
MINUTES
PLANNING AND ZONING COMMISSION
Meeting of October 21, 2014

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, October 21, 2014 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 and Commissioners: Lisa Thierry, Gehrig Saldana, Michael Deeds, and Timothy Hamilton.

Planning and Zoning Commissioners absent: Vice-Chairman Bill Strother and Commissioner Adriane Martin

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 6:04 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 October 7, 2014 regular meeting

A motion was made by Commissioner Saldana and seconded by Commissioner Hamilton to approve the minutes of the October 7, 2014 regular meeting. The vote was as follows:

Ayes: 5 – Chairman Brooks, Commissioners Saldana, Deeds, Thierry, and Hamilton

Nays: 0

Chairman Brooks declared the motion carried.

Commissioner Deeds arrived at 6:06

III. Citizens Forum

No one spoke.

IV. Case No. 2014-30 – Review and consider the Final Plat and Civil Plans of Lots 1-4, Blk. A, Walmart Neighborhood Market at East Belt Line Road Addition, creating four non-residential lots on 8.881 acres out of Abstract 877, generally located at the southeast corner of Joe Wilson and Belt Line Road; requested by Michael Westfall of Kimley-Horn Associates, Inc.

Don Gore, Sr. Planner presented to the Commission the staff report, stating the applicant is requesting to subdivide 8.881 acres into four (4) non-residential lots and dedicate the necessary

easements to develop the subject property for grocery store and retail uses. The subject property is generally located at the southeast corner of Joe Wilson Road and Belt Line Road. There are two items to note. First, the detention pond to the north will handle the storm water associated with the development. Second, the Thoroughfare Plan dedicates additional ROW along Joe Wilson Road and Belt Line Road. Staff has reviewed the proposed final plat and recommends approval upon providing a revised plat with filling information for the sanitary sewer easement along the eastern property line.

Michael Westfall of Kimley-Horn Associates, 5750 Genesis Court, Ste. 200, Frisco, TX stepped forth to present this request.

Commissioner Hamilton asked the location of parking.

Mr. Westfall indicated it would be in Lots 1 and 3.

Commissioner Deeds asked if the parking would be subject to the new parking ratio.

Mr. Gore stated that the new ratio pertained to grocery stores not retail so it would not apply in this case.

Commissioner Deeds made a motion to recommend approval of Case 14-30 subject to applicant revising the plat to show the sanitary sewer easement along the eastern property line. The motion was seconded by Commissioner Thierry. The vote was as follows:

Ayes: 5 – Chairman Brooks, Commissioners Saldana, Deeds, Thierry, and Hamilton

Nays: 0

Chairman Brooks declared the motion carried.

- V. Case No. 2014-31 – Review and consider the Site Plan of a shopping center, on Lots 1 and 3, Blk. A, Walmart Neighborhood Market at East Belt Line Road Addition, generally located at the southeast corner of Joe Wilson and Belt Line Road; requested by Michael Westfall of Kimley-Horn Associates, Inc.**

Don Gore, Sr. Planner presented to the Commission the staff report stating that the applicant is proposing to construct a 51,817 sq. ft. shopping center on 8.881 acres generally located at the southeast corner of Joe Wilson Road and Belt Line Road. The applicant has indicated that the shopping center consists of 43,163 sq. ft. Walmart Neighborhood Market grocery store (Lot 1) with an 8,400 sq. ft. retail building (Lot 3). The associated fuel sales portion of the development (Lot 2) requires a conditional use permit within the local retail district, which was approved by City Council. The pad site (Lot 4) will be constructed with another phase at another time. Applicant did a traffic analysis to add more stacking on the left hand turn lane of Joe Wilson and Belt Line Road. Also, on their letter of intent it was indicated that no trees would be removed.

Commissioner Deeds asked where the parking would be for the outlot and if it would be subject to the new parking ratio set earlier this year. Would the parking be based on the size of the store or stores. Also, would there be any negative drainage.

Mr. Westfall indicated the parking would be within the outlot and it would be subject to the new parking ratio.

Mr. Gore indicated the city engineer had reviewed drainage and felt it was fine. Also there is a misunderstanding about the parking ratio. The new parking ratio that was changed is for grocery stores not necessarily retail. The parking ratio (1 parking space per 250 sq. ft.) for the Walmart is different than the parking ratio (1 parking for 200 sq. ft.) for the retail space.

Commissioner Deeds asked if the parking would be subject to the new parking ratio.

Mr. Gore stated that the new ratio pertained to grocery stores not retail so it would not apply in this case.

