

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on April 19, 2012, with the briefing starting at 12:00 p.m. in Room 5ES and the public hearing at 1:33 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, Tony Emma Rodgers, Hinojosa, Ann Bagley, Myrtl Lavallaisaa, John Shellene, Bruce Bernbaum, Sally Wolfish and Michael Schwartz. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. There is one vacancy - District 14.

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) **S112-098**

Motion: It was moved to **approve** an application to replat a 4.0062 acre tract of land containing all of Lots 1 through 11, Lot 13A, 13B and 14 and part of Lot 12 in City Block 6/1616 into one lot on property bordered by Dallas North Tollway, Wycliff Avenue, Congress Street, and Douglas Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 14

Speakers: None

(2) **S112-103**

Motion: It was moved to **approve** an application to replat a 4.4561 acre tract of land containing all of Lots 3 through 23 and a proposed 20 foot wide alley to be abandoned in City Block C/1990 into one lot located on Capitol Avenue between Bennett Avenue and Garrett Avenue, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 14

Speakers: None

(3) **S112-104**

Motion: It was moved to **approve** an application to replat a 0.455 acre tract of land containing all of Lots 4 and 5 in City Block 2138 into a 6 lot Shared Access Development located at 6141 and 6145 Oram Street east of Skillman Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 14

Speakers: None

Residential Replats:

(4) **S112-099**

Motion: It was moved to **approve** an application to replat a 10.657 acre tract of land containing all of Lot 2 in City Block G/2868 and abandoned Revere Place into one lot located on Kenwood Avenue between Abrams Road and Alderson Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 14

Speakers: None

(5) **S112-102**

Motion: It was moved to **approve** an application to replat Lots 14, 15, and 16 in City Block A/4015 into one 0.202 acre lot on property located at the terminus of Malone Cliff View (Shared Access Drive), subject to compliance with the conditions listed in the docket and the addition of condition 3 15 to as follows: "15. On the final plat show the street name Wickmere Mews in the area reference as Common Area B north and west of Lots 19 and 20."

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 14

Speakers: None

(6) S112-105

Motion: It was moved to **approve** an application to replat a 1.2368 acre tract of land containing all of Lot C and part of Lot B in City Block R/4987 into one lot located at 4629 Watauga Road, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Schwartz, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 14
Conflict: 1 - Wolfish

Speakers: None

(7) S112-106

Motion: It was moved to **approve** an application to replat a 0.439 acre tract of land containing all of Lots 15A and Lot 12 in City Block 3/5573 by reducing the size of Lot 15A and increasing the size of Lot 12 located at 8 Bretton Woods Way and 6 Bretton Creek Court, subject to compliance with the conditions listed in the docket with the deletion of Condition #10.

Maker: Schwartz
Second: Tarpley
Result: Carried: 13 to 0

For: 13 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Schwartz, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 14
Conflict: 1 - Wolfish

Speakers: None

Miscellaneous Docket

W112-009

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for an amendment to Specific Use Permit No. 975 to allow a child care facility in addition to the private school on the south corner of Lovers Lane and Fisher Road.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 14

Speakers: For: Josh Northam, 6915 Buchnell Dr., Dallas, TX, 75214
Against: None

W112-010

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for an amendment to and expansion of Planned Development District No. 486 to add two lots and the area of an abandoned street and to amend the conceptual plan, generally bound by Bank Street, Gurley Avenue, Carroll Avenue, and Parry Avenue.

Maker: Wally
Second: Tarpley
Result: Carried: 14 to 0

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

Against: 0
Absent: 0
Vacancy: 1 - District 14

Speakers: None

Zoning Cases – Consent

1. Z112-186(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an IR Industrial Research District on property zoned an A(A) Agricultural District, southwest of Irving Boulevard, northwest of Pump Plant B Road.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 14

Notices: Area: 400 Mailed: 6

Replies: For: 1 Against: 0

Speakers: None

2. Z112-203(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to Phase 1a and 1b portion of Planned Development District No. 121 for TH-4 Townhouse District Uses and GR General Retail District Uses, subject to a Phase 1a and 1b development plan and conditions on the southwest corner of Walnut Hill Lane and North Central Expressway.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 14

Notices: Area: 500 Mailed: 18
Replies: For: 0 Against: 1

Speakers: None

Zoning Cases - Under Advisement

3. **Z112-164(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial without prejudice** of the creation of a new Subdistrict within Subdistrict A of Planned Development District No. 281, the Lakewood Special Purpose District, on the northeast line of Paulus Avenue, west of Abrams Road.

Maker: Tarpley
Second: Shellene
Result: Carried: 13 to 1

For: 13 - Davis, Anglin, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Alcantar

Against: 1 - Wally
Absent: 0
Vacancy: 1 - District 14

Amending Motion: It was moved to recommend **denial** of the creation of a new Subdistrict within Subdistrict A of Planned Development District No. 281, the Lakewood Special Purpose District, on the northeast line of Paulus Avenue, west of Abrams Road.

