

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on September 20, 2018, with the briefing starting at 11:08 a.m., in Room 5ES and the public hearing at 1:35 p.m., in the City Council Chambers of City Hall. Presiding were, Gloria Tarpley, Chair and, Margot Murphy, Acting Vice-Chair. The following Commissioners were present during the hearing: Chad West, Mark Rieves, Jarred Davis, Tony Shidid, Deborah Carpenter, Korey Mack, Christopher B. Lewis, P. Michael Jung, Tipton Housewright, Jaynie Schultz, Carolyn "Cookie" Peadon and Paul E. Ridley. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. There is one vacancy: District 3.

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) **S178-297**

Note: Staff corrected agenda and case report language to reflect a change in the acreage from a 0.280-acre tract to an 8.652-acre tract.

Motion: It was moved to **approve** an application to create two lots from a 8.652-acre tract of land containing all of City Blocks 255, 260, 260 ½, and part of abandoned streets on property between Live Oak Street and Pacific Street, east of Olive Street, subject to compliance with the conditions listed in the docket.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright*, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

(2) **S178-299**

Motion: It was moved to **approve** an application to replat a 0.376-acre tract of land containing all of Lots 7 and 8 in City Block 6/1597 to create one lot on property located at 4527 Cabell Drive, south of Annex Avenue, subject to compliance with the conditions listed in the docket.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter,
Mack, Lewis, Jung, Housewright*, Schultz,
Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

(3) **S178-300**

Motion: It was moved to **approve** an application to create one 0.32-acre lot from a tract of land in City Block 5800 on property located at Forney Road, west of Lawnview Avenue, subject to compliance with the conditions listed in the docket.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright*, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

(4) S178-301

Motion: It was moved to **approve** an application to create one 2.431-acre lot from a tract of land in City Blocks 5878 and 5879 on property located on Kiest Boulevard at Marvin D. Love Freeway, northeast corner, subject to compliance with the conditions listed in the docket.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright*, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

(5) S178-304

Motion: It was moved to **approve** an application to create an 8-lot shared access development from a 0.317-acre tract of land containing all of lots 1 and 2 in City Block N/1480 on property located on Ross Avenue at Mary Street, west of Hubert Street, subject to compliance with the conditions listed in the docket to include an additional condition to read as follows: "On the final plat, clearly identify the centerline of shared access easement area."

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright*, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

(6) S178-305

Motion: It was moved to **approve** an application to replat a 22.514-acre tract of land containing all of Lot 2 in City Block A/7409 and part of City Block 7409 to create four lots ranging in size from 2.652-acre to 6.821-acre 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 and to include an additional condition to read as follows: "A Paving and/or Drainage Covenant agreement is required which specifies each party's responsibilities to dedicate street right-of-way and construct the public improvements around the perimeter of the plat."

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

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Schultz, Peadon, Murphy, Ridley,
Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3
Conflict: 1 - Housewright

Speakers: For: None

FOR (Did not speak): James Bry, 500 Fifth Ave., New York, NY, 10110
Bill Guthrey, 6522 Prestonshire Ln., Dallas, TX, 75225
Jeff Martin, 6060 Rockside Blvd., Cleveland, OH, 44131

Against: None

Residential Replat and Building Line Reductions:

(7) **S178-296**

Building Line Motion: It was moved to **approve** an application to reduce a portion of the existing 10-foot building line and jog around a proposed swimming pool with the finding of fact that reduction of a portion of the existing 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 at 15 Wooded Gate Drive, south of Greenwich Lane.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Replat Motion: It was moved to **approve** an application to replat a 0.192-acre lot containing all of Lot 7 in City Block 44A/7460, on property located at 15 Wooded Gate Drive, south of Greenwich Lane, subject to compliance with the conditions listed in the docket.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Notices: Area: 200 Mailed: 33
Replies: For: 6 Against: 8

Speakers: For: William Dearman, 15 Wooded Gate Dr., Dallas, TX, 75230
Jerry Skibell, 7 Wooded Gate Dr., Dallas, TX, 75230
Against: Dennis White, 11924 Forest lake Ln., Dallas, TX, 75230
Karin Wacaster, 11916 Forest Lake Ln., Dallas, TX, 75230
Melanie Sundeen 11912 Forest Lake Ln., Dallas, TX, 75230
Dan Sundeen 11912 Forest Lake Ln., Dallas, TX, 75230

(8) **S178-298**

Building Line Motion: It was moved to **approve** an application to reduce a portion of the existing 50-foot building line to 43.5 feet along the north line of Gaywood Road with the finding of fact that reduction of a portion of the existing 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 at 10211 Gaywood Road, east of Hollow Way Road.

