

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 26, 2009 with the briefing starting at 9:06 a.m. with the Commissioners adjourning to the Trinity Trust office followed by the agenda briefing starting at 11:08 a.m. in Room 5ES and the public hearing at 1:30 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: Carolyn Horner

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) **S089-054**

**Motion:** It was moved to **approve** an application to create one 3.630 acre lot from a tract of land in City Block A/5080, at the northwest corner of Midway Road and Rosa Road; subject to compliance with the conditions listed in the docket.

Maker: Ekblad  
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

**Speakers:** None

(2) **S089-055**

**Motion:** It was moved to **approve** an application to create one 3.77 acre lot from two tracts of land in City Block 8037, on Ranchero Lane at Moneta Lane; subject to compliance with the conditions listed in the docket.

Maker: Ekblad  
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

**Speakers:** None

Residential Replats

(3) **S089-053**

**Motion:** It was moved to **approve** an application to replat Lot 26A, Block A/2956 of the Wilshire Baptist Church Addition, and Lots 8 & 9, Block A/2956 of the Caruth Terrace No. 3 Addition, into one 4.047 acre lot, Ravendale Lane and Abrams Road, northeast corner; subject to compliance with the conditions listed in the docket with the following changes: 1) Condition #12 amend to read as follows: "On the final plat dedicate 10x10 foot corner clip at the intersection of Abrams Road and Ravendale Lane." 2) Waive Condition #14. 3) Remove Condition #15.

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

(4) **S089-056**

**Motion:** It was moved to **approve** an application to replat Lot 2, Block 6658 of the J.L.Elam Addition, and three unplatted tracts into one 5.6779 acre lot, on Lake June Road at Oak Hill Circle; subject to compliance with the conditions listed in the docket.

Maker: Rodgers  
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

**Speakers:** None

Miscellaneous Docket

**M089-016**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 651 for a college on the southeast quadrant of Abrams Road and Walnut Street.

Maker: Lueder  
Second: Davis  
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

**D089-010**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** a plan development for Planned Development District No 486 on the north corner of Bank Street and Gurley Avenue.

Maker: Wally  
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

**Speakers:** None

Zoning Cases – Consent

**1. Z089-130(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an Alcoholic beverage establishment for a bar, lounge, or tavern for a two-year period, subject to a site plan and revised conditions within the Subdistrict B portion of Planned Development District No. 619 with Historical Overlay No. H/87at the northwest corner of Main Street and Four Way Place.

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

**Notices:** Area: 200                      Mailed: 180  
**Replies:** For: 0                              Against: 0

**Speakers:** None

2. **Z089-144(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1431 for a Tower/antenna for cellular communication, subject to a site plan and revised conditions on property zoned a CR Community Retail District on property southeast of Abrams Road, northeast of Northwest Highway.

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

**Notices:** Area: 200                      Mailed: 9  
**Replies:** For: 2                              Against: 0

**Speakers:** None

Zoning Cases – Under Advisement

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

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for commercial motor vehicle parking for a two-year period, with eligibility for automatic renewal of additional two-year periods, subject to a revised site plan and conditions on property zoned a CS Commercial Service on the northwest corner of Chalk Hill Road and Fitchburg Street.

Maker: Lozano  
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: 16  
**Replies:** For: 5 Against: 0

**Speakers:** For: Gamaliel Albarran, 2402 Ingersoll, Dallas, TX, 75212  
Against: None

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

Planner: Megan Wimer

**Motion:** It was moved to recommend **denial without prejudice** 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.

Maker: Wally  
Second: Weiss  
Result: Carried: 9 to 5

For: 9 - Prothro, Wally, Gary, Rodgers, Lavallaisaa,  
Weiss, Buehler, Wolfish, Emmons

Against: 5 - Davis, Lozano, Lueder, Ekblad, Alcantar  
Absent: 1 - Bagley  
Vacancy: 0

**Notices:** Area: 500 Mailed: 172  
**Replies:** For: 9 Against: 5

**Speakers:** For: Suzan Kedron, 901 Main St., Dallas, TX, 75202  
John Bond, 2020 N. Haskell Ave., Dallas, TX, 75204  
Scott Hamilton, 200 E. New England Ave., Winter Park, FL, 32789  
Walter Hughes, 804 Canyon Crest Dr., Irving, TX, 75063  
Against: Steve Clicque, 6025 Reiger Ave., Dallas, TX, 75214

Zoning Cases – Individual

**5. Z089-141(MAW)**

Planner: Megan Wimer

**Motion:** In considering an application for a Planned Development District for Mixed Uses on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District on the north side of Meadow Road, west of Greenville Avenue with consideration given to a MU-2 Mixed Use District, it was moved to **hold** this case under advisement until March 5, 2009.

