

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on March 19, 2015, with the briefing starting at 11:36 a.m., in Room 5ES and the public hearing at 1:38 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, Emma Rodgers, Betty Culbreath, Tony Shidid, Jed Anantasomboon, Ann Bagley, Myrtle Lavallaisaa, John Shellene, 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: Jaynie Schultz. 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: Sharon Hurd

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) **S145-108**

Motion: It was moved to **approve** an application to replat a 12.6522-acre tract of land containing all of Lot 6A in City Block 7291, all of Block B/7291 and a portion of unplatted land into three lots on property on Midtown Boulevard between North Central Expressway Service Road and Manderville Lane, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Speakers: None

(2) S145-109

Motion: It was moved to **approve** an application to create a 100-lot Shared Access Area Development with residential lots ranging in size from 1,430 square feet to 2,858 square feet, from a 4.508-acre tract of land containing part of City Block 7257 on property on Duluth Street between Borger Street and Obenchain Street, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Speakers: None

(3) S145-110

Motion: It was moved to **approve** an application to replat a 0.224-acre tract of land containing all of Lot 5 in City Block N/1480 into three lots on property at 1612 Mary Street, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Speakers: None

(4) **S145-111**

Motion: It was moved to **approve** an application to replat a 0.666-acre tract of land containing all of Lots 1-4 in City Block A/1473 into one lot on property at 1800 Greenville Avenue, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Speakers: None

(5) **S145-114**

Motion: It was moved to **approve** an application to create one lot from a 2.295-acre tract of land in City Block 5744 on property at 4646 Harry Hines Boulevard, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Speakers: None

(6) **S145-115**

Motion: It was moved to **approve** an application to create one 10.738-acre lot from a tract of land in City Block 611/6113, part of City Block 8724, and part of City Block 8725 on property at Mountain Creek Parkway and Interstate Highway 20, northwest corner, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Speakers: None

Residential Replat:

(7) **S145-112**

Motion: It was moved to **approve** an application to replat a 0.533-acre tract of land containing part of Lot 19 and all of Lots 20 and 21 in City Block 9/4945 into one lot on property at the northeast corner of Greenway Boulevard and Neola Drive, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Notices: Area: 200 Mailed: 22
Replies: For: 3 Against: 2

Speakers: For: Dirik Oudt, 5350 Emerson Ave., Dallas, TX, 75209
Against: None

(8) **S145-113**

Motion: It was moved to **approve** an application to replat a 2.316-acre tract of land containing all of Estate Lots 34 and 35 in City Block 5543 into one estate lot on property at 9839 Rockbrook Drive, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

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

Speakers: None

Miscellaneous Items:

M145-017

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment for the Phase I Nonresidential Development Plan for Planned Development District No. 885 on property southwest of the intersection of LBJ Freeway and Midway Road.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Speakers: None

Zoning Cases – Consent:

1. **Z145-105(CG)**

Planner: Carrie Gordon

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 greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay along the east line of Kleberg Road, the north line of Carleta Street and the south line of Parkcliff Drive, it was moved to **hold** this case under advisement until April 2, 2015.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Notices: Area: 200 Mailed: 22
Replies: For: 1 Against: 1

Speakers: None

2. **Z145-160(AF)**

Planner: Aldo Fritz

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Bar, lounge, or tavern for a two-year period, subject to a site plan and conditions on property zoned Tract A, Planned Development District No. 269, the Deep Ellum/Near East Side District on the north side of Main Street, west of North Crowds Street.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Notices: Area: 200 Mailed: 29
Replies: For: 5 Against: 0
Speakers: None

3. Z145-159(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a CR Community Retail District on property zoned an NO(A) Neighborhood Office District with deed restrictions, on the west side of South Hampton Road, between Chrysalis Drive and Cliff Creek Crossing Drive.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Notices: Area: 300 Mailed: 36
Replies: For: 0 Against: 0

Speakers: For: Gordon Edwards, 7001 Preston Rd., Dallas, TX, 78205
Against: None

4. Z145-167(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of for an IR Industrial Research District with volunteered deed restrictions on property zoned an A(A) Agricultural District on the west side of Old Hickory Trail, north of West Daniieldale Road.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Notices: Area: 400 Mailed: 10
Replies: For: 1 Against: 0

Speakers: None

Zoning Cases – Under Advisement:

