

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, NOVEMBER 12, 2025

ACM: Robin Bentley

FILE NUMBER: Z-25-000063

DATE FILED: July 3, 2025

LOCATION: Southeast corner of South Buckner Boulevard and Bruton Road

COUNCIL DISTRICT: 5

SIZE OF REQUEST: 2.1 acres

CENSUS TRACT: 48113009204

OWNER: Exchange Right, NLP – Warren Thomas

APPLICANT: Walgreen Co. – Brian Brown

REPRESENTATIVE: Brackin Schwartz, PLLC – Marcus Schwartz

REQUEST: An application for a new specific use permit for the sale of alcoholic beverages on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with D-1 Liquor Control Overlay District.

SUMMARY: The purpose of the request is to allow the off-premises sales of beer and wine in an existing general merchandise or food store greater than 3,500 sf. on the property.

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

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned Subarea 2 within Planned Development District 366 (PD 366) - the Buckner Boulevard Special Purpose District - with D-1 Liquor Control Overlay District and is developed with a General merchandise or food store greater than 3,500 sf. - Walgreens (approx. 15,120 sf).
- A Specific Use Permit, SUP is required for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet at this location because of the D-1 Liquor Control Overlay on the property.
- The property previously had an SUP – SUP 1973 that was approved by City Council on August 8, 2012, and renewed on December 10, 2014, for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet. SUP 1973 expired on December 10, 2019.
- The property has frontage on both S. Buckner Boulevard and Bruton Road with two DART bus shelters, and one DART bus shelter, respectively.
- The applicant is requesting a new SUP to allow the off-premises sale of beer and wine in conjunction with the general merchandise or food store greater than 3,500 sf.
- The applicant does not propose any changes to the site.

Zoning History:

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

1. **Z223-116** On November 2, 2023, the City Plan Commission recommended denial without prejudice of an application for a Specific Use Permit for an auto service center and vehicle display, sales, and service on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on property located on the west line of Conner Drive, between Bruton Road and Stonehurst Street.
2. **Z212-336:** On April 12, 2023, City Council approved an application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the west line of Conner Drive, between Bruton Road and Stonehurst Street.
2. **Z201-290:** On May 10, 2022, the City Council approved an application for the renewal of Specific Use Permit No. 2312 for the sale of alcoholic beverages in

conjunction with a general merchandise or food store 3,500 square feet or less at the southwest corner of Bruton Road and South Buckner Boulevard.

Thoroughfares/Street:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Buckner Boulevard	Principal Arterial	6-Lane Divided; 107'
Bruton Road	Principal Arterial	Median 6-Lane Divided; 100'

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 to review engineering plans at the time of permitting to comply with city standards.

Transit Access:

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

DART Bus Routes: 15, 38; Go-Link on-demand.

STAFF ANALYSIS

• **Comprehensive Plan Consistency Review:**

- ForwardDallas 2.0 is the citywide Comprehensive Plan for future land use in the City of Dallas. Adopted by the City Council in September 2024, the plan includes a future land use map, and guidance for a future vision of the City of Dallas. It also establishes goals and guidelines for land use and other decisions by the City. According to the City of Dallas's Development Code, the comprehensive plan serves merely as a guide for rezoning requests, but does not establish zoning boundaries nor does it restrict the City's authority to regulate land use.

• **Consistency Review Recommendation**

- The proposed zoning change of off-premises sales of beer and wine in an existing general merchandise or food store greater than 3,500 sf. is consistent

with Forward Dallas 2.0 as the site is completely within the Neighborhood Mixed-Use placetype which is primarily intended for multi-plex, apartments, mixed-use, lodging, commercial, and office uses. Areas within the Neighborhood Mixed-Use placetype are typically located at key intersections in nodes or along corridors where small commercial shopping centers and corner stores provide access to daily needs for residents.

- **Placetype Summary**

Placetypes describe the long term vision and desired building and preservation characteristics for different places within the city including neighborhoods, mixed-use areas, employment and industry centers, and open spaces.

Other Contextual comments related to long-range plan

Area Plans

The property is located within the Buckner Boulevard Special Purpose District.

Planning Narrative Response

As a high-level citywide policy document, ForwardDallas 2.0 does not include recommendations on the scale of this request.

