

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on May 15, 2008, with the briefing starting at 10:35 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, 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.

Consent Agenda - Preliminary Plat

(1) **S078-177**

Motion: It was moved to **approve** an application to create one 0.272 acre lot and one 2.447 acre lot from a 2.720 acre tract of land containing part of Lot 195, Block 8031 of the Oak Cliff Forests No. 3 Addition, an unrecorded addition, on Ledbetter Drive, north of Crystal Lake Boulevard, subject to compliance with the conditions listed in the docket.

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

*out of the room, shown voting in favor

Speakers: None

(2) **S078-178**

Motion: It was moved to **approve** an application to replat a 0.353 acre tract of land containing Lots 1 and 2 of Edgewood Place into six lots ranging in size from 0.051 acre to 0.083 acre, on 1802 & 1804 South Boulevard, east corner of Colonial Avenue and South Boulevard, subject to compliance with the conditions listed in the docket.

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

*out of the room, shown voting in favor

Speakers: None

(3) **S078-179**

Motion: It was moved to **approve** an application to create one 3.1062 acre lot from a tract of land in City Block 8291, on Cedardale Drive north of Cleveland Road, subject to compliance with the conditions listed in the docket.

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

*out of the room, shown voting in favor

Speakers: None

(4) **S078-180**

Motion: It was moved to **approve** an application to replat a tract of land containing Lots 4-6 and 7B in the Lakeview Addition, City Block 10/5201 into one 1.7677 acre lot, on 7039-7065 Twin Hills Avenue, north of Twin Hills Connection, subject to compliance with the conditions listed in the docket with Condition #9 to read as follows: "Dedicate 8 foot sidewalk in public utility easement along Twin Hills Avenue".

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

*out of the room, shown voting in favor

Speakers: None

(5) **S078-183**

Motion: It was moved to **approve** an application to create three lots ranging in size from 0.1619 acre to 0.9994 acre in size, from a 1.9476 acre tract of land containing Lot 3, Block 8212 of the LBJ-Abram Addition, Lot 7 Block 8412 of the First Bank of Texas Addition, and two unplatted tracts in City Block 8412, southwest corner of Interstate 635 and Abrams Road, subject to compliance with the conditions listed in the docket.

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

*out of the room, shown voting in favor

Speakers: None

(6) **S078-184**

Motion: It was moved to **approve** an application to create one 23.412 acre lot from a tract of land in City Block 5544, on Walnut Hill Lane, west of Inwood Road, subject to compliance with the conditions listed in the docket.

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

*out of the room, shown voting in favor

Speakers: None

(7) **S078-185**

Motion: It was moved to **approve** an application to create one 1.031 acre lot in City Block 5556, on 9512 Rockbrook, south of Miron Drive, subject to compliance with the conditions listed in the docket.

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

*out of the room, shown voting in favor

Speakers: None

(8) **S078-186**

Motion: It was moved to **approve** an application to create one 2.082 acre lot in City Block 6167, on Fort Worth Avenue at Jacqueline Drive, subject to compliance with the conditions listed in the docket.

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

*out of the room, shown voting in favor

Speakers: None

(9) **S078-187**

Motion: It was moved to **approve** an application to create one 17.7194 acre lot in City Block 8683, on Camp Wisdom Road at Eagle Ford Drive, subject to compliance with the conditions listed in the docket.

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

*out of the room, shown voting in favor

Speakers: None

Miscellaneous Docket

M078-021

Planner: Richard Brown

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

Maker: Emmons
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

PDD No. 368

Planner: Richard Brown

Motion: It was moved to **approve** a Traffic Management Plan review for Planned Development District No. 368 for a Private school and Child-care facility on the south line of Churchill Way, east of Preston Road.

Maker: Buehler
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

Speakers: None

M078-019

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Conceptual/Development/Landscape plan for Planned Development District No. 368 for a Private school and Child-care facility on the south line of Churchill Way, east of Preston Road.

