



**NOTICE OF  
SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS 75065  
TUESDAY, DECEMBER 12, 2023, 6:00 PM**

**AGENDA**

**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 complete a request 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.** September 19, 2023 Meeting Minutes

**Regular Agenda**

- 2.** Discuss, consider and act on a recommendation for a Preliminary Plat of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.
- 3.** Discuss, consider and act on a recommendation for a Site and Landscape Plan for the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.

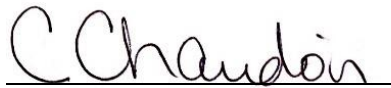
4. Discuss, consider and act on a recommendation for a Final Plat of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.
5. Conduct a Public Hearing on a request from Value Hospitality on behalf of the Nguyen Family Revocable trust for a zoning change from PBD - Professional Building District and C-1 Commercial to PD - Planned Development on the properties legally described as A0284A Cobb, Tract 67(pt), 0.7924 acres, Old DCAD Tract #2, A0284A Cobb, Tract 68, 0.5 acres, E K Presley Block A Lot 1, and E K Presley Block A Lot 2(pt) and discuss, consider and act on a recommendation for the same. The properties are located at the north corner of Oak Drive and the southbound I-35E service road.

### **Adjournment**

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

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

I, Chris Chaudoir, do hereby certify, that this meeting notice was posted on the bulletin board at Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas on December 7, 2023 at 1:45 p.m.



Chris Chaudoir  
Town of Hickory Creek

Item 1: September 19, 2023 Meeting Minutes

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
TUESDAY, SEPTEMBER 19, 2023**

**MINUTES**

**Roll Call**

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

**PRESENT**

Chairman Tim May  
Vice Chairman David Gilmore  
Commissioner Rodney Barton  
Commissioner Bryant Hawkes  
Commissioner Brenda Kihl  
Commissioner Collin Johnson

**ABSENT**

Commissioner Dustin Jensen

**ALSO PRESENT**

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

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

Pledges to the U.S. and Texas flags led by Chairman May.

**Invocation**

Invocation given by Vice Chairman Gilmore.

**Public Comment**

Ron Furtick, 1500 Turbeville Road, would like to talk about past planning and zoning efforts so they are not brought into the future. He was unable to look at the documents over the weekend but prefers the 2008 plan. That plan talked about things that the town could do which were not done. The town went with what was present in the market rather than working with the landowners, which has led to some, in his opinion, insurmountable issues. He would like a chance to compare and contrast between the two plans rather than just dumping the old one. All the heavy lifting was done to create the 2008 plan, but it was never implemented, zoning was not created, and the plan was not marketed to make a future. He is a fan of planning but does not see the point of doing the work, putting it on a shelf and not using it before starting again years later.

John Grosskopf, 131 Oakwood Lane, stated he could not find the new Comprehensive Plan online until he called Town Hall. He looked at the 2008 Plan and felt it was a great work of fiction since it was not used. He feels the meeting should be postponed until he has a reasonable chance to look at the document and give input.

### **Consent Agenda**

1. July 25, 2023 Special Meeting Minutes

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

Voting Yea: Vice Chairman Gilmore, Commissioner Barton, Commissioner Hawkes, Commissioner Kihl, Commissioner Johnson. Motion passed unanimously.

### **Regular Agenda**

2. Conduct a public hearing to receive public input regarding adoption of the Comprehensive Plan Update 2023 and consider and act on a recommendation for the same.

Public hearing opened at 6:10 p.m.

John Smith discussed the meetings with the Vision Committee and public.

Raul Orozco, Halff & Associates, presented an overview of the 2023 Comprehensive Plan update.

Ron Furtick, 1500 Turbeville Road, stated he has been working on building the Town of Hickory Creek for a long time, but could not help if he was only given 3 minutes a month to speak. He asked Mr. Smith and Chairman May for additional time to speak and was advised to continue with his time. He would have liked to have been on the Vision committee because the drawing in the presentation made no sense to him. The town has the corner of I-35 and "El Dorado Parkway", the road of gold. It is a regional corner location and should not be reduced to a neighborhood corner in the middle of nowhere. It is the best use the town has and should not be called a neighborhood. He asked to continue at the timer bell and was given an additional 3 minutes by Chairman May. The location on the south side of 2181, marked as the most intense commercial location, is not possibly a commercial location. He has been a real estate broker for 30 years. The apartment complex is currently going in on the frontage and he has never seen commercial on the back side of an apartment complex. This says all the economic development is going to come from a small strip of red on the freeway which is way too narrow, parking has been eliminated and it is not a commercial location. It is a great place for a park. The big red blob is now where it is said economic development is coming from. It is completely bizarre and cannot be, suggesting that anyone who knows anything about economic development in cities should be asked how real estate works. He understands the need for multi-family and because of that it needs to be called a

neighborhood, but don't pretend it is not the town's downtown location and it is about to get filled by multi-family. It is fine as long as the need for economic development is not forgotten because taxes will start going up every year like clockwork. The needs of a town cannot be fully supported on the backs of residences without sales taxes and an economic base. A zoning could be created where commercial can take place within the "neighborhood". He would prefer to keep the 2008 Zoning.

John Groskopf, 131 Oakwood Drive, wants to reiterate that he needs time to read the plans and asks for meeting to be postponed.

Public hearing closed at 6:31 p.m.

Commissioner Barton asked if all of the zoning would have to be redone if the Comprehensive Plan is approved. Mr. Orozco stated the Future Land Use Map is not a zoning map, but is to be used to create a framework. The town may change the zoning categories in the future based on that framework. Mr. Smith affirmed that it is to be used as a guide for future development and any changes to the zoning ordinance. It is not a mandate.

Vice Chairman Gilmore confirmed that the commission was making a recommendation and that council would be making the final decision in a week, giving ample time for any public review. Mr. Sargent stated the Planning and Zoning Commission was required by state statute to review the plan, but not make a recommendation.

Commissioner Hawkes asked Mr. Furtick what he would call the area north of Turbeville and south of Swisher instead of Neighborhood Village. Mr. Furtick stated he would call it Downtown. Commissioner Hawkes expressed concerns that the area was important for future development, a "money corner", and asked Mr. Smith if it should be reevaluated. Mr. Smith explained that the corner was already zoned C-1 and he believed that the Neighborhood Village concept was similar to a Downtown with the idea that it had a mix of uses, allowing for commercial and density. Commissioner Hawkes asked about the current height limitations, asked if there was a height recommendation in the Comprehensive Plan and if the town would want high rise development. Mr. Orozco referred to the last pages of the Plan's Chapter 3 where Neighborhood Village would allow for the creation of a downtown style development, incorporating housing and commercial to the benefit of the residents. It is more of a Mixed-Use concept. Vice Chairman Gilmore stated page 35 called out 1 to 4 stories, but Commissioner Hawkes questioned limiting the town to 4 stories. Mr. Orozco assured the Commission that the Neighborhood Village concept was a recommendation for a framework but would not hinder specialization of specific areas of development if needed. The phraseology of the name Neighborhood Village was to express more of a development type for a town like Hickory Creek rather than a downtown Dallas type. Chairman May stated the current discussion was more targeted to development land uses rather than specific

zoning classifications. The Future Land Use Map and the current Zoning Map are similar although the Future Land Use Map does identify more area for commercial growth and provides a good direction. No one will be completely satisfied but it is a good guideline for the future of the community, not necessarily individual landowners or stakeholders. At Chairman May's suggestion, Mr. Orozco and Mr. Smith went over the different meetings and opportunities for involvement made available to the citizens. Mr. Orozco also went over the process and input for the development of the Future Land Use Map.

Commissioner Barton commented that a Design Charette had been completed for the corner of I-35 and FM 2181. The description of Neighborhood Village fits with the Design Charette.

Commissioner Kihl asked about changes to the zoning suggested and was assured those were some of the next steps.

Chairman May asked if there was an issue with some of the public not being able to view the documents in advance. Mr. Sargent assured him the state law does not require the posting of these documents in advance of the meeting. The Commission is only required to review the document by state law, but the Hickory Creek Town Council will receive a recommendation.

Vice Chairman Gilmore clarified with Mr. Orozco the meaning of intersection capacity upgrade on the Master Thoroughfare Plan.

Commissioner Hawkes made a motion to delay a recommendation to Council to allow the public to view the documents. Motion failed due to lack of a second.

Motion to recommend approval to Council as presented made by Commissioner Barton, Seconded by Commissioner Johnson.

Voting Yea: Vice Chairman Gilmore, Commissioner Barton, Commissioner Kihl, Commissioner Johnson

Voting Abstaining: Commissioner Hawkes. Motion passed.

**Adjournment**

Meeting adjourned at 7:06 p.m.

Approved:

Attest:

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Tim May, Chairman  
Planning and Zoning Commission

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Chris Chaudoir, Administrative Assistant  
Town of Hickory Creek

Item 2:

Discuss, consider and act on a recommendation for a Preliminary Plat of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.





## AGENDA INFORMATION SHEET

Project Name: Commercial Development

Meeting Date: December 12, 2023

Agenda Item:

Discuss, consider and act on a recommendation for a preliminary plat for the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.

Discuss, consider and act on a recommendation for a final plat or the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.

Discuss, consider and act on a recommendation for a site and landscape plan for the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.

Background:

Parcel is 2.3575 acres of an approximately 13 acre tract in the 3400 and 3500 blocks of FM 2181 designated for commercial development. It is located at the eastern end of the tract in front of the Lakesound development, beside the ETJ and has been addressed as 3550 FM 2181.

Previous Action/Review:

Date	Request	Meeting	Result
7/7/22	Permit to Construct Access Driveway Facilities on Highway Right of Way		Permit granted by TxDot
8/2/22	Voluntary Annexation	Town Council	1 <sup>st</sup> hearing
9/26/22	Voluntary Annexation	Town Council	Approved
11/15/22	C-1 Zoning Designation	Planning & Zoning	Recommend approval
11/21/22	C-1 Zoning Designation	Town Council	Approved
12/12/23	Preliminary & Final Plat, Site & Landscape Plans	Planning & Zoning	
12/18/23	Preliminary & Final Plat, Site & Landscape Plans	Town Council	

Summary:

Lake Cities Fire Department has reviewed the submission and all comments have been addressed.

Staff recommends approval

**~ CURVE TABLE ~**

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	85.00'	10°24'23"	15.44'	N 04°35'46" E	15.42'
C2	145.00'	10°26'05"	26.41'	N 04°34'56" E	26.37'

**~ LINE TABLE ~**

NO.	BEARING	DISTANCE
L1	N 00°36'25" W	87.44'
L2	N 09°47'58" E	81.56'
L3	N 00°36'06" W	90.73'

**~ TREE TABLE ~**

NO	SIZE	TREE TYPE
18	14"	POST OAK
19	8"	BLACKJACK OAK
20	10"	POST OAK
21	7.8"	POST OAK
22	11"	POST OAK
23	11"	POST OAK
24	12"	POST OAK
25	26"	POST OAK
26	7"	POST OAK
27	6", 2-12"	HACKBERRY
28	19"	BLACKJACK OAK
29	14"	BLACKJACK OAK
30	19"	POST OAK
31	6.8"	HACKBERRY
32	7.8"	POST OAK
33	10"	BLACKJACK OAK
34	7"	POST OAK
35	7"	POST OAK
36	6"	HACKBERRY
37	6"	POST OAK
38	8"	POST OAK
39	8"	POST OAK
40	13"	LOBLOLLY PINE
41	13"	LOBLOLLY PINE
42	7"	LOBLOLLY PINE
43	7"	POST OAK
44	18"	POST OAK
45	9"	BLACKJACK OAK
46	15"	POST OAK
47	6"	BLACKJACK OAK
48	9"	POST OAK

**~ CURVE TABLE ~**

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
FC1	25.00'	23°30'25"	10.26'	S 78°51'12" E	10.19'
FC2	25.00'	16°38'24"	7.28'	S 81°04'23" W	7.24'
FC3	85.01'	09°25'57"	13.99'	N 04°06'35" E	13.98'
FC4	25.00'	40°04'23"	17.49'	S 70°34'14" E	17.13'
FC5	25.00'	89°59'59"	39.27'	N 24°23'36" E	35.36'
FC6	25.00'	89°53'59"	39.23'	N 45°33'26" W	35.32'
FC7	25.00'	06°35'39"	2.88'	S 86°05'46" W	2.88'

**~ LINE TABLE ~**

NO.	BEARING	DISTANCE
F1	S 89°23'35" W	207.74'
F2	S 00°36'25" E	196.00'
F3	S 89°23'35" W	229.04'
F4	N 00°36'25" W	207.74'
F5	N 89°23'35" E	168.96'
F6	N 00°36'25" W	96.00'
F7	S 89°23'35" W	164.87'
F8	N 00°38'06" W	27.74'

**~ LINE TABLE ~**

NO.	BEARING	DISTANCE
S1	N 89°23'02" E	328.47'
S2	N 71°41'46" E	5.53'
S3	S 00°26'06" E	15.27'
S4	S 89°23'02" W	333.68'
S5	N 00°38'02" W	13.59'
S6	N 71°41'46" E	59.82'
S7	N 89°40'37" E	3.07'
S8	S 00°26'06" E	14.77'
S9	S 71°41'46" W	63.04'

**~ LINE TABLE ~**

NO.	BEARING	DISTANCE
W1	N 89°23'02" E	15.00'
W2	S 00°38'24" E	14.99'
W3	S 89°21'36" W	15.00'
W4	N 00°38'24" W	15.00'
W5	N 89°23'35" E	25.00'
W6	S 00°36'25" W	10.00'
W7	S 89°23'35" W	25.00'
W8	N 00°36'25" W	10.00'

**FLOOD NOTE**

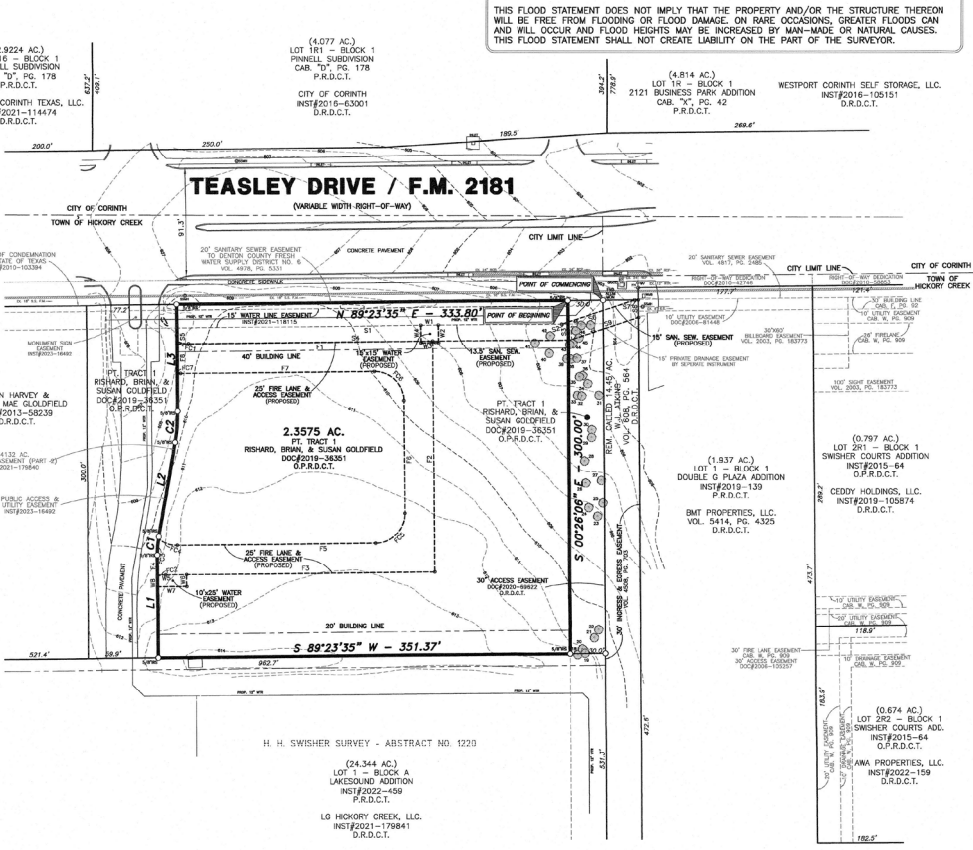
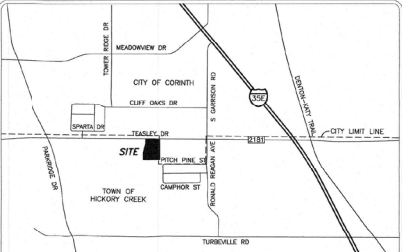
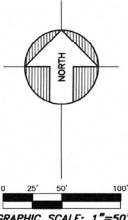
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) — NATIONAL FLOOD INSURANCE PROGRAM (NFIP) — FLOOD INSURANCE RATE MAP (FIRM) — FOR THE DENTON COUNTY, TEXAS AND INCORPORATED AREAS — MAP NO. 48121C0393H, MAP REVISED, JUNE 19, 2020, THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (OTHER AREAS).

ZONE "X" (OTHER AREAS) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE 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.

**LEGEND**

- ⊕ FIRE HYDRANT
- ⊖ CHASED "X" SET
- ⊙ IRON ROD FOUND (SIZE AS NOTED)
- ⊙ IRON ROD SET (SIZE AS NOTED)
- ⊕ OVERHEAD UTILITY POLE W/ CWP
- ⊕ SANITARY SEWER MANHOLE
- ⊕ STORM SEWER MANHOLE
- ⊕ WATER MANHOLE
- ⊕ GAS VALVE
- ⊕ WATER VALVE
- ⊕ BOLLARD
- ⊕ SIGNAL BOX
- ⊕ STREET SIGN
- ⊕ ELECTRICAL MOUNT
- ⊕ CABLE MARKER
- ⊕ CABLE BOX
- ⊕ AUTO SPRINKLER TRANSFORMER PAD
- ⊕ LIGHT POLE



**SURVEYOR'S CERTIFICATE**

KNOW ALL MEN BY THESE PRESENTS: I, DAVID PETREE, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM AN ACTUAL ON THE GROUND SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH PLATTING RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION OF THE CITY OF FLORES, COLLIN COUNTY, TEXAS.

DAVID PETREE  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 1890

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED DAVID PETREE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED ON THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY SEAL AND OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

**RECOMMENDED FOR APPROVAL**

CHAIRMAN, PLANNING AND ZONING COMMISSION  
TOWN OF HICKORY CREEK, TEXAS

DATE \_\_\_\_\_

APPROVED FOR PREPARATION OF FINAL PLAT

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 LAKE SOUND ADDITION TO THE TOWN OF HICKORY CREEK WAS SUBMITTED TO THE TOWN COUNCIL, ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, 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 THEIR NAME AS HEREINAFORE SUBSCRIBED.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

TOWN SECRETARY  
TOWN OF HICKORY CREEK, TEXAS.

