

FILE NUMBER: Z223-262(MB) **DATE FILED:** May 30, 2023

LOCATION: Southwest line of Exposition Avenue, east of Ash Lane

COUNCIL DISTRICT: 7

SIZE OF REQUEST: Approx. 6,340 sqft **CENSUS TRACT:** 48113020300

OWNER: John S. Roberts

APPLICANT: Antonio Everette

REQUEST: An application for an amendment to Specific Use Permit No. 1691 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.

SUMMARY: The applicant proposes to continue the use of the property as a bar, lounge, or tavern. [Sandaga 813]

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 request is currently zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District. The property is currently developed with a bar, lounge, or tavern.
- The request site is an existing one-story bar with 3,550 square feet of floor area and a 2,950-square-foot uncovered patio.
- SUP No. 1691 was originally granted by City Council on December 12, 2007 for a bar, lounge, or tavern for a period of one year. SUP No. 1691 was renewed in 2009 for one year; 2010 for one year and 2.5 months; in 2011 for three years; in 2014 for three years; in 2017 for three years; and in 2020 for a period of three years.
- SUP No. 1691 expired on October 13, 2023. Application for renewal was filed on May 30, 2023.
- The applicant requests the renewal of SUP No. 1691 for a three-year period to continue operating a bar, lounge, or tavern.

Zoning History:

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

1. **Z189-222:** On June 26, 2019, City Council approved Specific Use Permit No. 2341 for a bar, lounge, or tavern for a two-year period on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south line of Exposition Avenue, west of Parry Avenue.
2. **Z190-266:** On October 13, 2020, City Council approved the renewal of Specific Use Permit No. 1691 for a three-year period for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District. (Subject Property)
3. **Z201-223:** On August 10, 2021, City Council approved the renewal of Specific Use Permit No. 2341 for an additional three-year period.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Exposition Avenue	Community Collector	80 feet
Parry Avenue	Principal Arterial	100 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 ANALYSIS:

The 360 Plan:

The 360 Plan is a strategic document that sets a clear, cohesive vision for Downtown Dallas and its surrounding neighborhoods, guiding the City Center to continued, long-term success. The plan was adopted by City Council in April 2011 and updated in 2015, 2016, and 2017. The area of request is located within the Deep Ellum/Expo Park area of the plan.

The applicant’s request to amend the Specific Use Permit for bar, lounge, or tavern use meets the 360 Plan’s strategy to Build Complete Neighborhoods through the following goal:

Grow a Diverse Mix of Services and Retail

Land Use:

	Zoning	Land Use
Site	Tract A within PD No. 269 with SUP No. 1691 for a bar, lounge, or tavern	Bar, lounge, or tavern
North	Tract A within PD No. 269	Office Showroom/Warehouse; Office
East	Tract A within PD No. 269	Personal Service Use
South	Tract A within PD No. 269	Surface parking
West	Tract A within PD No. 269	Surface parking

Land Use Compatibility:

The request site consists of a one-story structure and an uncovered patio. The applicant is requesting renewal of SUP No. 1691 to continue operation of an existing bar, lounge, or tavern. The site is surrounded by a mix of office; retail; and bar, lounge or tavern uses served by various surface parking lots and metered spaces along Exposition Avenue. Staff finds that ongoing alcohol sales are unlikely to have an adverse impact on surrounding uses, and that the requested land use is compatible with those surrounding uses.

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.

The continuation of a bar in Deep Ellum enhances the entertainment character of the area. The short time frame allows for staff and CPC to evaluate whether the use is a detriment to the area over time.

Landscaping:

There are no landscaping requirements triggered by the request.

Parking:

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 each 100 square feet of floor area is required. Since the 3,550-square-foot bar is in an original building, the applicant is only required to provide parking for 1,050 square feet of floor area, which equates to 11 spaces.

It is noted that a significant number of metered on-street parking spaces and surface parking lots are located immediately adjacent to and south of the subject site.

A parking agreement at 712 2nd Avenue is in place to provide the 11 required off-street parking spaces.

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 within an “E” MVA area. To the north are an “E” MVA cluster along Exposition Avenue and an “H” MVA cluster along South Haskell Avenue. To the east is an “E” MVA area along Parry Avenue. To the west is an “E” MVA area along Canton Street. To the south is an “E” MVA cluster along JB Jackson Junior Boulevard.

Crime Report:

A copy of the police report of offenses recorded at this property is provided below. Based on Dallas Police Department's crime statistics 24 offenses, 2 arrests, and 15 calls were generated from the subject property during this time period.

