



**NOTICE OF
SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION
REMOTE MEETING
1-888-475-4499
MEETING ID: 810 3784 4763
TUESDAY, DECEMBER 22, 2020, 6:00 PM**

AGENDA

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and member of the public be physically present at a meeting location. [Remote Meeting Participation Information.](#)

Call to Order

Roll Call

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

Invocation

Public Comment

This item allows the public an opportunity to address the Planning and Zoning Commission. To comply with the provisions of the Open Meetings Act, the commission cannot discuss or take action on items brought before them not posted on the agenda. Please submit a [Public Comment Form](#) at least five minutes prior to the meeting if you wish to address the commission. Comments will be limited to three minutes. Open Forum is for information only. No charges and/or complaints will be heard against any elected official, board member, the Town, or employee of the Town that are prohibited by law.

Consent Agenda

Items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Planning and Zoning Commission.

1. October 20, 2020 Meeting Minutes

Regular Agenda

- [2.](#) Discuss, consider and act on a recommendation for a Site Plan for 6060 S. Stemmons. The property is legally described as Lake Cities Polaris Addition, Block A, Lot 1.
- [3.](#) Conduct a public hearing regarding an ordinance of the Town of Hickory Creek, Texas amending the Town's Code of Ordinances, Chapter 14: Zoning, Article XIII: C-1 Commercial District; Section 3 (2), Building Regulations to alter the allowable height of fences within the district and consider and act on a recommendation for the same.

Adjournment

The Planning and Zoning Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Chapter 551.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact Town Hall at 940-497-2528 or by fax 940-497-3531 so that appropriate arrangements can be made.

I, Chris Chaudoir, do hereby certify, that this meeting notice was posted on the bulletin board at Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas on December 18, 2020 at 10:30 a.m.



Chris Chaudoir
Town of Hickory Creek

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
TUESDAY, OCTOBER 20, 2020**

MINUTES

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location.

Call to Order

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

Roll Call

PRESENT

Chairman Rodney Barton
Commissioner Jaycee Holston
Vice Chairman Bryant Hawkes
Commissioner Don Rowell
Commissioner Jan Stefaniak
Commissioner David Gilmore
Commissioner Dustin Jensen

ALSO PRESENT

Trey Sargent, Town Attorney
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 and Ms. Chaudoir.

Invocation

Invocation led by Commissioner Gilmore.

Public Comment

After more than 10 years with the Commission, Jan Stefaniak is leaving Hickory Creek. We wish him the best.

Consent Agenda

1. September 15, 2020 Meeting Minutes

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

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

Regular Agenda

2. Discuss, consider and act on a recommendation for a replat of Hundley Area of Hickory Estates, Lot 7, 0.4989 acres and A0284A Cobb, Tract 127A, 0.251 acres creating Hundley Area of Hickory Estates Addition, Lot 7R, being 0.75 of an acre in the Lowry Cobb Survey, Abstract 284 in the Town of Hickory Creek, Denton County Texas. The lot is located at 121 Woody Trail.

Ms. Chaudoir explained the reason for the replat.

Motion to recommend approval of the replat made by Vice Chairman Hawkes, Seconded by Commissioner Holston.

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

Adjournment

Motion to adjourn made by Commissioner Jensen, Seconded by Vice Chairman Hawkes. Voting Yea: Chairman Barton, Commissioner Holston, Vice Chairman Hawkes, Commissioner Rowell, Commissioner Gilmore, Commissioner Jensen. Motion passed unanimously.

Meeting adjourned at 6:08 p.m.

Approved:

Attest:

Rodney Barton, Chairman
Planning and Zoning Commission

Chris Chaudoir, Administrative Assistant
Town of Hickory Creek

Please attach a copy of the deed to the property. If you are currently purchasing the property, please include a copy of the contract for the purchase of the property. Also include a copy of any and all restrictive covenants pertaining to any property to be developed or rezoned.

Appeals and Zoning Changes

What is the proposed use?

Additional parking/boat storage as approved in sup meeting.
No changes in the landscape plan

Why do you believe that the approval of the request would be in harmony with the character of the neighborhood?

Why do you believe that the approval of this request would not be detrimental to the property or persons in the neighborhood?

