

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF JUNE 13, 2019**

APPROVED

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

- 2. Consider approval of the following Planning and Zoning Commission meeting minutes: April 11, 2019 regular meeting.**

Motion: Commissioner Quigley made a motion to approve the meeting minutes of the April 11, 2019 regular meeting with the corrections as stated.

Commissioner Davis seconded the motion and the vote was as follows:

Ayes:	Commissioners Quigley, Davis, Stroope, Henderson, Cawthorne, and Moye
Nays:	None
Abstention:	None

Motion approved 6-0-0. Commissioner Stroope declared the April 11, 2019 meeting minutes approved.

PUBLIC HEARINGS

- 3. Zoning Case PZ-SP-2019-50021, public hearing and consider a request for a site plan approval for Lot 14, Block 4, Loma Verde Addition located at 2105 El Campo Street, Bedford, Texas, allowing Lynette Baptiste to operate a community home specific to Section 3.2.C.1.n, of the City of Bedford Zoning Ordinance. The property is zoned Planned Unit Development (PUD). The subject property is generally located south of El Campo Street and west of Loma Verde Drive. (PZ-SP-2019-50021)**

This case has been postponed to a meeting at a later date.

- 4. Zoning Case PZ-SUP-2019-50046, public hearing and consider a request to rezone Lots 1A, 1B, Harwood Village Shopping Center Addition, located at 510 Harwood Road Suite I, Bedford, Texas from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/ Indoor Amusement Center (H/SUP), specific to 3.2.C.13.g of the City of Bedford Zoning Ordinance, allowing for Moxley Manor to operate a new indoor amusement center. The property is generally located south of Harwood Road and west of Brown Trail. (PZ-SUP-2019-50046)**

Emilio Sanchez, Planning Manager, reviewed case PZ-SUP-2019-500046.

This specific use permit is for Moxley Manor Haunted House to operate a new attraction in Suite I at 510 Harwood Road. They currently operate within this existing shopping center. They were granted their original specific use permit in 2010. They came back to the City to request another specific use permit so that they can expand their attraction. Currently they would like to expand to Suite I, which is about 840 square feet, which may be the largest suite within that building, excluding the building supply store. They are owned by two separate entities, so although the building looks like one building, it is actually two parcels of land and two building owners.

The ordinance requires a specific use permit for any indoor amusement facility. It is Staff's interpretation that a haunted house is an indoor amusement. The definition in the zoning ordinance states that it is gaming equipment along with coin operated machinery, batting cages. This falls

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similarly in line with those types of entertainment, where they are indoors. It's just not a coin operated machinery.

The applicant has stated that they need this space to basically keep this business fresh. They have a lot of repeat customers, and to keep changing a haunted house requires more space. Adding attractions to get those individuals to continue to patronize their business.

Staff has received letters of opposition and two letters of support.

Commissioner Quigley asked what the required parking requirement is for this location and if the applicant meets the requirement.

Emilio Sanchez said that the shopping center meets the parking requirements. For indoor amusement, it is one parking space per 100 square foot floor area.

Commissioner Henderson asked what the hours of operation, days and months out of the year that they operate.

Emilio Sanchez said he will defer that question to the applicant. That specific information has not been provided to Staff, but they generally operate about three months out of the year.

Richard Alvarado, petitioner, 1024 Bear Creek Drive, Little Elm, Texas.

Mr. Alvarado and his wife operate Moxley Manor and have operated it for the last ten years. They have requested this permit because they have run out of space at their current location and would like to add more space to grow the business. This is the third time he has gone through this process, and he is surprised at the opposition he has come up against this time. He has read through the amended petition and every email that has been submitted. Mr. Alvarado said he has taken some of the comments from the opposition letters personally. He feels like his character is being attacked by the residents, some who he has never met. He and his wife run their life like they run their business. They have high morals and high standards of what they do. When he started Moxley Manor, his intent was to have a business that was active in the community and give business back to the community, as well as charities they have selected over the years, and he feels that he has achieved that goal. Over the years they have established relationships with the local schools sponsoring cheer groups in order to help students with the variety of expenses. They have also donated to L.D. Bell High School and Birdville High School theater departments. The donations promote their events, as well as purchase t-shirts so they can sell as a fundraiser for their group.

