

**FILE NUMBER:** Z201-148(CT) **DATE FILED:** December 15, 2020

**LOCATION:** East line of Greenville Avenue, north of Prospect Avenue

**COUNCIL DISTRICT:** 14 **MAPSCO:** 36 T

**SIZE OF REQUEST:** Approx. 1,240 Sq. Ft. **CENSUS TRACT:** 11.01

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**REPRESENTATIVE:** Roger Albright

**APPLICANT:** O'Dokie, LLC

**OWNER:** Greenville 2100, Ltd.

**REQUEST:** An application for the renewal of Specific Use Permit No. 1889 for a late hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern use on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay District.

**SUMMARY:** The purpose of the request is to allow for the continued operation of a late hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern use on the site [Single Wide Bar].

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

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

## **BACKGROUND INFORMATION:**

- The request site is developed with a 1,240-square-foot alcoholic beverage establishment limited to a bar lounge and tavern use.
- The applicant proposes to continue the late hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern use on the property.
- A bar, lounge, or tavern is defined as an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premise consumption.
- The Specific Use Permit was initially approved by City Council on September 14, 2011 for a two-year period. The SUP was renewed on August 28, 2013 for a three-year period and on June 22, 2016 for a five-year period.

**Zoning History:** There have been approximately 15 zoning cases at 10 locations in the area over the past five years.

1. **Z167-263 & Z156-300:** On October 26, 2016, the City Council approved the renewal of Specific Use Permit No. 1905 for a late-hours establishment limited to a restaurant without drive-in or drive-through use on property within Planned Development District No. 842 for CR Community Retail District use with a MD-1 Modified Delta Overlay. This case was automatically renewed on April 7, 2017.
2. **Z178-186:** On April 25, 2018, the City Council approved the Oak Lawn/East Dallas Demolition Delay Overlay District in an area generally bound by Live Oak Street, Bryan Parkway, Matilda Street, Martel Avenue, municipal boundary of Dallas and Highland Park, Lemmon Avenue, Dallas North Tollway, Turtle Creek Boulevard, Carlisle Street, Blackburn Street, and Haskell Avenue to Main Street, both sides of Main Street from Haskell Avenue to Carroll Avenue, Main Place, Prairie Avenue, Columbia Avenue, and Fitzhugh Avenue; and containing approximately 3,277.30 acres.
3. **Z178-387 & Z167-342:** On January 23, 2019 and October 11, 2017, the City Council approved the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay District on the north line of Alta Avenue, west of Greenville Avenue.
4. **Z189-124 & Z189-126:** On February 7, 2019, the City Plan Commission recommended denial without prejudice of two applications for Specific Use Permits for late-hours establishments limited to restaurants without drive-in or drive-

through service, located on the east line of Greenville Avenue, between Oram Avenue and La Vista Drive.

5. **Z189-131:** On April 10, 2019, the City Council denied without prejudice, an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, located on the east line of Greenville Avenue, between Oram Street and La Vista Drive.
6. **Z189-206:** On August 14, 2019, the City Council approved the creation of Subdistrict 2 within PD No. 842 with a MD-1 Modified Delta Overlay located on the northeast corner of Greenville Avenue and Oram Street.
7. **Z189-251:** On August 14, 2019, the City Council approved the renewal of Specific Use Permit No. 2346 for a for a late-hours establishment limited to a restaurant with drive-in or drive-through service for a four-year period subject to a site plan and conditions, on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay, located on southwest corner of Greenville Avenue and Alta Avenue.
8. **Z189-261 & Z156-294:** On October 26, 2016, the City Council approved a renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to a restaurant without drive-in or drive-through use on property within Planned Development District No. 842 for CR Community Retail District use with a MD-1 Modified Delta Overlay. This case was auto-renewed on May 20, 2019.
9. **Z189-333, Z178-304 & Z167-367:** On December 13, 2017, the City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through use on property within Planned Development District No. 842 for CR Community Retail District use with a MD-1 Modified Delta Overlay. This request was renewed on November 14, 2018 and January 9, 2020.
10. **Z201-101:** On January 21, 2021, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant with drive-in or drive-through service with prejudice.

