

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 3, 2005, with bus tour starting at 9:13 a.m. followed by the briefing at 11:55 a.m. in Room 5ES and the public hearing at 1:33 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, Clarence Gary, Angela Marshall, Erik Wilson, Michael Miranda, Bulldog Cunningham, Bill Avery, Carol Scott and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Jeff Strater. There are three vacancies, District 7, District 11 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: Paul Nelson

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) **S056-005**

Motion: It was moved to **approve** an application to create one 3.3723 acre lot in City Block 945 on Wolf Street between Maple Avenue and Bookhout Street, subject to compliance with the conditions listed in the docket with two added condition to read as follows: "11. On the final plat indicate the previous plat and replat of the property." "12. The final plat must comply with Section 4.601 of the Development Code that prohibits a structure on the remainder of City Block 1/945."

Maker: Cunningham

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott,
Emmons*, Culbreath

Against: 0
Absent: 1 - Strater
Vacancy: 3 - District 7, District 11, District 12

*out of the room, shown voting in favor

Speakers: None

(2) **S056-006**

Motion: It was moved to **approve** an application to create one, 3.25 acre lot from City Block 6555 on Crown Road and Newberry Street, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 11 to 0
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott,
Emmons*, Culbreath

Against: 0
Absent: 0 - Strater
Vacancy: 3 - District 7, District 11, District 12

*out of the room, shown voting in favor

Speakers: None

(3) **S056-007**

Motion: It was moved to **approve** an application to create an 8 lot single family subdivision on a 3.2087 acre tract of land in City Block 6719 on Catskill Street, west of Cheyenne Road, subject to compliance with the conditions listed in the docket with an added condition to read as follows: "11. On the final plat remove all building lines."

Maker: Cunningham
Second: Marshall
Result: Carried: 11 to 0
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott,
Emmons*, Culbreath

Against: 0
Absent: 1 - Strater
Vacancy: 3 - District 7, District 11, District 12

*out of the room, shown voting in favor

Speakers: For: None

(4) **S056-009**

Motion: It was moved to **approve** an application to create one, 0.1376 acre lot from a tract of land in City Block 595 on 3108 Flora Street southwest of Watkins Avenue, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott,
Emmons*, Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

*out of the room, shown voting in favor

Speakers: None

(5) **S056-010**

Motion: It was moved to **approve** an application to replat part of Lots 1 thru 5 and 7, and part of a 25 foot abandoned alley into one 0.4882 acre lot in City Block B/5187 on Dyer Street at Greenville Avenue, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott,
Emmons*, Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

*out of the room, shown voting in favor

Speakers: None

(6) **S056-011**

Motion: It was moved to **approve** an application to replat Lots 1 thru 9 in City Block 13/969 into one 2.567 acre lot on Carlisle Street between Hall Street and Bowen Street, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott,
Emmons*, Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

*out of the room, shown voting in favor

Speakers: None

(7) **S056-012**

Motion: It was moved to **approve** an application to replat Part of City Blocks B/2388, 2/2390, 4/2392, 2395,A/2395, B/2395, B/4483, A/4484, 4485, 4486, 4487, 4488, and 4489 and all of Lot 1B in City Block A/4479 and abandoned streets and alleys, and containing 23.610 acres into four lots on Hatcher Street between Pacific Street and Lyons Street, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott,
Emmons*, Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

*out of the room, shown voting in favor

Speakers: None

(8) **S056-013**

Motion: It was moved to **approve** an application to create one 2.9649 acre lot in City Block 6950 on 4635 Barstow Boulevard between Cockatiel Lane and Pheasant Park, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott,
Emmons*, Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

*out of the room, shown voting in favor

Speakers: None

Miscellaneous Docket

W056-001

Planner: Neva Dean

Motion: In considering a wavier of the two-year waiting period in order to submit an application to create a new subdistrict within the Planned Development District No. 714 and amend public deed restrictions on the east side of Bahama Drive, southeast of Fort Worth Avenue, it was moved to **hold** this case under advisement until December 1, 2005.

Maker: Brandon

Second: Gary

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott, Emmons,
Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

Speakers: None

Zoning Cases – Under Advisement

1. **Z045-275 (DW)**

Planner: David Whitley

Motion: In considering an application for a Planned Development Subdistrict for HC Heavy Commercial uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of McKinney Avenue and St. Paul Street, it was moved to recommend **hold** this case under advisement until November 17, 2005.

