

FILED
NOV 23 2004

CITY PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 18, 2004; with the briefing starting at 10:58 a.m. in Room 5ES and the public hearing at 1:43 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, Carol Brandon, Bulldog Cunningham, 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: Bill Avery. 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) **S045-028**

Motion: It was moved to **approve** an application to plat a 6.98 acre tract of land in Block 2/8291 into one lot on L.B.J. Freeway, west of Bonnie View Road, subject to the conditions listed in the docket

Maker: Brandon

Second: Marshall

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

**GOVERNMENT
EXHIBIT**

1586

3:07-CR-0289-M

Speakers: For: None
Against: Allen McGill, [REDACTED] Dallas, TX, 75241
Darren Reagan, [REDACTED] Dallas, TX, 75237

(2) S045-029

Motion: It was moved to **approve** an application to plat a 12.01 acre tract of land in Block A/6260 into one lot at the southeast corner of Elam Road and Ella Avenue, subject to the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Avery
Vacancy 0

Speakers: None

(3) S045-030

Motion: It was moved to **approve** an application to plat a 0.36 acre tract of land in Block A/805 into one lot on Willow Street, north of Peak Street, subject to the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Avery
Vacancy 0

Speakers: None

(4) S045-031

Motion: It was moved to **approve** an application to plat a 1.09 acre tract of land in Block C/500 into one lot on Bryan Street at Pavillion Street, subject to the conditions listed in the docket

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

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

Against 0
Absent: 1 - Avery
Vacancy 0

Speakers: None

(5) S045-032

Motion: It was moved to **approve** an application to plat a 4.78 acre tract of land in Block 6692 into 8 lots on Cheyene Road, north of Elam Road, subject to the conditions listed in the docket

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

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

Against 0
Absent 1 - Avery
Vacancy 0

Speakers: None

(6) S045-033

Motion: It was moved to **approve** an application to replat part of lots 1, 2 and 3, Block 11/2294 into 2 lots, west of the west corner of Hawthorne Avenue and Sylvester Avenue, subject to the conditions listed in the docket

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

Speakers: None

(7) S045-034

Motion: It was moved to **approve** an application to replat lots 1A, 2A and 3A, Block F/3372, part of lot 6 and all of lots 7-10, Block F/7732 into 6 lots at the southeast corner of Zang Boulevard and Sixth Street, subject to the conditions listed in the docket

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

Speakers: None

Miscellaneous Docket

D045-005

Planner: Frank Dominguez

Motion: It was moved to **approve** of a development plan and landscape plan for Planned Development District No. 521, for Residential, Office, and Retail Uses on property generally located south of Camp Wisdom Road, west of Clark Road

Maker: Gary

Second: Marshall

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

Speakers: None

Certificates of Appropriateness for Signs

0410145010

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 45 square feet double sided monument sign at 501 Young Street

Maker: Strater

Second: Perkett

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

0411012009

Motion: It was moved to approve a Certificate of Appropriateness for the installation of a 86 square feet attached sign on the north elevation at 3699 McKinney Avenue

Maker: Emmons

Second: Vera

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

Speakers: None

Zoning Cases – Consent

1. Z034-334 (RB)

Planner: Richard Brown

Motion: It was moved to recommend approval of a Planned Development District for RR Regional Retail District Uses and Multifamily Uses, subject to a revised conceptual plan reflecting a maximum FAR for RR District Use 1.5 to 1 and revised recommended condition that the entire property must be developed as Multifamily Uses or RR Regional Retail District Uses, but not a combination of Multifamily Uses and Regional Retail District Uses, revised conditions to limit the height in Tract I to 230 feet and 15 stories and include that notices be sent to the North Dallas Neighborhood Alliance simultaneously with the submittal of any development plan or minor amendments to be sent to their most recent address on early notification list, and deed restrictions volunteered by the applicant which will also state that the height in Tract I is limited to 230 feet and 15 stories and to, on property zoned an RR Regional Retail District, on the southeast corner of Arapaho Road and Prestonwood Boulevard.

Maker: Perkett

Second: Traylor

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

Notices: Area: 500 Mailed: 8
Replies: For: 2 Against: 0

Speakers: For: Kirk Williams, [REDACTED], Dallas, TX, 75204
Lucy Bellew, [REDACTED], Dallas, TX, 75252
Against: None

2. Z045-101 (MM)

Planner: Maureen Meredith

Motion: In considering an application for a CS Commercial Service District on property zoned a CH Clustered Housing District, at the western terminus of Ronnie Drive west of Frank Jackson Drive, it was moved to hold this case under advisement until December 2, 2004.

