

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on June 17, with the briefing starting at 11:00 a.m. in Room 5ES and the public hearing at 1:32 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, Gloria Tarpley, John Shellene, Bruce Bernbaum, Sally Wolfish, Michael Schwartz and Bill Peterson. The following Commissioners were 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: 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.

**Note: It was moved by Commissioner Michael Davis and seconded by Commissioner Liz Wally to change the order of the agenda and hear Residential Replat Item S090-108, first. The Commission voted unanimously to change the order of the agenda.**

#### Consent Agenda - Preliminary Plat

##### (1) **S090-109**

**Motion:** It was moved to **approve** an application to replat a 13.375 acre tract of land containing all of Lot 7 in City Block A/7319 into one 0.805 acre lot and one 12.570 acre lot on 11682 Forest Central Drive at Forest Lane, subject to compliance with the conditions listed in the docket.

Maker: Shellene  
Second: Tarpley  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

Residential Replat

(2) **S090-106**

**Motion:** It was moved to **approve** an application to replat a 1.771 acre tract of land containing all of Lots 18 and 19 in City Block B/7040 of the Forest Meade Addition to revise the existing lot line between the 2 lots on the southeast line of 8174 & 8176 Barbaree Boulevard, northeast of Highland Road, subject to compliance with the conditions listed in the docket.

Maker: Bagley  
Second: Tarpley  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

(3) **S090-108**

**Building Line Motion:** It was moved to **approve** an application to reduce the existing front building line from 35 feet to 33 feet and fronting 72 feet on the southwest line of 9640 Shoreview Road, southeast of Shadydale Lane, subject to compliance with the conditions listed in the docket.

Maker: Shellene  
Second: M. Davis  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Replat Motion:** It was moved to **approve** an application to replat a 0.215 acre tract of land containing all of Lot 11 in City Block E/7477 of the White Rock North, Second Installment Addition of 9640 Shoreview Road, southeast of Shadydale Lane, subject to compliance with the conditions listed in the docket.

Maker: Shellene  
Second: Wolfish  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** For: Jeff Gulczynski, 9640 Shoreview Ln., Dallas, TX, 75238  
Against: None

Miscellaneous Docket

**W090-007**

Planner: David Cossum

**Motion:** It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for an amendment to Specific Use Permit No. 1789 to delete the condition requiring 13 parking spaces within the Tract IA portion of Planned Development District No. 316, the Jefferson Area Special Purpose District on the northwest corner of Jefferson Boulevard and Madison Street.

Maker: R. Davis  
Second: Peterson  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** For: Rob Baldwin, 401 Exposition Ave., Dallas, TX, 75226  
Against: None

**M090-030**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan and revised landscape plan for Planned Development District No. 753 for certain Nonresidential Uses on the east line of Preston Road between Arapaho Road and Keller Springs Road.

Maker: Wolfish  
Second: Rodgers  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

Zoning Cases – Under advisement

**1. Z090-173(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to the Tract I portion of Planned Development District No. 536 for a Transit passenger station or transfer center and certain Mixed Uses, subject to a development plan and conditions on the northeast line of LBJ Freeway, between Skillman Street and Miller Road.

Maker: Shellene  
Second: Schwartz  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 173  
**Replies:** For: 1 Against: 1

**Speakers:** None

**2. Z090-176(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1663 for a Transit passenger station or transfer center, subject to a site plan and conditions on property zoned an IR Industrial Research District, on the northeast corner of Denton Drive and Walnut Hill Lane.

Maker: Shellene  
Second: Schwartz  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 400 Mailed: 18  
**Replies:** For: 0 Against: 0

**Speakers:** None

3. **Z090-196(OTH)**

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** of an amendment to and renewal of Specific Use Permit No. 1724 for an Animal clinic without outside run, limited to boarding and grooming, for a three-year period with eligibility for automatic renewals for additional three-year periods on property zoned Tract 6A within Planned Development District No. 170, on the west line of Preston Road, south of Lloyd Drive with Condition #6 to read as follows: "The grooming component of the animal clinic without outside runs may only operate between 6:30 a.m. and 7:00 p.m. Monday through Sunday. The boarding component may operate 24 hours a day, seven days a week, however, pick up and drop off for the boarding component may only occur during the grooming component hours".

