

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 16, 2012, with the briefing starting at 11:07 p.m. in Room 5ES and the public hearing at 1:47 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, Mike Anglin, Robert Abtahi, Emma Rodgers, Tony 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: Liz Wally and 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) **S045-255R**

Motion: It was moved to **approve** an application to revise a previously approved (S045-255) 9 lot shared access development subdivision to create a 10 lot shared access development from a 0.3185 acre tract of land containing all of Lots 1 and 16 in City Block P/582 located at 2429 Hall Street, subject to compliance with the conditions listed in the docket with the deletion of Condition # 32.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

(2) **S112-067** **This case was withdrawn by the applicant.**

(3) **S112-068**

Motion: It was moved to **approve** an application to replat a 1.5642 acre tract of land containing all of Lots 6 through 14 in City Block 12/854 into one lot located between Merlin Street and Malcolm X Boulevard northwest of Grand Avenue, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

(4) **S112-069**

Motion: It was moved to **approve** an application to replat all of Lot 1 in City Block B/6160 and a tract of land into one 6.0665 acre lot on property located at Remond Drive and Westmoreland Road, northeast corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

(5) **S112-071**

Motion: It was moved to **approve** an application to replat a 5.8890 acre tract of land containing all of Lot 1C in City Block A/1277 into one 4.740 acre lot and one 1.149 acre lot on All Star Way between Houston Street and Victory Way, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

(6) **S112-072**

Motion: It was moved to **approve** an application to replat a 1.984 acre tract of land containing part of Lots 1 and 3 and all of Lot 2 in City Block 1982; and all of Lots 5, 6, 7, 8, 9 and 10 in City Block D/1982 into one 0.485 acre lot, one 0.781 acre lot; and one 0.718 acre lot on 2001 Greenville Avenue between Sears Street and Bell Avenue, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

Residential Replats

(7) **S112-066**

Building Line Motion: It was moved to **approve** an application to reduce the platted 50 foot side yard building line to a 20 foot platted side yard building line at 5210 Royal Crest Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Replat Motion: It was moved to **approve** an application to replat a 0.667 acre tract of land containing all of Lot 1 in City Block 5/6389 at 5210 Royal Crest Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

Note: Commissioner Tarpley moved to change the order of the agenda and hear DCA112-004 next. Commissioner Shellene seconded the motion. The Commission unanimously voted to hear DCA112-004 next. Commissioners Wally and Peterson were absent.

Miscellaneous Docket

M112-008

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development and landscape plan for Planned Development District No. 501 for a Public school and R-10(A) Single Family District Uses, on the south line of Stults Road between Woodshore Drive and Clearwater Drive.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

M112-011

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the site plan/traffic management plan for Specific Use Permit No. 1824 for an Open-enrollment charter school on west line of South R. L. Thornton Freeway, south of Kiest Boulevard.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

W112-006

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 D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on the north line of Bruton Road between Jim Miller Road and Mack Lane.

Maker: Abtahi
Second: Bagley
Result: Carried: 13 to 0

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: For: Audra Buckley, 2814 Main St., Dallas, TX, 75226
James Leaks, Jr., 1958 Yuca Dr., Dallas, TX, 75217
Against: None

Thoroughfare Plan Amendments

**Elm Street between Good Latimer Expressway and Exposition Avenue; and
Commerce Street between Good Latimer Expressway and Exposition Avenue**

Motion: It was moved to **approve** an amendment to the City of Dallas Thoroughfare Plan to change dimensional classifications of Elm Street from Good Latimer Expressway to Exposition Avenue from a four lane undivided (S-4-U) roadway within 60 feet of right-of-way to a special two lane undivided (SPCL 2U) roadway within 60 feet of right-of-way and 38 feet of pavement; and Commerce Street from Good Latimer Expressway to Exposition Avenue from a four lane undivided (S-4-U) roadway within 60 feet of right-of-way to a special two lane undivided (SPCL 2U) roadway within 60 feet of right-of-way and 38 feet of pavement.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

Riverfront Boulevard from Continental Avenue to Corinth Street

Motion: It was moved to **approve** an amendment to the City of Dallas Thoroughfare Plan to change dimensional classification of Riverfront Boulevard from Continental Avenue to Corinth Street from a special eight lane divided (SPCL 8D) roadway within 137 to 150 feet of right-of-way to a special six lane divided (SPCL 6D) roadway with bike lanes within 130 feet of right-of-way and 93 feet of pavement.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

Canada Drive between Gulden Lane and West Main Street; and Continental Viaduct between Beckley Avenue and Riverfront Boulevard; and Beckley Avenue between West Main Street and Singleton Boulevard

Motion: It was moved to **approve** an amendment to the City of Dallas Thoroughfare Plan to delete Canada Drive from Gulden Lane to West Main Street as a four lane divided (S-4-D) roadway within 80 feet of right-of-way; delete Continental Viaduct from Beckley Avenue to Riverfront Boulevard as a special eight lane divided (SPCL 8D) roadway within 134 to 150 feet of right-of-way; and add Beckley Avenue from West Main Street to Singleton Boulevard as a special four lane divided (SPCL 4D) roadway with bicycle lanes within 100 feet of right-of-way and 74 feet of pavement.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

