

**MINUTES
PLANNING AND ZONING COMMISSION
Meeting of March 6, 2007**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, March 6, 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.

Chairman Detrick Deburr arrived at 6:10

I. Call the meeting to order

Vice-Chairman Strother called the meeting to order at 6:06 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 February 19, 2007 meeting

A motion was made by Commissioner Rush to table consideration of the February 19, 2007 minutes for two weeks. The motion was seconded by Commissioner Saldaña. The vote was as follows:

Ayes: 5- Vice-Chairman Strother and Commissioners Rush, Mason, Brooks and Saldaña.

Nays: 0

Vice- Chairman Strother declared the motion carried.

III. Citizens Forum

1. Lucille Ames, 1142 Rocky Brook Dr., Cedar Hill, TX 75104

Ms. Ames, speaking in reference to Case #07-09, stated that she had a problem with the name of the subdivision being the same as the neighboring subdivision, Stony Creek. She also had a question about Lot 12 possibly being sold to another developer.

2. Steve Little, 1108 Stony Creek Dr., Cedar Hill, TX 75104

Mr. Little, also speaking in reference to Case #07-09, stated that he wanted the City to ensure that this development would be in full compliance with all City ordinances and standards. He also stated that when this property was to be developed in the past, the developer ensured the City that they would talk to and work with the residents in Stony Creek to make sure they are satisfied with the new development.

- IV. Case Number 06-63 – Review and consider the Re-Plat of Lots 6 & 7, Block D, Pleasant Run Farms Addition INTO Lot 6-R, Block D, Pleasant Run Farms Addition** being 1.257-acres of land out of Abstract 292 generally located on the northeast corner of Willacy Circle and East Pleasant Run Road. *Requested by Steve Keeton of Keeton Surveying Company.*

Archie Hall of A&A Real Estate, 704 Cedar Street, Cedar Hill, TX 75104, stepped forth to present this request and answer any questions from the Commission.

Commissioner Brooks asked Mr. Hall if he was aware of the City's comments regarding the water line and fire hydrant.

Mr. Hall stated he was aware of these comments.

Commissioner Rush asked Mr. Hall if he knew what the proposed use of the property was.

Mr. Hall stated that the applicant intended to build a state of the art convenience store.

A motion was made by Vice-Chairman Strother to approve Case Number 06-63 subject to the City Engineer's comments. The motion was seconded by Commissioner Mason. The vote was as follows:

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

Nays: 0

Chairman Deburr declared the motion carried.

- V. Case Number 06-65 – Review and consider the Preliminary Plat and Plans of Lots 9R, 10R and 11R, Block 5, Original Town of Cedar Hill** showing 3 residential lots on 0.1676-acres of land out of Abstract 881, more commonly known as 308 South Main Street. *Requested by Mike Mitchell of M. L. Mitchell & Associates.*

Norman Patten, 701 West Beltline Road, Cedar Hill, TX 75104 stepped forth to present this request and answer any questions from the Commission.

Commissioner Mason asked Mr. Patten about an unrecorded access easement, if he had any additional information on it.

Rod Tyler, Director of Planning, responded to Commissioner Mason's question. He said the surveyor for this project traced this easement back to the 1830's, and to the best of his knowledge, believed the easement was abandoned.

Commissioner Rush, believing that there was 6-8 inches of space between each of these units, asked Mr. Patten how they would deal with the maintenance of that space.

Mr. Patten clarified by stating that the units were attached; therefore, the 6-8 inches of space was on either side of the lot, and they propose to give that small amount of land to each of the adjacent property owners. Mr. Patten also stated that because the only access to the rear yards would be through the units, the rear yards would have decks to reduce lawn maintenance.

Commissioner Brooks asked Mr. Patten if he was aware of the City's comments regarding the water line and park land dedication.

Mr. Patten stated that he was aware of these comments.

A motion was made by Commissioner Brooks to approve Case Number 06-65, subject to 1) the installation of an 8-inch water line; 2) payment of parkland dedication fees; and 3) the granting of a Conditional Use Permit for town homes by the City Council. The motion was seconded by Commissioner Rush. The vote was as follows:

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

Nays: 0

Chairman Deburr declared the motion carried.

