

FILE NUMBER: Z234-138(WK/CC) **DATE FILED:** December 6, 2023

LOCATION: Southeast corner of North Jim Miller Road and Lake June Road

COUNCIL DISTRICT: 5

SIZE OF REQUEST: ± 0.39 acres **CENSUS TRACT:** 48113009301

REPRESENTATIVE: Parvez Malik, Malik Law Firm

OWNER/APPLICANT: Rezaei Holdings LLC

REQUEST: An application for a new Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow the sale of alcoholic beverages in conjunction with a general merchandise food store.

STAFF RECOMMENDATION: Approval for a two-year period with the eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently under construction and zoned a CR Community Retail District.
- The D-1 Dry Overlay District is a liquor overlay district which requires an individual to obtain a specific use permit to sell or serve alcoholic beverages for off-premises consumption.
- The applicant proposes the ability to sell alcoholic beverages.

Zoning History:

There has been one zoning case in the area in the last five years.

1. **Z223-187:** On June 26, 2013, City Council renewed SUP No. 1872 for the sale of alcoholic beverages in conjunction with a general merchandise or food store of 3,500 square feet or less located at 1313 North Jim Miller Road. This expires June 26, 2028.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Lake June Road	Principal Arterial	100 feet
Jim Miller	Minor Arterial	100 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue reviewing engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

Forward Dallas Indicates the subject area is suitable for Neighborhood Mixed Use.

The request in its intent is an accessory use and is not explicitly discussed within forward Dallas as a standalone use therefore an argument for in alignment or not within alignment cannot be made.

Area Plans:

The subject area is not located within a designated area plan.

Land Use:

	Zoning	Use
Site	CR Community Retail District	General Merchandise or Food Store
North	CR Community Retail District	General Merchandise <3,500 s.f and Fuel Station
East	CR Community Retail District	Auto Service Center
South	P(A) Parking District	Parking
West	RR Regional Retail District	Vehicle display, sales, and service

Land Use Compatibility:

The area of request is currently developed. The facility exterior and interior received a remodel permit in October of 2023.

Records indicate the facility previously operated as the following:

- Temporary Sales Valentines 02/12/2009
- Temporary Sales (Outside) 02/14/2020
- Convenience Store (Pending Inspection) 10/26/2023

The proposed use is compatible in similarity to the surrounding uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable

zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area. The requested area is 3,392 square feet; and therefore 17 parking spaces are required.

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 currently in an “H” MVA cluster that extends to all adjacent properties.

12B and TABC

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in

convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

The facility is not currently operating. It is important to note at this time the applicant does not have a 12B registration.

