

FILE NUMBER: Z-26-000077

DATE FILED: April 24, 2026

LOCATION: Southwest line of Peavy Road, northwest of Garland Road.

COUNCIL DISTRICT: 9

SIZE OF REQUEST: Approx. 43,124 square feet **CENSUS TRACT:** 48113008200

REPRESENTATIVE: Rob Baldwin / Baldwin Associates, LLC

APPLICANT: Matt Tobin / USVERSUSTHEM CORP

OWNER: Mihey Yeom / Peavy Plaza LLC

REQUEST: An application for a new Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned CR Community Retail District with a D-1 Liquor Control Overlay

SUMMARY: The purpose of the request is sale of alcoholic beverages for off-premise consumption associated with a restaurant without a drive-in or drive-through window and a liquor store. [Cultivar Coffee Roasting Co.]

STAFF

RECOMMENDATION: Approval, subject to a site plan and conditions.

BACKGROUND INFORMATION:

General Background and Linked Resources

- Pursuant to Chapter 51A-4.503, the D and D-1 Liquor Control Overlays only apply to those districts enacted before June 11, 1987. The D Liquor Control Overlay prohibits sell or serve alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises. The D-1 Liquor Control Overlay requires a Specific Use Permit (SUP) to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.
- The sale of alcoholic beverages is regulated throughout the state of Texas by the Texas Alcoholic Beverage Commission (TABC). The agency was originally created in 1935 when prohibition was repealed and currently requires operators to obtain a license to sell alcohol. The status and types of licenses issued by the agency are accessible online here: <https://apps.tabc.texas.gov/publicinquiry/Default.aspx>.
- Spacing requirements for alcohol sales exist in Chapter 6 of the City Code as enabled by Texas Alcoholic Beverage Code §109.33. Depending on the type of TABC license requested, certain protected uses (hospital, church, school, or day care, when applicable) require a specified spacing distance and measurement. Compliance with spacing requirements is verified with permitting staff with a liquor measurement application. Variances to these spacing requirements are allowed to be considered by City Council, when applicable, and are outlined in Chapter 6-4.

Site Specific Background Information

- Site and Structures:
 - The ±43,124 square-foot request site is developed with a ±10,278 square-foot commercial building.
 - The request site is a unit of the building which currently developed with a restaurant without drive-in or drive-through service [Cultivar Coffee Roasting Co.].
- SUP History: On March 27, 2013, City Council approved Specific Use Permit 2004 for the sale of alcoholic beverages in conjunction with a liquor store at the subject site for a two-year period with eligibility for automatic renewals for additional five-year periods. The SUP was renewed in 2017 and expired in August 2019. The site was eligible for automatic renewal but missed the renewal window.
- Proposed Changes to the SUP or Site: None proposed.

Zoning History of relevant SUPS:

Below are the zoning change requests in the area of notification in the past five years:

1. **Z234-112:** On March 27, 2024, the City Council approved an amendment to Specific Use Permit No. 2220 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned CR Community Retail District with a D-1 Liquor Control Overlay on Southwest line of Peavy Road, northwest of Garland Road [Greenville Avenue Pizza Co.]

STAFF ANALYSIS:

Surrounding Land Uses

	Zoning	Land Use
Site	RR Community Retail with D-1 Liquor Control Overlay	Multi-tenant commercial building
North	D(A) Duplex	Duplex
East	CR	Retail
South	CR	Retail
West	R-7.5(A) Single Family	Single family

Land Use Context

The site is zoned CR Community Retail District and is developed with a multi-tenant commercial building within an established shopping center. Surrounding properties consist primarily of retail, restaurant, and other commercial uses, with residential neighborhoods located nearby.

Staff finds that the sale of alcoholic beverages in conjunction with a restaurant and a liquor store is compatible with the surrounding commercial context and is not expected to have a negative impact on adjacent properties. The SUP conditions only mention liquor stores because they intend to sell beer and wine for off-premise consumption, but will not allow for the sale of distilled spirits due to county-level restrictions in the area. This was also included in the previous SUP 2004. The location along a major roadway and within proximity to nearby residential areas also provides convenient neighborhood-serving dining opportunities for residents.

