

**FILE NUMBER:** Z201-333(OA)

**DATE FILED:** August 30, 2021

**LOCATION:** On the west line of Coit Road, south of McCallum Boulevard

**COUNCIL DISTRICT:** 12

**SIZE OF REQUEST:** Approximately 3.5 Acres

**CENSUS TRACT:** 317.20

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**REPRESENTATIVE:** James Cagle

**APPLICANT:** Mike Cagle

**OWNER:** Pavillion McCallum Holding, Ltd

**REQUEST:** An application for a Specific Use Permit for a commercial amusement (outside) use on property zoned MU-1 Mixed Use District.

**SUMMARY:** The purpose of this request is to allow for the operation of a restaurant with outdoor pickleball courts.

**CPC RECOMMENDATION:** Approval for a two-year period, subject to a site/landscape plan and conditions.

**STAFF RECOMMENDATION:** Approval for a two-year period, subject to a site/landscape plan and conditions.

**Background Information**

- The requested site is currently undeveloped and zoned an MU-1 Mixed Use Zoning District.
- The applicant is seeking to develop a restaurant with outdoor pickleball courts. The outdoor pickleball component is considered a commercial amusement outside use under the Dallas Development Code. This use is allowable subject to a Specific Use Permit within the MU-1 Mixed Use Zoning District.

**Zoning History**

There have been no zoning cases in the area within the last five years.

**Thoroughfares/Streets**

<b>Thoroughfares/Street</b>	<b>Type</b>	<b>Existing/Proposed ROW</b>
Coit Road	Principal Arterial	100 feet Bike Plan

**Traffic**

The Transportation Development Services Division of the Transportation Department. Transportation Development Services has no objection to the proposed request subject to a parking demand analysis including calculation of projected peak parking demand need.

While a parking demand analysis was requested by the senior engineer to justify the proposed parking, the applicant is not seeking a reduction in the required parking as compared to the code recommended ratios.

**Comprehensive Plan**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006, outlining several goals and policies which 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:

**ECONOMIC ELEMENT**

**GOAL 2.1 PROMOTE BALANCED GROWTH**

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

**Policy 2.1.2** Ensure that Area Plans include an economic development component to address the economic factors of the areas in the context of the City as a whole.

**GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT**

**Policy 2.2.8** Target business recruitment to match industry with specific geographic areas.

**URBAN DESIGN ELEMENT**

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

**STAFF ANALYSIS**

**Surrounding Land Uses**

	<b>Zoning</b>	<b>Land Use</b>
Site	MU-1 Mixed Use District	Undeveloped
North	MU-1 Mixed Use District	Undeveloped
East	MU-1 Mixed Use District	Undeveloped
South	MU-1 Mixed Use District	Retail shopping mall
West	MF-1 Multifamily District	Multifamily with single family uses

**Land Use Compatibility**

The subject site is zoned an MU-1 Mixed Use District and consists of an undeveloped three-and-one-half-acre lot. The property is adjacent to undeveloped land to the north and east, multifamily, and single family uses to the west, and a retail shopping mall to

the south. The applicant is proposing to develop the site with a restaurant with outdoor pickleball courts to be developed in two phases.

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 a SUP for 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 per a comprehensive plan to promote the health, safety, morals, and general welfare of the city.

The applicant's request to allow for the operation for a commercial amusement (outside) limited to outdoor pickleball, subject to conditions that limit the hours of operation and prohibits outside speakers for the outdoor pickleball activities, is consistent with the existing MU-1 Mixed Use District, surrounding uses, the general provisions for a specific use permit. Hence, the commercial amusement (outside) limited to outdoor pickleball SUP request is not foreseen to have a negative impact on the surrounding properties. Therefore, staff recommends approval for an initial term of two years. This has been the standard for the proposed use and allows for review of the use after the first two-year period.

