

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on June 14, 2007, with the bus tour starting at 9:12 a.m. followed by the briefing starting at 11:28 a.m. in Room 5ES and the public hearing at 1:35 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: James Prothro, Jeff Strater, Clarence Gary, Debra Woolen Lipscomb, Michael Miranda, Ann Bagley, Erma Jones-Dodd, Peggy Hill, Chris Buehler, Sally Wolfish, Robert Ekblad, Neil Emmons and Bill "Bulldog" Cunningham. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. 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) **S067-178**

Motion: It was moved to **approve** an application to replat a 12.745 acre tract of land being all of Lot 3 in City Block C/7729 to add a 20 foot sanitary sewer easement on LBJ Freeway at Park Central Drive, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Bagley
Second: Marshall
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(2) **S067-179**

Motion: It was moved to **approve** an application to create one 1.091 acre lot from an 8.435 acre tract of land in City Block 6114 located on W. Illinois Avenue, west of Coombs Creek Drive, subject to compliance with the conditions listed in the docket with Condition #12 deleted and replaced with a new condition to read as follows: "Prior to submittal of the final plat for signature by the Chairman of the Commission the remainder of the property containing 7.344 acres contiguous on the south and shown on the previously approved preliminary plat for S056-200 as Lot 3, City Block A/6114 must be dedicated as a conservation easement, per Article X of the Dallas Development Code".

Maker: Bagley
Second: Marshall
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(3) **S067-180**

Motion: It was moved to **approve** an application to create one, 1.2398 acre lot from a tract of land in City Block 6386 on Forest Lane, west of Eastern Avenue, subject to compliance with the conditions listed in the docket with Condition #15 deleted.

Maker: Bagley
Second: Marshall
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(4) **S067-181**

Motion: It was moved to **approve** an application to replat all of Lots 12, 13, and 14 in City Block 9/2532 and all of Lots 32 and 33 in City Block 1/2538 into one 0.478 acre lot on 2446 thru 2448 Macon Street and 5203 Bexar Street, subject to compliance with the conditions listed in the docket with Condition #12 deleted and replaced with the following wording: "On the final plat change Stark Avenue to Starks Avenue and Macon Avenue to Macon Street".

Maker: Bagley
Second: Marshall
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Individual Item Agenda - Residential Replat

(5) **S067-182**

Motion: It was moved to **approve** an application to replat a 0.360 acre tract of land containing all of Lot 12 in City Block 28/7614, into one 0.176 acre lot and one 0.184 acre lot on 2947 El Centro Way, subject to compliance with the conditions listed in the docket with Condition #12 deleted.

Maker: Jones-Dodd
Second: Buehler
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Miscellaneous Docket

M067-027

Planner: Richard Brown

Motion: It was moved to **deny** a minor amendment to the development plan and landscape plan for Planned Development No. 216 for Retail, Hotel, Office, and Residential Uses on the northeast corner of Noel Road and Southern Boulevard.

Maker: Buehler
Second: Marshall
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: For: Ed Simons, 900 Jackson St., Dallas, TX, 75202
Against: None

M067-032

Planner: Richard Brown

Motion: In considering a minor amendment to the development plan for Planned Development No. 713 for Mixed Uses on the northeast corner of Alpha Road and Noel Road, it was moved to **hold** this case under advisement until June 21, 2007.

Maker: Buehler
Second: Marshall
Result: Carried: 15 to 0

For: 15 - Prothro, Strater*, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

M067-034

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan and landscape plan for Planned Development No. 614, Tract II portion on the northwest corner of Belt Line Road and Prestonwood Boulevard.

Maker: Buehler
Second: Gary
Result: Carried: 15 to 0

For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. Z067-228(MF)

Planner: Michael Finley

Motion: It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-7.5(A) Single Family District in an area generally bounded by Abrams Road, the alley north of Sondra Drive, Hillside Drive and the alley south of Vanderbilt Avenue with the following two changes to the conditions: 1) Under Section 2, CORNER SIDE YARD SETBACKS to read as follows: "Minimum corner side yard is 10 feet". 2) Under Section 2, GARAGE ACCESS to read as follows: "Garage access must be front entry (from the front lot line), except there is no restriction on garage access for lots that abut Abrams Road or Hillside Drive".

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

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Bagley, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0
Abstained: 2 - Miranda, Jones-Dodd

Commissioners abstained, due to bus tour requirements

Notices: Area: 200 Mailed: 141
Replies: For: 33 Against: 11

Speakers: For: James Scott, 6427 Vanderbilt Ave., Dallas, TX, 75214
Mark McCollom, 6469 Sondra Dr., Dallas, TX, 75214
Tracy Wallace, 6469 Sondra Dr., Dallas, TX, 75214
For but did not speak: Nick Lalumia, 6407 Vanderbilt Ave., Dallas, TX, 75214
Luis M. Spencer, 6403 Vanderbilt Ave., Dallas, TX, 75214
Harold Grinke, 6454 Sondra Dr., Dallas, TX, 75214
Against: Lee Loftus, 6435 Vanderbilt Ave., Dallas, TX, 75214

2. **Z067-240(MW)**

Planner: Marcus Watson

Motion: It was moved to recommend **approval** of an amendment to Historic Overlay No. 35 to revise the preservation criteria and add uses on property zoned R-1ac(A) Single Family District on White Rock Road east of Lawther Drive.

