

HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY, SEPTEMBER 25, 2019
ACM: Majed Al-Ghafry

FILE NUMBER: Z189-276(CY)

DATE FILED: May 22, 2019

LOCATION: North side of Elm Street, west of North Crowds Street

COUNCIL DISTRICT: 2

MAPSCO: 45 M

SIZE OF REQUEST: ± .79 acres

CENSUS TRACT: 204.00

OWNER: Belmor Corporation

APPLICANT: Whitney Barlow, Trees

REPRESENTATIVE: Audra Buckley, Permitted Development

REQUEST: An application for the renewal of Specific Use Permit No. 1757 for a bar, lounge, or tavern 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 District.

SUMMARY: The purpose of the request is to continue the operation of an existing bar, lounge or tavern use with live music venue [Trees] on the subject site.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

BACKGROUND INFORMATION:

- The area of request is zoned Tract A within PD No. 269 and SUP No. 1757 for a bar, lounge, or tavern, and an inside commercial amusement limited to a live music venue.
- The Dallas Development Code, defines a bar, lounge, or tavern as an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue from the service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premise consumption.
- PDD No. 269 defines a live music venue as an inside commercial amusement use, primarily for the performance of live, (not recorded) music for an audience. A use having a dance hall license pursuant to Chapter 14 of the Dallas City Code, as amended, is not a live music venue
- The site is currently developed with a one-story approximately 6,220-square-foot building. The main floor contains approximately 5,000 square feet and an interior mezzanine contains approximately 1,220 square feet.
- SUP No. 1757 was approved by City Council on June 10, 2009 for a two-year period.
- On May 25, 2011, the City Council approved a renewal of SUP No. 1757 for a three-year period.
- On August 13, 2014, the City Council approved a renewal of SUP No. 1757 for a five-year period with eligibility for automatic renewals for additional five-year periods [Expires August 13, 2019].
- The applicant missed the time period to submit the application for an automatic renewal resulting in the application for a renewal of the SUP.
- The existing site plan is in compliance and no changes are proposed.

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

1. **Z145-114**, On January 28, 2015, the City Council approved an amendment and the renewal of Specific Use Permit No. 2019 for a bar, lounge, or tavern use and an inside commercial amusement limited to a live music venue, for a two-year period on property located on the south side of Elm Street, east of North Good Latimer Expressway, southwest of the area of request.

2. **Z145-121**, On February 2, 2015, the City Council approved an amendment and the renewal of Specific Use Permit No. 1783 for a bar, lounge, or tavern use for a five-year period on property located on the south line of Elm Street, West of Crowds Street, southeast of the area of request.
3. **Z145-249**, On August 12, 2015, the City Council approved an amendment to Specific Use Permit No. 2050 for a bar, lounge, or tavern use for a two-year period on property located on the south side of Elm Street, west of North Crowds Street, southeast of the area of request.
4. **Z156-230**, On June 22, 2016, the City Council approved the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern for four-year period on property located on the south line of Elm Street, east of Good Latimer Expressway, southwest of the area of request.
5. **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 for a three-year period on property on the south side of Elm Street, west of North Crowds Street, southeast of the area of request.
6. **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 for a three-year period on property on the south line of Elm Street, west of North Crowds Street, southeast of the area of request.
7. **Z167-277**, On August 9, 2017, the City Council approved Specific Use Permit No. 2252 for a bar, lounge, or tavern use and an inside commercial amusement limited to a live music venue use for a two-year period on property on the north side of Elm Street, west of North Crowds Street, east of the area of request.
8. **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 for a three-year period on property on the south corner of Elm Street and North Crowds Street, southeast of the area of request.
9. **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 an inside commercial amusement limited to a live music venue use for a three-year period on property on the south line of Elm Street, west of Crowds Street, southeast of the area of request.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW	Required ROW
Elm Street	Community Collector	60 ft.	60 ft.

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested renewal and determined it will not significantly impact the surrounding street system.

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 request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

Goal 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas

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.

Area Plans

THE 360 PLAN

The 360 Plan, adopted by Council in 2017, is an update to 2011's Downtown Dallas 360. Since its adoption in 2011, many of Downtown Dallas 360's action items have been completed or substantially advanced. Therefore, in June 2015, an update process was initiated by Downtown Dallas, Inc. (DDI) and the City of Dallas to create The 360 Plan to further advance the original vision and guide the future of the City Center for the next five years. The 360 Plan envisions a prosperous future for the larger City Center, encompassing the diverse neighborhoods within a 2.5-mile radius around Downtown.

The Plan identifies a strong collection of mutually-supportive districts within the City Center, each of these districts possess unique character and opportunity to improve accessibility via walking, bicycle, streetcar, light rail, bus, or automobile. Deep Ellum is identified as one of the Core / Supporting Districts for its "many nightclubs, eclectic restaurants, performance venues, art galleries and creative office uses that together form a vibrant entertainment destination."

The applicant's request is consistent with the goals and policies of the Dallas 360 Area Plan because it contributes to the balance of uses existing in the Deep Ellum neighborhood.

Land Use:

	Zoning	Land Use
Site	Tract A PD No. 269 & SUP No. 1757	Bar, lounge or tavern and inside commercial amusement limited to a live music venue
North	Tract A PD No. 269	Parking lot
East	Tract A PD No. 269 & SUP No. 2252	Restaurant.
South	Tract A PD No. 269	Restaurant, alcoholic beverage establishment
West	Tract A PD No. 269 with H/51	Restaurant, multifamily

Land Use Compatibility:

The purpose of the request for the renewal of Specific Use Permit No. 1757, is to allow the continued operation of a bar, lounge or tavern and an inside commercial amusement limited to a live music venue use within the existing structure. The site plan is not changing from the previously approved renewal of the SUP.

