

FILE NUMBER: Z190-123(JM) **DATE FILED:** October 30, 2019

LOCATION: East side of North Tyler Street, between West Davis Street and Fouraker Street

COUNCIL DISTRICT: 1 **MAPSCO:** 54 B

SIZE OF REQUEST: ± 0.88 acres **CENSUS TRACT:** 42.01

REPRESENTATIVE: Santos Martinez
La Sierra Planning Group

APPLICANT/OWNER: Good Space X, LLC
David Spence, Sole Owner

REQUEST: An application for **(1)** a new subdistrict for a private event and entertainment venue and Subdistrict 6 uses; and **(2)** for a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar and a private event and entertainment venue, on property zoned Subdistrict 6 within Planned Development District No. 830, on the east side of North Tyler Street, between West Davis Street and Fouraker Street with consideration being given to: **(A)** a new subdistrict for a commercial amusement (inside) use limited to an amusement center and Subdistrict 6 uses; and **(B)** for a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar and a commercial amusement (inside) use limited to an amusement center.

SUMMARY: The original request was to **1)** create a new subdistrict with a new use: private event and entertainment venue, allowed by SUP; **2)** to permit new roof-top signage; and, **3)** to allow a private-club bar and private event and entertainment venue to operate from an existing suite. CPC asked staff to advertise with additional consideration for: A) a new subdistrict for a commercial amusement (inside) use limited to an amusement center and Subdistrict 6 uses; and B) for a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar and a commercial amusement (inside) use limited to an amusement center.

CPC RECOMMENDATION: Approval of 1) a new subdistrict for a commercial amusement (inside) limited to an amusement center and Subdistrict 6 uses; and 2) approval of a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar and a commercial amusement (inside) use limited to an amusement center for a three-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: Denial.

BACKGROUND INFORMATION:

- Planned Development District No. 830 was established by City Council on August 11, 2010 and comprises approximately 290.5 acres divided into 13 subdistricts.
- The request site contains 0.88 acres of land. The overall building site is developed with two structures defined as “legacy buildings” in PD No. 830 Exhibit B: 1) a 12,000-square-foot multi-tenant which was built in 1935 and is located on the northeast corner North Tyler Street and West Davis Street and 2) a church building that was constructed in 1949, is on the northwest corner of North Tyler Street and Fouraker Street, and was converted into a restaurant use on May 9, 2018.
- The original request was to create a new subdistrict to allow a new land use, a private event and entertainment venue; reduce required parking for three land uses, the newly proposed private event and entertainment venue, restaurant without drive-in or drive-through service, and alcoholic beverage establishment—with ride share; and, allow two 60 square-foot roof-top signs for a legacy building.
- On May 22, 2020, the representative submitted revised conditions requesting a commercial amusement (inside) limited to an amusement center to be allowed by SUP rather than proposing the new land use, a private event and entertainment venue. The parking reduction is the same for the new use, one space per 220 square feet of floor area, but subject to providing ride share drop off within private property. The parking study was not updated. The applicant has offered to prohibit roof-top patios. The two proposed roof signs are being maintained in the request. No other changes are proposed.
- At the City Plan Commission on June 4, 2020, the requests were recommended for approval subject to the following amendments:
 - Replacing all references to the proposed private event and entertainment venue with a commercial amusement (inside) limited to an amusement center.
 - Follow the applicant’s requests for parking reductions and sign allotments.
 - To limit the combined floor area to 12,000 square feet for the following uses: commercial amusement (inside), alcoholic beverage establishment, and restaurant.
 - Update the SUP conditions to:
 - Follow the land use change to commercial amusement (inside) limited to an amusement center.
 - Change the time limit to three years.

- Update the hours of operation to match the applicant's request, with one change to close at midnight all days.
- Prohibit outside speakers.

Zoning History: There have been five recent zoning and Board of Adjustment requests in the area within the last five years.

1. **Z167-164:** On April 12, 2017, the City Council granted Specific Use Permit No. 2238 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a private-club bar on property zoned Subdistrict 6 (Davis Corridor) within Planned Development District No. 830, located on the east side of North Tyler Street, between Fouraker Street and West Davis Street (the subject site).
2. **BDA189-044** On April 16, 2019, the Board of Adjustment granted a special exception to the visual obstruction regulations on property on the northeast corner of North Tyler Street and West Davis Street (the subject site).
3. **Z134-308 & Z178-234:** On August 15, 2015, the City Council approved a renewal of Specific Use Permit No. 2016 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a microbrewery, microdistillery or winery on property zoned Subdistrict 6 within Planned Development District No. 830, located on the northeast corner of West 7th Street and North Tyler Street. *The SUP expired on August 12, 2018 and the autorenewal is still pending.*
4. **Z189-224:** On June 20, 2019, the City Plan Commission recommended denial of an application for the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue.
5. **Z178-185:** On April 25, 2018, City Council approved a Demolition Delay Overlay for nearby properties to the south of the area of request. A demolition delay overlay district is intended to encourage the preservation of historically significant buildings that are not located in a historic overlay district by helping the property owner identify alternatives to demolition.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
North Tyler Street	Major Arterial	100 feet	100 feet
West Davis Street	Minor Arterial	100 feet	Study
Fouraker Street	Local	50 feet	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and parking analysis provided by the applicant and recommends denial of the existing request. No update was provided on May 22nd along with revised conditions and land use other than providing a ride share drop off requirement on private property. The following comments were provided to the applicant on March 11, 2020 with no further changes or information provided by the applicant:

1. Request of one space per 220 SF for a proposed use “Private Event and Entertainment Venue”—update: this would now apply to the commercial amusement (inside) limited to an amusement center.

The parking study does not support a reduced parking rate. Observations from data collected quantify a difference greater than 100 parked vehicles during and after the special event on February 1, 2020.

2. Available Parking Capacity

The report incorrectly quantifies parking capacity. On-street parking restrictions are typically based on sight distances—a different parameter than *visibility triangles* defined in the report. Sight distances are evaluated based on roadway conditions independent from visibility triangles. Stipulations from the Texas Transportation Code include prohibiting parking within 15 feet from a fire hydrant, 20 feet from a crosswalk, and 30 feet from a stop sign. The inventory of on-street parking in the study area is effectively less than the tabulated capacity.

Off-street parking lots referenced in the report are private and would only be available through parking agreements.

Right-of-way width of local roads in the vicinity of the site do not meet minimum standards, restricting adequate maneuvering and access for emergency vehicles.

The planned conversion of N. Tyler Street to two-way operations will remove existing on-street parking to accommodate bike lanes, as approved by City Council.

3. Parking challenges create needs for alternative modes of transportation.

Alternative modes of transportation must be coupled with adequate infrastructure and management. While reducing parking demand, ride-sharing services also create traffic congestion, increase vehicle miles traveled, and therefore vehicle-pedestrian conflicts. Ride-sharing services also do not necessarily interface with pedestrians in areas without adequate roadway infrastructure (e.g., ADA-compliant sidewalks, setbacks, barrier free ramps at corners, crosswalks, passenger loading zones).

No further information was provided on the request to reduce parking for a restaurant without drive-in or drive-through service or an alcoholic beverage establishment. Overall, the parking study was not performed by a licensed traffic engineer and the data provided was insufficient to garner staff support.

Update:

At the request of a Commissioner, staff offered a suggestion of including a provision for a transportation management plan for the subdistrict to help mitigate traffic issues in the neighborhood. A transportation management plan is a document containing strategies and mechanisms the owner or its agent must implement to ensure the fluidity of vehicular movement on and surrounding the property. The plan must offer methods of safely accommodating the transportation of patrons via ride-sharing, or pedestrian connections in a safe and efficient manner while minimizing impacts on adjacent neighborhoods. CPC did not include the transportation management plan in their recommendation. If Council were to include a transportation management plan with this request, conditions would need to be created and the transportation management plan would need to be submitted to staff for review and inclusion in the ordinance. The suggested transportation management plan should include a condition requiring an update every other year to summarize traffic/parking operations over time.

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 applicant's request *does not comply* with the following goals and policies of the Comprehensive Plan.

LAND USE

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.1 Recognize adopted area/neighborhood plans in guiding development and zoning decisions.

1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

1.1.5.4 Provide appropriate transitions between non-residential uses and neighborhoods to protect stability and quality of life.

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

BISHOP-DAVIS LAND USE STUDY (2010)

The Bishop-Davis Land Use Study¹ was created in 2009 and revised in 2010 and provided recommendations that were later taken into consideration to create Planned Development District No. 830, the Davis Street Special Purpose District. Section 51P-830.107 indicates that this study should be consulted for goals and recommendations for development of this district.

The goals of this land use study² focused on the desired results envisioned for the area, which among other aspects included: stimulating reinvestment in the area, encouraging density (in the right places), creating incentives to increase open space and provide public art, and to create a set of land uses for each subarea.

The Bishop/Davis Land Use Study identified the area of request within Subarea 6 and established characteristics and objectives that included the beautification and rehabilitation of Davis Street streetscape, creating a desirable pedestrian experience and a pleasant walkable environment, street trees, sidewalks and other amenities. The study also proposed for this subarea uses that included a mix of residential and light to medium density commercial uses which are consistent with the uses allowed in the existing Subdistrict 6 within PD No. 830.

A few of the goals of the study included:

¹ See the [Bishop/Davis Land Use Study](#).

² Goals and Strategies, p. 12.

- To protect the stability of neighborhoods in the corridor and avoid unwanted encroachment of parking;
- Look carefully at transitions to stabilize residential uses; and,
- Include signage standards.

