

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on June 11, 2009, with the briefing starting at 11:03 a.m. in Room 5ES and the public hearing at 1:41 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and Sally Wolfish, Acting 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, Robert Ekblad and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Tom Lueder and Chris Buehler. 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) **S089-096**

Motion: It was moved to **approve** an application to create one 16.83 acre lot from a portion of City Block 7135, on Hampton Road between Dennison Street and Bickers Street, subject to compliance with the conditions listed in the docket.

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

For: 13 - Prothro, Wally, Gary, Davis, Rodgers, Lozano*, Bagley*, Lavallaisaa, Weiss, Wolfish, Ekblad, Emmons*, Alcantar

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

*out of the room, shown voting in favor of the motion.

Speakers: None

(2) **S089-098**

Motion: It was moved to **approve** an application to replat a portion of Lot 12 in the Arlington Park Industrial Tracts Addition, and Lot 1C in the B.E.K. Beer Warehouse I Addition, in City Block B/7919, into one 13.46 acre lot, at the northwest corner of Record Crossing Road and Wyche Boulevard, subject to compliance with the conditions listed in the docket.

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

For: 13 - Prothro, Wally, Gary, Davis, Rodgers, Lozano*,
Bagley*, Lavallaisaa, Weiss, Wolfish, Ekblad,
Emmons*, Alcantar

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

*out of the room, shown voting in favor of the motion.

Speakers: None

Note: Commissioner Weiss moved to suspend CPC rules and change the order of the agenda to hear UNT–Dallas Area Plan next. Commissioner Wally seconded the motion. The Commission voted unanimously to hear UNT-Dallas Area Plan next. Commissioners Bagley and Emmons were out of the room, shown in favor of the motion.

Miscellaneous Docket

M089-026

Planner: Richard Brown

It was moved to **approve** a minor amendment to Phase I Development Plan for Planned Development District No. 549 for certain Recreation uses, Institutional and Community Service uses, and R-7.5(A) Single Family District uses on the south line of Samuell Boulevard, east of Buckner Boulevard.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Speakers: None

M089-028

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Development Plan for Planned Development District No. 769 for MU-2 Mixed Use District uses on the north line of SMU Boulevard, east of Prentice Street.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Speakers: None

W089-006

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for an amendment to Planned Development District No. 800 in an area generally bounded by Cadiz Street, Industrial Boulevard, Rock Island Street, and the Union Pacific Railroad.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

W089-007

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application to amend the existing zoning on property zoned Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District on both sides of Progressive Drive between Chippewa Drive and Cartwright Street.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

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

W089-008

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for an amendment to Planned Development District No. 805 on the north side of Lake June Road, east of Masters Drive.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

Zoning Cases – Consent

1. **Z089-211(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Alcoholic Beverage Establishment use for a bar, lounge, or tavern for a two-year period, subject to a site plan and revised conditions on property zoned Planned Development District No. 269 on the north side of Commerce Street, east of Good Latimer Expressway including a condition prohibiting the use of outside speakers.

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

For: 13 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Wolfish, Ekblad, Emmons*, Alcantar

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

*out of the room, shown voting in favor of the motion.

Notices: Area: 200 Mailed: 18
Replies: For: 1 Against: 0

Speakers: For: Dianne Tucker, 9054 Woodhurst Dr., Dallas, TX, 75243
Susan Reese, 8626 Douglas Ave., Dallas, TX, 75225
Jonathan Hetzel, 2610 Allen St., Dallas, TX, 75204
For (Did not speak): Roland Young, 904 Woodhurst Dr., Dallas, TX, 75243
Against: None

2. **Z089-184(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a P(A) Parking District, subject to a revised site plan and conditions on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the east line of Southland Street, north of Malcolm X Boulevard and **approval** of the revised deed restrictions volunteered by the applicant on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas Fair/Park Special Purpose District on the northwest corner of Malcolm X Boulevard and Hatcher Street.

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

For: 13 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Wolfish, Ekblad,
Emmons*, Alcantar

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

*out of the room, shown voting in favor of the motion.

Notices: Area: 200 Mailed: 36
Replies: For: 0 Against: 1

Speakers: None

3. Z089-196(WE)

Planner: Warren Ellis

Motion: In considering an application for a CS Commercial Service District on property zoned an R-7.5(A) Single Family District and a Specific Use Permit for commercial motor vehicle parking 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, it was moved to **hold** this case under advisement until June 25, 2009.

