Notice is hereby given in accordance with the Order of the Office of the Governor issued March 16, 2020, the City of Glenn Heights will conduct a Regular Meeting by telephone and video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Novel Coronavirus (COVID-19).

This Notice and Meeting Agenda, and the Agenda Packet, are posted online at https://www.glennheightstx.gov/AgendaCenter.

To view this Commission Meeting live, please use the following link: https://www.facebook.com/CityofGlennHeights.

NOTICE IS HEREBY GIVEN THAT THE CITY OF GLENN HEIGHTS PLANNING AND ZONING COMMISSION WILL HOLD A REGULAR MEETING ON MONDAY, MAY 11, 2020 BEGINNING AT 6:30 P.M., VIA TELEPHONE AND VIDEO CONFERENCE, AS PRESCRIBED BY V.T.C.S., GOVERNMENT CODE SECTION §551.041, TO CONSIDER AND POSSIBLY TAKE ACTION ON THE FOLLOWING AGENDA ITEMS. ITEMS DO NOT HAVE TO BE TAKEN IN THE SAME ORDER AS SHOWN IN THE MEETING NOTICE.

PUBLIC HEARINGS
If you would like to speak during a Public Hearing, please email Miamauni Hines, City Planner, at miamauni.hines@glennheightstx.gov no later than 5:30 P.M. on May 11, 2020. Please include the following information in your email:

- Name
- Address
- Email Address and Phone Number
- Designate which Public Hearing

Once your request is received, you will be given information to access the meeting via telephone or video conference (which provides two-way communication during the Public Hearing portions of the meeting).

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Discuss and take action to approve the meeting minutes of April 13, 2020.
AGENDA

1. **Zoning Case 20-005-RZ**: Public hearing to receive testimony concerning Ordinance O-10-20, an Ordinance of the City of Glenn Heights, Texas, amending Chapter 14 “Zoning” of the City’s Code of Ordinances by amending Exhibit A “Zoning Ordinance” Article IX “Zoning Districts” Section 3 “Provisional Districts” to remove certain restrictions of multifamily development.

2. **Zoning Case 20-005-RZ**: Discuss and take action on Ordinance O-10-20, an Ordinance of the City of Glenn Heights, Texas, amending Chapter 14 “Zoning” of the City’s Code of Ordinances by amending Exhibit A “Zoning Ordinance” Article IX “Zoning Districts” Section 3 “Provisional Districts” to remove certain restrictions of multifamily development.

ADJOURNMENT

I, Brandi Brown, City Secretary, do hereby certify that the Notice and Agenda was posted in a place convenient to the Public at Glenn Heights City Hall, 1938 South Hampton Road, Glenn Heights, by 6:30 P.M. on Friday, May 8, 2020. Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

_________________________________
Brandi Brown, City Secretary
MINUTES OF THE PLANNING AND ZONING COMMISSION OF
THE CITY OF GLENN HEIGHTS, TEXAS

MONDAY, APRIL 13, 2020

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

On the 13th day of April 2020, the Planning and Zoning Commission of the City of Glenn Heights, Texas convened in a regular meeting via video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing” to slow the spread of Novel Coronavirus (COVID-19) and consider the following items, with these members in attendance:

BOARD MEMBERS

Sheena Morgan * Chair
Mandy Owen * Vice Chair
Austin Kelley * Board Member
Debra Jones * Board Member
Mark Boson * Board Member

ABSENT

STAFF

Brian Lockley * Deputy City Manager
Mia Hines * Planner
Byron Hardy * IT Administrator

Call to Order Commissioner Sheena Morgan called the meeting to order at 7:12 p.m.

Invocation Commissioner Boson

Pledge of Allegiance

Consent Agenda

1. Discuss and take action to approve the meeting minutes of February 10, 2020.

Motion by Commissioner Kelly to approve the minutes. Commissioner Owens made the second. The motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones
Agenda

1. **Zoning Case 20-001-PZP**: Discuss and take action on the Glenn Heights Parks Programming & Design Master Plan.

Speakers:

**Mia Hines, Planner**
Ms. Hines introduced the Parks Plan project and the Norris Design team.

**Jonathan West, Norris Design**
208 North Market Street, Suite #250, Dallas, TX 75202
Mr. West presented the project background, design concept, and potential construction phasing for Heritage Community Park, Gateway Park, and Courtney Park.

Commissioner Jones asked for clarification on the location of Courtney Park. Ms. Hines answered that the park is located in Sunrise Meadows, south of Ovilla Road.