Commissioner Deeds made a motion to recommend approval of Case 14-30. The motion was seconded by Commissioner Hamilton. The vote was as follows:

Ayes: 5 – Chairman Brooks, Commissioners Saldana, Deeds, Thierry, and Hamilton

Nays: 0

Chairman Brooks declared the motion carried.

VI. Staff Reports & Discussion Items

1. Solar PV Systems

Don Gore, Senior Planner recapped why we were looking at solar energy and the concerns that the Commission had. Mr. Gore introduced Mr. Lepinski, a professional Solar Engineer, to talk about solar, ordinances and address the Commission's concerns.

Mr. Lepinski went over his involvement with photovoltaic systems and described how the systems work, their limitations and advantages. He showed the Commission an actual photovoltaic solar panel and an inverter noting that the solar panel, which is typically mounted on the roof, weighs very little, and the inverter is typically mounted in the garage or closet near the electrical panel. Wires typically run from panel to panel then down to the inverter which converts the DC power into AC. The inverter is then connected to the electrical panel. It is at this point that electricity produced by the PV panels becomes a part of the power grid. Mr. Lepinski then addressed the Commission's questions and concerns:

- Aesthetics
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- This is the biggest community issue. If roof mounted, there is very little aesthetic impact. A few communities have restricted street-facing panels but most have not. No restriction on size
 - Hazardous Materials/Environmental
 - Certified through the EPA as non-hazardous and can be safely disposed of as a non-hazardous material in municipal landfills.
 - Decommissioning
 - Last about 35 years
 - Can protect the roof from hail
 - PV's must withstand hail up to 1" in diameter and wind up to 55 miles per hour
 - Ambient Temperature
 - No heat retained or generated
 - No impact on heat island effect
 - Work better when cool
 - Property Values
 - Homes with solar panels sell faster and at a premium
 - Improves real estate in the city
 - Appraisal value of homes equipped with PV's are higher
 - Public Safety
 - PV's automatically disconnect from the power grid should the grid lose power
 - Roof mounted PV's could hinder roof access to firefighters; however, other ventilating and firefighting options are available
 - Yard requirements in existing zoning codes, prohibit structures, including solar panels, in the front yard thus maintain reasonable access
 - Historic Preservation
 - This would be on a case by case basis. PV's might be prohibited within public view
 - Noise
 - none
 - Glare
 - No reflection, designed to collect sunlight not reflect it
 - PV's are tilted to face the sun so any reflection is directed back towards the sky; does not affect traffic and very minimum effect on aircraft

Commissioner Deeds asked what advantage do residents have to install a solar system and what incentives are there for residents that cannot afford a solar system. What is the average time to recoup cost of installing a solar system.

Mr. Lepinski stated the US Government currently offers a 30% tax credit to install a solar system. The electric company may also give 30% tax credit. It will take about 4-7 years to recoup the cost of the solar system.

Rod Tyler, Director of Planning asked about wind load.

Mr. Lepinski stated if the panels are parallel to the roof or pitched to no more than 12 inches above the plain of the roof the wind load would be very minimum.

Mr. Lepinski noted that in 2011 the Texas Legislature passed a statute that outlaws HOA's from prohibiting homeowners from installing PV panels on a home. The law still requires homeowners to comply with any applicable architecture review, however; the HOA cannot restrict the location of the PV's to such an extent that there would be a power production loss of 10% or more.

Mr. Lepinski commented that he had heard of community programs that were aimed at increasing access to solar power. One was a program called PACE (Property Access Clean Energy) which allows a low interest loan to be provided to a business for the purpose of purchasing solar; then repay as part of the property taxes until the loan is repaid and it drops back to the pre-loan value.

Mr. Gore noted that it would be a good idea to do more public engagement, education on solar systems and financing; get other staff members involved from building inspections and the fire marshal, as well as tap in to other Boards. Next meeting we will talk about ordinances and putting an outline together.

2. Code Audit

Mr. Gore reminded the Commission about the Smart Growth America Code Audit meeting and workshop on October 22 and 23. He reminded the Commission that the Smart Growth American group were presenting their analysis as to how well the Uptown Overlay District and other city codes supported Transit Oriented Development (TOD). Mr. Gore explained that a TOD is a more walkable place that induces different transportation. The specific concepts are: mixed use vertical, horizontal; parking; development standards; compact development; and multi-mobile. Also, Mr. Gore went over the Uptown Overlay standards: purpose, applicability, procedure and standards.

3. Recent Submittals

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

VII. Adjourn

A motion was made, followed by a second for adjournment. The meeting adjourned at 8:32 pm.

Theresa Brooks
Chairman

Sharon Davis
Executive Secretary
