

**MINUTES
REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION CITY OF HIGHLAND VILLAGE, TEXAS
HELD IN THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD
TUESDAY, JANUARY 16, 2018**

1. Call to Order/Roll Call.

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

Roll Call

Present:	Deedee Ricketts	Chairman
	Stan Lemko	Vice Chairman
	Rick Turner	Commissioner
	Bob Holden	Commissioner
	Robert Fiester	Commissioner
	Tom Heslep	Alternate Commissioner
	Dylan Romo	Alternate Commissioner
Staff Members:	Michael Leavitt	City Manager
	Autumn Aman	Community Development Coordinator
	Sasha Torres	Community Services Assistant

2. Consider Approval of the Minutes from the Regular meeting of the Planning and Zoning Commission held on October 17, 2017.

Vice Chairman Stan Lemko made a motion to approve the minutes with non-substantive changes. Commissioner Rick Turner seconded the motion.

Motion passed (5-0)

3. Consider Approval of the Minutes from the Special meeting of the Planning and Zoning Commission held on November 20, 2017.

Commissioner Turner made a motion to approve the minutes as written. Vice Chairman Lemko seconded the motion.

Motion Passed (5-0)

4. Visitor's Comments.

There were no visitor comments.

5. Receive and discuss presentation regarding a proposed Planned Development for Residential uses on a 5.76 ± acre tract of land out of the W.P. Pearce Survey Abstract No. 1015 City Of Highland Village, Denton County, Texas, commonly known as 180 Highland

Village Road, as presented by G&A Consultants.

Community Development Coordinator Autumn Aman stated it had been requested by Ms. Randi Rivera with G&A Consultants, on behalf of the property owner Victor Gutierrez de Pineres, they be allowed to give a presentation to the Commission on a proposed development of property that would require the creation of a Planned Development District for Residential use. She continued that the said property is located at 180 Highland Village Road and stated City staff thought it would be beneficial to have the applicant make a presentation of what was being proposed prior to submitting any formal application.

Ms. Randi Rivera, G&A Consultants, 111 Hillside Drive, Lewisville, Texas, addressed the Commission and proceeded with her presentation beginning with the project name of which would be Victor Villas, then continued with the following:

The Team working on the proposed development:

Developer/Property owner: Victor Gutierrez de Pineres, Jaramco Investments, LLC.

Developer's Team: Fred Placke, Remax Realty, Sarah Paty, Robert Gravley, Gravley LDS, LLC.

Design Team: G&A Consultants, LLC, Randi Rivera, Senior Planner, Bobby Dollak, Senior Project Engineer, Ron Stewart, Senior Landscape Architect.

Economic Analyst: Catalyst Commercial, Jason Claunch.

Property Location/Aerial/Property Photos:

Ms. Randi Rivera stated the address of the property is 180 Highland Village Road and described the surrounding properties, those being the Double Tree Park, Edgewood Estates to the west, and one residential property to the east.

Property Survey:

Ms. Rivera described the property as being 5.9 acres with approximate two-hundred and ninety (290') feet of frontage on Highland Village Road. She continued that approximately 2.2 acres is inundated with the 537' Lewisville Lake flowage easement and 0.2 acres of Highland Village Road right-of-way, thus, leaving a net of 3.5 acres of developable land.

Land Use Designation/Transit-Oriented Development (TOD) Designation:

Ms. Rivera continued with the Cities Land Use Map and the (TOD) Designation and the goals from the City of Highland Village Ordinance that was adopted in September 2007, those being;

- Support publicly funded transit investments and enhance transit ridership.
- Increase housing options suited to a mix of generations and incomes.
- Decrease automobile use and create mobility choice options and healthy lifestyles such as walking, transit and bicycling.
- Create a compact development within an easy walk of public transit and with sufficient density to support ridership.
- Ensure compatibility and connectivity with surrounding neighborhoods.
- Recognize that not all TODs are the same. Create TOD plans that are flexible so they can respond to changing conditions.
- Strive to make TODs realistic yet economically viable and valuable from a diversity of

perspectives (city, transit agency, developer, resident employer).

- Incorporate retail into the development if it is a viable use at the location without the transit component, ideally drawing customers from both the TOD and a major thoroughfare.

Existing Zoning:

Ms. Rivera stated the current existing zoning for the property is SF-12, single family residential 12,000 square foot lots and that they did anticipate coming forward with a formal application to request changing the zoning and creating a Planned Development District.

