

**RICHLAND HILLS PLANNING & ZONING COMMISSION  
REGULAR MEETING  
CITY HALL, 3200 DIANA DRIVE  
APRIL 15, 2021  
MINUTES**

Members Present

Michael Wilson, Place 2

Mary Witt, Place 4

Kenneth Keating, Alternate

Members Present Via Zoom

Erick Sabin, Place 1

Kelle Jones, Place 5

Staff Present

Candice Edmondson, City Manager

Cathy Bourg, City Secretary

Alecia Kreh, City Attorney

Members Absent

Jackson Durham, Place 3

The Planning and Zoning Commission meeting is open to the public and citizens are welcome to attend. However, due to the current Coronavirus (COVID-19) outbreak in our area and in an effort to abide by social distancing recommendations, we encourage citizens wishing to participate in the meeting to email comments to City Secretary Cathy Bourg at [cbourg@richlandhills.com](mailto:cbourg@richlandhills.com) by 5:00 p.m. on Thursday, April 15<sup>th</sup>. Your comment will be read aloud during Item 4 *Public Comments*.

Some members of the Planning and Zoning Commission may be unable to attend and will be participating by video conference or phone. If you would like to join and participate in the meeting by video conference or phone, you may do so via the following options:

- **Online via Zoom:** Go to [zoom.us](https://zoom.us), Join a Meeting, and enter Meeting ID 898 7499 8735 and the host will allow you to enter the virtual meeting. The host will ask you what item you would like to speak on, and you will be called upon when that item is presented to address the Planning and Zoning Commission.
- **By Phone:** Please call (346) 248-7799 and enter Meeting ID 898 7499 8735 and provide your name and address. The host will ask you what item you would like to speak on, and you will be called upon when that item is presented to address the Planning and Zoning Commission.

## **1. CALL TO ORDER**

Commission Chair Wilson called to order at 6:04 p.m.

## **2. ADMINISTER OATHS OF OFFICE**

Karen Evans, Administrative Assistant administered the Oath of Office to Mary Witt, Place 4.

## **3. EXECUTIVE SESSION**

**A. EXECUTIVE SESSION: PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071. REFER TO POSTED LIST ATTACHED HERETO AND INCORPORATED HEREIN. EXECUTIVE SESSION MAY BE HELD, UNDER THESE EXCEPTIONS, AT ANY TIME DURING THE MEETING THAT A NEED ARISES FOR THE PLANNING AND ZONING COMMISSION TO SEEK ADVICE FROM THE CITY ATTORNEY AS TO THE POSTED SUBJECT MATTER OF THIS PLANNING AND ZONING COMMISSION MEETING.**

None

**B. RECONVENE:** Action necessary on items discussed in Executive Session

## **4. PUBLIC COMMENTS**

None

## **REGULAR AGENDA**

### **5. Approve minutes from the March 23, 2021 Planning and Zoning Commission meeting.**

**Motion:** Motion was made by Commission Member Jones and seconded by Commission Member Witt to approve the minutes from the March 23, 2021 Planning and Zoning Commission meeting.

Motion carried by a vote of 5-0.

### **6. Consider a Specific Use Permit (SUP 2021-0223) for Outside Storage and Display for the property described as Lot 4, Block 5, MIDWAY PLACE, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7420 Whitehall Street, Richland Hills, Texas 76118 PUBLIC HEARING**

Candice Edmonson, City Manager presented a Specific Use Permit (SUP 2021-0223) for Outside Storage and Display for the property described as Lot 4, Block 5, MIDWAY PLACE, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7420 Whitehall Street, Richland Hills, Texas 76118.

The property at 7420 Whitehall Street is a 20,300 square foot warehouse owned by the William T. White III Revocable Trust. The warehouse is located in the Midway Business Park and is currently zoned Heavy Commercial.

The applicant for this case is James Wright of Heritage Landscape Supply Group, dba Irrigators Supply. Mr. Wright is currently going through the certificate of occupancy process to open his business at this location. He is seeking a Specific Use Permit (SUP) for outside storage of irrigation pipe and supplies and overnight storage of fleet vehicles.

The proposed fencing material will be 8ft high galvanized chain link with finned slats. Chain link fencing with slats is currently only permitted in the Business Park zoning district. There are several existing businesses with chain link fences in Midway Business Park. Based on the proposed fence design and material, staff believes this is an appropriate screening plan for the area.

The City's Development Review Committee (DRC) has reviewed the SUP request and recommends approval.

James Wright, the applicant spoke regarding his request for outside storage and answered questions from the commission members.

Chairman Wilson opened the public hearing – Time 6:16 p.m.

None

Chairman Wilson closed the public hearing – Time 6:16 p.m.

