

## CITY PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on July 15, 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 were Bruce Wilke, Chair and Carol Brandon, Vice Chair. The following Commissioners were present during the hearing: D'Angelo Lee, Joel Vera, Clarence Gary, Neil Emmons, Carol Scott, Melvin Traylor, Bulldog Cunningham, Diana Alonzo, and Ilene Perkett. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Bill Avery, Angela Marshall. There are two vacancies: District 15 and District 2.

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) S034-270

**Motion:** It was moved to **approve** an application to create a 1.1435 acre lot from a tract of land located in City Blocks 7937, C/7937, and 7938 on Prudential Drive, southeast of Empire Central, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Perkett

Result: Carried: 11 to 0

For: 11 - \*Vera, Gary, Emmons, \*Scott, Wilke, Brandon, Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -

Absent: 2 - Avery, Marshall

Vacancy: 2 - District 15 and District 2

\*Out of the room shown voting in favor

**Speakers:** None

COD\_DS 0002491

(2) S034-273

**Motion:** It was moved to **approve** an application to create a 6.191 acre lot in City Block 8597 on Clark Road at W. Camp Wisdom Road, northeast corner, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Perkett

Result: Carried: 11 to 0

For: 11 - \*Vera, Gary, Emmons, \*Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -

Absent: 2 - Avery, Marshall

Vacancy: 2 - District 15 and District 2

\*Out of the room shown voting in favor

**Speakers:** None

(3) S034-275

**Motion:** It was moved to **approve** an application to replat Lots 2, 3 and part of tracts 19 and 20 in City Block A/8383 into one 0.935 acre lot on Tantor Street at Rhome Street, northwest corner, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Perkett

Result: Carried: 11 to 0

For: 11 - \*Vera, Gary, Emmons, \*Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -

Absent: 2 - Avery, Marshall

Vacancy: 2 - District 15 and District 2

\*Out of the room shown voting in favor

**Speakers:** None

(4) S034-276

**Motion:** It was moved to **approve** an application to create one 8.467 acre lot from a tract of land in City Block 8027 on Dan Morton Drive, north of Crystal Lake, subject to the conditions listed in the docket.

Maker: Cunningham

Second: Perkett

Result: Carried: 11 to 0

For: 11 - \*Vera, Gary, Emmons, \*Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -  
Absent: 2 - Avery, Marshall  
Vacancy: 2- District 15 and District 2  
\*Out of the room shown voting in favor

**Speakers:** None

**(5) S034-280**

**Motion:** It was moved to **approve** application to create a 19 lot shared access, community unit development from a 4.9698 acre tract in City Block 5573 W. Northwest Highway at Rockbrook Road, east of Midway Road, subject to the conditions listed in the docket.

Maker: Cunningham  
Second: Perkett  
Result: Carried: 11 to 0  
For: 11 - \*Vera, Gary, Emmons, \*Scott, Wilke, Brandon, Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -  
Absent: 2 - Avery, Marshall  
Vacancy: 2- District 15 and District 2  
\*Out of the room shown voting in favor

**Speakers:** None

**(6) S034-281**

**Motion:** It was moved to **approve** an application to replat Lot 7 in City Block 21/2036 into a 3 lot shared access area development on 0.1647 acre on 4029 Hawthorne Avenue, between LaSalle Avenue and Avondale Avenue, subject to the conditions listed in the docket.

Maker: Cunningham  
Second: Perkett  
Result: Carried: 11 to 0  
For: 11 - \*Vera, Gary, Emmons, \*Scott, Wilke, Brandon, Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -  
Absent: 2 - Avery, Marshall  
Vacancy: 2 - District 15 and District 2  
\*Out of the room shown voting in favor

**Speakers:** None

**COD\_DS 0002493**

Preliminary Plat - Individual Item

(7) S034-243R

**Motion:** An application to delete conditions 8, 9 and 10 from the approved conditions of a previously approved plat that replatted all of Lots 9, 10, 11, 12, 14, 15, 16, 17, 18, and part of Lot 19 in City Block 50/3170 into one 0.5341 acre lot on E. Jefferson Blvd. at S. Beckley Avenue, was **denied** in order to insure that the replat remained in compliance with the regulations of Planned Development District No. 316, the Jefferson Area Special Purpose District.

