

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on September 4, 2014, with the briefing starting at 11:10 a.m., in Room 5ES and the public hearing at 1:53 p.m., in the City Council Chambers of City Hall. Presiding were Gloria Tarpley, Chair and, Carolyn "Cookie" Peadon, Acting Vice Chair. The following Commissioners were present during the hearing: Mike Anglin, Neil Emmons, Betty Culbreath, Tony Shidid, Jed Anantasomboon, Myrtl Lavallaisaa, John Shellene, Jaynie Schultz, Margot Murphy, and Paul E. Ridley. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Emma Rodgers, Ann Bagley and Robert Abtahi. 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) **S134-220**

Motion: It was moved to **approve** an application to create a 14.159-acre tract of land in City Block 2937 into one lot on property located at 5320 Ellsworth Avenue, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

(2) **S134-221**

Motion: It was moved to **approve** an application to create a 19.0326-acre tract of land in City Block 7575 into two lots on property located at 300 West Wheatland Road, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

(3) **S134-222**

Motion: It was moved to **approve** an application to replat a 9.825-acre tract of land containing all of Lots 31, 33, and 35 in City Block 7/8742 into one lot on property located at northwest corner of Midway Road and Frankford Road, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

(4) **S134-223**

Motion: It was moved to **approve** an application to replat a 5.844-acre tract of land containing part of Lots 4-6, 21-23, and all of Lots 7 and 8 in City Block 2/6817; part of Lots 15, 26, 27 and all of Lots 16-25 in City Block 1/6817; part of an abandoned alley in North Oak Cliff Addition; all of Lot 9A in City Block 2/6817; and part of abandoned Eastus Drive Right-Of-Way into one lot on property located at the northeast corner of Fort Worth Avenue and Yorktown Street, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

(5) **S134-224**

Motion: It was moved to **approve** an application to replat a 0.214-acre tract of land containing all of Lots 1A and 1B in City Block 4/1356 and Common Area "A" in City Block A/1356 into one 0.092-acre lot and one 0.122-acre lot on property located at 2800 Park Row Avenue and 2810 South Malcolm X Boulevard, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

(6) S134-225

Motion: It was moved to **approve** an application to create a 0.2412-acre tract of land in City Block 2/870 into one lot on property located at 2435 Coombs Street, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

(7) S134-226

Motion: It was moved to **approve** an application to create a 10.906-acre tract of land in City Block D/8465 into one lot on property located on Chapel Oaks Drive, west of Scotch Creek Road, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

(8) S134-227

Motion: It was moved to **approve** an application to create a 2.003-acre tract of land in City Block 6819 into one lot on property located on Pittman Street, south of West Main Street, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

(9) **S134-228**

Motion: It was moved to **approve** an application to replat a 16.418-acre tract of land containing part of Lot 1 in City Block A/6576 and part of a 93.93-acre tract of land into one lot on property located north of Lyndon B. Johnson Freeway/Interstate Highway No. 635 and west of Stemmons Freeway/Interstate Highway No. 35E, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

(10) **S134-229**

Motion: It was moved to **approve** an application to create a 0.264-acre tract of land in City Block 2/360 into one lot on property located at 2422 North Akard Street, subject to compliance with the conditions listed in the docket.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Speakers: None

Zoning Cases – Consent:

1. Z134-230(RB)

Planner: Richard Brown

Motion: In considering an application for a CS Commercial Service District and a Specific Use Permit for an Auto Auction on property zoned an IR Industrial Research District, on the west line of Composite Drive, south of Walnut Hill Lane, it was moved to **hold** this case under advisement until September 18, 2014.

Maker: Anantasomboon
Second: Schultz
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Notices: Area: 300 Mailed: 9
Replies: For: 2 Against: 0

Speakers: None

2. Z134-243(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development District for MU-3 Mixed Use District uses, subject to revised conditions on property zoned an MU-3 Mixed Use District and Specific Use Permit No. 1773 on the east corner of North Stemmons Freeway (I-35W) and Medical District Drive.

