CORRECTED PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 6, 2008, 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 Chris Buehler, Vice Chair. The following Commissioners were present during the hearing: James Prothro, Clarence Gary, Michael Davis, Emma Rodgers, John Lozano, Ann Bagley, Myrtl Lavallaisaa, Bob Weiss, 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: None. 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

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) **S089-003**

Motion: It was moved to **approve** an application to create a Shared Access Development containing 18 lots out of a 3.082 acre tract of land in Block 7485 located at the intersection of Easton Road and Lake Highlands Drive, southeast corner.

Maker: Weiss Second: Rodgers

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Planner: Michael Grace

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Speakers: None

(2) S089-004

Motion: It was moved to **approve** an application to replat Lot 2A, also known as 13929 N. Central Expressway (U.S. Hwy. 175), into a 16.14 acre lot and a 4.09 acre lot in City Block A/7763 located at the intersection of N. Central Expressway (U.S. Hwy. 175) and St. Paul Drive.

Maker: Weiss Second: Rodgers

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Speakers: None

(3) **S089-005**

Motion: It was moved to **approve** an application to create a 1.05 acre lot out of a tract of land in Block 4400 known as 3445 Wendy Lane and located at the intersection of Lawther Drive and Wendy Lane, southwest corner.

Maker: Weiss Second: Rodgers

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Speakers: None

Miscellaneous Docket

M078-048 Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the landscape plan for Planned Development Subdistrict No. 52, for O-2 Office subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Pearl Street, Randall Street, McKinnon Street and Wolf Street.

Maker: Emmons Second: Prothro

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Speakers: None

W089-001 Planner: David Cossum

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for a Specific Use Permit for an alcoholic establishment use for a private club and a commercial amusement (inside) for Class A dance hall on the west side of U.S. 67, south of Camp Wisdom.

Maker: Lavallaisaa Second: Emmons

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Speakers: None

Planner: Jennifer Hiromoto

Planner: Olga Torres Holyoak

Zoning Cases - Consent

1. **Z078-311(JH)**

Motion: It was moved to recommend **approval** of to amend and expand Specific Use Permit No. 1661 for an open-enrollment charter school for a tenyear period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, traffic management plan, and conditions on property zoned an IR Industrial Research District bounded by Hampton Road, Beckleymeade Avenue, Stoneview Drive, and Westfall Drive.

Maker: Emmons Second: Weiss

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Notices: Area: 400 Mailed: 15 Replies: For: 4 Against: 1

Speakers: None

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

Motion: In considering an application for a Specific Use Permit for a bank or savings and loan with drive-through window service 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, it was moved to **hold** this case under advisement until November 20, 2008.

Maker: Emmons Second: Weiss

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Planner: Olga Torres Holyoak

Planner: Olga Torres Holyoak

Notices: Area: 200 Mailed: 71 Replies: For: 9 Against: 0

Speakers: None

3. **Z078-303(OTH)**

Motion: In considering an application for a Specific Use Permit for an animal shelter or clinic with outside run on property zoned an IR Industrial Research District on the north corner of Cedar Springs Road, and Timber Lane, northwest of Inwood Boulevard, it was moved to **hold** this case under advisement until November 20, 2008.

Maker: Emmons Second: Weiss

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 6
Replies: For: 2 Against: 0

Speakers: None

4. **Z078-298(MAW)**

Motion: It was moved to recommend **approval** of a CS Commercial Service District on property zoned an IR Industrial Research District on the southeast corner of Walnut Hill Lane and Stemmons Freeway.

Maker: Lozano Second: Rodgers

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Motion to Reconsider: It was moved to **reconsider** the action taken previously, which was to recommend approval of a CS Commercial Service District on property zoned an IR Industrial Research District on the southeast corner of Walnut Hill Lane and Stemmons Freeway.

Maker: Emmons Second: Weiss

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Motion: It was moved to recommend **approval** of a CS Commercial Service District on property zoned an IR Industrial Research District on the southeast corner of Walnut Hill Lane and Stemmons Freeway.

Maker: Lozano Second: Rodgers

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Planner: Warren Ellis

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Notices: Area: 300 Mailed: 17 **Replies:** For: 0 Against: 7

Speakers: For: Pamela 1720 Regal Rd., Dallas, TX, 75235

Against: None

Zoning Cases – Under Advisement

5. **Z078-290(WE)**

Motion: It was moved to recommend **approval** of a Specific Use Permit for a commercial amusement (inside) for an amusement center for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned a CR Community Retail District, on the southeast corner of Forest Lane and Marsh Lane.

