
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of September 7, 2010

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, September 7, 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 Todd Hinton, Vice-Chairman Theresa Brooks and Commissioners, Bill Nanry Gehrig Saldaña, Lisa Thierry, Bill Strother and Tim Hamilton.

Absent: None

I. Call the meeting to order

Chairman Hinton called the meeting to order at 6:04 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 August 17, 2010 regular meeting

A motion was made by Commissioner Thierry to approve the August 17, 2010 minutes, with one correction. The motion was seconded by Commissioner Hamilton. The vote was as follows:

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

Nays: 0

Abstention: 2- Commissioners Strother and Nanry

Chairman Hinton declared the motion carried.

III. Citizens Forum

No one spoke

IV. CONDUCT A PUBLIC HEARING and consider proposed amendments to the Comprehensive Zoning Ordinance (Ordinance No. 2001-64, as amended) repealing the current *Adult Entertainment Establishment Regulations* (Sexually Oriented Businesses) and adopting new *Sexually Oriented Businesses Regulations*, and amending the use chart and definitions accordingly.

Connie Cooper of Cooper Consulting Company, Inc. 3979 Cole Ave, Dallas, TX 75204 stepped forth to present this request and answer any questions from the Commission.

Ms. Cooper reviewed with the Commission a Power Point presentation which highlighted major changes to our existing regulations, as well as background information on the studies and findings used in formulating the new regulations.

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

No one spoke.

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

Commissioner Strother, commenting on the minimum exterior lighting requirements, stated that he felt the more lighting, the better.

Ms. Cooper stated that lighting is a very important issue; however, the lighting cannot shine outside the boundaries of the property. In the licensing ordinance there are provisions for both lighting and monitoring of the site.

Chairman Hinton asked if there were any provisions regarding the security of employees.

Ms. Cooper stated that neither the zoning ordinance nor licensing ordinance addresses security. However, there is a requirement for a manager to be on duty while the establishment is open, for those managers to be licensed, and said managers will be held responsible for the activities conducted on site.

Chairman Hinton suggested that he would like to see something added about security in the parking lot.

In response to Chairman Hinton's comment, Ms. Cooper stated that the licensing ordinance is best suited for addressing security concerns.

Commissioner Thierry, seeking some clarification from Chairman Hinton on the security issue, asked what requirement or level of security was he suggesting, for example off duty police officers or some type of private security officers.

Rod Tyler, Director of Planning, stated that, as Ms. Cooper advised, the ordinance before the Commission this evening is not the avenue to address security concerns. He stated that the Commission's comments on security would be forwarded to City Council for their consideration of the licensing ordinance.

Commissioner Saldana, referring to the licensing phase, asked if the Chief of Police would have some latitude to require additional standards for security.

Ms. Cooper replied no; however, something can be added.

Moving on, Ms. Cooper stated that artists who paint nude figures would not be classified as a sexually oriented business.

Commissioner Thierry asked if that included nude photography.

Ms. Cooper stated the ordinance just refers to “artist”, there is not a distinction.

Finally, Ms. Cooper stated that she will try to get all of the studies used in formulating the ordinances on a disc for the Commission to review.

Chairman Hinton asked the Commission if they had any additional comments.

Vice-Chairman Brooks stated that she felt confident with the regulations, as presented.

Commissioner Nanry stated that he is very pleased to see a provision for concentration of such establishments.

Commissioner Strother stated that he felt the City is being very proactive in revising and adopting new more comprehensive standards.

A motion was made by Vice-Chairman Brooks to approve the proposed zoning ordinance amendments relative to sexually oriented businesses, as presented. The motion was seconded by Commissioner Strother. The vote was as follows:

Ayes: 7 – Chairman Hinton, Vice-Chairman Brooks and Commissioners Saldana, Strother, Thierry, and Hamilton.

Nays: 0

Chairman Hinton declared the motion carried.

V. Staff Reports & Discussion Items

1. Update on *HUD Community Challenge Grant* application

Don Gore, Planner, reviewed briefly with the Commission the details of a recently submitted HUD grant application. The purpose of this grant is to further the City Center Plan initiative.

Chairman Hinton asked Mr. Gore when he thought the City may hear if we were awarded any funding.

Mr. Gore stated that we should know something in about 45-60 days.

2. Review of Cedar Hill Zoning Code - Section 4.1.4 entitled *Alcoholic Beverage Site Plan Requirements*

Rod Tyler, Director of Planning, reviewed with the Commission a power point regarding the City's alcoholic beverage regulations, including some explanation of the minimum separation distances from certain land uses and zoning districts classification, as well as some of the TABC requirements. Additionally, Mr. Tyler admitted that this section is somewhat difficult to read and interpret and therefore, the planning staff is considering a re-write of this section to provide needed clarification.

3. Recent Submittals and Future P&Z Meeting dates

Don Gore, City Planner, reviewed with the Commission recently submitted cases and upcoming agenda items.

The Commission was also informed of the Planning & Zoning meeting dates for the remainder of 2010.

VI. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:24 p.m.

Todd Hinton
Chairman

Belinda L. Huff
Planning Secretary
