

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on March 23, 2006, with the briefing at 9:23 a.m. in Room 5ES and the public hearing at 1:48 p.m. in the City Council Chambers of City Hall. Presiding were Carol Brandon, Acting Chair and Dave Neumann, Acting Vice Chair. The following Commissioners were present during the hearing: Jeff Starter, Clarence Gary, Angela Marshall, Erik Wilson, Michael Miranda, Ann Bagley, Robert Weiss, Bill Avery, Chris Buehler, Dennis Burnham, Robert Ekblad and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Betty Culbreath. 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) **S056-168**

**Motion:** It was moved to **approve** an application to create one 4.6705 acre lot in City Block 6565 on Denton Drive and Harry Hines Blvd. at Indian Trail, if extended, subject to compliance with the conditions listed in the docket.

Maker: Neumann

Second: Wilson

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Avery\*, Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S056-171**

**Motion:** It was moved to **approve** an application to replat Lot 6A and Lots 12, 13, 14, 15 and 16 in City Block 19/7133 into one 3.7255 acre lot on Canada Drive at Goldman Street, if extended, subject to compliance with the conditions listed in the docket.

Maker: Neumann

Second: Wilson

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Avery\*, Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S056-176**

**Motion:** It was moved to **approve** an application to create one 1.272 acre lot in City Block 6194 on Buckner Boulevard at Bearden Lane, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Neumann

Second: Wilson

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Avery\*, Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(4) **S056-177**

**Motion:** It was moved to **approve** an application to replat part of Lots 1 and 2, and all of Lots 3 thru 10 in City Block 1/8795 into one 2.8193 acre lot on 11561 U.S. Highway 175 between Farmdale Dr. and Garden Springs Dr., subject to compliance with the conditions listed in the docket.

Maker: Neumann

Second: Wilson

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery\*,  
Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(5) **S056-178**

**Motion:** It was moved to **approve** an application to create two, 2.3850 acre lots on a 4.77 acre tract in City Block 6517 on 11022 Harry Hines Blvd. between Walnut Hill Lane and Merrell Road, subject to compliance with the conditions listed in the docket.

Maker: Neumann

Second: Wilson

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery\*,  
Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(6) **S056-180**

**Motion:** It was moved to **approve** an application to create a 160 lot single family residential subdivision from a 49.61 acre tract of land in City Block 8770 on Middlefield Road southeast of St. Augustine Road, subject to compliance with the conditions listed in the docket.

Maker: Neumann

Second: Wilson

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Avery\*, Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Individual Items – Residential Replats

(7) **S056-166**

**Motion:** It was moved to **approve** an application to replat a 1.743 acre tract of land containing Lots 9 and 10 in City Block C/6657 by moving the common lot line between Lots 9 and 10 by increasing Lot 9 by 25 feet to be 175 feet wide; and reduce Lot 10 by 25 feet and make it 75 feet in width on 407 N. Acres Street, south of Elam Road, subject to compliance with the conditions listed in the docket.

Maker: Bagley

Second: Marshall

Result: Carried: 13 to 1

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Bagley, Brandon, Weiss, Avery\*, Buehler, Burnham, Ekblad, Emmons

Against: 1 - Miranda

Absent: 1 - Culbreath

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** For: Jose Miranda, 1601 Willow Creek, Mesquite, TX, 75181  
Against: None

(8) **S056-167**

**Motion:** It was moved to **approve** an application to replat Lots 8 and 9 containing 44,800 sq. ft. in City Block C/7494 by taking 40 feet from Lot 8 and adding the 40 feet to Lot 9 to create one 16,000 sq. ft. lot and one 28,800 sq. ft. lot on 7108 S. Janmar Drive at Kenny Lane, if extended, subject to compliance with the conditions listed in the docket.

