

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 3, 2011 with the briefing starting at 12:03 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) **S101-036**

**Motion:** It was moved to **approve** an application to replat a 2.974 acre tract of land acre tract of land and part of abandoned Blackburn Street into one 2.974 acre lot in City Block 984 on Blackburn Street between N. Central Expressway and Noble Avenue, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
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

**Speakers:** None

(2) **S101-037**

**Motion:** It was moved to **approve** an application to create a 6.006 acre lot from a tract of land in City Block 5721 in the 6100 block of Maple Avenue between Kimsey Street and Bomar Street, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
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

**Speakers:** None

(3) **S101-038**

**Motion:** It was moved to **approve** an application to replat a 4.008 acre tract of land containing all of lots 3, 4, 5, 6, 7, 8, 9, 10 and part of lots 1 and 2 in City Block 6/856 into one lot on property located on 1610 S. Malcolm X Boulevard at Dawson Drive, north corner, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
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

**Speakers:** None

(4) **S101-039**

**Motion:** It was moved to **approve** an application to replat all of Lots 15 and 16 in City Block D/1056 into one 0.368 acre lot located at 4019 Bowser Avenue between Knight Street and Throckmorton Street, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
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

**Speakers:** None

(5) **S101-040**

**Motion:** It was moved to **approve** an application to replat all of Lots 9 and 10 in City Block 3/1567 into one 0.367 acre lot located at 3923 and 3931 Holland Avenue at Throckmorton Street, south corner, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
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

**Speakers:** None

(6) **S101-041**

**Motion:** It was moved to **approve** an application to replat all of Lots 1, 2 and part of Lot 3 in City Block 2/1336 into one 0.5427 acre lot located at 2803 thru 2811 Shelby Avenue and 3910 Congress, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
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

**Speakers:** None

(7) **S101-042**

**Motion:** It was moved to **approve** an application to replat all of Lot 18 in City Block A/1324 into five lots ranging in size from 1,536 square feet to 2,504 square feet in size located at 4001 N. Hall Street at Throckmorton Street, west corner, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
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

**Speakers:** None

(8) **S101-043**

**Motion:** It was moved to **approve** an application to create one 0.399 acre lot, one 1.097 acre lot and one 1.401 acre lot from a 2.897 acre tract of land in City Block 7940 on Mockingbird Lane and Stemmons Freeway, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
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

**Speakers:** None

Individual Item

(9) **S101-033**

**Motion:** It was moved to **deny** an application to replat a 0.379 acre tract of land containing all of Lots 1, 2 and 3 in City Block 15/7130 into one lot at 1917, 1919 and 1923 Bayside Street between Harston Street and Puget Street, due to non-compliance to Section 51A-8.503 of the Dallas Development Code.

Maker: Anglin  
Second: Wally  
Result: Carried: 11 to 3

For: 11 - Wally, Anglin, Rodgers, Bagley, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 3 - R. Davis, M. Davis, Lavallaisaa  
Absent: 0  
Vacancy: 1 - District 6

**Speakers:** For: Mable Armstrong, 1839 Leath St., Dallas, TX, 75212  
James Armstrong, 1839 Leath St., Dallas, TX, 75212  
Against: None

(10) **S101-034**

**Motion:** It was moved to **deny** an application to replat an 8.748 acre tract of land into 1 lot and containing all of Lots 1A, 1B, 1C, 1D, Lot 2A and the remainder of Lots 1 and 2 in City Block N/6431 and Assembly Court to be abandoned on property between Webb Chapel Road and Pensive Drive south of Merrell Road, due to non-compliance to Section 51A-8.503 of the Dallas Development Code.

Maker: Schwartz  
Second: Anglin  
Result: Carried: 9 to 4

For: 9 - R. Davis, Anglin, Rodgers, Bagley, Lavallaisaa,  
Tarpley, Shellene, Wolfish, Schwartz

Against: 4 - Wally, Bernbaum, Peterson, Alcantar  
Absent: 0  
Vacancy: 1 - District 6  
Conflict: 1 - M. Davis

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75201  
Against: Bill Adams, 3127 Chapel Downs Dr., Dallas, TX, 75229  
Adriana Contreras, 3138 Citation Dr., Dallas, TX, 75229  
Kathy Spradling, 3157 Chapel Downs Dr., Dallas, TX, 75229  
Barbara Miller, 10219 Dale Crest Dr., Dallas, TX, 75229  
Michael Bauer, 3021 Timberview Rd., Dallas, TX, 75229  
James Struble, 10061 Venetian Way, Dallas, TX, 75229  
Against (Did not speak): Richard Singsank, 3115 Ponder Dr., Dallas, TX, 75229  
Clifton Fisher, 3031 Timberview Rd., Dallas, TX, 75229

(11) **S101-035**

**Motion:** It was moved to **approve** an application to replat all of Lot 4 and part of Lot 5 in City Block 14/5587 of the "Subdivision of Block 14, Sunnybrook Estates Addition" into one 2.094 acre lot fronting 359.7 feet on 9762 Audubon Place, subject to compliance with the conditions listed in the docket with removal of Condition # 11.

