



## A G E N D A

**REGULAR MEETING OF THE  
PLANNING AND ZONING COMMISSION  
CITY OF HIGHLAND VILLAGE, TEXAS  
TUESDAY, JULY 15, 2025, 7:00 PM  
HIGHLAND VILLAGE MUNICIPAL COMPLEX  
CITY COUNCIL CHAMBERS  
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**

1. **Call to Order/ Roll Call.**
2. **Consider Approval of the Minutes from the Regular meeting held on February 18, 2025.**
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 a request to amend the development and use of Lots 1 and 2, Block B, Edgewood Estates, commonly known as 234 Edgewood Drive by changing the zoning from Single Family Residential Zoning (SF-12) to a Planned Development Overlay District with Single Family Residential (SF-10) as the base zoning and approve special exceptions to the Subdivision Ordinance.**
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 JULY 11, 2025, 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 \_\_\_\_\_, 2025 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, FEBRUARY 18, 2025**

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

Chairman Denver Kemery called the meeting to order at 7:00 p.m.

**Roll Call**

Present:	Denver Kemery	Chairman
	Brent Myers	Vice Chairman
	Kevin McMahan	Commissioner
	Spencer Wilk	Commissioner
	Misty Sedillo	Commissioner
	Omer Tamir	Alternate Commissioner
Absent:	Scott Campbell	Alternate Commissioner
Staff Members:	Autumn Aman	Community Development Coordinator

**2. Consider Approval of the Minutes from the Regular meeting held on January 21, 2025.**

Vice Chairman Brent Myers made a motion to approve the minutes as written. Commissioner Kevin McMahan seconded the motion.

**Motion Passed (5-0)**

**3. Visitor's Comments.**

There were no visitor comments.

**4. Review and Consider an application for an Amended Site Plan for Lot 1, Block A, The Highland Village Town Center, Section One, located at 2270 Justin Road.**

Community Development Coordinator Autumn Aman stated an application was received to amend the site plan for H Tea O. She continued that the property was located within the Highland Village Town Center, currently zoned Retail (R) and H Tea O would be leasing the property from the property owner, Brixmor Property Group.

Ms. Aman stated there had been a previous site plan approved in February of 2022. The building permit had been issued, work began, however all construction had stopped. H Tea O Corporate had stepped in and they would now be constructing the building and are now ready to move forward with an amended site plan.

Ms. Aman continued that some of the changes from the previous approved site plan were the following:

- The original building approved would have been 2,553 square foot. It would now be 2,168 square foot, reducing the size by 385 square foot.
- They would be creating two (2) drive-thru stacking lanes in front of the building along with creating a one-way traffic flow.
- Majority of the exterior building elevations would be white with the accent of composite wood on the front elevation.
- The applicant would be constructing an eight (8') foot sidewalk/trail along FM 407 to comply with the updated comprehensive plan was approved February 2023.

Ms. Aman concluded that the Planning and Zoning Commissioners had the site plan and the resolution for consideration that was generated by the City Attorney.

Ms. Monica Pomeroy, Director of Development Services with Interplan LLC, 220 E. Central Pkwy., #4000, Altamonte Springs, FL., stated she was the applicant on behalf of H Tea O and briefly went through the site plan.

Commissioner McMahan questioned Community Development Coordinator Aman if there would be any impact on the City with it being a franchise or corporate owned.

Ms. Aman stated no.

Chairman Kemery questioned what the average square footage was of the H Tea O's.

Commissioner McMahan also added if it would be the same size as the H Tea O located on FM 3040 in Lewisville.

Mr. Shane Clark, Chief Development Officer for H Tea O, 4621 Saint Charles Ct., Flower Mound, TX, stated that the square footage would be similar to the Flower Mound and the Lewisville location on FM 3040.

Vice Chairman Myers questioned which part of the building would be for deliveries and what size trucks would be making the deliveries.

Mr. Clark responded the trucks would be eighteen-wheelers with lift gates and they would make their deliveries at the front door.

Vice Chairman Myers questioned if deliveries would be during business hours.

Mr. Clark responded yes.

Chairman Kemery questioned what the business and delivery hours were.

Mr. Clark stated they would be open from 7:00 a.m. to 8:05 p.m.

Commissioner McMahan questioned if the items being sold were just tea, coffee, cupcakes, etc.

