

FILE NUMBER: Z223-322(WK) **DATE FILED:** August 2, 2023

LOCATION: Northeast corner of South Buckner Boulevard and Lake June Road

COUNCIL DISTRICT: 5

SIZE OF REQUEST: Approx. 0.5 acres **CENSUS TRACT:** 48113009203

REPRESENTATIVE: Audra Buckley, Permitted Development

OWNER/APPLICANT: SE Legacy Drive Investments, LLC

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subarea 2 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 for off-premise consumption in conjunction with a convenience store on the site.

CPC RECOMMENDATION: Approval for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of the request is within PD No. 366 (Buckner Boulevard Special Purpose District) Subarea 2.
- The site is currently developed with a general merchandise store less than 3,500 sf with a gas station and is applying for a new specific use permit to continue operations.
- The lot has frontage on both South Buckner Boulevard and Lake June Road.

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 Buckner Boulevard	Principal Arterial	107'
Lake June Road	Principal Arterial	100'

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.

STAFF ANALYSIS:**Land Use:**

	Zoning	Land Use
Site	PD 366 Sub Area 2 with D-1 Liquor Control Overlay	General Merchandise or Food Store less than 3,500 sf.
North	PD 366 Sub Area 2 with D-1 Liquor Control Overlay	Retail center
East	PD No. 366 Sub Area 2 with D-1 Liquor Control Overlay	Retail Center
South	PD 366 Sub Area 8 with D-1 Liquor Control Overlay	Financial institution without drive-in window
West	PD 366 Sub Area 2 with D-1 Liquor Control Overlay	Auto Service

Land Use Compatibility:

The request site is within PD No. 366, Subarea 2, Tract 3 with a D-1 Liquor Control Overlay and is currently developed with a one-story, approximately 3,400-square-foot retail building. The existing general merchandise or food store use currently occupies 2,000 square feet of the building with the remainder occupied by another general merchandise or food store.

Other uses surrounding the area of request, include a mix of retail, personal service, and automotive related uses. The property to the southwest is developed with a pharmacy/convenience store with alcohol sales. The use of a general merchandise store is compatible with the surrounding uses in the immediate vicinity, and the uses along South Buckner Boulevard.

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. As the surrounding the site are a mix of retail and personal service uses, the addition of a general retail store will complement the existing fabric of the intersection.

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.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required.

Parking:

Per code, the parking for retail uses is one space per every 200 square feet of floor area. The request site is comprised of two buildings with a total square footage of 1,863 square feet, with gas pumps. The site is required to provide 12 parking spaces. There are currently 12 parking spaces on site.

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 currently in an “H” MVA cluster that extends to the north, south, and southwest. East of the request area across South Buckner Blvd are “I” MVA clusters.

CPC ACTION
January 18,2024

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and conditions on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the northeast corner of South Buckner Boulevard and Lake June Road.

Maker: Rubin
Second: Hampton
Result: Carried: 13 to 0

For: 13 - Chernock, Hampton, Herbert, Carpenter,
Wheeler-Reagan, Blair*, Sleeper, Housewright,
Treadway, Haqq, Hall, Kingston, Rubin