Earlier Concepts/Components/Challenges:

Ms. Rivera shared prior visions for the property of a mixed use development, consisting of urban 4-story residential, restaurants, five-story hotel, outdoor dining, pedestrian connectivity (internally and externally), appropriate transition towards Hwy. 35-E, fulfill goals of the City's TOD designation, and the infrastructure needs were already in place. She continued that it would have required the acquisition of all properties on Edgewood Drive. Ms. Rivera stated they did meet with the realtor representing the homeowners on Edgewood Drive and there was no consensus on appropriate values for the existing homes versus value to re-developing the land. Ms. Rivera proceeded with the history of the Edgewood properties and homeowners, the misconception that development was already going to happen when indeed there had never been any type of formal application made to the City and the homeowners opposition to a proposed five-story hotel and the uncertainties of mixed-use viability due to site conditions.

TOD Definition/Examples:

Ms. Rivera discussed the three (3) different components that make a TOD successful, transit core, transit oriented district/neighborhood, and transit support area. She explained how they believed the property did meet the components of the TOD and gave examples of successful TOD's such as the Mockingbird Station, Downtown Plano Station, Galatyn Park TOD Richardson, and the 5th Street Crossing Downtown Garland TOD. She stated the common trend of all was available land within the transit core that is developable, public incentives and partnerships to attract developers, and high density housing choices.

TOD Viability and Site Conditions:

Ms. Rivera discussed walking paths and trails; she stated the walking path was 3,500 feet from site to station (less than one half mile: within TOD support area), limited available land next to the station, and limited access/visibility to site from Hwy. 35-E.

Economic Analysis – Catalyst Commercial:

Mr. Jason Claunch, Catalyst Commercial, 8750 N. Central Expressway. #1020, Dallas, Texas addressed the Commission. He proceeded discussing his past projects and continued with an overview of the Economic Analysis of the property and their findings of what the market says for the area. He stated access is limited and challenging for motorists on Hwy. 35-E going northbound, the lack of traffic counts on Highland Village Road, and the visibility being

inadequate. Mr. Claunch stated the market shed was over supplied for the area; it would have to be something very significant for the area and based upon their review, the highest and best use for the subject property would be residential development. Retail and commercial were not viable; apartments are great but would not be appropriate for this area.

Preferred Concept Plan/Typical Lot Sizes/Representative Photos:

Ms. Rivera concluded her presentation with their proposed development that they would like to go forward with and the preferred concept plan being the following:

- Thirty-nine (39) single family detached houses, density of six (6) units per acre.
- Amenities/access to Copperas Branch Lake and open space.
- City trail segment.
- Appropriate transition of density towards Hwy. 35-E.
- The transit station attracts residents.
- Fulfills goal of TOD Land Use by offering new housing option, creating compact development, ensuring compatibility with surrounding neighborhoods since it would be a single-family detached development.
- Ten (10') foot landscape buffer along Highland Village Road.
- Two access drives.
- Signage walls at the entrance along with ornamental metal fencing with masonry columns, and plantings.
- Shade trees and outdoor areas.
- Exclusive lakefront and cul-de-sac lots and parking area for lake access/amenities.
- Lot sizes would consist of + 2,240 square foot minimum lot area.
- Front entry recessed garages.
- Five (5') feet between houses, two - three story with balcony or roof terrace.
- 2,000 to 3,000 square foot.
- Price range starting at \$400's.

Alternate Commissioner Tom Heslep questioned the calculations on the density, the 2,000 square foot minimum for each dwelling and the sale price. He questioned if any right-of-way would be lost.

Ms. Rivera responded that density in the planning industry was calculated on gross acreage and no right-of-way would be lost.

Commissioner Bob Holden questioned if there were any plans for a gated community.

Ms. Rivera responded that it had been discussed and they would look into if it would be agreed upon by the City, she did not think that it would be supported at this time, so they would not be proposing a gated community.

Commissioner Turner questioned the maintenance of the amenities, open space, Highland Village Road landscaping, the involvement of a Home Owners Association (HOA) and if the HOA would be on or off site.

Ms. Rivera stated the development would be part of and maintained by a HOA.

Vice Chairman Lemko questioned the proposed rear yard setbacks.

Ms. Rivera stated that the rear and side setbacks would be five (5') foot.

Vice Chairman Lemko questioned if there were any plans to widen Highland Village Road.

City Manager Michael Leavitt responded there was not.

Vice Chairman Lemko questioned if the garages would be one or two car.

Ms. Rivera responded they would be two car garages.

