



**NOTICE AND AGENDA
CITY OF GLENN HEIGHTS
PLANNING AND ZONING COMMISSION
MONDAY, JUNE 8, 2020**

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, JUNE 8, 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 June 8, 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 May 11, 2020.

AGENDA

1. **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 39.82 acres situated in the Elias R Parks Survey, Abstract No. 1131. The 38.82-acre property is addressed 1198 West Bear Creek Road, Glenn Heights, Dallas County, Texas and the 1.00-acre property is addressed 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 of no more than 70 single-family residential lots with an SF-3 base zoning. In addition to the residential component, the proposal also includes 6.43 acres of open space, a pedestrian trail, park benches, playground equipment, and gazebos.
2. **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 39.82 acres situated in the Elias R Parks Survey, Abstract No. 1131. The 38.82-acre property is addressed 1198 West Bear Creek Road, Glenn Heights, Dallas County, Texas and the 1.00-acre property is addressed 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 of no more than 70 single-family residential lots with an SF-3 base zoning. In addition to the residential component, the proposal also includes 6.43 acres of open space, a pedestrian trail, park benches, playground equipment, and gazebos.
3. **Zoning Case 20-005-RZ:** Public hearing to receive testimony concerning the reconsideration of 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.
4. **Zoning Case 20-005-RZ:** Discuss and take action to reconsider 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, June 5, 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, MAY 11, 2020

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

On the 11th day of May 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
Austin Kelley	*	Board Member
Debra Jones	*	Board Member
Mark Boson	*	Board Member

ABSENT

Mandy Owen	*	Vice Chair
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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 6:32 p.m.

Invocation Commissioner Kelley

Pledge of Allegiance

Consent Agenda

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

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

Votes: (4-0) Kelley, Morgan, Boson, and Jones

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.

Motion to open the Public Hearing at 6:36 p.m. by Commissioner Jones.
Commissioner Kelley made the second. The motion carried by the following vote:

Votes: (4-0) Kelley, 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 6:37 p.m. by Commissioner Kelley.
Commissioner Boson made the second. Motion carried by the following vote:

Votes: (4-0) Kelley, Morgan, Boson, and Jones

- 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.

Speakers:

Mia Hines, Planner

Ms. Hines presented the information related to the proposed changes to Chapter 14 of the City’s Code of Ordinances

Commissioner Boson asked for clarification of the proposal. Ms. Hines clarified that this was not a project being proposed but an amendment to allow for multifamily projects. Mr. Lockley added that this amendment would allow for an applicant to apply for a multifamily development with 100% multifamily residential units.

Commissioner Morgan asked if the City’s emergency responses were equipped to handle a multifamily development with multiple floors. Mr. Lockley answered that the City’s resources are actually considered during the review process of any development application.

Commissioner Morgan asked if Staff had received any serious proposals for a mixed-use or multifamily development. Mr. Lockley replied that there is a serious interest for mixed-use and multifamily developments. He added that this proposed amendment

only gives Staff the ability to review a full multifamily development and does not call for the automatic approval of a multifamily development.

Motion by Commissioner Jones to recommend approval of the proposed amendment as presented. Commissioner Boson made the second. Motion failed by the following vote:

Votes: (3-1)

Aye - Kelley, Boson, and Jones

Nay - Morgan

Commissioner Boson made a motion to adjourn at 6:59 p.m. Commissioner Kelley made the second. Motion carried by the following vote:

Votes: (4-0) Kelley, Boson, Morgan, and Jones

Sheena Morgan, Chair

Attest:

Mia Hines, Planner

Passed and approved on the _____th day of _____, 2020.



CITY OF GLENN HEIGHTS PLANNING AND ZONING COMMISSION REPORT

Date: June 8, 2020

SUBJECT

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 39.82 acres situated in the Elias R Parks Survey, Abstract No. 1131. The 38.82-acre property is addressed 1198 West Bear Creek Road, Glenn Heights, Dallas County, Texas and the 1.00-acre property is addressed 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 of no more than 70 single-family residential lots with an SF-3 base zoning. In addition to the residential component, the proposal also includes 6.43 acres of open space, a pedestrian trail, park benches, playground equipment, and gazebos.

REPORT IN BRIEF

The Planning and Zoning Commission will hear a rezoning request by JDJR Engineers and Consultants for a Planned Development with an SF-3 base zoning. The subject properties are currently zoned SF-1 and the request is to allow for the development of no more than 70 single-family residential lots with certain deviations from the traditional SF-3 zoning standards.

BACKGROUND

The subject area is made up of two properties located at 1198 and 1182 West Bear Creek Road, Glenn Heights, Dallas County, Texas. The larger tract is described as a

38.820-acre parcel situated in the Elias R Parks Survey, Abstract No. 1131. The smaller tract described as a 1.000-acre parcel situated in the Elias R Parks, Survey, Abstract No. 1131.

DISCUSSION

A Planned Development (PD) district is a tool to permit new or innovative concepts in land utilization not permitted by other zoning districts in the City Zoning Ordinance, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community. This tool requires that one or more of the following purposes are met:

- A. To provide for a superior design on lots or buildings;

The proposed Development Standards provides for a uniform, master planned subdivision with open spaces and amenities for the enjoyment of the community.

- B. To provide for increased recreation and open space opportunities for public use and enjoyment;

The proposed concept plan designates a total of 6.430 acres of open space.

- C. To provide amenities or features that would be of special benefit to the property users or to the overall community;

The proposed 6.430 acres of open space will include a six-foot wide pedestrian trail, park benches, playground equipment, and gazebos.

- D. To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes viewsapes, or wildlife habitats;

The proposed concept plan was designed in such a way as to preserve a natural drainage area. This preservation would help alleviate some of the drainage issues that come with mass residential development.

- E. To protect or preserve existing historical buildings, structures, features or places;

There are no structures or buildings of historical significance to preserve on the petitioned site.

F. To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; and

The proposed development is consistent with the Future Land Use Map, providing a traditional neighborhood design. The proposed development also designates land area for the proposed Loop 9 ROW by TxDOT.

