

**MINUTES  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING - AUGUST 3, 2009  
FOREST HILL COMMUNITY CENTER  
6800 FOREST HILL DR.  
REGULAR MEETING - 6:00 PM**

Chairperson Johnson called the meeting to order at 6:00 p.m.

Members present: Berniece T. Johnson, David Humphreys, Dexter Hall, Joseph Ray Rhyne, and Pam Stockton.

Members absent: James Reed and Ann Pierce

Staff Present: David Miller, City Manager; Venus Wehle, Economic Development Director; Pat Ekiss, Fire Chief; Jay White, Fireman; Dylan Whitehead, Building Official; and Lisa Dawn Cabrera, Planning and Zoning Secretary.

Commissioner David Humphreys delivered the invocation.

The pledge to the United States and Texas flags were recited.

**A. VISITORS/CITIZENS FORUM**

No one wished to speak at this time.

Chairperson Johnson closed the Visitors/Citizens Forum was closed at 6:03 pm.

**B. PUBLIC HEARING**

Chairperson Johnson opened the Public Hearing at 6:03 pm.

1. Case #PZ 2009-02 to receive citizen's comments regarding a request for a Specific Use Permit for a Hotel Facility to be located on Forest Hill Circle. The current zoning of this property is PD (Planned Development). The description of the property is being a 1.30 acre parcel of land within the 43.97 acre tract described as Tract 28C in the Shelby County School Land Survey, Abstract 1375 in the City of Forest Hill, Tarrant County, Texas as requested by Priscilla Patel.

No one wished to speak for this item.

Chairperson Johnson closed the public hearing for this item at 6:04 pm.

2. Case #PZ 2009-05 to receive citizen's comments regarding a request for a Specific Use Permit to allow for the drilling of a gas well. The current zoning of this property is R2 (Single Family Residential). The property is located at 4556 Forest Hill Circle with the legal description being Lots 1 & 2 of the Florence G Whitlock Subdivision and Tract 42B of the Shelby County School Land Survey, Abstract 1375 in the City of Forest Hill, Tarrant County, Texas as requested by Walter Dueease with XTO Energy, Inc.

Scott Little, 4513 Windy Lane, Forest Hill, TX 76119, addressed the Commission concerning the lack of communication between XTO and himself. XTO failed to obtain a lease from him and offer him a signing bonus.

Walter Dueease, XTO Representative, 810 Houston, Fort Worth, TX, addressed the Commission in favor of the request. A discussion ensued among the Commissioners, City Staff, and Mr. Dueease. The discussion entailed positioning of the well on the property, traffic routes, the 600' radius requirement, demand for gas well sites in conjunction with leases and sign-on bonuses, noise control, frac ponds, fresh water sources, storage tanks, and compression fans.

Ms. Cabrera read a letter from Carroll Reed, owner of Access Overhead Door, Inc located at 4555 Forest Hill Circle, in favor of the SUP.

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

3. Case # PZ 2009-06 to receive citizen's comments regarding a request for a Specific Use Permit for permission to sell packaged alcoholic beverages within the facility of the Walgreens Store. The current zoning of this property is GB (General Business). The property is located at 6551 Forest Hill Drive with the legal description being Lot 1, Block 1 of the Forest Hill Commercial Center in the City of Forest Hill, Tarrant County, Texas as requested by Walgreens Company.

No one wished to speak for this item.

Chairperson Johnson closed the public hearing for this item at 6:30 pm.

## C. REGULAR ITEMS

1. Approval of Minutes dated June 1, 2009

Commissioner Stockton made a motion to approve the minutes as presented, seconded by Commissioner Hall.

Motion passed without opposition.

2. Case #PZ 2009-02 to consider approval of a request for a Specific Use Permit for a Hotel Facility to be located on Forest Hill Circle. The current zoning of this property is PD (Planned Development). The description of the property is being a 1.30 acre parcel of land within the 43.97 acre tract described as Tract 28C in the Shelby County School Land Survey, Abstract 1375 in the City of Forest Hill, Tarrant County, Texas as requested by Priscilla Patel.

