



**NOTICE OF
REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
REMOTE MEETING
1-888-475-4499
MEETING ID: 812 6961 6237
TUESDAY, MARCH 16, 2021, 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 Board of Adjustments. 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 board. 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.](#) January 19, 2021 Meeting Minutes
- [2.](#) February 25, 2021 Meeting Minutes

Regular Agenda

- [3.](#) Discuss, consider and act on a recommendation for a minor replat of Country Oaks Estates Addition, Block A, Lots 6A, 6C and 6D, bring 5.01 acres out of the S. Linthicum Survey, Abstract #1600 in the Town of Hickory Creek, Denton County, Texas. The property is located in the 200 block of Noble Oak Court.

4. Discuss, consider and act on a recommendation for a final plat of Lennon Creek Addition, being a 28.456 acre tract located in the M.E.P. & P.R.R Company Survey, Abstract No. 915 and H.H. Swisher Survey, Abstract No. 1220, Town of Hickory Creek, Denton County, Texas. The Property is located in the 3700 block of Parkridge Drive.
5. Discuss, consider and act on a recommendation for a final plat for Sycamore Cove Addition, being 32.43 acres in the John Maloney Survey, Abstract No. 819, Town of Hickory Creek, Denton County, Texas. The property is located in the 1200 block of Sycamore Bend Road south of Maynard Road.
6. Conduct a public hearing regarding a request from Studio 2547 on behalf of Shirley Mae Goldfield, Richard Goldfield, Brian Goldfield and Susan Goldfield to designate the zoning as PD Planned Development on a 24.31 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220 in the Denton County, Texas, and being part of a called 36.253 acre tract of land described as "Tract 1" and part of a called 3.2515 acre tract of land described as "Tract 2" in Executor's Deed to Richard Goldfield, Brian Goldfield and Susan Goldfield, recorded in Instrument Number 2019-36351 of the Official Public Records of Denton County, Texas and consider and act on a recommendation for the same. The property is located in the 3400 block of FM 2181.
7. Discuss, consider and act on a recommendation for a preliminary plat of Hickory Creek Multi-Family, Lot 1 and Lot 2, Block 1: being 24.344 acres in the H.H. Swisher Survey, Abstract No. 1220, Town of Hickory Creek, Denton County, Texas. The property is located in the 3400 block of FM 2181.
8. 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 opacity requirement 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 March 12, 2021 at 11:00 a.m.



Chris Chaudoir
Town of Hickory Creek

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
REMOTE MEETING
TUESDAY, JANUARY 19, 2021**

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 member of the public be physically present at a meeting location. Remote Meeting Participation Information.

Call to Order

Meeting called to order at 6:04 by Vice Chairman Hawkes.

Roll Call

PRESENT

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

ABSENT

Chairman Rodney Barton

ALSO PRESENT

Trey Sargent, Town Attorney
Chris Chaudoir, Administrative Assistant

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

Pledge of Allegiance to U.S. and Texas Flags led by Vice Chairman Hawkes.

Invocation

Invocation given by Commissioner Gilmore.

Public Comment

William Faraoni, 205 Oak Tree Lane, spoke about the AirBnB property being operated next door to his home. The new owners are collecting state hotel taxes per the website, making the property a business which has not been issued a commercial Certificate of Occupancy or been inspected as a rental property. The previous owner did renovations

to the property which will not meet code. An accessory building is being used as a part of the rental and is on his property. The tenants are causing noise and traffic issues in the neighborhood and are not given background checks which could allow sex offenders to rent or visit the property, making it unsafe for his family and the neighborhood. The Corps is across the street and children play in the area all the time. He is sure one of the tenants was dealing drugs from the property. He wants AirBnB properties to be disallowed and will be starting a petition.

Consent Agenda

1. December 22, 2020 Meeting Minutes

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

Voting Yea: Commissioner Jensen, Commissioner Holston, Vice Chairman Hawkes,
Commissioner Rowell, Commissioner Gilmore,

Voting Abstaining: Commissioner May. Motion passes.

Regular Agenda

2. 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 XIV: C-2 Commercial District; Section 3 (2), Building Regulations and Chapter 14: Zoning, Article XV: LI-1 Industrial District, Section 4 (2), Building Regulations to alter the allowable height of fences within the districts and consider and act on a recommendation for the same.

Public Hearing opened at 6:20 p.m.

The Commissioners discussed the change to the ordinance. Ms. Chaudoir detailed the uses allowed in the various zoning categories and where they were located in town, if present. Commissioner May inquired if the ordinance specified the fence was to be masonry and opaque. Mr. Sargent suggested that the motion include the caveat for completely opaque walls.

Public Hearing closed at 6:27 p.m.

Motion to recommend adoption of the ordinance with the stipulation that the fence have 100% opacity made by Commissioner Gilmore, Seconded by Commissioner Holston.

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

Adjournment

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

Meeting adjourned at 6:31 p.m.

Approved:

Attest:

Bryant Hawkes, Vice Chairman
Planning and Zoning Commission

Chris Chaudoir, Administrative Assistant
Town of Hickory Creek

**SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
THURSDAY, FEBRUARY 25, 2021**

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 member of the public be physically present at a meeting location. Remote Meeting Participation Information.

Call to Order

Meeting called to order at 6:06 p.m. by Chairman Barton.

Roll Call

PRESENT

Chairman Rodney Barton
Commissioner Jaycee Holston
Vice Chairman Bryant Hawkes
Commissioner Don Rowell
Commissioner Tim May

ABSENT

Commissioner Dustin Jensen
Commissioner David Gilmore

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.

Invocation

A Moment of Silence was observed.

Public Comment

No Public Comment

Regular Agenda

1. Discuss, consider and act on a recommendation for a Site and Landscape Plan for Domino's Pizza located at 1043 Hickory Creek Boulevard. The property is legally described as Wal-Mart Addition, Block A, Lot 7R (n pt).

Juan Vasquez, Vasquez Engineering, explained Domino's Pizza wished to add a pick-up window and discussed the project.

Commissioner May asked about the stated value of the project. Mr. Vasquez said it was a rough estimate and a more complete value would be available once bids were received.

Chairman Barton asked Mr. Vasquez and Commissioner May if the tree being moved was going to have sufficient space and they both agreed.

Motion made by Vice Chairman Hawkes to recommend to council approval as corrected by Halff, Seconded by Commissioner Holston.

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

Adjournment

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

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

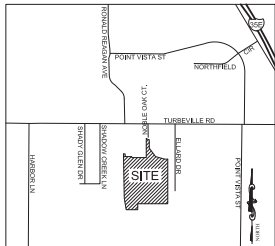
Meeting adjourned at 6:14 p.m.

Approved:

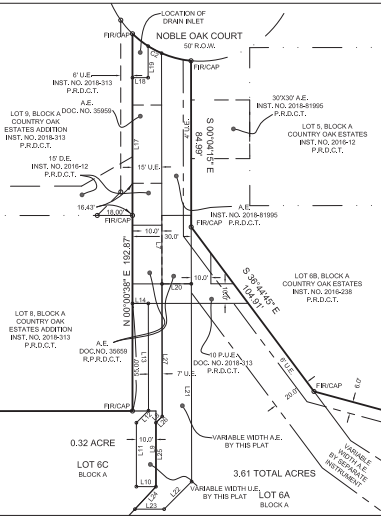
Attest:

Rodney Barton, Chairman
Planning and Zoning Commission

Chris Chaudoir, Administrative Assistant
Town of Hickory Creek

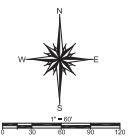


- GENERAL NOTES:
- ALL CORNERS ARE MARKED WITH CAPPED 1/2" IRON RODS STAMPED "KAZ" UNLESS OTHERWISE NOTED.
 - FLOOD STATEMENT: I HAVE REVIEWED THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR THE TOWN OF HICKORY CREEK, COMMUNITY NUMBER 441150 EFFECTIVE DATE 4-15-2011 AND THAT MAP INDICATES AS SCALED THAT THIS PROPERTY IS WITHIN "NON-SHADED ZONE X" DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD (500-YEAR) AS SHOWN ON PANEL 535 G OF SAND MAP.
 - THE PURPOSE OF THIS REPLAT IS TO CREATE 3 LOTS FROM 1 PREVIOUSLY PLATTED LOT.
 - NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF TOWN ORDINANCE AND STATE LAW, AND IS SUBJECT TO FINES AND/OR WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
 - BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT.



DETAIL
1" = 30'

- LEGEND
- NAD 83 = NORTH AMERICAN DATUM 1983
 - A.E. = ACCESS EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - P.U.E. = PRIVATE UTILITY EASEMENT
 - U.E. = UTILITY EASEMENT
 - E.E. = ELECTRIC EASEMENT
 - S.U.E. = SEWER EASEMENT
 - POS = POINT OF BEGINNING
 - 1/2" IRON ROD = 1/2" IRON ROD FOUND
 - CAPED IRON ROD SET = CAPED IRON ROD SET
 - P.D.C.T. = PLAT RECORDS DENTON COUNTY TEXAS
 - D.C.T. = DEED RECORDS DENTON COUNTY TEXAS
 - U.E. = UTILITY EASEMENT AREA



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 88° 35' 42" E	16.52'
L2	S 01° 02' 48" E	7.77'
L3	EAST	65.66'
L4	S 05° 54' 01" E	10.02'
L5	N 89° 58' 00" E	30.00'
L6	S 00° 00' 00" E	60.00'
L7	S 00° 00' 00" E	165.70'
L8	S 45° 00' 00" W	4.52'
L9	S 00° 01' 19" W	32.69'
L10	N 89° 58' 41" W	30.00'
L11	N 00° 01' 19" E	32.69'
L12	N 45° 00' 00" E	8.76'
L13	N 00° 05' 58" W	54.80'
L14	S 89° 57' 04" W	3.00'
L17	N 00° 00' 38" E	115.43'
L18	S 89° 59' 22" E	8.00'
L19	N 00° 00' 19" E	18.30'
L20	N 89° 58' 56" E	15.07'
L21	S 00° 05' 58" E	101.14'
L22	S 45° 00' 00" W	19.89'
L23	WEST	14.92'
L24	N 42° 58' 22" E	15.73'
L25	N 00° 01' 19" E	32.69'
L26	N 45° 00' 00" E	4.52'
L27	N 00° 09' 39" W	67.81'

SURVEYOR:
KAZ SURVEYING, INC.
1720 WESTMINSTER STREET
DENTON, TEXAS 76205
PHONE: (840) 382-3446
TBLRIS FIRM #10002100

OWNER:
RANDY R. WAHL
1688 TURBULENCE ROAD
HICKORY CREEK, TX 75065
PHONE: (817) 781-9797

STATE OF TEXAS
DENTON COUNTY

WHEREAS, RANDY R. WAHL, is the owner of all that certain lot, tract or parcel of land lying and being situated in the Town of Hickory Creek, Denton County, Texas and being all of Lot 6A, Country Oak Estates Addition, an addition to the Town of Hickory Creek, Denton County, Texas, according to the plat recorded in Instrument 2018-313, Plat Records, Denton County, Texas, and being more fully described by metes and bounds as follows:

BEGINNING at a capped iron rod found at the most Easterly Northeast corner of Lot 9, of said Block A, and also being in the South line of Noble Oak Court:

THENCE along said South line and along a curve to the left whose long chord bears, South 65 degrees 12 minutes 38 seconds East, 32.93 feet and whose radius is 50.00 feet and an arc length of 33.56 feet to a capped iron rod found at the most Northerly Northeast corner of said Lot 6A;

THENCE South 00 degrees 04 minutes 15 seconds East, 84.99 feet to a capped iron rod found;

THENCE South 36 degrees 44 minutes 45 seconds East, 104.91 feet to a capped iron rod found;

THENCE South 74 degrees 47 minutes 59 seconds East, 94.96 feet to a capped iron rod found;

THENCE North 89 degrees 58 minutes 38 seconds East, 30.02 feet to a capped iron rod found at the most Easterly Northeast corner of said Lot 6A and also being the Southeast corner of Lot 6B, of said Country Oak Estates Revised;

THENCE South 00 degrees 03 minutes 11 seconds East, 446.12 feet to a capped iron rod found in rod found;

THENCE South 89 degrees 58 minutes 13 seconds West, 300.01 feet to a capped iron rod found;

THENCE South 00 degrees 03 minutes 06 seconds East, 60.00 feet to a capped iron rod found;

THENCE South 89 degrees 58 minutes 13 seconds West, 115.52 feet to a capped iron rod found at the Southwest corner of said Lot 6A;

THENCE North 09 degrees 29 minutes 53 seconds West, 116.43 feet to a capped iron rod found;

THENCE North 01 degrees 02 minutes 52 seconds West, 443.79 feet to a capped iron rod found;

THENCE North 89 degrees 55 minutes 42 seconds East, 16.52 feet to a capped iron rod found;

THENCE South 01 degree 02 minutes 49 seconds East, 27.77 feet to a capped iron rod set stamped "KAZ" at the Southwest corner of Lot 8, of said Block A;

THENCE East, 65.66 feet to a capped iron rod set stamped "KAZ";

THENCE South 05 degrees 54 minutes 01 second East, 10.05 feet to a capped iron rod found;

THENCE North 89 degrees 56 minutes 56 seconds East, 144.20 feet to a capped iron rod found;

THENCE North 00 degrees 00 minutes 38 seconds East, passing a capped iron rod found, at 100.00 feet, continuing for a total distance of 192.87 feet to the POINT OF BEGINNING and containing 5.01 acres of land, more or less.

