#### CITY PLAN COMMISSION

THURSDAY, DECEMBER 5, 2024

Planner: Martin Bate

FILE NUMBER: Z234-178(MB) DATE FILED: February 26, 2024

**LOCATION:** North line of East Northwest Highway, east of Lockhaven Drive

**COUNCIL DISTRICT**: 10

SIZE OF REQUEST: 3.65 acres CENSUS TRACT: 48113013005

**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

OWNER: North Lake Meridian, LLC

APPLICANT: Daymore Opco, LLC

**REQUEST:** An application for a TH-3(A) Townhouse District on property

zoned an LO-1 Limited Office District with consideration for a Specific Use Permit for a private recreation center, club, or area, and with consideration for a Planned Development

District with LO-1 Limited Office District uses.

**SUMMARY:** The purpose of the request is to allow development of a

private recreation center, club, or area.

STAFF RECOMMENDATION: Approval of a Specific Use Permit for a private

recreation center, club, or area, subject to a site plan and staff's recommended conditions, <u>in lieu</u> of a Planned Development District for LO-1 Limited Office

District uses.

PRIOR CPC ACTION: On July 11, 2024, CPC moved to hold this case under

advisement until July 25, 2024. On July 25, 2024, CPC moved to hold this case under advisement until September 19, 2024. On September 19, 2024, CPC moved to hold this case under advisement until November 7, 2024 with instructions to staff to readvertise for an SUP for a private recreation center, club, or area. On November 7, 2024, CPC moved to hold this case under advisement until December 5, 2024 with instructions to staff to readvertise for a

Planned Development District.

#### **BACKGROUND INFORMATION:**

- The area of request is currently zoned an LO-1 Limited Office District. The property is currently developed with a vacant office building.
- The lot has frontage on East Northwest Highway, with a service road separating the lot from the main street.
- The applicant proposes to develop this property with a private recreation center, club, or area.
- To accomplish this, they request a Planned Development District with LO-1 uses to allow the private recreation center, club, or area by right, as well as additional regulations regarding hours of operation and lighting.
- The application was originally for a general zoning change to a TH-3(A) Townhouse District for development of single family homes. Applicant has since changed, and now intends to build a private recreation center, club, or area.
- Since the last hearing, the case report has been updated with applicant's request for a planned development district, staff's analysis of the appropriateness of a planned development district, and staff's recommendation regarding the request for a planned development district.
- Changes made to the report since the last hearing are highlighted in yellow.

## **Zoning History:**

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

## **Thoroughfares/Streets:**

Thoroughfare/Street	Туре	Existing/Proposed ROW
East Northwest Highway	Principal Arterial	107 feet

## Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not have a significant impact on traffic.

## **STAFF ANALYSIS:**

## **Comprehensive Plan:**

The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006 outlining 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 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

**Policy 1.1.7** Ensure appropriately located capacity to achieve growth targets.

#### **GOAL 1.2** PROMOTE DESIRED DEVELOPMENT

**Policy 1.2.1** Use Vision Building Blocks as a general guide for desired development patterns.

#### **ECONOMIC ELEMENT**

#### **GOAL 2.1** PROMOTE BALANCED GROWTH

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

## **URBAN DESIGN ELEMENT**

#### GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

**Policy 5.2.1** Maintain neighborhood scale and character.

#### **NEIGHBORHOODS ELEMENT**

#### **GOAL 7.1** PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

- **Policy 7.1.2** Promote neighborhood-development compatibility.
- **Policy 7.1.6** Follow a consistent neighborhood planning framework.

## **District 10 Strategic Plan**

The District 10 Strategic Plan, adopted by City Council on June 14, 2006, is intended to "strengthen Northeast Dallas communities, boost economic investment, and enhance the infrastructure within the district."

The strategic plan identified several community goals.

