

**FILE NUMBER:** Z201-152(PD)

**DATE FILED:** December 12, 2018

**LOCATION:** East corner of Lemmon Avenue and Inwood Road

**COUNCIL DISTRICT:** 13

**MAPSCO:** 34 R

**SIZE OF REQUEST:** ±0.6755 acres

**CENSUS TRACT:** 006.01

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**REPRESENTATIVE:** Robert Reeves

**APPLICANT:** Bank of America

**OWNER:** Mark Thornsburg

**REQUEST:** An application for a Specific Use Permit for a bank or savings and loan office with a drive-in window use on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The purpose of the request is to allow an existing bank [Bank of America] to utilize existing stacking lanes and drive-in windows (i.e., a teller window, a teller station, and an unmanned transaction station).

**CPC RECOMMENDATION:** **Approval** for a ten-year period with eligibility for automatic renewal for additional ten-year periods; subject to a site plan and conditions.

**STAFF RECOMMENDATION:** **Approval** for a ten-year period with eligibility for automatic renewal for additional ten-year periods; subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The request site is developed with a ±4,118-square foot bank which was constructed in 2007.
- A bank or saving and loan office is permitted by right in the GR General Retail Subdistrict but requires a Specific Use Permit if the use includes drive-in window service.
- On April 25, 2007, SUP No. 1722 for a bank or savings and loan office with a drive-in window was approved for a ten-year period with eligibility of automatic renewals for a ten-year period on the subject site.
- On January 18, 2018, the bank received notice of renewal from the City by April 15, 2018. Since neither the bank nor its representative filed for renewal by the tentative date, SUP No. 1722 expired on April 25, 2017 with notification of the expiration provided on January 15, 2019 by the City.
- Internal records show a temporary Certificate of Occupancy was issued for the current operator on December 9, 2009.

**Zoning History:** There have been no recent zoning requests in the vicinity within the last five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Lemmon Avenue	Principal Arterial	100 feet
Inwood Road	Principal Arterial	100 feet

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed request will not significantly impact the surrounding roadway system.

**COMPREHENSIVE PLAN:**

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

## **URBAN DESIGN ELEMENT**

### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

#### **Area Plan:**

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

The above referenced objectives do not apply since the use is existing. Additionally, the drive-in windows and stacking lanes exist as well.

**STAFF ANALYSIS:****Surrounding Land Use:**

	<b>Subdistricts in PDD No. 193</b>	<b>Land Use</b>
<b>Site</b>	GR Subdistrict	Bank w/drive-in window
<b>Northwest</b>	GR Subdistrict, SUP No. 240	Retail and personal service
<b>North</b>	GR Subdistrict	Auto-related
<b>West</b>	GR Subdistrict, DR 889-153	Auto-related
<b>Southeast</b>	GR Subdistrict	Vacant, personal service
<b>Southwest</b>	GR Subdistrict	Retail and personal service

**Land Use Compatibility:**

The ±0.6755-acre request site is developed with a ±4,118-square foot bank with drive-in window use constructed in 2007. The applicant intends to continue operation of the site with a bank with drive-in window use. Previously, SUP No. 1722 existed on the site allowing the requested use; however, the SUP expired on April 25, 2017. The applicant is the existing and proposed tenant [Bank of America] requesting to operate the bank use within the same capacity as previously operated.

The request site is surrounded by retail and personal service uses to the northwest and southwest, auto-related uses to the north and west, and vacant, retail and personal service uses to the southeast.

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 request is considered compatible with the existing development pattern of the area; therefore, staff recommends approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods; subject to a site plan and conditions.

**Landscaping:**

Landscaping must be provided in accordance the GR General Retail Subdistrict landscaping requirements of PDD No. 193, the Oak Lawn Special Purpose District. However, the structure is existing, and no plans exist to expand the structure or increase the paved areas. Therefore, the landscape requirement will not be triggered.

**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 to orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is in proximity to a “B” MVA Cluster further east along Inwood Road and further west along Inwood Road.

