

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on May 8, 2008, with the bus tour starting at 9:08 a.m. followed by the briefing starting at 11:30 a.m. in Room 5ES and the public hearing at 1:54 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 Lueder, Tom Lueder, Chris Buehler, Sally Wolfish, Robert Ekblad, Neil Emmons and Joe Alcantar. 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: 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) **S078-036R**

Motion: It was moved to **approve** an application to revise a previously approved plat that created 2 lots (S078-036) to replat all of Lot 2A in City Block K/8728 into 3 lots being one 0.940 acre lot, one 0.974 acre lot and one 1.206 acre lot fronting on Preston Road (State Highway 289) on the west, Oxford Drive on the east and generally located south of Mapleshade Lane, subject to compliance with the conditions listed in the docket.

Maker: Emmons
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

*out of the room, shown voting in favor

Speakers: None

(2) **S078-172**

Motion: It was moved to **approve** an application to replat Lots 1 thru 4 and 8 thru 11 in City Block E/3414 into one 3.0886 acre lot located on the south side of Dealey Avenue at E. Greenbriar Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Emmons
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

*out of the room, shown voting in favor

Speakers: None

(3) **S078-174**

Motion: It was moved to **approve** an application to create a 0.2573 acre lot out of a tract of land in City Block 16/647 located on 4416 Ross Avenue at N. Carroll Avenue south corner, subject to compliance with the conditions listed in the docket with the following two added conditions: 1) "On the final plat dedicate 2.5 feet of additional right-of-way along the south line of the existing alley." 2) "On the final plat provide a 15 foot by 15 foot alley side easement at the intersection of the alley and N. Carroll Avenue."

Maker: Emmons
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

*out of the room, shown voting in favor

Speakers: None

(4) **S078-175**

Motion: It was moved to **approve** an application to create a 0.926 acre lot out of a tract of land in City Block 1/5696 located on 5704 Lemmon Avenue at the intersection of Lemmon Avenue and Inwood Road, north corner, subject to compliance with the conditions listed in the docket.

Maker: Emmons
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

*out of the room, shown voting in favor

Speakers: None

Residential Replats

(5) **S078-176**

Motion: It was moved to **approve** to relocate the lot line separating Lot 4 and part of Lot 7 in City Block 7/5597 on 5600 Park Lane and 9520 Hathaway Street, subject to compliance with the conditions listed in the docket.

Maker: Ekblad
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

Speakers: None

Miscellaneous Docket

M078-020

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Development plan and Landscape plan for Planned Development District No. 8 on the northeast line of Blackburn Street, between Oak Lawn Avenue and Turtle Creek.

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

Speakers: None

D078-009

Planner: Neva Dean

Motion: It was moved to **approve** a development plan for Planned Development Subdistrict No. 81 of Planned Development No. 193, on the north line of Cedar Springs Road between Douglas Avenue and Wycliff Avenue.

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

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

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Z078-168(MAW)

Planner: Megan Wimer

Motion: It was moved to **approve** conditions submitted in conjunction with an application for a Planned Development District for MU-3 Mixed Use District uses on property zoned an MU-3 Mixed Use District on the south side of Yale Boulevard, between Greenville Avenue and Worcola Street.

Maker: Emmons
Second: Rodgers
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. Z067-315(WE)

Planner: Warren Ellis

Motion: In considering an application for a Specific Use Permit for a Vehicle Display, Sales and Services within Subdistrict 2 of Planned Development District No. 534, the CF Hawn Special Purpose District No. 2, on the south side of CF Hawn Freeway east of Murdock Road, it was moved to **hold** this case under advisement until May 15, 2008.

Maker: Jones-Dodd
Second: Prothro
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0
Abstained: 1 - Weiss**

** Abstained from voting, due to bus tour requirements

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

Speakers: For: Robert Jay, 11721 Ravenview Ave., Dallas, TX, 75253
Against: None

2. **Z078-186(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1252 for a child care facility for a five-year period with eligibility for automatic renewals for additional five year periods, subject to a site plan and revised conditions on property zoned an R-7.5(A) Single Family District on the northwest corner of Jim Miller Road and Sarah Lee Drive.

Maker: Lueder
Second: Davis
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: 28
Replies: For: 3 Against: 0

Speakers: None

3. **Z078-167(MAW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Planned Development District for MF-1(A) Multifamily District uses, subject to a development plan and conditions on property zoned an MF-1(A) Multifamily District on the south side of Skillman Street, east of Merriman Parkway.

