

FILE NUMBER: Z223-256(LC) **DATE FILED:** May 2, 2023

LOCATION: West side of South Buckner Boulevard, between North Scyene Road and Blossom Lane

COUNCIL DISTRICT: 5

SIZE OF REQUEST: Approx. 41,382 SQ. FT. **CENSUS TRACT:** 48113009101

REPRESENTATIVE: Santos Martinez

APPLICANT: La Campina, Inc.

OWNER: Buckner Partnership LP

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned Subarea 1 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 in conjunction with a restaurant without drive-in or drive-through service.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- The area of request is currently developed as a restaurant. In addition to this use, the applicant proposes the sale of alcoholic beverages, which requires a specific use permit in the D-1 Liquor Control Overlay.
- The restaurant operates between 8:00 a.m. and 9:00 p.m., Sunday through Thursday, and between 8:00 a.m. and 10:00 p.m., Friday through Saturday.

Zoning History:

There have been one zoning case in the area in the last five years.

- **Z234-125:** On January 24, 2024, City Council approved Specific Use Permit No. 2513 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service for a two-year period on property zoned Subarea 1 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Buckner Blvd	Principal Arterial	107 feet
Bearden Lane	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 ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006, outlining several goals and policies which serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Land Use:

	Zoning	Land Use
Site	PD No. 366 Subarea 1, D-1	Retail, office
North	PD No. 366 Subarea 1, D-1	Retail, office
East	PD No. 366 Subarea 1, D-1	Retail, office
South	PD No. 366 Subarea 1A, D-1, with SUP No. 1941	Retail, office
West	CR Community Retail District, D-1	Undeveloped

Land Use Compatibility:

The property is developed as a portion of a larger property that is developed with a shopping center. The request site is a multi-tenant building, and one suite is occupied with a restaurant use. This Specific Use Permit request is to allow for the restaurant to sell alcohol in a D-1 Liquor Control Overlay. The underlying zoning is PDD No. 366 Subarea 1.

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.

Staff supports the request because the use is not foreseen to be detrimental to surrounding properties. Staff finds the proposed time limit of five years with eligibility for

automatic renewal for additional five-year periods inappropriate for this site and recommends a two-year period with no autorenewal as it reflects and is consistent with other similar recent SUP requests in the immediate surrounding area.

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 restaurant without drive-in or drive-through service is one space per 100 square feet of floor area. The 2,500-square-foot restaurant space will require a minimum of 25 parking spaces. Per the proposed site plan, the site provides 25 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 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 West are “E” MVA clusters. To the Southwest are both “E” and “F” MVA clusters. To the South, Southeast and East are “F” MVA clusters.

List of Officers

La Campina, Inc.

Iris I. Chicas, Director

The Buckner Partnership, L.P.

