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**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Meeting of October 18, 2016**

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*The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, October 18, 2016 at 6:00 p.m. in the T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Blvd, Bldg. 100, Cedar Hill, TX.*

*Planning & Zoning Commissioners present: Chairman Theresa Brooks, Vice-Chairman Bill Strother, Commissioners: Chad McCurdy, Gehrig Saldana, Michael Deeds, Lisa Thierry and Timothy Hamilton*

*City Staff members present: Rod Tyler, Director of Planning, LaShondra Stringfellow, Asst. Director of Planning and Sharon Davis, Executive Secretary of Planning.*

**I. Call the Meeting to Order**

Chairman Brooks called the meeting to order at 6:01 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 October 4, 2016 regular meeting**

A motion was made by Commissioner Hamilton and seconded by Commissioner Saldana to approve the minutes of the October 4, 2016 regular meeting. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother, Commissioners Hamilton, Saldana, and McCurdy

Nays: 0

Abstain: 2 – Commissioners Deeds and Thierry

Chairman Brooks declared the motion carried.

**III. Citizens Forum**

No one spoke.

**IV. Case 16-27 – CONDUCT A PUBLIC HEARING, review, and consider an application for a Conditional Use Permit for multi-family (apartments) on property zoned Old Town Square Sub-District within the Uptown Overlay, located on the northwest corner of Cedar Street and Church Street with the approximate address being 407 Cedar Street; requested by Norman Patten on behalf of Dillard on Cedar, LLC and Sara Wylie Moor.**

Ms. LaShondra Stringfellow, Asst. Director of Planning delivered the staff report. The applicant is proposing to construct 7 units on one lot. Three of the structures will contain two units each

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and one structure will contain one unit. There will be a gazebo area in the front. Parking will be on site. The applicant will not be providing on street parking at this time. Staff is asking for some flexibility for applicant to be able to have an additional setback for future parking, sidewalks and plantings on the street if needed. The Main Street Board recommended approval based on site plan only. Staff recommends approval subject to the following conditions: structures being setback from the future right-of-way on Cedar Street and Church Street to provide for on-street parking and a sidewalk width of 6-10 feet consistent with the City Center Plan; a plat being submitted, approved and recorded prior to issuance of a building permit; and operation of the use shall be consistent with the approved site plan.

Mr. Norman Patten, 413 Cedar St, indicated the concept of the structures was to create a turn-of-the-century residential community that could be a buffer from high density residential development as well as community property in the surrounding area. There is also a three-foot fence in front yard to keep in character with turn-of-the-century architecture. Each apartment has its own garage with other parking on site being covered. There are gates on the drive to create a gated community effect.

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

No one spoke.

Chairman Brooks opened the floor for anyone wishing to speak in opposition of this request.

Mr. Henry Pickard, 333 Cedar St. indicated Church Street was a narrow street and any parking on the street would affect traffic flow.

Chairman Brooks closed the public hearing and opened the floor for discussion among the Commissioners.

Mr. Patten indicated that the applicant has allocated on the Church Street side an additional 5-feet of right-of-way to help with on-street parking.

Chairman Brooks asked if the general public could access the property by walking onto property.

Mr. Patten indicated there is a gate on Cedar Street for pedestrian access. He was unsure if there would be a security code to enter this gate.

Commissioner McCurdy asked where the proposed fence was in relation to the existing fence.

Mr. Patten indicated the existing post and chain fence is on the property line and the proposed new fence would be about 7-feet in from the existing fence.

The Commission had questions about staff's conditions for the structures setback to permit on-street parking and sidewalks consistent with the City Center Plan. The concern was whether or

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not this condition would significantly change the site plan layout if it were approved in its current format.

Ms. Stringfellow indicated that it was not possible to give an exact number for the setback needed due to the ongoing development of the City Center code regulations. When a plat is submitted for the property, staff will work with the applicant on the setback needed to be consistent with the plan.

Mr. Rod Tyler addressed the off-street parking in stating the City is in the process of looking at the downtown area. He doubts that angle parking would be approved since is residential area. However, parallel parking is more likely depending on the right-of-way width.

Commissioner Deeds asked the applicant if he had any concerns with staff's condition for the setbacks.

