

---

**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Meeting of April 4, 2017**

---

*The Planning and Zoning Commission of the City of Cedar Hill, Texas met on TUESDAY, April 4, 2017 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: Chairman Theresa Brooks, Vice-Chairman Bill Strother, Commissioners: Chad McCurdy, Gehrig Saldana, Michael Deeds, Lisa Thierry and Timothy Hamilton*

*City Staff members present: Rod Tyler, Director of Planning; LaShondra Stringfellow, Asst. Director of Planning, Dana Woods, Planner and Sharon Davis, Executive Secretary of Planning.*

**I. Call the Meeting to Order**

Chairman Brooks 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 March 21, 2017 regular meeting**

A motion was made by Commissioner Deeds and seconded by Commissioner Hamilton to approve the minutes of the March 21, 2017 regular meeting. The vote was as follows:

Ayes: 7 – Chairman Brooks, Vice-Chairman Strother, Commissioners Hamilton, Deed, Saldana, Thierry and McCurdy

Nays: 0

Chairman Brooks declared the motion carried.

**III. Citizens Forum**

No one spoke

- IV. Case 16-51 – Conduct a public hearing, review and consider an application for a Conditional Use Permit for a restaurant with attendant accessory use of the sale of alcoholic beverages for on-premise consumption and commercial amusement (indoor) uses** on property zoned "LR" – Local Retail District, legally described as the Braum's Addition, and located at the northeast corner of East Belt Line Road and North Clark Road with the approximate address being 101 East Belt Line Road; *requested by Catherine Vosgien of Peppercore Investments for Crackin' Shack on behalf of U Need Nails.*

Ms. LaShondra Stringfellow, Assistant Planning Director presented the staff report. The applicant is requesting a CUP for a restaurant with attendant accessory use of the sale of alcoholic

---

---

beverages for on-premise consumption and commercial amusement (indoor 2 man band) uses. This site was the former Braum's location. The applicant received an off-site shared parking agreement with the adjoining owner to the east. Staff finds the application meets the factors for consideration of a CUP and complies with the standards for an alcoholic beverage site plan. Staff recommends approval subject to the following conditions:

- 1) Enhance the landscaping on the site with shrubs, ornamental trees, and/or landscape planters in the areas highlighted in green on the site plan.
- 2) The operation of the use is subject to the alcoholic beverage site plan with attachments and the requirements in Section 4.1.4 of the Zoning Ordinance.
- 3) The sale of alcoholic beverages for off-premise consumption is prohibited.
- 4) All live entertainment shall occur indoors with a maximum of a two-man musical group.
- 5) There shall be no dance floor, gaming devices, or electronic amusement machines.
- 6) The hours of operation are restricted to 11:00 am to 1:00 am.
- 7) The operator is required to obtain an updated Certificate of Occupancy noting the additional uses and Conditions 2 – 6.

Chairman Brooks asked the applicant to come forward. Ms. Catherine Vosgien, 130 W. Belt Line Rd. indicated she would answer any questions the commission might have.

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

No one spoke.

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

Commissioner Deeds asked if customers could consume alcohol on the patio. He also felt the concrete planters that were suggested for the front of the building were unattractive and asked if there might be another alternative.

Ms. Vosgien said that alcohol would be allowed in the enclosed patio area. Staff will monitor customers so alcohol would not leave the premises.

Mr. Zuy Luu indicated he was the owner of the property. He asked if it would be okay to plant small bushes in the ROW on Belt Line. He indicated that artwork could be installed on the concrete planters to make them more attractive.

Mr. Rod Tyler indicated that if shrubs were planted in the ROW, the Public Works Department would have to approve the installation.

---

---

Commissioner Deeds made a motion to recommend approval of Case 16-51 subject to the following conditions:

- 1) The operation of the use is subject to the alcoholic beverage site plan with attachments and the requirements in Section 4.1.4 of the Zoning Ordinance.
- 2) The sale of alcoholic beverages for off-premise consumption is prohibited.
- 3) All live entertainment shall occur indoors with a maximum of a two-man musical group.
- 4) There shall be no dance floor, gaming devices, or electronic amusement machines.
- 5) The hours of operation are restricted to 11:00 am to 1:00 am.
- 6) The operator is required to obtain an updated Certificate of Occupancy noting the additional uses and Conditions 2 – 6.
- 7) Enhance the landscaping with shrubs and ornamental trees in the existing lawn area on the site and in the right-of-way to screen the parking as permitted by the Public Works Department.

The motion was seconded by Commissioner McCurdy. The vote was as follows:

Ayes: 7 – Chairman Brooks, Vice-Chairman Strother, Commissioners Saldana, Thierry, Deeds, Thierry and Hamilton

Nays: 0

Chairman Brooks declared the motion carried.

#### **V. Staff Reports and Discussion Items**

1. Ms. Stringfellow informed the Commission of the current development applications.

#### **VI. Adjourn**

A motion was made, followed by a second for adjournment. The meeting adjourned at 6:46 pm.



Theresa Brooks  
Chairman



Sharon Davis  
Executive Secretary

---