

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on April 3, 2008, with the briefing starting at 10:35 a.m. in Room 5ES and the public hearing at 1:35 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, 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 Commissioner was absent from this hearing as defined in the City Plan Commission rules: Jeff Strater. 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) **S078-131**

Motion: It was moved to **approve** an application to create a 1.36 acre lot from a tract of land in Block 7751, at 12230 Coit Road, south of Churchill Way, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: None

(2) **S078-132**

Motion: It was moved to **approve** an application to create a one 13.0245 acre lot from Lot 7, Block 3/6068, Kings Row Industrial District, Ninth Installment, a portion of Blocks 6067 and 6068, and being part of Burbank Street (abandoned), southeast corner Regal Row and Viceroy Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: None

(3) **S078-133**

Motion: It was moved to **approve** an application to create one 3.474 acre lot from Lot 1A, Block A/1005 Forest Lawn Funeral Home Addition and tracts in Block 1005, proposed alley abandonment, and proposed alley sight easement abandonment, southwest corner Carlisle Street and Routh Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: None

(4) **S078-134**

Motion: It was moved to **approve** an application to replat a 4.4154 acre tract of land containing Lot 2A, Block 15/7289, Liberty National Bank Addition Revised, and all of Block 14/7288, Central Properties Addition, Ninth Installment, into one 2.7089 acre lot and one 1.7065 acre lot, northeast corner Steppington Drive and Riverfall Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: For: Jonathan Bailey, 2706 Turtle Creek Cr., Dallas, TX, 75219
Against: None

(5) **S078-136**

Motion: It was moved to **approve** an application to create one 0.72 acre lot, one 0.74 acre lot, one 0.79 acre lot, one 0.78 acre lot, one 0.71 acre lot and one 10.94 acre lot as a Community Unit Development from a 14.68 acre tract of land in City Block 8217, on Keller Springs Road, west of Preston Road, subject to compliance with the conditions listed in the docket adding Condition #36 to read as follows: "On the final plat indicate the right-of-way and proper ownership of the railroad right-of-way on the southern portion of the property."

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75701
Against: None

(6) **S078-138**

Motion: It was moved to **approve** an application to replat an 7.870 tract of land containing all of Lots 1 and 2, Block A/7575, Assured-Willoughby Addition, into one 7.021 lot and one 0.850 lot, southeast corner of Interstate Highway 20 and Willoughby Boulevard, subject to compliance with the conditions listed in the docket with an added condition to read as follows: "On the final plat, correct the spelling of Beckleymeade Avenue".

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: None

(7) **S078-139**

Motion: It was moved to **approve** an application to create one 1.866 acre lot from a portion of Lots 7, 8 and 9, Brookhollow Place, tracts in City Blocks 6065 and 6066, Harry Hines Boulevard right-of-way proposed abandonment and Brookhollow Road right-of-way (abandoned), northwest corner Harry Hines Boulevard and Brookhollow Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: None

(8) **S078-140**

Motion: It was moved to **approve** an application to create one 0.790 acre lot from a portion of City Block No. B/8061, Garvon Dallas Addition No. 2, at 11702 Plano Road, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: None

(9) **S078-141**

Motion: It was moved to **approve** an application to create one 19.865 acre lot from part of Lots 2 and 4, and all of Lots 3, 7, 8 10 and 11, Block 1/461 Eakins Addition Revised Addition, all of Lots 1-16, Block 454, Park Place Addition, all of Lots 17-21 Block 454, J.A. Middleton Addition, unplatted tracts, and including the closure and vacation of all rights-of-way, south of RL Thornton Freeway, west of South Harwood Street, east of South Ervay Street, subject to compliance with the conditions listed in the docket with an added condition to read as follows: "On the final plat, change St. Paul Street to South St. Paul Street".

