

**FILE NUMBER:** Z-26-000095 **DATE FILED:** April 28, 2026

**LOCATION:** South line of C. F. Hawn Frwy, west of Silverado Drive.

**COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** Approx. 11,325.6 sq. ft

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**REPRESENTATIVE:** Jessica Fenley

**APPLICANT / OWNER:** Marlow's Enterprise Inc

**PROPOSAL:** An application for an amendment to Specific Use Permit No. 1851 for the sale of alcoholic beverages in conjunction with a general merchandise store or food store 3,500 square feet or less on property zoned CS Commercial Service District with a D-1 Liquor Control Overlay.

**SUMMARY:** The purpose of this request is to continue to allow the sale of alcohol for off-premises consumption in the existing convenience store.

**STAFF RECOMMENDATION:** Approval, subject to conditions.

## **BACKGROUND INFORMATION:**

### General Background and Linked Resources

- Pursuant to Chapter 51A-4.503, the D and D-1 Liquor Control Overlays only apply to those districts enacted before June 11, 1987. The D Liquor Control Overlay prohibits sell or serve alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises. The D-1 Liquor Control Overlay requires a Specific Use Permit (SUP) to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.
- The sale of alcoholic beverages is regulated throughout the state of Texas by the Texas Alcoholic Beverage Commission (TABC). The agency was originally created in 1935 when prohibition was repealed and currently requires operators to obtain a license to sell alcohol. The status and types of licenses issued by the agency are accessible online here: <https://apps.tabc.texas.gov/publicinquiry/Default.aspx>.
- Spacing requirements for alcohol sales exist in Chapter 6 of the City Code as enabled by Texas Alcoholic Beverage Code §109.33. Depending on the type of TABC license requested, certain protected uses (hospital, church, school, or day care, when applicable) require a specified spacing distance and measurement. Compliance with spacing requirements is verified with permitting staff with a liquor measurement application. Variances to these spacing requirements are allowed to be considered by City Council, when applicable, and are outlined in Chapter 6-4.

### Site Specific Background Information

- Site and Structures: The request site is currently developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station [Marlow's].
- SUP History: In May 2011, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store or food store of 3,500 square feet or less for two years with eligibility for automatic renewals for additional two-year periods, then on May 22, 2016, City Council approved this Specific Use Permit until May 22, 2021 with eligibility for automatic renewals for additional five year periods. On February 25, 2021, this application was automatically renewed until May 22, 2026. Note that the applicant missed the last renewal because the 120-day window before the current specific use permit expired, as specified by the ordinance. Since no application was submitted within the specified time frame, the applicant applied for renewal of SUP 1851, which requires City Plan Commission consideration and City Council Approval.

Proposed Changes to the SUP or Site: None proposed.

### Zoning History of relevant SUPS:

There has been one zoning case in the area in the last five years.

1. Z234-191 On September 25, 2024, the City Council approved an application for a Specific Use Permit for a truck stop on property zoned a CS Commercial Service District with Specific Use Permit 1851 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less and a D-1 Liquor Control Overlay on the west corner of C.F. Hawn Freeway and Silverado Drive [Subject site]

**STAFF ANALYSIS:**

Surrounding Land Uses

**Land Use**

	Zoning	Land Use
<b>Site</b>	CS Commercial Service District with a D-1 Liquor Control Overlay with SUPs 1851 & 2558	Truck Stop, Convenience Store, gas station.
<b>North</b>	CS D-1	C.F. Hawn Freeway
<b>East</b>	CS D-1	Office, Vehicle display sales, and financial loan institution
<b>West</b>	R-7.5 Single Family	Auto-related uses
<b>South</b>	CS D-1	Truck Parking

Land Use Context

The site is zoned CS Commercial Service District with a D-1 Liquor Control Overlay with SUP 1851 & 2558 and is surrounded by commercial uses along a primary arterial. The existing 2558 is for a proposed truck stop that is not yet constructed, but is evaluated separately than this SUP for the existing store.

In general, the applicant’s request is consistent with the existing zoning and the general provisions for a Specific Use Permit, and is not expected to negatively impact surrounding properties, as it is in a commercial context on a Freeway.

Criteria for a Specific Use Permit

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.

Because the sale of alcoholic beverages is regulated by the Texas Alcoholic Beverage Commission, the City is limited in what it can regulate through these SUPs. Generally, development regulations beyond basic aspects such as floor area cannot be applied to an alcohol sales SUP.