#### **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Local	50 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:

**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.

**GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS**

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**URBAN DESIGN**

**GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE**

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

**Area Plan:**

Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that "the City enforce premise code violations as it does in other parts of the City of Dallas". Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that "initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and

operations to maintain the property and report violations to the City for follow-up action.” Recommendations from both studies are still applicable today and consistent with authorized hearing SUP recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

### **Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD No. 842, MD Modified Delta Overlay, DDO Demolition Delay Overlay	Alcoholic beverage establishment
<b>North</b>	PD No. 842, MD Modified Delta Overlay, DDO Demolition Delay Overlay SUP 1898 for a late-hours establishment limited to general merchandise or food store and motor vehicle fueling station	Retail
<b>East</b>	PD No. 167, MD Modified Delta Overlay, DDO Demolition Delay Overlay	Surface Parking Multifamily
<b>South</b>	PD No. 842, MD Modified Delta Overlay, DDO Demolition Delay Overlay SUP No. 2327 for a late hours establishment limited to a restaurant without drive through service use SUP No. 2272 for a late hours establishment limited to a restaurant without drive through service use	Retail
<b>West</b>	PD No. 842, MD Modified Delta Overlay, DDO Demolition Delay Overlay	Retail

### **Land Use Compatibility:**

The site is currently zoned Planned Development District No. 842 with SUP No. 1889 and is currently developed with a late hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern use. The applicant proposes to continue the use on the property.

The site is surrounded by a mix of office, retail, and entertainment uses. North of the site are retail uses including a restaurant without drive in or drive-through service and a motor vehicle fueling station. West of the site across Greenville Avenue are restaurants and a general merchandise and food store use. South are more restaurants and retail uses. Medium density residential uses are developed on properties to the east, across the site's off-street parking area.

During the City Plan Commission hearing, the commission altered staff's recommendation and recommends a three-year time period for the renewal of the SUP, whereas staff recommends five years.

The purpose of PDD No. 842 is to 'ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues.' As defined in the PDD, a late-hours establishment is any retail or personal service use that operates between 12:00 a.m. and 6:00 a.m., and furthermore requires an SUP for this defined use. Additionally, the City Council adopted a compliance date of September 23, 2011 for any retail and personal service use operating beyond 12:00 a.m. to obtain the required SUP. The applicant has request automatic renewals, yet staff believes that, with the sensitivity of the use in the area, requiring the standard renewal process would allow for a reassessment of the late hours in the future.

The PD gives additional criteria for evaluating a request for a specific use permit:

- (e) Factors to be considered for a specific use permit for a late-hours establishment. The City Plan Commission and City Council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):
  - (1) the number of citations issued by police to patrons of the establishment;
  - (2) the number of citations issued by police for noise ordinance violations by the establishment;
  - (3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;
  - (4) the number of Texas Alcoholic Beverage Code violations of the establishment; and
  - (5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

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 applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code.

**Landscaping:**

The request site will not trigger any landscaping because there is no increase in the total floor area.

**Parking:**

Since 1985, the use of the property has been for a bar, lounge, or tavern encompassing 1,000 square feet of floor area. Ten delta credits exist and will continue to be utilized to satisfy the off-street parking requirement for this applicant's request.

**Market Value Analysis**

[Market Value Analysis \(MVA\)](#), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is within an "I" MVA Cluster and encompassed to the north, south, east, and west by "C" MVA designation.

**List of Officers**

Greenville 2100, LTD

2100 Management, Inc., General Partner  
Larry Vineyard, Vice President

Limited Partners

RGCT Texas Limited Partnership  
Susan B. Reese  
Frances E. Vineyard  
Katherine T. Reese  
MERSUZ Partners LP  
SULU Partners LP



**CPC ACTION**  
**APRIL 22, 2021**

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1889 for a late hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern use for a three-year period, subject to conditions on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay District, on the east line of Greenville Avenue, north of Prospect Avenue.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 10

**Notices:** Area: 200 Mailed: 24  
**Replies:** For: 0 Against: 0

**Speakers:** For: None  
For (Did not Speak): Roger Albright, 1701 N. Collins Blvd., Richardson, TX, 75080  
Against: None

### **CPC RECOMMENDED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to 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.

#### *CPC Recommendation*

3. TIME LIMIT: This specific use permit expires on [~~June 22, 2021~~] (three years from the passage of this ordinance).

#### *Staff's Recommendation*

3. TIME LIMIT: This specific use permit expires on [~~June 22, 2021~~] (five years from the passage of this ordinance).

#### *Applicant's Request*

3. TIME LIMIT: This specific use permit expires on [~~June 22, 2021~~] (five years from the passage of this ordinance), and is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. In order 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 application for automatic renewal is strictly enforced).