The proposed change complies with the following goals in the District 10 Strategic Plan:

**Goal 1** Establish a Plan for District 10 Supporting the Vision for Northeast Dallas Communities

Create and maintain neighborhood identity through sensitive development and urban design

Goal 2 Support Development that Promotes the Community Vision

- Support land use and zoning compatible with the vision
- Encourage owner-occupied residential development for a diversity of incomes and lifestyle needs
- Develop strategies that encourage reinvestment in deteriorating and vacant commercial areas

#### Land Use:

	Zoning	Land Use
Site	LO-1 Limited Office	Office (vacant)
North	R-7.5(A) Single Family	Single family
South	PD No. 906	Mini-warehouse
East	PD No. 775	Retirement housing, undeveloped
West	R-7.5(A)	Single family

## **Necessity for a Planned Development District:**

According to Sec. 4.702, the purpose of a planned development district is to provide flexibility in the planning and construction of development projects by allowing a combination of land uses developed under a uniform plan that protects contiguous land uses and preserves significant natural features.

Planned development (PD) districts are appropriate where the existing code may not accommodate a use or a development within the bounds of a conventional zoning district, or where unique site characteristics may necessitate relief or modification of certain base code provisions.

The applicant's proposed conditions for the planned development district do not contain substantial changes from the base development code requirements. The primary deviation is to allow a private recreation center by-right rather than via a Specific Use Permit (SUP), as is required in a base LO-1 Limited Office District.

Additional deviations include exemptions for structures in amenity areas from being shown on a conceptual plan, specification of parking requirements and a change to off-street loading requirements.

While the magnitude of deviations and enhancements alone is not the metric for determining the appropriateness of a planned development district, it does inform one as to the necessity of the district. A majority of the conditions, including off-street parking requirements, can be incorporated into an SUP for a private recreation center. The SUP may also specify hours of operation. Staff does not find that the remaining deviations are substantial enough to warrant a planned development district when considering the benefits to the public realm; the primary benefit of this development is providing recreational opportunities, and the placement of off-street loading spaces is not of sufficient significance to this benefit.

As such, staff does not support the request for a planned development district and recommends a Specific Use Permit (SUP) for a private recreation center, club, or area in lieu of a PD.

## Land Use Compatibility:

The area of request is currently developed with a vacant office building. The site is bordered by R-7.5(A) Single Family to the north and west, and two Planned Development Districts to the east and south. To the north and west are single family houses. To the east is an undeveloped site and retirement housing. To the south is a mini-warehouse.

The site is currently zoned an LO-1 Limited Office District. The applicant proposes developing the site with a private recreation center, club, or area. The development code defines this use as "an area providing private recreational facilities such as playgrounds, parks, game courts, swimming pools, and playing fields."

Staff finds that the requested use is compatible with the surrounding area. A private recreation center provides opportunities for exercise, entertainment, and leisure for both nearby residents and others in the area. The primary impact would be intensification of activity at the subject site. The impact of traffic on neighbors is mitigated by only allowing ingress/egress via E Northwest Highway. Noise concerns are mitigated by restricting hours of operation, particularly for outside areas. Both concerns may be addressed in a site plan or development plan and conditions, whether this use is provisioned via SUP or a PD. As such, staff finds the use to be compatible with the surrounding land uses.

The area of request is within the *forwardDallas!* urban neighborhood area / main street vision building block, which recommends denser living, working, and shopping options along the main street corridor while giving way to lower density development away from the main street. As this site fronts Northwest Highway, staff considers it appropriate. The proposal also furthers the comprehensive plan's goals of strengthening neighborhood identity and promoting vibrancy and viability of neighborhoods. Staff finds that the proposed zoning change would further these goals by allowing a valuable amenity within close proximity of several residential neighborhoods.

The area of request also supports the community vision of the District 10 Strategic Plan. The proposed change would allow for reinvestment in a vacant commercial area, which addresses the needs identified in the Strategic Plan. Replacing the vacant office site with a private recreation center would strengthen the character and identity of the neighborhood. As such, staff recommends approval of the requested use via a Specific Use Permit (SUP) in lieu of a Planned Development District.