Maker: Emmons

Second: Buehler

Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Bagley, Weiss, Hill, Buehler, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0
Abstained: 2 - Miranda, Jones-Dodd

Commissioners abstained, due to bus tour requirements

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

Speakers: For: None
For but did not speak: Jeff Cummings, 1907 Marilla St., Dallas, TX, 75201
Against: None

Zoning Cases – Under Advisement

3. **Z067-211(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an RR Regional Retail District on 2.6 acres as described in a legal description with no change to the remaining 5 acres on property zoned a CS Commercial Service District on the northeast corner of Cockrell Hill Road and Interstate 30.

Maker: Gary
Second: Emmons
Result: Carried: 15 to 0
For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler,
Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 400 Mailed: 6
Replies: For: 0 Against: 0

Speakers: None

Individual Cases

4. **Z067-188(WE)**

Planner: Warren Ellis

Motion: In considering an application for a Planned Development District for RR Regional Retail District, IM Industrial Manufacturing District and IR Industrial Research District uses on property zoned an IM Industrial Manufacturing District and IR Industrial Research District, in an area generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue, it was moved to **hold** this case under advisement until June 21, 2007.

Maker: Strater
Second: Jones-Dodd
Result: Carried: 14 to 1
For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler,
Wolfish, Emmons, Cunningham

Against: 1 - Ekblad
Absent: 0
Vacancy: 0

Amendment to Motion: It was moved to **amend** the motion to **hold** this case under advisement until July 12, 2007.

Maker: Miranda

Second: Buehler

Result: Failed: 7 to 9

For: 7 - Prothro, Gary, Miranda, Bagley, Buehler, Ekblad, Wolfish

Against: 9 - Strater, Marshall, Woolen Lipscomb, Jones-Dodd, Weiss, Hill, Emmons, Cunningham

Absent: 0

Vacancy: 0

Notices: Area: 500 Mailed: 106

Replies: For: 2 Against: 7

Speakers: For: Bill Dohlstrom, 901 Main St., Dallas, TX, 75202
Jorge Ramirez, 8117 Preston Rd., Dallas, TX, 75225
Greg Cannon, 5001 Spring Valley, Dallas, TX
Rick Gonzales, 4283 S. Cresthaven Rd., Dallas, TX, 75209
Wilma Avalos, 2318 Anson Rd., Dallas, TX, 75235
Maria Alba, 7011 Denton Dr., Dallas, TX, 75235

For but did not speak: Don Miller, 12700 Park Central Dr., Dallas, TX, 75251

Against: Martha Jimenez, 2232 Empire Central, Dallas, TX, 75235
Hilda Morales, 2205 Peerless Ln., Dallas, TX, 75235
Sister Consuelo Tovar, 7617 Courtland, Dallas, TX, 75235
Cathy Baldwin, 2218 Walraven Ln., Dallas, TX, 75235
Maria Anguiano, 6715 Heartsill Dr., Dallas, TX, 75235
Edith Saenz, 2214 New Moon Ln., Dallas, TX, 75235
Jose Anguiano, 6715 Heartsill Dr., Dallas, TX, 75235
Jennifer Jimenez, 2232 Empire Central, Dallas, TX, 75235
Esperanza Chavez, 6719 Artful Dr., Dallas, TX, 75235

Against but did not speak: Maria Cecenas, 2205 Walraven Ln., Dallas, TX, 75235
Fabiola Nunez, 2215 Walraven Ln., Dallas, TX, 75235
Misael Saenz, 2216 New Moon Ln., Dallas, TX, 75235
Beatriz Mireles, 2203 Blue Star Ln., Dallas, TX, 75235
Juan Martin Gonzales, 2232 Empire Central, Dallas, TX, 75235
Jose Acosta, 6712 Dante Ln., Dallas, TX, 75235
Beatha Castellon, 2224 Walraven Ln., Dallas, TX, 75235
Ofelia Roberts, 2201 Peerless Ln., Dallas, TX, 75235
Enrique Dominguez, 2215 Peerless Ln., Dallas, TX, 75235
Rafael Torrez, 2217 Peerless Ln., Dallas, TX, 75235
Abigail Rodriguez, 2213 Blue Star Ln., Dallas, TX, 75235
Liliana Martinez, 2206 Peerless Ln., Dallas, TX, 75235
Rosa Manrique, 2201 New Moon Ln., Dallas, TX, 75235
Maria Coronel, 1517 New Moon Ln., Dallas, TX, 75235
Rosa Maldonado, 6720 Dante Dr., Dallas, TX, 75235

