

**MINUTES
PLANNING AND ZONING COMMISSION
Meeting of February 5, 2007**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on MONDAY, February 5, 2007 at 6:00 p.m. in the Council Chambers of City Hall, Cedar Hill, Texas.

Present: Chairman Detrick Deburr, Vice-Chairman Bill Strother and Commissioners David Rush, Theresa Brooks, Stephen Mason and Gehrig Saldaña.

One position vacant.

I. Call the meeting to order

Chairman Deburr 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. Approve the minutes of the December 18, 2006 meeting

A motion was made by Commissioner Rush to approve the minutes of the December 18, 2006 meeting, as presented. The motion was seconded by Commissioner Mason. The vote was as follows:

Ayes: 6- Chairman Deburr, Vice-Chairman Strother and Commissioners Rush, Brooks, Mason and Saldaña.

Nays: 0

Chairman Deburr declared the motion carried.

III. Citizens Forum

No one spoke.

IV. Case Number 06-66 – CONDUCT A PUBLIC HEARING and consider a request for a **change in zoning** of Tract C **FROM** Planned Development District, Ordinance #98-383 **TO** LR-Local Retail zoning district, being a 2.739-acre section at the northwest corner of E. Pleasant Run Road and Old Clark Road. *Requested by Bobby Fletcher of Hillcrest Baptist Church.*

Bobby Fletcher of Hillcrest Baptist Church, 265 West Pleasant Run Road, Cedar Hill, TX 75104, stepped forth to present this request and answer any questions from the Commission.

Mr. Fletcher stated the reason for this change was that over the years as this property developed two of the specified uses, the Alzheimer facility and the assisted living facility, were combined leaving one tract vacant.

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

No one spoke.

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

Commissioner Rush asked Mr. Fletcher if these offices would be used exclusively for medical offices.

Mr. Fletcher stated no, at this time they do not want to limit themselves to specifically medical offices. They would like to designate these as professional offices, which may include attorneys, accountants, etc.

A motion was made by Commissioner Rush to approve Case Number 06-66, as presented. The motion was seconded by Vice-Chairman Strother. The vote was as follows:

Ayes: 6- Chairman Deburr, Vice-Chairman Strother and Commissioners Rush, Brooks, Mason and Saldaña.

Nays: 0

Chairman Deburr declared the motion carried.

V. Case Number 06-60 – Review and consider the Site Plan of Lot 3R, Blk C, Cedar Hill Village Phase IV, showing a 5,775-sq. ft. non-residential building on 1.238-acres of land out of Abstract 1472, generally located northwest of North Clark Road and U.S. Highway 67. *Requested by Jim Riley of Brockette, Davis, Drake.*

Jim Riley of Brockette, Davis, Drake, Inc., 4144 North Central Expressway, Suite 1100, Dallas, TX 75204, stepped forth to present this request and answer any questions from the Commission.

Mr. Riley stated they will address staff's comment regarding correction of the landscape table. Additionally, Mr. Riley stated the smaller windows on the south and north elevations were associated with exam rooms and for privacy reasons, they would like to keep them as shown. He further stated that on the revised plans the architect shows the use of pre cast stone pilasters to simulate a vertical break on the north elevation.

Commissioner Brooks asked Mr. Riley if the driveway will connect to the Haverly's and TGI Friday's site.

Mr. Riley stated yes, access to this site would be through adjacent properties and all of those driveways will connect.

A motion was made by Commissioner Brooks to approve Case Number 06-60, allowing the windows as presented, revised elevation presented to the Commission and the correction to the landscape table. The motion was seconded by Commissioner Saldaña. The vote was as follows:

Ayes: 6- Chairman Deburr, Vice-Chairman Strother and Commissioners Rush, Brooks, Mason and Saldaña.

Nays: 0

Chairman Deburr declared the motion carried.

VI. Case Number 06-62 – Review and consider a revised Site Plan of Lot 1-R, Block 1, Hillcrest Addition, Section One, showing a 37,124-sq. ft. non-residential building addition on 20.56-acres of land out of Abstract 1226, generally located on the northwest corner of East Pleasant Run Road and Old Clark Road. *Requested by Aaron Lindsey of GHLA Architects.*

Bobby Fletcher of Hillcrest Baptist Church, 265 West Pleasant Run Road, Cedar Hill, TX 75104, along with Gaylen Laing, of GHLA Architects, 1300 West Randol Mill Road, Arlington, TX 76012, stepped forth to present this request and answer any questions from the Commission.

Mr. Fletcher stated this addition was for an adult education center. He also would like to request a waiver on the construction of the remainder of the parking lot located to the rear of the church and this addition, until they have completed their five year development plan for this site. For now, they would use heavy gravel for the paving on this parking lot, which includes an access drive to a storage building.

Vice-Chairman Strother asked Mr. Fletcher if this addition would be connected to the main building.

Mr. Fletcher stated yes, this addition will directly connect to main building.