## Landscaping:

Landscaping and tree preservation are required in accordance with the requirements in Article X, as amended.

Additionally, the applicant's proposed PD conditions request an exemption from residential buffer requirements for the eastern property line. As the eastern property line abuts an undeveloped site and driveways for a retirement housing site, staff does not oppose the exemption.

## Parking:

Pursuant to the Dallas Development Code, the base off-street parking requirement for a private recreation center is three spaces per game court and one space for each additional 150 square feet of floor area. However, the code also allows off-street parking to be established by an SUP.

The applicant requests one space per 280 square feet of floor area. Staff's recommended SUP conditions are one space per 280 square feet of floor area.

## **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 within an "E" MVA area.

## **List of Officers**

## North Lake Meridian, LLC

Maoshing A. Ni, Manager Scott Schoenberger, Manager Daoshing Ni, Manager

## Daymore Opco, LLC

Nick Clark, Manager Dawson Williams, Manager

## APPLICANT'S REQUESTED PD CONDITIONS

		ARTICLE	<u></u> ,
		PD	
SEC. 51P	101.	LEGISLATIVE HISTO	ORY.
PD	was establ	ished by Ordinance No	, passed by the Dallas City Council on
SEC. 51P-	102.	PROPERTY LOCATIO	ON AND SIZE.
		shed on property located at the ze of PD is approximate.	e northwest corner of Northwest Highway ately 3.654 acres.
SEC. 51P-	103.	DEFINITIONS AND IN	NTERPRETATIONS.
this article. In the of landscaping,	nis article, A porches or	AMENITY AREA means an patios that may be covered o	and interpretations in Chapter 51A apply to occupiable outdoor space that may consist or enclosed, dining areas, swimming pools laygrounds, parks, or associated structures
		erwise stated, all references ions, or sections in Chapter 5	to articles, divisions, or sections in this 51A.
(c) T	This district	t is considered to be a nonres	idential zoning district.
SEC. 51P-		EXHIBIT.	
The foll	owing exhi	bit is incorporated into this a	rticle: ExhibitA: conceptual plan.
SEC. 51P-	105.	CONCEPTUAL PLAN.	,
must comply w	ith the conc		area, development and use of the Property there is a conflict between the text of this ontrols.
	-	nenities, structures, or fixture ne conceptual plan.	es associated with an amenity area are no

## SEC. 51P- .106. DEVELOPMENT PLAN.

- (a) For a private recreation center, club, or area, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.
- (b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

## SEC. 51P-\_\_\_\_.107. MAIN USES PERMITTED.

- (a) Except as provided in this section, the only main uses permitted are those main uses permitted in the LO-1 District, subject to the same conditions applicable in the LO-1 District, as set out in Chapter 51A. For example, a use permitted in the LO-1 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 District is subject to DIR in this district; etc.
  - (b) The following additional main use is permitted by right:
    - -- Private recreation center, club, or area.

## SEC. 51P- .108. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

## SEC. 51P-\_\_\_\_.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Except as provided in this section, the yard, lot, and space regulations for the LO-1 District apply.

- (b) Height. Maximum structure height is 70 feet. The following structures may project up to 12 feet above the maximum structure height:
  - (i) Elevator penthouse or bulkhead.
  - (ii) Mechanical equipment room.
  - (iii) Cooling tower.
  - (iv) Tank designed to hold liquids.
  - (v) Ornamental cupola or dome.
  - (vi) Skylights.
  - (vii) Clerestory.
  - (viii) Visual screens which surround roof mounted mechanical equipment.
  - (ix) Chimney and vent stacks.
  - (x) Amateur communications tower.
  - (xi) Parapet wall, limited to a height of four feet.
- (f) <u>Encroachments</u>. Encroachments such as awnings, balconies, bay windows, ramps, retaining walls, stairs, stoops, patios, and unenclosed porches are permitted to be located within the front, side, and rear yards, and do not need to be shown on the development plan.