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: None

Individual Items:

(10) **S078-137**

Removal of Building Lines Motion: It was moved to **approve** the removal of the existing 25 foot platted building line on Routh Street and the existing 15 foot platted building on Colby Street; east of Thomas Avenue, South of Routh Street and West of Colby Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Replat Motion: It was moved to **approve** an application to create one 0.871 acre lot, three 0.155 acre lots, one 0.247 acre lot, one 0.255 acre lot, one 0.258 acre lot, one 0.257 acre lot, and one 0.172 acre lot, from a 2.562 acre tract containing 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; ~~and to remove the existing 25 foot platted building line on Routh Street and the existing 15 foot platted building~~ on Colby Street; east of Thomas Avenue, South of Routh Street and West of Colby Street, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: For: Robert Baldwin, 401 Exposition Ave., Dallas, TX, 75226
Against: None

Residential Replats:

(11) **S078-130**

Motion: It was moved to **deny** an application to replat a 0.4993 acre tract of land containing all of Lot 8 in the R.D. Caldwell Addition and all of Lot 9A in the Soldiers of the Cross of Christ Addition, in City Block 10/1246, into one lot on 5007 and 5015 Ash Lane at Munger Boulevard, north corner, due to non-compliance with Section 51A-8.503 of the Dallas Development Code.

Maker: Emmons
Second: Prothro
Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: None

(12) **S078-135**

Motion: It was moved to **approve** an application to replat a 0.23 acre tract of land containing all of Lots 1 and 2 in City Block A/995 into one lot on 2706 Turtle Creek Circle (private street), southwest of Park Bridge Court, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Wolfish
Result: Carried: 12 to 2

For: 12 - Gary, Davis, Rodgers, Lozano, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 2 - Prothro, Bagley
Absent: 1 - Strater
Vacancy: 0

Speakers: None

Miscellaneous Docket

W078-011

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application to amend Planned Development Subdistrict No. 37 within Planned development District No. 193, the Oak Lawn Special Purpose District on the south corner of Hall Street between Sales Street and Hood Street.

Maker: Emmons
Second: Buehler
Result: Carried: 13 to 1

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

Against: 1 - Prothro
Absent: 1 - Strater
Vacancy: 0

Speakers: None

Miscellaneous Docket – Under Advisement

M078-011

Planner: Richard Brown

Motion: In considering a minor amendment to the development plan for Planned Development District No. 322 for Mixed uses on the northeast corner of LBJ Freeway and the Dallas North Tollway, it was move to **hold** this case under advisement until April 10, 2008.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: None

Zoning Cases – Consent

1. **Z078-166(OTH)**

Planner: Olga Torres Holyoak

Motion: In considering an application for an NO(A) Neighborhood Office District on property zoned an MF-2(A) Multifamily District, on the south side of Columbia Avenue at Colson Street, it was moved to **hold** this case under advisement until April 10, 2008.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Notices: Area: 200 Mailed: 17
Replies: For: 2 Against: 0

Speakers: For: Jim Byrd, 2829 W. Northwest Hwy., Dallas, TX, 75220
Against: None

2. **Z078-174(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a CS Community Service District on property zoned an IR Industrial Research District west of Sanden Drive, north of LBJ Expressway.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Notices: Area: 400 Mailed: 12

Replies: For: 1 Against: 0
Speakers: None

3. **Z078-178(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Specific Use Permit for a library, art gallery, or museum for a permanent time period, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District on the southeast corner of Lake June Road and Houghton Road.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0

Notices: Area: 300 Mailed: 50
Replies: For: 4 Against: 1

Speakers: None

Zoning Cases – Under Advisement

4. **Z078-159(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial** of an amendment to Zones 1A and 1B of Planned Development District No. 184 for office, retail and residential uses on the northeast corner of Cedar Springs Road and Carlisle Street.

