
MINUTES
PLANNING AND ZONING COMMISSION
MEETING OF SEPTEMBER 21, 2021

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on Tuesday, September 21, 2021 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: Chairperson Michael Deeds, Vice-Chairperson Maranda Auzenne, and Commissioners Lisa Thierry, Jay Patton, Andrea Flores, Gerald White, and Allena Anderson

Absent: None

City Staff Members Present: Director of Planning, LaShondra Stringfellow; Senior Planner, Maria Peña; Planner, Katherine Linares; and Executive Secretary, Debra Kalsnes

I. Call the Meeting to Order.

Chairperson Deeds called the meeting to order at 6:00 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 August 31, 2021 regular meeting.

A motion was made by Commissioner Patton and seconded by Commissioner Anderson to approve the minutes of the August 31, 2021 regular meeting. The vote was as follows:

Ayes: 5 – Chairperson Deeds, and Commissioners Thierry, Patton, Flores, and Anderson

Nays: None

Abstain: Commissioner White *

**Commissioner White abstained from voting because he was absent for that meeting date.*

The motion carried.

III. Citizens Forum.

No one spoke. There were no written comments submitted online.

IV. Public Hearing Items:

- 1. Case No. CUP-376-2021** – Conduct a public hearing and consider an application for a Conditional Use Permit for the sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant on property zoned "LR" (Local Retail District), generally located on the southeast side of North J. Elmer Weaver Freeway

(Highway 67), south of Springtime Drive with the approximate address being 420 North J. Elmer Weaver Freeway.

Applicant: Mei Rong Xiao, Juicy Seafood and Bar

Property Owner: Todd Techananalert, Baruch Cedar Hill, LLC

Planner Katherine Linares briefed the Commission on the request. She indicated that staff recommends approval subject to the following conditions:

1. The operation of the use is subject to the site plan and floor plan with attachments and the requirements in Section 4.1.4 of the Zoning Ordinance.
2. This Conditional Use Permit is only valid for the operator "Juicy Seafood and Bar". A new CUP shall be required if the operator on the TABC license changes.
3. Food purchase shall be required with the purchase of alcoholic beverages.
4. There shall be no walk-up window access and no drive-through facility.
5. Commercial amusement uses shall require an amendment to the Conditional Use Permit.

Chairperson Deeds asked if there were any questions from the Commissioners. There were no questions.

Chairperson Deeds asked the applicant to come forward and address the Commission. Mei Rong Xiao at 7613 New Heart Dr., Plano, TX, was available to answer questions.

The Commission had no questions.

Chairperson Deeds opened the public hearing. He asked if there was anyone wishing to speak in support or opposition of this request.

No one spoke in support or opposition.

Chairperson Deeds closed the public hearing.

Commissioner Thierry made a motion to approve subject to staff's conditions.

The motion was seconded by Commissioner Flores.

The vote was as follows:

Ayes: 6 – Chairperson Deeds, and Commissioners Thierry, Patton, White, Flores, and Anderson

Nays: None

Chairperson Deeds declared the motion carried and stated this application would be considered by City Council on September 28, 2021.

At this point, Vice-Chairperson Auzenne entered the meeting.

2. **Case No. CUP-382-2021** – Conduct a public hearing and consider an application for a Conditional Use Permit (CUP) for “lawn-landscaping maintenance service (no outdoor storage)” on property zoned “LR” (Local Retail District), generally located on the north side of East Pleasant Run Road, east of J. Elmer Weaver Freeway (Highway 67), with the approximate address being 609 East Pleasant Run Road.

Applicant: Eric Shaffer, Benk Group, LLC
Property Owner: Ken Byer, Emerald Cut Lawns and Landscape

Planner Katherine Linares briefed the Commission on the request. She indicated that staff recommends approval subject to the following conditions:

1. The operation of the use is subject to the site plan with attachments.
2. No outdoor storage of equipment, vehicles, or other related operation materials shall be allowed along East Pleasant Run Road.
3. There shall be no parking on unimproved surfaces in the front yard setback along East Pleasant Run Road.