Why do you believe that there is a need in this area for the uses that would be allowed under this proposed zoning change?

Lien holder:

Is the property burdened by a lien of any nature? () Yes () No
If so, describe the lien and give the name and address of lien holder and secure their consent to the requested zoning change with their signature.

Other:

Approximate cost of work involved? _____
Include a schematic drawing of the site.

To the Applicant:

I, Jake Reichenstein, understand the above requirements and have read them thoroughly and my statements are true and correct.

[Signature]
Applicant

11/12/20
Date

Lien holders (if any)

STATE OF TEXAS:

COUNTY OF DENTON:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Jake Reichenstein, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this 12 day of November, 2020.

[Signature]
Notary Public, in and for the State of Texas

06/29/22
My Commission Expires On:





November 12, 2020
AVO 37638.200

Ms. Chris Chaudoir
Town of Hickory Creek
1075 Ronald Reagan Avenue
Hickory Creek, TX 75065

**RE: 6060 S. Stemmons Freeway – Site Plan
1st Review**

Dear Ms. Chaudoir:

The Town of Hickory Creek received a Site Plan application for the addition of an approximately 8,000 square foot parking area as part of the 6060 S. Stemmons Freeway site on November 12, 2020. The engineer is Viewtech, Inc., and the owner/applicant is Jake Reichenstien.

Halff reviewed the subject parking lot expansion only and recommends approval of Site Plan for this improvement. Development of future building(s) and parking lots will be subject to further review of the Site Plan.

Sincerely,

HALFF ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Lee Williams".

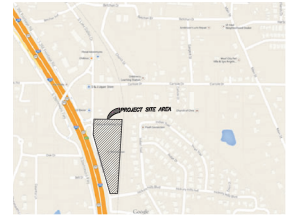
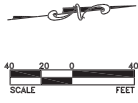
Lee Williams, PE
Town Engineer

C: Kristi Rogers – Town Secretary
John Smith – Town Administrator

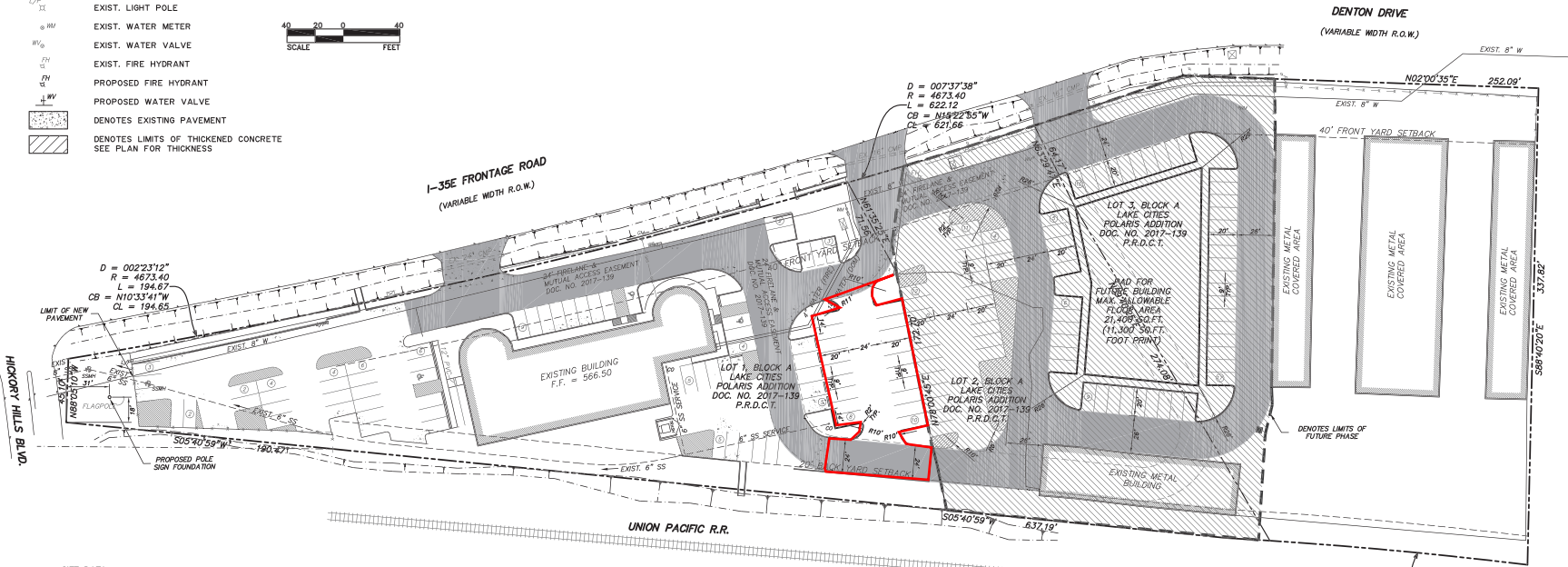
Attachment: Site Plan Markup
Checklist Markup

