

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on July 23, 2009, with the briefing starting at 11:04 a.m. in Room 5ES and the public hearing at 1:32 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, 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 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) **S089-115**

Motion: It was moved to **approve** an application to create a 1.46 acre lot out of a tract of land in City Block 6310 located on the east side of Conner Drive, south of Bruton Road, also known as 2048 Conner Drive, subject to compliance with the conditions listed in the docket.

Maker: Rodgers
Second: Weiss
Result: Carried: 15 to 0

For: 15 - Prothro*, Wally, Anglin, Davis, Rodgers, Lozano*, Bagley, Lavallaisaa, Weiss, Lueder, Buehler*, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Residential Replats

(2) **S089-117**

Motion I: It was moved to **approve** an application to reduce the building line from 30 ft., to 25 ft., on Lot 1 of the Lakeshore Hills Addition, Revision of Block 1 Part of Block 6, in City Block 6/2748, at the intersection of Gaston Parkway and Loving Avenue, northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Weiss
Result: Failed: 7 to 8

For: 7 - Prothro, Anglin, Rodgers, Lavallaisaa, Weiss, Emmons, Alcantar

Against: 8 - Wally, Davis, Lozano, Bagley, Lueder, Buehler, Wolfish, Ekblad
Absent: 0
Vacancy: 0

Motion II: It was moved to **approve** an application to relocate the building line from the existing 30 ft., setback to a variable setback as proposed by the applicant on Lot 1 of the Lakeshore Hills Addition, Revision of Block 1 Part of Block 6, in City Block 6/2748, at the intersection of Gaston Parkway and Loving Avenue, northeast corner, subject to compliance with the conditions listed in the docket with Condition #12 to read as follows: "The plat be amended to show that the one story wood frame garage as been removed."

Maker: Wolfish
Second: Emmons
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Anglin, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: For: Robert Baldwin, 6035 Vanderbilt Ave., Dallas, TX, 75206
Gordon Webster, 2306 Loving Ave., Dallas, TX, 75214
Against: None

Miscellaneous Docket

M089-031

Motion: It was moved to **approve** a minor amendment to the development plan and the landscape plan for Planned Development District No. 563 for a Private school, Child-care facility, and R-7.5(A) Single Family District uses on the northeast corner of Audelia Road and McCree Road.

Maker: Lueder
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Anglin, Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Z078-159

Motion: It was moved to **approve** a three-year extension (12/31/09 to 12/31/12) of a development schedule for an amendment to the Zone 1 portion of Planned Development District No. 184 on the northeast corner of Carlisle Street and Cedar Springs Road.

Maker: Emmons
Second: Lozano
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Anglin, Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. **Z089-180(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment for a private club bar and a commercial amusement (inside) for a dance hall for a two-year period with eligibility for automatic renewal for additional two-year periods, subject to revised site plan and revised conditions on property zoned a CR Community Retail District on the east side of Ferguson Road, south of Gus Thomasson Road with Condition #7 amended to read as follows: "OUTSIDE AREA: Outside speakers, out seating and tables are prohibited."

Maker: Emmons
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Anglin, Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss*, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 28
Replies: For: 3 Against: 1

Speakers: For (Did not speak): Jerry Robertson, Sr., 10260 Ferguson Rd., Dls., TX 75228
Judy Ann Robertson, 10260 Ferguson Rd., Dls, TX, 75228
Jerry Robertson, Jr., 10341 Plummer Rd., Dallas, TX, 75228
Against: None

2. **Z089-200(MAW)**

Planner: Megan Wimer

Motion: In considering an application for a Specific Use Permit for a tower/antenna for cellular communication on property within Subarea B of Planned Development District No. 326, the West Lovers Lane Planned Development District on the north side of Lovers Lane, east of Linwood Avenue, it was moved to **hold** this case under advisement indefinitely and instruct staff to re-notice for a Planned Development Subdistrict.

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

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

Against: 0
Absent: 0
Vacancy: 0
Conflict: 1 - Anglin

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 110
Replies: For: 3 Against: 2

Speakers: None

3. **Z089-218(MAW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for an extended stay hotel or motel 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 an IR Industrial Research District with deed restrictions on the northeast corner of Beckleymeade Avenue and Stoneview Drive.

Maker: Emmons
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Anglin, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss*, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 10
Replies: For: 1 Against: 0

Speakers: None

Zoning Cases – Under Advisement

4. Z089-188(MAW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Specific Use Permit for a mini-warehouse use for a two-year period with eligibility for automatic renewal for one three-year period, subject to a site plan and revised conditions on property zoned a CR Community Retail District on the north side of Mountain Creek Parkway, west of Clark Road.

