

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on May 16, 2019, with the briefing starting at 10:10 a.m., in Room 5ES and the public hearing at 1:52 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, Clarice Criss, LeDouglas Johnson, Deborah Carpenter, Margaret Brinson, Christopher Lewis, P. Michael Jung, Tipton Housewright, Jaynie Schultz, Margot Murphy and Paul E. Ridley. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Peter Schulte. There was one vacancy: 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: 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) **S189-184**

Motion: It was moved to **approve** an application to replat a 0.190-acre tract of land containing all of lot 10 and part of Lot 11 in City Block 10/605 to create one lot on property located on Munger Avenue, east of Washington Avenue, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Speakers: For: None
For (Did not speak): Maxim Troshin, 3811 Munger Ave., Dallas, TX, 75204
Against: None

(2) **S189-185**

Motion: It was moved to **approve** an application to replat a 5.739-acre tract of land containing all of Lots 1 through 12 in City Block 11/7195, all of Lots 1 through 6 in City Block 2/7195, a portion of Block 7193, abandoned Nettie Street, and an abandoned 20-foot alley to create one 2.1235-acre lot and one 3.6155-acre lot on property located on Fitchburg Street, west of Chalk Hill Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Speakers: For: None
For (Did not speak): Aaron Klein, 930 S. Kimball Ave., Southlake, TX, 76092
Against: None

(3) **S189-186**

Motion: It was moved to **approve** an application to create 161 single family lots ranging in size from 4,920-square feet to 10,370-square feet and 10 common areas from a 47.780-acre tract of land on property located on Ranch Road, west of F.M. 548, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Speakers: None

(4) **S178-305R**

Motion: It was moved to **approve** an application to revise a previously approved plat (S178-305) to create 8 lots ranging in size from 0.929-acre to 3.444-acre from a 22.514-acre tract of land in City Block A/7409 on property located on Interstate Highway 635 (Lyndon B. Johnson Freeway), west of Preston Road, subject to compliance with the conditions listed in the docket.

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

For: 12 - MacGregor, Criss*, Johnson, Shidid,
Carpenter, Brinson, Lewis, Jung, Schultz,
Murphy, Ridley, Tarpley*

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

*out of the room, shown voting in favor

**out of the room, when vote taken

Speakers: None

(5) **S189-188**

Motion: It was moved to **approve** an application to replat a 2.981-acre tract of land containing all of Lots 4A and 5A in City Block A/6213 to create one lot on property located on Forney Road, east of South Buckner Boulevard, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Speakers: None

(6) **S189-190**

Motion: It was moved to **approve** an application to replat an 11.243-acre tract of land containing all of Lot 2B in City Block 16/8195, to create five lots ranging in size from 0.4242-acre to 4.7741-acre on property located on Arapaho Road at Meadowcreek Drive, northeast corner, subject to compliance with the conditions listed in the docket.

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

For: 12 - MacGregor, Criss*, Johnson, Shidid,
Carpenter, Brinson, Lewis, Jung, Schultz,
Murphy, Ridley, Tarpley*

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

*out of the room, shown voting in favor
**out of the room, when vote taken

Speakers: None

(7) **S189-191**

Motion: It was moved to **approve** an application to create a 0.719-acre lot containing all of Lots 1 through 5 in City Block 13/191 on property located on Commerce Street at Malcolm X Boulevard, southwest corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Speakers: None

(8) **S189-192**

Motion: It was moved to **approve** an application to replat a 76.155-acre tract of land containing all of Lots 1, 2A, 2E, 7A, 8A, 10A, 11, and 12B in City Block A/6931 to create 6 lots ranging in size from 0.8888-acre to 56.73.98-acres on property bounded between Camp Wisdom Road, Marvin D. Love Freeway, Interstate Highway 20, and Westmoreland Road, subject to compliance with the conditions listed in the docket.

