

**FILE NUMBER:** Z234-140(JG)/Z-25-000082 **DATE FILED:** December 6, 2023

**LOCATION:** Northeast corner of S. Buckner Blvd and Elam Road

**COUNCIL DISTRICT:** 5

**SIZE OF REQUEST:** Approx. 1.35 acres **CENSUS TRACT:** 48113009202

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**REPRESENTATIVE:** Kyle Hill, Martin Frost & Hill

**OWNER/APPLICANT:** RS Buckner LLC

**REQUEST:** An application for a new Specific Use Permit for the sale of alcoholic beverages, on property zoned Subarea 2A within Planned Development District 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay

**SUMMARY:** The purpose of the request is to allow alcohol sales in a general merchandise store less than 3,500 square feet.

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

**BACKGROUND INFORMATION:**

- The area of the request is within Subarea 2A of Planned Development District No. 366, the Buckner Boulevard Special Purpose District.
- The site is currently developed with a general merchandise store less than 3,500 sf that includes a vehicle motor fueling station and is applying for a new SUP.
- A previous SUP (SUP No. 2427) was in place at this location, allowing the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. SUP 2427 expired before the applicant submitted the renewal request. The new application included an updated site plan that included a large detention pond. This change prompted the creation of a new SUP request, rather than a renewal.
- The lot has frontage on both S. Buckner Blvd. and Elam Road.

**Zoning History:**

There has been one recent zoning change request in the area in the last five years.

1. Z201-218 – On October 13, 2021, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, for a two-year period, subject to a site plan and conditions, on property zoned Subarea 2A within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, located on the northeast corner of South Buckner Boulevard and Elam Road. [Subject site]
2. Z212-351 – On June 28, 2023, the City Council approved the renewal of Specific Use Permit No. 1850 to continue to allow 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 five-year periods, on property located within Subarea 4 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay District, Southeast corner of Elam Road and South Buckner Boulevard.
3. Z234-226 – On November 13, 2024, the City Council approved an application for 1) a Planned Development District for WMU-5 Walkable Urban Mixed Use District uses and standards; 2) the termination of Specific Use Permit No. 1646 for a transit passenger station or transfer center; and 3) the termination of a D-1 Liquor Control Overlay on property zoned an IM Industrial Manufacturing District, a CS Commercial Service District, and Subarea 4 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, on the southwest corner of South Buckner Boulevard and Elam Road.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Buckner Boulevard	Principal Arterial	107' Bike Plan
Elam Road	Principal Arterial	100' 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 review of engineering plans at permitting to comply with city standards.

**Transit Access:**

The following transit services are located within ½ mile of the site:

- DART Routes Green Line, 15, 38

**STAFF ANALYSIS:****Comprehensive Plan:**

The *forwardDallas! 2.0* Comprehensive Plan was adopted by the City Council in September 2024 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. forwardDallas 2.0 designates the area as the Neighborhood Mixed-Use placetype, which supports a blend of residential, retail, and small-scale commercial uses.

As a high-level citywide policy document, Forward Dallas 2.0 does not include future land use recommendations at the scale of this request or about general zoning changes in the Dry Overlays.

**Area Plans:**

In February 2013, the City Council adopted the Buckner Station Area Plan to help shape future growth in the area located northeast of the U.S. Highway 175 and TX Loop 12 intersection. The plan aims to boost affordable housing options, enhance safety and access for various modes of transportation, and lay out a long-term vision for a successful, transit-oriented community. Its goals and strategies align with the broader

objectives of the forwardDallas! 2.0 Comprehensive Plan and support the evaluation of the applicant's proposal.

The applicant is not proposing any additional development and thus, the plan(s) do not comment on the sale of alcohol for off-premise consumption.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Subarea 2A within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay	General Merchandise or Food Store less than 3,500 sf, motor vehicle fueling station
<b>North</b>	Subarea 2A within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay	Vehicle Repair
<b>East</b>	R-7.5(A)	Single Family Residential/Partially Vacant
<b>South</b>	Subarea 4 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay	Motor Vehicle Fueling Station, Various Retail
<b>West</b>	Subarea 2A within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay and SUP No. 1873	Vehicle Display, Sales, and Service, Personal Services

**Land Use Compatibility:**

The request site is within Subarea 2A of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay. The site is currently developed with a single-story, 2,824-square-foot building, which is used as a general merchandise or food store. Motor vehicle fueling is allowed in conjunction with the general merchandise or food store use, with the fueling station canopy on site having seven fuel islands with a total of 14 fueling points.

Other uses surrounding the area of request include a mix of automotive-related uses and retail. To both the south and the west, the properties include a combination of retail, personal services, and automotive-related uses. To the north, there is a vehicle repair business. East of the subject property, there are single family homes, as well as multiple vacant single-family lots.

