
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of October 2, 2012

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, October 2, 2012 at 6:00 p.m. in the T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Boulevard Building 100, Cedar Hill, Texas.

Planning & Zoning Commissioners present: Vice-Chairman Bill Strother, and Commissioners: Gehrig Saldana, Tim Hamilton, Stephanie Freeman and Lisa Thierry.*

Absent: Chairman Theresa Brooks

City Staff members present: Rod Tyler, Director of Planning, Don Gore, Planner and Belinda L. Huff, Development Services Coordinator/Planning & Zoning Commission Secretary.

I. Call the meeting to order

Vice-Chairman Strother called the meeting to order at 6:07 p.m. declaring it an open meeting in which a quorum was present and the meeting notice was duly posted.

II. Approve the minutes of the August 21, 2012 and September 18, 2012 regular meetings

A motion was made by Commissioner Freeman to approve the August 21, 2012 and September 18, 2012 regular meeting minutes, as presented. The motion was seconded by Commissioner Thierry. The vote was as follows:

Ayes: 4– Vice-Chairman Strother and Commissioners Thierry, Saldana and Freeman.

Nays: 0

Vice-Chairman Strother declared the motion carried.

III. Citizens Forum

No one spoke

IV. REMOVE FROM TABLE and consider Case No. 12-15 - the site plan of a 12,000 sq. ft. non-residential building located on Lot 8B-R, High Meadows Industrial Park Addition, more commonly known as 1419 High Meadows Way. Requested by Leon Martin.

A motion was made by Commissioner Freeman to remove this item from the table. The motion was seconded by Commissioner Saldana. The vote was as follows:

Ayes: 4– Vice-Chairman Strother and Commissioners Thierry, Saldana and Freeman.

Nays: 0

Vice-Chairman Strother declared this agenda item removed from the table and open the floor for discussion.

**Secretary Note: Commissioner Hamilton arrived at 6:11*

Roger McCurley, Siddons-Martin Engineering, 3500 Shelby Ln. Denton, TX 76207 stepped forth to present this request and answer any questions from the Commission.

Vice-Chairman Strother asked the applicant if this would be their first location.

Mr. McCurley stated no, that they have 11 facilities in 3 states, Texas, Louisiana and New Mexico. He also stated that they are currently located in Red Oak, but that they have outgrown that facility.

Commissioner Thierry asked if the Red Oak facility would close once the Cedar Hill facility is built.

Mr. McCurley said yes, the Red Oak facility would close.

Commissioner Thierry asked if the employees at the Red Oak facility would be moved to Cedar Hill and also if they were planning on hiring additional staff.

Mr. McCurley said, yes, all the existing employees will be relocated to Cedar Hill and at this time, he could not comment on whether or not they would hire additional personnel. He stated there were a number of factors that would influence the hiring of additional employees, such as securing contracts for large jobs.

Commissioner Freeman stated that she had a concern over large truck traffic on the roadways.

Commissioner Hamilton stated that there are already a lot of trucks in that area, so he could not foresee Siddons-Martin's operations having a significant impact.

Rod Tyler, Director of Planning, stated to the applicant that one of the questions that come up at the previous Planning & Zoning Commission meeting [when this item was tabled] was will there be any outside storage of trucks and/or equipment.

Mr. McCurley stated generally no. Because the equipment and vehicles are so expensive, they cannot be stored outside.

To confirm the applicant's intent, Mr. Tyler stated that generally there will be no outside sales, storage or display with this business.

Mr. McCurley stated that is correct and again stated that because the equipment, vehicles, etc. are so expensive, they cannot be stored outside.

A motion was made by Commissioner Freeman to approve Case No. 12-15, as presented. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5- Vice-Chairman Strother and Commissioners Thierry, Hamilton, Saldana and Freeman.

Nays: 0

Vice-Chairman Strother declared the motion carried.

V. Case No. 2012-20 - CONDUCT A PUBLIC HEARING and consider a request for a Conditional Use Permit proposing a non-residential use ("Art Studio") in a residential zoning district ("OT-Res") - Old Town Residential, located at 201 N. Main St., *requested by Kenna Prior*

Kenna Prior, 302 South Main St., Cedar Hill, TX 75104 stepped forth to present this request and answer any questions from the Commission.

Ms. Prior stated that this project has been many years in the making and that she is excited to have the opportunity have a venue where artists can come to create, as well as teach others, about various forms of art, including painting and sculpting. Additionally, she stated that they intend to host events to showcase local artists.

