

FILE NUMBER: Z234-203(CR) **DATE FILED:** April 5, 2024

LOCATION: Southwest line of South Crowds Street, between Clover Street and Canton Street

COUNCIL DISTRICT: 2

SIZE OF REQUEST: ± 1 acre **CENSUS TRACT:** 48113020401

REPRESENTATIVE: Tina Shone

OWNER/APPLICANT: 2713 Canton, Ltd.

REQUEST: An application for an amendment to an expansion of Specific Use Permit No. 2076 to for an inside commercial amusement limited to a live music venue and dance hall 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 an inside commercial amusement limited to a live music venue and dance hall.

STAFF RECOMMENDATION: Approval for a seven-year period with eligibility for automatic renewals for additional five-year periods, subject to an amended site plan and amended conditions.

BACKGROUND INFORMATION:

- The area of request encompasses one parcel with four individual commercial units in a contiguous structure; from west to east, these unit addresses include 2705, 2713, 2725, and 2727 Canton Street. Existing SUP No. 2076 encompasses the western three units, but excludes the eastern-most unit (2727 Canton Street) located at the corner of Canton Street and Crowdus Street. This request would extend the SUP limitations to include the unit located at 2727 Canton Street.
- The request would not change the existing use of an inside commercial amusement limited to a live music venue and a dance hall permitted by SUP No. 2076. However, as part of this application, the applicant is seeking an extension from the existing 5-year expiration period to a 7-year period.

Zoning History:

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

1. **Z223-227:** On January 10, 2024, the City Council approved an application for an amendment to Specific Use Permit No. 1687 for a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
2. **Z223-323:** On April 24, 2024, the City Council approved an application for an amendment to Specific Use Permit No. 2429 for an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery and a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.
3. **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 an inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
4. **Z212-112:** On March 9, 2022, the City Council approved an application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.
5. **Z212-137:** On March 9, 2022, the City Council approved a new Specific Use Permit (SUP No. 2451) 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 District No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, west of Crowdus Street.

6. **Z212-334:** On May 10, 2023, the City Council approved an application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.
7. **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 a tattoo studio on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.
8. **Z201-294:** On November 10, 2021, the City Council approved an application for a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery and a bar, lounge or tavern uses on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.
9. **Z201-303:** On December 8, 2021, the City Council approved an application for (1) an amendment to Subdistrict 5A within Planned Development District No. 357, the Farmers Market Special Purpose District; and (2) a Specific Use Permit for a tower/antenna for cellular communication use on property zoned Subdistrict 5A within Planned Development District No. 357, the Farmers Market Special Purpose District.
10. **Z190-209:** On August 26, 2020, the City Council approved an application for a Specific Use Permit for a microbrewery, distillery, or winery on property zoned Subdistrict A within Planned Development District No. 269, the Deep Ellum/Near East Side District.
11. **Z190-299:** On November 11, 2020, the City Council approved an application for the renewal of Specific Use Permit No. 1767 for an alcoholic beverage establishment limited to a bar, lounge or tavern and an inside commercial amusement limited to a live music venue on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District.
12. **Z190-175:** On June 24, 2020, the City Council approved an application for the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.
13. **Z190-202:** On August 12, 2020, the City Council approved an application for the renewal of Specific Use Permit No. 2019 for a bar, lounge, or tavern and a commercial amusement inside use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.
14. **Z190-257:** On October 28, 2020, the City Council approved a new Specific Use Permit (SUP No. 2396) for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, west of Crowds Street.

15. **Z190-219:** On August 12, 2020, the City Council approved the renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, west of North Crowdus Street.
16. **Z190-267:** On June 23, 2020, the City Council approved the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern with commercial amusement (inside) for a dance hall use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, located on the southwest corner of Elm Street and Crowdus Street.
17. **Z190-368:** On March 24, 2021, the City Council approved an application for the renewal of Specific Use Permit No. 1981 for a bar, lounge or tavern and an inside commercial amusement limited to a dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Canton Street (south)	MA, Minor Arterial	80-foot ROW

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 and 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:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.3 Build a dynamic and expanded Downtown.

ECONOMIC ELEMENT

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.1 Restore Downtown Dallas as the economic and cultural heart of North Central Texas.

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.2 Define urban character in Downtown and urban cores.

Area Plans:

The 360 Plan

The 360 Plan, adopted by Council in 2017, is an update to the Downtown Dallas 360 Plan adopted in 2011. The Plan, informed by local stakeholders, community leaders, and the City of Dallas, produced a strategic plan for the greater Downtown area. In the six years since the 2011 plan was adopted, the Downtown area has seen significant and rapid growth and has achieved many of the action items identified in the 2011 plan. The 2011 plan identified numerous connectivity needs as well as implementable actions for long-term vibrancy and success, including transit, streets, public spaces, urban design, housing, and parking. The 360 Plan is envisioned to address these and other emergent needs of the growing residential population, commercial sector, and visitor base. The Plan was developed concurrently with other major planning efforts occurring in and around the City Center, including CityMAP, DART capital projects, high speed rail, and the Arts District Plan.

Staff finds that the applicant's request for the continuation and expansion of an inside commercial amusement limited to a live music venue and dance hall contributes to the overall vibrancy and commercial base within the Downtown area. This active use contributes to the Downtown area, meeting the 360 Plan's objectives of strengthening the urban fabric.

