

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, JUNE 8, 2022

ACM: Majed Al-Ghafry

FILE NUMBER: Z201-349(OA)

DATE FILED: September 22, 2021

LOCATION: Northeast corner of Lake June Road and Guard Drive

COUNCIL DISTRICT: 5

MAPSCO: 57 M

SIZE OF REQUEST: ±1.5445 acres

CENSUS TRACT: 115.00

APPLICANT: Latrice Andrews

OWNER: RF & Sons Properties, LLC

REQUEST: An application for the renewal of Specific Use Permit No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay with deed restrictions [Z078-272]

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 greater than 3,500 square feet.

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

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

BACKGROUND INFORMATION:

- The site is developed with an approximately 9,240-square-foot building containing retail suites one of which is a general merchandise or food store greater than 3,500 square or less and a restaurant [EZ Stop]. The property also includes a motor vehicle fueling station with a carwash and storage.
- The general merchandise or food store use is permitted by right, but the D-1 Liquor Control Overlay requires a Specific Use Permit (SUP) for the sale of alcoholic beverages on the property. The applicant proposes to continue the sale of beer and wine for off-premises consumption in conjunction with the 9,240-square-foot -square foot convenience store.
- The 3.7-acre-request site is comprised on two lots and is currently under development. The site is zoned MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay and deed restrictions [Z156-163].
- The request site is also zoned with two Specific Use Permits, SUP No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, and SUP No. 2190 for a mini-warehouse use. More specifically, SUP No. 2191 pertains to the 1.554-acre southern lot, and SUP No. 2190 pertains to the 2.192-acre northern lot.
- On April 27, 2016, the City Council approved Specific Use Permit No. 2191 for a two-year period. SUP No. 2191 was renewed on April 11, 2018, for a two-year period. On April 27, 2016, the City Council approved Specific Use Permit No. 2190 for a ten-year period. Finally On Wednesday, April 8 2020, the City Council approved a request to the renewal of Specific Use Permit No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period, subject to a site plan and conditions, on property zoned MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay, and deed restrictions [Z156-163], located on the northeast corner of Lake June Road and Guard Drive.
- On December 10, 2008, the City Council approved an MU-1 Mixed Use District with volunteered deed restrictions and a D-1 Liquor Control Overlay on property zoned an LI Light Industrial District with a D-1 Liquor Control Overlay (Z078-272), being the 3.7-acre-request property. The volunteered deed restrictions further restrict the allowable uses on the property by prohibiting several commercial and business services uses, industrial uses, institutional and community service uses, lodging uses, miscellaneous uses, retail, and personal service uses, utility and service uses, and wholesale, distribution, and storage uses. Among those, both motor vehicle fueling station and mini warehouse uses were prohibited as well. On April 27, 2016, City Council

approved an amendment to the existing deed restrictions to allow both motor vehicle fueling station and mini warehouse uses.

Zoning History: There has been one zoning change in the vicinity during the last five years.

1. **Z190-126.** On Wednesday, April 8 2020, the City Council approved your application and an ordinance for the renewal of Specific Use Permit No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period, subject to a site plan and conditions, on property zoned MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay, and deed restrictions [Z156-163], located on the northeast corner of Lake June Road and Guard Drive [subject site].

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lake June Road	Principal Arterial	100 feet
Guard Drive	Local	60 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 ANALYSIS:

Comprehensive Plan

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies that can serve as a framework for assisting in evaluating the applicant's request. The applicant's request is consistent with the following goals and policies of the comprehensive plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be in residential community areas, primarily on significant roadways or at key intersections.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Surrounding Land Uses:

	Zoning	Land Use
Site	MU-D-1 with D-1 with DR Z078-272	General merchandise food store greater than 3,500 square, Restaurant drive-through service, motor vehicle fueling station, storage
North	LI Light Industrial SUP No. 2171	Public Park; Government Installation
East	R-7.5(A)	Single Family
South	PD 533	Auto related; Retail Uses
West	R-7.5(A) with D-1	Single Family

Land Use Compatibility:

The approximately 9,240-square-foot structure is currently comprised of multiple suites. One suite occupies the 3,500-square-foot general merchandise or food store (convenience store). The applicant proposes to continue the sale of alcoholic beverages for off-premises consumption in conjunction with the existing convenience store.

