

**SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
TUESDAY, JULY 30, 2024**

**MINUTES**

**Call to Order**

The meeting was called to order at 6:00 p.m. by Chairman May.

**Roll Call**

**PRESENT**

Chairman Tim May  
Vice Chairman David Gilmore  
Commissioner Dustin Jensen  
Commissioner Brenda Kihl  
Commissioner Tony Martinez  
Commissioner Bill Nippert

**ABSENT**

Commissioner Collin Johnson

**ALSO PRESENT**

Trey Sargent, Town Attorney  
Chris Gordon, Council Liaison  
John Smith, Town Administrator  
Chris Chaudoir, Administrative Assistant

**Pledge of Allegiance to the U.S. And Texas Flags**

Pledge of Allegiance to the U.S. And Texas Flags led by Chairman May.

**Invocation**

Invocation given by Chairman May.

**Public Comment**

No Public Comment.

**Consent Agenda**

1. July 16, 2024 Meeting Minutes

Motion to accept the minutes made by Commissioner Kihl, Seconded by Commissioner Martinez.

Voting Yea: Vice Chairman Gilmore, Commissioner Jensen, Commissioner Kihl, Commissioner Martinez, Commissioner Nippert. Motion passed unanimously.

**Regular Agenda**

2. Discuss, consider and act on a recommendation for a Site Plan for 800 Point Vista Road, being 5.13 acres of land situated in the Cornelius Town Center Addition, Block A, Lot 1, Town of Hickory Creek, Denton County, Texas.

Cynthia Mathey, 117 Arabian, President of Founders Academy PTO, explained the purpose and history of the request for the shade structure.

Samantha Baylog, 2208 Woods Edge Court, Corinth, PTO Treasurer, went over the details of the structure's construction.

Chairman May questioned the use of the fire lane as a stacking lane. Ms. Chaudoir stated the Fire Marshall reviewed the project and raised no concerns.

Motion to recommend approval made by Commissioner Kihl, Seconded by Vice Chairman Gilmore.

Voting Yea: Vice Chairman Gilmore, Commissioner Jensen, Commissioner Kihl, Commissioner Martinez, Commissioner Nippert. Motion passed unanimously.

3. Discuss, consider and act on a recommendation for a Preliminary Plat for the Lennon II Addition, Lots 1 - 9, Block A, being 10.22 acres of land situated in the M.E.P. and P.R.R. Co. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas. The property is located in the 3100 block of FM 2181.

Mr. Smith went over the history of the property and Ms. Chaudoir stated the zoning was established in the 2020 Lennon Family Planned Development Ordinance.

Brad Devault, Victory Group, explained Lot 3 was larger than the other lots because that is the location of first shopping center to be built and was designed for that type of building and its intended use, approximately 50% restaurant, 50% retail.

Drew Donosky, ClayMoore Engineering, discussed the 3 access points along Fm 2181 and the existing easements and utility lines installed on the property. Submittal has been made to TxDOT to move some of the access points and a Traffic Impact Analysis is currently being conducted. Mr. Devault is negotiating with the property owner to the east for an access easement to align with the existing median opening.

Concern was expressed about cross-access easements not being shown. Mr. Donosky explained the Preliminary Plat would not dedicate any easements, being more of a master plan. Currently, easement dedications are being concentrated around lots 2, 3 and 4 where first construction will be to prevent the other lots from having any additional restrictions other than the existing utility and drainage easements. Chairman May asked if the cross-access easements should be shown on the Preliminary Plat so that they are established for future development even if the land changes ownership. Mr. Donosky stated they could easily be added with a conditional approval. Mr. Sargent and Mr. Smith agreed that it would be preferable to show the cross-access to prevent access issues in the future. Mr. Devault

stated they would like the flexibility to move the easement and fire lanes around buildings as needed but he understood the concern. Mr. Sargent stated having the cross access indicated across the frontage to show intent made sense, but it could be moved on subsequent lot approvals. Upon questioning, Mr. Devault indicated there is interest in the other lots, but nothing is confirmed at this time.

Motion to recommend approval with the addition of a cross-access easement across all 9 lots made by Commissioner Jensen, Seconded by Commissioner Nippert.

