

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on May 19, 2011 with the briefing starting at 10:35 a.m. in Room 6ES 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: R, Davis, Liz Wally, Mike Anglin, Emma Rodgers, Ann Bagley, 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) **S101-089**

Motion: It was moved to **approve** an application to create one lot from a 4.852 acre tract of land containing part of City Block 6870 to create one lot located on 6200 Bonnie View Road at Highland Hills Drive, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: M. Davis
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

Speakers: None

(2) **S101-094**

Motion: It was moved to **approve** an application to replat a 7.56 acre tract of land containing all of Lot 4A and part of Lot 4B in City Block B/8051 at 10949 and 11035 Walnut Hill Lane, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: M. Davis
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

Speakers: None

(3) **S101-095**

Motion: It was moved to **approve** an application to replat all of Lot 1 and an 11.28 acre tract of land in City Block 6544 into one 13.83 acre lot on Newkirk Street between Royal Lane and Joe Field Road, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: M. Davis
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

Speakers: For (Did not speak): Roy Burns, 2515 Perryton Dr., Dallas, TX, 75233
Against: None

(4) **S101-097**

Motion: It was moved to **approve** an application to replat a 10.0367 acre tract of land containing all of Lot 5 in City Block 8411 into one 3.0412 acre lot, one 5.0622 acre lot and one 1.933 acre lot on Greenville Avenue north of Forest Lane, subject to compliance with the conditions listed in the docket.

Maker: Shellene
Second: M. Davis
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

Speakers: None

Individual Item

(5) **S101-091**

Motion: It was moved to **approve** an application to replat an 18.051 acre tract of land containing all of Lots 6 thru 9 in City Block C/1670; lots 14 thru 17 in City Block E/1669; Lots 1 thru 10 in City Block C/1668, part of City Blocks 1671, 1672, 2785 and 2786 on property bounded by Rieger Avenue, Paulus Street, Covington Lane and Glasgow Drive, subject to compliance with the conditions listed in the docket.

Maker: Peterson
Second: Wally
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: None

(6) S101-093

Motion: It was moved to **approve** an application to replat all of Lots 1, 2, 3, 4, 5 and 6 in the "Highland Acres Addition" in City Block 4/5156 to create one 2.223 acre lot on 2414 thru 2506 Kilburn Avenue located between Garrison Street and Corrigan Avenue, subject to compliance with the conditions listed in the docket.

Maker: Rodgers
Second: Wolfish
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: Calvin Jackson, Jr., 2414 Kilburn Ave., Dallas, TX, 75216
Rodney Taylor, 3825 Summer Hill Dr., Balch Springs, TX 75180
For (Did not speak): Patricia Watson, 4836 Haas Dr., Dallas, TX, 75216
Lois Craver, 2655 Kilburn Ave., Dallas, TX, 75216
Nettie Chance, 3705 Wendelkin St., Dallas, TX, 75215
Adolphus Davis, 2718 Kilburn Ave., Dallas, TX, 75216
Darlene Ellis, 6810 Atha Dr., Dallas, TX, 75217
Arnold Horsley, 3918 Oak Arbor Dr., Dallas, 75233
Tiny Spencer, 2740 Duncanville Rd., Dallas, TX, 75211
James Rollins, III, 4321 Malden Ln., Dallas, TX, 75216
Gwen Craver Woods, 7676 S. Westmoreland Rd., Dallas, TX, 75237
Tommie Green, 2023 Village Way, Dallas, TX, 75216
Leroy Craver, Sr., 2655 Kilburn Ave., Dallas, TX, 75216
Against: None

Miscellaneous Docket

D101-012

Planner: Olga Torres Holyoak

Motion: It was moved to **approve** a development plan Development Plan for Planned Development District No. 770, on the north side of La Vista Drive, east of East Grand Avenue.

Maker: Wally
Second: Peterson
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

D101-014

Planner: Olga Torres Holyoak

Motion: It was moved to **approve** a development plan Development/Landscape Plan for Planned Development District No. 305, on the northwest corner of US 75 and Blackburn Street.

Maker: Wally
Second: Peterson
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

M101-016

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 1808 for an Industrial (inside) potentially incompatible use for an automobile recycling plant on the southwest line of Weir Street; south of Singleton Boulevard.

