

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 12, 2009 with the bus tour starting at 9:03 a.m. followed by the briefing starting at 10:48 a.m. in Room 5ES and the public hearing at 1:46 p.m. in the City Council Chambers of City Hall Presiding were Joe Alcantar, Chair and Chris Buehler, Vice Chair. The following Commissioners were present during the hearing: James Prothro, Liz Wally, Clarence Gary, Michael Davis, Emma Rodgers, John Lozano, Ann Bagley, Myrtl Lavallaisaa, Bob Weiss, Tom Lueder, Sally Wolfish Robert Ekblad and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: None. 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 Development Services.

### **PUBLIC HEARINGS:**

#### Subdivision Docket

Planner: Michael Grace

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 Agenda - Preliminary Plat

##### (1) **S089-043**

**Motion:** It was moved to **approve** an application to replat all of Lot 1 in City Block A/1007, all of Lot 11A in City Block 32/1505, and that portion of land conveyed to CH Woodlawn, LP in the land swap agreement recorded in instrument #20080384623 and instrument #20080384624 into one 9.5154 acre lot at the intersection of Maple Avenue and Oak Lawn Avenue, northwest corner; subject to compliance with the conditions listed in the docket.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish\*, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S089-044**

**Motion:** It was moved to **approve** an application to replat a tract of land in City Block 6618 and Lots 1 thru 14 in City Block 1/4652 into one 7.62 acre lot at the intersection of Eighth Street and Rockefeller Boulevard, northeast corner; subject to compliance with the conditions listed in the docket.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish\*, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S089-047**

**Motion:** It was moved to **approve** an application to replat 14.861 acres containing all of Lot 1A in City Block A/6717 into six lots ranging in size from 0.358 acres to 4.877 acres generally at the intersection of Lake June Road and N. Masters Drive, northeast corner; subject to compliance with the conditions listed in the docket.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish\*, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**(4) S089-048**

**Motion:** It was moved to **approve** an application to replat 5.22 acres containing a tract of land and all of Lot 5 in City Block 31/2283 into a 4.81 acre lot and a 0.41 acre lot generally at the intersection of Reagan Street and the Dallas North Tollway, southwest corner; subject to compliance with the conditions listed in the docket.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish\*, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**It was moved by Commissioner Buehler and seconded by Commissioner Weiss to remove S089-050 from the Subdivision consent agenda and to hear it individually. The Commission voted unanimously with Commissioner Wolfish out of the room when vote was taken.**

**(5) S089-050**

**Motion:** It was moved to **deny** an application to replat 0.34 acres containing all of Lots 5 and 6 in City Block 0/1480, also known as 5918 and 5922 Ross Avenue into one lot, due to failure to comply with Section 51A-8.503(a) of the Dallas Development Code.

Maker: Emmons  
Second: Bagley  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

**Commissioner Emmons requested to return to S089-051 later in the meeting.**

**(6) S089-051**

**Motion:** It was moved to **approve** an application to create a 2.06 acre lot out of a tract of land in City Block 6949, also known as 5424 Duncanville Road, subject to compliance with the conditions listed in the docket.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish\*, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Individual Items

**(7) S089-046**

**Motion to remove building line:** It was moved to **approve** an application to remove all platted building lines on 12.858 acres containing all of Lots 1, thru 4 in City Block 12/5406 into 28 lots ranging in size from 983.7 sq. ft. to 6.891 acres at the intersection of E. Lovers Lane and Matilda Street, southeast corner; subject to compliance with the conditions listed in the docket.

Maker: Emmons  
Second: Weiss  
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Buehler, Wolfish,  
Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0  
Conflict: 1 - Lueder

**Motion to replat:** It was moved to **approve** an application to replat 12.858 acres containing all of Lots 1, thru 4 in City Block 12/5406 into 28 lots ranging in size from 983.7 sq. ft. to 6.891 acres at the intersection of E. Lovers Lane and Matilda Street, southeast corner; subject to compliance with the conditions listed in the docket.

