

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 10, 2005, with the briefing at 11:17 a.m. in Room 5ES and the public hearing at 1:31 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, Bulldog Cunningham, Bill Avery, Chris Buehler and Carol Scott. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Neil Emmons. There are three 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) **S056-014**

**Motion:** It was moved to **approve** an application to replat part of Blocks 877, F/877, K/879, B/880, I/881 and D/884, all of Blocks C/882, H/883 and G/885 and abandoned Parnell Street, Sanger Avenue, Holmes Street, Cleveland Street, Gould Street and alley Rights of Way into one, 20.33 acre lot at the north corner of Grand Avenue and Lamar Street, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

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

Against: 0  
Absent: 1 - Emmons  
Vacancy: 2 - District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S056-015**

**Motion:** It was moved to **approve** an application to replat lots 3, 4 and 5, Block 2/645 into one, 0.57 acre lot at the west corner of Bryan Street and Haskell Street, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

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

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

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S056-016**

**Motion:** It was moved to **approve** an application to replat lots 3 and 4, Block C/8806 in order to adjust a common lot line at the southeast corner of U. S. Highway 175 and S. Beltline Road, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 12 to 0

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

Against: 0  
Absent: 1 - Emmons  
Vacancy: 2 - District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** For: None

(4) **S056-017**

**Motion:** It was moved to **approve** an application to replat lots 2 and 3, Block 9/730 into one, 0.34 acre lot on Bryan Street, south of Bennett Avenue, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

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

Against: 0

Absent: 1 - Emmons

Vacancy: 2 - District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

(5) **S056-018**

**Motion:** It was moved to **approve** an application to replat lots 1A, Block 5/1499 and 1A, Block G/1499 into one, 2.53 acre lot at the north corner of Hall Street and Douglas Avenue, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

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

Against: 0

Absent: 1 - Emmons

Vacancy: 2 - District 7, District 12

\*out of the room, shown voting in favor

**Speakers:** None

Zoning Cases – Consent

1. **Z045-314 (WE)**

Planner: Warren Ellis

**Motion:** In considering an application to create new deed restrictions on property zoned a CS Community Service District with deed restrictions and the termination of the existing deed restrictions on the west line of St. Augustine Road, north of Military Parkway, it was moved to recommend **hold** this case under advisement until December 1, 2005.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

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

Against: 0

Absent: 1 - Emmons

Vacancy: 2 - District 7, District 12

\*out of the room, shown voting in favor

**Notices:** Area: 400 Mailed: 117

**Replies:** For: 0 Against: 1

**Speakers:** None

2. **Z045-311 (MM)**

Planner: Maureen Meredith

**Motion:** It was moved to recommend **approval** of an MF-2(A) Multifamily District on property zoned a CR Community Retail District, south of Haskell Avenue and Munger Avenue.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

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

Against: 0

Absent: 1 - Emmons

Vacancy: 2 - District 7, District 12

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 24  
**Replies:** For: 0 Against: 0

**Speakers:** None

3. **Z045-313 (MM)**

Planner: Maureen Meredith

**Motion:** In was moved to recommend **approval** of amending and renewing Specific Use Permit No. 1490 for a private school for a three-year period, with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions on property zoned Planned Development District No. 623 for R-10(A) Single Family District uses on the southeast corner of Royal Lane and Webb Chapel Road.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

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

Against: 0

Absent: 1 - Emmons

Vacancy: 2 - District 7, District 12

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 66  
**Replies:** For: 2 Against: 8

**Speakers:** None

4. **Z045-315 (MM)**

Planner: Maureen Meredith

**Motion:** It was moved to recommend **approval** of amending the existing deed restrictions on property zoned a CR Community Retail District on the southeast corner of Lovers Lane and Greenway Boulevard.

Maker: Cunningham

Second: Brandon

Result: Carried: 12 to 0

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

Against: 0  
Absent: 1 - Emmons  
Vacancy: 2 - District 7, District 12

\*out of the room, shown voting in favor

**Notices:** Area: 400 Mailed: 160  
**Replies:** For: 7 Against: 2

**Speakers:** None

Zoning Cases – Under Advisement

5. **Z045-158 (MM)**

Planner: Maureen Meredith

**Motion:** It was moved to recommend **denial** of a Specific Use Permit for a hotel or motel use on property zoned an RR Regional Retail District on the north side of Overton Road, west of Beckley Avenue and east of R.L. Thornton Freeway.

Maker: Marshall  
Second: Brandon  
Result: Carried: 10 to 2  
For: 10 - Neumann, Gary, Marshall, Wilson, Brandon,  
Cunningham, Avery, Buehler, Scott, Culbreath

Against: 2 - Strater, Miranda  
Absent: 1 - Emmons  
Vacancy: 2 - District 7, District 12

**Notices:** Area: 300 Mailed: 14  
**Replies:** For: 2 Against: 2

**Speakers:** For: Evelyn Hicks, 400 S. Zang Blvd., Dallas, TX, 75208  
Linda Kelly, 109 W. Overton Rd., Dallas, TX, 75224  
Hash Patel, 109 W. Overton Rd., Dallas, TX, 75224  
Against: Dwaine Caraway, 1934 Argyle Ave., Dallas, TX, 75203  
Michael Davis, 4347 McKinney Ave., Dallas, TX, 75205

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

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of an R-7.5(A) Single Family District with retention of the D-1 Liquor Control Overlay 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.

Maker: Wilson  
Second: Brandon  
Result: Carried: 11 to  
For: 11 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Brandon, Avery, Buehler, Scott,  
Culbreath

Against: 0  
Absent: 2 - Cunningham\*\*, Emmons  
Vacancy: 2 - District 7, District 12

\*\*Commissioner Cunningham left, before vote was taken

**Notices:** Area: 400 Mailed: 37  
**Replies:** For: 5 Against: 2

**Speakers:** None

Development Code Amendment

**DCA 045-010**

Planner: Richard Brown

**Motion:** In considering an amendment to 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, it was moved to **hold** this case under advisement until December 1, 2005.

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

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

**Speakers:** For: None

Land Use Study

**Bachman Lake/Northwest Highway Needs Assessment Study**

**Motion:** It was moved to recommend **approval** of the Bachman Lake/West Northwest Highway Needs Assessment study in an area generally located along West Northwest Highway between I-35 (western boundary) and Mixon Drive (eastern boundary).

Maker: Brandon

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Brandon, Avery, Buehler, Scott,  
Culbreath

Against: 0

Absent: 2 - Cunningham, Emmons

Vacancy: 2 - District 7, District 12

**Speakers:** For: None

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the November 3, 2005 meeting, subject to corrections.

Maker: Brandon

Second: Wilson

Result: Carried: 11 to 0

For: 11 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Brandon, Avery, Buehler, Scott,  
Culbreath

Against: 0

Absent: 2 - Cunningham, Emmons

Vacancy: 2 - District 7, District 12

Adjournment

**Motion:** It was moved to adjourn the hearing at 3:47 p.m.

Maker: Brandon

Second: Neumann

Result: Carried: 11 to 0



For: 11 - Neumann, Strater, Gary, Marshall, Wilson,  
Miranda, Brandon, Avery, Buehler, Scott,  
Culbreath

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

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Betty Culbreath, Chair