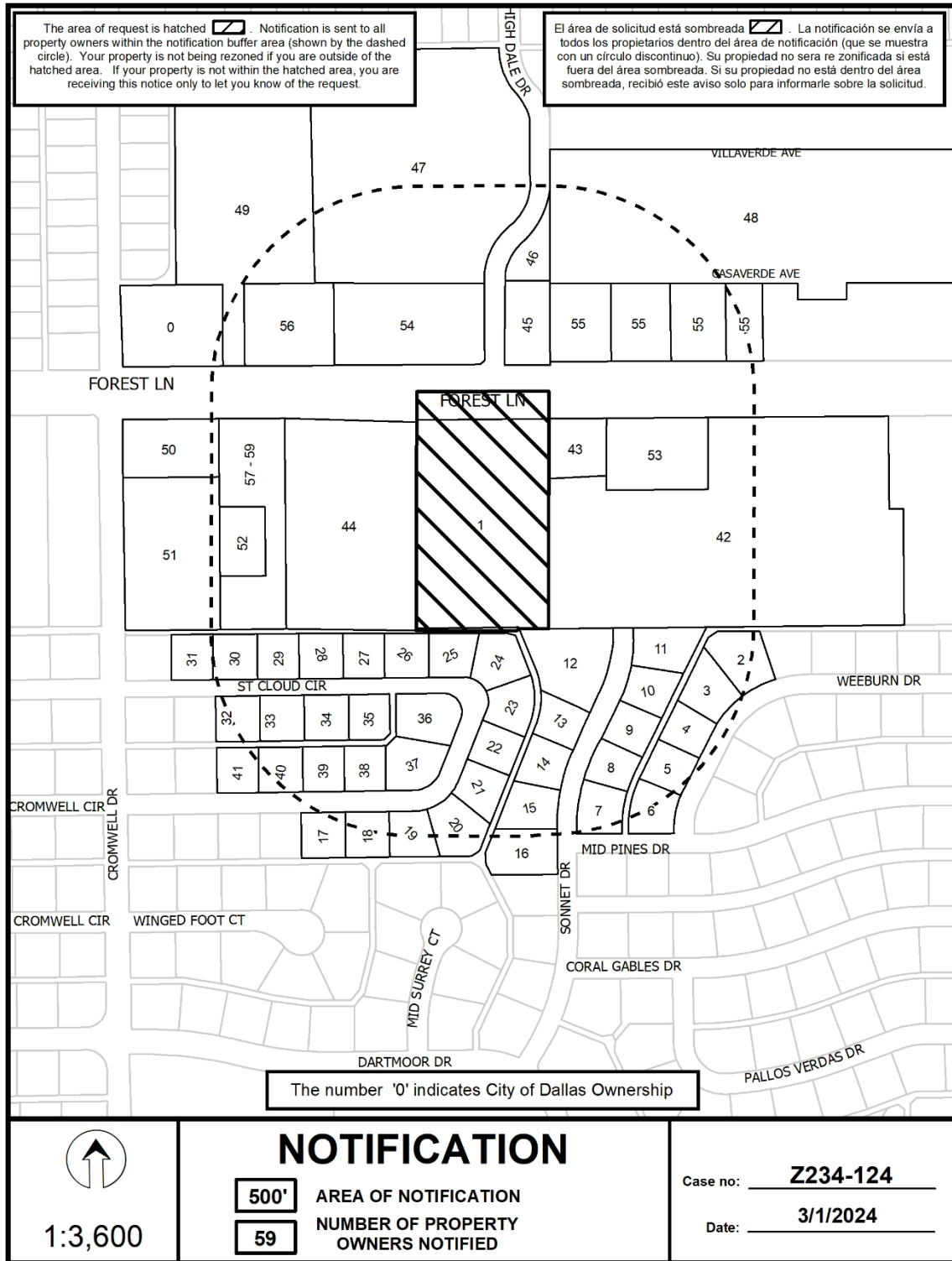


Market Value Analysis A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 3/1/2024



