

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 4, 2010 with the briefing starting at 12:05 p.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, 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) S101-003**

**Motion:** It was moved to **approve** an application to replat an 8.557 acre tract of land into one 3.903 acre lot, one 3.720 acre lot and one 0.934 acre lot on land containing part of City Blocks 261, 1/262, 2/262, 266 and 316, Lots 9 and 10 in City Block 2/262, Lots 14 thru 17 in City Block 1/262 of the Burks Subdivision; Lots 1 thru 5, 7 thru 9 and part of Lots 6 and 10 in City Block 261 and part of portions of Jack Evans Street, Hawkins Street and Salina Alley to be abandoned, on property bounded by Ross Avenue, Routh Street, Federal Street, Crockett Street and Leonard Street, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
Second: Wally  
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

(2) **S101-005**

**Motion:** It was moved to **approve** an application to replat a 12.47 acre tract of land containing all of Lot 1A in City Block A/1007, part of Lots 1 thru 5 and all of Lots 6 thru 10 in City Block 32/1505, and Lots 12 and 13 of Clifton Addition, a portion of Reagan Street to be abandoned, and a 20 foot alley to be abandoned. The property is bordered by Oak Lawn Avenue, Maple Avenue and Dallas North Tollway, subject to compliance with the conditions listed in the docket.

Maker: Peterson  
Second: Wally  
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

Individual Item

(3) **S101-001**

**Motion:** It was moved to **deny** an application to replat a 0.771 acre tract of land containing all of Lots 5 and 6 in City Block 1/6995 of Melshire Estates 5<sup>th</sup> Installment Subdivision. The property fronts 240 feet on 12303 – 12309 Quincy Lane at Williamstown Road, due to non-compliance to Section 51A-8.503 of the Dallas Development Code.

Maker: Schwartz  
Second: Tarpley

Result: Carried: 13 to 1

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

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

**Speakers:** None

**(4) S101-002**

**Motion:** It was moved to **deny** an application to replat a 0.681 acre tract of land containing all of Lots 2 and 3 into one lot in City Block 38/3358 of the Miller & Stemmons Addition fronting approximately 150 feet on 1206 Cedar Hill Avenue beginning at a point 74 feet northeast of Wickford Street, due to non-compliance to Section 51A-8.503(a) of the Dallas Development Code.

Maker: R. Davis  
Second: Schwartz  
Result: Carried: 12 to 2

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

Against: 2 - Wally, Bagley  
Absent: 0  
Vacancy: 1 - District 6

**Speakers:** None

**(5) S101-004**

**Motion:** It was moved to **approve** an application to create one 11.205 acre lot from a 13.400 acre tract of land in City Block 8013; on property bounded by 2727 Knoxville Street, Larkhill Drive, Forrestal Drive and Wyoming Street, subject to compliance with the conditions listed in the docket.

Maker: R. Davis  
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: 0  
Vacancy: 1 - District 6  
Conflict: 1 - M. Davis

**Speakers:** None

Certificates of Appropriateness for Signs

**Downtown Sign District:**

**1010015018**

Planner: Carolyn Horner

**Motion:** It was moved to **approve** a Certificate of Appropriateness for the installation of a 9 square foot monument sign at 500 N. Akard 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

\*out of the room, shown voting in favor

**Speakers:** For: Michael Coker, 2700 Swiss Ave., Dallas, TX, 75204  
Against: None

Miscellaneous Docket

**M090-056**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 678 for a Public school other than an open-enrollment charter school and R-7.5(A) Single Family District Uses on the northwest corner of Willoughby Boulevard and IH 20.

Maker: Lavallaisaa  
Second: Shellene  
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:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Against: None

Zoning Cases - Consent

1. **Z090-141(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an IM Industrial Manufacturing District on that portion of the site zoned an IR Industrial Research District, and **approval** of a Specific Use Permit for a Metal salvage facility 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 IM Industrial Manufacturing District and an IR Industrial Research District (that portion being requested for rezoning to an IM Industrial Manufacturing District), on the north and west lines of Tantor Road, south of Rhome Street.

Maker: Anglin  
Second: Schwartz  
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: 14  
**Replies:** For: 3                              Against: 1

**Speakers:** None

2. **Z090-248(MG)**

Planner: Michael Grace

**Motion:** It was moved to recommend **approval** of a LI Light Industrial District, subject to deed restrictions volunteered by the applicant with the addition of the following uses as prohibited for Gas drilling and production; animal shelter or clinic with outside runs; and Bar, lounge or tavern on property zoned an NO(A) Neighborhood Office District on the northwest corner of Waterview Parkway and Cullum Street.

Maker: Wolfish  
Second: Rodgers  
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: 0

**Speakers:** For: Bill Dahlstrom, 901 Main St., Dallas, TX, 75202  
Against: None

Zoning Cases – Individual

3. **Z090-123(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Planned Development District, subject to an site plan and conditions; **approval** of a Specific Use Permit for a Metal salvage facility for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions; and **approval** of the termination of Specific Use Permit No. 1709 and Specific Use Permit No. 1734 both permitting a Metal salvage facility in an area generally bounded by Ruder Street, Progressive Drive and Chippewa Drive.

Maker: Anglin  
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: 500 Mailed: 38  
**Replies:** For: 7 Against: 1

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

Development Code Amendments

**DCA101-001**

**Motion:** It was moved to recommend **approval** of amendments to Chapter 51, Chapter 51A and Chapter 51P, the Dallas Development Code, to change the name of Development Services to Sustainable Development and Construction; name the managing director of the Office of Environmental Quality as the director over municipal setting designations; and including the Department of Trinity Watershed Management in the municipal setting designation process.

Maker: Wolfish  
Second: Rodgers  
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

**DCA101-002**

**Motion:** It was moved to recommend **approval** of amendments to Chapter 51 and Chapter 51A, the Dallas Development Code providing that the Geographic Information System (GIS) shall be the official zoning map of the city; deleting airport flight overlay districts; and providing that height is restricted according to FAA regulations, subject to the following change; under the definition of "Legal Height" adding "whichever is more restrictive" at the end of the definition.

Maker: Wolfish

Second: Bagley

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

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the October 21, 2010, City Plan Commission meeting, subject to corrections.

Maker: Wolfish

Second: Schwartz

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

Adjournment

**Motion:** It was moved to **adjourn** the November 4, 2010, City Plan Commission meeting at 2:13 p.m.



Maker: Schwartz  
Second: Wally  
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

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Joe Alcantar, Chair