

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 5, 2015, with the briefing starting at 11:00 a.m., in Room 5ES and the public hearing at 1:32 p.m., in the City Council Chambers of City Hall. Presiding were Gloria Tarpley, Chair and Jed Anantasomboon, Acting Vice Chair. The following Commissioners were present during the hearing: Mike Anglin, Neil Emmons, Emma Rodgers, Tony Shidid, Myrtle Lavallaisaa, Jaynie Schultz, 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: Betty Culbreath, Ann Bagley, John Shellene 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) **S145-071**

**Motion:** It was moved to **approve** an application to create one 1.822-acre lot from a tract of land containing part of City Block 5601 on property located at 5202 Walnut Hill Lane, southeast quadrant of Inwood Road and Walnut Hill Lane, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

(2) **S145-073**

**Motion:** It was moved to **approve** an application to replat all of Lots 1 through 9 in City Block 2/2320 and an existing 15 foot wide alley right-of-way to be abandoned, into one 1.424-acre lot on property bounded by Amelia Street, Maple Avenue, and Maple Springs Boulevard, subject to compliance with the conditions listed in the docket with the deletion of Conditions #12 and #13.

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

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

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

**Speakers:** None

(3) **S145-074**

**Motion:** It was moved to **approve** an application to create a twenty-two lot development with one common area as a Shared Access Development from a 0.892-acre tract of land containing all of Lot 1A in City Block 11/733 on property located on Live Oak Street between Grigsby Avenue and Prairie Avenue, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

(4) **S145-075**

**Motion:** It was moved to **approve** an application to replat a 0.222-acre tract of land containing part of Lots 4 and 5 in City Block 10/732 into four lots ranging in size from 1,849 square feet to 2,909 square feet lots on property located at the east corner of Prairie Avenue and Live Oak Street, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

(5) **S145-076**

**Motion:** It was moved to **approve** an application to create one 15.10-acre lot from a tract of land in City Block 211/6113 on property located on Mountain Creek Parkway, north of Interstate 20, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

(6) S145-078

**Motion:** It was moved to **approve** an application to replat a 2.298 acre tract of land containing all of Lot 1 in City Block I/1625, and all of Lots 9 through 16, all of abandoned Mabry Street, and all of an abandoned alley in City Block H/1625 into 1 lot on property located at 4719 Cole Avenue, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

Residential Replats:

(7) S145-077

**Motion:** It was moved to **approve** an application to replat a 4.732-acre tract of land containing part of Lots 3 and 4 in City Block 16/3760 into one lot on property located on S. Ewing Avenue at Korgan Court, southwest corner, subject to compliance with the conditions listed in the docket to include an amendment to Condition #13 to read as follows: "On the final plat dedicate either 28 feet of right-of-way, street easement, or sidewalk easement from the established centerline of Korgan Street."

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

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

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

**Notices:** Area: 200 Mailed: 58  
**Replies:** For: 0 Against: 0

**Speakers:** None

Miscellaneous Items:

**M145-005**

Planner: Richard Brown

**Motion:** It was moved to **approve** of a minor amendment to the site plan for Specific Use Permit No. 1715 for an Industrial (outside) potentially incompatible use for an asphalt batching plant on property zoned an IM Industrial Manufacturing District on the east line of South Central Expressway, north of Linfield Road.

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

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

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

**Speakers:** None

**W145-003**

Planner: Charles Enchill

**Motion:** It was moved to **approve** of a waiver of the two-year waiting period to submit a landscape plan and increase floor area requirements in Planned Development District No. 463, on the southwest corner of West Northwest Highway and North Central Expressway.

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

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

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

**Speakers:** For: Tommy Mann, 500 Winstead Bldg., Dallas, TX, 75201  
Against: None

**W145-004**

Planner: Charles Enchill

**Motion:** In considering an application for a waiver of the two-year waiting period to submit a request to amend or remove the Shopfront Overlay on property on the west corner of Inwood Road and Denton Drive, it was moved to **hold** this case under advisement until February 19, 2015.

