

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 17, 2008, with the briefing starting at 10:35 a.m. in Room 5ES and the public hearing at 1:41 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, Jeff Strater, Clarence Gary, Michael Davis, Emma Rodgers, John Lozano, Ann Bagley, Erma Jones-Dodd, 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 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: 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.

#### Preliminary Plats - Consent Items

#### (1) **S078-074**

**Motion:** It was moved to **approve** an application to create one 0.1713 acre lot and one 1.1212 acre lot from a 1.2925 acre tract of land in City Block 8472 and Lot 1B, Block B/8472 on Interstate Highway 30, west of Deer Creek Drive, subject to compliance with the conditions listed in the docket.

Maker: Weiss  
Second: Prothro  
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

(2) **S078-075**

**Motion:** It was moved to **approve** an application to create a 1.612 acre lot from a portion of Block 6/774 and a portion of Gaston Avenue (abandoned by ordinance #389), south of Gaston Ave. and east of Peak St., subject to compliance with the conditions listed in the docket.

Maker: Weiss  
Second: Prothro  
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

(3) **S078-076**

**Motion:** It was moved to **approve** an application to create one 0.1416 acre lot and one 1.2651 acre lot from part of Lots 9, 10 and 11, Lakeview Addition, City Block 11/502, on Greenville Avenue south of Park Lane, subject to compliance with the conditions listed in the docket.

Maker: Weiss  
Second: Prothro  
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

(4) **S078-077**

An application to create three 0.155 acres lots, one 0.172 acre lot, and one 1.889 acre lot from Lot 2, a portion of Lots 1, 3 and 4 of Block F/547, Lots 1-3 and 9-12 and a portion of Lot 4 of Block E/551; east of Thomas Avenue, South of Routh Street and West of Colby Street.

**Note: The applicant withdrew is request prior to the public hearing.**

(5) **S078-078**

**Motion:** It was moved to **approve** an application to create one 0.1173 acres lot and one 12.9144 acre lot from Lots 3, 5 and 6A of City Blocks A/2698, A/2699, and 2701; La Vista Drive and Coronado Ave., subject to compliance with the conditions listed in the docket with the following changes: a) change the Location line to read Coronado Drive and Lake Vista Drive; b) revise condition number 24 to read: Dedicate a 6-inch public utility and side walk easement and show the existing 27 ½ feet of right-of-way from the centerline of La Vista Drive.

Maker: Weiss  
Second: Prothro  
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

Miscellaneous Docket – Under Advisement

**W067-015**

Planner: Neva Dean

**Motion:** It was moved to **approve** a waiver of the two-year waiting period in order to submit an application for an amendment to Planned Development District No. 750 on the northwest corner of Walnut Hill Lane and North Central Expressway.

Maker: Buehler  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Speakers:** None

Zoning Cases – Consent

1. **Z067-270(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Planned Development District for CS Commercial Service District Uses, subject to a revised development plan that shows an 8 foot solid fence and staff's conditions with the following added: 1) The drive-in theater use may only operate Monday thru Sunday from 5:00 p.m. to 12:00 a.m. 2) A minimum of 3 security personnel must be on site during the hours of operation for the drive-in theater use., with retention of the D-1 Liquor Control Overlay on property zoned an A(A) Agricultural District and a CS-D-1 Commercial Service District in the southwest quadrant of IH 20 and C. F. Hawn Freeway.

Maker: Jones-Dodd  
Second: Lozano  
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 74  
**Replies:** For: 4 Against: 3

**Speakers:** For: Robert Baldwin, 401 Exposition Ave., Dallas, TX, 75226  
Jose DeHaro, 1506 Angel Fire, Dallas, TX, 75253  
Joel DeHaro, 1506 Angel fire, Dallas, TX, 75253  
Against: Alicia Cardona, 1525 Phelps Dr., Dallas, TX, 75253  
Staff: Phil Erwin, Chief Arborist, Dallas Development Services

2. **Z078-143(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of a Planned Development District for NS(A) Neighborhood Service District uses, subject to a site plan and conditions with **no change** to the remainder of the request area on property zoned an NS(A) Neighborhood Service District on the southeast corner of South Belt Line Drive and Garden Grove Road.

Maker: Prothro

Second: Weiss

Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0

Absent: 0

Vacancy: 0

**Notices:** Area: 500

Mailed: 125

**Replies:** For: 4

Against: 3

**Speakers:** None

Zoning Cases – Under Advisement

3. **Z078-105(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and staff's recommended conditions on property zoned a CR Community Retail District, east of Preston Road, south of Campbell Road.

Maker: Wolfish

Second: Weiss

Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0

Absent: 0

Vacancy: 0

**Notices:** Area: 200 Mailed: 3  
**Replies:** For: 1 Against: 0

**Speakers:** None

4. **Z078-115(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **denial** of an MF-1(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an MF-2(A) Multifamily District and an R-7.5(A) Single Family District on the east side of St. Augustine Drive, north of Bruton Road.

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

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano,  
Bagley, Jones-Dodd, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 92  
**Replies:** For: 1 Against: 8

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Against: None

A. **Z067-341(OTH)**

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a restaurant without drive in or drive through service for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and staff's recommended conditions on property zoned an NO(A) Neighborhood Office District, on the west side of South Polk Street, north of Legendary Lane.

