

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on March 1, 2007, with the briefing starting at 3:37 p.m. in Room 5ES and the public hearing at 6:07 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: Ann Bagley, Peggy Hill, Chris Buehler, Sally Wolfish, Robert Ekblad, Neil Emmons and Bill Cunningham. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Jeff Strater, Clarence Gary, Michael Miranda and Erma Jones-Dodd. There are two vacancies: District 1 and District 5.

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: Allen Heist

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) **S067-096**

Motion: It was moved to **approve** an application to replat Lots 8 & 9 in City Block F/678 into one 14,464 sq. ft. lot at Lindell Avenue and Matilda Street, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Buehler
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

(2) **S067-097**

Motion: It was moved to **approve** an application to replat part of Lots 4 & 5 in City Block A/6307 into one 32,558 sq. ft. lot at 1724 S. Buckner Boulevard, subject to compliance with the conditions listed in the docket.

Maker: Buehler
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

(3) **S067-098**

Motion: It was moved to **approve** an application to replat Lot 1 in City Block A/73 into three lots of 1.9704, 0.4739 & 0.3011 acres each bounded by Wood Street, S. Akard Street, Young Street & S. Field Street, subject to compliance with the conditions listed in the docket.

Maker: Buehler
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

(4) **S067-099**

Motion: It was moved to **approve** an application to plat a 1.4857 acre tract of land into a four lot Shared Access Development in City Block 2980 on the southeast side of Nonesuch Road north of Westlake Avenue, subject to compliance with the conditions listed in the docket.

Maker: Buehler
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

(5) **S067-101**

Motion: It was moved to **approve** an application to replat Lots 20 thru 24 in City Block 31/4329 into one 0.97 acre lot on the west side of Lancaster Road south of Mentor Avenue, subject to compliance with the conditions listed in the docket.

Maker: Buehler
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

(6) **S067-092**

Motion: It was moved to **approve** an application to replat 0.895 acres comprising Lots 1 thru 4 and part of Lot 5 in City Block B/914 into a 13 lot Shared Access Development at the southwest corner of S. Ervay Street and Beaumont Street, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Buehler
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

Individual Items – Residential Replats

(7) **S067-100**

Motion: It was moved to **approve** an application to replat the remainder of Lot 7 in City Block I/1999 into one 5,822 sq. ft. lot at Normah Street and Milam Street, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

Miscellaneous Docket

Z067-116(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to **approve** planned development conditions submitted in conjunction with an application for an amendment to, and an expansion of, Planned Development District No. 368 for a private school and childcare facility on property zoned Planned Development District No. 368 and an R-16(A) Single Family District on the south side of Churchill Way, east of Preston Road.

Maker: Buehler
Second: Emmons
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

Z067-123(WE)

Planner: Warren Ellis

Motion: It was moved to **approve** Specific Use Permit conditions submitted in conjunction with an application for a renewal of Specific Use Permit No. 1609 for potentially incompatible industrial uses with outside storage for a one year period, subject to a site plan, and staff's recommended conditions on property zoned an IM Industrial Manufacturing District on the west side of Spangler Road, between Ryan Road and Walnut Hill Lane.

Maker: Buehler
Second: Emmons
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

M067-016

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 655 for Mixed Uses on Merrifield Road, south of Kiest Boulevard

Maker: Buehler
Second: Emmons
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

M067-017

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 308 for MU-1 Mixed Uses District and CR Community Retail District Uses on the northeast corner of Forest Lane and Webb Chapel Road.

Maker: Buehler
Second: Emmons
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

D067-006

Planner: Frank Dominguez

Motion: In considering a detailed roof plan for Planned Development Subdistrict No. 74, within Planned Development District No. 193, the Oak Lawn Special Purpose District on Cedar Springs Road and McKinnon Street, north of Pearl, it was moved to **hold** this case under advisement until March 22, 2007.

Maker: Buehler
Second: Emmons
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Starter, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

Zoning Cases – Consent

1. **Z067-141(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** for a Specific Use Permit for an Alcoholic Beverage Establishment use for a bar, lounge, or tavern for a two-year period with eligibility for automatic renewals for additional two year periods, subject to a site plan and conditions within Planned Development District No. 619 for mixed uses, on the south side of Main Street, west of Ervay Street.

Maker: Emmons
Second: Buehler
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Strater, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Notices: Area: 200 Mailed: 21
Replies: For: 4 Against: 0

Speakers: None

2. **Z067-136(RB)**

Planner: Richard Brown

Motion: In considering an application for an application for an amendment to and expansion of Specific Use Permit No. 193 for a Temporary water pump station on property zoned an R-7.5(A) Single Family District in the northeast quadrant of Simpson Stuart Road and Teague Drive, it was moved to **hold** this case under advisement until March 8, 2007.