While the proposed private-club bar and commercial amusement (inside) limited to an amusement center (private event and entertainment venue) would support the goal to stimulate reinvestment in the area, overall the proposed subdistrict would not support the goals of the study. Proposed reductions in parking for three intensive uses would push more cars to park within the surrounding residential neighborhoods. The project includes a request to allow unlit roof-top signage, which was not a part of the original sign regulations developed in consideration of the land use study. Ultimately, as the area continues to take-on more intensive uses and provide elements to support the transition to these uses, the residential areas could destabilize.

Land Use:

Area	Zoning	Land Use
Site	Subdistrict 6 within PD No.830 with SUP No. 2238	Private-club bar; restaurant; and, general merchandise or food store 3,500 square feet or less
North	Tract 1A within PD No. 160 and Subarea 2 within CD No. 1	Single family and multifamily
East	Subdistrict 6 within PD No.830	Restaurant, general merchandise or food store 3,500 square feet or less, surface parking, and undeveloped
South	Subdistrict 6 within PD No.830 with SUP No. 2016	Personal service, restaurant, alcoholic beverage establishment, and general merchandise or food store 3,500 square feet or less
West	Subdistrict 6 within PD No.830 and Subarea 2 within CD No. 1	Single family, auto service center, and restaurant

Land Use Compatibility:

The request site contains 0.88 acres of land. The overall building site is developed with two structures: 1) a 12,000-square-foot multi-tenant which was built in 1935 and is located on the northeast corner North Tyler Street and West Davis Street, and 2) a church building with 4,250 square feet of floor area originally constructed in 1949, on the northwest corner of North Tyler Street and Fouraker Street, which was converted to a restaurant use on May 9, 2018. These structures meet the criteria to be classified as

legacy buildings³ in accordance PD No. 830 because the structures were built before 1957 and front along Davis Street and Tyler Street.

The current proposal is to create a new subdistrict to allow a commercial amusement (inside) limited to an amusement center (formerly a new land use, a private event and entertainment venue) by SUP; reduce required parking for three land uses; and, allow two 60 square-foot roof-top signs for a legacy building. Other parking reductions are also requested and further elaborated in the parking section of this report.

Surrounding land uses consist of single family and multifamily uses to the north; restaurant, general merchandise or food store 3,500 square feet or less, surface parking, and undeveloped uses to the east; personal service, restaurant, alcoholic beverage establishment, and general merchandise or food store 3,500 square feet or less uses to the south; and, single family, auto service center, and restaurant uses to the west.

The SUP request site is a 4,000 square-foot suite located within the one-story, 12,000 square-foot, multi-tenant retail development. The purpose of this SUP request is to operate an alcoholic beverage establishment limited to a private-club bar and a commercial amusement (inside) limited to an amusement center (formerly a new land use, a private event and entertainment venue). The applicant had previously proposed the new use as a tailored version of a commercial amusement (inside) use to allow a video arcade that has free games and serves alcohol. In addition, the venue will be available for rent to host parties. A private event and entertainment venue is defined as a use that includes receptions, live music or private events, games of chance, and ceremonies. Originally, this use seemed to fit into the city's existing commercial amusement (inside) land use classification. However, the applicant requested an official land use determination for the arcade, which classified the use as a private-club bar. Certain elements of the proposed land use, as described to the building official, did not match the commercial amusement (inside) use exactly. Furthermore, the building official determination letter states that, "the arcade-style games, which are free to patrons, and rental for the space for private parties are considered ancillary to the private-club bar and are not considered a private main use." However, the applicant still elected to create the new land use for a private event and entertainment venue. After further consideration and as of May 22nd, the applicant has now decided to strike the new land use and request a commercial amusement (inside) limited to an amusement center, in agreement with the CPC recommendation from June 4th.

A private-club bar is "an establishment holding a private-club permit under Chapter 32 and 33 of the Texas Alcoholic Beverage Code that derives 35 percent or more of its gross revenue from the sale or service of alcoholic beverages for on-premise

³ See SEC. 51P-830.118. p. 49 of [PD No. 830](#)

consumption and that is located within a dry area as defined in Title 6 (Local Option Elections) of the Texas Alcoholic Beverage Code. Private-Club Bar does not include a fraternal or veterans' organization, as defined in the Texas Alcoholic Beverage Code, holding a private club permit under Chapter 32 or 33 of the Texas Alcoholic Beverage Code. Private-Club bar does not include the holder of a food and beverage certificate, as defined in the Texas Alcoholic Beverage Code."

The private-club bar use is allowed by SUP to operate within Subdistrict 6 of PD No. 830. The proposed private event and entertainment venue is requested without a SUP, but the applicant stated they were open to allowing the use with a SUP. Staff believes if the use is to operate, a SUP should be required to allow continuous public input to ensure compatibility with the neighborhood over time. Proposed SUP conditions indicate the two uses would share the same standards, including have operation hours Monday through Wednesday from 5:00 pm to 12:00 am the next day, Thursday and Friday from 5:00 pm to 2:00 am the next day, and Saturday and Sunday from 8:00 am to 12:00 am the next day. The only other condition provided by the applicant is a time period of three years with eligibility for automatic renewal for additional five-year periods.

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 recommends denial of the new subdistrict and SUP request(s). While the area is diverse and maintains a variety of uses, consideration for the existing residential neighborhood should take precedence as new uses are proposed in the area. The addition of uses by ratifying significant parking reductions for typically more intensive uses and for a set of structures which are already afforded significant parking reductions could ultimately negatively affect the residential aspect of the neighborhood. The charm and sustainability of the area is maintained through the mix of uses. The retail and entertainment uses will not be better patronized with less parking and less residential uses in the vicinity. Staff believes a continued reduction in parking and introduction of

more intensive uses will aid in the degradation of existing residential neighborhoods in the area.

If the uses were to be considered for approval, staff suggests limiting the hours of operation to Monday through Wednesday from 5:00 pm to 10:00 pm, Thursday and Friday from 5:00 pm to 11:00 pm, and Saturday 8:00 am to 12:00 am the next day, and Sunday from 8:00 am to 10:00 pm. Finally, the initial time period should be for a maximum of two years with no automatic renewals.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
PD No. 830 Subdistrict 6	0'	0'/0'	none	75'	100%	Proximity Slope Visual Intrusion	Retail & personal service, office
PD No. 830 New Subdistrict	0'	0'/0'	none	75'	100%	Proximity Slope Visual Intrusion	Retail & personal service, office, private club-bar, and private event and entertainment venue, commercial amusement (inside) limited to an amusement center

The development standards are not being changed with this request. The changes are related to land uses, required parking, and allotted signage.

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. While the area of request is not located within an MVA cluster, surrounding properties are categorized as being within a “C” MVA cluster to the northwest and a “D” MVA cluster to the northeast.

Parking:

PD No. 830 identifies the retail development and church building as legacy buildings. Legacy buildings have no required parking for retail-related and office uses. The existing 12,000 square-foot retail center accommodates mostly general merchandise or food store, or office uses, which do not require parking. However, there are a few suites that require parking. The existing church building with 4,250 square feet of floor area was converted to a restaurant use on May 9, 2018. A restaurant is not a retail-related use and requires one off-street parking space per 125 square feet of floor area. This restaurant use requires 34 parking spaces, which are currently provided on-site.

The off-street parking regulations also apply to alcoholic beverage establishment uses. An alcoholic beverage establishment requires one off-street parking space per 100 square feet of floor area. There is one existing alcoholic beverage establishment with 1,357 square feet of floor area operating under SUP No. 2238. The proposed 4,000 square-foot alcoholic beverage establishment combined with the floor area for the alcoholic beverage establishment under SUP No. 2238, will create a total of 5,357 square feet of alcoholic beverage establishment floor area requiring 54 parking spaces.

Just counting these three venues, the site requires 87 parking spaces. The property still has an additional 6,700 square feet of floor area, largely used under the retail-related and office uses which do not require parking for the legacy buildings. If the 6,700 square feet of additional floor area were leased as regular general merchandise or food store 3,500 square feet or less and not considered an exempt legacy building, one off-street parking space would be required per 200 square feet of floor area for a total requirement of about 33 parking spaces. This is an incentive to maintain existing structures. Add this scenario to the 88 required for a total of 121 required off-street parking spaces. These scenarios are intended to help consider the existing parking reductions with those being proposed through this amendment.

The applicant has requested parking reductions for three uses: a commercial amusement (inside) limited to an amusement center (the new private event and entertainment venue), an alcoholic beverage establishment, and restaurant without drive-in or drive-through service would all be reduced to requiring one off-street parking space per 220 square feet of floor area. For those same three establishments, parking would reduce from 87 spaces to 44 required off-street parking spaces.

The May 22nd amendment added a ride share drop off requirement on private property.

Additional reductions in parking are proposed. These changes are subtle from what exists for the current Subdistrict No. 6 including:

- 1) If an outdoor dining area, whether covered or not, is within 20 feet of and had direct access to, a street, sidewalk, or publicly accessible **pedestrian way** (*instead of open space*), the outdoor dining area is not included in the parking requirement calculations for up to 25 percent of the size of the indoor floor area. Any portion of the outdoor dining area in excess of 25 percent of the size of the indoor floor area must be parked in accordance to **a restaurant use without drive thru service** (*instead of per the code*).
- 2) Off-street parking spaces required for a use may be reduced by one space for each four bicycle parking stations provided for that use, up to a maximum of **twelve** (*instead of three*) off street parking spaces within the district.

At minimum, these additional changes produce an additional eight space reduction in parking.

