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**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Meeting of March 18, 2014**

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*The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, March 18, 2014 at 6:00 p.m. in T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Boulevard Building 100, Cedar Hill, Texas.*

*Planning & Zoning Commissioners present: Chairman Theresa Brooks, Vice-Chairman Bill Strother and Commissioners: Gehrig Saldana, Timothy Hamilton and Stephanie Freeman.*

*Planning & Zoning Commissioners absent: Commissioner Lisa Thierry and Michael Deeds.*

*City Staff members present: Rod Tyler, Director of Planning, Don Gore, Senior Planner and Sharon Davis, Executive Secretary.*

**I. Call the meeting to order**

Chairman Brooks called the meeting to order at 6:02 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 March 4, 2014 regular meeting**

A motion was made by Commissioner Freeman to approve the minutes of the March 4, 2014 regular meeting. The motion was seconded by Vice-Chairman Strother. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother and Commissioners, Saldana, Freeman, and Hamilton.

Nays: 0

Chairman Brooks declared the motion carried.

**III. Citizens Forum**

Lisa Kitchen, Secretary/Treasurer of the Fort Worth Unit of the American Massage Therapy Association (AMTA), presented to the Commission what AMTA is as well as her professional background. Ms. Kitchen is wanting to get a permit to preform massage therapy out of her home and educate consumers as well as the Physician Community about AMTA, however; city ordinances prohibits this. Ms. Kitchen plans to present this proposal at the next City Council meeting.

**IV. Case No. 14-09 – CONDUCT A PUBLIC HEARING and consider a request for a Conditional Use Permit for apartments within the OT (Old Town Corridor) zoning district, located on 1.572 acres, located at 323 W. Beltline; requested by Rodney Holloman on behalf of SC Crossing.**

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Mr. Gore reported that the applicant is proposing to construct an approximately 4,158 sq. ft. storage building and garage spaces. There will be 18 garages on site, as well as changing the configuration of the parking. The property is a non-conforming land use because there is not a Conditional Use Permit to allow the use of multi-family on the property. The applicant is requesting a CUP within the Old Town Corridor for multi-family which will make it a conforming use. Staff recommends approval of the site plan with the following conditions: The applicant revise the landscape table to label the correct number of trees, revise the site plan to provide for a turnaround at the gate entrance, leave the gate open as such time that the alley has been abandoned and retain a variance to request a screening device along the rear of the property. Also, acquire a variance to the minimum masonry requirement to allow the use of hardi plank on the proposed storage and garages. Applicant will also need to plat the property prior to applying for a building permit. The Main Street Board recommended approval for the masonry requirements on March 10, 2014.

Rodney Holloman, 1610 Mai Ave., De Soto, TX stated that there were major renovations done to the building to bring it up to code. Potential tenants requested covered garages to be installed to protect their vehicles from the elements. Mr. Holloman is requesting a proposal to install 18 garages and a storage building.

Chairman Brooks opened the public hearing for anyone wishing to speak in support 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 of the request.

No one spoke.

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

Chairman Brooks asked the applicant if he could address each of the issues Mr. Gore mentioned.

Mr. Holloman stated as far as the landscape was concerned, there will be an irrigation system installed as well as shrubs and grass planted. The (2) two parking spaces will be used as the turnaround. He stated he understood that the gate needs to be opened until the alley is abandoned. The plat for this property was never filed. Mr. Holloman will be asking City Council to abandon that 15 foot to him. Mr. Holloman stated he failed to get a permit for the rod iron fence but has not been granted the permit until all issues are taken care of. All the buildings have masonry with hardi plank under the windows. The garages will be done the same so they will be visually compatible. The property will be platted to get a permit.

Mr. Tyler stated that the use is a lawfully existing non-conforming use which is allowed to be used and maintained in a state of good repair. So the interior renovations that were done were lawful. Adding on to the building, like adding garages, is an expansion of the non-conforming use, which requires special approval from the Zoning Boards of Adjustments. Another option is to

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bring the property into conformance with the zoning code, which, in this case, simply requires that a Conditional Use Permit be issued, which is what the applicant is requesting. Approval of the CUP will change the use from a non-conforming use to a conforming use.

Vice-Chairman Strother moved to recommend approval of Case 14-09 subject to noted conditions as outlined and discussed. The motion was seconded by Commissioner Saldana. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother and Commissioners Saldana, Hamilton and Freeman

Nay: 0

Chairman Brooks declared the motion carried unanimously.

