

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 11, 2007, with the bus tour starting at 9:10 a.m. followed by the briefing at p.m. in Room 5ES and the public hearing at 1:30 p.m. in the City Council Chambers of City Hall. Presiding were Robert Weiss, Chair and Angela Marshall, Vice Chair. The following Commissioners were present during the hearing: Jeff Strater, Clarence Gary, Michael Miranda, Ann Bagley, Erma Jones-Dodd, Peggy Hill, Chris Buehler, Sally Wolfish, Robert Ekblad, and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. There are three vacancies, District 1, District 5 and District 15.

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: Paul Nelson

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) **S012-178R3**

Motion: It was moved to **approve** an application to amend a previously approved preliminary plat to create a 246 lot residential plat on 46.879 acres of land in the City of Dallas ETJ north of US Highway 80, west of FM 740, and east of Lake Ray Hubbard, subject to compliance with the conditions listed in the docket.

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Reconsideration: It was moved to **reconsider** the Subdivision Consent agenda to add Condition #15 to Item (6) S067-070.

Maker: Buehler
Second: Marshall
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Motion: It was moved to **approve** an application to amend a previously approved preliminary plat to create a 246 lot residential plat on 46.879 acres of land in the City of Dallas ETJ north of US Highway 80, west of FM 740, and east of Lake Ray Hubbard, subject to compliance with the conditions listed in the docket.

Maker: Marshall
Second: Buehler
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

(2) **S067-063**

Motion: It was moved to **approve** an application to create an 18 lot single family subdivision with lots ranging from 10,000 to 15,505 square feet in area from a 4.2729 acre tract of land in City Block 8820 on 1710 Vida Lane at Belt Line Road, south corner northeast of US Hwy 175, subject to compliance with the conditions listed in the docket.

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Reconsideration: It was moved to **reconsider** the Subdivision Consent agenda to add Condition #15 to Item (6) S067-070.

Maker: Buehler
Second: Marshall
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Motion: It was moved to **approve** an application to create an 18 lot single family subdivision with lots ranging from 10,000 to 15,505 square feet in area from a 4.2729 acre tract of land in City Block 8820 on 1710 Vida Lane at Belt Line Road, south corner northeast of US Hwy 175, subject to compliance with the conditions listed in the docket.

Maker: Marshall
Second: Buehler
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

(3) **S067-064**

This case was withdrawn by the applicant

(4) **S067-068**

Motion: It was moved to **approve** an application to replat part of Lots 21 thru 25 in City Block 5/6122 and part of Lots 25 thru 27 in City Block 6/6122 abandoned Claypool (Fishburn Street) into one 10.6460 acre lot on Scyene Road between Second Avenue and Jim Miller Road , subject to compliance with the conditions listed in the docket.

Maker: Marshall
Second: Buehler
Result: Carried: 11 to 0

For: 11 - Strater, Gary, Marshall, Miranda, Jones-Dodd,
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15
Conflict: 1 - Bagley

Speakers: None

(5) **S067-069**

Motion: It was moved to **approve** an application to create one 1.11 acre lot from a tract of land in City Block 6882 on Bonnie View Road northwest of Highland Hills Road, subject to compliance with the conditions listed in the docket.

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Reconsideration: It was moved to **reconsider** the Subdivision Consent agenda to add Condition #15 to Item (6) S067-070.

Maker: Buehler
Second: Marshall
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Motion: It was moved to **approve** an application to create one 1.11 acre lot from a tract of land in City Block 6882 on Bonnie View Road northwest of Highland Hills Road, subject to compliance with the conditions listed in the docket.

Maker: Marshall
Second: Buehler
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

(6) **S067-070**

Motion: It was moved to **approve** an application to replat a 5.313 acre tract of land containing part of Lot 3A in City Block G/6939 into one 3.806 acre lot and one 1.507 acre lot on Camp Wisdom Road between American Way on the east and Cockrell Hill Road on the west, subject to compliance with the conditions listed in the docket.

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Reconsideration: It was moved to **reconsider** the Subdivision Consent agenda to add Condition #15 to Item (6) S067-070.

Maker: Buehler
Second: Marshall
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Motion: It was moved to **approve** an application to replat a 5.313 acre tract of land containing part of Lot 3A in City Block G/6939 into one 3.806 acre lot and one 1.507 acre lot on Camp Wisdom Road between American Way on the east and Cockrell Hill Road on the west, subject to compliance with the conditions listed in the docket and adding condition #15 to read as follows: "On the final plat remove all zoning set back lines from the plat."

