

FILE NUMBER: Z234-101(GB) **DATE FILED:** July 19, 2023
LOCATION: Northeast line of Botham Jean Boulevard, southeast of South Boulevard
COUNCIL DISTRICT: 7
SIZE OF REQUEST: Approx. 22,956 sq ft **CENSUS TRACT:** 48113020900

OWNER: Kevin Brooks Lovejoy [Sole Owner]

APPLICANT: Cee Gilmore

REQUEST: An application 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 on property zoned an FWMU-3-SH Walkable Urban Mixed Use Form Subdistrict with a Shopfront Overlay within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The purpose of the request is to allow an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall.

STAFF RECOMMENDATION: **Hold under advisement to April 4, 2024.**

PRIOR CPC ACTION: On February 15, 2024, the City Plan Commission held this item under advisement to March 21, 2024.

BACKGROUND INFORMATION:

- The area of request is located at 2910 Botham Jean Boulevard.
- The structure was built in 1939 and is approximately 2,688 square feet.
- The only use authorized by this specific use permit is a bar, lounge, or tavern.
- The proposed bar, lounge, or tavern would operate Monday-Friday from 08:00 AM-01:00 AM; the next day, and Sunday 11:00 AM-11:00 PM.
- There have not been any changes since the last CPC meeting.

Zoning History:

1. **Z190-192:** On August 12, 2020, City Council approved an application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shopfront Overlay on the northeast corner of South Lamar Street and South Boulevard.
2. **Z212-229:** On October 12, 2022, City Council approved a renewal of Specific Use Permit No. 2392 for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned an FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shopfront Overlay, located on the northeast corner of South Lamar Street and South Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Botham Jean 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 ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006, outlining several goals and policies which 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:

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Area Plans:

Trinity River Corridor Comprehensive Land Use Study

The Trinity River Corridor Comprehensive Land Use Study was adopted by City Council in March 2005 and later revised in December 2009. The Trinity River Corridor is a unified collection of diverse neighborhoods and business centers at the heart of a unified and thriving Dallas, connected by a ribbon of blue water and green spaces that is the Trinity River. Additionally, The Trinity River Corridor is the City's model for economic growth without physical, social, or economic barriers, which attracts residents and visitors to live, learn, work, shop, and play within a cosmopolitan urban core, and alongside the river's meandering environment.

Five objectives for future development in the Trinity Corridor add detail to the 2050 Vision Statement. They provide guidance that shapes this plan's recommendations for each part of this very large corridor. The five objectives are:

- Reconnect North and South Dallas
- Establish the role of economic development along the Trinity River
- Create a vibrant central city
- Establish the Trinity River floodplain as the front yard of the City
- Enhance the City's urban form to increase the appeal of urban life

The request complies with the following land use goals and policies of the Trinity River Corridor Comprehensive Land Use Study:

The Land Use Opportunity Plan for the Oak Cliff Gateway envisions a group of neighborhoods that offer residents a wide range of choices, from classic homes on tree-lined streets to apartments in high-rise mixed-use buildings overlooking the Trinity lakes.

South Dallas/Fair Park Economic Development Plan

This South Dallas/Fair Park Economic Development Plan focuses on providing economic development revitalization strategy recommendations for the Dallas/Fair Park commercial corridor. It provides an analysis of the current conditions of the area, including land use and demographics. Development plan studies of both the neighborhood and community commercial areas are also done to guide zoning and prevent potential negative impacts of mixed-use development. Current revitalization initiatives in both the public and private sector were outlined and followed by these fundamental objectives guiding corridor revitalization:

1. Holistic Strategy
2. Improve Basic Attributes
3. Increase Resources
4. Financial Support and Technical Assistance
5. Encourage Corridor Reinvestment

The applicant's request is compatible with the South Dallas/Fair Park Economic Development Plan. The plan seeks to redevelop vacant lots and buildings.

DALLAS360 PLAN

The Downtown Dallas 360 plan sets forth a strong vision for a dynamic, exciting future. It is intended to be a strategic, guiding plan rather than a regulatory document. While the 360 plan presents and prioritizes specific actions deemed critical for Downtown's future success, its broader recommendations and concepts are to be considered when reviewing development, making decisions, or considering investment, especially when a specific action may not yet have been taken. For example, while the 360 plan recommends that formal, enforceable design standards be adopted by the City of Dallas, delays or lack of funding may necessitate using the guidelines and recommendations found in Chapter IV in the interim.

