

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 20, 2008, with the briefing starting at 11:05 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, 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 Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. There is one vacancy District 2.

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: 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.

Consent Agenda - Preliminary Plat

(1) **S089-012**

Motion to remove building line: It was moved to **approve** an application to remove the building line of Lots 3, 4, 5; all of Lots 6 thru 10 in City Block C/7100 of the Tipton Annex No. 2 Addition; remainder of Lots 1 and 2 in City Block A/7097 of Brantley's Junior Addition and Lots 3 thru 8 in City Block A/7097 of Brantley's Junior Addition into a 49,597 sq. ft. lot and a 26,449 sq. ft. lot located at the intersection of Canada Drive and Topeka Avenue, southwest corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Motion: It was moved to **approve** an application to replat portions of Lots 3, 4, 5; all of Lots 6 thru 10 in City Block C/7100 of the Tipton Annex No. 2 Addition; remainder of Lots 1 and 2 in City Block A/7097 of Brantley's Junior Addition and Lots 3 thru 8 in City Block A/7097 of Brantley's Junior Addition into a 49,597 sq. ft. lot and a 26,449 sq. ft. lot located at the intersection of Canada Drive and Topeka Avenue, southwest corner, subject to compliance with the conditions listed in the docket

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Speakers: None

(2) **S089-013**

Motion: It was moved to **approve** an application to replat Lot 11 in City Block 28/7614 of Alta Mesa Park Estates, 2nd Installment into a 9,933 sq. ft. lot and a 7,843 sq. ft. lot located at the intersection of El Centro Way and Midway Plaza, southwest corner, subject to compliance with the conditions listed in the docket

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Speakers: None

Miscellaneous Docket

D089-003

Planner: Frank Dominguez

Motion: It was moved to **approve** a development plan and landscape plan for Planned Development District No. 730 on the southwest corner of Macon Street and Baxar Street.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Speakers: None

Z078-239(RB)

Planner: Richard Brown

Motion: It was moved to **approve** the development plan and conditions submitted in conjunction with an application for a Planned Development Subdistrict for an Animal clinic with outside run, Kennel with outside run, and LC Light Commercial Subdistrict Uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose, on the northwest corner of McKinney Avenue and Sneed Street.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Speakers: None

Zoning Cases – Consent

1. **Z078-300(MAW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an application for a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions on property zoned a MU-2 Mixed Use District on the north side of Gannon Lane, west of Westmoreland Road.

Maker: Lavallaisaa
Second: Ekblad
Result: Carried: 13 to 1

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

Against: 1 - Davis
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 300 Mailed: 9
Replies: For: 0 Against: 0

Speakers: For: Joe Bowers, 1421 Winding Brook Cr., Dallas, TX, 75208
Against: None

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

Planner: Megan Wimer

Motion: In considering an application to create 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 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, it was moved to **hold** this case under advisement until December 18, 2008.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 500 Mailed: 124
Replies: For: 3 Against: 13

Speakers: None

3. **Z089-110(MAW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment use for a private club for a two-year time period with automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an MU-1 Mixed Use District on the west side of Marvin D. Love Freeway, south of Camp Wisdom Road.

Maker: Lavallaisaa
Second: Rodgers
Result: Carried: 11 to 3

For: 11 - Gary, Davis, Rodgers, Lozano, Lavallaisaa,
Weiss, Lueder, Buehler, Wolfish, Emmons,
Alcantar

Against: 3 - Prothro, Bagley, Ekblad
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 300 Mailed: 10
Replies: For: 0 Against: 2

Speakers: None

4. **Z078-308(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the conditions, subject to a detached premise sign plan, detached premise sign landscape plan, and revised conditions for Planned Development District No. 268 for SC Shopping Center District Uses in the northeast quadrant of Preston Road and Frankford Road.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 500 Mailed: 272
Replies: For: 8 Against: 3

Speakers: None

5. **Z089-101(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** a CR Community Retail District on property zoned an IR Industrial Research District on the southeast corner of Hampton Road and Singleton Boulevard.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 12
Replies: For: 0 Against: 1

Speakers: None

6. **Z078-302(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** a Specific Use Permit for a private school or open-enrollment charter school for a five-year time period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 278 for a convent in an area generally bounded by Bombay Avenue, Cortland Avenue and Anson Road.

