



AGENDA

**REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION
CITY OF HIGHLAND VILLAGE, TEXAS
TUESDAY, JUNE 21, 2022, 7:00 PM
HIGHLAND VILLAGE MUNICIPAL COMPLEX
CITY COUNCIL CHAMBERS
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**

OPEN SESSION

(City Council Chambers – 7:00 P.M.)

1. **Call to Order/ Roll Call.**
2. **Consider Approval of the Minutes from the Regular meeting of Planning and Zoning held on March 15, 2022.**
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 Review and Consider an application on a proposed change in zoning from SF-40 Residential Zoning District to a Residential Planned Development District for Townhomes relating to a 4.364 ± acre tract of land located in the F. Hyatt Survey, Abstract No. 559, commonly known as 102 Barnett Boulevard.**
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 JUNE 17, 2022 NOT LATER THAN 5:00 P.M.

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 _____, 2022 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, MARCH 15, 2022

1. Call to Order/Roll Call.

Chairman Guy Skinner called the meeting to order at 7:00 p.m.

Roll Call

Present:	Guy Skinner	Chairman
	Michael George	Commissioner
	Dale Butler	Commissioner
	Cindy Richter	Alternate Commissioner
Absent:	Denver Kemery	Vice Chairman
	Jared Christianson	Commissioner
	Brent Myers	Alternate Commissioner
Staff Members:	Autumn Aman	Community Development Coordinator
	Kimberlie Huntley	Community Services Assistant

2. Consider Approval of the Minutes from the Special Joint Workshop of the Planning and Zoning and City Council held on February 8, 2022.

Commissioner Dale Butler made a motion to approve the minutes as written. Commissioner Alternate Commissioner Richter seconded the motion.

Motion Passed (4-0)

3. Consider Approval of the Minutes from the Regular meeting of the Planning and Zoning Commission held on February 15, 2022.

Alternate Commissioner Richter made a motion to approve the minutes as written. Commissioner Michael George seconded the motion.

Motion Passed (4-0)

4. Visitor Comments.

There were no visitor comments.

5. Conduct Public Hearing and Review and Consider an application for an amendment to the developer regulations of Planned Development District 2012-1 (PD 2012-1) relating to the development and use of property described as The District at Highland Village located at the northwest corner of the intersection of Briarhill Blvd. and FM 407.

Community Development Coordinator Autumn Aman stated that an application was received to amend the Planned Development regulations for The District, now commonly known as Bowery Park. She stated the requested amendments are to relocate (2) dumpsters, add an additional multi-tenant monument sign along Justin Road, utilize the building seven (7) site for additional parking until such time that building seven (7) might be constructed, have the option within building two (2), Live Work Units, to finish out the units to become apartments without the required office space, revise the size of wall and window signage, revise the number of signage allowed if a tenant has two (2) entrances on the same side of the building, and under canopy/or blade signs.

Ms. Aman continued that Public Hearings are required for an amendment to a Planned Development, notices had been sent out to everyone within two-hundred (200') feet of the said property and there had not been any inquiries from the notices sent.

Commissioner Michael George questioned if the amended Planned Development Ordinance would have to go to City Council.

Community Development Coordinator Aman stated the Planned Development Ordinance would have to go to City Council after the Planning and Zoning recommendation and it would require two (2) reads before it would become official.

Chairman Skinner questioned in the third requested monument sign would be the same size, length, and height of the two existing monuments.

Mr. Zack Montana, 120 Main Street, Highland Village, owner/partner Boulder Peak Capital, proceeded with a brief presentation for the Commissioners on all the requested amendments he was seeking.

Chairman Skinner questioned if there were any plans to construct building seven (7) soon.

Mr. Montana responded stated not at the present time.

Alternate Commissioner Richter questioned, for clarification, if there were or were not enough parking for retail and residents.

Mr. Montana stated they were currently within compliance with parking, however, the additional parking was more for convenience, so customers could park by the retail establishments other than in the far back parking areas.

Chairman Skinner questioned the relocation of the current dumpsters.

Mr. Montana stated the dumpsters along FM 407 would be relocated along the western property, just north and south of Main Street and both would be enclosed dumpsters.