G. To meet or exceed the standards of this Ordinance.

The table below illustrates how the proposed Planned Development compares to traditional SF-3 zoning standards:

	SF-3 Standards	Proposed Standards
Lot Area	9,000 sq. ft.	9,000 sq. ft.
Lot Width	70'	65'
Lot Depth	120'	120'
Minimum Dwelling Unit Size	1,750 sq. ft.	2,000 sq. ft.
Front Yard	30'	25'
Side Yard	8'	5'
Side Yard of Corner Lots	15'	15'
Rear Yard	20'	20' (40' adjacent to Loop 9 alignment)
Maximum Lot Coverage of Building/Structure(s)	40%	50%
Main Structure Height	35'	35'
Accessory Structure Height	15'	15'
Individual Lot Landscaping Requirements	two 3" caliper trees w/ 40' crowns; two 3" caliper trees w/ 20' crowns; 20% of total lot area;	one 3" caliper tree in front yard; one 3" caliper tree in rear yard; 12 5-gal shrubs in front yard; 20% of total lot area
Max Residential Density	3.5 dwelling units per acre	2.6 dwelling units per acre
Minimum Roof Pitch	6:12	6:12
Maximum Fence Height	6'	6'

CONCEPT PLAN REVIEW AND EVALUATION

The Development Review Committee met and performed Concept Plan review and evaluation with respect to the following:

- The Plan's compliance with all provisions of the Zoning Ordinance and other ordinances of the City.
- The impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
- The relationship of the development to the base zoning standards in terms of harmonious design, façade treatment, setbacks, maintenance of property values, and any possible negative impacts.
- The provision of a safe and efficient vehicular and pedestrian circulation system.
- The coordination of streets so as to arrange a convenient system consistent with the Thoroughfare Plan of the City as adopted and amended.
- The use of landscaping and screening to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary, and to complement and integrate the design and location of buildings into the overall site design.
- The location, size, accessibility, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.
- Protection and conservation of watercourses and areas that are subject to flooding.
- Consistency with the Comprehensive Master Plan of the City as adopted or amended.

COMPREHENSIVE PLAN ALIGNMENT

Staff has reviewed this application to determine its compatibility with the City's Future Land Use Map and Comprehensive Plan which designates this area as Traditional Neighborhood Development (TND):

Traditional Neighborhood Development

TND typically involves reduced street setbacks, rear entry garages, integrated parks and open spaces, architectural enhancements/design, connected street grids and clusters of neighborhood retail/services.

The proposed development aligns with that of a Traditional Neighborhood Development.

FISCAL IMPACT

The development and construction of the proposed Planned Development would have a construction valuation of about \$14.9 million, generating a revenue of over \$440,000 in building permit and plan review fees. Once fully developed, the City would collect \$0.833523 per \$100 assessed valuation for each lot.

PUBLIC CONTACT

Notices were mailed to adjacent property owners within two hundred feet (200') of the subject property by May 22, 2020. Notice was also published in a local newspaper by May 24, 2020 as required by state law and the City of Glenn Heights Comprehensive Zoning Ordinance.

RECOMMENDATIONS

Staff recommends denial of this Planned Development request due to the following:

- The amount the developer has committed for park equipment includes park benches, concrete trails, gazebos, entry features, and landscaping. This amount should only be for playground equipment.
- Although the developer commits to installing playground equipment for children ages 2-12 in the same area, Staff recommends the installation of two separate playgrounds in different areas of the open space. One of the playgrounds shall be for children ages 5-12 and the other for children ages 2-4.
- The applicant has laid out the site in a way that requires a decrease in the property dimensions on Lots 1-4 and 18 of Block A and Lots 1, 12-14, and 40 of Block C. Staff needs to confirm that these lots are developable and meet the requirements of the development standards.

- Although the Zoning Exhibit indicates the approximate location of the proposed TxDOT Loop 9 project, the gross site area should still include the area of the alignment.

PREPARED BY

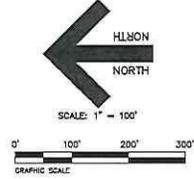
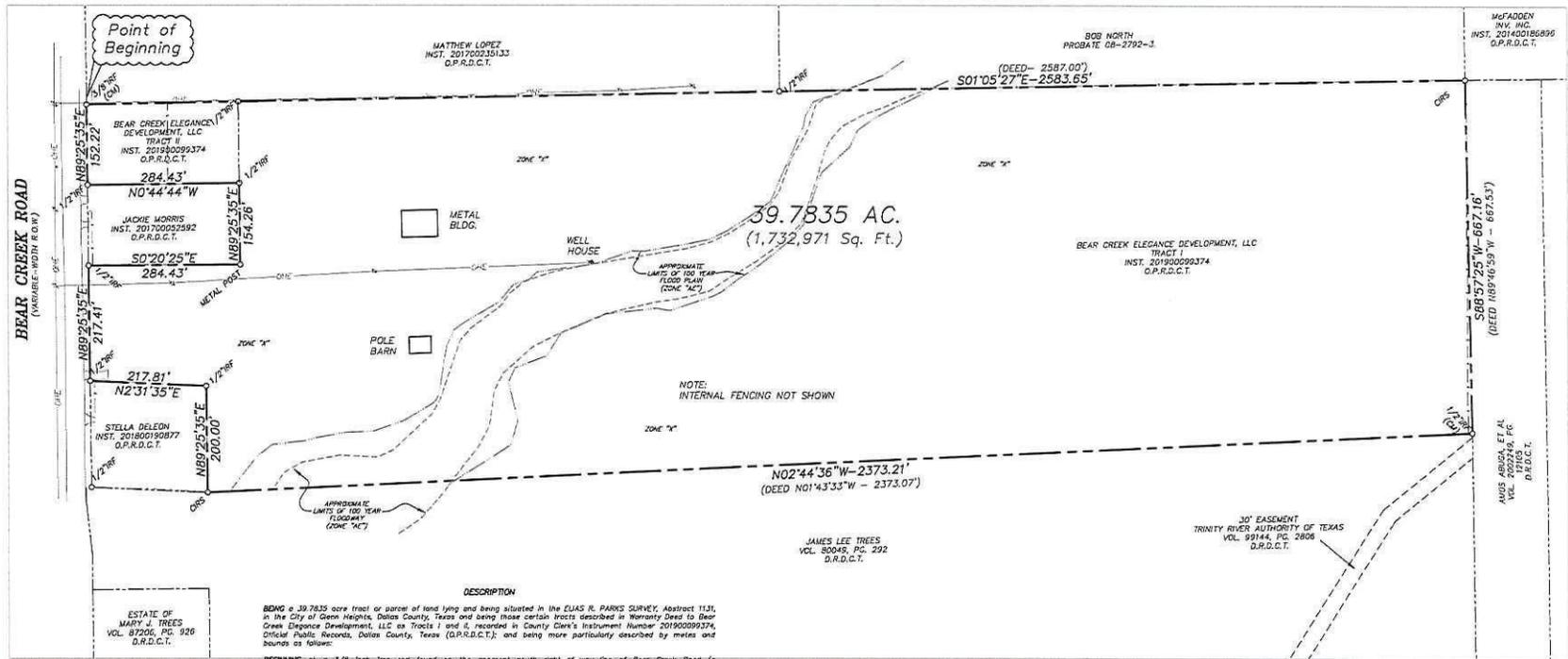
Mia Hines, Planner

