

HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY FEBRUARY 12, 2020**
ACM: Majed Al-Ghafry

FILE NUMBER:	Z189-369(CT)	DATE FILED:	September 30, 2019
LOCATION:	South corner of Gaston Avenue and Tucker Street		
COUNCIL DISTRICT:	14	MAPSCO:	37 X
SIZE OF REQUEST:	Approx. 4.27 acres	CENSUS TRACT:	1.00

APPLICANT: Lindsay Sloan, On Rotation Brewhouse
(Craft Brew Labs, Inc.)

OWNER: 7324 Gaston Ave. Ltd.

REQUEST: An application for the renewal of Specific Use Permit No. 2119 for an acholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 808.

SUMMARY: The applicant proposes to continue the operation of an existing alcoholic beverage establishment limited to a bar, lounge, or tavern use on the subject site (On Rotation Brewhouse).

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

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

BACKGROUND INFORMATION:

- The area of request is zoned Planned Development District No. 808 and is currently developed with two buildings housing retail and personal service uses.
- The applicant proposes to continue the operation of an existing alcoholic beverage establishment limited to a bar, lounge, or tavern use on the subject site (On Rotation Brewhouse).
- On March 26, 2014, City Council approved Specific Use Permit No.2119 for an acholic beverage establishment limited to a bar, lounge, or tavern use at the subject site.
- The Specific Use Permit was renewed by City Council on September 28, 2016 for a three-year period. [Expiration date: September 28, 2019]. The applicant filed the application within the time-frame of renewal.

Zoning History: There has been one zoning change for the area of request in the past five years.

- 1. Z145-216** On June 4, 2015, the City Council denied an application to create a new Planned Development District to allow a mini-warehouse use by right and increase floor area ratio on property generally located on the east line of East Grand Avenue south of Gaston Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Gaston Avenue	Community Collector	60 feet
Tucker Street	Local	30 feet
East Grand Avenue	Principal Arterial	100 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction 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. 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:

URBAN DESIGN

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Land Use:

	Zoning	Land Use
Site	PDD No. 808, SUP No. 2119	Restaurants, personal service, dry cleaners, medical office, UPS, veterinarian, etc.
North	CR & CR w/ Deed Restrictions	Retail and restaurants
East	MU-1 w/ Deed Restrictions	Liquor Store, pawn shop, and restaurant
South	R-7.5(A) & CR	Single family homes, restaurant
West	MF-2(A), R-7.5(A)	Multifamily units, single family homes

Land Use Compatibility:

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 for five years with no indication of having an adverse effect on surrounding uses.

No changes are being proposed to the site plan. The applicant plans to operate in the same manner. The existing alcoholic beverage establishment limited to a bar, lounge or tavern includes a 581-square-foot small scale beer manufacturing area. The Dallas Development Code establishes that a microbrewery, micro-distillery, or winery uses, and accessory alcoholic beverage manufacturing uses may not occupy more than 40 percent of the total floor area of the main use [(51A-4.217(a)(5).] The beer manufacturing area, which the applicant proposes to continue to use and occupy in this manner, represents a total of less than 20 percent of the overall square footage (3,200 sq. ft.).

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 shopping center which houses the use comprised of retail and personal service uses and the applicant's request is consistent with the existing zoning, the general provisions for a Specific Use Permit, and is not foreseen to have a negative impact on the surrounding properties. The existing bar, lounge, or tavern will continue to contribute to the character of the neighborhood and promote further reinvestment in the area. Staff recommends approval of the request for a three-year period to allow for a review of the use within a short time period and reevaluate the use's compatibility with surrounding uses.

Landscaping:

Landscaping of any development will be in accordance with Article X, as amended. There is no development proposed, therefore no additional landscaping is required.

Parking:

The bar, lounge, or tavern use requires one parking spaces per 100 square feet of floor area and one space per 500 square feet of floor area used for the manufacture of alcoholic beverages as an accessory use to the bar, lounge, or tavern. The 2,619-square foot building with 581-square-feet to be used to manufacture alcoholic beverages (brewery) would require 29 parking spaces. The subject site meets the required parking for the use.

