

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 1, 2012, with the briefing starting at 11:02 a.m. in Room 5ES and the public hearing at 1:31 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 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) S112-205

Motion: It was moved to **approve** an application to create a 1.686 acre lot from a tract of land in City Block 4410 located on property at 4012 Dalgreen Drive and 7315 Fisher Road, subject to compliance with the conditions listed in the docket.

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

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

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

*out of the room, shown voting in favor

Speakers: None

(2) **S112-213R**

Motion: It was moved to **approve** an application to create a 0.9598 acre lot from a tract of land in City Block 118 on property located at Young Street at Park Avenue, subject to compliance with the conditions listed in the docket with removal of Conditions #13 and #15.

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

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

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Residential Replats:

(3) **S123-001**

Motion: It was moved to **deny** an application to replat a 0.232 acre tract of land containing all of Lots 24 and 25 in City Block 13/5085 into one lot on property located at 9416 Monteleon Court, subject to compliance with the conditions listed in the docket, due to non-compliance with Section 51A-8.503 of the Dallas Development Code.

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

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: For: Bryan Tehan, Address not given
Against: None

(4) **S123-003**

Motion: It was moved to **approve** an application to replat all of Lot 1 in City Block A/8140 and all of City Block 8/8135 and an unplatted tract of land containing a total of 13.083 acres of land located at the southwest corner of Church Road and Skillman Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. **Z112-313(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern and a microbrewery, microdistillery, or winery for a three-year period, subject to a site plan and conditions on property zoned a CR Community Retail District on the west side of Preston Road, north of Forest Lane.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 400 Mailed: 128
Replies: For: 11 Against: 6

Speakers: For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
FOR (Did not speak): Joely Rogers, 5990 Lindenshire Ln., Dallas, TX, 75230
Alfonso Miller, 9802 Bradford Grove Dr., Frisco, TX, 75035
Against: None

2. Z112-320(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for a fire station for a permanent time period, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District on the northeast corner of North Jim Miller Road and Benning Avenue.

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

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

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 47
Replies: For: 1 Against: 0

Speakers: None

3. Z112-315(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of Specific Use Permit for a commercial amusement (inside) for a dance hall for a two-year period, subject to a site plan and conditions on property zoned a CR Community Retail District on the north side of Camp Wisdom Road, east of Cockrell Hill Road.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 400 Mailed: 22
Replies: For: 2 Against: 1

Speakers: For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Against: None

4. Z112-308(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a CS Commercial Service District on property zoned an IR Industrial Research District and **approval** of a Specific Use Permit for a Petroleum product storage and wholesale use for a ten-year period, with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on the northwest corner of International Parkway and Corporate Drive.

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

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

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

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 10
Replies: For: 3 Against: 0

Speakers: For (Did not speak): Robert Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

Zoning Cases – Under Advisement

5. **Z112-105(RB)**

Planner: Richard Brown

Motion: In considering an application for **1)** an amendment to and expansion of Specific Use Permit No. 363 for a Cemetery and Mausoleum on property zoned an R-7.5(A) Single Family District, an LO-1 Limited Office District, a GO(A) General Office District with deed restrictions, and an MU-3 Mixed Use District with deed restrictions, and **2)** an LO-2 Limited Office District on that portion of the request site zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District in the southwest quadrant of Greenville Avenue and Restland Road, it was moved to **hold** this case under advisement until November 15, 2012.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 26
Replies: For: 3 Against: 1

Speakers: For (Did not speak): Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: None

Zoning Cases – Individual

6. **Z112-291(MW)**

Planner: Megan Wimer

Motion: In considering an application for a new subdistrict and a Specific Use Permit for an outside entertainment and recreation venue on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District on the west side of Riveredge Drive, south of Irving Boulevard, it was moved to **hold** this case under advisement until November 15, 2012.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 37
Replies: For: 6 Against: 7

