

**FILE NUMBER:** Z223-341(WK)                      **DATE FILED:** July 25, 2023

**LOCATION:** Northwest corner of West Jefferson Boulevard and North Brighton Avenue

**COUNCIL DISTRICT:** 1

**SIZE OF REQUEST:** Approx. 0.27 acres                      **CENSUS TRACT:** 48113004600

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**OWNER/APPLICANT:** Dilip Balami [Sole Owner]

**REQUEST:** An application for an amendment to Specific Use Permit No. 2066 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 CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

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

**CPC RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions.

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

**BACKGROUND INFORMATION:**

- The area of the request is within CR Community Retail District
- The request is to renew SUP No. 2066 to continue to allow the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
- The applicant missed the automatic renewal window.
- The lot has frontage on both West Jefferson Boulevard and Brighton Avenue.

**Zoning History:**

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
West Jefferson Boulevard	Principal Arterial	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 review of engineering plans at permitting to comply with city standards.

**STAFF ANALYSIS:**

**Land Use:**

	Zoning	Land Use
<b>Site</b>	CR Community Retail with D-1 Liquor Control Overlay	Convenience Store
<b>North</b>	D(A) Duplex	Single Family Residential
<b>East</b>	R-7.5(A) Single Family District	Single family

<b>South</b>	CR Community Retail	Retail and Parking
<b>West</b>	CR Community Retail	Auto Repair

**Land Use Compatibility:**

The request site is within a CR Community Retail District with a D-1 Liquor Control Overlay and is currently occupied by a general merchandise or food store in conjunction with a gas station.

Other uses surrounding the area of request include single family residential to the north and east, retail and parking uses across West Jefferson Boulevard to the south, and an auto repair use to the west. The existing general merchandise store less than 3,500 sf on the site is complimentary to the current uses along West Jefferson Boulevard.

Additionally, an existing screening fence existing in the rear of the property adjacent to the residential uses to the north of the site.

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. A general merchandise store greater than 3,500 sf is allowed by right in PD No. 605. Additionally, this development will complement the prior large scale retail that has been developed along Samuell Boulevard.

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.

**Landscaping:**

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

**Parking:**

Per code, the parking for a general merchandise or food store at 697 square feet is one space per every 200 square feet of floor area. The site is required to provide 4 parking spaces, the applicant has provided 7 parking spaces.

**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, south, and southwest. East of the request area across South Buckner Blvd are “I” MVA clusters.

**CPC Action**  
**February 1, 2024**

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 2066 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the northwest corner of West Jefferson Boulevard and North Brighton Avenue.

Maker: Blair  
Second: Herbert  
Result: Carried: 14 to 0

For: 13 - Chernock, Hampton, Herbert, Shidid,  
Carpenter, Wheeler-Reagan, Blair, Sleeper,  
Housewright, Treadway, Haqq, Hall, Kingston,  
Rubin

Against: 0  
Absent: 0  
Vacancy: 1 - District 4

<b>Notices:</b>	Area: 200	Mailed: 31
<b>Replies:</b>	For: 6	Against: 0

**Speakers:** None

Z223-341(WK)

**List of Officers**

Dilip Balami, Owner

**CPC RECOMMENDED  
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 March 27, 2029, 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. **SCREENING:** An eight-foot-tall solid screening fence must be provided in the location shown on the site plan.
5. **MAINTENANCE:** The property will be adequately maintained in 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.



