

FILE NUMBER: Z234-276(CR) **DATE FILED:** July 8, 2024
LOCATION: East line of Market Center Boulevard, south of Oak Lawn Avenue
COUNCIL DISTRICT: 6
SIZE OF REQUEST: ± 0.18 acre **CENSUS TRACT:** 48113010003

REPRESENTATIVE: Andrew Ruegg, MASTERPLAN

OWNER/APPLICANT: ICP 1622 Market Center Blvd LP

REQUEST: An application for an amendment to Specific Use Permit No. 2326 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Subdistrict 1 within Planned Development No. 621, the Old Trinity and Design District Special Purpose District.

SUMMARY: The purpose of the request is to allow for the continued operation of an alcoholic beverage establishment limited to a bar, lounge, or tavern on the site.

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

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

BACKGROUND INFORMATION:

- Planned Development District No. 621 was established by City Council on August 28, 2002 and contains approximately 421 acres divided into 11 subdistricts.
- The area of request is within Subdistrict 1 and is currently developed with a one-story, approximately 3,375-square-foot building containing an office/showroom warehouse and restaurant use.
- The applicant is requesting to continue operating an alcoholic beverage establishment in an approximately 1,696-square-foot suite that is in the rear of the existing building.
- On November 10, 2021, the City Council approved a renewal of Specific Use Permit No. 2326 for an alcoholic beverage establishment limited to a bar, lounge, or tavern use at the subject site for a three-year time period, without eligibility for automatic renewal.

Zoning History:

There have been two zoning cases in the area in the last five years:

1. **Z201-125:** On November 10, 2021, the City Council approved an application for the renewal of Specific Use Permit No. 2326 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Subdistrict 1 within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District. [subject site]
2. **Z234-152:** On June 27, 2024, staff approved an application for the automatic renewal of Specific Use Permit No. 2082 for a motor vehicle fueling station on property zoned Subdistrict 1 within Planned Development District No. 621 (Old Trinity and Design District Special Purpose District) on the east corner of Oak Lawn Avenue and Market Center Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Market Center Boulevard	Principal Arterial	100 feet

Traffic:

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and 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 ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Land Use:

	Zoning	Use
Site	PD No. 621, Old Trinity and Design District Special Purpose District, Subdistrict 1 with SUP No. 2326	Office/showroom warehouse and alcoholic beverage establishment limited to a bar, lounge, or tavern
North	PD No. 621, Old Trinity and Design District Special Purpose District, Subdistrict 1 with SUP No. 2082	Parking lot and motor vehicle fueling station
East	PD No. 621, Old Trinity and Design District Special Purpose District, Subdistrict 1	Office/showroom warehouse
South	PD No. 621, Old Trinity and Design District Special Purpose District, Subdistrict 1	Office/showroom warehouse
West	PD No. 621, Old Trinity and Design District Special Purpose District, Subdistrict 1	Restaurant without drive-through or drive-in service

Land Use Compatibility:

The applicant proposes to continue operating an alcoholic beverage establishment in an approximately 1,696-square-foot suite within the existing building. The continued operation of the alcoholic beverage establishment use is consistent with the commercial uses within the immediate area. The use has been in operation since 2019.

Uses surrounding the area of request include a mix of office/showroom warehouse uses and retail and personal service uses including restaurants located to the west across Market Center Boulevard, and to the northwest at the intersection of Oak Lawn Avenue and Market Center Boulevard. A general merchandise or food store with motor vehicle fueling station is also located at this intersection.

Subdistrict 1 within PD No. 621 is considered a transit-oriented, mixed-use zoning district for the development of combinations of medium to high-density residential, retail, and office uses. Day-time and night-time activity is encouraged in this district. Recent developments and the adaptive reuse of existing structures in the area surrounding the subject site, are promoting this dynamic mix of uses. The use will continue to be compatible with the surrounding area and is not foreseen to have a negative impact from a land use perspective.

