

FILE NUMBER: Z234-265(WK)

DATE FILED: June 18, 2024

LOCATION: Southwest corner of North Harwood Street and Pacific Avenue

COUNCIL DISTRICT: 14

SIZE OF REQUEST: 9,710 square feet

CENSUS TRACT: 48113003103

REPRESENTATIVE: Deborah Kelley-Hill, Kelley Firm

OWNER/APPLICANT: Kevin Kristian 2612 LLC

REQUEST: An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and commercial amusement (inside) limited to a dance hall on property zoned Planned Development District No. 619 with H/48 Harwood Historic District Overlay.

SUMMARY: The purpose of the request is to permit a bar, lounge, or tavern and a dance hall within the existing building.

CPC RECOMMENDATION: **Approval** for a one-year period, subject to a site plan for ground floor and second floor and conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to a site plan for ground floor and second floor and conditions.

BACKGROUND INFORMATION:

- The request site is located at 1930 Pacific Avenue. The lot has frontage on both Pacific Avenue and North Harwood Street.
- The site consists of an existing two-story building, of approximately 19,200 square foot building constructed in 1940, per DCAD records. The uses requested by the SUP would occupy both floors.
- The area of the request is located within Subdistricts A, B, and C within Planned Development District No. 619. Subdistrict A is applicable to street level Property, Subdistrict B to below street level Property, and Subdistrict C to above street level Property. Both Subarea A and C of PD No. 619 allow alcoholic beverage establishment and commercial amusement (inside) dance hall uses only subject to the approval of a Specific Use Permit.
- On June 12, 2013, City Council approved Specific Use Permit No. 2029 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall for a three-year period for both floors of the area of request, approximately 16,192 square feet.
- On, May 25, 2016, SUP No. 2029 was amended to allow limit the uses to only commercial amusement (inside) limited to a dance hall on both floors and renewed for a three-year period. The alcoholic beverage establishment limited to a bar, lounge, or tavern use was excluded because staff determined that the business revenue did not gross 75 percent of alcohol sales, hence it qualified as a restaurant.
- On April 18, 2019, City Plan Commission denied without prejudice the request to amend and renew SUP No. 2029. However, on April 8, 2020, SUP No. 2029 was amended to allow both uses and renewed for a three-year period. SUP No. 2029 expired on April 8, 2023. The present request for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall was submitted on June 18, 2024.
- The current request for an SUP for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall was considered by the City Council on October 23, 2024, and remanded to City Plan Commission for further consideration.
- After analysis of the history of the requested uses and previous SUP at this location, the area of request was clarified to include both floors, to match the configuration of the building and proposed operation and previous SUP No. 2029. The proposed site

plan includes both ground floor and second floor, and the proposed SUP conditions reflect this clarification.

- On September 19, 2024, City Plan Commission recommended denial without prejudice of this request. The applicant appealed the decision and on October 23, 2024, City Council remanded the request to City Plan Commission for reconsideration.

Zoning History:

There have been no rezoning requests in the surrounding area in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Pacific Avenue	CBD	80'
North Harwood Street	CBD	60'-80'

Transportation:

The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation 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 fowardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The fowardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Downtown Building Block.

The applicant's proposal SUP for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall meets goals related to business expansion and retention within the downtown area.

LAND USE

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.3 Build a dynamic and expanded Downtown

ECONOMIC DEVELOPMENT

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

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 between the West End and Main Street District areas of the plan.

The applicant's request for a Specific Use Permit SUP for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall meets the 360 Plan's strategy to Build Complete Neighborhoods through the following goal:

3 Grow a Diverse Mix of Services and Retail

Downtown has long been the commercial center of Dallas. Originally settled as a frontier trading post, Dallas – and, especially, Downtown – has catered to the evolving needs of its citizens through commercial expansion. As the population continues to grow and market trends shift, a diverse offering of commercial, retail, and entertainment services will be necessary to meet the growing needs in Downtown.