The applicant is showing 41 spaces for the building site according to the proposed site plan. The parking study provided to support these reductions in parking did not produce the proper data to garner approval from the Engineering Division. No revisions were made to the parking study; therefore, staff cannot support these parking reductions. Furthermore, staff is supportive of the valet/ride-hailing drop off but only if shown on the site plan. Although, the site plan only controls two of the proposed uses with proposed reductions in parking. Finally, if these reductions are to be approved, a SUP and/or PD condition requiring review of parking/traffic operations every other year should be required to ensure efficient operations on-site over time.

Signs:

PD No. 830 allows for business signage for lots fronting on Davis Street. Lots fronting Tyler Street are non-business. The subject site has multiple addresses on both Tyler and Davis Streets; however, it would be counted as an establishment fronting on Davis Street, subject to business rules. The applicant has requested two 60-square-foot, roof-top signs. Roof-top signs are prohibited⁴. The applicant would like for the signs to serve as district identifiers; however, this is something which has been done in other places in the city through the creation of a special provision sign district. Otherwise, staff cannot require district identification. Additionally, staff cannot provide a permit for a “Typo” business to receive a sign permit since it is not an existing business on-site.

The largest concerns over the proposed roof signs are:

- 1) The adjacency to residential/non-business districts including CD No. 1 and PD No. 160.
- 2) The excessiveness to have two roof-top signs on a one-story building.

⁴ See [Section 51A-7.203\(a\)](#).

- 3) The safety of installing a roof-top sign on a legacy building originally constructed in 1935. Engineering would be required, and the fire marshal would have to approve of the signs.

Staff does not support the requested roof-top signs.

On May 28th, the applicant submitted an engineering statement claiming the two proposed roof-top signs could be attached to the building according to code requirements. Further engineering would be required at permitting, as well as review of 2015 International Building Code requirements, and fire safety from the city fire marshal. Ultimately, the final concerns regarding residential adjacency and overall excessiveness of having two roof-top signs for the building still remain.

Landscaping:

The renovation of a portion of the existing structure will not increase the impervious coverage and, as a result, will not trigger any landscaping requirements.

**CPC Action
June 4, 2020**

Motion: It was moved to recommend **approval** of 1) a new subdistrict for a commercial amusement (inside) limited to an amusement center and Subdistrict 6 uses; and 2) **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar and a commercial amusement (inside) limited to an amusement center for a three-year period, subject to a site plan and conditions with the following modifications:

- Throughout the ordinance, strike references and definition for “Private Event and Entertainment Venue”; add instead under residential uses “Commercial amusement (inside); limited to an amusement center”
- In Subsection 117 (off-street parking) – require one parking space per 220 SQFT of floor area (1:220) ...if a customer drop-off location for carpooling or hired transport is designated on private property... [see detail in actual ordinance] as highlighted in the ordinance provided in the docket; AND to allow a maximum of twelve parking space reductions per every 4 bicycle stations
- In Subsection 121 (SIGNS), to allow rooftop signs per applicant’s request with the following limitations:
 - (a) Shall not exceed 12 feet in width
 - (b) Shall not exceed 5 feet in height.
 - (c) Shall have a maximum elevation of 5 feet off of the roof deck.
 - (d) Shall have a maximum effective area of 60 square feet.
 - (e) Shall be attached to or supported by the roof of the building.
 - (f) Shall not be internally illuminated.
 - (g) Shall only be mounted on Legacy Buildings
 - (h) No more than two (2) signs are allowed within this subdistrict.
- SUP Conditions
 - o Para. 1: Strike out private event and entertainment venue and add “commercial amusement (inside) (limited to an amusement center)”
 - o Para. 3: Renewal:
 - The SUP will expire in 3 years, not eligible for automatic renewals.
 - o Para. 5: Hours of operation: Mon. - Wed., 5 to midnight; Thrs. - Fri., 3 to midnight; Sat. - Sun., 8 a.m. to midnight.
 - o Para. 6: No rooftop patios are permitted within these uses
 - o Para. 7: No outside speakers are permitted within these uses
- Other: Staff to add language that limits to 12,000 sf the total floor area devoted to commercial amusement (inside), Alcoholic Beverage Establishment (or Pvt Club) or Restaurant. FYI, Total floor area includes approximately 20,150 SQFT:

- Cliff House is 4,250
- Retro venue is 4,000
- Main Bldg is 11,900
20,150

on property zoned Subdistrict 6 within Planned Development District No. 830, on the east side of North Tyler Street, between West Davis and Fouraker Street.

Maker: MacGregor
Second: Hampton
Result: Carried: 13 to 1

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

Against: 1 - Carpenter
Absent: 1 - Blair
Vacancy: 0

Notices: Area: 500 Mailed: 103
Replies: For: 32 Against: 11

Speakers: For: Santos Martinez, 12 Tanager Terrace
Angel Fire, NM, 87710
David Spence, 408 W. 8th St., Dallas, TX, 75208
Jason Roberts, 700 W. Davis St., Dallas, TX, 75208
Jose Rodriguez, 814 W. Sheridan, Oklahoma City, OK, 73106
Diana Diaz, 831 W. Davis St., Dallas, TX, 75208
David Preziosi, 2922 Swiss Ave., Dallas, TX, 75204
Against: Laura Palmer, 911 N. Madison Ave., Dallas, TX, 75208
Staff: David Nevarez, Traffic Engineer, Sustainable Development & Construction

CPC Action
May 14, 2020

Motion: In considering an application for 1) a new subdistrict for a private event and entertainment venue and Subdistrict 6 uses; and 2) a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar and a private event and entertainment venue, on property zoned Subdistrict 6 within Planned Development District No. 830, on the east side of North Tyler Street,

between West Davis and Fouraker Street, it was moved to **hold** this case under advisement until June 4, 2020 and to instruct staff to re-advertise so that the following 3 changes to the applicant's request are included: a) proposed new land use within new subdistrict of commercial amusement (inside); b) also an SUP for commercial amusement (inside); limited to an amusement center; and c) the prohibition of roof top patios in the new subdistrict.

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

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

Against: 0
Absent: 1 - Carpenter
Vacancy: 0

Notices: Area: 500 Mailed: 103
Replies: For: 26 Against: 9

Speakers: For: Santos Martinez, 12 Tanager Terrace Angel Fire, NM, 87710
For (Did not speak): David Spence, 408 W. 8th St., Dallas, TX, 75208
David Preziosi, 2922 Swiss Ave., Dallas, TX, 75204
Against: Marco Villegas, P.O. Box 3706, Dallas, TX, 75208

No CPC Action on April 23, 2020 due to cancellation.

**CPC Recommended
Proposed Subdistrict Conditions**

ARTICLE 830.

PD 830.

SEC. 51P-830.101. LEGISLATIVE HISTORY.

PD 830 was established by Ordinance No. 27944, passed by the Dallas City Council on August 11, 2010. (Ord. 27944)

SEC. 51P-830.102. PROPERTY LOCATION AND SIZE.

PD 830 is established on property located along the Bishop Avenue Corridor between Colorado Boulevard and Davis Street; property located along the Davis Street Corridor, bounded by Plymouth Road on the west and Zang Boulevard on the east; and excluding property zoned Planned Development District No. 160, Planned Development No. 340, Planned Development No. 87/Historic District 15, Conservation District No. 1, and Conservation District No. 7. The size of PD 830 is approximately 290.623 acres. (Ord. Nos. 27944; 31161)

SEC. 51P-830.103. CREATION OF SUBDISTRICTS.

This district is divided into the following subdistricts:

- (1) Subdistricts 1 and 1A: Bishop Avenue.
- (2) Subdistrict 2: **Subdistrict 2 is not created as part of this PD. See Conservation District No. 7 (Bishop/Eighth Street Conservation District) for the use regulations and development standards in that area.**
- (3) Subdistrict 3: East Garden District [and], Subdistrict 3A: Bishop Arts Branch Library, and Subdistrict 3B: Bishop Arts Mixed Use District.
- (4) Subdistrict 4: Kidd Springs Park.
- (5) Subdistrict 5: Kings Highway Gateway.
- (6) Subdistricts 6, 6A, ~~and 6B~~ **and XX**: Davis Corridor.
- (7) Subdistrict 7: Winnetka Heights Village.
- (8) Subdistricts 8 and 8A: West Garden District. (Ord. Nos. 27944; 28733; 28745; 29126; 29678; 30374; 31161)

SEC. 51P-830.104. DEFINITIONS.

Unless otherwise stated, the definitions in Chapter 51A apply to this article. In this district:

- (a) *Omitted for brevity.*

Staff's Suggestion (Recommended for denial):

No changes.

CPC Recommendation:

~~(21) PRIVATE EVENT AND ENTERTAINMENT VENUE means a use that includes receptions, live music or private events, games of chance, and ceremonies.~~

SEC. 51P-830.105. INTERPRETATIONS.

- (a) Unless otherwise stated, the interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.
- (c) Section 51A-2.101, "Interpretations," applies to this article.
- (d) The following rules apply in interpreting the use regulations in this article:
- (1) The absence of a symbol appearing after a listed use means that the use is permitted by right. The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A4.218, "Limited Uses.")
 - (2) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only. ["SUP" means "specific use permit." For more information regarding specific use permits, see Section 51A-4.219, "Specific Use Permit (SUP)."]
 - (3) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, "Site Plan Review." ("DIR" means "development impact review." For more information regarding development impact review, see Division 51A-4.800, "Development Impact Review.")
 - (4) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, "Site Plan Review," a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review, see Division 51A-4.800, "Development Impact Review.")

(e) If there is a conflict, the text of this article controls over any charts, exhibits, graphic displays, or maps.

