



CITY OF DALLAS

APPLICATION FOR A VARIANCE FROM THE MINIMUM DISTANCE REGULATIONS RELATED TO THE SALE OF ALCOHOLIC BEVERAGES

Chapter 6—Alcoholic Beverages, City of Dallas Code of Ordinances

Applicant A & S SUPERMARKETS LLC
(Must match the business name on TABC application)

Contact person, title BUSINESS OWNER Property owner's name Trinity West, LLC
(Land owner, business owner, representative) DUWEST REALTY

Contact person's phone (256) 410-0708 Address of request site 2223 SINGLETON #116

Contact person's address 2130 E. LEDBETTER DALLAS Protected use's address 2200 Dennison St.

Type of protected use:

- ☐ Church
- ☒ Public school / open-enrollment charter school
- ☐ Private school
- ☐ Public hospital
- ☐ Daycare/child-care facility

Type of business seeking to sell alcohol:

- ☐ Alcoholic beverage manufacturing
- ☒ General merchandise or food store with 10,000 square feet or more floor area
- ☐ Microbrewery, microdistillery, or winery
- ☐ Restaurant without drive-in or drive-through service

Type of TABC permit(s) to be sought:

- ☐ Brewer's permit, "B" / Manufacturer's license, "BA"
- ☐ Distiller's and rectifier's permit, "D"
- ☐ Food and beverage certificate, "FB"
- ☐ Mixed beverage permit, "MB"
- ☒ Wine and beer retailer's off-premise permit, "BQ"
- ☐ Wine and beer retailer's permit, "BG"
- ☐ Winery, "G"

The nonrefundable variance application fee is \$1,200.00 and the sign fee, which is between \$10 and \$50 depending on street frontages. A statement explaining how the request meets the standard below is required as part of this application. The burden of proving that the request meets the standard is solely the responsibility of the applicant. Additional evidence supporting the request may be submitted along with this application.

Enforcement of the spacing requirements in this particular instance (1) is not in the best interest of the public; (2) constitutes waste or inefficient use of land or other resources; (3) creates an undue hardship on an applicant for an alcohol permit; (4) does not serve its intended purpose; is not effective or necessary; or (5) for any other reason that the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

REQUIRED ATTACHMENTS:

- ☒ Statement of request
- ☒ Sealed alcohol survey showing 300 foot radius and door to door measurements (protected use must be indicated on this survey)

AUTHORIZATION BY PROPERTY OWNER(S)

I, Jordan Cluff, the owner of the property to be considered, hereby authorize the above business and representative to file this application for a variance from the requirements of Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances.

Jordan Cluff
Owner's Printed Name

Joan Cluff
Owner's Signature

APPLICANT ACKNOWLEDGEMENT AND AFFIDAVIT

I have read, examined, and completed this application; and know the information provided to be true and correct. I hereby apply for a variance from the distance requirements in Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances. I understand that this application, including all submitted documentation, are public information and can be made available through an Open Records Request per the Texas Public Information Act (Texas Government Code, Chapter 552).

Ali Saleh
Applicant's Printed Name

Ali Saleh
Applicant Signature

Sworn to and subscribed before me by on this day 24th of January in the year 2020, to certify, which witness my hand and seal of office.

STATE OF Texas
COUNTY OF Dallas
SUBSCRIBED AND SWORN TO BEFORE ME
THIS 24th DAY OF January
BY Ali Saleh Notary Public in and for the State of Texas

Date received: 2/10/20 8PM

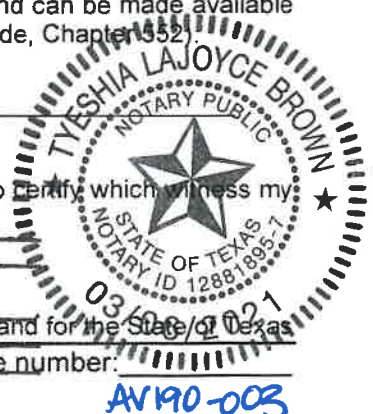
Receipt No.:

\$1200 fees
\$ 40 signs (4)

NOTARY PUBLIC

Case number:

AV 190-003





February 4th, 2020

Mr. Kris Sweckard
Director
Department of Sustainable Development and Construction
City of Dallas
1500 Marilla, Room 5DS
Dallas, Texas 75201

RE: Variance for general merchandise or food store greater than 3,500 square feet at 2223 Singleton Boulevard, Suite 116, Dallas, TX 75212

Dear Mr. Sweckard,

As the authorized representative for Cash Saver, we submit this letter as an official application for a variance to the distance regulations for the sale of alcohol pursuant to Chapter 6-4(g) of the Dallas City Code.

- The name of the owner of the property where the alcohol related business is located is Trinity West, LLC
- The applicant for the alcohol permit at this location is A&S Supermarkets LLC located at 2130 E. Ledbetter Drive Dallas, TX 75241
- The alcohol permit sought for this location is for a Wine and Beer Retailer's Off-Premise Permit pursuant to the Texas Alcoholic Beverage Code Chapter 28.
- The protected use that creates the need for a variance request is LG Pinkson High School, 2200 Dennison Street, Dallas, TX 75212.
- A certified survey identifies the distance from the entrance of Cash Saver to the front door of L.G. Pinkson High School exceeds 1,750 feet.
- The property is zoned Community Retail (CR) allowing for general merchandise or food store greater than 3,500 square feet with no underlying zoning restrictions on alcohol sales. It is located on the corner of Singleton Boulevard and N. Hampton Road near developed commercial uses to the south and east. The property is 12.978 acres with Cash Saver occupying 36,652 square feet of that space. Minyard Food Store was granted a variance at this same location in 2014.

Please feel free to contact our office if you need any additional information regarding this application.

Regards,

A handwritten signature in blue ink, appearing to read 'Wes Hoblit', written over a blue horizontal line.

Wes Hoblit

Masterplan