

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on April 6, 2006, with the briefing at 10:10 a.m. in Room 5ES and the public hearing at 1:35 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, Robert Weiss, 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: Bill Avery. 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: Allen Heist

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) **S056-192**

Motion: It was moved to **approve** an application to plat an 18.573 acre tract of land in Block 6779 into a 71 single-family lot Community Unit Development located at the northwest corner of Military Parkway and Prairie Creek Road condition added, subject to compliance with the conditions listed in the docket with a revision to Condition #17 to read as follows: "Condition #17 The text in the last line of the CUD chart should read 'total unimproved in open space area'". If the applicant intends to apply to have this area dedicated as a conservation area the conservation easement as shown on the plat is subject to approval by the City of Dallas.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Buehler,
Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(2) **S056-193**

Motion: It was moved to **approve** an application to plat a portion of Block 5696 to create one 1.14 acre lot located at 3515 Inwood Road, between Lemmon Avenue and Bordeaux Avenue, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Buehler,
Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(3) **S056-194**

Note: The applicant withdrew his request.

Motion: It was moved to **deny** an application to plat a 6.323 acre tract in Block 5623 into a 3.2558 acre lot on property bordered by Westchester Drive, Berkshire Lane, Kate Street, and Luther Lane, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Buehler,
Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: For: Myron Dornik, 901 Main St., Dallas, TX, 75201
Against: None

(4) **S056-195**

Motion: It was moved to **approve** an application to plat a 2.215 acre tract of land in Blocks 2698 & 2699 located on Coronado Blvd. southeast of East Grand Avenue (Hwy. 78) into 21 townhouse lots, subject to compliance with the revised conditions listed in the docket including deleting a condition and adding a condition to delete the plated building lines.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Buehler,
Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(5) **S056-196**

Motion: It was moved to **approve** an application to plat a 2.056 acre tract of land in Blocks 2698 & 2699 located on Coronado Blvd., southeast of East Grand Avenue (Hwy. 78) into a 33 lot Shared Access Area Development with 2 common areas, subject to compliance with the revised conditions listed in the docket including deleting a condition and adding a condition to delete the plated building lines.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Buehler,
Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(6) **S056-197**

Motion: It was moved to **approve** an application to plat a 1.391 acre tract of land in Blocks 2698 & 2699 located on Coronado Blvd., southeast of East Grand Avenue (Hwy. 78) into a 26 lot Shared Access Area Development with 1 common area, subject to compliance with the revised conditions listed in the docket.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Buehler,
Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(7) **S056-198**

Motion: It was moved to **approve** an application to plat two parcels and a portion of a third parcel in Block 6544 into one 2.54 acre lot located at the northeast corner of Joe Field Road & Newkirk Street, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Buehler,
Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(8) **S056-200**

Motion: It was moved to **approve** an application to plat a 9.88 acre tract of land in Block 6114 into two lots (2.82 & 3.28 acres) and a 3.72 acre common area lot with a conservation easement at 3600 W. Illinois Ave., west of Coombs Creek Drive, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(9) **S056-201**

Motion: It was moved to **approve** an application to replat Lots 6, 7, 11, 12, 13 & 14 and part of Lots 5, 8, 9 & 10 of Block J/929 and part of Lot 8 of Block K/934 of the Brookout Randall and Cole's Addition and a part of Blocks 2/929 & 3/933 to create one 3.023 acre lot located on the northwest corner of the McKinnon Avenue, Cedar Springs Road, and Pearl Street.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(10) **S056-202**

Motion: It was moved to **approve** an application to replat Lot 2 of the T. J. Oliver Subdivision and Lots 1A & 2A of the Roy McDonald Addition in Block 1/3747 to create one 4.771 acre lot located at Ewing Avenue and 18th Street, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0
For: 14 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(11) **S056-203**

Motion: It was moved to **approve** an application to replat a portion of Lots 7 through 18 of Block 3/5687 of the Lovers Lane Addition to create one 2.314 acre lot located between the Dallas North Tollway and Eastern Avenue, south of Lovers Lane, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Marshall
Result: Carried: 14 to 0
For: 14 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(12) **S056-204**

Motion: It was moved to **approve** an application to replat Lots 1 & 11 of the Burgandy Place Addition and Lots 14, 16, 18 & 19 of Block 2/594, comprising a total of 41,776 sq. ft. (0.9590 acres), into a fourteen (14) lot townhouse development located on Flora Street between Watkins Avenue and Pavillion Street, subject to compliance with the conditions listed in the docket.

Maker: Emmons

Second: Marshall

Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 1 - Avery

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(13) **S045-077**

Motion: It was moved to **approve** an application to a minor amending plat to correct errors in the Floodway & Drainage Easement line descriptions for the Rosemont at Laureland Addition, a 46.577 acre townhouse development located at 330 E. Camp Wisdom Road, east of Interstate 35E.

