
**MINUTES
PLANNING AND ZONING COMMISSION
Meeting of October 6, 2009**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, October 6, 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 Stephen Douglas-Mason and Commissioners Bill Strother, Tim Hamilton, Gehrig Saldaña and Theresa Brooks.

Absent: Vice-Chairman Todd Hinton and Wallace Swayze.

I. Call the meeting to order

Chairman Mason called the meeting to order at 6:00 p.m. declaring it an open meeting in which a quorum was present and the meeting notice was duly posted.

II. Citizens Forum

No one spoke

III. Case No. 09-28 - Review and consider the Preliminary Plat and Plans of Beltline Bank of America Addition showing 2 non-residential lots on 3.0027-acres of land out of Abstract 881, generally located on the southeast corner of U.S. Highway 67 and East Beltline Rd. *Requested by Mathew Thomas of Thomas Site Development Engineering, Inc.*

Mathew Thomas of Thomas Site Development Engineering, Inc, 4604 Bill Simmons Rd., Colleyville, TX 76034, stepped forth to present this request and answer any questions from the Commission.

Mr. Thomas stated he was representing Fire Brand Properties, the developer for Burger King Restaurants.

Commissioner Hamilton asked the applicant to explain the ingress and egress to the property.

Mr. Thomas stated that there is an existing drive approach onto U.S. Hwy 67 which will remain; however, they are proposing to relocate the drive approach into East Beltline Rd., which is too close to the corner of East Beltline Rd. and U.S. Highway 67.

Commissioner Brooks asked if there would be any improvements to the area behind the bank.

Mr. Thomas stated that the area behind the bank was already paved and no additional improvements were planned.

Commissioner Strother, referring to a notation on the grading plan, asked the applicant if the proposed driveway and parking area will be asphalt.

Mr. Thomas stated that all new driveways and parking areas would be concrete. He stated that notation on the grading plan reflected existing conditions on the site.

Chairman Mason asked the applicant if Bank of America has been made aware of the proposed site improvements and also if he was aware of any concerns from the bank.

Mr. Thomas stated that he has worked closely with Bank of America representatives and they are satisfied with the proposed site improvements.

A motion was made by Commissioner Brooks to approve Case No. 09-28, as presented. The motion was seconded by Commission Hamilton. The vote was as follows:

Ayes: 5 - Chairman Mason and Commissioners Strother, Hamilton, Saldaña, and Brooks.

Nays: 0

Chairman Mason declared the motion carried.

IV. Case No. 09-29 - Review and consider the Site Plan (Revision) of 107 Main St. Requested by Norman Patten of Norman Patten and Associates.

Norman Patten of Norman Patten & Associates, 413 Cedar Street, Cedar Hill, TX 754104, stepped forth to present this request and answer any questions from the Commission.

Mr. Patten stated that this is a request to revise a previously approved site plan to accommodate a new parking area and patio for a proposed barbeque restaurant. The 14'x16' patio area is located north of building "A" and would house the restaurant's smoker. The parking requirement is 15 spaces total, 11 of which will be onsite with an additional 4 on-street. His client is also proposing to add an awning to the building. Finally, Mr. Patten stated that he is scheduled to go before the Board of Adjustments on October 13, 2009 to request a variance to allow for asphalt instead of concrete for the parking lot area.

Chairman Mason asked the applicant if customers could enter from the patio.

Mr. Patten stated yes.

Commissioner Brooks asked if the proposed awning will be metal.

Mr. Patten stated that the awning will have the appearance of a trellis, with a plywood top to provide cover.

Chairman Mason asked the applicant where the restaurant's dumpster will be located.

Mr. Patten stated the trash area is located behind a fence, near the smoker. Because of the minimal amount of trash that will be produced by the restaurant, the owner is negotiating with the managers at Babe's to share their dumpsters. He also stated that there is a strip of ROW across the street from this site that could house a community dumpster.

Commissioner Brooks commented that she believed some of the businesses in the downtown area placed their trash on the curb for collection.

A motion was made by Commissioner Strother to approve Case No. 09-29, as presented. The motion was seconded by Commission Saldaña. The vote was as follows:

Ayes: 5 - Chairman Mason and Commissioners Strother, Hamilton, Saldaña, and Brooks.

Nays: 0

Chairman Mason declared the motion carried.

V. Case No. 09-30 – Review and consider the Site Plan of 218 W. Beltline Rd. Requested by Dustin Ledbetter of Phillips Properties.

Dustin Ledbetter of Phillip Properties, 206 South Broad St., Cedar Hill, TX 75104, stepped forth to present this request and answer any questions from the Commission.

Mr. Ledbetter stated that this property was originally a residence that was converted to an office and now they would like to make additional improvements to this site. This site will be similar, lighting fixtures, paint colors and landscaping, as two neighboring properties, 214 and 216 W. Beltline Rd., which are also owned by Phillips Properties. Currently there are two drive approaches, the western most drive will be eliminated and the drive located at 218 W. Beltline Rd. will become a one way in and the drive located at 216 W. Beltline will become a one way going out. All three properties will connect in the rear and share parking.

Commissioner Brooks asked if there would be landscaping at the street to help distinguish the two drives and would it run along the driveway to the rear of the property.

Mr. Ledbetter stated yes, there will be a combination of grass, flowers and plants between the drives.

There was some discussion amongst the Commission regarding the drive approaches and the vehicular circulation between the three lots. The Commission expressed concerns that the turning radius of the driveways would not adequately support emergency vehicles.

Mr. Ledbetter stated the Mr. Gore had mentioned this concern during the development review process. Mr. Ledbetter spoke to the fire marshal and was told that a fire lane is not required if the building is located within 150 ft. of the street.

Commissioner Brooks stated that she felt the proposed configuration is actually better than the current configuration.

A motion was made by Commissioner Strother to approve Case No. 09-30, as presented. The motion was seconded by Commission Brooks. The vote was as follows:

Ayes: 5 - Chairman Mason and Commissioners Strother, Hamilton, Saldaña, and Brooks.

Nays: 0

Chairman Mason declared the motion carried.

VI. Staff Reports

a. Wind turbine update

Rod Tyler, Director of Planning, stated that at this time, there is nothing specific to report. City staff is currently working on various reports and will present the Commission with additional information at an upcoming P&Z meeting.

b. Recent Submittals

Mr. Tyler reviewed with the Commission new and upcoming agenda items.

VII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 6:45 p.m.

Stephen Douglas-Mason
Chairman

Belinda L. Huff
Planning Secretary