The request site is surrounded by a park that will also house a future park maintenance facility to the north, auto repair uses to the south, and single family uses to the east and west.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

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. Staff has obtained confirmation that the applicant follows Chapter 12B and maintains a current registration.

The site has operated without issues in the past two years and complies with the conditions of the SUP. Additionally, the applicant is not requesting any changes to the existing site plan, so operation should continue as it has for the past few years. Staff does not see evidence of detriment to the adjacent properties, and as such recommends approval for two years with eligibility for automatic renewal for an additional two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. The off-street parking requirements for a general merchandise food store greater than 3,500 square feet is one space for each 200 square feet of floor area. The building's floor area totals approximately 9,240 square feet, but only one suite is included in the SUP request. 46 parking spaces are required for the convenience store. There are 47 parking spaces included in the site plan.

Landscaping:

No new development or expansion is being proposed with this request; therefore, no additional landscaping is required.

Market Value Analysis

[Market Value Analysis \(MVA\)](#), is a tool to aid residents and policymakers 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 to orange, representing the weakest markets. The area of request is not within an identifiable MVA category; however, it is in proximity to a "H" to the northwest and a "G" MVA subdivision to the north and southwest.

Police Report:

From April 8, 2020 to November 2021, 9 offenses, 75 calls, and 1 arrest were placed to the Dallas Police Department (DPD) record.

Offenses:

10:15	Capers / Assaults
17:10	Property Crime Division / SE Property Crimes
1:10	Special Investigations / Auto Theft
14:00	South Central / South Central Patrol
4:22	Capers / Robbery
0:50	Property Crime Division / SE Property Crimes
16:30	Property Crime Division / SE Property Crimes
12:00	Property Crime Division / SE Property Crimes
14:50	Capers / Family Violence

Calls:

4/23/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
5/19/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
5/29/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
6/6/2020	7X - Major Accident	6343 Lake June Rd
6/22/2020	04 - 911 Hang Up	6343 Lake June Rd
6/28/2020	32 - Suspicious Person	6343 Lake June Rd
7/9/2020	32 - Suspicious Person	6343 Lake June Rd
7/18/2020	32 - Suspicious Person	6343 Lake June Rd
7/18/2020	29 - Open Building	6343 Lake June Rd
7/21/2020	40/01 - Other	6343 Lake June Rd
7/27/2020	20 - Robbery	6343 Lake June Rd
7/28/2020	32 - Suspicious Person	6343 Lake June Rd
8/6/2020	40/01 - Other	6343 Lake June Rd
8/7/2020	32 - Suspicious Person	6343 Lake June Rd
8/8/2020	OADS - Open Air Drug Sales	6343 Lake June Rd
8/11/2020	32 - Suspicious Person	6343 Lake June Rd
8/11/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
8/28/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
8/30/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
9/8/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
9/11/2020	32 - Suspicious Person	6343 Lake June Rd
9/21/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
9/26/2020	32 - Suspicious Person	6343 Lake June Rd
10/1/2020	40 - Other	6343 Lake June Rd
10/3/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
10/10/2020	40 - Other	6343 Lake June Rd
10/24/2020	21B - Business Hold Up	6343 Lake June Rd
11/5/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
11/7/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
11/13/2020	6X - Major Dist. (Violence)	6343 Lake June Rd