Maker: Anantasomboon
Second: Schultz
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Notices: Area: 500 Mailed: 27
Replies: For: 4 Against: 0

Speakers: None

3. Z134-249(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 959 for a Private school, subject to a revised site plan, revised landscape plan, traffic management plan, and conditions on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District, on the southwest corner of Inwood Road and Harvest Hill Road.

Maker: Anantasomboon
Second: Schultz
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Notices: Area: 400 Mailed: 105
Replies: For: 9 Against: 1

Speakers: None

4. Z134-268(CE)

Planner: Charles Enchill

Motion: In considering an application for a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR-D1 Community Retail District with a D-1 Liquor Control Overlay, generally northeast of Lawnview Avenue and Military Parkway, it was moved to **hold** this case under advisement until September 18, 2014.

Maker: Shidid
Second: Murphy
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0
Conflict: 1 - Ridley

Notices: Area: 200 Mailed: 5
Replies: For: 1 Against: 0

Speakers: None

Zoning Cases – Under Advisement:

5. Z134-102(MW)

Planner: Megan Wimer

Note: Commissioner Emmons moved to have Items #5 Z134-102(MW), #6 Z134-220(DJ), #7 Z134-223(WE) and #10 Z134-277(AF) read into the record and voted on. Commissioner Shellene seconded the motion. The Commission unanimously voted to hear Items #5 Z134-102(MW), #6 Z134-220(DJ), #7 Z134-223(WE) and #10 Z134-277(AF). The items were read into the record.

Motion: In considering an application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an MF-2(A) Multifamily District on the south side of Silver Falls Boulevard, east of Mirror Lake Drive, it was moved to **hold** this case under advisement until September 18, 2014.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Notices: Area: 200 Mailed: 12
Replies: For: 0 Against: 0

Speakers: None

6. Z134-220(DJ)

Planner: Danielle Jimenez

Motion: In considering an application for an MF-2(A) Multifamily District on property zoned a CR Community Retail District with a D Overlay on the west corner of Shadyside Lane and East Grand Avenue, it was moved to **hold** this case under advisement until October 2, 2014.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Notices: Area: 500 Mailed: 40
Replies: For: 0 Against: 0

Speakers: For: None
Against (Did not speak): Catherine Blair, 4219 N. Cresthaven Rd., Dallas, TX, 75209
David Card, 7126 Vivian Ave., Dallas, TX, 75223

7. Z134-223(WE)

Planner: Warren Ellis

Motion: In considering an application for a Specific Use Permit for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District on the southwest side of C.F. Hawn Freeway, east of Murdock Road; it was moved to **hold** this case under advisement until October 2, 2014.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Notices: Area: 200 Mailed: 15
Replies: For: 1 Against: 1

Speakers: None

8. Z134-241(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for multiple family uses, subject to a revised development plan, revised landscape plan and revised conditions to include the following: 1) Amenity Deck Plan - Prior to the issuance of a building permit an amenity deck plan must be submitted for review and evaluated for conformance with standards 1-3. The amenity deck plan should be submitted with the building plans. The amenity deck plan must show all amenities including landscaping. 2) A minimum of 15 percent of exposed amenity deck must be landscape area. For purposes of the Amenity deck plan movable items such as planters, urns, or potted plants count toward the requirement. Arbors, pergolas or trellises with planted materials will count toward the percentage. 3) A minimum of 10 percent exposed amenity deck must include water features such as pools, spas or fountains. 3) A minimum of 20 percent of exposed amenity deck must be visually enhanced with geometric patterns of colored pavers, stamped or stained concrete enhanced paving or other similar treatments. 4) Define "amenity deck" prior to submission to Council on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner Lemmon Avenue and Oak Grove Avenue.

Maker: Ridley
Second: Anantasomboon
Result: Carried: 11 to 0

For: 11 - Anglin, Culbreath, Shidid, Anantasomboon,
Lavallaisaa, Tarpley, Shellene, Schultz,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0
Conflict: 1 - Emmons

Notices: Area: 500 Mailed: 96
Replies: For: 7 Against: 5

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

9. **Z134-254(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **denial without prejudice** of the renewal of Specific Use Permit No. 1887 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a Class A dance hall on property within Planned Development District No. 619 for Mixed Uses on the south side of Main Street, east of South Field Street.

