

FILE NUMBER: Z190-220(PD)

DATE FILED: March 4, 2020

LOCATION: West corner of Seagoville Road and South Belt Line Road

COUNCIL DISTRICT: 8

MAPSCO: 70 E

SIZE OF REQUEST: ±0.506 acre

CENSUS TRACT: 171.01

REPRESENTATIVE: Santos Martinez, La Sierra Planning Group

OWNER: SAI Business 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 less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow for the sale of alcoholic beverages for off-premise consumption in conjunction with an existing general merchandise or food store. [Seago Pantry]

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

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The ±0.506-acre request site is developed with a ±2,769-square foot general merchandise or food store (convenience store) with fuel pumps and an ±839-square foot auto service center.
- The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store.
- The general merchandise or food store and auto service center are both permitted by right. The sale of alcoholic beverages on the property requires a specific use permit due to the D-1 Liquor Control Overlay.
- The request site consisted of SUP No. 1970 for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet. SUP No. 1970 was approved on June 27, 2012 for a two-year period with eligibility of automatic renewals for additional five-year periods. The applicant did not submit a request for renewal between 2014 and March of 2020.

Zoning History: There have been four zoning requests in the vicinity within the last five years.

- 1. Z178-109:** On January 25, 2018, an automatic renewal of 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 approved 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.
- 2. Z190-191:** On June 24, 2020, City Council approved a CR Community Retail District on property zoned an R-10(A) Single Family District, located on the northwest line of Seagoville Road, northeast of Belt Line Road.
- 3. Z190-215:** An application for a Planned Development District on property zoned an R-10(A) Single Family District, located on the east corner of Belt Line Road and Seagoville Road. The application pending a City Plan Commission hearing.
- 4. Z190-221:** 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 a CR-D-1 Commercial Retail District with a D-1 Liquor Control Overlay, located on the north corner of South Beltline Road and Seagoville Road. The application is scheduled on the September 9 City Council agenda.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
S. Belt Line Road	Principal Arterial	100 feet
Seagoville Road	Minor Arterial	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested and determined that it will not significantly impact the surrounding roadway system.

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 promotion a strong rural atmosphere still allowing for future growth to occur that was sensitive to this context.

The result of that meeting was consensus to maintain the "rural character" while the area remains predominately residential (low to medium density residential) with neighborhood-serving retail and commercial uses along Belt Line Road, Kleberg Road and Hwy. 175.

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 vision of the Area Plan.

Land Use:

	Zoning	Land Use
Site	CR-D-1	Convenience store with fuel pumps; auto service center
Northeast	CR-D-1; SUP No. 1899	Undeveloped, Convenience store with fuel pumps
Northwest	CR-D-1	Undeveloped, Single Family
East	CR-D-1	Office, Auto-related
Southeast	CR-D-1; SUP No. 1838	Grocery Store (with beer/wine)
Southwest	R-10(A)	Single Family
West	R-10(A)	Single Family

STAFF ANALYSIS:

Land Use Compatibility:

The ±0.506-acre request site is developed with a ±2,769-square foot general merchandise or food store (convenience store) with fuel pumps and an 839-square foot auto service center.

The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store.

The property is adjacent to undeveloped land to the northwest, auto-related and office uses to the east, single family to the south, west and northeast, and general merchandise and food store uses to the southeast across South Beltline Road.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for 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 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.

Z190-220(PD)

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. Additionally, the representative provided documentation verifying the issuance of the Chapter 12B license.

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 200 square feet of floor area.; the requirement for an auto service center is one (1) space per 500 square feet of floor area with a minimum of four (4) spaces required. A motor vehicle fueling station requires two (2) spaces. Therefore, the ±2,769-square foot general merchandise or food store (convenience store) with fuel pumps and ±839-square foot auto service center require 20 spaces.

Landscaping:

Landscaping must be provided in accordance with Article X, as amended. No new development is proposed with this request; therefore, no landscape requirements are triggered by this request.

Police Report:

Specific Use Permit No. 1970 was approved on June 27, 2012 for a two-year period subject to automatic renewals for additional five-year periods. Thus, crime statistics were requested from the Dallas Police Department for the period from June 2017 to July 2020. The results yield 21 calls, four offenses, and one arrest.

