

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on August 23, 2007, with the briefing starting at 9:03 a.m. in Room 5ES and the public hearing at 1:30 p.m. in the City Council Chambers of City Hall. Presiding were Bob 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, 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 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: 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) **S067-134R**

Motion: It was moved to **approve** an application to revise a previously approved plat (S067-134) to reduce the number of lots from 7 to 1 on a 4.62 acre tract of land being part of City Block 8502 on property located on 1921 South St. Augustine Road south of Jo Pierce Road, subject to compliance with the conditions listed in the docket.

Maker: Strater
Second: Wolfish
Result: Carried: 14 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

(2) **S067-235**

Motion: It was moved to **approve** an application to replat Lots 7 and 8 in City Block 3/1567 into one 0.3673 acre lot on 3930 and 3926 Bowser Avenue at Throckmorton Street, subject to compliance with the conditions listed in the docket.

Maker: Strater
Second: Wolfish
Result: Carried: 14 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

(3) **S067-237**

Motion: It was moved to **approve** an application to replat all of Lots 1 and 2 in City Block G/1474 into one 0.3891 acre lot on 5600 and 5604 Lewis Street at the southwest corner of Lewis Street and Hope Street, subject to compliance with the conditions listed in the docket.

Maker: Strater
Second: Wolfish
Result: Carried: 14 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

(4) **S067-238**

Motion: It was moved to **approve** an application to create one 7.2795 acre lot and one 5.000 acre lot from a 12.7508 acre tract of land in City Block 8789 on property located on 2900 Jordan Valley Road southwest of Kleberg Road at Foothill Drive, subject to compliance with the conditions listed in the docket.

Maker: Strater
Second: Wolfish
Result: Carried: 14 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

(5) **S067-240**

Motion: It was moved to **approve** an application to replat Lot 2 in City Block 5857 and a tract of land in City Block 5857 into one 6.9411 acre lot on 1800 E. Illinois Avenue at Sutter Street and Kellogg Avenue, subject to compliance with the conditions listed in the docket.

Maker: Strater
Second: Wolfish
Result: Carried: 14 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

(6) **S067-242**

Motion I: It was moved to **approve** an application to replat a 0.186 acre tract of land containing all of Lot 3 in City Block J/660 to create a 5 lot Shared Access Development on 2215 N. Carroll Avenue between Cabell Drive and Deere Street, subject to compliance with the conditions listed in the docket.

Maker: Strater
Second: Cunningham
Result: Failed: 7 to 7

For: 7 - Prothro, Strater, Woolen Lipscomb, Jones-Dodd, Hill, Wolfish, Cunningham

Against: 7 - Gary, Marshall, Bagley, Weiss, Buehler, Ekblad, Emmons

Absent: 0

Vacancy: 1 - District 6

Substitute Motion: It was moved to **approve** an application to replat a 0.186 acre tract of land containing all of Lot 3 in City Block J/660 to create a 4 lot Shared Access Development on 2215 N. Carroll Avenue between Cabell Drive and Deere Street, subject to compliance with the conditions listed in the docket

Maker: Emmons
Second: Strater
Result: Carried: 12 to 2

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

Against: 2 - Prothro, Buehler

Absent: 0

Vacancy: 1 - District 6

Speakers: For: Peyman Horri, 5211 Richard Ave., Dallas, TX, 75206
Against: None

(7) **S067-243**

Motion: It was moved to **approve** an application to replat all of Lot 6 in City Block A/6115 into one 13.990 acre lot on Coombs Creek Drive at 3400 W. Illinois Avenue, subject to compliance with the conditions listed in the docket.

Maker: Strater
Second: Wolfish
Result: Carried: 14 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

(8) **S067-244**

Motion: It was moved to **approve** an application to replat part of Lot 1 in City Block 1/6592 into one 4.533 acre lot on 3029 Forest Lane east of Nelda Lane, subject to compliance with the conditions listed in the docket.

Maker: Strater
Second: Wolfish
Result: Carried: 14 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

Individual Item Agenda - Residential Replats

(9) **S067-234**

Motion: It was moved to **approve** an application to replat all of Lots 1, 2, 3, 4 and part of Lot 5 in City Block E/2755 into a 2.488 acre lot on West Shore Drive at Gaston Avenue, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 13 to 1

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

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

Speakers: For: John Spiars, 730 E. Park Blvd., Plano, TX, 75074
Against: None

(10) **S067-236**

Motion: It was moved to **approve** an application to replat a 0.908 acre tract of land containing all of Lots 2 and 3 in City Block B/6146 into one 11,264 sq. ft. lot, one 10,017 sq. ft. lot and one 18,247 sq. ft. lot on 4164 and 4170 Lomita Lane at Edith Lane, southwest corner, subject to compliance with the conditions listed in the docket.