OWNER'S CERTIFICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT RANDY R. WAHL, DOES HEREBY ADOPT THIS REPLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 6A, 6C, & 6D, BLOCK A, COUNTRY OAK ESTATES ADDITION OF THE REPLAT OF LOT 6A, BLOCK A, COUNTRY OAK ESTATES ADDITION, AN ADDITION IN THE TOWN OF HICKORY CREEK, TEXAS, AND DO HEREBY DEDICATE TO PUBLIC USE FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAIN, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

RANDY R. WAHL _____ DATE _____

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED RANDY R. WAHL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
DENTON COUNTY

STATE OF TEXAS
COUNTY OF DENTON

I, KENNETH A. ZOLLINGER, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND AND THAT THE MONUMENTS SHOWN HEREON WERE FOUND OR PLACED WITH CAPPED 1/2" IRON RODS STAMPED "KAZ" UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS.

Kenneth A. Zollinger, R.L.S., # 5312 _____ DATE _____

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Kenneth A. Zollinger, 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 PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS _____

NOTARY PUBLIC, DENTON COUNTY, TEXAS.

MY COMMISSION EXPIRES _____

RECOMMENDED FOR APPROVAL	
CHAIRPERSON, PLANNING AND ZONING COMMISSION	DATE
TOWN OF HICKORY CREEK, TEXAS	
APPROVED FOR PREPARATION OF FINAL REPLAT	
MAYOR, TOWN OF HICKORY CREEK, TEXAS	DATE

THE UNDERSIGNED, THE TOWN SECRETARY OF THE TOWN OF HICKORY CREEK, TEXAS, HEREBY CERTIFIES THAT THE FOREGOING REPLAT OF THE COUNTRY OAK ESTATES ADDITION TO THE TOWN OF HICKORY CREEK WAS SUBMITTED TO THE TOWN COUNCIL, ON THE ____ DAY OF _____, 2021, AND THE COUNCIL, BY FORMAL ACTION, THEN AND THERE ACCEPTED THE DEDICATION OF STREETS, ALLEYS, PARKS, EASEMENTS, PUBLIC PLACES, AND WATER AND SEWER LINES, AS SHOWN AND SET FORTH IN THE UPON SAID PLAT AND SAID COUNCIL FURTHER AUTHORIZED THE MAYOR TO NOTE THE ACCEPTANCE THEREOF BY SIGNING HIS/HER NAME AS HEREINAFORE SUBSCRIBED.

WITNESS MY HAND THIS ____ DAY OF _____, 2021

TOWN SECRETARY
TOWN OF HICKORY CREEK, TEXAS

MINOR REPLAT
LOT 6A, 6C, & 6D, BLOCK A
COUNTRY OAK ESTATES ADDITION
BEING 5.01 ACRES OUT OF THE
S. LINTHICUM SURVEY, ABSTRACT # 1600
IN THE TOWN OF HICKORY CREEK,
DENTON COUNTY, TEXAS
DATE OF PLAT: MARCH OF 2021

KAZ SURVEYING
1720 WESTMINSTER
DENTON, TX 76205
(840) 382-3446
JOB NUMBER: 17002100P
DRAWN BY: MNF, TBL
DATE: 03-11-2021
R.L.S.
KENNETH A. ZOLLINGER
TX PLS REGISTRATION # 10002100



March 8, 2021
AVO 37638.200

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

**RE: Country Oak Estates Addition – Minor Replat, Lots 6A, 6C & 6D, Block A
1st Review**

Dear Ms. Chaudoir:

The Town of Hickory Creek received an application for a Minor Replat of Lots 6A, 6C & 6D of Block A of the Country Oaks Estates Addition. The purpose of the replat is to create three lots from one previously platted lot. The surveyor is KAZ Surveying, Inc., and the owner is Randy R. Wahl.

Halff reviewed the Minor Replat and offers the following comments.

1. Please correct the year of approval in the approval block.
2. Include the month and year of the replat in the title block.
3. Include "Block A" in the title block to specify the lots being replatted.
4. Add any missing abbreviations, patterns, or line styles in the legend as necessary, namely "E.E.", "U.E.", and the hatch pattern.
5. Per Article VIII, Section 4.3 of Town ordinance, "Each residential lot shall face onto a public street. Minimum street frontage per lot shall be thirty (30) feet, except as approved by the Planning and Zoning Commission and Town Council in a Planned Development District." Lots 6C and 6D do not meet this requirement and are not located in a Planned Development District. These two lots have no street frontage and are accessible only by access easement.
6. Per the Town's Engineering Design Manual, easements across lots on rear or side lot lines shall be at least 15 feet. There are several utility easements less than 15 feet wide adjacent to lot lines. (See markup.)
7. Please label all easements that are adjacent to the boundary. (See markup.)
8. Is there an easement east of the drainage easement on the adjacent lot south of the subject property? If so, label the easement. If it is a building line, please remove.
9. Do the two easements labeled E.E. extend east? (See markup.)
10. Does the utility easement on the north end of Lot 6D extend north? (See markup.)
11. In the detail:
 - a. What is the block in the northwest corner of Lot 6A? (See markup.)
 - b. What is the 10.0' label defining? (See markup.)
 - c. What is the area defined as 7.0' wide? Is it a utility easement? (See markup.)
 - d. What is the dashed line near the northern end? (See markup.)
12. What is the dashed line in Lot 6A? (See markup.) If it is to separate the Homestead from the remainder of the lot, what is the purpose?

13. Per SF-3 zoning, the minimum width of the lot at the building line shall be 80 feet. Lot 6C measures approximately 53 feet at the building line. (See markup.)
14. What do the hatch patterns represent? (See markup.)
15. Please check the 15-foot building line on Lot 6A. (See markup.)
16. For single family homes, there should be a fire hydrant within 500 feet of the structure. Lot 6D will be located more than 500 feet from the hydrant located at the end of Noble Oak Court, and hose lay length appears to be more than 600 feet. Will there be a fire hydrant located to serve Lot 6D? It is recommended the fire department review the plat for access to proposed lots.

Sincerely,

HALFF ASSOCIATES, INC.

TBPELS Engineering Firm No. 312



Lee Williams, PE

Town Engineer for the Town of Hickory Creek

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

Attachment: Site Plan Markup
Checklist Markup



TOWN OF HICKORY CREEK
ENGINEERING DESIGN MANUAL

CHECKLISTS

Please make sure the plans you are submitting are in accordance with this checklist. The following checklist will be used during the Plan Review.

Plat Application: ☐ Preliminary Plat ☐ Preliminary Replat
 ☐ Final Plat ☒ Final Replat

Engineering Plan: ☐ Preliminary ☐ Final

Site Construction Plan: ☐ Preliminary ☐ Final ☐ Post Construction

Storm Water Management: ☐ Conceptual ☐ Preliminary ☐ Final

Project Information

A. Name of Development: Noble Oak B. Date: 3/8/21

C. Location of Development: _____

D. Type of Development: _____

E. Total area (acres): _____

F. Proposed Land Uses (zoning designations): _____

G. Anticipated project schedule: _____

H. Name of Owner: _____

I. Owner Telephone No.: _____ J. FAX No.: _____

K. Owner Contact Name: _____

L. Owner Address: _____

M. Owner Email Address: _____

N. Engineer/Surveyor's Name: _____

O. Engineer/Surveyor's Email Address: _____

P. Engineer/Surveyor Firm: _____

PRELIMINARY PLAT CHECKLIST:

- | | |
|---|---------------------------|
| 1. Ten (10) Sets of Final Plats submitted to the Town | Yes ____ No ____ N/A ____ |
| 2. Preliminary plats shall be placed on maximum 24" x 36" sheets and drawn to a scale of 1" = 100' or 1" = 50' unless approved in advance by the Town. | Yes ____ No ____ N/A ____ |
| 3. Title or name of the subdivision preceded by the words: "Preliminary Plat" | Yes ____ No ____ N/A ____ |
| 4. Name, address and telephone number of the owner, applicant, survey, and/or engineer. | Yes ____ No ____ N/A ____ |
| 5. Volume and page, or deed record number of the ownership deed from Denton County Deed Records. | Yes ____ No ____ N/A ____ |
| 6. Vicinity map and key map, if multiple sheets are needed. | Yes ____ No ____ N/A ____ |
| 7. Date of preparation, written and graphic scale, and north arrow. | Yes ____ No ____ N/A ____ |
| 8. Boundary line of the proposed subdivision drawn with a heavy line. | Yes ____ No ____ N/A ____ |
| 9. Computed gross acreage of the subdivision | Yes ____ No ____ N/A ____ |
| 10. Metes and bounds description of the proposed subdivision. | Yes ____ No ____ N/A ____ |
| 11. Location of the subdivision with respect to a corner of the survey or tract or an original corner of the survey of which it is a part. | Yes ____ No ____ N/A ____ |
| 12. Names of adjoining subdivisions with lots and blocks shown with dashed lines and/or property owners of record for all contiguous unplatted properties. | Yes ____ No ____ N/A ____ |
| 13. Town limits (if applicable). | Yes ____ No ____ N/A ____ |
| 14. Location, dimension, and description and recording information for all existing rights-of-way, railroad rights-of-way, easements or other public ways on or adjacent to the property being developed. | Yes ____ No ____ N/A ____ |
| 15. Show permanent structures or uses that will remain. | Yes ____ No ____ N/A ____ |
| 16. Sizes and flowlines of existing drainage structures, 100-year floodplain and floodway as defined by FEMA. | Yes ____ No ____ N/A ____ |
| 17. Location, size and type of all existing utilities within or adjacent lot the site. | Yes ____ No ____ N/A ____ |

- | | |
|--|---------------------------|
| 18. Number each proposed lot and block. Provide the proposed number of lots. | Yes ____ No ____ N/A ____ |
| 19. Existing two (2) foot interval contours referenced to NAD. | Yes ____ No ____ N/A ____ |
| 20. Proposed streets, alleys, drainage ways, parks, open spaces, easements, other public areas and other rights-of-way within the subdivision. Dimensions of all easements and rights-of-way. | Yes ____ No ____ N/A ____ |
| 21. Dimensions for all lots. Gross acreage for all non-residential lots. Approximate acreage for areas in residential use. Approximate acreage of streets, parks, and other non-residential uses. | Yes ____ No ____ N/A ____ |
| 22. Front building setback lines, side and rear building setback lines. | Yes ____ No ____ N/A ____ |
| 23. Preliminary Storm Water Management Plan meeting the requirements of the Engineering Design Manual shall be submitted with the Preliminary Plat. (Checklist in App. C) | Yes ____ No ____ N/A ____ |
| 24. Preliminary Plat approval block as described by the Subdivision Regulation Ordinance. | Yes ____ No ____ N/A ____ |
| 25. Where the Preliminary Plat is part of a larger area owned by the Applicant that will be subsequently subdivided, provide a layout of the larger area showing the tentative layout of streets, blocks, drainage, water, sewerage, and other improvements for the larger area. | Yes ____ No ____ N/A ____ |

FINAL PLAT CHECKLIST

- | | |
|---|-----------------------------------|
| 1. Ten (10) Sets of Final Plats submitted to the Town | Yes ____ No ____ N/A ____ |
| 2. Final plats shall be placed on maximum 24" x 36" sheets and drawn to a scale of 1" = 100' or 1" = 50' unless approved in advance by the Town. | Yes <u> X </u> No ____ N/A ____ |
| 3. Title or name of the subdivision preceded by the words "Final Plat" | Yes <u> X </u> No ____ N/A ____ |
| 4. Name address and telephone number of the owner, applicant, survey, and/or engineer. | Yes <u> X </u> No ____ N/A ____ |
| 5. Vicinity map and key map if multiple sheets are needed. | Yes <u> X </u> No ____ N/A ____ |
| 6. Date, written and graphic scale, and north arrow. | Yes <u> X </u> No ____ N/A ____ |
| 7. Boundary line of subdivision drawn with a heavy line and with bearings, dimensions and curve data. | Yes <u> X </u> No ____ N/A ____ |
| 8. Names of adjoining subdivisions with lots and blocks shown with dashed lines and/or property owners of record for all contiguous unplatted properties. | Yes <u> X </u> No ____ N/A ____ |

