# PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 25, 2007, with the briefing starting at 10:45 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 Chris Buehler, Vice Chair. The following Commissioners were present during the hearing: James Prothro, Jeff Strater, Clarence Gary, Michael Davis, Debra Woolen Lipscomb, Ann Bagley, Erma Jones-Dodd, Peggy Hill, Sally Wolfish, Robert Ekblad and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. There are two vacancies - District 6 and Place 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: 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) **S067-257R1**

**Motion:** It was moved to **approve** an application to replat all of Lots 3B through 3J, 4A thru 4H, part of Lot 4, all of Lots 5, 6, 7, and 8, in City Block C/1993 located on Belmont Avenue between North Henderson Avenue and North Garrett Avenue into one 2.52435 acre lot and terminate or amend the existing Shared Access Area Easement on property located on Belmont Avenue between Henderson Avenue and Garrett Avenue, subject to compliance with the conditions listed in the docket with Condition #8 corrected to permit 1 lot rather than 16 lots.

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

> For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

Against:0Absent:0Vacancy:2 - District 6, Place 15

Speakers: None

## (2) **S067-284**

**Motion:** It was moved to **approve** an application to replat a 6.228 acre tract of land in City Block B/8222 into one 4.807 acre lot and one 1.421 acre common area on Montfort Drive between Belt Line Road and Arapaho Road, subject to compliance with the conditions listed in the docket with the deletion of Conditions 10, 11 and 12

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

- For: 13 Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons
- Against:0Absent:0Vacancy:2 District 6, Place 15
- Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270 Against: None

# (3) **S067-285**

**Motion:** It was moved to **approve** an application to create one 0.0878 acre lot from a tract of land in City Block 500 on Carmel Street between Skiles Street and Birkenhead Court, subject to compliance with the conditions listed in the docket with Condition #6 to read as follows: "6. On the final plat, dedicate the ROW in fee simple."

Maker: Second: Result:		
	For:	13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons
Abs	ainst: sent: cancy:	0 0 2 - District 6, Place 15

### Speakers: None

### Residential Replat

### (4) **S067-283**

**Motion:** It was moved to **approve** an application to replat a 0.531 acre tract of land containing all of Lot 55B in City Block 6784 into two 0.265 acre lots on Cypress Avenue south of Military Parkway, subject to compliance with the conditions listed in the docket.

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

> For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

Against:	0
Absent:	0
Vacancy:	2 - District 6, Place 15

Speakers: None

Street Name Change

### NC067-005

**Motion:** It was moved to recommend **denial** of an application to change the name of Motor Street between Stemmons Freeway and Irving Boulevard to "Medical District Drive".

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

- For: 13 Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons
- Against:0Absent:0Vacancy:2 District 6, Place 15
- Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202 Against: Sheli Barnett, 300 N. Coit Rd., Richardson, TX, 75080 Sarah Senter, 1307 Motor St., Dallas, TX, 75207

Chris Bond, 1234 Motor St., Dallas, TX, 75207 Mark Evans, 1323 Motor St., Dallas, TX, 75207

## Zoning Cases – Consent

## 1. Z067-230(JH)

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for vehicle sales, display, and service use or a three year period, subject to site plan, landscape plan and conditions on property zoned Subdistrict 1 in Planned Development District No. 534-D-1, the C.F. Hawn Special Purpose District No. 2, with a Dry Liquor Control Overlay on the north side of CF Hawn Freeway, east of La Paz Drive.

Maker: Jones-Dodd Second: Davis Result: Carried: 13 to 0

> For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

	Against: Absent: Vacancy:	0 0 2 - District 6, Place 15	
Notices:	Area: 200	Mailed: 10	)

- **Replies:**For:2Against:0
- Speakers: For: Ramon Aranda, 2946 S. Sunbeck Cr., Farmers Branch, TX, 75234 Against: None

## 2. **Z056-242(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a Bank or savings and loan with drive-in windows for a ten-year period, with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions within the Subarea 12 portion of Planned Development District No. 298, the Bryan Area Special Purpose District on the northwest line of Gaston Avenue, southwest of Haskell Avenue.

