

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on May 3, 2007, with the briefing starting at 10:43 a.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: James Prothro, Jeff Strater, Clarence Gary, Debra Woolen Lipscomb, Michael Miranda, Ann Bagley, Erma Jones Dodd, Peggy Hill, Chris Buehler, Sally Wolfish, Robert Ekblad, Neil Emmons and Bill Cunningham. The following Commissioners were 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: 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) **S067-157**

Motion: It was moved to **approve** an application to plat a 2.749 acre tract of land in City Block 595 into three lots of 2,038 sq. ft., 28,950 sq. ft., and 88,776 sq. ft. between Ross Avenue and Flora Street southwest of Hall Street, subject to compliance with the conditions listed in the docket.

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

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(2) **S067-159**

Motion: It was moved to **approve** an application to replat all of Lots 1, 2 and 3A and the remainder of Lot 3 in City Block 306 into one 1.506 acre lot on the northwest side of Ross Avenue between Routh Street and Boll Street, subject to compliance with the conditions listed in the docket.

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

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(3) **S067-148**

Motion: It was moved to **approve** an application to replat 13.3697 acres of land containing all of Lots 4 and 7 in City Block A/6458 into one lot located at Denton Drive and Walnut Hill Lane, northeast corner, subject to compliance with the conditions listed in the docket.

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

For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0
Conflict: 1 - Bagley

Speakers: None

Individual Items – Residential Replats

(4) **S067-156**

Motion: It was moved to **approve** an application to replat Lot 7 in City Block C/6657 into two lots of 18,851 sq. ft. & 18,874 sq. ft. each at 431 N. Acres Drive, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler,
Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Miscellaneous Docket

M067-003

Planner: Richard Brown

Motion: In considering a minor amendment to the development plan for Planned Development District No. 701 for R-7.5(A) Single Family District uses, south of Grady Niblo Road, west of Kiwanis Road, it was moved to **hold** this case under advisement until May 17, 2007.

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

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler,
Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

M067-026

Planner: Richard Brown

Motion: In considering a minor amendment to the site plan and landscape plan for Specific Use Permit No. 910, for Public school on the west line of Kelley Boulevard, north of Frankford Road, it was moved to **hold** this case under advisement until May 17, 2007.

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

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler,
Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

M067-030

Planner: Richard Brown

Motion: In considering a minor amendment to the development plan for Planned Development District No. 640, for various nonresidential uses on property on all four corners at the intersection of Annex Avenue and Bryan Street, it was moved to **hold** this case under advisement until May 17, 2007.

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

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler,
Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Z056-226(WE)

Planner: Warren Ellis

Motion: It was moved to **approve** an extension of a 120 days time period between the City Plan Commission recommendation and City Council consideration of a zoning request on an application for an MC-2 Multiple Commercial District on property zoned an LO-2 Limited Office District, on the northwest corner of Preston Road and Lyndon B. Johnson Freeway (I-635).

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

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. Z067-175(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to the Office Area of Planned Development No. 85 for Shopping Center, Office-2 and Multiple Family 3 uses, subject to a development plan, landscape plan and conditions on the north side of Pineland Drive, east of Greenville Avenue.

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

For: 15 - Prothro, Strater, Gary, Marshall, Miranda, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 85
Replies: For: 2 Against: 0

Speakers: None

2. Z067-198(JA)

Planner: Jim Anderson

Motion: It was moved to recommend **approval** of an Historic Overlay for the Park's Estate, subject to preservation criteria on property zoned an R-10(A) Single Family District, on the southeast corner of Worth Street and Paulus Avenue (6220 Worth Street).

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

For: 15 - Prothro, Strater, Gary, Marshall, Miranda, Woolen
Lipscomb, Bagley, Jones-Dodd, Weiss, Hill,
Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 23
Replies: For: 5 Against: 0

Speakers: None

3. Z067-199(MW)

Planner: Marcus Watson

Motion: It was moved to recommend **approval** of an Historic Overlay on property zoned an MF-2(A) Multifamily District, subject to preservation criteria on the south corner of Bryan Street and Bennett Avenue (4928 Bryan Street).

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

For: 15 - Prothro, Strater, Gary, Marshall, Miranda, Woolen
Lipscomb, Bagley, Jones-Dodd, Weiss, Hill,
Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 12
Replies: For: 3 Against: 2

Speakers: None

4. Z056-287(OTH)

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of a new subarea for a tower/antenna for cellular communication within Planned Development District No. 323, subject to a development plan and conditions on west side of Crest Hill Road, east of Military Parkway.

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

For: 14 - Prothro, Strater, Gary, Marshall, Miranda, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0
Conflict: 1 - Buehler

Notices: Area: 500 Mailed: 41
Replies: For: 8 Against: 0

Speakers: For: Robert Baldwin, 401 Expositions, Dallas, TX, 75226

5. Z067-181(OTH)

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of an amendment to Tract II of Planned Development District No. 214 for a Light Commercial Service District uses, subject to a conceptual plan and conditions in the northeast terminus of Cheanult Street, east of Buckner Boulevard.

Maker: Bagley
Second: Cunningham
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Miranda, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 69
Replies: For: 2 Against: 4

Speakers: None

6. Z067-182(OTH)

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of a CS Commercial Service District on property zoned an R-7.5(A) Single Family District, southeast of the terminus of Cheanult Street, east of Buckner Boulevard.

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

For: 15 - Prothro, Strater, Gary, Marshall, Miranda, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 5
Replies: For: 1 Against: 1

Speakers: None

Zoning Cases – Under Advisement

A. Z067-146(OTH)

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for Child care facility on property zoned an R-7.5(A) Single Family District for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions on the east side of Manitoba Avenue, north of Camp Wisdom Road.

