

FILE NUMBER: Z234-319(CR) **DATE FILED:** August 19, 2024

LOCATION: North line of Walnut Hill Lane, west of Marsh Lane

COUNCIL DISTRICT: 13

SIZE OF REQUEST: ± 10,000 square feet **CENSUS TRACT:** 48113009702

REPRESENTATIVE: Tracy Borrel

OWNER: Hopkins Marsh Lane Plaza, Ltd.

APPLICANT: Flat Top Road Bevco LLC, dba "Jakes"

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service 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 allow for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service.

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

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

BACKGROUND INFORMATION:

- The property was previously developed with a multi-unit commercial center that was damaged and/or removed by a natural weather event (tornado) in 2019.
- The area of request encompasses an approximately 10,000-square-foot suite and patio within a multi-unit, new-build commercial center. The area of request is accessed from Walnut Hill Lane and Marsh Lane via shared-use vehicular and emergency accesses.
- The applicant is requesting the sale of alcoholic beverages in conjunction with a restaurant for both the interior space and patio.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Walnut Hill Lane	Principal Arterial	100 feet
Marsh Lane	Principal Arterial	100 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 and 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 5.3 ESTABLISH WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use:

	Zoning	Use
Site	CR, Community Retail District, with a D-1 Liquor Control Overlay	Restaurant without drive-in service (being developed)
North	CR, Community Retail District, with a D-1 Liquor Control Overlay	Miscellaneous personal retail (being developed)
East	CR, Community Retail District	Miscellaneous retail
South	CR, Community Retail District, with a D-1 Liquor Control Overlay	General merchandise or food store greater than 3,500 square feet
West	PD No. 31	Duplexes

Land Use Compatibility:

The request site is located within a multi-unit commercial center that is currently under construction. The applicant’s request is for a new Specific Use Permit to allow for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service. The area of request encompasses a 4,800-square-foot enclosed unit, with a 5,200-square-foot uncovered patio.

Other units within the commercial center will be those permitted within the CR Community Retail District. Properties to the west are developed with duplex uses, and are separated from the area of request by a 20-foot-wide alley. A screening wall encloses the western portion of the site, providing a visual buffer between the patio area and the developed duplex neighborhood.

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, as the proposed use is consistent and compatible with surrounding commercial uses along Marsh Lane and Walnut Hill Lane. The use of the site is not anticipated to have any adverse impact on surrounding residential properties.

Landscaping:

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

Parking:

Per Dallas Development Code Section 51A-4.210(b)(24)(C), restaurants without drive-in or drive-through service are required to provide one parking space per 100 square feet of floor area. The interior space within the area of request is 4,800 square feet, which requires 48 parking spaces. Because the 5,200-square-foot patio is uncovered, it will not trigger any additional parking requirements. Per the proposed site plan, there are 321 parking spaces on the site. The site provides 48 parking spaces for the restaurant.

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 “B” MVA area.

List of Officers

Flat Top Road Bevco LLC, dba "Jakes"

Courtney Lindley, Manager

Robert Gregg, Manager

Flat Top Road LLC, Member

Hopkins Marsh Lane Plaza, Ltd.

Michael J. Hopkins, Manager

CPC Action
November 21, 2024

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north line of Walnut Hill Lane, west of Marsh Lane.

