

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 25, 2007, with the briefing starting at 10:45 a.m. in Room 5ES and the public hearing at 1:30 p.m. in the City Council Chambers of City Hall. Presiding were Bob Weiss, Chair and Chris Buehler, Vice Chair. The following Commissioners were present during the hearing: James Prothro, Jeff Strater, Clarence Gary, Michael Davis, Debra Woolen Lipscomb, Ann Bagley, Erma Jones-Dodd, Peggy Hill, Sally Wolfish, Robert Ekblad and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. 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: 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) **S067-257R1**

Motion: It was moved to **approve** an application to replat all of Lots 3B through 3J, 4A thru 4H, part of Lot 4, all of Lots 5, 6, 7, and 8, in City Block C/1993 located on Belmont Avenue between North Henderson Avenue and North Garrett Avenue into one 2.52435 acre lot and terminate or amend the existing Shared Access Area Easement on property located on Belmont Avenue between Henderson Avenue and Garrett Avenue, subject to compliance with the conditions listed in the docket with Condition #8 corrected to permit 1 lot rather than 16 lots.

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

For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

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

Speakers: None

(2) **S067-284**

Motion: It was moved to **approve** an application to replat a 6.228 acre tract of land in City Block B/8222 into one 4.807 acre lot and one 1.421 acre common area on Montfort Drive between Belt Line Road and Arapaho Road, subject to compliance with the conditions listed in the docket with the deletion of Conditions 10, 11 and 12

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

For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

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

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270
Against: None

(3) **S067-285**

Motion: It was moved to **approve** an application to create one 0.0878 acre lot from a tract of land in City Block 500 on Carmel Street between Skiles Street and Birkenhead Court, subject to compliance with the conditions listed in the docket with Condition #6 to read as follows: "6. On the final plat, dedicate the ROW in fee simple."

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

For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

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

Speakers: None

Residential Replat

(4) **S067-283**

Motion: It was moved to **approve** an application to replat a 0.531 acre tract of land containing all of Lot 55B in City Block 6784 into two 0.265 acre lots on Cypress Avenue south of Military Parkway, subject to compliance with the conditions listed in the docket.

Maker: Woolen Lipscomb
Second: Wolfish
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

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

Speakers: None

Street Name Change

NC067-005

Motion: It was moved to recommend **denial** of an application to change the name of Motor Street between Stemmons Freeway and Irving Boulevard to "Medical District Drive".

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

For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

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

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: Sheli Barnett, 300 N. Coit Rd., Richardson, TX, 75080
Sarah Senter, 1307 Motor St., Dallas, TX, 75207

Chris Bond, 1234 Motor St., Dallas, TX, 75207
Mark Evans, 1323 Motor St., Dallas, TX, 75207

Zoning Cases – Consent

1. **Z067-230(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Specific Use Permit for vehicle sales, display, and service use or a three year period, subject to site plan, landscape plan and conditions on property zoned Subdistrict 1 in Planned Development District No. 534-D-1, the C.F. Hawn Special Purpose District No. 2, with a Dry Liquor Control Overlay on the north side of CF Hawn Freeway, east of La Paz Drive.

Maker: Jones-Dodd
Second: Davis
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

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

Notices: Area: 200 Mailed: 10
Replies: For: 2 Against: 0

Speakers: For: Ramon Aranda, 2946 S. Sunbeck Cr., Farmers Branch, TX, 75234
Against: None

2. **Z056-242(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Bank or savings and loan with drive-in windows for a ten-year period, with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions within the Subarea 12 portion of Planned Development District No. 298, the Bryan Area Special Purpose District on the northwest line of Gaston Avenue, southwest of Haskell Avenue.

Maker: Emmons
Second: Strater
Result: Carried: 12 to 0

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

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

Notices: Area: 500 Mailed: 36
Replies: For: 7 Against: 2

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Michael Jung, 4400 Bank of America plaza, Dallas, TX, 75202
Against: None

3. Z067-324(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** a Specific Use Permit for a Liquor store for a one-year period, subject to a revised site plan and conditions on property zoned an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest line of Lamar Street, southeast of Mooney Street.

