

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 7, 2008, with the briefing starting at 10:32 a.m. in Room 5ES and the public hearing at 1:31 p.m. in the City Council Chambers of City Hall. Presiding were Bob Weiss, Acting Chair and John Lozano, Acting Vice Chair. The following Commissioners were present during the hearing: James Prothro, Clarence Gary, Michael Davis, Emma Rodgers, Ann Bagley, Erma Jones-Dodd, 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: Jeff Strater, Chris Buehler and Joe Alcantar. 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.

Preliminary Plats - Consent Items

(1) **S078-080**

Motion: It was moved to **approve** an application to create a 0.706 acre tract of land in City Block 7373 on 3207 N. Buckner Blvd. at John West Road, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Jones-Dodd
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis*, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Wolfish, Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(2) **S078-081**

Motion: It was moved to **approve** an application to create a 26 lot single family subdivision from a 5.9726 acre tract of land in Oak Cliff Forest Addition an unrecorded addition in City Block 6950 on Barstow Blvd. west of S. Cockrell Hill Road, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Jones-Dodd
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis*, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(3) **S078-082**

Motion: It was moved to **approve** an application to create one 0.4686 acre lot and one 0.3876 acre lot from a 0.8562 acre tract of land in City Block 7472 on 11504 and 11520 Garland Road at Barnes Bridge Road, east corner, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Jones-Dodd
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis*, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(4) **S078-084**

Motion: It was moved to **approve** an application to replat a 3.6922 acre tract of land, including an abandoned alley, in City Block E/1995 into one 0.7529 acre lot at the southwest corner of Bennett Avenue at Manett Street; one 2.633 acre lot on the southeast corner of Manett Street at Bennett Avenue; and one 0.3060 acre tract of land at the northwest corner of Belmont Avenue and Bennett Avenue, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Jones-Dodd
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis*, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(5) **S078-085**

Motion: It was moved to **approve** an application to replat a 4.8911 acre tract of land, including an abandoned alley, and all of Lots 5A, 5B, 6, part of 7, all of 13, 14 and part of 15 in City Block D/1994 into one 2.1303 acre Lot on Bennett Avenue between Belmont Avenue and Capitol Avenue and also being all of Lots 2, 3, 4, part of Lot 9, all of Lots 10, 11 and 12 in City Block D/1994, including an abandoned alley, into one 2.7608 acre Lot on Bennett Avenue between Belmont Avenue and Capitol Avenue, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Jones-Dodd

Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis*, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(6) **S078-089**

Motion: It was moved to **approve** an application to replat a 3.650 acre tract of land containing all of Lot 1 and a tract of land in City Block B/5185 into one 3.650 acre tract of land on 5630 Yale Blvd. between Greenville Avenue and Worcola Street and includes 4417, 4421, 4425, 4433 and 4463 Greenville Avenue, subject to compliance with the conditions listed in the docket with the following revisions: 1) Revise condition number 15 to read: "On the final plat, show the R.O.W. that has been abandoned along Greenville Avenue. R.O.W. Abandonments must be by ordinance and the ordinance number must be recorded on the final plat." 2) Revise condition number 16 to read: "The 3 foot R.O.W. dedication on Worcola must be by general warranty deed and the document number must be recorded on the final plat. Remove note that 3 foot R.O.W. dedication is "by this plat." 3) Revise condition number 17 to read: "The building encroachment into the existing 30 foot R.O.W. easement on Greenville Avenue must be resolved before submitting the final plat for recording."

Maker: Prothro
Second: Jones-Dodd
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis*, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(7) **S078-092**

Motion: It was moved to **approve** an application to, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Jones-Dodd
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis*, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(8) **S078-093**

Motion: It was moved to **approve** an application to replat a 6.903 acre tract of land in City Blocks 5696 and City Block E/5697 located on Mockingbird Lane between Haggard Way and Roper Street, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Jones-Dodd
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis*, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(9) **S078-094**

An application to replat an 8.2812 acre tract of land in City Blocks 6064, 6065 and 6066 on Harry Hines Blvd. between Brookhollow Drive and Adeline Street.

Note: The applicant withdrew the application prior to the public hearing.

