

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on September 15, 2016, with the briefing starting at 11:03 a.m., in Room 5ES and the public hearing at 1:33 p.m., in the City Council Chambers of City Hall. Presiding were, Matt Houston, Acting Chair and Mike Anglin, Acting Vice-Chair. The following Commissioners were present during the hearing: Mark Rieves, Jarred Davis, Tony Shidid, Jed Anantasomboon, Corwin Haney, P. Michael Jung, Tipton Housewright, Jaynie Schultz, Carolyn "Cookie" Peadon and Margot Murphy. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Gloria Tarpley and Paul E. Ridley. There is one vacancy: District 7.

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) **S156-267**

Motion: It was moved to **approve** an application to replat a 3.684-acre tract of land containing all of Lot 2A in City Block B/6374 to create three lots ranging in size from 0.824-acre to 1.472-acres on property located at 8830 North Stemmons Freeway at Regal Row, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Rieves
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: For (Did not speak): Nash Patel, 8830 N. Stemmons Freeway, Dallas, TX, 75247
Against: None

(2) **S156-268**

Motion: It was moved to **approve** an application to replat a 0.408-acre tract of land containing all of Lots 38 and 39 into one lot on property located at 2023 and 2027 Prairie Avenue, northwest of Monarch Avenue, subject to compliance with the conditions listed in the docket with deletion of Conditions #16, #17, and #18.

Maker: Rieves
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: None

(3) **S156-269**

Motion: It was moved to **approve** an application to replat a 0.391-acre tract of land containing all of Lots 5 and 6 in City Block A/5432 to create one lot on property located on Abrams Road at Lontos Drive, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Rieves
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: None

(4) S156-271

Motion: It was moved to **approve** an application to replat a 11.523-acre tract of land containing all of Lots 1 through 5 in City Block A/8476 into 5 lots ranging in size from 0.896-acre to 5.293-acres on property located on Buckner Boulevard at Samuell Boulevard, northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Rieves
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: None

(5) S156-272

Motion: It was moved to **approve** an application to replat a 2.689-acre tract of land containing all of Lot 1 in City Block I/1626, all of Lots 9 through 16 in City Block H/1625, all of Lots 1 through 4 in City Block 1/1625, all of abandoned portion of Mabry Street, and all of two abandoned portions of alleys into one 0.124-acre lot, one 0.066-acre lot, one 0.070-acre lot, and one 2.429-acre lot on property located on Hester Avenue, between Cole Avenue and the Katy Trail, subject to compliance with the conditions listed in the docket.

Maker: Rieves
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: None

(6) S156-273

Motion: It was moved to **approve** an application to create one 3.829-acre lot from a tract of land in City Block 8032 on property located on Ledbetter Drive, west of Duncanville Road, subject to compliance with the conditions listed in the docket.

Maker: Rieves
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: None

(7) S156-276

Note: The Commission considered this item individually.

Motion: It was moved to **approve** an application to replat a 3.6297-acre tract of land containing all of Lots 14 through 22 in City Block 9/730, part of Lots 9 through 11 in City Block 9/730, all of Lots 13 and 14 in City Block 10/730, part of Lots 9 through 12 in City Block 10/730, and Lots 14 through 16 in City Block 10/730, and a portion of abandoned Bennett Avenue to create three lots ranging in size from 0.0394-acre to 2.4036-acre on property located on Live Oak Street between Collett Avenue and Fitzhugh Avenue, subject to compliance with the conditions listed in the docket.

Maker: Rieves
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

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

Note: Upon the conclusion of Subdivision agenda item 7, S156-276; the Commission returned to the regular order of the agenda and heard Subdivision agenda item 10, S156-277 next.

(8) S156-278

Motion: It was moved to **approve** an application to replat a 2.995-acre tract of land containing all of Lot 4 in City Block A/6061 into one 0.989-acre lot and one 2.006-acre lot on property located at 1717 West Mockingbird Lane, west of Harry Hines Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Rieves
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: None

(9) S156-279

Motion: It was moved to **approve** an application to create one 0.522-acre lot from a tract of land in City Block 1500 on property located at 4116 and 4122 Rawlins Street, southeast of Douglas Avenue, subject to compliance with the conditions listed in the docket.

Maker: Rieves
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: None

Building Line Removal:

(10) **S156-277**

Building Line Reduction Motion: It was moved to **approve** an application to reduce a portion of the existing platted 30-foot building line with the finding of fact that reduction 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 along the north line of Davila Drive to 27-feet on property located at 3889 Davila Drive, west of Lenel Drive.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Replat Motion: It was moved to **approve** an application to replat a tract of land containing all of Lot 22 in City Block 6/6176 on property located at 3889 Davila Drive, west of Lenel Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: For: Boguslaw Liczkowski, 3889 Davila Dr., Dallas, TX, 75220
Against: None

Residential Replats:

(11) **S156-274**

Motion: It was moved to **approve** an application to create one 0.156-acre lot from part of Block 14 in City Block 4255 of the Suburban Home Addition on property located at 1313 Nolte Drive, east of Edgefield Avenue, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: None

Miscellaneous Items:

W156-012

Planner: Neva Dean

Motion: It was moved to **approve** of a waiver of the two-year waiting period to submit an application for an amendment and expansion of Planned Development District No. 938 for MF-1(A) Multifamily District uses on the south line of Clarkwood Drive, the east line of Clark Springs Drive, and north of West Camp Wisdom Road.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: For: Thomas Gaubert, 1120 N. Westmoreland Rd., Desoto, TX, 75115
Against: None

D156-019

Planner: Laura Evans

Motion: It was moved to **approve** a development plan and landscape plan on property zoned Subdistrict A-2 within Planned Development District No. 741, northeast of the intersection of Olympus Boulevard and Cypress Waters Boulevard.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Speakers: None

Zoning Cases – Consent:

1. Z145-156(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the renewal of and an amendment to Specific Use Permit No. 1805 for an open-enrollment school for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan, traffic management plan, and conditions on property zoned an R-7.5(A) Single Family District on the southwest corner of Scyene Road and Prichard Lane.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Notices: Area: 400 Mailed: 50
Replies: For: 0 Against: 0

Speakers: For (Did not speak): Don Miles, 2800 Prichard Ln., Dallas, TX, 75227
Against: None

2. Z156-300(WE)

Planner: Warren Ellis

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1905 for a late-hours establishment limited to a restaurant without drive-in or drive-through use for a three-year period, subject to conditions on property within Planned Development District No. 842 for CR Community Retail District use with a MD-1 Modified Delta Overlay, on the west line of Greenville Avenue, south of Sears Street.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Notices: Area: 200 Mailed: 20
Replies: For: 5 Against: 0

Speakers: None

Note: The Commission returned to the regular order of the agenda and heard Zoning Case – Under Advisement item 5, Z156-263(JM) next.

3. Z156-307(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for local utilities limited to utilities services for a permanent period, subject to a site plan, landscape plan and conditions on property zoned an MF-2(A) Multifamily District, on the southwest line of Bank Street, southeast of Herndon Street.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

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

Speakers: None

4. **Z156-289(JM)**

Planner: Jennifer Muñoz

Motion: In considering an application for an application for 1) a CR Community Retail District with deed restrictions volunteered by the applicant and 2) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Control Overlay, on the west corner of South Beltline Road and Garden Grove Drive, it was moved to **hold** this case under advisement until October 20, 2016.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Notices: Area: 300 Mailed: 54
Replies: For: 0 Against: 6

Speakers: None

Zoning Cases – Under Advisement:

5. **Z156-263(JM)**

Planner: Jennifer Muñoz

Motion: In considering an application for a Planned Development District for a water pump station on property zoned an R-10(A) Single Family District, on the south line of Walnut Hill Lane, east of Marsh Lane, it was moved to **hold** this case under advisement until October 20, 2016.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 66
Replies: For: 5 Against: 2

Speakers: None

6. **Z156-284(JM)**

Planner: Jennifer Muñoz

Motion: In considering an application for a Planned Development District for MF-1(A) Multifamily District uses on property zoned an R-10(A) Single Family District, on the north side of Modella Avenue, east of Dennis Road, it was moved to **hold** this case under advisement until October 6, 2016.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 106
Replies: For: 8 Against: 4

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

7. Z156-295(AR)

Planner: Andrew Ruegg

Motion: It was moved to recommend **approval** of the renewal of, and amendment to Specific Use Permit No. 1767 for an alcoholic beverage establishment limited to a bar, lounge or tavern and the addition of an inside commercial amusement limited to a live music venue for a four-year period, subject to conditions on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District, north of Commerce Street, east of South Good Latimer Expressway.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Notices: Area: 200 Mailed: 12
Replies: For: 3 Against: 0

Speakers: For (Did not speak): Tammy Moss, 2617 Commerce St., Dallas, TX, 75226
Against: None

Zoning Cases – Individual:

8. Z156-294(JM)

Planner: Jennifer Muñoz

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern for a three-year period, subject to staff's recommended conditions on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the west side of Greenville Avenue, south of Sears Street.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Notices: Area: 200 Mailed: 21
Replies: For: 3 Against: 0

Speakers: For (Did not speak): Audra Buckley, Address not given
Against: None

9. Z156-208(OTH)

Planner: Olga Torres Holyoak

Motion: In considering an application for a Specific Use Permit for a commercial amusement (inside) for a dance hall and for the sale or service of alcohol in conjunction with a commercial amusement inside use on property zoned Subarea 6 within Planned Development District No. 366–D-1 with a D-1 Liquor Control Overlay on the east side of South Buckner Boulevard, south of Scyene Circle, it was moved to **hold** this case under advisement until October 6, 2016.

Maker: Houston
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 15
Replies: For: 1 Against: 2

Speakers: For: Teresa Hernandez, 804 Trailwood Dr., Desoto, TX, 75115
Against: None

Other Matters

Consideration of the 2017 City Plan Commission Calendar

Motion: In considering the 2017 City Plan Commission Calendar, it was moved to **hold** this matter under advisement indefinitely.

Maker: Houston
Second: Anglin
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Minutes

Motion: It was moved to **approve** the minutes of the September 1, 2016, City Plan Commission meeting, subject to corrections.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Adjournment

Motion: It was moved to **adjourn** the September 15, 2016, City Plan Commission meeting at 2:42 p.m.

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

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

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 7

Gloria Tarpley, Chair