

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on March 27, 2008, with the briefing starting at 10:02 a.m. in Room 5ES and the public hearing at 1:30 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and Chris Buehler, Vice Chair. The following Commissioners were present during the hearing: James Prothro, Jeff Strater, Clarence Gary, Michael Davis, Emma Rodgers, John Lozano, Ann Bagley, Erma Jones-Dodd, Bob Weiss, Tom Lueder, Sally Wolfish, Robert Ekblad and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: None. There are no vacancies.

The City Plan Commission was briefed by staff on each item on the agenda and a question and answer period followed each briefing.

A variety of dockets, requests and briefings were presented to the Commission during the open public hearing. The applicants or their representatives presented their arguments, citizen comments were heard, and using the information and staff recommendations in the hearing dockets, the Commission took the following actions.

NOTE: For more detailed information on discussion on any issue heard during this briefing and public hearing, refer to the tape recording retained on file in the Department of Development Services.

PUBLIC HEARINGS:

Subdivision Docket

Planner: 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) **S056-314R**

Motion: It was moved to **approve** an application to create four lots ranging in size from 1.0182 acres to 3.2156 acres out of a 7.6132 acre tract of land bounded by Chrysalis Drive, Cliff Creek Crossing, S. Hampton Road and W. Wheatland Drive, subject to compliance with the conditions listed in the docket with an added condition to read as follows: "On the final plat change W. Wheatland Drive to W. Wheatland Road".

Maker: Weiss
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Strater*, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Lueder, Buehler, Wolfish, Ekblad*, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(2) **S078-125**

Motion: It was moved to **approve** an application to create one lot out of a 1.5202 acre tract of land in City Block A/8081 at the intersection of Audelia Road and Walnut Hill Lane, northeast corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Strater*, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad*, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(3) **S078-127**

Motion: It was moved to **approve** an application to create one lot out of a 1.19 acre tract of land in City Block 6280 on the east side of N. Jim Miller Road between Hwy. 175 and Elam Road, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Strater*, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad*, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(4) **S078-129**

Motion: It was moved to **approve** an application to create one lot out of a 4.8120 acre tract of land in City Block 840 at the intersection of Hall Street and Worth Street, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Bagley
Result: Carried: 13 to 2

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

Against: 2 - Weiss, Alcantar
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

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

Residential Replats:

(5) **S078-123**

Motion: It was moved to **approve** an application to replat a 1.181 acre tract of land containing all of Lots 21, 22 and 23 in City Block 11/6378 into one 0.571 acre lot and one 0.6100 acre lot on the east side of Crestbrook Drive, north of Northhaven Drive also known as 11430 thru 11438 Crestbrook Drive, subject to compliance with the conditions listed in the docket with an added condition to read as follows: "On the final plat the existing 40 ft., platted building line be shown along Crestbrook Drive".

Maker: Buehler
Second: Davis
Result: Carried: 10 to 5

For: 10 - Strater, Gary, Davis, Rodgers, Weiss, Lueder,
Buehler, Ekblad, Emmons, Alcantar

Against: 5 - Prothro, Lozano, Bagley, Jones-Dodd, Wolfish
Absent: 0
Vacancy: 0

Speakers: For: Moody Younger, 6273 Boca Raton Dr., Dallas, TX, 75230
John Benefield, 11430 Crestbrook Dr., Dallas, TX, 75230
For(did not speak): Jennifer Younger, 6273 Boca Raton Dr., Dallas, TX, 75230
Against: None

(6) **S078-126**

Motion: It was moved to **approve** an application to replat a 1.0 acre tract of land containing all of Lot 5 in City Block 8/8331 into four 0.25 acre lots on the west side of N. Tillery Avenue, between Easy Street and Goodman Street also known as 1239 N. Tillery Avenue, subject to compliance with the conditions listed in the docket.

Maker: Lozano
Second: Weiss
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Miscellaneous Docket

M078-010

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 681, for a Public school and R-7.5(A) Single Family District uses on the northwest corner of Colorado Boulevard and Fullerton Drive.