**OWNER'S CERTIFICATE**

STATE OF TEXAS  
COUNTY OF DENTON

WHEREAS, SHIRLEY ABERNATHY, RICHARD GOLDFELD, BRIAN GOLDFELD, AND SUSAN GOLDFELD, ARE THE OWNERS OF ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE H. H. SWISHER SURVEY, ABSTRACT NO. 1220, DENTON COUNTY, TEXAS, AND BEING A PORTION OF THE PROPERTY DESCRIBED AS TRACT 1, IN DEED FROM ALAN H. GOLDFELD AND WIFE, SHIRLEY M. GOLDFELD TO J. G. GOLD, L.P., AS RECORDED UNDER COUNTY CLERK FILE NO. 99-8-0094877 OF THE DEED RECORDS OF DENTON COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE PROPERTY DESCRIBED AS TRACT 1 IN DEED AS RECORDED IN INSTRUMENT NO. 2019-36351 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN ALUMINUM MONUMENT FOUND FOR THE NORTHEAST CORNER OF SAID GOLDFELD TRACT, SAID POINT BEING IN THE SOUTH RIGHT-OF-WAY LINE OF SWISHER ROAD (F.M. 2181) (VARIABLE WIDTH RIGHT-OF-WAY), ALSO BEING THE SOUTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION TO THE STATE OF TEXAS, AS RECORDED IN INSTRUMENT NO. 2010-103394 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS;

THENCE SOUTH 89° 23' 35" WEST AND FOLLOWING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID TEASLEY DRIVE (F.M. 2181), COMMON TO THE NORTH LINE OF SAID GOLDFELD TRACT FOR A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00° 26' 06" EAST AND DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID SWISHER ROAD (F.M. 2181), OVER AND ACROSS SAID GOLDFELD TRACT, FOR A DISTANCE OF 300.00 FEET TO A 5/8" IRON ROD SET IN THE NORTH LINE OF LOT 1, BLOCK A OF LAKE SOUND ADDITION, AS RECORDED UNDER INSTRUMENT NO. 2022-459 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS;

THENCE SOUTH 89° 23' 35" WEST AND FOLLOWING ALONG THE NORTH LINE OF SAID LOT 1, BLOCK A OF LAKE SOUND ADDITION FOR A DISTANCE OF 351.37 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00° 36' 25" WEST AND DEPARTING THE NORTH LINE OF SAID LOT 1, OVER AND ACROSS AFORESAID GOLDFELD TRACT FOR A DISTANCE OF 87.44 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10° 24' 23" WITH A RADIUS OF 85.00 FEET AND A CHORD BEARING NORTH 04° 35' 46" EAST AT A DISTANCE OF 15.42 FEET;

THENCE NORTHEASTERLY AND CONTINUING ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 15.44 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 09° 47' 58" EAST FOR A DISTANCE OF 81.56 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10° 26' 05" WITH A RADIUS OF 145.00 FEET AND A CHORD BEARING NORTH 04° 34' 56" EAST AT A DISTANCE OF 26.37 FEET;

THENCE NORTHEASTERLY AND CONTINUING ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 26.41 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 00° 36' 06" WEST FOR A DISTANCE OF 90.73 FEET TO A 5/8" IRON ROD SET IN THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID TEASLEY DRIVE (F.M. 2181) (VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT ALSO BEING IN THE SOUTH LINE OF AFORESAID RIGHT-OF-WAY DEDICATION, SAID POINT ALSO BEING IN THE NORTH LINE OF SAID GOLDFELD TRACT;

THENCE NORTH 89° 23' 35" EAST AND FOLLOWING ALONG THE NORTH LINE OF SAID GOLDFELD TRACT, COMMON TO THE SOUTH RIGHT-OF-WAY LINE OF SAID TEASLEY DRIVE (F.M. 2181) FOR A DISTANCE OF 333.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.3575 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARINGS PER STATE PLANE COORDINATES (4202 TEXAS NORTH CENTRAL ZONE)

**PRELIMINARY PLAT  
LAKE SOUND ADDITION  
BLOCK A, LOT 2  
BEING 2.3575 ACRES OUT OF THE  
H.H. SWISHER SURVEY - ABSTRACT NO. 1220  
TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS**

NOVEMBER 27, 2023



BLUE SKY SURVEYING & MAPPING CORPORATION  
11015 MIDWAY ROAD  
DALLAS, TEXAS 75229  
PHONE: (214) 358-4500  
FAX: (214) 358-4500  
DRP@BLUESKYSURVEYING.COM  
TSPS REGS TRATION NO. 10105700

**OWNER**  
SHIRLEY ABERNATHY  
6101 LONG PRAIRIE ROAD  
SUITE 744 PMB 51  
FLOWER MOUND, TEXAS 75028  
OFFICE: 940-585-8186  
EMAIL: DIVAONE@GMAIL.COM

**ENGINEER**  
BURGER ENGINEERING, LLC  
17103 PRESTON ROAD, SUITE 180N  
DALLAS, TEXAS 75248  
CONTACT: BRYAN M. BURGER, P.E.  
OFFICE: 972-630-3360  
EMAIL: BBURGER@BURGERENGINEERING.COM

**SURVEYOR**  
BLUE SKY SURVEYING & MAPPING  
11015 MIDWAY ROAD  
DALLAS, TEXAS 75229  
CONTACT: DAVID PETREE  
PHONE: 214-358-4500  
EMAIL: DRP@BLUESKYSURVEYING.COM

©F:\HickoryCreek\H023.dwg



December 5, 2023  
AVO 37638.200

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

**Re: Chick-Fil-A (Lot 2, Block - Lakesound Addition) – Preliminary Plat  
2<sup>nd</sup> Review**

Dear Ms. Chaudoir:

Halff received a request from the Town of Hickory Creek to review a Preliminary Plat application for Chick-Fil-A Lot 2, Block A Lakesound Addition on November 15, 2023. The surveyor is Blue Sky Surveying & Mapping and the engineer is Burger Engineering, LLC. The owner is Shirley Abernathy.

Halff received comment responses on the 1<sup>st</sup> Review of Preliminary Plat, Site Plan and Landscape Plan on December 5, 2023.

**Halff has reviewed the Preliminary Plat, Site Plan, and Landscape Plan and comment responses and has no further comments. Halff recommends approval of the Preliminary Plat, Site Plan, and Landscape Plan contingent on the following:  
Please note the Conceptual Stormwater Management Plan (Sheets C5.1 and C5.2) is under review by separate letter, and acceptance of Preliminary Plat should be contingent upon acceptance of a Preliminary Stormwater Management Plan.**

#### **General**

1. Please update any callouts, titles, labels, etc. indicating "City" to "Town."  
*2<sup>nd</sup> Review: Addressed. All call outs have been revised to read Town.*
2. Please shown Town Limit/Boundary for all plan sheets.  
*2<sup>nd</sup> Review: Addressed. Town Limit/Boundary lines have been added.*
3. Refer to markups for all comments.  
*2<sup>nd</sup> Review: Comment acknowledged.*

#### **Preliminary Plat**

1. Please include, at minimum, the telephone number contact of the Owner.  
*2<sup>nd</sup> Review: Addressed. Phone number and email have been added.*
2. Please include the date (Month and Year will suffice) of plat preparation.  
*2<sup>nd</sup> Review: Addressed. Date has been added.*
3. Please include and show the Town Limit line in the plat and vicinity map.  
*2<sup>nd</sup> Review: Addressed. Town Limit line has been added.*

4. Please show location, size and type of all existing utilities within or adjacent to the site. Specifically, the continuation of the 18" FM line and all utility lines proposed by others that will be considered existing upon start of construction.  
*2<sup>nd</sup> Review: Addressed. All existing utilities and proposed by others utilities have been added.*
5. Please provide minimum building setback lines for specified zoning designation per Town Ordinances.  
*2<sup>nd</sup> Review: Addressed. A 40' front and 20' rear building line have been added.*
6. Please include standard/typical survey or plat notes i.e. basis of bearings, state plane coordinate system, NAD, abstract lines usage, etc. Please also include in those notes a statement noting that the property is not in or adjacent to a FEMA floodplain.  
*2<sup>nd</sup> Review: Addressed. Plat notes have been added as requested.*
7. "City Project No. \_\_\_\_" designator can be removed from the plat.  
*2<sup>nd</sup> Review: Addressed. Number has been removed.*
8. Please update the County to "Denton" from "Dallas."  
*2<sup>nd</sup> Review: Addressed. The plat will be signed in Dallas County so the label is correct as is. It is understood that the final plat will be filed and recorded in Denton County as required.*
9. Please confirm direction as "West" from "East."  
*2<sup>nd</sup> Review: Addressed. Revised legal as requested.*

### Site Plan

1. Please include the area in acreage in the title block.  
*2<sup>nd</sup> Review: Addressed. Acreage has been added to the title block.*
2. Please include the Owner's contact information in addition to Applicant and Engineer.  
*2<sup>nd</sup> Review: Addressed. Owner's contact information has been added.*
3. Please show distances between centerlines of all existing and proposed driveways. Please also show the approximate distance to the nearest street or driveway on/off the sheet in both east and west directions.  
*2<sup>nd</sup> Review: Addressed. All driveway distances have been added.*
4. Please include the proposed building height in feet and inches in the Site Data Table.  
*2<sup>nd</sup> Review: Addressed. Building height has been added to the site data table.*
5. Please include minimum building setback lines for front, side and rear lot per Zoning Ordinance requirements.  
*2<sup>nd</sup> Review: Addressed. A 40' front and 20' rear building line have been added.*
6. Please include note indicating property is not within or adjacent to a FEMA floodplain.  
*2<sup>nd</sup> Review: Addressed. A floodplain note has been added.*
7. Please clarify or specify the designated loading and unloading area (i.e. delivery/freight trucks).  
*2<sup>nd</sup> Review: Addressed. Per telephone conversation with Town Engineer, Chick-Fil-A will deliver after business hours and is not proposing a designated loading/unloading zone.*
8. Please show dimensions for the flared "8A" ramp.  
*2<sup>nd</sup> Review: Addressed. The length of the ramp has been added.*

9. Please specify height and material proposed for the screening wall at dumpster location (i.e. masonry).  
*2<sup>nd</sup> Review: Addressed. An 8'-8" height label has been added.*
10. Please include dimensions for all proposed directional (other than Chick-Fil-A signs) signage.  
*2<sup>nd</sup> Review: Addressed. A note to refer to the detail sheet for dimensions has been added.*
11. Layout Note 11 "Typical Pole Base" does not appear to be called out anywhere on the site plan. Please confirm. Is exterior lighting proposed on this site?  
*2<sup>nd</sup> Review: Addressed. Note has been removed. Site Lighting will be provided with the building permit.*
12. Please show and label all existing and proposed utilities and other related ground features i.e. valves, vaults, etc.  
*2<sup>nd</sup> Review: Addressed. All utilities have been added.*
13. Please show and label all existing and proposed storm drain pipe and other related ground features i.e. manholes, inlets, grates, etc.  
*2<sup>nd</sup> Review: Addressed. All utilities have been added.*
14. Please label proposed fire hydrant (see markups for location).  
*2<sup>nd</sup> Review: Addressed. Label has been added.*

#### **Tree Preservation and Landscape Plan**

1. Title block is inconsistent between plan sheets. Please match between all sheets.  
*2<sup>nd</sup> Review: Addressed. Title block has been revised.*
2. Please include note indicating type and placement of irrigation system.  
*2<sup>nd</sup> Review: Addressed. Note has been provided as note number 6 on the landscape notes.*
3. Please show and label all screening walls, fences, retaining walls, headlight screens and service area screens, including heights and types, as needed on the Landscape Plan.  
*2<sup>nd</sup> Review: Addressed. All screening labels have been added.*

Sincerely,

**HALFF**

TBPELS Engineering Firm No. 312



Kevin Gronwaldt, PE  
Consulting Engineer for the Town of Hickory Creek

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

Attachment: Town Checklist markup  
Comment Response Letter

Item 3:

Discuss, consider and act on a recommendation for a Site and Landscape Plan for the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.

~ BOUNDARY CURVE DATA TABLE ~

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	85.00'	10°24'23"	15.44'	N 04°35'46" E	15.42'
C2	145.00'	10°28'05"	26.41'	N 04°34'56" E	26.37'

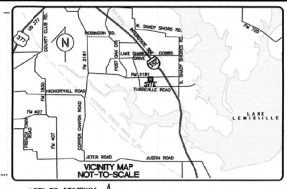
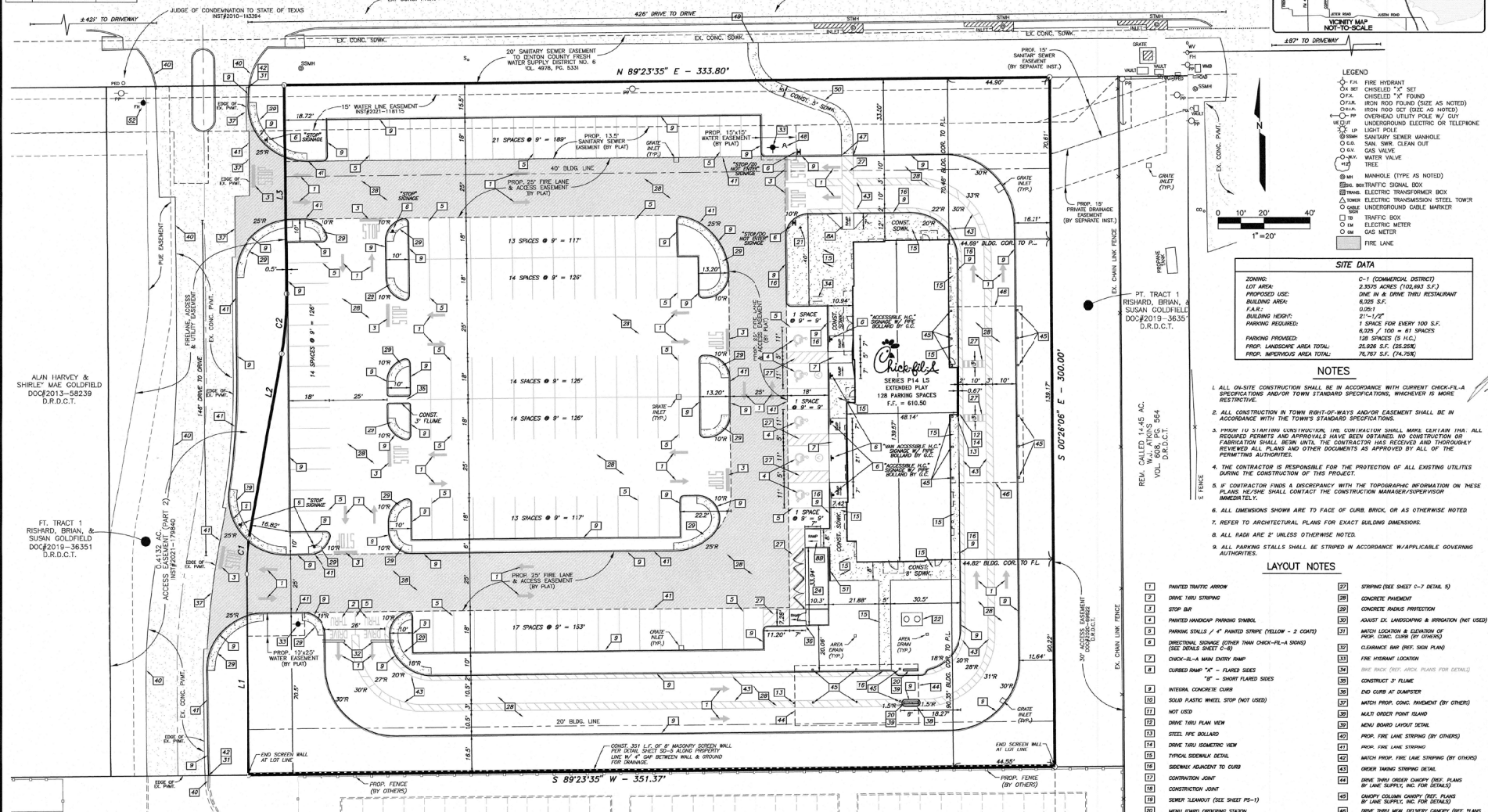
~ BOUNDARY LINE TABLE ~

NO.	BEARING	DISTANCE
L1	N 00°36'25" W	87.44'
L2	N 09°47'58" E	81.56'
L3	N 00°38'06" W	90.73'

CITY OF CORINTH  
TOWN OF HICKORY CREEK

# TEASLEY DRIVE (F.M. 2181)

( VARIABLE WIDTH RIGHT-OF-WAY )



5200 Buffington Rd.  
Atlanta Georgia  
30349-2998

Revisions:

Mark	Date	By

LOT 2, BLOCK A - LAKESOUND ADDITION  
2.8575 ACRES OUT OF THE  
H.H. SWISHER SURVEY, ABSTRACT NO. 1220  
THE TOWN OF HICKORY CREEK  
DENTON COUNTY, TEXAS

STORE  
SERIES  
P14 LS  
EXT. PLAY

SHEET TITLE  
**SITE PLAN**

For Permit  
For Bid  
For Construction

Job No. : 013-432  
Store : 05408  
Date : 3/08/23  
Drawn By : RMP  
Checked By : BMB

Sheet  
**C-3.3**

**FLOOD NOTE**  
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - NATIONAL FLOOD INSURANCE PROGRAM (NFIP) - FLOOD INSURANCE RATE MAP (FIRM) - FOR THE DENTON COUNTY, TEXAS AND INCORPORATED AREAS - MAP NO. 48121C0204A, MAP REVISED JUNE 19, 2020, THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (OTHER AREAS).  
ZONE "X" (OTHER AREAS) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."  
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, IN RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY WINDSUCKING OR WINDBURST CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

**OWNER:**  
SHIRLEY ABERNATHY  
6101 LONG PRAIRIE ROAD,  
SUITE 744, PMB 51  
FLOWER MOUND, TEXAS 75028  
PHONE: (940) 585-8186  
EMAIL: DIVAONE@GMAIL.COM

**APPLICANT:**  
CHICK-FIL-A, INC.  
5200 BUFFINGTON ROAD,  
ATLANTA, GEORGIA 30349  
PHONE: (404) 765-8000  
CONTACT: GETRA.THOMASON-SANDERS  
EMAIL: GETRA.SANDERS@CFACORP.COM

