

FILE NUMBER: Z234-196(GB) **DATE FILED:** March 25, 2024

LOCATION: East line of South Hampton Road and north of West Danieldale Road

COUNCIL DISTRICT: 8

SIZE OF REQUEST: Approx. 8.82 acres **CENSUS TRACT:** 48113016634

REPRESENTATIVE: Angela Hunt, Munsch Hardt

OWNER/APPLICANT: SFG ISF Dallas Hampton, LLC

REQUEST: An application for an amendment to deed restrictions [Z856-107 and Z867-125] on property zoned an IR Industrial Research District on the east line of South Hampton Road, north of West Danieldale Road.

SUMMARY: The purpose of the request is to allow overnight parking of commercial motor vehicles.

STAFF RECOMMENDATION: **Approval** of an amendment to deed restrictions [Z856-107 and Z867-125] as volunteered by the applicant.

PRIOR CPC ACTION: On October 10, 2024, the City Plan Commission held this item under advisement to November 21, 2024.

BACKGROUND INFORMATION:

- The area of request is currently developed with a commercial structure and is zoned IR (industrial research) with deed restrictions Z856-107 and Z867125.
- On May 22, 1986, the Dallas City Council approved deed restrictions [Z856-107].
- On February 19, 1987, the Dallas City Council approved deed restrictions [Z856-125]
- The site currently has a certificate of occupancy for commercial motor vehicle parking.
- The applicant is requesting permission to park commercial motor vehicles overnight.
- Per deed restrictions Z856-107 and Z856-125, commercial motor vehicles are allowed to park on the property, just not overnight. This is due to the prohibition of open storage in the deed restrictions.
- **There have been no changes to the request since the previous hearing.**

Zoning History:

There have been two zoning cases in the area in the last five years.

1. **Z201-348:** On March 9, 2022, City Council denied without prejudice an application for a Specific Use Permit for an alcoholic beverage establishment limited to a private club – bar on property zoned Subdistrict 3B within Planned Development District No. 830, the Bishop Arts Mixed Use District, at the southeast corner of North Madison Avenue and West 9th Street.
2. **Z234-253:** On May 31, 2024, staff received an application for an automatic renewal of Specific Use Permit No. 1661 for an open-enrollment charter school on property zoned an IR Industrial Research District in an area bound by Beckleymeade Avenue, South Hampton Road, Westfall Drive, and Stoneview Drive.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
South Hampton Road	Principal Arterial	100 feet

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 ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 outlining 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.

Land Use:

	Zoning	Land Use
Site	IR (industrial research) [Z856-107] and [Z856-125]	Commercial motor vehicle parking
North	Industrial Research	Warehouse
East	Industrial Research	Warehouse
South	Industrial Research	Undeveloped; Commercial motor vehicle parking; vehicle display, sales, and service
West	Industrial Research	School (Uplift Hampton Prep), Warehouse, Office

Land Use Compatibility:

The area of request is currently developed with a commercial structure and zoned Industrial Research. The site has a certificate of occupancy for commercial motor vehicle parking. The area of request is surrounded by Industrial Research zoning with warehouse uses, commercial motor vehicle parking, vehicle display, sales and services, office, and Uplift Hampton Prep School. The City of DeSoto is located further south of the area of request.

Staff finds that the applicant’s request to amend the deed restrictions to allow overnight commercial truck parking is compatible with surrounding uses in the area. Since commercial motor vehicle parking is permitted under the existing deed restrictions Z856-

107 and Z856-125, staff does not object to the proposed amendment to the deed restrictions that would allow overnight commercial motor vehicle parking.

Landscaping:

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

Parking:

Pursuant to the Dallas Development Code, there are no parking requirements for commercial motor vehicle parking.

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 within a "G" MVA area.

Z234-196(GB)

List of Officers

SFG ISF Dallas Hampton, LLC
Ryan Meehan
Bryan Blasingame
Neal Moskowitz
John D. Altmeyer

EXISTING DEED RESTRICTIONS [Z856-107]

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DEED RESTRICTIONS

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the undersigned, TMJ Partnership, is the owner of that certain 45.9276 acre tract of land situated in Dallas County, Texas, being in particular a tract of land out of the John Stephens Survey, Abstract No. 1302, City Block 7558, City of Dallas, Dallas County, Texas, and being more particularly described as shown in Exhibit "A", attached hereto and made a part hereof.

That the property as shown in Exhibit "A" is divided into Tracts I and II. Each of these tracts is more particularly described in Exhibit "B", attached hereto and made a part hereof.

That the undersigned owner does hereby impress the property shown in Exhibit "A" with the following Deed Restrictions applicable to those specific tracts more particularly described in Exhibit "B".

TRACT I

- (a) The following retail uses are prohibited on Tract I:
 - (1) Retail food store
 - (2) Bakery or confectionary shop
 - (3) Book and stationery store
 - (4) Camera shop
 - (5) Cigar, tobacco and candy store
 - (6) Clothing store
 - (7) Drug store
 - (8) Beverage store
 - (9) Florist store
 - (10) Feed store
 - (11) Pet shop
 - (12) Second-hand store
 - (13) Pawn shop
 - (14) Hardware or sporting goods store
 - (15) Home improvement center
 - (16) Swimming pool sales and supply
- (b) No structure on Tract I may exceed 36 feet in height. The development on Tract I is limited to no more than a .6 to 1 floor area ratio (FAR).
- (c) For the purposes of these restrictions, all the definitions of the Dallas Development Code, as amended, are incorporated into this document as if recited herein.