Calls:

ID_Table	ID	Master_Incident_Number	Response_Date	RD_Year	RD_Month	Response_Time	RespOffBadgeID	Watch	CaseNumberID	MasterIncidentID	CaseNumber	Jurisdiction	MDivision	MSector	MBeat	MRA	Problem
12754392	35584382	19-1567682	8/21/2019	2019	August	4:19:00 PM	10849	3	3956899	35584382	169931-2019	Dallas Police	Southeast	350	356	4406	6X - Disturbance Emergency
10462914	28412991	17-0781686	4/25/2017	2017	April	7:10:00 PM	10913	3	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	40 - Other
10351178	28060574	17-0506610	3/16/2017	2017	March	9:49:00 PM	10481	3	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	04 - 911 Hang Up
11367753	31271669	18-0568692	4/1/2018	2018	April	3:25:00 PM	11207	2	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	40 - Other
12288556	34193937	19-0480096	3/19/2019	2019	March	11:27:00 AM	7091	2	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	**PD Requested by Fire
12062365	33514237	18-2311337	12/23/2018	2018	December	8:13:00 AM	5946	2	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	6X - Major Dist (Violence)
10377633	28144689	17-0571882	3/26/2017	2017	March	3:49:00 PM	10744	2	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	21B - Business Hold Up
12312580	34267930	19-0538162	3/27/2019	2019	March	11:52:00 PM	6139	3	3848058	34267930	061074-2019	Dallas Police	Southeast	350	356	4406	41/11B - Burg Busn in Progress
13230837	37012709	20-0231285	2/5/2020	2020	February	7:49:00 AM	8948	1	4073164	37012709	024016-2020	Dallas Police	Southeast	350	356	4406	07 - Minor Accident
13230838	37012709	20-0231285	2/5/2020	2020	February	7:49:00 AM	8948	1	4073165	37012709	024017-2020	Dallas Police	Southeast	350	356	4406	07 - Minor Accident
11064682	30304874	17-2277809	12/2/2017	2017	December	11:25:00 AM	9181	2	3482285	30304874	273952-2017	Dallas Police	Southeast	350	356	4406	07 - Minor Accident
11064683	30304874	17-2277809	12/2/2017	2017	December	11:25:00 AM	9181	2	3482286	30304874	273953-2017	Dallas Police	Southeast	350	356	4406	07 - Minor Accident
12969701	36249210	19-2089017	11/5/2019	2019	November	2:49:00 AM	10844	1	4010478	36249210	223510-2019	Dallas Police	Southeast	350	356	4406	11B - Burg of Bus
13017146	36392328	19-2201819	11/21/2019	2019	November	10:47:00 PM	9296	3	4022273	36392328	235305-2019	Dallas Police	Southeast	350	356	4406	46 - CIT
11321557	31121177	18-0451019	3/14/2018	2018	March	9:14:00 PM	8281	3	3561947	31121177	054405-2018	Dallas Police	Southeast	350	356	4406	6X - Major Dist (Violence)
12275332	34153429	19-0448544	3/14/2019	2019	March	6:01:00 PM	10521	3	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	20 - Robbery
13184876	36876869	20-0123341	1/19/2020	2020	January	6:57:00 PM	10849	3	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	6X - Major Dist (Violence)
10804891	29476795	17-1625076	8/25/2017	2017	August	10:55:00 PM	10064	3	3403273	29476795	194940-2017	Dallas Police	Southeast	350	356	4406	09V-01 UUMV Just Ocrd
11171919	30641078	18-0081854	1/13/2018	2018	January	10:19:00 PM	10693	3	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	09V-01 UUMV Just Ocrd
13393010	37474405	20-0598630	4/1/2020	2020	April	7:20:00 PM	6826	3	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	6X - Major Dist (Violence)
13126803	36700841	19-2444960	12/29/2019	2019	December	1:11:00 PM	9069	2	NULL	NULL	NULL	Dallas Police	Southeast	350	356	4406	40/01 - Other

Offenses:

DataSource	IncidentNum	ServYr	ServNumID	Watch	Signal	OffIncident	Premise
RMS/NIBRS	061074-2019	2019	061074-2019-01	3	41/11B - BURG BUSN IN PROGRESS	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Single Family Residence - Occupied
RMS	175938-2017	2017	175938-2017-01	3	09V-01 UUMV JUST OCRD	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Retail Store
RMS	196397-2017	2017	196397-2017-01	3	09V - UUMV	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Gas or Service Station
RMS/NIBRS	223510-2019	2019	223510-2019-01	1	11B - BURG OF BUS	BURGLARY OF BUILDING - FORCED ENTRY	Gas or Service Station

Arrests:

Row #	Arrest Number	Ar Bk Date	Incident Num	Charge Desc	NIBRS Crime Comp	Ar LAddress
1	19-042039	11/22/2019	235305-2019	WARRANT HOLD (OUTSIDE	WARRANT HOLD (OUTSIDE	15130 SEAGOVILLE RD

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). Although the area of request is not within an identifiable MVA cluster, it is in the vicinity of an “F” MVA cluster to the west and south.