Chairperson Deeds asked what triggered the CUP for this business. Planner Linares stated that the potential buyer would be taking out a loan for this business and applied for a Certificate of Occupancy. Chairperson Deeds asked if it would be continuing as a landscaping business which Planner Linares confirmed.

Chairperson Deeds asked the applicant to come forward and address the Commission. Ken Beyer at 707 Oak Hill Lane, Cedar Hill, TX, and Eric Shaffer at 1960 Tapadero Land, Celina, TX, addressed the Commission. Mr. Beyer stated that though a Certificate of Occupancy could not be found, throughout the years, city officials have visited the site and were aware of the use. He also stated that with the change of ownership, nothing would change in terms of the operation of the business.

Chairperson Deeds asked about the parking. Mr. Beyer stated that the employees park in the back. Chairperson Deeds asked if there was a written agreement with the adjacent property owner in order to access the parking in the back of the building. Mr. Beyer stated that he believed there was a written agreement.

Chairperson Deeds opened the public hearing. He asked if there was anyone wishing to speak in support or opposition of this request.

No one spoke in support or opposition.

Chairperson Deeds closed the public hearing.

Vice-Chairperson Auzenne stated that she appreciated the well-manicured landscaping of the property and the courtesy of the employees coming in and out of the business.

Commissioner White made a motion to approve subject to staff's conditions.

The motion was seconded by Commissioner Patton.

The vote was as follows:

Ayes: 7 – Chairperson Deeds, Vice-Chairperson Auzenne, and Commissioners Thierry, Patton, White, Flores, and Anderson

Nays: None

Chairperson Deeds declared the motion carried and stated this application would be considered by City Council on September 28, 2021.

V. Regular Items:

1. **Case No. SP-219-2019** – Consider an application for a site plan on property zoned "LR" (Local Retail District), located on the north side of East Pleasant Run Road, west of North Joe Wilson Road with the approximate address being 715 East Pleasant Run Road.

*Applicant: Jason Belman, Belman Barbers
Property Owner: Horace Lynn Hughes*

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

Chairperson Deeds asked where the ADA access would be positioned to enter the business. Senior Planner Peña indicated that ADA access would be from the front sidewalk and that the back parking lot met the ADA requirements.

Commissioner Flores asked what qualifies a tree to be protected. Senior Planner Peña explained the city ordinance requirement.

Chairperson Deeds asked the applicant to come forward and address the Commission. Norman Patten at 413 Cedar St., Cedar Hill, TX, came forward representing the owner and was available to answer questions.

The Commission had no questions for the representative.

Commissioner Patton made a motion to approve.

The motion was seconded by Commissioner Thierry.

The vote was as follows:

Ayes: 7 – Chairperson Deeds, Vice-Chairperson Auzenne, and Commissioners Thierry, Patton, White, Flores, and Anderson

Nays: None

Chairperson Deeds declared the motion carried and stated this application would be considered by City Council on September 28, 2021.

2. Case No. FP-383-2021 – Consider an application for a final plat for Stonehill Addition on property zoned Planned Development District No. 03-138 for "SF-10" (Single-Family Residential District with minimum 10,000-square-foot lots) uses, generally located on the northwest corner of Bear Creek Road and South Cockrell Hill Road, with the approximate address being 2201 Bear Creek Road.

Representative: Ben Raef, PE, Peloton Land Solutions

Applicant: Justin Bosworth, PE, D.R. Horton-Texas, LTD.

Property Owner: Benjamin Clark, D.R. Horton-Texas, LTD.

Planner Katherine Linares briefed the Commission on the request. She indicated that staff recommends approval subject to the conditions in the staff report.

Chairperson Deeds asked if there were any questions from the Commissioners. Commissioner Anderson asked what the cost of the residences would be.

