



City of Cedar Hill  
285 Uptown Blvd., Bldg. 100  
Cedar Hill, Texas 75104-3526  
972-291-5100  
fax 972-291-7250

**NOTICE OF REGULAR MEETING  
HISTORIC DOWNTOWN ADVISORY BOARD**

**AGENDA**

**Monday, March 25, 2019**

Cedar Hill Government Center  
285 Uptown Blvd., Bldg. 100

4<sup>th</sup> floor Administration Conference Room

**6:00 P.M.**

- I. Call Meeting to Order.
- II. Approve the Minutes of the March 11, 2019 Special Called Meeting.
- III. Consider and take action on a proposed perimeter fence associated with an application (CUP-154-2019) for a Conditional Use Permit for a restaurant on property zoned Old Town Corridor Sub-District within the Uptown Overlay, with the approximate address being 316 Cooper Street. *Applicant: Erik Espinoza. Property Owner: Raymond Tyree.*
- IV. Discuss Complete Streets vision for downtown with selected consultant.
- V. Take action on alcohol review.
- VI. Implement Historic Downtown Advisory Board Strategic Plan.
  - o Discuss town hall meetings.
  - o Discuss candidate forum questionnaire.
  - o Discuss Pioneer Park redesign and programming.
- VII. Reports from Historic Downtown staff.
- VIII. New business.
- IX. Review action items.
- X. Adjourn.

I certify that the above notice of meeting was posted in accordance with the Texas Open Meetings Act at Cedar Hill Government Center, 285 Uptown Blvd., Bldg. 100, Cedar Hill, Texas, on the 22nd day of March 2019, at 5:00 p.m.

  
Lauren E. McCarty/Tourism Assistant

**"PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY"**

**"CONFORME A LA SECCIÓN 30.07, DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA VISIBLE), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA VISIBLE"**

This facility is wheelchair accessible. Handicapped parking spaces are available. Requests for sign interpretive services must be made 48 hours ahead of meeting. To make arrangements, call 972-291-5100 ext 1018 or (TDD) 1-800-RELAY TX (1-800-735-2989).

**MINUTES**  
**Historic Downtown Advisory Board**  
**Meeting Minutes of March 11, 2019**

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*The Historic Downtown Advisory Board of the City of Cedar Hill, Texas, met Monday, March 11, 2019, at 6:00 pm. In the Administration Conference Room of the Cedar Hill Government Center, 285 Uptown Blvd., Cedar Hill, Texas.*

*The following members were present: Al Armistead, Randy Moon, Norman Patten, Kenna Prior, Gary Reed, Charlie Thompson, and Hannah Tyler. Alice Atchison and Albert Mack were absent with prior notice. The following City staff members were present: Russell Read, Director of Customer & Visitor Experience, LaShondra Stringfellow, Director of Planning and Zoning, Patty Bushart, Tourism Marketing Manager, Dana Woods, City Planner, and Lauren McCarty, Customer & Visitor Experience Coordinator.*

**I. Call the Meeting to order.**

Chairman Gary Reed called the meeting to order at 6:04 pm declaring it an open meeting with notice of the meeting duly posted and a quorum present.

**II. Approve the Minutes of the February 25, 2019 Regular Meeting.**

Norman Patten made of motion, seconded by Randy Moon, to approve the minutes of the February 25, 2019 Regular Meeting. The motion was approved unanimously.

**III. Discuss and provide feedback to staff, the Planning and Zoning Commission, and City Council regarding an application (CUP-157-2019) for a Conditional Use Permit for a drive-through facility at a restaurant [Lisa's Chicken, formerly Dairy Queen] on property zoned Old Town Corridor within the Uptown Overlay, generally located at the northwest corner of Cooper and Hardy Streets with the approximate address being 303 Cooper Street. Applicant/Property Owner: Tom Nguyen**

Randy Moon recused himself due to owning property within 200 feet of the property under discussion.

The board reviewed a conditional use permit application presented by City Planner Dana Woods for the installation of a drive-through at Lisa's Chicken. Historically, drive-through applications had been denied by the board to discourage fast food chains from locating in the Old Town Corridor. However, due to its proximity to Highway 67 and distance from the Historic Downtown square, the board posed no objections to the proposed drive-through at Lisa' Chicken.

