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**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Meeting of August 17, 2010**

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*The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, August 17, 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 Theresa Brooks, Gehrig Saldaña, Lisa Thierry, Bill Strother and Tim Hamilton.*

*Absent: Commissioner Bill Nanry*

**I. Call the meeting to order**

Vice-Chairman Hinton 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. Approval the minutes of the July 20, 2010 regular meeting**

A motion was made by Commissioner Brooks to approve the July 20, 2010 minutes, as presented. The motion was seconded by Commissioner Thierry. The vote was as follows:

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

Nays: 0

Abstention: 1- Commissioner Strother

Vice-Chairman Hinton declared the motion carried.

**III. Citizens Forum**

No one spoke

**IV. Election of Officers**

Chairman Hinton asked the Commission if they had preference on how to handle the election of officers, specifically would they prefer to make secret nominations or open nominations.

Commissioner Brooks nominated Vice-Chairman Hinton for the position of Chairman. Commissioner Saldana seconded the motion. The vote was as follows:

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Ayes: 6 – Vice-Chairman Hinton and Commissioners Brooks, Strother, Saldana, Thierry and Hamilton.

Nays: 0

Chairman Hinton declared the motion carried.

Commissioner Strother nominated Commissioner Brooks for the position of Vice-Chairman. Commissioner Thierry seconded the motion. The vote was as follows:

Ayes: 6 – Chairman Hinton and Commissioners Brooks, Strother, Saldana, Thierry and Hamilton.

Nays: 0

Chairman Hinton declared the motion carried.

**V. Case No. 10-16 – CONDUCT A PUBLIC HEARING** and consider a request for a change in zoning **FROM** “SF-8.5” – Single-Family Residential with restrictions **TO** “SF-8.5” – Single-Family Residential without restrictions on 33.02-acres of land out of Abstract 132, generally located south of Parkerville Road, at South Highland Dr. *Requested by Rodney Holloman of Wildwood Development Company.*

*Rodney Holloman, 1130 N Westmoreland Rd. DeSoto, TX 75115, stepped forth to present this request and answer any questions from the Commission.*

Mr. Holloman stated he was before the Commission in 2005 regarding this same property. At that time, a number of restrictions were placed on the property. Because of the downturn in the economy, they’ve held off on developing the property until they find just the right builder. They are currently looking at 3 home builders that have expressed interest in building at this site, DR Horton, 1<sup>st</sup> Choice Homes and MacGyver Homes. Additionally, the applicant cited the inability of buyers to qualify for mortgages as a factor in requesting this change in zoning.

Chairman Hinton asked the applicant if they have commitments from these builders.

Mr. Holloman stated that they have 3 letters of intent from them.

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

No one spoke.

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

Ms. Carroll stated that she feels the restrictions should be kept on the property. She stated that over the years she's experienced various problems from kids wandering near her property to trash and debris and suggested the applicant construct a cement wall to separate their property from the adjacent properties along this southern side.

2. Nancy James - 321 E Little Creek Rd., Cedar Hill, TX 74104

Ms. James stated that she was opposed to the development back in 2005 and opposed to the development now. She also stated that she's experienced problems with trash and debris and would like to see a taller cement wall constructed to keep children out.

3. Troy Grimes - 335 E Little Creek Rd. Cedar Hill, TX 75104

Mr. Grimes stated that he is against the lower minimum home size.

4. Mark Carroll - 327 E Little Creek Rd, Cedar Hill, TX 75104

Mr. Carroll stated that the City approved this zoning change request based on the fact the developer was promising to build larger homes and construct an upgraded fence. He stated that he predicted the downturn in the housing market and suspected that the developer would be back to request the restrictions be lifted. He stated that the City needs to plan for the best and highest use for this property and to not allow smaller homes to be constructed on it, as the City has enough small homes. Additionally, he stated that people with lower credit scores tend to buy smaller homes and they are not as responsible when it comes to maintaining their property.

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

Mr. Holloman, in response to some of the comments raised during the public hearing, stated that he disagrees with the correlation of credit scores and people maintaining their property. The high number of foreclosures in the DFW area isn't exclusive to those with smaller homes. Mortgages are very hard to come by at the present time; however, their home product would start at \$180,000, which is the minimum qualifying amount for an FHA loan. Additionally, he stated that they could keep the standard regarding the 8 ft. cedar fencing on the lots on the south side.

Commissioner Strother asked the applicant what they anticipated the selling price of the homes would be.

Mr. Holloman stated \$180,000, the FHA loan minimum, to roughly \$200,000. He stated that many of the home products will be larger than the 1,800 sq. ft. minimum specified in the zoning ordinance; however, their prospective builders want the flexibility to build some smaller homes.

Commissioner Thierry asked the applicant if they could construct a cement fence.

Mr. Holloman stated that they could not place that kind of burden on the builder. He estimated it would add an additional 6 or 7 thousand dollars to the prices of those lots to build masonry fences.

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Commissioner Thierry stated that she would take the applicant's response as a "no" to the building of a cement fence.

Vice-Chairman Brooks stated that she wasn't in favor of this development in 2005; therefore, she is not inclined to make any changes.

Commissioner Saldana echoed Vice-Chairman Brook's sentiments.

A motion was made by Commissioner Strother to deny Case Number 10-16, as presented. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 6 – Chairman Hinton, Vice-Chairman Brooks and Commissioners Saldana, Strother, Thierry, and Hamilton.

Nays: 0

Chairman Hinton declared the motion carried.

*Secretary's note - Commissioner Strother left at 6:46 pm.*

**VI. Case No. 10-08 – Review and consider the Preliminary Plat and Layout Plans for Cedar Crest Addition Phase 3B**, showing 89 residential lots and 1 common area lot on 23.724 acres of land out of Abstract 1552, generally located north of Capricorn Street and east of Hayes Street. *Requested by Nathan Thompson of Jacobs Engineering Group, Inc.*

*Mark Spears of Jacobs Engineering, 7950 Elmbrook Drive, Dallas, TX 75247, stepped forth to present this request and answer any questions from the Commission.*

Mr. Spears stated that this is the last phase of the Cedar Crest project. The previous preliminary plat expired; however, KB Homes is now ready to proceed with the project.

Commissioner Brooks asked the applicant if he was aware of City staff's comment regarding the payment of park dedication fees.

Mr. Spears replied yes.

A motion was made by Commissioner Hamilton to approve Case Number 10-08. The motion was seconded by Vice-Chairman Brooks. Chairman Hinton asked Commissioner Hamilton if his motion included Staff's comments. Commissioner Hamilton replied yes.

The vote was as follows:

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

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Nays: 0

Chairman Hinton declared the motion carried.

## **VII. Staff Reports & Discussion Items**

### **1. Review of Cedar Hill Zoning Code - Section 2.6 entitled *Site Plan Review***

Rod Tyler, Director of Planning, reviewed with the Commission a PowerPoint presentation regarding site plan approval. The PowerPoint consisted of 20 multi-choice questions, in which the Commission interactively participated in answering and discussing the questions. The Commission identified the need for an ordinance amendment to the Site Plan section to make it consistent with our practices.

### **2. Recent Submittals**

Don Gore, City Planner, reviewed with the Commission recently submitted cases and upcoming agenda items.

## **IX. Adjourn**

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:55 p.m.

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Todd Hinton  
Chairman

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Belinda L. Huff  
Planning Secretary

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