

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on June 22, 2006, with the briefing at 10:52 a.m. in Room 5ES and the public hearing at 1:32 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, 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: 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) **S056-275**

Motion: It was moved to **deny** an application to replat a 7,250 square foot tract of land containing part of Lot 8 in City Block O/1480 into a four lot shared access area development at 5903 Hudson Street, due to non compliance with Section 8.503 of the Dallas Development Code.

Maker: Avery

Second: Marshall

Result: Carried: 12 to 3

For: 12 - Neumann, Strater, Marshall, Wilson, Miranda, Bagley, Weiss, Avery, Buehler, Burnham, Ekblad, Emmons

Against: 3 - Gary, Brandon, Culbreath

Absent: 0

Vacancy: 0

Speakers: For: Ed Simons, 900 Jackson St., Dallas, TX, 75202
Against: Michelle Love, 5919 Hudson St., Dallas, TX,
Virginia McAlester, 5703 Swiss Ave., Dallas, TX, 75214

(2) **S056-276**

Motion: It was moved to **approve** an application to create one, 8.3202 acre lot containing all of City Block 1007 on Oak Lawn Avenue at Maple Avenue, west corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Buehler
Result: Carried: 15 to 0
For: 15 - Neumann, Strater, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Avery,
Buehler, Burnham, Ekblad, Emmons,
Culbreath

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(3) **S056-278**

Motion: It was moved to **approve** an application to create one 21.754 acre tract of land in City Block 7212 on Rock Quarry Road at Stone Mesa Drive, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Buehler
Result: Carried: 15 to 0
For: 15 - Neumann, Strater, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Avery,
Buehler, Burnham, Ekblad, Emmons,
Culbreath

Against: 0
Absent: 0
Vacancy: 0

Speakers: None

(4) **S056-279**

Motion: It was moved to **approve** an application to create one 14.356 acre lot in City Block 7212 on Pinnacle Park Blvd. at Rock Quarry Road, west corner, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Buehler

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Speakers: None

(5) **S056-280**

Motion: It was moved to **approve** an application to replat a 0.2754 acre tract of land containing part of Lot 16 and all of Lot 17 in City Block 7/1579 into one lot on 4313 Gilbert Avenue northwest of Wycliff Avenue, subject to compliance with the conditions listed in the docket.

Maker: Weiss

Second: Buehler

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Speakers: None

Individual items – Residential Replats

(6) **S056-277**

Motion: It was moved to **approve** an application to replat a 1.734 acre tract of land being all of Lot 7 in City Block 13/5585 to remove the existing 50 foot platted building line from 9355 Sunnybrook Lane, between Brookview Drive and DeLoache Avenue, subject to compliance with the conditions listed in the docket.

Maker: Culbreath

Second: Brandon

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Speakers: For: Mark Hoesterey, 9631 Athlone St., Dallas, TX, 75218
Margaret Gilbert, Address not given

Against: Michael Jung, 4400 Bank of American Plaza, Dallas, TX, 75202
Harry Lynch, 9335 Sunnybrook Ln., Dallas, TX, 75220
Penelope Rivenbark, 9345 Sunnybrook Ln., Dallas, TX, 75220

Miscellaneous Docket

M056-032

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to Phase 3 development plan for Planned Development District No. 251, on the north corner of Lake Highlands Drive and Tiffany Way.

Maker: Buehler

Second: Wilson

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

M056-036

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to site plan and landscape plan for Specific Use Permit No. 1471, on the east line of Merit Drive between Clodus Fields Drive and Churchill Way.

Maker: Buehler

Second: Wilson

Result: Carried: 15 to 0

For: 15 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Bagley*, Brandon, Weiss, 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 City of Dallas' Thoroughfare Plan to change the dimensional classification of Harry Hines Boulevard from North Houston Street to Market Center Boulevard from an eight lane divided roadway within 130 feet of right-of-way to a six lane divided roadway within 107 feet of the right-of-way.

