



## AGENDA

**REGULAR MEETING OF THE  
PLANNING AND ZONING COMMISSION  
CITY OF HIGHLAND VILLAGE, TEXAS  
TUESDAY, FEBRUARY 21, 2017, 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 the Planning and Zoning Commission held on November 15, 2016.**
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.)*
4. **Conduct Public Hearing and Consider an application for a Conditional Use Permit for an Accessory Dwelling on Lot 15, Block BO, Highland Shores Phase II-C, located at 505 Lanier Way.**
5. **Review and Consider a Preliminary Plat for 26.153 ± Acres in the J. Edmonson Survey, Abstract No. 398 and the G.W. Jackson Survey, Abstract No. 1599, to be known as Ladera Highland Village as submitted by G&A Consultants, on behalf of The Integrity Group.**
6. **Review and Consider a Final Plat for 26.153 ± Acres in the J. Edmonson Survey, Abstract No. 398 and the G.W. Jackson Survey, Abstract No. 1599, to be known as Ladera Highland Village as submitted by G&A Consultants, on behalf of The Integrity Group.**
7. **Receive Status Reports on Various Projects.**
  - **Discuss Future P&Z Meeting dates**
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 FEBRUARY 17, 2017 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 \_\_\_\_\_, 2017 at \_\_\_\_\_ by  
\_\_\_\_\_.

**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 15, 2016**

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

Chairman Deedee Ricketts called the meeting to order at 7:00 p.m.

**Roll Call**

Present	Deedee Ricketts Stan Lemko Richard Turner Daniel Jaworski Bob Holden Allison Lassahn	Chairman Commissioner Commissioner Commissioner Commissioner Alternate Commissioner
Absent	Thomas Heslep	Alternate Commissioner
Staff Members	Autumn Aman Scott Kriston Sasha Torres	Community Development Coordinator Director of Public Works Community Services Assistant

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

Commissioner Rick Turner made a motion to elect Deedee Ricketts as Chairman. Commissioner Stan Lemko seconded the motion.

**Motion Passed (5-0)**

Commissioner Daniel Jaworski made a motion to elect Commissioner Lemko as Vice Chairman. Commissioner Turner 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 August 16, 2016.**

Vice Chairman Lemko made a motion to approve the minutes with suggested non substantial changes. Commissioner Jaworski seconded the motion.

**Motion Passed (5-0)**

**4. Visitor Comments.**

Mr. Don Leverty, 3000 Lakeside Drive, Highland Village, addressed the Commission to let them know that he recognized the Commission has a thankless job and he appreciated their time and effort. Mr. Leverty continued that he was present to comment on the Public Storage building that was built stating it does not fit in the area, it is a sore thumb and realized it is too late to change the building, but going forward, he was going to become a more informed citizen, learn how the process works, and stay ahead of things going on in the city so that in the future there would be no surprises.

Chairman Ricketts thanked Mr. Leverty for his comments and invited him to remain at the meeting to listen to the other informational items only on the agenda.

#### **5. Receive presentation and discuss proposed Residential Planned Development of an approximate 2.702 acre tract of land located at 1400 Highland Village Road.**

Community Development Coordinator Autumn Aman stated that the city was approached by Bill Davidson, who owns the property located at 1400 Highland Village Road. She stated that he was now ready to develop the property by creating a planned development. City staff thought it would be beneficial for him to do a presentation for the Commission prior to submitting any formal application. Ms. Aman stated that the property is currently zoned SF-15, which is single family residential 15,000 square foot minimum lot area.

Mr. Bill Davidson, Foremost Investments, 2016 Justin Rd., #300, Highland Village, addressed the Commission explaining how he would like to develop his property which he purchased in 2004. He proceeded with his presentation highlighting the following:

- The development would consist of (11) single family homes with 2400 square foot minimum living areas.
- There would be a mix of builders with home styles being both single story and two stories.
- The target would be for empty nesters, those who want to down-size.
- Small detention area with park-like features.
- It would be completely screened from neighbors, have an attractive entry landscaping with seasonal plantings and lighting.
- The development would alleviate the chronic storm water problems with the neighbors.
- There would be an HOA for common areas and front yard maintenance.
- Commercial or special uses have been avoided.
- Mr. Bill Davidson is an established, long-time Highland Village resident and developer.
- The price range would start at \$500,000.

