

FILE NUMBER: Z201-194(LG)

DATE FILED: February 25, 2021

LOCATION: Northwest corner of Harry Hines Boulevard and Joe Fields Road

COUNCIL DISTRICT: 6

MAPSCO: 22 H

SIZE OF REQUEST: ±0.1135 acre

CENSUS TRACT: 99.00

**REPRESENTATIVE/
APPLICANT:**

Troy Clark

OWNER:

JBP Land, Ltd.

REQUEST:

An application for a Specific Use Permit for commercial amusement (inside) limited to a Class A dance hall use and an alcoholic beverage establishment limited to a private-club bar use on property zoned Planned Development District No. 498, the Harry Hines Corridor Special Purpose District.

SUMMARY:

The purpose of the request is to allow for a dance hall and a private club-bar. [Club Babylon].

CPC RECOMMENDATION:

Approval for a commercial amusement (inside) limited to a Class A dance hall for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION:

Approval for a commercial amusement (inside) limited to a Class A dance hall for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The applicant requests a Specific Use Permit (SUP) for commercial amusement (inside) limited to a Class A dance hall. Initially, the request also included an alcoholic beverage establishment use limited to a private club-bar.
- At the June 3, 2021 City Plan Commission meeting, the applicant requested the removal of the alcoholic beverage establishment use limited to a private club-bar, since the applicant would not pursue license with the Texas Alcoholic Beverage Commission. Due to this request, the City Plan Commission approved the applicant’s request for a commercial amusement inside limited to a dance hall for a two-year period, subject to a site plan and conditions.
- According to Sec. 51A-4.210(7)(a)(v) of the Dallas Development Code, a commercial amusement (inside) 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 use includes but is not limited to an adult arcade, adult cabaret, adult theater, amusement center, billiard hall, bowling alley, children’s amusement center, dance hall, motor track or skating rink.
- According to Sec. 51-14.1(2)(a) and (b), a dance hall is defined as a place where (a) dancing by patrons or customers is permitted; or (b) dance or any similar live performance is presented to the public. In Sec 51.14.1(3) a Class A Dance Hall is defined as any place where dancing is permitted three days or more a week.
- A specific use permit is required to operate a dance hall in PD No. 498.
- The request site is developed with a 4,900-square-foot establishment.

Zoning History: There has been no new zoning requests in the area within the last five years.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing/Proposed ROW
Harry Hines Boulevard	Principal Arterial	130’
Joe Fields Road	Local Street	-

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street 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 proposed zoning request meets the below goals and objectives of the Comprehensive Plan.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 498	Vacant
North	PD No. 498	Retail and personal service uses
East	PD No. 498	Retail and personal service uses
South	PD No. 498	Retail, auto sales and auto repair uses
West	PD No. 498	Retail and personal service uses

Land Use Compatibility:

The proposed site is currently vacant but located on a property that consists of six buildings that consists of retail and personal service uses. Retail and personal service uses are located to the north, east and west of the site. Retail, auto sales and auto repair uses are south of the area of request. Since the applicant's proposed use falls under the categories of retail and personal service uses, the applicant's request is consistent with the surrounding land uses. The applicant will also operate from 10 p.m. to 4 a.m., when most of the surrounding uses will not be in operation. Staff does not believe the proposed use will be detrimental to the area, therefore, staff is in support of the request. Furthermore, staff recommends approval for two-year period which will allow staff to reevaluate the use within a short period of time to ensure compatibility with surrounding areas.

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.

According to Sec.14-3(12)(D) of the Dallas Development Code, a Class A Dance hall also requires a license that has to be approved by the Chief of Police in order to operate.

Parking:

Parking must be provided in accordance with Sec. 51A-4.200 of the Dallas Development Code. For a Dance hall, the one space per 25 square feet of dance floor and one space per 100 square feet of floor area for the remainder of the use. For the rest of the building to be used as general Commercial Amusement (Inside), the parking requirement is one space per 100 square feet of floor area. For the 4,000 square feet Commercial Amusement (Inside) use, the applicant is required to provide 40 spaces. The 900 square foot dance hall will require an additional 36 spaces. In total the applicant is required to provide 76 spaces and is providing 91 spaces on the site.

Landscaping:

Landscaping will meet the requirements of Article X, as amended.

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 to orange, representing the weakest markets. The site is uncategorized within the MVA map, nor is it adjacent to other properties within an MVA Category.