Commissioner George questioned how many parking spaces would be within the building seven (7) site.

Mr. Montana responded there would be (40) spaces. He continued they did have a new restaurant going into building four (4), and they would like to be more preventative on the parking to mitigate existing and future concerns.

Commissioner George questioned if the Main Street parking spaces were reserved for the tenants.

Mr. Montana stated in front of the leasing office were reserved for tenants, all others were for retail.

Alternate Commissioner Richter questioned in reference to the additional parking, if they had thought about medians/trees or would it be just flat concrete.

Mr. Montana stated they had not planned for any additional trees and they were not taking out any additional landscape.

Commissioner George questioned if the Commissioners would be considering the seven (7) revisions as one packet/blanket items.

Community Development Coordinator Aman stated they would be considering a recommendation on all the items in the ordinance, they could recommend as submitted or recommend with changes.

Commissioner George questioned if the definition were to be changed for Live/Work Units, would it change it for all of the buildings.

Ms. Aman stated it would be specific only to building two (2).

Alternate Commissioner Richer questioned if the Live/Work Units are only on the first floor.

Mr. Montana stated within building two (2), the second and third floors were currently all leased out, the remaining first floor units are shells, and they were looking for some type of amenity for the end cap space.

Commissioner George questioned Mr. Montana on the purpose for the larger signs.

Mr. Montana stated it was purely for visibility, giving the example of the current "Be Legend" signage. He continued discussing stacked signage, visibility, and all signage would still be within the buffer of the spaces and all would require landlord approval.

Commissioner George stated he thought the signage could possibly get out of hand. He continued when the original Planned Development that was approved in 2012, they approved thirty (30") inches.

Mr. Montana questioned Commissioner George, asking what possible issues he might see.

Commissioner George stated that at the time this was approved, it was probably debated and they had come to an agreement of thirty (30") inches for the signage size. He continued he did not know what had changed in last ten (10) years, however, there was the concern that in another ten (10) years, larger signs could be requested, and then possibly in another ten (10). He did not know if it was a good reason to go forty (40"). He thought thirty (30") was plenty.

Mr. Montana commented that signage was an extremely common request from possible tenants, most want forty (40") inches to forty-two (42") inches.

Alternate Commissioner Richter questioned if any possible tenants had backed out of a lease due to small signage.

Mr. Montana stated they have had to give more financial incentives/marketing incentives.

Chairman Skinner questioned if all of the current businesses are currently using the same size sign.

Mr. Montana responded they all have same criteria, however, it is up to each tenant, just as long as they stay within the criteria.

Mr. Montana stated they do not want to have signs that are eyesores.

Commissioner Butler stated he did not have concerns with the request or the signage. He continued if they wanted larger signs, they would still have to come back in front of the Planning and Zoning Commission to request larger signs.

Alternate Commission Richter questioned if tenants within the Live/Work Units would be allowed personal items out in front of the units, such as patio seating and do they have signage.

Mr. Montana responded possibly a lawn chair. Being on the first floor, most do not put personal items out. In reference to signage, they are allowed window signage, no big signs.

Chairman Skinner opened the Public Hearing at 7:40 p.m.

Sandra Dublin, 723 Scottish Mist Trail, Highland Village, stated she lives behind The District of Highland Village and her main concern was the relocation of the dumpsters since it's very noisy when the existing dumpsters are being emptied.

Mr. Montana showed Ms. Dublin where the dumpsters would be relocated.

Ms. Dublin stated she was fine with the relocation.

Chairman Skinner closed the Public Hearing at 7:42 p.m.

Commissioner George made a motion to recommend to City Council approval of all requested items with the exception of the increase in size of the wall signage.

Motion died for lack of second.

Alternate Commissioner Richter made a motion to send the amended Planned Development Ordinance forward to City Council for approval as written. Commissioner Butler seconded the motion.

Motion passed (3-1)

6. 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 April 19, 2022.

7. Adjournment.

Meeting adjourned at 7:58 P.M.

