

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on June 5, 2014, with the briefing starting at 11:07 a.m. in Room 5ES and the public hearing at 1:35 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, Emma Rodgers, Betty Culbreath, Tony Shidid, Jed Anantasomboon, Ann Bagley, Myrtl Lavallaisaa, John Shellene, 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: Gabe Soto. 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: LaShawn Green

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) **S134-151**

**Motion:** It was moved to **approve** an application to replat a 3.444-acre tract of land containing part of Block 1325 and all of Lots 1 through 4 and 10 through 12 in City Block 1326 and an abandoned portion of the 12 foot alley into one lot on property located at 3015 Oak Lawn Avenue, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(2) S134-152**

**Motion:** It was moved to **approve** an application to replat a 0.992-acre tract of land containing all of Lots 4, through 9 in City Block 8/1639 into one lot on property located 5626 E. R.L. Thornton Freeway, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(3) S134-153**

**Motion:** It was moved to **approve** an application to replat a 30.20-acre tract of land containing all of Lot 1 in City Block G/8465 and Lot 1 in City Block H/8465 into 5 lots on property located at Cypress Waters Boulevard and Hackberry Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(4) S134-154**

**Motion:** It was moved to **approve** an application to replat a 3.1069-acre tract of land containing all of Lot 1A in City Block 10/740 into 2 lots on property located at Swiss Avenue and Peak Street, southwest corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(5) S134-155**

**Motion:** It was moved to **approve** an application to replat a 7.577-acre tract of land containing part of Lot 1, all of Lots 2 through 4, 6 through 10 in City Block 6454, all of Lot 5-A in City Block 6454 and all of Lot 1 in City Block 1/6451 into one lot on property located in the 9800 Block of Brockbank Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(6) S134-156**

**Motion:** It was moved to **approve** an application to create a 20 lot Shared Access Area Development from a 0.775-acre tract of land being part of Lot 5 and all of Lots 6 through 9 in City Block E/5713 located at 2319, 2523, 2603 and 2607 Kimsey Drive between Maple Avenue and Denton Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Residential Replats:

**(7) S134-158**

**Motion:** It was moved to **approve** an application to replat 0.7345-acre tract of land containing all of Lots 13 and 14 in City Block 1/4702 into one lot on property located at 1636 Cedar Hill Avenue, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Building Line Removal/Reduction:

**(8) S134-157**

**Removal of Building Line Motion:** It was moved to **approve** an application remove the existing platted 25 foot platted Building Line along Dallas Parkway and remove the existing platted 25 foot platted Building Line along Arapaho Road Arapaho Road with the finding of fact that removal will not adversely affect the neighboring properties on property located at Arapaho Road and Dallas Parkway, northeast corner.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

\*out of the room, shown voting in favor

**Replat Motion:** It was moved to **approve** an application to replat a 6.203-acre tract of land containing all of Lots 1 and 2 in City Block E/8222 into one lot on property located at Arapaho Road and Dallas Parkway, northeast corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(9) S134-159**

An application to reduce the existing 25 foot platted building line along Sutton Street to wrap around the existing structure on a 0.087-acre tract of land containing all of Lot 1A in City Block 15/1841 on property located at 2662 Sutton Street.

**This case was withdrawn by the applicant.**

Miscellaneous Items – Under Advisement:

**M134-024**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan and landscape plan for Planned Development District No. 563 for a Private school, Child-care facility, and R-7.5(A) Single Family District Uses on the northeast corner of Audelia Road and McCree Road.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

**Speakers:** None

Certificates of Appropriateness for Signs:

**1404031012**

Planner: Carrie Gordon

**Motion:** It was moved to **approve** a Certificate of Appropriateness submitted by Don Sturr of National Signs, LLC, for a 246-square-foot attached premise sign at 1999 Bryan Street (South Elevation).

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

**Speakers:** None

Zoning Cases – Consent:

**1. Z134-124(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for an amendment to Specific Use Permit No. 147 for a utility or government installation other than listed on property zoned an R-7.5(A) Single Family Residential District on the west line of South Cockrell Hill Road, north of Illinois Avenue, it was moved to **hold** this case under advisement until June 19, 2014.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

**Notices:** Area: 400 Mailed: 188  
**Replies:** For: 3 Against: 17

**Speakers:** None

**2. Z134-187(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1530 for an Industrial (outside) use limited to a concrete batch plant for a seven-year period with eligibility for automatic renewals for additional seven-year periods, subject to a revised site plan and revised conditions on property zoned Tract 2, Subdistrict 1 within Planned Development District No. 498, the Harry Hines Corridor Special Purpose District on the southwest corner of Joe Field Road and Denton Drive.

