

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 17, 2011 with the briefing starting at 11:02 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, Ann Bagley, Gloria Tarpley, John Shellene, Bruce Bernbaum, Sally Wolfish and Bill Peterson. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Michael Schwartz. 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) **S101-046**

**Motion:** It was moved to **approve** an application to create one 0.93 acre lot from a tract of land in City Block 8293 on 6667 Bonnie View Road northwest of Memory Lane Boulevard, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S101-048**

**Motion:** It was moved to **approve** an application to create one 1.031 acre lot in City Block 8820 on Belt Line Road between U.S. Highway 175 and Vida Lane, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S101-049**

**Motion:** It was moved to **approve** an application to replat a 5.76 acre tract of land containing all of Lot 27 in City Block E/5914 into one 5.565 acre lot and one 0.201 acre lot on property located on Fran Way at Avenue C, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(4) **S101-050**

**Motion:** It was moved to **approve** an application to replat a tract of land containing all of Lots 3A, 1, 2, 10, 11 and 13 in City Block 4/7252 and a portion of Akron Street into one 4.575 acre lot on property located on Vilbig Road between Singleton Blvd. and Duluth Street, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(5) **S101-051**

**Motion:** It was moved to **approve** an application to replat a tract of land containing all of Lots 2, 3 and 4 in City Block C/8698 into one 0.908 acre lot on property located on 4109 S. Ledbetter Drive at Tyrone Drive; southwest corner, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(6) **S101-052**

**Motion:** It was moved to **approve** an application to create a 0.60 acre lot from a tract of land on property located on 2513 and 2519 E. 11<sup>th</sup> Street between Avenue I and Avenue J, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

Individual Item

(7) **S101-044**

**Motion:** It was moved to **approve** an application to replat a 0.862 acre tract of land containing all of Lots 6A and 6B in City Block 11/5492 into one 0.56 acre lot and one 0.29 acre lot located at 6319 Mimosa Lane between Tulane Street and Tibbs Street, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(8) **S101-045**

**Motion:** It was moved to **approve** an application to replat a tract of land containing all of Lot 10 in City Block 8A/8209 and a 229 square foot tract of land in City Block 8227 into one 6,083 square foot lot at 17332 Club Hill Drive, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** Did not speak: Matt Alexander, 5225 Village Creek Dr., Plano, TX, 75093

(9) **S101-047**

**Motion:** It was moved to **approve** an application to replat a 0.39 acre tract of land containing all of Lots 9 and 10 in City Block 5/2023 into 2 lots to reduce the width of Lot 10 in order to eliminate the existing lot line from passing through the existing house at 4022 Stonebridge Drive, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

Miscellaneous Docket

**M101-010**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan and landscape plan for Planned Development District No. 268 for Shopping Center District Uses on the northeast corner of Preston Road and Frankford Road.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

Zoning Cases – Consent

**1. Z101-135(MW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of a Specific Use Permit 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, a traffic management plan and conditions on property zoned an LO-3 Limited Office-3 District with deed restrictions on the north side of West Illinois Avenue, between South Vernon Avenue and Wynnewood Drive.

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

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

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

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 42  
**Replies:** For: 0 Against: 0

**Speakers:** None

2. **Z101-141(MW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a metal salvage facility for a two-year period, subject to a site plan and revised conditions on property zoned Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District on the southeast corner of Cartwright Street and Richey Street.

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

For: 13 - R. Davis, Wally, Anglin, M. Davis\*, Rodgers,  
Bagley, Lavallaisaa, Tarpley, Shellene,  
Bernbaum, Wolfish, Peterson, Alcantar  
Against: 0  
Absent: 1 - Schwartz  
Vacancy: 1 - District 6

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 34  
**Replies:** For: 3 Against: 0

**Speakers:** For: None  
Against: Gloria Silva, 5210 Eagle Heights Dr., Dallas, TX, 75212

3. **Z101-142(JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a commercial amusement (inside) use for a dance hall for a three-year period with eligibility for additional five year periods, subject to a site plan and conditions on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay on the northeast side of C.F. Hawn Freeway, southeast of Edd Road.

