

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 17, 2019, with the briefing starting at 10:06 a.m., in Room 5ES and the public hearing at 1:53 p.m., in the City Council Chambers of City Hall. Presiding were, Tony Shidid, Chair and Jaynie Schultz, Acting Vice-Chair. The following Commissioners were present during the hearing: Enrique MacGregor, Joanna Hampton, LeDouglas Johnson, Deborah Carpenter, Margaret Brinson, Lori Blair, P. Michael Jung, Tipton Housewright, Kristine Schwope, 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 3 and Place 15.

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: Sharmila Gurung-Shrestha

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) **S189-312**

**Motion:** It was moved to **approve** an application to replat a 2.563-acre tract of land containing all of Lot 1D in City Block 2/933 to create one lot and to abandon easements to facilitate new development on property located on Cedar Springs Road at Brookhout Street, south of Maple Avenue, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

(2) **S189-313**

**Motion:** It was moved to **approve** an application to replat a 0.608-acre tract of land containing all of Lots 11, 12, 13, and 14 in City Block 43/3163 to create one lot on property located on Tenth Street at Bishop Avenue, southwest corner, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

(3) **S189-314**

**Note:** Staff corrected agenda and case report to read as follows “An application to replat a 0.238-acre tract of land containing part of Lots 9, 10, and 11 in City Block 1/8570 to create one lot on property located on Mississippi Avenue at the terminus of Vicksburg Street.”.

**Motion:** It was moved to **approve** an application to replat a 0.238-acre tract of land containing part of Lots 9, 10, and 11 in City Block 1/8570 to create one lot on property located on Mississippi Avenue at the terminus of Vicksburg Street, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley  
Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

**(4) S189-315**

**Motion:** It was moved to **approve** an application to replat a 2.201-acre tract of land containing all of Lots 15 through 21, part of Lots 1 through 10 in City Block A/4475 and a portion of an abandoned 15-foot alley to create two lots on property located on Scyene Road at Robert L. Parish Sr. Avenue, northeast corner, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley  
Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

**(5) S189-316**

**Motion:** It was moved to **approve** an application to create one 0.947-acre lot from a tract of land in City Block 6262 on property located on Jim Miller Road, north of Great Trinity Forest Way, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

**(6) S189-317**

**Motion:** It was moved to **approve** an application to replat a 3.712-acre tract of land containing part of Lot 3 in City Block 4/7941 to create two lots on property located on Regal Row at Empress Row, east corner, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

**(7) S189-318**

**Motion:** It was moved to **approve** an application to create a 12-lot shared access development with lots ranging in size from 1,118 square feet to 1,908 square feet from a 0.376-acre tract of land containing all of Lots 7 and 8 in City Block 6/1597 on property located on Cabell Drive, southwest of Annex Avenue, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

(8) **S189-319**

**Motion:** It was moved to **approve** an application to replat a 1.971-acre tract of land in City Block E-3/7940 to create one lot on property located at 7600 John Carpenter Freeway, north of Mockingbird Lane, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

(9) **S189-320**

**Motion:** It was moved to **approve** an application to replat a 4.526-acre tract of land containing part of Lots 1 through 10 in City Block 2/7268, part of Lots 1 through 14 in City Block 3/7268, a portion of an abandoned Parvia Avenue, and a portion of abandoned 15-foot alley to create one lot on property bounded by Singleton Boulevard, Bataan Street, Bedford Avenue, and Topeka Avenue, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

Residential Replats/Building Line Removal:

(10) **S189-321**

**Building Line Motion:** It was moved to **approve** an application to remove the existing 50-foot platted Building Line along the eastline of Royalshire Drive and the Building Line curve facing the Royalshire Drive; and to extend the existing 50-foot platted Building Line along the northline of Royalton Drive to a point 10 feet from the eastline of Royalshire Drive with the finding of fact that removal of the platted building line will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision on property located on Royalshire Drive at Royalton Drive, northeast corner.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Replat Motion:** It was moved to **approve** an application to replat a 0.439-acre (19,131-square foot) tract of land containing all of Lot 1 in City Block 10/5500 to create one lot on property located on Royalshire Drive at Royalton Drive, northeast corner, subject to compliance with the conditions listed in the docket.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

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

**Speakers:** None

Miscellaneous Items:

