
**MINUTES
PLANNING AND ZONING COMMISSION
MEETING OF APRIL 18, 2023**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on Tuesday, April 18, 2023 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, Steven Hendon, and Jami McCain

Absent: Commissioner Allena Anderson

City Staff Members Present: Director of Planning, LaShondra Stringfellow; Director of Public Works, Tom Johnson; Senior Planner, Maria Peña; Planner, Katherine Linares; and Planning Executive Assistant, 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 April 4, 2023 regular meeting.

A motion was made by Commissioner White and seconded by Commissioner Patton to approve the minutes of the April 4, 2023, regular meeting. The vote was as follows:

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

Nays: None

Abstain: 1 – Commissioner Auzenne (absent)

The motion carried.

3. Citizens Forum/Public Comments.

There were none.

4. Public Hearing Items:

1. **Cases No. CUP-535-2023, CUP-536-2023, CUP-537-2023, and CUP-538-2023** – Conduct a public hearing on requests for Conditional Use Permits for "distribution center" and "fulfillment center" on properties zoned "I" (Industrial) District, all generally located on

the east side of J. Elmer Weaver Freeway, north of the western terminus of American Way with the approximate addresses being in the 800 – 1000, 1300, 1400, and 1700 blocks of South J. Elmer Weaver Freeway.

Senior Planner Peña and Director Johnson briefed the Commission on the requests. They indicated that staff recommends approval subject to the following conditions:

1. The use shall be subject to the anticipated traffic counts and associated mitigation measures provided in the attached Traffic Impact Analysis studies.
2. Prior to the issuance of a Certificate of Occupancy, the prospective occupant shall submit documentation verifying that its proposed traffic is consistent with the Traffic Impact Analysis studies approved with the Conditional Use Permit.
3. Development shall comply with the approved site plans.

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

Staff responded to the Commission's questions regarding ramp reversals and signal lighting, clarifying the TIA, and the additional TxDOT on-ramp to Highway 67 south of Mount Lebanon.

Chairperson Thierry asked a representative for each request to come forward to present and answer any questions from the Commission.

Patrick Hogan with Kimley-Horn at 2600 N. Central Expressway, Richardson, TX, stated he was present on behalf of KBC Advisors and Stream Realty (CUP-535-2023, CUP-536-2023, and CUP-537-2023) and was available to answer questions. There were no questions from the Commission.

There were no representatives present for Hillwood Development (CUP-538-2023).

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

Chairperson Thierry closed the public hearing.

- a. **Case No. CUP-535-2023** – Consider a request for a Conditional Use Permit for "distribution center" and "fulfillment center" on property zoned "I" (Industrial) District, generally located on the east side of J. Elmer Weaver Freeway, north of KCK Way with the approximate address being in the 800 – 1,000 block of South J. Elmer Weaver Freeway.
Representative: Tony Creme, KBC Advisors
Property Owner: Chris Detzell, Wilshire Cedar Hill Owner, LLC

Chairperson Thierry asked the Commission if there were additional questions for staff or the applicant.

Staff answered the Commission's question about the process once a tenant has been established.

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

The motion was seconded by Commissioner White.

Ayes: 6 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White, Auzenne, Hendon, and McCain

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this request would be considered by City Council on April 25, 2023.

b. Case No. CUP-536-2023 – Consider a request for a Conditional Use Permit for "distribution center" and "fulfillment center" on property zoned "I" (Industrial) District, generally located on the northeast corner of Mt. Lebanon Road and J. Elmer Weaver Freeway (Highway 67), with the approximate address being in the 1300 block of South J. Elmer Weaver Freeway.

Representative: Steven Riordan, Stream Realty

Property Owner: J. Cannon Green, LIT SRP Lebanon Cedar Hill, LLC

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

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

The motion was seconded by Commissioner Hendon.

Ayes: 6 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White, Auzenne, Hendon, and McCain

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this request would be considered by City Council on April 25, 2023.

c. Case No. CUP-537-2023 – Consider a request for a Conditional Use Permit for "distribution center" and "fulfillment center" on property zoned "I" (Industrial) District, generally located on the southeast corner of Mt. Lebanon Road and J. Elmer Weaver Freeway (Highway 67), with the approximate address being in the 1400 block of South J. Elmer Weaver Freeway.

Representative: Steven Riordan, Stream Realty

Property Owner: J. Cannon Green, LIT SRP Lebanon Cedar Hill, LLC

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

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

The motion was seconded by Commissioner Auzenne.

Ayes: 6 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White, Auzenne, Hendon, and McCain
Nays: None
Abstain: None

Chairperson Thierry declared the motion carried and stated this request would be considered by City Council on April 25, 2023.

d. Case No. CUP-538-2023 – Consider a request for a Conditional Use Permit for "distribution center" and "fulfillment center" on property zoned "I" (Industrial) District, generally located on the northern corner of J. Elmer Weaver Freeway (Highway 67) and American Way with the approximate address being in the 1700 block of South J. Elmer Weaver Freeway.
Representative: Kayla Welsch, Hillwood Development
Property Owner: Toby Rodgers, USICV high Point 67 Lot 1 and USICV high Point 67 Lot 3 Inc.

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

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

The motion was seconded by Commissioner Patton.

Ayes: 6 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White, Auzenne, Hendon, and McCain
Nays: None
Abstain: None

Chairperson Thierry declared the motion carried and stated this request would be considered by City Council on April 25, 2023.

2. Case No. CUP-541-2023 – 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 [Cotton Patch] on property zoned "LR" (Local Retail)

District, generally located south of West Belt Line Road, east of J. Elmer Weaver Freeway (Highway 67) with the approximate address being 124 West Belt Line Road, Suite #3.

Applicant: Adrienne Skeel, Cotton Patch

Property Owner: Coy Quine, TSCA 202 LTD Partnership c/o TSCA 202 Holdings, Inc.

Planner Linares briefed the Commission on the request. She indicated 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 "Cotton Patch". A new CUP shall be required if the operator on the TABC license changes.
3. There shall be no walk-up window access.
4. Entertainment uses included, but not limited to, dancing and live music shall require an amendment to the Conditional Use Permit.

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

Staff responded to the Commission's question about Texas state law regarding alcohol purchases with to-go orders.

Chairperson Thierry asked the applicant to come forward and address the Commission. Chad Branscum, Director of Operations for Cotton Patch at 3281 Katy Court East, Midlothian, TX, came forward and made a brief statement.

The applicant responded to the Commission's question and stated that the alcohol for this site would be beer and wine.

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.

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

The motion was seconded by Commissioner Hendon.

Ayes: 6 – Chairperson Thierry, Vice-Chairperson Patton, and Commissioners White, Auzenne, Hendon, and McCain

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this application would be considered by City Council on April 25, 2023.

6. Staff Reports.

Director Stringfellow stated there would be no meeting on May 2nd and the details of the next meeting on May 16th will be forthcoming.

7. Adjourn.

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

The meeting adjourned at 7:04 p.m.

Lisa Y. Thierry, Chairperson
Lisa Thierry
Chairperson

Debra Kalsnes

Debra Kalsnes
Planning Executive Assistant