Maker: Buehler
Second: Ekblad
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Strater, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Notices: Area: 200 Mailed: 21
Replies: For: 0 Against: 0

Speakers: None

Zoning Cases – Under Advisement

3. Z056-319(RB)

Planner: Richard Brown

Motion: In considering an application for an amendment to the Tract V portion of Planned Development District No. 314, the Preston Center Special Purpose District, and an application for an amendment to the site plan and conditions for Specific Use Permit No. 744 for a Bank with drive-in windows on the north line of Weldon Howell Parkway, between Westchester Drive and Douglas Avenue, it was moved to **hold** this case under advisement until March 29, 2007.

Maker: Ekblad
Second: Cunningham
Result: Carried: 6 to 2

For: 6 - Marshall, Bagley, Buehler, Wolfish, Ekblad,
Cunningham

Against: 2 - Hill, Emmons
Absent: 4 - Strater, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5
Conflict: 1 - Weiss

Notices: Area: 500 Mailed: 80
Replies: For: 19 Against: 8

Speakers: For: Clayton Elliot, 13155 Noel Rd., Dallas, TX, 75240
Bob Wilbur, 5510 Greenbrier Dr., Dallas, TX, 75209
Sean O'Brien, 4221 Colgate Ave., Dallas, TX, 75225
Harry Chris, 5956 Sherry Ln., Dallas, TX, 75225
Suzan Kedron, 901 Main St., Dallas, TX, 75202
Against: David Bass, 6301 Westminster Dr., Dallas, TX, 75205
P. Michael Jung, 4400 Bank of America Plaza, Dallas, TX, 75202
Lee Marshall, 6823 Deloache Ave., Dallas, TX, 75225
Holly Cooksey, 4204 Colgate Ave., Dallas, TX, 75225
Tom Hughston, 6475 Glendora Ave., Dallas, TX, 75230
Clark Durham, 4611 Isabella Ln., Dallas, TX, 75229
Matt Hawkins, 5510 Stanford Ave., Dallas, TX, 75209
Michael Wilson, 3509 Princess Ln., Dallas, TX, 75229
Joseph Difrancesco, 4213 Hanover Ave., Dallas, TX, 75225
Walt Herring, 4412 Southern Ave., Dallas, TX, 75205
Jon Piot, 3541 Centenary Dr., Dallas, TX, 75225
Peter Collins, 3560 Marquette St., Dallas, TX, 75225

4. **Z067-134(JH)**

Planner: Jennifer Hiromoto

Motion: In considering an application for a Specific Use Permit for an alcoholic beverage establishment for a private-club bar and a commercial amusement (inside) for a dance hall on property zoned an RR Regional Retail District south of Camp Wisdom Road at Pastor Bailey Drive, it was moved to **hold** this case under advisement until March 8, 2007.

Maker: Marshall
Second: Wolfish
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Strater, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Notices: Area: 300 Mailed: 14
Replies: For: 0 Against: 1

Speakers: For: None
Against: Edna Pemberton, 9438 Sophora Dr., Dallas, TX, 75249

5. **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 May 3, 2007.

Maker: Emmons
Second: Buehler
Result: Carried: 5 to 3

For: 5 - Marshall, Weiss, Buehler, Wolfish, Emmons

Against: 3 - Hill, Ekblad, Cunningham
Absent: 4 - Strater, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5
Conflict: 1 - Bagley

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

Speakers: For: William Cothrum, 900 Jackson St., Dallas, TX, 75202
Michael Miles, 1401 Pacific Ave., Dallas, TX, 75201
Against: Rick Gonzales, 4283 S. Cresthaven Rd., Dallas, TX, 75209
Patricia Van Winkle, 2529 Brookfield Ave., Dallas, TX, 75235
William Foster, 4504 N. Versailles Ave., Highland Park, TX, 75205

Zoning Cases – Individual

6. **Z067-139(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial** of a Specific Use Permit for a bank or savings and loan office on property zoned a GR General Retail Subdistrict with a portion in a Dry Overlay within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast corner of Oak Lawn Avenue and Maple Avenue.

Maker: Emmons
Second: Marshall
Result: Carried: 7 to 2

For: 7 - Marshall, Bagley, Weiss, Hill, Wolfish, Emmons,
Cunningham

Against: 2 - Buehler, Ekblad
Absent: 4 - Strater, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Notices: Area: 300 Mailed: 35
Replies: For: 2 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

7. **Z067-140(WE)**

Planner: Warren Ellis

Motion: In considering an application for a Specific Use Permit for an open-enrollment charter school on property zoned a Medium Commercial Office Subdistrict within Planned Development District No. 631, the West Davis Special Purpose District, on the north side of Davis Street, west of Westmoreland Road; it was moved to **hold** this case under advisement until March 8, 2007.

Maker: Bagley
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Strater, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Notices: Area: 200 Mailed: 14
Replies: For: 1 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

Other Matters

CPC Committee Appointments and Reports

Minutes

Motion: It was moved to **approve** the minutes of the February 15, 2007, meetings, subject to corrections.

Maker: Marshall
Second: Buehler
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Strater, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5

Speakers: None

Adjournment

Motion: It was moved to **adjourn** the hearing at 8:06 p.m.

Maker: Buehler
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Marshall, Bagley, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 0
Absent: 4 - Strater, Gary, Miranda, Jones-Dodd
Vacancy: 2 - District 1, District 5