Land Use:

	Zoning	Land Use
Site	PD No. 619	Alcoholic beverage establishment limited to a bar, lounge, or tavern and commercial amusement (indoor) limited to a dance hall
North	PD No. 619, CA-1(A) Central Area District	Public Park, structured parking
West	PD No. 619	Theater
South	PD No. 619	Restaurant without drive through, office
East	PD No. 619, CA-1(A) Central Area District	Surface parking lot, public parking

Land Use Compatibility:

The area of request is located within Planned Development District No. 619. Planned Development District No. 619 was created on June 12, 2002, as a result of several public and private studies that developed retail strategies for the CBD area and promoted the downtown core as a “full time” activity area. Moreover, the goal was to encourage the development of retail and personal service uses in the area and create a mixed-use urban activity center. PD No. 619 contains 34 acres of land divided into 11 subdistricts, including vertical subdistricts, that require a Specific Use Permit for an alcoholic beverage establishments and commercial amusement (inside) uses.

The area of request is an existing two-story building on the corner of Pacific Avenue and North Harwood Street. Uses surrounding the area of request include a park to the north, a theater to the west, an office building and restaurant to the south, and a parking lot to the east. The applicant's use of the site is generally complimentary to other developments within the Downtown Dallas area, supported by significant transportation infrastructure and other similar businesses.

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 applicant is not proposing any changes to the site, but the continued operation of the previous uses allowed by the previous expired SUP. The applicant's request, subject to the attached revised conditions and site plan for both floors, is consistent with the intent of the Dallas Development Code. The initial three-year period, as recommended, will also require that the request be reevaluated to ensure the use continues to be compatible in this location over time.

Landscaping:

Landscape in this district must comply with all landscaping requirements set forth in the CA-1(A) district and should be consistent with any design guidelines for the district approved by City Council. However, the proposed use does not trigger any landscaping.

Parking:

Parking must be provided in accordance to Planned Development District No. 619. No parking changes are being proposed with this request.

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 currently in an "F" MVA area.

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List of Officers

Kevin Kristian 2612 LLC
Kevin Kelley, Owner

**CPC Action
December 5, 2024**

Motion: It was moved to recommend **denial** of a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned Planned Development District No. 619 with H/48 Harwood Historic District Overlay, on the southwest corner of North Harwood Street and Pacific Avenue.

Maker: Kingston
Second: Carpenter
Result: Failed: 5 to 8

Note: Vice Chair Rubin moved to Call the Question, carried unanimously.

For: 5 - Hampton, Forsyth, Carpenter, Housewright,
Kingston

Against: 8 - Chernock, Herbert, Shidid, Wheeler-Reagan,
Blair, Haqq, Hall, Rubin

Absent: 1 - Sleeper
Vacancy: 1 - District 11

Motion II: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall for a one-year period, subject to a site plan for ground floor and second floor and conditions, on property zoned Planned Development District No. 619 with H/48 Harwood Historic District Overlay, on the southwest corner of North Harwood Street and Pacific Avenue.

Maker: Rubin
Second: Hampton
Result: Carried: 11 to 2

For: 11 - Chernock, Hampton, Herbert, Forsyth,
Shidid, Wheeler-Reagan, Blair, Housewright,
Haqq, Hall, Rubin

