

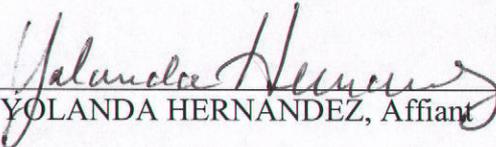
AFFIDAVIT OF YOLANDA HERNANDEZ

**THE STATE OF TEXAS
COUNTY OF DALLAS**

Before me, the undersigned authority, personally appeared YOLANDA HERNANDEZ, who, being by me duly sworn, deposed as follows:

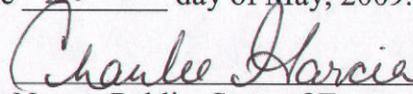
My name is Yolanda Hernandez, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of the City Plan Commission ("the CPC"). Attached hereto are the minutes in connection with the public hearing of the City Plan Commission that was held on December 2, 2004. This document is a copy of records kept by Yolanda Hernandez in the regular course of business, and it was the regular course of business and was part of the activities of the City for an employee or representative of the City with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. These are matters observed pursuant to duty imposed by law as to which matters there was a duty to report. The record attached hereto is the original or exact duplicate of the original.



YOLANDA HERNANDEZ, Affiant

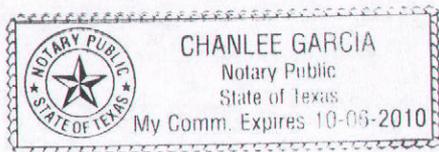
SWORN TO AND SUBSCRIBED before me on the 28th day of May, 2009.



Notary Public, State of Texas

Chanlee Garcia

Printed Name



10/6/2010

My Commission Expires



CITY PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on December 2, 2004; with the briefing starting at 10:29 a.m. in Room 5ES and the public hearing at 1:52 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, 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: Diana Alonzo. 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) **S045-037**

Motion: It was moved to **approve** an application to create three 8,925 square foot, and one 8,779 square foot lot in City Block 7852 from a 0.816 acre tract of land, on the northwest corner of Dowdy Ferry Road at Suetelle Drive, subject to the conditions listed in the docket with the exception that condition #9 be revised to reflect four permitted lots rather than two.

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against 0
Absent: 1 - Alonzo
Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(2) S045-038

Motion: It was moved to **approve** an application to replat Lot 10 in City Block 11/2034 into two 3,594 square foot lots on Herschel Avenue, west of Douglas 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*, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against: 0
Absent: 1 - Alonzo
Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(3) S045-039

Motion: It was moved to **approve** an application to create one 1.121 acre lot and one 0.715 acre lot out of a 1.836 acre tract of land in City Block 7211 on the southwest corner of N. Cockrell Hill Road and Dallas Fort Worth Turnpike, subject to the conditions listed in the docket.

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

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

Against: 0
Absent: 1 - Alonzo
Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(4) **S045-041**

Motion: It was moved to **approve** an application to create a 10.584 acre lot from City Blocks 25/986 and 21/2005 on Belmont Avenue, Carroll Avenue, Capitol Avenue and 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*, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Emmons, Isenberg

Against 0

Absent: 1 - Alonzo

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(5) **S045-042**

Motion: It was moved to **approve** an application to replat part of Lot 7 into one 29.762 acre lot in City Block A/5797 on Harry Hines Blvd. at Community Drive, subject to the conditions listed in the docket

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against 0

Absent 1 - Alonzo

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(6) S045-043

Motion: It was moved to **approve** an application to create one 8.9492 lot from a tract of land in City Block 6515 on Harry Hines Blvd., north of Walnut Hill Lane, subject to the conditions listed in the docket

Maker: Cunningham

Second: Marshall

Result: Carried: 14 to 0

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

Against 0

Absent: 1 - Alonzo

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(7) S045-035

Motion: It was moved to **approve** an application to replat part of Lot 2 in City Block A/3367 fronting 50 feet on 612 Elsbeth Street, north of W. Davis Street, subject to the conditions listed in the docket

Maker: Vera

Second: Brandon

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Isenberg

Against 0

Absent: 2 - Alonzo, Emmons**

Vacancy 0

*out of the room, shown voting in favor

**Commissioner Emmons left before vote taken

Speakers: None

(8) S045-036

Motion: It was moved to **approve** an application to replat all of Lots 4, 5, 6, 7, 8 and 9 in City Block 30/2282 into eleven 3,663 square foot lots and one 4,713 square foot lot on the 1.033 acre tract fronting 300 feet on the northeast line of Throckmorton Street between Harry Hines Blvd. and W. Sylvester Avenue, subject to the conditions listed in the docket