Maker: Bagley
Second: Davis
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

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

Notices: Area: 300 Mailed: 29
Replies: For: 1 Against: 2

Speakers: For: Lynn Tan, 4501 S. Lamar St., Dallas, TX, 75215
David Gregson, 4501 S. Lamar St., Dallas, TX, 75215
Against: Tracie Reed, 4722 Meadow St., Dallas, TX, 75215

4. **Z067-327(MF)**

Planner: Michael Finley

Motion: It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-10(A) Single Family District on properties on both side of Woodland Drive between Preston Road and Edgemere Road (Woodland Drive Neighborhood) with the corner side yard setback for lots 28 and 29 on Preston Road be 6 feet.

Maker: Ekblad
Second: Jones-Dodd
Result: Carried: 13 to 0

For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb, Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish, Ekblad, Emmons

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

Notices: Area: 200 Mailed: 118
Replies: For: 32 Against: 4

Speakers: For: Clayton Elliot, 6230 Woodland Dr., Dallas, TX, 75225
Against: David Sudbury, 6007 Woodland Dr., Dallas, TX, 75225

Note: The Commission voted unanimously to change the order of the agenda and hear case Z067-288(JH)

Zoning Cases – Under Advisement

5. **Z067-178(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development District for TH-2(A) Townhouse District uses and non-residential uses, subject to staff's recommended conditions on property zoned a TH-1(A) Townhouse District, on the north side of Northwest Highway, west of Midway Road with the following added conditions: 1) The required 8 foot screening fence be either brick or precast masonry (no concrete blocks). 2) Adhere to the Article X for landscaping. 3) The sign conditions follow the non business sign rules and limit to monument signage. 4) Include staff recommended condition for sidewalks.

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

For: 12 - Prothro, Strater, Gary, Davis, Woolen Lipscomb,
Bagley, Weiss, Hill*, Buehler, Wolfish, Ekblad,
Emmons

Against: 0
Absent: 0
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: 55
Replies: For: 6 Against: 5

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75002
Jeff Williams, Address not given
Against: None

6. Z067-272(OTH)

Planner: Olga Torres-Holyoak

Motion: In considering an application to create a new subdistrict within Planned Development District No. 714, West Commerce Street/Fort Worth Avenue Special Purpose District, on property zoned a TH-3(A) Townhouse District, on the northeast corner of the terminus of Folsom Street, north of Fort Worth Avenue, east of Willomet Avenue, it was moved to **hold** this case under advisement until November 8, 2007.

Maker: Bagley
Second: Prothro
Result: Carried: 12 to 0

For: 12 - Prothro, Strater, Gary, Davis, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Wolfish, Ekblad,
Emmons

Against: 0
Absent: 0
Vacancy: 2 - District 6, Place 15
Abstained: 1 - Buehler**

** Commissioner abstained, due to bus tour requirements

Notices: Area: 500 Mailed: 46
Replies: For: 3 Against: 4

Speakers: For: Will Pinkerton, 1533 W. Colorado Blvd., Dallas, TX, 75208
Scott Griggs, Address not given
Deborah Carpenter, 2009 Neal St., Dallas, TX, 75208
Against: None

7. Z067-291(MF)

Planner: Michael Finley

Motion: It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-10(A) Single Family District in an area generally bounded by Garland Road, Peavy Road, the GC & SF Railroad, Old Gate Lane and the alley west of Redondo Drive (Casa Linda Estates) with the following changes: 1) The boundaries of the NSO include only Subdistrict 1 southwest of the Buckner frontage. The remaining proposed boundaries are denied without prejudice. 2) The minimum front yard setback is 50 feet. 3) The minimum corner side yard setback is 15 feet. 4) The minimum interior side yard setback is 12 feet. 5) No additional height restrictions in the NSO (R-10(A)=30).

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

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

Against: 0
Absent: 1 - Jones-Dodd
Vacancy: 2 - District 6, Place 15
Abstained: 1 - Ekblad**

** Commissioner abstained, due to bus tour requirements

Notices: Area: 200 Mailed: 635
Replies: For: 127 Against: 117

Speakers: For: Brad Rogers, 1306 El Patio Dr., Dallas, TX 75218
Jenny Capritta, 1435 N. Buckner Blvd., Dallas, TX, 75218
David Baillif, 9719 Redondo Dr., Dallas, TX 75218
Jim Witter, 1560 San Saba Dr., Dallas, TX, 75218
Dawn Cleaves, 9523 Hermosa Dr., Dallas, TX, 75218
Lynn Foster, 9320 Redondo Dr., Dallas, TX, 75218
Cindy Bourne, 1413 El Campo Dr., Dallas, TX, 75218
For: (did not speak): Marva Wescott, 1560 San Saba Dr., Dallas, TX, 75218
For: (did not speak): Sharon Laminack, 1426 Tranquilla Dr., Dallas, TX, 75218
For: (did not speak): Phil Menderhausen, 9425 Hermosa Dr., Dallas, TX, 75218
For: (did not speak): Dan May, 1536 El Campo Dr., Dallas, TX, 75218
For: (did not speak): Sheri Foster, 9320 Redondo Dr., Dallas, TX, 75218
For: (did not speak): Susan Grundy, 1406 Tranquilla Dr., Dallas, TX, 75218