**Parking:**

Pursuant to PDD No. 193, bank or saving and loan office with a drive-in window requires one (1) space per 366 square feet of floor area. Therefore, the proposed ±4,118-square foot bank requires 11 spaces; 26 spaces will be provided as depicted on the proposed site plan.

PDD No. 193 does not dictate specific stacking requirements. However, the stacking depicted on the site plan complies with the requirements of Chapter 51A; five spaces per teller window or station and two spaces per unmanned transaction station.

**List of Officers**

**Bank of America Officers**

**DIRECTORS**

Moynihan, Brian T., Chairman  
Allen, Sharon L.  
Bies, Susan S.  
Bovender, Jack O.  
Bramble, Frank P.  
De Weck, Pierre  
Donald, Arnold W.  
Hudson, Linda P.  
Lozano, Monica C.  
May, Thomas J.  
Nowell, Lionel L.  
Ramos, Denise L.  
Rose, Clayton S.  
White, Michael D.  
Woods, Thomas D.  
Yost, R. David  
Zuber, Maria T.

**EXECUTIVE OFFICERS**

Moynihan, Brian T.  
Anaya, Raul  
Athanasia, Dean C.  
Bessant, Catherine P.  
Boland, D. Steve  
Borthwick, Alistair  
Bronstein, Sheri  
DeMare, Jim  
Donofrio, Paul M.  
Finucane, Anne M.  
Greener, Geoffrey  
Katziff, Christine P.  
Knox, Kathleen A. (Katy)  
Koder, Matthew  
Leitch, David G.  
Mensah, Bernie  
Montag, Thomas Kell  
Nguyen, Thong  
Sieg, Andrew M.  
Smith, Andrea  
Thompson, Bruce R.  
Zaimi, Sanaz

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**CPC ACTION:**  
**March 4, 2021**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a bank or savings and loan office with a drive-in window use for a ten-year period with eligibility for automatic renewal for additional ten-year periods; subject to a site plan and conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east corner of Lemmon Avenue and Inwood Road.

Maker: Jackson  
Second: Murphy  
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Carpenter, Jackson, Blair, Jung,  
Suhler, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 10