Maker: Anglin
Second: Bernbaum
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

M101-019

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 68 for a Medical Office, Office, and Related Uses on the southeast corner of Churchill Way and Preston Road.

Maker: Anglin
Second: Bernbaum
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

Note: Commissioner Anglin moved to split the consent agenda vote and hear Item 3 Z101-181(WE) and Item 4 Z101-186(WE) separately. Commissioner Schwartz seconded the motion. The motion failed.

1. **Z101-222(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for a Mini-warehouse and CR Community Retail District Uses, subject to a revised development plan and revised conditions on property zoned a CR Community Retail District, on the east line of Northwest Plaza Drive, north of the site's approximate nine feet of frontage on Northwest Highway.

Maker: Schwartz
Second: Tarpley
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: 500 Mailed: 97
Replies: For: 0 Against: 67

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

2. **Z090-223(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for O-2-D Office Subdistrict uses with retention of the D Liquor Overlay, subject to a conceptual plan and revised conditions on property zoned an O-2-D Office Subdistrict with a D Liquor Control Overlay within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southeast corner of Cedar Springs Road and Welbourn Street.

Maker: Peterson
Second: Bernbaum
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: 500 Mailed: 82
Replies: For: 5 Against: 0

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: None

3. Z101-181(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a D-1 Liquor Control Overlay and **approval** of 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 for a two-year time period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the southeast corner of Lake June Road and Holcomb Road.

Maker: Rodgers
Second: Wolfish
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: 19
Replies: For: 4 Against: 1

Speakers: For (Did not speak): Gajera Prashamt, 517 Cave Rive Dr., Murphy, TX, 75094
Against: None

4. Z101-186(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a D-1 Liquor Control Overlay and **approval** of 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 for a two-year time period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the southwest corner of Lake June Road and Holcomb Road.

Maker: Rodgers
Second: Wolfish

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: 26
Replies: For: 3 Against: 1

Speakers: None

5. Z101-167(JH)

Planner: Jennifer Hiromoto

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 or food store use greater than 3,500 square feet on property zoned CR Community Retail District with a D Liquor Control Overlay at the northwest corner of Centerville Road and Aledo Drive, it was moved to hold this case under advisement until June 16, 2011.

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

Notices: Area: 200 Mailed: 12
Replies: For: 1 Against: 0

Speakers: None

6. Z101-169(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 3,500 square feet or less for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and revised conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Scyene Road, west of Jim Miller Road.

Maker: Rodgers
Second: Wolfish
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: 300 Mailed: 54
Replies: For: 12 Against: 6

Speakers: For (Did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

7. Z101-235(MG)

Planner: Michael Grace

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1669 for a child-care facility to allow a foster home use for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District on the east line of Manitoba Avenue, south of Fidelis Avenue.

Maker: Rodgers
Second: Wolfish
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: 16
Replies: For: 0 Against: 0

Speakers: For: Bessie Rodgers, 8352 Orleans Ln., Fort Worth, TX, 76123
Against: None

8. Z101-236(MG)

Planner: Michael Grace

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1347 for a public school and tower/antenna for cellular communication, subject to a revised site plan and revised conditions on property zoned an R-7.5(A) Single Family District on the northwest corner of Frankford Road and Appleridge Drive.

Maker: Rodgers
Second: Wolfish
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: 400 Mailed: 130
Replies: For: 6 Against: 6

Speakers: None

9. Z101-200(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **denial without prejudice** of a Specific Use Permit for a private school on property zoned an R-1ac(A) Single Family District on the northwest corner of Douglas Avenue and Northwest Highway.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 6
Conflict: 1 - Wally