Autumn Aman
Community Development Coordinator

Guy Skinner – Chairman
Planning and Zoning

CITY OF HIGHLAND VILLAGE
PLANNING AND ZONING

AGENDA# 4

MEETING DATE: June 21, 2022

SUBJECT: Conduct Public Hearing and Consider an application on a proposed change in zoning from SF-40 Residential Zoning District to a Residential Planned Development District for Townhomes on an approximate 3.96± acre tract of land located in the F. Hyatt Survey, Abstract No. 559, commonly known as 102 Barnett Boulevard.

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND

The City has received an application from Mr. Dusty Broadway, Broadway Builders, requesting to change the current zoning on the property from SF-40 to a Residential Planned Development for Townhomes consisting of Sixty (60) lots. The proposed development regulations provide for the following:

- The townhomes would be required to have a minimum of 1,789 square feet of air conditioned space, two dedicated garage spaces, and not exceed a height of 35 feet, typical of a two story dwelling.
- Because of the topography of the area, a six-foot tall retaining wall set back not less than 20 feet from the western boundary of the property will be constructed, on top of which will be installed a six-foot board-onboard cedar fence.
- The retaining wall/fence combination will continue along the northern boundary of the property with the height tapering down to grade.
- A five foot wide sidewalk/trail will be constructed within the 10 foot setback area on the western and northern boundaries of the property.
- Windows are prohibited from being installed on the western facing elevations of the dwelling units constructed on the lots along the western edge of the property.
- Garage doors must be designed to appear like a “carriage style” design with hardware.
- In addition to the 120 parking spaces contained in garages, an additional 30 parking spaces are required in order to achieve a 2.5 vehicle per dwelling unit ratio. Of the additional 30 parking spaces, the proposed regulations allow 8 new on-street parallel spaces to be constructed by the developer to be included in the required count, with building permits capped at 56 until construction of such spaces is completed.
- A homeowners’/property owners’ association must be established at the time of approval of the final plat of the property to maintain common areas.

IDENTIFIED NEED/S:

To request the change of zoning on the property, public hearings are required to be conducted by both the Planning and Zoning Commission and City Council. All public hearing notification requirements have been satisfied.

OPTIONS & RESULTS:

Options are to recommend to the City Council that the application be (1) approved as submitted, (2) approve with modification, or (3) deny the request. The Planning and Zoning Commission may also postpone any action in order to receive any additional information which it requests be presented.

PROGRESS TO DATE: (if appropriate)

As of the date of this briefing, June 15, 2022, staff has received (3) emails regarding this request from the public hearing notices sent.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

An Ordinance is required. A copy of the draft ordinance setting forth the required development regulations prepared by the City Attorney is attached.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission review and forward a recommendation to City Council.

**CITY OF HIGHLAND VILLAGE, TEXAS
ORDINANCE NO. 2022-_____**

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 3.96± ACRES LOCATED IN THE F. HYATT SURVEY, ABSTRACT NO. 559, BY CHANGING THE ZONING FROM SF-40 - SINGLE FAMILY RESIDENTIAL TO PLANNED DEVELOPMENT NO. 2022-1 FOR ATTACHED SINGLE FAMILY RESIDENTIAL TOWNHOME DEVELOPMENT AND ADOPTING DEVELOPMENT REGULATIONS, A CONCEPT PLAN, AND LANDSCAPE PLAN; 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 3.96± acres located in the F. Hyatt Survey, Abstract No. 559, City of Highland Village, Denton County, Texas, more particularly described in Exhibit “A” attached hereto and incorporated herein by reference (the “Property”), by changing the zoning from “SF-40” Single Family Residential to Planned Development No. 2022-1 for Single Family Residential Townhouse Development, the Property to be used and developed in accordance with the use and development regulations as set forth in Section 2 of this Ordinance.

SECTION 2. The Property shall be developed and used in accordance with the applicable provisions of the CZO, as amended, except to the extent modified as follows:

- A. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit “B” and incorporated herein by reference (“the Concept Plan”).
- B. DEVELOPMENT STANDARDS:** The Property shall be developed and used for the construction and occupancy of townhouses located on individual platted lots within the Property in accordance with the following standards:

Minimum Dwelling Unit Area	1,789 square feet of air-conditioned space
Maximum Density	60 dwelling units (15.15 dwelling units per acre)
Maximum Height	35.0 feet
Minimum Lot Width	If constructed with Front Entry Garage: 28 feet If constructed with Rear Entry Garage: 23 feet
Minimum Lot Depth	If constructed with Front Entry Garage: 58 feet If constructed with Rear Entry Garage: 52'-2"
Minimum Setbacks	As shown on Concept Plan

Notwithstanding the definition of "townhouse" in Section 39 of the CZO, buildings consisting of fewer than three (3) attached dwelling units may be developed on the Property and used as "townhouses" as shown on the Concept Plan.

