



**NOTICE AND AGENDA
PLANNING & ZONING COMMISSION
MONDAY, AUGUST 8, 2022, 6:30 PM
PLANNING & ZONING COMMISSION MEETING**

Notice is hereby given that the Planning & Zoning Commission of the City of Glenn Heights, Texas will hold a Regular Meeting on Monday, August 8, 2022, beginning at 6:30 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>.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AGENDA

1. Zoning Case 22-003-RZ: Public hearing to receive testimony and discussion to vote and take action concerning a zoning change request by Randell Curington on behalf of Glenn Heights Beltline GP, LLC. The 23.09-acre parcel is more particularly described as Tract 9 Abstract 1205 of the William Rawlins Survey and is located south of the Meadow Springs neighborhood and west of the Top of Hill Farms neighborhood, Glenn Heights, Dallas County, Texas. The applicant proposes to change the zoning of this parcel Single-Family 1 to Planned Development-28 for Single-family 3 (SF-3).
2. Zoning Case 22-004-RZ: Public hearing to receive testimony and discussion to vote and take action concerning a zoning change request by Phillip Fisher on behalf of Glenn Heights Beltline GP, LLC. The 52.19-acre parcel is more particularly described as a parcel situated in the William Rawlins Survey, Abstract NO. 1205, Glenn Heights, Dallas County, Texas, and a parcel partially situated in the JJ Clayton Survey, abstract NO. 211 and partially in the Williams Rawlins Survey, abstract NO. 1205, Glenn Heights, Ellis County, Texas and is located northwest of the Stone Creek neighborhood. The applicant proposes to change amend the existing Planned Development District.
3. Zoning Case 22-005-RZ: Public hearing to receive testimony and discussion to vote and take action concerning a zoning change request by Phillip Fisher on behalf of Villages of Charleston, LLC. The 8.5-acre parcel is more particularly described as Abstract 743 of the M MC McDermott survey and is located west of the Villages of Charleston neighborhood. The applicant proposes to change the zoning of this parcel from Retail and Residential to Retail, Residential and a Planned Development for Retail with Self Storage.
4. Zoning Case 22-002-SUP: Public hearing to receive testimony and discussion to vote and

take action concerning a Specific Use Permit request for an in home day care by Deborah Warren. The 0.22-acre property is zoned Planned Development 19/SF-3 and is situated in the Meadow Springs Subdivision, Lot 12, Block 1. The property address is 700 Shady Meadow, Glenn Heights, Dallas County, Texas. The land is currently single-family residential. The additional proposed use is in-home day care.

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 Friday, August 5, 2022.

Pursuant to Section 551.071 of the Texas Government Code, the Planning & Zoning Commission 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



CITY OF GLENN HEIGHTS

PLANNING & ZONING COMMISSION REPORT

Date: August 8, 2022

SUBJECT

Discuss and take action on a change of zoning request by Randell Curington on behalf of Glenn Heights Beltline GP, LLC. The 23.09-acre parcel is more particularly described as Tract 9 Abstract 1205 of the William Rawlins Survey and is located south of the Meadow Springs neighborhood and west of the Top of Hill Farms neighborhood, Glenn Heights, Dallas County, Texas. The applicant proposes to change the zoning of this parcel Single-Family 1 to Planned Development-28 for Single-family 3 (SF-3).

The applicant also proposes to include amenities such as a connected network of pedestrian sidewalks and trails and each residential district shall have amenities to be enjoyed by the residents of the community.

DISCUSSION / BACKGROUND

The subject area is located south of the Meadow Springs neighborhood and west of the Top of Hill Farms neighborhood 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:

Planned Development-Single Family (PD/ SF-3)

Lot Size (*Minimum*)

Lot Area (sq. ft.)	8,000
Lot Width (feet)	60
Lot Depth (feet)	110*
Lot Depth of Double Front Lots (feet)	120

Dwelling Regulations

(Minimum Square Footage)

All Homes will be a minimum of 1,800

Yard Requirements -	-
Main Structures	
Front Yard (feet)	20
Side Yard (feet)	5
Side Yard of Corner Lots (feet)	10
Side Yard of Corner Lots (feet) o n key lots	20
Rear Yard (feet)	15**
Rear Yard Double Front Lots (fe et)	20
Lot Coverage	50%
Height of Structures	
Main Structure (feet)	35
Accessory Structure (feet)	8

*Cul-de-sac and Elbow lots may have a minimum depth of 100 feet.

