

FILE NUMBER: Z189-252(CY)

DATE FILED: April 23, 2019

LOCATION: Northwest corner of Telephone Road and Bonnie View Road

COUNCIL DISTRICT: 8

MAPSCO: 76 G

SIZE OF REQUEST: Aprox. 55.446 acres

CENSUS TRACT: 167.03

APPLICANT: RPG Acquisitions, LLC

OWNER: Clemmie Skief

REPRESENTATIVE: Rob Baldwin, Baldwin and Associates

REQUEST: An application for an LI Light Industrial District with deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District.

SUMMARY: The purpose of this request is to allow for the development of warehouse uses. The volunteered deed restrictions would limit the allowed uses.

CPC RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request is zoned an A(A) Agricultural District and is comprised of four tracts of land.
- The site is largely undeveloped with some single family dwelling uses located along Telephone Road.
- The purpose of requesting the zoning change is to develop the site with warehouse uses.
- On January 3, 2019, at the request of the applicant, the City Plan Commission, recommended denial without prejudice of an application for an LI Light Industrial District for the area of request.
- The warehouse land use is defined as a wholesale, distribution, and storage use in the Dallas Development code. This land use is allowed by right in the proposed LI Light Industrial District.
- The applicant is volunteering deed restrictions that would prohibit certain main uses and certain accessory uses.

Zoning History: There have been five zoning change requests in the surrounding area in the past five years:

1. **Z156-354:** On January 11, 2017, the City Council approved Planned Development District No. 980 for non-residential uses on property located on the south line of Cedardale Road, west of Cleveland Road, northwest of the area of request.
2. **Z167-243:** On August 23, 2017, the City Council approved a CS Commercial Services District with volunteered deed restrictions on property zoned an A(A) Agricultural District, on the south line of Telephone Road, east of Travis Trail; southwest of the area of request.
3. **Z167-253:** On June 28, 2017, the City Council approved a CS Commercial Service District and Specific Use Permit No. 2248 for a commercial motor vehicle parking on property zoned an A(A) Agricultural District, located on the west line of Bonnie View Road, south of Telephone Road; south of the area of request.
4. **Z178-246:** On August 8, 2018, the City Council approved a CS Commercial Services District on property zoned an A(A) Agricultural District, located on the south side of Telephone Road, east of Travis Trail, south of the area of request.
5. **Z178-288:** On January 3, 2019, at the request of the applicant, the City Plan Commission, recommended denial without prejudice of an application for an LI Light Industrial District for the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bonnie View Road	Major Arterial	100 feet	100 feet
Telephone Road	Minor Arterial	80 feet	80 feet

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:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.2 Focus on Southern Sector development opportunities.

The *forwardDallas! Comprehensive Plan* indicates that targeting economic development opportunities to the southern sector, especially to improve access to jobs, is a key implementation measure to achieve this goal. The area of request is within the International Inland Port of Dallas (IIPOD), an intermodal and logistics region that encompasses 7,500 acres of land and five municipalities [Dallas, Hutchins, Lancaster, Wilmer, and Ferris]. The request of an LI Light Industrial District, is in alignment with the goal of promoting development in the southern sector.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

The *forwardDallas!* Vision Illustration identifies the area as an Industrial Building Block. Industrial Areas, which offer important employment opportunities, occupy large areas of

land and usually are near major roads and heavy rail lines. The request is characteristic of the building block in that its purpose is to develop the site with a distribution warehouse.

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. A vast majority of vacant land in the city is located in the Southern Sector. As such, developments similar to this are necessary in order to promote and encourage efforts for continued investment in these underutilized areas of the city.

Land Use Plan:

The site is located in close proximity to the Agile Port Industrial Area Plan site as identified by the *forwardDallas! Comprehensive Plan* adopted by the City Council in June 2006. This area, just west of Bonnie View Road, 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. Shifts in the warehousing and logistics industry have been accelerated by global trade, containerization and standardized packaging, just-in-time (JIT) inventory management, outsourcing delivery and increased technological capabilities. 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 (e.g. rail to truck) on a huge scale. The proposed zoning change to allow for distribution warehouse uses is consistent with the Area Plan.

Surrounding Land Uses:

	Zoning	Land Use
Site	A(A)	Single Family and Undeveloped land
North/ Northwest	PD No. 980 and A(A)	Single Family, undeveloped land, warehouse building.
Northeast	A(A) and R-7.5(A)	Single Family, undeveloped land
East	A(A)	Single Family, undeveloped land
South / Southeast	PD No. 761(LI), A(A), CS with SUP No. 2145, and SUP No. 2248	Undeveloped land, Truck Sales and Service, and Commercial Motor Vehicle Parking
West/ Southwest	A(A) and CS w/DRs	Commercial Motor Vehicle Parking, Undeveloped land, and Single Family

Land Use Compatibility:

The 55.446-acre area of request is largely undeveloped, with some scattered single family uses located primarily along Telephone Road.