Individual Items

(10) **S078-095**

Motion: In considering an application to replat an 6.332 acre tract of land containing all of Lots 3 and 4 in City Block 11/5406 into one lot and to remove the existing 30 foot platted building line on E. Lovers Lane and the existing 30 foot building on the west line of Skillman Street; and to remove the existing platted 25 foot building line on Amesbury Drive located on 6044 E. Lovers Lane between Amesbury Drive and Skillman Street, it was moved to **hold** this case under advisement until February 14, 2008.

Maker: Emmons
Second: Prothro
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270
Against: None

Residential Replats

(11) **S078-079**

Motion: It was moved to **deny** 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, due to failure to comply with Section 51A-8.503 of the Dallas Development Code.

Maker: Emmons
Second: Gary
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Reconsideration

S078-079

Motion I: It was moved to **reconsider** the previous action taken earlier in the meeting, which was to deny 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, due to failure to comply with Section 51A-8.503 of the Dallas Development Code.

Maker: Emmons
Second: Bagley
Result: Carried: 7 to 5

For: 7 - Davis, Bagley, Weiss, Lueder, Wolfish, Ekblad,
Emmons

Against: 5 - Prothro, Gary, Rodgers, Lozano, Jones-Dodd
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

S078-079

Motion: It was moved to **deny** 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, due to failure to comply with Section 51A-8.503 of the Dallas Development Code.

Maker: Emmons
Second: Gary
Result: Carried: 7 to 5

For: 7 - Prothro, Gary, Rodgers, Lozano, Jones-Dodd,
Lueder, Wolfish

Against: 5 - Davis, Bagley, Weiss, Ekblad, Emmons
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Speakers: For: Duane Walthall, Address not given
Against: None

(12) **S078-083**

Motion: It was moved to **approve** an application to replat all of Lot 1 and a tract of land in City Block G/6289 into one 3.050 acre lot on 805 and 815 S. Buckner Blvd. at Rosemont Road, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Rodgers
Second: Wolfish
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Speakers: None

Note: The Commissioner voted to reconsider case S078-079.

(13) **S078-086**

An application to replat a 0.290 acre tract of land containing all of Lot 8 in City Block 8/5498 to reduce the existing 50 foot platted building line to a 35 foot platted building line on 6448 Pemberton Drive between Tibbs Street and Edgemere Drive.

Note: The applicant withdrew the application prior to the public hearing.

(14) **S078-088**

Motion: It was moved to **approve** an application to replat a 1.572 acre tract of land containing all of Lots 1, 2, 16 and 17 in City Block J/8343 into one lot on 5916 Marine Way between Army Avenue and Navy Avenue, subject to compliance with the conditions listed in the docket.

Maker: Lozano
Second: Davis
Result: Carried: 8 to 4

For: 8 - Prothro, Gary, Davis, Rodgers, Lozano, Jones-Dodd, Lueder, Ekblad

Against: 4 - Bagley, Weiss, Wolfish, Emmons
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Speakers: None

(15) **S078-090**

Motion: It was moved to **approve** an application to replat a 0.6820 acre tract of land containing part of Lot 3 in City Block 3/6624 into one, 14,372 square foot lot and one, 15,334 sq. ft. lot on 2971 Marideen Avenue, subject to compliance with the conditions listed in the docket with the following note to be added to the final plat: 1) Must comply with Sec 51a-8.503(E)(1): Buildings cannot encroach on lot lines or setbacks.

Maker: Gary
Second: Jones-Dodd
Result: Carried: 11 to 1

For: 11 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Ekblad, Emmons

Against: 1 - Wolfish
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Speakers: For: None
Against: Kenneth Janaway, 2975 Marideen Ave., Dallas, TX, 75223

(16) **S078-091**

Motion: It was moved to **deny** an application to replat a 42.143 acre tract of land containing part of Lot 1, City Block S/5455 and all of Lot 1A, City Block S/5455 into one 17.341 acre lot, and one 24.801 acre lot on N. Central Expressway; at Walnut Hill Lane, northwest corner, due to failure to comply with Article 8, notice requirements of the Dallas Development Code.

Maker: Bagley
Second: Prothro
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons*

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Note: The Commission voted unanimously to change the order of the agenda and hear the Authorization of Hearing – Under Advisement regarding authorization of a public hearing to determine the proper zoning on property zoned an MF-2(A) Multifamily District and an RR Regional Retail District with a portion encumbered with volunteered deed restrictions in an area generally bounded by Samuell Boulevard, Jim Miller Road, Grove Hill Road, and R.L. Thornton Freeway and including 5409 N. Jim Miller Road, 5475 N. Jim Miller Road and 5000 Samuell Boulevard with consideration being given to a Planned Development District.

