
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of June 1, 2010

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, June 1, 2010 at 6:00 p.m. in the T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Boulevard Building 100, Cedar Hill, Texas.

Present: Vice-Chairman Todd Hinton and Commissioners Bill Strother, Gehrig Saldaña, Theresa Brooks and Tim Hamilton.

Absent: none.

I. Call the meeting to order

Vice-Chairman Hinton called the meeting to order at 6:03 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 May 18, 2010 regular meeting

A motion was made by Commissioner Brooks to approve the May 18, 2010 minutes, as presented. The motion was seconded by Commissioner Hamilton. The vote was as follows:

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

Nays: 0

Vice-Chairman Hinton declared the motion carried.

III. Citizens Forum

No one spoke

IV. Case No. 10-03 – CONDUCT A PUBLIC HEARING and consider a request for a Re-Plat of Lot 7R, Block 2, Brookview Addition **INTO** Lots 7R-1 and 7R-2, Block 2, Brookview Addition being 2.659-acres of land out of Abstract 305, generally located 2,200 feet east of South Cedar Hill Road, between Windy Lane and Evergreen Trail. *Requested by Carmen & Angel Guerra.*

Carmen Gamez Guerra, 340 Evergreen Trail, Cedar Hill, TX 75104, stepped forth to present this request and answer any questions from the Commission.

Vice-Chairman Hinton opened the floor for anyone wishing to speak in favor of this request.

No one spoke.

Vice-Chairman Hinton closed that portion of the public hearing and opened the floor for anyone wishing to speak in opposition to this request.

No one spoke.

Vice-Chairman Hinton closed the public hearing for this item and opened the floor to the Commission for discussion.

Commissioner Brooks asked the applicant if she was aware of City staff's comment regarding the payment of parkland dedication fees and the required variance to allow for an on-site [sewer] treatment system.

Ms. Guerra replied yes.

A motion was made by Commissioner Brooks to approve Case Number 10-03, subject to the City Council's granting a variance to the Subdivision Regulations allowing the use of an on-site treatment system and the payment of parkland dedication fees. The motion was seconded by Commissioner Saldana. The vote was as follows:

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

Nays: 0

Vice-Chairman Hinton declared the motion carried.

V. Case No. 10-06 – CONDUCT A PUBLIC HEARING and consider a request for a change in zoning **FROM** Planned Development No. 84-698 designated for “Municipal – Fire Station” **TO** “NS” – Neighborhood Services on 1.030-acres of land out of Abstract 233, more commonly known as 1420 High Pointe Lane, Cedar Hill, TX. *Requested by Christopher Conant of More Cabbage, LLC.*

Chris Conant, 2484 Lakewood Dr., Grand Prairie, TX 75054, stepped forth to present this request and answer any questions from the Commission.

Mr. Conant stated that he would like to renovate the existing structure to accommodate an office. He plans to construct a parking lot; however, he is ready to move in now and would like to request a temporary certificate of occupancy.

Vice-Chairman Hinton opened the floor for anyone wishing to speak in favor of this request.

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1. Joe Potter, President of the Cedar Hill Historical Society, 815 Knoll Manor Ct., Cedar Hill TX 75104

Mr. Potter stated that Mr. Conant is currently leasing the property but would like to purchase it so that he can relocate his office to this site.

2. Rod Reed, 1510 Cumberland Dr., Cedar Hill TX, 75104

Mr. Reed stated that he was a 23 year resident of Cedar Hill and a former member of the Board of Directors for the High Pointe Public Improvement District (HPPID). He stated that the HPPID would like to have this property back on the tax rolls not only for the benefit of the HPPID [assessment], but for the City as well. However, Mr. Reed cautioned the Commission regarding any deed restrictions that may be on the property in regards to an unregistered cemetery.

Vice-Chairman Hinton closed that portion of the public hearing and opened the floor for anyone wishing to speak in opposition to this request.

No one spoke.

Vice-Chairman Hinton closed the public hearing for this item and opened the floor to the Commission for discussion.

Commissioner Brooks asked City staff if banquet facilities were allowed in the Neighborhood Services zoning district.

Don Gore, City Planner, stated that banquet facilities are allowed with a Conditional Use Permit in the Neighborhood Services zoning district.

A motion was made by Commissioner Strother to approve Case Number 10-06, as presented. The motion was seconded by Commissioner Hamilton. The vote was as follows:

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

Nays: 0

Vice-Chairman Hinton declared the motion carried.

VI. Case No. 09-40 – Review and consider the Site Plan of First Baptist Church located at 602 W. Belt Line Road, showing the addition of a porte-cochere on Lot 1, First Baptist Church of Cedar Hill Addition, located off Broad Street and a new parking lot on Lot 2 R-2, Block 1, First Baptist Church of Cedar Hill Addition, located at the northwest corner of Main and Cedar Streets. *Requested by Rod Ekern of Hagan Engineering, Inc.*

Rod Ekern, of Hagan Engineering, Inc, and residing at 5100 Deerwood Park, Arlington, TX 76017, stepped forth to present this request and answer any questions from the Commission.

Since this application was composed of two distinct parts, the porte-cochere and a parking lot, Vice-Chairman Hinton asked the Commission to first comment on the porte-cochere.

