

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
TUESDAY, APRIL 20, 2021**

**MINUTES**

**Call to Order**

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

**Roll Call**

**PRESENT**

Commissioner Dustin Jensen  
Chairman Rodney Barton  
Commissioner Jaycee Holston  
Vice Chairman Bryant Hawkes  
Commissioner Don Rowell  
Commissioner Tim May  
Commissioner David Gilmore

**ALSO PRESENT**

Trey Sargent, Town Attorney  
Paul Kenney, 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 Barton.

**Invocation**

Invocation given by Commissioner Gilmore.

**Public Comment**

No Public Comment.

**Consent Agenda**

1. March 16, 2021 Meeting Minutes

Motion to approve the minutes as presented made by Vice Chairman Hawkes,  
Seconded by Commissioner Gilmore.

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

## **Regular Agenda**

2. Conduct a public hearing regarding a request from KSW Holding Hickory Creek, LP to amend the current PD (Planned Development) zoning designation on two (2) tracts of land legally described as A1120A H.H. Swisher 50, 5.0 acres and TR 50A(1)(PT), 33.8629 acres, Town of Hickory Creek, Denton County, Texas and consider and act on a recommendation for the same. The properties are located in the 1800 Block of Turbeville Road.

Laura Canada Lewis, Walters Weddings, 1851 Turbeville Road, gave a presentation showing the proposed development and changes to the Planned Development Ordinance. If the ordinance is approved, they expect to have the building drawings to the Town by Thanksgiving and to start construction in January.

Commissioner Gilmore recused himself from questions or comments on the project.

Public Hearing opened at 6:23 p.m.

Darren Blake Burgess, 121 Harbor Lane manager, stated they liked the feel of being close to the city but with little traffic. He was not sure coming in if they were for or against the project but were against after seeing the scope. His concerns include the hotel, parking, additional traffic and service arrivals on the property.

Ebba Snyman, 108 Colt Lane, said she is not appreciative of the growth. The presentation showed a better layout, but she is not sure about the amount of additional traffic it will generate. The Bakery Barn, Boutique and Spa are new features. The parking lot across from her house will also create more light. She is disappointed and would like to see more landscaping.

Bill Wenger, 104 Saratoga Drive, lives in the third house from Turbeville. The Spa and Restaurant have been moved behind his house. He appreciates that the density of the hotel has been removed from the backyards of the properties to the north, but it has been increased at the south with approximately 200 feet of structures behind six houses. His view will be of a solid wall. The concept plan also shows the service entrance to be behind his house. He is concerned about the increased noise and beeping of arriving trucks at all hours. He is not against the project, just it being in his backyard.

Rafael Guerrero, 123 Citation Lane, stated his house will face the parking lot on the southwest side. He expressed concerns about increased light and noise in the area and is against it. He was also unaware that there is a fire and access entrance at the southwest corner of the property.

Graciela Lallier, 110 Saratoga Drive, stated she lives alone and is concerned about increased noise, strangers in the area and security. She is disappointed in the growth adding the area was residential when she moved in and will be worse than living next to Walmart.

Jan Atchison, 108 Saratoga Drive, said she lives in the first house to be occupied in the neighborhood. So far, the Olana has had no effect on her property but she has the same concerns as Mr. Wenger. She suggested rearranging the layout, moving a water feature to that corner of the property instead of a wall of structures and hotel rooms along the backyards. She also expressed concerns about the walking trail and the amount of additional lighting it would produce.

Kurt Myers, 424 Traveller Street, stated he was not for or against the development but had the same concerns as the others. He also wondered if it was going to become a Town Center with the hotel, restaurant, bakery and boutique. He is concerned about the increase in traffic and noise.

Public Hearing closed at 6:39 p.m.