**Motion:** Motion was made by Commission Member Keating and seconded by Commission Member Sabin to approve a Specific Use Permit (SUP 2021-0223) for Outside Storage and Display for the property described as Lot 4, Block 5, MIDWAY PLACE, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7420 Whitehall Street, Richland Hills, Texas 76118.

Motion carried by a vote of 5-0.

**7. Consider a Specific Use Permit (SUP 2021-0147) for Cabinet/Upholstery Shop for the property described as Tract 1B Abstract 138 Hamilton Bennett Survey, City of Richland Hills, Tarrant County, Texas otherwise known as 3204 Handley Ederville Road, Richland Hills, Texas 76118 PUBLIC HEARING**

Candice Edmondson, City Manager presented a Specific Use Permit (SUP 2021-0147) for Cabinet/Upholstery Shop for the property described as Tract 1B Abstract 138 Hamilton Bennett Survey, City of Richland Hills, Tarrant County, Texas otherwise known as 3204 Handley Ederville Road, Richland Hills, Texas 76118.

The property at 3204 Handley Ederville Road is a 2,304 square foot building on 0.44 acres owned by Sam Jackson. The building was previously occupied by Jay Jackson Automotive for many years.

The applicant for this case is Gilbert Quintanilla, Jr. He would like to open a cabinet shop business, Blueprint Millwork, at this location. The property is currently zoned Light Commercial and requires an approved Specific Use Permit (SUP) for a cabinet/upholstery shop.

A code consult was recently conducted as part of the certificate of occupancy process. Several code issues were identified that will need to be addressed prior to occupying the building. A list of code compliance requirements is attached to this memo and included as part of the ordinance.

The City's Development Review Committee (DRC) has reviewed the SUP request and recommends approval pursuant to meeting all code compliance requirements before issuance of a certificate of occupancy for the business.

Gilbert Quintanilla, the applicant spoke regarding his request to open a cabinet shop and answered questions from the commission members.

Chairman Wilson opened the public hearing – Time 6:26 p.m.

None

Chairman Wilson closed the public hearing – Time 6:27 p.m.

**Motion:** Motion was made by Commission Member Keating and seconded by Commission Member Jones to approve a Specific Use Permit (SUP 2021-0147) for Cabinet/Upholstery Shop for the property described as Tract 1B Abstract 138 Hamilton Bennett Survey, City of Richland Hills, Tarrant County, Texas otherwise known as 3204 Handley Ederville Road, Richland Hills, Texas 76118 pursuant to meeting all code compliance requirements before issuance of a certificate of occupancy for the business.

Motion carried by a vote of 5-0.

**8. Consider a Specific Use Permit (SUP 2021-0202) for a Single-Family Residence for the property described as Lot 3, Block 3 Willman Addition, City of Fort Worth, Tarrant County, Texas otherwise known as 7285 Glenview Drive, Richland Hills, Texas 76180 PUBLIC HEARING**

Candice Edmondson, City Manager presented a Specific Use Permit (SUP 2021-0202) for a Single-Family Residence for the property described as Lot 3, Block 3 Willman

Addition, City of Fort Worth, Tarrant County, Texas otherwise known as 7285 Glenview Drive, Richland Hills, Texas 76180.

The property at 7285 Glenview Drive is a 1,211 square foot single-family residence on 0.38 acres owned by Sherry and Robert Leavitt. The Leavitts have owned the property since 2019. The property was previously owned by Mrs. Leavitt's parents, Percy and Gloria Taylor, who resided in the home.

Mrs. Leavitt would like to use the property as a single-family rental home. The property is currently zoned Mixed Use and requires an approved Specific Use Permit (SUP) for a single-family residence.

Prior to adoption of the City's current Comprehensive Zoning Plan in May 2014, the property at 7285 Glenview Drive was zoned Commercial - General (Ord. 848-98 adopted October 27, 1998). The property was purchased in 1950 by Percy and Gloria Taylor and used as their primary residence until their passing.

All of the properties along this section of Glenview Drive have been converted to commercial businesses. The City's Development Review Committee (DRC) has reviewed the request and confirms it meets the requirements of a single-family residence in the Mixed Use zoning district.

Sherry Leavitt, the applicant spoke regarding her request to use the property as a single-family rental home and answered questions from the commission members.

Chairman Wilson opened the public hearing – Time 6:35 p.m.

None

Chairman Wilson closed the public hearing – Time 6:36 p.m.

**Motion:** Motion was made by Commission Member Jones and seconded by Commission Member Witt to approve a Specific Use Permit (SUP 2021-0202) for a Single-Family Residence for the property described as Lot 3, Block 3 Willman Addition, City of Fort Worth, Tarrant County, Texas otherwise known as 7285 Glenview Drive, Richland Hills, Texas 76180.