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

**Speakers:** For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202  
Against: None

Miscellaneous Docket

**M101-007**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan and landscape plan for Planned Development District No. 306 for a Public school and Community service center on the west line of Edgefield Avenue between Brooklyn Avenue and Twelfth Street.

Maker: R. Davis  
Second: Rodgers  
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:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Against: Trina Triche, 1818 Corsicana St., Dallas, TX, 75201

**D101-002**

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

**D101-003**

Planner: Olga Torres Holyaok

**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

**D101-004**

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



**D101-005**

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

Zoning Cases – Consent

**1. Z101-114(OTH)**

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an industrial (inside) for light manufacturing for a five-year period, subject to a site plan and conditions on property zoned Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the east side of Rock Island Street, north of Bessemer Street.

Maker: Wally  
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

\*out of the room, shown voting in favor

**Notices:** Area: 200                      Mailed: 9  
**Replies:** For: 4                              Against: 0

**Speakers:** None

**2. Z101-126(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1692 for a Bar, lounge, or tavern for a three-year period, subject to a site plan and conditions on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the southwest line of Exposition Avenue, west of Parry Avenue.

Maker: Wally  
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

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 17  
**Replies:** For: 0 Against: 0

**Speakers:** For (Did not speak): Mike Scheel, 831 Exposition Ave., Dallas, TX, 75226  
Against: None

**3. Z101-130(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a CR Community Retail District on property zoned an NO(A) Neighborhood Office District on the northwest line of Garrett Avenue, northwest of Ross Avenue.

Maker: Wally  
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

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 63  
**Replies:** For: 0 Against: 0

**Speakers:** None

Zoning Cases – Under Advisement

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

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a Bail bonds office for a three-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions 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.

Maker: Wally  
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

**Notices:** Area: 200 Mailed: 10  
**Replies:** For: 2 Against: 0

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

5. **Z090-230(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a Bail bonds office for a three-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions on property zoned as Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the southeast corner of Reunion Boulevard and Riverfront Boulevard.

Maker: Wally  
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

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

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

Development Code Amendment – Under Advisement

**DCA090-005**

Planner: David Cossum

**Main Motion:** It was moved to recommend **approval** of amendments to Article IV, "Use Regulations," of Chapter 51 and Chapter 51A, the Dallas Development Code, to create an alternative financial establishment use, establishing what districts the use will be permitted in and providing appropriate regulations for the use with the following changes: 1) Subsection B and E be approved as written (removal of alternatives) and 2) Require off-street parking be 1 space per 333 sq. ft. of floor area.

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

**Amending Motion:** It was moved to **amend** the motion to accept the alternative for Subsection B, (i)(ii).

Maker: M. Davis  
Second: Peterson  
Result: Failed: 7 to 7

For: 14 - R. Davis, Wally, M. Davis, Lavallaisaa, Shellene, Bernbaum, Peterson

Against: 7 - Anglin, Rodgers, Bagley, Tarpley, Wolfish, Schwartz, Alcantar  
Absent: 0  
Vacancy: 1 - District 6

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

### Land Use Plan

#### **West Dallas Urban Structure and Guidelines**

**Motion:** It was moved to recommend **adoption** of the West Dallas Urban Structure and Guidelines as an urban design, planning and implementation guide for future development in the area generally bounded by Interstate 30 to the south, Sylvan Avenue to the west, and the Trinity River Levee to the north and east.

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

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

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

**Speakers:** For: Eva Elvove, 3326 Herbert St., Dallas, TX, 75212  
Sylvia Lagos, 131 N. Montclair Ave., Dallas, TX, 75208  
Randall White, 1939 Mayflower Dr., Dallas, TX, 75208

Scott Griggs, 1803 Marydale, Dallas, TX, 75208  
Felix Lozada, 3228 Bataan St., Dallas, TX, 75212  
Doug Heyerdahl, 2343 N. Beckley Ave., Dallas, TX, 75208  
Maureen Hutchison, 507 W. Main St., Dallas, TX, 75208  
David Lyles, 2318 Beatrice St., Dallas, TX, 75208  
Helen Foley, 3338 Herbert St., Dallas, TX, 75212  
Against: Rosa Lopez, 3603 N. Winnetka Ave., Dallas, TX, 75212

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the January 20, 2011 and January 27, 2011, City Plan Commission meetings, subject to corrections.

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

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

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

Adjournment

**Motion:** It was moved to **adjourn** the February 3, 2011, City Plan Commission meeting at 4:20 p.m.

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

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

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