

**MINUTES
PLANNING AND ZONING COMMISSION
Meeting of November 5, 2007**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on MONDAY, November 5, 2007 at 6:00 p.m. in the Council Chambers of City Hall, 502 Cedar Street, Cedar Hill, Texas.

Present: Chairman Bill Strother, Vice-Chairman David Rush and Commissioners Stephen Mason, Tim Hamilton and Gehrig Saldaña

Absent: Commissioners Theresa Brooks and Todd Hinton.

I. Call the meeting to order

Chairman Strother called the meeting to order at 6:06 declaring it an open meeting in which a quorum was present and the meeting notice was duly posted.

II. Approve the minutes of the October 15, 2007 meeting

A motion was made by Vice-Chairman Rush to approve the minutes of the October 15, 2007 meeting, as presented. The motion was seconded by Commissioner Mason. The vote was as follows:

Ayes: 5 – Chairman Strother, Vice-Chairman Rush and Commissioners Mason, Hamilton and Saldaña

Nays: 0

Chairman Strother declared the motion carried.

III. Citizens Forum

No one spoke.

IV. Case Number 07-46 – CONDUCT A PUBLIC HEARING and consider a request for a **Re-Plat** of the south ½ of Lots 7 & 8 & an abandoned access strip, Block 5, Original Cedar Hill Town Plat **INTO** Lots 9R, 10R & 11R, Block 5, Original Cedar Hill Town Plat on 0.167-acres of land out of Abstract 881, more commonly know **308 South Main Street**. *Requested by Justin Young.*

Justin Young, 714 Carriage Way, Duncanville, TX. 75137 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.

No one spoke.

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

Seeing no discussion, Commissioner Mason made a motion to approve Case Number 07-46, subject to the following: (1) payment of parkland dedication fees; (2) payment of escrow for the construction of a sidewalk across the frontage of these 3 lots; (3) the plat name in the dedication statement being corrected; and (4) offsite grading is installed with the construction of the buildings. The motion was seconded by Vice-Chairman Rush. The vote was as follows:

Ayes: 5 – Chairman Strother, Vice-Chairman Rush and Commissioners Mason, Hamilton and Saldaña

Nays: 0

Chairman Strother declared the motion carried.

- V. **Case Number 07-29 – Review and consider the Site Plan** of a 2,945 sq. ft. building addition on **Lot 1, Block A, Performing Arts Addition** more commonly known as **205 West Beltline Road**. *Requested by Norman Patten of Norman Patten & Associates.*

Fred Garza, 701 West Beltline Road, Cedar Hill, TX 75104 stepped forth to present this request and answer any questions from the Commission.

Seeing no discussion, Vice-Chairman Rush made a motion to approve Case Number 07-29, subject to the following: (1) securing of offsite drainage agreement; and (2) recording of the final plat at the County. The motion was seconded by Commissioner Saldaña. The vote was as follows:

Ayes: 5 – Chairman Strother, Vice-Chairman Rush and Commissioners Mason, Hamilton and Saldaña

Nays: 0

Chairman Strother declared the motion carried.

- VI. **Case Number 07-42 – Review and consider the Site Plan** of a 3,000 sq. ft. convenience store on **Lot 21, Block C, Pleasant Run Farms Addition** more commonly known as **635 East Pleasant Run Road** *Requested by Norman Patten of Norman Patten & Associates.*
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Archie Hall of A&A Real Estate, 702 Cedar St., Cedar Hill, TX 75104 stepped forth to present this request and answer any questions from the Commission.

Mr. Hall stated he is here representing the applicant because Norman Patten was out of the country. Mr. Hall met with Mr. Patten prior to his departure and was told that he has a alternative solution for the drainage issues associated with this project, and would present this alternative to City staff upon his return.

Commissioner Mason questioned Mr. Hall about the removal the masonry wall buffering this site from the adjacent residences.

Mr. Hall stated that a representative from the Planning Department told his client that the wall was not required; therefore they removed it from the plans.

Commissioner Mason also inquired about the issues of right-of-way dedication and sidewalk escrow.

Mr. Hall stated the final plat showed the appropriate right-of-way dedication required by the City and that his client is aware of the sidewalk escrow and will work with the City's engineering department on this issue.

Chairman Strother stated that on the plans there appears to be a 2nd story shown, but only on the rear elevation.

Mr. Hall stated that there would be a very small office area for the store owner at the rear of the store, on a second floor but that second floor would not extend over the entire first floor area.

A motion was made by Vice-Chairman Rush to approve Case Number 07-42, subject to the following: (1) the planting of larger trees on the site to satisfy the required tree mitigation requirements, (2) payment of sidewalk escrow; (3) dedication of a drainage easement and construction of a drainage structure sufficient to convey storm water across this site; and (4) removal of the masonry buffer wall. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5 – Chairman Strother, Vice-Chairman Rush and Commissioners Mason, Hamilton and Saldaña

Nays: 0

Chairman Strother declared the motion carried.

VII. Case Number 07-57 – Review and consider the Final Plat and Civil Plans of Lots 1 & 2, Block A, Uke Addition creating 2 non-residential lots on 5.13-acres of land out of Abstract 711, generally located northeast of East Beltline Road and North Clark Road. *Requested by Rankin Egwu of ADI Engineering.*

Rankin Egwu of ADI Engineering, 8035 East RL Thornton Frwy, Suite 600, Dallas, TX 75228 stepped forth to present this request and answer any questions from the Commission.