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List of Officers/Partners/Principals

JBP Land, Ltd.

David Deitz, sole owner

CPC ACTION
June 3, 2021

Motion: It was moved to recommend **approval** of a Specific Use Permit for commercial amusement inside limited to a Class A dance hall for a two-year period, subject to a site plan and conditions with clarification to remove references to an alcoholic beverage establishment limited to a private-club bar use on property zoned Planned Development District No. 498, the Harry Hines Corridor Special Purpose District, on the northwest corner of Harry Hines Boulevard and Joe Fields Road.

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

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

Against: 1 - Jackson
Absent: 0
Vacancy: 1 - District 10

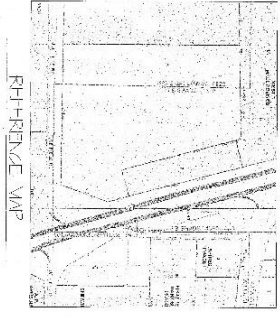
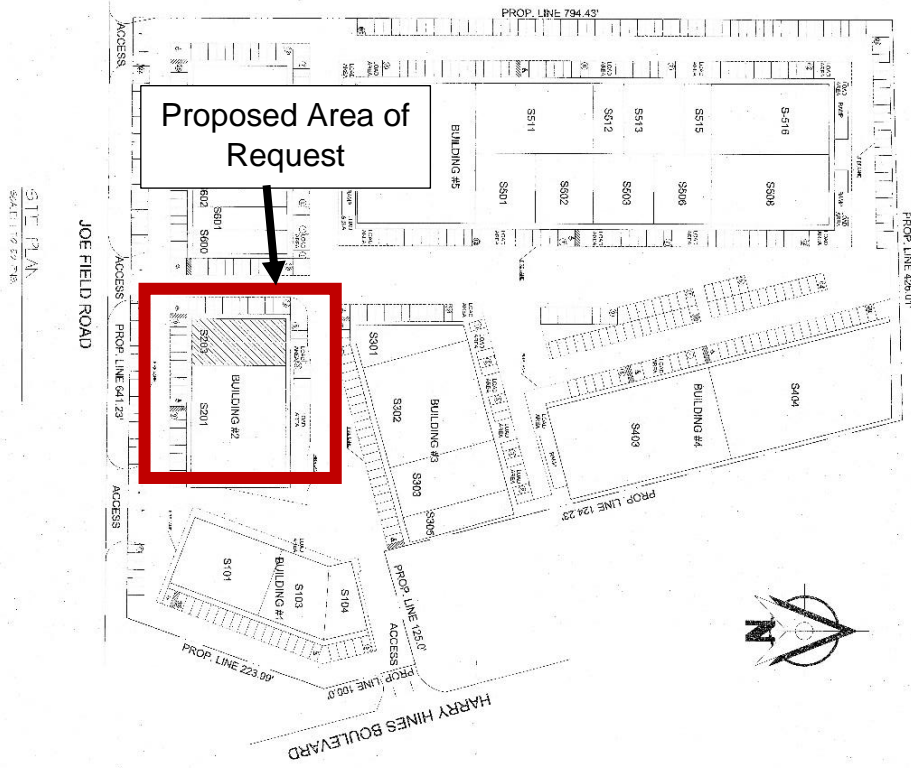
Notices: Area: 400 Mailed: 11
Replies: For: 0 Against: 1

Speakers: For: Tory Clark, 3004 Albany Dr., Mesquite , TX, 75150
Against: None

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a commercial amusement inside limited to 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_____(two-year period from the passage of this ordinance).
4. FLOOR AREA:
 - a. Maximum floor area for the commercial amusement inside limited to a dance hall is 900 square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. 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 Site Plan



PARKING ANALYSIS

NO.	DESCRIPTION	AREA (SQ. FT.)	TYPE	NO. OF SPACES	REMARKS
1	EXISTING ASPHALT PAVED	10,000	ASPHALT	100	EXISTING
2	EXISTING CONCRETE PAVED	5,000	CONCRETE	50	EXISTING
3	PROPOSED ASPHALT PAVED	15,000	ASPHALT	150	PROPOSED
4	PROPOSED CONCRETE PAVED	7,500	CONCRETE	75	PROPOSED
5	TOTAL	37,500		375	

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SCALE: 1" = 20'-0"
 DATE: 07/12/2011
 SHEET: 100

