

FILE NUMBER: Z201-223(RM) **DATE FILED:** March 30, 2021

LOCATION: South line of Exposition Avenue, west of Parry Avenue

COUNCIL DISTRICT: 7 **MAPSCO:** 46 K

SIZE OF REQUEST: Approx. 0.03 acre **CENSUS TRACT:** 203.00

APPLICANT: Antonio Everette, AESS Group LLC

OWNER: Expo Park Partners, Ltd.

REQUEST: An application for the renewal of Specific Use Permit No. 2341 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 purpose of the request is to continue the use of the property as a bar, lounge, or tavern. [Whiskeys]

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

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

BACKGROUND INFORMATION:

- The site is currently being used as a bar, lounge, or tavern.
- Specific Use Permit No. 2341 was approved on June 26, 2019 for a two-year period for a bar, lounge, or tavern on the site.
- The applicant proposes to continue the use of the property as a bar, lounge, or tavern.

Zoning History:

There have been four zoning cases on three sites in the area in the past five years.

1. **Z167-218:** On June 14, 2017, City Council approved a renewal of Specific Use Permit No. 1692 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 south side of Exposition Avenue, west of Parry Avenue.
2. **Z167-302:** On August 23, 2017, City Council approved a renewal of 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, on the south side of Exposition Avenue, east of Ash Lane.

Z190-266: On October 13, 2020, City Council approved a renewal of Specific Use Permit No. 1691 for an additional three-year period.
3. **Z189-222:** On June 26, 2019, City Council approved Specific Use Permit No. 2341 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 south line of Exposition Avenue, west of Parry Avenue. [Subject Site]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Exposition Ave	Community Collector	80'
Parry Avenue	Principal Arterial	100'

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway 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 request complies with the following land use goals and policies of the Comprehensive Plan:

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

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

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Area Plans:

In September 2001, City Council approved the South Dallas/Fair Park Economic Development Corridor Plan which aims to create economic development strategies that encourage desirable development along the area's business corridors.

The request complies with the following objectives of the South Dallas/Fair Park Economic Development Corridor Plan:

OBJECTIVE 5 Encourage corridor reinvestment

Land Use:

	Zoning	Land Use
Site	Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District	Bar, lounge, or tavern
North	Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District	Multifamily, office
East	Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District	Office, restaurant without drive-in or drive-through service, personal service use
South	Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District	Office, restaurant without drive-in or drive-through service, personal service use
West	Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District	Bar, lounge, or tavern; restaurant without drive-in or drive-through service, personal service use

Land Use Compatibility:

The area of request is currently in use as a bar, lounge, or tavern. Surrounding uses are largely office, restaurant without drive-in or drive-through service, and personal service use. Across Exposition Avenue to the north are office and multifamily 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.

Staff supports the request because the continued use of the property as a bar, lounge, or tavern is compatible with surrounding uses. There are other bar, lounge, or tavern uses in the vicinity, as well as restaurants, offices, and other commercial uses.

Landscaping:

The area of request is located within an existing structure; therefore, the landscaping requirements will not be triggered.

Parking:

PD 269 does not require off-street parking for the first 2,500 square feet of floor area for this use if located within an original building, as defined within PD 269 on the first floor. The applicant proposes to occupy 1,300 square feet of floor area and is not required to provide any designated parking for the use. It should be noted that a significant number of metered on-street parking spaces exist along Exposition Avenue, as well as surface parking lots throughout the immediate area.

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 request is located within an “E” MVA cluster. North of the area of request is an “E” MVA category.

Crime Report:

Since June 2019, the area has had two phone calls to the Dallas Police Department, with no offenses and no arrests.

Calls	
Problem	Count of Problem
32 – Suspicious Person	1
40 - Other	1
Grand Total	2

Z201-223(RM)

List of Partners/Principals/Officers

Expo Park Partners, Ltd.

John Broude
Harvey Mueller
Susan Reese
Katie Reese
Lou Reese
McKenzie Reese

Z201-223(RM)

**CPC ACTION
JUNE 3, 2021**

Z201-223(RM)

Planner: Ryan Mulkey

Motion: It was moved to recommend **approval** of for the renewal of Specific Use Permit No. 2341 for a bar, lounge, or tavern for a three-year period, subject to conditions 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.

