HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, APRIL 12, 2023

ACM: Majed Al-Ghafry

FILE NUMBER: Z212-304(JM) DATE FILED: July 15, 2022

LOCATION: South line of Forest Lane, west of Eastern Avenue

COUNCIL DISTRICT: 13

SIZE OF REQUEST: ± 1.05 acres CENSUS TRACT: 0134

OWNER: Forest Lane Holdings LP

APPLICANT: American National Bank & Trust

REPRESENTATIVE: Andrew Ruegg, Masterplan

REQUEST: An application for a new subdistrict within Planned

Development District No. 1.

SUMMARY: The purpose of the request is to allow a second story on the

existing bank structure.

CPC RECOMMENDATION: Approval, subject to a revised overall site plan (1B), a

revised development plan (1E), a revised landscape

plan (1D), and conditions.

STAFF RECOMMENDATION: Approval, subject to a revised overall site plan (1B), a

revised development plan (1E), a revised landscape

plan (1D), and staff's recommended conditions.

PLANNED DEVELOPMENT DISTRICT NO. 1:

https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%201.pdf

PLANNED DEVELOPMENT DISTRICT NO. 1 EXHIBITS A-E:

https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=1

BACKGROUND INFORMATION:

- Planned Development District No. 1 was established by the City Council as a special permit by Ordinance No. 9259 on May 21, 1962 and contains 6.62 acres of land for specific uses including: medical clinic, lodge, bank or savings and loan office, professional or general business office, and doctor's office. This special permit was converted to PD No. 1 by the Comprehensive General Zoning Ordinance, which was passed by City Council in May 1965.
- The PD contains five tax parcels with about 1,000 linear feet of frontage along Forest Lane. The area of request is an interior parcel with 1.05 acres and 270 linear feet of frontage along Forest Lane.
- According to permit records, the subject site was developed with a 3,997-square-foot bank or savings and loan office with an attached drive-through canopy in 2009.
- The purpose of this request is to create a new subdistrict to allow a second story and expansion of the existing structure, thus resulting in a proposed 15,820-square-foot building. The bank or savings and loan office use would remain the sole use in the structure proposed, with two drive-through aisles.

Zoning History:

There has been one recent zoning change in the area within the past five years.

1. **Z190-349:** On Wednesday, September 9, 2021, the City Council approved an application granting Planned Development District No. 1060 for single family uses (shared access development) on property zoned an R-16(A) Single Family District on the northwest corner of Forest Lane and Nuestra Drive. [Northeast of the site.]

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW	
Forest Lane	Principal Arterial, SPCL 6D	120 feet /120 feet	
Eastern Avenue/ DNT Service Road	Minor Arterial	50 feet/	
Dallas North Tollway	Highway	Variable	

Traffic:

The Engineering Division of 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.

Comprehensive Plan

The *forwardDallas! Comprehensive Plan*, adopted by City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is consistent with the following goals and policies of the comprehensive plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation Measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design, and character.

	Zoning	Land Use
Site	PD No. 1	Vacant bank
North	CR Community Retail District	Car wash, retail, and restaurant
East	PD No. 1	Office
South	R-16(A) Single Family District	Single family
West	PD No. 1	Lodge and office

Land Use Compatibility:

The one-acre site is currently developed with a structure erected in 2009 that is approximately 4,000 square feet and a 2,700-square-foot canopy for the drive-through portion of the bank. The applicant is proposing to create a new subdistrict that would allow the expansion of the building. The request focuses on expanding the existing structure to have a first-floor area of 6,770 square feet and a new second-floor area of 9,050 square feet. The total structure would reach two stories, 36-feet-in-height, and a total floor area of 15,820 square feet.

Surrounding land uses include a car wash, retail, and restaurant to the north; office to the east; single-family to the south; and a lodge and office to the west.

The proposed change would enable the redevelopment of the existing vacant structure. The overall request is minimal and essentially clarifies the number of stories and height granted to all structures within the PD with the same residential adjacency. The existing PD No. 1 permits two-story structures per the approved overall site plan (Exhibit 1B). The height is also per the plan. The new subdistrict will codify the development standards. The true change is the change to the parking ratio for the use to follow Chapter 51A, as further discussed in the parking section of this report. New provisions added include consideration of lighting, noise, and maintenance along the residential adjacency to the south.

A new subdistrict is required to make any changes to properties within the existing PD No. 1, since all applicable rules would apply to this build site. Changes to the site as requested, are not applicable to other properties within PD No. 1.

Staff supports the requested zoning change to create a new subdistrict within Planned Development District No. 1 and finds that the proposed development will enhance the neighborhood's desirability with improved retail and personal service options in walking distance.

Development Standards:

The following is a comparison table showing differences in development standards between the current PD and the proposed new subdistrict. PD No. 1 did not establish a base zoning district, and according to Sec.51A-4.702(6)(B), based on the land uses permitted by the PD, the base development standards applicable are for the MO Mid-range office matrix districts. Furthermore, the maximum height stated in Chapter 51 for the MO District is complex and based on land uses. Institutional can be developed to any legal height. All other uses are subject to delineation between structures 36 feet or taller, or those 35 feet or less. Therefore, the maximum height for the existing PD is 35 feet or less. No FAR is given for the MO Districts.