**ENGINEER:**  
BURGER ENGINEERING, LLC  
1713 PRESTON ROAD, SUITE 180N  
DALLAS, TEXAS 75248  
PHONE: (972) 630-3350  
CONTACT: BRYAN M. BURGER, P.E.  
EMAIL: 3BURGER@BURGERENGINEERING.COM

**SITE BENCHMARK NO. 1** = CENTER OF RIM OF SANITARY SEWER MANHOLE LOCATED APPROXIMATELY 25 FEET NORTHEAST OF THE NORTHWEST PROPERTY CORNER.  
**ELEVATION = 602.27'**

**SITE BENCHMARK NO. 2** = TOP OF NORTHWEST CORNER OF INLET LOCATED IN THE SOUTH CURB LINE OF SWISHER ROAD (FM 2181), APPROXIMATELY 33 FEET NORTHWEST OF THE NORTHWEST PROPERTY CORNER.  
**ELEVATION = 602.32'**

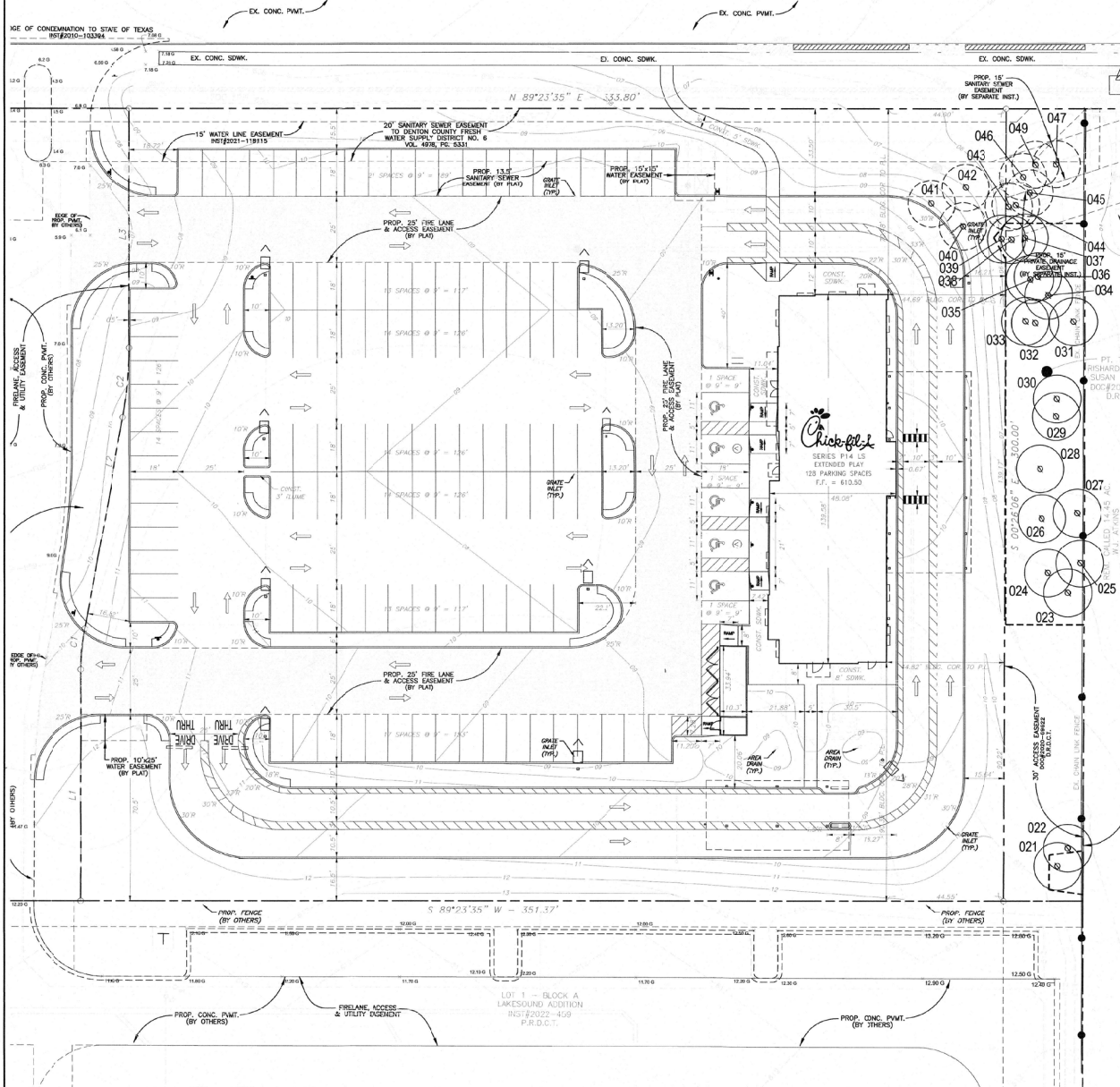
**BURGER ENGINEERING**  
Civil Consultants

17103 Preston Road, Suite 180N  
Dallas, Texas 75248  
Office: 972.630.3350 Fax: 972.630.3380  
TWP: F-12997

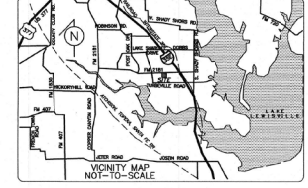


# TEASLEY DRIVE (F.M. 2181)

(VARIABLE WIDTH RIGHT-OF-WAY)



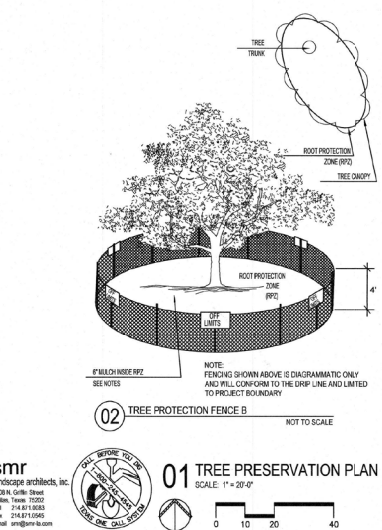
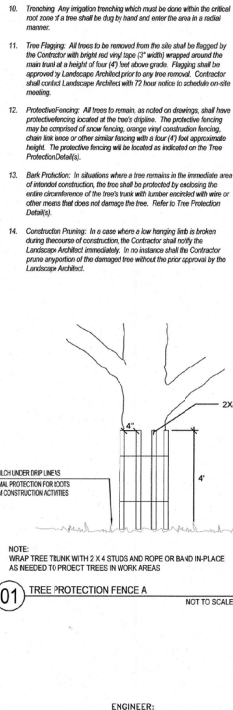
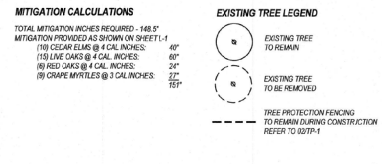
SITE DATA	
ZONING:	C-1 (COMMERCIAL DISTRICT)
LOT AREA:	2.3575 ACRES (102,891 S.F.)
PROPOSED USE:	ONE IN & DRIVE THRU RESTAURANT
BLDG. AREA:	8,602 S.F.
F.A.R.:	0.091
PARKING REQUIRED:	1 SPACE FOR EVERY 100 S.F.
	8,602 / 100 = 86 SPACES
PARKING PROVIDED:	129 SPACES (9 H.C.)
PROP. LANDSCAPE AREA TOTAL:	25,206 S.F. (0.58 AC)
PROP. ASPHALT AREA TOTAL:	76,787 S.F. (1.76 AC)



- ### EXISTING TREE NOTES
- Existing trees to remain shall be protected during construction from tree structure damage and compaction of soil under and around drip line (canopy) of tree.
  - If any infrastructure is damaged during adjacent excavation/underdrain, notify the architect immediately. It is recommended that a kerotest be used to determine the depth of any possible tree roots.
  - No disturbance of soil greater than 4" shall be located closer to the tree trunk than 1/2 the distance of the drip line to the heurth. A maximum of 75% of the drip line and root zone shall be preserved at natural grade.
  - Any fire grating above within the critical root zones of the protected trees must be one with light machinery such as a bobcat or light tractor. No earth moving equipment with tracks is allowed within the critical root zone of the trees.
  - Material Storage: No materials intended for use in construction or waste materials accumulated due to excavation or demolition shall be placed within the tree drip line of any tree.
  - Equipment Cleaning/Liquid Disposal: No equipment may be cleaned, hosed, washed, or other liquid chemicals shall be disposed within the limits of the drip line of a tree. This would include but not be limited to paint, oil, solvents, asphalt, concrete, motor, primer, etc.
  - Tree Attraction: No signs, wares or other attractions, other than those of a protective nature shall be attached to any tree.
  - Vehicle Traffic: No vehicular and construction equipment traffic or parking shall occur within the drip line of trees.
  - Boring of Utilities: May be permitted under protected trees in certain circumstances. The minimum length of the bore shall be the width of the tree's canopy and shall be a minimum depth of forty (40) inches.
  - Tree Trimming: Any irrigation trenching which must be done within the critical root zone of a tree shall be dug by hand and enter the area in a radial manner.
  - Tree Flagging: All trees to be removed from the site shall be flagged by the Contractor with orange red vinyl tape 2" wide wrapped around the main trunk at a height of four (4) feet above grade. Flagging shall be approved by Landscape Architect prior to any tree removal. Contractor shall contact Landscape Architect with 72 hour notice to schedule on-site marking.
  - Protective Fencing: All trees to remain, as noted on drawings, shall have protective fencing located at the tree drip line. The protective fencing may be comprised of orange fencing, orange vinyl construction fencing, chain link fence or other similar fencing with a four (4) foot approximate height. The protective fencing will be located as indicated on the Tree Protection Details.
  - Bank Protection: In situations where a tree remains in the immediate area of excavated construction, the tree shall be protected by excavating the entire circumference of the tree's trunk with lumber encircled with wire or other means that does not damage the tree. Refer to Tree Protection Details.
  - Construction Planning: In a case where a low hanging limb is broken during removal of construction, the Contractor shall notify the Landscape Architect immediately. In no instance shall the Contractor prune any portion of the damaged tree without the prior approval by the Landscape Architect.

### TREE SURVEY FIELD DATA

NO.	DBH (COMMON NAME)	REMARKS	TREE CREDITS (INCHES)	MITIGATION (INCHES)	EXEMPTIONS
011	11.0	POST OAK TO REMAIN	0	0	OFFSITE
022	11	POST OAK TO REMAIN	0	0	OFFSITE
024	12	POST OAK TO REMAIN	0	0	OFFSITE
023	28	POST OAK TO REMAIN	0	0	OFFSITE
026	7	POST OAK TO REMAIN	0	0	OFFSITE
027	12	HICKORY TO REMAIN	0	0	UNPROTECTED SPECIES
029	19	BLACKOAK OAK TO REMAIN	0	0	OFFSITE
029	14	BLACKOAK OAK TO REMAIN	0	0	OFFSITE
030	19	POST OAK TO REMAIN	0	0	OFFSITE
031	10	HICKORY TO REMAIN	0	0	UNPROTECTED SPECIES
032	11	POST OAK TO REMAIN	0	0	OFFSITE
033	10	BLACKOAK OAK TO REMAIN	0	0	OFFSITE
034	7	POST OAK TO REMAIN	0	0	OFFSITE
035	7	POST OAK TO REMAIN	0	0	OFFSITE
036	6	HICKORY TO REMAIN	0	0	UNPROTECTED SPECIES
037	6	POST OAK TO REMAIN	0	0	OFFSITE
038	8	POST OAK TO REMAIN	0	0	OFFSITE
039	8	POST OAK TO REMAIN	3	3	
040	13	LOBLOLLY PINE TO BE REMOVED	0	19.5	
041	13	LOBLOLLY PINE TO BE REMOVED	0	19.5	
042	7	LOBLOLLY PINE TO BE REMOVED	0	10.5	
043	7	POST OAK TO BE REMOVED	0	10.5	
044	18	POST OAK TO BE REMOVED	0	27	
045	9	BLACKOAK OAK TO BE REMOVED	0	13.5	
046	15	POST OAK TO BE REMOVED	0	22.5	
047	6	BLACKOAK OAK TO BE REMOVED	0	9	
049	9	POST OAK TO BE REMOVED	3	13.5	
			3	148.5	



APPLICANT: CHICK-FIL-A, INC. 5200 BUFFINGTON ROAD ATLANTA, GEORGIA 30349 PHONE: (404) 763-8000 CONTACT: GETRA THOMASON-SANDERS EMAIL: GETRA.SANDERS@CFACORP.COM

ENGINEER: BURGER ENGINEERING, LLC 17103 PRESTON ROAD, SUITE 180N DALLAS, TEXAS 75248 PHONE: (414) 763-5369 CONTACT: BRYAN M. BURGER, P.E. EMAIL: BURGER@BURGERENGINEERING.COM

TEXAS REGISTERED ENGINEERING FIRM F-12997

smr landscape architects, inc. 108 N. Goffe Street Dallas, Texas 75202 Tel: 214.671.8633 Fax: 214.671.0962 Email: smr@smr-tx.com

01 TREE PRESERVATION PLAN SCALE: 1" = 20'-0"

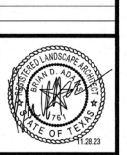
**BURGER ENGINEERING** Civil Consultants

17103 Preston Road, Suite 180N Dallas, Texas 75248 Office: 972.616.3360 Fax: 972.616.9380 TBEF-F-12997

5200 Buffington Rd. Atlanta Georgia 30349-2998

### Revisions:

Mark	Date	By
△		
△		
△		



LOT 2, BLOCK A - LAKESOUND ADDITION 2.3575 ACRES OUT OF THE H.H. SWISHER SURVEY, ABSTRACT NO. 1220 THE TOWN OF HICKORY CREEK DENTON COUNTY, TEXAS

STORE SERIES P14 LS EXT. PLAY

SHEET TITLE TREE PRES. PLAN

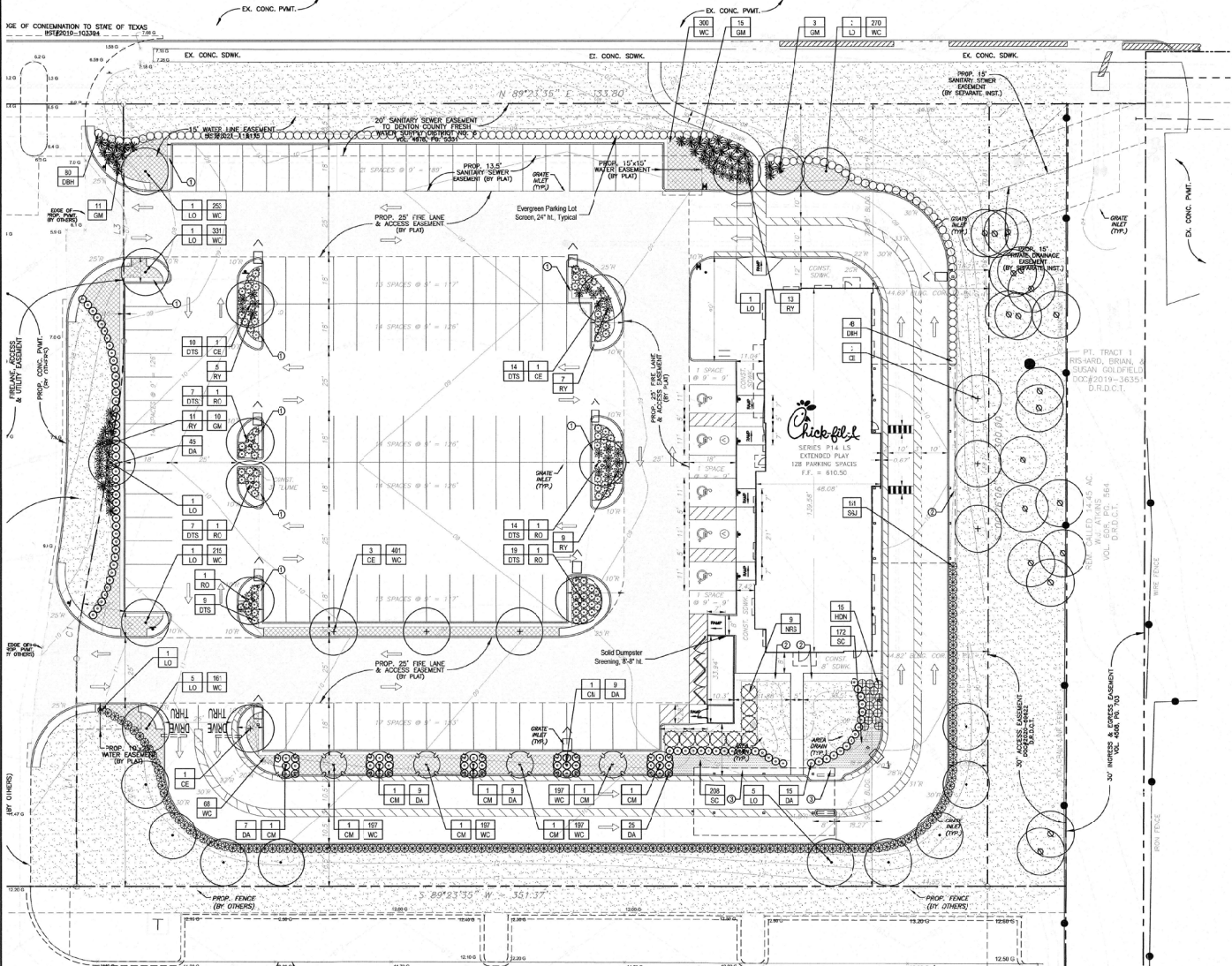
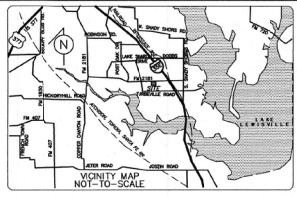
For Permit D For Bid C For Construction

Job No. : 013-432  
Store : 05408  
Date : 11/30/23  
Drawn By : BCC  
Checked By : BDA

TP-1

# TEASLEY DRIVE (F.M. 2181) ( VARIABLE WIDTH RIGHT-OF-WAY )

ZONING:	
LOT AREA:	C-1 (COMMERCIAL DISTRICT)
PROPOSED USE:	2.3525 ACRES (102,661 S.F.)
BASELINE AREA:	DNE IN & DRIVE THRU RESTAURANT
F.A.R.:	6,025 S.F.
PARKING REQUIRED:	0.051
	1 SPACE FOR EVERY 110 S.F.
	6,025 / 100 = 61 SPACES
PARKING PROVIDED:	128 SPACES (9 H.C.)
PROP. LANDSCAPE AREA TOTAL:	25,506 S.F. (0.585AC)
PROP. PREVIOUS AREA TOTAL:	78,797 S.F. (1.795AC)



### PLANT LIST

TREES	QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	TOTAL TO-SHALES	REMARKS
9	CE	Cedar Elm	Ulmus crassifolia	4" cal.	30'		container grown, 12" H., 5" spread min., 6" clear trunk
9	CM	Cape Myrtle	Lagerflora or 'Natchez'	8" H.	27"		B&B, full specimen, 3-5 cans, no cross caning 3" cal.
17	LO	Lux Oak	Quercus virginiana	4" cal.	85'		container grown, 12" H., 2" spread min., 2" clear trunk
5	BO	Bur Oak	Quercus shumardii	4" cal.	20'	151'	container grown, 12" H., 2" spread min., 2" clear trunk

SHRUBS	QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
151	SO	Sagebrim Juniper	Juniperus chinensis 'Sagebrim'	5 gal		container grown, full plant specimen
80	DTS	Dwarf Texas Sage	Leucophyllum frutescens	5 gal		container grown, full plant specimen
12	COB	Cornflower Blue Yucca	Yucca cornata 'Bluebird eyes'	5 gal		container grown, full plant specimen
38	GM	Gulf Muhly	Muhlenbergia capillaris	5 gal		container grown, full plant specimen
8	HSC	Holly	Ilex 'Holly II Shimmer'	36" dia.		container grown, full plant specimen
45	RY	Red Yucca	Hesperaloe parviflora	5 gal		container grown, full plant specimen
117	DA	Dwarf Dalia	Alberla grandiflora	5 gal		container grown, full plant specimen
15	NOH	Norway Spruce	Thuja occidentalis 'Nanum'	5 gal		container grown, full plant specimen

GROUNDCOVERS	QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
380	SC	Seasonal Color	Erythronium fontanae	4" pots		container grown, selection at time of planting, till to top of container, 12" cal.
2787	WC	Wintercreeper	Common Bernini	Cynodon dactylon	4" pots	solid soil, refer to notes

NOTE: Plant list is an add to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall be received and inspected as indicated. All trees to have straight trunks and to be matching within varieties.

