

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 5, 2017, with the briefing starting at 10:45 a.m., in Room 5ES and the public hearing at 1:31 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: Chad West, Mark Rieves, Jarred Davis, Tony Shidid, Deborah Carpenter, Korey Mack, Myrtl E. Lavallaisaa, P. Michael Jung, Tipton Housewright, Jaynie Schultz, Carolyn "Cookie" Peadon and Margot Murphy. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Paul E. Ridley. There were no vacancies.

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: Sharmila Gurung-Shrestha

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) **S167-287**

Motion: It was moved to **approve** an application to replat a 2.602-acre tract of land containing all of Lots 1 through 4, part of Lots 10 through 13 in City Block D/8343, and an abandoned portion of Marine Way to create one lot on property located between Walton Walker Boulevard and Stillwater Boulevard, south of Marine Way, subject to compliance with the conditions listed in the docket.

Maker: Carpenter
Second: Houston
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaissa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Speakers: None

(2) S167-288

Motion: It was moved to **approve** an application to replat a 0.293-acre tract of land containing all of Lot 10A in City Block E/2002 to create three lots ranging in size from 0.073-acre to 0.115-acre on property located at the intersection of Belmont Avenue, Kirby Street, and Weldon Street, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Carpenter
Second: Houston
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaissa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Speakers: None

(3) S167-291

Note: Ms. Gurung-Shrestha read a correction to the staff report for the record. On the staff report, the chart showing date for compliance with the community unit development regulations, the date for minimum lot area allowed needs to be corrected to 6850 sq. ft.

Motion: It was moved to **approve** an application to create 112 single family residential lots and 7 common areas with lots ranging in size from 0.158-acre to 0.439-acre from a 39.687-acre tract of land in City Blocks 8823 and 8824 as a community unit development on property located at 14709 Seagoville Road, west of Apple Gate Drive, subject to compliance with the conditions listed in the docket with an additional condition to read as follows: "On the final Plat, all space set aside will be offered to the City of Dallas as a dedicated open space to be maintained in its natural state in so far as it is reasonable to so maintain it."

Maker: Carpenter
Second: Houston
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Speakers: None

Building Line Removal:

(4) S134-256R

Building Line Removal Motion: It was moved to **approve** an application to remove the platted 36-foot building line along Woodside Street, remove the platted 25-foot building line along Worthington Street, remove the platted 49-foot building lines along Guillot Alley, and to remove the two platted 10-foot building line along the east and west line of the interior lot line between Lot 1 and Lot 2A with the finding of fact that removal of the platted building line will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision on property located on Worthington Street at Woodside Street, east corner.

Maker: Rieves
Second: Housewright
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaissa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Speakers: None

Replat Motion: It was moved to **approve** an application to replat a 0.736-acre tract of land containing all of Lots 1 and 2A in City Block A/576 to create one lot on property located on Worthington Street at Woodside Street, east corner, subject to compliance with the conditions listed in the docket.

Maker: Rieves
Second: Housewright
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaissa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Speakers: None

Miscellaneous Items – Under Advisement:

W167-010

Planner: Sharon Hurd

Motion: In considering an application for a waiver of the two-year waiting period to submit an application for an amendment to Planned Development Subdistrict for MF-2 Multiple Family District with office and retail uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by the Dallas North Tollway, Fairmount Street, and Knight Street, it was moved to **hold** this case under advisement until October 19, 2017.

Maker: Rieves
Second: Shidid
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Speakers: None

Special Provision Sign District Amendment:

SPSD167-002

Planner: Neva Dean

Motion: In considering an application for a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area bound by Woodall Rodgers Freeway, Crockett Street, Munger Avenue, and North Pearl Street, it was moved to **hold** this case under advisement until October 19, 2017.

Maker: Rieves
Second: Housewright
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 200 Mailed: 82
Replies: For: 78 Against: 0

Speakers: None

Zoning Cases – Consent:

1. **Z167-359(WE)**

Planner: Warren Ellis

Note: The Commission considered this item individually.

