



CITY OF DALLAS

CITY PLAN COMMISSION
Thursday, August 23, 2007
AGENDA

BRIEFINGS:	5ES	9:00 a.m.
PUBLIC HEARING	Council Chambers	1:30 p.m.

*The City Plan Commission may be briefed or visit any item on the agenda if it becomes necessary.

Theresa O'Donnell, Director
David Cossum, Assistant Director of Current Planning
Olga Torres-Holyoak, Principal Planner

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Agenda - Preliminary Plats

- (1) **S067-134R**
(CC District 8)
(Jones-Dodd)
- An application to revise a previously approved plat (S067-134) to reduce the number of lots from 7 to 1 on a 4.62 acre tract of land being part of City Block 8502 on property located on 1921 South St. Augustine Road south of Jo Pierce Road
Applicant: Roberto Licea
Surveyor: Shaffer & Associates
Application Filed: August 2, 2007
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket

- (2) **S067-235**
(CC District 14)
(Emmons)
- An application to replat Lots 7 and 8 in City Block 3/1567 into one 0.3673 acre lot on 3930 and 3926 Bowser Avenue at Throckmorton Street
Applicant: Conklin Real Estate Investments, Ltd
Surveyor: Lopez Garcia Group, Inc.
Application Filed: July 25, 2007
Zoning: PDD 193 MF-2
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (3) **S067-237**
(CC District 14)
(Emmons)
- An application to replat all of Lots 1 and 2 in City Block G/1474 into one 0.3891 acre lot on 5600 and 5604 Lewis Street at the southwest corner of Lewis Street and Hope Street
Applicant: Matilda Apartments
Surveyor: Doug Connally & Associates
Application Filed: July 30, 2007
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (4) **S067-238**
(CC District 8)
(Jones-Dodd)
- An application to create one 7.2795 acre lot and one 5.000 acre lot from a 12.7508 acre tract of land in City Block 8789 on property located on 2900 Jordan Valley Road southwest of Kleberg Road at Foothill Drive
Applicant: Ubaldo Hernandez
Surveyor: Doug Connally & Associates
Application Filed: July 30, 2007
Zoning: A(A)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (5) **S067-240**
(CC District 4 & 7)
(Marshall & Bagley)
- An application to replat Lot 2 in City Block 5857 and a tract of land in City Block 5857 into one 6.9411 acre lot on 1800 E. Illinois Avenue at Sutter Street and Kellogg Avenue
Applicant: Cedar Oaks Retirement Center
Surveyor: Doug Connally & Associates
Application Filed: July 31, 2007
Zoning: MF-2(A) & R-7.5(A)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket

- (6) **S067-242**
(CC District 2)
(Strater)
An application to replat a 0.186 acre tract of land containing all of Lot 3 in City Block J/660 to create a 5 lot Shared Access Development on 2215 N. Carroll Avenue between Cabell Drive and Deere Street
Applicant: James Johnston
Surveyor: Votex Surveying
Application Filed: July 31, 2007
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (7) **S067-243**
(CC District 1)
(Prothro)
An application to replat all of Lot 6 in City Block A/6115 into one 13.990 acre lot on Coombs Creek Drive at 3400 W. Illinois Avenue
Applicant: Don Bouvier
Surveyor: Pacheco Koch
Application Filed: July 31, 2007
Zoning: PDD 710, LI
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (8) **S067-244**
(CC District 13)
(Ekblad)
An application to replat part of Lot 1 in City Block 1/6592 into one 4.533 acre lot on 3029 Forest Lane east of Nelda Lane
Applicant: Cornerstone Development Corporation
Surveyor: JDJR Engineers
Application Filed: July 31, 2007
Zoning: PDD 140
Staff Recommendation: **Approval**, subject to the conditions listed in the docket

Individual Item Agenda - Residential Replats

- (9) **S067-234**
(CC District 14)
(Emmons)
An application to replat all of Lots 1, 2, 3, 4 and part of Lot 5 in City Block E/2755 into a 2.488 acre lot on West Shore Drive at Gaston Avenue, southeast corner
Applicant: Lakewood Presbyterian Church
Surveyor: Spiars Engineering, Inc.
Application Filed: July 25, 2007
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket

- (10) **S067-236**
(CC District 13)
(Ekblad)
An application to replat a 0.908 acre tract of land containing all of Lots 2 and 3 in City Block B/6146 into one 11,264 sq. ft. lot, one 10,017 sq. ft. lot and one 18,247 sq. ft. lot on 4164 and 4170 Lomita Lane at Edith Lane, southwest corner
Applicant: Christopher Smartt & Suzanne M. Head; Alan Levy
Surveyor: Analytical Surveys
Application Filed: July 25, 2007
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (11) **S067-241**
(CC District 13)
(Ekblad)
An application to replat all of Lot 1 and a tract of land in City Block B/5551 into one 0.6641 acre lot on 4414 Woodfin Drive, east of Manchester Drive
Applicant: Daryl & Diane Johnston
Surveyor: Doug Connally & Associates
Application Filed: July 31, 2007
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket

Street Name Changes

- (12) **NC067-002**
(CC District 2)
(Strater)
An application to change the name of Motor Street between Stemmons Freeway and Maple Avenue to "Medical District Drive"
Application Filed: July 18, 2007
Staff Recommendation: **Approval**, subject to submittal of a street name change application for Motor Street between Stemmons Freeway and Irving Boulevard to "Medical District Drive".
- (13) **NC067-003**
(CC District 2)
(Strater)
An application to change the name of Medical Center Drive to "Southwestern Medical Avenue"
Application Filed: July 18, 2007
Staff Recommendation: **Approval**
- (14) **NC067-004**
(CC District 14)
(Emmons)
An application to change the name of Boll Street between Ross Avenue and Flora Street to "Arts Plaza"
Application Filed: August 2, 2007
Staff Recommendation: **Approval**

Miscellaneous Docket

- M067-023**
Richard Brown
(CC District 1)
(Prothro)
Minor Amendment to the Development Plan and Landscape Plan -Tract I for Planned Development District No. 710 for CR Community Retail District Uses on the southeast corner of Illinois Avenue and Coombs Creek Drive
Staff Recommendation: **Approval**
- M067-042**
Richard Brown
(CC District 11)
(Buehler)
Minor Amendment to the Development Plan for Planned Development District No. 68 for a Medical Office, Office, and Related Uses on the southeast corner of Churchill Way and Preston Road
Staff Recommendation: **Approval**
- M067-043**
Richard Brown
(CC District 7)
(Bagley)
Minor amendment to the site plan for Specific Use Permit No. 882 for a Governmental Installation for a Fire Department Maintenance and Training Facility College on the northeast corner of Dolphin Road and Forney Road
Staff Recommendation: **Approval**
- M067-044**
Richard Brown
(CC District 6)
(Vacant)
Minor Amendment to the Site Plan for Specific Use Permit No. 1508 for a Commercial amusement (inside) use limited to a Class A Dance hall on the south line of Ft. Worth Avenue, West of Sylvan Avenue
Staff Recommendation: **Approval**
- D067- 012**
Frank Dominguez
(CC District 2)
(Strater)
A development plan/landscape plan for Planned Development Subdistrict No. 67 on the northwest corner of Lemon Avenue and Wheeler Street
Staff Recommendation: **Approval**
- D067- 013**
Frank Dominguez
(CC District 1)
(Prothro)
A development plan and landscape plan for Planned Development District No. 340 on North Bishop Avenue and Ballard Avenue
Staff Recommendation: **Approval**
- W067-011**
Neva Dean
(CC District 8)
(Jones-Dodd)
A wavier of the two-year waiting period in order to submit an application for an expansion of Planned Development District No. 757 on the north side of Wheatland Road, west of Houston School Road.
Staff Recommendation: **Denial**
- W067-012**
Neva Dean
(CC District 14)
(Emmons)
A wavier of the two-year waiting period in order to submit an application for an amendment to, and expansion of, Planned Development District No. 738. on the southwest corner of Mockingbird Lane and Haggar Way
Staff Recommendation: **Denial**

W067-013
Neva Dean
(CC District 2)
(Strater)

A wavier of the two-year waiting period in order to submit an application to a district that allows a mixed use project on the northeast side of Maple Avenue, northwest of Kimsey Drive.
Staff Recommendation: **Denial**

Certificates of Appropriateness for Signs

Downtown Sign District:

0708011055
Michael Finley
(CC District 14)
(Emmons)

An application for the installation of a 355 square foot upper level attached premise sign reading “**Comerica**” on the north elevation of 1717 Main Street, facing Elm Streets
Applicant: Jimmie Wauford
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

