

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 26, 2006, with the briefing at 11:16 a.m. in Room 5ES and the public hearing at 1:39 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, Bulldog Cunningham, 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: None. 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: 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) **S056-101**

**Motion:** It was moved to **approve** an application to replat part of Lot 10F in City Block A/8472 into one 0.3751 acre lot at IH-30 at Deer Creek Drive southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S056-102**

**Motion:** It was moved to **approve** an application to replat part of Lot 4 in City Block D/6490 into one, 0.3569 acre lot on Goodnight Lane south of Manana Drive, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S056-103**

**Motion:** It was moved to **approve** an application to create four lots ranging in size from 10,464 square feet to 11,359 square feet in size from a 0.986 acre tract of land in City Block 5284 on Angora Street between Tavaros Street and Ocala Street, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(4) **S056-109**

**Motion:** It was moved to **approve** an application to create a 19 lot subdivision from a 3.641 acre tract of land in City Block 6945 on Corral Drive east of Cockrell Hill Road, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Individual Items – Residential Replats

(5) **S056-105**

**Motion:** It was moved to **approve** an application to add certain easements on Lot 5 in City Block H/6386 on Northaven Road between Inwood Road and Dallas North Tollway, subject to compliance with the conditions listed in the docket.

Maker: Marshall

Second: Ekblad

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

(6) **S056-106**

**Motion:** It was moved to **approve** an application to reduce the platted 50 foot building line to 30 feet on Lot 2, City Block 3/5565 at 4424 Glenleigh Drive east of Manchester Drive, subject to compliance with the conditions contained in the docket and to include new Condition #8 to read as follows: "8. On the final plat provide a 50 foot building line, with the exception that the new building line follow the front exterior walls of the structure, but not less than a 30 foot building line. This condition is not intended in any way to set a precedent for future building line reduction requests."

Maker: Cunningham

Second: Miranda

Result: Carried: 8 to 7

For: 8 - Gary, Wilson, Miranda, Brandon, Cunningham,  
Avery, Ekblad, Culbreath

Against: 7 - Neumann, Strater, Marshall, Bagley, Buehler,  
Burnham, Emmons

Absent: 0

Vacancy: 0

**Speakers:**

For: Robert Miklos, 1717 Main St., Dallas, TX, 75201

George Schrader, 4800 Broadway, Addison, TX, 75001

Jim McClure, 3808 Woodside Rd., Farmers Branch, TX

Against: David McCallum, 4427 Glenleigh Dr., Dallas, TX, 75220

David Wengierski, 4335 Manning Ln., Dallas, TX, 75220

Genie Chappell, 9226 Rockbrook Dr., Dallas, TX, 75220

Margaret Watkins, 4526 Glenleigh Dr., Dallas, TX, 75220

Flo Leslie, 4416 Manning Ln., Dallas, TX, 75220

(7) **S056-107**

**Motion:** It was moved to **approve** an application to replat part of Lot 8 in City Block 1/6682 to create one 15,410 square foot lot, one 25,222 square foot lot and one 25,268 square foot lot at 1001 Masters Drive north of Woodlot Drive, subject to compliance with the conditions contained in the docket.

Maker: Brandon

Second: Marshall

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Cunningham,  
Avery, Buehler, Burnham, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Miscellaneous Docket

**W056-003**

Planner: Neva Dean

**Motion:** It was moved to **approve** a wavier of the two-year waiting period in order to submit an application to amend Planned Development District No. 710 for CR Community Retail uses on the south side of Illinois Avenue, west of Westmoreland Road.

Maker: Neumann

Second: Emmons

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**D056-006**

Planner: Frank Dominquez

**Motion:** It was moved to **approve** a development plan for Planned Development District No. 521, Subdistrict B, on the west side of Mountain Creek Parkway, north of Interstate Highway 20.

Maker: Neumann

Second: Emmons

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Certificates of Appropriateness for Signs

**Uptown Sign District**

**0512201069**

Planner: Michael Finley

**Motion:** It was moved to **approve** a Certificate of Appropriateness for the installation of a 75 square feet monument sign at 2404 Cedar Springs Road, subject to the removal of all other detached signs on the site on the east corner of the intersection of Cedar Springs Road and Maple Avenue.

Maker: Emmons

Second: Wilson

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**0601061074**

Planner: Michael Finley

**Motion:** It was moved to **approve** a Certificate of Appropriateness for the installation of an 84 square feet rear illuminated flat attached sign on the west façade of the property at 2222 McKinney Avenue.

