

**HONORABLE MAYOR AND CITY COUNCIL      WEDNESDAY, FEBRUARY 12, 2020**  
**ACM: Majed Al-Ghafry**

**FILE NUMBER:**                      Z190-106(CT)                      **DATE FILED:**    September 7, 2019  
**LOCATION:**                              Southwest corner of Montfort Drive and James Temple Drive  
**COUNCIL DISTRICT:**    11                                      **MAPSCO:**            15 N  
**SIZE OF REQUEST:**    Approx. 1.88 acres                      **CENSUS TRACT:**    136.16

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**REPRESENTATIVE:**              Suzan Kedron, Jackson Walker L.L.P.

**APPLICANT:**                        Ryan Crow, TCHDallas1, LLC

**OWNER:**                                RH Three, LP

**REQUEST:**                              An application for a Specific Use Permit for a commercial amusement (inside) use on property zoned Subdistrict 3 (Tract 2), Midtown Green Walkable Urban Mixed Use District (WMU-20) within Planned Development District No. 887, the Valley View-Galleria Area Special Purpose District.

**SUMMARY:**                              The applicant proposes to operate a membership-based social club with activities to include card games, billiards, and sports lounges (Texas Card House).

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

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

**BACKGROUND INFORMATION:**

- The area of request is within subdistrict 3 (Tract 2) Midtown Green Walkable Urban Mixed Use District (WMU-20) within Planned Development District No. 887 and is currently developed with a one-story building, housing nine suites composed of retail and personal service uses.
- The applicant proposes to operate a commercial amusement (inside) use on the subject site [Texas Card House].
- The suite housing the commercial amusement (inside) use is 6,357-square-feet.

**Zoning History:** There has been one zoning change for the area of request in the past five years.

1. **Z167-307** On December 13, 2017, City Council approved an application to modify the boundaries of Subdistrict 1, 1A, 1B, and create subdistrict 1C within Planned Development District No. 887.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Montfort Drive	Minor Arterial	80 feet
James Temple Drive	Community Collector	50 feet

**Traffic:**

The Engineering Division of the Sustainable Development and Construction 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**

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

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

#### **Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 887 Subdistrict 3-Tract 2	Retail/Personal Service
<b>North</b>	NO-(A), PDD No. 250, RR	Retail/Personal Service, Multifamily
<b>East</b>	PDD No. 887, Subdistrict 1A-Tract 1 (WMU-20)	Retail/Personal Service
<b>South</b>	PDD No. 887, Subdistrict 2 (WMU-20)	Retail
<b>West</b>	PDD No. 887, Subdistrict 2 (WMU-20)	Retail

#### **Land Use Compatibility:**

The site is developed with a one-story retail building and a surface parking lot. The proposed location of the commercial amusement (inside) use is within the westernmost suite of the retail building. North, across James Temple Drive there is a multifamily development. Other surrounding uses to the proposed membership-based social club are a large retail store (Target), retail and personal service uses in the suites to the east, and a restaurant with drive-in or drive-through service to the south. Across Montfort Drive to the east, is the remnants of Valley View Mall, as it is being demolished.

The commercial amusement (inside) use is defined as a facility wholly enclosed in a building that offers entertainment or games of skill to the general public for a fee. This includes but is not limited to an adult arcade, adult cabaret, adult theater, amusement center, billiard hall, bowling alley, a children's amusement center, dance hall, motor track or skating rink. The applicant intends to offer card games, billiards, and other games of skill to the public as a part of a membership-based social club.

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 request does not appear to have an adverse impact on the surrounding zoning and land uses.

Staff supports the request and recommends approval for a two-year period because the applicant has agreed to comply with hours of operation restrictions, has added security measures as a condition of the use, and it is not foreseen to be detrimental to surrounding properties. Although the Valley View Galleria Plan vision includes office uses in the LBJ Gateway Corridor, the area is currently in early stages of transition and the Planned Development District currently allows for the use by applying for a Specific Use Permit. Additionally, a two-year period would allow for the use to be re-evaluated in a short period of time.

**Landscaping:**

Landscaping will be provided in accordance to the landscaping requirements in Article X, as amended.

**Parking:**

The off-street parking requirement for the commercial amusement (inside) use in a Walkable Urban Mixed Use District is one parking space per each 200 square feet of floor area. The applicant has proposed a floor area of 6,357 square feet for the use resulting in a minimum of 32 parking spaces required for the proposed use. The applicant also reports that the cumulative parking requirement for the entire shopping center site is 114 spaces and 123 parking spaces are provided.

