

FILE NUMBER: Z234-103(LC) **DATE FILED:** October 4, 2023

LOCATION: South side of Sunset Avenue, between South Bishop Avenue and South Madison Avenue

COUNCIL DISTRICT: 1

SIZE OF REQUEST: Approx. 6,874 sq. ft. **CENSUS TRACT:** 48113004700

OWNER: Jim Lake, Jr., Jefferson Monument, LLC

APPLICANT: Dilek Caner, City Wine Dallas LLC

REQUEST: An application for an amendment to Specific Use Permit No. 2367 for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Subarea 4 within Planned Development District No. 316, the Jefferson Area Special Purpose District.

SUMMARY: The purpose of the request is to allow the continued operation of an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery.

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

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

BACKGROUND INFORMATION:

- The area of request is currently developed with an existing structure and parking spaces to the east and south of the site, with a lot area of approximately 6,874 square feet.
- This property sits at the south side of Sunset Avenue, between South Bishop Avenue and South Madison Avenue, with frontage only on Sunset Avenue.
- Request for renewal of Specific Use Permit No. 2367, to allow property to maintain use as an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery.
- The applicant requests to renew the SUP for an additional-five year period. However, staff's recommendation is for an additional two-year period.
- The existing site plan currently on file for SUP No. 2367 is also being amended to delineate the required parking spaces for the site.

Zoning History:

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

1. **Z212-120:** On January 26, 2022, City Council approved an application for the renewal of Specific Use Permit No. 2367 for an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery for a two-year period on property zoned Subarea 4 within Planned Development District No. 316, the Jefferson Area Special Purpose District, located on the south line of Sunset Avenue between South Bishop Avenue and South Madison Avenue. [Subject Site]
2. **Z190-120:** On February 26, 2020, City Council approved an application for a Specific Use Permit for an alcoholic beverage establishment use limited to a microbrewery, microdistillery, or winery for a two-year period on property zoned Subarea 4 (North Tract) within Planned Development District No. 316, the Jefferson Area Special Purpose District, located on the south line of Sunset Avenue between South Bishop Avenue and South Madison Avenue. [Subject Site]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Sunset Avenue	Local Street	-
South Bishop Avenue	Local Street	-
South Madison Avenue	Local Street	-

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

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:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Land Use:

	Zoning	Land Use
Site	PD No. 316, Subarea 4	Alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery
North	PD No. 830, Subdistrict 3A	Library, mixed use, and commercial retail
East	PD No. 316, Subarea 4	Commercial retail
South	PD No. 316, Subarea 4	Commercial retail
West	PD No. 316, Subarea 4	Commercial retail

Land Use Compatibility:

The area of request is currently developed with an existing structure and parking spaces to the east and south of the site, with a lot area of approximately 6,874 square feet. This Specific Use Permit request is to allow for the continued operation of an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Subarea 4 within Planned Development District No. 316, the Jefferson Area Special Purpose District. The area of request is currently surrounded by commercial retail uses to the north, south, west, and east. Staff finds the applicant's proposal compatible with these surrounding uses.

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 requested use because the use is not foreseen to be detrimental to surrounding properties. However, staff finds the applicant's requested time limit of five

years inappropriate for this site. Therefore, staff has recommended a two-year period with no eligibility for automatic renewal.

Landscaping:

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

Parking:

The applicant proposes that between their hours of operation of 11 a.m. and 12 a.m. (midnight), Monday through Sunday, the entire floor area will be used for the proposed use. PD No. 316 does not have a specific off-street parking ratio for this use. Therefore, parking requirements will default to Chapter 51A.

The off-street parking ratio for an alcoholic establishment limited to a microbrewery, microdistillery, or winery per Chapter 51A, SEC. 51A-4.210 is one space per 600 square feet of floor area. For the 6,874-square-foot building, a minimum of eleven spaces are required. The proposed site plan shows 23 spaces provided, confirming applicant and site is compliant with parking requirements.