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

For: 12 - MacGregor, Criss*, Johnson, Shidid,
Carpenter, Brinson, Lewis, Jung, Schultz,
Murphy, Ridley, Tarpley*

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

*out of the room, shown voting in favor
**out of the room, when vote taken

Speakers: None

Residential Replats and Building Line Reduction:

(9) **S189-183**

Building Line Motion: It was moved to **approve** an application to remove an existing platted 18.75-foot Building line along Oakmore Drive and to reduce a portion of an existing platted 7.5-foot building line to 5.45-feet along the west line of White Ash Road with the finding of fact that reduction of that portion 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 Oakmore Drive at White Ash Road, northwest corner.

Maker: Criss
Second: Lewis
Result: Carried: 13 to 0

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Replat Motion: It was moved to **approve** an application to replat a 0.164-acre tract of land containing all of Lot 18 to create one lot on property located on Oakmore Drive at White Ash Road, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Criss
Second: Lewis
Result: Carried: 13 to 0

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

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

Speakers: None

Residential Replats:

(10) **S189-187**

Motion: It was moved to **approve** an application to replat a 0.833-acre tract of land containing all of Lot 30 in City Block C/7404 to create a 4 lot Shared Access Development with lots ranging in size from 7,509-Square feet to 8,844-Square feet on property located on Ferguson Road, south of Larry Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 30
Replies: For: 1 Against: 2

Speakers: For: Santos Martinez, 52 Cheerful Way, Angel Fire, NM, 87710
Against: None

(11) **S189-032R**

Motion: It was moved to **approve** an application to revise a previously approved plat (S189-032) to replat a 3.621-acre tract of land containing all of Lot 4 and a tract of land in City Block 5075 to create a 12 lot Shared Access Development with lots ranging in size from a net area of 10,044-square feet to a net area of 13,722-square feet and one common area with a finding that there is no established lot pattern and the request complies with the requirements in Section 51A-8.503 and the R-10(A) Single Family District on property located at 4214 Northwest Highway, west of Midway Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 25
Replies: For: 9 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

Miscellaneous Items:

M189-020

Planner: Carlos Talison

Motion: It was moved to **approve** a minor amendment to the landscape plan on property zoned Planned Development District No. 930, on the northeast corner of Hillcrest Road and Walnut Hill Lane.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Speakers: For: None
For (Did not speak): Margaret Liddle, 10323 Boedeker Dr., Dallas, TX, 75230
Against: None

Certificates of Appropriateness for Signs:

Downtown SPSD – Retail:

Note: Certificates of Appropriateness for Signs items 1903180002 and 1903180004 were read into the record and heard together.

1903180002

Planner: Steve Long

Motion: It was moved to **approve** a Certificate of Appropriateness by Andrew Pettke of ANP Design Studio for a 37-square foot flat attached premise sign at 1920 Main Street (south elevation).

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Speakers: None

1903180004

Planner: Steve Long

Motion: It was moved to **approve** a Certificate of Appropriateness by Andrew Pettke of ANP Design Studio for a 30-square foot flat attached premise sign at 1920 Main Street (west elevation).

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Speakers: None

1903180021

Planner: Steve Long

Motion: It was moved to **approve** a Certificate of Appropriateness by Mary Yates of Hardman Signs for a 9-square foot lower level projecting attached sign at 1514 Elm Street (north elevation).

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Speakers: For: None

FOR (Did not speak): Julie Brown, 9980 Bammel N. Houston Rd., Houston, TX, 77086
Against: None

Deep Ellum/Near East Side SPSD:

1903190001

Planner: Steve Long

Motion: It was moved to **approve** a Certificate of Appropriateness by Steve Garrison for a 143-square foot flat attached painted premise sign at 400 S. Hall Street (north elevation).

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Speakers: None

1903190003

Planner: Steve Long

Motion: It was moved to **approve** a Certificate of Appropriateness by Russell Byrum of Russell Byrum Signs for an 86-square foot flat attached premise sign at 2825 Canton Street (north elevation).