**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). Although the area of request is not within an identifiable MVA cluster, the nearest MVA cluster is located to the north and is identified as an “E” MVA cluster and the area to the south of LBJ Freeway is identified as an “E” MVA cluster to the south and an “H” MVA cluster to the southeast.

**CPC ACTION**  
**January 9, 2020**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a commercial amusement (inside) use for a two-year period, subject to a site plan and conditions on property zoned Subdistrict 3 (Tract 2), Midtown Green Walkable Urban Mixed Use District (WMU-20) within Planned Development District No. 887, the Valley View-Galleria Area Special Purpose District, on the southwest corner of Montfort Drive and James Temple Drive.

Maker: Schultz  
Second: Carpenter  
Result: Carried: 13 to 1

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Schultz,  
Schwope, Murphy, Garcia, Rubin

Against: 1 - Housewright  
Absent: 0  
Vacancy: 1 - District 3

**Notices:** Area: 300 Mailed: 6  
**Replies:** For: 0 Against: 0

**Speakers:** For: Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201  
Against: None

**List of Partners/Principals/Officers**

**TCHDallas1, LLC**

Ryan Crow, Owner/Manager and CEO

Darren Brown, Owner/ Manager

**RH Three, LP**

RH Three GP, LLC, General Partner

Judge McStay, Director/Manager of RH Three GP, LLC

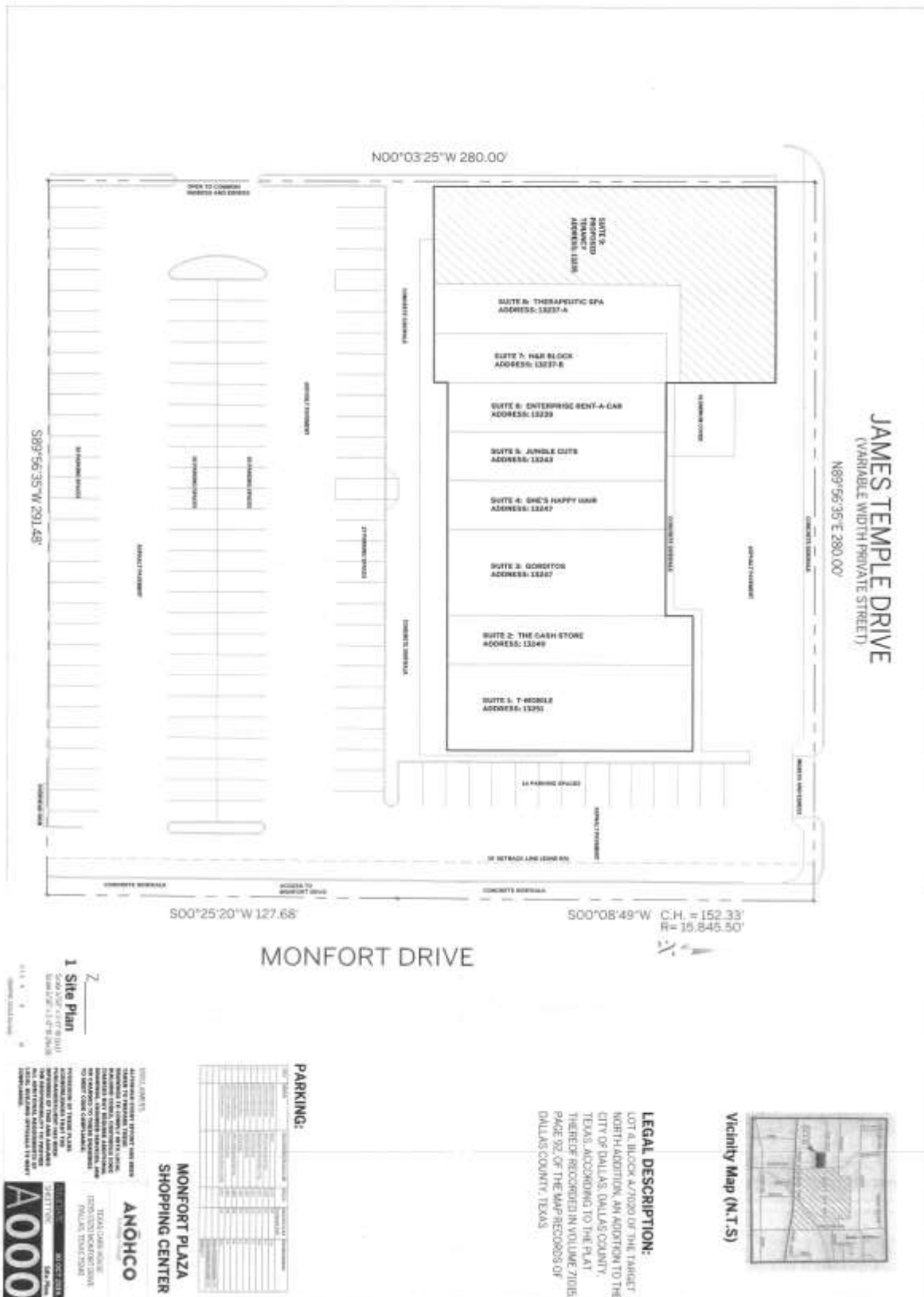
The Morning Star Family, LP Limited Partner