11/19/2020	6XE - Disturbance Emergency	6343 LAKE JUNE RD
11/21/2020	40 - Other	6343 Lake June Rd
11/30/2020	31 - Criminal Mischief	6343 Lake June Rd
12/8/2020	6X - Major Dist. (Violence)	6343 Lake June Rd
12/16/2020	09V-01 UUMV Just Ocrd	6343 Lake June Rd
1/5/2021	40 - Other	6343 Lake June Rd
1/13/2021	32 - Suspicious Person	6343 Lake June Rd
1/15/2021	40 - Other	6343 Lake June Rd
1/19/2021	6X - Major Dist (Violence)	6343 Lake June Rd
1/23/2021	6X - Major Dist (Violence)	6343 Lake June Rd
1/25/2021	6X - Major Dist (Violence)	6343 Lake June Rd
3/6/2021	6X - Major Dist (Violence)	6343 Lake June Rd
3/17/2021	6X - Major Dist (Violence)	6343 Lake June Rd
4/11/2021	40 - Other	6343 Lake June Rd
4/13/2021	40/01 - Other	6343 Lake June Rd
4/16/2021	40/01 - Other	6343 Lake June Rd
4/17/2021	40 - Other	6343 Lake June Rd
4/23/2021	40/01 - Other	6343 Lake June Rd
4/24/2021	PH - Panhandler	6343 Lake June Rd
4/24/2021	PH - Panhandler	6343 Lake June Rd
5/11/2021	40 - Other	6343 LAKE JUNE RD
5/19/2021	40 - Other	6343 LAKE JUNE RD
5/27/2021	40/01 - Other	6343 Lake June Rd
5/31/2021	PH - Panhandler	6343 Lake June Rd
6/5/2021	40 - Other	6343 Lake June Rd
6/5/2021	07 - Minor Accident	6343 Lake June Rd
6/12/2021	09/01 - Theft	6343 Lake June Rd
6/18/2021	40 - Other	6343 Lake June Rd
7/23/2021	09/01 - Theft	6343 Lake June Rd
8/7/2021	40 - Other	6343 Lake June Rd
8/14/2021	40/01 - Other	6343 Lake June Rd
8/16/2021	40 - Other	6343 Lake June Rd
8/22/2021	40 - Other	6343 Lake June Rd
9/2/2021	6X - Major Dist (Violence)	6343 Lake June Rd
9/10/2021	32 - Suspicious Person	6343 Lake June Rd
9/11/2021	32 - Suspicious Person	6343 Lake June Rd
9/11/2021	32 - Suspicious Person	6343 Lake June Rd
9/17/2021	6X - Major Dist (Violence)	6343 Lake June Rd
9/30/2021	40 - Other	6343 Lake June Rd
10/1/2021	40 - Other	6343 Lake June Rd
10/9/2021	09V - UUMV	6343 Lake June Rd

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10/15/2021	21B - Business Hold Up	6343 Lake June Rd
10/23/2021	31 - Criminal Mischief	6343 Lake June Rd
10/23/2021	31 - Criminal Mischief	6343 Lake June Rd
10/24/2021	40/01 - Other	6343 Lake June Rd

Arrest:

8/28/2020	6343 LAKE JUNE RD	APOWW (SOCIAL SERVICES REFERRAL)
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LIST OF OFFICERS

RF & Sons Properties, LLC

1. Jaswinder Randhawa, Manager
2. Paramjit Randhawa, Manager

CPC Action

April 21, 2022

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned an MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay with deed restrictions [Z078-272], at the northeast corner of Lake June Road and Guard Drive.

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

For: 14 - Hampton, Anderson, Shidid, Carpenter, Blair,
Jung, Housewright, Gibson, Popken, Stanard,
Kingston, Rubin, Haqq, Vann

