

FILE NUMBER: Z234-125(LC) **DATE FILED:** November 13, 2023

LOCATION: West line of South Buckner Boulevard, between Scyene Road and Blossom Lane

COUNCIL DISTRICT: 5

SIZE OF REQUEST: Approx. 0.95-acre **CENSUS TRACT:** 48113009101

REPRESENTATIVE: Santos Martinez, La Sierra Planning Group

APPLICANT: La Campina Inc

OWNER: Buckner Partnership LP

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 Subarea 1 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, 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 developed as a restaurant. In addition to this use, the applicant proposes the sale of alcoholic beverages.
- The restaurant will operate between 8:00 a.m. and 9:00 p.m., Sunday through Thursday, and between 8:00 a.m. and 10:00 p.m., Friday through Saturday.

Zoning History:

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

1. **Z201-219:** On August 11, 2021, City Council approved a renewal of Specific Use Permit No. 2219 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned Subarea 1 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay on the east side of South Buckner Boulevard, between Scyene Road and Bearden Lane.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Buckner Blvd	Principal Arterial	107 feet
Scyene Road	Community Collector	60 feet
Blossom Lane	Local Street	-

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 ANALYSIS:

Land Use:

	Zoning	Land Use
Site	PD 366 Subarea 1, D-1	developed with retail and office uses
North	PD 366 Subarea 1, D-1	developed with retail and office uses

East	PD 366 Subarea 1, D-1	developed with retail and office uses
South	PD 366 Subarea 1A, D-1	developed with retail and office uses
West	CR, D-1	undeveloped

Land Use Compatibility:

The property is developed a portion of a larger property that is developed with a shopping center. The request site is a multi-tenant building, and one suite is occupied with a restaurant use. This Specific Use Permit request is to allow for the restaurant to sell alcohol in a D-1 Dry Liquor Control Overlay. The underlying zoning is PDD No. 366 Subarea 1.

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 because the use is not foreseen to be detrimental to surrounding properties. Staff also finds the proposed time limit of five years with eligibility for automatic renewal for additional five-year periods appropriate for this site.

Landscaping:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a restaurant without drive-in or drive-through service is one space per 100 square feet of

floor area. The 2,500-square-foot restaurant space will require a minimum of 25 parking spaces. Per the proposed site plan, the site provides 25 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 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 not currently within an MVA cluster. To the west are “E” MVA clusters. To the southwest are both “E” and “F” MVA clusters. To the south, southeast, and east are “F” MVA clusters.

Z234-125(LC)

List of Officers

La Campina Inc.

Iris I. Chicas, Director

The Buckner Partnership, L.P.

Ashcroft Development Corporation

Edwin Freedman, President

Karen K. Freedman, Vice President

**CPC Action
December 7, 2023**

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 two-year period, subject to a site plan and conditions on property zoned Subarea 1 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the west line of South Buckner Boulevard, between Scyene Road and Blossom Lane.

Maker: Shidid
Second: Wheeler-Reagan
Result: Carried: 10 to 0

For: 10 - Chernock, Hampton, Herbert, Shidid,
Carpenter, Wheeler-Reagan, Blair, Sleeper,
Hall, Rubin

Against: 0
Absent: 4 - Housewright, Treadway, Haqq, Kingston
Vacancy: 1 - District 4

Notices: Area: 200 Mailed: 6
Replies: For: 1 Against: 0

Speakers: For: Santos Martinez, 2489 Camino Plata Loop NE, Rio
Rancho, NM, 87144
Against: 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.

CPC recommendation:

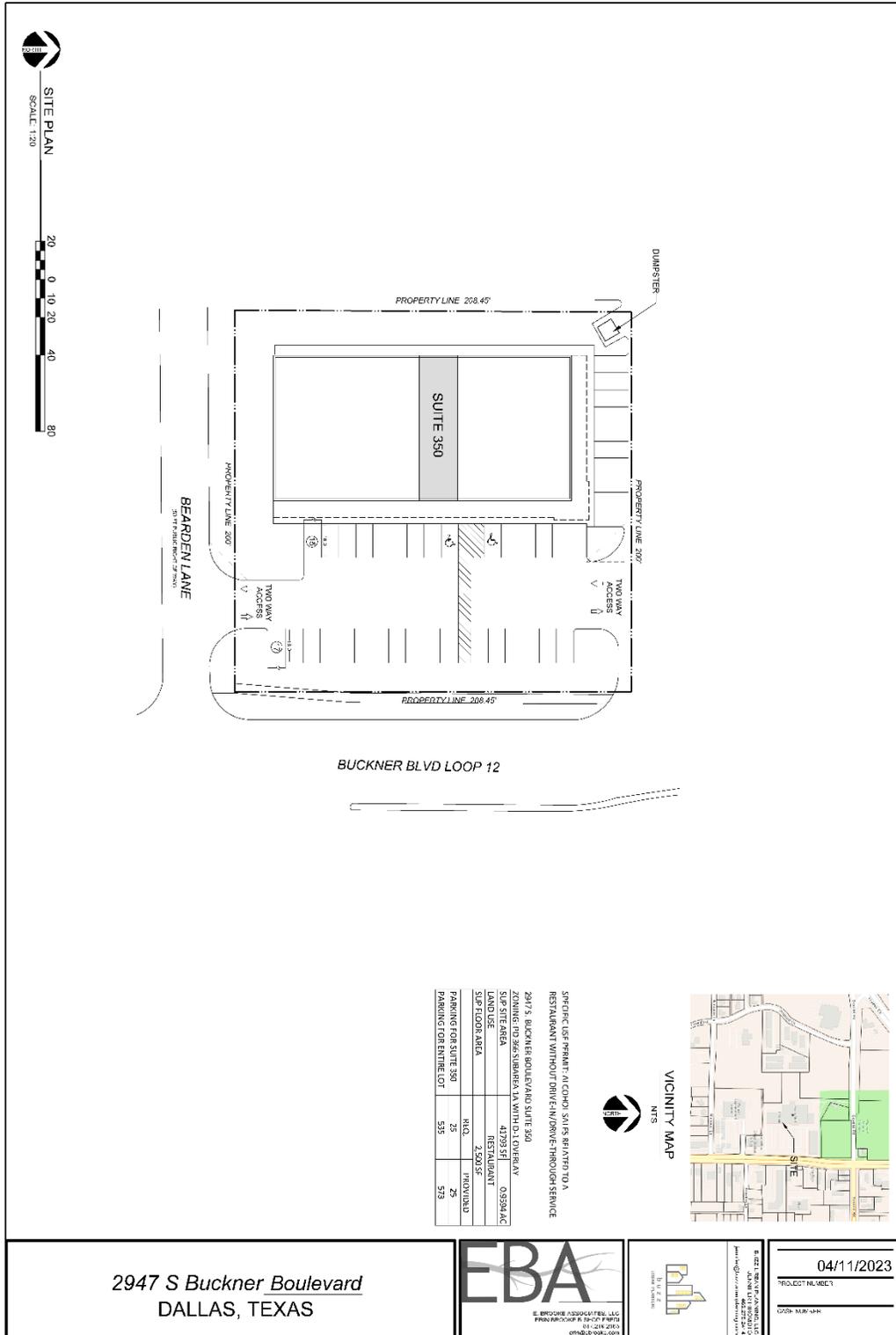
- | |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on ... (two years from the passage of this ordinance) |
|---|

Staff recommendation:

- | |
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| 3. <u>TIME LIMIT</u> : This specific use permit expires on ... (five years from the passage of this ordinance) 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.) |
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4. HOURS OF OPERATION: The restaurant without drive-in or drive-through service may only operate between 8:00 a.m. and 9:00 p.m., Sunday through Thursday, and between 8:00 a.m. and 10:00 p.m., Friday through Saturday.
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



