



**NOTICE AND AGENDA
CITY COUNCIL
TUESDAY, MAY 17, 2022, 7:00 PM
REGULAR CITY COUNCIL MEETING**

Notice is hereby given that the City Council of the City of Glenn Heights, Texas will hold a Regular Called City Council Meeting on Tuesday, May 17, 2022, beginning at 7:00 P.M. in the City Hall, City Council Chambers, located at 1938 South Hampton Road, Glenn Heights, Texas, 75154, as prescribed by Vernon's Texas Civil Statutes, 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 this meeting Notice and Agenda.

This Notice and Meeting Agenda, and the Agenda Packet, are posted online at <https://www.glennheightstx.gov/129/Agendas-Minutes>.

This City Council Meeting will be live streamed at <https://www.glennheightstx.gov/229/City-Council-Meeting-Videos>.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

PROCLAMATIONS

- Memorial Day, May 30, 2022
- High School Senior Recognition Month, May 2022
- National Mental Health Awareness Month, May 2022
- National Stroke Awareness Month, May 2022

CONSENT AGENDA

1. Discuss and take action to approve the City Council Meeting Minutes of the May 3, 2022, Regular Called City Council Meeting. (Brandi Brown, City Secretary)

AGENDA

1. Discuss and take action on ordinance O-06-22, an Ordinance of the City Council of the City Of Glenn Heights, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Glenn Heights, Texas, as heretofore

amended, by granting a change in zoning from Single-Family Residential-1 (SF-1) to Single-Family Residential-3 (SF-3) for an approximately 96.8 acre tract commonly known as 901 W. Bear Creek Road, Glenn Heights, Texas and being more particularly described and depicted in the attached Exhibit "A"; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of two thousand (\$2,000.00) dollars for each offense; and providing an effective date. (Second Reading) (Laura Voltmann, City Planner)

2. Discuss and first reading of Ordinance O-04-22 (Correction), an Ordinance of the City Council of the City Of Glenn Heights, Texas, amending Ordinance O-4-22 of the City of Glenn Heights, Texas, by correcting a Scrivener's Error regarding the name of the property owner to which the specific use permit is exclusively granted; providing a repealing clause; providing a severability clause; providing a savings clause; and providing an effective date. (Laura Voltmann, City Planner)
3. Discuss and first reading of Ordinance O-07-22, an Ordinance the City Council of the City of Glenn Heights, Texas, amending the Code Of Ordinances Chapter 3 "Building Regulations", Article 3.13 "Property Maintenance and Substandard Building Code", by amending Section 3.13.003 "Building and Standards Commission Created"; providing a repealing clause; providing a savings clause; and providing for an effective date. (Victoria Thomas, City Attorney)
4. Discuss and take action approving the absences of Council Member Machanta Newson from City Council Meetings from June 7, 2022, through August 16, 2022, or permitting her to attend those meetings via videoconference per the Texas Open Meetings Act. (Council Member Machanta Newson)
5. Briefing regarding Council decorum. (Victoria Thomas, City Attorney)

EXECUTIVE SESSION

1. The City Council shall convene into Executive Session:
 - A. pursuant to Government Code, Section 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.
2. The City Council shall reconvene into Open Session and take any action arising from Executive Session:
 - A. pursuant to Government Code, Section 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.

AGENDA

6. Discuss and take action on the Fourth Amendment to the City Manager's

Employment Agreement. (Victoria Thomas, City Attorney)

ADJOURNMENT

In accordance with the Americans with Disabilities Act, If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodations, please contact the City Secretary at least 48 hours in advance of the event at 972-223-1690 ext. 125 or email brandi.brown@glennheightstx.gov. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

I, Brandi Brown, City Secretary, do hereby certify that the above Meeting Notice and Agenda was posted in a place convenient to the Public at Glenn Heights City Hall, 1938 South Hampton Road, Glenn Heights, Texas by 5:00 P.M. on Thursday, May 12, 2022.

Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to consult in closed session with its attorney at any time during the course of this meeting and to receive legal advice regarding any item listed on this agenda.

Brandi Brown, City Secretary

PROCLAMATION



Office of the Mayor • City of Glenn Heights

Memorial Day
May 30, 2022

WHEREAS, on Memorial Day, we pause in solemn gratitude to pay tribute to the brave patriots who laid down their lives defending peace and freedom while in military service to our great Nation. We set aside this day to honor their sacrifice and to remind all Americans of the tremendous price of our precious liberty; and

WHEREAS, throughout the history of our Republic, courageous Americans have purchased our cherished freedom with their lives. The 151 National Cemeteries serve as the final resting place for millions of people, including veterans from every war and conflict, many of whom died while serving our country. We remain duty bound to honor those who made the ultimate sacrifice on our behalf and to remember them with thankfulness and unwavering pride. The fallen, our treasured loved ones, friends, neighbors, and fellow citizens, deserve nothing less from a grateful Nation; and

WHEREAS, today, and every day, we revere those who have died in noble service to our country. I call upon all residents to remember the selfless service members who have been laid to rest in flag-draped coffins and their families who have suffered the greatest loss. The sacrifices of these men and women demand our Nation's highest honor and deepest gratitude. On this day, let us also unite in prayer for peace in our troubled world so that future generations will enjoy the blessings of liberty and independence.

NOW, THEREFORE, I, Harry A. Garrett, Mayor of the City of Glenn Heights, Texas, do hereby proclaim **Memorial Day**, May 30, 2022, as a day of City-wide prayer for permanent peace. In commemoration of this date, I also urge all citizens to join together in their homes, places of work, and places of worship, to pray for our City, pray for our State, and to pray for our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May in the year of our Lord two thousand twenty-two.

Harry A. Garrett, Mayor
Glenn Heights, Dallas County, Texas

PROCLAMATION



Office of the Mayor • City of Glenn Heights

**High School Senior Recognition Month
May 2022**

Proclamation Honoring the City of Glenn Heights' 2022 Graduates of the DeSoto and Red Oak Independent School Districts

WHEREAS, family, friends, neighbors, and the community congratulate and honor the hard work, resilience, and determination these graduating seniors; and

WHEREAS, our students represent a bright future and shall continue along a path of service and leadership in our community and nation, and will contribute in many ways to the greater good of society; and

WHEREAS, I encourage all citizens to support opportunities for graduating seniors in higher education, the trades, service to our military, housing, employment, and recreational activities; and

WHEREAS, throughout the City of Glenn Heights, I encourage all citizens to take time to get to know graduating high school seniors, recognize their aspirations and contributions, and honor them and their journey of education.

NOW, THEREFORE, I, Harry A. Garrett, Mayor of the City of Glenn Heights, Texas, do hereby recognize the high achievement of graduating members of the Class of 2022, and on behalf of the residents of the City of Glenn Heights, offer our heartfelt congratulations.

BE IT FURTHER RESOLVED, I, Harry A. Garrett, Mayor of the City of Glenn Heights, Texas hereby proclaims the Month of May 2022 as **High School Senior Recognition Month**. Go Eagles and Go Hawks!

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May in the year of our Lord two thousand twenty-two.

Harry A. Garrett, Mayor
Glenn Heights, Dallas County, Texas

PROCLAMATION



Office of the Mayor ▪ City of Glenn Heights

Mental Health Awareness Month May 2022

- WHEREAS,** each May we raise awareness about the importance of mental health and its impact on the well-being of all Americans, including children, adults, families, and communities across our Nation. We also give thanks to the dedicated mental health providers whose service and support improve the lives of so many residents. We stand in solidarity with those who are experiencing mental health conditions, renewing our commitment to providing them with the support they need and deserve; and
- WHEREAS,** even before the pandemic, many people were experiencing stress, trauma, anxiety, and heightened levels of depression. The COVID–19 pandemic exacerbated those conditions, creating an unprecedented mental health crisis across our country - the rate of depression across the country has more than tripled compared to rates in 2019; and
- WHEREAS,** mental health challenges among our youth have also been particularly acute due to disruptions in routines, increased social isolation, and learning loss. Research has shown that social media plays a central role in increasing mental health challenges among young people – especially young women. Emergency department visits for attempted suicide among girls in 2021 increased by more than 50 percent compared to 2020. American Indians, Alaska Natives, Black youth, and LGBTQI+ youth also face a disproportionate risk of suicide. Despite these disturbing trends, less than half of Americans struggling with mental illness receive the treatment they need. Tragically, too many Americans feel ashamed to reach out for help, or are stigmatized for seeking care. To expand suicide prevention and strengthen crisis care infrastructure within our communities, those who need immediate assistance can call the National Suicide Prevention Lifeline at 1–800–273– TALK, which will transition to a simple three-digit number, 988, in July; and
- WHEREAS,** each of us has an important role to play in supporting our fellow Americans who are living with mental health conditions. Learn the warning signs of emotional distress and suicide. Engage affected loved ones in supportive dialogue. Fight the prejudice and negative attitudes that discourages those in need from seeking mental health support. Above all, let us collectively ensure that all children and adults experiencing mental health challenges are treated with the compassion, respect, and understanding they deserve.