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

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

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

**Speakers:** For: Suzan Kedron, 901 Main St., Dallas, TX, 75202  
Against: None

**W145-005**

Planner: Sarah May

**Motion:** It was moved to **approve** of a waiver of the two-year waiting period to amend and create a new subdistrict in Planned Development District No. 887 generally east of the Dallas North Tollway, south of Southern Boulevard, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway).

Maker: Schultz  
Second: Murphy  
Result: Carried: 10 to 0

For: 10 - Anglin, Emmons, Rodgers, Anantasomboon,  
Lavallaisaa, Tarpley, Schultz, Peadon, Murphy,  
Ridley

Against: 0  
Absent: 4 - Culbreath, Bagley, Shellene, Abtahi  
Vacancy: 0  
Conflict: 1 - Shidid

**Speakers:** For: Scott Beck, 13101 Preston Rd., Dallas, TX, 75240  
Against: None

Certificate of Appropriateness for Signs:

**1412041021**

Planner: Carrie Gordon

**Motion:** It was moved to **approve** a Certificate of Appropriateness, by Russell Byrum of Russell Byrum Signs, for a 371-square foot attached special purpose premise sign at 1910 Pacific Avenue (Elm Street, east elevation).

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

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

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

**Speakers:** For: Lyle Burgin, 1807 Ross Ave., Dallas, TX, 75201  
Berri O'Neal, 1910 Pacific Ave., Dallas, TX, 75201  
For (Did not speak): Mark Dowdle, 2727 LBJ Freeway, Dallas, TX, 75234  
Jason Pool, 1006 Johnson Ln., Midlothian, TX, 76065  
Against: None

Zoning Cases – Under Advisement:

**1. Z112-316(CE)**

Planner: Charles Enchill

**Motion:** In considering an application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the northwest corner of Cleveland Road and Bonnie View Road, it was moved to **hold** this case under Advisement until February 19, 2015.

Maker: Lavallaisaa  
Second: Anglin  
Result: Carried: 11 to 0

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

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

**Notices:** Area: 300 Mailed: 13  
**Replies:** For: 0 Against: 0  
**Speakers:** None

**2. Z134-188(LHS)**

Planner: Lashondra Holmes Stringfellow

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a vehicle display, sales, and service use for a three-year period, subject to a site/landscape plan and conditions on property zoned Tract 1, Subdistrict 2 in Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, on the southwest corner of C.F. Hawn Freeway and Thelma Street.

Maker: Lavallaisaa  
Second: Emmons  
Result: Carried: 11 to 0

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

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

**Notices:** Area: 200 Mailed: 17  
**Replies:** For: 0 Against: 0

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

**3. Z134-323(RB)**

Planner: Richard Brown

**Motion:** In considering an application for an amendment to Planned Development District No. 183 for certain MU-3 Mixed Use District Uses on property on the east line of North Central Expressway, south of North Haskell Avenue, it was moved to **hold** this case under advisement until February 19, 2015.

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

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



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

**Notices:** Area: 500 Mailed: 22  
**Replies:** For: 2 Against: 1

**Speakers:** None

**4. Z134-333(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an application for a Planned Development Subdistrict for LC Light Commercial Subdistrict Uses, subject to a development plan, roof plan, and staff recommended conditions with the following modifications: 1) Maximum compact parking spaces at 15 percent and 2) Changing the landscaping requirement to 10 percent on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast line of Bowen Street, between McKinney Avenue and Oak Grove Avenue.

Maker: Ridley  
Second: Schultz  
Result: Carried: 10 to 0

For: 10 - Anglin, Rodgers, Shidid, Anantasomboon,  
Lavallaisaa, Tarpley, Schultz, Peadon, Murphy,  
Ridley

Against: 0  
Absent: 4 - Culbreath, Bagley, Shellene, Abtahi  
Vacancy: 0  
Conflict: 1 - Emmons

**Notices:** Area: 500 Mailed: 361  
**Replies:** For: 3 Against: 1

**Speakers:** For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202  
Evan Beattie, 2808 Fairmount St., Dallas, TX, 75201  
Phil Cobb, 4455 Belfort Ave., Dallas, TX, 75205  
Micah Byrnes, 3699 McKinney Ave., Dallas, TX, 75219  
Paul Freeland, Address not given  
Steve Stoner, 400 S. Houston St., Dallas, TX, 75202  
Against: Dolores Rogers, 3030 McKinney Ave., Dallas, TX, 75204

Zoning Cases – Individual:

**5. Z145-133(OTH)**

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** of a D-1 Liquor Control Overlay and 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 with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the southwest corner of West Ledbetter Drive and South Hampton Road.

