
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of December 1, 2009

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, December 1, 2009 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, Tim Hamilton, Theresa Brooks, Gehrig Saldaña 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 November 3, 2009 meeting

A motion was made by Vice-Chairman Hinton to approval the minutes of the November 3, 2009 meeting minutes, as presented. The motion was seconded by Commissioner Swayze. The vote was as follows:

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

Nays: 0

Abstention: 1- Commissioner Brooks

Chairman Mason declared the motion carried.

III. Citizens Forum

No one spoke

IV. Case No. 09-35 – CONDUCT A PUBLIC HEARING and consider a request for a Conditional Use Permit to operate a Full/Self Service Car Wash within a Local Retail zoning district located at 204 E. Beltline Rd. Cedar Hill, Texas. *Requested by Tommy Winn on behalf of Your Car Wash.*

Norman Patten of Norman Patten and Associates, 413 Cedar Street, Cedar Hill, TX 75104 and Tommy Winn, 214 Main Street, Suite 210, Duncanville, TX 75116 stepped forth to present this request and answer any questions from the Commission.

Mr. Patten stated that his client was remodeling the old Liberty Car Wash building to accommodate a new fully automated car wash facility. The new design allows the customer to drive up, place an order for the type of car wash they desire, pay for it and then proceed into the tunnel. The system is outfitted with a high powered dryer to finish the process, thereby eliminating the need for multiple employees to dry a customer's vehicle. The customer can simply exit the property upon completion of their car wash or they can use the self-service vacuum bays, located along the eastern side of the property. The facility will be monitored by the owner and perhaps two or three employees and is designed to be a very fast, in and out, self-service process.

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.

Mr. Patten stated that they have met all of the City's ordinances relative to this project, with the exception of the masonry screening wall requirement. He stated his client is proposing a 50 ft. conservation easement, in lieu of the required masonry screening wall, to buffer this site from the adjacent residences to the north. He stated this simply made more sense, seeing as there was an existing 40 ft. drainage easement and a heavily tree lined natural area already on the site. His client has agreed to maintain this area as a conservation easement, rather than remove the trees to build a wall.

Finally, Mr. Patten stated that his client would like to install a 3 ft. wrought iron security fence to protect the very expensive onsite equipment. He passed out photos to the Commission of another facility located in DeSoto which illustrated what the proposed fence would look like.

Chairman Mason asked if this facility was a 24 hr. operation.

Mr. Patten stated no, the facility's operations were limited to daytime hours only.

Commissioner Hamilton asked if this facility would be similar to the one in the City of DeSoto.

Mr. Patten stated yes, it would be basically the same operation; however, this site would be configured to take advantage of the existing building and site layout.

Vice-Chairman Hinton asked if the security fencing would be similar or identical to the photos that were presented to the Commission. Additionally, he asked about the noise that would be produced by the dryers.

Mr. Patten stated yes, the fencing would be identical. With respect to the noise generated by the dryers, he stated that there are built-in silencers for noise control. Also, he stated that the building sets in about 75 ft. from the street so that should provide an additional measure of sound control.

Vice-Chairman Hinton stated that from what he could tell from the plans, the adjacent residences would be about 200 to 300 ft. away from the dryers.

Mr. Patten stated that was correct.

Commissioner Brooks asked City staff if they had any issue with the security fencing being proposed by the applicant.

Mr. Tyler, Director of Planning, stated that from what he could gather from the photos, he had no issues at this time; however, he would present this to the Development Review Committee (DRC) for further review and/or comment.

A motion was made by Commissioner Brooks made a motion to approve Case No. 09-35, subject to City Council's approval of the use of a conservation buffer in lieu of a masonry screening wall and revising the site plan to include the following: 1) delineate a minimum 50-ft. conservation buffer along the southern property line; 2) include the north and south elevations of the vacuum storage building; and 3) details of the security fencing as presented at tonight's meeting. The motion was seconded by Commissioner Swayze. The vote was as follows:

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

Nays: 0

Chairman Mason declared the motion carried.