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 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 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 currently within a “C” MVA area. To the north and west is a “C” MVA area, to the east are both “C” and “F” MVA areas, and to the south are both “C” and “F” MVA areas.

Crime Report:

Since June 2022, the area has had 0 offenses, 3 calls, and 0 arrests.

Calls (Summary)	
Problem	Count of Problem
**PD Requested by Fire Count	0
07 - Minor Accident Count	0
09 - Theft Count	0
09V - UUMV Count	4
09V-01 UUMV Just Ocrd Count	0
11B/01 - Burg of Bus Count	0
12B - Business Alarm Count	0
21B - Business Hold Up Count	0
24 - Abandoned Property Count	0
32 - Suspicious Person Count	0
38 - Meet Complainant Count	0
40 - Other Count	0
40/01 - Other Count	0
41/20 - Robbery - In Progress Count	0
46 - CIT Count	0
55 - Traffic Stop Count	0
58 - Routine Investigation Count	0
6X - Major Dist. (Violence) Count	0
6XA - Major Dist. Ambulance Count	0
6XE - Disturbance Emergency Count	0
7X - Major Accident Count	0
DAEF-Dist. Armed Encounter Foot Count	0
PH - Panhandler Count	0
Total	4

List of Officers

Jefferson Monument LLC

Jim Lake Jr., Manager/Member

City Wine Dallas LLC

Dilek Caner, Owner

CPC Action
February 1, 2024

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 2367 for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery for a five-year period, subject to an amended site plan and staff's recommended amended conditions on property zoned Subarea 4 within Planned Development District No. 316, the Jefferson Area Special Purpose District, on the south side of Sunset Avenue, between South Bishop Avenue and South Madison Avenue.

Maker: Chernock
Second: Hebert
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Housewright, Treadway, Haqq, Hall, Kingston,
Rubin