Notices: Area: 400 Mailed: 38
Replies: For: 2 Against: 8

Speakers: For: Jay Zeleskey, 5531 W. Amherst Ave., Dallas, TX, 75209
William Rector, 2937 Purple Sage Dr., Flower Mound, TX, 75028
John Fowler, 310 N. Manus Dr., Dallas, TX, 75224
Beverly McMullin, 12727 Hillcrest Rd., Dallas, TX, 75230
Michele Howard, 9506 Highedge Dr., Dallas, TX, 75238
Against: Susan Reese, 8626 Douglas Ave., Dallas, TX, 75225
Tony Krauska, 8602 Jourdan Way, Dallas, TX, 75225
Jack Turpin, 8600 Douglas Ave., Dallas, TX, 75225
Robert Berry, 5718 Watson Cir., Dallas, TX, 75225
Ruth Davis, 6807 Leameadow Dr., Dallas, TX, 75248
Against (Did not speak): George Barber, 5830 Averill Way, Dallas, TX, 75225
Wallace Hall, 9015 Douglas Ave., Dallas, TX, 75225
Judson Jones, 5830 Desco Dr., Dallas, TX, 75225
Doug Barnes, 8787 Jourdan Way, Dallas, TX, 75225
Schelley Dutcher, 5807 Watson Ave., Dallas, TX, 75225
Chris Luna, P.O. Box 1523, Dallas, TX, 75221
Richard Gussoni, 8727 Douglas Ave., Dallas, TX, 75225
Christy Berry, 5718 Watson Cir., Dallas, TX, 75225
Marvin Noble, 5719 Watson Cir., Dallas, TX, 75225
Paula Leone, 5823 Lupton Dr., Dallas, TX, 75225
Kimberly Armour, 5706 Watson Cir., Dallas, TX, 75225
Hawkins Golden, 8928 Preston Hollow Ln., Dallas, TX, 75225

10. Z101-208(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 780, and an expansion of Planned Development District No. 780; subject to a development/conceptual plan, traffic management plan, conditions and amended deed restrictions on the expansion area on property currently zoned an LI Light Industrial District, and amend deed restrictions on the expansion area on the west side of Waterview Parkway south of Synergy Park Boulevard.

Maker: Rodgers
Second: Wolfish
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: 500 Mailed: 10
Replies: For: 0 Against: 0

Speakers: None

11. Z101-229(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 1747 for an alcoholic beverage establishment limited to a private-club bar for a three-year period, subject to conditions on property zoned an IR Industrial Research District on the northwest corner of Stemmons Freeway and Harcourt Street.

Maker: Rodgers
Second: Wolfish
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: 300 Mailed: 18
Replies: For: 2 Against: 0

Speakers: None

12. Z101-225(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 1344 for an open-enrollment charter school or private school for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions on property zoned an MF-1(A) Multifamily District on the northeast corner of Frankford Road and Marsh Lane.

Maker: Rodgers
Second: Wolfish
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: 300 Mailed: 7
Replies: For: 0 Against: 1

Speakers: None

Zoning Cases – Under Advisement

13. Z101-192(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an amendment to and expansion of Planned Development District No. 287, the Dallas Arboretum and Botanical Garden, subject to revised conceptual plan and revised conditions on property zoned Planned Development District No. 287 and a CR Community Retail District generally on the southwest and northwest corners of Garland Road and Lakeland Drive.

Maker: Tarpley
Second: Anglin
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: 500 Mailed: 177
Replies: For: 19 Against: 27

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Mary Brinegar, 3131 Maple Ave., Dallas, TX, 75201

John DeShazo, 12142 Elysian Ct., Dallas, TX, 75230
Mary Griggs, 8817 Grenore Dr., Dallas, TX, 75218
Cecile Bonte, 11138 Wonderland Trl., Dallas, TX, 75229
Chris Herron, 1155 Timplemore Dr., Dallas, TX, 75218
Judy Mongello, 8715 Angora St., Dallas, TX, 75218
Kat Benner, 8723 San Fernando Way, Dallas, TX, 75218
Elisa Moore, 4913 Las Lomas Dr., Mesquite, TX, 75150
LuAnn Tunell, 8210 Garland Rd., Dallas, TX, 75218
Al Olson, 6201 Fallbrook Dr., Garland, TX, 75043
FOR (Did not speak): Eileen Williams, 2330 Lockhart Ave., Dallas, TX, 75228
Julie Zvara, 5423 Emerson Ave., Dallas, TX, 75209
Sue McCombs, 4545 Cathedral Dr., Dallas, TX, 75214
Carolyn Olson, 6201 Fallbrook Dr., Garland, TX, 75043
Betty Brownlee, 8162 San Leonardo Dr., Dallas, TX, 75218
Terry Lendecker, 8827 Gaston Parkway, Dallas, TX, 75218
Corinne Morse, 10512 Creekmere Dr., Dallas, TX, 75218
Deborah Parker, 9191 Garland Rd., Dallas, TX, 75218
Against: Leon Russell, 8327 San Fernando Way, Dallas, TX, 75218
Jack Keller, 8500 Block of Garland Rd., Dallas, TX, 75218

14. **Z101-120(RB)**

Planner: Richard Brown

Motion: In considering an application for a Planned Development District for NS(A) Neighborhood Service District within the Tract F portion of Historic District Overlay No. H/128 with a D Liquor Control Overlay; an application for the removal of the D Liquor Control Overlay and the granting of a D-1 Liquor Control Overlay; and an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on the east corner of Junius Street and Henderson Avenue, it was moved to **hold** this case under advisement until July 21, 2011.