Maker: Ridley
Second: Anglin
Result: Carried: 7 to 5

For: 7 - Anglin, Emmons, Anantasomboon, Tarpley, Shellene, Peadon, Ridley

Against: 5 - Culbreath, Shidid, Lavallaisaa, Schultz, Murphy
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Notices: Area: 200 Mailed: 19
Replies: For: 0 Against: 2

Speakers: For: None
Against: Michael Coker, 3111 Canton St., Dallas, TX, 75226

10. **Z134-277(AF)**

Planner: Aldo Fritz

Motion: In considering an application for an IM Industrial Manufacturing District on property zoned IR Industrial Research District on the north side of West Northwest Highway, east of Luna Road, it was moved to **hold** this case under advisement until September 18, 2014.

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

For: 12 - Anglin, Emmons, Culbreath, Shidid, Anantasomboon, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Rodgers, Bagley, Abtahi
Vacancy: 0

Maker: Anantasomboon
Second: Ridley
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Shidid, Anantasomboon,
Lavallaisaa, Tarpley, Shellene, Schultz,
Peadon, Murphy, Ridley

Against: 0
Absent: 4 - Rodgers, Culbreath, Bagley, Abtahi
Vacancy: 0

Notices: Area: 400 Mailed: 40
Replies: For: 0 Against: 1

Speakers: For: Tailim Song, 13140 Coit Rd., Dallas, TX, 75240
For (Did not speak): Shawn Bhagat, 2415 W. Northwest Hwy., Dallas, TX, 75220
Against: Roxan Staff, 2707 W. Northwest Hwy., Dallas, TX, 75220

13. Z134-298(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern for a three-year period, subject to a site plan and revised conditions with removal of Condition #7 on property zoned an MU-3 Mixed Use District, on the southwest corner of Willowbrook Road and Harry Hines Boulevard.

Maker: Anantasomboon
Second: Ridley
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Shidid, Anantasomboon,
Lavallaisaa, Tarpley, Shellene, Schultz,
Peadon, Murphy, Ridley

Against: 0
Absent: 4 - Rodgers, Culbreath, Bagley, Abtahi
Vacancy: 0

Notices: Area: 400 Mailed: 40
Replies: For: 0 Against: 0

Speakers: For: Tailim Song, 13140 Coit Rd., Dallas, TX, 75240
For (Did not speak): Shawn Bhagat, 2415 W. Northwest Hwy., Dallas, TX, 75220
Against: Roxan Staff, 2707 W. Northwest Hwy., Dallas, TX, 75220

Landmark Commission Appeal

CA134-336(MD)

Planner: Mark Doty

Motion I: It was moved to **remand** the decision of the Landmark Commission decision to deny Certificate of Appropriateness CA134-336(MD) at 3601 Meyers Street within the Wheatley Place Historic District back to the City Plan Commission.

Maker: Anglin
Second: Shellene
Result: Carried: 9 to 2

For: 9 - Anglin, Shidid, Anantasomboon, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy

Against: 2 - Ridley, Emmons
Absent: 4 - Rodgers, Culbreath, Bagley, Abtahi
Vacancy: 0

Speakers: Appellant: Jose Luis Arteaga, 4623 S. Denley Dr., Dallas, TX, 75216
City Attorney: Casey Burgess, City of Dallas, Assistant City Attorney
Staff: Mark Doty, City of Dallas, Historic Preservation Planner
Olga Torres Holyoak, Planner, Interpreter

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the August 21, 2014, City Plan Commission meeting, subject to corrections.

Maker: Ridley
Second: Peadon
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Shidid, Anantasomboon, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 4 - Rodgers, Culbreath, Bagley, Abtahi
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the September 4, 2014, City Plan Commission meeting at 3:35 p.m.

Maker: Shellene
Second: Anantasomboon
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Shidid, Anantasomboon,
Lavallaisaa, Tarpley, Shellene, Schultz,
Peadon, Murphy, Ridley

Against: 0
Absent: 4 - Rodgers, Culbreath, Bagley, Abtahi
Vacancy: 0

Gloria Tarpley, Chair