

FILE NUMBER: Z201-149(JK) **DATE FILED:** December 15, 2020

LOCATION: Southeast side of Telephone Road, east of Dallas Avenue

COUNCIL DISTRICT: 8 **MAPSCO:** 76 K

SIZE OF REQUEST: Approx. 7.09 acres **CENSUS TRACT:** 0167.03

REPRESENTATIVE: Mohr Partners-Bob Ingram

APPLICANT: Sunburst Truck Lines

OWNER: Issac Hernandaz

REQUEST: An application for (1) an LI Light Industrial District; and (2) a Specific Use Permit for a Commercial Motor Vehicle Parking use on property zoned an A(A) Agricultural District.

SUMMARY: The purpose of this request is to allow for truck parking onsite. A Specific Use Permit is required because it is within 500 feet of residential zoning.

CPC RECOMMENDATION: **Approval** of an LI Light Industrial District, subject to deed restrictions volunteered by the applicant; and **approval** of a Specific Use Permit for a three-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of an LI Light Industrial District, subject to deed restrictions volunteered by the applicant; and **approval** of a Specific Use Permit for a three-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is zoned A(A) Agricultural District and is currently undeveloped.
- The land use of commercial motor vehicle parking use is defined as a retail use in the Dallas Development Code. This land use is allowed by right in the LI Light Industrial District; however, a Specific Use Permit is required if the use is within 500 feet of a residential district.
- The commercial motor vehicle parking use is defined in the Dallas Development Code, Section 51A-4.210(8.1), 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 vehicle 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 charge independently of any other use on the lot, if the parking is not accessory to a main use on the lot. The proposed request is to operate a commercial motor vehicle parking lot.

Zoning History:

There have been no recent zoning cases in the vicinity within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Telephone Road	Principal Arterial	80' ROW

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed use will not have a negative impact on the surrounding street 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 request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

Policy 2.2.4 Focus on logistics-related jobs for the expansion of employment opportunities, particularly in the Southern Sector.

Dallas' future development opportunities and much of the projected growth capacity lie in the Southern Sector, offering a great opportunity to guide development and direct economic activity. The vast majority of vacant land in the city is located in the Southern Sector. As such, developments that are going to be supported by the proposed use can contribute to promote and encourage efforts for continued investment in these underutilized areas of the city.

Area Plan:

The site is located within the Agile Port Industrial Plan Area adopted by the City Council in June 2006. The plan recommends changes to zoning regulations and their locations to facilitate development of the area with industrial uses. This area is considered to be a highly sophisticated information-based industry that seeks to minimize inventories and respond to the growing demand for next-day or even several-times a day delivery. The Southern Sector's Agile Port Industrial Area is striving to become an intermodal freight facilities complex that can move goods from one transportation system to another (rail to truck) on a huge scale. The proposed primary use will become a motor vehicle parking lot.

Surrounding Land Uses:

	Zoning	Land Use
Site	A(A)	Commercial Motor Vehicle
North	LI	Undeveloped
South	R-7.5 with SUP No. 666	College
East	A(A)	Single Family
West	A(A)	Undeveloped Land

Land Use Compatibility:

The subject site is currently an undeveloped site with the zoned an A(A) Agricultural District. It is the applicant's intention to use the site to park commercial vehicles such as 18-wheelers and trucks. The applicant will construct a one-story structure approximately 4,000 square foot of floor area. The structure will be used as an office, which is permitted by right in the LI District. North of the site is LI and is undeveloped. South of the property is zoned an R-7.5 Single Family District and is the location of Cedar Valley College. East of the site is currently zoned an A(A) District and is the location of a single-family home and horse stable. West of the property is zoned an A(A) District and is currently undeveloped.

The subject site is currently zoned an A(A) Agricultural District. The Dallas Development Code described the purpose of this district as largely transformational. As the area develops the changes in the area are based on development needs. A commercial motor vehicle parking lot would be allowed by right in the proposed zoning district if the site were not within 500 feet of a residential district.

The proposed LI Light Industrial District is described as able to provide for light industrial office, research and development, and commercial uses in an industrial park setting. This district is designed to be located in areas appropriate for industrial development which may be adjacent to residential communities.

