

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on September 8, 2005, with the briefing starting at 10:54 a.m. in Room 5ES and the public hearing at 2:09 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: Dave Neumann, Clarence Gary, Angela Marshall, Bulldog Cunningham, Bill Avery, Carol Scott and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: Jeff Strater and Melvin Traylor. There are four vacancies, District 5, District 6, District 12 and Place 15.

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) **S045-045R**

Motion: It was moved to **approve** an application to replat Phase 2 of a 2 phase plat previously approved as the Belmont Hotel Addition in City Block 4015 as a 35 lot single family addition with a shared access easement connecting to a public street to serve all of the lots in a 4.674 acre development on Fort Worth Avenue west of Sylvan Avenue, subject to amended condition in the docket with Condition #11 revised to read: "All access and utility easements serving as streets must be minimum 20 feet wide." delete remainder of condition. Delete Condition #12. Condition #14: Amend by adding: "and as amended by PDD No. 732. ", to the end of the condition. Condition #16: Amend the condition to read: "For frontage purposes and determining building setback lines only, Lots 1 thru 35 are considered to be one lot." Condition #18: "Add a note to the final plat stating "Lots 1 thru 34 are restricted to single family dwelling only." Condition #19: Amend the condition to read as follows: "The final plat shall limit the number of lots to 34 single family lots, one common area lot and one unrestricted lot."

Maker: Brandon
Second: Cunningham
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall*, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

*out of the room, shown voting in favor

Speakers: None

(2) **S045-180R**

Motion: It was moved to **approve** an application to revise a previously approved preliminary plat to redesign the lot layout and increase the total number of lots from 14 to 17 lots in City Block 8831 on Seagoville Road at Casa Grande Street, subject to the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(3) **S045-310**

Motion: It was moved to **approve** an application to replat Lot 1 in City Block A/8287 into one 19.7485 acre lot and one 2.0649 acre lot on Bonnieview Road between LBJ Johnson Freeway and Port Boulevard, subject to conditions listed in the docket.

Maker: Brandon
Second: Cunningham
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall*, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

*out of the room, shown voting in favor

Speakers: None

(4) **S045-311**

Motion: It was moved to **approve** an application to replat part of Lots 1, 2, 3, 4, and part of Lot 5 in City Block 6/1500 into one, 1.250 acre lot on Lemmon Avenue at Douglas Avenue, West corner, subject to conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(5) **S045-313**

Motion: It was moved to **approve** an application to replat Lot 2 into one 0.72 acre lot and one 0.71 acre lot in City Block 8229 on Dallas North Parkway and Knoll Trail Drive, south of Trinity Mills Road, subject to the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(6) **S045-314**

Motion: It was moved to **approve** an application to replat Lots 1 and 2 and abandoned right of way of Newt Street into one 0.390 acre lot in City Block 9/8726 on McCallum Boulevard west of Frank Jackson Drive, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(7) **S045-315**

Motion: It was moved to **approve** an application to create one, 5.2094 acre lot in City Block 8837 on 13045 Fish Road, northwest of W. Lawson Road, subject to conditions listed in the docket.

Maker: Brandon

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: For: Roger Adams, 308 E. Lanett, DeSoto, TX, 75115
Against: None

(8) **S045-316**

Motion: It was moved to **approve** an application to create one 6.176 acre lot from a tract of land in City Block 8820 on the CF Hawn Freeway Service Road, southwest of S. Belt Line Road, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons
Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(9) **S045-320**

Motion: It was moved to **approve** an application to replat Lots 2 thru 6 in City Block 40/1343 into one 1.0285 acre lot on Reagan Street at Fairmount Street, south corner, subject to the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Starter, Traylor
Vacancy: 4 - District 5, District 6, Traylor 12, Place 15

Speakers: None

(10) **S045-321**

Motion: It was moved to **approve** an application to replat Lots 13 and 14 in City Block B/1323 into one 0.4362 acre lot on Rawlins Street between Knight Street and Throckmorton Street, subject to conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(11) **S045-322**

Motion: It was moved to **approve** an application to replat part of City Block 39/1342 into one 1.5117 acre lot on Fairmount Street between Reagan Street and Throckmorton Street, subject to conditions listed in the docket.

