

FILE NUMBER: Z190-192(CT) **DATE FILED:** February 5, 2020
LOCATION: Northeast corner South Lamar Street and South Boulevard
COUNCIL DISTRICT: 7 **MAPSCO:** 45 Z
SIZE OF REQUEST: Approx. 0.23 acres **CENSUS TRACT:** 34.00

**APPLICANT/
REPRESENTATIVE:** Shawanna Sullemon

OWNER: Melissa Properties, LLC

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) 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 Shop Front Overlay.

SUMMARY: The purpose of the request is to use an existing one-story, 3,200 square foot building for as a bar, lounge or tavern use with a dance floor [Cowboys Lounge].

CPC RECOMMENDATION: Approval for a two-year period, subject to site plan and conditions.

STAFF RECOMMENDATION: Approval for a two-year period, subject to site plan and conditions.

BACKGROUND INFORMATION:

- The subject site is currently developed with an existing one-story, 3,200 square foot building commercial building.
- On November 10, 2015, the City Council approved a Specific Use Permit No. 2162 for an alcoholic beverage establishment use limited to a bar, lounge, or tavern and a commercial amusement (inside) use limited to a dance hall for a two-year period.
- On January 18, 2018, the City Plan Commission denied an application for the renewal of Specific Use Permit No. 2162 for an alcoholic beverage establishment use limited to a bar, lounge, or tavern and a commercial amusement (inside) use limited to a dance hall for a two-year period. The applicant did not appeal to City Council.

Zoning History: There has been no zoning change requested in the area during the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Lamar Street	Minor Arterial	80 ft.	80 ft.
South Boulevard	Minor Arterial	65 ft.	65ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning within PDD No. 595, Tract 1	Land Use
Site	PDD No. 595, FWMU-3 with SH shopfront	Vacant Commercial Building
Northeast	PDD No. 595, FWMU-3 PD No. 354	Undeveloped, Park
Southeast	PDD No. 595, FWMU-3 with SH shopfront	Retail, Auto related uses, Undeveloped
Northwest	PDD No. 595, FWMU-3 with SH shopfront	Undeveloped
Southwest	IM	Industrial

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.

Economic Element

GOAL 2.1 PROMOTE BALANCED GROWTH

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

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.

STAFF ANALYSIS:

Land Use Compatibility: The 0.23-acres site is developed with a vacant 3,200 square foot structure and is surrounded by an undeveloped tract of land and a park to the northeast; retail and auto related uses to the southeast; industrial type uses to the southwest; and an undeveloped tract of land to the northwest, across South Boulevard.

The SUP will allow the applicant to use an existing one-story, 3,200 square foot building as a bar, lounge or tavern inclusive of a dance floor limited to a maximum of 150 square feet operate. The subject site is a part of a block of a retail uses. The South Dallas/Fair Park Economic Corridor Area Plan cites this property as a part of the Community Commercial area which lists both the commercial amusement (inside) and alcohol

beverage establishment (SUP) as foreseeable uses in the area. Therefore, staff recommends that the Specific Use Permit be approved for a two-year period for the SUP to return to the City Plan Commission and City Council for reevaluation. This location has remained closed and vacant since the denial of the request in 2018.

During the City Plan Commission hearing on June 18, 2020, hours of operation were discussed regarding the appropriate hours of operation to allow the applicant the use of the property while lessening the impact of the use on surrounding properties and the community. The hours proposed are listed in the proposed SUP conditions.

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.

Landscaping: Landscaping of any development will be in accordance with the landscaping requirements in DD No. 595. The applicant's request will not trigger any landscaping requirements because there is no increase to the existing floor area or the site's impervious surface.

Parking: The request will require one space for each 25 square feet of floor area for the dance floor (150 square feet) plus one space for each 100 square feet of floor area for the alcoholic beverage establishment (3,050 square feet). A total of 37 off-street parking spaces is required. The applicant will meet required parking by providing 17 on-site parking spaces and 20 spaces via remote parking agreement.