Against: 0
Absent: 0
Vacancy: 1 - District 4
Conflict: 1 - Shidid**

*out of the room, shown voting in favor

**out of the room, when vote taken

Notices:	Area: 200	Mailed: 12
Replies:	For: 0	Against: 0

Speakers: None

List of Officers

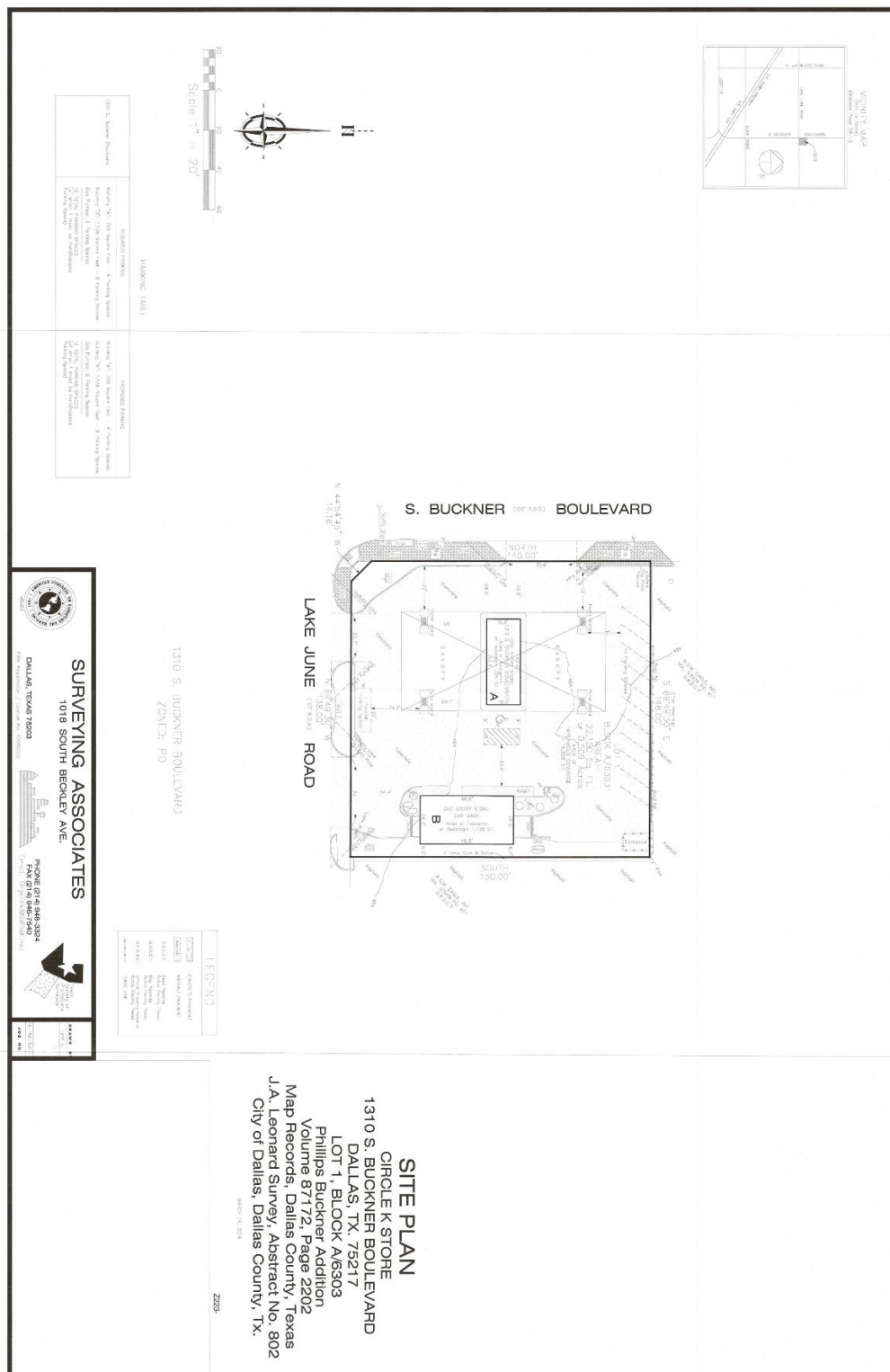
SE Legacy Drive Investments, LLC