Maker: Wolfish
Second: Weiss

Result: Carried: 14 to 0

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 300 Mailed: 79
Replies: For: 4 Against: 2

Speakers: None

7. Z078-305(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** an amendment to Planned Development District No. 747, subject to revised conditions in an area generally bounded by Grand Avenue, Lamar Street, Sanger Avenue, Holmes Street, Ervay Street and GCSF Railroad right-of-way.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 500 Mailed: 132
Replies: For: 3 Against: 3

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None
Staff: Phil Erwin, Chief Arborist, Dallas Development Services

Zoning Cases – Under Advisement

8. **Z078-216(OTH)**

Planner: Olga Torres Holyoak

Motion: In considering an application for a Specific Use Permit for a bank or savings and loan with drive-through window service on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Oak Lawn Avenue and Brown Street, it was moved to **hold** this case under advisement until December 4, 2008.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 71
Replies: For: 10 Against: 0

Speakers: None

9. **Z078-303(OTH)**

Planner: Olga Torres Holyoak

Motion: In considering an application for a Specific Use Permit for an animal shelter or clinic with outside run on property zoned an IR Industrial Research District on the north corner of Cedar Springs Road, and Timber Lane, northwest of Inwood Boulevard, it was moved to **hold** this case under advisement until December 18, 2008.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 6
Replies: For: 2 Against: 0

Speakers: None

Zoning Cases – Individual

10. **Z078-286(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1629 for a Private school, subject to a site plan and staff's revised conditions on property zoned a CS Commercial Service District, on the east line of Davenport Road, north of Crestland Avenue.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 15
Replies: For: 6 Against: 5

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

11. **Z089-103(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial** of a Specific Use Permit for a motel or hotel use on property zoned a CC Community Commercial Subdistrict of Planned Development District No. 595, the South Dallas Fair Park Special Purpose District on the south corner of Peabody Avenue and Colonial Avenue.

Maker: Bagley
Second: Rodgers
Result: Carried: 12 to 0

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

Against: 0
Absent: 0
Vacancy: 1 - District 2
Conflict: 1 - Weiss
Abstained: 1 - Lozano**

** Abstained from voting, due to bus tour requirements

Notices: Area: 200 Mailed: 13
Replies: For: 5 Against: 2

Speakers: For: Mark Croneweth, 901 Main St., Dallas, TX, 75202
Jason Mathis, 901 Main St., Dallas, TX, 75202
Meendxi Patel, 3103 Colonial Ave., Dallas, TX, 75215
Anthony Garrett, 217 Abbey Ln., Desoto, TX, 75113
For (Did not speak): John Patel, 3103 Colonial Ave., Dallas, TX, 75215
Against: Terry Flowers, 401 Royal Crest Dr., Desoto, TX, 75115
Liz Head, 814 Crystal Creek Ln., Arlington, TX, 76001
P. Michael Jung, 4400 Bank of America Plaza, Dallas, TX, 75202
Against (Did not speak): Sonia Randle, 616 Bent Creek Dr., Desoto, TX, 75115
Cornelius Small, 2834 Burger, Dallas, TX, 75215
Reeotoe Reese, 9702 Ferris Branch, Dallas, TX, 75243
Shadon Tyree Daniels, 13229 Kit Ln., Dallas, TX, 75240
Thomas Halsey, 3409 Cornell Ave., Dallas, TX, 75205
Edmond Anderson, 1417 Hamilton Dr., Cedar Hill, TX, 75104
Rev. Charles Bodwin, 4607 Ashbrook Rd., Dallas, TX, 75227
Monifa Bandela, 1500 Mountain Laurel Ln., Desoto, TX, 75115
Debbie-Anne Belcher, 9612 Robin Meadow Dr., Dallas, TX, 75243
Sarah Mainor, 4237 Huckleberry Cr., Dallas, TX 75216
Jeremy Scroggins, 203 Bourn Ave., Rockwall, TX, 75087

Landmark Commission Appeal

Motion: It was moved to **affirm** the Landmark Commission decision to deny a Certificate of Appropriateness CA078-612(MD) at 2019 N. Lamar Street to attach rooftop signs on the north and east elevations.

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

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

Against: 0
Absent: 0
Vacancy: 1 - District 2

Speakers: Appellant: None
City: Casey Burgess, Assistant City Attorney

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the November 13, 2008, City Plan Commission meetings, subject to corrections.

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

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar
Against: 0
Absent: 0
Vacancy: 1 - District 2

Adjournment

Motion: It was moved to **adjourn** the November 20, 2008, City Plan Commission meeting at 3:16 p.m.

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

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar
Against: 0
Absent: 0
Vacancy: 1 - District 2

Joe Alcantar, Chair