**M189-033**

Planner: Carlos Talison

**Motion:** It was moved to **approve** a minor amendment to the existing site plan for Specific Use Permit No. 651 for a college or university use on property zoned a R-1/2ac(A) Single Family District on the east corner of Walnut Street and Abrams Road.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** For: None  
Against: None  
Neutral: Justine Atkinson, 512 Wentworth Dr., Richardson, TX, 75081

**D189-015**

Planner: Abraham Martinez

**Motion:** It was moved to **approve** a development plan on property zoned Planned Development District No. 925, on the east corner of North Stemmons Freeway and Medical District Drive.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** For: None

Miscellaneous Items – Under Advisement:

**M189-028**

Planner: Abraham Martinez

**Motion:** It was moved to **deny without prejudice** a minor amendment to an existing development plan on property zoned Planned Development District No. 517, east of Abrams Road and Gaston Avenue.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** For: None  
For (Did not speak): Audra Buckley, 1414 Belleview St., Dallas, TX, 75215  
Against: None

Certificates of Appropriateness for Signs:

Downtown Retail A Subdistrict Special Provision Sign District:

**Note: Certificates of Appropriateness for Signs items 1908120020, 1908120021 and 1908120022 were read into the record and heard together.**

**1908120020**

Planner: Oscar Aguilera

**Motion:** It was moved to **approve** a Certificate of Appropriateness by a Certificate of Appropriateness by Kathy Creech – Signs Up for a 231-square feet upper-level flat attached sign at 1015 Elm Street (south elevation).

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

For: 12 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Housewright,  
Schultz, Schwope, Murphy, Ridley



Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15  
Conflict: 1 - Jung\*\*

\*\*out of the room, when vote taken

**Speakers:** None

**1908120021**

Planner: Oscar Aguilera

**Motion:** It was moved to **approve** a Certificate of Appropriateness by Kathy Creech – Signs Up for a 231-square feet upper-level flat attached sign at 1015 Elm Street (north elevation).

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

For: 12 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15  
Conflict: 1 - Jung\*\*

\*\*out of the room, when vote taken

**Speakers:** None

**1908120022**

Planner: Oscar Aguilera

**Motion:** It was moved to **approve** a Certificate of Appropriateness by Kathy Creech – Signs Up for a 231-square feet upper-level flat attached sign at 1015 Elm Street (west elevation).

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

For: 12 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15  
Conflict: 1 - Jung\*\*

\*\*out of the room, when vote taken

**Speakers:** None

Deep Ellum/Near East Side Special Provision Sign District:

**1908160004**

Planner: Oscar Aguilera

**Motion:** It was moved to **approve** a Certificate of Appropriateness by Curt Horak – Priority Signs and Graphics for a 71-square feet attached sign at 2600 Main Street (south elevation).

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

West End Special Provision Sign District:

**Note: Certificates of Appropriateness for Signs items 1908160027, 1908160028 and 1908160029 were read into the record and heard together.**

**1908160027**

Planner: Oscar Aguilera

**Motion:** It was moved to **approve** a Certificate of Appropriateness by Mike Khatib – C8 Construction for four 1.5-square feet canopy signs at 701 Ross Avenue (south elevation).

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0

Absent: 0

Vacancy: 2 - District 3, Place 15

**Speakers:** None

**1908160028**

Planner: Oscar Aguilera

**Motion:** It was moved to **approve** a Certificate of Appropriateness by Mike Khatib – C8 Construction for a 15.5-square feet painted applied sign on a Type B façade at 701 Ross Avenue (south elevation).

Maker: Ridley

Second: MacGregor

Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0

Absent: 0

Vacancy: 2 - District 3, Place 15

**Speakers:** None

**1908160029**

Planner: Oscar Aguilera

**Motion:** It was moved to **approve** a Certificate of Appropriateness by Mike Khatib – C8 Construction for two 7.88-square feet flat attached signs on a Type B facade at 701 Ross Avenue (south elevation).

Maker: Ridley

Second: MacGregor

Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0

Absent: 0

Vacancy: 2 - District 3, Place 15

**Speakers:** None

**Note: Certificates of Appropriateness for Signs items 1908200002 and 1908200003 were read into the record and heard together.**

**1908200002**

Planner: Oscar Aguilera

**Motion:** It was moved to **approve** a by Kristy Smith – Signs MFG & Maintenance Corp for an 18-square feet non-illuminated projecting attached sign on a Type B façade at 208 North Market Street (north elevation).