The area of request is within tract A of PD No. 269, the Deep Ellum/Near East Side District. This area provides for a 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 the area, thus permitting foot and bike traffic to benefit from the mix of uses.

The subject site is currently developed with a one-story approximately 6,220-square-foot building. The main floor contains approximately 5,000 square feet and an interior mezzanine contains approximately 1,220 square feet. According to the Dallas Central Appraisal District, the building was constructed in 1925.

Land uses surrounding the area of request include a parking lot and a multifamily building with ground-story restaurant to the north and west, across July Alley; further west there is a public school use. A mix of restaurant uses, general merchandise and a vacant building surround the site to the east, southeast, south and southwest.

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 bar, lounge, or tavern use with live music venue contributes to the character of the neighborhood and it is not foreseen to have a negative impact in the surrounding uses. Staff recommends approval for a five-year period with eligibility for automatic renewals for additional five-year periods.

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; however, it is in proximity to an “E” MVA Cluster to the southwest, across Elm Street.

Parking:

Based on the total square footage of 6,220 square feet, and per the parking requirement for both uses of one space for every 100 square feet, a total of 62 spaces are required $[6,220/100 = 62.2]$.

Plan Development District No. 269, includes a provision that indicates that no parking is required for the first 2,500 square feet of an original building.¹ The existing building meets the criteria to be considered an original building. This provides for a reduction of 25 parking spaces for the use. $[2,500/100 = 25 \text{ spaces}]$.

¹ Sec.51P-269.104.(c)(27) defines an original building as a building constructed on or before June 27, 1984, with a floor area which has not since June 27, 1984, been increased by more than:

- (a) 150 percent if the increase is 5,000 square feet or less; or
- (b) 100 percent if the increase is more than 5,000 square feet. An original building damaged or destroyed on or before June 27, 1984, other than by the intentional act of the owner or his agent, may be restored after that date without losing its original building status.

Additionally, the parking regulations in PD No. 269 includes a parking reduction provision that indicates that the off-street parking requirement for uses located within one-fourth mile of a DART light-rail station may be reduced by 10 percent. The subject site meets the distance requirement to the Deep Ellum DART station. This provides for an additional reduction of 6 spaces. $[62 \times 10\% = 6.2 \sim 6 \text{ spaces}]$.

With a total reduction of 31 spaces, the overall off-street parking requirement for the use is 31 parking spaces. As depicted on the SUP site plan, a total of 28 off-street parking spaces are provided, and 3 additional on-street parking spaces² for a total of 31 parking spaces provided.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed.

Dallas Police Department:

Staff requested a report of site-related crime statistics for a time period starting August 2014 [last SUP renewal] to date. The list of reported crime statistics obtained includes a total of 103 calls placed to the emergency call system, five offenses and 14 arrests. The report is provided below:

CALLS:

Master_Incident_Number	Response_Date	Response_Time	Problem	Priority_Description	Location_Name	Address
14-1673325	8/27/2014	11:42:00 PM	6X - Major Dist (Violence)	2 - Urgent		2709 Elm St
14-1883021	9/27/2014	1:02:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
14-1952386	10/6/2014	12:41:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
14-2300017	11/25/2014	9:28:00 PM	07 - Minor Accident	3 - General Service	TREES	2709 Elm St
14-2413756	12/13/2014	12:53:00 AM	46 - CIT	2 - Urgent	TREES CLUB	2709 Elm St
15-0284707	2/12/2015	9:23:00 PM	07 - Minor Accident	3 - General Service	parking lot.	2709 Elm St
15-0360776	2/24/2015	1:30:00 PM	12B - Business Alarm	3 - General Service		2709 Elm St
15-0383273	2/27/2015	11:05:00 PM	40/01 - Other	2 - Urgent	TREES	2713 Elm St
15-0561074	3/26/2015	1:58:00 AM	41/11B - Burg Busn in Progress	1 - Emergency	tree's club	2709 ELM ST
15-0564173	3/26/2015	2:49:00 PM	12B - Business Alarm	3 - General Service	TREES INC	2709 Elm St
15-0656354	4/7/2015	9:23:00 PM	40 - Other	3 - General Service	TREES	2709 Elm St
15-0664256	4/8/2015	11:36:00 PM	31 - Criminal Mischief	4 - Non Critical	TREES	2709 Elm St
15-0757033	4/21/2015	4:28:00 PM	12B - Business Alarm	3 - General Service	TREES INC.	2709 Elm St
15-0832398	5/2/2015	12:39:00 AM	6X - Major Dist (Violence)	2 - Urgent	ZINIS PIZZA	2709 Elm St
15-0839990	5/3/2015	12:51:00 AM	6X - Major Dist (Violence)	2 - Urgent	Trees nightclub	Elm St / N Crowdus St
15-1049663	5/30/2015	11:19:00 PM	40 - Other	3 - General Service	TREES	2700 Elm St
15-1246342	6/24/2015	6:38:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES;	2709 Elm St
15-1273194	6/28/2015	12:56:00 AM	20 - Robbery	2 - Urgent	TREES	2709 Elm St

² PD No. 269, allows for on-street parking to count towards the required off-street parking requirement

CALLS (cont.)