District	Setbacks		Height	Lot	Density	Special
District	Front	Side/Rear	пеідіі	Coverage	/FAR	Standards
Existing: PD No. 1 MO Base	25'	5'/5'	One story except as shown on plan 35' Exhibit 1A indicates all buildings are two-stories max	65% for nonresidential structures	No max FAR	
Proposed: New Subdistrict Within PD No. 1	45' per plan	45' per plan 49' per plan	35' Two stories (to clarify)	20.81% per plan	No max FAR	Obscure 2 nd story windows

Land Use Comparison:

The proposed subdistrict modifies the yard, lot, and space provisions and parking ratio for a bank use. No land uses are being modified.

Landscaping:

Landscaping must be provided in accordance with the revised landscape plan (Exhibit 1D) which largely maintains the existing trees while adding new shrubs and foundation plantings. The plan has been reviewed by the chief arborist with no objections noted. A revised landscape plan was provided due to site constraints observed by the chief arborist. Article X is not mandatory in this PD. However, the required screening for residential areas to the south is a mandatory condition maintained in the new landscape plan. The chief arborist recommends medium to small trees in close proximity to the building structure in the front, which are provided along with optional parking lot trees.

Parking:

Off-street parking must be provided in accordance with Sec. 51P-1.106 for all uses to be located on the property. According to the proposed development plan, 48 parking spaces and three bicycle parking spaces are proposed for the 15,820-square-foot structure. The ratio shown on the site plan is modified with this request to permit the bank use at a ratio of one space per 333 square feet of floor area (same as Sec. 51A). The adjustment of the parking ratio for the bank use was reviewed by the Engineering Division and found to be suitable.

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 target intervention strategies more precisely 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 strengths or weaknesses. 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 adjacent to a "A" MVA Cluster to the south.

CPC Action February 16, 2023

Motion: It was moved to recommend **approval** of a new subdistrict, subject to a revised overall site plan (1B), a revised development plan (1E), a revised landscape plan (1D), and conditions, as briefed; to include the applicant request of **SEC. 51P-1.119. GARBAGE REMOVAL.** "No person may remove, cause to be remove, or permit the removal of garbage in Subdistrict 1, between the hours of 10:00 p.m. and 7:00 a.m." within Planned Development District No. 1, on the south line of Forest Lane, west of Eastern Avenue.

Maker: Stanard
Second: Housewright
Result: Carried: 14 to 0

For: 14 - Popken, Hampton, Anderson, Shidid,

Carpenter, Wheeler-Reagan, Blair, Jung, Housewright, Treadway, Haqq, Stanard,

Kingston, Rubin

Against: 0 Absent: 0

Vacancy: 1 - District 3

Notices:Area:500Mailed:47Replies:For:0Against:15

Speakers: For: Andrew Ruegg, 2201 Main St., Dallas, TX, 75201

Richard Dopson, 17440 Dallas Parkway, Dallas, TX, 75287

Against: David Jones, 6510 Clubhouse Cir., Dallas, TX, 75240

Against (Did not speak): Anilkumar Gokani, 5319 Northmoor Dr., Dallas, TX, 75229

List of Officers

Forest Lane Holdings LP/GAP Capital, LLC R.J. Pipes, Manager

<u>American National Bank & Trust</u> Richard Dopson, Dallas President

CPC RECOMMENDED PD Conditions

SEC. 51P-1.101. LEGISLATIVE HISTORY.

PD 1 was established as a special permit by Ordinance No. 9259, passed by the Dallas City Council on May 21, 1962. Ordinance No. 9259 amended basic Zoning Ordinance No. 5238, passed by the Dallas City Council on August 28, 1951. The special permit created by Ordinance No. 9259 was converted to PD 1 by Comprehensive General Zoning Ordinance No. 10962, passed by the Dallas City Council on March 29, 1965. Ordinance No. 9259 repealed Ordinance No. 8101, passed by the Dallas City Council on June 15, 1959; Ordinance No. 8286, passed by the Dallas City Council on December 7, 1959; and Ordinance No. 9107, passed by the Dallas City Council on January 8, 1962. Ordinance No. 9259 was amended by Ordinance No. 9490, passed by the Dallas City Council on November 5, 1962; Resolution No. 63-4227, passed by the Dallas City Council on August 5, 1963; Ordinance No. 11107, passed by the Dallas City Council on July 12, 1965; and Ordinance No. 20153, passed by the Dallas City Council on December 14, 1988. (Ord. Nos. 5238; 8101; 8286; 9107; 9259; 9490; 10962; 11107; 20153; 24637; Res. 63-4227)

SEC. 51P-1.102. PROPERTY LOCATION AND SIZE.

PD 1 is established on property located on the south side of Forest Lane between Inwood Road and Eastern Avenue. The size of PD 1 is approximately 6.66 acres. (Ord. Nos. 9259; 24637)

SEC. 51P-1.103. CREATION OF SUBDISTRICTS.