Maker: Emmons

Second: Marshall

Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 1 - Avery

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Individual Items – Residential Replats

(14) **S056-199**

Motion: It was moved to **approve** an application to replat Lot 1, Block A/7495 of the Shadow Creek Estates Addition located at 7004 Forest Lane, with frontage also on N. Janmar Drive, to prohibit access to N. Janmar Drive, subject to compliance with the conditions listed in the docket with an added condition (volunteered by the applicant) that the replat would conform to the metes and bounds of the existing plat that is on record.

Maker: Emmons

Second: Gary

Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0

Absent: 1 - Avery

Vacancy: 0

*out of the room, shown voting in favor

Speakers: For: Jared Caplan, 7125 N. Janmar Dr., Dallas, TX, 75230
Mitchell Fonberg, 7202 N. Janmar Dr., Dallas, TX, 75230
Lawrence Dupler, 7225 N. Janmar Dr., Dallas, TX, 75230
Against: None

Miscellaneous Docket

W056-006

Planner: Neva Dean

Motion: It was moved to **approve** a wavier of the two-year waiting period in order to submit an application for an amendment to Specific Use Permit No. 1553 for an open-enrollment charter school on property zoned an MU-1 Mixed Use District and Subarea 4 within Planned Development District No. 316, the Jefferson Area Special Purpose District, on the west side of Beckley Avenue, north of Sunset Boulevard.

Maker: Neumann

Second: Weiss

Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Speakers: For: Hilda Duarte, 5015 El Sol, Dallas, TX, 75236
Against: None

Zoning Cases - Consent

1. **Z056-121(RB)**

Planner: Richard Brown

Motion: In considering an application for a TH-2(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the northwest line of 52nd Street, west of Sunnyvale Street, it was moved to **hold** this case under advisement until May 4, 2006.

Maker: Wilson
Second: Brandon
Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson, Miranda, Bagley, Brandon, Weiss, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 19
Replies: For: 0 Against: 0

Speakers: None

A. **Z056-179(DW)**

Planner: David Whitley

Motion: It was moved to recommend **approval** of a Specific Use Permit for an outside salvage and reclamation use, subject to condition on property zoned an IM Industrial Manufacturing District and Planned Development District No. 535 on the northeast side of C.F. Hawn Freeway, northwest of Haymarket Road and to include a 9ft landscaping buffer around the perimeter of the fence with deed restrictions to return on a future miscellaneous docket.

Maker: Brandon
Second: Emmons

Result: Carried: 12 to 1
For: 12 - Strater*, Gary, Wilson, Miranda, Bagley,
Brandon, Weiss, Buehler, Burnham*, Ekblad,
Emmons, Culbreath

Against: 1 - Neumann
Absent: 1 - Avery
Vacancy: 0
Abstained: 1 - Marshall**

*out of the room, shown voting in favor
**abstained due to bus tour requirement

Notices: Area: 300 Mailed: 13
Replies: For: 2 Against: 2

Speakers: For: Mr. Lee, President Real Estate Solutions Inc., Address not given
Against: None

Zoning Cases – Individual

2. Z056-191(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for a financial institution with a drive-in window for a ten year period with eligibility for automatic renewals for additional 15 year periods, subject to a revised site plan and conditions within Subdistrict D-1 of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the northeast corner of Zang Boulevard and Colorado Boulevard including the following revisions to staff's conditions: 1) #4 OFF STREET PARKING: Delete language and add provision that applicant must meet code requirements. 2) #5 HOURS OF OPERATION: Financial institution with drive-in window may only operate between 7:00 a.m. to 7:00 p.m. 3) #7 INGRESS – EGRESS: Ingress and Egress must be provided as shown on the attached site plan including documentation of the legal right to access the adjacent site. 4) #8 LANDSCAPING: Delete language and add provision that applicant must meet the landscape requirements of PDD No. 468 as well as requirements contained in Article X. Add the following two conditions volunteered applicant: 1) Trash pick up no earlier than 7:00 a.m. no later than 9:00 p.m. 2) Detached sign no higher than 6ft.

Maker: Neumann
Second: Wilson
Result: Carried: 14 to 0
For: 14 - Neumann, Strater*, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Buehler,
Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 9
Replies: For: 0 Against: 0

Speakers: For: Larry Good, 2808 Fairmount St., Dallas, TX
Against: Beverly Mendoza, 520 E. 5th St., Dallas, TX, 75203

3. **Z056-187(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development District for a public school other than an open-enrollment charter school and R-10(A) Single Family District uses, subject to a revised development plan and staff's revised conditions on property zoned an R-10(A) Single Family District in an area bounded by Edgeworth Drive, Zurich Drive, Haymarket Road, and Turnbow Drive with the following revisions: Under YARD, LOT, AND SPACE REGULATIONS, (e) Lot coverage Reduced to 25 percent. Under (f) Fence Maximum fence height is 6 feet. Under OFF STREET PARKING AND LOADING (e) Delete language "Widen Zurich Drive to a minimum of 24 feet of pavement with a 5 foot sidewalk adjacent to the curb."

