

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on June 19, 2008, with the briefing starting at 11:08 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, Tom Lueder, Sally Wolfish, Robert Ekblad and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Bob Weiss. 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) **S078-203**

Motion: It was moved to **approve** an application to create one lot from a tract of land containing 5.1361 acres in City Block 7893 located at 1955 Market Center Boulevard; northwest of Turtle Creek Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Strater
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: 1 - Weiss
Vacancy: 0

Speakers: None

(2) **S078-204**

Motion: It was moved to **deny** an application to replat Lots 7 thru 10 and a portion of Lot 11, in City Block 14/717 into one 0.721 acre lot on 1411 thru 1421 Peak Street at Scurry Street, subject to compliance with the conditions listed in the docket, due to failure to comply with Section 51A-8.503 of the Dallas Development Code.

Maker: Emmons
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: 1 - Weiss
Vacancy: 0

Speakers: For: None
Against: Jacqueline Staley, 4704 Sycamore St., Dallas, TX, 75204

(3) **S078-205**

Motion: It was moved to **approve** an application to replat all of Lots 2D and 2E in City Block BC/Ross into one 1.333 acre lot located on 4621 Ross Avenue at N. Prairie Avenue, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Strater
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: 1 - Weiss
Vacancy: 0

Speakers: None

(4) **S078-206**

Motion: It was moved to **approve** an application to replat to relocate the lot line between Lots 1A, City Block 7/409 and Lot 1A, City Block 5/409 located at the intersection of Victory Avenue and N. Lamar Street, northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Strater

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: 1 - Weiss

Vacancy: 0

Speakers: None

(5) **S078-207**

Motion: It was moved to **approve** an application to replat Lots 1 thru 4 in City Block 10/2514 into one 0.521 acre lot located at the intersection of Bexar Street and Starks Avenue, northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Strater

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: 1 - Weiss

Vacancy: 0

Speakers: None

(6) **S078-209**

Motion: It was moved to **approve** an application to create one 5.004 acre lot from a tract of land in City Block 7749 on property known as 12222 N. Central Expressway, north of Forest Lane, subject to compliance with the conditions listed in the docket.

Maker: Strater
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: 1 - Weiss
Vacancy: 0

Speakers: None

(7) **S078-210**

Motion: It was moved to **approve** an application to create one 5.462 acre lot from a tract of land in City Block 5450 on 8000 Cornerstone Parkway, subject to compliance with the conditions listed in the docket.

Maker: Strater
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: 1 - Weiss
Vacancy: 0

Speakers: None

(8) **S078-211**

Motion: It was moved to **approve** an application to replat part of Lot 4 in City Block 3/955 into one 0.8499 acre lot located Routh Street between Howland Street and McKinney Avenue, subject to compliance with the conditions listed in the docket.

Maker: Strater
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: 1 - Weiss
Vacancy: 0

Speakers: None

Individual Item

(9) **S078-208**

Motion I: It was moved to **approve** the removal of the existing platted building lines on Lot 1 and 2 in City Block 2/8125 and Lot 1-A and 1-C in City Block 1/8125 into 14 lots ranging in size from 0.501 acre to 15.271 acres in size and generally located at the intersection of Skillman Avenue on the north and south sides of Walnut Hill Lane.

Maker: Lueder
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: 1 - Weiss
Vacancy: 0

Motion II: It was moved to **approve** an application to replat Lot 1 and 2 in City Block 2/8125 and Lot 1-A and 1-C in City Block 1/8125 into 14 lots ranging in size from 0.501 acre to 15.271 acres in size and generally located at the intersection of Skillman Avenue on the north and south sides of Walnut Hill Lane subject to compliance with the conditions listed in the docket.

Maker: Lueder
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: 1 - Weiss
Vacancy: 0

Speakers: None

Miscellaneous Docket

M078-034

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan and landscape plan for the Tract C-1 portion of Planned Development No. 173 along the east line of Hillcrest Road, south of State Highway 190.

Maker: Wolfish
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: 1 - Weiss
Vacancy: 0

Speakers: None

D078-015

Planner: Frank Dominquez

Motion: It was moved to **approve** a development plan for Planned Development Subdistrict No. 66 within Planned Development District No. 193, the Oak Lawn Special Purpose District on Harwood Street, south of McKinney Avenue.