5. **Z145-108(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Planned Development District for CR Community Retail District uses, subject to development plan, landscape plan and conditions to include: 1) The only main uses permitted is general merchandise or food store 3,500 sq. ft. or greater and local utilities, and 2) Detached signs are limited to monument signs with a maximum height of 10 ft. on North Fitzhugh Avenue; including the corner of North Fitzhugh Avenue and Capitol Avenue, and 6 ft. on Bennett Avenue, including the corner of Bennett Avenue and Capitol Avenue on property zoned an MF-2(A) Multifamily District, southeast of Capitol Avenue, between Bennett Avenue and North Fitzhugh Avenue.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Notices: Area: 500 Mailed: 100
Replies: For: 6 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: Lori Dotson, 8111 Preston Rd., Dallas, TX, 75225

6. Z134-329(AF)

Planner: Aldo Fritz

Motion: It was moved to recommend **approval** of an LI Light Industrial District and **approval** of a Specific Use Permit for Commercial motor vehicle parking for a five-year period, subject to a site/landscape plan and conditions on property zoned an A(A) Agricultural District at the southwest corner of Telephone Road and Bonnie View Road.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Notices: Area: 300 Mailed: 8
Replies: For: 2 Against: 0

Speakers: None

7. Z145-145(AF)

Planner: Aldo Fritz

Motion: It was moved to recommend **approval** of an MU-3 Mixed Use District with deed restrictions volunteered by the applicant, except to allow multi-family as a mixed use development on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath*, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 23
Replies: For: 0 Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

Zoning Cases – Individual:

8. Z145-165(SM)

Planner: Sarah May

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 311, subject to a revised development plan, topography and height zone plan and conditions with the following additional language to read: “Design standards - Exterior colors on lake facing facades on buildings constructed after the date of passage of this ordinance are limited to muted earth tones; including, but not limited to, tan, brown and green.” on the west corner of West Lawther Drive and East Mockingbird Lane.

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

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Notices: Area: 500 Mailed: 115
Replies: For: 1 Against: 12

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Anita Hullum, 4833 W. Lawther Dr., Dallas, TX, 75214
Ralph Dugger, 4833 W. Lawther Dr., Dallas, TX, 75214
Jim Richardson, 10018 Windledge Dr., Dallas, TX, 75238
Jay Krishnaswamy, 9440 Poppy Dr., Dallas, TX, 75218
William Cothrum, 900 Jackson St., Dallas, TX, 75202
For (Did not speak): Tommie Hickok, 5720 Marquita Ave., Dallas, TX, 75206
Sharon Ballew, 9705 Stone River Cir., Dallas, TX, 75231
Aaron Schmidt, 10915 Marchant Cir., Dallas, TX, 75218
Jim Long, 10509 Silverrock Dr., Dallas, TX, 75218
Mike Kiracuff, 6405 Ridgemont Dr., Dallas, TX, 75214
Denise Aver, 1746 Loree Dr., Dallas, TX, 75228
Jennifer Griffin, 6922 Blessing Dr., Dallas, TX, 75214
David Dillard, 4357 Shirley Dr., Dallas, TX, 75229

Teresa Whittington, 4829 W. Lawther Dr., Dallas, TX, 75214
Stacy Hit, 4833 W. Lawther Dr., Dallas, TX, 75214
Kevin Maconey, 4833 W. Lawther Dr., Dallas, TX, 75214
Judy Carter, 4833 W. Lawther Dr., Dallas, TX, 75214
Marvin Culbertson, 4833 W. Lawther Dr., Dallas, TX, 75214
Amy Lindsly, 4833 W. Lawther Dr., Dallas, TX, 75214
John Skinner, 4833 W. Lawther Dr., Dallas, TX, 75214
Richard Lindsly, 4833 W. Lawther Dr., Dallas, TX, 75214
Veta Boswell, 4833 W. Lawther Dr., Dallas, TX, 75214
Gary Fritzsche, 4833 W. Lawther Dr., Dallas, TX, 75214
Marian Hammert, 4833 W. Lawther Dr., Dallas, TX, 75214
Rhetta Cook, 4833 W. Lawther Dr., Dallas, TX, 75214
Audrey Borel, 4831 W. Lawther Dr., Dallas, TX, 75214
Maxine Funk, 4831 W. Lawther Dr., Dallas, TX, 75214
Rozina Vlasimsky, 4831 W. Lawther Dr., Dallas, TX, 75214
Mitchell Jones, 4835 W. Lawther Dr., Dallas, TX, 75214
Russell Crows, 4847 W. Lawther Dr., Dallas, TX, 75214
Chris Zankard, 4847 W. Lawther Dr., Dallas, TX, 75214