SPECIFIC USE PERMIT: ALL CHOS. SVA'S RELATED TO A RESTAURANT WITHOUT DRIVE-IN/DRIVE-THROUGH SERVICE

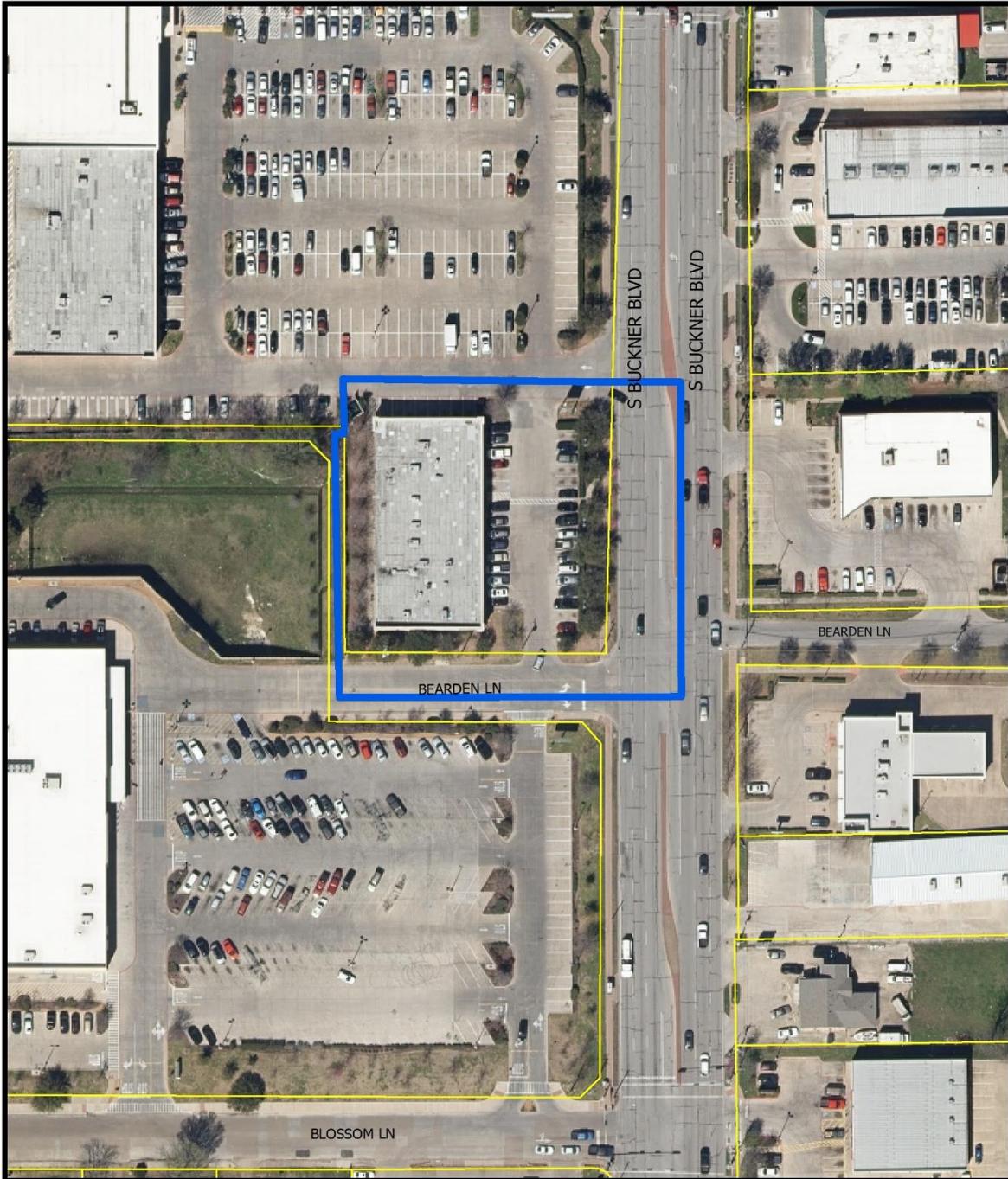
2947 S. BUCKNER BOULEVARD, SUITE 350	2947 S. BUCKNER BOULEVARD, SUITE 350
ZONING DISTRICT: B-1	ZONING DISTRICT: B-1
LAND USE: RESTAURANT	LAND USE: RESTAURANT
SUP. FLOOR AREA: 2,500 SQ. FT.	SUP. FLOOR AREA: 2,500 SQ. FT.
PARKING FOR SUITE 350: 25	PARKING FOR SUITE 350: 25
PARKING FOR ENTIRE LOT: 535	PARKING FOR ENTIRE LOT: 573



