

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 2, 2012, with the briefing starting at 12:00 p.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: Richard Davis, Liz Wally, Mike Anglin, Robert Abtahi, Emma Rodgers, Tony Hinojosa, Ann Bagley, Myrtl Lavallaisaa, John Shellene, Bruce Bernbaum, Sally Wolfish, Michael Schwartz and Bill Peterson. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. 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) **S112-059**

Motion: It was moved to **approve** an application to create a 2.458 acre lot, an 8.726 acre lot, and an 8.165 acre lot from a 19.421 acre tract of land in City Block 6127 on Buckner Blvd. at Samuell Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Bagley
Second: Wally
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(2) S112-062

Motion: It was moved to **approve** an application to create a 73.004 acre lot from a tract of land in City Block 8735 on Coit Road south of Frankford Road and west of Waterview Parkway, subject to compliance with the conditions listed in the docket with following change: 1) Add Condition #29 to read as follows: "On the final plat provide corner clips, 20'x20' at the intersection of Sustainable Way and Coit Road." and 2) Add Condition #30, On the final plat require a cultisac if the extension of Waterview Parkway has not completed.

Maker: Wolfish
Second: Rodgers
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(3) S112-064

Motion: It was moved to **approve** an application to create a 4.409 acre lot from a tract of land in City Block 8/2003 located at Carroll Avenue and U.S. Highway 75, east corner, subject to compliance with the conditions listed in the docket.

Maker: Bagley
Second: Wally
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(4) S112-065

Motion: It was moved to **approve** an application to replat part of Lot 1, City Block 10/4893 and a tract of land into one 0.429 acre lot and one 1.883 acre lot on property located at Ledbetter Drive and Lancaster Road, north corner, subject to compliance with the conditions listed in the docket.

Maker: Bagley
Second: Wally
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Residential Replats

(5) S112-060

Motion: It was moved to **approve** an application to replat a 0.858 acre tract of land containing all of Lots 1 and 2 and the remainder of Lots 3, 4, 5, 22, 23 and 24 and alley ROW to be abandoned in City Block 1/3243 on Tyler Street, Tyler Street Connection and Page Street, subject to compliance with the conditions listed in the docket.

Maker: Anglin
Second: Tarpley
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(6) S112-061

Motion: It was moved to **approve** an application to replat a 189.549 acre tract of land containing City Blocks 4152, 4153, 6161, 7212, 7213, 7216 and 7217 to create 12 lots on property generally bounded by Interstate 30 on the north, N. Westmoreland Road on the east, Fort Worth Avenue on the south and Pinnacle Park Boulevard on the west, subject to compliance with the conditions listed in the docket with the following changes: 1) Delete Condition #21. and 2) Add Condition #39 to read as follows: "Prior to the submittal of the final plat for any parcel within the boundaries of the preliminary plat, coordinate with the Dallas Parks and Recreation Department to provide a trail connection from the proposed Chalk Hill Trail at Pinnacle Park Boulevard to the proposed Coombs Creek Trail at Westmoreland near Colorado."

Maker: Anglin
Second: Schwartz
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Miscellaneous Docket

W112-004

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for a new subdistrict within Planned Development District No. 830 to allow an adult day care use by specific use permit on the southeast corner of West 10th Street and Vernon Avenue.

Maker: Davis
Second: Hinojosa
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

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

W112-005

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for a change to the zoning from Planned Development District No. 830 to Conservation District No. 7 and remove the D Liquor Control Overlay on the southwest corner of Bishop Avenue and Neely Street.

Maker: Davis
Second: Bernbaum
Result: Carried: 10 to 5

For: 10 - Davis, Anglin, Abtahi, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Schwartz, Alcantar

Against: 5 - Wally, Rodgers, Bagley, Wolfish, Peterson
Absent: 0
Vacancy: 0

Speakers: For: Barry Knight, 5400 Renaissance Tower, Dallas, TX, 75270
Against: None

D101-024

Planner: Olga Torres Holyoak

Motion: In considering and application for a development plan for Planned Development District No. 850 on the east line of Coit Road, between DART RR & Campbell Road, it was moved to **hold** this case under advisement until March 1, 2012.