Maker: Buehler

Second: Avery

Result: Carried: 13 to 1

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Bagley, Brandon, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons

Against: 1 - Miranda

Absent: 1 - Culbreath

Vacancy: 0

**Speakers:** For: Ed Simon, 900 Jackson St., Dallas, TX, 75202

Against: None

(9) **S056-169**

**Note: The applicant withdrew his request.**

**Motion:** It was moved to **deny** an application to replat Lot 16 containing 18,333 sq. ft. in City Block 1/5572 by reducing the platted 50 foot building line to 40 feet such that the building line would wrap the existing structure on 4307 Gloster Road, due to removal of building line is not part of orderly development of Subdivision.

Maker: Ekblad

Second: Neumann

Result: Carried: 14 to 0

For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** For: Robert Miklos, 1717 Main St., Dallas, TX, 75201  
Against: Ida Jane Bailey, 4406 Manning Ln., Dallas, TX, 75220  
Gene Leslie, 4416 Manning Ln., Dallas, TX, 75220  
Flo Leslie, 4416 Manning Ln., Dallas, TX, 75220  
Harry Martin, 4307 Enfield, Dallas, TX, 75220  
Craig Collins, 4314 Gloster Rd., Dallas, TX, 75220

(10) **S056-170**

**Motion:** It was moved to **approve** an application to create 7 single family lots from a 3.3599 acre tract of land in City Block 8721 on Isom Lane and Saddleridge Drive, subject to compliance with the conditions listed in the docket.

Maker: Gary  
Second: Marshall  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** For: R.J. Long, Address not given  
Against: None

(11) **S056-172**

**Motion:** It was moved to **approve** an application to replat Lots 1, 2B, 3A, 5A, 5B, 6, 7A, and 8 in City Block F/5518 and Tract XII in City Block 5519 and to remove the existing platted 50 foot building lines along Inwood Road on Lots 1, 2, 3, 4, 5A, 5B, 6, 7 and 8 in Block F/5518 to create a 17 lot Community Unit Development from a 22.123 acre tract of land on Inwood Road at Royal Lane, southwest corner, subject to compliance with the conditions listed in the docket with the following clarifications: They are a) the proposal includes a total pf a 25 foot setback along Royal Lane; b) Condition 18 – change the minimum square footage to 64,249 square feet; and c) change condition 24 to read that the front, side and rear yards setbacks may be uniformly reduced by 16.2 percent; the front yard reduction must not exceed 33.5 feet and side and rear yard reduction cannot exceed 8.4 feet.

Maker: Ekblad  
Second: Neumann  
Result: Carried: 14 to 0

For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** For: William Cothrum, 900 Jackson St., Dallas, TX, 75202  
Margaret Allison, 10601 Inwood Rd., Dallas, TX, 75229  
Russell Hayward, 4944 Royal Ln., Dallas, TX, 75229  
Against: Barbara Beasley, 4954 Royal Ln., Dallas, TX, 75229  
Jim Simon, 10560 Les Jardins Dr., Dallas, TX, 75229

(12) **S056-173**

**Motion:** It was moved to **approve** an application to replat a 0.5171 acre tract containing Lot 14 in City Block 16/7347 to reduce the existing 40 foot platted building line to 25 feet on a portion of the lot on 7520 Malabar Lane, east of Valleydale Drive, subject to compliance with the conditions listed in the docket.

Maker: Buehler  
Second: Emmons  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** For: Naum Shafir, 7526 Malabar Ln., Dallas, TX, 75230  
Jeffery Poll, 7530 Malabar Ln., Dallas, TX, 75230  
Against: None

(13) **S056-174**

**Motion:** It was moved to **deny** an application to replat a 19,997.29 square foot tract containing Lot 17 in City Block B/7597 to create 2 lots, 50 foot wide and containing 9,998.64 feet and 9,998.65 square feet of land respectively on 223 Beckleyside Drive, due to non compliance with Section 8.503 of the Dallas Development Code.

Maker: Emmons  
Second: Marshall  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons  
  
Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** For: John Wavada, 2848 Island Wren Dr., Mesquite, TX  
Against: Olivia Vega, 231 Beckleyside Dr., Dallas, TX, 75241  
Val Middleton 218 Beckley Hills Dr., Dallas, TX, 75241

(14) **S056-175**

**Note: The applicant withdrew his request.**

**Motion:** It was moved to **deny** an application to replat a 19,997.23 square foot tract containing Lot 14 in City Block B/7597 to create 2 lots, 50 foot wide and containing 9,998.61 square feet and 9,998.62 square feet of land respectively on 145 Beckleyside Drive, due to non compliance with Section 8.503(a) of the Dallas Development Code.

