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**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Meeting of February 4, 2014**

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*The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, February 4, 2014 at 6:00 p.m. in T.W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Boulevard Building 100, Cedar Hill, Texas.*

*Planning & Zoning Commissioners present: Chairman Theresa Brooks, Vice-Chairman Bill Strother and Commissioners: Stephanie Freeman, Timothy Hamilton, Michael Deeds and Lisa Thierry.*

*Planning & Zoning Commissioners absent: Commissioner Gehrig Saldana.*

*City Staff members present: Rod Tyler, Director of Planning, Don Gore, Sr. Planner and Sharon Davis, Executive Secretary.*

**I. Call the meeting to order**

Chairman 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 January 7, 2014 regular meeting**

A motion was made by Commissioner Deeds to approve the January 7, 2014 regular meeting. The motion was seconded by Vice-Chairman Strother. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners, Hamilton, Freeman, Deeds and Thierry.

Nays: 0

Chairman Brooks declared the motion carried.

**III. Citizens Forum**

No one spoke

**IV. Case No. 14-01 – CONDUCT A PUBLIC HEARING and consider a request for a proposed text change to the Comprehensive Zoning Ordinance (Ordinance No. 2001-64, as amended), that would allow the City Council to grant variances to the minimum required distance between a restaurant that serves alcoholic beverages and churches or places of worship.**

Mr. Tyler gave a report on how the current zoning regulates how alcoholic beverages may be sold in conjunction with a restaurant. He stated that the City Code requires that restaurants that sale and serve alcoholic beverages are required to be a minimum distance from

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churches, schools, public hospitals and residential. But city codes give the City Council the authority to grant variances to those distant requirements to all except churches. Mr. Gros is requesting the City to amend regulations to include churches.

Mr. Gros, 327 Texas St., Cedar Hill, TX stepped forth to present this request and answer any questions from the Commission.

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

No one spoke.

Chairman Brooks closed that portion of the public hearing and opened the floor for anyone wishing to speak in opposition.

No one spoke.

Chairman Brooks closed the public hearing and opened the floor for discussion among the commissioners.

Commissioner Deeds asked if there has been any conflict with the restaurant hours and the churches hours of operation and if church was visible from the front door of the restaurant. Also, if the applicant was just interested in accommodating his business and not take into account the churches operations.

Mr. Gros stated their hours of operation do not coincide with the church and you cannot see the Church from the front door of the restaurant. Mr. Gros felt there were benefits from allowing the amendment to pass.

Commissioner Hamilton moved to recommend approval of Case No. 14-01. The motion was seconded by Commissioner Freeman. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners, Hamilton, Freeman, Deeds and Thierry.

Nays: 0

Chairman Brooks declared the motion carried.

- V. Case No. 14-02 –CONDUCT A PUBLIC HEARING and consider a request for a Conditional Use Permit** authorizing the serving of Alcohol Beverages in conjunction with a restaurant (Fuzzy’s Taco Shop) located within the Market at Cedar Hill and zoned Local Retail (LR), located at 241 E. FM 1382, Suite 317, Cedar Hill, TX 75104.

Mr. Gore presented the staff report for the above case to the Commission.

Todd Knight, P. O. Box 345, Lake Dallas, TX 75065 presented request and answer any questions.

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

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No one spoke.

Chairman Brooks closed that portion of the public hearing and opened the floor for anyone wishing to speak in opposition.

No one spoke.

Chairman Brooks closed the public hearing and opened the floor for discussion.

Commissioner Deeds asked applicant if there was a sidewalk for pedestrians to walk around the restaurant, if the patio area was gated, will there be a bar and will there be alcohol served all day.

Mr. Knight indicated there will be a three foot side walk for the pedestrians to walk around the restaurant. The entire facility will be gated. There will be a 12 stool bar and yes alcohol will be served during hours of operation.

Commissioner Deeds moved to recommend approval of Case 13-28. The motion was seconded by Commissioner Freeman. The vote was as follows:

Ayes: 6 – Chairman Brooks, Vice-Chairman Strother and Commissioners Freeman, Hamilton, Deeds and Thierry.

Nay: 0

Chairman Brooks declared the motion carried unanimously.

## **VI. Staff Reports & Discussion Items**

### **1. Review and Discuss Comprehensive Plan Review**

Mr. Gore asked the Commission what their thoughts were in going forward in presenting their report to the City Council. Mr. Deeds presented a few concerns he had. First, should we wait on the City Center's report before presenting their report to City Council and second the location of the future commuter rail stop. Ms. Thierry would like to present it as a recommendation. Chairman Brooks suggested City Council to consider the report for subsequent budget years.

Mr. Tyler suggested the Commission recommend the Comprehensive Plan be budgeted for a major update within the next one or two budget years. In order to take it to City Council for the upcoming budget year, Commission will need to put together a rough draft of the Table of Contents of what the Commission wants in the Comprehensive Plan. Then, run it by the Committee and talk with various consultants to see what they believe the project would cost.

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After major discussion, the Commission would like to recommend to City Council, based on their findings, a major update in the next one or two budget years. The Commission would like to put this as an action item on the next P&Z Agenda to vote on.

A course of action will be discussed at the next P&Z meeting.

**2. Review and Discuss the Capital Budgets**

Mr. Tyler stated there is potential to have a bond election in the coming year. Mr. Tyler would like the Commission to think about what bond programs do they feel suitable for City to take on and will be supported by the community.

**3. Recent Submittals**

Mr. Gore reviewed the recently submitted case with the Commission.

**VII. Adjourn**

A motion was made, followed by a second for adjournment. The meeting adjourned at 7:07 p.m.

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Theresa Brooks  
Chairman

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Sharon Davis  
Executive Secretary

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