Land Use:

	Zoning	Use
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Site	PD No. 269, the Deep Ellum/Near East Side District, Tract A	Inside commercial amusement limited to a live music venue and dance hall
North	PD No. 269, the Deep Ellum/Near East Side District, Tract A	Multifamily
East	PD No. 269, the Deep Ellum/Near East Side District, Tract A	Office
South	PD No. 269, the Deep Ellum/Near East Side District, Tract A	Multifamily
West	PD No. 269, the Deep Ellum/Near East Side District, Tract A	Vacant Structure

Land Use Compatibility:

The area of request encompasses a single property (2713 Canton Street), which includes four individual units. The current SUP No. 2076 encompasses three of the four units; this request would renew SUP No. 2076 and extend the limitations to include the remaining unit. Additionally, the request would extend the expiration of SUP No. 2076 from five to seven years, and would grant eligibility for automatic renewals for additional five-year periods.

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 this application for renewal of SUP 2150 meets the approval criteria for SUPs as established by Section 51A-4.219 of the Dallas Development Code.

Staff supports the request due to the continuity of the existing use, and the overall contribution to the vibrancy of the Deep Ellum/Near East Side District.

Landscaping:

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

Parking:

Parking is required to be provided in accordance with PD No. 269. This PD requires no minimum parking for the first 2,500 square feet of inside commercial amusement uses and bar, lounge, or tavern uses in an original building. Beyond that, these uses require 1 space per 100 square feet of floor area. PD No. 269 also allows for remote parking located a walking distance of 1,200 feet away. The applicant has met their minimum required parking through remote agreements, special exception granted by the Board of Adjustment, and the transit adjacency provisions of PD No. 269. Before they include additional floor area in further certificates of occupancy, they would be required to fulfill them with additional recorded agreements.

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.

Z234-203(CR)

List of Officers

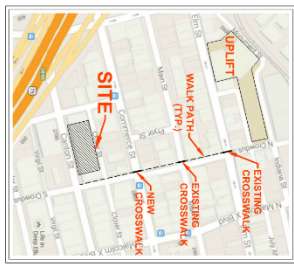
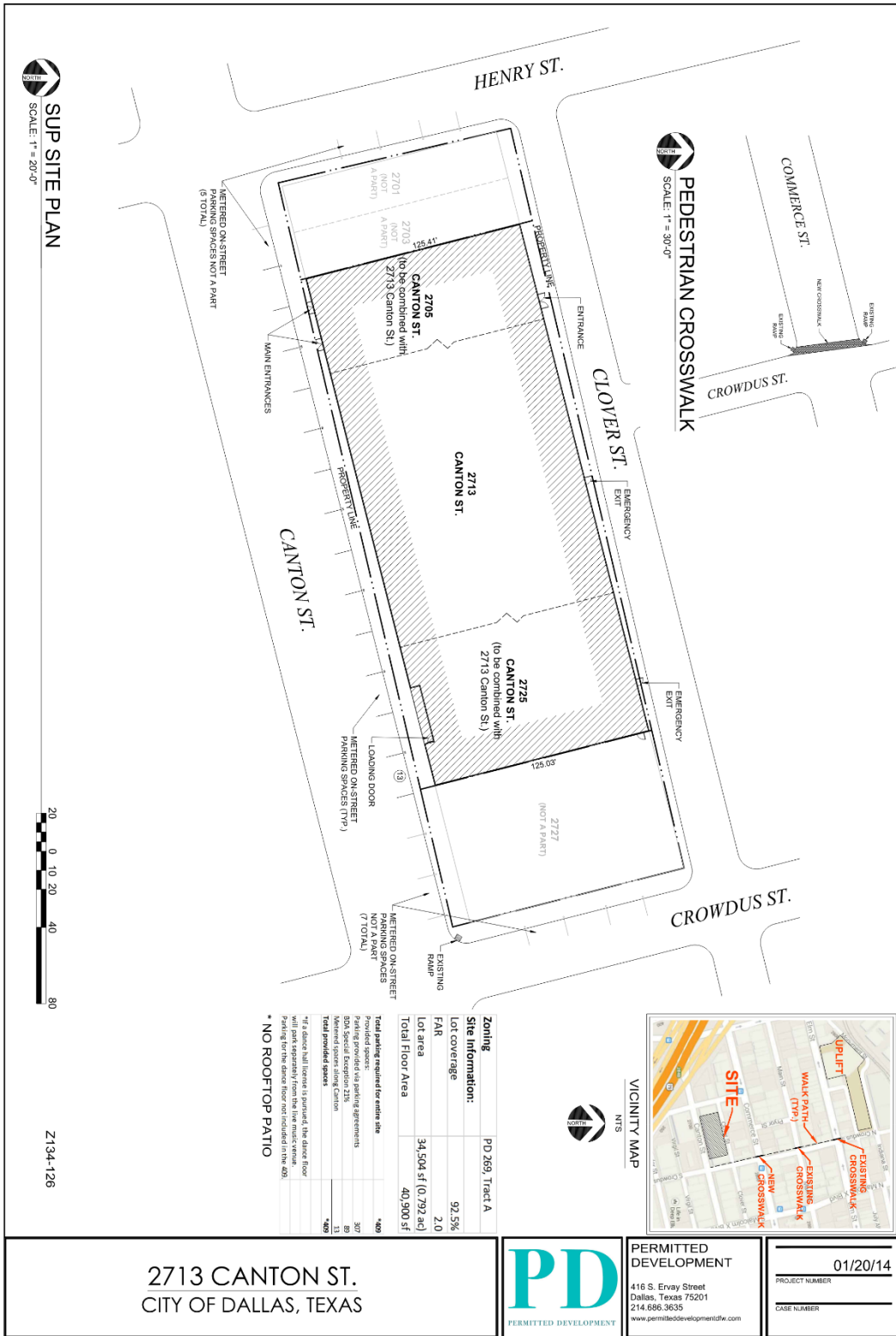
2713 Canton Ltd.