Maker: Emmons

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott, Emmons,
Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

Notices: Area: 500

Mailed: 127

Replies: For: 0

Against: 52

Speakers: None

Zoning Cases – Individual

2. **Z045-306 (DW)**

Planner: David Whitley

Motion: It was moved to recommend **approval** of a Specific Use Permit for a private school and private recreation, center, club or area for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommended conditions on property zoned an R-1ac(A) Single Family District and an NO(A) Neighborhood Office District, on the southwest corner of Hillcrest Road and Hillcrest Plaza Drive.

Maker: Scott

Second: Emmons

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham*, Avery, Scott,
Emmons, Culbreath

Against: 0
Absent: 1 - Strater
Vacancy: 3 - District 7, District 11, District 12

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 151
Replies: For: 2 Against: 5

Speakers: For: John Fowler, 2001 Bryan St., Dallas, TX, 75201
Against: None

3. Z045-249 (RB)

Planner: Richard Brown

Motion: In considering an application for a Planned Development District for Mixed Uses on property zoned an MU-3 Mixed Use District, on the southeast corner of Mockingbird Lane and North Central Expressway, it was moved to **hold** this case under advisement until November 17, 2005.

Maker: Emmons
Second: Marshall
Result: Carried: 11 to 0
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott, Emmons,
Culbreath

Against: 0
Absent: 1 - Strater
Vacancy: 3 - District 7, District 11, District 12

Notices: Area: 500 Mailed: 55
Replies: For: 4 Against: 2

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Philip Brosseam, 4809 Cole Ave., Dallas, TX, 75205
Don Epperson, 7208 Winterwood Ln., Dallas, TX, 75248
Against: None

4. Z045-291 (WE)

Planner: Warren Ellis

Motion: It was moved to recommend **denial without prejudice** of a Specific Use Permit for a Commercial Amusement (inside) use for a dance hall and an alcoholic beverage establishment use for a bar, lounge or tavern within Subdistrict 2 of Planned Development District No. 317, the Cedar Area Special Purpose District, on the southeast corner of Harwood Street and Hickory Street.

Maker: Brandon
Second: Cunningham
Result: Carried: 11 to 0
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott, Emmons,
Culbreath

Against: 0
Absent: 1 - Strater
Vacancy: 3 - District 7, District 11, District 12

Notices: Area: 200 Mailed: 22
Replies: For: 0 Against: 2

Speakers: None

5. Z045-297 (JH)

Planner: Jennifer Hiromoto

Motion: In considering an application for a Planned Development Subdistrict for single family, multiple family and mixed uses on property zoned an MF-2 Multiple Family Subdistrict and an LC Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by Lemmon Avenue, Mahanna Street, City Limit line, Miles Street, Holland Avenue, Dorothy Street, Bowser Avenue, and Cedar Plaza Lane, it was moved to **hold** this case under advisement until November 17, 2005.

Maker: Emmons
Second: Marshall
Result: Carried: 11 to 0
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott, Emmons,
Culbreath

Against: 0
Absent: 1 - Strater
Vacancy: 3 - District 7, District 11, District 12

Notices: Area: 500 Mailed: 406
Replies: For: 28 Against: 3

Speakers: For: Myron Dornic, 901 Main St., Dallas, TX, 75202
Against: Frank Stich, 4224 N. Hall St., Dallas, TX, 75219

Development Code Amendment

DCA 045-010

Planner: Richard Brown

Motion: It was moved to recommend **approval** of amending the Dallas Development Code to revise Section 51A-4.702, the regulations regarding consideration for a minor amendment to a development plan and landscape plan relating to a planned development district and Section 51A-4.219, the regulations regarding consideration for a minor amendment to a site plan and landscape plan related to a specific use permit, subject to staff's revised conditions with the final language to return on the November 10, 2005, agenda.

Maker: Cunningham

Second: Brandon

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott, Emmons,
Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

Speakers: For: None

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

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the October 27, 2005 meeting, subject to corrections.

Maker: Cunningham

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott, Emmons,
Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

Adjournment

Motion: It was moved to adjourn the hearing at 3:13 p.m.

Maker: Brandon

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,
Brandon, Cunningham, Avery, Scott, Emmons,
Culbreath

Against: 0

Absent: 1 - Strater

Vacancy: 3 - District 7, District 11, District 12

Betty Culbreath, Chair