Against: 0
Absent: 0
Vacancy: 1 - District 4

Notices: Area: 200 Mailed: 8
Replies: For: 1 Against: 0
Speakers: None

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Staff's Recommendation

3. TIME LIMIT: This specific use permit expires on (two years from the passage of this ordinance).

Applicant's Request

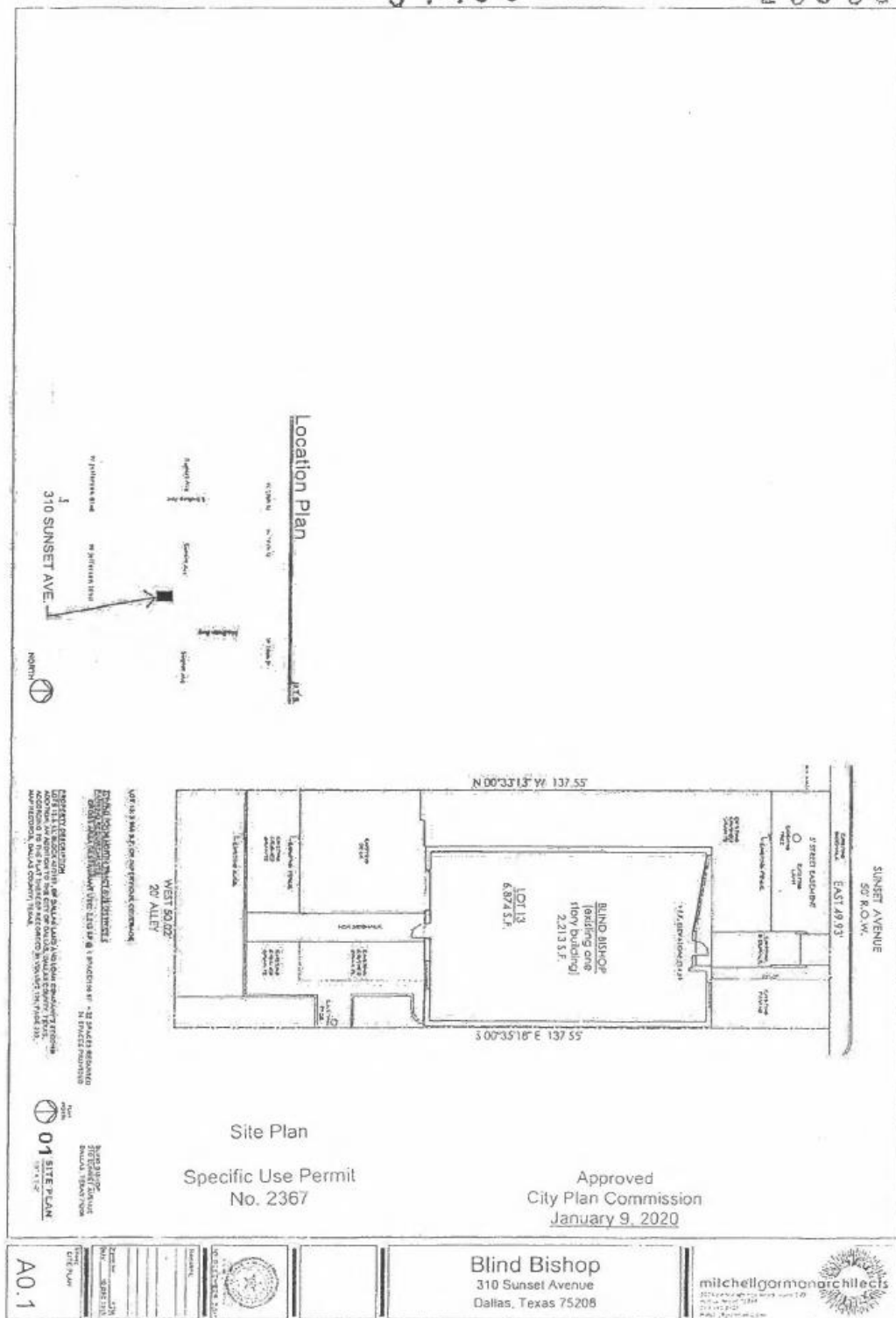
3. TIME LIMIT: This specific use permit expires on (five years from the passage of this ordinance).

4. FLOOR AREA: The maximum floor area is 2,213 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The alcoholic beverage establishment limited to a microbrewery, micro distillery, or winery may only operate between 11:00 am and 12:00 am (midnight), Monday through Sunday.
6. OUTDOOR DECK: The outdoor deck may not be covered.
7. OUTDOOR SPEAKERS: Outdoor speakers are prohibited.
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 ordinances, rules, and regulations of the City of Dallas.

