

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 8, 2009, with the briefing starting at 10:35 a.m. in Room 5ES and the public hearing at 1:36 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, Robert Ekblad and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Sally Wolfish. 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: Mike 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) **S089-036**

**Motion:** It was moved to **approve** an application to replat 10.74 acres containing a portion of Lot 2A in City Block 8103 of Fair Oaks Shopping Center and Lot 2A in City Block 8103 of Plaza Rios into three lots ranging in size from 0.87 acres to 5.87 acres located at intersection of Skillman Street and Royal Lane, northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Buehler

Second: Weiss

Result: Carried: 13 to 0

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S089-037**

**Motion:** It was moved to **approve** an application to replat 15.4118 acres containing Lots 1, 7, 8 and 9 in City Block K/7554 into three lots ranging in size from 1.5018 acres to 11.4631 acres located at the intersection of Bainbridge Drive and Cliff Creek Crossing, southeast corner, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S089-038**

**Motion:** It was moved to **approve** an application to replat 0.574 acres containing Lots 13-16 in City Block A/608 into one 0.574 acre lot located near the intersection of Delano Place and Haskell Avenue, subject to compliance with the conditions listed in the docket with Condition #14 revised to read as follows: "On the final plat comply with the right-of-way dedications, if any; contained in the approved Haskell Avenue alignment drawing shown in City of Dallas drawing 221D-017".

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(4) **S089-039**

**Motion:** It was moved to **approve** an application to replat 12.944 acres being all of Lot 1 in City Block 1/8018, 13.112 acres in City Block 8018 and 2.903 acres in City Block 6962 into a 27.13 acre lot located at 3600 Duncanville Road, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(5) **S089-040**

**Motion:** It was moved to **approve** an application to replat 0.4921 acres containing all of Lots 43, 44 and part of Lot 45 in City Block 14/717 into an 8,415 sq. ft. lot and a 13,012 sq. ft. lot located at the intersection of Bryant Street and McKell Street, southwest corner, subject to compliance with the conditions listed in the docket.

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

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

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

\*out of the room, shown voting in favor

**Speakers:** None

Street Name Change

**NC078-004**

**Motion:** It was moved to **deny** an application to change the name of Shepherd Road between Forest Lane and Stults Road to "Robert E Price Drive".

Maker: Lueder  
Second: Emmons  
Result: Carried: 11 to 2

For: 11 - Prothro, Gary, Rodgers, Lozano, Bagley,  
Weiss, Lueder, Buehler, Ekblad, Emmons,  
Alcantar

Against: 2 - Davis, Lavallaissa  
Absent: 1 - Wolfish  
Vacancy: 1 - District 2

**Speakers:** For: Roscoe C. Smith, 12256 Center Court Dr., Dallas, TX, 75242  
Billy C. Heath, 13115 Fall Manor, Dallas, TX, 7543  
Against: Wileen Shepherd, 7007 Lakeshore Dr., Dallas, TX, 75214  
Carl Shepherd, 301 Briarwood Trl., Austin, TX, 78746  
Peter Regan, 9626 Shepherd Rd., Dallas, TX, 75243  
Margaret Regan, 9626 Shepherd Rd., Dallas, TX, 75243  
Against( Did not speak): Stephen Sheets, 9730 Shepherd Rd., Dallas, TX, 75243

**NC089-001**

**Motion:** It was moved to **approve** an application to change the name of Beechwood Avenue between Burns Avenue and Keats Drive to "Pathfinder Drive".

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

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

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

**Speakers:** None

**NC089-002**

**Motion:** It was moved to **approve** an application to change the name of Missouri Avenue between S. Llewellyn Avenue and Interstate 35E to "Llewellyn Court".

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

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

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

**Speakers:** None

Miscellaneous Docket

**W089-003**

Planner: Neva Dean

**Motion:** It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for a P(A) Parking District on the west side of Euclid Avenue, north of Lewis Street.

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

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

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

**Speakers:** For: Robert Hopson, 8441 San Benito Way, Dallas, TX, 75218  
Against: None

**W089-004**

Planner: Neva Dean

**Motion:** It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for a Mixed Use District on the west side of Fran Way, north of Avenue B.

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

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

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

**Speakers:** For: J. Oji, Address not given  
Against: None

**D089-006**

Planner: Frank Dominguez

**Motion:** In considering a development plan for Planned Development District No. 742 on the northwest corner of Skillman Avenue and Northwest Highway, it was moved to **hold** this case under advisement until January 15, 2009.