9. Town limits, if applicable. Yes ____ No ____ N/A X
10. Proposed streets, alleys, drainageways, parks, open spaces, easements, other public areas and other rights-of-way within the subdivision including dimensions, bearings and curve data. Yes X No ____ N/A ____
11. Location, dimension, description and recording information for all existing rights-of-way, railroad rights-of-way, easements or other public ways on or adjacent to the property being platted. Yes X No ____ N/A ____
12. Location and description of all permanent monuments and control points Yes X No ____ N/A ____
13. Final Storm Water Management Plan meeting the requirements of the Engineering Design Manual shall be submitted with the Preliminary Plat. (Checklist in App. C) Yes ____ No ____ N/A X
14. Floodways / Floodplains (FEMA):
- a. Show the ultimate 100-year water surface elevation. Yes ____ No ____ N/A X
 - b. Show floodplain and floodway boundaries. Yes ____ No ____ N/A X
 - c. Drainage Floodway easement limits Yes ____ No ____ N/A X
 - d. Minimum fill and floor elevations specified. Yes ____ No ____ N/A X
15. Minimum building setback lines. Yes X No ____ N/A ____
16. Lot and block numbers. Yes X No ____ N/A ____
17. Approval block in the form prescribed by the Subdivision Regulations Ordinance. Yes X No ____ N/A ____
18. Abutting property owner names and recording information. Yes X No ____ N/A ____
19. Gross acreage of the land being subdivided Yes X No ____ N/A ____
26. Added the note for buildings within 1,000 feet from existing oil or gas well as described by the Subdivision Regulation Ordinance. Yes ____ No ____ N/A X
20. Owner's certificate of deed or dedication with the following:
- a. Metes and bounds description. Yes X No ____ N/A ____
 - b. Representation that dedicators own the property. Yes X No ____ N/A ____
 - c. Dedication statement. Yes X No ____ N/A ____
 - d. Reference and identification or name of final plat. Yes X No ____ N/A ____
 - e. Surveyor certification in the form prescribed by the Subdivision Regulation Ordinance. Yes X No ____ N/A ____

REQUEST FOR VARIANCE FROM TOWN OF HICKORY CREEK – STORM WATER – FORM CT-7

Submitted by: _____ Phone: _____ Email: _____

Company: _____ Date: _____

Proposed Project Description

Name: _____

Type: _____

Location: _____ (include map)

Existing Condition (show information on map or drawing)

Existing Site: _____

Existing Right-of-Way: _____

Topography: _____

Other Pertinent Data Related to Variance Request:

Variance Request

Specific criteria you want to vary: _____

Explain why the criteria needs to be varied or is not applicable: _____

Explain how the basis for the criteria will be satisfied: _____

List attachments supporting variance request (preliminary design report excerpt, construction drawings, calculations, photographs, map, etc.):

Town of Hickory Creek fills in this area

Date	Reviewer	Dept./Section	Action Taken

Justification of Decision: _____

Approval of Final Decision: _____ Date: _____



March 11, 2021
AVO 37638.200

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

**RE: Country Oak Estates Addition – Minor Replat, Lots 6A, 6C & 6D, Block A
2nd Review**

Dear Ms. Chaudoir:

The Town of Hickory Creek received an application for a Minor Replat of Lots 6A, 6C & 6D of Block A of the Country Oaks Estates Addition on February 26, 2021. A response and revised plat were submitted on March 11, 2021. The purpose of the replat is to create three lots from one previously platted lot. The surveyor is KAZ Surveying, Inc., and the owner is Randy R. Wahl.

Halff reviewed the Minor Replat and offers the following comments.

1. Please correct the year of approval in the approval block.
2nd Review: Addressed.
2. Include the month and year of the replat in the title block.
2nd Review: Addressed.
3. Include "Block A" in the title block to specify the lots being replatted.
2nd Review: Addressed.
4. Add any missing abbreviations, patterns, or line styles in the legend as necessary, namely "E.E.", "U.E.", and the hatch pattern.
2nd Review: Addressed.
5. Per Article VIII, Section 4.3 of Town ordinance, "Each residential lot shall face onto a public street. Minimum street frontage per lot shall be thirty (30) feet, except as approved by the Planning and Zoning Commission and Town Council in a Planned Development District." Lots 6C and 6D do not meet this requirement and are not located in a Planned Development District. These two lots have no street frontage and are accessible only by access easement.
2nd Review: Halff Associates has reviewed the plat for conformity to existing ordinances and engineering design guidelines as adopted by the Town Council. Lots 6C and 6D do not meet the requirements of the ordinance. The ordinance places the decision to provide an exception on the P&Z Commission and Council through use of a Planned Development District.
6. Per the Town's Engineering Design Manual, easements across lots on rear or side lot lines shall be at least 15 feet. There are several utility easements less than 15 feet wide adjacent to lot lines. (See markup.)
2nd Review: The owner's response indicates all easements are intended to be private, but the plat does not make that clear. If all easements are private, please label in the legend as such. It should be noted that easements serving more than one property should be public. In any case,

however, if the width of the proposed easements is satisfactory to the individual utility agencies that would have facilities located in them, they can be less than 15 feet as shown in the plat.

7. Please label all easements that are adjacent to the boundary. (See markup.)
2nd Review: Addressed.
8. Is there an easement east of the drainage easement on the adjacent lot south of the subject property? If so, label the easement. If it is a building line, please remove.
9. *2nd Review: Addressed.*
10. Do the two easements labeled E.E. extend east? (See markup.)
2nd Review: Addressed.
11. Does the utility easement on the north end of Lot 6D extend north? (See markup.)
2nd Review: Addressed.
12. In the detail:
 - a. What is the block in the northwest corner of Lot 6A? (See markup.)
 - b. What is the 10.0' label defining? (See markup.)
 - c. What is the area defined as 7.0' wide? Is it a utility easement? (See markup.)
 - d. What is the dashed line near the northern end? (See markup.)*2nd Review: Addressed.*
13. What is the dashed line in Lot 6A? (See markup.) If it is to separate the Homestead from the remainder of the lot, what is the purpose?
2nd Review: Addressed.
14. Per SF-3 zoning, the minimum width of the lot at the building line shall be 80 feet. Lot 6C measures approximately 53 feet at the building line. (See markup.)
2nd Review: Assuming the lot is facing east (since the access drive is on that side and there is no street), the front of the lot is approximately 65 feet wide at the building line as shown on the revised plat.
15. What do the hatch patterns represent? (See markup.)
2nd Review: Addressed.
16. Please check the 15-foot building line on Lot 6A. (See markup.)
2nd Review: Addressed.
17. For single family homes, there should be a fire hydrant within 500 feet of the structure. Lot 6D will be located more than 500 feet from the hydrant located at the end of Noble Oak Court, and hose lay length appears to be more than 600 feet. Will there be a fire hydrant located to serve Lot 6D? It is recommended the fire department review the plat for access to proposed lots.
2nd Review: No further comment.



Ms. Chris Chaudoir
Town of Hickory Creek
March 11, 2021
Page 3

Sincerely,

HALFF ASSOCIATES, INC.

TBPELS Engineering Firm No. 312

A handwritten signature in blue ink, appearing to read "Lee Williams", with a stylized flourish at the end.

Lee Williams, PE

Town Engineer for the Town of Hickory Creek

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



LAKE CITIES FIRE DEPARTMENT



Proudly serving Hickory Creek, Shady Shores, Lake Dallas and Corinth

David Rodriguez
Assistant Fire Marshal

**Nobel Oak Court
Hickory Creek, TX 75065**

Site Review

2018 IFC and Amendments

Fire Hydrants

1. **Amendment Chapter 5- 507.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved in or within the jurisdiction is more than 300 feet from a fire hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Marshal. A minimum of one fire hydrant shall be located within 100ft of the fire department connection and on the same side of the roadway as the facility or building. **As properties develop, fire hydrants shall be located at all intersecting streets and at the minimum spacing indicated in table 507.5.1.** There shall be a minimum of two (2) fire hydrants serving each property within the prescribed distances listed in Table 507.5.1

2. **Table 507.5.1**

OCCUPANCY	SPRINKLERED	NOT SPRINKLERED
Residential (1 & 2 Family)	500 feet	500 feet
Residential (Multi Family)	400 feet	300 feet
All Other	500 feet	300 feet

3. **Amendment 503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4267 mm).


Exception: Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.

4. **Amendment 503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support imposed loads of 80,000 Lbs. for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.
5. **Chapter 5- 503.2.5 Dead Ends.** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.

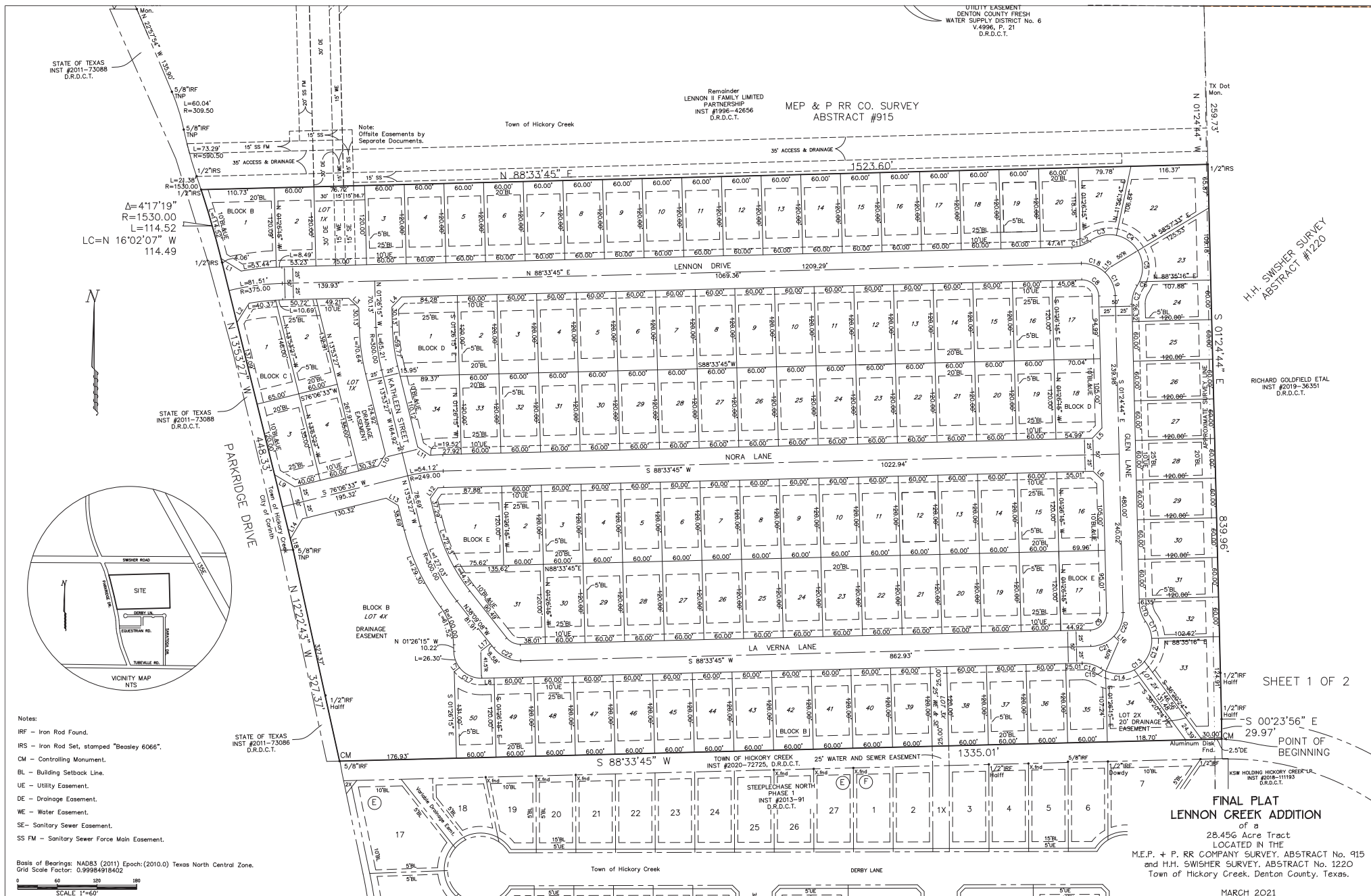
IFC Chapter 2 definitions for

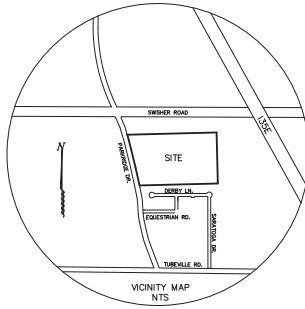
Fire Apparatus Access Road- A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.

Building- Any structure utilized or intended for supporting or sheltering any occupancy.

A handwritten signature in black ink, appearing to read 'David Rodriguez', is written over a horizontal line.

