

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 10, 2013, with the briefing starting at 11:35 a.m. in Room 5ES and the public hearing at 1:30 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and, Gloria Tarpley, Vice Chair. The following Commissioners were present during the hearing: Mike Anglin, Gabe Soto, Emma Rodgers, Betty Culbreath, Tony Hinojosa, Ann Bagley, Myrtl Lavallaisaa, John Shellene, Bruce Bernbaum, Margot Murphy and Paul E. Ridley. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Sally Wolfish. There is one vacancy – District 5.

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: Paul Nelson

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) **S123-261**

Motion: It was moved to **approve** an application to create a 0.485-acre lot from a tract of land in City Block 2/600 on property located at 3816 through 3824 Roseland Avenue, southwest of Caddo Street, subject to compliance with the conditions listed in the docket.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Speakers: None

(2) **S123-264**

Motion: It was moved to **approve** an application to replat a 15.612-acre tract of land containing part of Lot 1 in City Block A/6576 and part of a tract of land in City Block 5676 into one lot on property located at the southwest corner of Interstate Highway 35 at Mercer Parkway, subject to compliance with the conditions listed in the docket.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Speakers: None

(3) **S123-265**

Motion: It was moved to **approve** an application to create 5.9040-acre lot from a tract of land in City Block 7241 and City Block 7243 located at 1921, 1925, and 1927 West Commerce Street, west of Vilbig Road, subject to compliance with the conditions listed in the docket.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Speakers: None

(4) S123-266

Motion: It was moved to **approve** an application to create three lots ranging in size from 1.279 acres to 3.561 acres from a 12.337-acre tract of land on property located at the southeast corner of 408 Riverfront Boulevard and Zang Boulevard, subject to compliance with the conditions listed in the docket.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Speakers: None

Building Line Reduction/Removal:

(5) S123-263

Motion: It was moved to **deny** an application to replat a 0.434 acre lot containing all of Lot 1 in City Block 3/5565 to reduce a portion of the existing 50 foot platted building line to 30.2 feet along the south line of Glenleigh Drive and to increase the existing 25 feet platted building line to 30 feet along the east line of Manchester Drive with the finding of fact that the alteration of the building line will 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; and adversely affect the plan for the orderly development of the subdivision on property located at 4410 Glenleigh Drive at Manchester Drive.

Maker: Murphy
Second: Hinojosa
Result: Carried: 12 to 1

For: 12 - Anglin, Soto, Rodgers, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Murphy, Ridley, Alcantar

Against: 1 - Culbreath
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Speakers: For: Ben Tittle, 4410 Glenleigh Dr., Dallas, TX, 75220
Nancy Ludkowski, 4410 Glenleigh Dr., Dallas, TX, 75220
Against: Margaret, Watkins, 4526 Glenleigh Dr., Dallas, TX, 75220
Julie Boren, 4319 Enfield Dr., Dallas, TX, 75220
John McFarland, 4322 Glenleigh Dr., Dallas, TX, 75220
Ida Jane Bailey, 4406 Manning Ln., Dallas, TX, 75220

Residential Replats:

(6) **S123-262** This case was withdrawn by the applicant.

Certificates of Appropriateness for Signs:

1308131034

Planner: Carrie Gordon

Motion: It was moved to **approve** a Certificate of Appropriateness for Kenneth Phiffer for a 72-square-foot attached sign on the east elevation at 1717 McKinney Avenue.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Speakers: None

1308131037

Planner: Carrie Gordon

Motion: It was moved to **approve** a Certificate of Appropriateness for Kenneth Phiffer for a 320-square-foot attached sign on the west elevation at 1717 McKinney Avenue.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Speakers: None

Zoning Cases – Consent:

1. **Z123-106(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a new subdistrict and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a retail food store for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned Subarea B within Planned Development District No. 134 on the north corner of Lindsley Avenue and Graham Avenue.

Maker: Soto
Second: Hinojosa
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Notices: Area: 500 Mailed: 134
Replies: For: 3 Against: 6

Speakers: None

2. **Z123-314(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an NS(A) Neighborhood Service District on property zoned an R-5(A) Single Family District north of Singleton Boulevard, east of Toronto Street.

Maker: Soto
Second: Hinojosa
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Notices: Area: 200 Mailed: 18
Replies: For: 4 Against: 0

Speakers: For: Alejandro Valencia, 5711 Singleton Blvd., Dallas, TX, 75212
Against: None

3. Z123-324(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for GO(A) General Office District Uses, subject to revised sign elevations, as briefed, and staff's recommended conditions with the following revisions: 1) Sec. 51P- .111. SIGNS., (b) North Façade., (1) One additional attached premise sign is permitted within the shaded area as shown on the attached Sign Elevation-North Façade, 2) (c) South façade., (1) One additional attached premise sign is permitted within the shaded area as shown on the attached Sign Elevation-South Façade, and 3) both sign elevations will require additional staff recommend dimensional controls, which have been provided to the applicant on property zoned a GO(A) General Office District with deed restrictions, on the southeast line of Walnut Hill Lane, east of Golf Lakes Trail.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Notices: Area: 500 Mailed: 22
Replies: For: 1 Against: 1

