

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 6, 2011 with the briefing starting at 10:38 a.m. in Room 5ES and the public hearing at 1:30 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, Myrtl Lavallaisaa, 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 is one vacancy - District 6.

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.

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.

Residential Replats

(1) S101-025

Motion: It was moved to **approve** an application to replat a tract of land containing all of Lots 4B and 4C in City Block 5213 ½ into one 3.529 acre lot on property located at 5515 Glen Lakes Drive and Manderville Lane, northeast corner, subject to compliance with the conditions listed in the docket with the deletion of Condition #13.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Speakers: None

(2) S101-026

Motion: It was moved to **approve** an application to replat Lot 1, City Block A/6357 and a tract of land in City Block 6357 into a 3.569 acre lot on 8388 and 8436 C.F. Hawn Freeway; 111, 115 and 119 Turin Dr. and 8435 San Marino Ave. at U.S. Highway 175 and Turin Drive, north 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,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 6

Speakers: None

(3) S101-027

Motion: It was moved to **approve** an application to create a 1.02 acre lot and a 0.86 acre lot from a 1.89 acre tract of land in City Block 6509 on property located at 10901 & 10967 N. Stemmons Freeway at the southwest corner of IH 35E and Walnut Hill Lane, 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,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 6

Speakers: None

Individual Item

(4) **S101-021**

Motion: It was moved to **approve** an application to replat part of Lots 1 and 2 in City Block 8772 into one 0.771 acre lot at the northeast corner of 10141 Oakwood Drive and Prater Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Speakers: None

(5) **S101-022**

Motion: It was moved to **approve** an application to create one 23.82 acre lot containing all of City Block 5455 and bounded by Meadow Road, Airline Road, Lakehurst Avenue and Hillcrest Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6
Conflict: 1 - M. Davis

Speakers: None

(6) **S101-024**

Motion I: It was moved to **approve** an application to replat a 0.771 acre tract of land containing all of Lots 5 and 6 in City Block 1/6995 located on 12303 – 12309 Quincy Lane at Williamstown Road, subject to compliance with the conditions listed in the docket.

Maker: Schwartz
Second: Anglin
Result: Failed: 7 to 7

For: 7 - R. Davis, Anglin, Tarpley, Shellene, Bernbaum, Schwartz, Alcantar

Against: 7 - Wally, M. Davis, Rodgers, Bagley, Lavallaisaa, Wolfish, Peterson
Absent: 0
Vacancy: 1 - District 6

Motion II: It was moved to **approve** an application to replat a 0.771 acre tract of land containing all of Lots 5 and 6 in City Block 1/6995 located on 12303 – 12309 Quincy Lane at Williamstown Road, subject to compliance with the conditions listed in the docket.

Maker: Tarpley
Second: Schwartz
Result: Carried: 9 to 5

For: 9 - R. Davis, Anglin, Lavallaisaa, Tarpley, Shellene, Bernbaum, Schwartz, Peterson, Alcantar

Against: 5 - Wally, M. Davis, Rodgers, Bagley, Wolfish
Absent: 0
Vacancy: 1 - District 6

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

Miscellaneous Docket

D090-007

Planner: Olga Torres Holyoak

Motion: It was moved to **approve** a Development plan for Planned Development District No. 742 on the northeast side of Northwest Highway, west of Skillman Road.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Speakers: None

C101-001

Planner: David Cossum

Motion: It was moved to **approve** a request to use conveyances as buildings, subject to a site plan and conditions on the south side of W. Commerce Street between Pittman Street and Haslett Street.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Speakers: For: Monte Anderson, 901 Fort Worth Ave., Dallas, TX, 75211
Against: None

M090-060

Planner: Richard Brown

Motion: It was moved to **approve** a Minor amendment to the site plan for Specific Use Permit No. 133 for a Government installation other than listed on both sides of Municipal Street, east of Bexar Street.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Speakers: None

