

#### AGENDA

REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION
CITY OF HIGHLAND VILLAGE, TEXAS
TUESDAY, AUGUST 19, 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 July 15, 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. Review and Consider a Preliminary Plat for 4.364 <u>+</u> Acre tract of land out of the Fred Hyatt Survey, Abstract 559, Part of Tract 4, Barnett Subdivision, generally located at 102 Barnett Boulevard (Magnolia Village Subdivision).
- 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 THE  $15^{TH}$  DAY OF AUGUST, 2025 NOT LATER THAN 5:00 P.M.

Р.М.				
	Autumn Aman			-
	Community De	evelopment Co	ordinator	
This facility is wheelchair accessible and accessinterpretive services must be made 48 hours price 899-5132 or Fax (972) 317-0237 for additional in	rior to this meeting.			
Removed from posting on the	day of		, 2025 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, JULY 15, 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

Scott Campbell Alternate Commissioner
Omer Tamir Alternate Commissioner

Absent: Misty Sedillo Commissioner

Staff Members: Autumn Aman Community Development Coordinator

Scott Kriston Director of Public Works

Kimberlie Huntley Community Services Assistant

2. Consider Approval of the Minutes from the Regular meeting held on February 18, 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. 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.

Community Development Coordinator Autumn Aman stated an application was received to create a Planned Development for the property located at 234 Edgewood Drive. She stated the property owner would like to change the existing zoning from Single Family Residential (SF-12) to Single Family Residential (SF-10) along with requesting four (4) special exceptions to the Subdivision Ordinance and creating a total of six (6) lots for future residential construction on five (5) of the lots. The applicant is CCM Engineering on behalf of the property owner, Mr.

Jason Burket. Mr. Burket does live on the property which is approximate 4.138+ acres. Per City Ordinance, you must have two (2) acres to create a Planned Development.

Ms. Aman stated on June 22, 2021, the City Council approved a replat of the property into two (2) lots that also included approval of an exception to the cul-de-sac length. Ms. Aman continued that the request for the special exceptions would allow the property to be consistent with the existing Edgewood Estates.

The exceptions requested are as follows:

- the Property may be developed with a cul-de-sac street with a length greater than 600 feet but not more than 800 feet;
- the street 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) the Property may be constructed without sidewalks; and
- (4) The Property may be developed with drainage ditches in lieu of concrete curb and gutters

Ms. Aman stated that public hearings were required and notices had been sent to everyone within two hundred (200') feet of the said property and from those notices there were no inquires. However, a resident who resides just outside the two hundred (200') feet did come to City Hall to review the application and did not have any issues with the request.

Ms. Aman concluded that the application being considered was a request to change the zoning only with the requested (4) exceptions. She informed the Commissioners if the application is approved by City Council, the Commissioners would see the property again at the Preliminary Plat stage.

Commissioner Wilk asked Director of Public Works Scott Kriston if there was any concern on adding new asphalt and any concern of sewer capacity.

Mr. Kriston responded that it would be best to match the existing subdivision that was asphalt and there was plenty of capacity for sewer.

Chairman Kemery, Ms. Aman, and Mr. Kriston briefly discussed lot sizes compared to existing subdivisions such as Tequesta, Clearwater, Lake Vista, and Village Estates.

Vice Chairman Myers questioned if the extension of the cul-de-sac would be something the City would maintain.

Mr. Kriston stated it would be dedicated as an asset.

Vice Chairman Myers stated there were concerns of the flood plain running through some of the lots.

Mr. Kriston stated they would not be able to building below the 537 elevation.

Commissioner McMahan questioned facilities, sewer, and flooding. Would a flood cause the sewer to leak back into the pond depending on where the pipes were located and if the property owner intended to sell the lots or build the homes?

Mr. Jason Burket, property owner, responded he would be selling the lots.

Scott Kriston spoke about the sewer, stating they would tie into the main line, which is outside of the flood plain and that there was only a truck line in the flood plain, not a main line.

Commissioner McMahan and Mr. Kriston discussed how the existing cul-de-sac would be straightened when it was designed by an engineer. The existing cul-de-sac would disappear, it would still be in the right-of-way but all would be fully designed per City specifications.

Chairman Kemery questioned the location of a fire hydrant with the new road.

