

FILE NUMBER: Z212-105(OA) **DATE FILED:** October 10, 2021

LOCATION: Southwest line of South Belt Line Road, south of Seagoville Road

COUNCIL DISTRICT: 8 **MAPSCO:** 70 J

SIZE OF REQUEST: Approx. 2.397 acres **CENSUS TRACT:** 170.04

APPLICANT/OWNER: Seagoville Holdings LLC.

REPRESENTATIVE: Karl A Crawley, Masterplan

REQUEST: An application for an amendment to Specific Use Permit No. 1838 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow for the expansion of the existing building on the site.

CPC RECOMMENDATION: Approval, subject to a revised site plan and conditions

STAFF RECOMMENDATION: Approval, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The existing SUP 1838 was originally adopted in 2011 and it was auto-renewed in 2013 and on January 25, 2018.
- The owner is seeking to expand the existing store from 11,700 square feet to 23,600 square feet.
- The general merchandise or food store is permitted by right. The sale of alcoholic beverages on the property requires a specific use permit due to the D-1 Liquor Control Overlay.
- SUP No. 1838 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet was approved on April 13, 2011, for the site and the current approval expires on April 13, 2023.
- Chapter 12B of the Dallas City Code, Convenience Stores regulations do not apply to this store, because the store is greater than 10,000 square feet of retail floor space.

Zoning History: There have been five zoning requests in the surrounding area in the past five years

- 1. Z178-109:** On January 25, 2018, Specific Use Permit No.1838 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, was automatically renewed for a five-year period, on property zoned a CR-D-1 Commercial Retail District with a D-1 Liquor Control Overlay, located on the south line of Seagoville Road, southwest of Belt Line Road, the subject site.
- 2. Z190-191:** On June 24, 2020, the City Council approved a CR Community Retail District with volunteered deed restrictions [Z190-191] on property zoned an R-10(A) Single Family District, located on the northwest line of Seagoville Road, northeast of Belt Line Road.
- 3. Z190-220:** On September 9, 2020, the City Council approved Specific Use Permit No. 2378 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned a CR-D-1 Commercial Retail District with a D-1 Liquor Control Overlay, located on the west corner of South Belt Line Road and Seagoville Road.
- 4. Z190-215:** On September 9, 2020, the City Council approved Specific Use Permit No. 2393 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned a CR-D-1 Commercial Retail District with a D-1

Liquor Control Overlay, located on the north corner of South Belt Line Road and Seagoville Road.

- 5. Z190-221:** On Wednesday, January 27, 2021, the City Council approved a Planned Development District for multifamily uses on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay and an R-10(A) Single Family District, located on the east corner of South Belt Line Road and Seagoville Road

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/ proposed ROW
South Belt Line Road	Principal Arterial	107 feet
Seagoville Road	Minor Arterial	80 feet

Traffic:

The Engineering Section of the Department of Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not have a detrimental impact on the surrounding street 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 which 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 located in residential community areas, primarily on significant roadways or at key intersections.

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.

5.3.1.5 Build neighborhood facilities, such as schools, libraries, and community centers, within walking distance of transit stations and homes.

West Kleberg Community Plan

West Kleberg Community Plan was adopted by City Council in April 2007. The Vision for the West Kleberg Community Plan was to reflect "Old Kleberg's" historical heritage, by promoting a strong rural atmosphere still allowing for future growth to occur that was sensitive to this context.

5.2 POLICY STATEMENTS, EDD 1.1 ECONOMIC DEVELOPMENT. Encourage new neighborhood-serving uses to locate along the Hwy. 175, Kleberg Rd., Belt Line Rd. and Seagoville Rd. corridors.

The request is consistent with the abovementioned policy statement of the area plan.

