

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on August 2, 2007, with the briefing starting at 11:10 a.m. in Room 5ES and the public hearing at 1:35 p.m. in the City Council Chambers of City Hall. Presiding were Angela Marshall, Acting Chair and Bill "Bulldog" Cunningham, Acting Vice Chair. The following Commissioners were present during the hearing: James Prothro, Clarence Gary, Debra woolen Lipscomb, 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: Jeff Strater and Robert Weiss. There is one vacancy - District 6.

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: Mike 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) **S067-218**

Motion: It was moved to **approve** an application to replat the remainder of Lot 9, Lots 10-11 and 13-16 of Bon View Place, Lots 12A and 12B of Akin Subdivision and Lots 9A and 9B of Gray-Hatt Subdivision in City Block B/1992 into one 3.6522 acre lot and being the entire block on the north side of Belmont Ave. between N. Garrett Ave. and N. Henderson Ave., subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

*out of the room, shown voting in favor

Speakers: None

(2) **S067-219**

Motion: It was moved to **approve** an application to replat all of Lot 31 and 32 in City Block 11/3450 into one 4,348 sq. ft. lot located at the intersection of W. Clarendon Dr. and S. Montreal Ave., southeast corner, subject to compliance with the conditions listed in the docket.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

*out of the room, shown voting in favor

Speakers: None

Miscellaneous Docket

M067-035

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to Tract 1 Development plan/Tract 2 Conceptual plan for Planned Development District No. 622 for Single Family uses, private streets, and an accessory community center (private) on Campbell Road, south of Summerside Drive.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

M067-036

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 666 for a college on the northwest quadrant of Bonnie View Road and Wintergreen Road.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

M067-038

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 1620 for a Commercial amusement (inside) use limited to a Class A dance hall and Alcoholic beverage establishment for a private-club bar on the east line of Dallas North Tollway, north of Belt Line Road.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

M067-039

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development Subdistrict No. 76 for GR General Subdistrict uses in an area generally bounded by Cedar Springs Road, Knight Street, Dickason Avenue, and Douglas Avenue.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

M067-041

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the Tract F Development Plan for Planned Development District No. 173 for a Single Family, Office, Retail, and Park uses on the northeast corner of Hillcrest Road and Frankford Road.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

Certificate of Appropriateness for Signs

Downtown Sign District (Retail Core Subdistrict):

0706131023

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 487.5 square feet upper level flat attached premise sign to read 'WEST END HOTEL' to replace the existing "*Hampton Inn*" sign on the west façade of 1015 Elm Street.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

0706151007

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 569 square feet upper level flat attached premise sign to read 'WEST END HOTEL' to replace the existing "*Hampton Inn*" sign on the south façade of 1015 Elm Street.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

0706181005

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 569 square feet upper level flat attached premise sign to read "WEST END HOTEL" to replace the existing "*Hampton Inn*" sign on the north façade of 1015 Elm Street.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

Zoning Cases – Consent

1. **Z067-256(MF)**

Planner: Michael Finley

Motion: It was moved to recommend **approval** of an amendment to, and an expansion of, Specific Use Permit No. 131 for a cemetery, for a permanent time period, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District and an R-1ac.(A) Single Family District, on the northwest side of Dalgreen Drive, southwest of Lawther Drive.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 13
Replies: For: 4 Against: 0

Speakers: For: Katie Lippas, 7158 West Circle Dr., Dallas, TX, 75214
Against: None

2. Z067-214(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an MU-3 Mixed Use District on property zoned an NO(A) Neighborhood Office District and a GO(A) General Office District on the north side of Wheatland Road, east of West Virginia Drive.

Maker: Jones-Dodd

Second: Cunningham

Result: Carried: 12 to 0

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

Against: 0

Absent: 2 - Strater, Weiss

Vacancy: 1 - District 6

Notices: Area: 400 Mailed: 14

Replies: For: 0 Against: 2

Speakers: None

Zoning Cases – Under Advisement

3. Z067-178(WE)

Planner: Warren Ellis

Motion: It was moved to **hold** under advisement indefinitely to allow staff to re-advertise for a Planned Development District for TH-2(A) Townhouse District uses and certain non-residential uses on property zoned a TH-1(A) Townhouse District on the north side of Northwest Highway, west of Midway Road.