David Rodriguez
Assistant Fire Marshal
Lake Cities Fire Department





LINE TABLE		
LINE	BEARING	LENGTH
L1	S58°00'31"E	35.91
L2	N32°07'58"E	34.72
L3	S46°26'10"E	21.21
L4	S43°33'45"W	21.21
L5	N43°34'30"E	21.22
L6	S46°25'30"E	21.21
L7	S52°15'09"W	10.00
L8	N88°33'45"E	18.50
L9	N58°33'27"W	35.36
L10	N31°06'33"E	21.21
L11	N54°41'56"W	22.43
L12	N37°20'09"E	19.62
L13	S58°33'27"E	21.21
L14	S31°06'33"W	35.36
L15	N43°34'30"E	10.00
L16	S46°25'30"E	10.00
L17	S51°50'52"W	17.54
L18	N13°33'27"W	17.18

CURVE TABLE					
Curve	Delta	Radius	Length	Chord-Dir	Chord
C1	14°53'04"	49.00	12.73	N81°07'13"E	12.69
C2	19°37'16"	49.00	16.78	N63°52'03"E	16.70
C3	47°52'50"	50.00	41.78	S77°39'50"W	40.58
C4	47°01'16"	50.00	41.03	N54°33'06"W	39.89
C5	56°14'28"	50.00	49.08	N02°55'14"W	47.13
C6	7°53'36"	50.00	6.89	N29°08'48"E	6.88
C7	34°30'21"	49.00	29.51	S15°50'26"W	29.07
C8	90°01'30"	25.00	39.28	N46°25'30"W	35.36
C9	89°58'30"	25.00	39.26	N43°34'30"E	35.35
C10	34°31'29"	49.00	29.53	S18°40'29"E	29.08
C11	31°42'36"	50.00	27.67	N20°04'55"W	27.32
C12	43°07'58"	50.00	37.64	N17°20'22"E	36.76
C13	23°06'38"	50.00	20.17	N50°27'39"E	20.03
C14	51°31'54"	50.00	44.97	N87°46'55"E	43.47
C15	9°32'22"	50.00	8.32	S81°40'57"E	8.32
C16	34°31'29"	49.00	29.53	N74°03'30"W	29.08
C17	53°41'24"	41.50	38.89	S64°35'33"E	37.48
C18	46°00'45"	50.00	39.28	N68°35'52"W	38.28
C19	48°00'45"	50.00	39.28	N23°35'07"W	38.28
C20	44°59'15"	50.00	39.26	N21°04'53"E	38.26
C21	44°59'15"	50.00	39.26	N66°04'08"E	38.26
C22	53°17'07"	50.00	46.50	S64°47'41"E	44.84

RECOMMENDED FOR APPROVAL

Chairman, Planning and Zoning Commission
Town of Hickory Creek, Texas

Date

Approved and Accepted

Mayor, Town of Hickory Creek, Texas

Date

The undersigned, the town secretary of Town of Hickory Creek, Texas, hereby certifies that the foregoing final plat of the LENNON CREEK ADDITION to the Town of Hickory Creek was submitted to the town council on the _____ of _____, 2021, and the council, by formal action, then and there accepted the dedication of streets, alley, parks, easements, public places, and water and sewer lines, as shown and set forth in and upon said plat, and said council further authorized the Mayor to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness my hand this _____ day of _____, A.D., 2021.

Town Secretary, Town of Hickory Creek, Texas

CERTIFICATION OF SURVEY:

I, Dick S. Jones, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat represents a survey made by me or under my direct supervision and that all monuments shown herein actually exist and that their location, size and material are correctly shown.

Preliminary, this document shall not be used for any purpose and shall not be used as a final survey document.

DICK S. JONES
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 5524



OWNER'S DEDICATION

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS, TRENDMAKER HOMES DFW, LLC, a Texas limited liability company, acting by and through the undersigned, its duly authorized agent, is the sole owner of all that certain tract, parcel, or lot of land located in the M.E.P. & P. RR Company Survey, Abstract No. 915 and the H.H. Swisher Survey, Abstract No. 1220, County of Denton, Texas, being the tract of land described in the deed to TRENDMAKER HOMES DFW, LLC, a Texas limited liability company, recorded in County Clerk's Instrument No. 2020-200666, Deed Records, Denton County Texas being more particularly described as follows:

BEGINNING at an aluminum disk found at the southeast corner of said Trendmaker tract, said aluminum disk being an ell corner of a tract of land described in the deed to Alan H. and Shirley Goldfield, recorded in instrument No.2013-57560, Deed Records, Denton County, Texas and being the northeast corner of a tract of land described in the deed to The Town of Hickory Creek, recorded in instrument No.2020-72725, Deed Records, Denton County, Texas;

THENCE S88°33'45"W, along the common line of said Trendmaker and Hickory Creek tracts, a distance of 1,335.01 feet to a 5/8" iron rod found at the southwest corner of said Trendmaker tract and being the northeast corner of said Hickory Creek tract, said iron rod being the southeast corner of a tract of land described in the deed to the State of Texas (State 1), recorded in instrument No. 2011-73086, Deed Records, Denton County, Texas;

THENCE N12°22'43"W, along said State 1 east line, at 101.78 feet passing a 1/2" iron rod stamped "Half" found at the common corner of said State 1 and Trendmaker tracts, in all a distance of 327.37 feet to a 5/8" iron rod stamped "TNP" found, said iron rod being the southeast corner of a tract of land described in the deed to the State of Texas (State 2), recorded in instrument No. 2011-73088, Deed Records, Denton County, Texas;

THENCE N13°53'27"W, along the east line of said State 2 tract, a distance of 448.33 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set at the beginning of a curve to the left;

THENCE northerly along said curve and said east line, 114.52 feet, having a radius of 1,530.00 feet, a central angle of 04°17'19" and a chord bearing N16°02'08"W, 114.49 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set at the northwest corner of said Trendmaker tract;

THENCE N88°33'45"E, along the north line of said Trendmaker tract, a distance of 1,523.60 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set at the northeast corner of said Trendmaker tract any lying in the west line of said Goldfield tract;

THENCE S01°24'44"E, along the east line of said Trendmaker tract, at 769.91 feet passing a 1/2" iron rod stamped "Half" found, in all a distance of 839.96 feet to a 1/2" iron rod stamped "Half" found;

THENCE S00°23'56"E, continuing along said east line, a distance of 30.05 feet to the point of beginning, containing 28.456 acres of land.

The bearings recited herein are oriented to NAD83 Texas North Central Zone.

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, TRENDMAKER HOMES DFW, LLC, a Texas limited liability company, acting by and through the undersigned, its duly authorized agent, does hereby adopt this plat designating the herein above described real property as LOTS 1-50, 1X, 2X, 3X and 4X, BLOCK B, LOTS 1-4 and 1X, BLOCK C, LOTS 1-34, BLOCK D and LOTS 1-31, BLOCK E, LENNON CREEK ADDITION, an addition to the Town of Hickory Creek, Denton County, Texas, and do hereby dedicate all streets, alleys, parks and playgrounds to the Town of Hickory Creek for public use forever, signed and acknowledged before a notary public, by the owner and lien holder of the land, and a complete and accurate description of the land subdivided and the streets dedicated.

WITNESS MY HAND AT Fort Worth, Tarrant County, Texas, this the _____ day of _____, 2021.

TRENDMAKER HOMES DFW, LLC, a Texas limited liability company

By: Bruce French,
Vice-President of Land Acquisition & Development

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared Bruce French, Vice-President of Land Acquisition & Development, TRENDMAKER HOMES DFW, LLC, a Texas limited liability company, 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 purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 2021.

NOTARY PUBLIC DENTON COUNTY, TEXAS

REGISTERED PROFESSIONAL SURVEYORS

HERBERT S. BEASLEY
LAND SURVEYORS L.P.
• LAND • TOPOGRAPHIC
• CONSTRUCTION SURVEYING

FIRM NO. 10094900
METRO 817-429-0194
FAX 817-446-5488
hbeasley@msn.com

SURVEYOR:
HERBERT S. BEASLEY LAND SURVEYORS L.P.
P.O. BOX 8873
FORT WORTH, TEXAS, 76124
PH: (817) 429-0194
EMAIL: hbeasley@msn.com
CONTACT: DICK JONES

OWNER & DEVELOPER:
TRENDMAKER HOMES DFW, LLC,
4835 LYNDON B. JOHNSON FRWY, STE 700
DALLAS TEXAS 75244
PH: (469) 680-9024
EMAIL: BruceFrench@trendmakerhomes.com
CONTACT: BRUCE FRENCH

ENGINEER:
WELCH ENGINEERING, INC.
1308 NORWOOD DRIVE, STE 200
BEDFORD, TEXAS, 76022
PH: (817) 253-3682
EMAIL: twelch@welchey.com
CONTACT: TIME WELCH

FLOOD STATEMENT:

The subject property is not graphically depicted in the 100 year flood zone A, AE, AH, AO, AR, A99, V, VE, or X (other flood areas), according to the Federal Emergency Management Agency Flood Insurance Rate Map of Denton County, Texas and Incorporated areas, Map No.48121C0393 H, Community-Panel No. 481150 0393 H, revised June 19, 2020. The property being located in Zone X (Areas determined to be outside the 0.2% annual chance flood plain), according to said map.

FINAL PLAT
LENNON CREEK ADDITION

of a
28.456 Acre Tract
LOCATED IN THE
M.E.P. & P. RR COMPANY SURVEY, ABSTRACT No. 915
and H.H. SWISHER SURVEY, ABSTRACT No. 1220
Town of Hickory Creek, Denton County, Texas.

MARCH 2021

SHEET 2 OF 2



March 12, 2021
AVO 37638.200

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

**RE: Lennon Creek Final Plat
2nd Review**

Dear Ms. Chaudoir:

The Town of Hickory Creek received a Final Plat application for Lennon Creek on March 4, 2021. A revised plat was submitted March 11, 2021. The surveyor is Herbert S. Beasley Land Surveyors, L.P. The engineer is Welch Engineering, Inc. The owner is Trendmaker Homes DFW, LLC.

Halff has reviewed the Final Plat and offers the following comments. Please note the reviews of the Downstream Assessment and Construction Plans are ongoing. Changes to the Final Plat may still be necessary as a result of those reviews.

1. Please submit a letter fully outlining changes from the approved Preliminary Plat.
2nd Review: Response noted.
2. Plat should be drawn on 24" x 36" sheets.
2nd Review: Addressed.
3. Blocks are named with numbers. Verify the Town's preference for letters versus numbers.
2nd Review: Addressed.
4. Please change all "City of Hickory Creek" references to "Town of Hickory Creek."
2nd Review: Addressed.
5. In the Title Block,
 - a. Please remove the file name.
 - b. Include the date of the plat. Month and year will suffice.
 - c. We suggest clipping background lines around the title block for clarity.*2nd Review: Addressed.*
6. Please show proposed easements within Final Plat boundary.
 - a. Block 2, Lots 2X and 4X should have a drainage easement.
 - b. Block 2, Lot 3X should have a water and sewer easement.
 - c. Block 3, Lot 1X should have a drainage easement.*2nd Review: Addressed.*
7. We have an open comment in the Downstream Assessment review regarding the need for an erosion setback along a proposed retaining wall on the west side of Block 3, Lot 1X. Will this affect the boundaries of Lots 1-4? (See markup.)
2nd Review: Response noted.
8. Please use additional labels to clarify proposed offsite easements on the northwest side of the property. (See markup).
2nd Review: Addressed.
9. There is a Temporary Construction Easement belonging to the City of Corinth shown in the southwest corner of the property, presumably for the construction of Parkridge Drive. Verify this easement is still in place. (See markup.)

2nd Review: Addressed.

10. Please indicate the minimum building setbacks. Front yard setbacks are shown, but side and rear yard setbacks are not depicted.

2nd Review: Addressed.

11. Please indicate the bearings and lengths of north-south lot lines in Block 5.

2nd Review: Addressed.

12. Corner clips at the intersections with Parkridge Drive should be 25' x 25' per the Engineering Design Manual. Parkridge Drive is a collector road per the Town's Master Thoroughfare Plan.

2nd Review: Addressed.

13. On Sheet 2 please add the title, "Owner's Dedication" above the metes and bounds description of the property.

2nd Review: Addressed.

14. Please provide a written response to comments with the next submittal.

2nd Review: Submitted.

Sincerely,

HALFF ASSOCIATES, INC.

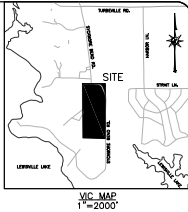
TBPELS Engineering Firm No. 312



Lee Williams, PE

Town Engineer for the Town of Hickory Creek

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



STATE OF TEXAS §
COUNTY OF DENTON §

OWNER'S CERTIFICATE

WHEREAS, Sycamore Cove-Hickory Creek, L.P. is the owner of a 32.426-acre tract of land located in the John Malony Survey, Abstract No. 819, Hickory Creek, Denton County Texas, being all of that parcel described in Special Warranty Deed to Sycamore Cove-Hickory Creek, L.P. as recorded in Document Number 2020-128176, Official Public Records Denton County Texas (OPROCT), and being more particularly described as follows:

BEGINNING at a found Army Corps of Engineers Concrete Monument stamped T-522-17, being in the south line of Lot 1X, Block A, Steeplechase South Addition, an addition to the Town of Hickory Creek, as recorded in Document Number 2018-265, Plat Records Denton County, Texas (P.R.D.C.T.), and being the northwest corner of that tract described in General Warranty Deed to the United States of America as recorded in Volume 383, Page 375, Deed Records Denton County, Texas, for the northeast corner of said 32.426 acres;

THENCE South 00 degrees 04 minutes 04 seconds East with the east line of said 32.426 acres, the west line of Sycamore Bend Drive, a prescriptive roadway, a distance of 1,860 feet to a point for corner, being in the north line of that tract described in Warranty Deed with Vendor's Lien to Hidden Hills, Inc. as recorded in Volume 614, Page 661, Deed Records Denton County, Texas (D.R.D.C.T.);

THENCE North 89 degrees 01 minute 14 seconds West, with said north line of Hidden Hills, Inc. tract, passing a found 3/8-inch iron rod at a distance of 18.73 feet, continuing a total of 755.21 feet to a found 1/2-inch iron rod with cap stamped "SPRY 5647", being in the west line of that tract described in Special Warranty Deed to Hidden Hills, Inc. as recorded in Volume 2091, Page 951, D.R.D.C.T.;

THENCE North 00 degrees 26 minutes 11 seconds West, with the east line of said Hidden Hills, Inc. a distance of 1,851.24 feet to a found 1/2-inch iron rod with cap stamped "SPRY 5647";

THENCE South 89 degrees 46 minutes 01 seconds East, a distance of 767.00 feet to the POINT OF BEGINNING and containing 32.426 acres more or less.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT _____, do hereby adopt this plot as Sycamore Cove, an Addition to the Town of Hickory Creek, Denton County, Texas, and do hereby dedicate to the public use and benefit forever the streets and alleys shown thereon for all public purposes including but not limited to all street purposes and the right of the Town of Hickory Creek and its assigns to lay, install, operate, repair, replace and remove and reconstruct any and all public utilities including but not limited to water lines, sanitary sewer lines, drainage and storm sewer lines and canals, gas lines, telephone poles and lines, electrical power lines and appurtenances. The right to establish grades on said dedicated streets and alleys is hereby granted to the Town of Hickory Creek and all claims for damages which may arise by reason of changing the present surface of said streets to conform to said grades are hereby waived.

