

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on September 14, 2006, with the bus tour starting at 9:20 a.m. followed by the briefing at 11:20 p.m. in Room 5ES and the public hearing at 1:30 p.m. in the City Council Chambers of City Hall. Presiding were Betty Culbreath, Chair and Dave Neumann, Vice Chair. The following Commissioners were present during the hearing: Jeff Strater, Clarence Gary, Angela Marshall, Erik Wilson, Ann Bagley, Robert Weiss, Bill Avery, Dennis Burnham Robert Ekblad, and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Michael Miranda and Chris Buehler. There is one vacancy, District 8.

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) **S056-342**

Motion: It was moved to **approve** an application to create one, 174.5528 acre lot from a tract of land in City Block 6263 on S. Longacre Drive, south of Carter Road and west of Jim Miller Road, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 12 to 0

For: 12 - Neumann, Strater*, Gary, Marshall*, Wilson, Bagley, Weiss, Avery, Burnham, Ekblad, Emmons*, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

(2) **S056-344**

Motion: It was moved to **approve** an application to create one, 3.005 acre lot being part of City Block 6237 on 7224 Umphress Road west of Alhambra Drive, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Wilson
Result: Carried: 12 to 0

For: 12 - Neumann, Strater*, Gary, Marshall*, Wilson, Bagley, Weiss, Avery, Burnham, Ekblad, Emmons*, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

(3) **S056-348**

Motion: It was moved to **approve** an application to replat Lots 16, 17, and 18 in City Block 2/2040 to create one, 0.551 acre lot on 4411 Bowser Avenue northwest of Herschel Avenue, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Wilson
Result: Carried: 12 to 0

For: 12 - Neumann, Strater*, Gary, Marshall*, Wilson, Bagley, Weiss, Avery, Burnham, Ekblad, Emmons*, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

(4) **S056-349**

Motion: It was moved to **approve** an application to replat Lots 14, 15, and 16 in City Block 33/1052 into one 0.551 acre lot on 4107 Bowser Avenue at Knight Street, west corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 12 to 0

For: 12 - Neumann, Strater*, Gary, Marshall*, Wilson, Bagley, Weiss, Avery, Burnham, Ekblad, Emmons*, Culbreath

Against: 0

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

(5) **S056-350**

Motion: It was moved to **approve** an application to replat a 0.5395 acre tract of land containing Lots 10, 11, 12, and 13 into a 15 lot shared access area development on 1905, 1911, 1915 and 1919 Hope Street, north of La Vista Court, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 12 to 0

For: 12 - Neumann, Strater*, Gary, Marshall*, Wilson, Bagley, Weiss, Avery, Burnham, Ekblad, Emmons*, Culbreath

Against: 0

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

Individual items – Residential Replats

(6) **S056-345**

Motion: It was moved to **approve** an application to replat a 0.6456 acre tract of land containing all of Lot 6 in City Block 32/7614 into two, 14,062.5 square foot lots fronting on the southeast line of 3018 Alta Mesa Drive, southwest of Nandina Drive, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Gary

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall*, Wilson, Bagley, Weiss, Avery, Burnham, Ekblad, Emmons*, Culbreath

Against: 0

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

(7) **S056-346**

Motion: It was moved to **approve** an application to replat all of Lot 19 in City Block 6A/7614 into one 18,522.99 square foot lot and one 7,500 square foot lot on the 2739 Plaza Boulevard at Sierra Way, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall*, Wilson, Bagley, Weiss, Avery*, Burnham, Ekblad, Emmons*, Culbreath

Against: 0

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

(8) **S056-347**

Motion: It was moved to **deny** an application to replat a 1.95 acre tract of land containing all of Lots 1, 2, 3, 4, and 5 in City Block B/2230 and part of Lots 3, 4, and 5 in City Block 3/2316 into a Shared Access Area Development of 7 lots and one 20,963.85 square foot common area/floodway management area on Denton Drive at Maple Springs Drive, southeast corner, due to non compliance with Section 8.503 of the Dallas Development Code.

Maker: Emmons

Second: Strater

Result: Carried: 11 to 1

For: 11 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons

Against: 1 - Culbreath

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

Speakers: For: Michael Carr, 6750 Hillcreat Plaza, Dallas, TX, 75230
Against: Myron Dornic, 5026 Maple Springs Dr., Dallas, TX, 75235
Christopher Vonholten, 2902 Maple Springs Blvd., Dallas, TX, 75235
Janet James, 2907 Maple Springs Blvd., Dallas, TX, 75235
Denise Barnes, 2901 Maple Springs Blvd., Dallas, TX, 75235
Lance, 2803 Maple Springs Blvd., Dallas, TX, 75235
Jean Chappell 9226 Rockbrook Dr., Dallas, TX, 75220

Miscellaneous Docket

M056-017

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 706, on the northwest corner of Walnut Hill Lane and Gooding Drive.

Maker: Avery

Second: Weiss

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

Speakers: None

M056-040

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development/landscape plan for Planned Development District No. 568, on the southwest corner of Perryton Drive and Hampton Road.

Maker: Avery

Second: Weiss

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

Speakers: None

M056-045

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 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: Avery

Second: Weiss

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

Speakers: None

W056-012

Planner: Neva Dean

Motion: It was moved to **approve** a wavier of the two-year waiting period in order to submit an application for an amendment to Planned Development District No. 215 for SC Shopping Center District and MF-3 Multiple-family District uses on the east side of Noel Road, south of Alpha Road.