V. Case No. 09-39 – Review and consider the revised Site Plan (Landscaping) of Lot 1 of Plaza at Cedar Hill located at 330 North U.S. Highway 67, Cedar Hill, TX. *Requested by Kimberly Phillips of Good, Fulton and Farrell Architects.*

David George of Kite Realty, 30 South Meridian Street, Suite 1100, Indianapolis, Indiana and Kimberly Phillips of Good, Fulton and Farrell Architects, 2808 Fairmount Street, Suite 300, Dallas, TX 75201 stepped forth to present this request and answer any questions from the Commission.

Mr. George stated that the proposed landscape improvements will incorporate plants and trees in various colors and textures to create a more vibrant entrance into the shopping center from F.M. 1382. The upgraded landscaping would also create a view corridor, directly in front of the buildings for a more

cohesive look. Additionally, he stated that the landscaped area to the north will remain, but it will be trimmed.

Chairman Mason expressed reservations about removing large trees and replacing them with smaller ones. He stated he understands the applicant's concerns about visibility of the stores within the shopping center; however, this center is approximately 10 years old and these trees have matured, as intended. He questioned whether or not the applicants will be back before the City when the [new] smaller trees have matured and pose another revision to the landscaping plans. He felt as though this request was contrary to the intent of the City's landscape and tree preservation ordinances.

Mr. George stated that they are required to have 150 trees on site and with these improvements they will have 211 trees. He stated that the intensity and strategic location of the proposed landscaping would not create the need for such large scale changes in the future.

Commissioner Swayze asked how long it would take for the new trees to mature.

Ms. Phillips stated that all of the trees they were planting would be at least 3" caliper and would mature in approximately 7-8 years. She stated that all of the trees that were chosen were native to the area, required low water usage and were pest and disease resistant.

Vice-Chairman Hinton stated that currently there are 13 trees that are 8" caliper or larger and asked how they proposed to remove the trees and specifically what improvements will be made to the areas where these large trees existed.

Ms. Phillips stated that the stumps will be removed, the ground tilled and new landscaping installed, a mixture of ornamental grasses and evergreens to create a dramatic entrance into the shopping center. Also drip irrigation will be installed.

Mr. George stated that they have a contractor ready to go with these improvements as soon as they gain approval from the City.

Commissioner Brooks stated that from the plans, the plantings look very full and asked will it indeed look that way on site or is much of this mulch.

Ms. Phillips stated the plantings were indeed very full and very tight. Also she stated that they are using a lot of perennials that will come back year after year.

A motion was made by Commissioner Swayze made a motion to approve Case No. 09-39, as presented. The motion was seconded by Commissioner Hamilton. The vote was as follows:

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

Nays: 1 - Chairman Mason

Chairman Mason declared the motion carried.

VI. Case No. 09-12 – Review and consider the Preliminary Plat and Plans of Lot 1, Blk. A, Audubon Addition creating 1 non-residential lot on 4.358-acres of land out of Abstract 539, generally located 750 ft. west of Northwood University Rd. and south of F.M. 1382. *Requested by Brent Brown of Brown Architects.*

Chris Culak, 2502 Marvin Ave., Dallas, TX 75211, stepped forth to present this request and answer any questions from the Commission.

Mr. Culak stated that the Audubon has partnered with other agencies, including the City of Cedar Hill on developing this site. He stated that they would like to break ground very soon on the proposed nature center. This nature center would serve primarily to educate school age children on Dogwood Canyon and the area's native plants, flowers and wildlife.

Chairman Mason asked if there was an existing structure on site.

Mr. Culak stated that there is not a structure on site, only a concrete pad used for a long removed AT&T satellite unit. He stated they would utilize the concrete pad in the construction of their proposed building.

Vice-Chairman Hinton asked the applicant if he was aware of staff's comments.

Mr. Culak stated yes, he was aware of the City's comments and that their architect is working very closely with the City on addressing them accordingly.

A motion was made by Vice-Chairman Hinton to approve Case No. 09-12, subject to the following revisions made to the plat: 1) show property ownership of the parcel to the south; 2) provide a drainage easement for the portions of the property that are contained in the flood plain; 3) a notation stating that there will be no development within the drainage area and/or flood plan; and 4) revise the utility plan to show pipe size, fire hydrants, meters and valves. The motion was seconded by Commissioner Strother. The vote was as follows:

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

Nays: 0

Chairman Mason declared the motion carried.

VII. Staff Reports

a. 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 6:55 p.m.

Stephen Douglas-Mason
Chairman

Belinda L. Huff
Planning Secretary
