

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Workshop on this the 16th day of October, 2001 at 7:00 p.m. in the City Council Conference Room, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
Ted R. Ware	Mayor Pro Tem
Sharron Spencer	Council Member
C. Shane Wilbanks	Council Member
Clydene Johnson	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member

constituting a quorum, with the following members of the City Staff:

Roger Nelson	City Manager
Bruno Rumbelow	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Linda Huff	City Secretary
Melisa Leal	Assistant to the City Manager
Jennifer Hibbs	Assistant to the City Manager

CALL TO ORDER

Mayor Tate called the meeting to order at 7:05 p.m.

ITEM 1. REVIEW, BOTANICAL GARDENS WEDDING POLICY AND FACILITY RESERVATION POLICY

Parks & Recreation Director Doug Evans reviewed the proposed policies for the Botanical Gardens at Heritage Park Wedding and Reception Contract; Professional Photographer Contract; and modifications to the Facility Reservation Policy. During discussion, it was noted the refund policy for the Botanical Gardens should be clearly defined.

There was no formal action taken by the City Council.

ADJOURNMENT

Council Member Stewart, seconded by Council Member Johnson, offered a motion to adjourn the workshop at 7:15 p.m. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 6th day of November, 2001.

APPROVED:

/s/William D. Tate
Mayor

ATTEST:

/s/Linda Huff
City Secretary

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Special Session (Executive Session) on this the 16th day of October, 2001 at 7:00 p.m. in the City Council Conference Room, Second Floor, 200 South Main Street with the following members present to-wit:

William D. Tate	Mayor
Ted R. Ware	Mayor Pro Tem
Sharron Spencer	Council Member
C. Shane Wilbanks	Council Member
Clydene Johnson	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member

constituting a quorum, with the following members of the City Staff:

Roger Nelson	City Manager
Bruno Rumbelow	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Linda Huff	City Secretary
Melisa Leal	Assistant to the City Manager
Jennifer Hibbs	Assistant to the City Manager

CALL TO ORDER

Mayor Tate called the meeting to order at 7:15 p.m.

ITEM 1. EXECUTIVE SESSION

Mayor Tate announced the City Council would conduct a closed session regarding (A) conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate and expand in the City; with which businesses the City is conducting economic development negotiations under Section 551.086, Texas Government Code.

Upon reconvening in open session in the Council Chambers, Mayor Tate asked if there was any action necessary relative to the closed session. City Manager Roger Nelson stated there was no action necessary relative to (A) conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate and expand in the City; with which businesses the City is conducting economic development negotiations under Section 551.086, Texas Government Code.

NOTE: City Council continued with the Regular City Council meeting in open session in the Council Chambers.

ADJOURNMENT

Council Member Wilbanks, seconded by Council Member Freed, offered a motion to adjourn the meeting at 9:08 p.m. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 6th day of November, 2001.

APPROVED:

/s/William D. Tate
Mayor

ATTEST:

/s/Linda Huff
City Secretary

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council and the Planning & Zoning Commission of the City of Grapevine, Texas met in Regular Joint Session on this the 16th day of October, 2001 at 7:30 p.m. in the City Council

Chambers, Second Floor, 200 South Main Street, with the following members of the City Council present to-wit:

William D. Tate	Mayor
Ted R. Ware	Mayor Pro Tem
Sharron Spencer	Council Member
C. Shane Wilbanks	Council Member
Clydene Johnson	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member

constituting a quorum, with the following members of the Planning & Zoning Commission:

Larry Oliver	Chairman
Herbert Fry	Vice Chairman
Chris Coy	Member
Kevin Busbee	Member
Danette Murray	Member
Betty Nicholson	Member
Bill Bimmerman, Jr.	Alternate
Michael Crapp	Alternate

constituting a quorum, with Commissioner Rob Undersander absent, with the following members of the City Staff:

Roger Nelson	City Manager
Bruno Rumbelow	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Linda Huff	City Secretary
Melisa Leal	Assistant to the City Manager
Jennifer Hibbs	Assistant to the City Manager

CALL TO ORDER

Mayor Tate called the meeting to order at 7:33 p.m.