Cul-de-sac and Elbow lots may have a minimum rear yard setback of 10 feet.

SPECIAL CONDITIONS:

Maximum number of residential lots not to exceed 75 lots.

Key lots are defined as a corner lot which is backing up to an abutting side yard.

Three-tab roofing shall not be permitted.

No alleys shall be required within the Planned Development, and all homes shall be front entry.

Lots which back or side onto park land shall provide a decorative metal fence of uniform design to be installed by the homebuilder.

MAINTENANCE OF THE COMMON AREA/TRAIL:

Maintenance of the park/common areas will be the responsibility of the homeowners' association (HOA).

Developer will be the contact entity with the City for all concerns regarding maintenance of park and open space until 100% control of the 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, and any other installed improvements.

CONCEPT PLAN REVIEW AND EVALUATION

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

- 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 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 commercial due to the adjacency to Loop 9 on the south side of the property. However, the adjacency of both the Meadow Springs neighborhood and Top of Hill Farms neighborhood impact the compatibility of that proposed land use. Additionally, the Comprehensive Plan calls for the efficient use of land and continuously monitoring and updating the proposed land use. The 2011 plan was drafted without the updated alignment of Loop 9.

2011 Comprehensive Plan Update

Strategic Goal #9, Land Use – Provide opportunities for coordinated well-planned growth and development.

Implementation Strategy: 9.2 Provide for the efficient use of land, coordinated with the provision of essential public infrastructure and facilities by continuously monitoring and updating the City's Comprehensive Plan and Future Land Use Plan.

Implementation Strategy: 9.6 Determine appropriate locations for future residential

and nonresidential development considering existing neighborhoods and natural features.

Strategic Goal #11, Land Use – Encourage the development of high-quality residential neighborhoods that are aesthetically pleasing yet meet the diverse housing market needs of the community.

Implementation Strategy: 11.3 Encourage a variety of lot sizes to create full life-cycle neighborhoods.

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

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 and published in a local newspaper 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

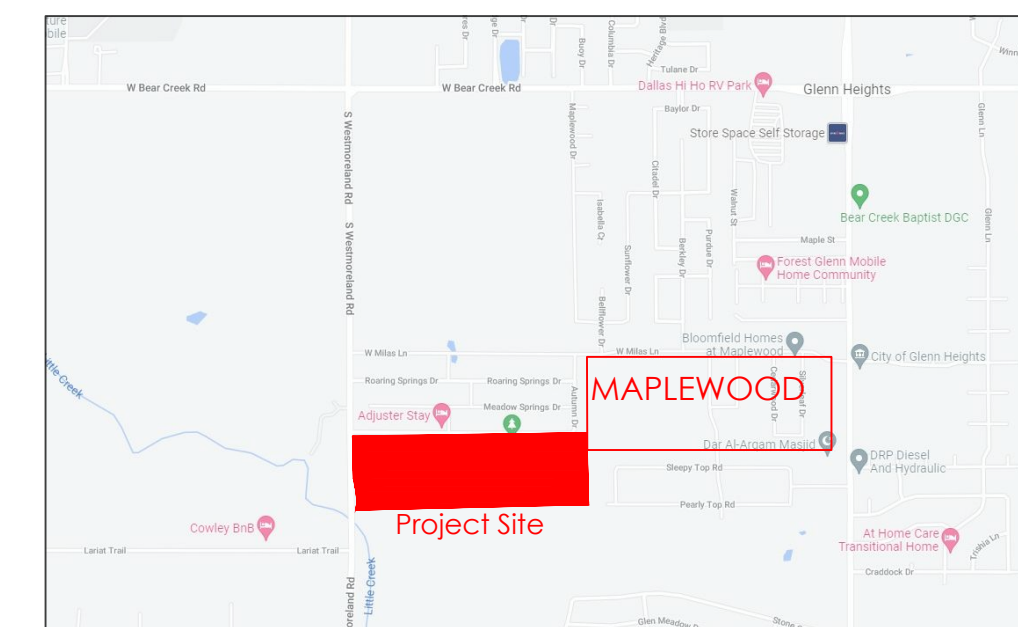
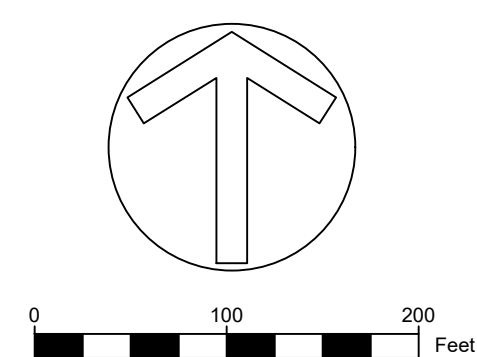
1. Concept Plan May 5