Maker: Wolfish
Second: Bagley
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Certificates of Appropriateness for Signs

1112121090

Planner: Neva Dean

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of an approximately 206 square foot flat attached premise sign at 3232 McKinney Avenue (southeast elevation).

Maker: Peterson
Second: Bernbaum
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: For: Charles Russell, 4610 Mint Way, Dallas, TX, 75236
Against: None

1112121106

Planner: Neva Dean

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of an approximately 206 square foot flat attached premise sign at 3232 McKinney Avenue (northwest elevation).

Maker: Peterson
Second: Bernbaum
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: For: Charles Russell, 4610 Mint Way, Dallas, TX, 75236
Against: None

1201035004

Planner: Neva Dean

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of an approximately 180 square foot upper level projecting attached sign at 1516 Pacific Avenue.

Maker: Peterson
Second: Bernbaum
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. Z101-237(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1726 for a Vehicle display, sales and service use for a two-year period, subject to a site plan and conditions on property zoned Subdistrict 2 within Planned Development District No. 534, the C. F. Hawn Special Purpose District, with a D-1 Liquor Control Overlay in the southeast quadrant of C. F. Hawn Freeway and Dowdy Ferry Road.

Maker: Lavallaisaa
Second: Wally
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 300 Mailed: 27
Replies: For: 1 Against: 0

Speakers: None

2. Z112-131(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of the creation of a new tract, subject to conditions within Planned Development District No. 269, the Deep Ellum Special Purpose District on the northeast corner of Indiana Street and Malcolm X Boulevard.

Maker: Lavallaisaa
Second: Wally
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 62
Replies: For: 4 Against: 0

Speakers: None

3. Z112-134(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1090 for a Public school other than an open-enrollment charter school, subject to a revised site plan, revised landscape plan (dated 2-1-2012), traffic management plan and revised conditions with the following addition: 1) Provide screening on the southwest parking lot, from Voss Road and Briargrove Lane plant a row of large evergreen shrubs, at the minimum of 36" on the center, to be planted and maintained for a minimum screening height of 48" above the adjacent parking surface at the time of installation on property zoned an R-7.5(A) Single Family District on the northeast corner of Briargrove Lane and Voss Road.

Maker: Wolfish
Second: Rodgers
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 400 Mailed: 132
Replies: For: 18 Against: 7

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75201
Against: Brian Williamson, 4206 Briargrove Ln., Dallas, TX, 75287
Ann Murphy, 19126 Windmill Ln., Dallas, TX, 75252

Zoning Cases - Individual

4. Z101-233(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an MU-2 Mixed Use District and **approval** of a Specific Use Permit for a convenience store with drive-through for a three-year period, subject to a site plan and conditions on property zoned an MU-1 Mixed Use District on the southwest corner of East 8th Street and South RL Thornton Freeway.

Maker: Davis
Second: Hinojosa
Result: Carried: 9 to 6

For: 9 - Davis, Anglin, Abtahi, Hinojosa, Lavallaisaa,
Shellene, Bernbaum, Schwartz, Peterson

Against: 6 - Wally, Rodgers, Bagley, Tarpley, Wolfish,
Alcantar

Absent: 0

Vacancy: 0

Notices: Area: 200 Mailed: 25

Replies: For: 2 Against: 1

Speakers: For: Ralph Martinez, 10606 Lakemere Dr., Dallas, TX, 75238
Against: None

Other Matters

City Plan Commission FY2010-11 Annual Report

Motion: It was moved to **approve** the City Plan Commission's FY2010-11 Annual Report.

Maker: Schwartz

Second: Hinojosa

Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0

Absent: 0

Vacancy: 0

Minutes

Motion: It was moved to **approve** the minutes of the January 19, 2012, City Plan Commission meeting, subject to corrections.

Maker: Hinojosa

Second: Tarpley

Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the February 2, 2012, City Plan Commission meeting at 2:35 p.m.

Maker: Peterson
Second: Bernbaum
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Joe Alcantar, Chair