Commissioner Stroope asked Mr. Alvarado to describe what his business is, because the people in the audience may not understand exactly what he does.

Mr. Alvarado said they operate their Halloween Haunted House. Although they call it a Halloween Haunted House, they also do special events throughout the year. They have a Christmas time event, Valentine's Day event, Spring Break event, and from time to time they throw another one in there depending on the holidays and how they are in terms of their build schedule and whether or not they are ready for other events. They typically operate Friday and Saturday nights. They open around 7:00 or 7:30 p.m. depending on the event and usually shut down by midnight when they stop selling tickets. During the special events, they are only open for a few hours, 7:30 p.m. to 10:00 p.m. If they are open during the week it is also 7:30 p.m. to 10:00 p.m.

Security was brought up as an issue and there is a concern that maybe the City would have to foot the bill to bring additional police officers around during that time. Last season they employed two Tarrant County Sheriffs as well as Bedford Constables to come out and help with security, so he takes that very seriously. He wants to make sure that people enjoy having them there and not be a

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nuisance. They obviously want to be an asset to the City and he feels like they've been that way since 2010. That's always been their goal. Some of those issues caught him off-guard.

They operate around 20 to 25 days a year. They have one peak week which is the last week of October. That does tend to get a little bit busier. They have never had any issues with the parking lot. He employs a parking lot attendant and he is very well aware of where people need to park and watches everything. Not once has there ever been any issues reported where people have parked in the local neighborhoods nearby.

Commissioner Stroope asked what Mr. Alvarado is asking for this addition to make it work.

Mr. Alvarado said they are trying to expand and have a bigger space. At some point in time their main haunted house, which is the Moxley Manor, that's where we plan on putting it in. At this point in time it's too late in the year to do that, but they need probably about nine months to get that done. That's why they've started fairly early on trying to take over the building. When they first found that location that was our main goal. They wanted to start a little bit small and at some point if that building ever became available they were going to take the opportunity to try and occupy that.

Commissioner Moye asked if with the additional space, would the business change or would it still be doing the same types of events. Also, what is their target audience? Young adults, children, teenagers, older adults?

Mr. Alvarado said the business would stay the same and operate the way they do. The times would be the same, dates are roughly about the same. Nothing will change as far as that goes. Their target audience from what they've seen has been about 17 to 18 years old to about 40 to 45. It's actually a really wide range of people that come out. They've had families come out and bring little kids and they've enjoyed it just as much as somebody that's 35.

Commissioner Moye asked if alcohol is served.

Mr. Alvarado said no they do not serve alcohol and actually frown on that. That's one of the reasons why they have the officers on hand. When officers are there that's one thing they do have them police. If there's any alcohol seen, they will be escorted off the premises.

Commissioner Henderson asked if security is there all the time.

Mr. Alvarado said any time that they are open security is there.

Mr. Alvarado said what they currently do now with Moxley Manor is they have a series of back doors, so the patrons walk through the main building there from Moxley Manor, proceed through the maze, exit out the back. We usually rent a gate to keep everybody contained closer to the building, so that they stay in the back. They will enter through the back door of the clown haunted house, and as they exit they exit through the front of the building.

Commissioner Henderson asked if this goes past two other suites.

Mr. Alvarado said at the very end of the last attraction, it's a 3D haunted house so they have somebody there collecting the 3D glasses. At that point what they were planning on doing is having somebody escort that group of people down to the next building. There are two suites that are in between one attraction and the last one that are both empty. At one point in time they had talked about taking over those two suites and doing some additional stuff in there, but they had made a deal with the owner that if he were to sprinkle that the main building there, they would go ahead and take that over. Mr. Alvarado is on top of that we were actually absorbing some of the cost of that.