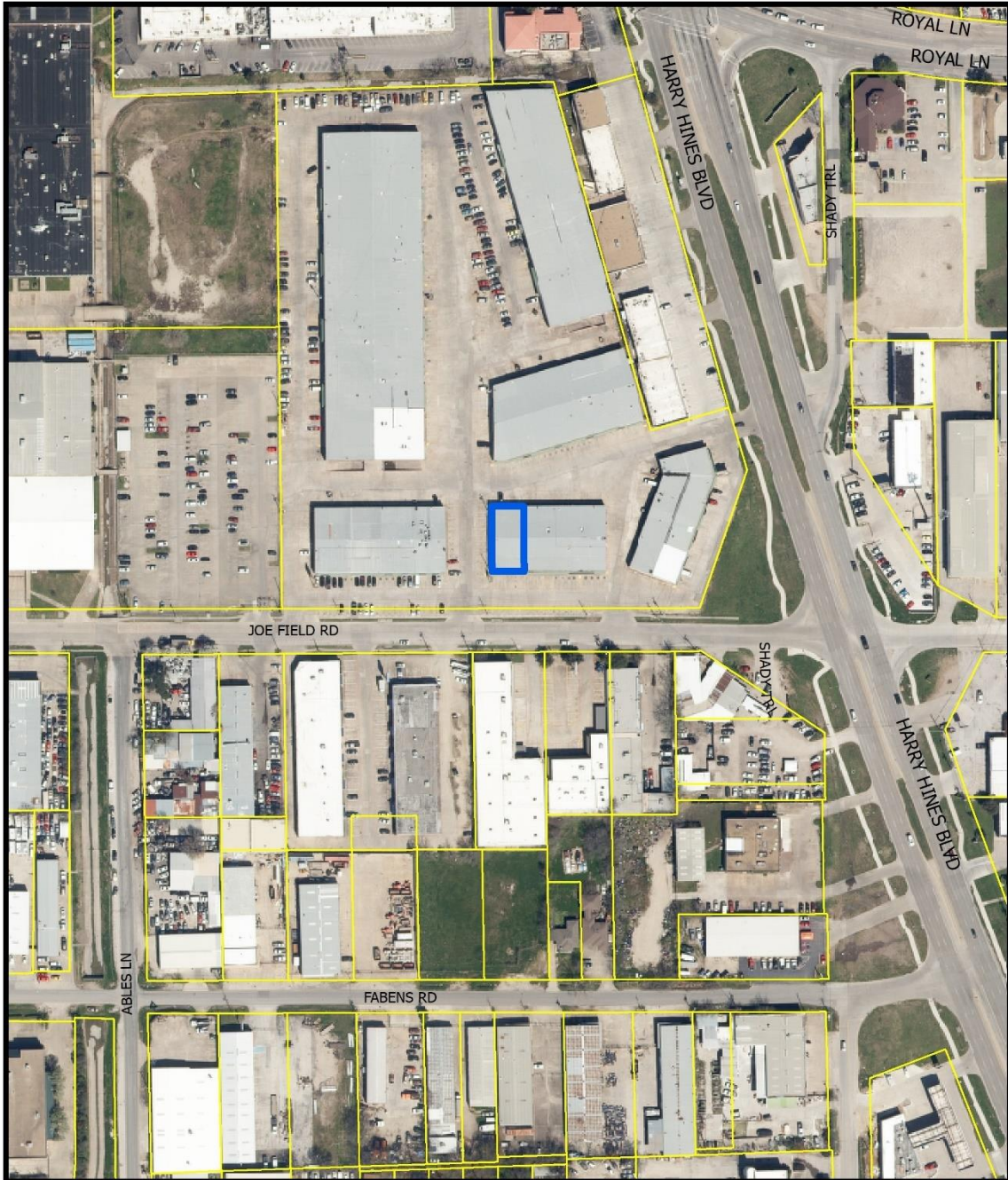
PROJECT: PARKING ANALYSIS - COMMERCIAL
 ADDRESS: 121 HARRY HINES BOULEVARD, SUITE 200
 DALLAS, TX 75228
 DRAWING CONTENT:
 SITE PLAN

