

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on July 9, 2020, by videoconference call as authorized by Texas Government Code Section 551.127 with the briefing starting at 10:33 a.m., and the public hearing at 1:54 p.m. Presiding were, Tony Shidid, Chair and Jaynie Schultz, Vice-Chair. The following Commissioners were present during the hearing: Enrique MacGregor, Joanna Hampton, Ronald Stinson, LeDouglas Johnson, Deborah Carpenter, Timothy Jackson, Lori Blair, P. Michael Jung, Tipton Housewright, Kristine Schwope, Margot Murphy, Wayne Garcia and Brent Rubin. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. There were 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: Sharmila Gurung-Shrestha

Pursuant to Texas Local Government Code Section 212.009(e) these minutes and recording of the hearing certify the reasons for denial of any plat application.

Consent Items:

(1) **S190-156**

Motion: It was moved to **approve** an application to replat a 0.33-acre tract of land containing part of Lot 3, and all of Lots 4 and 5 in City Block 1/607 to create one lot on property located on Caddo Street, at the terminus of Cochran Street, subject to compliance with the conditions listed in the docket.

Maker: Garcia
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin
Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(2) S190-157

Motion: It was moved to **approve** an application to replat a 4.35-acre tract of land containing all of Lots 2 through 25 in City Block B/809, a 16-foot abandoned alley, and a portion of abandoned Pacific Avenue to create one lot on property bounded by Pacific Avenue, Parry Avenue, Commerce Street, and Ash Lane, subject to compliance with the conditions listed in the docket.

Maker: Garcia
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin
Against: 0
Absent: 0
Vacancy: 0

Speakers: For: None

For (Did not speak): Gene Dennis, 820 Exposition Dr., Dallas, TX, 75226
Against: None

(3) S190-158

Motion: It was moved to **approve** an application to replat a 1.088-acre tract of land containing part of Lots 7 through 12, 14, and 15 and all of Lots 16 and 17 in City Block A/4016; a portion of abandoned 15-foot alley, and a portion of abandoned Sylvan Avenue to create one lot on property located on Sylvan Avenue at Fort Worth Avenue, south of Evanston Avenue, subject to compliance with the conditions listed in the docket.

Maker: Garcia
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(4) S190-159

Motion: It was moved to **approve** an application to replat a 5.8038-acre tract of land containing all of Lots 1 through 4 in City Block H/6509 to create one 2.8805-acre lot and one 2.9234-acre lot on property located on Shady Trail, south of Walnut Hill Lane, subject to compliance with the conditions listed in the docket.

Maker: Garcia
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(5) S190-160

Motion: It was moved to **approve** an application to create a 14-lot shared access development ranging in size from 1,979 square feet to 5,926 square feet from a 0.80-acre tract of land in City Block 7404 on property located on Oates Drive, west of Ferguson Road, subject to compliance with the conditions listed in the docket.

Maker: Garcia
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(6) S190-161

Motion: It was moved to **approve** an application to replat a 0.526-acre tract of land containing part of Lot 1 in City Block C/8051 to create one lot on property located on Walnut Hill Lane at Estate Lane, northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Garcia
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(7) S190-163

Motion: It was moved to **approve** an application to create one 6.52-acre lot from a tract of land in City Block 6959 on property located on Cockrell Hill Road, north of Walton Walker Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Garcia
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(8) S190-164

Motion: It was moved to **approve** an application to create one 5.068-acre lot from a tract of land in City Block 5720 on property located on Denton Drive, east of Manor Way, subject to compliance with the conditions listed in the docket.

Maker: Garcia
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(9) S190-166

Motion: It was moved to **approve** an application to replat a 0.2942-acre tract of land containing all of Lot 23 in City Block A/1030 and part of City Block 1030 to create one lot on property located at 2917 Sale Street, south of Dickason Avenue, subject to compliance with the conditions listed in the docket.

Maker: Garcia
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson, Shidid, Carpenter, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Residential Replat:

(10) **S190-155**

Motion: It was moved to **approve** an application to replat a 2.206-acre tract of land containing all of Lots 1 and 2 in City Block 8/5598 to create one lot on property located on Douglas Avenue at Deloache Avenue, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Rubin
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson, Shidid, Carpenter, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 12
Replies: For: 2 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
FOR (Did not speak): Billy Duckworth, 2220 Gus Thomasson, Rd., Mesquite, TX, 75150
Against: None

(11) **S190-162**

Motion: It was moved to **approve** an application to replat a 0.527-acre tract of land containing all of Lot 15A in City Block 2/6091 to create 3 residential lots ranging in size from 7,557 square feet to 7,847 square feet on property located on Leatherwood Street, north of Overton Road, subject to compliance with the conditions listed in the docket.

