

## CITY PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 10, 2005, with the briefing starting at 10:28 a.m. in Room 5ES and the public hearing beginning at 1:45 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: 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. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Joel Vera. 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) **S045-100**

**Motion:** It was moved to **approve** an application to replat part of Lot 9 and part of Lot 10 in City Block D/6455 on Anode Lane, west of Monroe Drive, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Speakers:** None

(2) **S045-114**

**Motion:** It was moved to **approve** an application to create 10 single family lots from an 11.720 acre tract in City Block 8210 on Ash Bluff Lane, north of Braewood Place, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Speakers:** None

(3) **S045-116**

**Motion:** It was moved to **approve** an application to replat City Block 88/3071, City Block 87/3070, 96/3079, 97/3080 and abandoned Lancaster Street and Ninth Street and alleys into 1 lot bounded by E. Jefferson Boulevard, Tenth Street, Eighth Street and Ewing Avenue, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Speakers:** None

(4) **S045-117R**

**Motion:** It was moved to **approve** an application to create a 110 lot residential subdivision from a 26.280 acre tract of land in City Block 8682 on Eagle Ford Drive south of W. Camp Wisdom Road, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Speakers:** None

(5) **S045-118**

**Motion:** It was moved to **approve** an application to create a 1.531 acre lot from a tract of land in City Block 5696 on 3737 Atwell Street, northeast of Lemmon Avenue, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Speakers:** None

(6) **S045-115**

**Motion:** It was moved to **approve** an application to replat Lots 19 and 20 to adjust the north lot lines in City Block B/8212 on Braewood Place at Ash Bluff Lane, subject to compliance with the conditions listed in the docket.

Maker: Perkett

Second: Brandon

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

**Speakers:** None

\*out of the room, shown voting in favor

Miscellaneous Docket

**W045-001**

Planner: Neva Dean

**Motion:** It was moved to **approve** a waiver of the two-year waiting period to submit an application to be included in a request for a larger Planned Development District on property bounded by Junius Street, Hill Street, Worth Street and Washington Avenue, excluding the north corner of Worth Street and Washington Avenue

Maker: Strater

Second: Alonzo

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Speakers:** None

**SPSD045-001**

**Motion:** It was moved to recommend **approval** of amendments to the Victory Special Provision Sign District on property generally located east of Stemmons Freeway and north of Woodall Rodgers Freeway

Maker: Strater

Second: Brandon

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Speakers:** None

Thoroughfare Plan Amendments

**Telephone Road**

Planner: Tanya Brooks

**Motion:** It was moved to recommend **approval** of an amendment to the City of Dallas Thoroughfare Plan to decrease the designation of Telephone Road from Dallas/Lancaster City Limit to Unnamed SE4 to a four lane divided principal arterial roadway (S-4-D) within 80 feet of right of way.

Maker: Brandon

Second: Cunningham

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Speakers:** None

**Haskell Boulevard**

Planner: Keith Manoy

**Motion I:** It was moved recommend **approval** of an amendment to the City of Dallas Thoroughfare Plan to consider reducing the dimensional classification by the width and preserving as many of the amenities that are currently on the thoroughfare plan of Haskell Boulevard from Lemmon Avenue to Main Street.

Maker: Emmons  
Second: Perkett

Commissioner Emmons withdrew his motion for approval. Subsequently, Commissioner Perkett withdrew her second.

**Motion II:** It was moved to recommend **approval** of an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Haskell Boulevard from Lemmon Avenue to Main Street to a three lane eastbound roadway within 65 feet of right-of-way.