For: (did not speak): Lawrence Lovi, 1526 N. Buckner Blvd., Dallas, TX, 75218
For: (did not speak): Tomas Oliver, III, 9525 Hermosa Dr., Dallas, TX, 75218
For: (did not speak): Kelly Hughes, 1441 El Campo Dr., Dallas, TX, 75218
For: (did not speak): Jean Ann Rogers, 1306 El Patio Dr., Dallas, TX, 75218
For: (did not speak): Gardner Cleaves, 9523 Hermosa Dr., Dallas, TX, 75218
For: (did not speak): Susan Fredrickson, 1408 San Saba Dr., Dallas, TX, 75218
For: (did not speak): Donna Mason, 1535 San Saba Dr., Dallas, TX, 75218
For: (did not speak): Jeff Mason, 1535 San Saba Dr., Dallas, TX, 75218
For: (did not speak): Bonnie Miller Wilson, 9410 Hermosa Dr., Dallas, TX, 75218
Against: Dorothea Vidal, 1518 El Campo Dr., Dallas, TX, 75218
T. Dean Malone, 1439 Sereno Dr., Dallas, TX, 75218
Warren Houser, 9816 Redondo Dr., Dallas, TX, 75218
Against (did not speak): John Widhalm, 1502 Verano Dr., Dallas, TX, 75218
Against (did not speak): Susan Widhalm, 1502 Verano Dr., Dallas, TX, 75218
Against (did not speak): Linda Fuller, 1434 Sereno Dr., Dallas, TX, 75218
Against (did not speak): Hilary Johnson, 1425 N. Buckner Blvd., Dallas, TX, 75218
Against (did not speak): Penny Jones, 1423 Sereno Dr., Dallas, TX, 75218
Against (did not speak): Margaret Webb, 1418 Sereno Dr., Dallas, TX, 75218
Against (did not speak): Daniel Schmalzer, 1421 El Campo Dr., Dallas, TX, 75218
Against (did not speak): Paul e. Bryant, 1403 Corto Dr., Dallas, TX, 75218
Against (did not speak): Kathy Hand, 1423 Sereno Dr., Dallas, TX, 75218
Against (did not speak): Everett Stigall, 9551 Alta Mira Dr., Dallas, TX, 75218
Against (did not speak): Perry Stigall, 1415 Tranquilla Dr., Dallas, TX, 75218
Against (did not speak): Jerry Wolfe, 1419 Sereno Dr., Dallas, TX, 75218
Against (did not speak): Judith Wolfe, 1419 Sereno Dr., Dallas, TX, 75218
Against (did not speak): Gary Spence, 1431 Tranquilla Dr., Dallas, TX, 75218
Against (did not speak): Bill Hamrick, 1422 Tranquilla Dr., Dallas, TX, 75218
Against (did not speak): Tracia Johnson, 1524 N. Buckner Blvd., Dallas, TX, 75218
Against (did not speak): Earl V. Johnson, 1524 N. Buckner Blvd., Dallas, TX, 75218
Against (did not speak): Melanie Landay, 1510 Sereno Dr., Dallas, TX, 75218
Against (did not speak): Nick Jirasek, 1733 Joan Dr., Dallas, TX, 75217
Against (did not speak): William Letart, 9802 El Patio Dr., Dallas, TX, 75218

Individual Cases

8. Z067-318(MF)

Planner: Michael Finley

Motion: It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-5(A) Single Family District on properties generally bounded by Lee Street, Pershing Street, Henderson Avenue and Homer Street and including both sides of Pershing and Homer (Cochran Heights).