Motion: In considering an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the northeast corner of Forney Road and South Buckner Boulevard, it was moved to **hold** this case under advisement until October 19, 2017.

Maker: Mack
Second: Houston
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaissa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 200 Mailed: 7
Replies: For: 1 Against: 1

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

Note: Chair Tarpley change the order of the agenda to move agenda item #2, Z167-363(JM) to allow the applicant, staff and neighbors time to discuss additional matters. Discussion and consideration of agenda item #2, Z167-363(JM) was moved after Zoning Case – Individual item #10, Z167-358(JM). The Commission heard agenda item #4, Z167-366(WE) next.

2. Z167-363(JM)

Planner: Jennifer Muñoz

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 70 for CR Community Retail District uses, subject to conditions with the following changes: 1) Under Sec. 51P-70.107. YARD, LOT, AND SPACE REGULATIONS., (b) Setbacks, (2), add language “Mechanical equipment and accessibility ramps, handrails, and stairs are allowed to encroach up to 22 feet in the setback from the north Property line for the limited purpose of compliance with the ADA.” and 2) Under SEC. 51P-70.113. SIGNS, (b)(1) Banners., (A), add language “A maximum of three south-facing and two east-facing banners are allowed and must be attached to the building façade for the general merchandise or food store greater than 3,500 square feet, but more than 40,000 square feet.” on the northeast corner of Midway Road and **West** Northwest Highway (Loop 12).

Maker: Murphy
Second: Davis
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 500 Mailed: 118
Replies: For: 7 Against: 5

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
For (Did not speak): Bernadine Daniel, 4214 Rosa Ct., Dallas, TX, 75220
Bonnie Anderson, 4222 Rosa Ct. Dallas, TX, 75520
Against: None

Note: The Commission returned to the regular order of the agenda and heard items under Other Matters next.

3. Z167-364(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for a child-care facility for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District on the west line of Marsh Lane, north of Flair Drive.

Maker: Murphy
Second: Schultz
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 300 Mailed: 60
Replies: For: 3 Against: 1

Speakers: For: None

FOR (Did not speak): Robert Reeves, 900 Jackson St., Dallas, TX, 75202

Against: John Phillips, 3630 Flair Dr., Dallas, TX, 75229

Note: The Commission heard agenda item #1, Z167-359(WE) upon the conclusion of the Consent agenda items.

4. Z167-366(WE)

Planner: Warren Ellis

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and conditions on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south side of Great Trinity Forest Way, east of Longbranch Lane.

Maker: Lavallaisaa
Second: Houston
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 200 Mailed: 20
Replies: For: 1 Against: 1

Speakers: For: None
For (Did not speak): Tabitha Tijerina, 7728 S. Great Trinity Forest Way, Dallas, TX, 75217
Against: None

Note: The Commission returned to the regular order of the agenda and heard Zoning Cases – Under Advisement agenda item #5, Z145-310(KK) next.

Zoning Cases – Under Advisement:

5. Z145-310(DL)

Planner: Donna Moorman

Motion: It was moved to recommend **approval** of a Planned Development District on the north side of East 11th Street, between Cedar Crest Boulevard and Corinth Street and the south side of East 11th Street, between Avenue B and Corinth Street, subject to conditions; **approval** of an NS(A) Neighborhood Service District, an R-5(A) Single Family District, a TH-1(A) Townhouse District, and a CR Community Retail District; and **no change** to the P(A) Parking District and the R-5(A) Single Family District on the south side of East 11th Street, between Avenue F and Dubois Avenue with the following additional modifications: 1) No mini-ware house uses within the subdistrict of the planned development district, 2) in Subdistricts 3 and 6 no contractor maintenance yards, 3) in Subdistricts 1, 4 and 6 financial institutions with drive-through windows are subject to a specific use permit, and 4) in Subdistricts 1, 4 and 6 restaurants with drive-through windows are subject to specific use permits on property generally bounded by a Texas Utility Easement on the northeast, Cedar Crest Boulevard on the east, both sides of East 11th Street on the south, Corinth Street on the west, and a DART right-of-way on the northwest.

