

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 20, 2005, with the briefing starting at 10:58 a.m. in Room 5ES and the public hearing at 1:44 p.m. in the City Council Chambers of City Hall. Presiding were Bruce Wilke, Chair and Carol Brandon, Vice Chair. The following Commissioners were present during the hearing: Dave Neumann, Jeff Strater, Clarence Gary, Angela Marshall, Michael Miranda, Bulldog Cunningham, Bill Avery, Carol Scott, Neil Emmons and Betty Culbreath. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: None. There are three vacancies, District 5, District 7 and District 12.

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) **S045-355**

**Motion:** It was moved to **approve** an application to create one 1.2209 acre lot in City Block 6426 on Marsh Lane, north of Walnut Hill Lane, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S045-356**

**Motion:** It was moved to **approve** an application to create one, 3.099 acre lot and one, 2.523 acre lot from a 5.62 acre tract of land in City Block 8014 on W. Illinois Avenue, east of Duncanville Road, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S045-357**

**Motion:** It was moved to **approve** an application to replat all of lot 2A in City Block C/7497 into one 1.11 acre lot, one 2.60 acre lot, and one 1.21 acre lot on LBJ Freeway at Blossomheath Lane, northeast corner, subject to conditions listed in the docket with the following two added conditions: 1) Prior to the final plat approval the detail parking analysis be submitted and approved by the building inspection division 2) Prior to submittal of the final plat for signature by the chairman that staff view the property to determine that no structures are crossing the lot lines.

Maker: Brandon

Second: Scott

Result: Carried: 12 to 0

For: 12 - Strater, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** For: None

(4) **S045-358**

**Motion:** It was moved to **approve** an application to replat all of lots 25, 26, 27, 28 and 29 in City Block 14/5776 into one 0.99 acre lot on 3314 & 3330 Lombardy Lane, east of Geraldine Drive, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(5) **S045-359**

**Motion:** It was moved to **approve** an application to replat all of Lots 1, 2, and 3 in City Block C/787 and all of Lots 2, 3, and 4 in City Block D/788 and a portion of an alley to be abandoned into one 3.6272 acre lot on Washington Ave., Junius St., N. Hill Ave. and Worth St., subject to conditions listed in the docket with an added condition to read as follows: "13. On the final plat indicate the ordinance number of the ordinance that abandons the existing alleys."

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(6) **S045-362**

**Motion:** It was moved to **approve** an application to create a 1.8365 acre lot from a tract of land in City Block 5615 on Park Lane at Douglas Avenue, southeast corner, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(7) **S045-363**

**Motion:** It was moved to **approve** an application to replat Lots 1A and 3A in City Block 3/5625 into one 4.555 acre lot on Luther Lane between Douglas Avenue and Lomo Alto Drive, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(8) **S045-364**

**Motion:** It was moved to **approve** an application to create one 0.8633 acre lot from a 37,606 sq. ft. tract of land in City Block 8814 on Seagoville Road at Stark Road, south corner, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery\*, Wilke, Scott,  
Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(9) **S045-365**

**Motion:** It was moved to **approve** an application to replat Lots 11, 12, 15-A and 15-B in City Block 2231 into one 1.519 acre lot on Oram Street at Alderson Street, northwest corner, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery\*, Wilke, Scott,  
Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(10) **S045-366**

**Motion:** It was moved to **approve** an application to replat part of Lot 2 in City Block 6/813 and a part of City Block 6/813 into one 1,580.15 sq. ft. lot; one 1,794.40 sq. ft. lot; one 2,071.64 sq. ft. lot; and one 2,407.39 sq. ft. lot from a 0.1959 acre tract of land on First Avenue at Hickory Street, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(11) **S045-367**

**Motion:** It was moved to **approve** an application to replat a 0.2465 acre tract of land containing all of Lot 15 and part of Lot 16 in City Block 2/7915 into one, 5,368.3 square foot lot, and one 5,369.3 square foot lot on Arlington Park Drive and Carnation Drive, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(12) **S045-368**