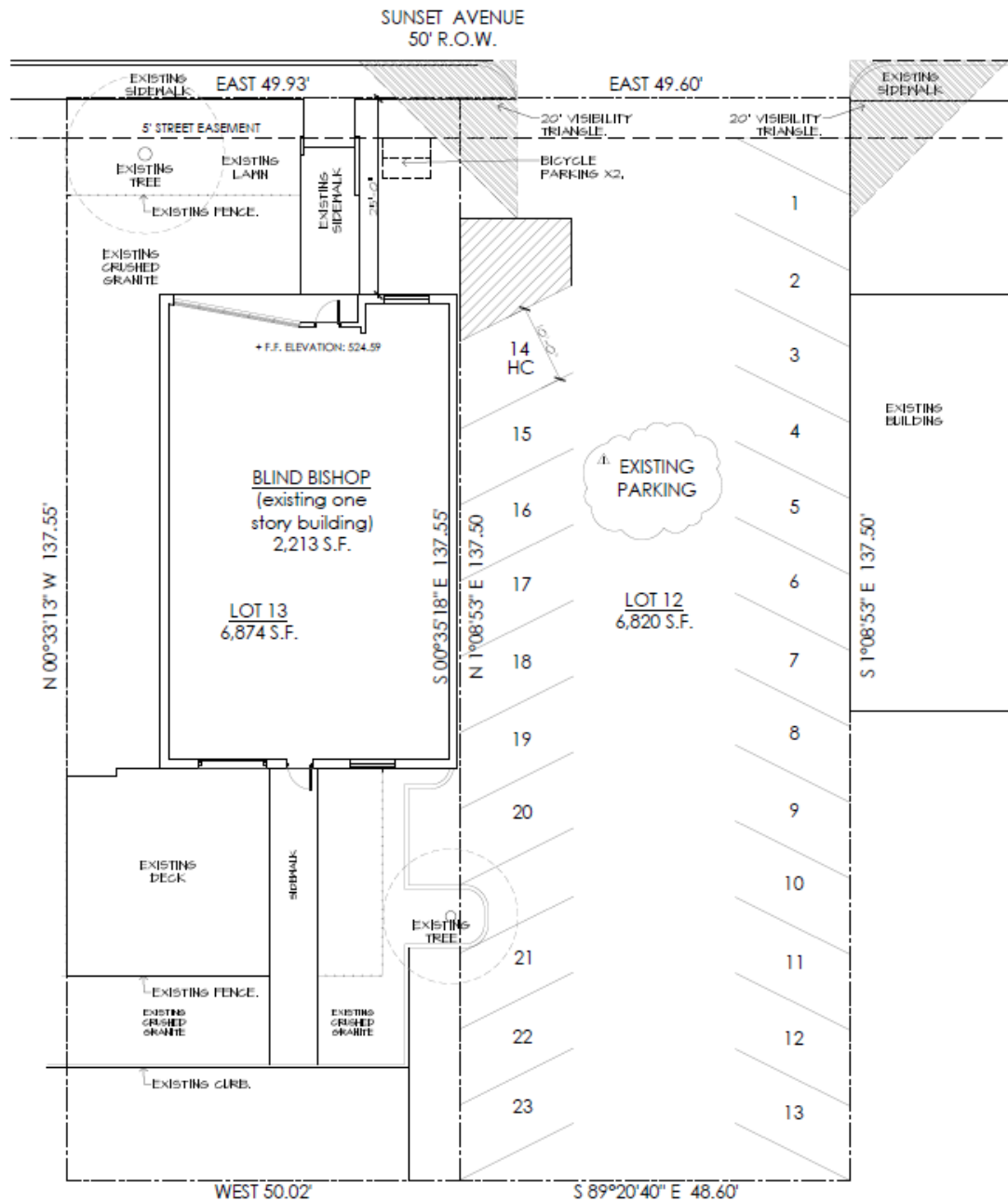
EXISTING SITE PLAN

31466

200389



CPC RECOMMENDED SITE PLAN



LOT 13: 3,956 S.F. OF IMPERVIOUS COVERAGE

ZONING PD136 NORTH TRACT SUB DISTRICT 4

PARKING REQUIREMENTS:

GROSS AREA RESTAURANT USE: 2,213 SF @ 1 SPACE/100 SF = 22 SPACES REQUIRED
24 SPACES PROVIDED

PROPERTY DESCRIPTION

LOTS 12 & 13, BLOCK 473167, OF DALLAS LAND AND LOAN COMPANY'S SECOND ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 106, PAGE 230, MAP RECORDS, DALLAS COUNTY, TEXAS.