List of Officers

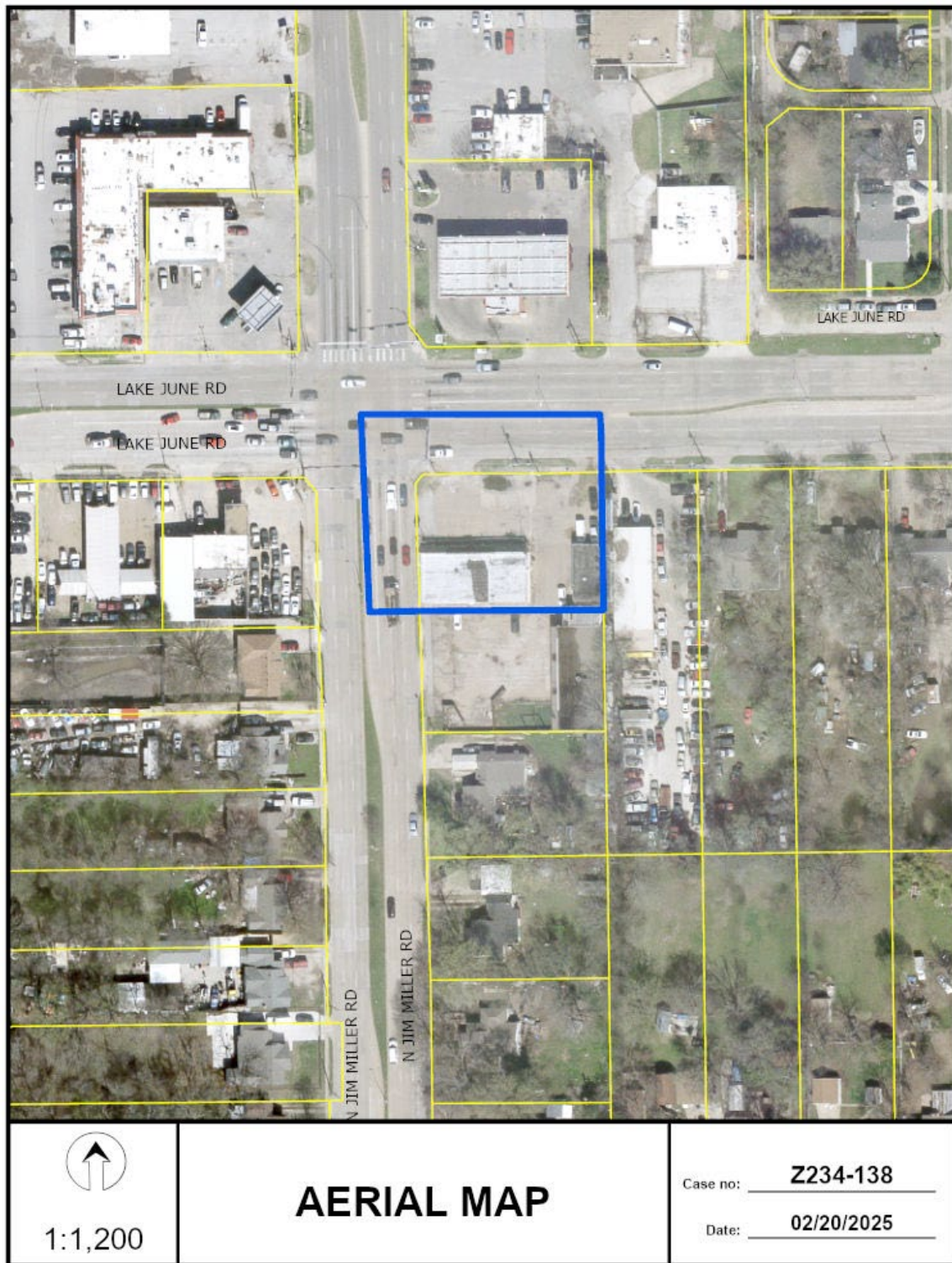
Rezaei Holdings LLC

