

FILE NUMBER: Z189-328(AM)

DATE FILED: August 8, 2019

LOCATION: North side of Main Street at the terminus of Pryor Street

COUNCIL DISTRICT: 2

MAPSCO: 45 M

SIZE OF REQUEST: ±0.3645 acres

CENSUS TRACT: 31.01

REPRESENTATIVE: Pamela Craig

APPLICANT: Dapper Life, LLC

OWNER: AP Deep Ellum, LLC

REQUEST: An application for the renewal of Specific Use Permit No. 2144 for an alcoholic beverage establishment limited to a bar, lounge, or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Special Purpose Side District.

SUMMARY: The purpose of this request is to allow for the continuation of a bar, lounge, or tavern use. [High & Tight Barbershop]

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

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

BACKGROUND INFORMATION:

- The applicant requests the continuation of a bar, lounge, or tavern use. [High & Tight Barbershop] There are no changes proposed to the existing site plan.
- The request site consists of a 630-square-foot barber shop and a 2,687-square-foot bar, lounge, or tavern use.
- The original SUP was approved by the City Council on April 22, 2015, for a two-year period.
- SUP No. 2144 was renewed by the City Council on August 9, 2017, for an additional two-year period with an expiration date of August 9, 2019.
- The applicant applied to renew the SUP on August 8, 2019. On August 19, 2019, GIS staff informed the applicant that the property had undergone a replat and would require an updated metes and bounds description. On January 9, 2020 the applicant submitted a revised metes and bounds description.

Zoning History: There have been twelve zoning change requests in the area within the last five years.

1. **Z156-230:** On June 22, 2016, the City Council approved the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern use on property zoned Tract A within Planned Development District No. 26, the Deep Ellum/Near East Side Special Purpose District.
2. **Z167-142:** On March 22, 2017, the City Council approved the renewal of Specific Use Permit No. 2019 for a bar, lounge or tavern use and a commercial amusement (inside) limited to a live music venue use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
3. **Z167-154:** On April 12, 2017, the City Council approved the renewal of Specific Use Permit No. 2122 for a bar, lounge, or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
4. **Z167-233:** On June 14, 2017, the City Council approved the renewal of Specific Use Permit No. 1685 for a bar, lounge, or tavern use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
5. **Z167-275:** On August 9, 2017, the City Council approved the renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

6. **Z167-328:** On September 27, 2017, the City Council approved the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern use and an inside commercial amusement limited to a Class A dance hall use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
7. **Z167-392:** On January 10, 2018, the City Council approved the renewal of Specific Use Permit No. 1694 for a bar, lounge, or tavern use and a commercial amusement (inside) limited to a live music venue use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
8. **Z178-175:** On May 9, 2018, the City Council approved the renewal of Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, distillery, or winery use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
9. **Z178-233:** On August 8, 2018, the City Council approved Specific Use Permit No. 2303 for a bar, lounge, or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
10. **Z178-381:** On January 23, 2019, the City Council approved Specific Use Permit No. 2319 for a commercial amusement (inside) limited to a live music venue use and terminated Specific Use Permit No. 1707 for a tattoo studio and a body piercing studio use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
11. **Z189-276:** On September 25, 2019, the City Council approved Specific Use Permit No. 1757 for a bar, lounge, or tavern use and an inside commercial amusement use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
12. **Z189-289:** On September 25, 2019, the City Council approved Specific Use Permit No. 1757 for a bar, lounge, or tavern use and an inside commercial amusement use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Main Street	Minor Arterial	66 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the original SUP request and determined that the existing development would not have a negative impact on the surrounding street system and the Engineering Division maintains this recommendation.

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 proposed zoning request meets the below goals and objectives of the Comprehensive Plan.