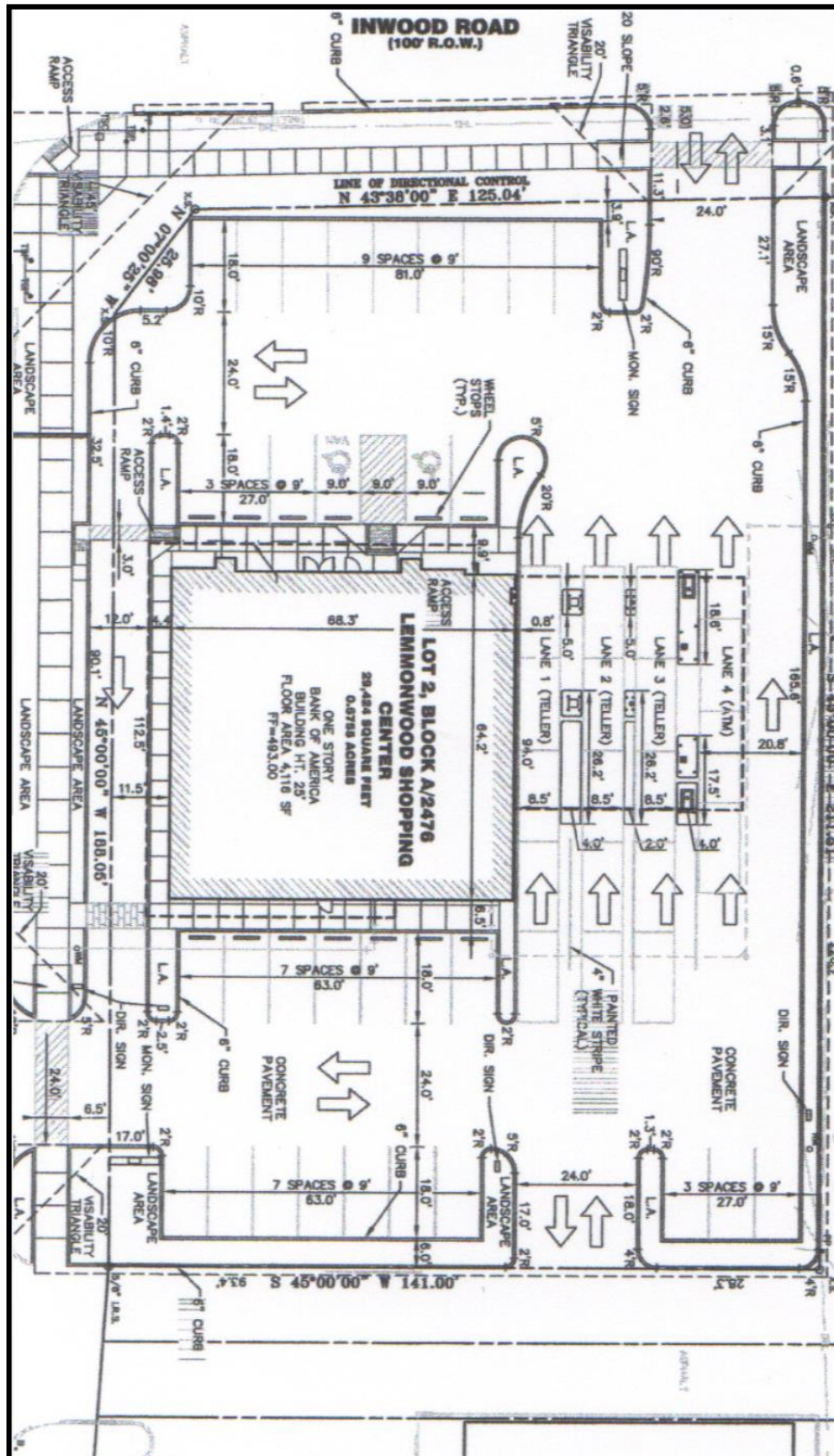
**Notices:** Area: 200 Mailed: 12  
**Replies:** For: 0 Against: 0

