



**NOTICE OF
MEETING OF THE PLANNING AND ZONING COMMISSION
REMOTE MEETING
1-800-475-4499 MEETING ID: 873 7564 4958
TUESDAY, SEPTEMBER 15, 2020, 6:00 PM**

AGENDA

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

Call to Order

Roll Call

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

Invocation

Public Comment

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

Consent Agenda

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

- [1.](#) August 18, 2020 Meeting Minutes
- [2.](#) September 1, 2020 Special Meeting Minutes

Regular Agenda

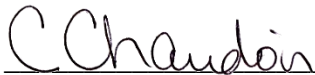
3. Discuss, consider and act on a recommendation for a replat of Hickory Creek Crossing, Block A, Lots 33X, 33R, 34R, and 35R: being 0.9172 acres out of 19.207 acres in the Susan McCarroll Survey, Abstract no. 958, Town of Hickory Creek, Denton County, Texas. The lots are located in the 200 block of Virginia Lane.

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 September 9, 2020 at 4:30 p.m.



Chris Chaudoir
Town of Hickory Creek

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
REMOTE MEETING
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS
TUESDAY, AUGUST 18, 2020**

MINUTES

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

Call to Order

Meeting called to order at 6:05 p.m. by Chairman Barton.

Roll Call

PRESENT

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

ABSENT

Commissioner Jan Stefaniak

ALSO PRESENT

Trey Sargent, Town Attorney, left at 6:30 p.m.
Paul Kenney, Town Council Liaison
John Smith, Town Administrator
Chris Chaudoir, Administrative Assistant

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

Pledge of Allegiance to the U.S. and Texas flags led by Chairman Barton.

Invocation

The Commission observed a moment of silence.

Public Comment

No public comment

Consent Agenda

1. July 21, 2020 Meeting Minutes

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

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

Voting Abstaining: Chairman Barton. Motion Passed.

Regular Agenda

2. Conduct a Public Hearing regarding request from Darryl Moore on behalf of Eagle Marine for a Special Use Permit for a Pro Shop and Dealership for the display and sales of boats and accessories with exterior boat storage at 6060 S. Stemmons Freeway Suite 300. The property is legally described as Lake Cities Polaris Lots 1, 2 and 3, Town of Hickory Creek, Denton County, Texas.

Public Hearing opened at 6:11 p.m.

Darryl Moore, Eagle Marine, stated he has been in the business of selling boats for 27 years and purchased Eagle Marine in 2015. They are expanding from Fort Worth to Dallas area and will be working with Tige Boats which are built in Abilene.

Jake Reichenstein, owner 6060 S. Stemmons, said he and his partners bought the property in 2013 and received a SUP for RV sales and rentals. He listed several other businesses previously on the property who also had SUPs. The business is a good fit for the property since it is on "Marine Row" along the I-35 corridor and is beside the Arrowhead boat ramp. Boat sales will continue the recreational theme with the RVs already on site. The boats are top of the line with a top end of \$250,000. In response to a question from Chairman Barton, it was stated all boats would be new.

Public hearing closed at 6:16 p.m.

3. Conduct a Public Hearing regarding a request from Thousand Hills Church for a Special Use Permit for a retrofit of building into a church and consider and act on the same. The property is located at 8380 S. Stemmons and is legally described as A1163A J.W. Simmons, Tract 27A, Town of Hickory Creek, Denton County, Texas.

Public Hearing opened at 6:17 p.m.