Maker: Emmons

Second: Wilson

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Thoroughfare Plan Amendments

**Motion:** It was moved to **approve** an amendment to the CBD Streets and Vehicular Circulation Plan to change the operation of Main Street from Market Street to Houston Street from two lanes eastbound and two lanes westbound to a one lane eastbound and a one way westbound roadway; and an amendment to change the operation of Houston Street from a one way roadway to a two way roadway between Young Street and Elm Street.

Maker: Brandon  
Second: Cunningham  
Result: Carried: 15 to 0

For: 15 - Neumann\*, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

**Motion:** It was moved to **approve** an amendment to the CBD Streets and Vehicular Circulation Plan to change the right of way of Flora Street from Jack Evans Street to Routh Street from 100 feet to 97 feet of right of way; to designate Routh Street from Ross Avenue to Woodall Rodgers Freeway as a four lane divided roadway within 55 to 70 feet of pavement within 75 to 100 foot right of way.

Maker: Brandon  
Second: Cunningham  
Result: Carried: 15 to 0

For: 15 - Neumann\*, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Speakers:** None

Zoning Cases - Consent

1. **Z045-225 (DW)**

Planner: David Whitley

**Motion:** It was moved to recommend **approval** of a Planned Development District for an A(A) Agricultural District uses plus, Recreational, Residential, Lodging, and Institutional and Community Service uses, subject to a conceptual plan and staff's conditions excluding property zoned Planned Development District 226, at the northeast corner of Grady Niblo Road and Kiwanis Road and of the termination of Specific Use Permit No. 965 on property zoned an A(A) Agricultural District with Specific Use Permit No. 965 for a private recreation center, club or area.

Maker: Gary  
Second: Cunningham  
Result: Carried: 14 to 1

For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Cunningham,  
Avery, Buehler, Burnham, Ekblad, Emmons

Against: 1 - Culbreath  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 48

**Replies:** For: 0 Against: 16

**Speakers:** For: Jonathan Scherer, 729 Silverstone Dr., Richardson, TX, 75080  
Jon Myers, 5218 Kiwanis Rd., Dallas, TX, 75236  
Against: Frank Bracken, 5717 Kiwanis Rd., Dallas, TX, 75236  
Sharon Wilkins, 5610 Pleasant Ridge Dr., Dallas, TX, 75236  
Gary Cochrane, 5235 Kiwanis Rd., Dallas, TX, 75236  
Dr. John T. Baker, Red Bird Ln at Kiwanis, Dallas, TX



2. Z056-126 (DW)

Planner: David Whitley

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a Fire Station and termination of existing deed restrictions for a permanent time period, subject to a site plan, landscape plan and staff's conditions on property zoned a TH-1(A) Townhouse District with deed restrictions on the southwest corner of Hampton Road and Kirnwood Drive.

Maker: Cunningham

Second: Brandon

Result: Carried: 14 to 0

For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Cunningham,  
Avery, Buehler, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

Abstained: 1 - Burnham\*\*

\*out of the room, shown voting in favor

\*\*abstained from voting, due to bus tour requirement

**Notices:** Area: 300 Mailed: 38

**Replies:** For: 1 Against: 1

**Speakers:** None

3. Z056-146 (DW)

Planner: David Whitley

**Motion:** It was moved to recommend **approval** to create a new subarea within Planned Development District No. 215 for SC Shopping Center District and MF-3 Multiple-family District uses, subject to a conceptual plan and staff's conditions on the east side of Noel Road, south of Alpha Road.

Maker: Cunningham

Second: Brandon

Result: Carried: 14 to 0

For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Cunningham,  
Avery, Buehler, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

Abstained: 1 - Burnham\*\*

\*out of the room, shown voting in favor

\*\*abstained from voting, due to bus tour requirement

**Notices:** Area: 500 Mailed: 104  
**Replies:** For: 4 Against: 0

**Speakers:** None

4. **Z056-140 (RB)**

Planner: Richard Brown

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

Maker: Cunningham

Second: Brandon

Result: Carried: 14 to 0

For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Cunningham,  
Avery, Buehler, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

Abstained: 1 - Burnham\*\*

\*out of the room, shown voting in favor

\*\*abstained from voting, due to bus tour requirement

**Notices:** Area: 200 Mailed: 15  
**Replies:** For: 1 Against: 2

**Speakers:** None

5. **Z056-143 (RB)**

Planner: Richard Brown

**Motion:** In considering an application for a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193; the Oak Lawn Special Purpose District on property generally bounded by Cedar Springs Road, Hawthorne Avenue, Hartford Street, and the northern half of Raleigh Street, it was moved to **hold** this case under advisement until February 23, 2006.