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 has determined the request complies with the general provisions for consideration of approval of the SUP renewal as the request is consistent with the character of the neighborhood and does not pose a negative impact.

Landscaping:

The request does not trigger landscaping requirements per PD No. 621 and Article X of the Dallas Development code, as amended.

Parking:

The parking regulations in Subdistrict 1 within Planned Development District No. 621 establish that for the alcoholic beverage establishment use, one off-street parking space is required for every 105 square feet of floor area. [Sec.51P-621.110(b)(1)(A)]

The bar, lounge or tavern occupies an approximate 1,696-square-foot suite within the existing building, per the parking regulations, 16 off-street parking spaces are required for this use.

The same parking regulations require that for an office/showroom warehouse use, one space per 1,100 square foot of floor area up to 20,000 square feet must be provided. [Sec.51P-621.110(b)(1)(N)]. Subtracting the area of the suite used for the bar from the total square footage of the building, the office/showroom warehouse use would be approximately 1,679 square feet. Based on the requirement, the existing office/showroom warehouse use will require a minimum of two parking spaces, requiring 18 parking spaces for the building.

As depicted on the site plan, 13 off-street parking spaces are provided in the rear of the property and five on-street parking are located in front of the existing building for a total of 18 parking spaces.

The parking regulations for PD No. 621 also include provisions for parking reductions that allow to credit on-street parking towards the off-street parking requirement of uses on the building site, even if the parking, backing or maneuvering must be performed in the public right-of-way. [Sec. 51P-621-110(b)(2)(C)]

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.

List of Officers

ICP 1622 Market Center Blvd LP
Henry Seeligson, Partner
Suzanne S. Nash, Partner
Cameron R. Nash, Partner

CRIME REPORT

A copy of the police report of offences recorded at this property is provided below for the period of October 10, 2019, to October 10, 2024.

Offenses/Incidents

Offenses/Incidents (Summary)	Count
None reported	N/a
Total	0

Calls

Calls (Summary)	Count
12B - Business Alarm	1
12B - Business Alarm	1
40/01 - Other	1
12B - Business Alarm	1
Total	4

Arrests

Arrests (Summary)	Count
None reported	N/a
Total	0

CPC ACTION

OCTOBER 24, 2024

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 2326 for an alcoholic beverage establishment limited to a bar, lounge, or tavern for a five-year period with no eligibility for automatic renewals for additional five-year periods, subject to amended conditions, on property zoned Subdistrict 1 within Planned Development No. 621, the Old Trinity and Design District Special Purpose District, on the east line of Market Center Boulevard, south of Oak Lawn Avenue.

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

For: 11 - Chernock, Hampton, Herbert, Forsyth,
Shidid, Carpenter, Sleeper, Housewright,
Hall, Kingston, Rubin

Against: 0
Absent: 4 - Wheeler-Reagan, Blair, Eppler, Haqq
Vacancy: 0

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

Speakers: For: Andrew Ruegg, 2201 Main St., Dallas, TX, 75201
Against: None

GPC RECOMMENDED PROPOSED 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 ~~November 10, 2024~~ (five years from the passage of this ordinance).
4. FLOOR AREA: The maximum total floor area for an alcoholic beverage establishment limited to a bar, lounge, or tavern is 1,696 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The alcoholic beverage establishment limited to a bar, lounge, or tavern, may only operate between 6:00 p.m. and 12:00 a.m. (midnight the next day), Monday through Thursday, and between 6:00 p.m. and 2:00 a.m. (the next day), Friday and Saturday.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. 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.

