

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 19, 2012, with the briefing starting at 11:32 a.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 Myrtl Lavallaisaa, 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, Gloria Tarpley, John Shellene, Bruce Bernbaum, Sally Wolfish, Michael Schwartz and Bill Peterson. 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) **S112-058**

Motion: It was moved to **approve** an application to replat all of Lot 1 and a tract of land in City Block H/6045 to create a 6.1245 acre lot on property located on Westmoreland Road, north of Camp Wisdom Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Building Line Removal:

(2) **S112-056**

Building Line Motion: It was moved to **deny** an application to remove the existing 25 foot building line along the south line of Highland Road and the north line of R.L. Thornton Freeway Service Road west of Jim Miller Road, due to non-compliance of 51A-8.505(c)(2), Dallas Development Code.

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

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

Against: 0
Absent: 0
Vacancy: 0

Motion: It was moved to **deny** an application to replat a 0.9925 acre tract of land containing all of Lot 2A in City Block 1/8472 along the south line of Highland Road and the north line of R.L. Thornton Freeway Service Road west of Jim Miller Road, due to non-compliance of 51A-8.505(c)(2), Dallas Development Code.

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

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: For: Lee Morris, 511 John Carpenter Frwy., Irving, TX,
Against: None

Residential Replats:

(3) **S112-053**

Motion: It was moved to **approve** an application to replat a 0.42 acre tract of land containing all of Lots 4, 5 and 6 in City Block 2/7092 into one 7,937 square foot lot and one 10,241 square foot lot fronting on Bataan Street, south of Canada Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75201
Against: None

Individual Item:

(4) **S112-054** **This case was withdrawn by the applicant.**

Miscellaneous Docket

M101-055

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 666 for a Public school other than an Open-enrollment charter school and R-7.5(A) Single Family District Uses on property bounded by Kiest Boulevard, Polk Street, Hoke Smith Drive and Navajo Drive.

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

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. **Z112-133(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Open-enrollment charter school for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan and conditions on property zoned an NO(A) Neighborhood Office District and a CR Community Retail District, on the northwest corner of Camp Wisdom Road and Westmoreland Road.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 400 Mailed: 44
Replies: For: 0 Against: 1

Speakers: None

2. Z112-135(CH)

Planner: Carolyn Horner

Motion: It was moved to recommend **approval** of a Specific Use Permit for a hotel or motel use for a five-year time period with eligibility for automatic renewal for additional five-year periods; subject to a site plan and conditions on property zoned Subdistrict B Historic Core within Planned Development District No. 225, the State Thomas Special Purpose District, on the north corner of Thomas Avenue and Fairmount Street.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 49
Replies: For: 2 Against: 0

Speakers: For: Roger Albright, 3301 Elm St., Dallas, TX, 75226
Judy Smith Hearst, 2512 Thomas Ave., Dallas, TX, 75201
Against: None

3. Z112-123(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of 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 less than 3,500 square feet for a two-year period, subject to a site plan and conditions on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay on the southwest corner of South Buckner Boulevard and Umphress Road.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 15
Replies: For: 1 Against: 2

Speakers: For: Jesse Diaz, 9217 Homeplace Dr., Dallas, TX, 75217
James Leaks, 1958 Yuca Dr., Dallas, TX, 75217
Kay Leaks, 1958 Yuca Dr., Dallas, TX, 75217
Joseph Lashley, 1618 Hillburn Dr., Dallas, TX, 75217
Audra Buckley, 2814 Main St., Dallas, TX, 75226
Against: None

4. Z112-137(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 572 for a Public school other than an Open-enrollment charter school, subject to a revised development plan, traffic management plan and conditions on the southeast corner of Pleasant Valley Drive and Chimney Hill Lane.

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

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 129
Replies: For: 2 Against: 13

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75201
Brenda Payne, 400 S. Greenville Ave., Richardson, TX, 75081
Mike Longanecker, 6968 Blackwood Dr., Dallas, TX, 75231
Against: Chuck Stegman, 9923 Glen Canyon Dr., Dallas, TX, 75243
Kathy Ogle, 10119 Chimney Hill Ln., Dallas, TX, 75243
Ray Nannis, 10031 Glen Canyon Dr., Dallas, TX, 75243
Suzanne Massey, 12406 Pleasant Valley Dr., Dallas, TX, 75243

Zoning Cases -Under Advisement

5. **Z101-367(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development District for a Public school other than an Open-enrollment charter school and R-7.5(A) Single Family District uses, subject to a development plan, landscape plan, traffic management plan and revised conditions providing for a 8 ft. fence on the north side separating the school from residential property and **approval** of the termination of Specific Use Permit No. 142 for radio towers on property zoned an R-7.5(A) Single Family District on the north side of Bruton Road between Mack Lane and Hillburn Drive.