INVOCATION

Commissioner Murray delivered the Invocation.

ITEM 1. PUBLIC HEARING, ZONING APPLICATION Z01-15 CIMARRON CROSSING

Mayor Tate declared the public hearing open.

Planner Ron Stombaugh reported Zoning Application Z01-15 had been filed by Cimarron

Crossing requesting rezoning of approximately 55.9 acres from "R-MF-1" Multifamily District Regulations to "BP" Business Park District. The subject property is located at the northeast corner of Grapevine Mills Boulevard North and Grapevine Mills Parkway/FM 2499. The applicant has requested to table the item to the November 20, 2001 meeting in order to re-advertise the case for "CC" Community Commercial District Regulations instead of "BP" Business Park District.

Commissioner Coy, seconded by Commissioner Busbee, offered a motion to table the public hearing to the November 20, 2001 meeting. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, Busbee, Murray, Nicholson & Bimmerman

Nays: None

Absent: Undersander

Council Member Wilbanks, seconded by Council Member Stewart, offered a motion to table the public hearing to the November 20, 2001 meeting. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ITEM 2. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU01-51 AND SPECIAL USE APPLICATION SU01-07 MILLS CORPORATION/CEC ENTERTAINMENT, INC. FINAL PLAT LOT 5 AND TRACT A-R1, BLOCK 2, GRAPEVINE MILLS ADDITION, REPLAT OF TRACT A-R, BLOCK 2, GRAPEVINE MILLS ADDITION

Mayor Tate declared the public hearing open.

Planner Stombaugh reported the Mills Corporation and CEC Entertainment, Inc. had filed Conditional Use Application CU01-51, Special Use Application SU01-07 and application for the final plat of Lot 5 and Tract A-R1, Block 2, Grapevine Mills Addition being a replat of Tract A-R, Block 2, Grapevine Mills Addition. The property is located at 2755 East Grapevine Mills Circle and is zoned "CC" Community Commercial District Regulations with a planned commercial center in excess of 1,000,000 square feet of gross leasable space. The Conditional Use Application requests an amendment to the site plan approved by Ordinance No. 2000-128 to allow the development of a restaurant (Chuck-E-Cheese) in the outparcel area of the Grapevine Mills Mall. The Special Use Application requests a permit for video/coin-operated games in excess of eight machines in conjunction with the subject restaurant. Mr. Stombaugh advised the 11,949 square foot pizza-oriented restaurant will provide approximately 65 skill/coin-operated games and other family and children games. He stated there would not be any adult or violent-themed games or games utilizing guns.

Ms. Janet Briel was available for questions.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Busbee, seconded by Commissioner Nicholson, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, Busbee, Murray, Nicholson & Bimmerman

Nays: None

Absent: Undersander

Council Member Johnson, seconded by Council Member Spencer, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ITEM 3. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU01-52 ECKERD'S

Mayor Tate declared the public hearing open.

Planner Stombaugh reported Conditional Use Application CU01-52 had been filed by Eckerd's requesting a conditional use permit to amend the site plan approved by Ordinance No. 98-30 to remove and replace the professional laundry service building with twelve parking spaces. The subject property is located at 2105 West Northwest Highway and is zoned "HC" Highway Commercial District. Mr. Stombaugh advised that the groundwater remediation system that was associated with the professional laundry service would remain screened with an eight-foot wooden fence.

Mr. Jack Buck requested favorable consideration of the application.

Questions from the Planning & Zoning Commission related to fencing and the remediation system. It was noted the fencing would be replaced.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Murray, seconded by Commissioner Coy, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, Busbee, Murray, Nicholson & Bimmerman

Nays: None

Absent: Undersander

Council Member Stewart, seconded by Council Member Freed, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ITEM 4. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU01-55, CVS PHARMACY
FINAL PLAT LOTS 1 AND 2, BLOCK 1, CVS ADDITION, REPLAT OF LOTS 1, 2 AND 3, BLOCK 1, SH26/POOL ROAD ADDITION

Mayor Tate declared the public hearing open.

