

FILE NUMBER: Z234-165(CR/JG) **DATE FILED:** January 26, 2024

LOCATION: Northeast corner of Lake June Road and Holcomb Road

COUNCIL DISTRICT: 5

SIZE OF REQUEST: ± 17,603 sq. ft. **CENSUS TRACT:** 48113009203

REPRESENTATIVE: Robert Nunez

OWNER/APPLICANT: Karim P. Rashid

REQUEST: An application for an amendment and renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise or 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 for the continued sale of alcoholic beverages in conjunction with an existing general merchandise or food store (convenience store) 3,500 square feet or less.

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

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

BACKGROUND INFORMATION:

- The approximately 0.40-acre area of request is currently developed with an approximately 2,000-square-foot general merchandise or food store (a convenience store). A fuel canopy structure is situated closer to the corner of the property at the intersection of Holcomb Road and Lake June Road.
- Access to the site is granted from both Holcomb Road and Lake June Road.
- Specific Use Permit No. 1871 was previously approved for this site on August 10, 2011, allowing for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. The latest renewal expired on April 14, 2024, and had eligibility for automatic renewal for additional three-year periods. To receive approval of an automatic renewal request, the application must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The application for renewal was filed on January 26, 2024, which was 79 days before the expiration date.
- This application seeks to renew Specific Use Permit No. 1871 and reinstate the previously approved eligibility for automatic renewal for additional three-year periods.
- There are no proposed changes to the previously approved site plan.
- This item was held under advisement at the March 6, 2025, City Plan Commission meeting; no updates or changes have been proposed.

Zoning History:

There have been three zoning cases in the area in the last five years:

1. **Z223-188:** On April 24, 2024, the City Council approved an application for an amendment to Specific Use Permit No. 2365 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay located on the southwest corner of Lake June Road and Holcomb Road.
2. **Z223-201:** On July 24, 2023, City of Dallas staff approved an application for the automatic renewal of Specific Use Permit No. 1866 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay located on the southeast corner of Holcomb Road and Lake June Road.

3. **Z201-151:** On April 14, 2021, the City Council approved an application for an amendment and renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise or 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 located on the northeast corner of Lake June Road and Holcomb Road. [subject site]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lake June Road	Principal Arterial	100 feet; Bike Plan

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 the review of 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.

The request is an accessory use in nature and does not stand alone to support the goals and policies of the comprehensive plan; therefore, a goal was not selected to convey compliance or lack thereof.

Land Use:

	Zoning	Land Use
Site	CR Community Retail District with a D-1 Liquor Control Overlay	General merchandise or food store 3,500 square feet or less; motor vehicle fueling station
North	R-7.5(A) Single Family District	Single-family

	Zoning	Land Use
East	CR Community Retail District	Undeveloped
South	CR Community Retail District with a D-1 Liquor Control Overlay	General merchandise or food store 3,500 square feet or less
West	RR Regional Retail District with a D Liquor Control Overlay	Auto service center

Land Use Compatibility:

The approximately 0.40-acre area of request is currently developed with an approximately 2,000-square-foot general merchandise or food store (a convenience store). A fuel canopy structure is situated closer to the corner of the property at the intersection of Holcomb Road and Lake June Road.

The general merchandise or food store 3,500 square feet or less is permitted by right per Section 51A-4.122(b)(2)(J); however, the sale of alcoholic beverages requires a Specific Use Permit within a D-1 Liquor Control Overlay.

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 supports the request due to the compatibility with surrounding land uses, including similar SUPs on the southeast and southwest corners of the intersection of Lake June Road and Holcomb Road.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

Parking:

The Dallas Development Code requires one parking space per 200 square feet of floor area for general merchandise or food stores 3,500 square feet or. Based on the proposed 2,000 square feet of floor area, the suite requires 10 spaces with 12 being provided per the attached site plan.

Crime Statistics:

Crime statistics were requested for the previous three-year period.

Arrest(s):

Description	Count
Assault-Family Violence-Bodily Injury Only	1

Call(s):

Description	Count
Business Alarm	2
Business Hold Up	1
Criminal Assault	1
Suspicious Person	1
Meet Complainant	1
Other	3
CIT	2
Major Dist. (Violence)	12

Incident(s):

Description	Count
Miscellaneous	3
Shoplifting	1
Destruction/Damage/Vandalism of property	1
Robbery-Individual	1
UUMV	6
Simple Assault	1

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.

No information on the status of the 12B compliance at the time of this report. There is an active TABC license at this location. A BQ license (License #103464171) was issued on 3/14/2013 to allow the sale of malt beverages and wine for off premise consumption. The license is set to expire on 3/13/2027.

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 area.