REVIEWED BY

Brian Lockley, AICP, Deputy City Manager

ATTACHMENTS

- A. Bear Creek Elegance Property Survey & Legal Description
- B. Bear Creek Elegance PD Development Standards
- C. Bear Creek Elegance Zoning Concept



- LEGEND**
- CHS 3/8 INCH IRON ROD SET WITH CAP STAMPED "C&J"
 - CHS 5/8 INCH IRON ROD FOUND WITH CAP STAMPED "C&J"
 - CHS UNLESS OTHERWISE SHOWN
 - CHS IRON PIPE FOUND
 - CHS (C&J) CONTROL MONUMENT
 - CHS RECORD BEARING/DISTANCE
 - CHS DEED RECORDS, DALLAS COUNTY, TEXAS
 - CHS O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS
 - CHS INST. NO. COUNTY CLERK'S FILE NUMBER
 - CHS VOL. NO. PG.
 - CHS DEED
 - CHS POWER POLE
 - CHS SANITARY SEWER MANHOLE
 - CHS SIGN
 - CHS WATER METER
 - CHS WATER VALVE
 - CHS CONDUIT
 - CHS EASEMENT
 - CHS FENCE
 - CHS OVERHEAD ELECTRIC

DESCRIPTION

BEING a 39.7835 acre tract or parcel of land lying and being situated in the ELIAS R. PARKS SURVEY, Abstract 1131, in the City of Glen Heights, Dallas County, Texas and being those certain tracts described in Warranty Deed to Bear Creek Elegance Development, LLC as Tracts I and II, recorded in County Clerk's Instrument Number 20190009374, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.); and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found on the apparent south right-of-way line of Bear Creek Road to a variable-width right-of-way for the northeast corner of Tract II at said Bear Creek Elegance Development, LLC Tract; said iron rod also being the northwest corner of that certain tract described in Warranty Deed to Matthew Lopez, recorded in County Clerk's Instrument Number 201700235133, O.P.R.D.C.T.;

THENCE South 21 degrees 05 minutes 27 seconds East, along the east line of said Tract II and the west line of said Lopez tract, a distance of 284.43 feet to a 1/2 inch iron rod for the southeast corner of said Tract II and the most westerly northeast corner of said Bear Creek Elegance Development, LLC Tract I; at a distance of 1255.52 feet pass a 1/2 inch iron rod found for the southwest corner of said Lopez tract and the northwest corner of that certain tract described in Probate 08-2792-3 to Bob North, Probate Court Records; and continuing for a total distance of 2543.65 feet to a 5/8 inch iron rod with plastic cap marked "C&J" set (hereinafter referred to as a set iron rod) for the southwest corner of said Tract I and the southwest corner of said Bob North tract; said set iron rod also being the northwest corner of that certain tract described in deed to McRobison Investments, Inc., recorded in County Clerk's Instrument Number 201400188896, O.P.R.D.C.T.; and the northeast corner of that certain tract described in Warranty Deed to Anna Abzug, recorded in Volume 2502246, Page 17156, Deed Records, Dallas County, Texas (O.P.R.D.C.T.);

THENCE South 88 degrees 57 minutes 25 seconds West, along the south line of said Tract I and the north line of said Abzug tract, a distance of 671.16 feet to a 1/2 inch iron rod found for the southwest corner of said Tract I and the southeast corner of that certain tract described in Warranty Deed to James Lee Trees, recorded in Vol 80049, Page 292, O.P.R.D.C.T.;

THENCE North 02 degrees 44 minutes 36 seconds West, along the west line of said Tract I and the east line of said Trees tract, a distance of 2373.21 feet to a set iron rod at an angle point in the north line of said Tract I and the southwest corner of that certain tract described in Warranty Deed to Stella DeLeon, recorded in County Clerk's Instrument Number 201600108877, O.P.R.D.C.T.;

THENCE North 83 degrees 25 minutes 35 seconds East, along the north line of said Tract I and the south line of said DeLeon tract, a distance of 200.00 feet to a 1/2 inch iron rod for the southeast corner of said DeLeon tract and an angle point in the north line of said Tract I;

THENCE North 02 degrees 31 minutes 35 seconds East, along the east line of said DeLeon tract and continuing along the north line of said Tract I, a distance of 217.81 feet to a 1/2 inch iron rod found for the northeast corner of said DeLeon tract and an angle point in the north line of said Tract I located on the apparent south right-of-way line of the aforementioned Bear Creek Road;

THENCE North 89 degrees 25 minutes 35 seconds East, continuing along the north line of said Tract I and said south right-of-way line, a distance of 212.41 feet to a 1/2 inch iron rod found for an angle point in the north line of said Tract I and the northeast corner of that certain tract described in Warranty Deed to Jackie Morris, recorded in County Clerk's Instrument Number 201700052592, O.P.R.D.C.T.;

THENCE South 00 degrees 20 minutes 25 seconds East, continuing along the north line of said Tract I and the west line of said Morris tract, a distance of 284.43 feet to a metal fence post found for the southwest corner of said Morris tract and the northeast corner of the aforementioned Bear Creek Elegance Development, LLC Tract I;

THENCE North 89 degrees 25 minutes 35 seconds East, continuing along the north line of said Tract I and the south line of said Morris tract, a distance of 194.26 feet to a 1/2 inch iron rod found for the southeast corner of said Morris tract and the northeast corner of the aforementioned Bear Creek Elegance Development, LLC Tract I;

THENCE North 00 degrees 44 minutes 44 seconds West, along the east line of said Morris tract and the west line of said Tract I, a distance of 284.43 feet to a 1/2 inch iron rod located on the aforementioned south right-of-way line for the northeast corner of said Morris tract and the northeast corner of said Tract I;

THENCE North 89 degrees 25 minutes 35 seconds East, along the north line of said Tract II and said south right-of-way line, a distance of 152.22 feet to the Point of Beginning, and containing 39.7835 Acres (1,322,971 square feet) of land.

