

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on October 27, 2005, with the briefing starting at 10:50 a.m. in Room 5ES and the public hearing at 1:40 p.m. in the City Council Chambers of City Hall. Presiding were Bruce Wilke, Chair and Carol Brandon, Vice Chair. The following Commissioners were present during the hearing: Dave Neumann, Jeff Strater, Clarence Gary, Angela Marshall, Erik Wilson, Michael Miranda, Bulldog Cunningham, Bill Avery, Carol Scott, Neil Emmons and Betty Culbreath. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: None. There are two vacancies, District 7 and District 12.

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) **S045-376**

Motion: It was moved to **approve** an application to plat a 15.45 acre tract of land in Blocks 7209 and 7212 into one lot at the northeast corner of Cockrell Hill Road and Davis Street, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Strater, Neumann, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott*, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Speakers: None

(2) **S045-377**

Motion: It was moved to **approve** an application to plat a 5.54 acre tract of land in Blocks 11/1017, 1021 and 1026 into one lot on Turtle Creek Boulevard and Gillespie Street, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Strater, Neumann, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott*, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Conflict: 1 - Emmons

*out of the room, shown voting in favor

Speakers: None

(3) **S045-378**

Motion: It was moved to **approve** an application to replat all of lots 5-7 and part of lots 1-4 and 8, Block 302, part of lots 1-4, Block 303, vacated Wade Alley and Munger Avenue R.O.W. into one, 4.23 acre lot bounded by Woodall Rodgers Freeway, Routh Street, Flora Street and Jack Evans Street, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Strater, Neumann, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott*, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Speakers: For: None

(4) **S056-002**

Motion: It was moved to **approve** an application to plat a 2.98 acre tract of land in Block A/2571 into one lot on Cedar Springs Road, south of Mockingbird Lane, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Strater, Neumann, Gary, Marshall, Wilson,
Miranda, Brandon, Cunningham, Avery, Wilke,
Scott*, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Speakers: None

(5) **S056-003**

Motion: It was moved to **approve** an application to replat lots 14-20, Block 36/1576 into one, 1.29 acre lot at the west corner of Gilbert Avenue and Douglas Avenue, subject to conditions listed in the docket .

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Strater, Neumann, Gary, Marshall, Wilson,
Miranda, Brandon, Cunningham, Avery, Wilke,
Scott*, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Speakers: None

(6) **S056-004**

Motion: It was moved to **approve** an application to replat lots 7, 8 and 9, Block 6/1580 into one, 0.55 acre lot on Bowser Avenue, east of Herschel Avenue, subject to conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 13 to 0
For: 13 - Strater, Neumann, Gary, Marshall, Wilson,
Miranda, Brandon, Cunningham, Avery, Wilke,
Scott*, Emmons, Culbreath

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Speakers: None

Individual Items – Residential Replats

(7) **S056-001**

Motion: It was moved to **approve** an application to amend a previously approved preliminary plat (S023-346) in order to delete preliminary conditions: (8) dedicate additional 1.5 ft. R.O.W. for Spruce Valley Lane and Alvarado Street and (9) add a 30 ft. platted building line along Spruce Valley Lane and Alvarado Street, at the northwest corner of Alvarado Street and Spruce Valley Lane, subject to conditions listed in the docket.

Maker: Gary
Second: Brandon
Result: Carried: 13 to 0
For: 13 - Strater, Neumann, Gary, Marshall, Wilson,
Miranda, Brandon, Cunningham, Avery, Wilke,
Scott*, Emmons, Culbreath

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Speakers: None

Miscellaneous Docket

M056-001

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the landscape plan of Planned Development District No. 58 within Planned Development District No. 193, on property bounded by Cedar Springs Road, Carlisle Road and Routh Street.

Maker: Emmons

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Speakers: None

D045-036

Planner: Frank Dominquez

Motion: It was moved to **approve** a development plan for Planned Development District No. 508, in an area bounded by Bickers Street, Greenleaf Street and Holystone Street.

Maker: Emmons

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 – District 7, District 12

*out of the room, shown voting in favor

Speakers: None

Miscellaneous Docket – Under Advisement

M045-036

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan of Planned Development Subdistrict No. 23 for MF-2 Multiple Family Subdistrict Uses, SC Shopping Center Subdistrict Uses, and a Commercial parking lot or garage within PDD No. 193, on Clyde Lane, southeast of McKinney Avenue.

Maker: Emmons

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Speakers: None

Certificates of Appropriateness for Signs

Deep Ellum District

0509151002

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 288 square feet attached non-lighted wall sign on the west façade of 2616 Commerce Street.

Maker: Strater

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham*, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Speakers: None

0509151003

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the instillation of a 288 square feet attached non-lighted wall sign on the south façade of 2616 Commerce Street.

Maker: Strater

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham*, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy 2 - District 7, District 12

*out of the room, shown voting in favor

Speakers: None

Zoning Cases – Consent

1. **Z023-179 (MM)**

Planner: Maureen Meredith

Motion: In considering an application to expand and amend Specific Use Permit No. 85 for a Cemetery on property zoned an MF-2(A) Multifamily District and a CR Community Retail District with Specific Use Permit No. 85, on Lombardy Lane, east of Brockbank Drive and west of Harwell Drive it was moved to recommend **hold** this case under advisement until December 1, 2005.