Urban Design Element

Goal 5.1 Promote a sense of Place, Safety and Walkability

Policy 5.1.1 Promote pedestrian-friendly streetscapes

Goal 5.3 Establishing Walk-To Convenience

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

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.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 269 (Tract A)	Bar; Personal Service (barber)
North	PD No. 269 (Tract A)	Restaurant; Bar; Surface Parking
East	PD No. 269 (Tract A)	Vacant; GMFS
South	PD No. 269 (Tract A)	Restaurant; Microbrewery
West	PD No. 269 (Tract A)	Restaurant

Land Use Compatibility:

The request site is located in Deep Ellum, an area which provides for a healthy balance of housing, jobs, and shopping that permits residents to live, work, shop, and play in the same neighborhood. Wide sidewalks and pedestrian features offer alternative access options to this type of area, thus permitting foot and bike traffic to benefit from the mix of uses.

The request site consists of a one-story, 9,847-square-foot structure fronting on the north line of Main Street. The structure is divided into two uses, a personal service use (barber shop) and a bar mirroring the “speakeasy” concept. This concept was used during the prohibition years of the United States when the sale of alcohol was considered to be illegal. As a result of the prohibition in the early 1900’s, bars operated illegally in the rear portion of existing establishments, hidden from plain view. Today, this concept/building layout allows for different uses to be integrated along with a bar where space is limited. The front of the structure houses a barbershop. The rear of the building houses a bar, lounge, or tavern use.

This area is composed of an eclectic mix of retail stores, tattoos parlors, residential units, arts, and entertainment venues. Considered to be one of Dallas’ first commercial districts, Deep Ellum is within close proximity to two major highways, Fair Park, the Baylor Medical District, and Downtown.

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 use is surrounded by other retail uses, bars, restaurants and various surface parking lots. There are medium density residential uses to the far west/northwest and close proximity to the DART Green Line to the north as well. As a result of this analysis, staff has determined the request complies with the general provisions for consideration of approval of the SUP renewal because the request is consistent with the character of the neighborhood and does not pose a negative impact.

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 to orange, representing the weakest markets. The site is not within an identifiable MVA category, nor is it adjacent to other MVA categories.

Police Report:

Staff obtained the Police Department reported offenses dating from August 2017 – present. The list of offenses is provided below.

Crime Part 1 – Calls

ID	Response_Date	Response_Time	Problem	Location_Name	Address	Apt	ZipCode
33613259	1/5/2019	1:54:00 AM	6XA - Major Dist Ambulance	HIGH AND TIGHT BARBERSHOP	2701 Main St		75226
34262391	3/27/2019	11:04:00 AM	40/01 - Other	HIGH AND TIGHT	2701 Main St	180	75226
34310752	4/2/2019	7:12:00 AM	12B - Business Alarm	HIGH AND TIGHT BARBERSHOP	2701 Main St	180	75226
34952036	6/12/2019	3:16:00 AM	12B - Business Alarm	high and tight barber shop	2701 Main St	NULL	75226
35023668	6/20/2019	12:05:00 AM	6X - Major Dist (Violence)	bar	2701 Main St	NULL	75226
35321413	7/22/2019	11:11:00 PM	09V - UUMV	HIGH & TIGHT BARBERSHOP	2701 Main St	NULL	75226
35384855	7/30/2019	4:46:00 AM	12B - Business Alarm	HIGH AND TIGHT BARBERSHOP	2701 Main St	NULL	75226
35399343	7/31/2019	7:27:00 PM	6X - Major Dist (Violence)	HIGH & TIGHT BARBERSHOP	2701 Main St	NULL	75226
35758527	9/10/2019	3:45:00 AM	12B - Business Alarm	HIGH AND TIGHT BARBER SHOP	2701 Main St	NULL	75226
35803360	9/15/2019	1:33:00 AM	6X - Major Dist (Violence)	HIGH AND TIGHT BARBER SHOP	2701 Main St	NULL	75226
35872865	9/23/2019	5:53:00 AM	12B - Business Alarm	HIGH AND TIGHT BARBER SHOP	2701 Main St	NULL	75226
36266354	11/7/2019	2:10:00 AM	40/01 - Other	HIGH & TIGHT	2701 Main St		75226

