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**FILE NUMBER:** Z234-161(CR)                      **DATE FILED:** January 23, 2024

**LOCATION:** Northwest line of Telephone Road, between Bonnie View Road  
and Van Horn Drive

**COUNCIL DISTRICT:** 8

**SIZE OF REQUEST:** ± 33.60 acres                      **CENSUS TRACT:** 48113016709

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**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

**OWNER/APPLICANT:** JSACQ Telephone Road, LP

**REQUEST:** An application for a Specific Use Permit for commercial motor vehicle parking on property zoned an LI Light Industrial District with deed restrictions [Z212-207].

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

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

**BACKGROUND INFORMATION:**

- The area of request encompasses three parcels (4041, 3935, and 3925 Telephone Road) and is currently zoned LI, Light Industrial District. A portion of the area of request (3935 and 3925 Telephone Road) has deed restrictions that establish development standards and limit the permissible uses along the western property line. This request has been found compliant with the established deed restrictions.
- The use of commercial motor vehicle parking is typically permitted by right in the existing zoning, but requires a specific use permit when within 500 feet of a residential district. However, the nearest residential district that triggers the need for an SUP is actually an A(A) Agricultural District, which is undeveloped.
- The request would establish a commercial motor vehicle parking lot with 879 parking stalls across two parking areas, each measuring 55 feet in depth and 12 feet in width.
- The site is bounded by Telephone Road to the south, and the Newton Creek channel and floodplain to the north.

**Zoning History:**

There have been four zoning cases in the area in the last five years:

1. **Z223-198:** On May 22, 2024, the City Council approved an application for (1) an LI Light Industrial District; and (2) a Specific Use Permit for commercial motor vehicle parking on property zoned an A(A) Agricultural District.
2. **Z212-207:** On October 12, 2022, the 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. [western two tracts of the area of request]
3. **Z201-107:** On April 14, 2021, the City Council approved an application for an LI Light Industrial District on property zoned an A(A) Agricultural District. [eastern tract of the area of request]
4. **Z201-345:** On January 12, 2022, the City Council approved 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.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Telephone Road (south)	PA, Principal Arterial	80-foot ROW

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and 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:

**LAND USE ELEMENT**

**GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

**Policy 1.1.2** Focus on Southern Sector development opportunities.

**GOAL 1.4** COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT

**Policy 1.4.1** Coordinate development and planning activities.

**ECONOMIC ELEMENT**

**GOAL 2.1** PROMOTE BALANCED GROWTH

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

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

**GOAL 2.2** ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

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

**Policy 2.2.8** Target business recruitment to match industry with specific geographic areas.

**TRANSPORTATION ELEMENT**

**GOAL 4.2** PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

**Policy 4.2.4** Promote the safe and efficient movement of goods.

**Land Use:**

	<b>Zoning</b>	<b>Use</b>
<b>Site</b>	LI, Light Industrial	Undeveloped
<b>North</b>	PD No. 980	Warehouse
<b>East</b>	LI, Light Industrial	Warehouse
<b>South</b>	CS, Commercial Service with SUP 2439	Commercial Motor Vehicle Storage
<b>West</b>	A(A), Agricultural	Undeveloped, Single-family, detached, and Tool or Equipment Rental

**Land Use Compatibility:**

The area of request encompasses a combined approximately 33.6-acre area that has collectively received a change in zoning from A(A), Agricultural district to LI, Light Industrial district within the last five years. Surrounding land uses are industrial in nature, including abutting warehouses to the north and east of the area of request, and an additional commercial motor vehicle parking use across Telephone Road to the south.

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. Staff finds that this application for renewal of SUP 2150 meets the approval criteria for SUPs as established by Section 51A-4.219 of the Dallas Development Code.