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Speakers: For: None

For (Did not speak): Garrett Byrum, 1006 Johnson Ln., Midlothian, TX, 76065
Against: None

Special Provision Sign District:

SPSD189-005

Planner: Steve Long

Motion: It was moved to recommend **approval** of the removal of the McKinney Avenue Special Provision Sign District on property zoned Planned Development District No. 372, at the northeast corner of Lemmon Avenue and McKinney Avenue.

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

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Jung, Schultz, Murphy, Ridley,
Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

**out of the room, when vote taken

Notices: Area: 200 Mailed: 7
Replies: For: 0 Against: 0

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

Zoning Cases – Consent:

1. **Z189-216(AU)**

Planner: Andreea Udrea

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2253 for a bar, lounge or tavern use for a three-year period, subject to conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the east side of North Hall Street, between Elm Street and Main Street.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 24
Replies: For: 1 Against: 0

Speakers: None

2. **Z189-222(AU)**

Planner: Andreea Udrea

Motion: It was moved to recommend **approval** of a Specific Use Permit for a bar, lounge, or tavern for a two-year period, subject to a site plan and conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the southwest side of Exposition Avenue, west of Parry Avenue.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 8
Replies: For: 1 Against: 0

Speakers: For: None
FOR (Did not speak): Antonio Everette, 1914 Robin Meadow Dr., Carrollton, TX, 75007
Against: None

3. **Z189-224(CY)**

Planner: Carolina Yumet

Note: The Commission considered this item individually.

Motion I: It was moved to recommend **denial without prejudice** of the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue.

Maker: MacGregor
Second: Schultz
Result: Failed: 5 to 8

For: 5 - MacGregor, Criss, Carpenter, Jung, Schultz

Against: 8 - Johnson, Shidid, Brinson, Lewis, Housewright,
Murphy, Ridley, Tarpley

Absent: 1 - Schulte
Vacancy: 1 - District 12

Motion II: In considering an application for the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue, it was moved to **hold** this case under advisement until June 20, 2019.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 32
Replies: For: 1 Against: 1

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Rick Garza, 1314 Kings Highway, Dallas, TX, 75208
Ed Wilson, 975 Easton Pl., Dallas, TX, 75218
For (Did not speak): Allison Bradshaw, 1234 Kings Highway, Dallas, TX, 75208
Tanner Garza, 1234 Kings Highway, Dallas, TX, 75208
Brenda Garza, 223 E. Sixth St., Dallas, TX, 75203
Allison Garza, 1314 Kings Highway, Dallas, TX, 75208
Against: None

Note: The Commission heard Zoning agenda item #4. Z189-203(PD) next.

4. Z189-203(PD)

Planner: Pamela Daniel

Note: The Commission considered this item individually.

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 3,500 square feet or less for a two-year period, subject to a site plan and conditions on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, south of Great Trinity Forest Way (Loop 12), west of Murdock Road.

Maker: Lewis
Second: Criss
Result: Carried: 13 to 0

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

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

Speakers: For: Parvez Malik, 320 Decker Dr., Las Colinas, TX, 75062
Against: None

Note: The Commission heard Zoning agenda item #6. Z189-182(SM) next.

5. Z189-214(PD)

Planner: Pamela Daniel

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1305 for a public school other than an open-enrollment charter school for a permanent period, subject to a site plan, landscape plan, traffic management plan and conditions on property zoned a TH-2(A) Townhouse District with Specific Use Permit No. 1305, in an area generally bounded by Dickerson Street, Maribeth Drive, and Osage Plaza Parkway.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 400 Mailed: 93
Replies: For: 1 Against: 1

Speakers: None

Note: The Commission heard Zoning – Consent item #3. Z189-224(CY), upon the conclusion of the Consent agenda. The Commission heard Zoning – Consent item #3. Z189-224(CY) next.

6. Z189-182(SM)

Planner: Sarah May

Note: The Commission considered this item individually.