CITY STAMP
 DRAFTER/SUBURUS
 ADVISING





 1:6,000	<h2>VICINITY MAP</h2>	Case no: <u>Z201-194</u> Date: <u>4/28/2021</u>
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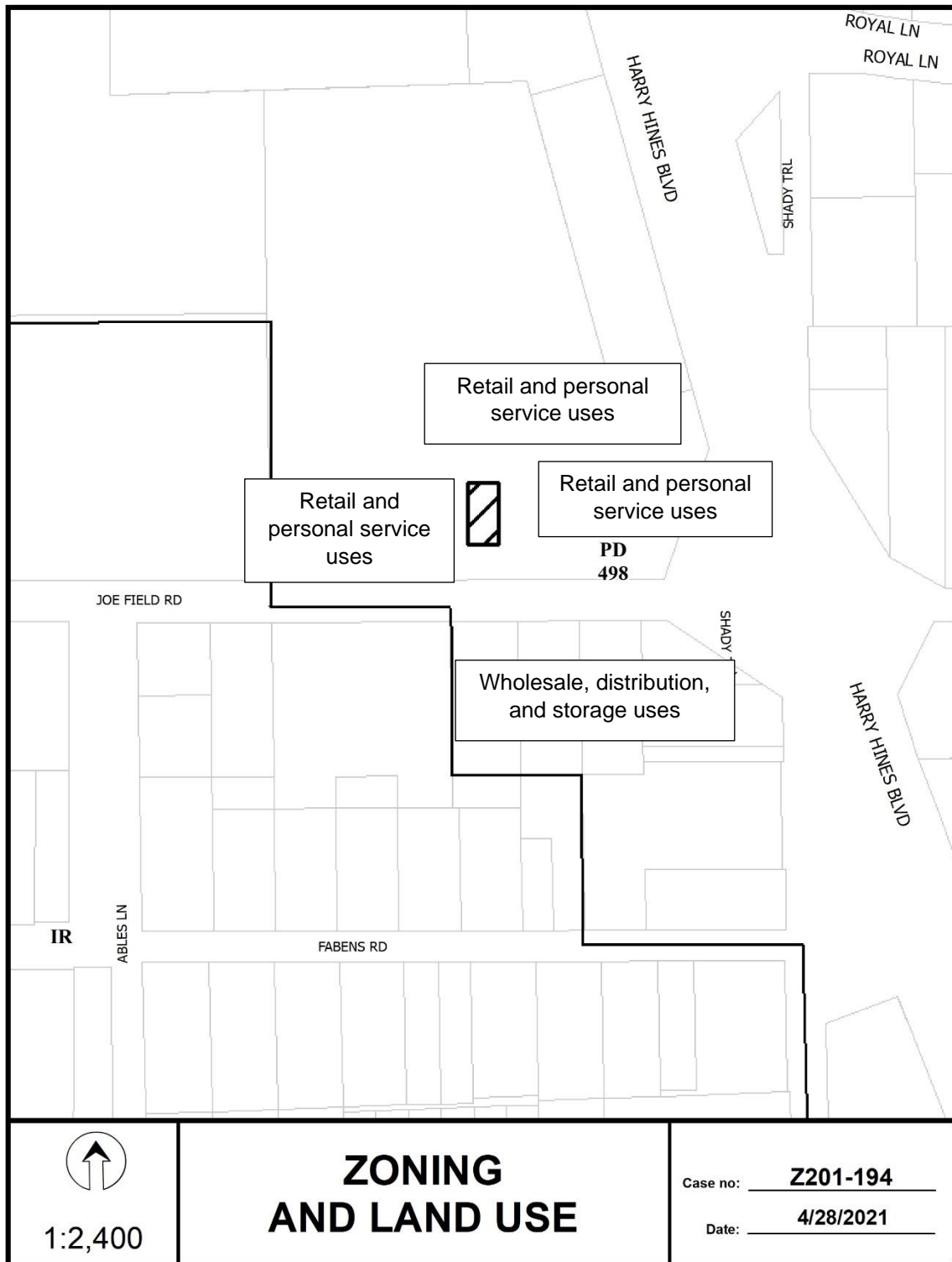


