

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 2, 2017, with the briefing starting at 11:08 a.m., in Room 5ES and the public hearing at 1:35 p.m., in the City Council Chambers of City Hall. Presiding were, Gloria Tarpley, Chair and Matt Houston, Vice-Chair. The following Commissioners were present during the hearing: Mike Anglin, Mark Rieves, Jarred Davis, Tony Shidid, Jed Anantasomboon, Corwin Haney, P. Michael Jung, Tipton Housewright, Jaynie Schultz, 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: Korey Mack. 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: 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) **S167-075**

Motion: It was moved to **approve** an application to create one 1.056-acre lot from a tract of land in City Block 8038 on property located on Hunnicut Road at Highland Road, southwest corner, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

Speakers: None

(2) **S167-076**

Motion: It was moved to **approve** an application to replat 0.45-acre tract of land containing part of Lot 14 in City Block 1454 on property located on Rowan Street at Ware Street, southeast corner, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

Speakers: None

Miscellaneous Items:

D167-009

Planner: Andrew Ruegg

Motion: It was moved to **approve** a development plan for a Multiple-Family Use on property zoned Tract III of Planned Development Subdistrict No. 78 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Fairmount Street and Throckmorton Street.

Maker: Rieves
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

Speakers: None

W167-003

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period to submit an application for an amendment to Planned Development District No. 740 on the southeast corner of East Mockingbird Lane and North Central Expressway.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 1

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 1 - Jung
Absent: 1 - Mack
Vacancy: 0

Speakers: For: Jonathan Vinson, 2323 Ross Ave., Dallas, TX, 75201
Against: None

Z156-281(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to **approve** an extension of the six month time period until August 9, 2017, for scheduling a zoning request for City Council consideration of an application for a CR Community Retail District; and of a D-1 Liquor Control on the northwest side of Garland Road, southwest of Buckner Boulevard.

Maker: Jung
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon*, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

*out of the room, shown voting in favor

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

Certificates of Appropriateness for Signs:

1611100004

Planner: Sharon Hurd

Motion: It was moved to **approve** an application for a Certificate of Appropriateness by Taylor Tompkins of Willow Creek Signs for a 225 square-foot middle level attached sign at 301 South Akard Street (east elevation).

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

For: 10 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon*, Haney, Housewright,
Schultz*, Murphy

Against: 0
Absent: 1 - Mack
Vacancy: 0
Conflict: 4 - Jung, Peardon, Ridley, Tarpley

*out of the room, shown voting in favor

Speakers: For: None
FOR (Did not speak): Bill Humphrey, 8750 N. Central Expy., Dallas, TX, 75231
Rachel Ganceres, 1212 Jackson St., Dallas, TX, 75202
David Lambert, 308 S. Akard St., Dallas, TX, 75202
David Flory, 2633 Blue Mound Road West, Haslet, TX, 76052
Danielle Begley, 1107 Manassas Dr., Forney, TX, 75126
Against: None

1611100005

Planner: Sharon Hurd

Motion: It was moved to **approve** an application for a Certificate of Appropriateness by Taylor Tompkins of Willow Creek Signs for a 625 square-foot upper level attached sign at 208 South Akard Street (west elevation).

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

For: 10 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon*, Haney, Housewright,
Schultz*, Murphy

Against: 0
Absent: 1 - Mack
Vacancy: 0
Conflict: 4 - Jung, Peadon, Ridley, Tarpley

*out of the room, shown voting in favor

Speakers: For: None

FOR (Did not speak): Bill Humphrey, 8750 N. Central Expy., Dallas, TX, 75231
Rachel Ganceres, 1212 Jackson St., Dallas, TX, 75202
David Lambert, 308 S. Akard St., Dallas, TX, 75202
David Flory, 2633 Blue Mound Road West, Haslet, TX, 76052
Danielle Begley, 1107 Manassas Dr., Forney, TX, 75126

Against: None

1611100006

Planner: Sharon Hurd

Motion: It was moved to **approve** an application for a Certificate of Appropriateness by Taylor Tompkins of Willow Creek Signs for a 225 square-foot middle level attached sign at 208 South Akard Street (north elevation).

