

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on August 24, 2006, with the bus tour starting at 9:12 a.m. followed by the briefing at 12:20 p.m. in Room 5ES and the public hearing at 1:44 p.m. in the City Council Chambers of City Hall. Presiding were Betty Culbreath, Chair and Angela Marshall, Acting Vice Chair. The following Commissioners were present during the hearing: Dave Neumann, Jeff Strater, Clarence Gary, 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: Carol Brandon. 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: 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) **S056-329**

Motion: It was moved to **approve** an application to replat a 16.774 acre tract of land being all of Lot 3 in City Block D/7202 into five lots at the northwest corner of Cockrell Hill Road and IH-30, subject to compliance with the conditions listed in the docket.

Maker: Emmons

Second: Avery

Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Brandon
Vacancy: 0

Speakers: None

(2) **S056-330**

Motion: It was moved to **approve** an application to create one, 1.9688 acre lot in City Block 1/8763 on Spyglass Drive south of Frankford Road, subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Brandon
Vacancy: 0

Speakers: None

Individual items – Residential Replats

(3) **S056-324**

Motion: It was moved to **approve** an application to replat part of City Block 2/5521 into one 4.663 acre lot on 10522 and 10526 Lennox Lane between Roxbury Lane and Harry's Lane, subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Brandon
Vacancy: 0

Speakers: None

(4) **S056-328**

Motion: It was moved to **approve** an application to replat all of Lots 1 and 2 in City Block 21/7159 into five lots ranging in size from 6,000 square feet to 57,000 square feet on Pueblo Street at Peoria Avenue northeast corner, subject to compliance with the conditions listed in the docket with an added condition to read as follows: "Pueblo Street must be improved to standard prior to the plat being recorded."

Maker: Miranda
Second: Marshall
Result: Carried: 10 to 4
For: 10 - Strater, Gary, Marshall, Wilson, Miranda,
Bagley, Weiss, Buehler, Burnham, Culbreath
Against: 4 - Neumann, Avery, Ekblad, Emmons
Absent: 1 - Brandon
Vacancy: 0

Speakers: For: Mike Farnoush, 6715 Santa Anita Dr., Dallas, TX, 75214
Jorge Munoz, 2414 Grafton Ave., Dallas, TX, 75211
Against: None

Certificates of Appropriateness for Signs

Downtown Sign District

0607072001

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the instillation of a 900 square feet upper level attached sign reading '**What will happen next in Dallas? DallasNews.com**' at 1200 Ross Avenue on the northwest façade of the building on the southeast corner of Ross Avenue and Griffin Street.

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

*out of the room, shown voting in favor

Speakers: None

Zoning Cases - Consent

1. **Z056-274(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to, and an expansion of, Specific Use Permit No. 1511 for a transit passenger station or transfer station, subject to a revised site plan and conditions on property zoned an MF-2(A) Multifamily Subdistrict and a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, on both sides of Trunk Avenue between Trezevant Street and Martin Luther King Boulevard.

Maker: Weiss

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda*, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 1 - Brandon

Vacancy: 0

Conflict: 1 - Bagley

*out of the room, shown voting in favor

Notices: Area: 300

Mailed: 56

Replies: For: 2

Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202

Against: None

Zoning Cases – Under Advisement

2. **Z056-237(WE)**

Planner: Warren Ellis

Motion I: It was moved to recommend **approval** of an amendment to the deed restrictions to allow for a curb cut for a right-turn out only on Briargrove Lane as depicted in Exhibit 3, of the DeShazo, Tang & Associates, Inc., report on property zoned an MU-1 Mixed Use District on the northeast corner of Briargrove Lane and Dallas Parkway with an added provision providing for the installation of a gate with operational hours from 11:00 a.m. to 5:00 p.m.

Maker: Burnham

Second: Weiss

Result: Failed: 2 to 11
For: 2 - Burnham, Culbreath

Against: 11 - Neumann, Strater, Gary, Marshall, Wilson,
Miranda, Bagley, Weiss, Buehler, Ekblad,
Emmons

Absent: 1 - Brandon

Vacancy: 0

Abstained: 1 - Avery***

*** abstained due to bus tour requirement

Amended Motion: It was moved to **amend** the motion to remove the provision providing for a gate.

Maker: Neumann

Second: Wilson

Result: Failed: 4 to 9

For: 4 - Neumann, Marshall, Wilson, Culbreath

Against: 9 - Strater, Gary, Miranda, Bagley, Weiss, Buehler,
Burnham, Ekblad, Emmons

Absent: 1 - Brandon

Vacancy: 0

Abstained: 1 - Avery***

*** abstained due to bus tour requirement

Motion II: It was moved to recommend **denial** of an amendment to the deed restrictions to allow for a curb cut on Briargrove Lane on property zoned an MU-1 Mixed Use District on the northeast corner of Briargrove Lane and Dallas Parkway.