Mr. Davidson continued that his request for a Planned Development would be based upon a concept plan, requesting variable side yard setbacks of 12' with not less than 5' on a side and not more than 7' on the opposite side allowing for a more variety and design options as seen in truly custom homes, such as what was approved in the Highland Oaks Subdivision. He continued there would also be the request for variable front yard setbacks, providing a split setback of 20' on one-half for the driveway pad and 10' for the other one-half which would be living area only and not a garage. He stated it would allow for large single story homes and would break up the front line creating a more appealing streetscape and also hide the garages and limit views of vehicles parked in the driveways when approaching the homes. Mr. Davidson spoke of asking for exclusion of the sidewalk, as also permitted in the Highland Oaks Subdivision, due to the development having a short street with only (11) homes and a cul-de-

sac with very limited traffic. The street sign on Highland Village Rd. would indicate "No Outlet" and they would restrict the permissible speed to 10 miles per hour and install speed bumps if necessary. His estimated timeline would be to get city approval by March 2017 with conclusion of home construction late 2018. Mr. Davidson stated that the name of the development would be Tequesta and showed an exhibit of the proposed stone entry sign that would consist of berms and landscaping along with a sidewalk/trail along Highland Village Road.

The Commissioners, Mr. Davidson, and Ms. Aman discussed the presentation as it pertained to the sale price, possible right turn lane, trees existing on the property and replacement trees, fencing materials, and trail connection. There was very much discussion and great concern on the requested quantity of homes and their square footage, all the requested setbacks along with the request of no sidewalks within the development, and the comparison of the proposed development with other Planned Developments in Highland Village.

Chairman Ricketts thanked Mr. Bill Davidson on his presentation and had requested that Ms. Aman research other Planned Developments within the City of Highland Village that may be similar.

## **6. Receive Project Update regarding the status of the Preliminary Plat and Final Plat of the Ladera Highland Village Planned Development.**

Community Development Coordinator Aman stated that most of the Commissioners were familiar with the Ladera Development, however, for the new Commissioners she stated that it would be an age restricted single family residential condominium development. She continued that the Planned Development was established in July of 2016, setting all the standards on how the development shall be built. Ms. Aman stated that there was still some work to be finished before the applicant brings forward the Preliminary and Final Plat for approval. She stated that city staff felt it would be beneficial to have the property owner of the Ladera Highland Village Development present the Commission with an update of the development.

Mr. John Delin, The Integrity Group, 2565 Strader Rd., Justin, Texas addressed the Commissioners stating he just gained full control of the property and started to remove some of the existing fencing that was on the property and they are now ready to get to work on correcting the drainage that has been a problem for some of the residents on Amhurst Dr. Mr. Delin continued they had modified the front entry way to make it more attractive and stated there has already been a lot of interest in the property.

Mr. Bobby Dollak, G&A Consultants, 111 Hillside Dr., Lewisville, Texas gave an update on the Chinn Chapel road construction, stating they have been working with Halff & Associates, the Denton County Commissioner, and the Town of Copper Canyon and anticipate beginning the project in February 2017. He continued there will be a batch plant off site and a railroad quiet zone. Mr. Dollak continued that they have been working with the Chapel Hill HOA and are still working through minor adjustments before the preliminary plat and final plat are brought forward to the Commission. He stated they want to do the best project they can do and plan on bringing the plats forward to the Commission in December.

The Commissioners, Mr. Delin, and Mr. Dollak discussed the presentation as it pertained to if any permits had been issued yet for the site, specialized grading to correct the drainage for some of the residents in the Chapel Hill Subdivision and the cell site that would be moved by August 2017. Discussion continued on density and the possibility of adding two more lots, the flood plain area, railroad quiet zone, wrought iron fencing along the east property line and train

noise, and the concern of parking on the streets.

**7. Receive Status Reports on Various Projects**  
• **Discuss Future P&Z Meeting dates**

Community Development Coordinator Aman stated that the next regular meeting date is December 20, 2016.

