

CITY PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on June 2, 2005, with the briefing starting at 11:29 a.m. in Room 5ES and the public hearing at 1:46 p.m. in the City Council Chambers of City Hall. Presiding were Bruce Wilke, Chair and Joel Vera, Acting Vice Chair. The following Commissioners were present during the hearing: Jeff Strater, Clarence Gary, D'Angelo Lee, Melvin Traylor, Bill Avery, Ilene Perkett, Carol Scott, Neil Emmons and Ralph Isenberg. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Angela Marshall, Olegario Estrada, Carol Brandon and Bulldog Cunningham. 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) **S045-210**

Motion: It was moved to **approve** a request to plat a 0.44 acre tract of land in Block T/7527 into one lot on Kingsley Road, east of Audelia Road, subject to conditions listed in the docket.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham,
Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(2) **S045-211**

Motion: It was moved to **approve** an application to plat a 0.66 acre tract of land in Block F/874 into one lot at the south corner of Harwood Street and Clarence Avenue, subject to the conditions listed in the docket.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham,
Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(3) **S045-212**

Motion: It was moved to **approve** an application to replat lots 17 and 18, Block 1/987 into one, 0.55 acre lot on Cole Avenue, north of Haskell Avenue, subject to the conditions listed in the docket.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham,
Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(4) **S045-214**

Motion: It was moved to **approve** an application to plat a 9.67 acre tract of land in Block A/6565 into 2 lots on Harry Hines Boulevard, south of Northhaven Road, subject to the conditions listed in the docket.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham,
Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(5) **S045-215**

Motion: It was moved to **approve** an application to plat a 3.67 acre tract of land in Block A/6966 into 2 lots on W. Kiest Boulevard, east of Castillo Drive, subject to the conditions listed in the docket.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham,
Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(6) **S045-216**

Motion: It was moved to **approve** an application to plat a 25.12 acre tract of land in Blocks 6115 and 6982 into 6 lots at the southeast corner of Illinois Avenue and Coombs Creek Drive, subject to the conditions listed in the docket.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham,
Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(7) **S045-218**

Motion: It was moved to **approve** an application to replat lot 1-B and part of lot 14-A, Block A/5461 into 2 lots on La Sierra Drive and Blair Road, west of N. Central Expressway, subject to the conditions listed in the docket.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham,
Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(8) **S045-219**

Motion: It was moved to **approve** an application to replat lots 1 and 2 and a tract of land in Block A/228 into 2 lots at the west corner of Ross Avenue and N. Field Street, subject to the conditions listed in the docket.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham,
Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(9) **S045-220**

Motion: It was moved to **approve** an application to replat part of lot 13, Block D-1/6470 into 2 lots at the northwest corner of Harry Hines Boulevard and Manana Drive, subject to the conditions listed in the docket.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham,
Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

(10) **S045-222R**

Motion: It was moved to **approve** an application to plat an 81.27 acre tract of land in Block 6113 into a 164 lot Community Unit Development, south and west of the southwest corner of Skyline Drive and S.E. 14th Street, subject to the conditions listed in the docket with the deletion of condition #30 regarding additional setbacks.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery, Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham, Isenberg

Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

Individual Items – Residential Replats

(11) **S045-213**

Motion: It was moved to **approve** an application to replat part of lots 1, 3, 4 and 5, Block C/5127 and abandoned Stevens Hill Lane R.O.W. into a 19 lot Shared Access Development on Stevens Village Drive, north of Stevens Forest Drive, subject to compliance with the conditions listed in the docket.

Maker: Gary

Second: Emmons

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke, Perkett, Scott, Emmons

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham, Isenberg

Vacancy: 0

Speakers: For: Matt Holley, 3523 McKinney Ave., Dallas, TX, 75204
Against: Albert Parker, 6315 Elam Rd., Dallas, TX, 75217

(12) **S045-217**

Motion: It was moved to **approve** an application to replat part of Block 8742 into one, 2.52 acre lot at the southwest corner of Timberglen Drive and Midway Road, subject to the conditions listed in the docket.

Maker: Perkett
Second: Vera
Result: Carried: 10 to 0
For: 10 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke, Perkett, Scott, Emmons

Against: 0
Absent: 5 - Marshall, Estrada, Brandon, Cunningham, Isenberg
Vacancy: 0

Speakers: None

(13) **S034-260R1**

Motion: It was moved to **approve** an application to replat lots 101A, 102A and 103A, Block G/7462 into 2 lots on Lake Edge Drive, southeast of Heatherstone Drive, subject to the conditions listed in the docket with the deletion of condition #8 regarding the relocation of a TUE Easement.

