

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on December 3, 2015, with the briefing starting at 10:40 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 Robert Abtahi, Vice-Chair. The following Commissioners were present during the hearing: Mike Anglin, Neil Emmons, Matt Houston, Jarred Davis, Tony Shidid, 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: Jed Anantasomboon. There are 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: Paul Nelson

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) **S156-026**

Motion: It was moved to **approve** an application to replat a 5.599-acre tract of land containing all of Lots 1A, 2A, and 3A in City Block A/515 into one 1.151-acre lot, and one 4.448-acre lot on property fronting on Munger Avenue between Freeman Street and Field Street, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

(2) **S156-027**

Motion: It was moved to **approve** an application to replat a 5.474-acre tract of land being four tracts of land described as follows: Tract 1 being a 2.486 acre tract of land containing all of Lots 1 through 10 and a 20-foot alley to be abandoned in City Block 2/692 to be replatted into one 2.486-acre lot; Tract 2 being a 0.431 acre tract of land containing all of Lots 4 and 5 in City Block 3/693 to be replatted into one 0.431-acre lot; Tract 3 being a tract of land containing all of Lots 7, 8, 9, 9A, 10, and 10A in City Block 3/693 to be replatted into one 1.142-acre lot; and Tract 4 being a tract of land containing all of Lots 15, 16, 17, 18, 19, 20, and 21 in City Block D/1491 to be replatted into one 1.415-acre lot. All aforementioned property is generally bounded by Fitzhugh Avenue, Chambers Street, Garrett Avenue, and Monarch Street, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

(3) **S156-028**

Motion: It was moved to **approve** an application to create one 4.996-acre lot from a tract of land in City Block 6756 on property located on St. Augustine Road, north of Bruton Road, subject to compliance with the conditions listed in the docket.

Maker: Ridley
Second: Murphy

Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

(4) S156-029

Motion: It was moved to **approve** an application to replat a 1.58-acre tract of land containing all of Lots A and B and a tract of land in City Block H/3374 into one lot on property located on Zang Boulevard, 6th Street, Elsbeth Avenue, and 5th Street, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

(5) S156-030

Motion: It was moved to **approve** an application to replat a 0.860-acre tract of land containing all of Lots 3, 4, 5, 6, and 7 in City Block D/5712 to create an 18 lot Shared Access Development with one common area, and has lots ranging in size from 1,538-square feet to 2,521-square feet in size on property located on Kimsey Drive, northeast of Maple Avenue, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

(6) **S156-031**

Motion: It was moved to **approve** an application to create one 6.6748-acre lot from a tract of land in City Block 8019 on property fronting on Walton Walker Boulevard, northwest of Duncanville Road, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

(7) **S156-032**

Motion: It was moved to **approve** an application to replat a 0.685-acre tract of land containing all of Lot 14 and part of Lot 15 in City Block C/1993 into one lot on property located on Capitol Avenue, southwest of Henderson Avenue, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

Residential Replats:

(8) S156-025

An application to replat a 3.593-acre tract of land containing all of Lot 1A in City Block 8/4839, and all of Lots 1, 2, 3, 4, 5, 10, 11, 12, and 13 in City Block 12/4843 and a portion of an abandoned alley into one lot on property fronting on Newmore Avenue between Inwood Road and Robin Road.

This case was withdrawn by the applicant.

Miscellaneous Docket:

W156-003

Planner: Warren Ellis

Motion: It was moved to **approve** a waiver of the two-year waiting period to submit a request to amend Planned Development Subdistrict No. 104 in Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street.

Maker: Emmons
Second: Abtahi
Result: Carried: 13 to 1

For: 13 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 1 - Jung
Absent: 1 - Anantasomboon
Vacancy: 0

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

M156-002

Planner: Warren Ellis

Motion: It was moved to **approve** a minor amendment to the development plan and landscape plan for Tract G, South Subdistrict of Planned Development District No. 582, the Victory Planned Development District, in an area generally bounded by Victory Avenue, Museum Way, Victory Park Lane and High Market Street.

