

**FILE NUMBER:** Z245-105(CR) **DATE FILED:** October 21, 2024  
**LOCATION:** South line of Elm Street, west of Crowdus Street.  
**COUNCIL DISTRICT:** 2  
**SIZE OF REQUEST:** ± 24,206 sqft **CENSUS TRACT:** 48113020401

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**REPRESENTATIVE:** Audra Buckley, Permitted Development

**OWNER:** Elm Street Realty, Ltd.

**APPLICANT:** Club Dada

**REQUEST:** An application for the amendment and renewal of Specific Use Permit No. 2451 for a bar, lounge, or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District

**SUMMARY:** The purpose of the request is to allow for the continued operation of a bar, lounge, or tavern and a live music venue within an existing building on site.

**STAFF RECOMMENDATION:** **Approval** for a five-year period, subject to amended conditions.

**BACKGROUND INFORMATION:**

- This request is for the renewal of Specific Use Permit No. 2451, which was initially approved on March 9, 2022, for a three-year period.
- The subject site consists of a one-story structure and an uncovered patio that is situated in a block face consisting of similar architectural styles that existed prior to June 1984, all of which have been converted into entertainment venues and compatible retail uses.
- No changes are proposed to the existing site plan.

**Zoning History:**

There have been twelve zoning cases in the area in the last five years:

1. **Z234-223:** On September 25, 2024, the City Council approved an application for a Specific Use Permit for a microbrewery, microdistillery, or winery on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the northwest corner of Main Street and North Crowdsus Street.
2. **Z234-187:** On August 14, 2024, the City Council approved an application for a Specific Use Permit for a bar lounge, or tavern on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, southwest of North Crowdsus Street.
3. **Z234-172:** On August 14, 2024, the City Council approved an application for a Specific Use Permit for a body piercing studio and a tattoo studio on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the northwest line of Elm Street, between North Malcolm X Boulevard and North Crowdsus Street.
4. **Z234-210:** On July 3, 2024, the City of Dallas Staff approved an application for automatic renewal of Specific Use Permit No. 1757 for a bar lounge, or tavern and an inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the north side of Elm Street, west of North Crowdsus Street.
5. **Z234-104:** On April 10, 2024, the City Council approved an application for an amendment to Specific Use Permit No. 1982 for a bar lounge, or tavern and inside commercial amusement limited to a Class A dance hall on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the southwest corner of Elm Street and North Crowdsus Street.

6. **Z223-235:** On January 24, 2024, the City Council approved an application for an amendment to Specific Use Permit No. 2019 for a bar lounge, or tavern and inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the southeast line of Elm Street, southwest of North Crowdus Street.
7. **Z212-334:** On May 10, 2023, the City Council approved an application for a Specific Use Permit for a bar lounge, or tavern on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the north line of Main Street at the terminus of Pryor Street, between North Crowdus Street and North Good Lattimer Expressway.
8. **Z212-255:** On November 9, 2022, the City Council approved an application for a Specific Use Permit for a bar lounge, or tavern and inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, west of North Crowdus Street.
9. **Z212-144:** On April 27, 2022, the City Council approved an application for the renewal of Specific Use Permit No. 1651 for a body piercing studio and tattoo studio on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Main Street, west of Pryor Street.
10. **Z212-137:** On March 9, 2022, the City Council approved an application for a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement use limited to live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, west of Crowdus Street. [subject site]
11. **Z212-112:** On March 9, 2022, the City Council approved an application for a Specific Use Permit for a bar lounge, or tavern on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, between North Crowdus Street and North Good Lattimer Expressway.
12. **Z201-167:** On March 1, 2021, the City of Dallas Staff approved an application for automatic renewal of Specific Use Permit No. 2291 for a microbrewery, microdistillery, or winery on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the southwest corner of Main Street and Pryor Street.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Elm Street	Major Arterial	70 feet
Crowdus Street	Minor Arterial	45 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 will continue review of engineering plans at permitting to comply with city standards.

