

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 9, 2014, with the briefing starting at 11:01 a.m. in Room 5ES and the public hearing at 1:30 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and, Gloria Tarpley, Vice Chair. The following Commissioners were present during the hearing: Mike Anglin, Gabe Soto, Emma Rodgers, Betty Culbreath, Tony Shidid, Tony Hinojosa, Ann Bagley, Myrtl Lavallaisaa, John Shellene, Bruce Bernbaum, Carolyn "Cookie" Peadon, Margot Murphy and Paul E. Ridley. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. 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) **S134-046**

**Motion:** It was moved to **approve** an application to replat a 1.053-acre tract of land in City Block 3/950 containing all of Lots 1 and 2 to create one lot on property located on Maple Avenue, east of Cedar Springs Road, subject to compliance with the conditions listed in the docket.

Maker: Ridley  
Second: Soto  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath\*, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(2) S134-048**

**Motion:** It was moved to **approve** an application to replat a 0.28-acre tract of land containing all of Lots 1 and 2A in City Block F/2012 into five lots ranging in size from 0.05-acres to 0.07-acres located at 2223 and 2225 Kirby Street, subject to compliance with the conditions listed in the docket.

Maker: Ridley  
Second: Soto  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath\*, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(3) S134-049**

**Motion:** It was moved to **approve** an application to create a 1.502-acre lot from a tract of land in City Block 8038 located at 7930 Hunnicut Road, south of Highland Road, subject to compliance with the conditions listed in the docket.

Maker: Ridley  
Second: Soto  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath\*, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(4) S134-050**

**Motion:** It was moved to **approve** an application to replat a 0.582-acre tract of land containing all of Lots 1B, 2A, and 3 in City Block A/2343 located at 4920 and 4932 Cedar Springs Road, south of Mahanna Street, subject to compliance with the conditions listed in the docket.

Maker: Ridley  
Second: Soto  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath\*, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(5) S134-051**

**Motion:** It was moved to **approve** an application to create a 1.659-acre tract of land containing all of Tracts 16, 17, 18, and 19 in City Block 4/1518 located at the northwest corner of Elizabeth Street and North Central Expressway (U.S. Highway 75), subject to compliance with the conditions listed in the docket.

Maker: Ridley  
Second: Soto  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath\*, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Miscellaneous Items:

**M123-052**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the site plan and traffic management circulation plan for Specific Use Permit No. 1661 for an Open-enrollment charter school on property zoned an IR Industrial Research District at the southwest corner of Beckleymeade Avenue and South Hampton Road.

Maker: Lavallaisaa  
Second: Tarpley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

**M134-004**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan for Tract 1A in Planned Development District No. 855 along the north line of Atlas Drive, between S. Denley Drive and S. Lancaster Road.

Maker: Culbreath  
Second: Rodgers  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

**M134-008**

Planner: Richard Brown

**Motion:** In considering a minor amendment to the site plan and traffic management plan for Specific Use Permit No. 2028 for an Open-enrollment charter school on property bounded by W. Kiest Boulevard, Morse Drive, and Walton Walker Boulevard, it was moved to **hold** this case under advisement until January 23, 2014.

Maker: Culbreath  
Second: Rodgers  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

**M134-009**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 2047 for a Vehicle auction and storage use on the east corner of Sheila Lane and Lakefield Boulevard.

Maker: Culbreath  
Second: Rodgers  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

**W134-003**

Planner: L.H. Stringfellow

**Motion:** It was moved to **approve** a waiver of the two-year waiting period in order to submit a rezoning request on the west corner of Ferguson Road and Joaquin Drive.

Maker: Tarpley  
Second: Bagley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** For: Mohammad Dalaki, 10355 Ferguson Rd., Dallas, TX, 75228  
Against: None

**D134-002**

Planner: Richard Brown

**Motion:** It was moved to **approve** a development plan for a portion Planned Development Subdistrict No. 83 in the Planned Development District No. 193, Oak Lawn Special Purpose District, on the north corner of Wolf Street and N. Harwood Street.