NOW, THEREFORE, I, Harry A. Garrett, Mayor of the City of Glenn Heights, Texas, do hereby proclaim May 2022 as **National Mental Health Awareness Month**. I call upon citizens, private businesses, non-profit organizations, and other groups to join in activities and take action to strengthen the mental health of our communities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May in the year of our Lord two thousand twenty-two.

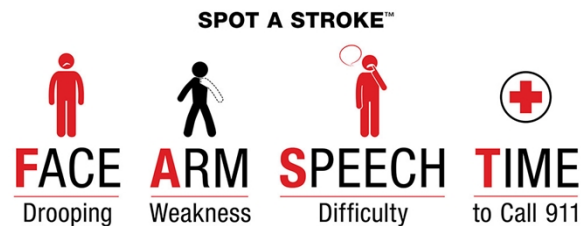
Harry A. Garrett, Mayor
Glenn Heights, Dallas County, Texas

PROCLAMATION



Office of the Mayor • City of Glenn Heights

National Stroke Awareness Month
May 2022



StrokeAssociation.org



WHEREAS, stroke is the fifth leading cause of death in the United States and is a major cause of serious disability for adults. About 795,000 people in the United States have a stroke each year, killing about 160,000 people nationwide, making this condition the number 2 cause of death worldwide; and

WHEREAS, new and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, much more research is needed. And although Americans are more aware of the risk factors and warning signs for stroke than in the past, one-third of adults cannot identify any symptoms; and

WHEREAS, the good news is that 80 percent of strokes are preventable by eating right and exercising regularly, by getting regular physicals and working with your primary care physician to control your cholesterol and blood pressure, and by familiarizing ourselves with the F.A.S.T. acronym – **f**ace drooping, **a**rm weakness, **s**peech difficulty, and **t**ime to call 9-1-1.

NOW, THEREFORE, I, Harry A. Garrett, Mayor of the City of Glenn Heights, Texas, do hereby proclaim May 2022 as **National Stroke Awareness Month** in the City of Glenn Heights, and urge all residents to familiarize themselves with the warning signs, symptoms and risk factors associated with stroke so that we might begin to reduce the devastating effects stroke imposes on our community. I also encourage all residents to be an advocate for early stroke intervention by increasing their awareness about the signs and symptoms of stroke and its devastating effects.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May in the year of our Lord two thousand twenty-two.

Harry A. Garrett, Mayor
Glenn Heights, Dallas County, Texas



AGENDA SUMMARY SHEET

May 17, 2022

CONSENT AGENDA, ITEM 1

Discuss and take action to approve the City Council Meeting Minutes of the May 3, 2022, Regular Called City Council Meeting. (Brandi Brown, City Secretary)

Motion	
Second	
For	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Against	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Abstain	
Approve/ Deny/ Table	

**MINUTES OF THE CITY COUNCIL OF
THE CITY OF GLENN HEIGHTS, TEXAS**

MAY 3, 2022

STATE OF TEXAS *

COUNTIES OF DALLAS AND ELLIS *

CITY OF GLENN HEIGHTS *

On the 3rd day of May 2022, the City Council of the City of Glenn Heights, Texas, met in a Regular Called City Council Meeting in the City Hall, City Council Chambers, located at 1938 South Hampton Road, Glenn Heights, Texas, 75154, with the following members present:

CITY COUNCIL:

Harry A. Garrett	*	Mayor
Sonja A. Brown	*	Mayor Pro Tem, Place 1
Emma Ipaye	*	Council Member, Place 2
Travis Bruton	*	Council Member, Place 3
Alisha M. Brown*	*	Council Member, Place 4
Shaunte L. Allen	*	Council Member, Place 5
Machanta Newson	*	Council Member, Place 6

*Council Member Alisha M. Brown arrived at 7:11 P.M.

STAFF:

David Hall	*	City Manager
Clifford Blackwell	*	Deputy City Manager
Nick Bristow	*	Deputy Chief of Police
Brandi Brown	*	City Secretary
Byron Hardy	*	IT Administrator
Jaynice Porter-Brathwaite	*	Human Resources Director
Laura Voltmann	*	City Planner

CONSULTANT:

Victoria Thomas	*	City Attorney's Office
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CALL TO ORDER

Mayor Harry A. Garrett called the City Council Meeting to order at 7:05 P.M., with a quorum of the City Council present.

INVOCATION

Council Member Travis Bruton delivered the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Harry A. Garrett led the assembly in the Pledge of Allegiance.

PUBLIC COMMENT

There were no Public Comments.

EVENT

Mayor Harry A. Garrett announced the following Event:

- Cinco de Mayo Celebration, May 5, 2022, 6:30 P.M., Glenn Heights Senior Center, 1932 S Hampton Road, Glenn Heights, TX 75154

PROCLAMATIONS

Mayor Harry A. Garrett read the following Proclamations:

- Cinco de Mayo, May 5, 2022
- National Day of Prayer, May 5, 2022
- Mother's Day, May 8, 2022
- National Emergency Medical Services Week, May 15-21, 2022

CONSENT AGENDA

1. Discuss and take action to approve the City Council Meeting Minutes of the April 19, 2022, Regular Called City Council Meeting. (Brandi Brown, City Secretary)
2. Discuss and take action to approve Ordinance O-05-22, an Ordinance of the City Council of the City Of Glenn Heights, Texas, amending the Code Of Ordinances Chapter 1 "General Provisions", by adding a New Article 1.24, "Indemnification and Defense of City Officials, Officers, and Employees"; providing a repealing clause; providing a savings clause; and providing for an effective date. (Second Reading) (Victoria Thomas, City Attorney)
3. Discuss and take action to approve a Final Plat request by Engineering Concepts & Design on behalf of Bloomfield Homes LP for Maplewood 2B. The 23.82-acres are situated in the William Rawlins Survey, Abstract No. 1205, Glenn Heights, Dallas County, Texas. This phase is proposed for a total of 99 residential lots and 1 HOA owned and maintained lot. The property is currently undeveloped, but proposed for single-family residential. (Laura Voltmann, City Planner)
4. Discuss and take action to approve a Final Plat request by Engineering Concepts & Design on behalf of Bloomfield Homes LP for Hampton Park Phase 1. The 36.844-acres are situated in the John C. Patton, William G. Berry, and William G. Denton Surveys, Abstracts No. 841, 74, and 295, Glenn Heights, Ellis County, Texas. This phase is proposed for a total of 117 residential lots and 4 HOA owned and maintained lot. The property is currently undeveloped but proposed for single-family residential. (Laura Voltmann, City Planner)
5. Discuss and take action to approve a Final Plat request by JPH Land Survey on behalf of Ledbetter Real Estate, Ltd. & Mariposa Crossing, LLC for Mariposa Crossing. The 5.868-acre is situated in the JP Wolsey Survey, Abstract No.

1135, Glenn Heights, Ellis County, Texas. The subject property is zoned Retail with a Specific Use Permit. The applicant proposed to subdivide this tract into three lots. (Laura Voltmann, City Planner)

Council Member Emma Ipaye requested to discuss Item 2.

Victoria Thomas, City Attorney, confirmed the Ordinance covers current and former employees and elected officials, no matter how long an employee or elected official has been separated from the City.

Mayor Pro Tem Sonja A. Brown requested to discuss Items 3 and 4.