Ashcroft Development Corporation

Edwin Freedman, President

Karen K. Freedman, Vice President

PROPOSED CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

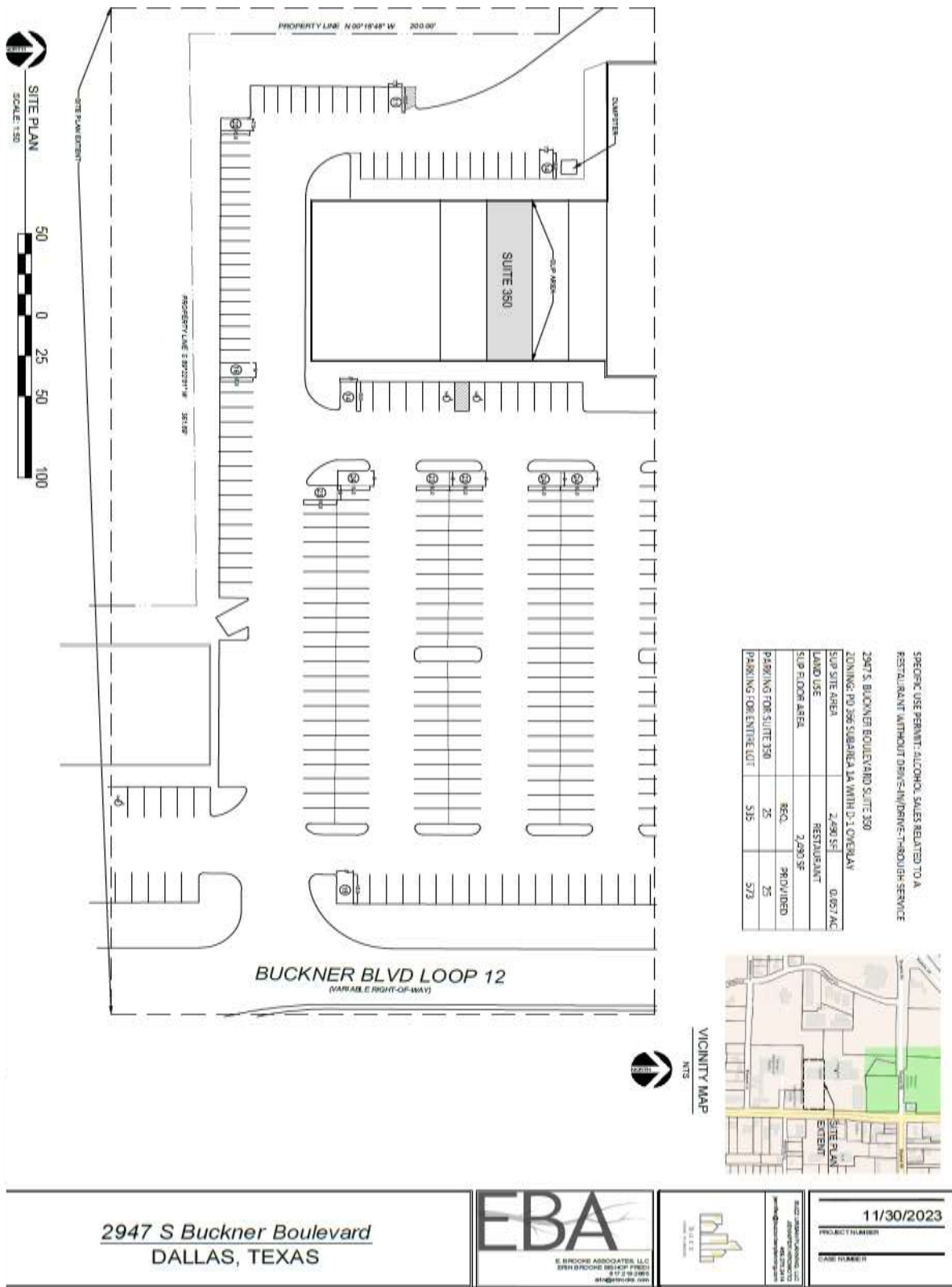
Staff's Recommendation

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| 1. <u>TIME LIMIT</u> : This specific use permit expires on (two-years from the passage of this ordinance). |
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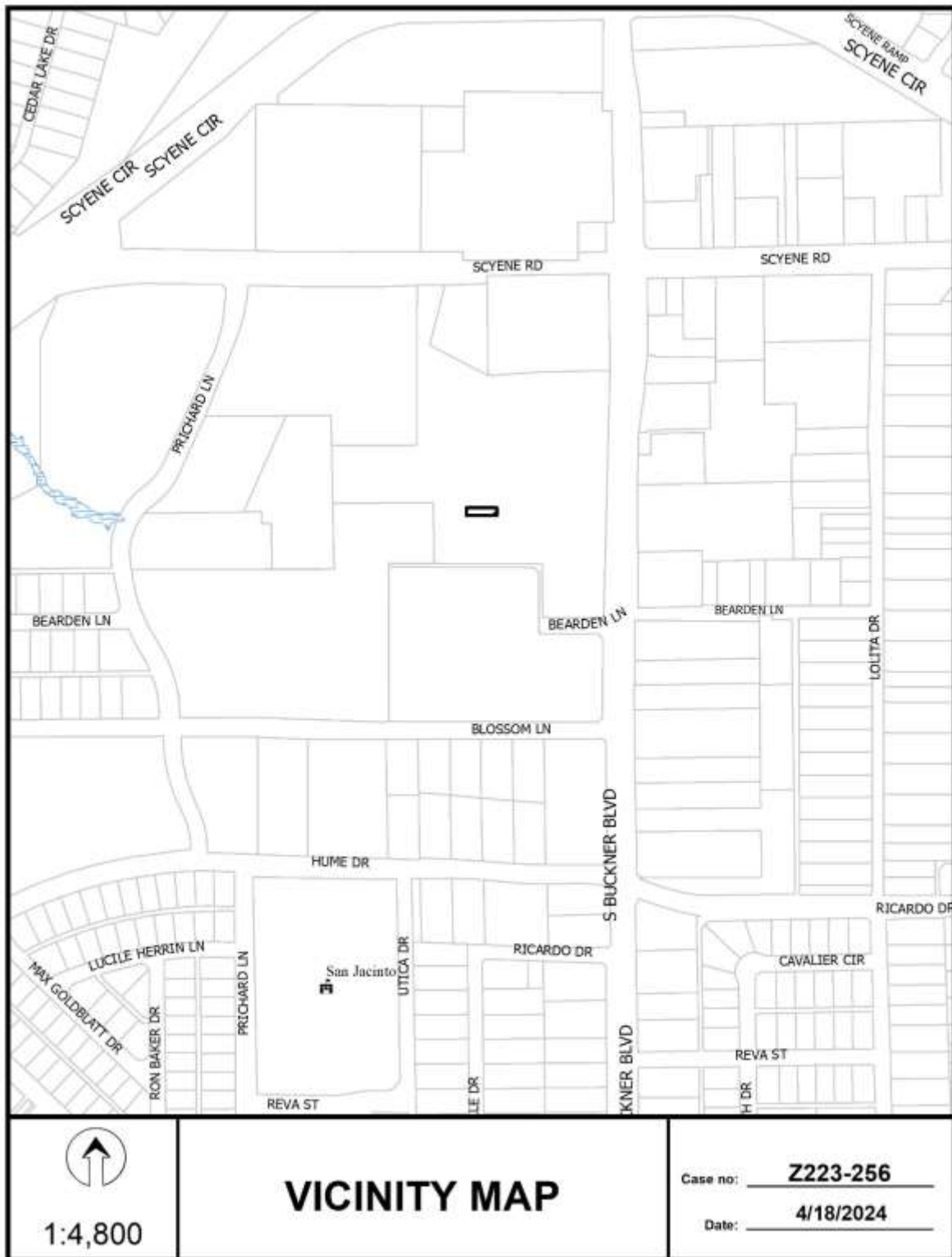
Applicant's Request

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| 3. <u>TIME LIMIT</u> : This specific use permit expires on (five 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.) |
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4. HOURS OF OPERATION: The restaurant without drive-in or drive-through service may only operate between 8:00 a.m. and 9:00 p.m., Sunday through Thursday, and between 8:00 a.m. and 10:00 p.m., Friday through Saturday.
 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.

