

FILE NUMBER: Z212-290(RM) **DATE FILED:** July 1, 2022

LOCATION: Southeast corner of South Hampton Road and Burlington Boulevard

COUNCIL DISTRICT: 1

SIZE OF REQUEST: Approx. 0.38 acre **CENSUS TRACT:** 48113005200

REPRESENTATIVE: Vrinda Bhuta, Song Whiddon PLLC

OWNER/APPLICANT: Rahim Noorani, Texas Hamptons LLC

REQUEST: An application for 1) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet; and 2) a D-1 Liquor Control Overlay on property zoned a CR-D Community Retail District with a D Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow the sale of alcoholic beverages in conjunction with an existing general merchandise or food store greater than 3,500 square feet. [La Guadalupana Meat Market]

STAFF RECOMMENDATION: Approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a three-year period, subject to a site plan and staff's recommended conditions; and approval of a D-1 Liquor Control Overlay.

BACKGROUND INFORMATION:

- The area of request is currently zoned a CR-D Community Retail District with a D Liquor Control Overlay. The property is currently developed with a general merchandise or food store 3,500 square feet or greater.
- The applicant requests a new Specific Use Permit for the sale of alcoholic beverages in conjunction with the existing general merchandise or food store 3,500 square feet or greater.
- The request area is currently within a D Liquor Control Overlay, which does not permit the sale of alcoholic beverages. Therefore, the applicant also requests a change to a D-1 Liquor Control Overlay, which allows the sale of alcoholic beverages subject to an SUP.
- As shown on the proposed site plan, the applicant does not propose any modifications to the existing site. They request an initial time limit of three years with eligibility for automatic renewal for additional two-year periods.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Hampton Road	Principal Arterial	100 feet
Burlington Boulevard	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 will continue review of engineering plans at permitting to comply with city standards.

Land Use:

	Zoning	Land Use
Site	CR-D	General merchandise or food store greater than 3,500 square feet
North	CR-D	Office, restaurant without drive-in or drive-through service
East	R-7.5(A)	Single family
South	CR-D	General merchandise or food store 3,500 square feet or less, restaurant without drive-in or drive-through service, personal service use
West	CR-D	Restaurant with drive-in or drive-through service

Land Use Compatibility:

The area of request is currently developed with a general merchandise or food store greater than 3,500 square feet. To the east are single family uses separated from the request area by an alley. Uses along South Hampton Road to the north, west, and south include office, general merchandise, or food store 3,500 square feet or less, and personal service use. There are also multiple restaurants with and without drive-in or drive-through service. Staff does not foresee any negative impact on surrounding uses from the applicant's request to sell alcoholic beverages.

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 applicant has passed their convenience store inspection, and their certificate of registration was issued on April 14, 2023.

The applicant's request, subject to the proposed conditions, is consistent with the intent of the Dallas Development Code.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended. No site changes are proposed with this request; therefore, no additional landscaping requirements are triggered.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store greater than 3,500 square feet is one space per 200 square feet of floor area for uses with less than 10,000 square feet of floor area. The existing building is 5,028 square feet, which requires a minimum of 26 parking spaces. As depicted on the proposed site plan, the site provides 27 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 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 but abuts an “F” MVA cluster to the east. There is another “F” MVA cluster to the west across South Hampton Road as well as “H” and “D” MVA clusters to the south.

Crime Report:

Since September 2017, the area has had 40 phone calls to the Dallas Police Department, with eight offenses and no arrests.

Calls (Summary)	
Problem	Count of Problem
07 - Minor Accident	3
11V - Burg Motor Veh	1
21B - Business Hold Up	4
29 - Open Building	1
32 - Suspicious Person	8
37 - Street Blockage	1
40 - Other	4
40/01 - Other	4
46 - CIT	1
6X - Major Dist. (Violence)	13
Grand Total	40

Offenses (Summary)	
Problem	Count of Problem
09V - UUMV	1
11V - BURG MOTOR VEH	1
40 - OTHER	2
6X - MAJOR DIST (VIOLENCE)	3
PSE/09 - THEFT	1
Grand Total	8

List of Officers

Texas Hamptons, LLC

Ashika Nayyar, Owner

Rahim Noorani, Operator/Manager

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 greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