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

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

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

Speakers: For: Peyman Horri, 5211 Richard Ave., Dallas, TX, 75206
Against: None

(11) **S067-241**

Motion: It was moved to **approve** an application to replat all of Lot 1 and a tract of land in City Block B/5551 into one 0.6641 acre lot on 4414 Woodfin Drive, east of Manchester Drive, subject to compliance with the conditions listed in the docket.

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

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

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

Speakers: None

Street Name Changes

(12) **NC067-002**

Motion: It was moved to **approve** an application to change the name of Motor Street between Stemmons Freeway and Maple Avenue to "Medical District Drive", subject to the waivers being granted by the City Council.

Maker: Strater
Second: Jones-Dodd
Result: Carried: 13 to 1

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

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

Speakers: For: William Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: Lt. David Henry, Dallas Fire Department

(13) **NC067-003**

Motion: It was moved to **approve** an application to change the name of Medical Center Drive to "Southwestern Medical Avenue", subject to the waivers being granting City Council including waive compliance with Section 51A-9.304(a)(5).

Maker: Strater
Second: Jones-Dodd
Result: Carried: 13 to 1

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

Against: 1 - Emmons

Absent: 0
Vacancy: 1 - District 6

Speakers: None

(14) **NC067-004**

Motion: It was moved to **approve** an application to change the name of Boll Street between Ross Avenue and Flora Street to "Arts Plaza".

Maker: Emmons
Second: Cunningham
Result: Carried: 14 to 0

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

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

Speakers: For: Lucy Billingsley, Address not given
Against: None

Miscellaneous Docket

M067-023

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Development Plan and Landscape Plan -Tract I for Planned Development District No. 710 for CR Community Retail District Uses on the southeast corner of Illinois Avenue and Coombs Creek Drive.

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

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

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

Speakers: None

M067-042

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Development Plan for Planned Development District No. 68 for a Medical Office, Office, and Related Uses on the southeast corner of Churchill Way and Preston Road.

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

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

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

Speakers: None

M067-043

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 882 for a Governmental Installation for a Fire Department Maintenance and Training Facility College on the northeast corner of Dolphin Road and Forney Road.

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

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

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

Speakers: None

M067-044

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Site Plan for Specific Use Permit No. 1508 for a Commercial amusement (inside) use limited to a Class A Dance hall on the south line of Ft. Worth Avenue, West of Sylvan Avenue.

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

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

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

Speakers: None

D067-012

Planner: Frank Dominguez

Motion: It was moved to **approve** a development plan/landscape plan for Planned Development Subdistrict No. 67 on the northwest corner of Lemon Avenue and Wheeler Street.

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

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

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

Speakers: None

D067-013

Planner: Frank Dominguez

Motion: It was moved to **approve** a development plan and landscape plan (Phase 1 and Phase 2) for Planned Development District No. 340 on North Bishop Avenue and Ballard Avenue.

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

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

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

Speakers: None

W067-011

Planner: Neva Dean

Motion: It was moved to **approve** a wavier of the two-year waiting period in order to submit an application for an expansion of Planned Development District No. 757 on the north side of Wheatland Road, west of Houston School Road.

Maker: Jones-Dodd
Second: Woolen Lipscomb
Result: Carried: 14 to 0

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

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

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

W067-012

Planner: Neva Dean

Motion: It was moved to **approve** a wavier of the two-year waiting period in order to submit an application for an amendment to, and expansion of, Planned Development District No. 738, on the southwest corner of Mockingbird Lane and Haggar Way