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

Against 0
Absent: 2 - Alonzo, Emmons
Vacancy 0

*out of the room, shown voting in favor

Speakers: None

(9) S045-040

Motion: It was moved to **approve** an application to replat Lot 14 in City Block 7/2025 into three lots, one 2,634 square foot lot, one 2,384 square foot lot, and one 2,133 square foot lot for single family residential purposes on 4153 - 4157 Throckmorton Street at Wycliff Avenue, subject to the conditions listed in the docket with the deletion of condition #11

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

Against 0
Absent: 1 - Alonzo
Vacancy 0

*out of the room, shown voting in favor

Speakers: None
(Note: No. 9 - S045-040 was heard before No. 7 - S045-035)

Miscellaneous Docket

M045-007

Planner: Richard Brown

Motion: It was moved to **approve** a minor amendment to development plan for Planned Development District No. 707 for attached residential uses on property north and west of the terminus of Village Fair Drive, northwest of Fairshop Drive

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Isenberg

Against 0

Absent: 2 - Alonzo, Emmons

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

D045-002

Planner: Frank Dominquez

Motion: It was moved to **approve** a development plan and landscape plan for Planned Development District No. 466, on property bounded by Hall, Flora, Watkins, Cochran Streets, and North Central Expressway

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Isenberg

Against 0

Absent: 2 - Alonzo, Emmons

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

Z034-302 (WE)

Planner: Warren Ellis

Motion: It was moved to **approve** conditions and a development plan submitted in conjunction with an application for an amendment to, and an expansion of, Planned Development District No 640 for an open enrollment charter school on property zoned an MU-1 Mixed Use District, MF-2(A) Multifamily District, on all four corners at the intersection of Annex Avenue and Bryan Street

Maker: Cunningham

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Isenberg

Against 0

Absent: 2 - Alonzo, Emmons

Vacancy 0

*out of the room, shown voting in favor

Speakers: None

Zoning Cases - Consent

1. Z023-290(MM)

Planner: Maureen Meredith

Motion: It was moved to recommend **approval** of an R-5(A) Single Family District on property zoned an MF-2(A) Multifamily District in an area generally bounded by 5th Street, Elsbeth Street, El Dorado Street, and Ballard Avenue

Maker: Brandon

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor, Brandon, Cunningham, Avery, Wilke, Perkett, Scott, Isenberg

Against 0

Absent: 2 - Alonzo, Emmons

Vacancy 0

*out of the room, shown voting in favor

Notices: Area: 500

Mailed: 164

Replies: For: 16

Against: 1

Speakers: None

2. Z045-111(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 321 for MF-1(A) Multifamily District uses, subject to a development plan and revised conditions, on the southeast corner of St. George Drive and Marvin D. Love Freeway (US Hwy. 67)

Maker: Brandon

Second: Marshall

Result: Carried: 13 to 0

For: 13 - Vera, Strater, Gary, Marshall, Lee*, Traylor,
Brandon, Cunningham, Avery, Wilke, Perkett,
Scott, Isenberg

Against 0

Absent: 2 - Alonzo, Emmons

Vacancy 0

*out of the room, shown voting in favor

Notices: Area: 500

Mailed: 16

Replies: For: 0

Against: 0

Speakers: None

3. Z045-112(DW)

Planner: David Whitley

Motion: It was moved to recommend **approval** of an amendment to and expansion of Planned Development District No. 282 for a hospital, office and related uses, on property zoned Planned Development District No. 282 and Planned Development District No. 468, subject to a revised development plan and staff's revised conditions with the language limiting retail within 200 feet of Greenbriar on property bounded by Beckley Avenue, Colorado Boulevard, Haines Avenue and Greenbriar Lane

Maker: Gary

Second: Vera

Result: Carried: 13 to 0

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

Against 0

Absent: 2 - Alonzo, Emmons

Vacancy 0

Notices: Area: 500 Mailed: 146
Replies: For: 9 Against 8

Speakers: For: Kirk Williams, [REDACTED] Dallas, TX, 75201
Tom Noble, [REDACTED] Plano, TX, 75093
Against: Peter Kavanagh, [REDACTED] Dallas, TX, 75208
Pam Conley, [REDACTED] Dallas, TX, 75208
Chris Homan, [REDACTED] Dallas, TX, 75208
Nick Brock, [REDACTED] Dallas, TX, 75208
Jennifer Finch, [REDACTED], Dallas, TX 75208
Lynn Kavanagh, [REDACTED] Dallas, TX, 75208
Laurie Hesser, [REDACTED] Dallas, TX, 75208

Zoning Cases – Under Advisement

4. 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 16, 2004.