**STAFF ANALYSIS:****Comprehensive Plan:**

The *ForwardDallas 2.0 Comprehensive Land Use Plan* was adopted by the City Council in September 2024. The *ForwardDallas 2.0 Comprehensive Land Use 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 themes, objectives, and actions of the Comprehensive Land Use Plan:

**ECONOMIC DEVELOPMENT + REVITALIZATION**

**OBJECTIVE C.** Foster Economically Resilient Communities that are Regionally Connected and Locally Supported.

**Action C.10** Ensure appropriate land use and zoning in designated areas throughout the city to support emerging creative and technology industries to supplement the expansion of logistics-related jobs and targeted industry clusters.

**COMMUNITY + URBAN DESIGN**

**OBJECTIVE B.** Integrate Urban Design Standards and Guidance into the Development Review Process and Future Planning Efforts.

**Action B.8** Incorporate place-specific, urban design guidelines within neighborhood and corridor plans.

**OBJECTIVE C.** Promote Quality Design Principles to Foster More Inclusive and Equitable Neighborhoods and Spaces Throughout Dallas.

**Action C.12** Incorporate a community's people, history, culture, and identity into neighborhood planning and urban design processes to sensitively shape the relationship between new and existing buildings, parks, streets, and other open spaces.

**Area Plan(s):**

The *Downtown Dallas 360 Plan* was adopted in April 2011 and updated in December 2017. The Plan was adopted as a guide to future City Council actions concerning land use and development regulations, transportation and economic development, and capital improvement expenditures in the area generally bounded by a two-and-a-half-mile radius centered on the intersection of Main Street and Akard Street.

The area of request is located within the Deep Ellum neighborhood, as identified by the Plan. The Deep Ellum neighborhood is recognized as one of Dallas' most eclectic neighborhoods and a popular destination for entertainment and nightlife.

By contributing to the neighborhood's night life and character, staff find the applicant's request is consistent with the *Downtown Dallas 360 Plan*.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Tract A within Planned Development District No. 269.	Bar, lounge or tavern and an inside commercial amusement use limited to live music venue
<b>North</b>	Tract A within Planned Development District No. 269.	Commercial parking lot
<b>East</b>	Tract A within Planned Development District No. 269.	Bar, lounge or tavern and an inside commercial amusement
<b>South</b>	Tract A within Planned Development District No. 269.	Miscellaneous retail
<b>West</b>	Tract A within Planned Development District No. 269.	Bar, lounge or tavern

**Land Use Compatibility:**

The applicant is requesting to continue operation of an existing bar and live music venue. The request site consists of a one-story structure and an uncovered patio that is situated in a block face consisting of similar architectural styles that existed prior to June 1984, all of which have been converted into entertainment venues and compatible retail uses. The site is also surrounded by a mix of office, retail, restaurant, bar, and entertainment uses that are served by various surface parking lots and metered spaces along Elm Street.

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 finds that continuation of the proposed use is consistent with the neighboring properties and the use is similar in operational characteristics of other entertainment venue uses in the immediate area. As noted above, the general land use in the immediate area provides for various retail and entertainment venue uses (i.e., bars, live music, restaurants) that serve the new housing stock in Deep Ellum as well as serving as a destination for patrons outside of the area. Therefore, proposed continuation of the bar, lounge or tavern and an inside commercial amusement use limited to live music venue use is consistent with the established development pattern of PD No. 269, the Deep Ellum/Near East Side District.

### **Landscaping:**

Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

### **Parking:**

PD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for a bar, lounge, or tavern use on the first floor in an original building; after the first 2,500 square feet, the remainder is parked at one space per 100 square feet of floor area. The applicant occupies 4,500 square feet of floor area. Upon the reduction of the first 2,500 square feet, the remainder of the structure, 2,000 square feet, requires 20 off-street parking spaces. The applicant provides for the required spaces via a city-approved parking agreement.