**8. Adjournment.**

Meeting adjourned at 8:17 p.m.

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Autumn Aman  
Community Development Coordinator

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Deedee Ricketts – Chairman  
Planning and Zoning

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

**AGENDA# 4**

**MEETING DATE: February 21, 2017**

**SUBJECT: Conduct Public Hearing and Consider an application for a Conditional Use Permit (C.U.P.) for an Accessory Dwelling Unit to be located at 505 Lanier Way, Lot 15, Block BO, Highland Shores II-C located in an SF-15 Zoning District.**

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

**BACKGROUND**

An application was received for a Conditional Use Permit to allow an Accessory Dwelling Unit to be located on a residential lot that is located in an SF-15 Zoning District.

The property owner is proposing an approximately 1,375 square foot 2-story building which will consist of a garage on the first floor with living space above. The requested accessory dwelling unit will be occupied by a family member.

The proposed structure will be constructed with the 80% masonry similar to the brick of the existing main residence.

**IDENTIFIED NEED/S:**

Section 34.2 of the Comprehensive Zoning Ordinance allows development of property located in an SF-15 Zoning District with an Accessory Dwelling Units following approval of an ordinance granting a conditional use permit.

**OPTIONS & RESULTS:**

The option is to recommend approval or denial of the application as submitted or to approval the application subject modifications recommended by the Commission.

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

Public Hearings are required for Conditional Use Permits. All notification requirements have been satisfied. As of the date of this briefing, February 17, 2017, staff has received no calls or written comments as a result of the public hearing notices.

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

A draft ordinance containing proposed regulations has been prepared and included with the agenda.

**RECOMMENDATION:**

Review the applicant's request and provide a recommendation to City Council.

**ORDINANCE NO. 2017-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, GRANTING A CONDITIONAL USE PERMIT (C.U.P.) FOR AN ACCESSORY DWELLING ON LOT 15, BLOCK BO, HIGHLAND SHORES PHASE II-C, MORE COMMONLY KNOWN AS 505 LANIER WAY, LOCATED IN PLANNED DEVELOPMENT NO. 3 (PD 3); APPROVING A SITE PLAN AND BUILDING ELEVATIONS; PROVIDING FOR TERMINATION ON ABANDONMENT OR DISCONTINUANCE OF THE CONDITIONAL USE; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Highland Village, Texas, in compliance with the laws of the State of Texas and the Ordinances of the City of Highland Village, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the 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, and upon a finding that the proposed conditional use is consistent with the standards for approval set forth in Sections 12.3 and 34.2. of the Comprehensive Zoning Ordinance of the City of Highland Village, Texas, the City Council has concluded that the Comprehensive Zoning Ordinance and Zoning District Map of the City of Highland Village, Texas, as previously amended, should be further amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** The Comprehensive Zoning Ordinance of the City of Highland Village, Texas, as amended, shall be further amended by granting a Conditional Use Permit (C.U.P.) for an accessory dwelling on Lot 15, Block BO, Highland Shores Phase II-C, City of Highland Village, Denton County, Texas, commonly known as 505 Lanier Way, Highland Village, Texas (“the Property”), and presently located in Planned Development No. 3 (PD 3), the location of the Property being depicted in Exhibit “A,” attached hereto and incorporated herein by reference.

**SECTION 2.** The development and use of the Property as an Accessory Dwelling as authorized by Section 1, above, shall be in accordance with the use and development regulations of the Comprehensive Zoning Ordinance, as amended, including, but not limited to, the use and development regulations set forth in Section 34.2. of the Comprehensive Zoning Ordinance, as amended, the Site Plan attached hereto as Exhibit “A,” and the Building Elevations attached hereto as Exhibit “B,” and incorporated herein by reference. The masonry materials used for construction of the exterior facades of the Accessory Dwelling shall be as close in appearance as reasonably possible to the masonry materials used for construction of the main dwelling located on the Property.