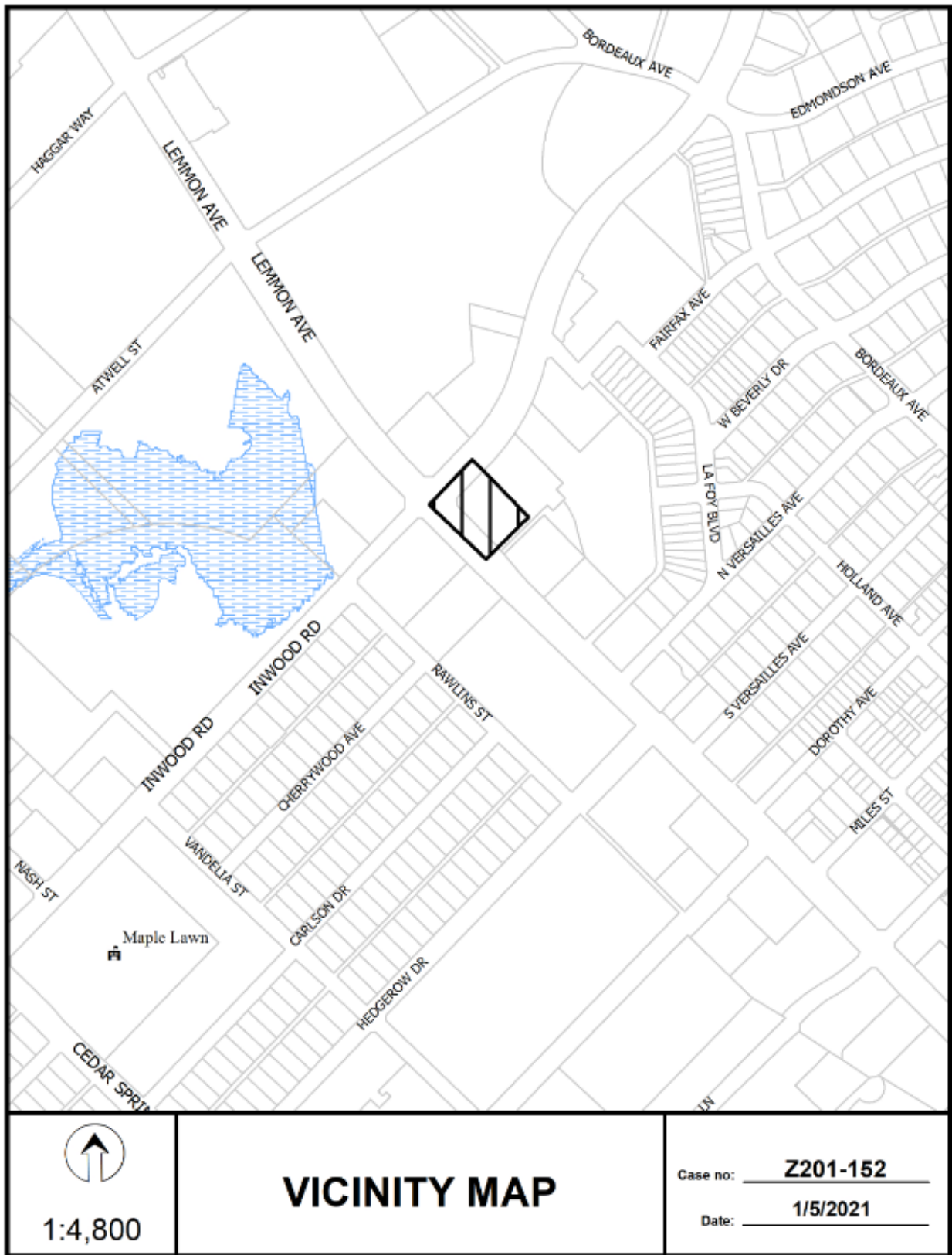
**Speakers:** For: None  
For (Did not speak): Robert Reeves, 3807 Vinecrest Dr., Dallas, TX, 75229  
Against: None

