

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on March 12, 2009, with the briefing starting at 10:08 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: 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: James Prothro. 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) **S089-064**

**Motion:** It was moved to **approve** an application to create one 13.6256 acre lot from a tract of land in City Block 6151, northwest corner of Midway Road and Merrell Road, subject to compliance with the conditions listed in the docket.

Maker: Ekblad

Second: Weiss

Result: Carried: 14 to 0

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

Against: 0  
Absent: 1 - Prothro  
Vacancy: 0

**Speakers:** None

(2) **S089-065**

**Motion:** It was moved to **approve** an application to create lots from a portion of the Carver Heights Apartment Addition and a tract of land, located in City Blocks 4717, 4718, A/5914, B/5914 and C/5914, northwest corner of Fran Way and Compton Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 1 - Prothro  
Vacancy: 0

**Speakers:** None

Miscellaneous Docket

**M089-015**

Planner: Richard Brown

**Motion:** It was moved to **approve** of a minor amendment to the site plan for Specific Use Permit No. 1715 for an Industrial (outside) potentially incompatible use for an asphalt batching plant on the east line of South Central Expressway, north of Linfield Road.

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

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

Against: 0  
Absent: 1 - Prothro  
Vacancy: 0

**Speakers:** None

**M089-017**

Planner: Richard Brown

**Motion:** It was moved to **approve** of a minor amendment to the development plan for Planned Development District No. 247 for Single Family, Multiple Family, Office, Retail, and Commercial Uses on the southwest side of Jefferson Boulevard, west of the G.C. & S.F. Railroad.

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

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

Against: 0  
Absent: 1 - Prothro  
Vacancy: 0

**Speakers:** None

Zoning Cases – Consent

**1. Z089-128(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 and conditions on property zoned an R-7.5(A) Single Family District bound by Sunset Avenue, Chalmers Street, Alden Avenue and Superior Street.

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

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

Against: 0  
Absent: 1 - Prothro  
Vacancy: 0

**Notices:** Area: 400                      Mailed: 185  
**Replies:** For: 12                      Against: 3

**Speakers:** None

2. Z089-112(OTH)

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** of a Planned Development District for R-5(A) Single Family Subdistrict uses and an open enrollment charter school, subject to a development plan and revised conditions and **approval** of the termination of Specific Use Permit No. 1245 for an open enrollment charter school on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with Specific Use Permit No. 1245 on a portion of the request site, on the north side of Myrtle Street, between Metropolitan Avenue and Romine Avenue.

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

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

Against: 0  
Absent: 1 - Prothro  
Vacancy: 0

**Notices:** Area: 500 Mailed: 206  
**Replies:** For: 10 Against: 1

**Speakers:** For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202  
Against: Chaz Rodgers, 1311 Adelaide Dr., Dallas, TX, 75216

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the March 5, 2009, City Plan Commission meeting, subject to corrections.

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

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

Against: 0  
Absent: 1 - Prothro  
Vacancy: 0

Adjournment

**Motion:** It was moved to **adjourn** the March 12, 2009, City Plan Commission meeting at 1:47 p.m.

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

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

Against: 0  
Absent: 1 - Prothro  
Vacancy: 0

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Joe Alcantar, Chair