Overall, the request is consistent with the existing zoning and the general provisions for a Specific Use Permit and is not anticipated to adversely affect the surrounding area.

Criteria for a Specific Use Permit

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.

As the sale of alcoholic beverages is regulated by the Texas Alcoholic Beverage Commission, the City is limited in what can be regulated by these SUPs. Generally, development regulations beyond basic aspects like floor area cannot be adopted in an alcohol sales SUP.

Parking:

No parking is required for the sale of alcoholic beverages. Rather, parking is required based on land uses for a given occupancy.

Crime Statistics

Staff requested a report of site related crime statistics for the time period from the last Specific Use Permit 2004 to date, from 2019 to May 2026. There have been 3 offenses, 0 arrests, and 7 calls. The list of reported crime obtained incidents, calls arrest from to date and is provided below.

Offenses Data

Signal	Off. Incident	Premise	Address	Date1
	THEFT OF PROP > OR EQUAL \$750 <\$2,500 (NOT SHOPLIFT) PC31.03(E3)		1141 PEAVY RD	10/17/2021
58 - Routine Investigation	Assault -Bodily Injury Only		1141 PEAVY RD	11/18/2023
Pse/09 - Theft	Theft Of Prop (Auto Acc) <\$100 - (Not Emp)		1141 PEAVY RD	8/10/2024

Calls Data

Date	Problem	Priority Description	Location Name	Address
10/8/2020	40 - Other	3 - General Service	El Ranchito restaurant	1141 Peavy Rd
5/18/2021	11V/01 - Burg Motor Veh	3 - General Service	EL RANCHITO	1141 Peavy Rd
10/18/2021	09V - UUMV	4 - Non Critical	EL RANCHITO	1141 Peavy Rd

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5/26/2023	04 - 911 Hang Up	2 - Urgent		1141 Peavy Rd
10/18/2023	6X - Major Dist (Violence)	2 - Urgent	EL RANCHITO	1141 Peavy Rd
12/18/2023	6X - Major Dist (Violence)	2 - Urgent	EL RACITO 3	1141 Peavy Rd
1/14/2025	32 - Suspicious Person	2 - Urgent	RANCHITO #3	1141 Peavy Rd

List of Officers

Peavy Plaza, LLC

Mihey Yeom, President

USVSTHEM Corp.

