

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 12, 2006, with the bus tour starting at 9:24 a.m. followed by the briefing at 12:30 p.m. in Room 5ES and the public hearing at 1:45 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, 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: Michael Miranda. 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: Michael Grace

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) **S056-376**

Motion: It was moved to **approve** an application to replat part of Lot 5A and all of Lot 5B in City Block B/4972 to create one, 0.432 acre lot on 4219 and 4223 W. Lovers Lane between Bluffview Blvd. and Cresthaven St., subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

(2) **S056-377**

Motion: It was moved to **approve** an application to replat Lots 13, 14, and 15 in City Block B/5187 into one 0.5169 acre lot on 5618 Dyer Street, west of Greenville Ave., subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

(3) **S056-379**

Motion: It was moved to **approve** an application to replat 5.505 acre all of Lot 1 in City Block A-1/2367 and a tract of land in City Block 2367 into one lot on Forest Park Rd. at Empire Central., subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

(4) **S056-380**

Motion: It was moved to **approve** an application to plat a 1.499 acre tract of land in City Block A/2367 into one lot on Forest Park Rd. at Langston Court, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Miranda

Vacancy: 1 - District 8

Speakers: None

(5) **S056-381**

Motion: It was moved to **approve** an application to replat all of Lot 3 and a portion of Lot 4 in City Block D/2010 into one 0.3584 acre lot on Kirby Ave., east of Deere St., subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Miranda

Vacancy: 1 - District 8

Speakers: None

(6) **S056-382**

Motion: It was moved to **approve** an application to replat all of Lot 3 and part of Lot 4 in City Block 5287 into one 2.2349 acre lot and to remove a 10' Water Main Easement on Forney Rd., west of Buckner Blvd., subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

(7) **S056-383**

Motion: It was moved to **approve** an application to plat a 0.2909 acre tract of land in City Block B/698 into two lots on S. Beacon St. east of Alton St., subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

(8) **S056-384**

Motion: It was moved to **approve** an application to replat 0.3372 acre tract of land containing all of Lot 2 and part of Lot 3 in City Block H/1475 into nine lots on Lewis St. between Mary St. and Matilda St., subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

(9) **S056-385**

Motion: It was moved to **approve** an application to plat a 0.0652 acre tract of land in City Block 2/928 into one lot on Hunt St. at N. Harwood St., subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Miranda

Vacancy: 1 - District 8

Speakers: None

(10) **S056-386**

Motion: It was moved to **approve** an application to replat a 0.1698 acre a portion of Lots 3, 4 and 5 in City Block 8/728 into two lots on Grigsby Ave. east of Bryan St., subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Miranda

Vacancy: 1 - District 8

Speakers: None

(11) **S056-387**

Motion: It was moved to **approve** an application to create two lots of 0.5672 acres and 1.1454 acres out of a 1.7126 acre tract of land in City Block 7438 on Preston Rd. at Dilbeck Ln., subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

(12) **S056-388**

Motion: It was moved to **approve** an application to plat a 74.961 acre tract of land situated in City Block 211/6113 into one lot on Mountain Creek Pkwy. north of Interstate 20, subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

(13) **S056-390**

Motion: It was moved to **approve** an application to replat a portion of Lots 7 and 8 in City Block E/1527 into one 0.32 acre lot at the southwest corner of the intersection of Oliver St. and McKinney Ave., subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

(14) **S056-391**

Motion: It was moved to **approve** an application to replat Lots 7A and 8A in City Block F/3372 into one 0.9143 acre lot at the northwest corner of Beckley Ave. and Canty St., subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

(15) **S056-392**

Motion: It was moved to **approve** an application to replat a 0.672 acre tract of land in City Block 2/4626 into one lot at the northeast corner of Inwood Rd. and Nash St., subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

Individual items – Residential Replats

(16) **S056-374**

Motion: It was moved to **approve** an application to replat Lot 1 in City Block D/2911 and Lot 9 in City Block D/2919 to create two 0.1785 acre lots on 5539, 5541 and 5547 Martel Ave., between McMillan Ave. and Worcola St., subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Miranda

Vacancy: 1 - District 8

Speakers: None

(17) **S056-389**

Motion: It was moved to **approve** an application to replat a 47.483 acre tract of land being a part of City Block A-D, F, G/8712 into sixty-six lots on Grady Niblo Rd. between Spur 408 and Kiwanis, subject to compliance with the conditions listed in the docket with a change to Condition #8 to read as follows: "The final plat shall limit the number of lots to a maximum of 67 lots with the 67 Lot being Lot #54."