Maker: Neumann  
Second: Emmons  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons  
  
Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

**Speakers:** For: John Wavada, 2848 Island Wren Dr., Mesquite, TX  
Against: None

(15) **S056-179**

**Motion:** It was moved to **approve** an application to replat Lot 17 in City Block 7/7498 to create one 7,700 square foot lot and one 9,561.1 square foot lot on a 0.40 acre lot on 3014 Encino Drive, east of the east line of Odette Avenue, subject to compliance with the conditions listed in the docket.



Maker: Weiss  
Second: Ekblad  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(16) **S056-181**

**Motion:** It was moved to **approve** an application to replat a 15,210 square foot parcel containing part of Lot 1, all of Lot 2 and part of Lot 3 in City Block A2868 into 2 lots each with 58.5 feet of frontage on McCommas Boulevard and each lot containing 7,605 square feet of land on property at 6285 McCommas Boulevard, west of Alderson Street, subject to compliance with the conditions listed in the docket.

Maker: Emmons  
Second: Marshall  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

**Speakers:** For: None  
Against: Kevin Keewey, 6278 McCommas Blvd., Dallas, TX, 75214  
Glenn Ingram, 6264 McCommas Blvd., Dallas, TX, 75214  
Ryan Tinch, 6275 McCommas Blvd., Dallas, TX, 75214  
Clifford Horsak, 6265 McCommas Blvd., Dallas, TX, 75214

(17) **S034-290**

**Motion:** It was moved to **approve** an application for a Certificate of Correction for a 14.374 acre tract of land in City Block 5217 of land on property on Fair Oaks Avenue southwest of Walnut Hill Lane, subject to compliance with the conditions listed in the docket.

Maker: Neumann  
Second: Wilson  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery\*,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Miscellaneous Docket

**M056-013**

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: Miranda  
Second: Weiss  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery\*,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**M056-023**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the site plan and landscape plan for Specific Use Permit No. 1464, on the south line of California Crossing, east of Wildwood Drive.

Maker: Miranda  
Second: Weiss  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery\*,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**M056-024**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the Clubhouse site plan for Specific Use Permit No. 641, on the Dallas North Tollway, Dallas County Line, White Rock Creek, and Keller Springs Road.

Maker: Miranda  
Second: Weiss  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery\*,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**W056-005**

Planner: Neva Dean

**Motion:** It was moved to **approve** a wavier of the two-year waiting period in order to submit an application for a Specific Use Permit for a financial institution with drive-in window on the east corner of Colorado Boulevard and Zang Boulevard.

Maker: Miranda  
Second: Weiss  
Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery\*,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**Z056-143(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 MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by Cedar Springs Road, Hawthorne Avenue, Hartford Street, and the northern half of Raleigh Street.

Maker: Miranda

Second: Weiss

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery\*,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**Z056-163(JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to **approve** deed restrictions submitted in conjunction with an application for an MU-2 Mixed Use District on the southwest corner of Northaven Road and Central Expressway.

Maker: Miranda

Second: Weiss

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery\*,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Zoning Cases - Consent

1. **Z056-173(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for Private streets for a permanent time period, subject to a revised site plan and conditions on property zoned an R1ac(A) Single Family District on the southwest quadrant of Royal Lane and Inwood Road.

Maker: Ekblad  
Second: Wilson  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

**Notices:** Area: 400 Mailed: 34  
**Replies:** For: 2 Against: 3

**Speakers:** For: William Cothrum, 900 Jackson St., Dallas, TX, 75202  
Against: Barbara Beasley, 4954 Royal Ln., Dallas, TX, 75229

2. **Z056-174(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of the expansion and renewal of Specific Use Permit No. 1548 for an Open Enrollment Charter School for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and revised conditions on property zoned an IR Industrial Research District on the west line of Forestgate Drive, north of Forest Lane.