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Commissioner Quigley said when Moxley first opened, he took his daughter when she was in high school and they had a great time. He loves haunted houses, and for a few years he volunteered at one in Fort Worth. He wishes Mr. Alvarado a great success. However, he suspects from reading a lot of the comments that if he were in his position, he would be equally distressed because some of the implications that somehow drug dealers or child predators will appear because there's a haunted house. He suspects that people did not know exactly what was going on or misunderstood indoor entertainment or amusement, and he's seen comments that seem to him to be misled as to what was actually going to happen.

Mr. Alvarado said they've gone out of our way to make this a family event. There are nights when his young son and granddaughter are there. And there are nights that his older sons and daughter come up there and work. There would be absolutely no way that he would ever put them in any type of environment like that, and for those comments that come up associated with my name and my business what I do take offense to that.

Commissioner Quigley said there were comments about truancy from nearby HEBISD schools. School is out about 3:30 p.m., and then those children who were in sports and other activities were usually done by 5:30 p.m. or so, where Moxley doesn't open until around 7:00 p.m.

Mr. Alvarado said he saw those comments as well. He said that they open around 7:00 p.m. to 7:30 p.m. depending on the event.

Commissioner Quigley asked if Mr. Alvarado could imagine how he could draw kids away from schools when there's a four hour difference between the time school gets out and his business opens.

Mr. Alvarado said that Moxley Manor is a part-time thing, he has a full-time job and doesn't leave there until 3:30 p.m. On operating nights he leaves his job in Dallas at 3:30, and usually there about 4:00 or 4:30 p.m. trying to set up for whatever event we have for the evening.

Commissioner Davis asked if his ultimate goal is to move his entire operation into one space.

Mr. Alvarado said when they first started out they were wanting to move the main haunted house, and it just makes more sense for it to occupy the larger space.

Mr. Henderson asked if he could walk them through what you might see in there. Are there actors?

Mr. Alvarado said they run about 40 to 50 actors a night. It depends on the theme they are doing. For example, on a Valentine's Day event they try and change it up to where it's kind of like a zombie prom to some extent. Typically they have scary dolls, zombie characters, which would be in the main Moxley Manor. In the smaller haunted house it's all clowns. Everything is 3D. 3D costumes and makeup.

What they are doing right now is Moxley Manor has a mix of zombies and dolls. They would like to split those up. They are in the preliminary planning stages, but Moxley Manor will probably be strictly zombies, then there will be an attraction that will have creepy dolls, and leave the clowns the way it is.

Commissioner Davis asked with his outstanding wanting to be secure, have the police been called and had there been any major things in the last nine years?

Mr. Alvarado said in the last nine years, they contacted the Bedford Police records department and asked them to run anything that has happened associated with that shopping center and they highlighted the stuff that happened in regards to our event. There were three calls made during our events, two of them were made by them. There two calls made in 2011, one by his wife and then

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one by a customer. The third call was in 2016 and it was made by them, that was prior to us actually hiring security, and that incident involved a drunk woman and she was trying to urinate against the building. So they called the police on her.

Commissioner Davis asked if that prompted him to hire private security.

Mr. Alvarado said at that point is when he decided they need to bring security up.

Commissioner Cawthorne asked since N and J are empty, does he plan to change to move the guests if a tenant goes in to N and J?

Mr. Alvarado said it depends on who goes in there. If it's going to be something that is operating during the same hours that they are there, they will probably have two different lines where they line up for two different tickets, so that way they don't have to escort people in front of those buildings. If they are closed during the time that they are operating, they will continue escorting them like they have been.

Commissioner Cawthorne asked how many visitors he sees in the months that they are open. How much business is generated? Does he count the number of people at attend?