Maker: Lueder
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: 1 - Weiss
Vacancy: 0

Speakers: None

D078-016

Planner: Neva Dean

Motion: It was moved to **approve** a development plan/street plan for Planned Development District No. 758 on both sides of Walnut Hill Lane, east of Skillman Road.

Maker: Lueder
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: 1 - Weiss
Vacancy: 0

Speakers: None

Certificates of Appropriateness for Signs

Downtown Sign District:

0805131027

Planner: Kyra Blackston

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 25 square foot detached premise sign (multi-tenant monument sign) containing the words "1700 PACIFIC" on the southeast corner of Pacific Avenue and Ervay Street at 1700 Pacific Avenue.

Maker: Emmons
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: 1 - Weiss
Vacancy: 0

Speakers: None

0805235006

Planner: Kyra Blackston

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 60 square foot attached sign on the western building face (Ervey Street) containing the words "Comerica Bank" on the western building face (Ervey Street) at 1717 Main Street.

Maker: Emmons
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: 1 - Weiss
Vacancy: 0

Speakers: None

0805235005

Planner: Kyra Blackston

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 32 square foot detached premise sign in the western front yard on Ervey Street containing the words "Comerica Bank" on the southeast corner of Elm Street and Ervey Street at 1717 Main Street.

Maker: Emmons
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: 1 - Weiss
Vacancy: 0

Speakers: None

0805235004

Planner: Kyra Blackston

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 15.83 square foot detached premise sign in the western front yard on Ervey Street containing the words "Timerlin McClain" on the southeast corner of Elm Street and Ervey Street at 1717 Main Street.

Maker: Emmons
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: 1 - Weiss
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. **Z078-212(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to and expansion of Planned Development District No. 770 for Multifamily Uses and certain Nonresidential Uses, subject to a conceptual plan and revised conditions on property zoned Planned Development District No. 770 and NO(A) Neighborhood Office District on the east corner of La Vista Drive and East Grand Avenue.

Maker: Wolfish
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: 1 - Weiss
Vacancy: 0

Notices: Area: 500 Mailed: 206
Replies: For: 129 Against: 6

Speakers: None

2. **Z078-225(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an MU-1 Mixed Use District on property zoned a CS Commercial Service District on the southeast line of Main Street, southwest of Peak Street.

Maker: Wolfish
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: 1 - Weiss
Vacancy: 0

Notices: Area: 200 Mailed: 18
Replies: For: 0 Against: 0

Speakers: None

3. Z078-226(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to, and expansion of, Specific Use Permit No. 1597 for mini-warehouse uses for a ten year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan, revised landscape plan and revised conditions on property within the S-10 Subdistrict of the South Zone of Planned Development District No. 521 for Mixed Uses on the west side of Clark Road, south of Camp Wisdom Road.

Maker: Gary
Second: Lozano
Result: Carried: 13 to 1

For: 13 - Prothro, Strater, Gary, Rodgers, Lozano,
Bagley, Jones-Dodd, Lueder, Buehler, Wolfish,
Ekblad, Emmons, Alcantar

Against: 1 - Davis
Absent: 1 - Weiss
Vacancy: 0

Notices: Area: 500 Mailed: 83
Replies: For: 0 Against: 3

Speakers: For: Joe Bowers, 1420 Winding Brook Cr., Dallas, TX, 75208
Mario Alvarado, 8426 Romanway Dr., Dallas, TX, 75249
For(did not speak): Janell Field Alvarado, 8426 Romanway Dr., Dallas, TX, 75249
Against: James Fowler, 8409 Miramax Trl., Dallas, TX, 75249

4. **Z078-217(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for a day care facility for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an R-10(A) Single Family District, on the southwest corner of Crepe Myrtle Lane and Larkspur Lane.

Maker: Wolfish

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: 1 - Weiss

Vacancy: 0

Notices: Area: 200 Mailed: 17

Replies: For: 5 Against: 3

Speakers: For: LaShawn Evans, 3805 Crepe Myrtle, Dallas, TX, 75233
Against: None

5. **Z078-218(OTH)**

Planner: Olga Torres-Holyoak

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 renewals of additional ten-year periods, subject to a site plan and revised conditions on property zoned a CR Community Retail District on property on the northwest corner of Northwest Highway and Midway Road.

