

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 15, 2007, with the briefing starting at 11:05 a.m. in Room 5ES and the public hearing at 1:32 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and Chris Buehler, Vice Chair. The following Commissioners were present during the hearing: James Prothro, Jeff Strater, Clarence Gary, Michael Davis, Emma Rodgers, John Lozano, Ann Bagley, Erma Jones-Dodd, Bob Weiss, Sally Wolfish, Robert Ekblad and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Peggy Hill. There are no vacancies.

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) **S078-022**

Motion: It was moved to **approve** an application to replat all of Lots 19, 20 and 21 in City Block 12/8570 into one 0.478 acre lot on Mississippi Avenue and Iberria Street, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers, Lozano, Bagley, Jones-Dodd, Weiss, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

(2) **S078-026**

Motion: It was moved to **approve** an application to create a 5.83 acre lot from a tract of land in City Block 6541 on Newkirk Road south of Joe Field Road, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

(3) **S078-027**

Motion: It was moved to **approve** an application to replat a 0.3260 acre tract of land containing all of Lots 18 and 19 in City Block 2/1529 into four lots on Travis Street between Oliver Street and Lee Street, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

(4) **S078-028**

Motion: It was moved to **approve** an application to replat a 0.454 acre tract of land containing all of Lots 1, 2, 3, and 4 in City Block 9/2513 to create 8 lots ranging in size from 1,774 square feet in size to 2,294 square feet in size on property at 5302, 5310, and 5314 Bexar Street between Ghent Street and Starks Avenue, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

(5) **S078-029**

Motion: It was moved to **approve** an application to create a 23.2821 acre lot from a tract of land in City Blocks 8286 and 8287 on Bonnie View Road at Port Boulevard, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

(6) **S078-031**

Motion: It was moved to **approve** an application to replat a 2.13 acre tract of land containing all of Lot 1G in City Block C/5414 into one 1.1298 acre lot and one 1.0008 acre lot on Skillman Street at Eastridge Drive, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

(7) **S078-032**

Motion: It was moved to **approve** an application to replat a tract of land containing 2.849 acres of land and being part of City Block M/7940 into one lot on Empire Central and Brookriver Drive, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

(8) **S078-033**

Motion: It was moved to **approve** an application to replat a 2.396 acre tract of land being all of Lots 1, 3 and 4 in City Block 6/5284 and a tract of land into one Lot on Garland Road and Angora Street southwest of Tavaros Avenue, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

(9) **S078-034**

Motion: It was moved to **approve** an application to create one 0.994 acre lot and one 4.473 acre lot from a 5.467 acre tract of land in City Blocks 8014 and 8015 on 4810 W. Illinois Avenue east of Duncanville Road, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

Miscellaneous Docket

M067-049

Planner: Richard Brown

Motion: It was moved to **deny without prejudice** a minor amendment to the Development Plan for Planned Development District No. 8 on the northeast line of Blackburn Street, between Oak Lawn Avenue and Turtle Creek.

Maker: Weiss
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

D078-001

Planner: Frank Dominquez

Motion: It was moved to **approve** a development plan for Planned Development District No. 663 on the southwest corner of Motor Street and Bengal Street.

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

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

W078-002

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period in order to amend the conditions to Specific Use Permit No. 1567 for a homeless assistance center use on property zoned Planned Development District No. 715 on southwest corner of Cadiz Street and Ervay Street.

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

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

Miscellaneous Docket - Under Advisement

W067-015

Planner: Neva Dean

Motion: In considering a waiver of the two-year waiting period in order to submit an application for an amendment to Planned Development District No. 750 on the northwest corner of Walnut Hill Lane and North Central Expressway, it was moved to **hold** this case under advisement until December 20, 2007.

Maker: Buehler
Second: Jones-Dodd
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley*, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Certificates of Appropriateness for Signs

Downtown Sign District:

0710051024

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 63 square foot Lower Level flat attached wall sign reading “**CHASE**” and containing the Chase logo at 1700 Pacific Avenue, west side beside the Elm Street frontage, west elevation facing Ervay Street.

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

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: For: Jay Hancock, 745 109th St., Arlington, TX, 76011
Against: None

0710051022

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 63 square foot Lower Level flat attached wall sign reading “**CHASE**” and containing the Chase logo at 1700 Pacific Avenue, south side beside the Elm Street frontage, west elevation facing Ervay Street.

