

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on May 18, 2006, with the briefing at 10:10 a.m. in Room 5ES and the public hearing at 1:44 p.m. in the City Council Chambers of City Hall. Presiding were Betty Culbreath, Chair and Carol Brandon Acting, Vice Chair. The following Commissioners were present during the hearing: Dave Neumann, Jeff Starter, Erik Wilson, Michael Miranda, Ann Bagley, Robert Weiss, 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: Clarence Gary and Angela Marshall. 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) **S056-234**

Motion: It was moved to **approve** an application to replat Lot 17 and part of Lot 18 in Block 2/1348, part of Lot 1 and all of Lot 16 in Block 1/1349, and all of Lot 1A in Block 4/1354 into one 4.926 acre lot at Martin Luther King Jr. Boulevard, 4th Avenue, and Trezevant Street, subject to compliance with the conditions listed in the docket with the addition of Condition 15 to read as follows: "Prior to final plat submittal of change 4th Avenue to J.B. Jackson Boulevard."

Maker: Brandon

Second: Wilson

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Wilson, Miranda, Brandon, Weiss, Avery*, Buehler, Burnham, Ekblad, Emmons, Culbreath

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0
Conflict: 1 - Bagley

*out of the room, shown voting in favor

Speakers: None

(2) **S056-235**

Motion: It was moved to **approve** an application to plat a tract of land in Block 8379 into one 16,225.48 sq. ft. (0.3725 ac.) lot at the southeast corner of Luna Road and Blue Bank Road, subject to compliance with the conditions listed in the docket with the addition of Conditions 13 to read as follows: "Prior to final plat submittal change 'Blue Bank' (two words) to 'Bluebank' (one word)."

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(3) **S056-236**

Motion: It was moved to **approve** an application to plat a 6.226 acre tract of land in Block 7667 into a 33 lot Shared Access Area Development and Community Unit Development on the north side of Sportsmans Parkway between Cavalcade Drive and Cherry Laurel Lane, subject to compliance with the conditions listed in the docket with the addition of Condition 26 to read as follows: "Submit drainage and/or paving plans prepared by a professional engineer to Development Services' Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require a private development contracts with bonds."

Maker: Weiss
Second: Brandon
Result: Carried: 13 to 0

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

(4) **S056-237**

Motion: It was moved to **approve** an application to plat a 19.1853 acre tract of land in Block A/7558 into three lots of 3.9996, 4.6648, and 10.5208 acres on the south side of LBJ Freeway (I20) service road between S. Hampton Road and S. Polk Street, subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

(5) **S056-238**

Motion: It was moved to **approve** an application to replat part of Lot 1 and all of Lot 2 in Block 5827 into one 2.684 acre lot and to remove the previously platted 95 foot building line on the south side of Forney Road between Buckner Boulevard (Loop 12) and Lomax Drive, subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

(6) **S056-239**

Motion: It was moved to **approve** an application to plat a 14.7292 acre tract of land in Block 8176 into a 14 lot Shared Access Area Development and Community Unit Development along the south side of Spring Valley Road at Cliffbrook Drive, subject to compliance with the conditions listed in the docket with the addition of Condition 37 to read as follows: "The north/south Shared Access should be named 'Cliffbrook Drive' and the east/west Shared Access will need a street name approved by Stacy Creecy, Street Name Coordinator at 214-670-4148, in Room 7FS of City Hall."

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

(7) **S056-240**

Motion: It was moved to **approve** an application to plat a 9.995 acre tract of land in Block 6898 into one lot on the north side of Camp Wisdom Road between S. Lancaster Road (Hwy 342) and Firebird Drive, subject to compliance conditions listed in the docket.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

(8) **S056-241**

Motion: It was moved to **approve** an application to plat a tract of land and the remainder of Lot 1 in Block A/4568 into one 23,700 sq. ft. (0.544 ac.) lot on the south side of W. Davis Street between Bernice Street and Paisley Street, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Brandon

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Gary, Marshall

Vacancy: 0

Speakers: None

(9) **S056-242**

Motion: It was moved to **approve** an application to replat Lots 1 and 2 in Block 96/3079 into one 40,425 sq. ft. (0.9280 ac.) lot at the northeast corner of E. 10th Street and N. Marsalis Avenue, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Brandon

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Gary, Marshall

Vacancy: 0

Speakers: None

(10) **S056-234**

Motion: It was moved to **approve** an application to include interior street names in a 36 lot Shared Access Area Development in Blocks 1/983 and 2/983 on N. Haskell Avenue between Travis Street and Cole Avenue, subject to compliance with the conditions listed in the docket.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

(11) S056-206

Motion: It was moved to **approve** an application for a minor amending plat to include a portion of previously designated common area into Lot 26 in a 36 lot Shared Access Area Development in Block E/5697 on Oriole Avenue west of Inwood Road.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

Note: The Commission voted unanimously to change the order of the agenda and vote on the Land Use Study District 10 Strategic Plan

Miscellaneous Docket

D056-009

Planner: Frank Dominquez

Motion: It was moved to **approve** a development plan for Planned Development District No. 525, on Stone Mesa Drive, north of Rock Quarry Drive.

