

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 24, 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 Gloria Tarpley, Acting Chair and, Mike Anglin, Acting Vice Chair. The following Commissioners were present during the hearing: Gabe Soto, Emma Rodgers, Betty Culbreath, Tony Shidid, Tony Hinojosa, Ann Bagley, Myrtl Lavallaisaa, John Shellene, Bruce Bernbaum, 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: Joe Alcantar. 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: 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) **S123-267**

Motion: It was moved to **approve** an application to replat a 5.433-acre tract of land into one 1.495-acre lot and one 3.938-acre lot on property located on Interstate Highway 635, northwest of Abrams Road, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(2) **S123-269**

Motion: It was moved to **approve** an application to replat a 0.2283-acre tract of land containing all of Lot 1 and part of Lot 2 in City Block 2/2058 to create one lot on property located at 4100 Maple Avenue, west of Throckmorton Street, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(3) **S123-270**

Motion: It was moved to **approve** an application to replat a 1.0533 acre tract of land containing all of Lot 1, and a tract of land in City Block 39/1342 to create one lot on property located on Maple Avenue between Throckmorton Street and Reagan Street, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(4) **S123-274**

Motion: It was moved to **approve** an application to replat an 8.001-acre tract of land containing a portion of Lots 1 through 9, and all of Lots 10 through 15 in City Block A/6814; a portion of Lots 6 through 10, and all of Lots 1 through 5, and Lot 11 in City Block B/6814; a portion of Lot 2 and Lots 7 through 11, and all of Lots 3 through 6, City Block C/6814; a portion of Lots 2 through 6 and Lot 11, and all of Lots 7 through 10, in City Block D/6814; and a portion of the streets and alleys abandoned and quit claimed from the County of Dallas by the Instrument Recorded in Volume 3240, Page 149 D.R.D.C.T into one lot on property bounded by West Commerce Street, Haslett Street, Yorktown Street, and Pittman Street, subject to compliance with the conditions listed in the docket with the following revisions: 1) Condition #14 to read as follows: "On the final plat dedicate a 10 foot by 10 foot corner clip at West Commerce Street and Haslett Street." and 2) Condition #15 to read as follows: "On the final plat dedicate a 10 foot by 10 foot corner clip at West Commerce Street and Pittman Street."

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(5) **S123-275**

Motion: It was moved to **approve** an application to create a 1.421-acre lot from a tract of land in City Block C/7729 on property located on Merit Drive at I.H.-635, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(6) S123-276

Motion: It was moved to **approve** an application to replat a 5.106-acre tract of land to create 2 lots of land containing Lots 4, 5, and 6 in City Block C1999; part of Lots 9, 10, 14, 15 and 16, all of Lots 1 through 8 and 16, in City Block B/1999; containing all of Lots 1, 2, 3 and part of Lot 4 in City Block F/1996 and bounded by Manett Street, Bennett Avenue, and Fitzhugh Avenue; all of Lots 1, 2, 3, 4, 5, 6, and 7 in City Block A/1999 bounded by Mission Avenue, Bennett Avenue, and Fitzhugh Avenue, and abandoned Homer Street between Bennett Avenue and Fitzhugh Avenue, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(7) S123-277

Motion: It was moved to **approve** an application to replat a tract of land containing all of Lot 9 in City Block 645 and a contiguous 1.15-acre tract of land in City Block 645 into one 1.25-acre lot fronting on Caddo Street and fronting on North Washington Avenue, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(8) S123-280

Motion: It was moved to **approve** an application to replat a 0.402 acre tract of land containing all of Lots 9, and 10 in City Block 143/3202 into three lots of equal size 0.134-acre on property located on South Llewellyn Avenue at Twelfth Street, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(9) S123-281

Motion: It was moved to **approve** an application to replat a tract of land containing part of City Blocks 760 and 763; and all of City Block A/762 and part of abandoned Adair Street; and all of two abandoned alleys to create one 7.540-acre lot on property bounded by Gaston Avenue, N. Hall Street, Floyd Street, and Washington Avenue, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(10) **S123-282**

Motion: It was moved to **approve** an application to replat a 6.146-acre tract of land containing all of Lot 1 and a tract of land in City Block 2/741 into one lot on property bounded by St. Joseph Street, Live Oak Street, Apple Street, and Swiss Avenue, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

Building Line Reductions/Removals:

(11) **S123-268**

Removal of Building Line Motion: It was moved to **approve** an application to reduce the 40 foot platted building line along Longfellow Drive to 39 feet on property located at 6522 and 6532 Longfellow Drive with the finding of fact that removal of the platted building line will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision.