15-1310907	7/2/2015	10:22:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES BAR	2709 ELM ST
15-1377456	7/11/2015	1:20:00 AM	32 - Suspicious Person	2 - Urgent	TREES BAR	2709 ELM ST
15-1460389	7/21/2015	9:29:00 PM	06 - Minor Disturbance	4 - Non Critical	TREES BAR	2709 Elm St
15-1650898	8/15/2015	7:28:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES BAR	2709 Elm St
15-1921570	9/21/2015	12:41:00 AM	40 - Other	3 - General Service	TREES BAR	2709 Elm St
15-2007708	10/2/2015	10:42:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
15-2014799	10/3/2015	10:05:00 PM	34 - Suicide	2 - Urgent	TREES	2709 Elm St
15-2043412	10/8/2015	12:45:00 AM	6XA - Major Dist Ambulance	2 - Urgent	trees bar	2709 Elm St
15-2144824	10/22/2015	4:10:00 PM	46 - CIT	2 - Urgent		2709 Elm St
15-2141281	10/22/2015	2:09:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	2708 Elm St
15-2181002	10/28/2015	1:20:00 AM	12B - Business Alarm	3 - General Service	WHITNEY TREE	2709 Elm St
15-2288510	11/12/2015	10:42:00 PM	40/01 - Other	2 - Urgent	TREES BAR	2709 Elm St
15-2342727	11/20/2015	9:35:00 PM	40 - Other	3 - General Service	TREES BAR	2709 Elm St
15-2475687	12/10/2015	9:08:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES BAR	2709 Elm St
15-2531856	12/18/2015	10:40:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
16-0097496	1/15/2016	11:58:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES ON ELM ST	2709 Elm St
16-0109876	1/18/2016	2:25:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	Elm St / N Malcolm X Blvd
16-0109926	1/18/2016	2:38:00 AM	7X - Major Accident	2 - Urgent	TREES ON ELM	2709 Elm St
16-0454257	3/9/2016	12:29:00 AM	6M - Loud Music Disturbance	4 - Non Critical	TREES	Elm St / N Malcolm X Blvd
16-0516181	3/18/2016	3:13:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
16-0552667	3/23/2016	3:19:00 PM	12B - Business Alarm	3 - General Service	WHITNEY TREES	2709 Elm St
16-0661026	4/7/2016	11:30:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
16-0974299	5/21/2016	2:34:00 AM	46 - CIT	2 - Urgent	TREES	2709 Elm St
16-1068541	6/2/2016	3:59:00 PM	6X - Major Dist (Violence)	2 - Urgent		2709 Elm St
16-1179375	6/17/2016	12:32:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
16-1359252	7/10/2016	1:20:00 AM	6X - Major Dist (Violence)	2 - Urgent	FUZZYS TACO SHOP	2709 Elm St
16-1484444	7/27/2016	10:40:00 PM	07 - Minor Accident	3 - General Service	TREES	2709 Elm St
16-1559268	8/6/2016	11:57:00 PM	6X - Major Dist (Violence)	2 - Urgent		2709 Elm St
16-1585801	8/10/2016	5:44:00 PM	12B - Business Alarm	3 - General Service	WHITNEY TREES	2709 Elm St
16-2121494	10/24/2016	12:06:00 PM	6X - Major Dist (Violence)	2 - Urgent	tree's	2709 Elm St
16-2163307	10/30/2016	3:47:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
16-2182570	11/1/2016	10:44:00 PM	12B - Business Alarm	3 - General Service	trees	2709 Elm St
16-2221532	11/7/2016	3:55:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
16-2386951	12/2/2016	10:41:00 PM	6XA - Major Dist Ambulance	2 - Urgent		2709 Elm St
16-2387045	12/2/2016	10:59:00 PM	6XA - Major Dist Ambulance	2 - Urgent	TREES	2709 Elm St
17-0200891	1/31/2017	11:10:00 PM	6X - Major Dist (Violence)	2 - Urgent	fuzzy's taco shop	2709 Elm St
17-0354986	2/23/2017	2:05:00 AM	14 - Stabbing, Cutting	1 - Emergency	TREES NIGHTCLUB	2709 Elm St
17-0384414	2/27/2017	4:37:00 PM	40/01 - Other	2 - Urgent	TREES	2709 Elm St
17-0602178	3/31/2017	1:18:00 AM	40 - Other	3 - General Service	TREES	2709 Elm St
17-0760789	4/22/2017	2:36:00 PM	6X - Major Dist (Violence)	2 - Urgent	trees	2709 ELM ST
17-1097290	6/9/2017	8:09:00 PM	40/01 - Other	2 - Urgent	THE TREE	2709 Elm St
17-1221906	6/28/2017	1:37:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
17-1304109	7/9/2017	2:28:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES OF DALLAS	2709 ELM ST
17-1486324	8/5/2017	3:05:00 AM	6M - Loud Music Disturbance	4 - Non Critical	trees	2709 Elm St

CALLS (cont.)