Maker: Peterson
Second: M. Davis
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: 500 Mailed: 109
Replies: For: 16 Against: 9

Speakers: For: Dale Wooton, 5306 Junius St., Dallas, TX, 75214
For (Did not speak): Joanna Hampton, 4924 Tremont St., Dallas, TX, 75214
Against: Steve Shaw, 5322 Junius St., Dallas, TX, 75214

15. **Z090-258(WE)**

Planner: Warren Ellis

Motion: In considering an application for a Specific Use Permit for an open enrollment charter school on property zoned an R-10(A) Single Family District on the northwest corner of South Westmoreland Road and Blue Ridge Boulevard, it was moved to **hold** this case under advisement until October 20, 2011.

Maker: Anglin
Second: R. Davis
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: 300 Mailed: 28
Replies: For: 1 Against: 5

Speakers: For: Mack Santoyo, 3535 S. Westmoreland Rd., Dallas, TX, 75233
Against: Charletta Compton, 3709 Pomeroy Dr., Dallas, TX, 75233
Johnny Crowder, 4039 Oak Arbor Dr., Dallas, TX, 75233
Against (Did not speak): LaTeya Riley, 3222 Cedarcroft Ln., Dallas, TX, 75233

16. **Z101-174(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store or food store less than 3,500 square feet for a two-year time period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the southwest corner of Lake June Road and St. Augustine Road.

Maker: Rodgers
Second: Wolfish
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: 15
Replies: For: 15 Against: 1

Speakers: For: Audra Buckley, 2814 Main St., Dallas, TX, 75226
For (Did not speak): Dalia Rodriquez, 1419 Memory Ln., Dallas, TX, 75217
Julian Palacios, 530 Pleasant Meadows, Dallas, TX, 75217
Maria Guerrero, San Augustine, Dallas, TX, 75217
Against: None

17. Z101-163(MG)

Planner: Michael Grace

Motion: In considering an application of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of the intersection of Military Parkway and Elva Avenue, it was moved to **hold** this case under advisement until June 16, 2011.

Maker: Bagley
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

Notices: Area: 200 Mailed: 23
Replies: For: 2 Against: 2

Speakers: None

18. **Z101-191(MG)**

Planner: Michael Grace

Motion: It was moved to recommend **approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the north side of Elam Road between Southgate Lane and Sunburn Drive.

Maker: Lavallaisaa
Second: Peterson
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: 0 Against: 2

Speakers: For: Audra Buckley, 2814 Main St., Dallas, TX, 75226
FOR (Did not speak): Bhart Palsake, Address not given
Dalpat Babaria, 1212 Costa Azul Dr., Southlake, TX, 76092
Against: None

19. **Z101-218(MG)**

Planner: Michael Grace

Motion: It was moved to recommend **approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the southeast corner of the intersection of Bonnie View Road and Simpson Stuart Road.

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

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

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

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

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

20. Z101-168(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a D-1 Dry Liquor Control Overlay and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned RR Regional Retail District with a D Dry Liquor Control Overlay at the northeast corner of S. Hampton Road and U.S. 67/Marvin D. Love Freeway.

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

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

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

Notices: Area: 200 Mailed: 20
Replies: For: 2 Against: 1

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

Zoning Cases – Individual

21. **Z101-251(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Planned Development District for MO-1 Midrange Office District and MU-2 Mixed Use District uses, subject to a conceptual plan and staff's revised conditions on property zoned an MO-1 Midrange Office District, an MU-2 Mixed Use District, an LI Light Industrial District, and Subdistrict 1 of Planned Development District No. 318 on the northwest, northeast, southwest and southeast corners of the intersection of President George Bush Turnpike/TX 190 and the Dallas North Tollway.