Z190-220(PD)

Partners/Principals/Officers

Suresh Shetty

President

CPC ACTION
July 23, 2020

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 less than 3,500 square feet for a two-year period, subject to a site plan and conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the west corner of Seagoville Road and South Belt Line Road.

Maker: Rubin
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Blair, Jung, Schultz,
Schwope, Garcia, Rubin

Against: 0
Absent: 2 - Jackson, Murphy
Vacancy: 1 - District 10

Notices: Area: 200 Mailed: 10
Replies: For: 3 Against: 2

Speakers: For: Santos Martinez, 12 Tanager Terrace, Angel Fire, NM, 87710
Kendra Larach, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Approved SUP Conditions

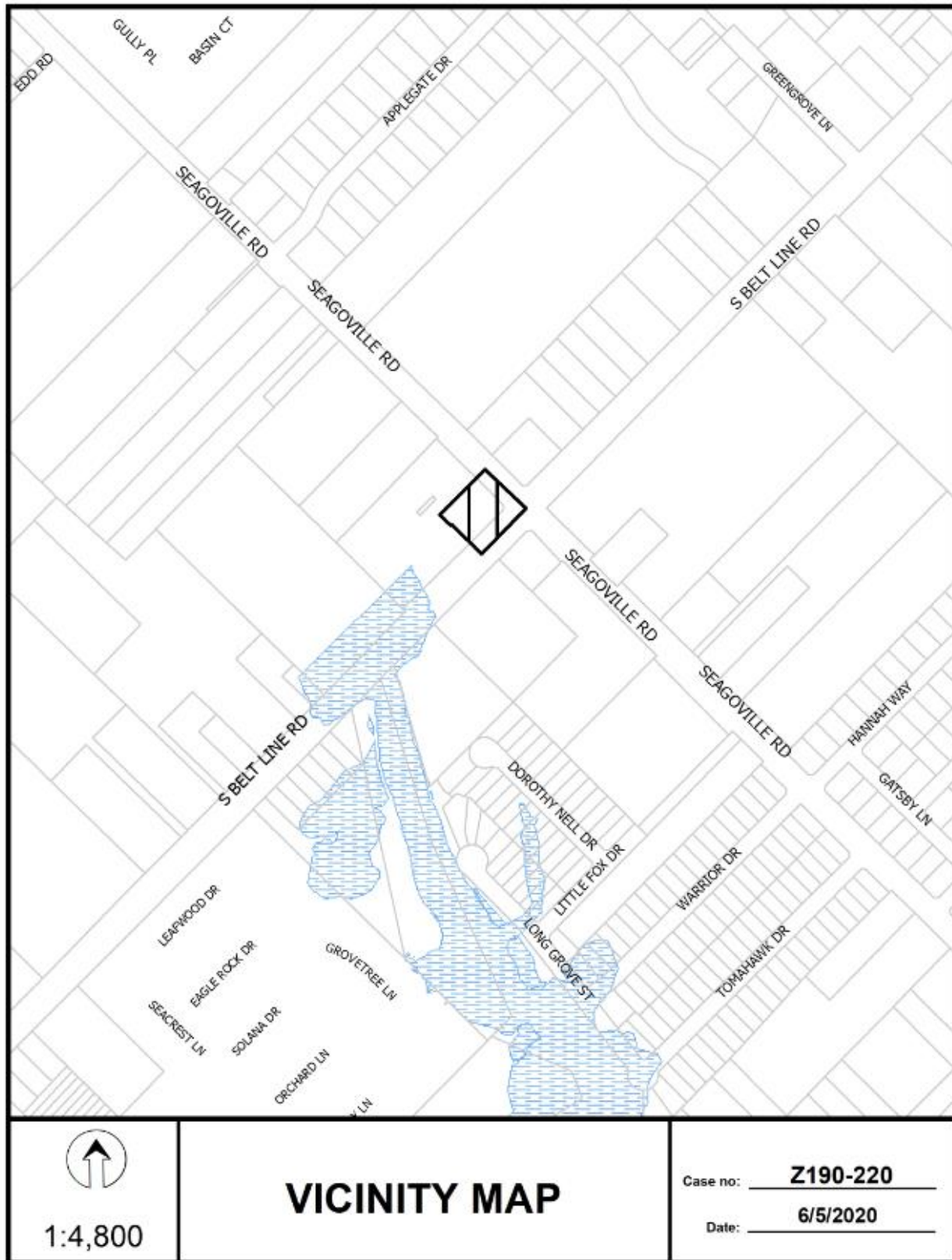
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