Motion: In considering an application for a Planned Development District for R-10(A) Single Family District uses and a tower/antenna for cellular communication on property zoned an R-10(A) Single Family District with Specific Use Permit No. 2123 for a child-care facility, on the east line of Webb Chapel Road, north of Timberview Road, it was moved to **hold** this case under advisement until June 6, 2019.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 119
Replies: For: 3 Against: 13

Speakers: For: None
Against: Kimberly Stanton Bowe, 3549 Timberview Rd., Dallas, TX. 75229

Note: The Commission heard Zoning agenda item #7. Z189-168(JM) next.

7. Z189-168(JM)

Planner: Jennifer Muñoz

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, subject to a development/landscape plan, a revised traffic management plan, and conditions on property zoned an R-5(A) Single Family District and a CR Community Retail District in an area bounded by Bickers Street to the north, North Westmoreland Road to the east, Gallagher Street to the south, and Furey Street to the west.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 105
Replies: For: 0 Against: 4

Speakers: For: Lindsay Krammer, 900 Jackson St., Dallas, TX, 75202
For (Did not speak): Maria Padilla, 3331 Bickers St., Dallas, TX, 75212
Jesus Padilla, 3331 Bickers St., Dallas, TX, 75212
Against: Debra Moore, 3739 Homeland St., Dallas, TX, 75212

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 #8. Z189-195(JM) next.

Zoning Cases – Under Advisement:

8. Z189-195(JM)

Planner: Jennifer Muñoz

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 Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the northeast corner of South Buckner Boulevard and Lake June Road, it was moved to **hold** this case under advisement until June 20, 2019.

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

For: 12 - MacGregor, Criss, Johnson, Carpenter,
Brinson, Lewis, Jung, Housewright, Schultz,
Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12
Conflict: 1 - Shidid**

**out of the room, when vote taken

Notices: Area: 200 Mailed: 12
Replies: For: 0 Against: 1

Speakers: None

9. **Z189-153(SM)**

Planner: Sarah May

Motion: In considering an application for an MU-2 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an MF-2(A) Multifamily District on the west line of Manderville Lane, south of Meadow Road, it was moved to **hold** this case under advisement until June 20, 2019.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 86
Replies: For: 1 Against: 2

Speakers: None

10. **Z189-189(SM)**

Planner: Sarah May

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1804 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant for a period to expire on December 10, 2019, subject to conditions on property zoned an IR Industrial Research District, on the north line of Commerce Street, west of Sylvan Avenue.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 12
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Ida Rodriguez, 1025 W. Commerce St., Dallas, TX, 75208
Against: None

11. Z189-210(SM)

Planner: Sarah May

Motion: In considering an application for an amendment to Planned Development District No. 880, on the north line of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane, it was moved to **hold** this case under advisement until June 20, 2019.

Maker: Schultz
Second: MacGregor
Result: Carried: 12 to 0

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Housewright, Schultz, Murphy,
Ridley, Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12
Conflict: 1 - Jung**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 95
Replies: For: 11 Against: 11

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

Zoning Cases – Individual:

12. **Z189-206(SM)**

Planner: Sarah May

Motion: In considering an application for a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay on the northeast corner of Greenville Avenue and Oram Street, it was moved to **hold** this case under advisement until June 20, 2019.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 138
Replies: For: 15 Against: 4

Speakers: For: None
FOR (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

13. **Z189-159(CT)**

Planner: Carlos Talison

Motion: In considering an application for the removal of a D Liquor Control Overlay on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay on the east line of Marvin D. Love Freeway, south of West Red Bird Lane, it was moved to **hold** this case under advisement until June 20, 2019 and to instruct staff to re-notify for a D-1 Liquor Control Overlay.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 400 Mailed: 120
Replies: For: 2 Against: 9

Speakers: For: Charles Lucenay, 118 Vintage Park Blvd., Houston, TX, 77070
For (Did not speak): Lillie Rosborough, 6520 Club Wood Dr., Dallas, TX, 75237
Against: Darlene Jones, 2540 Club Terrace Dr., Dallas, TX, 75237

14. **Z189-197(CY)**

Planner: Carolina Yumet

Motion: It was moved to recommend **denial without prejudice** of a TH-1(A) Townhome District on property zoned an R-7.5(A) Single Family District on the east side of Kenwell Street, at the terminus of Savage Street.