The easements shown on the plot are hereby granted and dedicated and reserved for the mutual use and accommodation of the Town of Hickory Creek and all public utilities desiring to use or using the same for public sewer lines, water lines and appurtenances, drainage and storm sewer canals and lines, gas lines, telephone poles and lines, electrical power lines and appurtenances. All and any public utility and the Town of Hickory Creek shall have the right to remove and keep removed all or part of any residence, building, fences, trees, shrubs or other improvements, growths or obstructions which may in any way endanger or interfere with the construction, maintenance, operation or efficiency of the respective utility in, on or under said easement strips. The Town of Hickory Creek and all public utilities shall at all times have the full right of ingress and egress to and from and upon said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or or removing all or part of the respective systems without the necessity at any time of procuring the permission of anyone.

I do further dedicate to the public use forever all parks, squares, parkways, and all other public uses and dedication shown on the face of this plot.

All lots in the subdivision shall be sold subject to the building lines shown on this plot, and the minimum building setback lines in all Town of Hickory Creek Ordinances.

IN WITNESS THEREFORE, I have hereunto set my hand this _____ day of _____, 2021.

Name Title _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said _____, and that he executed the same as the act of such _____ for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2021.

NOTARY PUBLIC IN AND FOR DALLAS COUNTY, TEXAS

My Commission Expires: _____

SURVEYOR'S CERTIFICATION

This is to declare that I, Paul Hubert, a Registered Professional Land Surveyor for the State of Texas, have performed, for this plot, an actual survey on the ground, and that this plot correctly represents that survey made by me or under my direction or supervision.

Paul Hubert
Registered Professional Land Surveyor #1942

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said _____, and that he executed the same as the act of such _____ for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2021.

NOTARY PUBLIC IN AND FOR DALLAS COUNTY, TEXAS

My Commission Expires: _____

The undersigned, the Town Secretary of Town of Hickory Creek, Texas, hereby certifies that the foregoing final plat of the Sycamore Cove subdivision or addition to the Town of Hickory Creek was submitted to the town council on the _____ of _____, 2021, and the council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places, and water and sewer lines, as shown and set forth in and upon said plat, and said council further authorized the Mayor to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness my hand this _____ day of _____ A.D., 2021.

Town Secretary
Town of Hickory Creek, Texas

Recommended for Approval

Chairman, Planning and Zoning Commission Date
Town of Hickory Creek, Texas

Approved For Preparation of Final Plat

Mayor, Town of Hickory Creek, Texas Date

FINAL PLAT

SYCAMORE COVE

LOTS 1-31, 32X, 33X, BLOCK A
LOTS 1-12, BLOCK B
LOTS 1-10, 12X, 11X, BLOCK C
LOTS 1-30, 6X, BLOCK D
LOTS 1-4, BLOCK E
LOTS 1-10, 11X, BLOCK F

GROSS AREA: 1,412,496 SQ. FT. / 32.426 ACRES
ROW DEDICATION: 340,252 SQ. FT. / 7.811 ACRES
NET AREA: 1,072,244 SQ. FT. / 24.615 ACRES

JOHN MALONY SURVEY,
ABSTRACT NO. 819
TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS

PAGE 2 OF 2
MARCH 12, 2021



Adams
Surveying
Company, LLC

OWNER
Sycamore Cove-Hickory Creek L.P.
1501 LSI Freeway, Suite 300
Farmers Branch, Texas 75234
Contact: Jason Oates
Phone: _____

ENGINEER
Kinley-Horn and Associates, Inc.
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
Contact: Thomas Fletcher, P.E.
Phone: 972-335-3580

SURVEYOR
Adams Surveying Company, LLC
1475 Richardson Drive, Suite 250
Richardson, Texas 75080.
Contact: Paul Hubert
Phone: (469) 317-0250

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TPELS Firm Registration No. 10177500



March 16, 2021
AVO 37638.200

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

**RE: Sycamore Cove Final Plat
3rd Review**

Dear Ms. Chaudoir:

The Town of Hickory Creek received a Final Plat application for Sycamore Cove on November 23, 2020. A revised Final Plat was submitted on December 30, 2020, and a second revision was submitted on March 15, 2021. The surveyor is Adams Surveying Company, LLC. The engineer is Kimley-Horn and Associates, Inc. The owner is Sycamore Cove-Hickory Creek, L.P.

Halff has reviewed the Final Plat and offers the following comments. Please note the reviews of the drainage study and Construction Plans are ongoing. Changes to the Final Plat may still be necessary as a result of those reviews.

1. Please submit a letter fully outlining changes from the approved Preliminary Plat.
2nd Review: Addressed.
2. Please show the ultimate 100-year water surface elevation and floodplain and floodway boundaries.
2nd Review: Addressed.
3. Please indicate the minimum building setbacks.
2nd Review: Not addressed. Please include building setbacks.
3rd Review: Still not fully addressed. Missing side and rear setbacks. Please indicate these setbacks as defined in the approved Planned Development for this site.
4. Depict the boundaries of the existing US Army Corps of Engineers (USACE) Flowage Easements.
2nd Review: The 537' contour was added to the northern flowage easement area, but not shown for the southern part. Please show the entire flowage easement and label as approximate boundary of USACE Flowage Easement.
3rd Review: Addressed.
5. Please confirm all boundary bearings and dimensions are correct. Bearings are slightly different than those shown on the Preliminary Plat.
2nd Review: Addressed.
6. On the northern boundary at the intersection with Sycamore Bend Road, please include a Right-of-Way (ROW) dedication for Hidden Hills Drive (see markup).
2nd Review: Addressed.
7. The east-west street labeled Sycamore Court should be Boland Lane per Preliminary Plat and submitted construction plans.
2nd Review: Addressed.
8. Correct the stray point on Block B Lot 11 along Fontenac Lane (see markup).
2nd Review: Addressed.
9. The northeast corner outside the 60-foot ROW dedication should be HOA Lot 12X.
2nd Review: Addressed.
10. Please dimension the ROW dedication for Sycamore Bend Road (see markup).

- 2nd Review: Addressed.
11. Correct the spelling and label for Prescriptive ROW for existing Sycamore Bend Road.
2nd Review: Addressed.
12. Drainage easements cannot overlap the existing USACE Flowage Easement. The proposed Drainage Easements should adjoin the USACE Flowage Easements.
2nd Review: Addressed.
3rd Review: A drainage easement is shown overlapping the USACE Flowage Easement. Please correct per previous comments.
13. Drainage Easements should be located on HOA X Lots per previous review comments for the Preliminary Plat. This applies to 15-foot-wide Drainage Easements in Block F and Block A.
2nd Review: HOA Lots were added, but there should still be a drainage easement shown. The easement is for the Town to maintain access to drainage features. The easement will overlap the HOA Lot. Also, a new drainage easement was added between Lots 3 and 4 in Block F and between Lots 3 and 4 in Block D. It looks like this is a mistake, but please verify.
3rd Review: Per discussion with developer's engineer, the drainage easements are intended and are for emergency overflow. Since they do not have infrastructure associated with them, they do not necessarily need to be in an HOA lot. This comment has been addressed.
14. For the pond, please ensure the proposed Drainage Easement covers the 100-year water surface area plus a 1-foot free board.
2nd Review: Easement has been enlarged. Will need to be verified upon acceptance of drainage study, which is ongoing.
15. The 25-foot Utility Easement adjacent to Lot 6x in Block D should extend across Lot 6X to the Saranac Drive ROW.
2nd Review: Addressed.
16. Adjoining subdivision lots should be shown with dashed lines.
2nd Review: Addressed.
3rd Review: Lot lines of adjoining subdivisions shown with solid lines. Please address.
17. Why is the Carrizo Oil and Gas easement on the western boundary shown as "approximate?" Verify its location and correct the label to indicate it is a pipeline easement.
2nd Review: Addressed.
18. In the southwest corner please verify the dimension of HOA Lot 32X (see markup).
2nd Review: Addressed.
19. Please move the Approval Block to avoid overlap.
2nd Review: Addressed.
20. The Owner listed on the Plat is different than the Owner listed in the application.
2nd Review: Addressed.
21. The North Arrow is oriented incorrectly.
2nd Review: Addressed.
22. The graphic scale indicates a scale of 1"=50', but the drawing is at a scale of 1"=100'. Please correct.
2nd Review: Addressed.
23. Correct the table of Lots in the title block to match lots shown in the plat.
2nd Review: Addressed.
24. Verify the areas shown in the title block and correct the values for square feet and acres and update accordingly.
2nd Review: Not addressed. Values are still incorrect.
3rd Review: Addressed.



Ms. Chris Chaudoir
Town of Hickory Creek
March 16, 2021
Page 3

Sincerely,

HALFF ASSOCIATES, INC.

TBPELS Engineering Firm No. 312

A handwritten signature in blue ink, appearing to read "Lee Williams", with a stylized flourish at the end.

Lee Williams, PE

Town Engineer for the Town of Hickory Creek

C: Kristi Rogers – Town Secretary
John Smith – Town Administrator
Jeffrey McSpedden – Public Works Director



Town of Hickory Creek Community Development Services
Development Application
(Incomplete applications will be rejected)

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> Amending Plat: | <input type="checkbox"/> Variance | <input type="checkbox"/> Site Plan: | <input type="checkbox"/> Other (Specify): _____ |
| <input type="checkbox"/> Preliminary Plat | <input checked="" type="checkbox"/> Zoning Change | <input type="checkbox"/> Preliminary | _____ |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Final | _____ |
| <input type="checkbox"/> Replat | | <input type="checkbox"/> Landscaping Plan | _____ |

PROJECT INFORMATION (Please complete each field)

☒ Residential

☐ Commercial

☐ ETJ

Project Name: THE TRAILS Parcel(s) Tax ID (required) 62274

Project Address: TEASLEY/2181 Total Acres: 24.965

Brief Description of Project: A PHASED MULTI-FAMILY PROJECT

Existing Zoning: _____ # Existing Lots: _____ # Existing Units: _____

Proposed Zoning: PD # Proposed Lots: _____ # Proposed Units: 500 UNITS
TOTAL (PHASED)

APPLICANT / CONTACT INFORMATION

Name: MATTHEW J PETERSON Company: STUDIO 2547

Address: 2908 PERRY MEADOW LN City, State: MCKINNEY TX Zip: 75071

Phone: 972 837 6244 Cell #: SAME Fax: N/A

E-Mail Address: MPETERSON@STUDIO2547.COM

PROPERTY OWNER INFORMATION

Name: Shirley Abernethy Company: _____

Address: 2702 Chapel Springs Dr City, State: Louisville TX Zip: 75077

Phone: _____ Cell #: _____ Fax: _____

E-Mail Address: Divone@gmail.com

☒ Developer

☐ Engineer

☐ Surveyor

Name: RIV VENTURES / BRAD BOSWELL Company: _____

Address: 2401 CENTURY CENTER BLVD City, State: IRVING TX Zip: 75062

Phone: SUITE 10 972 812 7370 Cell #: _____ Fax: _____

E-Mail Address: bboswell@PS9-dallas.com

By signing this application, Town of Hickory Creek staff or the town's designee is granted access to your property to perform work related to your application. I waive the statutory Time Limits in accordance with Section 212.009 of the Texas Local Government Code. All applicable fees must be paid to the Town of Hickory Creek at the time this application is submitted. I understand the requirements and have read them thoroughly and my statements are true and correct. All submissions must be made a minimum of 21 days prior to the scheduled Planning and Zoning Commission meeting.

Applicant's Signature

Owner's Signature (notarized)

2/24/21
Date

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?

Proposing a phased multi-family development. Class A apartments w/
amenities including clubhouse, fitness, pool, walking trails and a
city dog park on the hike/bike trail.

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

This project will provide great transitional zoning behind eventual
commercial on Teasdale.

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

An upscale multi-family project will provide a good base of residents
for surrounding commercial, great effort was taken to minimize
views from surrounding parcels.

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

Hickory Creek is an attractive location for residents. Situated
near I-35 & Denton, allows people to be close to work and recreation.

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? 30,000,000

Include a schematic drawing of the site.

To the Applicant:

I, Matthew J. Peterson, understand the above requirements and have read them thoroughly and my statements are true and correct.

[Signature]

Applicant

22 FEB 2021.

Date

N/A
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 Matthew Peterson, 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.

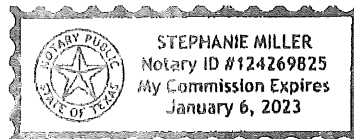
Given under my hand and seal of office, this 22nd day of February, 2021.