Commissioner Owens asked if there would be a gated entry from a residential housing district behind the park. Mr. West clarified that there would not be a gate but rather a gateway. Ms. Hines added that this would be a trail head for the proposed inner local trail system that would lead to Schupmann Elementary School on Ovilla Road.

Commissioner Jones asked when construction would begin.

**Brian Lockley, Deputy City Manager**
Mr. Lockley answered that Staff and Council will be working through the budget so as to start construction as soon as funds are available.

Mr. Lockley asked if the consultants envisioned the trails being concrete or made of some other material. Mr. West answered that the top choice would be concrete.

Ms. Morgan asked if these three parks were maintained by the City and how these specific three parks were chosen for this plan. Mr. Lockley responded saying these were the only three parks maintained and owned by the City whereas all of the other parks in the City are owned and maintained by Homeowners’ Associations.

Mr. Kelly asked about the section of Heritage Park that is protected for natural preservation. Ms. Hines confirmed that the northwest corner is a preserved area that would be enhanced to improve the parks overall drainage system and serve as an inviting element to the park.

Ms. Owens asked if the splash pad items in Heritage Park would be timer operated. Mr. West answered that these elements can be on a timer and the City would be able to set the cut-off times.
Mr. Kelly asked if this project would be funded through the general fund or with bonds. Mr. Lockley answered that the plan was funded from the previous year’s capital budget but Staff would be exploring other options for funding the actual improvements.

Ms. Morgan asked how the improvements at the park would impact traffic along Bear Creek Road considering the proposed road expansion project. Mr. Lockley answered that the Bear Creek Road expansion project will be moving on regardless of the construction for improvements at Heritage Park. He also added that the Heritage Park improvements would take place over multiple budget years.

Ms. Morgan asked if there would be any changes to the exit and entrance of Heritage Park to improve the flow of traffic. Mr. Lockley answered that there are designated turning lanes planned into the Bear Creek expansion project.

Motion by Commissioner Owen to recommend approval of the Plan as presented. Commissioner Jones made the second. Motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones

2. Zoning Case 20-002-SUP: Public hearing to receive testimony concerning a Specific Use Permit (SUP) request by Barry Brewer for an accessory structure with a floor area greater than 650 square feet. The 10.502-acre property is zoned SF-1 and is described as Lot 3 of Williams Farm. The property address is 3119 South Hampton Road, Glenn Heights, Ellis County, Texas. The land is primarily used as a residence with an agricultural accessory. The applicant proposes to use the accessory structure to store the livestock and agricultural equipment associated with such use.

Motion to open the Public Hearing at 7:45 p.m. by Commissioner Owen. Commissioner Kelly made the second. The motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones

Mia Hines informed the Commission that there were no public speakers for this item.

Motion to close the Public Hearing at 7:46 p.m. by Commissioner Owens. Commissioner Jones made the second. Motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones

3. Zoning Case 20-002-SUP: Discuss and take action on a Specific Use Permit (SUP) request by Barry Brewer for an accessory structure with a floor area greater than 650 square feet. The 10.502-acre property is zoned SF-1 and is described as Lot 3 of Williams Farm. The property address is 3119 South Hampton Road, Glenn Heights, Ellis County, Texas. The land is primarily used as a residence with an agricultural accessory.
The applicant proposes to use the accessory structure to store the livestock and agricultural equipment associated with such use.

**Speakers:**

**Mia Hines, Planner**
Ms. Hines presented the information related to the Specific Use Permit request at 3119 South Hampton Road and stated Staff’s recommendation of approval with the condition that the structure is constructed according to the site plan, elevations, and floor plan.

Motion by Commissioner Jones to recommend approval of the SUP request as presented. Commissioner Boson made the second. Motion carried by the following vote:

**Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones**

4. **Zoning Case 20-003-SUP:** Public hearing to receive testimony concerning a Specific Use Permit (SUP) request be Mark Sellers for an ice vending kiosk. The 1.740-acre property is situated in the John F Porter Survey, Abstract No. 1118 and is zoned Retail (R). The property address is 610 East Bear Creek, Glenn Heights, Dallas County, Texas. The land is currently undeveloped, but the applicant proposes to construct an ice vending kiosk.

Motion to open the Public Hearing at 7:52 p.m. by Commissioner Kelly. Commissioner Owens made the second. The motion carried by the following vote:

**Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones**

**Speakers:**

**Michael Young, Cool Days, Inc. dba Twice the Ice**
13901 Sutton Park Dr, Jacksonville, FL 32224
Mr. Young presented information regarding the structure, use, and appearance of the proposed ice vending kiosk.

Commissioner Jones asked if there were issues with machines breaking down and how long are they typically down. Mr. Young answered that the machinery is well housed and their local teams typically have the machines fixed within thirty minutes to an hour.

