

**FILE NUMBER:** Z234-230(WK)                      **DATE FILED:** May 7, 2024  
**LOCATION:** Southeast corner of Commerce Street and Murray Street  
**COUNCIL DISTRICT:** 2  
**SIZE OF REQUEST:** 9,147 square feet                      **CENSUS TRACT:** 48113020401

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**OWNER:** 75 Rainey LLC

**APPLICANT:** John Larue – Deep Ellum Art Co

**REPRESENTATIVE:** Audra Buckley – Permitted Development

**REQUEST:** An application for an amendment to Specific Use Permit No. 2211 for a bar, lounge, or tavern and an inside commercial amusement limited to a live music venue on a 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 bar, lounge, or tavern and an inside commercial amusement limited to a live music venue.

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

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

**BACKGROUND INFORMATION:**

- The area of the request is zoned Planned Development District No 269, the Deep Ellum/Near East Side District.
- The request is for a renewal of SUP No. 2211, which was approved by City Council for a one year time period on September 14, 2016, and renewed for a two year time period on October 3, 2017.
- The lot has frontage on Commerce Street and Murray Street.
- The applicant does not propose any changes to the site plan or conditions.

**Zoning History:**

There have not been any zoning cases in the area in the last five years.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing/Proposed ROW</b>
Commerce Street	Community Collector	60'
Murray 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. The forwardDallas! Comprehensive Plan outlines several goals and policies that can serve as a framework for assisting in evaluating the applicant's request. The applicant's request is consistent with the following 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

**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 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

**Policy 5.1.2** Define urban character in Downtown and other urban cores.

**GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

**Policy 5.2.2** Promote the character of the city's significant districts, linkages, and areas

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Tract A, Planned Development District No 269	Alcoholic Beverage Establishment with Live Music Venue
<b>North</b>	No 269	Multifamily
<b>East</b>	No 269, with H/92 Historic Overlay	Parking & Vacant Warehouse
<b>South</b>	No 269	Office, Retail
<b>West</b>	No 269	Parking and Office

**Land Use Compatibility:**

The request site is zoned No 269, the Deep Ellum/Near East Side District and is currently developed with a one-story, approximately 5,170-square-foot building previously used as that is currently used as an alcoholic beverage establishment with a live music venue.

Other uses surrounding the area of request include a multifamily use to the north, retail and office uses to the west and south, and a parking lot and restaurant use to the east. The use of a bar, lounge, or tavern with a live music venue component is compatible with the surrounding uses in the immediate vicinity and the uses along Commerce 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. As the surrounding is heavily developed with retail and restaurant uses, an alcoholic beverage establishment is complimentary to the existing fabric of the area.

**Landscaping:**

No new development is proposed. Therefore, no additional landscaping is required.

**Parking:**

There are no proposed changes to the site plan, therefore no additional parking requirements are triggered by this request.

There are currently 27 parking spaces provided for this property. 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 located within an original building. Otherwise, one space for every 100 square feet of floor area is required. Since the 5,170-square foot bar is in an original building, the

applicant is only required to provide parking for 2,670 square feet of floor area, which equates to 27 spaces. There are current parking agreements on file with permits that satisfy the above parking requirement.

**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 the request and the immediate surrounding areas are located in a “C” MVA area. Further to the west along Commerce street is an “F” MVA area.

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**List of Officers**

Owner: 75 Rainey LLC

Carter F Sackman, SR. – Director and Managing Member

Nicholas Sackman - Director and Managing Member

Applicant: John Larue

**CPC Action**  
**August 22, 2024**

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 2211 for a bar, lounge, or tavern and an inside commercial amusement limited to a live music venue for a three-year period, subject to amended conditions on a property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the southeast corner of Commerce Street and Murray Street.