Laura Voltmann, City Planner, confirmed that the development lot sizes and home specifications will adhere to the Planning and Development Districts previously adopted by City Council.

Council Member Shaunte L. Allen requested to discuss Item 5.

Laura Voltmann, City Planner, confirmed the location of this item.

Mayor Pro Tem Sonja A. Brown made a motion to approve Consent Agenda Items 1-5. Council Member Emma Ipaye made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

AGENDA

Council Member Machanta Newson made a motion to move Agenda Item 5 to Agenda Item 1. Council Member Travis Bruton made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

5. Update on the City Center Project.

David Hall, City Manager, introduced this item and provided a brief overview of the project.

Brian Grossman, Partner with Grossman Design Build, completed a presentation regarding completed site work and the remaining items for completion for the Public Safety Facility, City Hall, and the Community Center, and discussed challenges faced and the completion timeframe for the project.

1. Presentation regarding Council Vote Procedure.

Victoria Thomas, City Attorney, introduced this item and discussed Council's duty to vote on Agenda items per the City Charter and when it is appropriate to recuse themselves from an item discussion and vote.

Ms. Thomas answered Council's questions related to the importance of a Roll Call Vote and when the Mayor or City Council can request a Roll Call Vote.

2. Public hearing to receive testimony concerning a change of zoning request by Kimley-Horn for the property located at 901 W. Bear Creek Road, Glenn Heights, Dallas County, Texas. The 96.8-acre parcel is situated in the Elias R. Park Survey, abstract 1131 and the applicant proposes to change the zoning from Single Family-1 (SF-1) to Single Family-3 (SF-3) for the development of a single-family neighborhood.

Council Member Travis Bruton made a motion to open the Public Hearing. Council Member Machanta Newson made the second. The motion carried with the following roll call vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

Council Member Travis Bruton made a motion to close the Public Hearing. Council Member Machanta Newson made the second. The motion carried with the following roll call vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

3. Discuss and take action on a change of zoning request by Kimley-Horn for the property located at 901 W. Bear Creek Road, Glenn Heights, Dallas County, Texas. The 96.8-acre parcel is situated in the Elias R. Park Survey, abstract 1131 the applicant proposes to change the zoning from Single Family-1 (SF-1) to Single Family-3 (SF-3) for the development of a single-family neighborhood.

Thomas Fletcher, with D.R. Horton, completed a presentation regarding the zoning request, including existing site conditions, the Stewart Farms concept plan, zoning regulations, and Magnolia Meadows.

Mr. Fletcher answered Council's questions related to home setbacks, street width, lot size, number of lots/units in the division, exit and entry points to the division, and environmental impacts. He also confirmed that a traffic study and impact analysis would be completed. David Hall, City Manager, confirmed the project location. Laura Voltmann, City Planner, discussed resident feedback and anticipated next actions.

Due to the Agenda item language, no action was taken on this item.

4. Discuss and take action on a request concerning a Site Plan for Auto Zone by Arly Samuelson and Westwood Professional Services. The 2.656- acre property is zoned R and is situated in the Hollywood Addition Lot 29B, Block E. The property is located at the northwest corner of Ovilla Road and Santa Rosa, Glenn Heights, Ellis County, Texas. The proposed use is auto parts store.

Laura Voltmann, City Planner, introduced this item and completed a presentation regarding the site plan request from Westwood Professional Services, the site location, proposed site plan, proposed landscape plan, and proposed elevations.

Ms. Voltmann answered Council's questions related to resident feedback.

Victoria Thomas, City Attorney, answered Council's questions related to first and second Ordinance readings and why this action does not require an Ordinance. She also discussed why the previous Agenda item required an Ordinance and second reading.

EXECUTIVE SESSION

1. The City Council shall convene into Executive Session:

- A. pursuant to Government Code, Section 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.

Mayor Pro Tem Sonja A. Brown made a motion to convene into Executive Session. Council Member Shaunte L. Allen made the second. The motion carried with the following roll call vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

Mayor Harry A. Garrett announced that City Council convened into Executive Session at 8:08 P.M.

2. The City Council shall reconvene into Open Session and take any action arising from Executive Session:

- A. pursuant to Government Code, Section 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.

Mayor Pro Tem Sonja A. Brown made a motion to reconvene into Open Session. Council Member Emma Ipaye made the second. The motion carried with the following roll call vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

Mayor Harry A. Garrett announced that City Council reconvened into Open Session at 8:54 P.M. and that no action would be taken regarding the Executive Session item.

ADJOURNMENT

Council Member Emma Ipaye made a motion to adjourn. Mayor Pro Tem Sonja A. Brown made the second. The motion carried with the following roll call vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

Mayor Harry A. Garrett adjourned the meeting at 8:54 P.M.

Harry A. Garrett, Mayor

Attest:

Brandi Brown, City Secretary
Passed and approved on the 17th day of May 2022



AGENDA SUMMARY SHEET

May 17, 2022

AGENDA, ITEM 1

Discuss and take action on ordinance O-06-22, an Ordinance of the City Council of the City Of Glenn Heights, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Glenn Heights, Texas, as heretofore amended, by granting a change in zoning from Single-Family Residential-1 (SF-1) to Single-Family Residential-3 (SF-3) for an approximately 96.8 acre tract commonly known as 901 W. Bear Creek Road, Glenn Heights, Texas and being more particularly described and depicted in the attached Exhibit "A"; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of two thousand (\$2,000.00) dollars for each offense; and providing an effective date. (Second Reading) (Laura Voltmann, City Planner)

Motion	
Second	
For	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Against	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Abstain	
Approve/ Deny/ Table	



CITY OF GLENN HEIGHTS CITY COUNCIL REPORT

Date: May 17, 2022

SUBJECT

Zoning Case 21-002-RZ: Discuss and take action on a change of zoning request by Kimley-Horn for the property located at 901 W. Bear Creek Road, Glenn Heights, Dallas County, Texas. The 96.8-acre parcel is situated in the Elias R. Park Survey, abstract 1131 and the applicant proposes to change the zoning from Single Family-1 (SF-1) to Single Family-3 (SF-3) for the development of a single-family neighborhood.

DISCUSSION / BACKGROUND

The subject area is located near the southwest corner of S. Westmoreland Road and W. Bear Creek Road and is currently zoned Single Family-1 (SF-1). The property is surrounded by low density residential or vacant land and contains one of Little Creeks tributaries and is bordered by another.

If the zoning change is reviewed favorably by the Planning and Zoning Commission and adopted by the City Council, the following base SF-3 standards would apply:

SF-3 Base Standards	
Lot Area	9,000 sq. ft minimum., with an average lot size of 11,000 sq. ft.
Lot Width	70'
Lot Depth	120'
Minimum Dwelling Unit Size	1,750 sq. ft.
Front Yard	30'
Side Yard	8'
Side Yard of Corner Lots	15'
Rear Yard	20'
Maximum Lot Coverage of	40%
Building Structure(s)	
Main Structure Height	35'

Accessory Structure Hight	15'
Individual Lot Landscaping Requirements	two 3" caliper trees w/ 40' crowns; two 3" caliper trees w/ 20' crowns; 20% of total lot area;
Max Residential Density	3.5 dwelling units per acre
Minimum Roof Pitch	6:12
Maximum Fence Height	6'

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 – Neighborhood A.

Traditional Neighborhood Development

TND is proposed within Neighborhood A and 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 zoning change and preliminary site plan are in not accordance with that of traditional neighborhood development. However, development of this site in accordance with the future land use map would impact compatibility with existing low density residential uses. Traffic capacity improvements along W. Bear Creek and S. Westmoreland might be needed to accommodate the increased density common in traditional neighborhood development.

The potential lot development pattern submitted suggests a sensitivity to the existing watershed patterns that would also provide riparian zones identified as desirable in the Comprehensive Plan. The applicant proposes other types of open space throughout the community in addition to preserving the floodplain along the creek. The site plan includes two divided entrances into the neighborhood with medians that could provide an opportunity for entry features.

The proposed rezoning and potential lot development pattern are consistent with the following implementation goals in the Comprehensive Plan Update adopted in 2010.

9.6 Determine appropriate locations for future residential and nonresidential development considering existing neighborhoods and natural features.