Miscellaneous Docket

M078-006

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Development Plan for Planned Development District No. 72 for Automotive, Motorscooter, or Motorcycle display, sales and service (outside display) Uses on the northwest line of Inwood Road, southwest of Lemmon Avenue.

Maker: Emmons
Second: Lozano
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley*, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: For (did not speak): Robert McTaggart, 5910 N. Central Expy., Dallas, TX, 75206
Against: None

M078-007

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Development Plan for Planned Development District No. 391 for an Industrial (inside) potentially incompatible use to be operated as a Foundry and other IM Industrial Manufacturing District Uses on the northeast and southeast corners of Joe Field Road and Newkirk Street.

Maker: Emmons
Second: Lozano
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley*, Jones-Dodd, Weiss, Lueder, Wolfish, Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

D078-004

Planner: Frank Dominquez

Motion: It was moved to **approve** a development plan for Planned Development District No. 582, the Victory Planned Development District on Victory Avenue and Museum Way.

Maker: Emmons
Second: Jones-Dodd
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Speakers: None

W078-004

Planner: Neva Dean

Motion: It was moved to **deny** a waiver of the two-year waiting period in order to amend the sign provisions in the Planned Development District for RR Regional Retail District uses plus multifamily uses on the north corner of Northwest Highway and Skillman Street.

Maker: Bagley
Second: Rodgers
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis*, Rodgers, Lozano,
Bagley, Jones-Dodd, Lueder, Wolfish, Ekblad,
Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0
Conflict: 1 - Weiss

*out of the room, shown voting in favor

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

W078-005

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to submit an application to expand and amend the conditions to Tract 1 within Subdistrict 1 of Planned Development District No. 468 on the west side of Zang Boulevard, north of Colorado Boulevard.

Maker: Gary
Second: Jones-Dodd
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis*, Rodgers, Lozano,
Bagley, Jones-Dodd, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

Zoning Cases – Consent

1. **Z067-285(MW)**

Planner: Marcus Watson

Motion: It was moved to recommend **approval** of a Landmark Commission authorized hearing to consider an Historic Overlay, subject to preservation criteria on property zoned an R-7.5(A) Single Family District on the north side of Sears Street between Euclid Street and Summit Avenue.

Maker: Davis
Second: Wolfish
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 200 Mailed: 25
Replies: For: 2 Against: 1

Speakers: None

2. **Z067-337(RB)**

Planner: Richard Brown

Motion: In considering an application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District on the east line of Houston School Road, north of Wheatland Road, it was moved to **hold** this case under advisement until February 28, 2008.

Maker: Jones-Dodd
Second: Rodgers
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 400 Mailed: 15
Replies: For: 2 Against: 2

Speakers: None

Note: It was moved by Commissioner Davis and seconded by Commissioner Prothro to suspend the CPC rules regarding bus tour requirements and allow the entire Commission present to participate in the discussion and vote on any motions regarding Z067-325(OTH). The Commission voted unanimously to approve the motion.

3. Z067-325(OTH)

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for a bank or savings and loan with drive-in window or a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, landscape plan and revised conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Wycliff Avenue and Lemmon Avenue with the following changes: 1) Eliminate the night depository. 2) Increase the width of the sidewalks from 6 feet to 8 feet.

Maker: Emmons
Second: Prothro
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd*, Weiss, Lueder, Wolfish, Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 30
Replies: For: 2 Against: 0

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270
Against: None

4. **Z078-125(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** to amend conditions and the development plan for Subdistrict 1 within Planned Development District No. 732, at the terminus of Folsom Street, north of Fort Worth Avenue and west of Sylvan Avenue.

Maker: Davis
Second: Wolfish
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

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

Speakers: None

5. **Z078-126(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the submittal of a landscape plan, as required in public deed restrictions, on property zoned a CR Community Retail District on the south side of Rosemeade Parkway, east of Marsh Lane.

