



## Legislation Text

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**File #:** 21-49, **Version:** 1

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**STRATEGIC PRIORITY:** Government Performance and Financial Management

**AGENDA DATE:** January 27, 2021

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Mayor and City Council Office

**EXECUTIVE:** Kimberly Bizer Tolbert

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### **SUBJECT**

A resolution requesting the Board of Adjustment to authorize compliance proceedings for Big D Cut Rate Beer and Wine located at 1405 Martin Luther King, Jr. Boulevard, Dallas, Texas - Financing: No cost consideration to the City (via Councilmembers Bazaldua, West, Arnold, Mayor Pro Tem Medrano, and Resendez)

### **BACKGROUND**

Big D Cut Rate Beer and Wine is located at 1405 Martin Luther King, Jr. Boulevard, Dallas Texas. Big D Cut Rate Beer and Wine operates under a certificate of occupancy for a beer and wine retail use. The property at 1405 Martin Luther King, Jr. Boulevard is zoned a WMU-3 Walkable Urban Mixed Use Subdistrict within Planned Development District No. 595 (South Dallas/Fair Park Special Purpose District). A beer and wine retail use is not a permitted use in a WMU-3 Walkable Urban Mixed Use Subdistrict. Big D Cut Rate Beer and Wine is operating as a nonconforming use because the use was established prior to the creation of PD 595. Section 51A-4.704(a)(1) allows City Council to request that the Board of Adjustment consider establishing a compliance date for a nonconforming use.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Information about this item was provided to the Quality of Life, Arts and Culture Committee on January 19, 2021.

### **FISCAL INFORMATION**

No cost consideration to the City.