Maker: Ekblad  
Second: Buehler  
Result: Carried: 12 to 0

For: 12 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Lavallaisaa, Weiss, Buehler, Ekblad, Emmons,  
Alcantar

Against: 0  
Absent: 1 - Bagley  
Vacancy: 0  
Conflict: 2 - Lueder, Wolfish

**Notices:** Area: 500 Mailed: 22  
**Replies:** For: 0 Against: 0

**Speakers:** None

**6. Z089-133(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** It was moved to recommend **denial** of a Planned Development District for a church and certain R-10(A) Single Family District uses on property zoned an R-10(A) Single Family District with Specific Use Permit No. 770 for a cemetery on the southern terminus of Muirfield Drive, south of Spyglass Drive.

Maker: Wolfish  
Second: Weiss  
Result: Carried: 13 to 1

For: 13 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,  
Lavallaisaa, Weiss, Lueder, Buehler, Wolfish,  
Emmons, Alcantar

Against: 1 - Ekblad  
Absent: 1 - Bagley  
Vacancy: 0

**Notices:** Area: 500 Mailed: 100  
**Replies:** For: 8 Against: 21

**Speakers:** For: Robert Baldwin, 401 Exposition Ave., Dallas, TX, 75226  
Frank Meier, 7230 Walling Ln., Dallas, TX, 75231  
Ray Sutton, 4327 Hollow Oak, Dallas, TX, 75287  
Jeffery Hurt, 5012 Spyglass Dr., Dallas, TX, 75287  
Werner Heissenhuber, 4711 River Hill Cr., Dallas, TX, 75287  
Amy Brady, 17409 Tamaron Dr., Dallas, TX, 75287  
Nick Pollard, 17508 Muirfield Dr., Dallas, TX, 75287  
Against: Thomas Borok, 5004 Spyglass Dr., Dallas, TX, 75287  
Jann Jerner, 5514 Harbor Town Dr., Dallas, TX, 75287  
Ray Utley, 4912 Spyglass Dr., Dallas, TX, 75287  
Meri Ann Fischer, 17402 River Hull Dr., Dallas, TX, 75287

Terence Earley, 5008 Spyglass Dr., Dallas, TX, 75287  
Gail Utley, 4912 Spyglass Dr., Dallas, TX, 75287  
Leon Kappelman, 5015 Spyglass Dr., Dallas, TX, 75287  
William Dean, 5005 Spyglass Dr., Dallas, TX, 75287  
Jessica Earley, 5008 Spyglass Dr., Dallas, TX, 75287

7. **Z089-137(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar for a two-year period, subject to a site plan and conditions on property zoned an IR Industrial Research District on the east side of Emerald Street, between Crown Road and Harcourt Street, west of Stemmons Freeway (I-35E) access road.

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

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

Against: 0  
Absent: 1 - Bagley  
Vacancy: 0

**Notices:** Area: 300 Mailed: 18  
**Replies:** For: 0 Against: 2

**Speakers:** For: Rebecca Kim, 2639 Walnut Hill Ln., Dallas, TX, 75229  
Against: Stephen Millwee, 3714 Binkley, Dallas, TX, 75205

8. **Z089-136(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** It was moved to recommend **denial without prejudice** of an MF-1(A) Multifamily District on property zoned a CR Community Retail District on the east side of Waterfall Way, south of Spring Valley Road.

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

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

Against: 0  
Absent: 1 - Absent  
Vacancy: 0

**Notices:** Area: 300 Mailed: 38  
**Replies:** For: 1 Against: 7

**Speakers:** For: None  
Against: Anne Savidge, 8149 Clearsprings Rd., Dallas, TX, 75240  
Steve Hartman, 8127 Clearsprings Rd., Dallas, TX, 75240

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the February 12, 2009, City Plan Commission meeting, subject to corrections.

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

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

Against: 0  
Absent: 1 - Bagley  
Vacancy: 0

Adjournment

**Motion:** It was moved to **adjourn** the February 26, 2009, City Plan Commission meeting at 4:43 p.m.

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

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

Against: 0  
Absent: 1 - Bagley  
Vacancy: 0

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Joe Alcantar, Chair