Vice-Chairman Strother asked if the storage building would be used for storage or would it be occupied and used for some sort of church or school related activities.

Mr. Fletcher stated the building would only used for storage only and not for activities. It will also have the same brick façade as the church.

Commissioner Brooks asked Mr. Fletcher if he understood that there is a chance of items in storage shed burning

Mr. Fletcher stated that they actually have two fire hydrants within 400-ft. of this storage building, and that he felt confident that if a fire occurred, a fire truck could access this building and the hydrants.

Commissioner Brooks asked if additional lighting was being installed and if so, would it comply with dark sky lighting requirements.

Mr. Fletcher stated yes, we are installing additional lighting and the architect is aware of dark sky lighting requirements and they would fully comply.

Commissioner Brooks asked City Planner Leslie Price if the Commission was being asked to approve the storage building as well as the building addition.

Ms. Price stated the storage building was permitted, but the Fire Marshal wanted to bring to the Commission's attention the issue of the unpaved access to the storage building and the need for an additional fire hydrant near the storage building.

In response to Ms. Prices' statement, Commissioner Rush concluded that the storage building was not part of this site plan request.

Ms. Price stated yes the issues were life, health, safety matters and needed to be addressed.

A motion was made by Commissioner Brooks to approve Case Number 06-62, with the clarification that this approval only applies to the adult education building and its associated drive, parking and landscaping changes. The motion was seconded by Commissioner Rush. The vote was as follows:

Ayes: 6- Chairman Deburr, Vice-Chairman Strother and Commissioners Rush, Mason, Brooks and Saldaña.

Nays: 0

Chairman Deburr declared the motion carried.

VII. Case Number 07-02 – Review and consider a revised Site Plan of 402 Lee Street. Requested by Dustin Ledbetter of Phillips Properties.

Dustin Ledbetter of Phillips Properties, 110 South Broad Street, Cedar Hill, TX 75104, stepped forth to present this request and answer any questions from the Commission.

Mr. Ledbetter stated that about a year ago they received site plan approval for this location, but now a prospective tenant would like to open a day care and this requires them to modify the site to install a circular drive way.

Commissioner Rush stated his primary concern about this site was that it was not big enough to support a daycare and an associated outdoor play area.

Mr. Ledbetter stated this is actually a fairly large site and that a play area and equipment could be configured behind the building, in a fenced off area. Also, Mr. Ledbetter stated that this would be a small center, with a maximum of twenty five children.

Vice-Chairman Strother asked Leslie Price, City Planner, if daycares required a Conditional Use Permit in the Old Town zoning district.

Ms. Price stated no, childcare facilities are permitted by right. She further stated that the Old Town Corridor zoning district is primarily for retail and office type uses; therefore, a daycare is appropriate for this district.

Chairman DeBurr asked Staff to explain the driveway spacing issue.

Ruth Antebi Guten, Director of Public Works, stated there is a table in the packet which illustrates the requirements for a drive approach.

Vice-Chairman Strother asked Ms. Antebi-Guten if the City has traffic count information for this area.

Ms. Antebi-Guten stated we did not have any recent data for this area, but we should have some historic data.

Commissioner Mason asked Ms. Price if this site had adequate parking.

Ms. Price stated yes, they do show adequate parking on site.

Commissioner Mason suggested to Mr. Ledbetter the possibility of modifying their site plan by reducing the number of parking spaces so that the circular driveway would comply with the City's minimum spacing requirements.

Vice-Chairman Strother recommended the Commission delay action on this item for two weeks in order to get traffic count information for this area.

Ms. Antebi Guten stated they can get the traffic counts, but they would not take into consideration any future projections.

Vice-Chairman Strother stated that at certain times of the day there is an increase in traffic, whether due to the high school or workers commuting to and from work, and that having traffic counts for this area would be helpful in consideration of this item.

A motion was made by Vice-Chairman Strother to table this request, in order to give our Engineering department time to perform traffic counts in the area. The motion was seconded by Commissioner Mason. The vote was as follows:

Ayes: 6- Chairman Deburr, Vice-Chairman Strother and Commissioners Rush, Mason, Brooks and Saldaña.

Nays: 0

Chairman Deburr declared the motion carried.

VIII. Case Number 07-03 – Review and consider the Final Plat and Civil Plans of Cedar Hill Medical Center Addition creating 1 non-residential lot on 3.15-acres of land out of Abstract 877, generally located on the southeast corner of East Beltline Road and Waterford Oaks Drive. Requested by *Johnny Walker of Jaster-Quintanilla Dallas, LLP.*

Johnny Walker of Jaster-Quintanilla Dallas, LLP. 2105 Commerce Street, Suite 300, Dallas, TX 75201 and Ken Phillips of Cirrus Medical Group stepped forth to present this request and answer any questions from the Commission.

Mr. Phillips wanted to address the issue of maintenance for the small out-parcel located between Waterford Oaks Drive and their lot. He stated they have been in contact with the bank that owns the out-parcel but they have been unable to locate any record of their ownership. They are in the process of trying to find deed information for this tract of land and do not foresee having any problems with selling this property to the Cirrus Medical Group.