The 360 plan supports the progress to develop these strategic gateways into Downtown. Importantly, any redevelopment of these sites must support the plan's principles and assist in implementing the Transformative Strategies. The South Arts District Focus Area has the potential to complement the adjacent Dallas Arts District by building on its unique character and creating bold and daring design. The South Arts District should emphasize walkable blocks and pedestrian oriented buildings that engage all of the surrounding streets. New development should establish an open, connected neighborhood that avoids

the self-contained environments that have been created in similar mixed-use private developments at Victory Park or in parts of Uptown. Any new development in this area also has the opportunity to transform the experience and presence along Ross Avenue (see Prototypical Intersection plan illustration on page 99). Good design of this environment can help heal the divide between the Arts District and Ross Avenue while luring arts patrons to experience more of Downtown. Developments should address Ross with active front entrances, retail uses, and pedestrian connections that link areas further south. “Destination” restaurants, arts-related retail, artist live/work housing and a possible arts-oriented education institution are appropriate to line Ross Avenue at critical intersections in the ground floors of new office or residential buildings.

Land Use:

	Zoning	Land Use
Site	PD No. 595 FWMU-3-SH	Bar, Lounge, or Tavern
Northeast	PD No. 595 FWMU-3	Forest Park
Southwest	IM Industrial Manufacturing	Manufacturing
East	PD No. 595 FWMU-3-SH	Auto Service Center and Vehicle Display Sales and Service
Northwest	PD No. 595 FWMU-3-SH	Undeveloped

Land Use Compatibility:

The area of request is currently surrounded by a park, manufacturing, auto service center, vehicle display sales and service, and undeveloped land.

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 no objection to the requested uses or the requested time period. However, staff recommends striking the proposed conditions for landscaping and lighting, as they appear to not apply to the proposed uses.

Additionally, staff recommends holding the case under advisement to the March 21, 2024 CPC meeting so the applicant can make several required revisions to their proposed site plan:

- Plan needs to be to scale at 18x24 size
- Plan needs site data table showing required and provided parking
- Plan needs to show only request area, or label remainder of plan as 'not a part of request'
- Plan needs to show striping for a minimum of 27 required parking spaces

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

The existing structure is 2,688 square feet. The proposed bar, lounge, or tavern would operate Monday-Friday from 08:00 AM- 01:00 AM; the next day, and Sunday 11:00 AM- 11:00 PM.

Pursuant to the Dallas Development Code, the off-street parking requirement for a bar, lounge, or tavern is one space per 100 square feet of floor area. For 2,688 square feet of floor area, this equates to 27 required parking spaces.

The applicant is currently showing eight provided parking spaces on their proposed site plan. Staff recommends revisions to the applicant's proposed site plan that demonstrate they will be providing a minimum of 27 off-street parking spaces.

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

Z234-101(GB)

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 within an "I" MVA area.

Crime Report:

Since June 2021, the property has had three calls to the Dallas Police Department, with one incident and no arrests.

Calls (Summary)	
Problem	Count of Problem
PSE/09 - Theft	1
40/01 - Other	1
ODJ - Off Duty Job	1
Grand Total	3

Incidents (Summary)	
Problem	Count of Problem
OTHER THEFT	1
Grand Total	1

PROPOSED 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 (five years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

Staff's Recommendation

~~4. Landscaping: Landscaping must be provided as shown on the attached site plan prior to the issuance of a certificate of occupancy for a private recreational facility.~~

Applicant's Request

5. Landscaping: Landscaping must be provided as shown on the attached site plan prior to the issuance of a certificate of occupancy for a private recreational facility.

6. Hours of Operation: The bar, lounge, or tavern may only operate between 8:00 a.m. and 1:00 a.m. (the next day) Monday through Friday; and between 11:00 a.m. and 11:00 p.m. on Sunday.