Stephanie Miller

Notary Public, in and for the State of Texas

1/6/2023

My Commission Expires On:



TOWN OF HICKORY CREEK, TEXAS
ORDINANCE NO. 2021-03-_____

AN ORDINANCE OF THE TOWN OF HICKORY CREEK, TEXAS, AMENDING AS HERETOFORE AMENDED, ITS COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY CHANGING THE ZONING ON A CERTAIN TRACT OF LAND DESCRIBED AS 24.31 ACRES LOCATED IN THE H.H. SWISHER SURVEY, ABSTRACT NO. 1220 IN DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN, TO DESIGNATE THE PROPERTY AS A PLANNED DEVELOPMENT (PD) ZONING DISTRICT; PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE CITY; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE PLANNED DEVELOPMENT ZONING DISTRICT FOR THE SUBJECT PROPERTY; PROVIDING A CONCEPT PLAN; PROVIDING DEVELOPMENT STANDARDS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SAVINGS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR THE CITY OF HICKORY CREEK TO BRING SUIT IN DISTRICT COURT TO ENJOIN THE PERSON, FIRM, PARTNERSHIP, CORPORATION, OR ASSOCIATION FROM ENGAGING IN THE PROHIBITED ACTIVITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner/representative of a tract of land (the “Land”), described as a 24.31 acre tract of land located in the H.H. Swisher Survey, Abstract No. 1220 in Denton County, Texas and being more specifically described in Exhibit “A” attached hereto and incorporated herein, has applied for a zoning change to PD (Planned Development); and

WHEREAS, such application further requested an amendment to the official Zoning District Map of the City in accordance with the zoning ordinance of the City (the “Zoning Ordinance”); and

WHEREAS, all legal notices, requirements and conditions having been complied with, the case to rezone the Land came before the Planning and Zoning Commission; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the Town has forwarded to the Town Council its recommendation regarding the adoption of the amendment to the Comprehensive Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before Town Council at which the Town Council considered, among other things, the character of the land and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the Town, and does hereby find that the rezoning approved hereby accomplishes such objectives; and

WHEREAS, the Town Council has determined that there is a necessity and need for the change in zoning and that the proposed change is consistent with the Comprehensive Land Use Plan.

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 and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the Town Council has concluded that the adoption of this Ordinance is in the best interests of the Town of Hickory Creek, Texas, and of the public health, safety and welfare.

SECTION 3.
REZONING

The zoning ordinance of the Town of Hickory Creek, Texas, the same being the Town's Comprehensive Zoning Ordinance, is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, phrases and words are not amended but are hereby ratified and affirmed:

- A. The zoning on the Land, more particularly described in Exhibit "A", attached hereto and incorporated herein, is hereby designated PD (Planned Development) for use in accordance with the requirements of this Ordinance and all other applicable ordinances, rules, and regulations of the Town. Requirements of this Ordinance are more specifically described and set forth in Exhibits "B" and "C", which are attached hereto and incorporated herein for all purposes and shall apply to the "PD" Planned Development unless otherwise specified in such Exhibits.
 1. Concept Plan. A planned concept plan for the Land, and all parts thereof, is attached hereto as Exhibit "B", "Planned Concept" and incorporated herein as if copied in its entirety. Such Planned Concept shall be adhered to in carrying out the development of the land in accordance with this Ordinance, and compliance with each and every part of such plan shall constitute a condition precedent to the issuance of any building permit for the land in this Planned Development District.

2. Development Standards. The development standards for this Planned Development are attached hereto as Exhibit “C”, “Development Standards”, and are incorporated herein as if copied in their entirety. Such standards and regulations include, but are not limited to, building standards, parking requirements, landscape standards, sign standards, and lighting standards. Such Development Standards shall be adhered to in carrying out the development of the land in accordance with this Ordinance and shall individually and collectively constitute conditions precedent to the granting of any Certificate of Occupancy for all structures within this Planned Development.

SECTION 4. **APPLICABLE REGULATIONS**

In all respects the Land shall be subject to the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances and regulations of the Town including but not limited to the Town’s subdivision ordinance, building codes, requirements concerning preliminary and final site plans, and landscape plans. It shall be unlawful for any person, firm, or corporation to make use of said premises in some manner other than as outlined by this Ordinance.

SECTION 5. **NO VESTED INTEREST**

No developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development District or in any other specific regulations contained herein. Any provision of this Ordinance may be repealed by the Town Council

SECTION 6. **ZONING MAP**

The Town Secretary is hereby directed to mark and indicate on the official Zoning District Map of the Town the zoning change herein made.

SECTION 7. **CUMULATIVE**

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.

SECTION 8. **SAVINGS**

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 regulations governing and regulating the zoning of land 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 courts.

SECTION 9.
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 10.
PENALTY

It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

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 district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

SECTION 11.
PUBLICATION

The Town Secretary of the Town of Hickory Creek is hereby directed to publish the Caption, Penalty and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

SECTION 12.
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 and Effective Date in the minutes of the Town Council and by filing this Ordinance in the ordinance records of the Town.

SECTION 13.
EFFECTIVE DATE.

This Ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas, this 29th day of March, 2021.

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

Exhibit A
Legal Description

BEING a 24.31 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220 in the Denton County, Texas, and being part of a called 36.253 acre tract of land described as "Tract 1" and part of a called 3.2515 acre tract of land described as "Tract 2" in Executor's Deed to Richard Goldfield, Brian Goldfield and Susan Goldfield, recorded in Instrument Number 2019-36351 of the Official Public Records of Denton County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at the southwest corner of a called 0.7892 acre tract of land described in deed to State of Texas, recorded in Instrument Number 2010-103394, O.P.R.D.C.T., on the west line of said 36.253 acre tract, the east line of a called 30 acre tract of land described in deed to Lennon II Family Limited Partnership, recorded in County Clerk's Number 96-0042656, O.P.R.D.C.T. and on the south right-of-way line of Swisher Road (also known as F.M. 2181, variable width right-of-way), from which a found "TXDOT" monument bears South degrees 53 minutes 18 seconds East, a distance of 0.39 of a foot;

THENCE South 01 degree 44 minutes 29 seconds East, with the west line of said 36.253 acre tract and the east line of said 30 acre tract, a distance of 482.07 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the POINT OF BEGINNING;

THENCE over and across said 36.253 acre tract, the following bearings and distances:

South 89 degrees 23 minutes 35 seconds East, departing the west line of said 36.253 acre tract and the east line of said 30 acre tract, a distance of 365.86 feet to a 1/2-inch set iron rod with cap for corner;

North 00 degree 22 minutes 12 seconds West, a distance of 174.85 feet to a 1/2-inch set iron rod with cap for corner;

North 89 degrees 23 minutes 35 seconds East, a distance of 962.95 feet to a 1/2-inch set iron rod with cap for corner on the east line of said 36.253 acre tract and the west line of the remainder of a called 14.45 acre tract of land described in deed to W.J. Atkins, recorded in Volume 608, Page 564, of the Deed Records of Denton County, Texas (D.R.D.C.T.);

THENCE South 00 degree 26 minutes 06 seconds East, with the east line of said 36.253 acre tract, a distance of 531.24 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 01 degree 15 minutes 44 seconds East, with the east line of said 36.253 acre tract, a distance of 199.72 feet to a 1/2-inch found iron rod with cap stamped "COLEMAN" for an "ell" corner of said 36.253 acre tract and the northeast corner of a called 1.209 acre tract of land described in deed to Lake Cities Municipal Utility Authority, recorded in Instrument Number 2015-120360, O.P.R.D.C.T.;

THENCE South 89 degrees 48 minutes 42 seconds West, with the south line of said 36.253 acre tract and the north line of said 1.209 acre tract, a distance of 239.94 feet to a set "X" cut for an "ell" corner of said 36.253 acre tract and the northwest corner of said 1.209 acre tract;

THENCE over and across said 36.253 acre tract, the following bearings and distances:

North 00 degree 11 minutes 18 seconds West, a distance of 184.61 feet to a 1/2-inch set iron rod with cap for corner;

North 90 degrees 00 minutes 00 seconds West, a distance of 250.00 feet to a 1/2-inch set iron rod with cap for corner;

South 00 degree 11 minutes 18 seconds East, passing at a distance of 426.85 feet to the south line of said 36.253 acre tract and the north line of said 3.2515 acre tract, and continuing over and across said 3.2515 acre tract, a distance of 486.85 feet to a 1/2-inch set iron rod with cap for corner on the south line of said 3.2515 acre tract and the north line of a called 38.8755 acre tract of land described in deed to KSW Holding Hickory Creek, LP, recorded in Instrument Number 2018-111193, O.P.R.D.C.T.;

THENCE with the south line of said 3.2515 acre tract and the north line of said 38.8755 acre tract, the following bearings and distances:

South 89 degrees 49 minutes 08 seconds West, a distance of 309.94 feet to a 1/2-inch found iron rod with cap stamped "RPLS 1890" for the point of curvature of a tangent circular curve to the right, having a radius of 460.00 feet whose chord bears North 71 degrees 50 minutes 16 seconds West, a distance of 289.53 feet;

Westerly, with said curve, through a central angle of 36 degrees 41 minutes 11 seconds, an arc distance of 294.54 feet to a 1/2-inch set iron rod with cap for the point of reverse curvature of a tangent circular curve to the left, having a radius of 400.00 feet whose chord bears North 72 degrees 27 minutes 49 seconds West, a distance of 260.05 feet;

Westerly, with said curve, through a central angle of 37 degrees 56 minutes 18 seconds, an arc distance of 264.86 feet to a 1/2-inch found iron rod with cap for corner;

South 88 degrees 34 minutes 02 seconds West, a distance of 1.31 feet to a 1/2-inch set iron rod with cap for the northwest corner of said 38.8755 acre tract and the northeast corner of Lot 8, Block F of Steeplechase North Addition Phase 1, an addition to the Town of Hickory Creek, Denton County, Texas, recorded in Instrument Number 2013-91, O.P.R.D.C.T.;

THENCE North 00 degrees 00 minutes 27 seconds West, departing the south line of said 3.2515 acre tract and over and across said 3.2515 acre tract, a distance of 30.00 feet to a found monument for the southeast corner of a called 3.086 acre tract of land described in deed to Town of Hickory Creek, recorded in Instrument Number 2018-39882, O.P.R.D.C.T.;

THENCE North 00 degrees 30 minutes 58 seconds West, with west line of said 3.2515 acre tract and the east line of said 3.086 acre tract, passing at a distance of 30.01 feet to the common southwest corner of said 36.253 acre tract and an "ell" corner of said 3.2515 acre tract, and continuing with the west line of said 36.253 acre tract and the east line of said 3.086 acre tract, passing at a distance of 100.01 feet to the northeast corner of said 3.086 acre tract and on the east line of a called 10 acre tract of land described in deed to Lennon II Family Limited Partnership, recorded in County Clerk's File Number 96-0042657, O.P.R.D.C.T., and continuing with the west line of said 36.253 acre tract and the east line of said 10 acre tract, for a total distance of 322.31 feet to a 1/2-inch set iron rod with cap for the northeast corner of said 10 acre tract and the southeast corner of a called 30 acre tract of land described in deed to Lennon II Family Limited Partnership, recorded in County Clerk's File Number 96-0042656, O.P.R.D.C.T.;

THENCE North 01 degree 44 minutes 29 seconds West, with west line of said 36.253 acre tract and the east line of said 30 acre tract, a distance of 325.26 feet to the POINT OF BEGINNING AND CONTAINING 24.31 acres (1,059,040 square feet) of land, more or less.

Exhibit B
Concept Plan



Exhibit C
Planned Development Standards

1. The base zoning applicable to the Property shall be MF-1 Apartment District. All the development and use standards applicable to that designation shall apply to the Property, unless specifically altered herein.
2. Each multifamily building over 3 stories must be serviced by an elevator.
3. Parking improvements shall be provided at the rate 1 parking space per bedroom.
4. All buildings constructed on the Property must not exceed 4 stories.
5. Entry to the Property shall be gated.
6. A perimeter fence must be installed around the portion of the Property upon which a building is constructed. Fences bordering non- residential properties must meet the town's sight barrier fence requirements for a C 2 district. Fences bordering residential, open space or any other uses, must meet 3.06.005 of the Town's Code of Ordinances, except the only allowed material shall be wrought iron.
7. A ten (10) foot interior landscape buffer is required along all boundary lines. In the event ten (10) feet adjacent to any boundary line remains undisturbed by development, this requirement shall not apply.
8. All disturbed, unpaved areas shall be fully sodded or covered with landscaping materials, such as ground cover. For clarity, this provision shall exclude natural areas undisturbed by development on the Property.
9. All planted landscape areas shall be irrigated by a fully automated irrigation system.
10. Garbage collection area shall be fully screened by solid masonry screening with a minimum of six (6) feet in height and designed with a gate constructed of durable material. A single location for garbage collection shall be permitted so long as the Property is served by a valet trash service.
11. Building façades shall be constructed of the following materials with a minimum of 80% coverage: stone (including manufactured veneers), brick, brick veneer, cementitious products, architectural metal panels or other similar building materials. No vinyl siding shall be used. Masonry is defined as brick, pre-cast concrete, stone, stucco (must be at least one inch thick installed over metal lathe), cementitious lap siding, or waterproof masonry painted concrete blocks.
12. The following shall be prohibited within the Project:
 - a. Open storage, with the exception of architecturally-treated covered storage for outdoor sporting equipment (e.g., kayaks and canoes); and
 - b. Parking of boats, campers, trailers, and other recreational vehicles, except and unless these are within enclosed garages.
13. Multi-family buildings and the common area facilities shall have flat roofs with parapets.

