

FILE NUMBER: Z212-120(OA) **DATE FILED:** October 25, 2021

LOCATION: South line of Sunset Avenue, between South Bishop Avenue and South Madison Avenue

COUNCIL DISTRICT: 1 **MAPSCO:** 54 G

SIZE OF REQUEST: Approx. 6,876 sq. ft. **CENSUS TRACT:** 47.00

APPLICANT: Dilek Caner

OWNER: Jefferson Monument LLC

REQUEST: An application for the renewal of Specific Use Permit No. 2367 for an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery on property zoned Subarea 4 within Planned Development District No. 316, the Jefferson Area Special Purpose District

SUMMARY: The purpose of the request is to continue to allow the alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery use on the site.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to site plan and conditions.

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

BACKGROUND INFORMATION:

- The 6,874 square-foot request site is developed with a 2,213-square-foot commercial structure.
- Section 51-4.209 defines a microbrewery, micro-distillery, or winery as an establishment for the manufacture, blending, fermentation, processing, and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. Furthermore, a facility that only provides tasting or retail sale of alcoholic beverages is not a microbrewery, micro-distillery, or winery use.
- Planned Development District No. 316, the Jefferson Area Special Purpose District requires an SUP for an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery within property zoned Subarea 4
- The applicant proposes to sell beer/wine, hold beer/wine tastings, sell food items, ship beer/wine to customers as a part of a microbrewery, micro-distillery, or winery use.

Zoning History: There have been two zoning changes for the area of request in the past five years.

1. **Z190-120** On Wednesday, February 26, 2020, the City Council approved Specific Use Permit No. 2367 for an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery on property zoned Subarea 4 within Planned Development District No. 316, the Jefferson Area Special Purpose District located on the south line of Sunset Avenue between South Bishop Avenue and South Madison Avenue (the subject site).
2. **Z167-340** On October 25, 2017, the City Council approved a renewal of Specific Use Permit No. 1739 for a medical clinic use on property zoned Subarea 1 within Planned Development District No. 316, the Jefferson Area Special Purpose District located on the north line of West Jefferson Boulevard, west of South Madison Avenue

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Sunset Avenue	Local	30 feet
Bishop	Local	30 feet
Madison	Local	30 feet

Traffic:

The Engineering Division of 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:

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:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

URBAN DESIGN

GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE

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

Land Use:

	Zoning	Land Use
Site	PD No. 316 Subarea 4	Microbrewery SUP No. 2367
North	PD No. 316 Subarea 4	Office
East	PD No. 316 Subarea 4	Retail/Personal Service
South	PD No. 316 Subarea 1	Office Retail/Personal Service
West	PD No. 316 Subarea 4	Parking Lot / Church

Land Use Compatibility:

The purpose of the request is to continue to allow the 2,213 square feet alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery use on the site. The site is zoned PD No. 316 Subarea 4. The property located to the north of the area of request, across Sunset Avenue is zoned PD No. 316 Subarea 4 developed with an office plaza. To the east is a parking lot, south is an office building that includes retail and personal service uses. West of the subject site is a parking lot that holds parking for the office build to the south of the subject site.

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 a SUP for 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 area surrounding the site is commercial and there are many retail and personal service uses within the area. Subarea 4 within Planned Development District No. 316 allows mainly office and mixed-use (medium density) and retail and personal services use including a microbrewery, micro-distillery, or winery with specific use permit. Therefore, the renewal of this Specific Use Permit for microbrewery, micro-distillery, or winery is consistent with the character of the neighborhood, complements the surrounding uses, and is not detrimental to the public health, safety, or general welfare.

Staff supports the renewal for a period of two years for the microbrewery, micro-distillery, or winery business. This allows city staff to continue to assess the compatibility of microbrewery use.

Parking:

Off-street parking and loading requirements must comply with the Dallas Development Code as amended.

The use occupies an approximately 2,213-square-foot building area.

At a ratio of one space for every 600 square feet of floor area, a total of 4 spaces will be required for the microbrewery, micro-distillery, or winery use $[2,213 / 600 = 3.7 \sim 4 \text{ spaces}]$. The winery has a parking agreement with the owner of the parking lot to the east

of the area of request, which has been sufficiently meeting the parking requirements. The owner of the lot also owns the area of request which the applicant is leasing.