(f) Subdistricts 1, 1A, 3, 4, 8, and 8A of this district are considered to be residential zoning districts. Subdistricts 3A, 3B, 5, 6, 6A, 6B, and 7 are considered to be nonresidential zoning districts. (Ord. Nos. 27944; 28733; 28745; 29126; 29678; 30374; 31161)

SEC. 51P-830.106. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 830A: Subdistrict maps.
- (2) Exhibit 830B: Legacy buildings list.
- (3) Exhibit 830C: Mixed use development parking chart.
- (4) Exhibit 830D: Subdistrict 3A building corner marker elevation.
- (5) Exhibit 830E: Subdistrict 6B conceptual plan. (Ord. Nos. 27944; 28745; 31161)

SEC. 51P-830.107. CONCEPTUAL PLAN.

- (a) Except as provided in this section, there is no conceptual plan for this district.
- (b) The Bishop/Davis Land Use and Zoning Study should be consulted for goals, objectives, policy statements, and recommendations for development of this district.
- (c) In Subdistrict 6B, for single family uses, development and use of the property must comply with the Subdistrict 6B conceptual plan (Exhibit 830E). If there is a conflict between the text of this article and the Subdistrict 6B conceptual plan, the text of this article controls. (Ord. Nos. 27944; 31161)

SEC. 51P-830.108. DEVELOPMENT PLAN.

- (a) Except as provided in this section, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.
- (b) In Subdistrict 6B, for single family uses, a final plat may serve as the Subdistrict 6B development plan. If there is a conflict between the text of this article and the Subdistrict 6B development plan, the text of this article controls. (Ord. Nos. 27944; 31161)

SEC. 51P-830.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICTS 1, 1A, AND 1B: BISHOP AVENUE.

(a) *Omitted for brevity.*

SEC. 51P-830.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 2: THE BISHOP ARTS-EIGHTH STREET CONSERVATION DISTRICT.

Subdistrict No. 2 is not part of this PD. See Conservation District No. 7 (Bishop/Eighth Street Conservation District) for the use regulations and development standards in that area. (Ord. 27944)

SEC. 51P-830.111. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3: EAST GARDEN DISTRICT.

(a) *Omitted for brevity.*

SEC. 51P-830.111.1. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3A: BISHOP ARTS BRANCH LIBRARY.

(a) *Omitted for brevity.*

SEC. 51P-830.111.2. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3B: BISHOP ARTS MIXED USE DISTRICT.

(a) *Omitted for brevity.*

SEC. 51P-830.112. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 4: KIDD SPRINGS PARK.

(a) *Omitted for brevity.*

SEC. 51P-830.113. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 5: KINGS HIGHWAY GATEWAY.

(a) *Omitted for brevity.*

SEC. 51P-830.114. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 6 **and XX: DAVIS CORRIDOR.**

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.

-- Custom business services.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

- Child-care facility.
- Church.
- Community service center. [SUP]

(5) Lodging uses.

- Bed and breakfast.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Private recreation center, club, or area. [SUP]
- Public park, playground, or golf course.

(9) Residential uses.

- Duplex.
- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. [SUP]
- Antique shop.
- Art gallery.

Staff's makes no suggestion (Recommended for denial).

CPC Recommendation:

- **Commercial amusement (inside); limited to an amusement center (SUP)(6XX)**
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store. *[By right if 50,000 square feet of floor area or less; otherwise by SUP.]*
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Body piercing studios, massage establishments, and tattoo studios are prohibited.]*

CPC Recommendation :

- **Private event and entertainment venue (6XX)**
- Restaurant without drive-in or drive-through service. *[RAR]*
- Remote surface parking lot.
- Theater. *[SUP]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, “Yard, Lot, and Space Regulations.” If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

(B) For lots fronting on Davis Street, minimum front yard is 0 feet and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard. No minimum side yard.

(3) Rear yard.

(A) Except as provided in this paragraph, no minimum rear yard.

(B) If abutting or across the alley from a single family district, minimum rear yard is 10 feet.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. No maximum floor area ratio.

CPC Recommendation (Staff recommends denial of the commercial amusement (inside) land use):

(a) Floor area maximum for commercial amusement (inside), alcoholic beverage establishment, and restaurant uses combined is 12,000 square feet.

(6) Height.

(A) Except as provided in this paragraph and Section 51P-830.122(g)(2), maximum structure height is 75 feet.

(B) South of Davis Street between Hampton Road and the east side of Rosemont Avenue, maximum structure height is 50 feet.

(C) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a one-to-one rise over run from private property that is outside the district, abutting Subdistrict 6 with no intervening street, and zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(ii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

(7) Lot coverage. Except as provided in this paragraph, maximum lot coverage is 100 percent. South of Davis Street between Hampton Road and the east side of Rosemont Avenue, maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width.

(10) Stories.

(A) Except as provided in this paragraph, maximum number of stories above grade is five.

(B) South of Davis Street between Hampton Road and the east side of Rosemont Avenue, maximum number of stories above grade is four. (Ord. 27944)

SEC. 51P-830.114.1 USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 6A: DAVIS CORRIDOR.

(a) Omitted for brevity.

SEC. 51P-830.114.2. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 6B: DAVIS CORRIDOR.

(a) Omitted for brevity.

SEC. 51P-830.115. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 7: WINNETKA HEIGHTS VILLAGE.

(a) Omitted for brevity.

SEC. 51P-830.116. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICTS 8 AND 8A: WEST GARDEN DISTRICT.

(a) Omitted for brevity.

SEC. 51P-830.117. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. For the purpose of this section, Subdistrict 6A shall be considered one lot.

(1) Multifamily use. A minimum of one off-street parking space per bedroom is required with a maximum of two off-street parking spaces per dwelling unit.

(2) Restaurant use.

(A) A minimum of one off-street parking space per 125 square feet of floor area is required.

(B) If an outdoor dining area, whether covered or not, is within 20 feet of, and has direct access to, a street, sidewalk, or publicly accessible open space, the outdoor dining area is not included in the parking requirement calculations for up to 25 percent of the size of the indoor floor area. Any portion of the outdoor dining area in excess of 25 percent of the size of the indoor floor area must be parked in accordance with Section 51P-830.117(a)(2)(A).

Staff's Suggestion (Recommended for denial)

(3) None.

CPC Recommendation:

(3) Subarea XX. The following uses shall provide one parking space per 220 square feet of floor area if located within a legacy building and **if a customer drop-off location for carpooling or hired transport is designated on private property:** alcoholic beverage establishment or private club, **commercial amusement (inside)** ~~private event or entertainment venue,~~ or restaurant without drive thru service. If an outdoor dining area, whether covered or not, is within 20 feet of and had direct access to, a street, sidewalk, or publicly accessible pedestrian way, the outdoor dining area is not included in the parking requirement calculations for up to 25 percent of the size of the indoor floor area. Any portion of the outdoor dining area in excess of 25 percent of the size of the indoor floor area must be parked in accordance to a restaurant use without drive thru service.

- (b) Parking reductions.
- (1) Bicycle parking. Off-street parking spaces required for a use may be reduced by one space for each four bicycle parking stations provided for that use, up to a maximum of three off-street parking spaces per lot.

Staff's Suggestion (Recommended for denial):

- (a) None.

CPC Recommendation:

- (a) Subarea XX. Off-street parking spaces required for a use may be reduced by one space for each four bicycle parking stations provided for that use, up to a maximum of twelve off-street parking spaces within the district.

- (2) Legacy building.
 - (A) For residential uses within a legacy building, off-street parking requirements may be reduced an additional 25 percent.
 - (B) For retail-related uses and office uses within a legacy building, off-street parking is not required.
- (3) Mixed use development parking.
 - (A) In general. The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development parking chart (Exhibit 830C).
 - (B) Calculation of adjusted standard off-street parking requirement. The adjusted off-street parking requirement for a mixed use development is calculated as follows:
 - (i) The standard parking requirements for each of the uses in the mixed use development must be ascertained.
 - (ii) The parking demand for each use is determined for each of the five times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the mixed use development parking chart, the percentage assigned to that use is 100 percent for all five times of day.
 - (iii) The “time of day” columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted off-street parking requirement for the development.

(C) Minimum parking requirement. If one or more of the main uses in a mixed use development is a nonresidential use, the minimum parking requirement for the mixed use development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the nonresidential uses in the mixed use development.

(4) On-street parking. Except as provided in this subparagraph, any on-street parking spaces that abut the building site may be counted as a reduction in the off-street parking requirement of the use adjacent to the on-street parking space. On-street parking must be striped in accordance with standard city specifications.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement for a mixed use development.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of the parking space ($8 / 24 = 1/3$). The total number of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(5) Tree preservation. Off-street parking spaces required for a use may be reduced by one space for each protected tree (as defined in Article X) retained on site that would otherwise have to be removed to provide the required off-street parking for that use.

(c) Remote parking.

(1) For nonresidential uses and mixed use developments, remote parking is permitted if the requirements of Division 51A-4.320, "Special Parking Regulations," are met, including the landscape requirements, except that the remote parking may be within a walking distance of 1,000 feet from the use served.

(2) An agreement authorizing a nonresidential use or a mixed use development to use remote parking for nonresidential uses may be based on a lease of the remote parking spaces only if the lease:

(A) is in writing;

(B) contains legal descriptions of the properties affected;

(C) specifies the special parking being provided and the hours of operation of any use involved;

(D) is governed by the laws of the state of Texas;

(E) is signed by all owners of the properties affected;

(F) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;

(G) is for a minimum term of three years; and

(H) provides both the owner of the lot occupied by the nonresidential use or mixed use development use and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(3) The remote parking provisions of this subsection and Division 51A-4.320 shall not affect or cause the reduction of delta credits.

