

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 20, 2016, with the briefing starting at 11:10 a.m., in Room 5ES and the public hearing at 1:33 p.m., in the City Council Chambers of City Hall. Presiding were, Gloria Tarpley, Chair and Matt Houston, Vice-Chair. The following Commissioners were present during the hearing: Mark Rieves, Jarred Davis, Tony Shidid, Jed Anantasomboon, Corwin Haney, P. Michael Jung, Tipton Housewright, Jaynie Schultz, Carolyn "Cookie" Peadon, Margot Murphy, and Paul E. Ridley. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Mike Anglin. There is one vacancy: District 7.

The City Plan Commission was briefed by staff on each item on the agenda and a question and answer period followed each briefing.

A variety of dockets, requests and briefings were presented to the Commission during the open public hearing. The applicants or their representatives presented their arguments, citizen comments were heard, and using the information and staff recommendations in the hearing dockets, the Commission took the following actions.

NOTE: For more detailed information on discussion on any issue heard during this briefing and public hearing, refer to the tape recording retained on file in the Department of Sustainable Development and Construction. Briefing and public hearing recordings are retained on file for 90 days after approval of CPC minutes.

### **PUBLIC HEARINGS:**

#### Subdivision Docket

Planner: Mohammad Bordbar

Pursuant to Texas Local Government Code Section 212.009(e) these minutes and recording of the hearing certify the reasons for denial of any plat application.

#### Consent Items:

##### (1) **S156-294**

**Motion:** It was moved to **approve** an application to replat 2.380-acre tract of land containing part of City Block 7923 to create 3 lots on property located on W. Mockingbird Lane at Hawes Avenue, southwest quadrant, subject to compliance with the conditions listed in the docket.

Maker: Rieves  
Second: Houston  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Speakers:** None

(2) **S156-295**

**Motion:** It was moved to **approve** an application to replat a 0.840-acre lot from containing part of Lots 2, 3, 4, 5, and part of Lot 12 in City Block 909 to create 2 lots on property located on Akard Street between Gano Street and Sullivan Drive, subject to compliance with the conditions listed in the docket with an additional condition to read as follows: "Condition 25. The proposed southwest lot line must be located so as to not go through the existing structure sitting on existing Lot 6".

Maker: Rieves  
Second: Houston  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Speakers:** None

(3) **S156-296**

**Motion:** It was moved to **approve** an application to replat a 5.691-acre tract of land containing all of Lots 1 through 9 in City Block 20/7159 to create one lot on property located on Peoria Avenue, south of Bernal Drive, subject to compliance with the conditions listed in the docket.

Maker: Rieves  
Second: Houston  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Speakers:** None

**(4) S156-297**

An application to replat a 1.319-acre tract of land containing part of Lot 9 and all of Lots 6, 7, and 8 in City Blocks 1022 and 1023 to create one lot on property located on Welborn Street at Congress Avenue, south corner.

**This case was withdrawn by the applicant.**

**(5) S156-298**

**Note: The Commission considered this item individually.**

**Motion:** It was moved to **approve** an application to replat a 0.165-acre tract of land containing all of Lot 10 in City Block E/666 to create four lots ranging in size from 1,542-square feet to 2,308-square feet on property located at 1415 Hubert Street at Bryan Parkway, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Ridley  
Second: Murphy  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz\*, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

\*out of the room, shown voting in favor

**Speakers:** For (Did not speak): Christopher Jones, 1415 Hubert St., Dallas, TX, 75206  
Against: None

**Note: The Commission heard Subdivision agenda item #8, S156-301 next.**

(6) **S156-299**

**Motion:** It was moved to **approve** an application to create one 5.4234-acre lot from a tract of land located on FM 548 at Reeder Lane in Kaufman County, subject to compliance with the conditions listed in the docket.

