

## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 9, 2006, with the bus tour starting at 9:11 a.m. followed by the briefing at 12:40 p.m. in Room 5ES and the public hearing at 1:39 p.m. in the City Council Chambers of City Hall. Presiding were Betty Culbreath, Chair and Dave Neumann, Vice Chair. The following Commissioners were present during the hearing: Clarence Gary, Angela Marshall, Erik Wilson, Michael Miranda, Ann Bagley, Robert Weiss, Bill Avery, Chris Buehler, Robert Ekblad, and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Jeff Strater, Robert Weiss and Dennis Burnham. There is one vacancy, District 8.

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: Michael Grace

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) **S067-012**

**Motion:** It was moved to **approve** an application to create seven lots ranging in size from 9,072.13 sq. ft. to 9,085.99 sq. ft. from a 1.4587 acre tract of land in City Block 6693 on the east side of Cheyenne Rd. between Pleasant Hills Drive and Elam Road, subject to compliance with the conditions listed in the docket.

Maker: Marshall

Second: Wilson

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda, Bagley, Avery, Buehler, Ekblad, Emmons, Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

(2) **S067-013**

**Motion:** It was moved to **approve** an application to replat Lots 1 thru 4 of Ross Avenue Heights in City Block Q/1474 into a Shared Access development consisting of twenty-three lots ranging in size from 1,407 sq. ft. to 2,497 sq. ft. on 0.8907 acres at the southeast corner of Hope Street and Hudson Street, subject to compliance with the conditions listed in the docket.

Maker: Marshall  
Second: Wilson  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

(3) **S067-014**

**Motion:** It was moved to **approve** an application to replat Lots 6-8 of Ross Avenue Heights Addition in City Block L/1474 into a Shared Access development consisting of nineteen lots ranging in size from 1,488 sq. ft. to 2,229 sq. ft. on 0.6715 acres on the northwest corner of Hudson Street and Matilda Street, subject to compliance with the conditions listed in the docket.

Maker: Marshall  
Second: Wilson  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

(4) **S067-015**

**Motion:** It was moved to **approve** an application to plat a 3.082 acre tract of land in City Block 7485 into a Shared Access development consisting of eighteen lots ranging in size from 2,240 sq. ft. to 3,136 sq. ft. on the southeast corner of Easton Road and Lake Highlands Drive, subject to compliance with the conditions listed in the docket.

Maker: Marshall

Second: Wilson

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0

Absent: 3 - Strater, Weiss, Burnham

Vacancy: 1 - District 8

**Speakers:** None

(5) **S067-016**

**Motion:** It was moved to **approve** an application to replat tracts A and B and Lots 7-10 of Hanks Addition in City Block 3/506 into one 1.452 acre lot on the northeast corner of Ross Avenue and Pavillion Street, subject to compliance with the conditions listed in the docket.

Maker: Marshall

Second: Wilson

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0

Absent: 3 - Strater, Weiss, Burnham

Vacancy: 1 - District 8

**Speakers:** None

(6) **S067-017**

**Motion:** It was moved to **approve** an application to plat a 5.381 tract of land into two lots at the northwest corner of Hi Line Drive and Oak Lawn Avenue, subject to compliance with the conditions listed in the docket.

Maker: Marshall  
Second: Wilson  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

(7) **S067-018**

**Motion:** It was moved to **approve** an application to replat Lots 2, 12, 13 and part of Lots 3 and 14 in City Block 9/1015 into two lots totaling 28,425.66 sq. ft. on 0.6525 acres at the southeast corner of the intersection of Hood Street and Routh Street, subject to compliance with the conditions listed in the docket with the following two changes: 1) Correction to the spelling of Fairmount Street on the plat. 2) A condition that no structure be allowed on the remainder of Lot 3, unless it complies with Section 4.601.

Maker: Marshall  
Second: Wilson  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

Miscellaneous Docket

**M056-046**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 721 on property bounded by Berridge Lane, St. Francis Avenue, Trace Road and Charoit Drive.