14. The following minimum bedroom unit densities shall apply to all multifamily buildings constructed on the Property:
- a. 60% single bedroom units
 - b. 25% two bedroom units
 - c. 5% three bedroom units
15. All multifamily structures will be a minimum of 300' from the well head and tanks located on the Property.

STATE OF TEXAS §
COUNTY OF DENTON §

I (we), the undersigned, owner(s) of the land shown on this plat within the area described by metes and bounds as follows:
All that certain 24.344 acre tract of land situated in the H.H. Swisher Survey, Abstract Number 1220, Denton County, Texas and being part of "Tract 1" and part of "Tract 2" as described in an Executor's Deed to Richard Goldfield, Brian Goldfield and Susan Goldfield, recorded in Document Number 2019-36351 of the Official Public Records of Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rebar with cap stamped "RPLS 6484" set for a west corner in said "Tract 1", in the east line of a called 30 acre tract described in a Warranty Deed to Lennon II Family Limited Partnership, recorded in Document Number 96-042650 of said Official Public Records, from which a TXDOT aluminum disk found for the northwest corner of said "Tract 1" and in the south right-of-way line of Swisher Road (FM2181), a variable width right-of-way bears North 01°23'13" West, a distance of 482.07 feet;

THENCE over and across said "Tract 1" the following courses and distances;

North 89°23'49" East, a distance of 368.57 feet to a 1/2 inch iron rebar with cap stamped "Half" found for corner;

North 00°19'46" West, a distance of 174.73 feet to a 1/2 inch iron rebar with cap stamped "Half" found for corner;

North 89°23'28" East, a distance of 962.73 feet to a 1/2 inch iron rebar with cap stamped "Half" found for corner in the east line of said "Tract 1" and the west line of the remainder of a called 14.45 acre tract of land described in a Warranty Deed to W.J. Alkins, recorded in Volume 608, Page 564 of the Deed Records of said county, from which a TXDOT aluminum disk found for the northeast corner of said "Tract 1" bears North 00°27'04" West, a distance of 300.27 feet;

THENCE South 00°27'13" East, with said east line of "Tract 1" and said west line of the remainder of the 14.45 acre tract, passing at a distance of 162.34 feet, the southwest corner of the remainder of said 14.45 acre tract and the northwest corner of The Above at Hickory Creek, an addition to the Town of Hickory Creek, recorded in Document Number 2020-276 of the Plat Records of said County, continuing with said east line of "Tract 1" and the west line of said addition, in at a total distance of 531.29 feet to a 3 inch aluminum disk stamped "Survey Marker" found for corner;

THENCE South 01°15'37" East, continuing with said east line of "Tract 1" and the west line of said addition, a distance of 199.52 feet to a 1/2 inch iron rebar with cap stamped "Coleman RPLS 4001" found for the northeast corner of a called 1.209 acre tract of land described in a Warranty Deed to Lake Cities Municipal Utility Authority, recorded in Document Number 2015-103060 of said Official Public Records;

THENCE South 89°49'00" West, with the north line of said 1.209 acre tract, a distance of 239.94 feet to a 1/2 inch iron rebar with cap stamped "Coleman RPLS 4001" found for the northwest corner of said 1.209 acre tract;

THENCE over and across said "Tract 1" the following courses and distances;

North 00°11'00" West, passing at a distance of 76.69 feet, a 1/2 inch iron rebar with cap stamped "Peloton" found, in all a total distance of 184.61 feet to a 1/2 inch iron rebar with cap stamped "Half" found for corner;

South 89°59'38" West, a distance of 250.12 feet to a 1/2 inch iron rebar with cap stamped "Half" found for corner;

South 00°11'40" East, passing at a distance of 426.97 feet to the south line of said "Tract 1" and the north line of said "Tract 2", in all a total distance of 486.80 feet to a 1/2 inch iron rebar with cap stamped "Half" found for corner in the south line of said "Tract 2" and in the north line of a called 38.8755 acre tract described in a Warranty Deed to KSW Holding Hickory Creek, LP, recorded in Document Number 2018-111193 of said Official Public Records;

THENCE with the south line of said "Tract 2" and said north line of the 38.8755 acre tract, the following courses and distances;

South 89°49'15" West, a distance of 308.87 feet to a 5/8 inch iron rebar with cap stamped "RPLS 1890" found for the beginning of a tangent curve to the right, concave northeasterly, with a radius of 459.96 feet and a chord which bears North 71°50'09" West, a distance of 289.53 feet;

With said curve to the right, through a central angle of 36°41'12" and an arc distance of 294.53 feet to a 1/2 inch iron rebar with cap stamped "Half" found for the beginning of a tangent reverse curve to the left, concave southwesterly, with a radius of 400.00 feet and a chord which bears North 72°26'58" West, a distance of 259.89 feet;

With said curve to the left, through a central angle of 37°54'50" and an arc distance of 264.69 feet to a 1/2 inch iron rebar with cap stamped "Half" found for a point of tangency;

South 89°34'57" West, a distance of 1.16 feet to a 1/2 inch iron rebar with cap stamped "RPLS 6484" set for the southwest corner of said "Tract 2", the northwest corner of said 38.8755 acre tract, the northeast corner of Sleepheach North Addition, Phase I, an addition to the Town of Hickory Creek, recorded in Document Number 2013-91 of the Plat Records of said county and the southeast corner of a called 0.9123 acre right-of-way to the Town of Hickory Creek, recorded in Document Number 2020-072725 of said Official Public Records;

THENCE North 00°16'05" West, with the west line of said "Tract 2" and the east line of said 0.9123 acre tract, passing at a distance of 29.86 feet, a 3 inch aluminum disk found for the northeast corner of said 0.9123 acre tract and the southeast corner of a called 3.086 acre right-of-way to the Town of Hickory Creek, recorded in Document Number 2018-039882 of said Official Public Records, continuing with said west line of "Tract 2" and the east line of said 3.086 acre tract, in all a total distance of 60.00 feet to a 1/2 inch iron rebar with cap stamped "Half" found for the northwest corner of said "Tract 2" and the southwest corner of said "Tract 1";

THENCE North 01°27'53" West, with the west line of said "Tract 1" and the east line of said 3.086 acre tract, passing at a distance of 69.91 feet, a 1/2 inch iron rebar with cap stamped "Half" found for the northeast corner of said 3.086 acre tract and the southeast corner of the remainder of a called 10.14 acre tract described in a Warranty Deed to Lennon II Family Limited Partnership, recorded in Document Number 96-042657 of said Official Public Records, continuing with said west line of "Tract 1" and the east line of the remainder of said 10.14 acre tract, in all a total distance of 270.50 feet to a 1/2 inch iron rebar with cap stamped "RPLS 6484" set for the northeast corner of the remainder of said 10.14 acre tract and the southeast corner of said 30 acre tract;

THENCE North 01°23'13" West, with said west line of "Tract 1" and said east line of the 30 acre tract, a distance of 346.93 feet to the **POINT OF BEGINNING** and containing 24.344 acres (1,060.441 square feet) of land.

Owner _____ Date _____

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to be to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

Given under my hand and seal of office this _____ day of _____, 2021.

NOTARY PUBLIC
_____, County, Texas

STATE OF TEXAS §
COUNTY OF DENTON §

That I, Anthony Ray Crowley, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

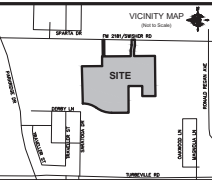
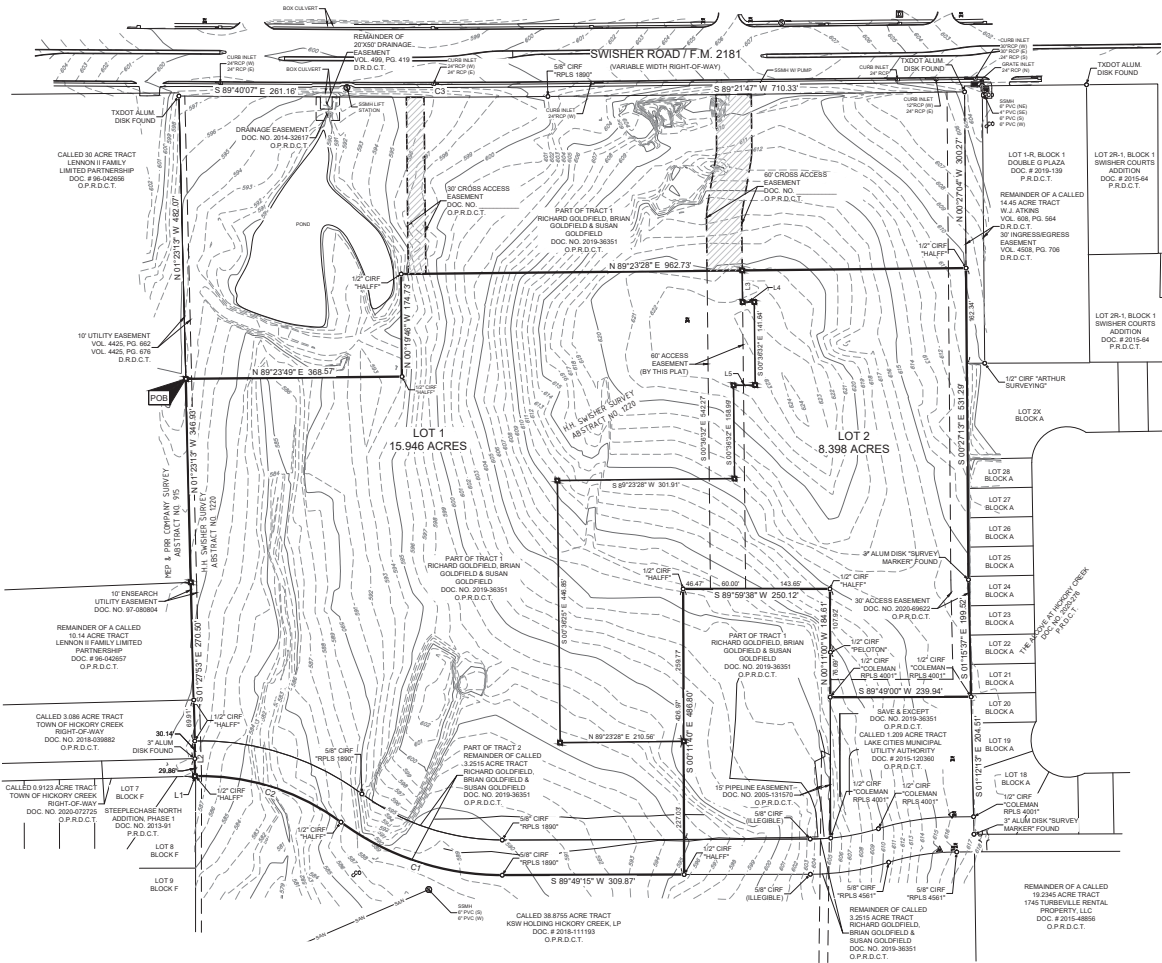
Anthony Ray Crowley
Registered Professional Land Surveyor No. 6484



Date _____

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	368°54'57"W	1.16'
L2	N00°16'05"W	60.00'
L3	S00°36'32"E	54.07'
L4	N89°52'28"E	20.00'
L5	S89°23'28"W	37.00'

CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C1	294.53'	459.96'	36°41'12"	N71°50'09"W
C2	264.69'	400.00'	37°54'50"	N72°26'58"W
C3	367.78'	22986.31'	0°50'00"	N89°52'23"E



- LEGEND**
- RF CRB = IRON REBAR FOUND (AS NOTED)
 - RF CRB = 1/2" IRON REBAR W/ ALUMINUM CAP STAMPED "RPLS 6484" SET (OR AS NOTED)
 - D.R.D.C.T. = DEED RECORDS DENTON COUNTY, TEXAS
 - P.R.D.C.T. = OFFICIAL PUBLIC RECORDS DENTON COUNTY, TEXAS
 - P.R.D.C.T. = PLAT RECORDS DENTON COUNTY, TEXAS
 - PROPERTY LINE
 - EASEMENT LINE
 - WATER METER
 - WATER VALVE
 - FIRE HYDRANT
 - GRATE INLET
 - SANITARY SEWER MANHOLE
 - CLEANOUT
 - STORM SEWER MANHOLE

- SURVEYOR'S NOTES**
- Bearings and distances are based on the U.S. State Plane NAD 1983 Coordinate, Texas North Central Zone (8203).
 - The subject property lies within Zone X of the Flood Insurance Rate Map for Community Panel of Map Number 45122C0200A, bearing an effective date of June 10, 2020 and is not in a special flood hazard area. No field survey was performed to determine this Zone. Zone "X" denotes areas determined to be outside the 0.2% annual chance floodplain.