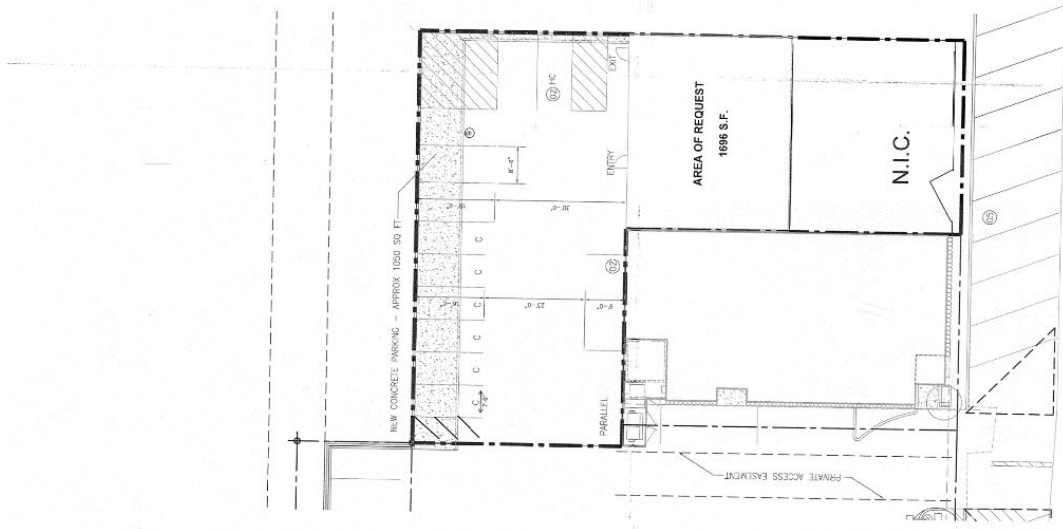
CPC RECOMMENDED SITE PLAN (NO PROPOSED CHANGES)



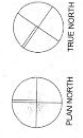
1624 MARKET CENTER BLVD
DALLAS, TEXAS 75207

NO.	DATE	REVISIONS

SHEET NUMBER
SP1.1
SITE PLAN



ARCHITECTURAL SITE PLAN
1" = 10'-0"



