

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on July 11, 2013, with the briefing starting at 11:02 a.m. in Room 5ES and the public hearing at 1:31 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and, Acting Vice Chair Sally Wolfish. The following Commissioners were present during the hearing: Richard Davis, Liz Wally, Mike Anglin, Betty Culbreath, Emma Rodgers, Tony Hinojosa, Ann Bagley, Myrtl Lavallaisaa, Bruce Bernbaum, Michael Schwartz and Paul E. Ridley. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Gloria Tarpley and John Shellene. 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) **S123-182**

**Motion:** It was moved to **approve** an application to create one lot from a 1.147 acre tract of land in City Block 2570 located on Mockingbird Lane north of Maple Avenue, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(2) **S123-186**

**Motion:** It was moved to **approve** an application to create one 11.748 acre lot from an 11.748 acre tract of land in City Block 3/8291 located at 34501 Lyndon B. Johnson Freeway/Interstate Highway No. 20, west of Bonnie View Road, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(3) **S123-188**

**Motion:** It was moved to **approve** an application to create one 2.734 acre lot, and one 2.702 acre lot from a 5.436 acre tract of land in City Block 5794 on property located at 10120 Harry Hines Boulevard / State Highway Loop No. 354 at Storey Lane, northeast corner, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(4) **S123-189**

**Motion:** It was moved to **approve** an application to replat a 1.934 acre tract of land containing all of Lot 4, part of Lot 5, and apportion of an abandoned 17 foot wide alley in City Block 978 into one 0.794 acre lot, and one 1.140 acre lot on property located on Lemmon Avenue East between Cole Avenue and McKinney Avenue, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(5) **S123-190**

**Motion:** It was moved to **approve** an application to replat a 5.024 acre tract of land containing part of Lot 4 in City Block 5985 to create one 1.732 acre lot, one 0.689 acre lot, one 0.702 acre lot, one 0.722 acre lot, and one 1.179 acre lot on property located at 3603 Marvin D. Love Freeway, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(6) S123-191

**Motion:** It was moved to **approve** an application to replat a 0.2613 acre tract of land containing part of Lots 10 and 11 and part of an abandoned 10 foot alley in City Block A/1877 to create one lot on property located at 6021 Ross Avenue at Live Oak Street, north corner, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(7) S123-192

**Motion:** It was moved to **approve** an application to replat a 34.552 acre tract of land containing City Block A/8391, and part of City Blocks 8389, 8390, and 8391 to create one 12.046 acre lot, one 16.617 acre lot, one 0.521 acre lot, one 0.925 acre lot, one 1.306 acre lot, one 1.103 acre lot, one 0.998 acre lot, and one 1.036 acre lot on property located on Midway Road at Lyndon B. Johnson Freeway/Interstate Highway No. 635, southwest corner, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

Building Line Reduction/Removal:

(8) **S123-181**

**Removal of Building Line Motion:** It was moved to **approve** an application to remove the seven foot platted building line between Lots 5 and 6; and to remove the one foot platted building line from the west line of Lot 5 with the finding of fact that removal of the platted building lines will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision on property located at 11 Winding Lake Drive, north of Forest Lane.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Replat Motion:** It was moved to **approve** an application to replat a 0.321 acre tract of land containing all of Lots 5 and 6 in City Block 50/7460 into one lot; on property located at 11 Winding Lake Drive, north of Forest Lane, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(9) S123-187

**Removal of Building Line Motion:** It was moved to **approve** an application to reduce a portion of the existing 50 foot platted building line by 2.5 feet along the west line of Benedict Drive; with the finding of fact that reduction of the platted building lines will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision on property located at 4720 Chapel Hill Road and 7594 Benedict Drive.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Replat Motion:** It was moved to **approve** an application to replat a 1.224 acre tract of land containing all of Lots 10 and 11 in City Block C/4405 into one 0.546 acre lot, and to create one 0.678 acre lot on property located at 4720 Chapel Hill Road and 7594 Benedict Drive, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(10) **S123-193**

**Removal of Building Line Motion:** It was moved to **approve** an application to remove the 30 foot platted building line along the east line of Jourdan Way, and to remove the 60 foot platted building line parallel to the south line of Lakehurst Avenue with the finding of fact that removal of the platted building lines will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision on property located at 5914 Lakehurst Avenue.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Replat Motion:** It was moved to **approve** an application to replat all of Lot 1-AA in City Block 2/5515 on property located at 5914 Lakehurst Avenue, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(11) **S123-200**