RECOMMENDED FOR APPROVAL:
Chairman, Planning and Zoning Commission _____ Date _____
Town of Hickory Creek, Texas

APPROVED FOR PREPARATION OF FINAL PLAT:
Mayor _____ Date _____
Town of Hickory Creek, Texas

PRELIMINARY PLAT
HICKORY CREEK MULTI-FAMILY
LOT 1 AND LOT 2, BLOCK 1
24.344 ACRES
H.H. SWISHER SURVEY, ABSTRACT NO. 1220
TOWN OF HICKORY CREEK,
DENTON COUNTY, TEXAS

Date: November 2020 Drawn: L/G Checked: ARC Scale: 1"=100' Sheet: 1 of 1

Owner: Developer: ANTHONY RAY CROWLEY
KJE Engineering R.P.L.S. NO. 5684
500 Moseley Road CROWLEY SURVEYING
Cross Roads, TX 76227 FRN 10194203
(840) 357-0855 121 DALLAS DR., STE 6
www.kje-us.com DENTON, TX 76205
(469) 850-CPJS(2757)
acrowley@crowleysurveying.com

CROWLEY SURVEYING



March 15, 2021
AVO 37638.200

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

**RE: Hickory Creek Multi-Family Preliminary Plat
1st Review**

Dear Ms. Chaudoir:

The Town of Hickory Creek received a Preliminary Plat application for Hickory Creek Multi-Family on February 1, 2021. The surveyor is Crowley Surveying. The developer is KJE Engineering.

Halff has reviewed the Preliminary Plat and offers the following comments.

1. Please include Owner information on the plat.
2. Please verify Town's preference for naming Blocks. Is the preference for alphabetic (Block A) naming or numerical (Block 1)?
3. Adjacent lots and property lines should be shown with dashed lines instead of solid.
4. Show Town Limits lines where applicable.
5. Does the Town have any interest in abandoning any right-of-way along southern border to match width on either end?
6. No setback lines are shown. Assuming MF-1 Apartment District zoning, according to Town ordinances, a 30-foot front, rear, and side yard setback is required.
7. A Preliminary Storm Water Management Plan was not submitted. Review and evaluation of drainage is necessary to ensure adequate flood control measures and easements are in place.
8. Please show the limits of the 100-year floodplain for the unnamed tributary on the western end of the property. This stream will require a drainage easement and erosion control setback meeting the requirements of the Engineering Design Manual.
9. Please show any existing utilities within or adjacent to the site.

Sincerely,

HALFF ASSOCIATES, INC.
TBPELS Engineering Firm No. 312

A handwritten signature in blue ink, appearing to read "Lee Williams".

Lee Williams, PE
Town Engineer for the Town of Hickory Creek

C: Kristi Rogers – Town Secretary
John Smith – Town Administrator
Jeffrey McSpedden – Public Works Director



TOWN OF HICKORY CREEK
ENGINEERING DESIGN MANUAL

CHECKLISTS

Please make sure the plans you are submitting are in accordance with this checklist. The following checklist will be used during the Plan Review.

Plat Application: ☒ Preliminary Plat ☐ Preliminary Replat
☐ Final Plat ☐ Final Replat

Engineering Plan: ☐ Preliminary ☐ Final

Site Construction Plan: ☐ Preliminary ☐ Final ☐ Post Construction

Storm Water Management: ☐ Conceptual ☐ Preliminary ☐ Final

Project Information

A. Name of Development: Hickory Creek Multi-Family B. Date: 3/15/21

C. Location of Development: _____

D. Type of Development: _____

E. Total area (acres): _____

F. Proposed Land Uses (zoning designations): _____

G. Anticipated project schedule: _____

H. Name of Owner: _____

I. Owner Telephone No.: _____ J. FAX No.: _____

K. Owner Contact Name: _____

L. Owner Address: _____

M. Owner Email Address: _____

N. Engineer/Surveyor's Name: _____

O. Engineer/Surveyor's Email Address: _____

P. Engineer/Surveyor Firm: _____

PRELIMINARY PLAT CHECKLIST:

- | | |
|---|-----------------------------------|
| 1. Ten (10) Sets of Final Plats submitted to the Town | Yes ____ No ____ N/A ____ |
| 2. Preliminary plats shall be placed on maximum 24" x 36" sheets and drawn to a scale of 1" = 100' or 1" = 50' unless approved in advance by the Town. | Yes <u> X </u> No ____ N/A ____ |
| 3. Title or name of the subdivision preceded by the words: "Preliminary Plat" | Yes <u> X </u> No ____ N/A ____ |
| 4. Name, address and telephone number of the owner, applicant, survey, and/or engineer. | Yes <u> X </u> No ____ N/A ____ |
| 5. Volume and page, or deed record number of the ownership deed from Denton County Deed Records. | Yes <u> X </u> No ____ N/A ____ |
| 6. Vicinity map and key map, if multiple sheets are needed. | Yes <u> X </u> No ____ N/A ____ |
| 7. Date of preparation, written and graphic scale, and north arrow. | Yes <u> X </u> No ____ N/A ____ |
| 8. Boundary line of the proposed subdivision drawn with a heavy line. | Yes <u> X </u> No ____ N/A ____ |
| 9. Computed gross acreage of the subdivision | Yes <u> X </u> No ____ N/A ____ |
| 10. Metes and bounds description of the proposed subdivision. | Yes <u> X </u> No ____ N/A ____ |
| 11. Location of the subdivision with respect to a corner of the survey or tract or an original corner of the survey of which it is a part. | Yes <u> X </u> No ____ N/A ____ |
| 12. Names of adjoining subdivisions with lots and blocks shown with dashed lines and/or property owners of record for all contiguous unplatted properties. | Yes <u> X </u> No ____ N/A ____ |
| 13. Town limits (if applicable). | Yes ____ No <u> X </u> N/A ____ |
| 14. Location, dimension, and description and recording information for all existing rights-of-way, railroad rights-of-way, easements or other public ways on or adjacent to the property being developed. | Yes <u> X </u> No ____ N/A ____ |
| 15. Show permanent structures or uses that will remain. | Yes ____ No ____ N/A <u> X </u> |
| 16. Sizes and flowlines of existing drainage structures, 100-year floodplain and floodway as defined by FEMA. | Yes ____ No <u> X </u> N/A ____ |
| 17. Location, size and type of all existing utilities within or adjacent lot the site. | Yes ____ No <u> X </u> N/A ____ |

- | | |
|--|--|
| 18. Number each proposed lot and block. Provide the proposed number of lots. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 19. Existing two (2) foot interval contours referenced to NAD. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 20. Proposed streets, alleys, drainage ways, parks, open spaces, easements, other public areas and other rights-of-way within the subdivision. Dimensions of all easements and rights-of-way. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 21. Dimensions for all lots. Gross acreage for all non-residential lots. Approximate acreage for areas in residential use. Approximate acreage of streets, parks, and other non-residential uses. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 22. Front building setback lines, side and rear building setback lines. | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 23. Preliminary Storm Water Management Plan meeting the requirements of the Engineering Design Manual shall be submitted with the Preliminary Plat. (Checklist in App. C) | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 24. Preliminary Plat approval block as described by the Subdivision Regulation Ordinance. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 25. Where the Preliminary Plat is part of a larger area owned by the Applicant that will be subsequently subdivided, provide a layout of the larger area showing the tentative layout of streets, blocks, drainage, water, sewerage, and other improvements for the larger area. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

FINAL PLAT CHECKLIST

- | | |
|---|---|
| 1. Ten (10) Sets of Final Plats submitted to the Town | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 2. Final plats shall be placed on maximum 24" x 36" sheets and drawn to a scale of 1" = 100' or 1" = 50' unless approved in advance by the Town. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 3. Title or name of the subdivision preceded by the words "Final Plat" | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 4. Name address and telephone number of the owner, applicant, survey, and/or engineer. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 5. Vicinity map and key map if multiple sheets are needed. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 6. Date, written and graphic scale, and north arrow. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 7. Boundary line of subdivision drawn with a heavy line and with bearings, dimensions and curve data. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 8. Names of adjoining subdivisions with lots and blocks shown with dashed lines and/or property owners of record for all contiguous unplatted properties. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

THENCE over and across said Tract 1st the following courses and distances,

North 89°23'49" East, a distance of 366.57 feet to a 1/2 inch iron rebar with cap stamped "H4H" found for corner,

North 00°19'49" West, a distance of 174.73 feet to a 1/2 inch iron rebar with cap stamped "H4H" found for corner,

North 89°23'29" East, a distance of 962.73 feet to a 1/2 inch iron rebar with cap stamped "H4H" found for corner in the east line of said Tract 1st and the west line of the remainder of a called 14.65 acre tract of land described in a Warranty Deed to W.J. Atkins, recorded in Volume 608, Page 564 of the Deed Records of said county, from which a TXDOT aluminum disk found for the northeast corner of said Tract 1st bears North 00°27'04" West, a distance of 300.27 feet.

THENCE South 89°49'00" West, with the north line of said 1.209 acre tract, a distance of 239.94 feet to a 1/2 inch iron rebar with cap stamped "Coleman RPLS 4001" found for the northwest corner of said 1.209 acre tract;

South 00°11'40" East, passing at a distance of 426.97 feet to the south line of said "Tract 1" and the north line of said "Tract 2", in all a total distance of 486.60 feet to a 1/2 inch iron rebar with cap stamped "half" found for corner in the south line of said "Tract 2" and in the north line of a called 38.8755 acre tract described in a Warranty Deed to KSW Holding Hickory Creek, LP, recorded in Document Number 2018-118193 of said Official Public Records;

With said curve to the left, through a central angle of $37^{\circ}54'50''$ and an arc distance of 264.69 feet to a 1/2 inch iron rebar with cap stamped "Half" found for a point of tangency;

THENCE North 01°27'53" West, with the west line of said "Tract 1" and the east line of said 3,086 acre tract, passing at a distance of 69.91 feet, a 1/2 inch iron rebar with cap stamped "Half" found for the northeast corner of said 3,086 acre tract and the southeast corner of the remainder of a called 10.14 acre tract described in a Warranty Deed to Lennon II Family Limited Partnership, recorded in Document Number 96-042657 of said Official Public Records, continuing with said west line of "Tract 1" and the east line of the remainder of said 10.14 acre tract, in all a total distance of 270.50 feet to a 1/2 inch iron rebar with cap stamped "RPLS 6484" set for the northeast corner of the remainder of said 10.14 acre tract and the southeast corner of said 30 acre tract.

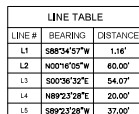
STATE OF TEXAS §
COUNTY OF DENTON §

Given under my hand and seal of office this _____ day of _____, 2021.

STATE OF TEXAS §
COUNTY OF DENTON § CERTIFICATE OF SURVEYOR

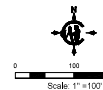
That I, Anthony Ray Crowley, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Anthony Ray Crowley
Registered Professional Land Surveyor No. 6484



CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	294.53'	459.99'	36°11'12"	N71°50'09"W	288.53'
C2	264.69'	400.00'	37°54'50"	N72°26'58"W	259.89'
C3	367.78'	22988.31'	0°55'00"	N89°52'23"E	367.78'

Owner info?



- ### LEGEND
- IRF — IRON REBAR FOUND (AS NOTED)
 CRF — IRON REBAR W/ CAP FOUND (AS NOTED)
 12" — 12" IRON REBAR W/ ALUMINUM CAP
 FOUND (R.P.S. #444 SET (OR AS NOTED))
 D.D.R.C.T. — DEED RECORDS DENTON COUNTY,
 TEXAS
 O.P.R.P.C.T. — OFFICIAL PUBLIC RECORDS DENTON
 COUNTY, TEXAS
 P.R.C.T. — PLAT RECORDS DENTON COUNTY,
 TEXAS
 — PROPERTY LINE
 — EASEMENT LINE
 — (SEE) — SANITARY SEWER LINE
 ■ — WATER METER
 ■ — WATER VALVE
 ◇ — FIRE HYDRANT
 ■ — GRATE INLET
 ■ — SANITARY SEWER MANHOLE
 ● — CLEANOUT
 ● — STORM SEWER MANHOLE


1. Bearings and distances are based on the U.S. State Plane NAD 1983 Coordinates, Texas North Central Zone (4202).
2. The subject property lies within Zone X of the Flood Insurance Rate Map for Community-Panel or Map Number 48112C0303H, bearing an effective date of June 19, 2020 and is not in a special flood hazard area. No field survey was performed to determine this Zone. Zone "X" denotes areas determined to be outside the 0.2% annual chance floodplain.

Chairman, Planning and Zoning Commission
Town of Hickory Creek, Texas

Mayor
Town of Hickory Creek, Check with Town Staff for preference of Block A over Block 1

PRELIMINARY PLAT
**HICKORY CREEK MULTI-FAMILY
LOT 1 AND LOT 2, BLOCK 1
24.344 ACRES**
H.H. SWISHER SURVEY, ABSTRACT NO. 12
TOWN OF HICKORY CREEK,
DENTON COUNTY, TEXAS

Date: November 2020	Drawn: L.J.G.	Checked: ARC	Scale: 1"=100'	Sheet: 1 of 1
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Owner:	Developer: KJE Engineering 500 Mosley Road Cross Roads, TX 76227 (940) 387-0805 www.kje-us.com	ANTHONY RAY CROWLEY R.P.L.S. NO. 6484 CROWLEY SURVEYING FRN 10194203 1121 DALLAS DR., STE. 6 DENTON, TX 76205 (469) 850-CPLS(2757) acrowley@crowleysurveying.com	 CROWLEY SURVEYING
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TOWN OF HICKORY CREEK, TEXAS

ORDINANCE NO. 2021 - ____

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 a minimum of eight feet in height, fully opaque, 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 February, 2021.

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