Maker: Woolen Lipscomb
Second: Jones-Dodd
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Miranda, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 15
Replies: For: 0 Against: 0

Speakers: For: Keashawn Brooker, 1141 Cedar Ridge Cr., Desoto, TX, 75232
Shelia Simpson, 1141 Cedar Ridge Cr., Dallas, TX, 75232
Lemeisha Walker, 5011 Denely Dr., Dallas, TX, 75241
Mary Haley, 4791 W. Ledbetter, Dallas, TX, 75236
Against: None

7. Z067-178(WE)

Planner: Warren Ellis

Motion: In considering an application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned a TH-1(A) Townhouse District, on the north side of Northwest Highway, west of Midway Road, it was moved to **hold** this case under advisement until June 21, 2007.

Maker: Ekblad
Second: Buehler
Result: Carried: 11 to 4

For: 11 - Prothro, Gary, Marshall*, Miranda, Woolen
Lipscomb, Jones-Dodd*, Weiss, Buehler, Wolfish,
Ekblad, Cunningham

Against: 4 - Strater, Bagley, Hill, Emmons
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 24
Replies: For: 2 Against: 7

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: Heather Nelson, 4174 Wilada Dr., Dallas, TX, 75220
Joseph Konon, 4194 Wilada Dr., Dallas, TX, 75220

Individual Cases

8. Z067-202(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **denial without prejudice** of a Planned Development Subdistrict for MF-3 Multiple Family Subdistrict on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Congress Avenue, Douglas Avenue, Brown Street, and Wycliff Avenue.

Maker: Strater
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Marshall, Miranda, Woolen
Lipscomb, Bagley, Jones-Dodd, Weiss, Hill,
Buehler, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0
Conflict: 1 - Wolfish

Notices: Area: 500 Mailed: 271
Replies: For: 69 Against: 2

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270
Against: Frank Stich, 4224 N. Hall St., Dallas, TX, 75219

9. Z056-311(OTH)

Planner: Olga Torres-Holyoak

Motion I: It was moved to recommend **denial** of a Specific Use Permit for Potentially Incompatible (Outside) use for lime products on property zoned an IR Industrial Research District, on the northeast corner of Simpson Stuart and Interstate 45.

Maker: Woolen Lipscomb
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Prothro, Strater, Gary, Marshall, Miranda, Woolen
Lipscomb, Bagley, Buehler, Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 0
Abstained: 5 - Jones-Dodd, Weiss, Hill, Wolfish, Cunningham

Commissioner abstained, due to bus tour requirements

Note: The bus tour for this item was on November 9, 2006. Commissioners Jones-Dodd, Hill, Wolfish and Cunningham were not CPC members at the time of the bus tour.

Motion II: In considering an application for an IM Industrial Manufacturing on property zoned an IR Industrial Research District, on the northeast corner of Simpson Stuart and Interstate 45, it was moved to **hold** this case under advisement until May 17, 2007.

Maker: Woolen Lipscomb
Second: Bagley
Result: Carried: 10 to 0

For: 10 - Prothro, Strater, Gary, Marshall, Miranda, Woolen Lipscomb, Bagley, Buehler, Ekblad, Emmons

Against: 0
Absent: 0
Vacancy: 0
Abstained: 5 - Jones-Dodd, Weiss, Hill, Wolfish, Cunningham

Commissioner abstained, due to bus tour requirements

Note: The bus tour for this item was on November 9, 2006. Commissioners Jones-Dodd, Hill, Wolfish and Cunningham were not CPC members at the time of the bus tour.

Notices: Area: 500 Mailed: 37
Replies: For: 3 Against: 3

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: Willie Reese, 4915 Alberta Cr., Sachse, TX, 75048

Special Provision Sign District Amendment

SPSD 067-002

Motion: It was moved to recommend **approval** of an amendment to the Arts District Special Provision Sign District to provide for regulations and governing signs related to cultural institutions housing performing or visual arts organizations with the following two changes: 1) The definition of a cultural institution identification sign should include any premise sign that identifies a cultural institution or the primary performing organization that utilizes that cultural institution (page 3 of the packet). 2) The addition of Section 51A-7.1210(I) should read as follows: "No portion of a cultural institution identification sign may have a changeable message." in an area generally bounded by Ross Street to the southeast, Routh Street to the northeast, Woodall Rogers Freeway to the northwest and Harwood Street to the southwest.

Maker: Wolfish
Second: Emmons
Result: Carried: 14 to 1

For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

Against: 1 - Miranda
Absent: 0
Vacancy: 0

Speakers: None

Authorization of Hearings

Motion: It was moved to **authorize** a hearing to determine the proper zoning on property zoned Planned Development District No. 621, the Old Trinity and Design District Special Purpose District with consideration being given to amending a portion of Planned Development District No. 621 to create a new subarea for the old trinity Industrial land use opportunity area to address building configuration, building height, building footprint, building orientation, and view considerations on property generally bounded by Wycliff Avenue to the northwest, Irving Boulevard and Industrial Boulevard to the northeast, Continental Avenue to the south, and the east Trinity River levee to the west.

Maker: Strater
Second: Miranda
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler,
Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Other Matters

CPC Committee Appointments and Reports

Chair Weiss appointed Commissioner Prothro as the CPC Landmark Commission Liaison.

Motion: It was moved to **accept** the appointment of Commissioner Prothro has the CPC Landmark Commission's Liaison.

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

For: 15 - Prothro, Strater, Gary, Marshall, Woolen
Lipscomb, Miranda, Bagley, Jones-Dodd,
Weiss, Hill, Buehler, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Minutes

Motion: It was moved to **approve** the minutes of the April 26, 2007, meeting,
subject to corrections.

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

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler,
Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Adjournment

The meeting **adjourned** at 3:12 p.m.

Robert Weiss, Chair