Land Use:

	Zoning	Land Use
Site	PD 366 w/ D-1 Liquor Control Overlay	Retail and personal service (General merch. or food store, greater than 3,500 sf.)
North	PD 366 w/ D-1 Liquor Control Overlay, CR Community Retail	Retail and personal service / Institutional (Religious)
South	PD 366 w/ D-1 Liquor Control Overlay	Commercial (Auto Sales)
East	PD 366 w/ D-1 Liquor Control Overlay	Retail and personal service (Car Wash / Vehicle Inspections)
West	PD 366 w/ D-1 Liquor Control Overlay	Retail and personal service (convenience store with gasoline service / strip shopping center)

Land Use Compatibility:

The area of request is currently zoned Subarea 2 within Planned Development District 366 - the Buckner Boulevard Special Purpose District - with D-1 Liquor Control Overlay District and is developed with a general merchandise or food store greater than 3,500 sf. - Walgreens (approx. 15,120 sf).

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 zoning is predominately Subarea 2 within PD 366, the Buckner Boulevard Special Purpose District - with D-1 Liquor Control Overlay District to the north, south, east and west, and the land uses are mainly commercial and retail. Zoning to the northeast is CR Community Retail and the land uses are mainly retail, and institutional (religious). To the northwest across the intersection is a check cashing facility and a strip shopping center. Immediately adjacent to the east of the property is auto-related uses – a carwash and vehicle inspections, and to the south immediately adjacent is auto sales. To the north, is tire sales and to the northeast, is a strip shopping center and a church. To the west immediately adjacent to the property, is a convenience store with gasoline service, and a strip shopping center. With a mix of commercial, retail, and personal services, staff finds the applicant's requested zoning change to an SUP to allow the sale of off-premises beer and wine in conjunction with the existing general merchandise or food store greater than 3,500 sf. on the site to be compatible with the Neighborhood Mixed Use placetype character designation of the Comprehensive Plan.

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 applicant's request and finds the proposed rezoning to be appropriate for this area as it would not be detrimental to surrounding uses. This compatibility is further reflected in the development standards comparison table below.

Development Standards:

The following is a comparison chart of the development standards for the current PD 366 District with D-1 Liquor Control Overlay District.

District	Setback		Density / FAR	Height	Lot Cvrg	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: Subarea 2, PD 366 with D-1 Liquor Control Overlay	15' (Adj. to Fwy. or Thorough fare)	20' adj to resid Other: None	None 0.75 all uses combined	45' 3 stories (above grade)	80%	Streetscape and Sidewalk Landscape Screening	Commercial and Business Service, Retail and Personal Service, Office, Institutional and community service, Lodging, Residential, Utility and public service, Warehouse, Wholesale, Distribution, and Storage

Landscaping:

The site is currently developed with Walgreen's, a general merchandise or food store use. Any future development of the property would necessitate compliance with Article X, Landscaping and Tree Conservation Regulations.

Parking:

Under the requested new, Specific Use Permit (SUP), the applicant proposes to add the off-premises sale of beer and wine to the existing General merchandise or food store greater than 3,500 SF.

At permitting, the applicant would be required to comply with the current standard parking ratio of no minimum parking spaces for the specified existing use. No additional parking shall be required for the proposed off-premises sale of beer and wine.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policymakers 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 target intervention strategies more precisely 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 in an “F” MVA area. The site is surrounded by the “G” MVA area to the north and west immediately adjacent to the site. The site is surrounded by the “F” MVA area to the south and east.

List of Officers

Henry Lee Cooper IV – President / Director

Rick Oates - Sr Vice President /Director

Tracey Brown - Exec VP/Dir

Joseph B. Amsbary, Jr. – Secretary / Vice President

Brian Brown – Vice President / Treasurer

ExchangeRight Real Estate, LLC-managing member of Landowner

David Fisher - Manager of ExchangeRight Real Estate, LLC

Joshua Ungerecht - Manager of Exchange Right Real Estate, LLC

Warran Thomas - Manager of ExchangeRight Real Estate, LLC

**CPC Action:
September 18, 2025**

Motion: It was moved to recommend **approval** of a new specific use permit for the sale of alcoholic beverages for a two-year period, subject to a site plan and conditions, on property zoned Subarea 2 within Planned Development District 366, the Buckner Boulevard Special Purpose District with D-1 Liquor Control Overlay District, on the southeast corner of S. Buckner Boulevard and Bruton Road.

Maker: Shidid
Second: Hampton

Motion: It was moved to Call the Question.

