HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, OCTOBER 26, 2022

ACM: Majed Al-Ghafry

FILE NUMBER: Z212-241(RM) DATE FILED: April 18, 2022

LOCATION: South line of Dilbeck Lane, east of Preston Road

COUNCIL DISTRICT: 11

SIZE OF REQUEST: Approx. 12.47 acres CENSUS TRACT: 0136.08

REPRESENTATIVE: Suzan Kedron, Jackson Walker LLP

OWNER/APPLICANT: Tennis Club Partners LLC

REQUEST: An application for an amendment to Specific Use Permit No.

502 for a private recreation center, club, or area on property

zoned an R-16(A) Single Family District.

SUMMARY: The purpose of the request is to allow modified development

standards primarily related to paving, parking, access, landscaping, and building standards to allow the continued use of the site as a private recreation center, club, or area.

CPC RECOMMENDATION: Approval, subject to a revised site/landscape plan and

revised conditions.

STAFF RECOMMENDATION: Approval, subject to a revised site/landscape plan and

revised conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned an R-16(A) Single Family District and is developed with a private recreation center, club, or area. This use is permitted by Specific Use Permit No. 502, which has a permanent time frame.
- SUP No. 502 was originally approved on February 16, 1970 for a private recreation center, club, or area. At this time, the SUP included nine (9) conditions for standards such as paving, parking, screening, and lighting. The original site plan for the SUP was included as well. SUP No. 502 replaced SUP No. 277 for a country club, which was adopted as part of the 1965 comprehensive zoning ordinance.
- On June 1, 1973, the SUP was updated with additional conditions for landscaping and buildings, bringing the total number of conditions up to 21. At this time, the site plan was also updated to reflect these additional conditions.
- SUP No. 502 saw later updates on July 16, 1980 and July 29, 1981, which were primarily intended to update the site plan. The 1981 update also included a 22nd condition for an office building in the southwest corner of the site.
- The most recent major update to the SUP was approved on August 12, 1992. This
 update amended Item 7 for lighting by restricting spillover lighting onto neighboring
 residential lots. The site plan was also updated at this time to reflect the change.
- The 1992 update to SUP No. 502 saw a minor amendment approved on June 26, 1998. This minor amendment added a children's activity center to the site. A second minor amendment was approved on July 3, 2002 to enclose the existing tennis courts and add more parking.
- Based on aerial imagery, it appears the improvements proposed with the minor amendments in 1998 and 2002 were not constructed. For this reason, the site plan from the 1992 update is included in this report as the existing site/landscape plan showing the most recent improvements to the site.
- With this request, the applicant proposes to continue the use of the site as a private recreation center, club, or area while proposing modified development standards primarily related to paving, parking, access, landscaping, and building standards.

Zoning History:

There have been two zoning cases in the area in the last five years.

1. **Z201-346:** On November 18, 2021, the City Plan Commission recommended denial of an MU-1 Mixed Use District on property zoned an R-16(A) Single Family District at the northwest corner of Lyndon B. Johnson Freeway and Copenhill Road.

2. **Z212-254:** On April 26, 2022, staff received an application for an amendment to Planned Development District No. 16 on the east line of Preston Road, north of Lyndon B. Johnson Freeway.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Dilbeck Lane	Local Street	-
Preston Road	Principal Arterial	112 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 ANALYSIS:

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 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.

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.

GOAL 5.2 STENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Land Use:

	Zoning	Land Use
Site	R-16(A) with SUP No. 502 for a private	Private recreation center, club,
	recreation center, club, or area	or area
North	R-16(A)	Single family
East	R-16(A)	Single family
South	R-16(A), PD No. 16 with deed restrictions [Z056-162]	Single family, vacant
		Retail, personal service use,
West	RR	restaurant without drive-in or
MACOL	INIX	drive-through service, financial
		institution with drive-in window

Land Use Compatibility:

The area of request is currently developed with a private recreation center, club, or area. To the north, east, and south is single family. Also to the south is a vacant site previously used as a personal service use. To the west are several commercial uses including retail, personal service, restaurant without drive-in or drive-through service, and financial institution with drive-in window. Staff finds the applicant's continued use of the site as a private recreation center, club, or area to be compatible with surrounding uses in the area.