Surrounding land uses consist of undeveloped land, and single family to the northeast and to the east. To the southeast, across Bonnie View Road, and to the south across Telephone Road, there are additional undeveloped tracts of land, truck sales and service, and commercial motor vehicle parking uses. To the southwest and west, there is a commercial motor vehicle parking use and additional single family dwellings. Lastly, to the northwest there is undeveloped land and a large warehouse building that is still under construction.

The subject site is currently zoned an A(A) Agricultural District. The Dallas Development Code describes the purpose of this district as largely transformational. As the area develops with utilities and resources become available, the area changes based on development needs.

While the properties abutting the area of request to the southwest, northeast and a portion of the north boundary are also zoned A(A) Agricultural District, a broader view of the zoning surrounding the site, shows clear indication that the area is transitioning to more a commercial and industrial area. Consequently, LI Light Industrial and CS Commercial Service Districts are found in close proximity to the west, southwest and south. Additionally, Planned Development District No. 761, the Dallas Logistics Port Special Purpose District, established in 2007, is to the southeast, directly across Bonnie View Road, extending to the east and north; and Planned Development District No. 980 for

commercial and business service and industrial uses, established in 2017, is abutting the property to the northwest, extending northwest to Cedardale Road.

The proposed LI Light Industrial District is intended 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 applicant has volunteered deed restrictions to prohibit the following main uses:

- Gas drilling and production
- Cemetery or mausoleum
- Open enrollment charter school or private school
- Vehicle display, sales and service
- Commercial bus station and terminal
- Heliport
- Helistop

The deed restrictions will also prohibit the following accessory uses:

- Accessory pathological waste incinerator
- Accessory medical/infectious waste incinerator

Lastly, the volunteered restrictions indicate that a temporary concrete or asphalt batching plant use, will be limited to concrete or asphalt produced at the property and to be used only on the property

The proposed LI Light Industrial District is complementary to the surrounding trend in land uses shifting from A(A) District uses to industrial uses including PD No. 980 to the northwest and PD No. 761 (for LI uses), the Dallas Logistics Port Special Purpose District, to the southeast. Staff supports the zoning change request as it is foreseen to be consistent with the surrounding area.

Development Standards:

District	Setbacks		Height	Lot Coverage	Lot Size	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: A(A)	50'	20' side 50' rear for SFD, 10' other structures	24'	10% for residential 25% for non-residential	Min. 3 acres for residential uses.	-	Agricultural & single family.
Proposed: LI	15'	30' adj. to res. (not including A(A)) 0' all others	70'	80%	No min.	RPS*	Commercial & business service, industrial, institutional, retail & personal service, wholesale, distribution, and storage, and office.

* Properties in an A(A) Agricultural District, are not site of origination for RPS (Sec. 51A-4.412(a)(3))

Land Use Comparison:

The table below includes the list of uses allowed in the existing zoning district and those allowed in the proposed district.

USE	A(A) Agricultural District (Existing)	LI Light Industrial District (Proposed)
AGRICULTURAL USES	ANIMAL PRODUCTION	
	COMMERCIAL STABLE	
	CROP PRODUCTION	CROP PRODUCTION
COMMERCIAL AND BUSINESS SERV.	NONE PERMITTED	BUILDING REPAIR AND MAINTENANCE SHOP (RAR)
		BUS OR RAIL TRANSIT VEHICLE MAINTENANCE OR STORAGE FACILITY (RAR)
		CATERING SERVICE
COMMERCIAL AND BUSINESS SERV.	NONE PERMITTED	COMMERCIAL BUS STATION AND TERMINAL
		COMMERCIAL CLEANING OR LAUNDRY PLANT (RAR)
		CUSTOM BUSINESS SERVICES
		CUSTOM WOODWORKING, FUNITURE CONSTRUCTION OR REPAIR
		ELECTRONICS SERVICE CENTER
		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
		TECHNICAL SCHOOL
		TOOL OR EQUIPMENT RENTAL
		VEHICLE OR ENGINE REPAIR OR MAINTENANCE
INDUSTRIAL USES		ALCOHOLIC BEVERAGE MANUFACTURING (RAR)
	GAS DRILLING AND PRODUCTION (SUP)	GAS DRILLING AND PRODUCTION (SUP)
		INDUSTRIAL INSIDE FOR LIGHT MANUFACTURING
		INDUSTRIAL OUTSIDE
		INSIDE INDUSTRIAL (RAR)

USE	A(A) Agricultural District	LI Light Industrial District
INDUSTRIAL USES	MINING (SUP)	
	ORGANIC COMPOST RECYCLING FACILITY (SUP)	
	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT (By Special authorization of the BO)
INSTITUTIONAL AND COMMUNITY SERVICE USES	ADULT DAY CARE FACILITY (SUP)	ADULT DAY CARE FACILITY
	CEMETERY OR MAUSOLEUM (SUP)	CEMETERY OR MAUSOLEUM (SUP)
	CHILD-CARE FACILITY (SUP)	CHILD-CARE FACILITY
	CHURCH	CHURCH
	COLLEGE, UNIVERSITY OR SEMINARY	COLLEGE, UNIVERSITY OR SEMINARY
	COMMUNITY SERVICE CENTER (SUP)	COMMUNITY SERVICE CENTER (SUP)
	CONVALESCENT AND NURSING HOMES, HOSPICE CARE AND RELATED INSTITUTIONS (SUP)	
INSTITUTIONAL AND COMMUNITY SERVICE USES		
	CONVENT OR MONASTERY	
	FOSTER HOME (SUP)	
		HALFWAY HOUSE (SUP)
	HOSPITAL (SUP)	HOSPITAL (RAR)
	LIBRARY, ART GALLERY OR MUSEUM (SUP)	
	OPEN-ENROLLMENT CHARTER SCHOOL OR PRIVATE SCHOOL (SUP)	OPEN-ENROLLMENT CHARTER SCHOOL OR PRIVATE SCHOOL (SUP)
LODGING USES	NONE PERMITTED	PUBLIC SCHOOL OTHER THAN AN OPEN-ENROLLMENT CHARTER SCHOOL (RAR)
		EXTENDED STAY HOTEL OR MOTEL (SUP)
		HOTEL OR MOTEL (RAR)
		LODGING OR BOARDING HOUSE
		OVERNIGHT GENERAL PURPOSE SHELTER

USE	A(A) Agricultural District	LI Light Industrial District
MISCELLANEOUS USES		ATTACHED NON-PREMISE SIGN (SUP)
	CARNIVAL OR CIRCUS (TEMPORARY) (By special authorization of the BO)	CARNIVAL OR CIRCUS (TEMPORARY) (By special authorization of the BO)
	TEMPORARY CONSTRUCTION OR SALES OFFICE	TEMPORARY CONSTRUCTION OR SALES OFFICE
OFFICE USES	NONE PERMITTED	ALTERNATIVE FINANCIAL ESTABLISHMENT (SUP)
		FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW
		FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW (RAR)
		MEDICAL OR AMBULATORY SURGICAL CENTER
		OFFICE
RECREATION USES	COUNTRY CLUB WITH PRIVATE MEMBERSHIP (SUP)	COUNTRY CLUB WITH PRIVATE MEMBERSHIP
	PRIVATE RECREATION CENTER, CLUB OR AREA (SUP)	PRIVATE RECREATION CENTER, CLUB OR AREA
	PUBLIC PARK, PLAYGROUND OR GOLF COURSE	PUBLIC PARK, PLAYGROUND OR GOLF COURSE
RESIDENTIAL USES	COLLEGE DORMITORY, FRATERNITY, OR SORORITY HOUSE	NONE PERMITTED
	HANDICAPPED GROUP DWELLING UNIT	
	SINGLE FAMILY	
RETAIL AND PERSONAL SERVICE USES		ALCOHOLIC BEVERAGE ESTABLISHMENT
	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUN	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUNS
	ANIMAL SHELTER OR CLINIC WITH OUTSIDE RUN (SUP)	ANIMAL SHELTER OR CLINIC WITH OUTSIDE RUNS (SUP may be required)
		AUTO SERVICE CENTER (RAR)
		BUSINESS SCHOOL
		CARWASH (RAR)
		COMMERCIAL AMUSEMENT INSIDE (SUP May be required)
	COMMERCIAL AMUSEMENT OUTSIDE (SUP)	

USE	A(A) Agricultural District	LI Light Industrial District
RETAIL AND PERSONAL SERVICE USES	DRIVE-IN THEATER (SUP)	COMMERCIAL MOTOR VEHICLE PARKING (By SUP only if within 500 feet of a residential district)
		COMMERCIAL PARKING LOT OR GARAGE (RAR)
		DRY CLEANING OR LAUNDRY STORE
		FURNITURE STORE
		GENERAL MERCHANDISE STORE OR FOOD STORE 3,500 SQUARE FEET OR LESS
		GENERAL MERCHANDISE STORE 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
		LIQUEFIED NATURAL GAS FUELING STATION (By SUP only if the use has more than 4 fuel pumps or is within 1,000 feet of a residential district or a PD that allows residential uses)
		MOTOR VEHICLE FUELING STATION
	NURSERY, GARDEN SHOP, OR PLANT SALES.	
		PARAPHERNALIA SHOP (SUP)
		PERSONAL SERVICE USES
		RESTAURANT WITHOUT DRIVE-IN OR DRIVE-THROUGH SERVICE (RAR)
		RESTAURANT WITH DRIVE-IN OR DRIVE-THROUGH SERVICE (DIR)
		TAXIDERMIST
		TEMPORARY RETAIL USE
		THEATER
		TRUCK STOP (SUP)
		VEHICLE DISPLAY SALES AND SERVICE (RAR)

USE	A(A) Agricultural District	LI Light Industrial District
TRANSPORTATION USES		COMMERCIAL BUS STATION AND TERMINAL (RAR)
		HELIPORT (SUP)
	HELISTOP (SUP)	HELISTOP (SUP)
		RAILROAD PASSENGER STATION (SUP)
	TRANSIT PASSENGER SHELTER	TRANSIT PASSENGER SHELTER
	TRANSIT PASSENGER STATION OR TRANSFER CENTER (SUP)	TRANSIT PASSENGER STATION OR TRANSFER CENTER (By SUP or City Council Resolution)
UTILITY AND PUBLIC SERVICE USES	COMMERCIAL RADIO OR TELEVISION TRANSMITTING STATION (SUP)	COMMERCIAL RADIO OR TELEVISION TRANSMITTING STATION (SUP)
	ELECTRICAL SUBSTATION (SUP)	ELECTRICAL SUBSTATION
	LOCAL UTILITIES (SUP or RAR may be required)	LOCAL UTILITIES (SUP or RAR may be required)
	POLICE OR FIRE STATION (SUP)	POLICE OR FIRE STATION
		POST OFFICE
	RADIO, TELEVISION, OR MICROWAVE TOWER (SUP)	RADIO, TELEVISION, OR MICROWAVE TOWER (RAR)
	REFUSE TRANSFER STATION (SUP)	
	SANITARY LANDFILL (SUP)	
	SEWAGE TREATMENT PLANT (SUP)	
	TOWER/ANTENNA FOR CELLULAR COMMUNICATION	TOWER/ANTENNA FOR CELLULAR COMMUNICATION
	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)
	WATER TREATMENT PLANT (SUP)	WATER TREATMENT PLANT (SUP)
		FREIGHT TERMINAL (RAR)
WHOLESALE, DISTRIBUTION AND STORAGE USES	LIVESTOCK AUCTION PENS OR SHEDS (SUP)	MANUFACTURED BUILDING SALES LOT (RAR)
		MINI-WAREHOUSE
		OFFICE SHOWROOM/ WAREHOUSE
		OUTSIDE STORAGE (RAR)
		RECYCLING BUY-BACK CENTER
		RECYCLING COLLECTION CENTER
	RECYCLING DROP-OFF CONTAINER	RECYCLING DROP-OFF CONTAINER
	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION
	SAND, GRAVEL, OR EARTH SALES AND STORAGE (SUP)	
		TRADE CENTER
		WAREHOUSE (RAR)

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 to orange, representing the weakest markets. A portion of the site lies within Category F. The remainder is uncategorized. The surrounding properties are also either uncategorized, or within Category F.

Parking:

Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200. A warehouse use will require one space per 1,000 square feet of floor area up to 20,000 square feet, and one space per 4,000 square feet of floor area over 20,000 square feet. A general zone change application does not require the submittal of a site/development plan; therefore, the total parking requirement for the proposed warehouse will be determined at permitting based on the total floor area.

Landscaping:

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

CPC Action
June 20, 2019

Motion: In considering 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, it was moved to **hold** this case under advisement until July 11, 2019.

Maker: Lewis
Second: Housewright
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter,
Brinson, Lewis, Jung, Housewright, Schultz,
Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 27
Replies: For: 0 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX 75226
Against: None

CPC Action
July 11, 2019

Motion: It was moved to recommend **approval** of an LI Light Industrial District, subject to 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.

Maker: Lewis
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Shidid, Carpenter,
Brinson, Lewis, Jung, Housewright*, Schultz,
Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Criss, Johnson
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 27
Replies: For: 2 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX 75226
Against: None

List of Officers

Owner:

Clemmie Skief	Sole owner
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Applicant:

RPG Acquisitions, LLC.

Mike Gray	Manager
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Greg Thurman	Manager
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VOLUNTEERED DEED RESTRICTIONS

DEED RESTRICTIONS

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

I.

The undersigned, Clemmie Skief ("the Owner"), is the owner of the following described property ("the Property"), being a tract in City Block No. 8309, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Kenneth Wayne Waterson and Lacelia Mayes Waterson, by deed dated July 6, 2001, and recorded in Volume 200131 Page 6282, land conveyed to the Owner by Sylvia Jones Graves, by deed dated March 20, 2001, and recorded in Instrument Number 200302299130, land conveyed to the Owner by Agricultural Production Credit Association, by deed dated March 3, 1993, and recorded in Instrument Number 199300515824, in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. The following main uses are prohibited:
 - (A) Industrial uses.
 - Gas drilling and production.
 - (B) Institutional and community service uses.
 - Cemetery or mausoleum.
 - Open enrollment charter school or private school.

(C) Retail and personal service uses.

- Vehicle display, sales, and service.

(D) Transportation uses.

- Commercial bus station and terminal.
- Heliport.
- Helistop.

2. For a temporary concrete or asphalt batching plant use, concrete or asphalt produced at the Property is restricted to use on the Property.

3. The following uses are prohibited as accessory uses:

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

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

THE OWNER AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY FROM AND AGAINST ALL CLAIMS OR LIABILITIES ARISING OUT OF OR IN CONNECTION WITH THE PROVISIONS OF THIS DOCUMENT.

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

X.

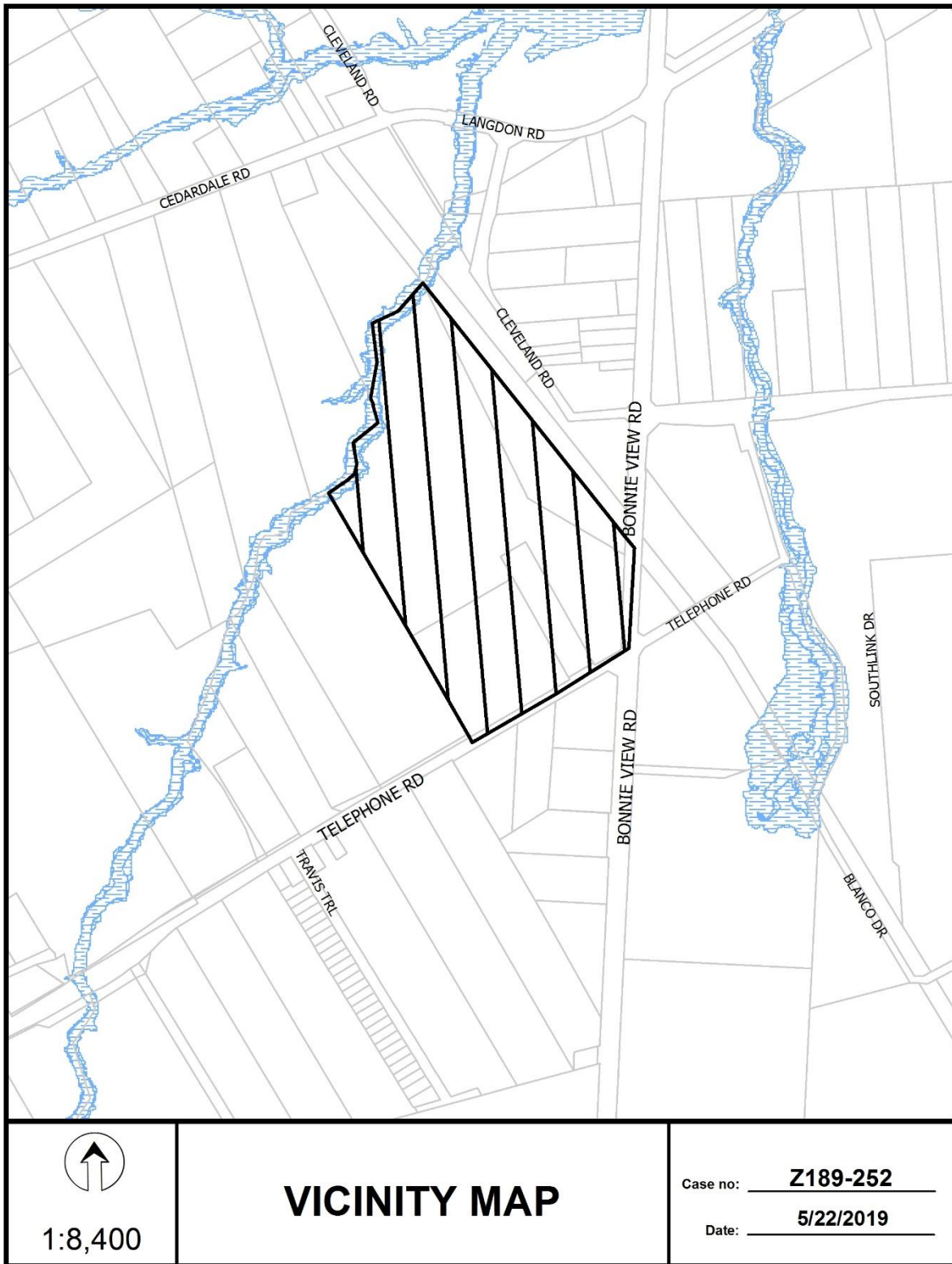
The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

XI.

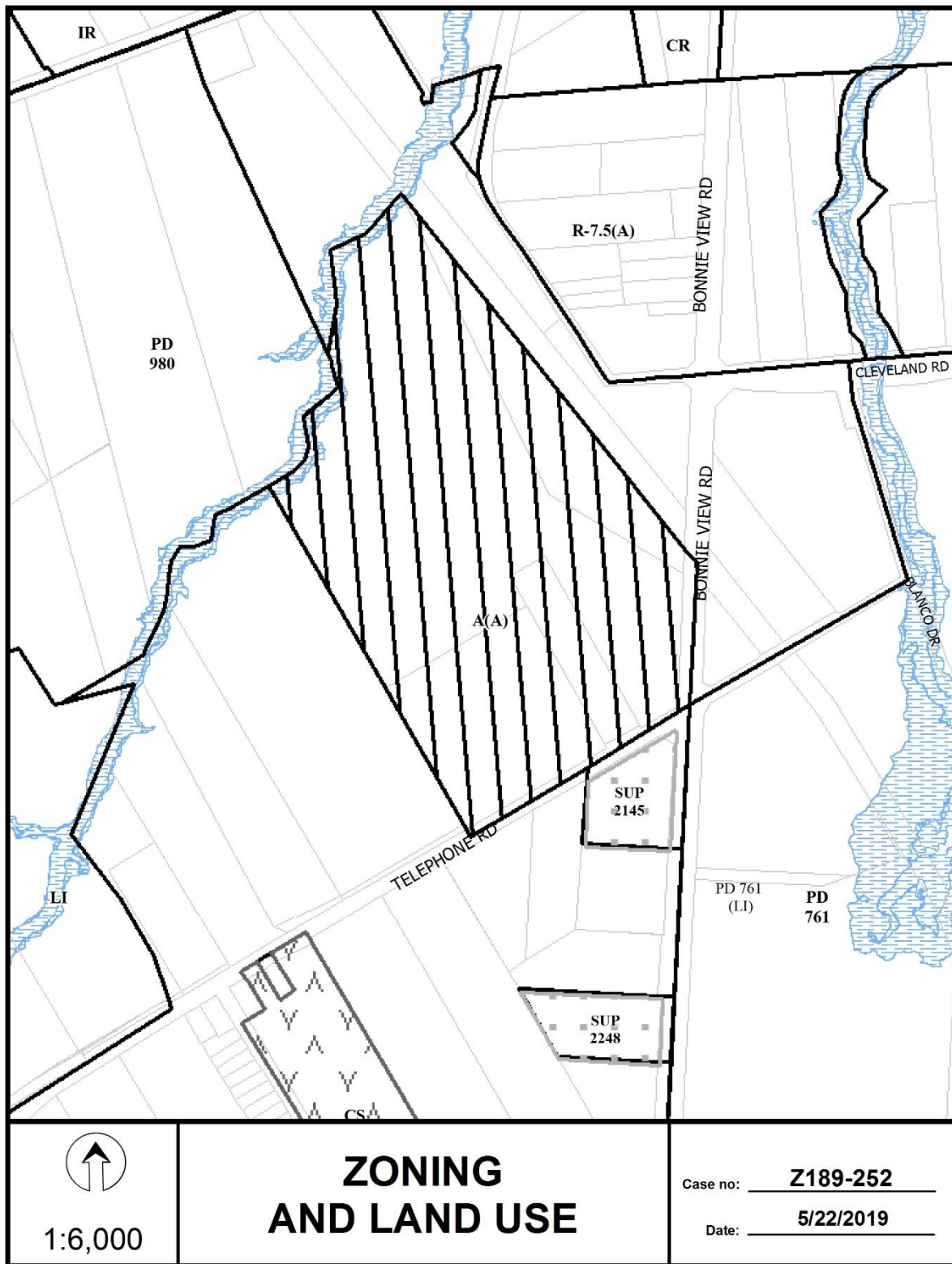
The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

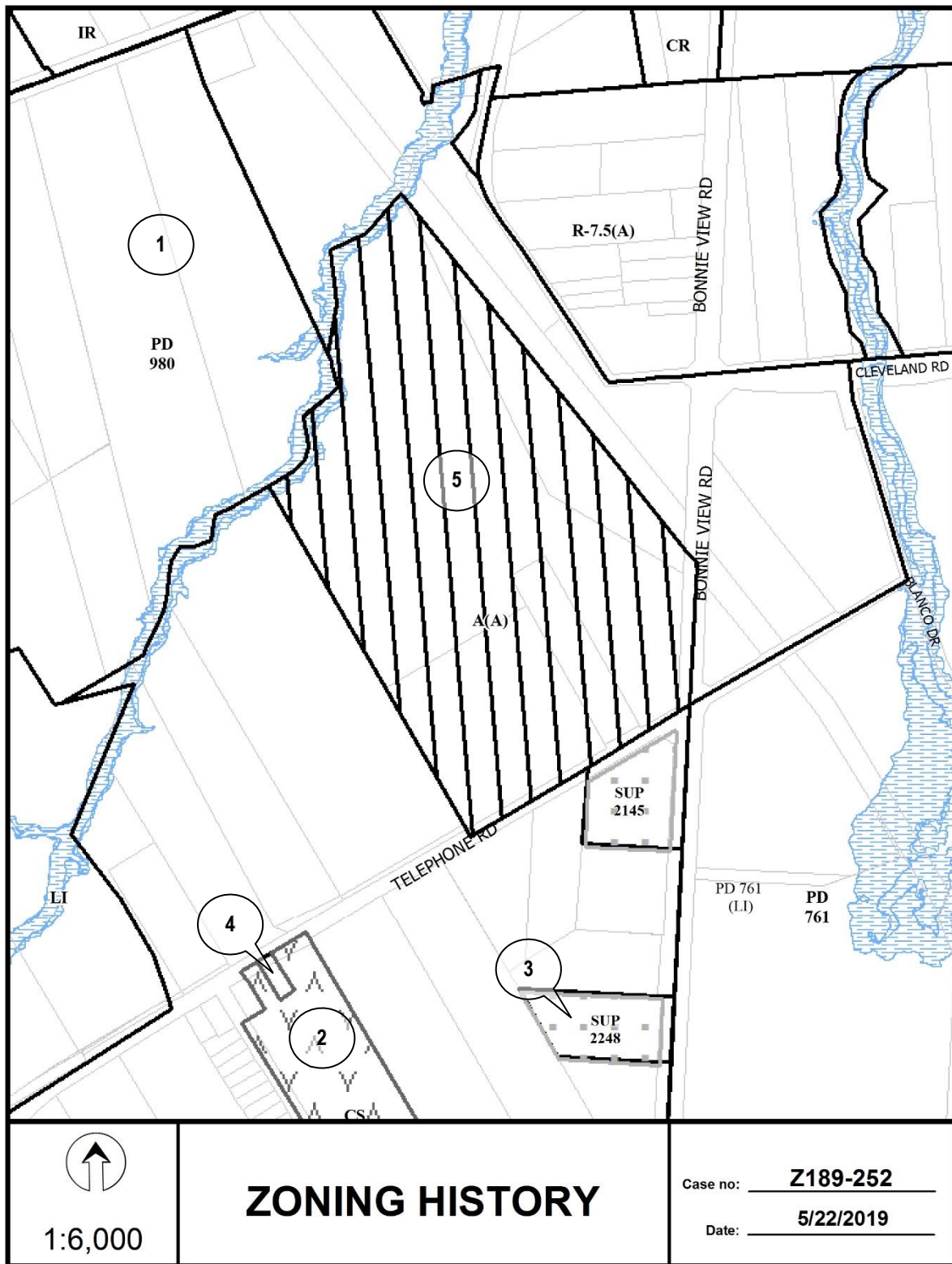
XII.

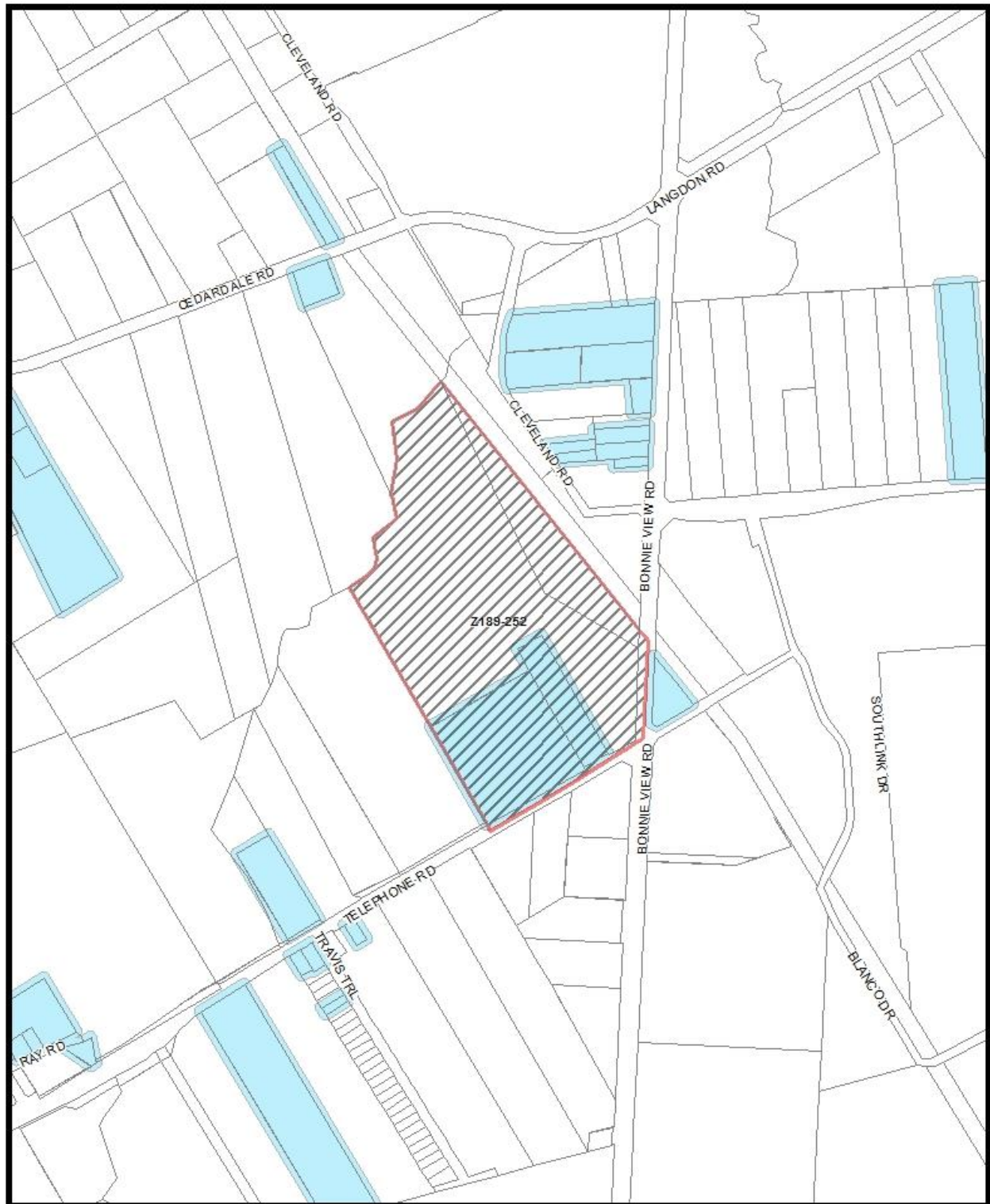
The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.











MVAC cluster A B C D E F G H I NA



1:8,400

Market Value Analysis

Printed Date: 5/22/2019

CPC RESPONSES



Reply List of Property Owners***Z189-252******27 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	4243 CLEVELAND RD	SKIEF CLEMMIE
	2	4125 TELEPHONE RD	SKIEF CLEMMIE
	3	4200 CLEVELAND RD	SKIEF CLEMMIE
	4	8900 BONNIE VIEW RD	LINICOMN VERNON
	5	9100 TELEPHONE RD	TEXAS UTILITIES ELEC CO
	6	4200 CLEVELAND RD	KAMY REAL PPTY TRUST
	7	4100 CLEVELAND RD	BUCKELEW UTILITIES INC
	8	8625 BONNIE VIEW RD	FLORES MIGUEL
	9	4188 CLEVELAND RD	BANKS WILFRED JR
	10	4101 CLEVELAND RD	ARNOLD RODNEY B
	11	8825 BONNIE VIEW RD	COLEMAN JANICE
	12	8821 BONNIE VIEW RD	SALAZAR SAQUEO & PATRICIA
	13	4241 CLEVELAND RD	HARDMON ADDYS
	14	8829 BONNIE VIEW RD	GUEVARA FIDEL
	15	8837 BONNIE VIEW RD	MITCHELL ANDRE D &
	16	4000 LANGDON DR	DLH LOGISTICS LLC
	17	4041 TELEPHONE RD	ADAMS JOHN H
	18	4200 CLEVELAND RD	SKIEF CLEMMIE
	19	3900 CEDARDALE RD	CEDARDALE PHASE I LLC
O	20	4100 TELEPHONE RD	FENNER PAT &
	21	4333 TELEPHONE RD	STAFFORD KATHLEEN
	22	3400 CEDARDALE RD	MARTINEZ FERNANDO
O	23	4050 TELEPHONE RD	FENNER PAT
	24	4200 TELEPHONE RD	SOTO JUAN CARLOS CRUZ
	25	4130 TELEPHONE RD	BENSON FREDDIE LEE &
	26	4200 TELEPHONE RD	GARCIA JAIME

Z189-252(CY)

07/10/2019

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	9300 BONNIE VIEW RD	NOSHAHI MOHAMMAD H