On October 12, 2022, the City Council approved an application for an LI Light Industrial District with deed restrictions volunteered by the applicant for the western two parcels within the subject area. The deed restrictions state that as long as the property along the western property line is zoned as a Residential District pursuant to Chapter 51A of the Dallas City Code, the following deed restrictions apply:

1. The maximum structure height is 50 feet.
2. Buildings are prohibited within 60 feet of the western property line.
3. Overhead doors for truck loading and unloading facing the western property line is prohibited.
4. A minimum 20-foot-wide landscape buffer is required along the western property line.
5. An 8-foot-tall masonry wall must be provided along the western property line for approximately 520 feet to the tree line where it will be transitioned to a chain link fence with slates, through the tree line to the creek, to provide opacity.
6. Prohibiting several commercial uses (listed below).

Staff supports the request due to the continuity and compatibility of uses in the surrounding area, including warehouses and another commercial motor vehicle parking lot. The five year period of approval would allow for reevaluation of the site in five years if necessary, through the process of 51A-4.219(c), at which point they could receive automatic renewal only if they are in compliance with the SUP Conditions and site plan and do not have significant written protest.

**Landscaping:**

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

**Parking:**

Per Section 51A-4.210(b)(8.1)(c) of the Dallas Development Code, no parking is required for commercial motor vehicle parking uses.

**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 currently in an “H” MVA area.

**List of Officers**

JSACQ Telephone Road, LP

Jackson Shaw

Lewis W. Shaw, II, CEO  
Michele wheeler, President  
John Stone, CFO  
Joe Blewitt, Vice President  
Joy Chiles, Vice President  
Michael Flower, Vice President  
Miles Terry, Vice President  
Grant Pearson, Vice President  
Tammy Whiteman, Vice President

**EXISTING DEED RESTRICTIONS (NO CHANGES)**

22 1 5 6 7

South 60 degrees 00 minutes 00 seconds West, a distance of 231.4 feet to a point for corner;

THENCE, North 30 degrees 00 minutes 00 seconds West, along the northeasterly line of Muhammad Addition at a distance of 594.00 feet for the northeast corner of said Muhammad Addition and being the southeast corner of a tract of land described in a deed to Julian Curry as recorded in Volume 97092, Page 1088, Deed Records, Dallas County, Texas; in a total distance of 1016.6 feet to the called center of Overton Creek;

THENCE, along said center of Overton Creek as follows:

North 24 degrees 00 minutes 00 seconds East, a distance of 140.8 feet to a point for corner;

North 14 degrees 30 minutes 17 seconds East, a distance of 167.6 feet to a point for corner;

South 30 degrees 00 minutes 00 seconds East, a distance of 40.23 feet to a point for corner;

THENCE North 22 degrees 25 minutes 38 seconds East, along the southeasterly line of a tract of land described in a deed to Tejas Investors as recorded in Instrument number 200900188107, Official Public Records, Dallas, County, Texas, a distance of 229.12 feet to a point for corner;

THENCE North 12 degrees 42 minutes 49 seconds East, a distance of 113.03 feet to a point for corner at the northwest corner of a tract of land described in a deed to John H. Adams and Dolly D. Adams as recorded in Volume 74107, Page 144, Deed Records, Dallas County, Texas;

THENCE South 30 degrees 00 minutes 02 seconds, East along the southwesterly line of said Adams tract, a distance of 1401.18 feet to the POINT OF BEGINNING and containing 13.493 acres of land, more or less.

II.

As long as the property along the western property line is zoned as a Residential District pursuant to Chapter 51A of the Dallas City Code, the Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. Maximum structure height is 50 feet.
2. Buildings are prohibited within 60 feet of the western property line.
3. Overhead doors for truck loading and unloading facing the western property line is prohibited.
4. A minimum 20-foot wide landscape buffer is required along the western property line.



**EXISTING DEED RESTRICTIONS (NO CHANGES)**

22 1 5 6 7

5. An eight-foot tall masonry wall must be provided along the western property line for approximately 520 feet to the tree line where it will be transitioned to a chain link fence with slats, through the tree line to the creek, to provide opacity.
  