Against: 0
Absent: 0
Vacancy: 1 - District 3

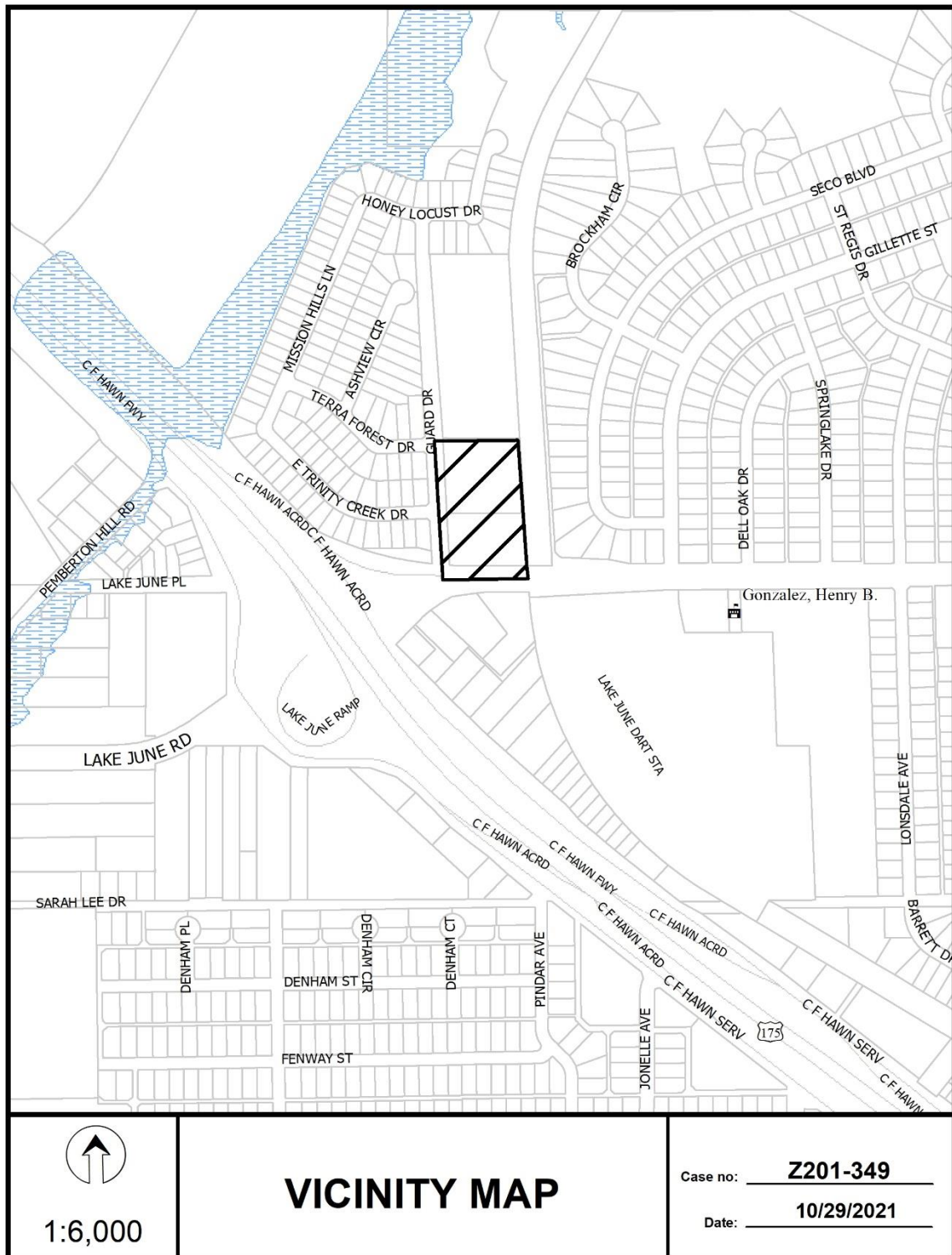
Notices: Area: 300 Mailed: 50
Replies: For: 0 Against: 0

Speakers: For: Latrice Andrews, 1701 N. Collings Blvd, Richardson, TX 75080
Against: None