Landscaping:

For the proposed development, compliance with Article X will be required.

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 strengths or weaknesses. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of the requested site is not within an identifiable MVA Category; however, it is in proximity to an “E” MVA Cluster to the northwest and an “H” MVA Cluster to the southwest.

CPC ACTION
DECEMBER 16, 2021

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2367 for an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery for a two-year period, subject to site plan and conditions on property zoned Subarea 4 within Planned Development District No. 316, the Jefferson Area Special Purpose District, on the south line of Sunset Avenue, between South Bishop Avenue and South Madison Avenue.

Maker: Haqq
Second: Carpenter
Result: Carried: 11 to 0

For: 11 - Popken, Hampton, Anderson, Shidid,
Carpenter, Jackson, Blair, Jung, Haqq,
Kingston, Rubin

Against: 0
Absent: 2 - Suhler, Stanard
Vacancy: 2 - District 3, District 10

Notices: Area: 200 Mailed: 8
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Saltuk Ozerturk, 6245 Town Hill Ln., Dallas, TX, 75214
Dilek Caner, 6245 Town Hill Ln., Dallas, TX, 75214
Against: None

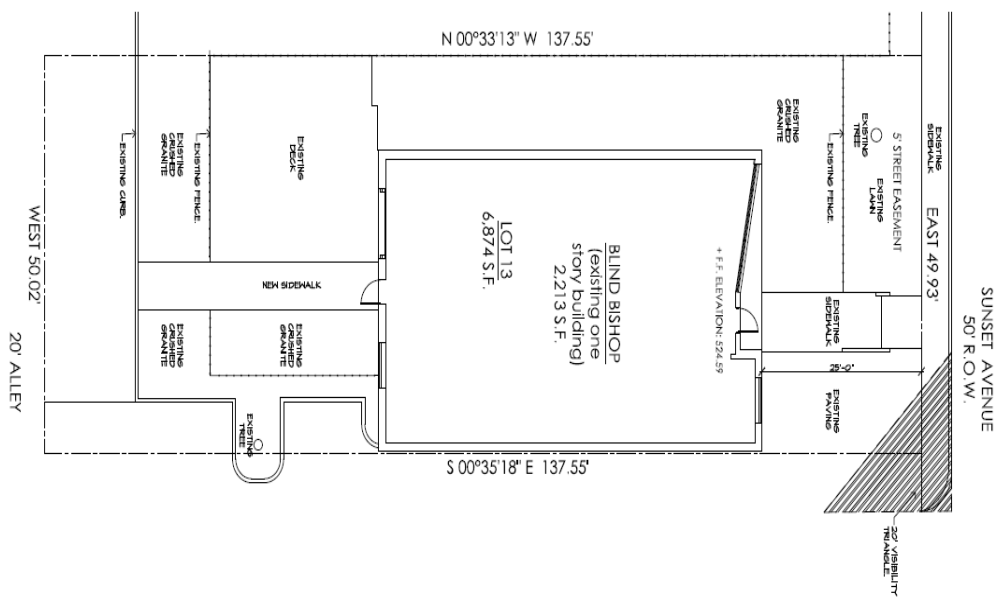
LIST OF PARTNERS/PRINCIPALS/OFFICERS

Jim Lake Jr., Sole Partner

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery.
2. SITE PLAN: The use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~February 26, 2022~~ [two years from the passage of this ordinance].
4. FLOOR AREA: The maximum floor area is 2,213 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery may only operate between 11:00 a.m. and midnight, Monday through Sunday.
6. OUTDOOR DECK: The outdoor deck may not be covered.
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 REQUIREMENT: 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 SUP SITE PLAN (NO CHANGES)



GROSS AREA RESTAURANT USE: 2,213 SF @ 1 SPACE/100 SF = 22 SPACES REQUIRED
24 SPACES REQUIRED



BLIND BISHOP
310 SUNSET AVENUE
DALLAS, TEXAS 75208

Revisions:

