

**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF GLENN HEIGHTS, TEXAS**

March 4, 2010

STATE OF TEXAS *
COUNTIES OF DALLAS AND ELLIS *
CITY OF GLENN HEIGHTS *

On this the 4th day of March, 2010 the City Council of the City of Glenn Heights met in a special meeting at the Glenn Heights Economic Development Office, Glenn Heights, Texas located at 129 W. Ovilla Road with the following members present:

CITY COUNCIL:

Clark Choate	*	Mayor
Doug Burton	*	Council Member
Dan Freeman	*	Council Member
Kathy Dixon	*	Council Member
Mary Ann Chancellor	*	Council Member
Victor Pereira	*	Council Member

STAFF:	Jacqueline L. Lee	*	City Manager
	Othel Murphree	*	City Secretary
	Brandon Montgomery	*	City Planner
	Paul Tedesco	*	Director of Economic Dev.
	Judy Bell	*	Executive General Manager of Development & Municipal Services

ABSENT:	Chance Harvey	*	Mayor Pro Tem
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Mayor Choate called the meeting to order at 7:37 p.m.

INVOCATION: Councilwoman Chancellor gave the invocation.

PUBLIC COMMENTS: None

AGENDA

1. Public hearing to receive testimony relative to a request for an amendment to the City's Zoning Ordinance, Ordinance No. O-03-09, by changing the zoning classification on approximately 1.43 acres of land described as Lot 9A and 10A, Block B of the Willow Run Addition, Glenn Heights, Dallas County, Texas, recorded in Volume 12, Page 289

of DRDCT zoned Business Park Commercial "BP-C" to Planned Development "PD" at the property located at 1335 Brookside Drive.

Councilwoman Chancellor moved to open the public hearing. Councilman Freeman made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Burton, Dixon, Freeman, Choate, Chancellor and Pereira

Mayor Choate opened the public hearing at 7:39 p.m.

The following individuals spoke for or against the application:

Bundy Hogue – applicant spoke in favor of the application.

Councilman Freeman moved to close the public hearing. Councilman Burton made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Burton, Dixon, Freeman, Choate, Chancellor and Pereira

Mayor Choate closed the public hearing at 7:43 p.m.

2. Consider and approve Ordinance O-05-10 changing the zoning classification on approximately 1.43 acres of land described as Lot 9A and 10A, Block B of the Willow Run Addition, Glenn Heights, Dallas County, Texas, recorded in Volume 12, Page 289 of DRDCT zoned Business Park Commercial "BP-C" to Planned Development "PD" with Commercial, Retail and Office Zoning Districts; to add a Specific Use Permit for retail sale of consumable goods at 1335 Brookside Drive.

Closed Session:

Councilman Freeman moved to go into a closed meeting (via telephone) pursuant to Chapter §551 in accordance with the authority contained in §551.071, Government Code, to seek advice of legal counsel concerning issues related to 1335 Brookside – PD and SUP. Councilman Burton made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Burton, Dixon, Freeman, Choate, Chancellor and Pereira

The City Council convened into a closed meeting at 7:50 p.m.

Councilwoman Dixon moved to come out of closed session. Councilwoman Chancellor made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Burton, Dixon, Freeman, Choate, Chancellor and Pereira

Mayor Choate called the meeting back to order at 8:35 p.m. with no action as a result of the closed meeting.

Councilwoman Dixon moved to approve Ordinance O-05-10 changing the zoning classification on approximately 1.43 acres of land described as Lot 9A and 10A, Block B of the Willow Run Addition, Glenn Heights, Dallas County, Texas, recorded in Volume 12, Page 289 of DRDCT zoned Business Park Commercial "BP-C" to Planned Development "PD" with Commercial, Retail and Office Zoning Districts; to add a Specific Use Permit for retail sale of consumable goods at 1335 Brookside Drive with the following amendments.

- Under the PD standards, change (5)e to read:

At the time building plans are submitted, developer shall submit a Lighting Package Plan specific to the Property, to be reviewed and approved by staff before the Certificate of Occupancy is issued.

- Under the PD standards, change seven (7)c to read:

The fire lane shall be in accordance with the Fire Code, and the driveway shall be closed with a Knox padlock on the gate. The gate shall be constructed of wrought iron. The driveway shall be improved to twenty-four feet (24") in width.

- Under the PD standards, change seven (7)d to read:

Decorative bollards shall be added in front of the building identified as "Future Commercial/Retail. Bollards must be similar materials and architecture of the façade of the building.

- Under Specific Use Permit standard, add number thirteen (13):

Owner/Applicant shall be required to participate its pro rata share of a Traffic Impact Analysis (TIA) when traffic reaches a Level of Service "C".

- Under Specific Use Permit standard, change number twelve (12)c to read:

The Non-Conforming Residential structure may continue to exist until abandoned or changes in use as defined by City ordinances; or after the passage of one year from a change of ownership by conveyance of inheritance or other means. The Non-Conforming metal building may continue to exist until abandoned or change in use as defined by City Ordinance. No non-conforming structure or use may be expanded unless it is made to conform to this PD as to use or the underlying based zoning district regulations.

- On the signature page of the ordinance the following statement shall appear with a signature line for the applicant's signature.

My signature acknowledges acceptance and agreement to the terms of this ordinance.

Councilman Burton made the second. The motion carried with the following vote:

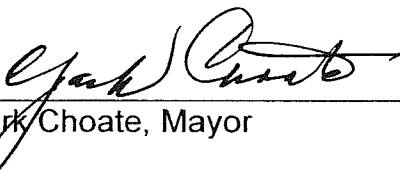
VOTE: **5** **Ayes** – Burton, Dixon, Freeman, Choate, and Chancellor
 1 **Nay** - Pereira

3. ADJOURNMENT

Councilman Freeman moved to adjourn. Councilman Burton made the second. The motion carried with the following vote:

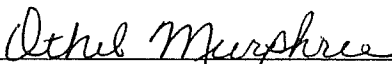
VOTE: **6** **Ayes** – Burton, Freeman, Dixon, Choate, Chancellor, and Pereira,

Mayor Choate adjourned the meeting at 9:00 p.m.



Clark Choate, Mayor

Attest:



Othel Murphree, City Secretary

Passed and approved the 15th day of March, 2010.