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 applicant's proposal for the sale of beer and wine for off-premise consumption is a typical accessory use of General Merchandise facilities. Staff recommends approval of the request for a permanent time period.

#### **TABC Information:**

At the time this report was written, an active TABC license was in place for the subject location. The license was originally issued on July 25, 2023, and is set to expire on July 24, 2025—prior to the scheduled hearing date of August 7, 2025. Staff reviewed the separation distance requirements outlined in Section 6-4 of the Dallas City Code and confirmed that there are no churches, schools, day-care centers, child-care facilities, or hospitals within the required distance. If the request for a new Specific Use Permit is approved, the applicant will be required to obtain a new TABC license.

#### **Chapter 12B Status:**

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 site of request has an active 12B registration, which is set to expire in February of 2026. The 12B license number is 2025-CS02121410.

### **Landscaping:**

No new development is proposed. Therefore, no additional landscaping is required.

### **Parking:**

According to the Dallas Development Code, as updated May 14, 2025, there are no off-street parking requirements for a general merchandise or food store use, as well as a motor vehicle fueling use.

### **Crime Statistics**

The Dallas Police Department provided crime statistics from January 2020 to the present. The information is provided in the subsequent charts. There were a total of 183 calls, 34, incidents, and 5 arrests over the time period.

### **Arrests**

<b>Offenses (Summary)</b>	<b>Count of Incidents</b>
DWI	2
FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO	1
CRIMINAL TRESPASS	1
OBSTRUCTION OR RETALIATION	1

<b>Total</b>	<b>5</b>
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Calls

<b>Calls (Summary)</b>	<b>Count of Incidents</b>
1 – Emergency	2
2 – Urgent	114
3 - General Service	58
4 - Non Critical	9
<b>Total</b>	<b>183</b>

Incidents

<b>Incidents (Summary)</b>	<b>Count of Incidents</b>
ABANDONED PROPERTY (NO OFFENSE)	1
ACCIDENT INV DAMAGE TO VEHICLE <\$200	4
ARSON -ALL OTHER STRUCTURES - UNINHABITED	1
BMV	1
BURGLARY OF BUILDING - FORCED ENTRY	3
COLLISION INV DAMAGE TO VEHICLE > OR EQUAL \$200	1
CRIMINAL TRESPASS	1
CRIMINAL TRESPASS AFFIDAVIT	1
CRIMINAL TRESPASS WARNING	7
DWI	2
FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO	1
FICTITIOUS LICENSE PLATE	1
OBSTRUCTION OR RETALIATION	1
RECKLESS DAMAGE	2
ROBBERY OF INDIVIDUAL (AGG)	1
THEFT OF PROP <\$100 - SHOPLIFTING - (NOT BY EMPLOYEE)	2
TRAFFIC VIOLATION - NON HAZARDOUS	1
UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	2
VOIDED OFFENSE	1
<b>Total</b>	<b>34</b>

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 the north, east, west, and south.