Maker: Rieves  
Second: Houston  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Speakers:** None

(7) **S156-300**

**Motion:** It was moved to **approve** an application to replat a 0.538-acre tract of land containing part of Lot 11, and all of Lots 7, 8, 9, and 10 in City Block 279 1/2 to create one lot on property located on Good-Latimer Expressway between Swiss Avenue and Miranda Street, subject to compliance with the conditions listed in the docket.

Maker: Rieves  
Second: Houston  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Speakers:** None

**Note: The Commission heard Subdivision agenda item #5, S156-298 next.**

(8) S156-301

**Note: The Commission considered this item individually.**

**Motion:** It was moved to **approve** an application to replat an 8.289-acre tract of land containing all of Lot 6 in City Block 8038, and a tract of land in City Blocks 8038 and 8472 to create one lot on property located on Hunnicut Road between Samuel Boulevard and Interstate I-30, subject to compliance with the conditions listed in the docket.

Maker: Houston  
Second: Shidid  
Result: Carried: 12 to 0

For: 12 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Housewright, Schultz,  
Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7  
Conflict: 1 - Jung

**Speakers:** None

**Note: The Commission returned to the regular order of the agenda and heard Subdivision - Residential Replat item #9, S156-302 next.**

Residential Replats:

(9) S156-302

**Motion:** It was moved to **approve** an application to replat a 1.896-acre tract of land containing all of Lot 1 in City Block 9/3185 to create a 17 lot Shared Access Area Development with lots ranging in size from 3,635-square feet to 5,426-square feet; and three common areas ranging in size from 2,264-square feet to 3,915-square feet on property located on Skillman Street south of Vintage Oaks Court, subject to compliance with the conditions listed in the docket.

Maker: Housewright  
Second: Houston  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 200 Mailed: 34  
**Replies:** For: 1 Against: 0

**Speakers:** For: None  
Against: None

Position not known (Did not speak): Greg Gerbig, 7557 Rambler Rd., Dallas, TX, 75231

Miscellaneous Items:

**D156-020**

Planner: Pamela Daniel

**Motion:** It was moved to **approve** a development plan and landscape plan for office uses on property zoned Planned Development District No. 466, on the northeast corner of North Hall Street and Lafayette Place.

Maker: Ridley  
Second: Murphy  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Speakers:** None

**D156-021**

Planner: Pamela Daniel

**Motion:** It was moved to **approve** a development plan on property zoned Tracts 2, 7A and 10 within Planned Development District No. 508, on the northwest corner of Hampton Road and Bickers Street.

Maker: Anantasomboon  
Second: Davis  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Speakers:** None

Zoning Cases – Consent:

1. **Z156-311(OTH)**

Planner: Olga Torres Holyoak

**Note: The Commission considered this item individually.**

**Motion:** It was moved to recommend **approval** of a Planned Development District for R-10(A) Single Family District and public school uses, subject to a development/landscape plan, traffic management plan and conditions on property zoned an R-10(A) Single Family District and a D(A) Duplex District, on property bounded by Village Trail Drive, Birchridge Drive, Cliffbrook Drive and Meandering Way.

Maker: Schultz  
Second: Murphy  
Result: Carried: 12 to 0

For: 12 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Housewright, Schultz,  
Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7  
Conflict: 1 - Jung

**Notices:** Area: 500 Mailed: 117  
**Replies:** For: 7 Against: 0

**Speakers:** None

**Note: The Commission heard Agenda item #2, Z156-329(OTH) next.**

2. **Z156-329(OTH)**

Planner: Olga Torres Holyoak

**Note: The Commission considered this item individually.**

**Note: Chair Tarpley corrected the applicant listed on the agenda to read as “Dallas Independent School District”.**

**Motion:** In considering an application to amend Planned Development District No. 676 for MF-1(A) Multifamily District and public school uses on property zoned Planned Development District No. 676 with Specific Use Permit No. 1277 for a tower/antenna for cellular communication limited to one monopole cellular tower on property bounded by Verde Valley Lane, Montfort Drive, Celestial Road and Noel Road, it was moved to **hold** this case under advisement until November 10, 2016.