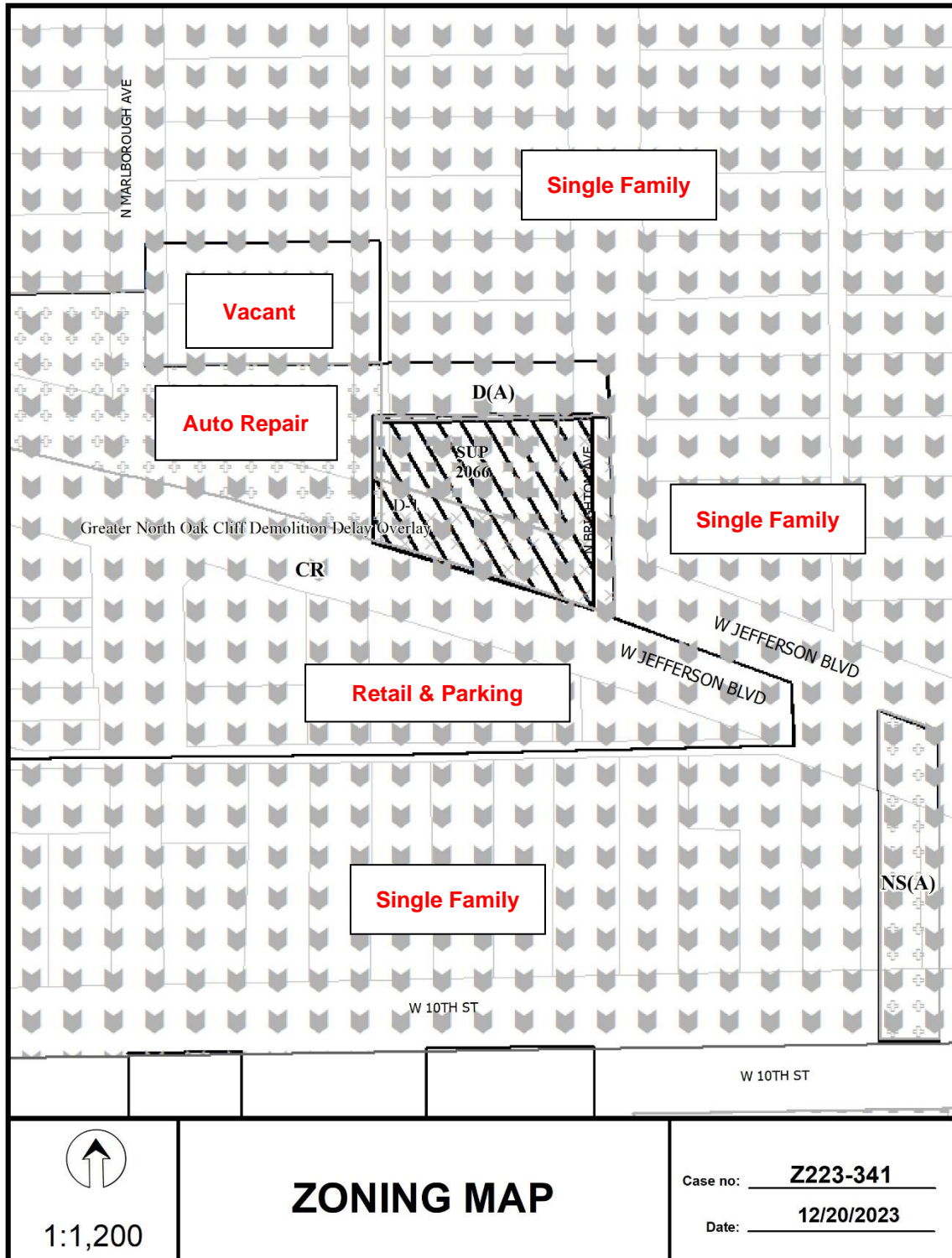




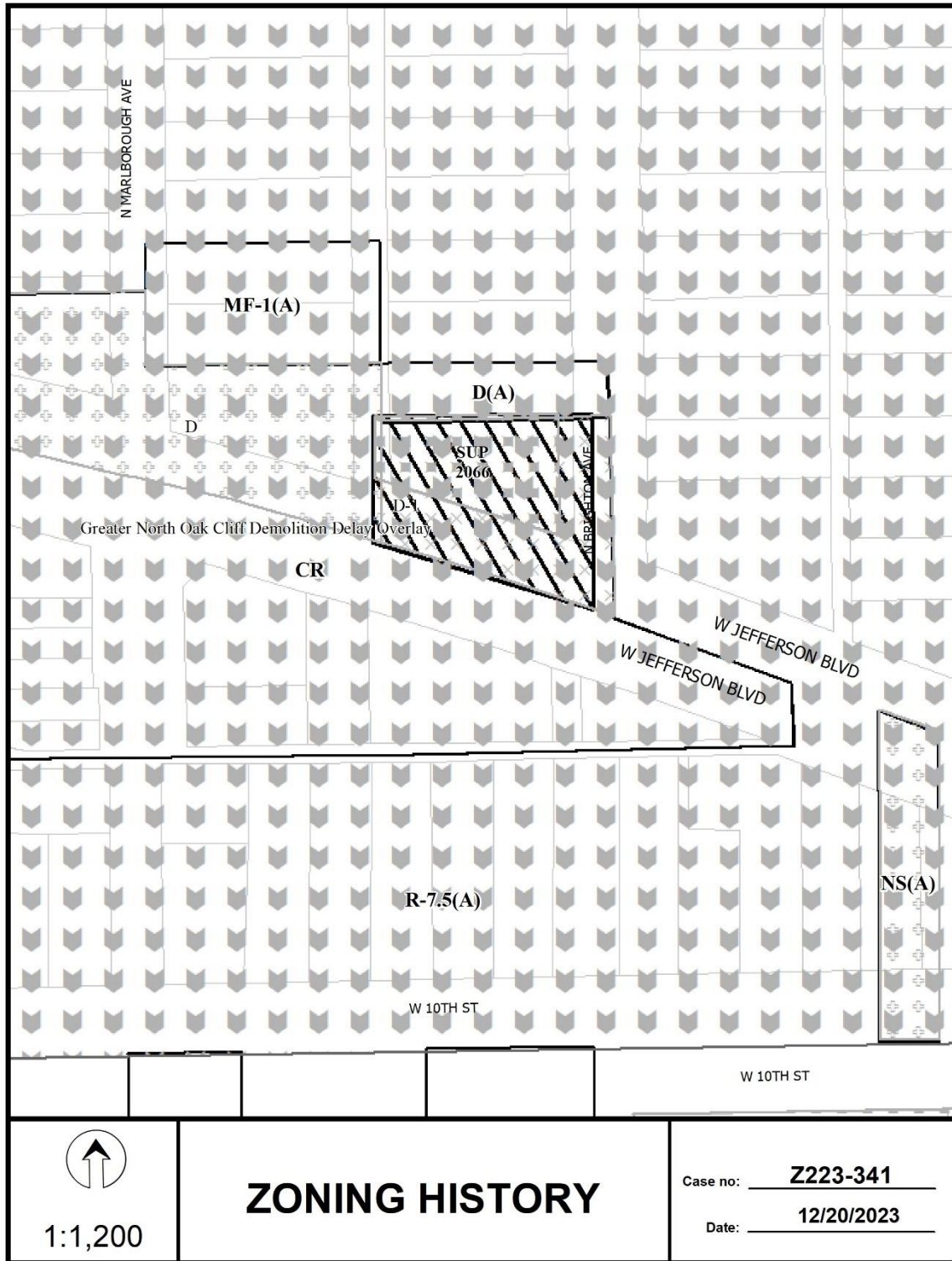


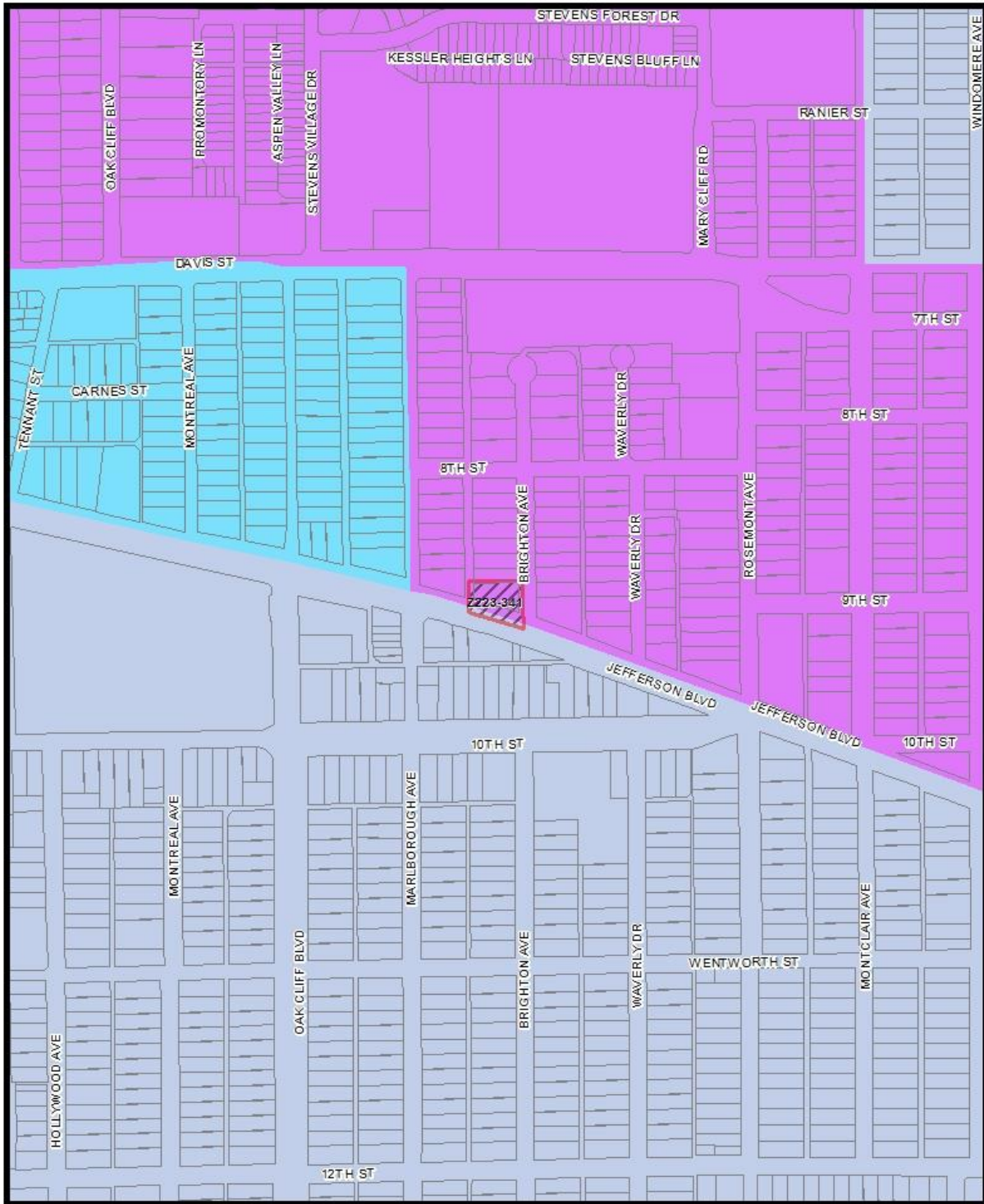












Market Value Analysis A B C D E F G H I NA

 1:4,800

# Market Value Analysis

Printed Date: 12/21/2023



<u>31</u>	Property Owners Notified (33 parcels)
<u>6</u>	Replies in Favor (6 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>2/1/2024</u>	Date

**Z223-341**  
**CPC**



1:1,200

01/31/2024

***Reply List of Property Owners******Z223-341******31 Property Owners Notified******6 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	1909 W JEFFERSON BLVD	BALAMI DILIP
	2	211 N BRIGHTON AVE	AVILA JAIME &