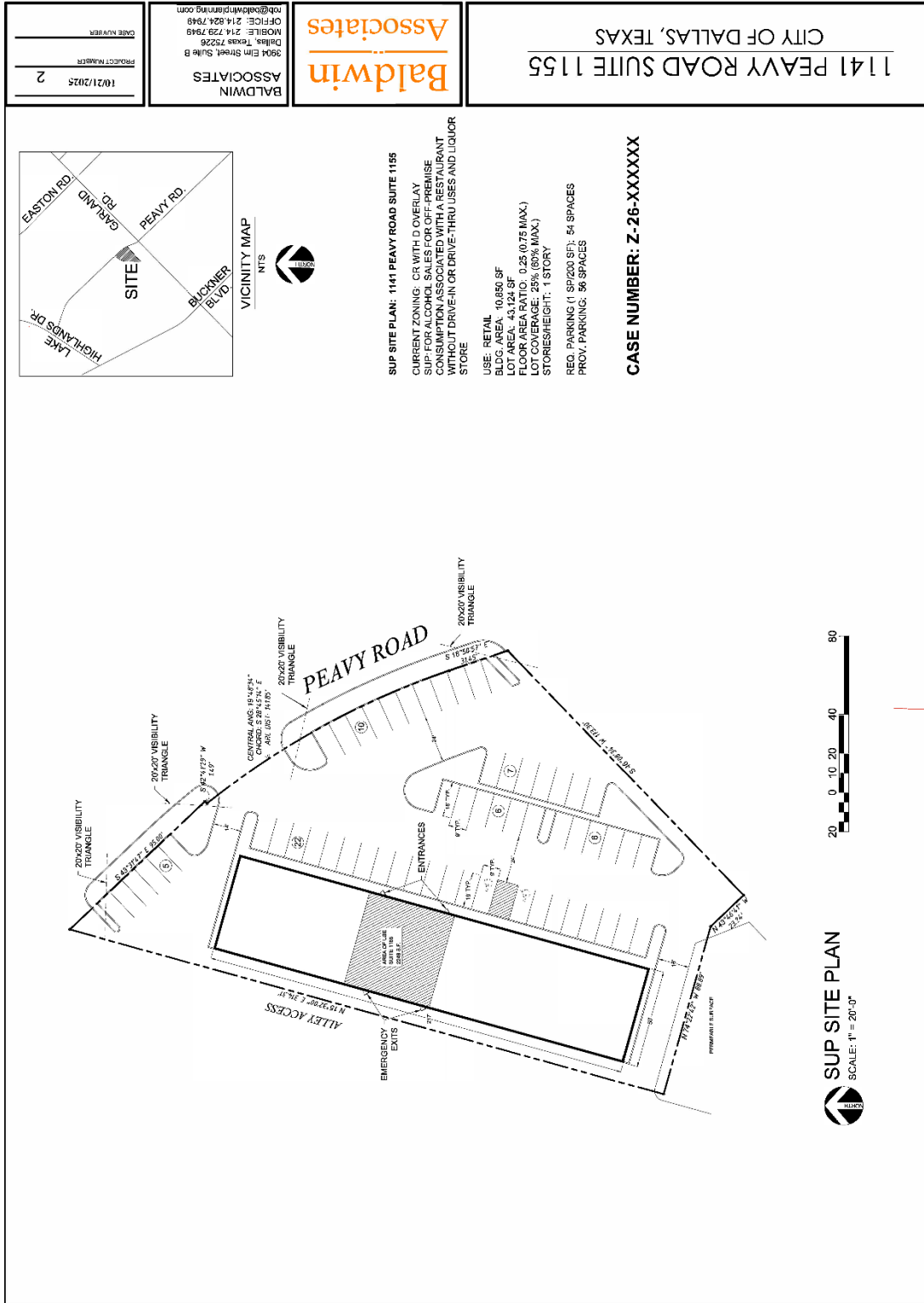
Joshua Yinling, Shareholder

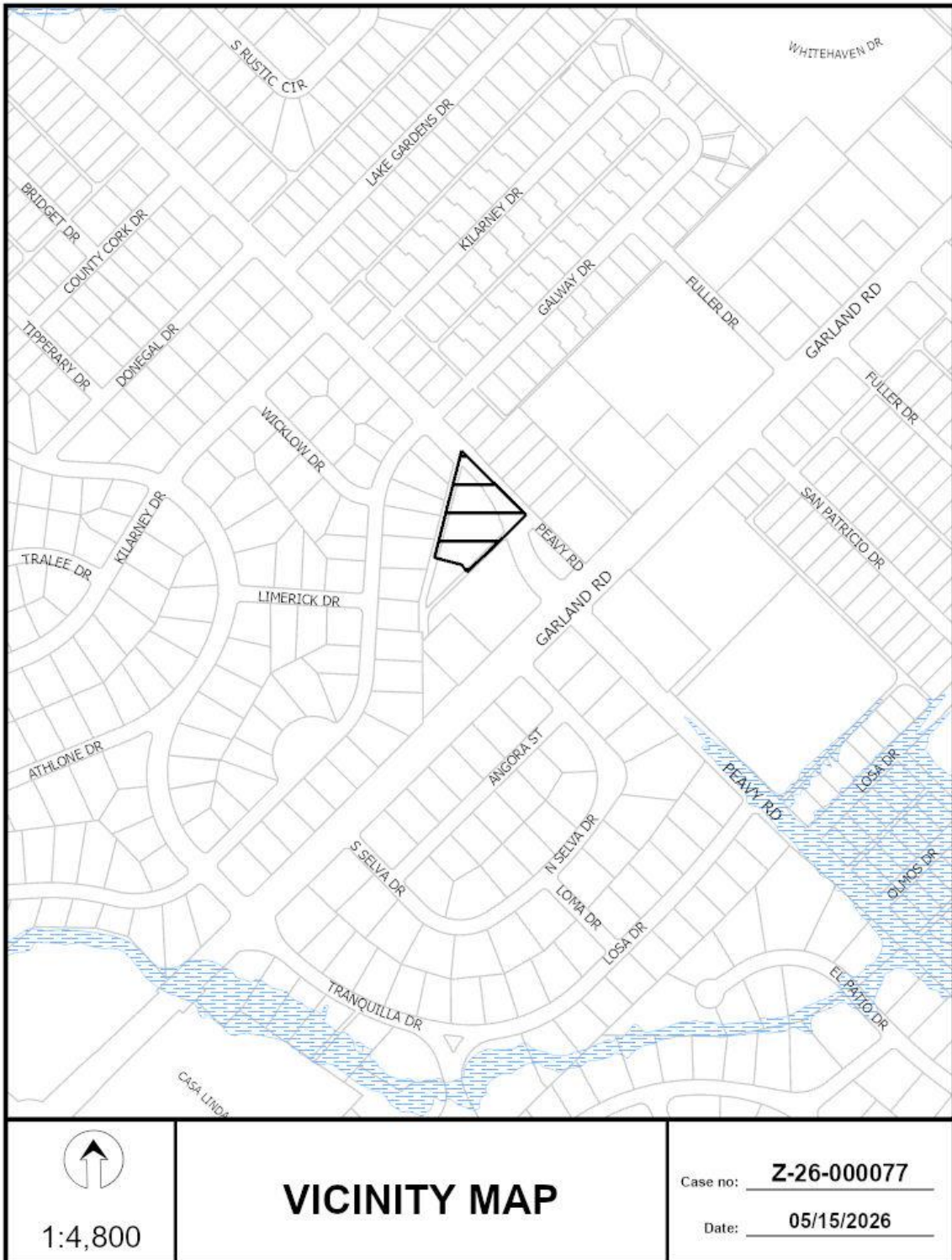
Matthew Tobin, Shareholder