PREPARED BY

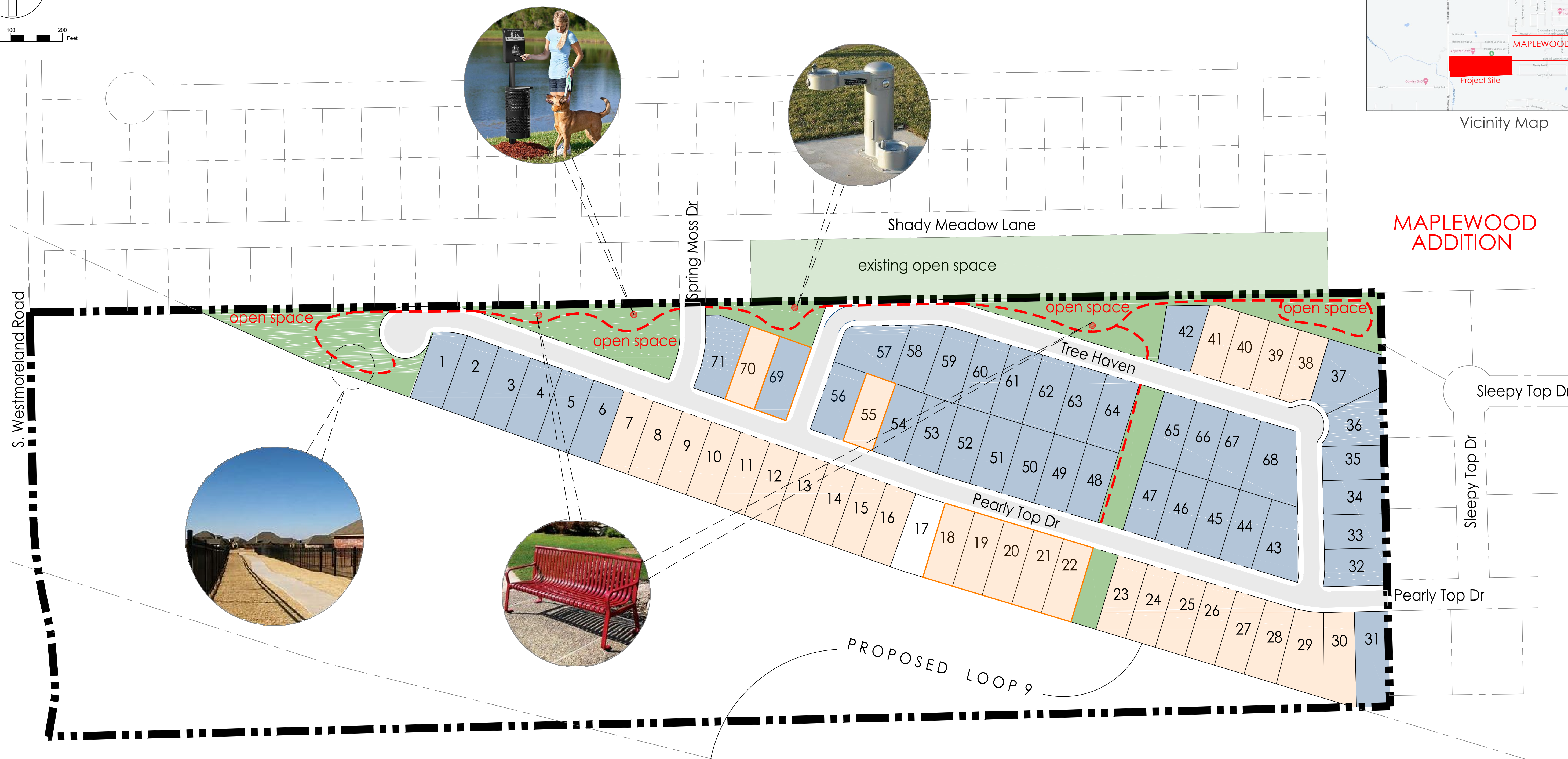
Laura Voltmann, Director of Planning and Development