Crime Part 2 – Offense

IncidentNum	ServYr	OffIncident	Premise	Address	Apt#	ZipCode	Date1	Time1
137620-2019	2019	ROBBERY OF INDIVIDUAL (AGG)	Restaurant/Food Service/TABC Location	2701 MAIN ST	180	75226	7/7/2019	12:25:00 AM
154368-2018	2018	POSS MARIJUANA <2OZ	Highway, Street, Alley ETC	2701 MAIN ST		75226	7/15/2018	2:30:00 AM
109807-2019	2019	ROBBERY OF INDIVIDUAL	Highway, Street, Alley ETC	2701 MAIN ST		75226	6/1/2019	3:00:00 AM
060610-2019	2019	HARASSMENT	Other	2701 MAIN ST	180	75226	3/27/2019	10:53:00 AM
150263-2018	2018	BURGLARY OF BUILDING - FORCED ENTRY	Restaurant/Food Service/TABC Location	2701 MAIN ST		75226	7/10/2018	1:00:00 AM
025871-2018	2018	ASSAULT -BODILY INJURY ONLY	Bar/NightClub/DanceHall ETC.	2701 MAIN ST		75226	2/4/2018	1:09:00 AM
269214-2017	2017	THEFT OF PROP > OR EQUAL \$100 BUT <\$750- NOT SHOPLIFT	Commercial Property Occupied/Vacant	2701 MAIN ST		75226	11/25/2017	6:45:00 PM

Crime Part 2 – Arrests

IncidentNum	ArrestNumber	ArArrestDate	ArArrestTime	ArLAddress	ArLZip	NIBRS_Crime
187592-2019	19-033862	9/15/2019	1:41:00 AM	2701 MAIN ST	75226	PUBLIC INTOXICATION

Parking:

Parking must be provided in accordance to Planned Development District No. 269, Tract A. No parking changes are being proposed with this request.

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Landscaping:

The landscaping requirements of Article X of the Dallas Development Code apply.

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List of Partners

AP Deep Ellum, LLC

LLC Managers: Jason Tompkins

Terry Brown

Tenant Management

Dapper Life LLC

LLC Managers: Sean Martin

Corey Good

CPC Action
February 20, 2020

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2144 for an alcoholic beverage establishment limited to a bar, lounge, or tavern use for a two-year period, subject to conditions with a modification to add an additional security provision that during the hours of operation a minimum of one security officer must be stationed at the property on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, generally on the north side of Main Street at the terminus of Pryor Street.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 3

