



CITY OF DALLAS

CITY PLAN COMMISSION
Thursday, April 12, 2007
AGENDA

BUS TOUR:		9:00 a.m.
BRIEFINGS:	5ES	Following bus tour
PUBLIC HEARING	Council Chambers	1:30 p.m.

*The City Plan Commission may be briefed or visit any item on the agenda if it becomes necessary.

Theresa O'Donnell, Director
David Cossum, Assistant Director of Current Planning
Warren Ellis, Principal Planner

EXECUTIVE SESSION: City of Dallas v. Steve S. Crossett, Cause No. 06-04392-L, Steve Crossett v. City of Dallas and the Board of Adjustment of the City of Dallas, Civil Action No. 3:06-CV-0582-M (BDA 056-C01 and Z056-183).

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket Planner: Paul Nelson

Consent Agenda - Preliminary Plats

- (1) **S067-133**
(CC District 5) An application to replat 0.55 acre tract of land containing all of Lot 21A and part of Lot 23 into one lot in City Block 6739 on Scyene Road and Kirven Drive, southeast corner
Applicant: Frank and Carol Perez
Surveyor: Brian Wright
Application Filed: March 14, 2007
Zoning:CR
Staff Recommendation: **Approval**, subject to the conditions listed in the docket

- (2) **S067-134**
(CC District 8)
- An application to create a seven lot Shared Access Development from a 4.629 acre tract of land in City Block 8502 located at 1921 S. St. Augustine Road, north of Teagarden Road
Applicant: Roberto Licea
Surveyor: Shafer and Associates
Application Filed: March 14, 2007
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (3) **S067-137**
(CC District 2)
- An application to replat a 2.262 acre tract of land containing a portion of Lot 2A in City Block B/6374 into one 0.936 acre lot and one 1.326 acre lot on Regal Row at I-35E, southeast quadrant
Applicant: Naresh Patel
Surveyor: Peter Hine
Application Filed: March 20, 2007
Zoning: MU-3
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (4) **S067-138**
(CC District 1)
- An application to replat a 2.025 acre tract being: **Tract 1** being a replat of all of Lots 19, 20, 21, 22 and a portion of City Block M/3363 in City Block M/3363 into one 1.227 acre lot on N. Bishop Avenue at Ballard Avenue, southwest corner; and **Tract 2** being a replat of part of Lots 1 and 2 and all of Lot 3 in City Block M/3363 into one 0.798 acre lot on Ballard Avenue at Madison Avenue, northwest corner
Applicant: 1222 N. Bishop Ave., LLC
Surveyor: Pacheco Koch
Application Filed: March 21, 2007
Zoning: MF-2(A), PDD No. 340 & PDD No. 468
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (5) **S067-140**
(CC District 7)
- An application to create one 1.099 acre lot and one 1.412 acre lot from a 2.5105 acre tract of land in City Block 26/5808 Lovett Avenue between Military Parkway and Hunnicut Street
Applicant: Military Lovett, L.P.; Cactus 5.5 LLC
Surveyor: Salcedo Group, Inc.
Application Filed: March 23, 2007
Zoning: CR
Staff Recommendation: **Approval**, subject to the conditions listed in the docket

- (6) **S067-141**
(CC District 12) An application to replat a 3.449 acre tract of land containing all of Lot 8 in City Block M/8734 into one 1.213 acre lot, one 0.874 acre lot, and one 1.362 acre lot on Frankford Road at Preston Road, northeast corner
Applicant: Preston Road Associates
Surveyor: Huitt-Zollars, Inc.
Application Filed: March 23, 2007
Zoning: PDD No. 268
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (7) **S067-142**
(CC District 2) An application to replat all of Lots 6 and 7 and part of Lot 8 in City Block H/1320 into one 0.442 acre lot on Rawlins Street at Throckmorton Street, south corner
Applicant: Rawlins Oak Lawn, Ltd.
Surveyor: Analytical Surveys, Inc.
Application Filed: March 23, 2007
Zoning: PDD No. 193 (MF-2)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket
- (8) **S067-143**
(CC District 13) An application to replat all of Lot 6A in City Block 7291 into one 5.0043 acre lot for the purpose of creating a public street along the north line of the property on U.S. Highway 75, north of Meadow Lane
Applicant: Next Block Dallas
Surveyor: Kimley-Horn
Application Filed: March 23, 2007
Zoning: GO(A)
Staff Recommendation: **Approval**, subject to the conditions listed in the docket

Individual Items – Residential Replats

- (9) **S067-135**
(CC District 12) An application to replat a 2.054 acre tract of land containing all of Lots 11 and 12 in City Block 1/8211 into 1 lot on 5969 Westgrove Circle at 16325 Ashbourne Drive
Applicant: Robert and Janet Behringer
Surveyor: Analytical Surveys, Inc.
Application Filed: March 14, 2007
Zoning: R-1 Ac.(A)
Date Notices Mailed: March 23, 2007
Staff Recommendation: **Approval**, subject to the conditions listed in the docket