### **Parking**

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. For a commercial amusement (outside) use, the minimum parking requirement pursuant to the Dallas Development Code may be established by the ordinance granting the SUP, otherwise one space per 200 square feet of floor area, plus one space per 400 square feet of site area exclusive of parking area is required. For a restaurant without drive-in or drive-through service, as a main use, except as otherwise provided, one space per 100 square feet of floor area and as a limited or accessory use: except as otherwise provided, one space per 200 square feet of floor area. According to the submitted site plan the restaurant will be 3,500 square

feet requiring 35 parking spaces, the courts area is 3,520 square feet requiring 18 parking spaces and the cabanas will be 400 square feet requiring one parking space. Therefore, the proposed project section one requires a total of 54 parking spaces and the site plan indicates 131 parking spaces will be provided, which is more than the required parking spaces. Note that the extra parking spaces are being provided to address the future proposed courts. Note that the applicant is aware that an amendment for the SUP will be required when the future courts are developed.

### **Landscaping**

Landscaping shall be provided in accordance with Article X, as amended. Per the CPC recommendation, landscape is included on the site/landscape plan. The proposed landscape as shown on the site/landscape plan is an enhancement from the base Article X requirements, by providing an increased number of trees.

### **Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policymakers 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 in proximity to an "C" MVA Cluster to the west.

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**LIST OF OFFICERS**

**PAVILLION McCALLUM HOLDING, LTD**

**GENERAL PARTNER:**

Pavilion McCallum Holding  
Management, LCC  
Texas limited partnership  
Lou B Cagle, President

**CPC Action  
August 4, 2022**

**Motion:** It was moved to recommended **approval** of a Specific Use Permit for a commercial amusement (outside) use for a two-year period, subject to a revised site plan and conditions with the following additions: 1) light poles may not exceed 15 feet in height; 2) all outdoor lighting must be hooded and directed downwards and away from adjacent properties; 3) provide a 10-foot screening wall on the west side of the courts that will act as a sounds baffle; 4) subject to a revised site plan that does not show Future Courts and does show light poles; and 5) subject to the July 21, 2022 docket landscape plan on property zoned an MU-1 Mixed Use District, on the west line of Coit Road, south of McCallum Boulevard.

Maker: Haqq  
Second: Blair  
Result: Carried: 11 to 0

For: 11 - Popken, Hampton, Shidid, Carpenter, Blair,  
Jung, Housewright, Haqq, Stanard, Kingston,  
Rubin

Against: 0  
Absent: 1 - Anderson  
Vacancy: 3 - District 3, District 7, District 11

**Notices:** Area: 300 Mailed: 50  
**Replies:** For: 5 Against: 9

**Speakers:** For: James Cagle, 1221 W. Campbell Rd., Richardson, TX, 75080  
Against: Jay Ferris, 16319 Dalmalley Ln., Dallas, TX, 75248  
Zoe Meyer, 16742 Cleary Cir., Dallas, TX, 75248

Z201-333(OA)

**CPC Action**  
**July 21, 2022**

**Motion:** In considering an application for a Specific Use Permit for a commercial amusement (outside) use on property zoned an MU-1 Mixed Use District, on the west line of Coit Road, south of McCallum Boulevard, it was moved to **hold** this case under advisement until August 4, 2022.

Maker: Haqq  
Second: Rubin  
Result: Carried: 13 to 0

For: 13 - Popken\*, Hampton, Anderson, Shidid, Carpenter,  
Vann\*, Blair, Jung, Housewright, Haqq, Stanard\*,  
Kingston, Rubin

