

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on July 21, 2011 with the briefing starting at 11:05 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, Bruce Bernbaum, Sally Wolfish and Bill Peterson. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: John Shellene and 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: LaShawn Green

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) S078-033R

Motion: It was moved to **approve** an application to revise a previously approved preliminary plat (S078-033) to replat a 3.033 acre tract of land containing all of Lots 1, 3 and 4 in City Block 6/5284 and a tract of land in City Block 5284 and an abandoned alley to create one lot on Garland Road and Angora Avenue, west of Tavares Street, subject to compliance with the conditions listed in the docket with an amendment to Condition #14 to read as follows: "14. Provide a turnaround or a turnout for the existing dead end alley."

Maker: Tarpley

Second: M. Davis

Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Speakers: None

(2) S101-134

Motion: It was moved to **approve** an application to create one 17.982 acre lot from a tract of land in City Block 6013 located at Ann Arbor Avenue and I-35E, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Tarpley
Second: M. Davis
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Speakers: None

(3) S101-135

Motion: It was moved to **approve** an application to create one 4.295 acre lot from a tract of land in City Block 5529 located at 10201 Inwood Road, subject to compliance with the conditions listed in the docket.

Maker: Tarpley
Second: M. Davis
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Speakers: None

(4) S101-136

Motion: It was moved to **approve** an application to create one 15.258 acre lot from a tract of land in City Block L6213 located at 7910 Samuell Boulevard, west of Catron Drive, subject to compliance with the conditions listed in the docket.

Maker: Tarpley
Second: M. Davis
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Speakers: None

(5) S101-137

Motion: It was moved to **approve** an application to create a 2.902 acre lot from a tract of land in City Block 8467 located approximately 2,200 feet east of the intersection of Ranch Trail Lane at Hackberry Drive, subject to compliance with the conditions listed in the docket.

Maker: Tarpley
Second: M. Davis
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Speakers: None

Miscellaneous Docket

D101-015

Planner: Olga Torres Holyoak

Motion: It was moved to **approve** a development/landscape plan for Planned Development District No. 730, on property fronting Macon Street and Starks Avenue, south of Crozier Street.

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

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Speakers: None

M101-029

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development Subdistrict No. 742 for certain RR Regional Retail District uses and Multifamily uses on the north corner of Northwest Highway and Skillman Street.

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

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Speakers: None

Thoroughfare Plan Amendment

Bishop Avenue from Colorado Boulevard to Neely Street; and Bishop Avenue from Neely Street to Davis Street

Motion: It was moved to recommend **approval** of an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of (1) Bishop Avenue from Colorado Boulevard to Neely Street from a four lane undivided roadway (S-4-U) within 60 feet of right of way to a special three lane undivided (SPCL-3-U) with bicycle lanes within 100 feet of right of way and 60 feet of pavement; and (2) Bishop Avenue from Neely Street to Davis Street from a four lane undivided roadway (S-4-U) within 60 feet of right of way to a four lane divided (S-4-D) within 100 feet of right of way.

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

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Speakers: None

Danieldale Road from Hampton Road to Polk Street

Motion: It was moved to recommend **approval** of an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification Danieldale Road from Hampton Road to Polk Street from a six lane divided roadway (S-6-D) within 107 feet of right of way to a four lane undivided roadway (S-4-U) within 60 feet of right of way.

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

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Speakers: None

Zoning Cases – Consent

1. Z101-243(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1140 for a Municipal Service Center, subject to a revised site plan and revised conditions on property zoned an MU-3 Mixed Use District, on both sides of Worcola Avenue, south of SMU Boulevard.

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

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Notices: Area: 400 Mailed: 19
Replies: For: 0 Against: 0

Speakers: None

2. Z101-259(MW)

Planner: Megan Wimer

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 less than 3,500 square feet for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned a CS-D-1 Commercial Services District with a D-1 Liquor Control Overlay on the northeast corner of CF Hawn Freeway and South Belt Line Road.

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

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

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

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

Speakers: For: Ashley Anderson, 1601 Elm St., Dallas, TX, 75201
Against: None

3. **Z101-284(OTH)**

Planner: Olga Torres Holyoak

Motion: In considering an application for a Specific Use Permit for a child-care facility on property zoned an MF-2(A) Multifamily District, on north side of Clydedale Drive, east of Geraldine Drive, it was moved to **hold** this case under advisement until August 18, 2011.