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

	For:	12 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Hill, Buehler, Wolfish, Ekblad, Emmons
	Against: Absent: Vacancy: Conflict:	0 0 2 - District 6, Place 15 1 - Weiss
Notices:	Area: 500	Mailed: 36
<b>Replies:</b>	For: 7	Against: 2
Speakers:		ert Reeves, 900 Jackson St., Dallas, TX, 75202 ael Jung, 4400 Bank of America plaza, Dallas, TX, 75202 e

## 3. Z067-324(RB)

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** a Specific Use Permit for a Liquor store for a one-year period, subject to a revised site plan and conditions on property zoned an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest line of Lamar Street, southeast of Mooney Street.

	Maker: I Second: I	Bagley Davis	
			13 to 0
		For:	13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons
	Agai Abse Vaca	ent:	0 0 2 - District 6, Place 15
Notices:	Area:	300	Mailed: 29
Replies:	For:	1	Against: 2
Speakers:	For:		Tan, 4501 S. Lamar St., Dallas, TX, 75215 Gregson, 4501 S. Lamar St., Dallas, TX, 75215
	Against:	Tracie	Reed, 4722 Meadow St., Dallas, TX, 75215

### 4. Z067-327(MF)

### Planner: Michael Finley

**Motion:** It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-10(A) Single Family District on properties on both side of Woodland Drive between Preston Road and Edgemere Road (Woodland Drive Neighborhood) with the corner side yard setback for lots 28 and 29 on Preston Road be 6 feet.

	Second:		Dodd : 13 to 0
		For:	13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons
	Agai Abso Vaca	ent:	0 0 2 - District 6, Place 15
Notices:	Area:	200	Mailed: 118
<b>Replies:</b>	For:	32	Against: 4
Speakers:			on Elliot, 6230 Woodland Dr., Dallas, TX, 75225 Sudbury, 6007 Woodland Dr., Dallas, TX, 75225

# Note: The Commission voted unanimously to change the order of the agenda and hear case Z067-288(JH)

## Zoning Cases – Under Advisement

. . .

-----

## 5. **Z067-178(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Planned Development District for TH-2(A) Townhouse District uses and non-residential uses, subject to staff's recommended conditions on property zoned a TH-1(A) Townhouse District, on the north side of Northwest Highway, west of Midway Road with the following added conditions: 1) The required 8 foot screening fence be either brick or precast masonry (no concrete blocks). 2) Adhere to the Article X for landscaping. 3) The sign conditions follow the non business sign rules and limit to monument signage. 4) Include staff recommended condition for sidewalks.

Maker: Ekblad Second: Buehler Result: Carried: 12 to 0 For: 12 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Weiss, Hill\*, Buehler, Wolfish, Ekblad, Emmons

Against:	0
Absent:	0
Vacancy:	2 - District 6, Place 15
Abstained:	1 - Jones-Dodd**

\*out of the room, shown voting in favor \*\* Commissioner abstained, due to bus tour requirements

Notices:	Area:	500	Mailed:	55	
<b>Replies:</b>	For:	6	Against:	5	
	_		• • • • • • •		
Speakers:	For:	Dallas	S Cothrum, 900 Jackso	on St.	, Dallas, TX, 75002

Jeff Williams, Address not given

Against: None

6. **Z067-272(OTH)** 

Planner: Olga Torres-Holyoak

**Motion:** In considering an application to create a new subdistrict within Planned Development District No. 714, West Commerce Street/Fort Worth Avenue Special Purpose District, on property zoned a TH-3(A) Townhouse District, on the northeast corner of the terminus of Folsom Street, north of Fort Worth Avenue, east of Willomet Avenue, it was moved to **hold** this case under advisement until November 8, 2007.