Maker: Emmons
Second: Abtahi
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

D145-038

Planner: Laura Evans

Motion: It was moved to **approve** a development plan and landscape plan on property within Planned Development District No. 745, Tract B, east of Manderville Lane and north of Meadow Road.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

D145-039

Planner: Laura Evans

Motion: In considering an application for a development plan on property within Subdistrict J of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District at the southwest corner of West 5th Street and Zang Boulevard, it was moved to **hold** this case under advisement until January 7, 2016.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

D156-002

Planner: Danielle Lerma

Motion: It was moved to **approve** a development plan and landscape plan on property zoned Subarea C of Planned Development District No. 758, on the southeast of the intersection of Walnut Hill Lane and Skillman Street.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

Miscellaneous Docket – Under Advisement:

D145-035

Planner: Danielle Lerma

Motion: It was moved to **approve** a development plan and a landscape plan for property zoned Subarea D-3 of Subdistrict D within the West Mixed Use Subzone of the West Zone within Planned Development District No. 305, on the south corner of Noble Avenue and Blackburn Street.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

Certificate of Appropriateness for Signs:

1510165004

Planner: Laura Evans

Motion: It was moved to **approve** of a Certificate of Appropriateness, by Taylor Tompkins of Willow Creek Signs, for a 900-square foot upper-level flat attached sign at 208 South Akard Street (southern elevation).

Maker: Emmons
Second: Abtahi
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Houston, Davis, Shidid, Abtahi, Haney, Housewright, Schultz, Peadon, Murphy, Tarpley

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

Speakers: None

Thoroughfare Plan Amendments:

Akard Street from IH-30 to Corinth Street

Planner: Tanya Brooks

Motion: It was moved to **approve** of the amendment to change the dimensional classification of Akard Street from IH-30 to Corinth Street from a standard four-lane undivided (S-4-U) roadway within 60 feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with bicycle facilities within 60 feet of right-of-way.

Maker: Abtahi
Second: Emmons
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley
Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: For: None

For (Did not speak): John P. Greenan, 511 N. Akard St., Dallas, TX, 75201
Michael Sitarzewski, 1817 S. Ervay St., Dallas, TX, 75215

Against: None

Camp Wisdom Road from Grand Prairie City Limits to FM 1382

Planner: Tanya Brooks

Motion: It was moved to **approve** of the amendment to change the dimensional classification of Camp Wisdom Road from FM 1382 to the Grand Prairie City Limits from a standard six-lane divided (S-6-D) roadway within 107 feet of right-of-way to a special four-lane undivided (SPCL 4U) roadway with bicycle facilities within 100 feet of right-of-way.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

Record Street from Wood Street to Young Street; and Market Street from Wood Street to Young Street

Planner: Tanya Brooks

Motion: It was moved to **approve** of the amendments to change the proposed right-of-way on (1) Record Street from Wood Street to Young Street from 80 feet to 64 feet of right-of-way; and (2) Market Street from Wood Street to Young Street from 80 feet to 67 feet of right-of-way.

Maker: Emmons
Second: Abtahi
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Speakers: None

Zoning Cases – Consent:

1. Z156-106(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Open-enrollment charter school for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site/landscape plan, traffic management plan and conditions on property zoned an IR Industrial/Research District at the northwest corner of Dresser Way and South Walton Walker Boulevard.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 300 Mailed: 11
Replies: For: 1 Against: 0

Speakers: None

2. Z145-361(WE)

Planner: Warren Ellis

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of a Specific Use Permit for a flea market for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions on property zoned Subdistrict 2 of Planned Development District No. 357, the Farmers Market Special Purpose District on the south corner of St. Louis Street and South Harwood Street.

