

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on March 18, 2010, with the briefing starting at 11:05 a.m. in Room 5ES and the public hearing at 1:34 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, Bruce Bernbaum, Sally Wolfish, Michael Schwartz and Bill Peterson. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Gloria Tarpley. There is one vacancy – District 10.

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) S090-062**

**Motion:** It was moved to **approve** an application to replat part of Lots 12 and 13 of Block 17 of Weisenberger's Garden of Eden Addition; part of Lots 21, 22, 23, 24, 25, 26, 27, 28 and 29 of Block C of Homestead Terrace Addition and part of Abandoned and vacated Harry's Road and part of Abandoned and Vacated Weisenberger Road both vacated and abandoned by Dallas County Commissioners' Court Order 17498 creating one 1.495 acre lot on Canada Drive west of Hampton Road, subject to compliance with the conditions listed in the docket.

Maker: Anglin  
Second: Wally  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Speakers:** None

(2) **S090-064**

**Motion:** It was moved to **approve** an application to create one 10.042 acre lot from a tract of land in City Block 6629 located on E. Camp Wisdom Road at Houston School Road; southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Anglin  
Second: Wally  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Speakers:** None

Residential Replat

(3) **S090-063**

**Motion:** It was moved to **approve** an application to replat a 0.848 acre tract of land containing part of Lot 17, and all of Lot 17A in City Block 28/4323 and a tract of land in City Block 28/4323 into one lot located on 1739, 1741 and 1747 East Ann Arbor Drive at Denley Drive; west corner, subject to compliance with the conditions listed in the docket.

Maker: Anglin  
Second: Schwartz  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Speakers:** For: Pattie Montgomery, 1730 Ann Arbor, Dallas, TX, 75127  
Against: None

Miscellaneous Docket –Under Advisement

**M090-009**

Planner: Richard Brown

**Motion:** It was moved to **deny** a minor amendment to the development/landscape plan for Planned Development Subdistrict No. 10 for Retail uses and a Library, art gallery, or museum in an area generally bounded by Cedar Springs Road, Douglas Street, Hall Street, and Knight Street.

Maker: Peterson  
Second: Wally  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Speakers:** None

Zoning Cases – Under Advisement

**1. Z089-260(MAW)**

Planner: Neva Dean

**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 two-year period with eligibility for one automatic renewal for an additional three-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: Wally  
Result: Carried: 11 to 2

For: 11 - R. Davis, Wally, Anglin, Rodgers, Lozano,  
Lavallaisaa, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 2 - M. Davis, Bagley  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Notices:** Area: 200 Mailed: 16  
**Replies:** For: 0 Against: 3

**Speakers:** For: Jimmy Schnurr, 3400 Carlisle St., Dallas, TX, 75204  
Jack Warren, 1107 Commerce St., Dallas, TX  
Against: Deborah Carpenter, 2009 Neal St., Dallas, TX, 75208  
Scott Griggs, P.O. Box 225120, Dallas, TX, 75222  
Victor Toledo, 9925 Lakeway Ct., Dallas, TX, 75230

**2. Z089-281(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Planned Development District for a Public school and R-7.5(A) Single Family District Uses, subject to a development and landscape plan, traffic management plan, and conditions on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 173 for the Veteran's Hospital on the northeast line of Lancaster Avenue, north of 52<sup>nd</sup> Street.

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

For: 12 - R. Davis, Wally, Anglin, Rodgers, Lozano,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10  
Conflict: 1 - M. Davis

**Notices:** Area: 500 Mailed: 114  
**Replies:** For: 8 Against: 7

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Devoncy Adams, 2239 52<sup>nd</sup> St., Dallas, TX, 75216  
Against: None

3. **Z090-101(WE)**

Planner: Warren Ellis

**Motion:** In considering and application for a Planned Development District for mixed uses on property zoned a CR Community Retail District on the northeast corner of the North Dallas Tollway and Arapaho Road, it was moved to **hold** this case under advisement until April 1, 2010.

Maker: Bernbaum  
Second: M. Davis  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Notices:** Area: 500 Mailed: 21  
**Replies:** For: 1 Against: 0

**Speakers:** None

Zoning Cases – Individual

4. **Z090-120(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Planned Development District for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses, subject to a revised development plan, landscape plans and conditions on property zoned an R-7.5(A) Single Family District in an area generally bounded by Chariot Drive, Wimbelton Way, Forney Road and Lomax Drive.