### LANDSCAPE TABULATIONS

PERIMETER LANDSCAPE SCREENING	REQUIREMENTS	PROVIDED
Vegetative Screen, 30' H. min.	Vegetative Screen, 30' H. min.	(1) Tree per 500 SF

INTERIOR LANDSCAPING (128 Spaces)	REQUIREMENTS	PROVIDED
Vegetative Screen, 30' H. min.	Vegetative Screen, 30' H. min.	(1) Tree per 15 spaces

### GENERAL LAWN NOTES

- Perimeter areas to be established conform indicated on civil plans.
- Adjust contours to achieve positive drainage away from buildings. Provide uniform grading along and bottom of slopes and other areas in grade. Correct irregularities and areas where water may stand.
- All lawn areas to receive soil and seed shall be left in a maximum of 1" below finished grade. Contractor to coordinate operation with on-site Construction Manager.
- Impacted topsoil shall be removed, friable soil from the region, known as bottom and soil, free from lumps, clay, base substances, roots, debris, vegetation, stones, containing no salt and block to loam in color.
- All lawn areas to be live graded, irrigation trenches completely installed, and final grade approved by the Owner's Construction Manager or Architect prior to installation.
- All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spalls, etc. shall be removed prior to paving topsoil and any lawn installation.
- Contractor shall provide 1" loose rock of impacted topsoil on all areas to receive lawn.

### LANDSCAPE NOTES

- Contractor shall verify all settings and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
- Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
- Contractor is responsible for obtaining all required landscape and irrigation permits.
- Contractor to provide a minimum 2% slope away from all structures.
- All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
- All landscape areas to be 10% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
- All lawn areas to be Solid Soil Bermuda grass, unless otherwise noted on the drawings.

### SOLID SOIL NOTES

- Final grade areas to achieve final contours indicated. Leave areas to receive topsoil 2" below final desired grade in planting areas and 1" below final grade in lawn areas.
- Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
- All lawn areas to receive soil and seed shall be left in a maximum of 1" below finished grade. Contractor to coordinate operation with on-site Construction Manager.
- Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
- Plant soil by hand to cover indicated areas completely. Freeze grade of soil one inch below. To insure patch by hand with topsoil fill back.
- Roll grass areas to achieve a smooth, even surface, free from undulations.
- Water soil thoroughly as soil operation progresses.
- Contractor shall maintain all lawn areas until final acceptance. The soil shall include, but not limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
- Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
- If installation occurs between September 1st and March 1st, all soil areas to be over-seeded with Winter Hygrass at a rate of 14 pounds per acre (1000 square feet).

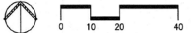
### MAINTENANCE NOTES

- The Owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscape.
- All landscape shall be maintained in a neat and orderly manner at all times. The shall include mowing, edging, pruning, fertilizing, watering, weeding and other such activities common to landscape maintenance.
- All landscape areas shall be kept free of trash, litter, weeds and other such material or plants not part of this plan.
- All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
- All plant material which dies shall be replaced with plant material of equal or better form.
- Contractor shall provide separate bid proposal for one year's maintenance to begin after final acceptance.

### ADDITIONAL INDICATIONS

- Decomposed Granite, 15" width, 3" depth with steel edging border and weed barrier fabric.
- Native Buffrock, 30" width, 3" depth with steel edging border and weed barrier fabric.
- Native Buffrock, 30" width, min., 3" depth with steel edging border and weed barrier fabric.

01 LANDSCAPE PLAN  
SCALE: 1" = 20'-0"



APPLICANT: CHICK-FIL-A, INC.  
5240 BUFFINGTON ROAD  
ATLANTA, GEORGIA 30349  
PHONE: (404) 765-8000  
CONTACT: CETERA THOMASON-SANDERS  
EMAIL: CETERA.SANDERS@CFACORP.COM

ENGINEER: BURGER ENGINEERING, LLC  
17103 PRESTON ROAD, SUITE 1820  
DALLAS, TEXAS 75248  
PHONE: (972) 633-3360  
CONTACT: BRYAN M. BURGER, P.E.  
EMAIL: MBURGER@BURGERENGINEERING.COM

SMR landscape architects, inc.  
1001 N. Collins Street  
Dallas, Texas 75202  
Tel: 214.511.0803  
Fax: 214.511.0663  
Email: smr@smr.com



**BURGER ENGINEERING**  
Civil Consultants

17103 Preston Road, Suite 1820  
Dallas, Texas 75248  
Office: 972.638.3360 Fax: 972.638.3380  
TSP#E-12997

5203 Buffington Rd.  
Atlanta Georgia,  
30349-2998

Revisions:  
Mark Date By  
△  
△  
△

STATE OF TEXAS  
COMMISSIONER OF AGRICULTURE  
JULY 27, 1890

LOT 2 - BLOCK A - LAKESOUND ADDITION  
2.3575 ACRES OUT OF THE  
H.H. SWISHER SURVEY, ABSTRACT NO. 1220  
THE TOWN OF HICKORY CREEK  
DENTON COUNTY, TEXAS

STORE  
SERIES  
P14 LS  
EXT. LAYOUT

SHEET TITLE  
LANDSCAPE  
PLAN

For Permit  
 For Bid  
 For Construction

Job No. : 013-439  
Store : 05408  
Date : 11/10/23  
Drawn By : BCC  
Checked By : BDA

Sheet

L-1

Item 4:

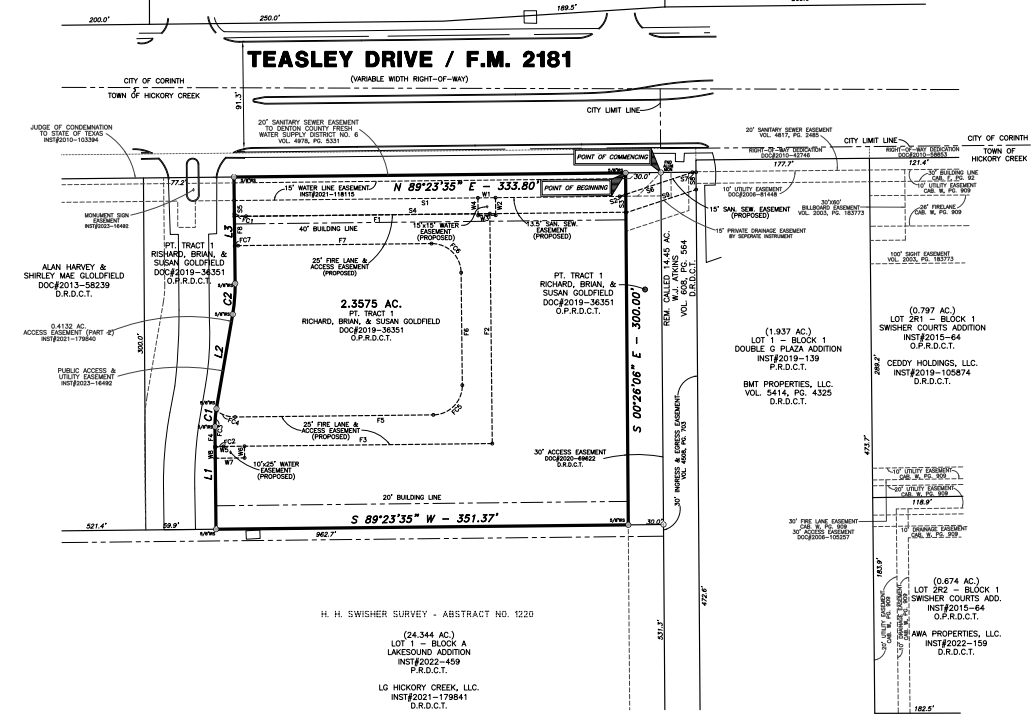
Discuss, consider and act on a recommendation for a Final Plat of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.

(9.924 AC.)  
LOT 16 - BLOCK 1  
PINNELL SUBDIVISION  
CAB. "D", PG. 178  
P.R.D.C.T.  
LEGACY AT CORINTH TEXAS, LLC.  
INST#2021-14474  
D.R.D.C.T.

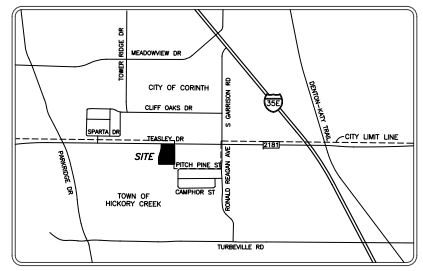
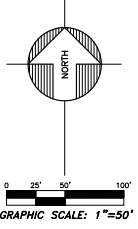
(4.077 AC.)  
LOT 181 - BLOCK 1  
PINNELL SUBDIVISION  
CAB. "D", PG. 178  
P.R.D.C.T.  
CITY OF CORINTH  
INST#2016-63001  
D.R.D.C.T.

(4.814 AC.)  
LOT 1R - BLOCK 1  
2121 BUSINESS PARK ADDITION  
CAB. "X", PG. 42  
P.R.D.C.T.

WESTPORT CORINTH SELF STORAGE, LLC.  
INST#2016-105151  
D.R.D.C.T.



- LEGEND**
- F.H. FIRE HYDRANT
  - CHEELED "X" SET
  - CHEELED "X" FOUND
  - IRON ROD FOUND (SIZE AS NOTED)
  - IRON ROD SET (SIZE AS NOTED)
  - S.A.M. SURVEYING SERVICE MANHOLE
  - OVERHEAD UTILITY POLE W/ GUY
  - WATER MANHOLE
  - SAN TRK CLEAN OUT
  - GAS VALVE
  - WATER VALVE
  - WATER METER
  - BOLLARD
  - SIGNAL POLE
  - SIGNAL BOX
  - ELECTRIC POLE
  - ELECTRIC W/LET
  - STREET SIGN
  - CABLE MARKER
  - CABLE BOX
  - SIGN
  - AUTO SPRINKLER TRANSFORMER PAD
  - LIGHT POLE



**FLOOD NOTE**

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - NATIONAL FLOOD INSURANCE PROGRAM (NFIP) - FLOOD INSURANCE RATE MAP (FIRM) - FOR THE DENTON COUNTY, TEXAS AND INCORPORATED AREAS - MAP NO. 4812103383H, MAP REVISED, JUNE 19, 2020, THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (OTHER AREAS).

ZONE "X" (OTHER AREAS) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE 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.

~ LINE TABLE ~

NO.	BEARING	DISTANCE
L1	N 00°36'25" W	87.44'
L2	N 09°47'58" E	81.56'
L3	N 00°38'06" W	90.73'

~ LINE TABLE ~  
FIRELANE & ACCESS EASEMENT

NO.	BEARING	DISTANCE
F1	S 89°23'35" W	207.74'
F2	S 00°36'26" E	196.00'
F3	S 89°23'35" W	229.04'
F4	N 00°36'26" W	207.74'
F5	N 89°23'35" E	168.96'
F6	N 00°36'26" W	96.00'
F7	S 89°23'35" W	164.87'
F8	N 00°38'06" W	27.74'

~ CURVE TABLE ~

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	85.00'	107°24'23"	15.44'	N 04°35'46" E	15.42'
C2	145.00'	107°26'05"	26.41'	N 04°34'56" E	26.37'

~ CURVE TABLE ~  
FIRELANE & ACCESS EASEMENT

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
FC1	25.00'	23°30'25"	10.26'	S 78°51'12" E	10.19'
FC2	25.00'	16°38'24"	7.26'	S 81°04'23" W	7.24'
FC3	85.01'	09°25'57"	13.99'	N 04°06'35" E	13.98'
FC4	25.00'	40°04'23"	17.49'	S 70°34'14" E	17.13'
FC5	25.00'	89°59'59"	39.27'	N 44°23'36" E	35.36'
FC6	25.00'	89°53'59"	39.23'	N 45°33'26" W	35.32'
FC7	25.00'	06°35'39"	2.88'	S 86°05'46" W	2.88'

~ LINE TABLE ~  
SANITARY SEWER EASEMENT

NO.	BEARING	DISTANCE
S1	N 89°23'02" E	328.47'
S2	N 71°41'46" E	5.53'
S3	S 00°26'06" E	15.27'
S4	S 89°23'02" W	333.68'
S5	N 00°38'02" W	13.59'
S6	N 71°41'46" E	59.82'
S7	N 89°40'37" E	3.07'
S8	S 00°26'06" E	14.77'
S9	S 71°41'46" W	63.04'

~ LINE TABLE ~  
WATER EASEMENT

NO.	BEARING	DISTANCE
W1	N 89°23'02" E	15.00'
W2	S 00°38'24" E	14.99'
W3	S 89°21'36" W	15.00'
W4	N 00°38'24" W	15.00'
W5	N 89°23'35" E	25.00'
W6	S 00°36'25" W	10.00'
W7	S 89°23'35" W	25.00'
W8	N 00°36'25" W	10.00'

**FINAL PLAT  
LAKESOUND ADDITION  
BLOCK A, LOT 2**  
BEING 2.3575 ACRES OUT OF THE  
H.H. SWISHER SURVEY - ABSTRACT NO. 1220  
TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS

NOVEMBER 27, 2023  
PAGE 1 OF 2



BLUE SKY SURVEYING  
& MAPPING, CORPORATION  
11015 MIDWAY ROAD  
DALLAS, TEXAS 75229  
PHONE: (214) 358-4500  
FAX: (214) 358-4600  
DRPETREE@BLUESKYSURVEYING.COM  
TBLPS REGISTRATION NO. 10107500

**OWNER**  
SHIRLEY ABERNATHY  
6101 LONG PRAIRIE ROAD  
SUITE 744 PMB 51  
FLOWER MOUND, TEXAS 75028  
OFFICE: 940-585-8186  
EMAIL: DVAONE@GMAIL.COM

**ENGINEER**  
BURGER ENGINEERING, LLC  
17103 PRESTON ROAD, SUITE 180N  
DALLAS, TEXAS 75248  
CONTACT: BRYAN M. BURGER, P.E.  
OFFICE: 972-630-3360  
EMAIL: BBURGER@BURGERENGINEERING.COM

**SURVEYOR**  
BLUE SKY SURVEYING & MAPPING  
11015 MIDWAY ROAD  
DALLAS, TEXAS 75229  
CONTACT: DAVID PETREE  
PHONE: 214-358-4500  
EMAIL: DRPETREE@BLUESKYSURVEYING.COM

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DENTON

WHEREAS, SHIRLEY ABERNATHY, RICHARD GOLDFELD, BRIAN GOLDFELD, AND SUSAN GOLDFELD, ARE THE OWNERS OF ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE H. H. SWISHER SURVEY, ABSTRACT NO. 1220, DENTON COUNTY, TEXAS, AND BEING A PORTION OF THE PROPERTY DESCRIBED AS TRACT 1, IN REED FROM ALAN H. GOLDFELD AND WIFE, SHIRLEY M. GOLDFELD TO AS GOLD, L.P. AS RECORDED UNDER COUNTY CLERK FILE NO. 89-08-00047X OF THE DEED RECORDS OF DENTON COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE PROPERTY DESCRIBED AS TRACT 1 IN DEED AS RECORDED IN INSTRUMENT NO. 2019-34351 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN ALUMINUM MONUMENT FOUND FOR THE NORTHEAST CORNER OF SAID GOLDFELD TRACT, SAID POINT BEING IN THE SOUTH RIGHT-OF-WAY LINE OF SWISHER ROAD (F.M. 2181) (VARIABLE WIDTH RIGHT-OF-WAY), ALSO BEING THE SOUTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION TO THE STATE OF TEXAS, AS RECORDED IN INSTRUMENT NO. 2010-103394 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS;

THENCE SOUTH 89° 23' 35" WEST AND FOLLOWING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID TEASLEY DRIVE (F.M. 2181), COMMON TO THE NORTH LINE OF SAID GOLDFELD TRACT FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 02° 26' 06" EAST AND DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID SWISHER ROAD (F.M. 2181), OVER AND ACROSS SAID GOLDFELD TRACT, FOR A DISTANCE OF 300.00 FEET TO A 5/8" IRON ROD SET IN THE NORTH LINE OF LOT 1, BLOCK A OF LAKESOUND ADDITION, AS RECORDED UNDER INSTRUMENT NO. 2022-459 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS;

THENCE SOUTH 89° 23' 35" WEST AND FOLLOWING ALONG THE NORTH LINE OF SAID LOT 1, BLOCK A OF LAKESOUND ADDITION FOR A DISTANCE OF 691.37 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 02° 26' 25" WEST AND DEPARTING THE NORTH LINE OF SAID LOT 1, OVER AND ACROSS AFORESAID GOLDFELD TRACT FOR A DISTANCE OF 87.44 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10° 24' 23" WITH A RADIUS OF 85.00 FEET AND A CHORD BEARING NORTH 04° 35' 46" EAST AT A DISTANCE OF 15.42 FEET;

THENCE NORTHEASTERLY AND CONTINUING ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 15.44 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 09° 47' 58" EAST FOR A DISTANCE OF 81.26 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10° 26' 00" WITH A RADIUS OF 145.00 FEET AND A CHORD BEARING NORTH 04° 34' 56" EAST AT A DISTANCE OF 26.37 FEET;

THENCE NORTHEASTERLY AND CONTINUING ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 26.41 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 02° 28' 06" WEST FOR A DISTANCE OF 90.73 FEET TO A 5/8" IRON ROD SET IN THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID TEASLEY DRIVE (F.M. 2181) (VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT ALSO BEING IN THE SOUTH LINE OF AFORESAID RIGHT-OF-WAY DEDICATION, SAID POINT ALSO BEING IN THE NORTH LINE OF SAID GOLDFELD TRACT;

THENCE NORTH 89° 23' 34" EAST AND FOLLOWING ALONG THE NORTH LINE OF SAID GOLDFELD TRACT, COMMON TO THE SOUTH RIGHT-OF-WAY LINE OF SAID TEASLEY DRIVE (F.M. 2181) FOR A DISTANCE OF 333.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.3575 ACRES OF LAND, MORE OR LESS;

BASIS OF BEARINGS PER STATE PLANE COORDINATES (4202 TEXAS NORTH CENTRAL ZONE)

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DENTON

NOW THEREFORE, KNOWN ALL MEN BY THESE PRESENTS: THAT WE, SHIRLEY ABERNATHY, RICHARD GOLDFELD, BRIAN GOLDFELD, AND SUSAN GOLDFELD, DO HEREBY ACCEPT THIS PLAT DESIGNATING THE ABOVE HERIN DESCRIBED PROPERTY AS LAKESOUND ADDITION, AN ADDITION TO THE TOWN OF HICKORY CREEK, E.T.J. AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS SHOWN THEREON AND DO HEREBY RESERVE THE EASEMENT STRIPS SHOWN ON THIS PLAT FOR THE MUTUAL USE AND ACCOMMODATION OF GARbage COLLECTION AGENCIES AND ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REPAIRS TO ALL PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENHANCE OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THESE EASEMENT STRIPS AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS AND EGRESS TO AND FROM AND UPON THE SAID EASEMENT STRIP FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, AND PATROLLING, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE, THIS PLAT APPROVED SUBJECT TO ALL PLANNING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE TOWN OF HICKORY CREEK, E.T.J. TEXAS.

