

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 5, 2009, with the briefing starting at 11:00 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 Michael Davis, Vice Chair. The following Commissioners were present during the hearing: Richard Davis, Liz Wally, Mike Anglin, Emma Rodgers, John Lozano, Ann Bagley, Myrtl Lavallaisaa, Bob Weiss, Tom Lueder, Sally Wolfish, Michael Schwartz and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: None. There is one vacancy (District 11).

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: Paul Nelson

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) S090-006

Motion: It was moved to **approve** an application to create a 9.72 acre lot from a tract of land located in City Block 6118 on Prichard Lane at Scyene Road; southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Wolfish, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

Speakers: None

(2) **S090-009**

Motion: It was moved to **approve** an application to replat a 20.476 acre tract of land containing all of Lots 2A and 2B located in City Block A/7748 into one 4.331 acre lot, one 6.900 acre lot, one 3.786 acre lot and one 5.459 acre lot on North Central Expressway north of Forest Lane, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Wolfish, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

Speakers: None

Residential Replats

(3) **S090-005**

Motion: It was moved to **approve** an application to replat a 0.470 acre tract of land containing all of Lot 27 into one 7,500 square foot lot and one 13,000 square foot lot located in City Block D/7587 between Beckley View Avenue and Winterset Avenue, south of Beckley Meade Avenue, subject to compliance with the conditions listed in the docket.

Maker: Lavallaisaa
Second: Lueder
Result: Carried: 8 to 6

For: 8 - R. Davis, Anglin, M. Davis, Lozano,
Lavallaisaa, Lueder, Schwartz, Alcantar

Against: 6 - Wally, Rodgers, Bagley, Weiss, Wolfish,
Emmons
Absent: 0
Vacancy: 1 - District 11

Speakers: None

Certificates of Appropriateness for Signs

Downtown Sign District

0910025002

Planner: Kyra Blackston

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a marquee sign at the northeast corner of the building at 601 N. Akard Street.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Wolfish*, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

*out of the room, shown voting in favor

Speakers: None

Miscellaneous Docket

M089-049

Motion: It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 666 for a College on the northwest quadrant of Bonnie View Road and Wintergreen Road.

Maker: Lavallaisaa
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Wolfish, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

Speakers: None

Zoning Cases – Consent

1. **Z089-269(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant for a five-year period, subject to a site and landscape plan and conditions on property zoned an IR Industrial Research District on the north line of Commerce Street, west of Sylvan Avenue.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Wolfish, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

Amending Motion: It was moved to **amend** the motion to a three-year period.

Maker: R. Davis
Second: Anglin
Result: Failed: 2 to 12

For: 2 - R. Davis, Anglin

Against: 12 - Wally, M. Davis, Rodgers, Lozano, Bagley,
Lavallaisaa, Weiss, Lueder, Wolfish, Schwartz,
Emmons, Alcantar

Absent: 0
Vacancy: 1 - District 11

Notices: Area: 300 Mailed: 45

Replies: For: 2 Against: 2

Speakers: For: Ramon Aranda, 2946 S. Sunbeck Cir., Farmers Branch, TX, 75234
Jose Galvez, 1001 W. Commerce St., Dallas, TX, 75208
Against: None

2. **Z089-272(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an IR Industrial Research District on property zoned an MU-3 Mixed Use District on the west line of Denton Drive, north of Lyndon B. Johnson (I-635) Freeway.

Maker: Lozano
Second: Weiss
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Wolfish, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

Notices: Area: 300 Mailed: 11
Replies: For: 1 Against: 2

Speakers: None

3. **Z089-234(MAW)**

Planner: Neva Dean

Motion: It was moved to recommend **approval** of amendments to and expansion of Planned Development District No. 779 for mixed uses, subject to a revised conceptual plan and revised conditions on property zoned a CR Community Retail District with Specific Use Permit No. 1479 for a tower/antenna for cellular communication on a portion and Planned Development District No. 779 on the northwest corner of Shoreview Road and Ferndale Road.

Maker: Lozano
Second: Weiss
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Wolfish, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

Notices: Area: 500 Mailed: 90
Replies: For: 6 Against: 5

Speakers: None

Zoning Cases – Individual

4. **Z089-250(RB)**

Planner: Richard Brown

Motion: In considering an application for an RR Regional Retail District, subject to deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the east line of Walling Lane, south of Skillman Street, and an application for a Specific Use Permit for an Animal shelter or clinic with outside runs on the east line of Walling Lane, south of Skillman Street, it was moved to **hold** this case under advisement until November 19, 2009.

