



## AGENDA

**SPECIAL MEETING OF THE  
PLANNING AND ZONING COMMISSION  
CITY OF HIGHLAND VILLAGE, TEXAS  
TUESDAY, NOVEMBER 5, 2019, 7:00 PM  
HIGHLAND VILLAGE MUNICIPAL COMPLEX  
CITY COUNCIL CHAMBERS  
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**

**OPEN SESSION  
(City Council Chambers – 7:00 PM)**

1. **Call to Order/ Roll Call.**
2. **Consider Approval of the Minutes from the Regular meeting of Planning and Zoning held on October 15, 2019.**
3. **Visitor's Comments**  
*(Anyone wishing to address the Planning and Zoning Commission must complete a Speakers' Request form and return it to City Staff. In accordance with the Texas Open Meetings Act, the Commission is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting.)*

*Anyone wishing to address the Planning and Zoning Commission on any item posted on this agenda for possible action, including matters posted as a Public Hearing, must complete a Speakers' Request Form available at the entrance to the City Council Chambers and present it to the City Staff prior to the meeting being called to order. Speakers may be limited to three (3) minutes and given only one opportunity to speak on an item. Other procedures regarding speaking on matters posted for action on this agenda are set forth on the Speakers' Request Form. Subject to applicable law, the Planning and Zoning Commission reserves the right to modify or waive at any time the procedures relating to members of the public speaking on matters placed on this agenda.*

4. **Conduct Public Hearing and Consider proposed amendments to Sections 1 and 2 of Exhibit "A" "Subdivision Ordinance" to Chapter 26 "Subdivision and Site Development Regulations" of the City of Highland Village Code of Ordinances relating to the procedure for the approval of subdivision plans and plats.**
5. **Receive Status Report on Various Projects.**
  - **Future P&Z Meetings**
6. **Adjournment.**

Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed.

**I HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE, CHAPTER 551, ON NOVEMBER 1, 2019 NOT LATER THAN 5:00 P.M.**

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Autumn Aman  
Community Development Coordinator

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 899-5132 or Fax (972) 317-0237 for additional information.

Removed from posting on the \_\_\_\_\_ day of \_\_\_\_\_, 2019 at \_\_\_\_\_ by  
\_\_\_\_\_ at \_\_\_\_\_.

**DRAFT MINUTES**  
**REGULAR MEETING OF THE**  
**PLANNING AND ZONING COMMISSION CITY OF HIGHLAND VILLAGE, TEXAS**  
**HELD IN THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD**  
**TUESDAY, OCTOBER 15, 2019**

**1. Call to Order/Roll Call.**

Vice Chairman Stan Lemko called the meeting to order at 7:00 p.m.

**Roll Call**

Present:	Stan Lemko	Vice Chairman
	Angelina Robinson	Commissioner
	Denver Kemery	Commissioner
	Dee Leggett	Commissioner
	Guy Skinner	Alternate Commissioner
Absent:	Dylan Romo	Commissioner
	Eric Edwards	Alternate Commissioner
Staff Members:	Autumn Aman	Community Development Coordinator
	Scott Kriston	Director of Public Works
	Kimberlee Huntley	Community Services Assistant

**2. Elect Chairman and Vice Chairman.**

Commissioner Denver Kemery made a motion to elect Vice Chairman Stan Lemko as Chairman. Commissioner Dee Leggett seconded the motion.

**Motion Passed (5-0)**

Chairman Lemko made a motion to elect Commissioner Dee Leggett as Vice Chairman. Commissioner Angelina Robinson seconded the motion.

**Motion Passed (5-0)**

**3. Consider Approval of the Minutes from the Regular meeting of the Planning and Zoning Commission held on October 15, 2019.**

Vice Chairman Leggett made a motion to approve the minutes as written. Commissioner Robinson seconded the motion.

**Motion Passed (5-0)**

**4. Visitor Comments.**

There were no Visitor Comments.

**5. Consider a Preliminary Plat for a 2.713 + acre tract of land located in the E. Clary Survey, Abstract No. 248, to be known as the Tequesta Subdivision, located at 1400 Highland Village Road.**

Community Development Coordinator Autumn Aman stated the Commission would be considering the preliminary plat for the Tequesta Subdivision located at 1400 Highland Village Road. She continued that the plat featured the following; eleven (11) residential lots and one (1) detention pond area, a five foot (5') sidewalk along Highland Village Road, a sidewalk within the development, one (1) tree would remain with all others being removed due to them being located within the right-of-ways, easements, retaining wall location, buildable lot area, and within close proximity to the building foundations. Ms. Aman stated the builder would be responsible for planting a minimum of two (2) four inch (4") caliper trees in the front yard of each house prior to certificate of occupancy being issued.

Ms. Aman stated the agenda item was reviewed by the Parks and Recreation Advisory Board on Monday, October 14, 2019. The Board had made a recommendation to send the preliminary plat forward for approval with a vote of (4-1) with the concerns of trying to preserve the two (2) Pecan trees, # 587 and # 589.