Market Value Analysis

[Market Value Analysis \(MVA\)](#), is a tool to aid residents and policymakers 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 "H" MVA Cluster to the east and an "D" MVA Cluster to the north.

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LIST OF OFFICERS

Melissa Properties, LLC

- Andy French President
- George Henry Director

CPC ACTION
June 18, 2020

Motion: It was moved to recommend **approval** of a new 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 for a two-year period, subject to site plan and conditions with the following changes to the Hours of Operation: 5:00 p.m. to 11:00 p.m. (vacate by 11:15 p.m.), Monday thru Thursday and 12:00 p.m. to 2:00 a.m. (vacate by 2:15 a.m.), Friday thru Sunday 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 Shop Front Overlay, on the northeast corner of South Lamar Street and South Boulevard.

Maker: Jackson
Second: Stinson
Result: Carried: 13 to 2

For: 13 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Jackson, Blair, Jung, Schultz, Schwope,
Murphy, Garcia, Rubin

Against: 2 - Carpenter, Housewright
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 10
Replies: For: 1 Against: 0

Speakers: For: Shawanna Sullemon, 2900 S. Lamar St., Dallas, TX, 75215
Against: Julie Saqueton, 1600 Pennsylvania Ave., Dallas, TX, 75215
Terry Flowers, 1600 Pennsylvania Ave., Dallas, TX, 75215
Staff: Evan Farris, Assistant City Attorney

PROPOSED SUP CONDITIONS

1. USE: The only uses authorized by this specific use permit are an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall.
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 (two years from the passage of this ordinance).
4. DANCE FLOOR: The dance floor may not exceed 150 square feet in area, as shown on the attached site plan.
5. FLOOR AREA: The maximum floor area is 3,200 square feet in the location shown on the attached site plan.

CPC Recommendation

6. HOURS OF OPERATION: The alcoholic beverage establishment limited to a bar, lounge, or tavern and commercial amusement (inside) limited to a dance hall may only operate between 5:00 p.m. and 11:00p.m. (vacate by 11:15 p.m.), Monday through Thursday, and between 12:00 p.m. (noon) and 2:00 a.m. (vacate by 2:15 a.m.) (the next day), Friday through Sunday.