- GENERAL NOTES**
- The bearings shown hereon are based on the found monument noted as "C&J" (Control Monument) of the deed to BEAR CREEK ELEGANCE, recorded in Vol. 20190009374, O.P.R.D.C.T. as measured by systematic GPS observation based upon the Leica Smartcrisp, GEO123A, Texas North Central zone, NAD83.
 - According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, the subject property appears to be located in Zone "X" (Areas determined to be outside the 100-Year Flood Plain) and in Zone "AE" (Areas where Base Flood Elevations have been determined), as shown on Map No. 481100020C, Map Revised, July 2, 2014, for Dallas County, Texas and incorporated areas. This flood statement does not imply that the property and/or the structures located in Zone "X" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.
 - The survey was prepared without the benefit of a title commitment. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, adverse title evidence, or any other facts which an accurate and current title search may disclose.
 - UTILITIES: The surveyor did not research the location and/or existence of utility service lines for the subject property, and any underground utilities shown hereon were taken from record information or a representation of routing maps by their respective companies; actual locations were not field verified except at surface structure such as manholes.



LOCATION MAP
N.T.S.

TITLE SURVEY

BEING A 39.7835 ACRE TRACT OF LAND SITUATED IN THE ELIAS R. PARKS SURVEY, A-1131, CITY OF GLEN HEIGHTS, DALLAS COUNTY, TEXAS

The plot hereon is an accurate representation of the property as determined by on the ground survey, subject to any and all easements, reservations and restrictions that may be of record, the lines and dimensions of said property being indicated by the plot, the size, location and type of buildings and improvements are as shown, all visible improvements being within the boundaries of the property set back from the property lines the distance indicated. There are no visible encroachments, conflicts or protrusions except as shown.

Surveyed on the ground, 26 AUGUST, 2019.

Kerry M. Koefner
KERRY M. KOEFNER - M.P.L.S. 4562

19 SEPT, 2019



JDJR	PREPARED BY:	ENGINEERS AND CONSULTANTS, INC.
	ENGINEERS • LAND PLANNERS • SURVEYORS	2500 Texas Drive Suite 100 Irving, Texas 75038
DATE: 19 SEPT, 2019	DRAWN BY: KSH	JDJR PROJECT NO. 1293-1-19
SCALE: 1" = 100'	CHECKED BY: KSH	© COPYRIGHT 2019

DESCRIPTION

BEING a 39.7835 acre tract or parcel of land lying and being situated in the ELIAS R. PARKS SURVEY, Abstract 1131, in the City of Glenn Heights, Dallas County, Texas and being those certain tracts described in Warranty Deed to Bear Creek Elegance Development, LLC as Tracts I and II, recorded in County Clerk's Instrument Number 201900099374, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.); and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found on the apparent south right-of-way line of Bear Creek Road (a variable-width right-of-way) for the northeast corner of Tract II of said Bear Creek Elegance Development, LLC tract; said iron rod also being the northwest corner of that certain tract described in Warranty Deed to Matthew Lopez, recorded in County Clerk's Instrument Number 201700235133, O.P.R.D.C.T.;

THENCE South 01 degrees 05 minutes 27 seconds East, along the east line of said Tract II and the west line of said Lopez tract, at a distance of 284.45 feet pass a 1/2 inch iron rod for the southeast corner of said Tract II and the most westerly northeast corner of said Bear Creek Elegance Development, LLC Tract I; at a distance of 1295.92 feet pass a 1/2 inch iron rod found for the southwest corner of said Lopez tract and the northwest corner of that certain tract described in Probate 08-2792-3 to Bob North, Probate Court Records; and continuing for a total distance of 2583.65 feet to a 5/8 inch iron rod with plastic cap marked "JDJR" set (hereinafter referred to as a set iron rod) for the southeast corner of said Tract I and the southwest corner of said Bob North tract; said set iron rod also being the northwest corner of that certain tract described in deed to McFadden Investments, Inc., recorded in County Clerk's Instrument Number 201400186896, O.P.R.D.C.T. and the northeast corner of that certain tract described in Warranty Deed to Amos Abuga, recorded in Volume 2002249, Page 12105, Deed Records, Dallas County, Texas (D.R.D.C.T.);

THENCE South 88 degrees 57 minutes 25 seconds West, along the south line of said Tract I and the north line of said Abuga tract, a distance of 667.16 feet to a 1/2 inch iron rod found for the southwest corner of said Tract I and the southeast corner of that certain tract described in Warranty Deed to James Lee Trees, recorded in Vol. 80049, Page 292, D.R.D.C.T.;

THENCE North 02 degrees 44 minutes 36 seconds West, along the west line of said Tract I and the east line of said Trees tract, a distance of 2373.21 feet to a set iron rod at an angle point in the north line of said Tract I and the southwest corner of that certain tract described in Warranty Deed to Stella DeLeon, recorded in County Clerk's Instrument Number 201800190877, O.P.R.D.C.T.;

THENCE North 89 degrees 25 minutes 35 seconds East, along the north line of said Tract I and the south line of said DeLeon tract, a distance of 200.00 feet to a 1/2 inch iron rod for the southeast corner of said DeLeon tract and an angle point in the north line of said Tract I;

THENCE North 02 degrees 31 minutes 35 seconds East, along the east line of said DeLeon tract and continuing along the north line of said Tract I, a distance of 217.81 feet to a 1/2 inch iron rod found for the northeast corner of said DeLeon tract and an angle point in the north line of said Tract I located on the apparent south right-of-way line of the aforementioned Bear Creek Road;

THENCE North 89 degrees 25 minutes 35 seconds East, continuing along the north line of said Tract I and said south right-of-way line, a distance of 217.41 feet to a 1/2 inch iron rod found for an angle point in the north line of said Tract I and the northeast corner of that certain tract described in Warranty Deed to Jackie Morris, recorded in County Clerk's Instrument Number 201700052592, O.P.R.D.C.T.;