4. FLOOR AREA: The maximum floor area is 1,000 square feet.
5. HOURS OF OPERATION:
  - A. The late-hours establishment may only operate between 12:00 a.m. (midnight) and 2:00 a.m. (the next day), Monday through Sunday.
  - B. All customers must leave the Property by 2:15 a.m.
6. OUTDOOR LOUDSPEAKERS: Use of outdoor loudspeakers on the Property is prohibited.

7. OUTDOOR PATIO:

A. The maximum outdoor patio area is 207 square feet in the location shown on the attached site plan.

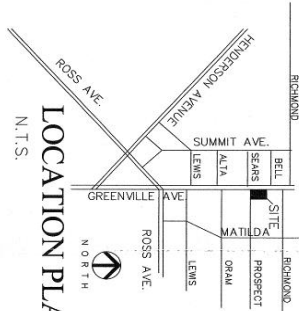
B. The patio must be uncovered.

C. The owner or operator must obtain a private license for an outdoor patio, with a copy of the private license provided to the building official before the outdoor patio may be used by customers.

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

9. GENERAL REQUIREMENT: 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 Changes Proposed)



LOCATION PLAN  
N.T.S.

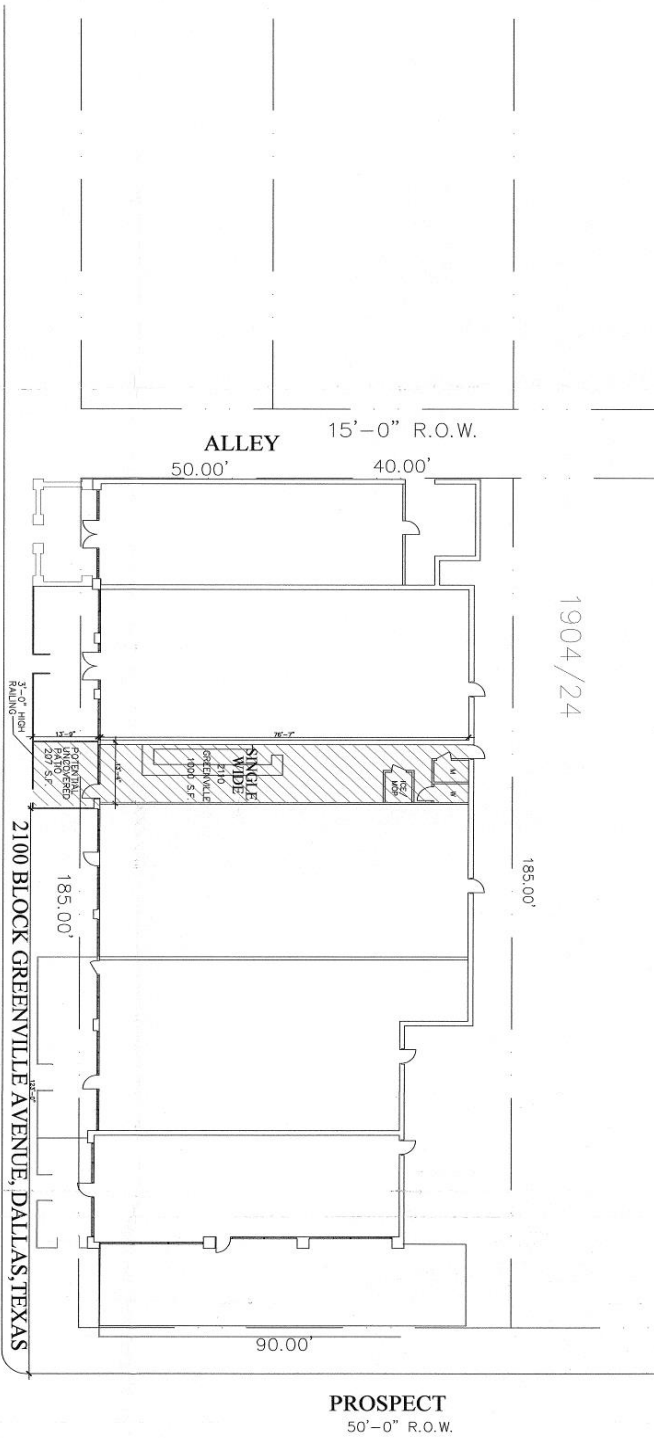
SITE PLAN  
SCALE: 1" = 10'-0"



## GREENVILLE AVE.

100'-0" R.O.W.