36104 0655 Z856-107/5682-5

TRACT II

- (a) No structure on Tract II may exceed 60 feet in height.
- (b) Development on Tract II is limited to no more than a 1 to 1 floor area ratio (FAR).
- (c) For the purposes of these restrictions, all the definitions of the Dallas Development Code, as amended, are incorporated into this document as if recited herein.

TRACTS I AND II

- (a) The following uses are prohibited on both Tract I and Tract II:
 - (1) The following commercial uses:
 - (i) Machine or welding shop
 - (ii) Tool and equipment rental (with outside display)
 - (iii) Petroleum product storage and wholesale
 - (2) The following storage and waste disposal uses:
 - (i) Open storage (visual screen)
 - (ii) Aluminum collection center
- (b) All restaurant and bar uses on Tract I and Tract II combined may not exceed 15,000 square feet of floor area.
- (c) All retail uses on Tract I and Tract II combined may not exceed 330,670 square feet of floor area.
- (d) For purposes of these restrictions, all the definitions of the Dallas Development Code, as amended, are incorporated into this document as if recited herein.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan and Zoning Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owners hereof do hereby grant to the City of Dallas the right to prosecute, at law and in equity, against the person violating or attempting to violate such restrictions, either to prevent him from so doing and to correct such violation and for further remedy, the City of Dallas may withhold the Certificates of Occupancy necessary for the lawful use of the property until such restrictions described herein are fully complied with.

These restrictions are hereby declared covenants running with the land and shall be fully binding upon all persons acquiring property within the above described tract, and any person by acceptance of title to any of the above-described property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

EXECUTED this 9th day of May, 1961.

TMJ Partnership

By [Signature]
John F. Fufts, Jr.
General Partner

By [Signature]
Rick L. Mai,
General Partner

Approved as to form:
ANALESIE MUNCY, City Attorney

By [Signature]
Carla S. Hatcher
Assistant City Attorney

By [Signature]
Clifford A. Johnson,
General Partner

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared John F. Tufts, Jr., Rick L. Mai, and Clifford A. Johnson, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that the same was the act of each acting as a general partner of TMJ Partnership, and that they executed the same as the act of such partnership for the purposes and consideration therein expressed, and the capacity therein stated.

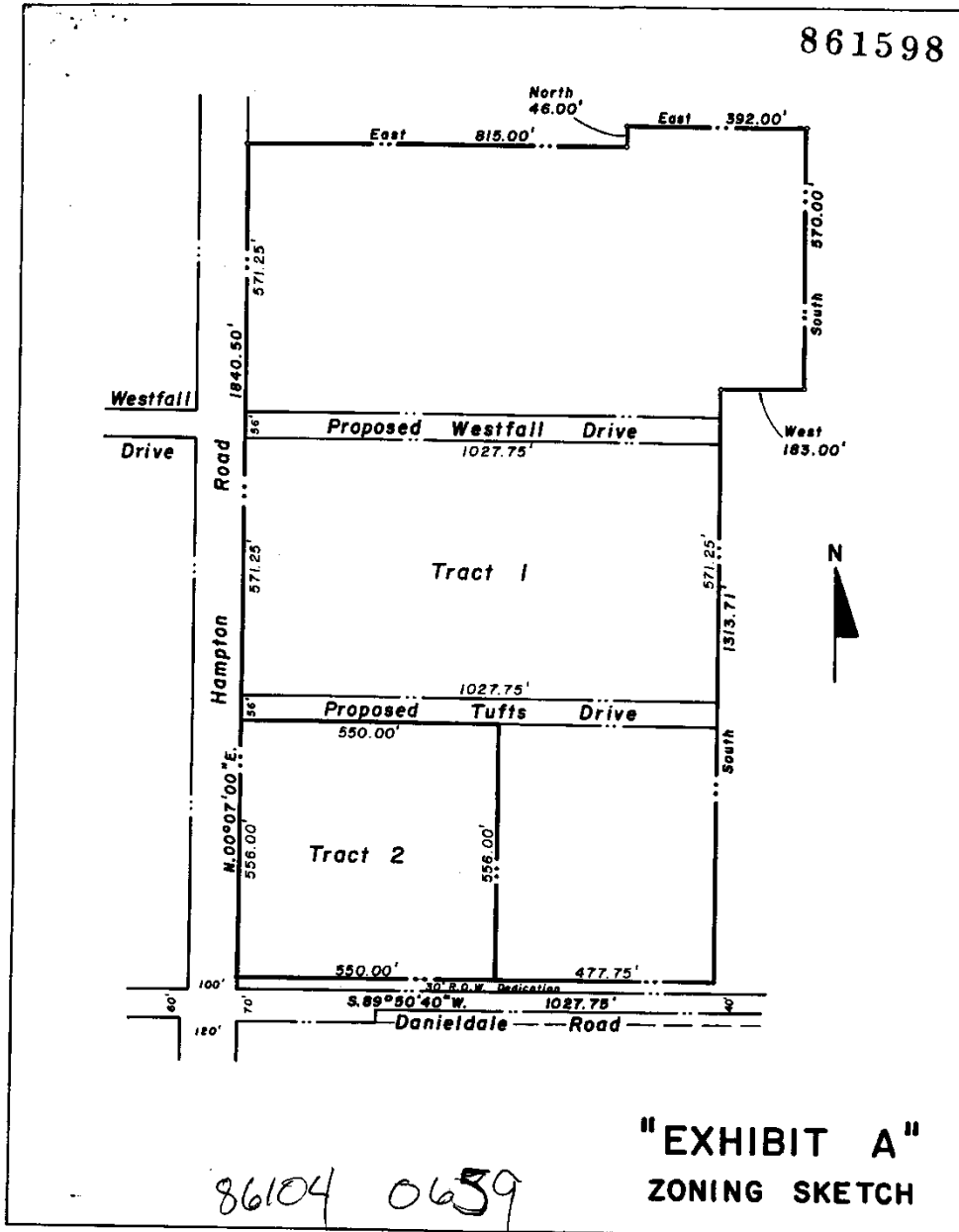
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 2nd day of July, 1986.



