

FILE NUMBER: Z234-153(LC) **DATE FILED:** January 10, 2024

LOCATION: Northwest corner of Main Street and Exposition Avenue

COUNCIL DISTRICT: 2

SIZE OF REQUEST: 5,227 square feet **CENSUS TRACT:** 48113020401

REPRESENTATIVE: Audra Buckley, Permitted Development

OWNER: Jernigan Realty Partners LP

APPLICANT: Artistic Encounter Tattoo

REQUEST: An application for an amendment to Specific Use Permit No. 2111 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.

SUMMARY: The purpose of the request is to continue to allow a body piercing studio and a tattoo studio.

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

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

BACKGROUND INFORMATION:

- The area of request currently a body piercing studio and a tattoo studio (approx. 5,227 square feet in total size), zoned under PD No. 269.
- Geographically located in Deep Ellum section of Dallas, approx. 0.5 miles from downtown.
- This lot has frontage on both Main Street and Exposition Avenue.
- No changes to the uses or site plan are being proposed.
- SUP No. 2111 was approved by City Council on October 22, 2014, for a two-year period.
- On August 10, 2016, the City Council approved the renewal of SUP No. 2111 for a three-year period, expiring August 10, 2019.
- On May 22, 2019, the City Council approved the renewal of SUP No. 2111 for a five-year period. Current SUP expires May 22, 2024.
- Applicant is requesting a specific use permit renewal for another five-year period.
- This specific use permit would expire five years from the passage of ordinance.

Zoning History:

There has been one zoning case in the area in the last five years.

- **Z234-102:** On March 27, 2024, City Council approved an amendment to Specific Use Permit No. 2068 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the east corner of Main Street and Exposition Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Exposition Avenue	Principal Arterial (PA)	80 feet
Main Street	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 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 1.1.5 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.

The 360 Plan:

The *360 Plan* was adopted by the City Council in December 2017 as a guide to future actions concerning land use and development regulations, transportation, 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. This plan outlines three transformative strategies suggested by City Council with an

overall goal that focuses on a complete and connected city center for future growth and development throughout the city.

The request complies with, but not limited to, the following transformative strategies and their respective goals of the 360 Plan:

I. BUILD COMPLETE NEIGHBORHOODS

Family-Friendly Housing
Diversity in Price Point
Diversity in Product Type

II. ADVANCE URBAN MOBILITY

The 360 Plan Urban Mobility Principles
Pedestrian District Connector

III. PROMOTE GREAT PLACEMAKING

Activate The Public Realm

Land Use:

	Zoning	Land Use
Site	Tract A, PD No. 269 with SUP No. 2111	Body piercing studio, tattoo studio
North	MU-3	Mixed Use
South	PD No. 269 with H/68	Commercial retail
East	Tract A, PD No. 749, SUP No. 1595	Commercial retail
West	PD No. 269	Commercial retail

Land Use Compatibility:

The area of request is currently developed with an existing body piercing studio and a tattoo studio (approx. 5,227 square feet in total size), zoned under PD No. 269 on the northwest corner of Main Street and Exposition Avenue.

To the north, south, east, and west of the property are commercial retail uses. With this area being surrounded by commercial uses and the area of request matching the uses in the immediate area, staff finds the applicant's requested SUP renewal to allow the

continued body piercing studio and tattoo studio uses compatible with the surrounding area. Staff supports the applicant's request.

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 request because the use is not foreseen to be detrimental to surrounding properties. Staff recommends an additional approval period of five years with no eligibility for automatic renewal.

Landscaping:

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

Parking:

The parking regulations in PD No. 269 establish that no off-street parking spaces are required for the first 5,000 square feet of floor area in a retail-related use or professional, personal service, and custom crafts use that has a separate certificate of occupancy if the use is located in an original building.

An original building being defined as a building constructed on or before June 27, 1984 the floor area of which has not, since June 27, 1984, been increased by more than: 1) 150 percent if the increase is 5,000 or less; or 2) 100 percent if the increase is more than 5,000 square feet.

The existing body piercing studio and tattoo studio uses meet this since the uses are defined within the professional, personal service, and custom craft uses category in PD No. 269. Therefore, no off-street parking is required for the existing piercing and tattoo

studio uses. However, four off-street parking spaces are being provided on the northern portion of the site, as depicted on the existing site plan.

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 in a “C” MVA area. There is an “F” MVA area to the north.

