CITY OF DALLAS

STATE OF TEXAS §

COUNTY OF DALLAS §

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I, **SHIRLEY ACY,** City Secretary, of the City of Dallas, Texas, do hereby certify that the attached are true and correct copies of documents

FILE NO. 05-0708

filed in my office as official records of the City of Dallas, and that I have custody and control of said records.

WITNESS MY HAND AND THE SEAL OF THE CITY OF DALLAS, TEXAS, this the **22nd** day of **August, 2005.**

SHIRLEY ACY
CITY SECRETARY
CITY OF DALLAS, TEXAS

PREPARED BY DARLENE GARMON
CERTIFICATION ITEM NO. 5

COD_CSO 0002218

GOVERNMENT EXHIBIT
1502
3:07-CR-0289-M

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 23, 2005

05-0708

Item 65: Public Hearing – Zoning Case Z034-327 (DW) - UNDER ADVISEMENT - INDIVIDUAL

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs ((c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

A public hearing was called on zoning case Z034-327 (DW), an application for and an ordinance granting an MU-2 Mixed Use District with retention of the D-1 Liquor Control Overlay on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and an MC-1-D-1 Multiple Commercial District with a D-1 Liquor Control Overlay and a resolution accepting new deed restrictions volunteered by the applicant and a resolution terminating existing deed restrictions, north of Bruton Road, west of St. Augustine Road.

(The city plan commission recommended approval of an MU-2 Mixed Use District with retention of the D-1 Liquor Control Overlay with a resolution accepting new deed restrictions volunteered by the applicant and approval of a resolution terminating the existing deed restrictions. This item was considered by the City Council at a public hearing on February 9, 2005, and was taken under advisement until February 23, 2005, with the public hearing open.)

Councilmember Fantroy announced that he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Fantroy left the city council chamber.

Appearing in opposition to the city plan commission's recommendation:

Jerry Tolbert, [redacted]

Appearing in favor of the city plan commission's recommendation:

Suzan Kedron, [redacted]
Joe Conaghan, [redacted]
Martha Conaghan, [redacted]

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OFFICE OF THE CITY SECRETARY CITY OF DALLAS, TEXAS

Councilmember Thornton Reese moved to postpone the application until the March 9, 2004 voting agenda meeting of the city council and to continue public hearing at that time.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Fantroy abstain)