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**MINUTES  
PLANNING AND ZONING COMMISSION  
Meeting of July 7, 2009**

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*The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, July 7, 2009 at 6:00 p.m. in the T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Blvd. Building 100, Cedar Hill, Texas.*

*Present: Chairman Bill Strother and Commissioners Theresa Brooks, Todd Hinton, Steve Mason, Tim Hamilton and Gehrig Saldaña.*

*Absent: None.*

**I. Call the meeting to order**

Chairman Strother called the meeting to order at 6:08 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 June 2, 2009 meeting**

A motion was made by Commissioner Hamilton to approve the minutes of the June 2, 2009 meeting, as presented. The motion was seconded by Commission Hinton. The vote was as follows:

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

Nays: 0

Chairman Strother declared the motion carried.

**III. Citizens Forum**

No one spoke

**IV. Case No. 09-16 – CONDUCT A PUBLIC HEARING and consider a request for a Conditional Use Permit to serve Alcoholic Beverages** in conjunction with a restaurant. The restaurant is zoned Planned Development for Local Retail and is located at 305 West F.M. 1382, Suite 114, Cedar Hill, TX. *Requested by Maxwell Buehler on behalf of Petaluma Cafe.*

*Gary Buehler, 8728 Arbor Park Ct., Dallas, TX. 75243, stepped forth to present this request and answer any questions from the Commission.*

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

No one spoke.

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

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No one spoke.

Chairman Strother closed the public hearing for this item and opened the floor to the Commission for discussion.

Commissioner Hinton asked the applicant if his employees were certified by the TABC.

Mr. Buehler stated that all of his employees are TABC certified.

A motion was made by Commissioner Mason to approve Case No. 09-16, as presented. The motion was seconded by Commissioner Hamilton. The vote was as follows:

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

Nays: 0

Chairman Strother declared the motion carried.

**V. Case No. 09-17 – CONDUCT A PUBLIC HEARING and consider a request to** revise Section 9 of Planned Development Ordinance #2008-358, which will extend the deadline to submit a **PD Development Plan** for **Stonehill Addition**. The subject property is approximately 156.81-acres of land out of Abstract 1122, generally located at the northwest corner of Cockrell Hill Road and Bear Creek Road. *Requested by Bill Parsons of Spyglass Hill GP, L.L.C.*

*Bill Parsons of Spyglass Hill GP, L.L.C., 17480 Dallas Parkway, Suite 107, Dallas, TX 75287,* stepped forth to present his request and answer any questions from the Commission.

Mr. Parsons stated that he is requesting this extension due to the extremely poor housing market.

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

No one spoke.

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

No one spoke.

Chairman Strother closed the public hearing for this item and opened the floor to the Commission for discussion.

Commissioner Hinton asked the applicant if this property would remain residential, given the impending Loop 9 project.

Mr. Parsons stated that at this time, no additional ROW dedication is required for Loop 9 so the residential zoning is still viable. However, he stated that he has been in talks with a commercial use that could be a better fit for this area, but cautioned that this site was competing with several other

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locations in the Metroplex. The applicant stressed that whether this project was to remain residential or converted to non-residential, he plans to move forward with development within the next 8-12 months.

A motion was made by Commissioner Hinton to approve Case No. 09-17, as presented. The motion was seconded by Commissioner Brooks. The vote was as follows:

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

Nays: 0

Chairman Strother declared the motion carried.

**VI. Case No. 09-19 – CONDUCT A PUBLIC HEARING** and consider a request for a **Re-Plat creating Lots 1R2-A1 through 1R2-A4, 1R2-C1 through 1R2-C3, Block B, Cedar Hill Village Addition** being 15.623-acres of land out of Abstract 1472, generally located between Uptown Blvd. and Copper Chase Drive. *Requested by Jim Riley of Brockette, Davis, Drake, Inc.*

*Doug Patterson of Corinth Properties, 200 Knox Place, 4645 North Central Expressway, Dallas, Texas 75205, stepped forth to present his request and answer any questions from the Commission.*

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

No one spoke.