REVIEWED BY

Brandi Brown, City Secretary



Vicinity Map



MAPLEWOOD
ADDITION

LOT SIZES
61 LOTS ARE 9,000 S.F. OR LARGER 85.9%
10 LOTS ARE 8,000 S.F. TO 9,000 S.F. 14.1%

- 65' MINIMUM
42 LOTS
- 60' MINIMUM
29 LOTS

2020 WESTMORELAND Single Family Development Glenn Heights, Texas



CCM Engineering
2570 Justin Road, 209
Highland Village, TX 75077
972.691.6633
www.ccm-eng.com

MAY 5, 2022



CITY OF GLENN HEIGHTS PLANNING & ZONING COMMISSION REPORT

Date: August 8, 2022

SUBJECT

Discuss and take action on a request by Phillip Fisher on behalf of Glenn Heights Beltline GP, LLC. The 52.19-acre parcel is more particularly described as a parcel situated in the William Rawlins Survey, Abstract NO. 1205, Glenn Heights, Dallas County, Texas, and a parcel partially situated in the JJ Clayton Survey, Abstract NO. 211 and partially in the Williams Rawlins Survey, Abstract NO. 1205, Glenn Heights, Ellis County, Texas and is located northwest of the Stone Creek neighborhood. The applicant proposes to change amend the existing Planned Development District. In addition to the residential component, the proposal also includes 10.24 acres of green space with a 6-foot-wide trail, playground equipment, park benches, and fitness stations and 8.61 acres of retail.

DISCUSSION / BACKGROUND

The subject area was previously rezoned and platted in 2020 and 2021. The applicant requests amendments to the approved rezoning application to reflect necessary changes related to the proposed Loop 9 roadway project.

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.

1. 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.

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

The proposed concept plan designates a total of 10.24 acres of green space.

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

The proposed 10.24 acres of green space will include a pedestrian trail, fitness stations, park benches, picnic tables, a pergola, and playground equipment.

4. 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.

5. 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.

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

The development is consistent with the Future Land Use Map, providing for low-to-medium density residential.

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

The tables below illustrates how the proposed Planned Development compares to traditional SF-3 and SF-4 zoning standards:

	SF-3 Standards	Proposed Standards
Lot Area	9,000 sq. ft.	9,000 sq. ft.
Lot Width	70'	60'
Lot Depth	120'	120'
Minimum Dwelling Unit Size	1,750 sq. ft.	1,800 sq. ft.
Front Yard	30'	30'
Side Yard	8'	5'
Side Yard of Corner Lots	15'	10'
Rear Yard	20'	15'

Maximum Lot Coverage of	40%	70%
Building Structure(s)		
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; 20% of total lot area
Max Residential Density	3.5 dwelling units per acre	2.3 dwelling units per acre
Maximum Fence Height	6'	6'

	SF-4 Standards	Proposed Standards
Lot Area	7,500 sq. ft.	7,500 sq. ft.
Lot Width	70'	60'
Lot Depth	100'	120'
Minimum Dwelling Unit Size	1,550 sq. ft.	1,800 sq. ft.
Front Yard	25'	25'
Side Yard	5'	5'
Side Yard of Corner Lots	15'	10'
Rear Yard	20'	15'
Maximum Lot Coverage of	60%	70%
Building Structure(s)		
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; 20% of total lot area
Max Residential Density	3.5 dwelling units per acre	2.3 dwelling units per acre
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 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 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 Medium Density Residential development. The request is consistent with the Future Land Use Map.

Medium Density Residential

Medium density options are indicative of duplex units, small lot single-family residential uses, multifamily uses, garden homes, row homes, townhomes and mixed uses.

Residential densities in these areas will typically range between 7 to 15 dwelling units per acre.

2011 Comprehensive Plan Update

Strategic Goal #9, Land Use – Provide opportunities for coordinated well-planned growth and development.

Implementation Strategy: 9.3 Promote the future development of a variety of uses to diversify Glenn Heights' tax base.

Implementation Strategy: 9.4 Utilize the Future Land Use Plan in daily decision-making regarding land use and development proposals for consistency and continuity.

Strategic Goal #11, Land Use – Encourage the development of high-quality residential neighborhoods that are aesthetically pleasing yet meet the diverse housing market needs of the community.

Implementation Strategy: 11.3 Encourage a variety of lot sizes to create full life-cycle neighborhoods.