Surrounding Land Uses

	Zoning	Land Use
Site	CR with Specific Use Permit No. 1838 with D-1 Overlay District	general merchandise or food store greater than 3,500 square feet
Northeast	R-10 (A), CR with D-1 Overlay, & PDD No 1042	Undeveloped lots, a gas station, auto service, and single-family uses.
Southeast	CR with D-1 Overlay and PD No 1042	Undeveloped lots, gas station, and auto service uses.
Southwest	R-7.5(A), CR with D-1 Overlay	Single-family uses, retail, vacant lots, governmental institution.
Northwest	R-10 (A)	Single family uses

Land Use Compatibility:

The site is developed with an 11,700 square feet general merchandise or food store and holds SUP no. 1838 for the sale of alcoholic beverages in conjunctions with the general merchandise or food store. The applicant is requesting to amend the SUP Site Plan to expand the existing store [Wright's Supermarket] from 11,700 square feet to 23,600 square feet and to continue to sell of alcoholic beverages. The surrounding land uses consist of a variety of retail and personal service uses.

The "D-1" Liquor Control Overlay District requires a Specific Use Permit to sell or serve 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 a 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.

Chapter 12B of the Dallas City Code, Convenience Stores does not apply to this store, because the store is greater 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 use is compatible with the surrounding land uses and the proposed amendments to the existing SUP 1838 meets the general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code. In addition, the expansion will be able to provide enhanced a service throughout the area as a place to buy groceries. Therefore, staff recommends a five-year period with eligibility for automatic renewals for five-year periods, subject to a revised site plan and conditions.

Landscaping

Landscaping shall be provided in accordance with Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 220 square feet of floor area for uses with a floor area of 10,000 or greater but less than 40,000 square feet. The existing SUP had an existing building area of 11,700 square feet and required 54 spaces.

The proposed 23,600 square feet requires 107 parking spaces. The proposed site plan provides 118 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 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 strengths or weaknesses. 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 an "F" category in all directions.

**CPC ACTION
DECEMBER 2, 2021**

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1838 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, subject to the revised site plan and conditions on property zoned CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the southwest line of South Belt Line Road, south of Seagoville Road.

Maker: Blair
Second: Hampton
Result: Carried: 11 to 0

For: 11 - Hampton, Shidid, Carpenter, Jackson, Blair,
Jung, Suhler, Haqq, Stanard, Kingston, Rubin

Against: 0
Absent: 1 - Anderson
Vacancy: 2 - District 3, District 10
Conflict: 1 - Popken**

**out of the room, when vote taken

Notices: Area: 300 Mailed: 27
Replies: For: 0 Against: 0

Speakers: For: Karl Crawley, 2201 Main St., Dallas, TX, 75201
Against: None

Z201-105(OA)