Planner: Warren Ellis

Maker: Ekblad Second: Lueder

Result: Carried: 13 to 0

For: 13 - Prothro, Gary, Davis, Rodgers, Lozano,

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2 Conflict: 1 - Wolfish

Notices:Area:200Mailed:20Replies:For:4Against:13

Speakers: For: Aimee Griffiths, 4816 Twin Post Rd., Dallas, TX, 75244

Paul Griffiths, 4816 Twin Post Rd., Dallas, TX, 75244
David Little, 12720 Hillcrest Rd., Dallas, TX, 75230

Robert Kennedy, 4401 Brairgrove Ln., Dallas, TX, 75287

Against: Helyn Crisp, 3721 Weeburn Dr., Dallas, TX, 75229

6. **Z078-293(WE)**

Motion: It was moved to recommend **approval** of a Planned Development District for multifamily uses, subject to a revised development plan and staff's recommended conditions on property zoned an MF-1(A) Multifamily District, on the northwest corner of Montfort Drive and Verde Valley Lane.

Maker: Buehler Second: Prothro

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Notices: Area: 500 Mailed: 179 **Replies:** For: 138 Against: 7

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202

Against: None

Planner: Olga Torres Holyoak

Zoning Cases - Individual

7. **Z078-306(OTH)**

Motion: It was moved to recommend **denial** for a renewal and an amendment to Specific Use Permit No. 1691 for an alcoholic beverage establishment for a bar, lounge, or tavern use on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Exposition Avenue, between Ash Lane and Parry Avenue.

Maker: Bagley Second: Weiss

Result: Failed: 3 to 11

For: 3 - Bagley, Weiss, Emmons

Against: 11 - Prothro, Gary, Davis, Rodgers, Lozano,

Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad,

Alcantar

Absent: 0

Vacancy: 1 - District 2

Substitute Motion: It was moved to recommend **approval** of a renewal and an amendment to Specific Use Permit No. 1691 for an alcoholic beverage establishment for a bar, lounge, or tavern use for a one-year period, subject to a site plan and staff's conditions on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Exposition Avenue, between Ash Lane and Parry Avenue with the following changes to the hours of operation: Monday through Wednesday from 12:00 p.m. until 12:00 a.m. and Thursday through Sunday from 12:00 p.m. until 2:00 a.m.

Maker: Weiss Second: Buehler

Result: Carried: 13 to 1

For: 13 - Prothro, Gary, Davis, Rodgers, Lozano, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish,

Ekblad, Emmons, Alcantar

Against: 1 - Bagley

Absent: 0

Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 12 **Replies:** For: 1 Against: 3

Planner: Kate Singleton

Speakers: For: Timothy Austin, 2951 N. Camino Lagos, Grand Prairie, TX, 75054

Billy MacLeod, 1800 Lear St., Dallas, TX, 75215 Woodrow Rosen, 3809 Parry Ave., Dallas, TX, 75226 Julie Campbell, 5327 Anita St., Dallas, TX, 75206 Marc Traynor, 2517 Springvale Dr., Dallas, TX, 75234 Ulisses Rusher, 835 Exposition Ave., Dallas, TX, 75226

Scott Clemens, Canton St., Dallas, TX, 75226

For (Did not speak): Shawn McFerrin, 3120 B State St., Dallas, TX, 75204

Against: Jonathan Hetzel, 2622 Commerce St., Dallas, TX, 75226

Gene Dennis, 820 Exposition Ave., Dallas, TX, 75226 David Gibson, 820 Exposition Ave., Dallas, TX, 75226

8. **Z056-277(KS)**

Motion: It was moved to recommend approval of a Conservation District and approval of the conceptual plan, subject to the applicant's conditions on property zoned an R-7.5(A) Single Family District, a CR Community Retail District and MF-2(A) Multifamily District in an area generally bounded by the northern blockfaces of Angora Street, the western blockface of Old Gate, both sides of Eustis Avenue, and the eastern blockfaces of Lakeland Drive with the following additions on Page 8-74, Section 4, DEVELOPMENT STANDARDS, (d), GARAGES, CARPORTS, AND OTHER ACCESSORY Section STRUCTURES, add to (1) The words "And carports" after the word garages; (2) Add the words "And carports" after the word garages. (3) Strike number 3. (4) Renumber to 3. (5) Renumber to 4. Remove from the ordinance property zoned Community Retail, parking District, and Multifamily on lots 9008, 8934, 8935, 8938, 8939, 9007, 9011, 9015 San Benito; 1720 and 1808 Ocalla; 8801 and 9003 Angora. Remove Lots 8801, 8809, 8811, 8903, 8919, 8923, 8927, 8931, 8935, 8941 Angora.