Maker: Brandon

Second: Weiss

Result: Carried: 14 to 0

For: 14 - Neumann, Strater*, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Buehler,
Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 1 - Avery
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 83
Replies: For: 1 Against: 0

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

4. **Z056-169(WE)**

Planner: Warren Ellis

Motion: In considering an application for a Planned Development District for mixed uses on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District, on both sides of Manderville Lane, north of Blair Road and south of Royal Lane, it was moved to **hold** this case under advisement until April 20, 2006.

Maker: Neumann

Second: Weiss

Result: Carried: 13 to 0

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

Against: 0

Absent: 1 - Avery

Vacancy: 0

Abstained: 1 - Marshall**

*out of the room, shown voting in favor

**abstained due to bus tour requirement

Notices: Area: 500 Mailed: 146

Replies: For: 0 Against: 0

Speakers: For: Susan Kedron, Address not given
Against: None

Comprehensive Plan

forwardDallas!

Janet Tharp

Motion: In considering the *forwardDallas!* Plan providing a vision for Dallas' future, an overall framework and policies to guide the city in achieving the vision, and an implementation plan and monitoring system, it was moved to **hold** this case under advisement until April 20, 2006.

Maker: Emmons

Second: Wilson

Result: Carried: 14 to 0

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

Against: 0
Absent: 1 - Avery
Vacancy: 0

Speakers: For: Beverly Mendoza, 520 E. St., Dallas, TX, 75203
Larry Sykes, 3617 Cragmont Ave., Dallas, TX, 75205
Bill Wallace, 3725 Cragmont Ave., Dallas, TX, 75205
Candy Marcum, 4037 Travis St., Dallas, TX, 75204
Robert Todd, 6333 Denton Dr., Dallas, TX, 75235
Thelma Norman, 2628 Blackstone Dr., Dallas, TX, 75237
Mike McAvelly, 9629 Fallbrook Dr., Dallas, TX, 75243
Tracy Curts, 2808 McKinney Ave., Dallas, TX, 75204
Tim Lynch, 6565 N. McArthur Blvd., Irving, TX, 75039
Warren Rutherford, 8611 Breakers Pt., Dallas, TX, 75243
Dan Eddy, 8915 S. Hampton Rd., Dallas, TX, 75232
Carolyn Davis, 2611 Burger St., Dallas, TX, 75215
Rusty Cornett, Address not given
Allen Williby, 3018 Pine Trail Ct., Dallas, TX, 75241
Paul Cauduro, 5816 W. Plano Parkway, Plano, TX, 75093
Dwayne Jones, 2922 Swiss Ave., Dallas, TX, 75204
Neal Sleeper, 3232 McKinney Ave., Dallas, TX, 75204
Against: Michael Northrup, 5703 Goliad Ave., Dallas, TX, 75206
Linda Sharp, 12126 Vendome Pl., Dallas, TX, 75230
Jeri Arbuckle, 4800 Victor St., Dallas, TX, 75246
Cay Kolb, 4402 Rawlins St., Dallas, TX, 75219
Virginia McAlester, 5703 Swiss Ave., Dallas, TX, 75214
David McAtee, 3844 Turtle Creek Dr., Dallas, TX, 75219
Michael Jung, 7143 Fisher Rd., Dallas, TX, 75214
Melissa Kingston, 5901 Palo Pinto Ave., Dallas, TX, 75206

Landmark Commission Appeal

Swiss Avenue Historic District (CA056-048(JA))

Planner: Jim Anderson

Motion: In considering an appeal of the decision of the Landmark Commission to deny a Certificate of Appropriateness (CA056-048(JA)) in the Swiss Avenue Historic District at 6102 Swiss Avenue it was moved to **deny** the appeal and **uphold** the Landmark Commission's action to **Approve with Conditions:** replace sidewalk, driveway, front steps and rolled step in the same dimensions and height as original and **Deny without Prejudice:** replacing front walk, steps and driveway.

Maker: Buehler
Second: Emmons
Result: Carried: 8 to 2
For: 8 - Strater, Gary, Wilson, Miranda, Weiss,
Buehler, Ekblad, Emmons

Against: 2 - Neumann, Brandon
Absent: 5 - Marshall**, Bagley**, Avery, Burnham**,
Culbreath**
Vacancy: 0

** Commissioner left before vote was taken

Speakers: Applicant: Bernard Dolenz, 6102 Swiss Ave., Dallas, TX, 75214
City: Casey Burgess, Assistant City Attorney

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the March 30, 2006, meeting, subject to corrections.

Maker: Neumann

Second: Weiss

Result: Carried: 10 to 0

For: 10 - Neumann, Strater, Gary, Wilson, Miranda,
Brandon, Weiss, Buehler, Ekblad, Emmons

Against: 0

Absent: 5 - Marshall, Bagley, Avery, Burnham, Culbreath

Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the hearing at 6:12 p.m.

Maker: Neumann

Second: Emmons

Result: Carried: 10 to 0

For: 10 - Neumann, Strater, Gary, Wilson, Brandon,
Weiss, Avery, Buehler, Ekblad, Emmons

Against: 0

Absent: 5 - Marshall, Bagley, Avery, Burnham, Culbreath

Vacancy: 0

Betty Culbreath, Chair