Against: Michael Jung, 7143 Fisher Rd., Dallas, TX, 75214

9. Z145-135(RB)

Planner: Richard Brown

- (a) **Motion:** It was moved to recommend **approval** of a Planned Development District for D(A) Duplex District uses and a modified duplex use on property zoned a D(A) Duplex District, subject to a development plan and staff's revised recommended conditions to include the following changes: 1) In Section 51P-____.108., YARD, LOT, AND SPACE REGULATIONS., (b) Modified duplex., (1) Front yard, (A) minimum 20 feet, and 2) In section SEC. 51P-____.109., OFF-STREET PARKING, (b) Modified duplex., delete subpoint (3) and amend subpoint (4) to read "The minimum distance to an enclosed parking space (garage) can be reduced from 20 feet to 5 feet if an automatic garage opener is installed and maintained." on property generally bounded by Winton Street and Ellsworth Avenue, inclusive of both sides of Anita Street, west of McMillan Avenue.

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

For: 13 - Anglin, Emmons, Rodgers, Culbreath, Shidid, Bagley*, Lavallaisaa, Tarpley, Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 2 - Anantasomboon, Schultz
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 123
Replies: For: 3 Against: 3

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Adam Stetson, 512 W. Davis Dr., Desoto, TX, 75115
Against: Richard Davenport, 5513 Anita St., Dallas, TX, 75206

10. **Z145-150(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for LC Light Commercial Subdistrict uses, subject to a revised development plan and staff's revised recommended conditions with the following changes: 1) Main use permitted are local drug store; and local utilities, 2) This planned development district is subject to the landscape plan and revised development plan circulated at CPC briefing and 3) Sidewalk along Amelia is limited to 5 feet wide on property zoned an MF-2 Multiple-family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Amelia Street and Maple Avenue.

Maker: Emmons
Second: Culbreath
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 2 - Anantasomboon, Schultz
Vacancy: 0

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

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Miach Byrnes, 3699 McKinney Ave., Dallas, TX, 75204
Naseem Amarasingham, 2527 Amelia St., Dallas, TX, 75235
Against: None

Special Provision Sign District Amendments:

SPSD134-005(CG)

Planner: Carrie Gordon

Motion: It was moved to recommend **approval** of the creation of a new subdistrict in the Downtown Special Provision Sign District Overlay, subject to staff's recommended conditions with the following modifications: 1) Adopt applicant's request for 19,100 sq. ft. for non-premise signage with a condition that no more than 50 percent of the non-premise signage be digital, 2) No digital on the Akard Street façade, and 3) Non-premise signs be limited to a period of display no longer than 12 consecutive months on property zoned Planned Development District No. 619 with a Pedestrian Overlay in an area generally bounded by Pacific Avenue, North Akard Street, Elm Street, and North Field Street.

Maker: Ridley
Second: Abtahi
Result: Carried: 9 to 3

For: 9 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Lavallaisaa, Tarpley, Ridley, Abtahi

Against: 3 - Bagley, Murphy, Peadon
Absent: 3 - Anantasomboon, Shellene, Schultz
Vacancy: 0

Notices: Area: 200 Mailed: 94
Replies: For: 1 Against: 0

Speakers: For: Tommy Mann, 500 Winstead Bldg., Dallas, TX, 75201
Aimee Sanborn, 502 Bondstone Dr., Dallas, TX, 75218
Stephen Shepherd, 1505 Elm St., Dallas, TX, 75201
Bill McKnight, 1505 Elm St., Dallas, TX, 75201
Jack Gosnell, 3445 Haynie Ave., Dallas, TX, 75205
John Crawford, 901 Main St., Dallas, TX, 75202
Against: None

Other Matters

Minutes

Motion: In considering the minutes of the March 5, 2015, City Plan Commission meeting, it was moved to **hold** approval until April 2, 2015.

Maker: Tarpley
Second: Ridley
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Peadon, Murphy,
Ridley, Abtahi*

Against: 0
Absent: 3 - Anantasomboon, Shellene, Schultz
Vacancy: 0

*out of the room, shown voting in favor

Adjournment

Motion: It was moved to **adjourn** the March 19, 2015, City Plan Commission meeting at 3:56 p.m.

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

For: 12 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Peadon, Murphy,
Ridley, Abtahi

Against: 0
Absent: 3 - Anantasomboon, Shellene, Schultz
Vacancy: 0

Gloria Tarpley, Chair