

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 23, 2014, with the briefing starting at 10:35 a.m. in Room 5ES and the public hearing at 1:31 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, Ann Bagley, Myrtl Lavallaisaa, John Shellene, Bruce Bernbaum, 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: Tony Hinojosa. 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) **S134-053**

Motion: It was moved to **approve** an application to replat 0.413-acre lot containing all of Lots 1 and 2 in City Block D/1990 into an 11 lot shared access development with lots ranging in size from 1375 square feet to 2,125 square feet on property located at 2207 Bennett Avenue, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Speakers: None

(2) S134-054

Motion: It was moved to **approve** an application to create a 0.535-acre lot from a tract of land in City Block C/5402 on property located at 4924 Greenville Avenue, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Speakers: None

(3) S134-055

Motion: It was moved to **approve** an application to replat a 0.389-acre tract of land containing all of lots 1 and 2 and part of Lot 3 in City Block 13/4039 to create one 0.046-acre lot, one 0.070-acre lot, and one 0.273-acre on property located at 2317 South R. L. Thornton northwest corner of Ohio Drive and Brookhaven Avenue, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Speakers: None

(4) **S134-056**

Motion: It was moved to **approve** an application to create one 28.660-acre lot and one 20.517-acre lot from a 49.177-acre tract of land in City Block 7902 on property located on Cockrell Hill Road north of West Davis Street, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Speakers: None

(5) **S134-058**

Motion: It was moved to **approve** an application to create a 2.569-acre lot from a tract of land in City Block 5558 on property located on (State Highway Loop No. 12) east of Guernsey Lane, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Speakers: None

Residential Replats:

(6) **S134-059**

Motion: It was moved to **approve** an application to replat a portion of Lots 3, 5, and 6 in City Block B/5546 and all of lots 3A, and 3B in City Block B/5546 into one 1.009-acre lot, one 1.990-acre lot, and one 1.474 acre lot on property located at 4619, 4635, and 4645 Park Lane at Rockbrook Drive, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Speakers: None

Miscellaneous Items:

M123-059

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan and landscape plan (Sheet 2 of 2) for Tract 5 in Planned Development District No. 287, on the northwest line of Garland Road, southwest of Timplemore Drive.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Speakers: None

W134-004

Planner: Carrie Gordon

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an amendment to the Farmers Market Special Provision Sign District (SPSD) to increase signage and allow detached premise signs southeast corner of Marilla Street and Harwood Street.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Bagley, Lavallaisaa*, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Miscellaneous Items – Under Advisement:

M134-008

Planner: Richard Brown

Motion: It was moved to **approve** 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.

Maker: Rodgers
Second: Bernbaum
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Speakers: None

Zoning Cases – Consent:

1. **Z123-320(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District on the southwest line of Hibiscus Drive, south of Ferguson Road.

Maker: Tarpley
Second: Shellene
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0
Conflict: 1 - Bagley

Notices: Area: 200 Mailed: 3
Replies: For: 0 Against: 0

Speakers: None

2. **Z134-126(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Specific Use Permit for a live music venue and dance hall for a five-year period, subject to a site plan and conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the north side of Canton Street, east of Henry Street.

Maker: Soto
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

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

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

3. Z134-103(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a new subdistrict in Planned Development District No. 466, the Hall Street Special Purpose District, subject to a development plan and conditions on the east side of North Central Expressway, north of Cochran Street.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Notices: Area: 500 Mailed: 159
Replies: For: 1 Against: 0

Speakers: None

4. Z134-107(MW)

Planner: Megan Wimer

Motion: In considering an application for a Specific Use Permit for an open-enrollment charter school on property zoned Subarea A in Planned Development District No. 134 on the north corner of East Grand Avenue and South Glasgow Drive, it was moved to **hold** this case under advisement until February 20, 2014.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Notices: Area: 300 Mailed: 61
Replies: For: 5 Against: 1
Speakers: None

5. Z134-114(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of the renewal of and an amendment to Specific Use Permit No. 1711 for a vehicle or engine repair or maintenance use and add an outside salvage or reclamation use for a three-year period, subject to conditions on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 on the east side of C.F. Hawn Freeway, south of Lake June Road.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

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

6. Z123-346(WE)

Planner: Warren Ellis

Motion: In considering an application for an amendment to Specific Use Permit No. 1241 for a utility or government installation other than listed on property zoned an IR Industrial Research District on the west line of Irving Boulevard, north of Quaker Street, it was moved to **hold** this case under advisement until February 6, 2014.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Notices: Area: 400 Mailed: 60
Replies: For: 2 Against: 0