SHIRLEY ABERNATHY, RICHARD GOLDFELD, BRIAN GOLDFELD, AND SUSAN GOLDFELD

BY: SHIRLEY ABERNATHY
STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED SHIRLEY ABERNATHY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED ON THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY SEAL AND OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

BY: RICHARD GOLDFELD
STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED RICHARD GOLDFELD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED ON THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY SEAL AND OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

BY: BRIAN GOLDFELD
STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED BRIAN GOLDFELD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED ON THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY SEAL AND OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

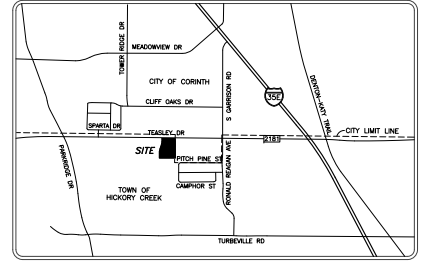
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

BY: SUSAN GOLDFELD
STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED SUSAN GOLDFELD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED ON THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY SEAL AND OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: I, DAVID PETREE, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM AN ACTUAL ON THE GROUND SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH PLATTING RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION OF THE CITY OF FRISCO, COLLIN COUNTY, TEXAS.

DAVID PETREE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1890

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED DAVID PETREE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED ON THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY SEAL AND OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

RECOMMENDED FOR APPROVAL

CHAIRMAN, PLANNING AND ZONING COMMISSION
TOWN OF HICKORY CREEK, TEXAS

DATE

APPROVED FOR PREPARATION OF FINAL PLAT

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 LAKESOUND ADDITION TO THE TOWN OF HICKORY CREEK WAS SUBMITTED TO THE TOWN COUNCIL ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, 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 THEIR NAME AS HEREINAFTER SUBSCRIBED.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

TOWN SECRETARY
TOWN OF HICKORY CREEK, TEXAS.



BLUE SKY SURVEYING & MAPPING CORPORATION
1015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TOPS'S REGISTRATION NO. 10105700

OWNER
SHIRLEY ABERNATHY
6101 LONG PRAIRIE ROAD
SUITE 744 PMB 51
FLOWER MOUND, TEXAS 75028
OFFICE: 940-585-8166
EMAIL: DIVAONE@GMAIL.COM

ENGINEER
BURGER ENGINEERING, LLC
17103 PRESTON ROAD, SUITE 180N
DALLAS, TEXAS 75249
REGISTERED ENGINEERING FIRM F-12997
CONTACT: BRYAN M. BURGER, P.E.
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EMAIL: BBURGER@BURGERENGINEERING.COM

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1015 MIDWAY ROAD
DALLAS, TEXAS 75229
CONTACT: DAVID PETREE
PHONE: 214-358-4500
EMAIL: DRPETREE@BLUESKYSURVEYING.COM

FINAL PLAT
LAKESOUND ADDITION
BLOCK A, LOT 2
BEING 2.3575 ACRES OUT OF THE
H.H. SWISHER SURVEY - ABSTRACT NO. 1220
TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS

NOVEMBER 27, 2023
PAGE 2 OF 2



December 5, 2023  
AVO 37638.200

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

**Re: Chick-Fil-A (Lot 2, Block - Lakesound Addition) – Final Plat  
2<sup>nd</sup> Review**

Dear Ms. Chaudoir:

Halff received a request from the Town of Hickory Creek to review a Final Plat application for Chick-Fil-A Lot 2, Block A Lakesound Addition on December 4, 2023. The surveyor is Blue Sky Surveying & Mapping and the engineer is Burger Engineering, LLC. The owner is Shirley Abernathy.

Halff received comment responses on the 1<sup>st</sup> Review of the Final Plat on December 5, 2023.

**Halff has reviewed the Final Plat and comment responses and has no further comments. Halff recommends approval of the Final Plat contingent on the following: Please note the Preliminary Plat and Preliminary Site & Landscape Plan was reviewed and comments provided by separate letter on 11/22/2023. Please also note the Conceptual Stormwater Management Plan (Plan Sheets C5.1 and C5.2) is under review by separate letter. A Final Stormwater Management Plan has not been submitted for review to date. Acceptance of Final Plat should be contingent upon acceptance of the Preliminary Plat, Site & Landscape Plan, and Preliminary/Final Stormwater Management Plan.**

### **Final Plat**

1. There appears to be a Goldfield Gathering or Energy Transfer Horizontal Gas/Oil Well less than 1,000 feet away from the closest proposed building corner to the south. Please confirm and add note as described by the Subdivision Regulations Ordinances, if needed.  
*2<sup>nd</sup> Review: Addressed. Confirmed note is not necessary.*
2. For the Private 15' Drainage Easement on the northeast corner offsite, I recommend this be filed under the same plat unless it is expected that the limits of this easement may change as storm drain design progresses. Please confirm.  
*2<sup>nd</sup> Review: Addressed. Offsite drainage easement will be by separate instrument and not by plat since area is not being platted.*
3. Please update the County to "Denton" from "Dallas."  
*2<sup>nd</sup> Review: Addressed. Signature Executions will occur in Dallas County. Plat Filing and Recorded will be done in Denton County.*



Sincerely,

**HALFF**

TBPELS Engineering Firm No. 312

A handwritten signature in black ink, appearing to read "Kevin Gronwaldt".

Kevin Gronwaldt, PE  
Consulting Engineer for the Town of Hickory Creek

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

Attachment: Town Checklist markup  
Engineer's Final Plat Letter  
Tax Statement/Certificate

Item 5:

Conduct a Public Hearing on a request from Value Hospitality on behalf of the Nguyen Family Revocable trust for a zoning change from PBD - Professional Building District and C-1 Commercial to PD - Planned Development on the properties legally described as A0284A Cobb, Tract 67(pt), 0.7924 acres, Old DCAD Tract #2, A0284A Cobb, Tract 68, 0.5 acres, E K Presley Block A Lot 1, and E K Presley Block A Lot 2(pt) and discuss, consider and act on a recommendation for the same. The properties are located at the north corner of Oak Drive and the southbound I-35E service road.





## AGENDA INFORMATION SHEET

Project Name: Oak Street Rezoning

Meeting Date: December 12, 2023

Agenda Item:

Conduct a Public Hearing on a request from Value Hospitality on behalf of the Nguyen Family Revocable trust for a zoning change from PBD - Professional Building District and C-1 Commercial to PD - Planned Development on the properties legally described as A0284A Cobb, Tract 67(pt), 0.7924 acres, Old DCAD Tract #2, A0284A Cobb, Tract 68, 0.5 acres, E K Presley Block A Lot 1, and E K Presley Block A Lot 2(pt) and discuss, consider and act on a recommendation for the same. The properties are located at the north corner of Oak Drive and the southbound I-35E service road.

Previous Action/Review:

Date	Request	Meeting	Result
3/25/11	TxDot	Right of Way Deed	Property for I35E expansion
12/12/23	Zoning Change to PD with PB-1 base	PnZ	
12/18/23	Zoning Change	Town Council	

Summary:

The properties along Oak Street are currently zoned Professional Building District, PB-1, and the property to the north is zoned Commercial, C-1 per the December 8, 2022 Zoning Map (Exhibit 3). The Future Land Use Map (Exhibit 4) contained in the Comprehensive Plan Update, adopted in September 2023, designates the area as Commercial Corridor. The Commercial Corridor is described as being located along major arterial roads, intended to provide a horizontal mix of commercial, office, and entertainment uses and amenities with a mix of larger box stores, specialty stores, medical and professional services, entertainment venues, and a mix of upscale and fast casual dining options serving both local and regional needs. Where appropriate, clean industrial employment options may be supported along portions of I35E.

The applicant is proposing a Planned Development District with a Professional Building District, PB-1 base. The stated use is an 80 room, 4 story hotel on approximately 1.6 acres of land with other short term lodging, restaurant and bakery, and a conference center as Allowed Uses. Hotels, lodging and conference centers are not listed as

allowable in either the list of uses or possibilities for Special Use Permits in a Professional Building District. PB-1 Height Regulations in Chapter 14, Article XXI, Section 3 (5), limit the building to 50 feet in height. The PD ordinance says the height is forty-two (50) feet, but the Conceptual Site Plan shows a total building height of 56' 9". Per the Lake Cities Fire Marshall, fire lanes must be 26 feet instead of the 24 feet listed in Parking Standards (b).

Document 2011-27145, Right of Way Deed by the State and Dark Horse Productions Inc, granted E.K. Presley Subdivision, Block A, Lots 4, 5, 6, 7, and portions of lots 2 & 3 and the eastern section of A0284A Cobb Tract 67 to TxDot for I35E expansion, establishing a Access Denial Line along the eastern border. The proposed Concept Plan shows an entrance from the I35 service road within the Access Denial Line. (Attachment 1) The applicant has stated an application will be filed with the State asking for a variance of the Access Denial Line.

A copy of the original Concept Plan was sent to David Rodriguez, Fire Marshall at LCFD. His response to the proposed ingress and egress exclusively onto Oak Street was "It will not work for fire, they would need two points of access based on square footage and height. The entrances must be placed equal to not less than one half the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between access. Plus there are issues with the fire lane." A copy of the second Concept Plan was also supplied to the Fire Marshall. His response was "If they get the second entrance then they need to look at the 2023 IFC Section D105 Aerial Fire Apparatus Access Roads. They will need fire lane behind the hotel and wrap around along with it need to be 26ft wide fire lane. Proximity of building to fire lane."

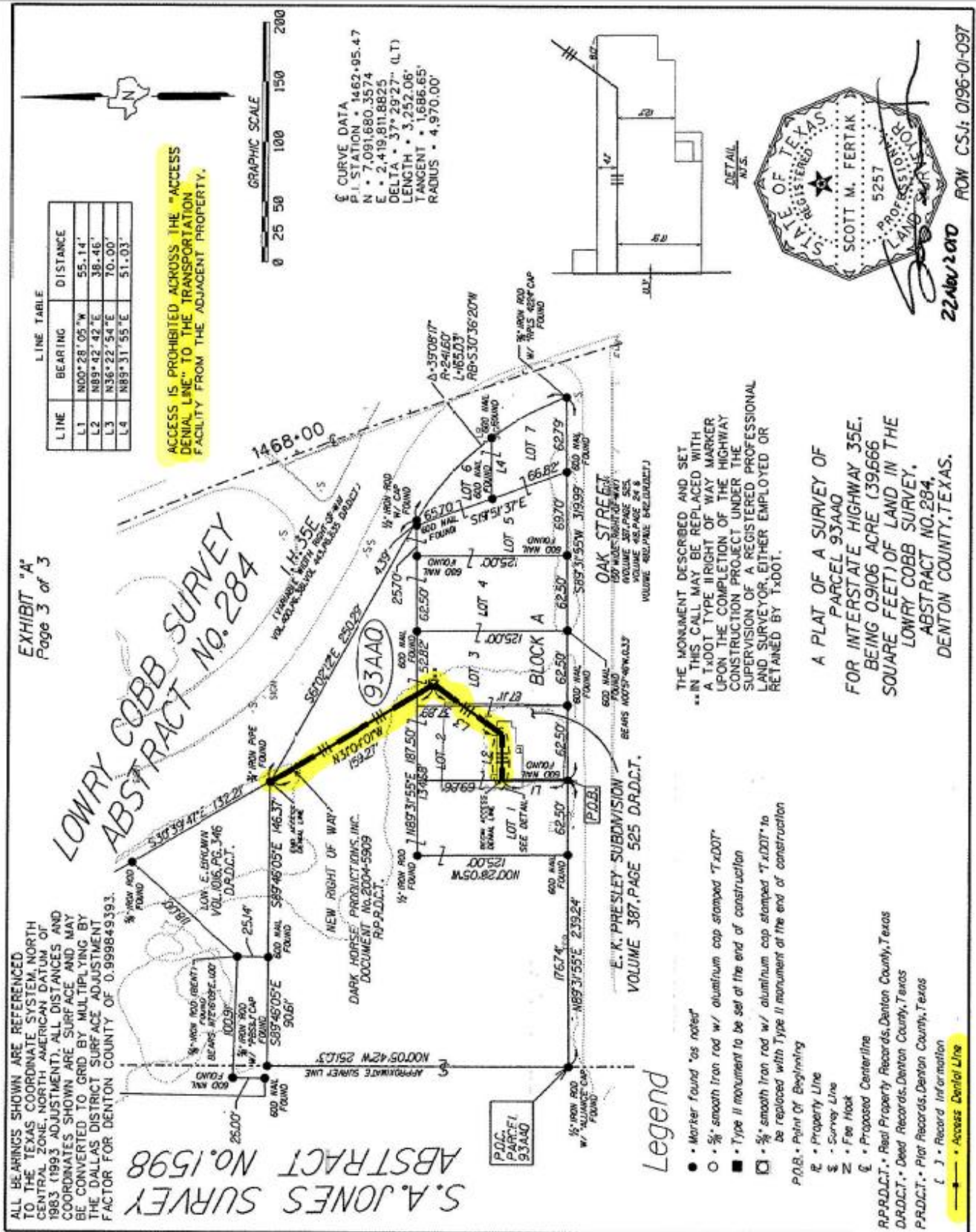
### Staff Recommendation

Staff does not recommend approval as proposed based on the following:

- The 2<sup>nd</sup> entrance on the proposed Concept Plan is located within the Access Denial Line established by the Texas Department of Transportation in Right of Way Deed 2011-27145. (Exhibit 1)
- Lake Cities Fire Department does not approve of the width of the fire lanes on the submitted Concept Plan. They must be a minimum of 26 feet wide. In addition, any 2<sup>nd</sup> entrance would need to meet the requirements of the 2023 International Fire Code, Section D105, Aerial Fire Apparatus Access Roads.
- The 2023 Comprehensive Plan designates the location as Corridor Commercial. Hotel and Conferences Centers are not among the uses proposed. (Exhibit 2)
- Hotels are not an allowable use in a Professional Building District.
- The Allowed Uses listed in Exhibit B of the ordinance do not match those shown on any of the Concept Plans submitted.

- The proposed total building height of 56 feet 9 inches exceeds the maximum height of any zoning classification including the 50 foot maximum of Professional Building District.
- There is a discrepancy in the building height as listed in the proposed Ordinance, Exhibit B, Building Description.
- Professional Building District zoning, Section 3 (6) Parking Regulations (c) states “No parking area or vehicle storage space shall be used for the storage or parking of any truck, truck trailer or van, or house trailer”.
- Chapter 14, Article XXIV (10) Hotel or Motel allows for one parking space for each room, unit or guest accommodation. (21) Theaters, meeting rooms, and places of public assembly states one space is needed for each three seats. No seating information has been provided for seating in the proposed 628 square foot meeting room or the dining restaurant. The proposed 83 parking spaces meet the hotel requirements only.

**Exhibit 1**  
**Extract from Right of Way Deed 2011-27145**



## Exhibit 2

# 2023 Comprehensive Plan Category Description

### CORRIDOR COMMERCIAL

#### Intent

The *Corridor Commercial* Future Land Use Category is located along the Town's major arterial roads and is intended to provide a horizontal mix of commercial, office, and entertainment uses and amenities. A mix of larger box stores, specialty stores, medical and professional services, entertainment venues, and a mix of upscale and fast casual dining options will serve both local and regional needs. Where appropriate, clean industrial employment options may be supported along portions of the I35E.