Maker: Bernbaum
Second: Hinojosa
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Replat Motion I: It was moved to **approve** an application to replat a 0.737-acre tract of land containing all of Lots 1 and 2 in City Block 33A/7460 into one lot along Longfellow Drive on property located at 6522 and 6532 Longfellow Drive, subject to compliance with the conditions listed in the docket.

Maker: Bernbaum
Second: Hinojosa
Result: Failed: 7 to 7

For: 7 - Soto, Rodgers, Culbreath, Shidid, Hinojosa,
Lavallaisaa, Bernbaum

Against: 7 - Anglin, Bagley, Tarpley, Shellene, Peadon,
Murphy, Ridley

Absent: 1 - Alcantar

Vacancy: 0

Replat Motion II: It was moved to **deny** an application to replat a 0.737-acre tract of land containing all of Lots 1 and 2 in City Block 33A/7460 into one lot along Longfellow Drive on property located at 6522 and 6532 Longfellow Drive, due to non-compliance with Chapter 51A-8.503, of the Dallas Development Code and approve the replat solely to reflect the reduction of the building line.

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

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

Against: 1 - Culbreath

Absent: 1 - Alcantar

Vacancy: 0

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Elizabeth Greif, 6532 Longfellow Dr., Dallas, TX, 75230
Dustin Eber, 6515 Longfellow Dr., Dallas, TX, 75230

Against: None

(12) **S123-272**

Removal of Building Line Motion: It was moved to **approve** an application to remove the platted 25 foot building line from Lot 7B, City Block 1/2253 on property located on Cotton Belt Avenue between Arroyo Drive and Lucas Drive with the finding of fact that removal of the platted building line will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peardon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Replat Motion: It was moved to **approve** an application to replat a 6.066-acre tract of land in City Block 1/2253 containing part of Lots 1, all of lots 2, 3, 4, 5A, 5B, 6, 7A, 7B, and 8 through 19 all in City Block 1/2253 to create one 6.066-acre lot on property located on Cotton Belt Avenue between Arroyo Drive and Lucas Drive, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peardon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(13) **S123-273**

Removal of Building Line Motion: It was moved to **approve** an application to replat all of Lot 15 in City Block G/5500 to reduce a portion of the existing platted 40 foot building line on Edgemere Road to 35.1 feet on property located at 11021 Edgemere Road with the finding of fact that removal of the platted building line will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision.

Maker: Bernbaum
Second: Hinojosa
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Replat Motion: It was moved to **approve** an application to replat all of Lot 15 in City Block G/5500 on Edgemere Road to 35.1 feet on property located at 11021 Edgemere Road, subject to compliance with the conditions listed in the docket.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

(14) **S123-278**

Removal of Building Line Motion: It was moved to **approve** an application to replat a 0.914-acre tract of land containing all of Lot 1 in City Block D/8418 to add a water easement and to remove the platted 25 foot front building line along the northwest line of Chimney Hill Lane; and to remove the 15 foot platted side yard building line on property located at Chimney Hill Lane and Ferris Creek Lane, northwest corner with the finding of fact that removal of the platted building line will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision.

Maker: Shellene
Second: Soto
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath*, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Replat Motion: It was moved to **approve** an application to replat a 0.914-acre tract of land containing all of Lot 1 in City Block D/ on property located at Chimney Hill Lane and Ferris Creek Lane, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: Soto
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: For: Fahim Khan, 400 Chisholm Pl., Plano, TX, 75075
Against: None

(15) **S123-283**

Removal of Building Line Motion: It was moved to **deny** an application to remove the existing 54.5 foot platted Building Line parallel to the south line of the Irving Boulevard Frontage Road; and to remove the existing 49.5 foot platted building line parallel to the east line of Woodall Street with the finding of fact that removal of the platted building line will be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision.

Maker: Hinojosa
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Replat Motion: It was moved to **approve** an application to replat a 2.636-acre tract of land containing all of Lots 9, 10, 11, and 12 in City Block 4/7695 to create one lot on the south line of Irving Boulevard Frontage Road, at Woodall Street, southeast corner, subject to compliance with the conditions listed in the docket with deletion of Condition #23.

