

CORRECTED PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 17, 2011, with the briefing starting at 11:35 a.m. in Room 5ES and the public hearing at 1:34 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and Michael Davis, Vice Chair. The following Commissioners were present during the hearing: Richard Davis, Liz Wally, Mike Anglin, Emma Rodgers, Tony Hinojosa, Ann Bagley, Myrtl Lavallaisaa, Gloria Tarpley, 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: Bill Peterson. 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) **S112-014**

Motion: It was moved to **approve** an application to create a 2.0272 acre lot from a tract of land in City Block 5720 on Cedar Springs Road and Manor Way, west corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: None

(2) **S112-020**

Motion: It was moved to **approve** an application to create a 0.535 acre lot from a tract of land in City Block 6010 on property located on Marsalis Avenue, south of Five Mile Parkway, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: None

(3) **S112-021**

Motion: It was moved to **approve** an application to replat a 189.268 acre tract of land containing City Blocks 4152, 6161, 7212, 7213, 7216 and 7217 to create 12 lots on property generally bounded by Interstate 30, Westmoreland Road, Fort Worth Avenue and Pinnacle Park Boulevard, subject to compliance with the conditions listed in the docket.

This application was withdrawn by the applicant.

Residential Replats:

(4) **S112-010**

Removal of Building Line Motion: It was moved to **approve** an application to remove the existing 30 foot platted building line along Fallen Leaf Drive at Ravenview Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Replat Motion: It was moved to **approve** an application to replat a 1.00 acre tract of land containing all of Lot 1 in City Block A/8824 along Fallen Leaf Drive at Ravenview Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: None

(5) S112-011

Removal of Building Line Motion: It was moved to **approve** an application to remove of the existing 30 foot Building Lines along Bearden Lane in City Block 6180 into one lot on Buckner Boulevard at Blossom Lane; northwest corner, subject to compliance with the conditions listed in the docket.

Maker: M. Davis
Second: Hinojosa
Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Replat Motion: It was moved to **approve** an application to replat a 7.087 acre tract of land containing all of lots 1 through 15, 16A, 20A, 26A, a portion of Bearden Lane and existing alleys to be abandoned along Bearden Lane in City Block 6180 into one lot on Buckner Boulevard at Blossom Lane, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: M. Davis
Second: Hinojosa
Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: None

(6) **S112-016**

Removal of Building Line Motion: It was moved to **approve** an application to remove the existing 25 foot platted building line on Chula Vista Drive and Blossom Lane at 7479 Chula Vista Drive, subject to compliance with the conditions listed in the docket.

Maker: M. Davis
Second: Shellene
Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Replat Motion: It was moved to **approve** an application to replat a 0.31 acre tract of land containing all of Lot 13 in City Block B/6227 on Chula Vista Drive and Blossom Lane at 7479 Chula Vista Drive, subject to compliance with the conditions listed in the docket.

Maker: M. Davis
Second: Shellene
Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: For: Timothy Williams, 7479 Chula Vista Dr., Dallas, TX, 75227
Against: None

(7) **S112-017**

Motion: It was moved to **approve** an application to replat a 0.9016 acre tract of land containing all of Lots 9 and 10 in City Block 1B/6682 and a tract of land in City Block 6682 Lake June Road between Barredo Street and Lufkin Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: None

(8) S112-018

Removal of Building Line Motion: It was moved to **approve** an application to remove the platted front, side and rear building lines at 2702 Hood Street at Brown Street; east corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Replat Motion: It was moved to **approve** an application to replat a 2.373 acre tract of land containing all of Lot 1K in City Block 11/1017 at 2702 Hood Street at Brown Street; east corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: None

Miscellaneous Docket

M101-052

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan and landscape plan for Planned Development District No. 305 for Mixed Uses in an areas bounded by McKinney Avenue, Blackburn Street, Noble Avenue, and City Place West Boulevard.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: For: Susan Mead, 901 Main St., Dallas, TX, 75202
Against: None

Thoroughfare Plan Amendments

Beckley from I-30 to W. Main

Planner: Tanya Brooks

Motion: It was moved to **approve** an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification on Beckley Avenue from IH-30 to West Main Street from a six lane divided roadway M-6-D(A*) within 120 feet of right-of-way to a special four lane divided roadway (SPCL 4-D) with bicycle lanes within 100 feet of right-of-way.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: For: Douglas Heyerdahl, 2343 N. Beckley Ave., Dallas, TX, 75208
Against: None

Zoning Cases – Consent

1. **Z101-335(RB)**

Planner: Richard Brown

Motion: In considering an application for a Planned Development District for Mixed Uses on property zoned an MU-2 Mixed Use District, MF-2(A) Multifamily District, and the termination of Specific Use Permit No. 1621 for Child-care facility and private school on both sides of Westmoreland Road, north of Wheatland Road, it was moved to **hold** this case under advisement until December 15, 2011.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 500 Mailed: 101
Replies: For: 6 Against: 1

Speakers: None

2. **Z101-347(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1783 for a Bar, lounge, or tavern for a three-year period, subject to conditions on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, south line of Elm Street, west of Crowds Street.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 200 Mailed: 25
Replies: For: 2 Against: 1

Speakers: None

3. Z101-357(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with retention of the D Liquor Control Overlay on property zoned as Planned Development Subdistrict No. 29 for Single family uses with the D Liquor Control Overlay on the northwest line of Sale Street, north of Gillespie Street.

