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**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Meeting of October 4, 2011**

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*The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, October 4, 2011 at 6:00 p.m. in the T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Boulevard Building 100, Cedar Hill, Texas.*

*Present: Chairman Theresa Brooks, Vice-Chairman Bill Strother and Commissioners Gehrig Saldaña, Stephanie Freeman, Lisa Thierry and Tim Hamilton.*

*Absent: None.*

**I. Call the meeting to order**

Chairman Brooks 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. Approve the minutes of the September 20, 2011 regular meeting**

A motion was made by Commissioner Hamilton to approve the minutes of the September 20, 2011, with one correction. The motion was seconded by Vice-Chairman Strother. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Freeman, Thierry, Saldaña and Hamilton.

Nays: 0

Chairman Brooks declared the motion carried.

**III. Citizens Forum**

No one spoke

**IV. Case No. 11-26 – Review and consider the Site Plan** of a 2,400 sq. ft. office/warehouse building on Lot 4D-R, Block 3, American Industrial Park Addition, generally located on American Way, south of Freedom Way., *requested by Norman Patten of Norman Patten & Associates.*

*Norman Patten of Norman Patten & Associates, 413 Cedar Street, Cedar Hill, TX 75104, stepped forth to present this request and answer any questions from the Commission.*

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Mr. Patten stated that his client is proposing to construct an office/warehouse to operate his excavation business. He stated the site plan meets all of the parking and landscaping requirements.

Vice-Chairman Strother asked the applicant to explain a comment made by City staff regarding the requirement of grading/drainage plans.

Mr. Patten stated that on the site plan there is a notation regarding the intent of the grading/drainage plans, but that he did not have the actual plans, they have not been received from his engineer. He stated that the Industrial Park has existing drainage plans and an existing detention pond. His client would only be responsible for the drainage of their particular site and they will meet those requirements.

Chairman Brooks stated, in reference to the lack of grading and drainage plans, it was disheartening to be asked to consider a site plan with so many crucial details missing.

Mr. Patten stated that he was confident all of the City's comments can be addressed without issue. With respect to the concern regarding drainage, he stated that the Industrial Park is set up to surface drain, and then into bar ditches, all of which was already in place.

Chairman Brooks asked about the gas line easement and stated that she would like the city engineer to examine this. She stated that until then she did not feel comfortable with making a recommendation on this site plan.

Both Commissioners Hamilton and Thierry concurred with Chairman Brook's comment.

A motion was made by Vice-Chairman Strother to table Case No. 11-26, until such time the applicant can provide grading and drainage plans for the City Engineer to review and approve. The motion was seconded by Commissioner Freeman. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Freeman, Saldaña, Thierry and Hamilton.

Nays: 0

Chairman Brooks declared the motion carried.

**V. Case No. 11-29 – 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 E. Pleasant Run Rd., *requested by Norman Patten of Norman Patten & Associates.*

*Norman Patten of Norman Patten & Associates, 413 Cedar Street, Cedar Hill, TX 75104,* stepped forth to present this request and answer any questions from the Commission.

Mr. Patten stated that this project was previously approved by City Council, but the applicant was not able to follow through with the project. Additionally, he stated that he has not

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received from his engineer the grading and drainage plans; however, there are notations on the site plan as to the grading and drainage plans.

Commissioner Thierry stated that she felt uncomfortable with making a recommendation on this proposed site plan, citing key information being missing from the applicant's plans.

Chairman Brooks echoed Commissioner Thierry's remarks, adding her concerns also included parking and vehicular maneuvering.

Commissioner Hamilton expressed concern that the Commission is being asked to review and consider a site plan that isn't complete, specifically referencing the lack of grading and drainage plans.