Planner Stombaugh advised CVS Pharmacy had filed Conditional Use Application CU01-55 and application for the final plat of Lots 1 and 2, Block 1, CVS Addition being a replat of Lots 1, 2 and 3, Block 1, SH26/Pool Road Addition. The Conditional Use Application requests a conditional use permit to establish an 11,957 square foot retail pharmacy with the possession, storage, retail sale and off-premise consumption of alcoholic beverages (beer and wine only), drive-through service window, a 20 foot pole sign along Ira E. Woods Avenue and one monument sign along Pool Road. The subject property is located at 3701 Ira E. Woods Avenue and is zoned "HC" Highway Commercial District Regulations, "CN" Neighborhood Commercial District Regulations, and "PO" Professional Office District Regulations. Two shared drives will access the site (one from Ira E. Woods Avenue and one from Pool Road) that will serve as access to the remainder of the surrounding area when developed.

Mr. Robert Reeves, representing Gustine, Inc., requested favorable consideration of the application. In addition to the plans submitted, Mr. Reeves offered the following: restricting delivery trucks with more than 2 axles between the hours of 7a.m. to 9 a.m. and 2 p.m. to 6 p.m. weekdays; restricting the hours of operation from 8 a.m. to 12 midnight; the back of the property to include a 4 foot berm with shrubs on top. He requested consideration of the request for full access turning from and onto State Highway 26.

Questions from the City Council and the Planning & Zoning Commission related to dumpster screening, signage and truck traffic. Mr. Reeves responded there would be masonry screening, one 20 foot pole sign on State Highway 26 and one monument sign on Pool Road and there would be one semi-tractor trailer delivery per week at the location. There was discussion to consider extending the free right turn lane onto the property.

Mayor Tate invited guests present to comment regarding the application. There was no correspondence to report. The following spoke in support of the application citing the developer's willingness to work with the surrounding neighborhoods to develop the property under its current zoning:

1. Mr. Steve Early, 3046 Creekbend Circle

2. Mr. Larry Watkins, 3066 Old Mill Run
3. Mr. Tony McCalla, 3088 Old Mill Run

Commissioner Coy, seconded by Commissioner Busbee, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, Busbee, Murray, Nicholson & Bimmerman
Nays: None
Absent: Undersander

Council Member Freed, seconded by Mayor Pro Tem Ware, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ITEM 5. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU01-56 EDOHANA
HIBACHI AND SUSHI

Mayor Tate declared the public hearing open.

Planner Stombaugh reported Conditional Use Application CU01-56 had been filed by Edohana Hibachi and Sushi requesting a conditional use permit to amend the site plan approved by Ordinance No. 2001-32 for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant. The subject property is located at 1501 State Highway 114 West, Suite 100 and is zoned "CC" Community Commercial District Regulations.

Mr. Bob Hyde requested favorable consideration of the application.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak. City Secretary Huff reported the City Council and Planning & Zoning Commission had been copied the one letter of approval.

Commissioner Coy, seconded by Commissioner Busbee, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, Busbee, Murray, Nicholson & Bimmerman
Nays: None
Absent: Undersander

Council Member Johnson, seconded by Council Member Wilbanks, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

RECESS AND RECONVENE

Mayor Tate announced the Planning & Zoning Commission would recess to the Planning & Zoning Conference Room to consider published business.

The City Council remained in session in the Council Chambers to consider published business.

ITEM 6. AWARD BID 100-2001 GOLF COURSE PHASE III RENOVATION

Administrative Services Director William Gaither requested approval of award of Bid 100-2001 Golf Course Phase III Renovation to Wadsworth Golf Construction Company in the amount of \$1,990,786.00. Phase III consists of the complete renovation and replanting of the existing back 9 holes (Pecan 9) at the Grapevine Municipal Golf Course.

Council Member Stewart, seconded by Council Member Wilbanks, offered a motion to award the bid in the amount of \$1,990,786.00 to Wadsworth Golf Construction Company as recommended. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart and Freed
Nays: None

CONSENT AGENDA

The next order of business for the City Council was to consider the consent agenda items, which were deemed to need little or no discussion and were acted upon as one business item. Mayor Tate asked if there was any member of the audience or the City Council who wished to remove an item from the consent agenda for full discussion. There were none.