With this request, the applicant proposes updates to the existing site/landscape plan and conditions of SUP No. 502 to allow an expansion of the use while staying within the confines of the existing site and continuing to provide buffering with the adjacent single family.

Updates to the conditions are primarily related to paving, parking, access, landscaping, and building standards. While the applicant proposes to remove or modify some of the existing conditions, they are not adding any new conditions to the SUP. Notably, the applicant proposes to remove the berm on the north side of the existing parking lot to add more parking in this area. The loss of this screening berm will be mitigated by the addition

of trees and landscaping along the Dilbeck frontage. The updated conditions will also require that unless existing cedar fencing is maintained, a screening wall consisting of masonry, tubular steel, or living plant screens will be required along the south property line and the southerly most 70 feet of the east property line. The applicant also proposes a continuous eight-foot minimum height hedge planting along the north fence line.

On the site/landscape plan, the applicant proposes to retain the existing tennis and office buildings as well as many of the existing tennis courts. They propose to add a new 31,500-square foot two-story clubhouse building parallel to the north fence line. They also propose to add the following structures to the east of the existing 41,000-square-foot tennis building:

- One 3,600-square-foot one-story clubhouse building;
- Two 2,400-square-foot one-story shade pavilions;
- One 9,500-square-foot one-story tennis building;
- One 7,200-square-foot one-story tennis building; and
- Four new tennis courts.

The applicant also proposes to add parking and landscaping around the existing tennis and office buildings. The existing north-south entrance drive will be rerouted to curve towards the existing parking lot. A security booth will be added along this drive as well as additional trees and landscaping. A loading drive will be extended off of this new entrance drive to serve the new 31,500-square-foot two-story clubhouse building. Lastly, an additional drive will be extended along the southern edge of the existing 41,000-square-foot tennis building to access the courts, and parking spaces will be added along this drive.

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.

Staff supports the request because it will allow the expansion of a use on a decades old site while staying within the confines of this site. The proposal will also continue to provide adequate buffering between the non-residential use and the adjacent single family surrounding a majority of the property. It therefore meets the criteria for an SUP in Chapter 51A in that the use will be developed in a way that will be consistent with the character of the surrounding neighborhood.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements shown on the updated site/landscape plan and conditions.

Parking:

Pursuant to the Dallas Development Code, if an SUP is required for a private recreation center, club, or area, the off-street parking requirement may be established by the ordinance granting the SUP. Otherwise, three spaces are required for each game court, and one space is required for each additional 150 square feet of floor area.

The parking ratio in the existing SUP conditions requires a minimum of two spaces for each tennis court and one space per 100 gross square feet of clubhouse area, excluding indoor courts and locker rooms and dressing facilities.

The applicant proposes to replace this condition to just require a minimum of four spaces for each tennis, pickleball, and padel court. Per the proposed site/landscape plan, this would require a minimum of 140 spaces for the 35 courts proposed for the site. As indicated on the site/landscape plan, the site will provide 180 spaces.

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

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I). The area of request is not currently within an MVA cluster but abuts a "B" MVA cluster to the north, east, and south.

List of Officers

Tennis Club Partners LLC

Brady Wood, Managing Member and Owner

CPC Action September 15, 2022

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 502 for a private recreation center, club, or area, subject to a revised site/landscape plan and revised conditions; as briefed, with an added provision to prohibit outdoor speakers on property zoned an R-16(A) Single Family District on the south line of Dilbeck Avenue, east of Preston Road.