**Motion:** It was moved to **approve** an application to create one, 19.48 acre lot in City Block 6537 on Joe Field Road at Newkirk Street, southeast corner, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery\*, Wilke, Scott,  
Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(13) **S045-369**

**Motion:** It was moved to **approve** an application to replat Lots 3, 4, 5, and 6 in City Block D/1587 into one, 0.8425 acre lot on the south line of Newton Avenue, west of Throckmorton Street, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery\*, Wilke, Scott,  
Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(14) **S045-370**

**Motion:** It was moved to **approve** an application to replat Lots 3 thru 10 in City Block A/1586 into one, 1.6853 acre lot on the north line of Newton Avenue, west of Throckmorton Street, subject to conditions listed in the docket.

Maker: Cunningham  
Second: Marshall  
Result: Carried: 12 to 0  
For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery\*, Wilke, Scott,  
Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(15) **S045-371**

**Motion:** It was moved to **approve** an application to replat Lots 223 and 224 into one 5.977 acre lot in City Block 8031 on W. Ledbetter Road, west of Dan Morton Drive, subject to conditions listed in the docket.

Maker: Cunningham  
Second: Marshall  
Result: Carried: 12 to 0  
For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery\*, Wilke, Scott,  
Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(16) **S045-372**

**Motion:** It was moved to **approve** an application to create 33 single family lots from a 9.005 acre tract of land in City Block 8734 on Hillcrest Road and Frankford Road, subject to conditions listed in the docket.

Maker: Cunningham  
Second: Marshall  
Result: Carried: 12 to 0  
For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery\*, Wilke, Scott,  
Emmons, Culbreath



Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(17) **S045-373**

**Motion:** It was moved to **approve** an application to create one 16.125 acre lot in City Block 6055 on Motor Street at IH-35E, east corner, subject to conditions listed in the docket.

Maker: Cunningham  
Second: Marshall  
Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery\*, Wilke, Scott,  
Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(18) **S045-374**

**Motion:** It was moved to **approve** an application to create a 101 lot Community Unit Development single family subdivision from a 33.775 acre tract of land in City Block 6779 on Military Parkway, west of Prairie Creek Road, subject to conditions listed in the docket.

Maker: Cunningham  
Second: Marshall  
Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery\*, Wilke, Scott,  
Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(19) **S045-375**

**Motion:** It was moved to **approve** an application to replat all of Lots 9 and 10 in City Block 35/1575 into an 8 lot Shared Access Development on a 0.3673 acre tract of land on Wycliff Avenue at Bowser Avenue, east corner, subject to conditions listed in the docket (staff report containing 18 conditions rather than 22.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater\*, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery\*, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** For:  
Against:

Individual Items – Residential Replats

(20) **S045-360**

**Motion:** It was moved to **approve** an application to replat Lots 32 and 33A in City Block L/2602 into one, 0.7163 acre lot on Tyree Street and Thedford Street, southwest corner, subject to conditions listed in the docket.

Maker: Emmons

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater, Neumann, Gary, Marshall, Miranda, Brandon, Cunningham, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

**Speakers:** For: Mike Farnoush, 6715 Santa Anita Dr., Dallas, TX, 75214  
Kenneth Hollingshed, 509 Longshore Dr., Little Elm, TX, 75068  
David Johnson, 115 W. Cherry Point Dr., Dallas, TX, 75232  
Against: None

Miscellaneous Docket

**M045-036**

**Motion:** In considering a minor amendment to the development plan of Planned Development District Subdistrict No. 23 within Planned Development District No. 193, on the east corner of Cedar Springs Road and Kings Road, it was moved to **hold** this case under advisement until October 27, 2005.

Maker: Emmons  
Second: Marshall  
Result: Carried: 12 to 0  
For: 12 - Neumann, Strater, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

**Speakers:** None

Zoning Cases – Consent

1. **Z045-292 (WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a CR Community Retail District on property zoned an MF-1(A) Multifamily District on the west line of Webb Chapel Road, north of Northwest Highway.