#### Character & Form

**Building Height:** One to Three Stories

**Density Range:** Not Applicable

**Supporting Topologies:**

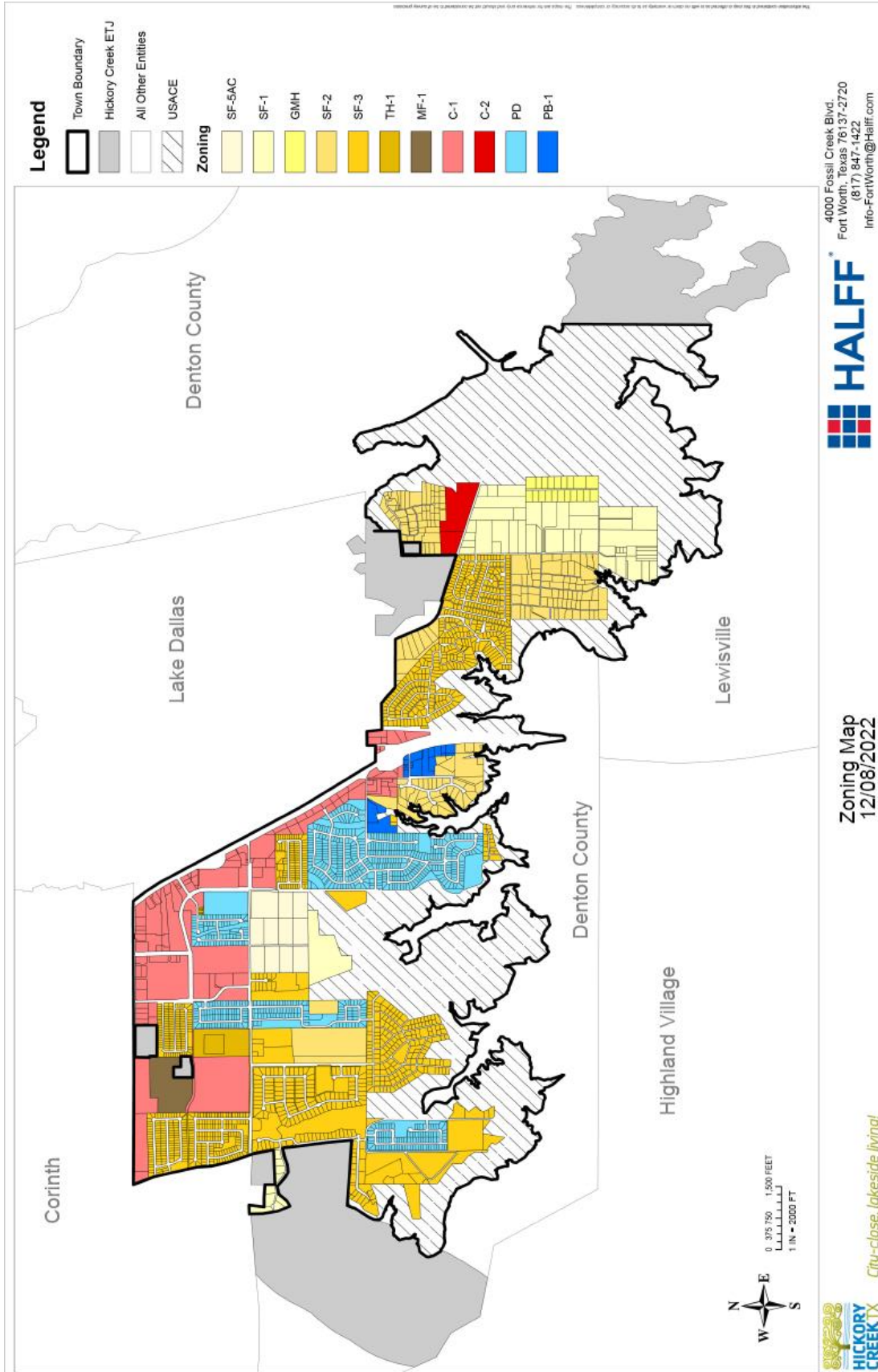
- Retail uses
- Office uses
- Light industrial uses

#### Community Design Considerations

- Extra-large setbacks
- Landscape buffers
- Landscaped and tree-lined pathways
- Native landscaping standards & xeriscapes
- Branding, public art, and wayfinding
- Shaded seating and gathering spaces
- Pedestrian-friendly parking lots
- Electric charging stations
- On-street and shared parking options
- Pocket parks and parklets
- Universal design standards



# Exhibit 3 Zoning Map 2022



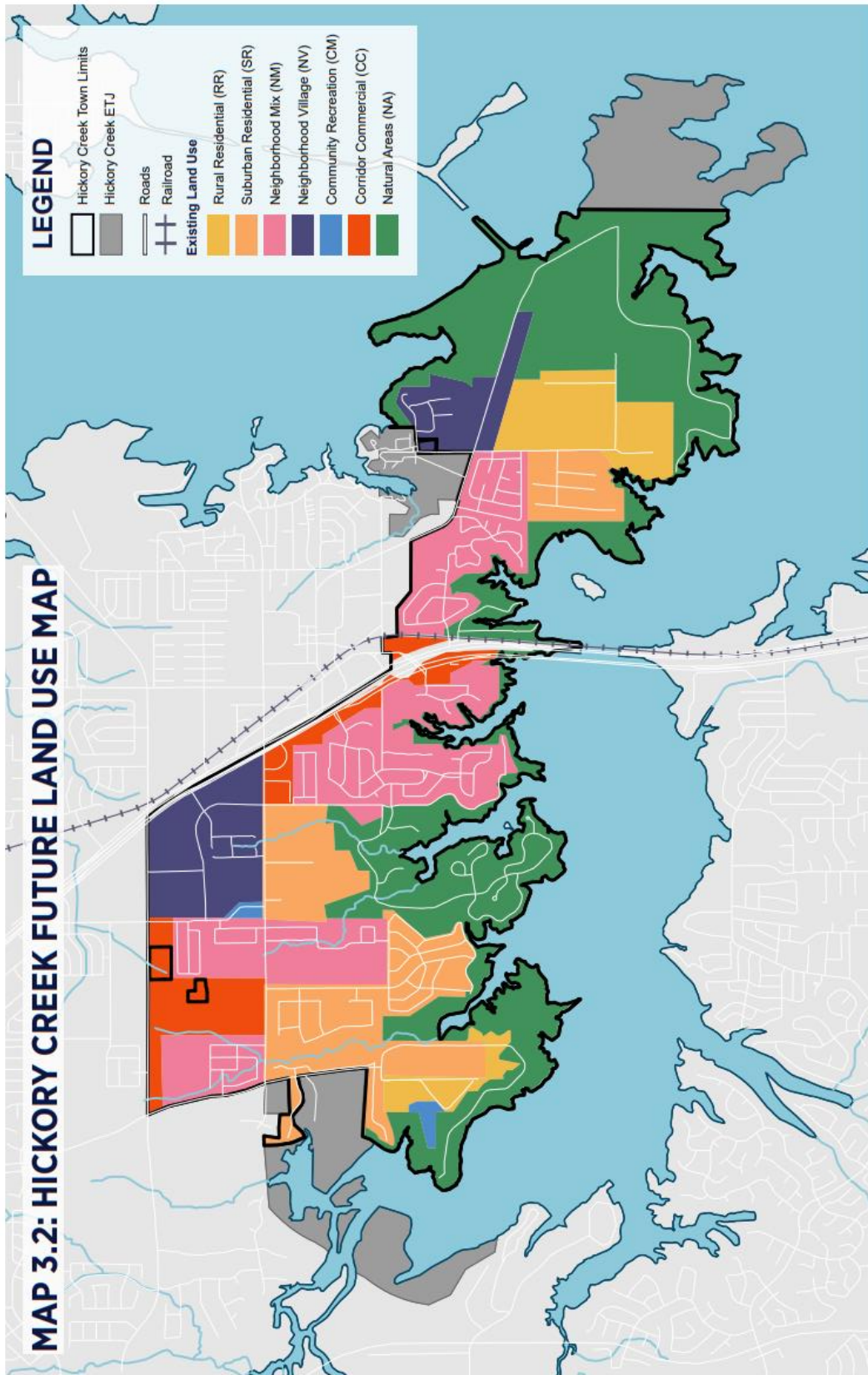
4000 Fossil Creek Blvd.  
Fort Worth, Texas 76137-2720  
(817) 847-1422  
Info-FortWorth@Half.com



Zoning Map  
12/08/2022



# Exhibit 4 Future Land Use Map



**TOWN OF HICKORY CREEK, TEXAS**  
**ORDINANCE NO. 2023-12-\_\_\_\_\_**

**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 1.6 ACRES LOCATED IN THE LOWRY COBB SURVEY, ABSTRACT NO. 0284A 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 1.6 acre tract of land located in the Lowry Cobb Survey, Abstract No. 0284A 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 December 18, 2023.

\_\_\_\_\_  
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**

All of that certain lot, tract or parcel of land situated in the L. Cobb Survey, Abstract #284, Denton County, Texas and being a part of a tract of land described in the deed to Ann Bradshaw Nihell recorded under County Clerk's File Number 95-R005533, also being all of Lots 1 through 6 of Block A of the E.K. Presley Subdivision, an addition to the Town of Hickory Creek, Denton County, Texas, as recorded in Volume 387, Page 525 of the Deed Records of Denton County, Texas, and also being a tract of land described in the Deed to Ann Bradshaw Stokes recorded Volume 599, Page 84 of the Deed Records of Denton County, Texas; the subject tract being more particularly described as follows:

BEGINNING for the Southwest corner of the tract being described herein at a 1/2 inch capped iron rod set in the East line of said Cobb Survey and being in the North line of a road under apparent public use posted as Country Lane;

THENCE North 00 degrees 42 minutes 49 seconds East, a distance of 251.03 feet to a 1/2 inch iron rod found for the Northwest corner of the tract being described herein, same being the Southwest corner of a tract of land described in the Deed recorded in Volume 3393, Page 580 of the Deed Records of Denton County, Texas;

THENCE South 88 degrees 57 minutes 34 seconds East with South line thereof a distance of 236.98 feet to a 3/4 inch pipe found for the Northeast corner of the tract being described herein, same being in the East line of Interstate Highway 35 East Service Road;

THENCE 60 degrees 13 minutes 41 seconds East with the East line of said service road a distance of 250.29 feet to a 1/2 inch capped iron rod set for corner at the beginning of a curve to the right with a radius of 241.60 feet and a chord bearing a distance of South 39 degrees 01 minute 00 seconds East and 161.84 feet;

THENCE along said curve an arc distance of 165.03 feet to a 1/2 inch capped iron rod set for corner in the North line of said Country Lane;

THENCE North 89 degrees 39 minutes 34 seconds West a distance of 559.23 feet to the PLACE OF BEGINNING, enclosing 2.48 acres more or less.

**SAVE AND EXCEPT:**

BEING 0.9106 acre (39,666 square feet) of land situated in the Lowry Cobb Survey, Abstract No. 284, Denton County, Texas and being a portion of that certain tract of land described in deed to Dark Horse Productions, Inc. recorded in Document No. 2004-5909 of the Real Property Records of Denton County, Texas (R.P.R.D.C.T.), said 0.9106 acre of land also being a portion of Lots 2, 3, 6 and 7 and all of Lots 4 and 5, Block A of the E. K. Presley Subdivision recorded in Volume 387, Page 525 of the Deed Records of Denton County, Texas (D.R.D.C.T.), said 0.9106 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with "Alliance" cap found in the east survey line of the S.A. Jones Survey, Abstract No. 1598, the west survey line of said Lowry Cobb Survey, and the north right of way line of Oak Street (50 feet wide per Volume 387, Page 525, Volume 418, Page 24 and Volume 482, Page 642, D.R.D.C.T.) for the southwest corner of said Dark Horse Productions, Inc. tract;

THENCE, North 89°31'55" East, along the north right of way line of Oak Street, a distance of 239.24 feet to a 60d nail found in the proposed southwesterly right of way line of Interstate Highway 35E being the southeast corner of said Lot 1 and the southwest corner of said Lot 2, said point also being the southwest corner and the POINT OF BEGINNING of the herein described parcel;

1) THENCE, North 00°28'05" West, along the proposed southwesterly right of way line of Interstate Highway 35E, a distance of 55.14 feet to a point (falls inside of existing structure) for an angle point, said point also being the beginning of an "Access Denial Line";

2) THENCE, North 89°42'42" East, continuing along the proposed southwesterly right of way line of Interstate Highway 35E and said "Access Denial Line", a distance of 38.46 feet to a point (falls inside of existing structure), for an angle point;

3) THENCE, North 36°22'54" East, continuing along the proposed southwesterly right of way line of Interstate Highway 35E and said "Access Denial Line", a distance of 70.00 feet to a 5/8 inch iron rod with TxDOT aluminum cap set for an angle point;

4) THENCE, North 31°04'01" West, continuing along the proposed southwesterly right of way line of Interstate Highway 35E and said "Access Denial Line", a distance of 159.27 feet to a 3/4 inch iron pipe found in the existing southwesterly right of way line of Interstate Highway 35E, as recorded in Volume 400, Page 381, and Volume 443, Page 635, D.R.D.C.T., for the southeast corner of a certain tract of land described in deed to Lon E. Brown recorded in Volume 1016, Page 346, D.R.D.C.T., the northeast corner of said Dark Horse Productions, Inc. tract, and the northwest corner of the herein described parcel, said point also being the end of said "Access Denial Line";

5) THENCE, South 61°02'12" East, along the existing southwesterly right of way line of Interstate Highway 35E, a distance of 250.29 feet to a 1/2 inch iron rod with cap found for the beginning of a non-tangent curve to the right whose center bears South 30°36'20" West;

6) THENCE, in a southeasterly direction, continuing along the existing southwesterly right of way line of Interstate Highway 35E, with said non-tangent curve to the right, having a radius of 241.60 feet, a central angle of 39°08'17", and an arc length of 165.03 feet to a 5/8 inch iron rod with "RPLS 4224" cap found in the north right of way line of said Oak Street and the south line of said Block A for the southeast corner of said Dark Horse Productions, Inc. tract and the southeast corner of the herein described parcel;

7) THENCE, South 89°31'55" West, along the north right of way line of Oak Street and the south line of said Block A, a distance of 319.99 feet to the POINT OF BEGINNING and containing 0.9106 acre (39,666 square feet) of land.

**Exhibit B**  
**Planned Development Standards**

The following PD Standards shall apply to the real property described in the legal description attached to this ordinance as Exhibit A (the "Property"). The Base Zoning for the Property is PB-1 PROFESSIONAL BUILDING DISTRICT, as that term is defined in Chapter 21 of the Code of Ordinances of the Town of Hickory Creek, Texas (the "Zoning Ordinance"). In the event any provision of these PB-1 Standards conflict with a provision of the Zoning Ordinance, the PB-1 Standards shall apply. All provisions of the Zoning Ordinance not specifically altered by the PB-1 Standards shall apply to the Property.

**Allowed Uses:**

In place of, and not in addition to, those uses allowed under the Base Zoning, the following uses shall be permitted:

- a. Hotel and other short-term lodging
- b. Restaurant and Bakery
- c. Conference Center

**Project Description**

The site will consist of 9,733 square foot 4-story hotel with 80 guestrooms (Spark by Hilton), with meeting room that consist of 628 square foot and dining restaurant on approximately 1.567 acre site.

**Building Description**

- a. Four Story slab-on-grade, Steel framed building with roofing membrane.  
Construction : TYPE V-A
- b. The hotel building shall not exceed four (4) stories in height with a maximum structure height of forty-two (50) feet as measured from the foundation of the structure.

### Site Plan

a. EXHIBIT C is attached to depict the general location and size building layout. Until final construction document and development site plans of the Property are completed, flexibility to change the design shall be allowed assuming the other terms herein are met.

### Parking Standards

- a. Minimum of 83 parking spaces including 4 ADA & TAS compliant.
- b. All streets on the Property will be private driveways and 24 feet wide fire lanes. Private driveways and fire lanes shall be maintained by the Property Owner.

### Landscape Standards

- a. All open areas to be landscaped, with all plants and shrubs as depicted on the attached EXHIBIT D.

### Drainage Standards

- a. An underground water detention is to be installed to most desirable location as depicted on the attached EXHIBIT C and D

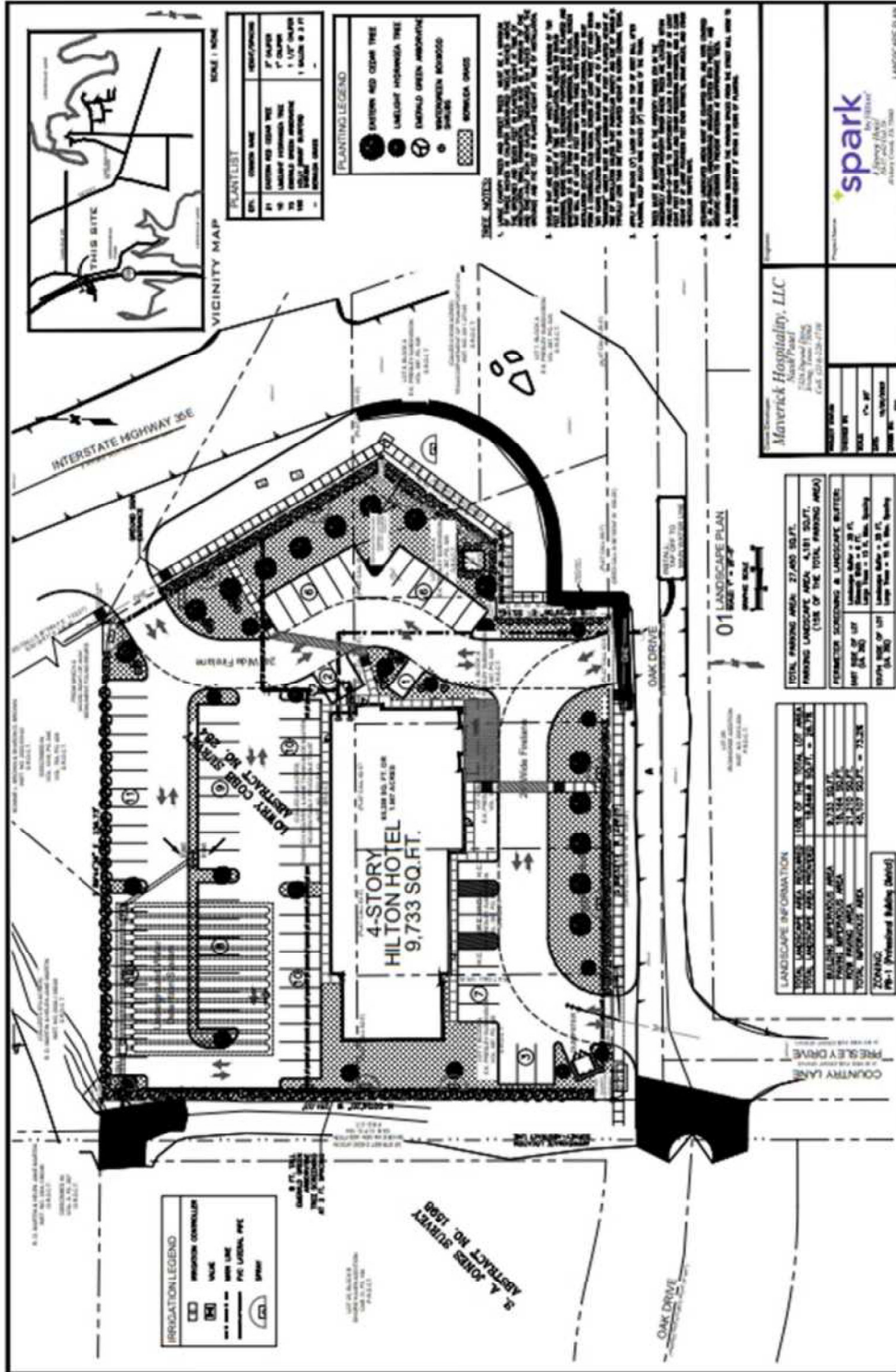
### Trash

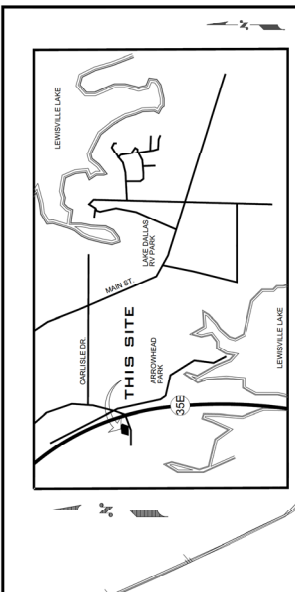
Minimum of one enclosed trash receptacle screened with 8 foot privacy fence and grease collector.





# Exhibit D Landscape Plan





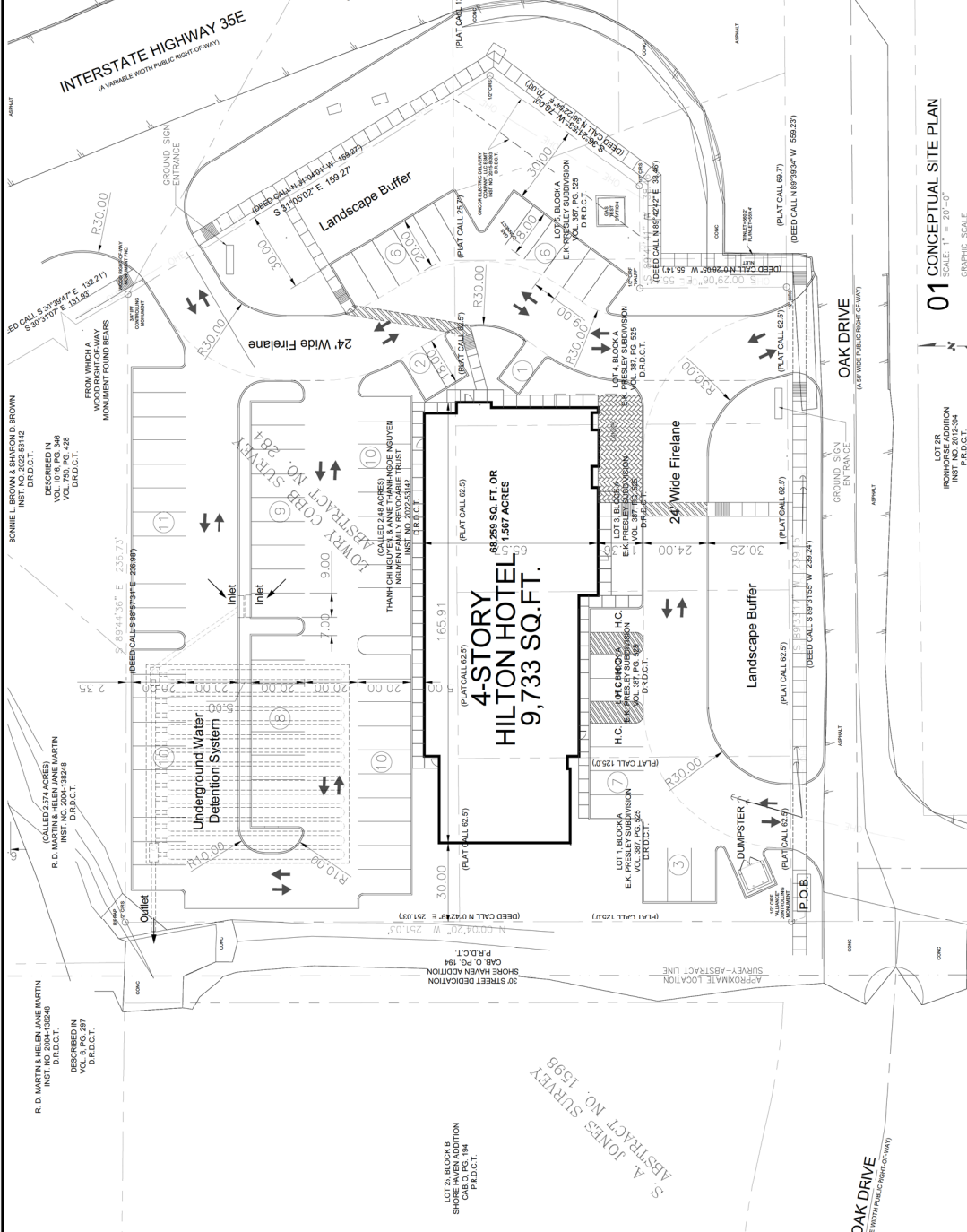
VICINITY MAP  
SCALE: NONE

**PARKING INFORMATION**

SIZES	PERCENTAGE	TOTAL
3' x 18' PARKING (Compact)	10%	9
3' x 20' PARKING (Standard)	85%	70
3' x 20' PARKING (Handicap Car)	5%	4
TOTAL	100%	83

**LEGEND**

35	SHOWING SHOWN MANHOLE
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**Owner/Developer:**  
Maverick Hospitality, LLC  
Nash Patel  
7326 Durant Drive  
Irving, Texas 75063  
Cell: 214-923-2477

**Engineer:**  
spark by hilltop  
4 Spring Hill  
Highway 281, Suite 100  
Highway Creek, TX 75063

**Project Name:**

**Project Status:**

**Checked By:**

**Scale:** 1" = 20'

**Date:** 10/07/2023

**Drawn By:** EDC

**01 CONCEPTUAL SITE PLAN**

GRAPHIC SCALE: 1" = 20'-0"

PROJECT INFORMATION: PD Case number 23-1023DEV

ZONING:	C-1 and PB-1 (Professional Building District)	PROPOSED:	4-STORY HOTEL BUILDING	TOTAL:	
BUILDING AREA:	9,733 SQ.FT.		80 ROOMS		
PARKING:	FURNISHED		83 SPACES		83 SPACES
H.C. PARKING:	FURNISHED		4 SPACES (4 VAN)		4 SPACES (4 VAN)
LAND AREA:	67,953.6 OR 1.56 ACRES				
BUILDING COVERAGE:	14.32%				
BUILDING HEIGHT (RIDGE):	49'-8"				
TOTAL BUILDING HEIGHT (W./NON-HABITABLE TOWER):	56'-9"				

**PROJECT INFORMATION:**

**ZONING:** C-1 and PB-1 (Professional Building District)

**BUILDING AREA:** 9,733 SQ.FT.

**PARKING:** FURNISHED

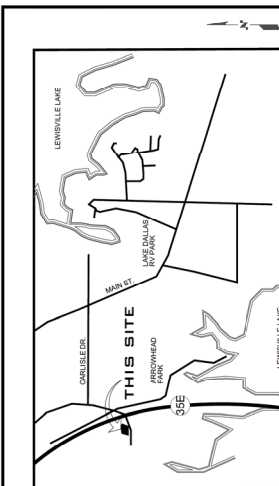
**H.C. PARKING:** FURNISHED

**LAND AREA:** 67,953.6 OR 1.56 ACRES

**BUILDING COVERAGE:** 14.32%

**BUILDING HEIGHT (RIDGE):** 49'-8"

**TOTAL BUILDING HEIGHT (W./NON-HABITABLE TOWER):** 56'-9"



VICINITY MAP

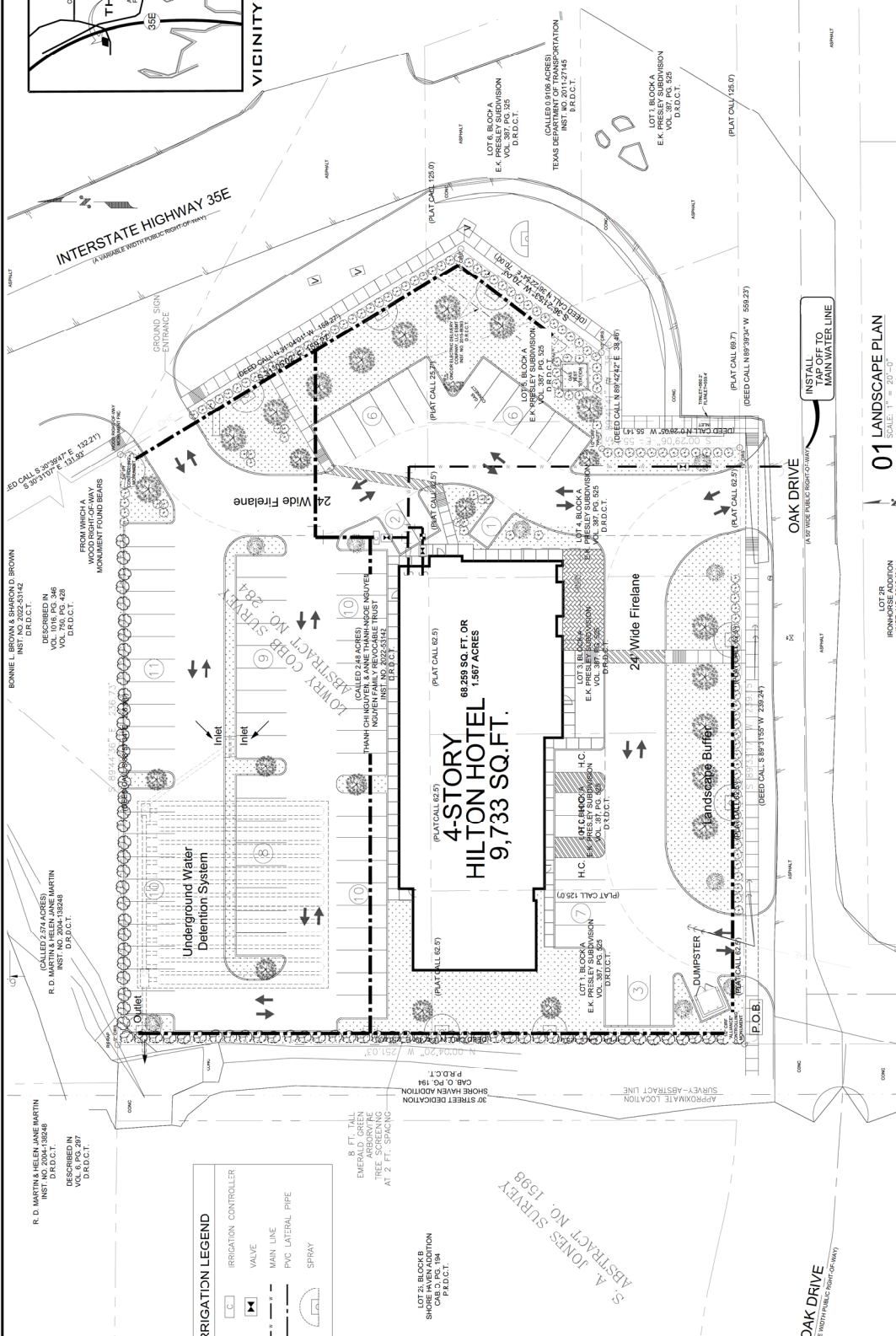
SCALE: NONE

PLANT LIST		
QTY.	COMMON NAME	HEIGHT/SPACING
21	EASTERN RED CEDAR TREE	1" GAUPEL
10	LIMELIGHT HYDRANGEA TREE	1" GAUPEL
70	EMERALD GREEN ARBORVITAE	1 7/2" GAUPEL
150	SHRUBS: SHADY BOUQUET	1 GALLON @ 3 FT
-	BERNUDA GRASS	-

PLANTING LEGEND	
	EASTERN RED CEDAR TREE
	LIMELIGHT HYDRANGEA TREE
	EMERALD GREEN ARBORVITAE
	WINTERGREEN BOXWOOD
	SHRUBS
	BERNUDA GRASS

**TREE NOTES:**

1. STREET CURBSIDE TREES AND STREET TREES MUST BE A MINIMUM OF THREE INCHES IN CALIPER (MEASURED TWELVE INCHES ABOVE THE GROUND) AND SEVEN FEET IN PLANTED HEIGHT AT TIME OF INSTALLATION. CALIPER IS MEASURED AT THE POINT OF GROWTH AND ONE-HALF INCH IN CALIPER (MEASURED SIX INCHES ABOVE THE GROUND) AND FIVE FEET IN PLANTED HEIGHT AT TIME OF INSTALLATION.
2. SHRUBS THAT ARE NOT OF A "WINTER" VARIETY MUST BE A MINIMUM OF TWO INCHES IN CALIPER (MEASURED TWELVE INCHES ABOVE THE GROUND) AND SEVEN FEET IN PLANTED HEIGHT AT TIME OF INSTALLATION. CALIPER IS MEASURED AT THE POINT OF GROWTH AND ONE-HALF INCH IN CALIPER (MEASURED SIX INCHES ABOVE THE GROUND) AND FIVE FEET IN PLANTED HEIGHT AT TIME OF INSTALLATION. WINTERGREEN BOXWOOD, WINTERGREEN BOXWOOD SHRUBS, AND WINTERGREEN BOXWOOD MUST BE PLANTED AND MAINTAINED SO AS TO FORM A CONTINUOUS, UNBROKEN SOLID VISUAL SCREEN (EXCEPT FOR PARKING LOT HEADLIGHT SCREENS, WHICH MUST BE PLANTED AND MAINTAINED TO FORM A CONTINUOUS, UNBROKEN SOLID VISUAL SCREEN). SOLID VISUAL SCREENS MUST BE AT LEAST THREE FEET HIGH WITH A MINIMUM OF ONE INCH IN CALIPER (MEASURED TWELVE INCHES ABOVE THE GROUND) AND SEVEN FEET IN PLANTED HEIGHT AT TIME OF INSTALLATION UNLESS THAT PARTICULAR VARIETY AND SIZE OF SHRUB IS THICKER THAN ONE FOOT IN PLANTED HEIGHT IN NORTH TEXAS, TEXAS.
3. PLANTING: TREE TRUNKS MUST BE PLANTED WITH A MINIMUM OF ONE INCH AFTER PLANTING. TREE TRUNKS MUST BE PLANTED WITH A MINIMUM OF ONE INCH AFTER PLANTING.
4. IMMEDIATELY ADJACENT PROPERTY OWNERS WHOSE TREES ARE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY TO SUFFICIENTLY ALLOW A CLEAR HEIGHT OF AT LEAST SEVEN FEET TO BE MAINTAINED. THE CLEAR HEIGHT SHALL BE MEASURED FROM THE HEIGHT OF AT LEAST FOURTEEN FEET OVER STREETLIGHTS, POWER LINES, AND OTHER VEHICULAR TRAFFIC WAIS.
5. REQUIRED LANDSCAPED AREAS MUST BE EQUIPPED WITH, AND TOBE COVERED WITH, PERMANENTLY MAINTAINABLE AND DRAINAGE APPROPRIATE MULCHES AND MULCHES: MULCHES TO PROVIDE AESTHETIC APPEARANCE AND TO PREVENT EROSION.
6. ALL SHRUBS SCREENING THE PARKING SPACES FROM THE STREET WILL GROW TO A MINIMUM HEIGHT OF 3' WITHIN 2 YEARS OF PLANTING.



01 LANDSCAPE PLAN

SCALE: 1" = 20'-0"

GRAPHIC SCALE

**LANDSCAPE INFORMATION**

TOTAL LANDSCAPE AREA REQUIRED	10% OF THE TOTAL LOT AREA	27,450 SQ.FT.
TOTAL LANDSCAPE AREA PROVIDED	18,846.0 SQ.FT.	= 26.7%
BUILDING IMPERVIOUS AREA	9,733.0 SQ.FT.	
PAVING IMPERVIOUS AREA	13,164.0 SQ.FT.	
TOTAL IMPERVIOUS AREA	22,897.0 SQ.FT.	
LANDSCAPE BUFFER = 30 FT.		
Large Trees = 15 ft. Max. Spacing		
Small Trees = 15 ft. Max. Spacing		
Large Trees = 15 ft. Max. Spacing		

**ZONING:**

PB-1 (Professional Building District)

**Owner/Developer:**  
Maverick Hospitality, LLC

**Engineer:**  
Nash Patel  
7326 Durant Drive  
Irving, Texas 75063  
Cell: 972-249-2347/110

**Project Name:**

PROJECT STATUS:	
CHECKED BY:	
SCALE:	1" = 20'
DATE:	10/07/2023
DRAWN BY:	ESG

**Owner/Developer:**  
Maverick Hospitality, LLC

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Nash Patel  
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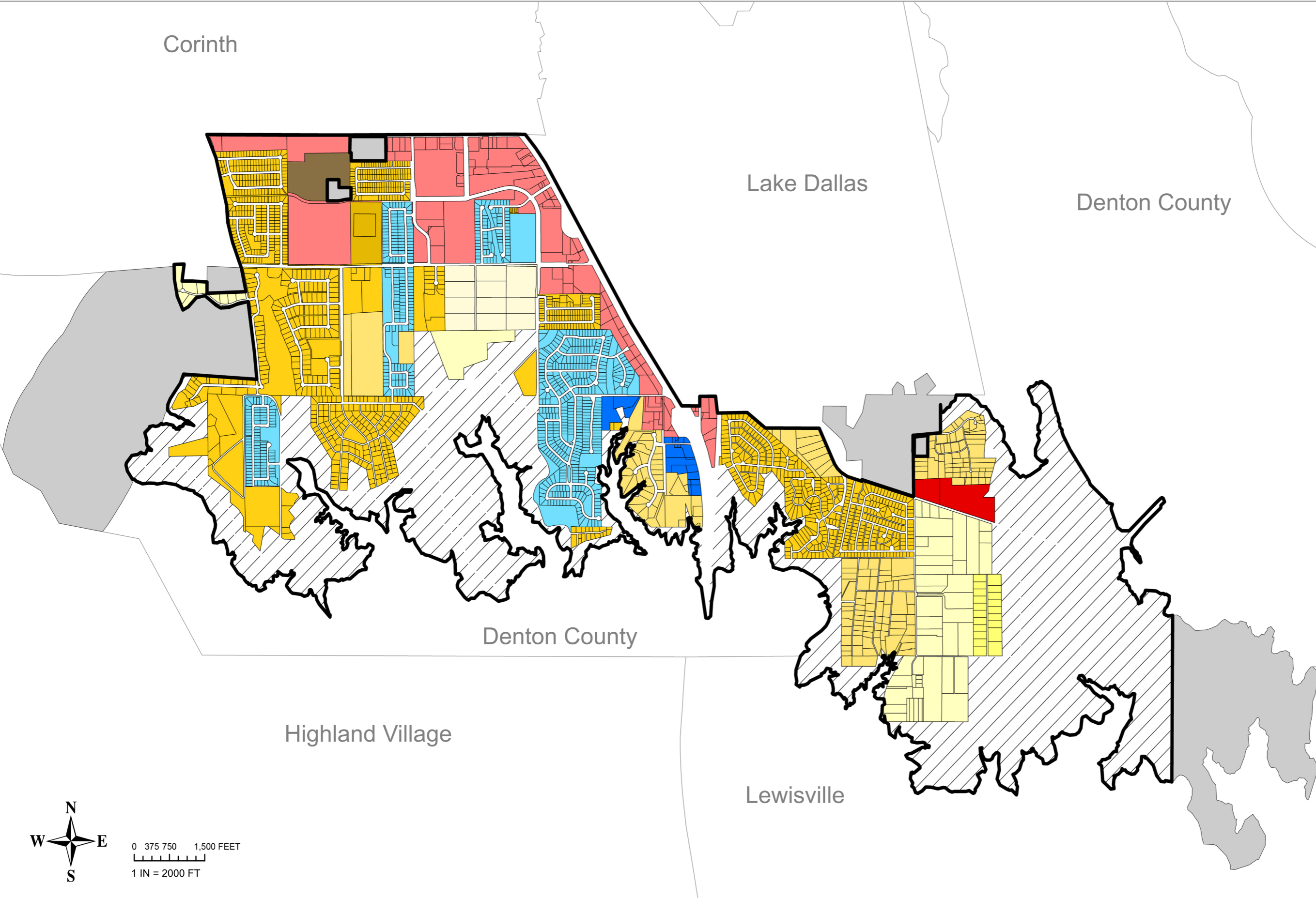
**Project Name:**