Maker: Wally
Second: Wolfish
Result: Failed: 4 to 10

For: 4 - Wally, Rodgers, Bagley, Wolfish

Against: 10 - Davis, Anglin, Abtahi, Hinojosa, Lavallaisaa,
Tarpley, Shellene, Bernbaum, Schwartz,
Alcantar
Absent: 0
Vacancy: 1 - District 14

Notices: Area: 500 Mailed: 48
Replies: For: 0 Against: 27

Speakers: For: James Christen, 4900 Alpha Rd., Dallas, TX, 75244
For (Did not speak): Trey Hart, 7206 Dye Dr., Dallas, TX, 75248
Against: Rene Schmidt, 715 Parkmont St., Dallas, TX, 75214
Joanna Hampton, 5408 Swiss Ave., Dallas, TX, 75214
Darla Roden, 704 Nesbitt Dr., Dallas, TX, 75214
Ken Lampton, 6014 Llano Ave., Dallas, TX, 75206
Jason Asmar, 722 Paulus Ave., Dallas, TX, 75214
Darlene Wheatley, 730 Nesbitt Dr., Dallas, TX, 75214
Patricia Carr, 5843 Vanderbilt Ave., Dallas, TX, 75206
Terri Raith, 1518 Abrams Rd., Dallas, TX, 75214
Against (Did not speak): Gay Hopkins, 6030 Monticello Ave., Dallas, TX, 75206
Michael Wheatley, 730 Nesbitt Dr., Dallas, TX, 75214
Mark Roden, 704 Nesbitt Dr., Dallas, TX, 75214
Dena Roden, 13661 Purple Sage St., Dallas, TX, 75240
Wayne Roden, 13661 Purple Sage St., Dallas, TX, 75240
Rick Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Robert Burnside, 727 Nesbitt Dr., Dallas, TX, 75214
Billy Slocum, 700 N. Paulus St., Dallas, TX, 75214
Donna Lake, 6216 Junius St., Dallas, TX, 75214
Christina Smith, 710 Nesbitt Dr., Dallas, TX, 75214
Christine Bobadilla, 708 Nesbitt Dr., Dallas, TX, 75214
Aurora Bobadilla, 708 Nesbitt Dr., Dallas, TX, 75214

Zoning Cases - Individual

4. **Z101-363(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 766 for a CR Community Retail District, subject to a development and revised applicant requested conditions 1) Provide 411 full size parking spaces, and 2) No amenities in the garage on the northwest corner of Northwest Highway and Hillcrest Road.

Maker: Schwartz

Second: Wolfish

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 14

Notices: Area: 500 Mailed: 110
Replies: For: 0 Against: 1

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None
Staff: Phil Erwin, Chief Arborist, City of Dallas

5. **Z112-168(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for a Truck stop and certain MC-1 Multiple Commercial District Uses, subject to a development plan and revised conditions and applicant's sign conditions on property zoned an MC-1 Multiple Commercial District on the northwest corner of Loop 12 and West Davis Street.

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

For: 13 - Davis, Wally, Anglin, Abtahi, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Wolfish, Schwartz, Alcantar

Against: 0
Absent: 1 - Rodgers
Vacancy: 1 - District 14

Notices: Area: 500 Mailed: 16
Replies: For: 1 Against: 1

Speakers: For: James Schnurr, 740 E. Campbell Rd., Richardson, TX, 75081
Against: None

6. **Z112-150(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an amendment to Tract I of Planned Development District No. 375, subject to a conceptual plan and staff's recommended conditions on the west side of North Central Expressway between Lemmon Avenue and Blackburn Street.

Maker: Shellene
Second: Tarpley
Result: Carried: 12 to 1

For: 12 - Davis, Wally, Anglin, Abtahi, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Schwartz, Alcantar

Against: 1 - Wolfish
Absent: 1 - Rodgers
Vacancy: 1 - District 14

Notices: Area: 500 Mailed: 27
Replies: For: 5 Against: 0

Speakers: For: Suzan Kedron, 901 Main St., Dallas, TX, 75203
Neal Sleeper, 3232 McKinney Ave., Dallas, TX, 75204
Against: None

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the April 5, 2012, City Plan Commission meeting, subject to corrections.

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

For: 13 - Davis, Wally, Anglin, Abtahi, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Wolfish, Schwartz, Alcantar

Against: 0
Absent: 1 - Rodgers
Vacancy: 1 - District 14

Adjournment

Motion: It was moved to **adjourn** the April 19, 2012, City Plan Commission meeting at 3:54 p.m.

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

For: 13 - Davis, Wally, Anglin, Abtahi, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Wolfish, Schwartz, Alcantar

Against: 0
Absent: 1 - Rodgers
Vacancy: 1 - District 14