**List of Officers**

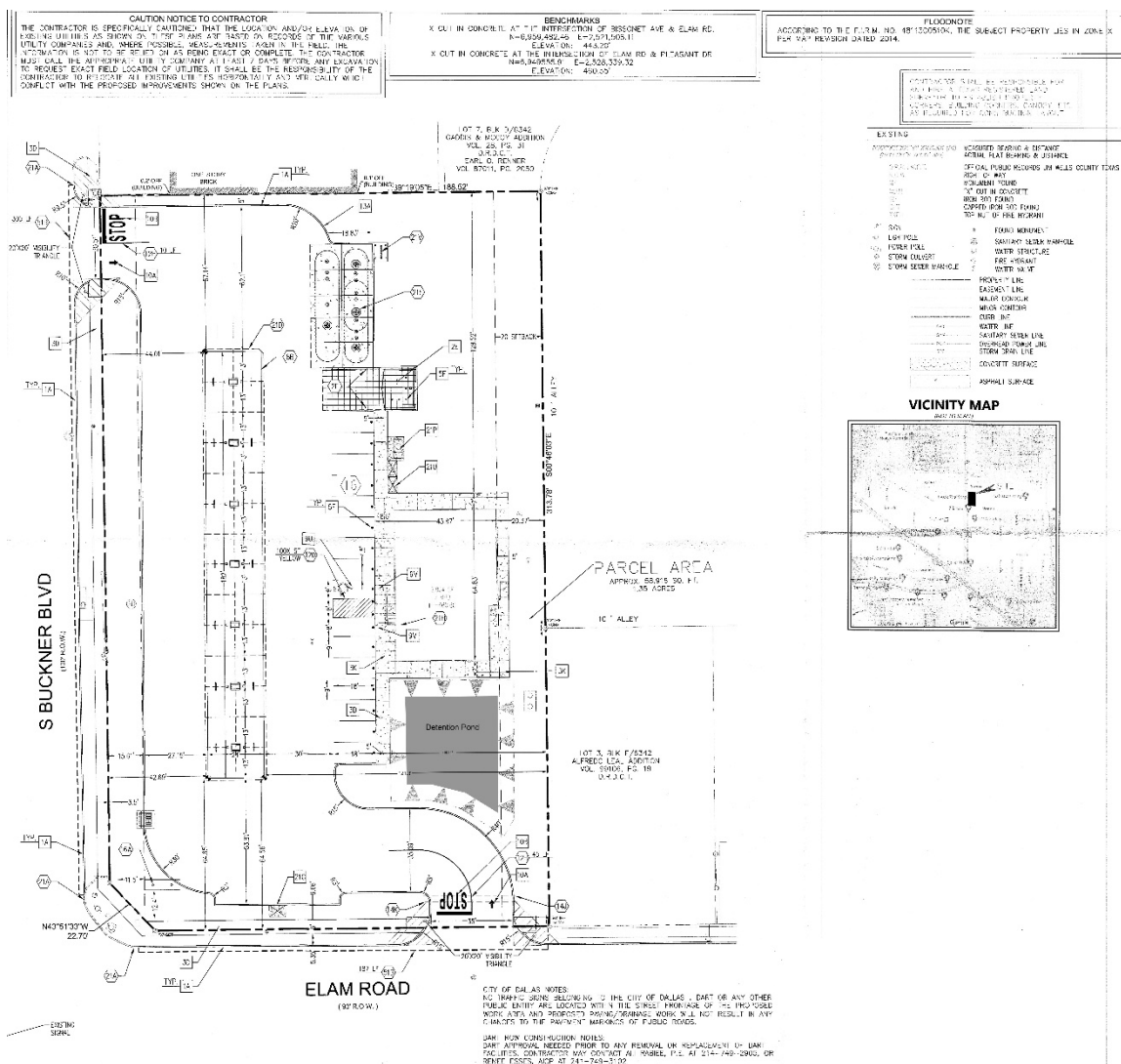
RS Buckner, LLC – Property Owner

Beau Tucker, Manager

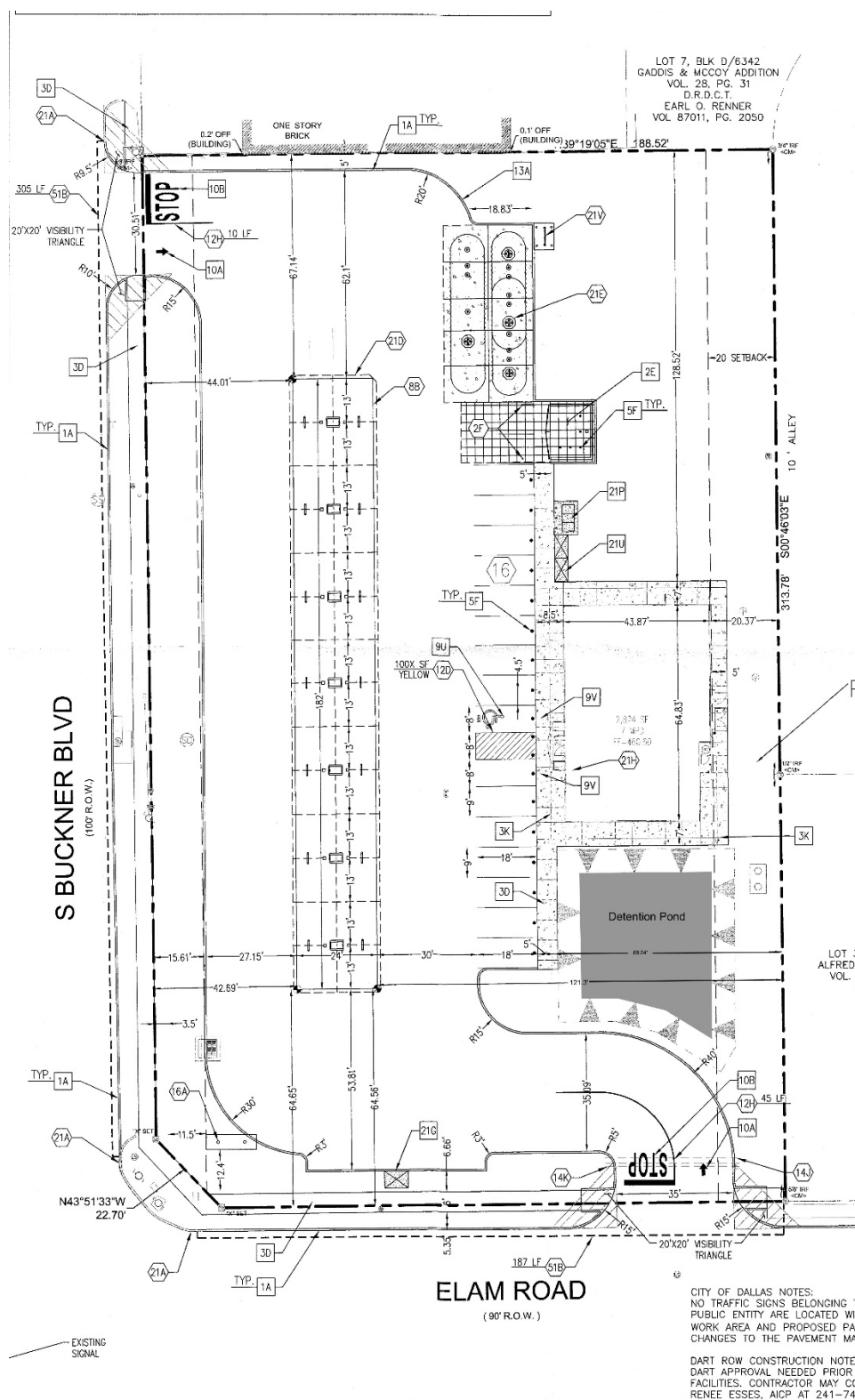
### **Proposed SUP Conditions**

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 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 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.