Sue E. Fellow

Notary Public in and for
The State of Texas

My Commission Expires:
SUE E. FELLOW
Notary Public
Dallas County, Texas
Commission Expires 9-15-89



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EXHIBIT "B"

TRACT I

Being a tract of land situated in the John Stephens Survey, Abstract No. 1302, said tract being a part of a tract conveyed by F. B. Tufts, et ux to Ware G. Tufts, recorded in Volume 1099, Page 517, Deed Records of Dallas County, Texas and being more particularly described as follows:

Commencing at the intersection of the east line of Hampton Road (100 foot R.O.W.) with the north line of Danieldale Road (100 foot R.O.W.); thence North 0 degrees 07 minutes East, 556.00 feet to the true point of beginning;

Thence North 0 degrees 07 minutes East, 1,254.50 feet to an iron rod set for corner;

Thence East, a distance of 815 feet to an iron rod set for corner;

Thence North, a distance of 46 feet to an iron rod set for corner;

Thence East, a distance of 392.00 feet to an iron rod set for corner;

Thence South, a distance of 570.00 feet to an iron rod set for corner;

Thence West, a distance of 183 feet to an iron rod set for corner;

Thence South, 1,283.71 feet to the north line of Danieldale Road;

Thence South 89 degrees 50 minutes 40 seconds West, along the north line of Danieldale Road, a distance of 477.75 feet;

Thence North 0 degrees 07 minutes East, parallel with the east line of Hampton Road, a distance of 556 feet to the south line of Tufts Drive;

Thence West, a distance of 550.00 feet along the south line of Tufts Drive to the point of beginning and containing approximately 38.2 acres of land.

TRACT II

Being a tract of land situated in the John Stephens Survey, Abstract No. 1302, said tract being a part of the tract conveyed by F. B. Tufts, et ux to Ware G. Tufts, recorded in Volume 1099, Page 517, Deed Records of Dallas County, Texas, and being more particularly described as follows:

Commencing at the intersection of the east line of Hampton Road (100 foot R.O.W.) with the north line of Danieldale Road (100 foot R.O.W.);

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Thence North 0 degrees 07 minutes East, along said east line of Hampton Road, a distance of 556.00 feet to the south line of Tufts Drive;

Thence East, along said south line of Tufts Drive, a distance of 550 feet;

Thence South a distance of 556 feet to the north line of Danieldale Road;

Thence South 89 degrees 15 minutes 40 seconds West, a distance of 550 feet to the point of beginning and containing approximately 7 acres of land.

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APPLICANT'S VOLUNTEERED AMENDMENT TO DEED RESTRICTIONS [Z856-107]

The Owners do hereby amend the Original Restrictions to read as follows:

TRACTS I AND II

- (a) The following uses are prohibited on both Tract I and Tract II:
 - (1) The following commercial uses:
 - (i) Machine or welding shop
 - (ii) Tool and equipment rental (with outside display)
 - (iii) Petroleum product storage and wholesale
 - (2) The following storage and waste disposal uses:
 - (i) ~~Open storage (visual screen)~~
 - (ii) Aluminum collection center

EXISTING DEED RESTRICTIONS [Z867-125]

COUNCIL CHAMBER 870636
February 18, 1987

WHEREAS, deed restrictions in the attached instrument have been volunteered in conjunction with a request for an I-1 Industrial District zoning which was approved by the City Council on February 18, 1987, on Zoning Case #Z867-125/5682-S on property on the north side of Daniieldale Road, east of Hampton Road;

and,

WHEREAS, said deed restrictions have been approved as to form and content.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the deed restrictions as set forth in the attached instrument be and are hereby accepted by the City Council of the City of Dallas, Texas, to be used in conjunction with the development of property zoned an I-1 Industrial District as described in Ordinance 19475.

Section 2. That said deed restrictions shall be filed with the County Clerk of Dallas County, Texas, to be recorded in the Deed Records of Dallas County, Texas.