Maker: Schultz  
Second: Murphy  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 500 Mailed: 219  
**Replies:** For: 4 Against: 8

**Speakers:** None

**Note: The Commission heard Agenda item #5, Z156-336(WE) next.**

### 3. Z156-330(OTH)

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a medical clinic or ambulatory surgical center for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned Subarea 1 within Planned Development District No. 316 on the south side of West Jefferson Boulevard, west of South Zang Boulevard.

Maker: Houston  
Second: Haney  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 200 Mailed: 21  
**Replies:** For: 0 Against: 0

**Speakers:** None

4. Z156-312(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 572 for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses, subject to a revised development/landscape plan, traffic management plan and conditions on the southeast corner of Pleasant Valley Drive and Chimney Hill Lane.

Maker: Houston  
Second: Haney  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 500 Mailed: 127  
**Replies:** For: 3 Against: 0

**Speakers:** None

5. Z156-336(WE)

Planner: Warren Ellis

**Note: The Commission considered this item individually.**

***De minimus* Significant Change Motion:** In considering the requirement in Section 5(m)(1)(B) of the CPC rules of procedure, the finding is it does not apply because the impact of the proposed change in the commission's judgment is *de minimus* in nature.

Maker: Houston  
Second: Ridley  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Motion:** It was moved to recommend **approval** of a CS-D-1 Commercial Service District with a Dry Liquor Control Overlay, subject to the deed restriction volunteered by the applicant on property zoned an LI-D-1 Light Industrial District with a Dry Liquor Control Overlay on the north side of Eastpoint Drive at the terminus of Olson Drive.

Maker: Houston  
Second: Ridley  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 300 Mailed: 9  
**Replies:** For: 0 Against: 0

**Speakers:** For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202  
Against: None

**Note: The Commission returned to the regular order of the agenda and heard Zoning Cases – Under Advisement items next. Starting with Agenda item, #8 Z156-263(JM).**

**6. Z156-322(JM)**

Planner: Jennifer Muñoz

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1810 for a metal salvage facility use for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned Planned Development District No. 846 in an area generally bounded by Ruder Street, on both sides of Progressive Drive, and Chippewa Drive.

Maker: Houston  
Second: Haney  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 400 Mailed: 34  
**Replies:** For: 0 Against: 0

**Speakers:** None

**7. Z156-339(JM)**

Planner: Jennifer Muñoz

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an office showroom/warehouse use for a twenty-year period with eligibility for automatic renewals for additional twenty-year periods, subject to a site plan and conditions on property zoned Subdistrict 5 within Planned Development District No. 533-D-1, the C.F. Hawn Special Purpose District No. 1 with a D-1 Liquor Control Overlay, on the east side of North Jim Miller Road, north of C.F. Hawn Freeway

Maker: Houston  
Second: Haney  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 300 Mailed: 21  
**Replies:** For: 2 Against: 0

**Speakers:** None

**Note: The Commission heard Agenda item #1, Z156-311(OTH) next.**

Zoning Cases – Under Advisement:

**8. Z156-263(JM)**

Planner: Jennifer Muñoz

**Motion:** It was moved to recommend **approval** of a Planned Development District for a water pump station, subject to a development plan and conditions on property zoned an R-10(A) Single Family District, on the south line of Walnut Hill Lane, east of Marsh Lane.