Against: 2 - Carpenter, Kingston
Absent: 1 - Sleeper
Vacancy: 1 - District 11

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

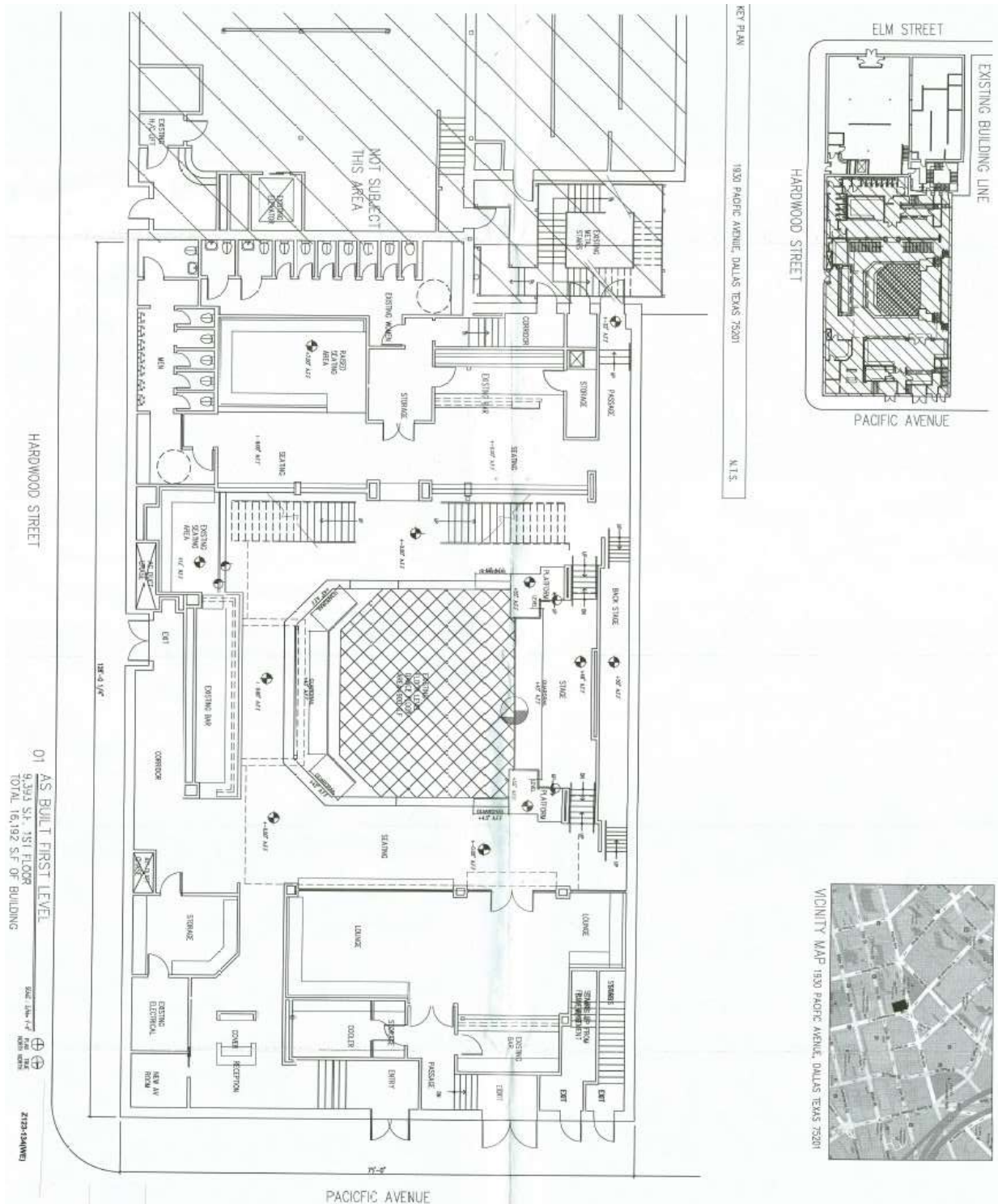
Speakers: For: Santos Martinez, 2489 Camino Plato Loop NE, Rio Rancho, NM, 87144
Patricia Morgan, 696 Westport Dr., Fate, TX, 75189
Ceo Williams, 2229 Cantura Dr., Mesquite, TX, 75181
Tyler Castro, 315 S. Cesar Chavez Blvd., Dallas, TX, 75201
Angel Lopez, 4725 Roberts Dr., The Colony, TX, 75056
Myles Delgado, 931 Fairway Dr., Duncanville, TX, 75137
Richard Council, Address not provided
Tigist Soloman, 2922 Martin Luther King Jr. Blvd., Dallas, TX, 75215
Zerius Brittain, 2214 Dyson St., Dallas, TX, 75215
Esther Davis, 2204 Milmore St., Dallas, TX,