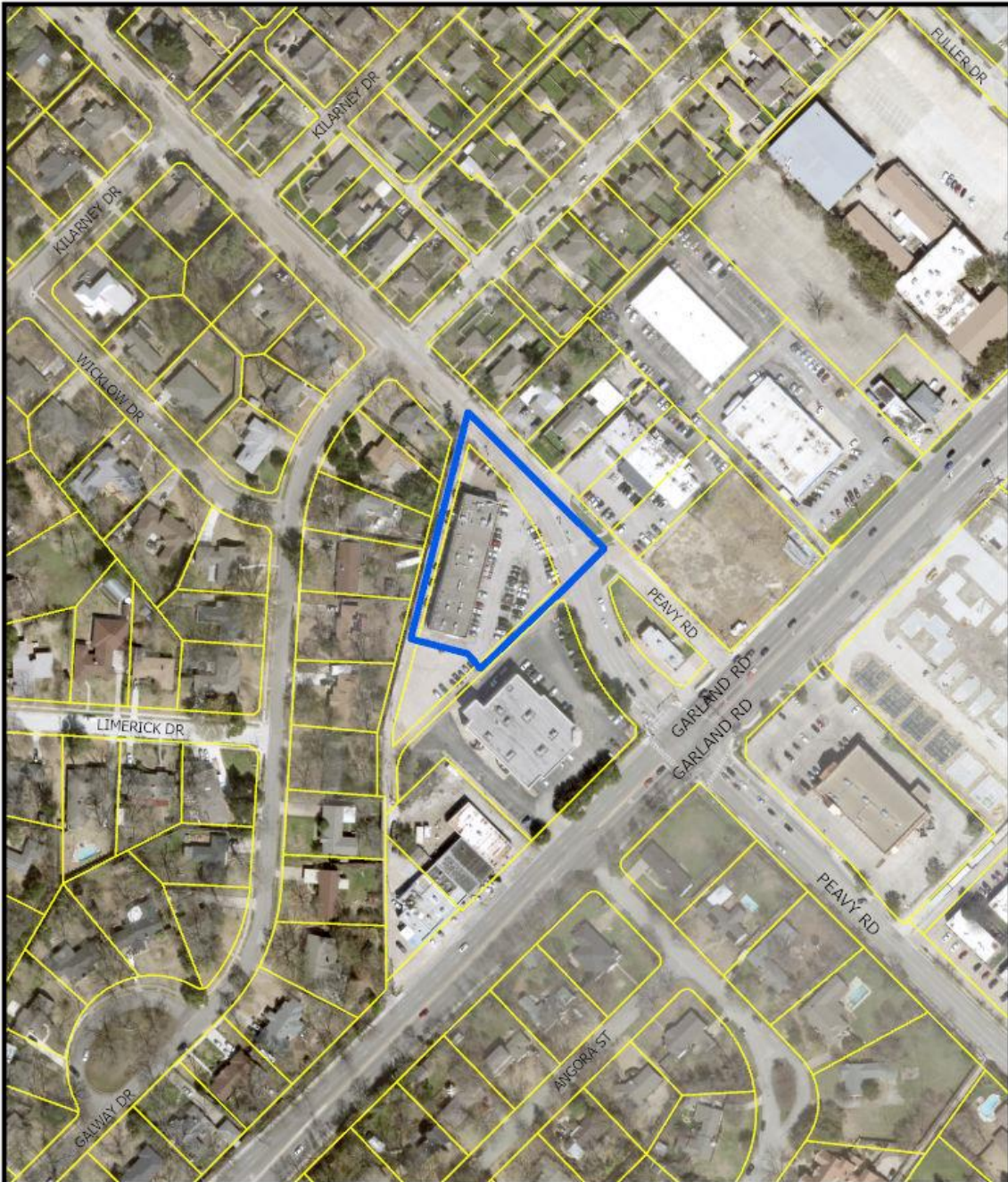
PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service and a liquor store.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit has no expiration date.
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.