Maker: Johnson
Second: Blair
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 14
Replies: For: 0 Against: 0

Speakers: None

(12) **S190-165**

Motion: It was moved to **approve** an application to replat a 1.638-acre tract of land containing part of Lot 6, and all of Lots 7 through 9 in City Block 1/4634 to create one 0.592-acre (25,805-square foot) and one 1.046-acre (45,568-square feet) lot on property located on Junior Drive, east of Kessler Parkway, subject to compliance with the conditions listed in the docket with a finding of fact that there is not an established lot pattern, request is in compliance with Section 51A-8.503 of the Dallas Development Code; and, subject to condition on property zoned R-7.5(A).

Maker: MacGregor
Second: Schwope
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 14
Replies: For: 0 Against: 0

Speakers: For: Santos Martinez, 12 Tanager Terrace, Angel Fire, NM, 87710
Against: None

Miscellaneous Items:

M190-019

Planner: Abraham Martinez

Motion: It was moved to **approve** a minor amendment to an existing development plan and landscape plan for a private school use on property zoned Planned Development District No. 368, generally on the south side of Churchill Way at the terminus of Whitley Lane.

Maker: Schultz
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson, Shidid, Carpenter, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Speakers: For: John Boehnlein, 6616 Basalt Dr., Plano, TX, 75024
Against: None

W190-009

Planner: Jeremy Tennant

Motion I: It was moved to **approve** a waiver of the two-year waiting period to submit a zoning application to amend Specific Use Permit No. 1817 on property zoned an R-7.5(A) Single-Family District, on the north side of Bruton Road, northeast of Leroy Road.

Maker: Jackson
Second: Blair
Result: Failed: 3 to 12

For: 3 - Hampton, Jackson, Blair

Against: 12 - MacGregor, Stinson, Johnson, Shidid, Carpenter, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin,

Absent: 0
Vacancy: 0

Motion II: It was moved to **deny** a waiver of the two-year waiting period to submit a zoning application to amend Specific Use Permit No. 1817 on property zoned an R-7.5(A) Single-Family District, on the north side of Bruton Road, northeast of Leroy Road.

Maker: Jung
Second: MacGregor
Result: Carried: 12 to 3

For: 12 - MacGregor, Stinson, Johnson, Shidid,
Carpenter, Jung, Housewright, Schultz,
Schwope, Murphy, Garcia, Rubin

Against: 3 - Hampton, Jackson, Blair
Absent: 0
Vacancy: 0

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: None

Zoning Cases – Consent:

1. **Z190-170(AU)**

Planner: Andreea Udrea

Note: The Commission considered this item individually.

Motion: It was moved to recommend **denial without prejudice** of a Specific Use Permit for a tower/antenna for cellular communication on property zoned a TH-3(A) Townhouse District, on the north line of West Illinois Avenue, between Tyler Street and Boyd Street, due to non-enhancement to the quality of the community.

Maker: MacGregor
Second: Hampton
Result: Carried: 11 to 4

For: 11 - MacGregor, Hampton, Stinson, Shidid,
Carpenter, Jung, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 4 - Johnson, Jackson, Blair, Housewright
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 115
Replies: For: 0 Against: 19

Speakers: For: David Hargrove, 322 Lochside Dr., Cary, NC, 27518
Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Kelton Lemons, 921 W. Illinois Ave., Dallas, TX, 75224
Against: None

2. Z190-221(AU)

Planner: Andreea Udrea

Note: The Commission considered this item individually.

Motion: In considering an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned a CR-D-1 Commercial Retail District with a D-1 Liquor Control Overlay, on the north corner of South Belt Line and Seagoville Road, it was moved to **hold** this case under advisement until July 23, 2020.

Maker: Rubin
Second: Murphy
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 12
Replies: For: 4 Against: 2

Speakers: For: Kendra Larach, 3904 Elm St., Dallas, TX, 75226
Santos Martinez, 12 Tanager Terrace, Angel Fire, NM, 87710
Against: None
Against (Did not Speak): Robert Hawkins, Address not given

3. Z190-234(CT)

Planner: Carlos Talison

Note: The Commission considered this item individually.