Maker: Cunningham  
Second: Brandon  
Result: Carried: 12 to 0  
For: 12 - Neumann, Strater, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

**Notices:** Area: 400 Mailed: 35  
**Replies:** For: 2 Against: 3

**Speakers:** None

2. **Z045-298 (JP)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of a CR Community Retail District on property zoned an R-7.5(A) Single Family District on the northwest corner of Prairie Creek Road and Military Parkway.

Maker: Cunningham  
Second: Brandon  
Result: Carried: 12 to 0  
For: 12 - Neumann, Strater, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath  
Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

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

**Speakers:** None

3. **Z045-300 (RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a Railroad Passenger Station for a permanent time period, subject to a site plan and conditions within the Subdistrict 12 portion of Planned Development District No. 298, the Bryan Area Special Purpose District located within the eastern portion of the Good-Latimer Expressway right-of-way, between Pacific Avenue and Swiss Avenue.

Maker: Cunningham  
Second: Brandon  
Result: Carried: 12 to 0  
For: 12 - Neumann, Strater, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath  
Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

**Notices:** Area: 200 Mailed: 18  
**Replies:** For: 2 Against: 0  
**Speakers:** None

4. **Z045-293 (MM)**

Planner: Maureen Meredith

**Motion:** It was moved to recommend **approval** of amendments to Specific Use Permit No. 1550 for a medical clinic or ambulatory surgical center and an in-patient rehabilitation facility that provides post-surgical rehabilitation services for patients of the medical clinic or ambulatory surgical center, subject to revised conditions on land zoned Tract 1 and Tract 3 within Planned Development District No. 260, north of Park Lane on the west side of North Central Expressway.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

**Notices:** Area: 400 Mailed: 45  
**Replies:** For: 1 Against: 1

**Speakers:** For: None

Zoning Cases – Under Advisement

5. **Z045-268 (MM)**

Planner: Maureen Meredith

**Motion:** In considering to amend Planned Development District No. 572 for a public or private school and to request a Specific Use Permit for a tower/antenna for cellular communication on property zoned a Planned Development District No. 572, on the southeast corner of Pleasant Valley Drive and Chimney Hill Lane, it was moved to **hold** this case under advisement until November 17, 2005.

Maker: Avery

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

**Notices:** Area: 500 Mailed: 129  
**Replies:** For: 5 Against: 46

**Speakers:** None

Zoning Cases – Individual

6. **Z045-275 (DW)**

Planner: David Whitley

**Motion:** In considering a Planned Development Subdistrict for HC Heavy Commercial uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of McKinney Avenue and St. Paul Street; it was moved to **hold** this case under advisement until November 3, 2005.

Maker: Emmons  
Second: Marshall  
Result: Carried: 12 to 0  
For: 12 - Neumann, Strater, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 3 - District 5, District 7, District 12

**Notices:** Area: 500 Mailed: 127  
**Replies:** For: 0 Against: 52

**Speakers:** None

Development Code Amendment

**DCA 045-010**

Planner: Richard Brown

**Motion:** In considering an amendment to the Dallas Development Code to revise Section 51A-4.702, the regulations regarding consideration for a minor amendment to a development plan and landscape plan relating to a planned development district and Section 51A-4.219, the regulations regarding consideration for a minor amendment to a site plan and landscape plan related to a specific use permit, it was moved to **hold** this case under advisement until November 3, 2005.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

**Speakers:** For: None

Against: Robert Reeves, 900 Jackson St., Dallas, TX, 75202

Barry Knight, 5400 Renaissance Tower, Dallas, TX

**DCA 045-013**

Planner: David Cossum

**Motion:** It was moved to recommend **approval** of an amendment to Chapter 51 of the Dallas City Code, to correct use restrictions dealing with the alcoholic beverage use and restaurant without drive in service use which dates back to 1997 when these uses were call forwarded to Chapter 51A.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

**Speakers:** None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the September 29, 2005 meeting, subject to corrections.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

Adjournment

**Motion:** It was moved to adjourn the hearing at 3:09 p.m.

Maker: Brandon

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater, Neumann, Gary, Marshall, Miranda,  
Brandon, Cunningham, Avery, Wilke, Scott,  
Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 3 - District 5, District 7, District 12

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Bruce Wilke, Chair