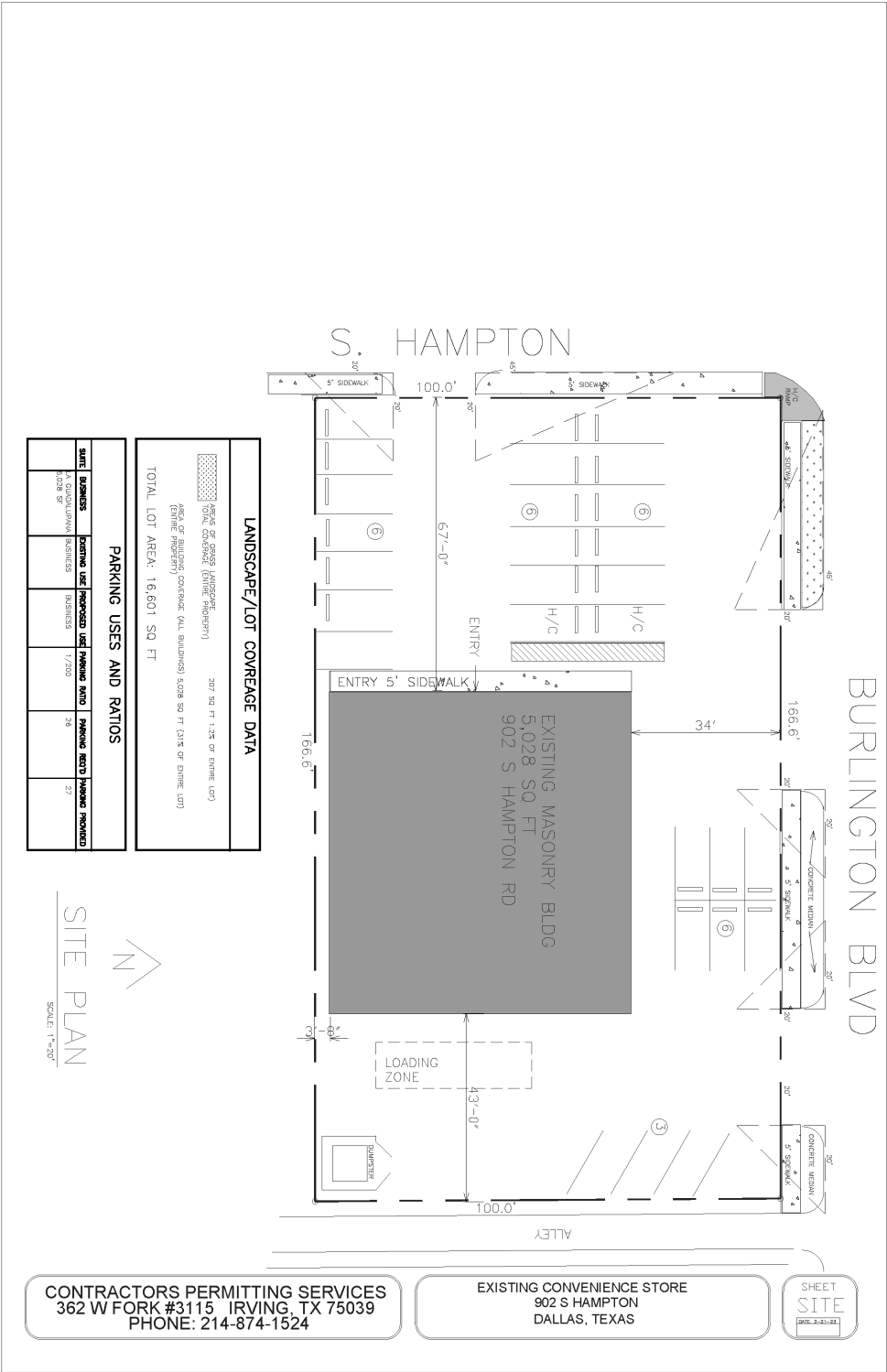
Staff's Recommendation

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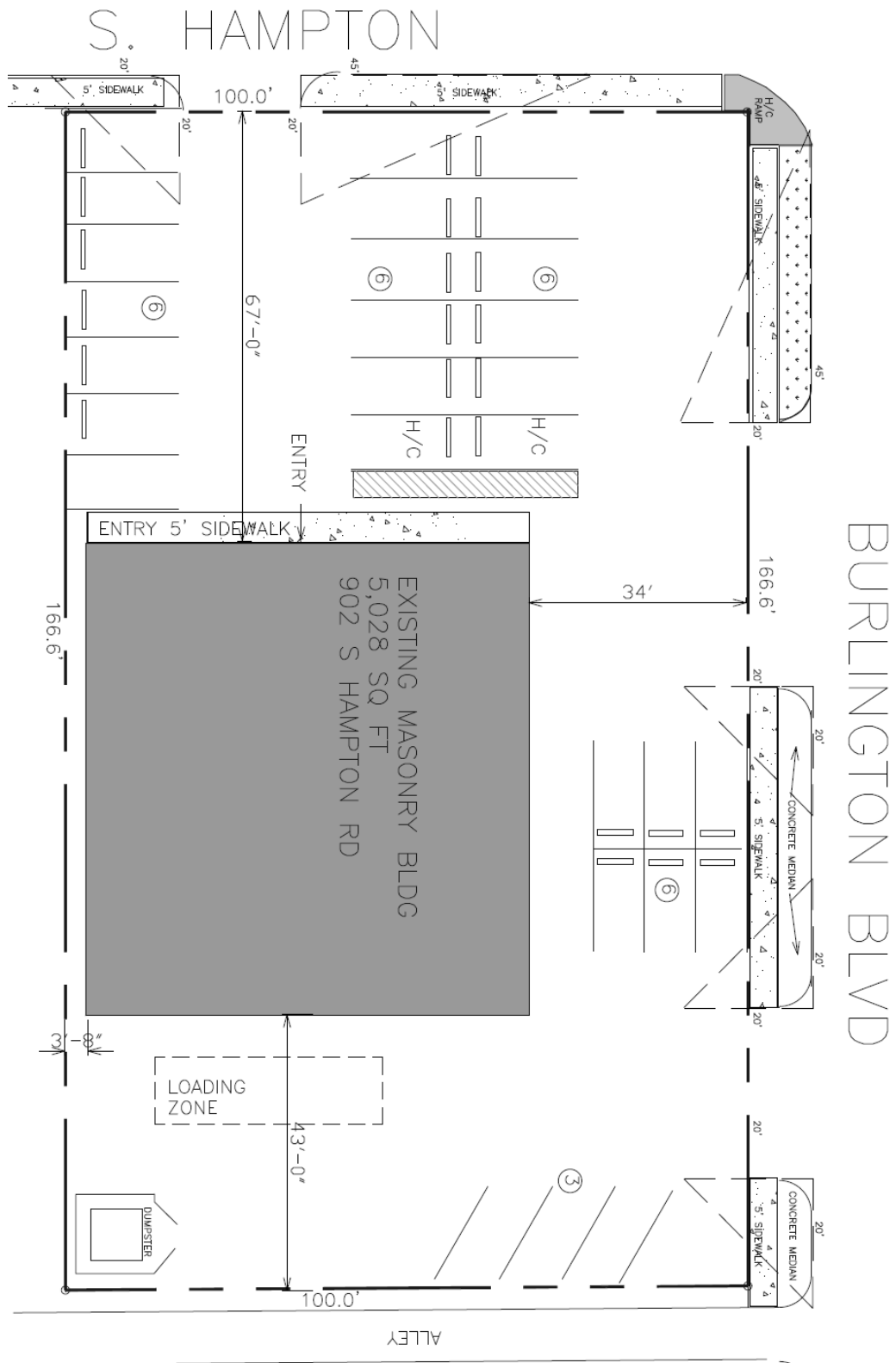
Applicant's Request

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| 3. <u>TIME LIMIT</u> : This specific use permit expires on (three years from the passage of this ordinance), but is eligible for automatic renewal for additional two-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. 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.