The SUP process allows for uses to develop with consideration of the changing environment of the neighborhood. Staff is recommending approval period of three-year period, which will enable staff to reevaluate the use in three years.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
A(A) Agriculture	50'	20/50'	1 dwelling Unit/3 acres	24'	10-25%	N/A	Agricultural & Single Family
Proposed							
LI, Light Industrial	15'	30' adjacent to residential OTHER: No Min	1.0 FAR overall .75 office/retail .5 retail	70' 5 stories	80%	Residential proximity Slope	Commercial & Business service, industrial, institutional, personal service & office

<u>Land Use Comparison:</u>	<u>Proposed</u>	<u>Existing</u>
<u>Use</u>	<u>LI</u>	<u>A (A)</u>
Animal production.		X
Commercial stable.		X
Building repair and maintenance shop.	RAR	
Bus or rail transit vehicle maintenance or storage facility.	RAR	
Catering service.	X	
Commercial bus station and terminal.	X	
Commercial cleaning or laundry plant.	RAR	
Custom business services.	X	
Custom woodworking, furniture construction, or repair.	X	
Electronics service center.	X	
Job or lithographic printing.	RAR	
Labor hall.	SUP	
Machine or welding shop.	RAR	
Machinery, heavy equipment, or truck sales and services.	RAR	
Medical or scientific laboratory.	X	
Technical school.	X	
Tool or equipment rental.	X	
Vehicle or engine repair or maintenance.	X	
Alcoholic beverage manufacturing.	RAR	
Industrial (inside) for light manufacturing.	X	
Inside industrial.	RAR	
Mining.		SUP
Organic compost recycling facility.		SUP
Adult day care facility.	X	SUP
Child-care facility.	X	SUP
Convalescent and nursing homes, hospice care, and related institutions.		SUP
Halfway house.	SUP	
Convent or monastery.		X
Foster home.		SUP
Library, art gallery, or museum.		SUP
Extended stay hotel or motel.	SUP	
Hotel or motel.	RAR or SUP	

Land Use Comparison:

	<u>Proposed</u>	<u>Existing</u>
<u>Use</u>	<u>LI</u>	<u>A (A)</u>
Lodging or boarding house.	X	
Overnight general purpose shelter.	Check use.	
Attached non-premise sign.	SUP	
Alternative financial establishment.	SUP	
Financial institution without drive-in window.	X	
Financial institution with drive-in window.	RAR	
Medical clinic or ambulatory surgical center.	X	
Office.	X	
Country club with private membership.	X	SUP
Private recreation center, club, or area.	X	SUP
College dormitory, fraternity, or sorority house.		X
Handicapped group dwelling unit.		Check use.
<i>Single family (Existing Use)</i>		X
Alcoholic beverage establishments.	Check use.	
Animal shelter or clinic with outside run.	Check use.	SUP
Auto service center.	RAR	
Business school.	X	
Car wash.	RAR	
Commercial amusement (inside).	Check use.	
Commercial amusement (outside).		X
Drive-in theater.		SUP
Dry cleaning or laundry store.	X	
Furniture store.	X	
General merchandise or food store 3,500 square feet or less.	X	
General merchandise or food store 100,000 square feet or more.	SUP	
Home improvement center, lumber, brick or building materials sales yard.	RAR	
Household equipment and appliance repair.	X	
Liquefied natural gas fueling station.	Check use.	
Nursery, garden shop, or plant sales.		X
Motor vehicle fueling station.	X	
Paraphernalia shop.	SUP	
Personal service uses.	X	

<u>Land Use Comparison:</u>	<u>Proposed</u>	<u>Existing</u>
<u>Use</u>	<u>LI</u>	<u>A (A)</u>
Restaurant without drive-in or drive-thru service.	RAR	
Restaurant with drive-in or drive-through service.	DIR	
Taxidermist.	X	
Temporary retail use.	X	
Theater.	X	
Truck stop.	SUP	
Vehicle display, sales, and service.	RAR	
Commercial bus station and terminal.	RAR	
Heliport.	SUP	
Railroad passenger station.	SUP	
Transit passenger station or transfer center.	Check use.	SUP
Electrical substation.	X	SUP
Police or fire station.	X	SUP
Post office.	X	
Radio, television, or microwave tower.	RAR	SUP
Tower/antenna for cellular communication.	Check use.	Check use.
Water treatment plant.		SUP
Freight terminal.	RAR	
Livestock auction pens or sheds.		SUP
Manufactured building sales lot.	RAR	
Mini-warehouse.	X	
Office showroom/warehouse.	X	
Outside storage.	RAR	
Recycling buy-back center.	Check use.	
Recycling collection center.	Check use.	
Recycling drop-off container.	Check use.	Check use.
Recycling drop-off for special occasion collection.	Check use.	Check use.
Sand, gravel, or earth sales and storage.		SUP
Trade center.	X	
<i>Warehouse (Proposed Use).</i>	RAR	
<i>X indicates permitted by right.</i> <i>SUP indicates permitted with a Specific Use Permit.</i> <i>RAR indicates permitted, but subject to Residential Adjacency Review.</i> <i>Check use indicates special provisions in Sec.51A-4.200.</i>		
<i>Alternating color pattern indicates a new category of uses as separated in the Dallas Development Code.</i>		

