

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on September 24, 2009, with the briefing starting at 11:10 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: Liz Wally, Mike Anglin, Michael Davis, Emma Rodgers, John Lozano, Ann Bagley, Myrtl Lavallaisaa, Bob Weiss, Tom Lueder, Sally Wolfish and Robert Ekblad, Neil Emmons. The following Commissioner was 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) **S089-135**

**Motion:** It was moved to **approve** an application to replat 2.1305 acres containing all of Lot 3 in City Block A/6524 into a 0.7784 acre lot and a 1.3521 acre lot generally located on the south side of Royal Lane between Denton Drive and Harry Hines Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Lozano  
Second: Wally  
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

**Speakers:** None

Residential Replats

(2) **S089-134**

**Motion:** It was moved to **approve** an application to replat Lots 5 and 6 in City Block 6/5499 of the Preston Royal No. 3 addition, Lot 1 in City Block 5495, Lots 1A and 7A in City Block 6/5499 of the St. Marks School Addition and a previously abandoned alley into one 40.3994 acre lot located at 10600 Preston Road, subject to compliance with the conditions listed in the docket.

Maker: Ekblad  
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

Street Name Change

**NC089-006**

**Motion:** It was moved to **approve** an application to change the name of Toluca Avenue (also known as South R.L. Thornton Service Road West) between Granger Street and Louisiana Avenue, to "Goyens Drive".

Maker: Wolfish  
Second: Rodgers  
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

**NC089-004**

**Motion:** It was moved to **deny** an application to change the name of Midway Road, between Blue Bonnet Road and West Lovers Lane to "Canyon Drive".

Maker: Emmons  
Second: Davis  
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: Jerry Mooty, 8545 Midway Rd., Dallas, TX, 75209  
Donna Boyter, 8403 Blue Bonnet Rd., Dallas, TX, 75209  
Reid Beucler, 8506 Midway Rd., Dallas, TX, 75209  
Steve Jacoby, 8407 Midway Rd., Dallas, TX, 75209  
Larry Christensen, 8503 Midway Rd., Dallas, TX, 75209  
Against: Howard Hines, 8615 Midway Rd., Dallas, TX, 75209  
Thomas Alcalá, 8408 Midway Rd., Dallas, TX, 75209  
Stephanie Otto, 8510 Midway Rd., Dallas, TX, 75209  
David Stefanos, 8507 Midway Rd., Dallas, TX, 75209  
Ben Marshall, 4245 Bluffview Blvd., Dallas, TX, 75209  
Lois Folse, 8740 Canyon Dr., Dallas, TX, 75209  
Barbara Turner, 8607 Midway Rd., Dallas, TX, 75209  
(Karen Johnstone spoke for Barbara Turner)

Against (Did not speak): Manju Gupta, 4203 N. Cresthaven Rd., Dallas, TX, 75209  
Patricia Tomaso, 4422 Northcrest Rd., Dallas, TX, 75209  
Karen Coston, 4200 Shorecrest Dr., Dallas, TX, 75209  
Deborah Alcalá, 8409 Midway Rd., Dallas, TX, 75209  
Catherine Blair, 4219 N. Cresthaven Rd., Dallas, TX, 75209  
Ellen Guercini, 8513 Catawba Rd., Dallas, TX, 75209  
Sterling Kenty, 8723 Canyon Dr., Dallas, TX, 75209  
Patricia White, 4714 Wildwood Rd., Dallas, TX, 75209  
Chris Hines, 8615 Midway Rd., Dallas, TX, 75209  
Cindy Hines, 8615 Midway Rd., Dallas, TX, 75209  
Nancy Kenty, 8723 Canyon Dr., Dallas, TX, 75209  
Janice Wiggins, 4643 Cherokee Trl., Dallas, TX, 75209

Miscellaneous Docket

**M089-042**

**Motion:** It was moved to **approve** a minor amendment to the development plan and landscape plan for Planned Development District No. 467 for a Public School on the northeast corner of Church Road and White Rock Trail.

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

\*out of the room, shown voting in favor

**Speakers:** None

**D089-014**

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

Maker: Anglin  
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

**D089-016**

**Motion:** It was moved to **approve** a development plan for Planned Development District No. 508, between Bickers Street and Goldman Street, west of Hampton Road.

Maker: Anglin  
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

Certificates of Appropriateness for Signs

**Downtown Sign District:**

**0908261004**

Planner: Kyra Blackston

**Motion:** It was moved to **approve** a Certificate of Appropriateness for the installation of a 97 square foot flat attached upper level premise sign containing the logo "Y" on the northern building façade at 601 N. Akard Street.

Maker: Weiss  
Second: Anglin  
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:** For: Brad Pilkington, 8541 La Plaza Dr., White Settlement, TX, 76108  
Against: None

090821005

Planner: Kyra Blackston

**Motion:** It was moved to **approve** a Certificate of Appropriateness for the installation of a 62 square foot flat attached upper level premise sign containing the logo “Y” on the southern building façade at 601 N. Akard Street.

Maker: Weiss  
Second: Anglin  
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:** For: Brad Pilkington, 8541 La Plaza Dr., White Settlement, TX, 76108  
Against: None

Zoning Cases – Consent

1. **Z089-191(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a Commercial parking lot or garage for a two-year period, subject to a revised site plan and conditions with the following change: The commercial parking lot or garage may not provide parking for uses outside Planned Development District No. 225 on property within the Tract If Subdistrict of Planned Development District No. 225, H/25, the State Thomas Historic District, on the east corner of Allen Street and Thomas Avenue.

