

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

**July 13, 2009**

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

On the 13<sup>th</sup> day of July 2009 the Planning and Zoning Commission of the City of Glenn Heights, Texas convened in a regular meeting at 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:**

Katie Johnson	*	Board Member
Edward Schellinger	*	Board Member
Tony Espinosa	*	Chairman
Matt Graska	*	Board Member
Tammy Garr	*	Board Member
Shane Stover	*	Board Member

**STAFF:**

Jacqueline Lee	*	City Manager
Othel Murphree	*	City Secretary
Judy Bell	*	Executive General Manager for Planning and Municipal Services
Brandon Montgomery	*	City Planner
Phillip Prasifka	*	Chief of Police
Chris Shook	*	Fire Chief

**CONSULTANTS:**

Bonnie Goldstein	*	City Attorney's Office
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**ABSENT:**

Jesus Humphrey	*	Board Member
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Chairman Espinosa called the meeting to order at 7:31 p.m.

**INVOCATION:** Commissioner Johnson gave the invocation.

## CONSENT AGENDA

All matters listed in Item 1, Consent Agenda, are to be considered routine by the Planning & Zoning Commission and 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 June 22, 2009.

Commissioner Johnson moved to approve the Minutes of June 22, 2009 as written. Commissioner Garr made the second. The motion carried with following vote:

**VOTE: 6 Ayes – Johnson, Schellinger, Espinosa, Graska, Garr, and Stover**

2. Discuss and consider a request an amendment to the City's Zoning Ordinance, Ordinance No. O-03-09, by changing the zoning classification on approximately 0.5436 acres of land described as a tract of land situated in the James J. Clayton Survey, Abstract No. 211, Glenn Heights, Ellis County, Texas, and being a part of the land conveyed to Ali Sharaf and Mohamed Bakri and recorded in Volume 1031, Page 243 of Ellis County Deed Records zoned Retail "R" by allowing a Specific Use Permit for retail stores, general to permit the sale of consumables, including food, beverages and gasoline, at the property located at 101 W. Ovilla Rd.

Commissioner Schellinger moved to approve the request as submitted but without the drive-thru. Motion died for lack of a second.

Commissioner Schellinger moved to deny the request. Motion died for lack of a second.

Commissioner Graska moved to convene into closed session pursuant to Section 551.071 of the Texas Government Code, to consult with its attorney and to receive legal advice regarding any item listed on this agenda. Commissioner Schellinger made the second. The motion carried with following vote:

**VOTE: 6 Ayes – Johnson, Schellinger, Espinosa, Graska, Garr, and Stover**

The Planning and Zoning Commission went into closed session at 8:20 p.m.

Chairman Espinosa called the meeting back to order at 8:29p.m.

Commissioner Johnson moved to re-convene into open session. Commissioner Graska made the second. The motion carried with following vote:

**VOTE: 6 Ayes – Johnson, Schellinger, Espinosa, Graska, Garr, and Stover**

Commissioner Johnson moved to approve changing the zoning classification on approximately 0.5436 acres of land described as a tract of land situated in the James J. Clayton Survey, Abstract No. 211, Glenn Heights, Ellis County, Texas, and being a part of the land conveyed to Ali Sharaf and Mohamed Bakri and recorded in Volume 1031, Page 243 of Ellis County Deed Records zoned Retail "R" by allowing a Specific Use Permit for retail stores, general to permit the sale of consumables, including food, beverages and gasoline, at the property located at 101 W. Ovilla Rd. per the draft ordinance and to include the additional following conditions:

- ▶ Speed bumps entrance and exit of drive-thru
- ▶ Determine flow of traffic within entire complex
- ▶ Develop and present a Landscape Plan
- ▶ Calculate parking requirements
- ▶ Prepare and present color building façade elevations
- ▶ Location of the business in relationship to the public schools in the area
- ▶ Hours of operation for the drive-thru:  
Sunday: 12:00 p.m. – 10:00 p.m.  
Monday – Saturday: 10:00 a.m. – 10:00 p.m.

Commissioner Graska made the second. The motion carried with the following vote:

**VOTE:**        **5**        **Ayes** – Johnson, Espinosa, Graska, Garr, and Stover  
                  **1**        **Against** - Schellinger

Commissioner Graska moved to clarify the blanks on the draft ordinance. Commissioner Stover made the second. The motion carried with the following vote:

**VOTE:**        **5**        **Ayes** – Johnson, Espinosa, Graska, Garr, and Stover  
                  **1**        **Against** – Schellinger

**3.** Discussion on Ordinance O-857-07 – An ordinance of the City Council of the City of Glenn Heights, Texas providing for application guidelines for those citizens interested in serving on a City Board, Commission or Committee; requiring members to attend Board, Commission or Committee meetings; providing for presumption of forfeiture when absences are not excused; providing for removal grounds of misconduct or other grounds. Approved October 1, 2007.

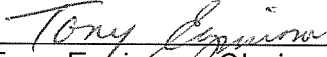
Othel Murphree, the City Secretary briefed the Commission on Ordinance O-857-07.

**4.** Adjournment.

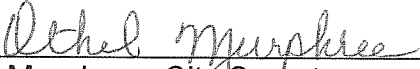
Commissioner Graska moved to adjourn. Commissioner Johnson made the second. The motion carried with following vote:

**VOTE: 6 Ayes** – Johnson, Schellinger, Espinosa, Graska, Garr, and Stover

Chairman Espinosa adjourned the meeting at 9:02 p.m.

  
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Tony Espinosa, Chairman

ATTEST:

  
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Othel Murphree, City Secretary

**Passed and Approved the 27<sup>th</sup> day of July, 2009.**