> Maker: Shidid Second: Blair

Result: Carried: 13 to 0

> For: 13 - Popken, Hampton, Anderson, Shidid,

Carpenter, Vann, Blair, Jung, Housewright,

Hagg*, Stanard, Kingston, Rubin

Against: 0 Absent: 0

2 - District 3, District 11 Vacancy:

*out of the room, shown voting in favor

Notices: 400 Mailed: 70 Area: 8 Replies: Against: For: 6

Speakers: For: Luke Franz, 2323 Ross Ave., Dallas, TX, 75206

> Hannah Rice, 6060 Dilbeck Ln., Dallas, TX, 75240 Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75206 Lee Kleinman, 7336 Hill Forest Dr., Dallas, TX, 75230 Darren Boyd, 6060 Dilbeck Ln., Dallas, TX, 75240 Paul Averitt, 6130 Dilbeck Ln., Dallas, TX, 75240

For (Did not speak): Sabrina McCulloch, 13207 Hughes Cr., Dallas, TX, 75240 Christina Geyer, 2400 Bennett Ave., Dallas, TX, 75206 Jamie Gallagher, 11468 Dumbarton Dr., Dallas, TX, 75228 John Nallon, 5011 Morris Ave., Addison, TX, 75001 Douglas Eckstein, 18081 Midway Rd., Dallas, TX, 75287 Biff Sonrgess, 2712 Throckmorton St., Dallas, TX, 75219 Katherine Jones, 14606 Dallas Pkwy., Dallas, TX, 75254 Jeff Bruton, 500 Meadow Knoll Ct., Keller, TX, 75248 Brady Wood, 5121 Southbrook Dr., Dallas, TX, 75209 Isabella Dickey, 7151 Gaston Ave., Dallas, TX, 75214 Brandi Rickels, 306 Thorman Pl., San Antonio, TX, 78209 Shawn Edwards, 6060 Dilbeck Ln., Dallas, TX, 75240 Glen Agritelley, 6060 Dilbeck Ln., Dallas, TX, 75240 Angela Allin, 6060 Dilbeck Ln., Dallas, TX, 75240

Against: Lora Pickar, 6120 Dilbeck Ln., Dallas, TX, 75240

Randy Carter, 13115 Copenhill Rd., Dallas, TX, 75240
Against (Did not speak): Barry Fenton, 6229 Dilbeck Ln., Dallas, TX, 75240

CPC RECOMMENDED CONDITIONS

- 1. <u>Site Plan</u>: Utilization of the property shall be in accordance with the revised site/landscape plan approved by the City Plan Commission on June 11_______, 1981 2022, which is attached to and made part of this ordnance.
- 2. <u>Uses</u>: No uses shall be permitted under the Specific Use Permit except those uses shown on the approved site plan.
- 3. Paving: All driveways, entrances, and parking areas shall have a minimum surfacing of six (6) inches compacted gravel and two (2) coats of penetration asphalt and appropriate roadbase material and standard paving materials, including but not limited to asphalt, concrete, concrete unit pavers, clay pavers, or permeable paving systems designed and installed for vehicular areas. The developer shall bear the total cost and maintenance of all such improvements, including curb and drainage structures that may be necessary.
- 4. <u>Parking</u>: Off-street parking shall be provided at a minimum ratio of two four spaces for each tennis, pickleball, and padel court and one space per 100 gross square feet of clubhouse area, excluding indoor courts locker rooms and dressing facilities as indicated on the approved site plan.
- 5. <u>Screening</u>: Screening shall consist of landscaping as indicated on the approved site plan. All trees, hedges, and shrubs shall be maintained in a healthy and growing condition. Where off-street parking is adjacent to a property line abutting a residential district, whether separated by an alley or easement or not, a solid fence not less than three (3) feet in height shall be provided along such property line.
- 6. <u>Signs</u>: Only one identification sign shall be permitted and shall not exceed a maximum area of 12 square feet and shall not exceed a maximum height of 6 feet. Such sign shall not be revolving, flashing or intermittently lighted.
- 7. <u>Lighting</u>: All lighting of outdoor tennis courts must be shown on the approved site plan and must include the location and height of light poles or standards and type of lights to be used. Such lighting must be diverted away from the adjacent residential districts and is not permitted after 11:00 P.M. Spillover light on neighboring residential lots must not exceed 0.1 footcandle measured at a point five feet inside the residential lot line and five feet above the ground surface.
- 8. <u>Residence</u>: The single family residence as indicated on the original site plan shall be deleted.
- 9. Access: Ingress and egress shall be limited to on Dilbeck Lane.
- 10. <u>General Requirement</u>: This Specific Use Permit shall comply with the requirements of all Departments of the City of Dallas.