Maker: Strater  
Second: Lee  
Result: Carried: 9 to 5

For: 9 - Strater, Gary, Marshall, Lee, Alonzo, Brandon, Avery, Wilke, Scott

Against: 5 - Traylor, Cunningham, Perkett, Emmons, Isenberg  
Absent: 1 - Vera  
Vacancy 0

**Speakers:** For: Sandra Graham, 4203 Junius St., Dallas, TX, 75246  
Weldon Newsom, 1533 Haskell Ave., Dallas, TX, 75204  
Mary Beth Rodgers, 10129 Timber Trail Dr., Dallas, TX, 75229  
Dennis Rials, 1018 S. Haskell Ave., Dallas, TX, 75223  
David Chandler, 4027 Main St., Dallas, TX, 75226  
Gerald Morton, 4022 Simpson St., Dallas, TX, 75246  
Janice Mattox, 4028 Swiss Ave., Dallas, TX, 75206  
Joe Burkleo, 4107 Hollin Ave., Dallas, TX  
Cynthia Reams, 4024 Main St., Dallas, TX, 75226  
Against: Virginia Mcalester, 5703 Swiss Ave., Dallas, TX, 75206  
John Deshazo, 5915 Lindenshire Ln., Dallas, TX, 78230  
James Pratt, 3520 Routh St., Dallas, TX, 75219  
Virginia Bonifield, 5714 Swiss Ave., Dallas, TX, 75214  
Errol McKoy, P.O. Box 150006, Dallas, TX, 75315  
Bill Arnquist, 4701 Sycamore St., Dallas, TX, 75204  
Elizabeth Blessing, 6255 Oram St., Dallas, TX, 75214

Zoning Case – Consent

**1. Z045-125(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of a CR Community Retail District, subject to deed restrictions volunteered by the applicant on property zoned an MF-1(A) Multifamily District on the north side of Dixon Lane at Wullshleger Lane

Maker: Traylor

Second: Brandon

Result: Carried: 14 to 0

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

Against: 0

Absent: 1- Vera

Vacancy 0

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 35

**Replies:** For: 0 Against: 1

**Speakers:** For: Jarad Jackson, 5151 Miller Ave., Dallas, TX, 75206

Against: None

**2. Z045-129(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to the conditions and the development plan for Planned Development District No. 559 for single family uses and private streets, on the south side of Westgrove Road at the terminus of Ash Bluff Road, subject to revised recommend conditions.

Maker: Cunningham

Second: Brandon

Result: Carried: 14 to 0

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

Against: 0

Absent: 2 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 54  
**Replies:** For: 9 Against: 0

**Speakers:** None

**3. Z045-130(WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an amendment to the revised development plan and conditions for Planned Development District No. 560 for single family uses and private streets, on the south side of Westgrove Road at the terminus of Ash Bluff Road

Maker: Cunningham

Second: Brandon

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 37  
**Replies:** For: 9 Against: 0

**Speakers:** None

**4. Z045-138(MM)**

Planner: Maureen Meredith

**Motion:** It was moved to recommend **approval** of a Planned Development Subdistrict for O-2 Office District uses and a Retirement Housing Community, subject to a development plan and revised conditions within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, south of the intersection of Cedar Springs/Bowen Street and Turtle Creek Blvd

Maker: Emmons

Second: Marshall

Result: Carried: 14 to 0

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



Against: 0  
Absent: 1 - Vera  
Vacancy 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 289  
**Replies:** For: 2 Against: 111

**Speakers:** For: Kirk Williams, 5400 Renaissance Tower, Dallas, TX, 75270  
Alan Johnson, 3225 Turtle Creek Blvd., Dallas, TX, 75219  
Against: None

**5. Z045-148(DW)**

Planner: David Whitley

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a College or University use, for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and revised recommend conditions on property zoned an NO(A) Neighborhood Office District, subject to on the southeast corner of Harvest Hill Road and the Dallas North Tollway

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

Against: 0  
Absent: 1 - Vera  
Vacancy 0

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 58  
**Replies:** For: 9 Against: 4

**Speakers:** None

Zoning Case - Under Advisement

**6. Z034-316(MM)**

Planner: Maureen Meredith

**Motion:** It was moved to recommend **approval** of an amendment to 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 with the amended conditions and the amended development plan to come back on a future miscellaneous docket.