17-1511374	8/8/2017	11:54:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
17-1672543	9/2/2017	12:13:00 AM	30/01 - ODO w/Prisoner	2 - Urgent		2709 Elm St
17-1939462	10/11/2017	11:59:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
17-1974495	10/17/2017	1:38:00 AM	6X - Major Dist (Violence)	2 - Urgent		2709 Elm St
17-2087627	11/3/2017	1:11:00 AM	6XA - Major Dist Ambulance	2 - Urgent	TREES	Elm St / July Aly
17-2108424	11/5/2017	10:17:00 PM	34 - Suicide	2 - Urgent		2709 Elm St
17-2188795	11/18/2017	3:45:00 AM	40/01 - Other	2 - Urgent	Trees Club	2709 Elm St
17-2446942	12/29/2017	5:27:00 PM	12B - Business Alarm	3 - General Service	TREES	2709 Elm St
18-0082878	1/14/2018	1:58:00 AM	**PD Requested by Fire	2 - Urgent	IN THE ALLEY	2709 Elm St
18-0288947	2/16/2018	11:01:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
18-0375542	3/2/2018	11:46:00 PM	07 - Minor Accident	3 - General Service	TREES	2709 Elm St
18-0655661	4/15/2018	1:10:00 AM	13 - Prowler	2 - Urgent	TREES	Elm St / N Crowdus St
18-0747511	4/29/2018	9:44:00 AM	09V - UUMV	4 - Non Critical	TREES	2709 Elm St
18-0977626	6/2/2018	1:16:00 AM	6X - Major Dist (Violence)	2 - Urgent		2709 Elm St
18-1011034	6/6/2018	9:08:00 PM	08 - Intoxicated Person	3 - General Service		2709 Elm St
18-1112733	6/21/2018	8:10:00 PM	6X - Major Dist (Violence)	2 - Urgent		2709 ELM ST
18-1276212	7/14/2018	10:59:00 PM	04 - 911 Hang Up	2 - Urgent		2709 Elm St
18-1336906	7/23/2018	11:54:00 PM	32 - Suspicious Person	2 - Urgent	TREES NIGHTCLUB	Elm St / N Crowdus St
18-1367302	7/28/2018	5:11:00 PM	04 - 911 Hang Up	2 - Urgent		2709 Elm St
18-1480665	8/15/2018	2:19:00 AM	6X - Major Dist (Violence)	2 - Urgent	FUZZY'S	2709 Elm St
18-1547871	8/24/2018	11:47:00 PM	11V - Burg Motor Veh	4 - Non Critical		2709 Elm St
18-1548087	8/25/2018	12:23:00 AM	11V - Burg Motor Veh	4 - Non Critical	TREES	2709 Elm St
18-1611120	9/3/2018	6:59:00 PM	40/01 - Other	2 - Urgent	IN FRONT TREES	2709 Elm St
18-1795206	10/2/2018	2:18:00 AM	40 - Other	3 - General Service		2709 ELM ST
18-1795159	10/2/2018	1:57:00 AM	41/20 - Robbery - In Progress	1 - Emergency		2709 Elm St
18-1822866	10/6/2018	2:46:00 AM	12B - Business Alarm	3 - General Service	TREES	2709 Elm St
18-1907077	10/19/2018	1:46:00 PM	24 - Abandoned Property	4 - Non Critical		2709 Elm St
18-1954598	10/26/2018	11:27:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES	2700 Elm St
18-2024535	11/6/2018	7:21:00 PM	40 - Other	3 - General Service	TREES	2709 Elm St
18-2079841	11/15/2018	8:57:00 PM	40 - Other	3 - General Service	TREES	N Crowdus St / Elm St
18-2209728	12/6/2018	10:45:00 PM	40 - Other	3 - General Service	TREES	2709 Elm St
18-2223279	12/9/2018	12:56:00 AM	40/01 - Other	2 - Urgent	TREES	2709 Elm St
19-0074774	1/13/2019	2:22:00 AM	07 - Minor Accident	3 - General Service	TREES OF DALLAS	2709 Elm St
19-0132655	1/22/2019	9:29:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
19-0224044	2/7/2019	12:47:00 AM	40 - Other	3 - General Service	tree's	2709 Elm St
19-0571225	4/2/2019	1:47:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	2640 Elm St
19-0889744	5/18/2019	3:22:00 PM	6X - Major Dist (Violence)	2 - Urgent	TREES PARKING LOT	2709 Elm St
19-0936678	5/24/2019	11:12:00 PM	20 - Robbery	2 - Urgent	TREES	2708 ELM ST
19-1001512	6/3/2019	2:08:00 AM	6X - Major Dist (Violence)	2 - Urgent	TREES	2709 Elm St
19-1042552	6/8/2019	7:50:00 PM	40 - Other	3 - General Service	TREES CLUB	2709 Elm St
19-1084518	6/14/2019	2:26:00 AM	40 - Other	3 - General Service	TREES	2642 Elm St

OFFENSES:

IncidentNum	OffIncident	Premise	Address	Date1	Time1	WeaponUsed	UCR_Offense
147341-2015	ROBBERY OF BUSINESS (AGG)	Parking Lot (All Others)	2709 ELM ST	6/28/2015	12:54:00 AM	Handgun	ROBBERY- BUSINESS
132751-2016	ASSAULT (AGG) - DEADLY WEAPON	Highway, Street, Alley ETC	2709 ELM ST	6/2/2016	3:45:00 PM	Vehicle	AGG ASSAULT - NFV
158717-2016	ROBBERY OF INDIVIDUAL	Bar/NightClub/DanceHall ETC.	2709 ELM ST	6/29/2016	8:00:00 PM	Other	ROBBERY- INDIVIDUAL
090666-2018	THEFT FROM PERSON	Bar/NightClub/DanceHall ETC.	2709 ELM ST	4/30/2018	4:00:00 AM	NULL	OTHER THEFTS
188073-2018	BMV	Bar/NightClub/DanceHall ETC.	2709 ELM ST	8/24/2018	9:00:00 PM	NULL	

Z189-276(CY)

ARRESTS:

ArrestNumber	ArArrestDate	ArArrestTime	ArLAddress	NIBRS_Crime	ChargeDesc
14-054801	12/28/2014	1:00:00 AM	2709 ELM ST	SIMPLE ASSAULT	ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY
15-011704	3/26/2015	2:15:00 AM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
15-035084	8/30/2015	11:45:00 PM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
16-002274	1/18/2016	3:22:00 AM	2709 ELM ST	DUI	DWI
16-014742	4/7/2016	11:50:00 PM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
16-027480	6/22/2016	11:45:00 PM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
16-027486	6/22/2016	11:45:00 PM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
16-034190	8/7/2016	12:30:00 AM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
17-032661	8/9/2017	12:41:00 AM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
17-036229	9/3/2017	2:35:00 AM	2709 ELM ST	SIMPLE ASSAULT	ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY
18-001556	1/14/2018	2:30:00 AM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
18-019188	6/6/2018	9:15:00 PM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
18-035506	10/2/2018	2:30:00 AM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
18-035515	10/2/2018	11:00:00 PM	2709 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION

CPC Action
August 15, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1757 for a bar, lounge, or tavern and an inside commercial amusement use limited to a live music venue for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the north side of Elm Street, west of North Crowds Street.