Maker: Emmons

Second: Marshall

Result: Carried: 8 to 1

For: 8 - Gary, Marshall, Brandon, Cunningham, Avery,
Wilke, Scott, Emmons

Against: 1 - Neumann

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(12) **S045-323**

Motion: It was moved to **approve** an application to create a 36 lot Shared Access Development and a Community Unit Development from a 4.127 acre on Ferguson Road between Springhill Drive and Lakeland Road, subject to conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(13) **S045-324**

Motion: It was moved to **approve** an application to replat all of 1, 2, 3, 4, 5, and part of Lot 1A into one 1.2006 acre lot in City Block 1/5687 on Eastern Avenue at West Lovers Lane, southwest corner; and all of Lot 1A into one 11.4522 acre lot in City Block 2/5687 on Boaz Street between Eastern Avenue and Greenway Boulevard, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(14) **S045-325**

Motion: It was moved to **approve** an application to create a 15 lot Shared Access Development from a 0.6736 acre tract of land in City Block 907 1/4 on McKee Street between Akard Street and Wall Street, subject to the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(15) **S045-327**

Motion: It was moved to **approve** an application to replat Lots 17 and 18 in City Block 52/7904 into one 0.3086 acre lot on Converse Street northwest of Crampton Street, subject to the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(16) **S045-328**

Motion: It was moved to **approve** an application to replat Lot 21E in City Block 6/5199 into one 0.3422 acre lot and one 0.6887 acre lot on Holly Hill Drive, northeast of Ridgecrest Road, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(17) **S045-329**

Motion: It was moved to **approve** an application to replat Lot 2 and abandoned right of way for Haskell Avenue in City Block A977 into one 2.981 acre lot and one 0.0103 acre lot on McKinney Avenue, Blackburn/Haskell Connection, Noble Avenue and City Place West, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(18) **S045-330**

Motion: It was moved to **approve** an application to create an 8 lot single family subdivision from a 0.8664 acre tract of land in City Block 3363 on North Bishop Street at Wickford Street, southeast corner, subject to the conditions listed in the docket with the following changes: Condition #8 needs to be amended to reflect that 8 lots are approved instead of 1 lot. Condition #10 needs to be deleted. Condition #13 needs to be deleted because the condition has been complied with.

Maker: Neumann
Second: Brandon
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(19) **S045-331**

Motion: It was moved to **approve** an application to replat Lot 1 in City Block 644 to create a six lot Shared Access Development on a 0.23 acre tract of land on 1438 North Washington Avenue, northwest of Bryan Street, subject to the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

Consent Agenda – Minor Amending Plats

(20) **S823-191R**

Motion: It was moved to **approve** an application for a minor amendment (Certificate of Correction) to the recorded plat of “The 2nd Corrected Plat of Rosemeade Addition to correct the street name of Timberglen Drive to Timberglen Road between Midway Road and Rodale Way, subject to the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(21) **S990-202**

Motion: It was moved to **approve** an application for a minor amendment (Certificate of Correction) to the recorded plat of "Marsh-Frankford Addition to revise the location of the most southerly east-west water main easement on Frankford Road at Marsh Lane, northwest corner, subject to the conditions listed in the docket.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

Individual Items – Residential Replats

(22) **S045-317**

Motion: It was moved to **approve** an application to replat part of Lot 3A into one 0.264 acre lot in City Block A/5057 on Midway Road at Crest Haven Road, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Emmons
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(23) **S045-318**

Motion: It was moved to **approve** an application to replat Lot 2 in City Block 2/7498 into one 8,695 square foot lot and one 9,379 square foot lot on Barnes Bridge Road east of Encino Drive, subject to compliance with the conditions listed in the docket.

Maker: Cunningham

Second: Brandon

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

Individual Items – Public Hearings

(24) **S045-085R**

Motion: In considering an application to amend the previously approved and recorded plat to reduce the 18 foot building line to a 10 foot building line on Lots 1B thru 1F in City Block H/573 on Thomas Avenue between Clay Alley and Allen Street it was moved to **hold** this case under advisement until September 15, 2005.