This district is divided into the following subdistrict:

(1) Subdistrict 1

SEC. 51P-1.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations contained in Chapter 51 apply to this article.
- (b) Unless otherwise stated, all references to uses, articles, divisions, or sections in this article are to uses, articles, divisions, or sections in Chapter 51. (Ord. 24637)

SEC. 51P-1.104. USES.

The following uses are permitted on the Property:

- (1) Medical clinic.
- (2) Lodge.
- (3) Bank or savings and loan office.

- (4) Professional or general business office.
- (5) Doctor's office. (Ord. Nos. 5238; 9259; 11107; 24637)

SEC. 51P-1.105. SURFACE MATERIALS.

All driveways, entrances, and parking areas must have a minimum surfacing of six inches compacted gravel and two coats of penetration asphalt. The developer shall bear the total cost and maintenance of all improvements, including curb and drainage structures that may be necessary. (Ord. Nos. 9259; 24637)

SEC. 51P-1.106. PARKING.

- (a) Off-street parking must be provided at a minimum ratio of one space for each 250 square feet of floor area.
- (b) Off-site parking for the medical office use on the eastern end of this planned development district must be provided as shown on the Altick site plan labelled as Exhibit 1A. Employees of the medical office use must park in the off-site parking lot. (Ord. Nos. 9259; 20153; 24637)
- (c) For a bank or savings and loan office use in Subdistrict 1, off-street parking must be provided at a minimum ratio of one space for each 333 square feet of floor area. Additionally, the bank or saving and loan office use in Subdistrict 1 is subject to development impact review (DIR) per Division 51A-4.800.

SEC. 51P-1.107. SIGNS.

- (a) Name plates or signs for clinics and hospitals are permitted only if they are:
 - (1) less than 12 square feet in area and attached to the structure;
 - (2) erected behind the building and attached to the structure; or
 - (3) erected behind the building line.
- (b) Flashing, rotating, revolving, or intermittently lighted signs are prohibited. (Ord. Nos. 9259; 24637)

SEC. 51P-1.108. SCREENING.

The owner must provide a six-foot-high solid masonry fence on the south line of the alley, subject to obtaining permission from the property owner. (Ord. Nos. 9259; 24637)

SEC. 51P-1.109. DEDICATION.

Before issuance of a building permit, a dedication of 30 feet for the widening of Forest Lane must be provided, subject to the requirements of the Major Thoroughfare Plan, as deemed necessary. (Ord.

Nos. 9259; 24637)

SEC. 51P-1.110.

OVERNIGHT STAY.

Patients may not stay overnight in the clinic. (Ord. Nos. 9259; 24637)

SEC. 51P-1.111. STORIES.

- (a) No structure may exceed one story in height, except as noted on the site plan attached to Ordinance No. 9259 and labelled as Exhibit 1B, and the site plan labelled as Exhibit 1A. (Ord. Nos. 9490; 20153; 24637; 27181)
- (b) No structure may exceed two stories or 35 feet in height, whichever is more restrictive in Subdistrict 1. Structures on top of a building may not project above 35 feet in height in Subdistrict 1.

SEC. 51P-1.112. LANDSCAPING.

- (a) Landscaping must be provided as shown on Exhibits 1A, and 1D, and 1E.
- (b) All landscaping must be installed on the portion of the Property covered by Exhibit 1A within six months of the date final inspection is approved by the public works and transportation department.
- (c) All landscaping must be installed on the portion of the Property covered by Exhibit 1D within six months after the issuance of a certificate of occupancy to authorize the operation of any use on that portion of the Property.
- (d) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 20153; 24637; 27181)

SEC. 51P-1.113. SECOND STORY WINDOW REGULATIONS.

- (a) Only four obscure windows are permitted in the rear, second story of the medical office building shown on Exhibit 1A. These windows must be located above eye level. For the purposes of this article, obscure windows mean windows with a finished glass that permits passage of light but that prevents distinct visibility. (Ord. Nos. 20153; 24637)
- (b) All south facing second story windows within Subdistrict 1 must be obscure windows to permit the passage of light but prevents distinct visibility.

SEC. 51P-1.114. PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must comply with standard city specifications to the satisfaction of the director of public works and transportation. (Ord. Nos. 9259; 24637; 26102)

SEC. 51P-1.115. COMPLIANCE WITH CONDITIONS.

Compliance with this article and applicable provisions of the zoning ordinance and the building codes is required before the issuance of a certificate of occupancy for any use on the Property. (Ord. Nos. 9259; 24637)

SEC. 51P-1.116. ZONING MAP.

PD 1 is located on Zoning Map No. D-7. (Ord. Nos. 20153; 24637)

SEC. 51P-1.117. PLANS.

Development of the Property must comply with Exhibits 1A, 1B, 1C, 1D, and 1E. (Ord. Nos.

9259; 20153; 24637; 27181; Res. 63-4227) 9259; 20153; 24637; 27181; Res. 63-4227)

SEC.51P-1.118. SPECIAL LIGHTING PROVISIONS.