At the City Plan Commission hearing, the applicant volunteered deed restrictions to prohibit all uses allowed in LI Light Industrial District, except for Office, Office Show Room/Warehouse, Freight Terminal, Mini-Warehouse, Warehouse, Vehicle Engine Repair or Maintenance, and Commercial Vehicle Parking.

Parking and Screening:

Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200. There is no required parking for the land use of a commercial motor vehicle parking. Any accessory or other main uses established on the site will have to meet the requirements for those specific land uses per the Dallas Development Code. One space per 333 square feet of floor area is required for an office use. The 4,000 square foot office will require 12 parking spaces. The propose site plan illustrates 12 parking spaces and two handicap accessible parking spaces with a total of 14 parking spaces provided for the office use. The SUP site plan illustrates 110 spaces for the commercial motor vehicle parking.

Section 51A-4.301(f) of the Dallas Development Code requires off-street parking to be screened when located adjacent to a residential district.

The applicant proposes property perimeter to be fenced as described on the site plan. The fence along Telephone Road is proposed be constructed of an opaque material to visually screen the property from view from Telephone Road. All screening will need to comply with the City Code.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

Market Value Analysis

Market Value Analysis (MVA) is a tool to aid residents and policymakers 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 to orange, representing the weakest markets. While the area of request is not categorized as being within an MVA cluster, the surrounding area to the east is within Category F.

List of Officers

Sunburst Truck Lines, Inc.

- Shaun Leone, President
- Havanna Leone, Vice President
- Pamela McKeon, Executive Secretary

Z201-149(JK)

**MARCH 25, 2021
CPC ACTION**

Z201-149(JK)

Motion: It was moved to recommend 1) **approval** of an LI Light Industrial District, subject to deed restrictions volunteered by the applicant with the following allowable uses to remain: Office, Office Show Room/Warehouse, Freight Terminal, Mini-Warehouse, Warehouse, Vehicle Engine Repair or Maintenance, and Commercial Vehicle Parking; and 2) **approval** of a Specific Use Permit for a Commercial Motor Vehicle Parking use for a three-year period, subject to a site plan and conditions on property zoned an A(A) Agricultural District, on the southeast side of Telephone Road, east of Dallas Avenue.

Maker: Blair
Second: Hampton
Result: Carried: 13 to 1

For: 13 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Jackson, Blair, Jung, Suhler, Schwope,
Murphy, Garcia, Rubin

Against: 1 - Carpenter
Absent: 0
Vacancy: 1 - District 10

Notices: Area: 400 Mailed: 11
Replies: For: 0 Against: 0

Speakers: For: Richard Hope, 6403 Lake Bluff DR., Dallas, TX, 75249
Bob Ingram, 14643 Dallas Parkway, Dallas, TX, 75254
Shaun Leone, 5121A Oates Rd., Houston, TX, 77013
Against: None

DEED RESTRICTIONS VOLUNTEERED BY THE APPLICANT

1. The following main uses are prohibited.

Agricultural uses.

- Crop production.

Commercial and business service uses.

- Building repair and maintenance shop.
- Bus or rail transit vehicle maintenance or storage facility.
- Catering service.
- Commercial bus station and terminal.
- 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 services.
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.

Industrial uses.

- Alcoholic beverage manufacturing.
- Gas drilling and production.
- Industrial (inside) for light manufacturing.
- Inside industrial.
- Temporary concrete or asphalt batching plant.

Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Halfway house.
- Hospital.
- Open-enrollment charter school or private school.
- Public school other than an open-enrollment charter school.

Lodging uses.

- Extended stay hotel or motel.
- Hotel or motel.

- Lodging or boarding house.
- Overnight general purpose shelter.

Miscellaneous uses.

- Attached non-premise sign.
- Carnival or circus (temporary).
- Temporary construction or sales office.

