

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on March 8, 2007, with the bus tour starting at 9:03 a.m. followed by the briefing starting at 12:03 a.m. in Room 5ES and the public hearing at 1:30 p.m. in the City Council Chambers of City Hall. Presiding were 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, Neil Emmons and Bill Cunningham. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. There are two vacancies: District 1 and District 5.

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) **S067-102**

**Motion:** It was moved to **denial** an application to replat a 3.93 acre tract of land containing all of Lots 2 and 3 in City Block A/6500 and a tract of land in City Block 6500 into one 3.93 acre lot on California Crossing at Newkirk Street, southwest quadrant, due to non compliance with plating regulations.

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

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Speakers:** None

(2) **S067-103**

**Motion:** It was moved to **approve** an application to replat a 12.1097 acre tract of land containing all of City Blocks 14, 15, 16, 17, 18, 20, 21, 22, 23 and 24/5799, and the remainder of Blocks 29, 30, 31 and 32/5799; all of Lot 1A in City Block 17/5799 and Lot 1A in City Block 23/5799 of the Amended Maple Road Acres Addition; into one 10.4883 acre lot and one 1.6214 acre lot and being all of the property bounded by Denton Drive and Harry Hines Blvd. between Cullum Lane and Community Drive, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5  
Conflict: 1 - Bagley

**Speakers:** None

(3) **S067-104**

**Motion:** It was moved to **approve** an application to replat all of Lot 1 and a 157,453.08 square foot lot in City Block 6608 into one 4.0760 acre lot on Royal Lane at Denton Drive, Northeast corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5  
Conflict: 1 - Bagley

**Speakers:** None

(4) **S067-110**

**Motion:** It was moved to **approve** an application to replat a 0.915 acre tract of land in City Block B/6476 and a 1.501 acre tract of land in City Block 6476 into one 2.446 acre lot on Olympic Drive, south of Lombardy Lane, subject to compliance with the conditions listed in the docket.

Maker: Ekblad  
Second: Buehler  
Result: Carried: 13 to 0

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Speakers:** None

(5) **S067-111**

**Motion:** It was moved to **approve** an application to create one 5.3241 acre lot in City Block 7371 on Dilido Road at Senate Street, southwest corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5  
Conflict: 1 - Bagley

**Speakers:** None

Individual Items – Residential Replats

(6) **S067-105**

**Motion:** It was moved to **approve** an application to replat a 1.233 acre tract of land containing all of Lots 1 through 10 in City Block Q/8710 of Cappella Park, Phase One into 18 lots on Patience Boulevard, and Sistine Mews between Samaritan Road and Clay Academy Boulevard, subject to compliance with the conditions listed in the docket.

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

For: 13 - Strater, Gary, Marshall, Miranda, Dodd, Bagley,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Speakers:** None

(7) **S067-107**

**Motion:** It was moved to **approve** an application to replat a 0.221 acre tract of land containing all of Lots 13, 14, 15 and 16 in City Block 4/8207 of Amber Trails Addition Two into 3 lots on Nailsworth Way at Tewkesbury Way, subject to compliance with the conditions listed in the docket.

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

For: 13 - Strater, Gary, Marshall, Miranda, Dodd, Bagley,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Speakers:** None

(8) **S067-108**

**Motion:** It was moved to **approve** an application to replat the remainder of Lot 6 in City Block D/5532 of Roxbury Park Addition into one 1.99 acre lot on Dorset Road at Strait Lane, subject to compliance with the conditions listed in the docket.

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

For: 13 - Strater, Gary, Marshall, Miranda, Dodd, Bagley,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Speakers:** None

(9) **S067-109**

**Motion:** It was moved to **approve** an application to replat a 0.852 acre tract of land containing all of Lot 31 in City Block 6740 of Allan Subdivision into one 0.430 acre lot and one 0.422 acre lot on Cypress Street at Jennie Lee Lane, subject to compliance with the conditions listed in the docket.

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

For: 13 - Strater, Gary, Marshall, Miranda, Dodd, Bagley,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Speakers:** None

Miscellaneous Docket

**M067-019**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the Tract a development plan for Planned Development District No. 303 for IR District Uses and an Inside with high risk or hazardous use on the southeast line of Empire Central, southwest of Denton Drive.

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

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Speakers:** None

**M067-022**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to Tract 1A development plan/Tract 1, Tract 2 conceptual plan and landscape plan for Planned Development District No. 751 for certain RR District Uses in an area generally bounded by Cliff Creek Crossing, Hampton Road, Wheatland Road, IH 20, and Bainbridge Drive.

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

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Speakers:** None

Zoning Cases – Under Advisement

A. **Z067-134(JH)**

Planner: Jennifer Hiromoto

**Motion:** In considering an application for a Specific Use Permit for an alcoholic beverage establishment for a private-club bar and a commercial amusement (inside) for a dance hall on property zoned an RR Regional Retail District south of Camp Wisdom Road at Pastor Bailey Drive, it was moved to **hold** this case under advisement until March 29, 2007.