Maker: Weiss
Second: Buehler
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

M078-013

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 555 for a Private school, Child-care facility, and R-10(A) Single Family District Uses on the southwest corner of Frankford Road and Hillcrest Road.

Maker: Weiss
Second: Buehler
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

M078-014

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 582, the Victory Planned Development District in an area generally bounded by property north of Hi Line Drive, the M.K. & T. Railroad to the east, Continental Avenue to the south, and Stemmons Freeway to the west.

Maker: Weiss
Second: Buehler
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

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 moved to **hold** this case under advisement until April 3, 2008.

Maker: Buehler
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

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

W078-008

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 Tract IIA within Conservation District No. 6, the Hollywood/Santa Monica Conservation District, on Shady Side Lane, both sides, southeast of Lindsley Avenue.

Maker: Emmons
Second: Weiss
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Certificates of Appropriateness for Signs

Downtown Sign District:

0802295001

Planner: Kyra Blackston

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 40 square foot Kiosk on the west corner of St. Paul Street and Wenchell at 504 St. Paul Street.

Maker: Emmons
Second: Wolfish
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis*, Rodgers,
Lozano, Bagley, Jones-Dodd*, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar*

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

0802295005

Planner: Kyra Blackston

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 40 square foot Kiosk on the northwest corner of St. Paul Street and San Jacinto at 608 St. Paul Street.

Maker: Emmons
Second: Wolfish
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis*, Rodgers,
Lozano, Bagley, Jones-Dodd*, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar*

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Zoning Cases – Consent

1. Z078-141(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for MU-2 Mixed Use District Uses, subject to a development plan, landscape plan and revised conditions on property zoned an MU-2 Mixed Use District at the northeast corner of Greenville Avenue and Walnut Hill Lane.

Maker: Ekblad
Second: Lueder
Result: Carried: 9 to 5

For: 9 - Prothro, Strater, Davis, Rodgers, Lozano,
Lueder, Buehler, Wolfish, Ekblad

Against: 5 - Gary, Bagley, Jones-Dodd, Emmons, Alcantar
Absent: 0
Vacancy: 0
Conflict: 1 - Weiss

Notices: Area: 500 Mailed: 18
Replies: For: 0 Against: 4

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75201
Against: Michael Jung, 4400 Bank of America plaza, Dallas, TX, 75202
Steve Stoner, 400 S. Houston St., Dallas, TX, 75201

2. Z078-144(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Vehicle sales, display, and service use for a three-year period, subject to a site plan and conditions on property within the Subdistrict 1/Tract II portion of Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, on the northwest corner of CF Hawn Freeway and Haymarket Street.

Maker: Weiss
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis*, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: None

3. Z078-145(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Vehicle or engine repair or maintenance use for a two-year period, subject to a site plan and revised conditions on property within the Subdistrict 3 portion of Planned Development District No. 533, the C. F. Hawn Special Purpose District No. 1, on the northeast line of CF Hawn Freeway, southeast of Lake June Road.

Maker: Jones-Dodd
Second: Weiss
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

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

Speakers: None

4. Z078-147(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to and expansion of Planned Development District No. 306 for a Public school and Community service center, subject to a revised development plan, revised landscape plan, and conditions on property zoned Planned Development District No. 306 and an R-7.5(A) Single Family District on the west line of Edgefield Avenue, between Twelfth Street and Brooklyn Avenue.

Maker: Weiss
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis*, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 235
Replies: For: 9 Against: 10

Speakers: None

5. Z078-170(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the revised development/landscape plan and conditions for Planned Development District No. 531 for a Community service center and MF-2(SAH) Multifamily (Standard Affordable Housing) District Uses on the north line of Ridgecrest Road, northwest of Eastridge Drive.

