

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on September 1, 2011 with the briefing starting at 10:35 a.m. in Room 5ES and the public hearing at 1:34 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and Michael Davis, Vice Chair. The following Commissioners were present during the hearing: Richard Davis, Liz Wally, Mike Anglin, Emma Rodgers, Tony Hinojosa, Ann Bagley, 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: Myrtl Lavallaisaa. 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.

Residential Replats

(1) **S101-151**

Motion: It was moved to **approve** an application to replat a 2.811 acre tract of land containing part of Lots 3, 4 and 5 of City Block 2/862; part of Lots 1, 3, 4 and 5 of City Block 3/862, part of City Block 862 and abandoned Right Of Way of Orleans Street into one lot at 1531 Malcolm X Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Wally

Second: M. Davis

Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Speakers: None

Building Line Removal

(2) **S101-150**

Removal of Building Line Motion: It was moved to **approve** an application to remove the existing platted 30 foot Building Line along the south line of West Northwest Highway and the northwesterly line of Bachman Drive, subject to compliance with the conditions listed in the docket.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley*, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

*out of the room, shown voting in favor

Replat Motion: It was moved to **approve** an application to replat a 0.7106 acre tract of land containing all of Lot 1C in City Block A/5783 along the south line of West Northwest Highway and the northwesterly line of Bachman Drive, subject to compliance with the conditions listed in the docket.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley*, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Residential Replat

(3) **S101-152**

Motion: It was moved to **approve** an application to replat a 0.189 acre tract of land containing all of Lots 12 and 13 in City Block A/1030 into one 0.189 acre lot on Gillespie Avenue southeast of Hood Street, subject to compliance with the conditions listed in the docket.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Speakers: None

Miscellaneous Docket

M101-028

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development Subdistrict No. 75 for MF-2 Multiple Family Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of Lucas Drive and Cotton Belt Avenue.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. Z101-269(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of the creation of a new Subdistrict within Planned Development District No. 619 for mixed uses, subject to a development plan and conditions on the northeast corner of Elm Street and N. Griffin Street.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 500 Mailed: 178
Replies: For: 7 Against: 0

Speakers: None

2. Z101-322(CH)

Planner: Carolyn Horner

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 1454 for a detached non-premise sign (billboard) use for a ten-year time period, subject to conditions on property zoned an MU-1(SAH) Mixed Use District on the northeast corner of Interstate 635 (LBJ Freeway) and Meandering Way.

Maker: Shellene
Second: Peterson

Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 300 Mailed: 21
Replies: For: 0 Against: 0

Speakers: None

3. Z101-327(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an LI Light Industrial District on property zoned a CS Commercial Service District on the west line of Brockbank Drive, between Bynum Avenue and Lombardy Lane.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 27
Replies: For: 0 Against: 0

Speakers: None

4. Z101-307(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 greater than 3,500 square feet for a two-year time period with eligibility for automatic renewals 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 northwest corner of Walnut Hill Lane and Marsh Lane.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 300 Mailed: 26
Replies: For: 2 Against: 3

Speakers: None

5. Z101-310(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 greater than 3,500 square feet for a two-year time period, subject to a site plan and conditions on property zoned a RR-D Regional Retail District with a D Liquor Control Overlay on the southeast corner of Samuell Boulevard and N. Jim Miller Road.

Maker: Bagley
Second: M. Davis
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 13
Replies: For: 3 Against: 0

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

6. Z101-287(MG)

Planner: Michael Grace

Motion: It was moved to recommend **approval** of a Specific Use Permit for a bar, lounge, or tavern for a five-year period, subject to a site plan and revised conditions to include the deletion of the provision prohibiting the application of delta credits on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the southwest line of Exposition Avenue, west of Parry Avenue.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 8
Replies: For: 0 Against: 0

Speakers: For: Ulisses Rusher, 835 Exposition Ave., Dallas, TX, 75226
Against: None

7. Z101-317(MG)

Planner: Michael Grace

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet for a two-year period, subject to a site plan and revised conditions restricted to the site location on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the southeast corner of C.F. Hawn Freeway (U.S. 175) and S. Belt Line Road.

