

FILE NUMBER: Z234-189(JG) **DATE FILED:** March 13, 2024
LOCATION: Northwest corner of Hillburn Drive and Great Trinity Forest Way
COUNCIL DISTRICT: 5
SIZE OF REQUEST: Approximately 1.52 acres **CENSUS TRACT:** 48113009304

REPRESENTATIVE: Parvez Malik, Malik Law Firm

OWNER/APPLICANT: Emilia Realty LLC/NA and C Investments

REQUEST: An application for a Specific Use Permit to allow alcohol sales in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow for the applicant to sell alcohol for off-premise consumption in a proposed general merchandise or food store.

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

BACKGROUND INFORMATION:

- The area of the request is in an RR Regional Retail District.
- The site is currently developed with a general merchandise store with less than 3,500 square feet of floor area and requests to sell alcohol, which requires a Specific Use Permit (SUP).
- The lot has frontage on both Hillburn Drive and S. Great Trinity Forest Way.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Hillburn Drive	Local Road	-
Great Trinity Forest Way	Principal Arterial	107'

Traffic:

The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation and Public Works Department, reviewed the request and determined that it will not significantly impact the surrounding roadway system pending commensurate improvements. The project will be responsible to mitigate development impact as determined through the engineering review process.

STAFF ANALYSIS:**Land Use:**

	Zoning	Land Use
Site	RR Regional Retail with D-1 Liquor Control Overlay	General Merchandise or Food Store less than 3,500 SF and other vacant retail space
North	MF-2(A)	Multifamily
East	RR Regional Retail with D-1 Liquor Control Overlay	Auto Sales
South	RR Regional Retail with D-1 Liquor Control Overlay	Retail, Personal Service, Office, Auto Service
West	RR Regional Retail with D-1 Liquor Control Overlay	Auto Service

Land Use Compatibility:

The request site is within the RR, Regional Retail, zoning district with a D-1 Liquor Control Overlay and is currently developed with a one-story, 9,038-square-foot building. The existing general merchandise or food store occupies 2,100 square feet of the building with the remainder being currently vacant.

The current general merchandise or food store use is permitted without an SUP on the entire property. Because the property is within the D-1 Liquor Control Overlay, the sale of alcoholic beverages is allowed only by SUP. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the existing convenience store and is therefore requesting a SUP for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet.

A multifamily use is located to the north of the site, separated from the subject site by some open space. Other uses surrounding the area of request to the east, south, and west include a mix of automotive-related uses and retail. Specifically, to both the east and the west, there are automobile-related uses. To the south, the properties include a combination of retail, personal service, and automotive-related uses. The use of a general merchandise store with alcohol sales is compatible with the surrounding uses in the immediate vicinity, as well as the uses along Great Trinity Forest Way.

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 uses surrounding the site include a mix of retail, automotive, and personal services, the addition of alcohol sales in conjunction with a general retail store less than 3,500 sf will complement the existing fabric of the intersection.

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 Dallas Police Department has determined that the request site meets the standards in Chapter 12B. The Certificate of Registration was approved as of July 9, 2024 and expires on July 9, 2025.

There is an active TABC License for this location. The active license is categorized as “Wine-Only Package Store Permit (Q)” which authorizes the sale of malt beverages and wine to consumers for off-premise consumption. The license was issued on October 20, 2022 and expires on October 19, 2026.

Landscaping:

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

Parking:

Per code, the parking for retail uses is one space per every 200 square feet of floor area. The area of request is a total of 2,100 square feet within a building that is a total of 9,038

square feet. The proposed store is required to provide 11 parking spaces. There are currently 58 parking spaces on the site.

Crime Statistics

The Dallas Police Department provided crime statistics from March 2020 to March 2025. The information is provided in the subsequent charts. There were a total of 33 calls, 10 incidents, and 5 arrests over the time period.

