

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 17, 2016, with the briefing starting at 10:42 a.m., in Room 5ES and the public hearing at 1:42 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: Mike Anglin, Mark Rieves, Jarred Davis, Tony Shidid, Jed Anantasomboon, Corwin Haney, P. Michael Jung, 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: Tipton Housewright. 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) **S167-012**

Motion: It was moved to **approve** an application to create one 3.4954-acre lot from a tract of land in City Block 6863 on property located on Bird Lane, southwest of Central Expressway, subject to compliance with the conditions listed in the docket.

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

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

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

Speakers: None

(2) **S167-013**

Motion: It was moved to **approve** an application to replat a 0.466-acre tract of land containing all of Lots 16 and 17 in City Block 5/6028 to create one lot on property located on Hampton Road, north of Glenfield Road, subject to compliance with the conditions listed in the docket.

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

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

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

Speakers: None

(3) **S167-014**

Motion: It was moved to **approve** an application to replat a 2.9064-acre tract of land containing part of Lot 5 and all of Lots 6 through 9 in City Block 89/3072 to create one lot on property located on Marsalis Avenue, between Eighth Street and Ninth Street; subject to compliance with the conditions listed in the docket.

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

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

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

Speakers: None

(4) **S167-015**

Motion: It was moved to **approve** an application to create one 2.811-acre lot from a tract of land containing part of City Block 120 and an abandoned alley on property located on Cadiz Street between Harwood Street and Park Avenue, subject to compliance with the conditions listed in the docket.

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

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

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

Speakers: None

(5) **S167-016**

Motion: It was moved to **approve** an application to replat a 3.172-acre tract of land containing all of Lots 1 through 3 in City Block 4/6962 to create one lot on property located on Joseph Hardin Drive, at Country Creek Drive, northwest corner, subject to compliance with the conditions listed in the docket.

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

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

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

Speakers: None

Thoroughfare Plan Amendments – Under Advisement:

[Pearl Expressway from Pacific Avenue to Live Oak Street Amendments](#)

Planner: Tanya Brooks

Motion: It was moved to recommend **approval** of an amendment to the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational characteristic on Pearl Expressway between Pacific Avenue and Live Oak Street from five-lanes southbound in 85-146 feet of right-of-way to two-lanes northbound and two-lanes southbound in 85 feet of right-of-way.

Maker: Ridley
Second: Murphy
Result: Carried: 12 to 1

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

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

Speakers: For: Amy Tharp, 5532 Ellsworth Ave., Dallas, TX, 75206
Amy Meadows, 5545 Meletio Ln., Dallas, TX, 75230
Against: None

Zoning Cases – Consent:

1. **Z156-345(PD)**

Planner: Pamela Daniel

Motion: It was moved to recommend **approval** of an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the south corner of Sam Houston Road and Masters Drive.

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

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

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

Notices: Area: 300 Mailed: 42
Replies: For: 0 Against: 2

Speakers: None

2. **Z156-280(OTH)**

Planner: Olga Torres Holyoak

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of an amendment to and expansion of Specific Use Permit No. 30 for cemetery burial sites and a maintenance facility, subject to a revised site plan and revised conditions (1:30 p.m. handout) on property zoned an R-7.5(A) Single Family District, on the northwest corner of West Northwest Highway and Boedeker Street.

Maker: Murphy
Second: Davis
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon, Haney, Peadon, Murphy,
Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7
Conflict: 2 - Jung, Schultz

Notices: Area: 500 Mailed: 337
Replies: For: 25 Against: 9

Speakers: None

Note: The Commission heard Agenda item #5, Z156-356(JM) next.

3. **Z156-310(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a three-year period, subject to conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Great Trinity Forest Way and North Jim Miller Road.

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

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

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

Notices: Area: 200 Mailed: 13
Replies: For: 0 Against: 0

Speakers: For: Parvez Malik, P.O. Box 54803, Hurst, TX, 76054
Against: None

4. **Z156-359(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2137 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period, subject to conditions on property zoned a CR-D-1 Community Retail District with D-1 Liquor Control Overlay on the south side of Lake June Road, west of Oak Hill Circle.