Against: 0

Absent: 1 - Gibson

Vacancy: 1 - District 3

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 50

**Replies:** For: 5 Against: 9

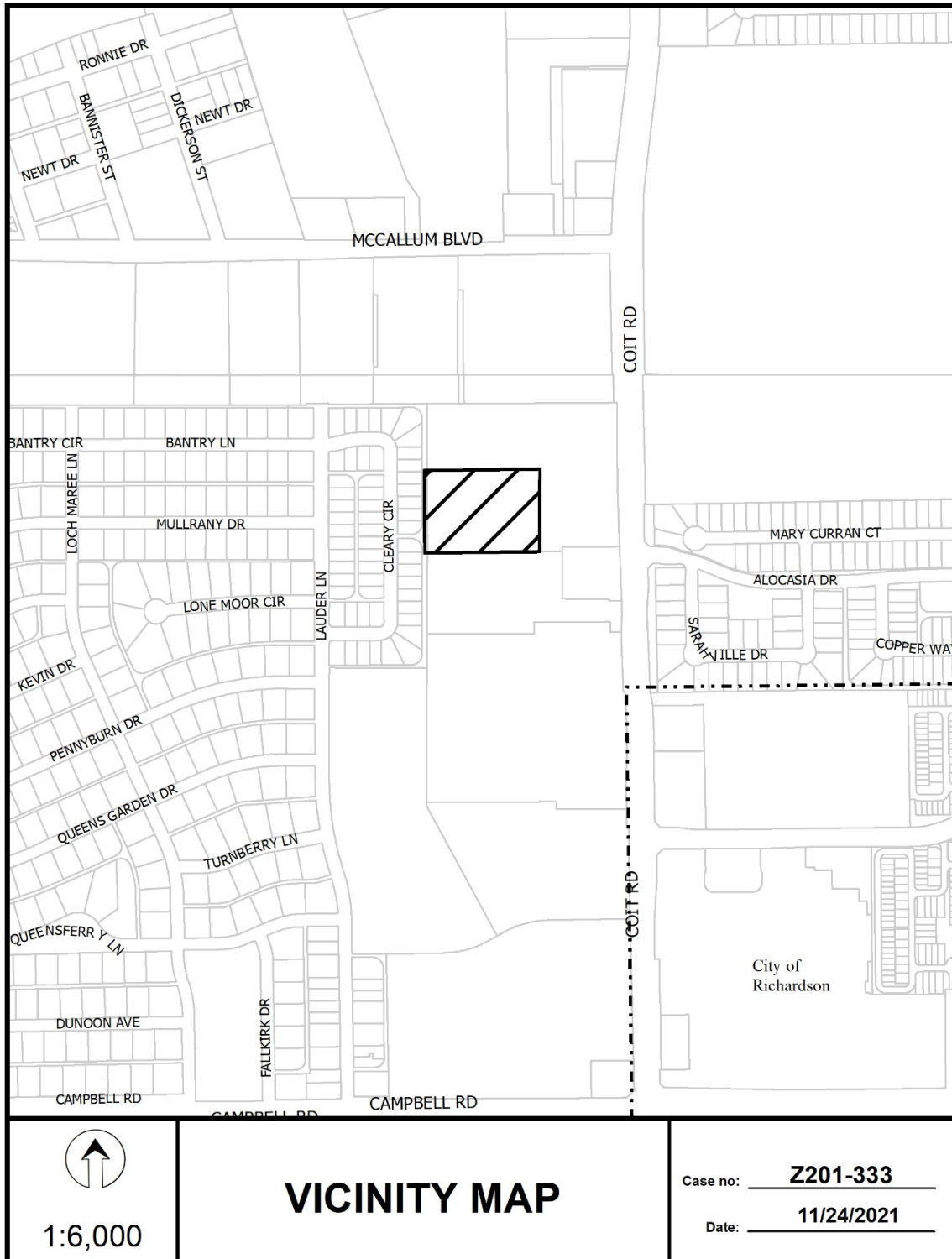
**Speakers: None**

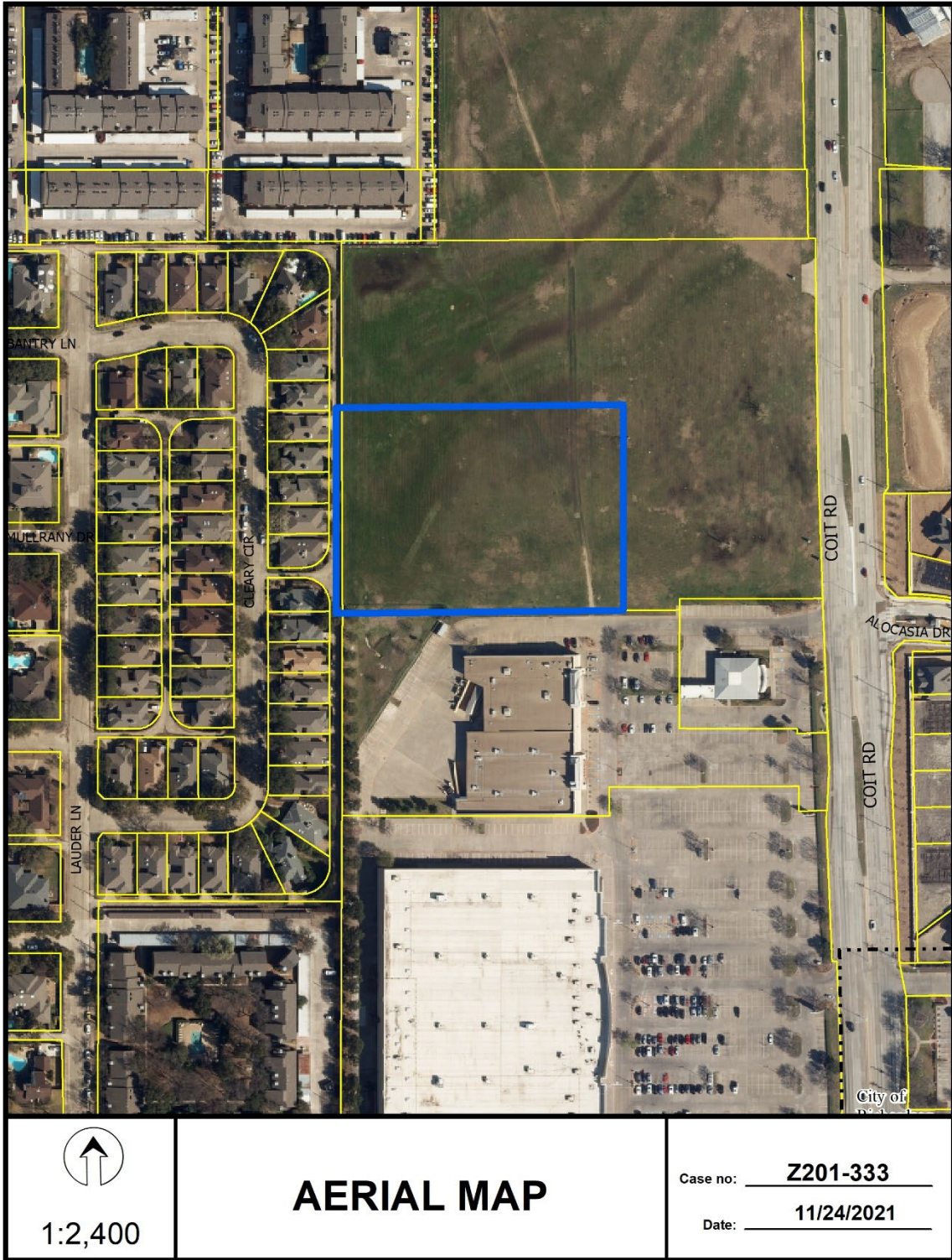


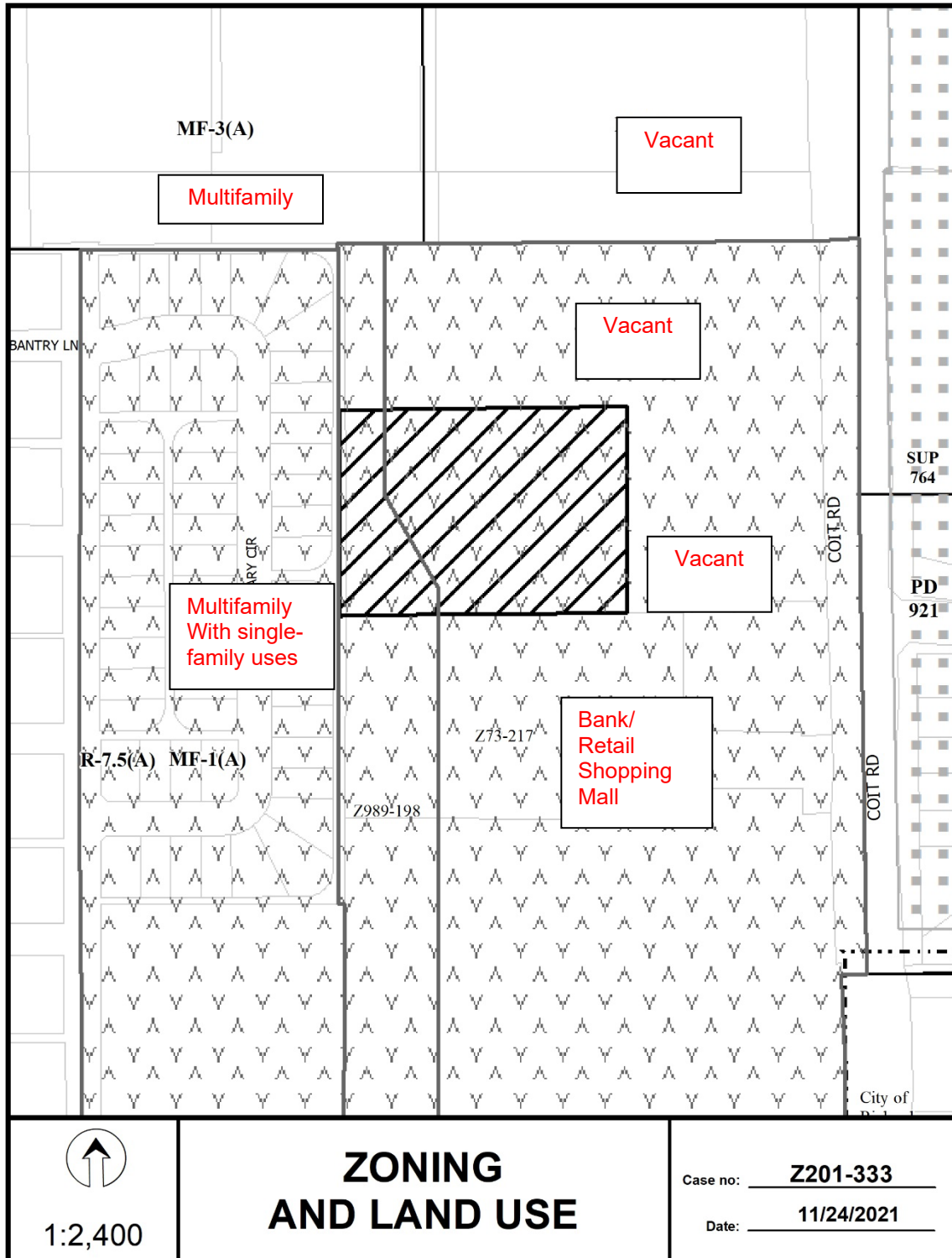