List of Officers

Jernigan Realty Partners, L.P:
Arvel Jernigan, Principal

General Partner: A Jernigan Investments, Inc.
Arvel Jernigan, President

CPC Action
May 2, 2024

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 2111 for a body piercing studio and a tattoo studio for a five-year period, subject to amended conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the northwest corner of Main Street and Exposition Avenue.

Maker: Wheeler-Reagan

Second: Rubin

Result: Carried: 15 to 0

For: 15 - Chernock, Hampton, Herbert, Forsyth, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Housewright, Eppler, Haqq, Hall, Kingston,
Rubin

Against: 0

Absent: 0

Vacancy: 0

Notices: Area: 200

Mailed: 18

Replies: For: 2

Against: 4

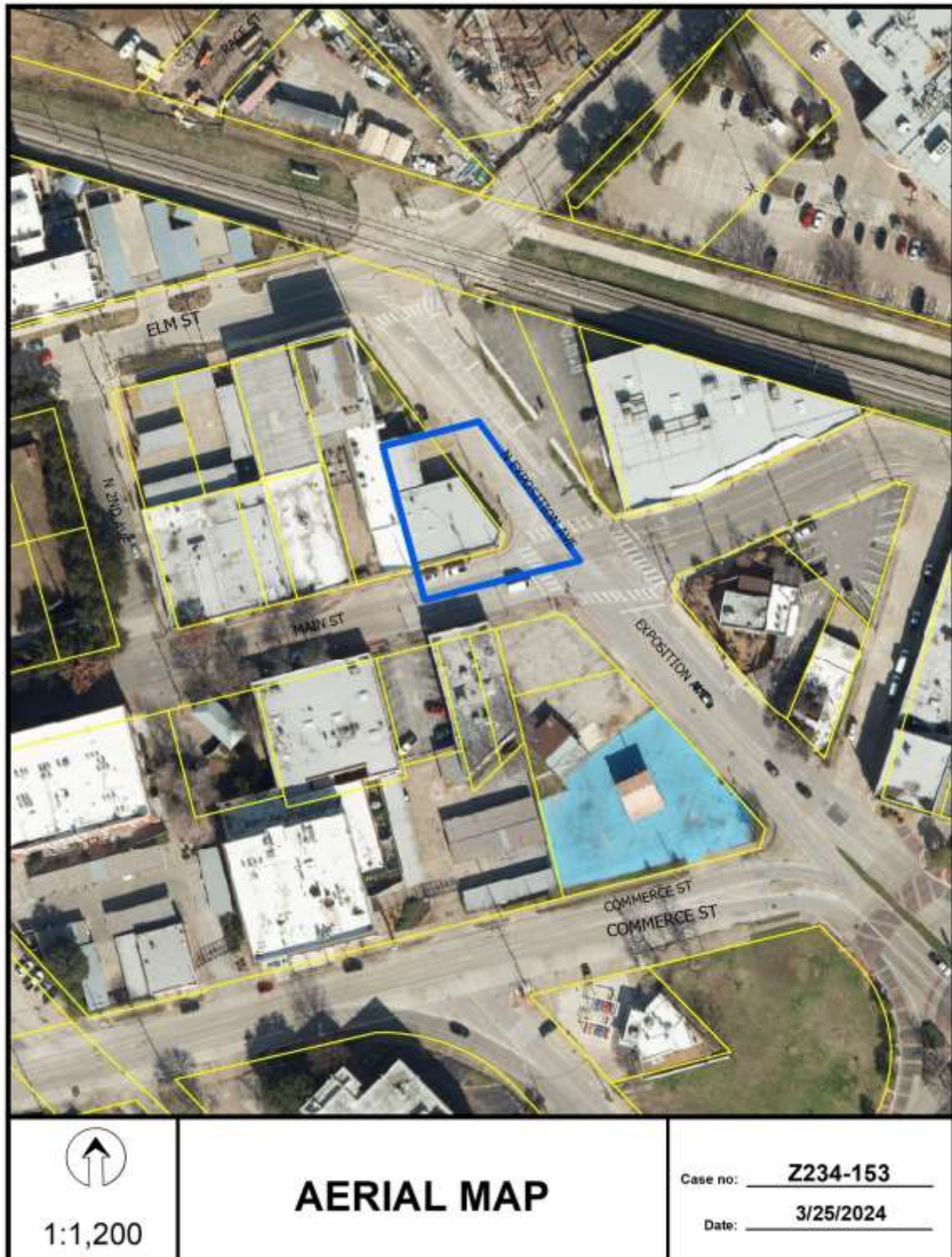
Speakers: None

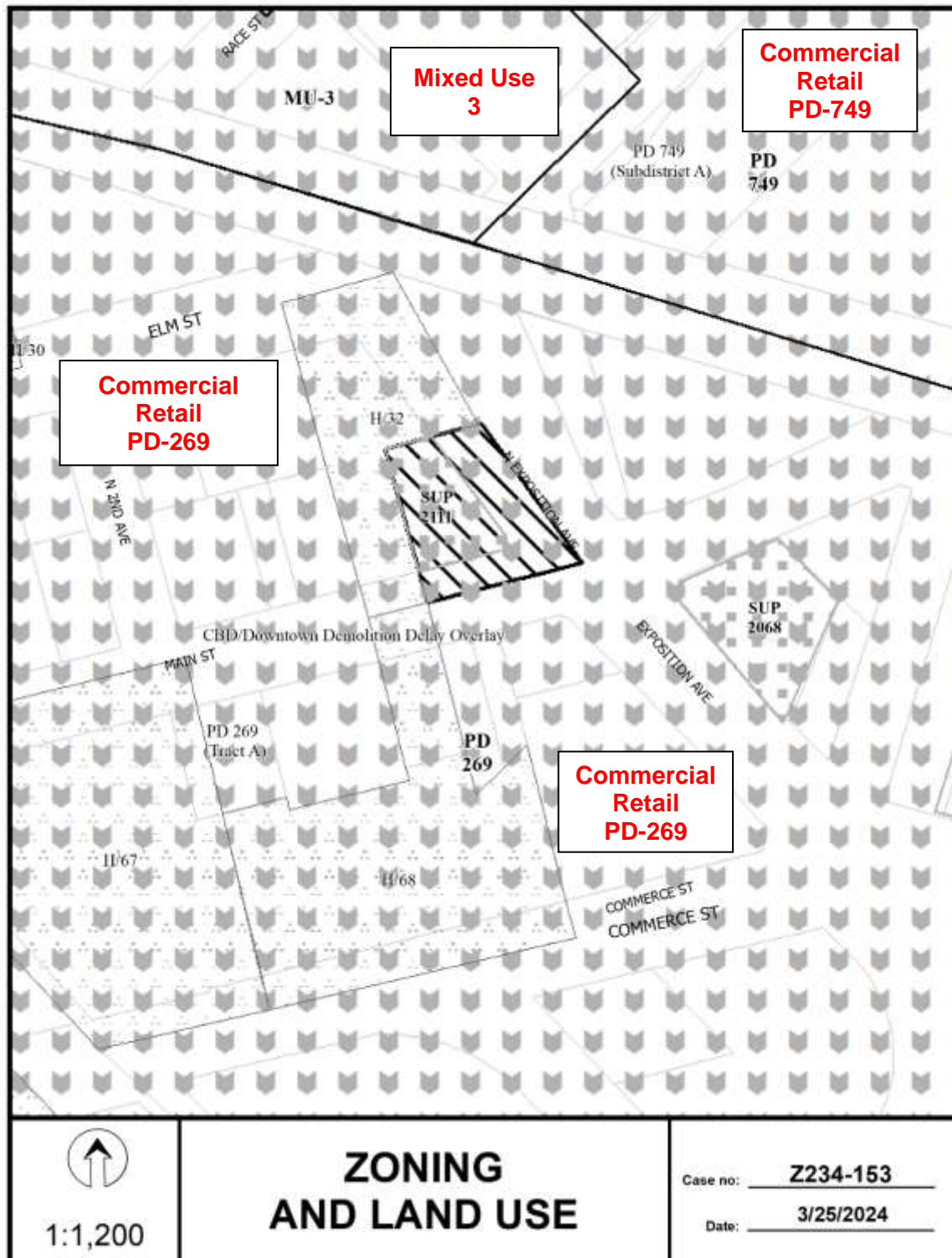
CPC RECOMMENDED CONDITIONS

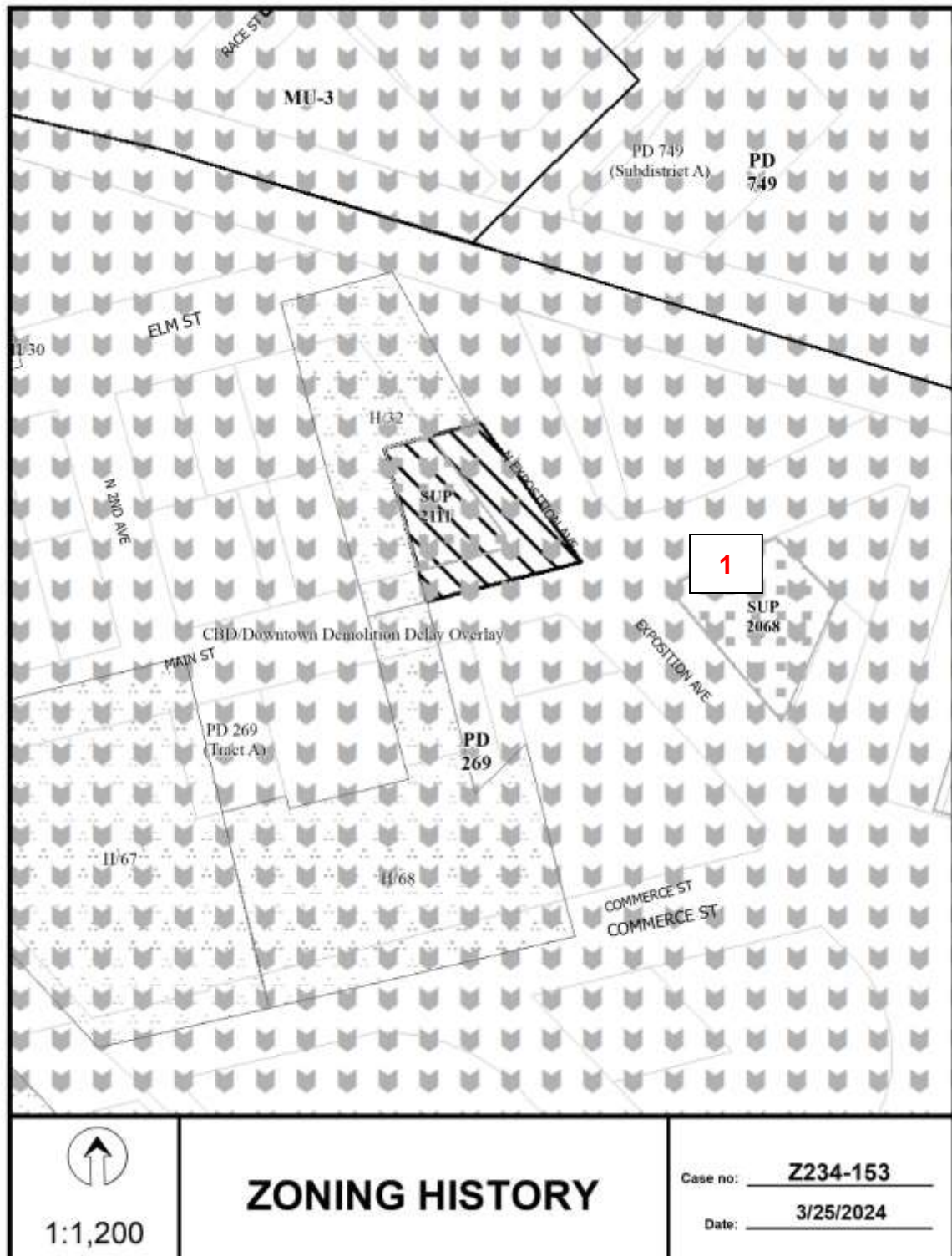
1. USE: The only uses authorized by this specific use permit are a body piercing studio and a tattoo studio.
2. SITE PLAN: Use and development of the property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for ~~May 22, 2024~~ (five years from the passage of this ordinance).
4. FLOOR AREA: The maximum floor area is 4,200 square feet in the location shown on the attached site plan.
5. MAINTENANCE: The entire 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.