**Removal of Building Line Motion:** It was moved to **approve** an application to remove the existing platted 25 foot building line along the north line of Walnut Hill Lane and to remove the 25 foot building line along the west line of N. Central Expressway with the finding of fact that removal of the platted building lines will not require a minimum front, side, or rear yard setback line less than required by the zoning regulation; be contrary to the public interest; adversely affect neighboring properties; or adversely affect the plan for the orderly development of the subdivision on property located at the northwest corner of U.S. Highway 75 North at Walnut Hill Lane.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Replat Motion:** It was moved to **approve** an application to replat a 41.1085 acre tract of land containing all of Lots 1 and 1A in City Block S/5454 to create 145 single family lots; and to create 9 nonresidential lots from a 42.1085 acre tract of land on property located at the northwest corner of U.S. Highway 75 North at Walnut Hill Lane, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

Residential Replats:

(12) **S123-180**

**Motion:** It was moved to **deny** an application to replat a 3.650 acre tract of land containing all of lot 7B in City Block 4408 into one 1.949 acre lot and one 1.701 acre lot on property located at 4231 W. Lawther Road, due to non compliance to Section 51A-8.503(a) of the Dallas Development Code.

Maker: Bagley  
Second: Wally  
Result: Carried: 12 to 1

For: 12 - Davis, Wally, Anglin, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Ridley, Alcantar

Against: 1 - Culbreath  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** For: Rachel Major, 2301 Forest Ln., Garland, TX, 75042  
Darren Phillips, 7014 Fisher Rd., Dallas, TX, 75214  
Against: Mike Coker, 2700 Swiss Ave., Dallas, TX, 75204  
Rob Raymond, 4111 W. Lawther Dr., Dallas, TX, 75214  
Jane McDonald, 4303 W. Lawther Dr., Dallas, TX, 75214

(13) **S123-183**

**Motion:** It was moved to **approve** an application to replat a 1.083 acre tract of land containing all of Lots 5 and 6 in City Block B/5668 into one lot at 5233 Stonegate Road at Inwood Road, northwest corner, subject to compliance with the conditions listed in the docket with deletion of Condition #13.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

(14) **S123-184**

**Motion:** It was moved to **approve** an application to replat a 0.189 acre tract of land containing all of Lot 12A in City Block A/1030 into one 0.07 acre lot and one 0.119 acre lot on property located at 3520 Gillespie Street north of Sale Street, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz\*, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(15) **S123-185**

**Motion:** It was moved to **approve** an application to replat a 7.507 acre tract of land in City Block 7081 to create an 80 lot shared access area development containing lots ranging in size from 2,784 square feet to 4,596 square feet on property located at 8501 Plano Road, south of Le Mans Drive, subject to compliance with the conditions listed in the docket.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

Miscellaneous Items:

**M123-017**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan (Phase 3 portion) for Planned Development District No. 251 for a Private school for the instruction of learning disabled students and R-7.5(A) Single Family District Uses, on the north corner of Lake Highlands Drive and Tiffany Way.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

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

**W123-006**

Planner: Carrie Gordon

**Motion:** It was moved to **approve** a waiver of the two-year waiting period to establish a new subdistrict in the Downtown Special Purpose Sign District to increase the number of detached premise signs and the effective area of such signs associated with the Bank of America Tower in an area bound by Main Street, Elm Street, North Lamar Street, and North Griffin Street.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

**D112-011**

Planner: Olga Torres Holyoak

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 521 on the south side of West Camp Wisdom Road, west of Eagle Ford Drive

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

**D123-018**

Planner: Olga Torres Holyoak

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 741 on the west side of Cypress Waters Boulevard, north of Hackberry Road.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

**D123-019**

Planner: Olga Torres Holyoak

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 240 on the south quadrant of LBJ Freeway and Penn Farm Road.

Maker: Anglin  
Second: Hinojosa

Result: Carried: 13 to 0

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

**D123-020**

Planner: Olga Torres Holyoak

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 375 on the northwest corner of Central Expressway and City Place West Boulevard.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

**D123-021**

Planner: Olga Torres Holyoak

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 741 on the east side of Cypress Waters Boulevard, north of Hackberry Road.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

Miscellaneous Items – Under Advisement:

**D123-001**

Planner: Olga Torres Holyoak

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 750 on the north side of Walnut Hill Lane, west of Central Expressway.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

**M123-029**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 719 on the north line of Forest Lane, west of Forest Lakes Lane.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

Zoning Cases – Consent

1. **Z123-256(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1854 for a Metal salvage facility for a four-year period, with eligibility for automatic renewal for additional four-year periods, subject to a revised site plan and revised conditions to include change to the hours of operation on property zoned an IM Industrial Manufacturing District on the northeast line of South Central Expressway, north of Loop 12.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 300                      Mailed: 6  
**Replies:** For: 1                              Against: 0

**Speakers:** None

2. **Z123-272(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to existing deed restrictions, subject to revised deed restrictions on property zoned an RS-I(E) Regional Service Industrial (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the west line of Ash Lane between 3<sup>rd</sup> Avenue and 4<sup>th</sup> Avenue and the north line of Ash Lane, west of 3<sup>rd</sup> Avenue.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 300 Mailed: 38  
**Replies:** For: 3 Against: 0