M101-004

Planner: Richard Brown

Motion: It was moved to **approve** a Minor amendment to the development plan and landscape plan for Planned Development District No. 456 for Nursing Homes, Hospice Care, Convalescent Home and Related Institutions, Retirement Housing, and an Adult Day Care Facility on the north line of Stults Road, between Stults Road and Shepherd Drive.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Speakers: None

Zoning Cases – Consent

1. **Z090-175(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the Tract IIA portion of Planned Development District No. 598, subject to a Tract IIA development plan, Tract IIA landscape plan and conditions on the south line of Wheatland Road, east of Hampton Road.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 61
Replies: For: 2 Against: 0

Speakers: None

2. **Z090-229(RB)**

Planner: Richard Brown

Motion: In considering an application for a Specific Use Permit for a Bail bonds office on property within Planned Development District No. 784, the Trinity River Corridor Special Purpose District on the southwest corner of Reunion Boulevard and the Interstate 35 Southbound Access Road, it was moved to **hold** this case under advisement until January 20, 2011.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 10
Replies: For: 2 Against: 0
Speakers: None

3. **Z090-244(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Financial institution with drive-in window for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District on the west corner of Riverfront Boulevard and Leslie Street.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 24
Replies: For: 1 Against: 0

Speakers: None

4. **Z090-253(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an IM Industrial Manufacturing District, subject to deed restrictions volunteered by the applicant, and **approval** of a Specific Use Permit for a Potentially incompatible industrial use for Metal refining for a five-year period, with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned an IR Industrial Research District on the south line of Andjon Drive, west of Harry Hines Boulevard.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 11
Replies: For: 2 Against: 1

Speakers: None

5. **Z090-254(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for a Convalescent and nursing homes, hospice care, and related institutions use and CR Community Retail District Uses, subject to a development plan and conditions on property zoned a CR Community Retail District Northeast Line of Bonnie View Road, North of Illinois Avenue.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 95
Replies: For: 6 Against: 1

Speakers: FOR (Did not speak): Westy Young, 4949 Westgrove Dr., Dallas, TX, 75248
Loren Montgomery, 4118 Commerce St., Dallas, TX, 75226
Micah Phillips, 2349 Cedar Crest, Dallas, TX, 75203
James Brown, 6750 Hillcrest Plaza, Dallas, TX, 75230
Charles McElrath, 400 S. Zang Blvd., Dallas, TX, 75208
Misty Ventura, 9406 Biscayne Blvd., Dallas, TX, 75218

Against: None

6. **Z101-103(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1474 for a Public school, subject to a site plan, landscape plan, traffic management plan, and conditions on property zoned an MF-1(A) Multifamily District, at the southeast corner of Wandt Drive and Ridge Center Drive.

Maker: Anglin
Second: Tarpley
Result: Carried: 13 to 1

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

Against: 1 - Wolfish
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 400 Mailed: 6
Replies: For: 1 Against: 0

Speakers: For: Matt Morgan, 14001 Dallas Pkwy., Dallas, TX, 75240
Against: None

7. **Z101-111(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the Phase I portion of Planned Development Subdistrict No. 20 for certain GR General Retail Uses, subject to a development/landscape plan and conditions within Planned Development District No. 193, the Oak Lawn Special Purpose District at the east corner of Oak Lawn Avenue and Gillespie Street.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 175
Replies: For: 1 Against: 0

Speakers: None

8. Z101-116(MG)

Planner: Michael Grace

Motion: It was moved to recommend **approval** of an MU-1 Mixed Use District on property zoned an IM Industrial Manufacturing District generally on the northwest corner of S. Malcolm X Boulevard and Louise Avenue.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 300 Mailed: 29
Replies: For: 3 Against: 0

Speakers: None

9. Z101-118(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for a financial institution with drive-in window for a ten-year period, with eligibility for automatic renewal for additional ten-year periods, subject to a site and landscape plans and conditions on property zoned Tract 1A within Planned Development District No. 260, on the north side of Park Lane, west of North Central Expressway.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 300 Mailed: 15
Replies: For: 3 Against: 0