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

PRIOR COUNCIL OR BOARD ACTION

Original Planned Development Zoning approved March 2020. Preliminary Plat approved April 2021.

PUBLIC CONTACT

Notices were mailed to adjacent property owners within two hundred feet (200') of the subject property and published in a local newspaper 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

Not applicable.

ATTACHMENTS

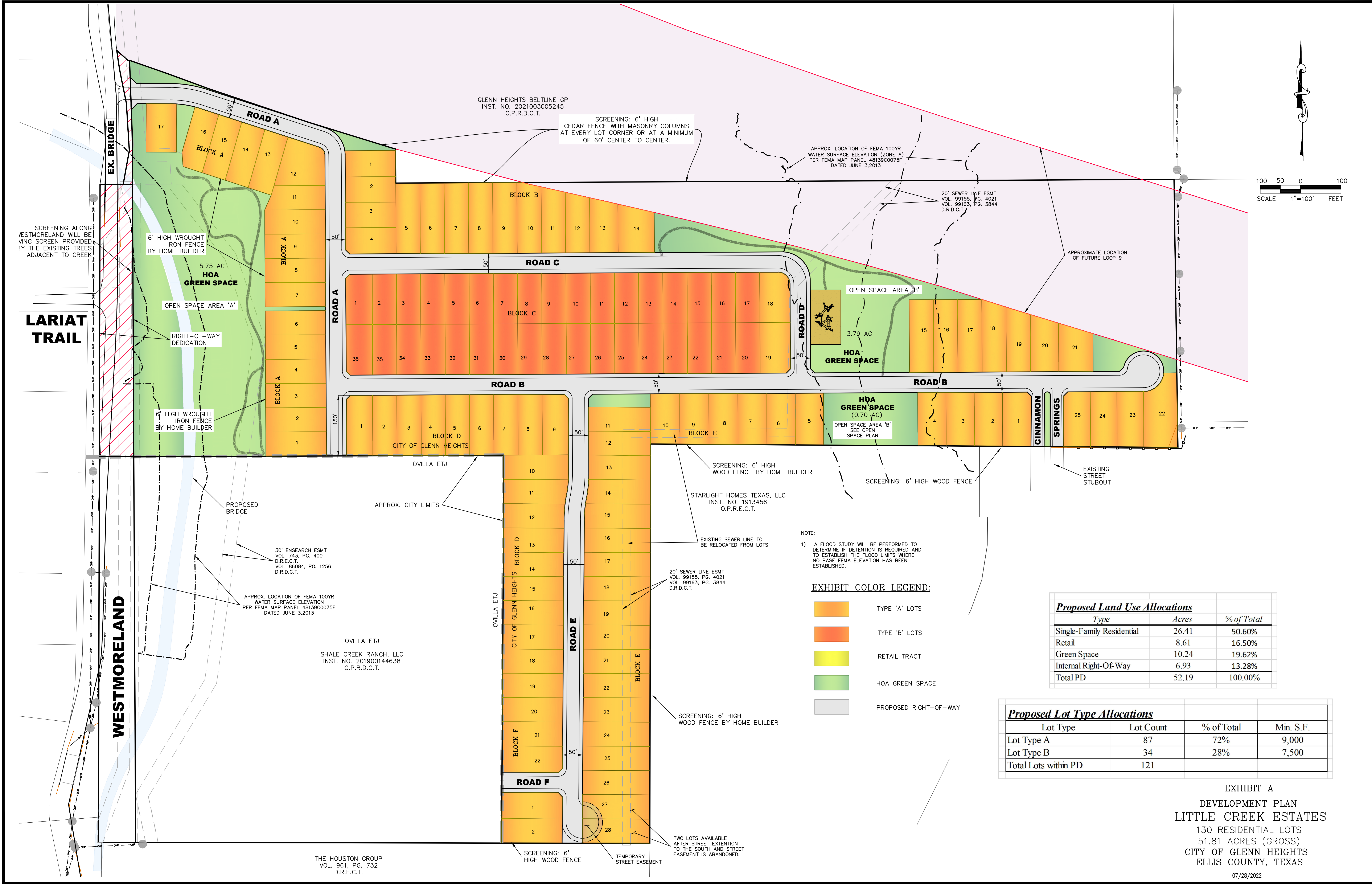
1. Little Creek Estates - Revised Concept Plan

PREPARED BY

Laura Voltmann, Director of Planning and Development

REVIEWED BY

Brandi Brown, City Secretary



NOTE:
1) A FLOOD STUDY WILL BE PERFORMED TO DETERMINE IF DETENTION IS REQUIRED AND TO ESTABLISH THE FLOOD LIMITS WHERE NO BASE FEMA ELEVATION HAS BEEN ESTABLISHED.

