

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on August 14, 2008, with the bus tour starting at 9:10 a.m. followed by the briefing starting at 12:00 p.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, Bob Weiss, 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: None. There is one vacancy: District 8.

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) **S078-233**

Motion: It was moved to **approve** an application to replat a portion of City Blocks D/2704 and 2705, Santa Monica Heights Addition Revised, into one 2.2441 acre lot located on Lindsley Ave at Tenison Memorial Road, subject to compliance with the conditions listed in the docket.

Maker: Emmons
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: 0
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

Residential Replats

(2) **S078-234**

Motion: It was moved to **approve** an application to replat Lot 15 in Alcott's Fitzhugh Heights Addition, in City Block C/1999, for the purpose of creating two lots, at 4916 Alcott Street, subject to compliance with the conditions listed in the docket.

Maker: Emmons
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: 0
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: For: Jared Jackson, 821 Allen St., Dallas, TX, 75204
Against: None

(3) **S078-236**

An application to replat Lots 9, 10 and 35 in Joe A. Irwin Addition, in City Block C/7172, for the purpose of creating one 0.413 acre lot, at 2447 Jim Street

This application was withdrawn

(4) **S078-237**

Motion: In considering an application to replat Lots 4 and 5 in Shannon Estates, in City Block 2/4915, for the purpose of creating 4, 0.459 acre lots, at 6721 and 6811 Inwood Road, it was moved to **hold** this case under advisement until August 21, 2008.

Maker: Emmons
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: 0
Vacancy: 1 - District 8

Speakers: For: Rob Baldwin, 401 Exposition Ave., Dallas, TX, 75226
Larry Hartman, 5002 W. Mockingbird Ln., Dallas, TX, 75209
William P. Martindale, 6721 Inwood Rd., Dallas, TX, 75209
Against: Elizabeth Richards, 6818 Robin Rd., Dallas, TX, 75209
Pat White, 4714 Wildwood Rd, Dallas, TX, 75209
June Hubbell, 6700 Robin Rd., Dallas, TX, 75209

(5) **S078-238**

Motion: It was moved to **approve** an application to replat Lot 1 in Lake Ridge Estates, Ninth Installment, in City Block P/7527, to remove the existing 20 foot platted building line, at the southeast corner of Larchcrest Drive and 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, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 8

Speakers: None

Note: It was moved by Commissioner Strater and seconded by Commissioner Weiss to change the order of the agenda and hear Item #7 Z078-177(RB) next. The Commission voted unanimously to hear Z078-177(RB). Afterward, it was moved by Commissioner Bagley and seconded by Commissioner Lueder to change the order of the agenda and hear Item #11 Z078-243(OTH) next. The Commission voted unanimously to hear Z078-243(OTH).

Miscellaneous Docket

M078-037

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the landscape plan for Planned Development District No. 751 for certain RR District Uses in an area generally bounded by Cliff Creek Crossing, Hampton Road, Wheatland Road, IH/20, and Bainbridge Drive.

Maker: Rodgers
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: 0
Vacancy: 1 - District 8

Speakers: None

Miscellaneous Docket – Under Advisement

M078-032

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan to Phase IV portion for Planned Development District No. 75 for a Nursing home, Residence home for the aged, Doctor's offices, and Clinic and Retail uses on the northwest corner of Buckner Boulevard and Scyene Circle.

Maker: Davis
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
Vacancy: 1 - District 8

Speakers: None

Zoning Cases – Consent

1. **Z078-257(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the Tract 6A portion, subject to revised conditions of Planned Development District No. 170, for Mixed Uses and **approval** of a Specific Use Permit for an Animal clinic without outside run, limited to boarding and grooming for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and revised conditions on the west line of Preston Road, south of Lloyd Drive.

Maker: Wolfish
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: 0
Vacancy: 1 - District 8

Notices: Area: 500 Mailed: 83
Replies: For: 3 Against: 6

Speakers: None

2. **Z078-258(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Vehicle display, sales, and service use for a three-year period, with eligibility for automatic renewal for additional five-periods, subject to a revised site plan and revised conditions on property within the Subdistrict 2 portion of Planned Development District No. 534, the C. F. Hawn Special Purpose District, No. 2, in the southeast quadrant of C. F. Hawn Freeway and Dowdy Ferry Road with a notation to the site plan reflecting “no access to the site from Dowdy Ferry Road.”

Maker: Bagley
Second: Prothro
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
Vacancy: 1 - District 8

Notices: Area: 300 Mailed: 28
Replies: For: 1 Against: 1
Speakers: None

3. **Z078-252(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a RR Regional Retail District, subject to deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the south side of Northwest Highway, west of Jupiter Road.

Maker: Wolfish
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: 0
Vacancy: 1 - District 8

Notices: Area: 300 Mailed: 55
Replies: For: 2 Against: 3
Speakers: None

Zoning Cases – Under Advisement

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

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an MU-2 Mixed Use District on property zoned an IR Industrial Research District on the northeast corner of Harry Hines Boulevard and Hawes Avenue.

Maker: Strater
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: 0
Vacancy: 1 - District 8

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

Speakers: For: None
Against: None

(Did not speak): Se-Gwen Tyler, 1816 Prairie View Dr., Arlington, TX, 752356

5. **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 September 18, 2008.