- 11. <u>Maintenance</u>: The entire premises shall be maintained in a state of good repair and tidy appearance.
- 12. <u>Landscaping in Dilbeck area</u>: Thirteen (13) live oak trees, 18 ft. to 20 ft., minimum 3" caliper, spaced so as to screen new proposed tennis building as well as existing tennis structure. A berm to be built north of the existing parking lot as shown, to be approximately 5 ft. in average height with a minimum 3 ft. of vegetation screening to be planted on the top of the berm. Such vegetation mentioned in the above paragraph shall be allowed to grow to a height to completely screen the tennis building, from Dilbeck Lane.
- 13. <u>Utility Building: Construction to be of metal or wood type with exterior to be painted to be congruent with existing construction with siding to be a light tan or beige and the roof a darker brown.</u> <u>Maximum size to be 30 ft. by 100 ft. with a maximum height of 10 ft.</u>
- 14. Screening on south property line and southerly most 70 ft. of east property line: As indicated on the attached drawing between points A and B, a solid six (6) ft. fence, red cedar, posts to be 4" by 4" set in concrete on 8 ft. centers, 1" by 411 siding, 2" by 3" horizontal member bracing; the fence will be installed along the southerly most 70 ft. of the east property line. A screening wall consisting of masonry, tubular steel, or living plant screens shall be required, unless existing cedar fencing is maintained in place.
- 15. Landscaping on north & south side of tennis building: Euonymus plants to be planted with stringers extending from grade to roof gable on one (1) foot centers the entire width of the building, except for door openings; approximate quantity 100 on each end. Ori the north and south sides of the existing tennis building these Euonymus plants should be allowed to mature in o der to cover the metal sides up to the roof line.
- 15. Tennis Building: To be combination metal and masonry similar to the existing building; height to be a maximum of two (2) ft. less than the height of the existing structure. Masonry separation partitions to be built. Magnolia trees, 5 ft. to 7 ft. tall, to be planted in each modular separation, on approximate twenty five (25) ft. centers as has been done on the west side of the existing building. Vertical green treatment, 12 ft. tall, to be planted in each modular separation.

*A building permit shall not be issued for the construction of this tennis building until all landscaping has had time to mature and an inspection of the property is made by the City Planning Commission, its staff, a representative of the Building Inspection Division of the Department of Housing and Urban Rehabilitation, a representative of the Preston North Homeowners Association, and a representative of the T Bar M Racket Club. After this inspection a majority must be in agreement that this building permit be issued.

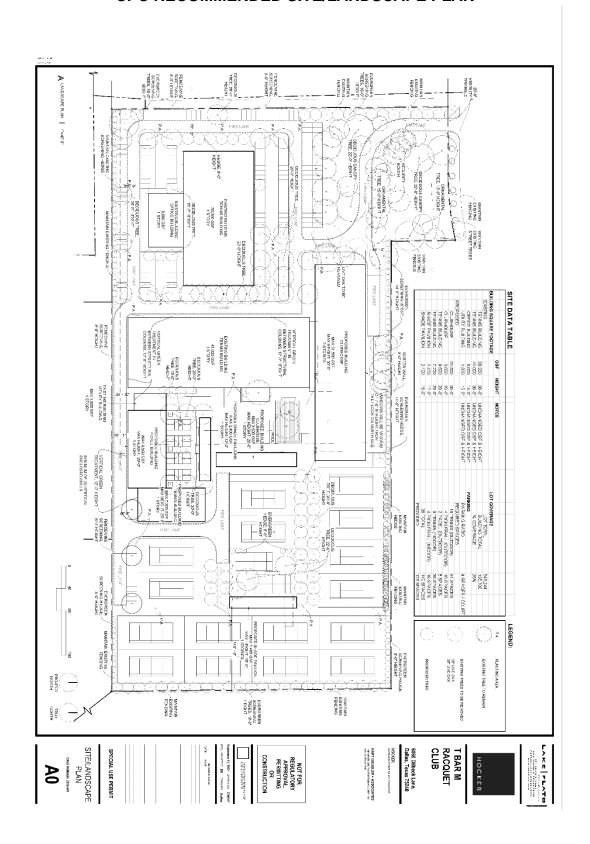
- 17. <u>Timing of Certain Aspects of the Requested Modifications to the Special Use Permit:</u>

