

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

**November 10, 2014**

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

On 10<sup>th</sup> day of November 2014 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:

**BOARD MEMBERS:**

|                   |   |               |
|-------------------|---|---------------|
| Austin Kelley     | * | Vice Chairman |
| Don Williams, Sr. | * | Commissioner  |
| James Jones       | * | Commissioner  |
| Matt Graska       | * | Commissioner  |
| Chikezie Kalu     | * | Commissioner  |
| Sheunta Daniels   | * | Commissioner  |

|               |                          |   |                     |
|---------------|--------------------------|---|---------------------|
| <b>STAFF:</b> | Jeremy Tennant           | * | Senior Planner      |
|               | Othel Murphree           | * | City Secretary      |
|               | Aretha Ferrell-Benavides | * | Deputy City Manager |

**CONSULTANT:**

|                |   |               |
|----------------|---|---------------|
| Whitt L. Wyatt | * | City Attorney |
|----------------|---|---------------|

|                |              |   |          |
|----------------|--------------|---|----------|
| <b>ABSENT:</b> | Clark Choate | * | Chairman |
|----------------|--------------|---|----------|

Vice Chairman Kelley called the meeting to order at 6:30 p.m.

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

**AGENDA**

1. Consider and approve the minutes of November 6, 2014.

Commissioner Graska moved to approve the minutes of November 6, 2014. Commissioner Daniels made the second. The motion carried with the following vote:

**VOTE:**        **6**        **Ayes** – Kelley, Williams, Jones, Graska, Kalu, and Daniels

2. Introduction of the application of Liquor Depot / Margaux Bear Creek Partners for a Specific Use Permit at 1308 E. Bear Creek.

Senior Planner Jeremy Tennant briefed the Commission on the application of Liquor Depot / Margaux Bear Creek Partners, LTD for a specific use permit for retail sale of off-site consumables at the property located at 1308 E. Bear Creek Road.

Bear Creek Plaza Specific Use Permit, Ordinance O-07-13 was approved by the City Council March 2013 to allow a specific use permit for the retail sale of off-site consumables at the petitioned site. The current request is to edit Section 3.01 of said SUP ordinance "The Specific Use Permit shall be specific to the owner/applicant and their respective address and square footage Occupied."

The applicant is requesting a new SUP to allow the new tenant, Liquor Depot to operate within a reduced square footage of roughly 4,000 from the original approved 6,500 square footage.

3. Presentation by the applicant for a Specific Use Permit at 1308 E. Bear Creek.

Brian Bell, with Margaux Bear Creek Partners, Ltd. addressed the Commission explaining the history on the site on behalf of the owners and was available for questions.

4. Public hearing to receive testimony relative to an amendment of the zoning ordinance (0-10-11) of Liquor Depot / Margaux Bear Creek Partners, LTD for a specific use permit for retail sale of off-site consumables at the property located at 1308 E. Bear Creek Road.

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

**VOTE: 6 Ayes – Kelley, Williams, Jones, Graska, Kalu, and Daniels**

Vice Chairman Kelley opened the public hearing at 6:37 p.m.

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

**VOTE: 6 Ayes – Kelley, Williams, Jones, Graska, Kalu, and Daniels**

Vice Chairman Kelley closed the public hearing at 6:38 p.m.

5. Consider a request for an amendment of the zoning ordinance (0-10-11) of Liquor Depot / Margaux Bear Creek Partners, LTD for a specific use permit for retail sale of off-site consumables at the property.

Commissioner Graska moved to approve an amendment of the zoning ordinance (0-10-11) of Liquor Depot / Margaux Bear Creek Partners, LTD for a specific use permit for retail sale of off-site consumables at the property. Commissioner Daniels made the second. The motion carried with the following vote:

**VOTE: 6 Ayes – Kelley, Williams, Jones, Graska, Kalu, and Daniels**

Commissioner Daniels moved to reopen Item 5 for further consideration. Commissioner Williams made the second. The motion carried with the following vote:

**VOTE: 6 Ayes – Kelley, Williams, Jones, Graska, Kalu, and Daniels**

Commissioner Daniels moved to approve the SUP with the following provisions:

1. This specific use permit is non-transferrable.
2. No service attendants, hawkers, peddlers, or solicitors allowed outside the building.
3. No drive-thru or drive-thru window.
4. No bars on the outside, inside or in between the windows.
5. No creation of nuisance by odor, noise, glare, litter or unsightly matter.
6. No outdoor storage or display.
7. Hours of operation: Monday- Saturday 10 am. to 9 pm. and closed on Sunday, Thanksgiving Day, Christmas Day, and New Year's Day.
8. Owner/applicant shall be required to contribute a pro rata share of a Traffic Impact Analysis Study when traffic reaches a Level of Service "C".
9. Decorative bollards shall be added in front of the building; shall be constructed of similar materials and architecture of façade of building.
10. Any violations of the terms and conditions of the SUP shall render the same null and void.
11. Applicant shall meet all current building codes prior to the issuance of a Certificate of Occupancy.
12. The wall sign area shall not exceed two square feet per linear foot of the front length of the building or portion thereof occupied.

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

**VOTE: 6 Ayes – Kelley, Williams, Jones, Graska, Kalu, and Daniels**

6. Consider approving a Final Plat for Kingston Meadows Phase 4, comprised of Lots 19-40, Block H, Lots 1-11, Block I, Lots 10-22, Block L, Lots 12-17, Block O, Lots 4-10, Block T and Lots 1-26, Block U (Zoned Planned Development for Single Family Residential [PD-17]); generally located north of West Bear Creek Road

and east of South Cockrell Hill Road with the approximate address of 1301 West Bear Creek Road.

Commissioner Jones moved to approve the Final Plat for Kingston Meadows Phase 4, comprised of Lots 19-40, Block H, Lots 1-11, Block I, Lots 10-22, Block L, Lots 12-17, Block O, Lots 4-10, Block T and Lots 1-26, Block U. Commissioner Daniels made the second. The motion carried with the following vote:

**VOTE: 6 Ayes – Kelley, Williams, Jones, Graska, Kalu, and Daniels**

7. Consider approving a Final Plat for the Diaz Addition comprised of Lot 1, Block 1; (Zoned SF-1) located at 936 East Bear Creek Road.

Commissioner Daniels moved to approve the Final Plat for the Diaz Addition comprised of Lot 1, Block 1. Commissioner Williams made the second. The motion carried with the following vote:

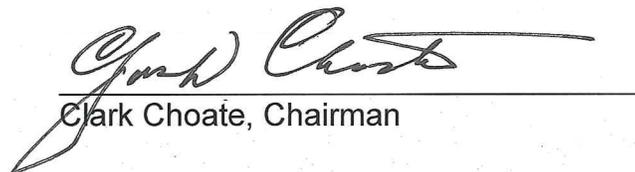
**VOTE: 6 Ayes – Kelley, Williams, Jones, Graska, Kalu, and Daniels**

Adjournment

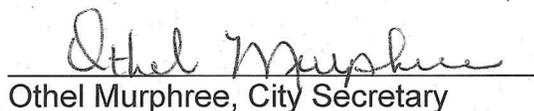
Commissioner Graska moved to adjourn. Commissioner Williams made the second. The motion carried with the following vote:

**VOTE: 6 Ayes – Kelley, Williams, Jones, Graska, Kalu, and Daniels**

Vice Chairman Kelley adjourned the meeting at 6:53 p.m.

  
Clark Choate, Chairman

Attest:

  
Othel Murphree, City Secretary

Passed and approved the 20 day of July, 2015.