

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on May 3, 2012, with the briefing starting at 11:00 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 Gloria Tarpley, Vice Chair. The following Commissioners were present during the hearing: Richard Davis, Liz Wally, Robert Abtahi, Tony Hinojosa, Emma Rodgers, Ann Bagley, Myrtl Lavallaisaa, John Shellene, Bruce Bernbaum, Sally Wolfish, Michael Schwartz and Paul E. Ridley. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Mike Anglin. 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 Sustainable Development and Construction. Briefing and public hearing recordings are retained on file for 90 days after approval of CPC minutes.

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 Items:

(1) **S112-107**

Motion: It was moved to **approve** an application to create a 0.9412 acre lot from a tract of land in City Block 7547 on property located at 3571 W. Wheatland Road at Bolton Boone Road, northeast corner, subject to compliance with the conditions listed in the docket.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

(2) S112-108

Motion: It was moved to **approve** an application to create a 1.711 acre tract of land in City Block 2141 on Skillman Street between La Vista Drive and Oram Street, subject to compliance with the conditions listed in the docket.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

(3) S112-111

Motion: It was moved to **approve** an application to create a 1.504 acre lot and one 2.228 acre lot from a 3.731 acre tract of land in City Block 8606 located on Mountain Creek Parkway at Clark Road in the southwest quadrant, subject to compliance with the conditions listed in the docket.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: For: Rob Baldwin, None

(4) S112-112

Motion: It was moved to **approve** an application to replat a 0.345 acre tract of land containing all of Lots 3 and 4 in City Block A/4822 located at 4710 and 4716 Lovers Lane, east of Roper Avenue, subject to compliance with the conditions listed in the docket.

Maker: Ridley
Second: Hinojosa
Result: Carried: 13 to 0

For: 13 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0
Conflict: 1 - Bernbaum

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

(5) S112-113

Motion: It was moved to **approve** an application to create a 3.2542 acre lot from a tract of land in City Block 2740 located on Gaston Avenue at Loving Avenue, southeast corner, subject to compliance with the conditions listed in the docket.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

Residential Replats:

(6) **S112-109**

Motion: It was moved to **approve** an application to replat a 2.023 acre tract of land containing all of Lots 1 and 2 in City Block G/5518 into one lot located between Elm Hollow Drive, Bridge Hollow Court and Inwood Road, subject to compliance with the conditions listed in the docket.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

Miscellaneous Docket

W112-011

Planner: 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. 865 on the northeast line of Forest Park Road, northwest of Stutz Drive.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

W112-012

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for 1) a new subdistrict in Planned Development District No. 830, the Davis Street Special Purpose District, 2) a D-1 Liquor Control Overlay, and 3) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on the northeast corner of Hampton Road and Jefferson Boulevard.

Maker: Davis
Second: Bernbaum
Result: Carried: 14 to 0

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

D112-002

Planner: Olga Torres Holyoak

Motion: It was moved to **approve** a development plan for Planned Development District No. 582, on the south side of Harry Hines Boulevard and the terminus of North Akard Street, west of Payne Street.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

D112-003

Planner: Olga Torres Holyoak

Motion: It was moved to **approve** a development plan for Planned Development District No. 582, on the north corner of North Akard Street, west of Payne Street.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

M112-013

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan and **approval** of the acceptance of a traffic management plan for Planned Development District No. 508 for Cluster Housing, Multifamily, Limited Office, Mixed Use, and other Specific Uses on the south line of Canada Drive, east of Bosque Avenue.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

M112-020

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 439 for a Public library on the southwest corner of Camp Wisdom Road and Library Lane.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

M112-026

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 1937 for an Open-enrollment charter school on the north line of Frankford Road, east of Coit Road.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. Z112-156(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 Metal salvage facility for a three-year period, with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions on property zoned an IR Industrial Research District on the north line of Northwest Highway, east of Luna Road.

Maker: Hinojosa
Second: Rodgers

Result: Carried: 14 to 0

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Notices: Area: 300 Mailed: 7
Replies: For: 1 Against: 0

Speakers: None

2. Z112-176(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Child-care facility for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and conditions on property zoned an MF-2(A) Multifamily District, on the south corner of Wilhurt Avenue and Kolloch Drive.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Notices: Area: 400 Mailed: 78
Replies: For: 4 Against: 1

Speakers: For (Did not speak): Yolanda Edwards, 4310 Vandervoort Dr., Dallas, TX, 75216
Ruel Hamilton, 325 N. St. Paul St., Dallas, TX, 75201
Against: None

3. Z112-197(WE)

Planner: Warren Ellis

Motion: In considering an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise food store less than 3,500 square feet on property zoned a CS-D Commercial Service District with a D Liquor Control Overlay on the north line of Bruton Road, between Jim Miller Road and Mack Lane, it was moved to **hold** this case under advisement until May 17, 2012.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Notices: Area: 200 Mailed: 13
Replies: For: 1 Against: 2