### 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 are 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 issuance and must be renewed annually.

The annual inspection for this property was passed.

### Parking

No parking is required for the sale of alcoholic beverages. Rather, parking is required based on land uses for a given occupancy.

### Crime Report:

The Dallas Police Department provided a crime report for the period between May 18, 2021 to May 18, 2026. The area has had 132 incident calls, 31 offenses, and 18 arrests.

Calls

<b>Calls (Summary)</b>	<b>Count of Problem</b>
12B Business Alarm	8
DASV Dist. Active Shooter Veh	2
32 Suspicious Person	2
20 Robbery	5
7 Minor Accident	5
7X Major Accident	4
24 Abandoned Property	1
40 Other	55
6X Major Dist. (Violence)	41
31 Criminal Mischief	1
46 CIT	2
09V-01 UUMV	4
DAEF- Dist. Armed Encounter Foot	1
AC/01 - Animal Cruelty In Prog	1
<b>Grand Total</b>	<b>132</b>

Offenses

<b>Offenses (Summary)</b>	<b>Count of Incidents</b>
THEFT /FIREARM	4
DRUG PARAPHERNALIA	1
POSSESSION OF STOLEN PROPERTY	2
POSSESSION OF CONTROL SUBSTANCE	4
DEADLY CONDUCT	4
ROBBERY	4
ASSAULT	5
UNLAWFUL CARRYING WEAPON	1
BMV	1
FORGERY FINANCIAL INSTRUMENT	1
UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	3
CRIM MISCHIEF > OR EQUAL \$100 < \$750	1
<b>Grand Total</b>	<b>31</b>

Arrests

<b>Arrests (Summary)</b>	<b>Count of Incidents</b>
WARRANT	7
DRUG PARAPHERNALIA	1
POSSESSION OF CONTROLLED SUBSTANCE	5
PUBLIC INTOXICATION	1
UNLAWFUL CARRYING WEAPON	1
EVADING ARREST DETENTION	1
THEFT	2
<b>Grand Total</b>	<b>18</b>

