

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

December 14, 2009

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

On the 14th day of December, 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
Tammy Garr	*	Board Member
Shane Stover	*	Board Member

STAFF:

Jacqueline L. Lee	*	City Manager
Brandon Montgomery	*	City Planner
Phillip Prasifka	*	Chief of Police
Chris Shook	*	Fire Chief
Judy Bell	*	Executive General Manager of Development & Municipal Services

CONSULTANTS:

Bonnie Goldstein	*	City Attorney's Office
------------------	---	------------------------

ABSENT:

Matt Graska	*	Board Member
Jesus Humphrey	*	Board Member

Chairman Espinosa called the meeting to order at 7:33 p.m.

INVOCATION: Commissioner Shane Stover gave the invocation.

CONSENT AGENDA

1. Consider and approve the Minutes of October 26, 2009.

Commissioner Johnson moved to approve the Minutes of October 26, 2009 as written. Commissioner Garr made the second. The motion carried with following vote:

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

2. Public hearing to receive testimony relative 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 107 W. Ovilla Rd.

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

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

Chairman Espinosa opened the public hearing.

Ken Baca, 105 YMCA Drive, Waxahachie, Texas – spoke against the application and had questions about the distance requirements between the property in question and the ISD property lines.

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

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

Chairman Espinosa closed the public hearing.

3. Consider and approve a request changing the Official Zoning Map and 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 107 W. Ovilla.

City Planner, Brandon Montgomery addressed the distance requirements.

After discussion on the distance requirements and landscaping Commissioner Stover moved that the Commission go into Closed Session, pursuant to Chapter §551. Texas Government Code (Open Meetings Law), in accordance with the authority contained in Sec. §551.071, Texas Government Code, to seek advice of legal counsel concerning issues related to 107 W. Ovilla - SUP. Commissioner Johnson made the second. The motion carried with following vote:

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

The Commission went into Closed Session at 7:48 p.m.

Commissioner Schellinger moved to come out of Closed Session. Commissioner Garr made the second. The motion carried with the following vote:

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

Chairman Espinosa called the meeting back to order at 8:00 p.m.

Brandon Montgomery, the City Planner reviewed all the standards and the applicant agreed to comply with all the standards in the proposed ordinance.

Commissioner Garr moved to table any further action allowing for further research until January 11, 2010. Commissioner Stover made the second. The motion carried with following vote:

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

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

No Action required.

5. ADJOURNMENT.

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

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

Chairman Espinosa adjourned the meeting at 8:06 p.m.



Tony Espinosa, Chairman

ATTEST:



Othel Murphree, City Secretary

Passed and approved the 11th day of January, 2010.