Offenses

Offenses (Summary)	Count of Incidents
ASSAULT -OFFENSIVE CONTACT	1
BMV	10
BURGLARY OF BUILDING - FORCED ENTRY	2
CRIM MISCHIEF >OR EQUAL \$750 < \$2,500	2
DISCHARGE FIREARM IN CERTAIN MUNICIPALITIES	1
POSS OF DANGEROUS DRUG	1
THEFT OF PROP (AUTO ACC) <\$100 - (NOT EMP)	1
UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	5
UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS	1
Grand Total	24

Arrests

Arrests (Summary)	Count of Incidents
WEAPON LAW VIOLATIONS	2
Grand Total	2

Calls

Calls (Summary)	Count of Problem
07 - Minor Accident	2
08 - Intoxicated Person	1
09 - Theft	1
09V - UUMV	1
11B - Burg of Bus	2
11V/01 - Burg Motor Veh	1
15 - Assist Officer	3
18 - Structure Fire	1
40 - Other	2
40/01 - Other	1
Grand Total	15

Z223-262(MB)

List of Officers

Industrial Entertainment dba Sandaga 813

Antonio Everette

Sean Smith

**CPC Action
December 7, 2023**

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1691 for a bar, lounge, or tavern for a three-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 southwest line of Exposition Avenue, east of Ash Lane.

Maker: Hampton
Second: Carpenter
Result: Carried: 10 to 0

For: 10 - Chernock*, Hampton, Herbert, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Hall, Rubin

Against: 0
Absent: 4 - Housewright, Treadway, Haqq, Kingston
Vacancy: 1 - District 4

*out of the room, shown voting in favor

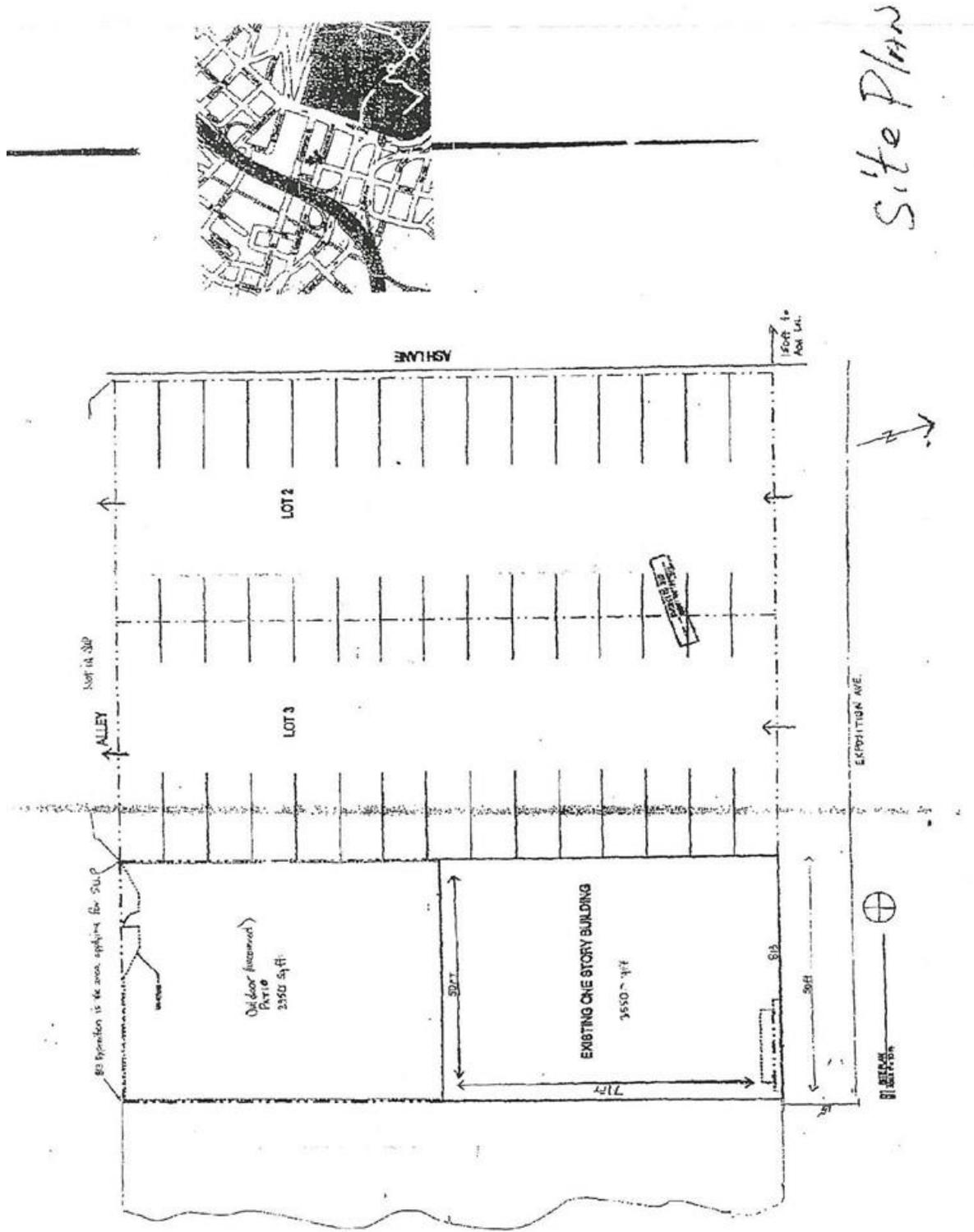
Notices: Area: 200 Mailed: 10
Replies: For: 1 Against: 0