Maker: Murphy
Second: MacGregor
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Carpenter, Jackson, Blair, Jung, Suhler, Schwope, Murphy, Garcia, Rubin

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

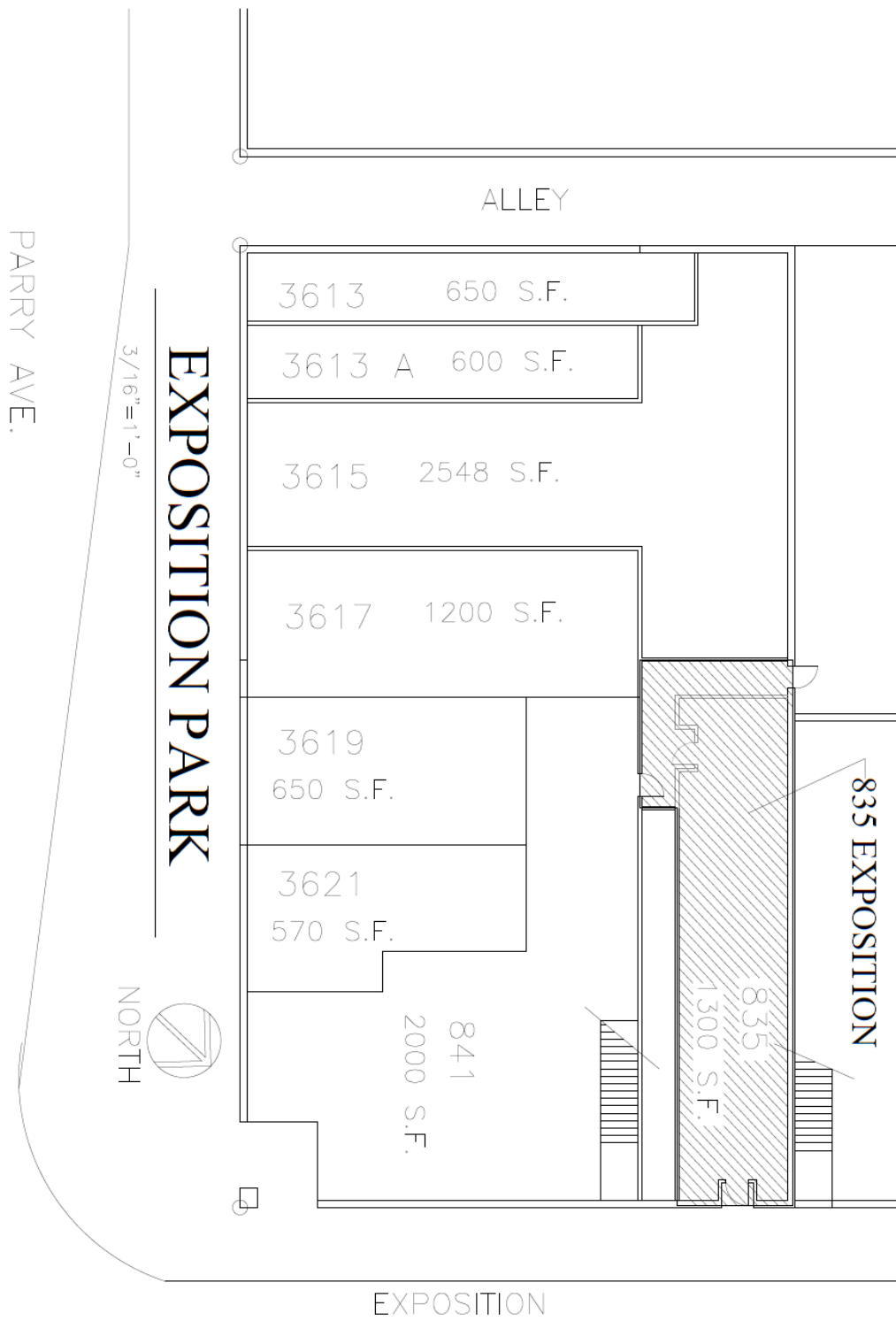
Notices: Area: 200 Mailed: 8
Replies: For: 0 Against: 0

