

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on August 1 2019, with the briefing starting at 12:05 p.m., in Room 5ES and the public hearing at 1:30 p.m., in the City Council Chambers of City Hall. Presiding were, Gloria Tarpley, Chair and Tony Shidid, Vice-Chair. The following Commissioners were present during the hearing: Enrique MacGregor, Peter Schulte, Clarice Criss, LeDouglas Johnson, Deborah Carpenter, Margaret Brinson, P. Michael Jung, Tipton Housewright, Jaynie Schultz, Margot Murphy and Paul E. Ridley. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. There were two vacancies: District 8 and District 12.

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: Mohammad Bordbar

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) **S189-251**

Motion: It was moved to **approve** an application to create one 2.224-acre lot and one 0.993-acre lot from a 3.217-acre tract of land in City Block 14/6139 on property located on Greenville Avenue, north of Walnut Hill Lane, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Speakers: None

(2) **S189-252**

Motion: It was moved to **approve** an application to replat a 0.460-acre tract of land containing all of Lot 3 in City Block A/183 and part of City Block 183 to create one lot on property located at 2618 Main Street, east of South Good Latimer Expressway, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Speakers: None

(3) **S189-253**

Motion: It was moved to **approve** an application to create one 4.943-acre lot from a tract of land in City Block 211/6113 on property located on Merrifield Road, east of Mountain Creek Parkway, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Speakers: None

(4) S189-254

Motion: It was moved to **approve** an application to create one 0.92-acre lot from a tract of land in City Block 323 on property located on Swiss Avenue at Hawkins Street, north corner, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Speakers: None

(5) S189-255

Motion: It was moved to **approve** an application to create 14 single family lots with lots ranging in size from 10,993-square feet to 14,941-square feet from a 4.543-acre tract of land on property located on Riverwood Road, south of Fairport Road, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Speakers: None

(6) **S189-256**

Motion: It was moved to **approve** an application to create one 1.3226-acre lot from a tract of land in City Block 8/815 on property located on Willow street at Commerce Street, northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Speakers: None

(7) **S189-257**

Motion: It was moved to **approve** an application to create one 0.58-acre lot from a tract of land in City Block 7554 on property located on Hampton Road, south of Chrysalis Drive, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Speakers: None

(8) **S189-258**

Motion: It was moved to **approve** an application to create 3 lots ranging in size from 32,649-square feet to 50,541-square feet from a tract of land in City Block 6327 on property located on Lake June Road, east of Holcomb Road, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Speakers: None

Street Name Change:

(9) **NC189-001**

Motion: It was moved to grant the required waiver and recommend **approval** of changing the name of Olive Street, between N. Field Street and Victory Avenue, to "Nowitzki Way", subject to compliance with the conditions listed in the docket.

Maker: Schulte
Second: Shidid
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Notices: Area: 1' Mailed: 153
Replies: For: 1 Against: 2

Speakers: None

(10) **NC189-002**

Motion: It was moved to recommend **approve** of changing the name of Tufts Road, between Rylie Road and Cade Road, to “Don Belknap Drive”, subject to compliance with the conditions listed in the docket.

Maker: Schultz
Second: Murphy
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Notices: Area: 1' Mailed: 3
Replies: For: 0 Against: 0

Speakers: None

Zoning Cases – Consent:

1. **Z189-121(CY)**

Planner: Caroline Yumet

Note: The Commission considered this item individually.

Motion: It was moved to recommend 1) **approval** of an MU-1 Mixed Use District, subject to revised deed restrictions volunteered by the applicant to include: 1) commercial amusement (inside) , 2) general merchandise or food store 3,500 sq. ft. or less, 3) general merchandise or food store greater than 3,500 sq. ft., and 4) temporary retail use; and 2) **approval** of the termination of Specific Use Permit No. 742 for a nursing home use on property zoned a CR Community Retail District with Specific Use Permit No. 742, on the north side of Forest Lane, west of Greenville Avenue.

Maker: Housewright
Second: Carpenter
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Notices: Area: 300 Mailed: 10
Replies: For: 0 Against: 0

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

Note: The Commission heard Zoning agenda item #3. Z189-280(AU) next.