Maker: Weiss Second: Ekblad

Result: Carried: 13 to 1

For: 13 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons

Against: 1 - Alcantar

Absent: 0

Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 1012 **Replies:** For: 449 Against: 169

Speakers: For: Kat Benner, 8723 San Fernando Way, Dallas, TX, 75218

Angelica Parra, 8615 Diceman Dr., Dallas, TX, 75218 Melissa McCurly, 8614 San Leandro Dr., Dallas, TX, 75218

Joe Beaudette, 9034 San Leandro Dr., Dallas, TX, 75218 Michael Schmitt, 8702 San Benito Way, Dallas, TX, 75218 Franklyn Mickelsen, 8627 Eustin Ave., Dallas, TX, 75218 Mike McHenry, 9010 Redondo Dr., Dallas, TX, 75218 For (Did not speak): Suzanne McHenry, 9010 Redondo Dr., Dallas, TX, 75218 Joy Cox, 8814 Daytonia Ave., Dallas, TX, 75218 Colleen Sims, 8710 Forest Hills Blvd., Dallas, TX, 75218 Mildred Grove, 8810 San Fernando Way, Dallas, TX, 75218 Terry Ford, 9034 San Leandro Dr., Dallas, TX, 75218 Pam Proctor, 1706 Lakeland Dr., Dallas, TX, 75218 Charles McGee, 9037 Groveland Dr., Dallas, TX, 75218 Mark Fletcher, 8922 Eustis Ave., Dallas, TX, 75218 Gary McCoy, 9028 Redondo Dr., Dallas, TX, 75218 Mark Davis, 8931 San Fernando Way, Dallas, TX, 75218 Karla Marie, 8643 Daytonia Ave., Dallas, TX, 75218 Carl McFarland, 8815 San Leandro Dr., Dallas, TX, 75218 Juanita Carter, 8938 San Fernando Way, Dallas, TX, 75218 Ann Fekety, 9263 Forest Hills Blvd., Dallas, TX, 75218 Francis Cortese, 8710 San Benito Way, Dallas, TX, 75218 Gaylin Bonner, 8931 Redondo Dr., Dallas, TX, 75218 Mary Anne Flores Harmon, 8702 Daytonia Ave., Dallas, TX, 75218 Wanda Baker, 9326 Biscayne Blvd., Dallas, TX, 75218 Barbara Palmer, 8938 San Fernando Way, Dallas, TX, 75218 Amy Ewell, 9019 Eustis Ave., Dallas, TX, 75218 Diana Miller, 9003 Santa Clara Dr., Dallas, TX, 75218 Sandra Stevenson, 8614 Dan Benito Way, Dallas, TX, 75218 Hilda Winover, 8811 Eustis Ave., Dallas, TX, 75218 Loraine Young, 8651 Angora St., Dallas, TX, 75218 Paul Young, 8651 Angora St., Dallas, TX, 75218 Lewis Miller, 9003 Santa Clara Dr., Dallas, TX, 75218 Larry Harmon, 8702 Daytonia Ave., Dallas, TX, 75218 Finley Moll, 8624 Redondo Dr., Dallas, TX, 75218 Adrian Churchill, 1714 Lakeland Dr., Dallas, TX, 75218 Beverly Howard, 8710 San Leandro Dr., Dallas, TX, 75218 Linda Calvert, 9003 San Fernando Way, Dallas, TX, 75218 Cherry Harrison, 8646 San Fernando Way, Dallas, TX, 75218 Therese Porter, 8658 Angora St., Dallas, TX, 75218 Paula Schmitt, 8702 San Benito Way, Dallas, TX, 75218 Debra Griffin, 8811 San Benito Way, Dallas, TX, 75218 Valarie Stuart, 9033 Redondo Dr., Dallas, TX, 75218 Jeff Mason, 8806 San Leandro Dr., Dallas, TX, 75218 Robert Klug, 8718 San Benito Way, Dallas, TX, 75218 Leonard Weakland, 8806 San Fernando Way, Dallas, TX, 75218 Vail Fassett, 9007 San Fernando Way, Dallas, TX, 75218 Patsy Chastain, 8640 Groveland Dr., Dallas, TX, 75218 Louis Whatley, 8707 San Benito Way, Dallas, TX, 75218 Kathleen Casey, 8638 Angora St., Dallas, TX, 75218 Donna Denisson, 6323 Lakeshore Dr., Dallas, TX, 75214