Maker: Hinojosa
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: None

Residential Replats:

(16) **S123-271**

Motion: It was moved to **deny without prejudice** an application to replat all of Lots 9 and 10A in City Block J/8343 into one 3.051-acre lot on property located at 210 Navy Avenue at Verde Way, due to non-compliance with Chapter 51A-8.503, the Dallas Development Code.

Maker: Hinojosa
Second: Ridley
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Speakers: For: Lam Le, 210 S. Navy Ave., Dallas, TX, 75211
Against: None

Miscellaneous Items:

M123-030

Planner: Richard Brown

Motion: In considering and application for a minor amendment to the Residential 2 development plan for Planned Development District No. 222 for Shopping Center District Uses at the northwest corner of Frankford Road and Preston Road, it was moved to **hold** this case under advisement until November 21, 2013.

Maker: Bagley
Second: Bernbaum
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon*, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

M123-049

Planner: Richard Brown

Motion: It was moved to **approve** for a minor amendment to the Phase II development plan for Planned Development District No. 549 for certain Recreation Uses, Institutional and Community Service Uses, and R-7.5(A) Single Family District Uses in the southeast quadrant of Samuel Boulevard and Buckner Boulevard.

Maker: Bagley
Second: Bernbaum
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon*, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

W123-009

Planner: Carrie Gordon

Motion: It was moved to **approve** for a waiver of the two-year waiting period in order to allow for appropriate office signage for two major tenants that have or are consummating lease agreements for Subdistrict A within the Arts District Special Provision Sign District an area generally bounded by Flora Street, Leonard Street, Ross Avenue and Crockett Street.

Maker: Ridley
Second: Hinojosa
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

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

Zoning Cases – Consent:

1. **Z123-208(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1835 for the Sale of alcoholic beverages in conjunction with a general merchandise store greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and conditions on property zoned CR Community Retail with a D-1 Liquor Control Overlay on the south line of Scyene Road, east of Namur Street.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Notices: Area: 200 Mailed: 10
Replies: For: 2 Against: 0

Speakers: None

2. **Z123-270(AB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Vehicle display, sales, and service use for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site/landscape plan and conditions on property within the Subdistrict 5 portion of Planned Development District No. 533, the C. F. Hawn Special Purpose District, on the northwest corner of C.F. Hawn Freeway and Hillburn Drive.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Notices: Area: 200 Mailed: 9
Replies: For: 2 Against: 0

Speakers: None

3. Z123-280(RB)

Planner: Richard Brown

Motion: In considering an application for a Specific Use Permit for an Open-enrollment charter school and a Child-care facility on property zoned an R-7.5(A) Single Family District on property bounded by Palo Alto Drive, South El Centro Way, Texoma Way, Morgan Drive, and San Jose Avenue, it was moved to **hold** this case under advisement until December 5, 2013.

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

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

Against: 0
Absent: 2 - Culbreath, Alcantar
Vacancy: 0

Notices: Area: 300 Mailed: 65
Replies: For: 5 Against: 0

Speakers: For: Lew Blackburn, 325 W. 12th St., Dallas, TX, 75208
Against: Lionel Churchill, 7439 San Jose Ave., Dallas, TX, 75241
Arbertha Herrod, 5151 Lauderdale Dr., Dallas, TX, 75241
James Williams, 3019 Pine Trail Rd., Dallas, TX, 75241
Robert Lee Cornell, 3634 Moonstone Dr., Dallas, TX, 75241
Angel Brown, 6659 Cool Morn Rd., Dallas, TX, 75241
Frances Churchill, 7439 San Jose Ave., Dallas, TX, 75241
Against (Did not speak): Bernice Herod, 3002 Pine Trail Ct., Dallas, TX, 75241
Dieter King, 3002 Pine Trail Ct., Dallas, TX, 75241

4. Z123-250(OTH)

Planner: Olga Torres Holyoak

Motion: In considering an application for an amendment to and renewal of Specific Use Permit No. 1808 for an industrial (inside) potentially incompatible use for an automobile recycling plant and an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District on the west line of Weir Street, south of Singleton Boulevard, it was moved to **hold** this case under advisement until November 21, 2013.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Notices: Area: 300 Mailed: 8
Replies: For: 2 Against: 0

Speakers: None

5. Z123-337(CG)

Planner: Carrie Gordon

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet 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 CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north line of Great Trinity Forest Way (Loop 12), east of Jim Miller Road.