C. SCREENING:

- (1) A six-foot (6.0') tall cedar board on board wood screening fence shall be constructed on top of an approximately six foot (6.0') tall stone retaining wall along the west boundary of the Property as shown on the Landscape Concept Plan, attached hereto as Exhibit "C" and incorporated herein by reference (the "Landscape Plan").
- (2) A six-foot (6.0') tall cedar board on board wood screening shall be constructed on top of an approximately six foot (6.0') tall stone retaining wall starting at the northwest corner of the Property as shown on the Landscape Plan, with the height of the retaining wall tapering down to grade as the wall runs to the east for a distance of approximately 205 feet.
- (3) The screening fences required by this Section 2.D. shall be designed to substantially similar in design to the fence illustrated on Exhibit "D", attached hereto and incorporated herein by reference (the "Screening Fence Exhibit"); provided, however, the screening fences shall be constructed with a "shadow box" design in order to hide from view the vertical support poles of the fences.
- (4) Construction of the screening fences required by this Sections 2.D must be completed prior to issuance of a certificate of occupancy for any building constructed on the Property.
- (5) Pedestrian access to the sidewalk constructed along the western boundary of the Property from the interior sidewalks on the Property shall be provided by a sidewalk constructed at two locations, with steps constructed through the retaining wall to provide access from the Property to the sidewalk, as shown on the Concept Plan; provided, however, the final locations of such access points may be adjusted at the time of approval of the final plat of the Property so long as least two access points are provided.

D. LANDSCAPING: The Property shall be landscaped substantially in accordance with the Landscape Plan. All landscaping shall be irrigated with an automatic irrigation system

and maintained in a healthy, growing condition. The planting of all required landscaping shall be completed prior to issuance of a certificate of occupancy for any building constructed on the Property; provided, however, the planting of landscaping located on an individual lot on which a dwelling unit will be constructed and the related irrigation system may be delayed until completion of construction of the dwelling unit on such lot, in which case a certificate of occupancy or approval of final inspection for the dwelling constructed on such lot shall not be granted until installation of such landscaping and irrigation is completed.

- E. ENTRY FEATURE:** Construction of an entry feature designed as shown on Exhibit “E”, attached hereto and incorporated herein by reference (“Entry Feature”), and located in a dedicated common area easement outside of any public street right-of-way as shown on the Concept Plan shall be completed prior to issuance of the building permit for the 31st dwelling unit to be constructed on the Property.
- F. SIDEWALK:** Construction of sidewalks not less than five feet (5’) wide located as shown on the Concept Plan must be completed as follows:
- (1) Construction of the sidewalks located on the western and northern boundary of the Property and adjacent to Barnett Boulevard must be completed prior to issuance of certificate of occupancy for any building to be constructed on the Property; and
 - (2) Construction of the sidewalks within the interior of the Property located between buildings shall be completed prior to issuance of a certificate of occupancy for each individual building with a means of egress to such sidewalk.
- G. EXTERIOR BUILDING ELEVATIONS:**
- (1) The exterior elevation of the buildings constructed on the Property shall be designed and constructed to appear substantially similar to the elevations shown on Exhibit “F,” attached hereto and incorporated herein by reference.
 - (2) Dwellings constructed on Lots 11, 12, 15, 16, 19, and 20 as labeled on the Concept Plan shall be constructed with no windows on the second floor of the western facades of such dwellings.
- H. GARAGES AND PARKING:**
- (1) Every dwelling unit shall be constructed with an attached garage with space for parking for no fewer than two (2) vehicles;
 - (2) Garages shall be classified as “Front Entry” and “Rear Entry” as indicated on the Concept Plan;
 - (3) Garage doors shall be designed with an appearance of a “carriage style” door with architectural hinges and handles substantially as shown on Exhibit “G” “Garage Door Exhibit” attached hereto and incorporated herein by reference;
 - (4) The Property shall be developed with no fewer than twenty-two (22) off-street parking spaces located on the Property as shown on the Concept Plan; and