Section 3. That this resolution shall take effect from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

cc: Building Inspection-2
Planning & Development-2

87-21/ct

APPROVED BY
CITY COUNCIL

FEB 18 1987

Robert B. Sloman
City Secretary

Approved as to form:
ANALENE WUNCY, City Attorney
By *Agnesita J. Allen*
City Clerk

APPROVED *James H. ...* APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT DIRECTOR OF FINANCE CITY MANAGER

SN 180-0006

SUP-0006A

DEED RESTRICTIONS

STATE OF TEXAS)
)
COUNTY OF DALLAS)(KNOW ALL MEN BY THESE PRESENTS:
)(

That the undersigned, Cardinal Industries Development Corporation is the owner of that certain 14.8354 acre tract of land situated in Dallas County, Texas, being in particular a tract of land out of the John Stephens Survey, Abstract No. 1302, City Block 7558, City of Dallas, Dallas County, Texas, and being more particularly described as shown in Exhibit "A", attached hereto and made a part hereof.

That the undersigned owner does hereby impress the property shown in Exhibit "A" with the following Deed Restrictions.

- (a) The following retail uses are prohibited:
 - (1) Retail food store
 - (2) Bakery or confectionary shop
 - (3) Book and stationery store
 - (4) Camera shop
 - (5) Cigar, tobacco and candy store
 - (6) Clothing store
 - (7) Drug store
 - (8) Beverage store
 - (9) Florist store
 - (10) Feed store
 - (11) Pet shop
 - (12) Second-hand store
 - (13) Pawn shop
 - (14) Hardware or sporting goods store
 - (15) Home improvement center
 - (16) Swimming pool sales and supply
- (b) The following commercial uses are prohibited:
 - (1) Machine or welding shop
 - (2) Tool and equipment rental (with outside display)
 - (3) Petroleum product storage and wholesale
- (c) The following storage and waste disposal uses are prohibited:
 - (1) Open storage (visual screen)
 - (2) Aluminum collection center
- (d) No structure may exceed 45 feet in height.
- (e) Development is limited to no more than a .6 to 1 floor area ratio (FAR).

(f) for purposes of these restrictions, all the definitions of the Dallas Development Code, as amended, are incorporated into this document as if recited herein.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan and Zoning Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owners hereof do hereby grant to the City of Dallas the right to prosecute, at law and in equity, against the person violating or attempting to violate such restriction, either to prevent him from so doing and to correct such violation and for further remedy, the City of Dallas may withhold the Certificates of Occupancy necessary for the lawful use of the property until such restrictions described herein are fully complied with.

These restrictions are hereby declared covenants running with the land and shall be fully binding upon all persons acquiring property within the above described tract, and any person by acceptance of title to any of the above-described

property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

EXECUTED this 15th day of February, 1987.

CARDINAL INDUSTRIES DEVELOPMENT CORPORATION

BY: Charles W. Alexander
Charles W. Alexander
Authorized Agent

STATE OF TEXAS)
)
COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, on this day personally appeared Charles W. Alexander, as authorized agent for Cardinal Industries Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as an act of the Corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of February, 1987.

Beverly A. Branch
Notary Public in and for
The State of Texas

My Commission Expires:
6-16-90

Beverly A. Branch
(Printed Name of Notary)

By Cynthia A. Deane
Attorney in Charge

EXHIBIT "A"

Being a tract of land situated in the John Stephens Survey, Abstract No. 1302, said tract being a part of a tract conveyed by F.B. Tufts, et ux to Ware G. Tufts, recorded in Volume 1099, Page 517, Deed Records of Dallas County, Texas and being more particularly described as follows:

Commencing at the intersection of the East line of Hampton Road (100' R.O.W.) with the North line of Danieldale Road (70' R.O.W.); Thence North 89°50'40" East, 1,027.50 ft. to the True Point of Beginning;

THENCE North, leaving the North line of Danieldale Road, a distance of 1,313.27 ft. to an iron rod set for corner;