Maker: Weiss
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis*, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 10
Replies: For: 1 Against: 0

Speakers: None

6. Z078-163(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to the Tract IV conditions of Planned Development District No. 508 for CH Clustered Housing, MF-2(A) Multifamily, LO-1 Limited Office, MU-1 Mixed Use District uses, subject to a conceptual plan and revised conditions on the southeast corner of Kingbridge Road and Bickers Street.

Maker: Weiss
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis*, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 2
Replies: For: 0 Against: 0

Speakers: None

7. Z078-164(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** for a LO-1 Limited Office District, subject to the deed restrictions volunteered by the applicant on property zoned a P(A) Parking District with Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of Northwest Highway and Solta Drive.

Maker: Weiss
Second: Prothro
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Davis*, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Lueder,
Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 22
Replies: For: 2 Against: 1

Speakers: None

Zoning Cases – Individual

8. Z078-102(MP)

Planner: Michael Pumphrey

Motion I: It was moved to close the public hearing and find that the director did not err in determining that the area is ineligible for Conservation District classification because the area does not satisfy all of the eligible criteria; specifically, the area does not either “stable” or “stabilizing”, does not contain significant architectural or cultural attributes, does not have a distinctive atmosphere or character that can be conserved by protecting or enhancing its architectural or cultural attributes; therefore, **no change in zoning** will occur on property zoned Planned Development District No. 226, an R-7.5(A) Single Family District, R-10(A) Single Family District, and an A(A) Agricultural District in an area generally bounded by the eastern blockfaces of Kiwanis, both sides of Dixie Garden Lane, both sides of Cliff Haven Drive, both sides of Cliff Haven Ct., and the northern blockfaces of West Red Bird Lane.

Maker: Gary
Second: Buehler
Result: Carried: 12 to 2

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

Against: 2 - Strater, Davis
Absent: 1 - Emmons
Vacancy: 0

Motion II: It was moved to place an item on the City Plan Commission agenda for consideration of authorization of a public hearing to determine proper zoning for Planned Development District No. 226 with consideration given to amending Planned Development District No. 266, in an area generally bounded by the eastern blockfaces of Kiwanis, both sides of Dixie Garden Lane, both sides of Cliff Haven Drive, both sides of Cliff Haven Ct., and the northern blockfaces of West Red Bird Lane.

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

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

Against: 0
Absent: 1 - Emmons
Vacancy: 0

Notices: Area: 200 Mailed: 175
Replies: For: 53 Against: 26

Speakers: For: William Cornell, 5439 Leeway Dr., Dallas, TX, 75236
Sandra Breakfield, 5610 Cliff Haven Dr., Dallas, TX, 75236
Mark Housewright, 2511 Wedglea Dr., Dallas, TX, 75211
Chris Lomax, 6430 Dixie Garden, Dallas, TX, 75236
Judy Richards, 407 N. Horne, Duncanville, TX, 75116
For(Did not speak): Patricia Ross, 5102 Cliff Haven Dr., Dallas, TX, 75236
Against: Madonna Kaster, P.O. Box 422, Cedar Hill, TX, 75106
Bill Kaster, P.O. Box 422, Cedar Hill, TX, 75106
Dale Baughman, 6441 Shadow Ln., Dallas, TX, 75236
Brenda McKenzie, 5714 Cliff Haven Dr., Dallas, TX, 75236
Juan Cadena, 6815 American Way, Dallas, TX, 75237
Joe Thomas, 6417 Dixie Garden, Dallas, TX, 75236

Other Matters

CPC Committee Appointments and Reports - **None**

Minutes

Motion: It was moved to **approve** the minutes of the March 6, 2008, City Plan Commission meeting, subject to corrections.

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

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

Against: 0
Absent: 1 - Emmons
Vacancy: 0

*out of the room, shown voting in favor

Adjournment

Motion: It was moved to **adjourn** the March 27, 2008, City Plan Commission meeting at 4:07 p.m.

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

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

Against: 0
Absent: 0 - Emmons
Vacancy: 0

*out of the room, shown voting in favor

Joe Alcantar, Chair