Maker: Neumann  
Second: Marshall  
Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda\*, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 33  
**Replies:** For: 3 Against: 1

**Speakers:** None

**3. Z056-175(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to the conceptual plan and development plan for Planned Development Subdistrict No. 39 for Mixed Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, with the Dry Liquor Control Overlay on a portion of the site, on the west corner of Maple Avenue and Wolf Street.

Maker: Neumann  
Second: Marshall  
Result: Carried: 14 to 0  
For: 14- Neumann, Strater, Gary, Marshall, Wilson,  
Miranda\*, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 67  
**Replies:** For: 1 Against: 0

**Speakers:** None

4. Z056-176(DW)

Planner: David Whitley

**Note: The applicant withdrew his request.**

**Motion:** It was moved to recommend **denial without prejudice** to create a new subarea within Planned Development District No. 298 for Subarea 10 uses on property zoned Subarea 8 within Planned Development District No. 298, the Bryan Place Special Purpose District, on the west corner of Haskell Avenue and Live Oak Street.

Maker: Emmons

Second: Miranda

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

**Notices:** Area: 500 Mailed: 29

**Replies:** For: 1 Against: 8

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

5. Z056-177(DW)

Planner: David Whitley

**Motion:** In considering an application for a Specific Use Permit for an open-enrollment charter school and termination of Specific Use Permit No. 487 for a YMCA on property zoned an R-5(A) Single Family District, on the east corner of Highland Hills Drive and Bonnie View Road, it was moved to **hold** this case under advisement until April 20, 2006.

Maker: Brandon

Second: Marshall

Result: Carried: 14 to 0

For: 14 - Neumann, Starter, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

**Notices:** Area: 300 Mailed: 36  
**Replies:** For: 2 Against: 3

**Speakers:** None

6. **Z056-178(DW)**

Planner: David Whitley

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for Private-Club Bar and Commercial Amusement (inside) limited to a Class A Dance Hall for a two-year period with eligibility for one automatic renewal for an additional five-year period, subject to a site plan and staff's recommended conditions on property zoned a CR Community Retail District, on the east side of Dallas Parkway, north of Belt Line Road with an added provision for the owner to provide a combination of at least 14 (at minimum) armed and unarmed security officers after 11:00 a.m.

Maker: Buehler

Second: Marshall

Result: Carried: 14 to 0

For: 14 - Neumann, Starter, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

**Notices:** Area: 300 Mailed: 8  
**Replies:** For: 2 Against: 2

**Speakers:** For: Kathryn Fisher, 15240 Dallas Parkway, Dallas, TX, 75248  
Against: None

7. **Z045-166(JA)**

Planner: Jim Anderson

**Motion:** It was moved to recommend **approval** a Historic Overlay for the Fidelity Union Life Towers, subject to preservation criteria on property zoned a CA-1(A)-CP Central Area District with a Core Pedestrian Overlay, in an area bounded by Akard Street, Federal Street, Bullington, Bryan Street and Pacific Avenue.

Maker: Neumann

Second: Marshall

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson, Miranda\*, Bagley, Brandon, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons



Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 68  
**Replies:** For: 4 Against: 0

**Speakers:** None

8. **Z056-180(JA)**

Planner: Jim Anderson

**Motion:** It was moved to recommend **approval** of a Landmark Commission authorized hearing to consider the expansion of and amendment to Historic Overlay No. 44, Booker T. Washington High School, subject to revised preservation criteria on property zoned Planned Development No. 145, H-44, the Dallas Arts District, with Historic Overlay No. 44 bounded by Flora Street, Jack Evans Street, Woodall Rogers Access Road and Routh Street.

Maker: Neumann

Second: Marshall

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson, Miranda\*, Bagley, Brandon, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

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

**Speakers:** None

9. **Z056-170(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to the sign regulations of Planned Development District No. 710 for community retail uses, subject to revised staff's recommended conditions on the south line of W. Illinois Avenue, between Coombs Creek Drive and Westmoreland Road with the following changes to include: Limiting one multi-tenant monument/unity sign on site and attaching Exhibit B (multi-tenant monument/unity sign) to the ordinance.