Arrests

Offenses (Summary)	Count of Incidents
DEADLY CONDUCT	2
WARRANT HOLD (NOT A DPD WARRANT)	1
POSS CONT SUB PEN GRP 1/1-B <1G	1
EVADING ARREST DETENTION W/PREV CONVICTION PC38.04(b1)	1
Total	5

Calls

Calls (Summary)	Count of Incidents
1 – Emergency	11
2 – Urgent	17
3 - General Service	4
4 - Non Critical	1
Total	33

Incidents

Incidents (Summary)	Count of Incidents
THEFT OF PROP > OR EQUAL \$750 <\$2,500 (NOT SHOPLIFT) PC31.03(e3)	1
POSS CONT SUB PEN GRP 1 <1G	1
ROBBERY OF INDIVIDUAL (AGG)	1
UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	1
THEFT FROM BUILDING> OR EQUAL \$2500<\$30K (NOT SHOPLIFT)	1
BURGLARY OF BUILDING - FORCED ENTRY	1
DEADLY CONDUCT	1
UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS	1
ROBBERY OF BUSINESS (AGG)	1
POSS CONT SUB PEN GRP 1 > OR EQUAL 1G<4G	1
Total	10

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 “I” MVA cluster that extends to the north, east, and west. South of the request area across Great Trinity Forest Way are “G” and “H” MVA clusters.