Staff Recommendation

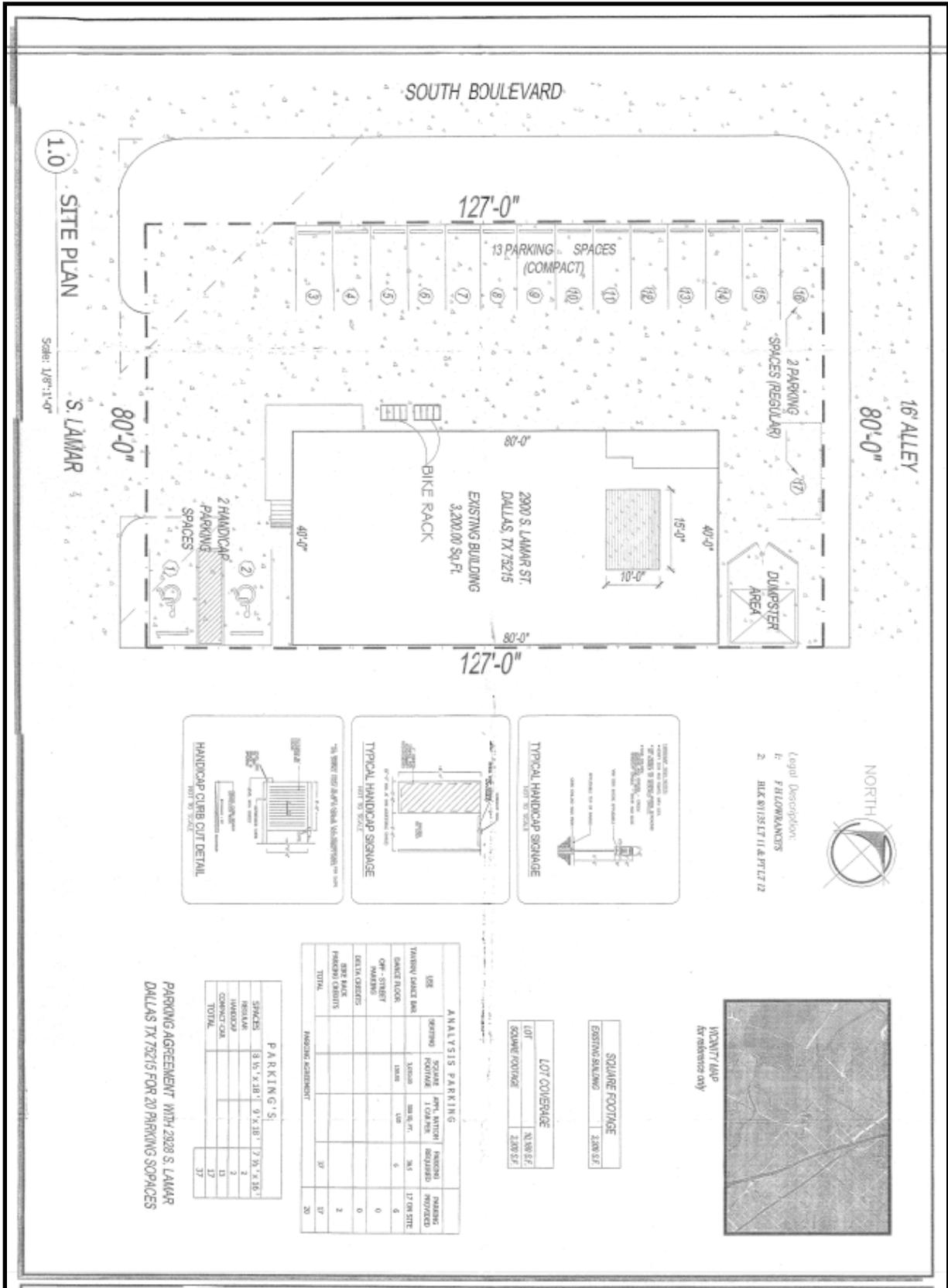
6. HOURS OF OPERATION: The alcoholic beverage establishment limited to a bar, lounge, or tavern and commercial amusement (inside) limited to a dance hall may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Saturday, and between 12:00 p.m. (noon) and 2:00 a.m. (the next day) on Sunday.

7. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
8. OFF-STREET PARKING:
 - A. Parking must be located as shown on the attached site plan.
 - B. Additional required parking may be provided through a remote parking agreement.
 - C. The building official may extend the walking distance for remote parking up to 600 feet only if the remote parking site is located along the northeast line of S. Lamar Street.
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