Maker: Hampton
Second: Rubin
Result: Carried: 13 to 0

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

Against: 0
Absent: 1 - Haqq
Vacancy: 1

Notices: Area: 200 Mailed: 10
Replies: For: 2 Against: 0

Speakers: None

CPC RECOMMENDED CONDITIONS

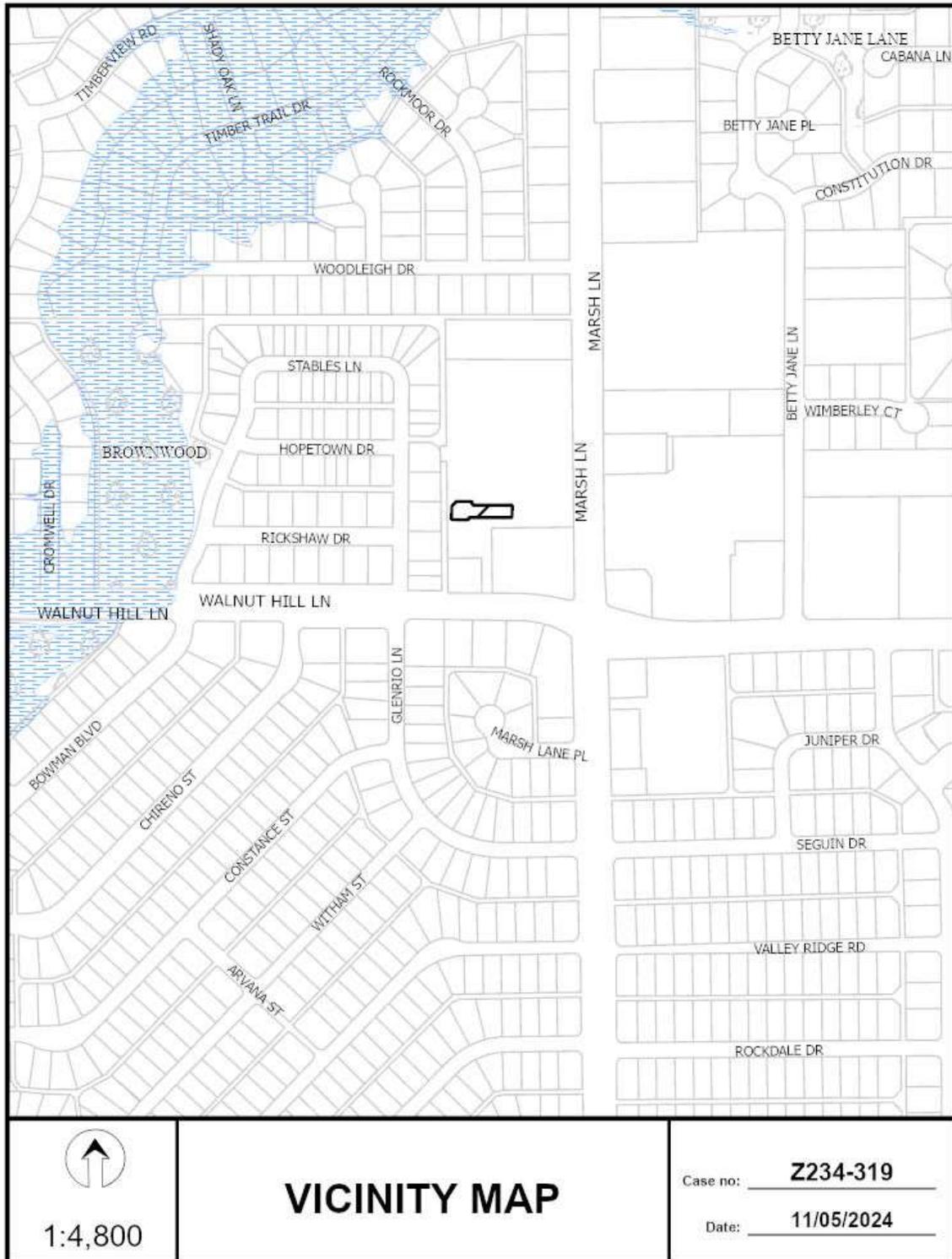
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three years from the passage of this ordinance) but is eligible for automatic renewal for additional three-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 is 10,000 square feet in the location shown on the attached site plan.
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.

CPC RECOMMENDED SITE PLAN (ENLARGED)