LEGEND.

- F.I.R. FOUND IRON ROD
- EXIST. CONCRETE PAVEMENT
- EXIST. OVERHEAD ELECTRIC
- EXIST. POWER POLE
- EXIST. LIGHT POLE
- EXIST. WATER METER
- EXIST. WATER VALVE
- EXIST. FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- PROPOSED WATER VALVE
- DENOTES EXISTING PAVEMENT
- DENOTES LIMITS OF THICKENED CONCRETE
SEE PLAN FOR THICKNESS

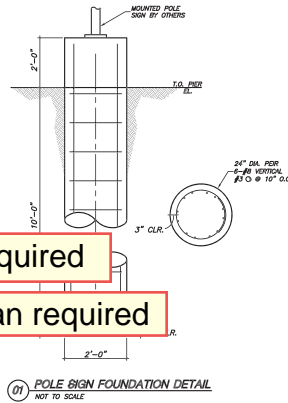


VICINITY MAP
NOT TO SCALE



SITE DATA

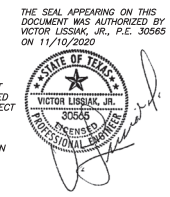
- ZONING: IND
- SITE ADDRESS: 6060 S STEMMONS FWY.
- PROPOSED USE: COMMERCIAL DEVELOPMENT
- SETBACKS BY PLAT:
 - (C.) FRONT SETBACK: 40 FEET
 - (B.) REAR SETBACK: 20 FEET
- BUILDING/PARKING SUMMARY:
 1. LOT AREA (TRACT 1 & TRACT 2): 5.020 ACRES (218,676 SQ.FT.)
 - PHASE 1: 1.597 ACRES (69,598 SQ.FT.)
 - PHASE 2: 1.951 ACRES (84,971 SQ.FT.)
 - TOTAL AREA DISTURBED: 3.548 ACRES (154,569 SQ.FT.)
 2. BUILDING SQUARE FOOTAGE:
 - OFFICE BUILDING: 11,164 SQ.FT.
 - FUTURE OFFICE BUILDING: 21,400 SQ.FT.
 - TOTAL BUILDING AREA: 32,564 SQ.FT.
 3. PARKING RATIO:
 - 1 SPACE FOR EACH 200 SQ.FT.
 4. REQUIRED PARKING:
 - EXISTING REQUIRED: 11,164 SQ.FT. / 200 SQ.FT. = 56 SPACES
 - FUTURE REQUIRED: 21,400 SQ.FT. / 200 SQ.FT. = 107 SPACES
 - TOTAL REQUIRED: 134 SPACES
 5. PARKING PROVIDED:
 - PHASE 1:
 - HANDICAP PARKING: 3 SPACES
 - REGULAR PARKING: 75 SPACES
 - PHASE 2:
 - REGULAR PARKING: 74 SPACES
 - TOTAL PARKING: 152 SPACES
 6. MAXIMUM LOT COVERAGE: 65%
 - 32,564 SQ.FT. / 218,676 SQ.FT. = 14.9% (BUILDING AREA/LOT AREA)
 7. BUILDING HEIGHT: 17 FT. HEIGHT
 8. PER FEMA COMMUNITY PARCEL NUMBER 4812C05356 DATED APRIL 18, 2011. THIS PROPERTY LIES WITHIN FLOOD ZONE X.