Item 7. Award Engineering Services Contract, Grapevine Lake Estates Subdivision, Civil Works Group

Public Works Director recommended approval of the award of an Engineering Services Contract to Civil Works Group in the amount of \$30,610.00 for water system improvements in the Grapevine Lake Estates Subdivision and authorize the City Manager as signatory.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Item 8. Resolution, TxDOT Local Project Advance Funding Agreement, Traffic Signal Improvements Project

Public Works Director recommended approval of a resolution approving the Local Project Advance Funding Agreement (LPAFA) with TxDOT to establish funding participation levels and project scope for the Traffic Signal Improvements Project.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RESOLUTION NO. 2001-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AUTHORIZING A LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION ADDRESSING FUNDING PARTICIPATION LEVEL AND PROJECT SCOPE FOR THE TRAFFIC SIGNAL IMPROVEMENTS PROJECT WITHIN THE CITY OF GRAPEVINE; AND PROVIDING AN EFFECTIVE DATE

Item 9. Ordinance, Abandon Drainage, Access and Utility Easements, Western Oaks Estates, Section II

Public Works Director recommended approval of an ordinance abandoning a 17.5 foot wide drainage, access and utility easement located along the rear lot line of Lots 13, 15 and 40, Block 3, Western Oaks Estates, Section II.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2001-77

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ABANDONING AND VACATING A SEVENTEEN AND ONE-HALF FOOT (17.5') DRAINAGE, UTILITY AND ACCESS EASEMENT IN THE CITY OF GRAPEVINE, TEXAS AS HEREINAFTER DESCRIBED; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 10. Resolution, TxDOT Advance Funding Agreement, Clean Vehicle Program

Public Works Director recommended approval of a resolution approving the Advance Funding Agreement with TxDOT to establish funding participation levels and project scope for the Clean Vehicle Program (alternative fuels).

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RESOLUTION NO. 2001-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AUTHORIZING AND DIRECTING STAFF TO CONTINUE TO PROCEED WITH THE EXECUTION OF THE TEXAS DEPARTMENT OF TRANSPORTATION CLEAN VEHICLE PROGRAM GRANT; AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO ACT AS THE CITY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CLEAN VEHICLE PROGRAM GRANT; AND PROVIDING AN EFFECTIVE DATE

Item 11. Grapevine Library Expansion Project, Ratify Change Order No. 8 and Authorize Change Order No. 9

Public Works Director recommended approval of the ratification of Staff's approval of Change Order No. 8 in the amount of \$12,514.00 and approval of Change Order No. 9 in the amount of \$28,234.95 to the Grapevine Public Library Expansion Project with T.W. Foster, Inc., Contractors and authorization for Staff to execute said change orders.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 12. Amend Contract, Grapevine Municipal Golf Course Expansion and Remodeling Project, Golf Resources Group

Administrative Services Director recommended approval of an amendment to the contract with the Golf Resources Group in the amount of \$25,000.00 for design services related to the

Grapevine Municipal Golf Course Expansion and Remodeling Project and appropriation of the funds necessary for said contract.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Item 13. Approve Botanical Gardens Wedding and Reception Policy, Modify Facility Reservation Policy

Facilities Committee, Parks & Recreation Advisory Board and Parks & Recreation Director recommended approval of the Botanical Gardens Wedding and Reception Policy and modifications to the Facility Reservation Policy.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Item 14. Resolution, Authorize Purchase Chevrolet Tahoe

Public Works Director recommended approval of a resolution authorizing the purchase of a Chevrolet Tahoe through an interlocal agreement with Tarrant County.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

RESOLUTION NO. 2001-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE MAYOR TO APPROVE THE PURCHASE OF A CHEVROLET TAHOE THROUGH AN ESTABLISHED INTERLOCAL AGREEMENT WITH TARRANT COUNTY, TEXAS AND PROVIDING AN EFFECTIVE DATE