Maker: Gary  
Second: Weiss  
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis\*, Rodgers, Lozano,  
Bagley, Jones-Dodd, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons\*, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 7  
**Replies:** For: 1 Against: 0

**Speakers:** For: Sonya Cantu, Address not given  
Guadalupe Gonzales, 3505 S. Polk St., Dallas, TX, 75524  
Against: None

Zoning Cases - Individual

5. **Z067-322(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend approval of a Planned Development District for certain MU-2 Mixed Use District Uses, subject to a conceptual plan and staff's recommended conditions, subject to the applicant's requested structure height, with the following changes to the applicant's conditions: 1) Subparagraph (H), under Height, applicant's requested height will read as follows: "Except as provide in paragraph two maximum structure height is 95 feet; and must comply with the height zones shown on the attached conceptual plan." 2) Subparagraph (H), under Stories, applicant's requested condition revised to read as follows: "Maximum number of stories is seven." 3) Under Additional Provisions, (c), A minimum of 4,000 square feet of floor area for nonresidential uses must be permitted before the final inspection of the 100<sup>th</sup> residential dwelling unit on the Property on property zoned a CR Community Retail District at the northwest corner of Ferndale Road and Shoreview Road.

Maker: Lueder  
Second: Lozano  
Result: Carried: 10 to 5

For: 10 - Prothro, Gary, Davis, Lozano, Jones-Dodd, Weiss,  
Lueder, Buehler, Ekblad, Alcantar

Against: 5 - Strater, Rodgers, Bagley, Wolfish, Emmons  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 55  
**Replies:** For: 12 Against: 7

**Speakers:** For: William Cothrum, 900 Jackson St., Dallas, TX, 75202  
Dee Blakley, 10640 Longmeadow Dr., Dallas, TX, 75238  
Robin Norcross, 10000 Linkwood Dr., Dallas, TX, 75238

Steven Clary, 9033 Guildhall Dr., Dallas, TX, 75238  
James Frye, 8956 Aldwick Cr., Dallas, TX, 75238  
For (did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202  
Against: Eric Neilsen, 10219 Lynford Dr., Dallas, TX, 75238  
William B. Vandivort, II, 9935 Windlare Cr., Dallas, TX, 75238  
Peggy Hill, 9702 Trail Hill Dr., Dallas, TX, 75238  
Jane D. Howell, 936 Shoreview Rd., Dallas, TX, 75238  
Steve Burnette, 5512 Wheatherby Ln., Plano, TX

**6. Z078-129(JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of an MF-1(A) Multifamily District, subject to volunteered deed restrictions with the addition of limiting the structure to two stories on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 499 for an Institution of Charitable, Religious, or Philanthropic Nature on the southwest corner of Pembroke Avenue and Madison Street.

Maker: Prothro  
Second: Jones-Dodd  
Result: Carried: 15 to 0

For: 15 - Prothro, Strater\*, Gary, Davis, Rodgers, Lozano,  
Bagley, Jones-Dodd, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 58  
**Replies:** For: 1 Against: 13

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Sr. Mary Anne Owens, 738 Woolsey Dr., Dallas, TX, 75224  
Joe Digman, 13223 Glad Acres Dr., Dallas, TX, 75234  
Against: Kathleen Kugler, 6507 Forestview Dr., Arlington, TX, 76016  
Gary Watts, 231 W. Yarmouth St., Dallas, TX, 75208  
Ron Nichols, 400 W. Brooklyn Ave., Dallas, TX, 75208

---

Other Matters

Reconsideration

**Z067-275(OTH)**

Planner: Olga Torres Holyoak

---

**Motion I:** It was moved to **reconsider** the action taken on January 10, 2008, which was to approve a Planned Development Subdistrict for GR General Retail Subdistrict uses, subject to a conceptual plan and staff's conditions on property zoned a GR General Retail Subdistrict and an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on both sides of Routh Street at its terminus at the Katy Trail.

Maker: Ekblad  
Second: Weiss  
Result: Failed: 6 to 7

For: 6 - Prothro, Strater, Gary, Bagley, Weiss, Ekblad

Against: 7 - Davis, Rodgers, Lozano, Jones-Dodd, Leuder,  
Buehler, Alcantar

Absent: 0

Vacancy: 0

Conflict: 2 - Wolfish, Emmons

#### CPC Committee Appointments and Reports

**Commissioner Buehler informed the City Plan Commission that ZOAC is working on the year's work program to include public policy items regarding compact parking spaces and video board signs.**

#### Minutes

**Motion:** It was moved to **approve** the minutes of the January 10, 2008, meeting, subject to corrections.

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

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano,  
Bagley, Jones-Dodd, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0

Absent: 0

Vacancy: 0

Adjournment

**Motion:** It was moved to adjourn the January 17, 2008, meeting at 4:26 p.m.

Maker: Davis  
Second: Jones-Dodd  
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers, Lozano,  
Bagley, Jones-Dodd, Weiss, Lueder, Buehler,  
Wolfish, Ekblad, Emmons, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

---

Joe Alcantar, Chair