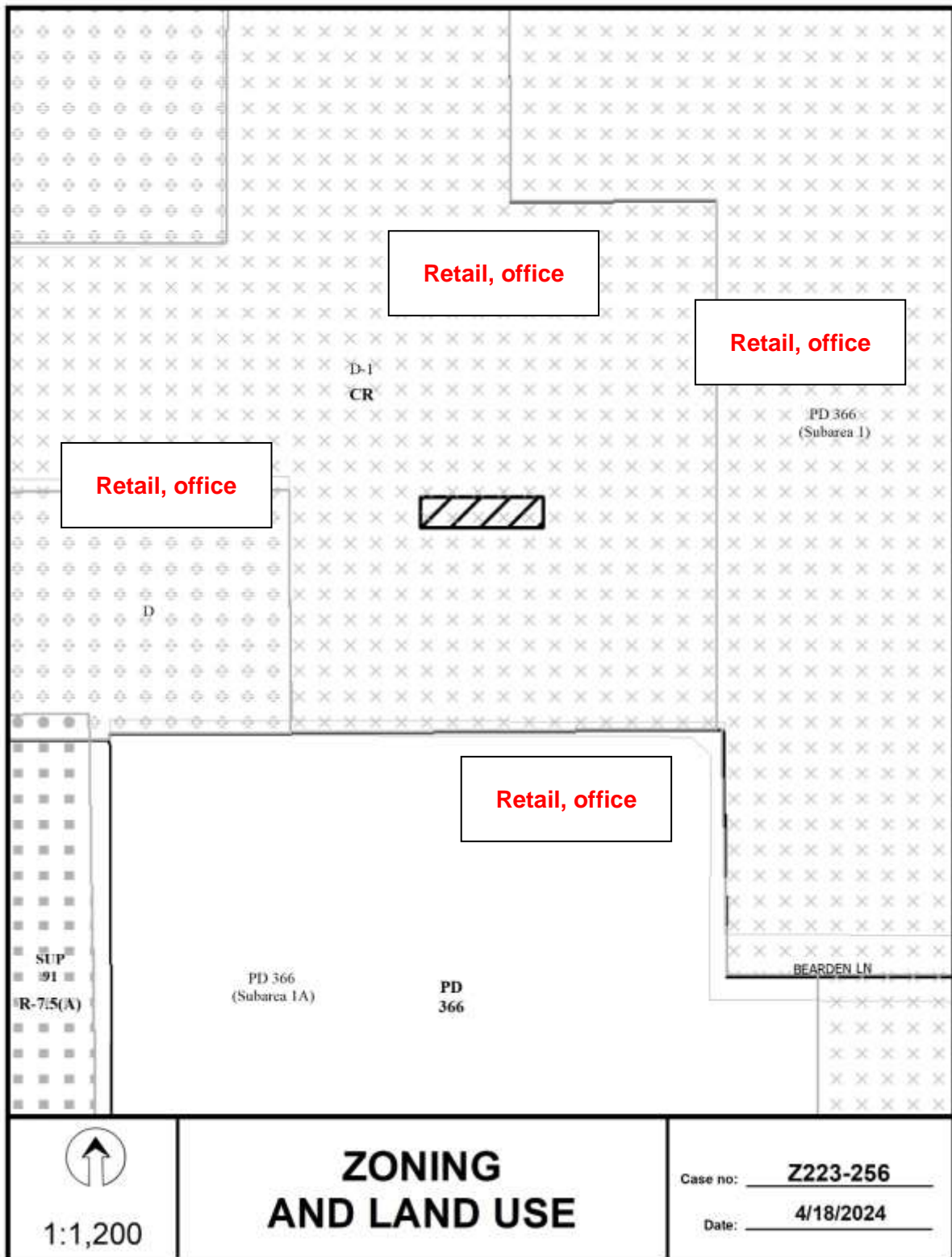
PROPOSED SITE PLAN