Maker: Davis
Second: Wolfish
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 300 Mailed: 14
Replies: For: 0 Against: 0

Speakers: For(did not speak): Kelly McCarthy, 620 Main St., Garland. TX, 75040
For(did not speak): Miguel Picart, 620 Main St., Garland. TX, 75040
Against: None

6. **Z078-132(JH)**

Planner: Jennifer Hiromoto

Motion: In considering an application to amend the deed restrictions on property zoned a CS Commercial Service District on the northeast side of Lemmon Avenue, south of Hopkins Avenue, it was moved to **hold** this case under advisement until March 6, 2008.

Maker: Emmons
Second: Rodgers
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 300 Mailed: 29
Replies: For: 2 Against: 4

Speakers: For: Joyce Lockley, 4718 Wateka Dr., Dallas, TX, 75209
Against: None

7. **Z078-134(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Tract IV and VI of Planned Development District No. 88, subject to a development plans and conditions for a linguistic center, retirement housing and monopole cellular tower, south of Camp Wisdom, west of Clark Road.

Maker: Davis
Second: Wolfish
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 500 Mailed: 53
Replies: For: 15 Against: 2

Speakers: None

8. Z078-140(MF)

Planner: Michael Finley

Motion: It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-7.5(A) Single Family District on Marsalis Avenue, Edgemont Avenue, Cedar Oaks Boulevard and 18th Street.

Maker: Davis
Second: Wolfish
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 200 Mailed: 340
Replies: For: 26 Against: 9

Speakers: For: Willie Taylor, 1319 Arizona Ave., Dallas, TX, 75216
Irene Register, 1422 Michigan Ave., Dallas, TX, 75216
Sarah Young, 1411 Michigan Ave., Dallas, TX, 75216
Angela Marshall, 1410 Michigan Ave., Dallas, TX, 75216
Shirley Walker, 1330 Arizona Ave., Dallas, TX, 75216
Frederick Richards, 1312 Cedar Oaks Blvd., Dallas, TX, 75216
Jeri Arbuckle, 4800 Victor St., Dallas, TX, 75246
For (did not speak): Ernestine Taylor, 1319 Arizona Ave., Dallas, TX, 75216
For (did not speak): Lee McEntosh, 1406 Arizona Ave., Dallas, TX, 75216
For (did not speak): Alvene Thomas, 1307 Arizona Ave., Dallas, TX, 75216
Against: None

9. **Z078-138(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial** of a Specific Use Permit for an alcoholic beverage establishment use for a private club on property zoned an MU-1 Mixed use District on the west side of Marvin D. Love Freeway, south of Camp Wisdom.

Maker: Jones-Dodd
Second: Emmons
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 300 Mailed: 9
Replies: For: 1 Against: 1

Speakers: For: Edward Scott, 1311 Regatta Pl., Dallas, TX, 75232
Harold Gray, 1320 Lake Grove Ln., Desoto, TX, 75115
Against: None

Zoning Cases - Individual

10. **Z078-113(WE)**

Planner: Warren Ellis

Motion: In considering an application for an IM Industrial Manufacturing District on property zoned an LI-D-1 Light Industrial District with a Dry Liquor Control Overlay, on the west side of Parkdale Drive, north of Military Parkway, it was moved to **hold** this case under advisement until February 28, 2008.

Maker: Bagley
Second: Rodgers
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 400 Mailed: 19
Replies: For: 2 Against: 9

Speakers: For: None
Against: Susan Foster, 2701 N. Dallas Pkwy., Plano, TX, 75093

11. **Z078-136(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment use for a bar, lounge, or tavern for a two-year time period, subject to a site plan and conditions on property zoned Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District on the north side of Elm Street between Malcolm X Boulevard and Crowdsus Street.

Maker: Bagley
Second: Prothro
Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Jones-Dodd*, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 13
Replies: For: 2 Against: 0

Speakers: For: Frank Edwards, 2809 Elm St., Dallas, TX, 75226
Against: None

12. **Z078-137(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment use for a bar, lounge, or tavern for a three-year time period, subject to a site plan and conditions on property zoned Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District on the west side of Parry Avenue between Exposition Avenue and 1st Street.

Maker: Bagley
Second: Prothro

Result: Carried: 12 to 0

For: 12 - Prothro, Gary, Davis, Rodgers, Lozano,
Bagley, Jones-Dodd*, Weiss, Lueder, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 6
Replies: For: 3 Against: 0

Speakers: For: Charles Gilder, 3615 Parry Ave., Dallas, TX, 75226
Against: None

13. **Z078-122(OTH)**

Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Tattoo Studio and Piercing Studio within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on the north side of Main Street, east of Crowds Street.