List of Officers

SEAGOVILLE HOLDINGS LLC

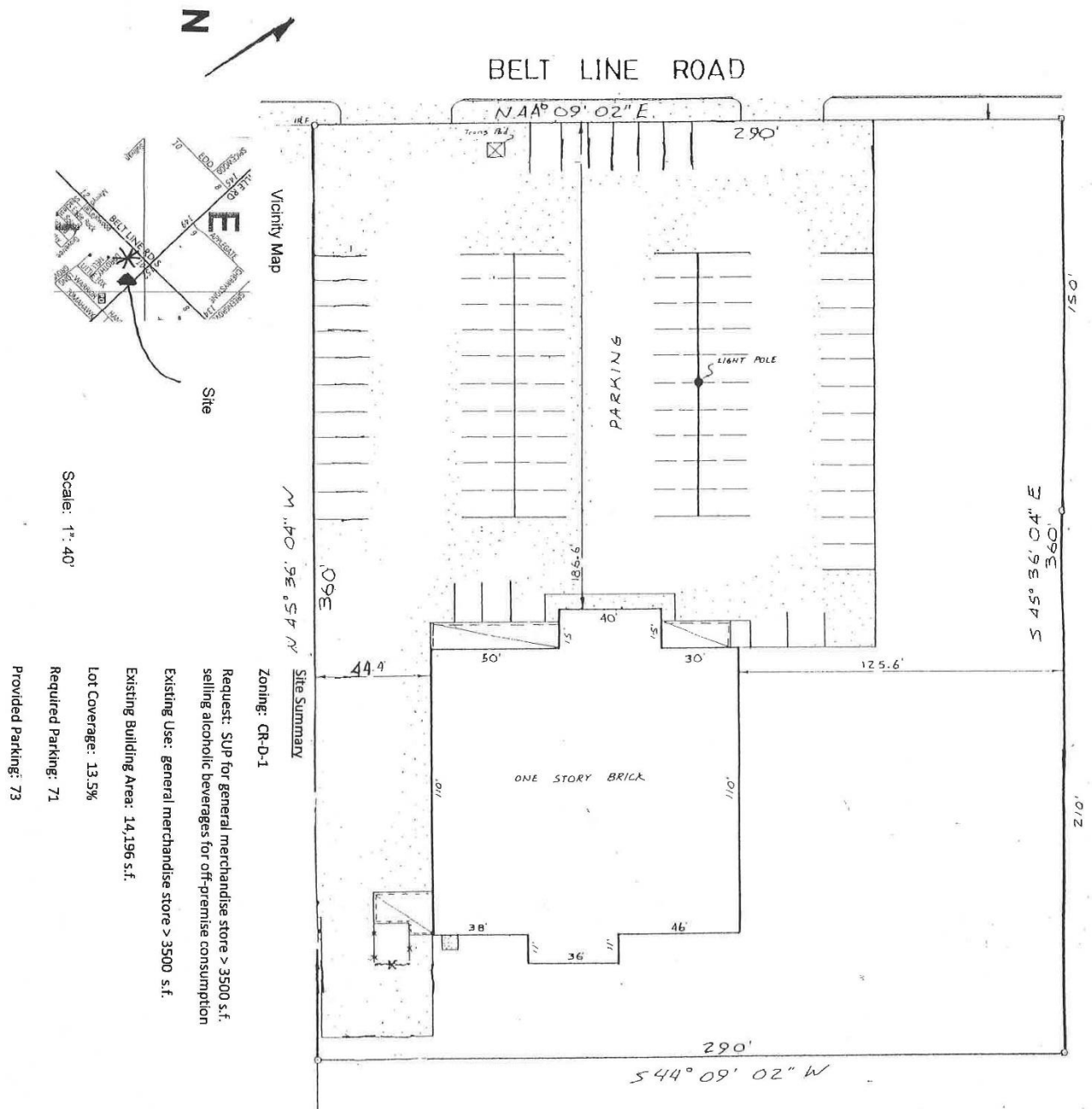
Michael McDaniel.