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

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

Against: 0
Absent: 2 - Woolen Lipscomb, Jones-Dodd
Vacancy: 2 - District 6, Place 15

Notices: Area: 200 Mailed: 269
Replies: For: 39 Against: 8

Speakers: For: Mitch Deshotels, 5210 Alcott St., Dallas, TX, 75206
Noreen Grant, 5114 Milam St., Dallas, TX, 75206
Jason Pumpelly, 5206 Homer St., Dallas, TX, 75206
Thomas Hines, 5202 Milam St., Dallas, TX, 75206
Michael Hamtil, 5106 Milam St., Dallas, TX, 75206
For (did not speak): David Baillif, 9719 Redondo Dr., Dallas, TX, 75218
Against: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Michael Anderson, 5216 Milam St., Dallas, TX, 75206
Jack Ray Kemp, 5533 Williamstown Rd., Dallas, TX, 75230

9. **Z067-308(OTH)**

Planner: Olga Torres- Holyoak

Motion: It was moved to recommend **denial** of an R-5(A) Single Family District on property zoned an R-7.5(A) Single Family District on the northwest corner of Murdock Road and Fairport Road.

Maker: Wolfish
Second: Davis
Result: Carried: 10 to 1

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

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

Notices: Area: 200 Mailed: 19
Replies: For: 0 Against: 0

Speakers: For: Ramon Aranda, 2946 S. Sunbeck Cr., Framers Branch, TX, 75234
Against: None

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

Planner: Jennifer Hiromoto

Motion: In considering an application for a Planned Development District for mixed uses 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, it was moved to **hold** this case under advisement until November 15, 2007.

Maker: Strater
Second: Buehler
Result: Carried: 13 to 0
For: 13 - Prothro, Strater, Gary, Davis, Woolen Lipscomb,
Bagley, Jones-Dodd, Weiss, Hill, Buehler, Wolfish,
Ekblad, Emmons

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

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

Speakers: None

11. **Z067-305(JH)**

Planner: Jennifer Hiromoto

Motion I: 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 dance hall for 18 month period, subject to site plans and conditions (21 spaces as shown on site plan and others to code 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: Failed: 4 to 5

For: 4 - Strater, Bagley, Hill, Buehler

Against: 5 - Gary, Davis, Weiss, Wolfish, Emmons
Absent: 4 - Prothro, Woolen Lipscomb, Jones-Dodd, Ekblad
Vacancy: 2 - District 6, Place 15

Motion II: It was moved to recommend **denial** of a Specific Use Permit for a bar, lounge, or tavern and an inside commercial amusement for a Class A dance hall 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: Emmons
Second: Davis
Result: Failed: 4 to 5

For: 4 - Davis, Weiss, Hill, Emmons

Against: 5 - Strater, Gary, Bagley, Buehler, Wolfish
Absent: 4 - Prothro, Woolen Lipscomb, Jones-Dodd, Ekblad
Vacancy: 2 - District 6, Place 15

Motion III: In considering an application for a Specific Use Permit for a bar, lounge, or tavern and an inside commercial amusement for a Class A dance hall 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, it was moved to **hold** this case under advisement until November 15, 2007.

Maker: Strater
Second: Hill
Result: Carried: 6 to 3

For: 6 - Strater, Gary, Bagley, Hill, Buehler, Wolfish

Against: 3 - Davis, Weiss, Emmons
Absent: 4 - Prothro, Woolen Lipscomb, Jones-Dodd, Ekblad
Vacancy: 2 - District 6, Place 15

Notices: Area: 200 Mailed: 18
Replies: For: 0 Against: 8

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Richard Meggs, Jr., 2600 Main St., Dallas, TX, 75201
Steve Holloway, 9706 Amberley Dr., Dallas, TX, 75243
For (did not speak): Andy Harms, 6295 Mercedes, Dallas, TX, 75214
Against: Barry Anino, Address not given
John Tatum, Jr., 3800 A Main St., Dallas, TX, 75226

Other Matters

CPC Committee Appointments and Reports

Commissioner Strater resigned as Vice Chair of the Urban Design Advisory Committee

Motion: It was moved to **approve** the appointment of Chair Weiss as Chair of the Urban Design Advisory Committee.

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

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

Against: 0
Absent: 4 - Prothro, Woolen Lipscomb, Jones-Dodd,
Ekblad
Vacancy: 2 - District 6, Place 15

Speakers:

Minutes

Motion: It was moved to **approve** the minutes of the October 11, 2007, meeting, subject to corrections.

Maker: Buehler

Second: Wolfish

Result: Carried: 9 to 0

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

Against: 0
Absent: 4 - Prothro, Woolen Lipscomb, Jones-Dodd, Ekblad
Vacancy: 2 - District 6, Place 15

Speakers: None

Adjournment

The hearing adjourned at 6:56 p.m.

Robert Weiss, Chair