Maker: Emmons  
Second: Weiss  
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Buehler, Wolfish,  
Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0  
Conflict: 1 - Lueder

**Speakers:** For: Steve Stamos, Address not given  
Against: None

**Commission heard and voted on S089-051.**

Residential Replats

**(8) S089-045**

**Motion:** It was moved to **approve** an application to replat 19.678 acres containing all of Lot 1A of Perot Estates Revised Addition in City Block 1/5520 into a 16.803 acre lot and a 2.875 acre lot generally at the intersection of Strait Lane and Manson Court, southeast corner; subject to compliance with the conditions listed in the docket.

Maker: Ekblad  
Second: Prothro  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

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

(9) **S089-049**

**Motion:** It was moved to **approve** an application to replat 0.216 acres containing all of Lot 1 of the University Manor Addition, in City Block E/5440 to reduce the 20-foot platted building line to 15.5 feet on the northeast line of Larmanda Street at 7305 Wild Valley Drive, subject to compliance with staff's recommended conditions because the relocated building line complies with Section 51A-8.505(c).

Maker: Weiss  
Second: Emmons  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** For: Bill Thomas, 2801 Capital St., Wylie, TX, 75098  
Codi Knight, 7305 Wild Valley Dr., Dallas, TX, 75231  
Jason Hayes, 7304 Wild Valley Dr., Dallas, TX, 75231  
Against: None

Miscellaneous Docket

**M089-010**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the Tract 6 development plan and landscape plan for Planned Development District No. 260 on west line of Glen America Drive, north of Park Lane.

Maker: Ekblad  
Second: Rodgers  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish\*, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**M089-012**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan (Alternative A; Alternative B), for Tract III portion of Planned Development District No. 44 on the northeast corner of Greenville Avenue and LBJ Freeway.

Maker: Buehler  
Second: Weiss  
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Buehler, Wolfish\*, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0  
Conflict: 1 - Lueder

\*out of the room, shown voting in favor

**Speakers:** None

**D089-002**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** a development plan for Phase II within Planned Development District No. 75 on the northwest corner of Scyene Circle and Buckner Boulevard.

Maker: Davis  
Second: Lueder  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish\*, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Zoning Cases – Consent

1. **Z078-281(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an Open-enrollment Charter School for a five-year period, with eligibility for automatic renewal of additional five-year periods, subject to a site plan, traffic management plan, and conditions on property zoned an R-7.5(A) Single Family District, on the north line of Wheatland Road, east of Arkan Parkway.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 400                      Mailed: 90  
**Replies:** For: 2                              Against: 1

**Speakers:** None

2. **Z078-282(RB)**

Planner: Richard Brown

**Motion:** In considering an application for a Specific Use Permit for a Recycling collection center on property zoned an IR Industrial Research District and within a designated flood plain on the northwest line of Northwest Highway, east of its intersection with Lombardy Lane, it was moved to **hold** this case under advisement until March 5, 2009.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200                      Mailed: 12  
**Replies:** For: 0                              Against: 2

**Speakers:** None

3. **Z089-115(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to and renewal of Specific Use Permit No. 1496 for an Open-enrollment Charter School for a five-year period, with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions on property zoned an IR Industrial Research District, on the southeast corner of Joseph Hardin Drive and Exchange Service Drive.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 8  
**Replies:** For: 0 Against: 1

**Speakers:** None

4. **Z089-117(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1530 for an Industrial (outside) use for a concrete plant for a period ending October 7, 2012, with eligibility for automatic renewal for one additional two-year period, subject to a site plan and conditions on property within the Tract 2 portion of Subdistrict 1 within Planned Development District No. 498, the Harry Hines Corridor Special Purpose District on the southwest corner of Joe Field Road and Denton Drive.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 300 Mailed: 15  
**Replies:** For: 0 Against: 4

**Speakers:** None

5. **Z089-125(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of for a Planned Development Subdistrict for O-2 Office Subdistrict uses, subject to a development plan and conditions on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in the area bounded by Carlisle Street, Cedar Springs Road, Vine Street and Cole Avenue.

Maker: Emmons  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 69  
**Replies:** For: 2 Against: 3

**Speakers:** For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270  
Against: None

6. Z089-134(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1738 for a commercial amusement (inside) for an amusement center for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned a CR Community Retail District, on the southeast corner of Forest Lane and Marsh Lane.