Drawn by: KDM
Date: 10 DEC 2018

10 DECEMBER 2011

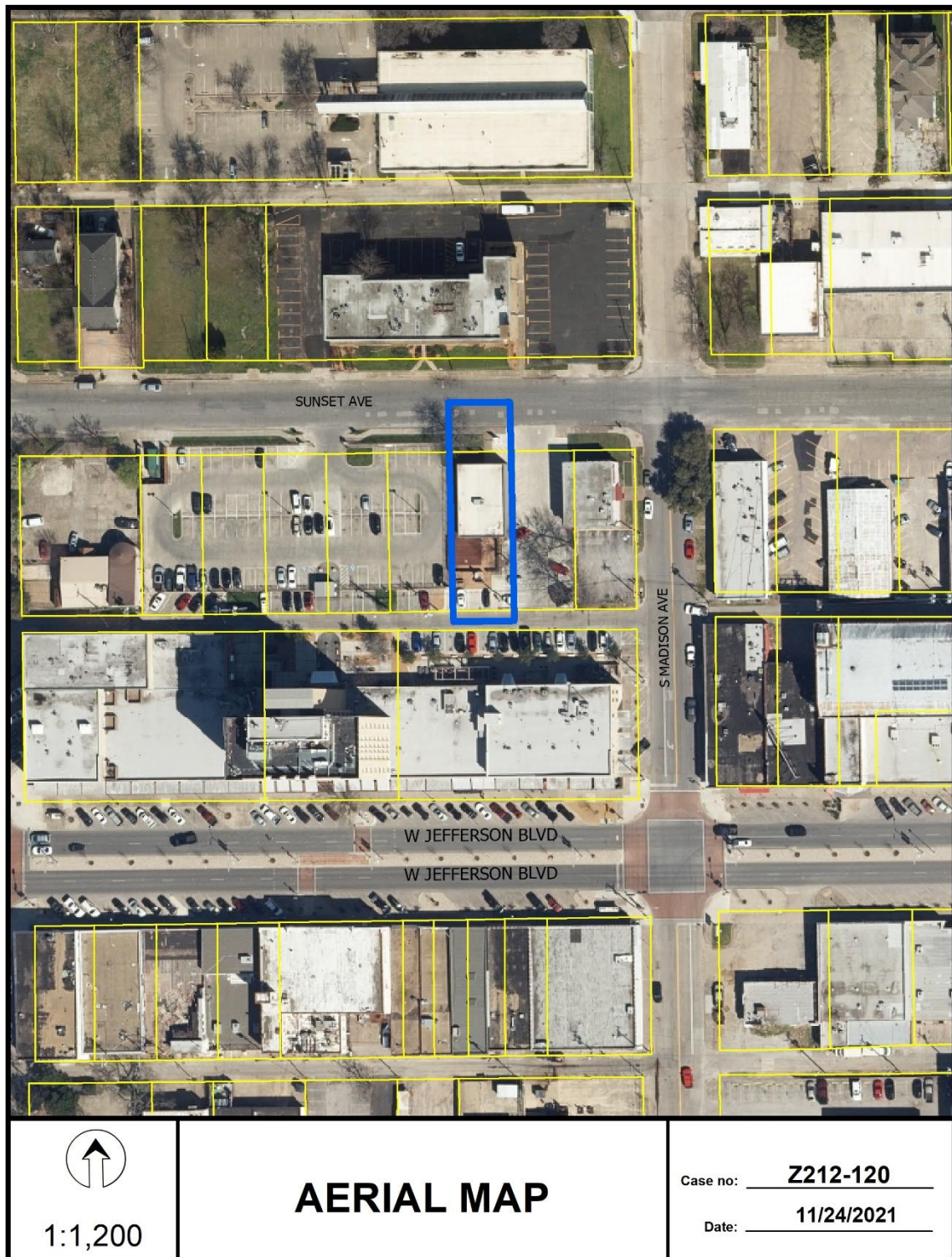
Blind Bishop
310 Sunset Avenue
Dallas, Texas 75208