Speakers: None

4. Z112-204(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1255 for a public school other than an open enrollment charter school, subject to a site plan, landscape plan, traffic management plan and conditions on property zoned a TH-2(A) Townhouse District on the west line of Pleasant Vista Drive, south of Elam Road.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Notices: Area: 400 Mailed: 109
Replies: For: 4 Against: 1

Speakers: None

5. **Z112-196(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Specific Use Permit for a public library for a permanent period, subject to a site plan and conditions on property zoned an MF-2(A) Multifamily District on the southeast corner of Marsh Lane and High Vista Drive.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Notices: Area: 300 Mailed: 204
Replies: For: 177 Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX,
Against: Daniel Rowan, 3711 High Vista Dr., Dallas, TX, 75244

6. **Z112-199(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Planned Development District for a community center and R-7.5(A) Single Family District uses, subject to a development plan and conditions on property zoned an R-7.5(A) Single Family District on the southeast corner of Gaston Avenue and Loving Avenue.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Notices: Area: 500 Mailed: 225
Replies: For: 32 Against: 2

Speakers: For (Did not speak): Richard Salmeron, 6748 Avalon Ave., Dallas, TX, 75214
John Whiteside, 7036 Gaston Ave., Dallas, TX, 75214
Derek Smith, 1100 W. 7th St., Fort Worth, TX, 76102
Gordon Echtenkamp, 9424 Rocky Branch Dr., Dallas, TX, 75243
Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Tricia Born, 7307 Casa Loma Ave., Dallas, TX, 75214
Jonathan Cockrell, 7239 Coronado Ave., Dallas, TX, 75214
Daniel Hogan, 6942 Coronado Ave., Dallas, TX, 75214
Thomas Hough, 7054 Casa Loma Ave., Dallas, TX, 75214
Caitlin Scanlan, 7115 Coronado Ave., Dallas, TX, 75214
Judy Solberg, 7115 Coronado Ave., Dallas, TX, 75214
Edward Maestri, 6947 Coronado Ave., Dallas, TX, 75214
Heather Brooks, 610 Cordova St., Dallas, TX, 75223
Nina Koch, 7118 Coronado Ave., Dallas, TX, 75214
Marissa Fontanez, 6954 La Vista Dr., Dallas, TX, 75214
Scott Clumpner, 7122 Coronado Ave., Dallas, TX, 75214
Edith Chapman, 2223 Loving Ave., Dallas, TX, 75214
Tom Chapman, 2223 Loving Ave., Dallas, TX, 75214
Sherwood E. Blounr, Jr., 1 Abbey Woods Ln., Dallas, TX, 75248
Alex J. Winslow, 6661 Avalon Ave., Dallas, TX, 7521
Stanley Thomas, 2514 Spring Hill Ln., Garland, TX, 75044
Against: None

Zoning Cases - Individual

7. Z112-183(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District 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, traffic management plan and revised conditions on property zoned an R-7.5(A) Single Family District, with Specific Use Permit No. 1592 for a Monopole cellular tower on an internal portion of the property, on the west corner of Easton Road and Northcliff Drive.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Notices: Area: 500 Mailed: 223
Replies: For: 6 Against: 11

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

8. Z112-169(RB)

Planner: Richard Brown

Motion: It was moved to recommend **denial** of an expansion of Conservation District No. 7, the Bishop/Eighth Street Conservation District, on property zoned within the Subdistrict 1 portion of Planned Development District No. 830, the Davis Street Special Purpose District, and **denial** of the removal of the D Liquor Control Overlay on the southern portion of the request site, zoned within Conservation District No. 7 and the Subdistrict 1 portion of Planned Development District No. 830, on the southwest corner of Bishop Avenue and Neely Street.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Notices: Area: 200 Mailed: 25
Replies: For: 0 Against: 11

Speakers: For: Barry Knight, 5400 Renaissance Tower, Dallas, TX
Against: Pam Conley, 901 N. Madison Ave., Dallas, TX, 75208
Philip Leven, 1606 Hollywood Ave., Dallas, TX, 75208
Keith Jasiiecki, 718 Haines Ave., Dallas, TX, 75208
Anne Campbell, 710 Haines Ave., Dallas, TX, 75208
Brooke Batson, 612 Haines Ave., Dallas, TX, 75208
Annemarie Bristol, 802 N. Haines Ave., Dallas, TX, 75208

Development Code Amendment

DCA 112-003

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of amendments to the Dallas Development Code to develop appropriate standards for alcoholic beverage manufacturing including establishing specific regulations for microbreweries, micro-distilleries and wineries.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene*, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

* out of the room, shown voting in favor

Speakers: For: Audra Buckley, 2814 Main St., Dallas, TX, 75226
Against: None

DCA 112-001

Planner: David Cossum

Motion: It was moved to recommend **approval** of amendments to the Development Code to develop appropriate standards for alternative fueling stations including electrical charging, compressed natural gas and liquefied natural gas.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

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

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the April 19, 2012, City Plan Commission meeting, subject to corrections.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the May 3, 2012, City Plan Commission meeting at 2:53 p.m.

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

For: 14 - Davis, Wally, Abtahi, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Anglin
Vacancy: 0

Joe Alcantar, Chair