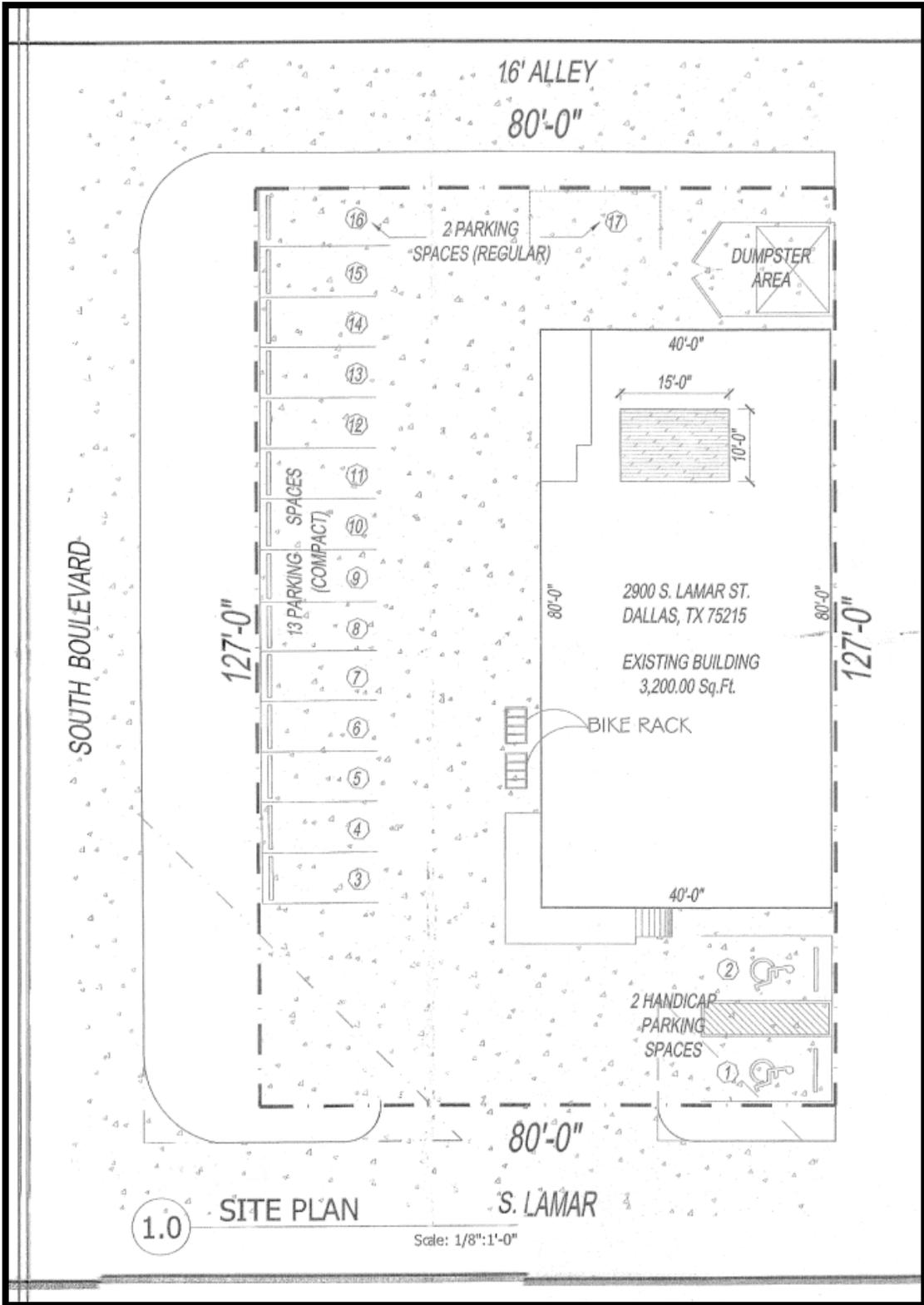
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