

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 15, 2007, with the briefing starting at 3:34 p.m. in Room 5ES and the public hearing at 6:01 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 and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Sally Wolfish and Robert Ekblad. 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: Michael Grace

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) **S067-089**

Motion: It was moved to **approve** an application to replat all of Lot 2 in City Block G/6213, 3.03 acres of land in City Block G/6213 and an adjacent 6.563 acre tract of land into one 513,060 sq. ft. lot located on the southwest corner of Big Town Blvd. and Eastpoint Dr., subject to compliance with the conditions listed in the docket.

Maker: Miranda
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler*, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

*out of the room, shown voting in favor

Speakers: None

(2) **S067-090**

Motion: It was moved to **approve** an application to replat all of Lot 1A of Greenbriar Business Center Section Two Addition, being 5.7153 acres, to include an 11,730 sq. ft. portion of abandoned right-of-way along Northwest Hwy. near the northeast corner of Northwest Hwy. and Jupiter Rd. in City Block A/8043., subject to compliance with the conditions listed in the docket.

Maker: Miranda
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler*, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

*out of the room, shown voting in favor

Speakers: None

(3) **S067-093**

Motion: It was moved to **approve** an application to replat all of Lot 7 of Brightside Revised Addition in City Block D/3891 and the remainders of Lots 1 and 2 of Liberty Heights Addition in City Block 1/4054 into one 19,173 sq. ft. lot on the north side of Kiest Blvd. east of Denley Dr., subject to compliance with the conditions listed in the docket.

Maker: Miranda
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler*, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

*out of the room, shown voting in favor

Speakers: None

(4) **S067-094**

An application to replat a portion of Lot 1 of Jim Howell's Subdivision in City Block 951 into one 19,173 sq. ft. lot at the intersection of Cedar Springs Rd. and Howell St., northeast corner.

Note: This request was withdrawn by the applicant.

(5) **S067-095**

Motion: It was moved to **approve** an application to plat 1.03 acres being all of tracts 1 and 2 in City Block 6599 into a Shared Access Area development consisting of two 12,000 sq. ft. lots and one 19,560 sq. ft. lot on the west side of Royal Haven Lane near the intersection of Royal Haven Lane and Townsend Drive, subject to compliance with the conditions listed in the docket.

Maker: Miranda
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler*, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

*out of the room, shown voting in favor

Speakers: None

(6) **S067-092**

An application to replat 0.895 acres into 13 lots ranging in size from 2,308.75 sq. ft. to 5,533.60 sq. ft. and being all of Lots 1-4 and part of Lot 5 of the Middleton Brothers Subdivision Addition on the southwest corner of S. Ervay St. and Beaumont St. in City Block B/914.

Note: This request was withdrawn by the applicant.

Individual Items – Residential Replats

(7) **S067-091**

Motion: It was moved to **approve** an application to replat all of Lots 5-10 of Lake Highlands Addition into one 93,305 sq. ft. lot at the northwest corner of N. Buckner Blvd. and Lake Highlands Dr. in City Block 7/5386, subject to compliance with the conditions listed in the docket.

Maker: Marshall
Second: Dodd
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler*, Emmons
Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

*out of the room, shown voting in favor

Speakers: None

Miscellaneous Docket

Z067-109(RB)

Planner: Richard Brown

Motion: It was moved to **approve** a development plan and conditions submitted in conjunction with an application for a Planned Development Subdistrict for GR General Retail Subdistrict Uses on property zoned an NS Neighborhood Service District, an MF-2 Multiple Family Subdistrict, a GR General Retail Subdistrict, and a P Parking Subdistrict, all within Planned Development District No. 193, the Oak Lawn Special Purpose District and termination of existing deed restrictions on a portion of the site in an area generally bounded by Cedar Springs Road, Knight Street, Dickason Avenue, and Douglas Avenue.

Maker: Marshall
Second: Gary
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons
Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 12

Speakers: None

Z067-118(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to **approve** deed restrictions submitted in conjunction with an application for a CS Commercial Service District on property zoned an R-7.5(A) Single Family District and a CR Community Retail District and deed restrictions volunteered by the applicant on the east side of Hermosa Drive and on both sides of Fuller Drive.

Maker: Marshall

Second: Gary

Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons

Against: 0

Absent: 2 - Wolfish, Ekblad

Vacancy: 1 - District 1, District 5, District 12

Speakers: None

Miscellaneous Docket – Under Advisement

M067-004

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 582, the Victory Planned Development District in an area generally bounded by property north of Hi Line Drive, the M.K.&T. Railroad to the east, Continental Avenue to the south, and Stemmons Freeway to the west.

Maker: Strater

Second: Buehler

Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons

Against: 0

Absent: 2 - Wolfish, Ekblad

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

Speakers: None

Certificates of Appropriateness for Signs

Arts District Sign District

0701255001

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 5.0625 square feet detached premise sign reading "DALLAS SYMPHONY ORCHESTRA" along with 8 photo etched image panels of the same size at 2301 Flora Street on the west side on the Pearl Street wall.

Maker: Emmons
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

0701255003

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 5.0625 square feet flat attached lower level wall sign reading "DALLAS SYMPHONY ORCHESTRA" along with 8 photo etched image panels of the same size at 2301 Flora Street on the south façade facing Flora Street.

Maker: Emmons
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

0701255004

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 5.0625 square feet flat attached lower level wall sign reading "DALLAS SYMPHONY ORCHESTRA" along with 8 photo etched image panels of the same size at 2301 Flora Street on the east façade facing Leonard Street.