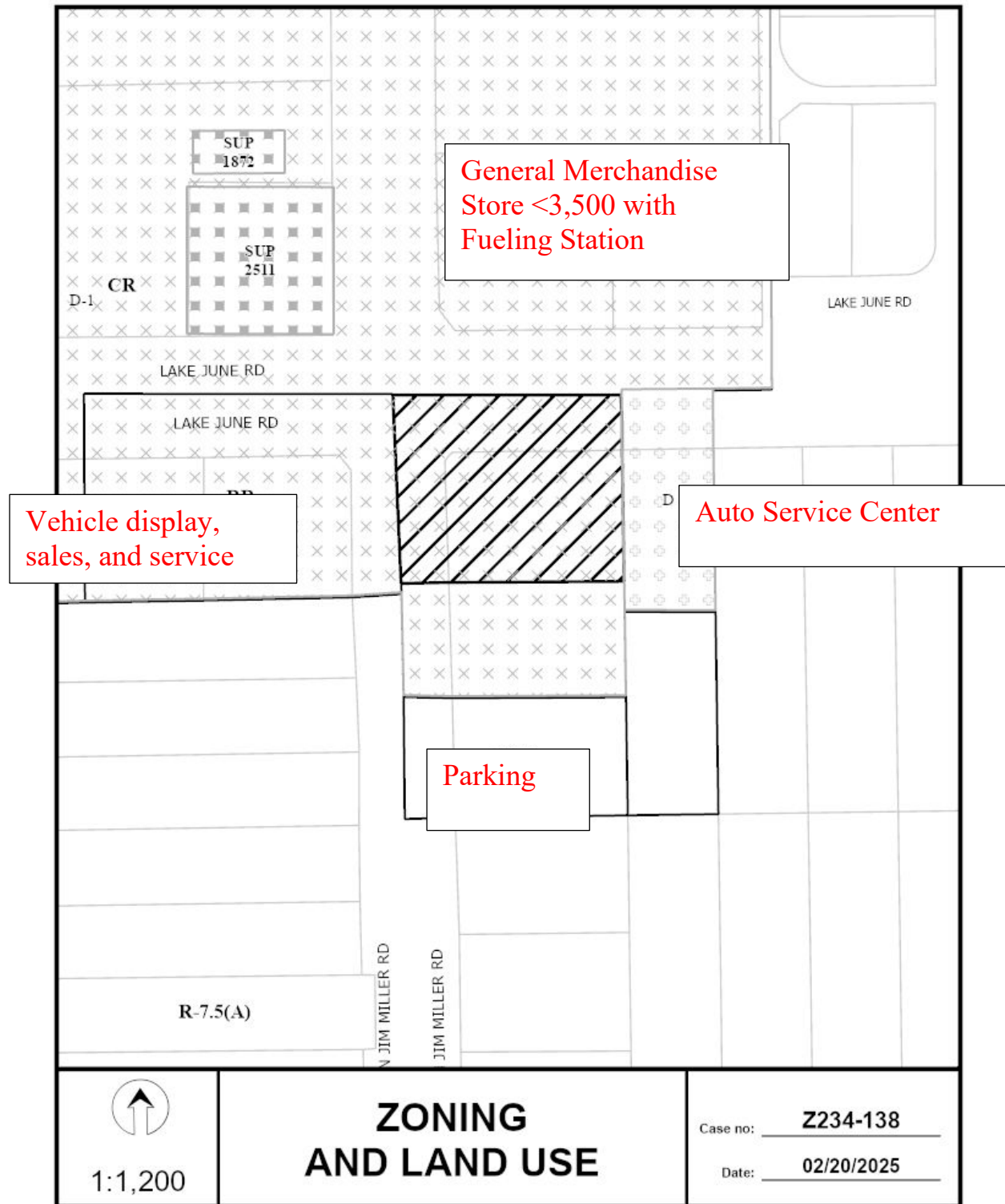
Mehdi Rezaeizadeh/ Manager
Peyman Rezaeizadeh/ Member
Massey Rezaei/ Member

