

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on August 9, 2007, with the bus tour starting at 9:10 a.m. followed by the briefing starting at 11:55 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, Ann Bagley, Erma Jones-Dodd, Peggy Hill, Sally Wolfish, Robert Ekblad, Neil Emmons and Bill "Bulldog" Cunningham. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Chris Buehler. There is one vacancy - District 6.

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) **S067-222**

Motion: It was moved to **approve** an application to replat Lot 4 in City Block W/8751 containing 3.131 acres into three lots ranging in size from 36,556 sq. ft. to 1.357 acres at the northwest corner of Frankford Road and the George Bush Turnpike (SH 190), subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(2) **S067-223**

Motion: It was moved to **approve** an application to replat four lots in City Block 292 into one 2.145 acre lot bounded by N. Akard Street, McKinney Avenue, Caroline Street, and Cedar Springs Road, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(3) **S067-224**

Motion: It was moved to **approve** an application to plat a tract of land containing 2.5093 acres in City Block 8734 into one lot on the east side of Hillcrest Road south of Pebble Beach Drive, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(4) **S067-225**

Motion: It was moved to **approve** an application to plat eight tracts of land in City Block 3/930 into four lots ranging in size from 8,500 sq. ft. to 15,225 sq. ft. bounded by N. Harwood Street, Hunt Street, Harry Hines Boulevard, and Randall Street, subject to compliance with the conditions listed in the docket with the following revision to Condition #11 to read as follows: "Dedicate additional sidewalk easement as required by the Planned Development for Hunt Street & Randall Street prior to final plat submittal." and "The applicant must verify the requirement of the Planned Development regarding the sidewalk requirement , to be verified by staff, and provide the sidewalk easement dedication on the final plat." Condition #18 needs to be deleted.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(5) **S067-226**

Motion: It was moved to **approve** an application to replat all of Lots 6 thru 11 and the remainder of Lot 12 in City Block 2/930 into one 41,163 sq. ft. lot on the east side of Randall Street between McKinnon Street and N. Harwood Street, subject to compliance with the conditions listed in the docket with the following revision to Condition #10 to read: "Dedicate additional sidewalk easement as required by the Planned Development for Randall Street prior to final plat submittal." and "The applicant must verify the requirement of the Planned Development regarding the sidewalk requirement, to be verified by staff, and provide the sidewalk easement dedication on the final plat." Condition #18 needs to be deleted.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(6) **S067-227**

Motion: It was moved to **approve** an application to replat all of Lots 2 thru 4 & 6, part of Lot 5, and the remainder of Lots 7 & 8 in City Block 6/363 into one 33,150 sq. ft. lot bounded by N. Harwood Street, Moody Street, Harry Hines Boulevard, and Payne Street, subject to compliance with the conditions listed in the docket with the following revision to Condition #10 to read: "Dedicate additional sidewalk easement as required by the Planned Development for Payne Street prior to final plat submittal." and "The applicant must verify the requirement of the Planned Development regarding the sidewalk requirement, to be verified by staff, and provide the sidewalk easement dedication on the final plat." Condition #16 needs to be deleted.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(7) **S067-228**

Motion: It was moved to **approve** an application to replat part of Lot 2A and all of Lot 2B in City Block A/8750 into five lots ranging in size from 0.113 acres to 3.603 acres on the south side of Rosemeade Parkway between Marsh Lane and the George Bush Turnpike (SH 190), subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(8) **S067-229**

Motion: It was moved to **approve** an application to plat a 3.8248 acre tract of land in City Block 5746 into one lot on the southwest side of Bengal Street between Motor Street and Macatee Drive, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(9) **S067-230**

Motion: It was moved to **approve** an application to replat Lots 1 thru 11 of an unrecorded plat in City Block 1/932 into one 1.444 acre lot bounded by McKinnon Street, Wolf Street, N. Harwood Street, and Ivan Street, subject to compliance with the conditions listed in the docket with Condition #11 to deleted and the remaining conditions renumbered accordingly. The new Condition #11 (previously #12) needs to be revised to read "Dedicate additional sidewalk easement as required by the Planned Development for Wolf Street & Ivan Street prior to final plat submittal." and "The applicant must verify the requirement of the Planned Development regarding the sidewalk requirement, to be verified by staff, and provide the sidewalk easement dedication on the final plat."

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(10) **S067-231**

Motion: It was moved to **approve** an application to plat a 1.385 acre tract of land in City Block 2/594 into a 33 lot Shared Access Development at the northeast corner of N. Central Expressway and Flora Street, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(11) **S067-232**

Motion: It was moved to **approve** an application to replat Lots 1 & 11 and a tract of land in City Block 2/594 containing 0.690 acres into a 16 lot Shared Access Development on the west corner of Watkins Avenue and Flora Street, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(12) **S067-233**

Motion: It was moved to **approve** an application to replat the remainder of Lot 4 and part of Lot 5A in City Block A/6061 and to plat a tract of land in City Block A/6061 into one 2.5443 acre lot on the southwest side of Harry Hines Boulevard between Empire Central Drive and Mockingbird Lane.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(13) **S056-342R**

Motion: It was moved to **approve** an application to revise a previously approved plat by adding two tracts of land totaling 2.3941 acres to 174.5528 acres to create one 176.9469 acre tract of land in City Block 6263 at the southeast corner of Carter Road and S. Longacre Lane, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

(A) **S067-220**

Motion: It was moved to **approve** an application to replat Lots 10 thru 13 in City Block V/1040 into one 42,550 sq. ft. lot on the west corner of Lemmon Avenue and Welborn Street, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Emmons
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

Individual Items – Residential Replats

(14) **S067-221**

Motion: It was moved to **approve** an application to replat Lot 3 in City Block 19/8335 into two 12,500 sq. ft. lots on the east side of N. Bond Street and the west side of Dwight Avenue between Susan Street and Hale Street, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

Miscellaneous Docket

M067-040

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the site plan and landscape plan for Specific Use Permit No. 959 for a Private school on the southwest corner of Inwood Road and Harvest Hill Road.