Maker: Anglin
Second: Tarpley
Result: Carried: 7 to 5

For: 7 - Anglin, Lavallaisaa, Tarpley, Bernbaum,
Wolfish, Peterson, Alcantar

Against: 5 - R. Davis, Wally, M. Davis, Rodgers, Bagley
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 25
Replies: For: 9 Against: 0

Speakers: For: Rebeca Esquivel, 3323 Clyedale Dr., Dallas, TX, 75220
For (Did not speak): Ruben Esquivel, 3323 Clyedale Dr., Dallas, TX, 7522
Against: None

Zoning Cases – Under Advisement

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

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for NS(A) Neighborhood Service District within the Tract F portion of Historic District Overlay No. H/128, subject to a revised development plan to include a green house addition with a maximum floor area of 260 sq. ft. and maximum height of 12 ft., and staff revised recommended conditions to not include the green house addition toward off-street parking requirements with the following two changes: 1) Under Section 115, Landscaping, (b), after “Plant materials” insert the following language “and garden vegetation”. 2) Under Section 117, (b) (C), correct the name to Peak’s Addition Homeowners Association; **retention** of the D Liquor Control Overlay; and **denial** of 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.

Maker: Peterson
Second: Wally
Result: Carried: 7 to 5

For: 7 - Wally, M. Davis, Rodgers, Bagley, Lavallaisaa*, Wolfish, Peterson

Against: 5 - R. Davis, Anglin, Tarpley, Bernbaum, Alcantar
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 109
Replies: For: 15 Against: 11

Speakers: For: Roger Albright, 3301 Elm St., Dallas, TX, 75201
Dale Wootton, 5306 Junius St., Dallas, TX, 75214
John Kenyon, 5300 Worth St., Dallas, TX, 75214
Laura Koppang, 5420 Worth St., Dallas, TX, 75214
Heather Smith, 5212 Worth St., Dallas, TX, 75214
Melissa Wright, 5304 Junius St., Dallas, TX, 75214
Against: Joanna Hampton, 5408 Swiss Ave., Dallas, TX, 75214
Virginia McAlester, 5703 Swiss Ave., Dallas, TX, 75214
Martha Heimberg, 1523 Abrams Rd., Dallas, TX, 75214
Anita Childress, 5421 Swiss Ave., Dallas, TX, 75214
Steve Shaw, 5322 Junius St., Dallas, TX, 75214
Neil Emmons, 2525 Turtle Creek Blvd., Dallas, TX, 75219
Steve Clicque, 6025 Reiger Ave., Dallas, TX, 75214
Against (Did not speak): Ron Sekerak, 1523 Abrams Rd., Dallas, TX, 75214

5. **Z101-196(RB)**

Planner: Richard Brown

Motion: In considering an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the northeast line of Lawnview Avenue, south of Forney Road, it was moved to **hold** this case under advisement until August 18, 2011.

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

For: 12 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Bagley, Lavallaisaa*, Tarpley, Bernbaum,
Wolfish, Peterson, Alcantar

Against: 0
Absent: 2 - Shellene, Schwartz
Vacancy: 1 - District 6

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 95
Replies: For: 6 Against: 4

Speakers: None

6. **Z101-211(JH)**

Planner: Jennifer Hiromoto

Motion I: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to a commercial amusement (inside) for a bowling alley for a two-year period, subject to a site plan and staff revised conditions with the following changes: 1) Roof top patio may not operate between 12:00 a.m. (midnight) and 6:00 a.m., Monday thru Sunday. 2) Roof top patio must have a 6ft high screening wall (not evergreens) where facing residences. 3) Require applicant to install and maintain 6 bowling lanes during the specific use permit time period. 4) Require an operating 750 sq. ft. kitchen during the specific use permit time period. 5) Under Parking add the following statement: "With parking way finding signage." on property zoned Planned Development District No. 842 on property bounded by Greenville Avenue, Lewis Street, Hope Street, and La Vista Court.

Maker: Peterson
Second: M. Davis
Result: Failed: 5 to 6

For: 5 - R. Davis, M. Davis, Bernbaum, Peterson,
Alcantar

Against: 6 - Wally, Anglin, Rodgers, Bagley, Tarpley,
Wolfish

Absent: 3 - Lavallaisaa, Shellene, Schwartz

Vacancy: 1 - District 6

Note: Commissioner Richard Davis left before the second motion was made.