Maker: Vera  
Second: Alonzo  
Result: Carried: 11 to 0

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon, Cunningham, Lee, Traylor, Alonzo, Lee and Perkett

Against: 0 -  
Absent: 2 - Avery, Marshall  
Vacancy: 2 - District 15 and District 2

**Speakers:** Favor: Ed Simmons, 500 Ervay St, Dallas, TX 75201  
Against: None

Residential Replats - Individual Items

(8) S034-274

**Motion:** It was moved to **approve** an application to replat all of Lot 1 and part of Lot 2 in City Block E/3365 into an 8,4410.56 square foot lot, an 8,607.32 square foot lot, and one 8,760.33 square foot lot on Ridge Street at 1101 Claude Street, northeast corner, subject to the conditions listed in the docket.

Maker: Cunningham  
Second: Brandon  
Result: Carried: 11 to 0

For: 11 - Vera, Gary, \*Emmons, Scott, Wilke, Brandon, Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -  
Absent: 2 - Avery, Marshall  
Vacancy: 2 - District 15 and District 2  
\*Out of the room shown voting in favor

**Speakers:** None

COD\_DS 0002494

(9) S034-277

**Motion:** It was moved to **approve** an application to replat part of City Block 2/6682 into 8 lots on 1013 Algonquin Drive, west of Masters Drive and south of Lake June Road, subject to conditions listed in the docket.

**Maker:** Brandon

**Second:** Lee

**Result:** Carried: 11 to 0

**For:** 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perket

**Against:** 0 -

**Absent:** 2 - Avery, Marshall

**Vacancy:** 2 - District 15 and District 2

**Speakers:** None

(10) S012-279

**Motion:** It was moved to **approve** an application to replat all of Lot 3 in City Block 10/8331 into one 10,473 square foot lot, one 10,476 square foot lot, and one 21,225 square foot lot, on 1238 N Bagley Street, north of Goodman Street, subject to the conditions listed in the docket.

**Maker:** Cunningham

**Second:** Brandon

**Result:** Carried: 11 to 0

**For:** 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perket

**Against:** 0 -

**Absent:** 2 - Avery, Marshall

**Vacancy:** 2 - District 15 and District 2

**Speakers:** None

Individual Items – Cases Under Advisement

(11) S034-271

**Motion:** It was moved to **deny** an application to replat lot 1, Block R/1483 into 7 lots at the southeast corner of Matilda Street and Hudson Street, because the resulting lots would not comply with the already established development pattern in the area, as stated in Section 8.503 in the Dallas Development Code.

**Maker:** Emmons

**Second:** Lee

COD\_DS 0002495

Result: Carried: 9 to 2  
For: 9 - Gary, Emmons, Wilke, Brandon, Cunningham,  
Traylor, Alonzo, Lee and Perkett  
Against: 2 - Scott, Vera  
Absent: 2 - Avery, Marshall  
Vacancy: 2 - District 15 and District 2

Speakers: Favor: David Hoffe, [REDACTED] Dallas, TX 75206  
Against: John Ahne, [REDACTED] Dallas, TX 75206  
Adam Hatton [REDACTED] Dallas, TX 75206

(12) S034-272

Motion: It was moved to deny an application to replat lot 5, Block N/1480 into 5 lots at the northeast corner of Mary Street and Hudson Street, because the resulting lots would not comply with the already established development pattern in the area, as stated in Section 8.503 in the Dallas Development Code.

Maker: Emmons  
Second: Lee  
Result: Carried: 11 to 0  
For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Avery, Marshall  
Vacancy: 2 - District 15 and District 2

Speakers: Favor: None  
Against: John Ahne [REDACTED] Dallas TX 75206  
Adam Hatton [REDACTED] Dallas TX 75206

Miscellaneous Docket

M034-030

Planner: Richard Brown

Motion: It was moved to approve a minor amendment for a development plan for Planned Development District No. 478 for Private Recreation Uses on IH20 and Spur 408, northeast quadrant.

Maker: Cunningham  
Second: Brandon  
Result: Carried: 11 to 0  
For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett

COD\_DS 0002496

Against: 0 -  
Absent: 2 - Avery, Marshall  
Vacancy: 2 - District 15 and District 2

**M034-031**

Planner: Richard Brown

**Motion:** It was moved to **approve** a minor amendment for a development plan for Planned Development District No. 638 for a Public school and R-7.5(A) Single Family District Uses on area bounded by Toland Street, Jim Miller Road, Military Parkway, and Wilkes Avenue.