Maker:	Bagley
Second:	Prothro
Result:	Carried: 12 to 0

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

Against:	0
Absent:	0
Vacancy:	2 - District 6, Place 15
Abstained:	1 - Buehler**

\*\* Commissioner abstained, due to bus tour requirements

Notices:	Area:	500	Mailed:	46
<b>Replies:</b>	For:	3	Against:	4

# Speakers: For: Will Pinkerton, 1533 W. Colorado Blvd., Dallas, TX, 75208 Scott Griggs, Address not given Deborah Carpenter, 2009 Neal St., Dallas, TX, 75208 Against: None

# 7. **Z067-291(MF)**

Planner: Michael Finley

**Motion:** It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-10(A) Single Family District in an area generally bounded by Garland Road, Peavy Road, the GC & SF Railroad, Old Gate Lane and the alley west of Redondo Drive (Casa Linda Estates) with the following changes: 1) The boundaries of the NSO include only Subdistrict 1 southwest of the Buckner frontage. The remaining proposed boundaries are denied without prejudice. 2) The minimum front yard setback is 50 feet. 3) The minimum corner side yard setback is 15 feet. 4) The minimum interior side yard setback is 12 feet. 5) No additional height restrictions in the NSO (R-10(A)=30).

Maker: Weiss Second: Davis Result: Carried: 11 to 0

> For: 11 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Weiss, Hill, Buehler, Wolfish, Emmons

Against:	0
Absent:	1 - Jones-Dodd
Vacancy:	2 - District 6, Place 15
Abstained:	1 - Ekblad**

\*\* Commissioner abstained, due to bus tour requirements

Notices:	Area:	200	Mailed:	635
<b>Replies:</b>	For:	127	Against:	117

Speakers: For: Brad Rogers, 1306 El Patio Dr., Dallas, TX 75218 Jenny Capritta, 1435 N. Buckner Blvd., Dallas, TX, 75218 David Baillif, 9719 Redondo Dr., Dallas, TX 75218 Jim Witter, 1560 San Saba Dr., Dallas, TX, 75218 Dawn Cleaves, 9523 Hermosa Dr., Dallas, TX, 75218 Lynn Foster, 9320 Redondo Dr., Dallas, TX, 75218 Cindy Bourne, 1413 El Campo Dr., Dallas, TX, 75218
For: (did not speak): Marva Wescott, 1560 San Saba Dr., Dallas, TX, 75218
For: (did not speak): Sharon Laminack, 1426 Tranquilla Dr., Dallas, TX, 75218
For: (did not speak): Phil Menderhausen, 9425 Hermosa Dr., Dallas, TX, 75218
For: (did not speak): Dan May, 1536 El Campo Dr., Dallas, TX, 75218
For: (did not speak): Sheri Foster, 9320 Redondo Dr., Dallas, TX, 75218
For: (did not speak): Sheri Foster, 9320 Redondo Dr., Dallas, TX, 75218
For: (did not speak): Sheri Foster, 9320 Redondo Dr., Dallas, TX, 75218
For: (did not speak): Sheri Foster, 9320 Redondo Dr., Dallas, TX, 75218
For: (did not speak): Susan Grundy, 1406 Tranquilla Dr., Dallas, TX, 75218