CPC RECOMMENDED SUP CONDITIONS

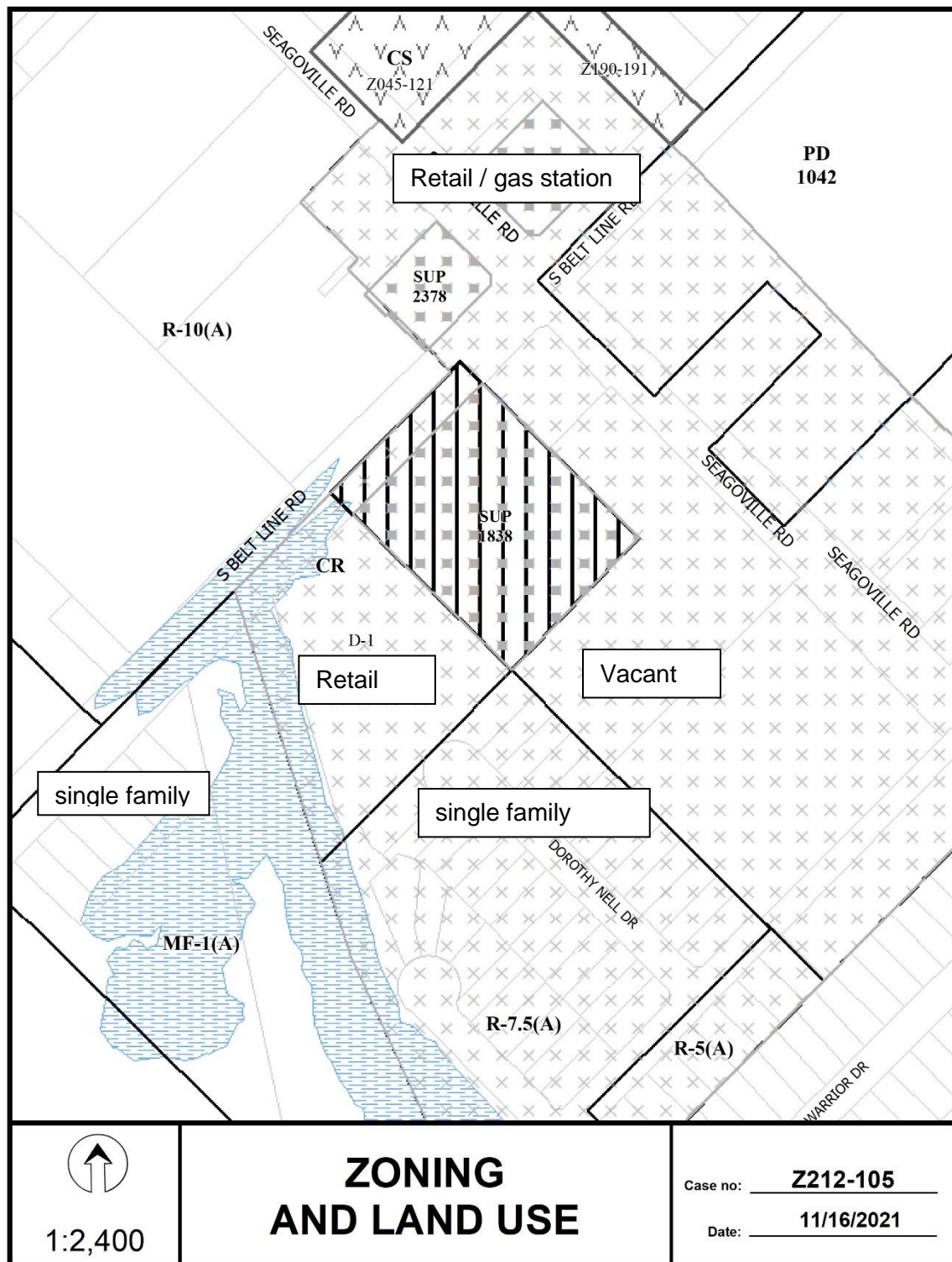
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on April 13, 2023 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.