Pastor Ben De Boef, Thousand Hills Church, stated the church has been in Corinth for 20 years. He is the second pastor there and has been with the church for seven years. The church is growing and needs a larger space, so they have signed a contract for the AMC theater. The church is a part of the Assemblies of God fellowship which has 13,000 churches in the US including 600 churches in North Texas. They have the full support of the association who will be helping them with the financing. There are currently approximately 1200 members of the church with a weekend attendance of about 700 members. They have 25 full time staff members and a \$2.5 million operating budget. Church activities include free Easter Egg Hunts, special needs dances, they took part in Lake Cities Serve and gave away 24 pallets of food a few weeks ago. The goal is to be integrated into the community with events at the venue almost every night. The current church is behind Corinth Elementary. He went through a presentation showing the scope of the project. It will be in three phases with Phase One being mostly cosmetic: a wall needs to be removed to create a 500 seat temporary auditorium, and the lobby and

entrance will be redone to include a café and coffee shop, and children's areas. Phase Two will be funded by the sale of the current property and will include a 1200 seat sanctuary with stadium seating. The temporary auditorium would become a gymnasium/social hall. Three-fourths of project will be completed in 3-5 years. The exterior will have an indoor/outdoor café on the north side with a splash pad and seating. To the northeast will be the student area including a sports area. In the rear is a church only playground. The interior will be completely renovated. The long term auditorium in Phase Three will be special. As the church grows, he can envision up to 3000 people coming on a given weekend and becoming a regional draw rather than a community draw. Currently 60% of the membership comes from the Lake Cities, 20% from Denton and the rest from the surrounding areas. Hickory Creek needs a church.

Robert Bergman, Visioneering Studios Architecture, has been in architecture for 41 years and has seen movie theaters become a casualty of the pandemic. Thousand Hills will make the space open to the public and will help provide for the surrounding businesses and the community. Part of the parking will be taken away and they will still be within the needed number of spaces. Cory Cragle, Visioneering Studios Architecture, stated the site currently has 755 spaces and the plan will take it to 662.

Public Hearing closed at 6:47 p.m.

Vice Chairman Hawkes asked what the appraised value of the property: Chairman Barton stated the town gets approximately \$20,000 from the Ad Valorem, Ms. Chaudoir said, per Denton CAD, the value is \$4.9 million. Vice Chairman Hawkes asked if the products from the coffee shop/café would be for sale or free of charge. Pastor De Boef stated coffee may be free on Sunday mornings, but everything else would be for sale.

Commissioner Rowell asked what the timeline was. Pastor De Boef said they are looking to close in November and Phase One would take about 12 months.

Commissioner Gilmore confirmed the church would start Phase One and put the current property up for sale as soon as possible. Pastor De Boef stated the rear of the current property was already under contract. Commissioner Gilmore asked where office space for staff would be located. Pastor De Boef said staff would probably stay at the current facility for the time being as most of them are with the Mother's Day Out program and do not have offices. The new offices will possibly be behind the second lobby counter in a secured area or on the 10,000 square foot upper level for pastoral and administrative staff.

Commissioner Halston asked if there were plans for a private school: there are not at this point.

Chairman Barton said his only concern was the loss of tax revenue from the property.

Motion to recommend approval as presented made by Commissioner Gilmore, Seconded by Commissioner Rowell.

Voting Yea: Commissioner Rowell, Commissioner Gilmore, Commissioner Jensen
Voting Nay: Chairman Barton, Commissioner Holston, Vice Chairman Hawkes. Motion to approve failed. Pursuant to Hickory Creek Code of Ordinances Section 1.07.036 the Commission recommends denial of the item.

Adjournment

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

Meeting adjourned at 7:00 p.m.

Approved:

Attest:

Rodney Barton, Chairman
Planning and Zoning Commission

Chris Chaudoir, Administrative Assistant
Town of Hickory Creek

**SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION
REMOTE MEETING
TUESDAY, SEPTEMBER 01, 2020**

MINUTES

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

Call to Order

Meeting called to order at 5:02 p.m. by Chairman Barton.

Roll Call

PRESENT

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

ABSENT

Vice Chairman Bryant Hawkes
Commissioner Jan Stefaniak
Commissioner Dustin Jensen

ALSO PRESENT

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

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

Pledges to the US and Texas Flags led by Chairman Barton.

Invocation

Invocation given by Commissioner Gilmore.