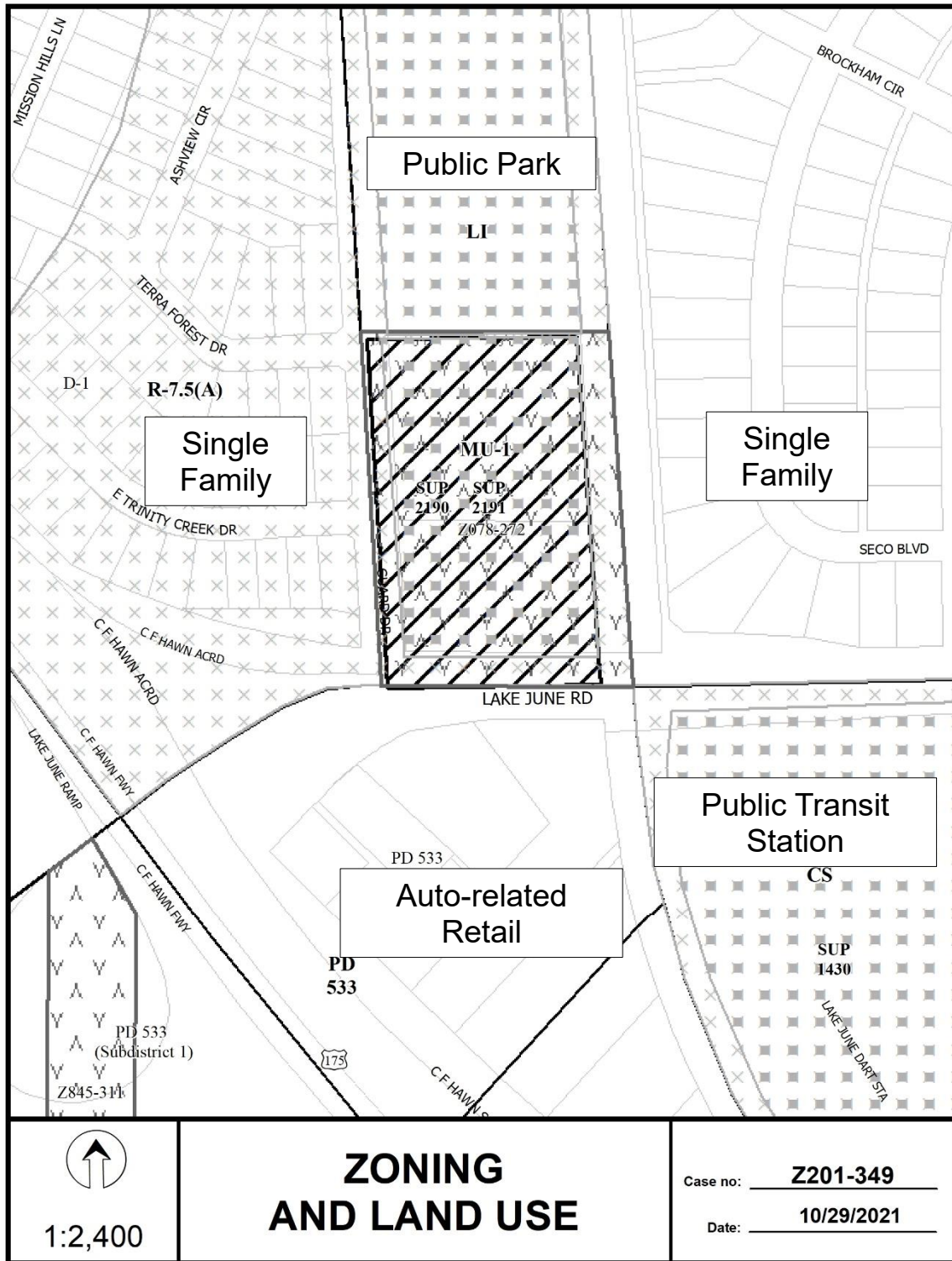
CPC Recommended SUP Conditions

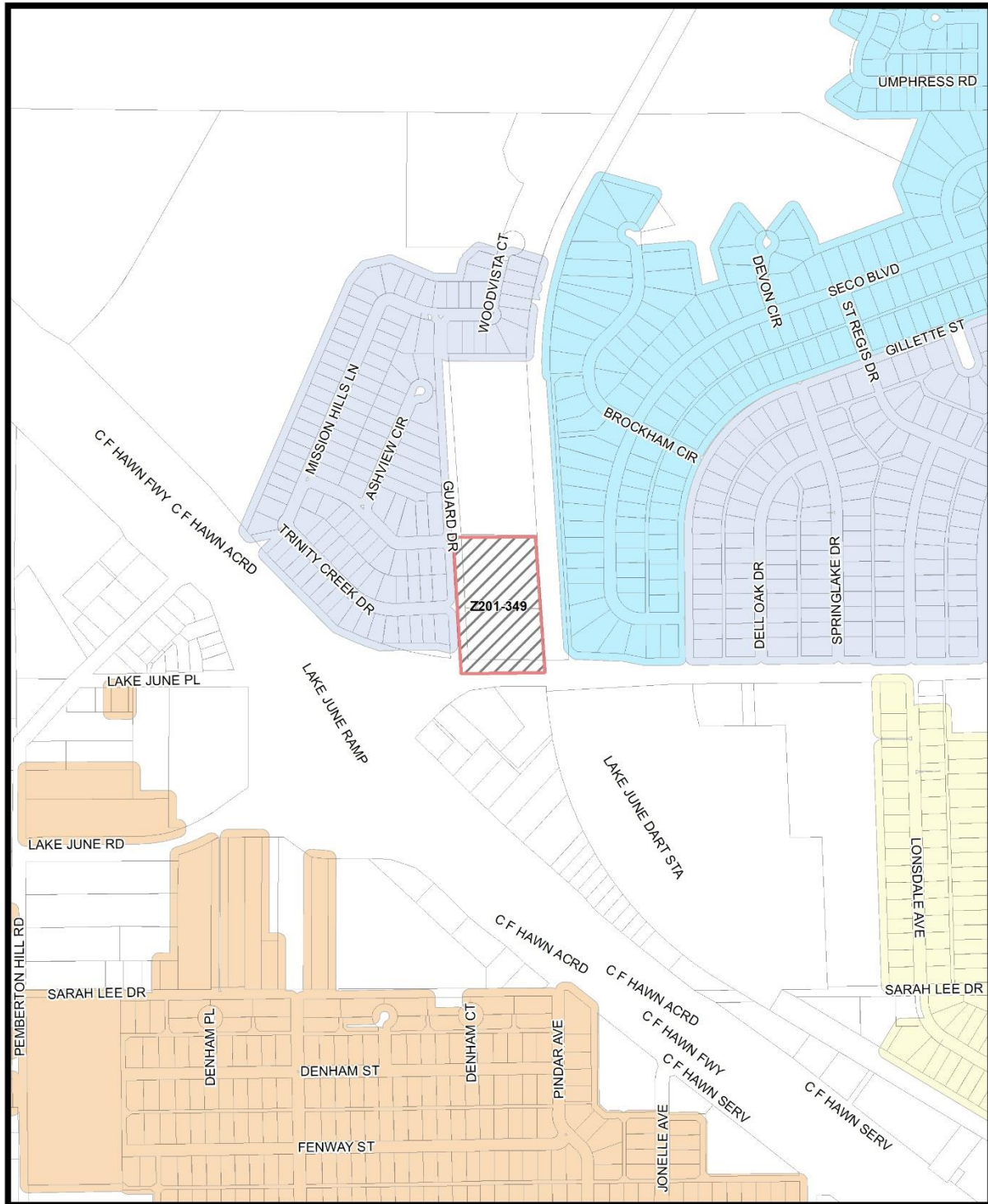
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~April 8, 2022~~ _____ (two 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.)
4. FLOOR AREA: The maximum floor area is 9,240 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.