### **CPC RECOMMENDED SUP CONDITIONS**

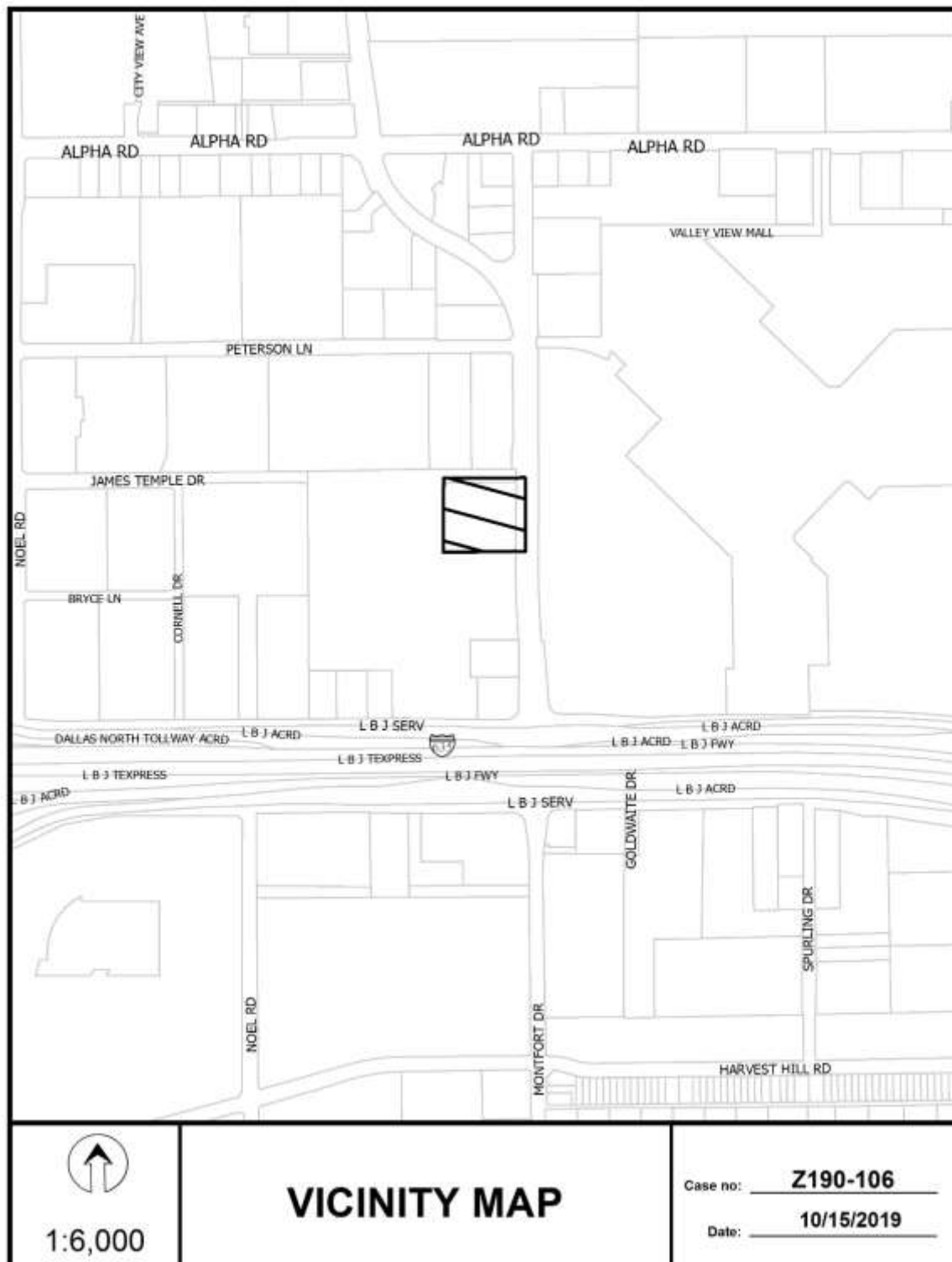
1. USE: The only use authorized by this specific use permit is commercial amusement (inside).
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years from the passage of this ordinance) \_\_\_\_\_.
4. HOURS OF OPERATION: A commercial amusement (inside) may only operate between 12:00 p.m. (noon) and 12:00 a.m. (midnight), Sunday through Thursday and between 12:00 p.m. (noon) and 2:00 a.m. (next day) on Friday and Saturday.
5. SECURITY: During the hours of operation, a minimum of two security officers must be stationed on the property, with at least one of the two stationed on the outside.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. 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.



