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**MINUTES  
PLANNING AND ZONING COMMISSION  
MEETING OF APRIL 2, 2019**

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*The Planning and Zoning Commission of the City of Cedar Hill, Texas met on Tuesday, April 2, 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, Vice-Chairperson Theresa Brooks, and Commissioners: Maranda Auzenne, Bill Strother, Michael Deeds, and Michael Lewis*

*Absent: Commissioner Timothy Hamilton*

*City Staff Members Present: Director of Planning, LaShondra Stringfellow; City Engineer, Robert Woodbury; Senior Planner, Maria Peña; Planner, Dana Woods; 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.

*Commissioner Strother entered the meeting.*

**II. Approve the minutes of the March 19, 2019 regular meeting.**

A motion was made by Commissioner Deeds and seconded by Commissioner Lewis to approve the minutes of the March 19, 2019 regular meeting. The vote was as follows:

Ayes:                   5– Chairperson Thierry, Vice-Chairperson Brooks, Commissioners, Strother, Deeds, and Lewis

Nays:                   None+

Chairperson Thierry declared the motion carried.

**III. Citizens Forum.**

No one spoke.

*Commissioner Auzenne entered the meeting.*

**IV. Public Hearing Items:**

1. **Case No. CUP-154-2019** – Conduct a public hearing and consider an application for a Conditional Use Permit for a restaurant [El Rey Mexican Restaurant, formerly Trios Grill] with attendant accessory use of the sale of alcoholic beverages for on-premise consumption and commercial amusement (outdoor) uses on property
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zoned Old Town Corridor Sub-District within the Uptown Overlay, and located on the south side of Cooper Street, west of Highway 67 with the approximate address being 316 Cooper Street.

*Applicant: Erik Espinoza*

*Property Owner: Raymond Tyree Jr.*

Planner, Dana Woods, briefed the Commission on this request. She indicated that staff recommends approval subject to the following conditions:

1. The operation of the use is subject to the alcoholic beverage site plan and requirements in Section 4.1.4 of the Zoning Code.
2. This Conditional Use Permit does not permit the sale of alcoholic beverages for off-premise consumption.
3. Commercial amusement shall be limited to horseshoes and bean bag tosses in the area labeled on the site plan. No other commercial amusement shall be permitted.
4. There shall be no outdoor commercial amusement, no outdoor dining, and no outdoor alcohol service on the south side of the building between the hours of 9 pm – 11 am.
5. There shall be no amplified sound.
6. The parking screening wall shall be replanted prior to issuance of a certificate of occupancy.
7. The approval of this CUP is valid for 1 year.

Commissioner Deeds asked if there were any conditions associated with the attenuating sound wall being built.

Ms. Woods indicated a building permit application has been submitted by the property owner for the wall and fence.

Commissioner Lewis asked if an additional condition could be added regarding the completion of the attenuating sound wall prior to the City's approval of the TABC license.

Planning Director, LaShondra Stringfellow, indicated the Commission could add that condition.

Chairperson Thierry asked the applicant to come forward and address the Commission. Francisco Espinoza addressed the Commission on the plans for the restaurant.

Commissioner Auzenne asked the applicant if they had a good understanding of the requirements and guidelines for this CUP.

The applicant indicated that he did.

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Commissioner Deeds asked the applicant if there would be any events held in the outdoor area.

The applicant indicated there would not be any events outside of normal restaurant traffic.

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

One person spoke in support: Randy Moon, 313 Cooper St.

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.

The Commission deliberated.

Commissioner Lewis made a motion to recommend approval subject to staff's conditions with the addition of the following condition:

8. The sound attenuation wall shall be installed prior to the issuance of the City's approval of the TABC license.

The motion was seconded by Commissioner Deeds.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Vice-Chairperson Brooks, Commissioners Auzenne, Strother, Deeds, and Lewis

Nays: None

Chairperson Thierry declared the motion carried.

2. **Case No. PD-SP-124-2018** – Conduct a public hearing and consider an application for a Planned Development-Site Plan on property zoned Planned Development District No. 2018-654 [Retirement housing], generally located on the south side of East Pleasant Run Road, west of North Duncanville Road with the approximate address being in the 1200-1300 Block of East Pleasant Run Road.  
*Applicant: John Bezner, Civil Point Engineers*  
*Property Owner: Vinodbhai T. Patel, East Pleasant Run LTD.*

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

1. The property shall be platted prior to issuance of a building permit.

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2. A lighting plan that meets the requirements of the Zoning Ordinance shall be approved prior to issuance of a building permit.
  3. Prior to issuance of a certificate of occupancy, the Parks and Recreation Department shall approve the modification to the trail as a result of the construction on site.
  4. The modifications to the existing irrigation system within the right of way must be approved by the Parks and Recreation Department prior to the Certificate of Occupancy.
  5. The applicant shall pay Park fees of \$500 per Dwelling Unit prior to issuance of a building permit.

Chairperson Thierry asked the applicant to come forward and address the Commission. John Bezner addressed the Commission on request.

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

No one spoke in favor.

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 subject to staff's conditions.

The motion was seconded by Commissioner Auzenne.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Vice-Chairperson Brooks, Commissioners Auzenne, Strother, Deeds, and Lewis

Nays: None

Chairperson Thierry declared the motion carried.

#### **V. Regular Items:**

1. **Case No. FP-125-2018** – Consider an application for a final plat for the Riverside Cedar Hill Addition, Lot 1, Block A on property zoned Planned Development District No. 2018-654 located on the south side of East Pleasant Run Road, west of
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North Duncanville Road with the approximate address being in the 1200-1300 Block of East Pleasant Run Road.

*Applicant: John Bezner, Civil Point Engineers, Inc.*

*Property Owner: Vinodbhai T. Patel, East Pleasant Run LTD.*

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

1. All offsite utility easements shall be executed and noted on the plat prior to being recorded.
2. Provide the off-site sanitary sewer easement document number on the easement description to the TRA connection.
3. Provide an extension for the water line and associated 20-foot public water line easement to tie into the future development for the adjacent property to the east.
4. Provide 5-foot diameter manholes at all proposed manhole locations. Provide a stub-out to the adjacent east property at the end of the public sanitary sewer main and manholes.
5. Revise grading at the southeast corner parking areas to focus more runoff along the proposed rip rap along the southern edge of the parking area. The lower SE corner may need to be raised to keep the runoff from overwhelming the SE corner.
6. Provide an extension for the water line and associated 20-foot public water line easement to tie to the existing CHISD development located towards the west of the subject property.

Chairperson Thierry asked the applicant to come forward and address the Commission. John Bezner addressed the Commission on the request. The applicant indicated he was not aware that Condition #6 was a requirement. Ms. Stringfellow asked the City Engineer, Robert Woodbury, to address the Commission. Ms. Stringfellow indicated that staff needed to discuss the condition in more depth and would resolve the issue prior to City Council.

Commissioners Deeds and Auzenne wanted the minutes to reflect that staff would provide resolution of the issue prior to City Council.

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

The motion was seconded by Commissioner Auzenne.

The vote was as follows:

Ayes: 6 – Chairperson Thierry, Vice-Chairperson Brooks, Commissioners Auzenne, Strother, Deeds, and Lewis

Nays: None

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Chairperson Thierry declared the motion carried.

**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 upcoming meeting dates.

**VII. Adjourn.**

The meeting adjourned at 8:07 p.m.

  
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Lisa Thierry  
Chairperson

Katherine Cenicola  
Katie Cenicola  
Planning Secretary