- (a) Parking lot lighting standards in Subdistrict 1.
- (1) The light source must be hooded and shielded.
- (2) In order to direct light downward and minimize the amount of light spillage into the night sky and onto adjacent properties, all lighting fixtures must be full cutoff fixtures.
- (3) Fixtures must be mounted in such a manner that the cone of the light is contained on-site and does not cross any property line on the perimeter of the Property.
- (4) Parking lot lighting fixtures may not exceed 12 feet in height within the rear half of the Property as shown on Exhibit 1E.
- (5) Parking lot lighting fixtures may not exceed 15 feet in height within the front half of the Property as shown on Exhibit 1E.
- (b) <u>Building lighting in Subdistrict 1</u>. Interior building lighting must automatically turn off between the hours of 11:00 p.m. and 5:00 a.m., except motion security lights may remain on.

Staff's Recommendation

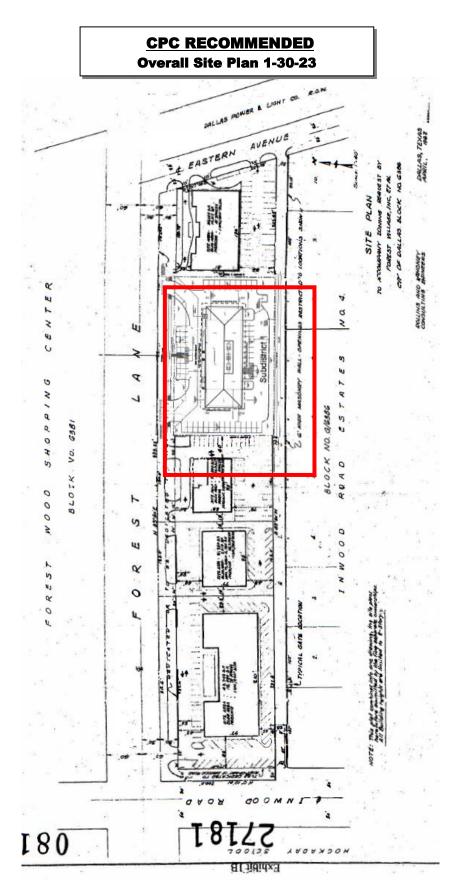
SEC.51P-1.119. GARBAGE REMOVAL.

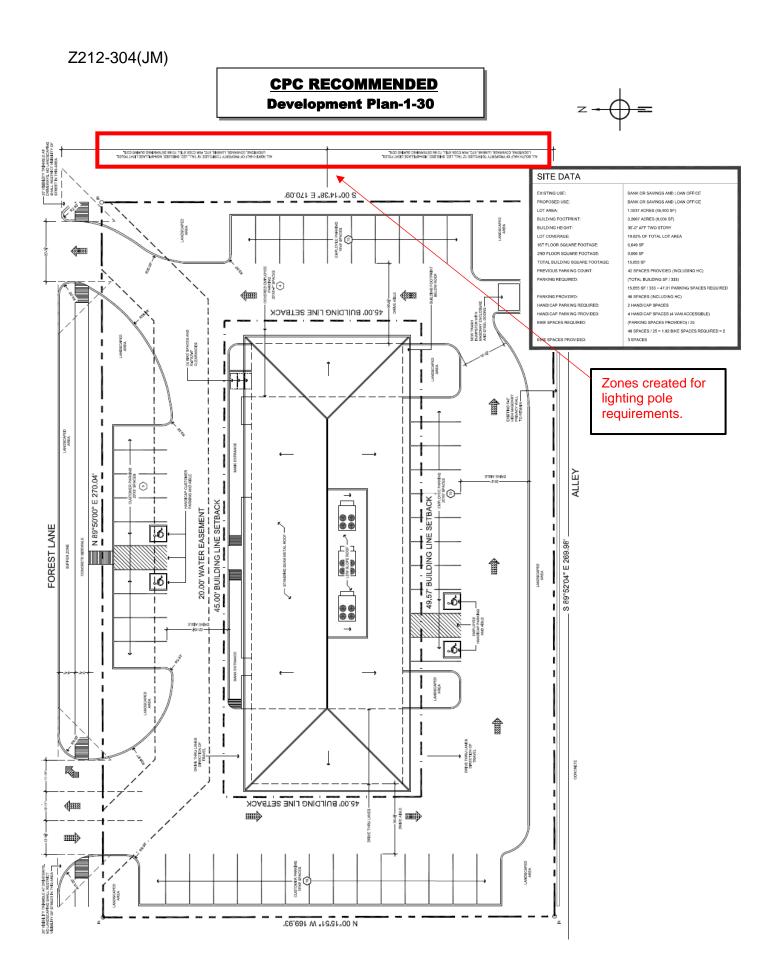
No person may remove, cause to be remove, or permit the removal of garbage in Subdistrict 1 between the hours of 10:00 p.m. and 7:00 a.m.

CPC Recommendation and Applicant's Request

SEC.51P-1.119. GARBAGE REMOVAL.

No person may remove, cause to be remove, or permit the removal of garbage in Subdistrict 1 between the hours of 10:00 p.m. and 7:00 a.m.