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

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Notices:** Area: 300 Mailed: 14  
**Replies:** For: 1 Against: 1

**Speakers:** None

B. **Z067-136(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to and expansion of Specific Use Permit No. 193 for a Temporary water pump station, subject to a revised site plan and conditions on property zoned an R-7.5(A) Single Family District in the southeast quadrant of Simpson Stuart Road and Teague Drive (Note: Use will be converted to a Chapter 51A use and ordinance will reflect a permitted use of local utilities).

Maker: Dodd  
Second: Buehler  
Result: Carried: 13 to 0

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Notices:** Area: 200 Mailed: 21  
**Replies:** For: 0 Against: 0

**Speakers:** None

**C. Z067-140(WE)**

Planner: Warren Ellis

**Motion:** In considering 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 of Westmoreland Road; it was moved to **hold** this case under advisement until March 22, 2007.

Maker: Gary  
Second: Miranda  
Result: Carried: 13 to 0

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd\*,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 14  
**Replies:** For: 1 Against: 0

**Speakers:** For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208  
Against: None

Zoning Cases – Individual

**1. Z067-142(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** a renewal of Specific Use Permit No. 1595 for a bank or savings and loan office with a drive-in window service for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned a HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, generally bounded by Maple-Routh Connection, McKinney Avenue, Pearl Street and Thomas Avenue.

Maker: Emmons  
Second: Cunningham

Result: Carried: 13 to 0

For: 13 - Strater, Gary, Marshall, Miranda\*, Bagley, Dodd,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 41  
**Replies:** For: 2 Against: 0

**Speakers:** For: Joel Miller, Address not given  
Against: None

2. **Z067-114(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **denial** of an amendment to and expansion of the Subdistrict 5 portion of Planned Development District No. 462, the Henderson Avenue Special Purpose District on property zoned an MF-2(A) Multifamily District on the west line of McMillan Avenue, north of Henderson Avenue.

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

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

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5  
Conflict: 1 - Wolfish

**Notices:** Area: 500 Mailed: 88  
**Replies:** For: 27 Against: 9

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Against: Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206  
Monte Martin, 1824 McMillan Ave., Dallas, TX, 75206  
Truman Lovelady, 1833 McMillan Ave., Dallas, TX, 75206

3. **Z067-137(RB)**

Planner: Richard Brown

**Motion:** In considering an application for a Specific Use Permit for a Private recreation center, club, or, area on property zoned an R-5(A) Single Family District on the northeast quadrant of the terminus of Knoxville Street, north of Bayview Drive, it was moved to **hold** this case under advisement until March 22, 2007.

Maker: Gary  
Second: Hill  
Result: Carried: 13 to 0

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Notices:** Area: 400 Mailed: 83  
**Replies:** For: 35 Against: 5

**Speakers:** For: Raul Estrada, 325 E. Jefferson St., Dallas, TX, 75208  
Against: None

4. **Z067-143(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a transit passenger station or transfer center for a permanent time period, subject to a site plan and staff's recommended conditions on property zoned an IR Industrial Research District and a portion of Planned Development District No. 498, the Harry Hines Corridor Special Purpose District on the northeast corner of Royal Lane and Denton Drive.

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

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

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5  
Conflict: 1 - Bagley

**Notices:** Area: 300 Mailed: 17  
**Replies:** For: 1 Against: 1

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Michael Miles, 1401 Pacific Ave., Dallas, TX, 75201  
Against: None

5. **Z067-145(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** It was moved to recommend **approval** to amend and expand Planned Development District No. 527 and replace the existing development plan for Planned Development District No. 527, and **approval** of the termination of Specific Use Permit No. 1377 for a multifamily use, subject to a development plan and conditions on property zoned Planned Development District No 527 and an IR Industrial Research District, on an area bounded by Denton Drive, Cullum Lane, Harry Hines Boulevard and Community Drive.

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

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

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5  
Conflict: 1 - Bagley

**Notices:** Area: 500 Mailed: 34  
**Replies:** For: 3 Against: 0

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

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Other Matters

CPC Committee Appointments and Reports

Minutes

**Motion:** It was moved to **approve** the minutes of the March 1, 2007, meetings, subject to corrections.

Maker: Buehler  
Second: Dodd  
Result: Carried: 13 to 0

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

**Speakers:** None

Adjournment

Motion: It was moved to **adjourn** the hearing at 2:48 p.m.

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

For: 13 - Strater, Gary, Marshall, Miranda, Bagley, Dodd,  
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,  
Cunningham

Against: 0  
Absent: 0  
Vacancy: 2 - District 1, District 5

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Robert Weiss, Chair