Mr. Kriston stated it would be placed where the road ends; they would have to make sure it would be out of the bar ditch.

Vice Chairman Myers questioned if there was any concern on lot sizes.

Mr. Kriston responded there was no concern.

Commissioner McMahan stated the building itself cannot be in the flood plain, he had concerns with parking and street width.

Mr. Kriston stated all would be built per City specifications.

Vice Chairman Myers questioned if there was any concerns with a fire truck turning around in the cul-de-sac.

Mr. Kriston stated it would be built to City specifications and it would be an improvement.

Commissioner Wilk questioned the property owner on when the lake hits the spillway, how close does the water get to the house.

Mr. Burket stated he had lived on the property for five (5) years. He had conversations with the prior property owner, Mr. Trett, asking if there had ever been any flooding. The prior owner stated water would come up to the swimming pool berm, not into the pool or the home itself. Mr. Burket stated there might be some water on his driveway but no flooding.

Commissioner McMahan, Vice Chairman Myers, Mr. Kriston, and the property owner Mr. Burket discussed bar ditches and driveway culverts, the flood plain, how many lots possibly flood, the 537 elevation, elevation surveys, Army Corp of Engineers, FEMA and flood insurance, and the recent floods in Kerrville, Texas.

Chairman Kemery opened the Public Hearing at 7:20 p.m.

There were no speakers for the public hearing.

Chairman Kemery closed the Public Hearing at 7:20 p.m.

Vice Chairman Myers made a motion to recommend to City Council approval of the draft ordinance with the requested special exceptions as submitted. Commissioner 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 August 19, 2025.

Denver Kemery – Chairman
Planning and Zoning



## PLANNING AND ZONING MEMORANDUM AGENDA ITEM 4

**MEETING DATE: August 19, 2025** 

**SUBJECT:** Consider a Preliminary Plat for a 4.364<u>+</u> Acre tract out of the Fred Hyatt Survey, Abstract 559, Part of Tract 4, Barnett Subdivision, generally located at 102 Barnett Boulevard. (Magnolia Village Subdivision)

PREPARED BY: Autumn Aman – Community Development Coordinator

### BACKGROUND

An application for review and consideration of the Preliminary Plat and Tree Plan was submitted for Magnolia Village. The approximate total of 4.364+ acre tract is currently owned by DJB Development, LLC (Dusty Broadway). Mr Broadway desires to develop the property for Residential Single Family Patio Homes consisting of twenty-five (25) lots.

On September 24, 2024, City Council approved changing the zoning on the property from Single Family Residential (SF-40) to a Planned Development District for Single Family Patio Homes.

The Preliminary Plat features the following:

- 1. Twenty-Five (25) lots for single-family patio homes
- 2. Sidewalks within the development.
- 3. The face of all garage doors shall be no closer than twenty feet (20') from the closest edge of any sidewalk.
- 4. Sidewalk to be constructed along Barnett Boulevard
- 5. Any trees proposed to be removed on the property shall be limited to locations within the dedicated public right-of-ways, easements, retaining wall locations, buildable lot area, and within close proximity to the building foundations. The builder will be responsible for planting a minimum of two (2) 4" caliper trees in the front yard of each house. The developer is proposing to plant Magnolia trees. The trees will be required to be planted prior to certificate of occupancy being issued for the home.

City Staff and the City's Engineer have reviewed the application as it pertains to drainage, utilities, the tree mitigation plan and have submitted comments back to the applicant. All comments have been addressed. Based on the review of the application, City Staff is of the opinion the application for preliminary plat complies with City Ordinances and the Planned Development Ordinance No. 2024-1313 that regulates the use and development of said property and is administratively complete.

Options are to approve the Preliminary Plat and Tree Plan as submitted, approve with conditions or disapprove with explanation. As a reminder, state law requires the approval of preliminary and final plats that otherwise comply with all state law and ordinances.

## **BUDGETARY IMPACT**

## **RECOMMENDATION**

City Staff recommends the Planning and Zoning Commission review the applicants request and make a recommendation to City Council on the approval of the Preliminary Plat.



