

FILE NUMBER: Z201-345(KC) **DATE FILED:** September 14, 2021

LOCATION: South of Telephone Road and west of Bonnie View Road

COUNCIL DISTRICT: 8 **MAPSCO:** 76 L

SIZE OF REQUEST: Approx. 23.7 acres **CENSUS TRACT:** 0167.03

REPRESENTATIVE: Land Use Planning & Zoning Services (Elsie Thurman)

APPLICANT/OWNER: NFL Logistics, LLC (Weldu Ghebre)

REQUEST: An application for **(1)** a CS Commercial Service District with deed restrictions volunteered by the applicant; and **(2)** a Specific Use Permit for commercial motor vehicle parking use on property zoned A(A) Agricultural District.

SUMMARY: The purpose of the request is to allow for commercial motor vehicle parking use on the site.

CPC RECOMMENDATION: **Approval** of the CS Commercial Service District, subject to deed restrictions volunteered by the applicant; and approval of a Specific Use Permit for commercial motor vehicle parking use for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of the CS Commercial Services District, subject to deed restrictions volunteered by the applicant; and approval of a Specific Use Permit for commercial motor vehicle parking use for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The site is currently used as commercial motor vehicle parking.
- The proposal is to allow for commercial motor vehicle parking.
- The commercial motor vehicle parking use is allowed by right in the CS Commercial Services district except by SUP only if located within 500 feet of a residential district.
- The A(A) Agricultural district that abuts this site is classified as a residential district in the Dallas Development Code.
- A commercial motor vehicle parking is defined by the Dallas Development Code as a facility for the temporary, daily, or overnight parking of commercial motor vehicles as defined in the use regulations for a truck stop, and/or motor vehicles with two or more rear axles such as trucks, truck tractors, and similar vehicles, for no charge or for a fee, regardless of whether that fee is charged independently of any other use on the lot, if the parking is not accessory to a main use on the lot.
- The applicant has volunteered deed restrictions to limit the more intense uses that are permitted within the proposed CS Commercial Services district.

Zoning History:

There have been five zoning case in the vicinity in the past five years.

1. **Z178-246:** On August 23, 2017, City Council approved an application for a CS Commercial Service District and deed restrictions volunteered by the applicant at the south side of Telephone Road and east of Travis Trail.
2. **Z178-288:** On January 3, 2019, City Council denied an application for an LI Light Industrial District on property zoned an A(A) Agricultural District at the northwest corner of Telephone Road and Bonnie View Road.
3. **Z189-252:** On August 28, 2019, City Council approved an application for an LI Light Industrial District with deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District at the northwest corner of Telephone Road and Bonnie View Road.
4. **Z201-107:** On April 14, 2021, City Council approved an application for an LI Light Industrial District on property zoned an A(A) Agricultural District at the north side of Telephone Road and west of Bonnie View Road.
5. **Z201-345:** An application for 1) a CS Commercial Service District with deed restrictions volunteered by the applicant and 2) a Specific Use Permit for a commercial

motor vehicle parking use on property zoned A(A) Agricultural District, located south of Telephone Road and west of Travis Trail [Awaiting CPC Hearing on November 4, 2021].

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Telephone Rd.	Principle Arterial	80'
Bonnie View Rd.	Minor Arterial	100'

Traffic:

The Engineering Division of the Sustainable Development and Construction 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. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can 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.

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

Land Use:

	Zoning	Land Use
Site	A(A) Agricultural District	Commercial motor vehicle parking
North	LI Light Industrial, A(A) Agricultural District	Undeveloped, warehouse, and office
East	A(A) Agricultural District , CS Commercial Service, PD No. 761 (LI)	Outside storage, undeveloped, warehouse
South	PD No. 761 (LI)	Warehouse
West	CS Commercial Services, A(A) Agricultural District	Commercial motor vehicle parking, residential

Land Use Compatibility:

The request site is currently developed as commercial motor vehicle parking on the lot on the east. The lot on the east is currently being improved. To the west of this site includes commercial motor vehicle parking, single-family homes, a heavy equipment sales use, along with some vacant, undeveloped land. North of the site is occupied by a warehouse and office and vacant, undeveloped land. To the east includes outside storage and some vacant, undeveloped land. South of the site includes a warehouse.

The CS district requires an SUP for commercial motor vehicle parking when within 500 feet from a residential use. This site abuts A(A) district which is considered residential district per the Dallas Development Code.

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.

This site has its entrance located on Telephone Road which is a principle arterial and has the capacity for the heavier truck traffic. Although the property has frontage along Bonnie View Road, the site does not access to the property from that roadway, which allows for traffic to flow smoothly through Bonnie View Road. The site does not abut any homes directly and is required to have a 10' landscape buffer on the sides that abut the residential districts per Article X of the Dallas Development Code, as shown on the site plan. The applicant has included conditions on the SUP to require a six foot wood screening fence surrounding the property as well.