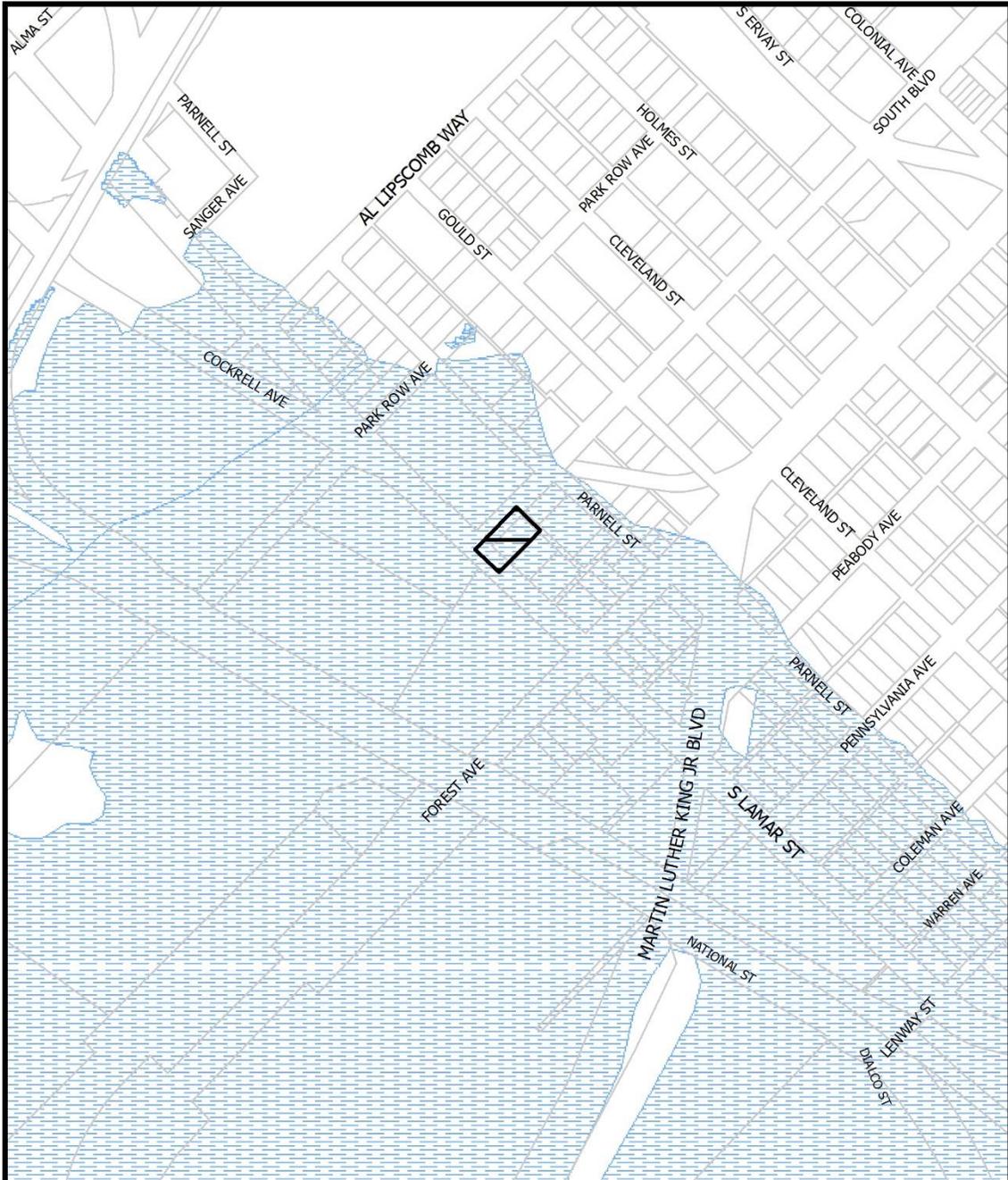
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