Mr. Egwu stated that the owner, Mr. Uke, who could not be here this evening, is a resident of Cedar Hill and has several similar projects in various cities.

Vice-Chairman Rush asked Mr. Egwu if there were any confirmed lessees for this shopping center.

Mr. Egwu stated that at this time, he was not aware of any confirmed occupants for this shopping center.

Vice-Chairman Rush observed that the plans show parking in excess of what is required.

Mr. Egwu stated that the excess parking area would remain unpaved.

Vice-Chairman Rush, in response to Mr. Egwu's comment of this parking area remaining unpaved then asked if there would be some type of barriers in place to prevent vehicular traffic traveling over that area.

Mr. Egwu stated that he just received a comment from City staff on placing bollards to prevent vehicular traffic onto the unpaved area. He said it was not originally their intent to barricade that area, but they would comply with any requests by the City.

A motion was made by Vice-Chairman Rush to approve Case Number 07-57, subject to the offsite drainage easement being modified as required and its recording data being placed on the plat prior to filing at the County. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5 – Chairman Strother, Vice-Chairman Rush and Commissioners Mason, Hamilton and Saldaña

Nays: 0

Chairman Strother declared the motion carried.

VIII. Case Number 07-58 – Review and consider the Site Plan of a 16,148 sq. ft. non-residential building on **Lot 2, Block A, Uke Addition** generally located northeast of East Beltline Road and North Clark Road. *Requested by Rankin Egwu of ADI Engineering.*

Rankin Egwu of ADI Engineering, 8035 East RL Thornton Frwy, Suite 600, Dallas, TX 75228 stepped forth to present this request and answer any questions from the Commission.

Seeing no discussion, Commissioner Mason made a motion to approve Case Number 07-58, subject to the following: (1) the plat being recorded at the County; (2) the unpaved area being secured with vehicular barriers; (3) parking lot design being modified for safe traffic movement;

and (4) the number of parking spaces being reduced by 50 spaces and associated paving. The motion was seconded by Vice-Chairman Rush. The vote was as follows:

Ayes: 5 – Chairman Strother, Vice-Chairman Rush and Commissioners Mason, Hamilton and Saldaña

Nays: 0

Chairman Strother declared the motion carried.

IX. Case Number 07-60 – Review and consider the Final Plat and Civil Plans of Lots 3 & 5, Block A, Cedar Hill Town Center Addition creating 2 non-residential lots on 15.071-acres of land out of Abstracts 306 & 1472, generally located northeast of Clancy Nolan Drive and Uptown Blvd. *Requested by Rusty Glover of Halff Associates.*

Graham Moore of Halff Associates, 3801 Parkwood Blvd. Suite 500, Frisco, TX, 75034 stepped forth to present this request and answer any questions from the Commission.

Commissioner Mason asked Mr. Moore if he was aware of staff's comments, particularly the one about the formation of a Property Owners Association (POA).

Mr. Moore stated that they were in the process of drafting POA documents and would submit them to the City very soon.

Vice-Chairman Rush asked Mr. Moore about remaining staff's comments.

Mr. Moore stated that he was aware of these comments and they would be modifying the plat accordingly upon recording of the on and offsite easements.

A motion was made by Commissioner Saldaña to approve Case Number 07-42, subject to the following: (1) recording data for separate instrument easements being shown on the plat prior to filing of the plat at the County; (2) Property Owners' Association (POA) being established and documents recorded that will require the POA to maintain the detention area easement; and (3) City Approval Block being modified to include a blank for the P&Z Chairman. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5 – Chairman Strother, Vice-Chairman Rush and Commissioners Mason, Hamilton and Saldaña

Nays: 0

Chairman Strother declared the motion carried.

X. Case Number 07-61 – Review and consider the Site Plan of a 76,296 sq. ft. office building on **Lot 5, Blk A, Cedar Hill Town Center** generally located northeast of Clancy Nolan Drive and Uptown Blvd. *Requested by Joseph Sagel of Halff Associates.*

Graham Moore of Half Associates, 3801 Parkwood Blvd. Suite 500, Frisco, TX, 75034 stepped forth to present this request and answer any questions from the Commission.

Mr. Moore stated that site plan is for a four story office/retail building and would defer to Mr. Blanch of Sandler Southwest Corp. for additional details regarding this project.

Neal Blanch of Sandler Southwest Corp. 4965 Preston Park Blvd. Suite 100, Plano, TX 75093 stated that this four story building would have covered parking and be used primarily for offices, with some retail and perhaps a dining establishment on the first floor.

A motion was made by Vice-Chairman Rush to approve Case Number 07-61, subject to the following: (1) plat being recorded at the County; (2) satisfying any required tree mitigation prior to issuance of a building permit, and (3) the execution and recording of the offsite parking agreement. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5 – Chairman Strother, Vice-Chairman Rush and Commissioners Mason, Hamilton and Saldaña

Nays: 0

Chairman Strother declared the motion carried.

XI. Staff Report

Rod Tyler, Director of Planning, reviewed with the Commission recent submittals and upcoming agenda items.

XII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:02 p.m.

Bill Strother
Chairman

Belinda L. Huff
Planning Secretary