Joe Beard

PROPOSED CONDITIONS

1. USE: The only use authorized by this specific use permit is an inside commercial amusement limited to a live music venue and a dance hall.
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 (**seven** years from the passage of this ordinance) but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. ENTRANCES:
 - A. Loading dock doors. The loading dock doors shown on the attached site plan must remain closed when live music is being performed.
 - B. Canton Street main entrance. For noise mitigation, vestibules with exterior and interior doors must be provided at the main entrances shown on the attached site plan. When live music is being performed, the exterior door must remain closed except to allow entry and exit.
5. FLOOR AREA:
 - A. Maximum floor area for an inside commercial amusement limited to a live music venue and dance hall is ~~44,000~~ **43,869** square feet.
 - B. Maximum area for a dance floor is 625 square feet.
6. HOURS OF OPERATION: The inside commercial amusement limited to a live music venue and dance hall may only operate between 5:00 p.m. and 12:00 a.m., Monday through Friday, and between 12:00 p.m. and 12:00 a.m., Saturday and Sunday.
7. OUTSIDE SPEAKERS: Outside speakers and any outside amplification are prohibited.
8. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Dallas Development Code Section 51A-4.704(b)(4), may not be used to meet the off-street parking requirements for the dance hall use.
9. ROOFTOP OCCUPANCY: Use of the rooftop for customers or the public is prohibited.
10. STREET IMPROVEMENTS: Before the issuance of a certificate of occupancy for a commercial amusement inside limited to a live music venue and dance hall use, crosswalk pavement markings must be provided, if warranted, on the west side of the intersection of Crowdus Street and Commerce Street in accordance with city standards and in the location approved by the city's traffic engineer.
11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
12. 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



Zoning	PD 269, Tract A
Site Information:	
Lot coverage	92.5%
FAR	2.0
Lot area	34,504 sf (0.793 ac)
Total Floor Area	40,900 sf
Total parking required for entire site: *400	
Provided spaces:	
ADA Special Exception 215	307
ADA Special Exception 215	89
ADA Special Exception 215	4
Total provided spaces	*400

* If a drive thru license is pursued, the drive floor parking for the drive thru floor not included in the ADA.

