

**MINUTES OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF GLENN HEIGHTS, TEXAS**

February 14, 2011

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

On the 14th day of February 2011 the Planning and Zoning Commission of the City of Glenn Heights, Texas convened in a regular meeting at the City Hall, in the Council Chambers at 1938 S. Hampton Road, Glenn Heights Texas to consider the following items, with these members in attendance:

PLANNING AND ZONING COMMISSION:

Lori Berman	*	Chairman
Austin Kelley	*	Board Member
Dorothy Loney	*	Board Member
Janice King	*	Board Member

STAFF:

Judy Bell	*	Assistant City Manager
Othel Murphree	*	City Secretary
Joe Goodman	*	Director of Public Works

ABSENT:

Matt Graska	*	Board Member
Jesus Humphrey	*	Board Member
Tammy Garr	*	Board Member

Chairman Berman called the meeting to order at 7:30 p.m.

INVOCATION: Commissioner Kelley gave the invocation.

CONSENT AGENDA: All matters listed in Item 1, Consent Agenda, are to be considered routine by the Commission will be enacted by one motion. There will not be separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

1. Consider and approve the minutes of December 13, 2010 and December 20, 2010.

Commissioner King moved to approve the minutes of December 13, 2010 and December 20, 2010. Commissioner Loney made the second. The motion carried with following vote:

VOTE: 4 Ayes – Austin, Berman, Loney, and King

Commissioner Humphrey arrived at 7:36 p.m.

2. Public hearing to receive testimony relative to a request for an amendment to the City's Zoning Ordinance, Ordinance No. O-03-09, by changing the zoning classification on approximately 2.78 acres of land described as Tract 31 (2.230 acres) and Tract 30 (0.550 acres) out of the James Porter Survey, Abstract 1129, Glenn Heights, Dallas County, Texas, recorded DRDCT, Page 390 from Single Family Residential "SF-1" to Planned Development "PD" with a Specific Use Permit at the properties located at 1201 and 1205 E Bear Creek Road.

Commissioner Kelley moved to open the public hearing. Commissioner Loney made the second. The motion carried with the following vote:

VOTE: 5 Ayes – Kelley, Berman, Loney, Humphrey, and King

Chairman Berman opened the public hearing at 7:37 p.m.

Assistant City Manager, Judy Bell introduced Mr. Dennis Vaughn via telephone to the Commission. Mr. Vaughn will be participating in the public hearing via telephone.

On or about January 27, 2011 a Zoning Application was filed with City Staff from Athletes Helping Kids for the property located at 1201 and 1205 E. Bear Creek Road Located north of the DART Park and Ride.

Athletes Helping Kids (AHK) is an organization formed by former NFL players from the Dallas County area who want to give back to society and their neighborhoods. The Zoning application is requesting a Planned Development (PD) and Specific Use Permit (SUP), as required by the Zoning Ordinance, for the purpose of operating a Residential Treatment Center (RTC). This RTC would provide rehabilitation services to children ages 13-17, with emotional and behavioral disorders. This facility would provide 24-hour full boarding with treatment counseling for alcohol and drug abuse, psychological and behavioral counseling, therapy, physical fitness and schooling. AHK will have full-time, on-site staff of qualified, licensed professionals to provide individualized treatment and to promote a positive improvement of self-esteem and a learned acceptance of responsibility for one's actions. The plan is to house twenty (20) children at this location with compliance of Texas Department of Family and Protective Services (TDFPS) standards.

AHK is currently not licensed through the TDFPS; however, that license cannot be issued until the treatment facility location is secured and zoned appropriately. Because of this conflict, Staff recommended that any recommendation for approval of the zoning request would be conditioned upon the issuance of the appropriate license.

Currently the property belongs to Marion and Carl McBryde. A Letter of Understanding was prepared by the property owners stating that Maurine (Maureen) Murphy and/or Murphy II, LLC has the authority to negotiate the terms of the PD and SUP. A Special Power of Attorney from Maureen Murphy was signed and a copy which states that

Dennis DeVaughn may act as attorney-in-fact for purposes of managing, insuring, improving, repairing, collecting rent, execute leases or take any other action with respect to the real estate located at 1205 E. Bear Creek Road.

There was no input from the public except for four letter of support from the following:

- 1) Joanna Bryan, Brookside Auto Parts, 1323 Brookside
- 2) Betty Lea Olson, 1301 Brookside
- 3) Carl McBryde, 1201 E. Bear Creek Road
- 4) H.D. Webb, DAEP Assistant Principle, DeSoto ISD

The Commission voiced the following concerns:

- 1) The property is less than a mile from 2 locations that sell alcoholic beverages.
- 2) Supervision of the children (If the facility was a lock down facility?)
- 3) Maximum number of children at any given time and ages of the children?
- 4) Easy access to public transportation (DART Park and Ride)
- 5) What licensed professionals would be on staff?

The applicant stated that children would be supervised at all times by staff except when they were attending school. The facility would house up to 20 children and the ages would range from 13 to 17. The location of the Park and Ride was a plus to the facility allowing the parents to use public transportation to visit the facility. The applicant went on to explain that to obtain a state license all staff would have the proper licenses and/or certificates required.

Commissioner Humphrey moved to close the public hearing. Commissioner King made the second. The motion carried with the following vote:

VOTE: 5 Ayes – Kelley, Berman, Loney, Humphrey, and King

Chairman Berman closed the public hearing at 7:54 p.m.

Commissioner Garr arrived at 7:57 p.m.

3. Approve any absences per Ordinance O-28-10.

Commissioner Loney was absent December 20, 2011.

Commissioner Loney explained to the Commissioner that she had conflicts with her work schedule.

Commissioner Humphrey moved to excuse Commissioner Loney's absence. Commissioner Garr made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Kelley, Berman, Loney, Humphrey, Garr, and King

4. Adjournment.

Commissioner Humphrey moved to adjourn. Commissioner Kelley made the second. The motion carried with following vote:

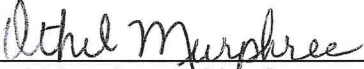
VOTE: 6 Ayes – Kelley, Berman, Loney, Humphrey, Garr, and King

Chairman Berman adjourned the meeting at 8:00 p.m.



Lori Berman, Chairman

ATTEST:



Othel Murphree, City Secretary

Passed and approved the 14th day of March, 2011.