

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 7, 2010, 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 Michael Davis, Vice Chair. The following Commissioners were present during the hearing: Richard Davis, Liz Wally, Mike Anglin, Emma Rodgers, John Lozano, Ann Bagley, Myrtl Lavallaisaa, Gloria Tarpley, Tom Lueder, 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 11).

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 Development Services.

### **PUBLIC HEARINGS:**

#### Subdivision Docket

Planner: Michael Grace

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 Agenda - Preliminary Plat

#### (1) **S089-098R**

**Motion:** It was moved to **approve** an application to replat all of Lot 1C, part of Lots 6, 7, 12 and 13 in City Block B/7919 into one 13.468 acre lot at the intersection of Hinton Street and Wyche Boulevard, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Wally  
Second: M. Davis  
Result: Carried: 13 to 1

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

Against: 1 - Wolfish  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** None

(2) **S090-029**

**Motion:** It was moved to **approve** an application to create a 3.331 acre lot containing all of City Block 3422, 3423 and all of Lots 1 thru 5 in City Block A/3414 on property bounded by N. Zang Boulevard, Plowman Avenue and E. Oakenwald Street, subject to compliance with the conditions listed in the docket.

Maker: Wally  
Second: M. Davis  
Result: Carried: 13 to 1

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

Against: 1 - Wolfish  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** None

(3) **S090-032**

**Motion:** It was moved to **approve** an application to create one 5.516 acre lot from a tract of land in City Block 7212 on Pinnacle Park Boulevard, north of Fort Worth Avenue, subject to compliance with the conditions listed in the docket.

Maker: Wally  
Second: M. Davis  
Result: Carried: 13 to 1

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

Against: 1 - Wolfish  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** None

(4) **S090-033**

**Motion:** It was moved to **approve** an application to replat a 0.64 acre tract of land containing Lot 6 in City Block T/1484 and a portion of Lot 24 and all of Lot 25 in City Block 19/1874 to create a Shared Access Development consisting of 12 lots ranging in size from 1,848 square feet to 3,055 square feet on property on Hudson Street east of Hubert Street, subject to compliance with the conditions listed in the docket.

Maker: Wally  
Second: M. Davis  
Result: Carried: 13 to 1

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

Against: 1 - Wolfish  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** None

(5) **S090-035**

**Motion:** It was moved to **approve** an application to replat a 1.1995 acre tract of land containing Lot 15A in City Block A/5780, also known as 2828 Park Addition, into a 0.9706 acre lot and a 0.2289 acre lot generally near the intersection of Straightway Drive and W. Northwest Highway, subject to compliance with the conditions listed in the docket.

Maker: Wally  
Second: M. Davis  
Result: Carried: 13 to 1

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

Against: 1 - Wolfish  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** None

(6) **S090-037**

**Motion:** It was moved to **approve** an application to create a 16.299 acre lot out of a tract of land known as 1200 N. Walton Walker Boulevard in City Block 8332, subject to compliance with the conditions listed in the docket.

Maker: Wally  
Second: M. Davis  
Result: Carried: 13 to 1

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

Against: 1 - Wolfish  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** None

Residential Replats

(7) **S090-030**

**Motion:** It was moved to **approve** an application to replat 2.986 acres containing Lot 3, Reed Subdivision and Lot 4A, Prairie Creek North addition, also known as 5714 and 5744 Deloache Avenue, in City Block 9/5599 into one lot at the intersection of Deloache Avenue and Douglas Street; southwest corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** For: Ed Simons, 900 Jackson St., Dallas, TX, 75202  
Against: None

Street Name Change

**NC090-001**

Paul Nelson

**Motion:** It was moved to **approve** an application to change the name of part of Central Expressway between Pacific Avenue on the north and Grand Avenue on the south to Cesar Chavez Boulevard.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** For: Jesus Garcia, 415 S. Manus Dr., Dallas, TX, 75224  
Michael LoVuolo, 616 Cristler Ave., Dallas, TX, 75223,  
Renato De Los Santos, 1531 Duncanville Rd., Dallas, TX, 75211  
Hector Flores, 1030 Tracy Ave., Duncanville, TX, 75137  
Rev. Diane Baker, 7112 Stonetrail Dr., Dallas, TX, 75230  
Omar Narvaez, 9309 Lynbrook Dr., Dallas, TX, 75238  
St. Rep. Rafael Anchia, 1111 W. Mockingbird Ln., Dallas, TX, 75247  
Ramiro Luna, 1426 E. Waco Ave., Dallas, TX, 75216  
Benito Moriel, 1404 Lashley Pl., Dallas, TX, 75232  
Beatrice Martinez, Dallas, TX, 75231  
Juan Jasso, Address not given  
Claudia Sandoval, 4464 W. Clarendon Dr., Dallas, TX, 75211  
For (Did not speak): Jesus Montelongo, 9309 Lynbrook Dr., Dallas, TX, 75238  
Against: John Farrell, 906 S. Central Expressway, Dallas, TX, 75201  
Janet Reynolds, 2223 S. Central Expressway, Dallas, TX, 75215