Office uses.

- Alternative financial establishment.
- Financial institution without drive-in window.
- Financial institution with drive-in window.
- Medical clinic or ambulatory surgical center.

Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

Retail and personal service uses.

- Alcoholic beverage establishments.
- 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 parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store 100,000 square feet or more.
- Home improvement center, lumber, brick or building materials sales yard.
- Household equipment and appliance repair.
- Liquefied natural gas fueling station.
- Motor vehicle fueling station.
- Paraphernalia shop.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service.
- Taxidermist.
- Temporary retail use.
- Theater.
- Truck stop.
- Vehicle display, sales, and service.

Transportation uses.

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

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.

Wholesale, distribution, and storage uses.

- Manufactured building sales lot.
- Outside storage.
- Recycling buy-back center.
- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection.
- Trade center.

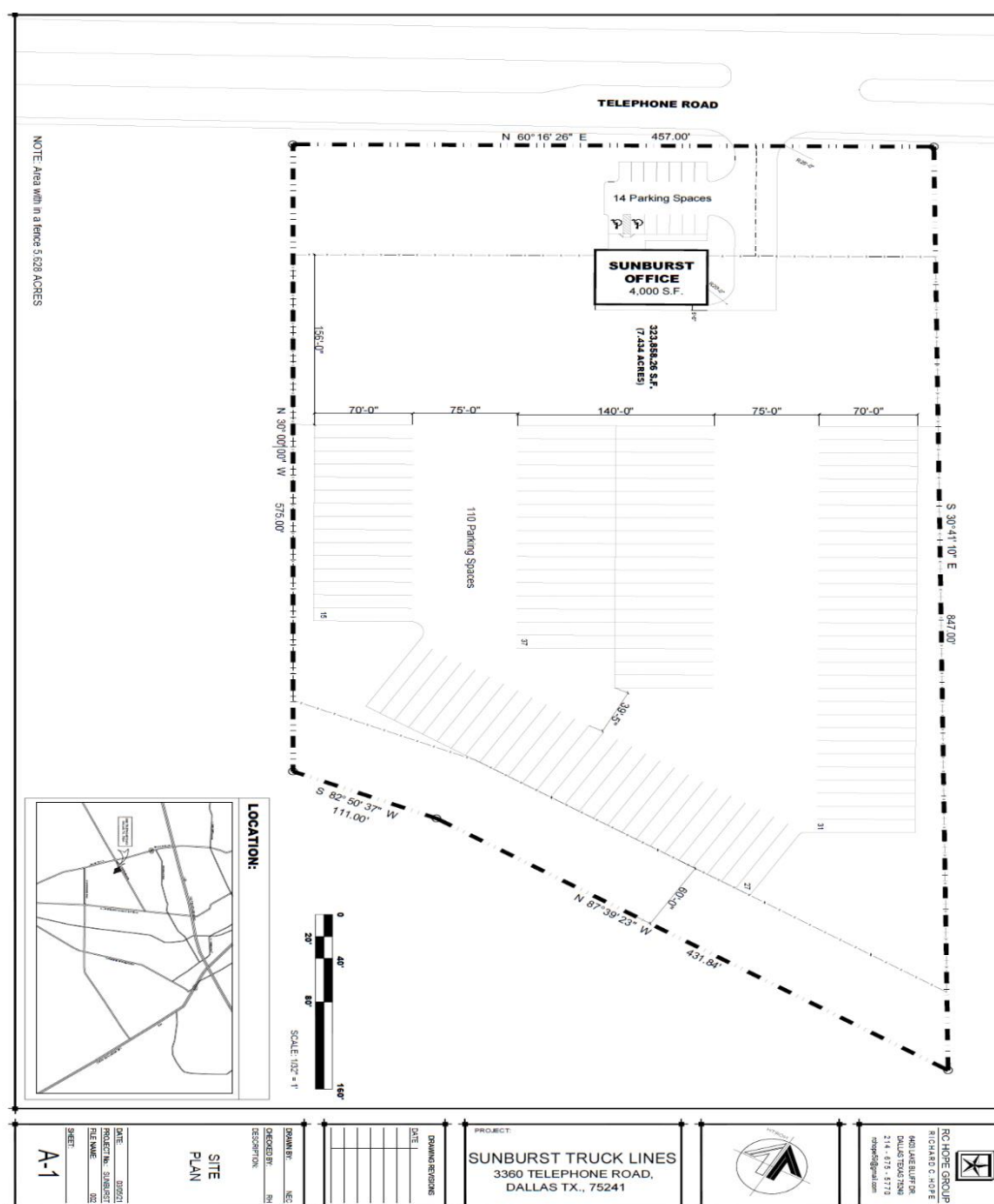
2. The following accessory uses are prohibited.

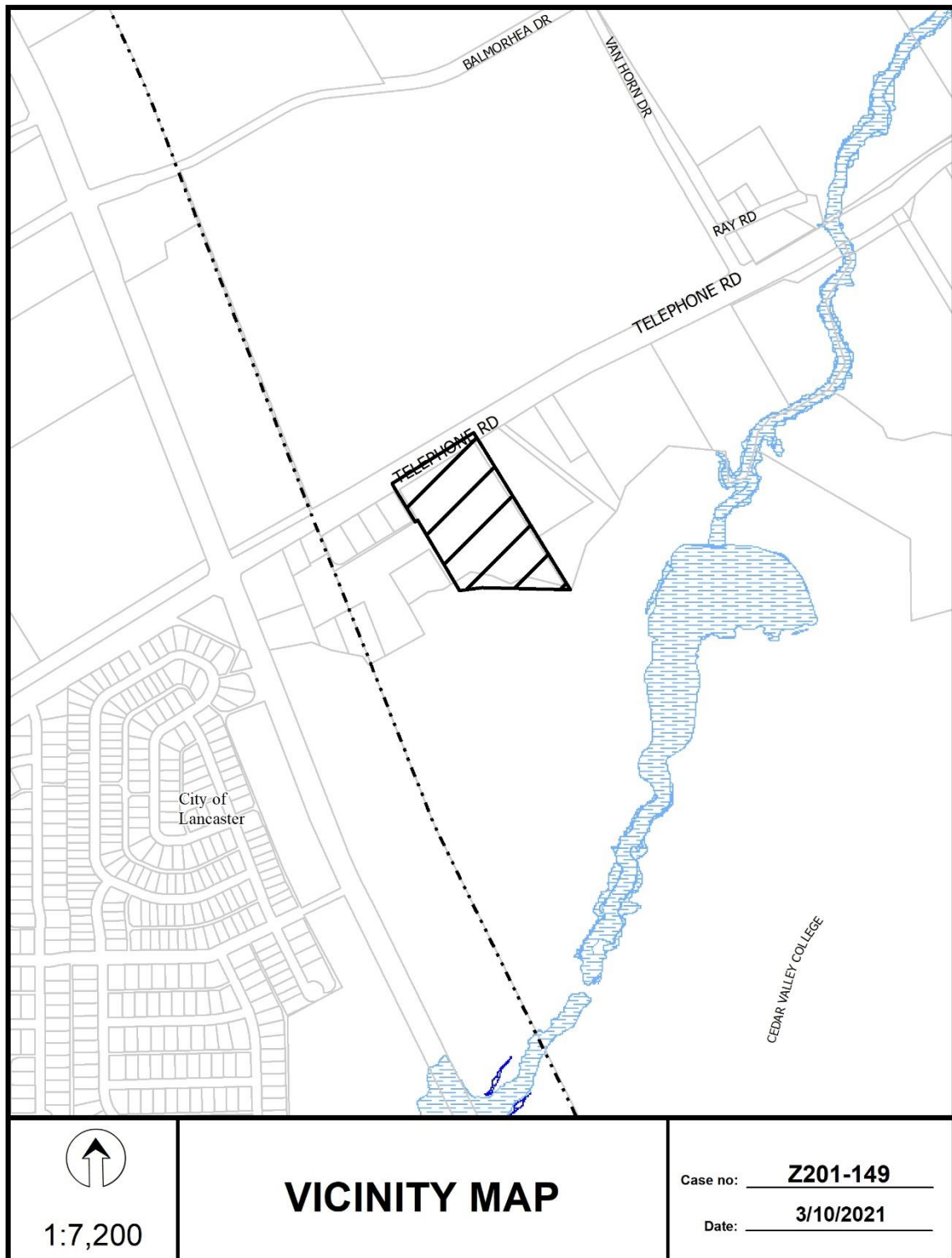
- Accessory helistop.
- Accessory medical/ infectious waste incinerator.

CPC RECOMMENDED SUP CONDITIONS

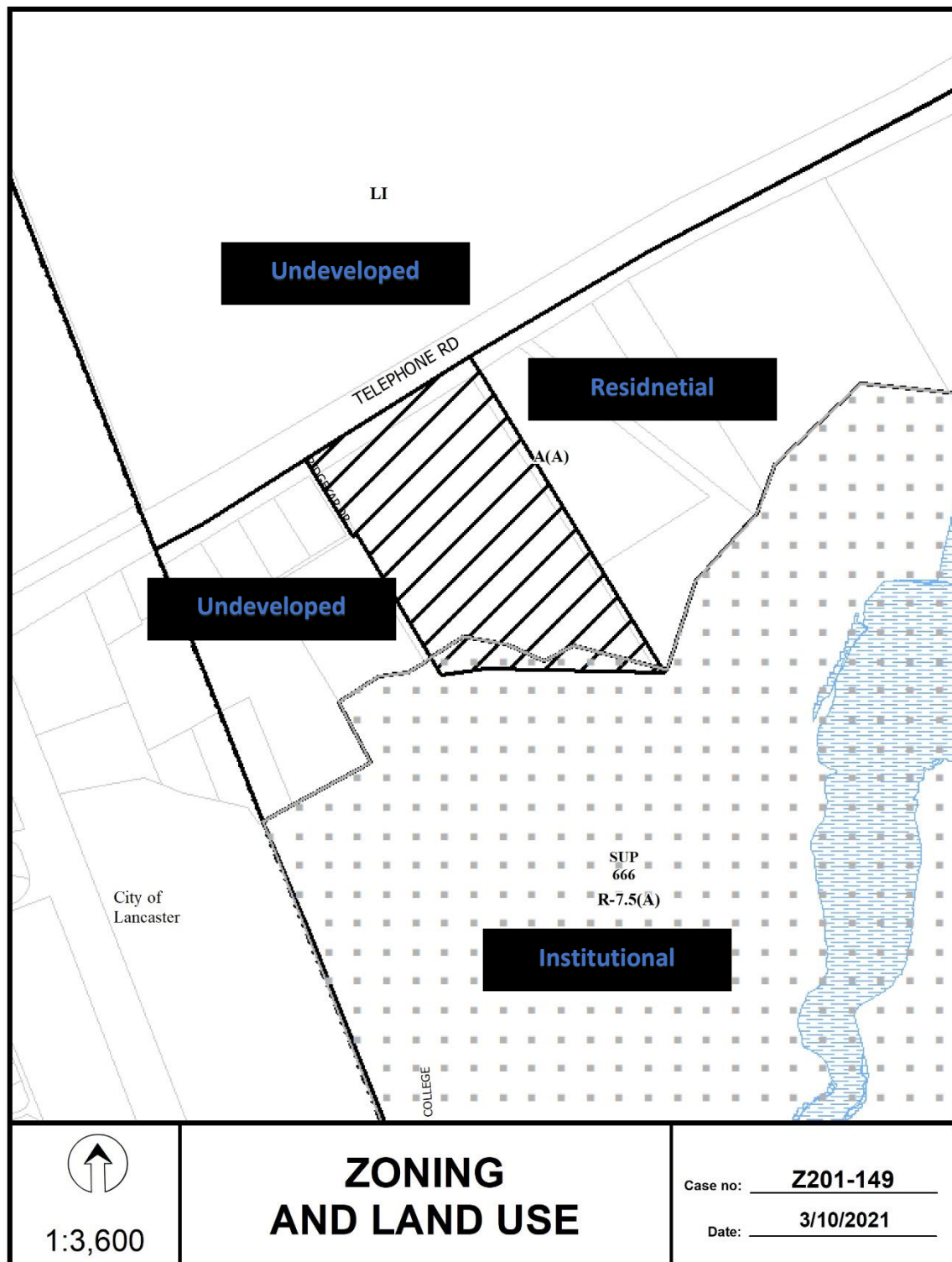
1. USE: The only use authorized by this Specific Use Permit is a Commercial Motor Vehicle Parking.
2. SITE PLAN: Use and development of the property must comply with the attached SITE PLAN.
3. TIME LIMIT: This Specific Use Permit expires on (three years from the passage of this ordinance).
4. FENCING AND SCREENING: The property perimeter will be fenced with a new fence as described on the attached SITE PLAN. The fence along Telephone Road will be constructed of an opaque material to visually screen the property from view from Telephone Road.
5. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENT: 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.