Maker: Cunningham

Second: Isenberg

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Vera

Vacancy 0

**Notices:** Area: 500 Mailed: 118

**Replies:** For: 6 Against: 12

**Speakers:** For: William Cothrum, 500 S. Ervay St., Dallas, TX, 75201  
Ivy Urquhart, 9250 Peninsula Dr., Dallas, 75218  
Kenneth Hart, Address Not Given  
Susan Cantrell Holloway, 6715 Lakeshore Dr., Dallas, TX, 75214  
Ken Durran, Address Not Given  
Against: Jonathan Hustis, 7551 Benedict Dr., Dallas, TX, 75214  
Misty Ventura, 9407 Biscayne Blvd., Dallas, TX, 75218  
James Costello, 9266 Biscayne Blvd., Dallas, TX, 75218  
Scott Carlson, 4534 Lawther, Dallas, TX, 75218  
Michael Jung, 7143 Fisher Rd., Dallas, TX, 75214  
Barbara Anderson, 8258 Santa Clara Dr., Dallas, TX, 75218

**7. Z045-132(RB)**

Planner: Richard Brown

**Motion:** In considering an application for an MU-3 Mixed Use District with removal of the D Dry Liquor Control Overlay on property zoned an LO-3-D Limited Office District with a Dry liquor Control Overlay with consideration being given to an MU-2 Mixed Use district with retention of the D Dry Liquor Control Overlay on the north corner of Washington Avenue and Worth Street, it was moved to **hold** this case under advisement until February 24, 2005.

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

Against: 0  
Absent: 1 - Vera  
Vacancy 0

\*out of the room, shown voting in favor

**Notices:** Area: 200 Mailed: 4  
**Replies:** For: 1 Against: 0

**Speakers:** None

**8. Z045-137(MM)**

Planner: Maureen Meredith

**Motion:** In considering an application to renew Specific Use Permit No. 1536 for a commercial amusement (inside) use to be used as a dance hall on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of the intersection of Maple Avenue and Hawthorne Avenue, it was moved to **hold** this case under advisement until March 3, 2005.

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

Against: 0  
Absent: 1 - Vera  
Vacancy 0

**Notices:** Area: 200 Mailed: 19  
**Replies:** For: 0 Against: 3

**Speakers:** For: Roger Albright, 3301 Elm St., Dallas, TX, 75201  
Against: None

**9. Z045-149(RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an MF-2(A) Multifamily Subdistrict on property zoned an RS-C Regional Service-Commercial Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, on the south corner of Sanger Avenue and Riggs Street

Maker: Traylor

Second: Brandon

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 – Vera, Marshall

Vacancy 0

**Notices:** Area: 200 Mailed: 19

**Replies:** For: 2 Against: 0

**Speakers:** For: David Moynihau, 2816 Sanger St., Dallas, TX, 75215  
Doug Caudell, Address Not Given  
Jay Baker, 4028 Hanover, Dallas, TX, 75225  
Against: None

Development Code Amendment

**DCA 045-007**

Planner: David Cossum

**Motion:** It was moved to recommend **approval** of an amendment to Article VII, "Sign Regulations," of Chapter 51A, the Dallas Development Code, to revise the regulations regarding political signs to conform with current State law

Maker: Scott

Second: Cunningham

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 – Vera, Marshall

Vacancy 0

**Speakers:** None

Authorization of Hearing

**Motion:** It was moved to recommend **approval** of an authorization of a hearing to consider amendments to the Downtown Special Provision Sign District in an area generally bound by Woodall Rogers Frwy to the north, Interstate 45/US 75 to the east, Interstate 30 to the south and Interstate 35 to the west, excluding those areas included in the West End SPSD, the Arts District SPSD, and the Farmers Market SPSD

Maker: Strater

Second: Lee

Result: Carried: 13 to 0

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

Against: 0

Absent: 2 – Vera, Marshall

Vacancy 0

**Speakers:** None

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Other Matters

Minutes: February 3, 2005

**Motion:** It was moved to **approve** the minutes of the February 3, 2005 meeting, subject to corrections.

Maker: Cunningham

Second: Brandon

Result: Carried: 13 to 0

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

Against 0

Absent: 2 – Vera, Marshall

Vacancy 0

Adjournment

Motion: It was moved to **adjourn** the hearing at 6:32 p.m.

Maker: Brandon

Second: Alonzo

Result: Carried: 13 to 0

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

Against 0

Absent: 2 – Vera, Marshall

Vacancy 0

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Bruce Wilke, Chair