2947 S Buckner Boulevard
DALLAS, TEXAS



04/11/2023
PROJECT NUMBER
000-100-000

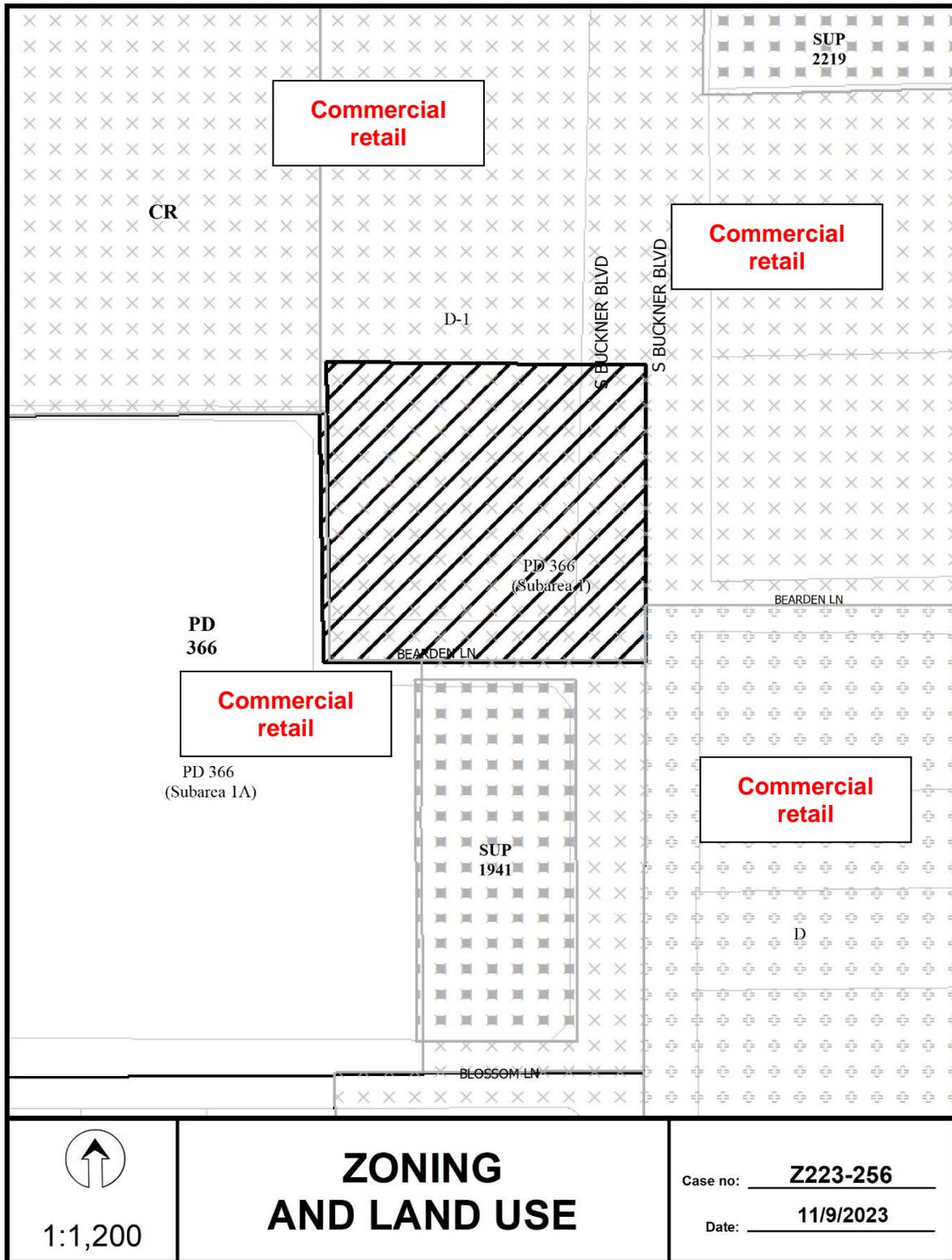


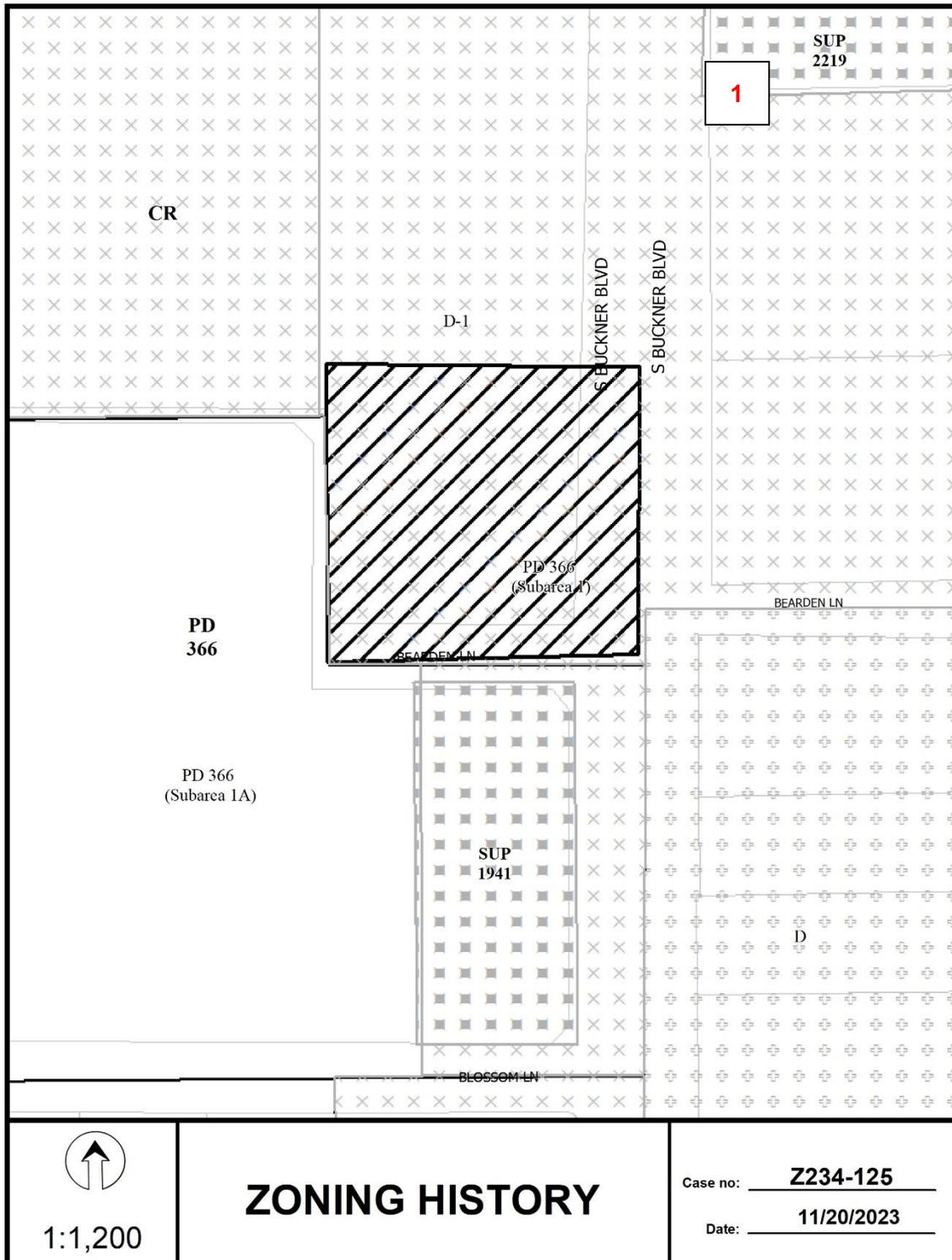