Maker: Emmons
Second: Abtahi
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 200 Mailed: 6
Replies: For: 0 Against: 0

Speakers: For (Did not speak): Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Against: None

3. Z145-344(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a D-1 Liquor Control Overlay and **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 with eligibility for automatic renewals for additional five-year periods, subject to a site plan and revised conditions on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the southeast corner of Royal Lane and North Stemmons Freeway.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: None

4. **Z156-103(OTH)**

Planner: Olga Torres Holyoak

Motion: In considering an application for the renewal of Specific Use Permit No. 1863 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the north side of Scyene Road, west of North Jim Miller Road, it was a moved to **hold** this case under advisement until January 7, 2016.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

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

Speakers: None

5. Z156-105(AF)

Planner: Aldo Fritz

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 a CR Community Retail District with a D-1 Liquor Control Overlay and deed restrictions on the southeast corner of Great Trinity Forest Way and Forsythe Drive, it was a moved to **hold** this case under advisement until January 7, 2016.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 300 Mailed: 30
Replies: For: 0 Against: 0

Speakers: None

Zoning Cases – Under Advisement:

6. Z145-343(AF)

Planner: Aldo Fritz

Motion: It was moved to recommend **denial without prejudice** of the renewal of Specific Use Permit No. 1922 for a late-hours establishment limited to an alcoholic beverage establishment operated limited to a bar, lounge or tavern on property zoned Planned Development District No. 842 on the west side of Greenville Avenue, southeast of Ross Avenue.

Maker: Emmons
Second: Ridley
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 200 Mailed: 12
Replies: For: 1 Against: 1

Speakers: For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Against: Patricia Carr, 5843 Vanderbilt Ave., Dallas, TX, 75206

Zoning Cases – Individual:

7. Z134-320(VP)

Planner: Vasavi Pilla

Motion: In considering a City Plan Commission authorized hearing to determine the proper zoning on property zoned Planned Development District No. 703 bounded by Hillcrest Road, Lakehurst Avenue, Airline Road, and Aberdeen Avenue with consideration given to amending the parking and other necessary development regulations in Planned Development District No. 703, it was a moved to **hold** this case under advisement until January 7, 2016.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright*, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 50
Replies: For: 0 Against: 1

Speakers: None

8. Z156-111(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of an NS(A) Neighborhood Service District with deed restrictions volunteered by the applicant for the following main uses to be prohibited: 1) General merchandise or food store 3,500 sq. ft. or less, 2) Dry Cleaning or laundry store, 3) Motor vehicle fueling station, and 4) Tower or antenna for cellular communication on property zoned an NO(A) Neighborhood Office District, on the southwest side of North Peak Street, southeast of Gaston Avenue.

Maker: Emmons
Second: Abtahi
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright*, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 20
Replies: For: 0 Against: 1

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

9. Z145-365(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of an IM Industrial Manufacturing District on property zoned an IR Industrial Research District, on the north line of X Street, west of Tantor Road.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 200 Mailed: 14
Replies: For: 0 Against: 0

Speakers: For: Michael Coker, 3111 Canton St., Dallas, TX 75226
Against: None

10. Z156-104(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for an Open-enrollment charter school and CR Community Retail District Uses, subject to a revised development plan to include the following modification: 1) Prohibit solid screen on North St. Augustine, 2) Establish and indicate maximum number of gates per property frontage, 3) Maximum gate height of 6ft., and 4) Prohibit outdoor lighting on the field, traffic management plan and revised staff's recommended conditions on property zoned an MF-2(A) Multifamily District and a CR Community Retail District with the D-1 Liquor Control Overlay, on property on the east line of St. Augustine Road, north of Bruton Road.

Maker: Abtahi
Second: Ridley
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 300 Mailed: 14
Replies: For: 1 Against: 0

Speakers: For: Tommy Mann, 500 Winstead Bldg., Dallas, TX
Against: None

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the November 19, 2015, City Plan Commission meeting, subject to corrections.

Maker: Ridley
Second: Abtahi
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the December 3, 2015, City Plan Commission meeting at 2:44 p.m.

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

For: 14 - Anglin, Emmons, Houston, Davis, Shidid,
Abtahi, Haney, Jung, Housewright, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Gloria Tarpley, Chair