The suggestion was made by the board to rezone the property as local retail. A zoning change would consequently remove the property from the Uptown Overlay. The board would defer to Planning and Zoning's recommendation.

- IV. Discuss and provide feedback to staff, the Planning and Zoning Commission, and City Council regarding an application (CUP-154-2019) for a Conditional Use Permit for a restaurant [El Rey, formerly Trios Grill] with attendant accessory use of the sale of alcoholic beverages for on-premise consumption on property 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**

Randy Moon recused himself due to owning property within 200 feet of the property under discussion.

The board reviewed a conditional use permit application present by City Planner Dana Woods for the sale of alcoholic beverages at El Rey. This item was discussed and voted on in conjunction with item V.

- V. Consider and take action on a revised site plan to add a masonry screening wall associated with an application (CUP-154-2019) for a Conditional Use Permit for a restaurant [El Rey, formerly Trios Grill] with attendant accessory use of the sale of alcoholic beverages for on-premise consumption on property 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**

Randy Moon recused himself due to owning property within 200 feet of the property under discussion.

The board reviewed a conditional use permit application presented by City Planner Dana Woods for a revised site plan for El Rey. The site plan depicted outdoor televisions and entertainment which, per the application, would be limited to bean bag toss and horseshoes. Additionally, the submitted site plan proposed construction of a masonry screening wall. No changes to the building would be made.

Al Armistead made a motion, seconded by Kenna Prior, to approve the site plan with the following stipulations:

- Amplified music prohibited
- Outdoor entertainment limited to only entertainment stated in the application
- CUP to include a time limit

The motion was approved by a vote of 6-0, with one abstention.

- VI. Develop strategy to advocate for and educate Historic Downtown stakeholders on the Complete Streets Master Plan and Parking Studies.**

The board received a presentation from Director LaShondra Stringfellow on the Downtown Action Plan. To keep the project on course, the following phased approach was developed by the Planning and Zoning staff:

- Phase 1: Pedestrian Street Design/Parking Study

- Phase 2: Zoning Code Amendments
- Phase 3: Build it/Construct the infrastructure

Phase 1 is currently in execution. The target area for Phase 1 is the Lake-Moreno property. A project consultant has been contacted, and funding provided by Cedar Hill's Economic Development Corporation has been secured.

Moving forward, Planning and Zoning will hold a charrette for all business and property owners in the target area. Pre-charrette meetings with key stakeholders were discussed and liaisons assigned. They are as follows:

- Stakeholder: Wylie Family
  - Liaison: Norman Patten
- Stakeholder: Corner Square Quilts
  - Liaisons: Patty Bushart and Hannah Tyler
- Stakeholder: Masonic Lodge
  - Liaisons: LaShondra Stringfellow and Randy Moon
- Stakeholder: Sam's Pizza
  - Liaisons: Russell Read and LaShondra Stringfellow
- Stakeholder: First Baptist Church
  - Liaison: Greg Porter

The purpose of the pre-charrette meetings would be to inform key stakeholders of the plans for the Lake-Moreno property and to encourage their attendance at the charrette. The board would hold a separate pre-charrette meeting with Planning and Zoning and the project consultant at the March 25, meeting.

The Charrette is scheduled for April 8, 2019, from 4 pm to 8 pm. Attendance would be by invitation only. Invitations are to be mailed and hand delivered. Stringfellow will reach out to the board for assistance with delivering the invitations to the downtown businesses.

Due to the timing of the charrette, the board will discuss rescheduling the town hall meeting with downtown business owners at the March 25, meeting.

## **VII. Receive update on alcohol revisions.**

The board received a presentation from Director LaShondra Stringfellow on the proposed alcohol ordinance revisions and the upcoming May election. A petition for the sale of liquor for off-premise consumption was validated and put on the May 5, election ballot as a referendum by City Council. Stringfellow discussed the proposed ordinance revisions with the board and explained the City's ability to set constraints on liquor stores so long as those constraints are in place before the election.

At the same time, Planning and Zoning would reevaluate the ordinance governing on-premise consumption of alcohol. Proposed revisions would amend the minimum 60% food revenue requirement to include all products and services. Revisions would only be applicable in the Uptown Overlay and possibly the Hillside Village PD and EDC Property in Old Town.