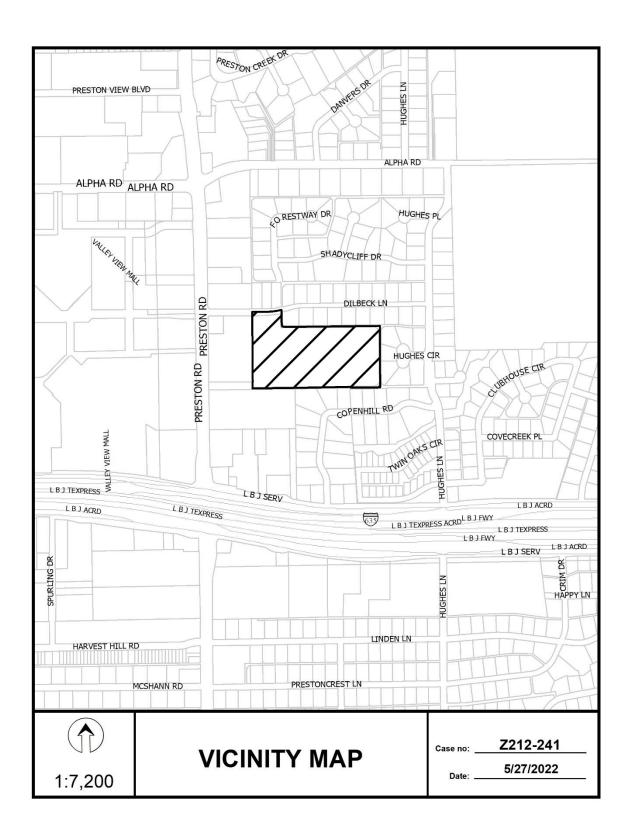
 The construction of this tennis building will not commence until all aspects of the landscaping, screening, and fencing have been installed and approved by the proper city authorities and the inspection team mentioned in Cond. 16.
- 18. Pavilion Patio Building: To be located as noted on Master Site Plan. Height to be limited to twelve (12) ft. Construction to be of metal, wood, or brick veneer with exterior to be of colors of tan, beige, and dark brown. Maximum covered area to be 40 ft. by 100 ft.
- 19. Activity Building: To be offset to a line extended due west from the existing fence line of tennis courts. Height to be maximum of ten (10) feet. Maximum dimensions to be 35 ft. by 45 ft. Construction to be of metal or wood with exterior to be painted to be congruent with existing construction with sidings to be light tan or beige and the roof a darker brown.
- 16. Screening Along North Fence Line Adjacent to Pool: Japanese Ligstrum plants to be planted, 3 ft. to 4 ft. in height, to be planted on 3 ft. centers to blend in with existing Carolina Jasmine Continuous eight (8) foot minimum height hedge planting shall be required.
- 17. <u>Landscaping</u>: All landscaping stated in these conditions or on the site/<u>landscape</u> plan itself must be planted, maintained, and kept in a healthy growing condition.
- 18. Office Building: An office building shall be located as shown on the approved site plan. Height shall be limited to fourteen (14) feet. Maximum lot coverage, as defined by Dallas Development Code, shall be 4,200 square feet.
- 19. Outside speakers. Outside speakers and outside amplified sound are prohibited.