Maker: Rodgers
Second: M. Davis
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 300 Mailed: 13
Replies: For: 5 Against: 1

Speakers: None

8. Z101-320(MG)

Planner: Michael Grace

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a drive-through or drive-in restaurant less than 3,500 square feet for a two-year period, subject to a site plan and conditions on property zoned a CR Community Retail District with a D-1 District Overlay on the south line of S. Belt Line Road, east of Kleberg Road.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 300 Mailed: 11
Replies: For: 3 Against: 1

Speakers: For: Pamela Craig, 1222 Commerce St., Dallas, TX, 75202
Against: None

9. Z101-306(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Permit for the sale and service of alcoholic beverages in conjunction with a drive-through or drive-in restaurant for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south side of East RL Thornton Freeway, west of Buckner Boulevard.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 8
Replies: For: 0 Against: 0

Speakers: For (Did not speak): Suzan Kedron, 901 Main St., Dallas, TX, 75202
Against: None

10. Z101-285(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for a government installation other than listed for a youth residential facility and treatment center for a permanent time period, subject to a site plan and conditions on property zoned an IM Industrial Manufacturing District on the northwest corner of Denton Drive and Lombardy Lane.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 300 Mailed: 23
Replies: For: 0 Against: 1

Speakers: None

11. Z101-296(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 786 for MU-3 Mixed Use District uses, subject to a revised development plan and revised conditions to include a minimum of 8,000 square feet of non-multifamily uses and non-multifamily accessory uses in the area labeled "Commercial/retail/clubhouse" on the southeast corner of SMU Boulevard and Worcola Street.

Maker: Peterson
Second: M. Davis
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 500 Mailed: 46
Replies: For: 8 Against: 0

Speakers: For: Suzan Kedron, 901 Main St., Dallas, TX, 75202
Against: None

12. Z101-313(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1761 for a handicapped group dwelling unit for a five-year period with eligibility for automatic renewal for additional five-year periods; subject to conditions on property zoned an R-7.5(A) Single Family District on the north side of Kirkley Street, west of Teague Drive.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 33
Replies: For: 0 Against: 1

Speakers: None

Zoning Cases - Individual

13. **Z101-280(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial** of an RR Regional Retail District on property zoned an MU-1 Mixed Use District on the northeast corner of E. Jefferson Boulevard and E. 9th Street.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 21
Replies: For: 1 Against: 4

Speakers: For: Elias Rodriguez, 317 E. Jefferson Blvd., Dallas, TX, 75203
Against: None

14. **Z101-311(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to a commercial amusement (inside) for a billiard hall for a two-year period, subject to a site plan and conditions on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the east side of Greenville Avenue, south of Oram Street.

Maker: Peterson
Second: Bernbaum
Result: Carried: 13 to 1

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

Against: 1 - M. Davis
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 52
Replies: For: 2 Against: 0

Speakers: For: Jason Apino, 1920 Greenville Ave., Dallas, TX, 75206
Against: None

15. **Z101-312(MW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period, subject to a site plan and conditions on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the east side of Greenville Avenue, north of Prospect Avenue.

Maker: Peterson
Second: R. Davis
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Hinojosa, Bagley, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 20
Replies: For: 5 Against: 1

Speakers: For: Roger Albright, 3301 Elm St., Dallas, TX, 75226
Marty Carter, 2114 Greenville Ave., Dallas, TX, 75206
Against: None

16. Z101-318(MW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a three-year period, subject to a site plan and revised conditions to include revised late-hours of operation: Monday through Sunday between 12:00 a.m. to 3:00 a.m. with all customers removed by 4:30 a.m., on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the north side of Alta Avenue, west of Greenville Avenue.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Hinojosa, Bagley, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Peterson,
Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 20
Replies: For: 2 Against: 0

Speakers: For: Woot Lervisit, 5631 Alta Ave., Dallas, TX, 75206
Philip Kingston, 5901 Palo Pinto Ave., Dallas, TX, 75206
Against: None

17. Z101-314(RB)

Planner: Richard Brown

Motion: It was moved to recommend **denial** of a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the west line of Greenville Avenue, south of Sears Street.

Maker: Wally
Second: Peterson

Result: Carried: 13 to 0

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

Against: 0
Absent: 2 - R. Davis, Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 23
Replies: For: 4 Against: 0

Speakers: For: T. Craig Sheils, 1701 N. Collins Blvd., Richardson, TX, 75080
Stephen Schwartz, 1919 Greenville Ave., Dallas, TX, 75206
Against: Philip Kingston, 5901 Palo Pinto Ave., Dallas, TX, 75206

18. **Z101-323(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to a Restaurant with drive-in or drive-through service for a period ending September 30, 2013, subject to a revised site plan and revised conditions to include revised hours of operation: Monday through Sunday between 12:00 a.m. to 6:00 a.m., on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the southwest corner of Greenville Avenue and Alta Avenue.

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

For: 13 - Wally, Anglin, M. Davis, Rodgers, Hinojosa,
Bagley, Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Peterson, Alcantar*

Against: 0
Absent: 2 - R. Davis, Lavallaisaa
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 39
Replies: For: 4 Against: 0

Speakers: For: Suzan Kedron, 901 Main St., Dallas, TX, 75202
Against: None

19. **Z101-301(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **denial without prejudice** of a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the west line of Greenville Avenue, north of Alta Street.

