

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on June 15, 2006, with the briefing at 10:43 a.m. in Room 5ES and the public hearing at 1:37 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) **S056-265**

**Motion:** It was moved to **approve** an application to create one 2.138 acre lot from a tract of land in Block 7845 located on the east side of Prairie Creek Road, 630 feet south of Fireside Drive, subject to compliance with the conditions listed in the docket

Maker: Brandon

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

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S056-266**

**Motion:** It was moved to **approve** an application to replat Lots 3 and 4 of the Hillvale Addition in Block 6625 into three lots of 0.780, 2.788 and 2.036 acres located on the east side of northbound R. L. Thornton Freeway (I-35E) service road at Hillvale Drive, subject to compliance with the conditions listed in the docket

Maker: Brandon

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

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S056-267**

**Motion:** It was moved to **approve** an application to replat Lots 11, 12 & 13 in Block 7/5775 into one 0.883 acre lot northwest side of W. Northwest Highway between Sheila Lane and Timberline Drive, subject to compliance with the conditions listed in the docket

Maker: Brandon

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

\*out of the room, shown voting in favor

**Speakers:** None

(4) **S056-268**

**Motion:** It was moved to **approve** an application to replat Lots 8 and 9 of the Wal-Mart St. Francis Addition in Block A/8475 into two lots of 0.952 and 1.101 acres each at the southeast corner of R. L. Thornton Freeway (I-30) and St. Francis Avenue, subject to compliance with the conditions listed in the docket

Maker: Brandon

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

\*out of the room, shown voting in favor

**Speakers:** None

(5) **S056-269**

**Motion:** It was moved to **approve** an application to replat Lots 1 through 12 of the J. H. Cole's Addition in Block 3/364 into one 1.377 acre lot bordered by Harry Hines Boulevard, Moody Street, N. Harwood Street, and Olive Street, subject to compliance with the conditions listed in the docket

Maker: Brandon

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

\*out of the room, shown voting in favor

**Speakers:** None

(6) **S056-270**

**Motion:** It was moved to **approve** an application to replat part of Lots 1 and 2 of the Cockrell Fairland Addition in Block H/1532 into one 4,869.99 sq. ft. (0.1117 ac.) lot on the north side of Oliver Street between Cole Avenue and McKinney Avenue, subject to compliance with the conditions listed in the docket

Maker: Brandon  
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

\*out of the room, shown voting in favor

**Speakers:** None

(7) **S056-271**

**Motion:** It was moved to **approve** an application to replat Lot 8A of the Bryan Annex Addition in Block 3/726 and a portion of Annex Avenue proposed to be abandoned into one 20,364 sq. ft. (0.4675 ac.) lot at the south corner of Bryan Street and Annex Avenue, subject to compliance with the conditions listed in the docket

Maker: Brandon  
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

\*out of the room, shown voting in favor

**Speakers:** None

(8) **S056-272**

**Motion:** It was moved to **approve** an application to plat part of Block 760 and all of Block 763, and to replat all of Block A/762 (Gaston Episcopal Hospital Addition) into one 7.5396 acre lot bordered by Gaston Avenue, N. Hall Street, Floyd Street, and N. Washington Avenue, subject to compliance with the conditions listed in the docket

Maker: Brandon  
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

\*out of the room, shown voting in favor

**Speakers:** None

(9) **S056-273**

**Motion:** It was moved to **approve** an application to plat a tract of land in Block 5601 into two lots of 2.1213 and 2.1984 acres each at 9807 Meadowbrook Drive west of Falls Road, subject to compliance with the conditions listed in the docket

Maker: Brandon  
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

\*out of the room, shown voting in favor

**Speakers:** None

(10) **S056-274**

**Motion:** It was moved to **approve** an application to plat a tract of land and part of Lot 2B in Block 5716 into two lots of 0.73 and 1.5976 acres each at the west corner of Inwood Road and Lemmon Avenue, subject to compliance with the conditions listed in the docket

Maker: Brandon

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

\*out of the room, shown voting in favor

**Speakers:** None

(11) **S034-116**

**Motion:** It was moved to **approve** an application of a minor amending plat to add a 15' x 30' water easement to a lot in Block 6509 at 2151 Manana Drive at Newkirk Drive to, subject to compliance with the conditions listed in the docket

Maker: Brandon

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

\*out of the room, shown voting in favor

**Speakers:** None

Individual items – Residential Replats

(12) **S056-264**

**Motion:** It was moved to **approve** an application to replat Lot 3 in Block H/4521 of the Bronx Park Place Addition into two lots of 8,881.96 sq. ft. and 9,886.95 sq. ft. each on the west side of Marshall Dell Avenue between Irwindell Boulevard and Brooklyndell Avenue, subject to compliance with the conditions listed in the docket

Maker: Marshall  
Second: Neumann  
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

Miscellaneous Docket

**M056-029**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the site plan for Planned Development District No. 17, on the northeast corner of Preston Road and Dilbeck Lane

Maker: Strater  
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

\*out of the room, shown voting in favor

**Speakers:** None

**M056-033**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 582, the Victory Planned Development District, in an area generally bound by property north of Hi Line Drive, the M.K.&T. Railroad to the east, Continental Avenue to the south and Stemmons Freeway to the west

Maker: Strater  
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

\*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 the site plan for Specific Use Permit No. 1393 for a private school, on the east line of Rugged Drive, north of Ledbetter Drive