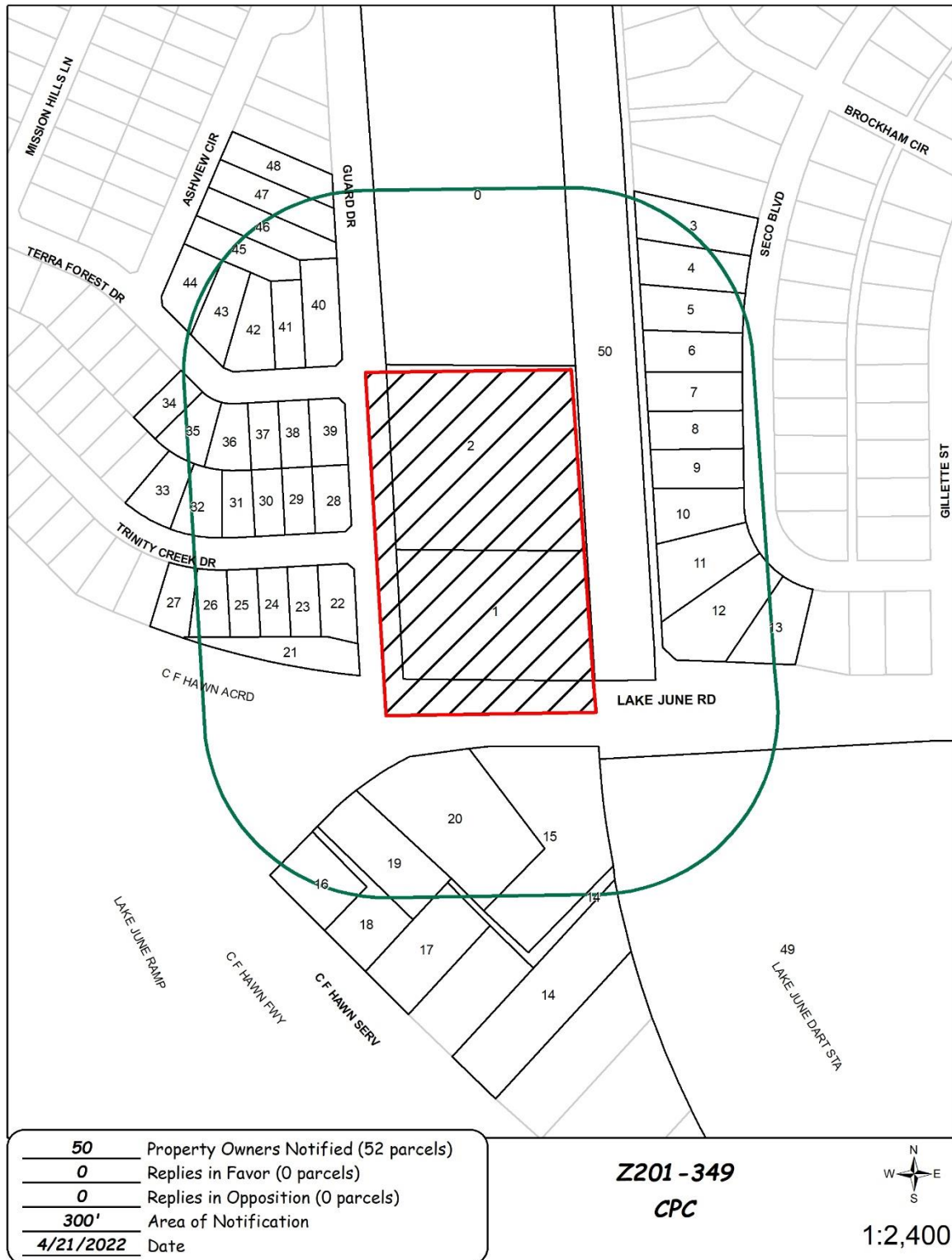
Market Value Analysis



1:6,000

Market Value Analysis

Printed Date: 10/29/2021



04/20/2022

Reply List of Property Owners***Z201-349******50 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	6343 LAKE JUNE RD	RF & SONS PROPERTIES LLC
	2	6343 LAKE JUNE RD	786 CHARCO BLANCO LLC
	3	6469 SECO BLVD	VILLEGAS MARIA
	4	6465 SECO BLVD	RODRIGUEZ CRESCENCIO
	5	6459 SECO BLVD	PATTERSON CAROLYN J
	6	6453 SECO BLVD	WARREN MARY R
	7	6449 SECO BLVD	BOCANEGRA ROSENDO ALMANZA & OLGA EQUIA
	8	6443 SECO BLVD	BUTLER ANNETTA AVERY
	9	6439 SECO BLVD	YATES ANITA
	10	6435 SECO BLVD	GONZALEZ VINCENTE &
	11	6429 SECO BLVD	PRICE CAMERON & KRISTEN J
	12	6425 SECO BLVD	TREJO GUADALUPE I &
	13	6419 SECO BLVD	CRUZ SAN JUANA MORENO
	14	6312 LAKE JUNE RD	REYES GERARDO
	15	6312 LAKE JUNE RD	REYES GERARDO
	16	6310 C F HAWN FWY	BROWN RICHARD
	17	6334 C F HAWN FWY	BROWN RICHARD E
	18	6326 C F HAWN FWY	BROWN RICHARD E
	19	6312 LAKE JUNE RD	MELENDEZ SONIA E
	20	6320 LAKE JUNE RD	REBOLLOSO RODOLFO
	21	6010 C F HAWN FWY	WHITEROCK HOLDING LTD
	22	6266 TRINITY CREEK DR	RESIDENTIAL RESERVES LLC
	23	6262 TRINITY CREEK DR	HOLLAND KELVIN
	24	6258 TRINITY CREEK DR	GUTIERREZ RODRIGO S &
