

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on August 21, 2008, with the briefing starting at 10:40 a.m. in Room 5ES and the public hearing at 1:31 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, Bob Weiss, Tom Lueder, Neil Emmons and Robert Ekblad. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Jeff Strater and Sally Wolfish. There is one vacancy - District 8.

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) **S078-240**

**Motion:** It was moved to **approve** an application to create one lot out of a 1.9088 acre tract of land in Block 5249 located at 7818 Garland Road near the intersection of Garland Road and Winsted Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S078-241**

**Motion:** It was moved to **approve** an application to plat a 1.195 acre tract of land into a Shared Access Development containing a common area and four lots ranging in size from 9,332 sq. ft. to 11,913 sq. ft. in Block 7485 located at the intersection of E. Lake Highlands Drive and Northcliff Drive, southwest corner, subject to compliance with the conditions listed in the docket with removal of Condition #22.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S078-243**

**Motion:** It was moved to **approve** an application to plat a 7.19 acre tract of land into four lots ranging in size from 0.82 acres to 3.29 acres in Block 8042 located on the north side of Kingsley Road, west of the intersection of Jupiter Road and Kingsley Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

\*out of the room, shown voting in favor

**Speakers:** None

Residential Replat

(4) **S078-242**

**Motion:** It was moved to **deny** an application to replat parts of Lots 2 and 3 of Sunnybrook Estates, also known as 5151 and 5139 Seneca Drive into a 1.009 acre lot and a 1.329 acre lot in City Block 5/5578 located on Seneca Drive west of Inwood Road, due to non-compliance with Section 51A-8.503 of the Dallas Development Code.

Maker: Emmons  
Second: Rodgers  
Result: Carried: 11 to 0

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8  
Conflict: 1 - Ekblad

**Speakers:** For: Mark Rose, 8306 Catawba Rd., Dallas, TX, 75209  
Against: Jonathan Vinson, 901 Main St., Dallas, TX, 75202  
Robert Baldwin, 401 Exposition Ave., Dallas, TX, 75226  
Daniel Routman, 5036 Seneca Dr., Dallas, TX, 75209  
John Beckert, 4920 Seneca Dr., Dallas, TX, 75209  
Tom James, 5122 Seneca Dr., Dallas, TX, 75209  
Pat White, 4714 Wildwood Rd., Dallas, TX, 75209  
Kevin Hardage, 5022 Seneca Dr., Dallas, TX, 75209  
Peggy Carr, 4824 Shadywood Ln., Dallas, TX, 75209

Residential Replats - Under Advisement

**S078-237**

**Motion:** It was moved to **deny** an application to replat Lots 4 and 5 in Shannon Estates, in City Block 2/4915, for the purpose of creating 4, 0.459 acre lots, at 6721 and 6811 Inwood Road, due to non-compliance with Section 51A-8.503 of the Dallas Development Code.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

**Speakers:** For: Robert Baldwin, 401 Exposition Ave., Dallas, TX, 75226

Against: Joyce Lockley, 4718 Wateka Dr., Dallas, TX, 75209

Terri Ferguson, 6827 Robin Rd., Dallas, TX, 75209

Pat White, 4714 Wildwood Rd., Dallas, TX, 75209

June Hubbell, 6700 Robin Rd., Dallas, TX, 75209

Hilda Blankinship, 6722 Robin Rd., Dallas, TX, 75209

Martha Klinefelter, 6819, Robin Rd., Dallas, TX, 75209

Against (Did not speak): Jennifer Richards, 6818 Robin Rd., Dallas, TX, 75209

Against (Did not speak): Elizabeth Richards, 6818 Robin Rd., Dallas, TX, 75209

Miscellaneous Docket

**D078-022**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** a development plan for Planned Development District No. 504 for a private school or church on the southeast corner of Midway Road and Northaven Road.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

**Speakers:** For (Did not speak): Jonathan Vinson, 901 Main St., Dallas, TX, 75202  
Against: None

**W078-016**

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 Planned Development Subdistrict on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southeast corner of Maple-Routh Connection and McKinney Avenue.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

\*out of the room, shown voting in favor

**Speakers:** None

**Note:** It was moved by Commissioner Weiss and seconded by Commissioner Buehler to change the order of the agenda and hear Item #5 Z078-246(WE) next. The Commission voted unanimously to hear Z078-246(WE).

Zoning Cases – Consent

1. **Z078-251(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a financial institution with drive-in window for a ten-year period with eligibility automatic renewal for additional ten-year periods, subject to a revised site plan removing landscaping and revised conditions on property zoned Subdistrict B-2 in Planned Development District 749, the Baylor University Medical Center Special Purpose District and an LO-3 Limited Office District on the north corner Crutcher Street and Hill Avenue.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 60  
**Replies:** For: 3 Against: 0

**Speakers:** None

## 2. Z078-205(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a business school for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and staff's recommended conditions on property zoned an NO(A) Neighborhood Office District on the north side of Lyndon B. Johnson Freeway, at Abrams Road with the following two changes: 1) The only authorized use by this Specific Use Permit is a business school, and any reference to a restaurant use in the conditions is stricken. 2) The maximum classroom floor area is 10,300 sq. ft.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

