
**MINUTES
PLANNING AND ZONING COMMISSION
MEETING OF AUGUST 20, 2019**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on Tuesday, August 20, 2019 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 and Commissioners: Maranda Auzenne, Jay Patton, Michael Deeds, Timothy Hamilton, and Michael Lewis

Absent: Commissioner Bill Strother

City Staff Members Present: Director of Planning, LaShondra Stringfellow; Senior Planner, Maria Peña; and Executive Secretary, Katie Cenicola

I. 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.

II. Approve the minutes of the August 6, 2019 regular meeting.

A motion was made by Commissioner Deeds and seconded by Commissioner Hamilton to approve the minutes of the August 6, 2019 regular meeting. The vote was as follows:

Ayes: 5 – Chairperson Thierry, Commissioners Patton, Deeds, Hamilton, and Lewis

Nays: None

Abstain: 1 – Commissioner Auzenne (Abstained due to absence at August 6th meeting)

Chairperson Thierry declared the motion carried.

III. Citizens Forum.

No one spoke.

IV. Public Hearing Items:

1. **Case No. CUP-204-2019** – Conduct a public hearing and consider an application for a Conditional Use Permit (CUP) for a "general merchandise and food store 10,000 square feet or less" on property zoned "LR" (Local Retail District), located on the west side of South Clark Road, south of West Belt Line Road, with the approximate address being 108 West Belt Line Road.

Applicant: Majd Alchweki, Madar Corp. dba Q. Mart

Property Owner: Michelle Le, Quine and Associates, Inc. / TSCA 202 LTD Partnership

Senior Planner Maria Peña briefed the Commission on the request. She indicated that staff recommends approval subject to the following conditions:

1. This Conditional Use Permit (CUP) does not permit the sale of liquor.
2. There shall be no gaming devices or electronic amusement machines.
3. This CUP shall be limited to the sale of food, water, soft drinks, juices, lottery tickets, cigarettes, and cigars.
4. The approval of this CUP is valid for 1 year.

Chairperson Thierry asked the applicant to come forward and address the Commission. Majd Alchweki addressed the Commission.

Commissioner Auzenne asked the applicant how they planned to handle potential crime issues.

The applicant indicated they would have a security system to help mitigate any issues.

Chairperson Thierry opened the public hearing. She asked if there was anyone wishing to speak in support of this request.

No one spoke in support.

Chairperson Thierry asked if there was anyone wishing to speak in opposition to this request.

One person spoke in opposition: Ramona Rushing, 455 Orchid Hill.

Chairperson Thierry closed the public hearing.

Commissioner Auzenne made a motion to recommend approval subject to staff's recommendation.

The motion was seconded by Commissioner Deeds.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Commissioners Auzenne, Patton, Deeds, Hamilton, and Lewis

Nays: None

Chairperson Thierry declared the motion carried.

2. **Case No. CUP-205-2019** – Conduct a public hearing and consider an application for a Conditional Use Permit (CUP) for the sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant [Olga's Sports Restaurant,
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formerly Papa Murphy Pizza] on property zoned "LR" (Local Retail District) within the Uptown Overlay, generally located on the east side of Uptown Boulevard, south of FM 1382 with the approximate address being 642 Uptown Boulevard, Suite 120.

Representative: Felix Flores

Applicant: Olga Atencio

Property Owner: Cedar Hill Shops, LLC.

Planning Director LaShondra Stringfellow briefed the Commission on the request. She indicated that staff recommends approval subject to the following conditions:

1. The operation of the use is subject to the site plan with attachments.
2. This Conditional Use Permit does not permit alcoholic beverages for off-site consumption.
3. The applicant shall submit an application for inside commercial amusement to keep the pool table and any other gaming devices prior to the City Council meeting on September 10, 2019. Otherwise, there shall be no gaming devices, dance floor and electronic amusement machines in the restaurant.
4. Prior to the City Council meeting on September 10, 2019, the front of this tenant space shall meet the 50% transparency requirement for the Uptown Overlay.

Chairperson Thierry asked the applicant to come forward and address the Commission. Olga Atencio and Felix Flores addressed the Commission.

Chairperson Thierry opened the public hearing. She asked if there was anyone wishing to speak in support of this request.

Two people spoke in support: Darryl Blair, 2010 Autumn Meadow and Juanita Bernal, 1727 Crescent Lane.

Chairperson Thierry asked if there was anyone wishing to speak in opposition to this request.

No one spoke in opposition.

Chairperson Thierry closed the public hearing.

Commissioner Hamilton made a motion to recommend approval subject to staff's recommendation.