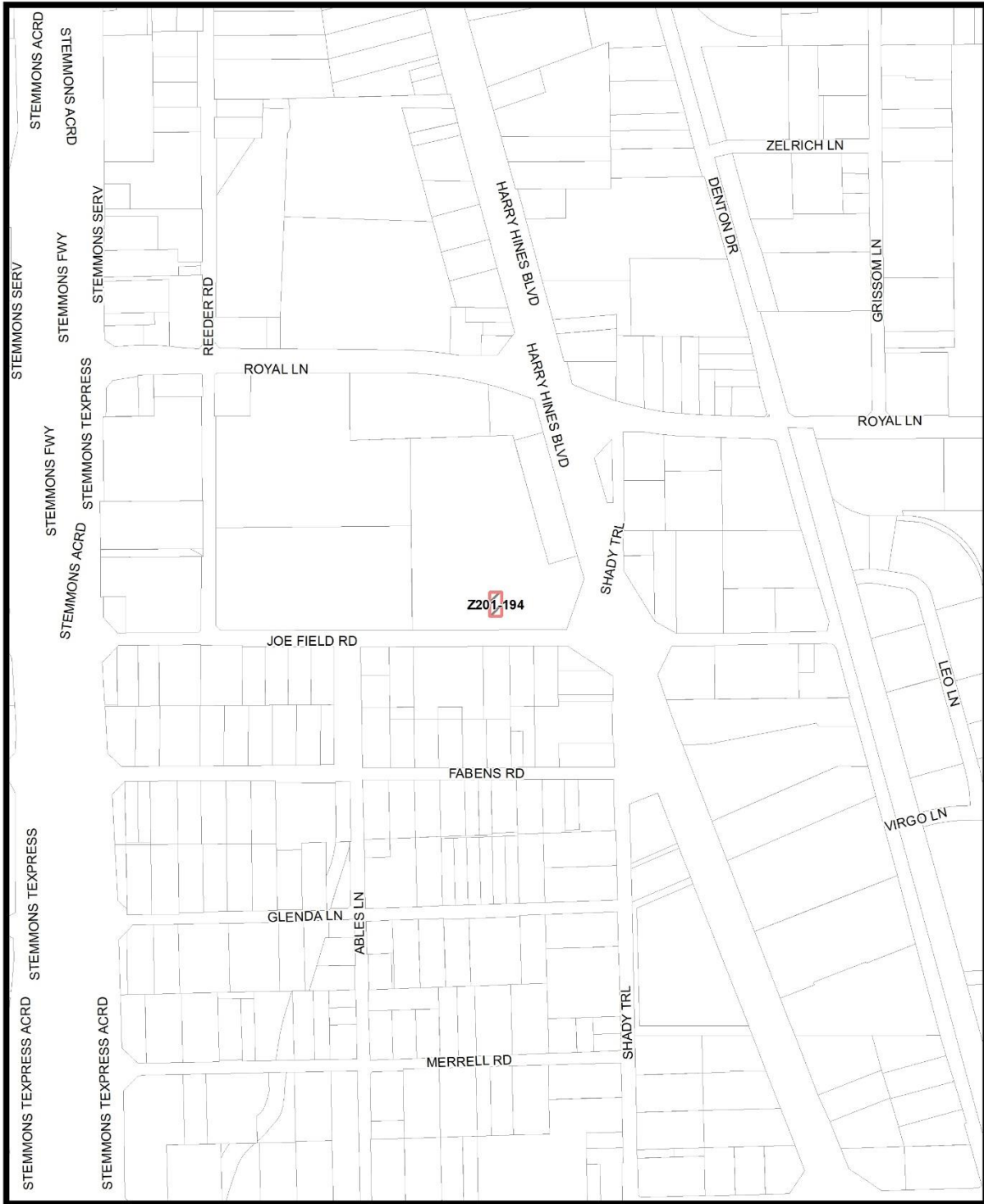
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AERIAL MAP

