

FILE NUMBER: Z223-264(LC) **DATE FILED:** May 30, 2023
LOCATION: Northeast corner of C.F. Hawn Freeway and South Masters Drive
COUNCIL DISTRICT: 5
SIZE OF REQUEST: Approx. 0.523 acre **CENSUS TRACT:** 48113011702

REPRESENTATIVE: Robert Nunez, Alchemi Development Partners

APPLICANT: Manzoor Buchh, 10201 C.F. Hawn

OWNER: Kawal Financial, Inc.

REQUEST: An application for an amendment to Specific Use Permit No. 2349 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subdistrict 2, within Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, 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.

STAFF RECOMMENDATION: Approval for a three-year period, subject to amended conditions.

BACKGROUND INFORMATION:

- The area of request is currently developed as a general merchandise or food store 3,500 square feet or less (convenience store land use); a convenience store that sells alcoholic beverages and operates daily.
- Currently zoned Subdistrict 2 within PD No. 535 with a D-1 Dry Overlay.
- Ordinance No. 31372, was passed by the Dallas City Council on October 23, 2019, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 2349. On December 8, 2021, City Council approved a renewal of SUP No. 2349 for a two-year period, which expires on December 8, 2023. Owners filed for renewal on May 30, 2023.
- Requests renewal of SUP No. 2349 for a three-year period to continue sale of alcoholic beverages on the property.
- Other than time limit, does not propose any changes to existing conditions or site plan of SUP No. 2349.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Masters Drive	Minor Arterial	100 feet
CF Hawn Freeway	Highway	-

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 No. 535 with SUP No. 2349	General merchandise or food store 3,500 square feet or less
North	R-10(A)	Undeveloped
East	PD No. 535	Undeveloped
South	R-7.5(A)	Undeveloped
West	PD No. 535	Undeveloped

Land Use Compatibility:

The area of request is currently surrounded by undeveloped property to the north and south. To the east of the property are retail uses, and to the west is undeveloped property. Staff finds the applicant’s proposal compatible with these surrounding uses.

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.

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.

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 the date of issuance and must be renewed annually. The Dallas Police Department has determined that the request site meets the standards in Chapter 12B.

Staff supports the request because the use is not foreseen to be detrimental to surrounding properties. Staff also finds the proposed time limit of three years to be 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 general merchandise or food store 3,500 square feet or less is one space per 200 square feet of floor area. The 2,200-square-foot general merchandise or food store requires 11 spaces. The requirement for a motor vehicle fueling station is two spaces. In total, the site is required to provide a minimum of 13 spaces. The site plan that governs SUP No. 2349 will remain unchanged and continues to provide 15 parking spaces on site, with 1 space for loading. The applicant is compliant with standard parking ratios.

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 north are both “F” and “G” MVA clusters, to the northwest are “H” MVA clusters, to the northeast are “G” MVA clusters, to the southeast are “G” MVA clusters, and to the south and southwest are both “F” and “G” MVA clusters.

Crime Report:

Since December 2021, the area has had 14 offenses, 95 calls, and no arrests.

Offenses (Summary)	
Problem	Count of Problem
AGG ASSAULT - NFV	1
ALL OTHER OFFENSES	1
BURGLARY-BUSINESS	1
MISCELLANEOUS	9
SIMPLE ASSAULT	1
TRAFFIC VIOLATION – HAZARDOUS	1
Total	14

Calls (Summary)	
Problem	Count of Problem
**PD Requested by Fire Count	3
07 - Minor Accident Count	9
09 - Theft Count	1
09V - UUMV Count	2
09V-01 UUMV Just Ocrd Count	1
11B/01 - Burg of Bus Count	1
12B - Business Alarm Count	13
21B - Business Hold Up Count	2
24 - Abandoned Property Count	3
32 - Suspicious Person Count	1
38 - Meet Complainant Count	1
40 - Other Count	11
40/01 - Other Count	5
41/20 - Robbery - In Progress Count	1
46 - CIT Count	1
55 - Traffic Stop Count	1
58 - Routine Investigation Count	9
6X - Major Dist (Violence) Count	20
6XA - Major Dist Ambulance Count	1
6XE - Disturbance Emergency Count	3
7X - Major Accident Count	2
DAEF-Dist Armed Encounter Foot Count	2
PH - Panhandler Count	2
Total	95