Maker: Strater

Second: Emmons

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Speakers: None

Motion: It was moved to **approve** an amendment to the City of Dallas' Thoroughfare Plan to change the dimensional classifications of (1) Industrial Boulevard from 600 feet south of Corinth Street to Market Center Boulevard from a six lane divided roadway within 60 to 130 feet of right-of-way to an eight lane divided roadway within 137 to 150 feet of right-of-way; (2) Continental Avenue from the Trinity River east levee to Stemmons Freeway (I35E) from a six lane divided roadway within 100 to 120 feet of right-of-way to a eight lane divided roadway within 134 to 150 feet of right-of-way; and (3) Market Center Boulevard from Industrial Boulevard to Oak Lawn Avenue from a six lane divided roadway within 100 feet of right-of-way to a six lane divided roadway within 106 feet of right-of-way.

Maker: Bagley

Second: Wilson

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Speakers: Marcus Woods, 6060 N. Central Expressway, Dallas, TX, 75206

Zoning Cases - Consent

1. **Z056-211(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the conceptual plan, development plan, and conditions for Planned Development District No. 391 for IM Industrial Manufacturing District Uses and an Industrial (inside) potentially incompatible use for a foundry on the northeast and southeast corners of Joe Field Road and Newkirk Street with an added provision that permits a maximum structure height of 100 feet.

Maker: Strater

Second: Weiss

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Notices: Area: 500 Mailed: 28
Replies: For: 5 Against: 0

Speakers: None

2. **Z056-228(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1552 for a Hotel or motel use for a three year period, subject to a site plan and conditions on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the north corner of Maple Avenue and Mahon Street.

Maker: Strater

Second: Weiss

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Notices: Area: 200 Mailed: 17
Replies: For: 2 Against: 1

Speakers: None

3. **Z045-243(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a D(A) Duplex District on a property zoned an A(A) Agricultural District on the north side of Camp Wisdom Road, west of Clark Ridge Road.

Maker: Strater

Second: Weiss

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Notices: Area: 300 Mailed: 5
Replies: For: 1 Against: 0

Speakers: None

4. **Z056-244(JH)**

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of the Specific Use Permit for a Bank or Savings and Loan Office with drive-through lanes, subject to a site plan, landscape plan and conditions for a ten-year period with eligibility for automatic renewal for additional ten-year periods on property zoned Planned Development Subdistrict No. 3 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Wycliff Avenue and Oak Lawn Avenue and **approval** of a development plan and landscape plan for Tract VI of Planned Development Subdistrict No. 3 within Planned Development district No. 193, the Oak Lawn Special Purpose District on the southwest corner of Wycliff Avenue and Oak Lawn Avenue.

Maker: Strater

Second: Weiss

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Notices: Area: 200 Mailed: 46
Replies: For: 0 Against: 0

Speakers: None

Zoning Cases – Under Advisement

5. **Z056-200(JH)**

Planner: Jennifer Hiromoto

Motion: In considering an application for a TH-3(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the east side of Marsalis Avenue, north of Ann Arbor Avenue, it was moved to **hold** this case under advisement until July 13, 2006.

Maker: Marshall

Second: Weiss

Result: Carried: 15 to 0

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 300 Mailed: 54
Replies: For: 2 Against: 0

Speakers: None

6. **Z045-254(RB)**

Planner: Richard Brown

Motion: In considering an application for a Planned Development District for Mixed Uses on property zoned as Planned Development District No. 29 for Retail and Multiple Family Uses on the northwest corner of Walnut Hill Lane and North Central Expressway, it was moved to **hold** this case under advisement until July 13, 2006.

Maker: Buehler
Second: Marshall
Result: Carried: 15 to 0

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 358
Replies: For: 35 Against: 4

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

A. **Z056-213(DW)**

Planner: David Whitley

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for GR General Retail Subdistrict uses, subject to a conceptual plan, tree and sidewalk plan, revised development plan, detailed landscape plan and applicant's revised conditions on property zoned an O-2 Office and HC Heavy Commercial Subdistricts within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of McKinnon Street and Cedar Springs Road.

Maker: Emmons

Second: Marshall

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Notices: Area: 500

Mailed: 42

Replies: For: 2

Against: 8

Speakers: None

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

Planner: Warren Ellis

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 August 3, 2006.