Maker: Marshall
Second: Buehler
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

(7) **S067-071**

Motion: It was moved to **approve** an application to replat all of Lot 1, and a tract of land in City Block B/8052 into one 24.271 acre lot on Sanden Drive between Grader Street and Regency Crest Drive, subject to compliance with the conditions listed in the docket.

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Reconsideration: It was moved to **reconsider** the Subdivision Consent agenda to add Condition #15 to Item (6) S067-070.

Maker: Buehler
Second: Marshall
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Motion: It was moved to **approve** an application to replat all of Lot 1, and a tract of land in City Block B/8052 into one 24.271 acre lot on Sanden Drive between Grader Street and Regency Crest Drive, subject to compliance with the conditions listed in the docket.

Maker: Marshall
Second: Buehler
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

(8) **S067-072**

Motion: It was moved to **deny** an application to replat Lot 13 of City Block 2/1984 to create a 3 lot Shared Access Area Development on a 0.190 acre tract of land on 1906 Euclid Avenue, due to failure to comply with Section 51A-8.503 of the Dallas Development Code.

Maker: Strater
Second: Buehler
Result: Carried: 7 to 5

For: 7 - Strater, Marshall, Bagley, Weiss, Hill, Buehler, Emmons

Against: 5 - Gary, Miranda, Jones-Dodd, Wolfish, Ekblad
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

Individual Items – Residential Replats

(9) **S067-065**

Motion: It was moved to **approve** an application to replat part of City Block 2/5521, all of a 10 foot alley to be abandoned, and all of Lot 1 in City Block 2/5521 to create one 4.6607 acre lot on Harry's Lane and Strait Lane southwest corner, subject to compliance with the conditions listed in the docket

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

(10) **S067-066**

Motion: It was moved to **approve** an application to replat a tract of land containing all of Lots 5, 6, 7, 8, 9, 17, 18, 19, 20, 22, and 23 and part of Lot 21 in City Block 4/7155 into one 1.8664 acre lot on 4116 Gentry Drive, Mart Street and Bernal Drive, subject to compliance with the conditions listed in the docket.

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: For: John Jackson, 4120 Gentry Dr., Dallas, TX
Against: None

(11) **S067-067**

Motion: It was moved to **approve** an application to replat an 18.910 acre tract of land containing all of Lot 1 in City Block 8213 into 28 single family lots on Keller Springs Road and Abbey Creek Drive, subject to compliance with the conditions listed in the docket.

Maker: Marshall
Second: Buehler
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

Miscellaneous Docket

M056-048

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development/landscape plan for Planned Development District No. 553 for a Private school and Church on the southeast quadrant of Preston Road and Orchid Lane.

Maker: Ekblad
Second: Miranda
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: For: William Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

Z056-210(RB)

Planner: Richard Brown

Motion: It was moved to **approve** an extension of two months between the City Plan Commission recommendation and City Council consideration of a zoning request on an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the northeast line of Maple Avenue, southeast of Inwood Road.

Maker: Strater
Second: Marshall
Result: Carried: 12 to 0

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

Z056-308(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to **approve** of deed restrictions submitted in conjunction with an application for an IM Industrial Manufacturing District and a Specific Use Permit for an outside industrial potentially incompatible use on property zoned an IR Industrial Research District on the north side of Mañana Drive, west of Newkirk Street.

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

Z067-112(OTH)

Planner: Olga Torres-Holyoak

Motion: It was moved to **approve** a landscape plan submitted in conjunction with an application for an amendment to, and an expansion of, Specific Use Permit No. 445 for an Institution of Charitable or Philanthropic Nature for the War on Poverty on property zoned an R-5(A) Single Family District on the east side of Gentry Drive, south of Canada Drive.

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

Certificates of Appropriateness for Signs

Downtown Sign District

0610251020

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 180 square feet projecting attached wall sign with illuminated graphics and no text, subject to it being scaled down to a maximum size of 300 square feet to meet the limits set forth in the Downtown Sign district, at 300 North Akard Street above the garage entrance on the west façade of the building facing Akard Street at Federal Street.

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

For: 12 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

Zoning Cases – Under Advisement

1. Z056-318(WE)

Planner: Warren Ellis

Motion: In considering an application for a Specific Use Permit for a transit passenger station or transfer center on property zoned an IR Industrial Research District, on the southwest side of Denton Drive between Burbank Street and Wyman Street, it was moved to **hold** this case under advisement until February 1, 2007.