Maker: Gary

Second: Weiss

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Miranda

Vacancy: 1 - District 8

Speakers: None

Miscellaneous Docket

M056-047

Planner: Richard Brown

Motion: In considering a minor amendment to the development plan for Planned Development District No. 720, on Ridgecrest Road between Fair Oaks Avenue and Holly Hill Drive it was moved to **hold** this case under advisement until October 26, 2006.

Maker: Ekblad
Second: Marshall
Result: Carried: 13 to 0
For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Bagley, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath
Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Speakers: None

Note: It was moved to reconsider items M056-049, M056-050, M056-051, D056-027, D056-028, Z056-236(WE)

Maker: Neumann
Second: Emmons
Result: Carried: 11 to 0
For: 11 - Neumann, Strater*, Gary, Marshall, Wilson, Bagley, Avery, Burnham, Ekblad, Emmons, Culbreath
Against: 0
Absent: 2 - Miranda, Weiss
Vacancy: 1 - District 8
Conflict: 1 - Buehler

*out of the room, shown voting in favor

Speakers: None

M056-049

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan and landscape plan for Planned Development District No. 16 on the east line of Preston Road, north of LBJ Freeway.

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

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Motion II: It was moved to **approve** a minor amendment to the development plan and landscape plan for Planned Development District No. 16 on the east line of Preston Road, north of LBJ Freeway.

Maker: Avery
Second: Gary
Result: Carried: 12 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

M056-050

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to Area D development plan for Planned Development District No. 702 on the east line of Abrams Road, south of Forest Lane.

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

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Motion II: It was moved to **approve** a minor amendment to Area D development plan for Planned Development District No. 702 on the east line of Abrams Road, south of Forest Lane.

Maker: Avery

Second: Gary

Result: Carried: 12 to 0

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

Against: 0

Absent: 2 - Miranda, Weiss

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

M056-051

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 132 on the northeast line of Sargent Road, north of Overton Road.

Maker: Emmons

Second: Marshall

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Miranda

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Motion II: It was moved to **approve** a minor amendment to the site plan for Specific Use Permit No. 132 on the northeast line of Sargent Road, north of Overton Road.

Maker: Avery

Second: Gary

Result: Carried: 12 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

D056-027

Planner: Frank Dominguez

Motion: It was moved to **approve** a development/landscape plan for Planned Development District No. 582, the Victory Planned Development District, on property generally on the east of Stemmons Freeway and north of Woodall Rodgers Freeway; Victory Drive at Olive Street.

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

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Motion II: It was moved to **approve** a development/landscape plan for Planned Development District No. 582, the Victory Planned Development District, on property generally on the east of Stemmons Freeway and north of Woodall Rodgers Freeway; Victory Drive at Olive Street.

Maker: Avery
Second: Gary
Result: Carried: 12 to 0

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

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

*out of the room, shown voting in favor

Speakers: None

D056-028

Planner: Frank Dominguez

Motion: It was moved to **approve** a development plan for Planned Development District No. 521 for Residential, Office, and Retail Uses on property generally along both sides of Interstate Highway 20 between Spur 408 and Clark Road on the west; Mountain Creek Parkway, north of IH 20.

Maker: Emmons

Second: Marshall

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Miranda

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Motion II: It was moved to **approve** a development plan for Planned Development District No. 521 for Residential, Office, and Retail Uses on property generally along both sides of Interstate Highway 20 between Spur 408 and Clark Road on the west; Mountain Creek Parkway, north of IH 20.