Commission Brooks, referencing the plans, asked the applicant if they intent to enclose a stairwell and install a steeple. Additionally, she asked if the porte-cochere will be constructed of approved building materials.

Mr. Ekern stated yes, they plan to enclose a stairwell; however they were not constructing a steeple. And the exterior construction materials would match the existing building.

Mike Bostic, 420 Cross Creek Ct. Waxahachie, TX, 75167, stepped forth to assist in answering questions regarding this case.

Vice-Chairman Hinton, seeking clarification regarding the parking along Cedar St. asked if they are proposing to move their parking approximately 3 ft. and change the angle from 45 degrees to 30. As a result, this would reduce the existing parking by 50%.

Mr. Bostic stated that the existing street and sidewalk are located in the city ROW. The proposed sidewalk would be 1 foot into the church property, at the request of the City staff and the Main Street Board, thereby increasing the total width of the sidewalk to 5 ft. There would also be a curb and gutter constructed. He stressed that the church is able to construct its parking lot wholly on their property. At the request of City staff and the Main Street Board, they are to provide a 6 ft. planting area for screening of the parking lot. The church is deferring everything to south of their property line in terms of sidewalk width, curb and gutter, parking angles, etc., to the City as to what they require. If the City requires 30 degree angled parking, they will lose some parking spaces, if the City wants 60 angled parking, they would lose some street width, but they are willing to draw up a design that would satisfy whatever the City's requirements are.

Commissioner Brooks asked the applicant if they were eliminating all of the on-street parking along Houston St.

Mr. Bostic stated that although it is not shown on the plans, those parking spaces will remain. They will extend the sidewalk from the corner of the bank to the existing sidewalk Houston St.

Vice- Chairman Hinton stated that he had a concern with losing parking or reducing the street width on Cedar St.

Mr. Bostic stated that the Main Street Board has stated they would like to see 6 ft. of green space as a buffer for the parking area. To accommodate this, parking would be reduced from 13 parking to 8 along Cedar St.

Mr. Bostic conferred with Pastor Blair and stated that they were unclear as to how a wider sidewalk would line up with the existing bank building, since it's fixed on the corner of Houston St. and Cedar St.

Commissioner Brooks stated that she would like to see the 5 ft. wide sidewalk, for safety and that she appreciates the fact that the church is willing to share parking for public use.

Ms. Bostic stated that the church intends to be a good neighbor and share their parking lot for public use. They may close off the parking lot at times due to their own special events, but for the most part it will be accessible for public use.

Commissioner Saldana stated that he's heard the church's position and feels that the plan as presented is acceptable.

Commissioner Brooks stated that she was agreeable to the parking lot aspect of the site plan; however she had some issues with other elements of the site plan.

Moving on, Vice-Chairman Hinton asked Commissioner Brooks to express her concerns with the proposed site plan.

Commissioner Brooks asked the applicants if the proposed lighting fixtures will be the same as the fixtures that are currently in the downtown area and if they will be dark sky compliant.

Mr. Bostic stated that the lighting would not be the same as the fixtures in the public ROW. He stated the lighting is on private property and for the sole purpose of providing lighting for the parking area, but it would be dark sky compliant.

Commissioner Brooks stated that she would really like to see lighting fixtures similar to what is already in the downtown area.

Mr. Bostic stated that the church has an issue to the City's request for the historic style lighting fixtures on private property. If this is indeed a requirement, the church is requesting a variance to that requirement.

Commissioner Brooks stated that she believes this is a requirement per the Old Town/Uptown Overlay district zoning standards.

Commissioner Saldana, referring to the Main St. minutes, stated that there is a specific request for historic style lighting from the Board.

Mr. Bostic stated that from what he could recall, the church would investigate the cost of that type of lighting, but made no commitment to providing that type of lighting fixtures.

Mr. Ekern stated that it is illegal for the City to specify the type of light fixtures to be used on private property.

A motion was made by Commissioner Brooks to table consideration of Case Number 09-40. The motion was seconded by Commissioner Strother. The vote was as follows:

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

Nays: 0

Vice-Chairman Hinton declared the motion carried.

Vice-Chairman Hinton requested that City staff continue to work with the church on the lighting, parking lot and ROW issues.

V. Staff Reports & Discussion Items

a. Recent Submittals

This item was covered during the Commission's briefing session.

b. Continue discussion of exterior materials and building design

Don Gore, City Planner, reviewed with the Commission as draft purpose statement for exterior materials and asked for some feedback from what the Commission deemed as desirable and undesirable from the list of characteristics previously presented.

There was some discussion amongst the Commission on the list of desirable and undesirable characteristics. One reoccurring concern had to do with maintenance and longevity of exterior materials.

Vice-Hinton specifically stated that according to our recently adopted Comprehensive Plan, the City should be considering incorporating a variety of alternative materials.

Rod Tyler, Director of Planning, stated that the purpose statement should be very broad in nature, allowing for the Commission to use it as a "measuring stick" when reviewing requests for alternative exterior materials.

Commissioner Strother stated that he was satisfied with the purpose statement as proposed.

c. Discussion of additional uses proposed for the IP zoning district

Discussion on this item was deferred to an upcoming P&Z meeting.

VI. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:39 p.m.

Todd Hinton
Vice-Chairman

Belinda L. Huff
Planning Secretary
