
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of December 21, 2010

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, December 21, 2010 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 Bill Nanry, Lisa Thierry, Gehrig Saldaña and Tim Hamilton.

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 December 7, 2010 regular meeting

A motion was made by Vice-Chairman Strother to approve the December 7, 2010 minutes, with two corrections. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother and Commissioners Hamilton, Nanry and Thierry.

Nays: 0

Abstention: 1-Commissioner Saldaña.

Chairman Brooks declared the motion carried.

III. Citizens Forum

No one spoke

IV. Case No. 10-25 – Conduct a Public Hearing and consider a request for a **Conditional Use Permit (CUP)** to operate a Used Merchandise, Furniture, Antique Shop, Rummage, Second Hand Store (Indoor Only) within a Local Retail zoning district located at 213 North Highway 67, Suite 700-A. *Requested by David George of Kite Realty Group.*

David George of Kite Realty Group, 30 S. Meridian Street, Suite 100, Indianapolis, IN 46204, stepped forth to present this request and answer any questions from the Commission.

Mr. George stated that Kite Realty Group owns and manages Cedar Hill Village and the Plaza at Cedar Hill. He was most recently before the City with a revised site plan for the Plaza, which included some façade changes, new paint and awnings and extensive landscaping improvements. This particular request is on behalf of Plato's Closet, which sells high-end, gently

used clothing and accessories; and per City ordinance, used merchandise sales requires a Conditional Use Permit.

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

No one spoke.

Chairman Brooks 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 Brooks closed the public hearing and opened the floor discussion by the Commission.

Commissioner Hamilton asked the applicant if there was a location in Arlington,

John Huggins, owner/operator of Plato's Closet, 3805 Fairway Dr. Granbury TX, 76049, stepped forth to address the Commission. He stated that there is a location in Arlington and that Plato's Closet has over 300 locations nationwide.

Additionally, Commissioner Hamilton asked if there would be any outside sales, storage or display.

Mr. Huggins stated that no, they will not have any outside sales, storage or display. He stated Plato's Closet is a franchise and as such there are certain standards for purchasing and displaying merchandise. All items are reviewed before being purchased to ensure they meet the standards set forth by Plato's Closet.

Vice Chairman Strother stated that he was surprised to find out Plato's Closet was a national chain. Additionally, he stated that Cedar Hill has a few second hand clothing stores but they are operated by non-profit organizations.

Seeing no other questions or comments for the applicant, Chairman Brooks asked the Commission for a motion.

A motion was made by Commissioner Hamilton to approve Case No. 10-25, as presented. The motion was seconded by Commissioner Saldaña. The vote was as follows:

Ayes: 5 – Chairman Brooks, and Commissioners Nanry, Saldaña, Hamilton and Thierry.

Nays: 1- Vice-Chairman Strother

Vice-Chairman Strother stated that he did not feel this location was appropriate for the sale of used merchandise, hence the reason for not voting in favor of this request.

Chairman Brooks declared the motion carried.

V. Case No. 10-29 – Conduct a Public Hearing and consider the **Re-Plat** of Lots 4 & 5, High Meadows Industrial Park Addition INTO Lots 4R-A, 4R-B and 5R, High Meadows Industrial Park Addition, being 13.344-acres of land out of Abstract 1218 generally located on the northeast corner of High Meadows Way and Independence Way. *Requested by David Reaves on behalf of Craig Johnson of Pep Wear.*

Gina McClain, Nationwide Construction, 1106 Fawn Meadow Trail, Kennedale, TX. 76060, stepped forth to present this request to the Commission.

Ms. McClain stated that this re-plat was necessary to subdivide the property for development.

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

No one spoke.

Chairman Brooks 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 Brooks closed the public hearing and opened the floor discussion by the Commission.

Commissioner Hamilton stated that he lives about a half mile from this site and asked about the nature of proposed development.

Ms. McClain stated that her client primarily works with schools, providing cheer wear, t-shirts, plaques, etc. and because of his rapidly expanding business, needs a larger facility. Currently the business is located in Midlothian.

A motion was made by Vice-Chairman Strother to approve Case No. 10-29, as presented. The motion was seconded by Commissioner Nanry. The vote was as follows:

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

Nays: 0

Chairman Brooks declared the motion carried.

VI. Case No. 10-20 – Review and consider the Site Plan of a 31,565 sq. ft. non-residential building on Lot 5, High Meadows Industrial Park Addition, generally located on the northeast corner of High Meadows Way and Independence Way. *Requested by David Reaves on behalf of Craig Johnson of Pep Wear.*

Gina McClain, Nationwide Construction, 1106 Fawn Meadow Trail, Kennedale, TX. 76060, stepped forth to present this request to the Commission.

Chairman Brooks pointed out a discrepancy in the square footage shown on the plans versus the application.

Ms. McClain stated that she was aware of this discrepancy and would revise the plans accordingly. She stated that what is shown on the site plan includes the loading dock and the covered areas.

Chairman Brooks also pointed out another discrepancy between the lot dimensions shown on the proposed plat and the dimensions on the proposed site plan.

Ms. McClain stated that she will verify the dimensions and revise the plans accordingly.

A motion was made by Commissioner Hamilton to approve Case No. 10-20, as presented. The motion was seconded by Commissioner Thierry. The vote was as follows:

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

Nays: 0

Chairman Brooks declared the motion carried.

VII Staff Reports & Discussion Items

1. Recent Submittals

This item was covered in the briefing session.

Mr. Tyler reminded the Commission about a recent e-mail he sent to them regarding a planning seminar on Friday, January 28, 2011, at the Doubletree Campbell Centre in Dallas. He stated that the training will focus on Transit Oriented Developments, Downtown Planning and Form Based Codes and that the City will cover the cost of registration for the Commission.

VIII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 6:31 p.m.

Theresa Brooks
Chairman

Belinda L. Huff
Development Services Coordinator