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

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

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

**Speakers:** None

**Z089-109(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to **approve** a development plan and a landscape plan in conjunction with an application to create a new tract to allow for medical clinic or ambulatory surgical center and business school uses within Planned Development District No. 44 on the east side of Greenville Avenue, south of Amberton Parkway.

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

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

Against: 0  
Absent: 1 - Wolfish  
Vacancy: 1 - District 2  
Conflict: 1 - Lueder

**Speakers:** None

Zoning Cases – Consent

**1. Z089-123(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for community service center for a ten year-period with automatic renewals for additional ten-year periods, subject to a revised site plan and conditions on property zoned a CR Community Retail District and an R-5(A) Single Family District on the southeast corner of Angelina Drive and North Westmoreland Road.

Maker: Gary  
Second: Rodgers  
Result: Carried: 13 to 0

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

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

**Notices:** Area: 300                      Mailed: 55  
**Replies:** For: 2                              Against: 0

**Speakers:** For(Did not speak): Jim Rogers, 3208 Trevolle Pl., Dallas, TX, 45204  
R. E. Shaw, Sr., 5151 Beltline Rd., Dallas, TX, 75254  
David Shanks, 5151 Beltline Rd., Dallas, TX, 75254  
Debra Wilson, 805 E. Grubb Dr., Mesquite, TX, 75149  
Victor Toledo, 9925 Lakeway Ct., Dallas, TX, 75230  
Suzanna Griffin, 4411 Glenwood Ave., Dallas, TX, 75205  
Walker Harman, Sr., 3600 Colgate Ave., Dallas, TX, 75225  
Jim Lake, 1350 Manufacturing St., Dallas, TX, 75207  
Arrvel Wilson, 2215 Canada Dr., Dallas, TX, 75212  
Against: None

**2. Z089-124(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1659 for an alcoholic beverage establishment use for a bar, lounge, or tavern for a two-year period, subject to a site plan and conditions within Planned Development District No. 619 for mixed uses, on the south side of Main Street, west of Ervay Street.

Maker: Gary  
Second: Rodgers  
Result: Carried: 13 to 0  
For: 13 - Prothro, Gary, Davis, Rodgers, Lozano,  
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,  
Ekblad, Emmons, Alcantar

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

**Notices:** Area: 200 Mailed: 31  
**Replies:** For: 0 Against: 0

**Speakers:** None

Zoning Cases – Under Advisement

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

Planner: Warren Ellis

**Motion:** In considering an application to create a new Subdistrict within the north zone of Subdistrict B within Planned Development District No. 521 for mixed uses and a Specific Use Permit for gas drilling, east of Mountain Creek Parkway, north of Interstate 20 (Lyndon B. Johnson Freeway), it was moved to **hold** this case under advisement until February 12, 2009.

Maker: Lozano  
Second: Weiss  
Result: Carried: 13 to 0



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

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

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

**Speakers:** None

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

Planner: Warren Ellis

**Motion:** In considering an application for a Specific Use Permit for gas drilling 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), it was moved to **hold** this case under advisement until February 12, 2009.

Maker: Lozano  
Second: Weiss  
Result: Carried: 13 to 0

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

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

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

**Speakers:** For: Raymond Ortiz, 4023 Baker Ave., Dallas, TX, 75212  
Tony Garfias, 4027 Baker Ave., Dallas, TX, 75212  
Against: None

**5. 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** this case under advisement until February 12, 2009.

Maker: Lozano  
Second: Weiss  
Result: Carried: 13 to 0

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

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

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

**Speakers:** None

6. **Z078-171(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **denial without prejudice** of a new tract in the Tract 1c portion of Planned Development District No. 160 for R-7.5 Single Family District Uses on the southeast corner of Elsbeth Avenue and Neely Street.

Maker: Prothro  
Second: Weiss  
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,  
Bagley, Weiss, Lueder, Buehler, Ekblad,  
Emmons, Alcantar

Against: 0  
Absent: 1 - Wolfish  
Vacancy: 1 - District 2  
Abstained: 1 - Lavallaisaa\*\*

\*\*abstained due to bus tour requirement

**Notices:** Area: 500 Mailed: 92  
**Replies:** For: 7 Against: 7

**Speakers:** None

Zoning Cases - Individual

**7. Z089-120(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **denial** of a Specific Use Permit for commercial motor vehicle parking on property zoned an LI Light Industrial District with a D-1 Dry Liquor Control Overlay on the south side of Forney Road, approximately 550 feet west of Buckner Boulevard.