## City Plan Commission October 25, 2007

For: (did not speak): Lawrence Lovi, 1526 N. Buckner Blvd., Dallas, TX, 75218 For: (did not speak): Tomas Oliver, III, 9525 Hermosa Dr., Dallas, TX, 75218 For: (did not speak): Kelly Hughes, 1441 El Campo Dr., Dallas, TX, 75218 For: (did not speak): Jean Ann Rogers, 1306 El Patio Dr., Dallas, TX, 75218 For: (did not speak): Gardner Cleaves, 9523 Hermosa Dr., Dallas, TX, 75218 For: (did not speak): Susan Fredrickson, 1408 San Saba Dr., Dallas, TX, 75218 For: (did not speak): Donna Mason, 1535 San Saba Dr., Dallas, TX, 75218 For: (did not speak): Jeff Mason, 1535 San Saba Dr., Dallas, TX, 75218 For: (did not speak): Bonnie Miller Wilson, 9410 Hermosa Dr., Dallas, TX, 75218 Against: Dorothea Vidal, 1518 El Campo Dr., Dallas, TX, 75218 T. Dean Malone, 1439 Sereno Dr., Dallas, TX, 75218 Warren Houser, 9816 Redondo Dr., Dallas, TX, 75218 Against (did not speak): John Widhalm, 1502 Verano Dr., Dallas, TX, 75218 Against (did not speak): Susan Widhalm, 1502 Verano Dr., Dallas, TX, 75218 Against (did not speak): Linda Fuller, 1434 Sereno Dr., Dallas, TX, 75218 Against (did not speak): Hilary Johnson, 1425 N. Buckner Blvd., Dallas, TX, 75218 Against (did not speak): Penny Jones, 1423 Sereno Dr., Dallas, TX, 75218 Against (did not speak): Margaret Webb, 1418 Sereno Dr., Dallas, TX, 75218 Against (did not speak): Daniel Schmalzer, 1421 El Campo Dr., Dallas, TX, 75218 Against (did not speak): Paul e. Bryant, 1403 Corto Dr., Dallas, TX, 75218 Against (did not speak): Kathy Hand, 1423 Sereno Dr., Dallas, TX, 75218 Against (did not speak): Everett Stigall, 9551 Alta Mira Dr., Dallas, TX, 75218 Against (did not speak): Perry Stigall, 1415 Tranquilla Dr., Dallas, TX, 75218 Against (did not speak): Jerry Wolfe, 1419 Sereno Dr., Dallas, TX, 75218 Against (did not speak): Judith Wolfe, 1419 Sereno Dr., Dallas, TX, 75218 Against (did not speak): Gary Spence, 1431 Tranguilla Dr., Dallas, TX, 75218 Against (did not speak): Bill Hamrick, 1422 Tranquilla Dr., Dallas, TX, 75218 Against (did not speak): Tracia Johnson, 1524 N. Buckner Blvd., Dallas, TX, 75218 Against (did not speak): Earl V. Johnson, 1524 N. Buckner Blvd., Dallas, TX, 75218 Against (did not speak): Melanie Landay, 1510 Sereno Dr., Dallas, TX, 75218 Against (did not speak): Nick Jirasek, 1733 Joan Dr., Dallas, TX, 75217 Against (did not speak): William Letart, 9802 El Patio Dr., Dallas, TX, 75218

## Individual Cases

### 8. Z067-318(MF)

Planner: Michael Finley

**Motion:** It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-5(A) Single Family District on properties generally bounded by Lee Street, Pershing Street, Henderson Avenue and Homer Street and including both sides of Pershing and Homer (Cochran Heights).

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

> For: 11 - Prothro, Strater, Gary, Davis, Bagley, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

Against: Absent: Vacancy:	0 2 - Woolen Lipscomb, Jones-Dodd 2 - District 6, Place 15

Notices:	Area:	200	Mailed:	269
Replies:	For:	39	Against:	8

Speakers: For: Mitch Deshotels, 5210 Alcott St., Dallas, TX, 75206 Noreen Grant, 5114 Milam St., Dallas, TX, 75206 Jason Pumpelly, 5206 Homer St., Dallas, TX, 75206 Thomas Hines, 5202 Milam St., Dallas, TX, 75206 Michael Hamtil, 5106 Milam St., Dallas, TX, 75206
For (did not speak): David Baillif, 9719 Redondo Dr., Dallas, TX, 75218 Against: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202 Michael Anderson, 5216 Milam St., Dallas, TX, 75206 Jack Ray Kemp, 5533 Williamstown Rd., Dallas, TX, 75230

## 9. **Z067-308(OTH)**

Planner: Olga Torres- Holyoak

**Motion:** It was moved to recommend **denial** of an R-5(A) Single Family District on property zoned an R-7.5(A) Single Family District on the northwest corner of Murdock Road and Fairport Road.

Maker: Wolfish Second: Davis Result: Carried: 10 to 1

For: 10 - Prothro, Strater, Gary, Davis, Bagley, Weiss, Hill, Buehler, Wolfish, Emmons

Against:	1 - Ekblad
Absent:	2 - Woolen Lipscomb, Jones-Dodd
Vacancy:	2 - District 6, Place 15

Notices:	Area:	200	Mailed:	19
<b>Replies:</b>	For:	0	Against:	0

Speakers: For: Ramon Aranda, 2946 S. Sunbeck Cr., Framers Branch, TX, 75234 Against: None

## 10. Z067-288(JH)

Planner: Jennifer Hiromoto

**Motion:** In considering an application for a Planned Development District for mixed uses on property zoned an IM Industrial Manufacturing District and a CS Commercial Service District on both sides of Industrial Boulevard, between Continental Avenue and Union Pacific Railroad, it was moved to **hold** this case under advisement until November 15, 2007.