Commissioner Jones asked how they would be alerted if the system broke down. Mr. Young answered that he can detect problems with the system on his mobile device.

Motion to close the Public Hearing at 8:00 p.m. by Commissioner Owen. Commissioner Boson made the second. Motion carried by the following vote:

**Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones**
5. **Zoning Case 20-003-SUP**: Discuss and take action on a Specific Use Permit (SUP) request be Mark Sellers for an ice vending kiosk. The 1.740-acre property is situated in the John F Porter Survey, Abstract No. 1118 and is zoned Retail (R). The property address is 610 East Bear Creek, Glenn Heights, Dallas County, Texas. The land is currently undeveloped, but the applicant proposes to construct an ice vending kiosk.

**Speakers:**

**Mia Hines, Planner**

Ms. Hines presented the information related to the Specific Use Permit request at 610 East Bear Creek and stated Staff’s recommendation of approval with the condition that the structure is constructed according to the site plan, elevations, and floor plan.

Commissioner Morgan asked if there would be a security camera on the front of building or anywhere on site. Mr. Young answered that they do intend on placing security cameras on this site.

Motion by Commissioner Owen to recommend approval of the SUP request as presented. Commissioner Boson made the second. Motion carried by the following vote:

**Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones**

6. **Zoning Case 19-006-RZ**: Public hearing to receive testimony concerning a request by JDJR Engineers and Consultants on behalf of Mohammed Tariq and Bear Creek Elegance, LLC for a new Planned Development. The proposed Planned Development encompasses two properties totaling 39.820 acres situated in the Elias R Parks Survey, Abstract No. 1131. The 38.820-acre property is located at 1198 West Bear Creek Road, Glenn Heights, Dallas County, Texas and the 1.000-acre property is located at 1182 West Bear Creek Road, Glenn Heights, Dallas County, Texas. Both properties are currently zoned SF-1. The request is to allow a Planned Development for no more than 121 single-family residential lots with an SF-3 base zoning. In addition to the residential component, the proposal also includes 6.010 acres of open space, a pedestrian trail, park benches, playground equipment, and a community center.

Motion to open the Public Hearing at 8:10 p.m. by Commissioner Jones.

Commissioner Kelley made the second. The motion carried by the following vote:

**Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones**

**Speakers:**

**Mia Hines informed the Commission that there were no public speakers for this item.**

Motion to close the Public Hearing at 8:11 p.m. by Commissioner Kelley.

Commissioner Boson made the second. Motion carried by the following vote:
Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones

7. Zoning Case 19-006-RZ: Discuss and take action on a request by JDJR Engineers and Consultants on behalf of Mohammed Tariq and Bear Creek Elegance, LLC for a new Planned Development. The proposed Planned Development encompasses two properties totaling 39.820 acres situated in the Elias R Parks Survey, Abstract No. 1131. The 38.820-acre property is located at 1198 West Bear Creek Road, Glenn Heights, Dallas County, Texas and the 1.000-acre property is located at 1182 West Bear Creek Road, Glenn Heights, Dallas County, Texas. Both properties are currently zoned SF-1. The request is to allow a Planned Development for no more than 121 single-family residential lots with an SF-3 base zoning. In addition to the residential component, the proposal also includes 6.010 acres of open space, a pedestrian trail, park benches, playground equipment, and a community center.

Speakers:

Mia Hines, Planner
Ms. Hines asked that this item be tabled for a later date at the applicants’ request.

Motion by Commissioner Owen to table this agenda item for a later date. Commissioner Jones made the second. Motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones


Motion to open the Public Hearing at 8:13 p.m. by Commissioner Kelley. Commissioner Boson made the second. The motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones

Speakers:

Mia Hines informed the Commission that there were no public speakers for this item.

Motion to close the Public Hearing at 8:14 p.m. by Commissioner Jones. Commissioner Boson made the second. Motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones
9. **Zoning Case 20-004-RZ**: Discuss and take action on Ordinance O-05-20, an Ordinance of the City of Glenn Heights, Texas, amending Chapter 15 “Development Regulations” of the City’s Code of Ordinances by amending Article 15.02 “Landscaping and Screening” Section 15.02.091 “General Provisions” Subsection (a) “Acceptable Materials” to permit more acceptable materials for the construction of fences and screening devices.

**Speakers:**

**Mia Hines, Planner**
Ms. Hines presented the proposed amendment to the City’s Code of Ordinance Chapter 15 “Development Regulations”.

Commissioner Owen asked if the recent changes that applied to the City’s control over residential building material would also apply to fence material. Ms. Hines answered the State legislation in reference only applies to the structure itself.

