

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 21, 2010, with the briefing starting at 11:02 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, 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 Development Services.

### **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 Agenda - Preliminary Plat

#### **(1) S090-038**

**Motion:** It was moved to **approve** an application to create a 73.196 acre lot from a tract of land in City Block 6127 on property bounded by Forney Road on the south, Lomax Drive on the west, Chariot Drive on the north, and Wimbelton Way on the east, subject to compliance with the conditions listed in the docket.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Tarpley, Lueder, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

(2) **S090-039**

**Motion:** It was moved to **approve** an application to create a 41.924 acre lot from a tract of land in City Block 7135 located at 3130 Kingbridge Street, north of Singleton Boulevard, and west of Fish Trap Road, subject to compliance with the conditions listed in the docket.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Tarpley, Lueder, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

Miscellaneous Docket

**M090-009**

Richard Brown

**Motion:** In considering a minor amendment to the development/landscape plan for Planned Development Subdistrict No. 10 for Retail uses and a Library, art gallery, or museum in an area generally bounded by Cedar Springs Road, Douglas Street, Hall Street, and Knight Street, it was moved to **hold** this case under advisement until March 18, 2010.

Maker: Peterson  
Second: M. Davis  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Tarpley, Lueder, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** For: Michael Clark, 6750 Hillcrest Pl., Dallas, TX, 75230  
Against: Frank Stich, 4224 N. Hall St., Dallas, TX, 75214

**M090-010**

Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 84 for a Sewage treatment plant on Log Cabin Road, south of Jordan Valley Road and west of South Belt Line Road.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley, Lueder,  
Bernbaum, Wolfish, Schwartz, Peterson,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

**D090-002**

Olga Torres Holyoak

**Motion:** It was moved to **approve** a development plan for Planned Development District No. 508 for Cluster Housing, Multifamily, Limited Office, Mixed Use and additional specified uses in an area generally bounded by Hampton Road, Singleton Boulevard, Westmoreland Road, Old Trinity River and Canada Drive.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley, Lueder,  
Bernbaum, Wolfish, Schwartz, Peterson,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

**W090-003**

Neva Dean

**Motion:** It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for an amendment to Planned Development District No. 803 and Specific Use Permit No. 1262 on the northwest corner of Midway Road and Rosa Road.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Tarpley, Lueder, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** For: Tommy Mann, 5400 Renaissance Tower, Dallas, TX, 75270  
For (Did not speak): Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270  
Against: None

Zoning Cases – Consent

1. **Z089-280(MD)**

Planner: Mark Doty

**Motion:** It was moved to recommend **approval** of a Historic District Overlay, subject to preservation criteria on property zoned R-7.5(A) on the east side of Nonesuch Road between Hillside Drive and Westlake Avenue.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Tarpley, Lueder, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 33  
**Replies:** For: 4 Against: 0

**Speakers:** None

2. **Z089-286(DC)**

Planner: David Cossum

**Motion:** It was moved to recommend **approval** of an R-5(A) Single Family District on property zoned IM Industrial Manufacturing on the north and south sides of Amos Street, west of Crossman Avenue.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley, Lueder,  
Bernbaum, Wolfish, Schwartz, Peterson,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 33  
**Replies:** For: 1 Against: 1

**Speakers:** For: Jerry Hamilton, 1325 Amos St., Dallas, TX, 75212  
Against: None

3. **Z090-112(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for an IM Industrial Manufacturing District on property zoned a CR Community Retail and a Specific Use Permit for a metal salvage facility on property zoned a CR Community Retail District and an IM Industrial Manufacturing District in an area generally bounded by Cedar Crest Boulevard, Pontiac Avenue and Childs Street, it was moved to **hold** this case under advisement until February 18, 2010.

Maker: Wally  
Second: Wolfish  
Result: Carried: 11 to 4

For: 11 - R. Davis, Wally, Anglin, Rodgers, Lozano,  
Tarpley, Lueder, Bernbaum, Wolfish, Schwartz,  
Peterson

Against: 4 - M. Davis, Bagley, Lavallaisaa, Alcantar  
Absent: 0  
Vacancy: 0

**Notices:** Area: 300 Mailed: 26  
**Replies:** For: 2 Against: 0

**Speakers:** For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202  
Against: Janet Long, 1942 Cedar Crest Blvd., Dallas, TX, 75203  
Lee Williams, 2908 E. 11<sup>th</sup> St., Dallas, TX, 75203  
James Williams, 3163 Cedar Crest Blvd., Dallas, TX, 75203

#### 4. Z090-117(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1659 for an alcoholic beverage establishment use for a bar, lounge, or tavern and a commercial amusement (inside) for a Class A dance hall for a two-year period, subject to a site plan and revised conditions within Planned Development District No. 619 for mixed uses, on the south side of Main Street, west of Ervay Street.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley, Lueder,  
Bernbaum, Wolfish, Schwartz, Peterson,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

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

**Speakers:** None

#### Zoning Cases – Under Advisement

#### 5. 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 February 18, 2010.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley, Lueder,  
Bernbaum, Wolfish, Schwartz, Peterson,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

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

**Speakers:** None

Zoning Cases – Individual

6. **Z090-111(KB)**

Planner: Kyra Blackston

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for installation of a non-premise district activity video board for a six-year period, subject to a site plan and conditions on property zoned Planned Development District 619, in an area generally bounded by Main Street, Ervay Street, Commerce Street and Akard Street.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley, Lueder,  
Bernbaum, Wolfish, Schwartz, Peterson,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 29  
**Replies:** For: 0 Against: 0

**Speakers:** None

---

Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the January 7, 2010, City Plan Commission meeting, subject to corrections.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley, Lueder,  
Bernbaum, Wolfish, Schwartz, Peterson,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

Adjournment

**Motion:** It was moved to **adjourn** the January 21, 2010, City Plan Commission meeting at 2:10 p.m.

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

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley, Lueder,  
Bernbaum, Wolfish, Schwartz, Peterson,  
Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

---

Joe Alcantar, Chair