Maker: Ekblad

Second: Jones-Dodd

Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Lueder, Wolfish,
Ekblad, Emmons, Alcantar

Against: 0

Absent: 1 - Weiss

Vacancy: 0

Conflict: 1 - Buehler

Notices: Area: 200 Mailed: 10

Replies: For: 2 Against: 0

Speakers: None

6. Z078-221(OTH)

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of an IR Industrial Research on property zoned an MU-2 Mixed Use District with deed restrictions, on the east corner of Maple Avenue and Fielder Court, south of Mockingbird Lane.

Maker: Strater
Second: Wolfish
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: 1 - Weiss
Vacancy: 0

Notices: Area: 200 Mailed: 11
Replies: For: 0 Against: 1

Speakers: For: Scott Chandler, 16311 Cliff Haven Dr., Houston, TX, 77095
Against: Tom Parma, 10011 Trailpine Dr., Dallas, TX, 75238

Zoning Cases – Individual

7. Z078-194(OTH)

Planner: Olga Torres-Holyoak

Motion: In considering an application for a new subdistrict to allow for Industrial (inside) with potentially incompatible uses on property zoned Subdistrict 1B within Planned Development District No. 714 the West Commerce Street/Fort Worth Avenue Special Purpose District, on the west side of Beaver Street, north of Commerce Street, it was moved to **hold** this case under advisement until July 24, 2008.

Maker: Jones-Dodd
Second: Davis
Result: Carried: 7 to 6

For: 7 - Gary, Davis, Bagley, Jones-Dodd, Lueder,
Buehler, Ekblad, Alcantar
Against: 6 - Prothro, Strater, Rodgers, Lozano, Wolfish,
Emmons

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

**abstained due to bus tour requirement

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

Speakers: For: Theodore Craver, 315 Aypian Way, Dallas, TX, 75216
Ada Nell McComas, 1401 Stafford Ave., Dallas, TX, 75208
Betty Culbreath, 1636 Bar Harbor Dr., Dallas, TX, 75376
Against: Scott Griggs, 1803 Marydale Rd., Dallas, TX, 75208
Brent Nicholson, 1921 Mayflower Dr., Dallas, TX, 75208
Raymond Morris, 906 Sam Dealey, Dallas, TX, 75208
Jim Barnes, 1943 Marydale Dr., Dallas, TX, 75208
J.D. Jasso, 2710 El Tivoli Dr., Dallas, TX, 75211

8. **Z078-227(WE)**

Planner: Warren Ellis

Motion: In considering an application for an MU-3 Mixed Use District on property zoned an IR Industrial Research District on the northeast corner of Harry Hines Boulevard and Hawes Avenue, it was moved to **hold** this case under advisement until July 10, 2008.

Maker: Strater
Second: Wolfish
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: 1 - Weiss
Vacancy: 0

Notices: Area: 400 Mailed: 54
Replies: For: 8 Against: 0

Speakers: For: David Greer, 1601 E. Lamar Blvd., Arlington, TX, 76011
Against: None

9. Z078-228(WE)

Planner: Warren Ellis

Motion: In considering an application for a TH-3(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the west side of Cockrell Hill Road at Love Bird Lane, it was moved to **hold** this case under advisement until July 24, 2008.

Maker: Gary
Second: Jones-Dodd
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: 1 - Weiss
Vacancy: 0

Notices: Area: 400 Mailed: 68
Replies: For: 3 Against: 10

Speakers: None

Landmark Commission Appeal

Planner: Mark Doty

Motion: It was move to **affirm** the decision of the Landmark Appeal to deny a Certificate of Appropriateness (CA078-267(MD) at 711 Elm Street to remove window frames and glazing on Elm and Austin Facades for security reason.

Maker: Prothro
Second: Emmons
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: 1 - Weiss
Vacancy: 0

Speakers: For: None
City Staff: Mark Doty, Senior City Planner
Ronaldo Guerra, Assistant City Attorney

Other Matters

CPC Committee Appointments and Reports - **None**

Minutes

Motion: It was moved to **approve** the minutes of the June 12, 2008, City Plan Commission meeting, subject to corrections.

Maker: Wolfish
Second: Jones-Dodd
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: 1 - Weiss
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the June 19, 2008, City Plan Commission meeting at 3:57 p.m.

Maker: Buehler
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: 1 - Weiss
Vacancy: 0

Joe Alcantar, Chair