
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of July 19, 2016

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, July 19, 2016 at 6:00 p.m. in the T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Blvd, Bldg. 100, Cedar Hill, TX.

Planning & Zoning Commissioners present: Chairman Theresa Brooks, Vice-Chairman Bill Strother, Commissioners: Lisa Thierry, Michael Deeds, Chad McCurdy, Timothy Hamilton and Gehrig Saldana

City Staff members present: Rod Tyler, Director of Planning, LaShondra Stringfellow, Asst. Director of Planning and Sharon Davis, Executive Secretary.

I. Call the Meeting to Order

Chairman Brooks called the meeting to order at 6:01 p.m. declaring it an open meeting in which a quorum was present and the meeting notice was duly posted.

Commissioner McCurdy arrived at 6:02.

II. Approve the minutes of the June 21, 2016 regular meeting

A motion was made by Commissioner Deeds and seconded by Commissioner Hamilton to approve the minutes of the June 21, 2016 regular meeting. The vote was as follows:

Ayes: 7 – Chairman Brooks, Vice-Chairman Strother, Commissioners Deeds, Thierry, Hamilton, McCurdy and Saldana

Nays: 0

Chairman Brooks declared the motion carried.

III. Citizens Forum

No one spoke.

IV. Case No. 16-17 – Conduct a public hearing, review and consider an application for a Conditional Use Permit for an office (health services) use with an alternative design to a site plan on property zoned Old Town Residential Sub-District within the "OT" – Old Town District and the "UT" – Uptown Overlay District located on the north side of Cedar Street, east of church Street with the approximate address being 313 Cedar Street; requested by Diana Peftly on behalf of Damoder Vangala.

Mr. LaShondra Stringfellow, Asst. Director of Planning delivered the staff report by describing the location of the property stating the applicant was proposing to convert a 1,151 sq. ft.

single-family residence into an "office (health services)" practicing reiki, a form of alternative medicine. The applicant also requests an alternative design to authorize parking in the front yard and to omit required screening for a parking lot from the ROW. They will have three parking spots, including handicap, in the front with three additional parking spaces behind the property subject to a parking agreement which has been submitted and approved by staff. Staff recommends approval subject to CUP conditions: the office use shall operate subject to the site plan approved with CUP and prior to issuance of a certificate of occupancy, a sign being posted on site informing customers that additional parking is located at 316 W. Belt Line.

Mr. Norman Patton, 413 Cedar St. indicated he would answer any questions the commission might have.

Chairman Brooks opened the public hearing for anyone wishing to speak regarding this request.

Ms. Lisa Noey, 311 Cedar St. handed out a flyer with photos of the property in question and indicating the following concerns: would increase traffic which would make the street less safe to drive on due to the streets being narrow with no curbs and very little shoulder; expanded driveway is rock instead of concrete; parking in front would not accommodate employees and patients; concern of the use being a reflexology and massage spa; owner has history of allowing unsanitary maintenance issues to persist and the hours of operation.

Chairman Brooks closed the public hearing and opened the floor for discussion among the Commissioners.

There were several questions from the Commissioners about parking, traffic, the pathway from the back parking lot to the front and hours of operation. It was clarified that there were 2 spaces in line with one another and a third space next them. The Commission expressed concern that if one of the customers did not pull to the end of the driveway, there would not be enough room for a second customer to park behind them causing them to park in the street or in front of someone else's home. Also, the Commission expressed concern that even if a sign stating that additional parking was available at 316 W. Belt Line Rd. customers may not want to drive all the way around to the back property and would choose to park on the street, causing traffic issues. Additionally, they expressed concern that distance from the additional parking at 316 W. Belt Line and that there was not going to be a paved pathway could cause problems for customers with health issues. When the Commission asked the applicant about lighting, he responded that there will only be lighting around the house and garage.

Commissioner Thierry asked if the concrete that was poured in the front would have to be removed if the CUP was denied.

Commissioner Deeds asked if there were any other business on the street.

Vice-Chairman Strother asked about the plumbing issues mentioned by Ms. Noey.

Staff indicated that: the paved driveway may not have to be removed if the property remained residential; there were a couple of other businesses on the street (i.e. apartment complex and an auto garage); and the site plan shows a new 6" sewer line to be installed, but if the case was not approved, staff would relay the plumbing issues to code enforcement who would address this issue.