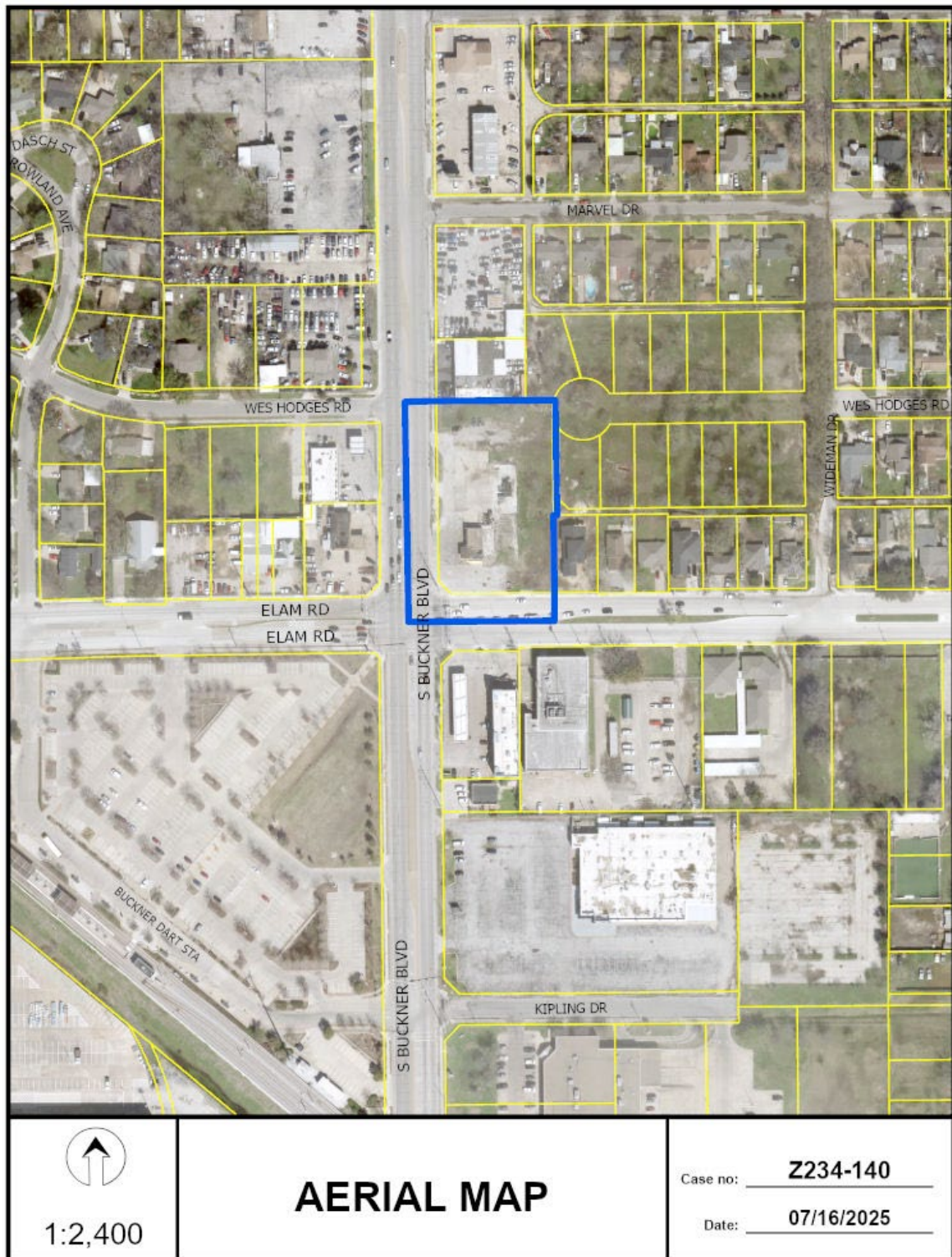
## Proposed Site Plan

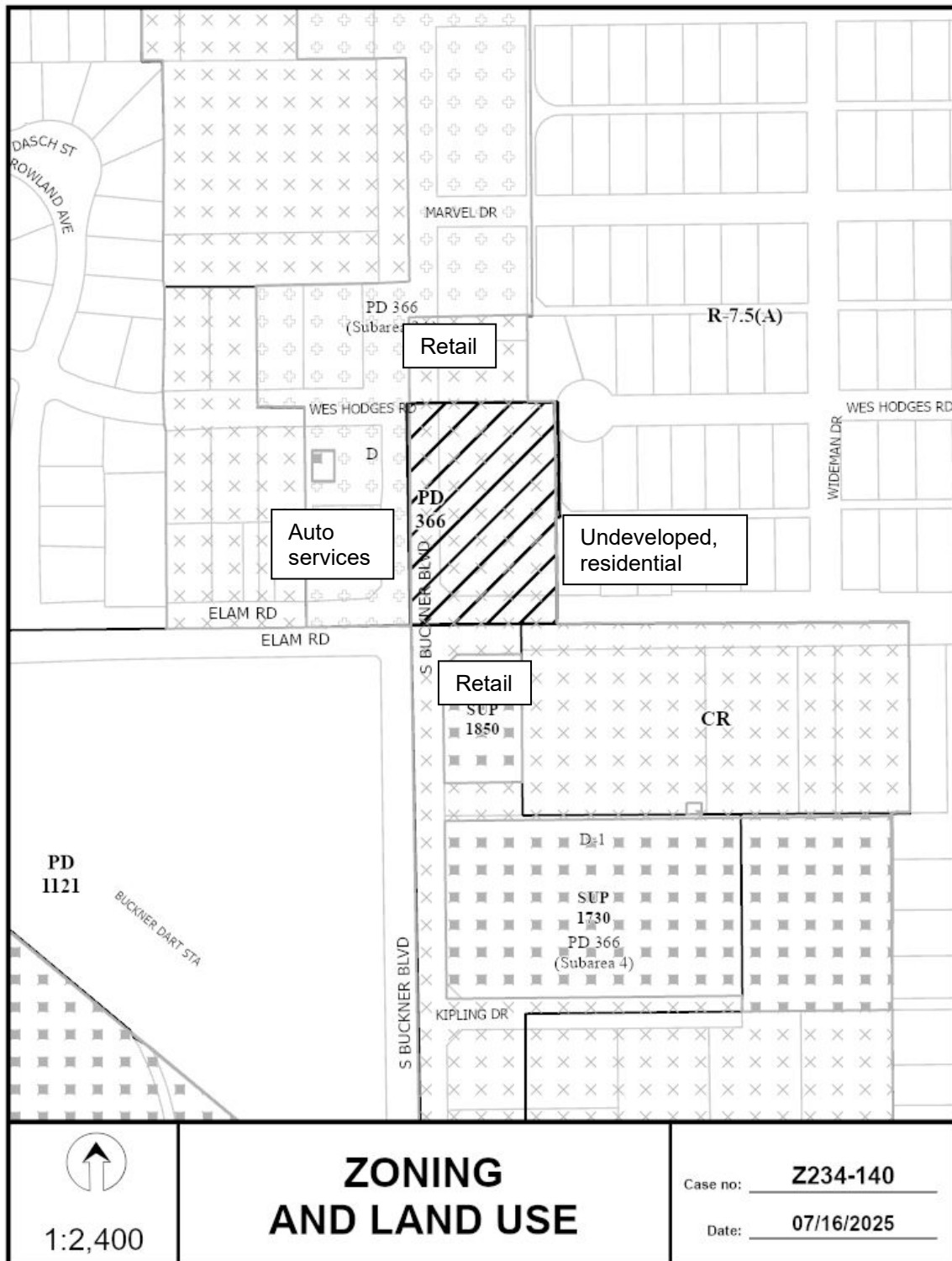