03/01/2024

Notification List of Property Owners***Z234-124******59 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3530 FOREST LN	BOP PARK FOREST LLC
2	3629 WEEBURN DR	GARY MICHAEL A &
3	3623 WEEBURN DR	BRADY ROBIN KATHLEEN &
4	3617 WEEBURN DR	GORDY TERENCE W ETAL
5	3611 WEEBURN DR	COX EDWARD PAUL &
6	3605 WEEBURN DR	MARSHALL GRANT & TAYLOR
7	11608 SONNET DR	MAIS RACHEL & CHAD
8	11616 SONNET DR	PHILLIPS HUNTER H & JORDAN L
9	11622 SONNET DR	SPAETH WILLIAM P III ETAL
10	11628 SONNET DR	JONES OLIVIA & RICHARD WILLIAMS
11	11634 SONNET DR	NEWTH JAMES F
12	11629 SONNET DR	PARKFOREST POOL ASSOCIATION
13	11621 SONNET DR	BENNETT KATY &
14	11615 SONNET DR	MCDERMOTT LIVING TRUST
15	11609 SONNET DR	STARE NANCY L
16	11535 SONNET DR	GUILLORY GREGORY L &
17	3418 ST CLOUD CIR	JOHNSON WILLIAM CRAIG &
18	3422 ST CLOUD CIR	BLACKETER CASEY & MICHELLE
19	3426 ST CLOUD CIR	STANTON PAUL &
20	3430 ST CLOUD CIR	EDRON REVOCABLE LIVING TRUST
21	3434 ST CLOUD CIR	HILLS SUSANNAH J
22	3438 ST CLOUD CIR	ROTH BARBARA J
23	3442 ST CLOUD CIR	RINGHOLM JAMES H EST OF
24	3446 ST CLOUD CIR	BOERGER JOHN &
25	3450 ST CLOUD CIR	MARTINEZ FERNANDO &
26	3454 ST CLOUD CIR	BLICKENSTAFF TODD &

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03/01/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3458 ST CLOUD CIR	RODRIGUEZ NATALIE
28	3462 ST CLOUD CIR	MCMURTRAY MARTHA H
29	3466 ST CLOUD CIR	STEVENSON THOMAS WILLIAM III &
30	3470 ST CLOUD CIR	BAUGH SEAN M
31	3474 ST CLOUD CIR	MCBRIDE GARRETT THOMAS
32	3469 ST CLOUD CIR	COMBS CONNER RYAN &
33	3465 ST CLOUD CIR	WADUD NASHITH
34	3461 ST CLOUD CIR	STEPHENS LAWRENCE G &
35	3457 ST CLOUD CIR	KAIL ANNE M
36	3451 ST CLOUD CIR	WEINSTEIN MICHAEL &
37	3427 ST CLOUD CIR	GROTH SHAWN S
38	3423 ST CLOUD CIR	ROSEE ERIC
39	3419 ST CLOUD CIR	SAUNDERS MELVIN L &
40	3415 ST CLOUD CIR	TAYLOR LANAE SNIDER
41	3411 ST CLOUD CIR	BOWERS BRADFORD WALTON &
42	3624 FOREST LN	MDF INVESTMENTS LLC
43	3540 FOREST LN	RP FOREST LANE PROPERTIES LP
44	3460 FOREST LN	ST MATTHIAS CHURCH OF DALLAS
45	3541 FOREST LN	SPIRIT REALTY LP
46	11840 HIGHDALE DR	FORESTDALE TX LP
47	11851 HIGHDALE DR	FORESTDALE TX LP
48	3626 VILLAVERDE AVE	SCP14 PARTNERS LP
49	3423 FOREST LN	3423 FOREST LANE LLC
50	3450 FOREST LN	Taxpayer at
51	11722 CROMWELL DR	DALLAS CHOONG HYUN
52	3452 FOREST LN	3452 FOREST LANE ASSOCS LP
53	3550 FOREST LN	BENT TREE REALTY CO
54	3535 FOREST LN	FIRST INTERSTATE BK TX NA
55	3601 FOREST LN	PFNW LTD
56	3441 FOREST LN	RETAIL BUILDERS INC
57	3452 FOREST LN	NOLEN ALEX PROPERTIES LP

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03/01/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3452 FOREST LN	DINA KING VENTURES LLC
59	3452 FOREST LN	SMC SMITHSON LLC