Maker: Bagley
Second: Wolfish
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 200 Mailed: 17
Replies: For: 1 Against: 2

Speakers: For: Jacob Lopez, 2811 Main St., Dallas, TX, 75226
Against: None

14. **Z078-119(RB)**

Planner: Richard Brown

Motion I: It was moved to recommend **approval** of a Planned Development District for Retirement housing, Single family, and Office uses, subject to a revised conceptual plan and staff's recommended revised conditions with the following added conditions: 1) The development plan must include a risk mitigating retaining wall 2) Tract III retain R-7.5(A) existing uses and standards, on property zoned an R-7.5(A) Single Family District and an NO(A) Neighborhood Office District on the southwest corner of Skillman Street and Church Road and **approval** of the termination of existing deed restrictions that encumber the southern portion of the site.

Maker: Lueder
Second: Davis
Result: Failed: 2 to 10

For: 2 - Davis, Lueder

Against: 10 - Prothro, Gary, Rodgers, Lozano, Bagley,
Jones-Dodd, Weiss, Wolfish, Ekblad, Emmons
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Motion II: It was moved to recommend **denial** of a Planned Development District for Retirement housing, Single family, and Office uses on property zoned an R-7.5(A) Single Family District and an NO(A) Neighborhood Office District on the southwest corner of Skillman Street and Church Road and denial of the termination of the existing deed restrictions that encumber the southern portion of the site.

Maker: Emmons
Second: Wolfish
Result: Carried: 10 to 2

For: 10 - Prothro, Gary, Rodgers, Lozano, Bagley,
Jones-Dodd, Weiss, Wolfish, Ekblad, Emmons

Against: 2 - Davis, Lueder
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Notices: Area: 500 Mailed: 331
Replies: For: 156 Against: 48

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Jonathan Perlman, 7475 Skillman Ave., Dallas, TX, 75231

- William Cothrum, 900 Jackson St., Dallas, TX, 75202
David Hardt, 8928 Fairglen Dr., Dallas, TX, 75231
Pamela Nelms, 10236 Creekmere Dr., Dallas, TX, 75218
Rusty Hill, 10115 McCree Rd., Dallas, TX, 75238
Miguel del Valle, 9469 Estate Ln., Dallas, TX, 75238
Bill Sims, 9217 Canter Dr., Dallas, TX, 75231
- For (did not speak): Dana Perlman, 3225 Bryan Mawr Dr., Dallas, TX, 75225
For (did not speak): Lisa Sims, 9217 Canter Dr., Dallas, TX, 75231
For (did not speak): Hunt Fugate, 9404 Shady Valley Dr., Dallas, TX, 75238
For (did not speak): Rockland Berg, 10141 Mapleridge Dr., Dallas, TX, 75238
For (did not speak): David Spearman, 11248 Ferndale Rd., Dallas, TX, 75238
For (did not speak): Jamie Gaugler, 9443 Highridge Dr., Dallas, TX, 75238
For (did not speak): Cathy Russell, 10042 Edgecove Dr., TX, 75238
For (did not speak): Robert Russell, 10042 Edgecove Dr., Dallas, TX, 75238
For (did not speak): Laura Reichardt, 3800 Holland Ave., Dallas, TX, 75219
For (did not speak): Steve Caron, 5819 Mapleshade Ln., Dallas, TX, 75252
For (did not speak): Terri Woods, 1516 San Saba Dr., Dallas, TX, 75218
For (did not speak): Robin Norcross, 10000 Linkwood Dr., Dallas, TX, 75238
For (did not speak): Jana Boswell, 9406 Winding Ridge Dr., Dallas, TX, 75225
For (did not speak): Belinda Bruneman, 9805 Winding Ridge Dr., Dallas, TX, 75238
For (did not speak): Ben Hidalgo, 2820 McKinnon St., Dallas, TX, 75201
For (did not speak): Sean Howard, 6060 N. Central Expwy., Dallas, TX, 75206
For (did not speak): Bryant Marshall, 6060 N. Central Expwy., Dallas, TX, 75206
- Against: Glee Huebner, 9041 Drumcliffe Ln., Dallas, TX, 75231
Sidney Morrison, 9485 Dartridge Dr., Dallas, TX, 75238
Trey Randal, 7203 Crofton Dr., Dallas, TX, 75231
Tom Harrison, 7603 Arborgate Dr., Dallas, TX, 75231
Ken Brunkenhoefer, 9077 Fairglen Dr., Dallas, TX, 75231
Larry Sears, 7601 Arborgate Dr., Dallas, TX, 75231
Ray Huebner, 9041 Drumecliffe Ln., Dallas, TX, 75231
Dr. Betty Smith, 9113 Church Rd., Dallas, TX, 75231
Adrienne McMullen, 7206 Claybrook Dr., Dallas, TX, 75231
Phillip Richardson, 9146 Cork Ln., Dallas, TX, 75231
Mica Sleeper, 8827 Lacrosse Dr., Dallas, TX, 75231
- Against (did not speak): Jane Howell, 9336 Shoreview Rd., Dallas, TX, 75238
Against (did not speak): Bonnie Collier, 9106 Cork Ln., Dallas, TX, 75231
Against (did not speak): Kelly Huebner, 7718 Lemmonwood Dr., Dallas, TX, 75231
Against (did not speak): W.B. Vandivort, III, 9935 Windlake Cr., Dallas, TX, 75238
Against (did not speak): Danny Judkins, 7216 Winedale Dr., Dallas, TX, 75231
Against (did not speak): Jana Storm, 9119 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): Martha Judkins, 7216 Winedale Dr., Dallas, TX, 75231
Against (did not speak): Win Evans, 9473 Dartridge Dr., Dallas, TX, 75238
Against (did not speak): J. Richard Bartolomeo, 9535 Brentgate Dr., Dallas, TX, 75238
Against (did not speak): Gil Brand, 9130 Cork Ln., Dallas, TX, 75231
Against (did not speak): Gloria Rowell, 9129 Church Rd., Dallas, TX, 75231
Against (did not speak): Betty Van Amburgh, 9035 Maguires Bridge Dr., Dallas, TX, 75231