Maker: Vera
Second: Perkett
Result: Carried: 10 to 0
For: 10 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke, Perkett, Scott, Emmons

Against: 0
Absent: 5 - Marshall, Estrada, Brandon, Cunningham, Isenberg
Vacancy: 0

Speakers: None

Miscellaneous Docket

M045-025

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 700 for MU-1 Mixed Use District Uses on the north line of Simpson Stuart Road, west of Bonnie View Road.

Maker: Vera
Second: Perkett
Result: Carried: 11 to 0
For: 11 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 4 - Marshall, Estrada, Brandon, Cunningham
Vacancy: 0

Speakers: None

(Commissioner Isenberg arrived at the meeting)

M045-031

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan for Planned Development District No. 577, for GO(A) General Office District Uses and a Vehicle display, sales, and service use on the east line of North Central Expressway, north of Meadow Road.

Maker: Vera
Second: Perkett
Result: Carried: 11 to 0
For: 11 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 4 - Marshall, Estrada, Brandon, Cunningham
Vacancy: 0

Speakers: None

D045-021

Planner: Frank Dominquez

Motion: It was moved to **approve** a landscape plan for Planned Development Subdistrict No. 52 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property bounded by North Pearl Street, Randall Street, McKinnon Street and Wolf Street.

Maker: Vera
Second: Perkett
Result: Carried: 11 to 0
For: 11 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 4 - Marshall, Estrada, Brandon, Cunningham
Vacancy: 0

Speakers: None

D045-022

Planner: Frank Dominguez

Motion: It was moved to **approve** a development plan and landscape plan for Planned Development District No. 298, the Bryan Area Special Purpose District on an area bounded by North Central Expressway, Roseland Avenue, Fitzhugh Avenue, San Jacinto Street, Peak Street, Gaston Avenue and Good-Latimer Expressway.

Maker: Vera
Second: Perkett
Result: Carried: 11 to 0
For: 11 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 4 - Marshall, Estrada, Brandon, Cunningham
Vacancy: 0

Speakers: None

D045-023

Planner: Frank Dominguez

Motion: It was moved to **approve** a development plan for Planned Development District No. 619, in an area bounded by Main Street, Field Street, Commerce Street and Murphy Street.

Maker: Vera
Second: Perkett
Result: Carried: 11 to 0
For: 11 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 4 - Marshall, Estrada, Brandon, Cunningham
Vacancy: 0

Speakers: None

Zoning Cases – Consent

1. **Z045-216 (DW)**

Planner: David Whitley

Motion: It was moved to recommend **approval** of an MU-1 Mixed Use District on property zoned an IM Industrial Manufacturing District, on the southeast corner of Interstate 30 and Interstate 45.

Maker: Vera
Second: Perkett
Result: Carried: 11 to 0
For: 11 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 4 - Marshall, Estrada, Brandon, Cunningham
Vacancy: 0

Notices: Area: 300 Mailed: 23
Replies: For: 2 Against: 0

Speakers: None

2. **Z045-222 (WE)**

Planner: Warren Ellis

Motion: In considering an application for an amendment to Tract 4 for personal service uses within Planned Development Subdistrict No. 1 for office, surface parking and MF-2 Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the south corner of Hall Street and Reagan Street it was moved to **hold** this case under advisement until June 23, 2005.

Maker: Vera
Second: Perkett
Result: Carried: 11 to 0
For: 11 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 4 - Marshall, Estrada, Brandon, Cunningham
Vacancy: 0

Notices: Area: 200 Mailed: 42
Replies: For: 2 Against: 1

Speakers: None

Zoning Cases – Under Advisement

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

Planner: Maureen Meredith

Motion: In considering an application for 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, east of R.L. Thornton Freeway, west of Beckley Avenue it was moved to **hold** this case under advisement until July 14, 2005.

Maker: Emmons
Second: Perkett
Result: Carried: 11 to 0
For: 11 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 4 - Marshall, Estrada, Brandon, Cunningham
Vacancy: 0

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

Speakers: None

4. **Z045-171 (DW)**

Planner: David Whitley

Motion: It was moved to recommend **denial** of an IM Industrial Manufacturing District on property zoned an IR Industrial Research District, east of Goodnight Lane, north of Lombardy Lane.