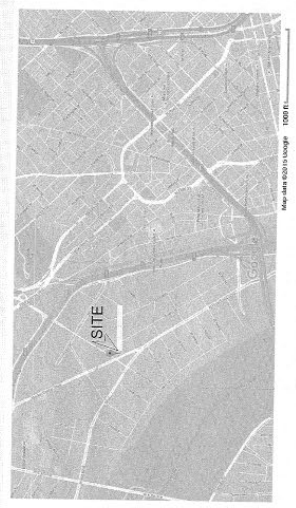
SITE SUMMARY

LOT AREA: 19,801 SQ FT

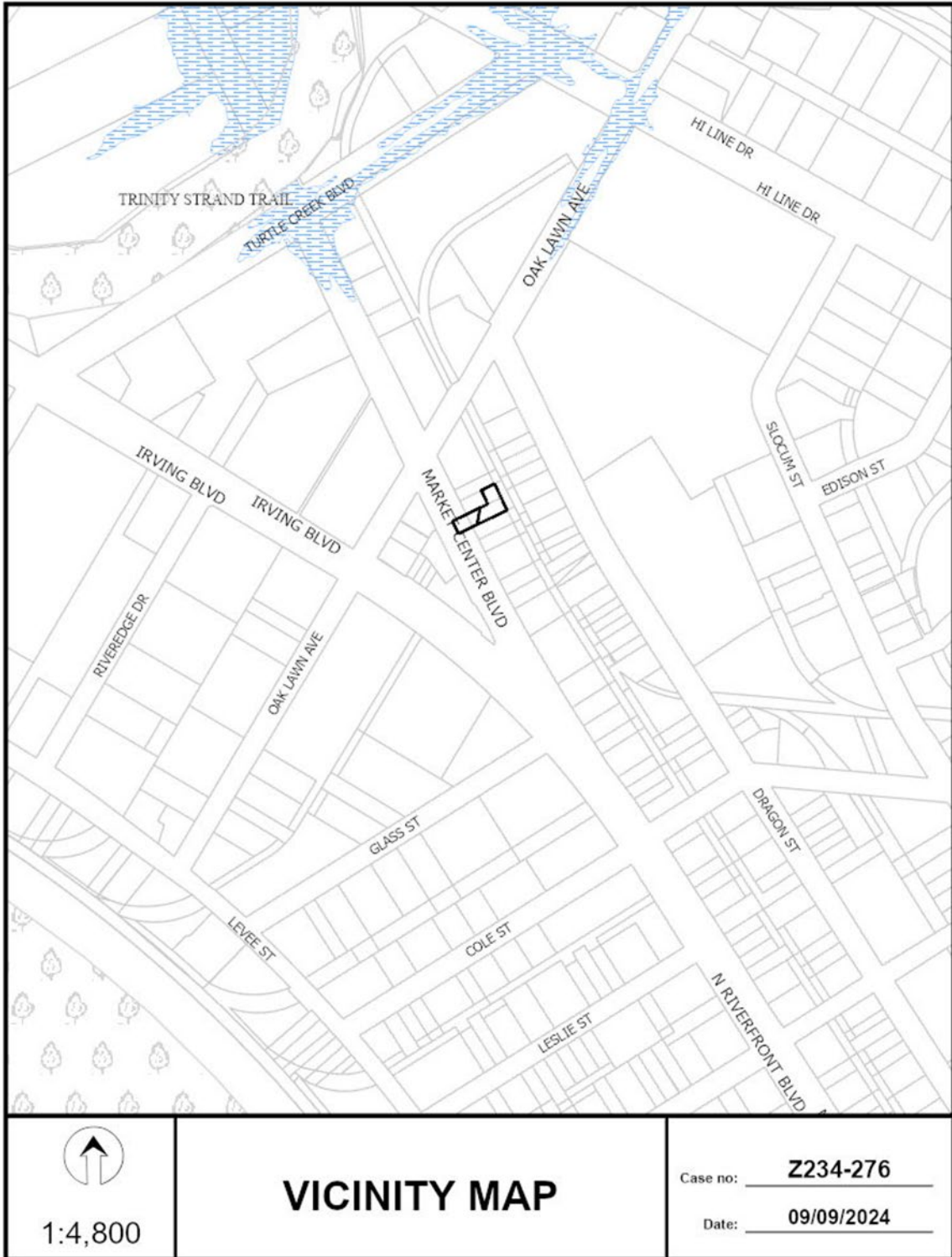
PROPOSED USE: alcoholic beverage establishment