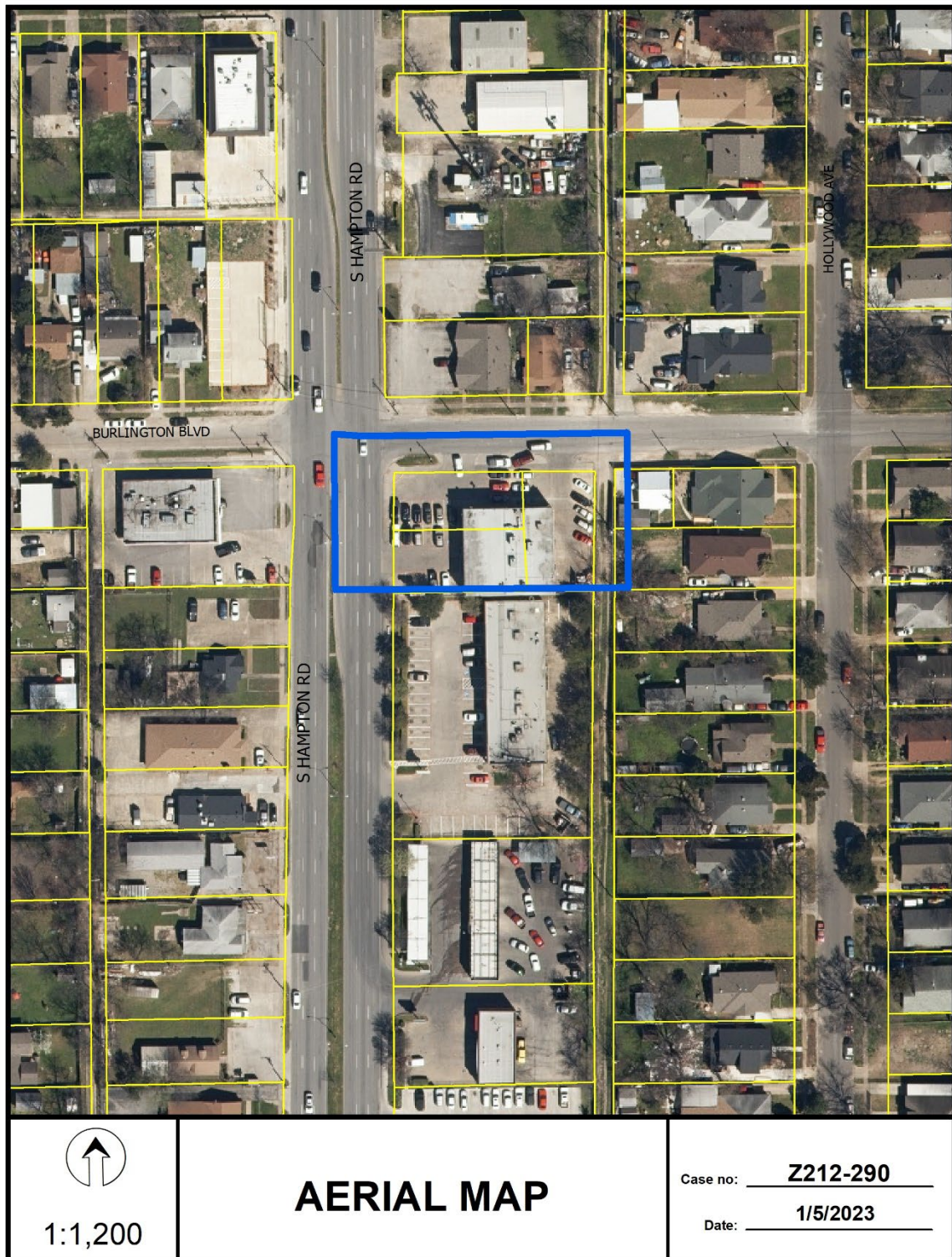
PROPOSED SITE PLAN