Miscellaneous Docket

**M090-004**

Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 57 to provide for the following 1) revised dumpster location; 2) dedicated bus unloading/loading area along the Inwood Road frontage; and 3) additional outdoor activity in the northeast quadrant of an area bounded by Inwood Road, Cedar Springs Road, Carlson Drive, and Vandelia Street.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** For: None  
Against: J.W. Fain, Sr., 3134 Carlson Dr., Dallas, TX, 75235

**M090-007**

Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the Phase I Development plan/Phase II Conceptual plan for Planned Development District No. 517, for a restroom and concession area within the central part of the golf course, south of Gaston Avenue, east of Abrams Road.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** None

**Z078-309(RB)**

Richard Brown

**Motion:** It was moved to **approve** an additional three month period for scheduling a zoning request for City Council for a Specific Use Permit for Gas drilling and production for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan of existing conditions, a site/operations plan for drilling, a site/operations plan for production, and conditions, subject to deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District with Specific Use Permit No. 517 for a Commercial radio station and transmitting towers on the south line of Sanders Loop, east of Belt Line Road.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Speakers:** None

Zoning Cases – Consent

1. **Z090-121(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Planned Development District for R-7.5(A) Single Family District uses, subject to a Tract 1 development plan and conditions on property zoned an R-7.5(A) Single Family District on the northeast corner of Biscayne Boulevard and Tiffany Way.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Notices:** Area: 500 Mailed: 74  
**Replies:** For: 18 Against: 1

**Speakers:** For: Misty Ventura, 9407 Biscayne Blvd., Dallas, TX, 75218  
Against: None

2. **Z089-274(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** for a Specific Use Permit for a Tower/antenna for cellular communication for a ten-year period with automatic renewal for additional ten-year periods, subject to a revised site plan, and revised conditions on property zoned a CR Community Retail District north of Lyndon B. Johnson Freeway, west of Abrams Road.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Notices:** Area: 200 Mailed: 4  
**Replies:** For: 0 Against: 0

**Speakers:** For: Bill Bauman, 2300 Springmere, Arlington, TX, 76012  
Against: None

3. **Z089-282(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1371 for an open enrollment charter school and a child-care facility for a three-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and staff's revised conditions to include staff's revised recommendations regarding 1) Time limits and 2) Traffic management plan on property zoned an R-7.5(A) Single Family District on the southeast corner of R.L. Thornton Freeway and Ann Arbor Avenue.

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

For: 14 - R. Davis, Wally\*, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley, Lueder,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

\*out of the room, shown voting in favor

**Notices:** Area: 400 Mailed: 55  
**Replies:** For: 4 Against: 0

**Speakers:** For: John Blacker 12801 N. Central Expressway, Dallas, TX, 75243  
Shawn Thomas, 4400 R.L. Thornton Freeway, Dallas, TX  
Against: None



4. **Z090-101(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for a Planned Development District for mixed uses on property zoned a CR Community Retail District on the northeast corner of the North Dallas Tollway and Arapaho Road, it was moved to **hold** this case under advisement until January 21, 2010.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Notices:** Area: 500 Mailed: 21  
**Replies:** For: 1 Against: 0

**Speakers:** For: Robert Baldwin, 401 Exposition Ave., Dallas, TX, 75226  
Against: None

Zoning Cases – Under Advisement

5. **Z090-110(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** to renew Specific Use Permit No. 1601 for Commercial amusement (inside) limited to a Class B dance hall for a two-year period, subject to a revised site plan and staff's conditions on property zoned a CS Commercial Service District, at the west corner of East Grand Avenue and St. Mary Avenue.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

**Notices:** Area: 300 Mailed: 21  
**Replies:** For: 0 Against: 1

**Speakers:** For: Luis Flores, 5115 East Grand Ave., Dallas, TX, 75223  
Against: None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the December 17, 2009, City Plan Commission meeting, subject to corrections.

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

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

Adjournment

**Motion:** It was moved to **adjourn** the January 7, 2010, City Plan Commission meeting at 2:58 p.m.

Maker: Wally  
Second: R. Davis  
Result: Carried: 14 to 0

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

Against: 0  
Absent: 0  
Vacancy: 1 - District 11

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Joe Alcantar, Chair