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**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Meeting of December 16, 2014**

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*The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, December 16, 2014 at 6:00 p.m. in the T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Blvd, Bldg. 100, Cedar Hill, TX.*

*Planning & Zoning Commissioners present: Chairman Theresa Brooks, Vice-Chairman Bill Strother and Commissioners: Michael Deeds, Gehrig Saldana and Timothy Hamilton.*

*Planning and Zoning Commissioners absent: Commissioners Adriane Martin and Lisa Thierry.*

*City Staff members present: Rod Tyler, Director of Planning, Don Gore, Senior Planner; and Sharon Davis, Executive Secretary.*

**I. Call the meeting to order**

Chairman Brooks called the meeting to order at 6:00 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 November 4, 2014 regular meeting**

A motion was made by Commissioner Deeds and seconded by Commissioner Hamilton to approve the minutes of the November 4, 2014 regular meeting. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother, Commissioners, Deeds, Saldana and Hamilton

Nays: 0

Abstain: 2 – Commissioners Thierry and Martin

Chairman Brooks declared the motion carried.

**III. Citizens Forum**

No one spoke.

**IV. Case No. 14-32 – CONDUCT A PUBLIC HEARING and consider a request for a Conditional Use Permit** to allow additional outdoor sales, storage and display within U.S. Highway 67 street-yard (pursuant to section 5.4.9.B & C, Cedar Hill Zoning Code) on Lots 1AR-1 and 1AR-2, Block C, B&J Industrial District Installment No. 2, located at 616 Jealous Way; requested by Steve Homeyer of Homeyer Engineering on behalf of Bobcat, Inc.

Don Gore, Sr. Planner, presented to the Commission, the staff report, stating the applicant is requesting to utilize the existing building on 3.17 acres for heavy equipment sales with outside

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storage and display. The subject property is zoned Industrial "I" which allows heavy equipment sales, however; Section 5.4.9.C requires sales storage or display are to be authorized through the Conditional Use Process. Staff recommends approval with the following conditions: revise the site plan to locate the existing 6' chain-link fence inside the western property line; label the display areas, rental equipment display areas and new equipment display areas; provide a note that applicant has been granted a special exception to the Zoning Ordinance to allow a dust free stone; revise the landscape plan to delineate the 25' landscape strip along the Highway 67 corridor and revise the landscape plan to provide groundcover, shrubs, flowers within the landscape strip along Highway 67. A Preliminary Plan done by the City shows the existing buildings are not in a flood plain but FEMA will need to verify that.

Mr. Young, 1302 S. I35, Lewisville, TX stepped forth to present this request. The applicant also stated they will be moving the fence within the property line and is working on coming up with a dust free product.

Chairman Brooks opened the public hearing for anyone wishing to speak in support 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 of this request.

No one spoke.

Chairman Brooks closed the public hearing and opened the floor for discussion.

Commissioner Deeds asked the applicant if he had any objections to the staff's recommendations. If the applicant is willing to find a dust free product and how to make a product dust free.

Mr. Young stated they will implement the staff recommendations. There are dust free products out there and will find the best one that meets their needs.

Chairman Brooks asked if water goes through the concrete or does it run off.

Mr. Young stated some of the water does go through the concrete but some does flow off.

Commissioner Deeds made a motion to recommended approval of Case 14-32 subject to staff's recommendations. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother, Commissioners Deeds, Hamilton, and Saldana.

Nays: 0

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Chairman Brooks declared the motion carried unanimously.

**V. Staff Reports & Discussion Items**

1. Solar PV Systems

Don Gore, Senior Planner presented the potential standards for the residential zoning districts. They are as follows:

- 1) Purpose
- 2) Definition
- 3) Primary Use Required
- 4) Maximum Height
- 5) Setback
- 6) Permit
- 7) Noise & Vibration
- 8) Manufacture's Specification
- 9) Compliance with Current City Adopted building Code
- 10) Compliance with Current City Adopted Electric Code
- 11) Notification

The following comments/questions were made:

Commissioner Deeds suggested striking out the word chemical in the definition; is there no minimum height on the ground mounted units; and is there any regulation in hiring a licensed electrician.

Commissioner Hamilton asked how the permit fee for solar is calculated.

Vice-Chairman Strother asked if solar would be part of the building permit process.

Rod Tyler, Director of Planning answered the commissioners concerns as follows:

The Building Inspections Dept. handles the building permit process and there will probably be a flat rate for solar and be part of the building permit application process. Building Inspections may use the standards already set for accessory buildings for solar. Building Inspections felt the minimum height does not need to be regulated at this time. Also, Building Inspections handles contractor's registration.

Mr. Gore asked the Commission if they were ok with what has been presented. Are there going to be any differences with the commercial standards.

Chairman Brooks still had concerns with historical downtown.

Mr. Gore indicated solar would be handled through the Historical Preservation Board. A preservation plan will be developed and solar would be a part of that.

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Mr. Gore indicated we will go over commercial standards at the next P&Z meeting.

Mr. Tyler summarized that solar panels for residential would be allowed on all main structures, accessory structures or build on an accessory structure that has roof of panels. Also has to comply with all setbacks of the main and accessory structure.

Mr. Tyler suggested that solar panels for residential not be allowed in the street yard and for commercial not within required setbacks.

Mr. Tyler wanted the Commission to think about if solar farms would be allowed by right in retail, commercial or Industrial. What are the negative impacts in Industrial – no noise, pollution, etc.

## 2. Recent Submittals

Mr. Gore reviewed the recently submitted cases with the Commission.

## **VII. Adjourn**

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:08 pm.

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Theresa Brooks  
Chairman

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Sharon Davis  
Executive Secretary

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