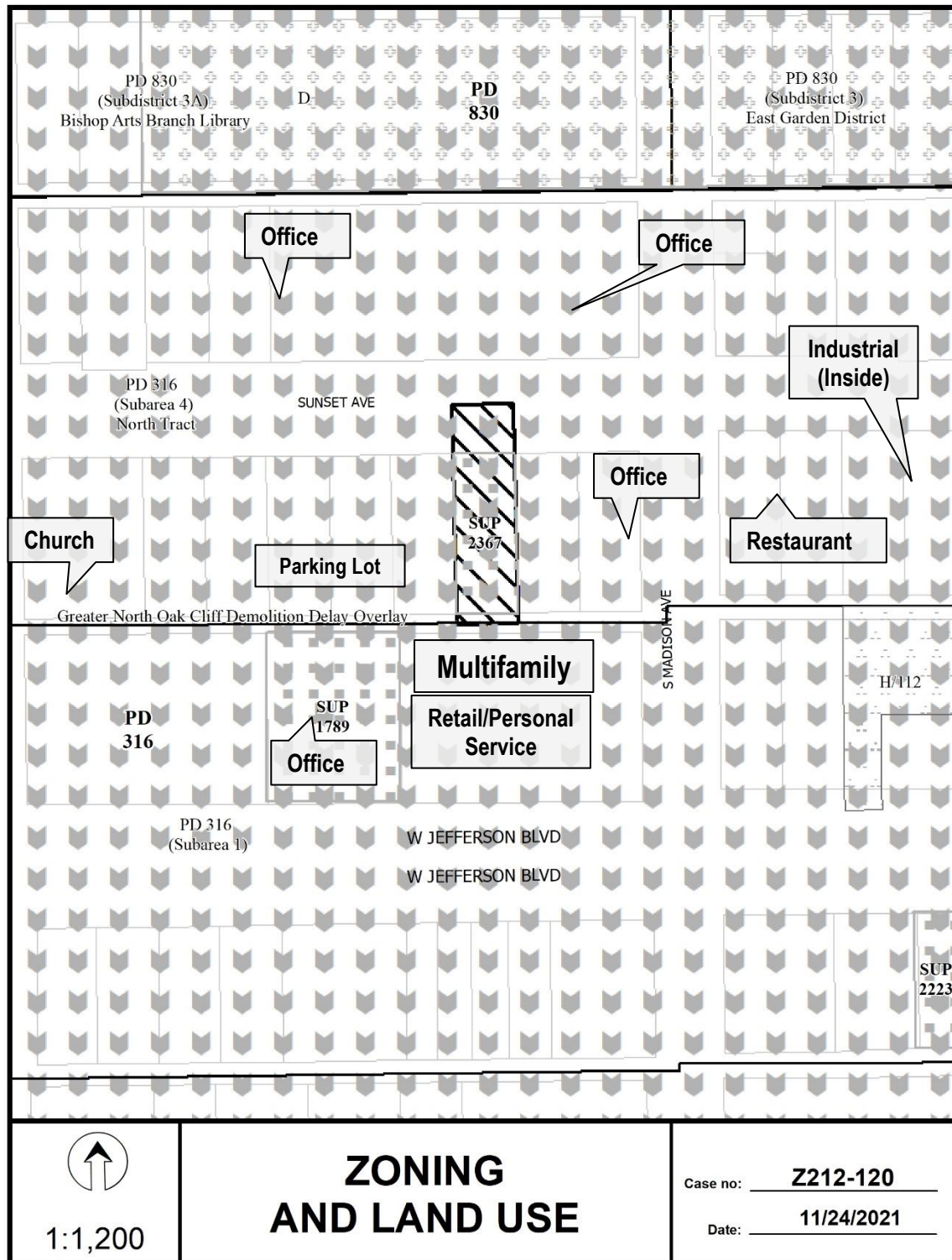
mitchellgarmanarchitects

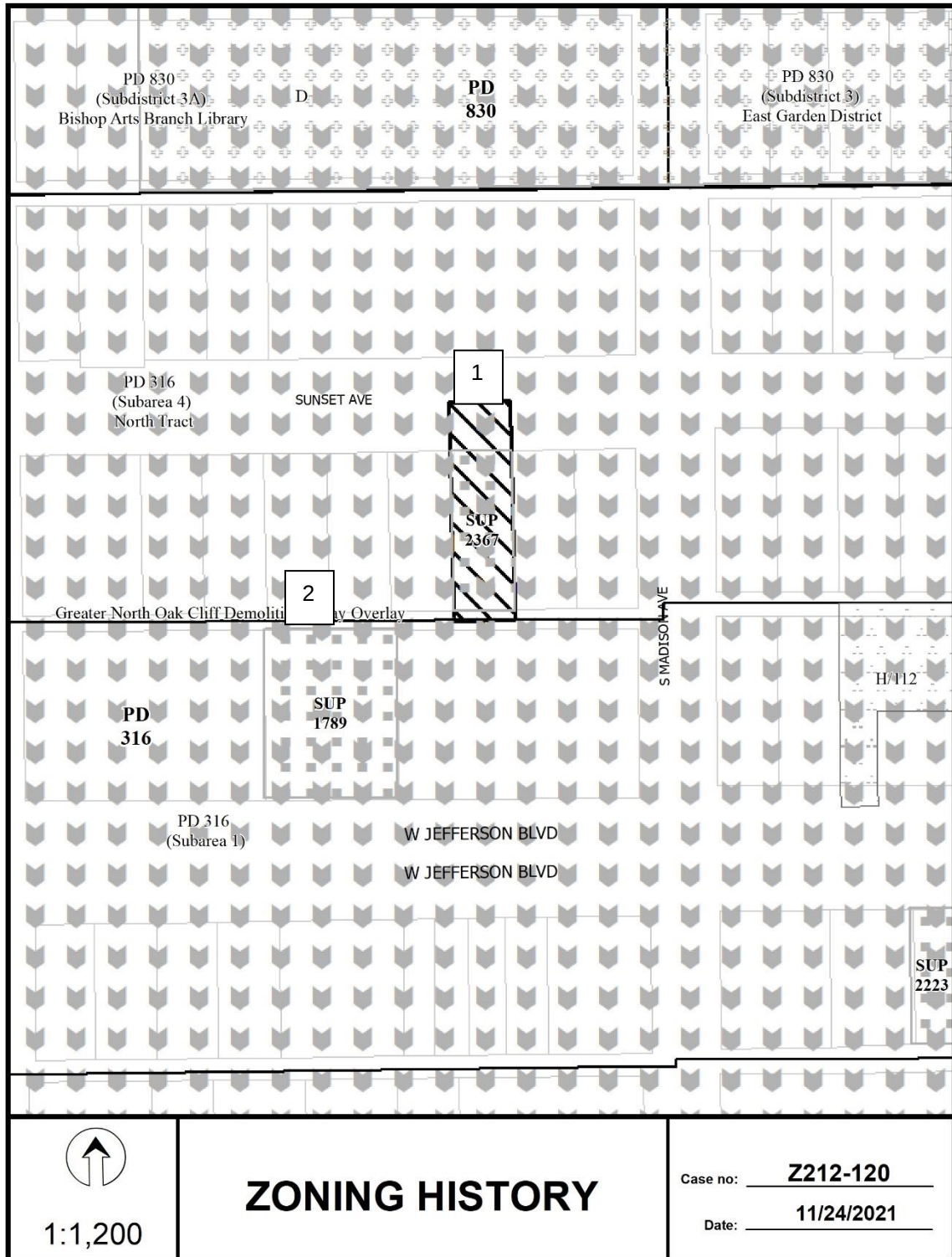
3525 cedar springs road suite 202
dallas, texas 75219
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mitchellgarman.com