Maker: Cunningham

Second: Brandon

Result: Carried: 14 to 0

For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Cunningham,  
Avery, Buehler, Ekblad, Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 0  
Abstained: 1 - Burnham\*\*

\*out of the room, shown voting in favor

\*\*abstained from voting, due to bus tour requirement

**Notices:** Area: 500 Mailed: 116  
**Replies:** For: 3 Against: 4

**Speakers:** None

6. Z056-141 (JA)

Planner: Jim Anderson

**Motion:** It was moved to recommend **approval** of an Historic Overlay for the Clifford Hutsell House, subject to preservation criteria located at 7035 Lakewood Boulevard on the northwest corner of Lakewood Boulevard and Winstead Drive on property zoned an R-7.5(A) Single Family District.

Maker: Cunningham

Second: Brandon

Result: Carried: 14 to 0

For: 14 - Neumann, Strater\*, Gary, Marshall, Wilson,  
Miranda, Bagley, Brandon, Cunningham,  
Avery, Buehler, Ekblad, Emmons, Culbreath

Against: 0  
Absent: 0  
Vacancy: 0  
Abstained: 1 - Burnham\*\*

\*out of the room, shown voting in favor

\*\*abstained from voting, due to bus tour requirement

**Notices:** Area: 200 Mailed: 26  
**Replies:** For: 6 Against: 0

**Speakers:** None

Zoning Cases - Individual

7. **Z056-144 (DW)**

Planner: David Whitley

**Motion:** It was moved to recommend **approval** of a RS-MU Regional Service-Mixed Use Subdistrict in lieu of the requested Planned Development District for RS-C Regional Service-Commercial Subdistrict Uses on property zoned an RS-C Regional Service-Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, at the north corner of Good-Latimer Expressway and Coombs Street.

Maker: Bagley

Second: Brandon

Result: Carried: 15 to 0

For: 15 - Neumann, Strater\*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler\*, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 36

**Replies:** For: 2 Against: 1

**Speakers:** For: Michael Coker, 2700 Swiss Ave., Dallas, TX, 75204  
Against: None

8. **Z056-145 (DW)**

Planner: David Whitley

**Motion I:** It was moved to recommend **denial** of an MU-2 Mixed Use District on property zoned an IR Industrial Research District on the east corner of Maple Avenue and Fielder Court.

Maker: Strater

Second: Emmons

Result: Failed: 2 to 12

For: 2 - Strater, Emmons

Against: 12 - Neumann, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Cunningham, Avery, Buehler, Ekblad, Culbreath

Absent: 0  
Vacancy: 0  
Abstained: 1 - Burnham\*\*

\*\*abstained from voting, due to bus tour requirement

**Motion II:** It was moved to recommend **approval** of an MU-2 Mixed Use District, subject to deed restrictions on property zoned an IR Industrial Research District on the east corner of Maple Avenue and Fielder Court.

Maker: Neumann

Second: Avery

Result: Carried: 12 to 2

For: 12 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Brandon, Cunningham, Avery,  
Buehler, Ekblad, Culbreath

Against: 2 - Strater, Emmons

Absent: 0

Vacancy: 0

Abstained: 1 - Burnham\*\*

**Notices:** Area: 300 Mailed: 15

**Replies:** For: 4 Against: 1

**Speakers:** For: Michael Coker, 2700 Swiss Ave., Dallas, TX, 75204

Against: Tom Parma, 10011 Trailpine Dr., Dallas, TX, 75238

Katherine Nemec, 10707 Webster Terrace, Dallas, TX, 75229

Vicky Pruett, 9000 Vantage Point Dr., Dallas, TX

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## Other Matters

### Minutes

**Motion:** It was moved to **approve** the minutes of the January 12, 2006, meeting, subject to corrections.

Maker: Buehler

Second: Avery

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Burnham

Vacancy: 0

\*\*\*Commissioner Burnham left, before vote taken

Adjournment

Motion: It was moved to **adjourn** the hearing at 5:00 p.m.

Maker: Marshall

Second: Wilson

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Burnham

Vacancy: 0

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Betty Culbreath, Chair