Commissioner Rush asked Mr. Phillips if they have had a chance to meet with the Windsor Park Neighborhood Association.

Mr. Phillips stated that they have not met with the neighborhood association yet, but they are very interested in doing so soon.

Commissioner Brooks asked Ms. Antebi-Guten if all of engineering's comments have been satisfied.

Ms. Antebi-Guten stated she personally has not seen the reviewed plans, but the approval of this plat should be made subject to the addition of a detention area easement.

Mr. Walker, engineer with Jaster-Quintanilla Dallas, LLP., stated that revised engineering plans were submitted today.

A motion was made by Commissioner Brooks to approve Case Number 07-03, subject to the City Engineer's comments. The motion was seconded by Commissioner Rush. The vote was as follows:

Ayes: 6- Chairman Deburr, Vice-Chairman Strother and Commissioners Rush, Mason, Brooks and Saldaña.

Nays: 0

Chairman Deburr declared the motion carried.

IX. Case Number 07-05 – Review and consider the Preliminary Plat and Layout Plans of Blue Duck Park Addition showing 1 non-residential lot on 3.95-acres of land out of Abstract 138, generally located southeast of U.S. Highway 67 and Cedarview Drive. *Requested by Bobby Spears of Bennett Building Systems.*

Bobby Spears of Bennett Building Systems, 2540 South Interstate 35W, Burseson, TX 76028, stepped forth to present this request and answer any questions from the Commission.

Mr. Spears stated that the owners would to add an additional 23,000 sq. ft. to their existing building. This site was originally platted onto three separate lots, now they would now like to plat all of the lots into one. He also stated the owner is over budget with this project and although they would like to comply with all of the City's requirements, at this time, they are not able to.

Commissioner Mason asked Mr. Spears if the two comments from the City Engineer had been addressed.

Mr. Spears stated in their revised submittal the detention issue has been addressed and they will install an additional fire hydrant. Mr. Spears further stated that the runoff coefficient isn't any greater than if the site were undeveloped, they are only adding concrete to the front portion of the property.

Commissioner Rush asked Ms. Antebi-Guten if engineering has looked at the revised plans.

Ms. Antebi-Guten stated that she had not personally seen the revised plans, but they may be in the process of being reviewed.

A motion was made by Commissioner Brooks to approve Case Number 07-05, subject to the storm water detention and drainage plans being revised to City standards and the installation of a fire hydrant as recommendation by City staff. The motion was seconded by Commissioner Mason. The vote was as follows:

Ayes: 6- Chairman Deburr, Vice-Chairman Strother and Commissioners Rush, Mason, Brooks and Saldaña.

Nays: 0

Chairman Deburr declared the motion carried.

X. Case Number 07-08 – Review and consider a revised Site Plan of 432 South Clark Road.
Requested by Nancy Jackson.

Samuel and Nancy Jackson, 2608 Blackstone Drive, Dallas, TX 75237, stepped forth to present this request and answer any questions from the Commission.

Mr. Jackson stated they are revising their approved site plan by reducing the number of trees within the streetyard and eliminating the screening fence located at the rear of the property, and adjacent to a residential neighborhood.

Commissioner Brooks asked Mr. and Mrs. Jackson if they felt comfortable with just the conservation buffer and not any type of fencing to shield their property from the neighborhood behind their property.

Mr. Jackson stated there would be a considerable distance between the buildings on this site and the residences to the rear. He further stated there was also be some vegetation and a row of cedar trees for additional screening.

A motion was made by Commissioner Mason to approve Case Number 07-08, as presented. The motion was seconded by Commissioner Saldaña. The vote was as follows:

Ayes: 6- Chairman Deburr, Vice-Chairman Strother and Commissioners Rush, Mason, Brooks and Saldaña.

Nays: 0

Chairman Deburr declared the motion carried.

XI. Discussion regarding proposed amendments to masonry requirements

Commissioner Brooks – would like to see some changes to masonry requirements, but not necessarily to include the Hardie plank products.

Greg Murphy, representative from Hardie Building Products approached the podium and stated that many cities, Red Oak for example, were allowing wood and other non masonry products to be used on chimneys and soffits, etc.

Commissioner Rush expressed reservation on allowing the use of wood, stating that maintenance would become an issue, need for painting, etc. Overall we need better materials on the elevations that are not brick.

Commissioner Mason asked the Commission if they were comfortable with our ordinance now.

Commissioner Brooks requested an informal show of hands from the Commission on whether or not they wanted to discuss this issue any further.

No one raised their hand.

The Commission concluded that no further action or consideration of this item is necessary.

XII. Staff Reports

Leslie Price, City Planner, reviewed with the Commission new and pending submittals.

XIII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:45 p.m.

Detrick DeBurr
Chairman

Belinda L. Huff
Planning Secretary