EXISTING SITE/LANDSCAPE PLAN (APPROVED AUGUST 12, 1992) T BAR M, INC. TENNIS COURT ADDITIONS

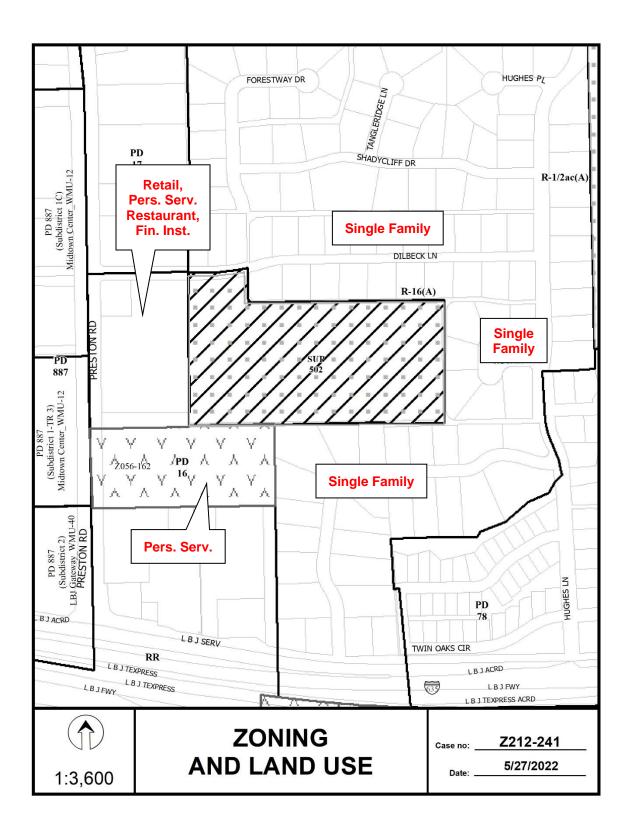
14

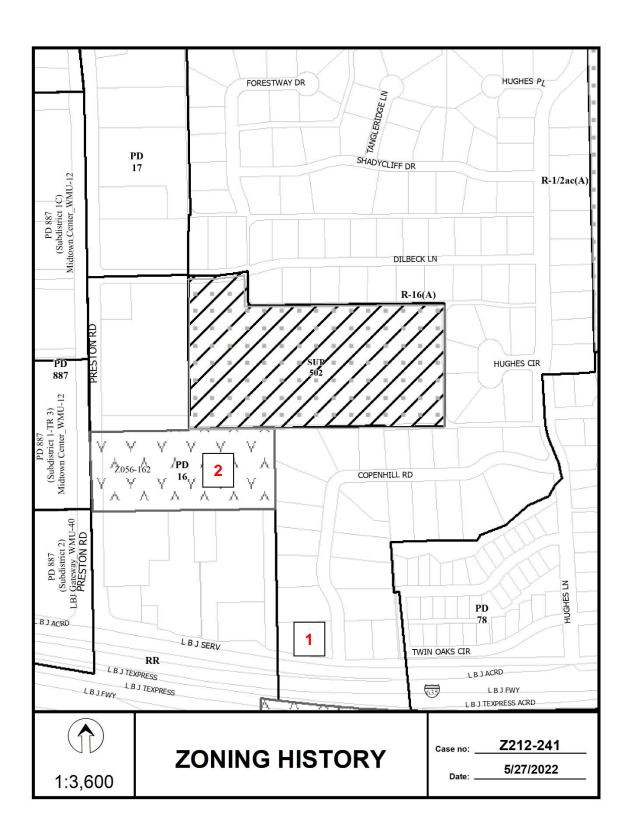
CPC RECOMMENDED SITE/LANDSCAPE PLAN

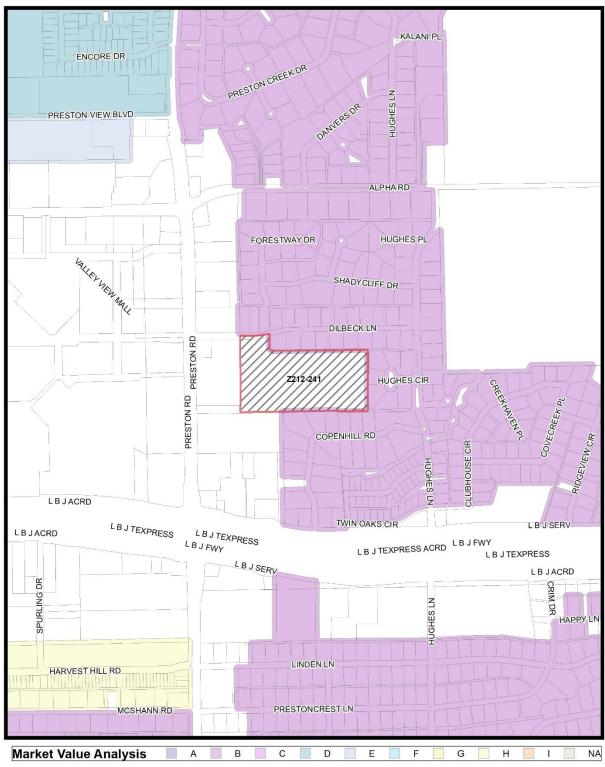








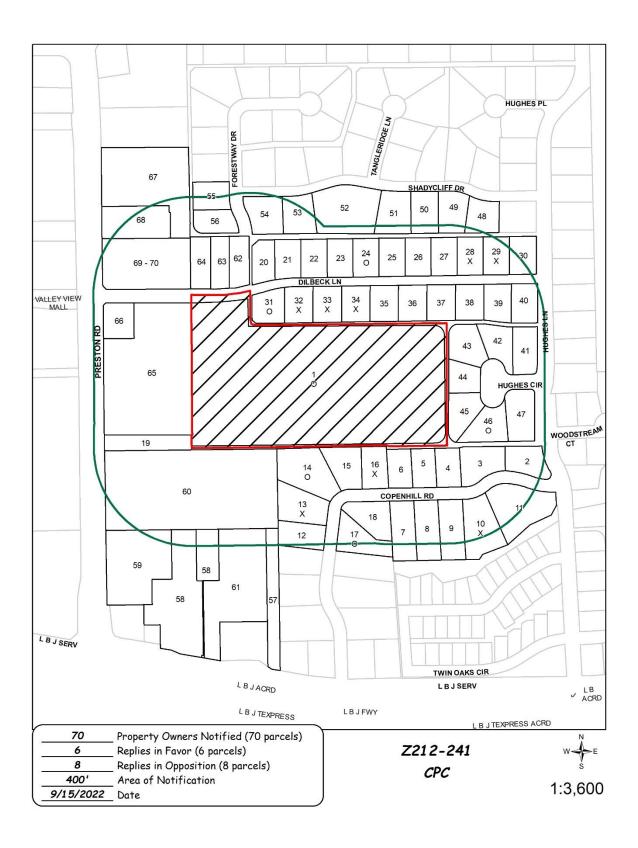




1:7,200

Market Value Analysis

Printed Date: 5/27/2022



09/14/2022

Reply List of Property Owners Z212-241

70 Property Owners Notified 6 Property Owners in Favor 8 Property Owners Opposed

Reply	Label #	Address		Owner
	2	13249	COPENHILL RD	PARTOVI RAY
	3	13237	COPENHILL RD	REDMAN SAMUEL A
	4	13223	COPENHILL RD	FRANKLIN ROBERT D
	5	13215	COPENHILL RD	WIN DAVID B & BECKY O
	6	13207	COPENHILL RD	KASHI MEHRI M
	7	13208	COPENHILL RD	DAVIS JOHN E
	8	13216	COPENHILL RD	TAM JENNIFER S D