Maker: Buehler
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

*out of the room, shown voting in favor

Speakers: None

D078-010

Planner: Frank Dominquez

Motion: It was moved to **approve** a Development plan for the Tract III portion of Planned Development District No. 368 for a Private school and Child-care facility on the south line of Churchill Way, east of Preston Road.

Maker: Buehler
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

*out of the room, shown voting in favor

Speakers: None

Z078-183(WE)

Planner: Warren Ellis

Motion: It was moved to **approve** a Traffic Management Review plan, Development plan and conditions submitted in conjunction with an application for an amendment to Planned Development District No. 640 for an open enrollment charter school, private school and other non-residential uses on properties on all four corners at the intersection of Annex Avenue and Bryan Street.

Maker: Emmons
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

W078-013

Planner: Neva Dean

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 a mini-warehouse use on the northeast side of Maple Avenue, southeast of Mockingbird Lane.

Maker: Emmons
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

*out of the room, shown voting in favor

Speakers: For: Scott Chandler, 16311 Cliff Haven Dr., Houston, TX, 77098
Against: None

Thoroughfare Plan Amendment

Planner: Tanya Brooks

Motion: It was moved to **approve** an amendment to the City of Dallas Thoroughfare Plan to (1) Delete Shelley Boulevard from Duncanville Road to Knoxville Street, a four lane divided roadway (S-4-D) within 80 feet of right of way; (2) Delete Shelley Boulevard from Knoxville Street to Cockrell Hill Road, a four lane undivided roadway (S-4-U) within 60 feet of right of way; and (3) Delete Knoxville Street from Shelley Boulevard to Illinois Avenue, a four lane divided roadway (S-4-D) within 80 feet of right of way.

Maker: Bagley
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
Abstained: 0

*out of the room, shown voting in favor

Speakers: For: Bill Dahlstrom, 901 Main St., Dallas, TX, 75202
Against: None

Zoning Cases – Consent

1. **Z078-187(MAW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 752 for R-10(A) Single Family District and public school uses, subject to a development plan and conditions on the southwest corner of Edd Road and Garden Grove Drive.

Maker: Jones-Dodd
Second: Lueder
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: 500 Mailed: 138
Replies: For: 0 Against: 2

Speakers: None

2. Z078-209(MAW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of amendments to the conditions, development plan and landscaping plan for Planned Development Subdistrict No. 37 within Planned Development District 193, the Oak Lawn Special Purpose District on the west side of Hall Street, north of Sale Street with the following requirement for roofs: "In order to ensure open spaces for residents within this district, and to ensure compability with surrounding uses that will look down onto structures within this district, the roof areas are subject to the following additional requirements: (1) A minimum of 40 percent of the roof area must be landscaped with living plant materials. (2) any roof area not covered with landscaping must be visually enhanced with nonreflective materials with a geometric pattern. (3) All mechanical equipment groupings of 2 or more components must be screened".

Maker: Emmons
Second: Buehler
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: 500 Mailed: 803
Replies: For: 4 Against: 0

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Against: None

3. **Z078-211(MAW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Planned Development District for D(A) Duplex District and public library uses, subject to a site plan and conditions and **approval** of the termination of Specific Use Permit No. 72. on property zoned a D(A) Duplex District on the west side of Lochwood Boulevard, north of Lake Gardens Drive.

Maker: Jones-Dodd
Second: Lueder
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: 500 Mailed: 78
Replies: For: 17 Against: 2

Speakers: None

Zoning Cases – Under Advisement

4. **Z078-175(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1342 for a Community Service Center and a Child-care facility for a five year period, subject to a site plan and revised conditions to include hours operation changed to 9:00 a.m. to 10:00 p.m., Monday through Friday and 8:00 a.m. to 10:00 p.m., Saturday and Sunday on property zoned an R-7.5(A) Single Family District, at the northeast corner of Bonnie View Road and Southerland Avenue.