### **CPC Recommended SUP Conditions**

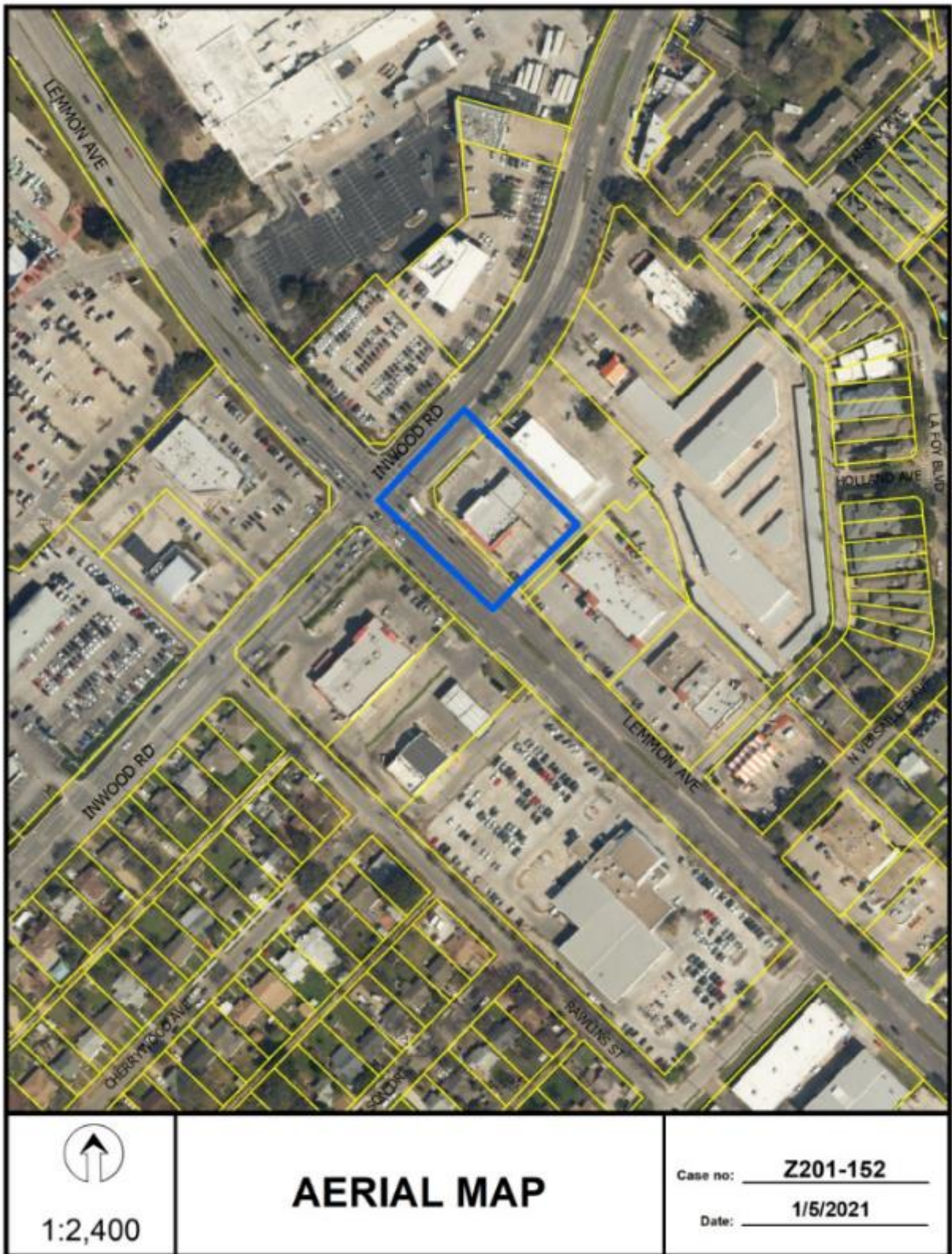
1. USE: The only use authorized by this specific use permit is a bank or savings and loan office with drive-in window.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (ten-years) but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180<sup>th</sup> but before the 120<sup>th</sup> day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.
4. MAXIMUM FLOOR AREA: The maximum floor area is 4,118 square feet.
5. LANDSCAPING: Landscaping must be provided and maintained in accordance with Part 1 of PDD No. 193 requirements.
6. DIRECTIONAL SIGNAGE: Directional signage and pavement markings must be provided and must clearly indicate ingress to and egress from the drive-in lanes. Final design of the signage and pavement markings must be approved by the Director before the issuance of a certificate of occupancy for a bank or savings and loan office with drive-in window.
7. DRIVE-IN WINDOW: A maximum of four drive-in window lanes are permitted in the locations shown on the attached site plan.
8. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan.
9. STACKING: A minimum of five stacking spaces must be provided for each drive-in window for teller service in the locations shown on the attached site plan. The drive-in window for automated teller machine (ATM) service must have a minimum of three stacking spaces in the location shown on the attached site plan.
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
11. 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.