	25	6254 TRINITY CREEK DR	MARTINEZ VALENTIN
	26	6250 TRINITY CREEK DR	IVY GERALD & LUELLA

04/20/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27		6246 TRINITY CREEK DR	GONZALEZ IVAN & ROSEMARY
28		6255 TRINITY CREEK DR	GUADALUPE JOSE &
29		6251 TRINITY CREEK DR	CABALLERO JOSE ARAMBURO &
30		6247 TRINITY CREEK DR	GUTIERREZ RODRIGO & MARIA A
31		6243 TRINITY CREEK DR	ADAMS GODFREY A
32		6239 TRINITY CREEK DR	MOLINA ARMANDO &
33		6235 TRINITY CREEK DR	MOIBI MOJISOLA O
34		6226 TERRA FOREST DR	HOUGH AVA GWENETTE
35		6230 TERRA FOREST DR	WOODS KENETRA & KERRY
36		6234 TERRA FOREST DR	MYERS LETRECIA
37		6238 TERRA FOREST DR	ESCOBAR EDWIN
38		6242 TERRA FOREST DR	GUTIERREZ RODRIGO S & MARIA A
39		6246 TERRA FOREST DR	ZUNIGA BONIFACIO &
40		6241 TERRA FOREST DR	IBARRA JOSE G &
41		6237 TERRA FOREST DR	HAWTHORNE JASMINE
42		6233 TERRA FOREST DR	SAUCEDO URBANO &
43		6229 TERRA FOREST DR	CANELO SERAFIN & M CONSUELO
44		6225 TERRA FOREST DR	RODRIGUEZ IGNACIO & CONSUELO
45		1406 ASHVIEW CIR	HERNANDEZ FELIX J
46		1410 ASHVIEW CIR	HERNANDEZ MARIA A
47		1414 ASHVIEW CIR	PRECIADO CARLOS &
48		1418 ASHVIEW CIR	HERNANDEZ TERESA
49		6414 LAKE JUNE RD	DALLAS AREA RAPID TRANSIT
50		401 S BUCKNER BLVD	DART