EXHIBIT COLOR LEGEND:

- TYPE 'A' LOTS
- TYPE 'B' LOTS
- RETAIL TRACT
- HOA GREEN SPACE
- PROPOSED RIGHT-OF-WAY

Proposed Land Use Allocations		
Type	Acres	% of Total
Single-Family Residential	26.41	50.60%
Retail	8.61	16.50%
Green Space	10.24	19.62%
Internal Right-Of-Way	6.93	13.28%
Total PD	52.19	100.00%

Proposed Lot Type Allocations			
Lot Type	Lot Count	% of Total	Min. S.F.
Lot Type A	87	72%	9,000
Lot Type B	34	28%	7,500
Total Lots within PD	121		

EXHIBIT A
DEVELOPMENT PLAN
LITTLE CREEK ESTATES
130 RESIDENTIAL LOTS
51.81 ACRES (GROSS)
CITY OF GLENN HEIGHTS
ELLIS COUNTY, TEXAS
07/28/2022



CITY OF GLENN HEIGHTS PLANNING & ZONING COMMISSION REPORT

Date: August 8, 2022

SUBJECT

Discuss and take action on a change of zoning request by Phillip Fisher on behalf of Villages of Charleston, LLC. The 8.5-acre parcel is more particularly described as Abstract 743 of the M MC McDermott survey and is located west of the Villages of Charleston neighborhood. The applicant proposes to change the zoning of this parcel from Retail and Residential to Retail, Residential and a Planned Development for Retail with Self Storage.

DISCUSSION / BACKGROUND

This property is located along Hampton Road at the entrance to the Villages of Charleston neighborhood. The initial rezoning for this property designated the parcels as Retail and Residential. The applicant is requesting an amendment to permit self storage units, which are not allowed by right in the existing zoning.

Staff recommends a modification to the layout of the two proposed districts that would preserve the retail frontage along Hampton Road with self storage permitted behind the street fronting retail.

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

- 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 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 medium density residential. However, the Council approval of the original retail zoning reflects a change in the adopted land use policy. The Comprehensive Plan calls for the efficient use of land and continuously monitoring and updating the proposed land use. The 2011 plan was drafted prior to the approval of the adopted zoning in 2015, which was updated in 2017.

2011 Comprehensive Plan Update

Strategic Goal #9, Land Use – Provide opportunities for coordinated well-planned growth and development.

Implementation Strategy: 9.2 Provide for the efficient use of land, coordinated with the provision of essential public infrastructure and facilities by continuously monitoring and updating the City's Comprehensive Plan and Future Land Use Plan.

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

Strategic Goal #11, Land Use – Encourage the development of high-quality residential neighborhoods that are aesthetically pleasing yet meet the diverse housing market needs of the community.

Implementation Strategy: 11.3 Encourage a variety of lot sizes to create full life-cycle neighborhoods.

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

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 and published in a local newspaper 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 lack of commercial activity and traffic associated with self storage uses, staff recommends a change to the proposed district layout to preserve the active street facing retail along Hampton Road.

