
FILE NUMBER: Z234-180(CR) **DATE FILED:** February 28, 2024
LOCATION: Northeast corner of Elm Street and North Good Latimer
Expressway
COUNCIL DISTRICT: 2
SIZE OF REQUEST: 4,791 square feet **CENSUS TRACT:** 48113020401

REPRESENTATIVE: Audra Buckley, Permitted Development

OWNER: Westdale Properties America I, Ltd.

APPLICANT: Eleven Entertainment, LLC

REQUEST: An application for an amendment to Specific Use Permit No. 2150 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 District.

SUMMARY: The purpose of the request is to allow the continuation of a bar, lounge, or tavern and an inside commercial amusement limited to a live music venue on the site.

STAFF RECOMMENDATION: Approval for a five-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently Tract within Planned Development District No. 269, the Deep Ellum/Near East Side District.
- The area of request encompasses an approximately 6,000 square-foot existing unit at the end of a multi-tenant structure.
- The current specific use permit was approved on August 14, 2019 for a period of five years.
- The applicant does not propose any changes to the site plan or conditions beyond the time period.

Zoning History:

There have been two zoning cases in the area in the last five years.

1. **Z189-239:** On August 14, 2019, the City Council approved the renewal of Specific Use Permit No. 2150 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 District located on the northeast corner of Elm Street and North Good Latimer Expressway. [Subject Site]
2. **Z234-109:** On March 27, 2024, the City Council approved the amendment of Specific Use Permit No. 2181 for a tattoo studio on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south line of Elm Street, east of North Good Latimer Expressway.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Elm Street	Community Collector	60 feet
Good Latimer Expressway	Principal Arterial	118 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! 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 continuation of a bar, lounge, or tavern and an inside commercial amusement limited to a live music venue on the site contributes to the overall vibrancy and commercial base within the Downtown area. This active cultural use contributes to the Downtown area, meeting the 360 Plan's objectives of strengthening the urban fabric.

Land Use:

	Zoning	Use
Site	PD 269, Tract A, with Specific Use Permit No 2150	Bar, lounge, or tavern and an inside commercial amusement limited to a live music venue
North	PD 269, Tract A	Undeveloped
East	PD 269, Tract A	Vacant, and Restaurant without drive-in or drive-through service
South	PD 269, Tract A	General merchandise or food store 3,500 square feet or less, and Restaurant without drive-in or drive-through service
West	PD 269, Tract B, H/46 Knights of Pythias Historic Overlay	Restaurant without drive-in or drive-through service, Bar, lounge, or tavern, and Hotel

Land Use Compatibility:

The area of request encompasses an approximately 6,000 square-foot existing unit at the end of a multi-tenant structure. The property abuts Elm Street to the south, which is developed with similar active uses including restaurants without drive-in or drive-through services, and bars, lounges, or taverns.

No deviations from PD No. 269 nor the applicable subdistricts are requested.

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 bar, lounge, or tavern and an inside commercial amusement limited to a live music venue on the site and proposed compliance with all other applicable provisions of the Dallas Development Code and PD No. 269.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended, and applicable provisions of PD No. 269.

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 lot area. PD No. 269 also allows for remote parking located a walking distance of 1,200 feet away. The applicant meets their minimum required parking through remote 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

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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

Westdale Properties America I, Ltd., a Texas limited partnership

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., a Texas Corporation, General Partner

Joseph G. Beard, President

Eleven Entertainment, LLC

Ron Wilson, Managing Member and Director

CRIME REPORT

A copy of the police report of offences recorded at this property is provided below for the period of May 18, 2023 to May 18, 2024.

Offenses/Incidents

Offenses/Incidents (Summary)	Count
DISORDERLY CONDUCT	1
MISCELLANEOUS	1
MISCELLANEOUS	1
UUMV	1
BMV	1
UUMV	1
SIMPLE ASSAULT	1
SIMPLE ASSAULT	1
SIMPLE ASSAULT	1
MISCELLANEOUS	1
DRUG/ NARCOTIC VIOLATIONS	1
STOLEN PROPERTY OFFENSES	1
DRUG/ NARCOTIC VIOLATIONS	1
DRUG/ NARCOTIC VIOLATIONS	1
WEAPON LAW VIOLATIONS	1
ALL OTHER OFFENSES	1
MISCELLANEOUS	1
MISCELLANEOUS	1
WEAPON LAW VIOLATIONS	1
BMV	1
MISCELLANEOUS	1
Total	21