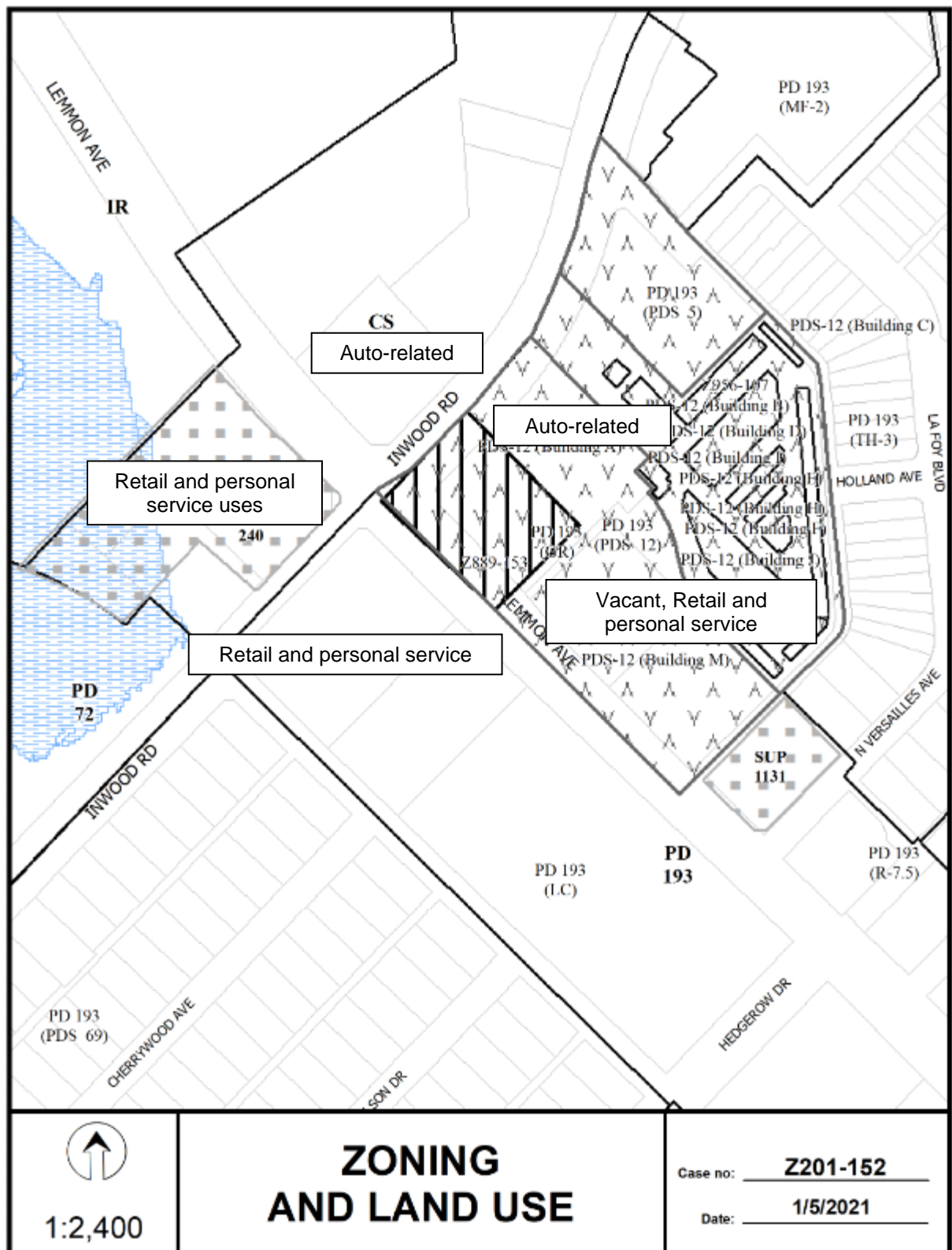




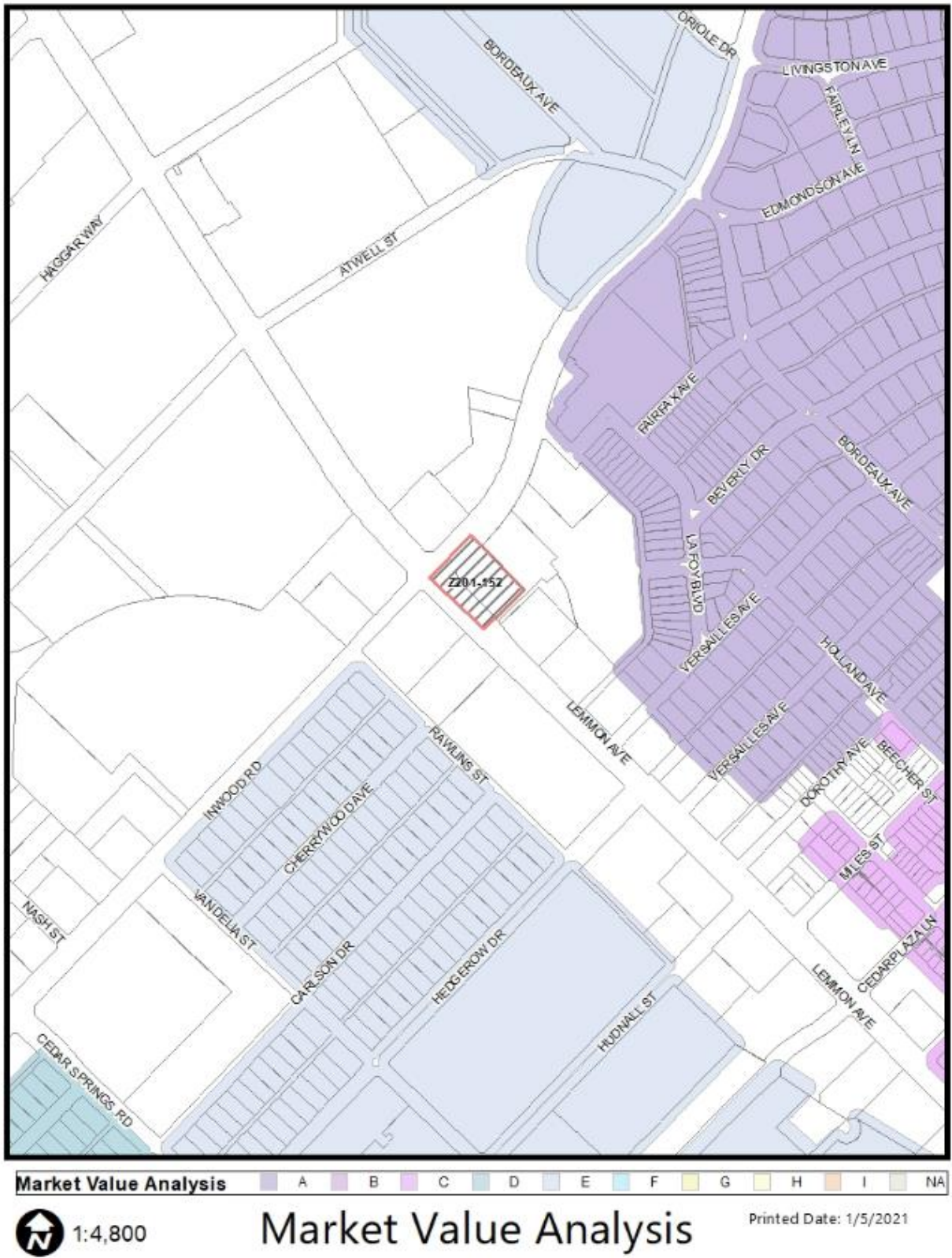




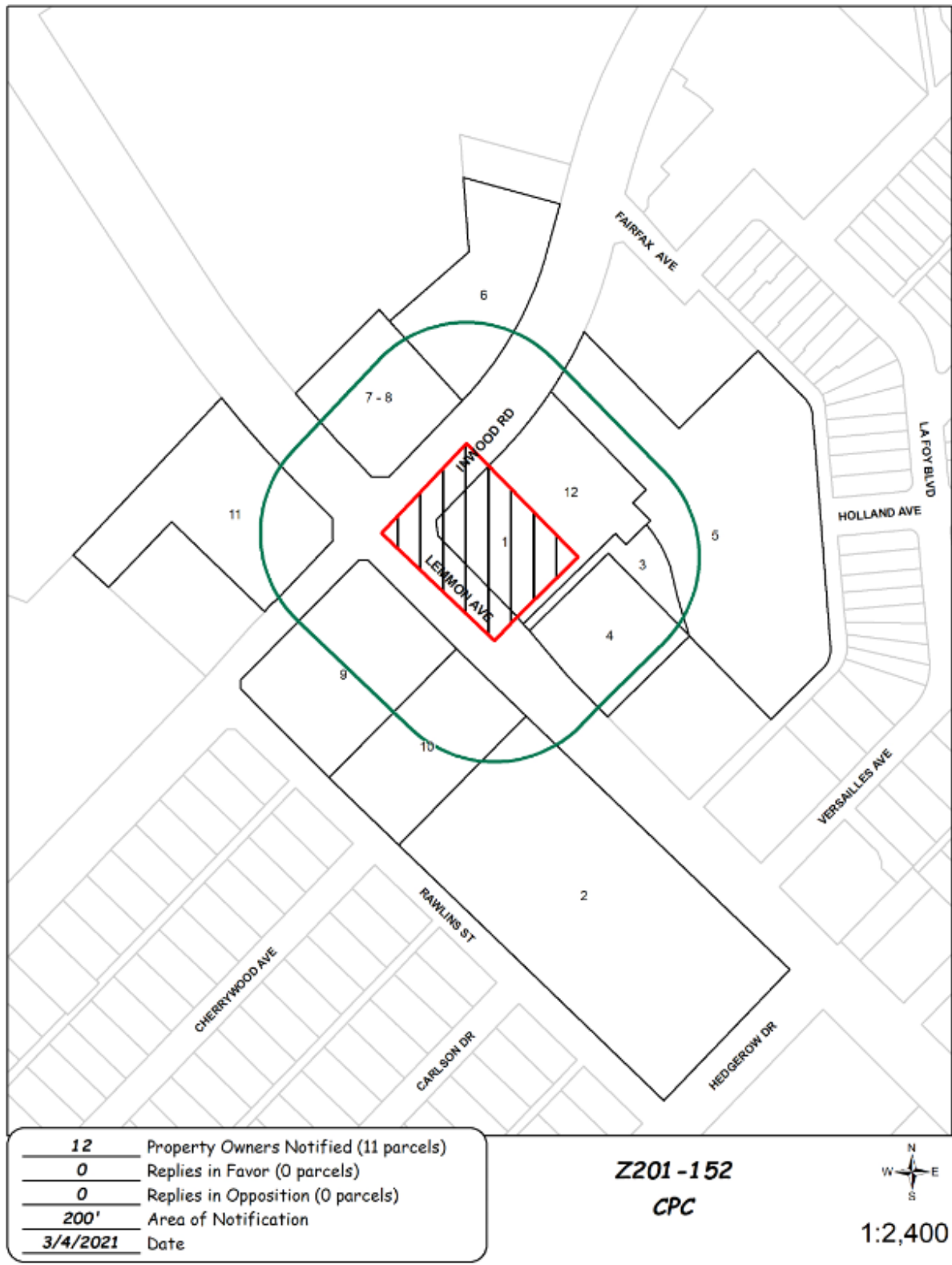








**CPC RESPONSES**



03/03/2021

## ***Reply List of Property Owners***

### ***Z201-152***

***12 Property Owners Notified***

***0 Property Owners in Favor***

***0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	5636 LEMMON AVE	5636 LEMMON LLC
	2	5555 LEMMON AVE	PARK CITIES V MOTOR CO LLC
	3	3540 INWOOD RD	CONSTANCE LEMMONWOOD LTD
	4	5622 LEMMON AVE	CONSTANCE LEMMONWOOD LTD
	5	3540 INWOOD RD	STORAGE TRUST PROPERTIES
	6	3515 INWOOD RD	KINGS ROAD REALTY LTD
	7	5704 LEMMON AVE	COLE AMY W CAMPBELL
	8	5704 LEMMON AVE	CAMPBELL HENRY V III
	9	3406 INWOOD RD	I & L DEVELOPMENT CO
	10	5601 LEMMON AVE	I & L DEVEOLOPMENT CO
	11	5715 LEMMON AVE	WEICHSEL FARM - LEMMON LTD PS
	12	3524 INWOOD RD	Taxpayer at