ATTACHMENTS

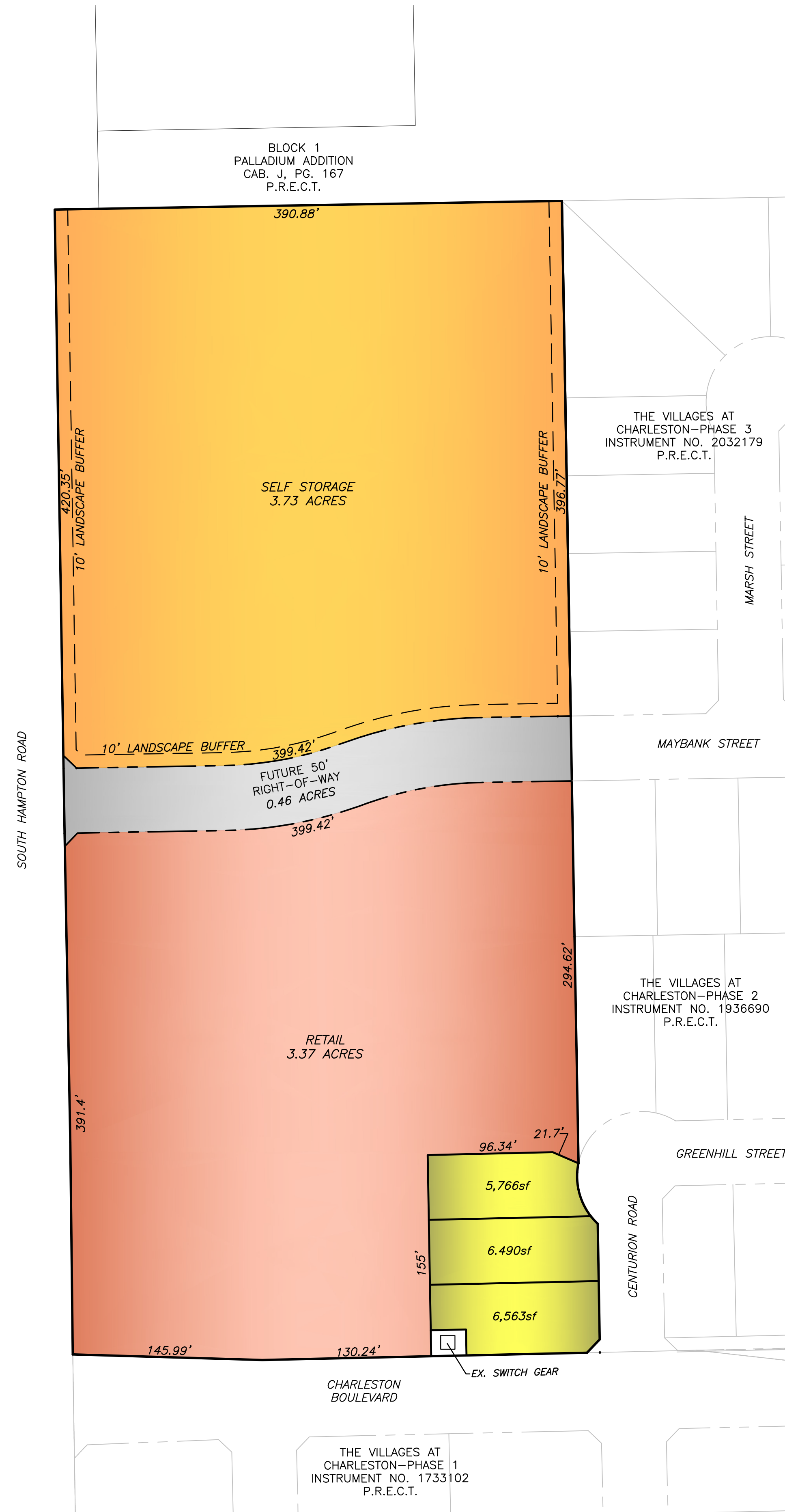
1. CONCEPT EXHIBIT

PREPARED BY

Laura Voltmann, Director of Planning and Development

REVIEWED BY

Brandi Brown, City Secretary

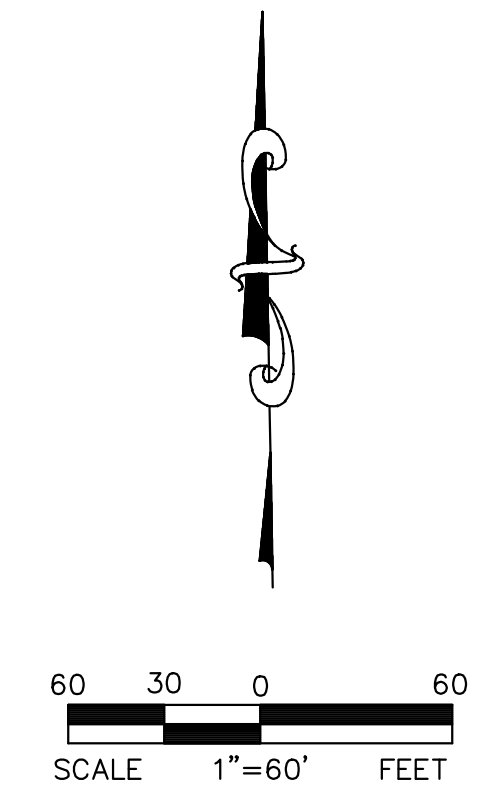


LEGEND:

- RETAIL TRACT
- SELF STORAGE TRACT
- RESIDENTIAL LOTS "VILLAGE LOTS"
- FUTURE RIGHT-OF-WAY

RESIDENTIAL LOT STANDARDS

LOT TYPE:	VILLAGE
MIN. LOT AREA:	5,450 SF
MIN. LOT WIDTH:	50'
MIN. LOT DEPTH:	100'
MIN. DWELLING UNIT SIZE:	1,600 SF
MIN. FRONT YARD SETBACK:	10'
MIN. SIDE YARD SETBACK:	5'
MIN. REAR YARD SETBACK:	10'



**CIVIL ENGINEERING
DESIGN & CONSULTING**
(Tex. Reg. No. F-456)
12655 N. CENTRAL EXPWY, SUITE 420
DALLAS, TEXAS 75243
TEL 214-373-1180 * FAX 214-373-6580
daytonm@macatee-engineering.com
phillipf@macatee-engineering.com

CONCEPT PLAN
THE VILLAGES OF CHARLESTON
3 RESIDENTIAL LOTS, 1 SELF STORAGE LOT
& 1 RETAIL TRACT
8.0 ACRES
CITY OF GLENN HEIGHTS,
ELLIS COUNTY, TEXAS
07/08/2022



CITY OF GLENN HEIGHTS PLANNING & ZONING COMMISSION REPORT

Date: August 8, 2022

SUBJECT

Discuss and take action on a Specific Use Permit (SUP) request by Deborah Warren for an in-home day care. The 0.22-acre property is zoned Planned Development 19/SF-3 and is situated in the Meadow Springs Subdivision, Lot 12, Block 1. The property address is 700 Shady Meadow, Glenn Heights, Dallas County, Texas. The land is currently single-family residential. The additional proposed use is in home day care.

DISCUSSION / BACKGROUND

The subject property is currently developed with a single-family home and is in the Meadow Springs neighborhood. The State of Texas heavily regulates in-home day care facilities. The application process includes educational and licensing components, background checks and minimum design standards enforced through on-site inspections. The applicant has obtained a license from the state to operate at this location. Compliance with zoning ordinances is required, and the City of Glenn Heights ordinance permits this through a SUP only.

Zoning Ordinance

The zoning ordinance contains the following definition:

DAY CARE. Day care uses include facilities that provide care for children or adults on a regular basis away from their primary residence for less than twenty-four (24) hours per day. This category does not include public or private schools or facilities operated in connection with an employment use, shopping center, or other principal use, where children are cared for while parents or guardians are occupied on the premises or in the immediate vicinity. Specific use types include, but are not limited to, the following:

- a. Child Care in Residence (accessory use) a/k/a Family Home. A child care facility that regularly provides care in the caretaker's own residence for not more than six (6) children under 14 years of age, excluding the caretaker's own children and that provides care after school hours for not more than six (6) additional elementary school siblings of

the other children given care, but the total number of children, including the caretaker's own, does not exceed twelve (12) at any given time. This term shall not include overnight lodging, medical treatment, counseling or rehabilitative service establishments and does not apply to any school. Licensure/ registration for such facilities shall follow the requirements set forth by the State of Texas.

Section IX4.4.B – Status of Conditionally Permitted Uses

The following general rules apply to all conditional uses:

1. The designation of a use in a zoning district as may be permitted by SUP in Section XI.4.4 of this Ordinance does not constitute an authorization or assurance that such use will be approved.
2. Approval of a Specific Use Permit shall authorize only the particular use for which the SUP is issued. A SUP may only be issued to the identified property and to the applicant. Any change in applicant shall render the SUP null and void. An SUP cannot be transferred to any other owner, applicant or property.
3. No use authorized by a Specific Use Permit shall be enlarged, extended or relocated, nor may the number of dwelling units be increased, unless an application is made for approval of a new Specific Use Permit in accordance with the procedures set forth in this Section and Section XI.4.4 of City Code of Ordinances.
4. Development of the use shall not be carried out until the applicant has secured all the permits and approvals required by these zoning regulations, the City Code of Ordinances, and any permits that may be required by regional, State or Federal agencies.

The applicant meets and is amendable to these requirements

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 and published in a local newspaper 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

Staff recommends of this Specific Use Permit request.

PREPARED BY

Laura Voltmann, Director of Planning and Development

REVIEWED BY

Brandi Brown, City Secretary