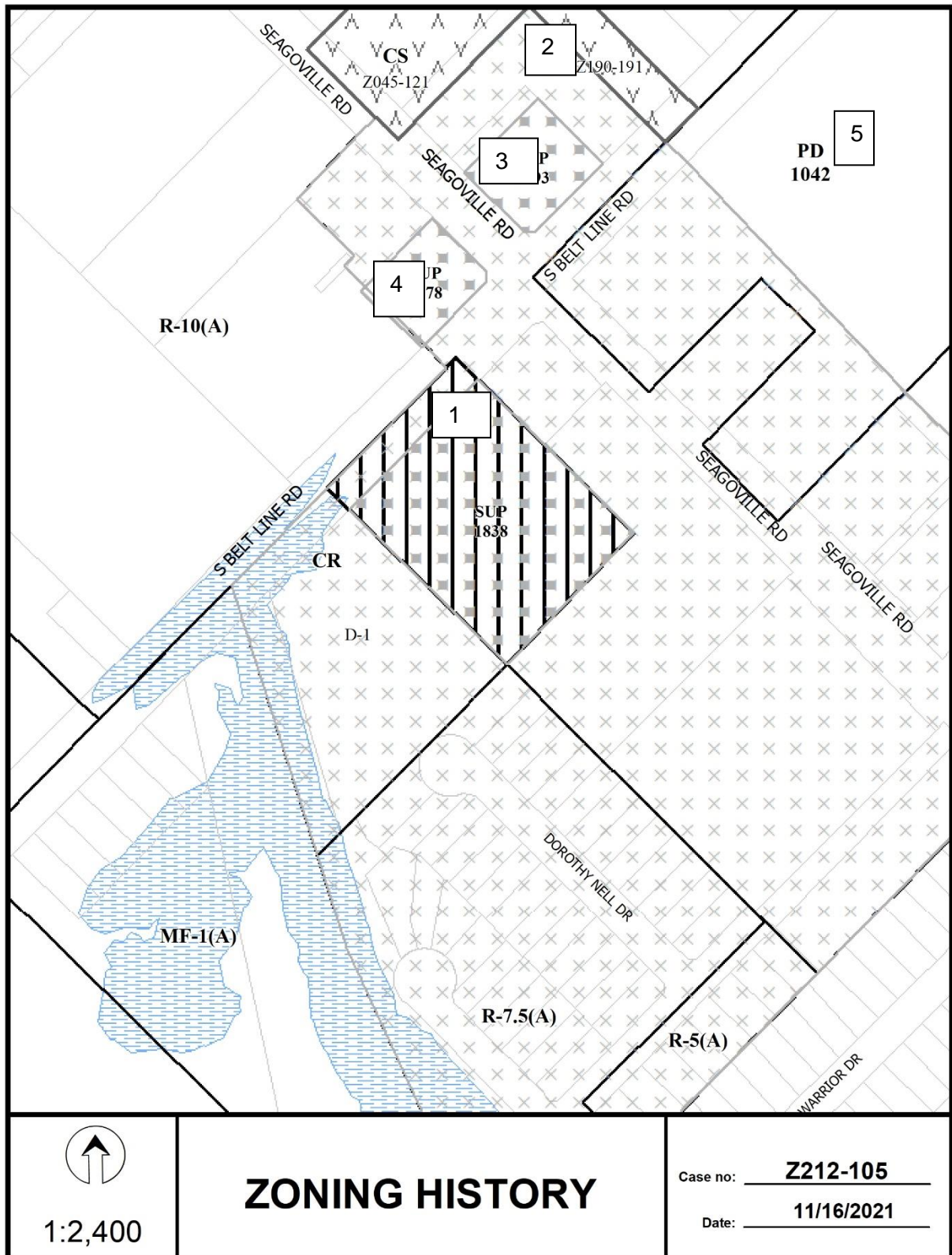


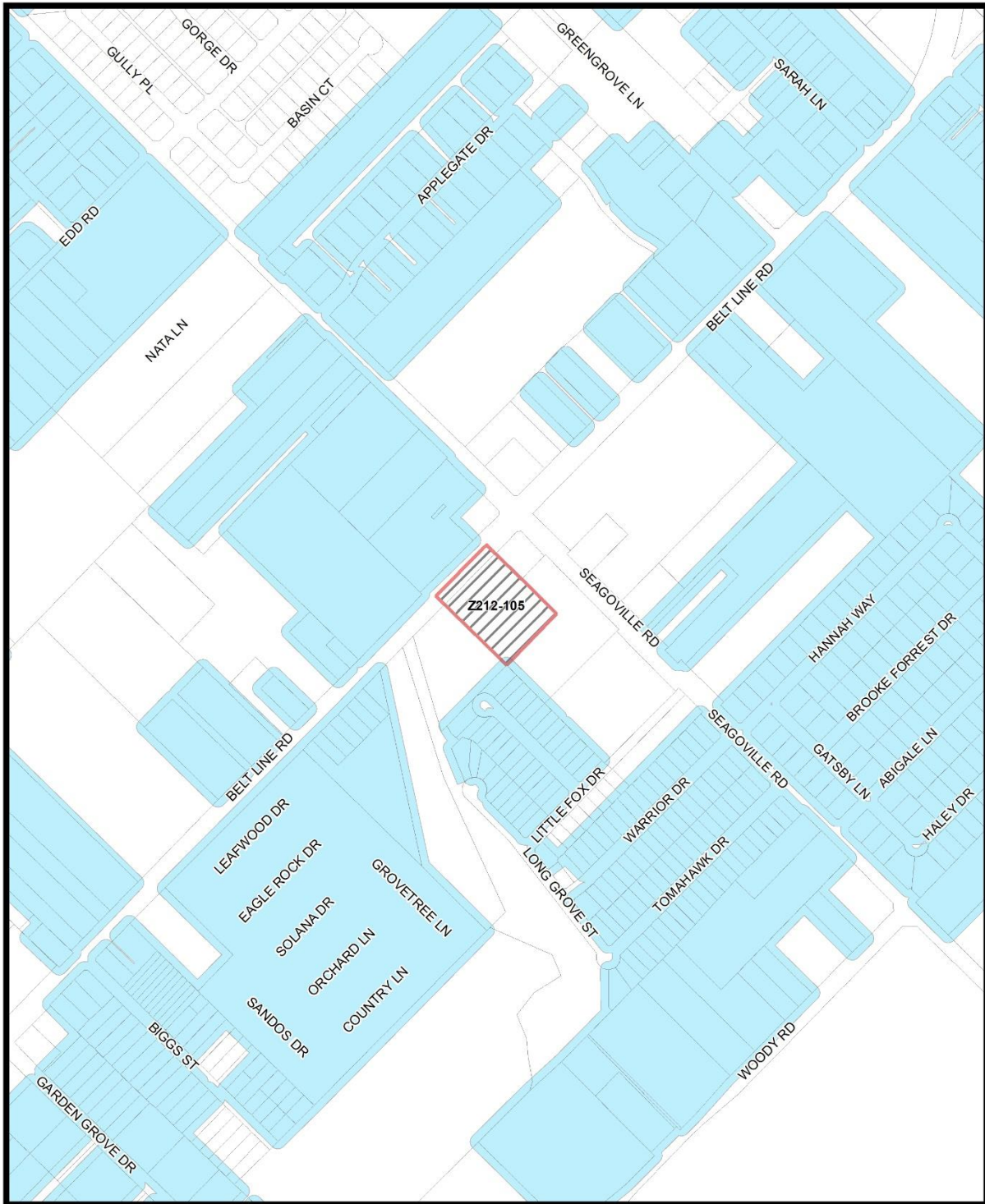
EXISTING SUP SITE PLAN











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



1:6,000

Market Value Analysis

Printed Date: 11/19/2021

CPC RESPONSES



<u>27</u>	Property Owners Notified (28 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>300'</u>	Area of Notification
<u>12/2/2021</u>	Date

Z212-105
CPC



1:2,400

12/01/2021

Reply List of Property Owners***Z212-105******27 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	15100	SEAGOVILLE RD	SEAGOVILLE HOLDINGS LLC
2	15251	SEAGOVILLE RD	BIG SCORE INVESTORS LLC
3	15239	SEAGOVILLE RD	QUIROZ LUCINO & SERGIO
4	1000	S BELTLINE RD	ALKAM HAMZA
5	1131	S BELTLINE RD	BAKER HARRIET L LIFE EST
6	1025	S BELTLINE RD	FLOYD CHARLES M EST OF
7	1001	S BELTLINE RD	FLOYD CHARLES M & BARBARA
8	15130	SEAGOVILLE RD	SAI BUSINESS INVESTMENTS LLC