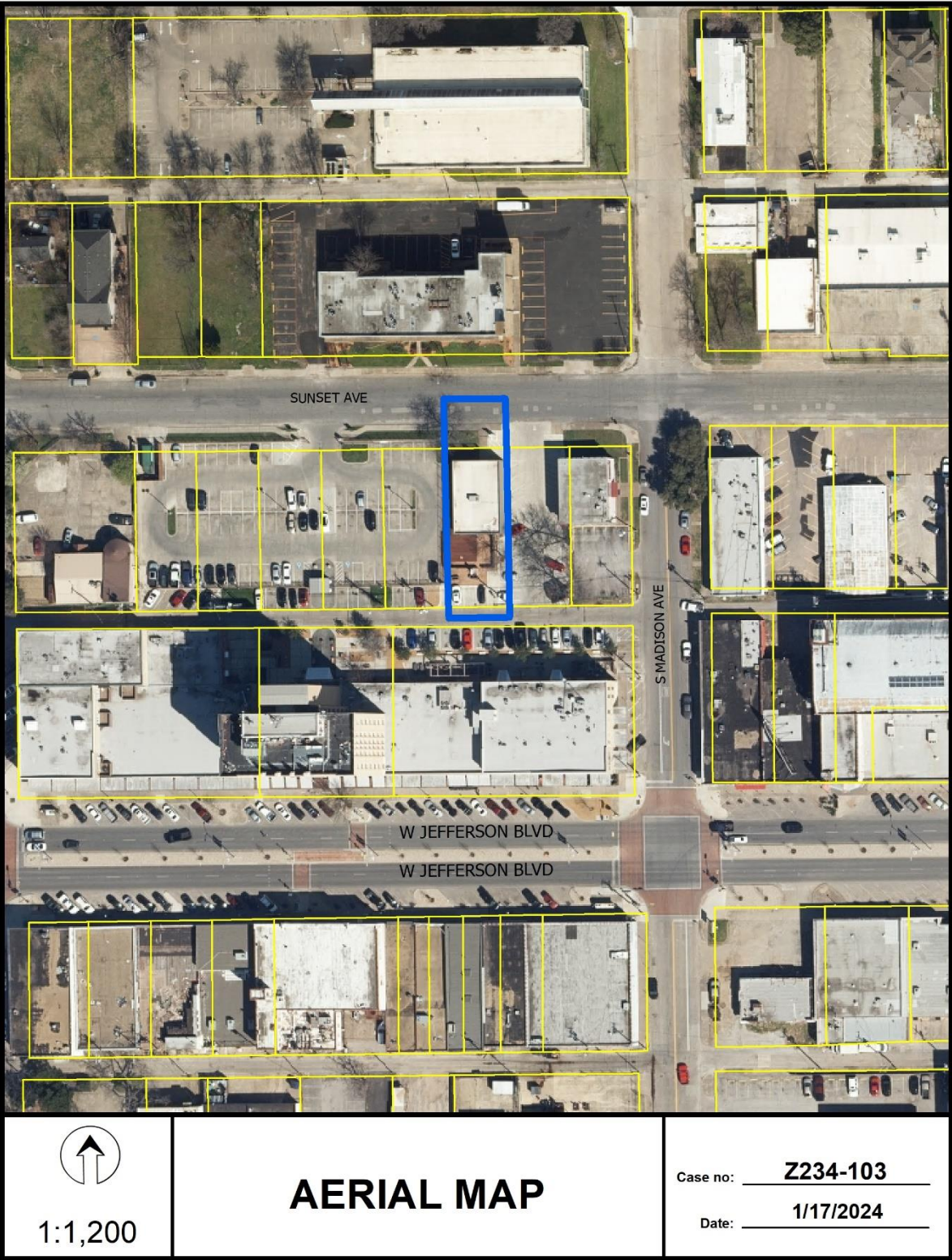
BLIND BISHOP
310 SUNSET AVENUE
DALLAS, TEXAS 75208

