

CITY PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on January 27, 2005, with the briefing starting at 10:29 a.m. in Room 5ES and the public hearing beginning at 1:36 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) **S034-371R**

Motion: It was moved to **approve** an application to revise a previously approved preliminary plat by adding an additional 10 feet of easement width to a 30 foot wide water main easement along the east side of Allegiance Drive, and reduce the number of lots from 85 to 83 lots on a 19.91 acre subdivision in City Block 6943 on American Way, west of Westmoreland Road, subject to compliance with the conditions listed in the docket.

Maker: Brandon

Second: Marshall

Result: Carried: 14 to 1

For: 14 - Strater, Gary, Marshall, Lee*, Alonzo, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against 1 - Vera
Absent: 0
Vacancy 0

*out of the room, shown voting in favor

Speakers: For: Al Romero, 4309 Crestover Dr., Mesquite, TX, 75150
Against: None

(2) **S045-098**

Motion: It was moved to **approve**, an application to create one 2.2399 acre lot in City Block 6237 on S. Buckner Blvd., north of Lake June Road, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
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

*out of the room, shown voting in favor

(3) **S045-095R**

Motion I: It was moved to **approve** 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 the conditions listed in the docket.

Maker: Alonzo
Second: Scott
Result: Failed: 6 to 9

For: 6 - Lee*, Alonzo, Cunningham, Avery, Wilke, Scott

Against: 9 – Vera, Strater, Gary, Marshall, Traylor, Brandon,
Perkett, Emmons, Isenberg
Absent: 0
Vacancy 0

*out of the room, shown voting in favor

Motion II: It was moved to **deny** 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, because it did not comply with section 51A-8.503, in that the proposed plat is inconsistent with the established platting pattern in the surrounding area.

Maker: Emmons
Second: Marshall
Result: Failed: 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: Bob Wright, 8150 Brookriver Dr., Dallas, TX, 75247
Against: Ron Cook, 5310 Fannie St., Dallas, TX, 75212

(4) **S045-096**

Motion: It was moved to **approve** an application to replat all of Lot 3 and all of Lot 4A in City Block Q/4368 into one 1.268 acre lot on Five Mile Drive; between Ramona Avenue and Frio Drive, subject to compliance with the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
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

(5) **S045-097**

Motion: It was moved to **approve** an application to replat a 3.518 acre tract of land from Lot 3 in City Block A/6336 into one 1.896 acre lot and one 1.622 acre lot for single family residential use on Holcomb Road between Alta Garden Drive & Elam Road subject to 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

(6) **S045-099R**

Motion: It was moved to **approve** an application to replat 5.27 acres containing Lots 10 thru 32 in City Block H/6118, and Lots 2 thru 9 in City Block J/6118 to remove the platted building line on Victorian Forest Drive and Ainwick Court, south of Scyene Road and east of Jim Miller Road, subject to the conditions listed in the docket.

Maker: Marshall
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

Miscellaneous Docket

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 3, 2005.

Maker: Emmons

Second: Starter

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

M045-003

Planner: David Cossum

Motion: It was moved to **approve** a minor amendment to the development plan and the landscape for Planned Development District 614 for Tract I on the east side of Monfort Drive, between Belt Line Road and Arapaho Road

Maker: Vera

Second: Brandon

Result: Carried: 13 to 2

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

Against: 2 – Perkett, Isenberg

Absent: 0

Vacancy 0

Speakers: For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75201
Prudence Lidbury, 2438 Fairway Cir, Richardson, TX, 75080
Against: Marla Beikman, 5042 Westgrove, Dallas, TX, 75248
Lucie Bellew, 7328 Williamswood Dr., Dallas, TX, 75252
Janeen Bingman, 14921 Bellbrook, Dallas, TX,

Jeffery Cohen, 5920 Twin Coves, Dallas, TX, 75248
Vickie Gross, 5335 Bentley Forest, Dallas, TX

D045-003

Planner: David Cossum

Motion: It was moved to **approve** a conceptual plan, development plan and landscape plan for Tract III & VII in Planned Development District No. 614, for those uses allowed in an RR Regional Retail District and a TH-3(A) Townhouse District on the east side of Monfort Dive, between Belt Line Road and Arapaho Road

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 1

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

Against: 1 - Isenberg

Absent: 0

Vacancy 0

Speakers: None

Z034-322 (WE)

Planner: Warren Ellis

Motion: It was moved to **approve** Planned Development revised conditions for as well as the binding agreements between the applicant and adjacent Homeowner Associations for a Planned Development District Single Family uses and private streets on property zoned an R-16(A) Single Family District on the north side of Forest Lane, west of Hillcrest Road

Maker: Emmons

Second: Brandon

Result: Carried: 15 to 1

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

Certificates of Appropriateness for Signs – Under Advisement

0412081035

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 112 square feet attached vinyl premise sign at 409 Second Avenue