Regular Agenda

1. Discuss, consider and act on a recommendation for a request from Darryl Moore on behalf of Eagle Marine for a Special Use Permit for a Pro Shop and Dealership for the display and sales of boats and accessories with exterior boat storage at 6060 S. Stemmons Freeway Suite 300. The property is legally described as Lake Cities Polaris Lots 1, 2 and 3, Town of Hickory Creek, Denton County, Texas.

Commissioner Holston wanted to confirm that only new boats were to be stored, not used. Jake Reichenstein, property owner, stated it was his understanding there would be new boats only and used boats would be taken to the larger Fort Worth location.

Commissioner Rowell asked if the use was in the building or just in the parking lot. Mr. Reichenstein said the outside area was currently a grassy area left empty for future parking. It will be paved and the tenant will install a wrought iron fence similar to the current rear fence. Commissioner Gilmore asked if the current tenants are being displaced. Mr. Reichenstein explained that Walcott Mechanical left last month and Eagle Marine will occupy that space except for a 1500 square foot office space between the boats and the restaurant.

Motion to recommend approval as presented made by Commissioner Gilmore, Seconded by Commissioner Rowell.

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

Adjournment

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

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

Meeting adjourned at 5:12 p.m.

Approved:

Attest:

Rodney Barton, Chairman
Planning and Zoning Commission

Chris Chaudoir, Administrative Assistant
Town of Hickory Creek

FIELD NOTE DESCRIPTION
0.9172 ACRES

BEING a tract of land situated in the Susan McCarrroll Survey, Abstract No. 968, Town of Hickory Creek, Denton County, Texas and being all of Lots 33-35 Block A Hickory Creek Crossing an addition to the Town of Hickory Creek, according to the document filed of record in Document Number 2019-329 Plat Records, Denton County, Texas (P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8-inch iron with plastic cap stamped "KHA" found for the northwest corner of said Lot 33, same being an interior ell corner of that tract of land conveyed to Sage Natural Resources, L.P., according to the document filed of record in Document Number 2020-04889 Deed Records, Denton County, Texas, from which a 1/2-inch iron rod with plastic cap stamped "KAZ" bears South 89°10'51" West, 287.69 feet, from said 1/2-inch iron rod found for the northwest corner of the said Sage tract bears North 0°17'48" West, 30.00 feet;

THENCE North 89°10'51" East, with the north line of said Lot 33, a distance of 241.11 feet to a 5/8-inch iron with plastic cap stamped "KHA" found for the northeast corner of this tract;

THENCE South 0°49'09" East, with the east line of said Lot 33, a distance of 20.00 feet to a 5/8-inch iron with plastic cap stamped "KHA" found in the right of way of Virginia Lane for the beginning of a non-tangent curve to the left having a central angle of 180°46'28", a radius of 50.00 feet, a chord bearing and distance of South 0°29'56" East, 100.00 feet;

THENCE with said right of way and curve to the left, an arc distance of 157.76 feet to a 5/8-inch iron with plastic cap stamped "KHA" found for the southeast corner of this tract;

THENCE South 0°49'09" East, continuing with said right of way, a distance of 61.77 feet to a 5/8-inch iron with plastic cap stamped "KHA" found for the southeast corner of the above-mentioned Lot 35 and this tract;

THENCE South 89°10'50" West, with the south line of said Lot 35, a distance of 242.23 feet to a 5/8-inch iron with plastic cap stamped "KHA" found for the southwest corner of said Lot 35 and this tract;

THENCE North 0°15'14" West, with the east line of said Sage tract, same being common with the westerly line of the above-mentioned Hickory Creek and this tract, a distance of 181.78 feet to the **POINT OF BEGINNING** and containing 39,955 square feet or 0.9172 acres of land, more or less.

KNOW ALL MEN BY THESE PRESENTS:

That I, Sean Patton, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the correct monuments shown therein were properly placed under my personal supervision.

