

FILE NUMBER: Z234-113(MB) **DATE FILED:** October 25, 2023

LOCATION: Southwest corner of South Zang Boulevard and West Suffolk Avenue

COUNCIL DISTRICT: 1

SIZE OF REQUEST: Approx. 11,674 sq. ft. **CENSUS TRACT:** 48113005000

OWNER: Al Nachawati Corp.

APPLICANT: Osama Alshahrour

REQUEST: An application for an amendment to Specific Use Permit No. 1933 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to continue the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. [Zang Mart]

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

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

BACKGROUND INFORMATION:

- The site is developed with a general merchandise or food store less than 3,500 square feet and a motor vehicle fueling station.
- The applicant proposes to continue the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
- SUP No. 1933 was approved by City Council on January 25, 2012 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a period of two years, with eligibility for automatic renewal for additional five-year periods.
- SUP No. 1933 was subsequently automatically renewed on January 25, 2014 for a period of five years, and automatically renewed on January 25, 2019 for a period of five years.
- SUP No. 1933 expired on January 25, 2024. Applicant filed for renewal on October 25, 2023, outside of the automatic renewal window.
- The applicant requests the renewal of SUP No. 1933 for a five-year period with eligibility for automatic renewal for additional five-year periods to continue the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. Applicant does not propose any changes to the existing site plan.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
West Suffolk Avenue	Local Street	50 feet
South Zang Boulevard	Minor Arterial	100 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not have a significant impact on traffic.

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.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Land Use:

	Zoning	Land Use
Site	MU-1-D-1 Mixed Use, D-1	GMFS <3,500 SF, motor vehicle fueling station
North	MU-1-D Mixed Use, D	Single family, restaurant w/o drive-in or drive-through service
South	MU-1-D Mixed Use, D	Single family
West	MU-1-D Mixed Use, D	Single family
East	RR Regional Retail	Vehicle or engine repair or maintenance, single family

Land Use Compatibility:

The request area consists of a general merchandise or food store less than 3,500 square feet and a motor vehicle fueling station. The applicant is requesting renewal of SUP No. 1933 to continue the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet. The site is surrounded by single family and a restaurant without drive-in or drive-through service. Staff finds that ongoing

alcohol sales in conjunction with a general merchandise or food store will not have a negative impact on the surrounding area. As the area is zoned an MU-1 Mixed Use District, the continuation of this use provides for minimization of vehicular travel for nearby residents.

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 continuation of alcohol sales in conjunction with a general merchandise or food store less than 3,500 square feet would not be detrimental to the general welfare of the area. Automatic renewal is recommended as the Specific Use Permit was previously allowed automatic renewals, and the subject site is not indicated for changes in future land use on the comprehensive plan.

Landscaping:

Landscaping will be provided per Article X regulations, as amended.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store less than 3,500 square feet is one (1) space per 200 square feet of floor area. Additionally, one space per gas pump is required for the motor vehicle fueling station. The site requires 11 parking spaces (9 for general merchandise, 2 for gas pumps) and provides 11 parking spaces.

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 (A through C) to orange, representing the weakest markets (G through I). The area of request is within an “H” MVA area. To the northeast and north is an “F” MVA area.

Crime Report:

A copy of the police report of offenses recorded at this property is provided below for the period of January 25, 2019 to November 14, 2023 (date report was requested).

Offenses

Offenses (Summary)	Count of Incidents
AGG ASSAULT - NFV	1
ALL OTHER OFFENSES	1
BMV	1
DRUG/ NARCOTIC VIOLATIONS	4
MISCELLANEOUS	9
OTHER THEFT	4
ROBBERY-INDIVIDUAL	1
UUMV	2
WEAPON LAW VIOLATIONS	3
Grand Total	26