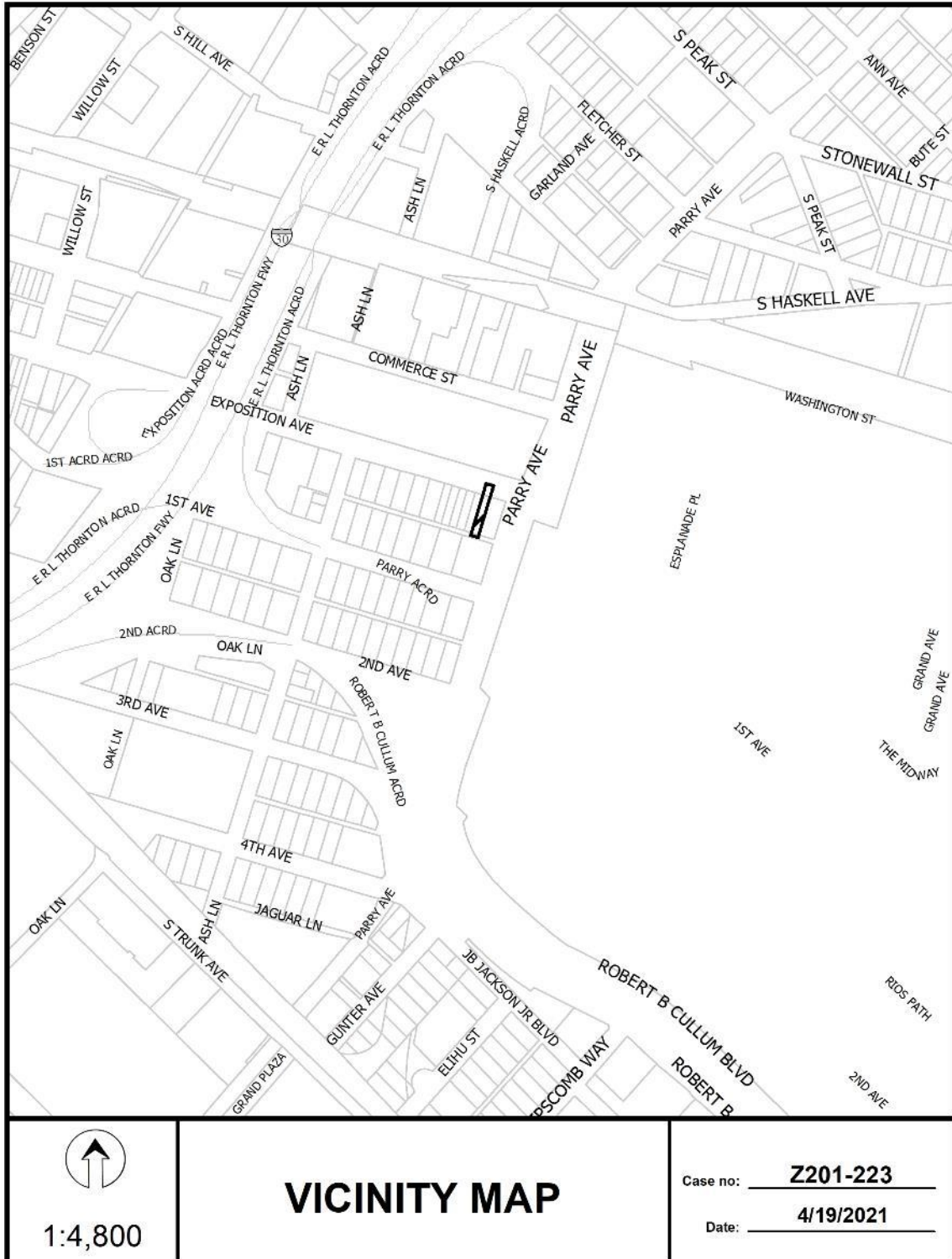
Speakers: For: None
For (Did not speak): Antonio Everette, 835 Exposition Dallas, TX, 75226
Against: None

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is a bar, lounge, or 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 ~~June 26, 2024~~ (three years from the passage of this ordinance).
4. FLOOR AREA: The maximum floor area for the bar, lounge, or tavern is 1,300 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The bar, lounge, or tavern may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Friday, and between 11:00 a.m. and 2:00 a.m. (the next day) on Saturday.
6. OUTSIDE SPEAKERS: Outside speakers and outside amplified sound are prohibited.
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)**