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**List of Officers**

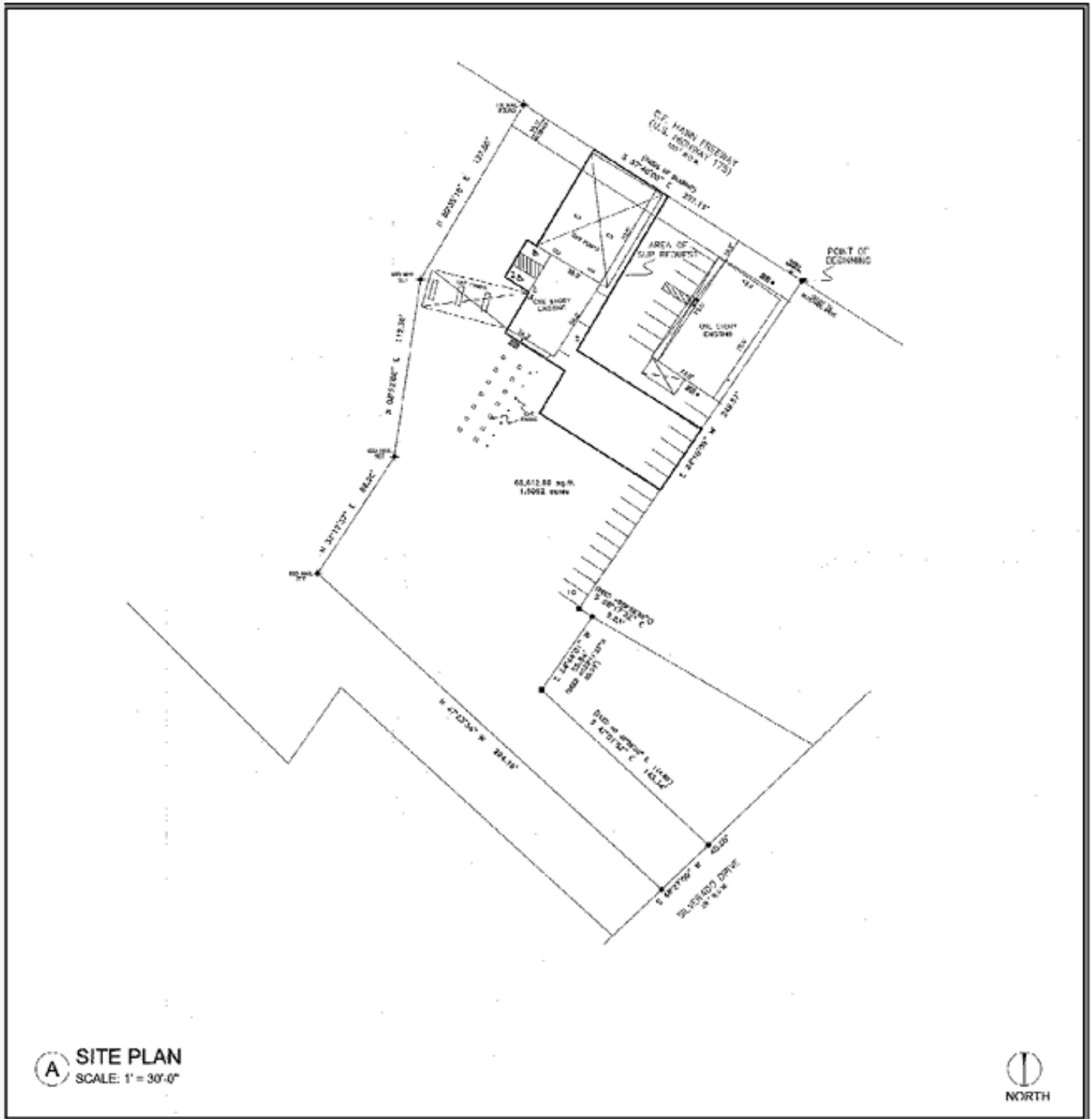
*Marlo Enterprises Inc.*

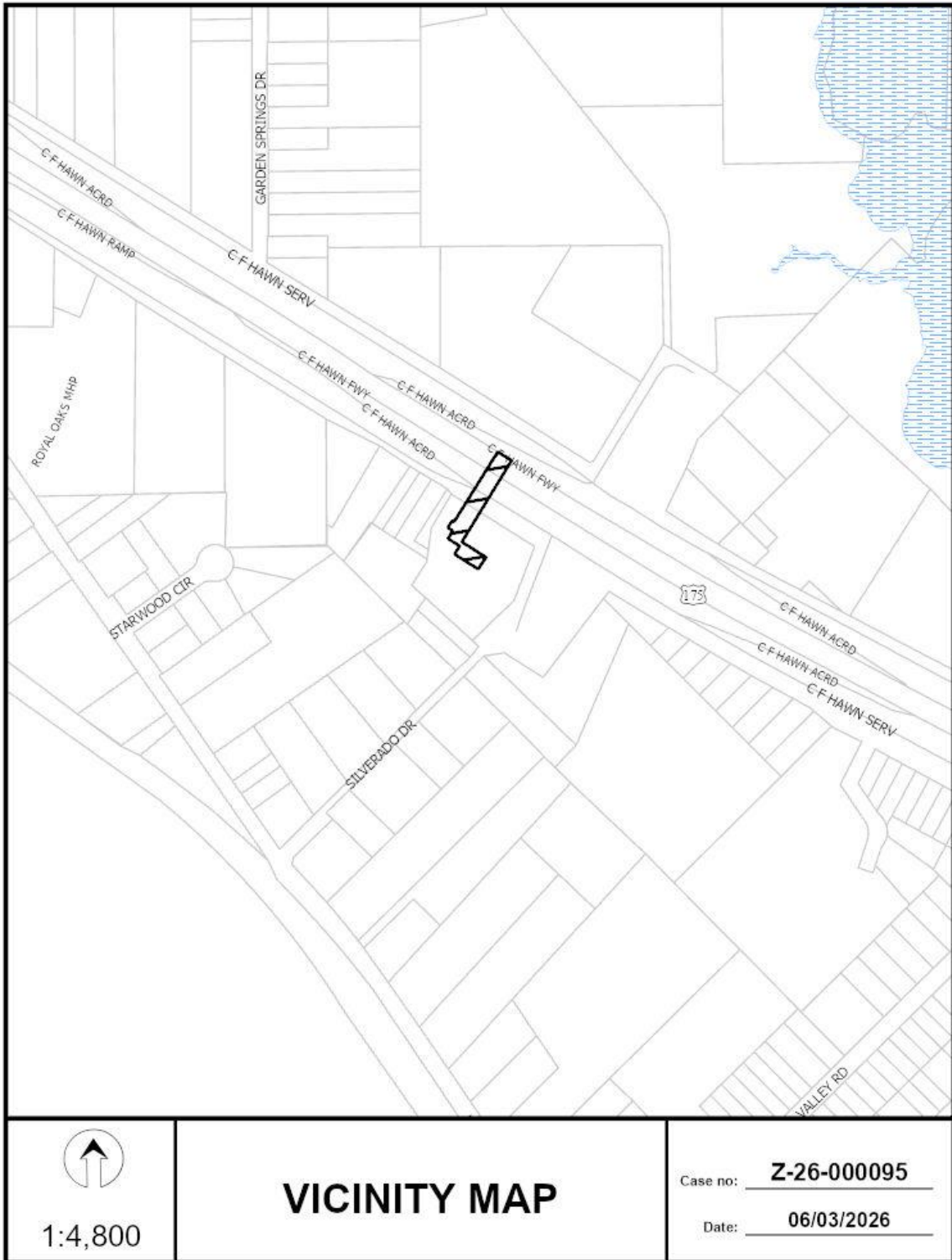