Maker: Schulte
Second: Housewright
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson*, Shidid*,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

*out of the room, shown voting in favor

Notices:	Area: 200	Mailed: 20
Replies:	For: 2	Against: 0

Speakers: None

List of Partners/Principals/Officers

Owner:

Belmor Corporation

- Carl Skibell Director (Deceased)
- Harris Skibell Director

Applicant:

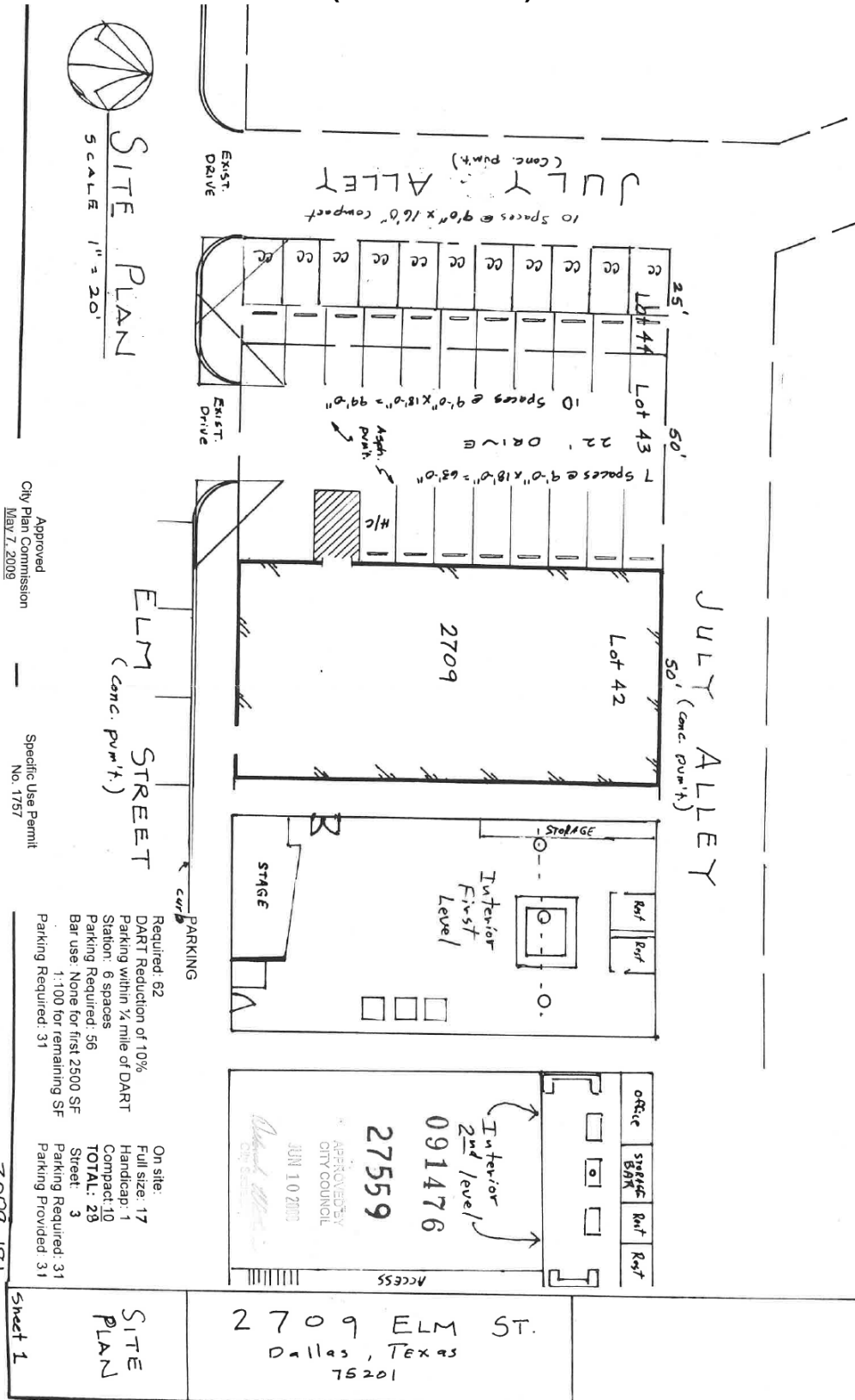
Trees

- Whitney Barlow Owner
- Clint Barlow Owner

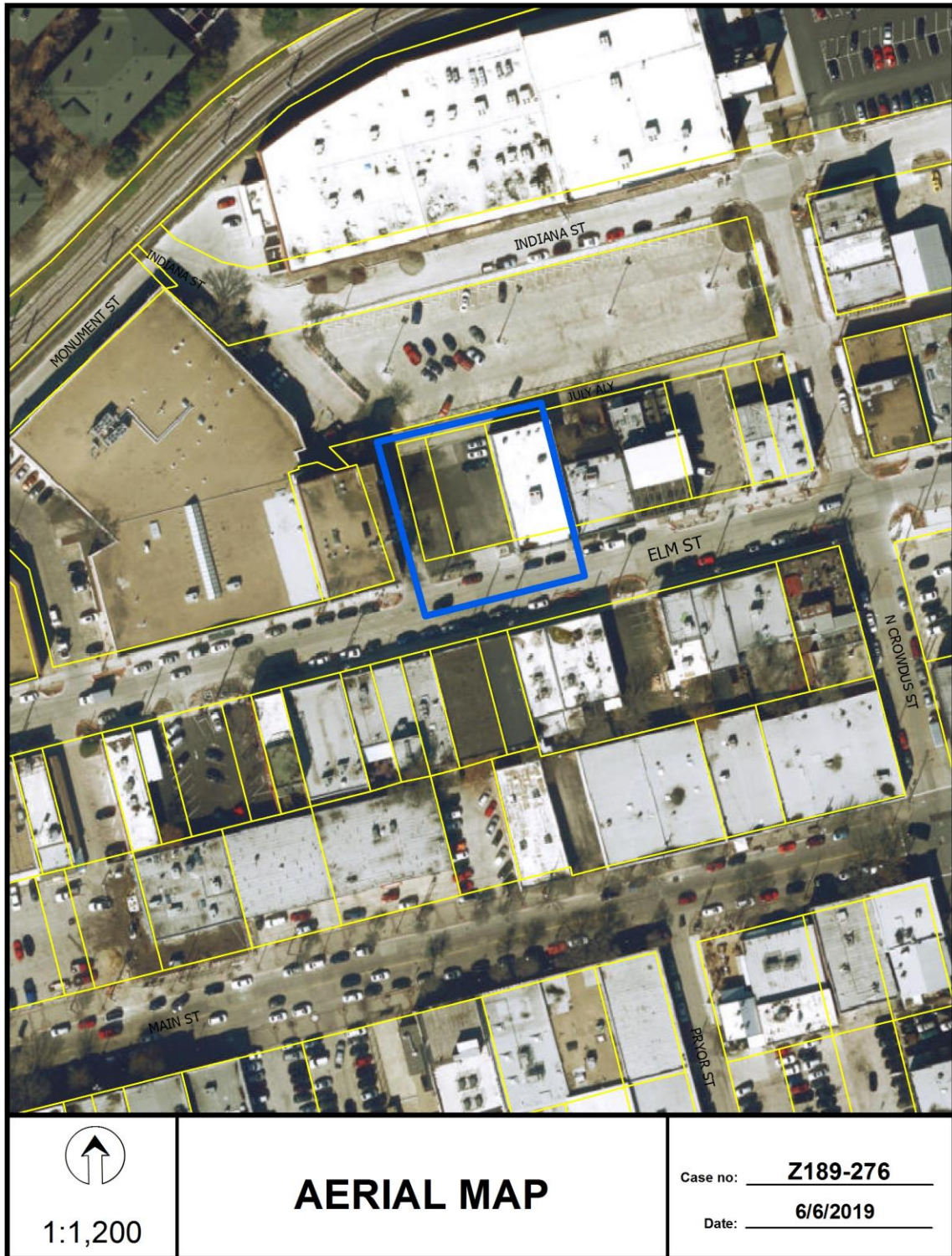
CPC RECOMMENDED CONDITIONS

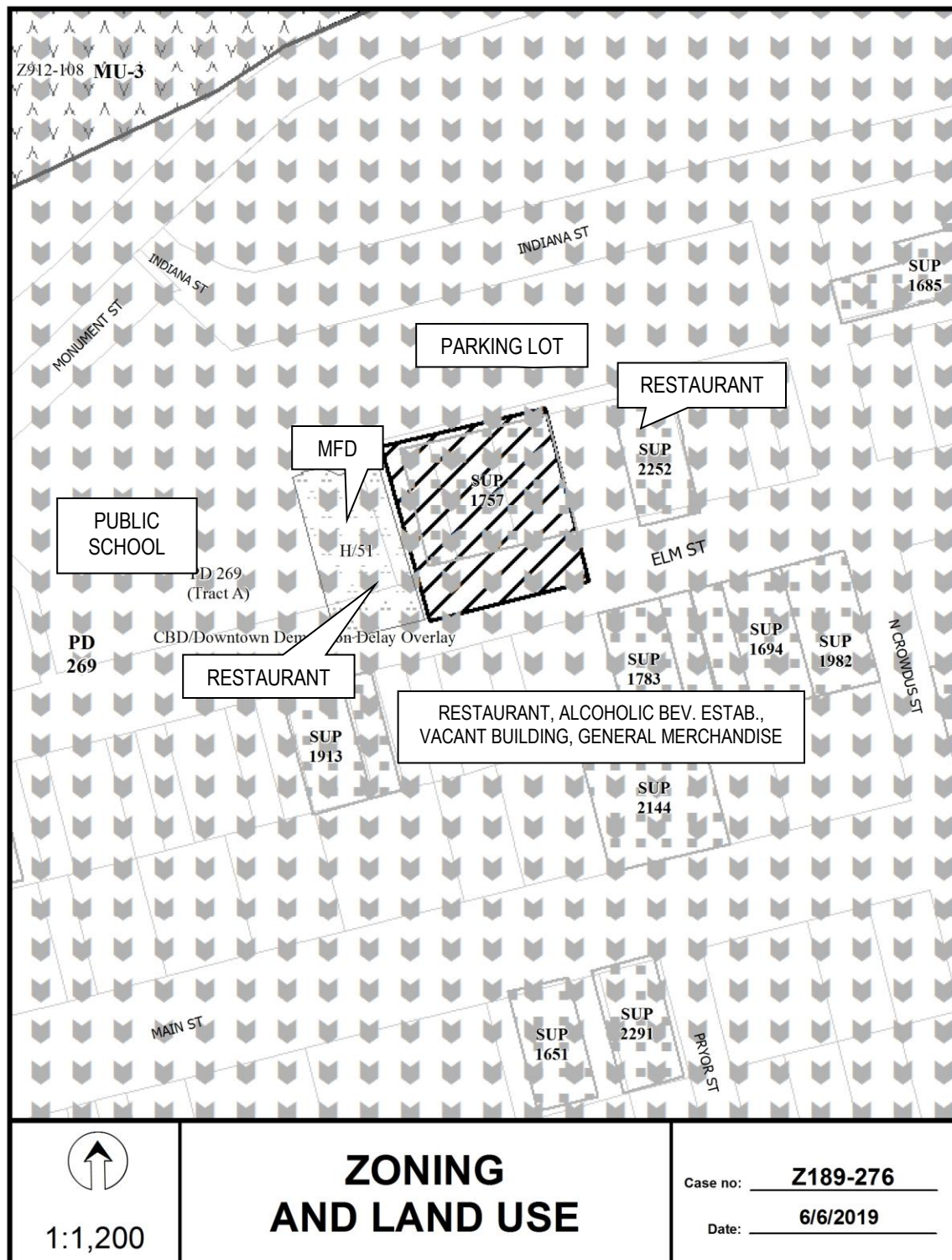
1. USE: The only uses authorized by this specific use permit are a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five-years from the passage of this ordinance) [~~August 13, 2019~~], 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.)
4. FLOOR AREA: The maximum floor area for a bar, lounge, or tavern and an inside commercial amusement use limited to a live music venue is 6,220 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The bar, lounge, or tavern and inside commercial amusement limited to a live music venue may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Thursday, and 12:00 noon and. to 2:00 a.m. (the next day), Friday through Sunday.
6. OFF-STREET PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.
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 conditions, rules, and regulations of the City of Dallas.

