

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on December 19, 2013, with the briefing starting at 11:00 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, Tony Shidid, Tony Hinojosa, 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: Betty Culbreath. 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) **S134-038**

Motion: It was moved to **approve** an application to create one 7.77-acre lot from a tract of land in City Block 7710 on property located at the intersection of Irving Boulevard with Regal Row, southeast corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(2) **S134-041**

Motion: It was moved to **approve** an application to create one 0.457-acre lot, and one 4.008 acre lot; and from a 4.465-acre tract of land in City Block 7438 on property located at 13302 Preston Road at Dilbeck Lane, southwest corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(3) **S134-042**

Motion: It was moved to **approve** an application to replat a 15.477-acre tract of land containing all of Lots 1, 2, 3, and 4 in City Block A/7291 into one 14.873 acre lot on property fronting on the west line of Manderville Lane between Manderville Lane and Midtown Boulevard, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(4) **S134-044**

Motion: It was moved to **approve** an application to create a 77 lot single family residential plat with Private Streets and three Shared Access Area Developments consisting of a total of 15 shared access lots from a 17.261 acre tract of land on Keller Springs Road, between the Dallas North Tollway and Preston Road., subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Residential Replats:

(5) **S134-043**

Motion: It was moved to **approve** an application to replat two tracts of land: Tract 1 being a 0.628-acre tract of land from a tract of land containing all of Lots 1, 2, 3, and 4 in City Block C/7647 to create one lot on property located on Dutch Harbor Avenue between Solar Lane, Kiska Street and Luzon Street; and Tract 2 being a 0.651-acre tract of land containing all of Lots 14, 26, 27, and 28 in City Block B/7647 into one lot on property located on Dutch Harbor Avenue between Solar Lane and Luzon Street, subject to compliance with the conditions listed in the docket with following changes: 1) Delete Condition #14 and 2) Condition #15 to read as follows: "All corner clip can be by a 10 by 10 easement per Chief Engineer of the City of Dallas".

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Miscellaneous Items:

D134-001

Planner: Olga Torres Holyoak

Motion: It was moved to **approve** a development plan and landscape plan for Planned Development District No. 582 in an area bounded by North Houston Street, Victory Avenue West, Victory Avenue, and All Star Way.

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

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

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

*out of the room, shown voting in favor

Speakers: None

Zoning Cases – Consent:

1. **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 9, 2014.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

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

Speakers: None

2. **Z134-104(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a CR Community Retail District on property zoned an LO-1 Limited Office District on the west side of Marsh Lane, north of Walnut Hill Lane.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 31
Replies: For: 5 Against: 2

Speakers: For: None
Against (Did not speak): Linda E. M. Day, 3647 Stables Ave., Dallas, TX, 75229

3. Z123-377(JH)

Planner: Jennifer Hiromoto

Motion: In considering an application to amend 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, it was moved to **hold** this case under advisement until January 23, 2014.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 35
Replies: For: 4 Against: 3

Speakers: None

Zoning Cases – Under Advisement:

4. Z123-348(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an LI Light Industrial District, subject to revised deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District on property along the southeast line of Cedardale Road, east of Lancaster Road.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 400 Mailed: 42
Replies: For: 1 Against: 3

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

5. Z123-148(WE)

Planner: Warren Ellis

Motion: In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until January 9, 2014.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

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

Speakers: None

6. Z123-340(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 759 for RR Regional Retail District uses, subject to a revised conceptual plan and revised conditions with the following change: 1) Provide side and rear setbacks of 5 feet with the property fronting Empire Central to remain 15 feet in an area generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 500 Mailed: 217
Replies: For: 13 Against: 1

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Against: None

Zoning Cases – Individual:

7. 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 January 23, 2014.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

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

Speakers: For (Did not speak): Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against (Did not speak): Adam Herring, 4813 Abbott Ave., Dallas, TX, 75205
Ken Elmgren, 4806 Abbott Ave., Dallas, TX, 75205
Belinda Elmgren, 4806 Abbott Ave., Dallas, TX, 75205
Alexis McCrossen, 4813 Abbott Ave., Dallas, TX, 75205
Lori Watkins, 5016 Abbott Ave., Dallas, TX, 75205
Pat Snoots, 3300 Armstrong Ave., Dallas, TX, 75205
Joe Williams, 2700 Fairmount St., Dallas, TX, 75201

8. Z134-113(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a new subdistrict, subject to conditions within Planned Development District No. 764, the Second Avenue Special Purpose District on the southwest line of Second Avenue, northwest of Hatcher Street.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 500 Mailed: 108
Replies: For: 5 Against: 2

Speakers: None

9. Z123-335(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Planned Development District, subject to a development plan and conditions to include the following: 1) In Subdistrict 1, the only permitted residential use is multifamily. Recycling collection center and child care facility will be removed from the list of permitted uses, 2) In Subdistricts 2 and 3, the child care facility use will be prohibited, 3) In Subdistrict 3, add a provision that restricts lighting to a maximum height of four feet, and 4) Amend the bed and breakfast definition to add "food and beverage service must be for registered guests only" on property zoned a CR Community Retail District and a D(A) Duplex District with H/128 Historic Overlay District No. 128 (Junius Heights), northeast of South Beacon Street, southeast of Columbia Avenue and northwest of Alton Avenue.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 500 Mailed: 144
Replies: For: 8 Against: 5

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

10. Z134-108(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Specific Use Permit for a liquor store for a two-year period with eligibility for automatic renewal of additional two-year periods, subject to a site plan and conditions on property zoned Subarea 10 within Planned Development District No. 298, the Bryan Area Special Purpose District, at the east corner of Live Oak Street and North Haskell Avenue.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 300 Mailed: 18
Replies: For: 1 Against: 6

Speakers: For: Diana Haynes, 4102 Live Oak St., Dallas, TX, 75204
Against: None

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the December 5, 2013, City Plan Commission meeting, subject to correction(s).

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the December 19, 2013, City Plan Commission meeting at 2:28 p.m.

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

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

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Joe Alcantar, Chair