Maker: Starter

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

*out of the room, shown voting in favor

Speakers: None

Zoning Cases – Under Advisement

1. Z034-316 (MM)

Planner: Maureen Meredith

Motion: In considering an application to amend Planned Development District No. 311 for a Nursing Home, Retirement Housing, Office, Medical Clinic and Convalescent and Nursing Home, Hospice Care and Related Institutions, south of Northwest Highway, west of West Lawther Road, north of Mockingbird Lane, and east of Brentcove Circle, it was moved to **hold** this case under advisement until February 10, 2005

Maker: Cunningham

Second: Marshall

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: 118

Replies: For: 6

Against: 12

Speakers: None

Zoning Cases – Individual

2. Z045-140 (MM)

Planner: Maureen Meredith

Motion: In considering an application for a Planned Development District for TH-3(A) Townhouse District and D(A) Duplex District uses on property zoned a D(A) Duplex District, south of Winton Street, north of Ellsworth Avenue and west of McMillian Drive, it was moved to **hold** this case under advisement until February 24, 2005.

Maker: Emmons

Second: Alonzo

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

Notices: Area: 500 Mailed: 52

Replies: For: 5 Against: 11

Speakers: For: None

Against: Joyce VanDermark, 5450 Anita St., Dallas, TX, 75206

Rand Brannen, 5420 Winton St., Dallas, TX, 75206

3. Z045-135(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** for an MF-3(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with deed restrictions volunteered by the applicant on the southeast corner of Turtle Creek Boulevard and Bandera Avenue.

Maker: Scott

Second: Brandon

Result: Carried: 13 to 2

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

Against: 2 – Vera, Starter
Absent: 0
Vacancy 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 47
Replies: For: 1 Against: 0

Speakers: For: Susan Mead, 901 Main St., Dallas, TX, 75201
Against: John Erwin, 901 Main St., Dallas, TX, 75201

4. Z045-141(WE)

Planner: Warren Ellis

Motion: In considering an application for a Planned Development Subdistrict for MF-3 Multiple Family Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict, within PD No. 193, the Oak Lawn Special Purpose District on the west line of Cole Avenue between Hester Avenue and Monticello Avenue, it was moved to **hold** this case under advisement until March 10, 2005

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

Against: 2 – Vera, Isenberg
Absent: 0
Vacancy 0

Notices: Area: 500 Mailed: 179
Replies: For: 3 Against: 12

S8peakers: For: Barry Knight, 5400 Renaissance Tower, Dallas, TX, 75201
Tom Bankwell, Address Not Given
Against: Christy Kinsler, 4719 Cole Ave., Dallas, TX, 75205
Joe Williams, 2700 Fairbock, Dallas, TX, 75205
Jim Crump, 4702 Travis St., Dallas, TX, 75205
Kelley Arrons, Address Not Given
Ewing Moseley, 4719 Cole Ave., Dallas, TX, 75205
Teresa Costa, 4320 Avondale Ave., Dallas, TX, 75219
Philip Henderson, 3600 Congress Ave., Dallas, TX, 75219
Frank Stich, 4224 N. Hall St., Dallas, TX 75219
Mrs. Palmer, Address Not Given

Special Provision Sign District

SPSD045-001

Planner: Shai Roos

Motion: It was moved to recommend **approval** for an amendment to the sign regulations contained in Division 51A – 7.1700 Provisions for Victory Special Provision Sign District location east of Stemmons Freeway and north of Woodall Rodgers Freeway with conditions to return on a future miscellaneous docket before February 23, 2005.

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

Against: 0
Absent: 1 – Traylor**
Vacancy 0

*out of the room, shown voting in favor

**Commissioner Traylor left before vote was taken.

Notices: Area: 500 Mailed: 88
Replies: For: 4 Against: 0

Speakers: For: Robert Reeves, 500 S. Ervay St., Dallas, TX, 75201
Against: None

Authorization of Hearing

Neva Dean

Motion: In considering an authorization of a hearing to determine the proper zoning on property zoned Planned Development District No. 298, the Bryan Area Planned District, at property generally bound by Roseland Avenue, Fitzhugh Avenue, San Jacinto Street, Carroll Avenue, Gaston Avenue, and Central Expressway with consideration given to amending Planned Development District No. 298 to incorporate recommendations recently adopted by City Council in the Planned Development District 298 Bryan Area Study it was move to **authorize** a hearing.

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

Against: 0
Absent: 1 - Traylor
Vacancy 0

Speakers: None

Other Matters

Minutes: January 6, 2005

Motion: It was moved to **approve** the minutes of the January 6, 2005 meeting, subject to corrections.

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

Against 0
Absent: 1 - Traylor
Vacancy 0

Adjournment

Motion: It was moved to **adjourn** the hearing at 6:41 p.m.

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

Against 0
Absent: 1 - Traylor
Vacancy 0

Bruce Wilke, Chair