Although this site abuts a residential district, the majority of the uses in the surrounding area are industrial in nature. Staff believes the use may be compatible if it is limited with an SUP that requires screening fencing, and landscape buffers. The applicant has also volunteered deed restrictions that would prohibit more intense uses that are allowed within the CS Commercial Services district as main uses or accessory uses. Considering the small amount of permitted uses on the site due to the deed restrictions, staff recommends approval of the general zoning change and the SUP for a two-year period in order to evaluate how the use has performed in regards to the compatibility with the residential uses in the area.

Development Standards:

The proposed CS Commercial Services District allows for a mix of uses and would deviate from the existing district by having decreased setbacks and increased lot coverage requirements. The proposed district would have a Floor to Area Ratio (FAR) of 0.75 as opposed to no FAR in the existing district. The height in the proposed district is limited to 45 feet compared to no maximum in the existing district. The current district's standards require a minimum lot size of three acres and the proposed district has no minimum.

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
A(A)	50'	Side: 50' Rear: 20' adjacent to residential, 10'	No FAR	No max.	10% residential 25% non residential	Min lot area for residential: 3 acres	Residential, agricultural
CS	15' adjacent to expy Other: No Min	20' adjacent to residential OTHER: No Min	0.75 FAR	45' 3 story max	80%	No min lot size	Office, retail & personal service, lodging, residential

Land Use Comparison Chart

Following is a comparison table showing differences in the permitted uses between the existing and proposed zoning districts.

LEGEND

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200
	Restricted by deed restrictions volunteered by the applicant

	Existing	Proposed	Deed Restrictions
Use			
AGRICULTURAL USES			
Animal production	•		
Commercial stable	•		
Crop production	•	•	
Private stable	•		
COMMERCIAL AND BUSINESS SERVICE USES			
Building repair and maintenance shop		R	
Bus or rail transit vehicle maintenance or storage facility		R	
Catering service		•	
Commercial cleaning or laundry plant		D, S	
Custom business services		•	
Custom woodworking, furniture construction, or repair		•	
Electronics service center		•	
Job or lithographic printing		R	
Labor hall		S	
Machine or welding shop		R	
Machinery, heavy equipment, or truck sales and services		R	
Medical or scientific laboratory		•	
Technical school		•	
Tool or equipment rental		•	
Vehicle or engine repair or maintenance		R	R
INDUSTRIAL USES			
Alcoholic beverage manufacturing			
Gas drilling and production	S	S	S
Gas pipeline compressor station			
Industrial (inside)		•	
Industrial (inside) for light manufacturing		•	
Industrial (outside)			
Medical/infectious waste incinerator			
Metal salvage facility			
Mining	S		
Municipal waste incinerator			
Organic compost recycling facility	S		
Outside salvage or reclamation			
Pathological waste incinerator			
Temporary concrete or asphalt batching plant	•	★	
INSTITUTIONAL AND COMMUNITY SERVICE USES			
Adult day care facility	S	•	
Cemetery or mausoleum	S	S	

	Existing	Proposed	Deed Restrictions
Use			
Child-care facility	S	•	
Church	•	•	
College, university, or seminary	•	•	
Community service center	S	S	
Convalescent and nursing homes, hospice care, and related institutions	S		
Convent or monastery	•	•	
Foster home	S		
Halfway house		S	
Hospital	S	R	
Library, art gallery, or museum	S		
Public or private school	R	R	
LODGING USES			
Extended stay hotel or motel		S	S
Hotel or motel		R, S	
Lodging or boarding house		•	
Overnight general purpose shelter		★	
MISCELLANEOUS USES			
Carnival or circus (temporary)	★	★	
Hazardous waste management facility			
Placement of fill material			
Temporary construction or sales office	•	•	•
OFFICE USES			
Alternative financial establishment		S	S
Financial institution without drive-in window		•	
Financial institution with drive-in window		R	
Medical clinic or ambulatory surgical center		•	
Office		•	•
RECREATION USES			
Country club with private membership	S	•	
Private recreation center, club, or area	S	•	
Public park, playground, or golf course	•	•	
RESIDENTIAL USES			
College dormitory, fraternity, or sorority house	•	•	•
Duplex			
Group residential facility			
Handicapped group dwelling unit	•		
Manufactured home park, manufactured home subdivision, or campground			

	Existing	Proposed	Deed Restrictions
Use			
Multifamily			
Residential hotel			
Retirement housing			
Single family	•		
RETAIL AND PERSONAL SERVICE USES			
Ambulance service		R	
Animal shelter or clinic without outside runs	•	R	
Animal shelter or clinic with outside runs	S	S	
Auto service center		R	
Business school		•	
Car wash		R	
Commercial amusement (inside)		S	
Commercial amusement (outside)	S	D	
Commercial motor vehicle parking		•, S	•, S
Commercial parking lot or garage		R	R
Convenience store with drive-through		S	S
Dry cleaning or laundry store		•	
Furniture store		•	
General merchandise or food store 3,500 square feet or less		•	
General merchandise or food store greater than 3,500 square feet		•	
Home improvement center, lumber, brick or building materials sales yard		R	
Household equipment and appliance repair		•	•
Liquefied natural gas fueling station		S	S
Motor vehicle fueling station		•	
Nursery, garden shop, or plant sales	•	•	•
Outside sales		S	
Paraphernalia shop		S	S
Pawn shop		•	
Personal service use		•	
Restaurant without drive-in or drive-through service		R	
Restaurant with drive-in or drive-through service		D	
Surface parking			
Swap or buy shop		S	
Taxidermist		•	
Temporary retail use		•	•
Theater		•	