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

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Notices: Area: 300 Mailed: 16
Replies: For: 0 Against: 0
Speakers: None

6. **Z123-344(CG)**

Planner: Carrie Gordon

Motion: It was moved to recommend **denial** of the renewal of Specific Use Permit No. 1906 for a late-hours establishment limited to a restaurant on property zoned Planned Development District No. 842, Belmont Townhomes for CR Community Retail District uses with an MD-1 Modified Delta One Overlay on the northeast corner of Prospect Avenue and Greenville Avenue.

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

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

Against: 0
Absent: 2 - Culbreath, Alcantar
Vacancy: 0

Notices: Area: 200 Mailed: 21
Replies: For: 2 Against: 1

Speakers: For: Jackie Herrera, 4526 Thunder Rd., Dallas, TX, 75244
Against: Patricia Carr, 5843 Vanderbilt Ave., Dallas, TX, 75206
Cheryl Kellis, 2509 Summit Ave., Dallas, TX, 75206
Beth Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Rick Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Will Short, 5618 Richard Ave., Dallas, TX, 75206
Darren Dattalo, 5911 Goliad Ave., Dallas, TX, 75206
Kim Comerford, 5623 Richmond Ave., Dallas, TX, 75206
Gay Hopkins, 6030 Monticello Ave., Dallas, TX, 752506

7. **Z123-310(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** for a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions on property zoned Subdistrict 3 of Planned Development District No. 317, the Cedars Area Special Purpose District on the west corner of South Akard Street and Griffin Street.

Maker: Soto
Second: Shellene
Result: Carried: 11 to 0

For: 11 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Lavallaisaa, Tarpley, Shellene, Peadon,
Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0
Conflict: 1 - Bagley

Notices: Area: 300 Mailed: 72
Replies: For: 2 Against: 0

Speakers: For (Did not speak): Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

8. Z123-340(WE)

Planner: Warren Ellis

Motion: In considering an application for an amendment to Planned Development District No. 759 for RR Regional Retail District uses generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue, it was moved to **hold** this case under advisement until November 7, 2013.

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

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

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Notices: Area: 500 Mailed: 217
Replies: For: 13 Against: 1

Speakers: None

9. Z123-347(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern and commercial amusement (inside) for a dance hall for a two-year period, subject to conditions on property zoned Tract A within Planned Development District No. 269 on the southwest corner of Elm Street and North Crowds Street.

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

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

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Notices: Area: 200 Mailed: 20
Replies: For: 1 Against: 0

Speakers: None

Zoning Cases – Under Advisement:

10. Z123-302(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of 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 for a one-year period, subject to a revised site/landscape plan and revised conditions 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.

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene*, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

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

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

11. Z123-135(WE)

Planner: Warren Ellis

Motion: In considering an application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street; it was moved to **hold** this case under advisement until November 7, 2013.

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene*,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 76
Replies: For: 4 Against: 0

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

12. Z123-273(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an RR Regional Retail District on property zoned an LO-3 Limited Office District, subject to deed restrictions volunteered by the applicant on the west line of North Walton Walker Freeway, north of Twenty Grand Drive.

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

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

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

Zoning Cases – Individual:

13. **Z123-238(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development for an MU-2 Mixed Use District, subject to a conceptual plan and conditions and **denial** of Specific Use Permit for outside sales on property zoned an IR Industrial Research District and Planned Development District No. 498, the Harry Hines Corridor Special Purpose District on the northeast corner of Royal Lane and Grissom Lane.

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Notices: Area: 500 Mailed: 56
Replies: For: 4 Against: 7

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

14. **Z123-317(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of the creation of a new Subdistrict, subject to conditions in Planned Development District No. 357, the Farmers Market Special Purpose District generally bounded by Marilla Street, South Cesar Chavez Boulevard, East R.L. Thornton Freeway and South Harwood Street.