Against: None

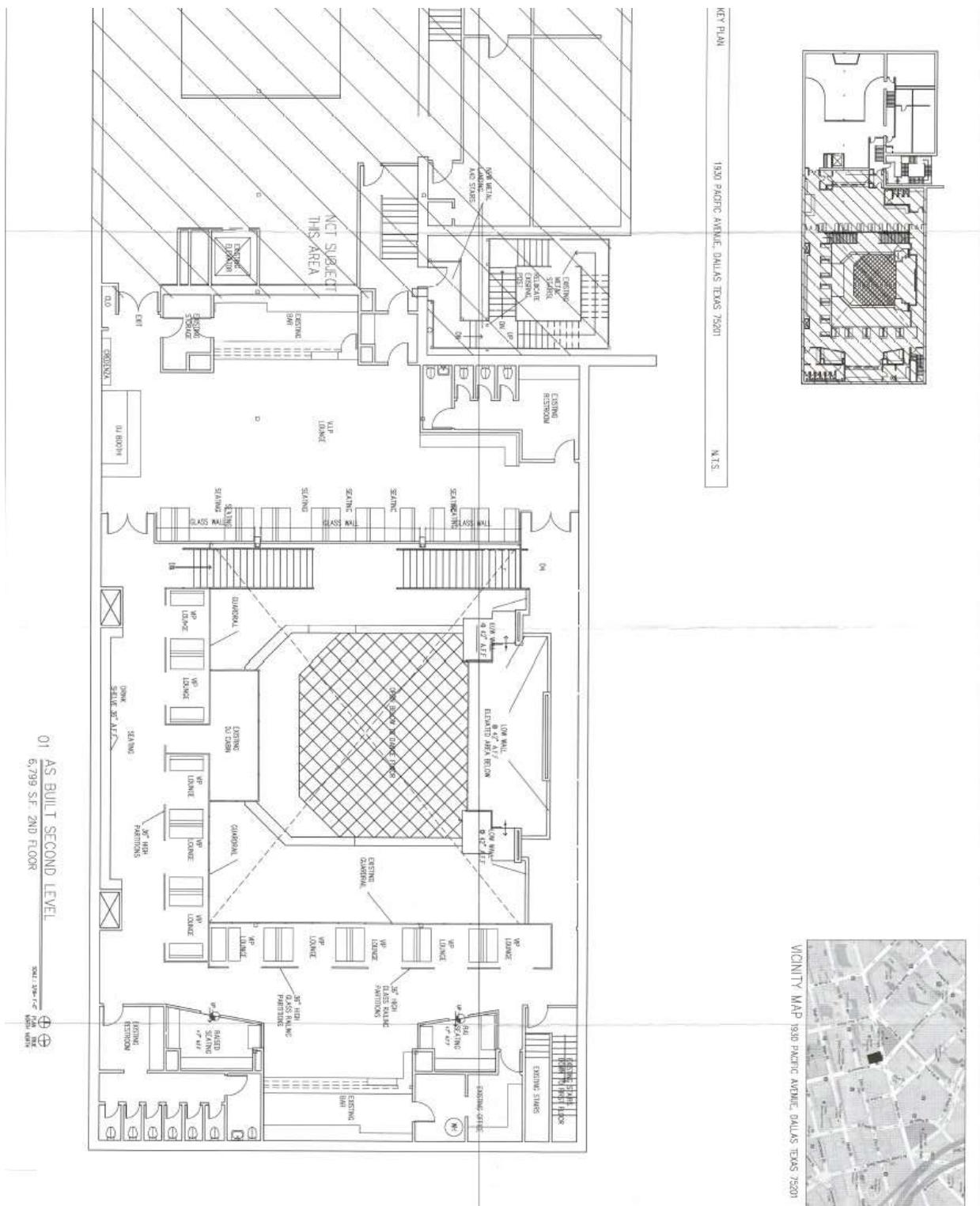
CPC RECOMMENDED CONDITIONS

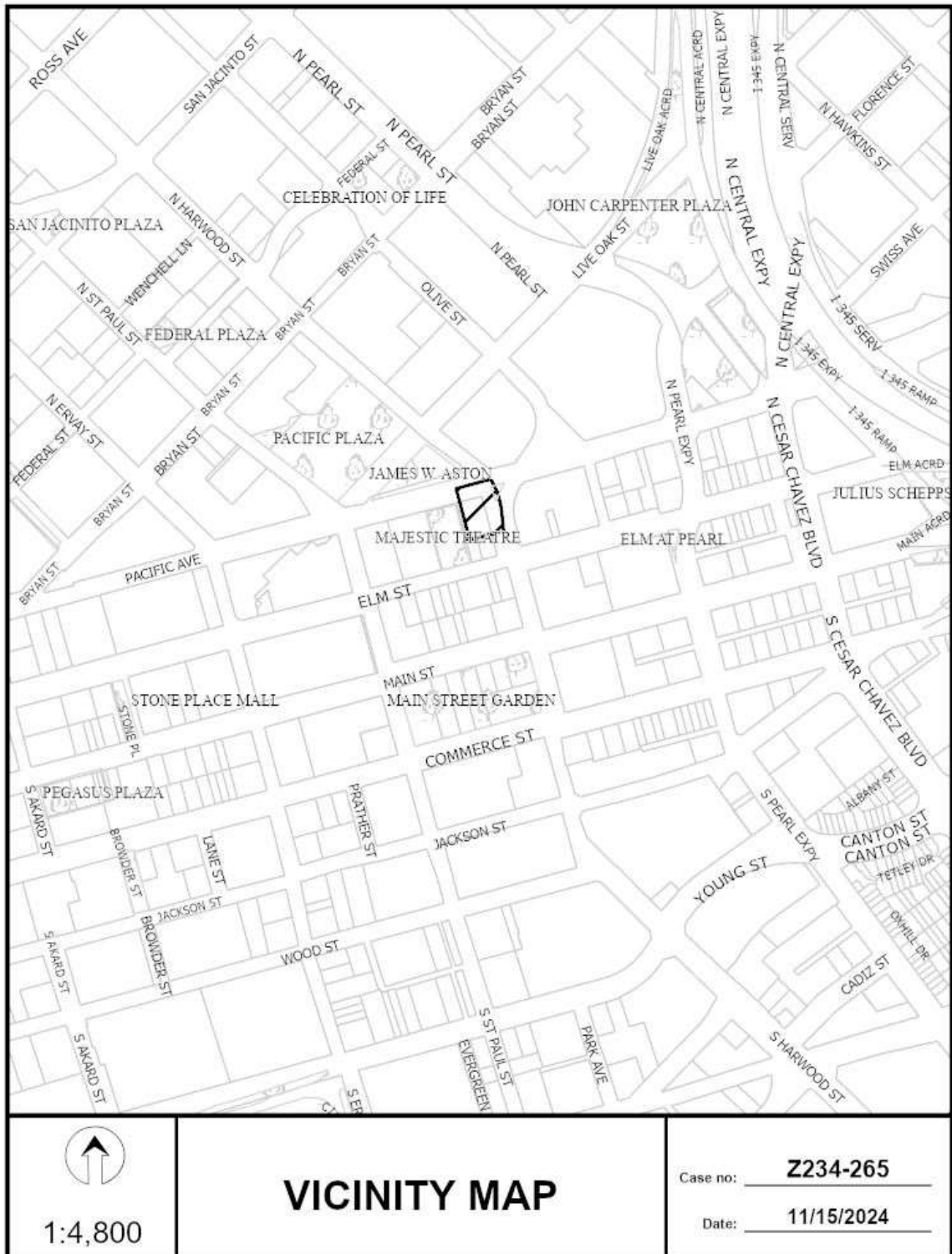
1. USE: The only uses authorized by this specific use permit are alcoholic beverage establishment limited to a bar, lounge, or tavern and commercial amusement (indoor) limited to a dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (one year from the passage of this ordinance).
4. DANCE FLOOR: Maximum dance floor area is 900 square feet in the location shown on the site plan.
5. FLOOR AREA: The maximum floor area for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (indoor) limited to a dance hall is 16,192 square feet in the location shown on the site plan.
6. HOURS OF OPERATION: The use may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Sunday.
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.