(5) In determining compliance with the required number of parking spaces required to be construction in association with the development of the Property for the purposed described in this Ordinance, the eight (8) public parallel parking spaces shown on the Concept Plan on Barnett Boulevard may be included in such count if:

- i. The final plat of the Property includes a dedication to the City as a public street the portion of the property described in that certain warranty deed dated February 10, 2003, from Brett Wallace, as Grantor, to Robert W. Wallace and wife, Theresa M. Wallace, as Grantee, recorded at Volume 5298, Page 348, Official Property Records, Denton County, Texas, that is not part of the Property; and
- ii. Construction of said public parking spaces in accordance with the City's standards for public parking spaces is completed at the cost of one or more parties other than the City.

Notwithstanding anything to the contrary set forth in this Ordinance, building permits for no more than 56 dwelling units to be constructed on the Property shall be issued until construction of said eight (8) public parking spaces is completed and accepted by the City.

I. HOMEOWNERS'/PROPERTY OWNERS' ASSOCIATION: Prior to approval of the final plat for the Property, a homeowners' association shall be established and created to assume and be responsible for the continuous and perpetual operation, maintenance and supervision of landscape systems, screening walls and fences, features or elements located in the parkways, common areas between screening walls or living screens and adjacent curbs or street pavement edges, adjacent to drainage ways or drainage structures or at subdivision entryways, open space common areas or properties, including but not limited to: landscape features and irrigation systems, subdivision entryway features and monuments, playgrounds, pavilions, detention ponds, trail, private neighborhood park and related amenities with the Property subject to the following:

- (1) All open space and common properties or areas, facilities, structures, improvements systems, or other property that are to be operated, maintained and/or supervised by the homeowners' association shall be dedicated by easement or deeded in fee simple ownership interest to the homeowners' association after construction and installation as applicable by the owner and shall be clearly identified on the recorded final plat of the Property or portion thereof;
- (2) A copy of the agreements, covenants and restrictions establishing and creating the homeowners' association must be approved by the city attorney prior to the approval of the final plat of the Property and must be recorded prior to or concurrently with the recording of the final plat in the map and plat records of the Denton County. The recorded final plat shall clearly identify all facilities, structures, improvements systems, areas or grounds that are to be operated, maintained and/or supervised by the homeowners' association;

- (3) At a minimum, the agreements, covenants, and restrictions establishing and creating the homeowners' association required herein shall contain and/or provide for the following:
- i. Definitions of terms contained therein;
 - ii. Provisions for the establishment and organization of the homeowners' association and the adoption of bylaws for said homeowners' association, including provisions requiring that the owner(s) of any lot or lots within the applicable subdivision and any successive purchaser(s) shall automatically and mandatorily become a member of the homeowners' association; the initial term of the agreement, covenants and restrictions establishing and creating the homeowners' association shall be for a period of not less than 25 years and, if not established to be perpetual, shall automatically renew for successive periods of not less than 10 years thereafter;
 - iii. The homeowners' association may not be dissolved without the prior written consent of the City;
 - iv. Provisions ensuring the continuous and perpetual use, operation maintenance and/or supervision of all facilities, structures, improvements, systems, open space or common areas that are the responsibility of the homeowners' association and to establish a reserve fund for such purposes;
 - v. Provisions prohibiting the amendment of any portion of the homeowners' association's agreements, covenants or restrictions pertaining to the use, operation, maintenance and/or supervision of any facilities, structures, improvements, systems, area or grounds that are the responsibility of the homeowners' association without the prior written consent of the City;
 - vi. The right and ability of the City or its lawful agents, after due notice to the homeowners' association, to remove any landscape systems, features or elements that cease to be maintained by the homeowners' association; to perform the responsibilities of the homeowners' association and its board of directors if the homeowners' association fails to do so in compliance with any provisions of the agreements, covenants or restrictions of the homeowners' association or of any applicable City ordinances or regulations; to assess the homeowners' association for all costs incurred by the City in performing said responsibilities if the homeowners' association fails to do so; and/or to avail itself of any other enforcement actions available to the City pursuant to state law of City ordinance or regulations; and
 - vii. Provisions indemnifying and holding the City harmless from any and all costs, expenses, suits, demands, liabilities or damages including attorney's fees and cost of suit, incurred or resulting from the City's removal of any landscape systems, features or elements that cease to be maintained by the homeowners' association or from the City's performance of the aforementioned operation, maintenance or

