

FILE NUMBER: Z223-275(CR) **DATE FILED:** May 10, 2023

LOCATION: Northeast line of Harwood Street, southeast of Hickory Street

COUNCIL DISTRICT: 2

SIZE OF REQUEST: ± 7,840 square feet **CENSUS TRACT:** 48113020402

REPRESENTATIVE: Audra Buckley, Permitted Development

OWNER: Clams Casino, LLC

APPLICANT: Mike's Gemini Twin Lounge

REQUEST: An application for an amendment to Specific Use Permit No. 2304 for a bar, lounge, or tavern on property zoned Subdistrict 2 within Planned Development District No. 317, the Cedars Area Special Purpose District.

SUMMARY: The purpose of the request is to allow the continued operation of 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:

- The area of request is currently zoned Subdistrict 2 within Planned Development District No. 317, the Cedars Special Purpose District.
- The property is currently developed and operates as a bar, lounge, or tavern.
- The lot has frontage on South Harwood Street to the southwest.

Zoning History:

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

1. **Z190-289:** On August 22, 2018, the City Council approved the renewal of Specific Use Permit No. 2304 for a bar, lounge, or tavern on property zoned Subdistrict 2 within Planned Development District No. 317 on the northeast line of Harwood Street, southeast of Hickory Street, for a two-year period.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Harwood Street	Minor Arterial	EXISTING ROW (~60 feet) Bike Plan

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:

Area Plans:

Cedars Area Plan

Adopted in 2002, the Cedars Area Plan focuses on land use, zoning, urban design, and transportation issues. The goal is to create a vision for future development in the Cedars to be used as a basis for amending the zoning in the area and as a policy guide for future City actions. The study area is approximately 560 acres and is generally bounded by R.L. Thorton Freeway (I-30) to the north, the G. & S.F. Railroad to the South, M.K. & T.

Railroad to the west, and Julius Schepps Freeway (I-45) to the east. The plan provides a high level analysis of housing and commercial trends, including a recommended future land use plan for the Cedars area.

The land use concept plan identifies the subject property as Sub-District 2, Mixed Use Corridor. This sub-district aims to promote moderate density, pedestrian-oriented, mixed-use developments along the primary corridors that serve the Cedars, including Harwood Street. Development may include zero lot line conditions with parking placed at the rear of the site, with a vertical mix of uses. Intended as a buffer between residential areas within Sub-District 1, development within Sub-District 2 should pay special attention to the impacts of height, parking, and land use intensity.

The applicant's request to continue using a bar, lounge, or tavern will not impact the building's land use or exterior function. Likewise, the scale and intensity of the use are compatible with those intended in Sub-District 2. For these reasons, staff finds the proposal consistent with the Cedars area's overall intent.

Land Use:

	Zoning	Use
Site	PD No. 317 (Cedars Special Purpose District, Subdistrict 2)	Bar, lounge, or tavern
Northeast	PD No. 317 (Cedars Special Purpose District, Subdistrict 4)	Multi-tenant building; liquor store, restaurant without drive-in or drive-through service, general merchandise or food store 3,500 square feet or less
Southeast	PD No. 317 (Cedars Special Purpose District, Subdistrict 2)	Vacant
Southwest	PD No. 317 (Cedars Special Purpose District, Subdistrict 2)	Multifamily
Northwest	PD No. 317 (Cedars Special Purpose District, Subdistrict 2)	Personal service

Land Use Compatibility:

The area of request is currently located within a developed, mid-block building. The property abuts a vacant structure to the southeast and several personal services uses to the northwest. The property is separated from a multi-tenant structure occupied by commercial uses with an alley to the northeast and a recently constructed multifamily building across South Harwood Street to the southwest. Staff assesses the applicant's proposal for a continuation of a bar, lounge, or tavern to be compatible with surrounding uses in the area.

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 finds that this application for renewal of SUP 2304 meets the approval criteria for SUPs as established by Section 51A-4.219 of the Dallas Development Code.

No additional changes to the approved conditions or site plan of existing SUP 2304 or Subdistrict 2 of Planned Development District No. 317, the Cedars Special Purpose District, are requested.