PLAN
NORTH

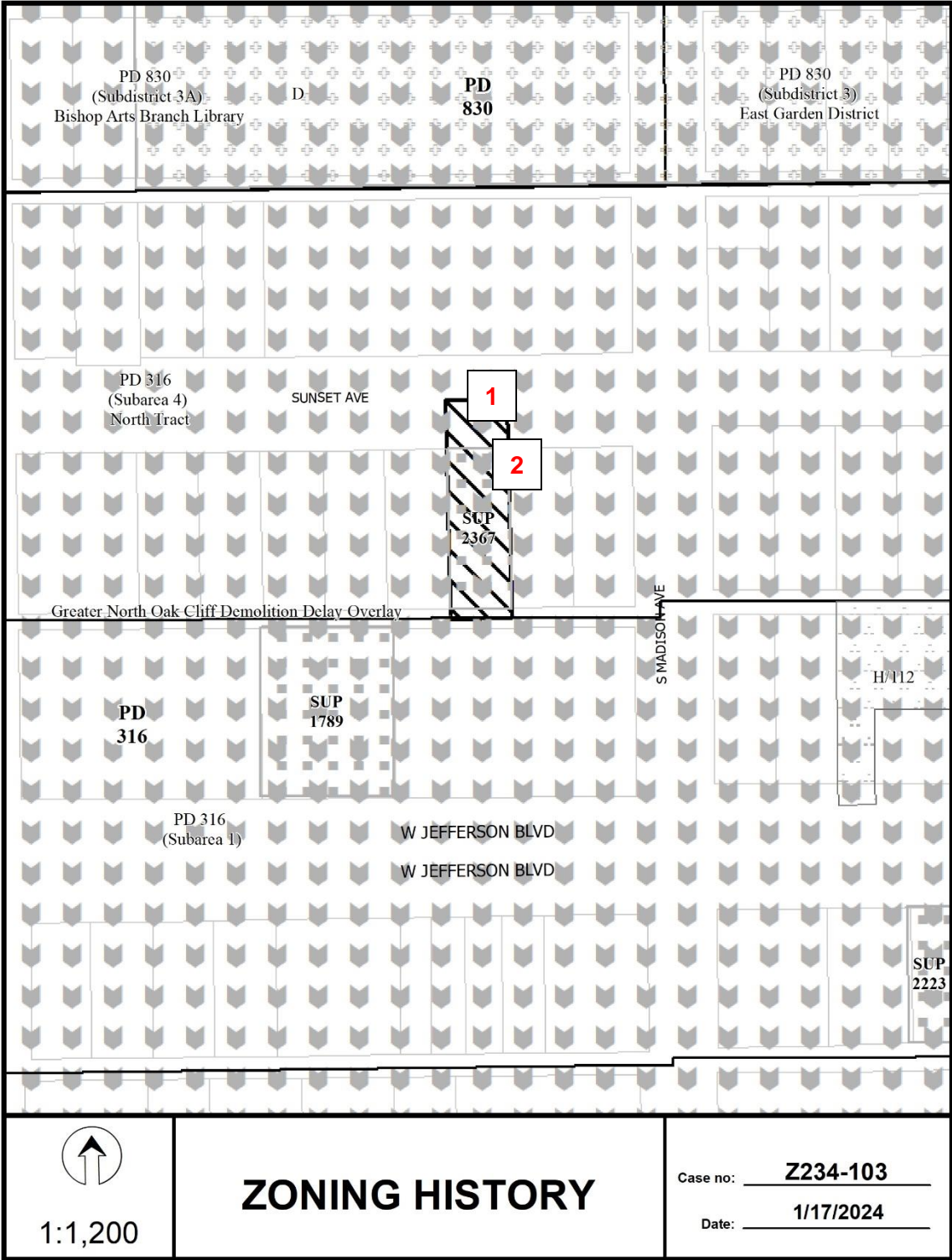