Commissioner McCurdy asked if the applicant had been in negotiation with the apartment complex next door about parking. The applicant felt it would be easier to utilize his property behind 313 Cedar St. for parking versus dealing with the apartment complex.

In response to questions regarding the hours of operation, Mr. Patton indicated the hours of operation would be from 8:00 am to 8:00 pm. and would be by appointment only.

Chairman Brooks indicated she supported the request with a concrete path from the back parking to the front of the business to be wide enough for a wheel chair and would like to see additional improvements to the property.

Commissioner Deeds stated he wanted to see all the parking in the back and not have any parking in the front.

Mr. Al Hendricks, 318 Cedar St. stated the traffic would be an issue, there are potholes in the street, the parking in the back property is not a short distance to the front property and there are elevation issues at the back door with the porch and the applicant shouldn't have poured the concrete in the front of the house.

Mr. Jay Prince, 316 Cedar St. stated the drainage in the area is not good, he didn't want the business in the area and he felt there could be some "riff raff going on".

Commissioner Thierry made a motion to recommend denial of Case 16-17. The motion was seconded by Commissioner Deeds. The vote was as follows:

Ayes: 5 – Vice-Chairman Strother, Commissioners Deeds, Thierry, McCurdy, and Saldana.

Nays: 2 – Chairman Brooks and Commissioner Hamilton

Chairman Brooks declared the motion carried.

V. Case 16-18 – Review and consider a replat for the Walmart Neighborhood Market at East Belt Line Road Addition, Block A, Lots 4A and 4B, located on the south side of East Belt Line Road, east of S. Joe Wilson Road; requested by Jim McWilliams on behalf of Wilson at Belt Line 2014 LP.

Ms. LaShondra Stringfellow, Asst. Director of Planning delivered the staff report describing the location of the property. It is a commercial replat of existing Lot 4. Applicant is proposing to subdivide Lot 4 into two lots – Lot 4A and Lot 4B. Staff recommends approval.

Mr. Scott Rushing, Kimley-Horn, 5750 Genesis Court, Ste. 200, Frisco, stated the access to the driveway is currently paved feeding the fuel station coming off of Belt Line Road; so the only option with dividing the lot was to create small pad lots and tie in and split the driveway with the north/south property line. He asked if the Commission had any questions.

The Commission did not have any questions.

Vice-Chairman Strother made a motion to recommend approval of Case 16-18. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 7 – Chairman Brooks, Vice-Chairman Strother, Commissioners Deeds, Thierry, McCurdy, Hamilton and Saldana.

Nays: 0

Chairman Brooks declared the motion carried.

VI. Case 16-19 – Review and consider a site plan for tire sales (National Tire and Battery)
on property zoned "LR" – Local Retail District located on the proposed Lot 4A, Block A, Walmart Neighborhood Market at E. Belt Line Road Addition, located on the south side of E. Belt Line, east of S. Joe Wilson Road; requested by Jim McWilliams on behalf of Wilson at Belt Line 2014 LP.

Ms. LaShondra Stringfellow, Asst. Director of Planning stated the applicant is proposing to construct a 6,118 sq. ft. structure for tire sales. The applicant has met the landscape, parking and masonry requirements. Staff recommends approval.

Mr. Scott Rushing, Kimley-Horn, 5750 Genesis Court, Ste. 200, Frisco, asked the Commission if they had any questions.

Commissioner McCurdy asked if this facility would be replacing the current NTB in Cedar Hill.

Mr. Rushing stated he did not know.

Commissioner Deeds made a motion to recommend approval of Case 16-19. The motion was seconded by Vice-Chairman Strother. The vote was as follows:

Ayes: 7 – Chairman Brooks, Vice-Chairman Strother, Commissioners Deeds, Thierry, McCurdy, Hamilton and Saldana.

Nays: 0

Chairman Brooks declared the motion carried.

VII. Training on Roles and Responsibilities of the Planning and Zoning Commission

This was postponed due to the late hour.

VIII. Staff Reports and Discussion Items

1. Staff reviewed with the Commission the current development applications.

IX. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:42 pm.



Theresa Brooks
Chairman



Sharon Davis
Executive Secretary