

## SPECIAL PLAN COMMISSION MINUTES

The City Plan Commission held a Special Zoning Hearing on May 14, 2020, by videoconference call as authorized by Texas Government Code Section 551.127 with the briefing starting at 10:37 a.m., and the public hearing at 1:36 p.m. Presiding were, Tony Shidid, Chair and Jaynie Schultz, Vice-Chair. The following Commissioners were present during the hearing: Enrique MacGregor, Joanna Hampton, Ronald Stinson, LeDouglas Johnson, Timothy Jackson, Lori Blair, P. Michael Jung, Tipton Housewright, Kristine Schwope, Margot Murphy, Wayne Garcia and Brent Rubin. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Deborah Carpenter. 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:**

#### Zoning Cases – Individual:

##### **1. Z190-208(CY)**

Planner: Carolina Yumet

***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 increase landscape area change in the Commission’s judgment is *de minimus* in nature.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Motion:** It was moved to recommend **approval** of an amendment to and the expansion of Planned Development District No. 706 for R-16(A) Single Family uses and a public school other than an open-enrollment charter school use, subject to a revised development plan, revised landscape plan, revised traffic management plan, and revised conditions (as briefed) with the following changes: 1) revised Traffic Management Plan which delineates Options A, B and C for the High School; 2) a maximum allowed height of 36 feet for the elementary/middle school with additional height for roof mounted equipment, etc. per Section 51A-4.408(2)(A) and compliance with the RPS; 3) revised landscaping conditions to include additional ornamental trees in front of the high school on Walnut Hill with the approval of the chief arborist and Oncor, and building façade planting areas along the Walnut Hill, Gooding, Hedgeway and Killion frontages; 4) the proposed perimeter fence must be constructed of ornamental metal; 5) accessory structures over 200 square feet in area must be compatible with the main structure; and 6) the new Student Parking lot will comply with Article X, such that no parking space is more than 70 feet from a large or medium tree on property zoned Planned Development District No. 706 and Planned Development District No. 724 for R-16(A) Single Family uses and a public school other than an open-enrollment charter school, an area bounded by Killion Drive to the north, Gooding Drive to the east, Walnut Hill Lane to the south and Hedgeway Drive to the west.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 500 Mailed: 212  
**Replies:** For: 9 Against: 5

**Speakers:** For: Karl Crawley, 2201 Main St., Dallas, TX, 75201  
Ola Ross, 15301 Spectrum Dr., Addison, TX, 75001  
Joseph Sweat, 3801 Herschel Ave., Dallas, TX, 75219  
Steve Stoner, 7557 Rambler Rd., Dallas, TX, 75231  
For (Did not speak): Hunter Lemley, 7557 Rambler Rd., Dallas, TX, 75231  
Against: None

2. **Z190-178(PD)**

Planner: Pamela Daniel

**Motion:** In considering an application for a Specific Use Permit for a community service center use on property zoned a TH-2(A) Townhouse District with Specific Use Permit No. 525 for a day nursery, west side of North Winnetka Avenue, southwest of Canada Drive, it was moved to **hold** this case under advisement until June 18, 2020.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Jackson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 200 Mailed: 18  
**Replies:** For: 1 Against: 0

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

3. **Z190-207(PD)**

Planner: Pamela Daniel

**Motion:** It was moved to recommend **approval** of a D(A) Duplex Subdistrict, subject to deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southeast side of Herrling Street, northeast of 2nd Avenue.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Jackson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 200 Mailed: 24  
**Replies:** For: 0 Against: 0

**Speakers:** For: Anish Thakrar, 3208 Cole Ave., Dallas, TX, 75204  
Against: None

4. **Z189-366(PD)**

Planner: Pamela Daniel

**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 use on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of North Jim Miller Road and Samuell Boulevard, it was moved to **hold** this case under advisement until June 4, 2020.

Maker: Jackson  
Second: Blair  
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Jackson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 200 Mailed: 5  
**Replies:** For: 0 Against: 0

**Speakers:** None

5. **Z189-281(CT)**

Planner: Carlos Talison

**Motion:** It was moved to recommend 1) **approval** of a D-1 Liquor Control Overlay; and 2) **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a hotel and motel use for a two-year period, subject to site plan and conditions on property zoned a GO(A)-D General Office District with a D Liquor Control Overlay, on the southwest corner of Meadow Park Drive and North Central Expressway.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Jackson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 300 Mailed: 164  
**Replies:** For: 1 Against: 0

**Speakers:** None

6. Z190-174(CT)

Planner: Carlos Talison

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2204 for a private school for a one-year period, subject to conditions on property zoned an R-7.5(A) Single Family District, on the north line of Lyndon B. Johnson Freeway, between Blossomheath Lane and Meandering Way.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Jackson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 400 Mailed: 51  
**Replies:** For: 2 Against: 0

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

7. **Z190-192(CT)**

Planner: Carlos Talison

**Motion:** In considering an application for a new Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned FWMU-3 Form Walkable Mixed Use Subdistrict, within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shop Front Overlay, on the northeast corner of South Lamar Street and South Boulevard, it was moved to **hold** this case under advisement until June 18, 2020.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 200 Mailed: 10  
**Replies:** For: 1 Against: 0