Carl T Marlow, Owner

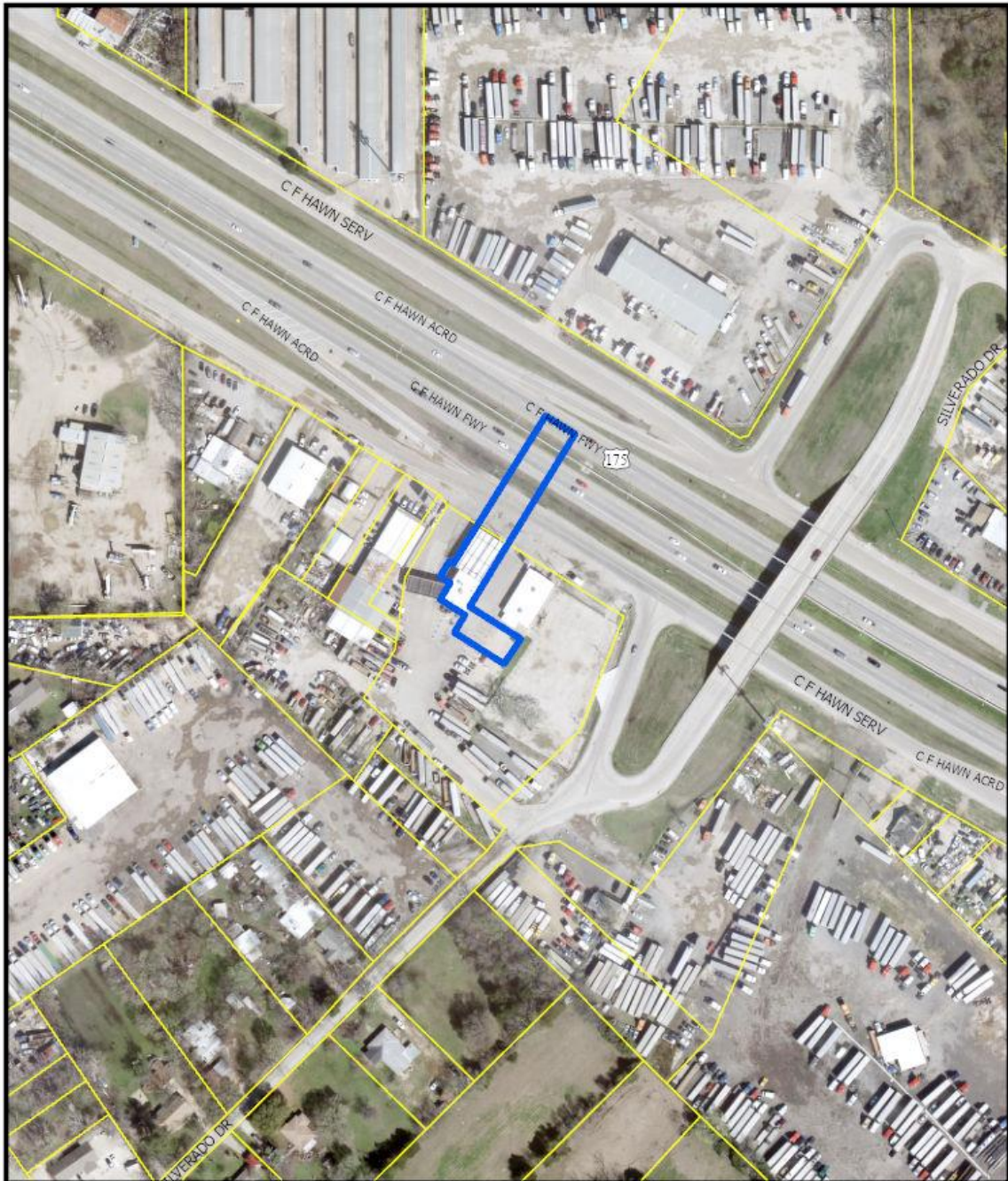
### PROPOSED CONDITIONS

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 ~~shall not expire~~ ~~expires on May 22, 2026, 