

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 2, 2006, with the briefing at 11:43 a.m. in Room 5ES and the public hearing at 1:31 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 Commissioners were absent from this hearing as defined in the City Plan Commission rules: Jeff Strater and Neil Emmons. 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: 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) **S056-108**

Motion: It was moved to **approve** an application to plat a 2.11 acre tract of land in Block 7292 into one lot on Meadow Road, east of N. Central Expressway, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Strater, Emmons

Vacancy: 0

Speakers: None

(2) **S056-111**

Motion: It was moved to **approve** an application to replat lot 10 and part of lot 11, Block 1982 into one, 0.3 acre lot on Bell Street, west of Greenville Avenue, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Strater, Emmons

Vacancy: 0

Speakers: None

Individual Items – Residential Replats

(3) **S034-186R1**

Motion: It was moved to **approve** an application to revise a previously approved preliminary plat (S034-186R) in order to waive condition 19 which requires “an avigation easement and release for the airspace over any property within the 65Ldn of Naval Air Station Dallas” for a 140 lot residential subdivision on Hardy Road north of Highway 303, subject to conditions listed in the amended staff report docket.

Maker: Avery

Second: Brandon

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Strater, Emmons

Vacancy: 0

Speakers: None

(4) **S056-041**

Motion: It was moved to **approve** an application to replat part of lot 3, Block 1453 into 3 lots at the west corner of Rowan Avenue and Upshur Street, subject to compliance with the conditions listed in the docket.

Maker: Brandon

Second: Marshall

Result: Carried: 11 to 2

For: 11 - Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Buehler, Burnham, Ekblad, Culbreath

Against: 2 - Neumann, Bagley

Absent: 2 - Strater, Emmons

Vacancy: 0

Speakers: For: None

Against: Loretta Donnell, 1442 S. Fitzhugh Ave., Dallas, TX, 75214

Claude Wilson, 1422 S. Fitzhugh Ave., Dallas, TX, 75214

Miscellaneous Docket

M056-018

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment for the site plan to provide for an alternate location for Specific Use Permit No. 1332 for a Private-club bar, on the north corner of Westmoreland Road and Gannon Lane.

Maker: Brandon

Second: Marshall

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Strater, Emmons

Vacancy: 0

Speakers: None

Zoning Cases - Consent

1. **Z045-269 (RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for single family uses, subject to conditions on property zoned a TH-3 Townhouse Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by Inwood Road, Rawlins Street, Hedgerow Drive, Cedar Springs Road, Carlson Drive, and Vandelia Street, with added language to read as follows: "Impervious coverage can not exceed 400 square feet regardless if it is a circular drive or a double-wide drive; limited to 400 square feet between the property line and building line."

Maker: Marshall

Second: Wilson

Result: Carried: 12 to 0

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

Against: 0

Absent: 2 - Strater, Emmons

Vacancy: 0

Abstained: 1 - Burnham**

**abstained from voting, due to bus tour requirement

Notices: Area: 200 Mailed: 147

Replies: For: 36 Against: 10

Speakers: For: Margaret L. Rey, 3211 Cherrywood, Dallas, TX, 75235
Against: J.W. Fain, Sr., 3134 Carlson Dr., Dallas, TX, 75235
Judi Gentry, 3103 Hedgerow Dr., Dallas, TX, 75235
Juanita Firestone, 3301 Hudnall St., Dallas, TX, 75235
Rosa Jaramillo, 3142 Carlson Dr., Dallas, TX, 75235

2. **Z056-142 (RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an IR Industrial Research District with retention of the Dry Liquor Control Overlay on a portion and a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant for a ten-year period, subject to a revised site plan providing for additional off-street parking and additional landscaping that meets requirements of Article 10 and conditions including revised language to Condition #8, A) iii) to read as follow: "All silos and weigh hoppers must be vented to a filter to eliminate visible dust emission" on property zoned a CS Commercial Service District, with a Dry Liquor Control Overlay on a portion of the site, on the east line of South Central Expressway, south of Bateman Avenue.

Maker: Marshall

Second: Cunningham

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Strater, Emmons

Vacancy: 0

Notices: Area: 400 Mailed: 23

Replies: For: 0 Against: 0

Speakers: For: Oscar Ward, Address Not Given

Against: None

3. **Z056-154 (WE)**

Planner: Warren Ellis

Motion: In considering an application for a TH-3(A) Townhouse District on property zoned an R-10(A) Single Family District on the west line of Davenport Road, south of Stedman Drive, it was moved to **hold** this case under advisement until February 23, 2006.

Maker: Brandon

Second: Marshall

Result: Carried: 13 to 0

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

Against: 0
Absent: 2 - Strater, Emmons
Vacancy: 0

Notices: Area: 300 Mailed: 60
Replies: For: 4 Against: 6

Speakers: None

Zoning Cases – Under Advisement

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

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an a Specific Use Permit for a Tower/antenna for cellular communication for a ten-year period with automatic renewals for additional ten-year periods, subject to a revised site plan and staff's conditions on property zoned a CR Community Retail District on the northeast corner of Arapaho Road and Meadowcreek Drive.

Maker: Burnham

Second: Marshall

Result: Carried: 12 to 0

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

Against: 0
Absent: 2 - Strater, Emmons
Vacancy: 0
Conflict: 1 - Buehler

Notices: Area: 400 Mailed: 26
Replies: For: 2 Against: 3

Speakers: For: Dave Kirk, 11830 Webb Chapel Rd., Dallas, TX, 75234
Against: None

Zoning Cases - Individual

5. **Z056-156 (RB)**

Planner: Richard Brown

Motion: In considering an application for a Planned Development District for TH-1(A) Townhouse District Uses and Private streets on property zoned an R-7.5(A) Single Family District, located on the east line of Audelia Road, south of Shadow Way with consideration being given to the granting of an R-5(A) Single Family District and the granting of a Specific Use Permit for Private streets it was moved to **hold** this case under advisement until February 23, 2006.

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

Against: 0
Absent: 2 - Strater, Emmons
Vacancy: 0

Notices: Area: 500 Mailed: 112
Replies: For: 5 Against: 31

Speakers: None

6. Z056-114 (WE)

Planner: Warren Ellis

Motion: In considering an application for a Planned Development Subdistrict for HC Heavy Commercial Subdistrict uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, bounded by McKinney Avenue, Olive Street, Woodall Rodgers Freeway, and Harwood Street it was moved to **hold** this case under advisement until February 23, 2006.

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

Against: 0
Absent: 2 - Strater, Emmons
Vacancy: 0

Notices: Area: 500 Mailed: 134
Replies: For: 1 Against: 62

Speakers: None

7. Z056-148 (WE)

Planner: Warren Ellis

Motion: In considering a CS Commercial Service District on property zoned a CR Community Retail District on the southeast corner of Bernal Drive and Iroquois Drive it was moved to **hold** this case under advisement until February 9, 2006.

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

Against: 0
Absent: 2 - Strater, Emmons
Vacancy: 0

Notices: Area: 300 Mailed: 43
Replies: For: 2 Against: 3

Speakers: For: Armando Artiga, 422 Irving Dr., Dallas, TX, 75061
Against: None

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the January 26, 2006, meeting, subject to corrections.

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

Against: 0
Absent: 2 - Strater, Emmons
Vacancy: 0

Adjournment

Motion: The hearing **adjourn** at 2:27 p.m.

Betty Culbreath, Chair