Maker: Emmons

Second: Bagley

Result: Carried: 10 to 3

For: 10 - Strater, Gary, Marshall, Wilson, Miranda,
Bagley, Weiss, Buehler, Ekblad, Emmons

Against: 3 - Neumann, Burnham, Culbreath

Absent: 1 - Brandon

Vacancy: 0

Abstained: 1 - Avery***

*** abstained due to bus tour requirement

Notices: Area: 300 Mailed: 15
Replies: For: 0 Against: 2

Speakers: For: Jim Powell, 14110 Dallas Parkway, Dallas, TX, 75254
John Denholm, 3030 LBJ Freeway, Addison, TX, 75001
Against: Ed Moreland, 5112 Briargrove Ln., Dallas, TX, 75287
Michael Jung, 4400 Bank of America Plaza, Dallas, TX, 75202
Brian Williamson, 4206 Briargrove Ln., Dallas, TX, 75287
Elizabeth Crowe, 400 S, Houston St., Dallas, TX, 75202
Staff: Chau Nguyen, Development Services Engineer

3. **Z056-257(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denied without prejudice** of a Specific Use Permit for a child-care facility within Subarea 1 of Conservation District No. 1, the King's Highway Conservation District, on the west line of Tyler Street, north of Everts Street.

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

Against: 0
Absent: 1 - Brandon
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 17
Replies: For: 0 Against: 11

Speakers: For: None
Against: Thomas Bosworth, 818 Turner Ave., Dallas, TX

4. **Z056-259(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** of for a R-1/2ac(A) Single Family District and an R-1ac(A) Single Family District on property zoned an A(A) Agricultural District on the southeast side of South St. Augustine Road, south of Haymarket Road.

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

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

Against: 0
Absent: 1 - Brandon
Vacancy: 0

Notices: Area: 300 Mailed: 8
Replies: For: 3 Against: 0

Speakers: None

Zoning Cases – Individual

5. **Z056-283(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **denial** of a CR Community Retail District on property zoned Planned Development District 134, Subdistrict A on the north corner of Graham Avenue and Philip Avenue.

Maker: Strater

Second: Weiss

Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Brandon
Vacancy: 0

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

Speakers: For: Derek Coker, 1401 Elm St., Dallas, TX, 75202
Against: Anna Penate, 1014 Graham Ave., Dallas, TX, 75223

6. **Z056-279(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the development plan and revised conditions for Planned Development District No. 451 for a Stadium and related uses on the north line of Church Road, east of White Rock Trail with the conditions and the development plan to reflect the location of the one press box with a maximum height of 96 feet.

Maker: Avery
Second: Neumann
Result: Carried: 13 to 0
For: 13 - Neumann, Gary, Marshall, Wilson, Miranda,
Bagley, Weiss, Avery, Buehler, Burnham,
Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Brandon
Vacancy: 0
Abstained: 1 - Strater***

*** abstained due to bus tour requirement

Notices: Area: 500 Mailed: 27
Replies: For: 1 Against: 0

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

Authorization of Hearings

Motion: It was moved to **authorize** a hearing to determine the proper zoning on property zoned Planned Development District No.730 for mixed uses on property generally on both sides of Bexar Street between Brigham Lane and C.F. Hawn Freeway, with consideration given to amending the regulations in the Planned Development District.

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

Against: 0
Absent: 1 - Brandon
Vacancy: 0

Speakers: None

Motion: It was moved to **authorize** a hearing to determine the proper zoning on property zoned an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with a Modified Delta Overlay with consideration given to incorporating into the Vickery Place Conservation District the following areas: Tract 1- the 5100 and 5200 blocks of Goodwin, the 5200 block of Vickery and Richard, the 5200 block of Miller, and the 5200 block of Willis, Tract 2 – the 5500 and 5600 blocks of Goodwin, Tract 3 – the 5500 and 5600 blocks of Willis and the 5600 block of Miller, and Tract 4 - 5400 and 5500 blocks of Bonita.

Maker: Emmons

Second: Gary

Result: Carried: 12 to 2

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

Against: 2 - Avery, Culbreath

Absent: 1 - Brandon

Vacancy: 0

Speakers: For: Beth Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Mark Rieves, 5530 Goodwin, Dallas, TX, 75206
Rick Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Against: Robert Mahlial, 5223 Richard Ave., Dallas, TX, 75206

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the August 17, 2006, meeting, subject to corrections.

Maker: Buehler

Second: Marshall

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Gary**, Brandon

Vacancy: 0

** Commissioner Gary left, before vote taken

Speakers: None

Adjournment

Motion: It was moved to **adjourn** the hearing at 4:42 p.m.

Maker: Culbreath

Second: Marshall

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Gary, Brandon

Vacancy: 0

Betty Culbreath, Chair