Maker: Marshall  
Second: Bagley  
Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

**M067-002**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the landscape development plan for Planned Development District No. 305 on the east corner of McKinney Avenue, east of Lemmon Avenue.

Maker: Marshall  
Second: Bagley  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

**M067-007**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the site plan and landscape plan for Specific Use Permit No. 959 for a Private school on the southwest corner of Inwood Road and Harvest Hill Road.

Maker: Marshall  
Second: Bagley  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

**D056-002**

Planner: Frank Dominguez

**Motion:** In considering a development plan and landscape plan for Planned Development District No. 341, for Cluster Housing District uses, on the west side of Stevens Village Drive, north of Davis Street, it was moved to **hold** this case under advisement until November 16, 2006.

Maker: Gary  
Second: Marshall  
Result: Carried: 10 to 1  
For: 10 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons  
  
Against: 1 - Culbreath  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

**D056-019**

Planner: Frank Dominguez

**Motion:** In considering a development plan for Planned Development District No. 174, for R-7.5(A) Single family uses on the west corner of Lemmon Avenue and Carlisle Street, it was moved to **hold** this case under advisement indefinitely.

Maker: Emmons  
Second: Ekblad  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath  
  
Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

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

**D056-030**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** a landscape plan for Planned Development District No. 684, the Victory Planned Development District, on the southeast corner of Abrams Road and Glasgow Drive.

Maker: Marshall  
Second: Bagley

Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

**D056-031**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 334 in an area generally bounded by Pearl Street, McKinney Avenue, Olive Street, and Cedar Springs Road.

Maker: Marshall  
Second: Bagley  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

**D056-032**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** a development plan for Planned Development District No. 521 for Residential, Office and Retail Uses on the west side of Mountain Creek Parkway, north of IH 20.

Maker: Marshall  
Second: Bagley  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

**D056-033**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** a development plan for Planned Development District No. 582, the Victory Planned Development District on the northwest corner of Victory Avenue and North Lamar Street.

Maker: Marshall

Second: Bagley

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0

Absent: 3 - Strater, Weiss, Burnham

Vacancy: 1 - District 8

**Speakers:** None

**D056-035**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 614 on the northwest corner of Belt Line Road and Prestonwood Boulevard.

Maker: Marshall

Second: Bagley

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0

Absent: 3 - Strater, Weiss, Burnham

Vacancy: 1 - District 8

**Speakers:** None

Miscellaneous Docket – Under Advisement

**M056-047**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 720, on Ridgecrest Road between Fair Oaks Avenue and Holly Hill Drive.

Maker: Ekblad

Second: Emmons

Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath  
  
Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202  
Against: None

Certificates of Appropriateness for Signs

**Downtown Sign District**

**0609205026**

Planner: Michael Finley

**Motion:** It was moved to **approve** a Certificate of Appropriateness to reface a 149.9 square feet flat attached backlit flat panel sign reading "NOVACK'S LANDMARK GRILL" on the west façade of 306 South Houston Street at Jackson Street.

Maker: Culbreath  
Second: Buehler  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath  
  
Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Speakers:** None

Zoning Cases - Consent

**1. Z056-317(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to the development plan and conditions for Planned Development District No. 748 for MU-3 Mixed Use District Uses and an amendment to the site plan and conditions for Specific Use Permit No. 1385 for a Pedestrian skybridge on Motor Street and Amelia Court, southwest of Harry Hines Boulevard.

Maker: Emmons  
Second: Marshall

Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Notices:** Area: 750 Mailed: 17  
**Replies:** For: 1 Against: 0

**Speakers:** None

2. **Z067-104(JA)**

Planner: Jim Anderson

**Motion:** It was moved to recommend **approval** of a Historic Overlay for the Mercantile Bank Tower, subject to preservation criteria on property zoned Planned Development District No. 619 at the northeast corner of Ervay Street and Commerce Street.

