
MINUTES
PLANNING AND ZONING COMMISSION
MEETING OF JUNE 21, 2022

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on Tuesday, June 21, 2022 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 Lisa Thierry, Vice-Chairperson Jay Patton, and Commissioners Gerald White and Maranda Auzenne

Absent: Commissioners Allena Anderson, and Steven Hendon

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

1. Call the Meeting to Order.

Chairperson Thierry called the meeting to order at 6:16 p.m. declaring it an open meeting in which a quorum was present, and the meeting notice was duly posted.

2. Approve the minutes of the June 7, 2022 regular meeting.

A motion was made by Commissioner White and seconded by Vice-Chairperson Patton to approve the minutes of the June 7, 2022 regular meeting. The vote was as follows:

Ayes: 4 – Chairperson Thierry, Vice-Chairperson Patton, Commissioners White and Auzenne

Nays: None

Abstain: None

The motion carried.

3. Citizens Forum/Public Comments.

There were none.

4. Public Hearing Items:

1. **Case No. PD-435-2022** - Conduct a public hearing and consider an application for a change in zoning from "LR" (Local Retail District) to "PD" (Planned Development District) including retirement housing, retail, restaurant, and mini-warehouse/self-storage uses on approximately 14.38 acres, generally located on the northwest corner

of East Wintergreen Road and Highway 67, with the approximate address being in the 1400 Block of North J. Elmer Weaver Freeway.

Representative: Dallas Cothrum and Trenton Robertson, Masterplan

Applicant: Nicholas Balsamo, Kalterra

Property Owners: Winter Cedar 6, LLC and E&D Investments

The Chair stated that the applicant has requested that the public hearing and consideration for this item be continued to the Commission's regular meeting scheduled for Tuesday, July 19, 2022 at 6:00 pm.

Commissioner White made a motion to continue the public hearing and consideration for this item to Tuesday, July 19, 2022.

The motion was seconded by Commissioner Auzenne.

Ayes: 4 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White and Auzenne

Nays: None

Chairperson Thierry opened the public hearing. The representative, Dallas Cothrum of Masterplan at 2201 Main St., Suite 1280, Dallas, TX, 75201, came forward and made a presentation. He indicated he was representing the Kalterra.

Chairperson Thierry asked if there was anyone wishing to speak in support of this request. No one came forward.

Chairperson Thierry asked if there was anyone wishing to speak in opposition of this request. Yvette Timmons at 1019 Ruth St., Winterhaven Estates, Cedar Hill, TX, 75104 came forward. She indicated she was not opposed to the senior housing. However, she was opposed to the mini-warehouses and any more fast-food restaurants, nail shops and wig shops.

Chairperson Thierry stated that the public hearing and consideration by the Planning and Zoning Commission would be on July 19, 2022.

2. **Case No. PD-SP-451-2022** - Conduct a public hearing and consider an application for a Planned Development-Site Plan on property zoned Planned Development District No. 2022-760 [Juniper Creek], generally located south of the southeast corner of West Wintergreen Road and Highway 67 with the approximate address being 1400 North J. Elmer Weaver Freeway.

Applicant: Rob McClain, Jabez Development, LP

Representative: Jason Frey, BGE, Inc.

Property Owner: P.T. Swamy, Ganapathy LTD

Senior Planner Peña briefed the Commission on the request. She indicated staff recommended approval subject to the conditions in the staff report.

Chairperson Thierry asked if there were any questions for staff from the Commissioners. There were none.

Chairperson Thierry asked the applicant to come forward and address the Commission. Rob McClain at 609 Duvall Blvd., Lewisville, TX, came forward, gave a statement and indicated he was available to answer questions.

Chairperson Thierry asked if there were any questions for the applicant from the Commissioners.

The applicant responded to Commissioner Auzenne's question regarding the tree mitigation.

Chairperson Thierry opened the public hearing. She asked if there was anyone wishing to speak in support or opposition of this request. No one came forward.

Chairperson Thierry closed the public hearing.

Chairperson Thierry asked the Commission if there were additional questions of staff or the applicant. There were none.

Chairperson Thierry asked the Commission to deliberate and make a motion.