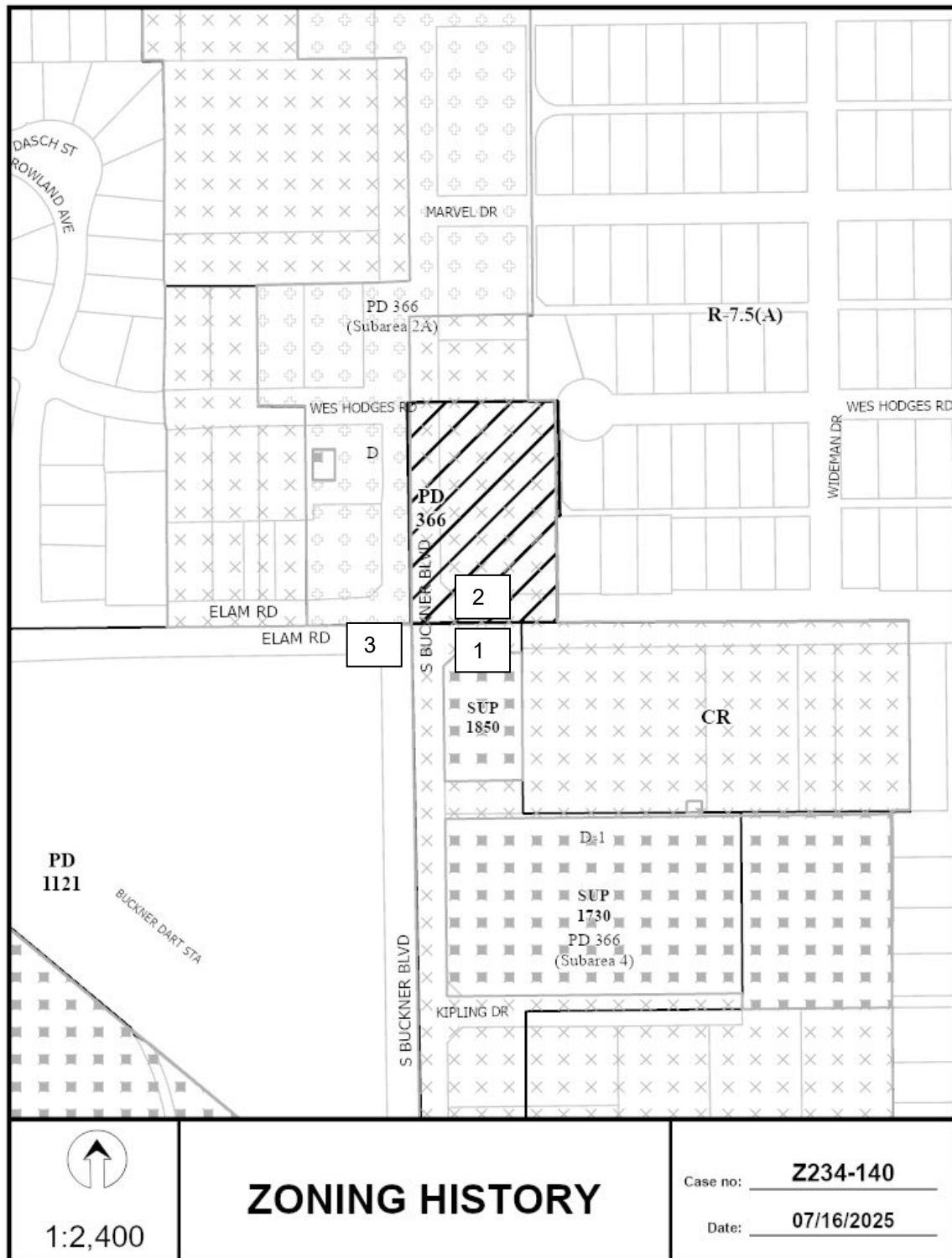
## Proposed Site Plan (Enlarged)