Maker: Marshall
Second: Jones-Dodd
Result: Carried: 11 to 0

For: 11 - Strater, Gary, Marshall, Miranda, Jones-Dodd,
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15
Conflict: 1 - Bagley

Notices: Area: 300 Mailed: 22
Replies: For: 1 Against: 10

Speakers: For: Kay Shelton, 1401 Pacific St., Dallas, TX, 75201,
Against: Patricia Van Winkle, 2529 Bookfield Ave., Dallas, TX, 75206

2. **Z056-327(OTH)**

Planner: Olga Torres- Holyoak

Motion: It was moved to **withdraw** the original motion to recommend approval with the applicant's changes with the exception that staff's height recommendations apply.

Maker: Strater
Second: Ekblad
Result: Carried: 9 to 3

For: 9 - Strater, Gary, Miranda, Bagley, Jones-Dodd,
Hill, Buehler, Wolfish, Ekblad

Against: 3 - Marshall, Weiss, Emmons
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Original Motion from December 21, 2006: *In considering an application of a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses, subject to a conceptual plan and the applicant's conditions on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southeast corner of Cedar Springs Road and Dallas North Tollway with the landscape plan and development plan to return on a future miscellaneous docket before forwarding to Council and the deletion of the following language under Section 109, OFF-STREET PARKING AND LOADING (b) (2) "Spaces adjacent to the lot and on a public street may be counted toward this guest parking requirement if one additional two-inch caliper tree is planted on the lot for each on-street guest space"., it was moved to **hold** this case under advisement until January 11, 2007 with the motion of approval still on the table.*

Motion: It was moved to recommend **approval** a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses, subject to applicant's development plan and the applicant's conditions on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southeast corner of Cedar Springs Road and Dallas North Tollway.

Maker: Miranda
Second: Ekblad
Result: Carried: 9 to 3

For: 9 - Strater, Gary, Miranda, Bagley, Jones-Dodd,
Hill, Buehler, Wolfish, Ekblad

Against: 3 - Marshall, Weiss, Emmons
Absent: 0
Vacancy: 3 - District 1, District 5, District 15

Notices: Area: 500 Mailed: 156
Replies: For: 5 Against: 2

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Frank Stich, 4224 N. Hall St., Dallas, TX, 75219
Against: None

Zoning Cases - Individual

3. **Z056-309(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 251 for a private school and R-7.5(A) Single Family District uses, subject to development plan, landscape plan and conditions on the northwest corner of Buckner Boulevard and Lake Highlands Road.

Maker: Marshall
Second: Jones-Dodd

Amended Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 251 for a private school and R-7.5(A) Single Family District uses, subject to a development plan, landscape plan and conditions on the northwest corner of Buckner Boulevard and Lake Highlands Road with one added condition to require a traffic study be done every three years and a recommendation that staff provide school zone/light analysis to Council.

Maker: Buehler
Second: Marshall
Result: Carried: 11 to 0

For: 11 - Strater, Gary, Marshall, Miranda, Bagley,
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Emmons

Against: 0
Absent: 0
Vacancy: 3 - District 1, District 5, District 15
Abstained: 1 - Ekblad

Notices: Area: 500 Mailed: 72
Replies: For: 1 Against: 13

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Ivy Urquhart, 9250 Peninsula Dr., Dallas, TX, 75218
Against: Joe L. Gillum, 9230 W. Lake Highlands Dr., Dallas, TX, 75218
Mel Cyrak, 9431 Tarleton St., Dallas, TX, 75218
Margaret Sinex, 9335 E. Lake Highlands Dr., Dallas, TX, 75218

4. Z067-118(JH)

Planner: Jennifer Hiromoto

Motion: In considering a CS Community Service District on property zoned an R-7.5(A) Single Family District and a CR Community Retail District on the east side of Hermosa Drive and on both sides of Fuller Drive, it was moved to **hold** this case under advisement until January 25, 2007.

Maker: Marshall
Second: Emmons
Result: Carried: 10 to 0

For: 10 - Gary, Marshall, Miranda, Bagley, Jones-Dodd,
Weiss, Hill, Buehler, Wolfish, Emmons

Against: 0
Absent: 1 - Strater**
Vacancy: 3 - District 1, District 5, District 15
Abstained: 1 - Ekblad

** Commissioner left, before vote taken

Notices: Area: 300 Mailed: 32
Replies: For: 1 Against: 5

Speakers: For:

Other Matters

City Plan Commission requested a report on the status of the Minor Amendment development code amendment.

Minutes

Motion: It was moved to **approve** the minutes of the January 4, 2007, meetings, subject to corrections.

Maker: Buehler
Second: Marshall

Result: Carried: 11 to 0
For: 11 - Gary, Marshall, Miranda, Bagley, Jones-Dodd,
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

Against: 0
Absent: 1 - Strater
Vacancy: 1 - District 1, District 5, District 15

Speakers: None

Adjournment

The meeting was **adjourn** 3:52 p.m.

Robert Weiss, Chair