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

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

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

*out of the room, shown voting in favor

** Abstained from voting, due to bus tour requirements

Notices: Area: 300 Mailed: 16
Replies: For: 0 Against: 1

Speakers: For: David Greer, 1601 E. Lamar Blvd., Arlington, TX, 76012
Against: None

A. **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 June 5, 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**

*out of the room, shown voting in favor

** Abstained from voting, due to bus tour requirements

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

Speakers: None

B. 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 June 5, 2008.

Maker: Jones-Dodd
Second: Davis
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**

*out of the room, shown voting in favor

** Abstained from voting, due to bus tour requirements

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

Speakers: For: Arh Smith, Address not given
Against: None

Zoning Cases – Individual

5. Z078-203(JH)

Planner: Jennifer Hiromoto

Motion: In considering an application to create a new subdistrict within Planned Development District No. 317, the Cedars Area Special Purpose District, on property zoned a Subdistrict 2 within Planned Development District No. 317 on the west corner of Ervay Street and Hickory Street, it was moved to **hold** this case under advisement indefinitely and to re-advertize as a subdistrict to allow for Specific Use Permit for IR uses.

Maker: Strater
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

Notices: Area: 500 Mailed: 106
Replies: For: 6 Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: George Macatee, 6440 N. Central Expwy., Dallas, TX, 75206

Note: It was moved by Commissioner Buehler and seconded by Commissioner Davis to change the order of the agenda and hear Item #6 Z078-204(WE) after Item #7. The Commission voted unanimously to hear Z078-206(WE) next.

6. Z078-204(WE)

Planner: Warren Ellis

Motion: In considering an application for an IM Industrial Manufacturing District and a Specific Use Permit for an Industrial (outside) potentially incompatible use for an asphalt batching plant on property zoned a CS Commercial Service District and a CS-D Commercial Service District with a Dry Liquor Control Overlay on the east line of South Central Expressway, north of Linfield Road, it was moved to **hold** this case under advisement until June 5, 2008.

Maker: Davis
Second: Lueder
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: 400 Mailed: 18
Replies: For: 0 Against: 0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Claudia Fowler, Address not given
Against: None

7. **Z078-206(WE)**

Planner: Warren Ellis

Motion: In considering an application for an MU-2 Mixed Use District uses on property zoned a CR Community Retail District on the northeast corner of the North Dallas Tollway and Arapaho Road, it was moved to **hold** this case under advisement until July 24, 2008.

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

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

Against: 0
Absent: 0
Vacancy: 0
Conflict: 1 - Lueder

Notices: Area: 400 Mailed: 25
Replies: For: 1 Against: 0

Speakers: None

Note: It was moved by Commissioner Emmons and seconded by Commissioner Buehler to change the order of the agenda and hear Zoning case Item #8 Z078-208(WE). The Commission voted unanimously to hear Z078-208(WE) next.

8. **Z078-208(WE)**

Planner: Warren Ellis

Motion: In considering an application for a Planned Development District for CR Community Retail District uses on property zoned an IR Industrial Research District and a CR Community Retail District on the east line of Cedar Springs Road, north of Inwood Road, it was moved to **hold** this case under advisement until June 5, 2008 to allow staff to re-notice.

Maker: Strater
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

Notices: Area: 500 Mailed: 37
Replies: For: 15 Against: 2

Speakers: None

Development Code Amendment

DCA078-004

Planner: David Cossum

Motion: It was moved to **approve** amendments to Article IX, Thoroughfares, of Chapter 51A, the Dallas Development Code, to amend regulations pertaining to the effective date of street name changes , subject to the following changes
1) Require that signs be posted and property owner notices be sent 15 days prior to Subdivision Review Committee meeting. 2) Require 30 day notice prior to City Plan Commission hearing. 3) Require 15 day notice prior to the City Council hearing.

Maker: Buehler

Second: Bagley

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

Note: Item #6 Z078-204(WE) was heard next.

Other Matters

CPC Committee Appointments and Reports - **None**

Minutes

Motion: It was moved to **approve** the minutes of the May 8, 2008, City Plan Commission meeting, subject to corrections.

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

Adjournment

Motion: It was moved to **adjourn** the May 15, 2008, City Plan Commission meeting at 3:15 p.m.

Maker: Buehler
Second: Bagley
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