11.7 Incorporate parks, trails and other public areas into residential neighborhoods to maximize value and long term stability.

14.2 Ensure that future infill development is compatible with the City's natural features and is integrated with existing residential neighborhoods.

14.5 Preserve natural resources and important natural features where possible.

PRIOR COUNCIL OR BOARD ACTION

Not applicable.

PUBLIC CONTACT

Notices were mailed to adjacent property owners within two hundred feet (200') of the subject property by March 25, 2021. Notice was also published in a local newspaper by March 27, 2021 as required by state law and the City of Glenn Heights Comprehensive Zoning Ordinance. Additionally, two informational signs have been posted along the street frontages to inform the public of the pending zoning change.

FINANCIAL IMPACT

Not applicable.

RECOMMENDATION / ALTERNATIVES

Considering the compatibility with surrounding land uses, protection of floodplain, and consistency with implementation goals in the comprehensive plan, Staff recommends *approval* of the proposed zoning change.

ATTACHMENTS

1. Ordinance O-06-22
2. Stewart Farms Preliminary Survey
3. Stewart Farms Concept Plan

PREPARED BY

Laura Voltmann, Planner

REVIEWED BY

Brandi Brown, City Secretary

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ORDINANCE NO. O-06-22

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF GLENN HEIGHTS, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM SINGLE-FAMILY RESIDENTIAL-1 (SF-1) TO SINGLE-FAMILY RESIDENTIAL-3 (SF-3) FOR AN APPROXIMATELY 96.8 ACRE TRACT COMMONLY KNOWN AS 901 W. BEAR CREEK ROAD, GLENN HEIGHTS, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AND DEPICTED IN THE ATTACHED EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission of the City of Glenn Heights and the governing body of the City of Glenn Heights in compliance with the laws of the State of Texas, and the ordinances of the City of Glenn Heights, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and Zoning Maps should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Glenn Heights, Texas, as heretofore amended, be further amended by granting a change in zoning from Single-Family Residential-1 (SF-1) to Single-Family Residential-3 (SF-3) for an approximately 96.8 acre tract commonly known as 901 W. Bear Creek Road, Glenn Heights, Texas, and being more particularly described and depicted in the attached Exhibit "A", which is incorporated herein by this reference for all purposes.

SECTION 2. That all provisions of the ordinances of the City of Glenn Heights in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Glenn Heights not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Glenn Heights, as heretofore amended, and as amended herein.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or

provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. An offense committed before the effected date of this ordinance is governed by the prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Glenn Heights, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS, THE 17th DAY OF MAY 2022.

APPROVED:

Harry A. Garrett, Mayor

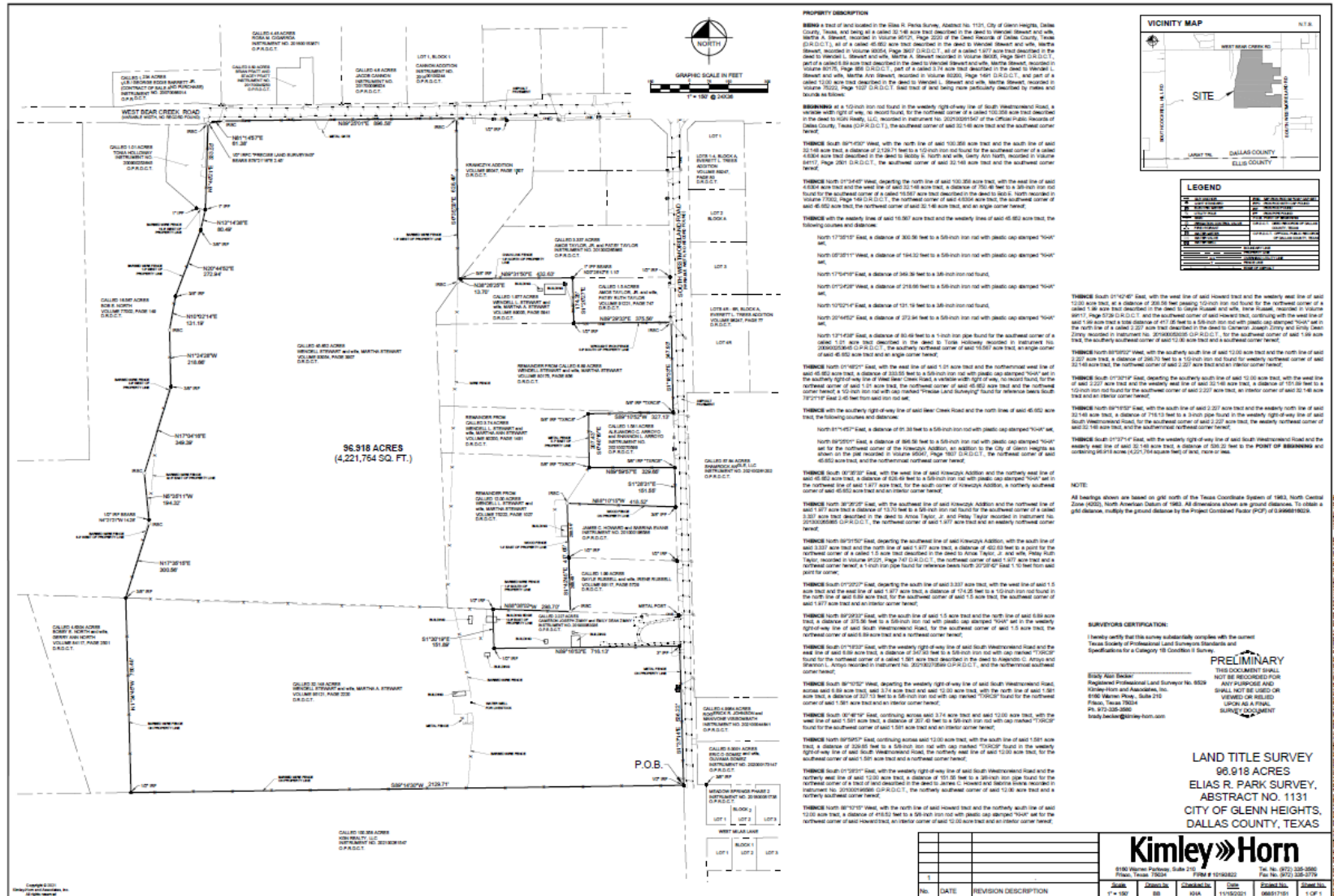
ATTEST:

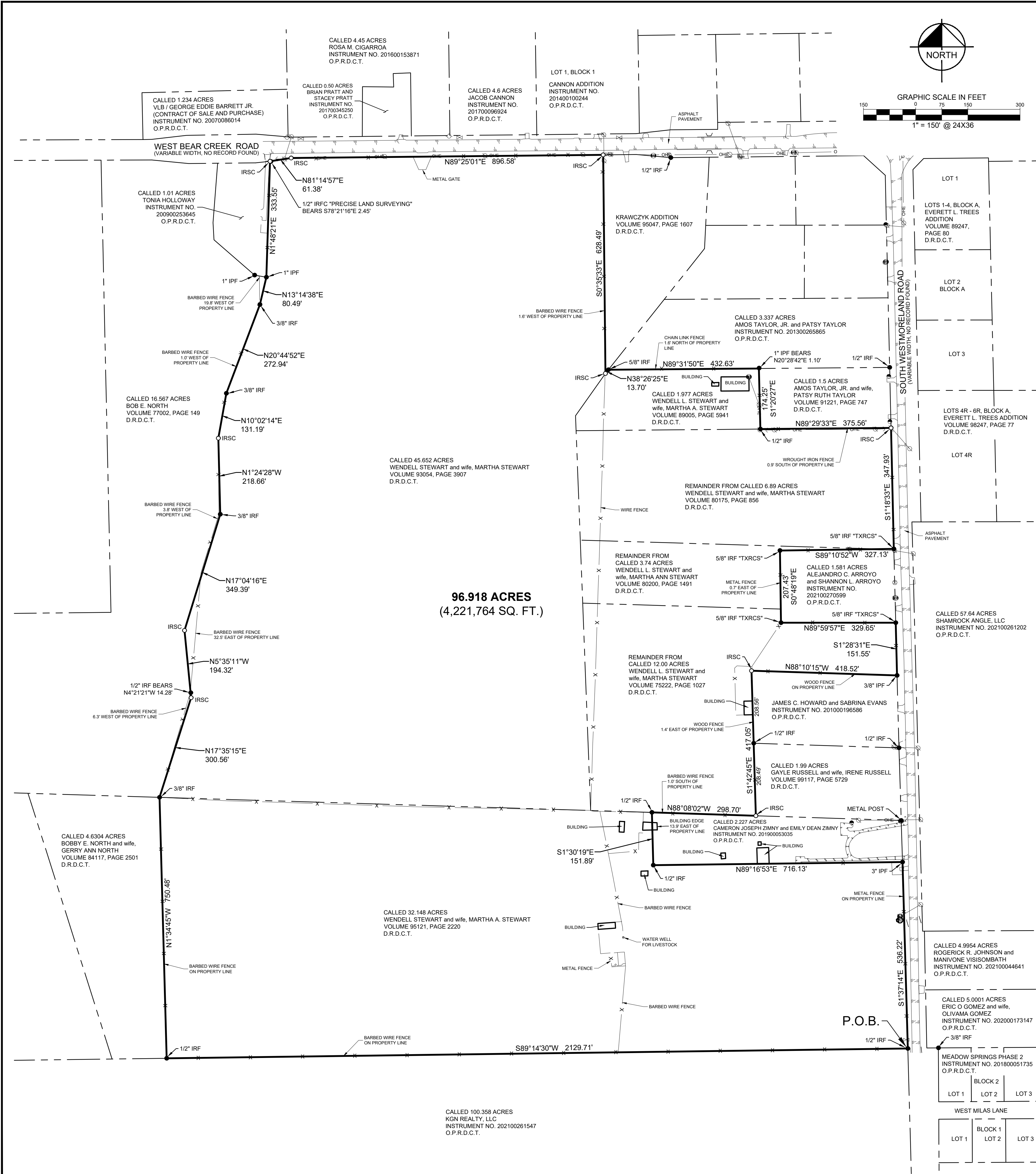
Brandi Brown, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(050422vwtTM129406)

EXHIBIT A





PROPERTY DESCRIPTION

BEING a tract of land located in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas, and being all a called 32.148 acre tract described in the deed to Wendell Stewart and wife, Martha A. Stewart, recorded in Volume 95121, Page 2220 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), all of a called 45.652 acre tract described in the deed to Wendell Stewart and wife, Martha Stewart, recorded in Volume 93054, Page 3907 D.R.D.C.T., all of a called 1.977 acre tract described in the deed to Wendell L. Stewart and wife, Martha A. Stewart recorded in Volume 89005, Page 5941 D.R.D.C.T., part of a called 6.89 acre tract described in the deed to Wendell Stewart and wife, Martha Stewart, recorded in Volume 80175, Page 856 D.R.D.C.T., part of a called 3.74 acre tract described in the deed to Wendell L. Stewart and wife, Martha Ann Stewart, recorded in Volume 80200, Page 1491 D.R.D.C.T., and part of a called 12.00 acre tract described in the deed to Wendell L. Stewart and wife, Martha Stewart, recorded in Volume 75222, Page 1027 D.R.D.C.T. Said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found in the westerly right-of-way line of South Westmoreland Road, a variable width right of way, no record found, for the northeast corner of a called 100.358 acre tract described in the deed to KGN Realty, LLC, recorded in Instrument No. 202100261547 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), the southeast corner of said 32.148 acre tract and the southeast corner hereof;

THENCE South 89°14'30" West, with the north line of said 100.358 acre tract and the south line of said 32.148 acre tract, a distance of 2,129.71 feet to a 1/2-inch iron rod found for the southeast corner of a called 4.6304 acre tract described in the deed to Bobby E. North and wife, Gerry Ann North, recorded in Volume 84117, Page 2501 D.R.D.C.T., the southwest corner of said 32.148 acre tract and the southwest corner hereof;

THENCE North 01°34'45" West, departing the north line of said 100.358 acre tract, with the east line of said 4.6304 acre tract and the west line of said 32.148 acre tract, a distance of 750.48 feet to a 3/8-inch iron rod found for the southeast corner of a called 16.567 acre tract described in the deed to Bob E. North recorded in Volume 77002, Page 149 D.R.D.C.T., the northeast corner of said 4.6304 acre tract, the southwest corner of said 45.652 acre tract, the northwest corner of said 32.148 acre tract, and an angle corner hereof;

THENCE with the easterly lines of said 16.567 acre tract and the westerly lines of said 45.652 acre tract, the following courses and distances:

North 17°35'15" East, a distance of 300.56 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 05°35'11" West, a distance of 194.32 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 17°04'16" East, a distance of 349.39 feet to a 3/8-inch iron rod found,

North 01°24'28" West, a distance of 218.66 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 10°02'14" East, a distance of 131.19 feet to a 3/8-inch iron rod found,

North 20°44'52" East, a distance of 272.94 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 13°14'38" East, a distance of 80.49 feet to a 1-inch iron pipe found for the southeast corner of a called 1.01 acre tract described in the deed to Tonia Holloway recorded in Instrument No. 200900253645 O.P.R.D.C.T., the southerly northeast corner of said 16.567 acre tract, an angle corner of said 45.652 acre tract and an angle corner hereof;

THENCE North 01°48'21" East, with the east line of said 1.01 acre tract and the northernmost west line of said 45.652 acre tract, a distance of 333.55 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the southerly right-of-way line of West Bear Creek Road, a variable width right of way, no record found, for the northeast corner of said 1.01 acre tract, the northwest corner of said 45.652 acre tract and the northwest corner hereof; a 1/2-inch iron rod with cap marked "Precise Land Surveying" found for reference bears South 78°21'16" East 2.45 feet from said iron rod set;

THENCE with the southerly right-of-way line of said Bear Creek Road and the north lines of said 45.652 acre tract, the following courses and distances:

North 81°14'57" East, a distance of 61.38 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 89°25'01" East, a distance of 896.58 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northwest corner of the Krawczyk Addition, an addition to the City of Glenn Heights as shown on the plat recorded in Volume 95047, Page 1607 D.R.D.C.T., the northeast corner of said 45.652 acre tract, and the northernmost northeast corner hereof;

THENCE South 00°35'33" East, with the west line of said Krawczyk Addition and the northerly east line of said 45.652 acre tract, a distance of 628.49 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the northwest line of said 1.977 acre tract, for the south corner of Krawczyk Addition, a northerly southeast corner of said 45.652 acre tract and an interior corner hereof;

THENCE North 38°26'25" East, with the southeast line of said Krawczyk Addition and the northwest line of said 1.977 acre tract a distance of 13.70 feet to a 5/8-inch iron rod found for the southwest corner of a called 3.337 acre tract described in the deed to Amos Taylor, Jr. and Patsy Taylor recorded in Instrument No. 201300265865 O.P.R.D.C.T., the northwest corner of said 1.977 acre tract and an easterly northwest corner hereof;

THENCE North 89°31'50" East, departing the southeast line of said Krawczyk Addition, with the south line of said 3.337 acre tract and the north line of said 1.977 acre tract, a distance of 432.63 feet to a point for the northwest corner of a called 1.5 acre tract described in the deed to Amos Taylor, Jr. and wife, Patsy Ruth Taylor, recorded in Volume 91221, Page 747 D.R.D.C.T., the northeast corner of said 1.977 acre tract and a northeast corner hereof; a 1-inch iron pipe found for reference bears North 20°28'42" East 1.10 feet from said point for corner;

THENCE South 01°20'27" East, departing the south line of said 3.337 acre tract, with the west line of said 1.5 acre tract and the east line of said 1.977 acre tract, a distance of 174.25 feet to a 1/2-inch iron rod found in the north line of said 6.89 acre tract, for the southwest corner of said 1.5 acre tract, the southeast corner of said 1.977 acre tract and an interior corner hereof;

THENCE North 89°29'33" East, with the south line of said 1.5 acre tract and the north line of said 6.89 acre tract, a distance of 375.56 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the westerly right-of-way line of said South Westmoreland Road, for the southeast corner of said 1.5 acre tract, the northeast corner of said 6.89 acre tract and a northeast corner hereof;