Calls

Calls (Summary)	Count of Problem
07 - Minor Accident	4
08 - Intoxicated Person	1
09/01 - Theft	1
12B - Business Alarm	8
17 - Kidnapping in Progress	1
20 - Robbery	1
21B - Business Hold Up	4
26 - Missing Person	1
31 - Criminal Mischief	1
32 - Suspicious Person	2
40 - Other	1
40/01 - Other	4
41/11B - Burg Busn in Progress	1
41/40 - Other - In Progress	1
46 - CIT	1
58 - Routine Investigation	6
6X - Major Dist (Violence)	6
6XA - Major Dist Ambulance	1
7X - Major Accident	1
DAEF-Dist Armed Encounter Foot	1
DAEV-Dist Armed Encounter Veh	1
OADS - Open Air Drug Sales	1
PSE/09 - Theft	2
Grand Total	51

Arrests

Arrests (Summary)	Count of Incidents
ALL OTHER OFFENSES	1
DRUG EQUIPMENT VIOLATIONS	1
DRUG/ NARCOTIC VIOLATIONS	3
OTHER THEFT	1
UUMV	1
WARRANT DALLAS PD (KIDNAPPING)	1
WARRANT HOLD (OUTSIDE AGENCY)	2
Grand Total	10

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List of Officers

Al Nachawati Corp.

Nour Alnachawati, President

Osama Alshahrour, Director and Registered Agent

CPC Action
February 1, 2024

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1933 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions on property zoned an MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay, on the southwest corner of South Zang Boulevard and West Suffolk Avenue.

Maker: Blair
Second: Herbert
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Housewright, Treadway, Haqq, Hall, Kingston,
Rubin

Against: 0
Absent: 0
Vacancy: 1 - District 4

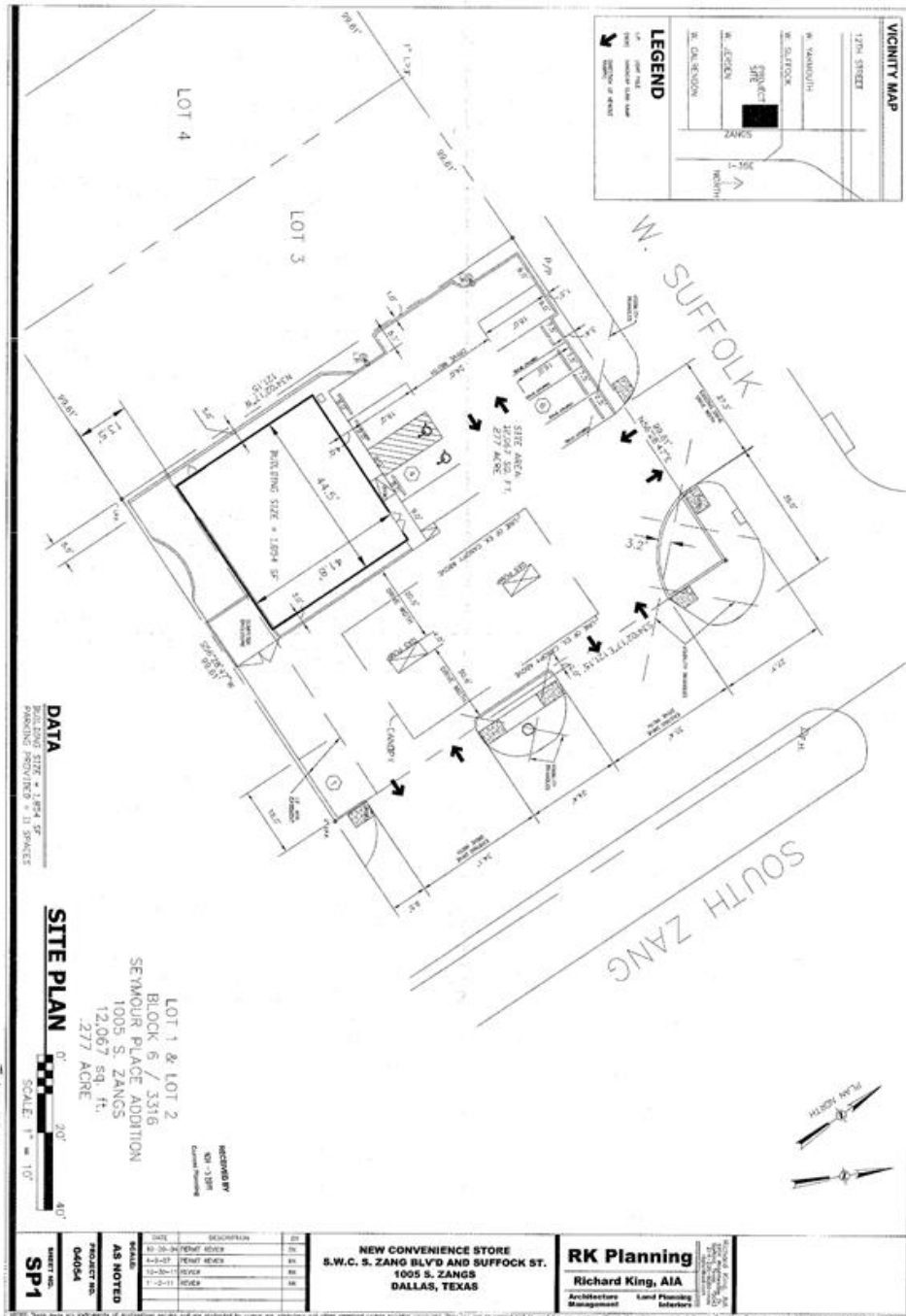
Notices: Area: 200 Mailed: 30
Replies: For: 6 Against: 0

