

CITY OF FARMERS BRANCH

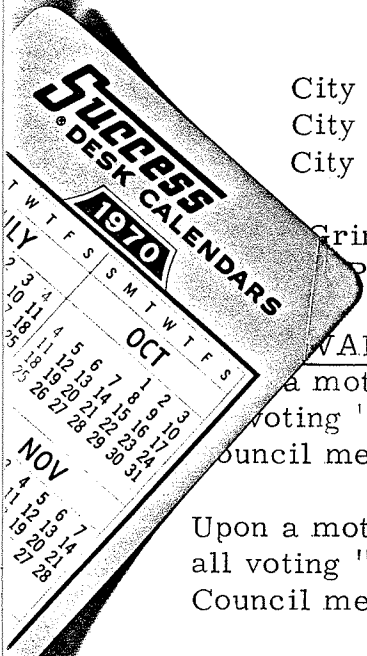
ORD. 848

CITY COUNCIL  
MINUTES OF A REGULAR MEETING  
May 4, 1970

NEVER  
EXISTED  
1-20-92  
TES

All Members of the City Council were present:

- |                |                   |
|----------------|-------------------|
| Mayor          | George G. Grimmer |
| Mayor Pro-Tem  | W. R. Linn        |
| Councilmen     | Ray Flaherty      |
|                | Bill McClung      |
|                | Al Koriath        |
|                | Bill Binford      |
| City Manager   | Paul M. West      |
| City Attorney  | H. Louis Nichols  |
| City Secretary | Ruth Ann Parish   |



Grimmer called the meeting of May 4, 1970 to order at 7:30 P.M. . .  
Patton, Director of Public Works, gave the invocation.

REVIEW OF MINUTES

On a motion by Councilman Binford, a second by Councilman Flaherty, all voting "aye", considered and approved the minutes of a regular City Council meeting of April 20, 1970.

Upon a motion by Councilman Flaherty, a second by Councilman Linn, all voting "aye", considered and approved the minutes of a special City Council meeting of April 27, 1970.

PRESENTATION BY LYMAN GOODNIGHT

Mr. Lyman Goodnight, Director of Utilities, presented a program of the operations of his department. The informative program was appreciated by all.

NATIONAL MARITIME DAY PROCLAIMED

Mayor Grimmer signed a proclamation proclaiming May 22, 1970 as National Maritime Day in honor of the American Merchant Marines.

PUBLIC HEARING - TO DETERMINE WHETHER THE ZONING SHOULD BE CHANGED FROM PD NO. 6 (LR-1) TO PD NO. 6 (LR-1) WITH A SPECIFIC USE PERMIT FOR RESTAURANT WITHOUT DRIVE-IN SERVICE ON A 4.001 ACRE TRACT ON THE NORTHEAST CORNER OF VALLEY VIEW LANE AND JOSEY LANE. REQUEST BY MR. BILL SKIPPING.

Mayor Grimmer opened the public hearing. Mr. Bill Skipping representing Valley View Central Shopping Center was present and presented his request.

He stated the request for PD No. 6 (LR-1) with a Specific Use Permit for a restaurant without Drive-in service on the 4.001 acre tract on the Northeast corner of Valley View Lane and Josey Lane was a two fold purpose, (1) Valley View Central was in a non-conforming use because Baskin Robbins Ice Cream Store was violating the present use in LR-1, and, (2) that Valley View Central was under contract for use of a fast food operation called "Jim Dandy".

Mr. Skipping explained that "Jim Dandy" had bought out Church's Chicken. The restaurant without drive-in facilities would have 12 diners inside the establishment. Mr. Skipping stressed the point that the restaurant was primarily used for take out service and did not encourage people to eat inside the building.

Copies of the site plan were not available for Council observation.

There was no one present opposing the request. No one other than Skipping and Mr. Wilhite was present to speak in favor of the request.

During the discussion on the 12 diners inside the establishment, a motion was made at the public hearing was made by Councilman McClung. Councilman Koriath seconded the motion. The motion carried with 4 to 1.

The request by Mr. Skipping to change the zoning (LR-1) to PD No. 6 (LR-1) with a Specific Use Permit for a restaurant without drive-in service on a 4.001 acre tract on the Northeast corner of Valley View Lane and Josey Lane was made by Councilman McClung. Councilman Koriath seconded the motion. The motion carried 4 to 1 with Councilmen McClung, Koriath, Linn, and Bradford voting "aye", and Councilman Flaherty voting "nay".