Maker: Emmons  
Second: Marshall  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Notices:** Area: 200 Mailed: 12  
**Replies:** For: 2 Against: 0

**Speakers:** None

3. **Z056-330(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** It was moved to recommend **approval** of amending Specific Use Permit No. 1541 for a childcare facility, community service center, and private recreation center, club or area, subject to a site plan and conditions on property zoned R-5(A) Single Family District on Bernal Drive between Palacios Avenue and Singleton Boulevard.

Maker: Emmons  
Second: Marshall

Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Notices:** Area: 200 Mailed: 38  
**Replies:** For: 1 Against: 0

**Speakers:** None

Zoning Cases – Under Advisement

4. **Z056-312(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a City Plan Commission authorized hearing to determine proper zoning with consideration being given to amending the conditions and conceptual plan of Planned Development District No. 730 for mixed uses, on both sides of Bexar Street, between Brigham Lane and C.F. Hawn Freeway.

Maker: Bagley  
Second: Wilson  
Result: Carried: 11 to 0  
For: 11 - Neumann, Gary, Marshall, Wilson, Miranda,  
Bagley, Avery, Buehler, Ekblad, Emmons,  
Culbreath

Against: 0  
Absent: 3 - Strater, Weiss, Burnham  
Vacancy: 1 - District 8

**Notices:** Area: 200 Mailed: 142  
**Replies:** For: 1 Against: 7

**Speakers:** For: Barbara Carr, 321 Trees Dr., Cedar Hill, TX, 75104  
Shellia Crawford, 2559 Ghent St., Dallas, TX, 75215  
Against: None

A. **Z056-325(OTH)**

Planner: Olga Torres-Holyoak

**Motion:** Motion: It was moved to recommend **approval** of a Planned Development District for a Public School other than an open enrollment charter school and MF-2(A) Multifamily District uses, subject to a development plan and revised conditions on property zoned a CS Commercial Service District and an MF-2(A) Multifamily District on the west side of Brockbank Drive and Park Lane and on the southeast corner of Brockbank Drive and Valley Meadow Drive with the following two changes: 1) Strike under all of 51P-111, LIGHTING, \*Lighting is prohibited on the baseball and softball field.\* 2) Recommend to the City Council to add to the ordinance that a directive be issued to the director of Public Works that a crosswalk connecting the athletic field to the school be installed as soon as possible

Maker: Miranda

Second: Buehler

Result: Carried: 11 to 0

For: 11 - Neumann, Gary, Marshall, Wilson, Miranda, Bagley, Avery, Buehler, Ekblad, Emmons, Culbreath

Against: 0

Absent: 3 - Strater, Weiss, Burnham

Vacancy: 1 - District 8

**Notices:** Area: 500 Mailed: 311

**Replies:** For: 12 Against: 0

**Speakers:** For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202  
Linda Neal, 2927 Kendale Dr., Dallas, TX  
Against: None

Zoning Cases – Individual

5. **Z056-335(JH)**

Planner: Jennifer Hiromoto

**Motion:** In considering an application for a CS Commercial Service District with deed restrictions volunteered by the applicant on a property zoned an R-10(A) Single Family District on the east side of Quietwood Drive, south of the I-20 freeway access road, it was moved to **hold** this case under advisement until December 7, 2006.

Maker: Emmons

Second: Wilson

Result: Carried: 9 to 1

For: 9 - Neumann, Gary, Wilson, Miranda, Bagley, Avery, Ekblad, Emmons, Culbreath

Against: 1 - Buehler  
Absent: 4 - Strater, Marshall\*\*, Weiss, Buehler  
Vacancy: 1 - District 8

\*\* Commissioner left, before vote taken

**Notices:** Area: 200 Mailed: 14  
**Replies:** For: 1 Against: 5

**Speakers:** For: Larry Campbell, Address not given  
Against: Mark Lawson, 740 Quietwood Dr., Dallas, TX, 75253  
Donald Wiley, 710 Quietwood Dr. and 13004 IH20, Dallas, TX, 75253

6. **Z056-332(MF)**

Planner: Michael Finley

**Motion:** It was moved to recommend **approval** of a Neighborhood Stabilization Overlay (NSO) on property zoned an R-7.5(A) Single Family District on properties on either side of North Ridge Drive, Hillbrook Street, South Ridge Drive, Merrilee Lane and Alexander Drive generally between Sperry Street and the properties on the west side of Alexander Drive and Hillbrook Street.

