
**MINUTES
PLANNING AND ZONING COMMISSION
Meeting of June 3, 2014**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, June 3, 2014 at 6:00 p.m. in T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Boulevard Building 100, Cedar Hill, Texas.

Planning & Zoning Commissioners present: Chairman Theresa Brooks, Vice-Chairman Bill Strother and Commissioners: Gehrig Saldana, Michael Deeds, Lisa Thierry and Stephanie Freeman.

Planning & Zoning Commissioners absent: Commissioner Timothy Hamilton

City Staff members present: Don Gore, Senior Planner, Allison Thompson, Director Economic Development and Sharon Davis, Executive Secretary.

I. Call the meeting to order

Chairman Brooks called the meeting to order at 6:02 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 May 20, 2014 regular meeting

A motion was made by Commissioner Deeds to approve the minutes of the May 20, 2014 regular meeting subject to Staff providing definitions regarding chemicals and products used by the manufacturing company wishing to relocate to City Hill. The motion was seconded by Vice Chairman Strother. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners, Deeds, Saldana, Freeman and Thierry

Nays: 0

Chairman Brooks declared the motion carried.

III. Citizens Forum

No one spoke.

IV. Case No. 14-15 – CONDUCT A PUBLIC HEARING and consider a request for a Conditional Use Permit for gas and fuel sales (retail only) at future Neighborhood Wal-Mart on 0.6 acres, David Merrill Abstract 877, located south of E. Beltline (FM 1382) and about 450 feet east of Joe Wilson Road; requested by William Dahlstrom of Jackson Walker, LLP on behalf of Wal-Mart Neighborhood Stores.

Mr. Myron Dornic with Jackson Walker, LLP, is requesting a Conditional Use Permit (CUP) for gas and fuel sales in conjunction with the proposed Neighborhood Walmart store. The fuel sales are

separate from Neighborhood Walmart because it is already allowed under the current retail zoning. There is a joint use agreement with the driveway to the left with the existing store. The street yard calculation will be corrected with the calculation from the kiosk versus the canopy and the additional trees being added to the landscape.

Secretary's Note: Chairman Freeman arrived at 6:11pm.

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.

Mr. Gore stated the applicant is proposing to construct an approx. 740 sq. ft. convenience store kiosk with fuel sales on .62 acres located approx. 365 feet east of Joe Wilson and South of Beltline Rd. The proposed 24 hour, 7 day a week convenience store will have 12 dispensers. The property is zoned Local Retail.

The submitted landscaped plan does not comply with the landscape requirements outlined in the Zoning Ordinance. The submitted site plan does not show the adjusted right-of-way line in addition to the delineation of the street yard is also inconsistent with this requirement of the Zoning Ordinance. The number of street trees required and percentage of landscaping is also inconsistent.

Staff recommends approval of the proposed CUP with the mentioned conditions being amended.

Mr. Deeds asked if the two areas (ingress and egress) will be installed at the same time. Mr. Deeds also asked to describe the function of the kiosk.

Mr. Andrew Moon with RHA Architects stated the kiosk is about 740 sq. ft. and can be entered into to purchase snacks.

Mr. Strother asked if there would be any other signage other than on the canopies. What is the time frame in the store opening after the gas station opens.

Mr. Moon stated there will be additional monument signage for the store but not the gas station. They do not have a date for opening but plan to open the store and the gas station at the same time.

Commissioner Deeds recommended approval of Case 14-15 upon compliance with Staff's recommendations. The motion was seconded by Commissioner Thierry. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Thierry, Saldana, Deeds and Freeman.

Nays: 0

Chairman Brooks declared the motion carried unanimously.

V. Staff Reports & Discussion Items

1. Zoning Ordinance Discussion

Mr. Gore recapped the issues that were discussed on the May 20th P&Z Meeting. P&Z reviewed these items and decided the first three topics were similar and therefore can be discussed at the same time.

Mr. Deeds asked for an example of what kind of business would fall under a concrete product manufacturing (outdoors).

Mr. Gore explained any business that may have material/dust/noise blowing in the wind.

Chairman Brooks had a concern with smoke stacks. She would need clarification if a smoke stack or ventilation system coming out of the building is considered part of the height.

Mr. Gore said he would get with Johnny Kendro to get a clarification on the smoke stacks/ventilation systems. Also do a briefing memo for the City Council and draft up an ordinance of the amendments discussed at the coming P&Z Meeting.

2. Recent Submittals

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

VI. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 6:36 pm.

Theresa Brooks
Chairman

Sharon Davis
Executive Secretary