Maker: Anantasomboon  
Second: Murphy  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 500 Mailed: 66  
**Replies:** For: 5 Against: 2

**Speakers:** None

**9. Z156-284(JM)**

Planner: Jennifer Muñoz

**Motion:** It was moved to recommend **approval** of a Planned Development District for MF-1(A) Multifamily District uses, subject to a revised conceptual plan and revised conditions (as briefed) with the following modifications: 1) Revised conceptual plan that shows approximate location of internal open space, 2) Provision that prohibits Duplex as a permitted use, 3) Provision that limits height to 30 feet, 4) Provision that inserts a requirement that any Protected Tree that is located within 10 feet of the eastern or western property line, must be mitigated at 1.5 inches for every inch of tree removed, and 5) Fences must be wood, board on board, and 6 feet minimum in height along the east and west property boundaries on property zoned an R-10(A) Single Family District, on the north side of Modella Avenue, east of Dennis Road.

Maker: Murphy  
Second: Schultz  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 500 Mailed: 106  
**Replies:** For: 8 Against: 4

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

10. **Z156-289(JM)**

Planner: Jennifer Muñoz

**Motion:** In considering an application for an application for 1) a CR Community Retail District with deed restrictions volunteered by the applicant and 2) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Control Overlay, on the west corner of South Beltline Road and Garden Grove Drive, it was moved to **hold** this case under advisement until November 10, 2016.

Maker: Haney  
Second: Houston  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon\*, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 54  
**Replies:** For: 0 Against: 9

**Speakers:** None

11. **Z156-288(SH)**

Planner: Sharon Hurd

**Motion:** It was moved to recommend **approval** of a new subarea, subject to a development plan and revised conditions with an additional condition to prohibit outdoor speakers on property zoned Subarea C within Planned Development District No. 326, the West Lovers Lane Planned Development District, on the south side of West Lovers Lane, east of Taos Road.

Maker: Rieves  
Second: Houston  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 500 Mailed: 91  
**Replies:** For: 9 Against: 3

**Speakers:** For: Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201  
David Corrigan, 4723 Shadywood Ln., Dallas, TX, 75209  
Lowell Sands, Address not given  
Against: Rick Gonzales, 4283 S. Cresthaven Dr., Dallas, TX, 75209

Zoning Cases – Individual:

12. **Z156-275(OTH)**

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** of a new subdistrict for single family uses and office showroom/warehouse use, subject to a conceptual plan, Tract 1 revised development/landscape plan with the following units must face public streets: 1) Units 1 through 12 to face McKee Street, 2) Units 58 through 65 to face Beaumont Street, 3) Units 83 through 87 to face Beaumont Street, and 4) Units 80 through 82 to face Wall Street, Tract 2 development plan; typical street sections exhibit, and revised conditions with an additional provision for a maximum height of 55 feet in Tract 1 on property zoned Subdistrict 3A within Planned Development District No. 317, in an area generally bounded by both sides of Cockrell Avenue, McKee Street, Pitt/Wall Street and southwest of Alexander Avenue.

Maker: Rieves  
Second: Houston  
Result: Carried: 12 to 1

For: 12 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Schultz,  
Peadon, Murphy, Ridley, Tarpley

Against: 1 - Housewright  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 500 Mailed: 75  
**Replies:** For: 8 Against: 0

**Speakers:** For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201  
Against: None

13. **Z156-331(AR)**

Planner: Andrew Ruegg

**Motion:** It was moved to recommend **approval** of renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing for a three-year period, subject to a revised site plan and conditions on property zoned IM Industrial Manufacturing District with deed restrictions, on the north side of Mañana Drive, west of Newkirk Street.

Maker: Anantasomboon  
Second: Davis  
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

**Notices:** Area: 300 Mailed: 4  
**Replies:** For: 0 Against: 0

**Speakers:** For: Steven Free, 7017 Spanky Branch Court, Dallas, TX, 75248  
Against: None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the October 6, 2016, City Plan Commission meeting, subject to corrections.

Maker: Ridley  
Second: Murphy

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

Adjournment

**Motion:** It was moved to **adjourn** the October 20, 2016, City Plan Commission meeting at 3:31 p.m.

Maker: Davis  
Second: Houston

For: 13 - Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Anglin  
Vacancy: 1 - District 7

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Gloria Tarpley, Chair