Due to the continuity of the existing bar, lounge, or tavern establishment on-site and proposed compliance with all other applicable provisions of the Dallas Development Code and Subdistrict 2 of Planned Development District No. 317, the Cedars Special Purpose District staff supports the request.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended, and Subdistrict 2 of Planned Development District No. 317, the Cedars Special Purpose District, as applicable.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 100 square feet of floor area. The development requires 17 spaces, with 14 spaces being provided per the attached site plan and 17 delta credits being provided per the City's letter of determination issued in 2018.

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 "E" MVA area that extends to the northwest and southeast along South Harwood Street.

CPC ACTION
June 15, 2023

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 2304 for a bar, lounge, or tavern for a five-year period, subject to amended conditions on property zoned Subdistrict 2 within Planned Development District No. 317, the Cedars Area Special Purpose District, on the northeast line of Harwood Street, southeast of Hickory Street.

Maker: Rubin

Second: Hampton

Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Housewright, Treadway, Haqq, Hall, Kingston,
Rubin

Against: 0

Absent: 0

Vacancy: 1 - District 4

Notices: Area: 200 Mailed: 9

Replies: For: 1 Against: 0

Speakers: None

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LIST OF OFFICERS

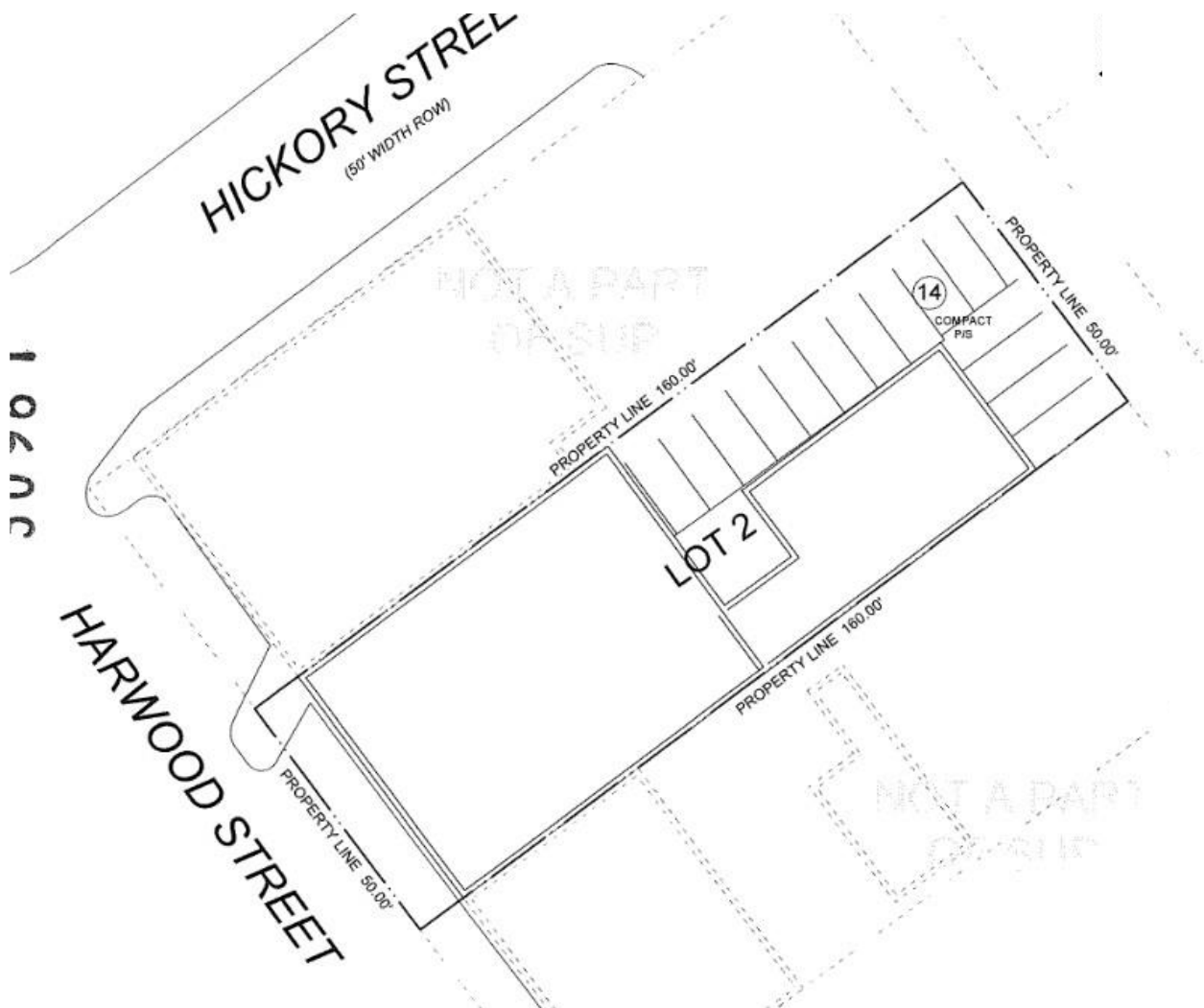
Permitted Development

Audra Buckley

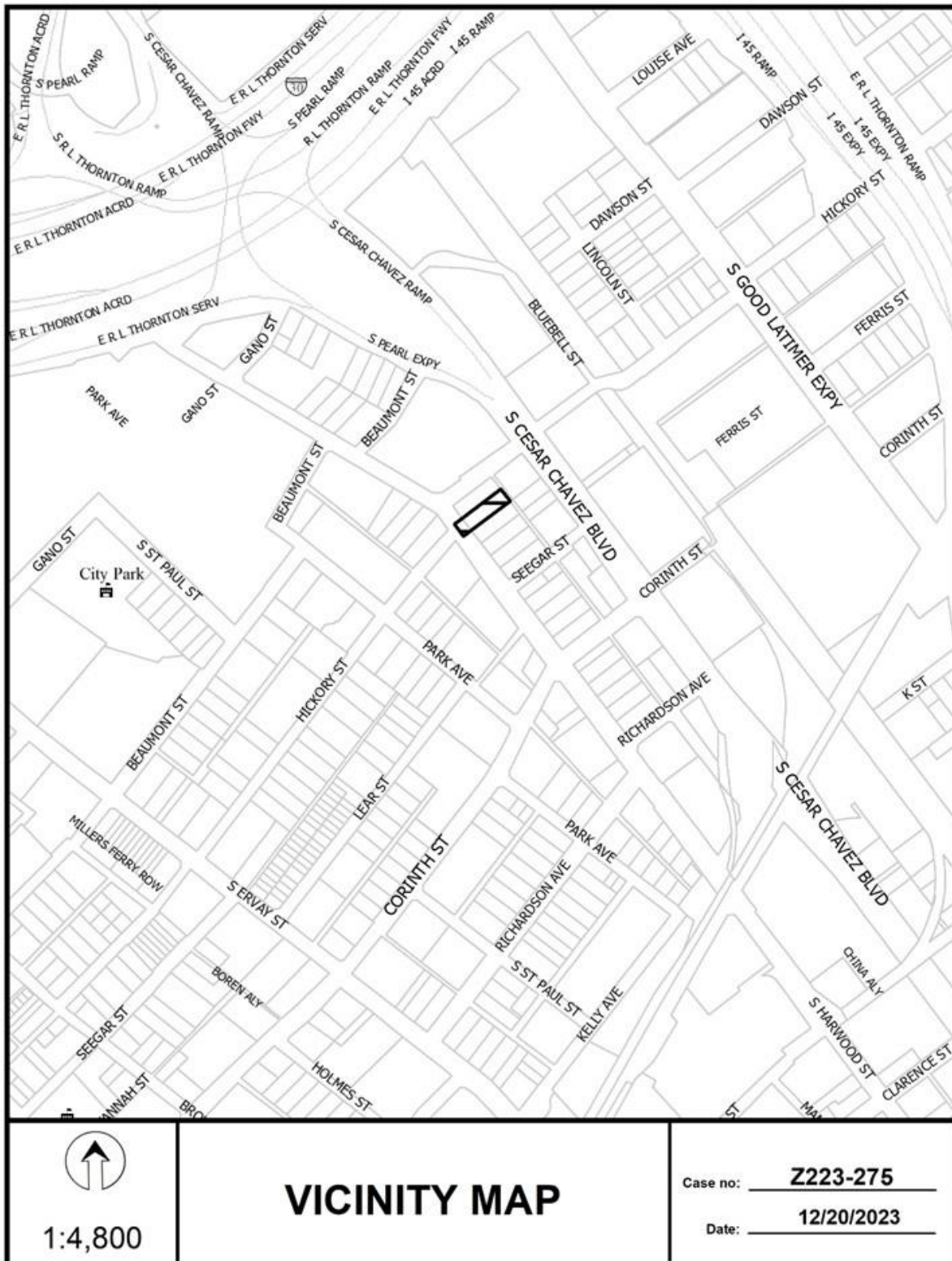
**CPC RECOMMENDED
PROPOSED SUP No. 2304 CONDITIONS**

1. USE: The only use authorized by this specific use permit is 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 ~~October 28, 2023~~ (5 years from the date of this ordinance).
4. FLOOR AREA: The maximum floor area for the bar, lounge, or tavern is 1,700 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The bar, lounge, or tavern may only operate between 11 :00 a.m. and 2:00 a.m. (the next day) Monday through Sunday.
6. OUTSIDE SPEAKERS: Outside speakers are prohibited.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. 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.

