

CORRECTED PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on June 25, 2009, with the briefing starting at 11:40 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, Mike Anglin, Michael Davis, John Lozano, Ann Bagley, Myrtl Lavallaisaa, Tom Lueder, Sally Wolfish, Robert Ekblad and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Emma Rodgers and Bob Weiss. 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) S089-099

Motion: It was moved to **approve** an application to create a 2.13 acre lot out of a tract of land in City Block J/6237 located on the west side of Buckner Blvd. north of Lake June Road also known as 1401 and 1423 S. Buckner Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Buehler
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley, Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Speakers: None

(2) S089-101

Motion: It was moved to **approve** an application to replat all of Lots 1 thru 8 and Lots 13 thru 20 in City Block 169/3228 into two 1.7860 acre lots located at the intersection of Tenth Street and Tyler Street; northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Buehler
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Speakers: None

(3) S089-102

Motion: It was moved to **approve** an application to create a 1.934 acre Shared Access Development containing three lots ranging in size from 25,647.72 sq. ft. to 30,808.16 sq. ft. in City Block 1/8757 located on Pauma Valley Circle, subject to compliance with the conditions listed in the docket with the following two revisions to the conditions: 1) Condition #20 should refer to Pauma Valley Circle. 2) Condition #24 should refer to Collin County.

Maker: Prothro
Second: Buehler
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Speakers: None

Residential Replats

(4) **S089-100**

Motion: It was moved to **approve** an application to replat 4.882 acres and relocate lot lines between Lots 1, 3 and 4 in City Block A/2979 also known as 8, 10 and 12 Nonesuch Road and generally located at the intersection of Nonesuch Road and Westlake Avenue; northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Buehler
Second: Prothro
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Speakers: None

(5) **S089-103**

Motion: It was moved to **approve** an application to replat 1.08 acres and relocate the existing common lot line 7.5' to the south between the remainders of Lots 2 and 11 in City Block 13/5492 and extend a 15' utility easement across Lot 2 located at 6027 Aberdeen Avenue, subject to compliance with the conditions listed in the docket.

Maker: Ekblad
Second: Prothro
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Speakers: For: None
Against: Murphy Dalton, Jr., 6035 Aberdeen Ave., Dallas, TX, 75230

Street Name Change

Planner: Carolyn Horner

NC089-003

Motion: It was moved to **approve** an application to change the name of Jerry Street, between Vanguard Way and Stults Road to "Vanguard Way", subject to compliance with the conditions listed in the docket.

Maker: Lueder
Second: Davis
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Speakers: For: Rick Fontenot, 45 Vanguard Way, Dallas, TX, 75243
Against: None

Zoning Cases – Under Advisement

1. Z089-135(WE)

Planner: Warren Ellis

Motion: In considering an application for an amendment to create two tracts within Planned Development District No. 183 for MU-3 Mixed Use District uses on the southeast corner of North Haskell Avenue and North Central Expressway, it was moved to **hold** this case under advisement until August 13, 2009.

Maker: Emmons
Second: Prothro
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Notices: Area: 500 Mailed: 19
Replies: For: 1 Against: 0

Speakers: None

2. Z089-196(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a CS Commercial Service District with retention of the D-1 Dry Liquor Control Overlay and **approval** of an Specific Use Permit for a three year time period, subject to a revised site plan and conditions and **approval** of the deed restrictions volunteered by the applicant on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay and an R-7.5(A) Single Family District on the north side of C.F. Hawn Freeway, east of Silverado Drive.

Maker: Lavallaisaa
Second: Davis
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Notices: Area: 300 Mailed: 16
Replies: For: 1 Against: 2

Speakers: For: Ramon Aranda, 2946 S. Sunbeck Cir., Farmers Branch, TX, 75234
Against: None

Zoning Cases – Individual

3. Z089-217(MAW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** an R-5(A) Single Family Subdistrict on property zoned an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the southeast side of Pine Street; east of Leonard Avenue.

Maker: Bagley
Second: Prothro
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Notices: Area: 200 Mailed: 34
Replies: For: 2 Against: 0

Speakers: For (Did not speak): Vernita Johnson, Address not given
Against: None

4. Z089-188(MAW)

Planner: Megan Wimer

Motion: In considering an application for a Specific Use Permit for a mini-warehouse use on property zoned a CR Community Retail District on the north side of Mountain Creek Parkway, west of Clark Road, it was moved to **hold** this case under advisement until July 23, 2009.

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

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Notices: Area: 400 Mailed: 110
Replies: For: 3 Against: 2

Speakers: For: David Bolour, 5550 LBJ Freeway, Dallas, TX, 75240
Against: None

5. Z089-192(RB)

Planner: Richard Brown

Motion: It was moved to recommend **denial** of an amendment to and renewal of Specific Use Permit No. 1525 for an Alcoholic beverage establishment limited to a Bar, lounge or tavern and a Commercial amusement (inside) limited to a Class A Dance hall on property zoned a CR-MD-1 Community Retail District with a Modified Delta Overlay, at the northeast corner of Greenville Avenue and Lewis Street.

Maker: Emmons
Second: Wolfish
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Notices: Area: 200 Mailed: 46
Replies: For: 1 Against: 7

Speakers: For: Roger Albright, 3301 Elm St., Dallas, TX, 75201
John Hetzel, 2622 Commerce St., Dallas, TX, 75204
David Seeberger, 1252 N. Selva Dr., Dallas, TX, 75218
John Keener, 1811 E. Frankford Rd., Carrollton, TX, 75007
Against: Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206
Patricia Carr, 5843 Vanderbilt Ave., Dallas, TX, 75206
Gay Hopkins, 6030 Monticello Ave., Dallas, TX, 75206

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the June 11, 2009, City Plan Commission meeting, subject to corrections.

Maker: Lueder
Second: Buehler
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the June 25, 2009, City Plan Commission meeting at 3:00 p.m.

Maker: Buehler
Second: Ekblad
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Anglin, Davis, Lozano, Bagley,
Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Rodgers, Weiss
Vacancy: 0

Joe Alcantar, Chair