

**MINUTES
PLANNING AND ZONING COMMISSION
MEETING OF DECEMBER 6, 2022**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on Tuesday, December 6, 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, Maranda Auzenne, Dr. Allena Anderson, Steven Hendon, and Jami McCain

Absent: None

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

1. Call the Meeting to Order.

Chairperson Thierry 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.

2. Approve the minutes of the November 15, 2022 regular meeting.

A motion was made by Commissioner White and seconded by Commissioner Hendon to approve the minutes of the November 15, 2022 regular meeting. The vote was as follows:

Ayes: 5 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White, Hendon, and McCain

Nays: None

Abstain: 2 - Commissioners Auzenne and Anderson were absent.

The motion carried.

3. Citizens Forum/Public Comments.

There were none.

4. Public Hearing Items:

1. **Case No. CUP-500-2022** – Conduct a public hearing and consider an application for a Conditional Use Permit for a "variety store" [pOpshelf] and waivers to the requirements for the selling floor area dedicated to certain food products and the distance from another variety store (Sections 4.1.14(a) and (b)) on property zoned "LR" (Local Retail)

District, generally located on the west side of Highway 67 (J. Elmer Weaver Freeway) and south of East Pleasant Run Road with the approximate address being 723 North J. Elmer Weaver Freeway, Suite #28A.

Applicant and Property Owner: Gene Beiermann, Inland Western Cedar Hill Pleasant Run LTD PS (A Kite Realty Group subsidiary)

Senior Planner Peña briefed the Commission on the request. She indicated staff's denial recommendation was based upon the applicant not meeting the standards for fresh food and distance from another variety store. However, if the Commission finds that the proposed variety store would not be a blighting influence on the existing shopping center, then it should recommend approval subject to the following conditions:

1. No outdoor storage and/or retail display areas along the sidewalk or parking lot areas shall be allowed.
2. No window or door coverings on the glass storefront area shall be allowed.

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

Staff responded to the Commission's questions regarding the space that pOpshelf would occupy, the 30% transparency requirement, and whether fresh food was proposed to be sold.

Chairperson Thierry asked the applicant to come forward and address the Commission. Gene Beiermann with A Kite Realty Group at 30 S. Meridian, Suite 1100, Indianapolis, IN, made a brief statement. Todd Rush and Rose Lee with pOpshelf at 2821 Craig Dr., Suite 100, McKinney, TX, came forward, gave a presentation, and indicated they were available to answer questions. David Salas at 2609 Hamilton Dr., Grand Prairie, TX, manager of the Cedar Hill pOpshelf store also made a brief statement.

The applicants addressed the Commission's questions. They indicated that there would be self-checkout and cashiers and an evening recovery team with 15-18 people.

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 Commissioner White.

Ayes: 7 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White, Auzenne, Anderson, Hendon, and McCain

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on December 13, 2022.

5. Regular Items:

1. **Case No. FP-504-2022** – Consider an application for a final plat for the Lulseged Addition, Lot 1, Block 1, and a variance to Section 20-22(b), Chapter 20 – Subdivision Regulations on property zoned "SF-E" District (Single-Family Residential District – minimum 1-acre lots) located on the west side of Mobley Road, north of West Belt Line Road with the approximate address being 731 Mobley Road.

Applicant: Luke Keeton, Keeton Surveying

Property Owner: Robel Lulseged and Bethlehem Nuru

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.

Staff responded to the Commission's question about the street frontage.

Planner Linares indicated that the applicant was not able to be present.

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 Anderson.

Ayes: 7 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White, Auzenne, Anderson, Hendon, and McCain

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on December 13, 2022.

2. **Case No. Z-502-2022** – Discuss and provide feedback on an amendment to Chapter 23 entitled "Zoning", of the Code of Ordinances of the City of Cedar Hill, Texas, pertaining to industrial, storage, warehouse, and distribution uses.

Director Stringfellow briefed the Commission on the amendment and discussed the various uses. She asked the Commission to review the amendment for a public hearing on January 17th.

6. Staff Reports.

Director Stringfellow stated the next meeting would be on January 17th.

7. Adjourn.

Commissioner Auzenne made a motion to adjourn and it was seconded by Commissioner McCain.

The meeting adjourned at 7:47 p.m.

Lisa Thierry, Chairperson
Lisa Thierry
Chairperson

Debra Kalsnes

Debra Kalsnes
Planning Executive Secretary