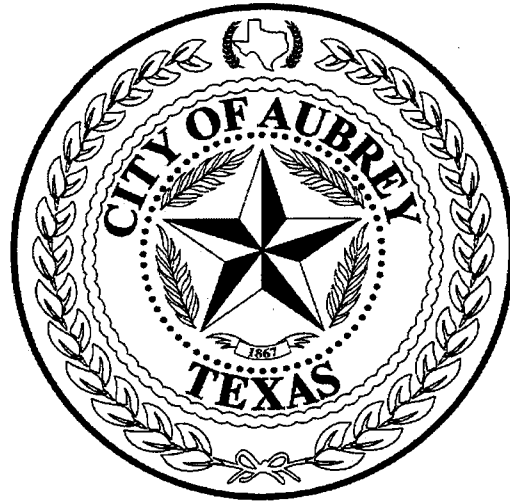


Planning and Zoning Commission Meeting Minutes

Aubrey City Council Chambers
226 Countryside Dr.
Aubrey, TX 76227
May 8, 2025
6:00 PM



The meeting was called to order at 6:02 PM.

Present: Christal Johnson, Donald Smith, Kyle Kennedy, Candace Stone, Brittney Murray, Sina Tidwell

Absent: Nicole Shaw, Chuck Fuller

Staff Present: City Attorney Marie Johnson, City Manager Charles Kreidler, Assistant to the City Manager Bailey Thompson, Planner Helen-Eve Beadle

Invocation & Pledge of Allegiance

Community Announcements: None

Citizen Input: None

New Business: New items requested for consideration.

1. Hold a public hearing, consider, and make a recommendation to City Council regarding a Specific Use Permit request to allow for the sale of alcoholic beverage sales for a Wine and Beer Retailer's Off-Premise Permit (BQ) for the property described as approximately 1.865 acres of land in the Francisco Trevino Survey, Abstract No. 1243, City of Aubrey, Denton County, Texas. The property is generally located at the northeast corner of US Hwy. 377 and Spring Hill Road/ FM 428 known as Chaparral Center. (Valero Ventures/7 Eleven)

Helen-Eve Beadle provided information.

Brad White spoke on behalf of the applicant, Vaquero Ventures.

The Public Hearing opened at 6:11 PM and closed at 6:14 PM.

P&Z Commissioner Donald Smith made a motion to deny based on the proximity of the school. Motion failed for lack of second.

P&Z Commissioner Candace Stone made a motion to approve the Specific Use Permit with the variance to the distance requirement. P&Z Commissioner Christal Johnson seconded. Motion Passed (5:1) P&Z Commissioner Don Smith opposed.

2. Consider and make a recommendation to the City Council regarding a Final Plat application for Lots 1-15, Block A, Chaparral Center (Preliminary Plat title: Highpointe Commercial), being approximately 35.174 acres out of the Francisco Trevino Survey, Abstract 1243 generally located north of FM 428 (Spring Hill Road) and east of U.S. Highway 377, City of Aubrey, Denton County, Texas. (Applicant Aubrey Land JV)

Helen-Eve Beadle provided information.

P&Z Commissioner Candace Stone made a motion to approve the Chaparral Center Final Plat, subject to the five conditions adding to number 4 that the easement must be executed prior to the final plat being filed. P&Z Commissioner Brittney Murray seconded. Motion Passed (6:0). None opposed.

Conditions:

1. Label the area along FM 428/Spring Hill Drive;
 2. Label easements as Aubrey easements, where applicable;
 3. Verify and correct the sanitary sewer velocities on sheet C-22 of the Civil Plans;
 4. Provide the executed Sanitary Sewer Easements executed prior to the final plat being filed, as required per the Development Agreement; and
 5. The above items shall be completed and resubmitted by May 12, 2025.
3. Consider and make a recommendation to the City Council regarding a Preliminary Plat application for Highpointe Ranch East Phase 1, for 192 residential lots and three (3) HOA lots, being approximately 35.254 acres out of the Francisco Trevino Survey, Abstract 1243 generally located south of E Blackjack Road, east of U.S. Highway 377, and north of Springhill Road/FM 428, City of Aubrey, Denton County, Texas. (Andiron TX 5, LLC)

Helen-Eve Beadle provided information.

P&Z Commissioner Brittney Murray made a motion to approve the Preliminary Plat. P&Z Commissioner Kyle Kennedy seconded. Motion Passed (6:0). None opposed.