**SECTION 3.** If the use of the Property for the purpose of operating an Accessory Dwelling is discontinued or abandoned for a period of six (6) months, such use shall not be resumed and this Ordinance and the Conditional Use Permit granted herein shall be deemed to have terminated. For purposes of this Section 3, whether or not the required use has been discontinued or abandoned shall be determined in the same manner as the abandonment or discontinuance of a non-conforming use as set forth in Section 7 of the Comprehensive Zoning Ordinance, as amended.

**SECTION 4.** All ordinances of the City of Highland Village related to the use and development of the Property heretofore adopted and in effect upon the effective date of this Ordinance are and shall remain in full force and effect except to the extent amended by this Ordinance or to the extent there is an irreconcilable conflict between the provisions of said other ordinance and the provisions of this Ordinance, in which case the provisions of this Ordinance shall be controlling.

**SECTION 5.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance or the Comprehensive Zoning Ordinance, as amended hereby, which shall remain in full force and effect.

**SECTION 6.** An offense committed before the effective date of this Ordinance is governed by 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 7.** 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 Comprehensive Zoning Ordinance as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 8.** No person or entity shall acquire any vested interest in this Ordinance or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the City Council of the City of Highland Village, Texas, in the manner provided by law. .

**SECTION 9.** This ordinance shall take effect immediately from and after its passage on Second Reading and publication of the caption in accordance with the provisions of the Charter of the City of Highland Village, and it is accordingly so ordained.

**FIRST READ ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

**APPROVED:**

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

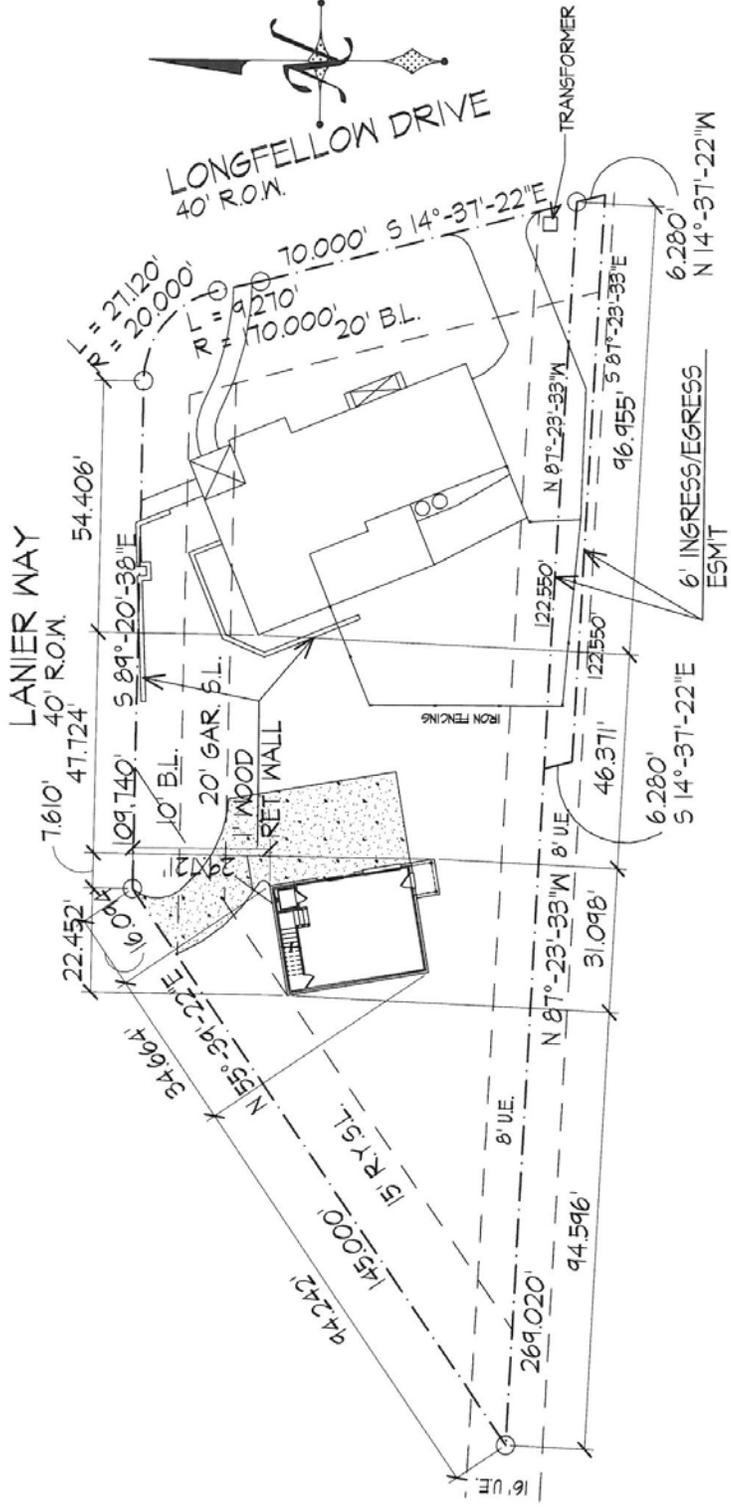
**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**  
(kbl:2/15/17:83854)