Mr. Clark stated tea, coffee, small snacks, some retail items such as hats, but no smoothies.

Vice Chairman Myers questioned Community Development Coordinator Aman if the signage and landscaping met City requirements.

Ms. Aman stated they did.

Chairman Kemery questioned if they anticipated any type of impact on entering or leaving the site, especially onto Highland Village Road.

Ms. Pomroy discussed the different scenarios entering and exiting the site and she did not anticipate any problems.

Chairman McMahan questioned if the location in Flower Mound had two drive-thru lanes and what time of day had the most traffic.

Mr. Clark responded that the Flower Mound location did not have two drive-thru lanes and the busiest time was Happy Hour 2:00 p.m. to 4:00 p.m.

Commissioner McMahan questioned how many locations H Tea O had.

Mr. Clark responded that they had approximate one hundred thirty-five (135) locations with forty to forty-five (40-45) new locations to open.

Commissioner McMahan also questioned what the highest traffic rate was going through the drive-thru.

Mr. Clark responded that it was at Happy Hour, approximate ten (10) cars, however they always move at a steady pace and they have had no issues with stacking.

Vice Chairman Myers made a motion to recommend to City Council approval of the Resolution and Site Plan as presented. Commissioner Spencer Wilk seconded the motion.

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

## **5. Receive Status Reports on Various Projects**

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

Community Development Coordinator Aman stated the next regular scheduled meeting would be held on March 18, 2025.

## **6. Adjournment.**

Meeting adjourned at 7:20 p.m.

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Autumn Aman  
Community Development Coordinator

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Denver Kemery – Chairman  
Planning and Zoning



## CITY COUNCIL MEMORANDUM AGENDA ITEM 4

**MEETING DATE:** July 15, 2025

**SUBJECT:** Review and Consider an application to amend the development and use regulations of Lots 1 and 2, Block B, Edgewood Estates, commonly known as 234 Edgewood Drive by changing the zoning from Single Family Residential (SF-12) to a Planned Development Overlay District with Single Family (SF-10) as the base zoning and approving special exceptions to the development regulations of the Subdivision Ordinance.

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

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### **BACKGROUND**

An application for review and consideration to create a Planned Development by changing the current zoning of the subject property from Single Family Residential (SF-12) to Single Family Residential (SF-10) along with a request to approve four (4) special exceptions to the Subdivision Ordinance was submitted by CCM Engineering on behalf of the property owner, Jason Lee Burket.

The applicant wishes to change the zoning and create a Planned Development creating a total of six (6) lots for future construction of five (5) homes in addition to the existing home occupied by the applicant that would be located on the sixth lot.

The property is approximate 4.138± acres. On June 22, 2021, the City Council approved a replat of the property that subdivided the property into two (2) lots. Approval of said replat included approval of an exception to Section 3.1.O of the Subdivision Ordinance regarding the maximum length of a cul-de-sac street.

The exceptions requested are as follows:

- (1) Notwithstanding Section 3.1.O of the Subdivision Regulations, the Property may be developed with a cul-de-sac street with a length greater than 600 feet but not more than 800 feet;
- (2) Notwithstanding Section 3.1.S of the Subdivision Regulations, the street within the Property may be constructed with asphalt material that complies with Division 300 Roadway Construction from the *Standard Specifications for Public Works Construction – North Central Texas Council of Governments - Fifth Edition* amended August 2023;
- (3) Notwithstanding Section 3.5.C of the Subdivision Regulations, the Property may be constructed without sidewalks; and
- (4) The Property may be developed with drainage ditches in lieu of concrete curb and gutters in accordance with Section 3.10 of the Subdivision Regulations subject to compliance with the most recent edition of the City of Highland Village

Technical Construction Standards and Specifications (TCSS), inclusive of the City's Drainage Criteria Manual.

The Edgewood Estates subdivision was originally platted in 1971 and constructed with asphalt streets without curb and gutters and no sidewalks. Special Exceptions 2, 3, and 4 would facilitate for the Property to be developed in a manner consistent with the existing Edgewood Estates.