Maker: Cunningham

Second: Brandon

Result: Carried: 11 to 0

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -

Absent: 2 - Avery, Marshall

Vacancy: 2 - District 15 and District 2

**D034-018**

Planner: Frank Dominguez

**Motion:** It was moved to **approve** a development plan for the development of an electrical substation within Planned Development District No. 174 for Hotel, Office, Game Court Center, Private Recreation Club, Private Club, Medical Clinic, and Limited Retail Uses on the west corner of Carlisle Street and Lemmon Avenue.

Maker: Cunningham

Second: Brandon

Result: Carried: 11 to 0

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -

Absent: 2 - Avery, Marshall

Vacancy: 2 - District 15 and District 2

Zoning Case – Consent

**1. Z034-232 (RB)**

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** an application for a Specific Use Permit for an Open-enrollment charter school on property zoned an R-7.5 (A) Single Family District and a D (A) Duplex District on the west line of Glover Pass between Christensen Street and Scyene Road, for a three year period with eligibility for automatic renewal for additional three year periods, subject to a site plan and conditions.

Maker: Cunningham  
Second: Brandon  
Result: Carried: 11 to 0  
For: 11 - Vera, Gary, \*Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Avery, Marshall  
Vacancy: 2 - District 15 and District 2  
\*Out of the room shown voting in favor

Notices: Area: 300' Mailed: 50  
Replies: For: 2 Against: 0

Speakers: None

2. Z023-251 (RB)

Planner: Richard Brown

**Motion:** In considering an application for a Planned Development District for an Animal shelter or clinic with outside run and IR Industrial Research District Uses on property zoned an IR Industrial Research District at the terminus of Hawes Avenue, northeast of Collville Street, it was moved **hold** this case under advisement until July 22, 2004 with the public hearing open.

Maker: Cunningham  
Second: Brandon  
Result: Carried: 11 to 0  
For: 11- Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Avery, Marshall  
Vacancy: 2 - District 15 and District 2

Notices: Area: 500' Mailed: 13  
Replies: For: 0 Against: 1

Speakers: None

3. Z034-252 (RB)

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an application for an R-5 (A) Single Family District on property zoned a P (A) Parking District, on the southeast corner of Skillman Street and Winton Street.

Maker: Emmons  
Second: Alonzo  
Result: Carried: 11 to 0

COD\_DS 0002498

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For: 11- Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Marshall, Avery  
Vacancy: 2 - District 15 and District 2

Notices: Area: 300' Mailed: 56  
Replies: For: 13 Against: 0

Speakers: Favor: Kirk Williams, [REDACTED] Dallas TX 75270  
Gay Hopkins [REDACTED] Dallas, TX 75206  
Against: None

4. Z034-253 (RB)

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an application for an LO-1 Limited Office District on property zoned an MF-2(A) Multifamily District with termination of Specific Use Permit No. 13 for a Telephone Company on the northeast line of Beachview Street, northeast of Garland Road.

Maker: Cunningham  
Second: Brandon  
Result: Carried: 11 to 0

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Marshall, Avery  
Vacancy: 2 - District 15 and District

Notices: Area: 300' Mailed: 7  
Replies: For: 1 Against: 0

Speakers: None

5. Z034-254 (DW)

Planner: David Whitley

**Motion:** It was moved to recommend **approval** of an application for 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 with H/76 Historic Overlay District No. 76, bounded by Belmont Avenue, Carroll Avenue, Capitol Avenue and Peak Street, with retention of the H/76 Historic Overlay District No. 76.

Maker: Cunningham  
Second: Alonzo  
Result: Carried: 11 to 0

**COD\_DS 0002499**

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Marshall, Avery  
Vacancy: 2 - District 15 and District 2

Notices: Area: 500' Mailed: 134  
Replies: For: 7 Against: 1

Speakers: For: Ed Simmons [REDACTED], Dallas TX 75201  
Against: None

**6. Z034-255 (DW)**

Planner: David Whitley

**Motion:** In considering an application for a Planned Development District for a public school other than an open enrollment charter school and D(A) Duplex uses on property zoned a D(A) Duplex District, bounded by Buckner Boulevard, Mercer Drive, Mariposa Drive, and the Gulf Colorado & Santa Fe Railroad, it was moved **hold** this case under advisement until August 5, 2004 with the public hearing open

Maker: Cunningham

Second: Alonzo

Result: Carried: 11 to 0

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Marshall, Avery  
Vacancy: 2 - District 15 and District 2

Notices: Area: 500' Mailed: 142  
Replies: For: 5 Against: 7

Speakers: None

**7. Z034-256 (DW)**

Planner: David Whitley

**Motion:** In considering an application for a Planned Development District for a public school other than an open enrollment charter school and R-16(A) Single Family District uses on property zoned an R-16(A) Single Family District, bounded by Ridgeside Drive, Welch Road, Rickover Drive and Crestline Avenue, it was moved **hold** this case under advisement until August 5, 2004 with the public hearing open.