## SEC. 51P- .110. OFF-STREET PARKING AND LOADING.

- (a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (b) For a private recreation center, club or area, one space per 280 square feet of floor area must be provided.
- (c) Off-street loading spaces may be located in the front yard if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided using any of the methods described in Section 51A-4.602(b)(3).

## SEC. 51P-\_\_\_\_.111. DESIGN STANDARDS FOR PRIVATE RECREATION CENTER, CLUB OR AREA.

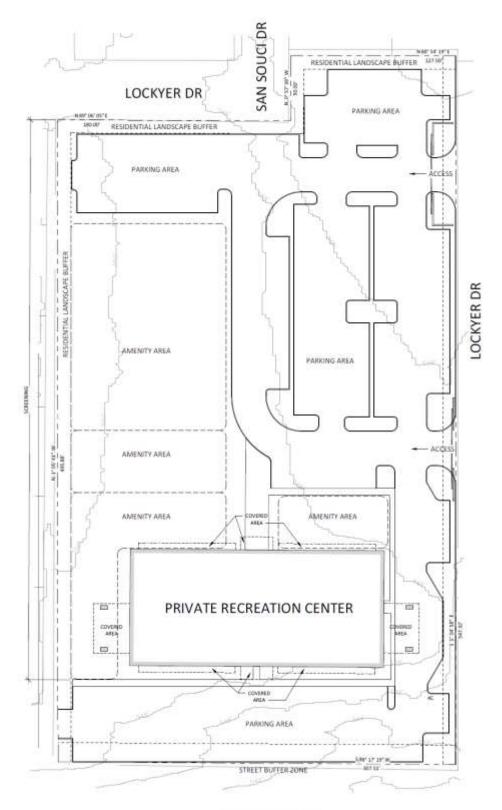
#### (a) Amenity areas.

- (1) <u>Outdoor swimming pool</u>. Except as provided in this paragraph, an outdoor swimming pool may operate between 10:00 a.m. and 9:00 p.m., Monday through Sunday. On national holidays, an outdoor swimming pool may operate between 10:00 a.m. and 12:00 a.m. (midnight), Monday through Sunday.
  - (2) Outdoor sound and lighting.

(A) adjacent residential districts.	Outdoor lighting must be oriented down and positioned away from
	Except as provided in this paragraph, amplified outdoor sound and ween 10:00 a.m. and 9:00 p.m., Monday through Sunday. On national sound and lighting is permitted between 10:00 a.m. and 12:00 a.m. Sunday.
SEC. 51P112.	ENVIRONMENTAL PERFORMANCE STANDARDS.
See Article VI.	
SEC. 51P113.	LANDSCAPING.
(a) Except as prowith Article X.	vided in this section, landscaping must be provided in accordance
(b) A residential l	andscape buffer is not required along the eastern Property line.
(c) A landscape b shall be provided along North	uffer with a minimum width of five feet, measured from back of curb nwest Highway.
(d) Street trees mocurb or in a landscape buffer	ust be located on the building site within 70 feet of the projected street in the public right-of-way.
(e) Plant material	s must be maintained in a healthy, growing condition.
SEC. 51P114.	SIGNS.
Signs must comply w	ith the provisions for business zoning districts in Article VII.
SEC. 51P115.	ADDITIONAL PROVISIONS.
(a) The Property appearance.	must be properly maintained in a state of good repair and near
	t and use of the Property must comply with all federal and state laws ordinances, rules, and regulations of the city.
SEC. 51P116.	COMPLIANCE WITH CONDITIONS.