- V. Case No. 14-10 – Consider a request for a Re-Plat** creating Lot 1, Blk. A, Cedar Crossing Plaza Addition, being 4.14 acres out of Abstract 392, generally located on the eastside of US Hwy. 67, between FM 1382 and Springtime Drive; *requested by Norman Patten on behalf of Cedar Crossing Plaza LLC.*

Mr. Gore reported that the applicant is proposing to replat 2.43 acres of raw land and 1.71 acres of platted lots into (1) one lot. He stated the applicant intends to build (2) two retail buildings. Significant storm drainage improvements are also proposed with this development as well as the extension of Green Pasture Drive from Springtime Drive thru to the Staple's parking lot. Staff recommended approval provided the following items have been addressed: The applicant submit complete civil plans that have been approved by the City Engineer; the name of the plat be revised to "Lot 1, Block A, Cedar Crossing Plaza Addition; and the Surveyor's Certification be replaced with Cedar Hill's standard certification.

Mr. Patten, 413 Cedar St., Cedar Hill, TX, stated that the Commission had approved the preliminary plat and is now waiting on getting the final plat approved in order to get a building permit to develop the property. Mr. Patten has been working with the Engineering Department about resolving the drainage and site utilities issues.

Chairman Brooks asked if the Commission had any questions or comments for the applicant.

Mr. Patten stated the civil engineer had an issue with the civil plans water service level that there is drainage from the southeast subdivision that drains onto the corner property of Green Pasture Drive and Springtime Drive. Mr. Patten plans to put in a box culvert and take that down from that corner property to Hwy. 67 to help control this drainage and also eliminate water drainage on properties along Springtime Drive. Mr. Patten and the City Engineer have come up with a new approach with the detention pond to help control the drainage on the corner property and eliminate drainage problems for the other properties along Springtime Drive. Mr.

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Patten stated all issues are being taken care of, just waiting on the Civil Engineer's final approval of the plans.

Vice-Chairman Strother stated he was uncomfortable with recommending approval of a plat that did not have civil plans that were approved by the City Engineer. He asked Mr. Patten if he thought he could get a complete set of plans in for City Engineer approval by the next P&Z meeting, to which Mr. Patten stated that he could.

Vice-Chairman Strother moved to table this item until the next P&Z meeting so the applicant could get a complete set of plans approved by City Engineer. The motion was seconded by Commissioner Hamilton. The vote was as follows:

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

Nays: 0

Chairman Brooks declared the motion carried.

**VI. Case No. 14-11 – Review and consider the Site Plan of Cedar Crossing Plaza**, on Lot 1, Blk. A, Cedar Crossing Plaza Addition, generally located on the eastside of US Hwy. 67, between FM 1382 and Springtime Drive; *requested by Norman Patten on behalf of Cedar Crossing Plaza LLC.*

Mr. Gore reported the applicant is proposing to construct (2) two one-story retail buildings located on 4.144 acres located to the south of Springtime Drive. Staff recommends approval of the proposed site plan with the following conditions: The applicant revises the landscape table to provide the correct number of required street trees on the landscape plan and an approved tree mitigation plan be provided prior to issuance of a building permit.

Mr. Patten, 413 Cedar St., Cedar Hill, TX, stated he would take care of these two issues.

Vice-Chairman Strother moved to reschedule this item until the next P&Z meeting. The motion was seconded by Commissioner Freeman. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother and Commissioners, Saldana, Hamilton and Freeman.

Nays: 0

Chairman Brooks declared the motion carried.

**VII. Review and consider a recommendation for The Comprehensive Plan**

Mr. Tyler asked to postpone this recommendation until the next P&Z Meeting.

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Commissioner Hamilton moved to reschedule The Comprehensive Plan recommendation to the next P&Z meeting. The motion was seconded by Commissioner Saldana. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother and Commissioners, Saldana, Hamilton and Freeman.

Nays: 0

Chairman Brooks declared the motion carried.

### **VIII. Review and consider a recommendation for Capital Projects**

Mr. Tyler asked the Commission if they were happy with the order of importance of the Top 5 Capital Projects before sending to City Council.

The Commission made changes to the ranking order of the Top 5 Projects to be (1) Road "A", (2) Historic Downtown Revitalization, (3) Library / Conference Center, (4) Aquatic Center, and (5) Bike Lanes (along Belt Line from 9<sup>th</sup> Grade Center to US 67).

Commissioner Freeman moved to send the Commission's Top 5 Capital Projects to the City Council with the changes made to the order of preference. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5 – Chairman Brooks, Vice-Chairman Strother and Commissioners, Saldana, Hamilton and Freeman.

Nays: 0

Chairman Brooks declared the motion carried.

### **IX. Staff Reports & Discussion Items**

#### **1. Recent Submittals**

Mr. Gore reviewed the recently submitted cases with the Commission.

### **X. Adjourn**

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:13 pm.

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Theresa Brooks  
Chairman

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Sharon Davis  
Executive Secretary

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