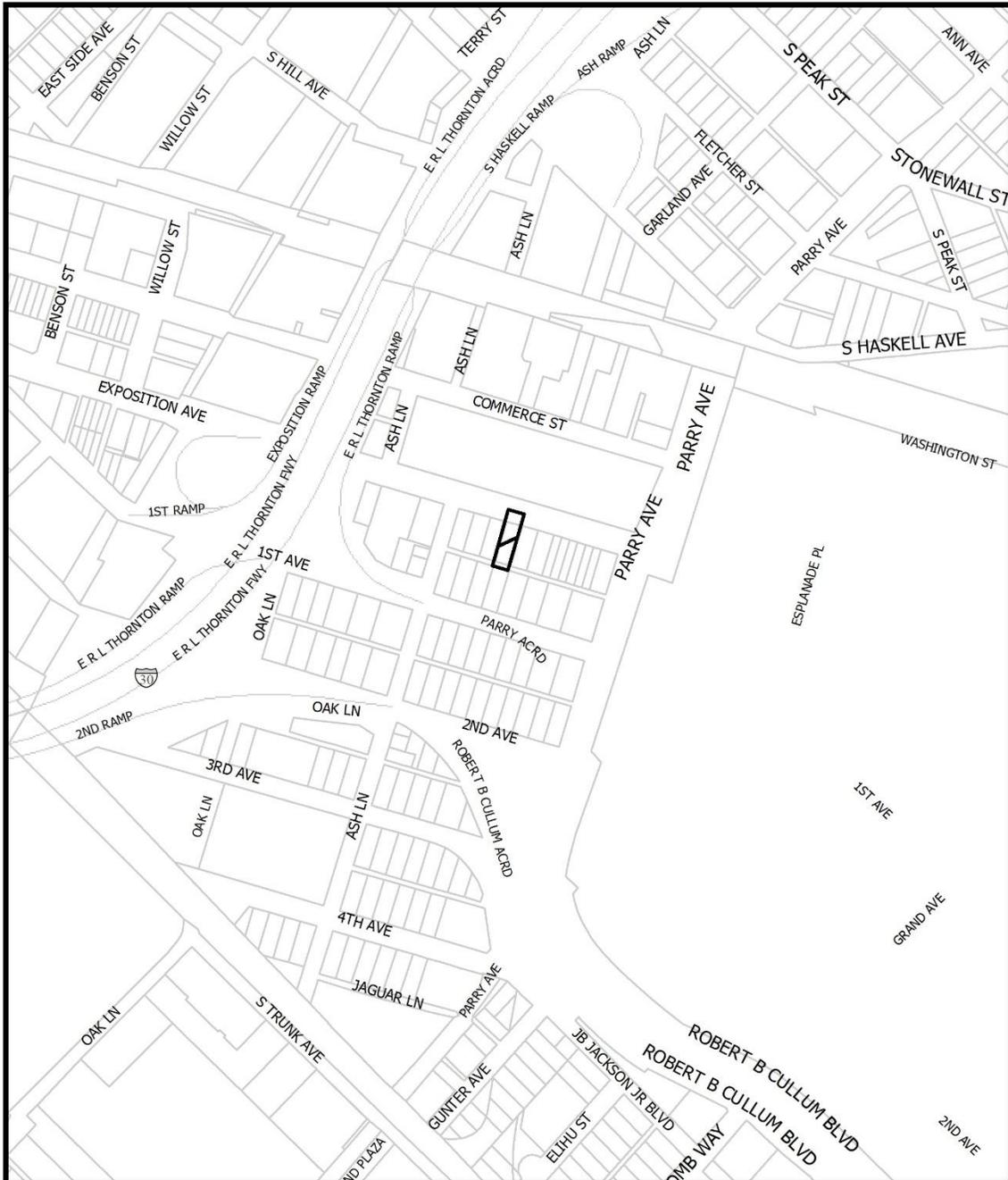
Speakers: None

CPC RECOMMENDED CONDITIONS

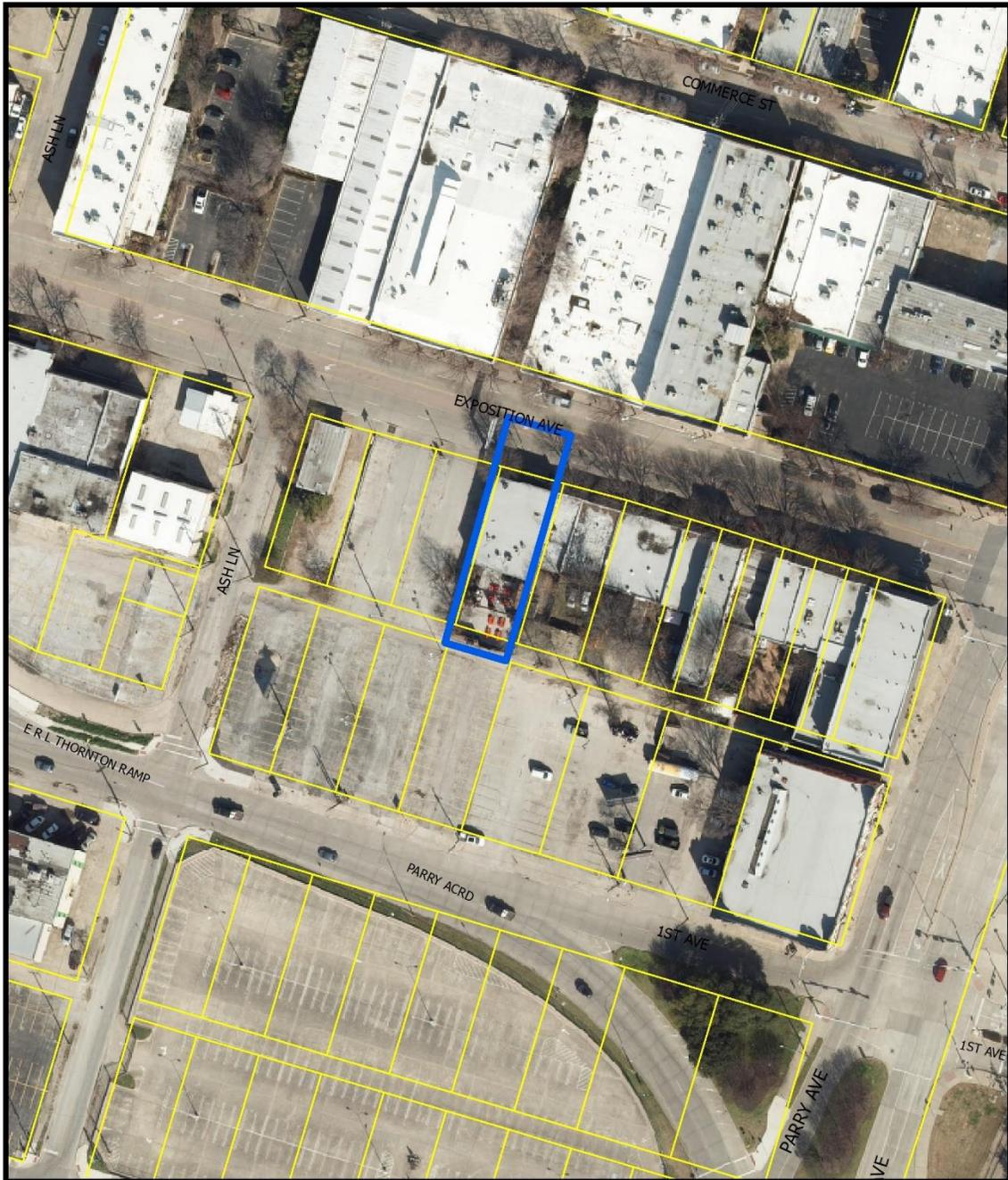
1. USE: The only use authorized by this specific use permit is a bar, lounge, tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan
3. TIME LIMIT: This specific use permit expires on ~~October 13, 2023~~ (three years from the passage of this ordinance).
4. FLOOR AREA:
 - a. The maximum floor area is 3,550 square feet in the location shown on the attached site plan.
 - b. The maximum floor area for the uncovered patio is 2,950 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The bar, lounge or tavern may only operate between 12:00 p.m. (noon) and 1:00 a.m. (the next day), Monday through Wednesday and between 8:00 p.m. and 2:00 a.m. (the next day), Thursday through Sunday.
6. OFF-STREET PARKING: Parking must be provided in accordance with the remote and special parking requirements of Planned Development District No. 269 (the Deep Ellum/Near East Side District). Delta credits, as defined in Dallas Development Code 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 PROPOSED)