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

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: For: Jay Hancock, 745 109th St., Arlington, TX, 76011
Against: None

0710315001

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 2,560 square foot Upper Level flat attached wall sign reading “**Sheraton**” at 400 North Olive Street, northeast elevation facing Pearl Street.

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

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

0710315002

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 2,560 square foot Upper Level flat attached wall sign reading “**Sheraton**” at 400 North Olive Street, southwest elevation facing Olive Street

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

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

0710315003

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 100 square foot Upper Level flat attached wall sign containing the Sheraton logo: a Roman wreath with the letter ‘**S**’ in it, at 400 North Olive Street, northeast elevation facing Pearl Street.

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

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Speakers: None

Zoning Cases – Under Advisement

1. **Z067-275(OTH)**

Planner: Olga Torres Holyoak

Motion: In considering an application for a Planned Development Subdistrict for HC Heavy Commercial Subdistrict uses within Planned Development District No. 193, on property zoned a GR General Retail Subdistrict and an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on both sides of Routh Street at its terminus at the Katy Trail, it was moved to **hold** this case under advisement until December 13, 2007.

Maker: Bagley
Second: Jones-Dodd
Result: Carried: 12 to 0

For: 12 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Ekblad, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0
Conflict: 2 - Wolfish, Emmons

Notices: Area: 500 Mailed: 233
Replies: For: 1 Against: 98

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270
Philip Henderson, 3131 Maple Ave., Dallas, TX, 75201
Against: Bill Miller, 3310 Fairmount St., Dallas, TX, 75201
Harriet Rubin, 2714 Turtle Creek Cr., Dallas, TX, 75219

2. **Z067-288(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Planned Development District for mixed uses, subject to a conceptual plan, revised staff conditions and applicant's conditions regarding street tree spacing at 50 feet intervals 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.

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

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Notices: Area: 500 Mailed: 35
Replies: For: 2 Against: 0

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Larry Good, 2808 Fairmount St., Dallas, TX, 75201
Against: None

3. Z067-305(JH)

Planner: Jennifer Hiromoto

Motion: 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 dancehall for a one-year period, subject to a revised site plan and conditions 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: Strater
Second: Buehler
Result: Carried: 10 to 4

For: 10 - Strater, Gary, Rodgers, Lozano, Bagley,
Jones-Dodd, Weiss, Buehler, Ekblad, Alcantar

Against: 4 - Prothro, Davis, Wolfish, Emmons
Absent: 1 - Hill
Vacancy: 0

Notices: Area: 200 Mailed: 18
Replies: For: 0 Against: 9

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Richard Meggs, 6295 Mercedes Ave., Dallas, TX, 75214
Jason Allcorn, 2600 Main St., Dallas, TX, 75226
Against: Jonathan Hetzel, 1811 Greenville Ave., Dallas, TX, 75206

4. **Z067-331(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **denial without prejudice** for a Specific Use Permit for an inside commercial amusement for a live music venue on property zoned Planned Development District No. 269 on the southeast corner of Main Street and Crowdus Street.

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

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd*, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar*

Against: 0
Absent: 1 - Hill
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 21
Replies: For: 6 Against: 0

Speakers: None

A. **Z067-332(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a bar, lounge, or tavern for a one-year period, subject to a revised site plan and conditions on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the southwest line of Exposition Avenue, east of Ash Lane.

Maker: Bagley
Second: Davis
Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Hill
Vacancy: 0

