
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of February 15, 2011

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, February 15, 2011 at 6:00 p.m. in the T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Boulevard Building 100, Cedar Hill, Texas.

Present: Chairman Theresa Brooks, Vice-Chairman Bill Strother and Commissioners Gehrig Saldaña, Tim Hamilton, Bill Nanry and Lisa Thierry.

Absent: None

I. Call the meeting to order

Chairman Brooks 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. Approve the minutes of the January 18, 2011 regular meeting

A motion was made by Commissioner Hamilton to approve the minutes of the January 18, 2011 meeting, as presented. The motion was seconded by Vice-Chairman Strother. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother and Commissioners Saldaña, Hamilton and Thierry.

Nays: 0

Abstention: 1- Commissioner Nanry

Chairman Brooks declared the motion carried.

III. Citizens Forum

No one spoke

IV. Case No. 10-34 – Conduct a Public Hearing and consider the **Re-Plat** of Lots 3R-A & 3R-B, Blk A, Cedar Hill Town Center Addition **INTO** Lots 3R-A1, 3R-B1 & 3R-C1, Blk A, Cedar Hill Town Center Addition being 11.223-acres of land out of Abstracts 306 and 1472 generally located east of Uptown Blvd and approximately 820 ft. south of F.M. 1382. *Requested by Andy Dobbs of Pacheco Koch.*

Andy Dobbs of Pacheco Koch, 8350 N Central Expressway, Suite 1000, Dallas, TX 75206, stepped forth to present this request and answer any questions from the Commission.

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

No one spoke.

Chairman Brooks 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 Brooks closed the public hearing and opened the floor discussion by the Commission.

Commissioner Hamilton asked the applicant if this was a re-plat and if so when it was originally platted.

Mr. Dobbs stated yes, this request was for a re-plat of an existing lot; however, he was not sure when it was originally platted.

Commissioner Hamilton stated the reason he was asking is because he did not remember seeing a plat for this area coming before the Commission.

Vice-Chairman Strother asked the applicant if he knew which lot would be occupied by the proposed business.

Mr. Dobbs stated the middle lot.

A motion was made by Commissioner Hamilton to approve Case No. 10-34, as presented. The motion was seconded by Commissioner Nanry. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Saldaña, Hamilton, Nanry and Thierry.

Nays: 0

Chairman Brooks declared the motion carried.

V. Case No. 10-23 – Review and Consider the Final Plat and Civil Plans of Cedar Crest Phase III-B-1, creating 49 residential lots and 1 common space parcel on 14.263-acres of land out of Abstract 1552, generally located north of Capricorn Street and east of Hayes Street. *Requested by Nathan Thompson of Jacobs Engineering Group, Inc.*

Nathan Thompson of Jacobs Engineering Group, Inc, 7950 Elmbrook Dr. Dallas, TX 75247 stepped forth to present this request and answer any questions from the Commission.

Mr. Thompson stated that this is a request for development of 49 residential lots, along with a 4 ½ acre common area parcel.

Commissioner Hamilton asked why this request was scaled down from 89 to 49 lots.

Mr. Thompson stated that KB Homes scaled back the development as a cost savings measure.

Commissioner Hamilton asked the applicant to elaborate on the dedication of open space tract.

Mr. Thompson stated that the open space tract, which is adjacent to Red Oak Creek, is being dedicated to the City to preserve the surrounding creek area and for a possible development of a park or trail.

Commissioner Hamilton, seeking affirmation from the applicant, stated that the land will be given to the City and therefore, KB Homes will not return at a later date to try and build homes on the open space tract.

Mr. Thompson stated that is correct, the dedication of land will occur by this plat.

Chairman Brooks asked the applicant if he was aware of staff's comments.

Mr. Thompson stated that he was aware of staff's comments and has resolved all the outstanding issues.

Chairman Brooks asked if that include the payment of park fees.

Mr. Thompson stated yes, those fee were paid today.

Commissioner Thierry asked the applicant about compliance with the tree ordinance and have they submitted a tree survey.

Mr. Thompson stated that they have retained an environmental scientist who has certified that there are no protected trees on the site.

A motion was made by Vice-Chairman Strother to approve Case No. 10-23, subject to the plat being revised to include all easement filing information, labeling the flood plain area as a drainage easement and labeling the common area to be dedicated to the City of Cedar Hill. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Saldaña, Hamilton, Nanry and Thierry.

Nays: 0

Chairman Brooks declared the motion carried.

V. Case No. 10-32 – Review and Consider the Site Plan of a 1,984 sq. ft. Retail/Office building, located at 157 Hood St. Requested by Norman Patten of Norman Patten and Associates.

Norman Patten of Norman Patten and Associates, 413 Cedar St. Cedar Hill, TX 75104 stepped forth to present this request and answer any questions from the Commission.

Mr. Patten stated that this site plan was previously approved by City Council; however, his client was unable to complete construction and as a result his site plan and building permit expired. He stated this site plan is the exact same proposal as previously submitted, being the remodel of the building, installation of landscaping and parking for a proposed retail operation.

Commissioner Hamilton asked the applicant if the building is currently in use.

Mr. Patten replied no.

Chairman Brooks commented that she has seen garage sales being conducted at this location.

Mr. Patten stated that his client is not operated a business out of this location, but he may have had a garage sale from time to time.

Commissioner Nanry asked Mr. Patten if his client is willing to replace the Masonite siding with hardy board prior to the issuance of a CO.

Mr. Patten stated yes, it is his client's intent to do that and that he also understands this must be completed prior to the issuance of a CO. He also stated that his client is very eager to move to move forward and complete this project.

A motion was made by Commissioner Hamilton to approve Case No. 10-32, subject to the Main St. Board's recommendation of the siding shown on the side elevations will be replaced with Hardie Board prior to issuance of a Certificate of Occupancy. The motion was seconded by Commissioner Saldaña. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Saldaña, Hamilton, Nanry and Thierry.

Nays: 0

Chairman Brooks declared the motion carried.

VII Staff Reports & Discussion Items

1. Discussion regarding Minimum Exterior Construction Requirements

Rod Tyler, Director of Planning, reminded the Commission to mark your calendars for the upcoming Volunteer Appreciation Dinner, scheduled for March 29, 2011.

Mr. Tyler handed out and reviewed with the Commission revisions to Section 5.7 of the Zoning Code, entitled Exterior Construction Requirements.

There was considerable discussion amongst the Commission regarding the proposed revisions to the non-conforming buildings section. The Commission ultimately concluded that any addition to a structure of 25% or more must conform to the masonry standards.

2. Discussion regarding IP Land Uses

Mr. Tyler informed the Commission that the public hearing and consideration of the amendments to the IP zoning district would be on March 1, 2011.

3. Recent Submittals

Don Gore, Planner, reviewed with the Commission the upcoming cases.

VIII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:29 p.m.

Theresa Brooks
Chairman

Belinda L. Huff
Development Services Coordinator