USE - LATE NIGHT ESTABLISHMENT FOR A BAR, TAVERN OR LOUNGE  
APPROXIMATE DISTANCE OF SINGLE WIDE TO PROSPECT AVE. = 123'-0"  
FLOOR AREA = 1000 S.F.  
PATIO AREA = 207 S.F.  
HEIGHT: 19'-0"  
STORIES: ONE



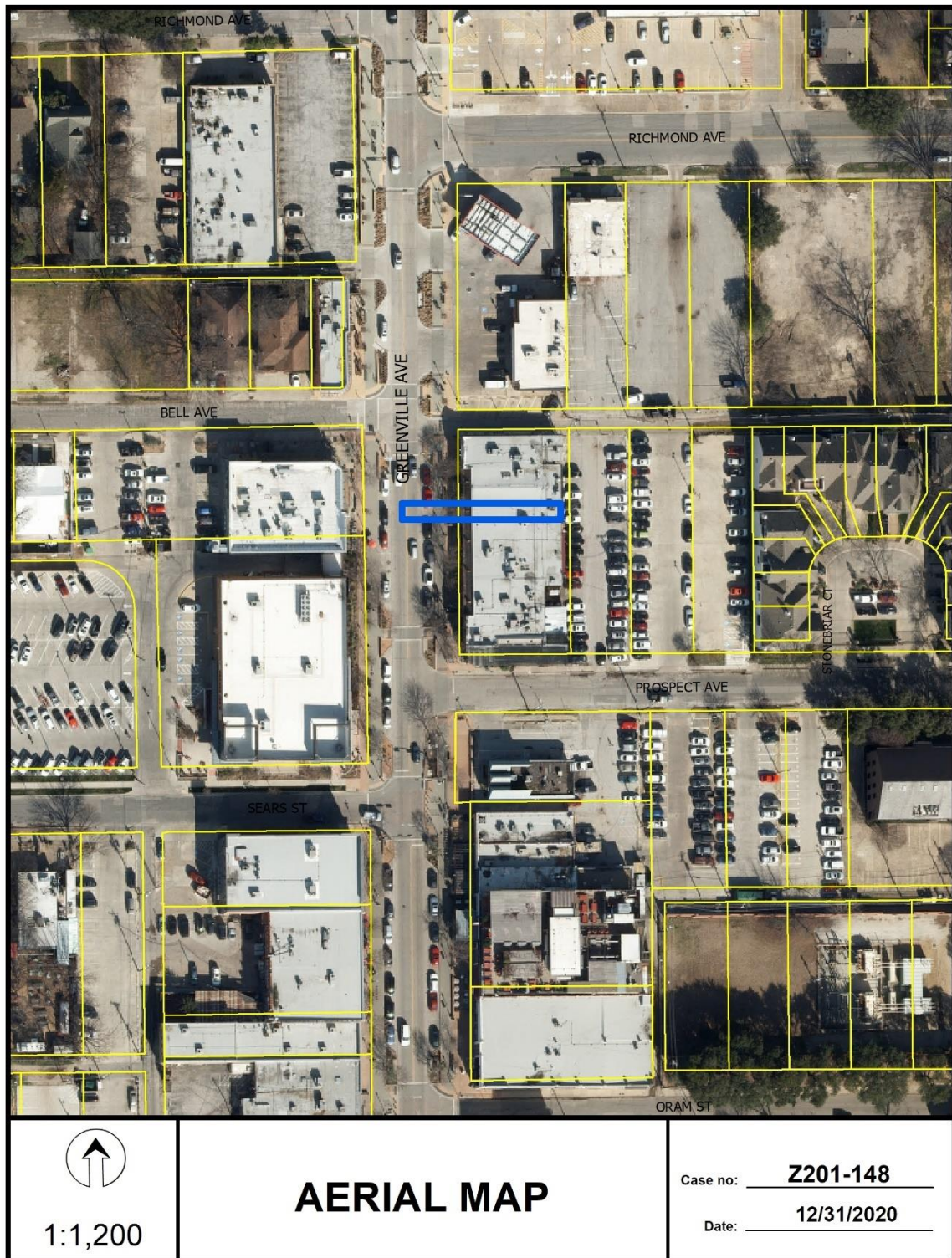
2100 BLOCK GREENVILLE AVENUE, DALLAS, TEXAS
DATE: 02/20/21
SITE PLAN- SINGLE WIDE, 2100 GREENVILLE AVE.
USE - LATE NIGHT ESTABLISHMENT FOR A BAR, TAVERN OR LOUNGE
FLOOR AREA = 1000 S.F.
POTENTIAL UNCOVERED PATIO AREA = 207 S.F.
ONE STORY BUILDING, 19'-0" H.
PATIO RAIL HEIGHT = 3'-0" HIGH
ZONING CASE NO. - Z101-270 (RB)