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

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

W056-007

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 the Planned Development Subdistrict No. 37 within Planned Development District No. 193, the Oak Lawn Special Purpose District on Hall Street, between Hood Street and Sale Street.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

*out of the room, shown voting in favor

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

W056-008

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 Planned Development District No. 736 for single family uses, private streets, and an accessory community center (private) use on the southwest corner of Clark Road and Panavision Trail..

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

*out of the room, shown voting in favor

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

Z056-154(WE)

Planner: Warren Ellis

Motion: It was moved to **approve** deed restrictions volunteered by the applicant in conjunction with 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.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

Z056-177(DW)

Planner: David Whitley

Motion: It was moved to **approve** of a site plan and conditions submitted in conjunction with an application for a Specific Use Permit for an open-enrollment charter school and termination of Specific Use Permit No. 487 for a YMCA on property zoned an R-5(A) Single Family District on the east corner of Highland Hills Drive and Bonnie View Road.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: None

Certificates of Appropriateness for Signs

Downtown Sign District

0605021050

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness by Bradley Barnard of Fast Signs for the instillation of a 61' x 36' upper level attached sign reading '**Tower Royale by Adams Mark – June 2006**' at 400 North Olive Street for a n eight month time period on the northeast façade of the building located on Live Oak Street between Olive Street and Pearl Street.

Maker: Emmons

Second: Weiss

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Gary, Marshall

Vacancy: 0

Speakers: For: Melanie Hancoch, 745 709th St., Arlington, TX, 76011
Against: None

Note: The Commission voted unanimously to change the order of the agenda and vote on Z056-218(JH)

Zoning Cases - Consent

1. Z056-192(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the conditions for Planned Development District No. 603 for IR Industrial Research District Uses on the north alignment of Pinnacle Park Boulevard, east of Cockrell Hill Road.

Maker: Weiss

Second: Buehler

Result: Carried: 13 to 0

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 16
Replies: For: 0 Against: 0

Speakers: None

2. **Z056-194(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an RR Regional Retail District on property designated as Tracts 2A, 2B, and 2C within Planned Development District No. 240 on the south line of IH 20, east of Hampton Road.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 4
Replies: For: 0 Against: 0

Speakers: None

3. **Z056-227(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Planned Development District for Single family uses and Private streets, revised development plan, and revised Audelia Road planting plan and conditions on property zoned an R-7.5(A) Single Family District on the east line of Audelia Road, south of Shadow Way with revised conditions and plans to return on a future miscellaneous docket.

Maker: Avery
Second: Neumann
Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Wilson, Miranda, Bagley,
Brandon, Weiss, Avery, Buehler, Ekblad,
Emmons, Culbreath

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0
Abstained: 1 - Burnham

Notices: Area: 500 Mailed: 112
Replies: For: 2 Against: 22

Speakers: For: Sean Christopher, 9208 Rolling Rock Ln., Dallas, TX, 75238
Mardy Brown, 5225 Village Creek Dr., Plano, TX
Against: Jim Frank, 9906 Woodlake Dr., Dallas, TX, 75243

4. **Z056-218(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1485 for a community service center for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to site plan and conditions on property zoned an R-7.5(A) Single Family District on the northwest corner of Camp Wisdom Road and Hampton Road.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Motion to Reconsider: It was moved to **reconsider** the action taken earlier to recommend approval of an amendment to Specific Use Permit No. 1485 for a community service center on property zoned an R-7.5(A) Single Family District on the northwest corner of Camp Wisdom Road and Hampton Road.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1485 for a community service center for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to site plan and conditions on property zoned an R-7.5(A) Single Family District on the northwest corner of Camp Wisdom Road and Hampton Road.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Notices: Area: 200 Mailed: 66
Replies: For: 0 Against: 3

