

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 24, 2013, with the briefing starting at 11:01 a.m. in Room 5ES and the public hearing at 1:32 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, Betty Culbreath, Emma Rodgers, Tony Hinojosa, Ann Bagley, Myrtl Lavallaisaa, John Shellene, Bruce Bernbaum, Sally Wolfish, Michael Schwartz and Paul E. Ridley. 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) **S123-054**

Motion: It was moved to **approve** an application to create one 2.103 acre lot from a tract of land in City Block 283 and one 3.898 acre lot from all of City Block A/276 on property located on the east side of North Central Expressway at Bryan Street, north and south corners, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: For: Eric Williamson, 3507 Bryan St., Dallas, TX, 75204
Against: None

Residential Replats:

(2) **S123-055**

Motion: It was moved to **approve** an application to replat a 1.328 acre tract of land containing part of City Block T/2922 into a sixteen lot shared access development at 5470 Ellsworth Street west of McMillan Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(3) **S123-056**

Motion I: It was moved to **deny** an application to replat all of Lots 11A, 12 and 13 in City Block 1/2981 into one 0.440 acre lot and one 0.174 acre lot located on property at 6451, 6455 and 6459 Westlake Avenue, due to non-compliance with Section 51A-8.503 of the Dallas Development Code.

Maker: Tarpley
Second: Bagley
Result: Failed: 7 to 8

For: 7 - Wally, Anglin, Bagley, Tarpley, Shellene,
Ridley, Alcantar

Against: 8 - Davis, Culbreath, Rodgers, Hinojosa,
Lavallaisaa, Bernbaum, Wolfish, Schwartz

Absent: 0

Vacancy: 0

Motion II: It was moved to **approve** an application to replat all of Lots 11A, 12 and 13 in City Block 1/2981 into one 0.440 acre lot and one 0.174 acre lot located on property at 6451, 6455 and 6459 Westlake Avenue, subject to compliance with the conditions listed in the docket.

Maker: Tarpley

Second: Schwartz

Result: Carried: 12 to 3

For: 12 - Davis, Anglin, Culbreath, Rodgers, Hinojosa,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Wolfish, Schwartz, Ridley

Against: 3 - Wally, Bagley, Alcantar

Absent: 0

Vacancy: 0

Speakers: For: Susan Goldman, 6451 Westlake Ave., Dallas, TX, 75214
Steven Wilson, 6459 Westlake Ave., Dallas, TX, 75214
Taylor Robertson, 6467 Westlake Ave., Dallas, TX, 75214

For (Did not speak): Marc Goldman, 6451 Westlake Ave., Dallas, TX, 75214

Against: None

Miscellaneous Items:

D123-004

Planner: Olga Torres Holyoak

Motion: It was moved to **approve** a development and landscape plan for Planned Development No. 272 on the west side of Preston Road, south of Beltline Road.

Maker: Bernbaum

Second: Hinojosa

Result: Carried: 15 to 0

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. **Z123-146(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Zone 1 of Planned Development District No. 184 for office, retail and residential uses, subject to a revised development plan, revised landscape plan and revised conditions on the northeast corner of Carlisle Street and Cedar Springs Road.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 48
Replies: For: 2 Against: 7

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Paul Johnston, 909 Lake Carolyn Pkwy, Irving, TX
Against: Allen Rubin, 2714 Turtle Creek Cir., Dallas, TX, 75219
Harriet Rubin, 2714 Turtle Creek Cir., Dallas, TX, 75219
Neil Emmons, 2525 Turtle Creek Rd., Dallas, TX, 75219

2. **Z112-312(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Planned Development District for MU-1 Mixed Use District uses, subject to a conceptual plan, development plan, mews street landscape plan and revised conditions to include 1) Prohibit residential property in Subarea A, and 2) Prohibit tattoo and massage parlor uses on property zoned an MU-1 Mixed Use District on the northeast corner of Arapaho Road and Knoll Trail.

Maker: Bernbaum
Second: Wally

Result: Carried: 15 to 0

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 25
Replies: For: 4 Against: 1

Speakers: None

3. Z123-126(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an MU-1 Mixed District on property zoned an IR Industrial Research District on the west corner of Crampton Street and Converse Street.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 24
Replies: For: 3 Against: 0

Speakers: None

4. Z123-137(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to bar, lounge or tavern use for a two-year period, subject to a site plan and conditions on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Elm Street, east of North Good Latimer Expressway.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 22
Replies: For: 1 Against: 0