SCALE  
0' 5' 15' 40'

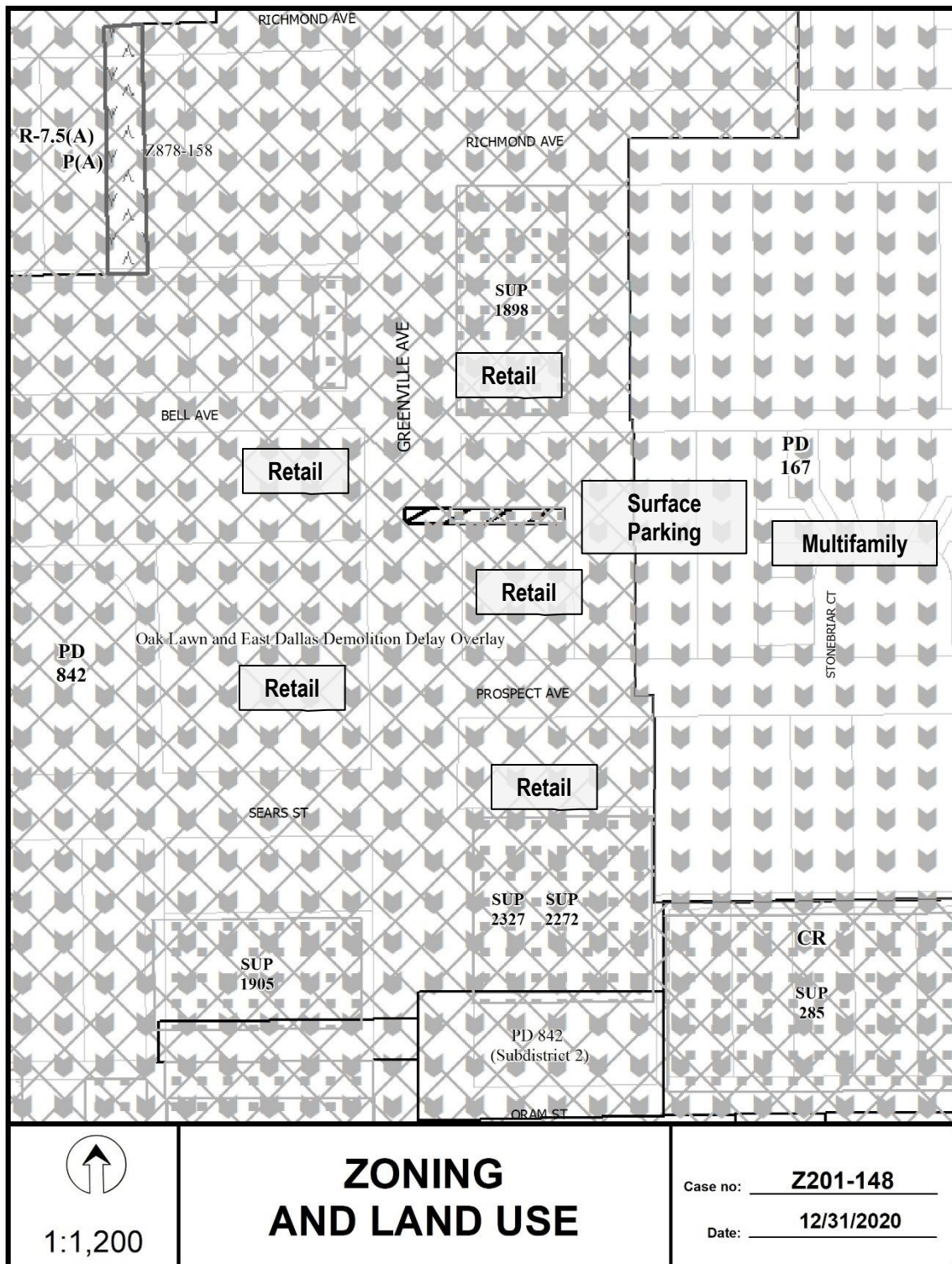


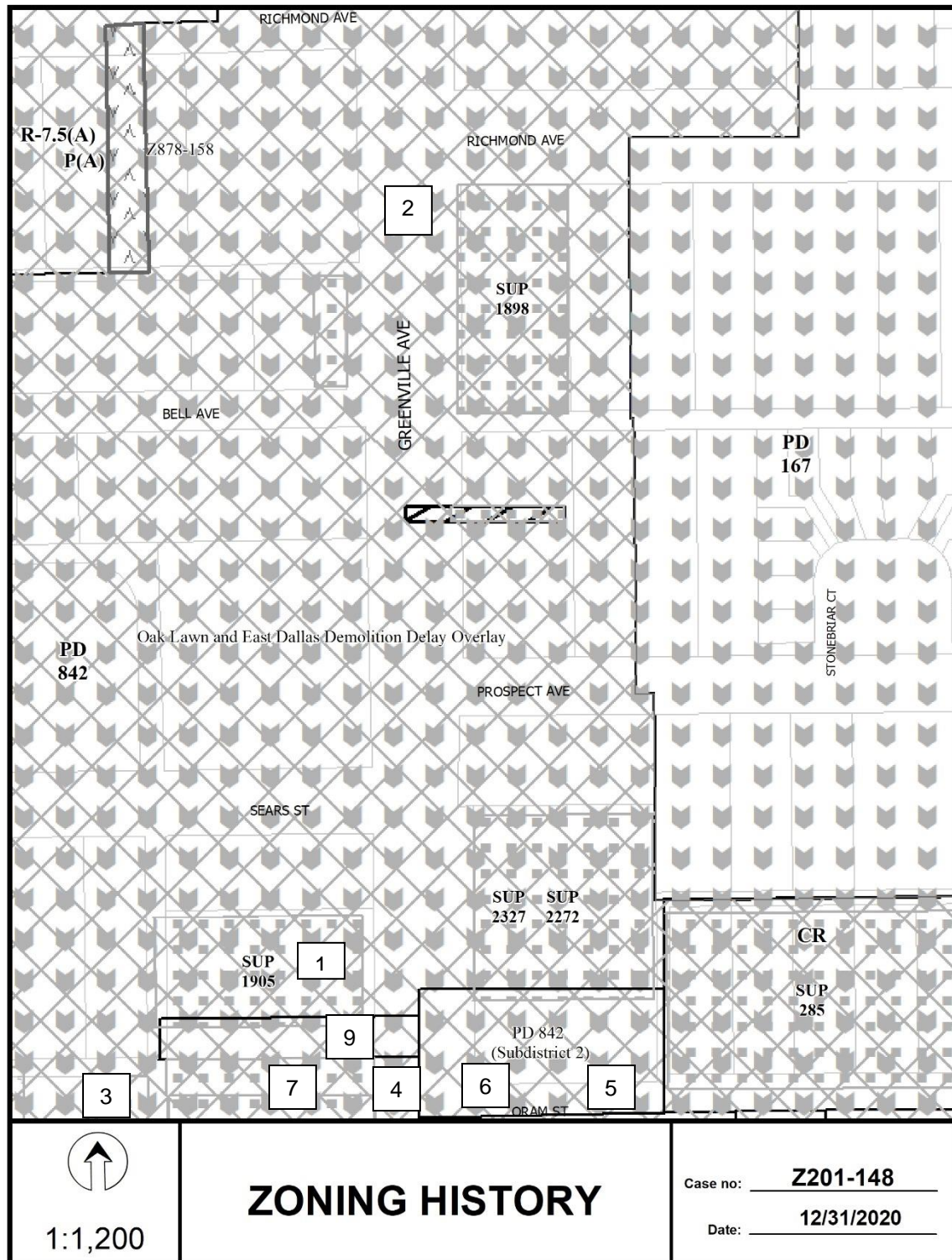
112431  
28356  
SEP 14 2011  
APPROVED BY: [Signature]  
DATE: 09/14/2011  
CITY OF DALLAS  
DEPARTMENT OF CITY PLANNING  
STANDARD & SPECIFICATIONS