In order to grant the requested Special Exceptions, the City Council must make certain findings as set forth in Section 1.11 of the City's Subdivision Ordinance, which reads as follows:

*A. General. Where the City Council finds that unreasonable hardships or difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve special exceptions to these subdivision regulations so that substantial justice may be done and the public interest secured; provided that the special exception shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the City Council shall not approve special exceptions unless it shall make findings based upon the evidence presented to it in each specific case that:*

- 1. The granting of the special exception will not be detrimental to the public safety, health, or welfare or injurious to other property;*
- 2. The conditions upon which the request for a special exception is based are unique to the property for which the special exception is sought and are not applicable generally to other property;*
- 3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;*
- 4. The special exception will not in any manner vary the provisions of the zoning ordinance or comprehensive plan, future land use plan, thoroughfare plan, and other adopted plans, except that those documents may be amended in the manner prescribed by law;*
- 5. An alternate design will achieve the same result or intent as the standards and regulations prescribed herein.*

City staff has worked with the applicant. Most of the adjacent properties are either fully developed, owned by the City (Doubletree Ranch Park) or is federally-owned property. The property to the east of the subject property could be re-developed at some unknown date in the future.

Public hearings are required to be conducted by both the Planning and Zoning Commission and City Council. All public hearing notification requirements have been met. As of 07-08-2025, City Staff had received one (1) inquiry on the nature of the request.

**BUDGETARY IMPACT****RECOMMENDATION**

Staff recommends the Planning and Zoning Commission review, consider the application as presented, and forward a recommendation to the City Council on the application along with recommendation on the applicant's request for the special exceptions.

**CITY OF HIGHLAND VILLAGE, TEXAS  
ORDINANCE NO. 2025-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING THE HIGHLAND VILLAGE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP BY AMENDING THE REGULATIONS RELATING TO THE USE AND DEVELOPMENT OF LOTS 1 AND 2, BLOCK B, EDGEWOOD ESTATES BY CHANGING THE ZONING FROM SINGLE FAMILY 12 (SF-12) TO A PLANNED DEVELOPMENT OVERLAY DISTRICT FOR SINGLE FAMILY 10 (SF-10) (PD 2025-1) AND ADOPTING DEVELOPMENT REGULATIONS AND A CONCEPT PLAN; PROVIDING FOR SPECIAL EXCEPTIONS TO CERTAIN SUBDIVISION REGULATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING 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 the legislative direction, have concluded that the Comprehensive Zoning Ordinance and Zoning Map of the City of Highland Village, Texas, as previously amended, should be further amended.

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

**SECTION 1.** The Comprehensive Zoning Ordinance (“CZO”) and the Zoning Map of the City of Highland Village, Texas, as previously amended (collectively, the “CZO”), be further amended by amending the regulations relating to the use and development of Lots 1 and 2, Block B, Edgewood Estates, a subdivision of the City of Highland Village, Denton County, Texas, according to the plat thereof recorded as Instrument No, 2022-120 (the “Property”), by changing the zoning from Single Family 12 (SF-12) to a Planned Development Overlay District for Single Family – 10 (SF-10) (PD 2025-1) subject to the use and development regulations set forth in Section 2 of this Ordinance.

**SECTION 2.** The Property may be developed and used for single family dwellings subject to the following:

- A. BASE ZONING:** The Property shall be developed in accordance with the development and use regulations of the Single Family 10 (SF-10) Zoning District except as modified by this Ordinance.
- B. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit “A” and incorporated herein by reference (“the Concept Plan”).
- C. SPECIAL EXCEPTIONS TO SUBDIVISION STANDARDS:** The City Council having made the findings required by Section 1.11 of the Subdivision Regulations, the Property



may be developed with the following special exceptions to the development regulations of the Subdivision Regulations:

- (1) Notwithstanding Section 3.1.O of the Subdivision Regulations, the Property may be developed with a cul-de-sac street with a length greater than 600 feet but not more than 800 feet;
- (2) Notwithstanding Section 3.1.S of the Subdivision Regulations, the street within the Property may be constructed with asphalt material that complies with Division 300 Roadway Construction from the *Standard Specifications for Public Works Construction – North Central Texas Council of Governments - Fifth Edition* amended August 2023;
- (3) Notwithstanding Section 3.5.C of the Subdivision Regulations, the Property may be constructed without sidewalks; and
- (4) The Property may be developed with drainage ditches in lieu of concrete curb and gutters in accordance with Section 3.10 of the Subdivision Regulations subject to compliance with the most recent edition of the City of Highland Village Technical Construction Standards and Specifications (TCSS), inclusive of the City's Drainage Criteria Manual.