Maker: Soto  
Second: Hinojosa  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum\*, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Thoroughfare Plan Amendments:

**Victory Avenue and North Houston Street, north of Continental Avenue**

Planner: Tanya Brooks

**Motion:** It was moved to **approve** an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classifications of (1) Victory Avenue from Continental Avenue to Lamar Street from a one-way special three lane couplet (SPCL 3 CPLT) within 56 feet of right-of-way to a special two-way three lane undivided roadway (SPCL 3U) within 67 feet of right-of-way and 36 feet of pavement; (2) Victory Avenue from Lamar Street to North Houston Street from a one-way special four lane couplet (SPCL 4 CPLT) within 64 to 80 feet of right-of-way to a special two-way four lane undivided roadway (SPCL 4U) within 67 to 80 feet of right-of-way; (3) North Houston Street from Continental Avenue to All Star Way from a one-way special four lane couplet (SPCL 4 CPLT) within 64 to 67 feet of right-of-way to a two-way special three lane undivided roadway (SPCL 3U) within 67 feet of right-of-way with bicycle lanes; (4) North Houston Street from All Star Way to Hi Line Drive from a one-way special four lane couplet (SPCL 4 CPLT) within 64 to 67 feet of right-of-way to a two-way special four lane undivided roadway (SPCL 4U) within 64 to 67 feet of right-of-way and 44 to 47 feet of pavement.

Maker: Soto  
Second: Shellene  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** For (Did not speak): Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202  
William Cothrum, 900 Jackson St., Dallas, TX, 75202  
Against: None

**Sylvan Avenue from IH-30 to Colorado Boulevard**

Planner: Tanya Brooks

**Motion:** It was moved to **approve** an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classifications of Sylvan Avenue from IH-30 to Colorado Boulevard from a six lane divided roadway M-6-D(A\*) within 100 feet of right-of-way to a special four lane divided roadway (SPCL 4-D) with bicycle lanes within 80 feet of right-of-way.

Maker: Bagley  
Second: Lavallaisaa  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** For: None  
Against: Leo Cusimano, 1617 Sylvan Ave., Dallas, TX, 75208  
Mike Jensen, 1615 Sylvan Ave., Dallas, TX, 75208

**Zoning Cases – Consent:**

**1. Z123-353(MW)**

Planner: Megan Wimer

**Motion:** In considering an renewal of Specific Use Permit No. 1916 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-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of Lake June Road and North Jim Miller Road, it was moved to **hold** this case under advisement until January 23, 2014, and to instruct staff to re-notify.

Maker: Shidid  
Second: Ridley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar



Against: 0  
Absent: 0  
Vacancy: 0

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

**Speakers:** None

**2. Z134-128(CG)**

Planner: Carrie Gordon

**Motion:** In considering an application for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District south of Burgess Boulevard and east of Iberia Avenue, it was moved to **hold** this case under advisement until February 20, 2014.

Maker: Shidid  
Second: Ridley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 11  
**Replies:** For: 2 Against: 0

**Speakers:** None

**3. Z123-378(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** a Specific Use Permit for a restaurant with a drive-through for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest line of Lemmon Avenue, southeast of Knight Street.

Maker: Shidid  
Second: Ridley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 53  
**Replies:** For: 2 Against: 0

**Speakers:** For (Did not speak): Frank Stich, 4224 N. Hall St., Dallas, TX, 75219  
Against: None

#### 4. Z123-217(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Planned Development District for mixed uses, subject to a development plan and landscape plan for Tract I, Phase I, and a conceptual plan for Tract I, Phase II and Tract II, Phase III and conditions on property zoned a CR Community Retail District, an NO(A) Neighborhood Office District and an R-7.5(A) Single Family District on the south corner of East Corning Avenue and South Lancaster Road.

Maker: Shidid  
Second: Ridley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 104  
**Replies:** For: 3 Against: 2

**Speakers:** None

Zoning Cases – Under Advisement:

5. **Z123-148(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Planned Development District for non-residential uses, subject to a development plan and revised conditions on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive.

