

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 12, 2006, with bus tour starting at 9:15 a.m. followed by the briefing at 11:35 a.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 Carol Brandon, Vice Chair. The following Commissioners were present during the hearing: Dave Neumann, Jeff Starter, Clarence Gary, Angela Marshall, Erik Wilson, Michael Miranda, Ann Bagley, Bill Avery, Chris Buehler, Robert Ekblad and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Bulldog Cunningham. There is one vacancy, 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: George Campbell

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) **S056-081**

**Motion:** It was moved to **approve** an application to plat a 57 acre tract of land into a 46 lot single family residential subdivision on University Drive (County Road 220) in Kaufman County, being in the Extra Territorial Jurisdiction of the City of Dallas, subject to the conditions listed in the docket.

Maker: Marshall

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12

**Speakers:** None

(2) **S056-093**

**Note: This request was withdrawn by the applicant.**

(3) **S056-094**

**Motion:** It was moved to **approve** an application to replat part of lots 1,2,3,9 and 10, Block T/587 into one, 0.37 acre lot at the south corner of Thomas Avenue and Hall Street, subject to the conditions listed in the docket.

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

Against: 0  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12

**Speakers:** None

(4) **S056-095**

**Motion:** It was moved to **approve** an application to plat tracts of land in Blocks 301, 320, 321, 322, A/534, and portions of abandoned Forbes Alley, Jack Evans Street, Leonard Street and Munger Avenue into 2 lots (6.1 and 4.6 acres), between Woodall Rodgers Freeway and Ross Avenue, south of Routh Street, subject to the conditions listed in the docket with an added condition to read as follows: "Specify whom Access Easement is for."

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

Against: 0  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12

**Speakers:** None

(5) **S056-096**

**Motion:** It was moved to **approve** an application to replat all of lot 14 and part of lots 13 and 15, Block 15/1289 into one, 0.33 acre lot on Martin Luther King Jr. Boulevard, west of Malcolm X Boulevard, subject to the conditions listed in the docket.

Maker: Marshall

Second: Wilson

Result: Failed: 13 to 0

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

Against: 0

Absent: 1 - Cunningham

Vacancy: 1 - District 12

**Speakers:** None

(6) **S056-097**

**Motion:** It was moved to **approve** an application to plat a 2.16 acre tract of land in Block B/8759 into one lot on Frankford Road, east of Coit Road, subject to the conditions listed in the docket with an added condition to read as follows: "Dedicate proposed Access Easement by separate instrument."

Maker: Marshall

Second: Wilson

Result: Failed: 13 to 0

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

Against: 0

Absent: 1 - Cunningham

Vacancy: 1 - District 12

**Speakers:** None

(7) **S056-098**

**Motion:** It was moved to **approve** an application to replat part of lot 1, Block B/5772 into one, 2.9 acre lot, north of the northwest corner of Harry Hines Boulevard and Research Row, subject to the conditions listed in the docket.

Maker: Marshall  
Second: Wilson  
Result: Carried: 13 to 0  
For: 13 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Avery, Buehler,  
Ekblad, Emmons, Culbreath  
  
Against: 0  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12

**Speakers:** None

**(8) S056-099**

**Motion:** It was moved to **approve** an application to plat a 1.56 acre tract of land in Block 4463 into one lot at the southwest corner of Scyene Road and Hatcher Street, subject to the conditions listed in the docket.

Maker: Brandon  
Second: Marshall  
Result: Carried: 12 to 0  
For: 12 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Brandon, Avery, Buehler, Ekblad,  
Emmons, Culbreath  
  
Against: 0  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12  
Conflict: 1 - Bagley

\*out of the room, shown voting in favor

**Speakers:** None

**(9) S056-100**

**Motion:** It was moved to **approve** an application to plat a tract of land in Block M/90, portions of the CBD Fair Park Link, Walton Street and Worth Street Rights-Of-Way into one, 2.85 acre lot, at the east corner of Malcom X Boulevard and Junius Street, subject to the conditions listed in the docket with an added condition to read as follows: "Details proposed Ingress/Egress Easement. Provide a turnaround for Walton Street."

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

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

Against: 0  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12

**Speakers:** None

Miscellaneous Docket

**M056-003**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to Tract VI portion of Planned Development No. 88, south of Camp Wisdom Road, west of Clark Road.

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

Against: 0  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12

**Speakers:** None

Zoning Cases - Consent

**1. Z056-107 (JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of the creation of a new subarea, within Planned Development District No. 145, the Dallas Arts District subject to a site plan and conditions located on the northwest corner of Routh Street and Flora Street with an added condition to read as follows: "All sidewalks on Woodall Rodgers frontage comply with the 10 foot requirement for the Arts District."