Z223-264(LC)

List of Officers

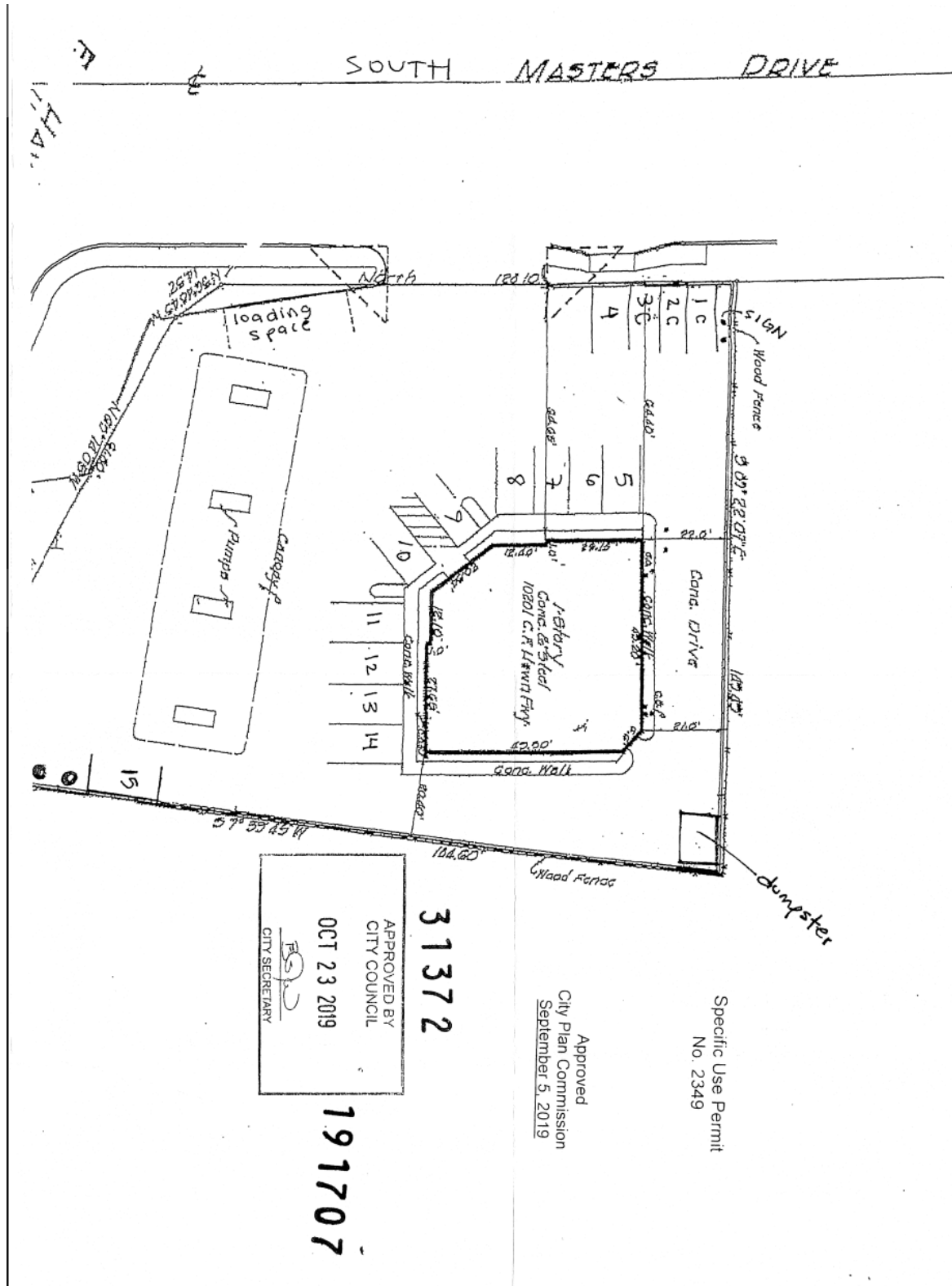
10201 C.F. Hawn

Manzoor Buchh, 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 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 (three years from the passage of this ordinance).
4. DRIVE-THROUGH WINDOW: The sale of alcoholic beverages through the drive-through window is prohibited.
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.