Maker: Ekblad

Second: Buehler

Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Marshall, Woolen Lipscomb, Bagley, Hill, Buehler, Wolfish, Ekblad, Emmons, Cunningham

Against: 0

Absent: 2 - Strater, Weiss

Vacancy: 1 - District 6

Abstained: 1 - Jones-Dodd**

**Commissioner abstained, due to bus tour requirements

Notices: Area: 300 Mailed: 24

Replies: For: 2 Against: 7

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

Individual Cases

4. Z067-176(WE)

Planner: Warren Ellis

Motion: In considering an application for a Specific Use Permit for an open-enrollment charter school on property zoned an R-10(A) Single Family District, on the south side of Kiest Boulevard, west of Kiestwood Drive, it was moved to **hold** this case under advisement until August 23, 2007.

Maker: Gary
Second: Cunningham
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Notices: Area: 300 Mailed: 39
Replies: For: 4 Against: 14

Speakers: None

5. Z067-184(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** to renew and amend Specific Use Permit No. 1581 for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommended conditions on property zoned a TH-3(A) Townhouse District on the northwest side of Ryan Road, southwest of Garapan Drive.

Maker: Gary
Second: Joes-Dodd
Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 33
Replies: For: 1 Against: 1

Speakers: For: Sharon Harris, 813 Ryan Rd & 738 Ryan Rd., Dallas, TX, 75224
Against: None

6. **Z067-186(JH)**

Planner: Jennifer Hiromoto

Motion: In considering an application to amend Planned Development District No. 514 on the northeast corner of Hillcrest Road and Arapaho Road and on the west side of Hillcrest Road, north of La Bolsa Drive, it was moved to **hold** this case under advisement until August 23, 2007.

Maker: Wolfish
Second: Jones-Dodd
Result: Carried: 12 to 0
For: 12 - Prothro, Gary, Marshall, Woolen Lipscomb, Bagley,
Jones-Dodd, Hill, Buehler, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 223
Replies: For: 15 Against: 18

Speakers: None

7. **Z067-189(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for MU-3 Mixed Uses, subject to a development plan and the applicant's recommended conditions on property zoned an MU-3 Mixed Use District on the north line of Yale Boulevard, east of Prentice Street with the following two changes: 1) Delete the section on the centralized location of satellite dishes and antennas, and 2) Include back-in parking signage.

Maker: Emmons
Second: Cunningham
Result: Carried: 12 to 0
For: 12 - Prothro, Gary, Marshall, Woolen Lipscomb, Bagley,
Jones-Dodd, Hill, Buehler, Wolfish, Ekblad,
Emmons, Cunningham

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 53
Replies: For: 15 Against: 3

Speakers: For: Jud Pankey, 3776 Royal Cove Dr., Dallas, TX, 75229
Suzan Kedron, 901 Main St., Dallas, TX, 75202
Scott Johnson, 12700 Park Central Dr., Dallas, TX, 75251
Brian Lesley, Address not given
Against: None

8. Z067-257(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of for a Specific Use Permit for an Industrial (outside) potentially incompatible use for a Concrete crushing plant for a six-month period, subject to a revised site plan and conditions on property zoned an IM Industrial Manufacturing District, along the west line of Conveyor Lane, southwest of Inwood Road with the following modifications under Condition #9, MATERIALS, under staff's recommended conditions: Add a sentence stating the following: "All material must be removed from the Property and the site made blade clean on or by the termination date of this specific use permit."

Maker: Buehler
Second: Woolen Lipscomb
Result: Carried: 10 to 2
For: 10 - Gary, Marshall, Woolen Lipscomb, Bagley, Jones-Dodd, Hill, Buehler, Wolfish, Ekblad, Cunningham

Against: 2 - Prothro, Emmons
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

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

Speakers: For: Michael Jung, 4400 Bank of America Plaza, Dallas, TX, 75202
Paul Baker, Address not given
Against: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
David Freedman, 1137 Conveyor Ln., Dallas, TX, 75247
City Staff: Jennifer Ritchie, Assistant City Attorney

Other Matters

CPC Committee Appointments and Reports - None

City Plan Commission Calendar

Motion: It was moved to **approve** a revision to the 2007 City Plan Commission Calendar to have the Commission off on October 18 and meet on October 25, due to APA Conference date change.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

Minutes

Motion: It was moved to **approve** the minutes of the July 19, 2007, meeting, subject to corrections.

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

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

Against: 0
Absent: 2 - Strater, Weiss
Vacancy: 1 - District 6

Speakers: None

Adjournment

The hearing adjourned at 3:59 p.m.

Robert Weiss, Chair