NOTES:
1. THE CITY OF HIGHLAND VILLAGE ASSUMES NO RESPONSIBILITY FOR THE DESIGN OR MAINTENANCE OF ANY RETAINING WALL WITHIN THE LIMITS OF MAGNOLIA VILLAGE.
2. ALL REAR AND SIDE YARD DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE PROPERTY

CURVE TABLE						
7	CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
	C1	99.98'	530.08'	10° 48' 26"	S 13°53'01" W	99.84'

## LEGAL DESCRIPTION

BEING a 4.365 acre tract of land situated in the Fred Hyatt Survey, Abstract No. 559, City of Highland Village, Denton County, Texas, being a portion of Tract 4, Barnett Subdivision, an addition within the Extra—Territorial Jurisdiction of the City of Highland Village, Denton County, Texas, according to the plat recorded in Cabinet F, Page 31, Plat Records, Denton County, Texas (PRDCT) and being all of a called 4.364 acre tract of land described in the deed to DJB Development, LLC, as recorded in County Clerk's Document No. 2022—175320, Official Records, Denton County, Texas (ORDCT). Said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut in concrete found for the northeast corner of said Tract 4 and said called 4.364 acre tract, the northwest corner of Lot 3B1, Block 1, Barnett Subdivision, an addition to the City of Highland Village, Denton County, Texas, according to the plat recorded in County Clerk's Document No. 2023—408, ORDCT, in the south line of Tract 5 of said Barnett Subdivision (Cabinet F, Page 31) and in the centerline of Barnett Boulevard, a 60 foot wide right—of—way easement as recorded in Volume 3462, Page 771, Deed Records, Denton County, Texas (DRDCT);

**THENCE** South 00°18'17" East, with the east line of said Tract 4 and said called 4.364 acre tract and the west line of said Lot 3B1, a distance of 453.44 feet to an "X" cut in concrete found for the southeast corner of said called 4.364 acre tract;

THENCE South 87°17'08" West, with the south line of said called 4.364 acre tract, passing the northeast corner of Lot 1R, Tract 4, Barnett Subdivision, an addition to the City of Highland Village, Denton County, Texas, according to the plat recorded in Cabinet W, Page 430, PRDCT, at a distance of 18.33 feet, and continue with the south line of said called 4.364 acre tract and the north line of said Lot 1R, passing the monumented east line of Block 17, Briarhill Estates, Phase 3, an addition to the City of Highland Village, Denton County, Texas, according to the plat recorded in Cabinet K, Page 297, PRDCT, at a distance of 410.00 feet and continue with the common line of said called 4.364 acre tract and said Lot 1R for a total distance of 410.98 feet to a point for the southwest corner of said called 4.364 acre tract and the northwest corner of said Lot 1R, from which a 1/2" iron rod found for the most northerly southwest corner of said Lot 1R, bears south 00°16'36" east, a distance of 520.13 feet (plat 520.05 feet);

THENCE North 00°16'36" West, with the west line of said Tract 4 and said called 4.364 acre tract, a distance of 478.48 feet to a point for the northwest corner of said Tract 4 and said called 4.364 acre tract and the southwest corner of said Tract 5, from which a 5/8" capped iron rod stamped "Carter & Burgess" found for the northwest corner of said Tract 5, bears North 00°01'51" West, a distance of 657.72 feet (plat 657.62 feet);

THENCE South 87'48'24" East, with the north line of said Tract 4 and said called 4.364 acre tract and the south line of said Tract 5, passing a 1/2" iron rod found (disturbed), at a distance of 0.39 feet, and passing the monumented east line of said Block 17, Briarhill Estates, Phase 3, at a distance of 1.47 feet, and continue for a total distance of 226.28 feet (plat 226.50 feet) to a 1/2" iron rod found for an angle point;

**THENCE** North 89°02'38" East, with the north line of said Tract 4 and said called 4.364 acre tract and the south line of said Tract 5, a distance of 184.33 feet (plat 184.37 feet) to the POINT OF BEGINNING and containing 190,130 Square Feet or 4.365 Acres of Land, more or less.