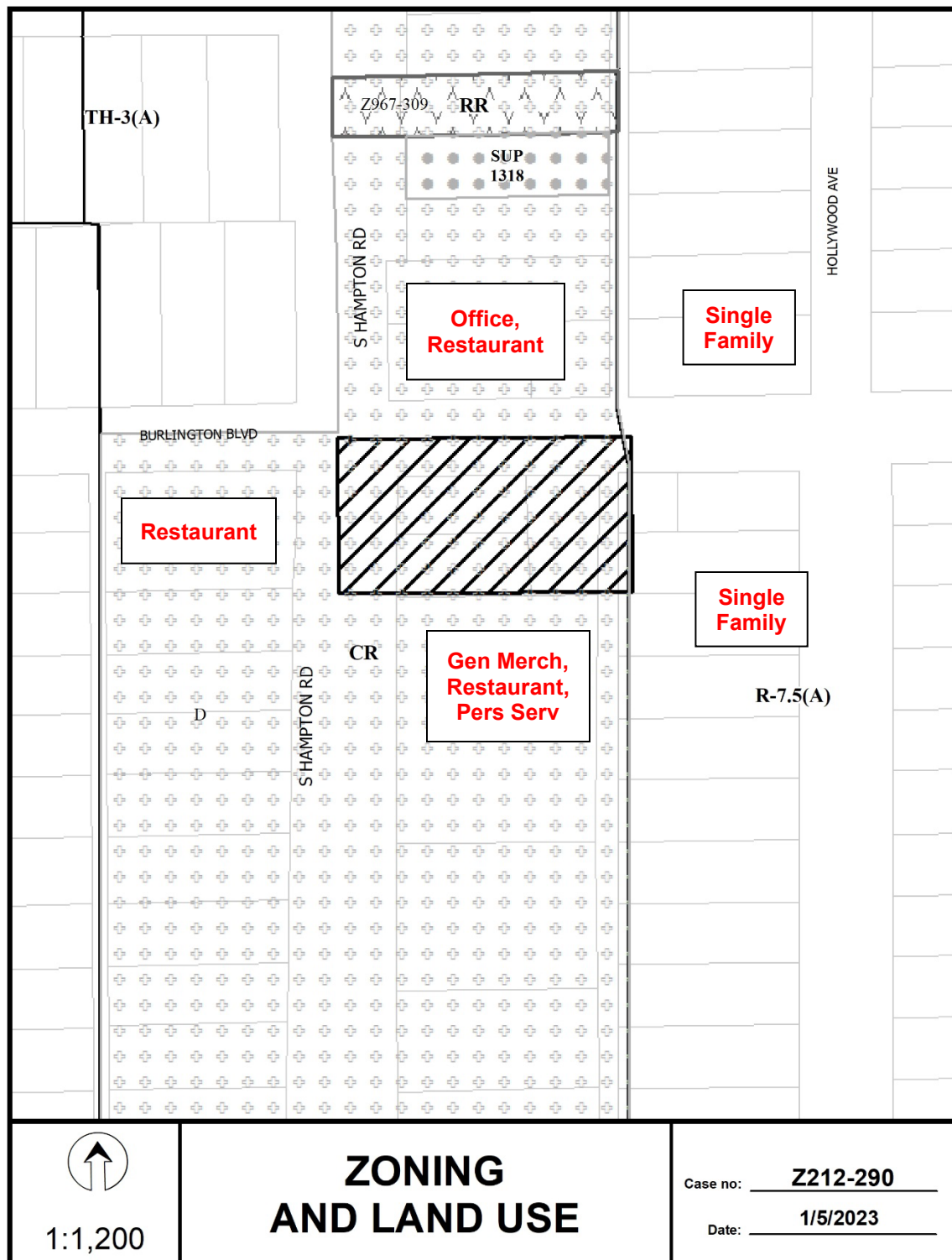