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

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

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

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 39  
**Replies:** For: 1 Against: 0

**Speakers:** For (Did not speak): Arturo Quintanilla, 11104 Old Seagoville Rd., Dallas, TX, 75217  
Against: None

Zoning Cases – Under Advisement

4. **Z089-185(OTH)**

Planner: Olga Torres Holyoak

**Motion:** In considering an application for the renewal of Specific Use Permit No. 1581 for a child-care facility on property zoned a TH-3(A) Townhouse District on the north side of Ryan Road, west of Garapan Drive, it was moved to **hold** this case under advisement until July 7, 2011.

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

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

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

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 36  
**Replies:** For: 3 Against: 0

**Speakers:** None



5. Z090-226(WE)

Planner: Warren Ellis

**Motion:** In considering an application for a Specific Use Permit for gas drilling and production on property zoned an R-7.5(A) Single Family District and an A(A) Agricultural District on the north side of W. Camp Wisdom Road, approximately 700 feet west of FM 1382 Highway, it was moved to **hold** this case under advisement indefinitely.

Maker: Anglin  
Second: Peterson  
Result: Carried: 11 to 0

For: 11 - R. Davis, Wally, Anglin, M. Davis\*, Rodgers,  
Lavallaisaa, Tarpley, Shellene, Bernbaum,  
Peterson, Alcantar

Against: 0  
Absent: 1 - Schwartz  
Vacancy: 1 - District 6  
Conflict: 2 - Bagley, Wolfish

\*out of the room, shown voting in favor

**Notices:** Area: 1000 Mailed: 5  
**Replies:** For: 0 Against: 0

**Speakers:** For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202  
Against: Ronald W. Stinson, 714 NW 6th St., Dallas, TX, 75050  
Marc McCord, 7660 La Bolsa Dr., Dallas, TX, 75248  
Kim Feil, 409 N. Elm St., Arlington, TX, 76011  
Jeffery Jacoby, 5920 La Vista Dr., Dallas, TX, 75206  
Raymond Crawford, 2647 Southwood Dr., Dallas, TX, 75233  
Claudia Meyer, 6015 Fox point Trl., Dallas, TX, 75249  
Against (Did not speak): Marissa Cruz, 910 W. Interstate 30, Garland, TX, 75043  
Daniel McCartt, 4509 Club Estates Pl., Mesquite, TX, 75150  
Joseph Bellgoazan 5920 La Vista, Dallas, TX, 75206  
Peyton Vidal, 2037 Robin Hill Ln., Carrollton, TX, 75007  
Rachael Patterson, 6004 Lewis Dr., Dallas, TX, 75206  
Patrick Payne, 3416 Howell St., Dallas, TX, 75204  
Shanna Caughey, 6808 Eastridge Dr., Dallas, TX, 75321  
Erica Peterson, 4421 Worth St., Dallas, TX, 75246  
Erin Crowdus, 6004 Lewis St., Dallas, TX, 75206  
Lila Bailey, 1608 Vera Cruz Dr., Plano, TX, 75074  
Michele Vaughan, 5920 La Vista Dr., Dallas, TX, 75206  
Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208

Zoning Cases – Individual

6. **Z090-255(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 145 (Historic Overlays Nos. 18 and 44 on a portion), to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations, subject to revised conditions with the following changes: 1) Sec. 51P-145.104(l)(1) accept the staff's wording limiting operations to private property. 2) Sec.51P-145.104(l)(2) accept the staff's wording with deletion of the following words "that remain at one location for more than 60 consecutive minutes at any one time to sell or serve food must have a restroom agreement and" in an area generally bounded by Routh Street, Ross Avenue, St. Paul Street, and Woodall Rodgers Frontage Road.