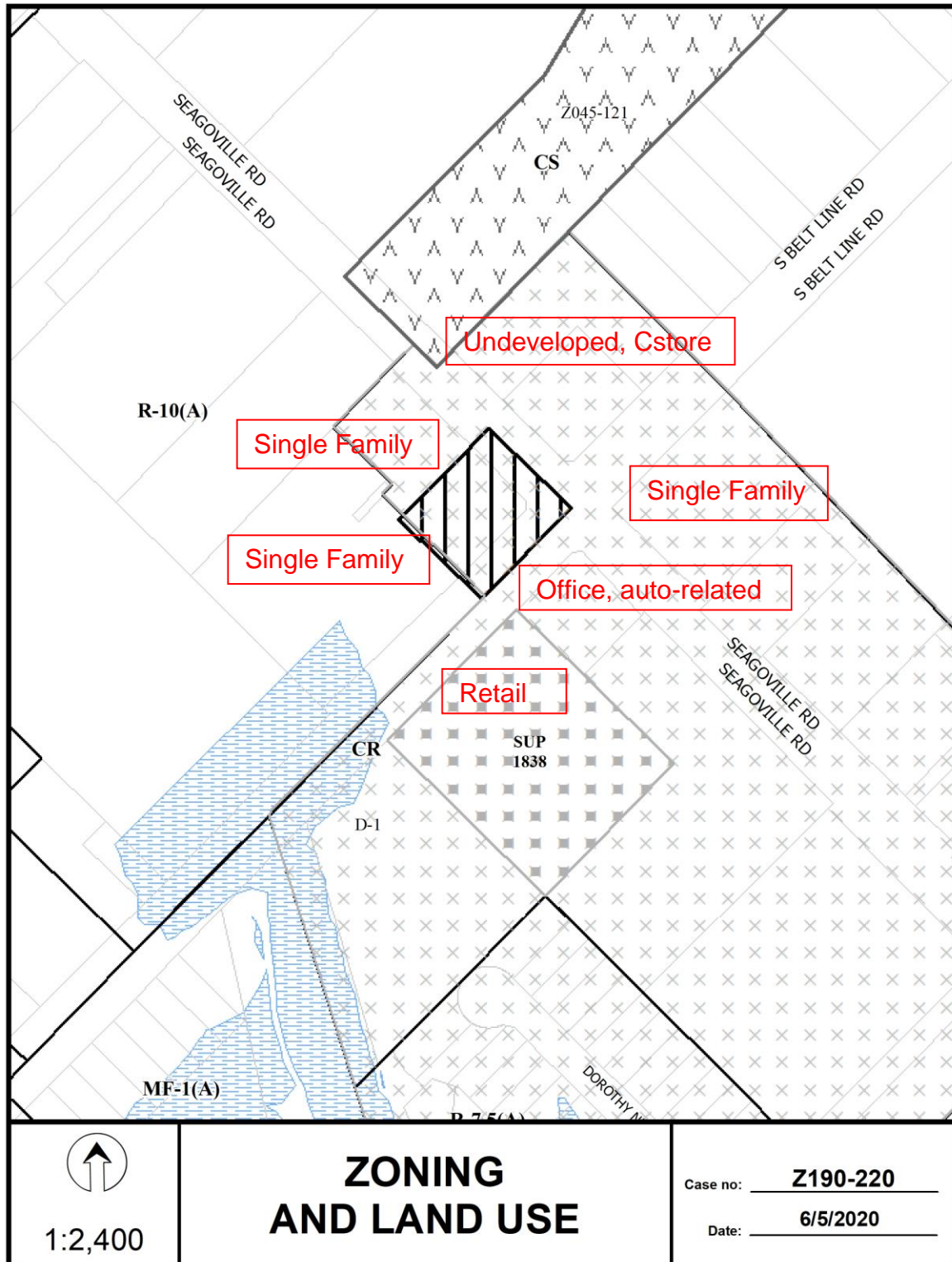
3. TIME LIMIT: This specific use permit expires on (two-years)