Maker: Avery

Second: Gary

Result: Carried: 12 to 0

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

Against: 0

Absent: 2 - Miranda, Weiss

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Speakers: None

Z056-183(JH)

Planner: Jennifer Hiromoto

Motion I: It was moved to **deny** Planned Development District conditions, Specific Use Permit conditions and site plan submitted in conjunction with an application for a Planned Development District for R-7.5(A) uses and manufactured home park use and a Specific Use Permit for a manufactured home park use on property zoned an R-7.5(A) Single Family District on Highland Road, south of Barbaree Boulevard.

Maker: Weiss

Second: Neumann

Result: The maker of the motion and the second withdrew the motion and second

Motion II: In considering a Planned Development District conditions, Specific Use Permit conditions and site plan submitted in conjunction with an application for a Planned Development District for R-7.5(A) uses and manufactured home park use and a Specific Use Permit for a manufactured home park use on property zoned an R-7.5(A) Single Family District on Highland Road, south of Barbaree Boulevard, it was moved to **hold** this case under advisement until October 26, 2006.

Maker: Buehler

Second: Ekblad

Result: Carried: 11 to 1

For: 11 - Neumann, Strater, Gary, Wilson, Weiss, Avery,
Buehler, Burnham, Ekblad, Emmons,
Culbreath

Against: 1 - Bagley

Absent: 1 - Miranda

Vacancy: 1 - District 8

Abstained: 1 - Marshall***

*** Abstained due to bus tour requirements

Speakers: For: Jonathan Vinson, 6342 Vickery Blvd., Dallas, TX, 75214
Against: None

Z056-236(WE)

Planner: Warren Ellis

Motion: It was moved to **approve** a site plan and conditions submitted in conjunction with an application for a Specific Use Permit for a tower/antenna for cellular communication, subject to a site plan, elevation plan and staff's recommended condition on property zoned a CR Community Retail District on the southeast corner of Simpson Stuart Road and South Lancaster Road.

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

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Motion II: It was moved to **approve** a site plan and conditions submitted in conjunction with an application for a Specific Use Permit for a tower/antenna for cellular communication, subject to a site plan, elevation plan and staff's recommended conditions on property zoned a CR Community Retail District on the southeast corner of Simpson Stuart Road and South Lancaster Road.

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

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

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

*out of the room, shown voting in favor

Speakers: None

Zoning Cases - Consent

1. **Z056-312(WE)**

Planner: Warren Ellis

Motion: In considering a City Plan Commission authorized hearing to determine proper zoning with consideration being given to amending the conditions and conceptual plan of Planned Development District No. 730 for mixed uses, on both sides of Bexar Street, between Brigham Lane and C.F. Hawn Freeway it was moved to **hold** this case under advisement until December 7, 2006.

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

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

Motion to Reconsider: It was moved to reconsider Z056-312(WE).

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

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

Motion II: In considering a City Plan Commission authorized hearing to determine proper zoning with consideration being given to amending the conditions and conceptual plan of Planned Development District No. 730 for mixed uses, on both sides of Bexar Street, between Brigham Lane and C.F. Hawn Freeway it was moved to **hold** this case under advisement until November 9, 2006.

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

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

Notices: Area: 200 Mailed: 142
Replies: For: 0 Against: 0

Speakers: For: None
Against: Sherri Mixon, 2526 Starks Ave., Dallas, TX, 75215
Nadine R. King-Mays, 5106 Bexar St., Dallas, TX, 75215
Inez Preston, 2635 Brigham Ln., Dallas, TX, 75215
Eather Watson, 2606 Ghent St., Dallas, TX, 75215
Jacqueline Mixon, 2522 Starks Ave., Dallas, TX, 75215
Gale Johnson, 2518 Starks Ave., Dallas, TX, 75215
Daphne West, 5106 Marne St., Dallas, TX, 75215
Marjorie Taylor, 2630 Stephenson, Dallas, TX, 75215

2. Z056-315(RB)

Planner: Richard Brown

Motion: In considering an application of a TH-3(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the west line of Inwood Road, north of University Boulevard it was moved to **hold** this case under advisement until November 2, 2006.

