

CITY PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 3, 2005, with the briefing starting at 10:28 a.m. in Room 5ES and the public hearing beginning at 1:39 p.m. in the City Council Chambers of City Hall. Presiding was Bruce Wilke, Chair and Melvin Traylor, Acting Vice-chair. The following Commissioners were present during the hearing: Joel Vera, Jeff Strater, Clarence Gary, Angela Marshall, D'Angelo Lee, Bulldog Cunningham, Bill Avery, Ilene Perkett, Carol Scott, Neil Emmons and Ralph Isenberg. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Diana Alonzo and Carol Brandon. 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: 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) **S045-101**

Motion: It was moved to **approve** an application to plat a 11.64 acre tract of land in Block 6738 into a 26 lot Community Unit Development on Scyene Road, west of Kirven Drive, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(2) **S045-104**

Motion: It was moved to **approve** an application to replat lots 2-15, Block P/582 into one, 2 acre lot at the west corner of State Street and Hall Street, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(3) **S045-106**

Motion: It was moved to **approve** an application to plat a 0.8 acre tract of land in Block 8043 into one lot on McCree Road, north of Northwest Highway, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(4) **S045-108**

Motion: It was moved to **approve** an application to replat part of Blocks 113/3096 and 114/3097 of Original Town of Oak Cliff Addition and all of lot 5A, Block 114/3097 of Full Gospel 1st Missionary Baptist Church Addition into one, 7.66 acre lot at the northwest corner of Marsalis Street and E. Twelfth Street, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(5) **S045-111**

Motion: It was moved to **approve** an application to plat a 5.34 acre tract of land in Block 2939 into one lot at the southeast corner of N. Central Expressway and Mockingbird Lane, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(6) **S045-103**

Motion: It was moved to **approve** an application to replat lot 70-A, Block G-1/7457 into 3 lots on Masland Circle and Hillcrest Road, north of Woodmark Court, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(7) **S045-105**

Motion: It was moved to **approve** an application to replat lot 8, Block C/6657 into 2 lots on Acres Drive, south of Elam Road, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor, Cunningham, Avery, Wilke, Perkett, Scott, Emmons*

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

*out of the room, shown voting in favor

Speakers: For: None

Against: Ralph Johnson, 424 N. Acres Dr., Dallas, TX, 75217

(8) **S045-107**

Motion: It was moved to **approve** an application to replat lot 1, Block A/6450, abandoned Old Lemmon Ave. R.O.W. and a tract of land in Block 6450 into one, 4.42 acre lot at the southeast corner of Walnut Hill Lane and Webb Chapel Road, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Perkett

Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons*, Isenberg

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(9) **S045-109**

Motion I: It was moved to **approve** an application to replat part of Blocks 3/3851 and 6/3854, abandoned alley R.O.W. and abandoned Emmett Street R.O.W. into one, 6.57 acre lot at the southeast corner of Ravinia Avenue and Kingston Street, subject to the conditions listed in the docket.

Maker: Vera

Second: Perkett

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg*

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

NC045-002

Motion: It was moved to **approve** an application to change Boulder Drive between Red Bird Lane and Camp Wisdom Road to Pastor Bailey Drive.

Maker: Lee
Second: Marshall
Result: Carried: 13 to 0
For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0
Absent: 2 – Alonzo, Brandon
Vacancy 0

*out of the room, shown voting in favor

Speakers: For: Bryan Carter, 1253 Primrose Ln., Desoto, TX, 75115
Sheila Bailey, 1358 Bar Harbor Dr., Dallas, TX, 75232
Dwight Lassiter, 1474 Bar Harbor Dr., Dallas, TX, 75232
Against: None

Miscellaneous Docket

M045-008

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for the Tract III portion of Planned Development District No. 44, for Single family attached dwellings, Multifamily dwellings, Neighborhood Service District Uses, Office Uses, Shopping Center District Uses, and a Private community center, on the northeast corner of Greenville Avenue and LBJ Freeway

Maker: Cunningham
Second: Perkett
Result: Carried: 13 to 0
For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0
Absent: 2 – Alonzo, Brandon
Vacancy 0

Speakers: None

Z023-245(RB)

Planner: Richard Brown

Motion: It was moved to **approve** an extension of the 6 month period for a zoning case to be scheduled for City Council following Commission's action on Preston Road, north of Frankford Road.