THENCE South 00 degrees 20 minutes 25 seconds East, continuing along the north line of said Tract I and the west line of said Morris tract, a distance of 284.43 feet to a metal fence post found for the southwest corner of said Morris tract located at an angle point in the north line of said Tract I;

THENCE North 89 degrees 25 minutes 35 seconds East, continuing along the north line of said Tract I and the south line of said Morris tract, a distance of 154.26 feet to a 1/2 inch iron rod found for the southeast corner of said Morris tract and the southwest corner of the aforementioned Bear Creek Elegance Development, LLC Tract II;

THENCE North 00 degrees 44 minutes 44 seconds West, along the east line of said Morris tract and the west line of said Tract II, a distance of 284.43 feet to a 1/2 inch iron rod located on the aforementioned south right-of-way line for the northeast corner of said Morris tract and the northwest corner of said Tract II;

THENCE North 89 degrees 25 minutes 35 seconds East, along the north line of said Tract II and said south right-of-way line, a distance of 152.22 feet to the Point of Beginning, and containing 39.7835 Acres (1,732,971 square feet) of land.

EXHIBIT C

**CONDITIONS FOR PLANNED DEVELOPMENT
ZONING CASE No. _____
BEAR CREEK ELEGANCE
26.988 ACRES FOR PD- SINGLE FAMILY (PD/SF-3).**

I. GENERAL CONDITIONS:

- A. This planned Development District shall not affect any regulations within the Code of Ordinances, except as specifically provided herein. All regulations not specifically defined in this PD will be subject to the City of Glenn Heights Code of Ordinances.

Planned Development – Single Family (PS/SF-3)	
Lot Size (Minimum)	
Lot Area (sq. ft.)	9,000
Lot Width (feet)	65*
Lot Depth (feet)	120**
Yard Requirements – Main Structures	
Front Yard (feet)	25
Side Yard (feet)	5
Side Yard of Corner Lots	15
Rear Yard (feet)	20 (40 adjacent to future Loop 9)
Maximum Lot Coverage of Building Structure	50%
Dwelling Regulations	
Minimum Living Area (sq. ft.)	2,000
Height of Main Structure (feet)	35
Landscape Regulations	
Minimum landscape materials per lot	One 3” caliper tree in the front yard, one 3” caliper tree in the rear yard, and 12 shrubs in the front yard

*Cul-de-sac and Elbow lots may have a minimum width of 60 feet at the front building line.

**100 feet for Lots 1-4 & 18, Block A and Lots 1, 12-14, and 40, Block C



II. SPECIAL CONDITIONS:

- A. Maximum number of residential lots not to exceed 70 lots.
- B. Lots which back or side onto park land shall provide a decorative metal fence of uniform design to be installed by the homebuilder. Maximum height of decorative metal fence shall be 8 feet.
- C. All common areas along the creek to preserve as many trees as reasonable to provide a natural area. Trees to be removed only as necessary to construct/install all open space amenities.
- D. Common area Lot17X, Block A, to include a 6 foot wide concrete trail the entire length of the creek, a minimum of 5 benches, 2 gazebos, and playground equipment for ages 2 to 12.
 - 1. Scope and finish of the gazebos should be consistent with community guidelines established in the PD.
 - 2. All improvements shall be maintained by the Home Owners Association.
 - 3. Events, hours and rules shall be defined by the Home Owners Association.
- E. Common area Lot 32X, Block C, to include a 6 foot wide concrete trail the entire length of the creek/lot, a minimum of 2 sitting area with benches.
- F. Developer commits to \$171,500 for the costs including installation of the concrete trails, benches, gazebos, playground equipment and entry features and landscaping.

III. MAINTENANCE OF THE PARK/COMMON AREA

- A. It is the Developers' responsibility to install irrigation systems, benches, concrete trails, entry features, subdivision screening wall and any other improvements included in this Planned Development.
- B. Maintenance of the park/common areas will be the responsibility of the homeowners' association (HOA).
- C. Developer will be the contact entity with the City for all concerns regarding maintenance of park and open space until 100% of HOA control is turned over to the homeowners.
- D. HOA maintenance and responsibilities of amenities include:
 - 1. Clean up and litter removal.
 - 2. Landscaping installation, care, and maintenance.
 - 3. Trimming, clearing, and removal of unwanted vegetation.
 - 4. Maintain irrigation system, pay for the water used in the system.
 - 5. Maintain benches, concrete trail, entry feature and any other installed improvements, per Zoning Exhibit.
 - 6. Maintain the gazebos
 - 7. Pay for the electricity used for the lighting for the entry feature.

IV. MAINTENANCE OF THE RESERVE LOTS

- A. The reserve tracts (Lot 1X and Lot 12X, Block B) are reserved for the purpose of future development.
- B. The developer will retain ownership of these reserve tracts.
- C. The developer is responsible for maintenance of the reserve tracts. The developer may assign maintenance responsibility to the Homeowners' Association (HOA) until the reserve tracts are developed.

V. DESIGN CONDITIONS:

A. Land Design Standards – New Residential Requirements

Desired Land Design requirements are achieved by projects in accordance with the Zoning Exhibit and the following criteria:

1. Example of Potential Park Equipment

- a) Final Park Layout/Equipment to be agreed upon between City and Developer before final approval of the subdivision plat for the development. The playground equipment shall be designed to accommodate



children of ages 2 thru 12. The playground equipment will be similar to the examples below. The brand and configuration of the equipment may vary from what is shown.



B. Street and Sidewalk Standards – New Residential Requirements

Desired street and sidewalk requirements are achieved in accordance with the following criteria:

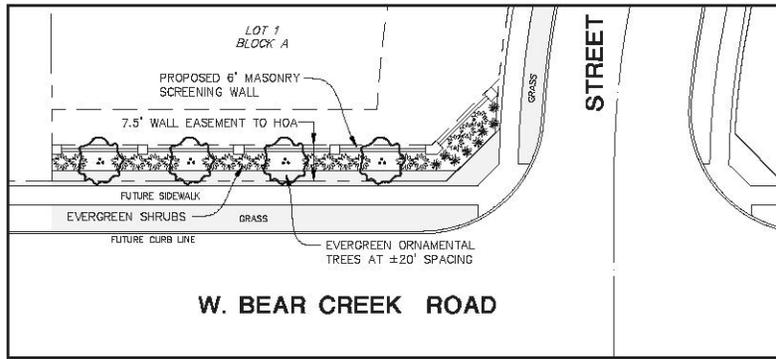
1. Street Treatments – Entry Feature and Signage at Entries

Architectural features on stone and/or brick monument with landscaping and incorporated into open space area illuminated by means others than street lights.