Maker: Emmons  
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

**Notices:** Area: 200 Mailed: 96  
**Replies:** For: 3 Against: 2

**Speakers:** For: David Webber, Address not given  
Against: Jack Irwin, 2203 Allen St., Dallas, TX, 75204

2. **Z089-176(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a D(A) Duplex Subdistrict to an R-5(A) Single Family Subdistrict, **approval** of a portion of the D(A) Duplex Subdistrict to an NC Neighborhood Commercial Subdistrict, **approval** of a portion of the NC Neighborhood Commercial Subdistrict to an R-5(A) Single Family Subdistrict, **approval** of a portion of the R-5(A) Single Family Subdistrict to an NC Neighborhood Commercial Subdistrict, and **approval** of a MF-1(A) Multifamily Subdistrict to an NC Neighborhood Commercial Subdistrict on property zoned an R-5(A) Single Family Subdistrict, an D(A) Duplex Subdistrict, an MF-1(A) Multifamily Subdistrict and an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, in an area generally bounded on both sides of Dorris Street from Bexar Street to east of Woodville Street; both sides of Valentine Street, Silkwood Street, and Rochester Street between Bexar Street and Woodville Street; and an area bound by Bexar Street, Canaan Street, and Budd Street.

Maker: Bagley  
Second: Davis  
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: 200 Mailed: 312  
**Replies:** For: 15 Against: 3

**Speakers:** For: Bonnie Gibson, 2626 Rochester St., Dallas, TX, 75215  
Against: None

3. **Z089-247(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an open enrollment charter school on for a five-year period with eligibility for automatic renewal for additional five-year periods; subject to a site plan, traffic management plan and conditions property zoned a CR Community Retail District on the east side of Lancaster Road, north of Kiest Boulevard.

Maker: Davis  
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: 400                      Mailed: 83  
**Replies:** For: 4                              Against: 0

**Speakers:** None

4. **Z089-248(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 508 to add allowable uses on Tract 13, subject to conditions on the northwest corner of Singleton Boulevard and Fish Trap Road.

Maker: Anglin  
Second: Davis  
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: 500                      Mailed: 13  
**Replies:** For: 1                              Against: 2

**Speakers:** For: Victor Toledo, 9925 Lakeway Ct., Dallas, TX, 75230  
Randall White, 1939 Mayflower Dr., Dallas, TX, 75208  
Against: David Fuelleman, 2600 Singleton Blvd., Dallas, TX, 75212

Zoning Cases – Individual

**5. Z089-189(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **denial** of a Specific Use Permit for a mini-warehouse on property zoned an MU-2 Mixed Use District on the northeast corner of South Westmoreland Boulevard and Wheatland Road.

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

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

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

**Notices:** Area: 400 Mailed: 13  
**Replies:** For: 0 Against: 1

**Speakers:** For: David Bolour, 5550 LBJ Freeway, Dallas, TX, 75246  
Against: Serena Kong, 5505 Seapines Dr., Plano, TX, 75093

**6. Z089-240(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a P(A) Parking District on property zoned an MF-2(A) Multifamily District, subject to a site plan with the following revisions to the site plan: 1) Require an address of the adjacent property (1834 Henderson) 2) Limit light standards to 10 feet in height. 3) Provide landscape and screening per Article X. 4) Restrict egress movements in the alley to left turn only 5) Issuance of Certificate of Occupancy upon the final inspection of 30 degree angle parking as shown on site plan on the west line of Euclid Avenue, north of Lewis Street.

Maker: Wally  
Second: Emmons  
Result: Carried: 10 to 4

For: 10 - Wally, Davis, Rodgers, Lozano, Bagley,  
Lavallaisaa, Lueder, Buehler, Ekblad, Emmons

Against: 4 - Prothro, Weiss, Wolfish, Alcantar  
Absent: 1 - Anglin  
Vacancy: 0

**Notices:** Area: 200 Mailed: 20  
**Replies:** For: 1 Against: 1

**Speakers:** For: Marvin Marek, 160 C.R. 1619, Clifton TX, 76634  
Robert Hopson, 8441 San Benito Way, Dallas, TX, 75218  
Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206  
Against: None

**7. Z089-233(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 745 for mixed uses, subject to a conceptual plan and staff's recommended conditions with the following additions: Except as provided, entrances must be spaced at a maximum of 100 linear feet on a primary façade. Entrances for medical and office uses must be spaced at a maximum of 150 linear feet on a primary façade. Medical and office uses would include medical or scientific lab, hospital, and all office uses on both sides of Manderville Lane, north of Blair Road and south of Royal Lane.

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

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

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

**Notices:** Area: 500 Mailed: 104  
**Replies:** For: 7 Against: 0

**Speakers:** For: Tim Kaiser, 3500 Maple Ave., Dallas, TX, 75219  
Suzan Kedron, 901 Main St., Dallas, TX, 75202  
Against: None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the September 10, 2009, City Plan Commission meeting, subject to corrections.

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

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

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

Adjournment

**Motion:** It was moved to **adjourn** the September 24, 2009, City Plan Commission meeting at 4:58 p.m.

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

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

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

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Joe Alcantar, Chair