Sami Ebrahim, President/Managing Member

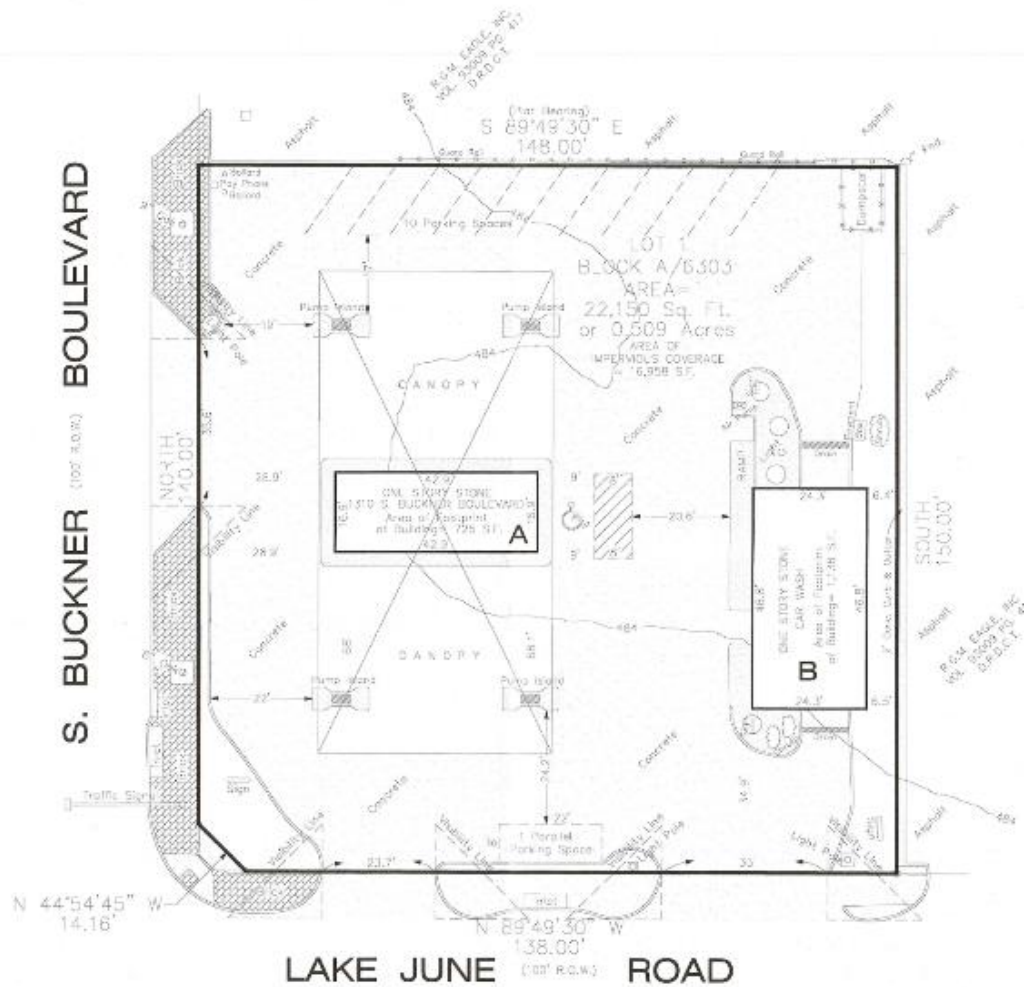
**CPC RECOMMENDED
CONDITIONS**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with 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 _____ (two years from the passage of this ordinance).
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.

