

**MINUTES OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF GLENN HEIGHTS, TEXAS**

March 28, 2011

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

On the 28th day of March 2011 the Planning and Zoning Commission of the City of Glenn Heights, Texas convened in a regular meeting at the City Hall, in the Council Chambers at 1938 S. Hampton Road, Glenn Heights Texas to consider the following items, with these members in attendance:

PLANNING AND ZONING COMMISSION:

Lori Berman	*	Chairman
Austin Kelley	*	Board Member
Dorothy Loney	*	Board Member
Matt Graska	*	Board Member
Jesus Humphrey	*	Board Member
Tammy Garr	*	Board Member
Janice King	*	Board Member

STAFF:

Judy Bell	*	Assistant City Manager
Othel Murphree	*	City Secretary
Joe Goodman	*	Director of Public Works
Kevon Howard	*	Police Department Sergeant

CONSULTANT:

Jason King	*	City Attorney's Office
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Chairman Berman called the meeting to order at 7:30 p.m.

INVOCATION: Commissioner Humphrey gave the invocation.

CONSENT AGENDA: All matters listed in Item 1, Consent Agenda, are to be considered routine by the Commission will be enacted by one motion. There will not be separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

1. Consider and approve the minutes of March14, 2011.

Commissioner Humphrey moved to postpone the approval of the minutes to the next meeting, April 11, 2011 to allow staff time to review the minutes and make corrections. Commissioner Graska made the second. The motion carried with following vote:

VOTE: 7 Ayes – Kelley, Berman, Loney, Graska, Humphrey, Garr, and King

Commissioner Graska moved to move the workshop before the public hearing on the agenda. Commissioner Humphrey made the second. The motion carried with following vote:

VOTE: 7 Ayes – Kelley, Berman, Loney, Graska, Humphrey, Garr, and King

3. Workshop on the request for an amendment to the City's Zoning Ordinance, Ordinance No. O-03-09, changing the zoning classification on approximately 3,400 square feet of 105 and 107 W. Ovilla Road, described as a tract of land situated within Lot 2, Block 1 of the Glenn Heights Plaza Addition, Glenn Heights, Ellis County, Texas, and being a part of the land conveyed to Abram's Plaza LTD., the replat having been recorded in Cabinet B, Slide 523 of the Plat Records of Ellis County, Texas. The property is presently zoned Retail "R" and the amendment request is to allow a Specific Use Permit for retail stores, general to permit the sale of consumables, including beverages, at the property located at 105 and 107 W. Ovilla Road.

Chairman Berman opened the workshop at 7:34 p.m.

Judy Bell, the Assistant City Manager introduced the application.

The following items were discussed in the workshop:

- Police Department request for additional lighting.
- Landscape requirements
- Parking concerns
- Refuse Storage
- TABC footage requirements
- Signage wording

Chairman Berman closed the workshop at 7:52 p.m.

2. 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 3,400 square feet of 105 and 107 W. Ovilla Road, described as a tract of land situated within Lot 2, Block 1 of the Glenn Heights Plaza Addition, Glenn Heights, Ellis County, Texas, and being a part of the land conveyed to Abram's Plaza LTD., the replat having been recorded in Cabinet B, Slide 523 of the Plat Records of Ellis County, Texas. The property is presently zoned Retail "R" and the amendment request is to allow a Specific Use Permit for retail stores, general to permit the sale of consumables, including beverages, at the property located at 105 and 107 W. Ovilla Road.

Commissioner Humphrey moved to open the public hearing. Commissioner King made the second. The motion carried with the following vote:

VOTE: 7 Ayes – Kelley, Berman, Loney, Graska, Humphrey, Garr, and King

Chairman Berman opened the public hearing at 7:53.

Tony Espinosa, 2805 Cinnamon Springs voiced concern that the Commission was biased against the applicant and that a Commission Member would claim to be an expert on the regulations of a State Agency.

Chairman Berman closed the public hearing at 7:55 p.m.

4. Workshop – Jason King, introduction and training.

Commissioner Humphrey moved to open the workshop. Commissioner Loney made the second. The motion carried with the following vote:

VOTE: 7 Ayes – Kelley, Berman, Loney, Graska, Humphrey, Garr, and King

Chairman Berman opened the workshop at 7:58 p.m.

The Assistant City Manager, Judy Bell introduced Jason King, Attorney of Law from the City Attorney's office. She explained the Mr. King would be attending the Commission meetings in the future and would be providing training and would be available to answer any questions the Commission may have.

Mr. King advised the Commission he was there to address all their training needs and would be available for any legal questions.

Ngozi Nwosu, 1313 Glencoe – voiced concerns about the number of retail businesses that sell alcoholic beverages in one area and could we look at a distance requirement.

There was a discussion on if the city had a distance requirement. Mr. King said he would research the issue.

Commissioner Graska moved to close the workshop. Commissioner Humphrey made the second. The motion carried with the following vote:

VOTE: 7 Ayes – Kelley, Berman, Loney, Graska, Humphrey, Garr, and King

Chairman Berman closed the workshop at 8:40 p.m.

5. Approve any absences per Ordinance O-28-10.

Commissioner Humphrey was absent March 14, 2011 for personal reasons.

Commissioner Garr moved to excuse his absence for March 14, 2011. Commissioner King made the second. The motion carried with the following vote:

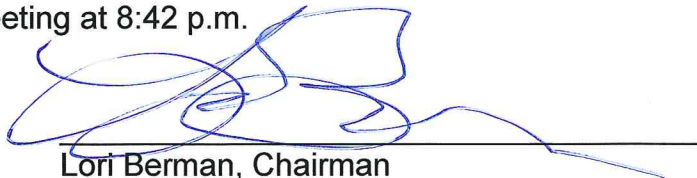
VOTE: 5 **Ayes** – Kelley, Loney, Graska, Garr, and King
 1 **Nay** - Berman
 1 **Abstain** - Graska

6. Adjournment.

Commissioner Loney moved to adjourn. Commissioner King made the second. The motion carried with following vote:

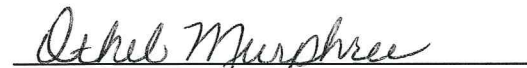
VOTE: 7 **Ayes** – Kelley, Berman, Loney, Graska, Humphrey, Garr, and King

Chairman Berman adjourned the meeting at 8:42 p.m.



Lori Berman, Chairman

ATTEST:


Othel Murphree, City Secretary

Passed and approved the 11th day of April, 2011.