Staff's Recommendation

~~7. Lighting: Field lighting is not permitted.~~

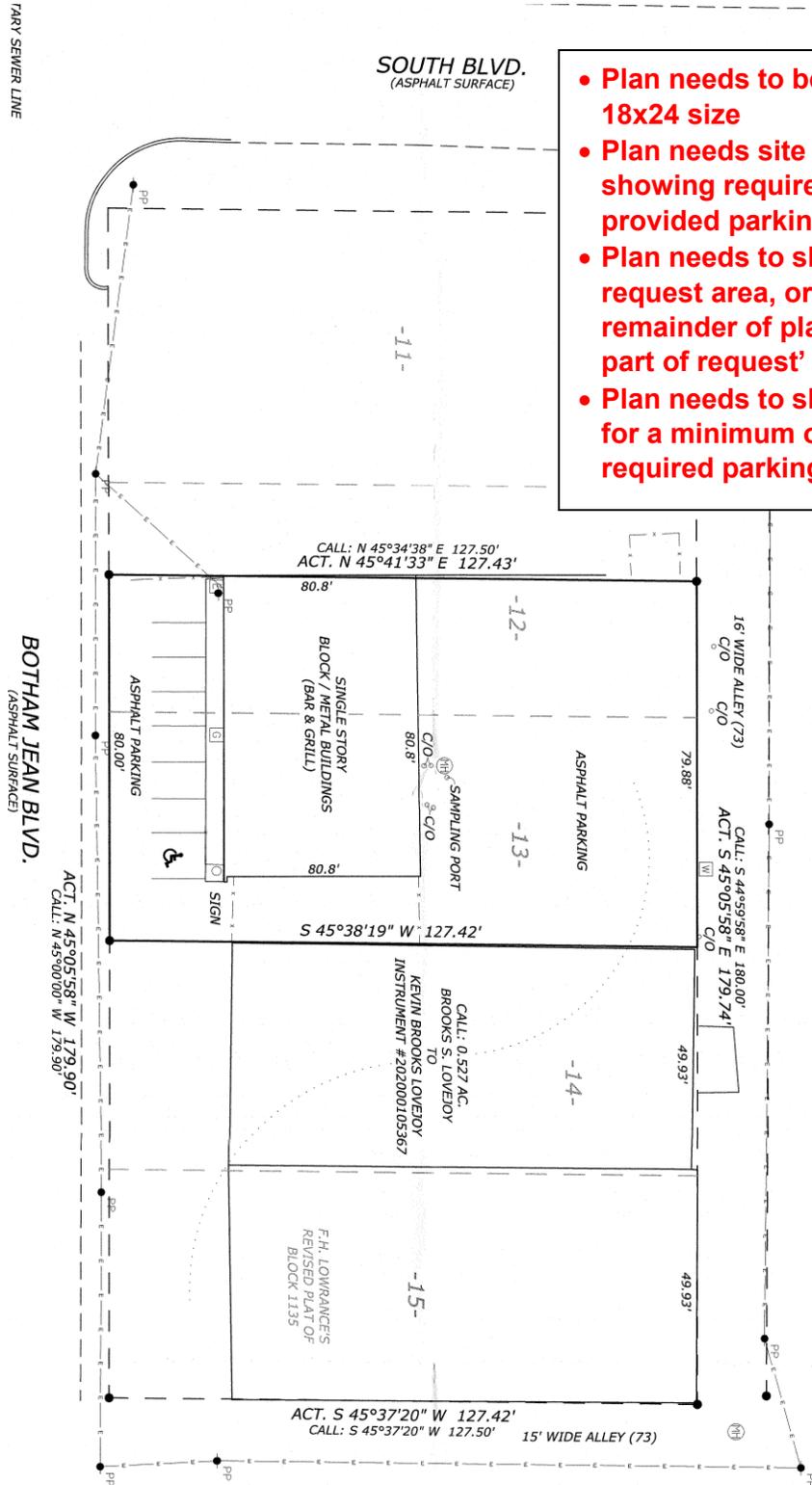
Applicant's Request

8. Lighting: Field lighting is not permitted.