ENLARGED SITE PLAN





 1:4,800	VICINITY MAP	Case no: <u> Z190-192 </u> Date: <u> 2/19/2020 </u>
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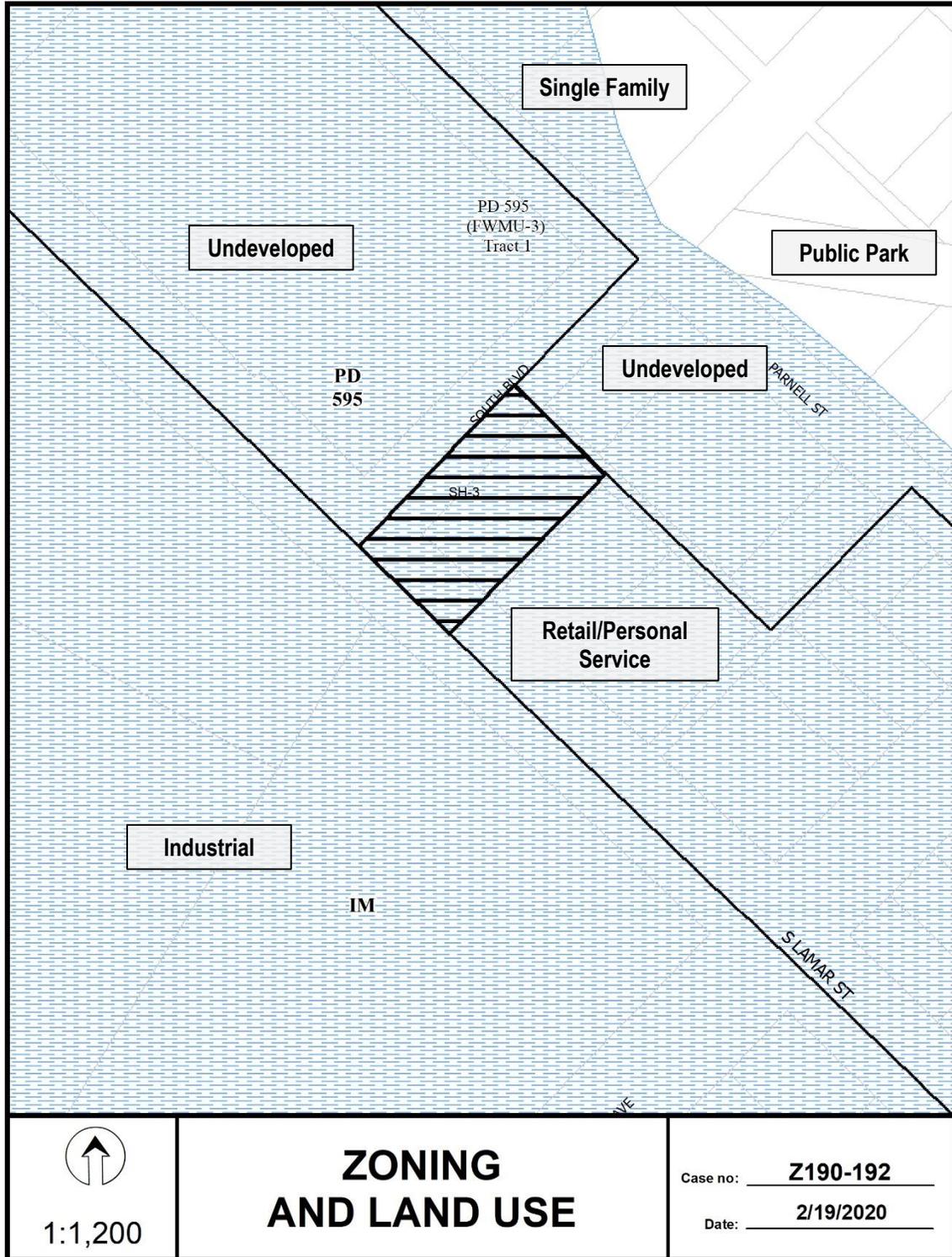