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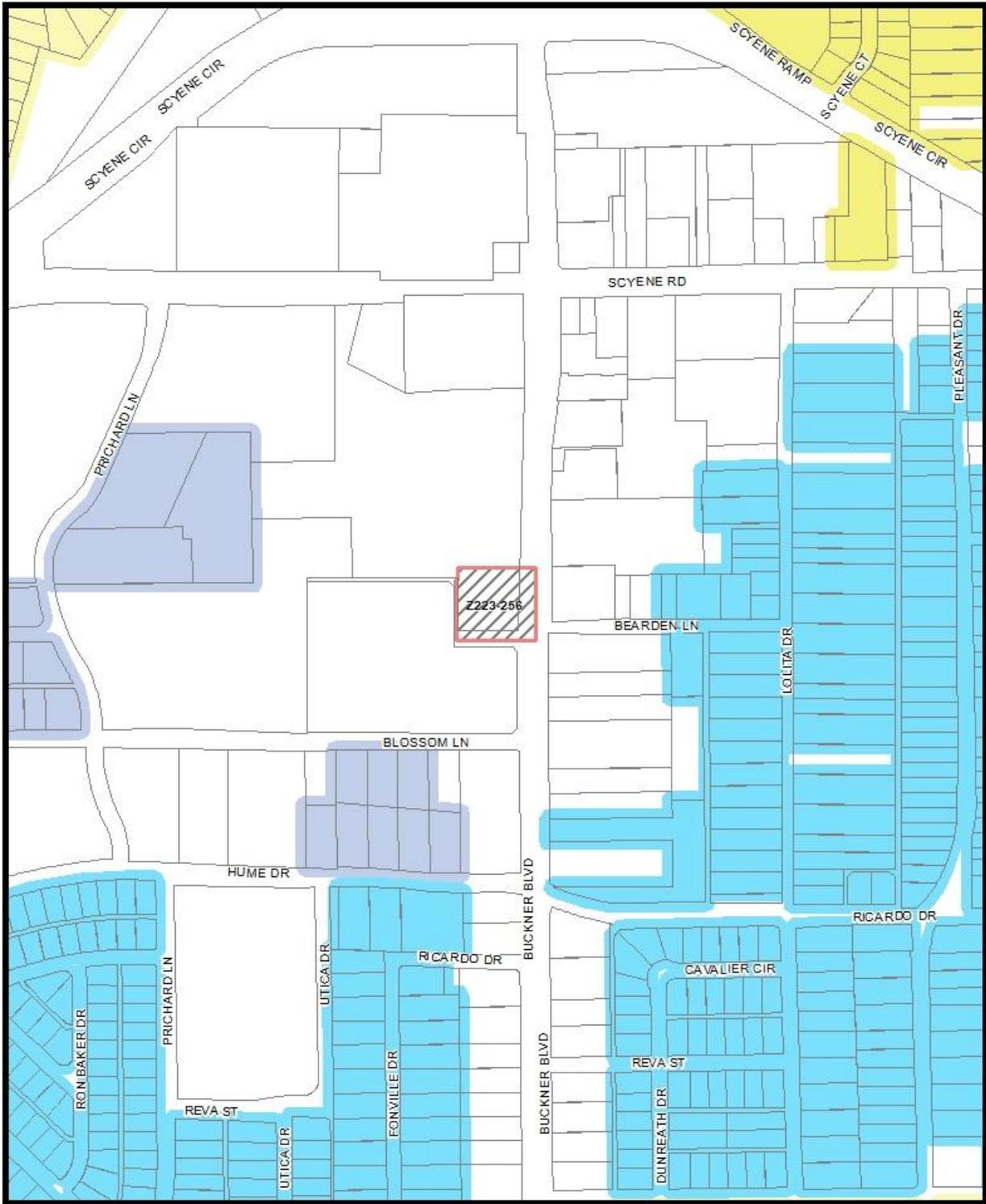
AERIAL MAP