Police Report:

Staff obtained reported offenses for the most recent three-year period during which the use has operated under SUP No. 2119. The list of offenses is provided below:

Date	Incident No.	Premise	Crime
4/8/2019	069845-2019	Parking (Business)	BMV
7/20/2019	146352-2019	Restaurant/Food Service/TABC Location	BURGLARY-BUSINESS
1/31/2019	020603-2019	Restaurant/Food Service/TABC Location	DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY
6/9/2019	116438-2019	Restaurant/Food Service/TABC Location	BURGLARY-BUSINESS
12/4/2017	275621-2017	Restaurant/Food Service/TABC Location	MISCELLANEOUS
1/28/2019	018482-2019	Restaurant/Food Service/TABC Location	BURGLARY-BUSINESS
1/28/2019	018594-2019	Restaurant/Food Service/TABC Location	BURGLARY-BUSINESS
5/14/2017	108260-2017	Restaurant/Food Service/TABC Location	MISCELLANEOUS

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 area of request Site is not within an identifiable MVA Category; however, it is in proximity to a "C" MVA Cluster to the north, west, and south of the subject site.

PARTNERS/OFFICERS

List of Partners/Principals/Officers

CRAFT BREW LABS, INC. dba On Rotation Brewhouse

Jacob L Sloan, President and Secretary

Lindsay G Sloan, Director

Nancy H Greer, Director

David E Greer Jr, Director

7324 GASTON AVENUE, LTD.

LO/GP 7324 Gaston Avenue, Inc.

Mack A Pogue, Chairman, Director

William C Dovall, President

Nancy A Davis, Vice President, Secretary, Treasurer

Gregory S Courtwright, Vice President

Steve Seitz, Vice President

Robert Dozier, Vice President

Leigh Ann Everett, Assistant Secretary

CPC ACTION
January 9, 2020

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2119 for an alcoholic beverage establishment limited to a bar, lounge, or tavern for a three-year period, subject to conditions (as briefed) on property zoned Planned Development District No. 808, on the south corner of Gaston Avenue and Tucker Street.

Maker: MacGregor
Second: Murphy
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Johnson, Shidid,
Carpenter, Brinson, Blair, Jung, Housewright,
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 1 - District 3

