



## AGENDA

**REGULAR MEETING OF THE  
PLANNING AND ZONING COMMISSION  
CITY OF HIGHLAND VILLAGE, TEXAS  
TUESDAY, DECEMBER 17, 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 November 19, 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. **Review and Consider a Site Plan for the property located at 107 Barnett Boulevard, Lot 1R, Tract 3A, Barnett Subdivision, as submitted by Cross Engineering on behalf of the property owner, 4TP Highland Village, LLC.**
5. **Review and Consider a Replat for 2.728 ± acre tract of land located at 107 Barnett Boulevard, Lot 1R, Tract 3A, Barnett Subdivision, as submitted by Cross Engineering on behalf of the property owner, 4TP Highland Village, LLC.**
6. **Conduct Public Hearing and review and consider the request changes the zoning of an approximate 5.76 ± acre tract of land located in the W.P. Pierce Survey, Abstract No. 1015, generally located adjacent to the south right of way of Highland Village Road approximately 123.33 feet east of Edgewood Drive, from Residential Zoning SF-12 to a Residential Planned Development District.**  
*(This item has been postponed by the request of the applicant)*
7. **Receive Status Report on Various Projects.**
  - **Future P&Z Meetings**
8. **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 DECEMBER 13, 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, NOVEMBER 19, 2019**

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

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

**Roll Call**

Present:	Stan Lemko	Chairman
	Dee Leggett	Vice Chairman
	Angelina Robinson	Commissioner
	Denver Kemery	Commissioner
	Guy Skinner	Alternate Commissioner
Absent:	Dylan Romo	Commissioner
Staff Members:	Autumn Aman	Community Development Coordinator
	Kimberlee Huntley	Community Services Assistant

**2. Consider Approval of the Minutes from the Special meeting of the Planning and Zoning Commission held on November 5, 2019.**

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

**Motion Passed (5-0)**

**3. Visitor Comments.**

There were no Visitor Comments.

**4. Conduct Public Hearing and Review and Consider an application for a Conditional Use Permit (C.U.P.) to allow for an Amusement Arcade Business to be located in an approximately 2,572 square foot area of Lot 1, Block A, The Shops at Highland Village, commonly known as 1700 Cottonwood Creek, #140.**

Community Development Coordinator Autumn Aman stated an application for a Conditional Use Permit (C.U.P.) was submitted by Mr. Michael Tripp. He would like to lease a space at The Shops of Highland Village to open a business for playing electronic games along with the retail sale of games. She stated the name of the business would be Simplicity Esports and the owners of The Shops were aware of the request and were very much in favor of the request. Ms. Aman continued that the applicant had already submitted for a finish-out permit for the location, however, it was discovered at that time that the applicant would have to request a (C.U.P.) for the gaming side of the business prior to the permit being issued. She stated the retail side of sales of games and merchandise is allowed by right within the zoning however it was the amusement arcade side that required the (C.U.P.). Ms. Aman continued the draft ordinance for consideration stated the location for the (C.U.P.) and if the

use did not commence within one year of the ordinance or if the use was abandoned or discontinued for six (6) months, the (C.U.P.) would terminate.

Mr. Michael Tripp, 1725 Seminole Lane, Argyle, Texas, addressed the Commission, discussing his background and stating the primary revenue for the business would be game time membership, games by the hour, birthday parties, and tournaments. He stated there would be no gambling, just an overall social experience for all.

The Commissioners, Mr. Tripp, and Ms. Aman discussed the application as it pertained to:

- Number of games within the space being (17) Microsoft consoles/Xbox and (18) computer stations.
- Occupancy and the concern on how it would be controlled. Mr. Tripp stated you could not be a customer without sitting at a station. Customers would not be allowed to hang out in masses if not operating a machine and he would not want that due to theft. He continued his point of sale system would be set up to help mitigate the issue and he may also consider using stanchions. Mr. Tripp thanked Alternate Commissioner Skinner for his comments.
- Which component of gaming required/triggered the (C.U.P.)? Per Ms. Aman, per City Ordinance and the use of electronic gaming, which falls under amusement arcade, it was the electronic gaming that required the (C.U.P.).
- Commissioner Robinson discussed the same type of business she visited at Stonebriar Mall and how it was perfect for teenage kids.
- Hours of operation being anywhere between 11:00 a.m. to 1:00 p.m. for opening and 9:00 p.m. for closing.
- Food being all prepackage snacks, bottled water/sodas, and no alcohol.
- No restrictions on age limit.

