
**MINUTES
PLANNING AND ZONING COMMISSION
Meeting of June 5, 2018**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on Tuesday, June 5, 2018 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: Vice-Chairperson Theresa Brooks, and Commissioners: Lisa Thierry, Bill Strother, Michael Deeds, Timothy Hamilton, and Michael Lewis

Absent: None

City Staff members present: Director of Planning, LaShondra Stringfellow; Senior Planner, Maria Peña; Planner, Dana Woods; Parks and Recreation Executive Secretary, Katie Cenicola

I. Call the Meeting to Order.

Vice-Chairperson 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 May 15, 2018 regular meeting.

A motion was made by Commissioner Deeds and seconded by Commissioner Hamilton to approve the minutes of the May 15, 2018 regular meeting. The vote was as follows:

Ayes: 4 – Vice-Chairperson Brooks, Commissioners Strother, Deeds and Hamilton

Nays: None

Abstentions: Commissioners Lewis and Thierry

Vice-Chairperson Brooks declared the motion carried.

III. Citizens Forum

No one spoke.

IV. Public Hearing Items:

1. **Case No. PD-64-2018** – Conduct a public hearing and consider an application for an amendment to Planned Development District No. 03-137 to reduce the minimum rear yard setback from 25 feet to 20 feet for the Bear Creek Ranch, Phase II Addition, generally located on the east side of South Duncanville Road, south of Bear Creek Road. Applicant: Jeff Klement, JBI Partners; Property Owner: Keith Hardesty, First Texas Homes
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Senior Planner, Maria Peña briefed, the Commission on the request. She indicated that staff recommends approval.

Vice-Chairperson Brooks asked the Commission if they had any questions for staff. Commissioner Hamilton asked how large the footprints of the houses are.

Ms. Peña indicated that in general the smallest home is 2,027 square-feet and the largest home is 4,243 square-feet.

Commissioner Deeds asked the purpose for potentially taking out 5 feet.

Ms. Peña indicated that the developer would like to accommodate the future homeowner with some flexibility on the size of their home.

Commissioner Strother asked if the front setback was to remain 30 ft.

Ms. Peña indicated that this was correct, with the exception of a few homes having 50 ft.

Vice-Chairperson Brooks asked the applicant to address the commission. Tony Shaw stated that the 5-foot setback will help to allow a variety of product to the future homeowner.

Commissioner Lewis asked why they split up building the homes in Phase II.

The applicant indicated that it was a logical decision from an engineering and financial standpoint.

Vice-Chairperson Brooks opened the public hearing for anyone wishing to speak in support of this request.

No one spoke in support.

Vice-Chairperson Brooks asked if there was anyone wishing to speak in opposition of this request. Eight people spoke in opposition: Kathy Washington, Rock Ridge Dr.; Carol Wellbaum, 1626 Forest Creek; Chris Gibson, 1514 Trail Ridge Dr.; Kellani James, 1746 Chadwick Ct.; Renee Naranjo, 1700 S. Duncanville Rd.; Ms. Williams, 1533 Willow Ln.; Anthony Brown 1730 Chadwick Ct.; James Stewart, 1522 Pine Tree Ln.

Vice-Chairperson Brooks closed the public hearing and opened the floor for discussion amongst the Commission.

Senior Planner, Maria Peña, indicated to the commission that 5 feet of the rear yard setback would be reduced to make the house longer by 5 feet. She also indicated that this does not change the number of lots in Phase II and no one in Phase I is going to lose property.

Commissioner Deeds asked the applicant about garage orientation.

The applicant indicated that they will have several garage options for future homeowners such as a garage on the side of the house or front of the house.

Commissioner Deeds made a motion to approve as recommended by staff.

The motion was seconded by Commissioner Strother.

The vote was as follows:

Ayes: 6 – Vice-Chairperson Brooks, Commissioners Thierry, Strother, Deeds, Hamilton, and Lewis

Nays: None

Vice-Chairperson Brooks declared the motion carried.

2. **Case No. PD-SP-62-2018** – Conduct a public hearing and consider an application for a Planned Development Site Plan on property zoned Planned Development District No. 03-137, legally described as the Bear Creek Ranch, Phase II Addition, generally located on the east side of South Duncanville Road, south of Bear Creek Road. *Applicant: Ruben Graciano, JBI Partners; Property Owner: Keith Hardesty, First Texas Homes*

Senior Planner, Maria Peña, briefed the Commission on the request. She indicated that staff recommends approval.