Motion carried by a vote of 5-0.

- 9. Consider a Specific Use Permit (SUP 2021-0222) for Miscellaneous Hazardous Industrial Use for the property described as Lot 3, Block 2-R-1, Richland Gardens Addition, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7020 Midway Road, Richland Hills, Texas 76118**  
**PUBLIC HEARING**

Candice Edmondson, City Manager presented a Specific Use Permit (SUP 2021-0222) for Miscellaneous Hazardous Industrial Use for the property described as Lot 3, Block 2-R-1, Richland Gardens Addition, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7020 Midway Road, Richland Hills, Texas 76118.

The property at 7020 Midway Road is a new 5,000 square foot warehouse owned by G Catch, LLC.

The applicant for this case is Pablo Parga. He would like to open a pet cremation service, PRS Heavenly Bridge, at this location. The property is currently zoned Planned Development and allows for all uses within the Industrial zoning district. Miscellaneous Hazardous Industrial Use is permitted within the Industrial district with an approved Specific Use Permit (SUP).

The City's Development Review Committee (DRC) has reviewed the SUP request and recommends approval pursuant to the business meeting all requirements of the Texas Commission on Environmental Quality (TCEQ) for pet cremation services.

Pablo Parga, the applicant gave a presentation supporting his application to open a pet cremation service. Mr. Parga provided detailed information about the crematory equipment and process and answered questions from the commission members.

Chairman Wilson opened the public hearing – Time 6:51 p.m.

Stacy Reddy, 7012 Hardisty St. spoke in favor of the SUP request.

Andy Hickson, the property owner spoke in favor of the SUP request.

Chairman Wilson closed the public hearing – Time 6:54 p.m.

The Commission Members continued discussions and asked questions of the City Attorney.

**Motion:** Motion was made by Commission Member Keating and seconded by Commission Member Witt to approve a Specific Use Permit (SUP 2021-0222) for Miscellaneous Hazardous Industrial Use for the property described as Lot 3, Block 2-R-1, Richland Gardens Addition, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7020 Midway Road, Richland Hills, Texas 76118 pursuant to business meeting all requirements of the Texas Commission on Environmental Quality for pet cremation services.

Motion carried by a vote of 5-0.

**10. Consider a zoning change on property described as being a portion of Lot 7, Block 97, Richland Hills Addition, Tarrant County, Texas otherwise known as 3401 Booth Calloway Road, Richland Hills, Texas 76118. Current Zoning: Single-Family Residential (SF-7). Requested Zoning: Light Commercial (LC)**  
**PUBLIC HEARING**

Candice Edmondson, City Manager presented a zoning change on property described as being a portion of Lot 7, Block 97, Richland Hills Addition, Tarrant County, Texas otherwise known as 3401 Booth Calloway Road, Richland Hills, Texas 76118. Current Zoning: Single-Family Residential (SF-7). Requested Zoning: Light Commercial (LC).

The property at 3401 Booth Calloway Road is a 3,294 square foot building on 0.30 acres zoned Single-Family Residential (SF-7). The property is currently owned by MZLS Enterprises LP.

The applicant in this case, Masoud Shaygan, has owned the property since March 2015. When he purchased the property, it was a commercial property occupied by an insurance business. The insurance business is no longer occupying the building; and therefore, Mr. Shaygan is requesting a zoning change to Light Commercial (LC) in order to continue the commercial designation.

Prior to adoption of the City's current Comprehensive Zoning Plan in May 2014, the property at 3401 Booth Calloway Road was zoned Commercial – Restricted (C-1). The Tarrant Appraisal District lists the state code as OFCLowRise, which indicates a low-rise office designation.

The properties south of 3401 Booth Calloway Road along Baker Boulevard are zoned Light Commercial. The properties just east are within the Hurst city limits and zoned Dwelling District (R-3). The properties north and west are also zoned Single-Family Residential (SF-7). The Future Land Use Plan shows the property developing as low density residential. The requested change is not consistent with the City's Comprehensive Land Use Plan.

Masoud Shaygan, the applicant spoke regarding his zoning change request and answered questions from the commission members.

Chairman Wilson opened the public hearing – Time 7:11 p.m.

Stacy Reddy, 7012 Hardisty St. spoke in favor of the zoning change request.

Chairman Wilson closed the public hearing – Time 7:13 p.m.

The Commission Members continued discussions and asked questions of the City Attorney.