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

For: 10 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon*, Haney, Housewright,
Schultz*, Murphy

Against: 0
Absent: 1 - Mack
Vacancy: 0
Conflict: 4 - Jung, Peadon, Ridley, Tarpley

*out of the room, shown voting in favor

Speakers: For: None

FOR (Did not speak): Bill Humphrey, 8750 N. Central Expy., Dallas, TX, 75231
Rachel Ganceres, 1212 Jackson St., Dallas, TX, 75202
David Lambert, 308 S. Akard St., Dallas, TX, 75202
David Flory, 2633 Blue Mound Road West, Haslet, TX, 76052
Danielle Begley, 1107 Manassas Dr., Forney, TX, 75126

Against: None

1611100007

Planner: Sharon Hurd

Motion: It was moved to **approve** an application for a Certificate of Appropriateness by Taylor Tompkins of Willow Creek Signs for a 225 square-foot middle level attached sign at 208 South Akard Street (east elevation).

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

For: 10 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon*, Haney, Housewright,
Schultz*, Murphy

Against: 0
Absent: 1 - Mack
Vacancy: 0
Conflict: 4 - Jung, Peadon, Ridley, Tarpley

*out of the room, shown voting in favor

Speakers: For: None

FOR (Did not speak): Bill Humphrey, 8750 N. Central Expy., Dallas, TX, 75231
Rachel Ganceres, 1212 Jackson St., Dallas, TX, 75202
David Lambert, 308 S. Akard St., Dallas, TX, 75202
David Flory, 2633 Blue Mound Road West, Haslet, TX, 76052
Danielle Begley, 1107 Manassas Dr., Forney, TX, 75126

Against: None

1611100008

Planner: Sharon Hurd

Motion: It was moved to **approve** an application for a Certificate of Appropriateness by Taylor Tompkins of Willow Creek Signs for a 65 square-foot upper level attached sign at 2400 Ross Ave (northwest elevation).

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

For: 10 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon*, Haney, Housewright,
Schultz*, Murphy

Against: 0
Absent: 1 - Mack
Vacancy: 0
Conflict: 4 - Jung, Peadon, Ridley, Tarpley

*out of the room, shown voting in favor

Speakers: For: None

FOR (Did not speak): Bill Humphrey, 8750 N. Central Expy., Dallas, TX, 75231
Rachel Ganceres, 1212 Jackson St., Dallas, TX, 75202
David Lambert, 308 S. Akard St., Dallas, TX, 75202
David Flory, 2633 Blue Mound Road West, Haslet, TX, 76052
Danielle Begley, 1107 Manassas Dr., Forney, TX, 75126

Against: None

1611100009

Planner: Sharon Hurd

Motion: It was moved to **approve** an application for a Certificate of Appropriateness by Taylor Tompkins of Willow Creek Signs for a 225 square-foot middle level attached sign at 2400 Ross Ave (northeast elevation).

Maker: Rieves

Second: Murphy

Result: Carried: 10 to 0

For: 10 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon*, Haney, Housewright,
Schultz*, Murphy

Against: 0

Absent: 1 - Mack

Vacancy: 0

Conflict: 4 - Jung, Peadon, Ridley, Tarpley

*out of the room, shown voting in favor

Speakers: For: None

FOR (Did not speak): Bill Humphrey, 8750 N. Central Expy., Dallas, TX, 75231
Rachel Ganceres, 1212 Jackson St., Dallas, TX, 75202
David Lambert, 308 S. Akard St., Dallas, TX, 75202
David Flory, 2633 Blue Mound Road West, Haslet, TX, 76052
Danielle Begley, 1107 Manassas Dr., Forney, TX, 75126

Against: None

Zoning Cases – Consent:

1. **Z156-337(SH)**

Planner: Sharon Hurd

Motion: It was moved to recommend **approval** a Specific Use Permit for a tower/antenna for Cellular Communication for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation and conditions on property zoned R-7.5(A) Single Family District on the east side of Namur Street, south of Scyene Road.