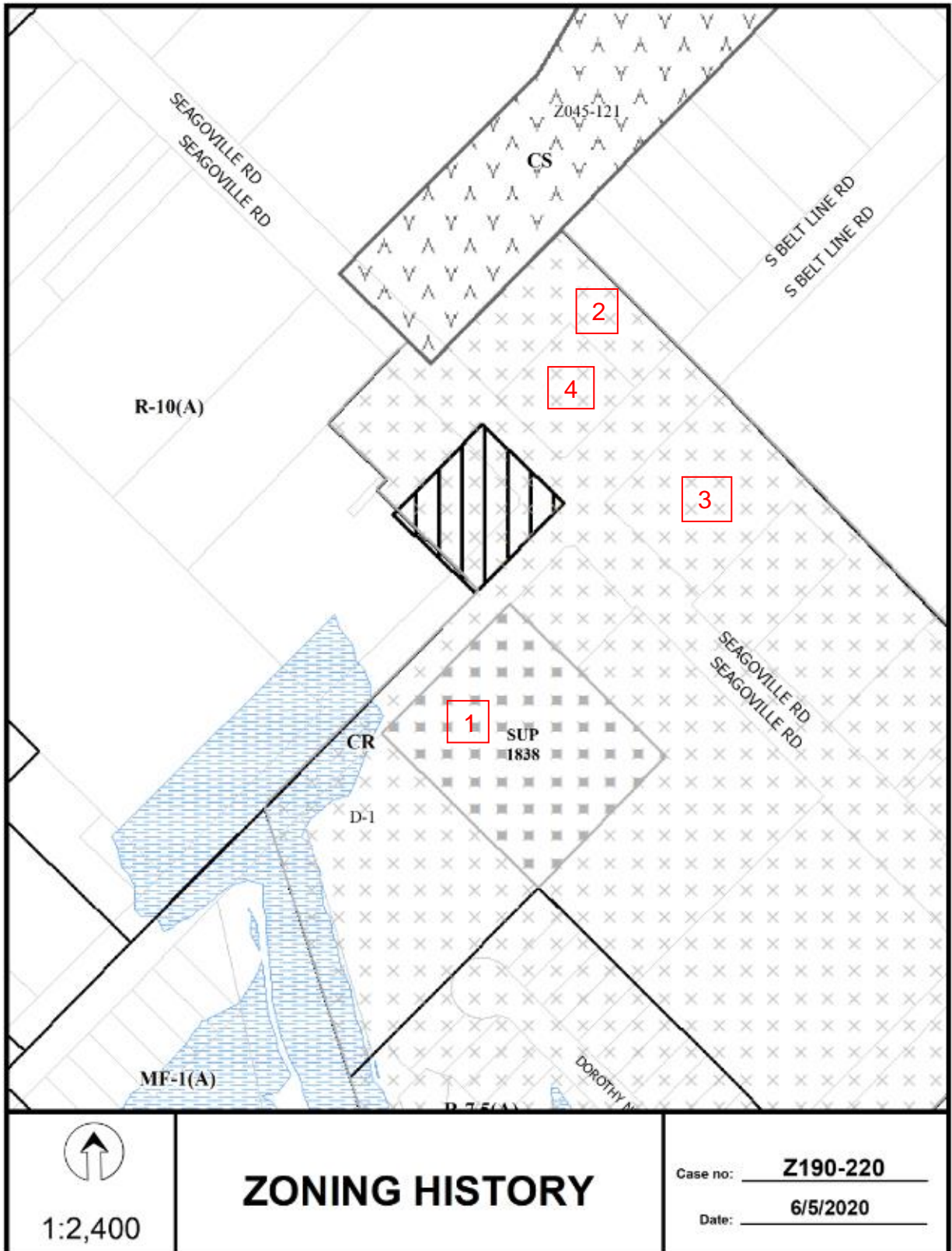
Staff Recommendation:

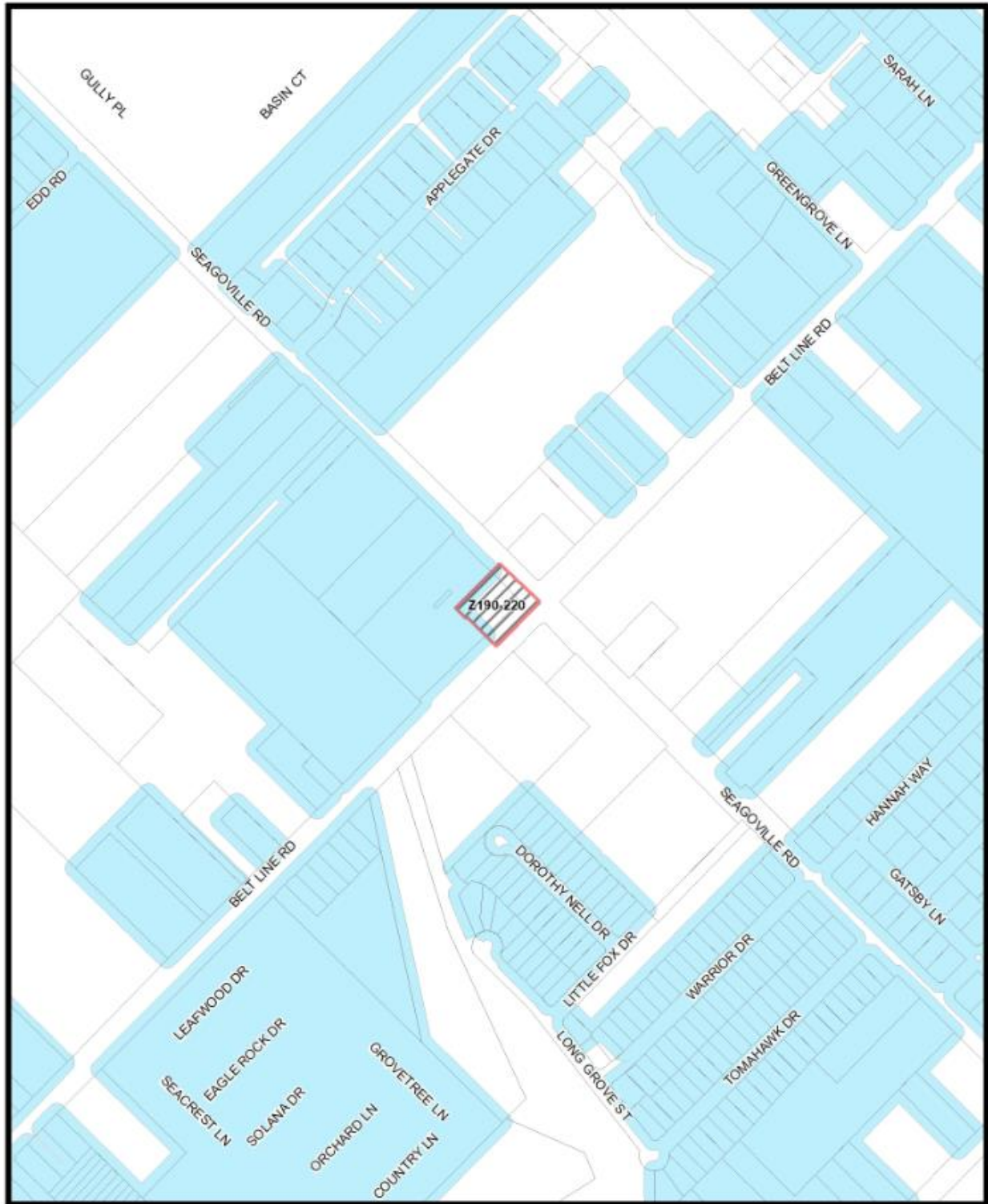
3. TIME LIMIT: This specific use permit expires on (two-years) but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application 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.