Maker: Hampton  
Second: Chernock  
Result: Carried: 13 to 0

For: 13 - Chernock, Hampton, Herbert, Forsyth, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Sleeper,  
Housewright, Hall, Kingston, Rubin

Against: 0  
Absent: 1 - Eppler  
Vacancy: 1 - District 12

**Notices:** Area: 200                      Mailed: 8  
**Replies:** For: 1                              Against: 2

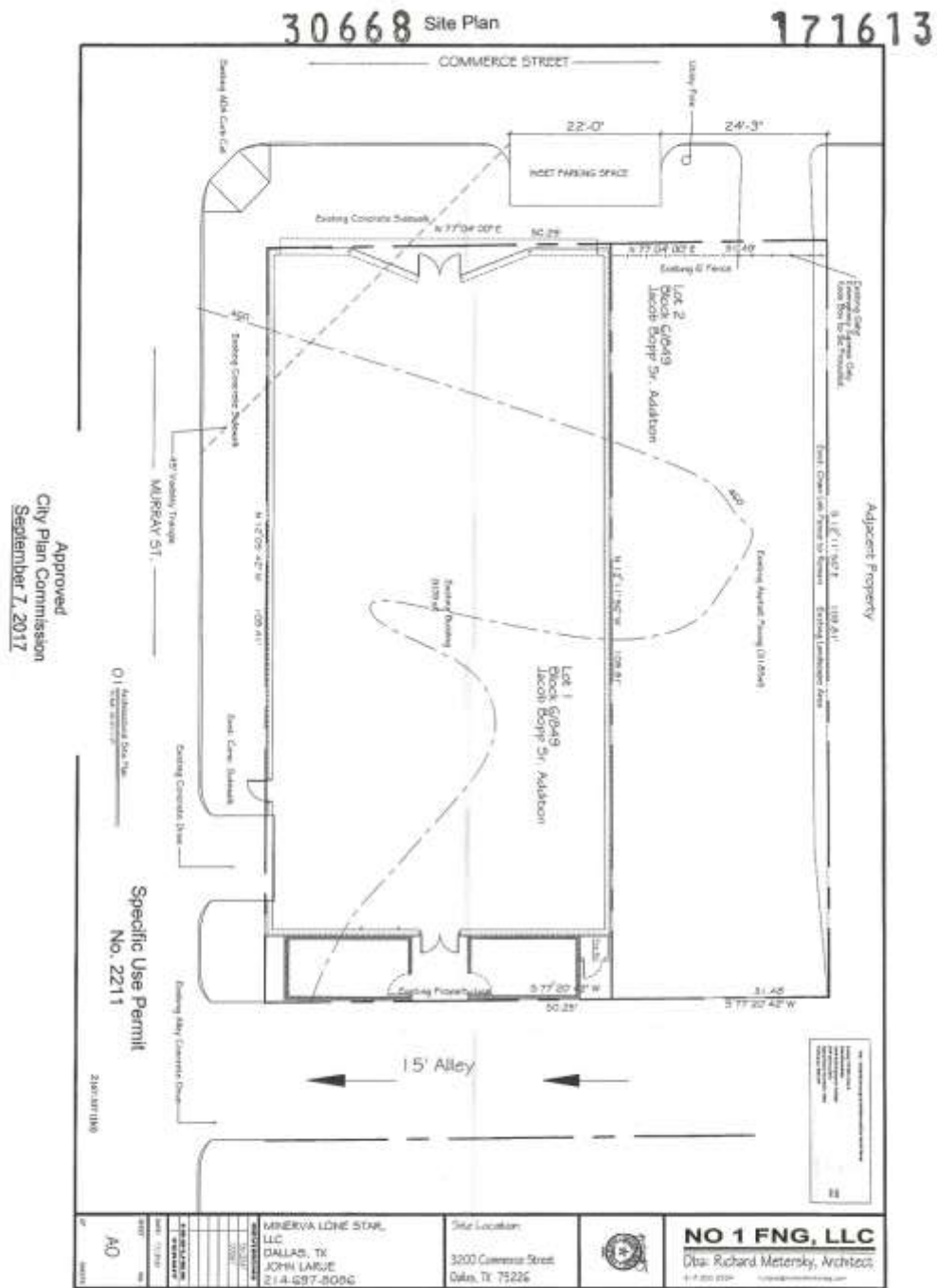
**Speakers:** None

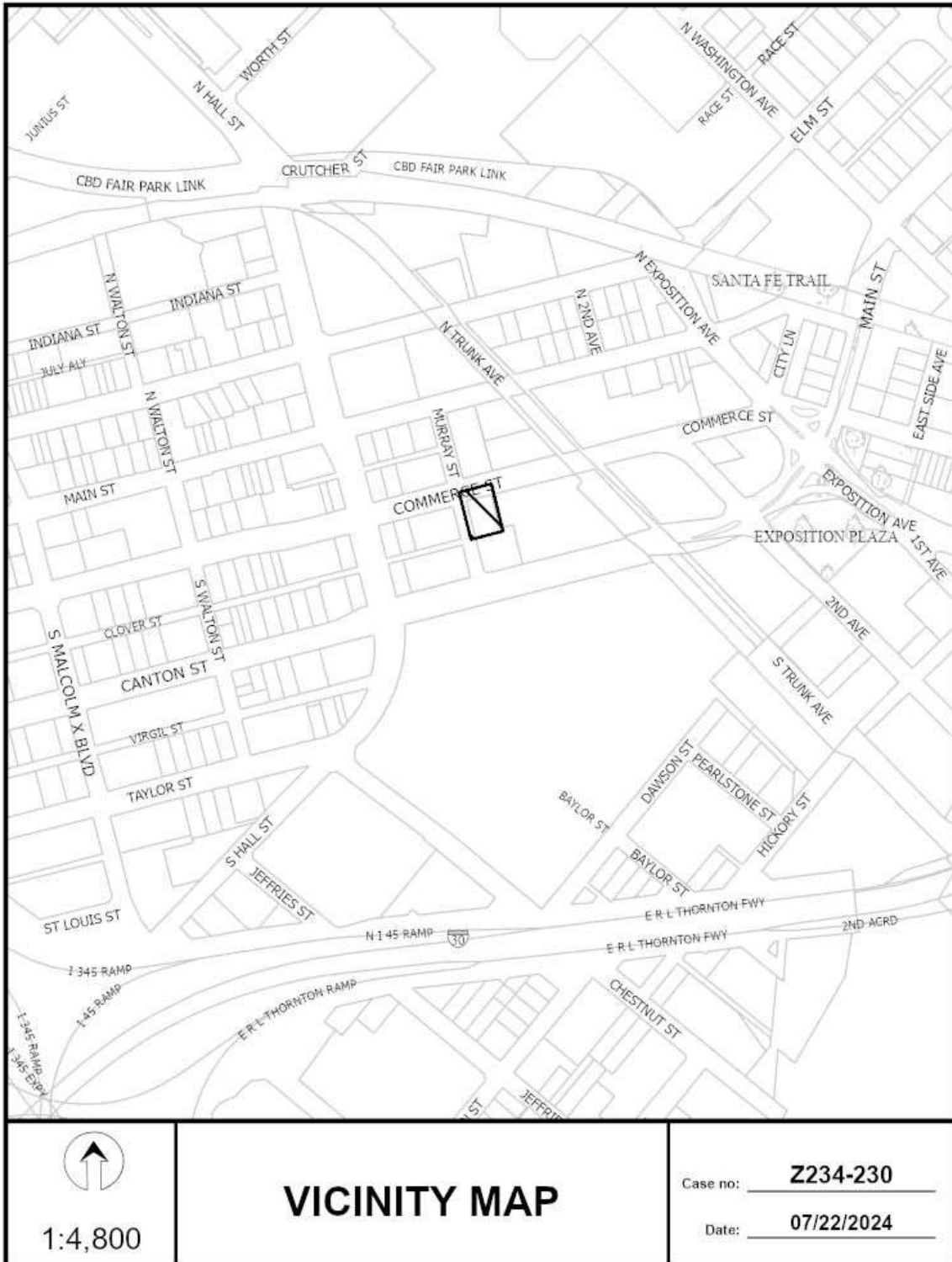
### **CPC RECOMMENDED CONDITIONS**

1. **USE:** The only use authorized by this specific use permit is a bar, lounge, or tavern and an 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 (three years from the date of this ordinance)
4. **FLOOR AREA:** The maximum floor area is 5,170 square feet in the location shown on the attached site plan.
5. **HOURS OF OPERATION:**
  - a) The bar, lounge, or tavern may only operate between 4:00 p.m. and 2:00 a.m. (the next day), Monday through Friday; and between 11:00 p.m. 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), may not be used to meet the off-street parking requirement.
7. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
8. **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.