**Brian Lockley, Deputy City Manager**
Mr. Lockley added that there have been upgrades to the durability of vinyl material.

Commissioner Owen asked if the main reason for this amendment is cost. Mr. Lockley answered that this gives residence another option.

Commissioner Owen asked if the vinyl material would be an equal option in terms of durability and aesthetics. Mr. Lockley answered that the vinyl material is aesthetically pleasing but masonry is the most durable.

Commissioner Jones asked if vinyl material could be made to look like stone. Ms. Hines answered that the vinyl material could be made to take on the appearance of other materials.

Commissioner Owen asked if Staff’s recommendation is to table this item. Ms. Hines clarified that this was the recommendation of the previous item and Staff recommends approval of this item.

Commissioner Kelley asked if there was a study indicating the longevity of the vinyl material. Mr. Lockley answered that the vinyl material lasts roughly 15-20 years.

Commissioner Morgan asked if developers would also be permitted to use this material for neighborhood screening. Mr. Lockley answered that the Code of Ordinance calls out masonry for neighborhood screening. Ms. Hines added that developers would have to ask permission through the Planned Development process to use vinyl material.

Commissioner Morgan asked if a homeowner would have to take it to their HOA to use this material. Mr. Lockley answered the homeowner would have to still get permission from the HOA to use this material, but the City would allow it if this amendment passed.
Motion by Commissioner Kelley to recommend approval of the proposed amendment. Commissioner Boson made the second. Motion carried by the following vote:

Votes: (4-1) Aye – Kelley, Boson, Morgan, and Jones
Nay – Owen

10. **Zoning Case 20-003-RZ:** Public hearing to receive testimony concerning Ordinance O-03-20, an Ordinance of the City of Glenn Heights, Texas, amending Chapter 15 “Development Regulations” of the City’s Code of Ordinances by amending Article 15.05 “Development Regulations Variance Board” to repeal or amend Section 15.05.001 Created; Section 15.05.002 Procedure for Seeking Variances or Special Exception; and Section 15.05.003 Appeal to or City Council Review of Board Action to confirm with Chapter 211 of the Texas Local Government Code.

Motion to open the Public Hearing at 8:27 p.m. by Commissioner Jones. Commissioner Boson made the second. The motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones

Speakers:

Mia Hines informed the Commission that there were no public speakers for this item.

Motion to close the Public Hearing at 8:27 p.m. by Commissioner Kelley. Commissioner Owen made the second. Motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson, and Jones

11. **Zoning Case 20-003-RZ:** Discuss and take action on Ordinance O-03-20, an Ordinance of the City of Glenn Heights, Texas, amending Chapter 15 “Development Regulations” of the City’s Code of Ordinances by amending Article 15.05 “Development Regulations Variance Board” to repeal or amend Section 15.05.001 Created; Section 15.05.002 Procedure for Seeking Variances or Special Exceptions; and Section 15.05.003 Appeal to or City Council Review of Board Action to confirm with Chapter 211 of the Texas Local Government Code.

Speakers:

**Brian Lockley, Deputy City Manager**

Mr. Lockley presented the proposed amendment to the City’s Code of Ordinance Chapter 15 “Development Regulations”.

Commissioner Boson asked would the DRVB be replaced by the Board of Adjustments. Mr. Lockley answered that the DRVB would be replaced by the Board of Adjustments.
Commissioner Jones asked for Staff’s recommendation. Mr. Lockley answered that Staff’s recommends approval and added that this amendment would not affect any of the previous decisions of the DRVB.

Commissioner Kelley asked if the DRVB would be discontinued. Mr. Lockley confirmed that the DRVB would be discontinued.

Commissioner Morgan asked if the City has an established Board of Adjustment. Mr. Lockley answered that the City has members but they have not met for some time but Staff is trying to reassemble that body.

Commissioner Morgan asked how the City would handle any request that come while trying to establish a Board of Adjustment. Mr. Lockley answered that pulling the Board together would not be a long process.

Motion by Commissioner Kelley to recommend approval of the proposed amendment to Chapter 15 of the City’s Code of Ordinances. Commissioner Owen made the second. Motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, Boson and Jones

Commissioner Kelley made a motion to adjourn at 8:38 p.m. Commissioner Boson made the second. Motion carried by the following vote:

Votes: (5-0) Kelley, Owen, Morgan, and Jones

______________________________
Sheena Morgan, Chair

Attest:

______________________________
Mia Hines, Planner

Passed and approved on the _____th day of __________, 2020.
SUBJECT
Discuss and take action on Ordinance O-10-20, an Ordinance of the City of Glenn Heights, Texas, amending Chapter 14 “Zoning” of the City’s Code of Ordinances by amending Exhibit A “Zoning Ordinance” Article IX “Zoning Districts” Section 3 “Provisional Districts” to remove certain restrictions of multifamily development.