Maker: Marshall

Second: Miranda

Result: Carried: 15 to 0

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

Against: 0

Absent: 0

Vacancy: 0

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

Speakers: None

Zoning Cases – Individual

8. **Z056-236(WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions to return on a future miscellaneous docket on property zoned a CR Community Retail District on the southeast corner of Simpson Stuart Road and South Lancaster Road with the understanding that this case will not go to Council until the height variance is granted, and further subject to the condition that this case come back to the Plan Commission for further consideration if the height variance required for this cell tower is denied by the Board of Adjustment.

Maker: Brandon

Second: Weiss

Result: Carried: 14 to 0

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

Against: 0

Absent: 0

Vacancy: 0

Conflict: 1 - Buehler

Notices: Area: 200 Mailed: 1
Replies: For: 0 Against: 0

Speakers: For: Robert Baldwin, 401 Exposition Ave., Dallas, TX, 75226
Against: None

9. **Z056-237(WE)**

Planner: Warren Ellis

Motion: In considering an application for an amendment to the deed restrictions on property zoned an MU-1 Mixed Use District on the northeast corner of Briargrove Lane and Dallas Parkway, it was moved to **hold** this case under advisement until July 20, 2006.

Maker: Burnham

Second: Ekblad

Result: Carried: 15 to 0
For: 15 - Neumann, Strater, Gary, Marshall, Wilson,
Miranda, Bagley, Brandon, Weiss, Avery,
Buehler, Burnham, Ekblad, Emmons,
Culbreath

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 300 Mailed: 15
Replies: For: 0 Against: 1

Speakers: For: Jim Powell, 14110 Dallas Parkway, Dallas, TX, 75254
Jody Short, 3030 LBJ Freeway, Dallas, TX, 75234
Against: Ed Moreland, 5112 Briargrove Ln., Dallas, TX, 75287
Jeff Thomas, 4627 Spyglass Dr., Dallas, TX, 75287
Brian Williamson, 4206 Briargrove Ln., Dallas, TX, 75287
Sybil Callaway, 4636 Spyglass Dr., Dallas, TX, 75287
Vanessa Myers, 4506 Cobblers Ln., Dallas, TX, 75287
Dallas Neeley, 4711 Holly Tree Dr., Dallas, TX, 75287

10. **Z056-235(JH)**

Planner: Jennifer Hiromoto

Motion: In considering an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the south side of Richmond Avenue, west of Alderson Street, it was moved to **hold** this case under advisement until August 3, 2006.

Maker: Emmons
Second: Weiss
Result: Carried: 15 to 0

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

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 94
Replies: For: 0 Against: 4

Speakers: None

11. Z056-245(JH)

Planner: Jennifer Hiromoto

Motion: In considering an application for a P(A) Parking District on a property zoned an R-5(A) Single Family District on the north side of Pueblo Street, east of Norwich Street., it was moved to **hold** this case under advisement until July 20, 2006.

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

Against: 0
Absent: 1 - Buehler
Vacancy: 0

Notices: Area: 200 Mailed: 33
Replies: For: 4 Against: 0

Speakers: None

ALL-WAY STOP Appeal

Edgefield Avenue at Wentworth Street

Motion: In considering an appeal for the installation of an ALL-WAY STOP control at the intersection of Edgefield Avenue at Wentworth Street, it was moved to **approve** this case.

Maker: Culbreath
Second: Avery
Result: Carried: 11 to 3
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda, Weiss, Avery, Burnham, Ekblad, Emmons, Culbreath

Against: 3 - Strater, Bagley, Brandon
Absent: 1 - Buehler
Vacancy: 0

Speakers: For: Vicki Fitzgerald, 334 S. Edgefield Ave., Dallas, TX, 75208
Against: Angela Redel-Gomez, 229 S. Edgefield Ave., Dallas, TX, 75208
City: Gary Elder, 1500 Marilla St., Dallas, TX, 75201

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the June 15, 2006, meeting, subject to corrections.

Maker: Miranda

Second: Marshall

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Buehler

Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the hearing at 4:33 p.m.

Maker: Avery

Second: Marshall

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Buehler

Vacancy: 0

Betty Culbreath, Chair