

## CITY PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on May 12, 2005, with the briefing starting at 11:17 a.m. in Room 5ES and the public hearing at 1:56 p.m. in the City Council Chambers of City Hall. Presiding were 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, Olegario Estrada, 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) **S045-154R**

**Motion:** It was moved to **approve** an application to plat an 18.5 acre tract of land in Blocks 6755 and 6756 into a 71 lot Community Unit Development at the southeast corner of St. Augustine Road and Biggs Street, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

For: 14 - Strater, Gary, Marshall, Lee, Estrada, 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) **S045-201**

**Motion:** It was moved to **approve** an application to replat lots 1-8, Block 108/68 into one, 1.03 acre lot on a tract of land bounded by Main Street, Field Street, Commerce Street and Murphy Street, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

For: 14 - Strater, Gary, Marshall, Lee, Estrada, 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

Miscellaneous Docket

**M045-013**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment to the development plan in Tract III of Planned Development District No. 67, on Linnet Lane between Tyree Street and Victoria Avenue.

Maker: Perkett

Second: Emmons

Result: Carried: 14 to 0

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

Against: 0  
Absent: 1 - Vera  
Vacancy: 0

**Speakers:** None

**Z034-309(RB)**

Planner: Richard Brown

**Motion:** It was moved to **approve** an extension of the six month time period for a zoning case to be scheduled for City Council following Commission's action on property bounded by Clarence Street, Harwood Street, Sanger Avenue, and Mansfield Street.

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

Against: 0  
Absent: 1 - Vera  
Vacancy: 0

**Speakers:** None

Zoning Cases – Under Advisement

**1. Z045-120 (MM)**

Planner: Maureen Meredith

**Motion:** In considering an application for (1) a Planned Development District for mixed uses to be known as the Baylor University Medical Center Area Special Purpose District; (2) the termination of Specific Use Permits Nos. 853, 673, and 1110; (3) the termination of Planned Development District No. 613 and a portion of Planned Development District No. 298 and Planned Development District No. 298-D, the Bryan Area Special Purpose District; and (4) the termination of deed restrictions on property zoned Planned Development District No. 298, Planned Development District 298-D, an MU-3 Mixed Use District, an MU-3-D Mixed Use District with a Dry Liquor Control Overlay, a P(A) Parking District, a CS Commercial Service District, an MF-2(A) Multifamily District, an LO-3 Limited Office District, an IM Industrial Manufacturing District, and a GO General Office District on property generally bounded by Live Oak Street, Haskell Avenue, Main Street and Exposition Street. Consideration will be given to creating three subareas in Planned Development District No. 298 and 298-D to allow additional uses and development standards, in lieu of including this area of PDD No. 298 in the

proposed Baylor University Medical Center Area Special Purpose District, it was moved to **hold** this case under advisement until June 23, 2005.

Maker: Strater  
Second: Emmons  
Result: Carried: 14 to 0  
For: 14 - Strater, Gary, Marshall, Lee, Estrada, 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: 229  
**Replies:** For: 14 Against: 9

**Speakers:** For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202  
Against: J.W. Brasher, 4811 Swiss Ave., Dallas, TX, 75204  
Harryette Ehrhardt, 5731 Swiss Ave., Dallas, TX, 75214

## 2. 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 the D Liquor Control Overlay on the north corner of Washington Avenue and Worth Street with consideration being given to an MU-2 Mixed Use District with retention of the D Dry Liquor Control Overlay it was moved to **hold** this case under advisement until June 23, 2005.

Maker: Strater  
Second: Marshall  
Result: Carried: 14 to 0  
For: 14 - Strater, Gary, Marshall, Lee, Estrada, 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

**A. Z045-139 (WE)**

Planner: Warren Ellis

**Motion:** It was moved to recommend **denial** of an IM Industrial Manufacturing District and a Specific Use Permit for potentially incompatible industrial uses with outside storage on property zoned an IR Industrial Research District, on the west side of Spangler Road, between Ryan Road and Walnut Hill Lane.

Maker: Estrada  
Second: Brandon  
Result: Carried: 14 to 0  
For: 14 - Strater, Gary, Marshall, Lee, Estrada, Traylor,  
Brandon, Cunningham, Avery, Wilke, Perkett,  
Scott, Emmons, Isenberg  
Against: 0  
Absent: 1 - Vera  
Vacancy: 0

**Notices:** Area: 400 Mailed: 14  
**Replies:** For: 3 Against: 3

**Speakers:** For: Keith Redman, 1902 Clemson, Richardson, TX  
Against: None

Zoning Cases – Individual

**3. Z045-198 (RB)**

Planner: Richard Brown

**Motion:** In considering an application for a TH-3(A) Townhouse District on property currently zoned an R-7.5(A) Single Family District, on the north line of Ferguson Road, east of Lakeland Drive and the east line of Lakeland Drive, north of Ferguson Road, it was moved to **hold** this case under advisement until May 19, 2005.

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

Against: 0  
Absent: 1 - Vera  
Vacancy: 0

**Notices:** Area: 400 Mailed: 110  
**Replies:** For: 7 Against: 31  
**Speakers:** None

**4. Z045-210 (MM)**

Planner: Maureen Meredith

**Motion:** It was moved to recommend **approval** of a Planned Development District for a public school, other than an open-enrollment charter school and MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District, on the northeast corner of St. Augustine Road and Scyene Road, subject to a development plan and conditions.

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

Against: 0  
Absent: 1 - Vera  
Vacancy: 0

**Notices:** Area: 400 Mailed: 120  
**Replies:** For: 8 Against: 2  
**Speakers:** None

Special Provision Sign District – Under Advisement

**SPSD 045-005**

Planner: David Cossum

**Motion:** In considering a City Plan Commission authorized hearing to consider an amendment to the Downtown Special Provision Sign District to create a new category of signs for scrolling text message signs it was moved to **hold** this case under advisement until June 2, 2005.

Maker: Emmons  
Second: Brandon  
Result: Carried: 14 to 0

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

Against: 0  
Absent: 1 - Vera  
Vacancy: 0

**Notices:** Area: 200 Mailed: 510  
**Replies:** For: 44 Against: 4

**Speakers:** None

Comprehensive Transportation Plan for Central Business District

**Motion:** It was moved to recommend **approval** of a City Council authorized study to provide guiding principals for the development and operation of the Central Business District Transportation System.

Maker: Perkett  
Second: Marshall  
Result: Carried: 14 to 0  
For: 14 - Strater, Gary, Marshall, Lee\*, Estrada, 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

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**Other Matters**

Minutes

**Motion:** It was moved to **approve** the minutes of the May 5, 2005 meeting, subject to corrections.

Maker: Cunningham  
Second: Perkett  
Result: Carried: 14 to 0

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

Against: 0  
Absent: 1 - Vera  
Vacancy: 0

\*out of the room, shown voting in favor

### Adjournment

**Motion:** It was moved to adjourn the hearing at 4:17 p.m.

Maker: Perkett  
Second: Cunningham  
Result: Carried: 14 to 0

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

Against: 0  
Absent: 1 - Vera  
Vacancy: 0

\*out of the room, shown voting in favor

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Bruce Wilke, Chair