Stringfellow sought further feedback from the board concerning drive-through businesses in the Old Town Corridor. The board recommended prohibiting drive-throughs entirely in downtown, unless the business is located on Highway 67 and would therefore be considered local retail. As it pertains to liquor stores, no drive-through or walk-up window would be permitted in any zoning area.

**VIII. Reports from Historic Downtown staff.**

- Spring break activities at Cedar Hill State Park
- Land purchase for Hotel Conference Center in negotiation
- Taste of Cedar Hill approved for Special Events Permit
  - The board's participation in Taste of Cedar Hill would be discussed at the March 25, meeting.

**IX. New Business.**

- Historical Society Golf Tournament at Tangle Ridge, May 6, 2019
  - The Main Street Board sponsored a hole at the 2018 tournament
  - The board was advised by Chairman Reed to bring contributions for 2019 sponsorship to the March 25, meeting.
- Wise Guys Barber Shop preparing to move back into original location near Corner Square Quilts.
- Opening reception of Broken Bits at Sly Cat Gallery, March 23, 2019
- Al Armistead toured downtown with Code Enforcement Director Stacy Graves
  - Graves requested advice and support from the board on addressing code violations in downtown.

**X. Review action items.**

1. Send Downtown Action Plan and Alcohol presentations to the board.
2. Include and item on the March 25, agenda to review and consider formally recommending ordinance revisions for on- and off-premise consumption of alcohol.

**XI. Adjourn.**

Chairman Gary Reed adjourned the meeting at 7:43 pm.

ATTEST:

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Lauren McCarty  
Customer & Visitor Experience Coordinator

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Gary Reed,  
Historic Downtown Board Chair