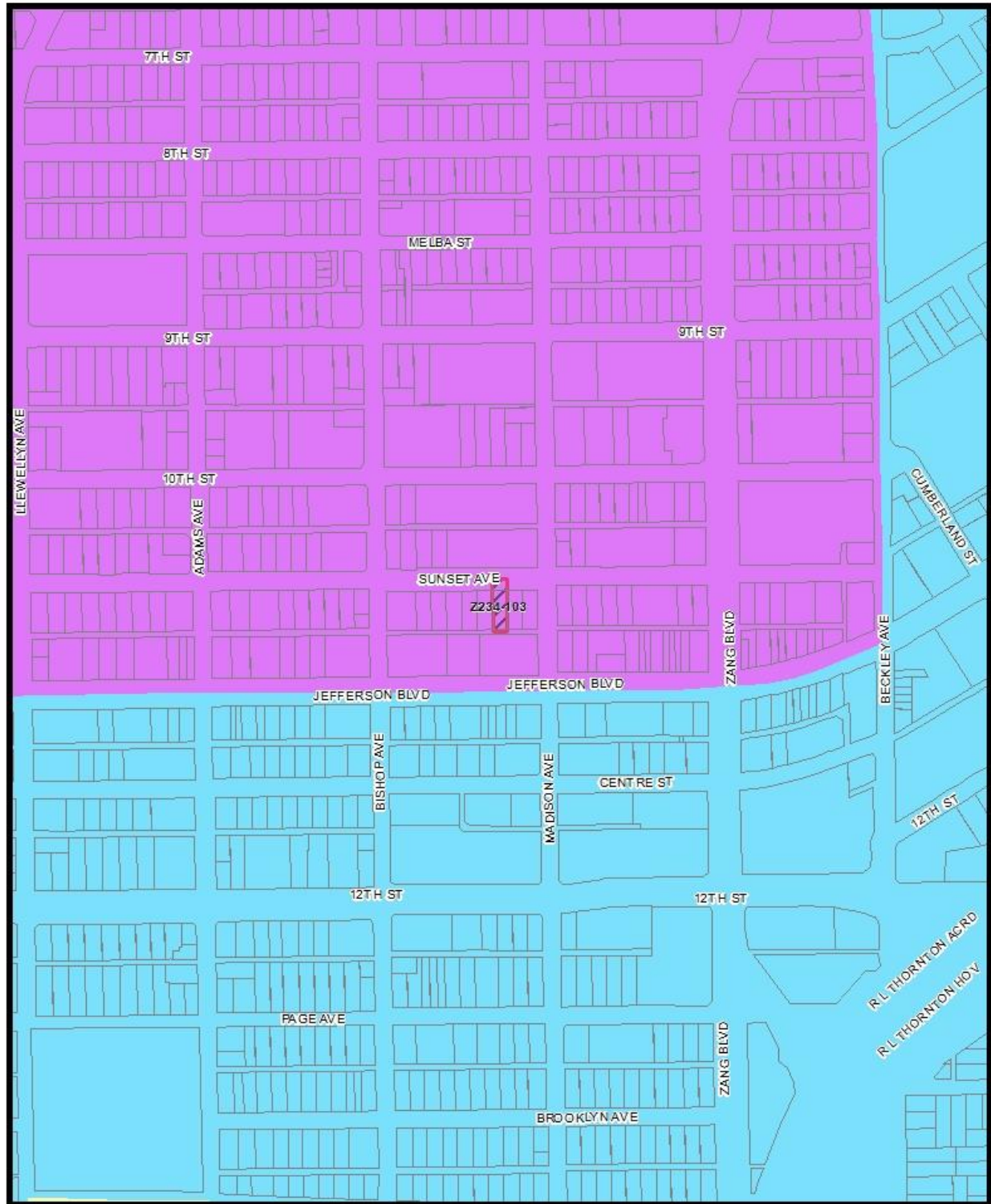
01 SITE PLAN
1/8" = 1'-0"