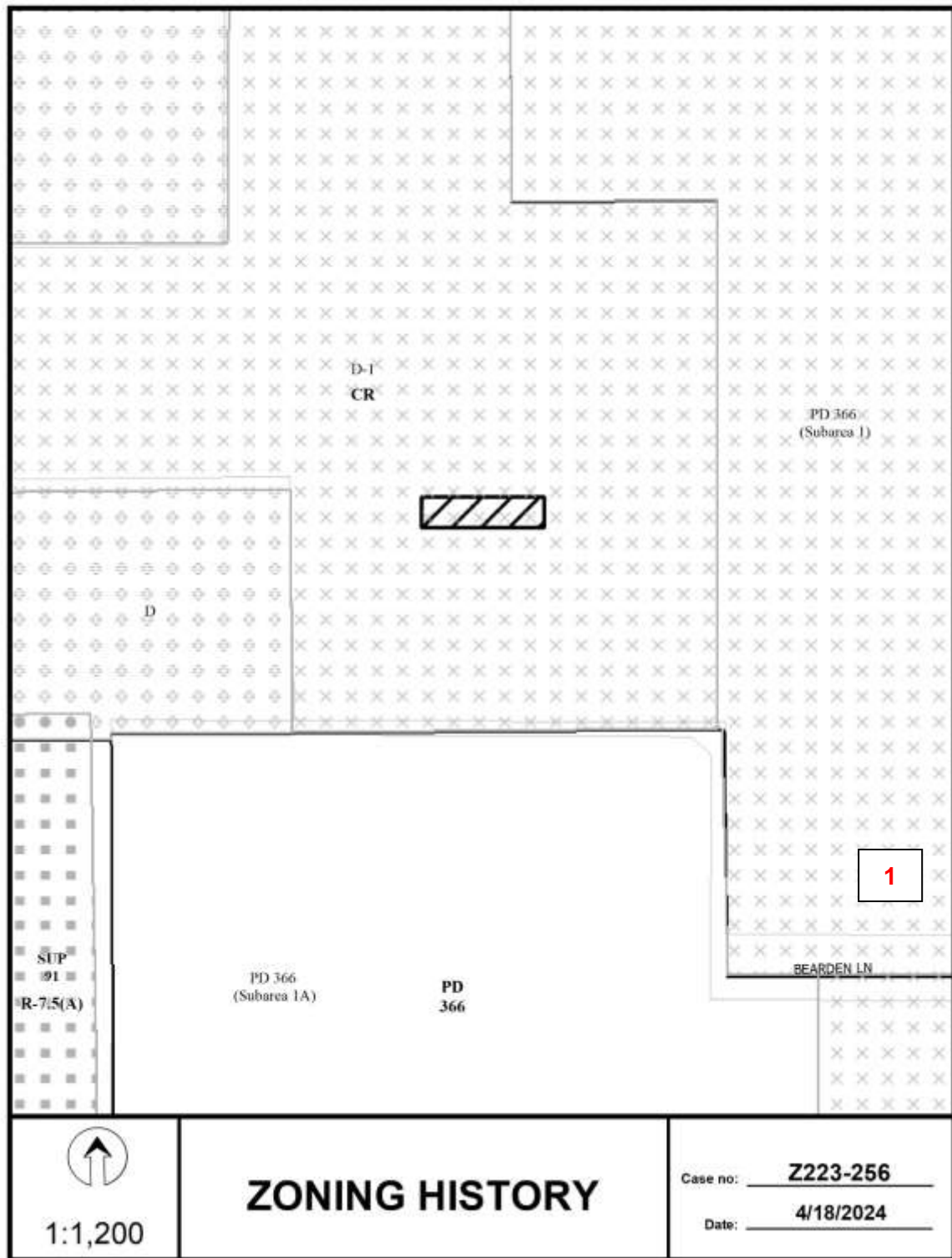


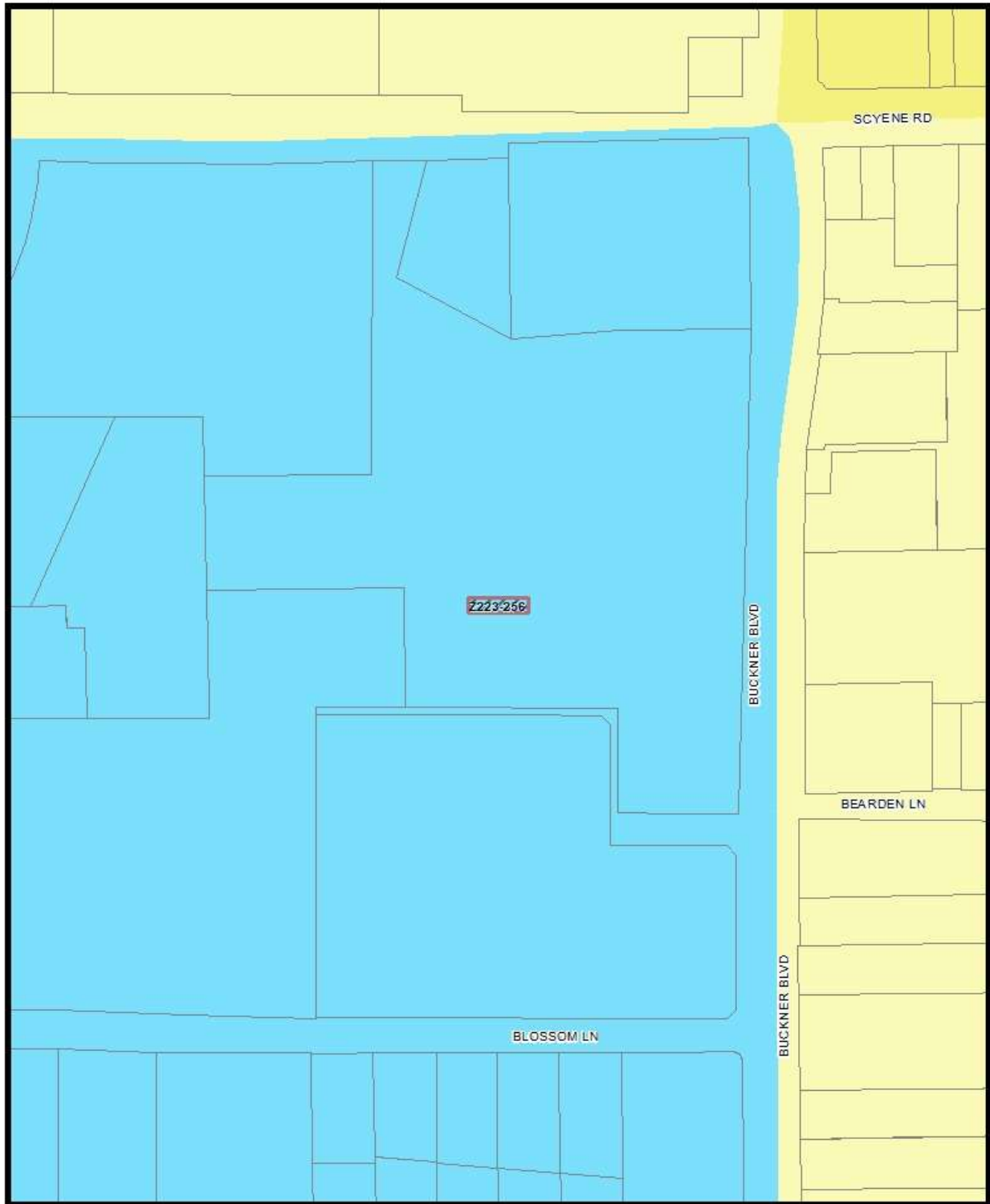
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