THENCE South 01°18'33" East, with the westerly right-of-way line of said South Westmoreland Road and the east line of said 6.89 acre tract, a distance of 347.93 feet to a 5/8-inch iron rod with cap marked "TXRCS" found for the northeast corner of a called 1.581 acre tract described in the deed to Alejandro C. Arroyo and Shannon L. Arroyo recorded in Instrument No. 202100270599 O.P.R.D.C.T., and the northernmost southeast corner hereof;

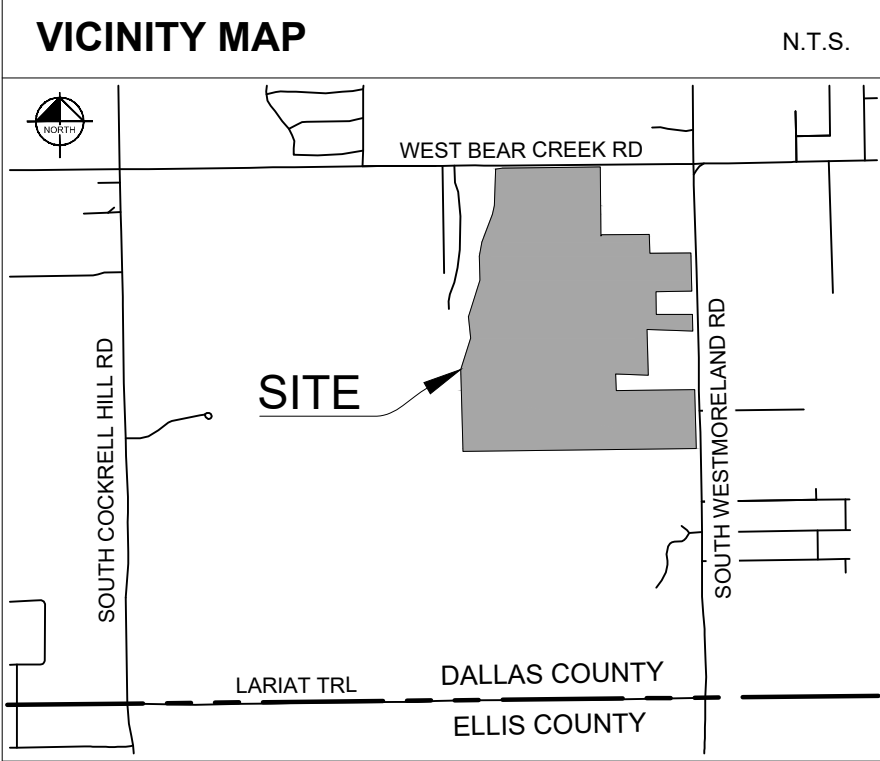
THENCE South 89°10'52" West, departing the westerly right-of-way line of said South Westmoreland Road, across said 6.89 acre tract, said 3.74 acre tract and said 12.00 acre tract, with the north line of said 1.581 acre tract, a distance of 327.13 feet to a 5/8-inch iron rod with cap marked "TXRCS" found for the northwest corner of said 1.581 acre tract and an interior corner hereof;

THENCE South 00°48'19" East, continuing across said 3.74 acre tract and said 12.00 acre tract, with the west line of said 1.581 acre tract, a distance of 207.43 feet to a 5/8-inch iron rod with cap marked "TXRCS" found for the southwest corner of said 1.581 acre tract and an interior corner hereof;

THENCE North 89°59'57" East, continuing across said 12.00 acre tract, with the south line of said 1.581 acre tract, a distance of 329.65 feet to a 5/8-inch iron rod with cap marked "TXRCS" found in the westerly right-of-way line of said South Westmoreland Road, the northerly east line of said 12.00 acre tract, for the southeast corner of said 1.581 acre tract and a northeast corner hereof;

THENCE South 01°28'31" East, with the westerly right-of-way line of said South Westmoreland Road and the northerly east line of said 12.00 acre tract, a distance of 151.55 feet to a 3/8-inch iron pipe found for the northeast corner of a tract of land described in the deed to James C. Howard and Sabrina Evans recorded in Instrument No. 201000196586 O.P.R.D.C.T., the northerly southeast corner of said 12.00 acre tract and a northerly southeast corner hereof;

THENCE North 88°10'15" West, with the north line of said Howard tract and the northerly south line of said 12.00 acre tract, a distance of 418.52 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Howard tract, an interior corner of said 12.00 acre tract and an interior corner hereof;



LEGEND

—	GUY ANCHOR	IRSC	5/8" IRON ROD W/ "KHA" CAP SET
●	LIGHT STANDARD	IRFC	IRON ROD WITH CAP FOUND
⊙	ELECTRIC METER	IRF	IRON ROD FOUND
⊙	UTILITY POLE	IPF	IRON PIPE FOUND
—	SIGN	P.O.B.	POINT OF BEGINNING
⊙	IRRIGATION CONTROL VALVE	D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
⊙	FIRE HYDRANT	O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
⊙	WATER METER		
⊙	WATER VALVE		
⊙	WATER WELL		
—	BOUNDARY LINE		
—	PROPERTY LINE		
—	OVERHEAD UTILITY LINE		
—	FENCE LINE		
—	EDGE OF ASPHALT		

THENCE South 01°42'45" East, with the west line of said Howard tract and the westerly east line of said 12.00 acre tract, at a distance of 208.56 feet passing 1/2-inch iron rod found for the northwest corner of a called 1.99 acre tract described in the deed to Gayle Russell and wife, Irene Russell, recorded in Volume 99117, Page 5729 D.R.D.C.T. and the southwest corner of said Howard tract, continuing with the west line of said 1.99 acre tract a total distance of 417.05 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the north line of a called 2.227 acre tract described in the deed to Cameron Joseph Zimny and Emily Dean Zimny recorded in Instrument No. 201900053035 O.P.R.D.C.T., for the southwest corner of said 1.99 acre tract, the southerly southeast corner of said 12.00 acre tract and a southeast corner hereof;

THENCE North 88°08'02" West, with the southerly south line of said 12.00 acre tract and the north line of said 2.227 acre tract, a distance of 298.70 feet to a 1/2-inch iron rod found for westerly northeast corner of said 32.148 acre tract, the northwest corner of said 2.227 acre tract and an interior corner hereof;

THENCE South 01°30'19" East, departing the southerly south line of said 12.00 acre tract, with the west line of said 2.227 acre tract and the westerly east line of said 32.148 acre tract, a distance of 151.89 feet to a 1/2-inch iron rod found for the southwest corner of said 2.227 acre tract, an interior corner of said 32.148 acre tract and an interior corner hereof;

THENCE North 89°16'53" East, with the south line of said 2.227 acre tract and the easterly north line of said 32.148 acre tract, a distance of 716.13 feet to a 3-inch pipe found in the westerly right-of-way line of said South Westmoreland Road, for the southeast corner of said 2.227 acre tract, the easterly northeast corner of said 32.148 acre tract, and the southernmost northeast corner hereof;

THENCE South 01°37'14" East, with the westerly right-of-way line of said South Westmoreland Road and the easterly east line of said 32.148 acre tract, a distance of 536.22 feet to the **POINT OF BEGINNING** and containing 96.918 acres (4,221,764 square feet) of land, more or less.

NOTE:

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9999816029.

SURVEYORS CERTIFICATION:

I hereby certify that this survey substantially complies with the current Texas Society of Professional Land Surveyors Standards and Specifications for a Category 1B Condition II Survey.