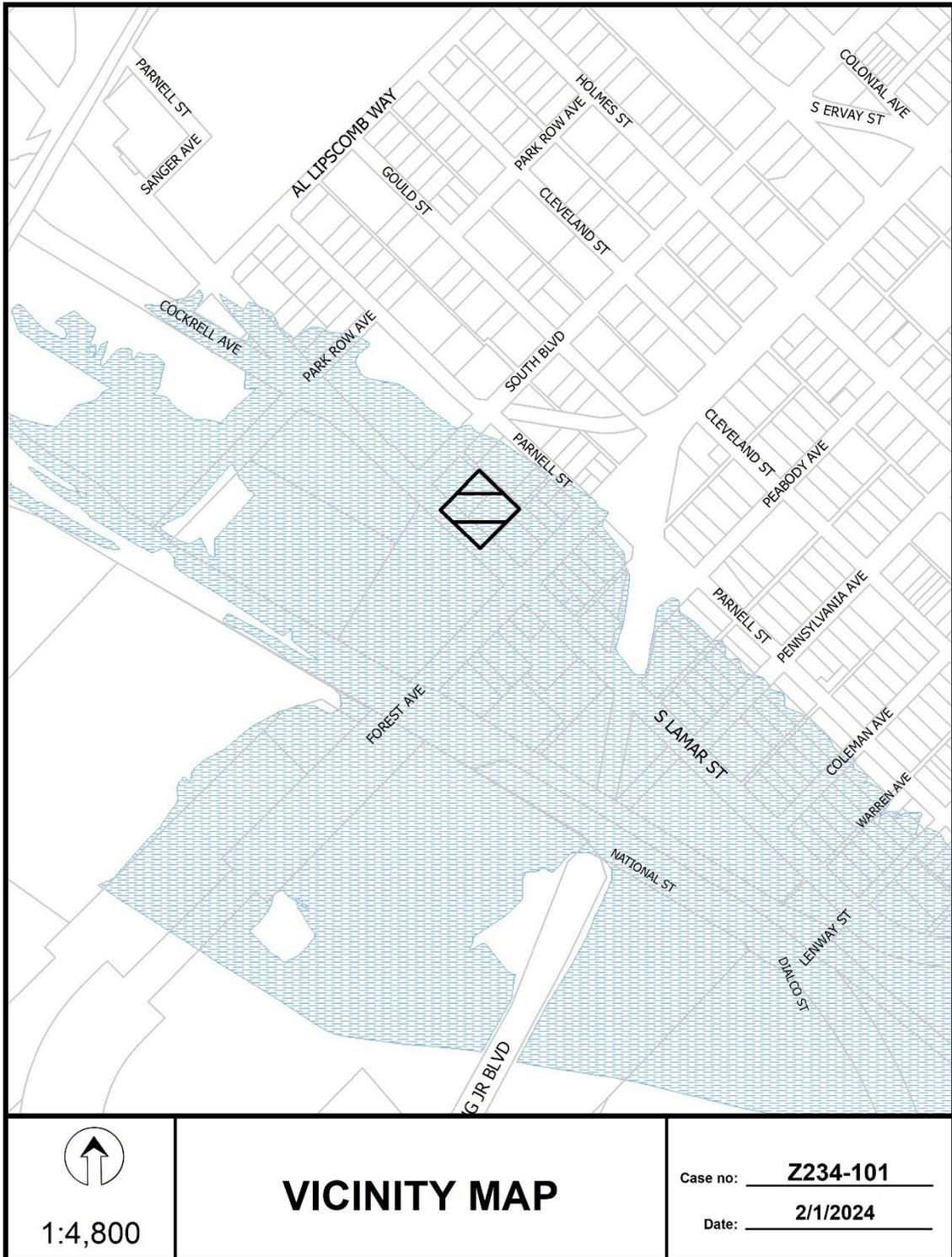
9. Maintenance: The Property must be properly maintained in a state of good repair and neat appearance.

10. 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.