- (10) **S067-139**
(CC District 3)
- An application to replat a 4.257 acre tract of land containing part of Lot 5, all of Lots 6B, 12C, 12D, 13, 14C and 14D in City Block 1/6028 into one 2.696 acre lot and one 1.561 acre lot on W. Illinois Avenue at Chalmers Street, southwest corner
- Applicant: Nueva Vida/New Life Assembly
Surveyor: Mc Surveying, Inc.
Application Filed: March 21, 2007
Zoning: R-7.5(A)
Date Notices Mailed: March 23, 2007
Staff Recommendation: **Approval**, subject to the conditions listed in the docket

Miscellaneous Docket

- M067-027**
Richard Brown
(CC District 11)
- Minor amendment to the development plan and landscape plan for Planned Development District No. 614, Tract II on the northwest corner of Belt Line Road and Preston Boulevard
- Staff Recommendation: **Approval**

- M067-029**
Richard Brown
(CC District 11)
- Minor amendment to the development plan for Planned Development District No. 713, on the northeast corner of Alpha Road and Noel Road
- Staff Recommendation: **Approval**

- Z056-307(JH)**
Jennifer Hiromoto
(CC District 6)
- An extension of the six-month time period between the City Plan Commission recommendation and City Council consideration of a zoning request on an application for a Planned Development District for a railroad yard, roundhouse, or shops, and IR Industrial Research uses on a property zoned an IM Industrial Manufacturing District and LI Light Industrial District on the northwest corner of Lombardy Lane and Abernathy Avenue
- Staff Recommendation: **Approval** of a 4 month extension

Miscellaneous Docket – Under Advisement

- W067-008**
Neva Dean
(CC District 6)
- A wavier of the two-year waiting period in order to submit an application for a CS Commercial Service District with deed restrictions volunteered by the applicant on the southeast corner of Bernal Drive and Iroquois Drive.
- Staff Recommendation: **Denial**
U/A From: March 22, 2007 and March 29, 2007

Certificate of Appropriateness for Signs

Arts District Sign District:

0703145032
Michael Finley
(CC District 14)

An application for the installation of a 190 square feet cultural institution identification sign reading "DALLAS SYMPHONY ORCHESTRA" at 2301 Flora Street on the northwest side facing Woodall Rogers Freeway.

Applicant: Steve Benson

Staff Recommendation: **Approval**, subject to City Council approval of the proposed cultural institution identification sign designation

SSDAC Recommendation: **Approval**, subject to City Council of the proposed cultural institution identification sign designation

Zoning Cases – Consent

1. **Z067-153(RB)**
Richard Brown
(CC District 3)

An application for an amendment to, and expansion of, Planned Development District No. 293 for a Fire station, Public park, and Single family uses inclusive of the expansion area zoned an R-7.5(A) Single Family District, on property bounded by Illinois Avenue, Wynnewood Drive, Dewitt Circle, and Vernon Avenue.

Staff Recommendation: **Approval**, subject to a development plan, landscape plan and conditions

Applicant: City of Dallas

Representative: Pankaj Shah

2. **Z067-165(OTH)**
Olga Torres-Holyoak
(CC District 6)

An application for a Specific Use Permit for an alcoholic beverage establishment to be used as a private club/bar on property zoned an IR Industrial Research District on the south side of John W. Carpenter, south of Mockingbird Lane.

Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions

Applicant/Representative: Alfred Soliz

3. **Z067-166(OTH)**
Olga Torres-Holyoak
(CC District 3)

An application for an amendment to Tract 1 of Subarea D-1, in Planned Development District No. 468 on the west side of Zang Boulevard north of Colorado Boulevard

Staff Recommendation: **Approval**, subject to a conceptual plan and conditions

Applicant: Trinity River Holdings, Ltd.

Representative: Karl A. Crawley, MASTERPLAN

4. [Z067-180\(OTH\)](#) Olga Torres-Holyoak (CC District 1) An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District on the west corner of Starr Street and 9th Street
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: Bennett Miller Homes
Representative: Macatee Engineering
5. [Z067-172\(WE\)](#) Warren Ellis (CC District 13) An application for an amendment to Planned Development District No. 724 for a public school other than an open-enrollment charter school and R-16(A) Single Family District uses, in an area bounded by Killon Drive, Walnut Hill Lane and Hedgeway Drive.
Staff Recommendation: **Approval**, subject to a development plan and conditions
Applicant: Dallas Independent School District
Representative: MASTERPLAN

Zoning Cases – Under Advisement

6. [Z056-318\(WE\)](#) Warren Ellis (CC District 2) 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
Staff Recommendation: **Approval** for a permanent time period, subject to a site plan and staff's recommended conditions
Applicant: DART
Representative: MASTERPLAN
U/A From: October 12, 2006; October 26, 2006; November 16, 2006; December 7, 2006; January 11, 2007; February 1, 2007; February 15, 2007 and March 22, 2007
7. [Z067-140\(WE\)](#) Warren Ellis (CC District 3) An application for a Specific Use Permit for an open-enrollment charter school on property zoned a Medium Commercial Office Subdistrict within Planned Development District No. 631, the West Davis Special Purpose District, on the north side of Davis Street, west for Westmoreland Road.
Staff Recommendation: **Denial**
Applicant: Texas Language Charter
Representative: Peter Kavanagh
U/A From: March 1, 2007; March 8, 2007 and March 22, 2007