	Existing	Proposed	Deed Restrictions
Use			
Truck stop		S	S
Vehicle display, sales, and service		R	
TRANSPORTATION USES			
Airport or landing field			
Commercial bus station and terminal		D	
Heliport		S	
Helistop	S	S	
Private street or alley			
Railroad passenger station		S	
Railroad yard, roundhouse, or shops			
STOL (short take-off or landing port)			
Transit passenger shelter	•	•	
Transit passenger station or transfer center	S	★	
UTILITY AND PUBLIC SERVICE USES			
Commercial radio or television transmitting station	S	•	
Electrical generating plant			
Electrical substation	S	•	
Local utilities	S, R	S, R	
Police or fire station	S	•	
Post office		•	
Radio, television, or microwave tower	S	R	
Refuse transfer station	S		
Sanitary landfill	S		
Sewage treatment plant	S		
Tower/antenna for cellular communication	★	★	
Utility or government installation other than listed	S	S	
Water treatment plant	S		
WHOLESALE, DISTRIBUTION, AND STORAGE USES			
Auto auction		S	
Building mover's temporary storage yard		S	S
Contractor's maintenance yard		R	R
Freight terminal		R	
Livestock auction pens or sheds	S		
Manufactured building sales lot		R	
Mini-warehouse		•	•
Office showroom/warehouse		•	
Outside storage		R	R
Petroleum product storage and wholesale		S	

	Existing	Proposed	Deed Restrictions
Use			
Recycling buy-back center		★	
Recycling collection center		★	
Recycling drop-off container	★	★	
Recycling drop-off for special occasion collection	★	★	
Sand, gravel, or earth sales and storage	S	S	S
Trade center		•	
Vehicle storage lot		S	S
Warehouse		R	R

Although the proposed CS Commercial Services district permit more intense uses including commercial and business service uses, industrial uses, lodging uses, office uses, retail and personal service uses, transportation uses, and wholesale, distribution, and storage uses, the volunteered deed restrictions are prohibiting the vast majority of those allowed within the CS district as shown on the table above. The uses that have remove permitted on this site are compatible with the existing industrial uses in the surrounding area. The permitted uses are mostly vehicle related uses, warehouse, storage, or temporary uses.

Landscaping:

Landscaping will be provided by Article X of the Dallas Development code, as amended.

Parking:

Parking will be provided by the Dallas Development code, as amended. There is no parking required for commercial motor vehicle parking. All parking will be provided per the SUP site plan.

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 not in an MVA cluster. Some properties north and west of the site is an "F" MVA cluster.

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List of Partners/Principals/Officers

Officer/Owner

Mr. Weldu Ghebre
NFL Logistic LLC

**CPC ACTION
NOVEMBER 18, 2021**

Motion I: It was moved to recommend 1) **denial without prejudice** of a CS Commercial Service District with deed restrictions volunteered by the applicant; and 2) **denial without prejudice** of a Specific Use Permit for commercial motor vehicle parking use on property zoned A(A) Agricultural District, south of Telephone Road and west of Bonnie View Road.

Maker: Blair
Second: Carpenter
Result: Failed: 5 to 7

For: 5 - Anderson, Carpenter, Blair, Jung, Haqq
Against: 7 - Hampton, Shidid, Jackson, Suhler, Stanard,
Kingston, Rubin
Absent: 0
Vacancy: 3 - District 1, District 3, District 10

Motion II: It was moved to recommend 1) **approval** of a CS Commercial Service District, subject to the deed restrictions volunteered by the applicant; and 2) **approval** of a Specific Use Permit for commercial motor vehicle parking use for a two-year period, subject to a site plan and staff's recommended conditions on property zoned A(A) Agricultural District, south of Telephone Road and west of Bonnie View Road.