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

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Wolfish, Schwartz, Alcantar

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

Notices: Area: 200 Mailed: 76
Replies: For: 3 Against: 0

Speakers: For (Did not speak): Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

4. Z112-119(MD)

Planner: Mark Doty

Motion: It was moved to recommend **approval** of an Historic District Overlay, subject to preservation criteria on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of Leland Avenue and Southland Street.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 200 Mailed: 35
Replies: For: 0 Against: 0

Speakers: None

5. Z112-107(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to general merchandise or food store and motor vehicle fueling station uses for a five-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the southeast corner of Greenville Avenue and Richmond Avenue.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 200 Mailed: 20
Replies: For: 2 Against: 0

Speakers: None

6. **Z101-383(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of the expansion of Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, subject to conditions on property zoned an R-7.5(A) Single Family District on the east side of Gardenview Drive, south of Dell Garden Avenue and west of South Buckner Boulevard.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 500 Mailed: 60
Replies: For: 4 Against: 2

Speakers: None

Zoning Cases – Under Advisement

7. **Z101-196(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an MF-1(A) District in lieu of an MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant, and retention of the D-1 Liquor Control Overlay on property zoned a CR Community Retail District with the D-1 Liquor Control Overlay on the northeast line of Lawnview Avenue, south of Forney Road.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 400 Mailed: 95
Replies: For: 6 Against: 4

Speakers: None

8. Z101-283(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for the Placement of fill material for a six-year period, subject to a site plan and conditions on property zoned an IM Industrial Manufacturing District, an IR Industrial Research District, an R-7.5(A) Single Family District, and Planned Development District No. 631, the West Davis Special Purpose District, on property generally on both sides of Chalk Hill Road, between IH 30 and West Davis Street.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 500 Mailed: 308
Replies: For: 1 Against: 6

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Against: None

9. Z101-258(MG)

Planner: Michael Grace

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 Community Retail District with a D-1 Liquor Control Overlay on the south corner of Forney Road and Lawnview Avenue, it was moved to **hold** this case under advisement until December 1, 2011.

Maker: Bagley
Second: M. Davis
Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 200 Mailed: 16
Replies: For: 0 Against: 2

Speakers: None

Zoning Cases – Individual

10. Z101-384(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Planned Development District for IR Industrial Research District uses, subject to a conceptual plan and staff's recommended conditions on property zoned an IR Industrial Research District on the west corner of Maple Avenue and Butler Street.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 500 Mailed: 85
Replies: For: 5 Against: 1

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Guy E. Brignon, 8235 Douglas Ave., Dallas, Texas 75225
Against: None

11. **Z101-348(MG)**

Planner: Michael Grace

Motion: It was moved to recommend **approval** of a Planned Development District for MC-1 Multiple Commercial District uses and general merchandise or food store greater than 100,000 sq. ft. use, subject to a development plan, elevations and revised staff recommended conditions on property zoned an MC-1 Multiple Commercial District on the west side of S. R.L. Thornton Freeway, south of W. Ledbetter Drive.

Maker: M. Davis
Second: Schwartz
Result: Carried: 11 to 2

For: 11 - R. Davis, Anglin, M. Davis, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Wolfish,
Schwartz, Alcantar

Against: 2 - Wally, Rodgers
Absent: 1 - Peterson
Vacancy: 0
Conflict: 1 - Bernbaum

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

Speakers: For: Myron Dornic, 5026 Maple Springs Blvd., Dallas, TX, 75235
Dan Millner, 5750 Genesis Ct., Frisco, TX
Frank Mihalopoulos, 4645 N. Central Expwy., Dallas, TX, 75205
Bob Stimson, 707 Tenna Loma Ct., Dallas, TX, 75208
Scott Johnson, 12700 Park Central Dr., Dallas, TX, 75251
Against: None

12. **Z101-389(MG)**

Planner: Michael Grace

Motion: It was moved to recommend **approval** of a D-1 Liquor Control Overlay **limited to the Specific Use Permit request area only** and **approval** a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet for a two-year period, subject to a site plan and conditions on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the north line of Lake June Road between Baywood Street and Holcomb Road.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Notices: Area: 400 Mailed: 123
Replies: For: 6 Against: 5

Speakers: For: Michael Coker, 2700 Swiss Ave., Dallas, TX, 75204
Against: None

Other Matters

Adjournment

Motion: It was moved to **adjourn** the November 17, 2011, City Plan Commission meeting at 3:34 p.m.

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

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Joe Alcantar, Chair