Juan Giron, 2202 New Moon Ln., Dallas, TX, 75235
Antonio Lule, 2207 New Moon Ln., Dallas, TX, 75235
Leticia Martinez, 2210 Blue Star Ln., Dallas, TX, 75235
Maria Diaz, 2220 New Moon Ln., Dallas, TX, 75235
David Gonzales, 2211 Marlette Ln., Dallas, TX, 75235
Ruben Flores, 2202 Blue Star Ln., Dallas, TX, 75235
Frank, 2206 Walraven Ln., Dallas, TX, 75235
Julio Menjivar, 2209 Walraven Ln., Dallas, TX, 75235
Luis Martinez, 2213 Peerless Ln., Dallas, TX, 75235
Juan Sanchez, 2211 Walraven Ln., Dallas, TX, 75235
Nora Herrera, 2215 Walraven Ln., Dallas, TX, 75235
Rosa Manrique, 2201 New Moon Ln., Dallas, TX, 75235
Heriberto Hernandez, 2201 Blue Star Ln., Dallas, TX, 75235
Isabel Rivera, 2201 Blue Star Ln., Dallas, TX, 75235

5. Z067-209(WE)

Planner: Warren Ellis

Motion I: It was moved to recommend **approval** of an amendment to the conditions of Planned Development District No. 691 for mixed uses with a MD-1 Modified Delta Overlay and a portion of the property within a D Dry Liquor Control Overlay, on the northeast corner of Summit Avenue and Lewis Street with an increase to 4,300 square feet for a restaurant use and limit the hours of operation for a restaurant use to 11:00 p.m.

Maker: Strater

Second: Woolen Lipscomb

Result: Failed: 3 to 12

For: 3 - Strater, Woolen Lipscomb, Miranda

Against: 12 - Prothro, Gary, Marshall, Bagley, Jones-Dodd,
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,
Cunningham

Absent: 0

Vacancy: 0

Motion II: It was moved to recommend **denial** of an amendment to the conditions of Planned Development District No. 691 for mixed uses with a MD-1 Modified Delta Overlay and a portion of the property within a D Dry Liquor Control Overlay, on the northeast corner of Summit Avenue and Lewis Street.

Maker: Wolfish

Second: Marshall

Result: Carried: 12 to 3

For: 12 - Prothro, Gary, Marshall, Bagley, Jones-Dodd,
Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons,
Cunningham

Against: 3 - Strater, Woolen Lipscomb, Miranda
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 126
Replies: For: 7 Against: 7

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Joel Maten, 12333 Brittany Cr., Dallas, TX, 75230
Against: Karen Lorince, 5607 Richmond Ave., Dallas, TX, 75206
John Glendenning, 5602 Richmond Ave., Dallas, TX, 75206
Cheryl Kellis, 2007 Summit Ave., Dallas, TX, 75206
Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206
Michael Jung, 4400 Bank of America Plaza, Dallas, TX, 75202

6. Z067-207(OTH)

Planner: Olga Torres Holyoak

Motion: In considering an application for a new subareas within Planned Development District No. 714 on property zoned Planned Development District No. 714 and an MF-2(A) Multifamily District on the north side of Forth Worth Avenue between Colorado Boulevard and Walter Drive, and on the south side of Fort Worth Avenue between Bahama Drive and Colorado Boulevard, it was moved to **hold** this case under advisement until June 21, 2007.

Maker: Gary
Second: Prothro
Result: Carried: 15 to 0
For: 15 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb,
Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler,
Wolfish, Ekblad, Emmons, Cunningham

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 365
Replies: For: 30 Against: 10

Speakers: For: Ed Simons, 900 Jackson St., Dallas, TX, 75202
Scott Griggs, 1803 Marydale Dr., Dallas, TX, 75208
Donavan Westover, 2318 Lawndale Dr., Dallas, TX, 75211
Diana Teddlie, 2323 Lawndale Dr., Dallas, TX, 75211
For but did not speak: Debbie Dunning, 2314 Barberry Dr., Dallas, TX, 75211
JB Jones, 2214 W. Colorado Blvd., Dallas, TX, 75211
Daniel Duke, 2548 Wedglea Dr., Dallas, TX, 75211
Jennifer Hawn, 2333 Barberry Dr., Dallas, TX, 75211
Against: None

Other Matters

CPC Committee Appointments and Reports - None

Discussion of the procedures and committees to be used to consider forwardDallas! Code amendments.

Motion: It was moved to **approve** that any recommendation from the forwardDallas! Development Code Amendment Advisory Committee go to the City Plan Commission with a joint meeting with ZOAC, and any other code amendments would go through the ZOAC process.

Maker: Weiss

Second: Emmons

Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

Against: 0

Absent: 1 - Cunningham

Vacancy: 0

Speakers: None

Minutes

Motion: It was moved to **approve** the minutes of the June 7, 2007, meeting, subject to corrections.

Maker: Marshall

Second: Buehler

Result: Carried: 14 to 0

For: 14 - Prothro, Strater, Gary, Marshall, Woolen Lipscomb, Miranda, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

Against: 0

Absent: 1 - Cunningham

Vacancy: 0

Speakers: None

Adjournment

The hearing adjourned at 5:43 p.m.

Robert Weiss, Chair