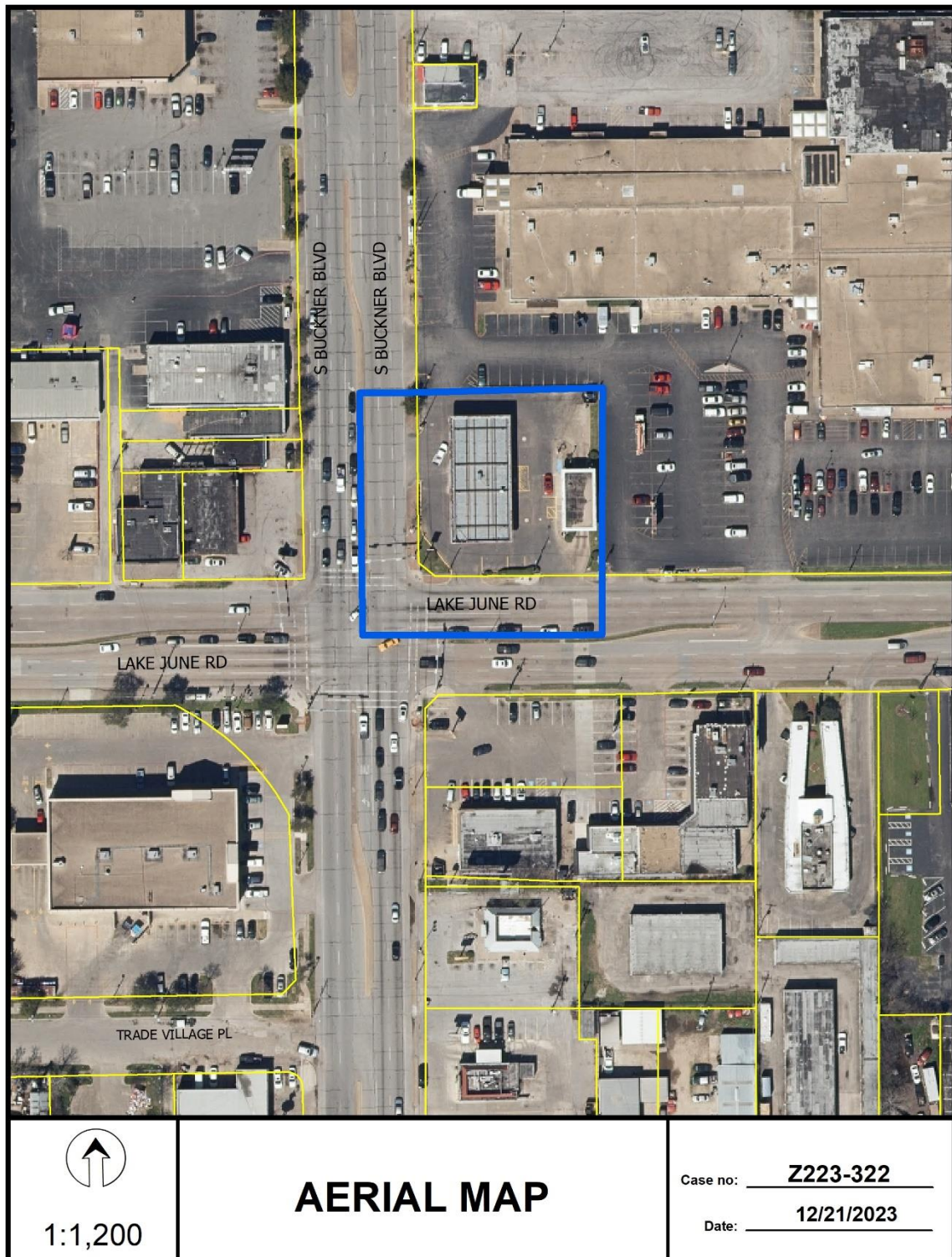
CPC RECOMMENDED SITE PLAN