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

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

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

Notices: Area: 500 Mailed: 58
Replies: For: 4 Against: 6

Speakers: For: Lucilo Pena, 1717 Arts Plaza Dr., Dallas, TX, 75201
Against: Jason Suplita, 4467 Rushing Rd., Dallas, TX, 75287

22. **Z101-183(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of an amendment to and a renewal of Specific Use Permit No. 1609 for a potentially incompatible industrial (outside) use, limited to a concrete and asphalt crushing use for one-year period, subject to a site plan and conditions on property zoned an IM Industrial Manufacturing District, on the west side of Spangler Road, north of Manana Drive.

Maker: Tarpley
Second: Schwartz
Result: Carried: 12 to 0

For: 12 - R. Davis, Wally, Rodgers, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0
Absent: 2 - Anglin, M. Davis
Vacancy: 1 - District 6

Notices: Area: 400 Mailed: 15
Replies: For: 0 Against: 0

Speakers: For: Keith Redmon, 16124 Longvista Dr., Dallas, TX, 75248
Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

Development Code Amendment

DCA101-006

David Cossum

Motion: It was moved to recommend **approval** of amendments to Article IV, "Use Regulations," of Chapter 51A, the Dallas Development Code, to create a waiver process for minimum sidewalk width requirements in the CA-1(A)CP Central Area Core Pedestrian District.

Maker: Wolfish
Second: Bagley
Result: Carried: 12 to 0

For: 12 - R. Davis, Wally, Rodgers, Bagley, Lavallaisaa,
Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Peterson, Alcantar

Against: 0
Absent: 2 - Anglin, M. Davis
Vacancy: 1 - District 6

Speakers: None

Authorization of a Hearing

Planned Development District No. 595

Motion: It was moved to recommend **approval** of the authorization of a public hearing to determine proper zoning on property zoned Planned Development No. 595, the South Dallas/Fair Park Special Purpose District and an NS(A) Neighborhood Service District on approximately 3,697.42 acres on property generally bounded by the Union Pacific (DART) Railroad, the Southern Pacific Railroad, C.F. Hawn Freeway, the D.P.&L. Company easement, Central Expressway (S.M. Wright Freeway), the Southern Pacific Railroad, the Santa Fe Railroad, R.L. Thornton Freeway, 2nd Avenue, Parry Avenue, Robert B. Cullum Boulevard, Fitzhugh Avenue, Gaisford Street, and the common line between city blocks 1820 and D/1821. Consideration is to be given to appropriate use regulations in non-residential sub-districts, and the establishment of new urban form mixed use and single family districts including use, development standards, and other appropriate regulations.

Maker: Bagley
Second: Schwartz
Result: Carried: 12 to 0

For: 12 - R. Davis, Wally, Rodgers, Bagley, Lavallaisaa,
Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Peterson, Alcantar

Against: 0
Absent: 2 - Anglin, M. Davis
Vacancy: 1 - District 6

Speakers: None

Other Matters

Consideration of appointments to the following CPC Committee:

Special Sign District Advisory Committee (SSDAC)
(List of committee members available with CPC Coordinator)

Motion: It was moved to **approve** the appointment of Mr. Ken Ethridge to the Special Sign District Advisory Committee.

Maker: Tarpley
Second: Shellene
Result: Carried: 12 to 0

For: 12 - R. Davis, Wally, Rodgers, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum,
Wolfish, Schwartz, Peterson, Alcantar

Against: 0
Absent: 2 - Anglin, M. Davis
Vacancy: 1 - District 6

Minutes

Motion: It was moved to **approve** the minutes of the May 5, 2011, City Plan Commission meeting, subject to corrections.

Maker: Bagley
Second: Schwartz
Result: Carried: 12 to 0

For: 12 - R. Davis, Wally, Rodgers, Bagley, Lavallaisaa,
Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Peterson, Alcantar

Against: 0
Absent: 2 - Anglin, M. Davis
Vacancy: 1 - District 6

Adjournment

Motion: It was moved to **adjourn** the May 19, 2011, City Plan Commission meeting at 5:27 p.m.

Maker: Wally
Second: Rodgers
Result: Carried: 12 to 0

For: 12 - R. Davis, Wally, Rodgers, Bagley, Lavallaisaa,
Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Peterson, Alcantar

Against: 0
Absent: 2 - Anglin, M. Davis
Vacancy: 1 - District 6

Joe Alcantar, Chair