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

For: 14 - West, Rieves, Davis*, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Replat Motion: It was moved to **approve** an application to replat a 0.856-acre tract of land containing all of Lot 12 and part of Lot 11 in City Block E/5517 to create one lot on property located at 10211 Gaywood Road, east of Hollow Way Road, subject to compliance with the conditions listed in the docket.

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

For: 14 - West, Rieves, Davis*, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 11
Replies: For: 2 Against: 0

Speakers: For: Bruce Baughman, 6606 Mapleshade Ln., Dallas, TX, 75252
For (Did not speak): Billy Duckworth, 2220 Gus Thomasson Rd., Mesquite, TX, 75150
Against: None

Miscellaneous Items:

D178-016

Planner: Carlos Talison

Motion: It was moved to **approve** a development plan and landscape plan for a medical laboratory use on property zoned Subarea C within Planned Development District No. 745, on the southwest corner of Midtown Boulevard and Manderville Lane.

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

For: 14 - West, Rieves, Davis*, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

D178-018

Planner: Carlos Talison

Motion: It was moved to **approve** a development plan and landscape plan for an office and restaurant use on property zoned Subarea C within Planned Development District No. 758, on the southeast corner of Walnut Hill Lane and Wildcat Way.

Maker: Housewright
Second: Mack
Result: Carried: 14 to 0

For: 14 - West, Rieves, Davis*, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

D178-019

Planner: Abraham Martinez

Motion: It was moved to **approve** a development plan and landscape plan for a private recreation center, club, or area on property zoned Subdistrict S-8 within the South Zone of Planned Development District No. 521, on the northwest corner of Saddleridge Drive and Isom Lane.

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

For: 14 - West, Rieves, Davis*, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley*

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

M178-042

Planner: Abraham Martinez

Motion: It was moved to **approve** a minor amendment to the existing development plan to modify the layout of previous approved additions and add an one-story fieldhouse/storm shelter for a public school other than an open-enrollment charter school [Seagoville High School] on property zoned Planned Development District No. 512, in an area generally bound by North Woody Road, Seagoville Road, and East Stark Road.

Maker: Lewis
Second: Carpenter
Result: Carried: 14 to 0

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright*, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

M178-044

Planner: Carlos Talison

Motion: It was moved to **approve** a minor amendment to the existing development plan on property zoned as Subdistrict 2 within Planned Development District No. 732, on the east line of Wickmere Mews at Malone Cliff View.

Maker: Carpenter
Second: Lewis
Result: Carried: 14 to 0

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Speakers: None

M178-045

Planner: Carlos Talison

Motion: It was moved to **approve** a minor amendment to the existing development plan for a public school other than an open-enrollment charter school [John Ireland Elementary School] on property zoned Planned Development District No. 661, in an area generally bound by Gillette Street, Seco Boulevard, and North Jim Miller Road.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Speakers: None

Miscellaneous Items – Under Advisement:

D178-004

Planner: Carlos Talison

Motion: It was moved to **approve** a development plan for an office and retail/personal service use with parking garage on property zoned the North Subdistrict within Planned Development District No. 582, Victory Planned Development District, on the east line of Victory Avenue at All Star Way.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz*, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Speakers: None

Zoning Cases – Consent:

1. **Z178-221(MB)**

Planner: Mohammad Bordbar

Motion: In considering an application for an amendment to Planned Development District No. 734 for a public school other than an open-enrollment charter school on property zoned Planned Development District No. 734, on the southeast corner of Nuestra Drive and Wozencraft Drive, it was moved to **hold** this case under advisement until October 4, 2018.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack, Lewis, Jung, Housewright, Schultz*, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 214
Replies: For: 1 Against: 2

Speakers: For: None
Against: Frank Murphy, 5658 Charlestown Dr., Dallas, TX, 75230

2. **Z178-304(PD)**

Planner: Pamela Daniel

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period, subject to revised conditions with the following modifications: 1) prohibit speakers, amplification or live music on the patio and rooftop; 2) close front patio at 2:00 a.m.; 3) close rooftop at 12:00 a.m., when in use; 4) restaurant and food beverage service close at 2:00 a.m.; and 5) prohibit rear window takeout service on property zoned Planned Development District No. 842, with a MD-1 Modified Delta Overlay for CR Community Retail District uses, on the east line of Greenville Avenue, between Prospect Avenue and Oram Street.

