

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, APRIL 23, 2025

ACM: Robin Bentley

FILE NUMBER: Z245-131(LC) **DATE FILED:** December 9, 2024

LOCATION: Northwest corner of Greenville Avenue and Bell Avenue

COUNCIL DISTRICT: 14

SIZE OF REQUEST: 2,248 square feet **CENSUS TRACT:** 48113001002

APPLICANT: Simon McDonald

OWNER: Larry Vineyard, Madison Partners, 2001 Greenville Ventures, LTD.

REQUEST: An application for the renewal of Specific Use Permit No. 1881 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay.

SUMMARY: The applicant is proposing to continue operation of an existing restaurant [The Libertine Bar] during late hours between 12:00 a.m. (midnight) and 2:00 a.m., Monday through Sunday.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions.

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

BACKGROUND INFORMATION:

- The area of request is currently developed as a late-hours establishment limited to a restaurant without drive-in or drive-through service, [The Libertine Bar] with an outdoor uncovered front sidewalk patio, (approx. 2,178 square feet in total size) and zoned Planned Development District No. 842, with existing SUP No. 1881.
- Late hours establishment is defined by the PD as “a retail and personal service use that operates between 12 a.m. (midnight) and 6 a.m.” This is not a use in the broader code. The use requires a specific use permit within the district.
- This lot has frontage on both Greenville and Bell Avenues.
- Proposed hours of operation are as follows:
 - between 12:00 a.m. (midnight) and 2:00 a.m., Monday through Sunday. With outdoor front sidewalk patio, operating between 12:00 a.m. (midnight) and 2:00 a.m., Friday night through Sunday night. All customers must be removed from all portions of the property by 2:15 a.m.
- Applicant requests an SUP renewal for a five-year time period, with eligibility for additional five-year period through autorenewal for the SUP.

Zoning History:

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

1. **Z201-101:** Case was denied at the City Plan Commission meeting.
2. **Z201-148:** On Wednesday, June 9, 2021, the City Council approved an application for the renewal of Specific Use Permit No. 1889 for a late hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern use on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay District, located on the east line of Greenville Avenue, north of Prospect Avenue.
3. **Z212-101:** On Wednesday, February 23, 2022, the City Council approved an application for the renewal of Specific Use Permit No. 1898 to allow for a late hours establishment limited to a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station on property zoned Planned Development District No. 842, the Lower Greenville Avenue Special Provision District with MD-1 Modified Delta Overlay, located on the southeast corner of Richmond Avenue and Greenville Avenue.

4. **Z212-352:** On Wednesday, February 28, 2024, the City Council approved an application for the renewal of Specific Use Permit No. 1898 for a late-hours establishment limited to a general merchandise or feed store 3,500 square feet or less and a motor vehicle fueling station, on property located Planned Development District No. 842, the Lower Greenville Avenue Special Provision District with MD-1 Modified Delta Overlay, on the southeast corner of Greenville Avenue and Richmond Avenue.
5. **Z223-105:** On Wednesday, December 13, 2023, the City Council approved an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service use on property zoned Planned Development District No. 842 for CR Community Retail District uses with an MD-1 Modified Delta Overlay, on east line of Greenville Avenue, between Prospect Avenue and Oram Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Greenville Avenue	Local	-
Bell Avenue	Local	-

Traffic:

The Engineering Division of the Planning & Development 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 new forwardDallas 2.0! Comprehensive Plan was adopted by the City Council in September 2024. ForwardDallas 2.0 is a refreshed guide that considers how our City has evolved over the last two decades and how to plan for changes in the very near future, from our continued economic growth to our long-term social vibrancy.

ForwardDallas 2.0 is a guidance plan, it is not a zoning document. This Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request would comply with the following placetypes and primary/supporting land uses of the ForwardDallas 2.0 Comprehensive Plan:

The area of request is situated within the Neighborhood Mixed-Use Placetype. This placetype allows the following primary land uses: Multiplex, Apartments, Mixed-Use, Lodging, Commercial and Office; in conjunction with secondary land uses including: Agricultural, Public Open Space, Private Open Space, Single Family Detached & Attached, Civic/Public Institutional and Utility.