Sean Patton
Registered Professional Land Surveyor No. 5660
Kimley-Horn and Associates, Inc.
400 N. Oklahoma Drive, Suite 105
Celina, Texas 75009
Phone 469-501-2200



STATE OF TEXAS §

COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Sean Patton, known to me to be the person and officer 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 OFFICE this _____ day of _____, 2020.

Notary Public, State of Texas



OWNER'S DEDICATION STATEMENT

STATE OF TEXAS §

COUNTY OF DENTON §

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as **HICKORY CREEK CROSSING**, an addition to the Town of Hickory Creek, Denton County, Texas, and does hereby dedicate to the public use forever, the streets and alleys shown hereon, and do hereby dedicate the easement strips shown on this plat for mutual use and accommodation of the Town of Hickory Creek and all other public utilities desiring to use, or using same. No buildings, fences, trees, shrubs, signs, or other improvements shall be constructed or placed upon, over, or across the easement strips on said plat. The Town of Hickory Creek and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, signs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of the easement strips, and the Town of Hickory Creek and any public utility shall at all times have the right to ingress and egress to and from and upon any of said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone. A blanket easement of five (5) foot radius from the center point of all fire hydrants and a five (5) foot radius from the center point of all other appurtenances (fire hydrant valves, water meters, meter boxes, street lights) is hereby granted to the Town of Hickory Creek for the purpose of constructing, reconstructing, inspecting, and maintaining the above named appurtenances.

We do further dedicate, subject to the exceptions and reservations set forth hereinafter, to the public use forever, all public use spaces shown on the face of the plat.

All lots in the subdivision shall be sold and developed subject to the building lines shown on the plat.

Witness, my hand this the _____ day of _____, 2020.

BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP
BY: BEAZER HOMES TEXAS HOLDINGS, INC.
A DELAWARE CORPORATION, ITS GENERAL PARTNER

BY: BILL SENKEL
DEPARTMENT HEAD OF LAND ACQUISITION & LAND DEVELOPMENT

STATE OF TEXAS §

COUNTY OF DALLAS §

Before me, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared _____ known to me to be the person whose name is subscribed for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL THIS _____ day of _____, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

RECOMMENDED FOR APPROVAL

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

APPROVED FOR PREPARATION OF PLAT

Mayor, Town of Hickory Creek _____ Date _____

The undersigned, the secretary of Town of Hickory Creek, Texas, hereby certifies that the foregoing plat of Hickory Creek Crossing subdivision, an addition to the Town of Hickory Creek, was submitted to the Town Council on _____ of _____, 2020, and the Council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public spaces, 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 _____, 2020

Town Secretary, Town of Hickory Creek _____ Date _____

UTILITY COMPANY APPROVAL

WATER/SEWER COMPANY: _____

LAKE CITIES MUNICIPAL UTILITIES AUTHORITY
GENERAL MANAGER _____

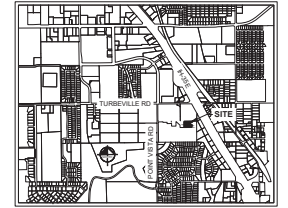
DATE _____

REVIEWED and APPROVED on _____, 2020.