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

For: 9 - Gary, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Buehler, Wolfish, Emmons

Against: 5 - Prothro, Davis, Lueder, Ekblad, Alcantar
Absent: 1 - Strater
Vacancy: 0

Notices: Area: 500 Mailed: 49

Replies: For: 9 Against: 9
Speakers: For: Richard Doherty, 10940 Wilshire Blvd., Los Angeles, CA, 90024
Andrew Bennett, 6104 Shadycliff Dr., Dallas, TX, 75240
Suzan Kedron, 901 Main St., Dallas, TX, 75202
Nancy Allen, 2801 Turtle Creek Blvd., Dallas, TX, 75219
Chris Mechyra, 1309 Main St., Dallas, TX, 75202
Against: Harriet Rubin, 2714 Turtle Creek Cr., Dallas, TX, 75219
Jonathan Bailey, 2706 Turtle Creek Cr., Dallas, TX, 75219
Linda Marcus, 2814 Park Bridge Ct., Dallas, TX, 75219
Cay Kolb, 4402 Rawlins, Dallas, TX, 75219

Zoning Cases – Individual

5. **Z078-142(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **denial** of a Planned Development Subdistrict for Multiple family, Hotel and motel, Restaurant without drive-through service, and Health studio uses on property zoned an O-2 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and removal of the D Liquor Control Overlay on the northeast line of Fairmount Street between Enid Street and Turtle Creek Boulevard.

Maker: Weiss
Second: Rodgers
Result: Carried: 13 to 0

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

Against: 0
Absent: 1 - Strater
Vacancy: 0
Conflict: 1 - Emmons

Notices: Area: 300 Mailed: 268
Replies: For: 88 Against: 108

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
David Pontarini, 27 Hampton Ave., Toronto, Ontario
Frank Stich, 4224 N. Hall St., Dallas, TX, 75219
Against: Harriet Rubin, 2714 Turtle Creek Cr., Dallas, TX, 75219
Philip Scott, 2525 Turtle Creek Blvd., Dallas, TX, 75219
Linda Marcus, 2814 Park Bridge Ct., Dallas, TX, 75219
Virginia McAlester, 5703 Swiss Ave., Dallas, TX, 75214
Katherine Seale, 2922 Swiss Ave., Dallas, TX, 75204
James Pratt, 3520 Routh St., Dallas, TX, 75219
Earl Schander, 2525 Turtle Creek Blvd., Dallas, TX, 75219

Veletta Forsythe Lill, 622 Blair Blvd., Dallas, TX, 75223
Against (did not speak): Cay Kolb, 4402 Rawlins, Dallas, TX, 75219

6. **Z067-222(RB)**

Planner: Richard Brown

Motion: In considering an application for an amendment to and expansion of Planned Development District No. 582, the Victory Special Purpose District, subject to a conceptual plan and staff's recommended conditions on property partially zoned an I-2 Industrial Subdistrict, an I-3 Industrial Subdistrict, and a CA-2 Central Area Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on property generally east of Stemmons Freeway and north of Woodall Rodgers Freeway, it was moved to **hold** this case under advisement until April 10, 2008-.

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

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

Against: 0
Absent: 1 - Strater
Vacancy: 0
Conflict: 1 - Alcantar

Notices: Area: 500 Mailed: 299
Replies: For: 0 Against: 13

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: Frank Stich, 4224 N. Hall St., Dallas, TX, 75219

Other Matters

CPC Committee Appointments and Reports - **None**

Minutes

Motion: It was moved to **approve** the minutes of the March 27, 2008, City Plan Commission meeting, subject to corrections.

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

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Jones-Dodd Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar*
Against: 0
Absent: 1 - Strater
Vacancy: 0

*out of the room, shown voting in favor

Adjournment

Motion: It was moved to **adjourn** the April 3, 2008, City Plan Commission meeting at 4:26 p.m.

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

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Buehler,
Wolfish, Ekblad, Emmons, Alcantar
Against: 0
Absent: 0 - Strater
Vacancy: 0

Joe Alcantar, Chair