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

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

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

Notices: Area: 300 Mailed: 53
Replies: For: 0 Against: 0

Speakers: None

5. Z156-356(JM)

Planner: Jennifer Muñoz

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of an amendment to and expand of Planned Development District No. 248 for a public school and a public park or playground use, subject to applicant's revised development/landscape plan, a traffic management plan, and conditions on property zoned Planned Development District No. 98 and Planned Development District No. 248, on the east intersection of North Carroll Avenue and Worth Street.

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

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

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

Notices: Area: 500 Mailed: 103
Replies: For: 3 Against: 1

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75201
Steven L. Bourn, 4527 Worth St., Dallas, TX, 75214
David Nevarez, 400 S. Houston St., Dallas, TX, 75202
Against: None

Note: The Commission heard Agenda item #8, Z156-327(SH) next.

6. Z156-361(JM)

Planner: Jennifer Muñoz

Motion: It was moved to recommend **approval** of a CR Community Retail District with deed restrictions volunteered by the applicant, subject to deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the west line of Altaire Avenue, south of East Millett Drive.

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

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

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

Notices: Area: 200 Mailed: 13
Replies: For: 1 Against: 0

Speakers: For (Did not speak): Versie Merchant, 6636 S.R.L. Thornton Fwy., Dallas, TX, 75232
Against: None

7. Z156-362(JM)

Planner: Jennifer Muñoz

Motion: It was moved to recommend **approval** of a Planned Development District for MU-3 Mixed Use District and animal shelter or clinic with outside runs uses, subject to a development plan and conditions to include that the 8 foot fence be a solid wooded fence on property zoned an MU-3 Mixed Use District on the north line of Dyer Street, west of Greenville Avenue.

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

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

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

Notices: Area: 500 Mailed: 81
Replies: For: 5 Against: 0

Speakers: None

8. Z156-327(SH)

Planner: Sharon Hurd

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of an amendment to and an expansion of the Subdistrict S-1c, South Zone portion, subject to conceptual plan and conditions to include a provision that canopy trees must be at or within 20 feet of the crest of the berm (to be shown on the plan) on property zoned Subdistricts S-1c, S-1d, and S-2a, South Zone, within Planned Development District No. 521; and to rezone a portion of Subdistrict S-1d, South Zone into Subdistrict S-2a, South Zone on property generally along the east line of Mountain Creek Parkway, north of Camp Wisdom Road.

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

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

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

Notices: Area: 500 Mailed: 53
Replies: For: 3 Against: 4

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Ellen Taft, 7924 Glenway Dr., Dallas, TX, 75249
For (Did not speak): Royal Pratt, 513 Homeplace, Fairview, TX, 75069
Robert Allen, 6431 Chesley Ln., Dallas, TX, 75214
Staff: Phil Erwin, Chief Arborist, City of Dallas
Against: None

Note: The Commission heard Agenda item #11, Z156-355(WE) next.

9. Z156-342(SH)

Planner: Sharon Hurd

Motion: In considering an application for a Planned Development District for a mixed use development and termination of Specific Use Permit No. 1373 for a college, child-care facility, and public or private school on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 1373 on a portion and a CR Community Retail District generally on the northeast corner of Simpson Stuart Drive and Highland Hills Drive, it was moved to **hold** this case under advisement until December 1, 2016.

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

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

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

Notices: Area: 500 Mailed: 311
Replies: For: 9 Against: 20

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

10. **Z156-354(SH)**

Planner: Sharon Hurd

Motion: It was moved to recommend **approval** of a Planned Development District for nonresidential uses, subject to conceptual plan and conditions on property zoned an A(A) Agricultural District generally on the south line of Cedardale Road, west of Cleveland Road.

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

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

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

Notices: Area: 500 Mailed: 33
Replies: For: 1 Against: 0

Speakers: None

11. Z156-355(WE)

Planner: Warren Ellis

Note: The Commission considered this item individually.

Motion: It was moved to recommend **denial without prejudice** of a renewal of Specific Use Permit No. 1824 for an open enrollment charter school on property zoned an RR Regional Retail District on the west line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard.

