
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of December 6, 2011

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, December 6, 2011 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 Gehrig Saldaña, Lisa Thierry, Stephanie Freeman and Tim Hamilton.

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.

II. Approve the minutes of the November 1, 2011 regular meeting

A motion was made by Commissioner Hamilton to approve the minutes of the November 15, 2011, as presented. The motion was seconded by Commissioner Strother. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Thierry, Saldaña, Freeman and Hamilton.

Nays: 0

Chairman Brooks declared the motion carried.

III. Citizens Forum

No one spoke

IV. Case No. 11-33 – CONDUCT A PUBLIC HEARING AND CONSIDER a request for a Conditional Use Permit (CUP) to construct a monopole cell tower on Lot 1, Block A, Cedar Hill Plummer School Addition, more commonly known as 1203 South Clark Rd. Requested by Chris Mayo.

Chris Mayo of SBA Towers, Inc., 6720 Hanover Road, Fort Worth, TX 76116, stepped forth to present this request and answer any questions from the Commission.

Chairman Brooks opened the floor for anyone wishing to speak in favor 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.

1. Dwayne Walsh - 1610 Stoney Creek Drive, Cedar Hill, TX 75104 stepped forth and expressed his objection to the proposed 100' cell tower. He asked why the site was selected and if the City received any reparations from the cell tower lease. He went on to say that the creek behind his house is a hazard due to debris and it was the City's responsibility to clean the creek.
2. Steve Little - 1108 Stoney Creek Drive, Cedar Hill, TX 75104 stepped forth and asked about the construction materials for the proposed monopole cell tower. He also asked if there are any safety concerns with the cell tower being in such close proximity to the school.

Chairman Brooks closed the public hearing and asked the applicant to step back to the podium to answer questions from the Commission.

Mr. Mayo stepped up to the podium to address the Commission. He stated that he was not directly involved with the site selection, but does know that other sites were reviewed and this site was deemed the best overall. Additionally, he stated that this site worked well because of the 50' trees and larger setback, all which act as a buffer between the proposed tower and the adjacent residential properties.

Mr. Mayo, stated that the Cedar Hill School Board entered into a lease agreement with SBA Towers Inc. and has seen the proposed site plan. Mr. Mayo went on to state that the facility will be constructed as a steel monopole, with a 6' chain link fence, surrounded by shrubs. There will also be a generator on site.

Vice-Chairman Strother stated that the proposed site plan complies with the setbacks specified in the Zoning Ordinance, but unfortunately the proposed monopole is in the direct line of site of someone's house.

Chairman Brooks agreed with Vice-Chairman Strother's comment.

Commissioner Thierry asked the applicant if there was also a lease agreement with the City of Cedar Hill in association with the proposed cell tower.

Mr. Mayo stated no, not that he was aware of. The contract is between the school district and SBA Towers, Inc.

Chairman Brooks reopened the closed public hearing in order to receive additional public comment.

1. Rhonda Good - 311 Spring Hollow Dr, Cedar Hill, TX 75104, asked if there are any other schools with a cell tower located on site and if there were any studies regarding radio frequency emissions.
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Mr. Mayo stepped forward and explained that the Federal Communications Commission (FCC) issues a license based on radio frequency emissions standard attainment.

Commissioner Thierry asked the applicant if SBA Towers, Inc. looked at any other school sites.

Mr. Mayo stated there were four options, two existing towers, which were too low in height; one being located on a baseball field in a flood plain.

Vice-Chairman Strother stated the school district performed their due diligence and has with respect to any safety concerns.

A motion was made by Vice-Chairman Strother to approve Case No. 11-33, as presented. The motion was seconded by Commissioner Thierry. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Saldaña, Freeman, Thierry and Hamilton.

V. Case No. 11-35 – CONDUCT A PUBLIC HEARING AND CONSIDER a request for a change in zoning FROM “TH”- Townhome TO “LR” Local Retail on 9.56 acres of land out of Abstract 711, generally located on Joe Wilson Rd, approximately 900 ft. north of East Belt Line Rd. Requested by Michael Clark.

Mike Clark, 6750 Hillcrest Plaza #325 Dallas, TX 75230, stepped forth to present this request and answer any questions from the Commission

Chairman Brooks opened the floor for anyone wishing to speak in favor of this request.

1. Wes Pool - 611 E. Belt Line Road, Cedar Hill TX 75104, stepped forth and stated that there has been discussion regarding using this property for a low income housing project and was glad the City Council did not approved of such a request. He stated he was here in support of the proposed rezoning request.

Chairman Brooks closed that portion of the public hearing and opened the floor for anyone to speak in opposition.

No one spoke.

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

Vice-Chairman Strother asked the applicant what the total acreage of the subject property and of the adjacent property to the south, currently zoned Local Retail.

Mr. Clark stated the both tracts of land would total approximately 30 acres.

Chairman Brooks confirmed that if the zoning of the subject property was approved for Local Retail, there is no guarantee it would be developed as a single large lot but it does increase the chances of it being developed at one time.

A motion was made by Commissioner Hamilton to approve Case No. 11-35, as presented. The motion was seconded by Commissioner Freeman. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Saldaña, Freeman, Thierry and Hamilton.

Nays: 0

Chairman Brooks declared the motion carried.

VI. Staff Reports & Discussion Items

1. Recent Submittals

This item was covered in the briefing session.

VII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 6:37 p.m.

Theresa Brooks
Chairman

Don Gore
Planner