Mr. Patten indicated it would be dependent on the width of the setback. Furthermore, the parking on Cedar Street with the diagonal parking would be a challenge; however, parallel parking could work.

Commissioner Deeds made a motion to recommend approval of Case 16-27 subject to the following conditions: the structures shall be setback from the future right-of-way on Cedar Street and Church Street to provide for on-street parking and a sidewalk width of 6-10 feet consistent with the City Center Plan; a plat shall be submitted, approved and recorded prior to issuance of a building permit; and operation of the use shall be consistent with the approved site plan.

Mr. Jim Cliff, 228 Cedar St., indicated there were already apartments on Cedar Street that was causing parking issues as well as increasing traffic, vehicles parking on lawns of other residents, driving through the library and speeding down Cedar Street. He indicated that people who live in apartments are not the type of people who should be in the historic area of Cedar Hill.

Ayes: 7 – Chairman Brooks, Vice-Chairman Strother, Commissioners Thierry, Deeds, Saldana, McCurdy and Hamilton

Nays: 0

Chairman Brooks declared the motion carried.

**V. Case 16-42 – CONDUCT A PUBLIC HEARING, review, and consider an application for a Conditional Use Permit for a cellular communication tower/antenna on property zoned "LR" – Local Retail District, located north of the intersection of FM 1382 and Highway 67 with the approximate address being 223 East FM 1382; requested by Jeremy Baldwin of New Cingular Wireless on behalf of Jeff Olyan.**

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Ms. LaShondra Stringfellow, Asst. Director of Planning delivered the staff report. Ms. Stringfellow stated that the applicant is proposing a 100-foot tall monopole tower to provide coverage for the Hillside Village mall. At least two additional carriers could co-locate on the tower. The

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tower meets the height and setback requirements. Staff recommends approval subject to the use being operated in accordance with the approved site plan.

Mr. Jeremy Baldwin, 1870 Crown Dr., Ste. 1500, Dallas indicated he would answer any questions the Commission might have.

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

No one spoke.

Chairman Brooks opened the floor for anyone wishing to speak in opposition of this request.

Ms. Beth Ferrell, B&B Bicycles, 223 E. FM 1382, Ste. 127, expressed concerns about the tower causing health problems such as headaches and nausea. She indicated the American Cancer Society had done studies on this issue showing that its not good for the property owners of the shopping center.

Chairman Brooks closed the public hearing and opened the floor for discussion among the Commissioners.

Commissioner Deeds asked the applicant if AT&T had done any studies on health issues. He also asked what kind of wall was used to secure the perimeter. Would there be enough room in the back of the stores for trucks loading and unloading material.

Mr. Baldwin indicated they have to be in compliance with the AFA, FCC, OHSA and the EPA. He also referred him to the Telecommunication Act of 1996. There will be a block screen wall around the perimeter and there is enough room in the back and would not interfere with the fire lane.

Commissioner McCurdy asked how they go about finding a location.

Mr. Baldwin indicated they have to meet the zoning ordinance as well as finding a willing land owner.

Commissioner McCurdy made a motion to recommend approval of Case 16-42. The motion was seconded by Vice Chairman Strother. The vote was as follows:

Ayes: 7 – Chairman Brooks, Vice-Chairman Strother, Commissioners Thierry, Deeds, Saldana, McCurdy and Hamilton

Nays: 0

Chairman Brooks declared the motion carried.

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**VI. Other Business**

**1) Discuss proposed Text Amendments to Chapter 23 of the Code of Ordinances (Zoning) related to credit access businesses**

Ms. LaShondra Stringfellow, Asst. Director of Planning discussed the Commission's input from the last meeting and received feedback from the Commission whether or not distances from a residential district or a designated street corridor should be included in the ordinance. Ms. Stringfellow informed the Commission that a draft ordinance would be available for discussion at the next meeting.

**VII. Staff Reports and Discussion Items**

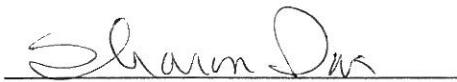
1. Ms. Stringfellow informed the Commission of the current development applications.

**VIII. Adjourn**

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:58 pm.



Theresa Brooks  
Chairman



Sharon Davis  
Executive Secretary