Offenses/Incidents

Calls (Summary)	Count
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
**PD Requested by Fire	1
40/01 - Other	1
40/01 - Other	1
24 - Abandoned Property	1
40/01 - Other	1
6XE - Disturbance Emergency	1

Calls (Summary)	Count
7X - Major Accident	1
7X - Major Accident	1
34 - Suicide	1
46A - CIT w/Ambulance	1
40 - Other	1
40 - Other	1
6XEA - Disturbance Emerg Amb	1
15 - Assist Officer	1
15 - Assist Officer	1
Total	19

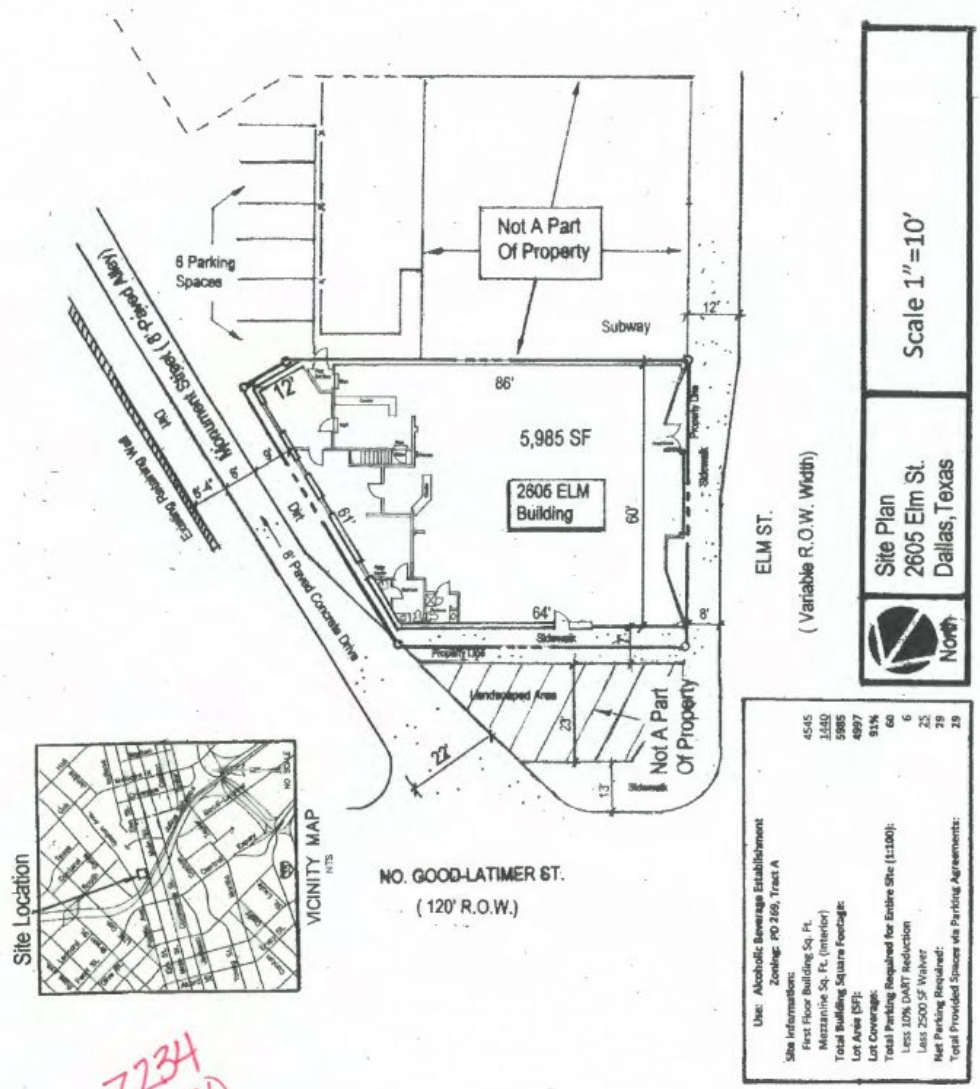
Arrests

Arrests (Summary)	Count
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
DISORDERLY CONDUCT	1
ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY	1
ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY	1
POSS CONT SUB PEN GRP 3 < 28G	1
UNLAWFUL CARRYING WEAPON	1
POSS CONT SUB PEN GRP 1 <1G	1
Total	7

PROPOSED CONDITIONS

1. USE: The only uses authorized by this specific use permit are 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 (five years from passage of this ordinance) [August 14, 2024].
4. FLOOR AREA: The maximum floor area is 5,985 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. 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, the Deep Ellum/Near East Side District. 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 conditions, rules, and regulations of the City of Dallas.