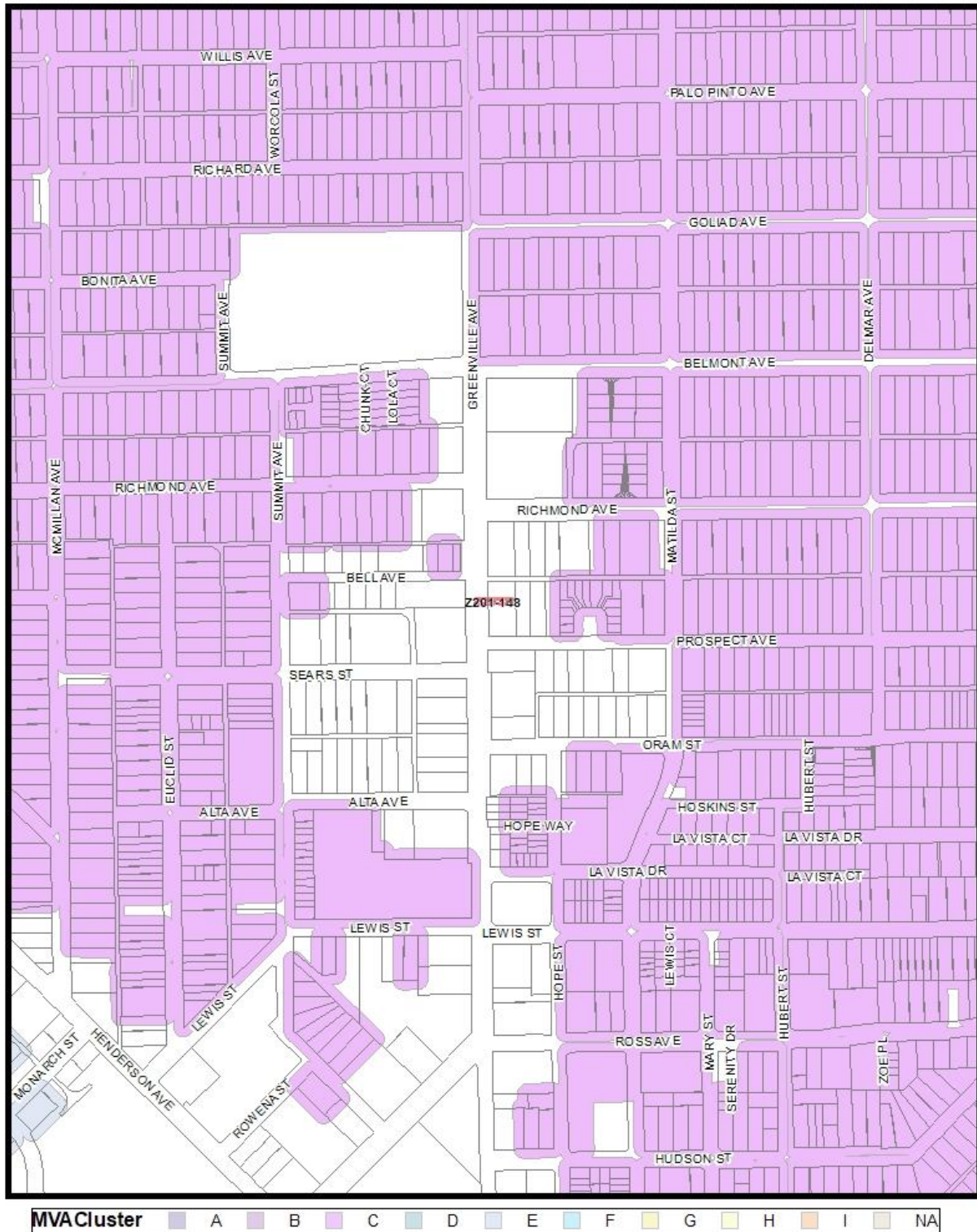










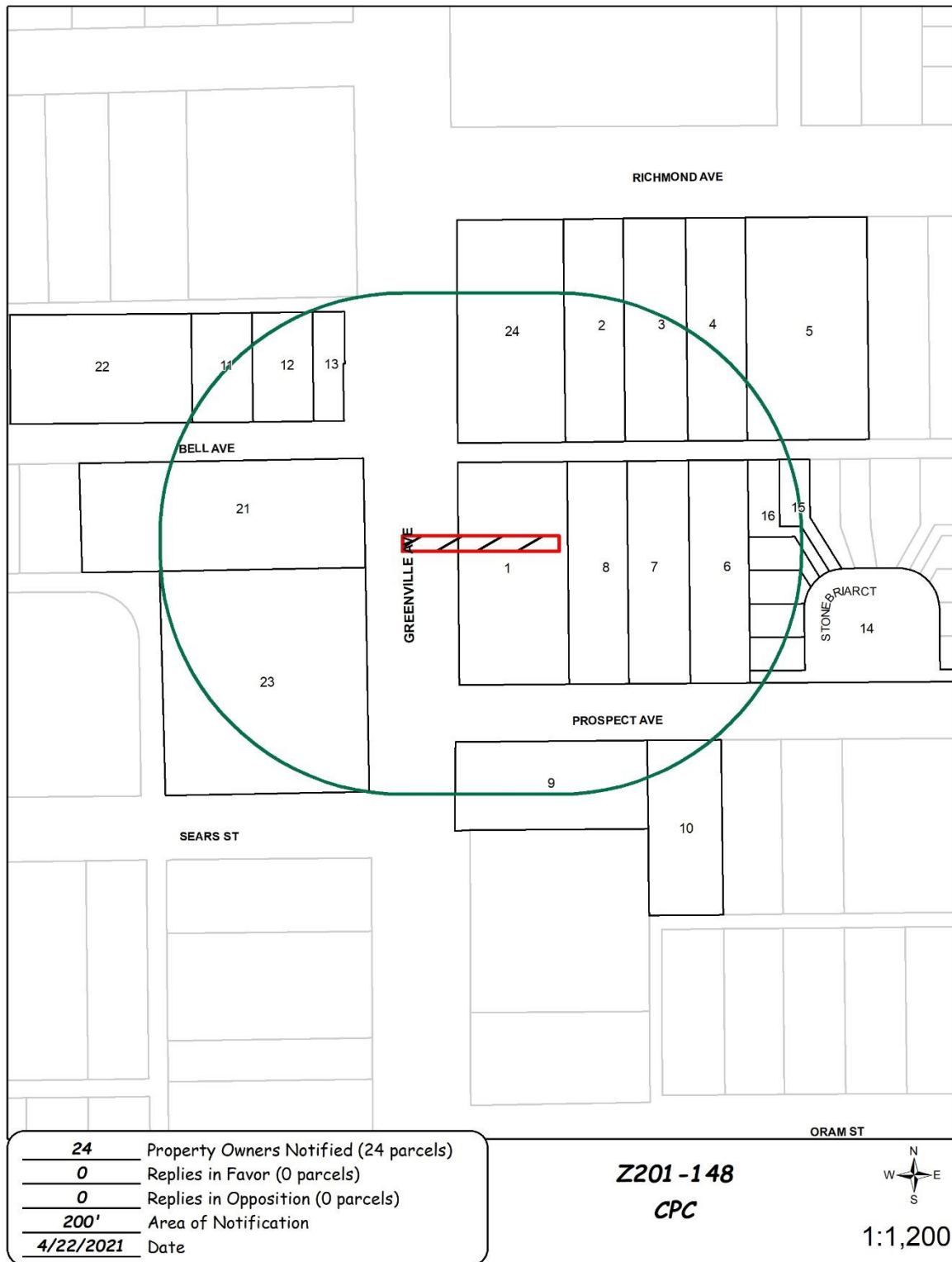


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# Market Value Analysis

Printed Date: 12/31/2020

CPC RESPONSES



04/21/2021

***Reply List of Property Owners******Z201-148******24 Property Owners Notified   0 Property Owners in Favor   0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2104	GREENVILLE AVE	Taxpayer at
2	5710	RICHMOND AVE	SANCHEZ FIDENCIO
3	5714	RICHMOND AVE	Taxpayer at
4	5716	RICHMOND AVE	Taxpayer at
5	5722	RICHMOND AVE	Taxpayer at
6	5719	PROSPECT AVE	Taxpayer at
7	5715	PROSPECT AVE	Taxpayer at
8	5711	PROSPECT AVE	ANDRES FAMILY TRUST
9	2026	GREENVILLE AVE	Taxpayer at
10	5716	PROSPECT AVE	Taxpayer at
11	5639	BELL ST	Taxpayer at
12	5643	BELL ST	Taxpayer at
13	2101	GREENVILLE AVE	Taxpayer at
14	2100	STONEBRIAR CT	STONEBRIAR CT H O A
15	6	STONEBRIAR CT	KELLEY STEPHANIE C &
16	5	STONEBRIAR CT	WHITELEY ANDREW &
17	4	STONEBRIAR CT	STOKES ROBERT CHARLES
18	3	STONEBRIAR CT	MATTHEW JOHN W &
19	2	STONEBRIAR CT	GERDES ANDREW KIRK
20	1	STONEBRIAR CT	Taxpayer at
21	2023	GREENVILLE AVE	2001 GREENVILLE VENTURE
22	5627	BELL ST	LEFEBVRE DALE
23	2001	GREENVILLE AVE	2001 GREENVILLE VENTURE LTD
24	2120	GREENVILLE AVE	Taxpayer at