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

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0  
Conflict: 1- Wolfish

**Notices:** Area: 200 Mailed: 21  
**Replies:** For: 6 Against: 3

**Speakers:** For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270  
Against: None

7. **Z089-108(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** to renew Specific Use Permit No. 1382 for a processing 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 Planned Development District No. 540 on the southeast side of River Oaks Road, northeast of Central Expressway.

Maker: Rodgers  
Second: Wolfish  
Result: Carried: 14 to 1

For: 14 - Prothro, Wally, Gary, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 1 - Davis  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 11  
**Replies:** For: 0 Against: 0

**Speakers:** For: Mari Bailey, 2700 Swiss Ave., Dallas, TX, 75204  
Ken Allen, 1801 Wilson Dr., Hope, AR, 71801  
Against: None

8. **Z089-126(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a local utility for a permanent time period, subject to a site plan, landscape plan and conditions on property zoned an R-7.5(A) Single Family District on east side of Barnes Bridge Road, south of Ferguson Road.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 300 Mailed: 49  
**Replies:** For: 4 Against: 1

**Speakers:** None

Zoning Cases – Under Advisement

9. **Z078-301(MAW)**

Planner: Megan Wimer

**Motion I:** It was moved to recommend **approval** of the creation of a new subarea for GR-D-1 General Retail District uses with a D-1 Liquor Control Overlay within Planned Development District No. 134 and **approval** for a Specific Use Permit for the sale and service of alcoholic beverages in conjunction with a restaurant for a three-year period, with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions on property within Subarea B for GR-D General Retail District uses with a D Liquor Control Overlay within Planned Development District No. 134 on the southwest corner of Beacon Street and Lindsley Avenue.

Maker: Wally  
Second: Lozano  
Result: Failed: 3 to 12

For: 3 - Wally, Lozano, Alcantar

Against: 12 - Prothro, Gary, Davis, Rodgers, Bagley,  
Lavallaisaa, Weiss, Lueder, Buehler, Wolfish,  
Ekblad, Emmons

Absent: 0  
Vacancy: 0

**1<sup>st</sup> Amending Motion:** It was moved to **amend** the motion for an 18-month period, with no automatic renewal.

Maker: Emmons  
Second:  
Result: Failed for lack of a second

**2<sup>nd</sup> Amending Motion:** It was moved to **amend** the motion for a three-year period, with no automatic renewal.

Maker: Buehler  
Second: Lueder  
Result: Failed: 4 to 11

For: 4 - Wally, Lozano, Lueder, Buehler

Against: 11 - Prothro, Gary, Davis, Rodgers, Bagley,  
Lavallaisaa, Weiss, Wolfish, Ekblad, Emmons,  
Alcantar  
Absent: 0  
Vacancy: 0

**Motion II:** It was moved to recommend **denial without prejudice** of the creation of a new subarea for GR-D-1 General Retail District uses with a D-1 Liquor Control Overlay within Planned Development District No. 134 and **denial without prejudice** of a Specific Use Permit for the sale and service of alcoholic beverages in conjunction with a restaurant on property within Subarea B for GR-D General Retail District uses with a D Liquor Control Overlay within Planned Development District No. 134 on the southwest corner of Beacon Street and Lindsley Avenue.

Maker: Buehler  
Second: Wally  
Result: Failed: 7 to 8

For: 7 - Wally, Gary, Davis, Lozano, Lavallaisaa,  
Lueder, Buehler

Against: 8 - Prothro, Rodgers, Bagley, Weiss, Wolfish,  
Ekblad, Emmons, Alcantar  
Absent: 0  
Vacancy: 0

**Motion III:** It was moved to recommend **denial** of the creation of a new subarea for GR-D-1 General Retail District uses with a D-1 Liquor Control Overlay within Planned Development District No. 134 and **denial** of a Specific Use Permit for the sale and service of alcoholic beverages in conjunction with a restaurant on property within Subarea B for GR-D General Retail District uses with a D Liquor Control Overlay within Planned Development District No. 134 on the southwest corner of Beacon Street and Lindsley Avenue.

