
**MINUTES
PLANNING AND ZONING COMMISSION
MEETING OF APRIL 4, 2023**

The Planning and Zoning Commission of the City of Cedar Hill, Texas met on Tuesday, April 4, 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, Dr. Allena Anderson, Steven Hendon, and Jami McCain

Absent: Commissioner Maranda Auzenne

City Staff Members Present: Director of Planning, LaShondra Stringfellow; Senior Planner, Maria Peña; and Planning Executive Secretary, 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 March 21, 2023 regular meeting.

A motion was made by Commissioner Anderson and seconded by Commissioner Hendon to approve the minutes of the March 21, 2023, regular meeting. The vote was as follows:

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

Nays: None

Abstain: None

The motion carried.

3. Citizens Forum/Public Comments.

There were none.

4. Public Hearing Items:

1. **Case No. CUP-534-2023** – Conduct a public hearing and consider an application to renew the Conditional Use Permit (CUP) for a winery with the sale of alcoholic beverages for on-premise consumption and "indoor and outdoor commercial amusement" [Saviana Winery] on property zoned Old Town Corridor within the Uptown Overlay, and
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located on the south side of Cooper Street, west of Highway 67 with the approximate address being 316 Cooper Street.

Applicant/Property Owner: Julie Denton, Saviana Winery

Senior Planner Peña briefed the Commission on the request. She indicated staff recommends the same conditions as were approved by Council in 2021:

1. The operation of the use is subject to the site plan and requirements in Section 4.1.4 of the Zoning Code.
2. This Conditional Use Permit is only valid for the operator "Saviana Winery, LLC". A new CUP shall be required if the operator on the TABC license changes.
3. The on-premise consumption is limited to the approximately 2,826-square-foot indoor and outdoor tasting rooms and approximately 600 square feet of the lawn area as denoted on the floor plan.
4. The commercial amusement events shall be limited to the indoor tasting room areas, the outdoor covered and uncovered patio area as denoted on the floor plan.
5. Based on the parking spaces currently on-site and the proposed seating quantities by the applicant, the maximum occupants will be 82.
6. On-premise consumption shall be limited to the wine produced by the operator and owner of the property – "Saviana Winery".
7. The proposed hours of operation for the indoor tasting room are Sunday, Wednesday and Thursday from 12 pm to 8 pm, and Friday and Saturday from 11 am to 10 pm.
8. Outdoor consumption of wine and indoor or outdoor commercial amusement events shall be limited between the hours of 12 pm to 9 pm.
9. There shall be no walk-up window access and no drive-through facility.
10. Indoor and outdoor commercial amusement shall be limited to activities and events that are directly associated with the promotion of wine production on the site.
11. This Conditional Use Permit does not permit the use of the property as a "banquet facility".
12. All vehicular parking shall be accommodated on site. There shall be no on-street parking.

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

Staff responded to the Commission's questions regarding hours of operation and that the prior CUP conditions were established to address concerns at that time.

Chairperson Thierry asked the applicant to come forward and address the Commission. Julie Denton, owner of Saviana Winery made a brief statement. She indicated that her hours of operation are until 9:00 pm on Wednesday and Thursday. She indicated that she is aware of complaints about noise from only one resident to the north. In the spirit of cooperation, she said she has attempted to work with the property owner to address his concerns to no avail. She said they no longer have an amicable relationship and feels harassed.

Chairperson Thierry opened the public hearing. She asked if there was anyone wishing to speak in support of this request. No one came forward.

Chairperson Thierry asked if there was anyone wishing to speak in opposition of this request. The following persons spoke in opposition: Gary Moon at 320 S. Main St, Cedar Hill, TX; and Randy Moon at 313 Cooper St, Cedar Hill, TX.

Chairperson Thierry closed the public hearing.

Chairperson Thierry asked the Commission if there were additional questions for staff or the applicant. Director Stringfellow responded to the Commission's questions about conditions that were ultimately approved by City Council in 2021. Senior Planner Pena responded to the Commission's questions about the requirement of the decibel levels at the property line.

The Commission deliberated.

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

The motion was seconded by Commissioner Patton.

Ayes: 2 –Vice-Chairperson Patton and Commissioner White

Nays: 3 - Chairperson Thierry and Commissioners Hendon and McCain

Abstain: 1 – Commissioner Anderson (with the 200-foot property owner notification)

Chairperson Thierry declared the motion did not carry and stated this application would be considered by City Council on April 11, 2023.

Commissioner Hendon indicated the lack of enforcement of the decibel levels was his reason for denial.

- 2. Case No. Z-539-2023** – Conduct a public hearing and consider an amendment to Chapter 23 entitled "Zoning" of the Code of Ordinances of the City of Cedar Hill, Texas pertaining to parking requirements associated with certain industrial, storage, warehouse and distribution uses.

Director Stringfellow presented the proposed amendments to the parking requirements for industrial, storage, warehouse and distribution uses. She noted that this was the second presentation to the Commission.

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

Chairperson Thierry asked Henry Florsheim, Director of Economic Development to introduce himself to the Commission.

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 for staff. There were none.

Commissioner Anderson made a motion to approve.

The motion was seconded by Commissioner White.

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

Nays: None

Abstain: None

Chairperson Thierry declared the motion carried and stated this code amendment would be considered by City Council on April 11, 2023.

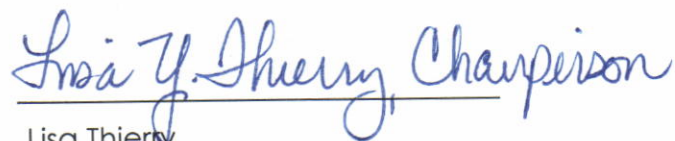
6. Staff Reports.

Director Stringfellow stated that at the next meeting on April 18th there would be four Industrial CUPs presented together but each CUP would stand on their own. There may not be a meeting on May 2nd. On May 16th, there will be a joint meeting with Heritage Homes.

7. Adjourn.

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

The meeting adjourned at 7:25 p.m.



Lisa Thierry
Chairperson



Debra Kalsnes
Planning Executive Secretary