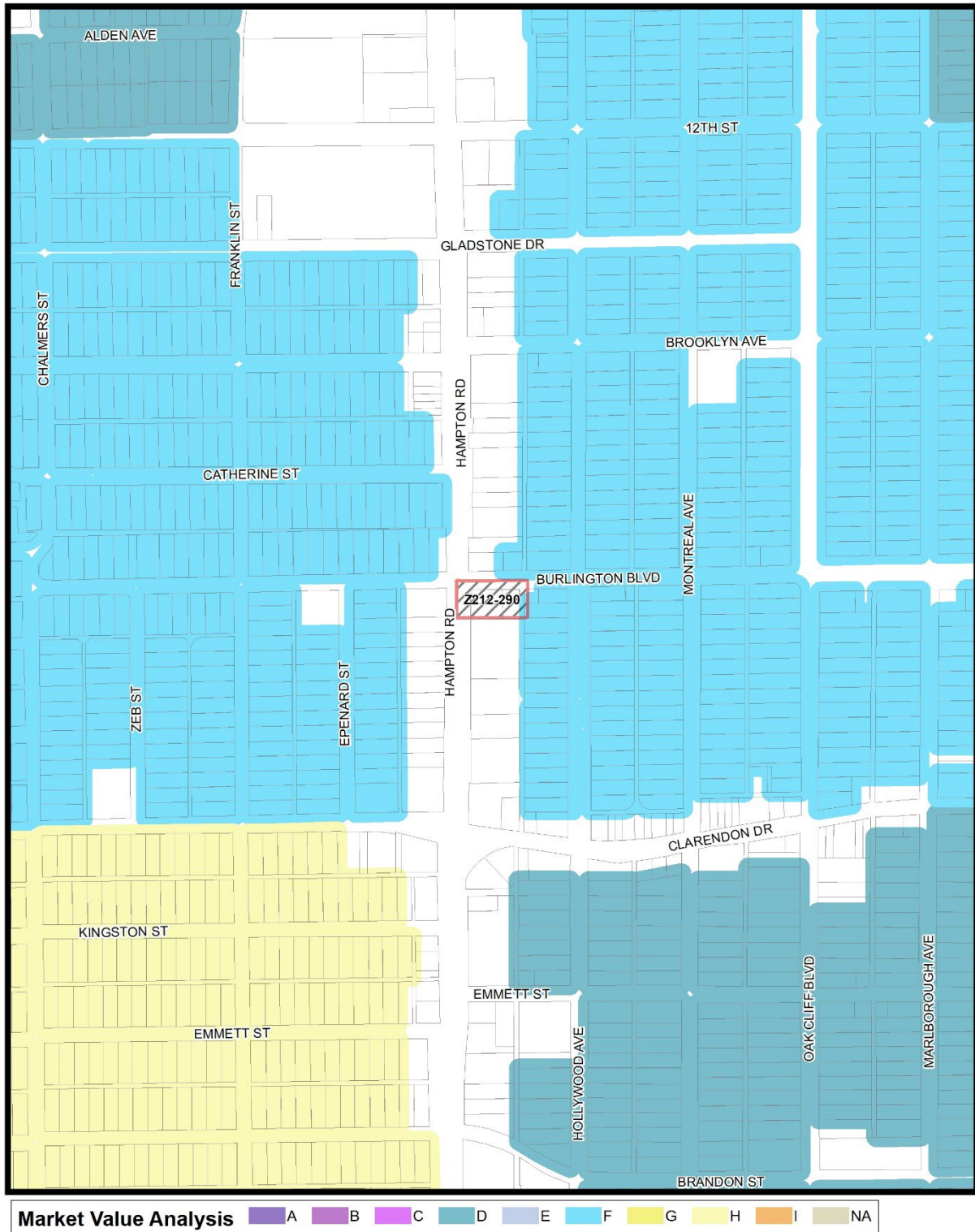
PROPOSED SITE PLAN (ENLARGED)







