

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 11, 2007, with the bus tour starting at 9:00 a.m. followed by the briefing starting at 11:29 a.m. in Room 5ES and the public hearing at 1:31 p.m. in the City Council Chambers of City Hall. Presiding were Robert Weiss, Chair and Chris Buehler, Vice Chair. The following Commissioners were present during the hearing: James Prothro, Clarence Gary, Michael Davis, Debra Woolen Lipscomb, Ann Bagley, Erma Jones-Dodd, Peggy Hill, Sally Wolfish and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Jeff Starter and Robert Ekblad. 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: Allen Heist

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) **S067-272**

**Motion:** It was moved to **approve** an application to plat a 39,792 sq. ft. tract of land in City Block 8806 into two lots of 18,330 sq. ft. and 21,462 sq. ft. each on the west corner of Kleberg Road and Woody Road, subject to compliance with the conditions listed in the docket.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S067-273**

An application to plat a tract of land and a street right-of-way to be abandoned in City Block 7936 into one 13,011 sq. ft. lot on the south side of Empire Central Drive between Stemmons Freeway and Harry Hines Boulevard.

**Note: This item was withdrawn before the hearing date**

(3) **S067-274**

**Motion:** It was moved to **approve** an application to plat a tract of land in City Block 6049 into one 34,394 sq. ft. lot on the southeast corner of W. Ledbetter Drive and S. Hampton Road, subject to compliance with the conditions listed in the docket.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

(4) **S067-275**

**Motion:** It was moved to **approve** an application to replat part of Lots 3 and 4 in City Block A/5783 into two lots of 14,758.4 sq. ft. and 1.085 acres each between W. Northwest Highway and Bachman Drive east of Ovella Avenue, subject to compliance with the conditions listed in the docket.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

(5) **S067-276**

**Motion:** It was moved to **approve** an application to replat the remainder of Lot 10 in City Block 1/1022 into one 3,629.83 sq. ft. lot on the northeast side of Brown Street between Welburn Street and Hood Street, subject to compliance with the conditions listed in the docket.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

(6) **S067-277**

**Motion:** It was moved to **approve** an application to plat a 7.806 acre tract of land in City Block 8035 into one lot on the south side of W. Ledbetter Drive west of Duncanville Road, subject to compliance with the conditions listed in the docket.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

(7) **S067-278**

**Motion:** It was moved to **approve** an application to plat a 37,500 sq. ft. tract of land in City Block 5433 into one lot on the southeast side of Abrams Road west of Northwest Highway, subject to compliance with the conditions listed in the docket.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

(8) **S067-279**

**Motion:** It was moved to **approve** an application to plat ten tracts of land in City Block 7129 into one 7.197 acre lot on the east side of N. Hampton Road between Dennison Street and Kraft Street, subject to compliance with the conditions listed in the docket.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

(9) **S067-280**

**Motion:** It was moved to **approve** an application to plat a tract of land in City Block 8720 into one 2.965 acre lot on the west corner of Merrifield Road and Spur 408, subject to compliance with the conditions listed in the docket.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

(10) **S067-281**

**Motion:** It was moved to **approve** an application to replat Lots 1 & 2 in City Block A/6947 into one 1.15 acre lot on the southeast corner of S. Cockrill Hill Road and Red Bird Lane, subject to compliance with the conditions listed in the docket.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

(11) **S067-282**

**Motion:** It was moved to **approve** an application to replat all of Lots 5 thru 11 and Lots 14 thru 21, and a portion Lot 12 in City Block A/7238 into one 2.098 acre lot on the west side of Harston Street between Singleton Boulevard and Bedford Street and to replat Lot 6A in City Block C/7238 into one 42,021 sq. ft. lot on the west side of Harston Street between Bedford Street and Akron Street, subject to compliance with the conditions listed in the docket with the following language added to the end of Conditions 14, 15, 16 and 17: “, **subject to Engineering Division review and approval.**”

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

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** For: Billy Duckworth, 707 Easy St., Garland, TX, 75042  
Against: None

(12) **S056-172**

A minor amending plat to add and correct minimum finished floor elevations and to correct the status of existing utility easements to a previously approved and recorded plat that created a 17 lot Community Unit Development from a 22.123 acre tract of land on Inwood Road at Royal Lane, southwest corner.