Maker: Emmons  
Second: Marshall  
Result: Carried: 12 to 1  
For: 12 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Avery, Buehler,  
Ekblad, Emmons

Against: 1 - Culbreath  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12

**Notices:** Area: 500 Mailed: 20  
**Replies:** For: 0 Against: 0

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

Zoning Cases – Under Advisement

A. **Z045-283 (JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1265 for a Tower/antenna for cellular communication, subject to a site plan, conditions and approval from the Board of Adjustment, on property zoned an A(A) Agricultural District on the northeast corner of Illinois Avenue and Walton Walker Boulevard/ Loop 12.

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

Against: 0  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12  
Conflict: 1 - Buehler

**Notices:** Area: 400 Mailed: 2  
**Replies:** For: 1 Against: 0

**Speakers:** For: Dave Kirk, 11830 Web Chapel, Dallas, TX  
Against: None

B. **Z056-135 (DW)**

Planner: David Whitley

**Motion:** It was moved to recommend **approval** of a Planned Development District for RR Regional Retail District uses plus multifamily uses, subject to a revised conceptual plan and staff's revised conditions on property zoned an MF-2(A) Multifamily District, at the north corner of Northwest Highway and Skillman Street.

Maker: Avery  
Second: Miranda  
Result: Carried: 9 to 4  
For: 9 - Neumann, Gary, Marshall, Wilson, Miranda,  
Brandon, Avery, Buehler, Culbreath

Against: 4 - Strater, Bagley, Ekblad, Emmons  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12

**Notices:** Area: 500 Mailed: 114  
**Replies:** For: 2 Against: 1

**Speakers:** For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202  
Steve Wakefield, Address Not Given  
Against: Howard Parker, 8523 Thackery St., Dallas, TX, 75225  
Pamela Spadaro, 901 Main St., Dallas, TX, 75202  
Wayne Slaughter, 6033 Melody Ln., Dallas, TX, 75231

**C. Z056-136 (RB)**

Planner: Richard Brown

**Motion:** In considering an application for a Specific Use Permit for a Child-care facility on property zoned an R-7.5(A) Single Family District on the northwest corner of Old Seagoville Road and Marks Drive, it was moved to **hold** this case under advisement until February 9, 2006.

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

Against: 0  
Absent: 1 - Cunningham  
Vacancy: 1 - District 12

**Notices:** Area: 200 Mailed: 10  
**Replies:** For: 1 Against: 4

**Speakers:** None

**D. Z056-137 (WE)**

Planner: Warren Ellis

**Motion:** In considering an application for a Specific Use Permit for a Tower/antenna for cellular communication on property zoned a CR Community Retail District on the northeast corner of Arapaho Road and Meadowcreek Drive, it was moved to **hold** this case under advisement until February 2, 2006.

Maker: Neumann

Second: Gary

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Avery, Ekblad,  
Emmons, Culbreath

Against: 0

Absent: 1 - Cunningham

Vacancy: 1 - District 12

Conflict: 1 - Buehler

**Notices:** Area: 400

Mailed: 26

**Replies:** For: 2

Against: 3

**Speakers:** None

Development Code Amendment

**DCA 056-001**

Planner: David Cossum

**Motion:** It was moved to recommend **approval** of amending Section 51-4.215, "Animal Related Uses," of Division 51-4.200, "Use Regulations," of Chapter 51A, the City of Dallas Development Code, establishing appropriate zoning districts and use classifications for animal clinics with and without outside runs.

Maker: Neumann

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Cunningham

Vacancy: 1 - District 12

**Speakers:** For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202

Against: None



**DCA 056-002**

Planner: David Cossum

**Motion:** It was moved to recommend **approval** of amending Subsection (a), "General Provisions," of Section 51A-4.219, "Specific Use Permit (SUP)," of Division 51A-4.700, "Zoning Procedures," of Article IV, "Zoning Regulations," of Chapter 51A, the City of Dallas Development Code, establishing a requirement to post Specific Use Permits on the premise of a use requiring a Specific Use Permit.

Maker: Neumann

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Cunningham

Vacancy: 1 - District 12

**Speakers:** None

**DCA 056-003**

Planner: David Cossum

**Motion:** It was moved to recommend **approval** of amending Division 51A-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, the City of Dallas Development Code, concerning standards and restrictions on a home occupation use.

Maker: Neumann

Second: Wilson

Result: Carried: 12 to 1

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

Against: 1 - Miranda

Absent: 1 - Cunningham

Vacancy: 1 - District 12

**Speakers:** None

DCA 056-004

Planner: David Cossum

**Motion:** It was moved to recommend **approval** of amending Subsection (e), "Postponements," of Section 51A-4.701, "Zoning Amendments," of Division 51A-4.700, "Zoning Procedures," of Article IV, "Zoning Regulations," of Chapter 51A, the City of Dallas Development Code, clarifying wording on postponements of zoning applications.

Maker: Neumann

Second: Wilson

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Cunningham

Vacancy: 1 - District 12

**Speakers:** None

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### Other Matters

#### Minutes

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

Maker: Marshall

Second: Gary

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Cunningham

Vacancy: 1 - District 12

#### Adjournment

**Motion:** The hearing adjourned at 2:55 p.m.

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Betty Culbreath, Chair