Maker: Blair
Second: Suhler
Result: Carried: 11 to 1

For: 11 - Hampton, Anderson, Shidid, Jackson, Blair,
Jung, Suhler, Haqq, Stanard, Kingston, Rubin
Against: 1 - Carpenter
Absent: 0
Vacancy: 3 - District 1, District 3, District 10

Notices: Area: 400 Mailed: 18
Replies: For: 2 Against: 0

Speakers: For: Elsie Thurman, 9406 Biscayne Blvd., Dallas, TX, 75218
Weldu Ghebre, 4050 Telephone Rd., Dallas, TX, 75241
Joseph Anthony, 1316 Maple Ridge Dr., Mesquite, TX, 75149
Against: None

CPC Recommended Deed Restrictions

1. The following main uses are prohibited:
 - a. Agricultural uses.
 - Crop production.
 - b. Commercial and business service uses.
 - Building repair and maintenance shop.
 - Bus or rail transit vehicle maintenance or storage facility.
 - Catering service.
 - Commercial cleaning or laundry plant.
 - Custom business services.
 - Custom woodworking, furniture construction, or repair.
 - Electronics service center.
 - Job or lithographic printing.
 - Labor hall.
 - Machine or welding shop.
 - Machinery, heavy equipment, or truck sales and service.
 - Medical or scientific laboratory.
 - Technical school.
 - Tool or equipment rental.
 - c. Industrial uses.
 - Industrial (inside) for light manufacturing.
 - Temporary concrete or asphalt batching plant.
 - d. Institutional and community service uses.
 - Adult day care facility.
 - Cemetery or mausoleum.
 - Child-care facility.
 - Church.
 - College, university, or seminary.
 - Community service center.
 - Convent or monastery.
 - Halfway house.
 - Hospital.
 - Public or private school.
 - e. Lodging uses.
 - Hotel or motel.

- Lodging or boarding house.
- Overnight general-purpose shelter.
- f. Miscellaneous uses.
 - Carnival or circus (temporary).
- g. Office uses.
 - Financial institution without drive-in window.
 - Financial institution with drive-in window.
 - Medical clinic or ambulatory surgical center.
- h. Recreation uses.
 - Country club with private membership.
 - Private recreation center, club or area.
 - Public park, playground, or golf courses.
- i. Retail and personal service uses.
 - Alcoholic beverage establishments.
 - Ambulance service.
 - Animal shelter or clinic without outside runs.
 - Animal shelter or clinic with outside runs.
 - Auto service center.
 - Business school.
 - Car wash.
 - Commercial amusement (inside).
 - Commercial amusement (outside).
 - Drive-in theater.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store 3,500 square feet or less.
 - General merchandise or food store greater than 3,500 square feet.
 - Home improvement center, lumber, brick or building materials sales yard.
 - Liquor store.
 - Mortuary, funeral home, or commercial wedding chapel.
 - Motor vehicle fueling station.
 - Outside sales.
 - Pawn shop.
 - Personal service uses.
 - Restaurant without drive-in or drive-through service.
 - Restaurant with drive-in or drive-through service.
 - Swap or buy shop.

- Taxidermist
- Theater.
- Vehicle display, sales, and service.

j. Transportation uses.

- Commercial bus station and terminal.
- Heliport.
- Helistop.
- Railroad passenger station.
- Transit passenger shelter.
- Transit passenger station or transfer center.

k. Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower.
- Tower/antenna for cellular communication.
- Utility or government installation other than listed.

l. Wholesale, distribution, and storage uses.

- Auto auction.
- Freight terminal.
- Manufactured building sales lot.
- Office showroom/warehouse.
- Petroleum product storage and wholesale.
- Recycling buy-back center.
- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection.
- Trade center.

2. The following accessory uses are prohibited:

Accessory uses.

- Accessory game court (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside sales.

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- Accessory pathological waste incinerator.
- Day home.
- General waste incinerator
- Home occupation.
- Occasional sales (garage sales).
- Swimming pool (private).
- Pedestrian skybridges.

CPC Recommended SUP Conditions

1. **USE:** The only use authorized by this specific use permit is a commercial motor vehicle parking.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