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

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

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

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Against: None

Note: Commissioner Emmons requested the following information that was provided by the neighborhood be read into the record: Include in the application for an amendment to Planned Development District No. 738 the following: 1) Street access into the Northpark Love Field neighborhood will mirror existing planned development language and site plan that discourages traffic overflow into neighborhood. 2) Adjust zoning on the entire site bounded by Mockingbird, Haggard Way, Lemon Avenue, and Roper Street to mirror uses utilized. 3) Oak Lawn landscape Planned Development No. 193 standards be utilized, including planting area between curb and sidewalk. Additionally, sidewalks will be a minimum of 6(six) feet wide. 4) Height will not exceed 50 feet anywhere on site, except a possible small encroachment of the multi-story garage. 5) Prohibit ingress to auto dealerships from Haggard Way by making curb cuts "exit only" and "right turn only" to direct existing traffic to Lemon Avenue. 6) Louvers will be installed on garage openings for screening. 7) Surface parking and building light standards and heights will prevent light "spill-over" to adjacent properties. 8) Limit number of lanes for a drive through bank to 2(two). 9) Prohibit outside permanent or temporary amplified sound or music except as minimally necessary for drive-through uses. 10) Restaurant use limited to 6 a.m. to 10 p.m., Sunday through Thursday and 6 a.m. to 11p.m., Friday and Saturday. 11) Drive through lanes, speakers, and lighting must be oriented to minimize their intrusion into residential areas.

W067-013

Planner: Neva Dean

Motion: It was moved to **approve** a wavier of the two-year waiting period in order to submit an application to a district that allows a mixed use project on the northeast side of Maple Avenue, northwest of Kimsey Drive.

Maker: Strater
Second: Ekblad
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Speakers: For: Robert Baldwin, 401 Exposition, Dallas, TX, 75226
Against: None

Certificate of Appropriateness for Signs

Downtown Sign District:

0708011055

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a of a 355 square foot upper level attached premise sign reading "**Comerica**" on the north elevation of 1717 Main Street, facing Elm Streets.

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

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

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

*out of the room, shown voting in favor

Speakers: None

0708011099

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a of a 355 square foot upper level attached premise sign reading "**Comerica**" on the west elevation of 1717 Main Street, facing Ervay.

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

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

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

*out of the room, shown voting in favor

Speakers: None

0708011103

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a of a 355 square foot upper level attached premise sign reading "**Comerica**" on the south elevation of 1717 Main Street, facing Main Street.

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

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

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

*out of the room, shown voting in favor

Speakers: None

0708012014

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 50 square foot monument sign reading "**First United Methodist Church**" on the south corner of the intersection of Ross Avenue and Harwood Street (1928 Ross Avenue).

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

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

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

*out of the room, shown voting in favor

Speakers: None

Uptown Sign District:

0708012007

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 96 square foot detached premise sign to read “**Rosewood Court**” with leasing information on the west corner of the intersection of Cedar Springs Road at Pearl Street.

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

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

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

*out of the room, shown voting in favor

Speakers: None

Zoning Cases – Consent

1. Z067-216(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to Planned Development Subdistrict No. 70 for MF-2 Multiple Family Subdistrict Uses, subject to a development plan, perimeter planting plan, and staff’s recommended conditions within Planned Development District No. 193, the Oak Lawn Special Purpose District in an area generally bounded by Cedar Springs Road, Hawthorne Avenue, Hartford Street, and the northern half of Raleigh Street.

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

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

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

Notices: Area: 500 Mailed: 143
Replies: For: 2 Against: 1

Speakers: None

2. Z067-273(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Alcoholic beverage establishment for a Bar, lounge, or tavern use and a Commercial amusement (inside) use limited to a Class A Dance hall for a two-year period, subject to a revised site plan and conditions on property within the Subdistrict B portion of Planned Development District No. 619 for Mixed Uses on the northeast corner of Main Street and Field Street with a maximum floor area of 4,000 sq. ft.

Maker: Marshall
Second: Emmons
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Notices: Area: 200 Mailed: 16
Replies: For: 0 Against: 1

Speakers: None

3. Z067-278(JA)

Planner: Jim Anderson

Motion: It was moved to recommend **approval** of an amendment to Historic Overlay No. 91, the Dallas Power and Light East Substation on property zoned Planned Development District No. 269 the Deep Ellum Special Purpose District on the northwest corner of Commerce Street and Willow Street (3816 Commerce Street).

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

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

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

Notices: Area: 200 Mailed: 16
Replies: For: 4 Against: 0

Speakers: None

4. **Z067-261(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of an to amend Specific Use Permit No. 651 for a college, subject to a site plan and conditions on property zoned an R-1/2ac(A) Single Family District on the southeast corner of Walnut Street and Abrams Road.

