
**MINUTES
PLANNING AND ZONING COMMISSION
Special Called Meeting of May 11, 2009**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met for a special called meeting on TUESDAY, May 11, 2009 at 6:00 p.m. in the Court Multi-Purpose 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 6:04 p.m. declaring it an open meeting in which a quorum was present and the meeting notice was duly posted.

In memory of the David Rush, Chairman Strother asked that the Commission and those in the audience to observe a moment of silence.

II. Approve the minutes of the April 7, 2009 and April 21, 2009 meetings

A motion was made by Commissioner Hinton to approve the April 7, 2009 minutes, as amended during the briefing session and to table consideration of the April 21, 2009 minutes to the next meeting. The motion was seconded by Commissioner Hamilton. The vote was as follows:

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

Nays: 0

Chairman Strother declared the motion carried.

III. Citizens Forum

No one spoke

IV. Case No. 09-07 – Review and consider the Site Plan of 157 Hood St. Requested by Norman Patten of Norman Patten & Associates.

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

Mr. Patten stated this request was for approval of the parking lot and landscape plans. He stated the revised plans show the addition of two trees in the front yard area and additional shrubbery on the Hood Street side-yard. Also, with respect to the parking lot layout, it was moved back an additional 10 ft. With these additions and modifications, he felt as though they meet the City's landscaping and parking requirements. Additionally, he stated his client is requesting a variance to the City's requirement of a masonry screening wall to buffer non residential uses adjacent to residential zoning. They are proposing instead a landscaped hedge in lieu of the required masonry wall.

Commissioner Hinton asked the applicant how tall the landscaped hedge along the west side of the property would be.

Mr. Patten stated that initially the 5 gallon shrubs would be about 2 ½ to 3 ft. in height and then mature into about 10-12 ft. in height.

Commissioner Hinton asked Mr. Patten about the Main Street Board's comments on the building elevations.

Mr. Patten stated that he felt as though there wasn't an issue with the building elevations. He stated that his client bought the building as is and that the building was remodeled prior to him buying it. The only modification his client proposed was the installation of a parking lot, to which the City stated he couldn't do without site plan approval.

Mr. Patten speculated that the previous owners knew of the City's site plan requirements but sidestepped those regulations and made extensive changes to the elevations.

Commissioner Brooks asked Mr. Patten if drainage plans have been prepared for this site.

Mr. Patten stated yes, he just received the topography study and the engineer is currently preparing the drainage plans.

Commissioner Brooks commented that she had concerns with drainage onto the property located to the rear of this site.

Mr. Patten stated that there is an existing storm water inlet to the rear of this site, so there is no cause for concern with runoff to the adjacent property.

Commissioner Hinton asked Mr. Patten if he was aware of the comments from City Staff.

Mr. Patten stated he was aware of Staff's comments and that he was working to resolve those issues. He added that his client is willing to comply with any of the City's requirements.

A motion was made by Commissioner Mason to approve Case Number 09-07, subject to the requested site plan modifications. The motion was seconded by Commissioner Hamilton. Commissioner Brooks asked for a clarification of the motion. Commissioner Mason stated that his motion was subject to the requested site plan modifications listed in Staff's report. Commissioner Brooks was satisfied with the motion as presented. The vote was as follows:

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

Nays: 0

Chairman Strother declared the motion carried.

V. Case No. 09-13 – Review and consider the amended Site Plan for Babe's Chicken Dinner House proposed in the old City Hall building, generally located at the southwest corner of Main St. and Cedar St. *Requested by Paul Vinyard of Rovin Inc.*

Paul Vinyard, owner of Babe's Chicken Dinner House, 20125 Fiddler's Green, Frisco, TX 75034 along with Mark Ulrich of Alltex Signs, 2213 Executive Drive, Garland, TX 75041 stepped forth to present this request and answer any questions from the Commission.

Mr. Vinyard stated that his agreement with the City specified that they would be allowed to have a sign visible from Beltline Road. The proposed sign would be built on a rock wall base, on 5 ft. x 3 ft. piers.

Commissioner Mason asked Mr. Ulrich if he understood the issues related to this request.

Mr. Ulrich stated he was familiar with the [sign] setback and height issues.

Commissioner Mason asked Mr. Ulrich what is the height of the proposed sign; and if this sign was attempting to attract attention from Cooper Street [traffic] as well.

Mr. Ulrich stated the sign is to be constructed on the rock wall base and would be about 9 ft. in height and their primary focus [with this sign] was attracting traffic from Beltline Road.

A motion was made by Commissioner Hinton to approve Case Number 09-13, as presented. The motion was seconded by Commissioner Brooks. The vote was as follows:

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

Nays: 0

Chairman Strother declared the motion carried.

VI. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 6:40 p.m.

Bill Strother
Chairman

Belinda L. Huff
Planning Secretary