David Miller addressed the Commission concerning the City's wish to not support this item and concerns for this SUP. Mr. Miller stated the following reasons for not supporting this item:

- Not wishing to provide a conference room that can seat 300 people
- Over saturation of limited service motels in the area
- Does not fit into the conceptual plan for the site that has been designed for the 92 acres

Commissioner Humphreys made a motion to deny the Specific Use Permit, seconded by Commissioner Hall.

Motion passed unanimously.

3. Case #PZ 2009-05 to consider approval of a request for a Specific Use Permit to allow for the drilling of a gas well. The current zoning of this property is R2 (Single Family Residential). The property is located at 4556 Forest Hill Circle with the legal description being Lots 1 & 2 of the Florence G Whitlock Subdivision and Tract 42B of the Shelby County School Land Survey, Abstract 1375 in the City of Forest Hill, Tarrant County, Texas as requested by Walter Dueuease with XTO Energy, Inc.

Discussion was held among the Commissioners, the Staff, and Mr. Dueuease concerning the 600' ft regulation, the future development of the property that the well site will be located on, conducting a noise survey, the construction of the access road and the pad site, and the stipulations being put into effect with the issuance of this SUP.

An agreement was made between XTO and the City for the following stipulations to be issued with the SUP:

- Must comply with all City Ordinances
- A completed Road Repair Agreement must be given to the City
- A shaker rack to be installed at the entrance to the site
- All regulations of the Tree Ordinance must be adhered to for the construction of the pad site and driveway
- In addition to the required pavement by ordinance, additional concrete pavement shall be required up to the manifold site sufficient enough to support fire apparatus, at the end of that concrete is where the shaker rack shall be installed, and the rest of the driveway up to the pad site shall be constructed of road base in accordance with TxDOT standards.

A motion was made by Commissioner Rhyne to approve the SUP with the stipulations as stated above, seconded by Commissioner Stockton.

The motion carried with a vote of four (4) to one (1) with Commissioner Humphreys voting nay.

4. Case # PZ 2009-06 to consider approval of a request for a Specific Use Permit for permission to sell packaged alcoholic beverages within the facility of the Walgreens Store. The current zoning of this property is GB (General Business). The property is located at 6551 Forest Hill Drive with the legal description being Lot 1, Block 1 of the Forest Hill Commercial Center in the City of Forest Hill, Tarrant County, Texas as requested by Walgreens Company.

David Miller stated that staff has no objections to the approval of this SUP.

Commissioner Humphreys made a motion to approve the SUP, seconded by Commissioner Hall.

Motion passed without opposition.

5. Case # PZ 2009-07 to consider approval of a request for a Preliminary Plat to be called AEO Addition being 19.223 acres located in Block 43 of the Shelby County School Survey, Abstract 1375 in the City of Forest Hill, Tarrant County, Texas. The proposed legal description will be Lots 1 & 2 of the AEO Addition in the City of Forest Hill, Tarrant County, Texas. The property is located on the South East Corner of Anglin Drive and Forest Hill Circle as requested by M. Rodgers, Ltd.

Chairperson Johnson asked Trace Strevey to introduce himself to the Commission. Trace Strevey, 6300 Ridglea Place, Ste 700, Ft. Worth, TX 76116, is the Engineer on this project and informed the

Commission that he is available to answer any questions that the Commission has concerning this project.

Mr. Miller and Ms. Cabrera updated the Commission with a brief summary of this plat and that the owner and developer has complied with all the requirements of the City  
Commissioner Humphreys made a motion to approve the Preliminary Plat, seconded by Commissioner Hall.

Motion passed unanimously.

**D. ADJOURNMENT**

Chairperson Johnson adjourned the meeting at 7:32 pm.

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Berniece T. Johnson  
Planning & Zoning Chairperson

ATTEST:

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Lisa Dawn Cabrera  
Planning & Zoning Secretary