Maker: Peterson

Second: Wolfish

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Schwartz

Vacancy: 1 - District 6

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 93

**Replies:** For: 6 Against: 0

**Speakers:** For: Veletta Forsythe Lill, 622 Blair Blvd., Dallas, TX, 75223  
Russell Westhoff, 2797 So. Ledbetter Dr., Dallas, TX, 75211  
Michael Siegel, 4037 Druid Ln., Dallas, TX, 75203  
Amy Cowan, 821 N. Windomere Ave., Dallas, TX, 75208  
For (Did not speak): Abraham Carrillo, 5931 Fox Point Trl., Dallas, TX, 75249  
Jill Magnuson, 4318 Beechwood Ln., Dallas, TX, 75220  
Amy Hofland, 7278 Williamson Cir., Dallas, TX, 75214  
Against: None

7. Z090-256(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 708, to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations, subject to revise condition with the following changes: 1) Sec. 51P-708.104(o)(1) accept the staff's wording limiting operations to private property. 2) Sec.51P-708.104(o)(2) accept the staff's wording with deletion of the following words "that remain at one location for more than 60 consecutive minutes at any one time to sell or serve food must have a restroom agreement and" in an area generally bounded by Ross Avenue, Routh Street, Central Expressway, and Woodall Rodgers Frontage Road.

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

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

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

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 67  
**Replies:** For: 2 Against: 1

**Speakers:** For: Veletta Forsythe Lill, 622 Blair Blvd., Dallas, TX, 75223  
Russell Westhoff, 2797 So. Ledbetter Dr., Dallas, TX, 75211  
Michael Siegel, 4037 Druid Ln., Dallas, TX, 75203  
Amy Hofland, 7278 Williamson Cir., Dallas, TX, 75214  
FOR (Did not speak): Abraham Carrillo, 5931 Fox Point Trl., Dallas, TX, 75249  
Jill Magnuson, 4318 Beechwood Ln., Dallas, TX, 75220  
Against: None

8. Z090-234(RB)

Planner: Richard Brown

**Motion:** In considering an application for an IM Industrial Manufacturing District and a Specific Use Permit for a Metal salvage facility on property zoned an IR Industrial Research District on the northeast line of South Central Expressway, north of Loop 12, it was moved to **hold** this case under advisement until April 7, 2011.

Maker: Rodgers  
Second: M. Davis  
Result: Carried: 13 to 0

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

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

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 6  
**Replies:** For: 0 Against: 0

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

**9. Z101-137(JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions on property zoned a CR-D-1 Community Retail District with a D-1 Dry Liquor Control Overlay on the east side of Beltline Road, south of Seagoville Road.

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

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

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

**Notices:** Area: 300 Mailed: 28  
**Replies:** For: 2 Against: 0

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

10. **Z101-144(MW)**

Planner: Megan Wimer

**Motion:** In considering an application for a CR Community Retail District on property zoned an R-5(A) Single Family District on the southwest corner of Chalk Hill Road and Chippewa Drive with consideration of a NS(A) Neighborhood Service District, it was moved to **hold** this case under advisement until March 24, 2011.

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

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

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

**Notices:** Area: 200 Mailed: 16  
**Replies:** For: 0 Against: 0

**Speakers:** For: Norberto Ornelas, 4102 Palacios Ave., Dallas, TX, 75212  
Against: Victor Toledo, 9925 Lakeway Ct., Dallas, TX, 75230  
Tammy Skinner, 2114 Iroquois Dr., Dallas, TX, 75212  
Gloria Silva, 5210 Eagle Heights Dr., Dallas, TX, 75212  
Randy Skinner, 2114 Iroquois Dr., Dallas, TX, 75212  
Theresa Canales, 333 N. Stemmons Frwy., Dallas, TX, 75207

11. **Z101-119(MG)**

Planner: Michael Grace

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for commercial amusement (inside) limited to a Class A dance hall for a three-year period with eligibility for automatic renewals for five year periods, subject to a site plan and conditions on property zoned a CS Commercial Service District, on the east side of N. Stemmons Freeway, north of Regal Row.

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

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

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

**Notices:** Area: 300 Mailed: 9  
**Replies:** For: 1 Against: 0  
**Speakers:** None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the February 3, 2011, City Plan Commission meeting, subject to corrections.

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

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

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

Adjournment

**Motion:** It was moved to **adjourn** the February 17, 2011, City Plan Commission meeting at 3:10 p.m.

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

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

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