Maker: Gary
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: 0
Vacancy: 1 - District 8

Notices: Area: 400 Mailed: 68
Replies: For: 7 Against: 11

Speakers: None

6. **Z078-172(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **denial** of an IM Industrial Manufacturing District on property zoned an A(A) Agricultural District and a Specific Use Permit for an Outside salvage or reclamation use, on the northeast line of South Central Expressway, south of Youngblood Road.

Maker: Rodgers
Second: Davis
Result: Carried: 9 to 4

For: 9 - Gary, Davis, Rodgers, Lozano, Bagley, Weiss,
Lueder, Wolfish, Emmons

Against: 4 - Strater, Buehler, Ekblad, Alcantar
Absent: 0
Vacancy: 1 - District 8
Abstained: 1 - Prothro**

**abstained due to bus tour requirement

Notices: Area: 400 Mailed: 10
Replies: For: 2 Against: 0

Speakers: For: Michael Coker, 2700 Swiss Ave., Dallas, TX, 75204
Julie Montague, 6201 Locke Ave., Ft. Worth, TX, 76116
Maribelle Davis, 1906 Sparrows Point Ct, Plano, TX, 75023
Against: None

Individual Cases

7. **Z078-177(RB)**

Planner: Richard Brown

Motion: In considering an application for an amendment to and expansion of Planned Development District No. 486 for a Community service center and CH Clustered Housing District Uses on property zoned a D(A) Duplex District, an MF-1(A) Multifamily District, a CH Clustered Housing District, a CS Commercial Service District, and Planned Development District No. 486 in an area generally bounded by Bank Street, Gurley Avenue, Carroll Avenue, and Parry Avenue, it was moved to **hold** this case under advisement until September 11, 2008.

Maker: Strater
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: 0
Vacancy: 1 - District 8

Notices: Area: 500 Mailed: 253
Replies: For: 19 Against: 7

Speakers: None

8. Z078-253(MAW)

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of 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 for a two-year period, subject to a site plan and staff conditions on property within Planned Development District No. 619 for Mixed Uses on the south side of Main Street, east of Field Street with the following two changes to the staff conditions: 1) Limit the dance hall use to 1,384 sq. ft. 2) Outside speakers or amplified sound is prohibited on the roof top.

Maker: Emmons
Second: Rodgers
Result: Carried: 11 to 3

For: 11 - Prothro, Strater, Gary, Davis, Rodgers, Bagley,
Weiss, Lueder, Buehler, Wolfish, Emmons

Against: 3 - Lozano, Ekblad, Alcantar
Absent: 0
Vacancy: 1 - District 8

Notices: Area: 200 Mailed: 14
Replies: For: 1 Against: 0

Speakers: For: Jim Copus, 2700 Swiss Ave., Dallas, TX, 75204
Against: None

9. Z078-241(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of an amendment to Tract II within Planned Development District No. 740 to allow for office uses, subject to staff's conditions and conceptual plan on the southeast corner of US/75 and Mockingbird Lane with the following two changes to the conditions: 1) Include a 200,000 sq. ft. combined maximum for Tract II. 2) Only continue to allow the two-story parking garage.

Maker: Emmons
Second: Buehler
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 8
Conflict: 1 - Wolfish

Notices: Area: 500 Mailed: 99
Replies: For: 2 Against: 2

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Carl Schwab, 4809 Cole Ave., Dallas, TX, 75205
For (Did not speak): Edwin Smith, 6688 N. Central Expressway, Dallas, TX, 75206
Against: None

10. **Z078-242(OTH)**

Planner: Olga Torres Holyoak

Motion: In considering an application for a Planned Development District for mixed-uses on property zoned an IR Industrial Research District on the northeast side of Redfield Street, and the northwest side of Butler Street, it was moved to **hold** this case under advisement until August 21, 2008.

Maker: Strater
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: 0
Vacancy: 1 - District 8

Notices: Area: 500 Mailed: 53
Replies: For: 6 Against: 0

Speakers: For: Audrey Buckley,
Joel Maten, 12333 Brittany Cr., Dallas, TX, 75230
Against: None

11. Z078-243(OTH)

Planner: Olga Torres Holyoak

Motion: In considering an application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the southwest corner of Military Parkway and Donna Drive, it was moved to **hold** this case under advisement until September 18, 2008.

Maker: Bagley
Second: Prothro
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
Vacancy: 1 - District 8

Notices: Area: 300 Mailed: 72
Replies: For: 0 Against: 12

Speakers: For (Did not speak): Eulalio Tovar, 6518 Howard Ave., Dallas, TX, 75227
Against: None

Development Code Amendment

DCA078-012

Planner: David Cossum

Motion: It was moved to recommend **approval** of amendments to Chapter 51A, the Dallas Development Code, to amend regulations pertaining to dedication of floodway management areas and floodway easements.

Maker: Buehler
Second: Bagley
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
Vacancy: 1 - District 8

Speakers: For (Did not speak): Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270
Against: None

Other Matters

CPC Committee Appointments and Reports - **None**

Minutes

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

Maker: Emmons
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: 0
Vacancy: 1 - District 8

Adjournment

Motion: It was moved to **adjourn** the August 14, 2008, City Plan Commission meeting at 4:38 p.m.

Maker: Bagley
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: 0
Vacancy: 1 - District 8

Joe Alcantar, Chair