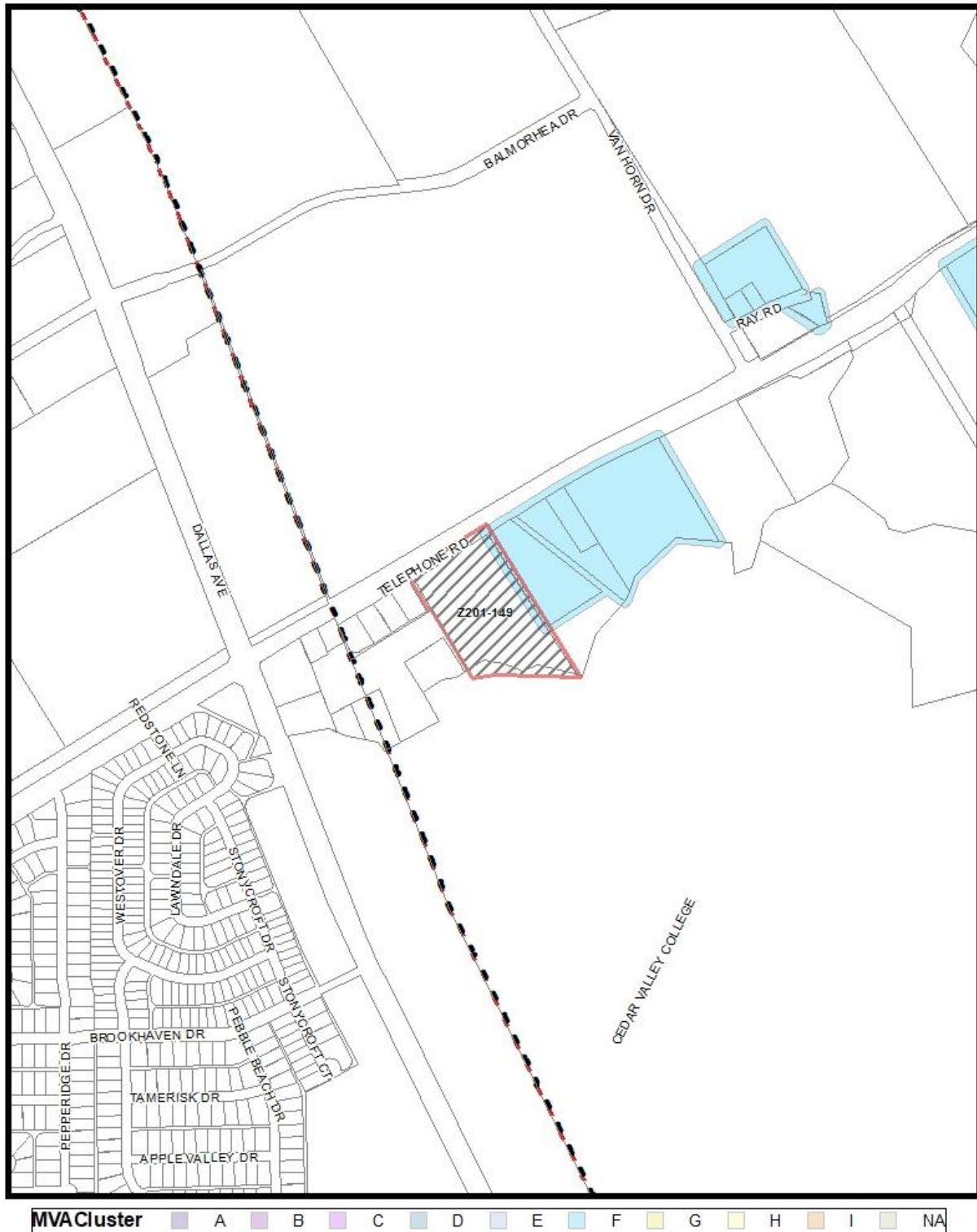
CPC RECOMMENDED SITE PLAN









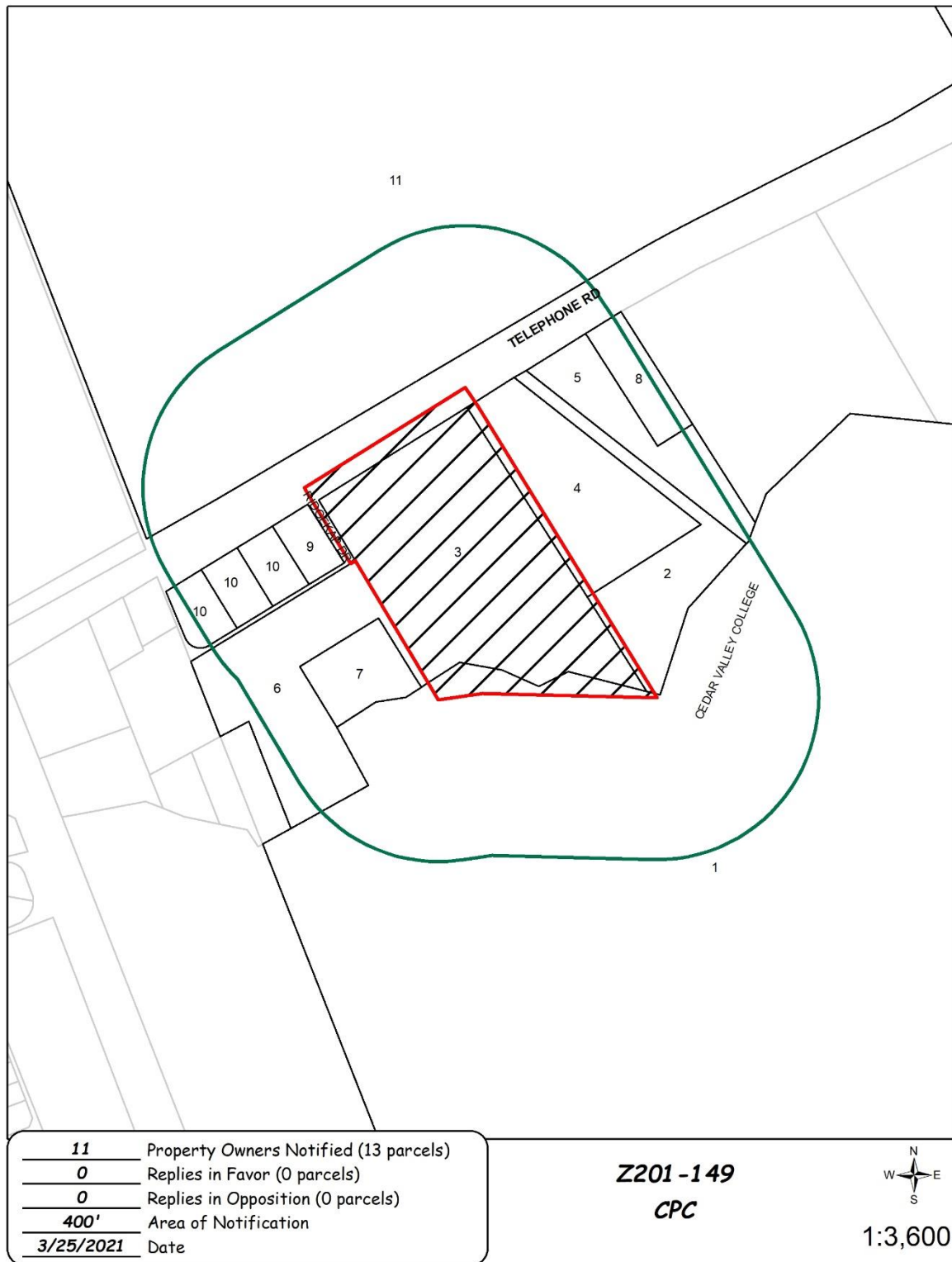


1:7,200

Market Value Analysis

Printed Date: 3/10/2021

CPC RESPONSES



Z201-149(JK)

03/24/2021

Reply List of Property Owners

Z201-149

11 Property Owners Notified

0 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	10300 S LANCASTER RD	DALLAS COUNTY COMMUNITY
	2	3250 TELEPHONE RD	BLACKBURN DOBBIE
	3	3360 TELEPHONE RD	HERNANDEZ ISAAC
	4	3258 TELEPHONE RD	Taxpayer at
	5	3312 TELEPHONE RD	SNEED LORINE
	6	1001 RIDGEKAP DR	HORN MARGIE
	7	1003 RIDGEKAP DR	HORN PETER
	8	3322 TELEPHONE RD	HARRIS ALONZO J & ZERA J
	9	3176 TELEPHONE RD	MIDDLETON LETA MAE
	10	3172 TELEPHONE RD	HORN MARGIE RUTH
	11	1 TELEPHONE RD	DALPARC I20 LOGISTICS LLC