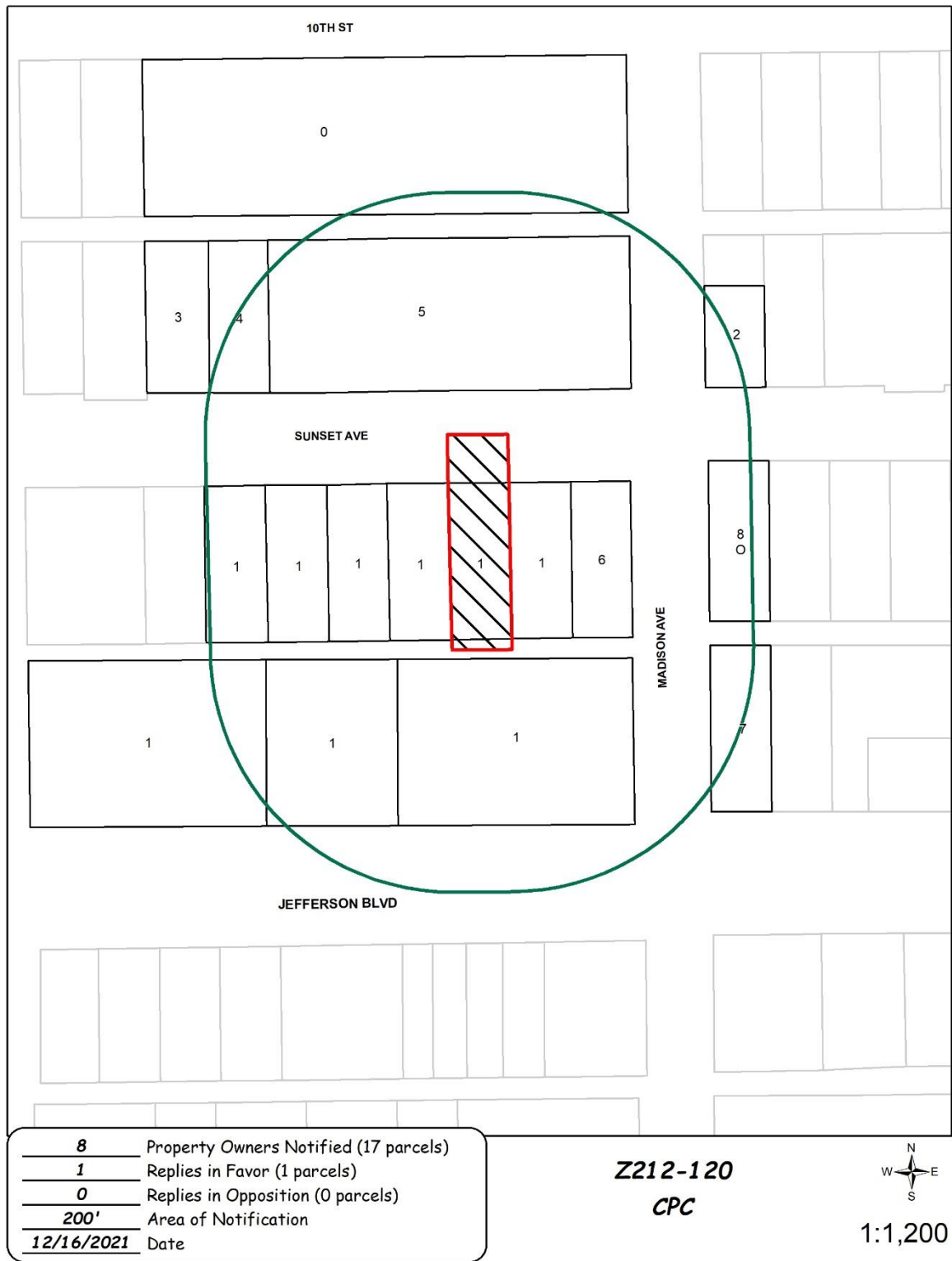












Z212-120(OA)

12/15/2021

Reply List of Property Owners

Z212-120

8 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	304 SUNSET AVE	JEFFERSON MONUMENT LLC
	2	237 SUNSET AVE	DERASAUGH MARGARET &
	3	329 SUNSET AVE	SANTOS GERONIMO &
	4	325 SUNSET AVE	SUNSET I PPTIES LLC
	5	315 SUNSET AVE	SUNSET I PPTIES LLC
	6	201 S MADISON AVE	EFFECTIVE TIME MGMT INC
	7	239 W JEFFERSON BLVD	VA CAPITAL LLC
O	8	238 SUNSET AVE	TYLER ARTS DISTRICT INV LLC