Maker: Weiss
Second: Lueder
Result: Carried: 9 to 5

For: 9 - R. Davis, Wally, Anglin, Rodgers, Lozano,
Lavallaisaa, Weiss, Lueder, Schwartz

Against: 5 - M. Davis, Bagley, Wolfish, Emmons, Alcantar
Absent: 0
Vacancy: 1 - District 11

Notices: Area: 200 Mailed: 15
Replies: For: 1 Against: 0

Speakers: For: Joe Wilmoth, 10810 Dove Brook Cir., Dallas, TX, 75230
Travis Petre, Address not given
Debra Ferrell, 3902 Castle Dr., Rowlett, TX, 75089
For(did not speak): Luis Espinosa, 800 Lakeside Cir., Lewisville TX, 75057
Against: Moon Sik Wang, 6904 Walling Ln., Dallas, TX, 75231
John Miranda, 9019 Arbor Park Dr., Dallas, TX, 75243

5. **Z089-266(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **denial** of a Specific Use Permit for a Bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the southwest corner of Elm Street and Good Latimer Expressway.

Maker: Emmons
Second: Weiss
Result: Carried: 13 to 1

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Bagley, Lavallaisaa, Weiss, Lueder, Wolfish,
Schwartz, Emmons, Alcantar

Against: 1 - Lozano
Absent: 0
Vacancy: 1 - District 11

Notices: Area: 200 Mailed: 20
Replies: For: 6 Against: 0

Speakers: For: Michael Coker, 2700 Swiss Ave., Dallas, TX, 75204
Against: Sharon Platt, Grand Prairie, TX, 75052
Bruce Richardson, 5907 Richmond Ave., Dallas, TX, 75206

Land Use Plan

forwardDallas! Comprehensive Plan and the Trinity River Corridor Comprehensive Land Use Plan to incorporate amendments to the Oak Cliff Gateway Land Use Opportunity Plan.

Motion I: It was moved to recommend **approval** of the amendments to the forwardDallas! Comprehensive Plan and the Trinity River Corridor Comprehensive Land Use Plan to incorporate amendments to the Oak Cliff Gateway Land Use Opportunity Plan on property generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east and south, and properties along Zang Boulevard and Beckley Avenue to the west, including properties near the southwest corner of Beckley Avenue and Colorado Boulevard and properties near the southwest corner of Beckley Avenue and Interstate 30, with the following two changes: 1) Amend the additional language recommended by the Committees to read as follows: "The Plan recognizes the importance of a) Protection and reuse of contributing historic structures. b) Giving priority to the planning and implementation of a workable multimodal area transportation plan to support the eventually higher densities envisioned by the Plan while maintaining enjoyable walk ability and bike ability for resident and visitors. c) Minimizing negative impact on established single family neighborhoods adjacent to the Plan area with the use of residential proximity slopes and by the careful planning of the traffic and parking patterns anticipated in higher density and mixed use development." and 2) To revise the future land use designations as shown on the map dated November, 2009."

Maker: Anglin
Second: Lozano
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Wolfish, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

Amending Motion: It was moved to **amend** the motion to include the following changes: The Plan reflect 1) Area B shown as Residential, Single Family and Duplex. 2) Area C shown as Residential, Single Family and Duplex. 3) Area D shown as limited uses to Office and Townhome. 4) Area E (west of Zang) removed from the Land Use Plan.

Maker: Wolfish
Second: Emmons
Result: Carried: 11 to 3

For: 11 - Wally, M. Davis, Rodgers, Bagley, Lavallaisaa, Weiss, Lueder, Wolfish, Schwartz, Emmons, Alcantar

Against: 3 - R. Davis, Anglin, Lozano
Absent: 0
Vacancy: 1 - District 11

Speakers: For: Beverly Mendoza, 520 E. 5th St., Dallas, TX, 75203
Bob Stimson, 707 Tenna Loma Ct., Dallas, TX, 75208
Tony Malone, 914 N. Marsalis Ave., Dallas, TX, 75203
Against: Pam Conley, 901 N. Madison Ave., Dallas, TX, 75208
Anne Campbell, 710 Haines Ave., Dallas, TX, 75208
Bennett Stokes, 915 N. Madison Ave., Dallas, TX, 75208
Against(Did not speak): Carolyn Armour, 919 Haines Ave., Dallas, TX, 75208
Neutral: Jerry Beech, 652 W. Colorado Blvd., Dallas, TX, 75208

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the October 22, 2009, City Plan Commission meeting, subject to corrections.

Maker: Weiss
Second: Lueder
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Wolfish, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

Adjournment

Motion: It was moved to **adjourn** the November 5, 2009, City Plan Commission meeting at 4:57 p.m.

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

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,
Lozano, Bagley, Lavallaisaa, Weiss, Lueder,
Wolfish, Schwartz, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 11

Joe Alcantar, Chair