(4) In Subdistrict 3A, remote parking may account for one-hundred percent of the off-street parking requirement during a phased construction period.

(d) Subdistrict 3B.

(a) Omitted for brevity.

SEC. 51P-830.118. LEGACY BUILDING AMENDMENTS.

If the director finds that the following standards apply to a building within this district, the director is authorized to add the building to the legacy building list (Exhibit 830B):

(1) the building was constructed before 1957 if fronting on Davis Street, Tyler Street, Polk Street, or 7th Street east of Madison Avenue and before 1945 if fronting on Bishop Avenue;

(2) for buildings with frontage on Davis Street or Bishop Avenue, the primary street-facing facade of the building is within 10 feet of the right-of-way line of Davis Street or within five feet of the 25-foot front yard setback line on Bishop Avenue;

(3) the building's main entrance faces Davis Street, Tyler Street, Polk Street, 7th Street, or Bishop Avenue;

(4) the building facade with the main entrance must have window and door openings that total at least 20 percent of the facade area; and

(5) off-street parking is not located in the required front yard. (Ord. Nos. 27944; 29210)

SEC. 51P-830.119. ENVIRONMENTAL PERFORMANCE

STANDARDS. See Article VI. (Ord. 27944)

SEC. 51P-830.120. LANDSCAPING.

(a) Omitted for brevity.

SEC. 51P-830.121. SIGNS.

(a) In general.

(1) Except as provided in this subsection, for lots fronting on Bishop Avenue in Subdistricts 3 and 3B, Davis Street, Zang Boulevard, Hampton Road, Jefferson Boulevard, or 7th Street east of Madison Avenue, signs must comply with the provisions for business zoning districts in Article VII.

(2) For all other lots, signs must comply with the provisions for the non-business zoning districts in Article VII.

(3) Except for A-frame signs, movement control signs used for parking, and monument signs in Subdistricts 1, 1A, and 1B detached signs are prohibited.

(b) Signs in the right-of-way. All signs located in or intruding into the public right-of-way must have approval by the director of public works and transportation to prevent conflict with government signs. If the director of public works and transportation determines that a previously approved sign must be removed or relocated because of safety requirements or changing traffic conditions, the relocation or removal must be done at the owner's expense within 30 days.

(c) A-frame signs. The following regulations apply:

(1) A-frame signs may identify a business use.

(2) The maximum size of an A-frame sign is 32 inches wide and 36 inches tall.

(3) An A-frame sign may only be displayed when the business it identifies is open.

(4) A-frame signs may be located on the sidewalk if a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.

- (5) Only one A-frame sign is permitted for each business use.
 - (6) A-frame signs must be separated by a minimum of 50 feet.
 - (7) A-frame signs may not be located within 25 feet of an intersection or within a visibility triangle.
- (d) Blade signs. The following regulations apply:
- (1) Blade signs must be attached premise signs.
 - (2) Blade signs may not be internally illuminated.
 - (3) There is no limit on the number of blade signs.
 - (4) The maximum effective area for blade signs is 30 square feet.
 - (5) The lowest part of a blade sign may be located no lower than 12 feet and no higher than 25 feet above street level.
 - (6) A blade sign may not project more than three feet into the right-of-way.
 - (7) A blade sign may not be located closer than 15 feet to another projecting sign.
- (e) Monument signs. The following regulations apply:
- (1) Monument signs are only permitted in Subdistricts 1, 1A, 1B, and 6A. In Subdistrict 6A, the entire property is considered one lot.
 - (2) Monument signs must be premise signs.
 - (3) Monument signs may not be internally illuminated.
 - (4) Except as provided in this paragraph, one monument sign is permitted per premise. In Subdistrict 3A, one monument sign is permitted per street frontage; applied signage on exterior planters is permitted and not considered a monument sign. In Subdistrict 6A, two monument sign are permitted per premise.
 - (5) Except as provided in this paragraph, monument signs must be setback five feet from the right-of-way. In Subdistrict 3A, there is no setback requirement for monument signs.
 - (6) The maximum height for a monument signs is four feet.
 - (7) The maximum effective area for a monument sign is 40 square feet.

(f) Building corner markers with graphic identification in Subdistrict 3A.

(1) “Building corner marker with graphic identification” means “a vertical architectural element on the corner of a project site for graphic identification of a civic project.”

(2) The maximum height for building corner markers with graphic identification is equal to the maximum building height set by the subdistrict regulations.

(3) Building corner markers with graphic identification may be internally illuminated.

(4) Design of the building corner marker with graphic identification must comply with Exhibit 380D. (Ord. Nos. 27944; 28733; 28745; 29126; 29678; 30374)

Staff’s Suggestion (Recommended for denial):

(g) None.

CPC Recommendation:

(g) District identification signs and roof top signs in Subarea XX.
(1) District identification sign means a roof sign bearing the name, logo, or other marker of the subdistrict.
(a) Shall not exceed 12 feet in width
(b) Shall not exceed 5 feet in height.
(c) Shall have a **maximum elevation of** ~~minimum~~ **5 feet elevation** off of the roof deck.
(d) Shall have a maximum effective area of 60 square feet.
(e) Shall be attached to or supported by the roof of the building.
(f) Shall not be internally illuminated.
(g) Shall only be mounted on Legacy Buildings
(h) No more than two (2) signs are allowed within this subdistrict.
(2) Roof sign: means a sign that is attached to or supported by the roof of a building.

SEC. 51P-830.122. ARCHITECTURAL DESIGN STANDARDS.

(a) *Omitted for brevity.*

SEC. 51P-830.123. STREET AND SIDEWALK STANDARDS.

(a) Davis Street and Bishop Avenue (South of Davis).

(1) A minimum 10-foot-wide sidewalk, with a minimum seven-foot-wide unobstructed sidewalk must be provided.

(2) Where the existing right-of-way width does not allow for the required sidewalk width, an additional sidewalk easement must be provided at the time of platting to

achieve a 10-foot-wide sidewalk, unless a building exists as of August 11, 2010 does not allow for the required sidewalk width.

(3) On-street parallel parking with curbed neck-downs is required in accordance with Article XIII, "Form Districts."

(b) All other streets. A minimum six-foot-wide unobstructed sidewalk must be provided.

(c) Pedestrian amenities.

(1) In general.

(A) Pedestrian amenities must be accessible to the public.

(B) Pedestrian amenities must be located at least seven feet away from a transit stop.

(C) Canopies, awning, and streetlamps must have a minimum clearance above a sidewalk of eight feet.

(D) Light fixtures may not exceed 14 feet in height. Light fixtures must be cut-off type luminaires that direct lighting downward.

(E) Except as provided in this subsection, pedestrian amenities must be provided on each building site with a minimum street frontage of 100 feet and must be located within the curb-to-building area but may not be located within the unobstructed sidewalk width.

(2) Davis Street and Bishop Avenue.

(A) The following pedestrian amenities must be provided:

(i) At least one bench per 100 feet of street frontage.

(ii) At least one trash receptacle per 100 feet of street frontage.

(iii) Free-standing or wall-mounted streetlamps as specified in Article XIII, "Form Districts."

(B) At least one of the following pedestrian amenities must be provided on each building site:

(i) Awnings or canopies with a minimum overhang of four feet and a minimum length of 25 feet per 100 feet of building facade along the street frontage.

(ii) At least one five-bicycle parking unit per 100 feet of street frontage.

(iii) Public art, approved in writing by the director of the office of cultural affairs or the cultural affairs commission.

(3) All other streets. The following pedestrian amenities must be provided:

(A) At least one free-standing streetlamp, streetlight suspended between structures, or wall mounted streetlamp per 60 feet of street frontage.

(B) At least one trash receptacle per 100 feet of street frontage.

(4) Maintenance. Pedestrian amenities must be maintained in a state of good repair and neat appearance.

(5) Driveway design.

(A) Pedestrian crosswalks across ingress and egress driveways must be clearly marked by colored concrete or patterned or stamped concrete and approved by the director of public works and transportation. Pedestrian crosswalk markings on the same block frontage must be consistent.

(B) Curb cuts for driveways must be at least 12 feet but not more than 24 feet in length measured parallel to the frontage.

(C) In Subdistrict 3A, ingress/egress is prohibited on Bishop Avenue. Primary ingress/egress is permitted on Madison Avenue. Secondary ingress/egress is permitted on the alley south of the subdistrict running between Bishop Avenue and Madison Avenue. (Ord. Nos. 27944; 28745)

SEC. 51P-830.124.

ADDITIONAL PROVISIONS.

(a) For purposes of platting, structures that exist as of August 11, 2010 that are nonconforming as to the zoning setback regulations or that encroach upon a setback line are not subject to the setback provisions in Sections 51A-8.501(a) or 51A-8.503(e)(1).

(b) If Ninth Street is abandoned, an access easement must be dedicated in the approximate location of the former street to provide pedestrian and vehicular access. Except for maintenance, the access easement may only be closed to public access a maximum of 15 days per month.

(c) In Subdistrict 6B:

(1) Street cross section dimensions for the proposed public road shown on the Subdistrict 6B conceptual plan along the eastern boundary of the subdistrict are to be determined based on standard roadway sections with traffic control operations determined at engineering plans review.

(2) All sidewalks and pedestrian pathways must remain clear of obstruction during construction.

CPC Recommendation:

(d) In Subdistrict 6XX: No roof top patios are permitted on legacy buildings.

~~(d)~~(e) The Property must be properly maintained in a state of good repair and neat appearance.

(e)(f) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 27944; 30374; 31161)

SEC. 51P-830.125.

COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 27944)

CPC RECOMMENDED PROPOSED SUP CONDITIONS

1. **USE:** The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a private-club bar and/or a ~~private event and entertainment venue~~ **commercial amusement (inside) (limited to an amusement center)**
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

3. **TIME LIMIT:** This specific use permit expires on_____, (three-year period from the passage of this ordinance).

Staff's Suggestion (Recommendation is for Denial)

3. **TIME LIMIT:** This specific use permit expires on_____, (two-year period from the passage of this ordinance).

Applicant's Proposal

3. **TIME LIMIT:** This specific use permit expires on_____, (three-year period from the passage of this ordinance), but is eligible for automatic renewals 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:** Maximum floor area is 4,000 square feet.

CPC Recommendation:

5. **HOURS OF OPERATION:** The private-club bar and/or ~~private event and entertainment venue~~ **a commercial amusement (inside) (limited to an amusement center)** may only operate Monday through Wednesday from 5:00 pm to 12:00 am the next day, Thursday and Friday from **3:00 pm** to **12:00** am the next day, and Saturday and Sunday 8:00 am to 12:00 am the next day.

Staff's Suggestion (Recommendation is for Denial)

5. **HOURS OF OPERATION:** The private-club bar and/or private event and entertainment venue may only operate Monday through Wednesday from 5:00 pm to 10:00 pm, Thursday and Friday from 5:00 pm to 11:00 pm, and Saturday 8:00 am to 12:00 am the next day, and Sunday from 8:00 am to 10:00 pm.

Applicant's Proposal

5. HOURS OF OPERATION: The private-club bar and/or ~~private event and entertainment venue~~ a commercial amusement (inside) (limited to an amusement center) may only operate Monday through Wednesday from 5:00 pm to 12:00 am the next day, Thursday and Friday from 3:00 pm to 2:00 am the next day, and Saturday and Sunday 8:00 am to 12:00 am the next day.

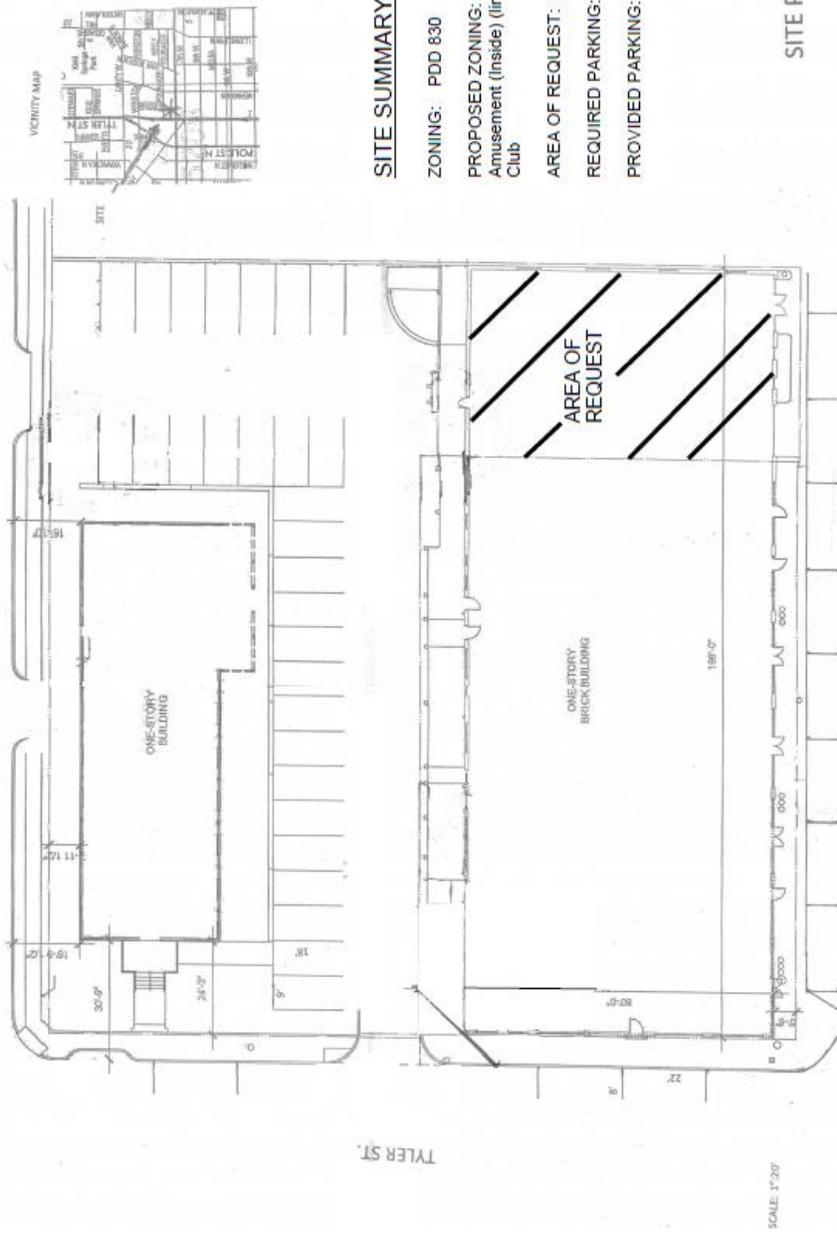
6. No rooftop patios are permitted with these uses.

7. No outside speakers are permitted with these uses.

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

7. 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



SITE SUMMARY

ZONING: PDD 830

PROPOSED ZONING: PDD subdistrict and Commercial Amusement (limited to an amusement center) & Private Club