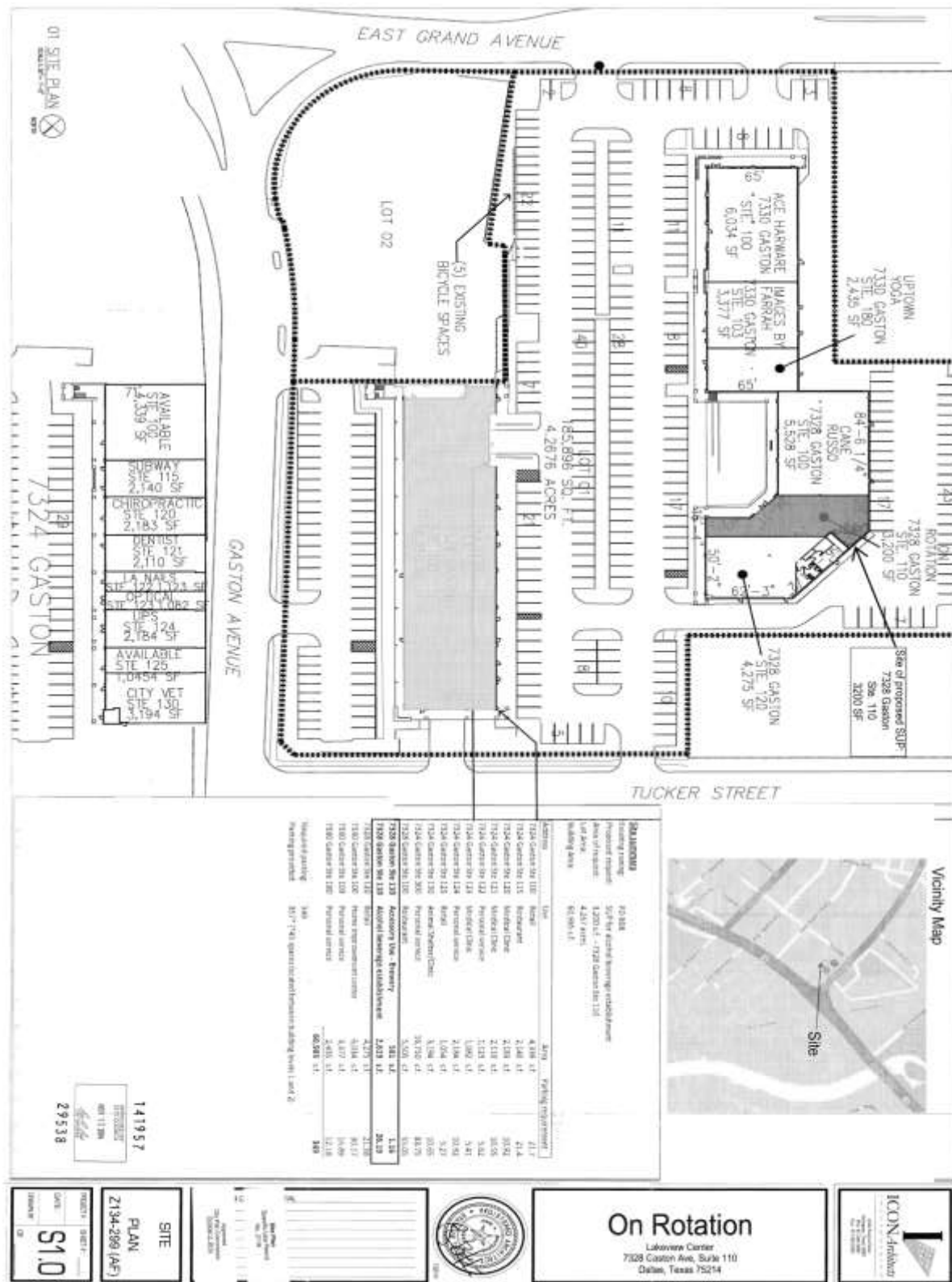
Notices: Area: 200 Mailed: 70
Replies: For: 2 Against: 0