*** NO ROOFTOP PATIO**

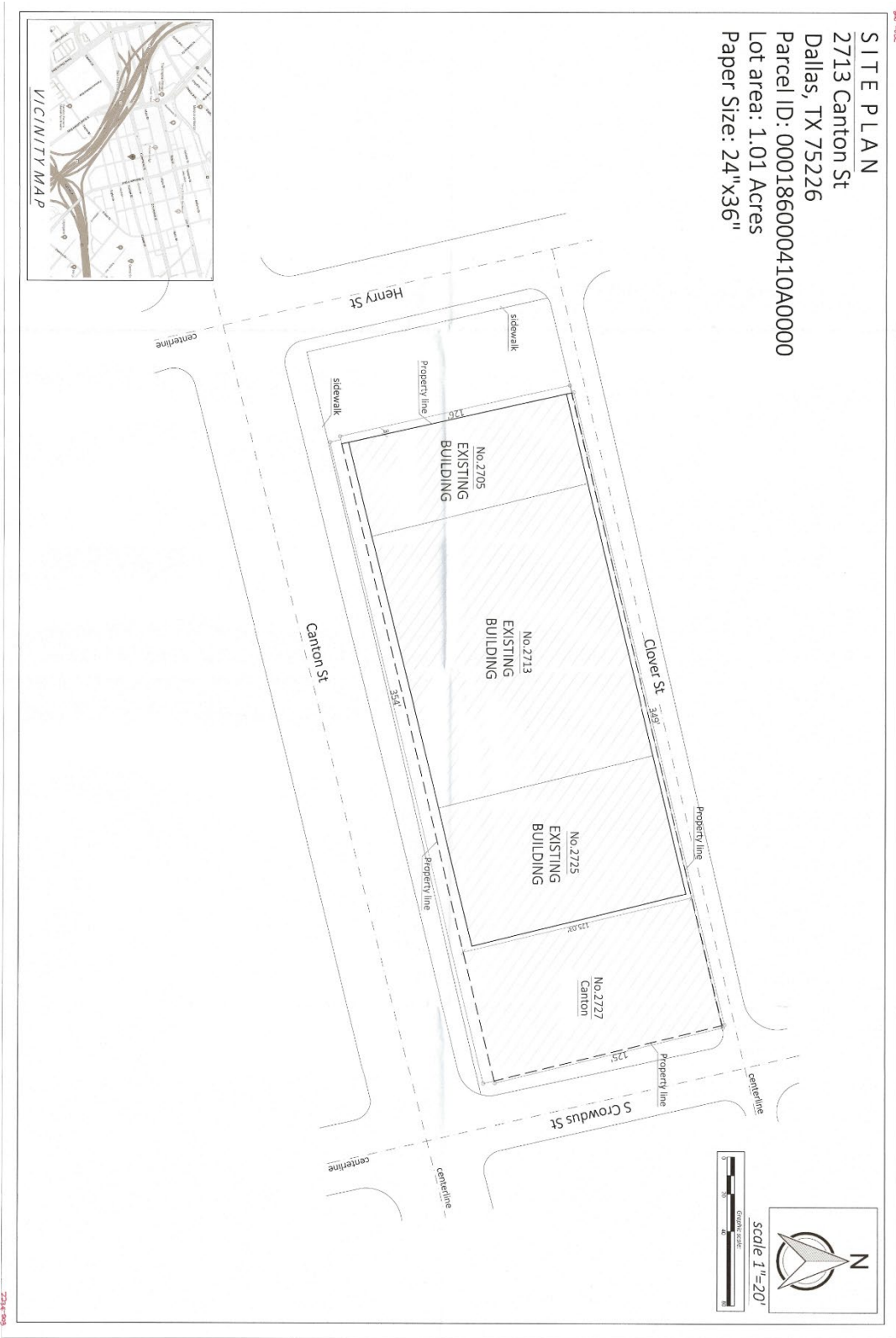
2713 CANTON ST.
CITY OF DALLAS, TEXAS

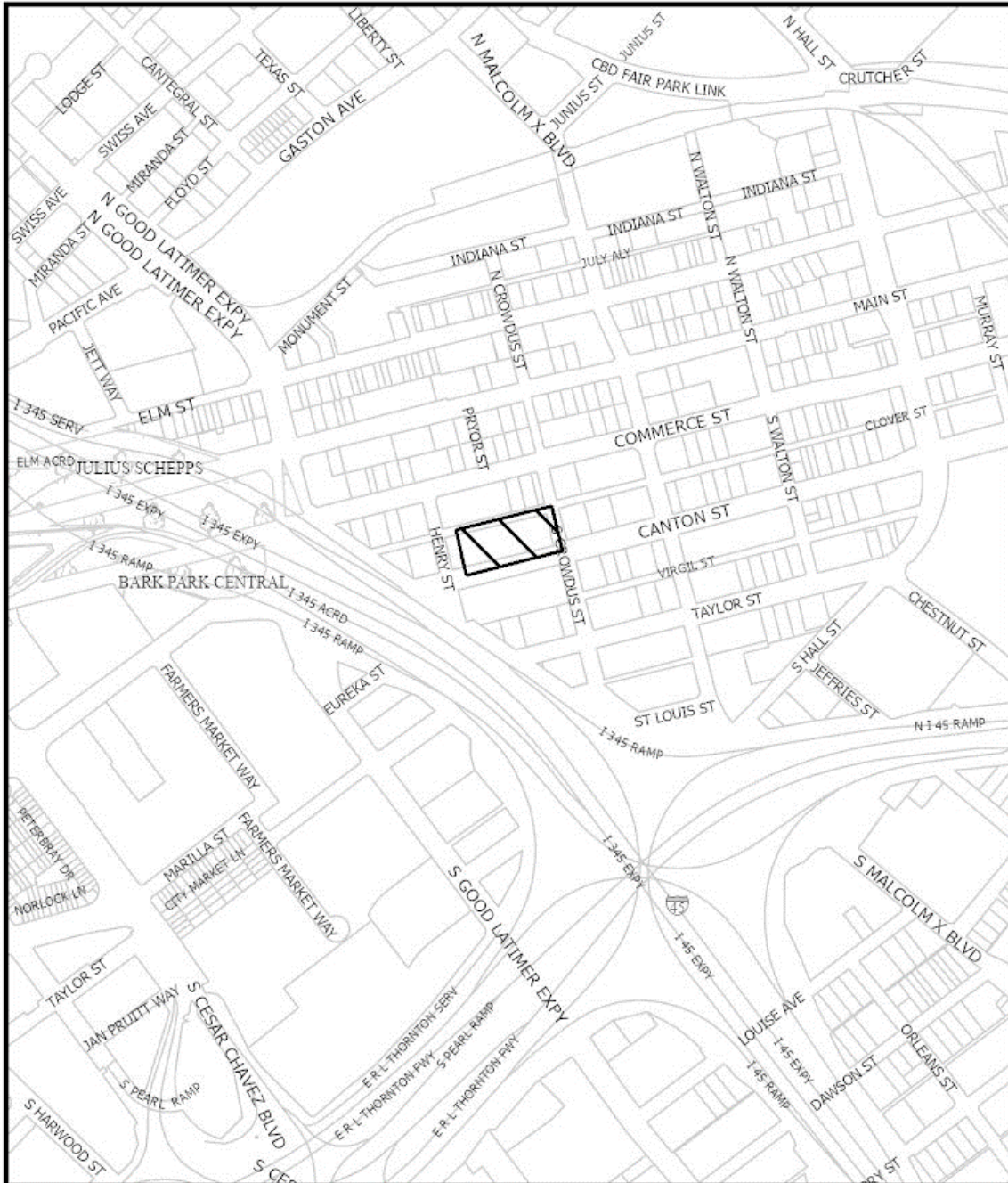
PD
PERMITTED DEVELOPMENT


416 S. Ervay Street