Vice-Chairperson Patton made a motion to approve subject to staff's conditions.

The motion was seconded by Commissioner White.

Ayes: 4 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White and Auzenne

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on June 28, 2022.

3. **Case No. CUP-440-2022** - 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 Planned Development District No. 05-226, generally located on the south side of West Pleasant Run Road, northwest of Highway 67 with the approximate address being 305 West FM 1382, Suite 502 [Hillside Village].

Representative: Ivy McQuain, Price Restaurants LLC

Applicant: James Price, Price Restaurants LLC

Property Owner: Renee Tims, Prep Hillside Real Estate, LLC

Senior Planner Peña briefed the Commission on the request. She indicated staff recommended 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 "Price Restaurant, LLC". A new CUP shall be required if the operator on the TABC license changes.
3. Any commercial amusement uses/activities shall require an amendment to the Conditional Use Permit.

Chairperson Thierry asked if there were any questions for staff from the Commissioners. There were none.

Chairperson Thierry asked the applicant to come forward and address the Commission. Cedric Brown at 2192 Hidalgo Lane, Frisco, TX, indicated he was presenting on behalf of the applicant as he was his partner in this venture and would help operate the restaurant.

Chairperson Thierry asked if there were any questions for the applicant from the Commissioners.

The applicant answered the Commission's questions regarding the food concept, security for loitering teens, and hours of operation.

Chairperson Thierry opened the public hearing. She asked if there was anyone wishing to speak in support or opposition of this request. No one came forward.

Chairperson Thierry closed the public hearing.

Chairperson Thierry asked the Commission if there were additional questions of staff or the applicant. There were none.

Chairperson Thierry asked the Commission to deliberate and make a motion.

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

The motion was seconded by Vice-Chairperson Patton.

Ayes: 4 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White and Auzenne

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on June 28, 2022.

4. **Case No. CUP-441-2022** - 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 Planned Development District No. 05-226, generally located on the south side of West Pleasant Run Road, northwest of Highway 67 with the approximate address being 305 West FM 1382, Suite 314 [Hillside Village].

Representative: Ivy McQuain, Price Restaurants LLC

Applicant: James Price, Price Restaurants LLC

Property Owner: Renee Tims, Prep Hillside Real Estate, LLC

Senior Planner Peña briefed the Commission on the request. She indicated staff recommended 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 "Price Restaurant, LLC". A new CUP shall be required if the operator on the TABC license changes.
3. Any commercial amusement uses/activities shall require an amendment to the Conditional Use Permit.

Chairperson Thierry asked if there were any questions for staff from the Commissioners. There were none.

Chairperson Thierry asked the applicant to come forward and address the Commission. James Price at 6425 Shady Oaks Lane, Plano, TX, came forward to present the concept for the restaurant.

Chairperson Thierry asked if there were any questions for the applicant from the Commissioners. There were none.

Chairperson Thierry opened the public hearing. She asked if there was anyone wishing to speak in support of this request. Cedric Brown at 2192 Hidalgo Lane, Frisco, TX, came forward.

Chairperson Thierry asked if there was anyone wishing to speak in opposition of this request. No one came forward.

Chairperson Thierry closed the public hearing.

Chairperson Thierry asked the Commission if there were additional questions of staff or the applicant. There were none.

Chairperson Thierry asked the Commission to deliberate and make a motion.

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

The motion was seconded by Vice-Chairperson Patton.

Ayes: 4 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White and Auzenne

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on June 28, 2022.

5. Regular Items:

1. **Case No. PP-452-2022** – Consider an application for a preliminary plat for the Juniper Creek Addition on property zoned Planned Development District No. 2022-760, generally located on the south side of West Wintergreen Road and the east side of Highway 67 with the approximate address being 1400 North J. Elmer Weaver Freeway.
Applicant: Rob McClain, Jabez Development, LP
Representative: Jason Frey, BGE, Inc.
Property Owner: P.T. Swamy, Ganapathy LTD

Senior Planner Peña briefed the Commission on the request. She indicated staff recommends approval subject to the conditions in the staff report.