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

Against: 0
Absent: 1 - Avery
Vacancy: 0

Notices: Area: 200 Mailed: 6
Replies: For: 2 Against: 0

Speakers: None

3. Z045-102 (MM)

Planner: Maureen Meredith

Motion: It was moved to recommend approval of an application for an RR Regional Retail District, subject to deed restrictions volunteered by the applicant, on property zoned an MU-2 Mixed Use District, on the south side of Camp Wisdom Road, west of South Westmoreland Avenue, and north of Interstate 20.

Maker: Brandon
Second: Lee
Result: Carried: 13 to 0
For: 13 - Vera, Strater, Gary, Marshall, Lee, Alonzo, Traylor, Brandon, Cunningham, Wilke, Perkett, Scott, Emmons

Against 0
Absent: 1 - Avery
Conflict 1 - Isenberg
Vacancy 0

Notices: Area: 300 Mailed: 14
Replies: For: 0 Against: 0

Speakers: None

4. Z045-103 (MM)

Planner: Maureen Meredith

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 automatic renewal for additional ten-year periods, subject to a site plan and conditions on property zoned a CR-D-1 Community Retail District with a Liquor Control Overlay, on the north side of Bruton Road, east of St. Augustine Road.

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

Against 0
Absent: 1 - Avery
Vacancy 0

Notices: Area: 200 Mailed: 5
Replies: For: 1 Against: 0

Speakers: None

5. Z045-105 (MM)

Planner: Maureen Meredith

Motion: It was moved to recommend approval of 1) an R-7.5(A) Single Family District on property zoned a CR Community Retail District; 2) the termination of Specific Use Permit No. 360 for a miniature golf course, game room, batting cages with related office space; and 3) a Specific Use Permit for Private Streets for a permanent time period, subject to conditions with an amendment to condition 4 to include wording specifically prohibiting access to the alley and no rear entry garages facing that direction on the south side of the property and revised site plan, on property zoned an R-7.5(A) Single Family District, on the south side of Northwest Highway, east of Lake Highlands Drive.

Maker: Cunningham
Second: Marshall
Result: Carried: 14 to 0
For: 14 - Vera, Strater, Gary, Marshall, Lee, Alonzo,
Traylor, Brandon, Cunningham, Wilke, Perket, ^{new}
Scott, Emmons, Isenberg

Against 0
Absent: 1 - Avery
Vacancy 0

Notices: Area: 500 Mailed: 183
Replies: For: 38 Against 7

Speakers: For: Robert Baldwin, [REDACTED] Dallas, TX, 75226
Against: Robert McCrossen, [REDACTED] Dallas, TX, 75214
Cecil Kirksey [REDACTED] Dallas, TX 75214

Zoning Cases – Under Advisement

6. 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 January 27, 2005.

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

Against 0
Absent: 1 - Avery
Vacancy 0

Notices: Area: 500 Mailed: 118
Replies: For: 6 Against 12

Speakers: None

7. Z034-324 (WE)

Planner: Warren Ellis

Motion: In considering an application for an amendment to the public deed restrictions on property zoned an R-7.5(A) Single Family District, on the east side of Seagoville Road at Edd Road, it was moved to **hold** this case under advisement until December 16, 2004.

Maker: Brandon

Second: Lee

Result: Carried: 14 to 0

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

Against 0
Absent: 1 - Avery
Vacancy 0

Notices: Area: 500 Mailed: 52
Replies: For: 1 Against: 10

Speakers: None

8. Z034-327 (DW)

Planner: David Whitley

Motion: In considering an application for an MU-2 Mixed Use District with retention of the D-1 Dry Liquor Control Overlay on property zoned a CR-D-1 Community Retail District with a Dry Liquor Control Overlay and an MC-1-D-1 Mixed Commercial District with a Dry Liquor Control Overlay and termination of existing deed restrictions, north of Bruton Road, west of St. Augustine Road, it was moved to **hold** this case under advisement until December 2, 2004.