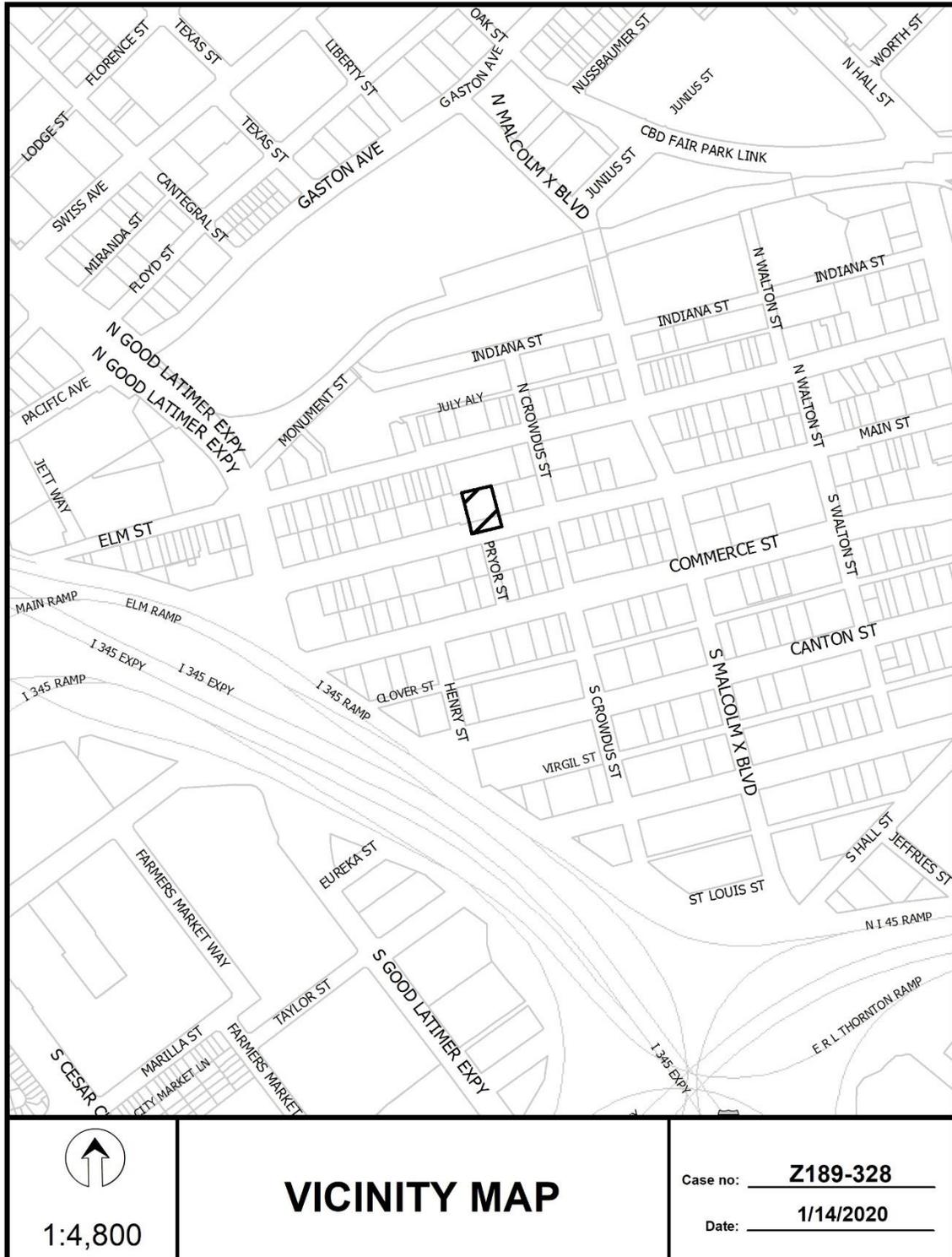
Notices: Area: 200 Mailed: 19
Replies: For: 3 Against: 0