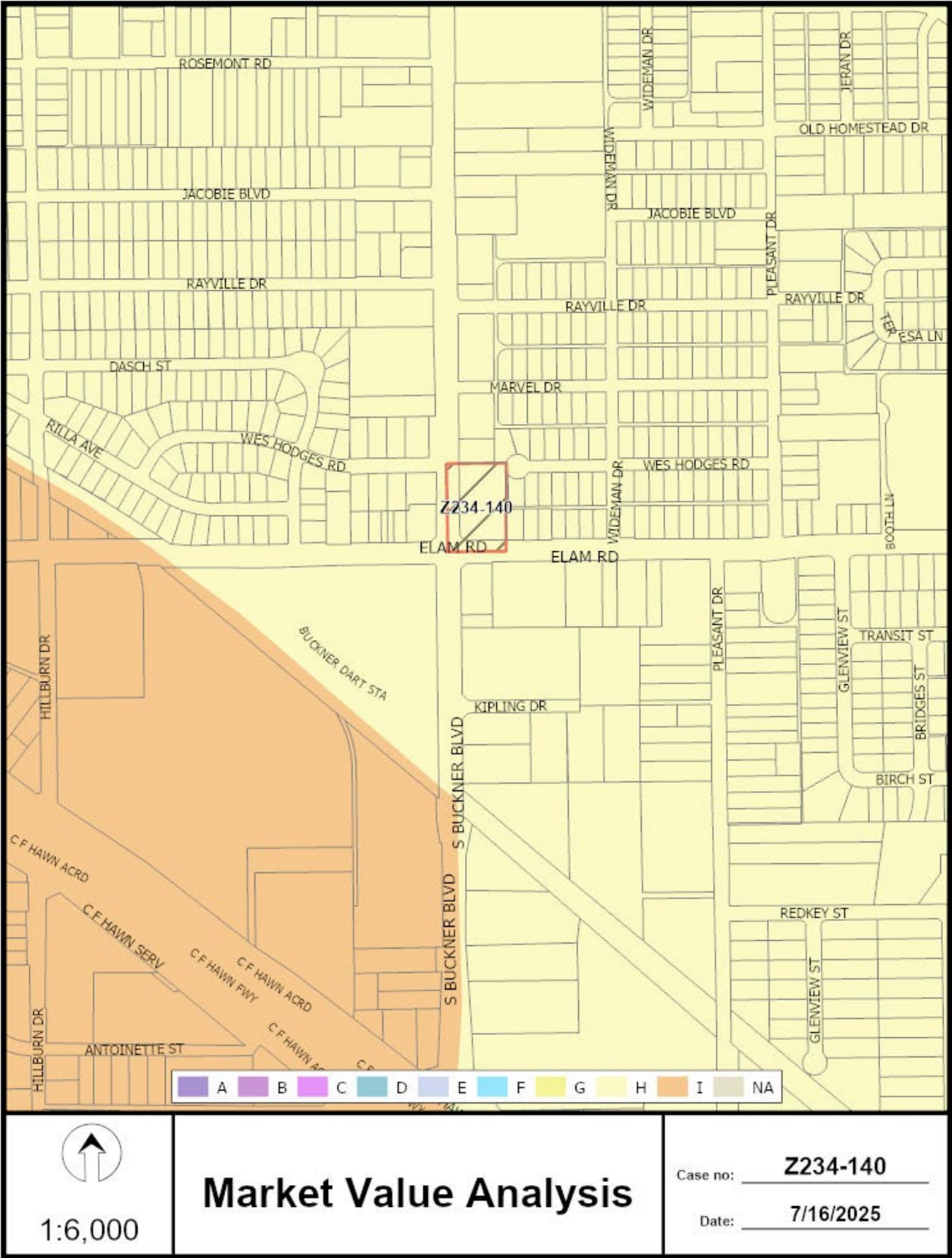


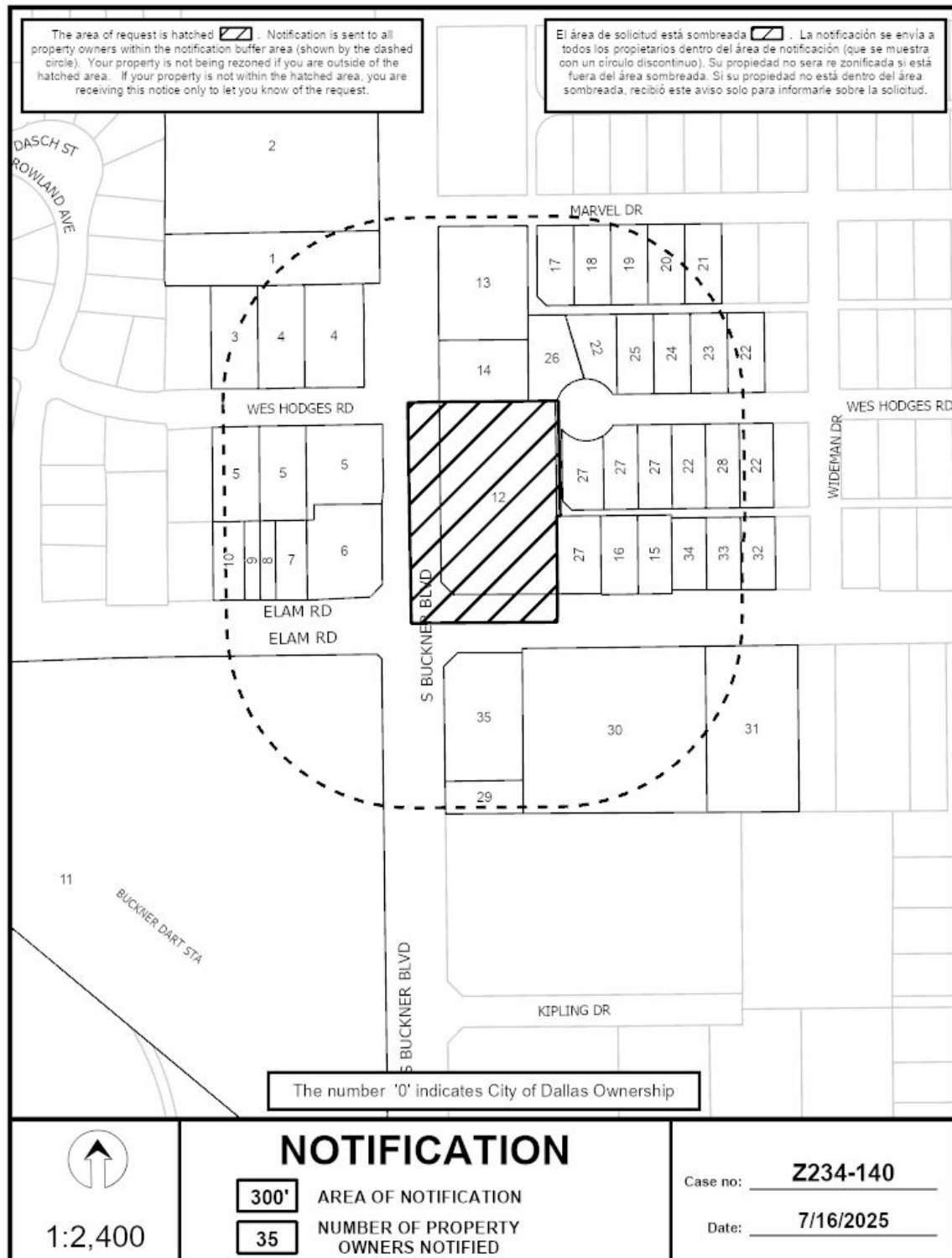












07/16/2025

***Notification List of Property Owners******Z234-140******35 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	543 S BUCKNER BLVD	MCALEXANDER PROPERTIES LLC
2	551 S BUCKNER BLVD	MUELLER PROPERTIES LTD
3	8023 WES HODGES RD	BRIONES MARTIN
4	8029 WES HODGES RD	MUELLER MCALEXANDER
5	8026 WES HODGES RD	SUBHA CORP
6	509 S BUCKNER BLVD	SHERWOOD INDUSTRIES LLC
7	8031 ELAM RD	BARRON MARIO & SONIA
8	8029 ELAM RD	BARRON MARIO &
9	8027 ELAM RD	BARRON MARIO & SONIA BARR
10	8023 ELAM RD	BARRON MARIO &
11	8008 ELAM RD	DALLAS AREA RAPID TRANSIT
12	500 S BUCKNER BLVD	RS BUCKNER LLC
13	538 S BUCKNER BLVD	JACKSON AMY &
14	528 S BUCKNER BLVD	AMEEN LLC
15	8129 ELAM RD	BEDFORD ANTHONY J