0708011099
Michael Finley
(CC District 14)
(Emmons)

An application for the installation of a 355 square foot upper level attached premise sign reading “**Comerica**” on the west elevation of 1717 Main Street, facing Ervay
Applicant: Jimmie Wauford
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

0708011103
Michael Finley
(CC District 14)
(Emmons)

An application for the installation of a 355 square foot upper level attached premise sign reading “**Comerica**” on the south elevation of 1717 Main Street, facing Main Street
Applicant: Jimmie Wauford
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

0708012014
Michael Finley
(CC District 14)
(Emmons)

An application for the installation of a 50 square foot monument sign reading “**First United Methodist Church**” on the south corner of the intersection of Ross Avenue and Harwood Street (1928 Ross Avenue).
Applicant: Rusty Nickols
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

Uptown Sign District:

0708012007

Michael Finley
(CC District 14)
(Emmons)

An application for the installation of a 96 square foot detached premise sign to read “**Rosewood Court**” with leasing information on the west corner of the intersection of Cedar Springs Road at Pearl Street

Applicant: Bobby Esh

Staff Recommendation: **Approval**

SSDAC Recommendation: **Approval**

Zoning Cases – Consent

1. **Z067-216(RB)**

Richard Brown
(CC District 14)
(Emmons)

An application for an amendment to Planned Development Subdistrict No. 70 for MF-2 Multiple Family Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District in an area generally bounded by Cedar Springs Road, Hawthorne Avenue, Hartford Street, and the northern half of Raleigh Street

Staff Recommendation: **Approval**, subject to a development plan, perimeter planting plan, and staff’s recommended conditions.

Applicant: CLB HAWTHORNE RESIDENCES, LP, Owner

Representative: Karl Crawley

2. **Z067-273(RB)**

Richard Brown
(CC District 14)
(Emmons)

An application for a Specific Use Permit for an Alcoholic beverage establishment for a Bar, lounge, or tavern use and a Commercial amusement (inside) use limited to a Class A Dance hall on property within the Subdistrict B portion of Planned Development District No. 619 for Mixed Uses on the northeast corner of Main Street and Field Street

Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.

Applicant: Thoth-Dallas LLC

Representative: Roger Albright

3. **Z067-278(JA)**

Jim Anderson
(CC District 2)
(Strater)

An application for an amendment to Historic Overlay No. 91, the Dallas Power and Light East Substation on property zoned Planned Development District No. 269 the Deep Ellum Special Purpose District on the northwest corner of Commerce Street and Willow Street (3816 Commerce Street)

Staff Recommendation: **Approval**

Landmark Commission Recommendation: **Approval**

Applicant: Alden G. Pinnell

Representative: Karl Crawley, MASTERPLAN

4. **Z067-261(OTH)**
Olga Torres-Holyoak
(CC District 10&11)
(Hill& Buehler)

An application to amend Specific Use Permit No. 651 for a college on property zoned an R-1/2ac(A) Single Family District on the southeast corner of Walnut Street and Abrams Road.
Staff Recommendation: **Approval**, subject to a site plan and conditions.
Applicant: Perkins & Will
Representative: Masterplan/Santos Martinez
5. **Z067-262(OTH)**
Olga Torres-Holyoak
(CC District 11)
(Buehler)

An application for a Planned Development District for MU-3 Mixed Use District uses on property zoned an MO-1 Mixed Office District on the southeast corner of the LBJ Freeway and Forest Lane
Staff Recommendation: **Denial**
Applicant: CALC Management LLC
Representative: Masterplan
6. **Z067-280(OTH)**
Olga Torres-Holyoak
(CC District 11)
(Buehler)

An application for an MU-2 Mixed Use District on property zoned an NO(A) Neighborhood Office District on the north side of Alpha Road, west of Monfort Drive.
Staff Recommendation: **Approval**
Applicant: Zimcal Corporation
Representative: Harold Baeck
7. **Z067-282(OTH)**
Olga Torres-Holyoak
(CC District 11)
(Buehler)

An application for an MU-2 Mixed Use District on property zoned an NO(A) Neighborhood Office District on the north side of Alpha Road, west of Monfort Drive.
Staff Recommendation: **Approval**
Applicant: Janlaw Properties, Inc.
Representative: Harold Baeck
8. **Z067-283(OTH)**
Olga Torres-Holyoak
(CC District 11)
(Buehler)