The primary focus of the Neighborhood Mixed-Use placetype is to anchor commercial and social activity. These neighborhoods typically include a mix of single-family homes, commercial such as restaurants and personal service and office uses. This placetype maintains a transitional type of development that prioritizes pedestrian connectivity, while preserving the community's character with compatibly scaled mixed-use development. Local amenities such as parks and small-scale retail may be present, in conjunction with the residential creates hubs of low and medium density providing access to daily needs for residents and visitors.

The area of request is an existing and established business, but it is important to add a note that new development in this placetype should align with the established building form and character of the neighborhood mixed-use development patterns. These new developments should be well-integrated within the natural landscape and consideration should be given a connectivity approach to preserve existing fabric of the area.

The area highlighted below shows the location of the area of request within the ForwardDallas 2.0 Placetype.

Land Use:

	Zoning	Land Use
Site	PD No. 842, with SUP 1881	Restaurant without drive-through service; Commercial retail
North	PD No. 842 & R-7.5(A)	Commercial retail, Single Family
South	PD No. 842	Bar, lounge, or tavern, Restaurant without drive-through service; Commercial retail
East	PD No. 842 & PD No. 167	Restaurant without drive-through service; Commercial retail
West	PD No. 842	Commercial retail

*The subject property and all surrounding properties include an MD-1 Overlay

Land Use Compatibility:

The area of request is currently developed as a late-hours establishment limited to a restaurant without drive-in or drive-through service, [The Libertine Bar] with an outdoor uncovered front sidewalk patio, (approx. 2,178 square feet in total size) and zoned Planned Development District No. 842, with existing SUP 1881.

PD No. 842 establishes the following criteria for consideration of an SUP for a late-hours establishment:

(e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):

- (1) the number of citations issued by police to patrons of the establishment;
- (2) the number of citations issued by police for noise ordinance violations by the establishment;
- (3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;
- (4) the number of Texas Alcoholic Beverage Code violations of the establishment; and
- (5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

To the north, south, east, and west of the property are properties zoned Planned Development District No. 842, as well as Planned Development District No. 167 to the east, with commercial retail uses, as listed in the Land use table above. With this area being surrounded by commercial uses, restaurants, bar, lounge and tavern uses and the area of request matching the uses in the immediate area, staff finds the applicant's requested SUP renewal to be 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 approval for a five-year period, subject to a site plan and amended conditions.

Landscaping:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a late-hours establishment limited to a restaurant without drive-in service use in Planned Development District No. 842, is as follows; A minimum of one space per 100 square feet of floor area is required for a restaurant without drive-in or drive-through service. Delta credits may not be used to meet this off-street parking requirement. As shown on the site plan, the 2,200 square feet of indoor space associated with the SUP would require 22 spaces. The applicant has 22 parking spaces off site, as displayed on their site plan, found on page 12 of this document, and provides the remainder through parking agreements with remote lots.

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 “B” MVA area.

Z245-131(LC)