Maker: Lee

Second: Scott

Result: Carried: 14 to 0

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

Against 0
Absent: 1 - Avery
Vacancy 0

Notices: Area: 400 Mailed: 118
Replies: For: 6 Against: 5

Speakers: None

A. Z034-328 (DW)

Planner: David Whitley

Motion: In considering an application for a MU-2 Mixed Use District on property zoned a CR Community Retail District with deed restrictions volunteered by the applicant that limit height and provide sound attenuation for residential uses, southwest of Overlake Drive and southeast of Community Drive, it was moved to **hold** this case under advisement until December 16, 2004.

Maker: Alonzo
Second: Marshall
Result: Carried: 14 to 0

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

Against 0
Absent: 1 - Avery
Vacancy 0

Notices: Area: 400 Mailed: 32
Replies: For: 2 Against 0

Speakers: None

B. Z034-329 (DW)

Planner: David Whitley

Motion: In considering an application for CS Commercial Service District on property zoned a CH Clustered Housing District with deed restrictions volunteered by the applicant, north of McCallum Boulevard and west of Frank Jackson Drive, it was moved to **hold** this case under advisement until December 2, 2004.

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

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

Against 0
Absent: 1 - Avery
Vacancy 0

Notices: Area: 43 Mailed: 43
Replies: For: 1 Against 0

Speakers: None

Zoning Cases – Individual

9. Z034-331 (RB)

Planner: Richard Brown

Motion: In considering an application for an amendment to the Subdistrict D portion of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, east quadrant of Colorado Boulevard and Zang Boulevard and the north quadrant and Zang Boulevard and Plowman Avenue, it was moved to **hold** this case under advisement until December 2, 2004.

Maker: Vera

Second: Gary

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

Notices: Area: 500

Replies: For: 3

Mailed: 33

Against 1

Speakers: None

10. Z045-104 (MM)

Planner: Maureen Meredith

Motion: In considering an application for an R-5(A) Single Family District on property zoned an IR Industrial Research District, north side of Bedford Street, east of Harston Street and west of Vilbig Street, it was moved to **hold** this case under advisement until December 16, 2004.

Maker: Gary

Second: Marshall

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 19
Replies: For: 5 Against: 8

Speakers: None

Land Use Plan

Motion: It was moved to recommend **approval** of the adoption of an amendment to the Bryan Area Land Use Study, in an area generally bounded by Roseland to the north, Fitzhugh to the east, Gaston to the south and Good Latimer/Central Expressway to the west

Maker: Emmons

Second: Lee

Result: Carried: 14 to 0

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

Against: 0

Absent: 1 - Avery

Vacancy: 0

Speakers: For: Stan Armstrong, [REDACTED] Dallas, TX, 75

Jim Rogers, No address given

Wayne Smith, No address given

Gary Mitchell, No address given

Against: None

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the November 11, 2004 meeting, subject to corrections.

Maker: Cunningham

Second: Vera

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0

Adjournment

Motion: It was moved to adjourn the hearing at 3:44 p.m.

Maker: Cunningham

Second: Brandon

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Avery

Vacancy 0


Bruce Wilke, Chair

04-0027



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FEB 14 2005
CITY OF DALLAS

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DISCLOSURE OF CONFLICT STATEMENT

This statement is filed in accordance with Chapter 12A of the Dallas City Code. Copies of the applicable code sections and additional copies of this form may be obtained from the City Secretary's office.

Please print or type all information. Attach additional pages if more space is needed.

Check One	Fill in Appropriate Information	
<input type="checkbox"/> Elected Official	Office Held	
<input type="checkbox"/> Appointed Official	Board or Commission/ Title	
<input type="checkbox"/> City Employee	Title/Department	

1. Name of Employee/Official: Ralph Iseberg

I, Ralph Iseberg have a conflict as defined in Chapter 12A, Article II, of the Dallas City Code in the following matter:

2034-331 5/11 5-20

2045 10

WANDA E. DAVIS
CITY SECRETARY
FEBRUARY 14 2005

COD_CS00008347

Nature of Conflict:

ownership within notification
circle

As a result of this conflict, I will not take any official action in regard to the matter stated above.

[Signature] Signature of Employee/Official 11/18/04 Date

BEFORE ME, the undersigned authority, on this day personally appeared

Ralph Isenby, who on oath stated that the above facts are within his personal knowledge and are true and correct.

SWORN TO AND SUBSCRIBED BEFORE ME on this 18th day of November, 2004, to certify which, witness my hand and seal.



Monesia F. Davis Signature of officer administering oath Monesia F. Davis Printed name of officer administering oath Notary Title of officer administering oath

COD_CS00008348