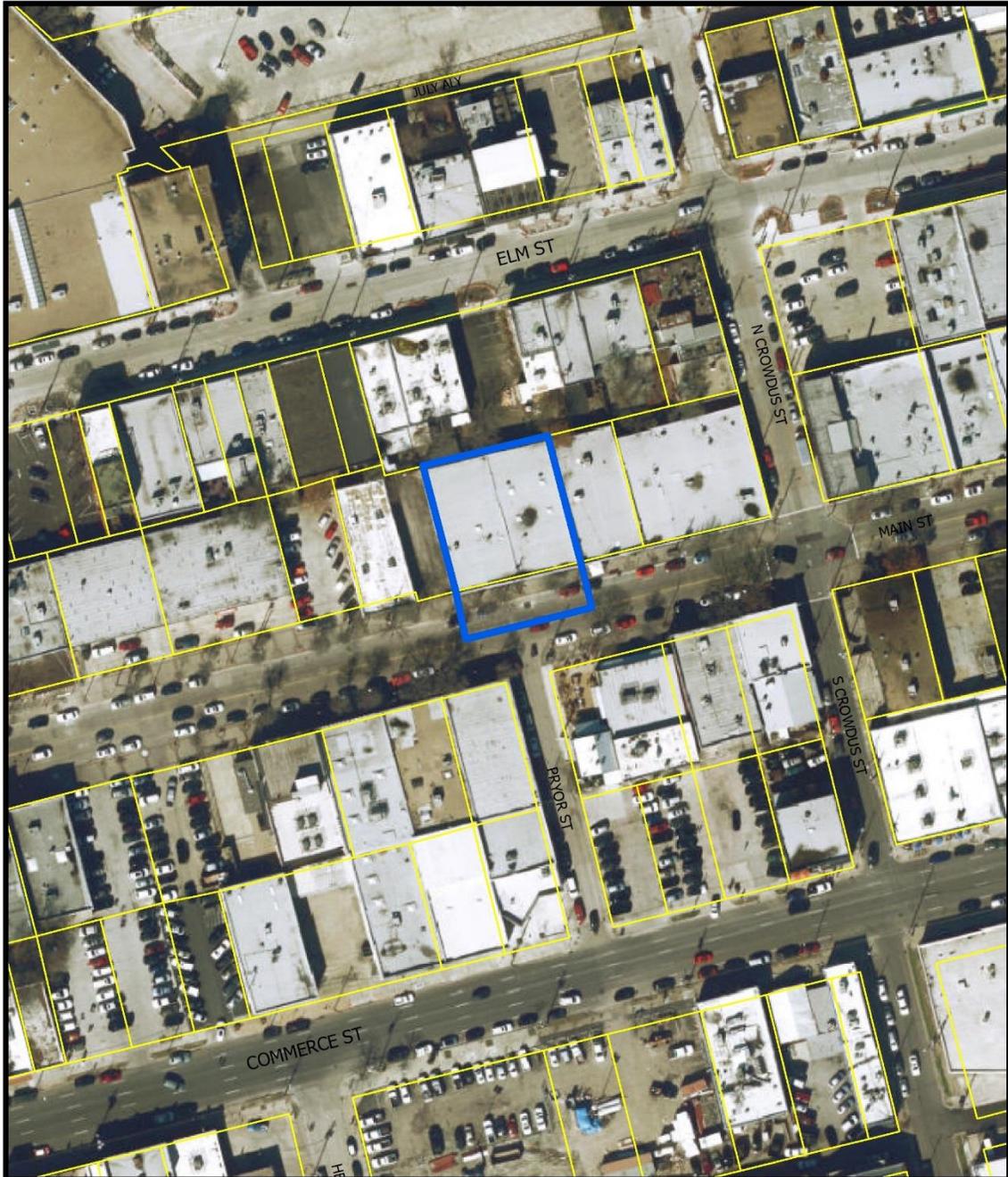
Speakers: For: Pamela Craig, 1202 Misty Meadow Dr., Midlothian,
TX, 756065
Against: None

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to 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_____, (**two-year period from the passage of this ordinance**).
4. MAXIMUM FLOOR AREA: The maximum floor area for an alcoholic beverage establishment limited to bar, lounge or tavern is 2,687 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The hours of operation for the alcoholic beverage establishment limited to a bar, lounge or tavern is from 9 a.m. to 2:00 a.m. Monday through Saturday and 12:00 p.m. to 5:00 p.m., on Sunday.
6. SECURITY: During the hours of operation a minimum of one security officer must be stationed outside the property.
7. OUTSIDE SPEAKERS: Outside speakers are prohibited.
8. MAINTENANCE: The entire 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 ordinances, rules, and regulations of the City of Dallas

Z189-328(AM)