CPC RECOMMENDED Landscape Plan 1-30

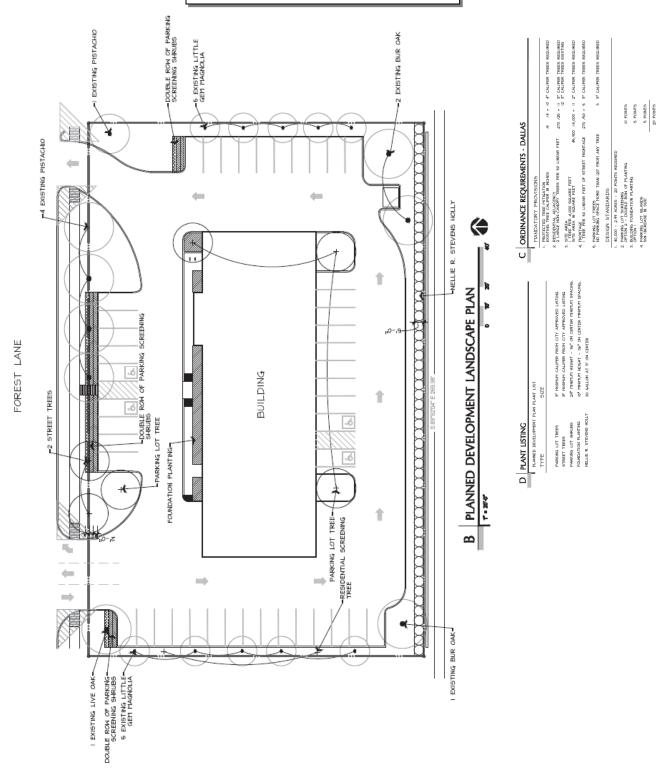
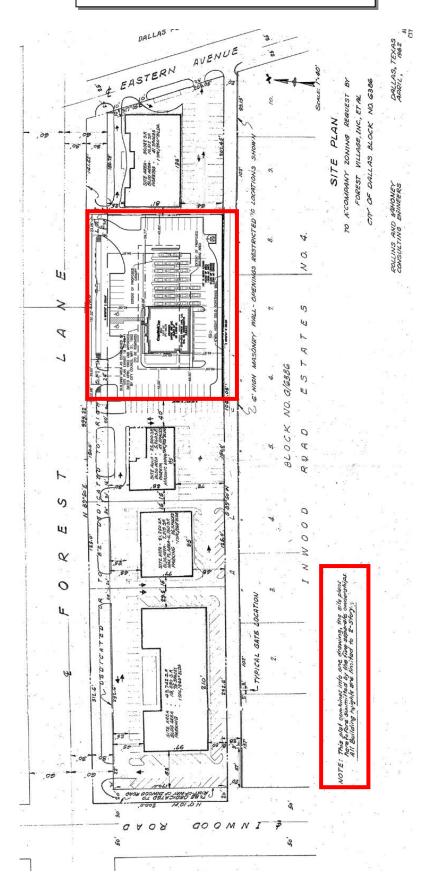