Speakers: None

7. Z134-136(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 581 to revise the development plan for a public school, subject to a revised development/landscape plan, revised traffic management plan, revised traffic management circulation plan and revised conditions on the north corner of Chiswell Road and Bellewood Drive.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Notices: Area: 500 Mailed: 198
Replies: For: 25 Against: 1

Speakers: None

8. Z134-137(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 523 to revise the development plan for a public school, subject to a revised development/landscape plan, revised traffic management plan, revised traffic management circulation plan and revised conditions on the northeast corner of Estate Lane and Ferndale Road.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Notices: Area: 500 Mailed: 183
Replies: For: 7 Against: 22

Speakers: None

Zoning Cases – Under Advisement:

9. Z123-325(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for a potentially incompatible industrial use (metal or metal product treatment or processing) for a two-year period, subject to a site plan and conditions 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.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

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

Speakers: None

10. Z123-193(WE)

Planner: Warren Ellis

Motion: In considering an application for a Planned Development Subdistrict for multiple family uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west line of Cole Avenue, north of Hester Avenue; it was moved to **hold** this case under advisement until March 20, 2014.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Notices: Area: 500 Mailed: 166
Replies: For: 2 Against: 21

Speakers: None

11. Z123-377(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **denial without prejudice** of an amendment to Specific Use Permit No. 216 for a private club on property zoned an R-7.5(A) Single Family District at the terminus of Arturo Drive, southwest of Lakeland Drive.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Notices: Area: 300 Mailed: 35
Replies: For: 4 Against: 4

Speakers: For (Did not speak): Michael Coker, 2700 Swiss Ave., Dallas, TX, 75204
Against: Jan Johnson, 8540 Arturo Dr., Dallas, TX, 75228

12. Z123-353(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of the 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 for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions 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.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

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

Speakers: None

Zoning Cases – Individual:

13. Z123-363(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use and **approval** of the termination of deed restrictions, subject to a development plan and conditions on property zoned an LO-1 Limited Office District with Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of East Northwest Parkway and Solta Drive.

Maker: Tarpley
Second: Shellene
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Shidid, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Hinojosa
Vacancy: 0

Notices: Area: 500 Mailed: 78
Replies: For: 6 Against: 12

Speakers: For: Rick Jones, 1401 Pecan Hollow Trl., McKinney, TX, 75070
Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

14. **Z123-210(WE)**

Planner: Warren Ellis

Motion: In considering an application for an IM Industrial Manufacturing District and a Specific Use Permit for a potentially incompatible industrial (outside) use for concrete crushing on property zoned an IR Industrial Research District on the east line of Luna Road, north of Ryan Road, it was moved to **hold** this case under advisement until February 6, 2014.

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

For: 13 - Anglin, Soto, Rodgers, Shidid, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Peadon, Murphy*, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Hinojosa
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 11
Replies: For: 0 Against: 3

Speakers: None

15. **Z112-264(MBD)**

Planner: Matthew Donnell

Motion: In considering a City Council authorized hearing to consider appropriate zoning including land use, development standards, parking, landscaping, signage, and other appropriate regulations on property zoned MF-1(A) Multifamily District on the northeast corner of Grady Niblo Road and Spur 408, it was moved to **hold** this case under advisement until February 20, 2014.

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

For: 13 - Anglin, Soto, Rodgers, Shidid, Bagley,
Lavallaisaa, Tarpley, Shellene*, Bernbaum,
Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Hinojosa
Vacancy: 0

*out of the room, shown voting in favor

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

Speakers: For: None
Against: Art Anderson, Address not given

16. **Z123-253(VM)**

Planner: Valerie Miller

Motion: It was moved to recommend **approval** of a City Plan Commission authorized hearing to determine the proper zoning on property zoned a CH Cluster Housing District with consideration given to a CS Commercial Service District on the south side of Ronnie Drive between Bannister Street and Dickerson Street; the southeast quadrant of Ronnie Drive and Dickerson Street; the northwest corner of Dickerson Street and Newt Drive; the west side of Dickerson Street, north of Newt Drive; and the north side of Newt Drive, east of Dickerson Street, subject to the removal of 7771 Newt, Lots 7 and 8B in City Block 5 from the area of request.

Maker: Peadon
Second: Shellene
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Shidid, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Hinojosa
Vacancy: 0

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

Speakers: For: Steve Parsons, 7516 Aberdon Rd., Dallas, TX, 75252
Against: None

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the January 9, 2014, City Plan Commission meeting, subject to correction(s).

Maker: Tarpley
Second: Shellene
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Shidid, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Hinojosa
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the January 23, 2014, City Plan Commission meeting at 2:36 p.m.

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

For: 13 - Anglin, Soto, Rodgers, Shidid, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Hinojosa
Vacancy: 0

Joe Alcantar, Chair