- (a) 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 city.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

## **APPLICANT'S PROPOSED CONCEPTUAL PLAN**

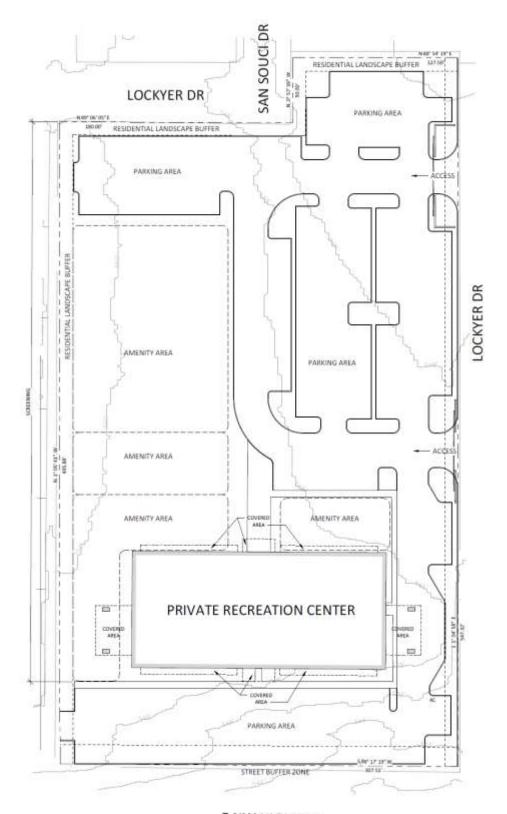


**E NW HIGHWAY** 

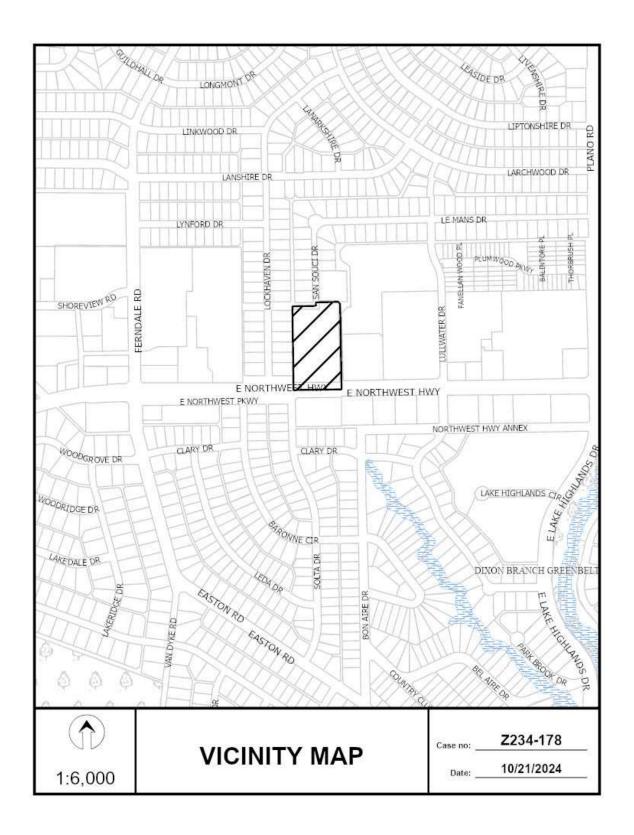
## STAFF'S RECOMMENDED SUP CONDITIONS

- 1. <u>USE</u>: The only use authorized under this specific use permit is a private recreation center, club, or area.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT:</u> This specific use permit does not expire.
- 4. <u>OFF-STREET PARKING</u>: For a private recreation center, club, or area, one space per 280 square feet of floor area must be provided.
- 5. <u>HOURS OF OPERATION</u>: An outdoor swimming pool operate between 10:00 a.m. and 9:00 p.m., Monday through Sunday. On national holidays, an outdoor swimming pool may operate between 10:00 a.m. and 12:00 a.m. (midnight), Monday through Sunday.
- 6. <u>SOUND AND LIGHTING</u>: Outdoor lighting must be oriented down and positioned away from adjacent residential districts. Amplified outdoor sound and lighting is only permitted between 10:00 a.m. and 9:00 p.m., Monday through Sunday. On national holidays, amplified outdoor sound and lighting is permitted between 10:00 a.m. and 12:00 a.m. (midnight), Monday through Sunday.
- 7. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 8. <u>GENERAL REQUIREMENTS</u>: 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.