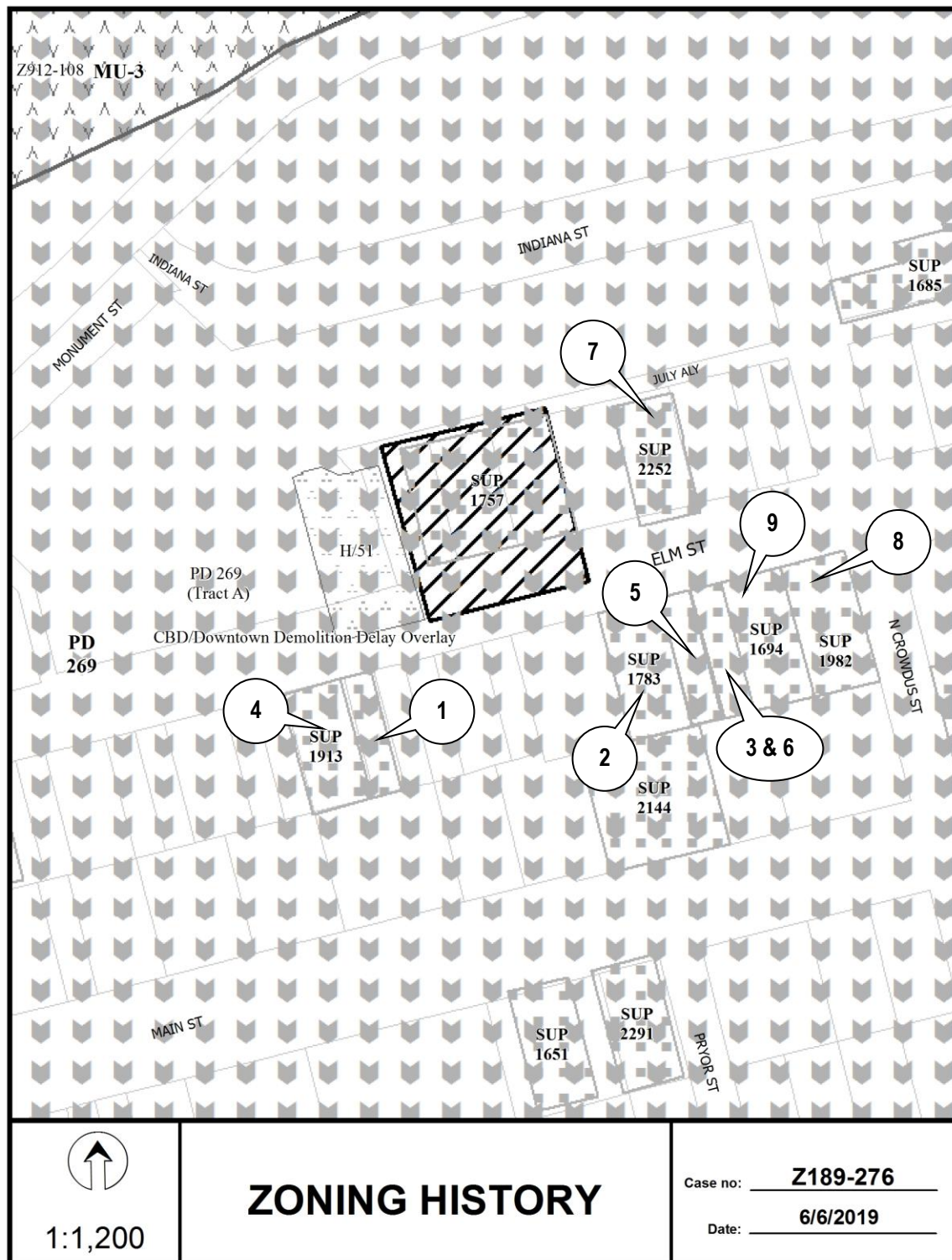
EXISTING SITE PLAN (NO CHANGES)