Motion II: It was moved to recommend **denial** of a Specific Use Permit for a late-hours establishment limited to a commercial amusement (inside) for a bowling alley on property zoned Planned Development District No. 842 on property bounded by Greenville Avenue, Lewis Street, Hope Street, and La Vista Court.

Maker: Wolfish

Second: Anglin

Result: Carried: 6 to 4

For: 6 - Wally, Anglin, Rodgers, Bagley, Tarpley,
Wolfish,

Against: 4 - M. Davis, Bernbaum, Peterson, Alcantar

Absent: 4 - R. Davis, Lavallaisaa, Shellene, Schwartz

Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 60

Replies: For: 3 Against: 9

Speakers: For: Jonathan Hetzel, 7002 Vivian Ave., Dallas, TX, 75223

Roger Albright, 3301 Elm St., Dallas, TX, 75201

Against: Mike Northrup, 5703 Goliad Ave., Dallas, TX, 75206

Zoning Cases – Individual

7. **Z090-247(WE)**

Planner: Warren Ellis

Motion: In considering an application for an amendment to, and an expansion of, Planned Development District No. 370 for IR Industrial Research District uses, a Group Residential Facility and Overnight General Purpose Shelter and an IR Industrial Research District on the northeast corner of Calvert Street and Irving Boulevard, it was moved to **hold** this case under advisement until August 4, 2011 to allow staff to properly re-advertize.

Maker: Tarpley

Second: Bagley

Result: Carried: 10 to 0

For: 10 - Wally, Anglin, M. Davis, Rodgers, Bagley,
Tarpley, Bernbaum, Wolfish, Peterson,
Alcantar

Against: 0
Absent: 4 - R. Davis, Lavallaisaa, Shellene, Schwartz
Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 20
Replies: For: 1 Against: 3

Speakers: None

Special Provision Sign District

SPSD101-001

Planner: Carolyn Horner

Motion: It was moved to recommend **approval** of amendments to the Downtown Special Provision Sign District, Section 51A-900 of the Dallas City Code, to amend the requirements for construction barricade signs, district activity videoboard signs and supergraphic wallscape signs in an area generally bounded by Woodall Rogers to the north, Interstate 45/US 75 to the east, Interstate 30/R.L. Thornton to the south and Interstate 35/Stemmons Freeway to the west with the following changes: 1) Under Section 5, Paragraph (8): SUPERGRAPHIC SIGN meaning to read as follows: "A large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image excluding lasers onto a wall face." 2) In Section 9, subsection (g), remove the following language: "(1) Except as provided in Paragraph (4)," "(2)(B) Except as provided in Paragraph (4)," and under (4), "Paragraph (1) and Subparagraph (2)(B) and".

Maker: Peterson
Second: M. Davis
Result: Carried: 10 to 0

For: 10 - Wally, Anglin, M. Davis, Rodgers, Bagley,
Tarpley, Bernbaum, Wolfish, Peterson,
Alcantar

Against: 0
Absent: 4 - R. Davis, Lavallaisaa, Shellene, Schwartz
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 1004
Replies: For: 32 Against: 5

Speakers: For: John Crawford, 2200 Ross Ave., Dallas, TX, 75201

Don Glendening, 3401 Lee Parkway, Dallas, TX, 75219
Michael Anderson, 1200 Ross Ave., Dallas, TX, 75202
Steve Shepherd, 1505 Elm St., Dallas, TX, 75201
Suzan Kedron, 901 Main St., Dallas, TX, 75202
Jim Wood, 2200 Ross Ave., Dallas, TX, 75201

Against: None

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the July 7, 2011, City Plan Commission meeting, subject to corrections.

Maker: Tarpley
Second: Anglin
Result: Carried: 10 to 0

For: 10 - Wally, Anglin, M. Davis, Rodgers, Bagley,
Tarpley, Bernbaum, Wolfish, Peterson,
Alcantar

Against: 0
Absent: 4 - R. Davis, Lavallaisaa, Shellene, Schwartz
Vacancy: 1 - District 6

Adjournment

Motion: It was moved to **adjourn** the July 21, 2011, City Plan Commission meeting at 5:35 p.m.

Maker: Peterson
Second: Bernbaum
Result: Carried: 10 to 0

For: 10 - Wally, Anglin, M. Davis, Rodgers, Bagley,
Tarpley, Bernbaum, Wolfish, Peterson,
Alcantar

Against: 0
Absent: 4 - R. Davis, Lavallaisaa, Shellene, Schwartz
Vacancy: 1 - District 6

Joe Alcantar, Chair