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

For: 13 - Wally, Anglin, M. Davis, Rodgers, Hinojosa, Bagley, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar*

Against: 0
Absent: 2 - R. Davis, Lavallaisaa
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 19
Replies: For: 0 Against: 1

Speakers: For: Audra Buckley, 2814 Main St., Dallas, TX, 75226
Against: Philip Kingston, 5901 Palo Pinto Ave., Dallas, TX, 75206

20. **Z101-326(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to a Restaurant without drive-in or drive-through service for a one-year period, subject to a site plan and conditions to include revised hours of operation: Tuesday, Wednesday, Thursday and Sunday between 12:00 a.m. and 3:00 a.m. and Friday and Saturday between 12:00 a.m. and 4:00 a.m. on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the west line of Greenville Avenue, south of Sears Street.

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

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

Against: 0
Absent: 2 - R. Davis, Lavallaisaa
Vacancy: 0

Notices: Area: 200 Mailed: 23
Replies: For: 4 Against: 0

Speakers: For: Samuel J. Mandell, III, 1923 Greenville Ave., Dallas, TX, 75206
Stephen Schwartz, 1919 Greenville Ave., Dallas, TX, 75206
Against: Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206

21. Z101-260(JH/DC)

Planner: Jennifer Hiromoto/David Cossum

Motion: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to a restaurant for a two-year period, subject to a site plan and conditions on property zoned Planned Development District No. 842 for a CR Community Retail District on the northeast corner of Greenville Avenue and Prospect Avenue.

Maker: Peterson

Second: M. Davis

Result: Carried: 13 to 0

For: 13 - Wally, Anglin*, M. Davis, Rodgers, Hinojosa,
Bagley, Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Peterson, Alcantar

Against: 0
Absent: 2 - R. Davis, Lavallaisaa
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 20
Replies: For: 4 Against: 1

Speakers: For: Roger Albright, 3301 Elm St., Dallas, TX, 75226
Jackie Herrera, 2100 Greenville Ave., Dallas, TX, 75206
Against: Philip Kingston, 5901 Palo Pinto Ave., Dallas, TX, 75206

Landmark Appeal

Planner: Mark Doty

Motion: It was moved to **reverse** the Landmark Commission's decision to deny without prejudice and approve Certificate of Appropriateness CA101-211(MD) for 1) a new 6'-0" metal and stone fence in front and corner side yard and 2) new metal gate, 6'-0" over driveway at 116 N. Cliff Street within the Tenth Street Historic District, with the finding that the Landmark Commission violated "a statutory or ordinance provision" [Section 51A-4.501(o)(2)(A)] based on Section 51A-4.501 (a)(7) and (14) that reads: "(a) Purpose. The purpose of this section is to promote the public health, safety and general welfare, and... (7) to create a more livable urban environment... and (14) to stabilize neighborhoods."

Maker: Tarpley
Second: M. Davis
Result: Carried: 8 to 4

For: 8 - Anglin, M. Davis, Hinojosa, Tarpley, Shellene,
Wolfish, Schwartz, Alcantar

Against: 4 - Wally, Bagley, Bernbaum, Peterson
Absent: 3 - R. Davis, Rodgers, Lavallaisaa
Vacancy: 0

Speakers: Appellant: Leticia Rivera, 116 Cliff St., Dallas, TX, 75203
Meliton Amador, 116 Cliff St., Dallas, TX, 75203
City Attorney: Bert Vandenberg, City of Dallas, Assistant City Attorney
Staff: Mark Doty, City of Dallas, Historic Preservation Planner
Olga Torres Holyoak, Interpreter

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the August 18, 2011, City Plan Commission meeting, subject to corrections.

Maker: Schwartz
Second: Tarpley
Result: Carried: 11 to 0

For: 11 - Wally, Anglin, M. Davis, Hinojosa, Bagley,
Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Alcantar

Against: 0
Absent: 4 - R. Davis, Rodgers, Lavallaisaa, Peterson
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the September 1, 2011, City Plan Commission meeting at 7:30 p.m.

Maker: Shellene
Second: Tarpley
Result: Carried: 11 to 0

For: 11 - Wally, Anglin, M. Davis, Hinojosa, Bagley,
Tarpley, Shellene, Bernbaum, Wolfish,
Schwartz, Alcantar

Against: 0
Absent: 4 - R. Davis, Rodgers, Lavallaisaa, Peterson
Vacancy: 0

Joe Alcantar, Chair