

CITY PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on March 3, 2005, with the briefing starting at 10:59 a.m. in Room 5ES and the public hearing beginning at 1:52 p.m. in the City Council Chambers of City Hall. Presiding was Bruce Wilke, Chair and Carol Brandon, Vice-chair. The following Commissioners were present during the hearing: Joel Vera, Jeff Strater, Clarence Gary, Angela Marshall, D'Angelo Lee, Diana Alonzo, Melvin Traylor, Bulldog Cunningham, Bill Avery, Ilene Perkett, Carol Scott, Neil Emmons and Ralph Isenberg. 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: 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) **S045-124**

Motion: It was moved to **approve** an application to replat Lots 19 and 20 in City Block 179/3238 into one 0.2523 acre lot on the southeast corner of S. Polk St. at W. Jefferson Blvd., subject to compliance with the conditions listed in the docket.

Maker: Brandon

Second: Perkett

Result: Carried: 13 to 0

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

Against 0

Absent: 0

Vacancy 0
Conflict 2 - Vera, Isenberg

Speakers: None

(2) **S045-125**

Motion: It was moved to **approve** an application to create one, 1.0894 acre lot from Lot 32 in City Block D/2371 on Inwood Rd. between Maple Avenue and Forest Park Road, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Brandon
Result: Carried: 15 to 0
For: 15 - Vera, Strater, Gary, Marshall*, Lee, Alonzo, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 0
Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(3) **S045-127**

Motion I: It was moved to **deny** an application to create a 12 lot single family subdivision with one common area on a 3.11 acre tract of land in City Block 8734 on the southeast quadrant of Hillcrest Road at George Bush Tollway, due to failure to comply with Section 51A-8.503 of the Dallas Development Code.

Maker: Perkett
Second: Brandon
Result: Failed: 5 to 10
For: 5 - Gary, Marshall, Brandon, Perkett, Emmons

Against: 10 - Vera, Strater, Lee, Alonzo, Traylor, Cunningham, Avery, Wilke, Scott, Isenberg
Absent: 0
Vacancy 0

Motion II: It was moved to **approve** an application to create a 12 lot single family subdivision with one common area on a 3.11 acre tract of land in City Block 8734 on southeast quadrant of Hillcrest Road at George Bush Tollway,

subject to compliance with the conditions listed in the docket

Maker: Lee
Second: Scott
Result: Carried: 13 to 2
For: 13 - Vera, Strater, Gary, Marshall, Lee, Alonzo,
Traylor, Brandon, Cunningham, Avery, Wilke,
Scott, Isenberg

Against: 3 – Brandon, Perkett, Emmons
Absent: 0
Vacancy 0

Speakers: For: Timothy Lott, 3939 N. Hampton, Dallas, TX, 75212
Against: None

(4) **S045-126**

Motion I: It was moved to **deny** an application to create a 28 lot Shared Access Area Development on a 5.98 acre tract of land in City Block 8734 on the southeast quadrant of Hillcrest Road at George Bush Tollway, due to failure to comply with Section 51A-8.503 of the Dallas Development Code.

Maker: Perkett
Second: Brandon
Result: Failed: 2 to 13
For: 2 - Brandon, Perkett

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

Absent: 0
Vacancy 0

Motion II: It was moved to **approve** an application to create a 28 lot Shared Access Area Development on a 5.98 acre tract of land in City Block 8734 on the southeast quadrant of Hillcrest Road at George Bush Tollway, subject to compliance with conditions listed in the docket.

Maker: Lee
Second: Scott
Result: Carried: 13 to 2
For: 13 - Vera, Strater, Gary, Marshall, Lee, Alonzo,
Traylor, Cunningham, Avery, Wilke, Scott,
Emmons, Isenberg

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

Speakers: None

(5) **S045-130**

Motion: It was moved to **deny** an application to replat Lots 1, 2, 3 and 4 in City Block F/547 and Lots 1, 2, 3, part of 4, 7, 8, 9, 10, 11 and 12 in City Block E/551 and abandoned Fairmount Street into one 2.5201 acre lot on property bounded by Thomas Ave., Routh St., Colby St., and Maple-Routh Connection, due to failure to comply with Section 51A-8.503 of the Dallas Development Code.

Maker: Emmons

Second: Isenberg

Result: Carried: 15 to 0

For: 15 - Vera, Strater*, Gary, Marshall, Lee*, Alonzo, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett*, Scott, Emmons, Isenberg

Against: 0

Absent: 0

Vacancy 0

*out of the room, shown voting in favor

Speakers: For: None

Against: George Pelletier, 2512 State St., Dallas, TX, 75201

Judy Hearst, 2512 Thomas Ave., Dallas, TX, 75201

(6) **S045-132**

Motion: It was moved to **approve** to replat Lots 1 thru 5 in City Block 12/1163 to create a 0.7748 acre lot on the southeast corner of Pennsylvania Avenue and Holmes Street, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Brandon

Result: Carried: 15 to 0

For: 15 - Vera, Strater, Gary, Marshall*, Lee, Alonzo, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 0

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(7) **S045-133**

Motion: It was moved to **approve** an application to revise a previously recorded plat to revoke the offer of dedication of the street easement(s) and to correct other minor errors on Lot 1 (1.315 acres) in City Block D/936 on 2919 Pearl Street.