Case no: Z223-256

Date: 11/9/2023





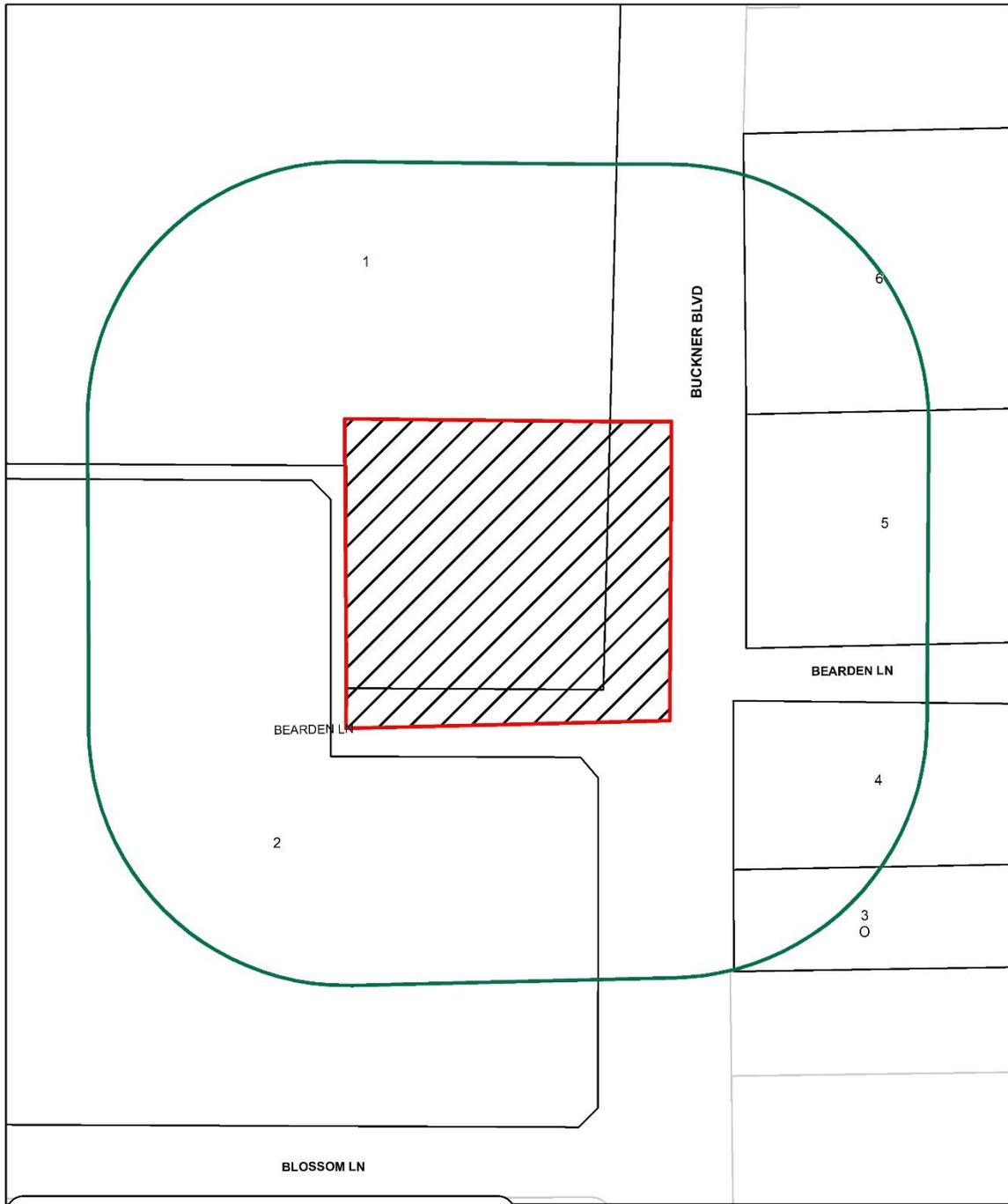


Market Value Analysis A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 11/9/2023



<u>6</u>	Property Owners Notified (6 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>12/7/2023</u>	Date

Z234-125
CPC



1:1,200

12/06/2023

Reply List of Property Owners

Z234-125

6 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	8000 SCYENE RD	BUCKNER PARTNERSHIP LP
	2	2827 S BUCKNER BLVD	WAL MART REAL ESTATE BUSINESS TRUST
O	3	2814 S BUCKNER BLVD	BARCH INTERESTS LP
	4	2820 S BUCKNER BLVD	BELTLINE INVESTMENTS LLC
	5	2842 S BUCKNER BLVD	SABA ENTERPRISES INC
	6	2902 S BUCKNER BLVD	BAIDU LLC