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. 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.

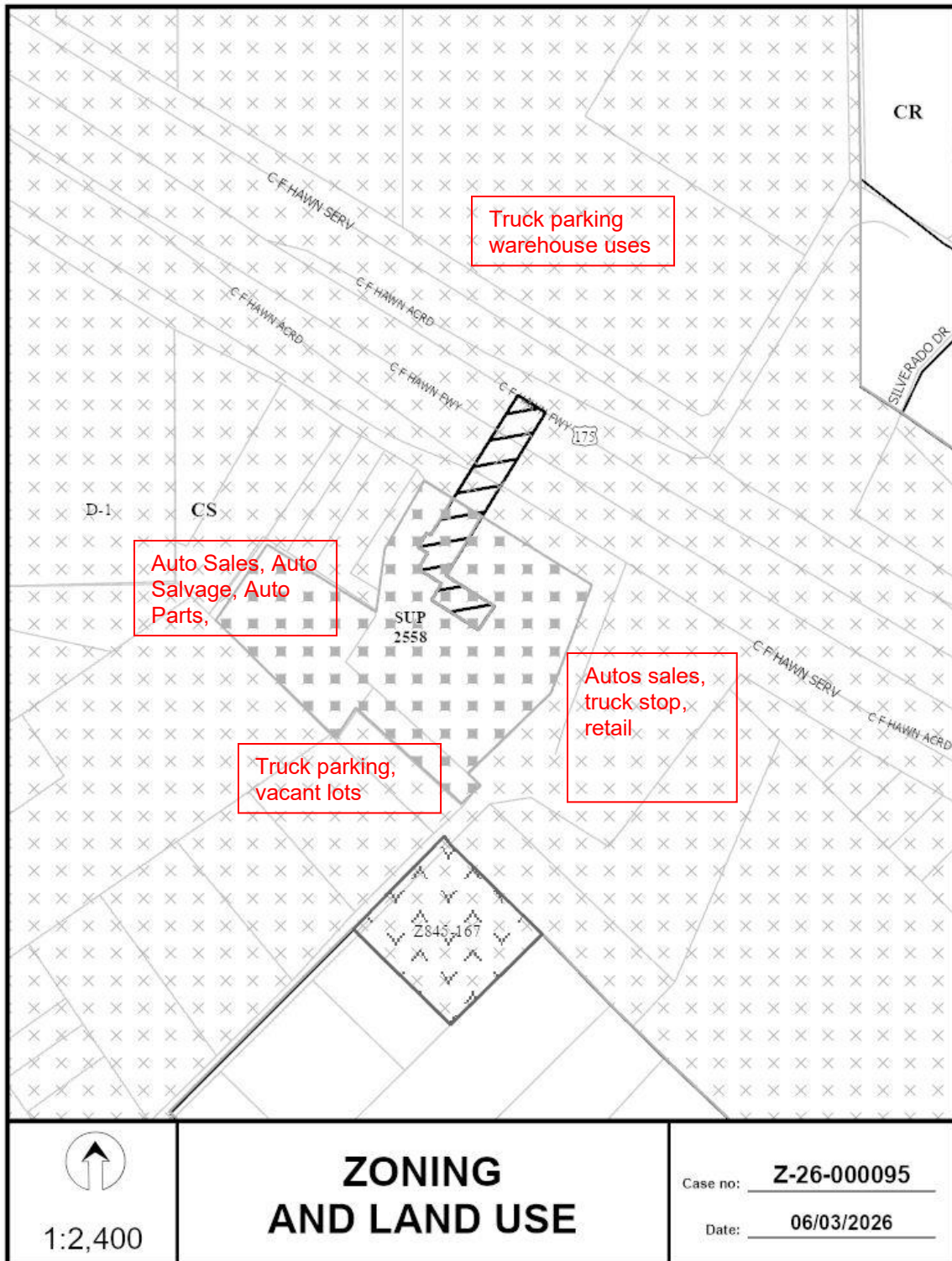
### Existing Site Plan (No changes)