Individual Cases

8. [Z067-178\(WE\)](#)
Warren Ellis
(CC District 13)
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.
Staff Recommendation: **Denial**
Applicant: Hunt Properties, Inc.
Representative: MASTERPLAN

9. [Z067-115\(JH\)](#)
Jennifer Hiromoto
(CC District 8)
An application for a Planned Development District for R-7.5(A) Single Family uses and an open-enrollment charter school on a property zoned an R-7.5(A) Single Family District on the north side of Wheatland Road, west of Houston School Road.
Staff Recommendation: **Approval**, subject to a development plan, landscape plan, and staff conditions
Applicant: Gateway Charter School
Representative: Santos Martinez, Masterplan
Bus Tour Date: March 29, 2007

10. [Z067-152\(JH\)](#)
Jennifer Hiromoto
(CC District 8)
An application for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant and a Specific Use Permit for Industrial (outside) potentially incompatible uses on property zoned an IR Industrial Research District on the west side of South Central Expressway, south of Choate Street
Staff Recommendation: **Approval** of the IM Industrial Manufacturing District subject to deed restrictions volunteered by the applicant and **approval** of a Specific Use Permit for a five-year period subject to a site plan and conditions
Applicant: BMB, Ltd., Robert Richard

11. [Z067-183\(JH\)](#)
Jennifer Hiromoto
(CC District 2)
An application for an LI Light Industrial District on property zoned a CS Commercial Service District on the west side of Inwood Road, between Irving Boulevard and Stemmons Freeway with consideration for a MU-3 Mixed Use District.
Staff Recommendation: **Approval** of an MU-3 Mixed Use District in lieu of an LI Light Industrial District.
Applicant: Rajan Dudhwala
Representative: Hugo Monsanto

12. [Z067-129\(JH\)](#)
Jennifer Hiromoto
(CC District 3)
An application for a Specific Use Permit for mining and the placement of fill on property zoned an A(A) Agricultural District on the northwest corner of Merrifield Road and SPUR 408
Staff Recommendation: **Hold under advisement** until April 26, 2007.
Applicant: Harding Company
Representative: Craig Schellbach, Transystems
Bus Tour Date: April 12, 2007

13. [Z067-130\(JH\)](#)
Jennifer Hiromoto
(CC District 3)
An application for a Specific Use Permit for mining and the placement of fill on property zoned an A(A) Agricultural District on the east side of Mountain Creek Parkway, north of Kiest Boulevard
Staff Recommendation: **Hold under advisement** until April 26, 2007.
Applicant: Harding Company
Representative: Craig Schellbach, Transystems
Bus Tour Date: April 12, 2007
14. [Z067-131\(JH\)](#)
Jennifer Hiromoto
(CC District 3)
An application for a Specific Use Permit for mining and the placement of fill on property zoned an A(A) Agricultural District on the west side of Merrifield Road, south of Kiest Boulevard.
Staff Recommendation: **Hold under advisement** until April 26, 2007.
Applicant: Harding Company
Representative: Craig Schellbach, Transystems
Bus Tour Date: April 12, 2007

Authorization of Hearings

Neva Dean
(CC District 12)
Consideration of authorization of a hearing to determine the proper zoning on property zoned a CR Community Retail District, on the southeast corner of Mapleshade Lane and Preston Road with consideration being given to an MU-2 Mixed Use District or a Planned Development District. This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Neva Dean
(CC District 14)
Consideration of authorization of a hearing to determine the proper zoning on property zoned Subarea 12 within Planned Development District No. 298, the Bryan Area Special Purpose District, an area generally bound by Cantegral Street, Floyd Street, Swiss Avenue, Hall Street, and Gaston Avenue with consideration being given to amending Subarea 12 to allow banks and savings and loans with drive-through windows by Specific Use Permit. This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Other Matters

CPC Committee Appointments and Reports

Minutes: March 29, 2007

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, April 10, 2007

JOINT CPC TRINITY RIVER AD HOC COMMITTEE & URBAN DESIGN ADVISORY COMMITTEE (UDAC) - Tuesday, April 10, 2007, at 5:30 PM, City Hall, 1500 Marilla Street, in Room 6ES to discuss the Trinity River Corridor authorized hearings.

Thursday, April 12, 2007

ZONING ORDINANCE ADVISORY COMMITTEE MEETING AND BUS TOUR (ZOAC)
- Thursday, April 12, 2007, at 9:00 a.m., City Hall, 1500 Marilla Street, in Room 5ES.

EXECUTIVE SESSION NOTICE

The Commission may hold a closed executive session regarding any item on this agenda when:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the Commission/Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex, Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.086]