2. Z189-269(CY)

Planner: Carolina Yumet

Motion: It was moved to recommend **approval** of an MU-3 Mixed Use District, subject to revised deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the south side of Mississippi Avenue, between Vicksburg Street and Gretna Street.

Maker: Carpenter
Second: Housewright
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Notices: Area: 200 Mailed: 11
Replies: For: 0 Against: 0

Speakers: None

Note: The Commission heard Zoning – Consent item #1. Z189-121(CY), upon the conclusion of the Consent agenda. The Commission heard Zoning – Consent item #1. Z189-121(CY) next.

3. Z189-280(AU)

Planner: Andreea Udrea

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District with retention of the D Liquor Control Overlay on property zoned a CR-D Community Retail District with a D Liquor Control Overlay, on the east line of South Corinth St. Road, south of Morrell Avenue.

Maker: Johnson
Second: Murphy
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Notices: Area: 300 Mailed: 24
Replies: For: 1 Against: 0

Speakers: For: Maxwell Fisher, 900 Jackson St., Dallas, TX, 75202
Against: Raul Regus, 955 S. Corinth, Dallas, TX, 75203

Note: The Commission returned to the regular order of the agenda and heard Zoning Cases – Under Advisement items. The Commission heard Zoning Cases – Under Advisement item #4. Z189-238(CY) next.

Zoning Cases – Under Advisement:

4. Z189-238(CY)

Planner: Carolina Yumet

Motion: In considering an application for a TH-2(A) Townhouse District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the south side of Falls Drive and the north side of Wright Street, east of South Franklin Street, it was moved to **hold** this case under advisement until September 5, 2019.

Maker: MacGregor
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Notices: Area: 300 Mailed: 46
Replies: For: 1 Against: 16

Speakers: For: Jennifer Hiromoto, 3904 Elm St., Dallas, TX, 75226
Against: None

5. Z178-336(CT)

Planner: Carlos Talison

Motion: In considering an application for the renewal of Specific Use Permit No. 1661 for a public or private school limited to an open-enrollment charter school on property zoned an IR Industrial Research District with existing deed restrictions [Z823-131_Tract 1A], in an area generally bound by Beckleymeade Avenue, South Hampton Road, Westfall Drive and Stoneview Drive, it was moved to **hold** this case under advisement until September 5, 2019, and to instruct staff to re-advertise.

Maker: Schultz
Second: Murphy
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Notices: Area: 400 Mailed: 14
Replies: For: 0 Against: 0

Speakers: None

6. Z189-191(PD)

Planner: Pamela Daniel

Motion: In considering an application for a Planned Development District for MF-2(A) Multifamily District uses on property zoned a D(A) Duplex District, at the southeast corner of Alton Avenue between South Munger Boulevard and South Garrett Avenue, it was moved to **hold** this case under advisement until September 19, 2019.

Maker: Schulte
Second: Shidid
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Notices: Area: 500 Mailed: 111
Replies: For: 2 Against: 11

Speakers: For: None
Against: None
Neutral (Did not speak): Haider Rizvi, 4960 Alton Ave., Dallas, TX, 75214

7. Z189-260(PD)

Planner: Pamela Daniel

Motion: In considering an application for 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 Subdistrict 2 within Planned Development District No. 535-D-1, the C.F. Hawn Special Purpose District No. 3 with a D-1 Dry Liquor Control Overlay, on the northeast corner of C. F. Hawn Freeway and South Masters Drive, it was moved to **hold** this case under advisement until September 5, 2019.

Maker: Shidid
Second: Murphy
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

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

Speakers: For: None
For (Did not speak): Kendra Larach, 900 Jackson St., Dallas, TX, 75202
Against: None

Other Matters

Minutes:

Motion: It was moved to **approve** the June 20, 2019 and July 11, 2019, City Plan Commission meeting minutes, subject to the corrections.

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

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Adjournment

Motion: It was moved to **adjourn** the August 1, 2019, City Plan Commission meeting at 1:52 p.m.

Maker: Murphy
Second: MacGregor
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid,
Carpenter, Brinson, Jung, Housewright,
Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 8, District 12

Gloria Tarpley, Chair