4. Consider and make a recommendation to the City Council regarding a Final Plat application for Highpointe Ranch East Phase 1, for 192 residential lots and three (3) HOA lots, being approximately 35.254 acres out of the Francisco Trevino Survey, Abstract 1243 generally located south of E Blackjack Road, east of U.S. Highway 377, and north of Springhill Road/FM 428, City of Aubrey, Denton County, Texas. (Andiron TX 5, LLC)

Helen-Eve Beadle Provided information.

P&Z Commissioner Sina Tidwell made a motion to approve with five conditions.

P&Z Commissioner Kyle Kennedy seconded. Motion Passed (6:0). None opposed.

Conditions:

Civil Plan Set:
Sheet C-48

- 1. Clarify response to previous review comment. Is the reason why the line is lowered because of water service connections?**

Sheet C-54

- 1. For a 12" at 0.31% slope and an "n" value of 0.013 should have a pipe capacity of 1.28 MGD and a velocity of 2.53 ft/s.**
 - 2. This pipe, along with downstream 12" sections at 0.31% and 0.30%, will not have adequate full flow capacity to convey the peak design flow.**
 - 3. Verify all hydraulic calculations.**
 - 4. Verify that Qcap is the representative of full flow conveyance capacity of the pipe.**
5. Consider and make a recommendation to City Council regarding a Preliminary Plat for the Palomino for 300 Residential Lots, 1 Lift Station lot, 5 HOA Lots, 1 Public Park Lot, 1 General Retail Lot, 1 City Dedicated General Retail Lot, being approximately 46.974 acres of land situated in the J. Bridges Jr. Survey, Abstract No. 36, within the City of Aubrey, Denton County, Texas. The property is generally located west of FM 2931, north of Frontier Parkway, and east of the future Silverado Parkway. (JEN HOLDCO 24 LLC)

Helen-Eve Beadle provided information.

P&Z Commissioner Kyle Kennedy made a motion to approve the Preliminary Plat. P&Z Commissioner Candace Stone seconded. Motion Passed (6:0). None opposed.

6. Consider and make a recommendation to City Council regarding a Final Plat for the Palomino for 300 Residential Lots, 1 Lift Station lot, 5 HOA Lots, 1 Public Park Lot, 1 General Retail Lot, 1 City Dedicated General Retail Lot, being approximately 46.974 acres of land situated in the J. Bridges Jr. Survey, Abstract No. 36, within the City of Aubrey, Denton County, Texas. The property is generally located west of FM 2931, north of Frontier Parkway, and east of the future Silverado Parkway. (JEN HOLDCO 24 LLC)

Helen-Eve Beadle provided information.

P&Z Commissioner Brittney Murray made a motion to approve the Final Plat subject to City Council's approval of the Preliminary Plat. P&Z Commissioner Donald Smith seconded. Motion Passed (6:0). None opposed.

7. Consider and make a recommendation to the City Council on a Site Plan application for the Shops at High Meadows, Lot 4R1, Block A of the Garland Wilson Addition, located at the southwest corner of the intersection of E. Highmeadow Drive and Betty Lane, in the City of Aubrey, Denton County, Texas. (CLR Realty Group, LLC)

Helen-Eve Beadle provided information.

P&Z Commissioner Christal Johnson made a motion to approve the site plan with the staff recommended conditions listed. P&Z Commissioner Kyle Kennedy seconded. Motion Passed (6:0). None opposed.

Conditions:

- 1. Per Chapter 10, Subdivision Ordinance, Article 1, Section 4 & 11, Owner/applicant to address the comments of the City Engineer's review of the civil plans;**

Sheet No. SP1

- a. Modify retaining wall easement shown on replat to encompass the entirety of the proposed retaining wall.**
- b. Retaining wall plans are to be signed and sealed by a structural engineer licensed in the state of Texas.**

Sheet No. RW2

- a. Show property line and retaining wall easement on retaining wall sections. Submittal of replat show a 2ft retaining wall easement, while wall is in excess of 5 ft. widen retaining wall easement to account for wall width.**
- b. Provide structural/loading calculations showing wall is adequately designed to handle loads.**

Sheet No. RW3

- a. Label retaining wall easement. Submittal of replat shows a 2ft retaining wall easement, while wall is in excess of 5 ft. widen retaining wall easement to adequately account for wall width.**

Sheet No. E3.0

- a. Confirm if Lighting will be shielded, to meet Ordinance section 3.11.034 Light Trespass and Pollution; no direct line of sight...**
- b. Recheck to meet ordinance 3.11.034 Light Trespass and Pollution.**
- c. Add Legend to identify all line types.**
- d. Per Ordinance 3.11.033,d, Minimum Light Levels; minimum 0.50 footcandles for sidewalks and parking areas.**