Speakers: None

Zoning Cases – Under Advisement

5. Z123-116(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of **1)** a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period with eligibility for automatic renewal for additional five-year periods; subject to a site plan and conditions on property zoned an RR Regional Retail District with a D Liquor Control Overlay; **approval** of **2)** an RR Regional Retail District on property zoned a CR Community Retail District, and **3) approval** of deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District and CR Community Retail District on the north side of East Laureland Road, east of South RL Thornton Freeway.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 300 Mailed: 20
Replies: For: 0 Against: 5

Speakers: For: Michael Hampton, 1828 Tumbleweed Cir., Rockwall, TX, 75087
Phyllis Arceneaux, 316 Woodlark Trl., Dallas, TX, 75241
For (Did not speak): Glenn Arceneaux, 316 Woodlark Trl., Dallas, TX, 75241
Against: None

6. Z123-114(JH)

Planner: Jennifer Hiromoto

Motion: In considering an application for a new subarea for commercial uses on property zoned Conservation District No. 9, the M-Streets Conservation District on the southwest corner of Greenville Avenue and Vanderbilt Avenue, it was moved to **hold** this case under advisement until February 7, 2013.

Maker: Ridley
Second: Shellene
Result: Carried: 15 to 0

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 30
Replies: For: 1 Against: 3

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

Zoning Cases – Individual

7. Z123-131(RB)

Planner: Richard Brown

Motion: In considering an application for a Planned Development District for a Nursery, garden shop, or plant sales use, a Landscape contractor's maintenance yard, and certain residential and nonresidential uses on property zoned an R-16(A) Single Family District the southwest corner of Northaven Road and Freda Stern Drive, it was moved to **hold** this case under advisement until February 7, 2013.

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

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0
Conflict: 1 - Bernbaum

Notices: Area: 500 Mailed: 188
Replies: For: 4 Against: 7

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

Special Provision Sign District:

SPSD112-002

Planner: Carrie Gordon

Motion: It was moved to recommend **approval** of an amendment to the Arts District Extension Area Special Provision Sign District to allow for new sign types and create the Arts Plazas One, Two & Three, and the Dallas Black Dance Theater subareas, subject to amended conditions in an area generally bounded by Woodall Rodgers Freeway, North Central Expressway, Routh Street and Ross Avenue.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 75
Replies: For: 0 Against: 0

Speakers: For: Cheri Donohue, Address not given
Lucilo Pena, 1717 Arts Plaza, Dallas, TX, 75201
Against: None

Authorization of Hearings:

Galleria Valley View

Planner: Gina Costanza

Motion: It was moved to **authorize** a public hearing to decide whether to authorize a public hearing to determine the proper zoning on property zoned Planned Development District No. 22, Planned Development District No. 130, Planned Development District No. 215, Planned Development District No. 250, Planned Development District No. 279, Planned Development District No. 322, Planned Development 423, Planned Development 713, Planned Development District No. 782, a CR Community Retail District with Deed restrictions on a portion, a CS Commercial Service District, a GO(A) General Office District with deed restrictions on a portion, an RR Regional Retail District with deed restrictions on a portion and Specific Use Permit Nos. 1335, 1389, 1390 on a portion, an LO-2 Limited Office District 2 with deed restrictions on a portion, an NO(A) Neighborhood Office District, an MO-2 Mid-range Office District 2, an MF-1(A) Multifamily District, an MF-4(A) Multifamily District, an MU-1 Mixed Use District with deed restrictions on a portion, an MU-2 Mixed Use District with deed restrictions on a portion, an MU-3 Mixed Use District, an MU-3 (SAH) Mixed Use District Affordable, and a P(A) Parking District, with consideration given to appropriate zoning including use, development standards, and other regulations that would allow for and encourage development in appropriate areas on approximately 430 acres generally located east of the Dallas North Tollway, south of Southern Boulevard, south of the northern boundary of (Block E) Monfort Place, south of the northern boundary of Woodchase Apartments, south of the northern boundary of Preston View Estates, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway).

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: Mailed:
Replies: For: Against:

Speakers: None

Other Matters

City Plan Commission FY2011-2012 Annual Report

Motion: It was moved to **approve** the City Plan Commission's FY2011-2012 Annual Report.

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

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

Against: 0
Absent: 0
Vacancy: 0

Consideration of appointments to the following CPC Committee

Urban Design Committee (UDAC)

(List of committee members available with CPC Coordinator)

Motion: It was moved to **appoint** new members to the Urban Design Committee.

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

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

Against: 0
Absent: 0
Vacancy: 0

Minutes

Motion: It was moved to **approve** the minutes of the January 10, 2012, City Plan Commission meetings, subject to corrections.

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

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

Against: 0
Absent: 0
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the January 24, 2013, City Plan Commission meeting at 3:15 p.m.

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

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

Against: 0
Absent: 0
Vacancy: 0