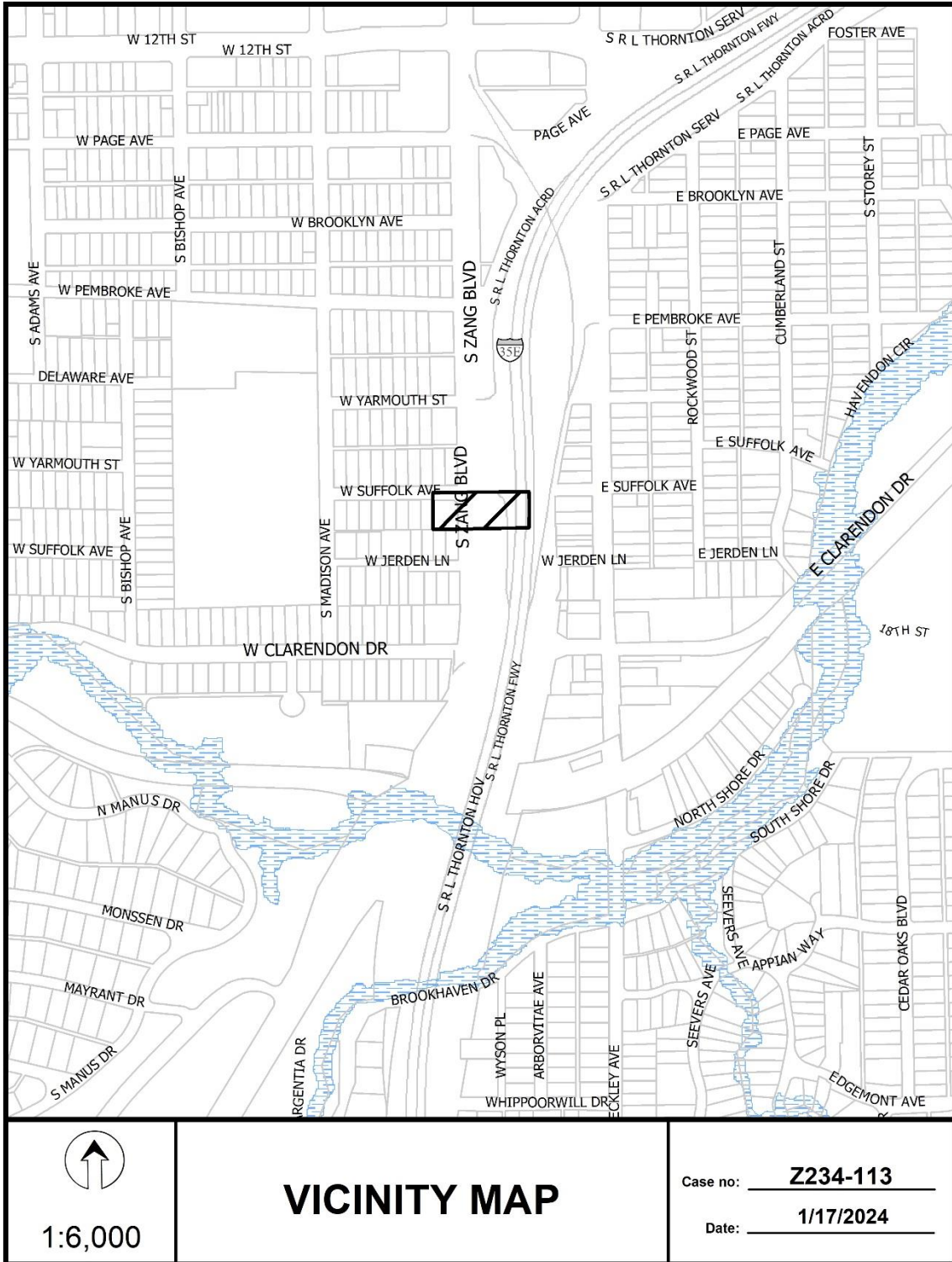
Speakers: None

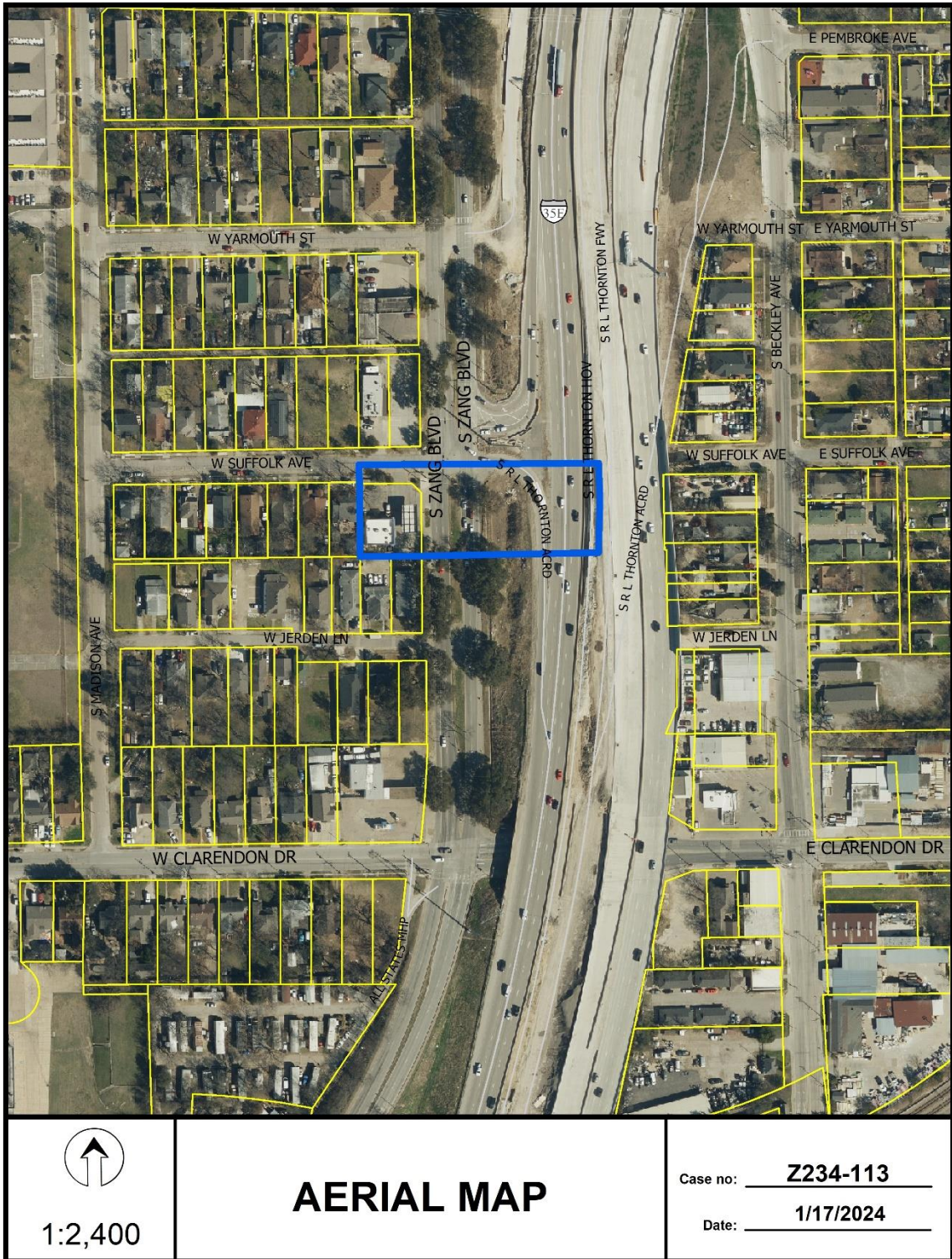
CPC RECOMMENDED CONDITIONS