The motion was seconded by Commissioner Patton.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Commissioners Auzenne, Patton, Deeds, Hamilton, and Lewis

Nays: None

Chairperson Thierry declared the motion carried.

3. **Case No. Z-210-2019** – Conduct a public hearing and consider an ordinance causing regulations contained within Chapter 4 entitled "Buildings and Building Regulations" and within Chapter 23 entitled "Zoning" of the Code of Ordinances of the City of Cedar Hill, Texas, to be in compliance with House Bill 2439 affecting materials used in construction or renovation of residential and commercial buildings, which bill takes effect on September 1, 2019.

Ms. Stringfellow briefed the Commission on the request. She indicated that staff recommends approval.

Chairperson Thierry opened the public hearing. She asked if there was anyone wishing to speak in support of this request.

No one spoke in support.

Chairperson Thierry asked if there was anyone wishing to speak in opposition to this request.

No one spoke in opposition.

Chairperson Thierry closed the public hearing.

Commissioner Deeds made a motion to recommend approval.

The motion was seconded by Commissioner Auzenne.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Commissioners Auzenne, Patton, Deeds, Hamilton,
and Lewis

Nays: None

Chairperson Thierry declared the motion carried.

4. **Case No. Z-211-2019** – Conduct a public hearing and consider amendments to Chapter 23 entitled "Zoning", of the Code of Ordinances of the City of Cedar Hill, Texas; providing amended regulations pertaining to accessory buildings.

Ms. Stringfellow briefed the Commission on the request. She indicated that staff recommends approval.

Chairperson Thierry opened the public hearing. She asked if there was anyone wishing to speak in support of this request.

Ramona Rushing, 455 Orchid Hill, indicated she was inquiring about the amendment. But, wasn't in support or opposition.

Chairperson Thierry asked if there was anyone wishing to speak in opposition to this request.

There were no additional speakers.

Chairperson Thierry closed the public hearing.

Commissioner Deeds made a motion to recommend approval.

The motion was seconded by Commissioner Patton.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Commissioners Auzenne, Patton, Deeds, Hamilton, and Lewis

Nays: None

Chairperson Thierry declared the motion carried.

5. **Case No. Z-212-2019** – Conduct a public hearing and consider an ordinance suspending application of provisions contained within Chapter 20 entitled "Subdivision Regulations" of the Code of Ordinances of the City of Cedar Hill, Texas, that conflict with House Bill 3167 passed by the 86th Texas Legislature of the State of Texas and signed by Governor Greg Abbott on June 14, 2019; directing the city staff to process all plats and subdivision constructions plans in accordance with the provisions of HB 3167.

Ms. Stringfellow briefed the Commission on the request. She indicated that staff recommends approval.

Chairperson Thierry opened the public hearing. She asked if there was anyone wishing to speak in support of this request.

No one spoke in support.

Chairperson Thierry asked if there was anyone wishing to speak in opposition to this request.

No one spoke in opposition.

Chairperson Thierry closed the public hearing.

Commissioner Auzenne made a motion to recommend approval.

The motion was seconded by Commissioner Hamilton.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Commissioners Auzenne, Patton, Deeds, Hamilton, and Lewis

Nays: None

Chairperson Thierry declared the motion carried.

V. Other Items:

1. Conduct an election for chairperson for the Planning and Zoning Commission.

Commissioner Hamilton made a motion to nominate Commissioner Lewis for Chair. The motion was seconded by Commissioner Patton.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Commissioners Auzenne, Patton, Deeds, Hamilton, and Lewis

Nays: None

Chairperson Thierry declared Commissioner Lewis the new elected Chairperson.

2. Conduct an election for vice-chairperson for the Planning and Zoning Commission.

Commissioner Auzenne made a motion to nominate Commissioner Deeds for Vice-Chair. The motion was seconded by Commissioner Hamilton.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Commissioners Auzenne, Patton, Deeds, Hamilton, and Lewis

Nays: None

Chairperson Thierry declared Commissioner Deeds the new elected Vice-Chairperson.

3. Review potential meeting dates for 2020 (no action to be taken).

Ms. Stringfellow indicated to the Commission that they review the potential meeting dates for 2020 and be ready at the next meeting to add or take away any meeting dates.

VI. Staff Reports.

- 1. Update on applications in review.**
 - a. 2019**
 - b. 2018**

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

2. Upcoming Meetings

Ms. Stringfellow informed the Commission on items that could be on upcoming meeting dates.

VII. Adjourn.

The meeting adjourned at 7:56 p.m.

Kathernie Conicola

Katie Conicola
Planning Secretary

Lisa Y. Thierry
Lisa Thierry
Chairperson