supervision responsibilities of the homeowners' association due to the homeowners' association's failure to perform said responsibilities.

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 _____, 2022.

PASSED AND APPROVED BY THE CITY COUNCIL, CITY OF HIGHLAND VILLAGE, TEXAS ON SECOND READING ON THIS THE ___ DAY OF _____, 2022.

APPROVED:

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:6/17/2022:130155)

**Ordinance No. 2022-
EXHIBIT A
Description of the Property**

Being all that certain lot, tract or parcel of land lying and being situated in the F. Hyatt Survey, Abstract number 559, City of Highland Village, Denton County, Texas, being part of Tract 4, Barnett Subdivision, an addition to the City of Highland Village according to the plat thereof recorded in Cabinet F, Page 31 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a ½" rebar found at the northwest corner of Tract 4, Barnett Subdivision, being the southwest corner of Tract 5 of same and being on the east line of Briarhill Estates, Phase III, an addition to the City of Highland Village according to the plot thereof recorded in Cabinet H, Page 342 of the Plat Records of Denton County, Texas;

THENCE S 88°32'24" E, 225.82 feet, along the north line of Tract 4 and the south line of Tract 5, to a ½" rebar found at an angle point therein;

THENCE N 88°15'57" E, 184.37 feet, continuing along said line, to an "X" found at the northeast corner of Tract 4, being the northwest corner of Tract 3B, Barnett Subdivision, an addition to the City of Highland Village according to the plat thereof recorded in Cabinet H, Page 285 of the Plat Records of Denton County, Texas;

THENCE S 01°02'3.4" E, 453.47 feet, along the east line of Tract 4 and the west line of Tract 3A, to an "X" set in concrete at the northeast corner of that certain called 2.000 acre tract of land described in deed to Gladys Louise Barnett Dixon recorded in Volume 2378, Page 111 of the Real Property Records of Denton County, Texas;

THENCE S 86°29'36" W, 410.97 feet, along the north line of said 2.00-acre tract, to a ½" capped rebar (G & A) set at the northwest corner thereof, being on the west line of Tract 4, Barnett Subdivision and the east line of Briarhill Estates, Phase 3;

THENCE N 00°53'05" W, 478.77 feet along the west line of Tract 4, Barnett Subdivision and the east line of Briarhill Estates, Phase 3, to the POINT OF BEGINNING and containing approximately 3.96 acres of land.

Ordinance No. 2022- Exhibit "B" Concept Plan

CONDOMINIUM	UNIT	AREA	TYPE	STATUS
101	101	101	101	101
102	102	102	102	102
103	103	103	103	103
104	104	104	104	104
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PROJECT CONTACTS	
NAME & ADDRESS OF DEVELOPER	BROADWAY BUILDERS, 1000 BROADWAY, SUITE 1000, HOUSTON, TX 77002
NAME & ADDRESS OF ARCHITECT	IKEMIRE ARCHITECTS, 16660 DALLAS PKWY, SUITE 2900, DALLAS, TX 75248
NAME & ADDRESS OF ENGINEER	ENGINEER NAME / FIRM ADDRESS / CITY / STATE / ZIP
NAME & ADDRESS OF SURVEYOR	SURVEYOR NAME / FIRM ADDRESS / CITY / STATE / ZIP
NAME & ADDRESS OF INSURANCE AGENT	INSURANCE AGENT NAME / FIRM ADDRESS / CITY / STATE / ZIP
NAME & ADDRESS OF TITLE INSURANCE COMPANY	TITLE INSURANCE COMPANY NAME / ADDRESS / CITY / STATE / ZIP
DATE OF PREPARATION OF THE PLAN	6/2/23