Crispin Reedy, 8723 Groveland Dr., Dallas, TX, 75218 Tim Alexander, 8626 San Fernando Way, Dallas, TX, 75218 Vail Fassett, 9023 Eustis Ave., Dallas, TX, 75218 Barbara Canter, 8646 Eustis Ave., Dallas, TX, 75218 David Hand, 8614 San Fernando Way, Dallas, TX, 75218 Jim Holbert, 8903 Diceman Dr., Dallas, TX, 75218 Kay McKinney, 8919 Daytonia Ave., Dallas, TX, 75218 Sherry Drennan, 8815 San Fernando Way, Dallas, TX, 75218 Helen Kenedi, 9043 Redondo Dr., Dallas, TX, 75218 Ann Albers, 9006 San Fernando Way, Dallas, TX, 75218 Susan Remele, 8615 Daytonia Ave., Dallas, TX, 75218 John Chastain, 8640 Groveland Dr., Dallas, TX, 75218 Barbara Lacy-Whalen, 8814 Redondo Dr., Dallas, TX, 75218 Amy Box, 8915 San Fernando Way, Dallas, TX, 75218 Keith Scott Bahr, 8719 Redondo Dr., Dallas, TX, 75218 Dianne Evans, 8710 Redondo Dr., Dallas, TX, 75218 Alan Cooper, 8810 Daytonia Ave., Dallas, TX, 75218 Laura Wiles, 8719 San Benito Way, Dallas, TX, 75218 Jennifer Pell, 8810 Groveland Dr., Dallas, TX, 75218 Lisa Woolie, 1918 Lakeland Dr., Dallas, TX, 75218 Richard George, 8614 San Leandro Dr., Dallas, TX, 75218 Owen Pippin, 8756 Forest Hills Blvd., Dallas, TX, 75218 Laurie McClurg, 8653 Redondo Dr., Dallas, TX, 75218 Christine Czarnecki, 8934 Eustis Ave., Dallas, TX, 75218 Debra Cortese, 8710 San Benito Way, Dallas, TX, 75218 Gina Novak, 9031 San Benito Way, Dallas, TX, 75218 Kristin Laminack, 8639 Forest Hills Blvd., Dallas, TX, 75218 Mary Ortega, 9011 Diceman Dr., Dallas, TX, 75218 Anne Weis, 8803 Diceman Dr., Dallas, TX, 75218 Susan Folger, 8654 Eustis Ave., Dallas, TX, 75218 Perry Blair, 8806 San Benito Way, Dallas, TX, 75218 James Folger, 8654 Eustis Ave., Dallas, TX, 75218 Kathryn Hurn, 9046 Redondo Dr., Dallas, TX, 75218 Heather McCamey, 9010 San Fernando Way, Dallas, TX, 75218 Against: Alan Hoffman, 9010 Groveland Dr., Dallas, TX, 75218 Randall Talley, 8932 San Fernando Way, Dallas, TX, 75218 Angela Hights, 8934 Groveland Dr., Dallas, TX, 75218 Jay Crutcher, 9020 Forest Hills Blvd., Dallas, TX, 75218 Jeff Dworkin, 8707 Daytonia Ave., Dallas, TX, 75218 Andrew Melsheimer, 9026 Diceman Dr., Dallas, TX, 75218 Nathlee Morse, 9021 Santa Clara Dr., Dallas, TX, 75218 Robert Dorrell, 9027 Groveland Dr., Dallas, TX, 75218 Against (Did not speak): Jack Tilbury, 10236 Shadow Way, Dallas, TX, 75218 Thomas Verly, 9029 Forest Hills Blvd., Dallas, TX, 75218

Michael Holter, 8650 Diceman Dr., Dallas, TX, 75218 Joseph Lane, 2011 N. Collin, Richardson, TX, 75080 Michael Clark, 8930 Groveland Dr., Dallas, TX, 75218 Anna Clark, 8930 Groveland Dr., Dallas, TX, 75218

Victor Hagemann, 8919 Forest Hills Blvd., Dallas, TX, 75218 John Dreiling, 9029 Angora St., Dallas, TX, 75218 Michael Oglesby, 9007 Angora St., Dallas, TX, 75218 Kevin Ganter, 1429 N. Buckner Blvd., Dallas, TX, 75218 Eric Johnson, 9008 San Benito Way, Dallas, TX, 75218 Meredith Talky, 8932 San Fernando Way, Dallas, TX, 75218 D.J. White, 5639 Bell Ave., Dallas, TX, 75206

Other Matters

<u>Minutes</u>

Motion: It was moved to **approve** the minutes of the October 16, 2008 and October 23, 2008, City Plan Commission meetings, subject to

corrections.

Maker: Buehler Second: Wolfish

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

<u>Adjournment</u>

Motion: It was moved to **adjourn** the November 6, 2008, City Plan Commission

meeting at 4:11 p.m.

Maker: Weiss Second: Lueder

Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,

Bagley, Lavallaisaa, Weiss, Lueder, Buehler,

Wolfish, Ekblad, Emmons, Alcantar

Against: 0 Absent: 0

Vacancy: 1 - District 2

Joe Alcantar, Chair