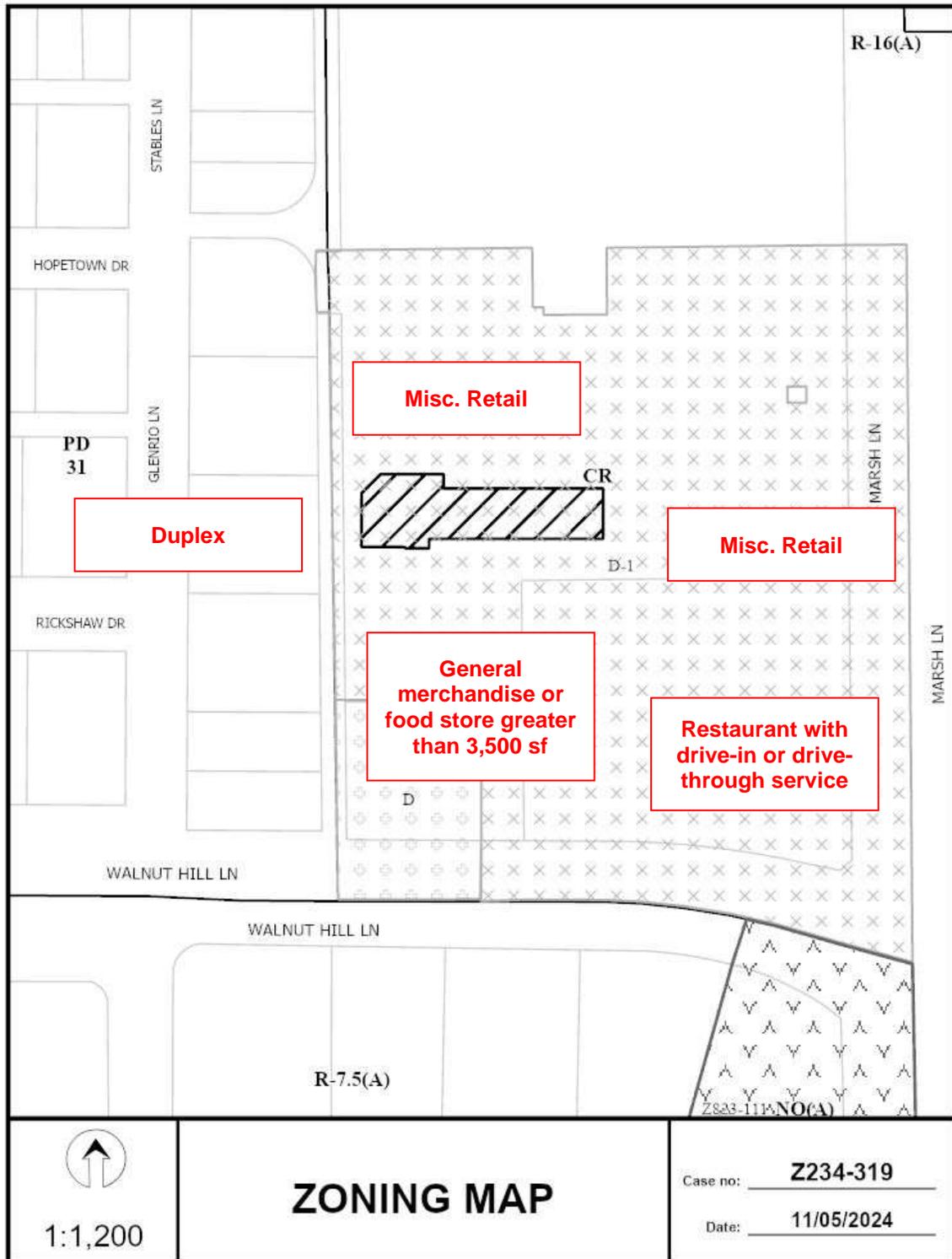


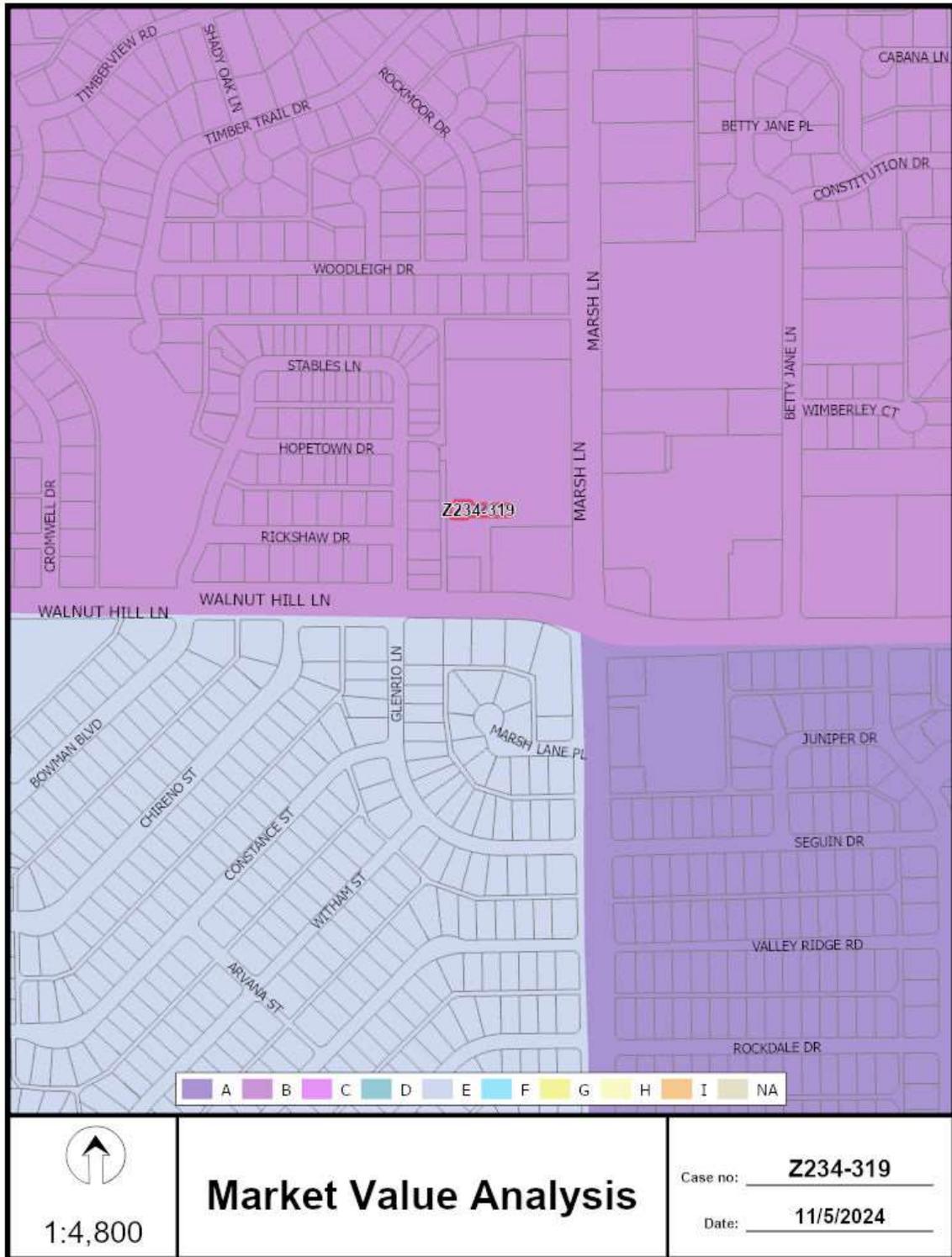
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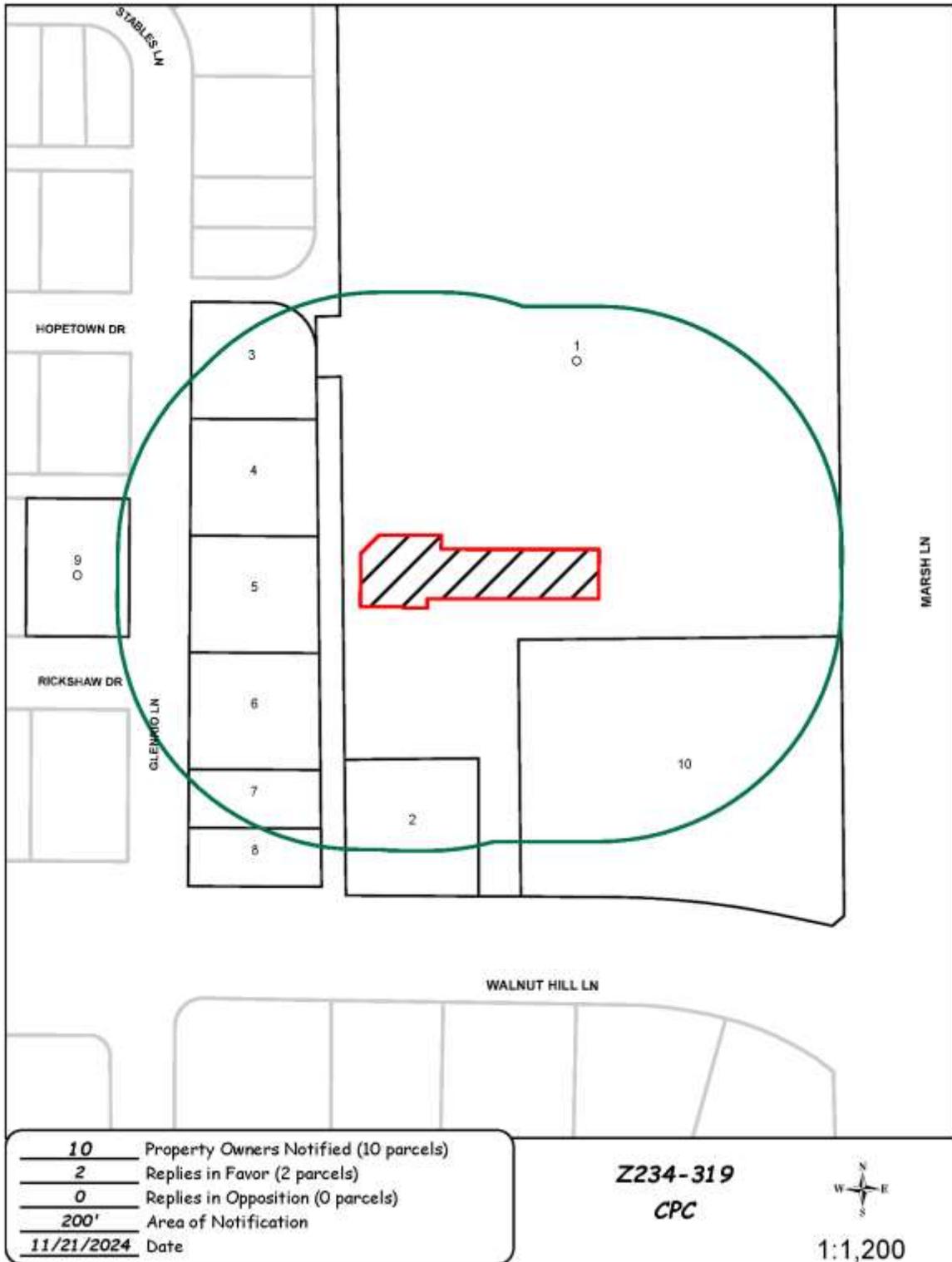
Required Parking for Marsh Lane Plaza					
Phase 1, Phase 2, Autozone, BoA Building					
Suite	Tenant	Square Feet	Use	Ratio	Required Spaces
	Dentist	3,455	Dentist	300	12
	Donut Shop	1,000	Restaurant	100	10
	Future Restaurant	2,498	Restaurant	100	25
	Jake's	4,800	Restaurant	100	48
	Top Nails Bar	1,855	Retail	200	9