**Speakers:** For: Mrs. Sullemon, 2900 S. Lamar St., Dallas, TX, 75215  
Andy French, 4201 Spring Valley Rd., Dallas, TX, 75244  
For (Did not speak): Isaiah Sullemon, 2900 S. Lamar St., Dallas, TX, 75215  
Shawanna Bishop, 2900 S. Lamar St., Dallas, TX, 75215  
Against: None

8. **Z190-165(JM)**

Planner: Jennifer Muñoz

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a vehicle display, sales, and service use for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan, revised landscape plan, and conditions on property zoned Subdistrict 5 within Planned Development District No. 533, the C.F. Hawn Special Purpose District, with a D-1 Liquor Control Overlay, on the northwest corner of South Buckner Boulevard and C.F. Hawn Freeway.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 200 Mailed: 10  
**Replies:** For: 1 Against: 0

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

**9. Z190-123(JM)**

Planner: Jennifer Muñoz

**Motion:** In considering an application for 1) a new subdistrict for a private event and entertainment venue and Subdistrict 6 uses; and 2) a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar and a private event and entertainment venue, on property zoned Subdistrict 6 within Planned Development District No. 830, on the east side of North Tyler Street, between West Davis and Fouraker Street, it was moved to **hold** this case under advisement until June 4, 2020 and to instruct staff to re-advertise so that the following 3 changes to the applicant's request are included: a) proposed new land use within new subdistrict of commercial amusement (inside); b) also an SUP for commercial amusement (inside); limited to an amusement center; and c) the prohibition of roof top patios in the new subdistrict.

Maker: MacGregor  
Second: Hampton  
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 500 Mailed: 103  
**Replies:** For: 26 Against: 9

**Speakers:** For: Santos Martinez, 12 Tanager Terrace Angel Fire, NM, 87710  
For (Did not speak): David Spence, 408 W. 8<sup>th</sup> St., Dallas, TX, 75208  
David Preziosi, 2922 Swiss Ave., Dallas, TX, 75204  
Against: Marco Villegas, P.O. Box 3706, Dallas, TX, 75208

10. **Z190-145(JM)**

Planner: Jennifer Muñoz

**Motion:** In considering an application for an amendment to Planned Development District No. 889, on the southeast corner of North Central Expressway and Carroll Avenue, it was moved to **hold** this case under advisement until June 4, 2020.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 500 Mailed: 71  
**Replies:** For: 3 Against: 0

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

Zoning Cases – Under Advisement:

11. **Z189-368(JM)**

Planner: Jennifer Muñoz

**Motion:** In considering an application for 1) an MU-1 Mixed Use District; and 2) an amendment to existing deed restrictions [Z034-332], on property zoned a CR Community Retail District, on the southeast corner of C.F. Hawn Freeway and South Woody Road, it was moved to **hold** this case under advisement until June 18, 2020.

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

For: 13 - MacGregor, Hampton, Stinson, Johnson, Shidid, Jackson, Blair, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin



Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0  
Conflict: 1 - Jung\*\*

\*\*out of the room, when vote taken

**Notices:** Area: 500 Mailed: 139  
**Replies:** For: 2 Against: 5

**Speakers:** None

12. **Z190-146(JM)**

Planner: Jennifer Muñoz

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and revised conditions on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southeast line of South Fitzhugh Avenue, northeast of Lagow Street.

Maker: Jackson  
Second: Johnson  
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Jackson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Garcia, Rubin  
Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 500 Mailed: 66  
**Replies:** For: 1 Against: 3

**Speakers:** For: Alisa Hake, 8533 Ferndale Rd., Dallas, TX, 75238  
David Hargrove, 15720 Brixham Hill Ave., Charlotte, NC, 28277  
Ivory Brown, 6827 Woodwick Dr., Dallas, TX, 75232  
Isaac Brown, 6827 Woodwick Dr., Dallas, TX, 75232  
Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208  
Against: William Hooper, 4609 Largo Dr., Flower Mound, TX, 75028

13. Z190-154(CT)

Planner: Carlos Talison

**Motion:** In considering an application for the renewal of Specific Use Permit No. 1935 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 CR-D-1 Community Retail District with D-1 Liquor Control Overlay, on the southwest corner of Lawnview Avenue and Forney Road, it was moved to **hold** this case under advisement until June 18, 2020.

Maker: Jackson  
Second: Blair  
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Notices:** Area: 200 Mailed: 15  
**Replies:** For: 2 Against: 0

**Speakers:** None

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Other Matters

Minutes:

**Motion:** It was moved to **approve** the April 9, 2020, City Plan Commission meeting minutes.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

**Speakers:** None

Adjournment

**Motion:** It was moved to **adjourn** the May 14, 2020, Special City Plan Commission meeting at 5:12 p.m.

Maker: Blair  
Second: Schwope  
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Jackson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 1 - Carpenter  
Vacancy: 0

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Tony Shidid, Chair