Dallas, Texas 75201
214.686.3635
www.permitteddevelopmentdfw.com

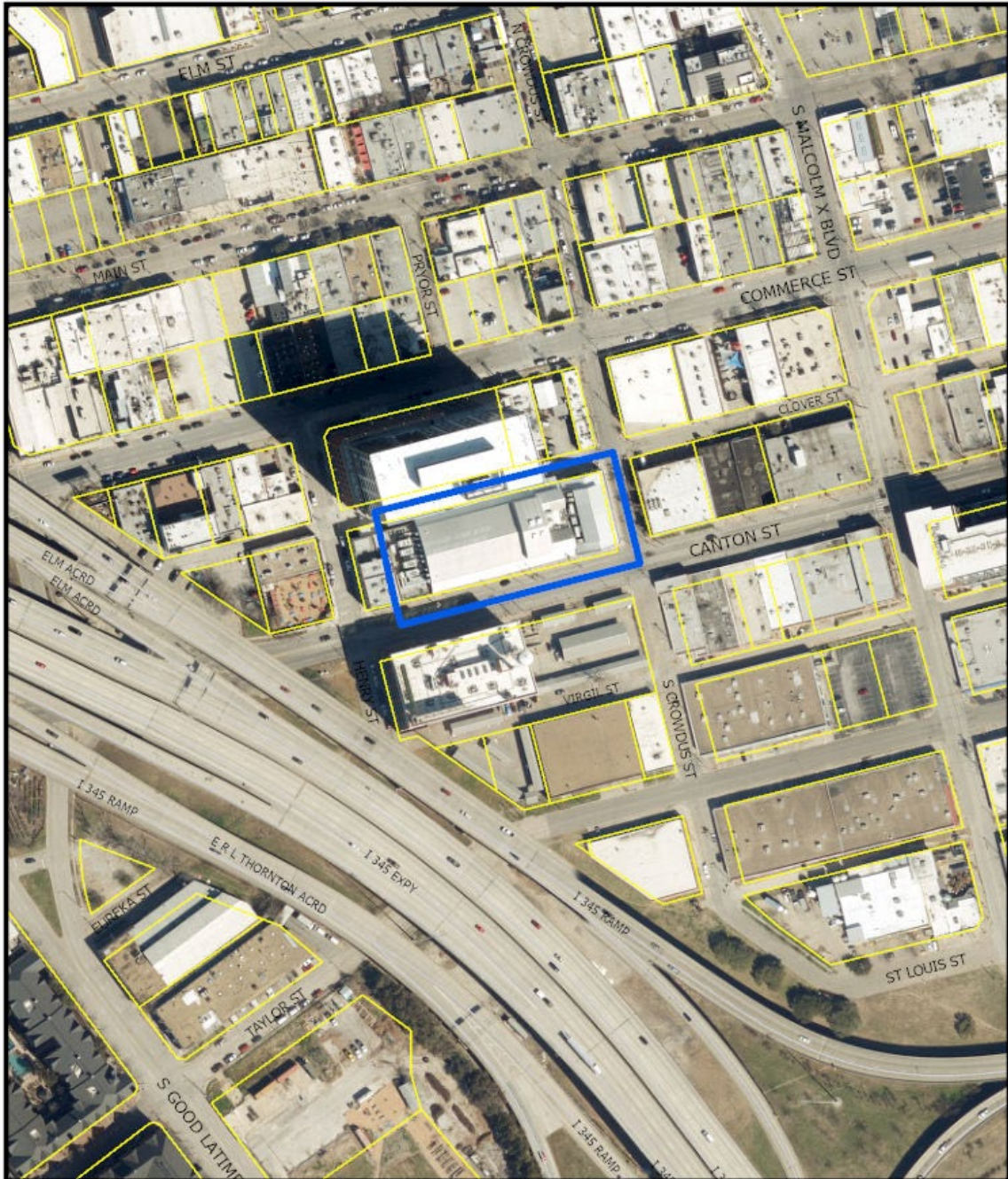
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PROPOSED SITE PLAN