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

No one spoke.

Chairman Strother closed the public hearing for this item and opened the floor to the Commission for discussion.

Commissioner Brooks asked the applicant if Cedar Bend or Haswell Drives would be used for ingress/egress.

Mr. Patterson stated no, the existing ingress/egress is sufficient for the new configuration of lots.

Commissioner Mason asked the applicant if each lot would conform to parking requirements.

Mr. Gore commented that parking is dependant upon use; therefore, parking should not be a factor in plat consideration.

Mr. Patterson stated that all of the lots have reciprocal parking agreements, so parking should not be an issue.

A motion was made by Commissioner Mason to approve Case No. 09-19, as presented. The motion was seconded by Commissioner Brooks. The vote was as follows:

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

Nays: 0

Chairman Strother declared the motion carried.

**VII. Case No. 09-14 – Review and consider the Final Plat and Civil Plans of Lot 1, Block A, New Beginnings Community Fellowship Addition**, creating 1 non residential lot on 4.761-acres of land out of Abstract 863, generally located southwest of Kingswood Drive and U.S. Highway 67. *Requested by David Francis of Criado & Associates, Inc.*

*David Francis of Criado & Associates, Inc., 4141 Blue Lake Circle, Suite 133, Dallas, TX 75244, along with Marion Johnson of Design & Development Consultants, 1802 Creek Crossing, Garland, TX., 75040, stepped forth to present this request and answer any questions from the Commission.*

Commissioner Hinton stated that some time ago, during the preliminary plat approval process, he requested traffic studies and/or counts for the Kingswood area. He asked the applicants if they had this information.

Mr. Francis stated that he spoke with the City's Public Works Department and they concurred with his analysis, that a traffic study is not warranted in this area [and for this use] and the City Engineer has approved their current design.

Commissioner Hinton asked the applicant, with respect to installing curb and gutter and sidewalks, to explain why they are claiming financial hardship.

Mr. Johnson stated that with the sidewalks there is a connectivity issue, particularly since the adjacent neighborhood doesn't have sidewalks. Additionally he stated that the church is running over budget with the development of this property.

Mr. Gore stated that city staff has requested the installation of sidewalks and curb and gutter prior to the issuance of a building permit.

Mr. Francis stated that sidewalks are shown on their most recent [civil plan] submittal. Commissioner Brooks stated that she believes sidewalks are a good idea, but the installation of curb and gutter would require a considerable amount of work and expense which in this case, may not be warranted.

A motion was made by Commissioner Brooks to approve Case No. 09-14, with no curb and gutter but with the installation of sidewalks and revising the plat to correctly label a 10 ft. drainage easement. The motion was seconded by Commissioner Hinton. The vote was as follows:

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

Nays: 0

Chairman Strother declared the motion carried.

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## **VIII. Reports**

### **i. Discussion on 2008 Comprehensive Plan Implementation**

Mr. Gore stated that enclosed in the Commission's packet is the final [Comprehensive Plan Implementation] work plan. He asked the Commission if they had any questions regarding the plan and informed them that, for now, this would conclude their discussions on the Comprehensive Plan Implementation Plan

Commissioner Brooks stated she is satisfied with the work plan, as presented.

Commissioner Hinton also stated that he is satisfied with the work plan, as presented.

Commissioner Brooks asked if [City] staff would be reporting back to the Commission from time to time on the status of the work plan objectives.

Mr. Gore stated yes, staff would report back to the Commission as necessary or at least on an annual basis.

### **ii. Discussion on City Center Plan**

Mr. Gore briefly summarized the City Center Plan concept plan. He stated that with the help of a consultant, the City will seek grants to fund various projects in and around the Downtown/Uptown area. One such project is a proposed Transit Oriented Development plan

### **iii. Recent Submittals**

Belinda Huff, Planning Secretary, reviewed with the Commission new and upcoming agenda items.

## **IX. Adjourn**

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:16 p.m.

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Bill Strother  
Chairman

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Belinda L. Huff  
Planning Secretary

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