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

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon*, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 53
Replies: For: 1 Against: 1

Speakers: None

2. **Z167-138(SM)**

Planner: Sarah May

Motion: In consider an application to renew Specific Use Permit No. 2138 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the south side of Military Parkway, between Scottsdale Drive and McNeil Street, it was moved to **hold** this case under advisement until March 2, 2017.

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

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon*, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

*out of the room, shown voting in favor

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

Speakers: None

3. Z167-142(PD)

Planner: Pamela Daniel

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2019 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue for a three-year period, subject to a revised site plan and conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District on the south side of Elm Street, east of North Good Latimer Expressway.

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

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon*, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 15
Replies: For: 3 Against: 0

Speakers: None

4. Z167-148(DL)

Planner: Diana Lowrance

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of the creation of a new subareas within Neighborhood Stabilization Overlay No. 7 (the Woodland Drive NSO) on property zoned an R-10(A) Single Family District on both sides of Deloache Avenue, between Preston Road and Edgemere Street.

Maker: Murphy
Second: Schultz
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

Notices: Area: 200 Mailed: 107
Replies: For: 25 Against: 3

Speakers: For: Stephen Brookshire, 6141 Deloache Ave., Dallas, TX, 75225
For (Did not speak): John Jagger, 6223 Deloache Ave., Dallas, TX, 75225
Cynthia Anthony, 6022 Deloache Ave., Dallas, TX, 75225
Guillermo Marmol, 6123 Deloache Ave., Dallas, TX, 75225
John Scovell, 6322 Deloache Ave., Dallas, TX, 75225
Carmen McMillan, 6108 Deloache Ave., Dallas, TX, 75225
Ron Saunders, 6214 Deloache Ave., Dallas, TX, 75225
Rona Goodman, 6311 Deloache Ave., Dallas, TX, 75225
Kathryn Bishop, 6023 Deloache Ave., Dallas, TX, 75225
Ellen Hoffman, 6132 Deloache Ave., Dallas, TX, 75225
Linda Willson, 6122 Deloache Ave., Dallas, TX, 752251
Against: Erika Moussa, 6307 Deloache Ave., Dallas, TX, 75225

Note: Upon the conclusion of item #4, Z167-148(DL) the Commission returned to the regular order of the agenda and heard Zoning Cases – Under Advisement items next, starting with agenda item, #6 Z167-101(OTH).

5. Z167-139(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2142 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 100,000 square feet or more for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned a RR Regional Retail District with a D-1 Liquor Control Overlay on the north side of Samuell Boulevard, west of South Buckner Boulevard.

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

For: 14 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon*, Haney, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 28
Replies: For: 0 Against: 0

Speakers: None

Note: Upon the conclusion of the Consent agenda items; the Commission heard agenda item #4, Z167-148(DL) next.

Zoning Cases – Under Advisement:

6. Z167-101(OTH)

Planner: Olga Torres Holyoak

Motion: In consider an application to amend Planned Development District No. 938 on property on the south side of Clarkwood Drive and the east side of Clark Springs Drive, north of Camp Wisdom Road, it was move to **hold** this case under advisement until February 16, 2017; with a request to instruct staff to provide conservation easement language and to refine additional concepts discussed.