Maker: Perkett
Second: Scott
Result: Carried: 13 to 0
For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0
Absent: 2 – Alonzo, Brandon
Vacancy 0

*out of the room, shown voting in favor

Speakers: None

Z034-175(RB)

Planner: Richard Brown

Motion: It was moved to **approve** an extension of the 6 month period for a zoning case to be scheduled for City Council following Commission's action on property on the northwest line of Stutz Drive, northeast of Forest Park Road.

Maker: Cunningham
Second: Perkett
Result: Carried: 13 to 0
For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0
Absent: 2 – Alonzo, Brandon
Vacancy 0

Speakers: None

D045-007

Planner: Frank Dominquez

Motion: It was moved to **approve** a development plan and landscape plan for Phase II development in Planned Development District No. 599 on the property bounded by Clark Road, Clarkridge Drive, Spring Drive and DP&L right-of-way

Maker: Cunningham

Second: Perkett

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

Speakers: None

Miscellaneous Docket - Under Advisement

M045-010

Planner: Richard Brown

Motion: In considering a minor amendment to the site plan and landscape plan for Specific Use Permit No 1523 for a Medical clinic on the north line of Thomas Avenue, west of Boll Street, it was moved to **hold** this case under advisement until February 24, 2005

Maker: Emmons

Second: Perkett

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

Speakers: None

Zoning Case – Under Advisement

1. Z034-305(LS)

Planner: Leif Sandberg

Motion: It was moved to recommend **approval** of a planned development district include regulations similar to those contained in Planned Development District No. 145, the Arts District, on property generally bounded by Ross Avenue, Routh Street, Woodall Rodgers Expressway and Central Expressway

Maker: Emmons

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

Notices: Area: 200 Mailed: 13

Replies: For: 0 Against: 5

Speakers: For: Lucy Billingsley, 4100 International Pkwy., Carrollton, TX

Angela Hunt, 5306 Mercedes Ave., Dallas, TX, 75206

Zenetta Drew, 3852 Treeline Dr., Dallas, TX, 75224

Against: John Leedom, 11012 Westmere Cir., Dallas, TX, 75230

Greg Mason, 2715 Ross Ave., Dallas, TX, 75201

Jimmy Schnurr, 5400 Ross Ave., Dallas, TX, 75201

Development Code Amendment - Under Advisement

DCA 045-003

Planner: Leif Sandberg

Motion: It was moved to recommend **approval** of an amendment to the Arts District Special Provision Sign District, on property generally bounded by Ross Avenue, Routh Street, Woodall Rodgers Expressway and Central Expressway

Maker: Emmons

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor, Cunningham, Avery, Wilke, Perkett*, Scott, Emmons, Isenberg

Against: 0
Absent: 2 – Alonzo, Brandon
Vacancy 0

*out of the room, shown voting in favor

Speakers: None

Zoning Cases – Individual

2. Z045-127(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development District for Single Family uses, subject to a revised conceptual plan and staff's revised recommended conditions on property zoned an R-7.5(A) Single Family District and an R-10(A) Single Family District on Oren Street at Westrock Drive

Maker: Avery
Second: Isenberg
Result: Carried: 12 to 1
For: 12 - Vera, Strater, Gary, Marshall, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 1 - Lee
Absent: 2 – Alonzo, Brandon
Vacancy 0

Notices: Area: 500 Mailed: 85
Replies: For: 2 Against: 16

Speakers: For: Karl Crawley, 500 S. Ervay St., Dallas, TX, 75201
Bob McFissel, 3200 Main St., Dallas, TX, 75201
Linda Moore, 8652 Ashcroft Ave., Dallas, TX, 75243
Against: Doris Smith, 93154 Whittenburg Gate Ave., Dallas, TX, 75243
Joel Rosenblum, 9230 Markanne Dr., Dallas, TX, 75243
Brad Gold, 9211 Orbiter Dr., Dallas, TX, 75243

3. Z045-131(DW)

Planner: David Whitley

Motion: In considering an application to renew Specific Use Permit No. 1525 for an alcoholic beverage establishment use to be used as a bar, lounge, or tavern and a commercial amusement (inside) use for a Class A dance hall on property zoned a CR-MD-1 Community Retail District Modified Delta Overlay on the northeast corner of Greenville Avenue and Lewis Street, it was moved to **hold** this case under advisement until February 24, 2005

Maker: Emmons
Second: Scott
Result: Carried: 13 to 0
For: 13 - Vera, Strater*, Gary, Marshall, Lee*, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg*

Against: 0
Absent: 2 – Alonzo, Brandon
Vacancy 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 18
Replies: For: 4 Against: 0

Speakers: None

4. Z045-147(WE)

Planner: Warren Ellis

Motion: In considering an application for an amendment to, and an expansion of, Planned Development District No. 368 for a private school and child-care facility and for termination of Specific Use Permit No. 1061 for a private school and child-care facility on property zoned Planned Development District No. 368 and an R-16(A) Single Family District on the south side of Churchill Way, east of Preston Road, it was moved to **hold** this case under advisement until February 24, 2005.