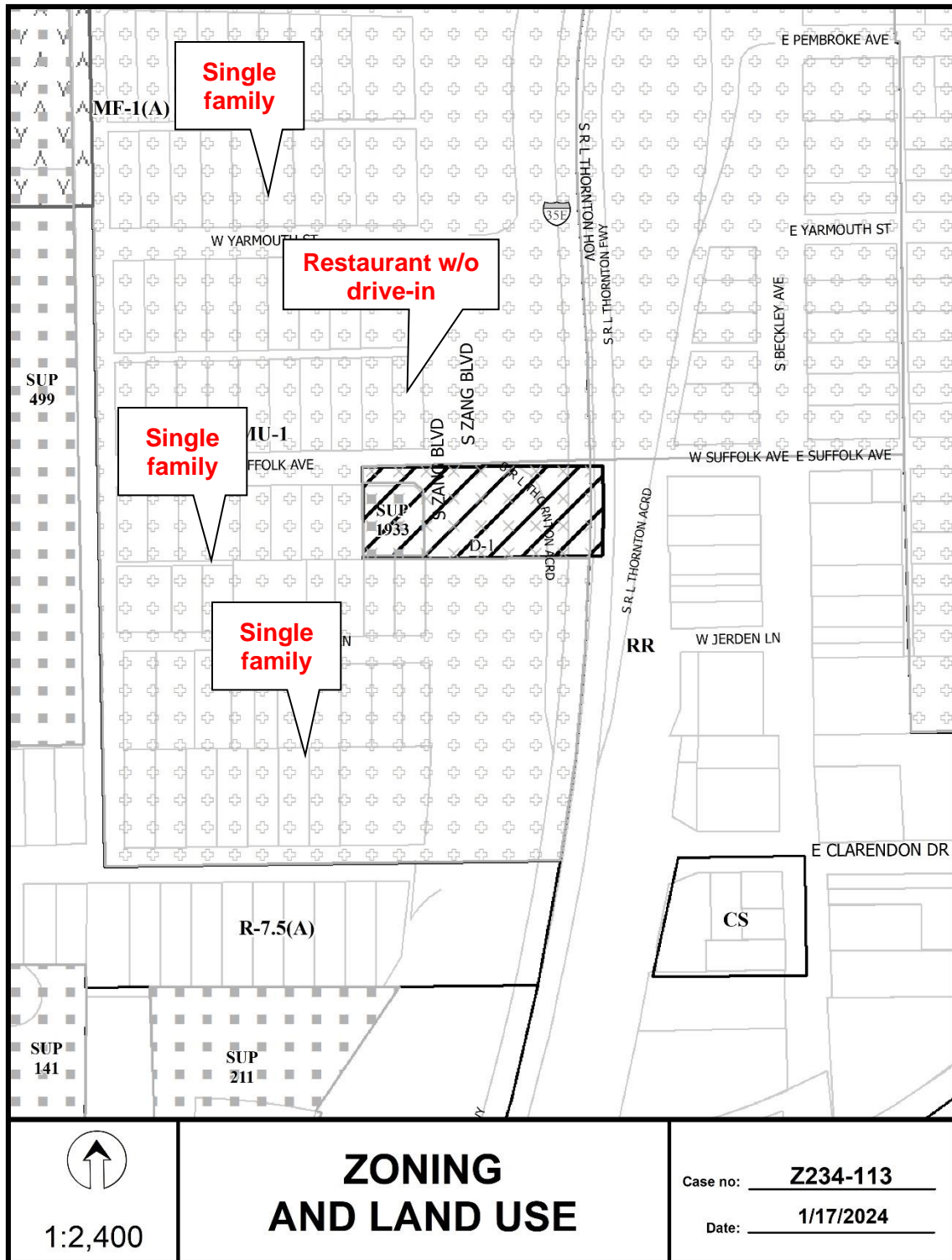
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on [five years from passage of ordinance], but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN (NO CHANGES PROPOSED)