**EXHIBIT "A"**  
**PROPERTY LOCATION AND SITE PLAN**

LOT 15, BLOCK BO  
 505 LANIER WAY  
 HIGHLAND SHORES, PHASE II-C  
 HIGHLAND VILLAGE,  
 DENTON COUNTY, TX

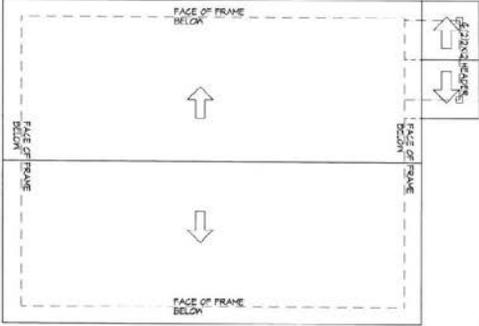


○ PLOT PLAN

SCALE: 1:20

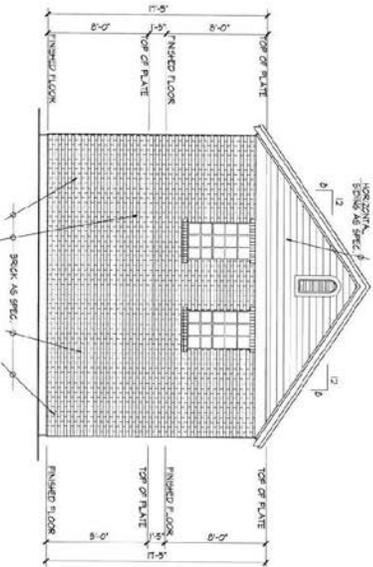
# ORDINANCE NO. 2017- EXHIBIT "B" – ELEVATIONS

ROOF PLAN  
SCALE: 1/8"=1'-0"

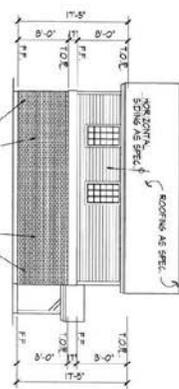


**NOTE:**  
ALL ROOF PITCHES @ 6 : 12 TO MATCH MAIN BLDG. UNLESS OTHERWISE NOTED.

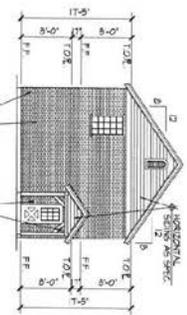
FRONT ELEVATION  
SCALE: 1/8"=1'-0"



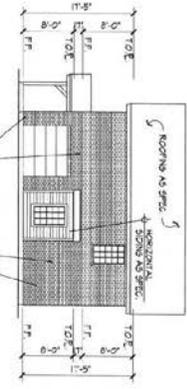
RIGHT ELEVATION  
SCALE: 1/8"=1'-0"



REAR ELEVATION  
SCALE: 1/8"=1'-0"



LEFT ELEVATION  
SCALE: 1/8"=1'-0"



WALL AREAS	100 SQ FT	100 SQ FT
BRICK	500 SQ FT	500 SQ FT
TOTAL	700 SQ FT	700 SQ FT

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VOIGHT GAR.