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

For: 13 - MacGregor, Hampton, Johnson, Shidid, Carpenter, Brinson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

**1908200003**

Planner: Oscar Aguilera

**Motion:** It was moved to **approve** a Certificate of Appropriateness by Kristy Smith – Signs MFG & Maintenance Corp for a 150-square feet painted applied sign on a Type B façade at 208 North Market Street (east elevation).

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

For: 13 - MacGregor, Hampton, Johnson, Shidid, Carpenter, Brinson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Speakers:** None

Zoning Cases – Consent:

1. **Z178-250(AM)**

Planner: Abraham Martinez

**Note: The Commission considered this item individually.**

**Motion:** In considering an application for an amendment to Planned Development District No. 539 for CR Community Retail District uses and Group Residential facility use on the east corner of Graham Avenue and Philip Avenue, it was moved to **hold** this case under advisement until November 7, 2019 and to allow staff an opportunity to verify property ownership.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 500 Mailed: 91  
**Replies:** For: 1 Against: 2

**Speakers:** None

**Note: The Commission heard Zoning agenda item #4. Z189-277(CY) next.**

2. **Z189-317(AM)**

Planner: Abraham Martinez

**Motion:** In considering an application for the renewal of Specific Use Permit No. 1454 for a detached non-premise sign use on property zoned MU-1(SAH) Mixed Use-1 (Standard Affordable Housing) District with existing deed restrictions [Z934-241 and Z112-277], on the northeast corner of Meandering Way and Interstate Highway 635 [Lyndon B. Johnson Freeway], it was moved to **hold** this case under advisement until November 21, 2019.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 300 Mailed: 20  
**Replies:** For: 0 Against: 0

**Speakers:** None

**3. Z189-248(CT)**

Planner: Carlos Talison

**Motion:** It was moved to recommend **approval** of 1) an NS(A) Neighborhood Service District, and **approval** of 2) a Specific Use Permit for a motor vehicle fueling station use for a five-year period with eligibility for automatic renewals for additional five-year period, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District, on the northwest corner of Haymarket Road and Interstate Highway 20 [LBJ Freeway].

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 300 Mailed: 8  
**Replies:** For: 0 Against: 0

**Speakers:** For: None

FOR (Did not speak): Val Gutierrez, 803 Old Caney Rd., Wharton, TX, 77488

Against: None

4. Z189-277(CY)

Planner: Carolina Yumet

**Note: The Commission considered this item individually.**

**Motion:** In considering an application for 1) an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant, and 2) the termination of existing deed restrictions [Z889-187, Tract 2] on property zoned an NS(A) Neighborhood Service District with existing deed restrictions on the north line of West Camp Wisdom Road, east of Clark Road, it was moved to **hold** this case under advisement until November 21, 2019.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 300 Mailed: 39  
**Replies:** For: 3 Against: 19

**Speakers:** For: Santos Martinez, P.O. Box 1275, Angel Fire, NM, 87710  
FOR (Did not speak): Chad Adams, 1130 N. Westmoreland Rd., DeSoto, TX, 75115  
Against: Frances Escobar, 6915 Rolling Creek Ln., Dallas, TX, 75236

**Note: The Commission heard Zoning agenda item #6. Z189-330(SM) next.**

5. Z189-306(SM)

Planner: Sarah May

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a child-care facility for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned Subarea 7 within Planned Development District No. 298, the Bryan Area Special Purpose District, on the south corner of North Washington Avenue, and San Jacinto Street.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 200 Mailed: 73  
**Replies:** For: 1 Against: 0

**Speakers:** None

**6. Z189-330(SM)**

Planner: Sarah May

**Note: The Commission considered this item individually.**

**Motion:** In considering an application for a Planned Development District for R-7.5(A) Single Family District uses and electrical substation use on property zoned an R-7.5(A) Single Family District, on the west line of Southeast 14<sup>th</sup> Street, south of Skyline Road, it was moved to **hold** this case under advisement until November 7, 2019.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 500 Mailed: 53  
**Replies:** For: 0 Against: 0