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

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

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

Notices: Area: 500 Mailed: 1211
Replies: For: 30 Against: 10

Speakers: None

5. **Z067-262(OTH)**

Planner: Olga Torres-Holyoak

Motion: In considering an application for a Planned Development District for MU-3 Mixed Use District uses on property zoned an MO-1 Mixed Office District on the southeast corner of the LBJ Freeway and Forest Lane, it was moved **hold** this case under advisement until September 27, 2007 and instructing staff to re-advertise as a general zoning change, termination of existing deed restriction; and new deed restrictions volunteered by the applicant.

Maker: Buehler
Second: Marshall
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd*, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 60
Replies: For: 4 Against: 2

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

6. **Z067-280(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of an MU-2 Mixed Use District on property zoned an NO(A) Neighborhood Office District on the north side of Alpha Road, west of Montfort Drive.

Maker: Marshall
Second: Emmons
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Notices: Area: 200 Mailed: 13
Replies: For: 1 Against: 0
Speakers: For: Harold Baeck, 17216 Stedman Dr., Dallas, TX, 75252
Against: None

7. **Z067-282(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of an MU-2 Mixed Use District on property zoned an NO(A) Neighborhood Office District on the north side of Alpha Road, west of Montfort Drive.

Maker: Marshall
Second: Emmons
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Notices: Area: 200 Mailed: 11
Replies: For: 1 Against: 0

Speakers: For: Harold Baeck, 17216 Stedman Dr., Dallas, TX, 75252
Against: None

8. **Z067-283(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of an MU-2 Mixed Use District on property zoned a GO(A) General Office District on the north side of Alpha Road, west of Montfort Drive.

Maker: Marshall
Second: Emmons
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Notices: Area: 200 Mailed: 13
Replies: For: 1 Against: 0

Speakers: For: Harold Baeck, 17216 Stedman Dr., Dallas, TX, 75252
Against: None

9. Z067-235(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and a Specific Use Permit for the sales and service of alcoholic beverages in conjunction with a restaurant use for a two year period, subject to a site plan and staff's conditions on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northeast corner of Bagley Street and W. Jefferson Boulevard.

Maker: Marshall

Second: Emmons

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 22

Replies: For: 6 Against: 0

Speakers: None

10. Z067-269(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the north side of Lawson Road, northeast of Lasater Road.

Maker: Marshall

Second: Emmons

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 6

Notices: Area: 300 Mailed: 13

Replies: For: 2 Against: 0

Speakers: None

11. **Z067-276(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development for a CR Community Retail District, subject to a development plan, landscape plan and staff's revised conditions on property zoned an MC-1 Multiple Commercial District and a CR Community Retail District on the northwest corner of Northwest Highway and Hillcrest Road.

Maker: Ekblad

Second: Buehler

Result: Carried: 13 to 1

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

Against: 1 - Weiss

Absent: 0

Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 79

Replies: For: 1 Against: 39

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270
Against: Jonathan Vinson, 901 Main St., Dallas, TX, 75202

Zoning Cases – Under Advisement

12. **Z067-176(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial without prejudice** of a Specific Use Permit for an open-enrollment charter school on property zoned an R-10(A) Single Family District, on the south side of Kiest Boulevard, west of Kiestwood Drive.

Maker: Gary

Second: Marshall

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 6

Notices: Area: 300 Mailed: 39

Replies: For: 4 Against: 16

Speakers: For: Vicente Delgado, 2602 W. Illinois Ave., Dallas, TX, 75233
Mack Santoyo, Address not given
Against: Darryl Baker, 2606 Woodmere Dr., Dallas, TX, 75233
Patty Tafoya, 2837 Ilahe Dr., Dallas, TX, 75233
Lee Pettibone, 2734 W. Kiest Blvd., Dallas, TX, 75233
David Marquis, 3110 W. Kiest Blvd., Dallas, TX, 75233
Against (did not speak): Terry Moomaw, 2630 Woodmere Dr., Dallas, TX, 75233
Billie Moomaw, 2920 Woodmere Dr., Dallas, TX, 75233
Raymond Crawford, 2647 Southwood Dr., Dallas, TX, 75233
Linda Reynolds, 2519 Kiest Blvd., Dallas, TX, 75233

13. **Z067-248(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses, subject to revised conceptual plan and applicant's conditions on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, along the northeast line of Cedar Springs Road, between Douglas Avenue and Wycliff Avenue with the following added condition to the Planned Development District: "Building facades facing Wycliff, Cedar Springs and Douglas must have 100 percent masonry; excluding windows, doors, trim, and architectural elements. Masonry means stone, brick, concrete, hollow clay tile, decorative concrete block or tile, glass block or other similar materials".