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Notices: Area: 200 Mailed: 34
Replies: For: 7 Against: 3

Speakers: For: None
Against: Betty Jenkins, 7402 Robin Rd., Dallas, TX, 75209
Alneda Frierson, 7410 Robin Rd., Dallas, TX, 75209

3. Z056-316(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the site plan and landscape plan for Specific Use Permit No. 1396 for a Public or private school on property zoned a TH-1(A) Townhouse District on the east corner of Timberglen Road and Vail Street.

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

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

Against: 0
Absent: 1 - Miranda
Vacancy: 1 - District 8

Notices: Area: 400 Mailed: 112
Replies: For: 8 Against: 4

Speakers: None

4. Z056-318(WE)

Planner: Warren Ellis

Motion: In considering an application for a Specific Use Permit for a transit passenger station or transfer center on property zoned an IR Industrial Research District, on the southwest side of Denton Drive between Burbank Street and Wyman Street it was moved to **hold** this case under advisement until October 26, 2006.

Maker: Strater
Second: Wilson
Result: Carried: 11 to 0
For: 11 - Neumann, Strater, Gary, Marshall, Wilson,
Avery, Buehler, Burnham, Ekblad, Emmons,
Culbreath

Against: 0
Absent: 2 - Miranda, Weiss**
Vacancy: 1 - District 8
Conflict: 1 - Bagley

** Commissioner Weiss left, before vote taken

Notices: Area: 300 Mailed: 22
Replies: For: 2 Against: 2

Speakers: None

Zoning Cases – Under Advisement

A. **Z056-297(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District on the west side of St. Augustine Road, north of Homeplace Drive.

Maker: Wilson

Second: Ekblad

Result: Carried: 12 to 0

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

Against: 0

Absent: 2 - Miranda, Weiss

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 8

Replies: For: 0 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

Zoning Cases – Individual

5. **Z056-212(MF)**

Planner: Michael Finley

Motion: It was moved to recommend **denial** of a Specific Use Permit for commercial motor vehicle parking use on property zoned an IR Industrial Research District on the southeast corner of Vilbig Road and Seale Street.

Maker: Neumann

Second: Avery

Result: Carried: 11 to 1

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

Against: 1 - Culbreath

Absent: 2 - Miranda, Weiss

Vacancy: 1 - District 8

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 37
Replies: For: 2 Against: 9

Speakers: For: Juan Davila, 115 N. Justin, Dallas, TX, 75211
Against: Deborah Carpenter, 2009 Neal St., Dallas, TX, 75208
Amalio Jurado, 2514 Blaydon, Dallas, TX, 75228

6. **Z056-270(MF)**

Planner: Michael Finley

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Tattoo Parlor and Piercing Studio within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District for a five-year period with eligibility for automatic renewals for additional five-year period, subject to a site plan and conditions on the south side of Main Street, east of Good Latimer Expressway.

Maker: Strater
Second: Marshall
Result: Carried: 11 to 1

For: 11 - Neumann, Strater, Gary, Marshall, Wilson*,
Bagley, Avery*, Buehler, Ekblad, Emmons,
Culbreath

Against: 1 - Burnham
Absent: 2 - Miranda, Weiss
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 16
Replies: For: 1 Against: 1

Speakers: For: William Cothrum, 900 Jackson St., Dallas, TX

7. **Z056-271(MF)**

Planner: Michael Finley

Motion I: It was moved to recommend **approval** of a Specific Use Permit for a Tattoo Parlor and Piercing Studio within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District for a five-year period with eligibility for automatic renewals for additional five-year period, subject to a site plan and conditions on the south side of Main Street, west of Pryor Street.

Maker: Strater
Second: Ekblad
Result: Failed: 6 to 6

For: 6 - Neumann, Strater, Bagley, Avery, Ekblad,
Culbreath

Against: 6 - Gary, Marshall, Wilson, Buehler, Burnham
Emmons
Absent: 2 - Miranda, Weiss
Vacancy: 1 - District 8

Motion II: In considering an application for a Specific Use Permit for a Tattoo Parlor and Piercing Studio within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Main Street, west of Pryor Street it was moved to **hold** this case under advisement until January 25, 2007.