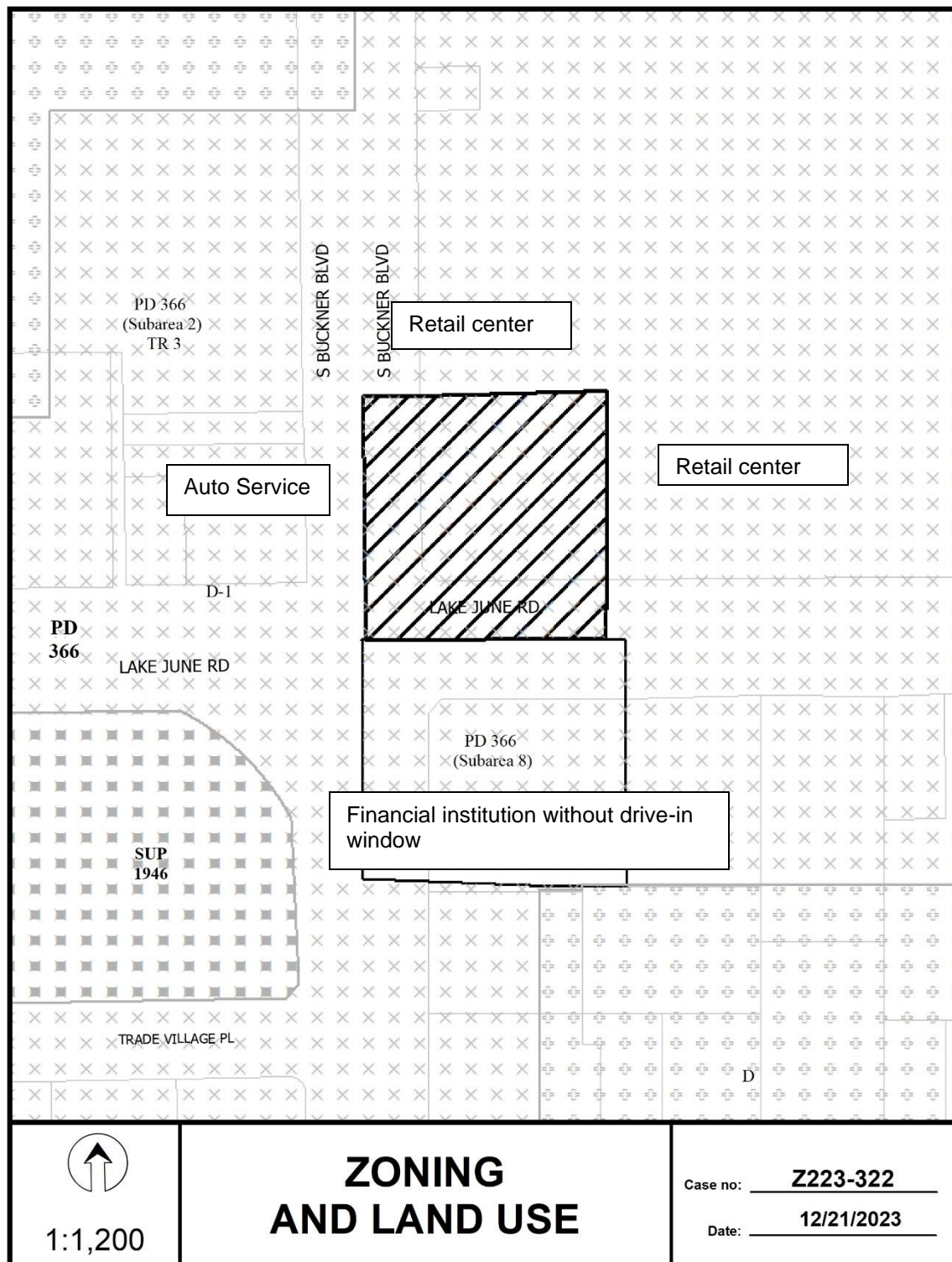


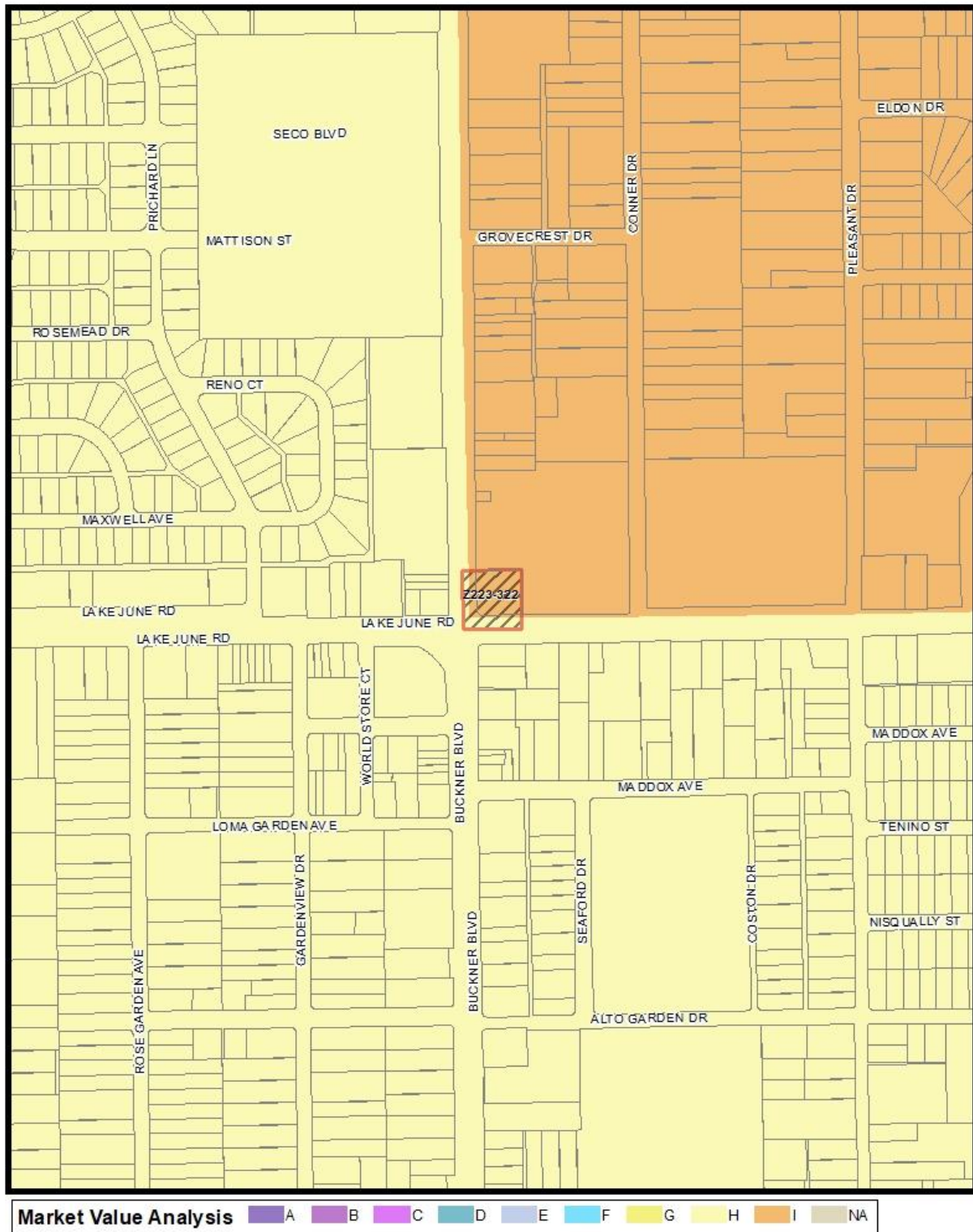
**CPC RECOMMENDED
SITE PLAN (ENLARGED)**