Maker: Emmons

Second: Marshall

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 238

Replies: For: 6 Against: 21

Speakers: For: Roger Albright, 301 Elm St., Dallas, TX, 75201
Frank Stich, 4224 N. Hall St., Dallas, TX, 75219
Against: Joseph McGregor, 3212 Wycliff Ave., Dallas, TX, 75219

**Note: The Commission called an Executive session at 4:23 p.m.
The Commission reconvened at 5:00 p.m., to continue the discussion
on Z067-248(RB)**

14. **Z067-250(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Industrial (outside) potentially incompatible use for a concrete crushing plant for a five-year period, subject to a site plan and conditions on property zoned an IM Industrial Manufacturing District along the east line of Luna Road, south of Y Street with an added condition regarding.

Maker: Cunningham

Second: Ekblad

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 6

Amendment to the Motion: It was moved to **approve** an amendment to the main motion adding an additional condition to read as follows: "All raw and crushed concrete materials must be removed from the property by 5 years from passage of this ordinance and the site must be made blade clean, with the exception of standing trees".

Maker: Wolfish

Second: Buehler

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 6

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 6

Replies: For: 1 Against: 0

Speakers: For: Michael Jung, 4400 Bank of America Plaza, Dallas, TX, 75202
Against: Mason Brown, III, 6047 Woodland Dr., Dallas, TX, 75225

15. **Z067-168(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Planned Development District for residential and non-residential uses, subject to a development plan for Tract 2, a conceptual plan for Tract 1 and applicant's conditions on property zoned an R-7.5(A) Single Family District and Planned Development District No. 533-D-1, the CF Hawn Special Purpose District with a Dry Liquor Control Overlay, on the east side of Jim Miller Road, south of Hodde Street.

Maker: Woolen Lipscomb

Second: Marshall

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 6

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 22

Replies: For: 1 Against: 0

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Eugene Thomas, 5654 Winding Woods Tr., Dallas, TX, 75227
Against: None

16. **Z067-169(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **denial without prejudice** of a CR Community Retail District on property zoned an R-7.5(A) Single Family District on the east side of Jim Miller Road, at Hodde Street.

Maker: Woolen Lipscomb

Second: Emmons

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 6

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 12
Replies: For: 1 Against: 0

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Eugene Thomas, 5654 Winding Woods Tr., Dallas, TX, 75227
Against: None

17. **Z067-186(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **denial without prejudice** to amend Planned Development District No. 514 on the northeast corner of Hillcrest Road and Arapaho Road and on the west side of Hillcrest Road, north of La Bolsa Drive.

Maker: Wolfish
Second: Jones-Dodd
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Notices: Area: 500 Mailed: 223
Replies: For: 19 Against: 30

Speakers: For: Matt Bach, 15746 Covewood Cr., Dallas, TX, 75248
Against: None

Individual Cases

18. **Z067-279(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an IM Industrial Manufacturing District on property zoned an IR Industrial Research District and an IM Industrial Manufacturing District southwest corner of Bickham Road and Sandy Lane.

Maker: Cunningham
Second: Buehler
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Notices: Area: 400 Mailed: 8
Replies: For: 1 Against: 0

Speakers: For: Jared Jackson, Jr., 12480 Abrams Rd., Dallas, TX, 75243
Against: None

19. **Z067-244(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Planned Development District for MF-2(A) Multifamily District uses, subject to a conceptual plan and staff's recommended condition on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District on the northwest corner of Stevens Village Drive and Davis Street with a revision to the spacing of parkway trees to be 30 feet.

Maker: Gary
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: 0
Vacancy: 1 - District 6
Abstained: 1 - Buehler

Notices: Area: 500 Mailed: 159
Replies: For: 13 Against: 4

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
David Cooper, Address not given
Lance Schlegel, 620 N. Oak Cliff, Dallas, TX, 75204
Against: Justin Epkes, 2234 Carnes St., Dallas, TX, 75208

20. **Z067-218(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development District for MU-2 Mixed Use District uses, subject to a revised conceptual plan and revised conditions on property zoned a CR Community Retail District on the southeast corner of Preston Road and Mapleshade Road with an added condition to read as follows: "Multifamily uses are prohibited within 100 feet of residential uses to the east of the creek".