Mr. Alvarado said it varies. Last year, for the entire year, for every event, it was 3,000 people. They don't see a whole lot of people until the last week. Basically they have three nights where they are really busy. Friday and Saturday night before Halloween, and then Halloween night. If Halloween falls on a weeknight, they don't extend their hours. They stop selling tickets at 10:00 p.m.

Commissioner Stroope opened the public hearing at 7:28 p.m.

Julie Grimstead, 2900 Oak Shadow Circle, Bedford, Texas.

Ms. Grimstead received a letter about this case and that's why she is here. She told Mr. Alvarado that he sounds like a very responsible commendable man. She doesn't know what else was said about him but that's not the problem she has. Her problem is that they live right across the street, and especially at Halloween it is extremely noisy and the music pounds so hard over there that it shakes her house. Literally, she can feel it in her bedroom. It's very disturbing. If there's a way to control the noise that comes from there, especially during the week of Halloween when they hear most of it when he gets most of his traffic. That's their biggest problem. She's not complaining about every event that takes place, but there's got to be a way to control the noise and even in the parking lot of people blare their radios and stand out there and talk real loud and she can hear all of that on her property. She has some concerns, but she said that he alleviated some of their fears by what he had to say, but they do have some concerns about the increased traffic, especially with younger people. They have had a lot of break-ins in automobiles and garages lately and are concerned about increased traffic. Those are her main concerns.

Gary Morlock, 2910 Wayside Drive, Bedford, Texas.

Mr. Morlock said he lives about four or five homes from Harwood and very nearby to where the Grimsteads live. He's had some experience with amusement centers, and a lot of the things related to after-hours... Mr. Alvarado said he stops selling tickets at midnight or at 10:00 p.m. His question is what time is the amusement center actually vacated. And is security there until the amusement center is totally vacated. A lot of it is noise related. There was a go-cart track proposal in Colleyville. The race cars were not the problem. They did not violate the City ordinance. He went to another amusement center and they said that the go-carts were not the problem. It's the whistles and sirens that go off when the ride is over. When the place closes, the people that clean up for that last hour blare a radio over the loud speaker. A lot of the normal operations are not the problem. It's the

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after-hours noise that is the problem. He asked if they can get some more information about that from Mr. Alvarado.

Mary Kellogg, 2905 Oak Shadow Circle, Bedford, Texas.

Ms. Kellogg lives two houses across from Julie so I live two houses in. The noise is the primary issue. Being kept up at midnight are being woken at midnight is very irritating. She said she is one of the people that erroneously did not understand that the new edition was a weekend only situation, so she is one of the people that did put down the truancy issue because she thought this was going to be an expansion of five or six or seven days a week year-round. She is one of those people that erroneously did comment on that. So if this addition for the amusement park is only on weekends and seasonal, he can strike that part but that was not in the permit with the information she got exactly. She does hear a lot of high speed drag racing along that section of Harwood. She doesn't know whether that's going to be connected or not, but that is already an issue, a lot of that, and it goes on during weekends. So it is an issue for times when kids are out of school. Her point is also just the noise situation.

Maggie Dunaway, 2906 Oak Shadow Circle, Bedford, Texas.