Brady Alan Becker
Registered Professional Land Surveyor No. 6529
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
brady.becker@kimley-horn.com

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

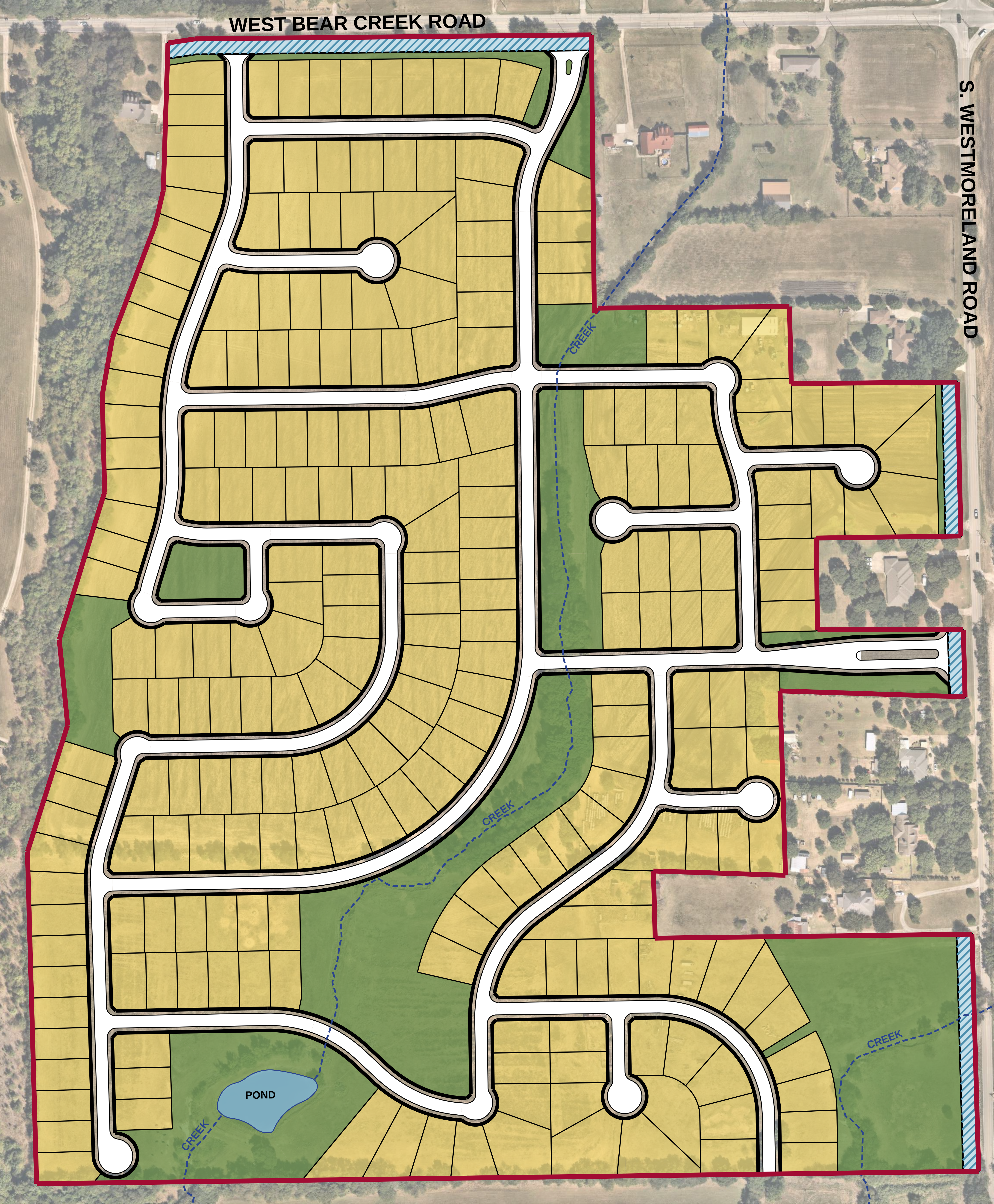
LAND TITLE SURVEY
96.918 ACRES
ELIAS R. PARK SURVEY,
ABSTRACT NO. 1131
CITY OF GLENN HEIGHTS,
DALLAS COUNTY, TEXAS

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 150'	BB	KHA	11/15/2021	068517151	1 OF 1

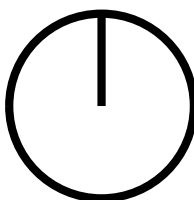
No.	DATE	REVISION DESCRIPTION
1		



Stewart Farms Concept Plan

Glenn Heights, Texas
March 2022

Land plan is conceptual in nature and subject to change at time of preliminary plat. Final layout shall meet the requirements of the SF-3 Zoning District.



GRAPHIC SCALE IN FEET
0 50 100 200
1"=100' @ 24x36

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
972-335-3580
State of Texas Registration No. F-928

NOTES:
1. THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.
2. AERIAL IMAGE BY NEARMAP, COPYRIGHT 2021



AGENDA SUMMARY SHEET

May 17, 2022

AGENDA, ITEM 2

Discuss and first reading of Ordinance O-04-22 (Correction), an Ordinance of the City Council of the City Of Glenn Heights, Texas, amending Ordinance O-04-22 of the City of Glenn Heights, Texas, by correcting a Scrivener's Error regarding the name of the property owner to which the specific use permit is exclusively granted; providing a repealing clause; providing a severability clause; providing a savings clause; and providing an effective date. (Laura Voltmann, City Planner)

Motion	
Second	
For	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Against	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Abstain	
Approve/ Deny/ Table	



CITY OF GLENN HEIGHTS CITY COUNCIL REPORT

Date: May 17, 2022

SUBJECT

Discussion regarding an Ordinance of the City Council of the City of Glenn Heights, Texas, correcting Ordinance O-04-22.

DISCUSSION / BACKGROUND

On April 19, 2022, Council adopted Ordinance O-04-22, amending the Zoning Ordinance and Map of the City of Glenn Heights, Texas, by granting and amending the Specific Use Permit for an approximately 2.069 acre tract of land situated in the JP Woolsey Survey, being generally located at the southwest corner of Ovilla Road and Uhl Road. After reviewing the Ordinance, it was noted that Section 3.1 reads as follows:

"The Specific Use Permit shall be specific to the owner Eleven, Inc. and may not be transferred to another person, entity or location without the approval of the City Council of the City of Glenn Heights, Texas."

The full name of the business, 7-Eleven Inc., was mistakenly omitted. This Ordinance will reflect the original intent of Ordinance O-04-22.

PRIOR COUNCIL OR BOARD ACTION

On April 19, 2022, Council adopted Ordinance O-04-22, amending the Zoning Ordinance and Map of the City of Glenn Heights, Texas.

PUBLIC CONTACT

Not applicable.

FINANCIAL IMPACT

Not applicable.

RECOMMENDATION / ALTERNATIVES

Staff recommends approval of the Ordinance correcting the scrivener's error.

ATTACHMENTS

1. Ordinance O-04-22 (Correction)

PREPARED BY

Brandi Brown, City Secretary

REVIEWED BY

Karen McGee, Court Administrator

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS

ORDINANCE NO. O-04-22 (Correction)

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING ORDINANCE NUMBER O-04-22 OF THE CITY OF GLENN HEIGHTS, TEXAS BY CORRECTING A SCRIVENER'S ERROR REGARDING THE NAME OF THE PROPERTY OWNER TO WHICH THE SPECIFIC USE PERMIT IS EXCLUSIVELY GRANTED; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 19, 2022, the City Council approved Ordinance O-04-22 amending the zoning on a tract of property described therein by granting a special use permit; and

WHEREAS, it has recently been discovered that the property owner, to whom the specific use permit was exclusively granted, was incorrected named as "owner Eleven, Inc." rather than "7-Eleven, Inc."; and

WHEREAS, City staff and the City Attorney agree that the reference to "owner Eleven, Inc." was a scrivener's error and that correcting that error will not adversely affect the property owner's rights; and,

WHEREAS, the City Council concurs in that finding.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS:

SECTION 1. That the Ordinance No. O-04-22 amending the Comprehensive Zoning Ordinance of the City of Glenn Heights, Texas, be and the same is hereby amended by correcting a Scrivener's error in the ordinance at Section 3, subsection 1 by amending all references therein to "owner Eleven, Inc." to read instead "7-Eleven, Inc.". This correction shall take effect as if originally adopted and executed on April 19, 2022. All other provisions of the ordinance remain unchanged.

SECTION 2. That all provisions of the Ordinances of the City of Glenn Heights, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and further that all other provisions of Ordinance O-04-22 as herein corrected and shall remain in full force and effect. as originally adopted.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Glenn Heights, Texas, this the _____ day of _____, 2022.