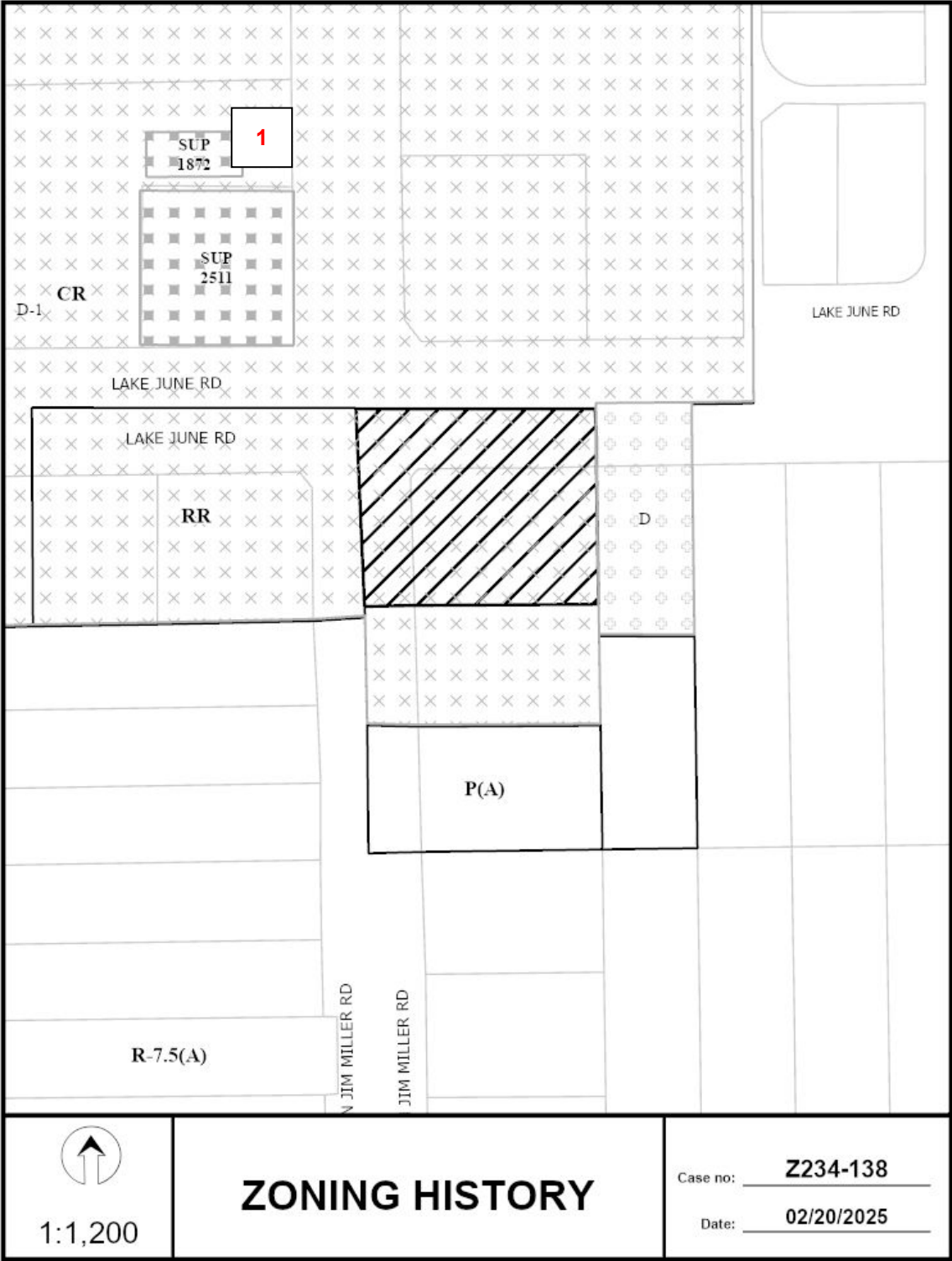
PROPOSED CONDITIONS

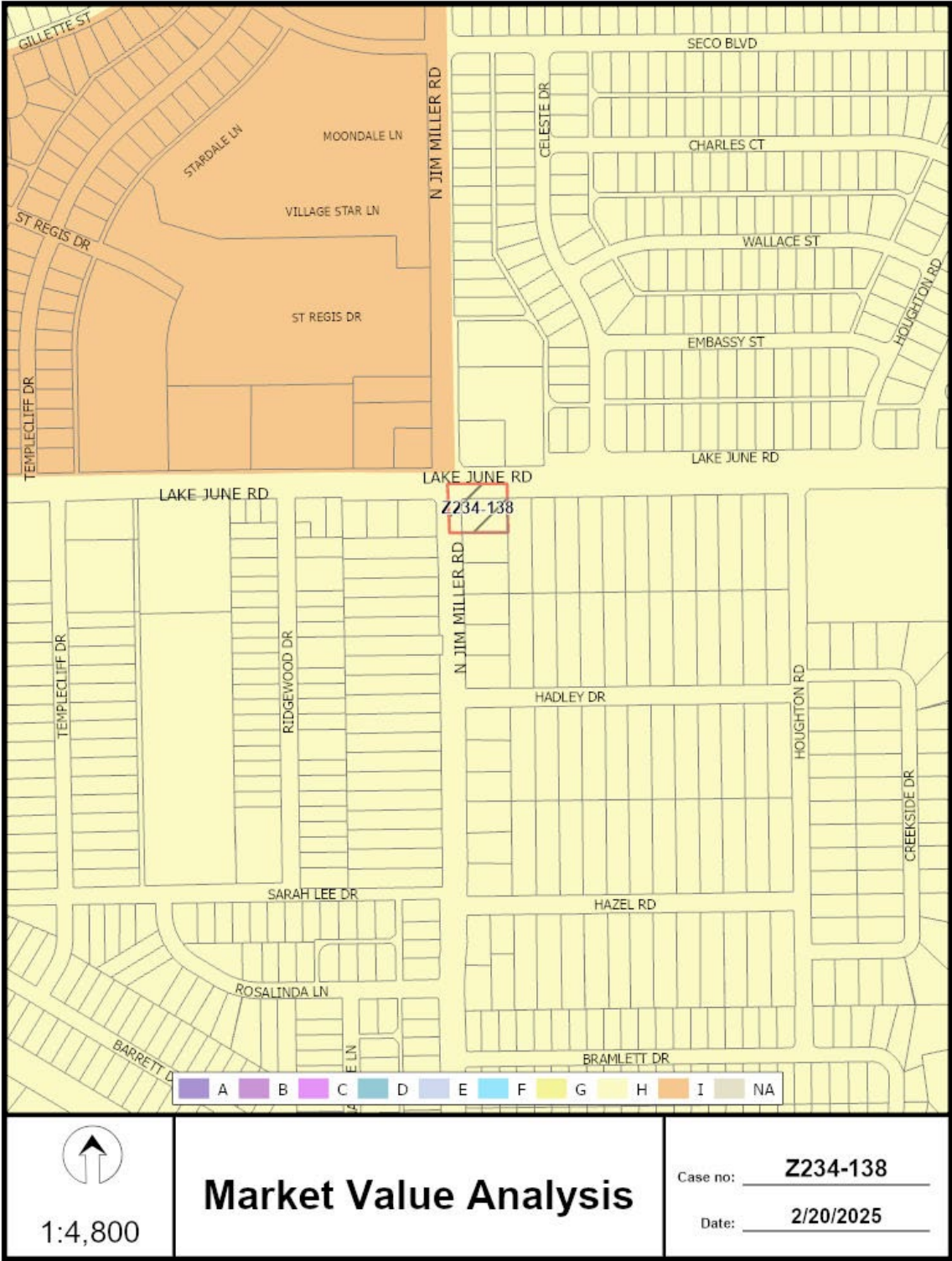
1. **USE:** The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store of 3,500 square feet or less.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.
3. **TIME LIMIT:** This specific use permit expires on (two years from passage of this ordinance), but is eligible for automatic renewal for an additional five-year period 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.