Maker: Neumann  
Second: Wilson  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

**Notices:** Area: 500 Mailed: 34  
**Replies:** For: 9 Against: 0

**Speakers:** None

Zoning Cases – Under Advisement

10. **Z056-152(WE)**

Planner: Warren Ellis

**Motion:** In considering an application for an amendment to Planned Development District No. 318 to create a new Subarea for residential uses, an increase in height and the maximum number of stories permitted, on the northwest corner of the North Dallas Parkway at Haverwood Street, it was moved to **hold** this case under advisement until May 11, 2006.

Maker: Burnham  
Second: Marshall  
Result: Carried: 14 to 0  
For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

**Notices:** Area: 500 Mailed: 81  
**Replies:** For: 3 Against: 20

**Speakers:** For: Michael Coker, 2700 Swiss Ave., Dallas, TX, 75204  
Against: None

11. **Z045-288(JH)**

Planner: Jennifer Hiromoto

**Note: The applicant withdrew his request.**

**Motion I:** It was moved to recommend **denial without prejudice** of an MF-2 Multifamily Subdistrict on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on Martin Luther King Boulevard, north of Latimer Street with a recommendation that the City Plan Commission send a letter to Environmental and Health Services so residence are contacted and outlined their residential options and to be assured that residents are relocated.

Maker: Bagley

Second: Marshall

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss\*, Avery, Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 21

**Replies:** For: 0 Against: 1

**Speakers:** For: Martin Terry, 1700 Commerce St., Dallas, TX, 75201

Against: None

12. **Z056-161(JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of a GR General Retail Subdistrict on property zoned a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and **approval** of a Specific Use Permit for a Bank or Savings and Loan Office with drive-through lanes for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to revised site plan and conditions on property zoned a P Parking Subdistrict and a GR General Retail Subdistrict within Planned Development District No. 193, on the southwest corner of Avondale Avenue and Oak Lawn Avenue with an added condition to the ordinance requiring the owner of the property to comply with the site plan review procedures as if a Development Impact Review was required for a bank or savings and loan use as set forth in Section 51A-4.803.

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

For: 13 - Neumann, Strater, Marshall, Wilson, Miranda,  
Bagley, Brandon\*, Weiss, Avery, Buehler,  
Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0  
Abstained: 1 - Gary\*\*

\*out of the room, shown voting in favor  
\*\*abstained due to bus tour requirement

**Notices:** Area: 200 Mailed: 48  
**Replies:** For: 0 Against: 0

**Speakers:** For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202  
Against: None

13. **Z045-276(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an Industrial (inside) potentially incompatible use for soap or detergents manufacturing use for a two-year time period, with eligibility for automatic renewals for additional two-year periods, subject to a site plan and conditions on property zoned an IM Industrial Manufacturing District, on the east and west line of Weir Street, south of Singleton Boulevard.

Maker: Gary  
Second: Emmons  
Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon\*, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 55  
**Replies:** For: 7 Against: 0

**Speakers:** None

14. **Z056-156(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **denial without prejudice** of a Planned Development District for TH-1(A) Townhouse District Uses and Private streets on property zoned an R-7.5(A) Single Family District, on the east line of Audelia Road, south of Shadow Way.

Maker: Avery

Second: Emmons

Result: Carried: 13 to 1

For: 13 - Strater, Marshall, Gary, Wilson, Miranda, Bagley, Brandon, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons

Against: 1 - Neumann

Absent: 1 - Culbreath

Vacancy: 0

**Notices:** Area: 500 Mailed: 112

**Replies:** For: 6 Against: 34

**Speakers:** For: Mardy Brown, 5225 Village Creek Dr., Plano, TX, 75003  
Neal Heckel, 13455 Noel Rd., Dallas, TX, 75240  
James Waldorf, 10016 Candlebrook Dr., Dallas, TX, 75243  
Against: James Frank, 9906 Woodlake Dr., Dallas, TX, 75243  
Marilyn Post, 9906 Woodlake Dr., Dallas, TX, 75243  
Venessa Lewis, 11922 Audelia Rd., Dallas, TX, 75243

Zoning Cases – Individual

15. **Z056-123(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a TH-1(A) Townhouse District in lieu of the requested TH-2(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the east corner of Lake Highlands Drive and Easton Road.