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

Against 0
Absent: 2 – Alonzo, Emmons
Vacancy 0

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

Speakers: None

5. Z034-329(DW)

Planner: David Whitley

Motion: It was moved to recommend **approval** of a CS Commercial Service District on property zoned a CH Clustered Housing District subject to revised deed restrictions volunteered by the applicant, north of McCallum Boulevard and west of Frank Jackson Drive

Maker: Perkett
Second: Marshall
Result: Carried: 13 to 0

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

Against 0
Absent: 2 - Alonzo, Emmons
Vacancy 0

Notices: Area: 200 Mailed: 43
Replies: For: 1 Against 1

Speakers: For: Felix Diaz, 17721 Frank Jackson, Dallas, TX, 75252
Against: None

6. Z034-331(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to the Subdistrict D portion of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, subject to a Tract 1 and 2 development plan/Tract 3 conceptual plan and staff's revised recommended conditions to include the following changes: To permit angle-in parking, as shown on the Plowmen Avenue frontage, to remove tool and equipment rental use, to remove temporary concrete or asphalt batching plant use, to require a SUP for adult day care and child-care facility, to require a SUP for all lodging uses, to remove bail bond offices as a permitted use, to require a SUP for a handicapped group dwelling unit, to limit the scale of auto service centers to three bays and to limit the scale of motor vehicle fuel filling station to eight pumps, to require a SUP for a tower/antenna for cellular communication uses, exterior T.V. and microwave devices will be allowed by right only as an accessory use; otherwise; an SUP will be required for any non-accessory use of these devices, to remove tattoo studios and piercing salons, on the east quadrant of Colorado Boulevard and Zang Boulevard and the north quadrant and Zang Boulevard and Plowman Avenue

Maker: Vera
Second: Gary
Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee, Traylor, Brandon,
Avery, Wilke, Perkett, Isenberg
Against 0
Absent: 5 - Marshall, Alonzo, Cunningham, Scott, Emmons
Vacancy 0

Notices: Area: 500 Mailed: 33
Replies: For: 3 Against 1

Speakers: For: Stephen Everbach, [REDACTED] Dallas, TX, 75201
Beverly Mendoza, [REDACTED] Dallas, TX, 75203
Against: None

(Note: Case No. 6 - Z034-331 was heard after Case No. 13 - Z045-110)

7. Z045-101(MM)

Planner: Maureen Meredith

Motion: It was moved to recommend **approval** of a CS Commercial Service District on property zoned a CH Clustered Housing District, subject to revised deed restrictions volunteered by the applicant, at the western terminus of Ronnie Drive, west of Frank Jackson Drive

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

Against 0
Absent: 2 - Alonzo, Emmons
Vacancy 0

*out of the room, shown voting in favor

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

Speakers: For: Kim Harrison, [REDACTED] Dallas, TX, 75248
Against: None

Zoning Cases – Individual

8. Z034-246(MM)

Planner: Maureen Meredith

Motion: It was moved to recommend **approval** of an MU-2 Mixed Use District with retention of the Dry Liquor Control Overlay subject to an additional ordinance condition, "At the Gaston-Haskell intersection the southbound approach lanes on Haskell Avenue must be restriped to accommodate a new left-turn-only lane within the existing pavement and the departure lanes must also be restriped to optimize the lane alignment through the intersection as shown on the Exhibit A. This work must be coordinated with Public Works and Transportation Department. This improvement must be completed prior to issuance of a certificate of occupancy. The exact configuration and length will be determined by the consulting engineer and submitted for approval to Public Works and Transportation Department" on property zoned an LO-3-D Limited Office District with a Dry Liquor Control Overlay and a P(A) Parking District, on property bounded by Junius Street, Hill Street, Worth Street and Washington Avenue, excluding property on the north corner of Worth Street and Washington Avenue.

Maker: Strater
Second: Marshall
Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor, Brandon*, Cunningham, Avery, Wilke, Perkett*, Scott, Isenberg

Against 0
Absent: 2 – Alonzo, Emmons
Vacancy 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 14
Replies: For: 3 Against: 2

Speakers: For: Robert Reeves, [redacted] Dallas, TX, 75001
Kirk Williams, [redacted] Dallas, TX, 75201
Against: None

9. Z034-311(RB)

Planner: Richard Brown

Motion: It was moved to recommend **denial** of the creation of a new subarea within the Subarea 2a portion of Planned Development District No. 316, the Jefferson Area Special Purpose District, on the southwest corner of Twelfth Street and Zang Boulevard