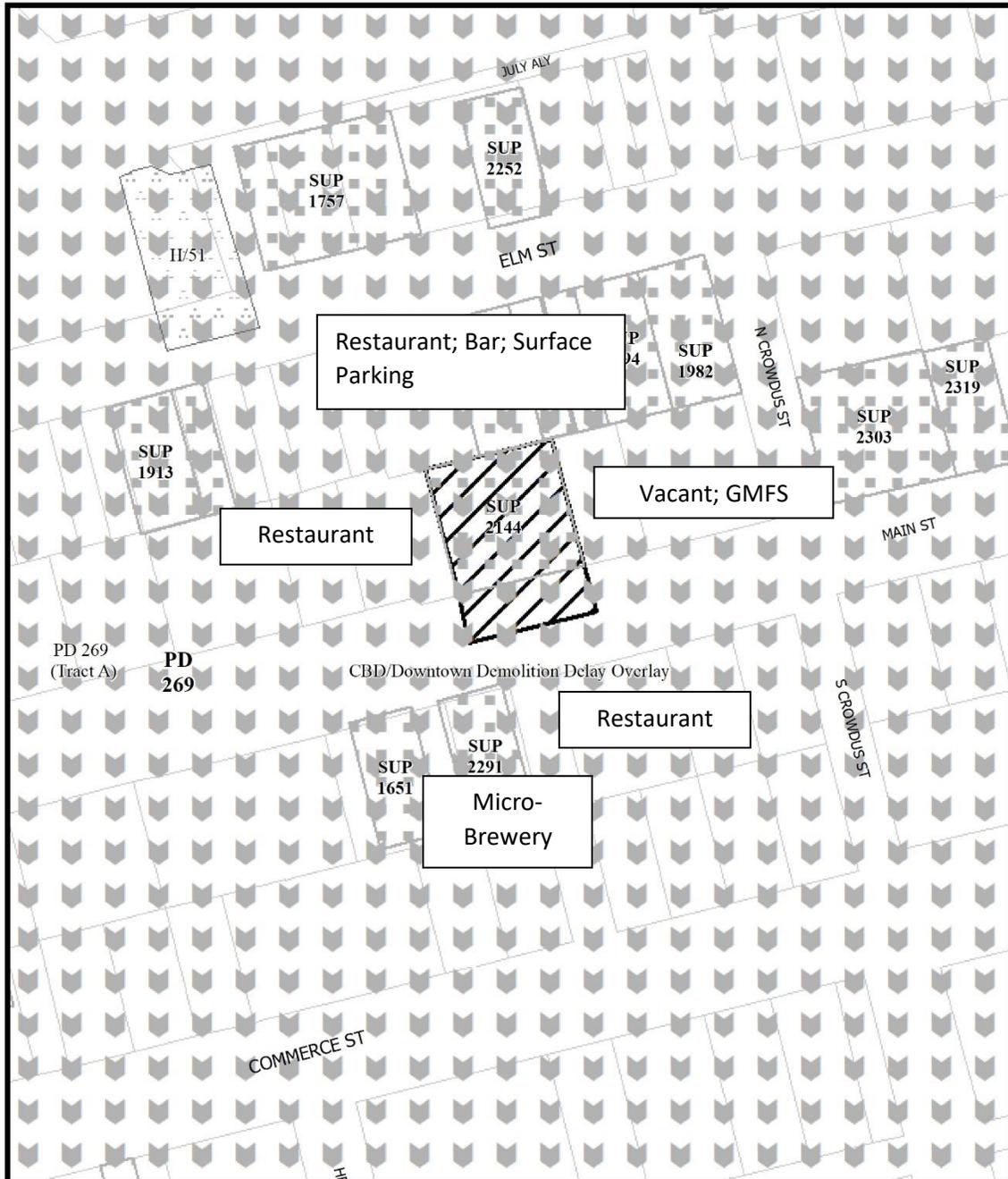


1:1,200

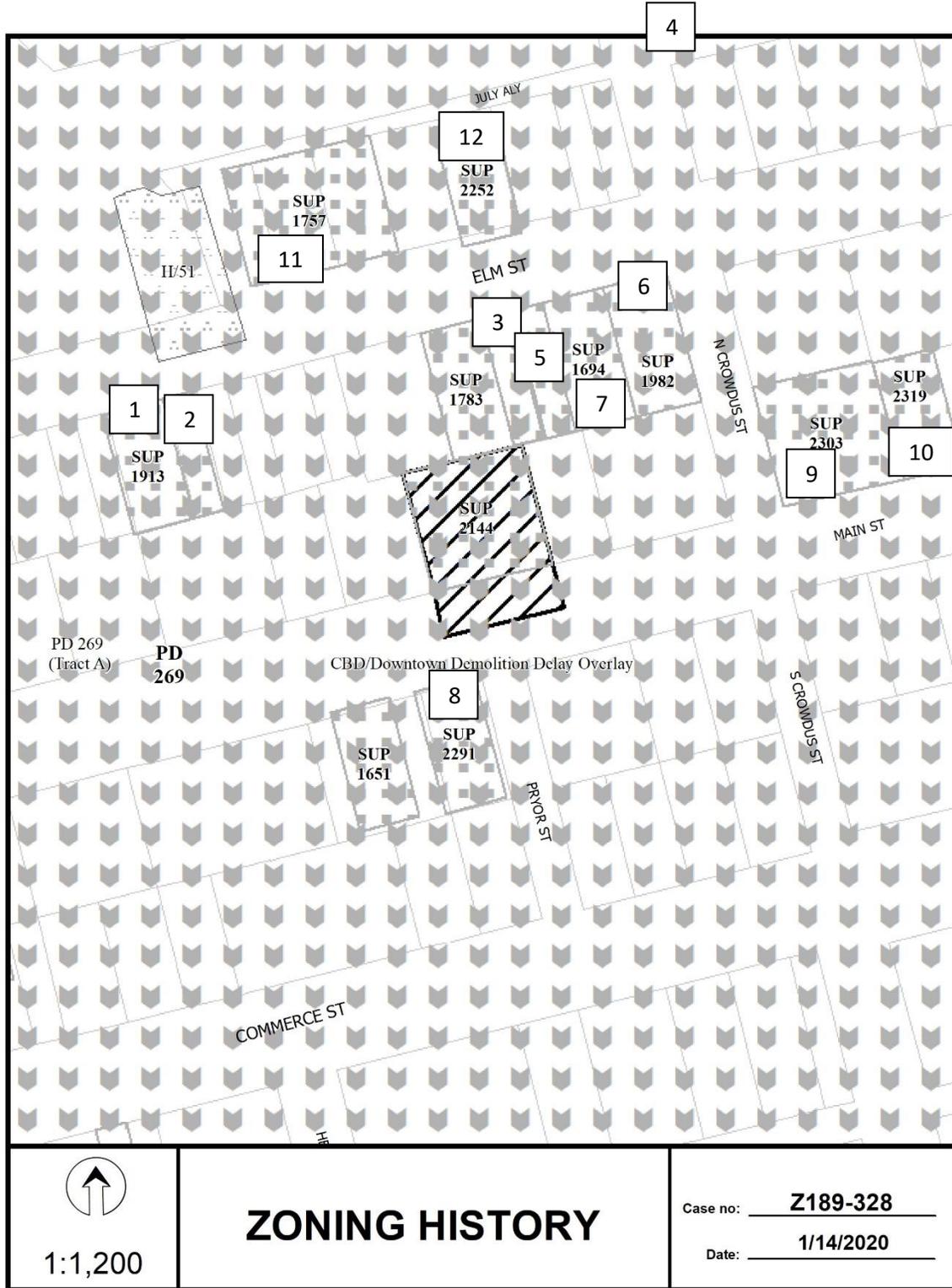
AERIAL MAP

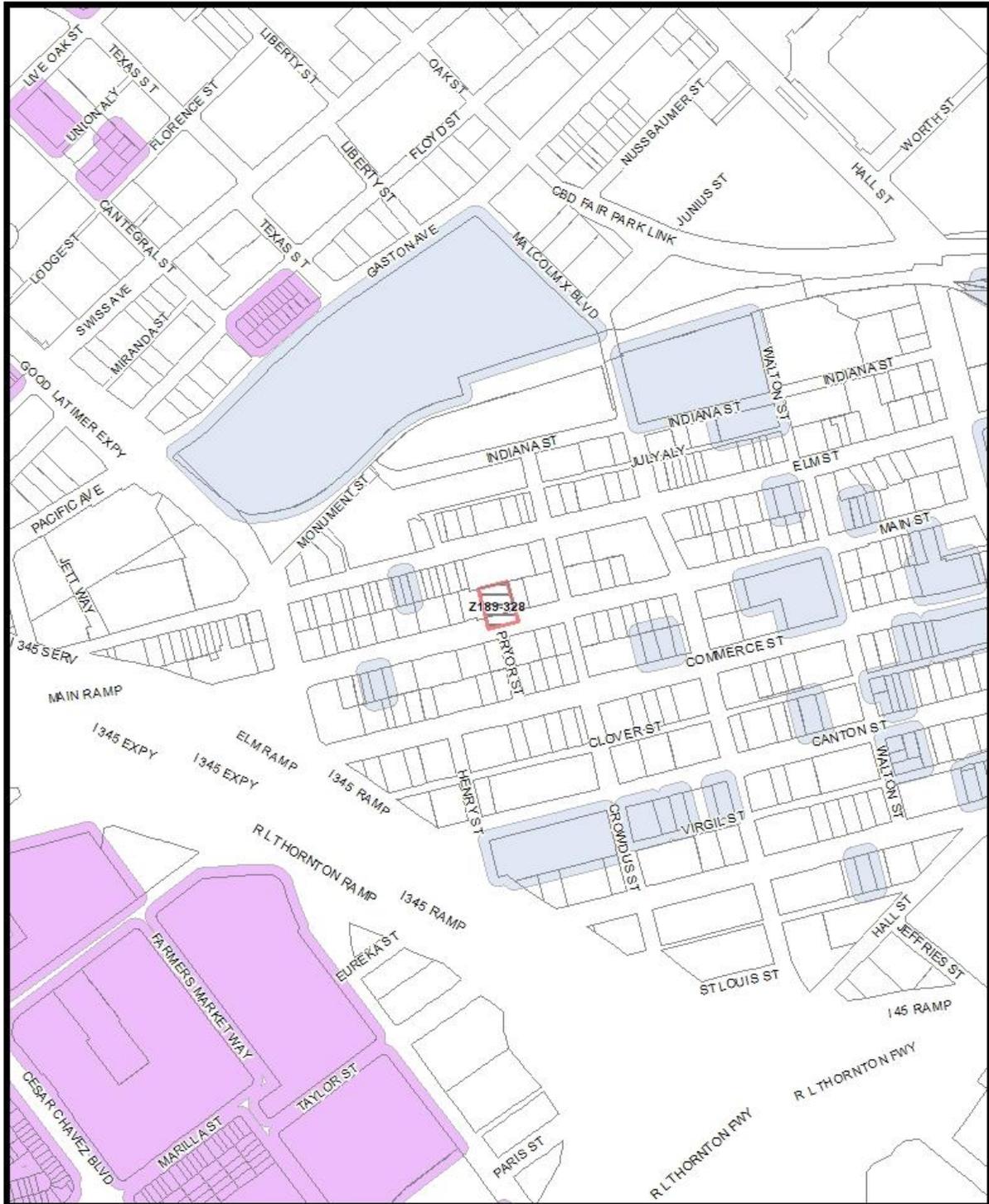
Case no: Z189-328

Date: 1/14/2020



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MVA Cluster A B C D E F G H I NA



1:4,800

Market Value Analysis

Printed Date: 1/14/2020

CPC Responses



<u>19</u>	Property Owners Notified (35 parcels)
<u>3</u>	Replies in Favor (4 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>2/20/2020</u>	Date