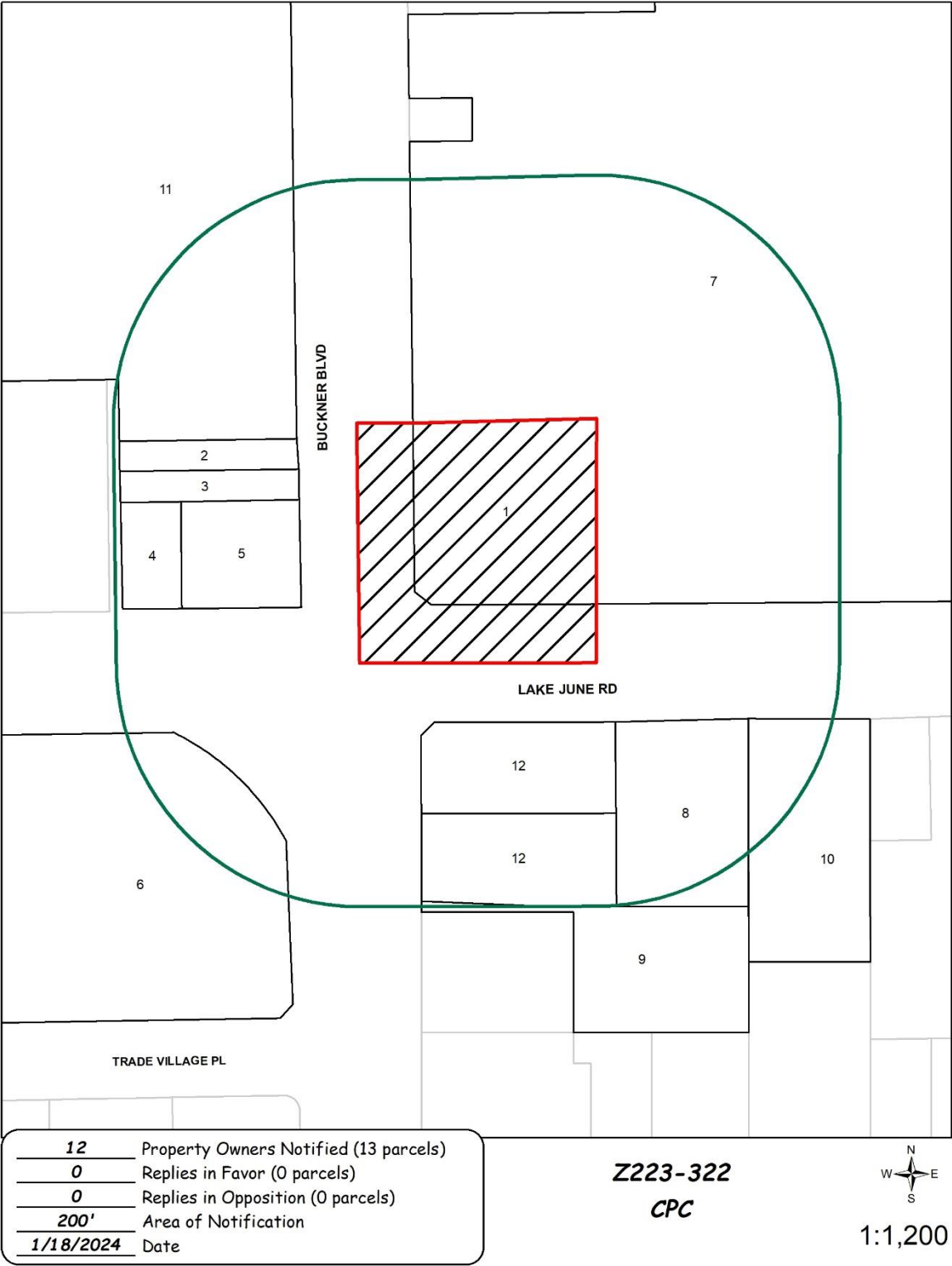




Market Value Analysis

Printed Date: 12/22/2023

CPC RESPONSES



01/17/2024

Reply List of Property Owners***Z223-322******12 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	1310	S BUCKNER BLVD	SE LEGACY DRIVE INVESTMENTS
2	1311	S BUCKNER BLVD	HINDI AMGAD HAMED &
3	1309	S BUCKNER BLVD	HINDI AMGAD &
4	8027	LAKE JUNE RD	SHIDID FAMILY LIVING TRUST
5	1301	S BUCKNER BLVD	HINDI AMGAD HAMID
6	1227	S BUCKNER BLVD	Taxpayer at
7	1310	S BUCKNER BLVD	MCISREHLDGS ONE LLC
8	8124	LAKE JUNE RD	REALEINS PROPERTIES LTD
9	1214	S BUCKNER BLVD	Taxpayer at
10	8126	LAKE JUNE RD	NEKAN ACCOUNTING
11	1343	S BUCKNER BLVD	PVP NWC BUCKNER & LAKE JUNE LLC
12	1250	S BUCKNER BLVD	REALEINS PROPERTIES LTD