List of Officers

NA and C Investments, LLC

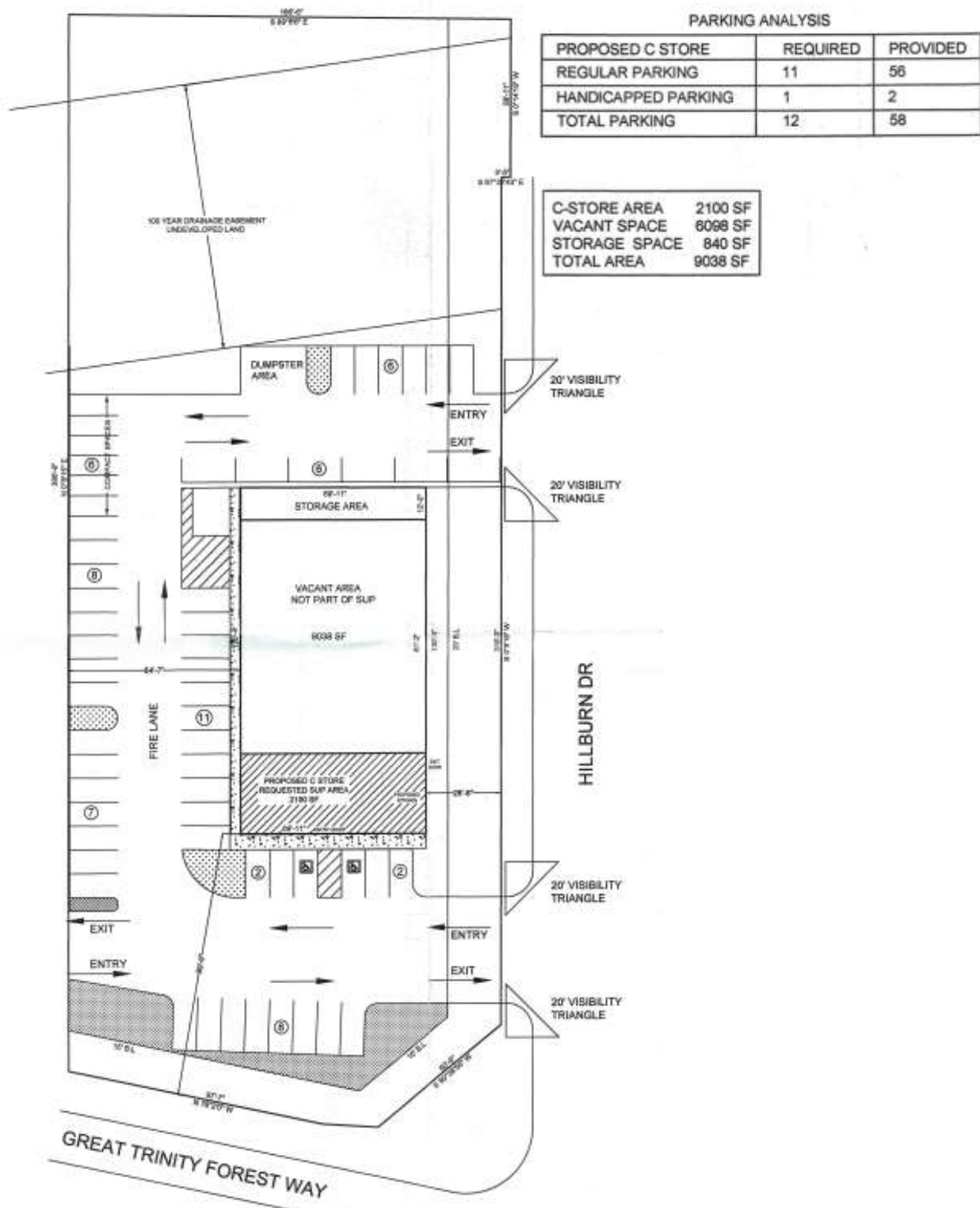
Mukhiya Gurung, President/Secretary

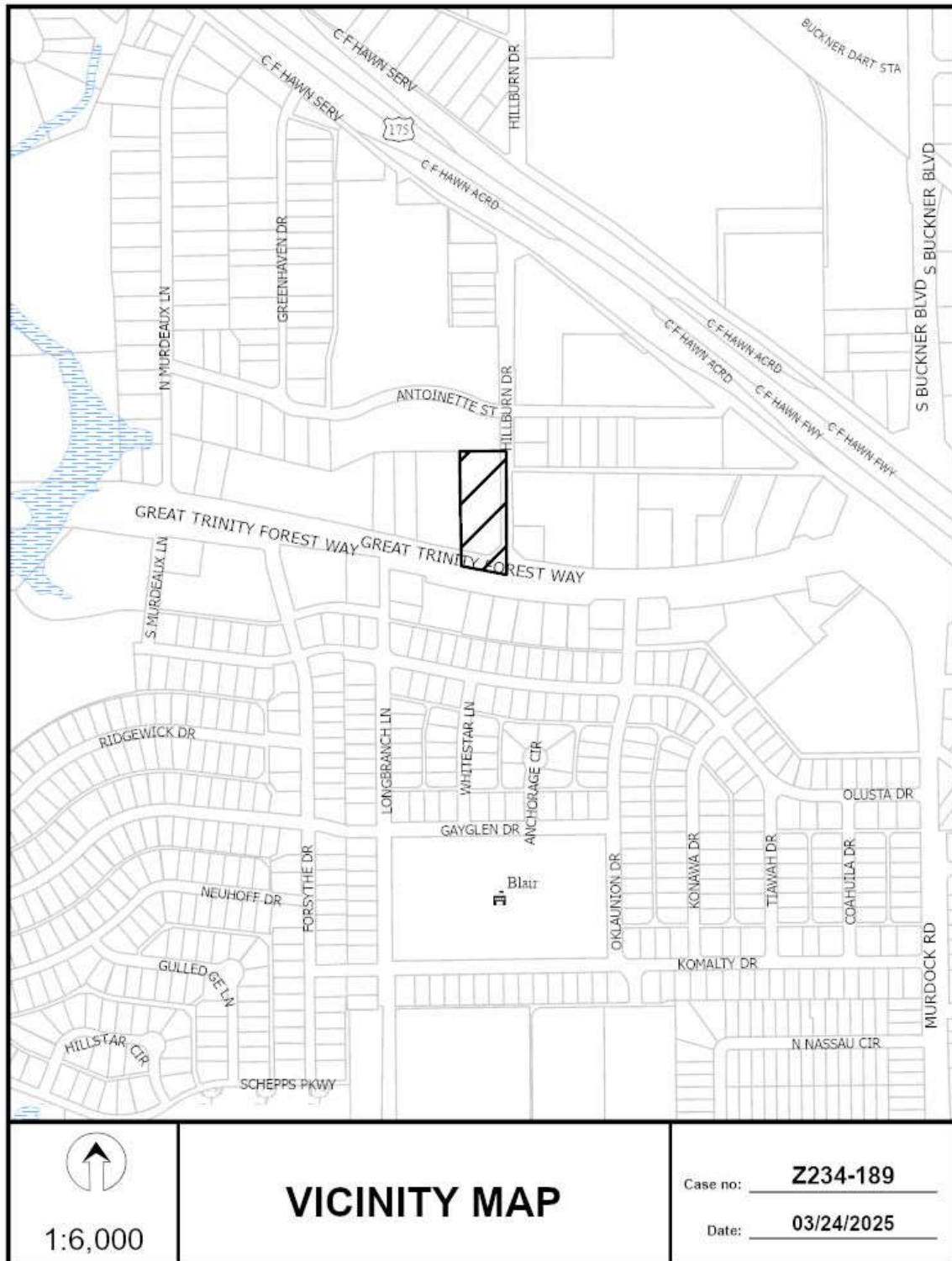
Proposed SUP Conditions

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:** The specific use permit expires on _____ [two years after council approval] 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 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. **FLOOR AREA:** The maximum floor area for the sale of alcoholic beverages in conjunction with a general merchandise or food store of 3,500 square feet or less is 2,100 square feet in the location shown on the attached site plan.
5. **MAINTENANCE:** The property will be adequately maintained in good repair and neat appearance.
6. **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 SUP Site Plan (Enlarged)