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

For: 12 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6
Conflict: 1 - Emmons

Speakers: None

Zoning Cases – Consent

1. **Z067-259(OTH)**

Planner: Olga Torres-Holyoak

Motion: In considering an application for an MU-1 Mixed Use District on the western half of the site, and an MF-3(A) Multifamily District on the eastern half of the site with deed restrictions volunteered by the applicant on the entire site, on property zoned an MF-1(A) Multifamily District, in an area bounded by Lovers Lane, Amesbury Drive, Milton Street, and Matilda Street, it was moved to **hold** this case under advisement until September 20, 2007.

Maker: Emmons

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad, Emmons, Cunningham

Against: 0

Absent: 1 - Buehler

Vacancy: 1 - District 6

Notices: Area: 400

Mailed: 209

Replies: For: 62

Against: 61

Speakers:

For: William Cothrum, 900 Jackson St., Dallas, TX, 75202

Gretchen Luedtke, 5811 Birchbrook Dr., Dallas, TX, 75206

Against: Bill Sheehan, 5044 Matilda St., Dallas, TX, 75206

2. **Z067-264(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the northwest side of Crampton Street, north of Converse Street.

Maker: Strater

Second: Wolfish

Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 11
Replies: For: 2 Against: 0

Speakers: None

Zoning Cases – Under Advisement

3. **Z067-225(JH)**

Planner: Jennifer Hiromoto

Motion: In consider an application for a Specific Use Permit for vehicle or engine repair and maintenance use on property zoned Subdistrict 3 within Planned Development District No. 533 on the northeast side of CF Hawn Freeway, south of Lake June Road, it was moved to **hold** this case under advisement until September 27, 2007.

Maker: Woolen Lipscomb
Second: Ekblad
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 8
Replies: For: 1 Against: 0

Speakers: For: Lois Brocken, 6520 C.F. Hawn Freeway, Dallas, TX, 75217
Pamela, 6520 C. F. Hawn Freeway, Dallas, TX, 75217
Against: Eugene Thomas, 5654 Winding Woods Trl, Dallas, TX, 75227
Staff: Sammy Cardona, Dallas Code Compliance Officer

4. **Z067-227(JH)**

Planner: Jennifer Hiromoto

Motion I: It was moved to recommend **approval** of a Specific Use Permit for a financial institution with drive-in windows for a ten-year period with eligibility for automatic renewals of additional ten-year periods, subject to a site plan and staff's conditions on property zoned Subdistrict D in Planned Development District No. 468 on the south side of Colorado Boulevard, west of Zang Boulevard.

Maker: Prothro
Second: Ekblad
Result: Failed: 5 to 8
For: 5 - Prothro, Wolfish, Woolen Lipscomb, Jones-Dodd*,
Emmons

Against: 8 - Strater, Gary, Marshall, Bagley, Weiss, Hill, Ekblad,
Cunningham
Absent: 1 - Buehler
Vacancy: 1 - District 6

*out of the room, shown voting in favor

Motion II: It was moved to recommend **approval** of a Specific Use Permit for a financial institution with drive-in windows for a five-year period with eligibility for automatic renewals of additional ten-year periods, subject to a site plan and staff's conditions on property zoned Subdistrict D in Planned Development District No. 468 on the south side of Colorado Boulevard, west of Zang Boulevard.

Maker: Prothro
Second: Emmons
Result: Carried: 13 to 0
For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd*, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 12
Replies: For: 1 Against: 0

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

Authorization of Hearings

Motion: It was moved to **authorize** a public hearing to determine the proper zoning on property zoned an D(A) Duplex District, on the west side of Shadow Bend Drive, north of Meadow Road (Lots 50A-55B in Block 5/5455) with consideration being given to an TH-1(A) Townhouse District.

Maker: Bagley
Second: Marshall
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd*, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

*out of the room, shown voting in favor

Speakers: None

Landmark Commission Appeal

4602 Swiss Avenue

Planner: Mark Doty

Motion: It was moved to **affirm** the decision of the Landmark Commission to deny a Certificate of Appropriateness (CA067-332(MD) at 4602 Swiss Avenue) to paint the brick on a non-contributing structure within the Peak's Suburban Historic District.

Maker: Strater

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: Defendant: None
Staff: Kathy Zibilich, Assistant City Attorney

Other Matters

CPC Committee Appointments and Reports - None

Minutes

Motion: It was moved to **approve** the minutes of the August 2, 2007, meeting, subject to corrections.

Maker: Marshall

Second: Jones-Dodd

Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 1 - Buehler
Vacancy: 1 - District 6

Speakers: None

Adjournment

The hearing adjourned at 3:20 p.m.

Robert Weiss, Chair