Additionally, it should be noted that a significant number of metered on-street parking spaces exist as well as surface parking lots throughout the immediate area west of the site.

### **Crime Statistics:**

#### **Arrest(s):**

Description	Count
WARRANT HOLD (NOT A DPD WARRANT)	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
PUBLIC INTOXICATION	1
UNLAWFUL CARRYING WEAPON	1
UNLAWFUL CARRYING WEAPON	1
POSS MARIJUANA <2OZ	1
POSS MARIJUANA <2OZ	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
WARRANT HOLD (NOT A DPD WARRANT)	1

Description	Count
WARRANT HOLD (NOT A DPD WARRANT)	1
UNLAWFUL CARRYING WEAPON	1
UNLAWFUL CARRYING WEAPON	1

Call(s):

Description	Count
40 - Other	1
19 - Shooting	1
6XEA - Disturbance Emerg Amb	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
09 - Theft	1
09 - Theft	1
11B - Burg of Bus	1
40 - Other	1
15 - Assist Officer	1
6X - Major Dist (Violence)	1
20 - Robbery	1
6X - Major Dist (Violence)	1
40/01 - Other	1
6X - Major Dist (Violence)	1
40/01 - Other	1
07 - Minor Accident	1
07 - Minor Accident	1
6XA - Major Dist Ambulance	1
6XA - Major Dist Ambulance	1
40 - Other	1
6X - Major Dist (Violence)	1

Incident(s):

Description	Count
SIMPLE ASSAULT	1
BMV	1
PUBLIC INTOXICATION	1
PUBLIC INTOXICATION	1



Description	Count
OTHER THEFT	1
BMV	1
DRUG/ NARCOTIC VIOLATIONS	1
WEAPON LAW VIOLATIONS	1
BMV	1
PUBLIC INTOXICATION	1
SIMPLE ASSAULT	1
ROBBERY-INDIVIDUAL	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1
SIMPLE ASSAULT	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1

### **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 currently in an “F” MVA area.

**LIST OF OFFICERS**

Elm Street Realty, Ltd.

