

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on December 4, 2008, with the briefing starting at 11:05 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, Acting Vice Chair. The following Commissioners were present during the hearing: James Prothro, Clarence Gary, Emma Rodgers, John Lozano, Ann Bagley, Myrtl Lavallaisaa, 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: Bob Weiss and Chris Buehler. There is one vacancy District 2.

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) **S078-241R**

Motion: It was moved to **approve** an application to revise a previously approved plat (S078-241) to create four lots from a tract of land in City Block 7485, located on the southwest corner Lake Highlands Drive and Northcliff Drive, subject to compliance with the conditions listed in the docket with the addition of Condition #15 to read as follows: "On the final plat, show the common area and access easement(s), and provide the filing information for a maintenance agreement".

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Speakers: For: Rob Baldwin, 401 Exposition Ave., Dallas, TX, 75225
Against: None

(2) **S089-016**

Motion: It was moved to **approve** an application to create one 31.8331 acre lot from a portion of City Block B/7000, located on the southwest corner of Interstate Highway 635 and Noel Road, subject to compliance with the conditions listed in the docket

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Speakers: None

(3) **S089-017**

Motion: It was moved to **approve** an application to create one 3.879 acre lot from a portion of City Block A/6715, located on the northeast corner of St. Augustine Road and Lake June Road, subject to compliance with the conditions listed in the docket

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Speakers: None

(4) **S089-018**

Motion: It was moved to **approve** an application to create one 4.04 acre lot from a portion of City Block G/6045, located on 6900 S. Westmoreland Road, north of Camp Wisdom Road, subject to compliance with the conditions listed in the docket

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Speakers: None

(5) **S089-019**

Motion: It was moved to **approve** an application to replat a portion of Buckner Industrial District, to create one 1.00 acre lot, located on Heinen Drive west of S. Buckner Boulevard, subject to compliance with the conditions listed in the docket

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Speakers: None

Miscellaneous Docket

M078-051

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Architectural Roof Plan–Subarea B for Planned Development Subdistrict No. 74 for certain GR General Retail Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Cedar Springs Road and McKinnon Street.

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Speakers: None

M089-001

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Development Plan, Landscape Plan, Tree and Sidewalk Plan–Subarea A for Planned Development Subdistrict No. 74 for certain GR General Retail Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Cedar Springs Road and McKinnon Street.

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Speakers: None

M089-003

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 555 for a Private school, Child-care facility, and R-10(A) Single Family District Uses on the southwest corner of Frankford Road and Hillcrest Road.

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Speakers: None

Zoning Cases – Consent

1. Z078-248(WE)

Planner: Warren Ellis

Motion: In considering an application to create a new Subdistrict within the north zone of Subdistrict B within Planned Development District No. 521 for mixed uses and a Specific Use Permit for gas drilling, east of Mountain Creek Parkway, north of Interstate 20 (Lyndon B. Johnson Freeway), it was moved to **hold** this case under advisement until December 18, 2008.

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Notices: Area: 1000 Mailed: 11
Replies: For: 0 Against: 0

Speakers: None

2. **Z078-313(WE)**

Planner: Warren Ellis

Motion: In considering an application for a Specific Use Permit for gas drilling within the north zone of Subdistrict B within Planned Development District No. 521 for mixed uses, east of Mountain Creek Parkway, north of Interstate 20 (Lyndon B. Johnson Freeway), it was moved to **hold** this case under advisement until December 18, 2008.

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Notices: Area: 1000 Mailed: 4
Replies: For: 0 Against: 0

Speakers: None

Zoning Cases – Under Advisement

3. **Z078-216(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** for a Specific Use Permit for a bank or savings and loan with drive-through window service for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a revised site plan and conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Oak Lawn Avenue and Brown Street.

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 71
Replies: For: 10 Against: 0

Speakers: None

Road Hump Appeal

Motion: It was moved to **reverse** the decision of the Department of Public Works and Transportation's ineligibility determination and finding that the road humps will be an effective and appropriate device for safety reducing vehicle speeds on Rosemont Avenue given that the vehicle speeds are between 31 and 34 miles per hour.

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Speakers: For: Carolyn Perna, 326 S. Rosemont Ave., Dallas, TX, 75208
Frank Sarmiento, 310 S. Rosemont Ave., Dallas, TX, 75208
For (Did not speak): Susan Schott, 302 S. Rosemont Ave., Dallas, TX, 75208
Fran Gaconnier, 211½ S. Rosemont Ave., Dallas, TX, 75208
Charlie Howell, 206 S. Rosemont Ave., Dallas, TX, 75208
Ellen Carter, 331 S. Rosemont Ave., Dallas, TX, 75208
Duncan Graham, 322 S. Rosemont Ave., Dallas, TX, 75208
Timothy Scott Black, 327 S. Rosemont Ave., Dallas, TX, 75208
Against: Brian Uecker, 111 S. Rosemont Ave., Dallas, TX, 75208
Against (Did not speak): Joseph Cutcher, 9020 Forest Hills Blvd., Dallas, TX, 75218
Appellant: None
City: Kerry Elder, Department of Public Works & Transportation

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the November 20, 2008, City Plan Commission meetings, subject to corrections.

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Adjournment

Motion: It was moved to **adjourn** the December 4, 2008, City Plan Commission meeting at 2:07 p.m.

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

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Lueder, Wolfish, Ekblad,
Emmons, Alcantar

Against: 0
Absent: 2 - Weiss, Buehler
Vacancy: 1 - District 2

Joe Alcantar, Chair