Maker: Abtahi
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: 1 - Peterson
Vacancy: 0

Notices: Area: 500 Mailed: 286
Replies: For: 12 Against: 24

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75201
Shirley Stark, 2612 Max Goldblatt Dr., Dallas, TX, 75227
Byron Stark, 2612 Max Goldblatt Dr., Dallas, TX, 75227
Kay Leaks, 1958 Yuca Dr., Dallas, TX, 75217
Jesse Diaz, 9217 Homeplace Dr., Dallas, TX, 75217
Against: Imana Cordova, 2187 Mack Cir., Dallas, TX, 75227
Maria Villarreal, 2303 Gaylord Dr., Dallas, TX, 75227
Dorita Vasquez, 2210 Mack Ln., Dallas, TX, 75227
Mary Benavides, 2060 Joan Dr., Dallas, TX, 75217

6. Z101-335(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** for a Planned Development District for Certain Mixed Uses, subject to a revised Tract 1 development plan/Tract 2 conceptual plan with the following changes: (1) Provide future requirements to measure pedestrian crossings across Westmoreland, subject to conditions. 2) Delete Sec. 51P-113, (3)(D) "Ticker tape streaming is permitted and must be located within the bottom 10 percent of the effective area.", and 3) Signs must be constructed in compliance with the location and appearance as shown on the development plan, a Tract 3 development plan, traffic management plan, and revised conditions, and **approval** of the termination of Specific Use Permit No. 1621 for Child-care facility and Private school on property zoned an MU-2 Mixed Use District and MF-2(A) Multifamily District, on both sides of Westmoreland Road, north of Wheatland Road.

Maker: Lavallaisaa
Second: Rodgers
Result: Carried: 11 to 3

For: 11 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Shellene, Bernbaum,
Schwartz, Alcantar

Against: 3 - Anglin, Tarpley, Wolfish
Absent: 1 - Peterson
Vacancy: 0

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

Speakers: For: Audra Buckley, 2814 Main St., Dallas, TX, 75226
Charles Robinson, 2528 Kool Ave., Dallas, TX, 75241
Against: None

Development Code Amendment

DCA090-010

David Cossum

Motion: It was moved to recommend **approval** of amendments to Chapter 51 and Chapter 51A, "Dallas Development Code, as amended," by amending off-street parking requirements for certain uses, amending parking special exception requirements, amending parking lot tree requirements, providing for administrative parking reductions, and allowing a taxidermist use in industrial districts, with the following changes: 1) Revise (7) Mini-warehouse, (C) to read as follows: "(C) Require off-street parking: Six spaces are required. Spaces may not be used for outside storage, vehicle storage or parking for vehicles for rent. No handicapped parking is required." 2) Revise Section 51A-4.313, Administrative Parking Reductions to include the following: 1) Restaurant, bar, lounge and tavern used within 1200 feet of a platform of a rail transit station not be eligible for an administrative reduction, and 2) Uses within 1200 feet walking distance of an improved rail trolley platform qualify for a maximum administrative reduction of 5 percent.

Maker: Wolfish

Second: Bagley

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Peterson

Vacancy: 0

Speakers: For: Suzan Kedron, 901 Main St., Dallas, TX, 75202
Dallas Cothrum, 900 Jackson St., Dallas, TX, 75201
Against: None

Landmark Appeal

707 Huntley Street (CA101-347(CH))

Planner: Carolyn Horner

Motion: It was moved to **affirm** the Landmark Commission's decision to deny without prejudice Certificate of Appropriateness CA101-347(CH) for three trellises in front yard and the lower front porch cover at 707 Huntley Street.

Maker: Wolfish

Second: Bagley

Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Abtahi, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,

Shellene, Bernbaum, Wolfish, Schwartz,
Alcantar

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Speakers: Appellant: Mary Grunbaum, 707 Huntley St., Dallas, TX, 75214
City Attorney: Bert Vandenberg, City of Dallas, Assistant City Attorney
Staff (Did not speak): Carolyn Horner, City of Dallas, Historic Preservation Planner

Other Matters

Consideration of appointments to the following CPC Committee:
Arts District Sign Advisory Committee (ADSAC)

Motion: It was moved to **approve** the appointments of Tamara Wooten-Bonner and Scott Potter to the Arts District Sign Advisory Committee.

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: 1 - Peterson
Vacancy: 0

Minutes

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

Maker: Hinojosa
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: 1 - Peterson
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the January 19, 2012, City Plan Commission meeting at 5:26 p.m.

Maker: Davis

Second: Rodgers

Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Peterson
Vacancy: 0

Joe Alcantar, Chair