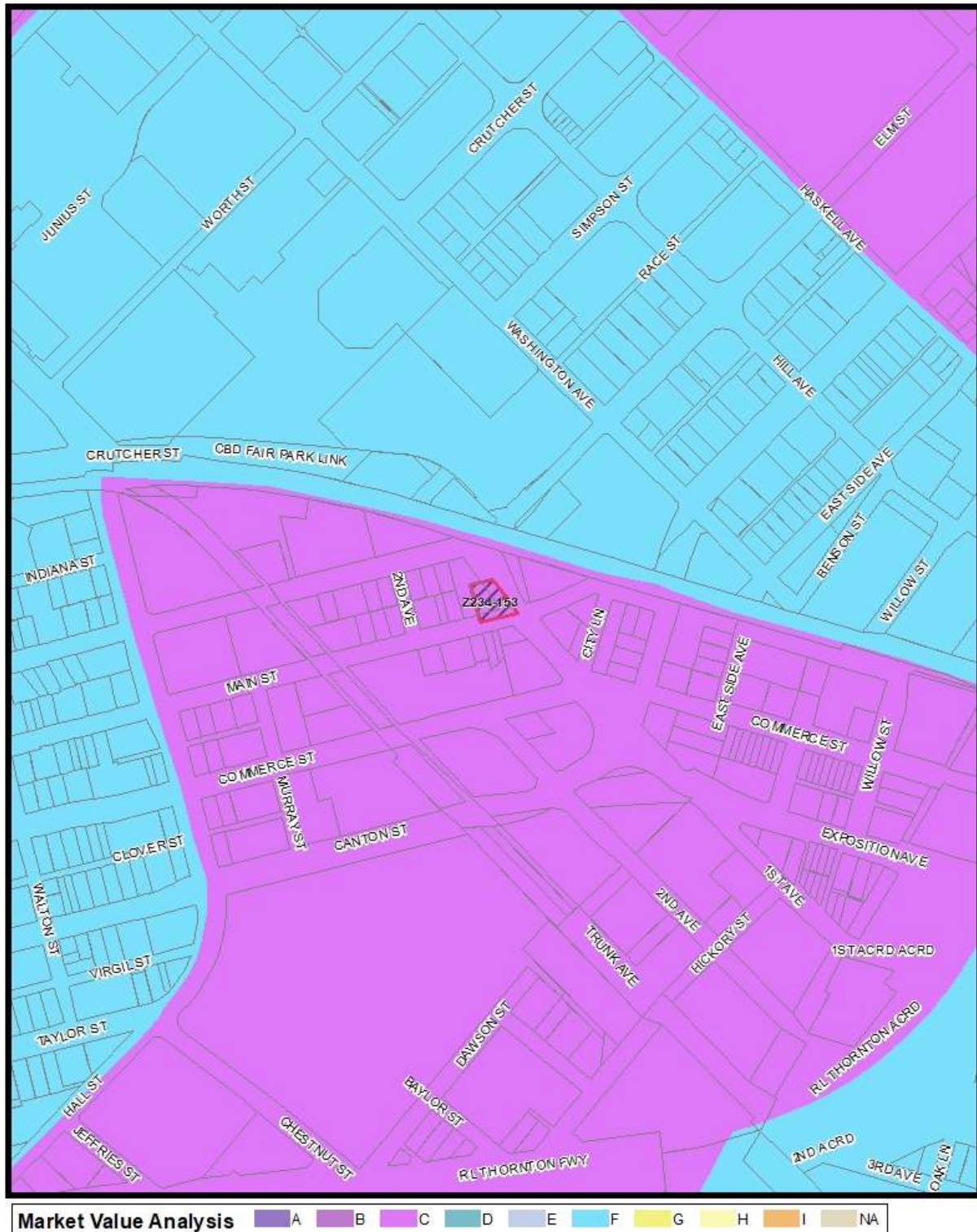


Approved
City Plan Commission
September 18, 2014





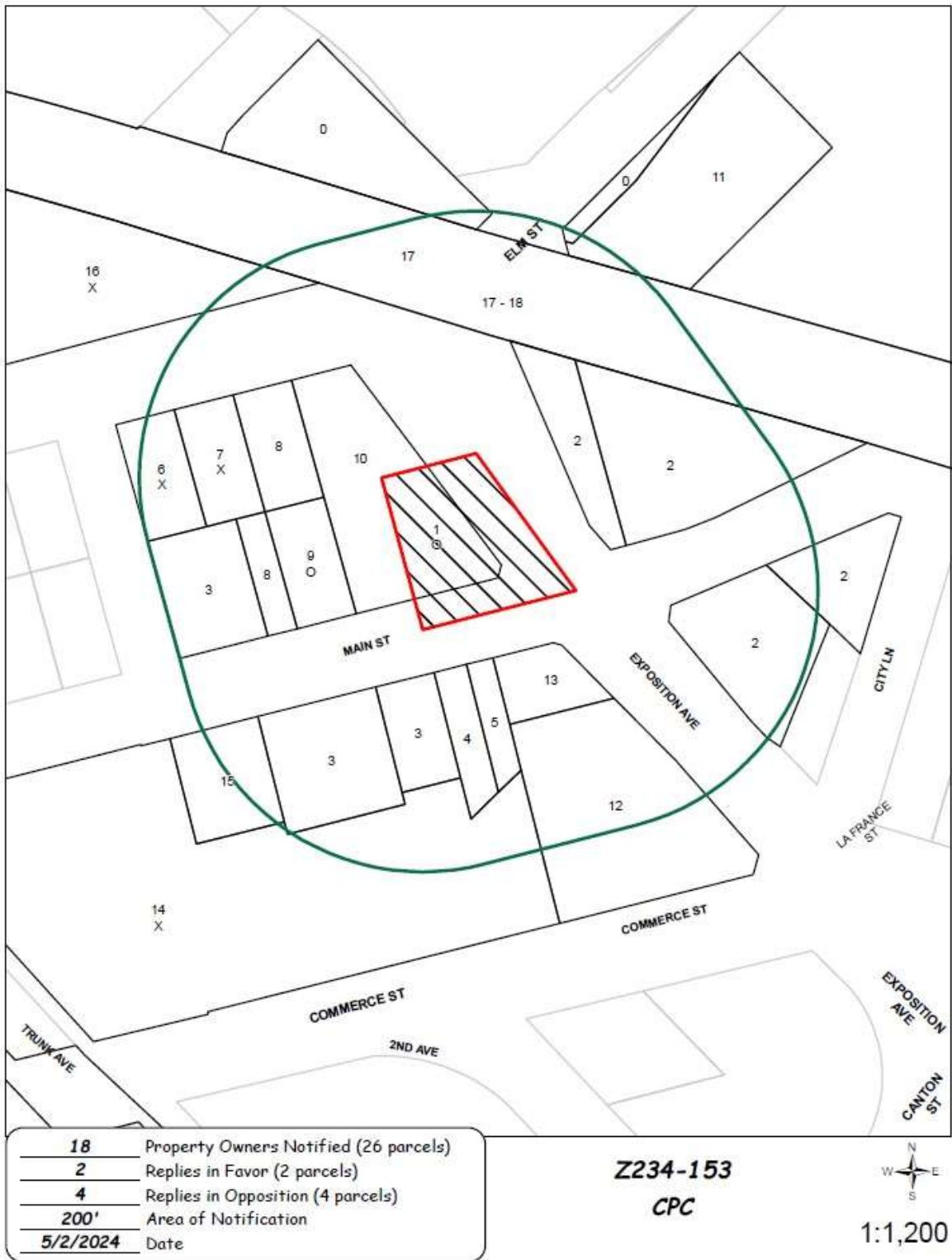




1:4,800

Market Value Analysis

Printed Date: 3/25/2024



05/01/2024

Reply List of Property Owners***Z234-153******18 Property Owners Notified 2 Property Owners in Favor 4 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	3417 MAIN ST	JERNIGAN REALTY PTNRS LP
	2	3600 MAIN ST	COLDBEER IN DEEP ELLUM LP
	3	3404 MAIN ST	JERNIGAN REALTY PTNR LP
	4	3416 MAIN ST	CHOW JUNE C &
	5	3418 MAIN ST	WITHERSPOON DAVID
X	6	3400 ELM ST	WESTDALE PPTIES AMERICA 1
X	7	3404 ELM ST	WESTDALE PPTIES AMERICA I
	8	3407 MAIN ST AL	JERNIGAN INVESTMENTS INC
O	9	3409 MAIN ST AL	JERNIGAN INVESTMENTS INC
	10	3414 ELM ST	SONS OF HERMANN
	11	3700 ELM ST	BAYLOR HEALTHCARE SYSTEM
	12	3435 COMMERCE ST	SUNSET APARTMENTS LP
	13	3435 COMMERCE ST	RETAIL PARKING LLC
X	14	3300 MAIN ST	WESTDALE DEEP ELLUM LOFTS LTD
	15	3400 MAIN ST	WESTDALE DEEP ELLUM LOFTS
X	16	3333 ELM ST	WESTDALE PROPERTIES
	17	555 2ND AVE	DART
	18	555 2ND AVE	DART