Maker: Prothro  
Second: Weiss  
Result: Carried: 12 to 3

For: 12 - Prothro, Gary, Davis, Rodgers, Bagley,  
Lavallaisaa, Weiss, Buehler, Wolfish, Ekblad,  
Emmons, Alcantar

Against: 3 - Wally, Lozano, Lueder  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 124  
**Replies:** For: 4 Against: 17

**Speakers:** For: Jose Cano, 523 Wayne St., Dallas, TX, 75223  
Elsa Tovar, Address not given  
Against: None

10. **Z089-113(OTH)**

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **denial without prejudice** to amend Planned Development District No. 605 to allow for additional height and additional uses on the southwest corner of Buckner Boulevard and Samuel Boulevard.

Maker: Bagley  
Second: Prothro  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis\*, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 152  
**Replies:** For: 4 Against: 13

**Speakers:** None

11. **Z078-309(RB)**

Planner: Richard Brown

**Motion:** In considering an application for a Specific Use Permit for Gas drilling and production on property zoned an A(A) Agricultural District and Specific Use Permit No. 517 for a Commercial radio station and transmitting towers on the south line of Sanders Loop, east of Belt Line Road, it was moved to **hold** his case under advisement until March 5, 2009.

Maker: Lozano  
Second: Rodgers  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis\*, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 1000 Mailed: 14  
**Replies:** For: 1 Against: 0

**Speakers:** For: Bill Blackburn, 8350 N. Central Expressway, Dallas, TX, 75206  
Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202  
Against: None

**12. Z078-248(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a new Subdistrict, within Subdistrict B of Planned Development District No. 521 for mixed uses, subject to a conceptual plan and conditions and **approval** of a Specific Use Permit for gas drilling for a twenty-year period with eligibility for automatic renewal of additional ten-year periods, subject to a site/operation plan for drilling, a site/operation plan for production, a reclamation plan, and staff's recommended conditions to include a total of 90 days for refracting and reworking, east of Mountain Creek Parkway, north of Interstate 20 (Lyndon B. Johnson Freeway) with volunteered deed restrictions to return on a future miscellaneous docket.

Maker: Gary  
Second: Lozano  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 1000 Mailed: 7  
**Replies:** For: 0 Against: 0

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

13. **Z078-276(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to, and expansion of Planned Development Subdistrict No. 64 for mixed uses, subject to a revised conceptual plan and staff's recommended conditions on property zoned a HC Heavy Commercial Subdistrict and Planned Development District No. 64 within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by the Maple-Routh Connection, McKinney Avenue, Pearl Street and Thomas Avenue with consideration being given to an amendment to, and expansion of, Planned Development Subdistrict No. 64 with the following changes to the conditions: 1) Height: Maximum structure height is an absolute 260 feet. 2) Height: Location of structure heights are shown on the conceptual plan. 3) Landscaping: Landscaping must be provided within six months after the issuance of a certificate of occupancy for each phase of development. 4) Landscaping: Planting materials that are included in an outdoor amenity area located on the top of a parking structure may be counted toward landscape requirements. 5) Planting areas: Along Maple-Routh Connector, Pearl Street, and McKinney Avenue, a minimum four-foot wide planting area must be provided on both sides of sidewalks. Except as provided in this paragraph, the planting area must include large canopy trees every 25 feet on center and may include turf, ground cover, shrubs, trees, or seasonal planting. If any portion of the large canopy tree trunk will be within 10 feet of a structure, a small tree may be provided. 6) Planting areas: Along Thomas Avenue, a minimum three-foot planting area must be provided and may include turf, ground cover, shrubs, trees, or seasonal plantings. 7) Street Trees: Along Thomas Avenue, street trees must be provided within minimum four-foot tree grates. 8) Sidewalks: Along Thomas Avenue, a minimum 8-foot wide sidewalk with a minimum of six-foot unobstructed sidewalk must be provided.

Maker: Emmons  
Second: Wolfish  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500                      Mailed: 131  
**Replies:** For: 0                        Against: 5

**Speakers:** For: William Cothrum, 900 Jackson St., Dallas, TX, 75201  
Steve Heffner, Address not given  
Judy Smith Hurst, 2512 Thomas Ave., Dallas, TX, 75201  
Against: None

14. **Z078-313(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for gas drilling for a twenty-year period with eligibility for automatic renewal of additional ten-year periods, subject to a site/operation plan for drilling, a site/operation plan for production, a reclamation plan, and staff's recommended conditions to include a total of 90 days for refracting and reworking, within the north zone of Subdistrict B within Planned Development District No. 521 for mixed uses, east of Mountain Creek Parkway, north of Interstate 20 (Lyndon B. Johnson Freeway) with volunteered deed restrictions to return on a future miscellaneous docket.