Maker: Vera
Second: Brandon
Result: Carried: 11 to 1

For: 11 - Vera, Strater, Gary, Marshall, Traylor,
Brandon, Cunningham, Avery, Wilke, Perrett,
Scott

Against 1 - Lee
Absent: 2 - Alonzo, Emmons
Vacancy 0
Conflict 1 - Isenberg

Notices: Area: 500 Mailed: 36
Replies: For: 1 Against 4

Speakers: For: Bob Carver, [REDACTED] Dallas, TX, 75224
Against: Jason Morahan, [REDACTED] Dallas, TX, 75206
Danell Lichtenwalter, [REDACTED] Dallas, TX, 75200
Don Herring, [REDACTED] Dallas, TX, 75214
Beverly Mendoza, [REDACTED] Dallas, TX, 75203

10. Z034-326(WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of a Planned Development District for UC-2 Urban Corridor District uses, subject to a revised conceptual plan, staff's revised recommended conditions with the addition of a condition to allow for a single row of parking along Motor Street and a setback of 65 feet, on property zoned an IR Industrial Research District, on the southeast corner of Motor Street and Bengal Street

Maker: Strater
Second: Marshall
Result: Carried: 13 to 0

For: 13 - Vera*, Strater, Gary, Marshall, Lee*, Traylor,
Brandon, Cunningham, Avery, Wilke, Perrett,
Scott, Isenberg

Against 0
Absent: 2 - Alonzo, Emmons
Vacancy 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 20
Replies: For: 2 Against 0

Speakers: For: Myron Dornic, [REDACTED] Dallas, TX, 75202
Against: None

11. Z034-333(RB)

Planner: Richard Brown

Motion I: It was moved to recommend **approval** of a CA-2 Central Area Subdistrict, subject to deed restriction volunteered by the applicant, on property zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Field Street and Woodall Rogers Freeway

Maker: Strater
Second: None
Motion failed for lack of a second.

Motion II: It was moved to recommend **denial** of a CA-2 Central Area Subdistrict, on property zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Field Street and Woodall Rogers Freeway

Maker: Isenberg
Second: None
Motion failed for lack of a second.

Motion III: In considering an application for a CA-2 Central Area Subdistrict, on property zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Field Street and Woodall Rogers Freeway, it was moved to **hold** this case under advisement until January 6, 2005.

Maker: Brandon
Second: None
Motion failed for lack of a second.

Motion IV: It was moved to recommend **approval** of a CA-2 Central Area Subdistrict, subject to revised volunteered deed restriction providing for an off-street parking ratio of 1.4 parking spaces per 1,000 square feet of floor area for a museum use, on property zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Field Street and Woodall Rogers Freeway.

Maker: Avery

Second: Perkett

Result: Carried: 11 to 1

For: 11 - Vera, Strater, Gary, Marshall, Lee, Traylor*,
Brandon, Cunningham, Avery, Perkett,
Isenberg

Against 1 - Wilke

Absent: 3 - Alonzo, Scott**, Emmons

Vacancy 0

*out of the room, shown voting in favor

**Commissioner Scott left before vote taken

Notices: Area: 300

Mailed: 10

Replies: For: 2

Against 0

Speakers: For: Barry Knight, [REDACTED] Dallas, TX, 75270

Nicole Small, [REDACTED] Dallas, TX, 75209

Against: None

12. Z045-108(WE)

Planner: Warren Ellis

Motion: In considering an application for a Planned Development Subdistrict for O-1 Office Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast corner of Congress Avenue and Wycliff Avenue; it was moved to **hold** this case under advisement until December 16, 2004.

Maker: Strater

Second: Marshall

Result: Carried: 11 to 0

For: 11 - Vera*, Strater, Gary, Marshall, Lee, Traylor,
Brandon, Avery, Wilke, Perkett, Isenberg

Against 0

Absent: 4 - Alonzo, Cunningham**, Scott, Emmons

Vacancy 0

*out of the room, shown voting in favor

****Commissioner Cunningham left before vote taken**

Notices: Area: 500 Mailed: 198
Replies: For: 4 Against 0

Speakers: None

13. Z045-110(WE)

Planner: Warren Ellis

Motion I: It was moved to recommend **approval** of an RR Regional Retail District, subject to the deed restrictions volunteered by the applicant; on property zoned an MU-3 Mixed Use District, on the northeast corner of Stemmons Freeway and Empire Central Drive

Maker: Strater
Second: Lee
Result: 4 to 6

For: 4 - Vera, Strater, Lee, Traylor

Against 6 - Gary, Brandon, Avery, Wilke, Perkett, Isenberg
Absent: 5 - Alonzo, Marshall**, Cunningham, Scott, Emmons
Vacancy 0