Maker: Cunningham

Second: Brandon

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Notices: Area: 500

Mailed: 221

Replies: For: 1

Against: 0

Speakers: None

2. **Z045-301 (RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a transit passenger station or transfer station for a permanent time period, subject to a site plan and conditions on property zoned a CS Commercial Service District, on the east line of Parry Avenue, between Commerce Street and First Avenue.

Maker: Cunningham

Second: Brandon

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Notices: Area: 200 Mailed: 2

Replies: For: 2 Against: 0

Speakers: None

3. **Z045-302 (RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the Subdistrict D portion of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, subject to conditions on the north line of Tilden Street, east of Beckley Avenue.

Maker: Cunningham

Second: Brandon

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Notices: Area: 500 Mailed: 30

Replies: For: 0 Against: 0

Speakers: None

4. **Z045-303 (RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Vehicle storage lot for a five-year period, on property zoned a CS Commercial Service District on the east line of South Central Expressway, south of Bateman Avenue.

Maker: Marshall

Second: Culbreath

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson,
Miranda, Brandon, Cunningham, Avery, Wilke,
Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Notices: Area: 300 Mailed: 20

Replies: For: 4 Against: 0

Speakers: For: Brian Lingle, 7001 Westchester Ct., McKinney, TX, 75070

Misty Adams, 4140 S. FM 779, Emory, TX, 75440

Against: None

5. **Z045-304 (JH)**

Planner: Jennifer Hiromoto

Motion: In considering an application for an R-7.5(A) Single Family District on a property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the west side of Prairie Creek Road, north of Military Parkway, it was moved to **hold** this case under advisement until November 10, 2005.

Maker: Wilson

Second: Brandon

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson,
Miranda, Brandon, Cunningham, Avery, Wilke,
Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Notices: Area: 400 Mailed: 37

Replies: For: 5 Against: 2

Speakers: None

6. Z045-307 (DW)

Planner: David Whitley

Motion: It was moved to recommend **approval** to amend Specific Use Permit No. 1570 for an open-enrollment charter school and private recreation, center, club or area, subject to a site plan and revised conditions (dated October 27, 2005) on property zoned an MF-2(A)-D Multifamily District with a Liquor Control Overlay and an RR Regional Retail District on the northwest corner of Jefferson Boulevard and Marsalis Avenue.

Maker: Neumann

Second: Brandon

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson,
Miranda, Brandon, Cunningham, Avery, Wilke,
Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Notices: Area: 300

Mailed: 41

Replies: For: 1

Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley, Dallas, TX, 75208

Against: None

Zoning Cases – Under Advisement

7. Z045-120 (MM)

Planner: Maureen Meredith

Motion: In considering an application for (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 subdistrict 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 December 8, 2005.

Maker: Strater

Second: Brandon

Result: Carried: 13 to 0

For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott, Emmons, Culbreath

Against: 0

Absent: 0

Vacancy: 2 - District 7, District 12

Notices: Area: 500

Mailed: 229

Replies: For: 9

Against: 8

Speakers: None

8. Z045-132 (RB)

Planner: Richard Brown

Motion: In considering an application for an MU-3 Mixed Use District with removal of the D Dry Liquor Control Overlay on property zoned an LO-3-D Limited Office District with the D Liquor Control Overlay with consideration being given to an MU-2 Mixed Use District with retention of the D Dry Liquor Control Overlay on the north corner of Washington Avenue and Worth Street, it was moved to **hold** this case under advisement until December 8, 2005.

Maker: Strater
Second: Brandon
Result: Carried: 13 to 0
For: 13 - Neumann, Strater, Gary, Marshall, Wilson, Miranda, Brandon, Cunningham, Avery, Wilke, Scott, Emmons, Culbreath
Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

Notices: Area: 200 Mailed: 4
Replies: For: 1 Against: 0

Speakers: None

Zoning Cases – Individual

9. Z045-299 (JH)

Planner: Jennifer Hiromoto

Motion: In considering an application to create a new subdistrict for single family uses within Planned Development District No. 465, the Arlington Park Special Purpose District on the southwest corner of Van Winkle Boulevard and Record Crossing Road, it was moved to **hold** this case under advisement until December 8, 2005.

Maker: Strater
Second: Avery
Result: Carried: 10 to 3
For: 10 - Strater, Gary, Marshall, Wilson, Miranda, Cunningham, Avery, Wilke, Scott, Culbreath
Against: 3 - Neumann, Brandon, Emmons
Absent: 0
Vacancy: 2 - District 7, District 12

Notices: Area: 500 Mailed: 52
Replies: For: 4 Against: 7

Speakers: For: Jose Alfaro, 422 Mills Ln., Irving, TX, 75062
Daisy Soockar, P.O. Box 7494, Dallas, TX, 75209
Against: Robert Flye, 5723 Van Winkle Blvd., Dallas, TX, 75235

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the October 20, 2005 meeting, subject to corrections.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

For: 12 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Wilke, Scott,
Emmons, Culbreath

Against: 0

Absent: 1 - Strater**

Vacancy: 2 - District 7, District 12

**Commissioner Strater left, before vote taken

Adjournment

Motion: It was moved to adjourn the hearing at 3:31 p.m.

Maker: Brandon

Second: Marshall

Result: Carried: 12 to 0

For: 12 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Wilke, Scott,
Emmons, Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 2 - District 7, District 12

Chair