

**MINUTES
PLANNING AND ZONING COMMISSION
REGULAR MEETING - FEBRUARY 7, 2011
FOREST HILL COUNCIL CHAMBERS
3219 CALIFORNIA PARKWAY
6:00 PM**

Chairperson Johnson called the meeting to order at 6:03 p.m.

Members present: Berniece T. Johnson, Hattie Jones, Jimmie Sanders, Adrian Anderson, Loretta Muldrew, and David Gainer

Members absent: James Reed

Staff present: Sheyi I. Ipaye, City Manager; Ed Henderson, Fire Chief; and Lisa Dawn Cabrera, City Planner.

Ed Henderson delivered the invocation.

The pledge of allegiance to the United State and the Texas flags were recited.

A. VISITORS/CITIZENS FORUM

No one wished to speak at this time.

Chairperson Johnson closed the Visitors/Citizens Forum at 6:09 pm.

B. PUBLIC HEARING

1. To receive citizen's comments regarding an Ordinance Amending the Comprehensive Zoning Ordinance of the City of Forest Hill; Amending Section 2.201 to add an Adult Entertainment District; Amending Sections 2.214 to add a purpose for an Adult Entertainment District; Amending Section 3.100 to add definitions associated with an Adult Entertainment District; Amending Section 5.100 to add uses for the Adult Entertainment District to the Schedule of Uses; Amending Section 9.200 thru 9.900 to add lot and setback requirements for the Adult Entertainment District; Amending Section 11.103 to add parking requirements for the Adult Entertainment District; Providing a penalty and authorizing a publication date

Citizens that spoke against the ordinance are as follows:

Bobby Bryan, 6628 Oaks Crest Drive West, Forest Hill, TX
Ozell Birks, 3300 Railfence Road, Forest Hill, TX
Jo Pirtle, 6106 Guildford, Forest Hill, TX
Charles Gatlin, PO Box 1079, Springtown, TX
Joyce Lewis, 3709 Grady Street, Forest Hill, TX
Steven Swander, 505 Main Street, Ft. Worth, TX
Bob Shanklin, 3716 Orchard, Forest Hill, TX
Malinda Miller, 4205 Burly Street, Forest Hill, TX

Citizens that registered against the ordinance, but did not address the Commission are as follows:

Helen Purdy, 6329 Friar Ct, Forest Hill, TX
Ann Pierce, 6301 Regal Road, Forest Hill, TX
Jerry Sutton, 5104 Queen Ann, Forest Hill, TX

No one else wished to speak.

Chairperson Johnson closed the public hearing at 6:29 pm.

Chairperson Johnson opened the public hearing at 6:29 pm.

2. Case # PZ 2011-01 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 4, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5224 High Ridge with the registered owner listed as Charles M Gatlin Tr with the Gatlin Family Trust. The zoning at the present time is "LI" (Light Industrial) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
3. Case # PZ 2011-02 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 5, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5228 High Ridge with the registered owner listed as Charles M Gatlin Tr with the Gatlin Family Trust. The zoning at the present time is "LI" (Light Industrial) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
4. Case # PZ 2011-03 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 6, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5232 High Ridge with the registered owner listed as J E Bullard. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
5. Case # PZ 2011-04 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 7, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5236 High Ridge with the registered owner listed as J E Bullard. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
6. Case # PZ 2011-05 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 8, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5240 High Ridge with the registered owner listed as James H Webb. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
7. Case # PZ 2011-06 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 9, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 6616 Oak Crest Drive W with the registered owner listed as James H Webb. The zoning at the present

time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.

8. Case # PZ 2011-07 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 10, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 6620 Oak Crest Drive W with the registered owner listed as James H Webb. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
9. Case # PZ 2011-08 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 11, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 6624 Oak Crest Drive W with the registered owner listed as Charles D Epps Est. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
10. Case # PZ 2011-09 to receive citizen's comments regarding a City initiated zone change of the lots with the legal description being Lots 12A, 12B, & 13, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5201 SE Loop 820 with the registered owner listed as Bobby G & Tammy K Bryan. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.

Commissioner Gainer made a motion to hear all 9 zoning cases as one case, seconded by Commissioner Muldrew.

Motion passed unanimously.

Citizens that spoke against the zone changes are as follows:

Jerry Bullard, 4809 Gaylewood Ct, Arlington, TX
Ozell Birks, 3300 Railfence Road, Forest Hill, TX
Joyce Lewis, 3709 Grady Street, Forest Hill, TX
Charles Gatlin, PO Box 1079, Springtown, TX
Bobby Bryan, 6628 Oaks Crest Drive West, Forest Hill, TX

Lisa Cabrera read a letter written by Willie & Lois Jaynes and Terry & Jeanette Wages opposing the zone changes.

Citizens that registered against the zone changes, but did not address the Commission are as follows:

Loretta Ingersoll, 5225 High Ridge, Forest Hill, TX
Alvin Dalton, 6328 Friar Ct, Forest Hill, TX

No one else wished to speak.

Chairperson Johnson closed the public hearing at 6:29 pm.

C. REGULAR ITEMS

1. Approval of Minutes dated January 10, 2011.

Commissioner Muldrew to approve the minutes as presented, seconded by Commissioner Gainer.

Motion passed unanimously.

2. To consider approval of an Ordinance Amending the Comprehensive Zoning Ordinance of the City of Forest Hill; Amending Section 2.201 to add an Adult Entertainment District; Amending Sections 2.214 to add a purpose for an Adult Entertainment District; Amending Section 3.100 to add definitions associated with an Adult Entertainment District; Amending Section 5.100 to add uses for the Adult Entertainment District to the Schedule of Uses; Amending Section 9.200 thru 9.900 to add lot and setback requirements for the Adult Entertainment District; Amending Section 11.103 to add parking requirements for the Adult Entertainment District; Providing a penalty and authorizing a publication date

Much discussion among the staff and the Commissioners regarding this district in the Comprehensive Master Plan, the current zoning allowable Adult Entertainment Business are allowed in, the Local Government Code's regulations concerning this type of business, should the district not be recommended to Council then the zone changes would not be necessary, the Ordinance is setting up a new zoning classification.

Commissioner Muldrew made a motion to deny the ordinance, seconded by Anderson.

Motion passed unanimously.

Because the Commission voted not to create an Adult Entertainment District - the following zone changes are null and void because without the creation of the district then there is not a zoning classification that the properties can be changed to.

3. Case # PZ 2011-01 to consider approval of a City initiated zone change of a lot with the legal description being Lot 4, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5224 High Ridge with the registered owner listed as Charles M Gatlin Tr with the Gatlin Family Trust. The zoning at the present time is "LI" (Light Industrial) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
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12. Discuss and consider possible action in regards to Commissioners attendance.

Discussion was held among the staff and the Commission regarding Commissioner Reed and his absences and the lack of him getting sworn in by the City Secretary to serve on the Commission.

Commissioner Muldrew made a motion to recommend to City Council the replace Commissioner Reed, seconded by Commissioner Sanders.

Motion passed without opposition.

D. ADJOURNMENT

Commissioner Gainer made a motion to adjourn, seconded by Commissioner Muldrew.

Motion passed with no opposition.

Chairperson Johnson adjourned the meeting at 7:15 pm.

Berniece T. Johnson
Planning & Zoning Chairperson

ATTEST:

Lisa Dawn Cabrera
Planning & Zoning Secretary