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

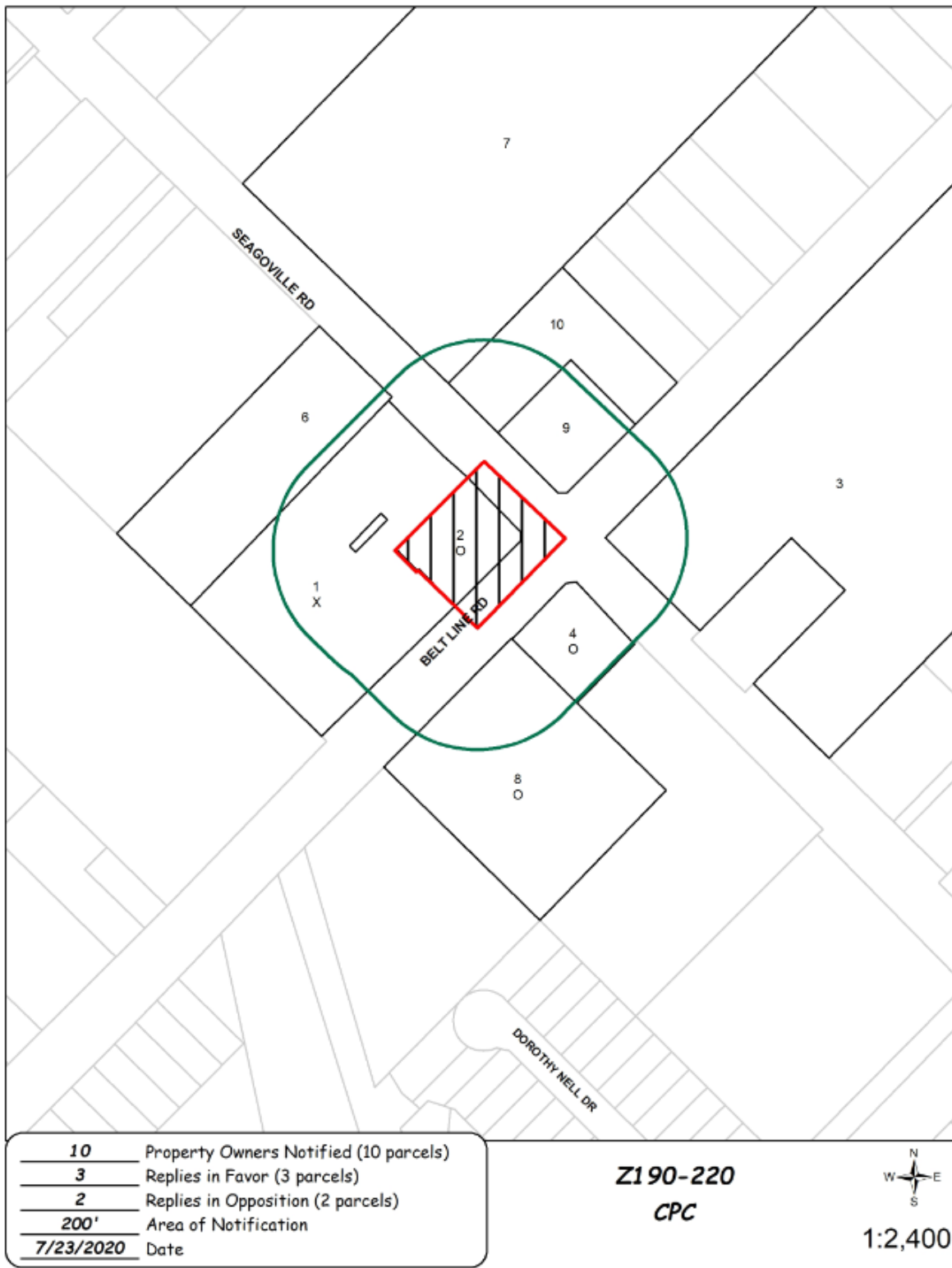


1:4,800

Market Value Analysis

Printed Date: 6/5/2020

CPC RESPONSES



07/22/2020

Reply List of Property Owners

Z190-220

10 Property Owners Notified

3 Property Owners in Favor

2 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	1	1025 S BELTLINE RD	FLOYD CHARLES M
O	2	15130 SEAGOVILLE RD	SAI BUSINESS INVESTMENTS LLC
	3	15251 SEAGOVILLE RD	BIG SCORE INVESTORS LLC
O	4	1000 S BELTLINE RD	ALKAM HAMZA
X	5	1001 S BELTLINE RD	FLOYD CHARLES M & BARBARA
	6	15104 SEAGOVILLE RD	SCHLEIMER PATSY SUE
	7	15029 SEAGOVILLE RD	T W FORD LP
O	8	1050 S BELTLINE RD	BOWMAW INC
	9	951 S BELTLINE RD	AMMOURI ABED
	10	915 S BELTLINE RD	ALKAM HAMZA &