Item 15. Reject Bids for Bid 105-2001 Purchase and Installation of CCTV Security System

Police Chief recommended rejecting all bids received for Bid 105-2001 Purchase and Installation of CCTV Security System at the Police Building and the Mills Sub-station.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 16. Resolution, Award Construction Contract, Sewer and Drainage Relocation, Wright Construction Company

Public Works Director recommended approval of a resolution declaring an emergency and awarding a construction contract to Wright Construction Company for the relocation of a 6" sanitary sewer line and 18" storm drain on Lot 14, Block 8, Second Section of Placid Peninsula Addition and authorization for Staff to execute said contract.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RESOLUTION NO. 2001-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, DECLARING AN EMERGENCY TO COMPLETE THE NECESSARY CONSTRUCTION WORK TO RELOCATE AN EXISTING 6" SANITARY SEWER AND 18" STORM DRAIN LINE IN CONFLICT WITH HOME BUILDER FOUNDATION IN PROGRESS IN THE SECOND SECTION OF PLACID PENINSULA ADDITION; AUTHORIZING EXPENDITURES FOR THE COMPLETION OF SAID WORK; AWARDING A CONTRACT AND PROVIDING AN EFFECTIVE DATE

Item 17. Consideration of Minutes

City Secretary recommended approval of the minutes of the October 2, 2001 City Council meetings as published.

Motion by Council Member Johnson, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RECESS AND RECONVENE

Mayor Tate announced the City Council would take a brief recess. Upon reconvening in the City Council Chambers, all members of the City Council were present.

ITEM 18. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU01-51 MILLS CORPORATION/CEC
ENTERTAINMENT, INC.

Chairman Oliver reported the Commission voted 7-0 for approval of Conditional Use Application CU01-51 filed by the Mills Corporation and CEC Entertainment, Inc. granting a conditional use permit for an amendment to the site plan approved by Ordinance No. 2000-128 to allow the development of a restaurant (Chuck-E-Cheese) in the outparcel area of the Grapevine Mills Mall. The subject property is located at 2755 East Grapevine Mills Circle.

Council Member Stewart, seconded by Council Member Johnson, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2001-78

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU01-51 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2000-128 FOR A PLANNED COMMERCIAL CENTER IN EXCESS OF 1,000,000 SQUARE FEET OF GROSS LEASABLE SPACE TO ALLOW THE DEVELOPMENT OF A RESTAURANT IN THE OUTPARCEL AREA OF THE GRAPEVINE MILLS MALL IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL

WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 19. PLANNING & ZONING COMMISSION RECOMMENDATION
SPECIAL USE APPLICATION SU01-07 MILLS CORPORATION/CEC
ENTERTAINMENT, INC.

Chairman Oliver reported the Commission voted 7-0 for approval of Special Use Application SU01-07 filed by the Mills Corporation and CEC Entertainment, Inc. granting a special use permit for video/coin-operated games in excess of eight machines in conjunction with the operation of a Chuck-E-Cheese restaurant on property located at 2755 East Grapevine Mills Circle.

Council Member Spencer, seconded by Council Member Wilbanks, offered a motion to accept the Commission's recommendation and approve the ordinance granting the special use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2001-79

AN ORDINANCE ISSUING A SPECIAL USE PERMIT IN ACCORDANCE WITH SECTION 49 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE BY GRANTING SPECIAL USE PERMIT SU01-07 TO ALLOW SKILL/COIN OPERATED GAMES IN EXCESS OF EIGHT MACHINES IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS WITH A CONDITIONAL USE PERMIT FOR A PLANNED COMMERCIAL CENTER IN EXCESS OF 1,000,000 SQUARE FEET OF GROSS LEASABLE SPACE UNDER CITY OF GRAPEVINE ORDINANCE NO. 82-73 ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS

OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS SPECIAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 20. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT LOT 5 AND TRACT A-R1, BLOCK 2, GRAPEVINE MILLS
ADDITION

Chairman Oliver reported the Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lot 5 and Tract A-R1, Block 2, Grapevine Mills Addition being a replat of Tract A-R, Block 2, Grapevine Mills Addition. The 4.09 acre property is being platted for development of a restaurant on the west side of Grapevine Mills Parkway, north of State Highway 26.