Maker: Davis
Second: Houston
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 200 Mailed: 214
Replies: For: 6 Against: 9

Speakers: For: None
Against: Roger Albright, 3301 Elm St., Dallas, TX, 75226
Wanda Summers, 2317 E. 11th St., Dallas, TX, 75203
Ruby Terry, 310 Ave I, Dallas, TX, 75203
Against (Did not speak): Billy Persley, 2702 E. 11th St., Dallas, TX, 75203

6. Z156-237(WE)

Planner: Warren Ellis

Motion: In considering an application for a Planned Development District for CR Community Retail District uses on property zoned a CR Community Retail District on the south line of West Northwest Highway, east of Lemmon Avenue, it was moved to **hold** this case under advisement until November 9, 2017.

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

For: 12 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Housewright,
Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0
Conflict: 2 - Jung, Peadon

Notices: Area: 500 Mailed: 23
Replies: For: 1 Against: 0

Speakers: None

7. Z167-194(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **denial without prejudice** of an R-5(A) Single Family District on property zoned an R-10(A) Single Family District on the west side of South Westmoreland Road, north of Red Raider Lane with consideration being given to an R-7.5(A) Single Family District.

Maker: Houston
Second: Murphy
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid*,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright*, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 60
Replies: For: 2 Against: 3

Speakers: None

8. Z167-326(SM)

Planner: Sarah May

Motion: It was moved to recommend **approval** of a new subarea, subject to conditions on property zoned Subarea A of Tract II within Planned Development District No. 314, the Preston Center Special Purpose District, on the northeast corner of Sherry Lane and Lomo Alto Drive.

Maker: Murphy
Second: Davis
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 500 Mailed: 111
Replies: For: 59 Against: 0

Speakers: For: Jonathan Vinson, 2323 Ross Ave., Dallas, TX, 75201
Against: None

9. **Z167-332(JM)**

Planner: Jennifer Muñoz

Motion: It was moved to recommend **approval** of an MF-1(A) Multifamily District on property zoned a CR Community Retail District and an R-7.5(A) Single Family District, on the south line of West Louisiana Avenue, west of South Beckley Avenue.

Maker: Davis
Second: Murphy
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 200 Mailed: 27
Replies: For: 0 Against: 3

Speakers: For: Diana Salas, Address not given
Against: None

Zoning Cases – Individual:

10. **Z167-358(JM)**

Planner: Jennifer Muñoz

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2161 for a tower/antenna for cellular communication limited to a mounted cellular antenna for a five-year period, subject to a site plan and conditions on property zoned Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the north line of Fort Worth Avenue, west of Walter Drive.

Maker: West
Second: Schultz
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 300 Mailed: 37
Replies: For: 1 Against: 1

Speakers: For: None
FOR (Did not speak): Alan Scivally, 577 Ascot Way, Azle, TX, 76020
Against: None

Note: The Commission heard Zoning Item #2, Z167-363(JM) next.

Other Matters

Consideration of the 2018 City Plan Commission Calendar

Motion: It was moved to **approve** the 2018 City Plan Commission Calendar revised draft version, subject to the removal of the July 5th, City Plan Commission meeting.

Maker: Schultz
Second: Davis
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Minutes

Motion: It was moved to **approve** the minutes of the September 28, 2017, City Plan Commission meeting, subject to corrections.

Maker: Davis
Second: Houston

Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy,
Tarpley

Against: 0

Absent: 1 - Ridley

Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the October 5, 2017, City Plan Commission meeting at 3:14 p.m.

Maker: Houston

Second: Davis

Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid,
Carpenter, Mack, Lavallaisaa, Jung,
Housewright, Schultz, Peadon, Murphy*,
Tarpley

Against: 0

Absent: 1 - Ridley

Vacancy: 0

*out of the room, shown voting in favor

Gloria Tarpley, Chair