Ms. Dunaway is the president of the HOA of Oak Shadows Townhomes. She told Mr. Alvarado that they did not mean for him to take their concerns personally, it was more meant for the day and time. They're concerned about security and safety in Oak Shadows. They are parents or grandparents of children who attend both the junior high and the high school, so an amusement Center is an attractive nuisance as they say in the insurance industry, and they thought it would be going full time. So that gives them a little bit more insight into when this is going to happen. She wanted to say to Mr. Alvarado that they were just concerned because they know in other places nearby the criminal element has trying to come in because they know kids are they are without their parental consent or without their parental chaperones, and that's what they were concerned about. They do have more trespassing and parking that they don't know who the cars belong to when the haunted house is open. The other point that she wanted to make is that they've lived there since 1998 and that particular shopping center has not improved much at all. It has been a transient place where shops come and go. They are frustrated with that because they work very hard to keep their 90 home community very nice and they're very old so but it's still nice, and that shopping center is an eyesore as several of the people pointed out. She is wondering if the City Council and the owner of the shopping center can get together and find out if that man is ever going to improve that to attract businesses that are good for the community. An amusement center is not bad for the community if the security is there and if it's handled properly, but other shops have only come and stayed for a very short time. It's like he doesn't care, he doesn't do anything to upgrade, it's been an eyesore for years and years and now it's almost industrial-looking with the plumbing thing and all their pipes outside. She thought it was zoned as heavy industrial but it's heavy commercial which is the same as all of the other corners. But there's a huge difference between his center and the other corners up and down Harwood. They've all improve their centers and this man has not, and they're wondering is there anything the City can do to have him upgrade that that area.

Commissioner Stroope said his barber recently vacated space there, and he was telling him tales all the time. That is one of the oldest aged shopping centers in in the City. Safeway was in the spot where the plumbing place is right now. When he moved here that was the closest grocery store. They can't change his business plan. In fact the barber was the oldest tenant except for the belly dancing school. It's a split shopping center with two separate owners.

Commissioner Quigley said he wanted to commend Ms. Dunaway for her opinions because that's why most of them are there. He's been in Bedford for 24 years, he's had several conversations with developers and Planning & Zoning. He started on the Zoning Board of Adjustment and now he's on Planning & Zoning because he cares about Bedford. He doesn't want another tanning salon, nail salon, donut shop, dry cleaner. Those are great and we need them but we don't need 18 of them in

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a one-mile radius. They've had the owner of the shopping center over where Half-Price Books is in previous meetings. That shopping center has four non tax-paying entities that lease from him now. His comment to P&Z commissioners when he came to make a presentation about another center was that he can't get people to lease. He said he will take anybody that can come in. His center looks good and has been redone. With the other shopping center owners in Bedford probably have the same issue. People freaked out because we got Spanish grocery store down on Harwood and 121 when Tom Thumb closed. He told Ms. Dunaway to keep her opinion and perhaps she can come and volunteer for the Planning & Zoning Commission sometime, but go to these meetings and go to City Council meetings, register to speak and tell the City Council how she feels about the types of businesses that Bedford attracts. The more people people that do that, the more likely they are able to get their attention. Hopefully, there will be some changes. He heard her and another person use the phrase "amusement center." It's really not an amusement center, and he hopes everybody fully understands that it's a haunted house that operates at night, not during the day.

Ms. Dunaway said it's worded in the letter as an amusement center.

Commissioner Quigley said it's the wording in the zoning ordinance.

Ms. Dunaway asked if the City of Bedford has certain minimums that these shopping centers are required to reach in terms of store fronts, utilities that would attract businesses. These people aren't making an effort to attract anything. He commends Mr. Alvarado to putting a business in there.

Commissioner Quigley said he would argue that they probably do try to attract businesses, and as he stated earlier about the gentleman who was there in the past couple of months, it was pretty clear that there is a challenge to attracting businesses attributing that to online. Walmart and Amazon selling online and delivering is probably one of the problems. These shopping center owners want their centers full.

Ms. Dunaway said she's sure that the others do. They are just not sure about this particular person who owns this shopping center.

Commissioner Stroope said that the shopping center owners are trying to market it and their limited income stream makes it difficult. The owner was excited every time a business moved in next to the barber. There was a bakery, and before that it was a guy who sold metal detectors and security devices. He wants good tenants, and they typically don't stay long. A lot of things have come to Planning & Zoning that try to move into that spot, it's an aged shopping center. It's not Glade Parks in Eules. In the '80s there was a Baskin Robbins.

Ms. Dunaway said they understand that, but he doesn't seem to want to upgrade. The others have upgraded, making new store fronts and palm trees.