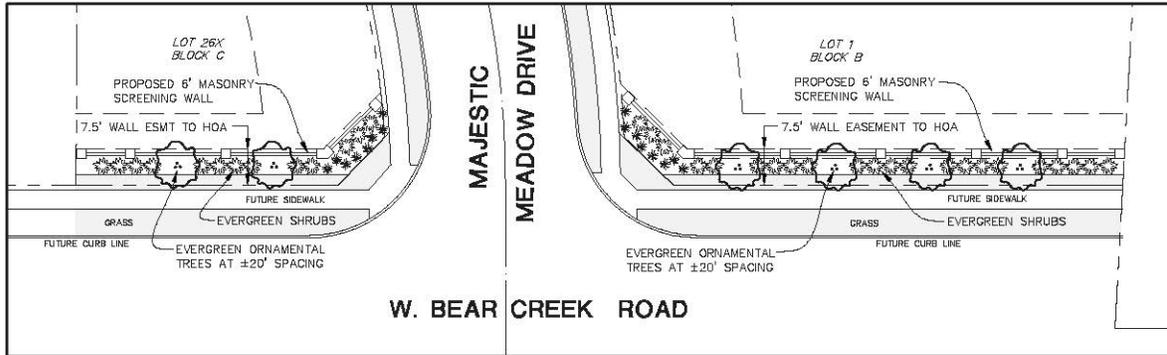
a. Desirable Design Attributes

Decorative tile accent panels of 2 or more difference type/color of stone (can be synthetic or cultured).





LANDSCAPE DETAIL BEAR CREEK ROAD AT STREET B STREET



LANDSCAPE DETAIL BEAR CREEK ROAD AT MAJESTIC MEADOW DRIVE

2. Street Treatments – Street Name Signs

Block numbers shall be incorporated with street lighting that is coordinated throughout the subdivision.

3. Pedestrian Sidewalks – Sidewalk Locations

4 feet wide concrete pedestrian sidewalks shall be located on both sides of the street, in the right-of-way of every internal street.

C. Architectural Standards – New Residential Requirements

1. Building Bulk and Articulation

In order to avoid large blank facades, variations in the elevation of residential facades facing a public street shall be provided in both the vertical and horizontal dimensions. At least twenty (20%) percent of the façade shall be offset a minimum of 1 foot either protruding from or recessed back from the remainder of the façade.

2. Exterior Facades – Porch

Each single-family residential unit shall have a combined total covered front, side or rear entry of a minimum of 120 total square feet of floor area.

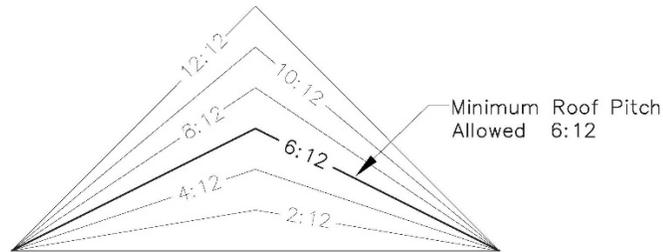


3. Exterior facades – Chimneys

Chimney flues on an exterior wall shall be enclosed with material matching exterior walls of the residential unit and capped.

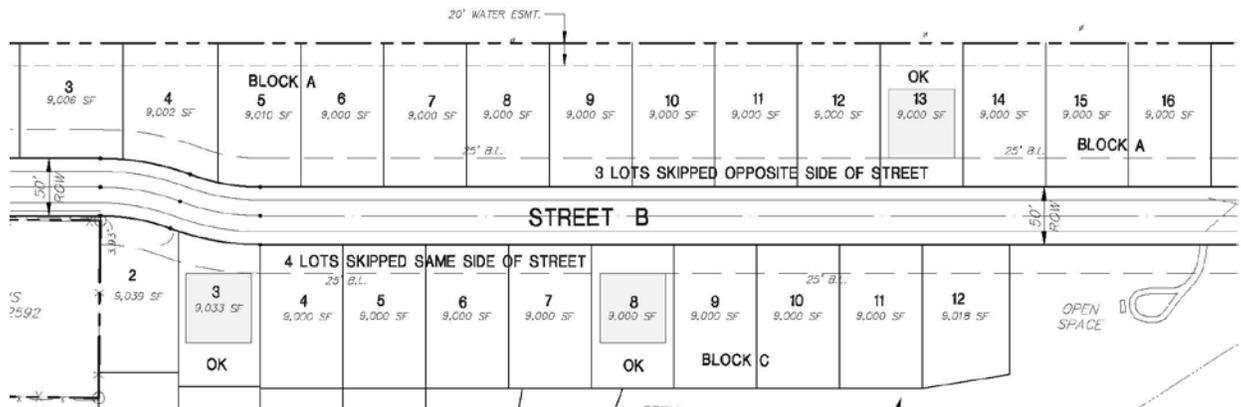
4. Roofs and Roofing – Roof Pitch

All single-family residential units shall have a minimum roof pitch of 6:12 on primary pitches, with articulation, dormers or a combination of hip and gable roofing.



5. Repetition of Residential Unit Designs – Repetition of Floor Plan and Elevation

A minimum of four (4) platted residential lots must be skipped on the same side and three (3) lots must be skipped on the opposite side of the street before rebuilding the same single-family residential unit with an identical (or nearly identical) street elevation design. The same floor plan and elevation shall not be repeated on neighboring, side by side lots or directly across the street.



Identical or nearly identical floor plan means that the layout, size and function of the rooms are essentially the same. Identical or nearly identical street elevation design means little or no variation in the articulation of the façade, height or width of façade, placement of the primary entrances, porches, number and placement of windows, and other major architectural feature. It does not mean similar colors, materials, or small details.