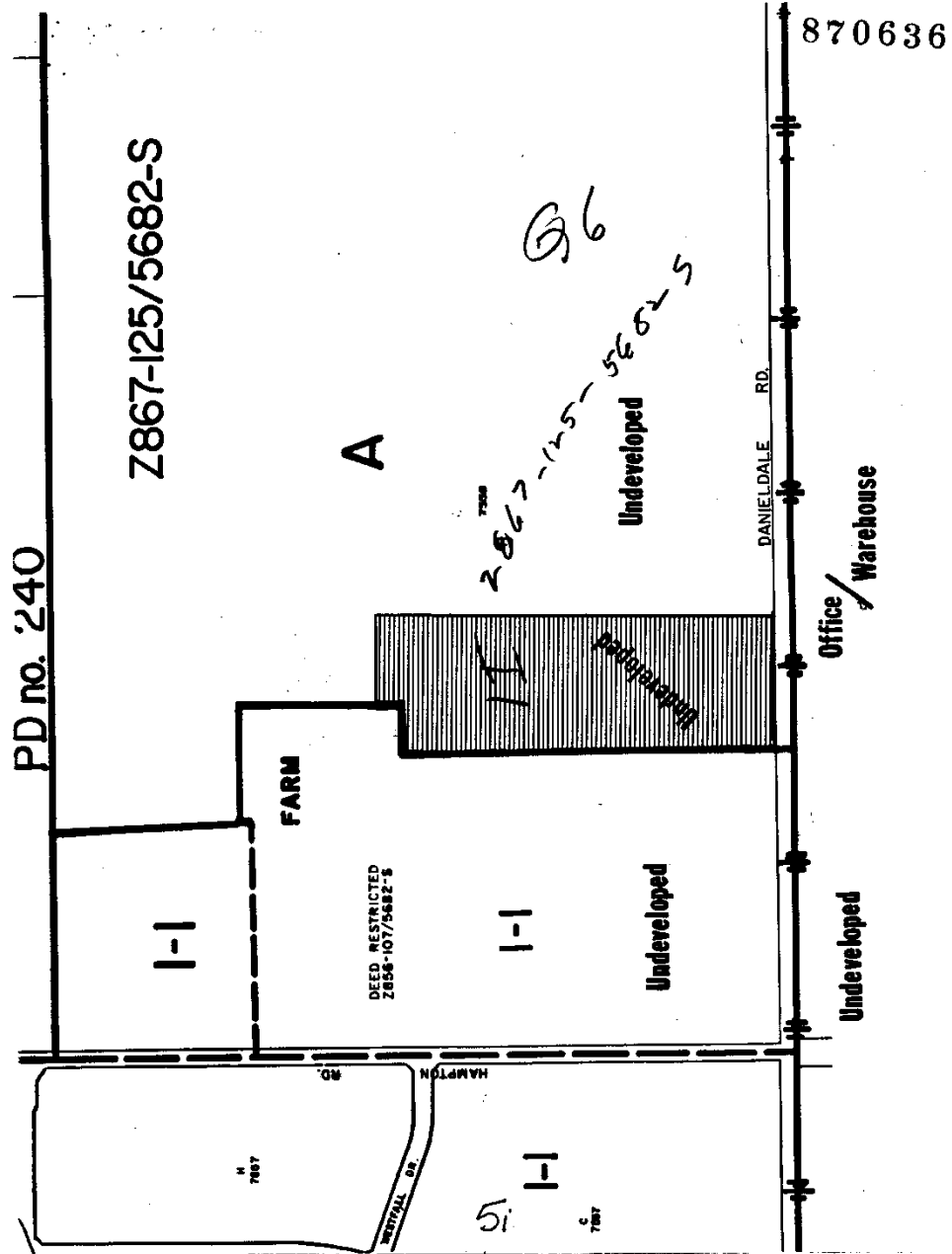
THENCE East, a distance of 183.00 ft. to an iron rod set for corner;

THENCE North, a distance of 83.50 ft. to an iron rod set for corner;

THENCE East, a distance of 292.09 ft. to an iron rod set for corner;

THENCE South 0°07' West, a distance of 1,395.93 ft. to an iron rod set for corner in the North line of Danieldale Road;

THENCE South 89°50'40" West, along the North line of Danieldale Road, a distance of 472.25 ft. to the Point of Beginning and Containing 14.8354 Acre (646,229 Sq.Ft.) of land.



870636

CERTIFIED COPY OF RESOLUTION
OF
CARDINAL INDUSTRIES OF TEXAS, INC.

I, the undersigned, hereby certify that I am the Secretary of Cardinal Industries of Texas, Inc., a corporation duly organized and existing under the laws of the State of Texas, that the following is a true copy of a Resolution duly adopted by the Board of Directors of said corporation by an action in writing without a meeting, effective this 12th day of February, 1987, and said resolution is in full force and effect and has not been modified or rescinded:

BE IT RESOLVED, THAT, CHARLES ALEXANDER, as agent, is hereby authorized, on behalf of the Corporation, to execute any and all record plats of real estate, to execute any and all documents necessary to accomplish real estate being platted, to execute any and all documents necessary to accomplish real estate being rezoned, and to execute any and all deed restrictions associated with the above, and said acts shall be the acts of the Corporation.