Maker: Wolfish  
Second: Bernbaum  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 32  
**Replies:** For: 1 Against: 0

**Speakers:** For: Scott Craig, 19009 Preston Rd., Dallas, TX, 752  
Against: None

4. **Z090-166(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for Industrial (inside) potentially incompatible use for a three-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan and conditions on property zoned an IM Industrial Manufacturing District on the west line of Weir Street, south of Singleton Boulevard.

Maker: Anglin  
Second: Wolfish  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,

Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 300 Mailed: 7  
**Replies:** For: 1 Against: 1

**Speakers:** For: Robert McKenzie, 3002 Flameleaf St., Garland, TX, 75044  
Walker Hengst, 1415 Main St., Dallas, TX, 75202  
Against: Lawrence Sweeney, 5314 Swiss Ave., Dallas, TX, 75214

5. Z090-172(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **denial** of a Specific Use Permit for an Alcoholic Beverage Establishment use for a bar, lounge, or tavern on property zoned a CS Commercial Service District on the north side of Lombardy Lane, between Abernathy Avenue and Brockbank Drive.

Maker: Lozano  
Second: R. Davis  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 15  
**Replies:** For: 1 Against: 3

**Speakers:** For: Pamela Craig, 1202 Misty Meadow, Midlothian, TX, 76065  
Against: Roxan Staff, 2707 W. Northwest Hwy., Dallas, TX, 75220  
Geneva Ramirez, 9911 Harwell Dr., Dallas, TX, 75220

Zoning Cases – Individual

6. **Z090-140(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1765 for a Recycling buy-back center use for a two-year period, subject to a site plan and conditions on property zoned an IM Industrial Manufacturing District on the northwest line of Hickory Street, east of Malcolm X Boulevard.

Maker: Wally  
Second: Lozano  
Result: Carried: 14 to 1

For: 14 - R. Davis, Wally, Anglin, Rodgers, Lozano, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 1 - M. Davis  
Absent: 0  
Vacancy: 0

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

**Speakers:** For: Rodolfo Jamaica, 2813 Hickory St., Dallas, TX, 75226  
Against: None

7. **Z090-178(MG)**

Planner: Michael Grace

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for Tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a revised site plan and recommended staff conditions on property zoned an MC-1 Multiple Commercial District on the south side of McCallum Boulevard, east of Preston Road with the following added Specific Use Permit conditions: 1) Only one cell tower is allowed on the property. A second cell tower may not be added to the property using the minor amendment process or otherwise and is not permitted by right. 2) The maximum height of the cell tower shall be 80 feet measured from grade.

Maker: Wolfish  
Second: Rodgers  
Result: Carried: 15 to 0



For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

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

**Speakers:** For: Audra Buckley, 2700 Swiss Ave., Dallas, TX, 75204  
Against: John Wagler, 17203 Marianne Cir., Dallas, TX, 75252  
Against (Did not speak): Cindy Markman, 17309 Marianne Cir., Dallas, TX, 75252  
Against (Did not speak): Kathy Martin, 6222 Baymar Ln., Dallas, TX, 75252  
Against (Did not speak): Kailan Farmer, 17203 Marianne Cir., Dallas, TX, 75252

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Other Matters

Consideration of appointments to the following CPC Committee:  
**Trinity River Committee (TRC)**  
**(List of committee members available with CPC Coordinator)**

Minutes

**Motion:** It was moved to **approve** the minutes of the June 3, 2010, City Plan Commission meetings, subject to corrections.

Maker: Schwartz  
Second: Bagley  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

Adjournment

**Motion:** It was moved to **adjourn** the June 17, 2010, City Plan Commission meeting at 3:01 p.m.

Maker: Peterson  
Second: Shellene  
Result: Carried: 15 to 0

For: 15 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Lozano, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

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Joe Alcantar, Chair