**Motion:** Motion was made by Commission Member Witt and seconded by Commission Member Jones to approve a zoning change on property described as being a portion of Lot 7, Block 97, Richland Hills Addition, Tarrant County, Texas otherwise known as 3401 Booth Calloway Road, Richland Hills, Texas 76118 from Single-Family Residential (SF-7) to Mixed Use (MX).

Motion carried by a vote of 5-0.

**11. Consider a zoning text amendment to Chapter 90 of the Comprehensive Zoning Ordinance of the City of Richland Hills by amending Article 3 to allow for Boarding Houses to be an authorized use by right within specified zoning districts and by way of a Specific Use Permit in other specified zoning districts, to establish development standards for Boarding Houses, and to amend Article 8 to add a definition of Boarding House and amend the definition of Single Family PUBLIC HEARING**

Candice Edmondson, City Manager presented a zoning text amendment to Chapter 90 of the Comprehensive Zoning Ordinance of the City of Richland Hills by amending Article 3 to allow for Boarding Houses to be an authorized use by right within specified zoning districts and by way of a Specific Use Permit in other specified zoning districts, to establish development standards for Boarding Houses, and to amend Article 8 to add a definition of Boarding House and amend the definition of Single Family.

At the request of City Council, staff is bringing forward the following zoning text amendments that will help guide the use of boarding houses within the City of Richland Hills. The proposed zoning text amendments are detailed below.

Amendment 1

The first amendment to Article 3, Section 3.02 "Use Chart" would allow Boarding Houses as an authorized use in the MF-1–Two-Family (Duplex) Residential, MF-2 - Multiple-Family Residential Medium Density, and MF-3 - Multiple-Family Residential High Density zoning districts and by way of a Specific Use Permit (SUP) in the SF-E – Single-Family Residential Estate, SF-10 – Single-Family Residential, and SF-7– Single Family-Residential zoning districts by designating the SUP requirement within the Use Chart.

Amendment 2

The second amendment would add subsection (A)(21) under Article 3, Section 3.02.01 "Conditional Development Standards" providing certain requirements for Boarding Houses as listed below.

Boarding House - In addition to any requirements or regulations outlined within the specific use permit, boarding houses shall be subject to the following development standards:

- (a) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such boarding house.
- (b) No sign advertising a home occupation shall be placed on property where a boarding house is located.
- (c) One designated parking space must be provided on the premises for each sleeping unit. Tandem parking spaces are not permitted.
- (d) Register and receive annual inspections as outlined:
  - 1. All boarding houses shall be registered annually. If there is any change in occupancy of any sleeping unit longer than three weeks, registration shall be updated at that time.
  - 2. Inspections shall be required annually. It shall be the responsibility of the property owner to request and schedule an inspection at the time of annual registration.
  - 3. The fees for registration and required annual inspection for each boarding house are as shown in the city's fee schedule.”

### Amendment 3

The third amendment to Article 8, Section 8.01 “Defined Terms” amends the definition of “Family” and adds a definition for “Boarding House”.

Boarding House - A dwelling unit where sleeping units are let, with or without meals, and the dwelling is not occupied as a single-family dwelling. Occupants do not have exclusive access to kitchen and/or bathroom facilities and have limited or no access to non-common areas of the dwelling unit.

Family - One or more person related by blood, marriage, or adoption, or a group not to exceed four persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit, but not a boarding house as defined by this code, and living as a single housekeeping unit.”

The Commission Members continued discussions and asked questions of the City Attorney.

Chairman Wilson opened the public hearing – Time 7:52 p.m.

Stacy Reddy, 7012 Hardisty St. spoke to the amendments based on the definition of “family” as being reckless and spoke in favor of the boarding house amendments.

Chairman Wilson closed the public hearing – Time 7:55 p.m.

The Commission Members continued discussions and asked questions of the City Attorney.

**Motion:** Motion was made by Commission Chairman Wilson and seconded by Commission Member Sabin to approve a zoning text amendment to Chapter 90 of the Comprehensive Zoning Ordinance of the City of Richland Hills by amending Article 3 to allow for Boarding Houses to be an authorized use by right within specified zoning districts and by way of a Specific Use Permit in other specified zoning districts, to establish development standards for Boarding Houses, and to amend Article 8 to add a definition of Boarding House and amend the definition of Single Family. To also amend with the SUP requirement to include the MF-1 Two-Family (Duplex) Residential district and included a minimum duration of 28 days to the definition of Boarding House.

Motion carried by a vote of 3-2. Commission Member Keating and Commission Member Witt against.

## **12. ADJOURNMENT**

There being no further business to come before the Commission, Chair Wilson declared the meeting adjourned at 8:33 p.m.

ATTEST

APPROVED

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Cathy Bourg, City Secretary

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Michael Wilson, Chairman