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**MINUTES  
PLANNING AND ZONING COMMISSION  
MEETING OF SEPTEMBER 1, 2020**

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*The Planning and Zoning Commission of the City of Cedar Hill, Texas conducted a meeting by telephone conference on Tuesday, September 1, 2020 at 6:00 p.m.*

*Planning & Zoning Commissioners Present: Vice-Chairperson Michael Deeds, and Commissioners: Maranda Auzenne, Andrea Flores, Lisa Thierry, Timothy Hamilton, Jay Patton, and Jerry White.*

*Commissioner Hamilton had technical difficulties connecting to the conference call but was able to join the meeting later in the agenda.*

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

**I. Call the Meeting to Order.**

Vice-Chairperson Deeds 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 18, 2020 regular meeting.**

A motion was made by Commissioner Auzenne and seconded by Commissioner Thierry to approve the minutes of the August 18, 2020 regular meeting. The vote was as follows:

Ayes:                   6 – Vice-Chairperson Deeds, Commissioners Auzenne, Flores, Thierry, Patton, and White

Nays:                   None

Vice-Chairperson Deeds declared the motion carried.

**III. Public Comment.**

There was one public comment submitted online.

**IV. Public Hearing Items:**

1. **Case No. CUP-276-2020** – Conduct a public hearing and consider an application to renew the Conditional Use Permit (CUP) for a microbrewery [Ember Brewing Company] with the sale of alcoholic beverages for on-premise consumption on property zoned "LR" (Local Retail District) within the Uptown Overlay, located on the south side of Texas Street, west of Highway 67 with the approximate address being 226 Texas Street.

*Applicant: Brian Krajcovic, Ember Brewing Company*

*Property Owner: Victor Ballas & VA Capital, LLC*

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Planning Director LaShondra Stringfellow briefed the Commission on the request. She noted a letter of opposition from Darren Heitman who owns the adjoining property to the west. She stated that staff recommends approval subject to the following conditions:

1. The operation of the use is subject to the site plan and floor plan.
2. This Conditional Use Permit is only valid for the operator "Ember Brewing Company". A new CUP shall be required if the operator on the TABC license changes.
3. The on-premise consumption is limited to the 825-square-foot tap room denoted on the floor plan. *However, as a result of the governor's orders limiting the indoor capacity to a percentage of the maximum occupancy load of 55, the number of persons reduced by the order may be accommodated on the outdoor patio denoted on the site plan.*
4. On-premise consumption shall be limited to the beer that is produced on the premises.
5. The hours of operation for the indoor tap room shall be Friday, 5 p.m. to 12 a.m. and Saturday, 12:00 p.m. to 12:00 a.m. *The outdoor patio shall not operate after 9 pm.*
6. There shall be no walk-up window access *for the tap room* and no-drive-through facility.
7. Off-site parking on private property that has not been allowed by property owners and parking in undesignated areas along the streets shall be terms for revocation of the Conditional Use Permit or denial of future applications.
8. Commercial amusement uses shall require an amendment to the Conditional Use Permit.
9. *The total capacity for the indoor area and the outdoor patio shall not exceed 55 persons. In order to exceed this capacity, the CUP shall be amended. Furthermore, parking to accommodate the additional capacity will need to be provided.*

Commissioner White left the meeting.

Vice-Chairperson Deeds asked the applicant to address the Commission. Brian Krajcorvic and Tim Martin address the Commission.

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

One person spoke in support: Jim Klipp, 228 Cedar St.

One person spoke in opposition: Chris Juhl, 220 Cedar St.

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Vice-Chairperson Deeds closed the public hearing.

*Commissioner Hamilton entered the meeting.*

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

The motion was seconded by Commissioner Patton.

The vote was as follows:

Ayes: 6 – Vice-Chairperson Deeds, Commissioners Auzenne, Flores, Thierry, Hamilton, and Patton

Nays: None

Vice-Chairperson Deeds declared the motion carried.

**V. Other Business Items:**

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

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

The vote was as follows:

Ayes: 6 – Vice-Chairperson Deeds, Commissioners Auzenne, Flores, Thierry, Hamilton, and Patton

Nays: None

Vice-Chairperson Deeds declared the motion carried.

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

Commissioner Hamilton made a motion to nominate Commissioner Auzenne for vice-chairperson. The motion was seconded by Commissioner Flores.

The vote was as follows:

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

Nays: 1 – Commissioner Auzenne

Vice-Chairperson Deeds declared the motion carried.

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**VI. Staff Reports.**

- 1. Update on applications in review.**
  - a. 2020**
  - b. 2019**

Ms. Stringfellow informed the Commission regarding ongoing applications.

**2. Upcoming Meetings**

Ms. Stringfellow informed the Commission regarding upcoming meetings.

**VII. Adjourn.**

The meeting adjourned at 7:01 p.m.



Michael Deeds  
Vice-Chairperson



Katherine Cenicola  
Planning Secretary

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