
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of February 2, 2010

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, February 2, 2010 at 6:00 p.m. in the T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Boulevard Building 100, Cedar Hill, Texas.

Present: Chairman Stephen Douglas-Mason, Vice-Chairman Todd Hinton and Commissioners Bill Strother, Theresa Brooks, Gehrig Saldaña, Tim Hamilton and Wallace Swayze.

Absent: none.

I. Call the meeting to order

Chairman Mason called the meeting to order at 6:05 p.m. declaring it an open meeting in which a quorum was present and the meeting notice was duly posted.

II. Approval the minutes of the January 19, 2010 meeting

A motion was made by Vice-Chairman Hinton to table consideration of the January 19, 2010 meeting minutes. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 6 - Chairman Mason, Vice-Chairman Hinton and Commissioners Strother, Saldaña, Brooks, and Hamilton.

Nays: 0

Chairman Mason declared the motion carried.

Secretary's note: Commissioner Swayze arrived at 6:08

III. Citizens Forum

No one spoke

IV. Case No. 09-44 - CONDUCT A PUBLIC HEARING and consider a request for a **Conditional Use Permit (CUP)** to serve alcoholic beverages in conjunction with a restaurant, located at 420 North Highway 67, Cedar Hill, TX. *Requested by Shan Yun Lin on behalf of Akita Japanese Hibachi & Sushi.*

The applicant for this item was not present.

Chairman Mason opened the floor for anyone wishing to speak in favor of this request.

No one spoke.

Chairman Mason closed that portion of the public hearing and opened the floor for anyone wishing to speak in opposition to this request.

No one spoke.

Chairman Mason closed the public hearing for this item and opened the floor to the Commission for discussion.

A motion was made by Vice-Chairman Hinton to approve Case Number 09-44, as presented. The motion was seconded by Commissioner Strother. The vote was as follows:

Ayes: 7- Chairman Mason, Vice-Chairman Hinton and Commissioners Strother, Saldaña, Brooks, Swayze and Hamilton.

Nays: 0

Chairman Mason declared the motion carried.

V. Case No. 09-45 - CONDUCT A PUBLIC HEARING and consider a request for a **Conditional Use Permit (CUP) to serve alcoholic beverages** in conjunction with a restaurant, located at 649 Uptown Blvd., Cedar Hill, TX. *Requested by David Morris on behalf of Applebee's Neighborhood Bar & Grill.*

Matthew Martin of Addison Law Firm, 14901 Quorum Drive, Suite 650, Addison, TX 75254, stepped forth to present this request and answer any questions from the Commission.

Mr. Martin stated that this Applebee's location is under new ownership and his client would like to extend the hours for the sale of alcoholic beverages to comply with the City's current regulations.

Chairman Mason opened the floor for anyone wishing to speak in favor of this request.

No one spoke.

Chairman Mason closed that portion of the public hearing and opened the floor for anyone wishing to speak in opposition to this request.

No one spoke.

Chairman Mason closed the public hearing for this item and opened the floor to the Commission for discussion.

Commissioner Hamilton asked the applicant if he represented any other clients requesting liquor permits. Additionally, Commissioner Hamilton asked if all of the [Applebee's] staff would receive the required TABC training.

Mr. Martin replied yes to both questions from Commissioner Hamilton.

A motion was made by Vice-Chairman Hinton to approve Case Number 09-45, as presented. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 7 - Chairman Mason, Vice-Chairman Hinton and Commissioners Strother, Saldaña, Brooks, Swayze and Hamilton.

Nays: 0

Chairman Mason declared the motion carried.

VI. Case No. 09-42 – Review and consider the Site Plan of Life Charter School, on Lot 3R, Blk 12, High Pointe Subdivision, more commonly known as 129 West Wintergreen Rd., Cedar Hill, TX. Requested by John D. Blacker, P.E., of Hart, Gaugler & Associates, Inc.

Alex Alvarado of Hart, Gaugler & Associates, Inc., 12801 North Central Expressway, Suite 1400, Dallas, TX 75243, stepped forth to present this request and answer any questions from the Commission.

Mr. Alvarado stated that they are renovating an existing but unfinished church building into a charter school. Shown on the plans is the addition of a fire lane as well as a pick up and drop off lane.

Vice-Chairman Hinton asked the applicant if he was aware of city staff's comments relative to the findings contained within the Traffic Impact Analysis (TIA).

Mr. Alvarado stated that yes he is aware of the findings contained within the TIA and in configuring this site, they have taken in consideration the neighboring schools and existing traffic patterns.

Vice-Chairman Hinton asked the applicant if he was also aware of city staff's recommendation for a left turn bay on Wintergreen Road.

Mr. Alvarado stated he was aware of this recommendation and they will provide the requested details for the construction of the left turn bay.

A motion was made by Commissioner Strother to approve Case Number 09-42, subject to the on-site traffic routing being consistent with the recommendations in the TIA and the applicant providing appropriate civil plans for the construction of a left turn bay on Wintergreen Road. The motion was seconded by Vice-Chairman Hinton. The vote was as follows:

Ayes: 7- Chairman Mason, Vice-Chairman Hinton and Commissioners Strother, Saldaña, Brooks, Swayze and Hamilton.

Nays: 0

Chairman Mason declared the motion carried.

VII. Staff Reports

1. Recent Submittals

This item was covered during the briefing session.

VIII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 6:30 p.m.

Stephen Douglas-Mason
Chairman

Belinda L. Huff
Planning Secretary