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

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

Against: 0  
Absent: 1 - Soto  
Vacancy: 0

**Notices:** Area: 300 Mailed: 15  
**Replies:** For: 0 Against: 1

**Speakers:** For: Fielder Nelms, 9321 Canter Dr., Dallas, TX, 75231  
Against: None

Zoning Cases – Under Advisement:

**3. Z134-195(OTH)**

Planner: Olga Torres Holyoak

**Motion I:** It was move to recommend **denial without prejudice** 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 on property zoned an RR-D-1 Regional Retail with D-1 Liquor Control Overlay on the northwest corner of Samuell Boulevard and Hunnicut Road.

Maker: Bagley  
Second: Ridley  
Result: Failed: 4 to 10



For: 4 - Bagley, Lavallaisaa, Schultz, Ridley  
Against: 10 - Anglin, Rodgers, Culbreath, Shidid,  
Anantasomboon, Tarpley, Shellene, Peadon,  
Murphy, Abtahi  
Absent: 1 - Soto  
Vacancy: 0

**Motion II:** It was move to recommend **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, subject a site plan and revised conditions on property zoned an RR-D-1 Regional Retail with D-1 Liquor Control Overlay on the northwest corner of Samuell Boulevard and Hunnicutt Road.

Maker: Culbreath  
Second: Anantasomboon  
Result: Carried: 11 to 3

For: 11 - Anglin, Rodgers, Culbreath, Shidid,  
Anantasomboon, Tarpley, Shellene, Schultz,  
Peadon, Murphy, Abtahi  
Against: 3 - Bagley, Lavallaisaa, Ridley  
Absent: 1 - Soto  
Vacancy: 0

**Notices:** Area: 200 Mailed: 7  
**Replies:** For: 0 Against: 1

**Speakers:** For: Yub Khanal, 4835 Samuell Blvd., Dallas, TX, 75228  
Danny Dom, 2900 Tisinger Pl., Plano, TX, 75075  
For (Did not speak): Rudra Mawali, 8340 Charleston St., Irving, TX, 75063  
Against: Alicia Russell, 4800 Samuell Blvd., Dallas, TX, 75228  
Robert Guzman, 7677 Hunnicutt Rd., Dallas, TX, 75228

Zoning Cases – Individual:

**4. Z134-205(CG)**

Planner: Carrie Gordon

**Motion:** It was moved to recommend **approval** of a Planned Development District for IR Industrial Research uses and additional signage, subject to a sign relocation plan and conditions with a 3 feet setback on property zoned an IR Industrial Research District on the southwest line of John Carpenter Freeway, northwest of Dividend Drive.

Maker: Anantasomboon  
Second: Abtahi

Result: Carried: 13 to 1

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

Against: 1 - Ridley

Absent: 1 - Soto

Vacancy: 0

**Notices:** Area: 500 Mailed: 20

**Replies:** For: 0 Against: 0

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

**5. Z134-170(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to and expansion of Planned Development District No. 761, The Dallas Logistics Port Special Purpose District, subject to the Enhanced Perimeter Buffer/Tree Preservation Areas Plan and revised conditions on property zoned an LI Light Industrial District and an A(A) Agricultural District in the northwest quadrant of J. J. Lemmon Road and Interstate Highway 20.

Maker: Lavallaisaa

Second: Culbreath

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Soto, Anantasomboon

Vacancy: 0

**Notices:** Area: 500 Mailed: 10

**Replies:** For: 1 Against: 0

**Speakers:** None

6. Z123-192(RB)

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** for a Planned Development District for MU-2 Mixed Use District Uses, subject to a conceptual plan and revised conditions to include deletion of general merchandise or food store 100,000 square feet or greater on property zoned an IR Industrial Research District, on property generally on the northwest line of Manor Way, between Maple Avenue and Denton Drive.

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

For: 12 - Anglin, Rodgers, Shidid, Bagley, Lavallaisaa,  
Tarpley, Shellene, Schultz, Peadon, Murphy,  
Ridley, Abtahi

Against: 0  
Absent: 3 - Soto, Culbreath, Anantasomboon  
Vacancy: 0

**Notices:** Area: 400 Mailed: 55  
**Replies:** For: 3 Against: 1

**Speakers:** For: Tommy Mann, 500 Winstead Bldg., Dallas, TX, 75201  
Mark William, Address not given  
Against: None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the May 22, 2014, City Plan Commission meeting, subject to correction(s).

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

For: 12 - Anglin, Rodgers, Shidid, Bagley, Lavallaisaa,  
Tarpley, Shellene, Schultz, Peadon, Murphy,  
Ridley, Abtahi

Against: 0  
Absent: 3 - Soto, Culbreath, Anantasomboon  
Vacancy: 0

Adjournment

**Motion:** It was moved to **adjourn** the June 5, 2014, City Plan Commission meeting at 3:57 p.m.

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

For: 12 - Anglin, Rodgers, Shidid, Bagley, Lavallaisaa\*  
Tarpley, Shellene, Schultz, Peadon, Murphy,  
Ridley, Abtahi

Against: 0  
Absent: 3 - Soto, Culbreath, Anantasomboon  
Vacancy: 0

\*out of the room, shown voting in favor

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Gloria Tarpley, Chair