Chairperson Thierry asked if there were any questions for staff from the Commissioners. There were none.

Chairperson Thierry asked the applicant to come forward and address the Commission. Rob McClain at 609 Duvall Blvd., Lewisville, TX, came forward, gave a brief statement and stated he was available to answer questions.

The applicant answered the Commission's questions about the builder for the development.

Chairperson Thierry asked the Commission to deliberate and to make a motion.

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

The motion was seconded by Vice-Chairperson Patton.

Ayes: 4 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White and Auzenne

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on June 28, 2022.

2. **Case No. FP-456-2022** - Consider an application for a final plat for the Anderson Hill Addition, a portion being a replat of Parcel F of the Lake Ridge Section 4, Phase 1 Addition, on property zoned Planned Development District No. 2020-712, generally located south of Mansfield Road, east and west of Anderson Road.
Applicant: Thomas M. Gaubert, Wildwood Development Company
Representative: Chad Adams, Wildwood Development Company
Property Owner: Kenny Kok, Hardwood Funds, LLC; and Thomas M. Gaubert

Senior Planner Peña briefed the Commission on the request. She indicated staff recommends approval subject to the conditions in the staff report.

Chairperson Thierry asked if there were any questions for staff from the Commissioners.

Staff responded to the Commission's question regarding a deceleration lane on Mansfield Road.

Chairperson Thierry asked the applicant to come forward and address the Commission. Chad Adams at 1360 Trophy Court, Midlothian, TX, came forward, gave a brief statement and stated he was available to answer questions.

There were no questions.

Chairperson Thierry asked the Commission to deliberate and to make a motion.

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

The motion was seconded by Vice-Chairperson Patton.

Ayes:	4 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White and Auzenne
Nays:	None
Abstain:	None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on June 28, 2022.

3. **Case No. FP-454-2022** - Consider an application for a final plat for The Terraces Addition, Lots 12R-A – 12R-F, Block A, being a replat of The Terraces Addition, Lot 12, Block A on property zoned "SF-E" District (Single-Family Residential – Estate with minimum 1-acre lots) located southwest of Terrace Lane, and northwest of North Cedar Hill Road, with the approximate address being 12 Terrace Lane.
Applicant/Property Owner: Napoleon Lewis, SH Texas GP, LLC

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

Chairperson Thierry asked if there were any questions for staff from the Commissioners. There were none.

Chairperson Thierry asked the applicant to come forward and address the Commission. Jim Riley with Brockette Davis Drake at 4144 N. Central Expressway, Dallas, TX, came forward, gave a brief statement and stated he was available to answer questions.

The applicant answered the Commission's question regarding Phase 1 of this development.

Chairperson Thierry asked the Commission to deliberate and to make a motion.

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

The motion was seconded by Vice-Chairperson Patton.

Ayes: 4 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White and Auzenne

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on June 28, 2022.

4. Case No. FP-455-2022 - Consider an application for a final plat for Stonehill Addition, Phase 2 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/Property Owner: Justin Bosworth, PE, D.R. Horton-Texas, LTD.

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

Chairperson Thierry asked if there were any questions for staff from the Commissioners. There were none.

Chairperson Thierry asked the applicant to come forward and address the Commission. Ben Raef with Peloton Land Solutions at 9800 Hillwood Parkway, Fort Worth, TX, 76177, came forward, gave a brief statement and stated he was available to answer questions.

Chairperson Thierry asked if there were any questions for the applicant. There were no questions for the applicant.

Chairperson Thierry asked the Commission to deliberate and to make a motion.

Vice-Chairperson Patton made a motion to approve subject to staff's conditions.

The motion was seconded by Commissioner Auzenne.

Ayes: 4 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White and Auzenne

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on June 28, 2022.

6. Staff Reports.

Director Stringfellow updated the Commission on the upcoming meeting on July 19, 2022.

7. Adjourn.

Commissioner White made a motion to adjourn and it was seconded by Vice-Chairperson Patton.

The meeting adjourned at 7:53 p.m.

Lisa Y. Thierry Chairperson
Lisa Thierry
Chairperson

Debra Kalsnes

Debra Kalsnes
Planning Executive Secretary