**Speakers:** For: Seth Sampson, 113 W. 2<sup>nd</sup> St., Ft. Worth, TX, 76049  
Thomas Fletcher, 6160 Warren Parkway, Frisco, TX, 75034  
Against: James Johnson, 1327 Macaw Ct., Grand Prairie, TX, 75060

**Note: The Commission heard Zoning agenda item #7. Z189-331(PD) next.**



7. Z189-331(PD)

Planner: Pamela Daniel

**Note: The Commission considered this item individually.**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an auto service center use for a two-year period, subject to a site plan and conditions on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, west of the intersection of North Riverfront Boulevard and Pittsburgh Street

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 200 Mailed: 11  
**Replies:** For: 1 Against: 2

**Speakers:** For: Paul Wieneskie, 1300 Summit Ave., Ft. Worth, TX, 76102  
Against: None

**Note: The Commission heard Zoning agenda item #9. Z189-322(AU) next.**

8. Z189-336(PD)

Planner: Pamela Daniel

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet use for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and revised conditions (as briefed) on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the southeast corner of Scyene Road and Namur Street.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 200 Mailed: 11  
**Replies:** For: 1 Against: 1

**Speakers:** None

**Note: The Commission heard Zoning – Consent item #1. Z178-250(AM), upon the conclusion of the Consent agenda. The Commission heard Zoning – Consent item #1. Z178-250(AM) next.**

**9. Z189-322(AU)**

Planner: Andreea Udrea

**Note: The Commission considered this item individually.**

**Motion:** It was moved to recommend **approval** of a Planned Development District for R-5(A) Single Family District uses and a public school other than an open-enrollment charter school use, subject to a development plan, traffic management plan and 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, on the southeast corner of Bexar Street and Bethurum Avenue.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid, Carpenter, Brinson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 500 Mailed: 105  
**Replies:** For: 10 Against: 0

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Against: None

**Note: The Commission continued with the regular order of the agenda and heard Zoning Cases – Under Advisement agenda items. The Commission heard Zoning Cases – Under Advisement item #10. Z178-358(AU) next.**

Zoning Cases – Under Advisement:

10. **Z178-358(JM/AU)**

Planner: Andreea Udrea

**De minimus Significant Change Motion:** In considering the requirement in Section 5(m)(1)(B) of the CPC Rules of Procedure, the finding is it does not apply because the impact of the proposed change to increase setbacks in the Commission’s judgment is *de minimus* in nature.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Motion:** In considering an application for 1) a Planned Development District for mixed uses, and 2) the termination of Specific Use Permit No. 1172 for a private school and child-care facility, on property zoned Planned Development District No. 314, an MF-1(A) Multifamily District, and an R-7.5(A) Single Family District with Specific Use Permit No. 1172, on the north side of Colgate Avenue, between Lomo Alto Drive and Douglas Avenue, it was moved to **hold** this case under advisement until November 7, 2019.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 500 Mailed: 179  
**Replies:** For: 31 Against: 42

**Speakers:** For: Christopher Girata, 5509 W. University Blvd., Dallas, TX, 75209  
Owen McCrory, 9510 Rockbrook Dr., Dallas, TX, 75220  
Blair Oden, 5820 Norway Rd., Dallas, TX, 75230

Steve Stoner, 7557 Rambler Rd., Dallas, TX, 75231  
Karen Wiley, 3900 Wentwood Dr., University Park, TX, 75225  
Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201  
For (Did not speak): Matthew Waller, 5828 Colhurst St., Dallas, TX, 75230  
Warren Houser, 3915 Cobblestone Dr., Dallas, TX, 75229  
R. J. Grogan Jr., 6331 Desco Dr., Dallas, TX, 75225  
Kenneth Brannon, 3443 Howell St., Dallas, TX, 75204  
Bonner Allen, 5847 Palo Pinto Ave., Dallas, TX, 75206  
Kathryn Kelly, 4317 Purdue St., Dallas Park, TX, 75225  
Jennifer Pascal, 6723 Ellworth Ave., Dallas, TX, 75214  
Against: Alan Stewart, 4233 Colgate Ave., Dallas, TX, 75225  
Phillip Carey, 4237 Colgate Ave., Dallas, TX, 75225  
Harry Criss, 5956 Sherry Ln., Dallas, TX, 75225  
Misty Ventura, 9406 Biscayne Blvd., Dallas, TX, 75218  
Clinton Madison, 6627 Northwood Rd., Dallas, TX, 75225  
Against (Did not speak): Elsie Thurman, 9406 Biscayne Blvd., Dallas, TX, 75218  
Staff: David Nevarez, Traffic Engineer, Sustainable Development & Construction