****Commissioner Marshall left before vote taken**

Motion II: It was moved to recommend **denial** of an RR Regional Retail District, on property zoned an MU-3 Mixed Use District, on the northeast corner of Stemmons Freeway and Empire Central Drive

Maker: Avery
Second: Perkett
Result: Carried: 6 to 4

For: 6 - Gary, Brandon, Avery, Wilke, Perkett, Isenberg

Against 4 - Vera, Strater, Lee, Traylor
Absent: 5 - Alonzo, Marshall**, Cunningham, Scott, Emmons
Vacancy 0

****Commissioner Marshall left before vote taken**

Notices: Area: 200 Mailed: 11
Replies: For: 0 Against 2

Speakers: For: Robert Reeves, [REDACTED], Dallas, TX, 75201
Denny Harroff, [REDACTED], Garland, TX, 75243
Against: None

Other MattersMinutes

Motion: It was moved to **approve** the minutes of the November 18, 2004 meeting, subject to corrections.

Maker: Brandon

Second: Lee

Result: Carried: 10 to 0

For: 10 - Vera, Strater, Gary, Lee, Traylor, Brandon,
Avery, Wilke, Perkett, Isenberg

Against 0

Absent: 5 - Alonzo, Marshall, Cunningham, Scott, Emmons

Vacancy 0

Adjournment

Motion: It was moved to adjourn the hearing at 6:11 p.m.

Maker: Perkett

Second: Lee

Result: Carried: 10 to 0

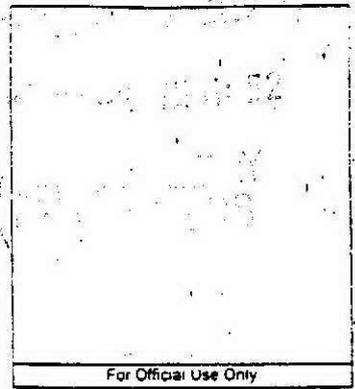
For: 10 - Vera, Strater, Gary, Lee, Traylor, Brandon,
Avery, Wilke, Perkett, Isenberg

Against 0

Absent: 5 - Alonzo, Marshall, Cunningham, Scott, Emmons

Vacancy 0


Bruce Wilke, Chair



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 checked="" type="checkbox"/> Appointed Official	Board or Commission/ Title	PLANNING COMMISSION
<input type="checkbox"/> City Employee	Title/Department	

1. Name of Employee/Official: Ralph Isenberg

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

2034-311 (RB)

04-0027

2034-311(RB)

CITY PLAN COMMISSION AFFIDAVIT OF ABSTENTION FROM VOTING

NAME: Ralph Isenberg

DATE OF MEETING: 12/2/04

MATTER: 2034-311(RB)

STATE OF TEXAS §
COUNTY OF DALLAS §

I, Ralph Isenberg, a member of the City Plan Commission of the City of Dallas, Texas, file this affidavit in accordance with the provisions of Chapter 171 of the Texas Local Government Code, and hereby on oath state the following:

A. **Business Entity** Name of Entity: _____

I and/or person(s) related to me* have a substantial interest in a business entity and the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public. The nature and extent of the interest is:

_____ Ownership of 10 percent or more of the voting stock or shares of the business entity or ownership of either 10 percent or more or \$15,000 or more of the fair market value of the business entity.

_____ Funds received by the person from the business entity exceed 10 percent of the person's gross income for the previous year.

B. **Real Property**

X I and/or person(s) related to me* have a substantial equitable or legal interest in real property with a fair market value of \$2,500 or more, and it is reasonably foreseeable that the action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

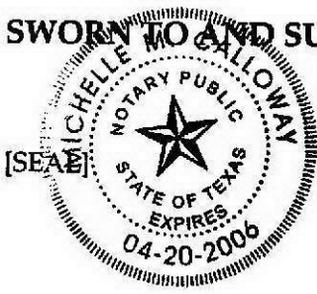
* For purposes of this affidavit, "person(s) related to me" refers to first degree of consanguinity (parent or child, natural or adoptive), or first degree of affinity (spouse, mother-in-law, father-in-law, daughter-in-law, son-in-law).

As a result of this interest, I will refrain from participating in discussion and voting on the matter and I will leave the chambers before the discussion and vote on the matter.

Signature [Signature] Date 12/2/04

BEFORE ME, the undersigned authority, on this day personally appeared _____, who on oath stated that the above facts are within his/her personal knowledge and true and correct.

SWORN TO AND SUBSCRIBED BEFORE ME on this 2 day of December 2004.



[Signature]
NOTARY PUBLIC