

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
TUESDAY, JUNE 21, 2022**

MINUTES

Call to Order

Meeting was called to order by Chairman Hawkes at 6:00 p.m.

Roll Call

PRESENT

Commissioner Rodney Barton
Commissioner Jaycee Holston
Chairman Bryant Hawkes
Commissioner Don Rowell
Commissioner David Gilmore

ABSENT

Commissioner Dustin Jensen
Vice-Chairman Tim May

ALSO PRESENT

Trey Sargent, Town Attorney
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 Hawkes.

Invocation

Invocation given by Commissioner Gilmore.

Public Comment

No Public Comment

Consent Agenda

1. May 17, 2022 Meeting Minutes

Motion to accept the minutes as presented made by Commissioner Holston, Seconded by Commissioner Rowell.

Voting Yea: Commissioner Barton, Commissioner Holston, Chairman Hawkes, Commissioner Rowell, Commissioner Gilmore. Motion passed.

Regular Agenda

2. Conduct a public hearing regarding a request for a Special Use Permit from Bonnie Brown on behalf of Alpha & Omega Equipment Sales and Rental for the construction of a new facility for the sales, rental, outdoor display and routine service of construction equipment at 8560 S. Stemmons Freeway, and consider and act upon a recommendation for the same. The legal description of the property is A0958A McCarroll, Tract 29(pt), Town of Hickory Creek, Denton County, Texas.

Karl Meeks, 1022 Hickory Creek Road, gave a presentation on the area, Alpha & Omega's other yards, and the problems he sees with the proposed use including the look of the lot and fence, booms in the air, unattractive yards, lights, effects on the surrounding homes, traffic, damage to the streets, the entrance on Hickory Creek Road aligning with his driveway, etc. He does not believe this is the right use for the property, he would prefer retail.

Public Hearing opened at 6:14 p.m. and closed at 6:15.

Jackie Johnson, Alpha & Omega, stated the business is revenue generating and is a good fit in any community. Chris Morphew, owner of Reliant Construction and general contractor for the project, stated he has built several similar buildings and presented photos of some of them. The entrance across from Mr. Meek's property is a secondary entrance. All the vegetation on the west side (rear) will not be removed and there will be a 6 foot masonry fence with some added vegetation. The lot is fully irrigated. Mr. Johnson explained the Odessa location Mr. Meeks presented photos of is appropriate for the location it is in and not what they intend for Hickory Creek. This will be a state of the art signature yard.

Commissioner Holston asked what Mr. Meeks could expect to see when he came out of his driveway. Mr. Morphew explained that they would be using trees and shrubs that give coverage year round, live oaks, evergreens, etc. There will be an ornamental fence along Hickory Creek Road. that continues around the corner along the service road. The back will be the solid masonry. Most of the equipment on the lot will not be the taller equipment, most probably will be 10 feet at the tallest. Mr. Morphew and Commissioner Rowell discussed the details of the locations in Sanger and Odessa including the use of asphalt millings in the display areas. Commissioner Gilmore asked what the Code required (asphalt or concrete), and why they would use asphalt millings. Mr. Morphew explained that millings are easier to repair over time. Asphalt millings are cushioned and have an 8 inch soot base underneath to prevent ruts forming. Mr Morphew stated if concrete is required, they can go that route. The building will be white R Panel metal and thin brick. There is a porch on the front and a covered extension for a wash bay on the south. Run off will tie into the storm drain. The rear is the white metal panel.

Commissioner Holston asked how much noise the neighbors could expect: hours of operations will be 8-5 Monday to Friday.

Commissioner Gilmore asked about the timeline for construction. Mr Morphew said during the initial stages the property would be maintained so that grass would not grow. Construction will probably take 6 to 7 months total and construction hours will not

go past 5 p.m. They will get the landscaping and parking lot done first so the vegetation will get a chance to grow during construction. The ornamental fence on the south side is 6 foot wrought iron. Commissioner Holston suggested the residents on Hickory Creek Road may be happier with a solid fence. There was general discussion about the requirement for masonry walls between commercial and residential properties. Mr. Johnson stated they may be able to use a combination of wrought iron and masonry columns along Hickory Creek Road.

Commissioner Holston asked if repair work would be done on site. Mr. Johnson explained they do repair work both on site or at the customer's location. All traffic will enter and exit onto the service road from the primary cuts. The entrance on Hickory Creek Road is secondary and could be eliminated if the Fire Department agrees that it is not needed. Eighteen wheelers would not be able to utilize Hickory Creek Road in any case.

Commissioner Gilmore asked about signage and its relation to the houses. Mr. Morpew stated the neighbors behind would never see a sign. There is a sign on the building's tower that faces Stemmons with backlighting. Additional signage can be kept shorter, such as a monument or blade sign. The lot will have lights but they can also be kept to a lower height level.

Commissioner Holston asked Mr. Meeks what could be done to make the project more livable to him. Mr. Meeks stated that all the competition yards kept the booms in an upright positions, presumably to attract attention. Mr. Johnson promised him that the boom lifts could be kept in a lower position. Mr. Smith spoke of some of the discussions that had been had with the applicant and some of the considerations the Commission may make for the SUP recommendation to the Council. Mr. Morpew stated a monument sign would also be acceptable. Mr. Meeks was concerned that the site plan was not detailed enough to show all his concerns, how the traffic would flow, and again expressed concerns about being able to see the boom lifts even if there were a 10 foot solid fence along Hickory Creek Road. The property slopes uphill and anything across the street will be visible even with a fence. Mr. Morpew said they would be doing some grading. Mr. Johnson explained that the majority of the equipment is about 5 feet tall with the remaining being 10 feet tall at the most.

Commissioner Gilmore felt there was not enough information. Mr. Smith reminded the Commission they were looking at a Special Use Application that did not require the in-depth information required by a Site Plan. They are considering if the use would be allowable before the applicant moves forward.

Commissioner Holston stated that Mr. Meeks knew when he bought in a commercial district that change would occur and the field across the street would not always remain vacant, but she would like to help him make the change more acceptable. Most of the commission agreed that it was not a use they would like to live across from but they are in residential districts. Commission Rowell stated he used Hickory Creek Road regularly and sometimes had issues getting onto the service road. He had also been going through Alpha & Omega's website and did not see any other locations bordering a residential district. Mr. Johnson stated there were residences down the street from the Odessa location.

The commissions held a general discussion on the speed limit on the service road and the possibility of requesting a lower one.

Commissioner Gilmore moved to recommend to council approval of the Special Use permit for 8560 S. Stemmons Freeway on behalf of Alpha & Omega for the sales and rental of construction equipment with the following stipulations:

- Solid masonry fence on south and west sides of property;
- Low level lighting after dark;
- Remove the entrance located on Hickory Creek Road;
- All equipment booms to be kept in the lowered position at all times; and
- Concrete surfacing on entire yard.

Seconded by Commissioner Barton.

Voting Yea: Commissioner Barton, Commissioner Holston, Chairman Hawkes, Commissioner Gilmore

Voting Nay: Commissioner Rowell. Motion passed

Adjournment

Motion to adjourn made by Commissioner Barton, Seconded by Commissioner Holston.

Voting Yea: Commissioner Barton, Commissioner Holston, Chairman Hawkes, Commissioner Rowell, Commissioner Gilmore. Motion passed unanimously.

Meeting adjourned at 7:07 p.m.

Approved:

Attest:

Bryant Hawkes, Chairman
Planning and Zoning Commission

Chris Chaudoir, Administrative Assistant
Town of Hickory Creek