 1:6,000	<h2>VICINITY MAP</h2>	Case no: Z234-203 Date: 08/02/2024
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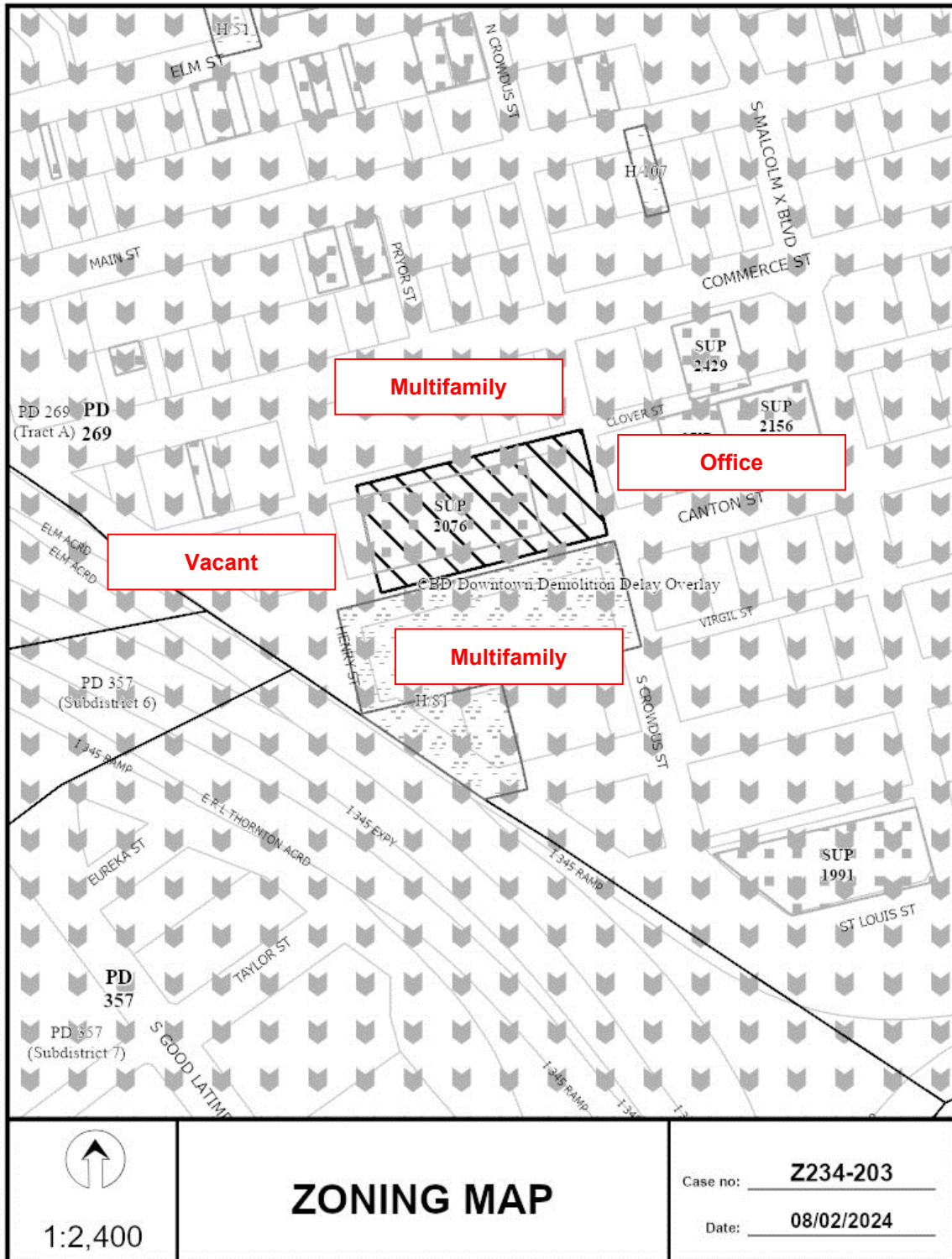