OTHER USES: office and/or warehouse

PROVIDED PARKING: 14



201-125



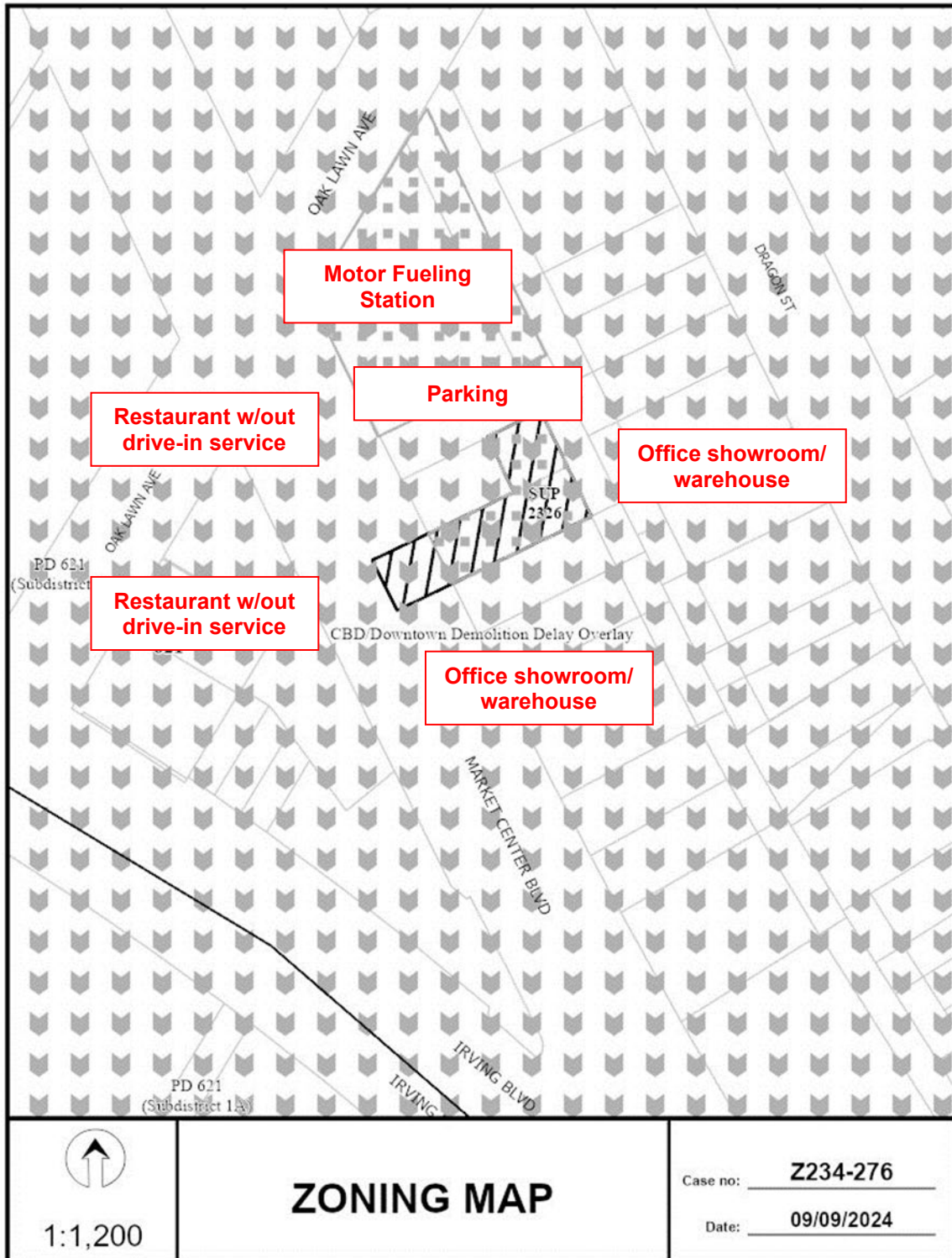


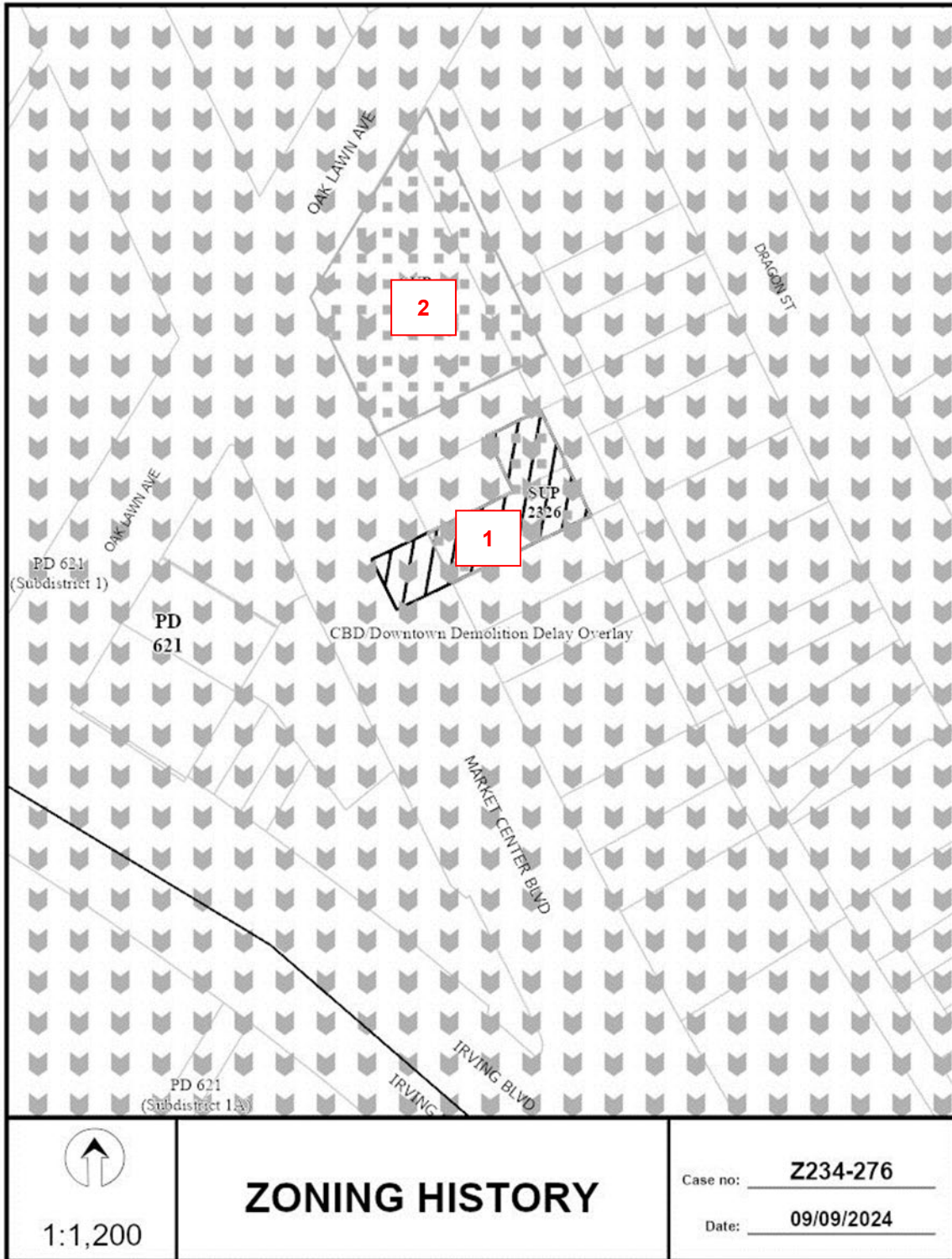
1:1,200

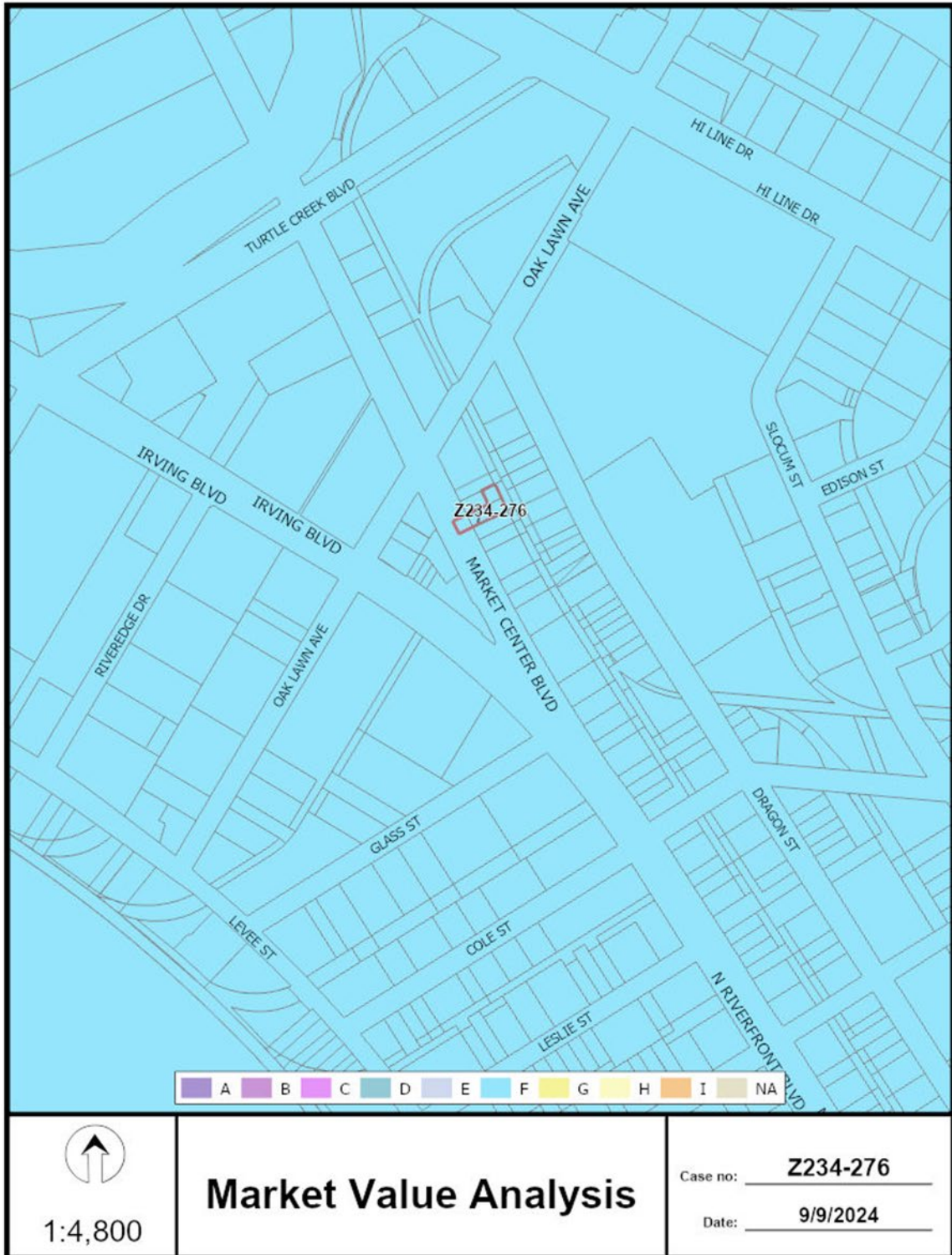
AERIAL MAP

Case no: Z234-276

Date: 09/09/2024









<u>19</u>	Property Owners Notified (42 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>10/24/2024</u>	Date

Z234-276
CPC



1:1,200

10/23/2024

Reply List of Property Owners