Speakers: For: Anthony Evans, Address not given
Marcus Bellamy, 4401 Baskerville Dr., Garland, TX, 75043
Against: Victoria Welcome, 23198 Elderoaks Ln., Dallas, TX, 75232

5. **Z056-225(FD)**

Planner: Frank Dominquez

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1447 for a Private school for a ten-year time period with eligibility for automatic renewals for additional ten-year time periods, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District on the northeast corner of Boedeker Street and Park Lane.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 98
Replies: For: 11 Against: 2

Speakers: None

6. **Z056-223(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for multifamily and single family uses within Tract 12 of Planned Development District 508 for mixed uses for a permanent time period, subject to a revised site plan and conditions on the north line of Singleton Boulevard, east of Pointer Street.

Maker: Weiss

Second: Buehler

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 - Gary, Marshall

Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 6
Replies: For: 1 Against: 0

Speakers: None

Zoning Cases – Under Advisement

7. **Z045-120(MM)**

Planner: Mike Finley

Motion: In considering (1) a Planned Development District for mixed uses to be known as the Baylor University Medical Center Area Special Purpose District; (2) the termination of Specific Use Permits Nos. 853, 673, and 1110; (3) the termination of Planned Development District No. 613 and portions of Planned Development District No. 298 and Planned Development District No. 298-D, the Bryan Area Special Purpose District; and (4) the termination of deed restrictions on property zoned Planned Development District No. 298, Planned Development District 298-D, an MU-3 Mixed Use District, an MU-3-D Mixed Use District with a Dry Liquor Control Overlay, an MU-2 Mixed Use District, an MU-2-D Mixed Use District with a Dry Liquor Control Overlay, a P(A) Parking District, a CS Commercial Service District, an MF-2(A) Multifamily District, an LO-3 Limited Office District, an LO-3-D Limited Office District with a Dry Liquor Control Overlay, an IM Industrial Manufacturing District and a GO(A) General Office District, located within an area generally bounded by Live Oak Street, Haskell Street, Main Street and Malcolm X Blvd. Consideration will be given to creating three subareas in Planned Development District No. 298 and 298-D to allow additional uses and development standards, in lieu of including this area of PDD No. 298 in the proposed Baylor University Medical Center Area Special Purpose District it was moved to **hold** this case under advisement until June 1, 2006

Maker: Strater

Second: Buehler

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Wilson, Miranda, Bagley,
Brandon, Avery, Buehler, Burnham, Ekblad*,
Emmons, Culbreath

Against: 0

Absent: 2 - Gary, Marshall

Vacancy: 0

Conflict: 1 - Weiss

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 229

Replies: For: 9 Against: 8

Speakers: None

8. **Z045-132(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an MU-3 Mixed Use District with retention of the D Dry Liquor Control Overlay, subject deed restrictions volunteered by the applicant on property zoned an LO-3-D Limited Office District with the D Liquor Control Overlay on the north corner of Washington Avenue and Worth Street.

Maker: Miranda

Second: Brandon

Result: Carried: 8 to 5

For: 8 - Neumann, Wilson, Miranda, Brandon, Avery,
Buehler, Ekblad, Culbreath

Against: 5 - Strater, Bagley, Weiss, Burnham, Emmons

Absent: 2 - Gary, Marshall

Vacancy: 0

Notices: Area: 200 Mailed: 4

Replies: For: 1 Against: 0

Speakers: For: Jimmy Schnurr, 5400 Renaissance Tower, Dallas, TX, 75270

Against: Julian Peterson, 4203 Junius St., Dallas, TX, 75246

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

Joanna Hampton, 4924 Tremont St., Dallas, TX, 75214

Jerelyn Arbuckle, 4800 Victor St., Dallas, TX, 75246

Liz Wally, 5528 Victor St., Dallas, TX, 75214

Virginia McAlester, 5703 Swiss Ave., Dallas, TX, 75214

Note: The Commission voted unanimously to change the order of the agenda and vote on Z056-183(JH)

9. **Z056-215(DW)**

Planner: David Whitley

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Alcoholic Beverage Establishment for a bar, lounge or tavern or a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an IR Industrial Research District on the north corner of Inwood Road and Maple Avenue.