ITEM	QUANTITY
GARAGE ENTRY COLOR LEGEND	120
FRONT REAR	2
SURFACE COLOR LEGEND	20
SEWER	8
PAVEMENT	8
ASSOCIATIONS	8
60' R.O.M. RIGHT OF WAY	8
PL. (FRONT LANE)	8
PARKING SPACES (REQUIRED)	8
25' / TOWNHOME	8
PARKING SPACES (PROVIDED)	8
GARAGE	120
SEWAGE	2
PARALLEL (INTERNAL)	20
PARALLEL (AT STREET)	8
TOTAL	150

A-SP
1 of 1
JCB * 23100

IKEMIRE ARCHITECTS
ARCHITECTURE PLANNING INTERIORS
16660 DALLAS PKWY, SUITE 2900 DALLAS, TX 75248-2486 FAX: 972-248-1557

SUBMITTED FOR CONSTRUCTION

WHITESTONE VILLAGE TOWNHOMES
BROADWAY BUILDERS - DEVELOPER
BARNETT BOULEVARD, HIGHLAND VILLAGE, TX
60 TOWNHOME UNITS

DATE: 6/2/23
Red Line
REVISIONS

Ordinance No. 2022-____

EXHIBIT "C"

Landscape Conceptual Plan



PLANT SCHEDULE TOWNHOME LANDSCAPE

PLANT SPECIES	PLANT CODE	PLANT SIZE	PLANT TYPE	PLANT QUANTITY
PLANT SPECIES 1	PLANT CODE 1	PLANT SIZE 1	PLANT TYPE 1	PLANT QUANTITY 1
PLANT SPECIES 2	PLANT CODE 2	PLANT SIZE 2	PLANT TYPE 2	PLANT QUANTITY 2
PLANT SPECIES 3	PLANT CODE 3	PLANT SIZE 3	PLANT TYPE 3	PLANT QUANTITY 3
PLANT SPECIES 4	PLANT CODE 4	PLANT SIZE 4	PLANT TYPE 4	PLANT QUANTITY 4
PLANT SPECIES 5	PLANT CODE 5	PLANT SIZE 5	PLANT TYPE 5	PLANT QUANTITY 5

PLANT SPECIES	PLANT CODE	PLANT SIZE	PLANT TYPE	PLANT QUANTITY
PLANT SPECIES 1	PLANT CODE 1	PLANT SIZE 1	PLANT TYPE 1	PLANT QUANTITY 1
PLANT SPECIES 2	PLANT CODE 2	PLANT SIZE 2	PLANT TYPE 2	PLANT QUANTITY 2
PLANT SPECIES 3	PLANT CODE 3	PLANT SIZE 3	PLANT TYPE 3	PLANT QUANTITY 3
PLANT SPECIES 4	PLANT CODE 4	PLANT SIZE 4	PLANT TYPE 4	PLANT QUANTITY 4
PLANT SPECIES 5	PLANT CODE 5	PLANT SIZE 5	PLANT TYPE 5	PLANT QUANTITY 5

<p>Project Name Townhomes at Highland Village</p> <p>Project Address 1234 Main Street, Suite 100 Highland Village, CA 94027</p> <p>Project Contact John Doe John.Doe@HighlandVillage.com</p>	<p>FOR REVIEW</p> <p>Project Name Townhomes at Highland Village</p> <p>Project Address 1234 Main Street, Suite 100 Highland Village, CA 94027</p> <p>Project Contact John Doe John.Doe@HighlandVillage.com</p>	<p>Project Name Townhomes at Highland Village</p> <p>Project Address 1234 Main Street, Suite 100 Highland Village, CA 94027</p> <p>Project Contact John Doe John.Doe@HighlandVillage.com</p>
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Ordinance No. 2022-_____
EXHIBIT "D"
Screening Fence Exhibit



Ordinance No. 2022-_____
EXHIBIT "E"
Entry Feature



Ordinance No. 2022-_____
EXHIBIT "F"
Exterior Building Elevations



Ordinance No. 2022-_____
EXHIBIT "G"
Garage Door Exhibit