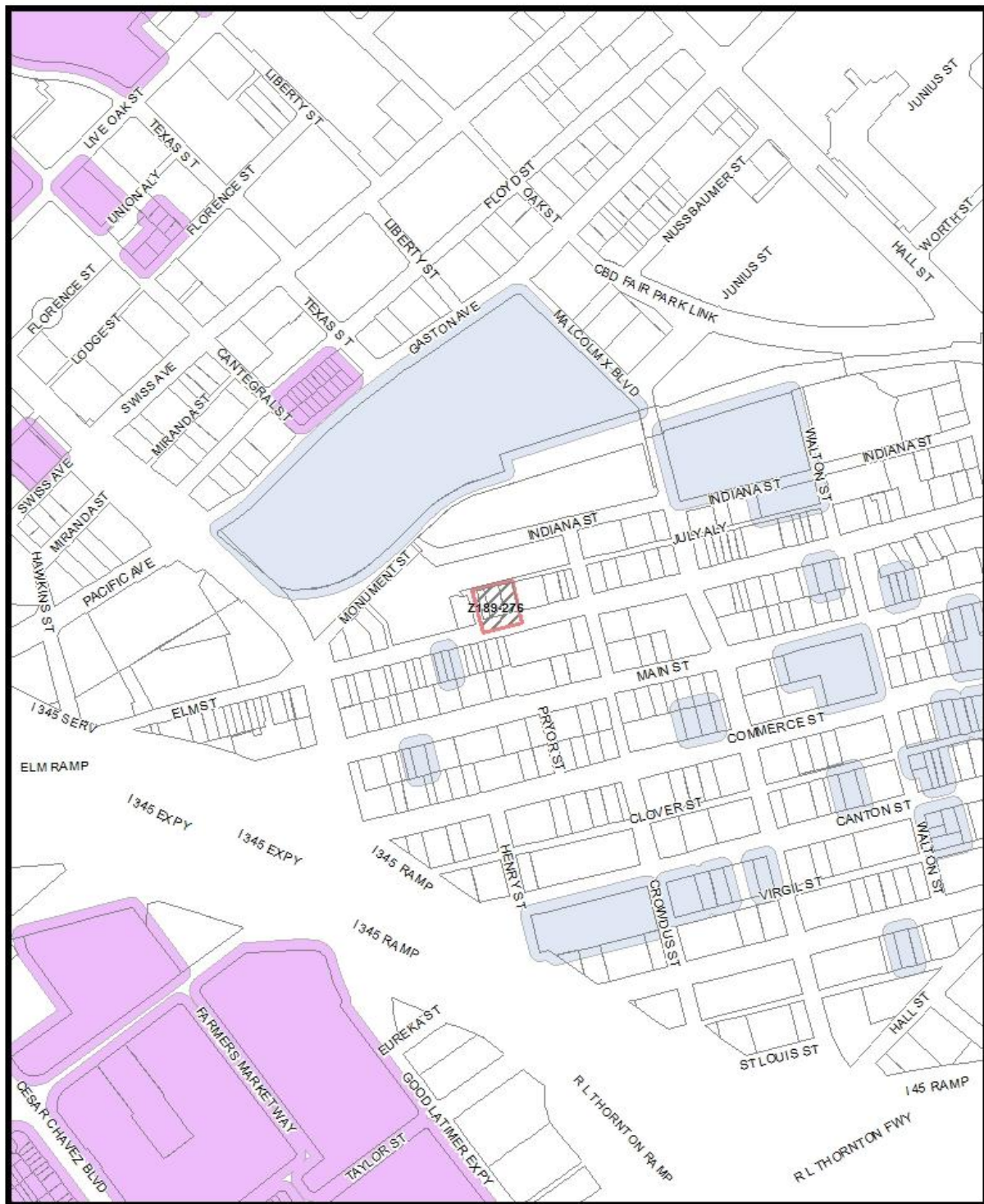












MVACluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 6/6/2019

CPC RESPONSES



<u>20</u>	Property Owners Notified (27 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>8/15/2019</u>	Date

Z189-276
CPC



1:1,200

08/14/2019

Reply List of Property Owners***Z189-276******20 Property Owners Notified******2 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2707 ELM ST	BELMOR CORP
	2	2703 ELM ST	BELMOR CORP
	3	2701 ELM ST	BELMOR CORP
O	4	2634 ELM ST	ROSE BARSHOP RESIDUARY TR
O	5	2628 ELM ST	ROSE BARSHOP RESIDUARY TR
	6	2644 ELM ST	CAMERON PAUL DARREN
	7	2635 MAIN ST	AP DEEP ELLUM LLC
	8	2638 ELM ST	MGP HOLDINGS LLC
	9	2634 ELM ST	BAZZLE S WAYNE &
	10	2642 ELM ST	LALCO INC
	11	2650 ELM ST	ELM ELM LLC
	12	2625 ELM ST	UPLIFT EDUCATION
	13	2724 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	14	2704 ELM ST	ELM STREET REALTY LTD
	15	2715 MAIN ST	MAIN PROPERTIES LLC
	16	2707 MAIN ST	AP 2707 MAIN ST LLC
	17	2723 ELM ST	2723 ELM STREET JV
	18	2717 ELM ST	WESTDALE PPTIES AMERICA LTD
	19	2639 ELM ST	ELM STREET LOFTS LTD
	20	301 N CROWDUS ST	AP DEEP ELLUM 2 LLC