**CPC RECOMMENDED SUP CONDITIONS**

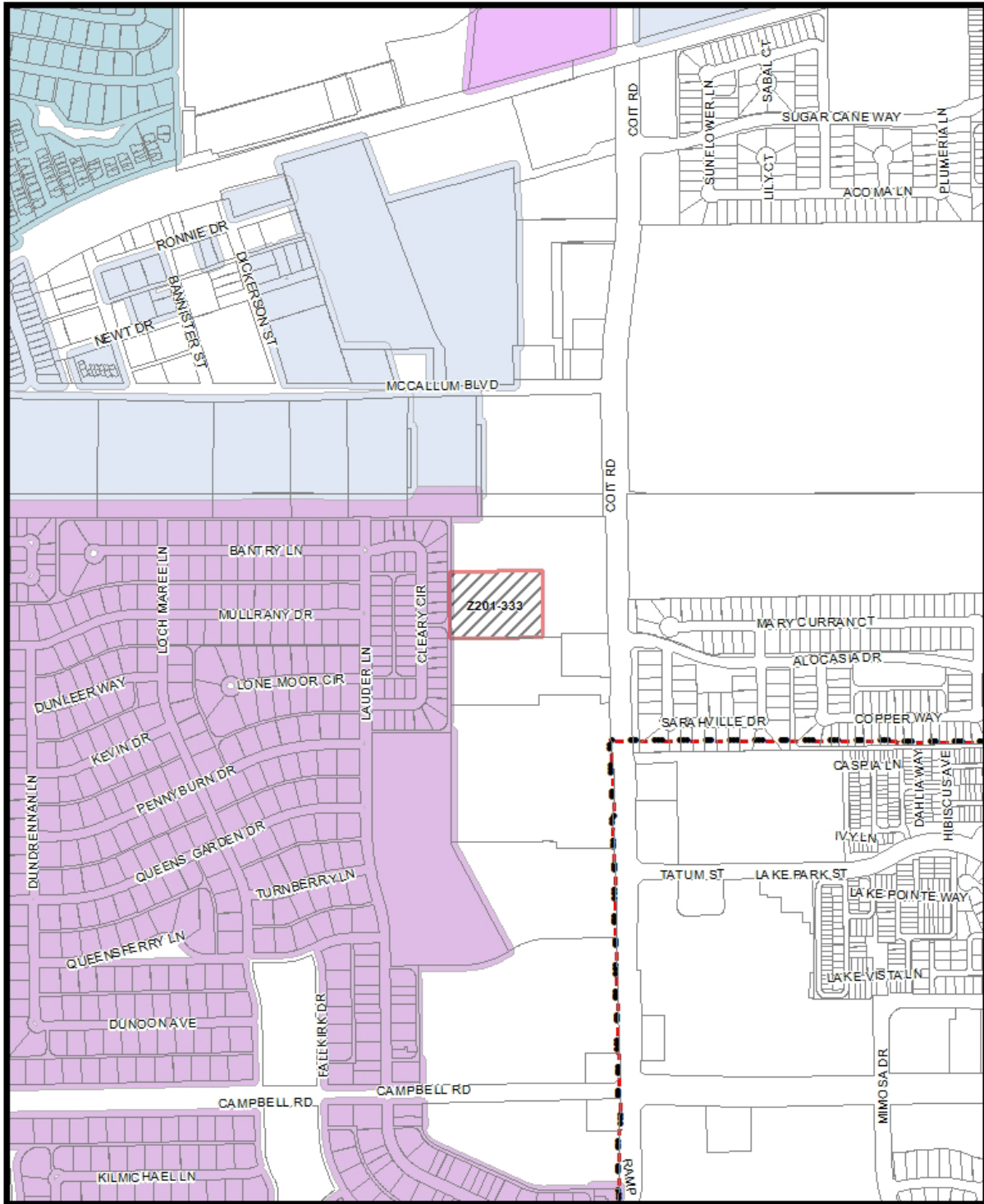
1. USE: The only use authorized by this specific use permit is commercial amusement (outside) limited to pickleball (games of skills).
2. SITE/LANDSCAPE PLAN: Use and development of the property must comply with the attached site/landscape plan.
3. TIME LIMIT: This specific use permit expires on ..... (two-year period from the passage of this ordinance).
4. AREAS: The maximum combined site area and floor area for a commercial amusement (outside) use is 10,520 square feet as indicated on the site/landscape plan.
5. PARKING: Parking must be located as shown on the attached site/landscape plan.
6. HOURS OF OPERATION: The commercial amusement (outside) use may only operate between the hours of 10 a.m. to 10 p.m.
7. OUTDOOR SPEAKERS: outdoor speakers are prohibited at the pickleball courts.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinance's rules and regulations of the City of Dallas.