**PROPOSED SITE PLAN (ENLARGED)
(With Staff's Recommended Revisions)**



- Plan needs to be to scale at 18x24 size
- Plan needs site data table showing required and provided parking
- Plan needs to show only request area, or label remainder of plan as 'not a part of request'
- Plan needs to show striping for a minimum of 27 required parking spaces



1:4,800

VICINITY MAP

Case no: Z234-101

Date: 2/1/2024



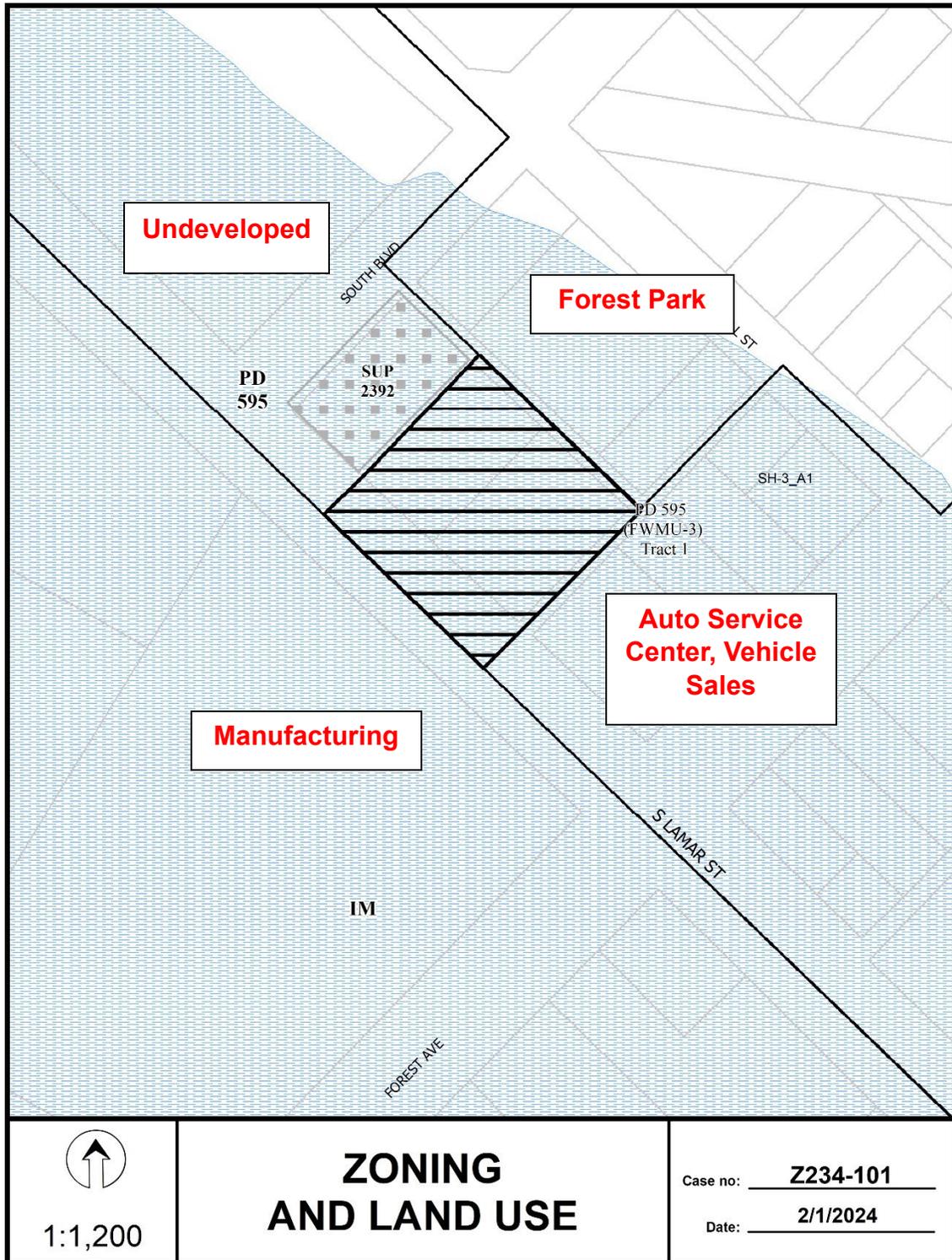
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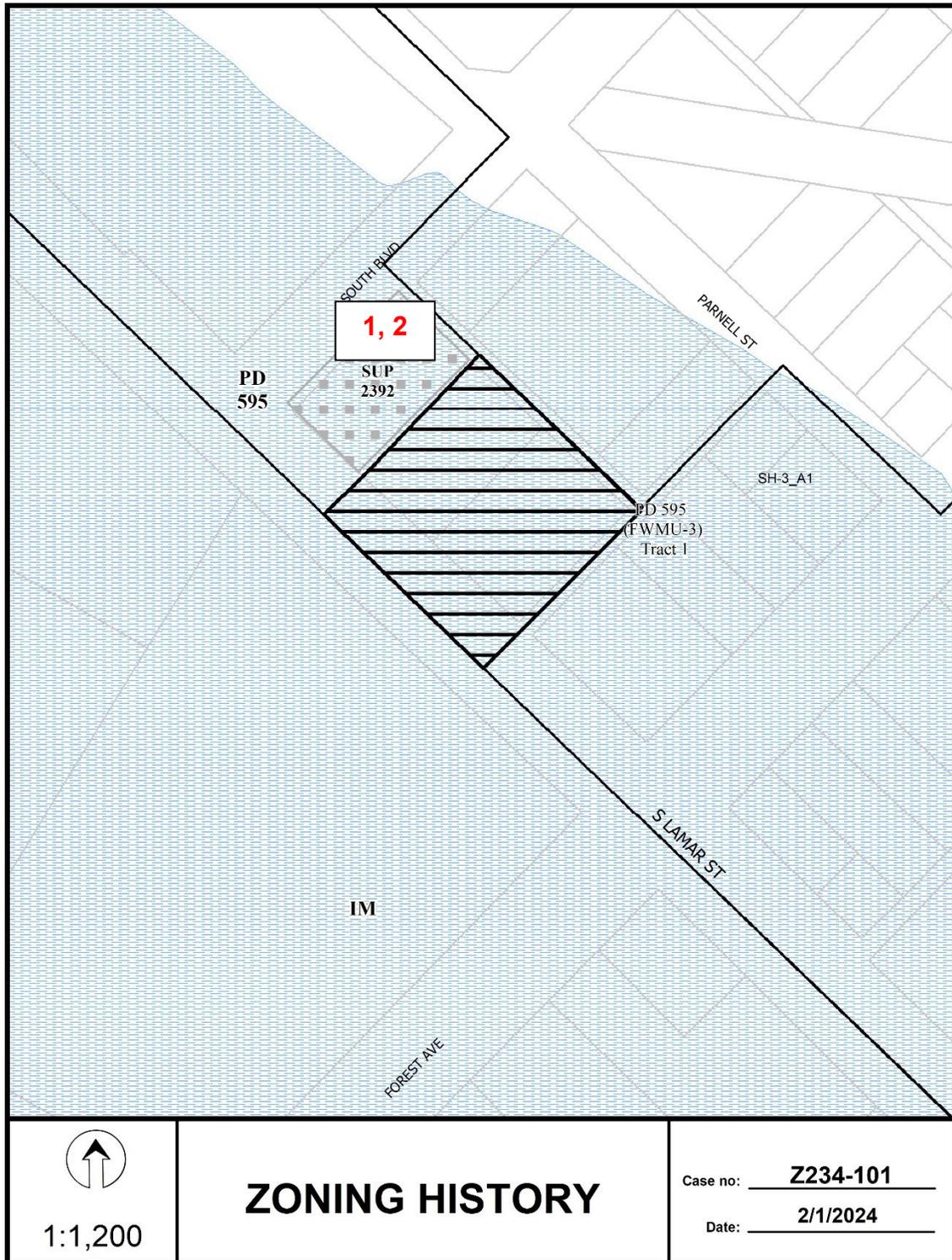
AERIAL MAP