Maker: Scott

Second: Brandon

Result: Carried: 11 to 0

**COD\_DS 0002500**

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -  
Absent: 2 - Marshall, Avery  
Vacancy: 2 - District 15 and District 2

Notices: Area: 500' Mailed: 161  
Replies: For: 13 Against: 23

Speakers: None

Zoning Cases – Under Advisement

A. Z034-186 (RB)

Planner: Richard Brown

**Motion:** In considering an application for a Specific Use Permit for a Child-care facility on property zoned a TH-3(A) Townhouse District, on the southeast corner of Areba Avenue and Brotherton Street, it was moved **hold** this case under advisement until August 5, 2004 with the public hearing open

Maker: Traylor  
Second: Alonzo  
Result: Carried: 11 to 0

For: 11- Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -  
Absent: 2 - Marshall, Avery  
Vacancy: 2 - District 15 and District 2

Notices: Area: 500' Mailed: 44  
Replies: For: 2 Against: 1

Speakers: None

Zoning Cases – Individual

8. Z034-227 (MJF)

Planner: Mario J Flores

**Motion:** It was moved to **deny** an amendment to Planned Development District No. 316, the Jefferson Area Special Purpose District, to allow the creation of a new Subarea on the southwest corner of Jefferson Boulevard and Beckley Avenue Drive.

Maker: Vera  
Second: Alonzo  
Result: Carried: 8 to 3

COD\_DS 0002501

For: 8 - Vera, Gary, Emmons, Scott, Wilke,  
Cunningham, Alonzo and Perkett  
Against: 3 - Lee, Brandon and Traylor  
Absent: 2 - Marshall, Avery  
Vacancy: 2 - District 15 and District 2

Notices: Area: 500' Mailed: 44  
Replies: For: 2 Against: 1

Speakers: For: Ed Simmons, [REDACTED] Dallas TX 75201  
Against: Stan Prichard, [REDACTED] Dallas TX 75201

9. Z034-244 (WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **approval** of an application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District on Simpson Stuart Road, west of Bonnie view Road, subject to deed restrictions volunteered by the applicant.

Maker: Brandon

Second: Lee

Result: Carried: 11 to 0

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Marshall, Avery  
Vacancy: 2 - District 15 and District 2

Notices: Area: 400' Mailed: 27  
Replies: For: 2 Against: 1

Speakers: For: Suzan Kedron 901 Main St. #6000, Dallas, TX 75205  
Against: None

10. Z034-249 (WE)

Planner: Warren Ellis

**Motion:** In considering an application for a MF-2 Multiple Family Subdistrict on property zoned an O-1 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on Mc Kinney Avenue, between Elizabeth Street and Fitzhugh Street, it was moved **hold** this case under advisement until August 5, 2004 with the public hearing open and request that staff readvertise for a Planned Development Subdistrict for O-2 Office Subdistrict uses.

Maker: Emmons

COD\_DS 0002502

Second: Perkett  
Result: Carried: 11 to 0  
For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Traylor, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Marshall, Avery  
Vacancy: 2 - District 15 and District 2

Notices: Area: 200' Mailed: 11  
Replies: For: 1 Against: 5

Speakers: For: P. Michael Jung [REDACTED] Dallas,  
TX 75202  
Against: P. Michael Jung [REDACTED] Dallas,  
TX 75202

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**OTHER MATTERS**

Minutes

Motion: It was moved to **approve** the minutes of the July 8, 2004 meeting,  
subject to corrections.

Maker: Cunningham  
Second: Alonzo  
Result: Carried: 11 to 0  
For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Avery and Marshall  
Vacancy: 2 - District 15 and District 2

Adjournment:

Motion: It was moved to adjourn the hearing at 3:24 p.m.

Maker: Perkett  
Second: Brandon  
Result: Carried: 11 to 0  
For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,  
Cunningham, Alonzo, Lee and Perkett  
Against: 0 -  
Absent: 2 - Avery and Marshall  
Vacancy: 2 - District 15 and District 2

  
Bruce Wilke, Chair