Maker: Burnham
Second: Emmons
Result: Carried: 12 to 0
For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

Speakers: None

Thoroughfare Plan Amendments

Motion: It was moved to **approve** an amendment to the CBD Street and Vehicular Circulation Plan to change the right-of-way of Routh Street from Ross Avenue to San Jacinto Street from 50 feet of pavement width and 90 feet of right-of-way to 66 feet of pavement width and 96 feet of right-of-way; and to change the designation of Routh Street from San Jacinto Street to Central Expressway from a six lane divided roadway within 50 feet of pavement width and 100 feet of right-of-way to a five lane divided roadway within 66 feet of pavement width and 96 feet of right-of-way.

Maker: Bagley
Second: Weiss
Result: Carried: 12 to 0
For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

Speakers: None

Zoning Cases - Consent

1. **Z056-155(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** for a Specific Use Permit for Local Utilities for a permanent time period, subject to a site plan and staff's recommended conditions on property zoned an MF-2(A) Multifamily Subdistrict, within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, on the south corner of Pennsylvania Avenue and Truck Street.

Maker: Wilson
Second: Weiss
Result: Carried: 10 to 1
For: 10 - Neumann, Strater, Gary, Marshall, Wilson,
Weiss, Avery, Ekblad, Emmons, Culbreath

Against: 1 - Burnham
Absent: 2 - Miranda, Buehler
Conflict: 1 - Bagley
Vacancy: 1 - District 8

Notices: Area: 200 Mailed: 21
Replies: For: 0 Against: 0

Speakers: None

2. **Z056-285(OTH)**

Planner: Olga Torres-Holyoak

Motion: It was moved to recommend **approval** to renew and amend Specific Use Permit No. 1339 for an open enrollment charter school for a ten-year period with eligibility for automatic renewals for additional ten-year period, subject to a site plan and conditions on the northwest corner of Rylie Road and Tufts Road.

Maker: Weiss
Second: Wilson
Result: Carried: 12 to 0
For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

Notices: Area: 500 Mailed: 64
Replies: For: 4 Against: 0

Speakers: None

3. **Z056-288(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** for a Specific Use Permit for a transit passenger station or transfer station for a permanent time period, subject to a revised site plan and staff's recommended conditions on property zoned an IM Industrial Manufacturing District, a CS Commercial Service District and a portion of Subarea 4 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District on the southwest corner of Buckner Boulevard and Elam Road.

Maker: Wilson

Second: Weiss

Result: Carried: 10 to 1

For: 10 - Neumann, Strater, Gary, Marshall, Wilson,
Weiss, Avery, Ekblad, Emmons, Culbreath

Against: 1 - Burnham

Absent: 2 - Miranda, Buehler

Conflict: 1 - Bagley

Vacancy: 1 - District 8

Notices: Area: 400

Mailed: 70

Replies: For: 4

Against: 1

Speakers: None

4. **Z056-291(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an LI Light Industrial District on property zoned Planned Development District No. 549 on the northeast corner of Buckner Boulevard and Eastpoint Drive.

Maker: Weiss

Second: Wilson

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

Notices: Area: 400

Mailed: 32

Replies: For: 1

Against: 1

Speakers: None

Zoning Cases – Individual

5. **Z056-290(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of for a CS Commercial Service District and a Specific Use Permit for a commercial motor vehicle parking for a five-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an R-5(A) Single Family District on the north line of Toronto Street, east of Bataan Street.

Maker: Neumann

Second: Weiss

Result: Carried: 11 to 1

For: 11 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Culbreath

Against: 1 - Emmons

Absent: 2 - Miranda, Buehler

Vacancy: 1 - District 8

Notices: Area: 200 Mailed: 18

Replies: For: 2 Against: 0

Speakers: For: Elias Rodriguez, Address not given
Gilgert Zuniga, 4229 Toronto St., Dallas, TX, 75212

Against: None

Authorization of Hearings

Motion: It was moved to **authorize** a hearing to determine the proper zoning on property zoned an R-7.5(A) Single Family District including 6502 - 6521 Blue Valley Lane, 3916 - 4136 Sperry Street, both sides of Ellsworth Avenue and Anita Street from Sperry Street to Abrams Road, and both sides of Winton Street from Hillside Drive to Sperry Street with consideration being given to a conservation district for the Lakewood North neighborhood.

Maker: Weiss

Second: Emmons

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

Speakers: None

Other Matters

Motion: It was moved to **approve** Chair Betty Culbreath's absences from City Plan Commission meetings of July 13, 2006 and July 20, 2006.

Maker: Emmons
Second: Neumann
Result: Carried: 12 to 0
For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

Minutes

Motion: It was moved to **approve** the minutes of the August 31, 2006, meeting, subject to corrections.

Maker: Marshall
Second: Gary
Result: Carried: 12 to 0
For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

Adjournment

Motion: It was moved to **adjourn** the hearing at 2:15 p.m.

Maker: Culbreath
Second: Weiss
Result: Carried: 12 to 0
For: 12 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Weiss, Avery, Burnham, Ekblad,
Emmons, Culbreath

Against: 0
Absent: 2 - Miranda, Buehler
Vacancy: 1 - District 8

Betty Culbreath, Chair