Exhibit 1A: Existing Overall Site Plan



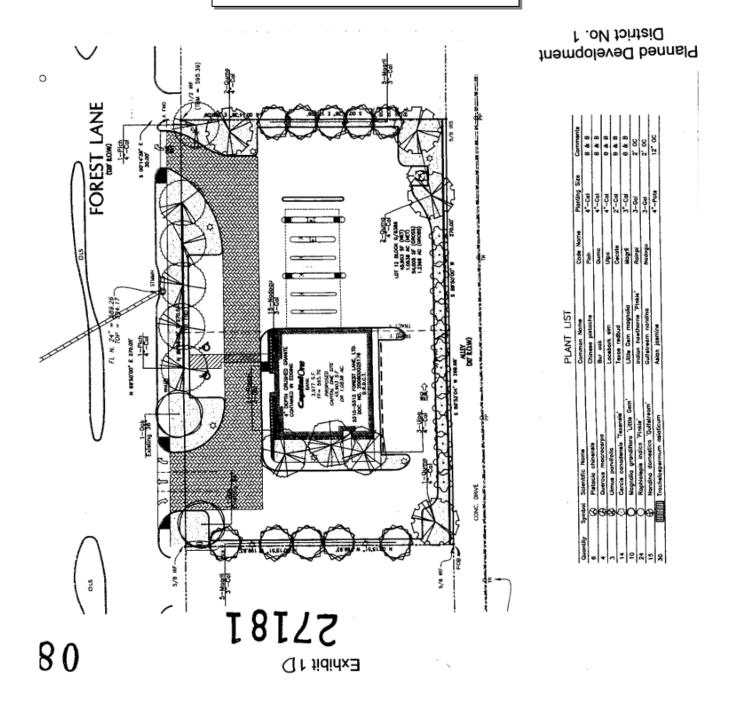
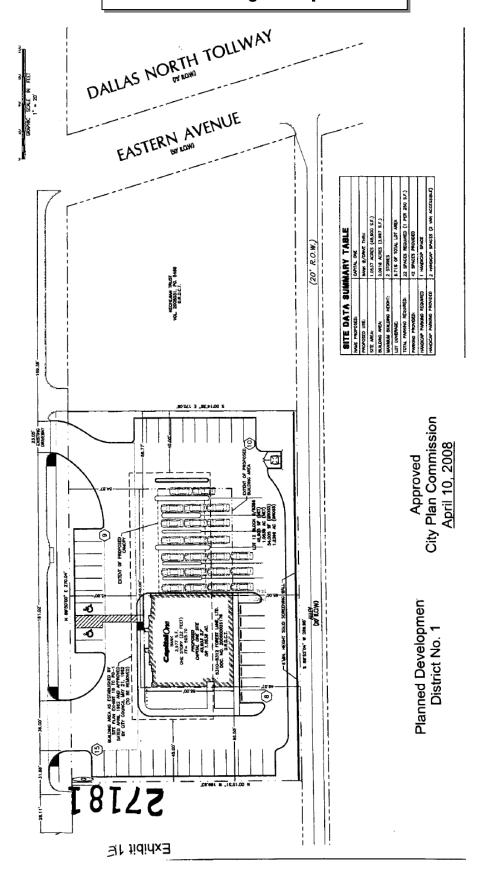