Vice-Chairman Brooks asked about the park fees.

Ms. Stringfellow indicated that the developer and Parks Board came to an agreement and this is the amount that was due after development of the park in Phase I. Since Phase II is already platted, the fee has to be collected at building permit issuance.

Vice-Chairperson Brooks asked the applicant to address the commission. Tony Shaw stated he was available for questions if there were any.

Vice-Chairperson Brooks opened the public hearing for anyone wishing to speak in support of this request.

No one spoke in support.

Vice-Chairperson Brooks asked if there was anyone wishing to speak in opposition of this request. Two people spoke in opposition: Jared Malone, 1813 S. Duncanville Rd.; Vicki Tuck 1709 Rock Ridge Dr.

Vice-Chairperson Brooks closed the public hearing and opened the floor for discussion amongst the Commission.

Commissioner Deeds asked about the Duncanville Rd. access.

Ms. Pena indicated that there will be a new entrance into the development along Duncanville Rd.

Commissioner Deeds asked the applicant about the maintenance of the wall.

The applicant indicated that the developer will be responsible for the maintenance until it is built out. Then, it will fall to the Home Owners Association.

Commissioner Hamilton made a motion to approve subject to, the Park Development fees of \$119.98 per lot are rendered at the time of Building Permit.

The motion was seconded by Commissioner Thierry.

The vote was as follows:

Ayes: 6 – Vice-Chairperson Brooks, Commissioners Thierry, Strother, Deeds, Hamilton, and Lewis

Nays: None

Vice-Chairperson Brooks declared the motion carried.

3. **Case No. CUP-56-2018** – Conduct a public hearing and consider an application for a Conditional Use Permit (CUP) for a car wash on property zoned "LR" (Local Retail District), legally described as a portion of the Zachariah Jackson Survey, Abstract No. 711, located on the north side of East Belt Line Road, west of North Joe Wilson Road with the approximate address being 211 North Joe Wilson Road. *Applicant: Chad West, Snap Clean Car Wash; Representative: Chase Helm, Winkelmann & Assoc., Inc; Property Owner: Gordon Edwards, Beltline/Joe Wilson 2 LTD*

Planner, Dana Woods, briefed the Commission on the request. She indicated that staff recommends approval.

Vice-Chairperson Brooks asked if the applicant wanted to make a statement. They did not.

Vice-Chairperson Brooks asked the Commission if they had any questions for staff.

Vice-Chairperson Brooks opened the public hearing for anyone wishing to speak in support of this request. One person spoke in favor: Wes Pool, 611 E. Beltline Rd.

Vice-Chairperson Brooks asked if there was anyone wishing to speak in opposition of this request.

No one spoke in opposition.

Vice-Chairperson Brooks closed the public hearing and opened the floor for discussion amongst the Commission.

Commissioner Hamilton asked the applicant if the business was successful in Ennis.

The applicant indicated that it was.

Commissioner Deeds asked about the traffic issue.

The applicant indicated that there might be an issue during the first week, but they will work with the City to alleviate any issues.

Commissioner Deeds made a motion to approve subject to the property being platted prior to issuance of a building permit.

The motion was seconded by Commissioner Lewis.

The vote was as follows:

Ayes: 6 – Vice-Chairperson Brooks, Commissioners Thierry, Strother, Deeds, Hamilton, and Lewis

Nays: None

Vice-Chairperson Brooks declared the motion carried.

4. **Case No. CUP-59-2018** – Conduct a public hearing and consider an application for a Conditional Use Permit (CUP) for a restaurant with attendant accessory use of the sale of alcoholic beverages for on-premise consumption on property zoned "LR" (Local Retail District) within the Uptown Overlay, legally described as a portion of Lot 1RB, Block B of the Cedar Hill Village Addition, generally located on the northwest corner of J. Elmer Weaver Freeway and Towne Square Boulevard with the approximate address being 213 North J. Elmer Weaver Freeway. *Applicant: Lap Van Duong, Louisiana Crab Shack; Representative: Tom Heraty; Property Owner: BRE DDR BR Cedar Hill Texas LLC.*

Planner, Dana Woods, briefed the Commission on the request. She indicated that staff recommends approval.