163 spaces required

This is less than required

For review of the proposed addition of the parking area only, this site plan suffices. Parking space requirements need to be addressed before approval of an additional building on site. Parking is sufficient for existing building.



BENCHMARK:
 BM 1: "X" FOUND ON BACK OF CURB AT THE NORTH END OF DRIVE ENTRY LOCATED NEAR THE SOUTHWEST CORNER OF SUBJECT TRACT 2
 ELEVATION = 566.84
 BM 2: TYPED GPS MONUMENT LOCATED IN CENTER MEDIAN OF HICKORY HILLS BLVD. SOUTH OF AT INTERSECTION WITH I-35 FRONTAGE ROAD.
 ELEVATION = 557.78

SITE PLAN					
HICKORY CREEK OFFICE REMODEL					
6060 S. STEMMONS FRWY					
HICKORY CREEK, TEXAS					
VIEWTECH, INC.					
4205 BELTWAY DR. ADDISON, TX, 75001 (872) 661-8187 FAX (872) 661-8172					
DESIGN	DRAWN	DATE	SCALE	JOB #	SHEET
VL	EF	11/10/20	1:40	2020-XXXX	C2.0

TOWN OF HICKORY CREEK, TEXAS

ORDINANCE NO. 2020 - _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, AMENDING CHAPTER 14 ZONING, ARTICLE XIII C-1 COMMERCIAL DISTRICT, SECTION 3 BUILDING REGULATIONS; AMENDING CHAPTER 14 ZONING; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AND EFFECTIVE DATE.

WHEREAS, the Town of Hickory Creek, Texas, is A Type A General Law municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and the Texas Constitution and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town Council is empowered under section 51.012 of the Local Government Code to adopt ordinances necessary for the government, interest, welfare, or good order of the municipality; and

WHEREAS, the Town Council does hereby find and determine that the adoption of this Ordinance is necessary for the government, interest, welfare and good order of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:

SECTION 1.
INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2.
FINDINGS

After due deliberations the Town Council has concluded that the adoption of this Ordinance is in the best interest of the Town of Hickory Creek, Texas and necessary for the government, interest, welfare, and good order of the Town.

SECTION 3.

AMENDMENTS

3.01 That the Town of Hickory Creek Code of Ordinances, Chapter 14: Zoning, Article XIII C-1 Commercial District, Section 3 Building Regulations subsection (2) is hereby amended to read:

“All commercial areas adjacent to residential areas shall be separated from the residential area by the erection of a sight barrier fence which must be eight feet in height and constructed of 100 percent masonry materials.”

3.02 All other articles, chapters, sections, paragraphs, sentences, phrases and words are not amended but are hereby ratified and affirmed.

SECTION 4. **CUMULATIVE REPEALER CLAUSE**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 5. **SAVINGS CLAUSE**

All rights and remedies of the Town of Hickory Creek, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting utility rates and fees which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

SECTION 6. **SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the Town shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

SECTION 7. **PENALTY**

If the governing body of the Town of Hickory Creek determines that a violation of this Ordinance has occurred, the Town of Hickory Creek may bring suit in a court of competent jurisdiction to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined, except as otherwise provided herein, in a sum not to exceed Five Hundred Dollars (\$500.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 8.
PUBLICATION CLAUSE

The Town Secretary of the Town of Hickory Creek is hereby directed to publish in the Official newspaper of the Town of Hickory Creek, the Caption, Penalty Clause, and Effective Date clause of this Ordinance for two (2) days as required by Section 52.011 of the Texas Local Government Code.

SECTION 9.
ENGROSSMENT AND ENROLLMENT

The Town Secretary of the Town of Hickory Creek is hereby directed to engross and enroll this Ordinance by copying the exact Caption, Penalty Clause, and Effective Date clause in the minutes of the Town Council of the Town of Hickory Creek and by filing this Ordinance in the Ordinance records of the Town.

SECTION 10.
EFFECTIVE DATE

This Ordinance shall become effective from and after its date of passage and publication in accordance with law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas this _____ day of December, 2020.

Lynn
Clark, Mayor
Town
of Hickory Creek, Texas

ATTEST:

Kristi Rogers, Town Secretary
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

Dorwin L. Sargent, III, Town Attorney
Town of Hickory Creek, Texas