Commissioner Quigley said if Mr. Alvarado were to deal with the noise concerns, and address the issues with whatever happens after closing, he's pretty sure he doesn't have control over people driving down Harwood or playing their radios in the parking lot. Even the churches in those other shopping centers have complaints about noise, and the P&Z board has heard those complaints.

Ms. Dunaway said the noise is the main thing, because Oak Shadows Circle, Shady Knoll Lane, Wayside Drive, they're all within a thousand feet of the center and they face Moxley Manor's doors. And the moaning and groaning, the kids can't sleep, the people can't sleep, and the dogs start barking, and so that's why they were out the other night. She asked if Mr. Alvarado was out testing the other night, because there were some sounds like maybe they were testing something like moaning and the groaning like in a haunted house.

Ms. Grimstead asked if there are restrictions in the ordinance on the hours of operation that he can have, the number of days, the number of months, the number of events that he can have. There are

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no restrictions on what he does. And secondly even if he assures them that it's going to be restricted, what if he sells his business and somebody else comes in then they can expand it. She thinks some of these problems could have been avoided if they had been really upset. This is just a suggestion if Mr. Alvarado had made an effort to reach out to those of us who live near that and explain to us what he was doing. In the planning meeting tonight the commission asked him to meet with them and explain things but they never heard from Mr. Alvarado.

Commissioner Stroope said they've had applicants go the extra mile and done that. It doesn't always work because they want to talk about their project, that's the exception rather than the rule. Mr. Alvarado is working two jobs and he will let him address that.

Ms. Grimstead said she understands that but at the work session it sounded like it has been suggested to him.

Emilio Sanchez did ask Mr. Alvarado to at least reach out to those email addresses that had phone numbers or addresses so that he could possibly cut off some of the issues before the meeting tonight. Whether he was able to accommodate and do that that he'll answer that here shortly. Speaking of the hours of operation question, the City does not limit the hours of operation. That is a stipulation that the Commission can place on the approval of this SUP for hours of operation, dates and times and then it would be an enforcement after that fact. But if he would if he were to sell the business, if they change the name, if they changed the way that the approval is for Moxley Manor only, then they would have to come back through for another SUP.

Tom Burnett, 2253 Bedford Circle, Bedford, Texas.

Mr. Burnett has some first-hand knowledge of Moxley Manor. His son owned business and rented space there in the corner actually next to the belly dancing school for a number of years. He is not a retail operation he is computer tech support company. At that time the center was desperate to fill spaces. They had a store front and were required to have a sign but they kept their doors closed. Moxley Manor was their neighbor. His son had interaction with them during the times that they were open. The hours did not overlap, but when they were doing setup and preparation. They were actually really good neighbors. One of the reasons why they have such difficulty filling that shopping center is because the City now requires retro fitting of sprinkler systems to be able to rent the largest space. It costs close to \$275,000 to have the owner do that. The shopping centers are having a difficult time finding small businesses to lease a space that size. There isn't an anchor business that will attract, and it is economically non-viable to spend the money to install the sprinkler systems.

Ms. Dunaway asked for the future, can they place restrictions on when the businesses operate.

Commissioner Stroope said Planning & Zoning is a recommending body but City Council has the final say.

Commissioner Quigley said he recommends that she attends as many City Council meetings that she can handle, and if she asks in advance she can get on the agenda to speak as opposed to open forum where they are limited on time. Notify the Council in advance what you want to talk about.

Ms. Dunaway asked if there are any recent applications for this zoning category that they should know about. Can someone just come in and get a liquor license, even though Mr. Alvarado said he's not interested in doing that?

Commissioner Quigley said no. If the business is sold, the new owner would have to come back to the City and apply for a new SUP.

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Commissioner Stroope said whether they approve this case or not, it still goes to City Council for final approval.

Commissioner Henderson said this is a special use permit rather than a zoning issue.

Emilio Sanchez explained why an SUP follows the same procedures as a Zoning Change.