**Note: This item was determined to be an Administrative Plat; therefore no City Plan Commission action was required.**

Miscellaneous Docket

**W067-017**

Planner: Neva Dean

**Motion:** It was moved to **approval** a waiver of the two-year waiting period in order to submit an application for an amendment to Tract VI of Planned Development District No. 88 for a linguistic center, retirement housing and monopole cellular tower south of Camp Wisdom, west of Clark Road.

Maker: Gary  
Second: Woolen-Lipscomb  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**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 November 15, 2007.

Maker: Buehler  
Second: Wolfish  
Result: Carried: 11 to 0

For: 11 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd\*, Weiss, Hill, Buehler, Wolfish,  
Emmons

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

\*out of the room, shown voting in favor

**Speakers:** None

Zoning Cases – Under Advisement

1. **Z067-259(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** It was moved to recommend **denial** an MU-1 Mixed Use District on the western half of the site, and an MF-3(A) Multifamily District on the eastern half of the site with deed restrictions volunteered by the applicant on the entire site, on property zoned an MF-1(A) Multifamily District, in an area bounded by Lovers Lane to the north, Matilda Street to the west, Milton Street to the south and Amesbury Drive to the east.

Maker: Emmons  
Second: Weiss  
Result: Carried: 10 to 1

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

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

**Notices:** Area: 400 Mailed: 209  
**Replies:** For: 61 Against: 62

**Speakers:** For: William Cothrum, 900 Jackson St., Dallas, TX, 75202  
Debra Barrios, 5072 Matilda St., Dallas, TX, 75206  
Kat Truitt, 5082 Matilda St., Dallas, TX, 75206  
Benjamin Setnick, 6240 E. University Blvd., Dallas, TX,  
Against: Susan Norman, 6500 Greenville Ave., Dallas, TX, 75206  
John Allegro, 5136 Amesbury Dr., Dallas, TX, 75206  
Leslie Davenport, 6017 Milton St., Dallas, TX, 75206  
Don Zentmeyer, 6128 Danbury Ln., Dallas, TX, 75214  
Alan Leibel, 6146 Chesley Ln., Dallas, TX, 75214,

2. **Z067-260(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** It was moved to recommend **denial** a P(A) Parking District, subject to a site plan on property zoned an MF-1(A) Multifamily District on the on the southwest corner of Matilda Street and Lovers Lane.

Maker: Emmons  
Second: Bagley  
Result: Carried: 9 to 2

For: 9 - Prothro, Gary, Davis, Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Emmons

Against: 2 - Woolen Lipscomb, Buehler  
Absent: 2 - Strater, Ekblad  
Vacancy: 2 - District 6, Place 15

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

**Speakers:** For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202  
Against: Don Zentmeyer, 6128 Danbury Ln., Dallas, TX, 75214  
(Against, but did not speak): Susan Norman, 6500 Greenville Ave., Dallas, TX, 75206  
(Against, but did not speak): John Allegro, 5136 Amesbury St., Dallas, TX, 75206  
(Against, but did not speak): Leslie Davenport, 6017 Milton St., Dallas, TX, 75206

### 3. 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 **hold** this case under advisement until November 15, 2007.

Maker: Bagley  
Second: Buehler  
Result: Carried: 8 to 0

For: 8 - Prothro, Gary, Davis, Woolen Lipscomb, Bagley,  
Weiss, Hill, Buehler

Against: 0  
Absent: 2 - Strater, Ekblad  
Vacancy: 2 - District 6, Place 15  
Abstained: 1 - Jones-Dodd  
Conflict: 2 - Wolfish, Emmons

**Notices:** Area: 500 Mailed: 233  
**Replies:** For: 1 Against: 97

**Speakers:** None

4. **Z067-281(MF)**

Planner: Michael Finley

**Motion:** It was moved to recommend **approval** of amendments to Planned Development District No. 717 for single family uses on Oren Street and Westrock Drive, southwest from Stults Road with the following addition "Un-enclosed structure means structures without walls"