	Maker: Second: Result:	Carried	
	Abs	ainst: sent: cancy:	0 0 2 - District 6, Place 15
Notices: Replies:		500 2	Mailed: 35 Against: 0
Speakers:	No	ne	

### 11. Z067-305(JH)

Planner: Jennifer Hiromoto

**Motion I:** It was moved to recommend **approval** of a Specific Use Permit for a bar, lounge, or tavern and an inside commercial amusement for a Class A dance hall for 18 month period, subject to site plans and conditions (21 spaces as shown on site plan and others to code on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the southeast corner of Main Street and Good Latimer Expressway.

Maker: Second: Result:			5
	For:	4 -	Strater, Bagley, Hill, Buehler
Abs	ainst: sent: cancy:	4 -	Gary, Davis, Weiss, Wolfish, Emmons Prothro, Woolen Lipscomb, Jones-Dodd, Ekblad District 6, Place 15

**Motion II:** It was moved to recommend **denial** of a Specific Use Permit for a bar, lounge, or tavern and an inside commercial amusement for a Class A dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the southeast corner of Main Street and Good Latimer Expressway.

Maker: Emmons Second: Davis Result: Failed: 4 to 5

For: 4 - Davis, Weiss, Hill, Emmons

Against:	5 - Strater, Gary, Bagley, Buehler, Wolfish
Absent:	4 - Prothro, Woolen Lipscomb, Jones-Dodd, Ekblad
Vacancy:	2 - District 6, Place 15

**Motion III:** In considering an application for a Specific Use Permit for a bar, lounge, or tavern and an inside commercial amusement for a Class A dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the southeast corner of Main Street and Good Latimer Expressway, it was moved to **hold** this case under advisement until November 15, 2007.

		Strater Hill Carried: 6 t	o 3	
		For: 6 -	Strater, Gary, Ba	agley, Hill, Buehler, Wolfish
	Abse	ent: 4	<ul> <li>Davis, Weiss, En</li> <li>Prothro, Woolen</li> <li>District 6, Place 2</li> </ul>	Lipscomb, Jones-Dodd, Ekblad
Notices:	Area:	200	Mailed:	18
Replies:	For:	0	Against:	8
Speakers:	For:	Richard N	/leggs, Jr., 2600 Ma	on St., Dallas, TX, 75202 ain St., Dallas, TX, 75201 erley Dr., Dallas, TX, 75243
For (did	• • •	Andy Har Barry Ani	ms, 6295 Mercede	es, Dallas, TX, 75214

# Other Matters

CPC Committee Appointments and Reports

Commissioner Strater resigned as Vice Chair of the Urban Design Advisory Committee

**Motion:** It was moved to **approve** the appointment of Chair Weiss as Chair of the <u>Urban Design Advisory Committee</u>.

Maker: Buehler Second: Bagley Result: Carried: 9 to 0

For: 9 - Strater, Gary, Davis, Bagley, Weiss, Hill, Buehler, Wolfish, Emmons

Against:	0
Absent:	4 - Prothro, Woolen Lipscomb, Jones-Dodd,
	Ekblad
Vacancy:	2 - District 6, Place 15

# Speakers:

# <u>Minutes</u>

**Motion:** It was moved to **approve** the minutes of the October 11, 2007, meeting, subject to corrections.

Maker: Second:	Buehler Wolfish	
Result:	Carried:	9 to 0
	For:	<ul> <li>9 - Strater, Gary, Davis, Bagley, Weiss, Hill, Buehler, Wolfish, Emmons</li> </ul>
Abs	ainst: sent: cancy:	0 4 - Prothro, Woolen Lipscomb, Jones-Dodd, Ekblad 2 - District 6, Place 15

Speakers: None

<u>Adjournment</u>

The hearing adjourned at 6:56 p.m.

Robert Weiss, Chair