Maker: Kingston
Second: Carpenter
Result: Carried: 13 to 1

For: 13 - Drobinski, Hampton, Herbert, Shidid,
Carpenter, Wheeler-Reagan, Franklin,
Sleeper, Housewright*, Sims, Hall, Kingston,
Rubin

Against: 1 - Forsyth
Absent: 0
Vacancy: 1 - District 12

*Out of room, shown voting in favor

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Notices:	Area: 300	Mailed: 25
Replies:	For: 0	Against: 1

Speakers: For: Jamar Scott, 2060 S. Buckner Blvd., Dallas, TX, 75217
Catherine Chamblee, 511 W. 7th St., Austin, TX, 78701
Against: None

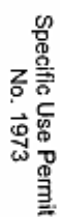
Proposed SUP Conditions

- I. 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 greater than 3,500 square feet.
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 November 12, 2027.
4. DRIVE-THROUGH WINDOW: A drive-through window may not be used for retail sales of alcoholic beverages.
5. MAINTENANCE: The Property must be properly maintained in a state of 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.

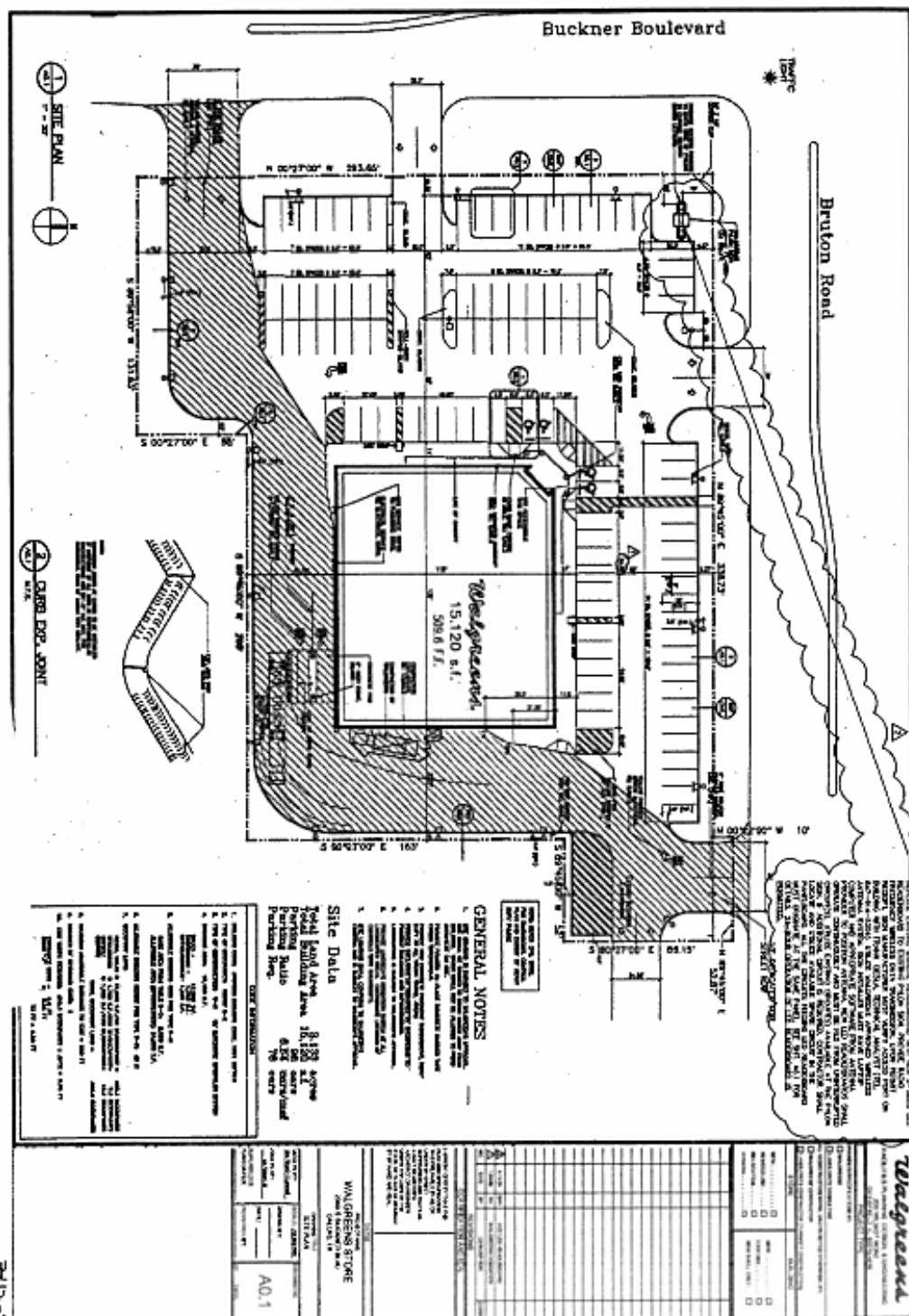
Proposed Site Plan

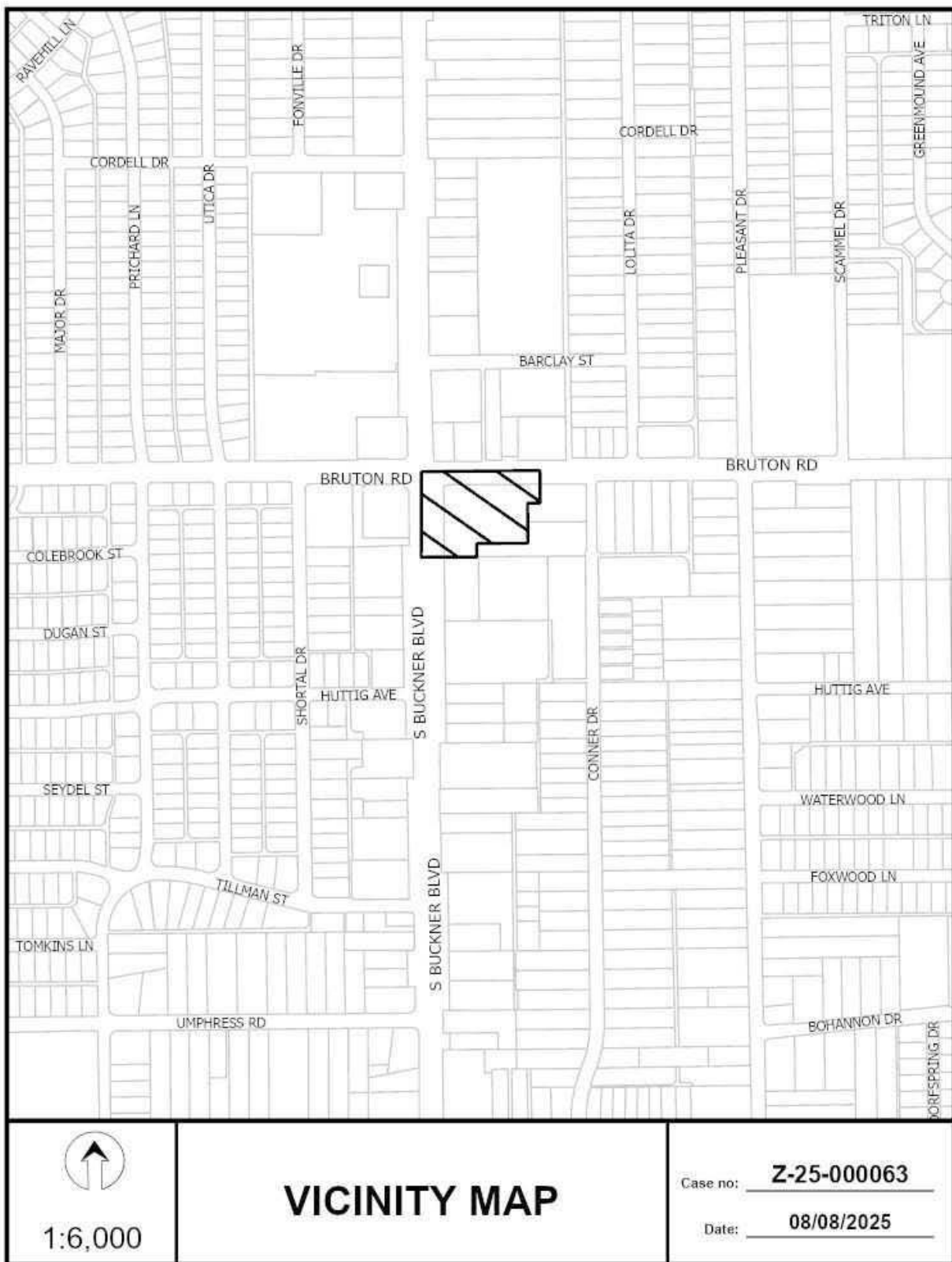
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Site Plan