VI. Case Number 07-07 – Review and consider the Site Plan of Lot 1, Block 1, Cedar Hill Medical Center Addition showing a 25,006-sq.ft. non-residential building on 3.14-acres of land out of Abstract 877, generally located on the southwest corner of East Beltline Road/F.M. 1382 and Waterford Oaks Drive. *Requested by Jenny Kramer-McPhar of GSR Andrade Architects.*

Peter Phillips of The Cirrus Group, 9301 North Central Expressway, Suite 300, Dallas, TX 75231 stepped forth to present this request and answer any questions from the Commission.

Mr. Phillips stated that the primary entrance to this facility would be from Beltline Road, with a secondary entrance from Waterford Oaks Drive.

Commissioner Rush asked Mr. Phillips to point out to the Commission the location of the Beltline Road access drive.

Mr. Phillips, with the help of the architect for this project, pointed out the location of the access drive and explained they have a reciprocal agreement with the neighboring property owner for a common access drive approach, which was approved by TxDot, to help alleviate the number of approaches onto Beltline Road.

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

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

Nays: 0

Chairman Deburr declared the motion carried.

VII. Case Number 07-09 – Review and consider the Preliminary Plat and Plans of Stoney Creek showing 41 residential lots on 44.95-acres of land out of Abstracts 1046, 136 and 1085 generally located on South Clark Rd, south of Plummer Elementary School. *Requested by Mark Assad, P.E. of A.N.A. Consultants, L.L.C.*

Mark Assad, P.E. of A.N.A. Consultants, L.L.C., 1701 River Run, Suite 610, Ft. Worth, TX 76107 stepped forth to present this request and answer any questions from the Commission.

Mr. Assad, in an attempt to address some of the comments from the citizens in the audience, as well as Staff, stated that the plat would be revised to show access for Lot 12, the correction of the street name of Pisces to Saturn, the length of the street transition onto S. Clark Road would be extended, and the easement for the forced main would be researched and shown appropriately on the drawings. He also stated his client, Mr. Shelton was present and has agreed to change the name of this subdivision and meet with the residents in Stony Creek to answer any questions they may have about his development.

Vice-Chairman Strother stated that there should be no private drives allowed onto S. Clark Road.

Mr. Assad agreed with this statement.

Commissioner Rush asked Mr. Assad what type of fencing would be used for the lots backing up to S. Clark Road and suggested they consider some type of uniform, low maintenance fencing material such as vinyl.

Mr. Assad stated that there is actually a row of Cedar trees on S. Clark Road that they would like to keep intact as a natural barrier.

Commissioner Mason, referencing Ms. Ames comment from the Citizens Forum, asked if Lot 12 would be sold to another developer.

Mr. Assad stated that his client had been in negotiations to sell the lot to an individual, not a developer, for the purpose of building one single-family house.

Commissioner Brooks asked Staff to make sure that the revised plat is forwarded to the Parks Department for their meeting, since the revised plat would show access across a proposed open space area dedicated to the Parks Department.

A motion was made by Commissioner Mason to approve Case Number 07-09, subject to the following:

- Subdivision name being changed;
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- Show an easement or the location and recording date for the forced wastewater main located in the southwestern corner of this development;
- City Council's concurrence that the minor collector street shown on the Master Thoroughfare Plan is not necessary;
- Approval by the Park's Board on proposed park/trail layout;
- Correction of street name - Pisces to Saturn;
- Revised frontage for Lot 12;
- Widen transition onto S Clark Rd;
- No private drives allowed onto S Clark Rd.

The motion was seconded by Commissioner Saldaña. The vote was as follows:

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

Nays: 0

Chairman Deburr declared the motion carried.

VIII. Staff Reports

Rod Tyler, Director of Planning, reviewed with the Commission the proposed Tree Preservation Ordinance that was included in their packet. After some brief discussion it was determined that the Commission would forward any comments or concerns they may have relative to this proposed ordinance to the Planning department to make the any necessary corrections. The Commission also instructed the Planning staff to set up two presentations, one for developers and one for neighborhoods to obtain comments or answer any questions.

IX. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:02 p.m.

Detrick DeBurr
Chairman

Belinda L. Huff
Planning Secretary