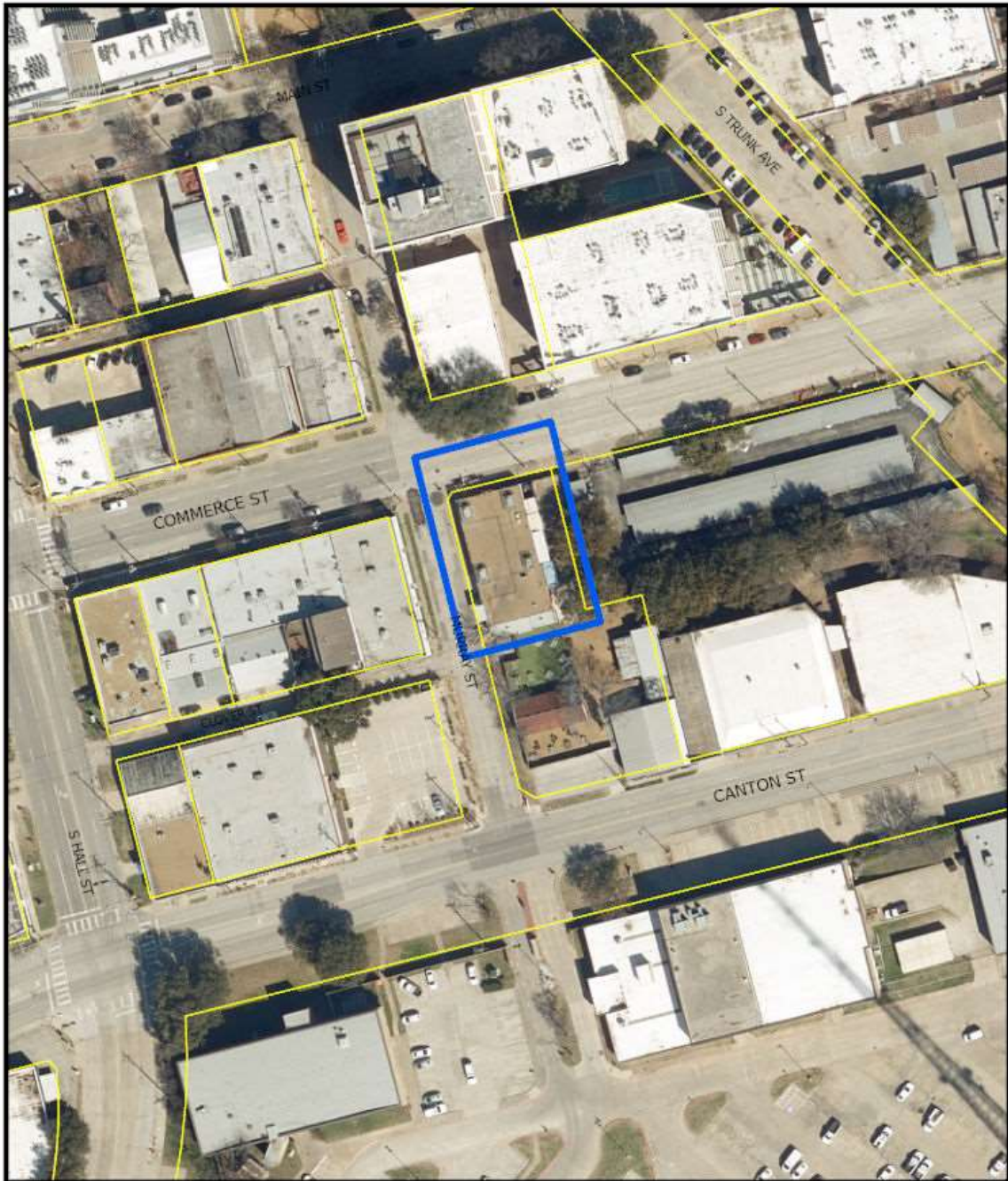
**EXISTING SITE PLAN (NO CHANGES)**





### VICINITY MAP

Case no: Z234-230  
Date: 07/22/2024

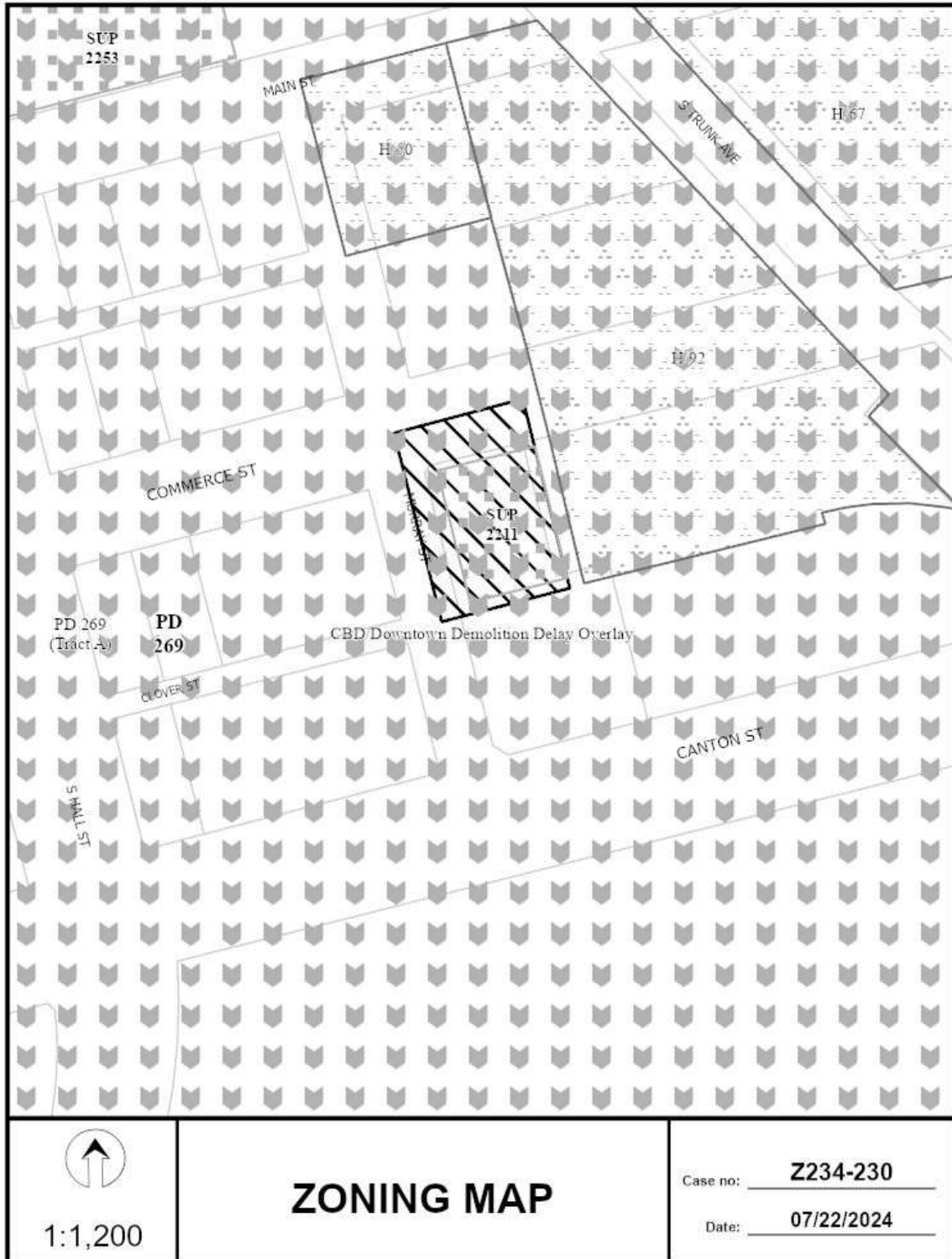


1:1,200

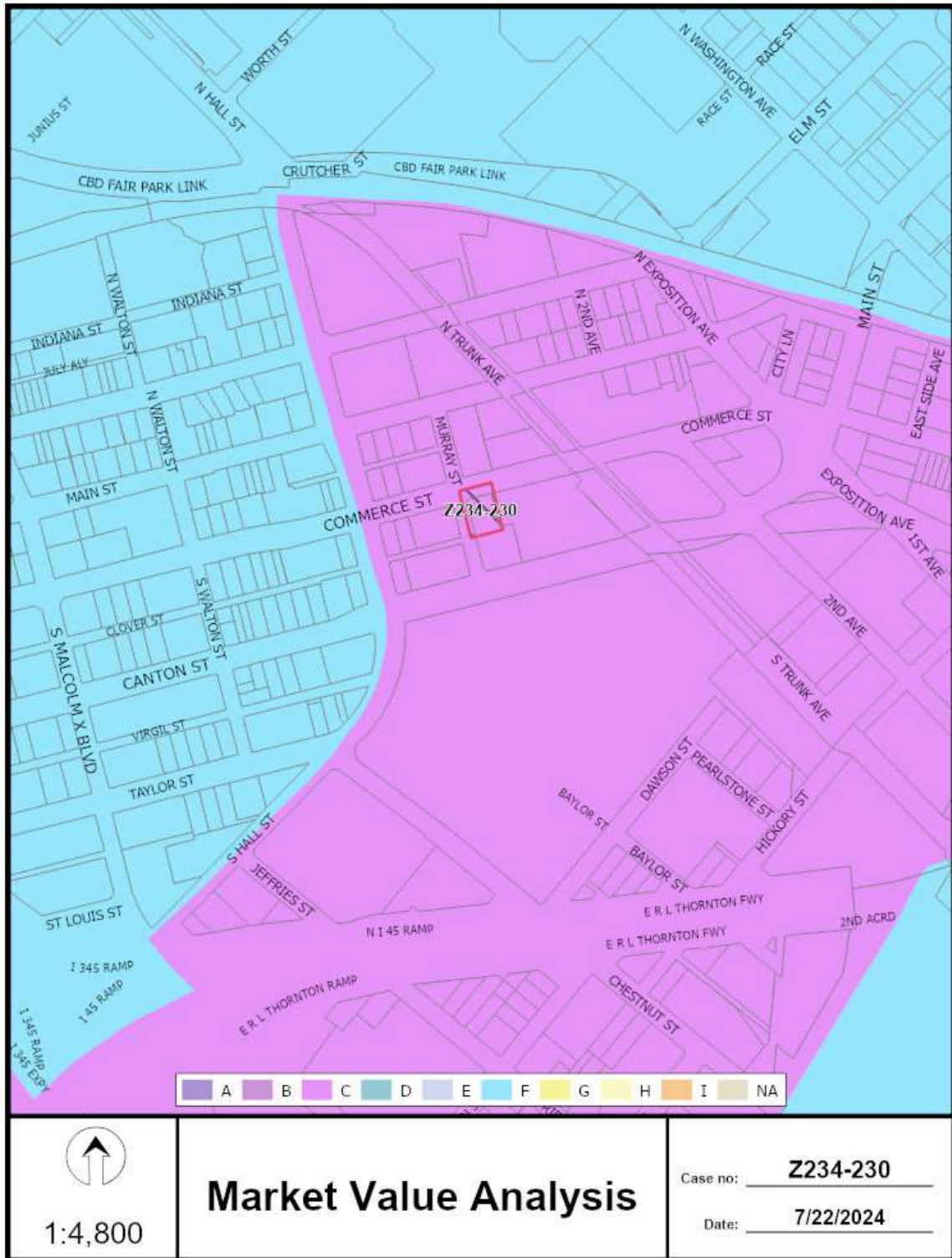
# AERIAL MAP

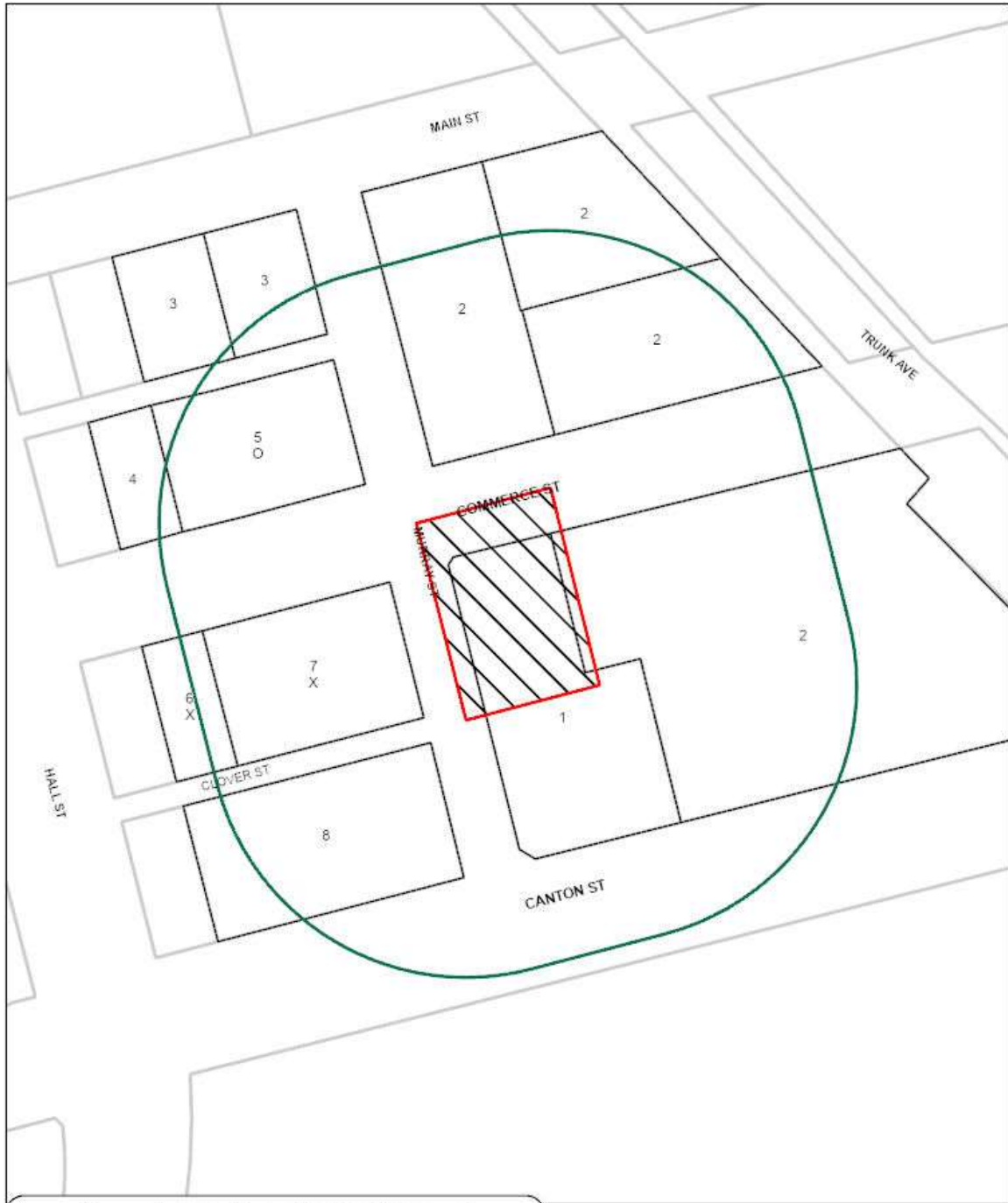
Case no: Z234-230

Date: 07/22/2024









<b>8</b>	Property Owners Notified (12 parcels)
<b>1</b>	Replies in Favor (1 parcel)
<b>2</b>	Replies in Opposition (2 parcels)
<b>200'</b>	Area of Notification
<b>8/22/2024</b>	Date

**Z234-230**  
**CPC**



1:1,200

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08/21/2024

## ***Reply List of Property Owners***

***Z234-230***

***8 Property Owners Notified    1 Property Owners in Favor    2 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	3200 COMMERCE ST	75 RAINEY LLC
	2	3200 MAIN ST	WESTDALE FUTURA LOFTS LTD
	3	3112 MAIN ST	MAIN MURRAY L L C
	4	3105 COMMERCE ST	OAKCLIFF HAMPTON INC
O	5	3117 COMMERCE ST	SMITH ED W MACHINE WORK
X	6	3106 COMMERCE ST	PROVINCE LANE LC
X	7	3116 COMMERCE ST	WEINBERG ROBERT
	8	3111 CANTON ST	3111 CANTON HOLDINGS LLC