Commissioner Hawkes stated the commission had a difficult job when discussing major development with good elements next to residential areas that in years past had no idea that development would ever happen. Some of the discussion included flipping buildings 7 and 16 and moving guest houses to remove delivery noise. That could be an environmentally friendly suggestion for the neighbors as well as moving a water feature to that side. Another comment addressed was lighting. There are ordinances in place to address that concern. Security on the pathway is a good point so lighting should be mandatory. He asked Mr. Smith if Turbeville was wide enough for a 4-lane road. Mr. Smith stated the town currently does not have the ROW for 4 lanes. However, if guests from weddings were staying at the hotel, exit times would be staggered instead of everyone leaving at once thereby increasing the diversity of traffic patterns. Commissioner Hawkes stated the plan has a lot of pluses, but he would not want it in his backyard and asked Ms. Lewis if they would be amenable to flipping buildings 7, 16 and a water feature. Mr. Smith explained that the Olana had conducted numerous discussions with the town prior to presenting to the commission. The walking trail is an addition at the town's request as part of the town's Master Park Plan. It would T into the hike and bike path to the north. The Olana will donate a portion of the land, provide the conduit for lighting on the perimeter wall and contribute to the concrete costs then the town would be responsible for its maintenance. The engineers would look at it to find ways to save or add more trees. The sidewalk along Turbeville is another recent addition to the plan.

Ms. Lewis said, at the current Walters properties with hotels, they are filled almost all the time with people who would be on the property anyway, they do not bring in outside guests. Construction would be taking place while the schedule for weddings continues with no early or late construction hours. A fence would be up during construction to screen it from public view. Their team of architects would abide with the same type of Night Sky ordinance standards in place in other cities to reduce light nuisance. The area behind the hotel, between the buildings and fence is a fire lane, not a street, and will be constructed of Grasscrete approved for use with fire trucks. There should be no vehicle or foot traffic in that area and no

guest patios. Dumpsters and trash pickup will not be within 50 feet of the property lines. They are happy to provide some land and the lighting conduit, but they really have nothing to do with the trail. The pond on the south side has to be there as a detention pond to comply with the runoff regulations. She would also like to remind everyone that the restaurant and spa were part of the previously approved PD and the hotel along the western border had been reduced, making it more environmentally friendly to the neighbors.

Commissioner Holston stated she was uncomfortable with the service entrance and voting yes on the project with the concerns raised, especially the noise issues but does not know the solution. She knows towns have to grow or die. She confirmed with Ms. Lewis that the Bakery Barn would not be open to the general public but would service the Walters Wedding properties in the area and their clients. The Bakery Barn is proposed at 15000 square feet but would be half bakery and half refrigerated floral storage. Commissioner Holston asked about deliveries on that side and associated noise issues. Ms. Lewis said the only residence on that side is located within the boundaries on the town limits but was in the county. The fire lane/road to the Barn and Boutique will be paved concrete.

Commissioner Hawkes stated he knew from his neighborhood that when Republic trucks come by the dogs in the area begin to bark and expressed his concerns about the activity at the service entrance. Ms. Lewis stated they had no plans to move that building and were committed to the development on the west side. There are no current problems with the deliveries being made at the main building and most of the activity would remain in the middle of the property.

Commissioner Jensen did not see a great deal of shielding landscaping along Turbeville Road. Ms. Lewis said they were not planning on adding a lot of landscaping so as to not obscure the view of the beautiful property. There would be spaced trees along the fence. Commissioner Jensen pointed out that, on the southwest side, the neighbors across Turbeville have wrought iron fencing and the view was of a parking lot. The neighbors had no privacy from the cars utilizing it. If the back of the buildings faced Turbeville and they looked nice it would be different. Any children playing in backyards would be visible to the cars pulling into the parking lot so additional screening might be advisable.

Commissioner May said valid concerns had been raised about the southwest corner but that it was a conceptual site plan and flexibility with different alternatives could be possible. He asked Ms. Lewis if buildings 7, the spa and fitness center, and 16, back of house, were both 34 feet in height. She confirmed that 7 and the restaurant are 2-storey buildings but 16 may be slightly shorter. They discussed that the buildings in the southwest corner were all connected by covered, air-conditioned passageways so there would be some relief and openness in the building façade. The service entrance could possibly be used daily but only for the restaurant. Most of the deliveries would remain at the Olana loading area. Possible reduced delivery times, including possibly trash collection, of 9am to 4pm were

discussed. Ms. Lewis said they currently abided by the town's ordinance, but they would be receptive to possibly limiting the delivery hours. The restaurant would be owned and operated by Walters, but they would contract with a hotel operator. The back of house is designed the same as the other buildings and Commissioner May suggested staggering the architectural elements or limiting heights to soften the view, coupled with the distances from neighboring properties created by the fences, trail and fire lane. The trail lighting is a town issue. Night Sky and ambient light will be recognized separately. Guest activity created by buildings 8 and 9, the guest wings where the additional 50 suites are located, is physically separated by distance from the neighbors, so the issues come back to the back of house. He suggested that the engineers be encouraged to be creative with the drainage and flood control.