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

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

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

**Notices:** Area: 300 Mailed: 20  
**Replies:** For: 0 Against: 3

**Speakers:** For: Ramon Aranda, 2946 S. Buckner Blvd., Dallas, TX, 75227  
Rickey Callahan, 3546 Rockbluff Dr., Dallas, TX, 75227  
Against: Lauren Bradbury, 7814 Forney Rd., Dallas, TX, 75227

**8. Z078-277(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of an MF-1(A) Multifamily District, subject to deed restrictions volunteered by the applicant and retention of the D Liquor Control Overlay on a portion on property zoned a CR-D Community Retail District with a D Liquor Control Overlay and an R-7.5(A) Single Family District on the south side of Lake June Road, east of Hawley Lane.

Maker: Rodgers  
Second: Lozano  
Result: Carried: 13 to 0

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

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

**Notices:** Area: 400 Mailed: 91  
**Replies:** For: 6 Against: 3

**Speakers:** For: Stuart Pully, P.O. Box 781609, Dallas, TX, 75378  
Julian Peterson, 2711 Gaston Ave., Dallas, TX, 75226  
Against: None

9. **Z078-285(KS)**

Planner: Kate Singleton

**Motion:** In considering an application to create a new subarea within Conservation District No. 1, the King's Highway Conservation District on property zoned subarea 1, a Single Family subdistrict, and subarea 4, a Multifamily subdistrict, within Conservation District No. 1, in an area generally bounded by the northern blockface of King's Highway, the eastern blockface of Montclair Avenue, southern blockface of Kyle Avenue, and the western blockface of Mary Cliff Road, it was moved to **hold** this case under advisement until April 23, 2009.

Maker: Lozano  
Second: Rodgers  
Result: Carried: 13 to 0

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

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

**Notices:** Area: 500 Mailed: 115  
**Replies:** For: 11 Against: 18

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Larry Good, 2808 Fairmount St., Dallas, TX, 75201  
Against: John McCalib, 1807 Timbergrove Cir., Dallas, TX, 75208  
Scott Jenke, 2017 Lauraette Dr., Dallas, TX, 75208  
Robert Hernandez, 1635 Kyle Ave., Dallas, TX, 75208  
Horace Nash, 5364 Southern Ave., Dallas, TX, 75209  
Amanda Pounds, 822 N. Montclair Ave., Dallas, TX, 75208  
MaryLou Liberto, 1816 Timbergrove Cir., Dallas, TX, 75208  
Against(Did not speak): Bonner Hernandez, 1635 Kyle Ave., Dallas, TX, 75208  
John Parker, 1518 Kings Hwy., Dallas, TX, 75208  
Darla McCalib, 1807 Timbergrove Cir., Dallas, TX, 75208  
Catherine Schneider, 1922 Timbergrove Cir., Dallas, TX, 75208  
P.W. Schneider, 1922 Timbergrove Cir., Dallas, TX, 75208  
Sam Weempe, 2010 Timbergrove Cir., Dallas, TX, 75208

John Dewitt, 2020 Timbergrove Cir., Dallas, TX, 75208  
Mary Laughlin, 2831 Bonnywood Ln., Dallas, TX, 75233  
Helen Spears, 1923 Timbergrove Cir., Dallas, TX, 75208  
Earnest Staines, 1907 Timbergrove Cir., Dallas, TX, 75208  
Gregory Damman, 1911 Timbergrove Cir., Dallas, TX, 75208  
Paula Craig, 1509 Argonne Dr., Dallas, TX, 75208

Development Code Amendment

**DCA078-015**

David Cossum

**Motion:** It was moved to recommended **approval** of the amendments to Section 51A-7.307 of the Dallas Development Code, to amend the provisions for relocation of detached non-premise signs (billboards) due to the acquisition by a governmental entity of the land the sign is located on.

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

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

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

**Speakers:** For: Jake Smith, 1111 Calais, South Lake, TX, 76092  
Judy Jamison, 7611 Ledbetter Rd., Arlington, TX, 76001  
Teresa Moore, 3616 Watanga St., Ft. Worth, 76107  
Against: None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the December 18, 2008, City Plan Commission meetings, subject to corrections.

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

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

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

Adjournment

**Motion:** It was moved to **adjourn** the January 8, 2009, City Plan Commission meeting at 3:58 p.m.

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

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

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

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Joe Alcantar, Chair