Maker: Emmons

Second: Brandon

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

(25) **S045-326**

Motion: It was moved to **approve** an application to create a 137 lot single family subdivision on an 18.369 acre tract of land in City Block 8682 on Mountain Creek Parkway and Eagle Ford Road, north corner, subject to compliance with the conditions listed in the docket.

Maker: Gary
Second: Brandon
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: For: Mark Spear, 17300 Dallas Parkway, Dallas, TX, 75248
Against: Ellen Taft, 7924 Glenway Dr., Dallas, TX, 75249

(26) **S034-022**

Motion: It was moved to **deny** an application for a minor amendment (Certificate of Correction) to add utility easements to a large number of the platted lots, amend the "Owners Dedication" statement to include "floodway management areas" to the recorded plat of "Seagoville Villas Addition" on Seagoville Road, southeast of Belt Line Road due to the request does not qualify for a minor amendment and needs to be submitted as a amending plat to show the easement on all of the lots and all the property owners because there are more than 50 of the original lots in the subdivision.

Maker: Brandon
Second: Gary
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

Miscellaneous Docket

M045-039

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to the development plan and landscape plan for Planned Development District No. 130, on the north line of IH 635, east of Noel Road.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

D045-032

Planner: Frank Dominquez

Motion: It was moved to **approve** a development plan for Planned Development District No. 717, located on the west side of Oren Street at Westrock Drive, north of Royal Lane, subject to revised staff's recommendations.

Maker: Avery
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon*,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

*out of the room, shown voting in favor

Speakers: None

D045-033

Planner: Frank Dominquez

Motion: It was moved to **approve** a development plan for Planned Development District No. 712, on the east side of Motor Street, between Bengal Street and Cass Street, subject to revised conditions.

Maker: Cunningham
Second: Marshall
Result: Carried: 9 to 0
For: 9 - Neumann, Gary, Marshall, Brandon*,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

*out of the room, shown voting in favor

Speakers: None

W045-007

Planner: Neva Dean

Motion: It was moved to **approve** a waiver of the two-year waiting period to submit an application to amend Specific Use Permit No. 1570 for an open-enrollment charter school on the northwest corner of Jefferson Boulevard and Marsalis Avenue.

Maker: Neumann

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon*,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

*out of the room, shown voting in favor

Speakers: None

The Commission convened into Executive Session at 3:11 p.m.

The Commission reconvened into Open Session at 3:37 p.m.

W045-008

Planner: Neva Dean

Motion: It was moved to **deny** a waiver of the two-year waiting period to submit an application for a change of zoning and a Specific Use Permit for a potentially incompatible industrial use on property zoned an IR Industrial Research District on the west side of Spangler Road, between Ryan Road and Walnut Hill Lane.

Maker: Neumann

Second: Avery

Result: Carried: 8 to 1

For: 8 - Neumann, Gary, Marshall, Brandon, Avery,
Wilke, Scott, Emmons

Against: 1 - Cunningham

Absent: 2 - Strater, Traylor

Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Keith Redmon, 1902 Clemson, Richardson, TX, 75081
Against: None
Staff: Nicola Hobeiche, City Attorney's Office

Z045-247(MM)

Planner: Maureen Meredith

Motion: It was moved to **approve** a development plan submitted in conjunction with an application for a Planned Development District for residential, office, and retail uses, with private streets, on property zoned a CS Commercial Service District on the north side of Fort Worth Avenue, west of Sylvan Avenue.

Maker: Brandon
Second: Neumann
Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Strater, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

Certificates of Appropriateness for Signs

Downtown Sign District

0507201002

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 198 square feet upper level attached sign on the north façade of 2211 North Lamar Street.

Maker: Emmons
Second: Marshall
Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 2 - Starter, Traylor
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

0507201007

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the instillation of a 102 square feet upper level flat attached illuminated sign on the west façade of 2211 North Lamar Street.

Maker: Emmons

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy 4 - District 5, District 6, District 12, Place 15

Speakers: None

0507201008

Planner: Michael Finley

Motion: It was moved to **approve** a Certificate of Appropriateness for the instillation of a 340 square feet upper level flat attached sign on the south façade of 2211 North Lamar Street.