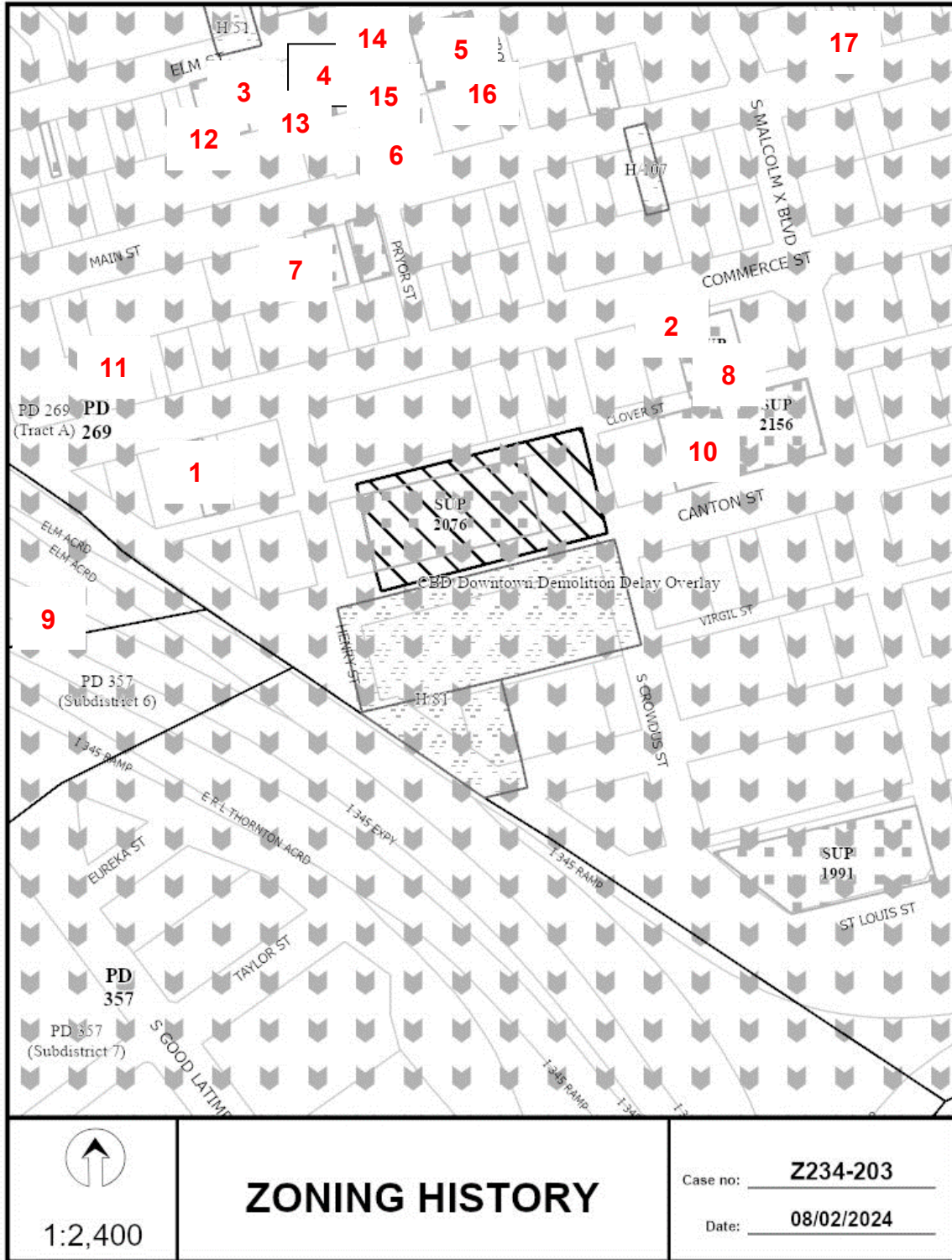
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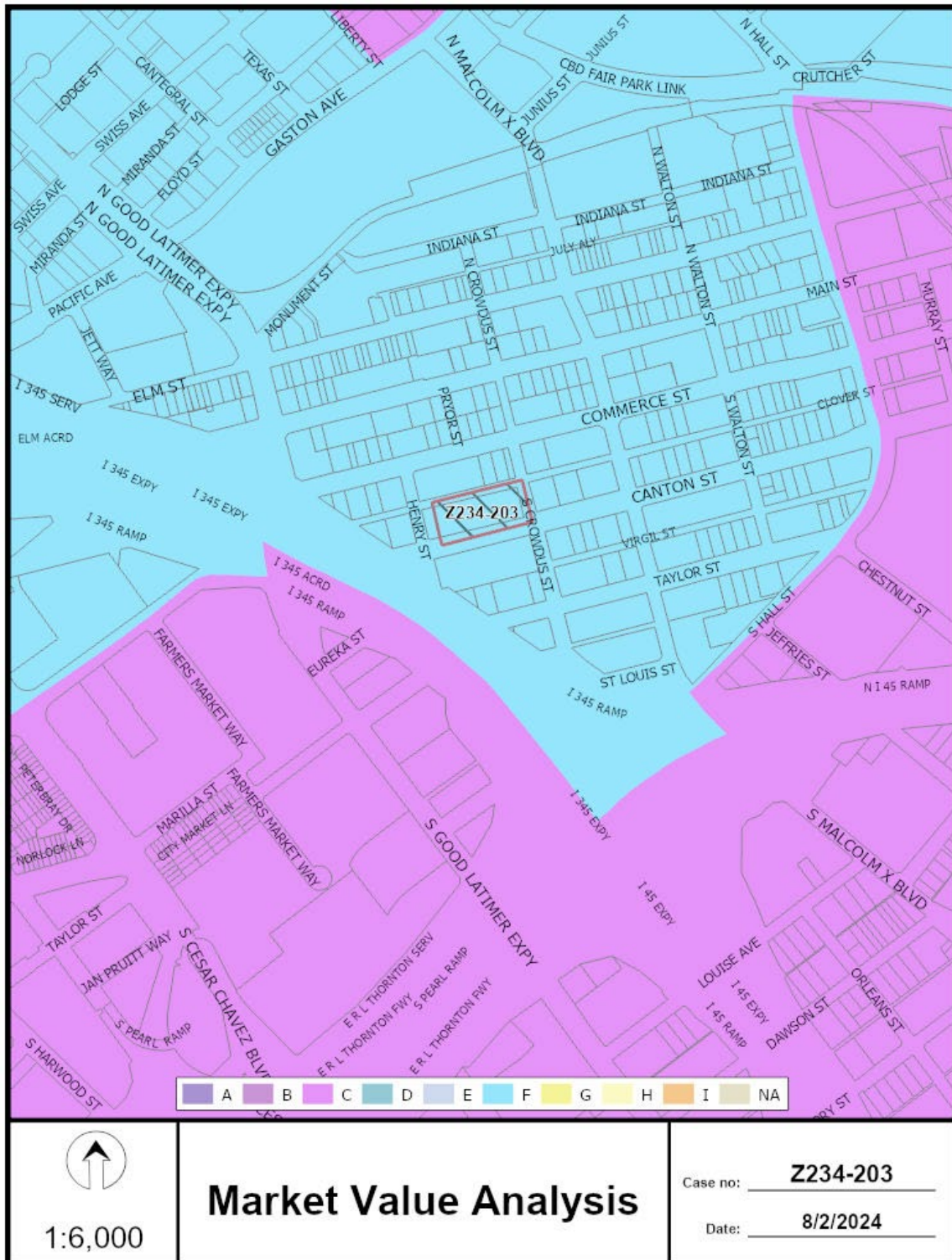
AERIAL MAP