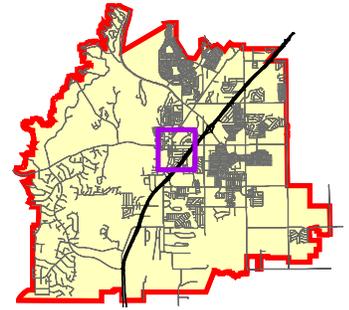
# City of Cedar Hill



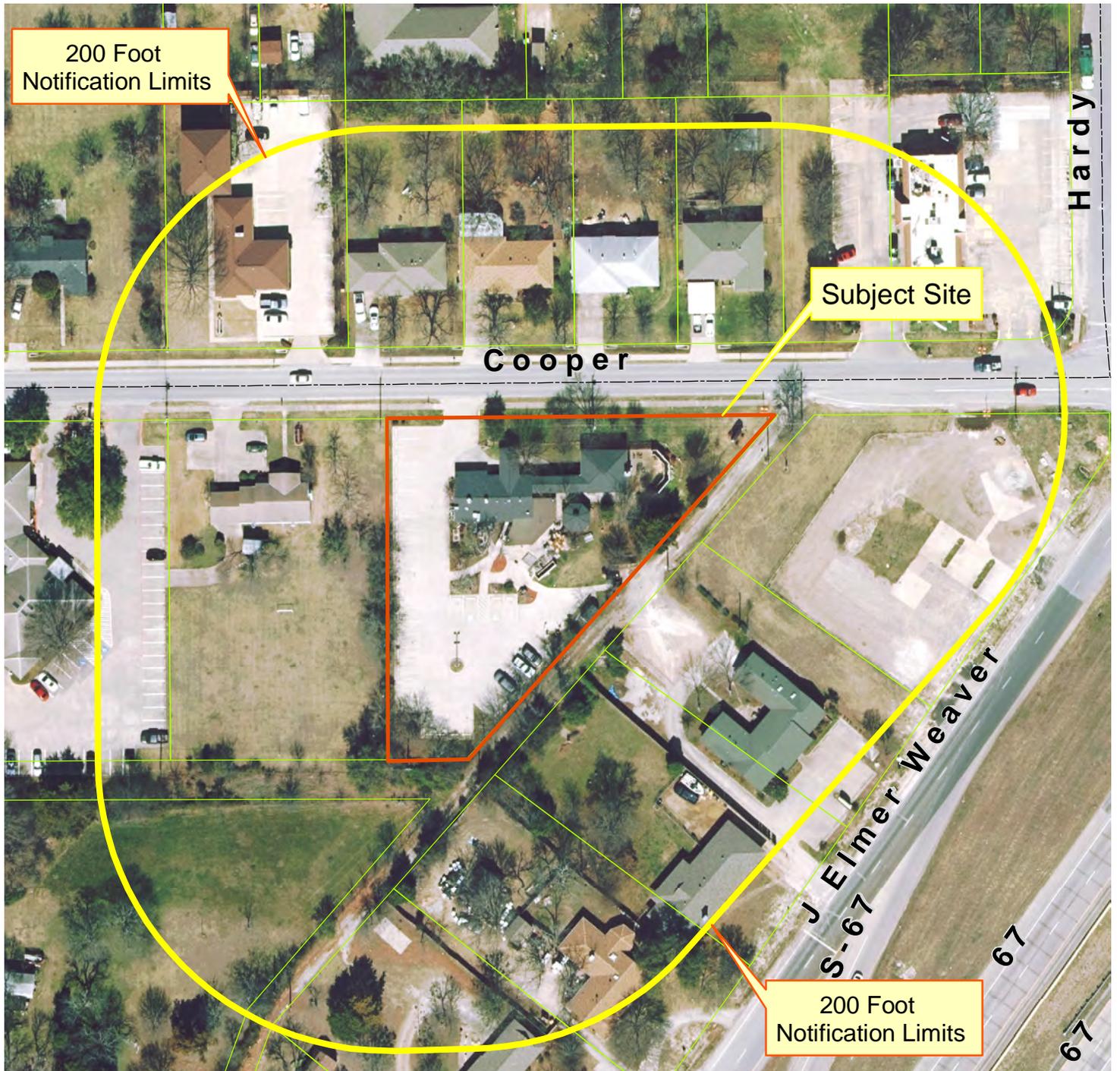
1 inch = 100 feet



## CUP-154-2019



Map Printed - March 2019  
Cedar Hill Planning Department  
Aerial Photography - Spring 2015



**TO:** Historic Downtown Advisory Board

**FROM:** Dana Woods, Planner

**HDAB DATE:** March 25, 2019

**RE:** Case No. CUP-154-2019 El Rey Mexican Restaurant

**REQUESTS:**

Consider and take action on a proposed perimeter fence associated with an application (CUP-154-2019) 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 on property 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.*

**SUMMARY:**

The Planning and Zoning Commission denied the renewal of the CUP for the same use at this location because the applicant failed to provide documentation to substantiate that the food revenue for the restaurant accounted for at least 60 percent of the total revenue. The former restaurant was Trios Grill. The property owner is unchanged. However, there is a new applicant who is a prospective operator/manager.

An application for a building permit has been submitted for a wooden perimeter fence with a height of 8 feet. The property owner proposes a top rail fence with metal support posts. The location of the fence is shown on the site plan and includes a sample photograph (attached). Section 3.13.7c.7 of the Zoning Ordinance requires "decorative masonry or living screening walls, maximum 4-feet in height shall be allowed on the front and side of the structures" with no reference to fencing in other locations. Additionally, the section states "masonry or living screening walls are required. Other materials may be approved only through a design review process on the site plan." This submission seeks approval for the construction of the perimeter fence.

For historical review, on March 11, 2019 the Historical Design Advisory Review Board approved a revised site plan to add a masonry screening wall associated with this site. This approval was necessary due to the expiration of the prior approval before a building permit had been obtained. On October 23, 2017, the Main Street approved a revision to the site plan showing a wall that was to be added to enclose a portion of the patio. The wall extends from the floor to the roofline for a height of 10 feet, 6 inches tall. Following the recommendation of the Board along with the Planning and Zoning Commission, the City Council approved the Conditional Use Permit(CUP) renewal on December 12, 2017. This CUP was for a restaurant with attendant accessory use of the sale of alcoholic beverages for on-premise consumption and inside commercial amusement with conditions for one year. During this year, the wall was not constructed.

**ACTION REQUIRED:**

The code requires a formal action from the Board through the design review process on the site plan.

