

**SPECIAL USE PERMIT**

Case Coordinator: Loren Shapiro

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**GENERAL PROJECT INFORMATION**

**SITE ZONING:** PD-21 for the (LR-2) Local Retail District

	<b><u>SURROUNDING ZONING</u></b>	<b><u>SURROUNDING LAND USES</u></b>
NORTH	PD-21 for the (LR-2) Local Retail District	Multi-tenant retail
SOUTH	(LR-2) Local Retail District	Multi-tenant retail
EAST	PD-21 for the (SF-7/14) Single-Family Residential District	Single-family residential subdivision
WEST	PD-21 for the (LR-2) Local Retail District	Gas station and convenience store
<b>REQUEST:</b>	Approve a Special Use Permit (SUP) to allow an Event Center and Reception Hall	
<b>PROPOSED USE:</b>	Event Center and Reception Hall	
<b>ACRES/LOTS:</b>	6.72-Acres / 1 Lot	
<b>LOCATION:</b>	3050 N. Josey Lane, Suite 160 (4,870 square foot lease space)	
<b>HISTORY:</b>	The multi-tenant building was constructed in 1979.	
<b>COMPREHENSIVE PLAN:</b>	Commercial – Low Intensity	
<b>TRANSPORTATION PLAN:</b>	Josey Lane and Frankford Road are designated as (A6D) 6-Lane Divided Arterials.	
<b>OWNER:</b>	Dennis Victor / DRV Investments	
<b>REPRESENTED BY:</b>	Jennifer Hiromoto / Buzz Urban Planning	

## **STAFF ANALYSIS**

### **REQUEST**

The applicant is requesting a Special Use Permit (SUP) to allow for an event center and reception hall. The new SUP would establish development standards and provide concept plans.

### **ZONING ORDINANCE REQUIREMENTS**

1. A Special Use Permit is required for an event center and reception hall.
2. Off Street Parking required for an event center and reception hall is one parking space per 250 square feet of suite area.
3. Article XXI. Special Use Permits establish minimum requirements to be met relative to the specific use considered.
  - a. Event Centers and Reception Halls –
    - i. Location – an event center shall be located around appropriate surrounding uses and shall not negatively affect the neighboring properties.
    - ii. Individual events shall not exceed 12 hours.
    - iii. Fixed seating is prohibited.
    - iv. Sufficient parking shall be provided in accordance with Article XXIV. Off Street Parking, Loading, and Stacking Regulations of the Comprehensive Zoning Ordinance, as amended.
    - v. An event center shall provide inside service only. However, service shall be permitted in an attached patio, garden or motion picture theater provided that such areas are accessed only from the main structure of the event center. However, none of these attached areas shall be used to calculate square footage requirements for the event center.
    - vi. A floor plan shall be associated with the approved ordinance for the Special Use Permit and is subject to meet all relevant building and fire codes.
    - vii. No electronically amplified sound generated shall be audible at any time beyond the boundary of the property on which the facility is located.
    - viii. Pre-purchased tickets and ticket sales at the door are not allowed. Non-profit events (i.e. political fundraisers or a registered charitable program in compliance with all state statutes) held at an event center or reception hall are allowed to be open to the general public and have pre-purchased tickets and ticket sales at the door.
    - ix. The certificate of occupancy and occupant load shall at all times be clearly displayed in the establishment.

## ELEMENTS TO CONSIDER

1. The event center and reception hall will be operating in a 4,870 square foot suite within a strip shopping center. The suite is located adjacent and north of the existing L.A. Fitness.
2. Single family homes, in the Woodlake Subdivision, are located adjacent and east of subject property. The event center suite is within 85 feet of a single family residential property.
3. Event types shall include wedding receptions, birthdays, baby showers, graduations and other celebrations and conferences and seminars.
4. The event center shall have one public entrance on the west side, that enters into a foyer before opening up into the larger event area (see floor plan). An employee and service entrance will be at the back of the suite, on the east side of the building. The floor plans also provide a conceptual layout of tables and chairs for an event.
5. There is sufficient required parking for the retail and proposed event center on site. The retail uses require 221 spaces, while the event center needs 39 parking spaces, totaling 260 spaces, well below the 338 spaces provided on the property.
6. City staff has concerns about noise and disturbances impacting the adjacent homes east of the proposed event center, based on recent history. There are 5 event centers and receptions halls that have been approved by City Council. Four out of the 5 Special Use Permits approved for these uses are not adjacent to residential properties.
  - a. Metroplex Group Assembly Hall – North side of Trinity Valley Drive, west of Luna Road – City Council approved on 08/06/1996 – property is not adjacent to residential – no longer in operation;
  - b. Dallas Palms – 2424 Marsh Lane – City Council approved on 06/03/2008 – property is not adjacent to residential. Marsh Lane separates the event center property from the single family subdivision to the west. The outdoor event space (closest to Marsh Lane) is more than 400 feet from a single family property;
  - c. Windsor at Hebron Park – 3016 E. Hebron Parkway – City Council approved on 12/07/2010 – property is not adjacent to residential;
  - d. Rahki's – 1837 West Frankford Road – City Council approved on 07/10/2018 - property is not adjacent to residential;
  - e. Salones Bel Air – 3030 North Josey Lane, Ste. 133 – City Council approved on 08/18/2018 – The subject property is adjacent to single family zoning. The suite is located approximately 110 feet from residential property – currently in operation.
7. Over the past two years, two Special Use Permits for event centers have been denied due to noise or disturbances. Both event centers were located adjacent to residential areas.
  - a. 1510 East Belt Line – Farmers Insurance – Event Center – Planning and Zoning Commission recommended denial on March 3, 2022 and City Council took action and denied the request on April 5, 2022;

- b. 2155 Marsh Lane – Flexy Fitness – Event Center – Planning and Zoning Commission recommended denial on June 6, 2024 and City Council acted and denied the SUP on August 6, 2024.
- 8. No public comments have been received.

#### **PURPOSE OF A SPECIAL USE PERMIT**

The purpose of a Special Use Permit is to authorize and regulate uses which may be beneficial in a specific instance to the general welfare of the community yet ensure that such uses are not detrimental to surrounding property and are consistent with the stated purpose of the zoning district in which such uses are located regarding conditions of operation, location, arrangement and construction.

#### **CONCLUSION**

Staff believes an event center in close proximity to single family residential is not appropriate at this location due to concerns that noise could disturb neighboring residents. However, should the commission recommend the use as appropriate, the stipulations provided by staff should be included with the approval.