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

For: 13 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Wolfish, Ekblad,
Emmons*, Alcantar

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

*out of the room, shown voting in favor of the motion.

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

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

4. **Z089-220(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** for an MF-3(A) Multifamily District and **approval** of repealing a portion of Specific Use Permit No. 98 for a quarry on property zoned an IR Industrial Research District and Specific Use Permit No. 98 on the east side of Pinnacle Park Boulevard, north of Fort Worth Avenue.

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

For: 13 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Wolfish, Ekblad, Emmons*, Alcantar

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

*out of the room, shown voting in favor of the motion.

Notices: Area: 400 Mailed: 16
Replies: For: 0 Against: 0

Speakers: None

Zoning Cases – Under Advisement

5. **Z089-168(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** to create a new Subdistrict for retirement housing and TH-3(A) Townhouse District uses, subject to a conceptual plan and staff's recommended conditions within Planned Development District No. 625, on the south line of Crouch Road, west of Lancaster Road.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Notices: Area: 500 Mailed: 2
Replies: For: 0 Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

Zoning Cases – Individual

6. **Z089-197(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** for the creation of a new Subarea within Planned Development District No. 27 for Office uses, subject to a development plan and applicant's revised conditions on both sides of Insurance Lane between Knox Street and Hester Avenue.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Notices: Area: 500 Mailed: 93
Replies: For: 6 Against: 0

Speakers: For: Kirk William, 5400 Renaissance Tower, Dallas, TX, 75270
Against: None

Area Plan – Under Advisement

UNT-Dallas

Peer Chacko & Shilpa Ravande

Motion: In considering adoption of the UNT-Dallas Area Plan and incorporation into the *forwardDallas!* comprehensive plan in the area generally along IH-35 (western boundary), IH-20 (southern boundary), W. Laureland Road/Wagon Wheels Trail (northern boundary) and Tracy Road (eastern boundary), it was moved to **hold** this case under advisement until July 16, 2009.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Speakers: For: John Price, 7300 Houston School Rd., Dallas, TX, 75241
Errol Stansberry, 7225 Houston School Rd., Dallas, TX, 75241
Edna Pemberton, 7101 Flameleaf Pl., Dallas, TX, 75249
Alvin Scott, 7527 Houston School Rd., Dallas, TX, 75241
Katrina Pitre, 1801 E. Wheatland Rd., Dallas, TX, 75241
Robert Pitre, 1801 E. Wheatland Rd., Dallas, TX, 75241
Grey Barber, 1919 Dudley St., Dallas, TX, 75203
For (Did not speak): Cheryl Taylor, 6729 Golf Hill Rd., Dallas, TX, 75232
Against: Roylene Hanks, 7303 Houston School Rd., Dallas, TX, 75241

Authorization of Hearings

Motion: It was moved to **authorize** a public hearing to determine the proper special sign district regulations on property regulated by the Arts District Special Provision Sign District, on property generally bounded by Ross Street to the southeast, Routh Street to the northeast, Woodall Rogers Freeway to the northwest and Harwood Street to the southwest, with consideration being given to amending the district to provide for regulations governing signs related to cultural institutions for the performing or visual arts.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Speakers: None

Motion: It was moved to **authorize** a public hearing to determine proper zoning on property zoned a CR Community Retail District with consideration being given to rezoning to an R-5(A) Single Family District on both sides of Vilbig Road between Dennison Street and the alley south of Nomas Street and on the north side of Nomas Street, east of Vilbig Road.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Speakers: None

Other Matters

Correction to Registration of Vote from May 7, 2009

Motion: It was moved to **accept** the correction to the registration of votes from the May 7, 2009, City Plan Commission's minutes; specifically, in regards to zoning cases Z089-150 and Z089-151.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Minutes

Motion: It was moved to **approve** the minutes of the May 21, 2009, City Plan Commission meeting, subject to corrections.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the June 11, 2009, City Plan Commission meeting at 2:47 p.m.

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

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

Against: 0
Absent: 2 - Lueder, Buehler
Vacancy: 0

Joe Alcantar, Chair