

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on September 11, 2008, with the briefing starting at 11:05 a.m. in Room 5ES and the public hearing at 1:31 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 Starter, 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) **S067-181R**

**Motion:** It was moved to **approve** an application to replat all of Lots 11 - 14 of the Ervay Cedars Addition, in City Block 9/2532 and all of Lots 32 and 33 of Lincoln Manor No. 1, in City Block 1/2538, into one 0.625 acre lot on 2446 thru 2448 Macon Street and 5203 Bexar Street, subject to compliance with the conditions listed in the docket.

Maker: Weiss  
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

**Speakers:** None

(2) **S078-247**

**Motion:** It was moved to **approve** an application to plat a portion of City Block 2956 into one 11.247 acre lot and one 0.409 acre lot, north on Mockingbird Lane, between Abrams Road and Hillside Drive, subject to compliance with the conditions listed in the docket.

Maker: Weiss  
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

**Speakers:** None

(3) **S078-248**

**Motion:** It was moved to **approve** an application to plat a portion of City Block C/7595 to create one 11.58 acre lot, on Wheatland Road east of Arkan Parkway, subject to compliance with the conditions listed in the docket.

Maker: Weiss  
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

**Speakers:** None

(4) **S078-249**

**Motion:** It was moved to **approve** an application to replat Lots 7 and 8 in City Block 14/717 into one 0.328 acre lot at the intersection of Peak Street and Scurry Street, subject to compliance with the conditions listed in the docket.

Maker: Weiss  
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

**Speakers:** None

(5) **S078-251**

**Motion:** It was moved to **approve** an application to plat a portion of City Block 5469 to create one 0.94 acre lot, 6007 and 6015 Woodland Drive, subject to compliance with the conditions listed in the docket.

Maker: Ekblad  
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:** For: David Sudbury, 6015 Woodland Dr., Dallas, TX, 75225  
Against: None

(6) **S078-253**

**Motion:** It was moved to **approve** an application to plat a portion of City Block 6273 and a portion of City Block 6265 into 5 lots, ranging in size from 0.638 acre to 1.52 acre, northwest corner of Loop 12 and Hilburn Drive, subject to compliance with the conditions listed in the docket.

Maker: Weiss  
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

**Speakers:** None  
Residential Replat

(7) **S078-246**

An application to replat Lots 2 and 3 of the Prestonway Estates Addition, in City Block D/5481, into one 0.86 acre lot, 6215 and 6223 Lupton Drive.

**This application was withdrawn.**

(8) **S078-250**

**Motion:** It was moved to **approve** an application to replat Lots 1-8 of the Town of Rylie Addition, in City Block 3/8775, into one 0.96 acre lot, at 10900 Cade Road, subject to compliance with the conditions listed in the docket with removal of Condition #14.

Maker: Rodgers  
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:** None

(9) **S078-252**

An application to replat Lots 9, 10 and 35 in Joe A. Irwin Addition, in City Block C/7172, for the purpose of creating three lots ranging in size from 5,000 square feet to 7,750 square feet, at 2447 Jim Street.

**This application was withdrawn.**

Street Name Change - Under Advisement

**NC078-002**

**Motion:** It was moved to **approve** an application to change the name of Missouri Avenue between Interstate 35E and Marsalis Avenue to "Grover C. Washington Avenue", with waiver of street name standard Section 51A-9.304(a)(5) and Section 51A-9.304(b)(1).

Maker: Davis  
Second: Emmons  
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

**M078-043**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 738 for certain CR Community Retail District Uses and a Vehicle display, sales, and service use on the southwest corner of Mockingbird Lane and Haggar Way.

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:** None

**D078-019**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** development plan for Planned Development District No. 174 on the southwest corner of Lemmon Avenue and Carlisle Street.

Maker: Lueder  
Second: Ekblad  
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

**D078-020**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** development plan for Tract IV within Planned Development District No. 508 on the southeast corner of Bickers Street and Kingsbridge Street.

Maker: Lueder  
Second: Ekblad  
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

**D078-023**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** development plan for Planned Development District No. 582, the Victory Planned Development District, the Victory Planned Development District on the northeast side of Victory Avenue, north of Olive Street.

Maker: Lueder  
Second: Ekblad  
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

**D078-024**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** development/landscape plan for Planned Development District No. 711 on the southeast corner of Arapaho Road and Prestonwood Boulevard.

Maker: Lueder  
Second: Ekblad  
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

**D078-025**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** development plan for Planned Development District No. 775 on the northwest corner of Northwest Highway and Lullwater Drive.

Maker: Lueder  
Second: Ekblad  
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 – Under Advisement

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

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to and expansion of Planned Development District No. 486 for a Community service center and CH Clustered Housing District Uses, subject to a conceptual plan, Tract 1A development/landscape plan, Tract 2 development plan, and revised conditions 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 with the following changes: 1) Under **MAIN USES PERMITTED**, Sec.51P-486.105(a) – Require Specific Use Permit for any future private school, open enrollment charter school or public school use; 2) Under **YARD, LOT AND SPACE REGULATIONS**, Sec.51P-486.107(c) – Delete references to dwelling unit densities and 3) Under **YARD, LOT AND SPACE REGULATIONS**, Sec.51P-486.107(g), Lot size, to read: No minimum lot size.

Maker: Strater  
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: 500 Mailed: 253  
**Replies:** For: 35 Against: 5

**Speakers:** For: Audrey Buckley, 2700 Swiss Ave., Dallas, TX, 75204  
Walt Human, Address not given  
Adams Boyd, 9447 Dixie Ln., Dallas, TX, 75228  
Against: Latoya Gary, 4800 Parry Ave., Dallas, TX, 75223  
Shusheron Bassari, 4906 Gurley Ave., Dallas, TX, 75223  
Kathryn Scoggins, 4618 Gurley Ave., Dallas, TX, 75223

Individual Cases

**2. Z078-115(MAW)**

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of an MF-1(A) Multifamily District, subject to revised deed restrictions volunteered by the applicant on property zoned an MF-2(A) Multifamily District and an R-7.5(A) Single Family District on the east side of St. Augustine Drive, north of Bruton Road.

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

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

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

**Notices:** Area: 400 Mailed: 92  
**Replies:** For: 0 Against: 5

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

**3. Z078-254(MAW)**

Planner: Megan Wimer

**Motion:** In considering an application for a CS Commercial Service District on property zoned a CR Community Retail District on the east side of Cayuga Drive, north of Stevens Street, it was moved to **hold** this case under advisement until September 18, 2008.

Maker: Weiss  
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: 200 Mailed: 27  
**Replies:** For: 2 Against: 2

**Speakers:** None

Development Code Amendment

**DCA078-019**

Kate Singleton

**Motion:** It was moved to recommend **approval** of revised amendments to Chapter 51A, the Dallas Development Code, to amend regulations pertaining to appeals of Landmark Commission decisions.

Maker: Prothro  
Second: Lozano  
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

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Other Matters

CPC Committee Appointments and Reports - **None**

Minutes

**Motion:** It was moved to **approve** the minutes of the August 21, 2008, City Plan Commission meeting, subject to corrections.

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

Adjournment

**Motion:** It was moved to **adjourn** the September 11, 2008, City Plan Commission meeting at 3:18 p.m.

Maker: Weiss  
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

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Joe Alcantar, Chair