Maker: Rodgers  
Second: Emmons  
Result: Carried: 11 to 0

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

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

**Notices:** Area: 200 Mailed: 16  
**Replies:** For: 0 Against: 0

**Speakers:** For: None  
For (Did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202  
Michael Hampton, 1202 Richardson Dr., Richardson, TX, 75080  
Against: None

**6. Z134-337(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Planned Development Subdistrict for MF-3 Multiple-family Subdistrict uses, subject to a development plan, landscape plan and revised conditions on property zoned an MF-3 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest line of Fairmount Street at the terminus of Enid Street.

Maker: Ridley  
Second: Shidid  
Result: Carried: 7 to 3

For: 7 - Anglin, Rodgers, Shidid, Anantasomboon,  
Lavallaisaa, Tarpley, Ridley

Against: 3 - Schultz, Peadon, Murphy,  
Absent: 4 - Culbreath, Bagley, Shellene, Abtahi  
Vacancy: 0  
Conflict: 1 - Emmons

**Notices:** Area: 500 Mailed: 151  
**Replies:** For: 1 Against: 0

**Speakers:** For: Barry Knight, 2728 N. Harwood St., Dallas, TX, 75201  
Christopher Wein, 306 Bedford Rd., Toronto, Canada  
Against: None

**7. Z145-124(AF)**

Planner: Aldo Fritz

**Motion:** It was moved to recommend **approval** of a Planned Development District for R-5(A) Single Family District and urban farm uses, subject to a development plan, landscape plan, and staff's recommended conditions on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, south of Vesper Street, west of Bexar Street and east of Canaan Street.

Maker: Emmons  
Second: Rodgers  
Result: Carried: 11 to 0

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

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

**Notices:** Area: 500 Mailed: 46  
**Replies:** For: 5 Against: 0

**Speakers:** For (Did not speak): Pakeebee Cummings, 2614 Macon St., Dallas, TX, 75215  
Daron Babcock, 2612 Valentine St., Dallas, TX, 75215  
Daris Lee, 2618 Valentine St., Dallas, TX, 75215  
Against: None

Development Code Amendment:

**DCA 134-003(VM)**

Planner: Valerie Miller

**Motion:** It was moved to recommend **approval** of amending Chapter 51A of the Dallas Development Code, Sections 51A-13.102, 51A-13.201, 51A-13.303, 51A-13.501, and 51A-13.502 of Article XIII, "Form Districts," to amend regulations pertaining to non-conforming structures, artificial lots, planting zones, and new block perimeters with the following modifications: 1) Section 51A-501(a)(4) in Section 4 of the ordinance to read as follows: "Where local utilities exist or are proposed, two small trees may replace a required large canopy tree except where a mixed-use shopfront or single-story shopfront is proposed or required. If the replacement small trees are not able to be planted within the planting zone due to a conflict with utilities, the replacement small trees must be planted between the planting zone and the building setback, but no closer than 10' from the building front to avoid utility lines. Replacement small trees must be planted as evenly spaced as the utility conflict will allow.", 2) Subparagraph(a)(4)(A) in Section 5 to read as follows: "the property shares a property line with a cemetery, Dallas Area Rapid Transit right-of-way, a railroad, a levee, or a natural feature such as floodplain, escarpment, waterways, or similar features...", and 3) The last sentence of the "Pedestrian Passage" paragraph in Section 6 to read as follows: "A pedestrian passage must be dedicated and accessible to the public."

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

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

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

**Speakers:** None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the January 22, 2015, City Plan Commission meeting, subject to corrections.

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

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

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

Adjournment

**Motion:** It was moved to **adjourn** the February 5, 2015, City Plan Commission meeting at 3:35 p.m.

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

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

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

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Gloria Tarpley, Chair