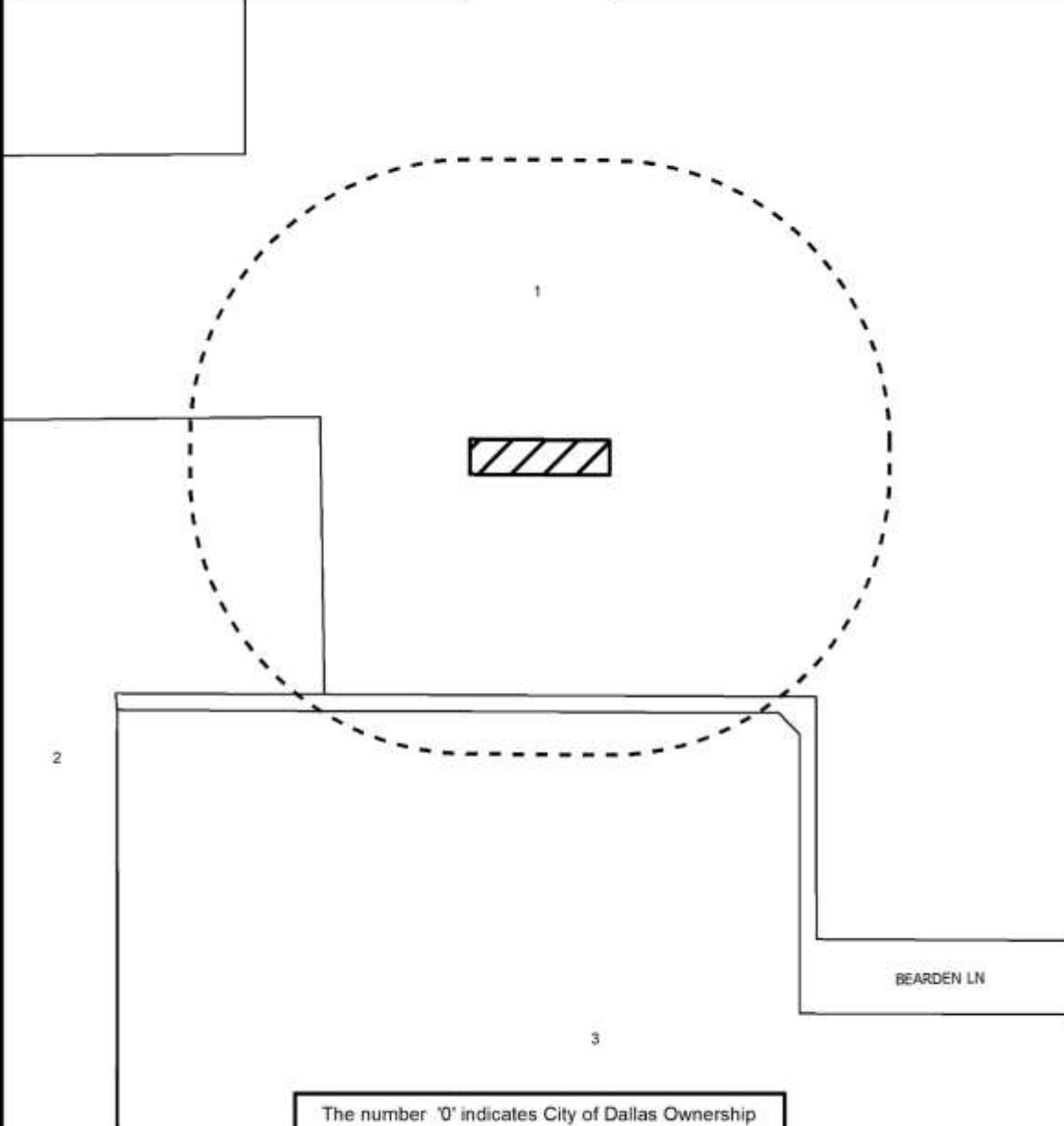

Market Value Analysis



1:2,400

Market Value Analysis

Printed Date: 4/18/2024

<p>The area of request is hatched  . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.</p>		<p>El área de solicitud está sombreada  . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.</p>	
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<p>The number '0' indicates City of Dallas Ownership</p>			
<div> 1:1,200</div>	<div><h1>NOTIFICATION</h1><div><div>200'</div>AREA OF NOTIFICATION</div><div><div>3</div>NUMBER OF PROPERTY OWNERS NOTIFIED</div></div>		

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04/18/2024

Notification List of Property Owners

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3 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8000 SCYENE RD	BUCKNER PARTNERSHIP LP
2	2818 PRICHARD LN	MINISTERIOS TIEMPO DE DIOS INC
3	2827 S BUCKNER BLVD	WAL MART REAL ESTATE BUSINESS TRUST