Maker: Weiss

Second: Emmons

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Avery, Buehler, Ekblad, Emmons

Against: 0  
Absent: 1 - Culbreath  
Vacancy: 0  
Abstained: 1 - Burnham\*\*

\*\*abstained due to bus tour requirement

**Notices:** Area: 300 Mailed: 28  
**Replies:** For: 3 Against: 10

**Speakers:** For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202  
Against: Susan McKay, 10688 Lake Highlands Dr., Dallas, TX, 75218  
Charlotte Duke, 10692 Lake Highlands Dr., Dallas, TX, 75218  
Margaret Bell, 10911 Carissa Dr., Dallas, TX, 75218

16. **Z056-188(JA)**

Planner: Jim Anderson

**Motion:** It was moved to recommend **approval** of a Landmark Commission authorized hearing to consider establishment of an historic overlay district, subject to preservation criteria dated March 13, 2006, for the Junius Heights neighborhood, in an area generally bounded by Gaston Avenue, Henderson Avenue, Reiger Avenue, East Side Avenue, Abrams Road, Columbia Avenue, Glasgow Drive, Abrams Road and Nesbitt Drive on property currently zoned Planned Development District No. 397, a D(A) Duplex District, an MF-2(A) Multifamily District, an NS(A) Neighborhood Service District, and Planned Development District No. 99.

Maker: Emmons

Second: Strater

Result: Carried: 12 to 2

For: 12 - Neumann, Strater, Gary, Marshall, Wilson,  
Bagley, Brandon, Weiss, Buehler, Burnham,  
Ekblad, Emmons

Against: 2 - Miranda, Avery

Absent: 1 - Culbreath

Vacancy: 0

**Notices:** Area: 200 Mailed: 748  
**Replies:** For: 181 Against: 82

**Speakers:** For: Rene Schmidt, 715 Parkmont, Dallas, TX, 75214  
Beverly Mendoza, 520 E. 5<sup>th</sup> St., Dallas, TX, 75203  
Rita Cox, 4934 Tremont St., Dallas, TX, 75214  
Bill Williams, 5612 Reiger Ave., Dallas, TX, 75214  
Tom Bonifield, 5714 Swiss Ave., Dallas, TX, 75214  
Laura Koppang, 5420 Worth St., Dallas, TX, 75214

Steve Clicque, 6025 Reiger Ave., Dallas, TX, 75214  
Kyle Rains, 5900 Worth St., Dallas, TX, 75214  
Martha Heimberg, 1523 Abrams Rd., Dallas, TX, 75214  
Tom Zollars, 6035 Worth St., Dallas, TX, 75214  
Against: Coral Haynes, 5738 Tremont St., Dallas, TX, 75214  
Brenda Jones, 715 Lipscomb Ave., Dallas, TX, 75214  
Cherrilane Blackburn, 703 Lipscomb Ave., Dallas, TX, 75214  
Ron Holland, 5111 Ash St., Dallas, TX, 75223  
Robert Richardson, 5631 Columbia Ave., Dallas, TX, 75214  
Darla Wages, 5704 Tremont St., Dallas, TX, 75214

Development Code Amendment

**DCA 056-008**

**Motion:** It was moved to recommend **approval** of amendments to Section 51A-11.102(a)(14), "Development Incentives," of Chapter 51A, the Dallas Development Code, to include Junius Heights in the defined list of revitalizing neighborhoods.

Maker: Weiss

Second: Wilson

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

**Speakers:** None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the March 9, 2006, meeting, subject to corrections.

Maker: Emmons

Second: Buehler

Result: Carried: 14 to 0

For: 14 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Weiss, Avery,  
Buehler, Burnham, Ekblad, Emmons

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

Adjournment

The hearing **adjourn** at 8:35 p.m.

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Betty Culbreath, Chair