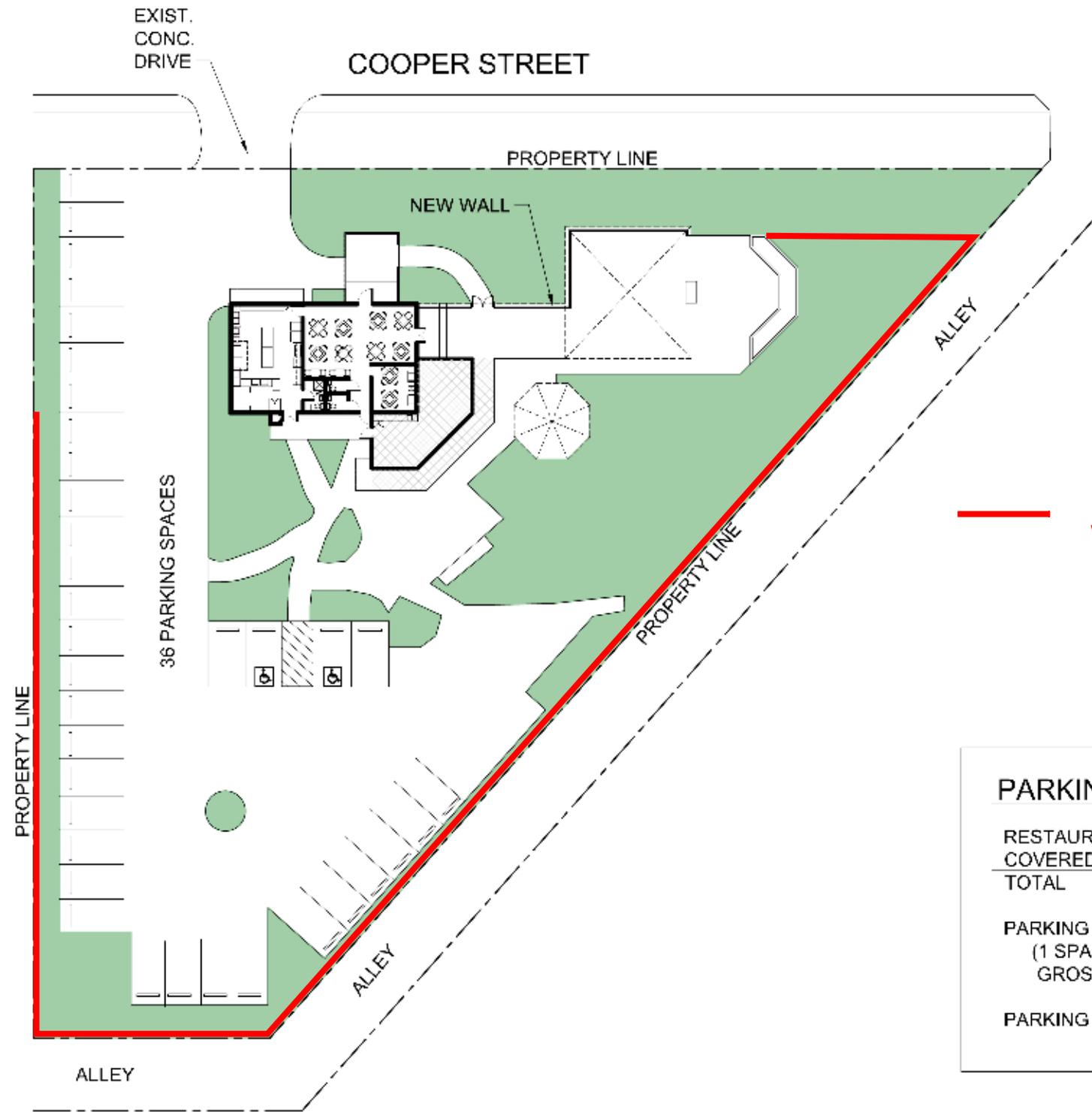
A simple majority vote of the members is required to recommend approval of the site plan revision. The Board's decision shall be based upon a determination that the site plan complies with the development codes and policies.

**STAFF'S RECOMMENDATION:**

Staff recommends approval of modification to the site plan to minimize disturbances from this commercial establishment.

**ATTACHMENTS:**

- Aerial Map
- Site Plan
- Fence Type Photo



— Proposed Location of 8-foot Wooden Fence

PARKING TABLE	
RESTAURANT BUILDING	2,136 GROSS S.F.
COVERED OUTDOOR DINING	1,462 GROSS S.F.
<b>TOTAL</b>	<b>3,598 GROSS S.F.</b>
<b>PARKING REQUIRED</b>	
(1 SPACE PER 100 S.F. GROSS FLOOR AREA)	36 SPACES
<b>PARKING PROVIDED</b>	<b>36 SPACES</b>





*Fence Type Photo*