Voting Yea: Vice Chairman Gilmore, Commissioner Jensen, Commissioner Kihl, Commissioner Martinez, Commissioner Nippert. Motion passed unanimously.

4. Discuss, consider and act on a recommendation for a Site and Landscape Plan for the Lennon II Addition, Lot 3, Block A, being 2.123 acres of land situated in the M.E.P. and P.R.R. Co. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas. The property is located in the 3100 block of FM 2181.

Drew Donosky, ClayMoore Engineering, stated lot 3 did not meet the landscape requirement but the intention is the full site would fulfill the requirements on build out. There will be an 8-foot masonry wall between the site and the subdivision. Only the wall behind lot 3 will be completed at this time to allow access to the other lots for parking lot construction and to prevent damage to the wall, but the wall will match across the site at build out.

The front and rear fire lanes are shown on lot 4 and across to Parkridge. A Development Plan will be created covering the cross-access easement, the rear wall and any structural and color standards for a cohesive development. The current site plan shows one building which could possibly accommodate up to 8 tenants including 2 restaurants with drive-throughs.

Chairman May discussed the landscape percentage shortfall, not wishing to set a precedent for the other lots. Discussions were held about the reasons and possible solutions. 10 to 15 percent of the entire 10-acre tract have existing large drainage easements that could be heavily planted. Lot 3 has every parking space possible to meet the requirements for the building's prospective users and everything else is landscape. Lot 1 will probably be over landscaped due to its shape and drainage easements. Extra landscaping could also be added to the east. Upon buildout, a shortage of landscaping is not anticipated as an additional 2500 square feet could be found somewhere else. Victory Group has Master Planned the development with specific potential users and their needs and criteria in mind, necessitating the different lot sizes. The applicant expressed that they were willing to go ahead and dedicate a landscape easement by separate instrument now with the current project if that was a condition of approval.

Mr. Sargent recommended the item either be approved without conditions or with a request that the applicant present landscape dedication alternatives before the Council meeting Monday. Mr. Devault said he would discuss the easement dedication with the company.

Motion to recommend approval to Council as presented made by Vice Chairman Gilmore, Seconded by Commissioner Nippert.

Commissioner Jensen suggested an amendment to the motion requiring the submission of a dedicated landscape easement of no less than 2500 square feet in the aggregate. The amendment to the motion was accepted by Vice Chairman Gilmore and Commissioner Nippert.

Voting Yea on the amended motion: Vice Chairman Gilmore, Commissioner Jensen, Commissioner Kihl, Commissioner Martinez, Commissioner Nippert. Motion passed unanimously.

5. Discuss, consider and act on a recommendation for a Final Plat for the Lennon II Addition, Lot 3, Block A, being 2.123 acres of land situated in the M.E.P. and P.R.R. Co. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas. The property is located in the 3100 block of FM 2181.

Mr. Donosky stated the front fire, access, drainage and utility easement extending onto lot 4 is shown on the Final Plat but it does not extend further as to not encumber the other lots during site planning and construction. Only the concrete shown will be poured at this time. There is an existing dedicated easement shown across the rear of the tract, filed in 2021 and providing cross-access to all 9 lots, which may negate the need for a cross-access easement on the Preliminary Plat.

Chairman May expressed concern about the easements on lot 3 crossing the property lines onto the adjacent lots and potential future issues in platting those lots. Mr. Donosky stated the easements will be filed prior to plat filing. Mr. Sargent stated it is not a reason to permissively deny the plat.

Motion to recommend approval as submitted made by Vice Chairman Gilmore, Seconded by Commissioner Kihl.

Voting Yea: Vice Chairman Gilmore, Commissioner Jensen, Commissioner Kihl, Commissioner Martinez, Commissioner Nippert. Motion passed unanimously.

### Adjournment

Motion to adjourn made by Vice Chairman Gilmore, Seconded by Commissioner Kihl. Voting Yea: Vice Chairman Gilmore, Commissioner Jensen, Commissioner Kihl, Commissioner Martinez, Commissioner Nippert. Motion passed unanimously.

Meeting adjourned at 7:15 p.m.

Approved:

Attest:

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Tim May, Chairman  
Planning and Zoning Commission

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Chris Chaudoir, Administrative Assistant  
Town of Hickory Creek