Against (did not speak): Ida Deats, 9159 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): Vickie Kersting, 9136 Cork Ln., Dallas, TX, 75231
Against (did not speak): Michael Rasmussen, 8851 Kings Rd., Dallas, TX, 75231
Against (did not speak): Renatta Rasmussen, 8851 Kingsley Rd., Dallas, TX, 75231
Against (did not speak): Julia Noble, 9620 Trailview Dr., Dallas, TX, 75328
Against (did not speak): Jay Yarbough, 9541 Angleridge Dr, Dallas, TX, 75238
Against (did not speak): Ann Clark, 9015 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): Lynn McClendon, 9030 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): Sophie Trahan, 7219 Claybrook Dr., Dallas, TX, 75231
Against (did not speak): Linda Ham, 9101 Gunnison Dr., Dallas, TX, 75231
Against (did not speak): Oliver T. Ham, Jr., 9101 Gunnison Dr., Dallas, TX, 75231
Against (did not speak): Pamela Woodiel, 8839 Lacrosse Dr., Dallas, TX, 75231
Against (did not speak): Elaine Sandilands, 9056 Maguires Bridge Dr., Dallas, TX, 75231
Against (did not speak): Mary Colvin, 9039 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): Joseph Laky, Jr., 8815 Kenton Dr., Dallas, TX, 75231
Against (did not speak): Eve Finn, 7222 Claybrook Dr., Dallas, TX, 75231
Against (did not speak): William Finn, 7222 Claybrook Dr., Dallas, TX, 75231
Against (did not speak): Dr. Laurie Shulman, 9120 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): Vicki Ferrantello, 9124 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): Mitzi Walsh, 8911 Gunnison Dr., Dallas, TX, 75231
Against (did not speak): William Rowell, 9129 Church Rd., Dallas, TX, 75231
Against (did not speak): John Irvin, 9426 Windy Knoll Dr., Dallas, TX, 75243
Against (did not speak): Debbie Werner, 8821 Kenton Dr., Dallas, TX, 75231
Against (did not speak): Judy Kassees, 9006 Maquines Bridge Dr., Dallas, TX, 75231
Against (did not speak): Julia Pedrolie, 9017 Church Rd., Dallas, TX, 75231
Against (did not speak): C. W. Beard, 9121 Church Rd., Dallas, TX, 75231
Against (did not speak): Douglas Gasel, 9136 Dunmore Pl., Dallas, TX, 75231
Against (did not speak): Ray Hill, 9702 Trail Hill Dr., Dallas, TX, 75238
Against (did not speak): Peggy Hill, 9702 Trail Hill Dr., Dallas, TX, 75238
Against (did not speak): Vernon Schimming, 9737 Fieldcrest Dr., Dallas, TX, 75238
Against (did not speak): John Hopkins, 9119 Cork Ln., Dallas, TX, 75231
Against (did not speak): Michael Cobb, 9029 Maple Glen Dr., Dallas, TX, 75231
Against (did not speak): Judy Williams, 9079 Fairglen Dr., Dallas, TX, 75231
Against (did not speak): Jane Matthiesen, 9067 Fairglen Dr., Dallas, TX, 75231
Against (did not speak): Ann Herring, 9145 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): Brenda Knee, 9165 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): John Knee, 9165 Dunmore Dr., Dallas, TX, 75231
Against (did not speak): Albert Becken, 9119 Drumcliffe Ln., Dallas, TX, 75231
Against (did not speak): Angela Klein, 9046 Gunnison Dr., Dallas, TX, 75231
Against (did not speak): Dave Klein, 9046 Gunnison Dr., Dallas, TX, 75231
Against (did not speak): Alejandro Alvarez, 9233 Church Rd., Dallas, TX, 75231
Against (did not speak): Wilson Williams, 9079 Fairglen Dr., Dallas, TX, 75231
Against (did not speak): Tray Schrader, 9132 Dunmore Pl., Dallas, TX, 75231
Against (did not speak): Ann Meyer, 6918 Kenwhite Dr., Dallas, TX, 75231
Against (did not speak): Carolyn Brunkenhoefer, 9077 Fairglen Dr., Dallas, TX, 75231
Against (did not speak): Jennifer Lueken, 7605 Arbogate Dr., Dallas, TX, 75231