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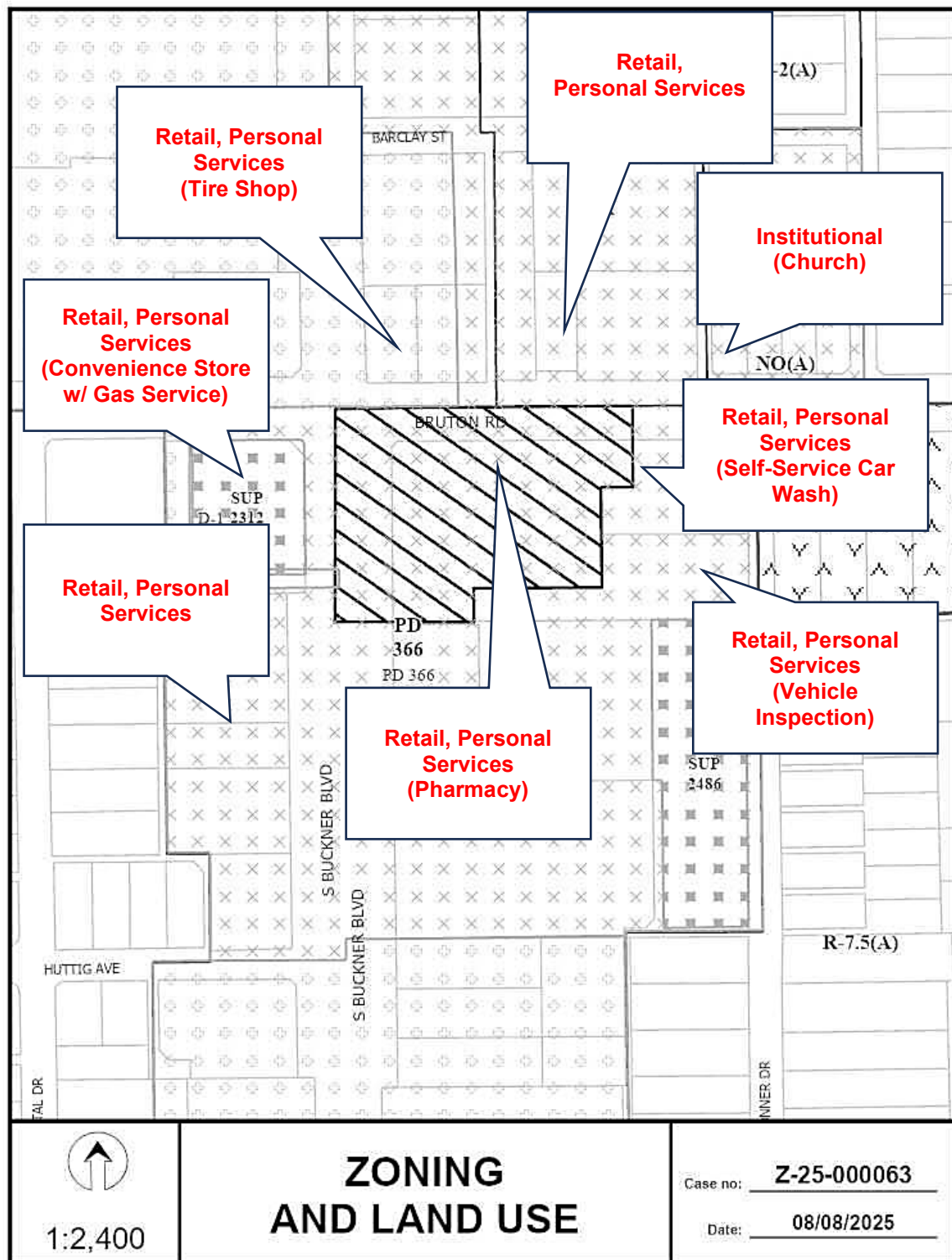


