
**MINUTES
PLANNING AND ZONING COMMISSION
Meeting of February 21, 2012**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, February 21, 2012 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 Lisa Thierry, Stephanie Freeman and Tim Hamilton.

Absent: Commissioner Gehrig Saldana

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 February 7, 2012 regular meeting

A motion was made by Commissioner Hamilton to approve the minutes of the February 7, 2012, with a minor correction. The motion was seconded by Commissioner Thierry. The vote was as follows:

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

Nays: 0

Chairman Brooks declared the motion carried.

III. Citizens Forum

No one spoke

IV. Case No. 11-34 – Review and Consider the Preliminary Plat and Plans of Lot 1, Block 1, Mt. Lebanon Addition showing one 502.824-acre lot out of Abstract 676, generally located on Texas Plume Road, approximately 135 feet west of Mt. Lebanon Road. Requested by Steve Keeton of Keeton Surveying Company on behalf of Dallas Baptist Association, Inc.

Steve Keeton of Keeton Surveying Company, 2037 Dalworth Street, Grand Prairie, TX 75051 stepped forth to present this request and answer any questions from the Commission.

Chairman Brooks asked if any of the Commissioners have questions for the applicant.

Mr. Keeton stated he would like to discuss the Planning Department's comments; specifically addressing the requirement to construct a 5' sidewalk along Texas Plume, which as he said doesn't make sense since there wouldn't be connectivity with a sidewalk in the area.

Chairman Brooks stated that the requirement is in place to ensure sidewalks are constructed as development occurs, but agreed that at this time, sidewalks are not critical.

Mr. Keeton stated that other cities have different requirements in regards to the improvements and when they are required.

Chairman Brooks stated that our process and procedures regarding improvements seem to work for us.

Chairman Brooks asked if any Commissioners had questions for the applicant.

Commissioner Hamilton commented that there seems to be a lot of development occurring in that area of the City and it stands to reason that more development will occur in the future. Therefore, it is necessary to extend utilities to adjacent properties.

Mr. Keeton stated that Mt. Lebanon has tried to comply with all of the City's ordinances.

Commissioner Thierry requested conformation from Mr. Keeton that the applicant will design the water and the sanitary sewer lines.

Mr. Keeton stated that the design would be extensive and therefore costly to the applicant.

Mr. Rod Tyler, Planning Director, stated he wanted to clarify what the applicant's intentions were regarding public improvements. The revised letter of intent appears to state that the applicant agreed to design the water and sanitary sewer lines; however, the applicant is requesting relief from the requirement to construct said lines to the adjacent property. The City Council has the authority to grant any deviations to the Subdivision Ordinance. Mr. Tyler asked the applicant if this was their understanding.

Mr. Jeff Dougherty, 310 Linkwood Drive, Cedar Hill, TX 75104 stepped forth and stated that he is requesting a variance to the design *and* construction of all public improvements because of lack of funds.

Mr. Tyler stated that this is different from what is presented to the Planning and Zoning Commission, because the Planning Department understood that the applicant would design the water line and sanitary sewer lines but not construct them. Based on Mr. Dougherty's statements it would appear that the applicant is now requesting relief from designing, as well as constructing, the public improvements. With the final plat of this property, the applicant would dedicate the necessary easements giving the City the right to access the property in order to design and construct the public improvements.

Mr. Dougherty stated that he felt it was fair to do the design for the utilities, but they don't have the budget to build their building and design the public utilities.

Chairman Brooks stated that she doesn't have a problem with recommending to the City Council a waiver to the extension of public utilities but believes that a design or plan should be in place that would be executed at the appropriate time. Chairman Brooks asked how the rest of the commission felt about requiring the applicant to design but not build the public utilities.

Commissioner Hamilton and Vice Chairman Strother stated they agreed.

Commissioner Thierry stated that she also agrees, adding that it is important to have a design or plan in place for the extension of the utilities.

A motion was made by Commissioner Hamilton to approve Case No. 11-34, with the condition that the applicant designs the extension of the proposed water and sanitary sewer lines. The motion was seconded by Vice Chairman Strother. The vote was as follows:

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

Nays: 0

Chairman Brooks declared the motion carried.

- V. Case No. 11-37 – Review and Consider a Re-Plat of Lots 7 & 8, Weaver Properties Addition into Lot 7R, Weaver Properties Addition being 3.198-acres of land out of Abstract 304, generally located on South Clark Road, approximately 100 feet south of Kenya Street. Requested by Charles Hanger of Hanger Construction on behalf of Metropolitan Missionary Baptist Church.**

Charles Hanger of Hanger Construction, 541 E. Broad, Mineola, TX 75773, stepped forth to present this request and answer any questions from the Commission.

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

A motion was made by Commissioner Freeman to approve Case No. 11-37, as presented. The motion was seconded by Commissioner Hamilton. The vote was as follows:

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

Nays: 0

Chairman Brooks declared the motion carried.

- VI. Case No. 11-39 – Review and consider a Site Plan for a 4,038 sq. ft. non-residential building on Lot 7R Weaver Properties Addition generally located on South Clark Road, approximately 100 feet south of Kenya Street. Requested by Charles Hanger of Hanger Construction on behalf of Metropolitan Missionary Baptist Church.**

Charles Hanger of Hanger Construction, 541 E. Broad, Mineola, TX 75773, stepped forth to present this request and answer any questions from the Commission.

Chairman Brooks asked if the existing storage building shown on the proposed site plan would remain.

Mr. Hanger stated yes, the storage building would remain.

A motion was made by Vice Chairman Strother to approve Case No. 11-39, subject to the applicant revising the landscape plan to provide two 3" caliper trees. The motion was seconded by Commissioner Hamilton. The vote was as follows:

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

Nays: 0

Chairman Brooks declared the motion carried.

VII. Staff Reports & Discussion Items

1. Review scope of City Center Plan Phase II

Don Gore, Planner, reviewed the scope of the City Center Plan Phase II.

2. Recent Submittals

Don Gore, Planner, reviewed recent submittals.

VIII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:09 p.m.

Theresa Brooks
Chairman

Don Gore
Planner