Speakers: None

10. **Z090-239(WE)**

Planner: Warren Ellis

Motion: In considering an application for an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District on the southeast corner of Marine Way and Stillwell Boulevard, it was moved to **hold** this case under advisement until January 20, 2011 and instruct staff to re-notify.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 300 Mailed: 29
Replies: For: 2 Against: 0

Speakers: None

Zoning Cases – Under Advisement

11. **Z090-238(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1766 for Commercial motor vehicle parking for a three year period, with eligibility for automatic renewal for additional three-year periods, subject to a revised site plan and conditions on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay on a portion on the north side of C.F. Hawn Freeway, east of Silverado Drive.

Maker: Lavallaisaa
Second: Wally

Result: Carried: 14 to 0

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 300 Mailed: 16
Replies: For: 0 Against: 3

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

12. Z090-207(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to and expansion of the Tract 1c portion of Planned Development District No. 486 for a Community service center and CH Clustered Housing District Uses, subject to a conceptual plan, Tract 1c development plan and conditions on property zoned a CH Clustered Housing District and Planned Development District No. 486 on the south corner of Bank Street and Gurley Avenue.

Maker: Wally
Second: Schwartz
Result: Carried: 13 to 1

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

Against: 1 - M. Davis
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 252
Replies: For: 7 Against: 3

Speakers: For: Michael Coker, 2700 Swiss Ave., Dallas, TX, 75204
Andy Kerner, 2924 Stanford Ave., Dallas, TX, 75225
Against: Shawn Busari, 4906 Gurley Ave., Dallas, TX, 75223

Zoning Cases – Individual

13. **Z090-184(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the development plan and conditions for Planned Development District No. 315 for a Mini-warehouse use and LO-1 Limited Office District Uses, subject to a development plan and conditions on the south line of Forest Lane, west of Marsh Lane.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 60
Replies: For: 3 Against: 9

Speakers: For: Randy Marx, 3530 Forest Ln., Dallas, TX, 75234
Against: Thomas Hines, 336 Whitehall Dr., Dallas, TX, 75229

14. **Z101-117(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for a private recreation center, club or area for a five-year period, with eligibility for automatic renewal for additional five-year periods, subject to a site plan and revised conditions on property zoned an MF-1(A) Multifamily District on the east side of North Marlborough Avenue, north of W Jefferson Boulevard.

Maker: R. Davis
Second: Peterson
Result: Carried: 13 to 1

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

Against: 1 - Wally
Absent: 0
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 26
Replies: For: 0 Against: 0

Speakers: For: Justin Epker, 2234 Carnes St., Dallas, TX, 75208
Against: None

15. **Z090-259(MG)**

Planner: Michael Grace

Motion: It was moved to recommend **approval** of a Planned Development District for a Private recreation center, club, or area limited to a Public school district athletic complex and R-7.5(A) Single Family District Uses, subject to a development plan and revised conditions on property zoned an R-7.5(A) Single Family District on the northeast corner of Alto Garden Drive and Seaford Drive.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6
Conflict: 1 - M. Davis

Notices: Area: 500 Mailed: 114
Replies: For: 9 Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

16. **Z090-260(MG)**

Planner: Michael Grace

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 656 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 and conditions on the southeast corner of Hillcrest Road and Meadow Road.

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

For: 13 - R. Davis, Anglin, Rodgers, Bagley, Lavallaisaa,
Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Peterson, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 6
Conflict: 1 - M. Davis

Notices: Area: 500 Mailed: 178
Replies: For: 10 Against: 6

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

Other Matters

Minutes

In considering the City Plan Commission minutes for December 16, 2010, it was announced to hold approval of this item until January 20, 2011.

Adjournment

Motion: It was moved to **adjourn** the January 6, 2011, City Plan Commission meeting at 3:42 p.m.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6

Joe Alcantar, Chair