DESIGN SERVICES  
BY WILLIAM C. BROWN  
COPYRIGHT 2017 WILLIAM C. BROWN  
BUD N. CARROLL, FORT DICKERSON, TEXAS (936) 426-1000

See the title block of general construction contract for details. The contractor shall be responsible for obtaining all necessary permits and for obtaining all necessary approvals for the building. The contractor shall be responsible for obtaining all necessary approvals for the building. The contractor shall be responsible for obtaining all necessary approvals for the building. The contractor shall be responsible for obtaining all necessary approvals for the building.

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

**AGENDA# 5**

**MEETING DATE: February 21, 2017**

**SUBJECT: Consider a Preliminary Plat for 26.153± Acres in the J. Edmonson Survey, Abstract No. 398 and the G.W Jackson Survey, Abstract No. 1599, to be known as Ladera Highland Village as submitted by G&A Consultants, on behalf of The Integrity Group.**

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

**BACKGROUND**

An application for review and consideration of the Preliminary Plat, Tree Plan, and Landscape Plan was submitted for Ladera Highland Village.

The approximate total 26.153 acre tract, located on the East side of Chinn Chapel Rd., South of the railroad tracks, directly north of Chapel Hill Estates II, was purchased by The Integrity Group for development of a Detached Residential Condominium Development consisting of 100 dwelling units on one lot. This development will be an age restricted, maintenance free, gated residential community integrated with amenities such as walking trails, community pool, gazebos and pavilions, sports court, parks, and open space.

On July 26, 2016, the City Council approved Ordinance No. 2016-1201, changing the zoning of the property from SF-40 to a Planned Development in order to allow the property to be developed as described above setting forth the standards on how the property shall be developed.

**IDENTIFIED NEED/S:**

N/A

**OPTIONS & RESULTS:**

Review the preliminary plat application as presented by City Staff with respect to approval of the preliminary plat with or without modification or conditions.

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

City staff and the City's engineer have reviewed the application relating to drainage, utilities, and the tree mitigation plan, landscape plan, and submitted comments back to the applicant. Based on review of the application, City staff is of the opinion the preliminary plat complies with the City's existing regulations.

City Staff had presented the Preliminary Plat to the Parks and Recreation Advisory Board on February 16, 2017 and their recommendation was to send it forward for approval as presented. Approved (4-0).

Representatives from the engineer and developer will be present to answer any questions

from the Board.

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

No ordinance change is required.

**RECOMMENDATION:**

Staff recommends the Commission receive the Parks Boards' recommendation prior to providing their recommendation to City Council, consider the preliminary plat application as presented, and forward a recommendation to City Council.

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

**AGENDA# 6**

**MEETING DATE: February 21, 2017**

**SUBJECT: Consider a Final Plat for 26.153± Acres in the J. Edmonson Survey, Abstract No. 398 and the G.W Jackson Survey, Abstract No. 1599, to be known as Ladera Highland Village as submitted by G&A Consultants, on behalf of The Integrity Group.**

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On July 26, 2016, the City Council approved Ordinance No. 2016-1201, changing the zoning of the property from SF-40 to a Planned Development in order to allow the property to be developed as described above setting forth the standards on how the property shall be developed.

**IDENTIFIED NEED/S:**

N/A

**OPTIONS & RESULTS:**

Options are to recommend approval as submitted, approve subject to requested modifications, deny or postpone for additional information.

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

City staff and the City's engineer have reviewed the application relating to drainage, utilities, and the tree mitigation plan, landscape plan, and submitted comments back to the applicant. Based on review of the application, City staff is of the opinion the Final Plat complies with the City's existing regulations.

City Staff had presented the Final Plat to the Parks and Recreation Advisory Board on February 16, 2017 and their recommendation was to send it forward for approval as presented. Approved (4-0).

Representatives from the engineer and developer will be present to answer any questions

from the Board.

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

No ordinance change is required.

**RECOMMENDATION:**

Staff recommends the Commission receive the Parks Boards' recommendation prior to providing their recommendation to City Council, consider the Final Plat application as presented, and forward a recommendation to City Council.