PD No. 269, Subdistrict 1, Tract A





Market Value Analysis

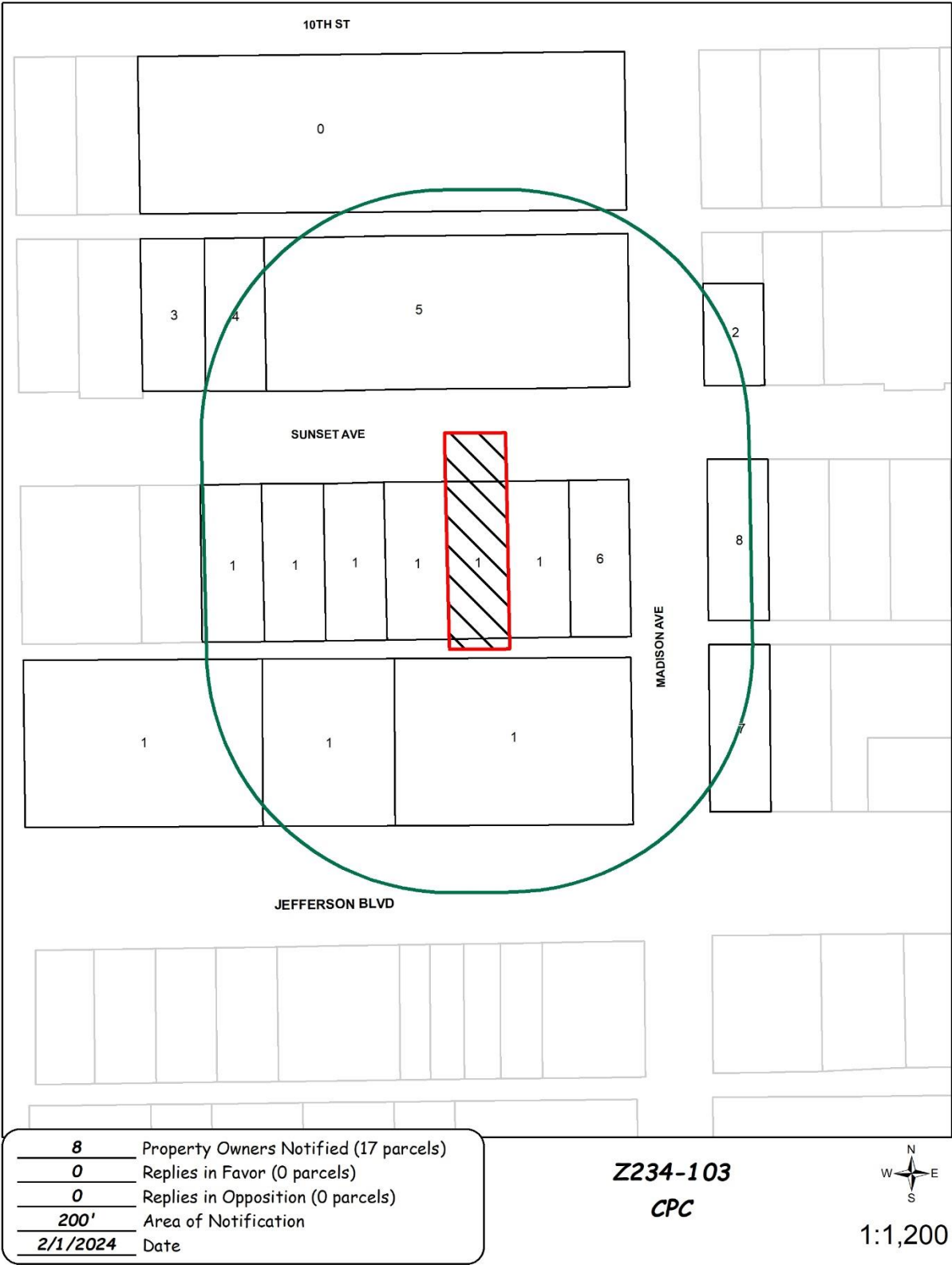
A B C D E F G H I NA



1:4,800

Market Value Analysis

Printed Date: 1/17/2024



Z234-103(LC)

01/31/2024

Reply List of Property Owners

Z234-103

8 Property Owners Notified

0 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	304	SUNSET AVE	JEFFERSON MONUMENT LLC
2	237	SUNSET AVE	DERASAUGH MARGARET &
3	329	SUNSET AVE	SANTOS GERONIMO &
4	325	SUNSET AVE	SUNSET I PPTIES LLC
5	315	SUNSET AVE	SUNSET I PPTIES LLC
6	201	S MADISON AVE	EFFECTIVE TIME MGMT INC
7	239	W JEFFERSON BLVD	VA CAPITAL LLC
8	238	SUNSET AVE	OLERIO INTERESTS LLC