Maker: Emmons

Second: Marshall

Result: Carried: 9 to 0

For: 9 - Neumann, Gary, Marshall, Brandon,
Cunningham, Avery, Wilke, Scott, Emmons

Against: 0

Absent: 2 - Strater, Traylor

Vacancy 4 - District 5, District 6, District 12, Place 15

Speakers: None

Zoning Cases – Consent

1. **Z045-224 (WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and staff's recommended conditions 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 northeast side of Malcolm X Boulevard, southeast of Hatcher Street.

Maker: Brandon
Second: Marshall
Result: Carried: 8 to 0
For: 8 - Neumann, Gary, Marshall, Brandon, Avery,
Wilke, Scott, Emmons

Against: 0
Absent: 3 - Strater, Traylor, Cunningham**
Vacancy: 4 - District 5, District 6, District 12, Place 15

** Commissioner Cunningham left, before vote taken

Notices: Area: 400 Mailed: 113
Replies: For: 1 Against: 1

Speakers: For: John Rooney, 39940 N. Wisdom Way, Anthem AZ, 85086
Orlando Alameda, 3700 Ross Ave., Dallas, TX
Against: None

2. Z045-268 (MM)

Planner: Maureen Meredith

Motion: In considering an application to amend Planned Development District No. 572 for a public or private school and to request a Specific Use Permit for a tower/antenna for cellular communication on property zoned a Planned Development District No. 572, on the southeast corner of Pleasant Valley Drive and Chimney Hill Lane it was moved to **hold** this case under advisement until October 20, 2005.

Maker: Avery
Second: Brandon
Result: Carried: 8 to 0
For: 8 - Neumann, Gary, Marshall, Brandon, Avery,
Wilke, Scott, Emmons

Against: 0
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Notices: Area: 500 Mailed: 129
Replies: For: 5 Against: 37

Speakers: None

Zoning Cases – Under Advisement

3. **Z045-214 (RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Mini-warehouse for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, conditions and a revised landscape plan (specific tree species) within the S-10 Subdistrict portion of the South Zone of Planned Development District No. 521 for Mixed Uses on the west line of Clark Road, south of Camp Wisdom Road.

Maker: Gary
Second: Marshall
Result: Carried: 8 to 0
For: 8 - Neumann, Gary, Marshall, Brandon, Avery, Wilke, Scott, Emmons
Against: 0
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Notices: Area: 500 Mailed: 56
Replies: For: 0 Against: 1

Speakers: For: Joe Bowers, 1737 Northaven Ct., Arlington, TX
Against: None

4. **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, on the south corner of Hall Street and Reagan Street it was moved to recommend **hold** this case under advisement until November 17, 2005.

Maker: Emmons
Second: Brandon
Result: Carried: 8 to 0
For: 8 - Neumann, Gary, Marshall, Brandon, Avery, Wilke, Scott, Emmons
Against: 0
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Notices: Area: 500 Mailed: 124
Replies: For: 2 Against: 1

Speakers: None

5. **Z045-233 (RB)**

Planner: Richard Brown

Motion: In considering an application for an amendment to the conceptual plan and conditions for Planned Development District No. 143, for Office uses and a Plant nursery on the northwest corner of LBJ Freeway and Valley View Lane it was moved to recommend **hold** this case under advisement until September 15, 2005.

Maker: Emmons

Second: Marshall

Result: Carried: 8 to 0

For: 8 - Neumann, Gary, Marshall, Brandon, Avery,
Wilke, Scott, Emmons

Against: 0

Absent: 3 - Strater, Traylor, Cunningham

Vacancy: 4 - District 5, District 6, District 12, Place 15

Notices: Area: 500 Mailed: 43
Replies: For: 4 Against: 8

Speakers: For: Kirk Williams, 17318 Club Hill Dr., Dallas, TX, 75248
Against: Michael Jung, 4400 Bank of America Plaza, Dallas, TX, 75202
Susan Anastassiou, 13211 Laurel Wood Ln., Dallas, TX, 75240
Ed Holomon, 13625 Spring Grove Ave., Dallas, TX, 75240-3726
Leonard Hoffman, 13320 Meadowside Dr., Dallas, TX, 75240
Allen Huffhines, 4226 Lomo Alto Ct., Dallas, TX, 75219

Zoning Cases – Individual Items

6. **Z045-261 (WE)**

Planner: Warren Ellis

Motion: It was moved to recommend **denial** of a CR Community Retail District and a Specific Use Permit for a commercial amusement (inside) use for a dance hall and an alcoholic beverage establishment use for a private club-bar on property zoned an R-7.5(A) Single Family District on the south line of C.F. Hawn Freeway, between Thelma Street and Cade Road.