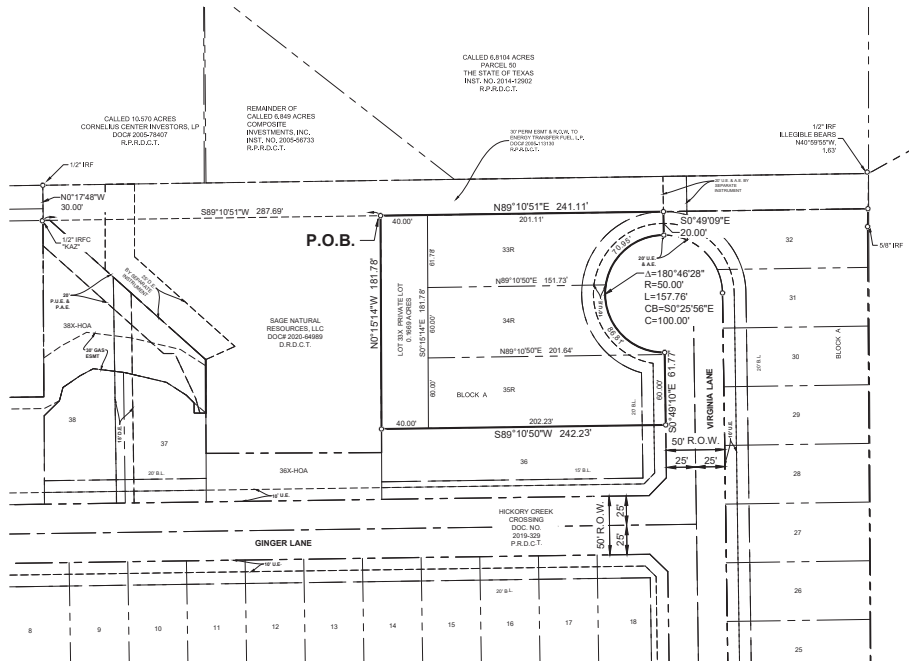
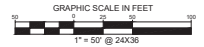
Denton County CCN #1166 _____

REVIEWED and APPROVED on _____, 2020.

County Judge, Denton County, Texas _____



VICINITY MAP
NOT TO SCALE



LEGEND	
P.R.D.C.T.	PLAT RECORDS DENTON COUNTY, TEXAS
R.P.R.D.C.T.	REAL PROPERTY RECORDS DENTON COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
RPFC	CAPPED IRON ROD FOUND
HOA	HOMEOWNERS ASSOCIATION
BL	BUILDING LINE
UE	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
A.E.	ACCESS EASEMENT
P.A.E.	PUBLIC ACCESS EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
LINE TYPE LEGEND	
---	BOUNDARY LINE
---	EASEMENT LINE
---	BUILDING LINE

REPLAT STATEMENT:
The purpose of this Replat is to create Lot 33X so that it can be conveyed to the adjacent property owner (Sage Natural Resources, LLC) concurrently with the filing of the Replat.

**REPLAT
HICKORY CREEK CROSSING**

0.9172 ACRES

BLOCK A LOTS 33R,34R,35R
1 PRIVATE LOT
3 RESIDENTIAL LOTS
SUSAN MCCARRROLL SURVEY, ABSTRACT NO. 958
TOWN OF HICKORY CREEK
DENTON COUNTY, TEXAS

Kimley»Horn

400 N. Oklahoma Drive, Suite 105
Celina, Texas 75009 FIRM # 10194503 Tel. No. (469) 501-2200

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	SPA	KHA	09/01/2020	069312659	1 OF 1

OWNER / DEVELOPER
Beazer Homes
1750 Valley View Ln, Suite 200
Dallas, Texas 75234
Phone: 817-623-2534
Contact: Chris Green

SURVEYOR
Kimley-Horn and Associates, Inc.
400 N. Oklahoma Drive, Suite 105
Celina, Texas 75009
Phone: 469-501-2200
Contact: Sean Patton, R.P.L.S.

APPLICANT
Kimley-Horn and Associates, Inc.
400 N. Oklahoma Drive, Suite 105
Celina, Texas 75009
Phone: 469-501-2200
Contact: Brett Murphy, P.E.

NOTES:

- All corners are 5/8 inch iron rods with red plastic caps stamped "KHA" unless otherwise noted.
- Bearing system for this survey is based upon NAD 83-Texas North Central Zone, Horizontal Adjustment to NAD 83 (1993). To convert the Surface Distances to Grid values, multiply the distances by a Combined Scale Factor of 0.999851042.

FLOOD STATEMENT:

According to Community Panel No. 48121C0235G, dated APRIL 18, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of DENTON County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is not within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.