Vice-Chairman Strother opened the public hearing for anyone wishing to speak in support of this request.

No one spoke.

Vice-Chairman Strother closed that portion of the public hearing and opened the floor for any one wishing to speak in opposition.

No one spoke.

Vice-Chairman Strother closed the public hearing and opened the floor for discussion.

Commissioner Freeman asked the applicant to give the Commission a brief overview of what she intends to do. She cited concerns over the events planned for this facility, and that parking and/or noise, lighting, etc. may disturb the adjacent residences.

Ms. Prior stated that they will have various classes, for both children and adults, to teach art and crafts, in addition to the occasional gallery showing.

Commissioner Freeman again stated that she was generally concerned that the proposed business may pose negative impacts on the adjacent residences.

Ms. Prior stated that it was their desire to keep the facility as a house, so that people can appreciate it in terms of its historical nature and offer a relaxing environment for artists, students, etc.

Vice-Strother asked if anyone would be living at the location.

Ms. Prior stated that no one will live at this site.

Mr. Gore informed the Commission that the Zoning Board of Adjustments (ZBA) approved the use of an alternative paving material for the parking lot; however, that approval applies only to this use, once this use ceases to operate, then the ZBA approval is no longer valid.

Commissioner Saldana asked the applicant to explain how she intends to comply with the screening requirements.

Ms. Prior stated that, due to some environmental factors beyond their control, some of the shrubbery she indicated will serve as screening, has died but that they are planning to have a 3 ft. hedge along Haswell St.

A motion was made by Commissioner Freeman to approve Case No. 12-20, subject to the conditions imposed by the Main St Board and Zoning Board of Adjustments. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5– Vice-Chairman Thierry and Commissioners Hamilton, Thierry, Saldana and Freeman.

Nays: 0

Vice-Chairman Strother declared the motion carried.

VI. Case No. 2012-21 – CONDUCT A PUBLIC HEARING and consider an amendment to Article IV - entitled "USE CHARTS" allowing "*Convenience Stores*" within the "LR" – Local Retail zoning district as a conditional use (CUP) and providing for an associated definition and supplemental regulations.

Rod Tyler, Director of Planning, stated that the purpose of this amendment was to amend the Use Charts to reflect convenience stores as a conditional use in the Local Retail zoning district. This amendment also included new definitions and the expansion some existing definitions, including further defining fuel sales.

Commissioner Saldana asked staff what kind of direction they were seeking with respect to this amendment.

Mr. Tyler stated that this is like any other zoning amendment and that the Commission is being asked to make a recommendation to the City Council on the proposed changes. The Commission could either recommend approval or approval with modifications.

Commissioner Hamilton asked if this amendment was in response to the liquor referendum.

Mr. Tyler stated no, this amendment doesn't have anything to do with the beer/wine referendum. Additionally, he stated, as was previously discussed with the Commission, the TABC regulates the sale of beer/wine and those regulations also state cities cannot treat the sale of beer/wine any differently than the sale of other beverages.

Vice-Chairman Strother opened the public hearing for anyone wishing to speak in support of this request.

No one spoke.

Vice-Chairman Strother closed that portion of the public hearing and opened the floor for any one wishing to speak in opposition.

No one spoke.

Vice-Chairman Strother closed the public hearing and opened the floor for discussion.

A motion was made by Commissioner Thierry to approve Case No. 12-21, proposed amendments to the city of cedar hill zoning code, subject to the definition of convenience stores with fuel sales, found on page 5-48, be revised or removed. The motion was seconded by Commissioner Freeman. The vote was as follows:

Ayes: 5 – Vice-Chairman Strother and Commissioners Hamilton, Thierry, Saldana and Freeman.

Nays: 0

Chairman Brooks declared the motion carried.

VII. Staff Reports & Discussion Items

1. Recent Submittals

Don Gore, Planner, reviewed with the Commission the case load and upcoming agenda items.

Also, Mr. Gore invited the Commission to help with the Planning Department's booth at Country Day. He stated that members of the Main Street Board would be on hand, talking to citizens about City Center and about planning efforts in the downtown area. He requested that for those Commissioners interested in help to please email him the times they would be available.

Mr. Tyler stated that this would be a very good opportunity for the Commission to spread the word regarding the City Center Planning efforts.

Commissioners Freeman, Thierry and Saldana expressed their interest in volunteering at Country Day.

Commissioner Thierry thanked Vice-Chairman Strother for chairing.

VIII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 6:57 p.m.

Bill Strother
Vice-Chairman

Belinda L. Huff
Development Services Coordinator