Chairperson Deeds asked the applicant to come forward and address the Commission. Hayden Thompson with Peloton Land Solutions, 9800 Hillwood Parkway, Suite 250, Fort Worth, TX, stated that the home prices would be similar to the surrounding new subdivision, but could be higher because the lots are larger.

Commissioner White made a motion to approve subject to conditions in the staff report.

The motion was seconded by Chairperson Deeds.

The vote was as follows:

Ayes: 7 – Chairperson Deeds, Vice-Chairperson Auzenne, and Commissioners Thierry, Patton, White, Flores, and Anderson

Nays: None

Chairperson Deeds declared the motion carried and stated this would be considered by City Council on September 28, 2021.

3. Case No. FP-386-2021 – Consider an application for a final plat for the Cedar Hill Shops at the Highlands Addition, Lots 1, 2, and 3, Block 1 on property zoned "LR" (Local Retail District), generally located on the southwest corner of East Belt Line Road and Sims Road, with the approximate address being 538 East Belt Line Road.

Applicant: John Gardner, Kirkman Engineering

Property Owner: Johnny Shepperson, Cedar Hill Paradigm JV, LLC

Planner Katherine Linares briefed the Commission on the request. She indicated that staff recommends approval subject to the conditions in the staff report.

Chairperson Deeds asked if there were any questions from the Commissioners. There were none.

Chairperson Deeds asked the applicant to come forward and address the Commission. John Gardner, 5200 State Highway 121, Colleyville, TX, was available to answer questions.

Commissioner Patton asked which restaurants would be occupying these lots. Mr. Gardner stated that on one lot they have confirmed Captain Ds and Golden Chick. The other lot has confirmed Bahama Buck's. The other lot has not yet been confirmed.

Commissioner White made a motion to approve subject to staff's conditions.

The motion was seconded by Commissioner Patton.

The vote was as follows:

Ayes: 7 – Chairperson Deeds, Vice-Chairperson Auzenne, and Commissioners Thierry, Patton, White, Flores, and Anderson

Nays: None

Chairperson Deeds declared the motion carried and stated this application would be considered by City Council on September 28, 2021.

VI. Other Business Items.

1. Consider approval of meeting dates for 2022.

Commissioner Thierry made a motion to approve the meeting dates for 2022. The motion was seconded by Commissioner Anderson.

The vote was as follows:

Ayes: 7 – Chairperson Deeds, Vice-Chairperson Auzenne, and Commissioners Thierry, Patton, White, Flores, and Anderson

Nays: None

Chairperson Deeds declared the motion carried.

2. Conduct an election for Chairperson for the Planning and Zoning Commission.

Commissioner Patton made a motion to nominate Commissioner Thierry. The motion was seconded by Chairperson Deeds.

The vote was as follows:

Ayes: 4 – Commissioners Thierry, Patton, Flores, and Anderson

Nays: 3 – Chairperson Deed, Vice-Chairperson Auzenne, and Commissioner White

Chairperson Deeds declared the motion carried.

3. Conduct an election for Vice-Chairperson for the Planning and Zoning Commission.

Commissioner White made a motion to nominate Commissioner Patton for Vice-Chairperson. The motion was seconded by Chairperson Deeds.

The vote was as follows:

Ayes: 7 – Chairperson Deeds, Vice-Chairperson Auzenne, and Commissioners Thierry, Patton, White, Flores, and Anderson

Nays: None

Chairperson Deeds declared the motion carried.

VII. Staff Reports.

Director Stringfellow briefed the Commission on upcoming applications within the city.

VIII. Adjourn.

Vice-Chairperson Auzenne made a motion to adjourn, and it was seconded by Commissioner Thierry.

The meeting adjourned at 7:17 p.m.

Debra Kalsnes

Debra Kalsnes
Planning Executive Secretary

Lisa Thierry

Lisa Thierry
Chairperson