Maker: Strater

Second: Miranda

Result: Carried: 12 to 0

For: 12 - Strater, Wilson, Miranda, Bagley, Brandon,
Weiss, Avery, Buehler, Burnham, Ekblad,
Emmons, Culbreath

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0
Conflict: 1 - Neumann

Notices: Area: 300 Mailed: 25
Replies: For: 0 Against: 11

Speakers: For: Ryan Bibb, 918 Dragon St., Dallas, TX, 75207
Against: John Haynes, 4651 Beverly Dr., Dallas, TX 75209
Nancy Feaster, 10157 Casa View, Dallas, TX, 75228
Robert Todd, 6333 Denton Dr., Dallas, TX, 75235

10. **Z056-183(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Planned Development District for R-7.5(A) uses and manufactured home park use and a Specific Use Permit for a manufactured home park use for a two-year time period, subject to compliance with Specific Use Permit conditions within a 6 month time period, a site plan and staff's conditions including the addition of fencing on property zoned an R-7.5(A) Single Family District on the south side of Highland Road, south of Barbaree Boulevard with the site plan and conditions to return on a future miscellaneous docket.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Notices: Area: 500 Mailed: 53
Replies: For: 3 Against: 15

Speakers: For: Jonathan Vinson, 6342 Vickery Blvd., Dallas, TX, 75214
Jack Loughhead, 1802 Highland Rd., Dallas, TX 75228
Duane McCown, 1802 Highland Rd., Dallas, TX, 75228
Bill Ashe, 1802 Highland Rd., Dallas, TX, 75228
Barbara Cline, 1802 Highland Rd., Dallas, TX, 75228
Julia Hernandez, 1802 Highland Rd., Dallas, TX, 75228
Virginia Lindsay, 8012 San Cristobal, Dallas, TX, 75218
Lola Boshier, 8223 Barbaree Blvd., Dallas, TX, 75228
Carol Lyons, 8255 Barbaree Blvd., Dallas, TX, 75228

Benito Laredo, 1802 Highland Rd., Dallas, TX, 75228
Marty Ray, 8166 Barbaree Blvd., Dallas, TX, 75228
Steve Crossett, 530 Dragon, Austin, TX
Against: Dolores Wolfe, 2125 Ash Grove Way, Dallas, TX, 75228
Carolyn Bullard, 2550 Highland Rd., Dallas, TX, 75228
Daniel Wolfe, 2125 Ash Grove Way, Dallas, TX, 75228
John Van Buskirk, 2450 Wildoak Dr., Dallas, TX, 75228

Zoning Cases – Individual

11. **Z056-221(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Bank or Savings and Loan Office with drive-through lanes for a five-year time period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Fitzhugh Avenue and McKinney Avenue.

Maker: Emmons

Second: Strater

Result: Carried: 12 to 1

For: 12 - Neumann*, Strater, Wilson, Miranda, Bagley,
Brandon, Weiss, Avery, Buehler, Burnham,
Emmons, Culbreath*

Against: 1 - Ekblad

Absent: 2 - Gary, Marshall

Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 63

Replies: For: 0 Against: 0

Speakers: For: Jimmy Schnurr, 5400 Renaissance Tower, Dallas, TX, 75270
Against: None

Note: The Commission voted unanimously to change the order of the agenda and vote on Z056-201(WE) and Z056-224(WE)

12. **Z056-171(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Transit passenger station or transfer center for a permanent time period, subject to a site plan, revised landscape plan, and conditions, on property zoned an MU-3 Mixed Use District and **approval** of a Planned Development Subdistrict for a Railroad passenger station and TH-3 Subdistrict Uses, subject to a development plan, landscape plan, and revised conditions on property zoned a TH-3 Townhouse Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west line and east line of Harry Hines Boulevard between Wycliff Avenue and Douglas Avenue.

Maker: Avery

Second: Wilson

Result: Carried: 8 to 4

For: 8 - Neumann, Strater, Wilson, Avery, Burnham,
Ekblad, Emmons, Culbreath

Against: 4 - Miranda, Brandon, Weiss, Buehler

Absent: 2 - Gary, Marshall

Vacancy: 0

Conflict 1 - Bagley

Notices: Area: 500 Mailed: 96

Replies: For: 6 Against: 3

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202

Against: None

13. **Z056-201(WE)**

Planner: Warren Ellis

Motion: In considering an application to create a Planned Development Subdistrict for mixed residential, retail and office uses within Planned Development No. 193, the Oak Lawn Special Purpose District, on property zoned an LC Light Commercial Subdistrict and an O-1 Office Subdistrict, and volunteered deed restrictions by the applicant on a portion of Planned Development District No. 225, the State Thomas Special Purpose District on an area generally bounded by McKinney Avenue, Routh Street., State Street, and Fairmount Street it was moved to **hold** this case under advisement until June 1, 2006.