**EXISTING SITE PLAN
(No Changes Proposed)**



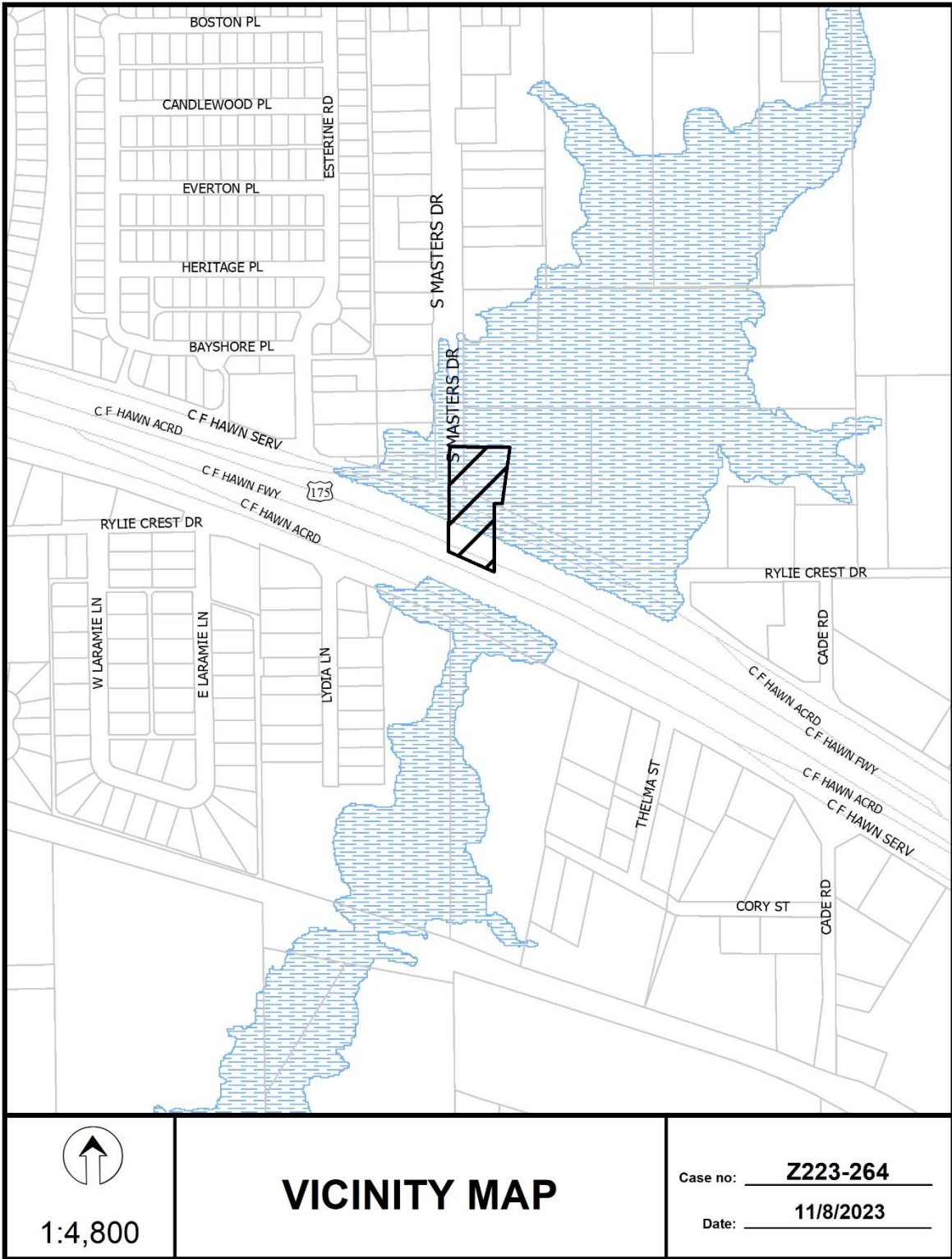
APPROVED BY
CITY COUNCIL
OCT 23 2019
CITY SECRETARY