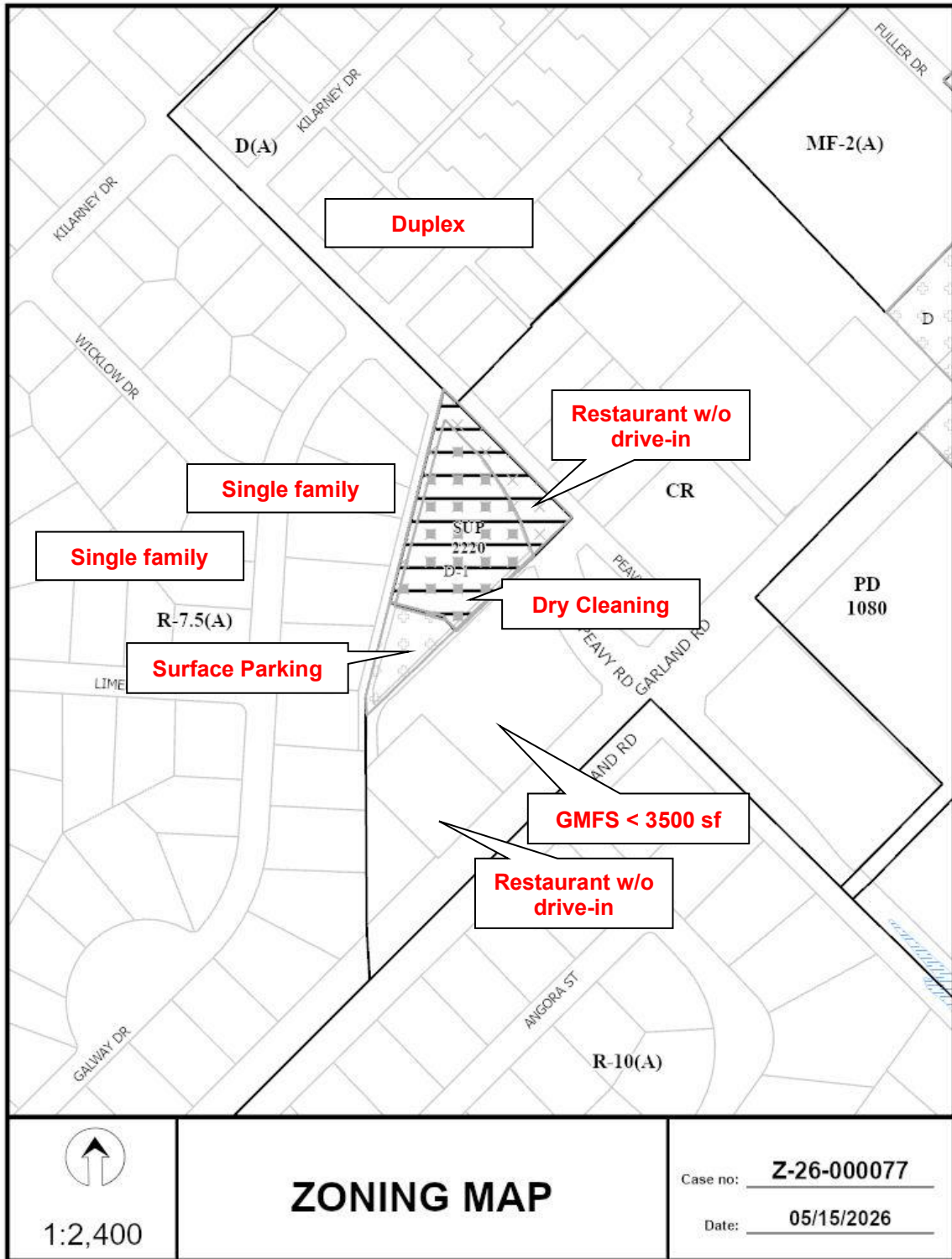
PROPOSED SITE PLAN

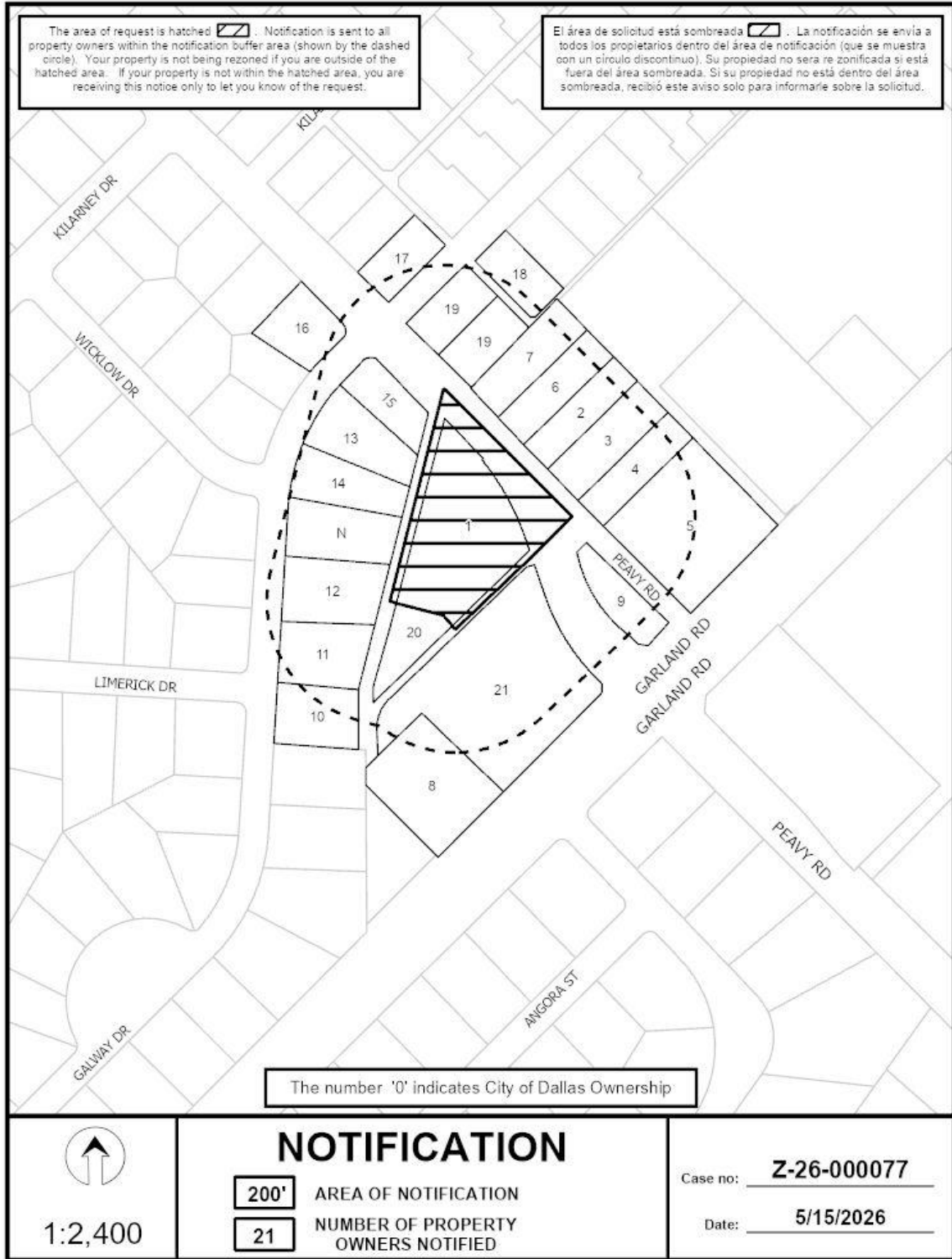






 1:2,400	<h2>AERIAL MAP</h2>	Case no: <u> Z-26-000077 </u> Date: <u> 05/15/2026 </u>
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05/15/2026

Notification List of Property Owners***Z-26-000077******21 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1141 PEAVY RD	PEAVY PLAZA LLC
2	1146 PEAVY RD	AMERICAN DISTRIBUTING COMPANY
3	1154 PEAVY RD	MLM ROSS LLC
4	1160 PEAVY RD	REDTAIL COMMERCIAL LLC
5	10001 GARLAND RD	CWE DALLAS GARLAND LLC
6	1144 PEAVY RD	MONOPOLY PL DUPLEXES LTD
7	1140 PEAVY RD	SHAW JEFFREY A
8	9925 GARLAND RD	GARLAND PEAVY ASSOCS
9	9947 GARLAND RD	DALLAS ALISHAH
10	9926 GALWAY DR	ANDERSON DAVID
11	9934 GALWAY DR	LEITCH MATTHEW &
12	9942 GALWAY DR	MAXWELL WILLIAM RICHARD &
13	9966 GALWAY DR	ALTOM JOHNNY W &
14	9958 GALWAY DR	Taxpayer at
15	9972 GALWAY DR	ALDRETE MIGUEL
16	9973 GALWAY DR	TURNER JEREMY N & KELSEY M
17	1118 PEAVY RD	Taxpayer at
18	10014 GALWAY DR	MORENO MARIA OTLIA
19	1132 PEAVY RD	MONOPOLY PLACE DUPLEXES
20	1195 PEAVY RD	GARLAND PEAVY ASSOCIATES
21	9937 GARLAND RD	9937 GARLAND ROAD