APPROVED:

HARRY A. GARRETT, MAYOR

ATTEST:

BRANDI BROWN, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(050922vwtTM129461)

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AGENDA SUMMARY SHEET

May 17, 2022

AGENDA, ITEM 3

Discuss and first reading of Ordinance O-07-22, an Ordinance the City Council of the City of Glenn Heights, Texas, amending the Code Of Ordinances Chapter 3 "Building Regulations", Article 3.13 "Property Maintenance and Substandard Building Code", by amending Section 3.13.003 "Building and Standards Commission Created"; providing a repealing clause; providing a savings clause; and providing for an effective date. (Victoria Thomas, City Attorney)

Motion	
Second	
For	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Against	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Abstain	
Approve/ Deny/ Table	

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS

ORDINANCE NO. O-07-22

AN ORDINANCE OF THE CITY OF COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING THE CODE OF ORDINANCES CHAPTER 3 “BUILDING REGULATIONS”, ARTICLE 3.13 “PROPERTY MAINTENANCE AND SUBSTANDARD BUILDING CODE”, BY AMENDING SECTION 3.13.003 “BUILDING AND STANDARDS COMMISSION CREATED”; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City administration has recommended that the City’s Planning and Zoning Commission perform the duties of the Building and Standards Commission; and

WHEREAS, Section 10.02 of the Home Rule Charter provides that, in addition to the tasks specifically identified therein, the Planning and Zoning Commission will perform such other duties as prescribed by ordinance; and

WHEREAS, the City Council, having considered the matter, finds it to be in the best interest of the City to make such provision;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS, THAT:

SECTION 1. The Code of Ordinances, City of Glenn Heights, Texas is hereby amended by amending Chapter 3, “Building Regulations”, Article 3.13 “Property Maintenance and Substandard Building Code”, by amending section 3.13.003 “Building and Standards Commission Created” to read in its entirety as follows:

“CHAPTER 3 BUILDING REGULATIONS

. . .

Article 3.13 Property Maintenance and Substandard Building Code

. . .

Section 3.13.004

There is hereby created in accordance with Texas Local Government Code, ch. 54, a building and standards commission, composed of seven members.. The members of the City’s Planning and Zoning Commission shall serve as

and perform the duties and functions of members of the Building and Standards Commission. In accordance with state law, all members of the Building and Standards Commission shall be appointed to serve two year terms and may be reappointed following an initial term. In the event that a vacancy occurs on the Building and Standards Commission which is not filled by a member of the Planning and Zoning Commission, the City Council will, by majority vote, appoint an individual to fill that vacancy.

SECTION 2. All provisions of the ordinances of the City of Glenn Heights, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and that all other provisions of the ordinances of the city not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 4 This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS ON THIS THE ____ DAY OF _____, 2022.

APPROVED:

Harry A. Garrett, Mayor

ATTEST:

Brandi Brown, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(050922vwtTM129489)



AGENDA SUMMARY SHEET

May 17, 2022

AGENDA, ITEM 4

Discuss and take action approving the absences of Council Member Machanta Newson from City Council Meetings from June 7, 2022, through August 16, 2022, or permitting her to attend those meetings via videoconference per the Texas Open Meetings Act. (Council Member Machanta Newson)

Motion	
Second	
For	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Against	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Abstain	
Approve/ Deny/ Table	



AGENDA SUMMARY SHEET

May 17, 2022

AGENDA, ITEM 5

Briefing regarding Council decorum. (Victoria Thomas, City Attorney)

Motion	
Second	
For	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Against	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Abstain	
Approve/ Deny/ Table	



AGENDA SUMMARY SHEET

May 17, 2022

EXECUTIVE SESSION

1. The City Council shall convene into Executive Session:
 - A. pursuant to Government Code, Section 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.
2. The City Council shall reconvene into Open Session and take any action arising from Executive Session:
 - A. pursuant to Government Code, Section 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.

Motion	
Second	
For	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Against	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Abstain	
Approve/ Deny/ Table	



AGENDA SUMMARY SHEET

May 17, 2022

AGENDA, ITEM 6

Discuss and take action on the Fourth Amendment to the City Manager's Employment Agreement.
(Victoria Thomas, City Attorney)

Motion	
Second	
For	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Against	Garrett, S Brown, Ipaye, Bruton, A Brown, Allen, Newson
Abstain	
Approve/ Deny/ Table	

**CITY OF GLENN HEIGHTS, TEXAS
FOURTH AMENDMENT TO CITY MANAGER
EMPLOYMENT AGREEMENT**

**THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF DALLAS §**

This Fourth Amendment (“Fourth Amendment”) to the City Manager Employment Agreement which was previously executed February 26, 2018 by and between the City of Glenn Heights, Texas, a Texas municipal corporation ("City") and David Hall ("Employee") and which was subsequently amended by the First Amendment thereto effective June 4, 2019 (the “First Amendment”), the Second Amendment thereto effective February 18, 2020 (the “Second Amendment”), and the Third Amendment thereto effective July 20, 2021 (the “Third Amendment”) is hereby made by City and Employee (collectively, the “Parties”), to be effective May 17, 2022.

Recitals

A. The City and Employee entered into the City Manager Employment Agreement on February 26, 2018, under which Employee serves as City Manager, said Agreement having been duly amended by the Parties by the First Amendment thereto effective June 4, 2019 (the “First Amendment”), the Second Amendment thereto effective February 18, 2020 (the “Second Amendment”), and the Third Amendment thereto effective July 20, 2021 (the “Third Amendment”).

B. Subsection 21.1 of the City Manager Employment Agreement provides that the parties may, by mutual agreement, amend the City Manager Employment Agreement in writing.

C. On May 17, 2022, by majority vote in a duly noticed regular called meeting of the City Council of the City of Glenn Heights, the City Council authorized the amendments to the City Manager Employment Agreement set forth.

D. The Parties desire to execute a Fourth Amendment to City Manager Employment Agreement to reflect the changes to that Agreement authorized by the City Council on May 17, 2022, said amendments to have an effective date of May 17, 2022.

**Terms and Conditions of Fourth Amendment to
City Manager Employment Agreement**

1. Subsection 3.3 of Section III, Compensation, of the City Manager Employment Agreement is amended to read as follows effective May 17, 2022:

“3.3. Employee shall receive annual adjustments to base salary which reflect changes in the cost-of-living index on the same basis, to the maximum extent, and under the same City policies applicable to City employees serving in department head positions.”

2. Subsection 10.2 of Section X, Severance Pay, of the City Manager Employment Agreement is amended to read as follows effective May 17, 2022:

“10.2. In the event Employee’s employment is terminated during the first year of employment under conditions requiring payment of severance under this Agreement, City shall provide a severance payment equal to three (3) months base salary at Employee’s current rate of pay. In the event Employee’s employment is terminated after the first year of employment and during the Term of this Agreement under conditions requiring payment of severance under this Agreement, City shall provide a severance payment equal to twelve (12) months base salary at the employee’s current rate of pay. Further, if, during any year of employment, Employee’s employment is terminated under conditions requiring payment of severance under this agreement and by a vote of the City Council consisting of less than five (5) affirmative votes, City shall provide an additional severance payment equal to an additional six (6) months base salary at the employee’s current rate of pay. This severance shall be paid in a one lump sum on or before thirty (30) days from the date of Employee’s termination by City unless otherwise mutually agreed by City and Employee.”

4. Except as expressly amended in writing in the First Amendment, the Second Amendment, the Third Amendment, or this Fourth Amendment, the terms and conditions of the City Manager Employment Agreement shall remain in full force and effect. To the extent that this Fourth Amendment conflicts with the terms and conditions of the City Manager Employment Agreement, the First Amendment, the Second Amendment, or the Third Amendment, this Fourth Amendment shall control. Any capitalized terms not defined in this Fourth Amendment shall have the meanings ascribed to them in the City Manager Employment Agreement.

EXECUTED this the 17th day of May, 2022.

EMPLOYEE

David Hall

EXECUTED this the ____ day of May, 2022.

CITY OF GLENN HEIGHTS, TEXAS

Harry A. Garrett, Mayor

ATTEST:

APPROVED AS TO FORM:

Brandi Brown, City Secretary

Victoria W. Thomas, City Attorney

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