Westdale Asset Management, General Partner

Joseph G. Beard, President

Ken Carlson, Vice President

Trevor Bert, Chief Financial Officer

Evan Griffiths, Chief Operating Officer

Chuck Hixson, Vice President

Julie Gordon, Dallas Commercial Property Management

JGB Holdings, Inc., General Partner

Joseph G. Beard, President

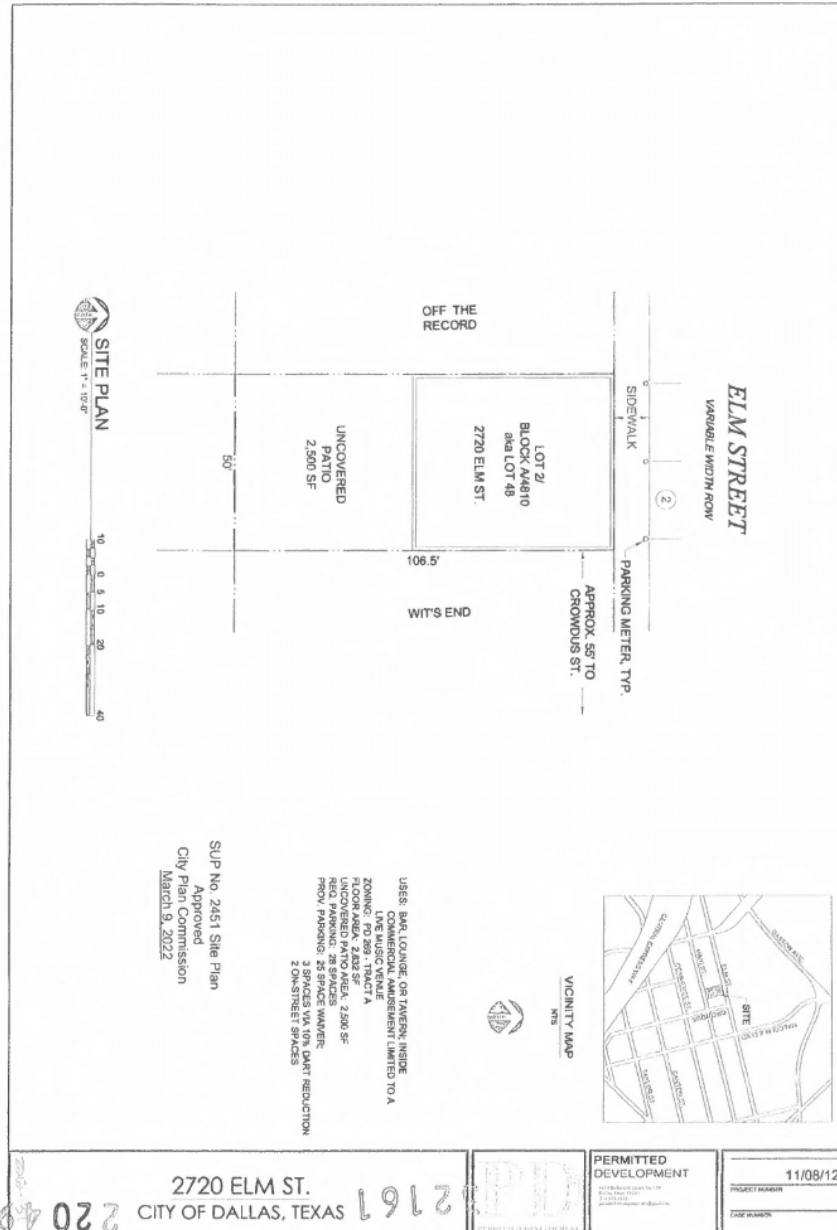
Club Dada, Applicant

Bryan Austin, Owner

### **PROPOSED SUP CONDITIONS**

1. USE: The only uses authorized by the specific use permit are a bar, lounge, or tavern; and inside commercial amusement limited to a live music venue.
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 (5 years from the passage of this ordinance) ~~[March 9, 2025]~~.
4. FLOOR AREA AND PATIO:
  - a. The maximum floor area for a bar, lounge, or tavern and inside commercial amusement limited to a live music venue is 2,832 square feet in the location ~~[as]~~ shown on the attached site plan.
  - b. The maximum area for the uncovered patio is 2,500 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The bar, lounge, or tavern and inside commercial amusement limited to a live music venue may only operate between 4:00 p.m. and 2:00 a.m. (the next day), Monday through Friday, and between 12:00 p.m. (noon) and 2:00 a.m. (the next day), Saturday and Sunday.
6. OFF-STREET PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.
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 (NO CHANGES)