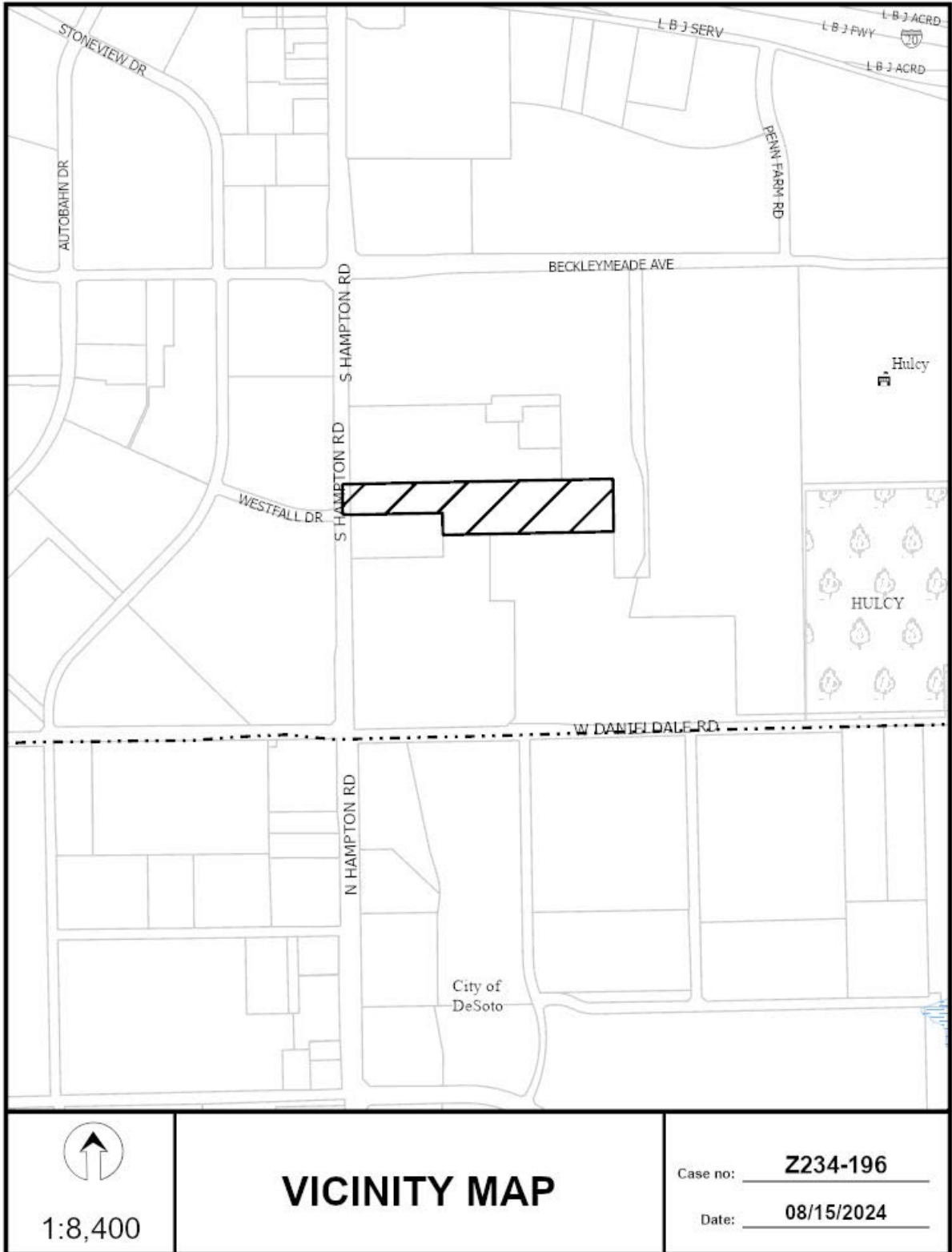
IN WITNESS WHEREOF, I have hereunto subscribed my name this 12th day of February, 1987.


William F. Brown
Secretary

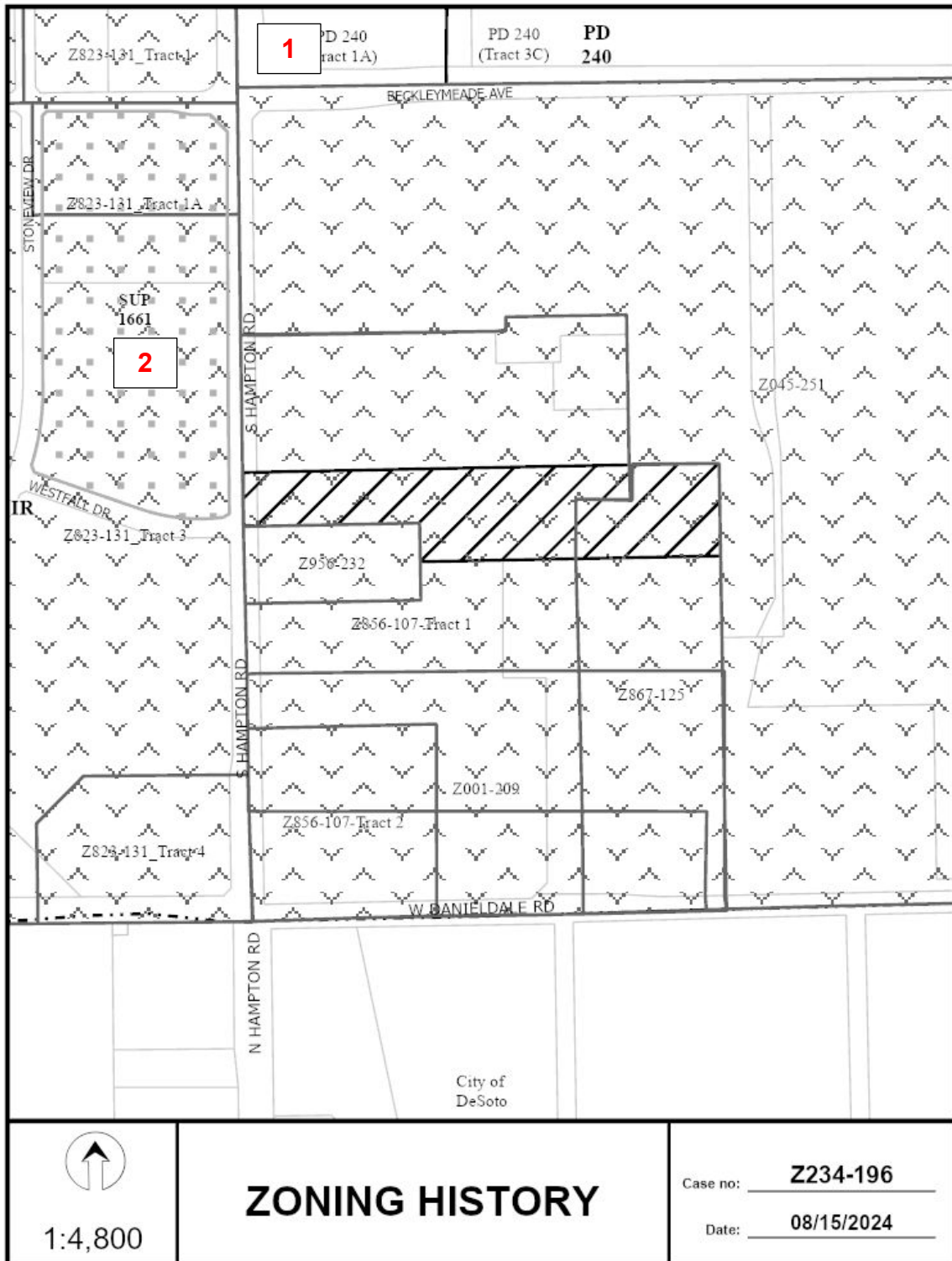
APPLICANT'S VOLUNTEERED AMENDMENT TO DEED RESTRICTIONS [Z856-125]

