

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 1, 2007, with the briefing starting at 3:34 p.m. in Room 5ES and the public hearing at 6:00 p.m. in the City Council Chambers of City Hall. Presiding were Robert Weiss, Chair and Angela Marshall, Vice Chair. The following Commissioners were present during the hearing: Jeff Strater, Clarence Gary, Michael Miranda, Ann Bagley, Erma Jones-Dodd, Peggy Hill, Chris Buehler, Sally Wolfish, Robert Ekblad and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: None. There are three vacancies: District 1, District 5, and District 15.

The City Plan Commission was briefed by staff on each item on the agenda and a question and answer period followed each briefing.

A variety of dockets, requests and briefings were presented to the Commission during the open public hearing. The applicants or their representatives presented their arguments, citizen comments were heard, and using the information and staff recommendations in the hearing dockets, the Commission took the following actions.

NOTE: For more detailed information on discussion on any issue heard during this briefing and public hearing, refer to the tape recording retained on file in the Department of Development Services.

### PUBLIC HEARINGS:

#### Subdivision Docket

Planner: 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) **S067-075**

**Motion:** It was moved to **approve** an application to plat a 2.036 acre tract of land in City Blocks 7910 & 7928 into two lots of 43,234 sq. ft. & 45,464 sq. ft. each on N. Stemmons Freeway east of Pegasus Park Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 0  
Vacancy: 3 - District 1, District 5, District 15  
**Speakers:** None

(2) **S067-076**

**Motion:** It was moved to **approve** an application to replat all of Lots 1 thru 4 and the north ½ of Lot 5 in City Block 71/7340 into one 0.6591 acre lot at S. Industrial Boulevard and Dearborn Street, south corner, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

(3) **S067-078**

**Motion:** It was moved to **approve** an application to replat Lots 1 thru 18 in City Block 1/2057 into one 3.7273 acre lot bounded by Knight Street, Brown Street, Throckmorton Street, and Fairmount Avenue, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

(4) **S067-081**

**Motion:** It was moved to **approve** an application to replat 0.711 acres as part of Lots 2 thru 6 in City Block F/2012 into a 12 lot Shared Access Area Development on the west side of Lafayette Street, south of Kirby Street, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

(5) **S067-082**

**Motion:** It was moved to **approve** an application to replat part of Lots 2 thru 6 in City Block F/2012 into 10 lots ranging in size from 2,125 sq. ft. to 3,254 sq. ft. at Kirby Street and Lafayette Street, west corner, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

(6) **S067-047R**

**Motion:** It was moved to **approve** an application to revise a previously approved plat by increasing the number of lots from 5 to 6 on a 7.613 acre tract of land being all of Lot 2 in City Block F/7202 at Cockrell Hill Road and Interstate 30, northeast corner, subject to compliance with the conditions listed in the docket.

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

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

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

**Speakers:** None

Individual Items – Residential Replats

(7) **S067-077**

**Motion I:** It was moved to **deny** an application to create two lots of 12,542.93 & 16,786.71 sq. ft. each from Lot 14 in City Block H/8080 at 9806 Church Circle, due to noncompliance with Section 51A-8.503 of the Dallas Development Code.

Maker: Hill  
Second: Emmons  
Result: Failed: 5 to 7

For: 5 - Strater, Hill, Wolfish, Ekblad, Emmons

Against: 7 - Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Buehler  
Absent: 0  
Vacancy: 3 - District 1, District 5, District 15

**Motion II:** It was moved to **approve** an application to an application to create two lots of 12,542.93 & 16,786.71 sq. ft. each from Lot 14 in City Block H/8080 at 9806 Church Circle, subject to compliance with the conditions listed in the docket.

Maker: Miranda  
Second: Gary  
Result: Carried: 8 to 4

For: 8 - Gary, Marshall, Miranda, Bagley, Jones-Dodd,  
Weiss, Buehler, Ekblad

Against: 4 - Strater, Hill, Wolfish, Emmons

Absent: 0

Vacancy: 3 - District 1, District 5, District 15

**Speakers:** For: None  
Against: Michael Dalton, 9815 Church Cir., Dallas, TX, 75238

(8) **S067-079**

**Motion:** It was moved to **approve** an application to combine Lots 5A & 5B in City Block N/4983 into one 1.302 acre lot at 4610 Wildwood Road between Watauga Road and Catawba, subject to compliance with the conditions listed in the docket.

Maker: Buehler

Second: Ekblad

Result: Carried: 12 to 0

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

Against: 0

Absent: 0

Vacancy: 3 - District 1, District 5, District 15

\*out of the room, shown voting in favor

**Speakers:** For: Billy Duckworth, 707 Easy St., Garland, TX  
Nancy Kenty, 8723 Canyon Dr., Dallas, TX, 75209  
Patricia White, 4714 Wildwood Rd., Dallas, TX, 75209

(9) **S067-080**

**Motion:** It was moved to **approve** an application to replat the north 15 feet of Lot J and all of Lots K & L in City Block 31/6662 into one 0.60 acre lot on the west side of N. St. Augustine Road between Angelus Road and Paramount Avenue, subject to compliance with the conditions listed in the docket.