6. Garage Entry

All Garage doors may be located on the primary street elevation (front entry) of a single-family residential unit with an upgraded insulated door with carriage hardware. J-swing type front entry is also allowed. The primary street would be the addressed street front. Each main garage shall be a minimum 20' wide and 20' deep. Garage doors shall be painted to compliment house color. Variation of the garage door styles is required, with traditional front-entry garage doors to include distinct design and/or architectural features. All traditional front-entry garage door materials and designs shall be approved by the City prior to construction.



Typical Elevation – Traditional Front Entry



Typical Elevation – J-Swing Front Entry



7. Dwelling Size

The minimum square footage of floor space shall be 2,000 square feet, measured within the outside dimensions of the residential dwelling unit including each floor level, but excluding carports, garages, and breezeways.

8. Fencing and Screening

- a) Side and rear yard fences shall be permitted to a height of 8 feet maximum, and constructed of wood with metal posts and rails to the inside.
- b) Pressure treated wood is prohibited.
- c) Decorative Iron Fences shall be constructed on lots with residential dwellings along the property line adjacent to public open space, and shall be a minimum of 4 ft. in height. Maximum height of fence shall be 8 feet.
- d) A masonry screening wall (6 feet in height) shall be constructed along the south right-of-way of West Bear Creek Road.

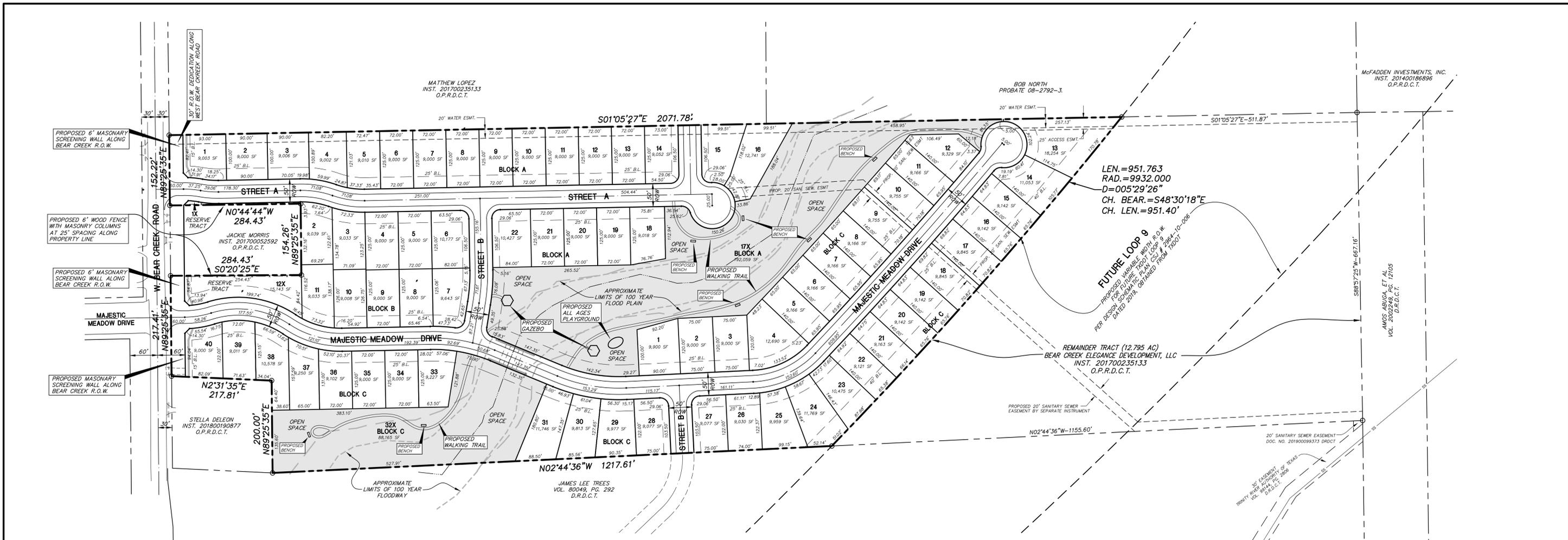
9. Residential Landscaping

- a) Each residential dwelling shall have a sodded front, side, and rear yard with a minimum of one (3-inch caliper) tree in the front yard, one (3-inch caliper) tree in the rear yard and twelve (12) shrubs in front yard.
- b) All landscaped areas must be kept in a healthy and growing condition. Any plant materials that die during a time of year where it is not feasible to replace shall be replaced as soon as possible by the homeowner. Each residential dwelling unit shall have an automated, subsurface irrigation system.

10. Conservation/Sustainability

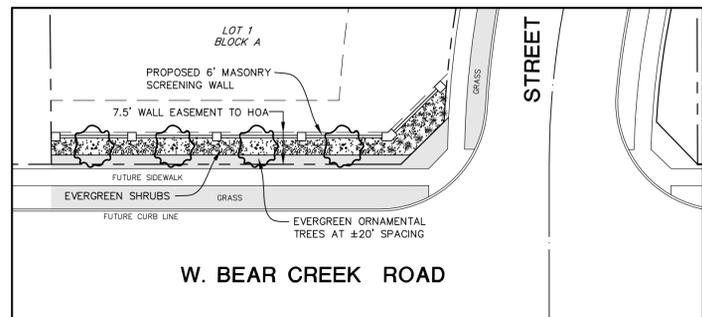
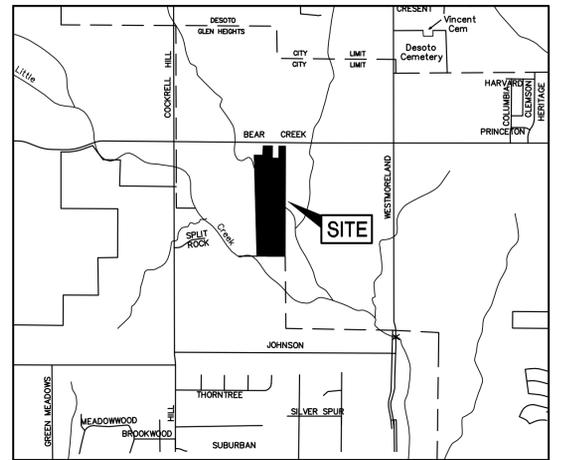
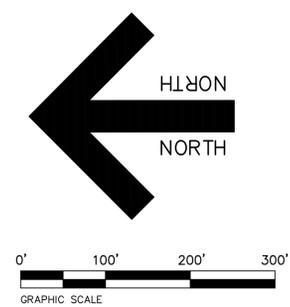
- a) Each residential dwelling unit must comply with the Energy component of the Building Code. All street and roadway lighting, in addition to meeting the requirements of Article 15.03 of the City Code, shall be of a design and size compatible with, and reviewed as an integral part of the overall development design. The development shall include street lights at all intersections and between intersections spaced at a maximum spacing of 200 feet at the illumination of .50 to 1-foot candle. In addition to meeting CPTED standards, lighting in the proposed Bear Creek Elegance Planned Development will also be reviewed for compatibility with City-wide goals and objectives. Street light fixtures used in Bear Creek Elegance shall be ornamental or decorative in styles as approved by the Director of Public Works at the time of the review. Ornamental street lamps may be combined with similarly designed street signs, mailbox supports and standards, park and open space fencing, and other fixtures throughout the community.