Maker: Scott
Second: Perkett
Result: Carried: 13 to 0
For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg*

Against: 0
Absent: 2 – Alonzo, Brandon
Vacancy 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 108
Replies: For: 6 Against: 6

Speakers: None

5. Z023-192(CG)

Planner: Carrie Gordon

Motion: It was moved to recommend **approval** of a Planned Development District for mixed-uses for an area along West Commerce Street and Fort Worth Avenue that commences at the intersection of Westmoreland Road at Fort Worth Avenue (western boundary) and ends at the intersection of North Beckley Avenue and West Commerce Street (eastern boundary), extending approximately 1/8 to 1/4 mile on either side of the West Commerce Street/Fort Worth Avenue street right-of-way

Maker: Gary
Second: Emmons
Result: Carried: 13 to 0
For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 2 – Alonzo, Brandon
Vacancy 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 720
Replies: For: 42 Against: 23

Speakers: For: Joseph Hernandez, 2020 Ross Ave., Dallas, TX, 75201
Monte Anderson, 901 Ft. Worth Ave., Dallas, TX, 75208
Laura Long, 803 N. Waterview Dr., Richardson, TX, 75080
Carole Twitmyer, 430 Monssen Ave., Dallas, TX, 75224
Randall White, 1939 Mayflower Dr., Dallas, TX, 75208
Against: Manuel Martinez, 2730 Ft. Worth Ave., Dallas, TX, 75211
Ali Iranzad, 3024 Ft. Worth Ave., Dallas, TX, 75211
Abner Arron, Address Not Given

Special Provision Sign District

SPSD 045-002(CG)

Planner: Carrie Gordon

Motion: It was moved to recommend **approval** of a Special Provision Sign District to regulate signage for an area along West Commerce Street and Fort Worth Avenue that commences at the intersection of Westmoreland Road at Fort Worth Avenue (western boundary) and ends at the intersection of North Beckley Avenue and West Commerce Street (eastern boundary), extending approximately 1/8 to 1/4 mile on either side of the West Commerce Street/Fort Worth Avenue Street right-of-way

Maker: Gary
Second: Vera
Result: Carried: 13 to 0
For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0
Absent: 2 – Alonzo, Brandon
Vacancy 0

*out of the room, shown voting in favor

Speakers: None

Authorization of Hearing

Planner: Neva Dean

In considering the authorization of a hearing to determine the proper zoning on property zoned an R7.5(A) Single Family District on property in the 6100 and 6200 blocks of Prospect Avenue, between Skillman Street and Alderson Street, not to include any properties that front on either Richmond Avenue or Oram Street, with consideration given to a Conservation District or a Planned Development District, it was moved to authorize a hearing.

Maker: Emmons
Second: Cunningham
Result: Carried: 13 to 0
For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against: 0
Absent: 2 - Alonzo, Brandon
Vacancy 0

Speakers: For: Tony Robinson, 6144 Prospect Ave., Dallas, TX, 75214
Tim Jerrigan, 6206 Prospect Ave., Dallas, TX, 75214
Gary Shapiro, 6210 Prospect Ave., Dallas, TX, 75214
Paul Hardie, 6145 Prospect Ave., Dallas, TX, 75214
Patrick Holmes, 6202 Prospect Ave., Dallas, TX, 75214
Anna Holmes, 6202 Prospect Ave., Dallas, TX, 75214
Against: None

Other Matters

The Chair asked staff to evaluate the possibility of a rule change to allow all Commission members to be alternates on all CPC Committees. This would help alleviate a lack of quorum resulting in the cancellation of a meeting.

Minutes: January 27, 2005

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

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against 0

Absent: 2 - Alonzo, Brandon

Vacancy 0

Adjournment

Motion: It was moved to **adjourn** the hearing at 5:35 p.m.

Maker: Cunningham

Second: Vera

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee, Traylor,
Cunningham, Avery, Wilke, Perkett, Scott,
Emmons, Isenberg

Against 0

Absent: 2 – Alonzo, Brandon

Vacancy 0

Bruce Wilke, Chair