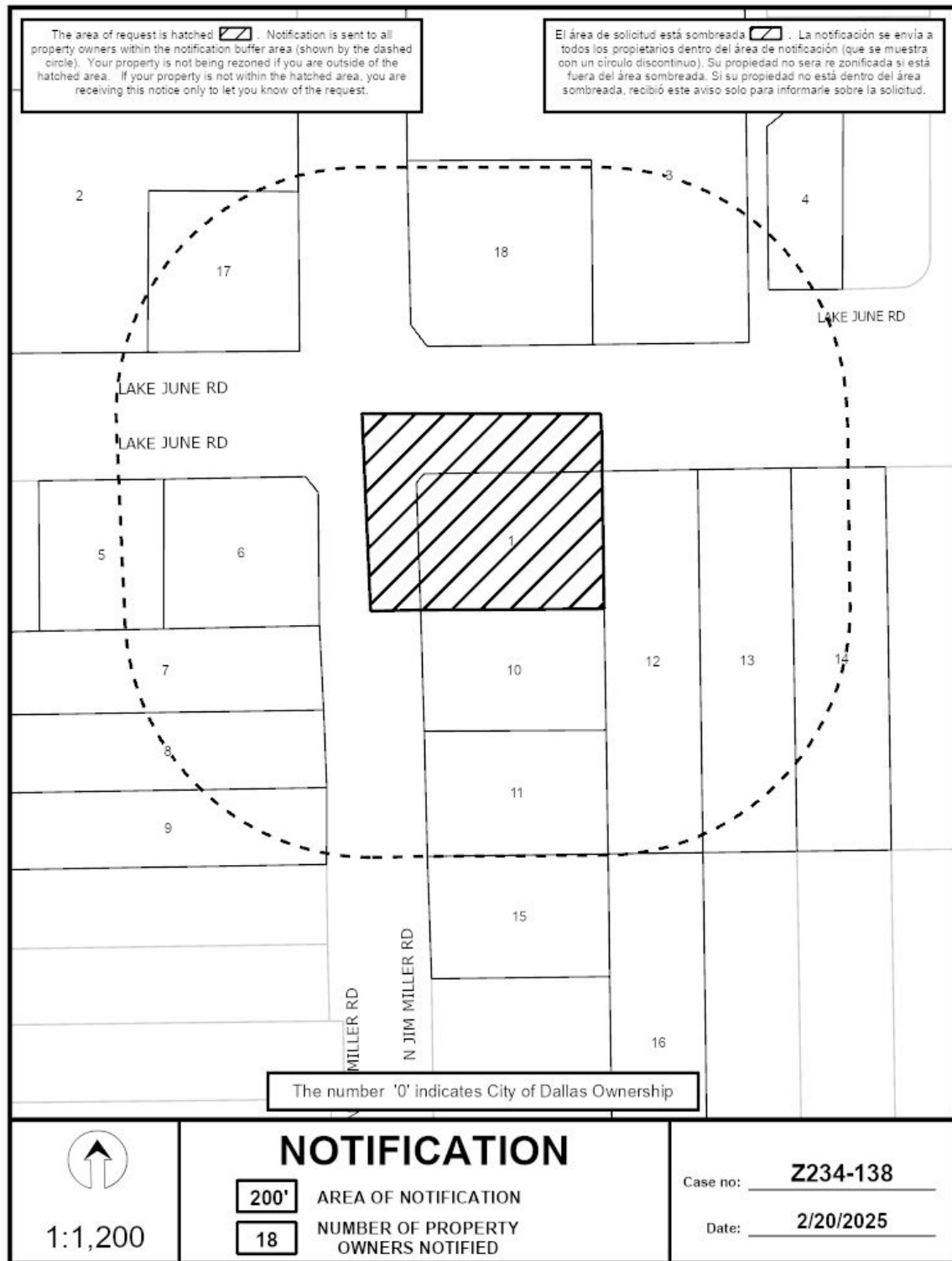












02/20/2025

Notification List of Property Owners

Z234-138

18 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7102 LAKE JUNE RD	KHAN JIM MILLER PROPERTIES LLC
2	7035 LAKE JUNE RD	LEE CHUN KOO & YOUNG SOOK
3	7121 LAKE JUNE RD	SAMUEL MILLER FIT LLC
4	7127 LAKE JUNE RD	LEE ROY
5	7024 LAKE JUNE RD	MADI ALI K ET AL
6	7034 LAKE JUNE RD	MADI ALI K &
7	1235 N JIM MILLER RD	VILLANUEVA BERNARDO & MARIA C
8	1231 N JIM MILLER RD	WASHINGTON TRUMAN
9	1227 N JIM MILLER RD	GASCA ARTHUR
10	1232 N JIM MILLER RD	Taxpayer at
11	1224 N JIM MILLER RD	RANGEL JOSE
12	7116 LAKE JUNE RD	CASTILLO ENRIQUE &
13	7122 LAKE JUNE RD	CASTILLO NELLI
14	7128 LAKE JUNE RD	CASTILLO ENRIQUE
15	1222 N JIM MILLER RD	GARCIA JUAN &
16	7117 HADLEY DR	ANDABLO EVERARDO C & KARISSA ANN
17	7037 LAKE JUNE RD	LIMESTONE ASSETS LLC
18	7101 LAKE JUNE RD	B A N UNLIMITED INC