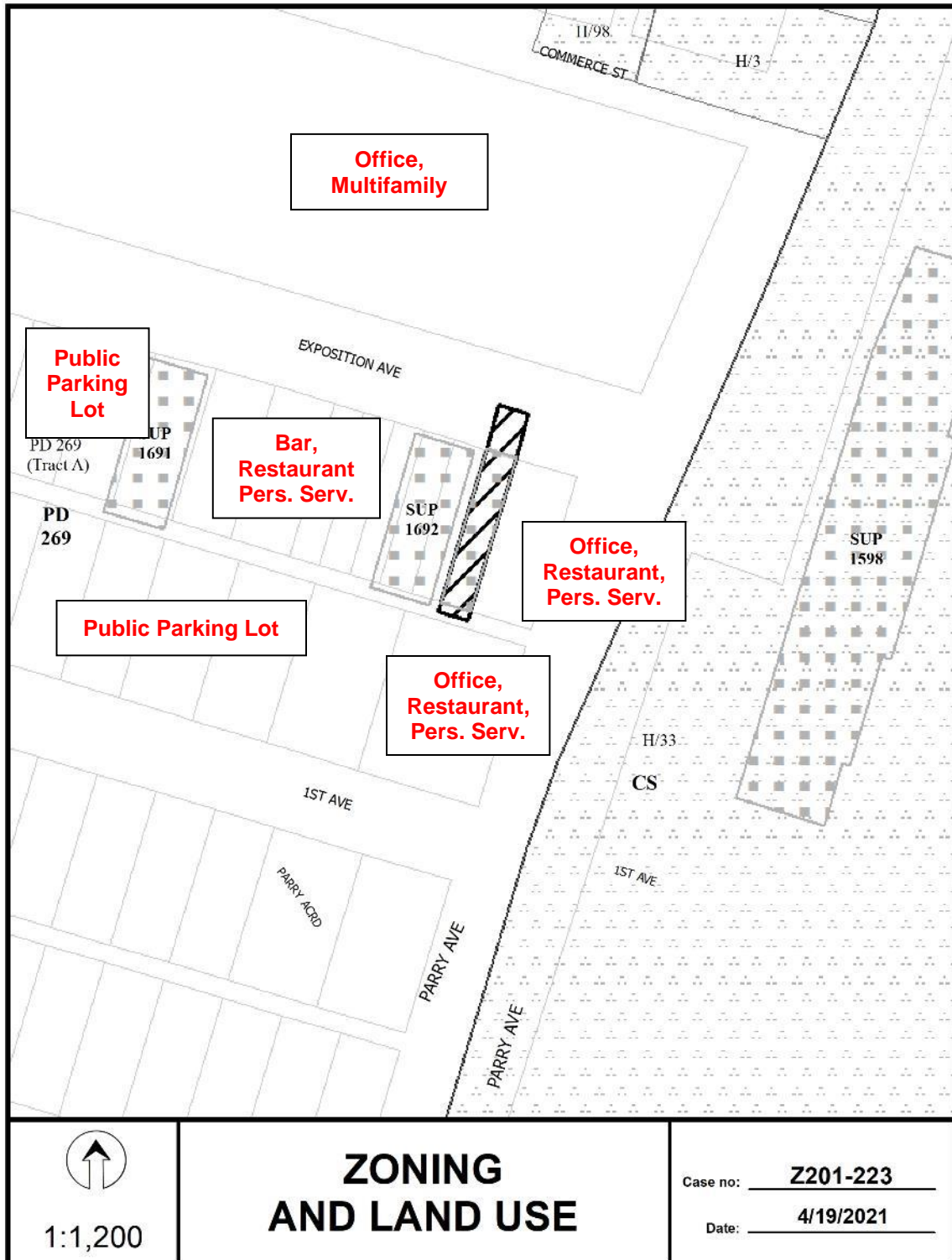


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AERIAL MAP

Case no: Z201-223

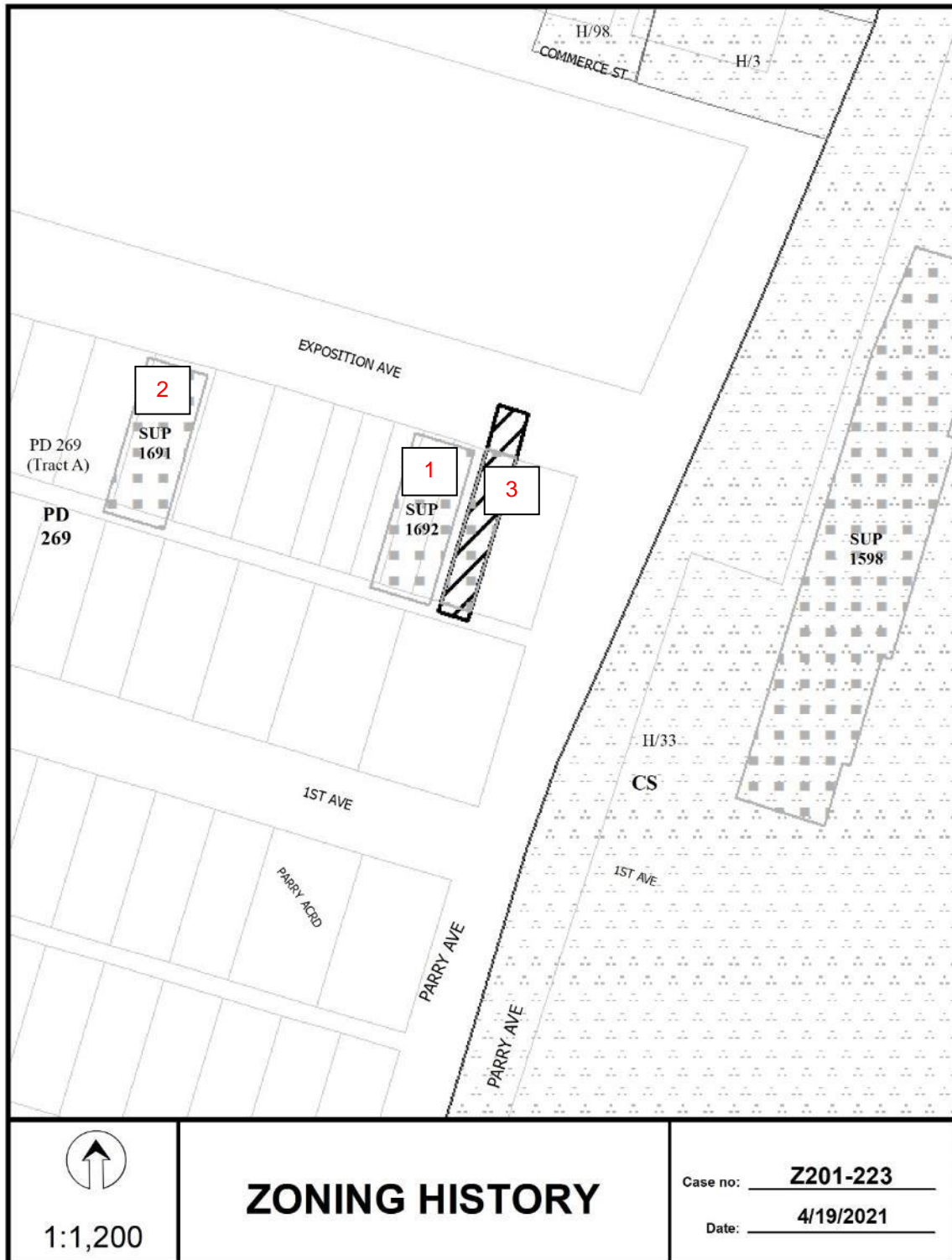
Date: 4/19/2021



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ZONING AND LAND USE

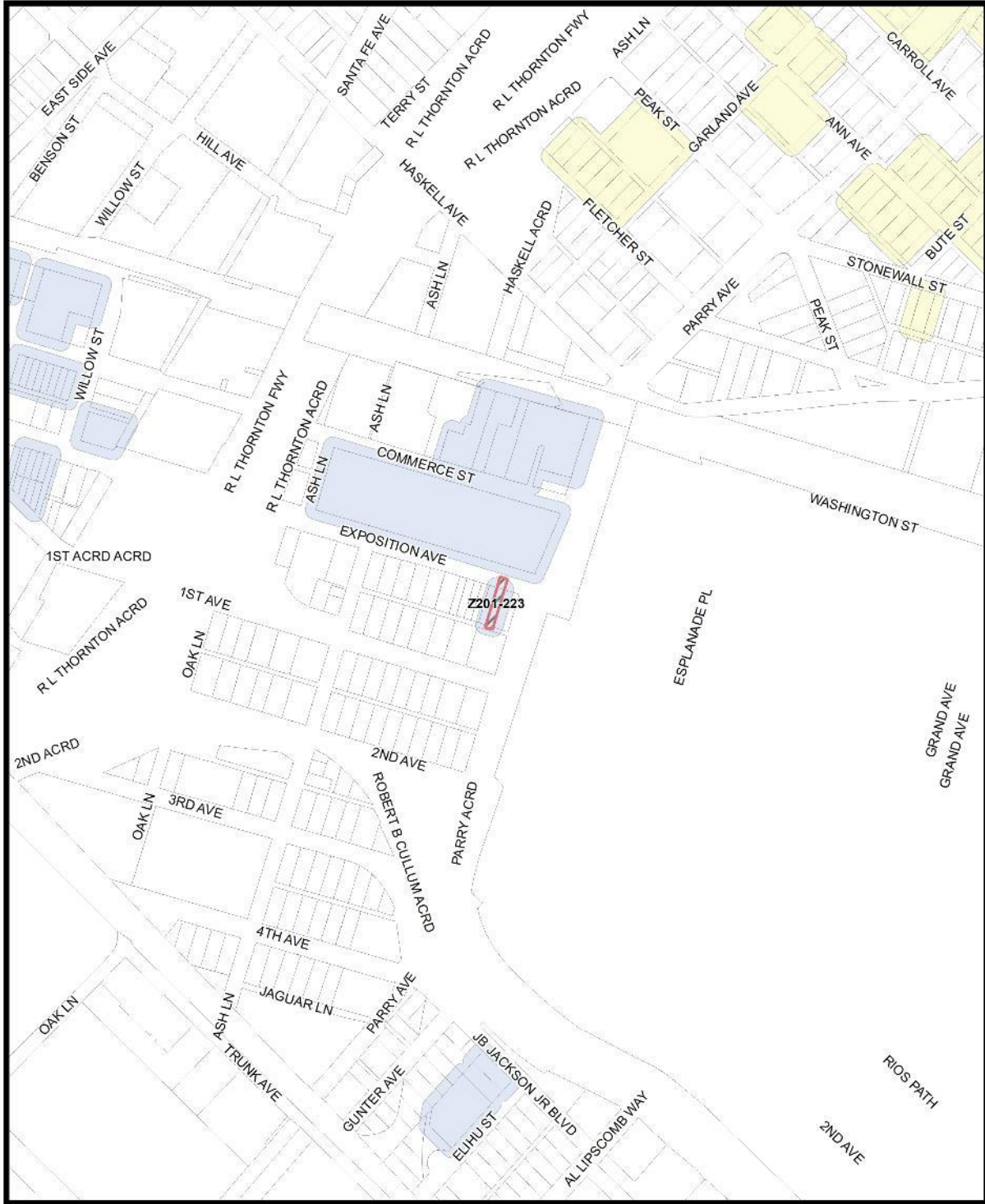
Case no: Z201-223
Date: 4/19/2021



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ZONING HISTORY

Case no: Z201-223
Date: 4/19/2021



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

1:4,800

Market Value Analysis

Printed Date: 4/19/2021

CPC RESPONSES



<u>8</u>	Property Owners Notified (15 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>6/3/2021</u>	Date

Z201 -223
CPC



1:1,200

Z201-223(RM)

06/02/2021

Reply List of Property Owners

Z201-223

8 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	833	EXPOSITION AVE	EXPO PARK PARTNERS LTD
2	821	EXPOSITION AVE	MCNEILL ROBERT K
3	827	EXPOSITION AVE	GREENE PATRICK
4	831	EXPOSITION AVE	EXPO PARK PARTNERS LTD
5	829	EXPOSITION AVE	EXPO TRUST 1
6	820	1ST AVE	EXPO PARK PARTNERS LTD
7	4101	COMMERCE ST	Taxpayer at
8	3839	S FITZHUGH AVE	MCA PACE AMPHITHEATERS LP