Maker: Buehler  
Second: Emmons  
Result: Carried: 10 to 0  
For: 10 - Neumann, Gary, Wilson, Miranda, Bagley,  
Avery, Buehler, Ekblad, Emmons, Culbreath

Against: 0  
Absent: 4 - Strater, Marshall, Weiss, Buehler  
Vacancy: 1 - District 8

**Notices:** Area: 200 Mailed: 181  
**Replies:** For: 34 Against: 5

**Speakers:** For: Itrel Monroe, 6860 Southridge Dr., Dallas, TX, 75214  
Scott Frieling, 6815 Southridge Dr., Dallas, TX, 75214  
Against: None

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Other Matters

Reconsideration

**Z056-227(RB)**

Planner: Richard Brown

**Motion I:** It was moved to **suspend** the CPC Rules of Procedure to allow reconsideration of Z056-227(RB).

Maker: Emmons  
Second: Miranda  
Result: Carried: 10 to 0  
For: 10 - Neumann, Gary, Wilson, Miranda, Bagley,  
Avery, Buehler, Ekblad, Emmons, Culbreath  
  
Against: 0  
Absent: 4 - Strater, Marshall, Weiss, Buehler  
Vacancy: 1 - District 8

**Motion II:** It was moved to **reconsider** the action taken on May 18, 2006, which was to recommend approval of an application for a Planned Development District for Single family uses and private streets, subject to a development plan, Audelia Road planting plan, and conditions on the property zoned an R-7.5(A) Single Family District on the east line of Audelia Road, south of Shadow Way.

Maker: Avery  
Second: Wilson  
Result: Carried: 10 to 0  
For: 10 - Neumann, Gary, Wilson, Miranda, Bagley,  
Avery, Buehler, Ekblad, Emmons, Culbreath  
  
Against: 0  
Absent: 4 - Strater, Marshall, Weiss, Buehler  
Vacancy: 1 - District 8

**Motion III:** It was moved to **consider** a zoning change for a Specific Use Permit for private streets instead of a Planned Development District, and to **approve a reconsideration** of an application for a Planned Development District for Single family uses and Private streets on property zoned an R-7.5(A) Single Family District on property zoned an R-7.5(A) Single Family District on the east line of Audelia Road, south of Shadow Way, with consideration being given to instructing staff to re-advertise and re-notify this case as an application for a Specific Use Permit for private streets.

Maker: Avery  
Second: Wilson  
Result: Carried: 10 to 0

For: 10 - Neumann, Gary, Wilson, Miranda, Bagley,  
Avery, Buehler, Ekblad, Emmons, Culbreath  
Against: 0  
Absent: 4 - Strater, Marshall, Weiss, Buehler  
Vacancy: 1 - District 8

**Speakers:** None

Minutes

**Motion:** It was moved to **approve** the minutes of the October 26, 2006 and November 2, 2006, meetings, subject to corrections.

Maker: Buehler  
Second: Miranda  
Result: Carried: 10 to 0  
For: 10 - Neumann, Gary, Wilson, Miranda, Bagley,  
Avery, Buehler, Ekblad, Emmons, Culbreath  
Against: 0  
Absent: 4 - Strater, Marshall, Weiss, Buehler  
Vacancy: 1 - District 8

Adjournment

Motion: The meeting **adjourned** at 3:29 p.m.

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Betty Culbreath, Chair