	9	13224	COPENHILL RD	MICHAEL SALLY ELIZABETH & SCOTT JUSTIN
X	10	13230	COPENHILL RD	JBA LIVING TRUST
	11	13238	COPENHILL RD	WEBSTER THOMAS P
	12	13107	COPENHILL RD	FREY CLAUDIA
X	13	13115	COPENHILL RD	CARTER RANDY J
	15	13129	COPENHILL RD	HANSEN BRONWYN L
Χ	16	13137	COPENHILL RD	DEVOLT DAVID S & MARTHA
	18	13130	COPENHILL RD	VANDERVOORT MARK W &
	19	13302	PRESTON RD	PRESTON VALLEY VIEW LTD
	20	6107	DILBECK LN	SHELEY JOHN W
	21	6117	DILBECK LN	ALCAZAR NEDDA L
	22	6127	DILBECK LN	COTTINGIM CORDELIA M
	23	6137	DILBECK LN	TORABLI FRED &
	25	6149	DILBECK LN	HARNESS CHRISTOPHER C
	26	6209	DILBECK LN	SWIHART NEIL EDWARD &
	27	6219	DILBECK LN	KNIGHT DOUGLAS DALE
Χ	28	6229	DILBECK LN	FENTON BARRY J
Χ	29	6239	DILBECK LN	YEUNG ANGELA S &
	30	6249	DILBECK LN	WOOTTON ANDREW D & CHTISTY ANN