Friendly Amendment: Commissioner Jung offered a friendly amendment to change the original motion of denial without prejudice to a straight denial. Commissioner Ridley, the maker of the motion, and Commissioner Murphy, the seconder of the motion accepted the friendly amendment.

Motion: It was moved to recommend **denial** of a TH-1(A) Townhome District on property zoned an R-7.5(A) Single Family District on the east side of Kenwell Street, at the terminus of Savage Street.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 35
Replies: For: 1 Against: 4

Speakers: For: Danny Rose, 7502 Kenwell St., Dallas, TX, 75209
Rammie Rose, 7502 Kenwell St., Dallas, TX, 75209
Kevin Brown, 737 S. R.L. Thornton Fwy., Dallas, TX, 75203
Against: None

15. **Z189-225(AU)**

Planner: Andreea Udrea

Motion: In considering an application for a Specific Use Permit for commercial motor vehicle parking on property zoned an IR Industrial Research District, on the southeast corner of Vilbig Road and Seale Street, it was moved to **hold** this case under advisement until June 20, 2019.

Maker: Schultz
Second: MacGregor
Result: Carried: 12 to 0

For: 12 - MacGregor, Criss, Johnson, Shidid, Brinson,
Lewis, Jung, Housewright, Schultz, Murphy,
Ridley, Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12
Conflict: 1 - Carpenter**

**out of the room, when vote taken

Notices: Area: 300 Mailed: 41
Replies: For: 1 Against: 4

Speakers: For: Juan Davila, 115 N. Justin Ave., Dallas, TX, 75211
Maria Luna, 115 N. Justin Ave., Dallas, TX, 75211
Against: Marie Morin, 1006 Stafford St., Dallas, TX, 75208

16. **Z178-271(JM)**

Planner: Jennifer Muñoz

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 applicant's proposed change in the Commission's judgment is *de minimus* in nature.

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

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

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Motion II: It was moved to recommend **approval** of (1) an amendment to Planned Development District No. 944 from R-5(A) Single Family District uses to MU-1 Mixed Use District uses; and, (2) an expansion of Planned Development District No. 944, subject to a revised conceptual plan, a revised cross section for the shared access development in Subareas B and C, a cross section for a 53-foot right-of-way, two cross sections for an 80-foot right-of-way, and staff's recommended conditions, as briefed, with the following exceptions: 1) adopt applicant's required conditions for density, lot coverage and lot size and 2) modify one sentence in SEC. 51P-944.111., OFF-STREET PARKING AND LOADING., to state, "A minimum of one parking space is required for one bedroom units on lots of 770 square feet." on property zoned Planned Development District No. 944, an IR Industrial Research District and an IM Industrial Manufacturing District in an area bounded by Duluth Street and Singleton Boulevard to the north, Borger Street to the east, Pablo Street to the south, and Vilbig Road to the west.

Maker: Carpenter
Second: Lewis
Result: Carried: 12 to 1

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Jung, Schultz, Murphy, Ridley,
Tarpley

Against: 1 - Housewright
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 272
Replies: For: 7 Against: 0