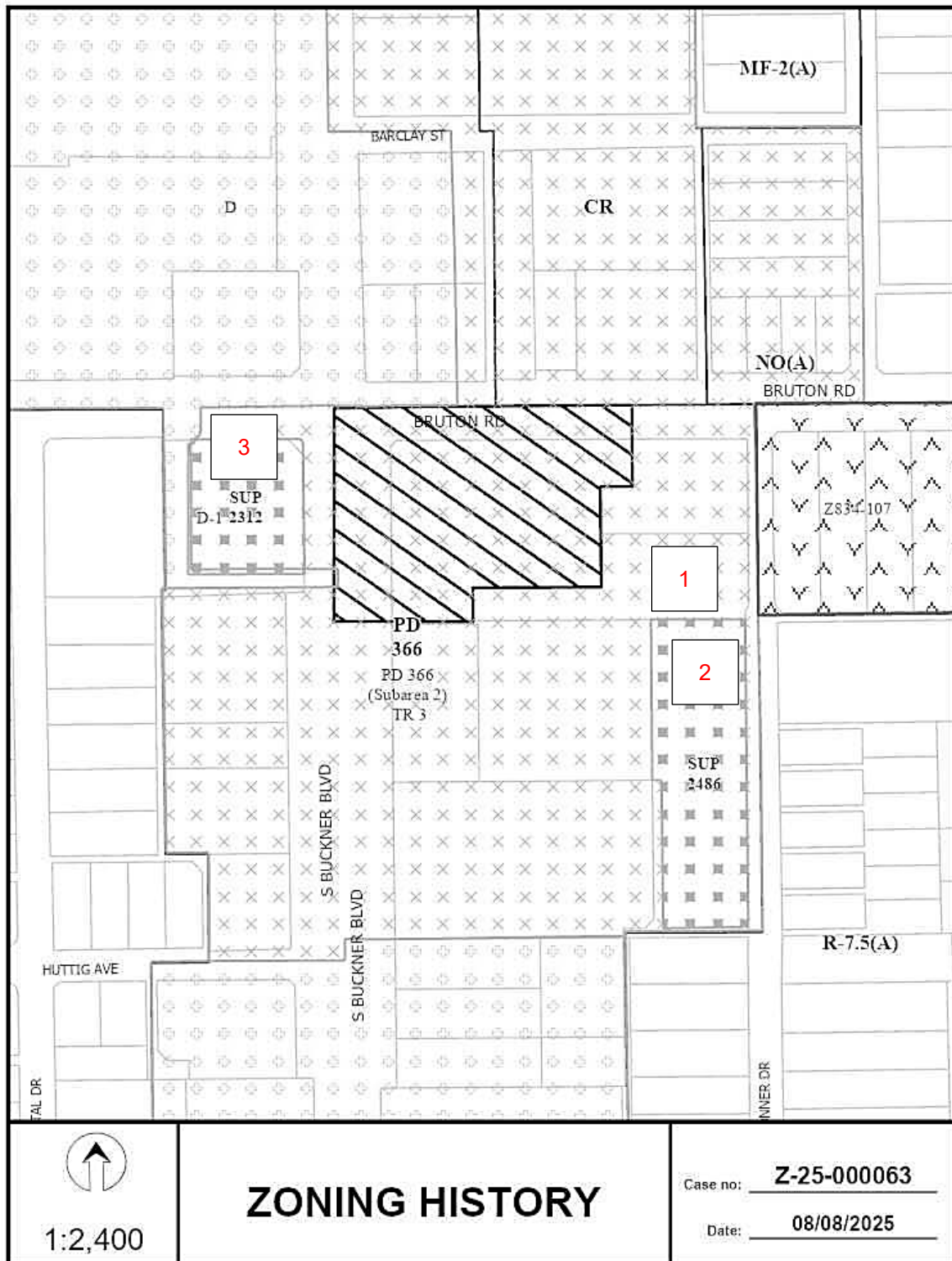
Approved
City Plan Commission
June 21, 2012