An application for an MU-2 Mixed Use District on property zoned a GO(A) General Office District on the north side of Alpha Road, west of Monfort Drive.
Staff Recommendation: **Approval**
Applicant: Janlaw Properties, Inc.
Representative: Harold Baeck
9. **Z067-235(JH)**
Jennifer Hiromoto
(CC District 6)
(Vacant)

An application for a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and a Specific Use Permit for the sales and service of alcoholic beverages in conjunction with a restaurant use on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northeast corner of Bagley Street and W. Jefferson Boulevard.
Staff Recommendation: **Approval** for a two year period, subject to a site plan and staff conditions
Applicant: Jose & Josefina Marrujo
Representative: Santos Martinez

10. **Z067-269(WE)**
Warren Ellis
(CC District 8)
(Jones-Dodd)
An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the north side of Lawson Road, northeast of Lasater Road.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: Mesquite Independent School District
Representative: Ella Mae Wilcox
11. **Z067-276(WE)**
Warren Ellis
(CC District 13)
(Ekblad)
An application for a Planned Development for a CR Community Retail District on property zoned an MC-1 Multiple Commercial District and a CR Community Retail District on the northwest corner of Northwest Highway and Hillcrest Road
Staff Recommendation: **Approval**, subject to a development plan, landscape plan and staff's conditions
Applicant: PRG Realty Partners
Representative: Kirk R. Williams & Tommy Mann

Zoning Cases – Under Advisement

12. **Z067-176(WE)**
Warren Ellis
(CC District 3)
(Gary)
An application for a Specific Use Permit for an open-enrollment charter school on property zoned an R-10(A) Single Family District, on the south side of Kiest Boulevard, west of Kiestwood Drive.
Staff Recommendation: **Approval** for a two-year period, subject to a revised site plan and conditions.
Applicant: Dr. Vicente Delgado
Representative: Mack Santoyo
U/A From: August 2, 2007
13. **Z067-248(RB)**
Richard Brown
(CC District 14)
(Emmons)
An application for a Planned Development Subdistrict for MF-3 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, along the northeast line of Cedar Springs Road, between Douglas Avenue and Wycliff Avenue.
Staff Recommendation: **Approval**, subject to a conceptual plan and staff's recommended conditions.
Applicant: Lane Southwest, LLC
Representative: Roger Albright
U/A From: July 19, 2007
Bus Tour Date: July 12, 2007

14. **Z067-250(RB)**
Richard Brown
(CC District 6)
(Vacant)
An application for a Specific Use Permit for an Industrial (outside) potentially incompatible use for a concrete crushing plant on property zoned an IM Industrial Manufacturing District along the east line of Luna Road, south of Y Street.
Staff Recommendation: **Approval** for a five-year period, subject to a site plan and conditions.
Applicant: Destructors, Inc.
Representative: Paul Baker
U/A From: July 19, 2007
15. **Z067-168(JH)**
Jennifer Hiromoto
(CC District 5)
(Woolen Lipscomb)
An application for a Planned Development District for residential and non-residential uses on property zoned an R-7.5(A) Single Family District and Planned Development District No. 533-D, the CF Hawn Special Purpose District with a Dry Liquor Control Overlay, on the east side of Jim Miller Road, south of Hodde Street.
Staff Recommendation: **Denial**
Applicant: Teresa Devasey
Representative: Santos Martinez, MASTERPLAN
U/A From: April 26, 2007 and June 7, 2007
16. **Z067-169(JH)**
Jennifer Hiromoto
(CC District 5)
(Woolen Lipscomb)
An application for a CR Community Retail District on property zoned an R-7.5(A) Single Family District on the east side of Jim Miller Road, at Hodde Street
Staff Recommendation: **Denial without prejudice**
Applicant: FD-RE, LLC
Representative: Santos Martinez, MASTERPLAN
U/A From: April 26, 2007 and June 7, 2007
17. **Z067-186(JH)**
Jennifer Hiromoto
(CC District 12)
(Wolfish)
An application to amend Planned Development District No. 514 on the northeast corner of Hillcrest Road and Arapaho Road and on the west side of Hillcrest Road, north of La Bolsa Drive.
Staff Recommendation: **Denial without prejudice**
Applicant: Shelton School and Evaluation Center, Inc.
Representative: Willie Cothrum, MASTERPLAN
Bus Tour Date: August 9, 2007
U/A From: August 2, 2007

Individual Cases

18. **Z067-279(JH)**
Jennifer Hiromoto
(CC District 6)
(Vacant)
An application for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District and an IM Industrial Manufacturing District southwest corner of Bickham Road and Sandy Lane
Staff Recommendation: **Approval**
Applicant: I.E.P. Properties
Representative: Jared Jackson, Jr.