Maker: Gary  
Second: Lozano  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 1000 Mailed: 4  
**Replies:** For: 0 Against: 0

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

Zoning Cases – Individual

15. **Z078-273(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Planned Development District for CR Community Retail District uses with retention of the Dry Liquor Control Overlay, subject to a development plan, an elevation plan and applicant's conditions on property zoned a CR-D Community Retail District uses with a Dry Liquor Control Overlay on the north side of Lake June Road, east of Masters Drive.

Maker: Rodgers  
Second: Weiss

Result: Carried: 8 to 7

For: 8 - Gary, Rodgers, Lozano, Lavallaisaa, Weiss,  
Wolfish, Emmons, Alcantar

Against: 7 - Prothro, Wally, Davis, Bagley, Lueder, Buehler,  
Ekblad

Absent: 0

Vacancy: 0

**Notices:** Area: 500 Mailed: 274

**Replies:** For: 114 Against: 1

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX., 75202  
Syd Hurley, 8750 N. Central Expressway, Dallas, TX, 75231

Against: None

16. **Z089-138(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for a Specific Use Permit for commercial motor vehicle parking on property zoned a CS Commercial Service on the northwest corner of Chalk Hill Road and Fitchburg Street, it was moved to **hold** this case under advisement until February 26, 2009, with instructions to staff to create draft conditions.

Maker: Lozano

Second: Emmons

Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis\*, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0

Absent: 0

Vacancy: 0

**Notices:** Area: 200 Mailed: 16

**Replies:** For: 5 Against: 0

**Speakers:** For: Gamaliel Albarran, 2402 Ingersoll, Dallas, TX, 75212  
Elizabeth Albarran, 2402 Ingersoll, Dallas, TX, 75212

Against: None

17. **Z078-299(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of renewal of Specific Use Permit No. 1469 for an open enrollment charter school for a five-year period with eligibility for automatic renewal for additional five-year periods; subject to a site plan, applicant-recommended traffic management plan and conditions on property zoned an R-7.5(A) Single Family District on the north side of Bruton Road, between Pleasant Drive and Scammel Drive.

Maker: Rodgers  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis\*, Rodgers, Lozano\*, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 400 Mailed: 79  
**Replies:** For: 7 Against: 0

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

18. **Z089-105(MAW)**

Planner: Megan Wimer

**Motion:** In considering an application for a Planned Development District for Multifamily uses on property zoned an MF-2(A) Multifamily District in an area bounded by Cabell Drive, Ashby Street, Lafayette Street and Peak Street and an area on the south side of Lafayette Street between Ashby Street and Peak Street, it was moved to **hold** this case under advisement until February 26, 2009.

Maker: Wally  
Second: Lueder  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis\*, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 172  
**Replies:** For: 5 Against: 14

**Speakers:** For: Suzan Kedron, 901 Main St., Dallas, TX, 75202  
Walter Hughes, 804 Canyon Crest Dr., Irving, TX, 75063  
Steve Stone, 400 S. Houston St., Dallas, TX, 75202  
Scott Hamilton, 200 E. New England Ave., Winter Park, FL, 32789  
For(did not speak): John Bond, 2020 N. Haskell Ave., Dallas, TX, 75204  
Against: None

### Authorization of Hearing

**Motion:** It was moved to **authorize** a public hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District, in an area generally bounded by Atlantic Street, Plymouth Road, and Hampton Road with consideration being given to a conservation district for the Stephens Park Estates neighborhood.

Maker: Gary  
Second: Buehler  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis\*, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

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Other Matters

Appointment to CPC Committees

Consideration of assignments to following CPC Committees:

Subdivision Review Committee  
Special Provision Sign District Advisory Committee  
Art District Sign Advisory Committee  
Rules Committee

Minutes

**Motion:** It was moved to **approve** the minutes of the January 15, 2008, City Plan Commission meetings, subject to corrections.

Maker: Weiss  
Second: Prothro  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

Adjournment

**Motion:** It was moved to **adjourn** the February 12, 2009, City Plan Commission meeting at 5:50 p.m.

Maker: Lueder  
Second: Wolfish  
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0