	Future Restaurant	1,415	Resturant	100	14
	D1 Training	3,976	Fitness	200	20
	Future Retail	999	Retail	200	5
	Picole Pops	1,500	Restaurant	100	15
	Vieti Coffee	1,000	Restaurant	100	10
	Future Retail	1,654	Retail	200	8
	Barbershop	1,783	Retail	200	9
	Texas Health Resources	8,000	Medical Office	300	27
	Autozone	8,140	Retail	200	41
	Future Restaurant	2,891	Restaurant	100	29
				Total Needed	281
				Parking Spaces Provided	321
				Over/(Under)	40











11/20/2024

Reply List of Property Owners

Z234-319

10 Property Owners Notified 2 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	10051 MARSH LN	HOPKINS MARSH LANE PLAZA LP
	2	10031 MARSH LN	PICKERING MARY K ETAL
	3	10040 GLENRIO LN	KOUTSOFTAS ANDREW DEME
	4	10028 GLENRIO LN	Taxpayer at
	5	10022 GLENRIO LN	LOCKETT GERVETTI
	6	10010 GLENRIO LN	CHEN WEIDONG
	7	10004 GLENRIO LN	DAKINGKING SERAFIN V &
	8	10002 GLENRIO LN	Taxpayer at
O	9	3675 RICKSHAW DR	HENSON DORIS JEAN
	10	10003 MARSH LN	CV MARSH LANE DALLAS LLC