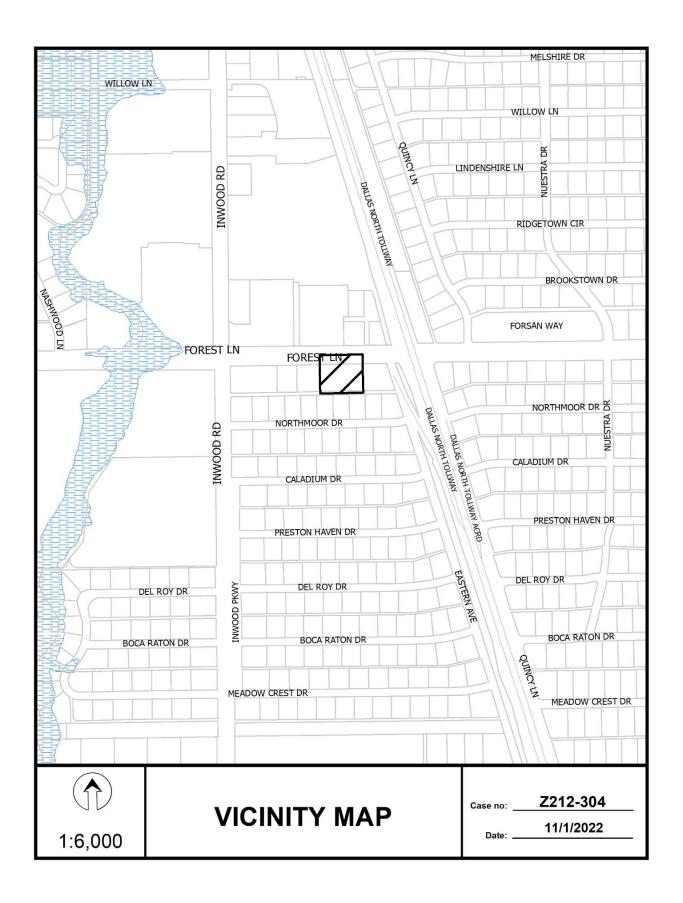
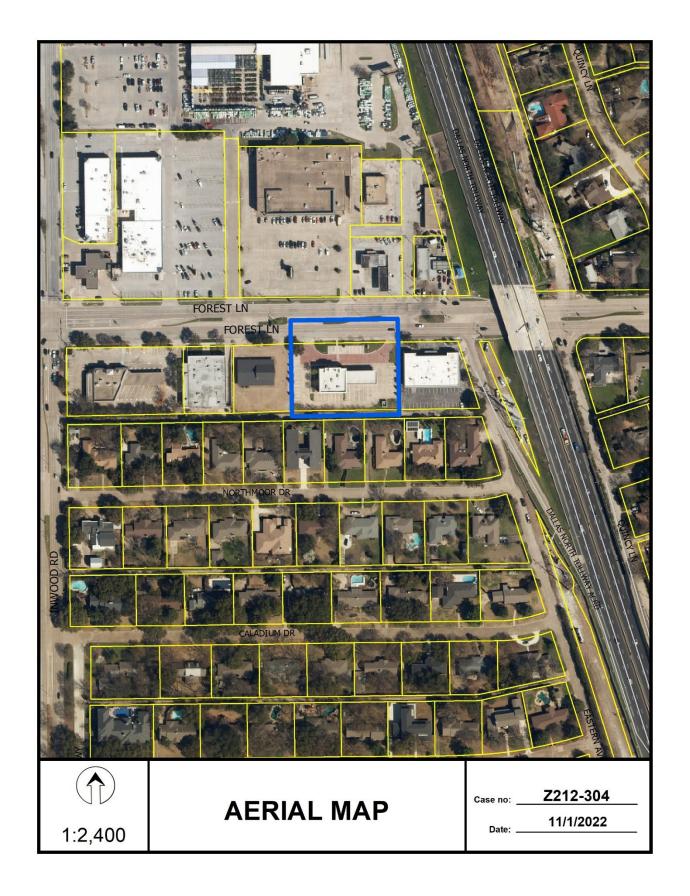
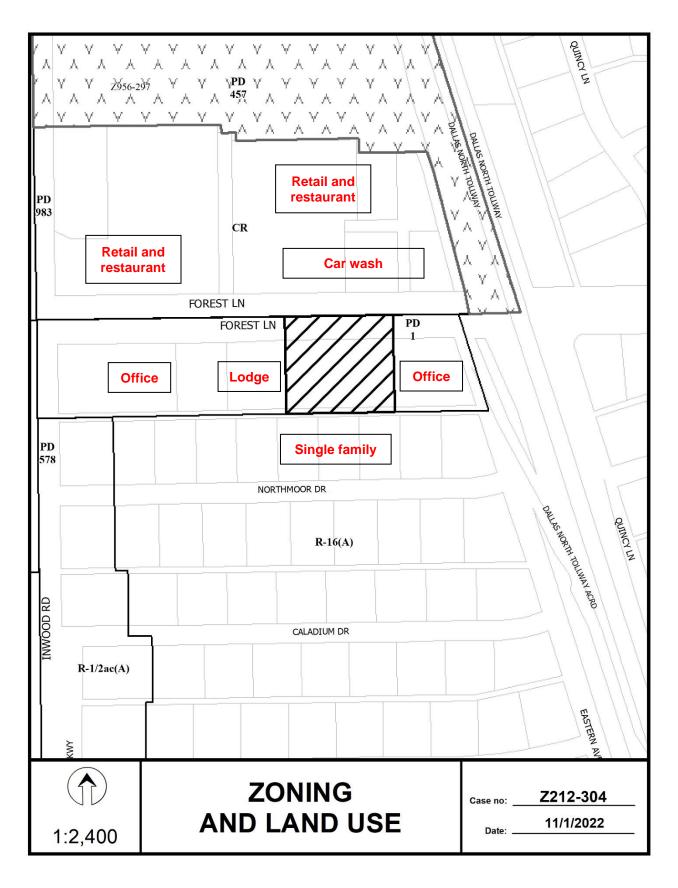