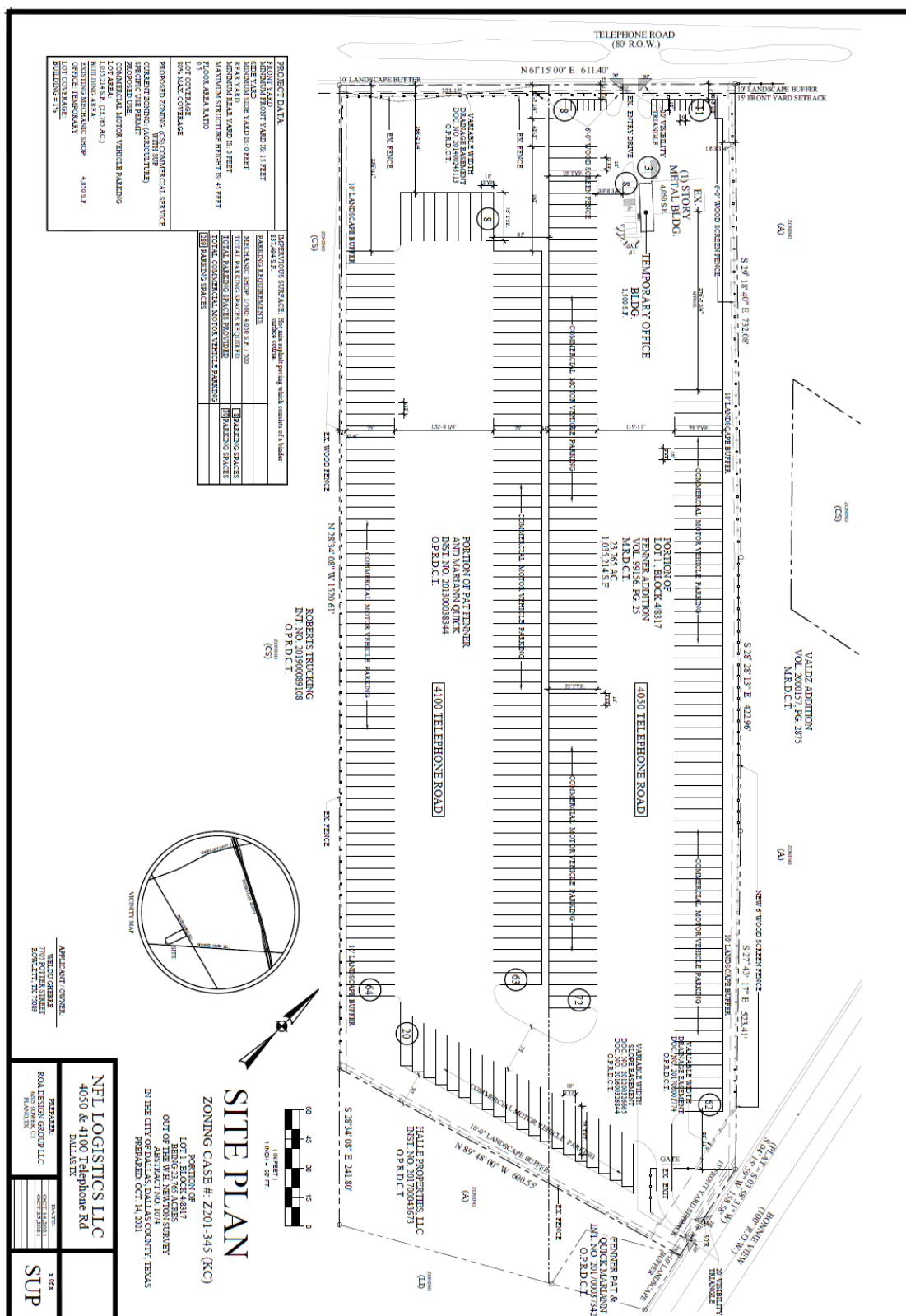
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| 3. TIME LIMIT: The specific use permit expires on (two years from the passage of this ordinance). |
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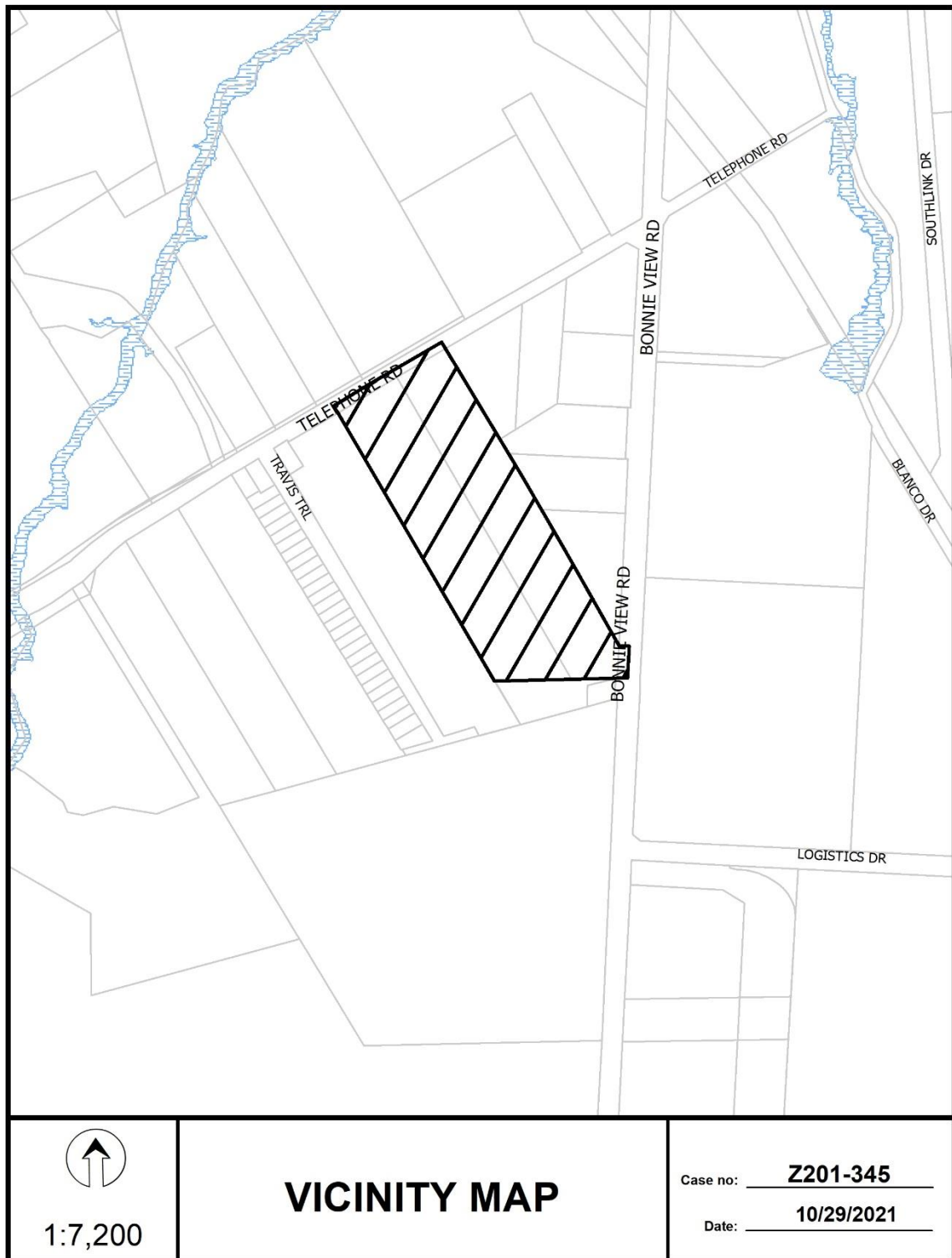
Applicant's Request:

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| 3. TIME LIMIT: The specific use permit expires on (three years from the passage of this ordinance). |
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4. **FENCING:** Fencing must be provided along the perimeter of the Property as shown on the attached site plan.
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.

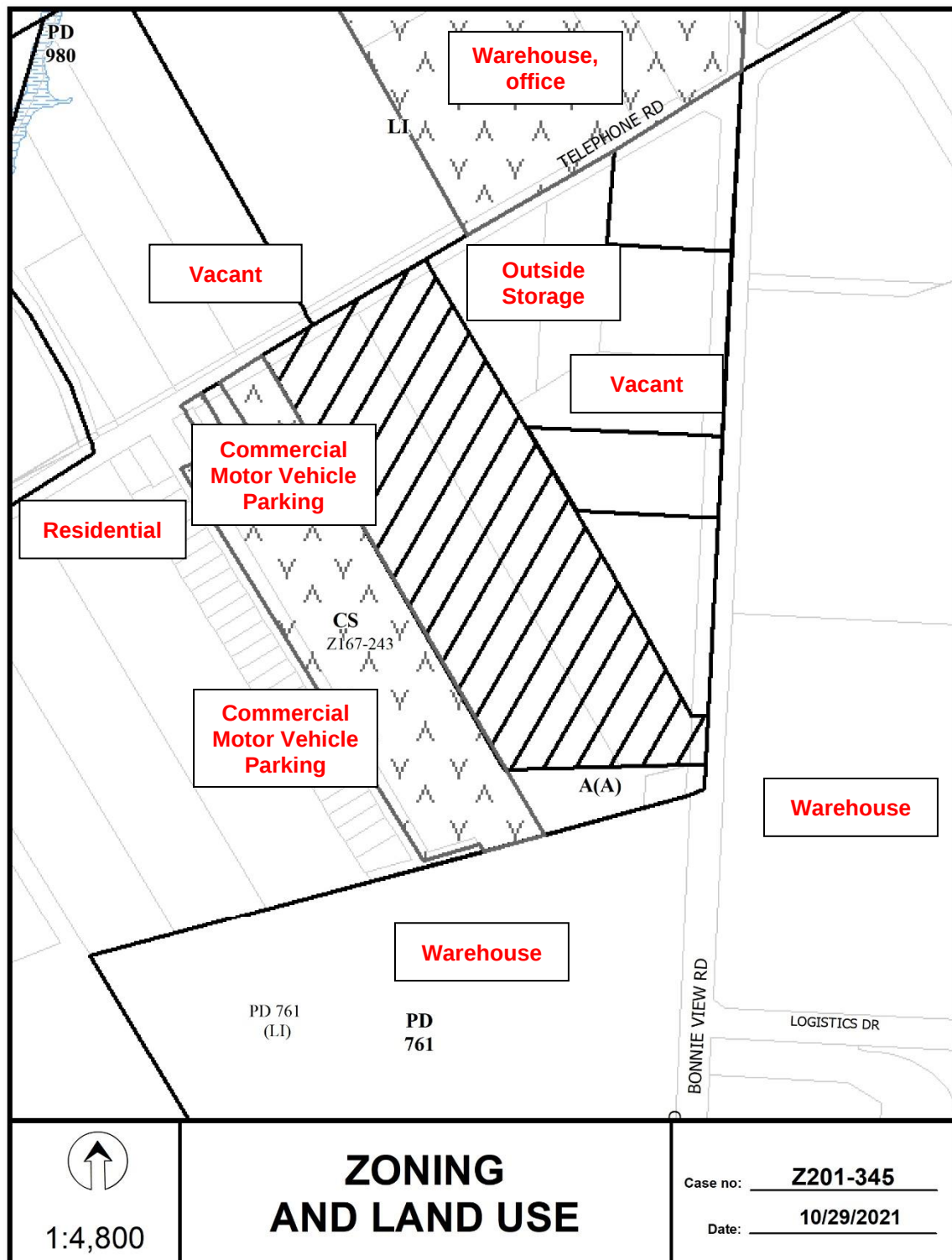
CPC Recommended Site Plan

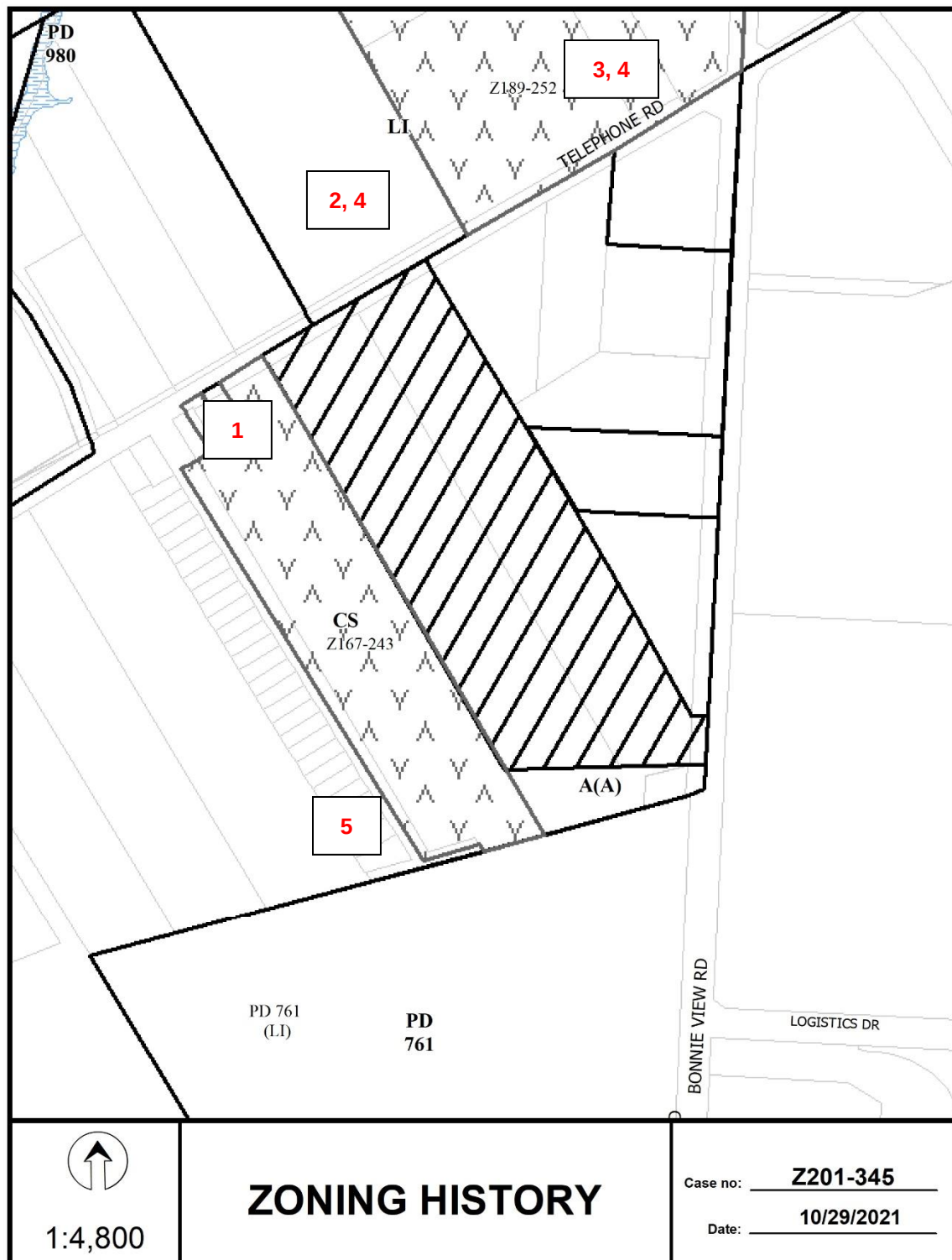