Maker: Anglin
Second: Lueder
Result: Carried: 15 to 0

For: 15 - Prothro, Wally, Anglin, Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

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

Speakers: For: David Balour, 5550 LBJ Fwy., Dallas, TX, 75240
Against: None

A. **Z089-195(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to, and an expansion of, Planned Development District No. 597 for a private school, subject to a revised development plan, revised landscape plan, traffic management plan and staff's recommended conditions on property zoned Planned Development District No. 597, an MF-2(A) Multifamily Subdistrict, a CC Community Commercial Subdistrict and a NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District in an area generally on both sides of Pennsylvania Avenue, between Holmes Street and Colonial Avenue, and Panama Place and south of Martin Luther King Boulevard with the following added conditions: 1) Accepting the applicant's proposal for a minimum 5ft., side rear building line as shown on the development plan. 2) Addition to the revised landscape plan to show a fence along the northern property parking boundary, north of Pennsylvania Avenue.

Maker: Bagley
Second: Lozano
Result: Carried: 12 to 3

For: 12 - Wally, Anglin, Rodgers, Lozano, Bagley,
Lavallaisaa, Weiss, Lueder, Buehler, Wolfish,
Ekblad, Emmons

Against: 3 - Prothro, Davis, Alcantar
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 174
Replies: For: 5 Against: 18

Speakers: For: Bennett Ratliff, 8929 Sterling St., Irving, TX, 75063
Terry Flowers, 401 Royal Crest Dr., Desoto, TX, 75115
Lasharyl Walker, 3607 Hamburg Ct., Dallas, TX, 75215
Michele Rochon, 3506 Holmes St., Dallas, TX, 75215
Ruth Carter, 3116 Holmes St., Dallas, TX, 75215
Junie Harrison, Address not given

For (Did not speak): Esteria Miller, 8918 Rockledge Dr., Dallas, TX, 75217
Mildred Woodson, 1425 Cooper St., Dallas, TX, 75215
Lillie Smith, 1415 Cooper St., Dallas, TX, 75215
Julie Saqueton, 5830 Meaders Ln., Dallas, TX, 75230
Cardell Henderson, 3333 Edgewood St., Dallas, TX, 75215
Misty Pressley, 4808 Oak Trail, Dallas, TX, 75232
Valeria DuPree, 5126 Breakwood Dr., Dallas, TX, 75227
Lee Johnson, P.O. Box 141116, Dallas, TX, 75214
Bobbie Hampton, 1411 Reynoldston Ln., Dallas, TX, 75232
Carol Hampton, 1411 Reynoldston Ln., Dallas, TX, 75232

John Thompson, 1429 Cobblestone Dr., Desoto, TX, 75115
Jacqueline Anderson, 1417 Hamilton Dr., Cedar Hill, TX, 75104
Anurita Mitra, 1525 Summerfield Dr., Allen, TX, 75215
Maurice Dixon, 1205 Cheyenne Dr., Desoto, TX, 75115
Tia Stevens, 1124 Covington Dr., Mesquite, TX, 75149
Neigel Stevens, 1124 Covington Dr., Mesquite, TX, 75149
Whytne Stevens, 1124 Covington Dr., Mesquite, TX, 75149
Ronald Curd, 1703 Brookview Ln., Balch Springs, TX, 75180
Curtis Anderson, 942 Echobrook, Desoto, TX, 75115
Greg Douglas, 4209 Williamson Ln., Carrollton, TX, 75010
Robbie Douglas, 4209 Williamson Ln., Carrollton, TX, 75010
Kenneth Jenkins, 1620 Thomas Ln., Carrollton, TX, 75010
Donna Jenkins, 1620 Thomas Ln., Carrollton, TX, 75010
Jamila Jenkins, 1620 Thomas Ln., Carrollton, TX, 75010
Johari Jenkins, 1620 Thomas Ln., Carrollton, TX, 75010
Against: Glenn Bragg, 3307 Julius Schepps Fwy., Dallas, TX, 75215
Sam Chrook, 1519 Martin Luther King Blvd., Dallas, TX, 75215
Yvonne Cobb, 3021 Colonial Ave., Dallas, TX, 75215
James Brown, 1629 Pennsylvania Pl., Dallas, TX, 75215
Anthony Garrett, 1629 Pennsylvania Pl., Dallas, TX, 75215
Larry Crowe, 1613 Panama Pl., Dallas, TX, 75215
E.R. Johnson, 3412 Holmes St., Dallas, TX, 75215
Gloria Walls, 1628 Panama Pl., Dallas, TX, 75215
Meenaxi Patel, 3103 Colonial Ave., Dallas, TX, 75215
Against (Did not speak): Jitendod Patel, 3103 Colonial Ave., Dallas, TX, 75215
Samon Som, 1602&612 Martin Luther King Blvd., Dallas, TX, 75215
IM Ranny, 1516 Martin Luther King Blvd., Dallas, TX, 75215

Other Matters

Consideration of amendments to the City Plan Commission Rules of Procedure

Motion: In considering amendments to the City Plan Commission Rules of Procedure it was moved to **hold** this item under advisement until August 13, 2009.

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

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

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

Minutes

Motion: It was moved to **approve** the minutes of the July 16, 2009, City Plan Commission meeting, subject to corrections.

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

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

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

Adjournment

The July 23, 2009, City Plan Commission meeting **adjourned** at 4:36 p.m.

Joe Alcantar, Chair