Sheets C2.00-C2.05

- a. The drainage plans shall comply with the TCS&S Manual and be approved by the City Engineer; and**
- b. The Landscape Plan requires a variance for the landscape buffers along the south and west property boundaries that may be granted by City Council, Per Chapter 14, Section 23.F.4.;**

- 2. The revised plans are due to the City no later than May 12, 2025.**

- 8. Consider and make a recommendation to the City Council on a Replat application for Lot 4R1R, Block A of the Garland Wilson Addition, located at the southwest corner of**

the intersection of E. Highmeadow Drive and Betty Lane, in the City of Aubrey, Denton County, Texas. (CLR Realty Group, LLC)

Helen-Eve Beadle provided information.

P&Z Commissioner Kyle Kennedy made a motion to approve with the conditions noted in the staff report. P&Z Commissioner Brittney Murray seconded. Motion Passed (6:0). None opposed.

Conditions:

- 1. Per Chapter 10, Subdivision Ordinance, Article 1, Section 4 & 11, Owner / applicant to address the comments of the City Engineer's review of the civil plans;**

Final Plat Sheet No. 1

- a. Add notary signature block**
- b. Add abstract survey information**
- c. Add Lot acreage**
- d. Add right-of-way recording information**
- e. Final Replat submittal shall be signed and sealed by an RPLS in the State of Texas**

- 2. The Final Plat approval is subject to the Site Plan approval; and**
- 3. The revised Replat is due to the City no later than May 12, 2025.**

- 9. Conduct a Public Hearing, consider, and make a recommendation to the City Council regarding amendments to Exhibit 14A, "Zoning Ordinance," in Chapter 14, "Zoning" of the Code of Ordinances of the City of Aubrey, Texas to repeal the current provision for zoning by right for Tobacco Shops in the Shopping Center (SC) and Commercial (C) Zoning Districts, and to adopt a Conditional Use Permit (CUP) requirement within those Districts, to provide regulations for approval of such use, to provide for Tobacco Shop use within the Industrial District, and to provide for a definition of Tobacco Shops in Section 4, "Definitions."**

Helen-Eve Beadle provided information.

The Public Hearing opened at 7:11 PM and closed at 7:11 PM.

In accordance with Texas Government Code Section 551.071(1) and (2) Consultation with Attorney, the Commission recessed into Executive Session at 7:26 PM to discuss this item.

The commission reconvened into Open Session at 7:26 PM

P&Z Commissioner Brittney Murray made a motion to recommend approval of the amendment to the Zoning Ordinance for Tobacco Shops with two text amendment changes. P&Z Commissioner Candace Stone seconded. Motion Passed (6:0). None opposed.

Text amendment changes:

- 1. to measure the distance requirements from property line to property line to expand the definition of tobacco shops to include other smoked,**

- smokeless or otherwise consumable products;**
2. with respect to the onsite use to allow an exception for product testing prior to purchase.

10. Conduct a Public Hearing, consider, and make a recommendation to the City Council regarding an amendment to Exhibit 14, "Zoning Ordinance," Chapter 14A, "Zoning" of the Code of Ordinances of the City of Aubrey, Texas to amend Section 6, "Conditional Uses and Specific Use Permits," to adopt a Conditional Use Permit process to allow for the sale of specified types of alcoholic beverages in certain zoning districts and to provide a Specific Use Permit for the sale of specified types of alcoholic beverages in certain zoning districts, to establish regulations and fees for such application processes, to provide definitions, to provide an Alcohol and Zoning District Use Chart, and to allow minor editorial changes in Section 6 to provide clarity.

The Public Hearing opened at 7:49 PM and closed at 7:49 PM.

P&Z Commissioner Sina Tidwell made a motion to approve the amendment to Section 6 of the Zoning Ordinance for alcoholic beverage sales. P&Z Commissioner Christal Johnson seconded. Motion Passed (6:0). None opposed.

11. Consideration and action on approving minutes of the April 10, 2025 meeting.

P&Z Commissioner Brittney Murray made a motion to approve the minutes. P&Z Commissioner Candace Stone seconded. Motion Passed (6:0). None opposed.

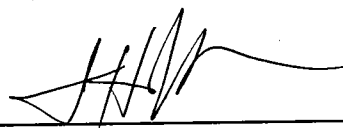
The meeting was adjourned at 7:51 PM.

PASSED and APPROVED by the Planning and Zoning Commission of the City of Aubrey, Texas, this 12th day of June, 2025.


Sina Tidwell, Commission Chair



ATTEST:


Jenny Hicks, City Secretary