
**MINUTES
PLANNING AND ZONING COMMISSION
MEETING OF JANUARY 21, 2020**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on Tuesday, January 21, 2020 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 Michael H. Lewis, Vice-Chairperson Michael Deeds, and Commissioners: Lisa Thierry, Timothy Hamilton, and Jay Patton

Absent: Commissioners Maranda Auzenne and Theresa Brooks

City Staff Members Present: Director of Planning, LaShondra Stringfellow; Planner, Katherine Linares; and Executive Secretary, Katie Cenicola

I. Call the Meeting to Order.

Chairperson Lewis called the meeting to order at 6:02 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, 2020 regular meeting.

A motion was made by Commissioner Hamilton and seconded by Vice-Chairperson Deeds to approve the minutes of the January 7, 2020 regular meeting. The vote was as follows:

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

Nays: None

Chairperson Lewis declared the motion carried.

III. Citizens Forum.

No one spoke.

IV. Public Hearing Items:

- 1. Case No. PD-159-2019** – Conduct a public hearing and consider an application for a change in zoning from "NS" (Neighborhood Service District), "SF-E" (Single-Family Residential District with a minimum lot size of 1 acre) and "SF-7" (Single-Family Residential District with a minimum lot size of 7,000 square feet) to "PD" (Planned Development District) for single-family residential and nonresidential uses on approximately 25 acres generally located south of Mansfield Road, east and west of Anderson Road.

Applicant: Tom Gaubart and Chad Adams, Wildwood Development

Representative: Jay Childs, Dietz Engineering

Property Owner: Kenny Kok, Hardwood Funds, LLC; and Thomas M. Gaubert

Chairperson Lewis announced that the applicant requests the item be tabled to the February 4th meeting as a result of ongoing communication with the neighborhood. Because a public hearing had been advertised, he would open the public hearing and allow anyone who wished to speak the opportunity to do so. He would then ask for a motion to table consideration of this item and to continue the public hearing until February 4th.

Chairperson Lewis opened the public hearing. He asked if there was anyone wishing to speak in support or opposition of this request.

The property owner, Tom Gauert, 1130 North Westmoreland Road, DeSoto, TX addressed the Commission and indicated that he would like this request tabled so that he and his team could continue discussions with the neighborhood.

Commissioner Hamilton made a motion to table this item and continue the public hearing until the February 4th meeting.

The motion was seconded by Commissioner Patton.

The vote was as follows:

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

Nays: None

Chairperson Lewis declared the motion carried.

- 2. Case No. CUP-234-2019** – Conduct a public hearing and consider an application for a Conditional Use Permit (CUP) for "general merchandise and food store 10,000 square feet or less" with an alternative architectural design and alternative screening on property zoned "LR" (Local Retail District), located on the west side of South Clark Road, south of West Parkerville Road with the approximate address being 935 South Clark Road.

Applicant: Caitlin Adkins, Vaquero Cedar Hill Partners, LP

Property Owner: Allan Gersten

Planner Katherine Linares briefed the Commission on the request. She indicated that staff recommends denial finding that it does not adhere to the factors detailed in the staff report.

Commissioner Deeds asked staff that if the spandrel panels were transparent, would the applicant meet the 30% transparency requirement.

Ms. Linares indicated they would not meet that requirement.

Chairperson Lewis asked the applicant to come forward and address the Commission. Doak Raulston addressed the Commission on behalf of the applicant.

Commissioner Deeds questioned the representative about how they determine where to locate stores, where other stores were located, and how those other stores incorporated transparency.

Chairperson Lewis opened the public hearing. He asked if there was anyone wishing to speak in support or opposition of this request.

Ten people spoke in opposition: Bertha Middlebrooks, 1221 Nutting St.; Jeffery Galloway, 804 Sebring Dr.; Ted Wulff, 1155 Rocky Brook Dr.; Marilyn Little, 1108 Stoney Creek; Darian Pace, 824 Sebring Dr.; Georgia Hamilton, 425 Charming Ave.; Nancy Truax, 1001 Neptune; Debra Anderson, 706 Highland Dr.; Willie Edwards, 745 Tranquility Ln.; and Nikoll Edwards, 745 Tranquility Ln.

Chairperson Lewis closed the public hearing.

Vice-Chairperson Deeds made a motion to deny.

The motion was seconded by Commissioner Hamilton.

The vote was as follows:

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

Nays: None

Chairperson Lewis declared the motion carried.

- 3. Case No. CUP-235-2019** – Conduct a public hearing and consider an application for a Conditional Use Permit (CUP) for "indoor commercial amusement" (The Rift VR) 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 124 West Belt Line Road.

Applicant: LaTaurus Johnson, The Rift VR

Representative: Devin Thurman, The Rift VR

Property Owner: TSCA 2020 LTD Partnership, TSCA 2020 Holdings Inc.

Planner Katherine Linares briefed the Commission on the request. She indicated that staff recommends approval subject to the following conditions:

1. The use shall operate in accordance with the site plan.
 2. The Conditional Use Permit does not permit the sale of alcoholic beverages for on-premise consumption.
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3. This Conditional Use Permit excludes the use of games of chance; gambling-like device versions of bingo, keno, blackjack, lottery, roulette, video poker, eight-liners or similar electronic, electromechanically, or mechanical games, or facsimiles thereof.

Chairperson Lewis asked the applicant to come forward and address the Commission. Devin Thurman and LaTaurus Johnson addressed the Commission.

Commissioner Patton asked the applicant about the activities that would take place.

The applicant indicated they would provide age appropriate video game content for teens.

Chairperson Lewis opened the public hearing. He asked if there was anyone wishing to speak in support or opposition of this request.

Three people spoke in support Willie Edwards, 745 Tranquility Ln.; Jacqueline Ivy, 1318 Newton St; and Nickoll Edwards, 745 Tranquility Ln.

Chairperson Lewis closed the public hearing.

Vice-Chairperson Deeds made a motion to recommend approval subject to staff's conditions.

The motion was seconded by Commissioner Patton.

The vote was as follows:

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

Nays: None

Chairperson Lewis declared the motion carried.

4. Other Business Items:

- a. **Discuss potential amendments pertaining to the Old Town Districts in Chapter 23 entitled "Zoning" of the Code of Ordinances.**

Planning Director, LaShondra Stringfellow told the Commission this item and discussion would be moved to the February 4th meeting.

5. Staff Reports.

1. **Update on applications in review.**
 - a. **2019**
 2. **Upcoming Meetings**
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6. Adjourn.

The meeting adjourned at 7:23 p.m.



Michael H. Lewis
Chairperson

Katherine Cenicola

Katie Cenicola
Planning Secretary