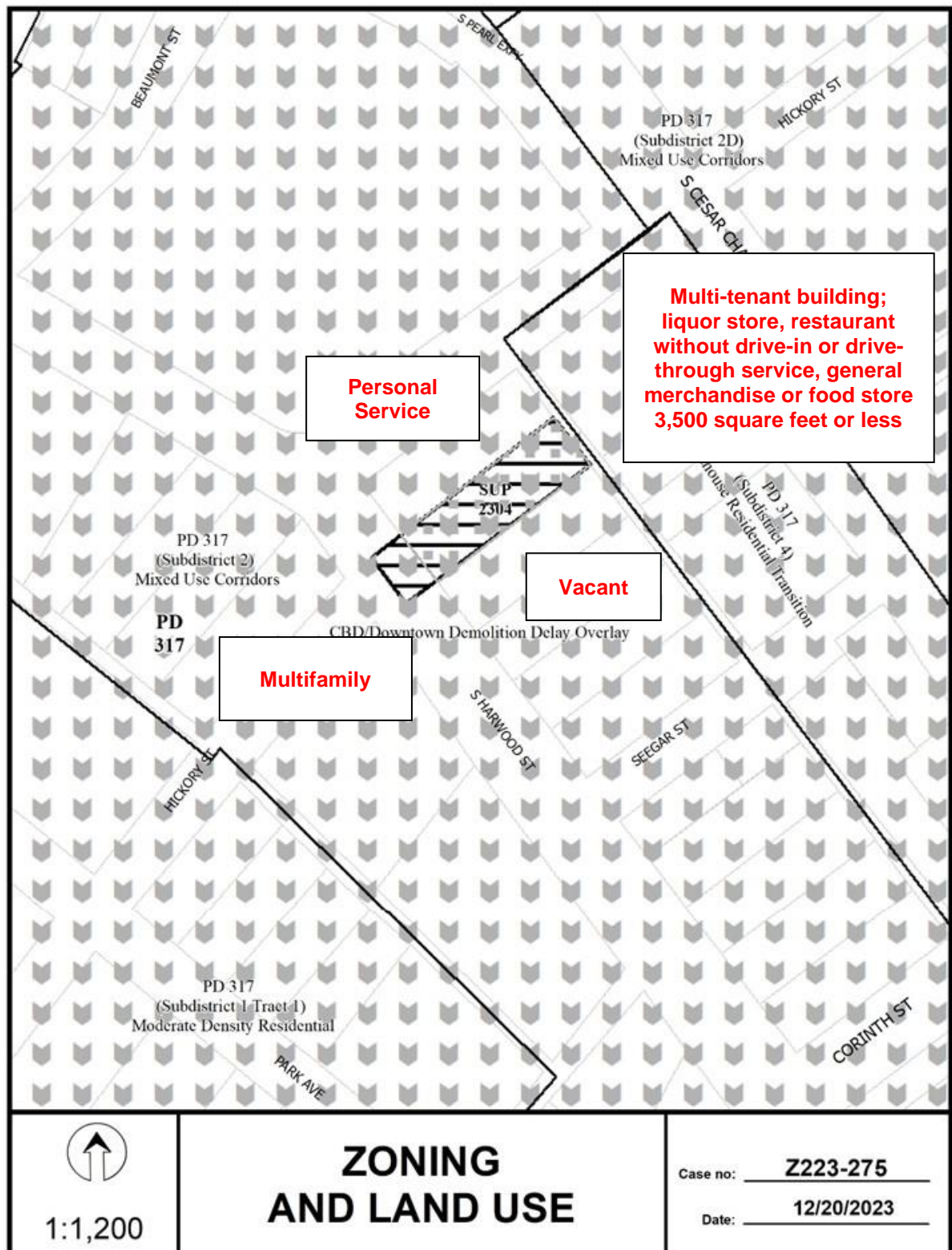
**CPC RECOMMENDED EXISTING SUP
NO. 2304 SITE PLAN**