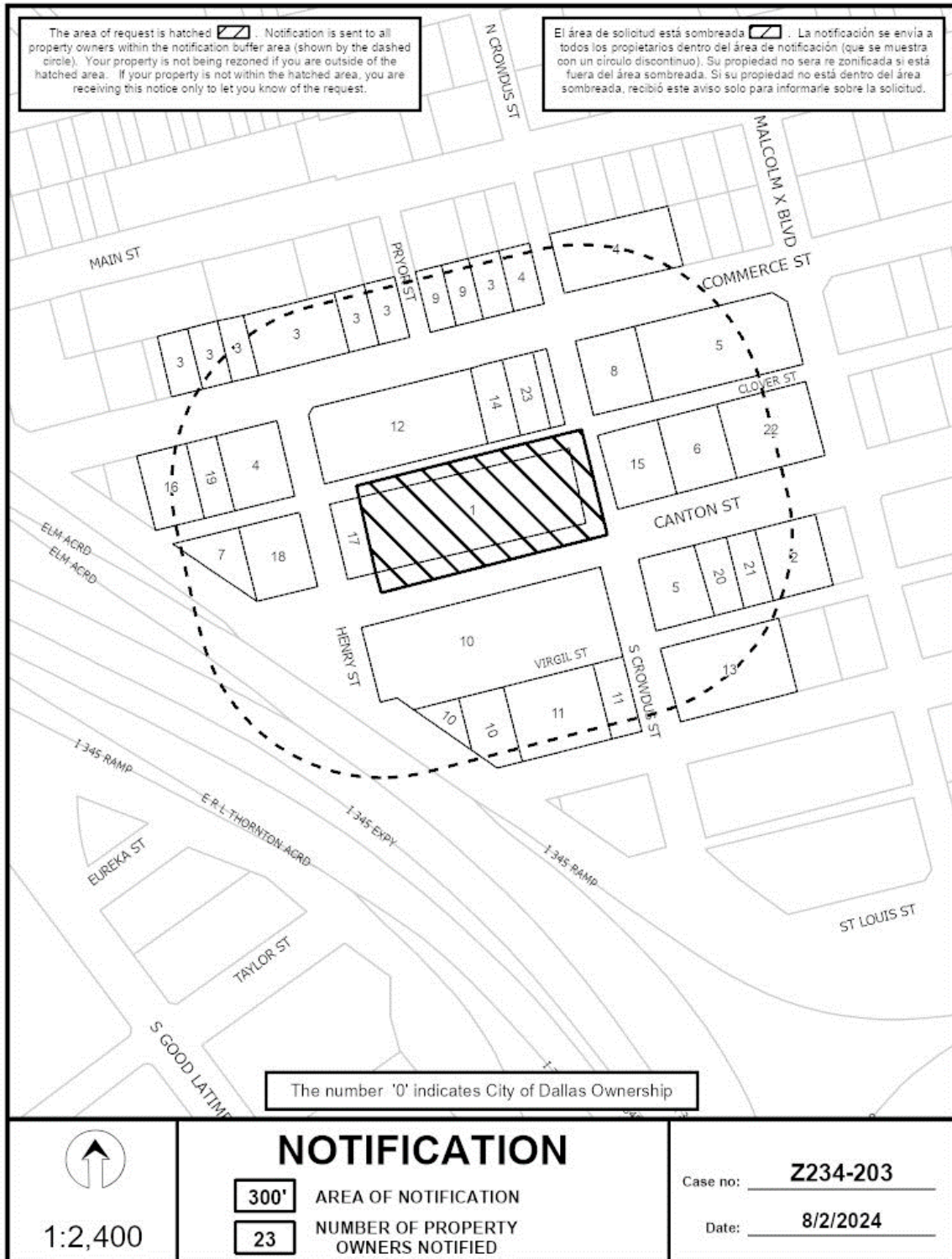
Case no: Z234-203

Date: 08/02/2024









08/02/2024

Notification List of Property Owners***Z234-203******23 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2713 CANTON ST	2713 CANTON LTD
2	2824 CANTON ST	HORTON T L DESIGN INC
3	2625 COMMERCE ST	AP DEEP ELLUM LLC
4	2713 COMMERCE ST	WESTDALE PPTIES AMERICA I
5	2801 VIRGIL ST	AP BLANTON DEEP ELLUM LLC
6	2809 CANTON ST	2809 CANTON LLC
7	2622 CLOVER ST	DEEP ELLUM HOLDINGS LLC
8	2800 COMMERCE ST	2800 COMMERCE INVESTORS
9	2701 COMMERCE ST	ABBOTT LLC
10	2705 TAYLOR ST	WESTDALE ADAM HATS LTD
11	2725 TAYLOR ST	WESTDALE PROPERTIES
12	2700 COMMERCE ST	HW COMMERCE OFFICE LP
13	2803 TAYLOR ST	DEEP ELLUM CHURCH
14	2724 COMMERCE ST	SDL PARTNERS INC
15	2805 CANTON ST	SMFB LLC
16	2616 COMMERCE ST	NOLA LTD
17	2701 CANTON ST	BARNES & ROBERTS REAL ESTATE
18	215 HENRY ST	DEEP ELLUM HOLDINGS LLC
19	2622 COMMERCE ST	SDL PARTNERS LTD
20	2810 CANTON ST	WARREN PROPERTY HOLDINGS LLC
21	2814 CANTON ST	FITZGERALD KAREN K & SEAN
22	2817 CANTON ST	2825 CANTON LLC
23	2730 COMMERCE ST	MADISON PACIFIC DEV CO