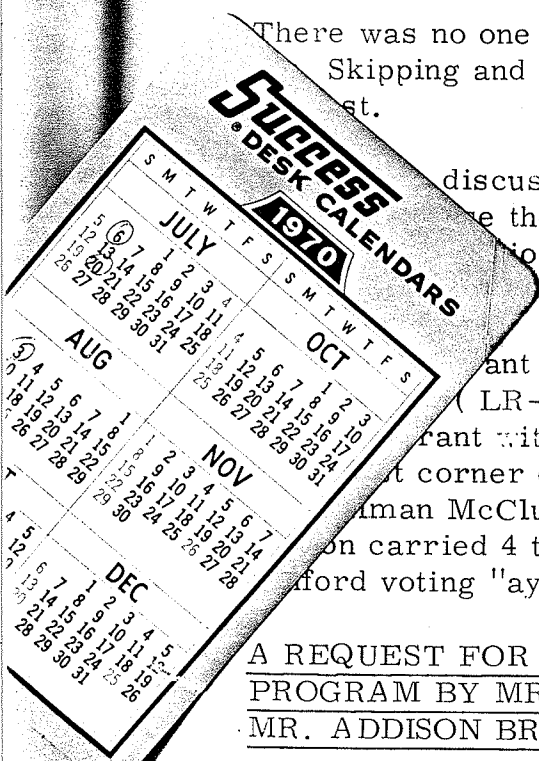
A REQUEST FOR DISCUSSION ON THE VALLEY VIEW ASSESSMENT PROGRAM BY MR. ADDISON BRADFORD WAS WITHDRAWN BY MR. ADDISON BRADFORD.

UTILITY ADJUSTMENTS ON WEBB CHAPEL ROAD

City Manager Paul West brought information to the Council on the estimated cost of the utility adjustments for the widening and paving of Webb Chapel Road which he had received from the Director of Public Works of Dallas County. Mr. West stated that the estimated cost would be \$43,000.00. No action was required, as this was Council information.

SALE OF CAPITAL IMPROVEMENT BONDS

Mr. Scan Hilger, the City's fiscal advisor, read a tabulation of the bids to sell capital improvement bonds totaling \$1,500,000.00. The following is a list of the bidders by name and their average interest rate:



5-18-70

Mayor Grimmer explained Ordinance No. 846 that was previously adopted.

After some Council discussion on the enforcement of ordinances of this nature, and Ordinance No. 846 that provides all appeals for variances be made to the Building Board of Appeals, the Council passed the following provision. A motion by Councilman Koriath, a second by Councilman Binford, all voting "aye", was made to instruct the City Administration to award a 30-day grace period for the purpose to exhaust one's rights to appeal after being notified of violations.

#### NUISANCE ORDINANCE TABLED

After some comparison with a present ordinance concerning nuisances of various types, a motion by Councilman McClung, a second by Councilman Koriath, all voting "aye", tabled a nuisance ordinance that was presented them, in order that the proposed ordinance could be studied and compared with the one that is in effect.

#### ORDINANCE NO. 848 - PD-6 WITH SPECIAL USE PERMIT

After some discussion, a motion by Councilman Koriath, a second by Councilman McClung, all voting "aye", adopted the following captioned ordinance:

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY AS HERETOFORE AMENDED, BY AMENDING THE PROVISIONS OF THE PLANNED DEVELOPMENT DISTRICT NO. 6 SO AS TO ALLOW THE USE OF PROPERTY IN SUCH DISTRICT FOR RESTAURANTS WITHOUT DRIVE-IN SERVICE UNDER A SPECIAL USE PERMIT; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

#### LIBRARY BOARD RECOMMENDATIONS

Mr. Paul Gross, Chairman of the Library Advisory Board submitted the following recommendations to the Council which were recommended in the Library Consultant's report:

- A. That the City of Farmers Branch make plans to vacate its present Library facility and immediately lease space of at least 5,000 to 7,000 square feet;
- B. That the space should be leased for a period from three to five years;
- C. That the most desirable location at this time appears to be in the Valwood Shopping Center;
- D. That appropriate funding be allocated to remodel and furnish the leased space to meet library service requirements;
- E. That the City seek out professional advice in terms of library space allocation and design;
- F. That during this three to five year period the City involve itself in active exploration of a permanent library facility: