
FILE NUMBER: Z234-270(CR) **DATE FILED:** June 27, 2024
LOCATION: East corner of South Belt Line Road and C.F. Hawn Freeway.
COUNCIL DISTRICT: 8
SIZE OF REQUEST: ± 25,264 sqft **CENSUS TRACT:** 48113017010

REPRESENTATIVE: Andrew Ruegg, MASTERPLAN

OWNER/APPLICANT: SEJ Asset Management & Investment Company

REQUEST: An application for the renewal of Specific Use Permit No. 1883 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 CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay

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

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

BACKGROUND INFORMATION:

- The approximately 0.58-acre area of request is developed with an approximately 2,613-square-foot general merchandise or food store (convenience store) and vehicle fueling station (gas pumps).
- Specific Use Permit No. 1883 was approved by the City Council on August 24, 2011, with eligibility for automatic renewal for additional five-year periods. Most recently, the applicant was auto renewed on July 1, 2019, for a period of five years. This application seeks to renew the Specific Use Permit to allow for the sale of alcoholic beverages in conjunction with an existing general merchandise or food store 3,500 square feet or less on property with continued periods of autorenewal.
- The proposed request is to allow for the sale of alcohol for off-premises consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages for off-premises consumption is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.

Zoning History:

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

1. **Z234-222:** On August 21, 2024, the City of Dallas approved the automatic renewal of Specific Use Permit No. 2463 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay, located on the south corner of Belt Line Road and C.F. Hawn Freeway.
2. **Z212-156:** On August 24, 2022, the City Council approved a request for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay, located on the south corner of Belt Line Road and C.F. Hawn Freeway.
3. **Z201-220:** On August 25, 2021, the City Council approved a request for renewal of Specific Use Permit No. 2332 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay, located on the northeast corner of Belt Line Road and C.F. Hawn Freeway.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Beltline Road	Principal Arterial	107 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 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. 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.

Area Plan(s):

In April 2007, City Council approved the West Kleberg Area Plan to guide future development in the area generally located south of Interstate 20 and bounded by Stark Road and the Dallas city limit to the east, Dallas County to the south, and Saint Augustine Road and Haymarket Road to the south. The goals and actions of the area plan complement the goals and policies of the *forwardDallas!* Comprehensive Plan in evaluating the applicant's request.

The request complies with the following land use goals of the West Kleberg Area Plan:

LAND USE & ZONING

GOAL 1 Protect the rural character of the community by encouraging commercial development along the commercial corridors.

ECONOMIC DEVELOPMENT

GOAL 1 Economic development that encourages business retention and attracts new “neighborhood serving” business uses to the community.

Land Use:

	Zoning	Land Use
Site	CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay	General merchandise or food store 3,500 square feet or less
North	CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay	Restaurant with drive-through service
East	CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay	Undeveloped
South	CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay (SUP No. 2463)	Sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet
West	CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay (SUP No. 2332)	Sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet

Land Use Compatibility:

The approximately 0.56-acre area of request is currently developed with a motor vehicle fueling station with a general merchandise or food store less than 3,500 square feet, as are other properties in the vicinity. Other automobile-centric uses surround the subject site, including restaurants with drive-in or drive-through services.

The general merchandise use is permitted by right. The sale of alcoholic beverages for off-premises consumption is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay. The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in

order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

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 because the requested use of the property is compatible with surrounding uses. There are several other motor vehicles fueling stations with a general merchandise or food store with alcohol sales in the area, plus other compatible commercial uses.

Landscaping:

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

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store 3,500 square feet or less is at one space for each 200 square feet of floor area. Based on the 2,613 square feet of floor area, the development requires 14 spaces with 18 being provided per the attached site plan.

Crime Statistics:

Arrest(s):

Description	Count
TERRORISTIC THREAT INTERRUPT PUBLIC PLACE	1
CRIMINAL TRESPASS	1
EVADING ARREST DETENTION W/PREV CONVICTION PC38.04(b1)	1

UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	1
WARRANT HOLD (NOT A DPD WARRANT)	1
CRIMINAL TRESPASS	1
POSS CONT SUB PEN GRP 1 <1G	1
POSS CONT SUB PEN GRP 1 <1G	1
POSS CONT SUB PEN GRP 1 <1G	1
POSS CONT SUB PEN GRP 1 <1G	1
WARRANT HOLD (NOT A DPD WARRANT)	1
CRIMINAL TRESPASS	1
POSSESSION OF DRUG PARAPHERNALIA	1

Call(s):

Description	Count
6X - Major Dist (Violence)	1
PH - Panhandler	1
6X - Major Dist (Violence)	1
PH - Panhandler	1
40/01 - Other	1
6X - Major Dist (Violence)	1
20 - Robbery	1
25 - Criminal Assault	1
6XE - Disturbance Emergency	1
6XE - Disturbance Emergency	1
6X - Major Dist (Violence)	1
32 - Suspicious Person	1
40 - Other	1
46A - CIT w/Ambulance	1
40/01 - Other	1
DAEF-Dist Armed Encounter Foot	1
32 - Suspicious Person	1
40 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
DAEV-Dist Armed Encounter Veh	1
6X - Major Dist (Violence)	1
40 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
20 - Robbery	1
40/01 - Other	1
6X - Major Dist (Violence)	1
PH - Panhandler	1

Description	Count
32 - Suspicious Person	1
40 - Other	1
40 - Other	1
PH - Panhandler	1
32 - Suspicious Person	1
40 - Other	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
40/01 - Other	1
PH - Panhandler	1
41/09 - Theft - In Progress	1
40 - Other	1
OADS - Open Air Drug Sales	1
6X - Major Dist (Violence)	1
32 - Suspicious Person	1
40 - Other	1
40 - Other	1
40/01 - Other	1
40 - Other	1
OADS - Open Air Drug Sales	1
21B - Business Hold Up	1
46A - CIT w/Ambulance	1
46A - CIT w/Ambulance	1
40 - Other	1
6X - Major Dist (Violence)	1
6XE - Disturbance Emergency	1
46 - CIT	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
40 - Other	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
PH - Panhandler	1
41/11B - Burg Busn in Progress	1
40 - Other	1
41/20 - Robbery - In Progress	1
40/01 - Other	1
40/01 - Other	1
40 - Other	1
40 - Other	1
46A - CIT w/Ambulance	1
46A - CIT w/Ambulance	1
21B - Business Hold Up	1

Description	Count
6X - Major Dist (Violence)	1
40 - Other	1
6X - Major Dist (Violence)	1
09 - Theft	1
40 - Other	1
PH - Panhandler	1
PH - Panhandler	1
46 - CIT	1
40 - Other	1
40 - Other	1
40/01 - Other	1
6X - Major Dist (Violence)	1
40/01 - Other	1
46 - CIT	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
7X - Major Accident	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
15 - Assist Officer	1
40 - Other	1
41/20 - Robbery - In Progress	1
16 - Injured Person	1
16 - Injured Person	1
7X - Major Accident	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
40/01 - Other	1
6X - Major Dist (Violence)	1
**PD Requested by Fire	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
40 - Other	1
09/01 - Theft	1
6X - Major Dist (Violence)	1
40 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1

Description	Count
40/01 - Other	1
6XA - Major Dist Ambulance	1
6X - Major Dist (Violence)	1
40 - Other	1
6X - Major Dist (Violence)	1
40/01 - Other	1
6X - Major Dist (Violence)	1
46 - CIT	1
6XA - Major Dist Ambulance	1
PH - Panhandler	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
40/01 - Other	1
**PD Requested by Fire	1
6X - Major Dist (Violence)	1
20 - Robbery	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
40/01 - Other	1
40/01 - Other	1
46 - CIT	1
40/01 - Other	1
OADS - Open Air Drug Sales	1
6X - Major Dist (Violence)	1
41/31 - Crim Mis/Progress/Felo	1
41/09V - UUMV in Progress	1
04 - 911 Hang Up	1
6XE - Disturbance Emergency	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
PH - Panhandler	1
PH - Panhandler	1
6X - Major Dist (Violence)	1
40 - Other	1
40 - Other	1

Description	Count
6X - Major Dist (Violence)	1
40 - Other	1
6X - Major Dist (Violence)	1
24 - Abandoned Property	1
38 - Meet Complainant	1
32 - Suspicious Person	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
PH - Panhandler	1
40/01 - Other	1
24 - Abandoned Property	1
DAEF-Dist Armed Encounter Foot	1
40 - Other	1
6X - Major Dist (Violence)	1
PH - Panhandler	1
6X - Major Dist (Violence)	1
PH - Panhandler	1
6X - Major Dist (Violence)	1
40/01 - Other	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
40 - Other	1
09 - Theft	1

Incident(s):

Description	Count
AGG ASSAULT - NFV	1
ROBBERY-INDIVIDUAL	1
UUMV	1
UUMV	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1
MISCELLANEOUS	1
ROBBERY-BUSINESS	1
ROBBERY-BUSINESS	1
TRESPASS OF REAL PROPERTY	1

Description	Count
SHOPLIFTING	1
MISCELLANEOUS	1
MISCELLANEOUS	1
OTHER THEFT	1
DRUG/ NARCOTIC VIOLATIONS	1
DRUG/ NARCOTIC VIOLATIONS	1
SIMPLE ASSAULT	1
SHOPLIFTING	1
MISCELLANEOUS	1
MISCELLANEOUS	1
UUMV	1
UUMV	1
STOLEN PROPERTY OFFENSES	1
DRUG/ NARCOTIC VIOLATIONS	1
MISCELLANEOUS	1
MISCELLANEOUS	1
TRESPASS OF REAL PROPERTY	1
MISCELLANEOUS	1
DRUG EQUIPMENT VIOLATIONS	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1
BMV	1
MISCELLANEOUS	1
MISCELLANEOUS	1
MISCELLANEOUS	1
MISCELLANEOUS	1
COUNTERFEITING / FORGERY	1

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.

LIST OF OFFICERS

SEJ Asset Management & Investment Company

Koso Nasu, Director

Mikio Kajiyama, Director

Rankin L. Gasaway, Vice President

David Seltzer, Vice President

Ryoji Sakai, President

Seiji Oku, Secretary

Stanley W. Reynolds, Vice President

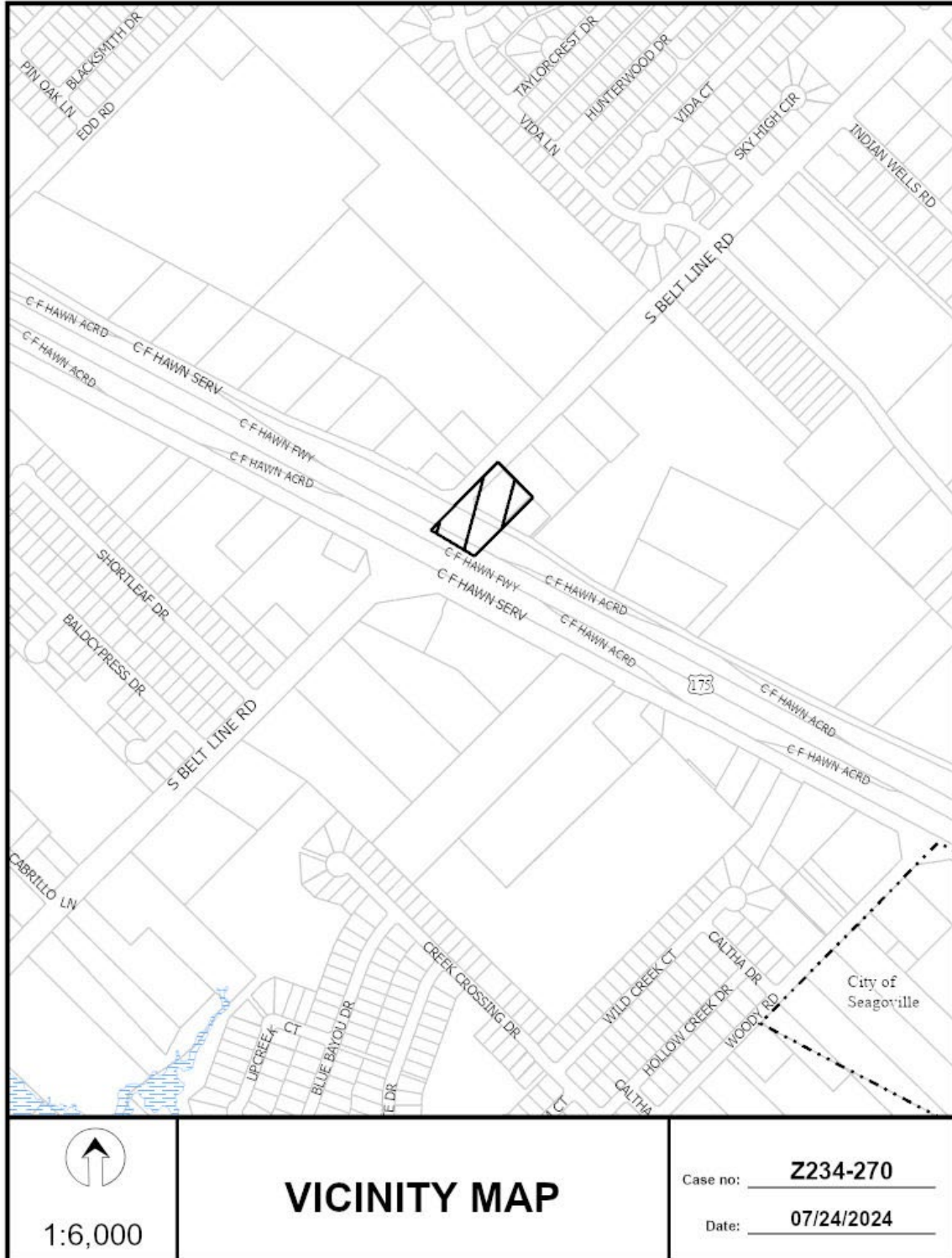
Takashi Hira, Director

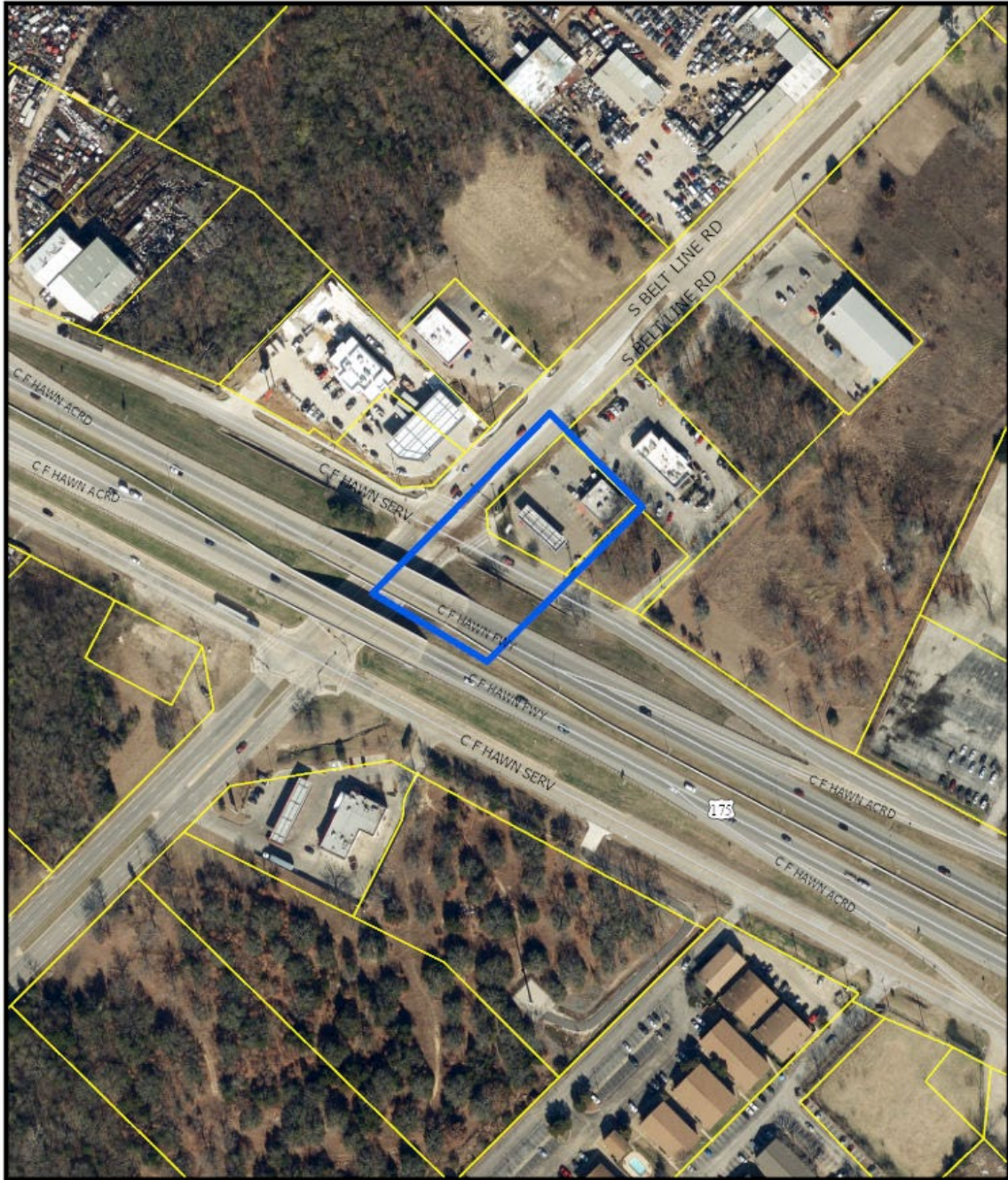
Yoshimichi Maruyama, Director

Yoshitake Taniguchi, Vice President

PROPOSED SUP 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 the passage of this 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 application for automatic renewal must be filed after the 18th 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.



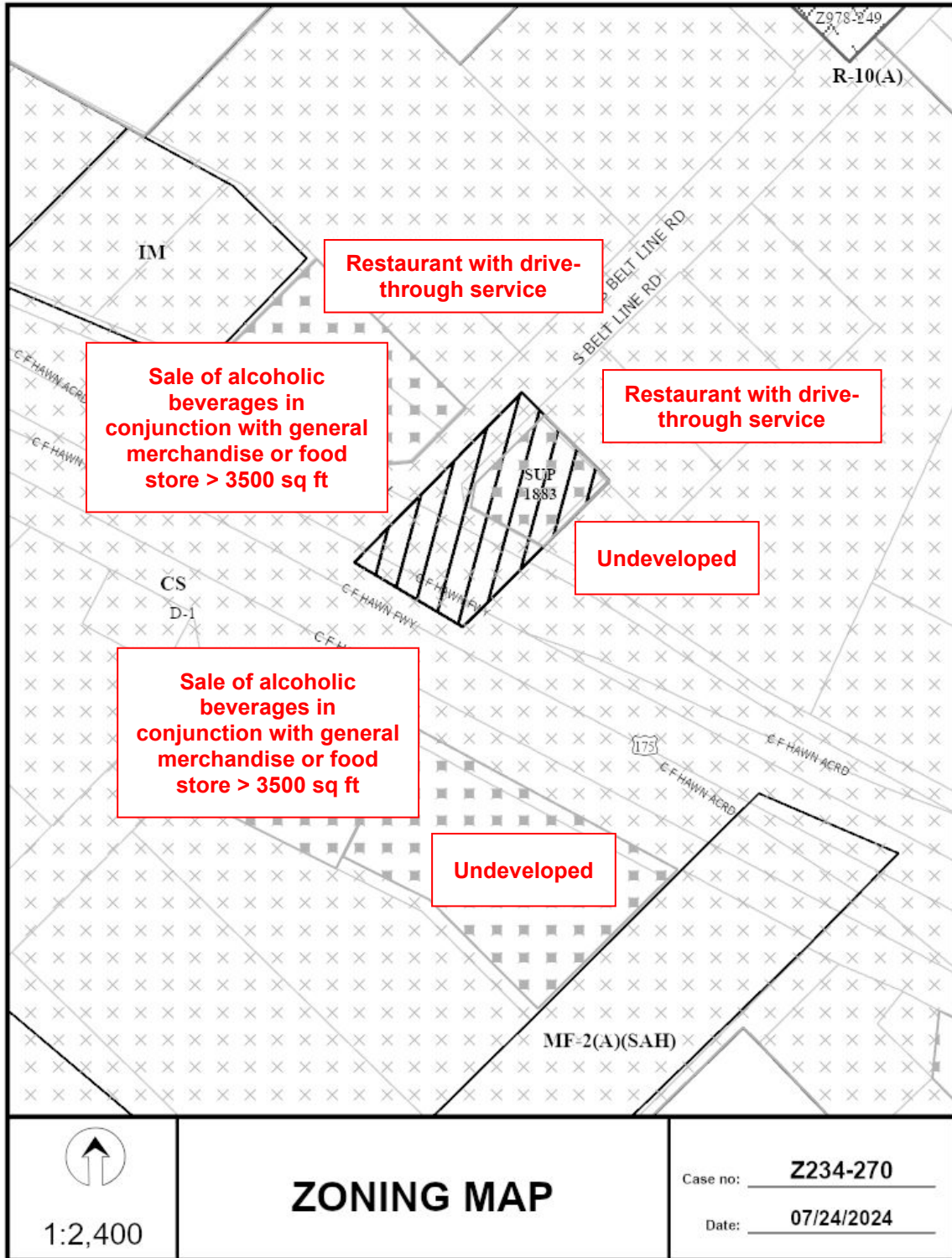


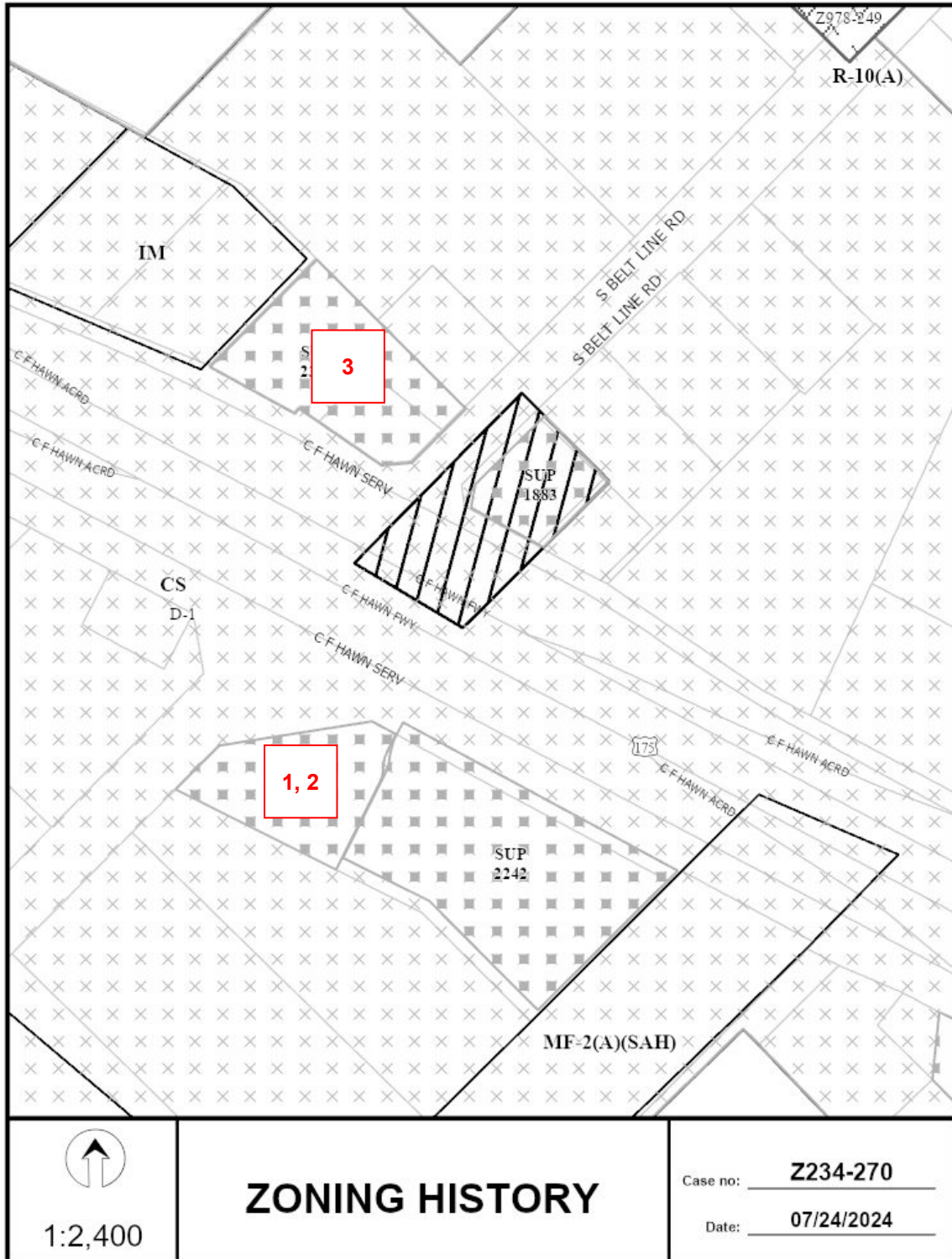
1:2,400

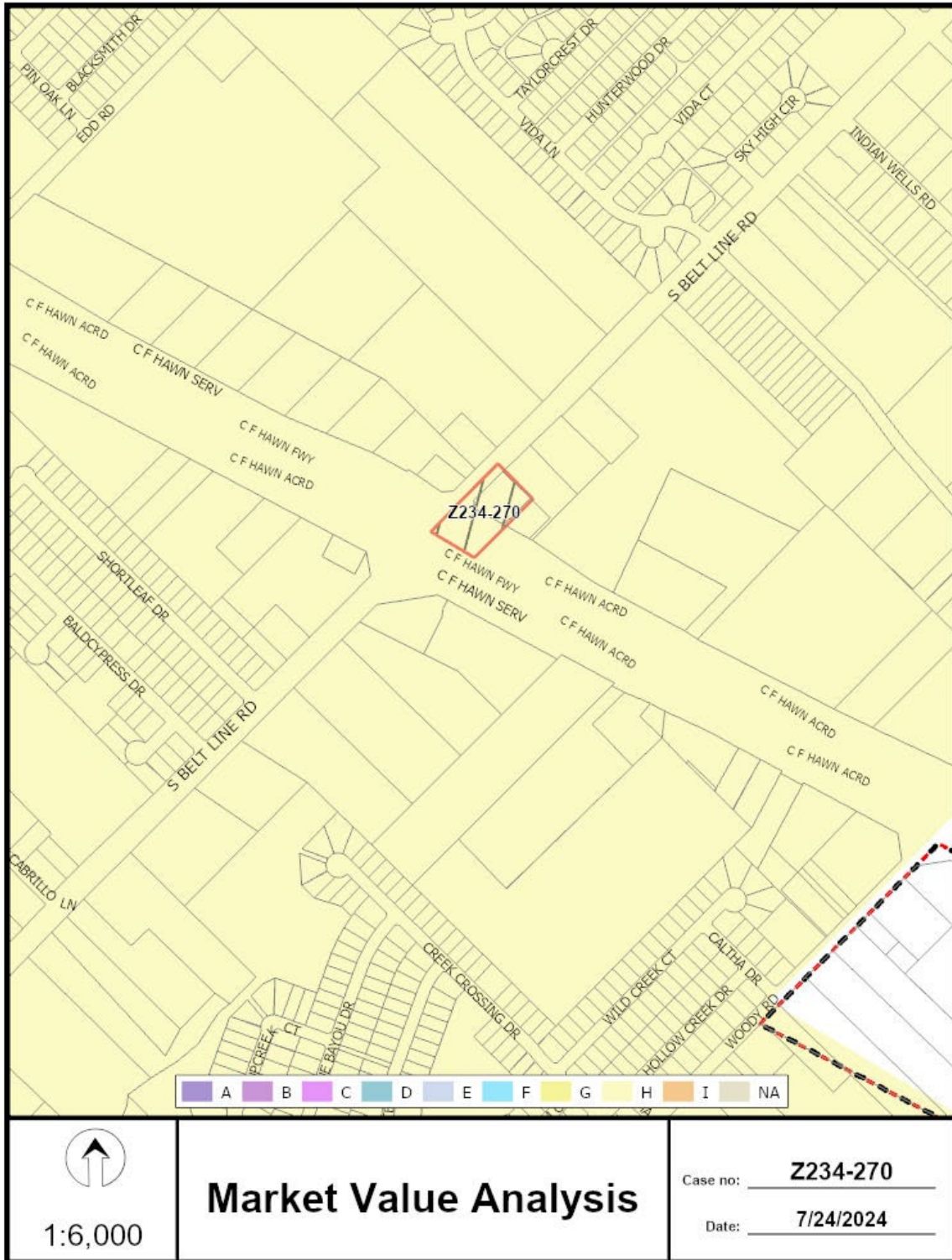
AERIAL MAP