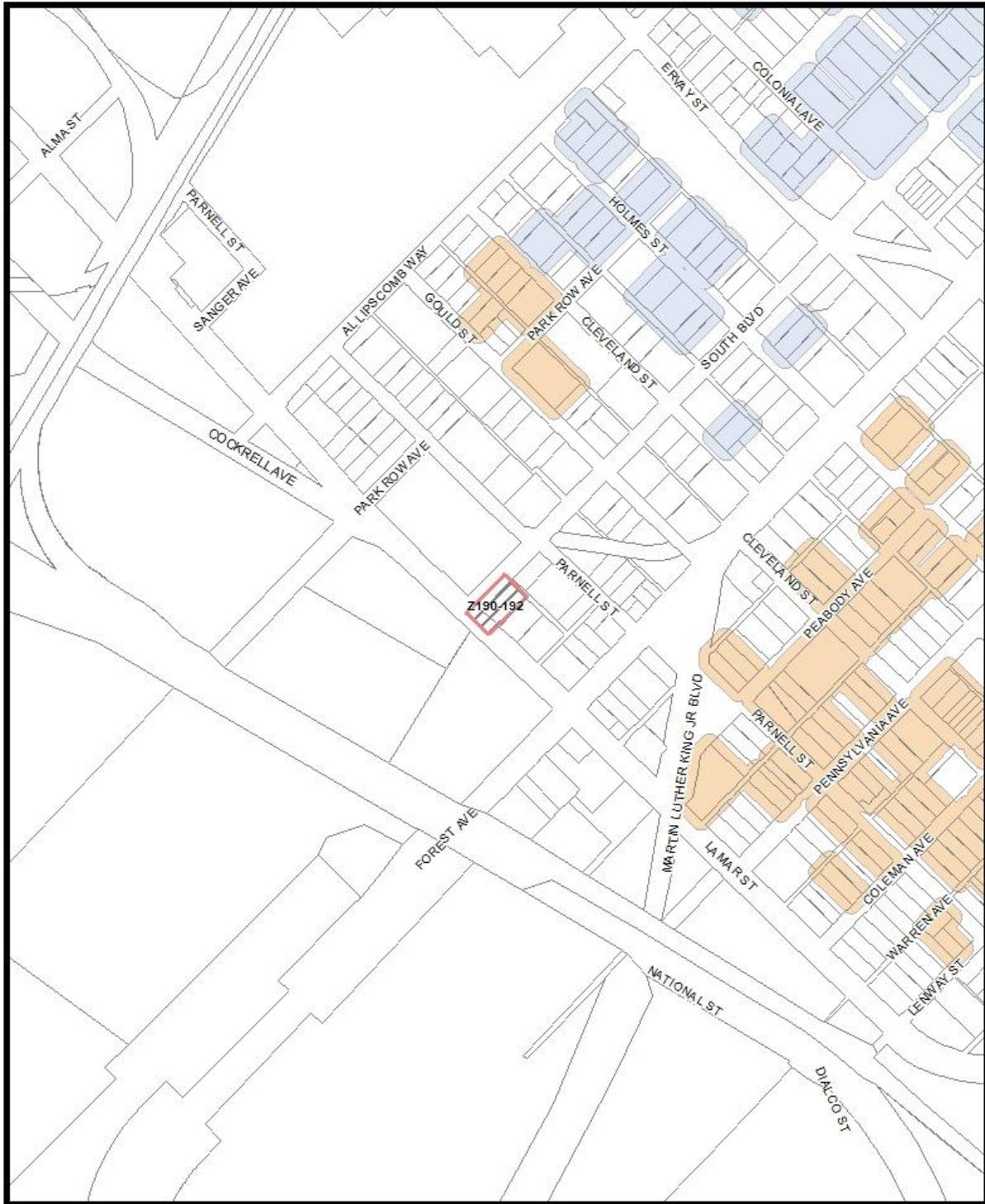
1:1,200

AERIAL MAP

Case no: Z190-192

Date: 2/19/2020





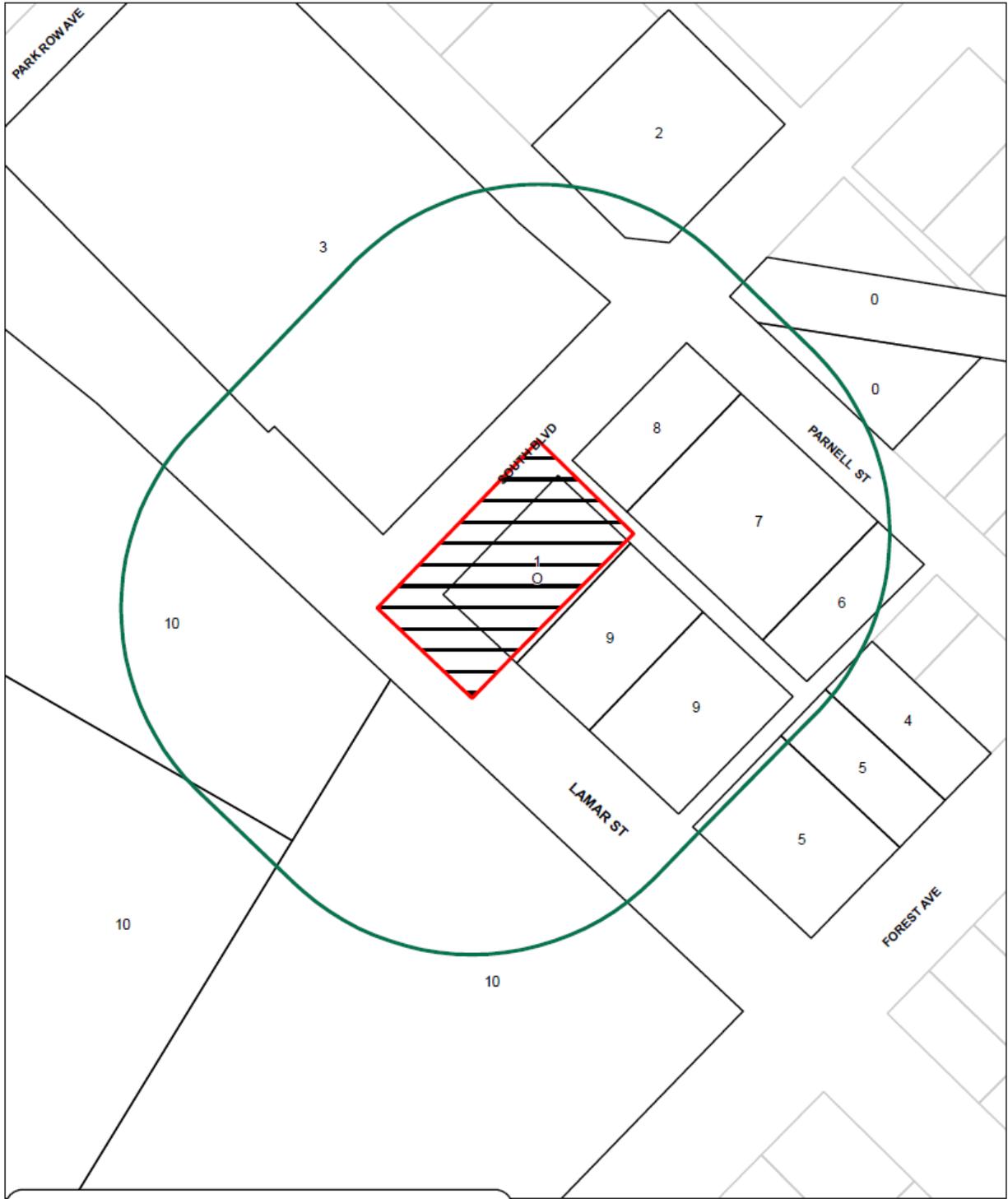
Market Value Analysis A B C D E F G H I NA

 1:4,800

Market Value Analysis

Printed Date: 2/19/2020

CPC RESPONSES



10	Property Owners Notified (16 parcels)
1	Replies in Favor (1 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
6/18/2020	Date

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CPC



1:1,200

06/17/2020

Reply List of Property Owners

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10 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	2900 S LAMAR ST	MELISSA INVESTMENTS LLC
	2	2828 PARNELL ST	MANCHESTER REALTY LLC
	3	1200 PARK ROW AVE	CCH LAMAR PARTNERS I LP
	4	1213 FOREST AVE	GEOFFREY SECURITY SVCS
	5	1209 FOREST AVE	JOHNSON RODNEY E
	6	2915 PARNELL ST	HARRIS & HARRIS PROPERTIES LLC
	7	2909 PARNELL ST	HARRIS AND HARRIS PROPERTIES LLC
	8	2901 PARNELL ST	W2E INVESTMENTS LLC
	9	2910 S LAMAR ST	LOVEJOY BROOKS S
	10	2927 S LAMAR ST	CCH LAMAR PARTNEERS I LP