Maker: Strater
Second: Neumann
Result: Carried: 10 to 2
For: 10 - Neumann, Strater, Gary, Marshall, Wilson,
Bagley, Avery, Buehler, Ekblad, Culbreath

Against: 2 - Burnham Emmons
Absent: 2 - Miranda, Weiss
Vacancy: 1 - District 8

Notices: Area: 200 Mailed: 20
Replies: For: 1 Against: 3

Speakers: For: William Cothrum, 900 Jackson St., Dallas, TX

8. Z056-281(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for NO(A) Neighborhood Office District Uses, subject to revised conditions on property zoned an R-10(A) Single Family District on the east line of Preston Road, north of Arapaho Road.

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

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

Notices: Area: 500 Mailed: 339
Replies: For: 1 Against: 13

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75201
Against: Richard Haberman, 6009 Calm Meadow Rd., Dallas, TX, 75248
Harold Leidner, 5931 Warm Mist Ln., Dallas, TX, 75248

Development Code Amendments

DCA 056-015

Motion: It was moved to recommend **approval** of amendments to platting regulations of Chapters 51 and 51A of the Dallas Development Code, providing standards and procedures for the rough proportionality apportionment determination of municipal infrastructure costs; deleting the requirements for avigation easements and releases; amending corner clips and site easement requirements and amending city cost sharing provisions.

Maker: Emmons

Second: Wilson

Result: Carried: 12 to 0

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

Against: 0

Absent: 2 - Miranda, Weiss

Vacancy: 1 - District 8

Speakers: None

DCA 056-018

Motion: It was moved to recommend **approval** of amendments to Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.401, 51A-4.401, 51A-8.403, and 51A-8.505; removing a general provision allowing a less restrictive building line than the zoning setback; providing a requirement that a preliminary plat application show all platted building lines and providing a standard for moving or removing a platted building line greater than the zoning setback line.

Maker: Wilson

Second: Neumann

Result: Carried: 11 to 1

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

Against: 1 - Buehler

Absent: 2 - Miranda, Weiss

Vacancy: 1 - District 8

Motion to Reconsider: It was moved to reconsider DCA 056-018.

Maker: Emmons
Second: Culbreath
Result: Carried: 11 to 1
For: 11 - Neumann, Strater, Gary, Marshall, Bagley,
Avery, Buehler, Burnham, Ekblad, Emmons,
Culbreath

Against: 0
Absent: 2 - Miranda. Weiss
Vacancy: 1 - District 8

Motion II: It was moved to recommend **approval** of amendments to Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.401, 51A-4.401, 51A-8.403, and 51A-8.505; removing a general provision allowing a less restrictive building line than the zoning setback; providing a requirement that a preliminary plat application show all platted building lines and providing a standard for moving or removing a platted building line greater than the zoning setback line.

Maker: Buehler
Second: Neumann
Result: The maker of the motion and the second withdrew

Motion III: In considering amendments to Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.401, 51A-4.401, 51A-8.403, and 51A-8.505; removing a general provision allowing a less restrictive building line than the zoning setback; providing a requirement that a preliminary plat application show all platted building lines and providing a standard for moving or removing a platted building line greater than the zoning setback line, it was moved to **hold** this case under advisement until October 26, 2006.

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

Against: 0
Absent: 2 - Miranda. Weiss
Vacancy: 1 - District 8

Speakers: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75201

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the October 5, 2006, meeting, subject to corrections.

Maker: Emmons

Second: Ekblad

Result: Carried: 12 to 0

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

Against: 0

Absent: 2 - Miranda, Weiss

Vacancy: 1 - District 8

Speakers: None

Adjournment

Motion: It was moved to **adjourn** the hearing at 4:38 p.m.

Maker: Culbreath

Second: Wilson

Result: Carried: 12 to 0

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

Against: 0

Absent: 2 - Miranda, Weiss

Vacancy: 1 - District 8

Speakers: None

Betty Culbreath, Chair