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

For: 12 - R. Davis, Wally\*, Anglin, Rodgers, Lozano,  
Bagley, Lavallaisaa, Bernbaum, Wolfish,  
Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10  
Conflict: 1 - M. Davis

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 282

**Replies:** For: 12 Against: 11

**Speakers:** None

5. **Z089-231(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses, subject to a revised conceptual plan and conditions on property zoned an MF-2 Multifamily Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on both sides of Hudnell Street, between Cedar Springs Road and Rawlins Street.

Maker: Wally

Second: Peterson

Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0

Absent: 1 - Tarpley

Vacancy: 1 - District 10

**Notices:** Area: 500 Mailed: 224

**Replies:** For: 20 Against: 8

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Margaret Rey, 3211 Cherrywood Ave., Dallas, TX, 75235

For (Did not speak): Judi Gentry, 3812 Double Oak, Irving, TX, 75061

For (Did not speak): Paulette Firestone, 3201 Cedar Plaza Ln., Dallas, TX, 75235

Against: None

6. **Z089-238(RB)**

Planner: Richard Brown

**Motion:** In considering an application for renewal of and amendment to Specific Use Permit No. 1682 for an Alcoholic beverage establishment for a Private club-bar on property zoned a CR Community Retail District at the southeast corner of Midway Road and Frankford Road, it was moved to **hold** this case under advisement indefinitely to allow for re-notification with the public hearing left open.

Maker: Wolfish  
Second: M. Davis  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Notices:** Area: 400 Mailed: 6  
**Replies:** For: 1 Against: 0

**Speakers:** None

**7. Z090-132(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an MU-3 Mixed Use District on property zoned an IR Industrial Research District, subject to deed restrictions volunteered by the applicant with a revised traffic impact analysis that addresses threshold levels for the traffic improvement and mitigation based on square footage of sequential development on the northeast and southeast quadrants of Kiest Boulevard and Southerland Avenue.

Maker: Bagley  
Second: M. Davis  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Notices:** Area: 500 Mailed: 28  
**Replies:** For: 6 Against: 1

**Speakers:** For: Mathew Cragun, Address not given  
Joe Cavagnaro, 5424 Delouche Ave., Dallas, TX  
Melvin Traylor, 2945 King Cole Cir., Dallas, TX, 75216  
For (Did not speak): Charles Fisher, 3839 Magna Vista Dr., Dallas, TX, 75216  
For (Did not speak): Dwayne R. Traylor, 2945 King Cole Cir., Dallas, TX, 75216  
Against: None

8. Z090-103(DC)

Planner: David Cossum

**Motion:** It was moved to recommend **approval** of amendments to and expansion of Planned Development District No. 741 for mixed uses, subject to conditions and conceptual plan, with retention of Specific Use Permit No. 3, and Specific Use Permit No. 517, on property zoned Planned Development District No. 741, Planned Development No. 387 and an A(A) Agricultural District with Specific Use Permit No. 3 for a power plant on a portion of the property and with Specific Use Permit No. 517 for commercial radio transmitting station and towers on a portion of the property; north of Hackberry Road, east of Belt Line Road.

Maker: Lozano  
Second: Peterson  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Notices:** Area: 500 Mailed: 345  
**Replies:** For: 18 Against: 33

**Speakers:** For: Lucy Billingsley, 4100 International Parkway, Carrollton, TX  
Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270  
Against: None

Development Code Amendments – Under Advisement

**DCA089-003**

Planner: David Cossum

**Motion:** In considering amendments to Chapter 51A, the Dallas Development Code, to amend Section 51A-4.702; amending requirements for development plans and conceptual plans for planned development districts, it was moved to **hold** this case under advisement until April 1, 2010.

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

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar



Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

**Speakers:** None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the March 4, 2010, City Plan Commission meeting, subject to corrections.

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

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

Adjournment

**Motion:** It was moved to **adjourn** the March 18, 2010, City Plan Commission meeting at 3:17 p.m.

Maker: M. Davis  
Second: Peterson  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Bernbaum,  
Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Tarpley  
Vacancy: 1 - District 10

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Joe Alcantar, Chair