Maker: Emmons

Second: Weiss

Result: Carried: 13 to 0

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Notices: Area: 500 Mailed: 213
Replies: For: 13 Against: 15

Speakers: For: Jonathan Vinson, 6342 Vickery Blvd., Dallas, TX, 75214
Against: Lawrence Praeger, 2608 State St., Dallas, TX, 75204
Patricia Meadows, 2707 State St., Dallas, TX, 75204

14. **Z056-224(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial** for an amendment to the deed restrictions for a restaurant use on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east line of McKinney Avenue, southeast of Armstrong Street.

Maker: Weiss
Second: Buehler

**Commissioner Weiss withdrew his motion.
Commissioner Buehler withdrew his second.**

Motion: In considering an application for an amendment to the deed restrictions for a restaurant use on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east line of McKinney Avenue, southeast of Armstrong Street it was moved to **hold** this case under advisement until June 22, 2006.

Maker: Miranda
Second: Wilson
Result: Carried: 8 to 5

For: 8 - Neumann, Wilson, Miranda, Bagley, Brandon,
Avery, Ekblad, Culbreath

Against: 5 - Strater, Weiss, Buehler, Burnham, Emmons
Absent: 2 - Gary, Marshall
Vacancy: 0

Notices: Area: 200 Mailed: 62
Replies: For: 0 Against: 0

Speakers: For: Roger Albright, 3301 Elm St., Dallas, TX, 75201
Against: Erica Bachmann, 4411 McKinney Ave., Dallas, TX, 75205
Shelly Bergman, 4412 McKinney Ave., Dallas, TX, 75205
Chris Halverson, 4411 McKinney Ave., Dallas, TX, 75205

15. **Z056-226(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an MU-1 Mixed Use District, subject to revised deed restrictions volunteered by the applicant on property zoned an LO-2 Limited Office District on the northwest corner of Preston Road and Lyndon B. Johnson Freeway (I-635).

Maker: Buehler

Second: Brandon

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Wilson, Miranda, Bagley,
Brandon, Weiss, Avery, Buehler, Ekblad,
Emmons, Culbreath

Against: 0

Absent: 3 - Gary, Marshall, Burnham**

Vacancy: 0

**Commissioner Burnham left, before vote taken

Notices: Area: 300 Mailed: 11
Replies: For: 2 Against: 0

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

16. **Z056-199(MF)**

Planner: Mike Finley

Motion: It was moved to recommend **approval** of an amendment including but not limited to, regulations regarding parking requirements, and limitations on dance halls, tattoo parlors, body piercing studios and bars, lounges and taverns, subject to conditions on property zoned Planned Development District No. 269, the Deep Ellum/East Side District in an area generally bounded by Parry Ave., R.L. Thornton Freeway, N. Central Expressway and the T&P RR.

Maker: Strater
Second: Weiss
Result: Carried: 9 to 3
For: 9 - Neumann, Strater, Wilson, Bagley, Weiss,
Avery, Buehler, Ekblad, Emmons

Against: 3 - Miranda, Brandon, Culbreath
Absent: 3 - Gary, Marshall, Burnham
Vacancy: 0

Addendum to motion: It was moved to **amend** the motion to include the removal of the 300 foot separation between tattoo parlors and set the amortization date to 18 months.

Maker: Miranda
Second: None

Motion failed due to lack of a second.

Amendment motion I: It was moved to **amend** the main motion to change the one year time period which nonconforming uses have to conform to two years.

Maker: Avery
Second: Miranda
Result: Failed: 3 to 9
For: 3 - Miranda, Avery, Culbreath

Against: 9 - Neumann, Strater, Wilson, Bagley, Brandon,
Weiss, Buehler, Ekblad, Emmons
Absent: 3 - Gary, Marshall, Burnham
Vacancy: 0

Amendment motion II: It was moved to **amend** the main motion to change the one year time period which nonconforming uses have to conform to 18 months.