Chairman Lemko opened the Public Hearing at 7:17 p.m.

There were no speakers from the Public Hearing.

Chairman Lemko closed the Public Hearing at 7:17p.m.

Vice Chairman Leggett made a motion to approve the Ordinance as presented. Alternate Commissioner Skinner seconded the motion.

### **Motion Passed (5-0)**

#### **5. Consider a Final 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 Aman stated it was the Final Plat that would be considered by the Commission. She continued there had not been any changes since the Preliminary Plat and the development would still consist of eleven (11) lots, one (1) common area, and a sidewalk along Highland Village Road. Ms. Aman stated City Staff and the City's Engineer had reviewed the application and were in the opinion that the plat drawing itself complied with current provisions of the City's Subdivision Ordinance. Ms. Aman continued that one of the requirements per the Planned Development Ordinance for

Tequesta, Section 2.1 of Ordinance No. 2019-1263, stated the applicant must establish a Homeowner's Association (HOA) prior to City Council approval of the Final Plat. The applicant had submitted and obtained approval from the City Attorney of the form of declaration of covenants, conditions, and restrictions containing the provisions required by the Planned Development, however, the applicant has not yet established the actual (HOA). City Staff was waiting on submission so that they may review the documents that would have to be filed with the Texas Secretary of State to create the (HOA) prior to the Final Plat going forward to City Council. Ms. Aman concluded stating the (HOA) documents did not have any effect on the plat drawing itself going forward with a conditional approval.

Vice Chairman Leggett questioned if the regulations for Lot 6 being a one story should be on the plat.

Ms. Aman responded no, it would be within the (HOA) documents.

Commissioner Robinson made a motion to approve the Final Plat with the condition that the (HOA) had been established prior to the Final Plat going forward to City Council.

Commissioner Kemery seconded the motion.

**Motion Passed (5-0)**

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

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

Community Development Coordinator Aman stated the next regular meeting would be held on December 17, 2019.

**7. 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: December 17, 2019**

**SUBJECT: Consider an application for a Site Plan for Lot 1R, Tract 3A, Barnett Subdivision, generally located at 107 Barnett Boulevard, for the Village Green Memory Care Center.**

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

**BACKGROUND**

An application was received for a Site Plan to construct an approximately 12,969 square foot building for Village Green Memory Care Center. The site plan package includes a site plan, building elevations, signage, lighting plan, and landscape plans.

**IDENTIFIED NEED/S:**

N/A

**OPTIONS & RESULTS:**

Options are to recommend approval of the site plan package as it has been submitted, to recommend approval subject to revisions, or to deny the site plan package upon a finding that it does not comply one or more requirements of the PD zoning or City Ordinances for the property.

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

City Staff and the City's Engineer have reviewed the site plan package and are of the opinion that the proposed site plan conforms with all applicable City Ordinances.

The applicant will be present to address any questions or comments the Commission may have.

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

No Ordinance change is required.

**RECOMMENDATION:**

The Planning and Zoning Commission should review the applicant's request and provide a recommendation to City Council.

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

**AGENDA# 5**

**MEETING DATE: December 17, 2019**

**SUBJECT: Consider an application for Replat of Lot 1R, Tract 3A, Barnett Subdivision, generally located at 107 Barnett Boulevard**

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

**BACKGROUND**

City Staff has received and reviewed an application for a replat of Lot 1R, Tract 3A, of the Barnett Subdivision (“the Property”), generally located at 107 Barnett Boulevard, the proposed location for the future Village Green Memory Care Center. The proposed replat does not create any additional lots; however, the applicant desires to dedicate additional easements on the Property that needed for the development of the memory care center and preferred to dedicate those easements through a replat of the Property as opposed to executing and recording separate instruments dedicating those needed easements.

**IDENTIFIED NEED/S:**

N/A

**OPTIONS & RESULTS:**

Options are to recommend approval of the replat as submitted, approve with conditions, or disapprove with explanation.

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

City Staff and the City’s Engineer have reviewed the application relating to drainage, utilities, and submitted comments back to the applicant. The applicant has resubmitted the application and have addressed all comments from City Staff and the City’s Engineer. City Staff is of the opinion the replat drawing itself is found to comply with the current provisions of the City’s subdivision regulations.

The applicant will be present to address any questions or comments the Commission may have.

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

N/A

**RECOMMENDATION:**

Staff recommends the Planning and Zoning Commission consider the replat application as presented, and recommend to the City Council that the replat be approved without conditions.