Maker: Brandon

Second: Marshall

Result: Carried: 8 to 0

For: 8 - Neumann, Gary, Marshall, Brandon, Avery,
Wilke, Scott, Emmons

Against: 0
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Notices: Area: 200 Mailed: 15
Replies: For: 3 Against: 3

Speakers: For: Peter Kavanagh, 1620 Handley, Dallas, TX, 75208
Against: James Rodden, 5144 Thorndale Rd., Balch Springs, TX, 75180
Joseph Jedruskiak, 305 White Dr., Colleyville, TX, 76034
Marian Lindamood, 928 Thelma St., Dallas, TX, 75217

7. Z045-264 (DW)

Planner: David Whitley

Motion: It was moved to recommend **denial** of the creation of a new Subarea to allow for multi-family uses within Planned Development District No. 134 on property zoned Subarea A within Planned Development District No 134 on the northwest side of Ash Lane, southwest of Fitzhugh Avenue.

Maker: Avery
Second: Marshall
Result: Carried: 8 to 0
For: 8 - Neumann, Gary, Marshall, Brandon, Avery,
Wilke, Scott, Emmons

Against: 0
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Notices: Area: 500 Mailed: 72
Replies: For: 1 Against: 1

Speakers: None

8. Z045-265 (MM)

Planner: Maureen Meredith

Motion: In considering an application to amend Specific Use Permit No. 405 for a child-care facility and private school on property zoned an R-16(A) Single Family District on the southeast corner of Northaven Road and Quincy Lane it was moved to **hold** this case under advisement until September 22, 2005.

Maker: Scott
Second: Brandon
Result: Carried: 8 to 0

For: 8 - Neumann, Gary, Marshall, Brandon, Avery,
Wilke, Scott, Emmons

Against: 0
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Notices: Area: 300 Mailed: 25
Replies: For: 3 Against: 2

Speakers: None

Other Matters

CPC Rules of Procedure Suspension of the rules requiring the Rules Committee to make a recommendation on proposed amendments to the Commission's rules of procedures and the consideration of a proposed amendment to the Commission's rules of procedure (requires 2/3 vote to suspend the rules)

Motion I: It was moved to **suspend** the rules requiring the Rules Committee to make a recommendation on proposed amendments to the Commission's rules of procedures.

Maker: Neumann
Second: Scott
Result: Failed: 4 to 4
For: 4 - Neumann, Gary, Wilke, Scott

Against: 4 - Marshall, Brandon, Avery, Emmons
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Motion II: It was moved to **refer** the proposed amendments to the City Plan Commission Rules of Procedure to the City Plan Commission's Rules Committee to make a recommendation on proposed amendments to the full Commission.

Maker: Emmons
Second: Neumann
Result: Carried: 8 to 0
For: 8 - Neumann, Gary, Marshall, Brandon, Avery,
Wilke, Scott, Emmons

Against: 0 -
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Speakers: None

Chairman Wilke made the following appointments to the City Plan Commission's Rules Committee:

Bill Avery - Chair
Carol Brandon - Vice Chair
Angela Marshall - new member
David Neumann - new member
Neil Emmons

The Committee agreed to meet in the conference room in 5BN on Wednesday, September 14, 2005, at 7:00 p.m.

Minutes

Motion: It was moved to **approve** the minutes of the August 18, 2005, meeting, subject to corrections.

Maker: Brandon
Second: Marshall
Result: Carried: 8 to 0
For: 8 - Neumann, Gary, Marshall, Brandon, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Adjournment

Motion: It was moved to adjourn the hearing at 7:45 p.m.

Maker: Scott
Second: Brandon
Result: Carried: 8 to 0
For: 8 - Neumann, Gary, Marshall, Brandon, Avery, Wilke, Scott, Emmons

Against: 0
Absent: 3 - Strater, Traylor, Cunningham
Vacancy: 4 - District 5, District 6, District 12, Place 15

Bruce Wilke, Chair