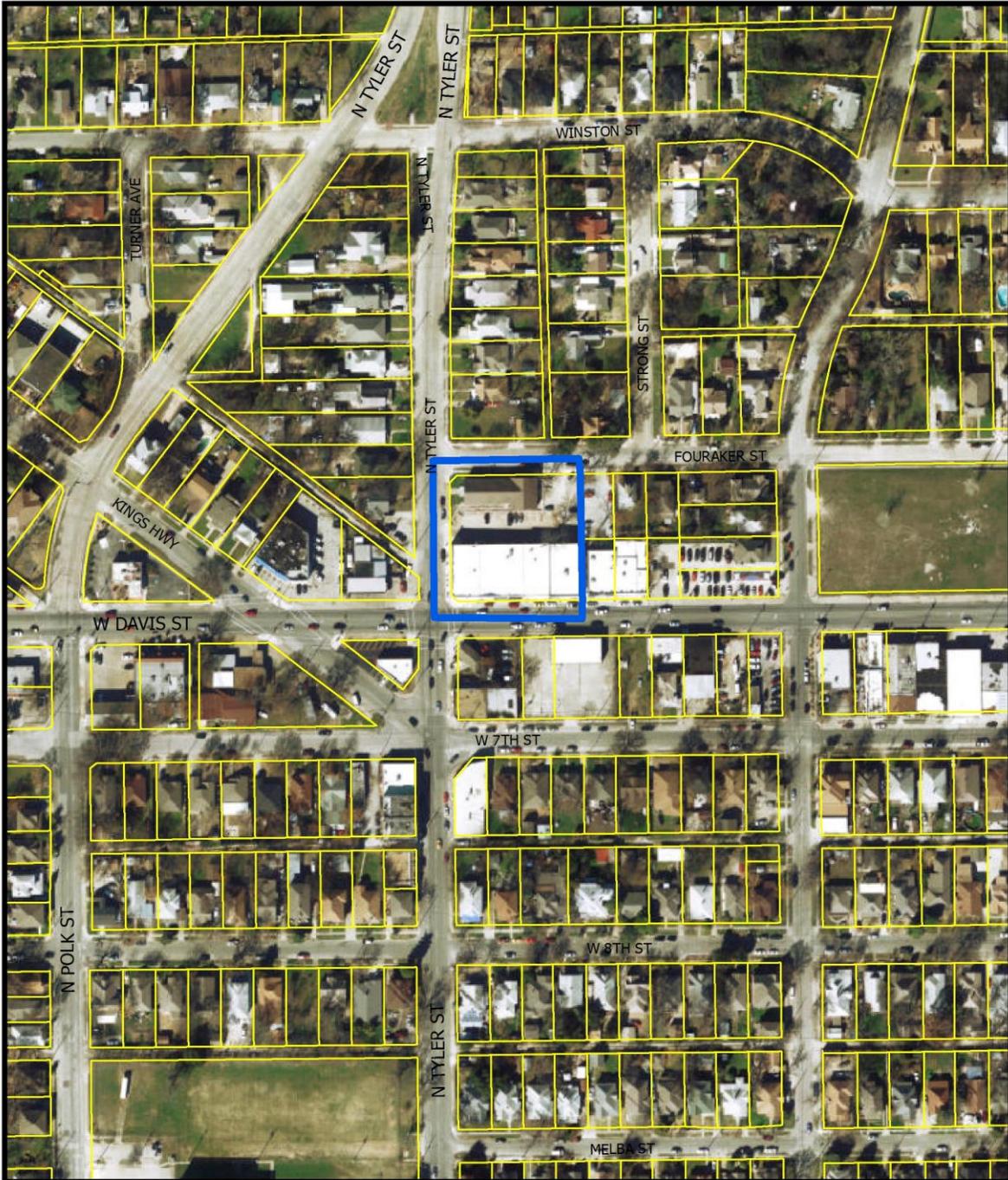
AREA OF REQUEST: 4,000 square feet

REQUIRED PARKING: 18

PROVIDED PARKING: 41

SITE PLAN Z190-123



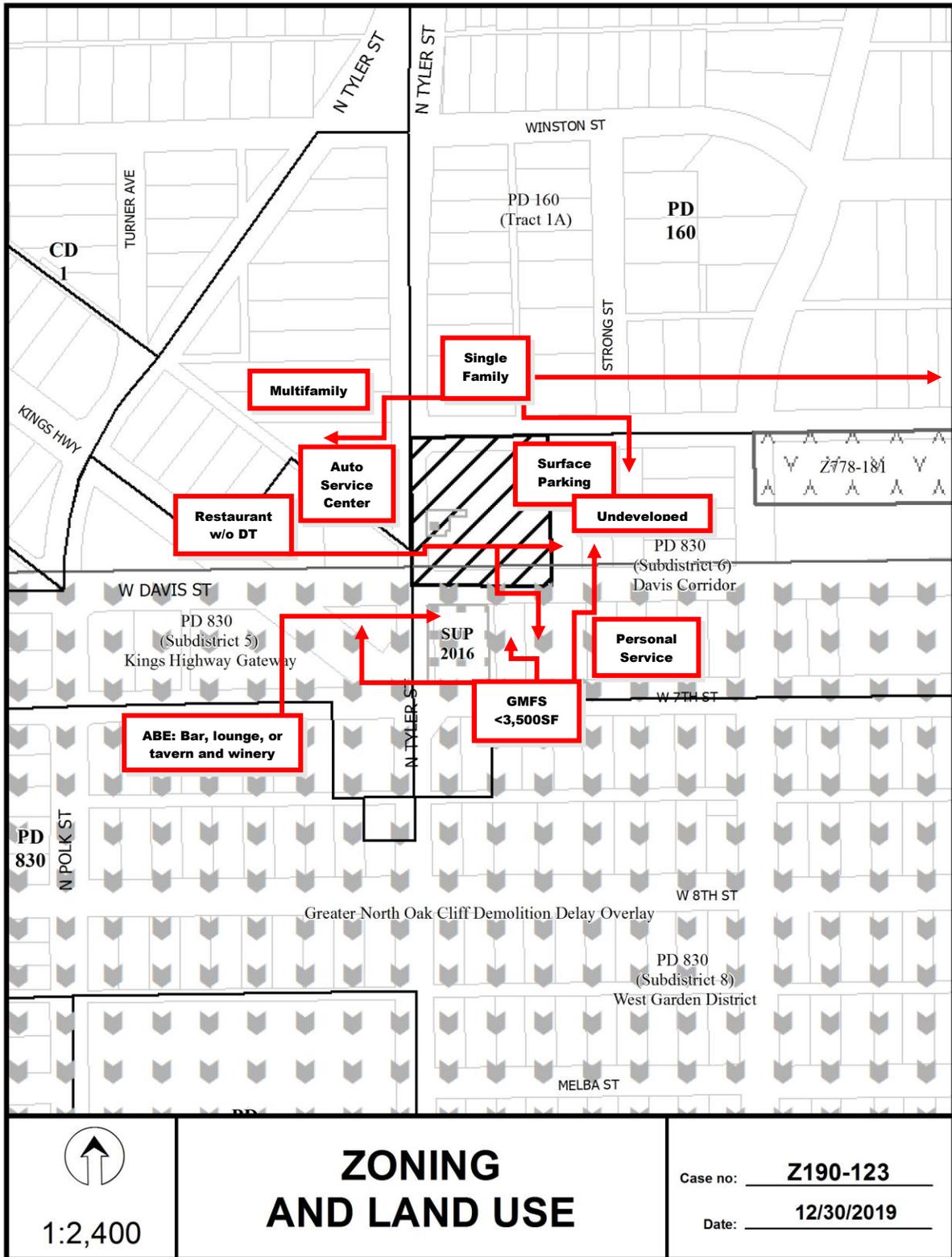


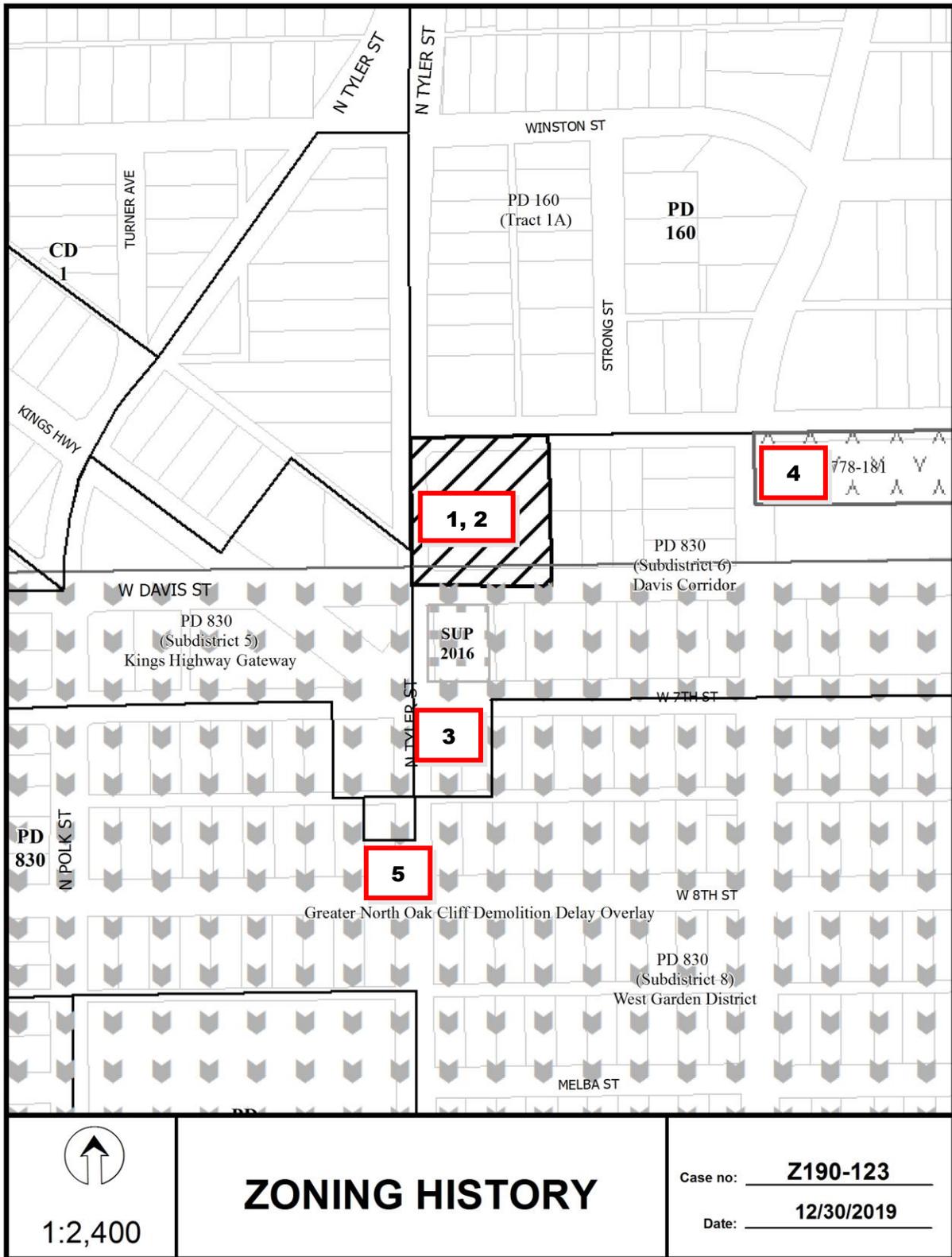
1:2,400

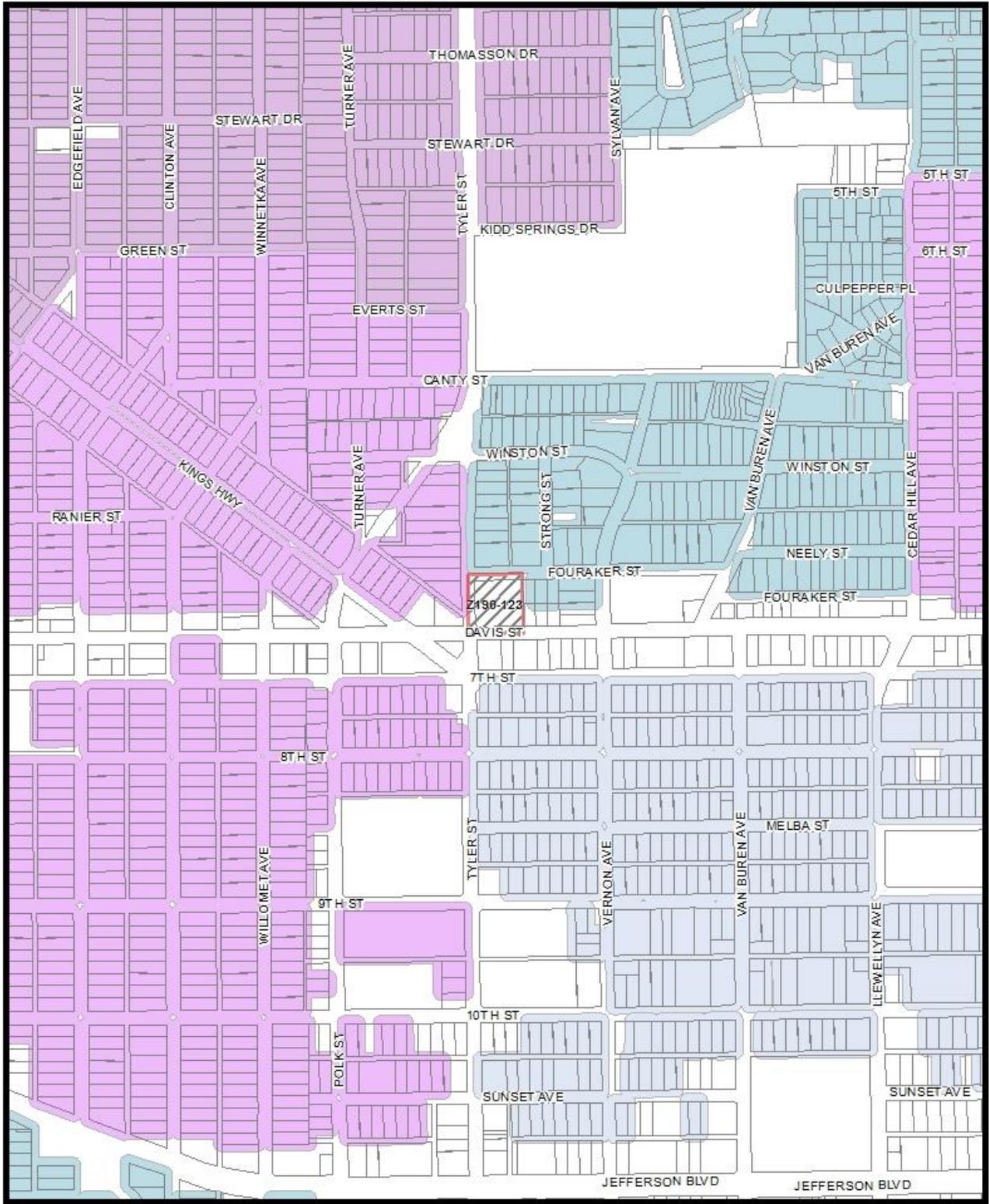
AERIAL MAP

Case no: Z190-123

Date: 12/30/2019







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

1:6,000

Market Value Analysis

Printed Date: 12/30/2019

CPC Responses



103	Property Owners Notified (119 parcels)
32	Replies in Favor (32 parcels)
11	Replies in Opposition (11 parcels)
500'	Area of Notification
6/4/2020	Date

Z190-123
CPC



1:2,400

06/03/2020

Reply List of Property Owners***Z190-123******103 Property Owners Notified******32 Property Owners in Favor******11 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	600 N TYLER ST	GOOD SPACE X LLC
X	3	613 N VERNON AVE	ROSAS CONNIE
	4	609 N VERNON AVE	ANGEL 11 11 LLC
	5	605 N VERNON AVE	ANGEL 11 11 LLC
	6	803 W DAVIS ST	ANGEL 11 11 LLC
	8	732 W DAVIS ST	COOPER L DEWAYNE
	9	722 W DAVIS ST	D MC LEASING INC
O	10	833 W 7TH ST	GIURA PETER
	12	830 W DAVIS ST	PATTERSON RONALD M &
	13	813 W 7TH ST	PATTERSON RONALD M &
	15	800 W DAVIS ST	SOLIS JOSE & MARIA
O	16	715 W DAVIS ST	BISHOP/DAVIS URBAN LLC
	17	623 STRONG ST	TEJADA JESUS S &
	18	633 STRONG ST	SHUGART ASHLEY DON &
X	19	639 STRONG ST	GARZA ROSA MARIA & JESUS
X	20	643 STRONG ST	LLANO OSCAR DEL
X	21	647 STRONG ST	DELLANO OSCAR &
	22	651 STRONG ST	TRAVIS C L
	23	655 STRONG ST	MACIAS JOSE
	24	652 N TYLER ST	ALCALA JOE R
	25	648 N TYLER ST	AFLALO 2014 GS TRUST
	26	644 N TYLER ST	MONTIEL ALEJANDRO H & MARCELINA
	27	642 N TYLER ST	CAMERON MAX FORDYCE &
	28	634 N TYLER ST	PHU TIM &
	29	632 N TYLER ST	RAMIREZ JESUS EST OF
	30	628 N TYLER ST	RAMIREZ RICARDO

06/03/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	31	624 N TYLER ST	ANDREW GONZALES
	32	904 WINSTON ST	SMITH DONALD PAUL
X	33	621 N VERNON AVE	ROSAS JOSE & MARCELINA
X	34	807 FOURAKER ST	GUZMAN JUAN M
X	35	813 FOURAKER ST	GUZMAN GUADALUPE
	36	4 STRONG ST	MARTINEZ JUAN JR &
	37	646 STRONG ST	QUINTERO JULISSA
	38	650 STRONG ST	DELLANO LEONEL & SANJUANA
	39	647 N VERNON AVE	DESALVO DAVID J &
	40	633 N VERNON AVE	COLEMAN GUILLERMO &
	41	641 N VERNON AVE	JARED KIEL S
	42	624 N VERNON AVE	DIAZ FERNANDO &
	43	734 WINSTON ST	DOHERTY DANIEL & ANGELA
	44	924 W DAVIS ST	CVH 918 LLC
	48	736 W 7TH ST	OLIVARES RAFAEL & JULIA
	49	835 W 8TH ST	BOSS E & CARLA S
	50	833 W 8TH ST	BURGESS GEORGE
	51	827 W 8TH ST	MEDRANO JUAN & DORA E
	52	823 W 8TH ST	PORTUGAL JUAN Y &
	53	817 W 8TH ST	PORTUGAL JUAN YANEZ &