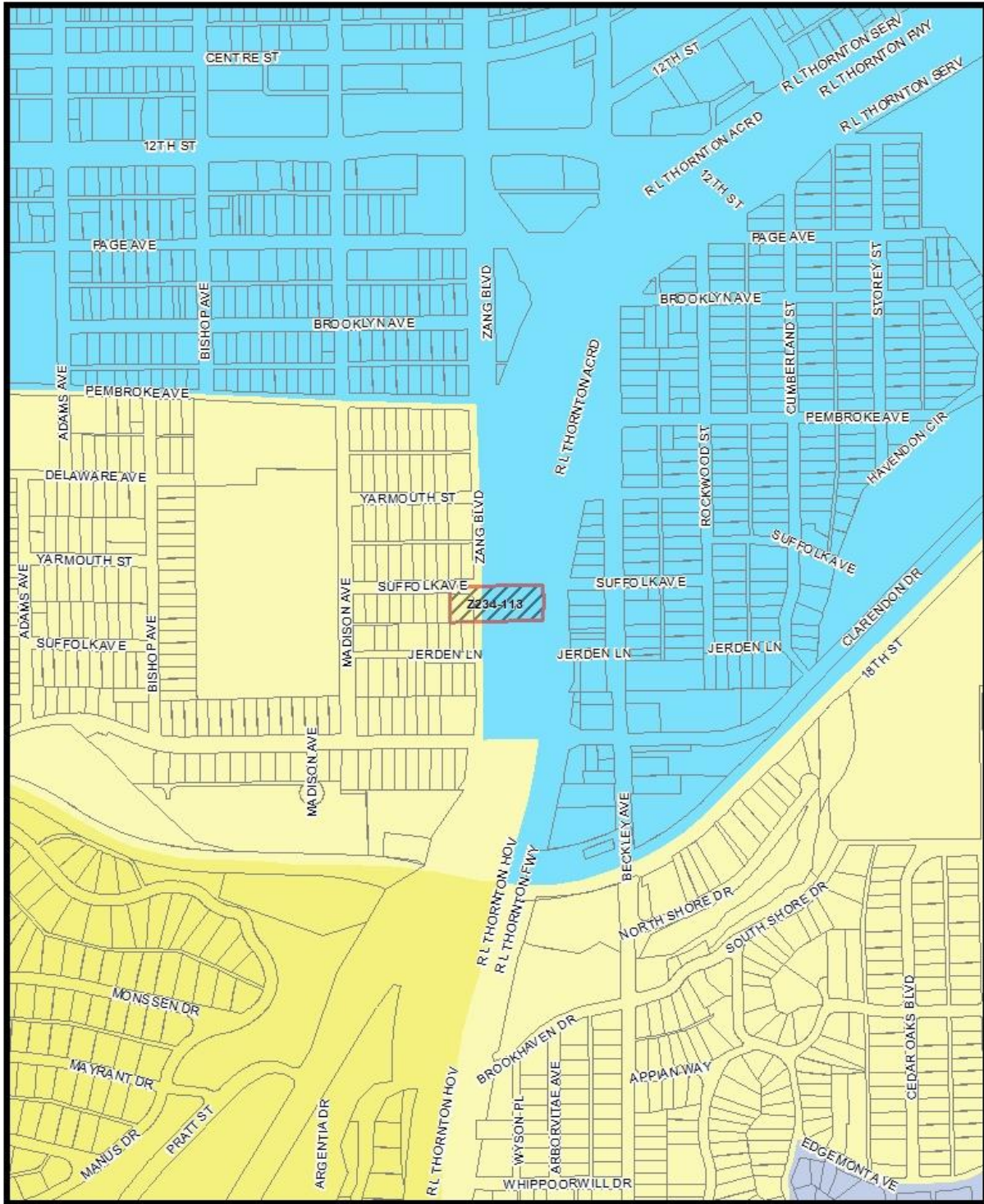


1:2,400

ZONING AND LAND USE

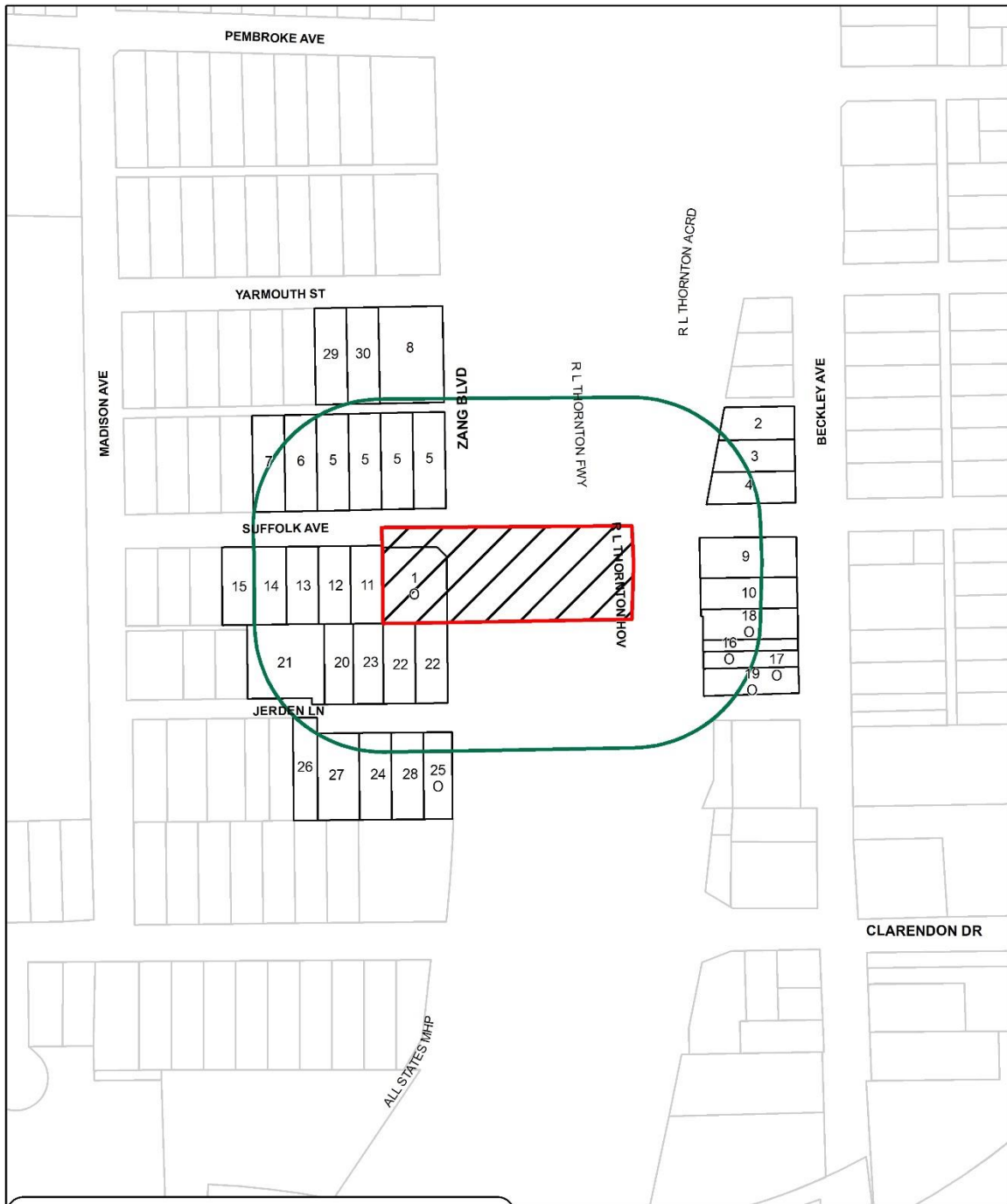
Case no: Z234-113

Date: 1/17/2024



Market Value Analysis

Printed Date: 1/17/2024



<u>30</u>	Property Owners Notified (34 parcels)
<u>6</u>	Replies in Favor (6 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>2/1/2024</u>	Date

Z234-113
CPC



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01/31/2024

Reply List of Property Owners***Z234-113******30 Property Owners Notified 6 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	1005 S ZANG BLVD	ALNACHAWATI CORP