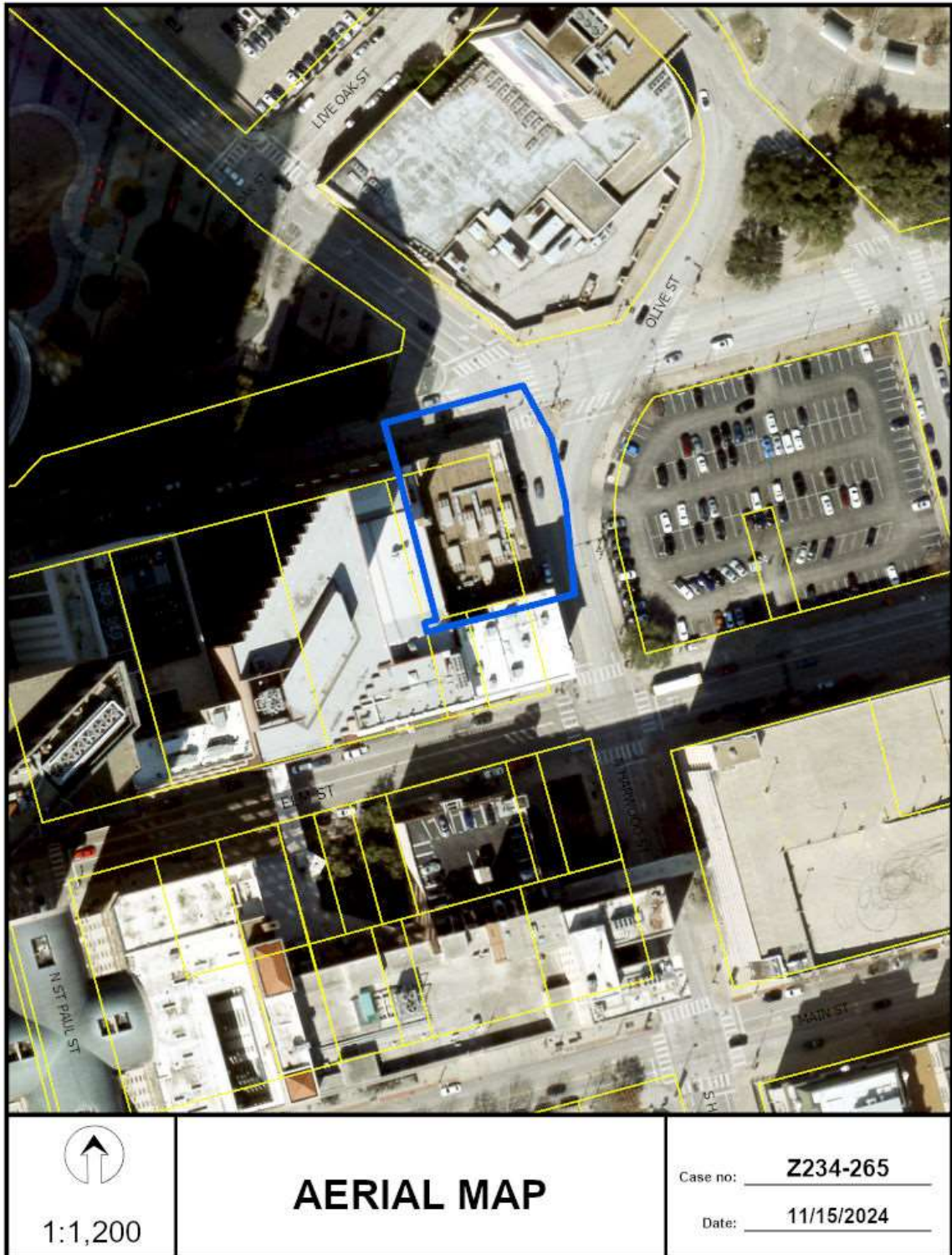
CPC RECOMMENDED SITE PLAN – FIRST FLOOR

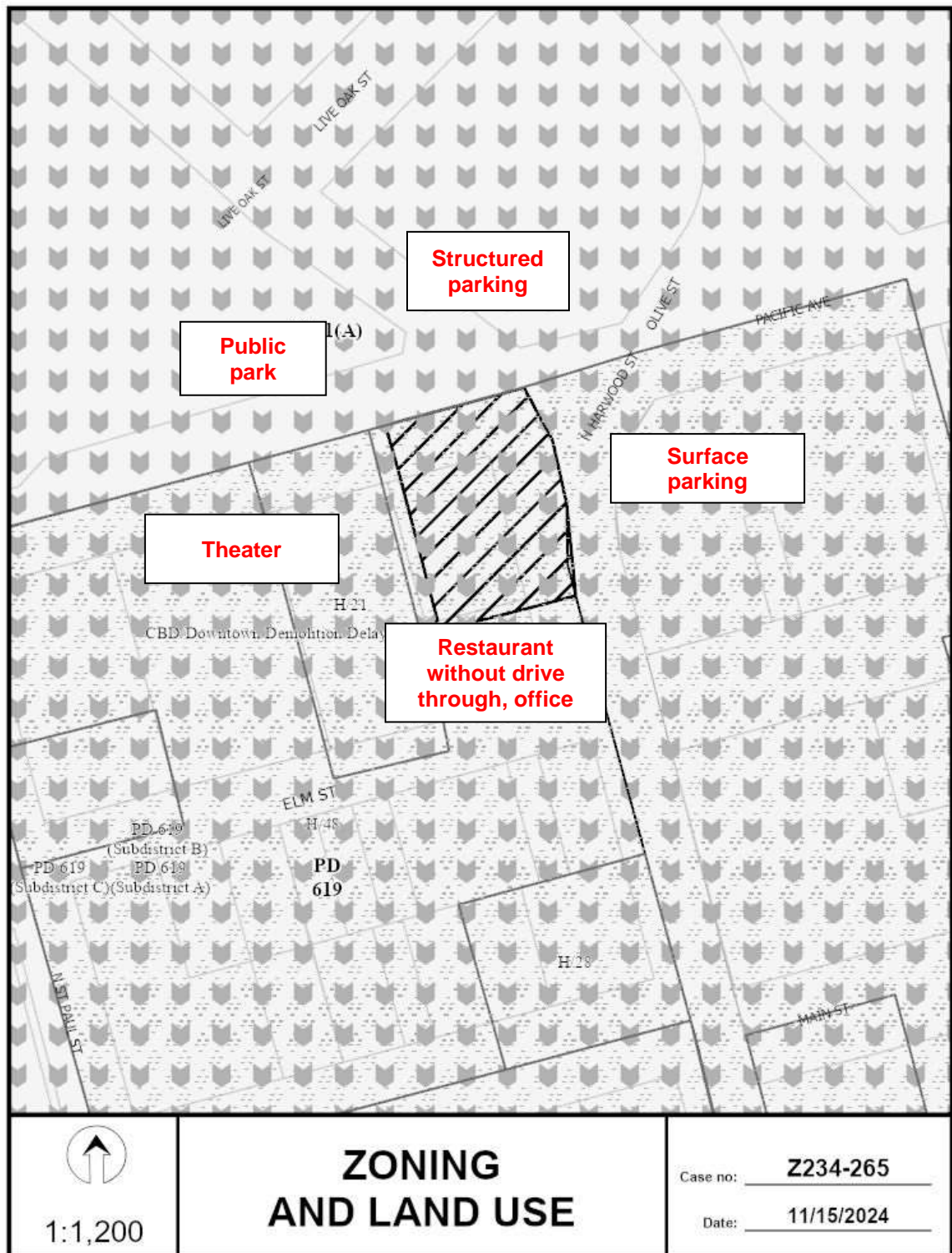


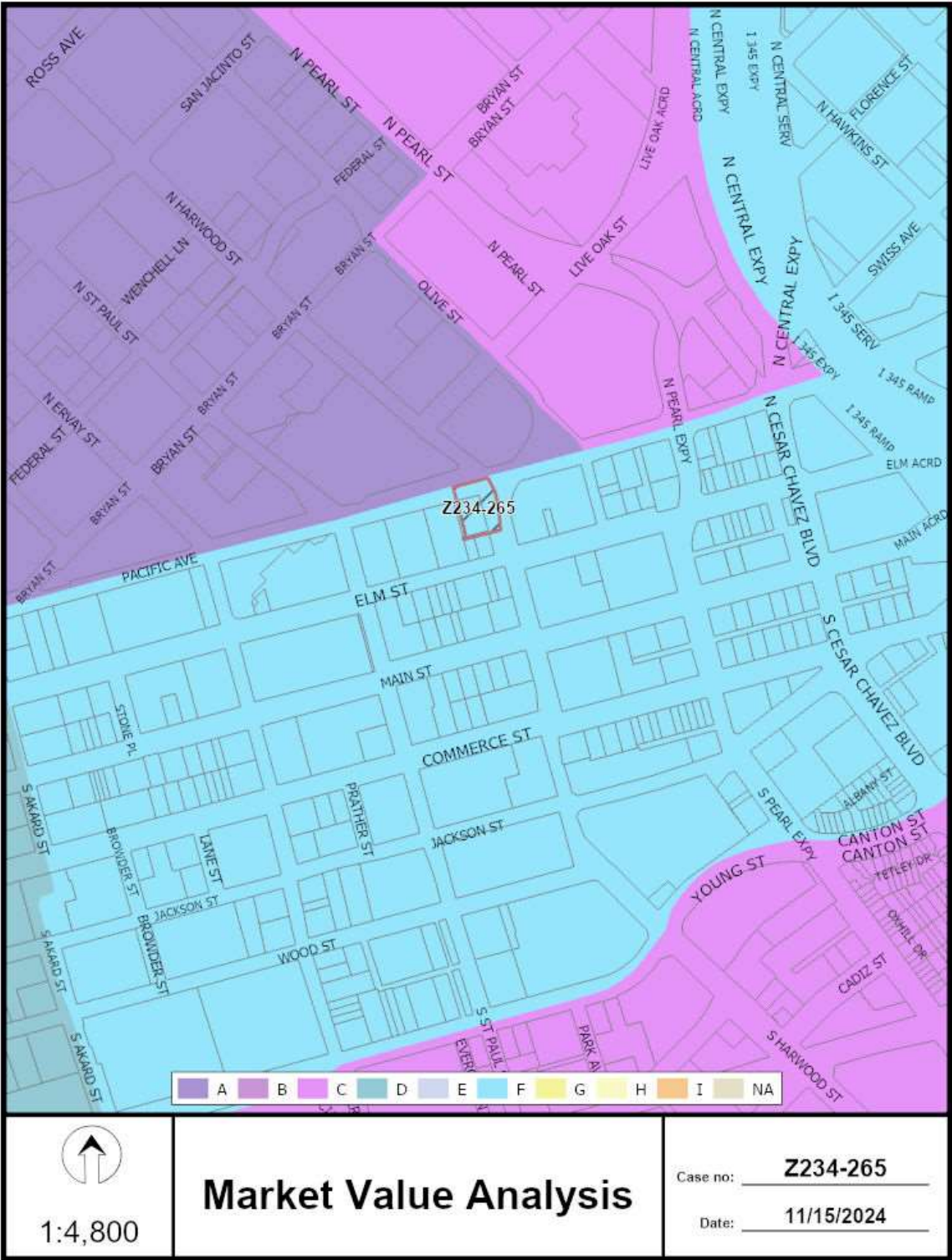
CPC RECOMMENDED SITE PLAN – SECOND FLOOR













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12/04/2024

Reply List of Property Owners

Z234-265

9 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	1933	ELM ST	KEVIN KRISTIAN 2612 LLC
2	1910	PACIFIC AVE	1910 PACIFIC LP
3	1910	PACIFIC AVE	OLYMBEC USA LLC
4	1928	ELM ST	UNT CENTER AT DALLAS
5	2001	ELM ST	CAIN JOHN CHARLES
6	2009	ELM ST	DENIUS FRANKLIN W & ET AL
7	2020	LIVE OAK ST	WESTDALE 2020 LIVE OAK LP
8	1920	ELM ST	1900 PACIFIC HOLDINGS LP
9	1920	ELM ST	1900 PACIFIC HOLDINGS LP