RIGHT-01	RIGHT-OF-WAY DEDICATION TABLE				
STREET NAME	STREET TYPE/SUFFIX	ROW (ACRES)			
BROADWAY	LANE	0.323			
PINYON PINE	WAY	0.173			
HUCKLEBERRY	STREET	0.159			
BARNETT	BOULEVARD	0.497			

LOTNumber	Area (sq.ft.)
LOT1	7301
LOT2	5388
LOT3	5519
LOT4	6559
LOT1	5218
LOT2	5363
LOT3	5025
LOT4	5375
LOT5	5025
LOT6	5400
LOT7	5025
LOT8	5375
LOT9	5603
LOT1	5722
LOT2	5055
LOT3	5059
LOT4	6448
LOT1	5578
LOT2	5100
LOT3	5100
LOT4	6261
LOT5	7232
LOT6	5100
LOT7	5100
LOT8	5578
	LOT2 LOT3 LOT4 LOT1 LOT2 LOT3 LOT4 LOT5 LOT6 LOT7 LOT8 LOT9 LOT1 LOT2 LOT3 LOT4 LOT2 LOT3 LOT4 LOT5 LOT6 LOT7

"PRELIMINARY PLAT"

APPROVED BY THE PLANNING AND ZONING COMMISSION

DATE

APPROVED BY THE CITY COUNCIL

SURVEYOR:

MMA

519 EAST BORDER

ARLINGTON, TX 76010

EMAIL: LWHITTEN@MMATEXAS.COM

CONTACT: LON WHITTEN

OWNER/DEVELOPER:

DJB DEVELOPMENT, LLC

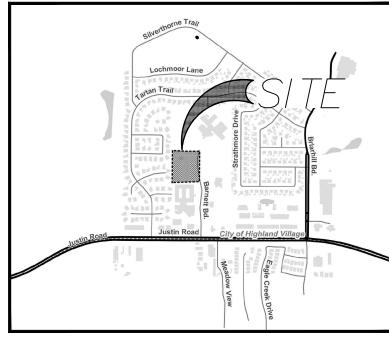
1888 SINCLAIR COURT

LEWISVILLE, TX 75067

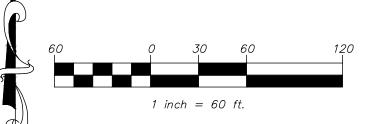
EMAIL: DUSTY@BROADWAYBLDRS.COM

CONTACT: DUSTY BROADWAY

MMA PROJECT NO. 3892-00-01



VICINITY MAP



## LEGEND/ABBREVIATIONS

IRF IRON ROD FOUND
CIRS 5/8" CAPPED IRON ROD SET
STAMPED "MMA"

OPRDCT OFFICIAL PUBLIC RECORDS,
DENTON COUNTY, TEXAS
PRDCT PLAT RECORDS,
DENTON COUNTY, TEXAS

DRDCT DEED RECORDS,
DENTON COUNTY, TEXAS
POB POINT OF BEGINNING

POB POINT OF BEGINNING
ESMT. EASEMENT
FND. FOUND
VOL. VOLUME

PG. PAGE

PFC POINT FOR CORNER

PADUE PEDESTRIAN ACCESS DRAINAGE UTILITY EASEMENT

UE UTILITY EASEMENT

LE LANDSCAPE EASEMENT
PE PEDESTRIAN EASEMENT
WE WATER LINE EASEMENT
ME MAINTENANCE EASEMENT

DE DRAINAGE EASEMENT

OE OVERHEAD ELECTRIC

① STORM DRAIN MANHOLE

① PP POWER POLE

GUY ANCHOR
ET ELECTRIC TRANSFORMER

GAS PIN FLAG
WATER VALVE
WV

----- -- ROADWAY CENTERLINE

———— SURVEY LINE

OVERHEAD ELECTRIC
UGT UNDERGROUND TELEPHONE
UGE BOUNDARY LINE
BOUNDARY LINE
ADJOINER LINE / LOT LINE
ORIGINAL LOT LINE / DEED LINE
ASSEMENT LINE

PRELIMINARY PLAT

MAGNOLIA VILLAGE

BLOCK 1 LOTS 1-4, BLOCK 2 LOTS 1-9, BLOCK 3 LOTS 1-4, BLOCK 4 LOTS 1-8

25 RESIDENTIAL LOTS

BEING 4.365 ACRES OF LAND.
FRED HYATT SURVEY, ABSTRACT 559
PART OF TRACT 4
BARNETT SUBDIVISION
CITY OF HIGHLAND VILLAGE
DENTON COUNTY, TEXAS
JANUARY 2025

ENGINEER: CONTACT: ANDREA TAYLOR, P.E.



## tbpels registration number: f - 2759

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