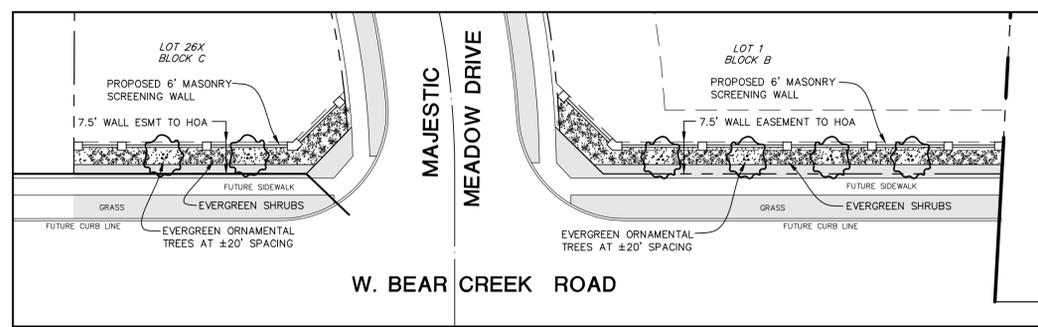


SITE DATA

GROSS SITE AREA	1,175,609 SF (26.988 ACRES)
W. BEAR CREEK RD. R.O.W. DEDICATION	12,294 SF (0.282 ACRES)
NET SITE AREA	1,163,315 SF (26.706 ACRES)
TOTAL NUMBER OF LOTS	70 LOTS
DENSITY (LOTS PER NET ACRE)	2.62 LOTS/ACRES
TOTAL OPEN SPACE	280,224 SF (6.43 ACRES) = 24.1%
USABLE OPEN SPACE	131,299 SF (3.01 ACRES) = 11.3%



LANDSCAPE DETAIL BEAR CREEK ROAD AT STREET B STREET
SCALE: 1" = 20'



LANDSCAPE DETAIL BEAR CREEK ROAD AT MAJESTIC MEADOW DRIVE
SCALE: 1" = 20'

DEVELOPMENT STANDARDS

SF-3 LOTS

MINIMUM LOT AREA: 9,000 SF
 MINIMUM LOT WIDTH: 65 FT
 MINIMUM LOT DEPTH: 120 FT
 (100 FT FOR LOT 1-4 & 18, BLOCK A AND LOT 1, 12-14 & 40, BLOCK C)
 MINIMUM FRONT YARD: 25 FT
 MINIMUM SIDE YARD: 5 FT (INTERIOR)
 15 FT (ADJACENT TO STREET)
 MINIMUM REAR YARD: 20 FT
 (40 FT ADJACENT TO FUTURE LOOP 9)
 MINIMUM FLOOR AREA PER DWELLING UNIT: 2,000 SF
 MINIMUM AVERAGE LOT AREA: 9,500 SF

WOOD FENCE SCREENING WILL BE CONSTRUCTED AT THE TIME OF LOT DEVELOPMENT ALONG THE EAST, WEST AND SOUTH SIDE OF THE ADDITION, EXCEPT FOR OPEN-SPACE/FLOOD PLAIN.

ALL LOTS WILL COMPLY WITH ALL OTHER REQUIREMENTS OF SF-3 ZONING.

SHADED AREA INDICATES OPEN SPACE AREAS

REVISIONS:	
11/13/19	MIN LOT SIZE
2/03/20	PER CITY REVIEW
3/24/20	PER CITY REVIEW
4/15/20	ADD FUTURE LOOP 9
5/27/20	PER CITY REVIEW
6/03/20	PER CITY REVIEW

DEVELOPER:
 BEAR CREEK ELEGANCE DEVELOPMENT, LLC
 4224 SUMAYYAH DRIVE
 IRVING, TEXAS 75038
 TEL: 508-816-9544
 CONTACT: MOHAMMED TARIQ
 EMAIL: mohammed2022@yahoo.com

CONCEPT PLAN PD FOR SF-3
BEAR CREEK ELEGANCE
 39.984 ACRES
 GLENN HEIGHTS, TEXAS

PREPARED BY:
JDJR ENGINEERS & CONSULTANTS, INC.
 TSBP REGISTRATION NUMBER F-8527

ENGINEERS • SURVEYORS • LAND PLANNERS
 2500 Texas Drive Suite 100 Irving, Texas 75062
 Tel 972-252-5357 Fax 972-252-8958

DATE: NOV. 13, 2019	DRAWN BY: SAS	SHEET NO.
SCALE: 1" = 100'	CHECKED BY: JDJR	1 OF 1

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CITY OF GLENN HEIGHTS PLANNING AND ZONING COMMISSION REPORT

Date: June 8, 2020

SUBJECT

Discuss and take action to reconsider 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.

Any recommendation from the Planning and Zoning Commission to the City Council requires the affirmative vote of four members. On May 11, 2020 the Planning and Zoning Commission could not make a recommendation on this item due to a 3-1 vote to recommend approval. Staff is proposing to revisit this amendment and discuss the concerns and comments expressed in the May 11, 2020 Planning and Zoning Commission meeting to receive a recommendation.

FISCAL IMPACT

N/A

PUBLIC CONTACT

Notice was published in a local newspaper on May 24, 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

Miamauni 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.