Maker: Wolfish
Second: Prothro
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Notices: Area: 200 Mailed: 61
Replies: For: 2 Against: 2

Speakers: None

21. **Z067-274(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses, subject to a development plan and staff's revised conditions on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District in an area generally bounded by Congress Avenue, Douglas Avenue, Brown Street, and Wycliff Avenue with the following added Parking condition: 1)1.85 parking spaces per unit be added to this Planned Development District.

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

Against: 0
Absent: 0
Vacancy: 1 - District 6
Conflict: 1 - Wolfish

Notices: Area: 500 Mailed: 270
Replies: For: 51 Against: 1

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270
Ralph Muszynski, 4344 Congress Ave., Dallas, TX, 75218
Frank Stich, 4224 N. Hall St., Dallas, TX, 75219
Against: None

22. Z067-251(RB)

Planner: Richard Brown

Motion: In considering an application for a Specific Use Permit for an Alcoholic beverage establishment for a Private club-bar on property zoned a CR Community Retail District on the southeast corner of Midway Road and Frankford Road, it was moved to **hold** this case under advisement until September 20, 2007.

Maker: Wolfish

Second: Buehler

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 1 - District 6

Notices: Area: 400

Mailed: 223

Replies: For: 3

Against: 0

Speakers: For: Mike Coker, 2700 Swiss Ave., Dallas, TX, 75204

Against: None

23. Z067-229(DW)

Planner: David Whitley

Motion: In considering an a City Plan Commission authorized hearing to determine proper zoning with consideration given to amending a portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District 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, subject to revised conditions on property zoned Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, 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, it as moved to **hold** this case under advisement until September 20, 2007 and remand back to the Trinity River Ad Hoc Committee/Urban Design Committee.

Maker: Strater

Second: Jones-Dodd

Result: Carried: 14 to 0

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

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

Notices: Area: 200 Mailed: 273
Replies: For: 12 Against: 1

Speakers: For: None
Against: Richard Knox, 7612 Royal Pl., Dallas., TX, 75230

Development Code Amendment

DCA067-006(DC)

Planner: David Cossum

Motion: It was moved to recommend **approval** of amendments to Chapters 51 and 51A, "The Dallas Development Code," of the Dallas City Code by amending existing regulations and adding new sections providing for gas drilling and production regulations with the following two deletions: 1) Strike from Page 39, "(aa) A debt rating from both Moody's and Standards and Poors of A or better". 2) Strike from Page 40, "(H) Property insurance to provide all risk/special cause of loss to drilling equipment with a minimum amount of \$5,000,000."

Maker: Weiss
Second: Buehler
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Speakers: For: Susan Kedron, 901 Main St., Dallas, TX, 75202
Staff: Claire Swann, Assistant City Attorney

Landmark Commission Appeal

5800 La Vista Court

Planner: Mark Doty

Motion I: It was moved to **reverse** the decision of the Landmark Commission to deny and approve a Certificate of Appropriateness (CA067-403(MD) at 5800 La Vista Court) to paint the brick without Certificate of Appropriateness approval within the Edison/La Vista Court Historic District.

Maker: Woolen Lipscomb
Second: None

The motion died due to a lack of a second

Motion II: It was moved to **remand** this case to the Landmark Commission to consider a Certificate of Appropriateness (CA067-403(MD) at 5800 La Vista Court) within the Edison/La Vista Court Historic District including the amendment.

Maker: Marshall
Second: Prothro
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham
Against: 0
Absent: 0
Vacancy: 1 - District 6

Amendment to the Motion: It was moved to **amend** the motion requiring the appellant to obtain a written report from a professional conservator and instructing city staff to provide a list of professional conservators as a resource for the appellant to use if he so wishes.

Maker: Emmons
Second: Bagley
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham
Against: 0
Absent: 0
Vacancy: 1 - District 6

Speakers: Appellant: Gary Brennan, 5800 La Vista Court, Dallas, TX, 75206
Staff: Kathy Zibilich, Assistant City Attorney
Mark Doty, Senior Planner

Other Matters

CPC Committee Appointments and Reports:

Motion: It was moved to **approve** Chair Weiss' appointment of Ms. Dana Swope to the Zoning Ordinance Advisory Committee.

Maker: Buehler
Second: Jones-Dodd
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Minutes

Motion: It was moved to **approve** the minutes of the August 9, 2007, meeting, subject to corrections.

Maker: Buehler
Second: Jones-Dodd
Result: Carried: 14 to 0
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons, Cunningham

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

Speakers: None

Adjournment

The hearing adjourned at 8:48 p.m.

Robert Weiss, Chair