Sylvan Avenue between IH-30 and Singleton Boulevard

Motion: It was moved to **approve** an amendment to the City of Dallas Thoroughfare Plan to change dimensional classifications of Sylvan Avenue from IH-30 to Fort Worth Avenue from a six lane divided roadway M-6-D(A*) within 100 feet of right-of-way to a special four lane divided roadway (SPCL 4-D) with bicycle lanes within 90 feet of right-of-way; and Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard from a six lane divided roadway M-6-D(A*) within 100 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, with cross sections provided.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. Z101-360(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 512 for a Public school and R-1/2ac(A) Single Family District Uses, subject to a development plan, traffic management circulation plan and conditions on the south corner of Woody Road and Seagoville Road.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Notices: Area: 500 Mailed: 64
Replies: For: 2 Against: 0

Speakers: None

2. Z101-390(RB)

Planner: Richard Brown

Motion: In considering an application for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northwest corner of Goodnight Lane and Merrell Road, it was moved to **hold** this case under advisement until March 1, 2012.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Notices: Area: 300 Mailed: 14
Replies: For: 5 Against: 0

Speakers: None

3. Z112-139(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 194 for a fire station, subject to a development plan and conditions on the west line of Greenville Avenue, north of Boundbrook Avenue.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Notices: Area: 500 Mailed: 84
Replies: For: 3 Against: 2

Speakers: None

4. Z112-140(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions on property zoned an R-10(A) Single Family District on the south side of Belt Line Road, east of Hillcrest Road.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Notices: Area: 300 Mailed: 15
Replies: For: 2 Against: 0

Speakers: None

5. Z112-144(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an amendment to Planned Development Subdistrict No. 78, subject to a development plan and conditions within Planned Development District No. 193, the Oak Lawn Special Purpose District, an area generally bounded by Knight Street, Brown Street, Throckmorton Street and Fairmount Street.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Notices: Area: 500 Mailed: 274
Replies: For: 8 Against: 0

Speakers: None

6. Z112-151(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1548 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 IR Industrial Research District on the west and north side of Forestgate Drive, north of Forest Lane.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Notices: Area: 300 Mailed: 41
Replies: For: 0 Against: 0

Speakers: None

7. Z112-173(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of the creation of a subdistrict, subject to conditions within Planned Development District No. 577 on the east side of Central Expressway, north of Meadow Road.

Maker: Schwartz
Second: Tarpley
Result: Carried: 12 to 0

For: 12 - Davis, Anglin, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Wolfish, Schwartz, Alcantar

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

Notices: Area: 500 Mailed: 106
Replies: For: 0 Against: 0

Speakers: For: David Watson, 2001 Ross Ave., Dallas, TX, 75201
Against: None

Zoning Cases – Under Advisement

8. Z101-271(MG)

Planner: Neva Dean

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 use less than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the southwest corner of E. R.L. Thornton Freeway and N. Jim Miller Road, it was moved to **hold** this case under advisement until June 7, 2012.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Notices: Area: 300 Mailed: 20
Replies: For: 0 Against: 1

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

Zoning Cases - Individual

9. Z112-120(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store greater than 3,500 square feet for a two-year time period, subject to a site plan and staff conditions on property within Subarea 2 of Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the southwest corner of S. Buckner Boulevard and Lake June Road.

Maker: Rodgers
Second: Bagley
Result: Carried: 13 to 0

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Notices: Area: 300 Mailed: 46
Replies: For: 1 Against: 1

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

Development Code Amendment

DCA112-004

David Cossum

Motion: In considering amendments to Chapter 51A, the Dallas Development Code, to amend Section 51A-8.500, Subdivision Layout and Design, providing that lots for certain governmental uses are excluded from the requirement that lots must conform in width, depth, and area to the pattern already established in adjacent areas, it was moved to **hold** this case under advisement until March 1, 2012.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75201
William Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

Other Matters

Reconsideration

Z101-233(MW)

Planner: Megan Wimer

Motion: It was moved to **approve** the reconsideration of the action taken on February 2, 2012, which was to move to recommend approval of a MU-2 Mixed Use District and approval of a Specific Use Permit for a convenience store with drive-through for a three-year period, subject to a site plan and conditions on property zoned an MU-1 Mixed Use District on the southwest corner of East 8th Street and South RL Thornton Freeway.

Maker: Anglin
Second: Bagley
Result: Carried: 13 to 0

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Motion: In considering an application for an MU-2 Mixed Use District and a Specific Use Permit for a convenience store with drive-through on property zoned an MU-1 Mixed Use District on the southwest corner of East 8th Street and South RL Thornton Freeway, it was moved to **hold** this case under advisement until March 1, 2012, to allow the notification of a public hearing.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Speakers: None

Minutes

Motion: It was moved to **approve** the minutes of the February 2, 2012, City Plan Commission meeting, subject to corrections.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the February 16, 2012, City Plan Commission meeting at 2:27 p.m.

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

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

Against: 0
Absent: 2 - Wally, Peterson
Vacancy: 0

Joe Alcantar, Chair