Maker: Ekblad

Second: Emmons

Result: Carried: 9 to 3

For: 9 - Strater, Marshall, Bagley, Jones-Dodd, Hill, Buehler, Wolfish, Ekblad, Emmons

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

**Speakers:** None

Zoning Cases – Consent

**1. Z067-116(JH)**

Planner: Jennifer Hiromoto

**Motion:** In considering an application for an amendment to, and an expansion of, Planned Development District No. 368 for a private school and child-care 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, it was moved to recommend **hold** this case under advisement until February 15, 2007.

Maker: Buehler  
Second: Marshall  
Result: Carried: 11 to 1

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

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

**Notices:** Area: 500 Mailed: 113  
**Replies:** For: 8 Against: 6

**Speakers:** For: Jonathan Vinson, 901 N. Main St., Dallas, TX, 75202  
Jackson Wilson, 10102 Rita Rd., Dallas, TX, 75230  
Against: None

**2. Z067-132(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 262 and Historic District No. 31, subject to staff's conditions, a development plan, a landscape plan and revised scheme B Plan on the west corner of Maple Avenue and Oak Lawn Avenue.

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

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

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

**Notices:** Area: 500 Mailed: 64  
**Replies:** For: 6 Against: 0

**Speakers:** For: Larry Good, 2808 Fairmount Ave., Dallas, TX, 75201  
Against: None

3. **Z067-120(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Planned Development District for CS Commercial Service District uses and a transit passenger station or transfer center, subject to a revised development plan and conditions on property zoned an A(A) Agricultural District and a CS-D-1 Commercial Service District with a Dry Liquor Control Overlay, on the south side Scyene Road at Lawnview Avenue with retention of the Dry Liquor Control Overlay on a portion of the site.

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

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

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

**Notices:** Area: 500 Mailed: 26  
**Replies:** For: 0 Against: 0

**Speakers:** None

Zoning Cases – Under Advisement

4. **Z056-318(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for a Specific Use Permit for a transit passenger station or transfer center on property zoned an IR Industrial Research District, on the southwest side of Denton Drive between Burbank Street and Wyman Street, it was moved to **hold** this case under advisement until February 15, 2007.

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

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

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

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

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Against: Rick Gonzales, 4283 S. Cresthaven, Dallas, TX, 75209  
William H. Foster, 4505 N. Versailles Ave., Highland Park, TX, 75205

Zoning Cases – Individual

5. **Z067-128(MF)** Planner: Michael Finley

**Motion:** It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with a Modified Delta Overlay on property bounded by Greenville Avenue, Winton Street, Matilda Street and the Alley south of Kenwood Avenue (Greenland Hills Annex/Mockingbird Park Addition).

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

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

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

**Notices:** Area: 200 Mailed: 152  
**Replies:** For: 12 Against: 5



**Speakers:** For: Todd Pevehouse, 5729 Kenwood Ave., Dallas, TX, 75206  
James R. Daniel, 5731 Ellsworth Ave., Dallas, TX, 75208  
Freda R. McKenzie, 5700 Kenwood Ave., Dallas, TX, 75206  
Denise Pevehouse, 5729 Kenwood Ave., Dallas, TX, 75206  
Against: None

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Other Matters

**Motion:** It was moved to **approve** the committee assignments as presented by staff.

Maker: Buehler  
Second: Jones-Dodd  
Result: Carried: 12 to 0  
For: 12 - Strater, Gary, Marshall, Miranda, Bagley,  
Jones-Dodd, Weiss, Hill, Buehler, Wolfish,  
Ekblad, Emmons  
Against: 0  
Absent: 0  
Vacancy: 1 - District 1, District 5, District 15

**Speakers:** None

Minutes

**Motion:** It was moved to **approve** the minutes of the January 25, 2007, meetings, subject to corrections.

Maker: Buehler  
Second: Hill  
Result: Carried: 12 to 0  
For: 12 - Strater, Gary, Marshall, Miranda, Bagley, Jones-  
Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad,  
Emmons  
Against: 0  
Absent: 0  
Vacancy: 1 - District 1, District 5, District 15

**Speakers:** None

Adjournment

Motion: It was moved to **adjourn** the hearing at 7:28 p.m.

Maker: Marshall

Second: Jones-Dodd

Result: Carried: 12 to 0

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

Against: 0

Absent: 0

Vacancy: 3 - District 1, District 5, District 15

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Robert Weiss, Chair