Maker: Emmons
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Zoning Cases – Consent

1. **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 1, 2007.

Maker: Dodd
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Notices: Area: 300 Mailed: 14
Replies: For: 0 Against: 1

Speakers: For: None
Against: Edna Pemberton, 9438 Sophora Dr., Dallas, TX 75249

2. **Z056-286(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the Tract IV-A portion of Planned Development District No. 314, the Preston Center Special Purpose District, subject to revised conditions on the southwest corner of Preston Road and Weldon Howell Parkway.

Maker: Buehler
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Notices: Area: 500 Mailed: 120
Replies: For: 11 Against: 6

Speakers: None

Zoning Cases – Under Advisement

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

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 368 for a private school and childcare facility, subject to a conceptual/development/landscape plan, and conditions 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 with the conditions to return on the March 1, 2007 miscellaneous docket.

Maker: Buehler
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Notices: Area: 500 Mailed: 113
Replies: For: 6 Against: 10

Speakers: For: Bill Dahlstrom, 901 Main St., Dallas, TX, 75202
Against: None

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 for a permanent time period 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 March 1, 2007.

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

For: 9 - Strater, Gary, Marshall, Miranda, Jones-Dodd,
Weiss, Hill, Buehler, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15
Conflict: 1 - Bagley

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

Speakers: None

Zoning Cases – Individual

5. **Z056-233(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **denial without prejudice** of an HC Heavy Commercial Subdistrict on property zoned an I-2 Industrial-2 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of Harwood Street and Hunt Street.

Maker: Strater
Second: Dodd
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-
Dodd, Weiss, Hill, Buehler, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Notices: Area: 200 Mailed: 8
Replies: For: 0 Against: 2

Speakers: For: Tim Cogswell, Address not given
Against: None

6. **Z067-113(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 1604 for an Industrial (outside) potentially incompatible use for a Concrete crushing plant for a 18-month time period with no eligibility for automatic renewals adding the following condition: Require that a truck washing mechanism system be installed on site within 30 days of City Council approval on property zoned an IM Industrial Manufacturing District and to recommend **denial** of a request for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District for that portion of the request associated with the expansion of Specific Use Permit No. 1604 along the west line of Conveyor Lane, southwest of Inwood Road.

Maker: Miranda
Second: Buehler
Result: Carried: 9 to 1

For: 9 - Gary, Marshall, Miranda, Bagley, Jones-Dodd,
Weiss, Hill, Buehler, Emmons

Against: 1 - Strater
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Notices: Area: 400 Mailed: 8
Replies: For: 0 Against: 2

Speakers: For: Paul Baker, Address not given
Against: Pittman Haymon, 3909 W. Rochelle Road, Irving, TX, 75062
David Friedman, 1137 Conveyor Ln., Dallas, TX, 75247

Authorization of Hearing

Motion: It was moved to **approve** the authorization of a hearing to determine the proper zoning on property zoned an NC(E) Neighborhood Commercial Enhanced Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on Second Avenue between Pine Street and Hatcher Street with consideration being given to changing the zoning to a CC Community Commercial Subdistrict or creating a Planned Development District for NC uses that allows accessory outside display of merchandise.

Maker: Bagley
Second: Marshall
Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons
Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

Landmark Appeal

400 S. Central Expressway

Planner: Jim Anderson

Motion: It was moved to **affirm** approval of the decision of the Landmark Commission for the attached sign on the west façade and **remand** to the Landmark Commission for reconsideration of the sign on the east facade for Certificate of Appropriateness, (CA067-041(JA)) in the Individual - Olive and Myers Buildings Historic District at 400 S. Central Expressway.

Maker: Buehler
Second: Marshall
Result: Carried: 9 to 1

For: 9 - Strater, Gary, Marshall, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons
Against: 1 - Miranda
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Speakers: Appellant: Brian Loncar, 400 S. Central Expressway, Dallas, TX, 75201
City: Kathy Zibilich, Assistant City Attorney
Staff: Jim Anderson, Development Services

Other Matters

CPC Calendar – Evening Meetings

Motion: It was moved to **approve** an amendment to the 2007 City Plan Commission Calendar to begin public hearings at 1:30 p.m. beginning March 8, 2007.

Maker: Emmons
Second: Marshall
Result: Carried: 9 to 1

For: 9 - Gary, Marshall, Miranda, Bagley, Jones-Dodd,
Weiss, Hill, Buehler, Emmons

Against: 1 - Starter
Absent: 2 - Wolfish, Ekblad
Vacancy: 3 - District 1, District 5, District 15

Speakers: None

CPC Committee Appointments

Chairman Weiss read into the record the following Committee appointments:

Michael Rilley - Art District Sign Advisory Committee

Bess Enloe - Art District Sign Advisory Committee

Daniel Blizzard - Urban Design Advisory Committee

Laura Estrada - Urban Design Advisory Committee

Steve Rahn - Urban Design Advisory Committee

Virginia McAlester - Urban Design Advisory Committee

Lauren Odell - Urban Design Advisory Committee

Minutes

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

Maker: Buehler

Second: Marshall

Result: Carried: 10 to 0

For: 10 - Strater, Gary, Marshall, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Emmons

Against: 0
Absent: 2 - Wolfish, Ekblad
Vacancy: 1 - District 1, District 5, District 15

Speakers: None

Adjournment

The meeting **adjourned** at 9:10 p.m.

Robert Weiss, Chair