Against (did not speak): Dennis Sullivan, 10826 Scotsprings Ln., Dallas, TX, 75218
Against (did not speak): Matt Kersting, 9136 Cork Ln., Dallas, TX, 75231
Against (did not speak): Arlene Huntzicker, 7211 Claybrook Dr., Dallas, TX, 75231
Against (did not speak): Jon Huntzicker, 7211 Claybrook Dr., Dallas, TX, 75231
Against (did not speak): Laverne Weaver, 6942 Blackwood Dr., Dallas, TX, 75231
Against (did not speak): Jim Weaver, 6942 Blackwood Dr., Dallas, TX, 75231
Against (did not speak): Peggy Marshall, 8912 Maple Glen Dr., Dallas, TX, 75231

Authorization of Hearings

Motion: It was moved to **authorize** a amendment to an authorization of a public hearing to determine the proper zoning on property zoned Planned Development District No. 317, the Cedars Area Special Purpose District, with consideration being given to adding the art and craft production use in all subdistricts and revising the parking regulations for the use in an area generally bounded by I-30, I-45, G.C.&S.F. Railroad, and the M.K.&T. Railroad.

Maker: Wolfish
Second: Jones-Dodd
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Speakers: None

Authorization of Hearings - Under Advisement

Motion: In considering the authorization of a public hearing to determine the proper zoning on property zoned an MF-2(A) Multifamily District and an RR Regional Retail District with a portion encumbered with volunteered deed restrictions in an area generally bounded by Samuell Boulevard, Jim Miller Road, Grove Hill Road, and R.L. Thornton Freeway and including 5409 N. Jim Miller Road, 5475 N. Jim Miller Road and 5000 Samuell Boulevard with consideration being given to a Planned Development District, it was moved to **hold** this case under advisement until February 28, 2008 with instructions to staff to expand the area of request to an area bond by I-30, Forney, Lawn View and Buckner.

Maker: Davis
Second: Bagley

Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Speakers: None

Other Matters

Discussed up coming National APA Conference

CPC Committee Appointments and Reports - None

Minutes

Motion: It was moved to **approve** the minutes of the January 17, 2008,
City Plan Commission meeting, subject to corrections.

Maker: Emmons
Second: Bagley
Result: Carried: 12 to 0

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

Against: 0
Absent: 3 - Strater, Buehler, Alcantar
Vacancy: 0

Adjournment

The February 7, 2008, City Plan Commission meeting **adjourned** at 5:20
p.m.

Joe Alcantar, Chair