

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

August 24, 2009

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

On the 24th day of August, 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
Matt Graska	*	Board Member
Tony Espinosa	*	Chairman
Tammy Garr	*	Board Member
Shane Stover	*	Board Member

STAFF:

Jacqueline Lee	*	City Manager
Othel Murphree	*	City Secretary
Brandon Montgomery	*	City Planner
Kevon Howard	*	Police Sergeant
Judy Bell	*	Executive General Manager for Development and Municipal Services

CONSULTANTS:

Bonnie Goldstein	*	City Attorney's Office
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ABSENT:

Edward Schellinger	*	Board Member
Jesus Humphrey	*	Board Member

Chairman Espinosa called the meeting to order at 7:32 p.m.

INVOCATION: Commissioner Stover gave the invocation.

CONSENT AGENDA

1. Consider and approve the Minutes of July 27, 2009.

Commissioner Johnson moved to approve the Minutes of July 27, 2009 as written. Commissioner Graska made the second. The motion carried with following vote:

VOTE: 5 Ayes – Johnson, Espinosa, Graska, Garr, and Stover

2. Workshop

- Public Meeting Procedures and Protocols
 - Process
 - Conduct of Public Hearing
 - Hearing Tips, Protocols, and Etiquette

Commissioner Humphrey arrived at 7:37 p.m.

3. Public hearing to receive testimony relative to a request for a Replat of land, pursuant to Article 10.04.1.3, on approximately 1.207 acres of land described as Lot 1, Block 1, of the Jonia Addition, being a Replat of a portion of Lots 1, 2, and 3 in Block C of Willow Run Addition, Glenn Heights, Dallas County, Texas, recorded in Volume 2005109, Page 5295 of DRDCT zoned Commercial "C" located at the 1601 S. IH35.

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

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

There being no testimony Commissioner Stover moved to close the public hearing. Commissioner Graska made the second. The motion carried with following vote:

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

Chairman Espinosa closed the public hearing.

4. Public hearing to receive testimony relative to a request an amendment to the City's Zoning Ordinance, Ordinance No. O-03-09, by changing the zoning classification on approximately 1.343 acres of land described as Lot 1, Block A, of the DMJ Addition, Glenn Heights, Dallas County, Texas, recorded in Volume 86130, Page 3967 of DRDCT zoned Retail "R" by allowing a Specific Use Permit for retail sale of consumables at the property located at the 1301 W Bear Creek.

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

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

There being no testimony Commissioner Graska moved to close the public hearing. Commissioner Garr made the second. The motion carried with following vote:

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

Chairman Espinosa closed the public hearing.

5. Public Hearing to receive testimony relative to a request an amendment to the City's Zoning Ordinance, Ordinance No. O-03-09, by changing the zoning classification on approximately 2.206 acres of land described as Lot 2, Block 1 of the Glenn Heights Plaza Addition, Glenn Heights, Ellis County, Texas, recorded in Cabinet B, Slide 437 of Plat Records zoned Retail "R" by allowing a Specific Use Permit for retail sale of consumables at the property located at 111 W. Ovilla Rd.

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

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

There being no testimony Commissioner Graska moved to close the public hearing. Commissioner Garr made the second. The motion carried with following vote:

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

Chairman Espinosa closed the public hearing.

6. Discuss and consider approving a Replat of land, pursuant to Article 10.04.1.3, on approximately 1.207 acres of land described as Lot 1, Block 1, of the Jonia Addition, being a Replat of a portion of Lots 1, 2, and 3 in Block C of Willow Run Addition, Glenn Heights, Dallas County, Texas, recorded in Volume 2005109, Page 5295 of DRDCT zoned Commercial "C" located at the 1601 S. IH35.

Commissioner Graska moved to approve the Replat on approximately 1.207 acres of land described as Lot 1, Block 1, of the Jonia Addition, being a portion of Lots 1, 2, and 3 in Block C of Willow Run Addition, zoned Commercial "C" located at the 1601 S. IH35. Commissioner Garr made the second. The motion carried with following vote:

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

Item 8 was moved ahead of Item 7.

8. Discuss and consider a Plat, Lot 1 in Block A DMJ Addition, being a 1.657 Acre Addition in the William Caldwell Survey, Abstract 234, City of Glenn Heights, Dallas County, Texas.

Commissioner Graska moved to approve the Plat of Lot 1 in Block A DMJ Addition, being a 1.657 Acre Addition in the William Caldwell Survey, Abstract 234. Commissioner Johnson made the second. The motion carried with following vote:

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

7. 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 1.343 acres of land described as Lot 1, Block A, of the DMJ Addition, Glenn Heights, Dallas County, Texas, recorded in Volume 86130, Page 3967 of DRDCT zoned Retail "R" by allowing a Specific Use Permit for retail sale of consumables at the property located at the 1301 W Bear Creek.

Commissioner Graska moved to approve the request to amend City's Zoning Ordinance, Ordinance No. O-03-09, by changing the zoning classification on approximately 1.343 acres of land described as Lot 1, Block A, of the DMJ Addition, zoned Retail "R" by allowing a Specific Use Permit for retail sale of consumables at the property located at the 1301 W Bear Creek with one additional provision.

1. The City's landscaping requirements shall be met prior to the issuance of a certificate of occupancy and shall comply with the landscape plan attached hereto as Exhibit A. to the ordinance.

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

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

9. 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 2.206 acres of land described as Lot 2, Block 1 of the Glenn Heights Plaza Addition, Glenn Heights, Ellis County, Texas, recorded in Cabinet B, Slide 437 of Plat Records zoned Retail "R" by allowing a Specific Use Permit for retail sale of consumables at the property located at 111 W. Ovilla Rd.

Commissioner Graska moved to deny the request to amend the City's Zoning Ordinance, Ordinance No. O-03-09, by changing the zoning classification on approximately 2.206 acres of land described as Lot 2, Block 1 of the Glenn Heights Plaza Addition. Commissioner Garr made the second. The motion carried with following vote:

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

9. Approve any absences per Ordinance O-857-07.

Commissioner Garr moved to excuses the following absences:

July 13, 2009 Meeting Absences

Jesus Humphrey

July 27, 2009 Meeting Absences

Matt Graska
Jesus Humphrey

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

VOTE: 4 **Ayes** – Johnson, Espinosa, Garr, and Stover
 2 **Abstain** – Graska and Humphrey

11. ADJOURNMENT.

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


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

Chairman Espinosa adjourned the meeting at 8:00 p.m.



Tony Espinosa, Chairman

ATTEST:



Othel Murphree, City Secretary

Passed and Approved the 14th day of September, 2009.