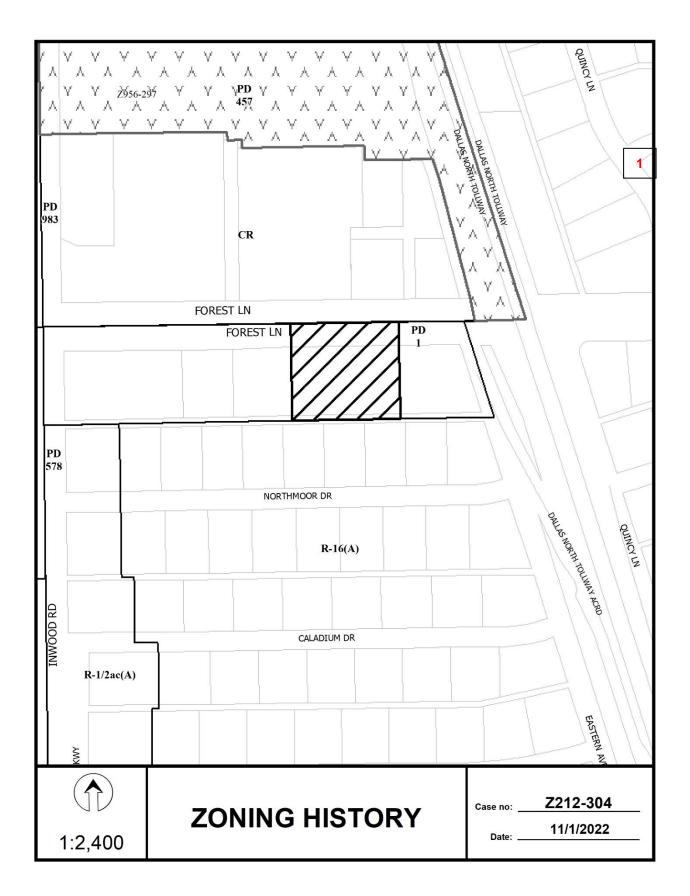
Exhibit 1E: Existing Development Plan

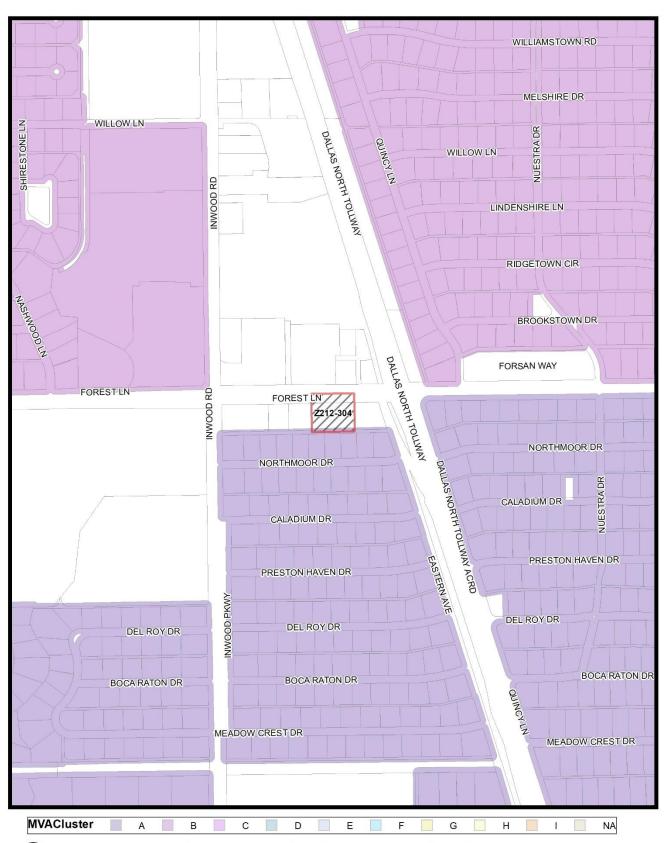












1:6,000

Market Value Analysis

Printed Date: 11/1/2022

CPC RESPONSES



02/15/2023

Reply List of Property Owners Z212-304

47 Property Owners Notified

0 Property Owners in Favor

15 Property Owners Opposed

Reply	Label #	Address		Owner
	1	5310	FOREST LN	FOREST LANE HOLDINGS LP
	2	5500	FOREST LN	ONCOR ELECRIC DELIVERY COMPANY
	3	11825	QUINCY LN	EGBUNIWE CHIKE
	4	11817	QUINCY LN	JADHAVJI ANWER
	5	11809	QUINCY LN	CRANSHAW JOSEPH P III &
	6	5337	FOREST LN	FORESTWOOD CENTER JV
	7	5333	FOREST LN	FOREST VILLAGE INC
	8	11804	INWOOD RD	DANIEL A H
	9	11804	INWOOD RD	FORESTWOOD CENTER LLP
	10	5341	FOREST LN	FORESTWOOD CENTER
	11	5508	FOREST LN	MONEY JAMES KYLE & ANGELA S
	12	5414	FOREST LN	KECHEJIAN ENTERPRISES LP
	13	5300	FOREST LN	DALLAS LODGE 760 AF & AM
	14	11300	INWOOD RD	ONCOR ELECRIC DELIVERY COMPANY
	15	11300	INWOOD RD	ONCOR ELECRIC DELIVERY COMPANY
	16	5200	FOREST LN	FOREST VILLAGE INC
	17	5200	FOREST LN	FORESTWOOD NATIONAL BANK
X	18	5217	CALADIUM DR	COLLINS BENJAMIN J
	19	5227	CALADIUM DR	HUBER PHILIP J JR
	20	5309	CALADIUM DR	GARNER BRYAN D & HEIDI S
X	21	5319	CALADIUM DR	KAIN PATRICK J & ARLEEN
X	22	5329	CALADIUM DR	MCLAUGHLIN JAMES & MARY
X	23	5405	CALADIUM DR	MAGERS PHILLIP R ETAL
	24	5415	CALADIUM DR	Taxpayer at
X	25	5425	CALADIUM DR	BARBEE LISA
	26	5436	NORTHMOOR DR	WEBB ROBERT J

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Reply	Label #	Address		Owner
	27	5426	NORTHMOOR DR	WINN BARRY N
	28	5416	NORTHMOOR DR	MOORE STANLEY R & SHARON ANN
Χ	29	5406	NORTHMOOR DR	PATTEN REID &
Χ	30	5330	NORTHMOOR DR	SHOREY ELIZABETH
Χ	31	5320	NORTHMOOR DR	Taxpayer at
Χ	32	5310	NORTHMOOR DR	REESE KATHERINE TIMBERLAKE &
Χ	33	5228	NORTHMOOR DR	CHUDIK MARK A & MARY A
	34	5218	NORTHMOOR DR	SIMMONS MICHAEL OLIVER & LISEL M
Χ	35	5208	NORTHMOOR DR	MANG JOHN E JR &
	36	5207	NORTHMOOR DR	REICHL MYRA SUE
	37	5217	NORTHMOOR DR	CHO KYUNG KU &
	38	5227	NORTHMOOR DR	VAIDYA PARAG &
	39	5309	NORTHMOOR DR	TECHLIC INC
X	40	5319	NORTHMOOR DR	GOKANI ANILKUMAR V & TINA
X	41	5329	NORTHMOOR DR	MEGHANI AKBER & ZAITOON
X	42	5405	NORTHMOOR DR	GUTTRIDGE BARRY J &
	43	5415	NORTHMOOR DR	TREVINO ISAAC P & REBECCA
X	44	5425	NORTHMOOR DR	GOTHARD NICHOLAS TR &
	45	5435	NORTHMOOR DR	OPPENHEIMER BARRIE R
	46	11920	INWOOD RD	LOWES HOME CENTERS INC
	47	5232	FOREST LN	5232 FOREST LN LP