11. Z189-312(SM)

Planner: Sarah May

**Motion:** In considering an application for an amendment to Planned Development Subdistrict No. 134 for O-2 Office Subdistrict with a D Liquor Control Overlay; retirement housing; and convalescent and nursing homes, hospice care, and related institutions uses within Planned Development District No. 193, the Oak Lawn Special Purpose District on the north line of Herschel Avenue, east of Throckmorton Street, it was moved to **hold** this case under advisement until November 21, 2019.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 500 Mailed: 202  
**Replies:** For: 3 Against: 26

**Speakers:** For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202  
Against: None

12. Z189-292(CY)

Planner: Carolina Yumet

**Motion:** In considering an application for an amendment to the Existing Land Use Map to allow a duplex use on property zoned Tract III within Planned Development District No. 67, on the east side of Tyree Street, north of Savage Street, it was moved to **hold** this case under advisement until November 7, 2019.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 200 Mailed: 28  
**Replies:** For: 3 Against: 1

**Speakers:** None

13. Z189-304(CY)

Planner: Carolina Yumet

**Motion:** In considering an application for a Planned Development District for IR Industrial Research District uses and general merchandise or food store greater than 3,500 square feet use on property zoned an IR Industrial Research District on the west corner of Mockingbird Lane and Maple Avenue, it was moved to **hold** this case under advisement until November 7, 2019.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung\*, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

\*out of the room, shown voting in favor

Notices: Area: 500                      Mailed: 21  
Replies: For: 3                              Against: 0

**Speakers:** None

**14. Z189-282(PD)**

Planner: Pamela Daniel

**Motion:** In considering an application for a Specific Use Permit for a child-care facility use on property zoned an R-10(A) Single Family District, on the west side of Webb Chapel Road, north of the terminus of Townsend Drive, it was moved to **hold** this case under advisement until November 21, 2019.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 200                      Mailed: 13  
**Replies:** For: 2                              Against: 1

**Speakers:** None

Zoning Cases – Individual:

**15. Z189-316(PD)**

Planner: Pamela Daniel

**Motion:** It was moved to recommend **approval** of a Planned Development Subdistrict for GR General Retail uses, subject to a development plan, landscape plan and staff's conditions with the following changes: 1) SEC. \_\_\_\_102., **PROPERTY LOCATION AND SIZE.** add at the end of the sentence "(the "Property")", 2) SEC. S-\_\_\_\_105. **DEVELOPMENT PLAN.** delete the entire second sentence and substitute with "If a project is not constructed on the portion of the Property north of the alley that depends on the increased floor area ratio in Section S-\_\_\_\_108 (d) and height in Section S-\_\_\_\_108 (e), the restriction on building height to one-story on the portion of the Property south of alley shall not apply.", 3) **SEC. S-\_\_\_\_109. OFF-STREET PARKING AND LOADING.** add a sub point (c) to read as follows: "(c) Record an access easement across the south tract for the benefit of the north tract.", 4) **SEC. S-\_\_\_\_113. URBAN DESIGN STANDARDS.** (b) Public realm design. (1) Sidewalks. delete "(A)" and "(B)" and follow and insert applicant's amendments to (A) and (B)

to read as follows: “(A) On Oaklawn Avenue a minimum unobstructed sidewalk clear zone width of eight feet must be provided. An additional minimum landscape buffer of five feet must be provided between the back of curb and the sidewalk.” and “(B) On Lemmon Avenue, a minimum unobstructed sidewalk clear zone of six feet must be provided. An additional minimum landscape buffer of three feet must be provided between the back of curb and sidewalk.”, 5) **SEC. S-\_\_\_\_.113. URBAN DESIGN STANDARDS.** (d) Parking. (2) Parking structures. Delete entire subsection “(B)”, and 6) **SEC. S-\_\_\_\_.114. MIXED INCOME HOUSING.** (d) modify to reads as follows: “(d) During the rental affordability period, for any multifamily use that depends on the increased density in Section S-\_\_\_\_.108(d) and increased height in Section S-\_\_\_\_.108(e), five percent of the total residential rental units must be made available for lease at an affordable rent (as defined in Section 20A-24) with an income band of 61 to 80 percent of adjusted median family income and three percent at 101 to 120 percent of adjusted median family income. The mixed-income restrictive covenant in Section 20A-26 and the rental affordability period are for a term of 15 years.” on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Lemmon Avenue and Oak Lawn Avenue.