Maker: Scott
Second: Vera
Result: Carried: 11 to 0
For: 11 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 4 - Marshall, Estrada, Brandon, Cunningham
Vacancy: 0

Notices: Area: 200 Mailed: 6
Replies: For: 1 Against: 1

Speakers: None

5. **Z045-200 (WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** authorizing a City Plan Commission authorized hearing to determine proper zoning on property zoned an NC Neighborhood Commercial Subdistrict, a CCE Community Commercial Enhanced Subdistrict, and an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, located on both sides of Bexar Street, between Brigham Lane and C.F. Hawn Freeway with consideration given to a Planned Development for mixed uses, subject to a revised conceptual plan and revised conditions.

Maker: Traylor

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Traylor, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0

Absent: 4 - Marshall, Estrada, Brandon, Cunningham

Vacancy: 0

Conflict: 1 – Lee

Notices: Area: 200

Mailed: 145

Replies: For: 7

Against: 0

Speakers: For: Mary Bryant, 2305 Lawrence St., Dallas, TX, 75215
Against: None

6. **Z045-202 (WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an NC Neighborhood Commercial Subdistrict on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest corner of Lagow Street and Metropolitan Avenue, subject to revised deed restrictions volunteered by the applicant.

Maker: Traylor

Second: Perkett

Result: Carried: 9 to 0

For: 9 - Vera, Strater, Gary, Traylor, Avery, Wilke, Perkett, Scott, Isenberg

Against: 0

Absent: 5 - Marshall, Estrada, Brandon, Cunningham, Emmons**

Vacancy: 0

Conflict: 1 – Lee

** Commissioner Emmons left, before vote taken

Notices: Area: 200 Mailed: 28
Replies: For: 1 Against: 1

Speakers: For: Ellis Wamsley IV, 2739 Scarborough Dr., Grand Prairie,
TX, 75052
Against: None

7. Z045-218 (WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a CS Commercial Service District with retention of the D Dry Liquor Control Overlay, on property zoned a CR-D Community Retail District with a Dry Liquor Control Overlay, on the northwest corner of St. Augustine Road and Military Parkway, subject to revised deed restrictions volunteered by the applicant.

Maker: Lee
Second: Vera
Result: Carried: 10 to 0
For: 10 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Isenberg
Against: 0
Absent: 5 - Marshall, Estrada, Brandon, Cunningham, Emmons
Vacancy: 0

Notices: Area: 300 Mailed: 73
Replies: For: 1 Against: 0

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75201
Against: None

Special Provision Sign District – Under Advisement

SPSD 045-005

Planner: David Cossum

Motion: It was moved to recommend **approval** of staff's revised recommended amendments to the Downtown Special Provision Sign District to create a new category of signs for scrolling text message signs, subject to the insertions of the words to (7)iii, after the word "obscures" insert "obstructs or detracts from".

Maker: Strater
Second: Lee
Result: Carried: 6 to 4
For: 6 - Strater, Gary, Lee, Traylor, Wilke, Scott,

Against: 4 – Vera, Avery, Perkett, Isenberg
Absent: 5 - Marshall, Estrada, Brandon, Cunningham, Emmons
Vacancy: 0

Speakers: None

Authorized Hearing

Motion: It was moved to recommend **authorization** of a hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District on property in an area bound by Highland Road, the KCS Railroad, St. Francis Avenue, and Ash Creek with consideration given to a single family district.

Maker: Traylor
Second: Perkett
Result: Carried: 10 to 0
For: 10 - Vera, Strater, Gary, Lee*, Traylor, Avery,
Wilke, Perkett, Scott, Isenberg*

Against: 0
Absent: 5 - Marshall, Estrada, Brandon, Cunningham Emmons
Vacancy: 0

*out of the room, shown voting in favor

Speakers: For: Ann Bagley, 8139 Barbaree Blvd., Dallas, TX, 75228
Against: None

Other Matters

The Commission discussed and recommended extending the time for ZOAC to consider amendments to regulations governing minor amendments to development plan and site plan to 90 days.

Minutes

Motion: It was moved to **approve** the minutes of the May 19, 2005 meeting, subject to corrections.

Maker: Perkett
Second: Vera
Result: Carried: 10 to 0
For: 10 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Isenberg

Against: 0
Absent: 5 - Marshall, Estrada, Brandon Cunningham, Emmons
Vacancy: 0

Adjournment

Motion: It was moved to adjourn the hearing at 3:17 p.m.

Maker: Perkett

Second: Vera

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee, Traylor, Avery, Wilke,
Perkett, Scott, Isenberg

Against: 0
Absent: 5 - Marshall, Estrada, Brandon, Cunningham, Emmons
Vacancy: 0

Bruce Wilke, Chair