 1:4,800	<h2>VICINITY MAP</h2>	Case no: <u>Z223-262</u> Date: <u>11/9/2023</u>
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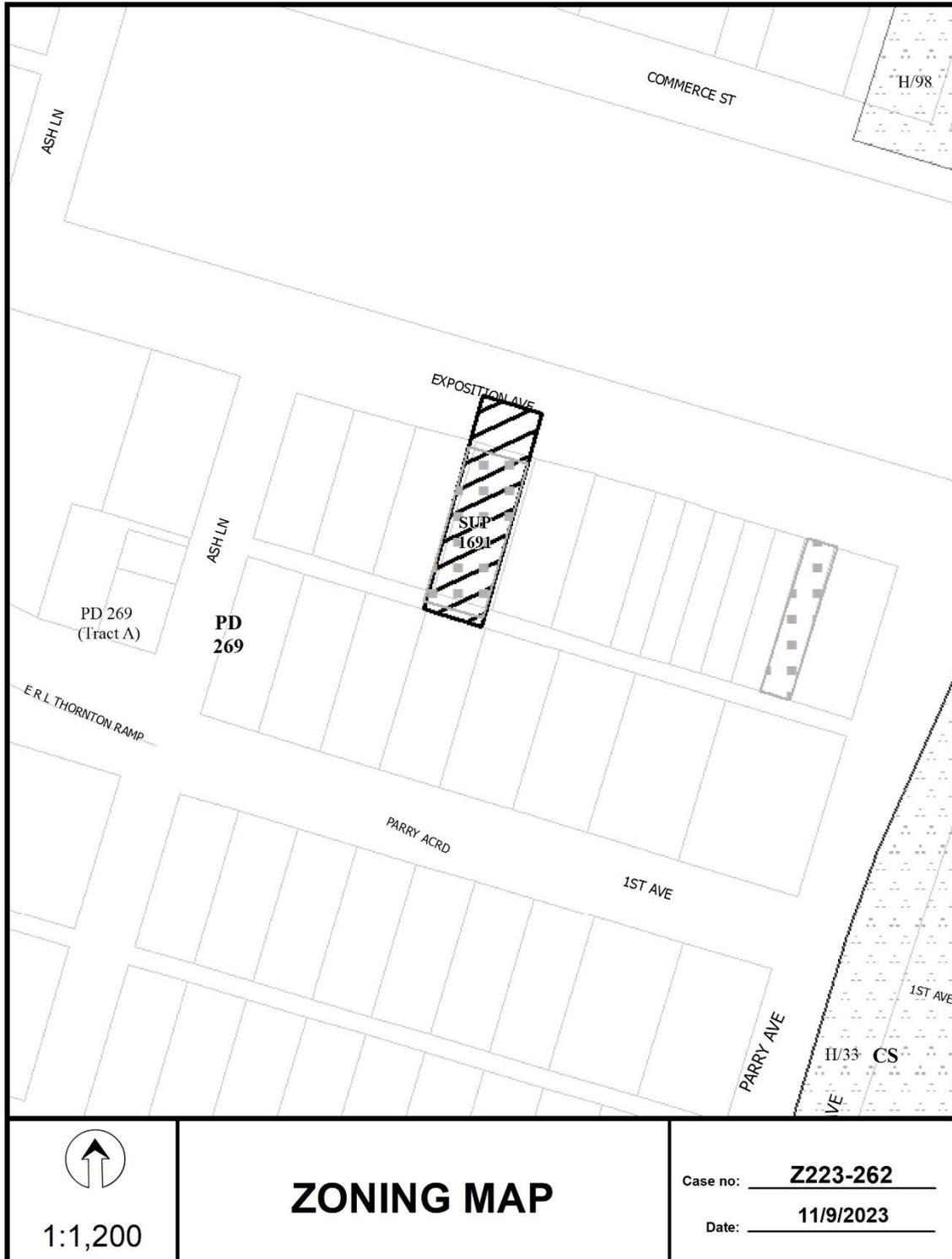