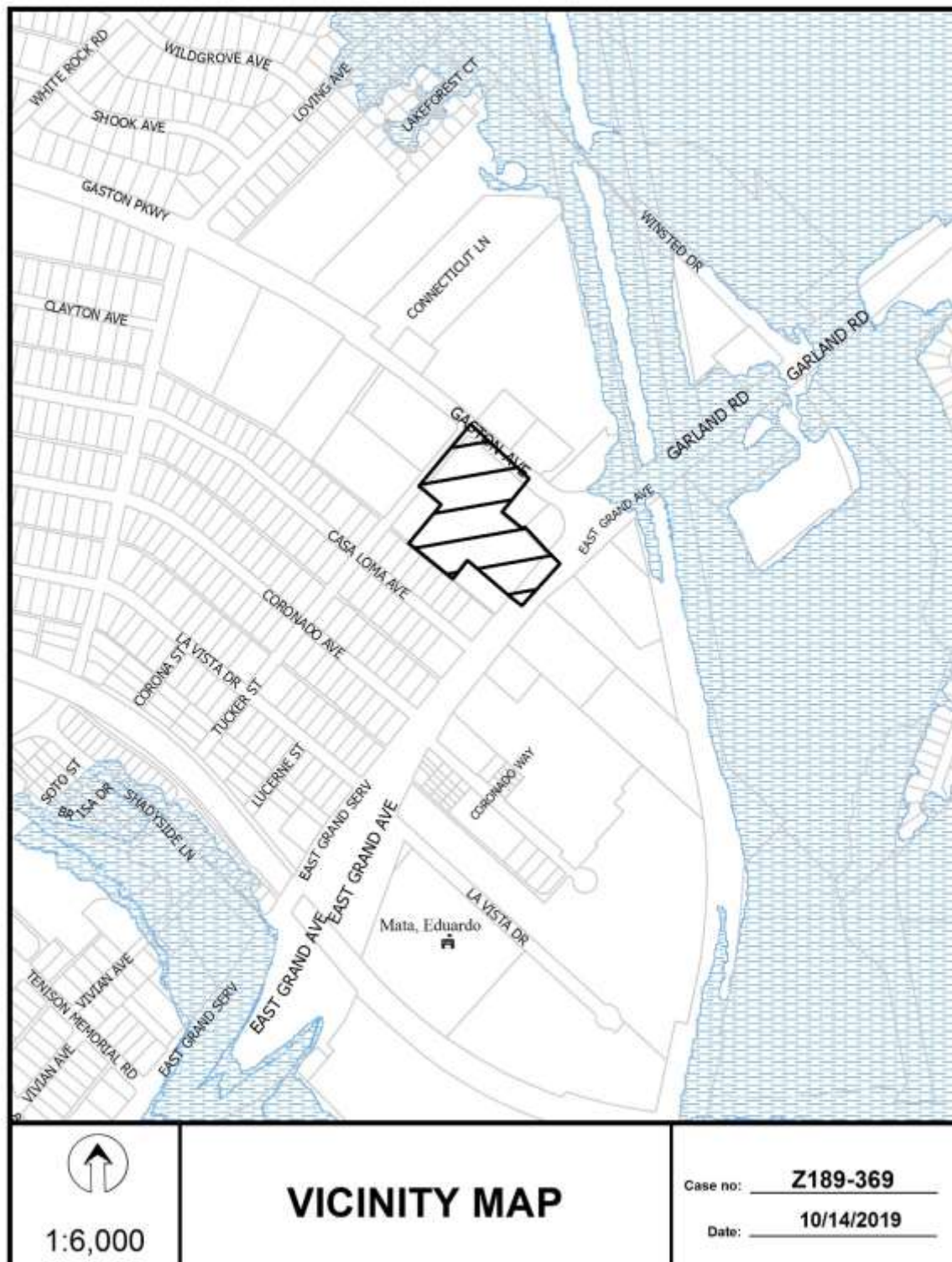
Speakers: None

CPC RECOMMENDED SUP CONDITIONS

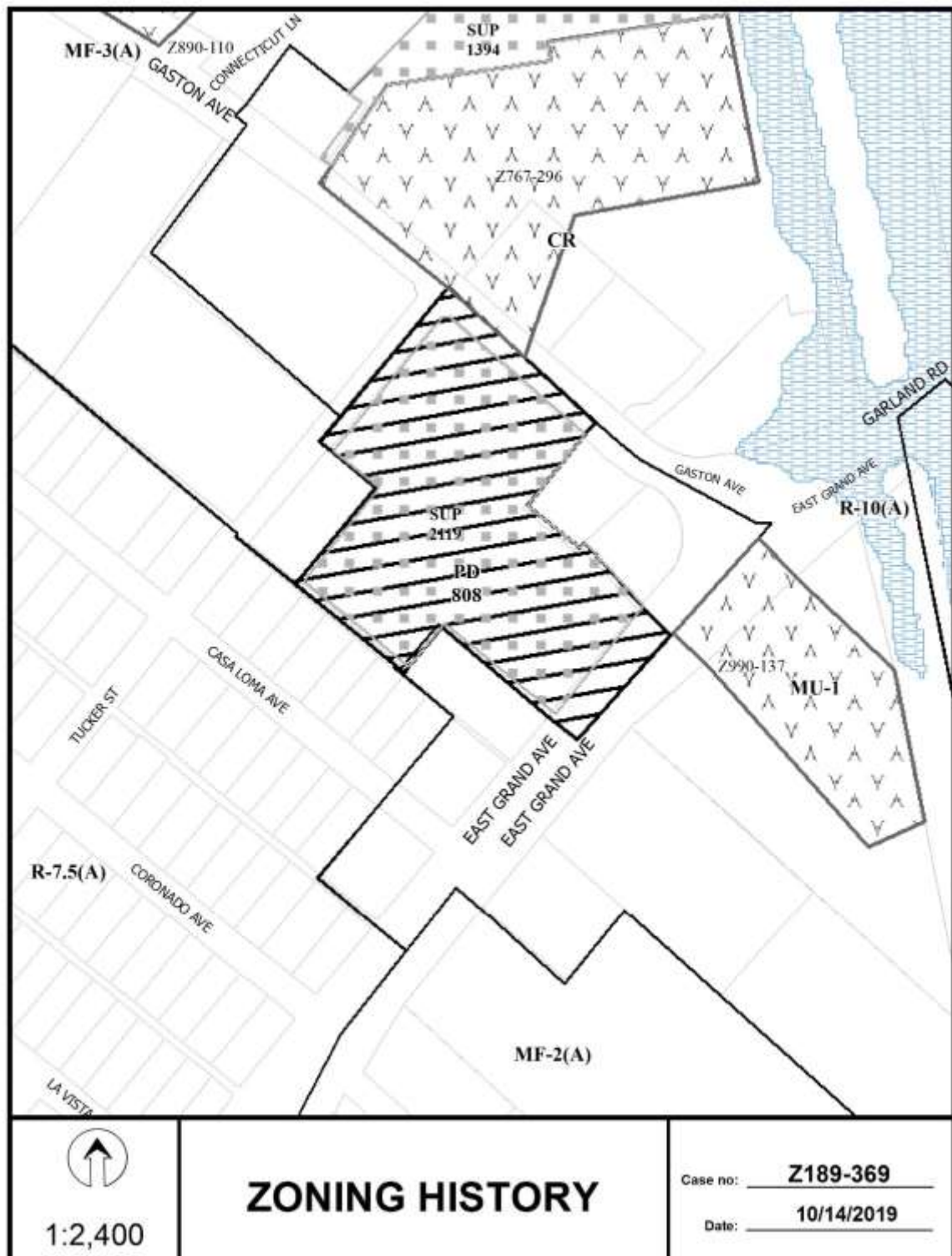
1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three years from the passage of this ordinance.
4. FLOOR AREA: Maximum floor area for the alcoholic beverage establishment limited to a bar, lounge, or tavern is 3,200 square feet.
5. HOURS OF OPERATION: The alcoholic beverage establishment limited to a bar, lounge, or tavern use may only operate between 12:00 p.m. (noon) and 10:00 p.m., Sunday through Thursday, and between 12:00 p.m. (noon) and 12:00 a.m. (midnight), Friday through Saturday.
6. OUTDOOR SPEAKERS: Outdoor speakers are prohibited.
7. OUTSIDE STORAGE: Outside storage of silos or containers of spent grain is not permitted.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. 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.

EXISTING SUP SITE PLAN (NO CHANGE)