Case no: Z201-194

Date: 4/28/2021





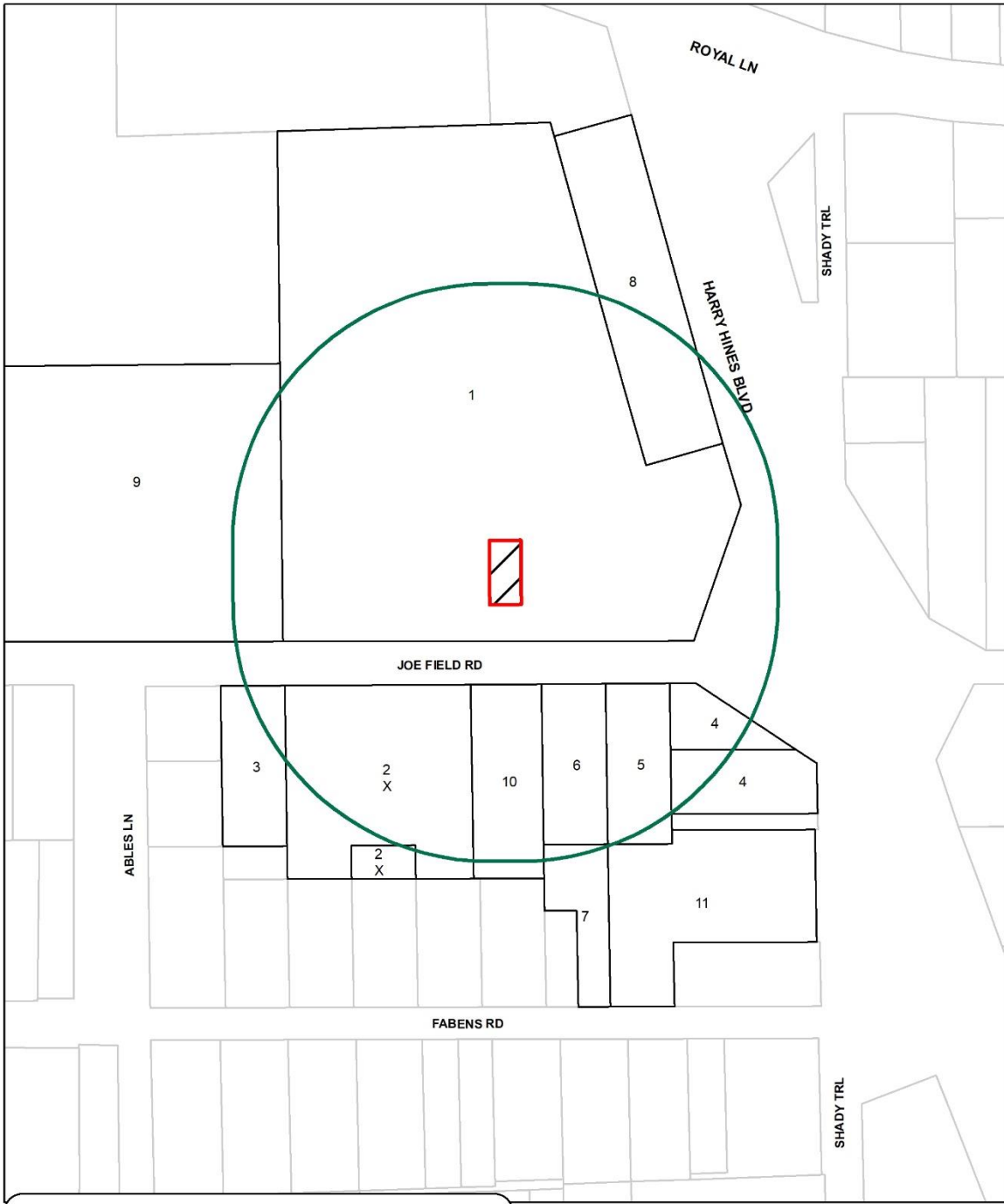
Market Value Analysis A B C D E F G H I NA



Market Value Analysis

Printed Date: 4/28/2021

CPC RESPONSES



<u>11</u>	Property Owners Notified (13 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>1</u>	Replies in Opposition (2 parcels)
<u>400'</u>	Area of Notification
<u>6/3/2021</u>	Date

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1:2,400

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06/02/2021

Reply List of Property Owners

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11 Property Owners Notified

0 Property Owners in Favor

1 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	11325 HARRY HINES BLVD	JBP LAND LTD
X	2	2528 JOE FIELD RD	MANNY MIKE INC
	3	2516 JOE FIELD RD	SOHAEE NASSIM &
	4	11273 HARRY HINES BLVD	DENTEX LAND CATTLE &
	5	2560 JOE FIELD RD	ISSA ANWAR &
	6	2552 JOE FIELD RD	KIM PETER ET AL
	7	2557 FABENS RD	HA CLIFFORD S
	8	11333 HARRY HINES BLVD	ROYAL HINES LTD
	9	2505 JOE FIELD RD	Taxpayer at
	10	2544 JOE FIELD RD	Taxpayer at
	11	11261 HARRY HINES BLVD	Taxpayer at