CPC ACTION
April 24, 2025

Motion: It was moved to recommend **approval** of an amendment to and renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions, on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Lake June Road and Holcomb Road.

Maker: Chernock
Second: Hampton
Result: Carried: 10 to 0

For: 10 - Chernock, Hampton, Herbert, Forsyth,
Carpenter, Wheeler-Reagan,
Franklin, Sleeper, Housewright, Hall

Absent: 4 – Shidid, Haqq, Kingston, Rubin
Vacancy: 0
Observed: 1 – District 11***

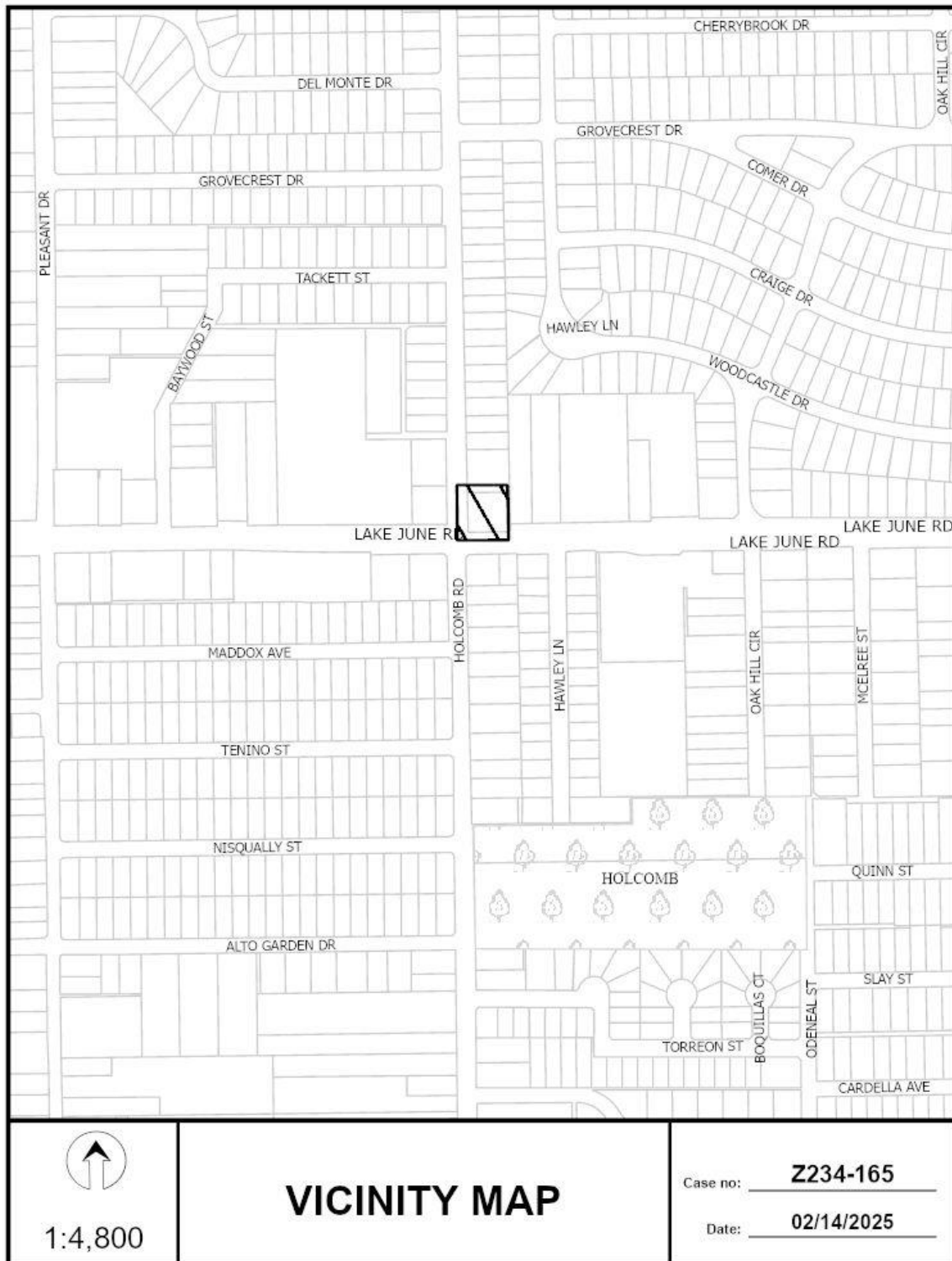
*** Appointment not in attendance in accordance
with Section 8-20(e) of the Dallas City Code.