REPORT IN BRIEF
Given the current trends towards more sustainable development practices, Staff is proposing an update to the standards and requirements of multifamily developments as described in the City’s Zoning Ordinance.

BACKGROUND / DISCUSSION
Under the current Planned Development requirements in the City’s Zoning Ordinance, all applicants are prohibited from establishing a Planned Development District that designates more than 15% of its residential units as multifamily. Not only does this policy serve as an obstacle to establishing multifamily and mixed-use developments, but this restriction also limits the ability of Staff, the Planning & Zoning Commission, and the City Council to establish zoning districts that might adequately serve the City’s need for higher density residential development. For example, Staff could not administratively recommend approval for a Planned Development application that proposes a similar concept as the Palladium Glenn Heights Apartments since 100% of the residential units are multifamily. Removing this restriction grants Staff the administrative flexibility to
recommend approval of Planned Development proposals that include up to 100% multifamily residential units, strategically located, and sustainably designed and engineered with quality amenities that bring value and diversity to the City’s housing stock.

The current Planned Development standards also require a minimum Retail and/or Neighborhood Services designation of 20%. Although this policy encourages mixed-use developments, the arbitrary nature of this language could limit the ability of Staff, the Planning and Zoning Commission, and the City Council to establish a mixed-use development where the nonresidential units are not separated from the residential units. The proposed flexibility clause would allow for Staff to assess a proposed development and form a recommendation based on the conceptual harmony and strategically planned placement of both the residential and non-residential components in the Planned Development.

FISCAL IMPACT
N/A

PUBLIC CONTACT
Notice was published in a local newspaper on April 26, 2020 as required by state law and the City of Glenn Heights Comprehensive Zoning Ordinance.

RECOMMENDATION
Staff recommends approval of the proposed changes to Chapter 14 “Zoning”, Exhibit A “Zoning Ordinance” of the City’s Code of Ordinances.

PREPARED BY
Miahauni Hines, Planner
REVIEWED BY
Brian Lockley, AICP, Deputy City Manager

ATTACHMENTS
  A. Proposed Amendments
Proposed Amendments of Ordinance O-10-20

Chapter 14. Zoning

Exhibit A. Zoning Ordinance

Article IX Zoning Districts

Section 3 Provisional Districts

Provisional Districts are available only for use within a Planned Development and only in combination with Base Districts as listed in Section IX.1 above. The standards set for the Base District shall remain in effect unless requested and approved at the time of application. The Provisional Districts are adopted and offered for use as incentive for a more dense residential development but in not instance shall more than one Provisional District be used within a Planned Development district or encompass more than fifteen percent (15%) of the entire residential units, single-family or multifamily. A successful application for a Planned Development district including one of the Provisional Districts shall also include Retail and/or Neighborhood Services in an amount no less than twenty percent (20%) and common open space at a ratio of one (1) acre per fifty (50) residential dwelling units, single-family or multifamily unless otherwise approved by the City Manager or his/her designee. Open Space may be developed as one large park or with a maximum of twenty-five (25%) as neighborhood pocket parks, shall include playground equipment, walking and biking trails, pavilions, etc. but shall be approved at the time of Site Plan. No Concept Plan or Site Plan shall be approved without a mix of uses. Phasing of a Planned Development district including a Provisional District shall account for proportional amounts of nonresidential development and open space with residential development. No building permit for construction of a Provisional District may be issued until a Certificate of Occupancy is issued for the non-Provisional District uses and development of the required Open Space is in progress.

IX.3.3 MF – Multifamily Residential District

A. General Purpose and Description
The Multifamily Residential, “MF” district is intended to promote the development of and be comprised of attached residential dwellings for more than two families. The maximum density is fourteen (14) dwelling units per acre. The principal permitted land uses will include low- and mid-rise multiple-family dwellings and garden apartments. MF is available only as a Provisional District and shall, in no instance, account for more than fifteen percent (15%) of the total residential units within the approved development and may only be approved through the Planned Development rezoning process. Development meeting the MF district criteria shall be grouped together and may be used as a buffer between residential and nonresidential districts. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and serve as a buffer between nonresidential development or heavy automobile traffic and medium- or low-density residential development. Areas zoned for the MF district shall have, or shall make provision for, City of Glenn Heights’ water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved concrete drive aisles with logical and efficient vehicular circulation patterns; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.