CRIME STATS: JANUARY 31, 2020, TO DATE

Arrests – 0 total

Calls – 1 total

Master_Incident_Number	Response_Date	Response_Time	Watch	MDivision	MSector	MBeat	Problem	Priority_Description	Location_Name
25-0049925	1/9/2025	3:46:00 AM	1	Central	140	144	12B - Business Alarm	3 - General Service	single wide
24-1316626	7/21/2024	11:45:00 AM	2	Central	140	144	6X - Major Dist (Violence)	2 - Urgent	LIBERTINE BAR
24-1213657	7/5/2024	4:38:00 PM	3	Central	140	144	6X - Major Dist (Violence)	2 - Urgent	LIBERTINE BAR
24-1048073	6/11/2024	11:33:00 AM	2	Central	140	144	6X - Major Dist (Violence)	2 - Urgent	LIBERTINE BAR
24-0530844	3/26/2024	5:32:00 PM	3	Central	140	144	40 - Other	3 - General Service	LIBERTINE BAR
24-0530844	3/26/2024	5:32:00 PM	3	Central	140	144	40 - Other	3 - General Service	LIBERTINE BAR
24-0529825	3/26/2024	2:56:00 PM	2	Central	140	144	6X - Major Dist (Violence)	2 - Urgent	LIBERTINE BAR
23-1592880	8/12/2023	6:00:00 PM	3	Central	140	144	40 - Other	3 - General Service	8/12 LIBERTINE BAR
23-1548499	8/6/2023	12:39:00 AM	1	Central	140	144	40 - Other	3 - General Service	08/06 THE LIBERTINE BAR
23-0213278	2/2/2023	9:35:00 PM	3	Central	140	144	6X - Major Dist (Violence)	2 - Urgent	LIBERTINE BAR
22-2294720	11/24/2022	2:51:00 AM	1	Central	140	144	41/11B - Burg Busn in Progress	1 - Emergency	THE LIBERTINE BAR
22-2202040	11/9/2022	4:25:00 PM	3	Central	140	144	6X - Major Dist (Violence)	2 - Urgent	THE LIBERTINE BAR
22-1832334	9/17/2022	9:11:00 PM	3	Central	140	144	6X - Major Dist (Violence)	2 - Urgent	7 ELEVEN
22-1106948	6/9/2022	7:21:00 PM	3	Central	140	144	6X - Major Dist (Violence)	2 - Urgent	LIBERTIN BAR
22-1012098	5/27/2022	3:29:00 PM	2	Central	140	144	40/01 - Other	2 - Urgent	LIBERTINE BAR
22-0519328	3/20/2022	12:29:00 AM	1	Central	140	144	6X - Major Dist (Violence)	2 - Urgent	THE LIBERTINE BAR

Incidents – 1 total

IncidentNum	Date1	Time1	NIBRS Crime Comp/Stat	NIBRS Code	Off/Incident	Address	ZipCode	Premise
148195-2024	9/12/2024	4:30:00 PM	DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	290	CRIM MISCHIEF > OR EQUAL \$100 < \$750	2101 GREENVILLE AVE	75206	Bar/NightClub/DanceHall ETC.

Texas Alcoholic Beverage Commission (TABC) Information:

TABC License numbers, information, and statuses may be retrieved here by searching an address: <https://apps.tabc.texas.gov/publicinquiry/StatusNewLayout.aspx>

TABC Complaint Information, including criminal allegations and administrative allegations, may be retrieved here by searching an address or license number:

<https://apps.tabc.texas.gov/publicinquiry/ComplaintInvestigation.aspx>



List of Officers

Metro Bars, LLC

Simon McDonald, Member

Michael R. Smith, Member

Property Owners

Lary Vineyard, John Hetzel et al. Madison Partners

CPC Action
March 6, 2025

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 1881 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period, subject to amended conditions, on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay, on the northwest corner of Greenville Avenue and Bell Avenue.

Maker: Kingston

Second: Carpenter

Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Forsyth, Shidid,
Carpenter, Wheeler-Reagan, Franklin,
Sleeper, Housewright*, Nightengale, Haqq,
Hall, Kingston, Rubin

Against: 1 - Herbert

Absent: 0

Vacancy: 0

*out of room, shown voting in favor

Notices: Area: 200

Mailed: 16

Replies: For: 0

Against: 0

Speakers: None

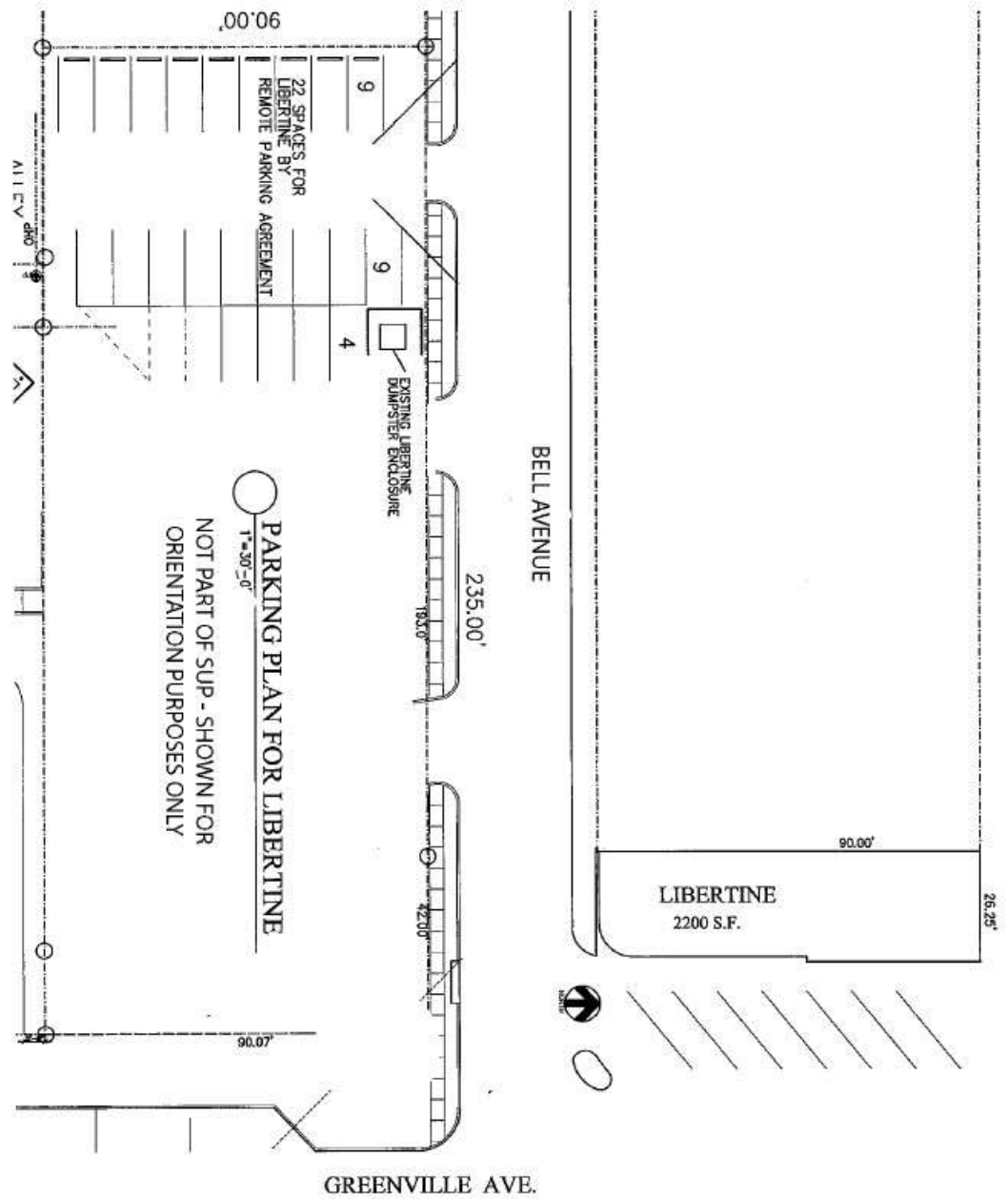
CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to a restaurant without drive-in or drive-through service
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). ~~but is eligible for automatic renewal for an additional five-year period pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.) [April 24, 2022.]~~
4. FLOOR AREA: Maximum floor area is 2,200 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION:
 - A. The late-hours establishment limited to a restaurant without drive-in or drive-through service may only operate between 12:00 a.m. (midnight) and 2:00 a.m., Monday through Sunday.
 - B. All customers must be removed from the Property by 2:15 a.m.
6. OUTDOOR PATIO AREA: The outdoor patio area shown on the site plan may be used by customers between 12:00 a.m. (midnight) and 2:00 a.m.
 - A. Maximum land area for the outdoor patio area is 1,000 square feet in the location shown on the attached site plan.
 - B. The outdoor patio must be uncovered.
 - C. Before the outdoor patio may be used by customers, the owner or operator of the late-hours establishment must:

- (i) obtain a license for the use of public right-of-way in accordance with Chapter 43 of the Dallas City Code; and
- (ii) provide a copy of the license to the building official.

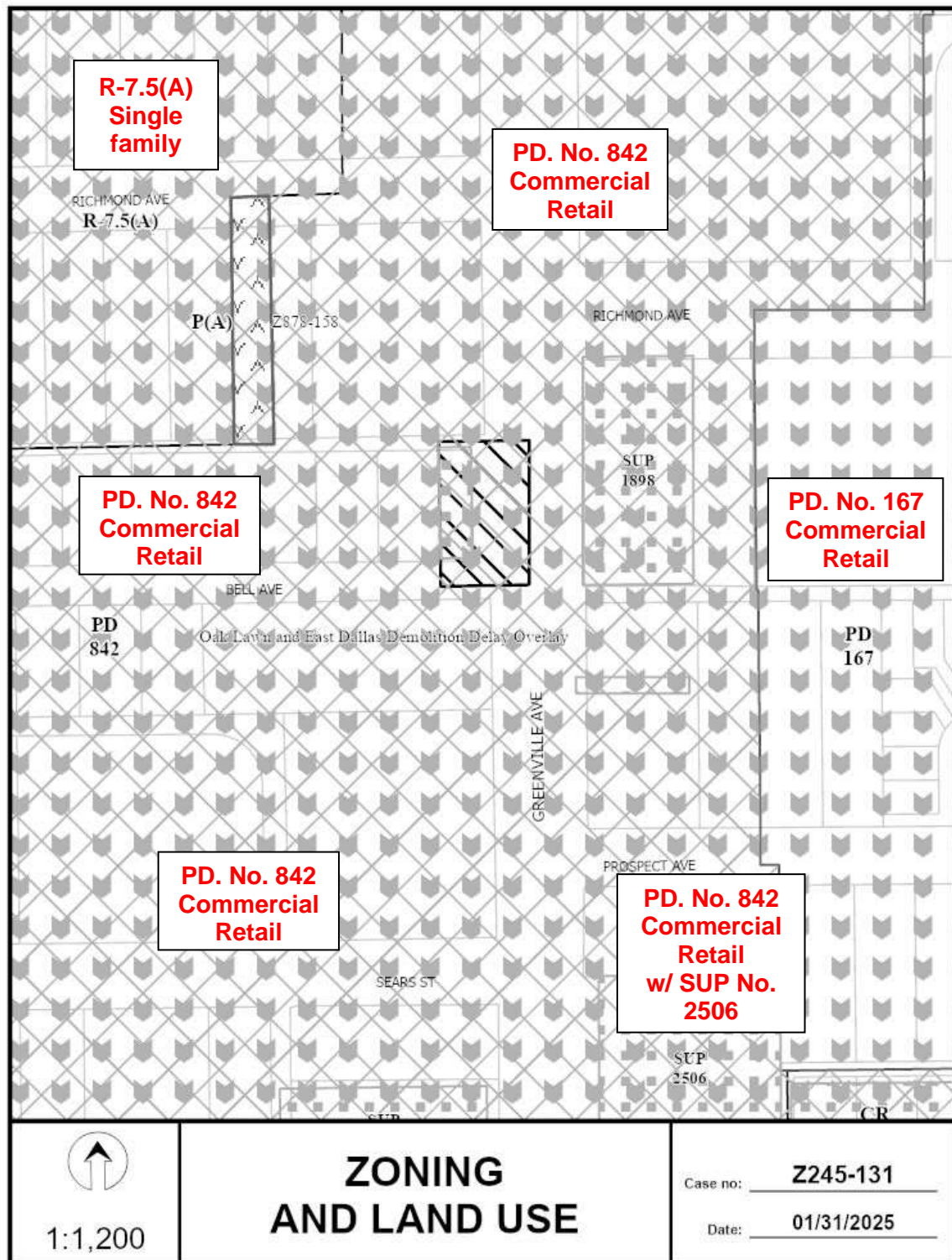
7. OUTDOOR SPEAKERS: Use of loudspeakers is prohibited.
8. PARKING: Off-street parking must be provided in accordance with Planned Development District No. 842 and MD-1 Modified Delta Overlay No. 1.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. 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.