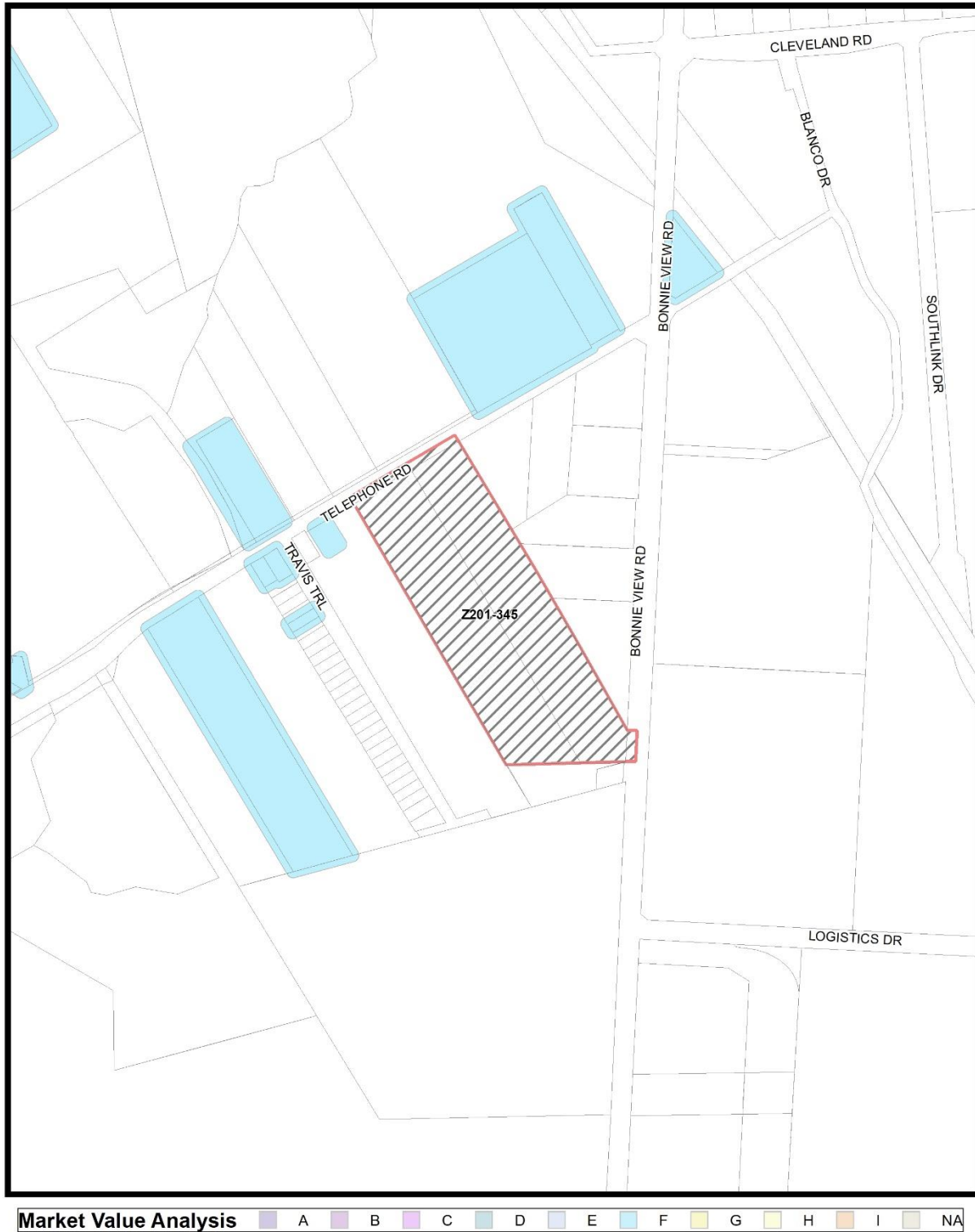








Z201-345(KC)



1:7,200

Market Value Analysis

Printed Date: 10/29/2021



11/17/2021

Reply List of Property Owners***Z201-345******18 Property Owners Notified******2 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	3925 TELEPHONE RD	CHAVEZ MANUEL VALENCIA &
	2	3935 TELEPHONE RD	SAPO REAL ESTATE LLC
	3	4041 TELEPHONE RD	ADAMS JOHN H
	4	4125 TELEPHONE RD	RALPHS GROCERY COMPANY
	5	9890 BONNIE VIEW RD	Taxpayer at
O	6	9867 BONNIE VIEW RD	FENNER PAT &
	7	4100 TELEPHONE RD	NFL LOGISTICS LLC
	8	3906 TELEPHONE RD	CONNER LINDA K
	9	3901 TELEPHONE RD	CURRIE JULIAN & GLORIA
	10	9890 BONNIE VIEW RD	SCM SOUTH DALLAS LLC
	11	10101 BONNIE VIEW RD	HALLE PROPERTIES LLC
O	12	3918 TELEPHONE RD	TELEPHONE ROAD LAND DEVELOPMENT LLC
	13	4200 TELEPHONE RD	SOTO JUAN CARLOS CRUZ
	14	4130 TELEPHONE RD	BENSON FREDDIE LEE &
	15	9300 BONNIE VIEW RD	NOSHAHI MOHAMMAD H
	16	9306 BONNIE VIEW RD	REDMON OLA M
	17	9300 BONNIE VIEW RD	LEIJA JAVIER &
	18	9300 BONNIE VIEW RD	PICKETT JOSEPH