**Speakers:** None

3. **Z123-224(CG)**

Planner: Carrie Gordon

**Motion:** It was moved to recommend **approval** of an amendment to and an expansion of Specific Use Permit No. 1796 for an attached projecting non-premise district activity videoboard sign for a six-year period, subject to a revised site plan and conditions on property zoned Planned Development District No. 619 on the south side of Main Street, west of North Ervay Street.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 200 Mailed: 33  
**Replies:** For: 2 Against: 0

**Speakers:** None

4. **Z123-246(AB)**

Planner: Audrey Butkus

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1900 for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions on property zoned Subdistrict 1 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the northwest corner of South Buckner Boulevard and Cordell Drive.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 300 Mailed: 32  
**Replies:** For: 0 Against: 0

**Speakers:** None

5. Z123-240(WE)

Planner: Warren Ellis

**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 greater 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-1 Community Retail District with a D-1 Liquor Control Overlay on the north line of Lake June Road, west of North Jim Miller Road.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 300 Mailed: 22  
**Replies:** For: 0 Against: 1

**Speakers:** None

6. Z123-241(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to and an expansion of Specific Use Permit No. 1197 for a restaurant with drive-in or drive-through service, subject to a revised site plan, landscape plan and conditions on property within Subarea 12 of Planned Development District No. 298, the Bryan Area Special Purpose District on the east corner of North Washington Avenue and Gaston Avenue.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 200 Mailed: 15  
**Replies:** For: 0 Against: 0

**Speakers:** For: Julianne McGee, 5729 Ammons St., Halton City, TX, 76117  
Lee Morris, 511 E. John Carpenter Frwy., Irving, TX, 75062  
Against: None

**7. Z123-257(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1857 for an alcoholic beverage establishment use for a bar, lounge, or tavern for a five-year period, subject to conditions on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the north side of Commerce Street, west of Pryor Street.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 200 Mailed: 14  
**Replies:** For: 0 Against: 0

**Speakers:** None

8. Z123-261(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a TH-2(A) Townhouse District and **approval** of the termination of the deed restrictions on property zoned an NO(A) Neighborhood Office District on the northwest corner of Levelland Road and Gold Dust Trail.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 200 Mailed: 18  
**Replies:** For: 1 Against: 1

**Speakers:** None

9. Z123-284(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 7 for a private school, subject to a revised site plan, revised traffic management plan and revised conditions on property zoned an R-16(A) Single Family District on the west line of Inwood Road, between Forest Lane and Welch Road.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 400 Mailed: 56  
**Replies:** For: 3 Against: 1

**Speakers:** None

Zoning Cases – Under Advisement

10. **Z123-229(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1750 for a commercial motor vehicle parking use for a two-year period, subject to a revised site plan and conditions on property zoned a CS Commercial Service District on the northwest corner of Chalk Hill Road and Fitchburg Street.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 200 Mailed: 17  
**Replies:** For: 2 Against: 0

**Speakers:** For: Gamaliel Albarran, 2402 Ingersoll St., Dallas, TX, 75212  
Elizabeth Albarran, 2402 Ingersoll St., Dallas, TX, 75212  
Against: Felix Anguiano, 2636 Ingersoll St., Dallas, TX, 75212  
Ronnie Lee Mestas, 3215 Rutz St., Dallas, TX, 75212  
Laura Cadena, 6815 American Way, Dallas, TX, 75237  
Debbie Solis, 2329 Kenesaw Dr., Dallas, TX, 75212  
Against (Did not speak): Jimmy Gomez, 3826 Mican Dr., Dallas, TX, 75212

11. **Z123-249(AB)**

Planner: Audrey Butkus

**Motion:** In considering an application for the renewal of Specific Use Permit No. 1864 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-1 Liquor Control Overlay located north of Centerville Road, west of Aledo Drive, it was moved to **hold** this case under advisement until July 25, 2013.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

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

**Speakers:** None

Note: See the reconsideration action at the end of the minutes.

**12. Z123-221(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and revised conditions to include a provision restricting lighting (internal and external) of the structure on property zoned an R-7.5(A) Single Family District on the east line of La Prada Drive, north of Oates Drive.

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

For: 12 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0  
Conflict: 1 - Bagley

**Notices:** Area: 200 Mailed: 7  
**Replies:** For: 1 Against: 1

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

13. **Z123-234(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a Swap or buy shop for a two-year period, subject to a site plan and conditions on property zoned a CR Community Retail District on the southeast corner of Midway Road and Frankford Road.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 200 Mailed: 5  
**Replies:** For: 1 Against: 0

**Speakers:** For: Cynthia Clark, 18110 Midway Rd., Dallas, TX, 75287  
Against: None

Zoning Cases – Individual

14. **Z123-313(JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of a Planned Development District for multifamily uses, subject to a conceptual plan and staff conditions on property zoned a MF-1(A) Multifamily District on the southeast corner of South Zang Boulevard and West Louisiana Avenue.

