

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 5, 2012, with the briefing starting at 11:01 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 Bruce Bernbaum, Acting 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, Gloria Tarpley, John Shellene, 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) S112-045

Motion: It was moved to **approve** an application to create a 0.928 acre lot from a tract of land in City Block 8823 located at the terminus of Applegate Drive, northeast of Seagoville Road and northwest of W. Lawson Road, subject to compliance with the conditions listed in the docket.

Maker: Lavallaisaa
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) **S112-046**

Motion: It was moved to **approve** an application to replat an 18.4517 acre lot in City Block 5973 into one 9.9989 acre lot and one 8.4528 acre lot on property bounded by Wynnewood Drive, Pratt Street and Zang Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Lavallaisaa
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) **S112-047**

Building Line Motion: It was moved to **deny** an application to remove the platted building line of lot 2 in City Block 6/6606 and of a tract of land in City Block 6602 on Satsuma Drive and Dennis Road, due to non-compliance to 51A-8.503 of the Dallas Development Code.

Maker: Schwartz
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

Plat Motion: It was moved to **approve** an application to replat all of lot 2 in City Block 6/6606 and a tract of land in City Block 6602 into one 1.5612 acre lot and one 2.1881 acre lot on Satsuma Drive and Dennis Road, subject to compliance with the conditions listed in the docket.

Maker: Schwartz
Second: Wally
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: Robert Baldwin, 3904 Elm St., Dallas, TX, 75224
Against: None

(4) **S112-050**

Motion: It was moved to **approve** an application to replat a 2.007 acre tract of land in City Block 242 into one lot 1928 Ross Avenue and bordered by Ross Avenue, Harwood Street, San Jacinto Street and St. Paul Street, subject to compliance with the conditions listed in the docket.

Maker: Lavallaisaa
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

(5) S112-051

Motion: It was moved to **approve** an application to replat a 6.3147 acre tract of land containing all of Lot 1 in City Block A/4021 and a tract of land in City Block 4021 into five lots, 2.7494 acre, 0.9812 acre, 1.6543 acre, 0.5412 acre and 0.3886 acre lots on Sylvan Avenue between IH-30 and Fort Worth Avenue, subject to compliance with the conditions listed in the docket, with the following changes to Condition #13: 1) Strike "Dedicate 50 feet ROW from established centerline of Sylvan Avenue." 2) Add on the final plat "Dedicate 50' of ROW from the established center line of Sylvan Avenue as required by the current Thoroughfare Plan. However, if the Thoroughfare Plan ROW requirements for Sylvan Avenue change before recording of the final plat then the ROW requirements in place at the time of the plat recording shall apply."

Maker: Lavallaisaa
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

(6) S112-052

Motion: It was moved to **approve** an application to create a 0.68 acre lot from a tract of land in City Block 5213 on property located at Greenville Avenue and Meadow Road, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Lavallaisaa
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: For (Did not speak): Brian Nebel, 5413 Sonoma Dr., Fort Worth, TX, 76244
Against: None

Residential Replats:

(7) **S112-048**

Building Line Motion: It was moved to **approve** an application to remove 2 existing platted building lines from Lots 5 and 6 on property located on Northwest Highway between Inwood Road and Meadowbrook Drive, subject to compliance with the conditions listed in the docket.

Maker: Schwartz
Second: Bernbaum
Result: Carried: 11 to 3

For: 11 - Davis, Anglin, Abtahi, Rodgers, Hinojosa,
Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Alcantar

Against: 3 - Wally, Bagley, Lavallaisaa
Absent: 0
Vacancy: 1 - District 14

Plat Motion: It was moved to **approve** an application to replat a 12.89 acre tract of land containing part of Lot 5, and all of Lot 6 in City Block 7/5580 into one lot on property located on Northwest Highway between Inwood Road and Meadowbrook Drive, subject to compliance with the conditions listed in the docket.

Maker: Schwartz
Second: Bernbaum
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

Speakers: For: Sherwood Blount, Jr., 1 Abbey Wood Ln., Dallas, TX, 75248
John Stull, 5445 La Sierra Dr., Dallas, TX, 75231
Against: Jonathan Vinson, 901 Main St., Dallas, TX, 75202

(8) S112-049

Building Line Motion: It was moved to **approve** an application to remove the existing platted side yard building line on Lot 1 in City Block A/5509 to create one 0.504 acre lot located at 5807 Norway Road, subject to compliance with the conditions listed in the docket.