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

For: 14 - West, Rieves, Davis, Shidid*, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz*, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 24
Replies: For: 4 Against: 0

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

Note: The Commission heard zoning agenda item #3. Z178-312(PD) next.

3. Z178-312(PD)

Planner: Pamela Daniel

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1853 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 revised site plan and conditions on property zoned an RR-D-1 Regional Retail District, with a D-1 Liquor Control Overlay, on the northeast corner of Royal Lane and North Stemmons Freeway.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Notices: Area: 200 Mailed: 12
Replies: For: 0 Against: 0
Speakers: None

Note: The Commission heard zoning agenda item #5. Z178-267(SM) next.

4. Z178-305(SM)

Planner: Sarah May

Motion: In considering an application for the renewal of Specific Use Permit No. 2219 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned Subarea 6 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the east side of South Buckner Boulevard, between Scyene Road and Bearden Lane, it was moved to **hold** this case under advisement until November 1, 2018.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz*, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 6
Replies: For: 0 Against: 0
Speakers: None

Note: The Commission heard zoning agenda item #2, Z178-304(PD) upon the conclusion of the Zoning Consent agenda items.

5. Z178-267(SM)

Planner: Sarah May

Note: The Commission considered this item individually.

Motion: In considering an application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the east line of Abrams Road and the northwest line of Skillman Street, it was moved to **hold** this case under advisement until October 4, 2018.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Notices: Area: 400 Mailed: 10
Replies: For: 0 Against: 0

Speakers: None

Note: The Commission heard zoning agenda item #6. Z178-288(PD) next.

6. Z178-288(JM)

Planner: Jennifer Muñoz

Note: The Commission considered this item individually.

Motion: In considering an application for an LI Light Industrial District on property zoned an A(A) Agricultural District, at the northwest corner of Telephone Road and Bonnie View Road, it was moved to **hold** this case under advisement until November 1, 2018.

Maker: Lewis
Second: Carpenter
Result: Carried: 14 to 0

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Notices: Area: 500 Mailed: 30
Replies: For: 0 Against: 0

Speakers: For: None
Against: None
Against (Did not speak): Kathleen Stafford, 4808 Huey St., Dallas, TX, 75210
C. Skief, 2404 S. Beckley Ave., Dallas, TX, 75224

Note: The Commission returned to the regular order of the agenda and heard Zoning Cases - Under Advisement agenda item #7. Z178-235(JM) next.

Zoning Cases – Under Advisement:

7. Z178-235(JM)

Planner: Jennifer Muñoz

Motion: In considering an application for a Planned Development District for Multifamily District uses on property zoned an R-7.5(A) Single Family District, on the southwest corner of North Tennant Street and West Davis Street, it was moved to **hold** this case under advisement until October 4, 2018.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Notices: Area: 500 Mailed: 92
Replies: For: 2 Against: 7

Speakers: None

8. Z156-305(SM)

Planner: Sarah May

Motion: In considering an application for the renewal of Specific Use Permit No. 2160 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 7 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on property on the northwest corner of South Buckner Boulevard and Scyene Road, it was moved to **hold** this case under advisement until October 4, 2018.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

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

Speakers: None

9. Z178-190(SM)

Planner: Sarah May

Motion: In considering an application to amend Planned Development District No. 282 for mixed uses on property zoned Planned Development District No. 282, on the northwest corner of West Colorado Boulevard and North Beckley Avenue, it was moved to **hold** this case under advisement until November 1, 2018.

Maker: West
Second: Davis
Result: Carried: 14 to 0

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Notices: Area: 500 Mailed: 144
Replies: For: 21 Against: 6

Speakers: For: Angela Hunt, 500 N. Akard St., Dallas, TX, 75201
Against: None

Other Matters

Minutes:

Motion: It was moved to **approve** the minutes of the September 6, 2018, City Plan Commission meeting, subject to the following corrections:

- 1) Page 22, Z178-270(SM), change modification #3 to read as follows: “3) the deed restrictions required for the affordable housing component shall contain only the zoning conditions and standard city deed restriction terms”
- 2) Page 23, Authorization of a Hearing item, changed to modify the geographic area to include the area bound by Turtle Creek Greenbelt on the west, Avondale Avenue and North Fitzhugh Avenue on the north, Katy Trail on the east and including the southernmost lot on Stonebridge Drive on the south.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley
Against: 0
Absent: 0
Vacancy: 1 - District 3

Adjournment

Motion: It was moved to **adjourn** the September 20, 2018, City Plan Commission meeting at 3:04 p.m.

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

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack,
Lewis, Jung, Housewright, Schultz, Peadon,
Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Gloria Tarpley, Chair