Motion: In considering an application for a Specific Use Permit for a food or beverage store use on property zoned FWMU-3 Form Walkable Mixed-Use Subdistrict, within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shop Front Overlay, on the western corner of South Ervay Street and South Boulevard, it was moved to **hold** this case under advisement until July 23, 2020.

Maker: Jackson
Second: Murphy
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 16
Replies: For: 4 Against: 0

Speakers: None

4. Z190-209(PD)

Planner: Pamela Daniel

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of a Specific Use Permit for a microbrewery, distillery, or winery for a five-year period, subject to a site plan and conditions on property zoned Subdistrict A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the northwest corner of Canton Street and South Malcolm X Boulevard.

Maker: Hampton
Second: Blair
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 12
Replies: For: 2 Against: 0

Speakers: For: Santos Martinez, 12 Tanager Terrace, Angel Fire, NM, 87710
Against: None

5. Z190-220(PD)

Planner: Pamela Daniel

Note: The Commission considered this item individually.

Motion: In considering an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the west corner of Seagoville Road and South Belt Line Road, it was moved to **hold** this case under advisement until July 23, 2020.

Maker: Rubin
Second: MacGregor
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson, Shidid, Carpenter, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Murphy, Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 10
Replies: For: 3 Against: 2

Speakers: For: Kendra Larach, 3904 Elm St., Dallas, TX, 75226
Santos Martinez, 12 Tanager Terrace, Angel Fire, NM, 87710
Against: None
Against (Did not Speak): Robert Hawkins, Address not given

Zoning Cases – Under Advisement:

6. Z189-366(PD)

Planner: Pamela Daniel

Motion: It was moved to recommend **denial without prejudice** 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 use on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of North Jim Miller Road and Samuell Boulevard.

Maker: Jackson
Second: Hampton
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Murphy,
Garcia, Rubin

Against: 0
Absent: 0
Vacancy: 0

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

Speakers: For: None

FOR (Did not speak): Parvez Malik, 320 Decker Dr., Las Colinas, TX, 75062
Marty Price, 2514 Boll St., Dallas, TX, 75204

Against: None

7. Z190-139(PD)

Planner: Pamela Daniel

Motion: It was moved to recommend **approval** of a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, subject to conditions on the east line of Greenville Avenue, north of La Vista Drive.

Maker: Garcia
Second: Hampton
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Garcia, Rubin

Against: 0
Absent: 1 - Murphy
Vacancy: 0

Notices: Area: 500 Mailed: 99
Replies: For: 0 Against: 9

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226

Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206

Against: None

8. **Z190-145(JM)**

Planner: Jennifer Muñoz

Motion: In considering an application for an amendment to Planned Development District No. 889, on the southeast corner of North Central Expressway and Carroll Avenue, it was moved to **hold** this case under advisement until October 1, 2020.

Maker: Hampton
Second: MacGregor
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Carpenter, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Garcia, Rubin

Against: 0
Absent: 1 - Murphy
Vacancy: 0

Notices: Area: 500 Mailed: 71
Replies: For: 3 Against: 0

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

Zoning Cases – Individual:

9. **Z190-240(JT)**

Planner: Jeremy Tennant

Motion: It was moved to recommend **approval** of the termination of Specific Use Permit No. 2346, for a Late-hours establishment limited to a restaurant with drive-in or drive through service on property zoned Planned Development District No. 842, on the southwest corner of Greenville Avenue and Alta Avenue.

Maker: Garcia
Second: Jung
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson, Shidid, Carpenter, Jackson, Blair, Jung, Housewright, Schultz, Schwope, Garcia, Rubin

Against: 0
Absent: 1 - Murphy
Vacancy: 0

Notices: Area: 200 Mailed: 36
Replies: For: 0 Against: 0

Speakers: For: Michael Northrup, 5703 Goliad Ave., Dallas, TX, 75206
Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206
Against: None

Other Matters

Minutes:

Motion: It was moved to **approve** the June 18, 2020, City Plan Commission meeting minutes, as corrected.

Maker: Jung
Second: Blair
Result: Carried: 14 to 0

For: 14 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Garcia, Rubin

Against: 0
Absent: 1 - Murphy
Vacancy: 0

Speakers: None

Adjournment

Motion: It was moved to **adjourn** the July 9, 2020, City Plan Commission meeting at 4:17 p.m.

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

For: 14 - MacGregor, Hampton, Stinson, Johnson,
Shidid, Carpenter, Jackson, Blair, Jung,
Housewright, Schultz, Schwope, Garcia, Rubin

Against: 0
Absent: 1 - Murphy
Vacancy: 0

Tony Shidid, Chair