Commissioner Rowell said most of his questions had been answered and stated he likes the current concept plan much better than the previous due to the hotel being broken up, allowing for more landscaping and giving a better aesthetic. He confirmed that the events are capped at a maximum of 250 people. The hotel venue will address the traffic issues by possibly as much as 50%. He does not believe the hotel will increase the noise levels. The delivery noise issue could be addressed by reduced delivery hours. He likes the tie-in of the pedestrian path with trail to the north.

Mr. Smith asked Mr. Sargent if delivery hour restrictions could be added to the PD ordinance. Mr. Sargent will research the issue. Chairman Barton asked if suggestions made about the architectural elements could also be included in the PD. Mr. Sargent stated those elements are generally not included in the PD. Chairman Barton confirmed meetings had been conducted by the Olana with the HOA and citizens both in 2019 and recently. Mr. Smith stated he and Mayor Pro-Tem Kenney were both there taking notes. Any issues they raised would either be addressed prior to the council meeting with Ms. Lewis or brought up at the council meeting.

Commissioner Gilmore confirmed that a Planned Development ordinance was already in place and, if this ordinance was not passed, development could proceed based on that design.

Mr. Sargent said he would prefer that any motion made did not include a restriction on delivery hours. He will research how to word that provision in the ordinance and consult with Ms. Lewis prior to the council meeting. Commissioner Holston asked Ms. Lewis if they would be amenable with a 10-4 delivery window. Ms. Lewis said they would probably ask for 9-6 which is still within the hours stated in the current Code of Ordinances. Commissioner May clarified that the hours suggested were only for service vehicles not for venue operations and the 10-4 was only a "for instance" suggestion. He also asked Mr. Sargent if the architectural style exhibits could be included in the ordinance to set a commitment to the style of building. Mr. Sargent stated it was not a part of this ordinance as presented but the concept could possibly be included. He would still prefer a clean motion without conditions and Mr. Smith

and Mr. Kenney were hearing their comments, understood their concerns and could act on them before or at council.

Commissioner May stated he was hesitant to vote for a clean motion unless the concerns and history of the motion and its intent were fully captured in the minutes or they could be lost for any future discussions or amendments.

Motion by recommend approval made by Vice Chairman Hawkes, Seconded by Commissioner Jensen.

Voting Yea: Commissioner Jensen, Chairman Barton, Commissioner Holston, Vice Chairman Hawkes, Commissioner Rowell, Commissioner May

Voting Abstaining: Commissioner Gilmore. Motion passed.

3. Discuss, consider and act on a recommendation for a final plat of Lake Dallas RV Park Phase II, Lot 1, Block 1; being 1.013 acres of land out of the L. Cobb Survey, Abstract No. 284, Town of Hickory Creek ETJ, Denton County, Texas. The property is located at 661 S Main Street.

Braden Smith, Lake Dallas RV Park owner, and Ms. Chaudoir spoke on the history and purpose of the plat. They will be expanding the 2nd curb cut to connect the road. Ms. Chaudoir stated she had spoken to Denton County Planning about the Halff comment on setbacks. They do not have an established setback requirement and will handle it during their planning and permitting process. She also has spoken to the Denton County Fire Marshall who has no objections at this time.

Motion to recommend approval of the plat as presented made by Commissioner Gilmore, Seconded by Vice Chairman Hawkes.

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

### **Adjournment**

Motion to adjourn made by Commissioner Jensen, Seconded by Vice Chairman Hawkes.

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

Meeting adjourned at 7:41 p.m.

Approved:

Attest:

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Rodney Barton, Chairman  
Planning and Zoning Commission

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Chris Chaudoir, Administrative Assistant  
Town of Hickory Creek