Maker: Bernbaum  
Second: Ridley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene\*, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 305  
**Replies:** For: 0 Against: 98

**Speakers:** For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202  
Against: None

6. **Z123-325(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for a Specific Use Permit for a potentially incompatible industrial use (metal or metal product treatment or processing) on property zoned Tract 1, RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas / Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street, it was moved to **hold** this case under advisement until January 23, 2014.

Maker: Bagley  
Second: Culbreath  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley,

Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

**Notices:** Area: 200 Mailed: 9  
**Replies:** For: 0 Against: 1  
**Speakers:** None

Zoning Cases – Individual:

**7. Z123-322(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** a Planned Development District for mixed uses, subject to a development plan and conditions on property zoned a CR Community Retail District on the northeast corner of Arapaho Road and North Dallas Tollway.

Maker: Bernbaum  
Second: Hinojosa  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 25  
**Replies:** For: 3 Against: 0

**Speakers:** For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202  
Against: None

8. Z134-106(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** a Planned Development District for single family uses, subject to a development plan, landscape plan and revised conditions with the following: 1) Except as otherwise provided, landscape must be provided per Article X for a shared access development in “other than a single family district,” in Section 51A-10.125(a)(2)(B), 2) A landscape plan must be provided for Lots 1-5 and Lot 19, and Creekway Drive frontage and entry within the district, 3) Lots 1-6 must have 2 large canopy trees per lot within the 10 feet setback along the alley to the north on property zoned an R-16(A) Single Family District on the northwest corner of Forest Lane and Creekway Drive.

Maker: Bernbaum  
Second: Hinojosa  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 71  
**Replies:** For: 6 Against: 11

**Speakers:** For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201  
Lee Wilkins, 6657 Crestway Ct., Dallas, TX, 75230  
Against: George Hanson, 6554 Greenwich Ln., Dallas, TX, 75230  
Jennifer Hanson, 6554 Greenwich Ln., Dallas, TX, 75230  
Stacy Sims, 6610 Greenwich Ln., Dallas, TX, 75230  
Laura Wilson, 6532 Greenwich Ln., Dallas, TX, 75230  
Joseph Moline, 6633 Greenwich Ln., Dallas, TX, 75230  
Diane Glass, 6544 Greenwich Ln., Dallas, TX, 75230  
Against (Did not speak): Katherine Flatt, 6522 Greenwich Ln., Dallas, TX, 75230

9. Z134-121(RB)

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** a Specific Use Permit for a Drive-through restaurant for a for a five year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and revised conditions to include no cueing in public street on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the

Oak Lawn Special Purpose District on the west corner of Lemmon Avenue and Reagan Street.

Maker: Ridley  
Second: Hinojosa  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 31  
**Replies:** For: 10 Against: 0

**Speakers:** For: Peter Kavanagh, 160 Handley Dr., Dallas, TX 75208  
Katherine Cook, 3904 Rawlins St., Dallas, TX, 75219  
Frank Stich, 4224 N. Hall St., Dallas, TX, 75219  
Against: None

10. **Z123-364(JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** to amend and expand Planned Development District (PDD) No. 456, subject to a conceptual/development plan, traffic exhibit and revised conditions on property zoned PDD No. 456, PDD No. 133 and R-10(A) Single Family Residential District on property generally bounded by Forest Lane, Landa Lane, Skyline Drive, Shepard Road, and Stults Road.

Maker: Shellene  
Second: Bagley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 247  
**Replies:** For: 5 Against: 18

**Speakers:** For: Thomas Barone, 4144 N. Central Expwy., Dallas, TX, 75204  
Ron Kelly, 11405 Prestige Dr., Frisco, TX, 75033  
Walter Arnold, 1602 Country Hills Dr., Midlothian, TX, 76065  
Against: None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the December 19, 2013, City Plan Commission meeting, subject to correction(s).

Maker: Hinojosa  
Second: Ridley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

Adjournment

**Motion:** It was moved to **adjourn** the January 9, 2014, City Plan Commission meeting at 3:57 p.m.

Maker: Hinojosa  
Second: Ridley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Peadon, Murphy, Ridley,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0