A motion was made by Commissioner Hamilton to approve Case No. 11-29, subject to the following staff recommendations: 1) Applicant extending the wastewater line and easement to his western most property line; 2) revise the site plan to provide a barrier free sidewalks ramp along Willacy Circle; 3) revise the irrigation plan to show the right-of-way lines; 4) revise the site plan to show the dimensions of the dumpster enclosure; and 5) provide adequate and accurate drainage and grading plans. The motion was seconded by Vice-Chairman Strother. The vote was as follows:

Ayes: 4 – Vice-Chairman Strother and Commissioners Freeman, Saldaña, and Hamilton.

Nays: 2 - Chairman Brooks and Commissioner Thierry.

Chairman Brooks declared the motion carried.

**VI. Case No. 11-30 – Review and consider the Site Plan** of a 2,200 sq. ft. Del Taco Restaurant on Lot 2R, Block B, Pleasant Run Farms Addition, generally located at the northwest corner of Pleasant Run Rd. and U.S. Hwy. 67., *requested by Nathan Pavilca of Sunco Builders, LLC.*

*Nathan Pavilca of Sunco Builders, LLC. 3318 Forest Ln. Suite 200, Dallas, TX 75234*, stepped forth to present this request and answer any questions.

Mr. Pavilca stated that the design of this restaurant is one of 3 prototypes in the DFW area.

Commissioner Hamilton asked the applicant if they have secured the mutual access easement agreement with the adjacent property owner. He stated that the City experienced a problem with a similar situation, between two property owners and a proposed mutual access easement, and as such would like to see a signed agreement, or at least a draft, prior to making a recommendation on this item.

Vice-Chairman Strother pointed out that one staff's comment to the applicant is that the recorded easement agreement be provided to the City, prior to the issuance of a building permit and so made a motion to approve Case No. 11-30, subject to staff's comment. The

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motion was seconded by Commissioner Hamilton and he reinitiated that the agreement must be recorded and provided to the City, prior to the issuance of a building permit. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Freeman, Saldaña, Thierry and Hamilton.

Nays: 0

Chairman Brooks declared the motion carried.

**VII. Case No. 11-31 – Review and consider the Site Plan** of a 2,243 sq. ft. Baskin Robbins/Dunkin Donuts Restaurant on Lot 2, Block A, Cedar Hill Town Center Addition, more commonly known as 650 West FM 1382., *requested by Andrew Buchwitz of Landplan Engineering, P.A.*

*Tom Loscheider, Construction Manager for Dunkin Donuts/Baskin Robbins, 1028 Cove Meadow Ct. Cedar Hill TX., 75104* stepped forth to present this request and answer any questions from the Commission.

Commissioner Hamilton asked the applicant why they chose to use cement fiber board on their signage.

Mr. Loscheider stated that it is the standard frame work for their monolith sign, part of the branding for Dunkin Brands.

Vice-Chairman Strother stated that the Main Street Board seemed to have an issue with the proposed color of the building and asked the applicant to elaborate on this concern.

Mr. Loscheider stated that they have made some adjustments to address the Main Street Board's concern regarding the intensity of some of the color choices.

A motion was made by Commissioner Hamilton to approve Case No. 11-31. The motion was seconded by Commissioner Freeman. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Freeman, Saldaña, Thierry and Hamilton.

Nays: 0

Chairman Brooks declared the motion carried.

**VIII. Staff Reports & Discussion Items**

i. Discussion on minimum masonry standards

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Don Gore, Planner, stated that he would present to the Commission a draft ordinance for their review at the next Planning & Zoning Commission meeting.

**2. Discussion on in-home elderly care facilities**

Belinda Huff, Development Services Coordinator, reviewed with the Commission previously presented information on in-home elderly care facilities and presented the Commission with the City's current regulations relative to elderly care facilities. Ms. Huff asked the Commission to review these regulations and be prepared to discuss any questions, comments or concerns they may have relative to the current regulations and in particular with respect to the previous discussions on the preservation of single-family neighborhoods and this use.

**3. Recent Submittals**

This item was covered in the briefing session.

**IX. Adjourn**

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:45 p.m.

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Theresa Brooks  
Chairman

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Belinda L. Huff  
Development Services Coordinator

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