Speakers: For: Santos Martinez, 52 Cheerful Way, Angel Fire, NM, 87710
Tatiana Farrow, 2407 N. Winnetka Ave., Dallas, TX, 75212
Wendi Macon, 3622 Ladd St., Dallas, TX, 75212
For (Did not speak): Maria DeSantiago, 1614 Westmount Ave., Dallas, TX, 75211
Paula Hutchison, 507 W. Main St., Dallas, TX, 75208
Against: Debra Moore, 3739 Homeland St., Dallas, TX, 75212
Ronnie Mestas, 3215 Rutz St., Dallas, TX, 75212
Jearldine McDaniel, 2515 Sylvan Ave., Dallas, TX, 75212
Against (Did not speak): Rayella Boyd, 1707 Kraft St., Dallas, TX, 75212
Patsy Jackson, 1953 Shaw St., Dallas, TX, 75212

Note: The Commission recessed for a break at 6:28 p.m. The Commission reconvened at 6:47 p.m. and continued with the regular order of the agenda. The Commission heard Authorization of a Hearing – Under Advisement agenda item next.

Authorization of a Hearing – Under Advisement:

Planner: Liz Casso

Motion: It was moved to **authorize** a public hearing to determine the proper zoning of the Property, using the amended boundaries specifically identified in the area as shown on the map and survey submitted by the applicant and distributed to the Commission on 5/16/19 on property zoned Subdistrict 2A within Planned Development District No. 714, Subdistrict 3 within Planned Development District No. 732, and CS Commercial Service, an area generally on the west side of Sylvan Avenue between Seale Street on the north and Ft. Worth Avenue on the south and containing approximately 3.714 acres with consideration being given to an historic overlay for Belmont Hotel.

Maker: Carpenter
Second: Lewis
Result: Carried: 12 to 0

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Jung, Housewright, Schultz,
Ridley, Tarpley
Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12

Speakers: For: Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201
David Preziosi, 2922 Swiss Ave, Dallas, TX, 75214
Jordan Ford, 901 Ft. Worth Ave., Dallas, TX, 75208
Against: None

Landmark Commission Appeal:

CA189-007(LC)

Planner: Liz Casso

Evidentiary Motion I: It was moved to **deny** acceptance of Appellant Karen Pieroni's Exhibits E1, E2, E3, G and H with a finding that these exhibits were available, however, not presented at the Landmark Commission hearing making them ineligible for City Plan Commission consideration.

Maker: Jung
Second: Lewis
Result: Carried: 12 to 0

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Jung, Housewright, Schultz,
Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12

Evidentiary Motion II: It was moved to **deny** acceptance of Appellant Karen Pieroni's Exhibits A and B (Sisak report and Report summary) with a finding that these exhibits were created after the Landmark Commission hearing making them ineligible for City Plan Commission consideration.

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

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Jung, Housewright, Schultz,
Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12

Motion: It was moved to **affirm (in whole)** the decision of the Landmark Commission to approve of a Certificate for Demolition or Removal of the Confederate memorial located at 1201 Marilla Street within the Pioneer Cemetery Historic District because the Landmark Commission did not violate a statutory or ordinance provision, exceed its authority or make a decision not reasonably supported by the evidence.

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

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Jung, Housewright, Schultz,
Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12

Speakers: Appellant: Chris Carter, Address not given
Appellant Pieroni Representative: Ryan Sisak, 1713 Colony St., Flower Mound, TX, 75028
Landmark Commission Attorney: Charles Estee, Assistant City Attorney
City Plan Commission Attorney: Kanesia Williams, Assistant City Attorney
Citizen Attendees: Ray Jordan, 2616 Colby St., Dallas, TX, 75204
Phea Kennedy, 6615 Tyree St., Dallas, TX, 75209
W. Marvin Dulaney, 616 Robin Meadow Dr., DeSoto, TX, 75115