1:1,200

AERIAL MAP

Case no: Z223-262

Date: 11/9/2023

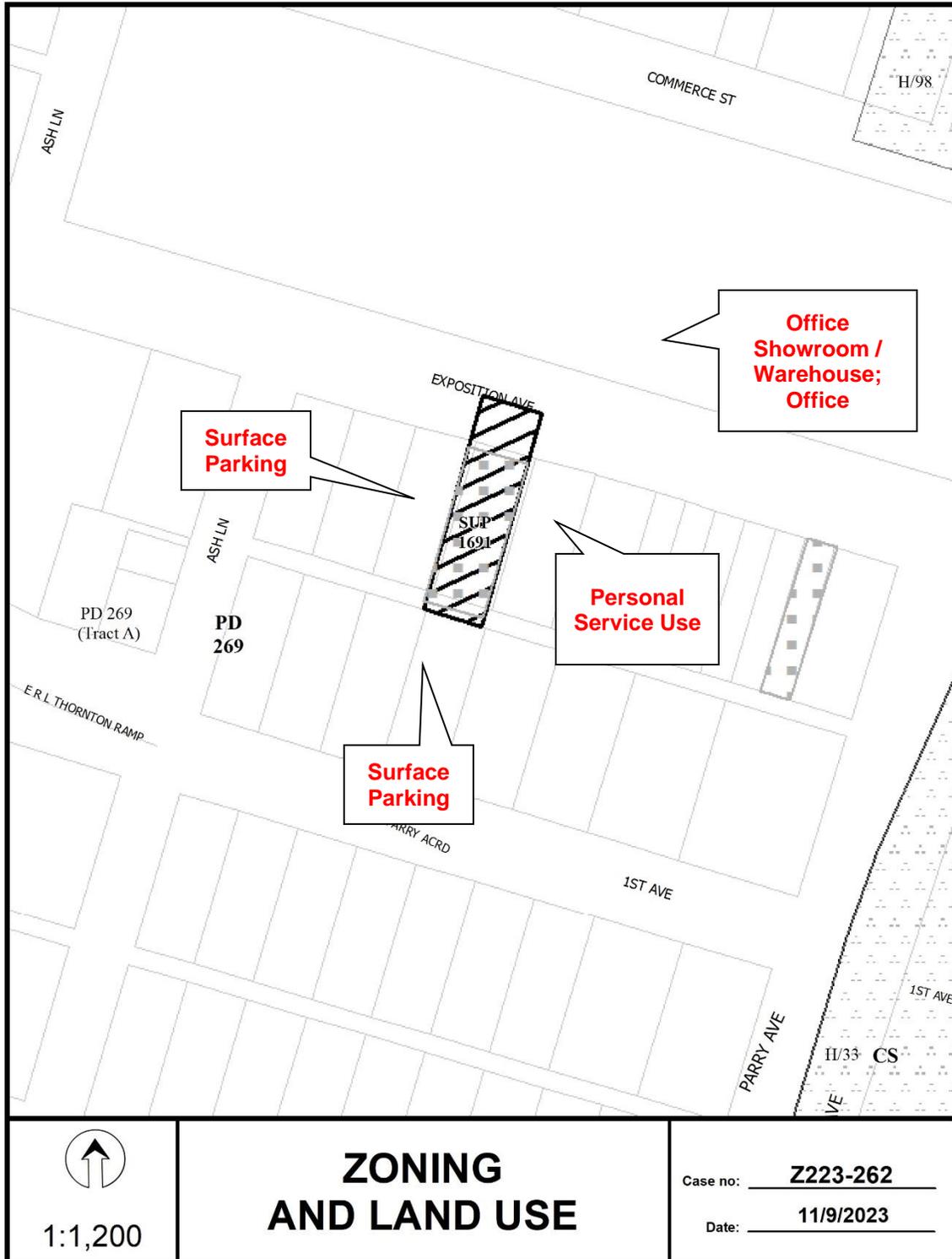


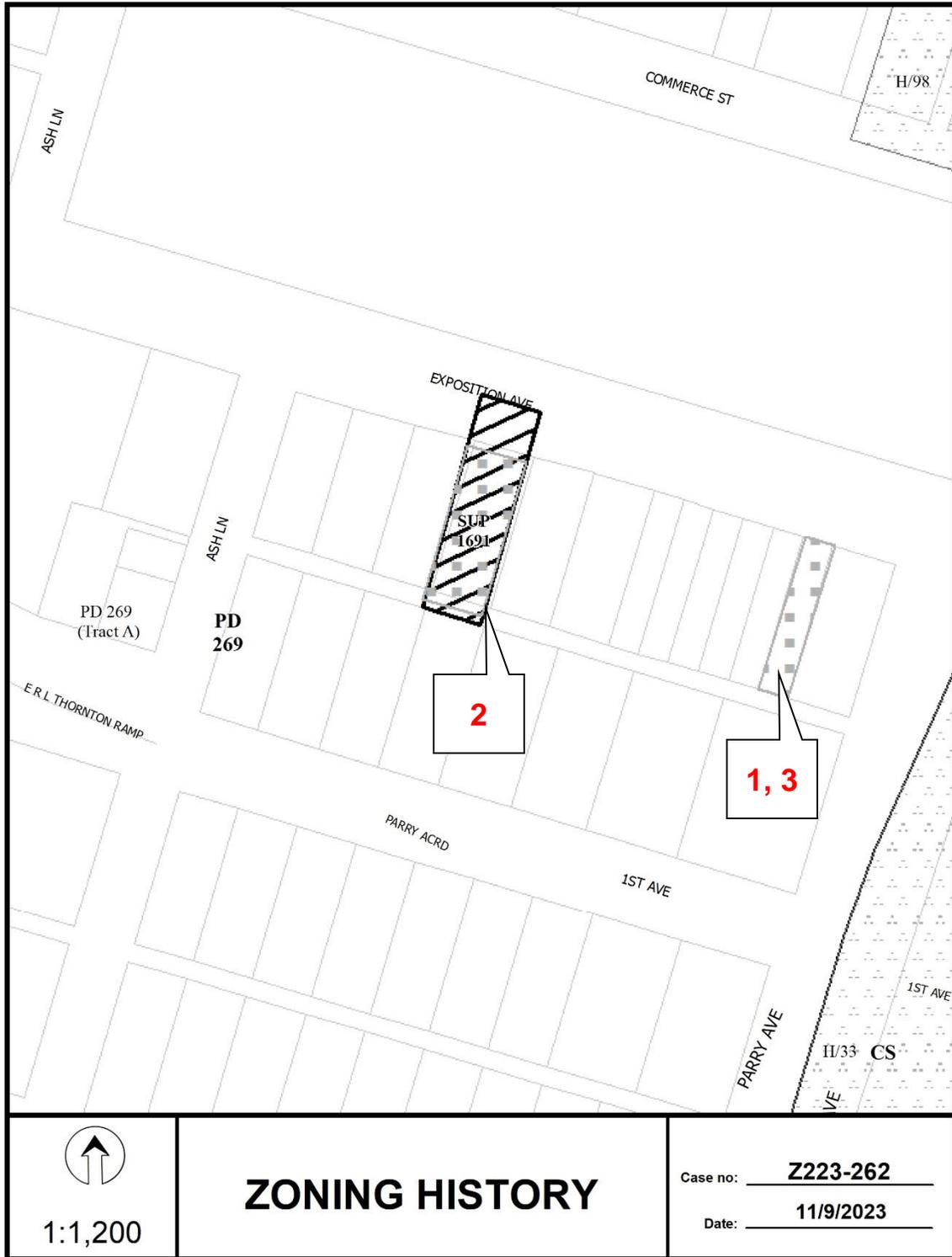
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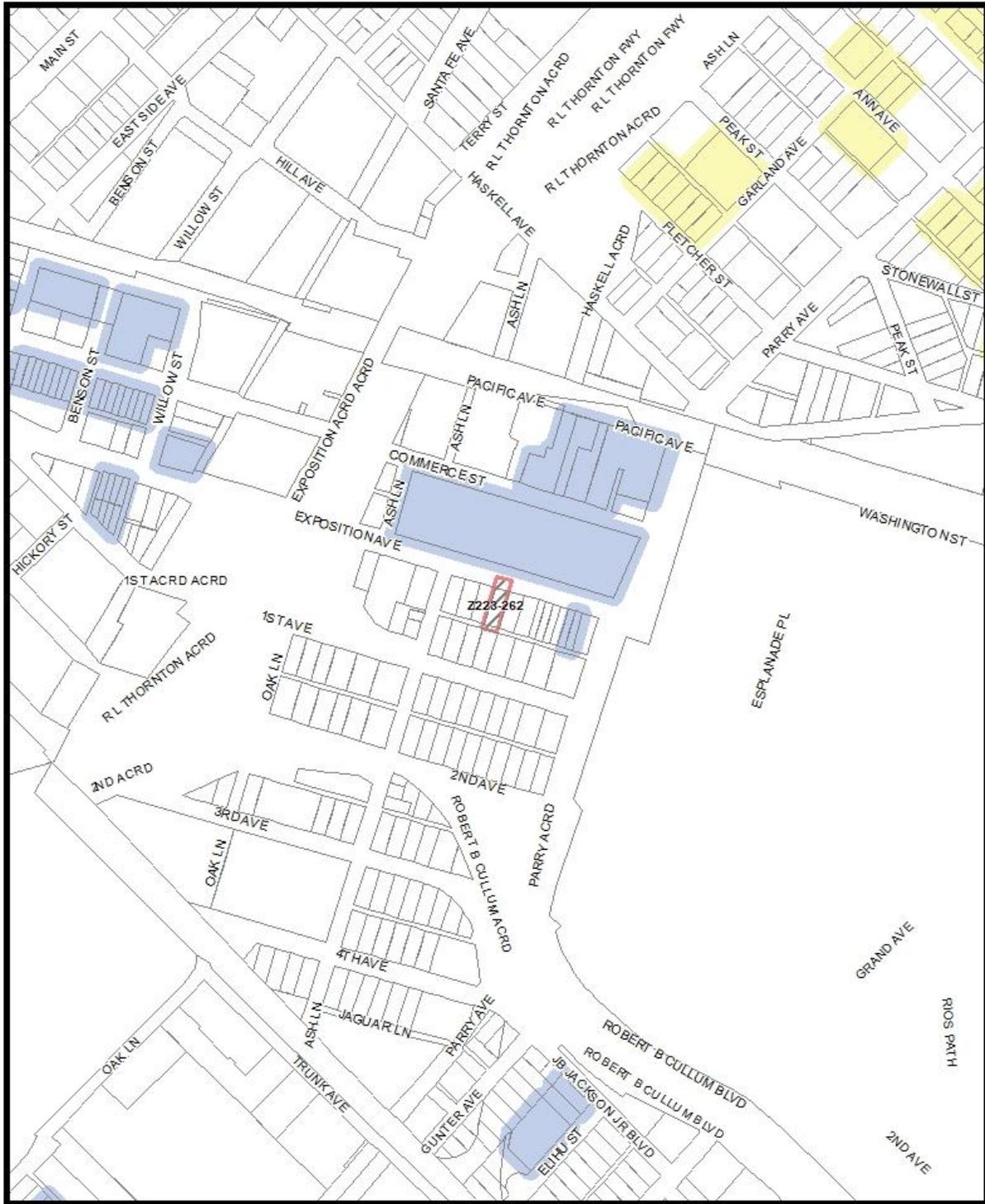
ZONING MAP

Case no: Z223-262

Date: 11/9/2023







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

1:4,800

Market Value Analysis

Printed Date: 11/9/2023



<u>10</u>	Property Owners Notified (24 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>12/7/2023</u>	Date

Z223-262
CPC



1:1,200

12/06/2023

Reply List of Property Owners

Z223-262

10 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	805 EXPOSITION AVE	EXPO PARK PARTNERS LTD
O	2	813 EXPOSITION AVE	ROBERTS JOHN STEVEN
	3	729 EXPOSITION AVE	BERT CONCESSIONS INC
	4	3609 ASH LN	BELCLAIRE REALTY LTD
	5	801 EXPOSITION AVE	GIBSON DAVID H
	6	821 EXPOSITION AVE	MCNEILL ROBERT K
	7	827 EXPOSITION AVE	EXPO PARK PARTNERS LTD
	8	808 1ST AVE	EXPO PARK PARNTERS LTD
	9	809 1ST AVE	TEXAS STATE OF
	10	820 EXPOSITION AVE	BLOCK 811 LTD