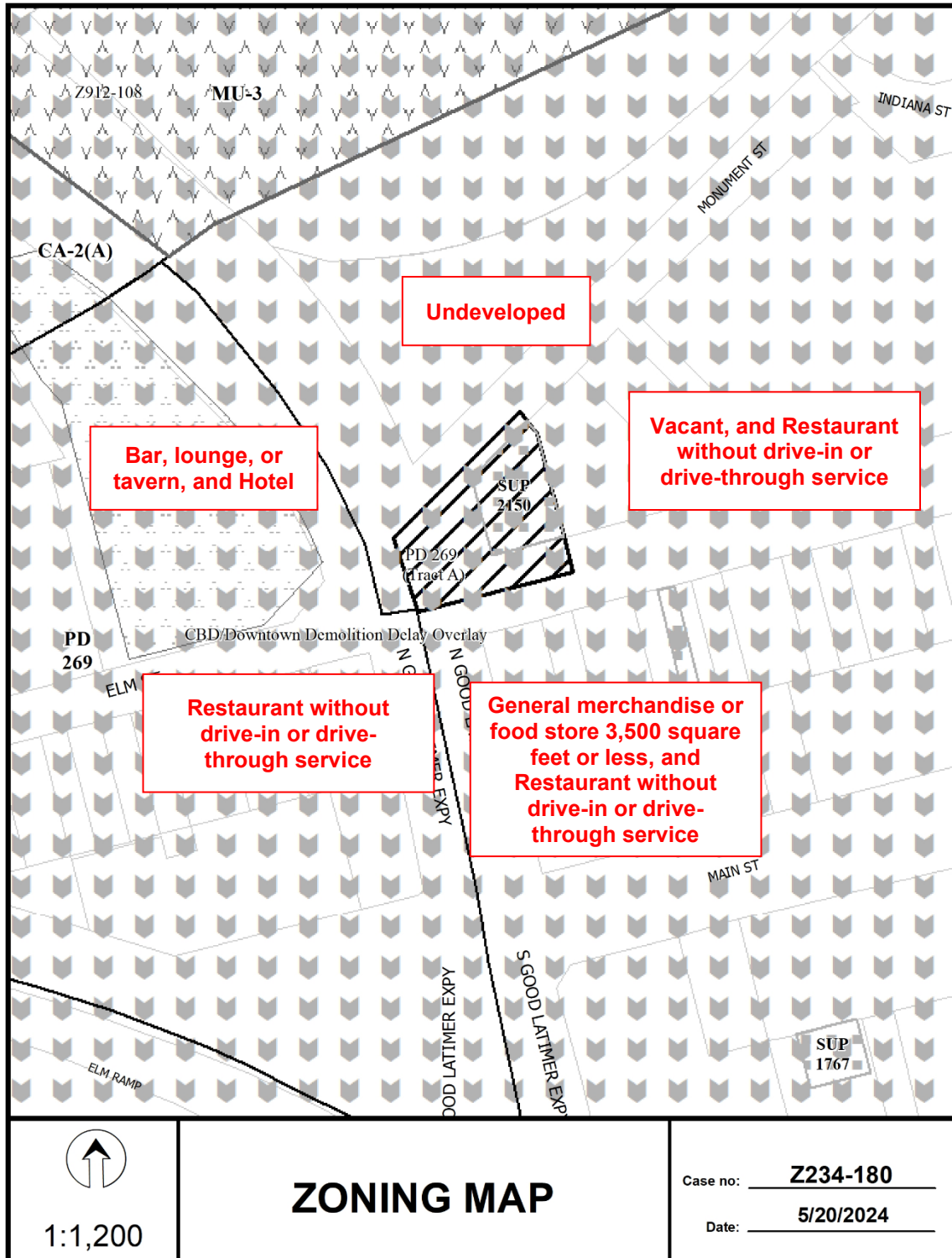
**EXISTING SITE PLAN
(No Changes Proposed)**