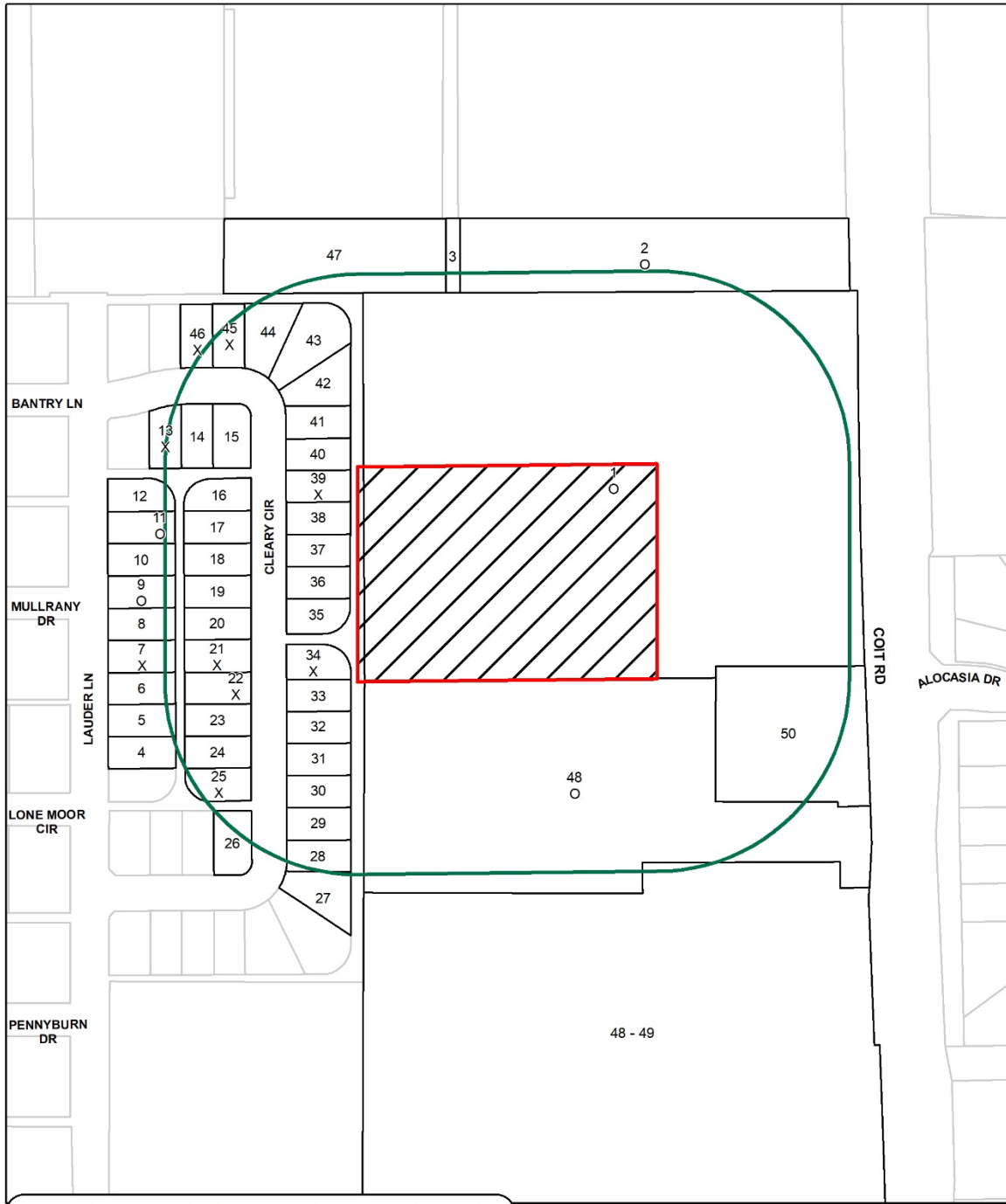






# Market Value Analysis

Printed Date: 5/20/2022



<u>50</u>	Property Owners Notified (50 parcels)
<u>5</u>	Replies in Favor (5 parcels)
<u>9</u>	Replies in Opposition (9 parcels)
<u>300'</u>	Area of Notification
<u>8/4/2022</u>	Date