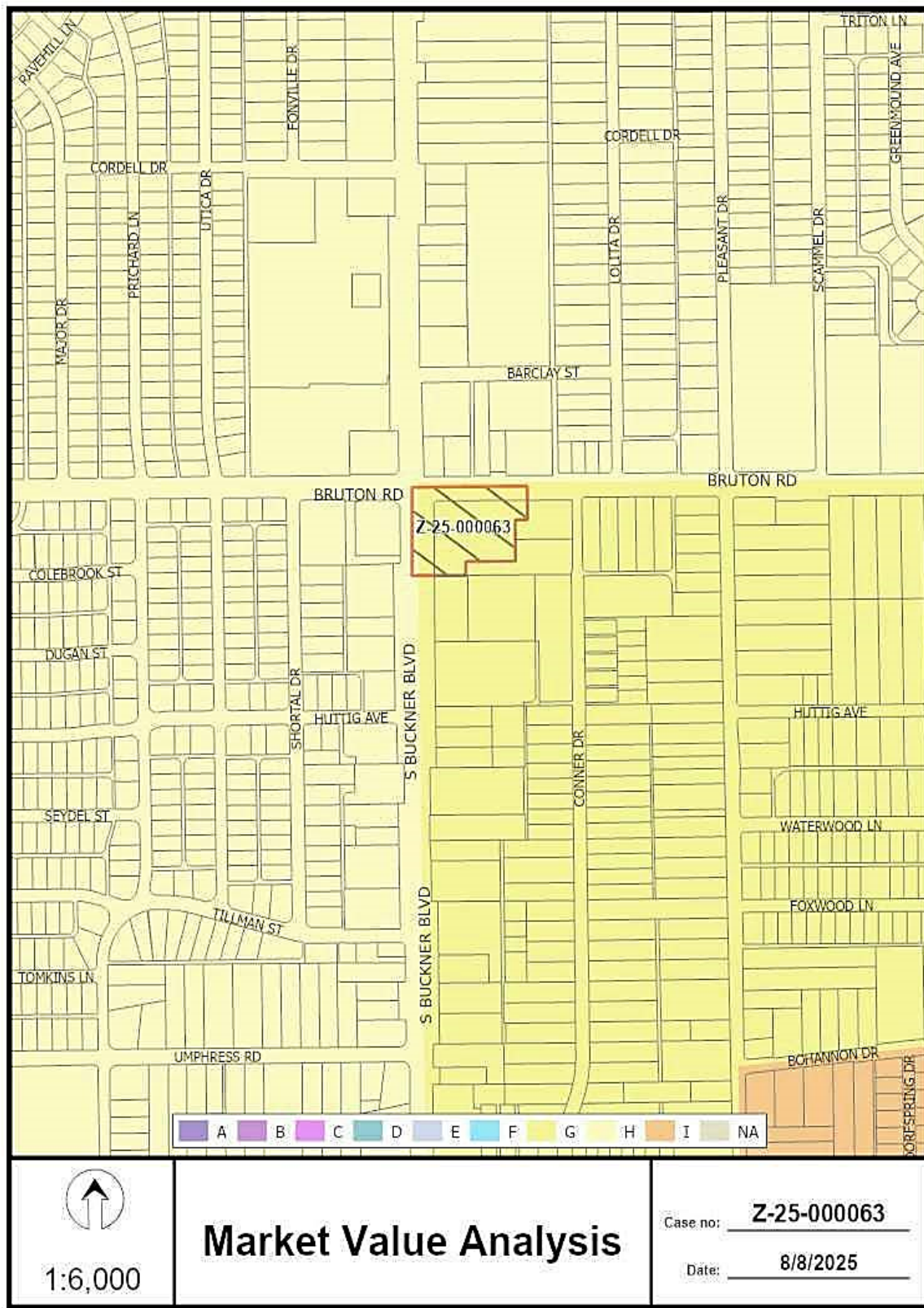


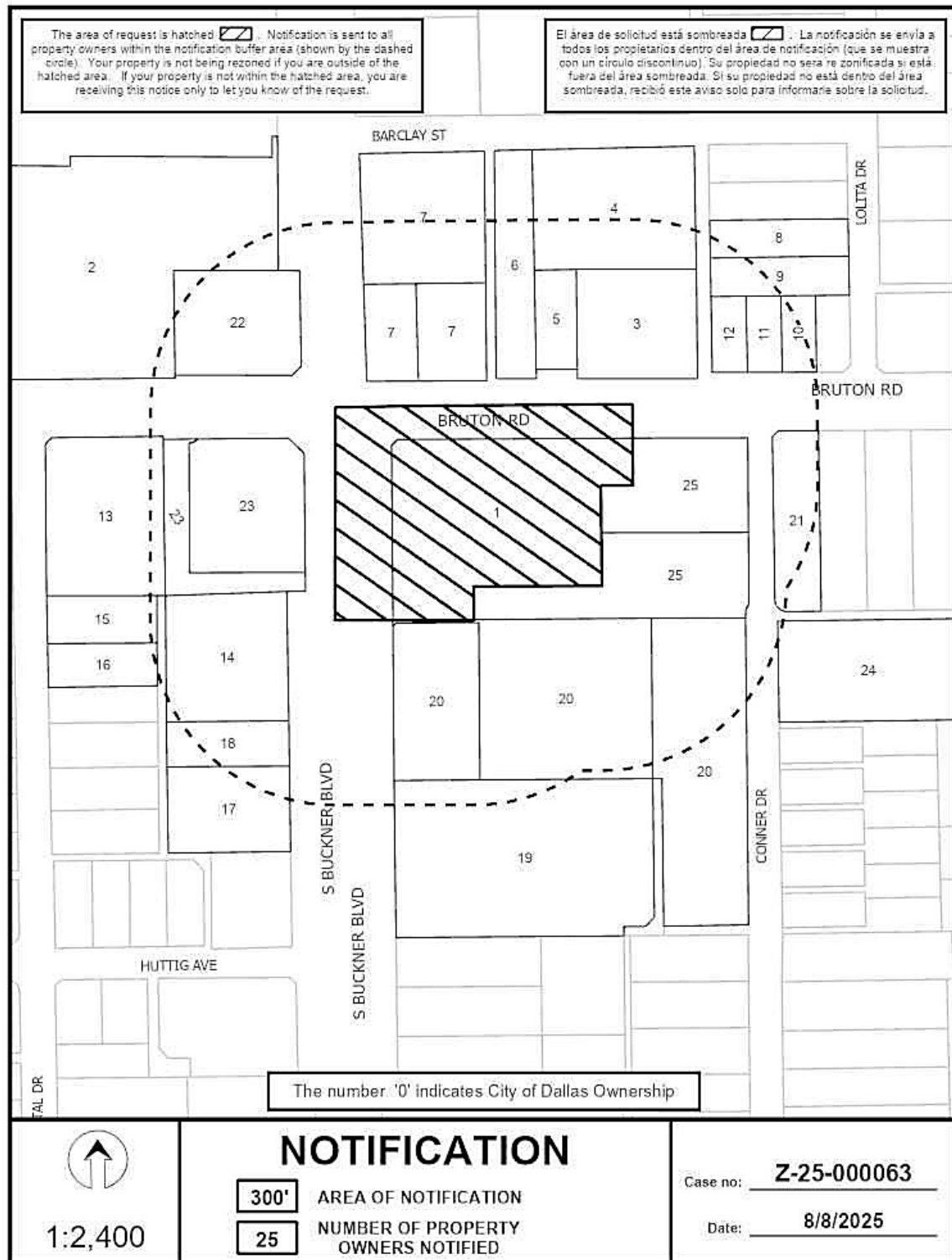


ZONING HISTORY

Case no: **Z-25-000063**

Date: **08/08/2025**





09/17/2025

Reply List of Property Owners***Z-25-000063******25 Property Owners Notified******0 Property Owners in Favor******1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2060 S BUCKNER BLVD	EXCHANGERIGHT NET LEASED PORTFOLIO 40 DST
	2	2109S BUCKNER BLVD	EASTERN COLUMBIA ASSO LLC
	3	8131 BRUTON RD	LEAL MARTA CASTILLO
	4	8128 BARCLAY ST	SPANISH COVE CO LLC
	5	8127 BRUTON RD	DIAZ JESUS JR
	6	8121 BRUTON RD	HANDMADE FOODS INC M
	7	2112 S BUCKNER BLVD	BRUTON FAMILY LLC
	8	2121 LOLITA DR	TREJO ANTONIO
	9	2115 LOLITA DR	CRUZ CARLOS &
	10	8159 BRUTON RD	MATN PARTNERS 1
	11	8153 BRUTON RD	ALTAMIRANO MANUEL ALBERTO
	12	8149 BRUTON RD	AVILA AGUSTIN
	13	8040 BRUTON RD	CASA ROCK PARTNERS LTD &
X	14	2029 S BUCKNER BLVD	K & O INVESTMENTS INC
	15	2042 SHORTAL DR	HARPER KENNETH L &
	16	2036 SHORTAL DR	GONZALEZ OSCAR & DEIBI
	17	2017 S BUCKNER BLVD	ISACKSON WILLIAM CO
	18	2025 S BUCKNER BLVD	RASANSKY ELI M
	19	2010 S BUCKNER BLVD	2010 BUCKNER LLC
	20	2011 CONNER DR	MUELLER PROPERTIES LTD
	21	8200 BRUTON RD	ONCOR ELECRCIC DELIVERY COMPANY
	22	2101 S BUCKNER BLVD	PLS PPTY MGMT OF TX LP
	23	2075 S BUCKNER BLVD	CASA ROCK PARTNERS LTD &
	24	2048CONNER DR	SANTOYO JESUS & GAUDENSIA
	25	8140 BRUTON RD	MARQUEZ DANIEL &