**SECTION 3.** 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 provision of this Ordinance shall be controlling.

**SECTION 4.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or 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 5.** 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 6.** 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 7.** 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.

**PASSED AND APPROVED BY THE CITY COUNCIL, CITY OF HIGHLAND VILLAGE, TEXAS  
ON FIRST READING ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_ 2025.**

**PASSED AND APPROVED BY THE CITY COUNCIL, CITY OF HIGHLAND VILLAGE, TEXAS  
ON SECOND READING ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_ 2025.**

**APPROVED:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

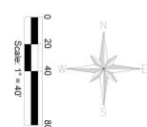
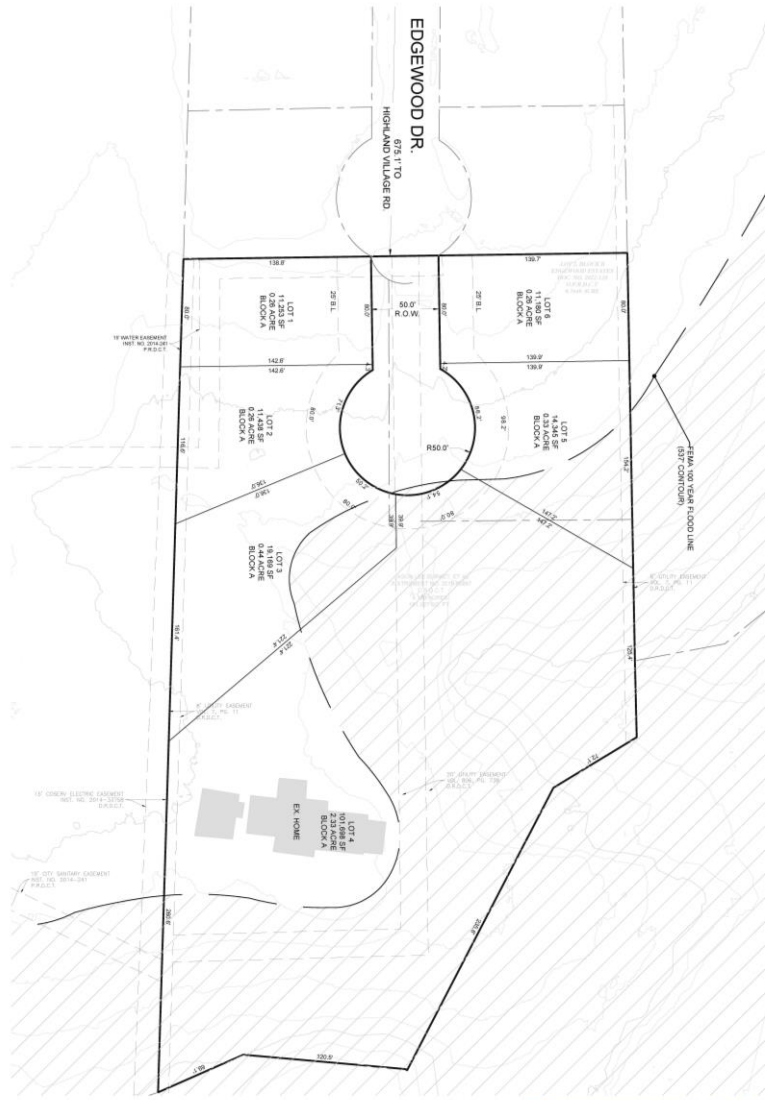
**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Kevin B. Laughlin, City Attorney**  
(kbl:6/25/2025:4921-0962-9261 v1)

Ordinance No. 2025-1  
EXHIBIT A – CONCEPT PLAN



- CURRENT ZONING: SF-12  
PROPOSED ZONING: PD (BASE SF-10)
- PROPOSED VARIANCES:
1. **Cul-de-sac Length:** Minimum cul-de-sac length to be increased to 800'.
  2. **Drainage:** Bar ditches to be allowed for storm water drainage within City R.O.W.
  3. **Pavement Material:** Asphalt road pavement to be allowed for public city streets.
  4. **Sidewalks:** There will be no sidewalks installed per this development.