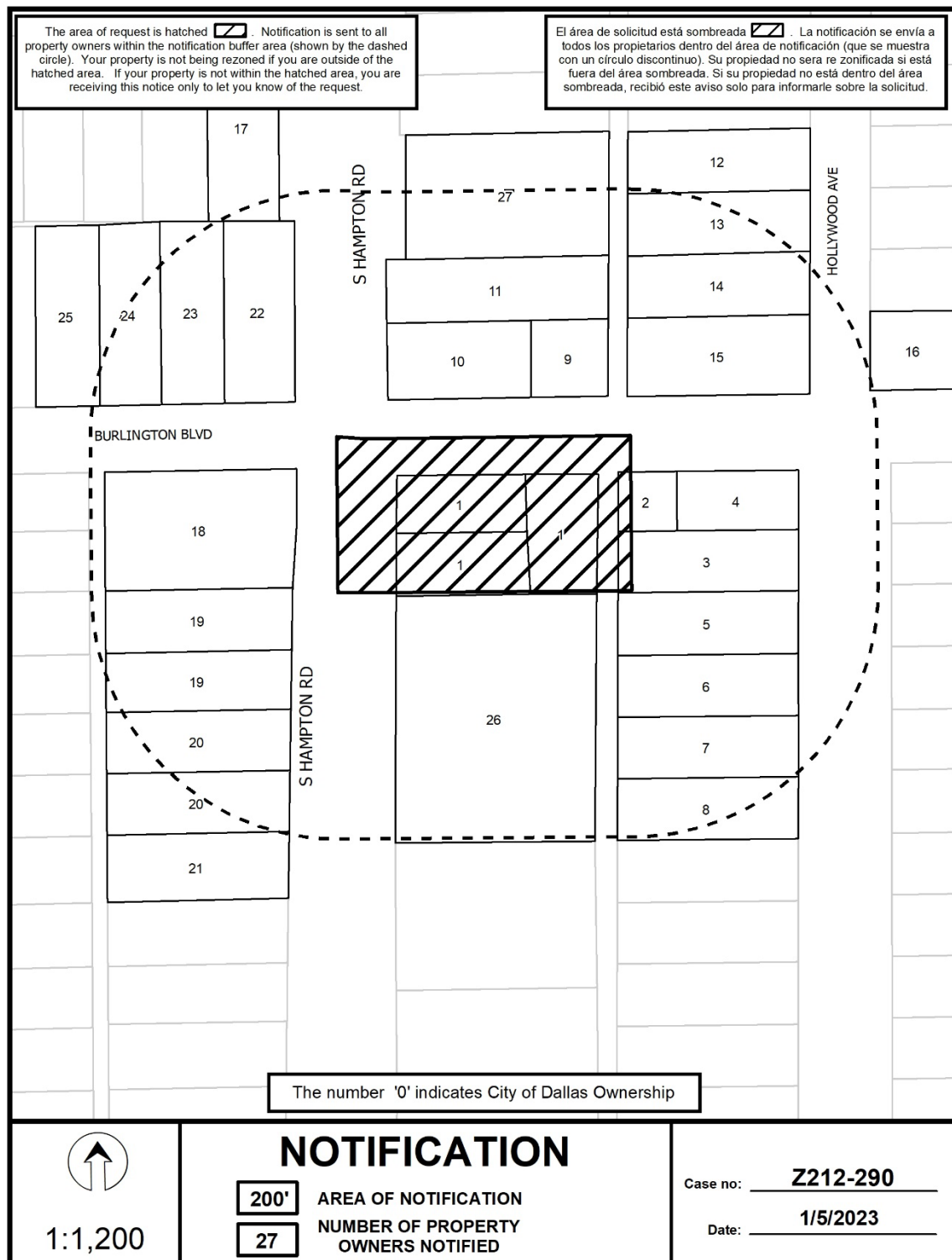




1:4,800

Market Value Analysis

Printed Date: 1/5/2023



01/05/2023

Notification List of Property Owners***Z212-290******27 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	902 S HAMPTON RD	TEXAS HAMPTONS LLC
2	2310 BURLINGTON BLVD	TYRE LOSSIE LOUISE
3	905 HOLLYWOOD AVE	VAZQUEZ JUAN C SR
4	903 S HOLLYWOOD AVE	SUAREZ ANTONIO & ZEPEDA EBELIA
5	909 HOLLYWOOD AVE	FLORES MARIA DEL ROSARIO
6	913 HOLLYWOOD AVE	ARCINIEGA MARIA A
7	917 HOLLYWOOD AVE	Taxpayer at
8	921 HOLLYWOOD AVE	ROBLES OLGA
9	2315 BURLINGTON BLVD	Taxpayer at
10	830 S HAMPTON RD	LI KA SHING LLC
11	820 S HAMPTON RD	ALTAMIRANO LUCIA PATRICIA
12	815 HOLLYWOOD AVE	BOOKER JACK & KAITLIN
13	819 HOLLYWOOD AVE	ZAMORA LEONORA
14	823 S HOLLYWOOD AVE	ALBARRAN JOSE ISABEL &
15	825 HOLLYWOOD AVE	ALBARRAN JOSE I & MARIA G
16	826 S HOLLYWOOD AVE	HERNANDEZ INDALESIO
17	2400 CATHERINE ST	LAW OFFICES OF JUAN C RODRIGUEZ P LLC
18	903 S HAMPTON RD	POLLO FIESTA INC
19	911 S HAMPTON RD	POLLO FIESTA INC
20	919 S HAMPTON RD	GONZALEZ PEDRO & BERTHA
21	927 S HAMPTON RD	927 S HAMPTON SERIES LLC
22	2403 BURLINGTON BLVD	RODRIGUEZ JUAN CARLOS
23	2407 BURLINGTON BLVD	PRIETO PASQUAL JR
24	2411 BURLINGTON BLVD	SERRANO MIGUEL A & LUCILA
25	2415 BURLINGTON BLVD	MORALES IGNACIO CHAPA &
26	910 S HAMPTON RD	VELASQUEZ TOBIAS &

Z212-290(RM)

01/05/2023

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	814 S HAMPTON RD	LI KA SHING LLC