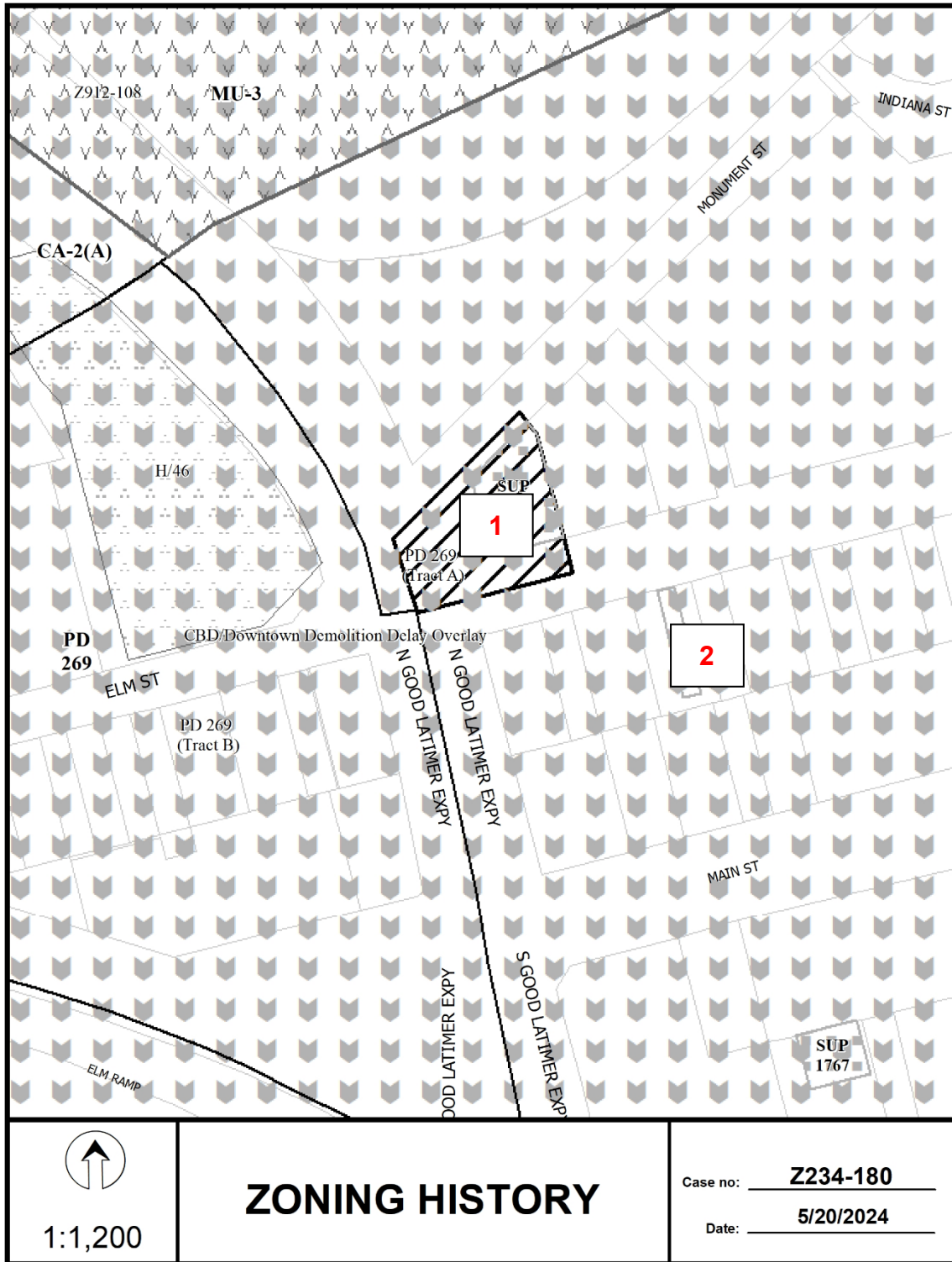


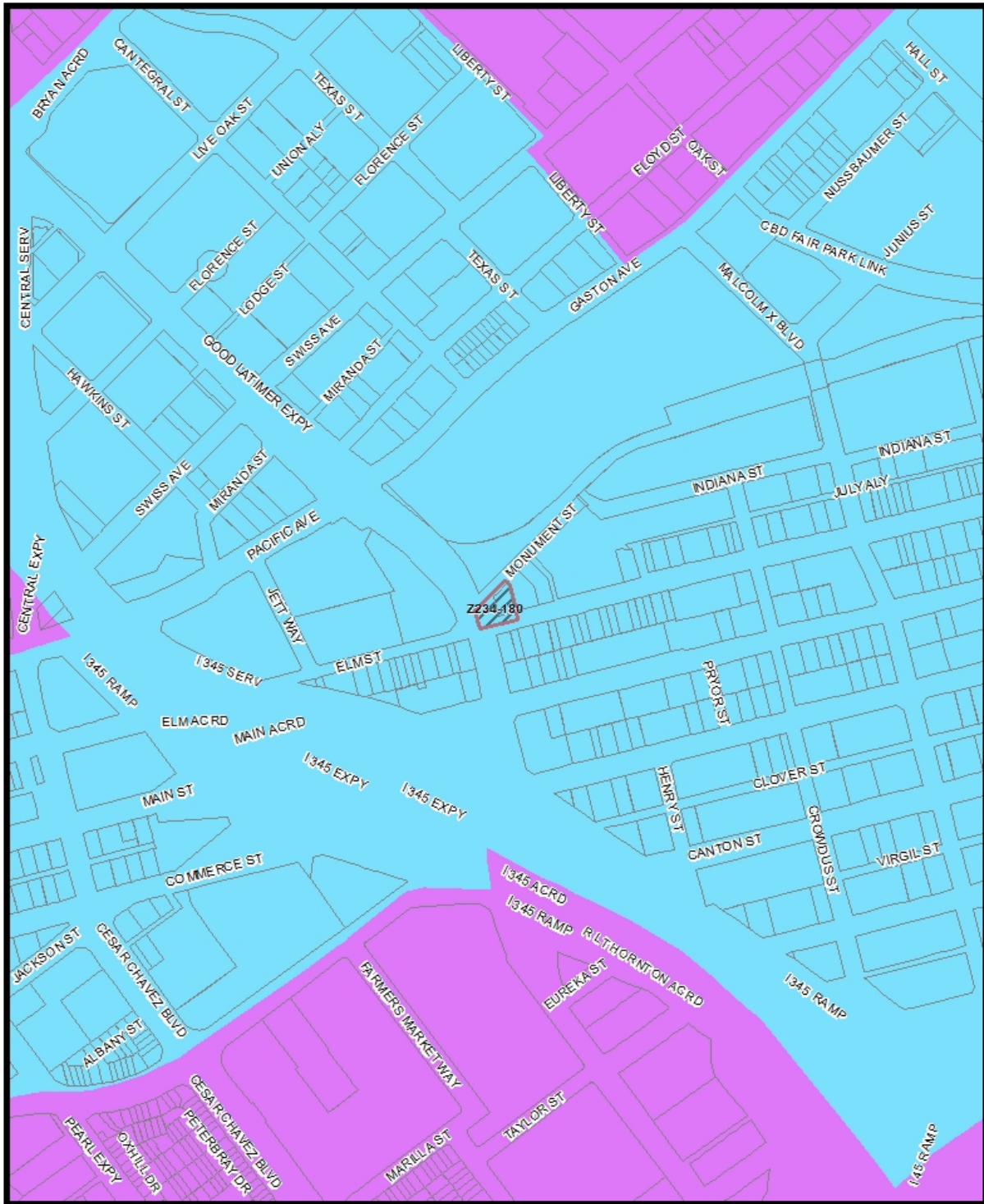


 1:4,800	<h2>VICINITY MAP</h2>	Case no: Z234-180 Date: 5/20/2024
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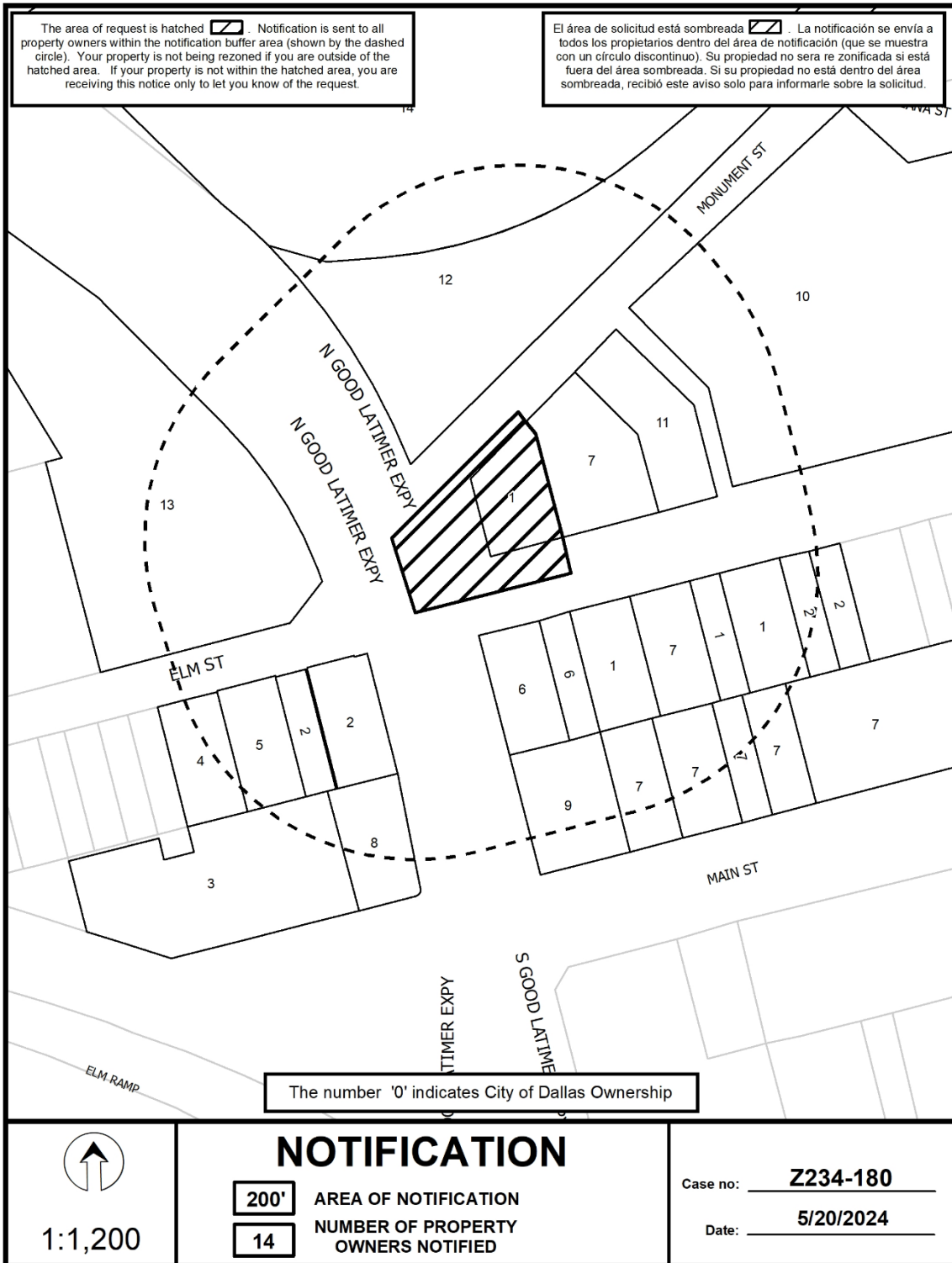




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Market Value Analysis

Printed Date: 5/20/2024



05/20/2024

Notification List of Property Owners

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14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2610 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
2	2511 MAIN ST	ELM STREET LOFTS LTD
3	2509 MAIN ST	WESTDALE MAIN LTD
4	2546 ELM ST	Taxpayer at
5	2550 ELM ST	Taxpayer at
6	2604 ELM ST	SEJ ASSET MGMT & INVESTMENT CO
7	2621 MAIN ST	AP DEEP ELLUM LLC
8	2523 MAIN ST	WESTDALE MAIN LTD
9	2603 MAIN ST	PARKIN ART JOINT VENTURE
10	2625 ELM ST	UPLIFT EDUCATION
11	2615 ELM ST	WESTDALE PPTIES AMERICA I LTD
12	2600 MONUMENT ST	DALLAS AREA RAPID TRANSIT
13	2551 ELM ST	EPIC DALLAS HOTEL LP
14	2752 GASTON AVE	DEEP ELLUM MARQUIS LP