9	15362	SEAGOVILLE RD	EXCHANGERIGHT NET LEASED PORTFOLIO 5 DST
10	1100	S BELTLINE RD	SOUTHEAST DALLAS DEV
11	15300	SEAGOVILLE RD	US POSTAL SERVICE
12	1100	S BELTLINE RD	FOUR EEEE LLC
13	15426	DOROTHY NELL DR	LEDESMA JOSE JUAN GAMINO &
14	15422	DOROTHY NELL DR	MEDINA MAXIMINO PALOMO &
15	15418	DOROTHY NELL DR	MILLS PATRICIA
16	15414	DOROTHY NELL DR	HERRERA SIMON MIGUEL &
17	15410	DOROTHY NELL DR	ACERO CHRISTIAN RAZO &
18	15406	DOROTHY NELL DR	SANCHEZ ELIZABETH
19	15402	DOROTHY NELL DR	JOHNSON OTIS L &
20	15403	DOROTHY NELL DR	PIUS TEMITOPE
21	15407	DOROTHY NELL DR	GUTIERREZ HEVER J RODAS
22	15411	DOROTHY NELL DR	LUNA JORGE L
23	15415	DOROTHY NELL DR	LURSEN BLANCA & JORGE
24	15419	DOROTHY NELL DR	NEXT STOP LLC
25	15423	DOROTHY NELL DR	JIMENEZ JOSE J R & MA DOLORES &
26	1130	S BELTLINE RD	LAM HIU M &
27	951	S BELTLINE RD	AMMOURI ABED