Marion McMillan, 1015 Whitehaven Dr., Dallas, TX, 75218
Kyle Manning, 6602 Elvedon Dr., Dallas, TX, 75248
John Fullinwider, 1851 Fuller Dr., Dallas, TX, 75228
Amy Moore, 6629 Aberdeen Ave., Dallas, TX, 75230
Neil Cazares-Thomas, 5910 Cedar Springs Rd., Dallas, TX, 75235
Chris Slaughter, 4419 Oak Lawn Ave., Dallas, TX, 75219
Sally Manning, 6240 Cupertino Trl., Dallas, TX, 75252
E. T. Manning, 6240 Cupertino Trl., Dallas, TX, 75252
Margaret Kwoka, 1512 Glastonburg Dr., Plano, TX, 75075
William Kwoka, 1512 Glastonbury Dr., Plano, TX, 75075
John Bryant, 5915 Swiss Ave., Dallas, TX, 75214
Holly Bandel, 3194 Townsend Dr., Dallas, TX, 75229
Diane Ragsdale, 3611 Dunbar St., Dallas, TX, 75215
Sheron Patterson, 5520 Cedar Ridge Dr., Dallas, TX, 75236

Other Matters

Reconsideration:

Z178-223(CY)

Planner: Jennifer Muñoz

1. Suspension of the CPC Rules of Procedure to allow reconsideration of Z178-223(CY).

Motion: It was moved to **approve** suspension of the CPC Rules of Procedure to allow reconsideration of Z178-223(CY).

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

For: 11 - MacGregor, Criss, Johnson, Shidid,
Carpenter*, Brinson, Lewis, Jung, Schultz,
Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

*out of the room, shown voting in favor
**out of the room, when vote taken

If #1 is approved then consideration of #2.

2. Reconsideration of action taken on April 4, 2019, which was to move to hold this case under advisement until such time as the item has been amended, reauthorized, and a community meeting held; or if the amendment fails to be reauthorized the item shall return as currently authorized on the agenda of considering determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses.

Motion: It was moved to **approve** reconsideration of the action taken on April 4, 2019, which was to move to **hold** this case under advisement until such time as the item has been amended, reauthorized, and a community meeting held; or if the amendment fails to be reauthorized the item shall return as currently authorized on the agenda of considering determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses.

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

For: 11 - MacGregor, Criss, Johnson, Shidid,
Carpenter*, Brinson, Lewis, Jung, Schultz,
Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

*out of the room, shown voting in favor

**out of the room, when vote taken

If #2 is approved then consideration of #3.

3. **Z178-223(CY)**
Carolina Yumet
(CC District 2 & 14)

A City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses.

Staff Recommendation: **Approval** of the amendments.

U/A From: March 7, 2019 and March 21, 2019

Motion: In considering a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses, it was moved to **hold** this case under advisement until June 20, 2019, and to instruct staff to re-notify.

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

For: 11 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Jung, Schultz, Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 547
Replies: For: 5 Against: 37

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

Minutes:

Motion: It was moved to **approve** the minutes of the May 2, 2019, City Plan Commission meeting, subject to the following corrections:

- 1) Page 12, Item #6, Z189-186(CT), in line two of the motion insert the word “use” after “parking”;
- 2) Page 22, Item #20, Z189-141(JM), in the fifth and sixth lines of the motion strike “adopt applicant’s request with an additional” and begin subpoint “(1)” with “if a residential building is erected or altered.., ”;
- 3) Page 22, Item #20, Z189-141(JM), in the last line of the page correct “an floor area ration” with “a floor area ratio”; and
- 4) Page 11, Item #5, Z156-325(NW), in the motion correct “3)” to read as follows: “3) a mixed income housing development bonus for increased density of up to 65 additional units may be obtained if 5 percent of the total units are reserved for eligible households making between 61 to 80 percent AMFI in compliance with Division 51A-4.1100, however compliance with the design standards in Division 51A-4.1100 are not required, on property zoned Subdistrict S-1a”

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

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Jung, Housewright, Schultz,
Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12

Adjournment

Motion: It was moved to **adjourn** the May 16, 2019, City Plan Commission meeting at 9:11 p.m.

Maker: Schultz
Second: Criss
Result: Carried: 12 to 0

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter,
Brinson, Lewis, Jung, Housewright, Schultz,
Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12

Gloria Tarpley, Chair