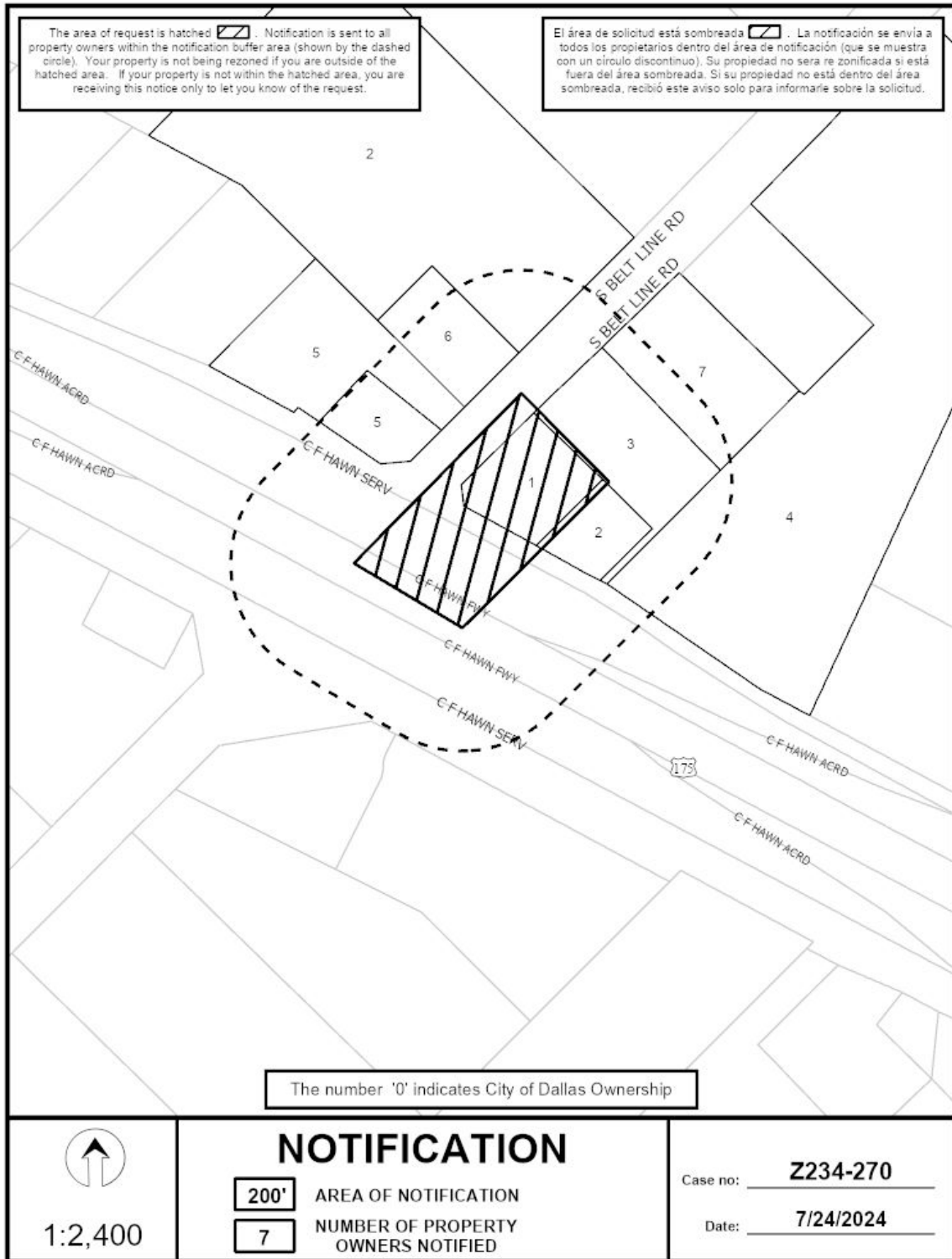
Case no: Z234-270

Date: 07/24/2024









Z234-270(CR)

07/24/2024

Notification List of Property Owners

Z234-270

7 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	13601 C F HAWN FWY	SEJ ASSET MANAGEMENT & INVESTMENT COMPANY
2	1811 S BELTLINE RD	KAMY REAL PPTY TRUST
3	1808 S BELTLINE RD	MCDONALDS CORP 42 524
4	13710 C F HAWN FWY	BELTLINE & HAWN INC
5	13415 C F HAWN FWY	QT SOUTH LLC
6	1800 S BELTLINE RD	CRARE INC
7	1790 S BELTLINE RD	ORTEGA REAL ESTATE INTEREST LP