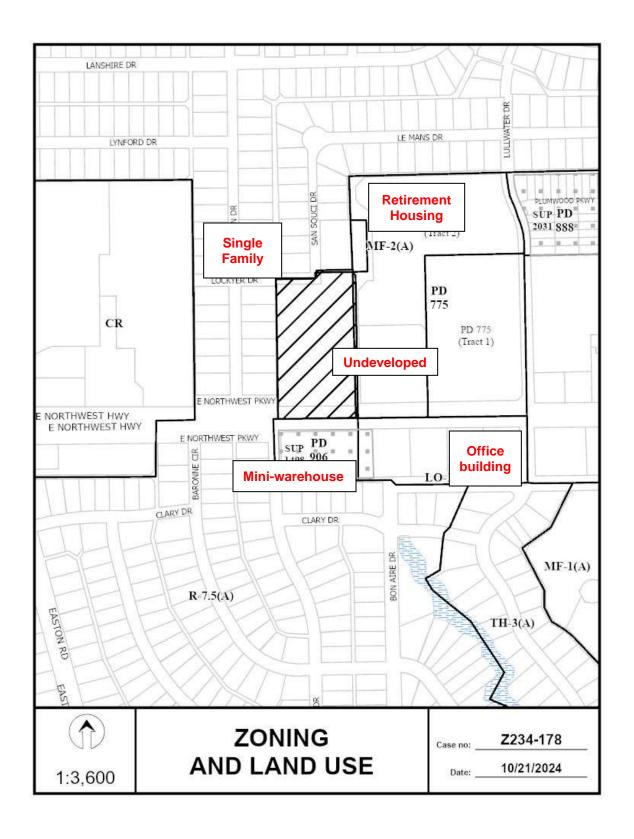
## STAFF'S RECOMMENDED SUP SITE PLAN

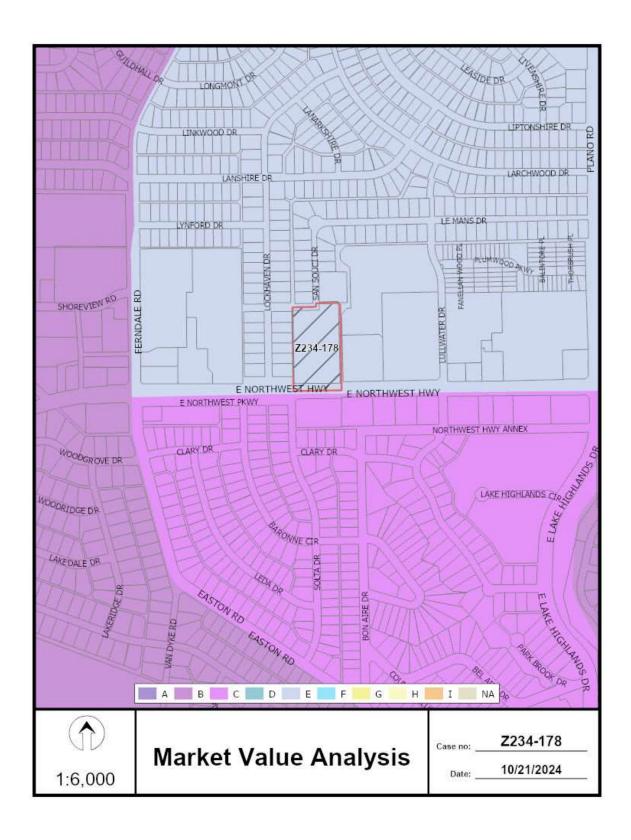


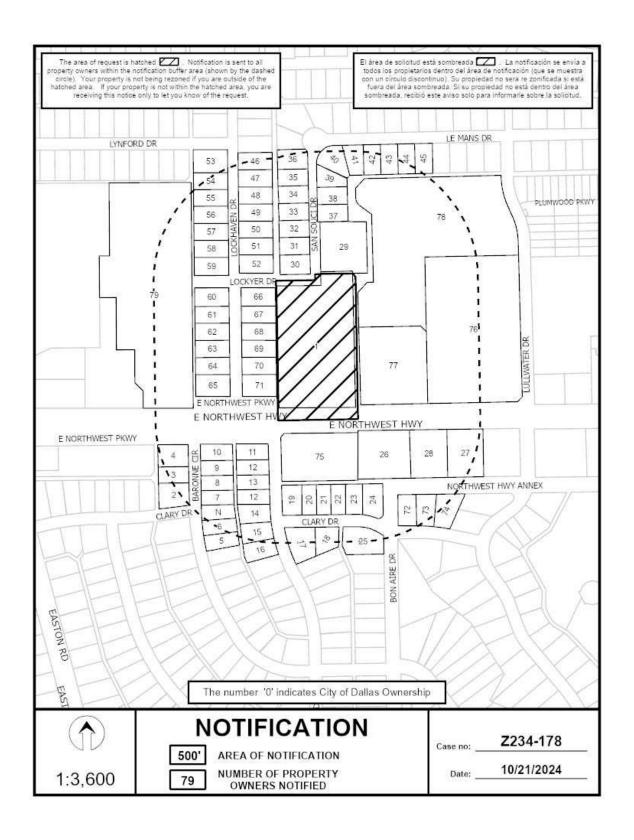
**E NW HIGHWAY** 











10/21/2024

# Notification List of Property Owners Z234-178

## 79 Property Owners Notified

Label #	Address		Owner
1	10405	E NORTHWEST HWY	NORTH LAKE MERIDIAN LLC
2	10123	BARONNE CIR	OCEGUEDA PRICILLA
3	10115	BARONNE CIR	KING MICHAEL & SHANNON
4	10111	BARONNE CIR	ABDULRAHMAN ARDULHAMID
5	10136	BARONNE CIR	CASTANEDA JOSE &
6	10132	BARONNE CIR	YOUNG TYLER FREDERICK &
7	10122	BARONNE CIR	ROHLING EDWARD III
8	10116	BARONNE CIR	GRINNAN BRIANA E & PATRICK M
9	10112	BARONNE CIR	BROWN THORNTON &
10	10106	BARONNE CIR	SAID FOZIA ABDULRAHMAN
11	10573	SOLTA DR	MORENO VICTOR &
12	10567	SOLTA DR	KINDLE TERESA M
13	10563	SOLTA DR	MIHALOPOULOS JOHN
14	10553	SOLTA DR	OTOOLE LINDA S &
15	10547	SOLTA DR	JOLLY GAVIN B & MALLARY
16	10543	SOLTA DR	JONES DANIEL SUNDERMANN &
17	10404	CLARY DR	CHILDS RUTH PAULINE TR
18	10414	CLARY DR	SAHASRABUDHE AMIT M &
19	10560	SOLTA DR	DOROUGH RAMONA JEWEL MARIA &
20	10409	CLARY DR	RADCLIFFE JEREMY &
21	10415	CLARY DR	GLAZE BETSY R
22	10421	CLARY DR	RADCLIFFE JEREMY D
23	10425	CLARY DR	KAPADIA NISHIT
24	10431	CLARY DR	KEIERLEBER MELVIN JR &
25	131	BON AIRE DR	BURNS BRIAN & JESSICA MARIE
26	10440	E NORTHWEST HWY	FOCUS REAL ESTATE LLC