Z234-276

19 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	1622	MARKET CENTER BLVD	ICP 1622 MARKET CENTER BLVD LP
2	1602	MARKET CENTER BLVD	XFP LTD PS
3	1606	MARKET CENTER BLVD	K&B INVESTMENTS INC
4	1614	MARKET CENTER BLVD	PADIAN JOSEPH J
5	1626	MARKET CENTER BLVD	Taxpayer at
6	1632	MARKET CENTER BLVD	Taxpayer at
7	1634	MARKET CENTER BLVD	1634 MARKET CENTER LLC
8	1643	DRAGON ST	SKL AND ALCSL REVOCABLE TRUST
9	1633	DRAGON ST	NR YANG PROPERTIES LLC
10	1627	DRAGON ST	A 3 PROPERTIES LP
11	1621	DRAGON ST	MUSE FAMILY ENTERPRISES LTD
12	1611	DRAGON ST	ZUEGER SECOND FAMILY LP
13	1607	DRAGON ST	LOJ DRAGON STREET LLC
14	1605	DRAGON ST	Taxpayer at
15	1601	MARKET CENTER BLVD	CONSTANCE TRINITY TRIANGLE LTD
16	1617	MARKET CENTER BLVD	CONSTANCE TRINITY TRIANGLE LTD
17	1627	DRAGON ST	A-3 PROPERTIES LP
18	1607	DRAGON ST	LAMY ODILE MARIE
19	1300	OAK LAWN AVE	1634 MARKET CENTER LLC