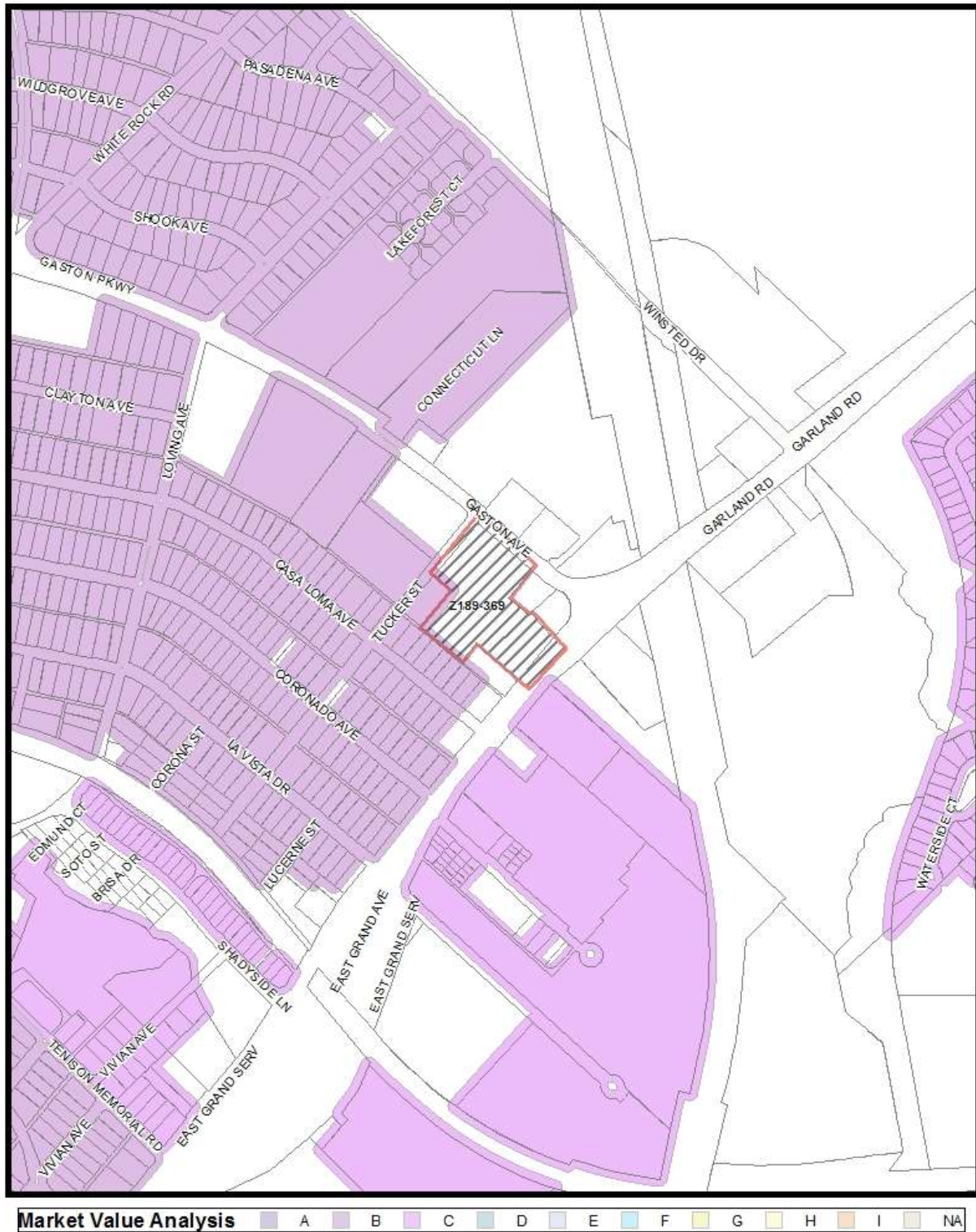








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CPC Responses



01/08/2020

Reply List of Property Owners***Z189-369******70 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	7340 GASTON AVE	7324 GASTON AVENUE LTD
	2	7515 EAST GRAND AVE	SALES MEXICO LINDO
	3	7330 GASTON AVE	7324 GASTON AVE LTD
	4	7522 EAST GRAND AVE	WRSM NO 1 LP
	5	7530 EAST GRAND AVE	WRSM NO 1 LP
	6	7530 EAST GRAND AVE	WRSM NO 1 LP
	7	7326 CASA LOMA AVE	CAMPAGNA ANTHONY J
	8	7322 CASA LOMA AVE	MORRIS ALAN W
	9	7318 CASA LOMA AVE	MBA LESLIE OBINEGBO & OBI
	10	7310 CASA LOMA AVE	RICH HARRISON & HEATHER
	11	7306 CASA LOMA AVE	ALLEN DANA L & CHRISTINE E
	12	7302 CASA LOMA AVE	BIRDI KANU & MARISSA
	13	7303 CASA LOMA AVE	SPARKS CHRISTOPHER R &
	14	7307 CASA LOMA AVE	GRIFFIN DIANA DEE
	15	7315 CASA LOMA AVE	WAKS DAVID M & AMBER K
	16	7319 CASA LOMA AVE	CULLIVAN MARISSA T
	17	7323 CASA LOMA AVE	FUERTE ASHLYN
	18	7327 CASA LOMA AVE	GRANDE ERIK
	19	7331 CASA LOMA AVE	MITROFF TWILA J
	20	7243 CASA LOMA AVE	TUNCER ENIS
	21	2114 TUCKER ST	SHELTON SYLVIA KIRKWOOD
O	22	7446 EAST GRAND AVE	J & K INVESTMENTS LLC
	23	7500 E GRAND AVE	SALES MEXICO LINDO
	24	7317 GASTON AVE	CH REALTY VII R DALLAS ARBORETUM VILLAGE LP
	25	7347 GASTON AVE	GASTON GRAND CORNER LTD
O	26	7230 GASTON AVE	BROWN ARTHUR LUTHER ET AL