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

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

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

Notices: Area: 400 Mailed: 19
Replies: For: 0 Against: 0

Speakers: For: Dean McGuire, 300 W. Kiest Blvd., Dallas, TX, 75224
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, #12 Z145-157(WE).

Zoning Cases – Under Advisement:

12. Z145-157(WE)

Planner: Warren Ellis

Motion: In considering an application to amend and expand Planned Development District No. 400 for R-16(A) Single Family District and private school uses on property zoned an R-16(A) Single Family District and Planned Development District No. 400 on the west line of Midway Road, north of South Better Drive, it was moved to **hold** this case under advisement until January 5, 2017.

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

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

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7
Abstained: 1 - Haney**

*out of the room, shown voting in favor

**abstained from voting, due to bus tour requirement

Notices: Area: 500 Mailed: 231
Replies: For: 19 Against: 38

Speakers: None

13. Z156-334(OTH)

Planner: Olga Torres Holyoak

Motion: In considering an application for a Planned Development District for R-7.5(A) Single Family District uses and a child-care facility and repealing Specific Use Permit No. 597 for a day nursery on property zoned an R-7.5(A) Single Family District, on the northwest corner of Inwood Road and Oriole Drive, it was moved to **hold** this case under advisement until December 15, 2016.

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

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

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

Notices: Area: 500 Mailed: 248
Replies: For: 7 Against: 7

Speakers: None

14. **Z156-346(OTH)**

Planner: Olga Torres Holyoak

Motion: In considering an application to amend and expand Specific Use Permit No. 88 for an electric substation on property zoned an R-7.5(A) Single Family District on the southeast corner of North Jim Miller Road and Scyene Road, it was moved to **hold** this case under advisement until December 15, 2016.

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

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

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

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 38
Replies: For: 0 Against: 0

Speakers: None

Zoning Cases – Individual:

15. **Z156-272(SH)**

Planner: Sharon Hurd

Motion: In considering an application for a Planned Development District for single family uses on property zoned an NO(A) Neighborhood Office District, north of Forest Lane, east of Abrams Road, it was moved to **hold** this case under advisement until December 1, 2016.

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

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

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

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 139
Replies: For: 19 Against: 4

Speakers: None

16. **Z156-299(SH)**

Planner: Sharon Hurd

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for MF-2 Multifamily Subdistrict uses, subject to a revised development plan, landscape plan and revised conditions to include the following modifications: 1) Sec.104 – adopt the applicant’s request to require an exhibit of the conceptual rendering be attached to the ordinance, 2) Sec.105 – adopt the applicant’s request referencing the conceptual rendering, 3) Sec. 108 – require the rear and side yard setbacks as shown on the development plan dated November 16, 2016, and 4) finding that the modifications to the plan (dated 11-16-16) and conditions are not a significant change on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and along the northwest line of McKinney Avenue, south of Monticello Avenue.

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

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

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

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 174
Replies: For: 2 Against: 0

Speakers: For: Tommy Mann, 500 Winstead Building, Dallas, TX, 75201
Chuck Cole, 4831 McKinney Ave., Dallas, TX, 75206
Against: None

17. Z156-353(SH)

Planner: Sharon Hurd

Motion: It was moved to recommend **approval** of a new subdistrict for Subdistrict 3A uses and an alcoholic beverage manufacturing use, subject to conditions on property zoned Subdistrict 3A within Planned Development District No. 317, the Cedars Area Special Purpose District, southeast of Cadiz Street, between South Austin Street and South Lamar Street.

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

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

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

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 15
Replies: For: 1 Against: 0

Speakers: For (Did not speak): Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Against: None

Other Matters

Consideration of appointments to CPC Committees:
SUBDIVISION REVIEW COMMITTEE (SRC)

Chair Tarpley announced Commissioner Jung as Chair and Commissioner Anglin as Vice-chair of the Subdivision Review Committee.

Minutes

Motion: It was moved to **approve** the minutes of the November 10, 2016, City Plan Commission meeting, subject to corrections.

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

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

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

Adjournment

Motion: It was moved to **adjourn** the November 17, 2016, City Plan Commission meeting at 4:30 p.m.

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

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

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

Gloria Tarpley, Chair