Maker: Neumann
Second: Strater
Result: Carried: 11 to 1
For: 11 - Neumann, Strater, Wilson, Miranda, Bagley,
Weiss, Avery, Buehler, Ekblad, Emmons,
Culbreath

Against: 1 - Brandon
Absent: 3 - Gary, Marshall, Burnham
Vacancy: 0

Notices: Area: 200 Mailed: 334
Replies: For: 35 Against: 5

Speakers: For: Roger Albright, 3301 Elm St., Dallas, TX, 75201
Barry Anino, Address not given
Arvel Jernigan, 3408 Main St., Dallas, TX, 75226
Sharon Platt, Address not given
Candice Jernigan, 3408 Main St., Dallas, 75226
Against: Nick Heidi, 4609 Yorkshire Trail, Plano, TX

17. **Z056-238(DC)**

Planner: David Cossum

Motion: It was moved to recommend **approval** of the creation of a new sub-district to allow the additional use of a homeless assistance center, subject to conditions in Planned Development No. 357, the Farmers Market Special Purpose District, in an area bounded by Interstate-30 (R.L. Thornton Freeway) to the south, St. Paul Street to the southwest, Corsicana Street to the northwest and Park Avenue to the northeast.

Maker: Strater

Second: Emmons

Result: Carried: 9 to 3

For: 9 - Neumann, Strater, Wilson, Bagley, Weiss,
Avery, Buehler, Ekblad, Emmons

Against: 3 - Miranda, Brandon, Culbreath

Absent: 3 - Gary, Marshall, Burnham

Vacancy: 0

Notices: Area: 500 Mailed: 25
Replies: For: 0 Against: 11

Speakers: For: None
Against: Mike Smith, 5423 Neola Dr, Dallas, TX
Leslie Ingendorf, 4420 Highlander Dr., Dallas, TX, 75287
City: Boadicea White, Environmental Health Department

Land Use Study

District 10 Strategic Plan

Motion: It was moved to **adopt** the District 10 Strategic Plan to be used as a guide in the implementation of future development in an area generally defined as Northeast Dallas bounded by the Dallas City Limits to the north and east, Northwest Highway to the south, and U.S. Highway 75 and the White Rock Greenbelt to the west.

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

Against: 0
Absent: 2 - Gary, Marshall
Vacancy: 0

Speakers: For: Donna Halstead, 9508 Fieldcrest Dr., Dallas, TX, 75238
Susan Morgan, 9227 Dove Meadow Dr., Dallas, TX, 75243
Against: None

Reconsideration

***forwardDallas!* Comprehensive Plan**

1. Motion to reconsider: It was moved to **reconsider** the action taken on May 11, 2006, which was to keep the public hearing open and hold the *forwardDallas!* Plan under advisement until June 22, 2006.

Maker: Neumann
Second: Wilson
Result: Carried: 8 to 4
For: 8 - Neumann, Strater, Wilson, Weiss, Buehler,
Ekblad, Emmons, Culbreath

Against: 4 - Miranda, Bagley, Brandon, Avery
Absent: 3 - Gary, Marshall, Burnham
Vacancy: 0

2. Reconsideration: In considering the *forwardDallas!* Plan which provides 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 schedule a City Plan Commission Workshop on June 30, 2006, leave the public hearing open and **hold** this matter under advisement until June 1, 2006.

Maker: Neumann
Second: Culbreath
Result: Carried: 9 to 3
For: 9 - Neumann, Strater, Wilson, Bagley, Weiss,
Buehler, Ekblad, Emmons, Culbreath

Against: 3 - Miranda, Brandon, Avery
Absent: 3 - Gary, Marshall, Burnham
Vacancy: 0

Amendment to Reconsideration: It was moved to **amend** the reconsideration motion to include a City Plan Commission Workshop for June 30, 2006.

Maker: Emmons
Second: Bagley
Result: Carried: 9 to 3
For: 9 - Neumann, Strater, Wilson, Bagley, Weiss, Buehler, Ekblad, Emmons, Culbreath

Against: 3 - Miranda, Brandon, Avery
Absent: 3 - Gary, Marshall, Burnham
Vacancy: 0

Speakers: Larry Sykes, 3617 Cragmont, Dallas, TX, 75205
Greg Rohan, 3715 Cragmont Ave., Dallas, TX, 75205
Barron Kidd, 4315 Glenwood Ave., Dallas, TX, 75205
Eugene Thomas, 5654 Winding woods Trl, Dallas, TX, 75227
Thelma Norman, 2628 Blackstone Dr., Dallas, TX, 75237

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the May 11, 2006, meeting, subject to corrections.

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

Against: 0
Absent: 3 - Gary, Marshall, Burnham
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the hearing at 10:15 p.m.

Maker: Weiss

Second: Avery

Result: Carried: 12 to 0

For: 12 - Neumann, Strater, Wilson, Miranda, Bagley,
Brandon, Weiss, Avery, Buehler, Ekblad,
Emmons, Culbreath

Against: 0

Absent: 3 - Gary, Marshall, Burnham

Vacancy: 0

Betty Culbreath, Chair