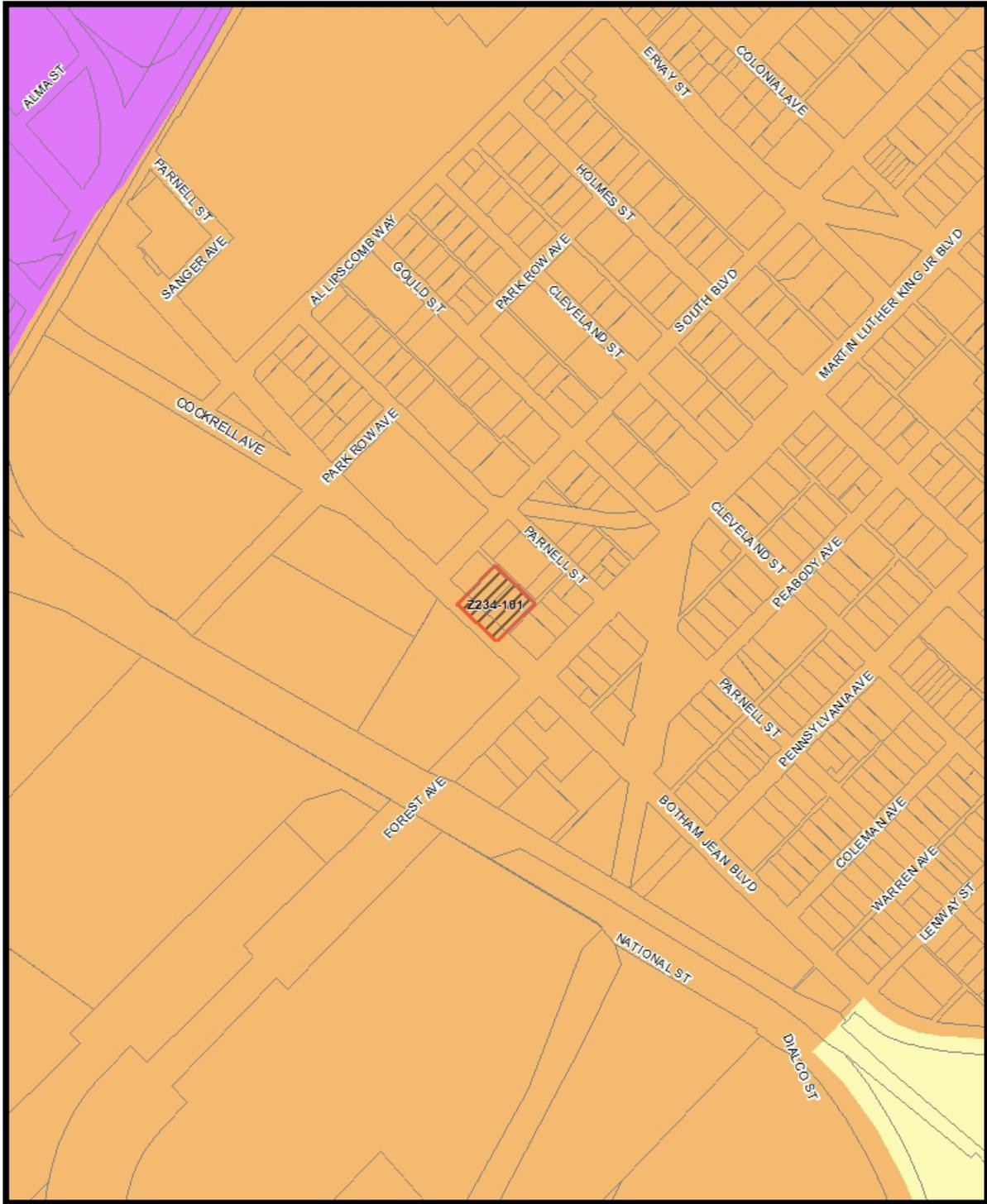
Case no: Z234-101

Date: 2/1/2024









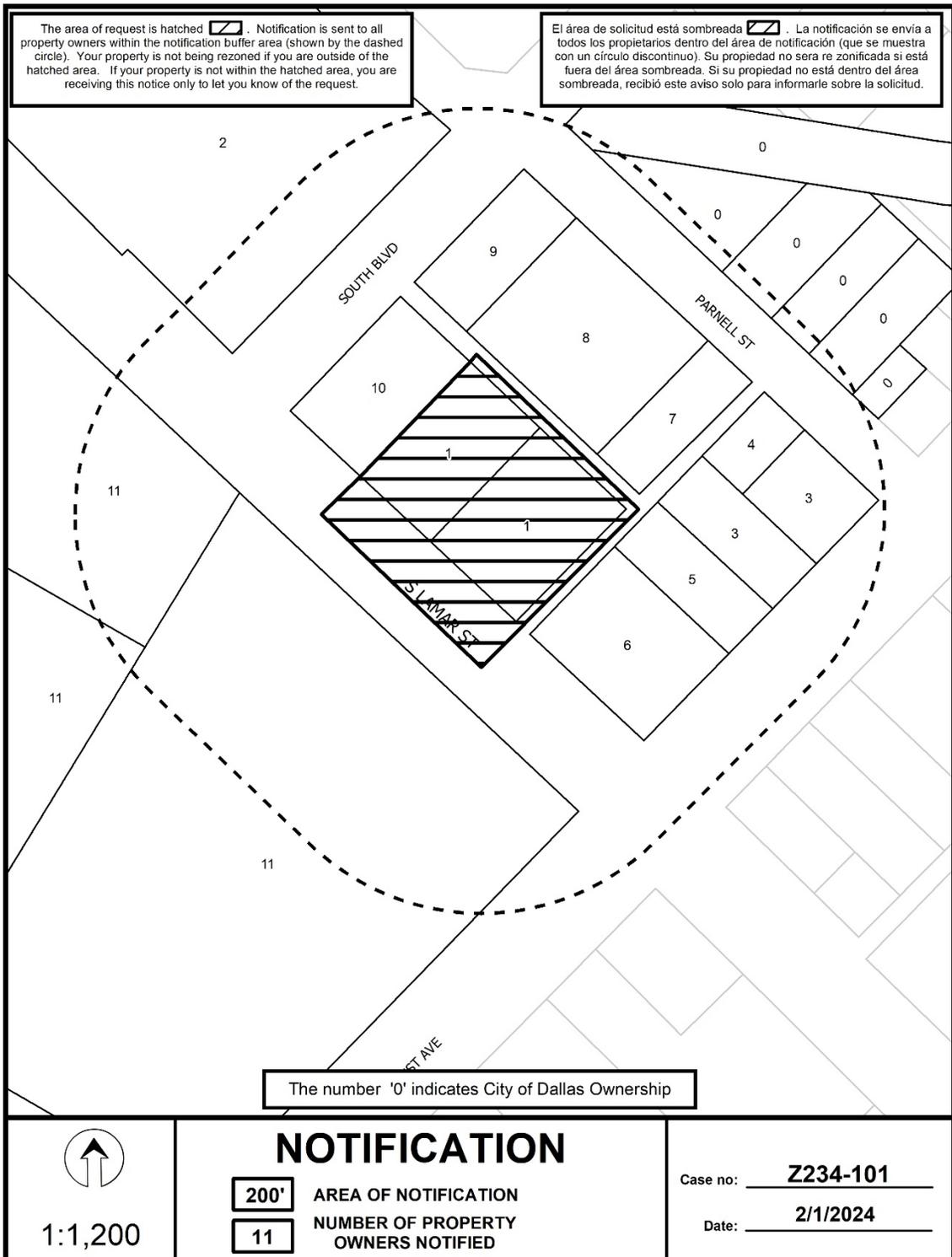
Market Value Analysis A B C D E F G H I NA



1:4,800

Market Value Analysis

Printed Date: 2/1/2024



Z234-101(GB)

01/31/2024

Notification List of Property Owners

Z234-101

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2910 BOTHAM JEAN BLVD	LOVEJOY KEVIN BROOKS
2	1200 PARK ROW AVE	CCH LAMAR PARTNERS I LP
3	1217 FOREST AVE	GEOFFREY SECURITY SVCS
4	2923 PARNELL ST	WAEYENBERGE CAMILLA VAN
5	1209 FOREST AVE	Taxpayer at
6	2928 BOTHAM JEAN BLVD	Taxpayer at
7	2915 PARNELL ST	Taxpayer at
8	2909 PARNELL ST	HARRIS AND HARRIS PROPERTIES LLC
9	2901 PARNELL ST	W2E INVESTMENTS LLC
10	2900 BOTHAM JEAN BLVD	MELISSA INVESTMENTS LLC
11	2927 BOTHAM JEAN BLVD	CCH LAMAR PARTNEERS I LP