Commissioner Stroope closed the public hearing at 7:58 p.m.

Motion: Commissioner Quigley made a motion to approve zoning case PZ-SUP-2019-50046.

Commissioner Henderson seconded the motion and the vote was as follows:

Ayes: Commissioners Quigley, Davis, Stroope, Henderson, Cawthorne, and Moyer
Nays: None
Abstention: None

Motion approved 6-0-0. Commissioner Stroope recommended approval of zoning case PZ-SUP-2019-50046.

5. Zoning Case PZ-ZONING AMEND-2019-50044, public hearing and consider a request to amend the City of Bedford Zoning Ordinance Number 2275, specific to Section 5.13.A., Clothing Donation Containers; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. (PZ-ZONING AMEND-2019-50044)

This is a text amendment for the clothing donation containers. In March and April of 2018, Staff brought to the Planning & Zoning commission a text amendment behest City Council that basically outlawed clothing donation containers within the City limits of Bedford. Council approved that in April of 2018. Later on that summer Staff started putting addresses together compiled of about 75 addresses within the City that either had taken out permits for clothing donation container, or that we had Code Compliance cases on for clothing donation containers, or addresses that we had seen driving by. Staff sent two rounds of letters, the effective date of that ordinance was January 1st, 2019 to have all of those clothing containers removed from the property located within the City of Bedford. The first letters went out in September of 2018. There weren't any comments. The second letter went out October 15th, and Staff started receiving phone calls. The phone call came from the attorney that was representing the owner of a clothing donation container. This was one of the large charity charitable organizations that had a box and they made staff aware of a recent court case that protected these particular boxes from being enforced as the City had outlawed them. The protections were First Amendment Freedom of Speech. Staff was unaware at that time that the ordinance that was drafted violated any case law. The City attorney has reached out to that attorney and drafted an ordinance that complies with what the courts allow a City to enforce. What is presented is much stricter than what was previously before they were outlawed completely. There are a number of items that are required from the applicant, not only a permit for each particular box. They're only allowed one container per parcel. Each property owner has to sign an agreement or an affidavit stating that they are made aware that if the operator is in violation so is the property owner, and the box is also required to have a million-dollar insurance policy for each box within the City of Bedford. There's an annual permitting fee of \$100 and there's quite a bit of just administrative items that are required, items that are placed outside have to be removed within 24 hours if they're notified by the City

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that there is a possibility of the items outside of the box. The box is limited to size and height, also limited to earth tone colors. The annual permitting fee, previously the applicant came in and got a permit for a clothing donation container and then we never saw them again. Now the City asks for an annual permit with annual contact information, and also contact information that's required to be placed on the box. The operators have to be certified 501(c)(3) and also provide staff with contact information for someone who can go out and maintain those boxes.

Commissioner Stroope opened the public hearing at 8:13 p.m.

Commissioner Stroope closed the public hearing at 8:13 p.m.

Motion: Commissioner Davis made a motion to approve zoning case PZ-ZONING AMEND-2019-50044.

Commissioner Quigley seconded the motion and the vote was as follows:

Ayes: Commissioners Quigley, Davis, Stroope, Henderson, Cawthorne, and Moyer
Nays: None
Abstention: None

Motion approved 6-0-0. Commissioner Stroope recommended approval of zoning case PZ-ZONING AMEND-2019-50044.

ADJOURNMENT

Motion: Commissioner Henderson made a motion to adjourn.

Commissioner Quigley seconded the motion and the vote was as follows:

Ayes: Commissioners Quigley, Davis, Stroope, Henderson, Cawthorne, and Moyer
Nays: None
Abstention: None

Motion approved 6-0-0. Commissioner Stroope adjourned the Planning and Zoning Commission meeting at 8:14 p.m.

**Tom Stroope, Commissioner
Planning and Zoning Commission**

ATTEST:

**Kristtina Starnes
Planning & Zoning Coordinator**