09/14/2022

Reply	Label #	Address		Owner
X	32	6120	DILBECK LN	PICKAR LORA
X	33	6130	DILBECK LN	AVERITT PAUL & WENDY
X	34	6140	DILBECK LN	ORT DONALD L
	35	6148	DILBECK LN	DYKMAN VICTOR & MARINA
	36	6208	DILBECK LN	DANIEL VICTORIA
	37	6218	DILBECK LN	MCCOY BRADLEY & KATHERINE
	38	6228	DILBECK LN	SPARLING JOHN MICHAEL &
	39	6238	DILBECK LN	EDDY TRUDY B
	40	6248	DILBECK LN	LOSSON DAVID P &
	41	13227	HUGHES LN	PARMERLEE MARK S &
	42	13223	HUGHES CIR	ALFERS RANI
	43	13219	HUGHES CIR	PORTELA JOSE M & MARGARITA E
	44	13215	HUGHES CIR	13215 HUGHES LLC
	45	13211	HUGHES CIR	SIGLER JAMES M II
O	46	13207	HUGHES CIR	MCCULLOCH ROBERT A &
	47	13131	HUGHES LN	LAVERTY KERRY C
	48	6228	SHADYCLIFF DR	HERMANOVSKI DELMAR A & NANCY M
	49	6218	SHADYCLIFF DR	MILLIKEN STEPHEN D
	50	6208	SHADYCLIFF DR	TRISARNSRI ON ANONG
	51	6204	SHADYCLIFF DR	FELDMAN HAROLD L
	52	6116	SHADYCLIFF DR	KASHI MEHRI
	53	6110	SHADYCLIFF DR	TALLEY JANETTE
	54	6104	SHADYCLIFF DR	RENBERG BENJAMIN R & APRIL L
	55	13327	FORESTWAY DR	Taxpayer at
	56	13321	FORESTWAY DR	CURRY ANNA MARIA
	57	6061	LBJ FWY	MCCUTCHIN CAROL
	58	13020	PRESTON RD	VVS PPTIES LTD
	59	13022	PRESTON RD	VVS PPTIES LTD
	60	13130	PRESTON RD	QUASAR PRESTON DFW LTD &
	61	6055	LBJ FWY	MCCUTCHIN CAROL
	62	6069	DILBECK LN	JURGENS DAVID K & JOANNA M

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Reply	Label #	Address		Owner
	63	6065	DILBECK LN	WALSH THOMAS
	64	6061	DILBECK LN	ADAMS ROBERT M &
	65	13330	PRESTON RD	PRESTON VALLEY VIEW LTD
	66	13398	PRESTON RD	350 ST NICHOLAS REALTY CORP &
	67	13444	PRESTON RD	FONBERG HOLDINGS LTD
	68	13420	PRESTON RD	GILLILAND PPTIES II LTD
	69	13410	PRESTON RD	ARNOLD SQUARE INVESTMENTS LLC
	70	13410	PRESTON RD	CAPITAL ONE N A
O	A1	13121	COPENHILL RD	PATRICK MWENDWA LLC
O	A2	6060	DILBECK LN	AGRITELLEY GLEN W
O	A3	6110	DILBECK LN	WHITE CYNTHIA G
O	A4	13112	COPENHILL RD	HINCKS CHRISTOPHER &
O	A5	6143	DILBECK LN	MASON NANCY L