Maker: Lueder
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0
Abstained: 1 - Weiss**

** Abstained from voting, due to bus tour requirements

Notices: Area: 500 Mailed: 122
Replies: For: 7 Against: 12

Speakers: None

4. Z078-188(MAW)

Planner: Megan Wimer

Motion: In considering an application for a CS Commercial Service District on property zoned an R-7.5(A) Single Family District on the north side of CF Hawn Freeway, west of Sunview Drive, it was moved to **hold** this case under advisement until May 15, 2008.

Maker: Jones-Dodd
Second: Prothro
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0
Abstained: 1 - Weiss**

** Abstained from voting, due to bus tour requirements

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

Speakers: None

5. **Z078-192(MAW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 1525 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a Class A dance hall for a one-year period from the adoption of the ordinance, subject to a site plan and revised conditions including 1) No outside speakers are permitted. 2) The Commercial amusement (inside) limited to a Class A dance hall may not operate with a late-hour permit as defined in Dallas City Code Chapter 14. 3) The minimum number of off-street parking spaces required is 109. Plus, the roof top deck must be parked at 1:100 square feet of deck area on property zoned CR-MD-1 Community Retail District with a Modified Delta Overlay on the northeast corner of Greenville Avenue and Lewis Street.

Maker: Emmons
Second: Ekblad
Result: Carried: 9 to 5

For: 9 - Strater, Gary, Weiss, Lueder, Buehler, Wolfish,
Ekblad, Emmons, Alcantar

Against: 5 - Prothro, Davis, Rodgers, Lozano, Bagley
Absent: 1 - Jones-Dodd
Vacancy: 0

Notices: Area: 200 Mailed: 35
Replies: For: 1 Against: 0

Speakers: For: Bobby Ornelas, 6828 Avalon Ave., Dallas, TX, 75214
Roger Albright, 3301 Elm St., Dallas, TX, 75226
For (did not speak): Avi Adelman, 5715 Belmont Ave., Dallas, TX, 75206
Against: John Glendenning, 5602 Richmond Ave., Dallas, TX, 75206
Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206

Zoning Cases – Individual

6. **Z078-189(MAW)**

Planner: Megan Wimer

Motion: It was moved to recommend **denial** of a CR Community Retail District on property zoned an LO-1 Limited Office District on the south side of Clydedale Drive, between Overlake Drive and Starlight Road.

Maker: Lozano
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Jones-Dodd
Vacancy: 0

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

Speakers: For: Otelio Hernandez, 2935 Valwood Pkwy., Farmers Branch, TX, 75234
Against: Roxan Staff, 6964 Tokalon Dr., Dallas, TX, 75214

Development Code Amendment

DCA078-011

Planner: David Cossum

Motion: It was moved to **approve** the creation of a City Plan Commission *forwardDallas!* Ad Hoc Committee to make recommendations to CPC regarding the Form Based Zoning with Commissioner Davis as the Chair and Commissioners Wolfish and Lueder as members.

Maker: Alcantar
Second: Buehler
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Jones-Dodd
Vacancy: 0

Motion: In considering amendments to Chapter 51A of the Dallas City Code to add an Article XIII creating new "Form Districts" for walkable, mixed use developments at a range of densities, it was moved to **hold** this case under advisement until June 5, 2008.

Maker: Alcantar
Second: Weiss
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Jones-Dodd
Vacancy: 0

Speakers: For: Pam Conley, 901 N. Main Ave., Dallas, TX, 75208
Michael Jung, 4400 Bank of America Plaza, Dallas, TX, 75202
Virginia McAlester, 5703 Swiss Ave., Dallas, TX, 75214
Pat White, 4714 Wildwood Rd., Dallas, TX, 75209
Joyce Lockley, 4718 Wateka Ave., Dallas, TX, 75209
Macey Davis, 8322 Ridgelea St., Dallas, TX, 75209
Scott Potter, 48423 Junius St., Dallas, TX, 75246
Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Against: None

Authorization of Hearings

Motion: It was moved to authorize a hearing to consider amendments to the Downtown Special Provision Sign District including, but not limited to, provisions to allow video board and LED signs in the retail subdistrict and provisions establishing maximum sizes for attached signs in an area generally bounded by Austin Street to the west, Pacific and Bryan Street to the north, Central Expressway to the east and Commerce and Wood Street to the south.

Maker: Ekblad
Second: Wolfish
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Jones-Dodd
Vacancy: 0

Speakers: None

Other Matters

CPC Committee Appointments and Reports - **None**

Minutes

Motion: It was moved to **approve** the minutes of the April 24, 2008, City Plan Commission meeting, subject to corrections.

Maker: Wolfish
Second: Ekblad

Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0

Absent: 1 - Jones-Dodd

Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the May 8, 2008, City Plan Commission meeting at 3:37 p.m.

Maker: Weiss

Second: Lueder

Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0

Absent: 0 - Jones-Dodd

Vacancy: 0

Joe Alcantar, Chair