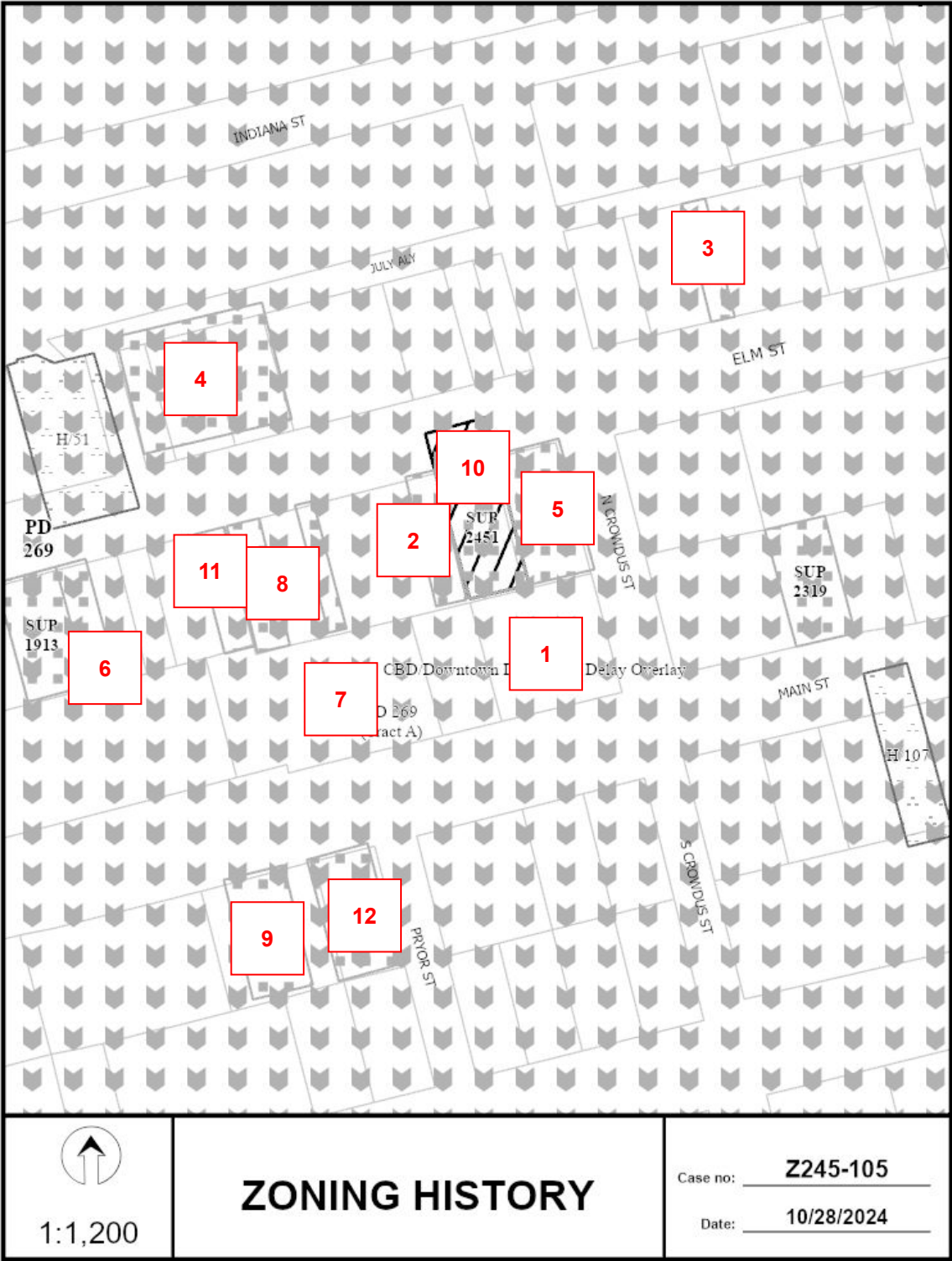




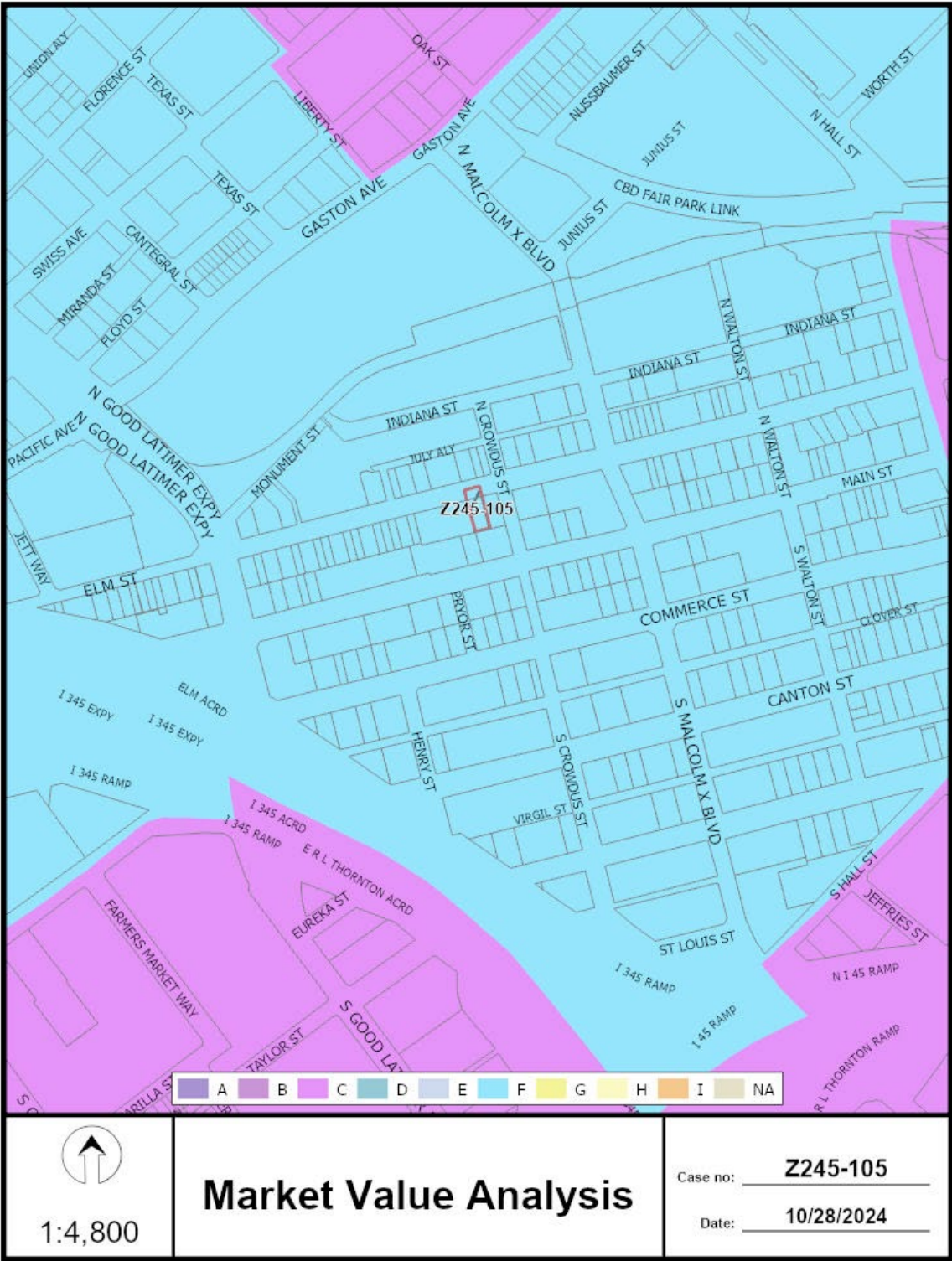


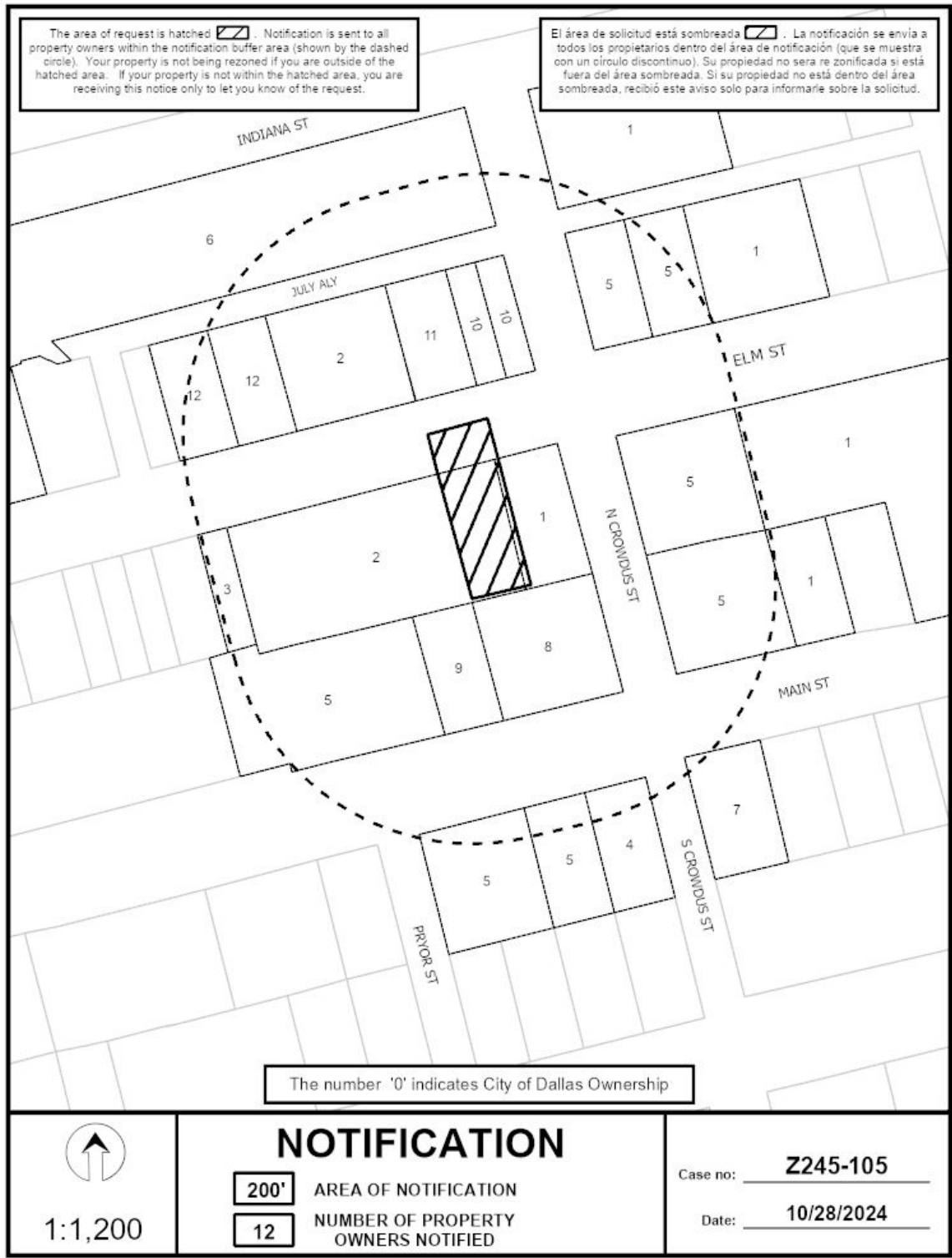












10/28/2024

***Notification List of Property Owners***

***Z245-105***

***12 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2724 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
2	2704 ELM ST	ELM STREET REALTY LTD
3	2650 ELM ST	ELM ELM LLC
4	2712 MAIN ST	DEEP ELM III LLC
5	2708 MAIN ST	AP DEEP ELLUM LLC
6	2625 ELM ST	RXR KORMAN DEEP ELLUM OWNER LLC
7	2800 MAIN ST	AP 2800 MAIN ST LLC
8	2715 MAIN ST	MAIN PROPERTIES LLC
9	2707 MAIN ST	AP 2707 MAIN ST LLC
10	2723 ELM ST	2723 ELM STREET JV
11	2717 ELM ST	WESTDALE PPTIES AMERICA LTD
12	2707 ELM ST	BELMOR CORP