6. The following uses are prohibited on the Property:
  - (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 woodworking, furniture construction, or repair.
    - Electronics service center.
    - Labor hall.
    - Machine or welding shop.
    - Tool or equipment rental.
    - Vehicle or engine repair or maintenance.
  
  - (C) Industrial uses.
    - Temporary concrete or asphalt batching plant.
  
  - (D) Institutional and community service uses.
    - Adult day care facility.
    - Cemetery or mausoleum.
    - Child-care facility.
    - College, university, or seminary.
    - Community service center.
    - Hospital.
    - Open-enrollment charter school or private school.
    - Public school other than open-enrollment charter school.
  
  - (E) Lodging uses.
    - Extended stay hotel or motel.
    - Hotel or motel.
    - Lodging or boarding house.
    - Overnight general purpose shelter.
  
  - (F) Miscellaneous uses.
    - Attached non-premise sign.
    - Carnival or circus (temporary).
    - Temporary construction or sales office.
  
  - (H) Recreation uses.
    - Country club with private membership.
    - Private recreation center, club, or area.

**EXISTING DEED RESTRICTIONS (NO CHANGES)**

22 1 5 6 7

--Public park, playground, or golf course.

(J) 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.
- 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.
- Home improvement center, lumber, brick or building materials sales yard.
- Household equipment and appliance repair.
- Motor vehicle fueling station.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service.
- Temporary retail use.
- Theater.
- Truck stop.

(K) Transportation uses.

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

(L) 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.

(M) Wholesale, distribution, and storage uses.

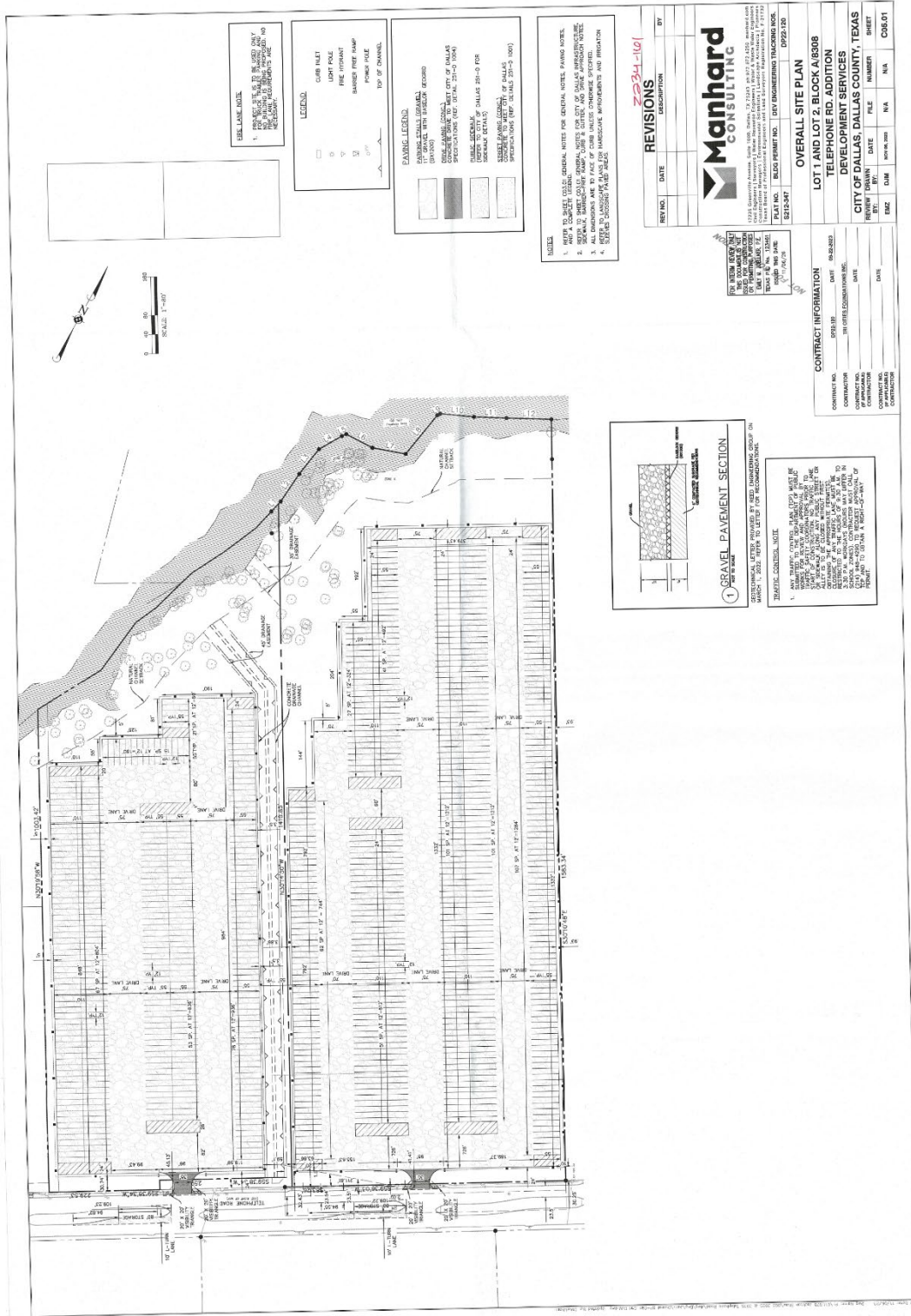
- Recycling buy-back center
- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection.