Maker: Cunningham

Second: Brandon

Result: Carried: 15 to 0

For: 15 - Vera, Strater, Gary, Marshall*, Lee, Alonzo, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 0

Vacancy 0

*out of the room, shown voting in favor

Speakers: For: None

Individual Items

(8) **S045-131**

Motion: It was moved to **deny** an application to create three lots from a 2.396 acre tract of land in City Block 6349 on Odom Drive west of Odeneal Drive, due to failure to comply with Section 51A-8.503, Dallas Development Code.

Maker: Lee

Second: Brandon

Result: Carried: 15 to 0

For: 15 - Vera, Strater*, Gary, Marshall, Lee, Alonzo, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 0

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

Individual Items – Residential Replats

(9) **S034-287R**

Motion: It was moved to recommend **approval** of an application to revise a previously approved plat of Lot 1 and Lot 2A in City Block A/6406 into one 2.337 acre lot by deleting Condition #9 which prohibits vehicular access onto High Vista Drive; on the southeast corner of High Vista Drive at Marsh Lane, subject to compliance with conditions listed in the docket.

Maker: Scott

Second: Lee

Result: Carried: 15 to 0

For: 15 - Vera, Strater, Gary, Marshall, Lee, Alonzo,
Traylor, Brandon, Cunningham, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg*

Against: 0

Absent: 0

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(10) **S045-129**

Motion: It was moved to recommend **approval** an application to replat a 7.7 acre tract containing Lots 1 thru 9 in City Block 19/7183, Lots 1 thru 16 in City Block 20/7183, Lots 13 thru 15 in City Block 21/7183, Lots 1, 2, 5 thru 12 in City Block 29/7183, Lots 1 thru 6 in City Block 32/7183, Lots 13 thru 15 in City Block 21/7183, and Lots 4 thru 6 in City Block 33/7183 and abandoned right of way into 60 single family lots on Ingersoll Street between Front Street and Black Hawk Drive, subject to compliance with conditions listed in the docket.

Maker: Alonzo

Second: Brandon

Result: Carried: 15 to 0

For: 15 - Vera, Strater, Gary, Marshall, Lee, Alonzo,
Traylor, Brandon, Cunningham, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 0

Vacancy 0

Speakers: For: Norman Henry, 4148 Gentry Dr., Dallas, TX, 75212
Pastor Cook, Address Not Given

Against: None

(11) **S045-134**

Motion: It was moved to recommend **approval** an application to replat part of Lot 3 into two 1.250 acre lots in City Block 3/3666 on Southgate Lane, north of Elam Road, subject to compliance with conditions listed in the docket

Maker: Lee

Second: Vera

Result: Carried: 15 to 0

For: 15 - Vera, Strater, Gary, Marshall, Lee, Alonzo, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 0

Vacancy 0

Speakers: None

Zoning Case – Under Advisement

1. Z045-137(MM)

Planner: Maureen Meredith

Motion: It was moved to recommend **denial** to renew Specific Use Permit No. 1536 for a commercial amusement (inside) use for a dance hall zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property located west of the intersection of Maple Avenue and Hawthorne Avenue

Maker: Strater

Second: Vera

Result: Carried: 15 to 0

For: 15 - Vera, Strater, Gary, Marshall*, Lee, Alonzo, Traylor, Brandon, Cunningham, Avery*, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 0

Vacancy 0

Notices: Area: 200 Mailed: 19

Replies: For: 0 Against: 4

Speakers: For: None
Against: Monique Allen, Address Not Given

Senior Corporal Lockhead, 4515 Maple St., Dallas, TX,

A. Z045-150(RB)

Planner: Richard Brown

Motion: In considering an amendment to the development plan, landscape plan, and conditions for Planned Development Subdistrict No. 37-D for O-2 Office Subdistrict Uses with a Dry Liquor Control Overlay within Planned Development District No. 193, the Oak Lawn Special Purpose District on Hall Street, between Hood Street and Sale Street with consideration of the removal of the Dry Liquor Control Overlay, it was moved to **hold** this case under advisement until March 10, 2005.