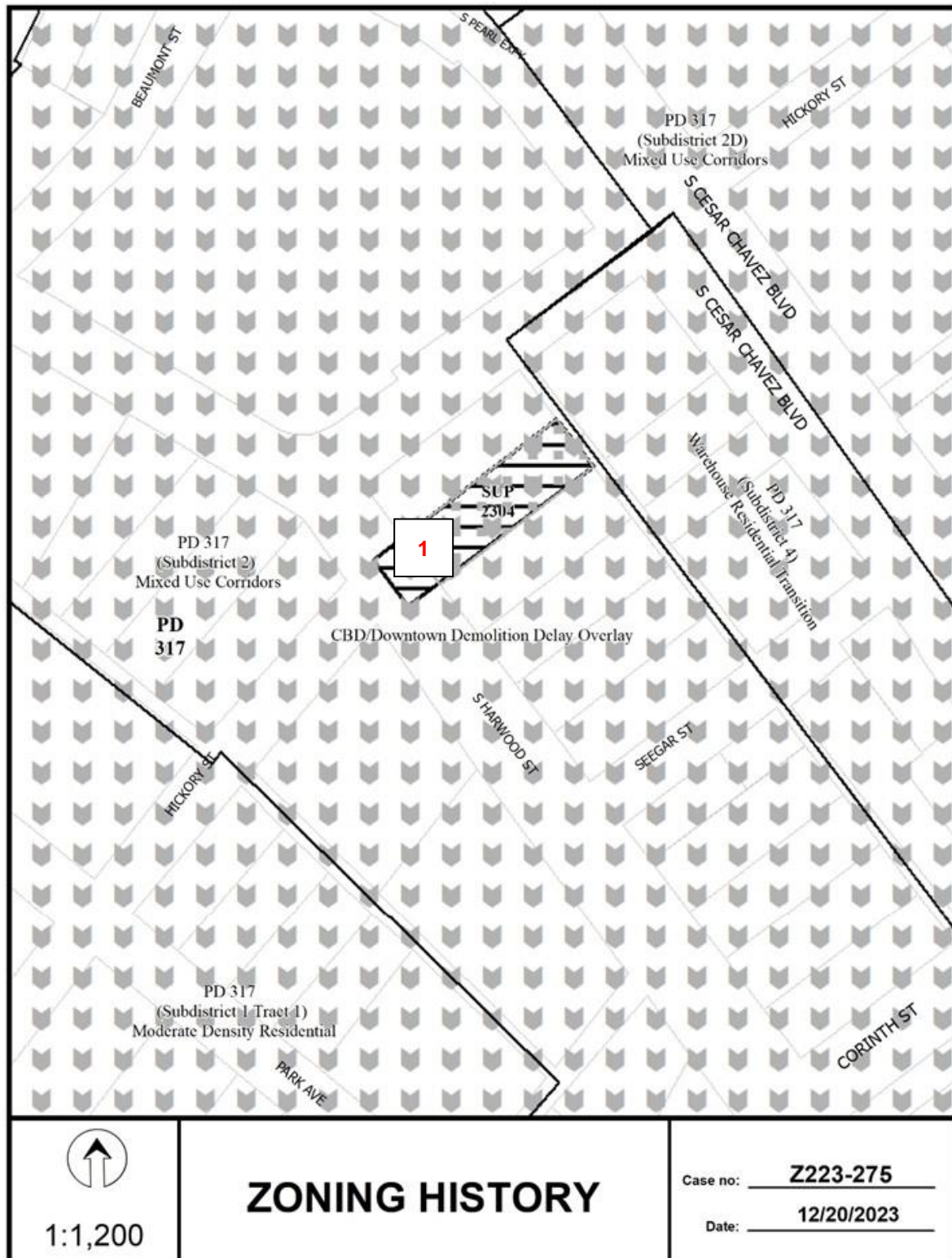


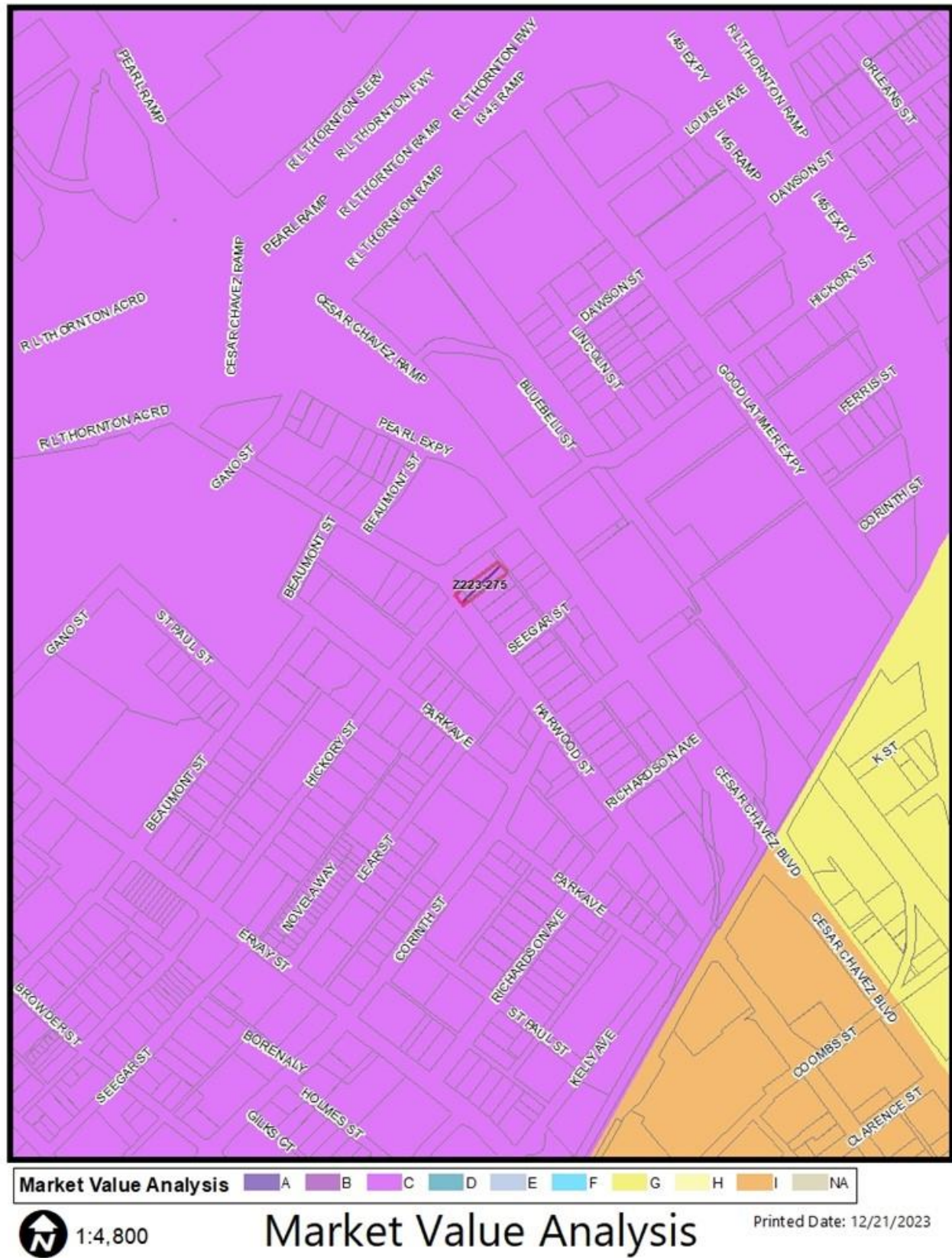
Z223-275(CR)











CPC RESPONSES



01/17/2024

Reply List of Property Owners***Z223-275******9 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	1900 S HARWOOD ST	CLAMS CASINO LLC
	2	1901 S HARWOOD ST	CORINTH CDR LLC
	3	1900 PARK AVE	KHAN ESTHER J &
	4	1821 S HARWOOD ST	KAOLIN RE HOLDINGS CORPORATION
O	5	1835 S HARWOOD ST	TOMAINO PPTIES LP
	6	1920 S HARWOOD ST	HICKORY CDR EAST LLC
	7	2019 S CESAR CHAVEZ BLVD	HOPKINS CESAR CHAVEZ LTD
	8	1919 S HARWOOD ST	HARWOOD LW LLC
	9	1804 S HARWOOD ST	1804 HARWOOD LLC