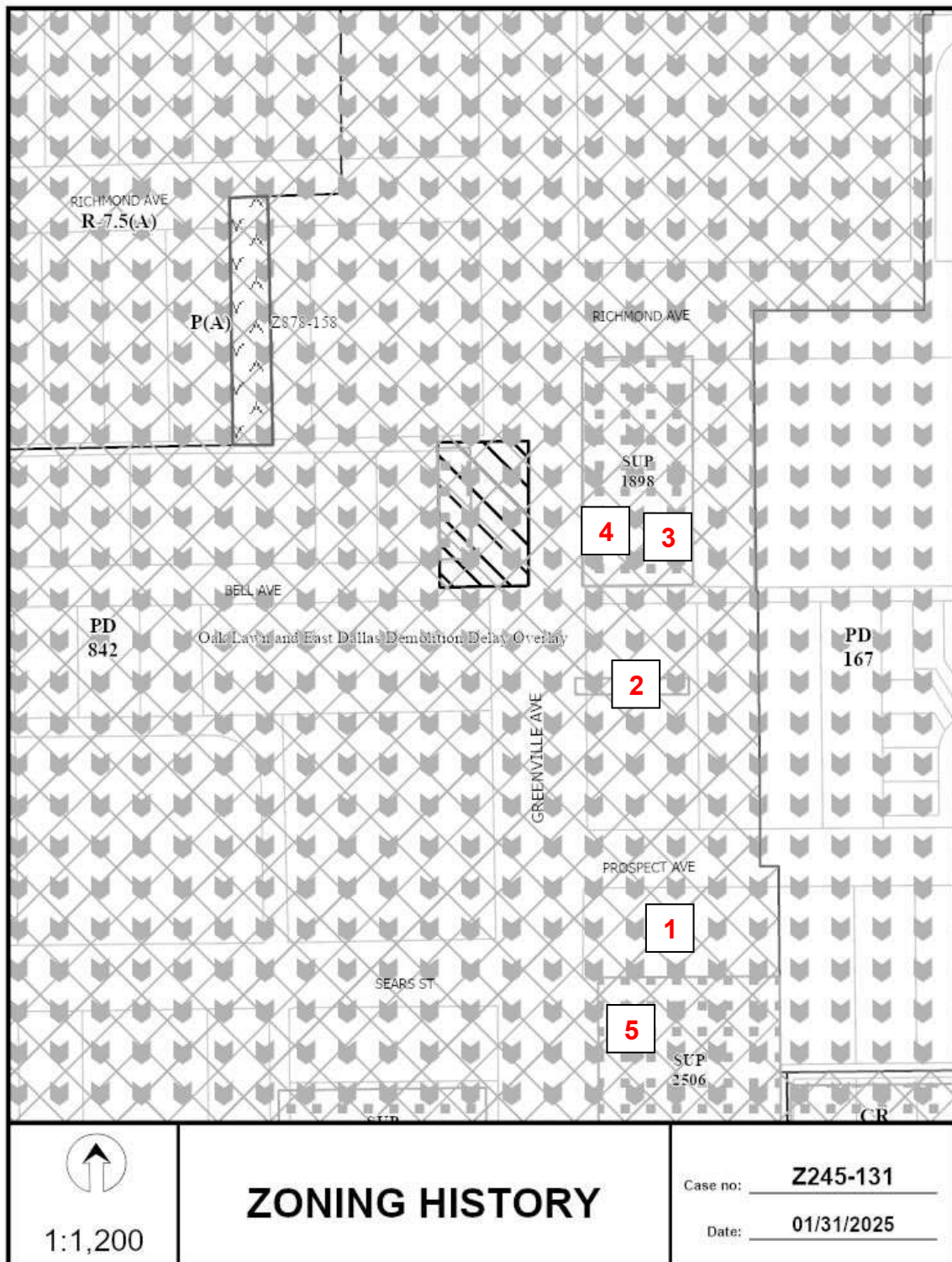
CPC RECOMMENDED EXISTING SITE PLAN
(NO CHANGES)