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

For: 12 - Davis, Wally, Anglin, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0  
Absent: 3 - Culbreath, Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 500 Mailed: 51  
**Replies:** For: 1 Against: 0

**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
John Greenan, 511 N. Akard St., Dallas, TX, 75201  
Against: None

Note: The Commission agreed to continue discussion of case Z123-313(JH) after case Z123-263(MW).

**15. Z123-148(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until August 8, 2013.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Ridley, Alcantar  
Against: 0  
Absent: 2 - Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 500 Mailed: 305  
**Replies:** For: 0 Against: 97

**Speakers:** None

**16. Z123-273(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for an RR Regional Retail District on property zoned an LO-3 Limited Office District on the west line of North Walton Walker Freeway, north of Twenty Grand Drive was moved to **hold** this case under advisement until August 8, 2013.

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

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Bernbaum\*,  
Wolfish, Schwartz, Ridley, Alcantar  
Against: 0  
Absent: 2 - Tarpley, Shellene

Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 27  
**Replies:** For: 2 Against: 1  
**Speakers:** None

17. Z123-263(MW)

Planner: Megan Wimer

**Motion:** It was moved to recommend **denial without prejudice** of a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Lemmon Avenue and Reagan Street.

Maker: Ridley  
Second: Hinojosa  
Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Ridley, Alcantar

Against: 0  
Absent: 3 - Culbreath, Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 200 Mailed: 31  
**Replies:** For: 3 Against: 0

**Speakers:** For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208  
Grag Eickholt, 8209 Edgemont Ct., North Richland Hills, TX, 76182  
Kat Cook, 3904 Rawlins St., Dallas, TX, 75219  
Leland Burk, 5311 Park Ln., Dallas, TX, 75220  
David Gregory, 250 W. Southlake Blvd., Southlake, TX, 76092  
Against: Wayne Hancock, 3302 Hall Ct., Dallas, TX, 75219

Note: The Commission continued discussion and action of Z123-313(JH).

Reconsideration:

**Motion I:** It was moved to reconsider the July 11, 2013, City Plan Commission Zoning Consent agenda.

Maker: Rodgers  
Second: Anglin

Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Ridley, Alcantar

Against: 0  
Absent: 3 - Culbreath, Tarpley, Shellene  
Vacancy: 0

**Motion II:** It was moved to **approve** the July 11, 2013, Zoning Consent agenda, excluding Z123-246(AB).

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

For: 12 - Davis, Wally, Anglin, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Ridley, Alcantar

Against: 0  
Absent: 3 - Culbreath, Tarpley, Shellene  
Vacancy: 0

**Z123-246(AB)**

Planner: Audrey Butkus

**Motion:** In considering an application of the renewal of Specific Use Permit No. 1900 for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet on property zoned Subdistrict 1 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the northwest corner of South Buckner Boulevard and Cordell Drive, it was moved to **hold** this case under advisement until July 25, 2013.

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

For: 12 - Davis, Wally, Anglin, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Ridley, Alcantar

Against: 0  
Absent: 3 - Culbreath, Tarpley, Shellene  
Vacancy: 0

**Notices:** Area: 300 Mailed: 32  
**Replies:** For: 0 Against: 0

**Speakers:** None

Authorization of Hearing:

Planner: Mark Doty

**Motion:** It was moved to **authorize** a public hearing to determine the proper zoning on property zoned Planned Development District No. 409 for public school and R-7.5(A) Single Family District uses with consideration given to an historic overlay for the Sunset High School on the south side of Jefferson Boulevard, between Tennant Street and Oak Cliff Boulevard.

Maker: Davis  
Second: Bernbaum  
Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Ridley, Alcantar

Against: 0  
Absent: 3 - Culbreath, Tarpley, Shellene  
Vacancy: 0

**Speakers:** None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the June 20, 2013, City Plan Commission meetings, subject to the following correction(s):

**Z123-252(MW)** Include a provision to eliminate the MURP Mixed Use Residential Project requirements for office uses.

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

For: 12 - Davis, Wally, Anglin, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Ridley, Alcantar

Against: 0  
Absent: 3 - Culbreath, Tarpley, Shellene  
Vacancy: 0

Adjournment

**Motion:** It was moved to **adjourn** the July 11, 2013, City Plan Commission meeting at 4:41 p.m.

Maker: Hinojosa  
Second: Ridley  
Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Ridley, Alcantar

Against: 0  
Absent: 3 - Culbreath, Tarpley, Shellene  
Vacancy: 0

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Joe Alcantar, Chair