	55	809 W 8TH ST	RUBIO REYNA
	56	805 W 8TH ST	RANGEL FRANCISCO J
	57	801 W 8TH ST	IZAGIIRRE JUBENTINO &
O	58	411 N VERNON AVE	LEMLEY SHAUN
	59	800 W 7TH ST	CORTEZ RICARDO & ROSIE
	60	804 W 7TH ST	ZUNIGA ELDA ZAVALA & LUIS
	62	812 W 7TH ST	SPARKS MITCHELL J
	63	816 W 7TH ST	GULATI KUNAL
X	64	820 W 7TH ST	CARRION JUAN SR & MARIA
	65	824 W 7TH ST	PARRAMORE DAVID W
	66	828 W 7TH ST	ROMERO ENMANUEL R

06/03/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	68	410 N TYLER ST	CASARIN MINERVA &
	69	927 W 8TH ST	DELGADILLO MANUEL J
	71	919 W 8TH ST	MORENO ANTONIO & ANTELMA
O	72	915 W 8TH ST	LEFTWICH WILLIAM S
X	73	909 W 8TH ST	TEMPLETON JAMIE LYNN
X	74	905 W 8TH ST	TEMPLETON JAMIE
O	75	901 W 8TH ST	ARGANBRIGHT ROBERT HARVEY
	77	908 W 7TH ST	TORRES ANTONIO ARMADOR
	78	912 W 7TH ST	MALDONADO JUANA
	79	918 W 7TH ST	RAMIREZ HECTOR
	80	928 W 7TH ST	GONZALEZ JOSE D
	82	625 N TYLER ST	CENTRE LIVING CONDOS II LLC
	83	617 N TYLER ST	617 N TYLER ST LLC
O	84	611 N TYLER ST	SALINAS SALVADOR &
	85	901 W DAVIS ST	WILSON VERNON E
	86	1001 KINGS HWY	RAHIM TAISER
	87	1009 KINGS HWY	ESQUIVEL ANGELA D
O	88	1015 KINGS HWY	DAVIS RICHARD
	89	1019 KINGS HWY	WILSON ED
	90	1021 KINGS HWY	ESQUIVEL MARIA
O	91	1025 KINGS HWY	JUREK BILL
	92	1103 KINGS HWY	MILLER JEFFREY B
	93	937 W DAVIS ST	AUSBROOKE LLC
	95	631 N TYLER ST	MARTINEZ MARGARET D
	96	639 N TYLER ST	MONROY JOSE C
	98	638 TURNER AVE	METHENY RICHARD
	100	630 TURNER AVE	YANEZ JOSE GUADALUPE
	101	642 STRONG ST	TORRE DE LA ANTONIO &
	102	922 W 7TH ST	DELLANO JAIME & MICAELA
	103	926 W 7TH ST	MOLINA YECICA A &
O	A1	936 W DAVIS ST	JONES DONALD W

06/03/2020

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	A2	738 W DAVIS ST	SWEET 200 LLC
O	A3	936 W 7TH ST	HENLEY HAROLD HUDSON
O	A4	808 W 7TH ST	CHANDLER JEFREY KIDD
O	A5	805 W 7TH ST	J & PD LLC
O	A6	810 W DAVIS ST	J & PD LLC
O	A7	634 TURNER AVE	PEREZ ELIZABETH
O	A8	828 W DAVIS ST	828 DAVIS LLC
O	A9	828 W DAVIS ST	828 DAVIS LLC
O	A10	900 W DAVIS ST	TYLER ARTS DISTRICT INVESTMENTS LLC
O	A11	832 W 7TH ST	832 W 7TH STREET LLC
O	A12	629 N TYLER ST	TYLER STREET HOLDINGS II LP
O	A13	645 N TYLER ST	TYLER STREET HOLDINGS LP
O	A14	649 N TYLER ST	TYLER STREET HOLDINGS LP
O	A15	816 FOURAKER ST	VALPARAISO HOLDINGS LLC
O	A16	820 FOURAKER ST	VALPARAISO HOLDINGS LLC
O	A17	817 W DAVIS ST	VALPARAISO HOLDINGS LLC
O	A18	819 W DAVIS ST	VALPARAISO HOLDINGS LLC
O	A19	813 W 8TH ST	F&S PROPERTIES LLC
O	A20	407 N TYLER ST	WISTERIA HILLS 12 LLC
O	A21	906 W 7TH ST	WISTERIA HILLS 12 LLC
O	A22	923 W 8TH ST	S & B LAKE HOLDING LLC
O	A23	732 W 7TH ST	DEVONSHIRE VENTURES LLC