## 10/21/2024

Label #	Address		Owner
27	10464	E NORTHWEST HWY	NW HILLTOP HOUSE LLC
28	10450	E NORTHWEST HWY	NW HILLTOP HOUSE LLC
29	8608	SAN SOUCI DR	WILLIAMS JAMES L &
30	8605	SAN SOUCI DR	NIXON JENNIFER
31	8611	SAN SOUCI DR	LAWSON MARSHA &
32	8617	SAN SOUCI DR	RICHMOND GINA MICHELLE
33	8623	SAN SOUCI DR	MALCHODI WILLIAM J
34	8629	SAN SOUCI DR	GILBERT JONATHAN B
35	8635	SAN SOUCI DR	GEBHARD JOHN &
36	8641	SAN SOUCI DR	SWEENEY RHONDA & GREGORY
37	8620	SAN SOUCI DR	WALLACE JAMES CLARE III LIFE EST
38	8628	SAN SOUCI DR	BTHI ONE LLC
39	8636	SAN SOUCI DR	PAYNE HANNAH K
40	10510	LE MANS DR	PAYNE DARWIN & PHYLLIS
41	10524	LE MANS DR	FOSTER JAMIE
42	10528	LE MANS DR	MCCLURE BRITTANY RENEE
43	10534	LE MANS DR	AMSPOKER JESSICA N
44	10538	LE MANS DR	BAKER AUTUMN H & DAVID F
45	10544	LE MANS DR	DECORREVONT DAVID J &
46	8634	LOCKHAVEN DR	MACKEY MARQUES & ERICA
47	8628	LOCKHAVEN DR	Taxpayer at
48	8624	LOCKHAVEN DR	COX COLEENE
49	8618	LOCKHAVEN DR	BARNES JONATHAN D &
50	8614	LOCKHAVEN DR	HENRY MICAH R & SHAREN D
51	8608	LOCKHAVEN DR	TAYLOR JAMES SHAWN & VIRGINIA LEE
52	8604	LOCKHAVEN DR	LOWE BRUCE WAYNE JR
53	8635	LOCKHAVEN DR	MIHALOPOULOS HOLDINGS LLC
54	8629	LOCKHAVEN DR	SMITH RACHEL
55	8625	LOCKHAVEN DR	WYATT STEPHON B &
56	8619	LOCKHAVEN DR	HARRIS CHAD & MEGAN
57	8615	LOCKHAVEN DR	OGILVIE DANIEL W & LAYNE C

## 10/21/2024

Label #	Address		Owner
58	8609	LOCKHAVEN DR	BALL PATRICIA
59	8605	LOCKHAVEN DR	MEYERS MATTHEW & KAITLYN
60	8529	LOCKHAVEN DR	ARENSMAN MARY E
61	8525	LOCKHAVEN DR	GREEN LINDA HICKS
62	8521	LOCKHAVEN DR	GIBSON LAUREN WOOD & JEMAL DEFRANZ JR
63	8515	LOCKHAVEN DR	Taxpayer at
64	8509	LOCKHAVEN DR	ROUBLE JANA
65	8505	LOCKHAVEN DR	PETRIN NOEL ABRAHAM &
66	8528	LOCKHAVEN DR	SOOD ANUBHA
67	8524	LOCKHAVEN DR	ROBINSON JAMES M &
68	8520	LOCKHAVEN DR	BARRY EMILY
69	8514	LOCKHAVEN DR	SINNOTT STEFANI A
70	8508	LOCKHAVEN DR	PIEROTTI MICHAEL E &
71	8504	LOCKHAVEN DR	IRVING DEMARCUS KENTA & TAWALLA D
72	10441	CLARY DR	TUMLINSON BARBARA & JAMES
73	10445	CLARY DR	BOLDEN DARRELL R &
74	10451	CLARY DR	Taxpayer at
75	10410	E NORTHWEST HWY	PS LPT PROPERTIES INVESTORS
76	8501	LULLWATER DR	CPF SENIOR LIVING
77	10409	E NORTHWEST HWY	TURTLE CREEK RESERVE LLC
78	8615	LULLWATER DR	JSC LAKE HIGHLANDS REALTY LP
79	10233	E NORTHWEST HWY	NORTHLAKE CENTER PARTNERS LTD