	2	915 S BECKLEY AVE	MARTINEZ JOSE &
	3	919 S BECKLEY AVE	HALLSVILLE INVESTMENTS
	4	923 S BECKLEY AVE	DESKTOP PROPERTIES LLC TR
	5	203 W SUFFOLK AVE	ROBLEDO MODESTO &
	6	217 W SUFFOLK AVE	RODRIGUEZ ANNA
	7	223 W SUFFOLK AVE	ROBLES JOSE ANGEL &
	8	905 S ZANG BLVD	PD PROPERTIES LTD
	9	1001 S BECKLEY AVE	FLORES PATRICIA & FERNANDO
	10	1005 S BECKLEY AVE	GONZALES JOSE ANTONIO &
	11	210 W SUFFOLK AVE	210 W SUFFOCK AVE LLC
	12	212 W SUFFOLK AVE	ANGUIANO SALVADOR M
	13	218 W SUFFOLK AVE	GAITAN JOSE
	14	222 W SUFFOLK AVE	ARMENDARIZ ALFONSO & OLGA H
	15	226 W SUFFOLK AVE	AMAYA JUAN MIGUEL
O	16	1013 S BECKLEY AVE	CONTRERAS RAFAEL
O	17	1015 S BECKLEY AVE	ACUENTECO RAUL & SALUSTIA FLORES
O	18	1009 S BECKLEY AVE	PEREZ RICARDO &
O	19	1017 S BECKLEY AVE	MUNGUIA ALMA
	20	215 W JERDEN LN	SALAZAR GENARO &
	21	223 W JERDEN LN	HOUSE OF GOD THE ETAL
	22	1015 S ZANG BLVD	ENTRUST ADMINISTRATION INC
	23	209 W JERDEN LN	MINGO LTD
	24	210 W JERDEN LN	CABRERA AGUEDA
O	25	200W JERDEN LN	ALNACHAWATI CORPORATION
	26	220W JERDEN LN	Taxpayer at

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27 216	W JERDEN LN	OSBORNE DANNY E &
	28 204	W JERDEN LN	JIMENEZ GABRIEL
	29 214	W YARMOUTH ST	CARDONA GERARDO
	30 210	W YARMOUTH ST	TORREZ STEPHEN A