**Z201 - 333**  
**CPC**



1:2,400

06/01/2022

***Reply List of Property Owners******Z201-333******50 Property Owners Notified 4 Property Owners in Favor 6 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	17001 COIT RD	PAVILLION MCCALLUM
O	2	7810 MCCALLUM BLVD	PAVILLION MCCALLUM
	3	7780 MCCALLUM BLVD	WINNER KING USA INC
	4	16706 LAUDER LN	BOETTCHE DOUGLAS H
	5	16710 LAUDER LN	HERNANDEZ SANDRA & CARLOS
	6	16714 LAUDER LN	VIERTEL ANNMARIE
X	7	16718 LAUDER LN	1985 SERVAIS FAMILY TRUST
	8	16722 LAUDER LN	PINGLETON ROBERT L & THERESA
O	9	16726 LAUDER LN	GSH HOLDING LLC
	10	16730 LAUDER LN	GUZIK BARBARA A
O	11	16734 LAUDER LN	LEVY WILLIAM M &
	12	16738 LAUDER LN	MO HONGJIAN &
	13	16751 CLEARY CIR	RING MARSHA E
	14	16747 CLEARY CIR	CLARK STACY
	15	16743 CLEARY CIR	ROSS GARRY D
	16	16719 CLEARY CIR	BOYLE TALMA
	17	16715 CLEARY CIR	PENA MINERVA E & ROGELIO A
	18	16711 CLEARY CIR	KAPLAN ALLISON
	19	16707 CLEARY CIR	TAN DEXTER &
	20	16703 CLEARY CIR	SACK HENRY P
X	21	16655 CLEARY CIR	JONES JEFFREY P
X	22	16651 CLEARY CIR	WEIL NELSON LLOYD
	23	16647 CLEARY CIR	TAYLOR MICHAEL L ETAL
	24	16643 CLEARY CIR	REYNOLDS SUSAN JENNIFER
	25	16639 CLEARY CIR	BARR DEREK & JULIE
	26	16615 CLEARY CIR	POTTER CYNTHIA DAVIS



06/01/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	16626 CLEARY CIR	FLESHER PAUL T & EMILY A
	28	16630 CLEARY CIR	ROACH MICHAEL A & KAYLEA E
	29	16634 CLEARY CIR	VENZOR MIREYA JEAN JIMENEZ
	30	16638 CLEARY CIR	POSEY ANNE W
	31	16642 CLEARY CIR	BUESCHER JORDAN
	32	16646 CLEARY CIR	ALMENDARES SONIA I
	33	16650 CLEARY CIR	STRUNC MARK A
X	34	16654 CLEARY CIR	FUERTES GUILLERMINA
	35	16702 CLEARY CIR	AMG INVESTORS LLC
	36	16706 CLEARY CIR	SUI BRIAN
	37	16710 CLEARY CIR	EDERY GABRIEL & ZAHAVA
	38	16714 CLEARY CIR	NOBLETT WENDY ANNE &
X	39	16718 CLEARY CIR	MCGRAEL JOSEPH MANUEL
	40	16722 CLEARY CIR	PASCHAL JANE
	41	16726 CLEARY CIR	RILEY CAROLE
	42	16730 CLEARY CIR	FELIX MONNA
	43	16734 CLEARY CIR	BYNUM BRIAN TERRY REV LIV TR
	44	16738 CLEARY CIR	GRAY DELORES F
X	45	16742 CLEARY CIR	MEYER ZOE A
	46	16746 CLEARY CIR	OSLIN VIVIAN L
	47	7780 MCCALLUM BLVD	WINNER KING USA INC
	48	16731 COIT RD	PAVILLION COURT HOLDING
	49	16731 COIT RD	TARGET CORPORATION
	50	16831 COIT RD	PAVILLION COURT HOLDING