Maker: Schwartz
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

Plat Motion: It was moved to **approve** an application to replat a tract of land containing all of Lot 1, abandoned alley right of way, in City Block A/5509 to create one 0.504 acre lot located at 5807 Norway Road, subject to compliance with the conditions listed in the docket.

Maker: Schwartz
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: None

Miscellaneous Docket

W112-003

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 subarea within the Cedars West Subarea of Planned Development District No. 784 to allow a restaurant with a drive-through on the south corner of Cadiz Street and Riverfront Boulevard.

Maker: Wally
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: For: Robert Baldwin, 3904 Elm St., Dallas, TX, 75224
Against: None

Certificates of Appropriateness for Signs

1110271014

Planner: Carolyn Horner

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a monument sign approximately 18 square feet at 1014 Main Street.

Maker: Wally
Second: Hinojosa
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

1111235001

Planner: Carolyn Horner

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a building identity monument sign approximately 50 square feet, subject to the owner filing final plat of property at 408 W. Park/1835 Young Street.

Maker: Wally
Second: Hinojosa

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. **Z112-112(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of 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 for a two-year period, subject to a site plan and conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Bruton Road and Masters Drive.

Maker: Rodgers
Second: Hinojosa
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

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 12
Replies: For: 0 Against: 0

Speakers: For: Ashley Anderson, 1601 Elm St., Dallas, TX, 75201
Against: None

2. Z112-129(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an RR Regional Retail District on property zoned an IR Industrial Research District on the west side of South Walton Walker Boulevard, north of West Ledbetter Drive.

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

Notices: Area: 200 Mailed: 8
Replies: For: 1 Against: 0

Speakers: For (Did not speak): Rene Sanchez, 4233 S. Walton Walker Blvd., Dallas, TX, 75236
Ricardo Valdez, 4233 S. Walton Walker Blvd., Dallas, TX, 75236
Ricardo Cardenes, 4233 S. Walton Walker Blvd., Dallas, TX, 75236
Against: None

3. Z112-116(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1729 for an Open-enrollment charter school for a five-year time period with eligibility for automatic renewals for additional five-year periods, subject to revised conditions on property zoned an R-7.5(A) Single Family District on the northwest side of Garland Road, between Easton Road and Lochwood Boulevard.

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

Notices: Area: 400 Mailed: 68
Replies: For: 1 Against: 3

Speakers: None

4. Z112-118(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District on the north side of Lake June Road, west of St. Augustine Road.

Maker: Rodgers
Second: Hinojosa
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: 200 Mailed: 8
Replies: For: 0 Against: 0

Speakers: For: Socorro Hernandez, 9501 Lake June Rd., Dallas, TX, 75217
Against: Kenneth Winn, 1310 Memory Ln., Dallas, TX, 75217
Against (Did not speak): Sandra Winn, 1310 Memory Ln., Dallas, TX, 75217

5. Z112-130(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a CR Community Retail District on property zoned an LI Light Industrial District on the west corner of IH 635 and Royal Lane.

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

Notices: Area: 300 Mailed: 9
Replies: For: 0 Against: 0

Speakers: None

Zoning Cases -Under Advisement

6. **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 move to **hold** this case under advisement until January 19, 2012.

Maker: Lavallaisaa

Second: Wally

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

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 101
Replies: For: 7 Against: 1

Speakers: None

Zoning Cases – Individual

7. Z112-122(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of the renewal of and amendment to Specific Use Permit No. 1682 for an Alcoholic beverage establishment for a Private club-bar for a two-year period, subject to conditions on property zoned a CR Community Retail District at the southeast corner of Midway Road and Frankford Road.

Maker: Wolfish
Second: Davis
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: 200 Mailed: 6
Replies: For: 0 Against: 0

Speakers: None

Other Matters

Consideration of appointments to the following CPC Committee:

Special Sign District Advisory Committee (SSDAC)
Arts District Sign Advisory Committee (ADSAC)

Note: Additional changes were made to other committees, not requiring Commission vote.

Motion: It was moved to **approve** the appointment of Mr. Ken Ethridge to the Special Sign District Advisory Committee and Arts District Sign Advisory Committee.

Maker: Bernbaum
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

Minutes

Motion: It was moved to **approve** the minutes of the December 15, 2011, City Plan Commission meeting, subject to corrections.

Maker: Hinojosa
Second: Abtahi
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

Adjournment

Motion: It was moved to **adjourn** the January 5, 2012, City Plan Commission meeting at 2:43 p.m.

Maker: Bagley
Second: Wally
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