Maker: Strater  
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

\*out of the room, shown voting in favor

**Speakers:** None

**M056-037**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the Tract IV development plan and landscape plan for Planned Development District No. 49, on the northwest corner of Camp Wisdom Road and Houston School Road

Maker: Strater  
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

\*out of the room, shown voting in favor

**Speakers:** None

**M056-039**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development and landscape plan for property within Subarea No. 7 of Planned Development District No. 298, the Bryan Area Special Purpose District, on the west corner of Bryan Street and McCoy Street

Maker: Strater  
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

\*out of the room, shown voting in favor

**Speakers:** None

**Z056-231(RB)**

Planner: Richard Brown

**Motion:** It was moved to **approve** a site plan and conditions submitted in conjunction with an application for a Specific Use Permit for an Alcoholic beverage establishment for a Private club-bar on property zoned within the Subarea 4 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District, and an IM Industrial Manufacturing District, both zoning districts possess the D-1 Liquor Control Overlay on the northeast corner of Buckner Boulevard and Kipling Drive.

Maker: Strater

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

\*out of the room, shown voting in favor

**Speakers:** None

**D056-012**

Planner: Frank Dominquez

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 8, on the northeast corner of Oak Lawn Avenue and Blackburn Street.

Maker: Strater

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

\*out of the room, shown voting in favor

**Speakers:** None

Zoning Cases - Consent

**1. Z056-104(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to the development plan, conceptual plan, and conditions for Planned Development District No. 334 for HC Heavy Commercial Subdistrict uses as provided for in Planned Development District No. 193, the Oak Lawn Special Purpose District in an area bounded by Pearl Street, McKinney Avenue, Olive Street, and Cedar Springs Road with the deletion of the following words under SEC. 51P-334.108, Maximum Heights, (a)(1), "plaza or terrace structures, pool structures, skylights."

Maker: Culbreath

Second: Strater

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

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 123

**Replies:** For: 61 Against: 2

**Speakers:** For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202  
Against: None

**2. Z056-191(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to Tract III portion of Tract I and II Development plan/Tract III Conceptual plan of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the east quadrant of Colorado Boulevard and Zang Boulevard and the north quadrant of Zang Boulevard and Plowman Avenue.

Maker: Strater

Second: Avery

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

**Notices:** Area: 500 Mailed: 38  
**Replies:** For: 5 Against: 0

**Speakers:** None

3. **Z045-239(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a CS Commercial Service District on property zoned a portion of Planned Development District No. 72 for Automobile Sales and Service on the north line of Inwood Road, west of Lemmon Avenue.

Maker: Strater  
Second: Avery  
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

**Notices:** Area: 200 Mailed: 8  
**Replies:** For: 1 Against: 0

**Speakers:** None

4. **Z056-240(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an Alcoholic Beverage Establishment use for a bar, lounge or tavern for a five-year period with eligibility for automatic renewals for additional five year periods, subject to a site plan and conditions on property zoned Planned Development District No. 619 for mixed uses with Historic Overlay No. 87 on the northwest corner of Fourway Place and Main Street

Maker: Strater

Second: Avery

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

**Notices:** Area: 200 Mailed: 19

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

**Speakers:** For: Jonathan Serrano, Address not given  
Against: None

5. **Z056-241(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an expansion of and an amendment to Specific Use Permit No. 1455 for a private school use for a ten year period with eligibility for automatic renewals for additional 10 year periods, subject to a revised site plan and conditions on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District on the northwest line of Ferguson Road at Little Pocket Drive.

Maker: Strater

Second: Avery

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

**Notices:** Area: 400 Mailed: 30  
**Replies:** For: 2 Against: 0

**Speakers:** None

Zoning Cases – Under Advisement

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

Planner: David Whitley

**Motion:** In considering an application for a Planned Development Subdistrict for GR General Retail Subdistrict uses 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, it was moved to **hold** this case under advisement until June 22, 2006.

Maker: Buehler

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

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 42  
**Replies:** For: 2 Against: 8

**Speakers:**

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

Zoning Cases – Individual

7. **Z056-232(JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an Open-enrollment Charter School for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to site plans and conditions on property zoned Area 4 within Planned Development District No. 316, the Jefferson Boulevard Special Purpose District, on the northwest corner of Sunset Avenue and Madison Avenue.

Maker: Strater

Second: Emmons

Result: Carried: 12 to 3

For: 12 - Strater, Gary, Marshall, Wilson, Bagley,  
Brandon, Weiss, Buehler, Burnham, Ekblad,  
Emmons, Culbreath

Against: 3 - Neumann, Miranda, Avery

Absent: 0

Vacancy: 0

**Notices:** Area: 300 Mailed: 37

**Replies:** For: 2 Against: 4

**Speakers:** For: Peter Kavanagh, 1620 Handley, Dallas, TX, 75208  
Marshall Willard, 509 N. Winnetka St., Dallas, TX, 75208  
Abraham Armani, 6342 Southpoint Dr., Dallas, TX, 752458  
Against: Jesse Valero, 351 W. Jefferson Blvd., Dallas, TX, 75208

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Other Matters

Minutes

**Motion:** It was moved to **approve** the minutes of the June 1, 2006, and June 6, 2006 meeting, subject to corrections.

Maker: Weiss

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

Adjournment

The hearing **adjourn** at 3:24 p.m.

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Betty Culbreath, Chair