Z189-328
CPC



1:1,200

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02/19/2020

Reply List of Property Owners

Z189-328

19 Property Owners Notified

3 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2647 MAIN ST	AP DEEP ELLUM LLC
	2	2644 ELM ST	CAMERON PAUL DARREN
	3	2638 ELM ST	MGP HOLDINGS LLC
	4	2642 ELM ST	LALCO INC
	5	2650 ELM ST	ELM ELM LLC
	6	2712 MAIN ST	CASS DON E TR
	7	2656 MAIN ST	MEADOWCREST LLC
	8	2703 COMMERCE ST	ABBOTT LLC
O	9	2713 COMMERCE ST	WESTDALE PPTIES AMERICA I
	10	2800 MAIN ST	AP 2800 MAIN ST LLC
	11	2724 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
O	12	2704 ELM ST	ELM STREET REALTY LTD
	13	2715 MAIN ST	MAIN PROPERTIES LLC
	14	2707 MAIN ST	AP 2707 MAIN ST LLC
	15	2721 ELM ST	2723 ELM STREET JV
O	16	2717 ELM ST	WESTDALE PPTIES AMERICA LTD
	17	2707 ELM ST	BELMOR CORP
	18	2703 ELM ST	BELMOR CORP
	19	2701 ELM ST	BELMOR CORP