PROJECT STATUS:	
CHECKED BY:	
SCALE:	1" = 20'
DATE:	10/07/2023
DRAWN BY:	ESG

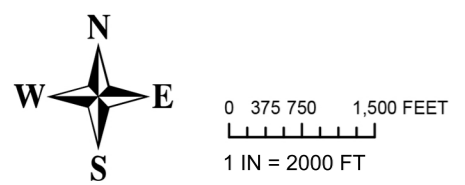
**Project Name:**

PROJECT STATUS:	
CHECKED BY:	
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DATE:	10/07/2023
DRAWN BY:	ESG

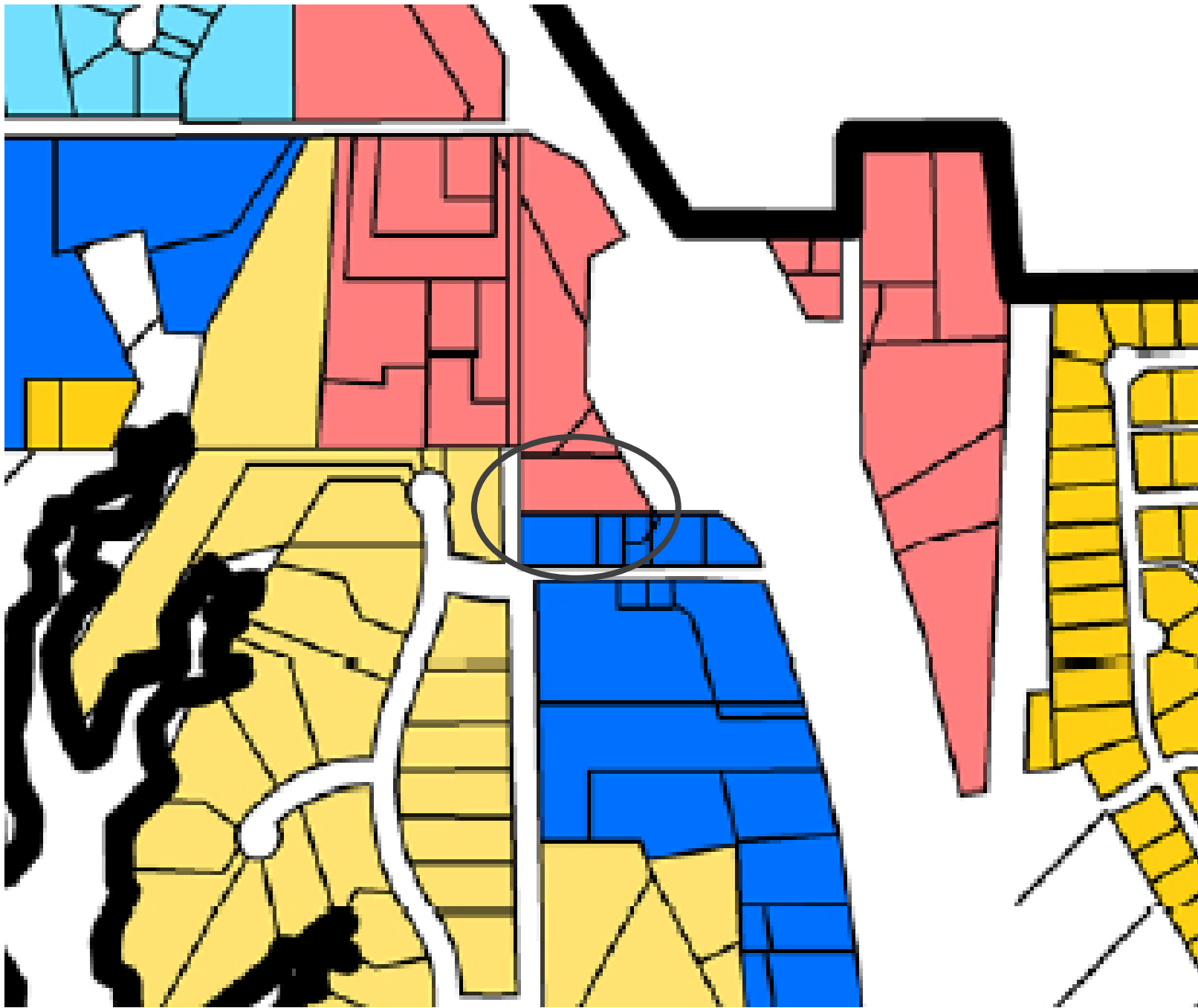
LANDSCAPE PLAN







- ### Legend
- Town Boundary
  - Hickory Creek ETJ
  - All Other Entities
  - USACE
- ### Zoning
- SF-5AC
  - SF-1
  - GMH
  - SF-2
  - SF-3
  - TH-1
  - MF-1
  - C-1
  - C-2
  - PD
  - PB-1














The information contained in this map is offered as is with no claim or warranty as to its accuracy or completeness. The maps are for reference only and should not be considered to be of survey precision.



## Legend

-  Town Boundary
-  Hickory Creek ETJ
-  All Other Entities
-  USACE

## Zoning

-  SF-5AC
-  SF-1
-  GMH
-  SF-2
-  SF-3
-  TH-1
-  MF-1
-  C-1
-  C-2
-  PD
-  PB-1

## CURRENT ZONING CLASSIFICATIONS

## ARTICLE XIII. - C-1 COMMERCIAL DISTRICT

*Footnotes:*

--- (3) ---

**Editor's note**— *Article XIII previously named Commercial District was renamed by Ordinance 2008-04-615 adopted 4/15/08.*

**Editor's note**— *Former section 6 of this article pertaining to outside storage and display of goods, wares and merchandise and deriving from Ordinance 86-10-114, was repealed and deleted in its entirety by Ordinance 2012-02-678, § 3.01, by the town on 2-12-12. These provisions can now be found in article XXII, section 6.*

### SECTION 1:

Regulations set forth in this section [article] are the district regulations in the C-1 Commercial District.

### SECTION 2:

*Uses.* In C-1 Commercial District, no building or land shall be used and no building shall be hereafter erected[,] reconstructed, enlarged or converted, unless otherwise provided in this ordinance, except for one or more of the following uses:

- (1) Antique Shop.
- (2) Art Gallery.
- (3) Bakery, retail sale only.
- (4) Banks, financial institutions.
- (5) Barber and beauty shops.
- (6) Bird and pet shops, retail.
- (7) Book and stationary [stationery] stores.
- (8) Bowling alley, if air conditioned and sound-proofed.
- (9) Camera shop.
- (10) Candy, cigars and tobaccos, retail sales only.
- (11) Caterer and wedding service.
- (12) Cleaning and pressing shops, having an area of not more than 6,000 square feet.
- (13) Curtain cleaning shop, having an area of not more than 6,000 square feet.
- (14) Department store, novelty or variety store, retail sales only.
- (15) Drug store, retail sales only.
- (16) Electrical goods, retail sales only.
- (17) Florist, retail sales only.
- (18)



Furniture repairs and upholstery, retail sales only.

- (19) Gasoline filling stations.
- (20) Grocery stores, retail sales only.
- (21) Hardware, sporting goods, toys, paints, wallpaper, clothing stores, retail sales only.
- (22) Household and office furniture, furnishings and appliance stores, retail sales only.
- (23) Jewelry, optical goods, photographic supply stores, retail sales only.
- (24) Job printing shop.
- (25) Laundry, automatic, equipped with machines of the type customarily found in the home, where custom laundering and finishing may be done. The shop shall not exceed 6,000 square feet in area and no pick-up and delivery shall be operated.
- (26) Letter and mimeograph shop.
- (27) Meat market, retail sales only.
- (28) Movie picture theater.
- (29) Nursery, retail sales of plants and trees.
- (30) Business or professional offices.
- (31) Photographer's or artist studio.
- (32) Piano and musical instruments, retail sales only.
- (33) Public parking garage.
- (34) Plumbing shop, retail sales only, without warehouse facilities (to include storage for ordinary repairs, but not materials for contracting work).
- (35) Restaurant or cafeteria.
- (36) Seamstress, dressmaker or tailor.
- (37) Shoe repair shop, retail sales only.
- (38) Dance, music, drama studio.
- (39) Telegraph and telephone offices.
- (40) Wearing apparel, including clothing, shoes, hats and accessories.
- (41) Tailor Shop.
- (42) Agricultural uses on undeveloped areas of land in excess of five acres within a tract or lot provided that:
  - (a) Adequate fencing or barriers are provided to prevent livestock or fowl from running at large or damaging adjacent shrubbery or other property.
  - (b) Barns, animal housing or shelters shall be located no closer than 100 feet from any existing dwelling or commercial improvement on the same or any adjacent property.

- (c) No swine may be sheltered or raised except as provided in Article 2.1103 [Section 2.08.003].
- (d) All animals must be maintained so as not to cause a public health hazard, noxious odors or unreasonable noise.
- (e) Not more than two large animals may be kept on each one acre of land. Animals weighing less than 300 lbs, including but not limited to miniature horses, sheep and goats, shall be maintained at a maximum ratio of no more than three animals per acre of land.
- (f) Unless otherwise specified, uses shall comply with all provisions of Chapter 2, Animal Control.

(43) Special Use Permit, as provided in this ordinance.

(Ord. No. 86-10-114; Ord. No. 2008-04-615, § 3.06, 4-15-2008)

### SECTION 3:

#### *Building Regulations.*

- (1) All buildings shall have exterior masonry construction of brick, pre-cast concrete, stone, stucco (must be at least one inch thick installed over metal lathe), or waterproof masonry painted concrete blocks.
- (2) 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.

(Ord. No. 00-05-476, 5-16-2000; Ord. No. 2020-12-866, § 3.01, 12-28-2020; Ord. No. 2021-03-871, § 3.01, 3-29-2021)

### SECTION 4:

#### *Area regulations.*

- (1) *Front Yard.*
  - (a) There shall be a front yard having a minimum depth of not less than 40 feet.
- (2) *Side Yard.* No side yard shall be required for a retail use except:
  - (a) On a corner lot, a minimum side yard of ten feet shall be required on the side street.
  - (b) On the side of a lot in a C-1 Commercial District adjoining any Residential District or Apartment District, there shall be a side yard with a minimum width of 15 feet.
- (3) *Rear Yard.* There shall be a rear yard on the rear of the lot of not less than 20 feet.
- (4) *Height Regulations.* No structure shall exceed two and one-half standard stories in height, but in no case more than 30 feet; provided the Town Council, after receiving a recommendation from the Planning and Zoning Commission may grant a special permit in excess of the above, subject to appropriate safeguards and conditions.

(5) *Parking Regulations.*

(a) Off-street driveways and parking areas shall be curbed, paved and maintained to the Town of Hickory Creek, Texas specifications.

(6) *General.* If the building adjoins a second street, it must conform to the building line of both streets.

SECTION 5:

*Mechanical Equipment.* Mechanical equipment shall be constructed, located and screened so as not to interfere with the peace, comfort and repose of the occupants of any adjoining building or residence.

## ARTICLE XXI. - PB-1 PROFESSIONAL BUILDING DISTRICT

### SECTION 1:

Regulations set forth in this section [article] are the district regulations in the PB-1 Professional Building District.

### SECTION 2:

*Uses.* In the PB-1 Professional Building District, no building or land shall be used and no building shall be hereafter erected, reconstructed, enlarged or converted, unless otherwise provided in this ordinance, except for one or more of the following uses:

- (1) Professional and administrative offices where services are provided only, and no chattels or goods are offered for sale on the premises, including but not limited to doctors, dentists, attorneys, architects, engineers, insurance, real estate, bank and similar offices.
- (2) Radio or television studios, but not including transmittal stations or broadcasting towers.
- (3) No structure designed or intended for residential use, within this district, shall be used for an office activity, nor shall a combination of residential and commercial office use be permitted in any such structure.
- (4) Special permit use, as provided in this ordinance, where such uses are integrated within and clearly incidental to a primary use structure. Such related uses shall not exceed 30 percent of the building area. Such related uses which may be permitted are as follows:
  - (a) Barber and/or beauty shop.
  - (b) Drafting and/or reproduction service.
  - (c) Medical and/or dental laboratory.
  - (d) Prescription pharmacy.
  - (e) Restaurant and/or coffee shop, excluding drive-in service.
  - (f) Secretarial and/or telephone answering service.
  - (g) Tobacco, candy, newspaper and magazine counter.
  - (h) Specialty shop.
- (5) Agricultural uses as described in C-1 Zoning by Special Use Permit only.

(Ord. 86-10-114; Ord. 2008-04-615, § 3.09, 4/15/08)

### SECTION 3:

*Area regulations.*

(1) *Front Yard.*

- (a) There shall be a front yard having a minimum depth of not less than 30 feet. There shall be no parking in the front yard.
- (b) On corner lots or where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.

(2) *Side Yard.* There shall be a side yard on one side of the lot and on any side abutting residences equal to ten percent of the width of the lot. Provided, however, that in no case shall a side yard be less than ten feet in width, and further provided that the side yard on a corner lot adjacent to a street shall not be less than 30 feet.

(3) *Rear Yard.* There shall be a minimum rear yard of 20 feet.

(4) *Coverage.* The minimum floor area of the office building shall not be in the aggregate less than 3,500 square feet, and shall be constructed of masonry construction.

(5) *Height Regulations.* The maximum height for the main buildings shall be four standard stories but shall not exceed 50 feet in height; provided that any building or portion of a building may be erected above said limit if set back from all street lines and required yard lines one foot for each two feet of its height above such limit. In no event, however, shall any building exceed one standard story when located within 50 feet of any property zoned for residential purposes.

(6) *Parking Regulations.*

- (a) Adequate off-street parking space shall be provided to meet the requirements of the customers; clients and guests of each business structure.
- (b) Off-street driveways and parking areas shall be curbed, paved and maintained to Town of Hickory Creek, Texas specifications so as to eliminate dust or mud, and shall be so graded and drained as to dispose of all surface water.
- (c) No parking area or vehicle storage space shall be used for the storage or parking of any truck, truck trailer or van, or house trailer.

SECTION 4:

*Mechanical Equipment.* Mechanical equipment shall be constructed, located and screened so as not to interfere with the peace, comfort and repose of the occupants of any adjoining building or residence.

SECTION 5:

*Special Requirements.*

- (1) All utilities shall be underground. This includes in addition to those normally installed underground, the electric distribution facilities, telephone cables, and individual house services.
- (2) PB-1—Professional Building Districts may be developed as a Planned Development.

(3) Refuse and waste storage areas shall conform to standards as required by this ordinance herein.

(4) All buildings shall be 100 percent exterior masonry construction.

SECTION 6:

*Outside Storage and Display of Goods, Wares or Merchandise.*

(1) The outside display and storage of goods, wares and merchandise is prohibited.

PROPOSED ZONING CLASSIFICATIONS  
Planned Development with  
Professional Building District Base

## ARTICLE XVII. - PD PLANNED DEVELOPMENT DISTRICT

### SECTION 1:

Regulations set forth in this section [article] are the district regulations in the PD—Planned Development District.

### SECTION 2:

The purpose of this district is to encourage better development in the Town by allowing more flexibility in the planning and development of projects. Any combination of residential, commercial, light industrial, public or recreational uses may be permitted.

### SECTION 3:

An application for a Planned Development District may be made to the Planning and Zoning Commission in the same manner that an application for any amendment to the Zoning Ordinance is made, provided that the same shall be accompanied by a comprehensive site plan, which shall include a scale drawing showing any proposed public or private streets and alleys; building sites or building lots; any areas proposed for dedication or reserved as parks, playgrounds, easements and points of ingress from existing public streets. The site plan shall delineate the specific areas to be devoted to the various uses requested. The site plan shall also specify the acreage to be devoted to each proposed use, the density per acre, the floor area ratio, the area regulations proposed, the off-street parking to be furnished, any screening walls, open space or common areas, and any other features as may be required by the Building Official or the Planning and Zoning Commission.

### SECTION 4:

In approving the site plan and the ordinance establishing the Planned Development District, the Town Council shall, after recommendations by the Planning and Zoning Commission, specify such standards and the conditions as may be appropriate for the development. Every Planned Development District approved under the provisions of this article shall be considered an amendment to the Zoning Ordinance and Map as applicable to the property involved. The approved site plan shall become an exhibit to the amendatory ordinance and shall control the uses and the areas in which such uses are permitted. In lieu of a comprehensive site plan, the Planning and Zoning Commission may recommend approval of a Planned Development District based upon a preliminary site plan designating the areas of proposed use for the



entire tract. The approval of the Planned Development District preliminary site plan does not imply approval of all elements of the plan. It shall be unlawful to issue a building permit on the basis of a preliminary site plan.

SECTION 5:

All buildings shall be constructed according to the requirements listed under other specific district categories.

SECTION 6:

The developer of a Planned Development District shall, at his expense, furnish a complete written ordinance in such acceptable form to be approved by the Town Council.