31372

191707

Approved
City Plan Commission
September 5, 2019

Specific Use Permit
No. 2349



1:4,800

VICINITY MAP

Case no: **Z223-264**

Date: **11/8/2023**

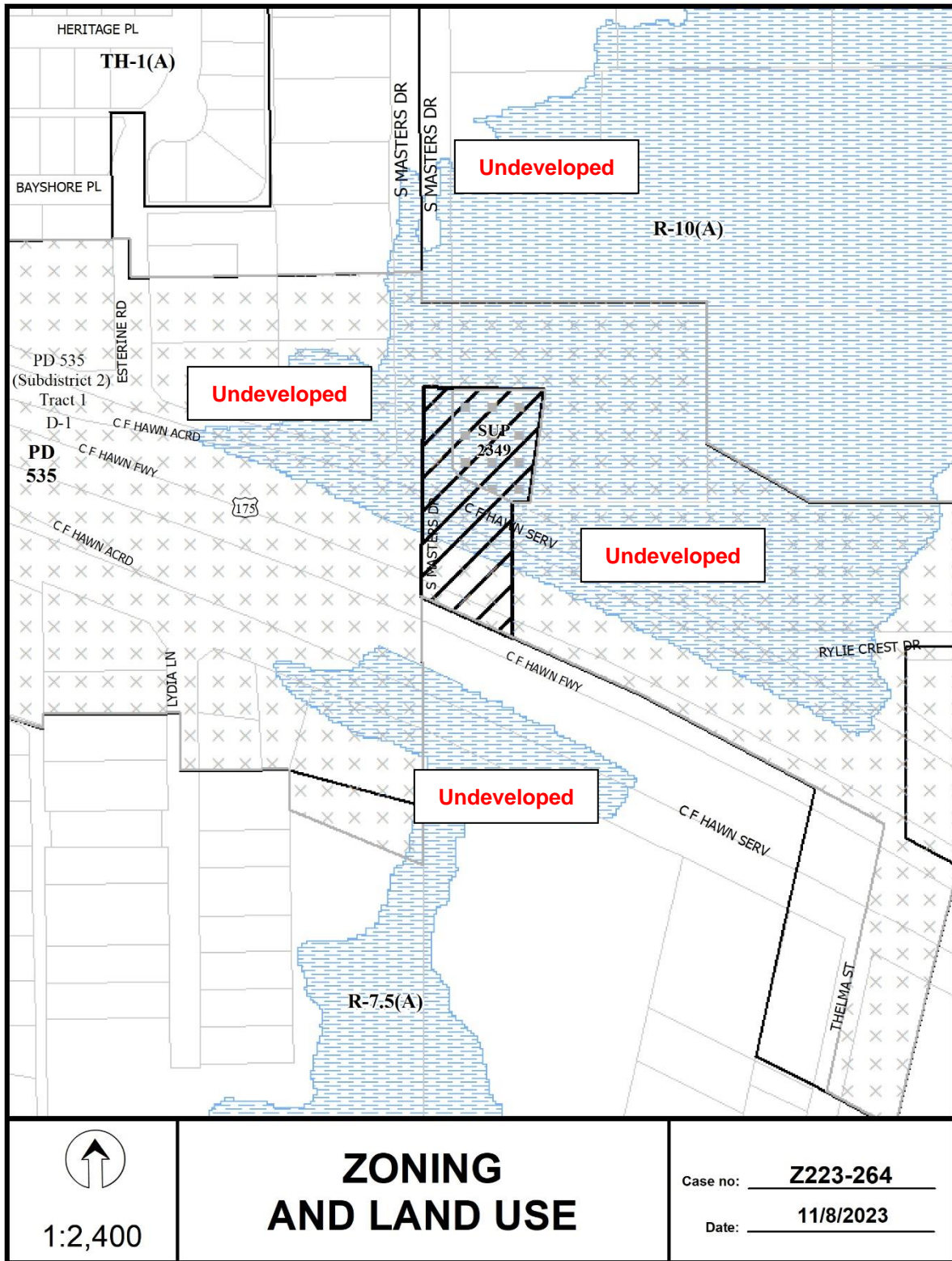


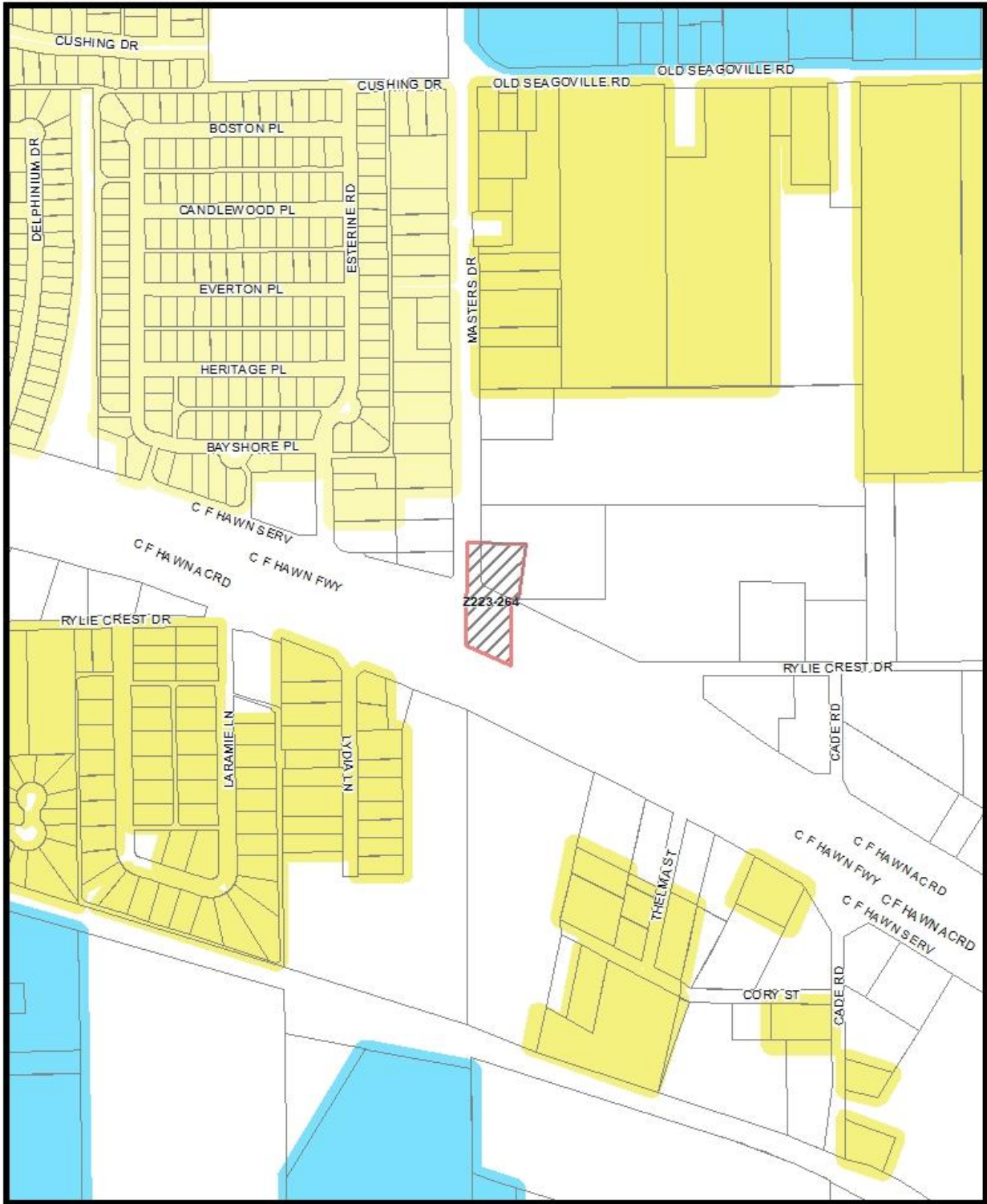
1:2,400

AERIAL MAP

Case no: Z223-264

Date: 11/8/2023