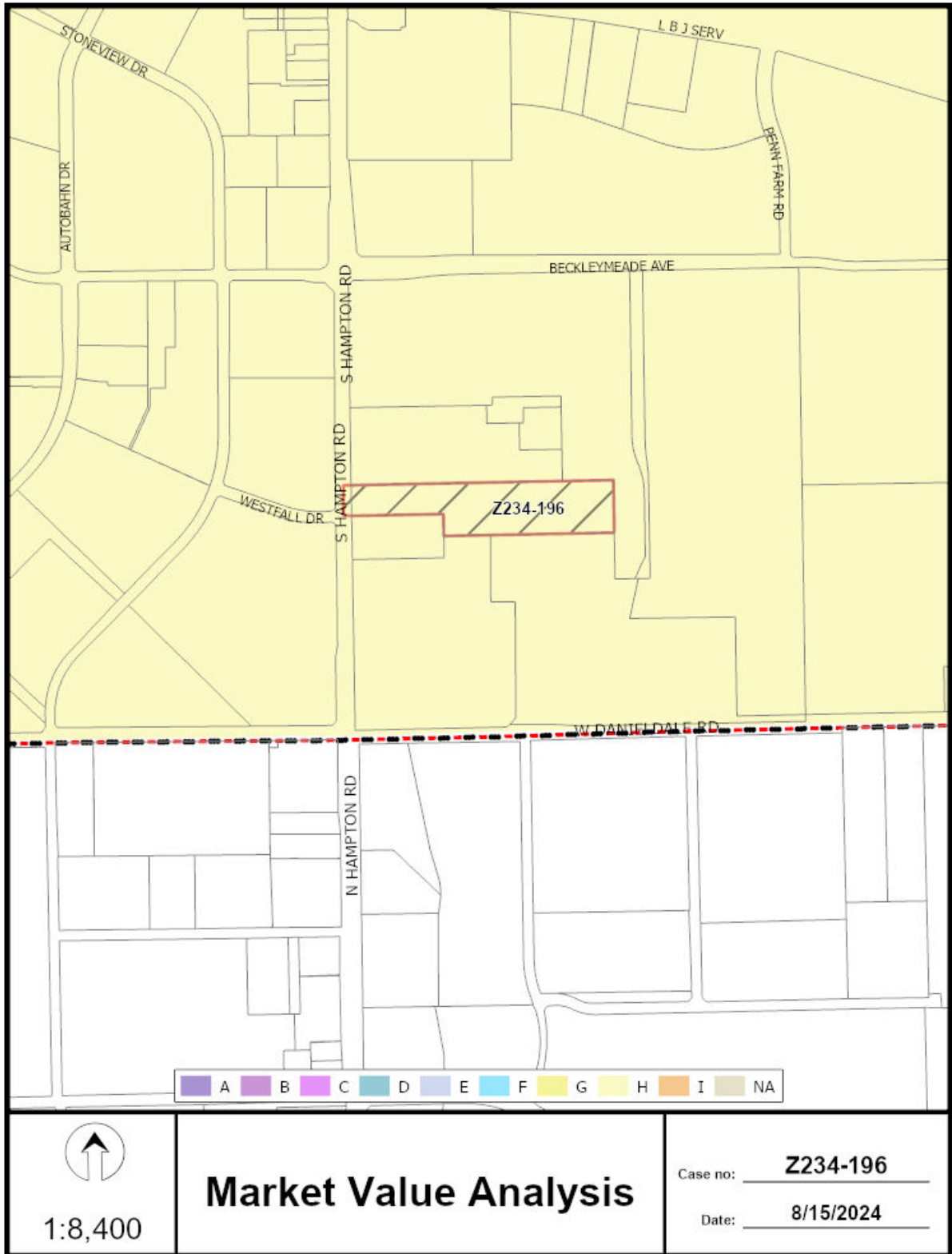
The Owners do hereby amend the Original Restrictions to read as follows:

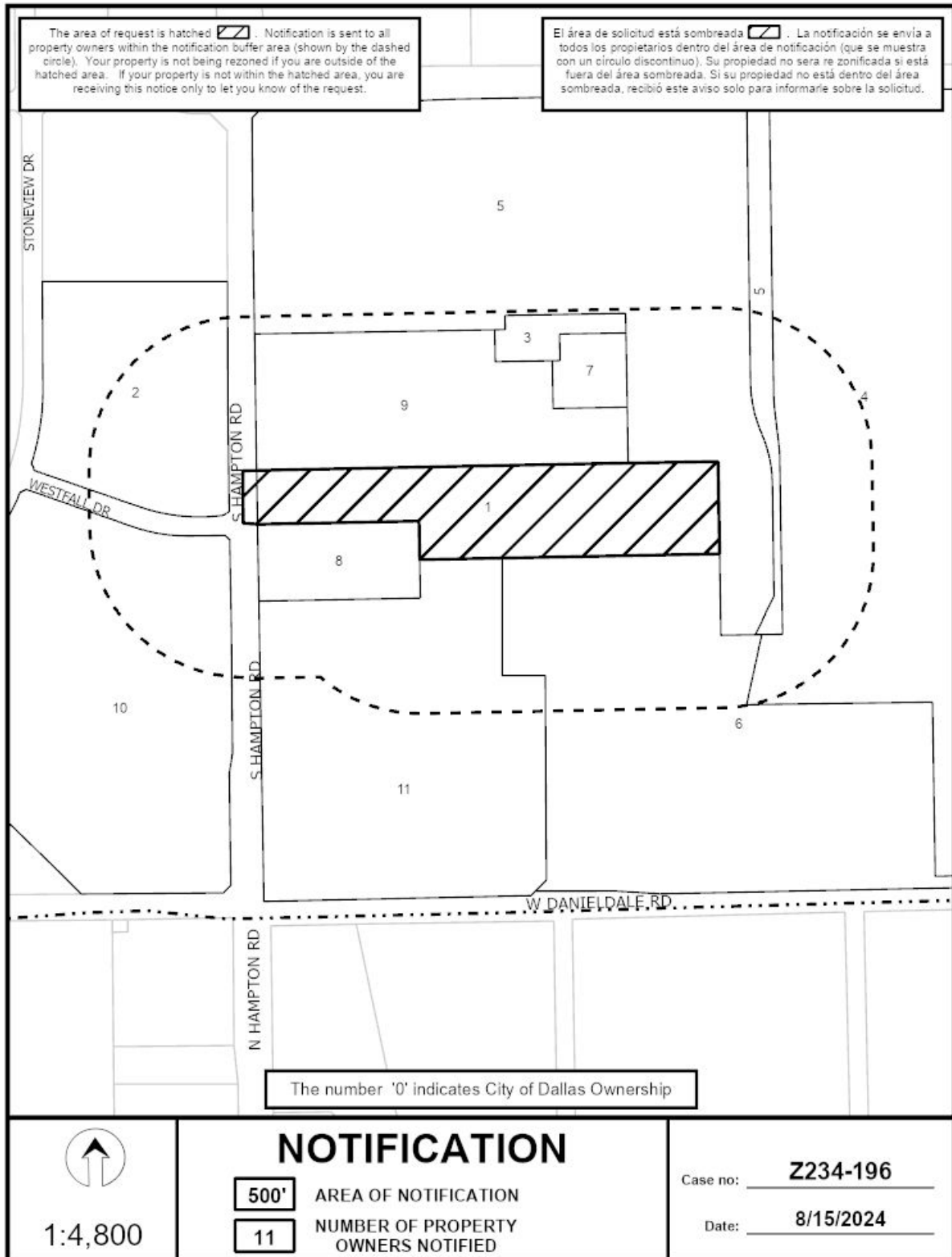
- (c) The following storage and waste disposal uses are prohibited:
 - (1) ~~Open storage (visual screen)~~
 - (2) Aluminum collection center











Z234-196(GB)

08/14/2024

Notification List of Property Owners

Z234-196

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9186 S HAMPTON RD	SFG ISF DALLAS HAMPTON LLC
2	9192 STONEVIEW DR	UPLIFT EDUCATION
3	9110 S HAMPTON RD	WESTERN GRINDING CO
4	2320 BECKLEYMEADE AVE	PR CROW I 20 II LLP
5	2300 BECKLEYMEADE AVE	US INDUSTRIAL REIT II
6	8510 S HAMPTON RD	PR I20 II SUB LLC
7	9000 S HAMPTON RD	9000 SOUTH HAMPTON
8	9210 S HAMPTON RD	SUNBELT RENTALS INC
9	9130 S HAMPTON RD	PSA INVESTORS ONE LP
10	2425 W DANIELDALE RD	CPT STONERIDGE LLC
11	8510 S HAMPTON RD	BASSAMPOUR SADAT