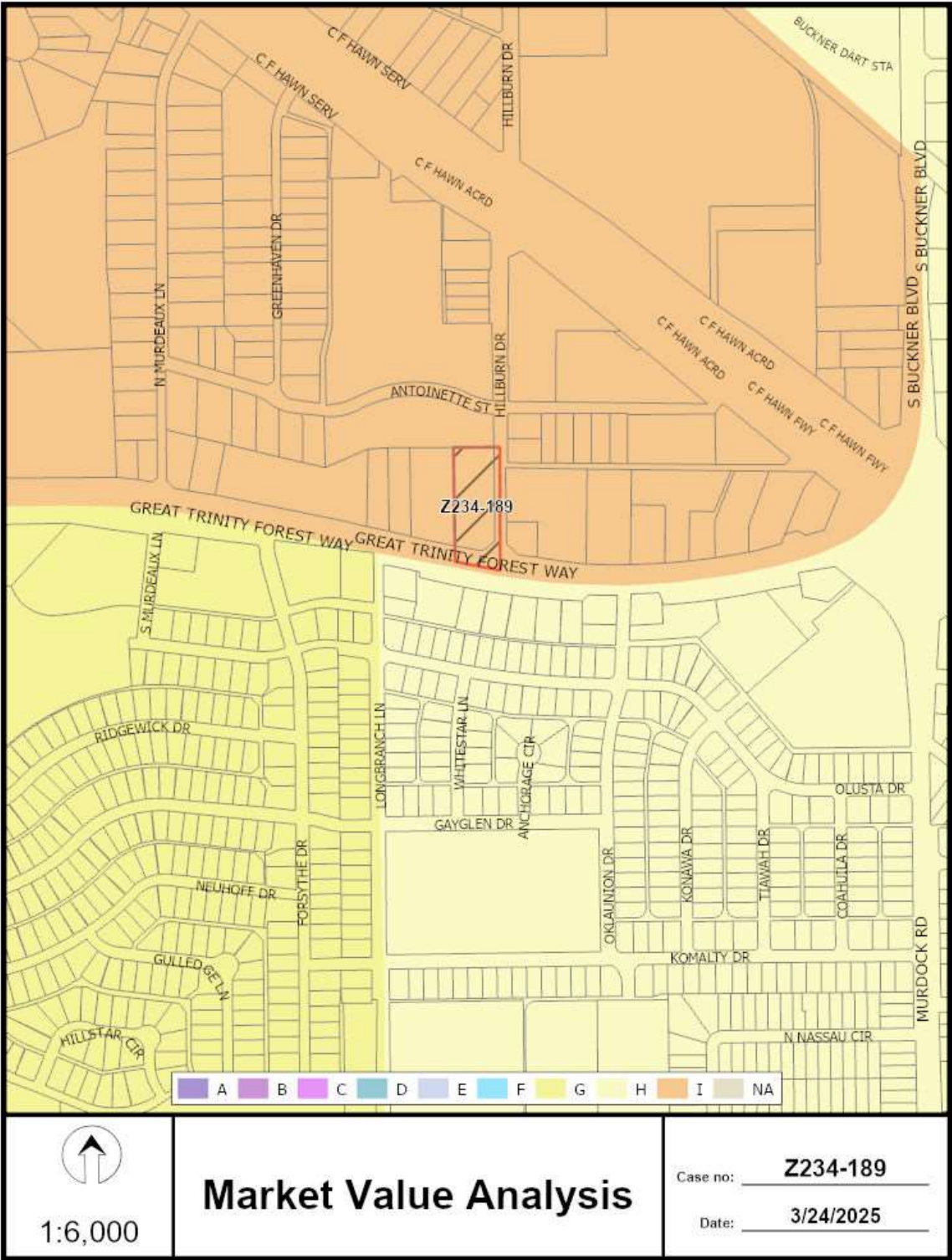


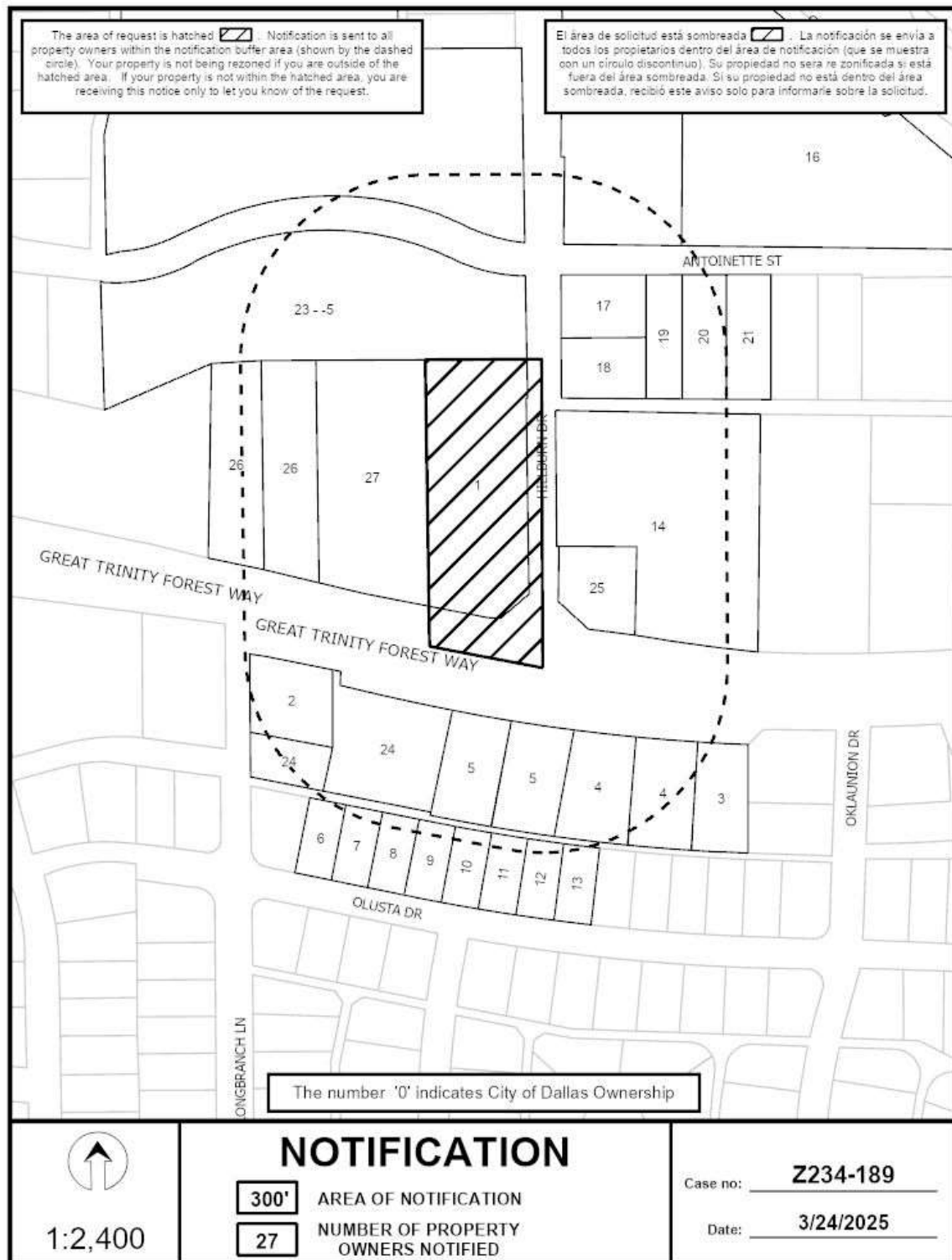












03/24/2025

Notification List of Property Owners

Z234-189

27 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7771 GREAT TRINITY FOREST WAY	EMILIA REALTY LLC
2	7710 GREAT TRINITY FOREST WAY	RAKAN B1 LLC
3	7822 GREAT TRINITY FOREST WAY	FREENEY RUBY LEE &
4	7810 GREAT TRINITY FOREST WAY	7812 GREAT TRINITY WAY LLC
5	7740 GREAT TRINITY FOREST WAY	SUPERB KAR WASH LLC
6	7709 OLUSTA DR	GARCIA MARCELINO
7	7715 OLUSTA DR	HERNANDEZ LUIS MANUEL
8	7719 OLUSTA DR	MEDINA JOHN E &
9	7725 OLUSTA DR	CORTES MARIA CONCEPTION &
10	7729 OLUSTA DR	MEDINA JESSE
11	7803 OLUSTA DR	LENOVITZ J MARSHALL
12	7809 OLUSTA DR	BARRIOS J CARMEN
13	7815 OLUSTA DR	SIAS EUGENIO
14	7815 GREAT TRINITY FOREST WAY	ALL STAR LEASING INC
15	7841 C F HAWN FWY	WRANGLER PROPERTIES LP
16	7979 C F HAWN FWY	HAWN FREEWAY SELF STORAGE LP
17	150 HILLBURN DR	ROJAS JOSE
18	142 HILLBURN DR	VALDEZ ELISEO
19	7814 ANTOINETTE ST	ANDRADE JOSE
20	7818 ANTOINETTE ST	BARRAZA MARY NANCY
21	7826 ANTOINETTE ST	TAVIRA TERESA PEIDRA &
22	7651 C F HAWN FWY	TEXAS ESSENTIAL HOUSING PUBLIC
23	7651 C F HAWN FWY	TEXAS ESSENTIAL HOUSING PUBLIC
24	7728 GREAT TRINITY FOREST WAY	S GREAT TRINITY FOREST WAY LLC
25	7811 GREAT TRINITY FOREST WAY	SHORT DAN & GERALDINE
26	7741 GREAT TRINITY FOREST WAY	GREAT TRINITY FOREST LLC
27	7767 GREAT TRINITY FOREST WAY	MITTAL & SONS LLC