Council Member Wilbanks, seconded by Council Member Freed, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lot 5 and Tract A-R1, Block 2, Grapevine mills Addition. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ITEM 21. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU01-52 ECKERD'S

Chairman Oliver reported the Commission voted 6-1 for approval of Conditional Use Application CU01-52 filed by Eckerd's granting a conditional use permit to amend the site plan approved by Ordinance No. 98-30 to remove and replace the professional laundry service building with twelve parking spaces. The subject property is located at 2105 West Northwest Highway.

Mayor Pro Tem Ware, seconded by Council Member Freed, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2001-80

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU01-52 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 98-30 TO ALLOW THE REMOVAL AND REPLACEMENT OF A BUILDING WITH TWELVE PARKING SPACES IN A DISTRICT ZONED "HC", HIGHWAY COMMERCIAL DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 22. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU01-55 CVS PHARMACY

Chairman Oliver reported the Commission voted 6-1 with the following stipulations for approval of Conditional Use Application CU01-55 filed by CVS Pharmacy: establish a deceleration, right turn lane along State Highway 26 for a distance and length determined by City engineering Staff; require a four foot landscaped berm along the back of the property; operating hours restricted from 8 a.m. to 12 midnight, 7 days a week; pharmacist on duty during all hours of operation; restrict vehicles of 3 or more axles on Pool Road entry between the hours of 7 a.m. to 9 a.m. and 2 p.m. to 6 p.m. weekdays; require masonry screening for the compactor and dumpster and restrict the entrance on State Highway 26 to right turns in and out only. Approval of the application grants a conditional use permit for the development of a retail pharmacy with the possession, storage, retail sale and off-premise consumption of alcoholic beverages (beer and wine only), a drive-through service window and a 20 foot pole sign. The property is located at 3701 Ira E. Woods Avenue.

Council discussion ensued relative to allowing the free access turning from and on to State

Highway 26.

Mayor Pro Tem Ware, seconded by Council Member Johnson, offered a motion to accept the Commission's recommendation for approval of the ordinance with all of the stipulations with the exception of restricting access to State Highway 26 and that free access to State Highway 26 be allowed. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2001-81

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU01-55 FOR A PHARMACY WITH THE POSSESSION, STORAGE, RETAIL SALE AND OFF-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY), DRIVE-THROUGH SERVICE, AND ONE 20 FOOT POLE SIGN IN A DISTRICT ZONED "HC" HIGHWAY COMMERCIAL DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 23. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT LOTS 1 AND 2, BLOCK 1, CVS ADDITION

Chairman Oliver reported the Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lots 1 and 2, Block 1, CVS Addition being a replat of Lots 1, 2, and 3, Block 1, SH26/Pool Road Addition. The 11.25 acre property is being platted for development of a retail pharmacy.

Council Member Spencer, seconded by Council Member Johnson, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lots 1 and 2, Block 1, CVS Addition. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ITEM 24. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU01-56 EDOHANA HIBACHI AND
SUSHI

Chairman Oliver reported the Commission voted 7-0 for approval of Conditional Use Application CU01-56 filed by Edohana Hibachi and Sushi granting a conditional use permit to amend the site plan approved by ordinance No. 2001-32 for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant. The subject property is located at 1501 State Highway 114 West, Suite 100.

Council Member Johnson, seconded by Council Member Stewart, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ORDINANCE NO. 2001-82

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU01-56 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE. NO. 2001-32 FOR A PLANNED COMMERCIAL CENTER TO ALLOW THE POSSESSION, STORAGE, RETAIL SALE AND ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE AND MIXED BEVERAGES) IN CONJUNCTION WITH A RESTAURANT IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING

ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ADJOURNMENT

Council Member Wilbanks, seconded by Council Member Freed, offered a motion to adjourn the meeting at 9:08 p.m. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 6th day of November, 2001.

APPROVED:

/s/William D. Tate
Mayor

ATTEST:

/s/Linda Huff
City Secretary