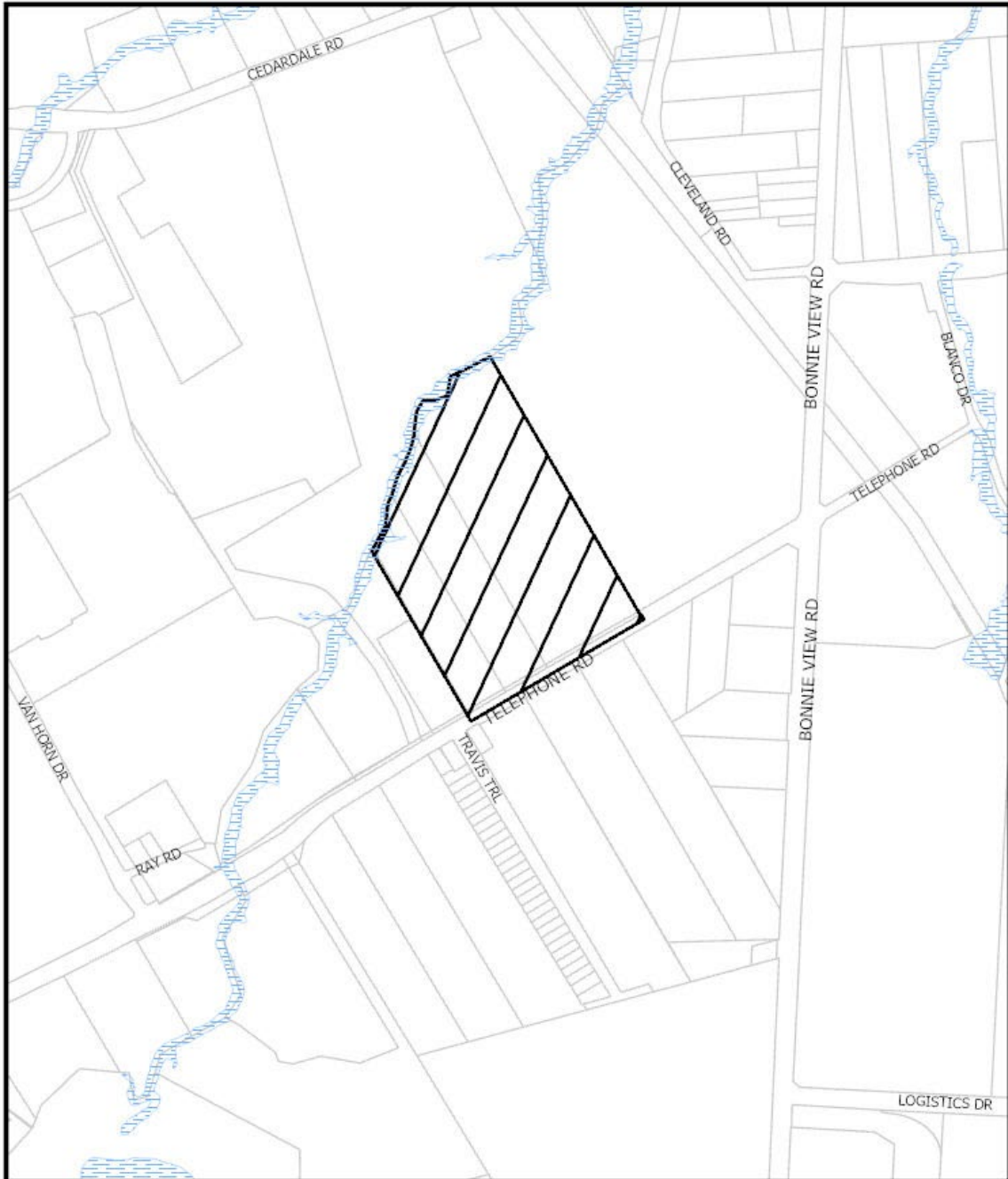
III.