Speakers: For: Cameron Cobb, 97263 La Manga Dr., Dallas, TX, 75248
Against: Ed Oakley, 5811 Lewis St., Dallas, TX, 75206
Raymond McShane, 148 Riveredge Dr., Dallas, TX, 75207
Bob Darrouzet, 12013 Lueders Ln., Dallas, TX, 75230

7. **Z101-277(CG)**

Planner: Carrie Gordon

Motion: It was moved to recommend **approval** of amendments to Planned Development District 595 to include: **1)** Proposed amendments to the use regulations of Planned Development District No. 595; **2)** Proposed amendments to adopt the Form subdistrict of Article XIII of the Dallas Development Code into Planned Development District No. 595 with proposed uses and alternative site plan provisions; **3)** Proposed amendments to establish standards for a new R-3.8(A) subdistrict on Planned Development District No. 595; **4)** Approve an FWMU-3 Form Walkable Mixed Use subdistrict on approximately 7 acres at the north corner of US-175 and Hatcher Street; **5)** Approve an FWMU-3 Form Walkable Mixed Use subdistrict on approximately 29,500 square feet at the south corner of Harwood Street and Coombs Street; and **6)** Approve an FWMU-3 Form Walkable Mixed Use subdistrict in an area generally bounded by Grand Avenue to the northwest, Good Latimer and Interstate 45 to the east, Pennsylvania Avenue to the

southeast and Lamar Street to the southwest with a Shop Front Overlay for that area currently zoned Community Commercial along Lamar Street and Martin Luther King Boulevard; and **7)** Change of zoning from an NS(A) Neighborhood Service District to an NC Neighborhood Commercial subdistrict within Planned Development No. 595 on the west and south corners of Spring Avenue and Foreman Street on property generally bound by the Union Pacific (DART) Railroad, the Southern Pacific Railroad, C.F. Hawn Freeway, the D.P.&L. Company easement, Central Expressway (S.M. Wright Freeway), the Southern Pacific Railroad, the Santa Fe Railroad, R.L. Thornton Freeway, 2nd Avenue, Parry Avenue, Robert B. Cullum Boulevard, Fitzhugh Avenue, Gaisford Street, and the common line between City Blocks 1820 and D/1821.

Maker: Bagley
Second: Rodgers
Result: Carried: 14 to 0

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

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

Notices: Area: 200 Mailed: 8428
Replies: For: 177 Against: 70

Speakers: For: Rose Gabriel, 2612 Southland St., Dallas, TX, 75215
Kevin Felder, 8404 Capriola Ln., Dallas, TX, 75228
Vera Davis, 3817 S. Malcolm X Blvd., Dallas, TX, 75215
Brian Matwijeckey, 2502 Live Oak St., Dallas, TX, 75204
Don Cass, 2825 Oak Point Dr., Garland, TX, 75044
FOR (Did not speak): Mary George, 1737 Stoneman St., Dallas, TX, 75215
Against: Glenda Johnson, 7911 Kista St., Dallas, TX, 75216
Lydia Sue Dan, 6451 Tumbling Creek Trl., Dallas, TX, 75214
Harvey Wright, 6339 Town Hill Ln., Dallas, TX, 75214
Charles Comstock, 4423, 4427, 4431 Canal St., Dallas, TX, 75210
Sherry Reagan, 2217 Aspen St., Richardson, TX, 75082
Tony Nicodemus, 2914 S. Lamar St., Dallas, TX, 75215
Neutral: Jeanette Jordon, 2521 and 2523 Carpenter Ave., Dallas, TX, 75215
Claria Morgan, 2827 Belknap Ave., Dallas, TX, 75216

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the October 18, 2012, City Plan Commission meetings, subject to corrections.

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

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

Against: 0
Absent: 1 - Abtahi
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the November 1, 2012, City Plan Commission meeting at 3:21 p.m.

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

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

Against: 0
Absent: 1 - Abtahi
Vacancy: 0

Joe Alcantar, Chair