Maker: Hill  
Second: Emmons  
Result: Carried: 8 to 3

For: 8 - Davis, Woolen Lipscomb, Bagley, Weiss, Hill,  
Buehler, Wolfish, Emmons

Against: 3 - Prothro, Gary, Jones-Dodd  
Absent: 2 - Strater, Ekblad  
Vacancy: 2 - District 6, Place 15

**Notices:** Area: 500 Mailed: 110  
**Replies:** For: 5 Against: 7

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Diane Cheatham, 4310 Abbott, Dallas, TX, 75205  
Against: None

5. **Z067-296(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of the expansion of Subdistrict I within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District for mixed uses in lieu of the requested Planned Development District for Mixes Uses on property zoned an IR Industrial Research District, on the west side of Market Center Boulevard, north of Turtle Creek Boulevard.

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

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

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

**Notices:** Area: 500 Mailed: 34  
**Replies:** For: 6 Against: 0

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Silas Graham, 4224 Lovers Ln., Dallas, TX, 75225  
Against: None

Individual Cases

**6. Z067-319(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an MU-2 Mixed Use District on property zoned an LI Light Industrial District, south of President George Bush Turnpike at the terminus of Pear Ridge Drive.

Maker: Wolfish  
Second: Prothro  
Result: Carried: 11 to 0

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

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

**Notices:** Area: 400 Mailed: 7  
**Replies:** For: 0 Against: 0

**Speakers:** For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270  
(For; but did not speak): Lucilo Pena, 1717 Arts Plaza, Dallas, TX 75201  
(Against, but did not speak): Michael Anderson, 5216 Milam St., Dallas, TX, 75206

**7. Z067-217(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a Financial institution with drive-in window within the Subarea 12 portion of Planned Development District No. 298, the Bryan Area Special Purpose District Area in an area generally bounded by Gaston Avenue, Cantegral Street, Floyd Street, Swiss Avenue, Washington Avenue, and Haskell Avenue.

Maker: Emmons  
Second: Woolen Lipscomb  
Result: Carried: 10 to 0

For: 10 - Prothro, Gary\*, Davis, Woolen Lipscomb, Bagley,  
Jones-Dodd, Hill, Buehler, Wolfish, Emmons

Against: 0  
Absent: 2 - Strater, Ekblad  
Vacancy: 2 - District 6, Place 15  
Conflict: 1 - Weiss

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 99  
**Replies:** For: 4 Against: 2

**Speakers:** None

**8. Z067-299(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **denial without prejudice** of a Planned Development District for MF-2(A) Multifamily District Uses on property zoned an MF-2(A) Multifamily District in the northwest quadrant of Northwest Highway and Lullwater Drive.

Maker: Hill  
Second: Emmons

**Commissioner Hill withdrew her motion.  
Commissioner Emmons also withdrew his second.**

**Motion:** In considering an application for a Planned Development District for MF-2(A) Multifamily District Uses on property zoned an MF-2(A) Multifamily District in the northwest quadrant of Northwest Highway and Lullwater Drive, it was moved to **hold** this case under advisement until November 1, 2007; re-advertise to include the addition to height totaling 66 ft. and repost signage.

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

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

Against: 0  
Absent: 3 - Strater, Woolen Lipscomb, Ekblad  
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: 134  
**Replies:** For: 32 Against: 5

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Brad Folsom, Address not given  
Against: Bill Vandivort, 9935 Windlake Cr., Dallas, TX, 75238

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Other Matters

CPC Committee Appointments and Reports - None

Minutes

**Motion:** It was moved to **approve** the minutes of the October 4, 2007, meeting, subject to corrections.

Maker: Buehler  
Second: Jones-Dodd  
Result: Carried: 10 to 0

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

Against: 0  
Absent: 3 - Strater, Woolen Lipscomb, Ekblad  
Vacancy: 2 - District 6, Place 15

**Speakers:** None

Adjournment

The hearing adjourned at 5:32 p.m.

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Robert Weiss, Chair