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

For: 11 - MacGregor, Johnson, Shidid, Carpenter,  
Brinson, Blair, Jung, Schultz, Schwope,  
Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15  
Conflict: 2 - Hampton\*\*, Housewright\*\*

\*\*out of the room, when vote taken

**Notices:** Area: 500 Mailed: 246  
**Replies:** For: 57 Against: 34

**Speakers:** For: Greg Coutant, 2300 N. Field St., Dallas, TX, 75201  
Matthew Acosta, 3800 Holland Ave., Dallas, TX, 75219  
Steve Stoner, 7557 Rambler Rd., Dallas, TX, 75231  
Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201  
Cameron Burk, 3416 Oak Lawn Ave., Dallas, TX, 75219  
For (Did not speak): Bill Robinson, 2300 N. Field St., Dallas, TX, 75201  
Elizabeth Bentley, 2300 N. Field St., Dallas, TX, 75201  
Scott Miller, 2300 N. Field St., Dallas, TX, 75201  
Against: Olga Pope, 4432 Rawlins St., Dallas, TX, 75219

Alissa Doll, 3230 Throckmorton St., Dallas, TX, 75219  
Bob Griffo, 3834 Bowser Ave., Dallas, TX, 75219  
Lydia Thomann, 3709 Reagan St., Dallas, TX, 75219  
Patrick Doll, 3230 Throckmorton St., Dallas, TX, 75219  
Adam Murphy, 3435 Dickerson Ave., Dallas, TX, 75219  
Patricia Perez, 4034 Holland Ave., Dallas, TX, 75219  
Mark Givens, 3320 Reagan St., Dallas, TX, 75219  
James Grindler, 3400 Welborn St., Dallas, TX, 75219  
Sandra Morales, 4410 Vandelia St., Dallas, TX, 75219

Against (Did not speak): Jeff McLaughlin, 3818 Holland Ave., Dallas, TX, 75219

Staff: David Nevarez, Engineer, Sustainable Development & Construction

16. **Z189-300(AU)**

Planner: Andreea Udrea

**Motion:** It was moved to recommend **denial** of 1) an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant, and **denial** of 2) a Specific Use Permit for an outside salvage or reclamation use on property zoned an IR Industrial Research District, on the northwest corner of South Central Expressway and River Oaks Drive.

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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 500 Mailed: 17

**Replies:** For: 2 Against: 0

**Speakers:** For: Audra Buckley, 1414 Belleview St., Dallas, TX, 75215  
Against: None

17. **Z189-323(AU)**

Planner: Andreea Udrea

**Motion:** In considering an application for an MU-2 Mixed Use District on property zoned Planned Development District No. 85, on the northeast corner of Greenville Avenue and Pineland Drive, south of Walnut Hill Lane, it was moved to **hold** this case under advisement until November 7, 2019.



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

For: 13 - MacGregor, Hampton, Johnson, Shidid,  
Carpenter, Brinson, Blair, Jung, Housewright,  
Schultz, Schwope, Murphy, Ridley

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, Place 15

**Notices:** Area: 400 Mailed: 253  
**Replies:** For: 5 Against: 0

**Speakers:** None

**Note: The Commission recessed for a short break at 6:02 p.m. The Commission reconvened at 6:11 p.m. and continued with the regular order of the agenda. The Commission heard the Appeal of Apportionment Determination agenda item next.**

Appeal of Apportionment Determination:

Planner: Lloyd Denman

**Motion I:** It was moved to make the finding of fact the proposed 92 foot extension of the new 8" water line is in part to serve future development.