	3	228 N BRIGHTON AVE	BOALS AARON &
O	4	224 N BRIGHTON AVE	MCNELIS STEPHANIE S &
O	5	220 N BRIGHTON AVE	ANGEL ANGELA J
	6	216 N BRIGHTON AVE	HENSLEY ALAETHEA &
	7	212 N BRIGHTON AVE	DOWPROCACCINI ANNA M &
O	8	208 N BRIGHTON AVE	GILLIS DAVID & YOLANDA
	9	204 N BRIGHTON AVE	ALLEN DONALD LEE
	10	218 N MARLBOROUGH AVE	ESPINOZA ARTURO ANGEL II &
	11	216 N MARLBOROUGH AVE	LOZADA GERARDO
	12	210 N MARLBOROUGH AVE	MOSITOS LLC
	13	206 N MARLBOROUGH AVE	VALPARAISO HOLDINGS LLC
	14	1919 W JEFFERSON BLVD	SAMUEL PETER & SUSHEILA
	15	217 N BRIGHTON AVE	KEANE JUSTIN &
O	16	221 N BRIGHTON AVE	EDWARDS J B & MARSHA H
O	17	225 N BRIGHTON AVE	FERNANDEZ MAUREEN F & ANTHONY
	18	229 N BRIGHTON AVE	HIGGINS KATIE
	19	108 N MARLBOROUGH AVE	K&A PARTNERS LLC
	20	1916 W JEFFERSON BLVD	BALLAS VICTOR &
	21	1900 W JEFFERSON BLVD	NOLAN PATRICK & ROSE ANNA
	22	1836 W JEFFERSON BLVD	VA CAPITAL LLC &
	23	1917 W 10TH ST	GALLEGOS JESUS C ET AL
	24	1915 W 10TH ST	CURTIS BEVERLY A
	25	1913 W 10TH ST	BENNETT MONICA MICHELLE
	26	1909 W 10TH ST	JIMENEZ ARNULFO JR &



Z223-341(WK)

01/31/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	1903 W 10TH ST	Taxpayer at
	28	1827 W 10TH ST	BETANCOURT EVA L
	29	1825 W 10TH ST	PALOMO MANUEL LIFE ESTATE
	30	1821 W 10TH ST	SARMIENTO NEIMD Z
	31	1817 W 10TH ST	MELGOZA JOSE JJ &