16	8123 ELAM RD	MARTINEZ ISRAEL BENITEZ &
17	8112 MARVEL DR	LOPEZ VICTOR M
18	8116 MARVEL DR	TORRES JULIANA &
19	8120 MARVEL DR	LOPEZ ROQUE & LORENA
20	8124 MARVEL DR	CLAUSSEN GEORGE R
21	8128 MARVEL DR	FRAUSTO ALFREDO
22	8127 WES HODGES RD	VENTURA CN LLC
23	8123 WES HODGES RD	RENNER EARL O
24	8119 WES HODGES RD	RODRIGUEZ GRACIELA
25	8111 WES HODGES RD	STERLING ANTHONY K
26	8103 WES HODGES RD	DALLAS HOUSING ACQUISITION &
27	8106 WES HODGES RD	NAVARRO CARLOS F
28	8124 WES HODGES RD	NAVARRO CARLOS FRANCISCO

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
29	426 S BUCKNER BLVD	PREECE & PREECE INC
30	8114 ELAM RD	SOUTHWESTERN BELL
31	8202 ELAM RD	AMDAS LLC
32	8141 ELAM RD	CASTILLO JOSE A
33	8137 ELAM RD	MAHOGANY HOMES LLC
34	8133 ELAM RD	CANO OSCAR E &
35	440 S BUCKNER BLVD	ELAM CROSSING LP