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

For: 7 - MacGregor, Johnson, Shidid, Blair, Schwope,  
Murphy, Ridley

Against: 3 - Hampton, Brinson, Jung  
Absent: 3 - Carpenter, Housewright, Schultz  
Vacancy: 2 - District 3, Place 15

**Motion II:** It was moved to **modify (in part)** the decision of director's apportionment determination to a 50% apportionment paid by each party associated with 6028 Lewis Street new building development project to replace approximately 90 feet of an eighty-nine year-old 6" diameter water main with new 8" diameter pipe that will serve the building site.

Maker: Ridley  
Second: Murphy

Result: Failed: 5 to 5

For: 5 - Shidid, Blair, Jung, Murphy, Ridley  
Against: 5 - MacGregor, Hampton, Brinson, Johnson,  
Schwope  
Absent: 3 - Carpenter, Housewright, Schultz  
Vacancy: 2 - District 3, Place 15

**Motion III:** It was moved to **remand** the director's apportionment determination associated with 6028 Lewis Street new building development project to replace approximately 90 feet of an eighty-nine year-old 6" diameter water main with new 8" diameter pipe that will serve the building site for further consideration and evidentiary support.

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

For: 10 - MacGregor, Hampton, Johnson, Shidid,  
Brinson, Blair, Jung, Schwope, Murphy, Ridley  
Against: 0  
Absent: 3 - Carpenter, Housewright, Schultz  
Vacancy: 2 - District 3, Place 15

**Speakers:** Appellant: Peyman Hori, 2215 Cedar Springs Rd., Dallas, TX, 75201  
Appellant's Witness: Johnny Sudbury, 1023 Bird's Fort Trl., Arlington, TX, 76005  
City Plan Commission's Attorney: Casey Burgess, Assistant City Attorney, City of Dallas  
City's Attorney: Sonia Syed, Assistant City Attorney, City of Dallas  
Staff: David Lam, Senior Programs Manager, Engineering, City of Dallas  
Staff (Did not speak): Lloyd Denman, Assistant Director, Engineering, City of Dallas

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## Other Matters

### Applicability of Adopted Street Section Code Amendment Consideration

Consider taking amendments to Article IV, Article VIII and Article X referencing a proposed amendment to Article IX from the Zoning Ordinance Committee (Articles IV and X) and from the Subdivision Review Committee (Article VIII) for consideration by the Thoroughfare Committee pursuant to Section 13(d)(4) of the City Plan Commission rules of procedure. Any amendments would only be references to a proposed amendment to Article IX on the applicability of adopted street sections when there is a conflict between a city adopted street section and zoning requirements.

**Motion:** It was moved to recommend **approval** of taking amendments to Article IV, Article VIII and Article X referencing a proposed amendment to Article IX from the Zoning Ordinance Committee (Articles IV and X) and from the Subdivision Review Committee (Article VIII) for consideration by the Thoroughfare Committee pursuant to Section 13(d)(4) of the City Plan Commission rules of procedure. Any amendments would only be references to a proposed amendment to Article IX on the applicability of adopted street sections when there is a conflict between a city adopted street section and zoning requirements.

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

For: 10 - MacGregor, Hampton, Johnson, Shidid,  
Brinson, Blair, Jung, Schwope, Murphy, Ridley

Against: 0  
Absent: 3 - Carpenter, Housewright, Schultz  
Vacancy: 2 - District 3, Place 15

#### Minutes:

**Motion:** It was moved to **approve** the October 3, 2019, City Plan Commission meeting minutes, subject to corrections.

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

For: 10 - MacGregor, Hampton, Johnson, Shidid,  
Brinson, Blair, Jung, Schwope, Murphy, Ridley

Against: 0  
Absent: 3 - Carpenter, Housewright, Schultz  
Vacancy: 2 - District 3, Place 15

#### Adjournment

**Motion:** It was moved to **adjourn** the October 17, 2019, City Plan Commission meeting at 9:30 p.m.

Maker: MacGregor  
Second: Johnson  
Result: Carried: 10 to 0

For: 10 - MacGregor, Hampton, Johnson, Shidid,  
Brinson, Blair, Jung, Schwope, Murphy, Ridley

Against: 0

Absent: 3 - Carpenter, Housewright, Schultz

Vacancy: 2 - District 3, Place 15

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Tony Shidid, Chair