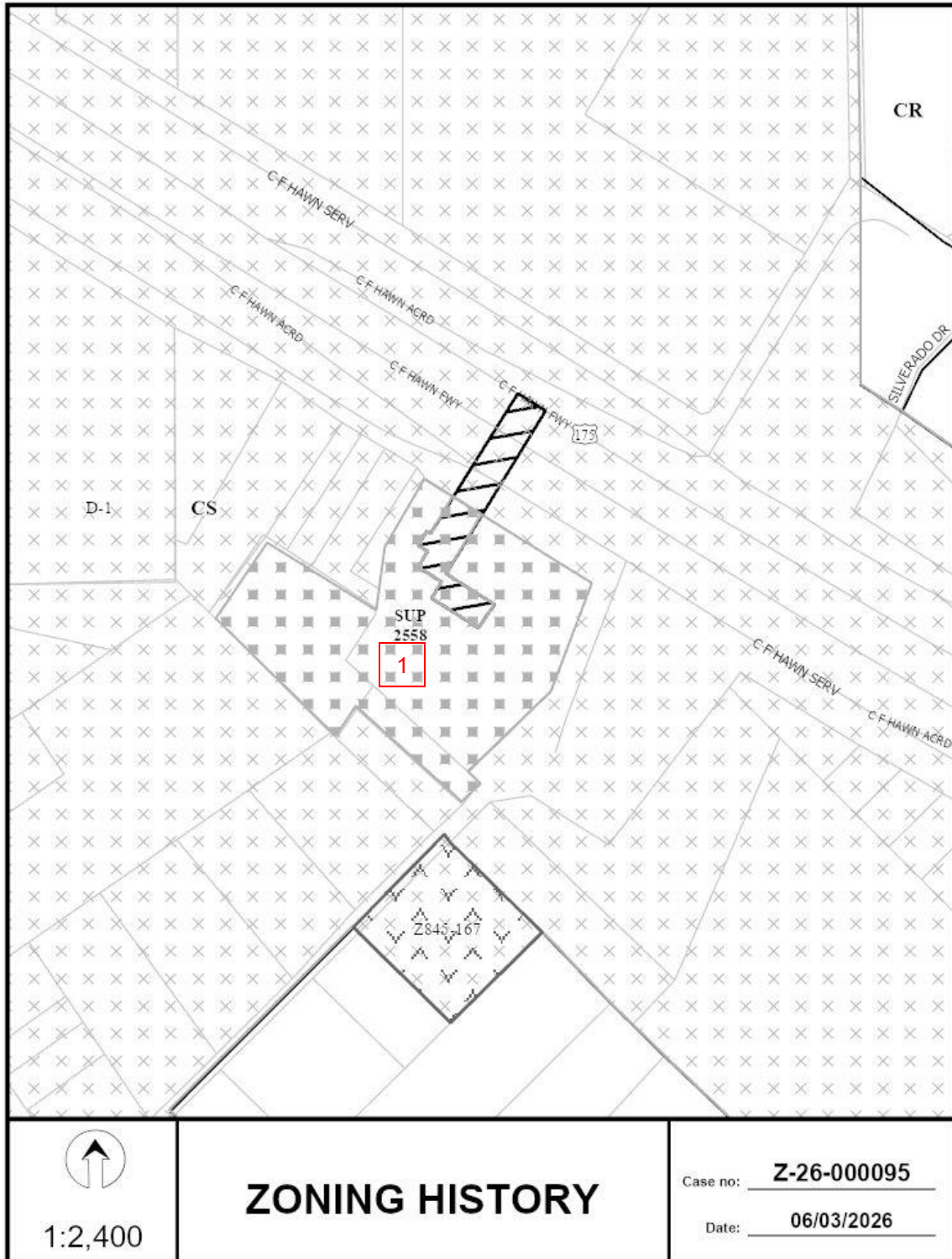


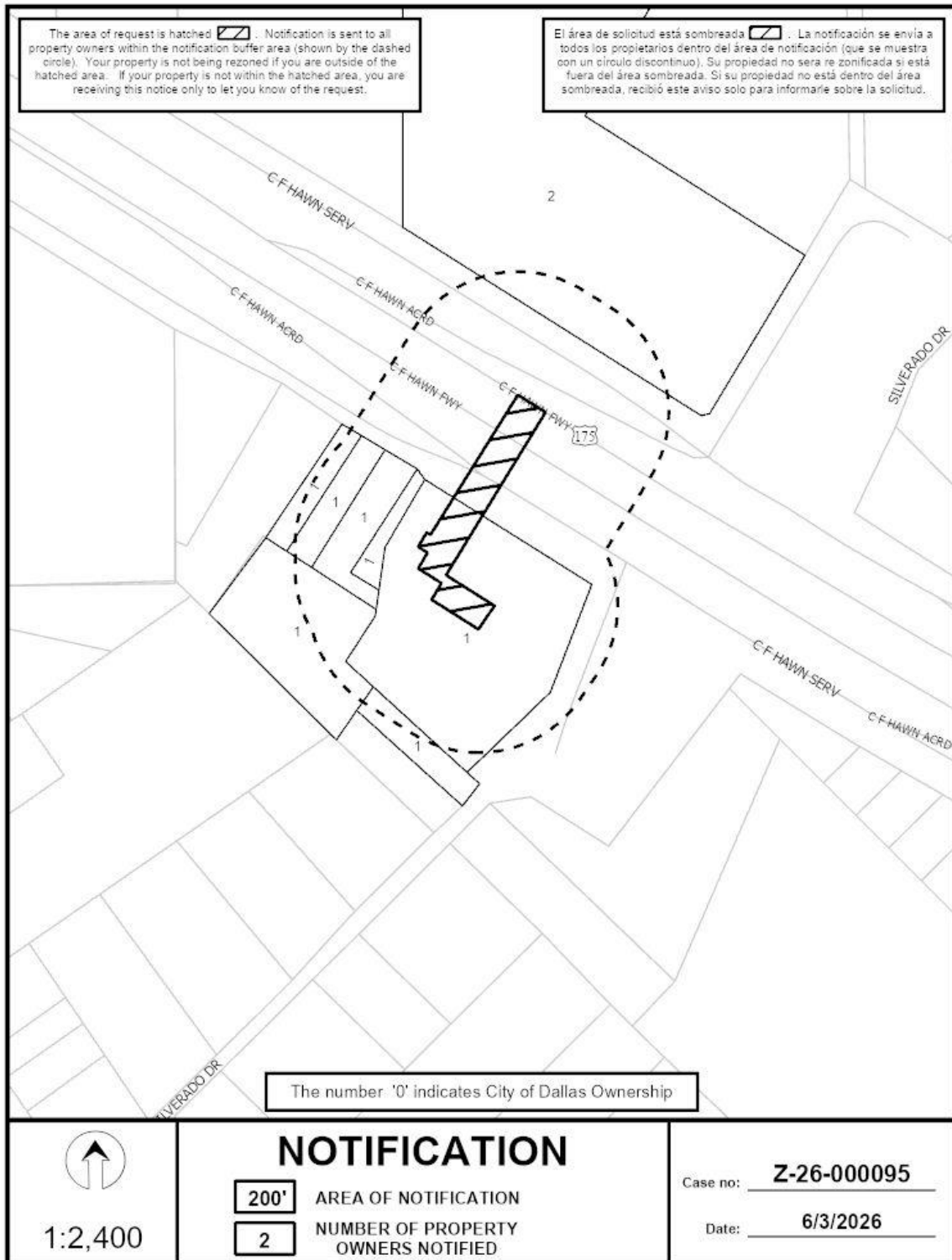




 1:2,400	<h2>AERIAL MAP</h2>	Case no: <u>Z-26-000095</u> Date: <u>06/03/2026</u>
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06/03/2026

***Notification List of Property Owners***

***Z-26-000095***

***2 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2105 SILVERADO DR	MARLOWS ENTERPRISES INC
2	11801 C F HAWN FWY	ARC CF HAWN LLC