Notices:	Area: 200	Mailed: 17
Replies:	For: 1	Against: 0

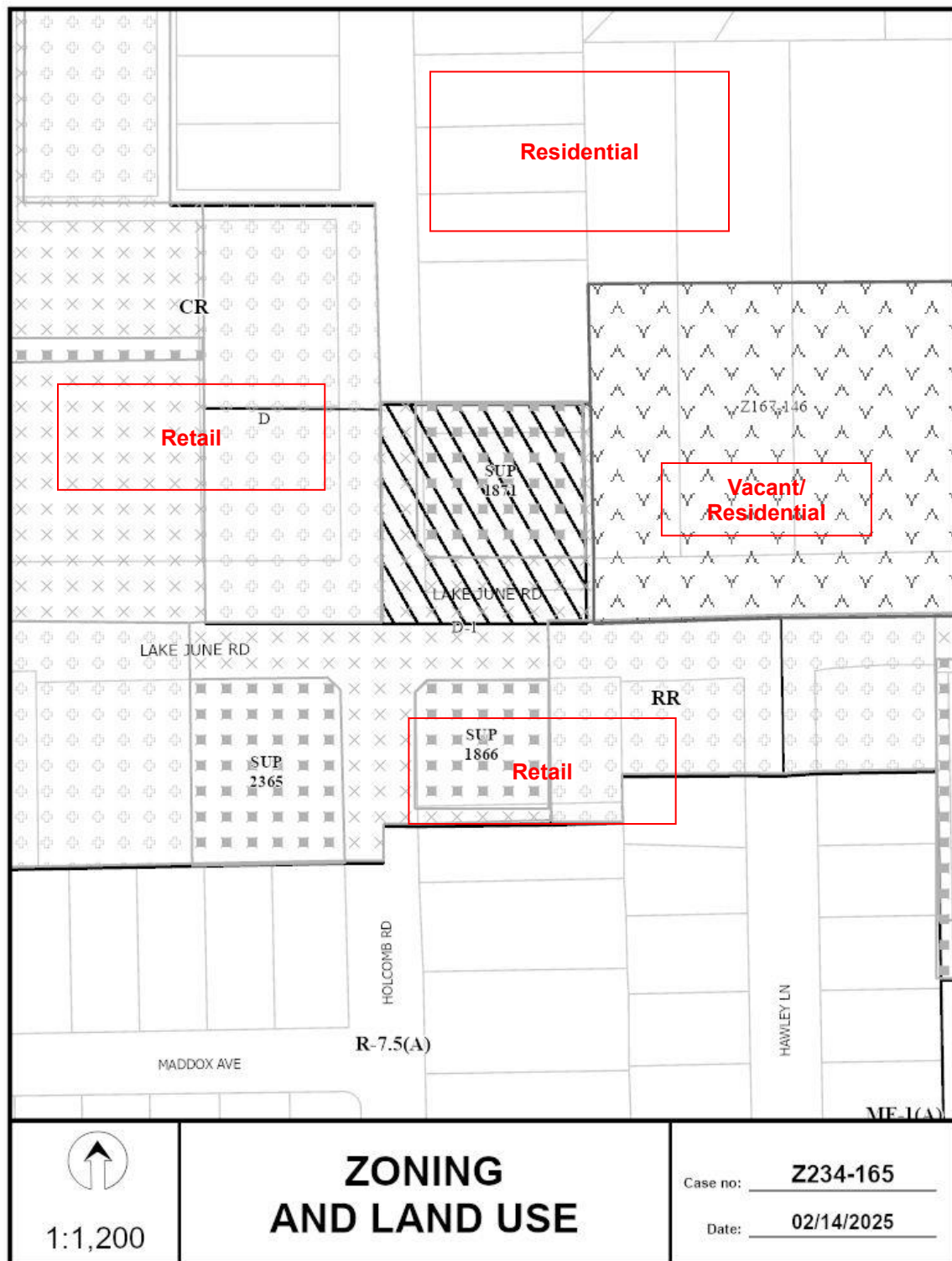
Speakers: None

**CPC RECOMMENDED
SPECIFIC USE PERMIT NO. 1871 AMENDED CONDITIONS**

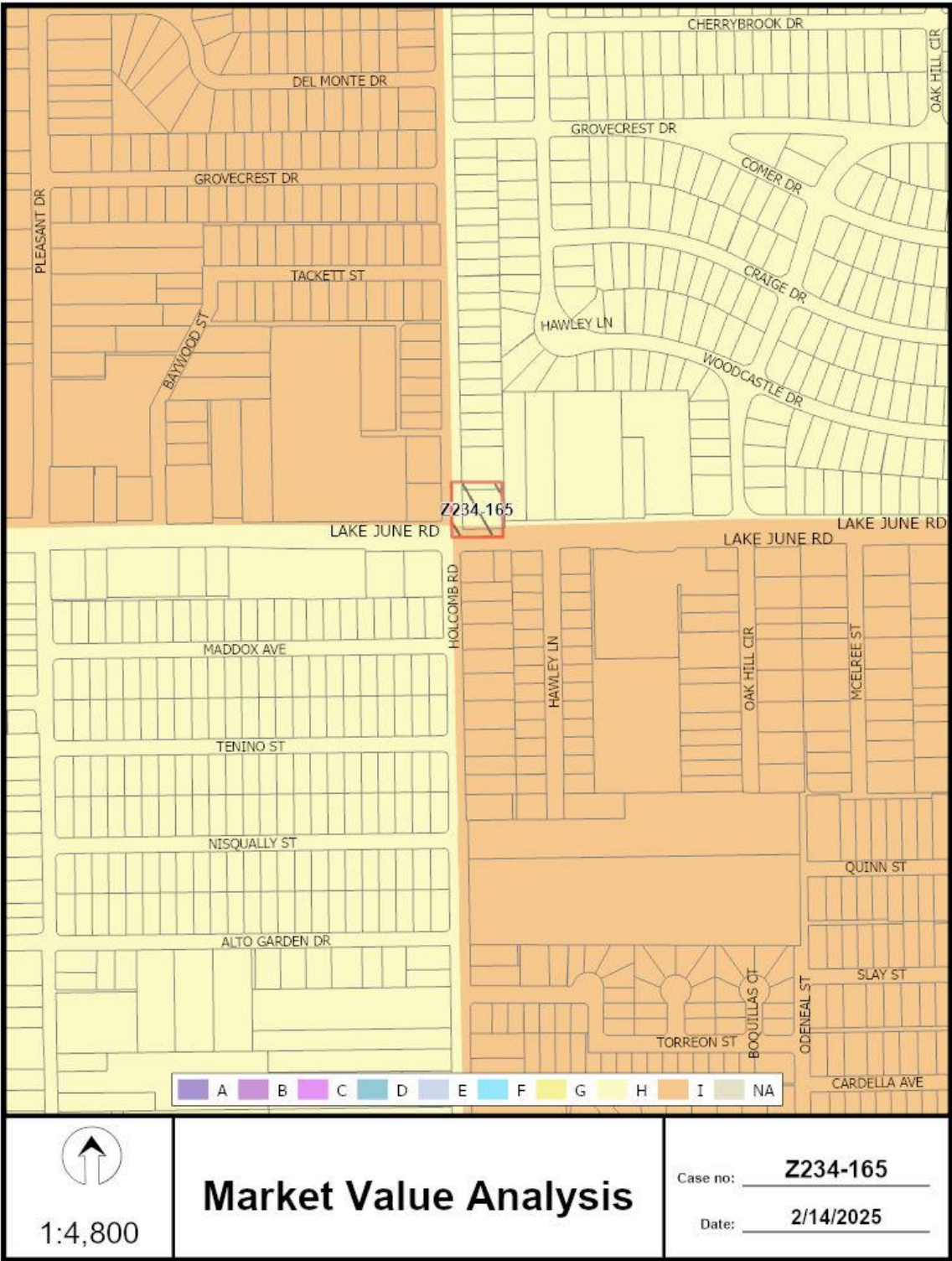
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (3 years from the passage of this ordinance) April 14, 2024, but is eligible for automatic renewal for additional three-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.













04/23/2025

Reply List of Property Owners***Z234-165******17 Property Owners Notified******1 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1316 HOLCOMB RD	RAMIREZ JOSEFINA EST OF
	2	8505 LAKE JUNE RD	CLUB CREEK RENTAL PROPERTY LLC
	3	8443 LAKE JUNE RD	MARTINEZ RUBEN
	4	8449 LAKE JUNE RD	ORTIZ JOSE & SANDRA
	5	1329 HOLCOMB RD	SEGOVIA JOSE
	6	8601 LAKE JUNE RD	LAKE JUNE HEIGHTS LLC
	7	1328 HOLCOMB RD	MORENO ROSA
	8	1324 HOLCOMB RD	MONGE JOSE &
	9	8451 MADDOX AVE	ALVARADO JAVIER & OLIMPIA
	10	8508 LAKE JUNE RD	MUMITH FAHIM
	11	1236 HOLCOMB RD	VIRAMONTES ANA L MAURICIO &
	12	8502 LAKE JUNE RD	NISHTHA INC
	13	1231 HAWLEY LN	HERNANDEZ ROGELIO
	14	1227 HAWLEY LN	MENDEZ BELEN V
	15	8600 LAKE JUNE RD	MUMITH FAHIM & OMRAN
O	16	8440 LAKE JUNE RD	WASH JUNE INC
	17	8470 LAKE JUNE RD	DEEYANSAI ENTERPRISE INC