## PROPOSED CONDITIONS

1. USE: The only use authorized by this specific use permit is 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 in FIVE 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.

# PROPOSED SITE PLAN





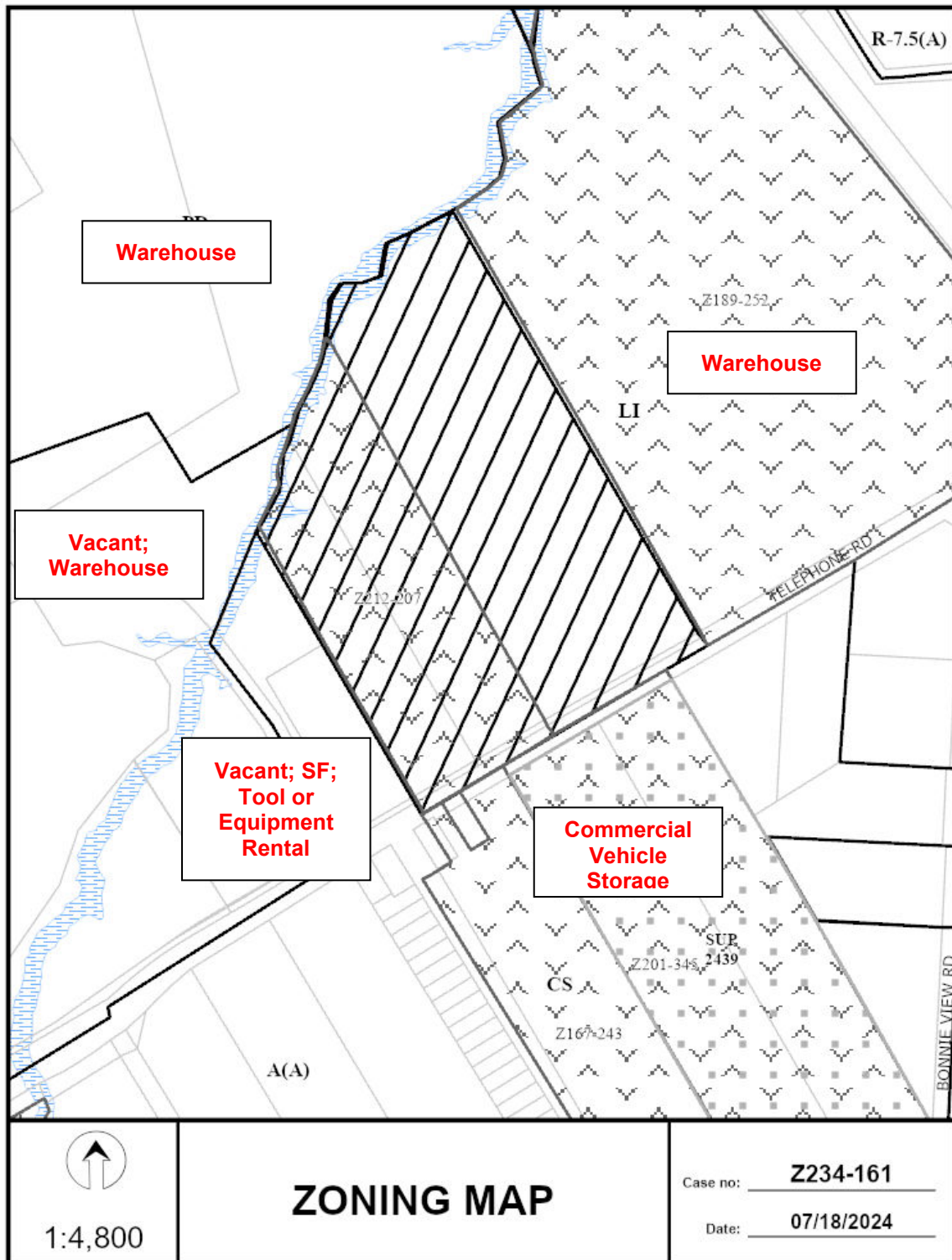
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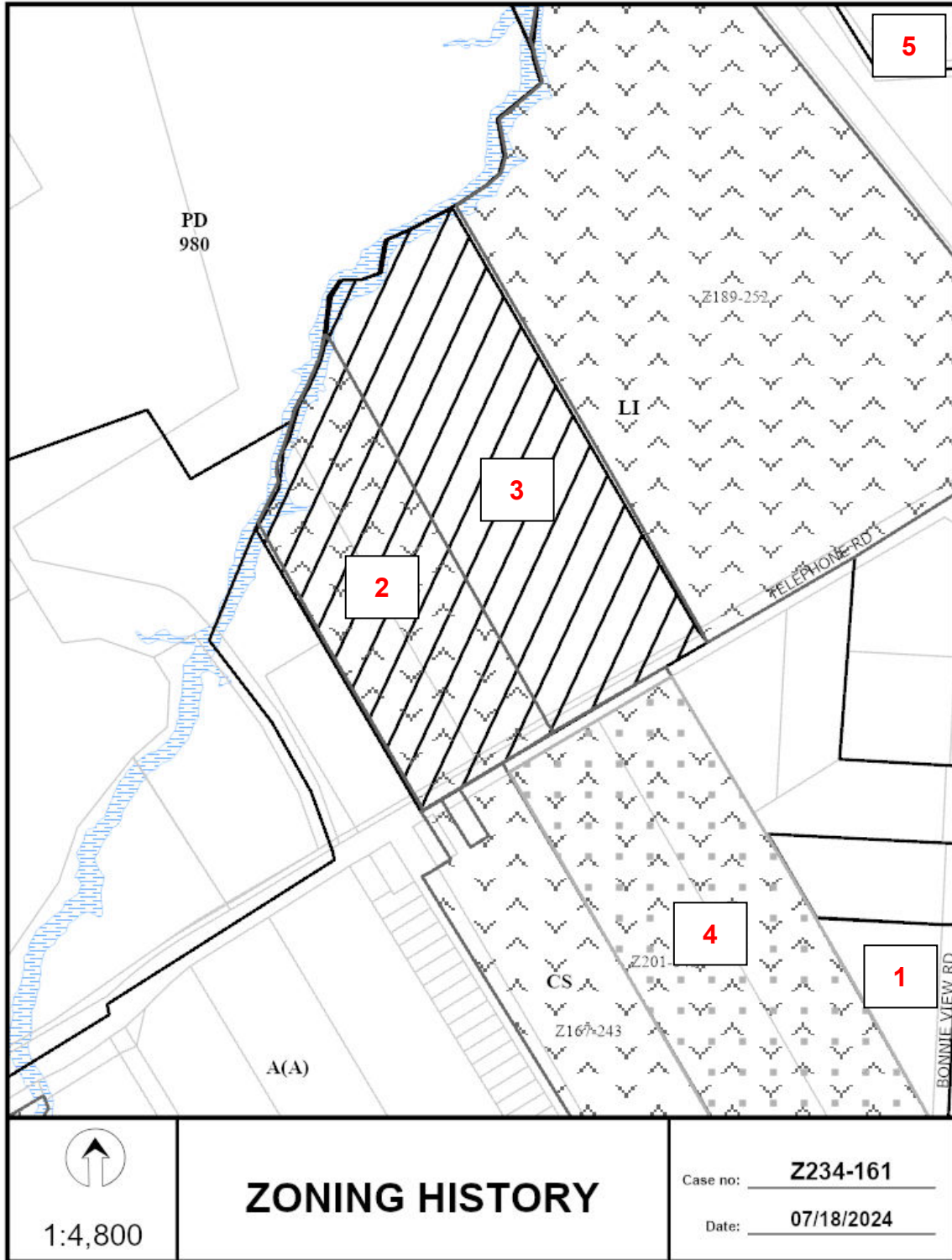
### VICINITY MAP