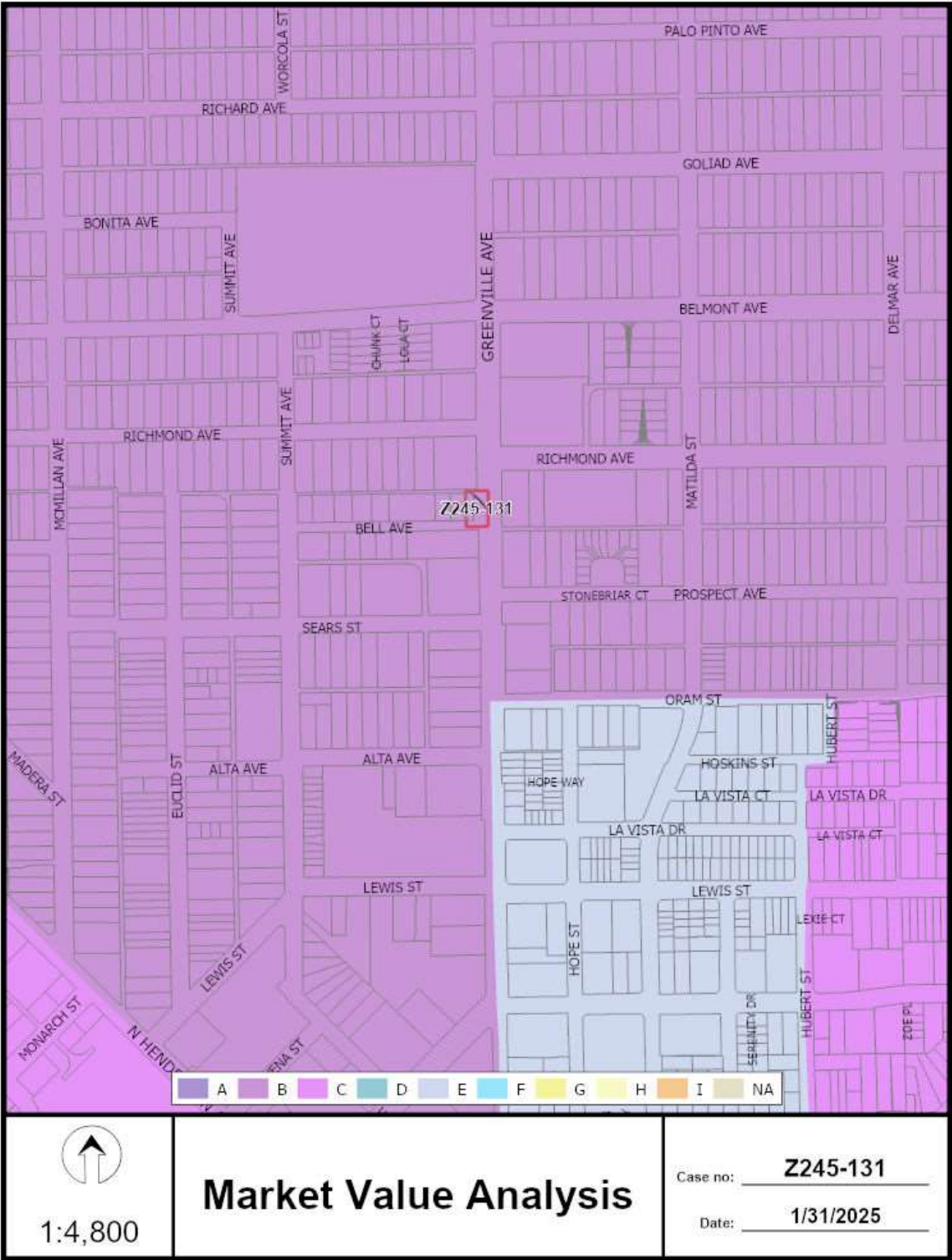


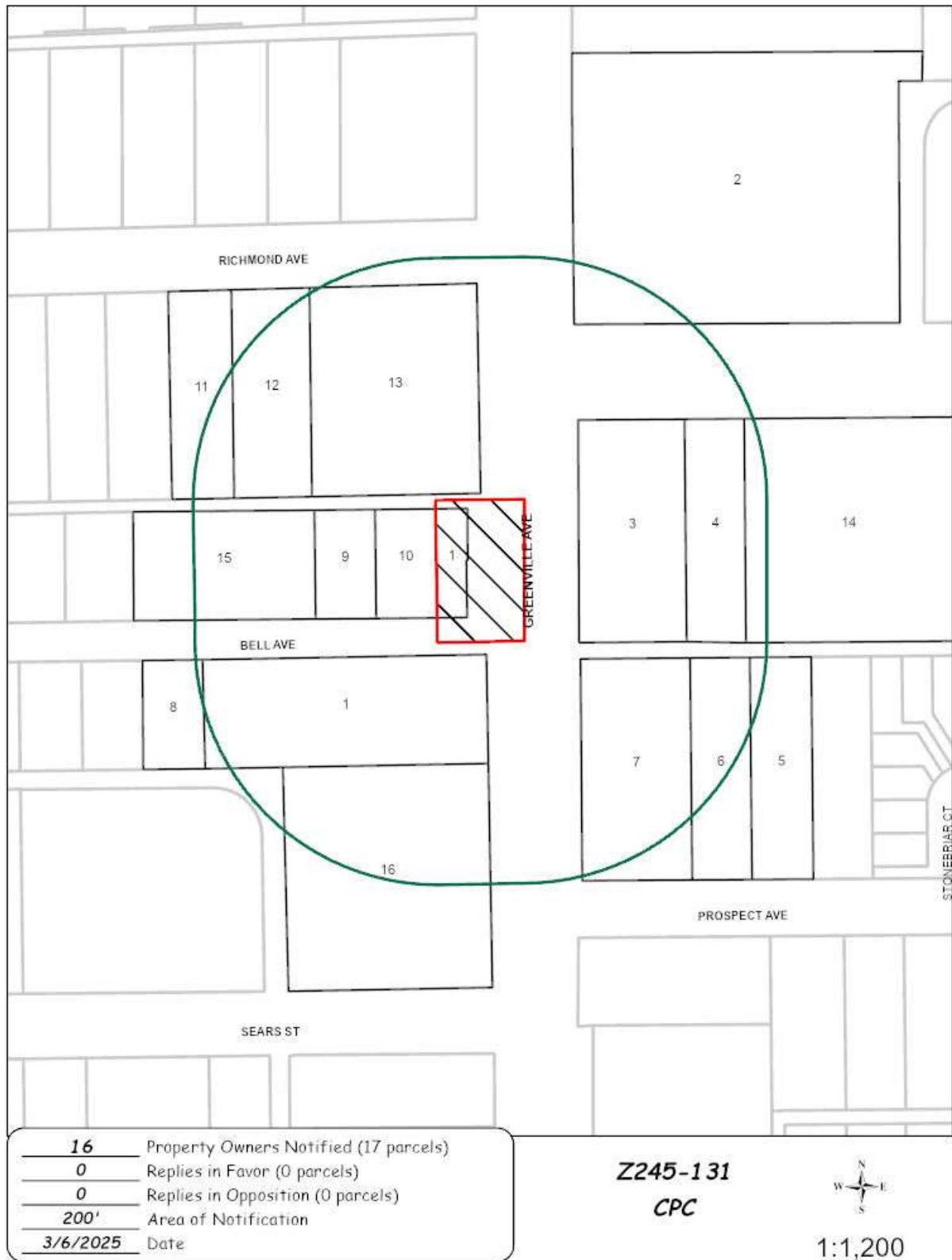












03/05/2025

Reply List of Property Owners***Z245-131******16 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	2101	GREENVILLE AVE	2001 GREENVILLE VENTURE
2	2218	GREENVILLE AVE	R&F INVESTMENTS II LTD
3	5702	RICHMOND AVE	GREENVILLE ROSS PTNR LTD
4	5710	RICHMOND AVE	SANCHEZ FIDENCIO
5	5715	PROSPECT AVE	REESE GRANDCHILDRENS
6	5711	PROSPECT AVE	ANDRES FAMILY TRUST
7	2100	GREENVILLE AVE	GREENVILLE 2100 LTD
8	5626	BELL ST	BELL AVENUE HOLDINGS II LLC
9	5639	BELL ST	BELL AVENUE HOLDINGS LLC
10	5643	BELL ST	BELL AVENUE HOLDINGS LLC
11	5628	RICHMOND AVE	KADAUB ELVIRA &
12	5632	RICHMOND AVE	RICHMAN TRUSTS
13	2121	GREENVILLE AVE	RICHMAN HARVEY A &
14	5714	RICHMOND AVE	GREENVILLE DALLAS OWNER LP
15	5627	BELL ST	LEFEBVRE DALE
16	2001	GREENVILLE AVE	2001 GREENVILLE VENTURE LTD