19. **Z067-244(JH)**
Jennifer Hiromoto
(CC District 3)
(Gary)
- An application for a Planned Development District for MF-2(A) Multifamily District uses on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District on the northwest corner of Stevens Village Drive and Davis Street.
Staff Recommendation: **Approval**, subject to a conceptual plan and staff recommended condition
Applicant: Kessler Ventures, LP
Representative: Karl Crawley, MASTERPLAN
Bus Tour Date: July 12, 2004
20. **Z067-218(WE)**
Warren Ellis
(CC District 12)
(Wolfish)
- A City Plan Commission authorized hearing to determine proper zoning on property zoned a CR Community Retail District on the southeast corner of Preston Road and Mapleshade Road with consideration being given to an MU-2 Mixed Use District or a Planned Development District for an MU-2 Mixed Use District.
Staff Recommendation: **Approval** of a Planned Development District for MU-2(A) Mixed Use District uses, subject to a conceptual plan and conditions
Bus Tour Date: August 9, 2007
21. **Z067-274(WE)**
Warren Ellis
(CC District 2)
(Strater)
- An application for a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District in an area generally bounded by Congress Avenue, Douglas Avenue, Brown Street, and Wycliff Avenue
Staff Recommendation: **Approval** of a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses, subject to a development plan and staff's conditions
Applicant: GSSW-REO, LC
Representative: Kirk R. Williams & Tommy Mann
22. **Z067-251(RB)**
Richard Brown
(CC District 12)
(Wolfish)
- An application for a Specific Use Permit for an Alcoholic beverage establishment for a Private club-bar on property zoned a CR Community Retail District on the southeast corner of Midway Road and Frankford Road
Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.
Applicant: Beer Girls, LLC
Representative: Janet Ivy

23. **Z067-229(DW)**
David Whitley
(CC District 2)
(Strater)
- A City Plan Commission authorized hearing to determine proper zoning with consideration given to amending a portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District to create a new subarea for the Old Trinity Industrial land use opportunity area to address building configuration, building height, building footprint, building orientation and view considerations on property zoned Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property generally bounded by Wycliff Avenue to the northwest, Irving Boulevard and Industrial Boulevard to the northeast, Continental Avenue to the south, and the east Trinity River levee to the west,.
- Staff Recommendation: **Approval**, subject to revised conditions
- Ad Hoc/UDAC Recommendation: **Approval**, subject to conditions
- Bus Tour Date: August 9, 2007

Development Code Amendment

- DCA067-006**
David Cossum
- Consideration of amendments to Chapters 51 and 51A, "The Dallas Development Code," of the Dallas City Code by amending existing regulations and adding new sections providing for gas drilling and production regulations.
- Staff Recommendation: **Approval**
- ZOAC Recommendation: **Approval**

Landmark Commission Appeal

- Mark Doty
(CC District 14)
(Emmons)
- An appeal of the Landmark Commission decision to deny a Certificate of Appropriateness (CA067-403(MD) at 5800 La Vista Court) to paint the brick without Certificate of Appropriateness approval within the Edison/La Vista Court Historic District.
- Staff Recommendation: **Approval** (of Landmark Commission's decision)

Other Matters

CPC Committee Appointments and Reports

City Plan Commission 2005-2006 Annual Report

Minutes: August 9, 2007

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, August 21, 2007

JOINT CPC TRINITY RIVER AD HOC COMMITTEE & URBAN DESIGN ADVISORY COMMITTEE (UDAC) - Tuesday, August 21, 2007, at 5:30 PM, City Hall, 1500 Marilla Street, in Room 6ES to discuss Mixmaster Riverfront Study Area.

Thursday, August 23, 2007

SUBDIVISION REVIEW COMMITTEE: Thursday, August 23, 2007, Meeting in the City Council Chambers at 8:00 A.M. to consider NC067-002, NC067-003 & NC067-004

EXECUTIVE SESSION NOTICE

The Commission may hold a closed executive session regarding any item on this agenda when:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the Commission/Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex, Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.086]