Case no: Z234-161

Date: 07/18/2024













07/18/2024

***Notification List of Property Owners******Z234-161******23 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3925 TELEPHONE RD	JSACQ/TELEPHONE ROAD LP
2	3901 TELEPHONE RD	CURRIE JULIAN & GLORIA
3	3935 TELEPHONE RD	Taxpayer at
4	4041 TELEPHONE RD	JSACQ TELEPHONE ROAD LP
5	3845 TELEPHONE RD	TC ALTAMOORE PHASE 1 VENTURE LLC
6	3845 TELEPHONE RD	TC CEDAR ALT DISTRIBUTION CENTER LLC
7	3800 TELEPHONE RD	ARCHIBALD GARY &
8	4100 TELEPHONE RD	NFL LOGISTICS LLC
9	9635 TRAVIS TRL	MARTINEZ MARIA DE JESUS &
10	9627 TRAVIS TRL	RUBIO ADELINA
11	9623 TRAVIS TRL	RODRIGUEZ BLANCA H &
12	3830 TELEPHONE RD	RICO FRANCISCO & MARIA ELENA
13	3838 TELEPHONE RD	RODRIGUEZ ISRAEL PAZ &
14	3906 TELEPHONE RD	NEXTLOTS NOW LLC
15	9280 VAN HORN DR	ALTAMOORE OWNER LLC
16	4125 TELEPHONE RD	RALPHS GROCERY COMPANY
17	3486 CEDARDALE RD	TC CEDAR ALT DISTRIBUTION CENTER LLC
18	3800 CEDARDALE RD	CEDARDALE PROPERTY CO LLC
19	3918 TELEPHONE RD	SNL IOV 3918 TELEPHONE OWNER
20	4200 TELEPHONE RD	CRUZ NOE
21	4130 TELEPHONE RD	BENSON FREDDIE LEE &
22	4200 TELEPHONE RD	GARCIA JAIME
23	9300 BONNIE VIEW RD	NEW WORLD CONTRACTING LLC