Vice-Chairperson Brooks asked if the applicant wanted to make a statement. They did not.

Vice-Chairperson Brooks opened the public hearing for anyone wishing to speak in support of this request.

No one spoke in favor.

Vice-Chairperson Brooks asked if there was anyone wishing to speak in opposition of this request.

No one spoke in opposition.

Vice-Chairperson Brooks closed the public hearing and opened the floor for discussion amongst the Commission.

Commissioner Strother made a motion to approve subject to the following conditions as recommended by staff:

- 1) The operation of the use is subject to the alcoholic beverage site plan with attachments.
- 2) This Conditional Use Permit does not permit alcoholic beverages for off-site consumption.
- 3) There shall be no gaming devices, dance floor and electronic amusement machines in the restaurant.

The motion was seconded by Commissioner Hamilton.

The vote was as follows:

Ayes: 6 – Vice-Chairperson Brooks, Commissioners Thierry, Strother, Deeds, Hamilton, and Lewis

Nays: None

Vice-Chairperson Brooks declared the motion carried.

5. **Case No. CUP-60-2018** – Conduct a public hearing and consider an application for a Conditional Use Permit (CUP) for a restaurant with attendant accessory use of the sale of alcoholic beverages for on-premise consumption and a variance to the minimum 300-foot distance from a public school on property zoned "LR" (Local Retail District), legally described as a portion of Lot 6, Block A of the Lyons Addition, generally located on the north side of East Belt Line Road, east of North Cannady Drive with the approximate address being 531 East Belt Line Road. *Applicant: Victor Bahena, Cancun's; Property Owner: Jung Soon Lee*

Planner, Dana Wood, briefed the Commission on the request. She indicated that staff recommends approval.

Vice-Chairperson Brooks asked the Commission if they had any questions for staff. Commissioner Lewis asked if approving the variance would set a precedent.

Ms. Stringfellow indicated that it would not.

Vice-Chairperson Brooks asked if the applicant wanted to make a statement. They did not.

Vice-Chairperson Brooks opened the public hearing for anyone wishing to speak in support of this request.

No one spoke in favor.

Vice-Chairperson Brooks asked if there was anyone wishing to speak in opposition of this request.

No one spoke in opposition.

Vice-Chairperson Brooks closed the public hearing and opened the floor for discussion amongst the Commission.

Commissioner Deeds made a motion to approve subject to the following conditions as recommended by staff:

- 1) The operation of the use is subject to the alcoholic beverage site plan with attachments.
- 2) This Conditional Use Permit does not permit alcoholic beverages for off-site consumption.
- 3) There shall be no gaming devices, dance floor and electronic amusement machines in the restaurant.
- 4) Striping for three parallel parking spaces must be added to the rear of the building prior to the City approving the TABC application.

The motion was seconded by Commissioner Thierry.

The vote was as follows:

Ayes: 6 – Vice-Chairperson Brooks, Commissioners Thierry, Strother, Deeds, Hamilton, and Lewis

Nays: None

Vice-Chairperson Brooks declared the motion carried.

V. Regular Items:

1. Discuss architectural standards for non-residential development.

Planning Director, LaShondra Stringfellow, indicated to the Commission that staff will bring this item back to the Commission on the June 19, 2018 meeting due to further research needed.

VI. Staff Reports

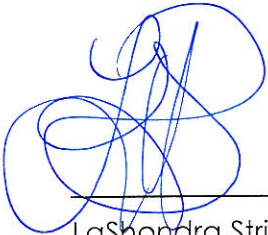
1. Ms. Stringfellow informed the Commission of the current development applications.
2. Ms. Stringfellow informed the Commission that the variance to the American Tower Expansion was granted at the Zoning Board of Adjustment meeting.
3. Ms. Stringfellow informed the Commission on upcoming meeting dates.

VII. Adjourn

A motion to adjourn was made by Commissioner Hamilton.

The motion was seconded by Commissioner Deeds.

The meeting adjourned at 8:28 p.m.



LaShondra Stringfellow
Planning Director



Theresa Brooks
Vice-Chairperson