Ms. Aman stated that based on the review of the application, City Staff was in the opinion the preliminary plat did comply with the City's existing regulations.

The Commissioners, the applicant Mr. Davidson, Director of Public Works Scott Kriston and Community Development Coordinator Aman discussed the application as it pertained to:

- The significance of the CoServ Electric letter that was placed in the packets. The letter stated CoServ has a policy in place that did not allow overhead primary facilities to be placed underground where the facilities to be placed underground measures less than one-thousand, two-hundred feet (1,200') in length. The policy was put in place due to the large number of failure points that were being created with so many short sections of their system being placed underground. Community Development Coordinator Aman stated since there are existing overhead power lines along Highland Village Road, and City Ordinance states overhead lines are to be placed underground where feasible, the City had requested the applicant make contact with CoServ to see if the lines could be placed underground. The applicant's property has approximate two-hundred and forty-five feet (245') of frontage along Highland Village Road and the CoServ letter was in response to that request. Ms. Aman did state that all utilities would be placed underground within the development.
- The five foot (5') sidewalk along Highland Village Road and future connectivity to the existing trail system. Ms. Aman stated if the lots to the north and south of the said property were ever developed in the future, they would be required to construct a sidewalk along Highland Village Road connecting to the sidewalk that would be built for the Tequesta development.
- The question was raised if there were any other considerations to preserving the one (1) Pecan tree #589 that had been a concern to many along with the Parks and Recreation Advisory Board. Mr. Bill Davidson stated with the tree being centrally located on the property, they could not build the road around it. Also, with it being so far forward on the property, they would lose the use of the land behind it so there would be no way to develop the property. He continued having the eleven (11) lots was also necessary to make it feasible to develop the property.
- Discussion over the removal of the trees along the southern property line. Mr. Davidson stated due to the drainage requirements and to make the development drain properly, they were going to have to raise the elevation along the southern

boundary and construct an approximate two foot (2') to two and a half foot (2-1/2') retaining wall. Doing so, they would have to remove the trees. If they were to try to leave the trees, with the elevation change, there would be fill/soil over the trees and they probably would not survive.

Vice Chairman Leggett made a motion to recommend sending the Preliminary Plat forward for approval. Commissioner Kemery seconded the motion.

Commissioner Robinson stated she would like to amend the motion to send forward for approval with the following modifications:

- On the Preliminary Plat, under "General Notes" – revise language within note #3, remove the verbiage "a portion of".
- Add to the Legend:
  - D.E. = Drainage Easement
  - D.U.E. = Drainage Utility Easement
  - L.S.U.E. = Landscape and Utility Easement

**Motion passed (5-0)**

**6. Conduct Public Hearing and consider proposed amendments to the City of Highland Village Subdivision Ordinance, Chapter 26, relating to the procedure for the approval of subdivision plats and plans.**

Community Development Coordinator Aman stated there would be no action or discussion on the item. She stated the agenda item would be discussed at a future meeting date of November 5, 2019. The City Attorney would be giving a presentation on the amendments to the City of Highland Village Subdivision Ordinance.

**7. Receive Status Reports on Various Projects**

- **Discuss Future P&Z Meeting dates**

Community Development Coordinator Aman stated that there would be a workshop meeting held on November 5, 2019 to review the amendments to the subdivision ordinance and the next regular meeting would be held on November 19, 2019.

**8. Adjournment.**

Meeting adjourned at 7:27 p.m.

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Autumn Aman  
Community Development Coordinator

Chairman – Stan Lemko  
Planning and Zoning

**CITY OF HIGHLAND VILLAGE**  
**PLANNING AND ZONING**

**AGENDA# 4**

**MEETING DATE: November 5, 2019**

**SUBJECT: Conduct Public Hearing and Consider proposed amendments to the City of Highland Village Subdivision Ordinance, Chapter 26, relating to the procedure for the approval of subdivision plats and plans**

**PREPARED BY: Autumn Aman, Community Development Coordinator**

**BACKGROUND:**

During the 2019, Texas 86<sup>th</sup> Legislative Session, House Bill 3167 was passed and became effective September 1, 2019.

The bill makes numerous changes to the subdivision platting approval process, therefore, requiring the City to make amendments to its subdivision ordinance. Technically, the bill is meant to force cities to speed up the plat/plan approval process, and to provide more information when a plan or plat isn't approved.

**IDENTIFIED NEED/S:**

Amend the City's subdivision regulations relating to the procedures for adoption of subdivision plats and plans to conform to changes in state law adopted pursuant to HB 3167.

**OPTIONS & RESULTS:**

Options are to (1) approve the request as submitted, (2) approve with modification, or (3) deny the request.

**PROGRESS TO DATE: (if appropriate)**

The City Attorney, working in conjunction with City Staff, has drafted the proposed ordinance amendments. The City Attorney also prepared a separate memo summarizing the requirements of HB 3167 and a summary of the proposed amendments that was provided to the Commission at the October 15<sup>th</sup> meeting.

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

An Ordinance amendment is required.

**RECOMMENDATION:**

Review the proposed amendments as provided by Staff and City Attorney and provide a recommendation to City Council.