**Notices:** Area: 500 Mailed: 66  
**Replies:** For: 9 Against: 1

**Speakers:** For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202  
Bradley Mindlin, 1640 S. Sepulveda Blvd., Los Angeles, CA, 90025

Elizabeth Crow, 400 Houston St., Dallas, TX, 75202  
Jack Brozman, 5800 Foxridge Dr., Missouri, KS, 66202  
Against: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202  
Manny Ybarra, 12160 N. Abrams Rd., Dallas, TX, 75243  
Jay Krystinik, 2200 Ross Ave., Dallas, TX, 75201

**Note: It was moved by Commissioner Weiss and seconded by Commissioner Prothro to recess at 3:23 p.m. and reconvene at 4:00 p.m. in room 6ES**

**3. Z078-261(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an extended stay hotel or motel for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned an IM Industrial Manufacturing District on the southeast corner of Cockrell Hill Road and La Reunion Parkway.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

\*out of the room, shown voting in favor

**Notices:** Area: 400 Mailed: 2  
**Replies:** For: 0 Against: 0

**Speakers:** For: Amer Patel, 1905 Palencia Ct., Arlington, TX, 76006  
For (Did not speak): V.S. Patel, 1905 Palencia Ct., Arlington, TX, 76006  
For (Did not speak): R.V. Patel, 1905 Palencia Ct., Arlington, TX, 76006  
For (Did not speak): Mahbmb Deloan, 20 clear Pond Dr., Frisco, TX, 75034  
Against: None

**Note: It was moved by Commissioner Weiss and seconded by Commissioner Prothro to change the order of the agenda and hear Item A. Z078-242(OTH) and Item #6 Z078-262(OTH) next. The Commission voted unanimously to hear Z078-242(OTH) and Z078-262(OTH).**

**Note: It was moved by Commissioner Bagley and seconded by Commissioner Emmons to change the order of the agenda and hear Item #7 Z078-235(MAW) next. The Commission voted unanimously to hear Z078-235(MAW)**

Zoning Cases – Under Advisement

**4. Z067-298(JH)**

Planner: Jennifer Hiromoto

**Motion:** In considering an application for a Planned Development District for mixed uses on property zoned an IM Industrial Manufacturing District and a CS Commercial Service District in an area generally bounded by Cadiz Street, Industrial Boulevard, Rock Island Street, and the Union Pacific Railroad, it was moved to **hold** this case under advisement until September 18, 2008.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

**Notices:** Area: 500 Mailed: 109  
**Replies:** For: 8 Against: 1

**Speakers:** For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202  
Nathan Schuber, 8519 Vista View Dr., Dallas, TX, 75243  
Against: None

**A. Z078-242(OTH)**

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** a Planned Development District, subject to a site plan and applicant's conditions on property zoned an IR Industrial Research District on the northeast side of Redfield Street, and the northwest side of Butler Street with the following change: 1) Inserting a 10ft. side and rear yard setback.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

**Notices:** Area: 500 Mailed: 53  
**Replies:** For: 8 Against: 0

**Speakers:** None

Individual Cases

5. **Z078-246(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for a Planned Development District for a private school and the termination of Specific Use Permit No. 1262 for a private school on property zoned an R-10(A) Single Family District with Specific Use Permit No. 1262 on a portion on the northwest corner of Midway Road and Rosa Road with consideration being given to an amendment to, and expansion of, Specific Use Permit 1262, it was moved to **hold** this case under advisement until September 18, 2008.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 79  
**Replies:** For: 7 Against: 16

**Speakers:** None

6. **Z078-262(OTH)**

Planner: OlgaTorres Holyoak

**Motion:** It was moved to recommend **approval** to renew Specific Use Permit No. 1683 for an alcoholic beverage establishment for a bar, lounge, or tavern use and a commercial amusement (inside) use limited to a Class A dance hall for a two-year period, subject to a site plan and conditions on property within Planned Development District No. 619 for Mixed Uses on the northeast corner of Main Street and Field Street.

Maker: Emmons  
Second: Lueder  
Result: Carried: 12 to 0

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

**Notices:** Area: 200 Mailed: 39  
**Replies:** For: 0 Against: 0

**Speakers:** None

7. **Z078-235(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **denial** of a Specific Use Permit for a Commercial amusement (inside) limited to a bingo parlor on property zoned a CR Community Retail District on the south side of Oates Drive, between Rustown Drive and Maverick Avenue.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

**Notices:** Area: 400 Mailed: 102  
**Replies:** For: 3 Against: 7

**Speakers:** For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208  
Against: None

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Other Matters

CPC Committee Appointments and Reports - **None**

Minutes

**Motion:** It was moved to **approve** the minutes of the August 14, 2008, City Plan Commission meeting, subject to corrections.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

Adjournment

**Motion:** It was moved to **adjourn** the August 21, 2008, City Plan Commission meeting at 4:34 p.m.

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

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

Against: 0  
Absent: 2 - Strater, Wolfish  
Vacancy: 1 - District 8

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Joe Alcantar, Chair