Maker: Soto
Second: Shellene
Result: Carried: 12 to 0

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Notices: Area: 500 Mailed: 124
Replies: For: 8 Against: 0

Speakers: For: Tommy Mann, 500 Winstead Bldg., Dallas, TX, 75270
Against: None

Note: Commissioner Soto moved to change the order of the agenda and hear Zoning case #16 Z123-312(MW) next. Commissioner Bagley seconded the motion. The Commission unanimously voted to hear Z123-312(MW). Commissioners Culbreath, Bernbaum and Alcantar were absent. The Commission heard Zoning case #16 Z123-312(MW) next.

15. **Z123-292(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of the creation of a new subdistrict and a new recycling center use, subject to Dallas City Code, Chapter 40B-(6)(b)(2) and including recyclable materials, subject to applicant's revised conditions on property zoned Subdistrict 4 within Planned Development District No. 317, the Cedars Area Special Purpose District, and **approval** of a Specific Use Permit for a recycling center for a period to end on January 31, 2015, subject to a site plan and applicant's conditions on the southeast corner of Wall Street and Corinth Street.

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Notices: Area: 500 Mailed: 32
Replies: For: 1 Against: 5

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

Note: The Commission delayed the vote on #15 Z123-292(JH) to hear from John Rogers, Assistant City Attorney. The Commission heard agenda items under Other Matters next.

16. Z123-312(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a WMU-8 Walkable Mixed Use District with a Shopfront Overlay on property zoned an IR Industrial Research District on the west corner of Inwood Road and Brown Street.

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Notices: Area: 400 Mailed: 53
Replies: For: 14 Against: 0

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

Note: Commissioner Hinojosa moved to change the order of the agenda and hear agenda item #17 Z112-297(MW) next. Commissioner Ridley seconded the motion. The Commission unanimously voted to hear Z112-297(MW). Commissioners Culbreath, Bernbaum and Alcantar were absent. The Commission heard agenda item #17 Z112-297(MW) next.

Reconsideration:

17. Z112-297(MW)

Planner: Megan Wimer

Motion I: It was moved to approve the suspension the CPC Rules of Procedure to reconsider Z112-297(MW).

Maker: Peadon
Second: Shellene
Result: Carried: 12 to 0

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Motion II: It was moved to **approve** the reconsideration of the action taken on September 12, 2013, which was to move to recommend approval of amendments to Tracts 2, 3 and 4 and creation of a new Tract, subject to a revised conceptual plan, development plan and revised conditions to include the following: 1) Section 51P-561.105., DEVELOPMENT PLAN., move (a)(1) and (a)(2) under (b), 2) Section 51P-561.109., YARD, LOT, AND SPACE REGULATIONS., delete (b)(2)(F), 3) Section 51P-561.109., YARD, LOT, AND SPACE REGULATIONS., (e), Height., (3) to read "Maximum structure height is 16 feet.", and 4) Section 51P-561.122., ADDITIONAL PROVISIONS., under (e) strike "or within courtyards or breezeways completely screened from the perimeter" within Tract 1 of Planned Development District No. 561 on the north side of Keller Springs Road, east of Glen Abbey Drive.

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Z112-297(MW)

Planner: Megan Wimer

Motion III: In considering an application to amend Tracts 2, 3 and 4 and to create a new tract within Tract 1 of Planned Development District No. 561 on the north side of Keller Springs Road, east of Glen Abbey Drive, it was moved to **hold** this case under advisement until November 7, 2013, and instruct staff to properly advertise for the November 7, 2013 meeting.

Maker: Peadon
Second: Shellene
Result: Carried: 12 to 0

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Speakers: None

Note: The Commission heard Zoning case #15 Z123-292(JH) next.

Other Matters

Consideration of appointment to the following CPC Committees:

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC)

ARTS DISTRICT SIGN ADVISORY COMMITTEE (ADSAC)

Motion: It was moved to **approve** the appointments to the Special Sign District Advisory Committee and Arts District Sign Advisory Committee.

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Minutes

Motion: It was moved to **approve** the minutes of the October 10, 2013, City Plan Commission meeting, subject to the following correction(s):

#7 Z123-321(JH)

- 1) Renumber changes to conditions
- 2) Under SEC S-66-108. YARD, LOT, AND SPACE REGULATIONS, (e) Height, (3), strike “maintain the language with the following provision to read” and substitute with “shall read”

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Note: The Commission returned to Zoning case #15 Z123-292(JH).

Adjournment

Motion: It was moved to **adjourn** the October 24, 2013, City Plan Commission meeting at 5:52 p.m.

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

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

Joe Alcantar, Chair