Maker: Emmons

Second: Brandon

Result: Carried: 15 to 0

For: 15 - Vera, Strater, Gary, Marshall, Lee, Alonzo, Traylor, Brandon, Cunningham, Avery*, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 0

Vacancy 0

Notices: Area: 500

Mailed: 318

Replies: For: 1

Against: 0

Speakers: None

2. Z045-143(DW)

Planner: David Whitley

Motion: It was moved to recommend **approval** of an R-7.5(A) Single Family District generally east and south of the line described as follows: beginning along the south and east property line of property south of Lindell Street indicated as a retail use; thence east and north following the P(A) Parking District boundary; thence easterly along the centerline of the alley south of Hudson Street; thence northerly along the centerline of Mary Street; thence easterly along the southern property lines of properties with frontage along

Ross Avenue; thence northerly along the centerline of Hubert Street until its intersection with Ross Avenue, with no change to the zoning for properties generally north and west of said line.

Maker: Emmons

Second: Marshall

Result: Carried: 8 to 7

For: 8 - Gary, Marshall, Lee, Alonzo, Traylor, Perkett,
Scott, Emmons

Against: 7 – Vera, Strater, Brandon, Cunningham, Avery,
Wilke, Isenberg

Absent: 0

Vacancy 0

Notices: Area: 200 Mailed: 380

Replies: For: 110 Against: 58

Speakers: For: Adam Hatton, 5924 Hudson St., Dallas, TX, 75206
Joan Bond, 6000 Hudson St., Dallas, TX, 75206
Pablo Rios, 5612 Bryan Parkway, Dallas, TX, 75206
Trip Jones, 6111 Hudson St., Dallas, TX, 75206
Raul Martinez, 5703 Lindell St., Dallas, TX 75206
Francisco Del Campo, 5600 Bryan Parkway, Dallas, TX, 75206
Joseph Davisson, 5603 Hudson St., Dallas, TX, 75206
Michelle Love, 5919 Hudson St., Dallas, TX, 75206
Myles Mendenhall, 5908 Swiss Ave., Dallas, TX, 75214
Virginia McAlister, 5703 Swiss Ave., Dallas, TX, 75206
Patricia Carr, 5843 Vanderbilt St., Dallas, TX, 75206
Larry Offutt, 6201 Bryan Parkway, Dallas, TX, 75214
Charles Orr, 6023 Bryan Parkway, Dallas, TX 75206
Against: Brenda McDonald, 878 S. Denton Tap Rd., Coppell, TX, 75019
Laurie Dotter, 3615 Lawther St., Dallas, TX, 75214
Bill Williams, 1018 Mt. Alburn, Dallas, TX, 75223

Development Code Amendment – Under Advisement

DCA 045-005

Planner: David Whitley

Motion: It was moved to recommend **approval** to amend Chapters 51 and 51A of the Dallas Development Code to establish appropriate standards for single family accessory structures, subject to revised amendments.

Maker: Scott

Second: Traylor

Result: Carried: 14 to 0
For: 14 - Vera, Strater, Gary, Marshall, Lee, Alonzo,
Traylor, Brandon, Cunningham, Avery, Wilke,
Perkett, Scott, Emmons

Against: 0
Absent: 1 - Isenberg
Vacancy 0

Speakers: For: Pam Conley, 901 N. Madison Ave., Dallas, TX, 75208
Against: Santos Martinez, 1111 Cordova St., Dallas, TX, 75223

Authorization of Hearing – Under Advisement

Motion: It was moved to recommend **authorization** of a hearing to determine the proper zoning on property zoned Planned Development District No. 557 for a community service center use and an R-5(A) Single Family Subdistrict, a CC-E Community Commercial Enhanced Subdistrict, and an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on property generally on both sides of Bexar Street between Brigham Lane and C.F. Hawn Freeway, with consideration given to a Planned Development District for mixed uses.

Maker: Traylor
Second: Lee
Result: Carried: 14 to 0
For: 14 - Vera, Strater, Gary, Marshall, Lee, Alonzo,
Traylor, Brandon, Cunningham, Avery, Wilke,
Perkett, Scott, Emmons

Against: 0
Absent: 1 - Isenberg
Vacancy 0

Speakers: None

Other Matters

Commissioners discussed Commissioner Lee's recommendation to direct ZOAC to have discussion regarding rental of detached dwellings. City Plan Commission decided not to forward the request to ZOAC at this time

Commissioners discussed and agreed on scheduling Comprehensive Plan Workshop for March 10, 2005, from 9:00 a.m. to 11:00 a.m.

Minutes: February 24, 2005

Motion: It was moved to **approve** the minutes of the February 24, 2005 meeting, subject to corrections.

Maker: Emmons

Second: Marshall

Result: Carried: 13 to 0

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

Against 0

Absent: 2 – Traylor, Isenberg

Vacancy 0

Adjournment

Motion: It was moved to **adjourn** the hearing at 7:04 p.m.

Maker: Cunningham

Second: Brandon

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee, Alonzo,
Brandon, Cunningham, Avery, Wilke, Perrett,
Scott, Emmons

Against 0
Absent: 2 - Traylor, Isenberg
Vacancy 0

Bruce Wilke, Chair