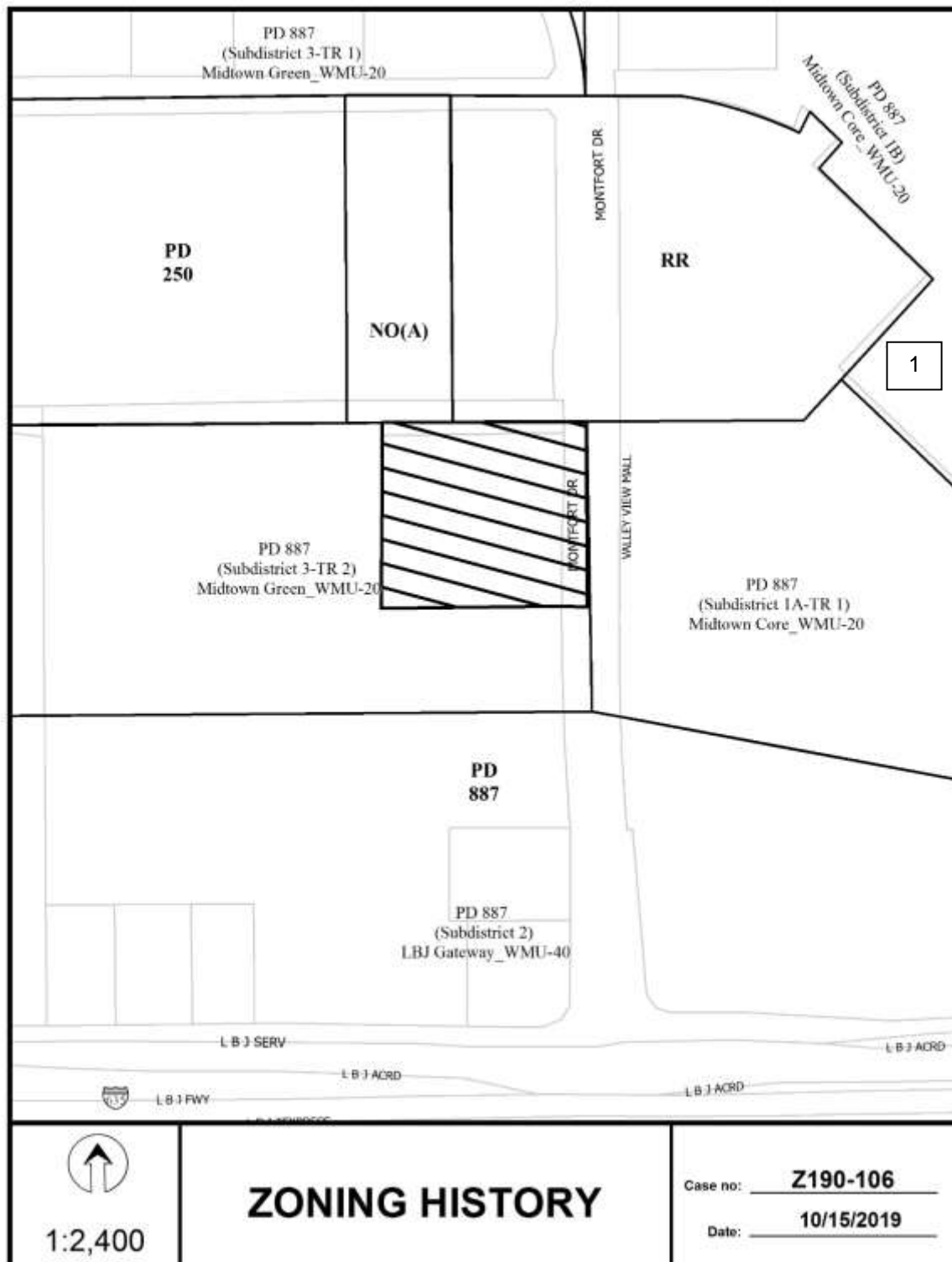
# CPC RECOMMENDED SUP SITE PLAN

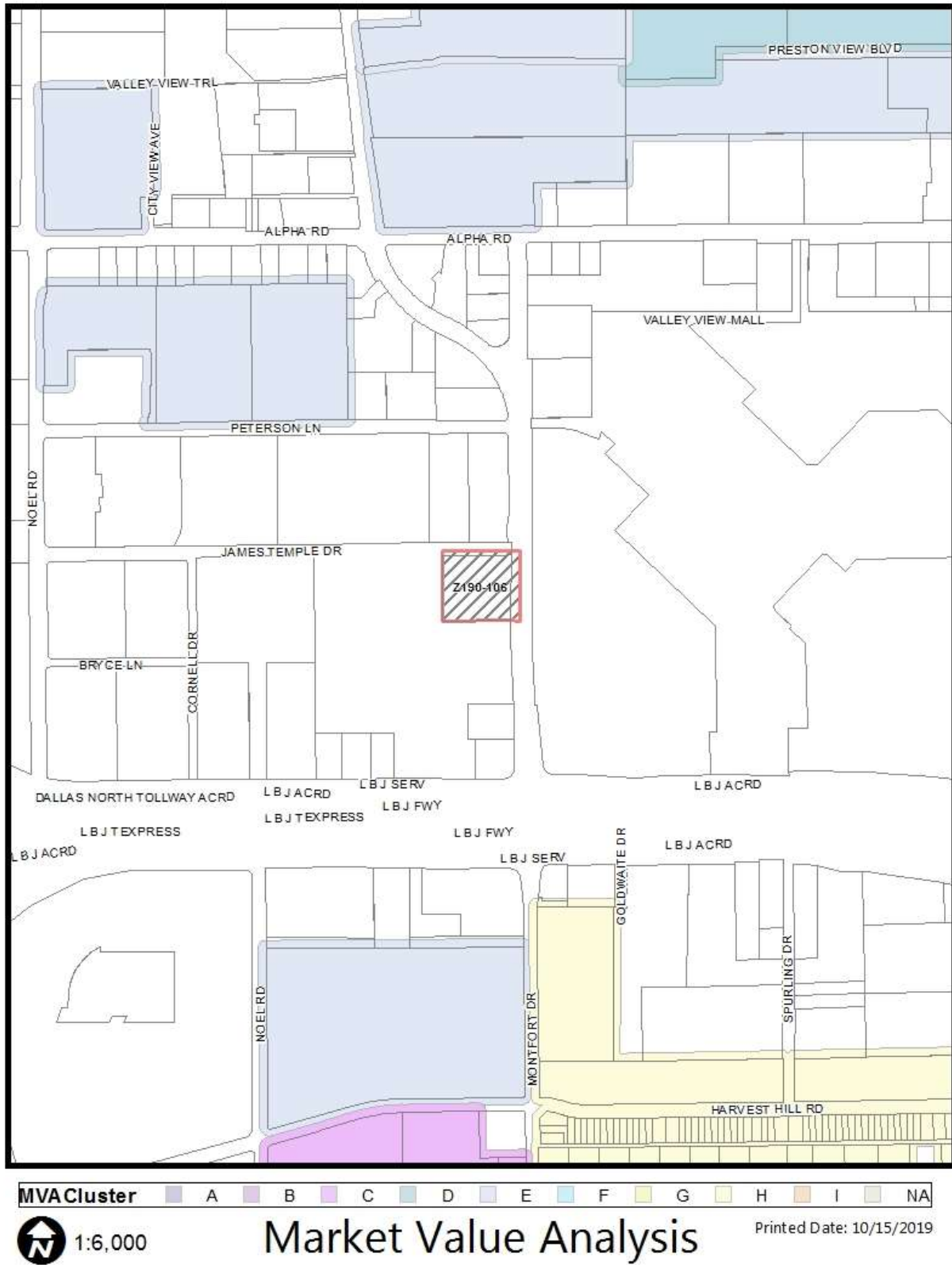


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**CPC RESPONSES**



Z190-106(CT)

01/08/2020

***Reply List of Property Owners***

***Z190-106***

***6 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	13131	MONTFORT DR	DAYTON HUDSON CORP
2	13235	MONTFORT DR	RH THREE LP
3	13305	MONTFORT DR	MONTFORT VALLEY VIEW SHOPPING CTR LLC
4	5580	PETERSON LN	PETERSON LANE PARTNERS LLC
5	5454	PETERSON LN	ARTS AT MIDTOWN INVESTORS LP
6	13138	MONTFORT DR	EFK LBJ PARTNERS LP