Vice Chairman Lemko questioned if there would be windows on the back elevation of the dwelling units looking down at the residents behind them.

Ms. Rivera responded that every floor would have windows with limited windows on the side elevations due to building codes.

Vice Chairman Lemko questioned if the front yard would consist mainly of stone and driveway.

Ms. Rivera stated there would be some ornamental plantings with minimal green space on each lot and the possibility of shade trees on the oversized lots.

Vice Chairman Lemko questioned soundproofing.

Mr. Gutierrez de Pineres stated the houses would have a design not incorporated in regular houses, possibly using a special type of window that isolates from road noise.

Ms. Rivera added they would have screening along the west property line, possibly an eight (8') foot board on board fencing or live screening.

Chairman Lemko questioned lighting on the property.

Ms. Rivera responded the property owners would have to comply with city ordinances.

Vice Chairman Lemko ended in summary that his main concerns were the setbacks, visual, soundproofing, lighting, traffic onto Highland Village Road and the possibility of having to do a traffic study.

Commissioner Robert Fiester questioned if the flowage easement was Army Corp of Engineer property and if there would be any relief by obtaining a Letter of Map Revision (LOMR) or Conditional Letter of Map Revision (CLOMR) to amend the property to remove it from the flowage easement. He continued if the thirty-nine (39) units were the yield needed to make the project viable, questioning because of the proposed five (5') foot setbacks. Commissioner Fiester continued questioning if the proposed development was staying within the spirit of the TOD and if the single loaded road was removed, bringing it down to twenty-nine (29) lots, would that make a difference.

Alternate Commissioner Dylan Romo commented that he was sensitive to the Edgewood Drive residents, putting himself in their position, but also the ultimate need to develop but with limited

options from the economic analysis, he questions what would be the options. He stated it would be exciting to have the initial concept with the exception of possibly rethinking the layout.

Chairman Deedee Ricketts questioned the difference in ridership of other TODs versus ridership and the station in Lewisville, and how that would impact development.

Mr. Claunch stated they look at ridership and if you had an active stop, maybe three-thousand (3000) riders in a day, they look at the way their system is designed, the frequency, and at an economic development stand point, by a per net benefit, riders are purely incremental. He stated he had not calculated current ridership as of today for the area; it might deliver eight-hundred (800) square foot of commercial demand based on ridership.

Chairman Ricketts questioned what drives the development, is it the ridership and if we do not have the ridership, what is going to drive the ridership.

Mr. Claunch stated that less than 4% of the Mockingbird Station is probably the commercial development supported by the ridership.

Chairman Ricketts commented that at the Mockingbird station, it is all the apartments, the density driving the commercial demand; it really has nothing to do with ridership.

Mr. Claunch agreed with Chairman Ricketts comment stating it is a very small part of the component.

Chairman Ricketts commented she was trying to better understand how much a TOD really influences our development.

Chairman Ricketts stated she was disturbed by the sequence of events. The City has a vision shown on the Comprehensive Land Use Map. This may or may not be appropriate based on how ridership is developing. However, the vision indicated the desire for a mixed-use development for the perimeter of the City. Now the proposal is for residential to be done in such a way that it is double the density of anything currently existing in Highland Village. And then, we also will get into changes in height as well as landscape standards.

Commissioner Turner stated the initial concept was a beautiful plan layout. He questioned if the City was ready to give up, what was the goal of the City, was the City looking at that type of development than just residential development. He commented that it appeared to be very well thought-out and very well done. Mr. Turner questioned if any additional study should be performed to understand or determine the best use of the property, what the City really has in mind for their growth, ridership, could we draw from Denton for the kind of development needed, easily accessible by DCTA. Should the City give up on that thought, has the City thought through it enough to say no we are just going residential.

Mr. Claunch commented that he did not think there was a solution for quality commercial that would be sustainable at the location based on his research.

Mr. Gutierrez de Pineres addressed the Commission stating what most cities with TOD's had to do was change their ordinances to attract development of this type of product, not all TOD's are the same, successful TOD's have much higher density and his was not even close to what others have.

Chairman Ricketts concluded with stating that the next step in the process would be to make

application to the City and with the required public hearings and required votes, that would then determine the answer to what the City wants today.

6. Receive Status Reports on Various Projects

- **Future P&Z Meetings**

Community Development Coordinator Aman stated that the next meeting would be held on February 20, 2018.

7. Adjournment.

Meeting adjourned at 8:31 p.m.

Autumn Aman
Community Development Coordinator

Deedee Ricketts - Chairman
Planning and Zoning