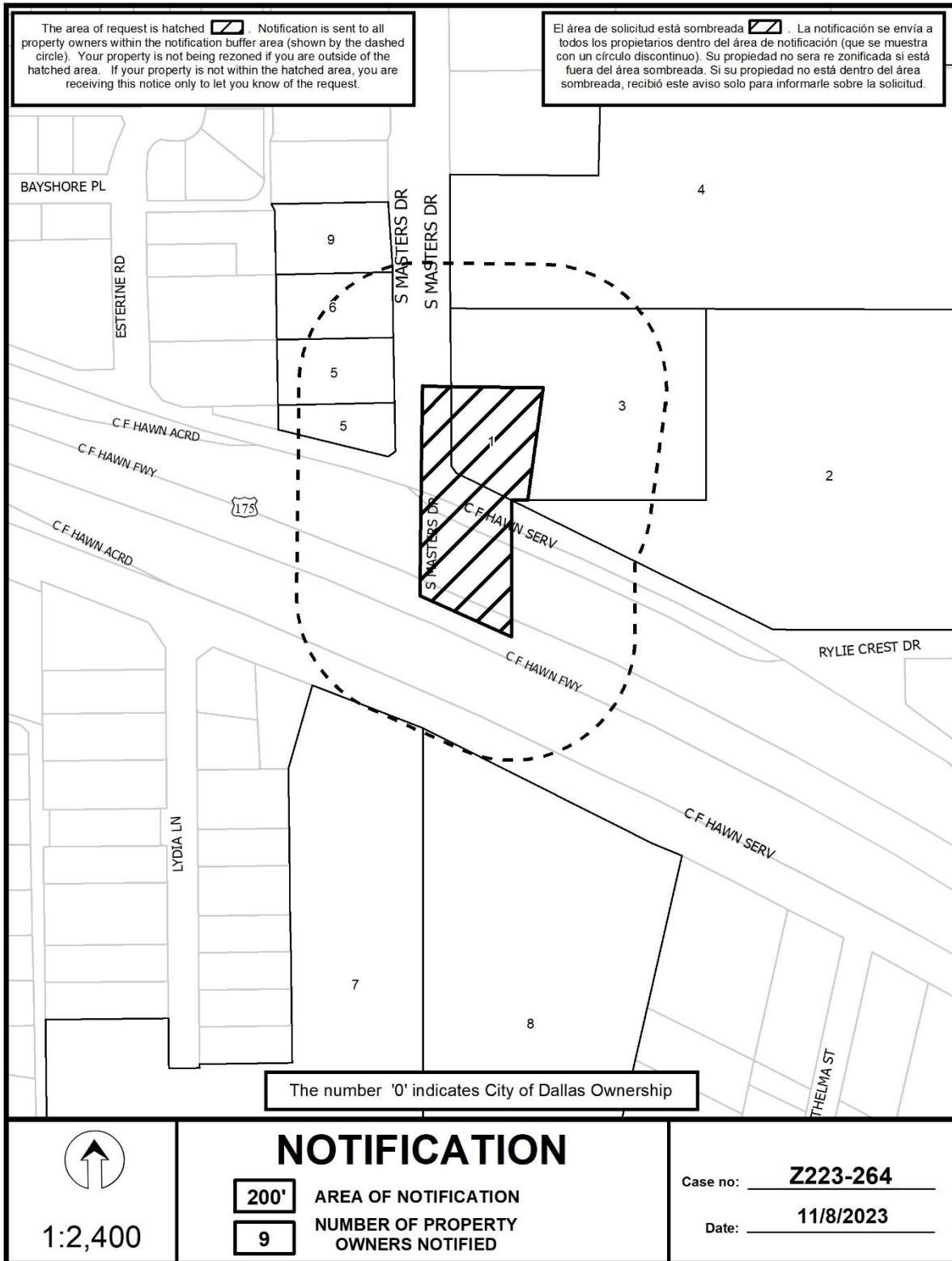


Market Value Analysis A B C D E F G H I NA



Market Value Analysis

Printed Date: 11/8/2023



Z223-264(LC)

11/08/2023

Notification List of Property Owners

Z223-264

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10201 C F HAWN FWY	KAWAL FINANCIAL INC
2	10407 RYLIE CREST DR	RAHIMI ATA
3	720 S MASTERS DR	HICKS BOBBY
4	650 S MASTERS DR	CENTRO EVANGELISTICO JERUSALEN INC
5	725 S MASTERS DR	KAWAL FINANCIAL INC
6	715 S MASTERS DR	BEDOLLA GILBERTO JR
7	10200 C F HAWN FWY	YOUNG JERRY D & TAMMY S
8	10296 C F HAWN FWY	TEXAS MASTER POOLS PLASTERING LLC
9	675 S MASTERS DR	DIAZ FRANCISCO