Notices: Area: 200 Mailed: 12
Replies: For: 2 Against: 2

Speakers: For: Julie Campbell, 10221 Klarney Dr., Dallas, TX, 75226
Jonathan Hetzel, 1811 Greenville Ave., Dallas, TX, 75206
Laura "Zane" Aveton, 2008 Jackson St., Dallas, TX, 75201
Daniel Nanasi, 3612 Commerce St., Dallas, TX, 75226
For (did not speak): Deanna Anderson, 6011 Gaston Ave., Dallas, TX, 75214
For (did not speak): Ty Anderson, 6011 Gaston Ave., Dallas, TX, 75214
For (did not speak): Emily Wright Gammage, 3809 Parry Ave., Dallas, TX, 75206
For (did not speak): Woodrow Walker Rosen, 3809 Parry Ave., Dallas, TX, 75226
For (did not speak): Kim Finch, 2118 Montalba, Dallas, TX, 75228
For (did not speak): Ivonne Giron, 4207 Live Oak St., Dallas, TX, 75204
For (did not speak): Brandi Sanders, 2806 Canton St., Dallas, TX, 75266
For (did not speak): Natalie Burnham, 4130 Commerce St., Dallas, TX, 75226
For (did not speak): Melissa Flewelling, 10221 Klarney Dr., Dallas, TX, 75226
For (did not speak): Robert Morley, 813 Exposition Ave., Dallas, TX, 75226
For (did not speak): Gail Kerr, 5106 Reiger Ave., Dallas, TX, 75214
For (did not speak): John Shinoda, 9738 Wisterwood Dr., Dallas, TX, 75238
Against: None

Zoning Cases – Individual

5. **Z067-187(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **denial without prejudice** of a Planned Development Subdistrict for MF-2 uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an MF-2 Multifamily Subdistrict with Planned Development District No. 193 on the northeast side of Cedar Springs Road, on both sides of Hudnall Street.

Maker: Strater
Second: Emmons
Result: Carried: 11 to 1

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

Against: 1 - Alcantar
Absent: 2 - Jones-Dodd, Hill
Vacancy: 0
Abstained: 1 - Lozano**

** Commissioner abstained, due to bus tour requirements

Notices: Area: 500 Mailed: 209
Replies: For: 28 Against: 8

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Margaret Rey, 3211 Cherrywood Ave., Dallas, TX, 75235
For (did not speak): Paulette Firestone, 3115 Cedar Plaza Ln., Dallas, TX, 75235
For (did not speak): Ryan Bock, 3115 Cedar Plaza Ln., Dallas, TX, 75235
Against: None

6. **Z067-309(JH)**

Planner: Jennifer Hiromoto

Motion: In considering an application for a Specific Use Permit for a bank or savings and loan with drive-through window service on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest corner of Oak Lawn Avenue and Rawlins Street, it was moved to **hold** this case under advisement until December 20, 2007.

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

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

Against: 0
Absent: 2 - Jones-Dodd, Hill
Vacancy: 0
Abstained: 2 - Lozano**, Alcantar**

** Commissioner abstained, due to bus tour requirements

Notices: Area: 200 Mailed: 45
Replies: For: 30 Against: 0

Speakers: None

Special Provision Sign District – Under Advisement

Motion: In considering an application for designation of an Extraordinarily Significant Sign on the billboard in an area generally within the boundaries of Dallas North Tollway, Harry Hines Boulevard, Goat Hill Road and Houston Street, it was moved to **hold** this case under advisement until December 13, 2007.

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

For: 13 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano*, Bagley, Weiss, Buehler, Wolfish,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 2 - Jones-Dodd, Hill
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 5
Replies: For: 0 Against: 0

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

Development Code Amendment

Motion: It was moved to recommend **approval** of amendments to Chapter 51A, the Dallas Development Code, to delete the ability to request a variance to maximum floor area requirements (FAR).

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

For: 13 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano*, Bagley, Weiss, Buehler, Wolfish,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 2 - Jones-Dodd, Hill
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Other Matters

CPC Committee Appointments and Reports

Motion: It was moved to **approve** appointing all Commissioners as alternates to CPC subcommittees.

Maker: Emmons
Second: Weiss

Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Weiss, Buehler, Wolfish,
Ekblad, Emmons, Alcantar

Against: 0

Absent: 2 - Jones-Dodd, Hill

Vacancy: 0

Minutes

Motion: It was moved to **approve** the minutes of the November 8, 2007, meeting, subject to corrections.

Maker: Buehler

Second: Prothro

Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Jones-Dodd, Weiss, Buehler,
Wolfish, Ekblad, Emmons, Alcantar

Against: 0

Absent: 2 - Jones-Dodd, Hill

Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the November 15, 2007, City Plan Commission at 4:43 p.m.

Maker: Wolfish

Second: Ekblad

Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Davis, Rodgers,
Lozano, Bagley, Weiss, Buehler, Wolfish,
Ekblad, Emmons, Alcantar

Against: 0

Absent: 2 - Jones-Dodd, Hill

Vacancy: 0

Joe Alcantar, Chair