Speakers: For: Suzan Kedron, 901 Main St., Dallas, TX, 75202
Against: None

Zoning Cases – Individual:

4. **Z123-304(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to and the renewal of Specific Use Permit No. 1904 for a Late-hours establishment limited to a restaurant with drive-in or drive-through service for a five-year period, subject to a revised site plan and revised conditions on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Modified Delta No. 1 Overlay on the southwest corner of Alta Avenue and Greenville Avenue.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Notices: Area: 200 Mailed: 40
Replies: For: 5 Against: 0

Speakers: For: Suzan Kedron, 901 Main St., Dallas, TX, 75202
Against: None

5. **Z112-309(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** a Specific Use Permit for an Outside salvage or reclamation use for a two-year period, subject to a site plan and staff's revised conditions with the following revision: 1) Page 5-5, 4., under Fluid Removal: change first sentence to subparagraph "a" and add new subparagraph "b" to read: "Best Management Practices must be implemented and properly maintained to prevent storm water contamination." on property zoned an IM Industrial Manufacturing District, on the southeast corner of Norwich Street and Bedford.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Notices: Area: 300 Mailed: 25
Replies: For: 2 Against: 0

Speakers: None

6. Z123-306(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a new Planned Development Subdistrict for multifamily uses, subject to a site plan and revised applicant's conditions on property zoned a Subdistrict A within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the north side of East Greenbriar Lane and northwest of North Zang Boulevard.

Maker: Anglin
Second: Shellene
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Notices: Area: 500 Mailed: 39
Replies: For: 9 Against: 1

Speakers: For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Against: None

Zoning Cases – Under Advisement:

7. Z123-321(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an amendment to Subarea B of Planned Development Subdistrict No. 66, subject to a conceptual plan and revised conditions, as briefed with following changes: 1) Under SEC. S-66.104. CONCEPTUAL PLAN., delete “Subarea A.” reference in the first sentence. 2) Under SEC. S-66.104. CONCEPTUAL PLAN., delete Subarea B paragraph entirely, and 3) SEC. S-66.105. DEVELOPMENT PLAN, maintain all the language in subparagraph “b”, 4) SEC. S-66.108. YARD, LOT, AND SPACE REGULATIONS, (b), second sentence to read: “Minimum setback from Harwood Street right-of-way is 12.5 feet”, and 5) SEC. S-66.108. YARD, LOT, AND SPACE REGULATIONS, (e) Height, (3) shall read: “Maximum structure height in Subarea B is as permitted in HC District”, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of Harwood Street, southeast of McKinney Avenue.

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

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Notices: Area: 500 Mailed: 75
Replies: For: 2 Against: 59

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Frank Stich, 4224 N. Hall St., Dallas, TX, 75219
Jim Harris, Address not given
Andrew Bennett, 6104 Shadycliff Dr., Dallas, TX, 75240
Against: Frank Schubert, 1999 McKinney Ave., Dallas, TX, 75201
Dick Brink, 1999 McKinney Ave., Dallas, TX, 75201

8. Z123-273(WE)

Planner: Warren Ellis

Motion: In considering an application for an RR Regional Retail District on property zoned an LO-3 Limited Office District on the west line of North Walton Walker Freeway, north of Twenty Grand Drive, it was moved to **hold** this case under advisement until October 24, 2013.

Maker: Hinojosa
Second: Bernbaum
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 1 - District 5

Notices: Area: 300 Mailed: 27
Replies: For: 2 Against: 4

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

9. Z123-268(MW)

Planner: Megan Wimer

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 LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the northeast corner of South Buckner Boulevard and Forney Road.

Maker: Bagley
Second: Rodgers
Result: Carried: 12 to 0

For: 12 - Anglin, Soto, Rodgers, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Murphy, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Wolfish
Vacancy: 1 - District 5

Notices: Area: 200 Mailed: 7
Replies: For: 1 Against: 1

Speakers: For: Pamela Craig, 2410 Taylor St., Dallas, TX, 75201
Against: None

10. Z123-302(AB)

Planner: Megan Wimer

Motion: In considering and application for the renewal of Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of Samuell Boulevard and North Jim Miller Road, it was moved to **hold** this case under advisement until October 24, 2013.

Maker: Bagley
Second: Rodgers
Result: Carried: 12 to 0

For: 12 - Anglin, Soto, Rodgers, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Murphy, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Wolfish
Vacancy: 1 - District 5

Notices: Area: 200 Mailed: 13
Replies: For: 0 Against: 0

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

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the September 26, 2013, City Plan Commission meeting, subject to the following correction(s):

DCA123-003 Result of Motion 1 carried 13:1.

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

For: 12 - Anglin, Soto, Rodgers, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Murphy, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Wolfish
Vacancy: 1 - District 5

Adjournment

Motion: It was moved to **adjourn** the October 10, 2013, City Plan Commission meeting at 3:29 p.m.

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

For: 12 - Anglin, Soto, Rodgers, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Murphy, Ridley, Alcantar

Against: 0
Absent: 2 - Culbreath, Wolfish
Vacancy: 1 - District 5

Joe Alcantar, Chair