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

For: 14 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

Notices: Area: 500 Mailed: 184
Replies: For: 3 Against: 12

Speakers: For: Carrie Gordon, 1130 N. Westmoreland Rd., Desoto, TX, 75115
Zack Jones, 1130 N. Westmoreland Rd., Desoto, TX, 75115
Against: None
Staff: Phil Erwin, Chief Arborist, Sustainable Development and Construction

7. Z145-157(WE)

Planner: Warren Ellis

Motion: In considering an application to amend and expand Planned Development District No. 400 for R-16(A) Single Family District and private school uses on property zoned an R-16(A) Single Family District and Planned Development District No. 400 on the west line of Midway Road, north of South Better Drive, it was moved to **hold** this case under advisement until March 2, 2017.

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

For: 14 - Anglin*, Rieves, Houston*, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 231
Replies: For: 19 Against: 48

Speakers: None

8. Z156-278(WE)

Planner: Warren Ellis

De minimus Significate 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 the parking in the commission's judgment is *de minimus* in nature.

Maker: Ridley
Second: Anglin
Result: Carried: 11 to 2

For: 11 - Anglin, Rieves, Houston*, Davis, Shidid,
Anantasomboon, Haney, Housewright, Schultz,
Ridley, Tarpley

Against: 2 - Jung, Peadon
Absent: 2 - Mack, Murphy
Vacancy: 0

*out of the room, shown voting in favor

Motion: It was moved to recommend **approval** of an amendment to, and an expansion of, Planned Development Subdistrict No. 111 for LC Light Commercial Subdistrict uses, subject to a development plan and revised conditions with the following modifications: 1) Under SEC. S-111.109. OFF-STREET PARKING AND LOADING, (b) Hotel or motel use. (1) Off-street parking, reduce the minimum required off-street parking from one space per 0.85 guest rooms/suites to one space per 0.75 guest rooms/suites and 2) Under SEC. S-111.108. YARD, LOT, AND SPACE REGULATIONS, (c) Hotel or motel use. (5) Floor area, (C) Nonresidential floor area, change the maximum combined floor area for nonresidential uses in conjunction with a hotel or motel use to 12,265 square feet on property zoned an LC Light Commercial Subdistrict and Planned Development Subdistrict No. 111 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest line of McKinney Avenue, northeast of Bowen Street.

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

For: 13 - Anglin, Rieves, Houston*, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright,
Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 2 - Mack, Murphy
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 402
Replies: For: 3 Against: 0

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

9. **Z156-357(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **denial without prejudice** for a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IM Industrial Manufacturing District on the east side of Spangler Road, south of Walnut Hill Lane, and north of Mañana Drive.

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

For: 12 - Anglin, Rieves, Houston*, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright*,
Schultz, Peadon, Tarpley

Against: 0
Absent: 2 - Mack, Murphy
Vacancy: 0
Conflict: 1 - Ridley

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 7
Replies: For: 0 Against: 1

Speakers: None

10. **Z167-122(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial** of a D(A) Duplex District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the southeast line of Capital Avenue, northeast of North Carroll Avenue.

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

For: 13 - Anglin, Rieves, Houston*, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright,
Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 2 - Mack, Murphy
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 31
Replies: For: 1 Against: 1

Speakers: None

Other Matters

Appointments to CPC Committees:

URBAN DESIGN ADVISORY COMMITTEE (UDAC)

Chair Tarpley announced Carlyn Ray's appointment to the Urban Design Advisory Committee.

Minutes

Motion: It was moved to **approve** the minutes of the January 19, 2017, City Plan Commission meeting, subject to corrections.

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

For: 13 - Anglin, Rieves, Houston*, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright,
Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 2 - Mack, Murphy
Vacancy: 0

*out of the room, shown voting in favor

Adjournment

Motion: It was moved to **adjourn** the February 2, 2017, City Plan Commission meeting at 3:56 p.m.

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

For: 13 - Anglin, Rieves, Houston*, Davis, Shidid,
Anantasomboon, Haney, Jung, Housewright,
Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 2 - Mack, Murphy
Vacancy: 0

*out of the room, shown voting in favor

Gloria Tarpley, Chair