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2165 TUCKER ST	MDI LLC
	28	7510 EAST GRAND AVE	7510 E GRAND LLC
	29	7510 EAST GRAND AVE	ALVAREZ BEATRICE
	30	7510 EAST GRAND AVE	WILSON MAYDAY LLC
	31	7510 EAST GRAND AVE	HATCHETT JANAE
	32	7510 EAST GRAND AVE	ALLEN WALTER
	33	7510 EAST GRAND AVE	GUY DARRELL
	34	7510 EAST GRAND AVE	SILVA JOSE VICENTE
	35	7510 EAST GRAND AVE	WATSON LAWRENCE E
	36	7510 EAST GRAND AVE	BURKHARDT BARBARA
	37	7510 EAST GRAND AVE	MARTINDALE JOY ELAINE
	38	7510 EAST GRAND AVE	7510 E GRAND LLC
	39	7510 EAST GRAND AVE	CAO YE
	40	7510 EAST GRAND AVE	AMOY LLC
	41	7510 EAST GRAND AVE	BRENING JOHN E
	42	7510 EAST GRAND AVE	7510 E GRAND LLC
	43	7510 EAST GRAND AVE	ALLAH SUPREME SEVEN &
	44	7510 EAST GRAND AVE	ROHRMAN ELIZABETH
	45	7510 EAST GRAND AVE	CHUA AY HUA
	46	7510 EAST GRAND AVE	BOGAN TRUST
	47	7510 EAST GRAND AVE	WHITE MARLO Y
	48	7510 EAST GRAND AVE	COX RAYMOND F
	49	7510 EAST GRAND AVE	HILDRETH ALLEN
	50	7510 EAST GRAND AVE	ARDON RUTH J
	51	7510 EAST GRAND AVE	BERRY MARK
	52	7510 EAST GRAND AVE	MUSMAR MAJED
	53	7510 EAST GRAND AVE	NEW WORLD SERIES LLC SERIES X
	54	7510 EAST GRAND AVE	HARDAGE GEORGE
	55	7510 EAST GRAND AVE	MEDINA ERIN
	56	7510 EAST GRAND AVE	BORN MARK W &
	57	7510 EAST GRAND AVE	HARDAGE GEORGE

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	7510 EAST GRAND AVE	HARRIS JAMES B & DIANE B
	59	7510 EAST GRAND AVE	MORENO NICOLE CHRILDRENS TRUST
	60	7510 EAST GRAND AVE	SENITZ FAMILY HOME
	61	7510 EAST GRAND AVE	BADER GREG
	62	7510 EAST GRAND AVE	GRAY NANCY E
	63	7510 EAST GRAND AVE	HERNANDEZ EDELMIRO C &
	64	7510 EAST GRAND AVE	GALENBIA LLC
	65	7510 EAST GRAND AVE	HOWARD JOHN
	66	7510 EAST GRAND AVE	GULENG EMERSON E JR
	67	7510 EAST GRAND AVE	MEYERS KAREN
	68	7510 EAST GRAND AVE	KLS INVESTMENTS LLC
	69	7510 EAST GRAND AVE	CHUA AY HUA
	70	7510 EAST GRAND AVE	SILVA MICHAEL R