



**NOTICE OF
REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS 75065
TUESDAY, APRIL 20, 2021, 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. March 16, 2021 Meeting Minutes

Regular Agenda

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

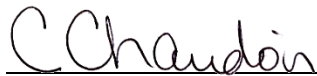
3. Discuss, consider and act on a recommendation for a final plat of Lake Dallas RV Park Phase II, Lot 1, Block 1; being 1.013 acres of land out of the L. Cobb Survey, Abstract No. 284, Town of Hickory Creek ETJ, Denton County, Texas . The property is located at 661 S Main Street.

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 April 16, 2021 at 10:45 a.m..

A handwritten signature in dark ink, appearing to read "C Chaudoir", is written over a horizontal line.

Chris Chaudoir

Town of Hickory Creek

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
TUESDAY, MARCH 16, 2021**

MINUTES

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

Call to Order

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

Roll Call

PRESENT

Commissioner Dustin Jensen
Chairman Rodney Barton
Commissioner Jaycee Holston, joined at 6:28
Vice Chairman Bryant Hawkes
Commissioner Don Rowell
Commissioner Tim May
Commissioner David Gilmore

ALSO PRESENT

Trey Sargent, Town Attorney, left at 6:54
Paul Kenney, Council Liaison, joined at 6:40
John Smith, Town Administrator
Kristi Rogers, Town Secretary
Chris Chaudoir, Administrative Assistant, left 6:55, returned 7:15

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

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

Invocation

Invocation given by Commissioner Gilmore.

Public Comment

No Public Comment

Consent Agenda

1. January 19, 2021 Meeting Minutes
2. February 25, 2021 Meeting Minutes

Motion to accept the minutes as presented made by Commissioner May, Seconded by Vice Chairman Hawkes.

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

Regular Agenda

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

Randy Wahl, 1688 Turbeville Road, stated he is trying to add 2 lots, but the town's engineer thinks they need to be fronting on a public roadway. His previous plat was set up to the ordinance when it allowed lots to front onto a private drive with the possibility of platting one more time. He only adds lots when there is a buyer for the property, which he now has. Lot 6C is sold to another owner on Noble Oak Court and someone else is interested in building in the future on 6D. He was not aware until he first brought the plat in that the ordinance had changed. He spoke to his attorney, the town's attorney, the Halff engineers, David Burkett at Halff and everyone he talked to thinks he is "grandfathered". He believes he is "grandfathered" and David at Halff told him, if he worked with the town administratively, they could make it happen since his driveway had already been established as an access easement. The town attorney told his attorney the town could approve anything they wanted, and he would like some consideration from the board. He is not trying to do high density like the other applicant doing 93 homes on 33 acres with small lots that will probably get approved. He is trying to do 2 lots on 5 acres and save the trees and animals. The easements are private. The guy behind him has a 10-foot easement for all utilities but Halff says private easements must be 15 feet and only serve one utility if possible. Noble Oak Court's whole easement is only 10 feet wide and has Oncor, Atmos, and Charter without problem. Another comment was that Lot 6D did not have an 80-foot width. He disagrees because he changed that lot so that it has 25-foot building line the whole 114 feet and 38 feet. Halff assumes the house will face one way but it will face the other and is not a large house. It is only 25 feet wide at the front and will run down the north side of the property and be L shaped along the creek.

Commissioner Jensen asked if there would be fire hydrants or fire suppression back there. Mr. Wahl responded that Halff said he was over 500 feet from a fire hydrant, but David Rodriguez with Lake Cities Fire said that was because he had a forty-foot building line when only 6 was required. He moved the building line up to 10 feet to make it within 500 feet of a fire hydrant. If they put in a home back there they will need to put in a proper driveway, which David Rodriguez says does not have to be paved as his drive is not paved. Fire trucks have had no problems accessing his property.

Jack Sprague, 104 Ellard Drive, stated he is a long time resident and wants to bring up 2 points. First, he is not fond of the dense pack the city is going for. When they bought their 5 acres, they thought they would be in the middle of a community of large lots, but he does think the city is developing quite nicely. Mr Wahl has been managing his property along guidelines he appreciates. He has not had problems with the neighbors. He believes the city was aware of the possibility of additional lots at the end of the Court being developed when they originally authorized the plat, and they make sense. He is not sure of Mr Wahl's goal other than to satisfy 2 more customers and keep his house for himself for a while longer, but he does support what he is trying to do and would like the city to find a way to make it work rather put roadblocks in the way.

Lee Williams, Halff & Associates, clarified that the Engineering Design Manual does call for 15-foot easements, but he did note that smaller private easements were allowable if the utilities had no problem with them. SF-3 Zoning does require an 80-foot width at the building line. He did assume, based on the way the access comes down and without a site plan, that the house would face east. Without a dedicated road it is difficult to determine the front of the property and, the way he was looking at it, it had a 65-foot width. For the road frontage, Halff is reviewing the plat to ensure conformity with the ordinance, and the ordinance was pretty black and white, in his view, that a street frontage is required with the exception of a requested Planned Development District approved by the PnZ and Council.

Chairman Barton asked if the Fire Department had commented on the plat. Ms. Chaudoir responded the letter from Fire Marshall Rodriguez was in the packet and summarized the concerns included. Mr. Sargent stated, to his recollection, much of the reasoning for the 30-foot frontage requirement adoption was to allow public safety equipment access to properties.

Commissioner May asked if lot 6C, at 0.34 acres, was the smallest lot in the subdivision. Ms. Chaudoir supplied the areas of the original 12 lots and lot 6C is consistent. Commissioner May expressed his view that, to move forward, the plat would need to be presented as a variance since there are so many noncompliant ordinances associated.

Mr. Wahl stated the lots are bigger than any others currently being developed. The ordinance was changed, and the city can change the ordinance again to make him "grandfathered". He was approved for an entry way and is now not being allowed to use it. He also spoke to Ms. Chaudoir for months about a variance, but it was decided a variance could not be filed with the Board of Adjustments. Mr. Sargent stated, if seeking a variance from the zoning or subdivision ordinance, some sort of variance request needs to be filed. When filing a plat, the Planning and Zoning Commission reviews it for compliance with the ordinances to make their recommendation.

Chairman Barton stated he has had a longstanding problem with properties with "pothandle" driveways or when there are nonstandard street fronting houses. There are currently 4 houses opening into Mr. Wahl's driveway and he wishes to add 2 more. The 2 new houses in the back will not front on the road and have standard access. Currently the paved road is barely wide enough for a car, definitely not a standard 24-foot drive and larger lot size does not make it easier.

Phyllis Hilliard, 108 Noble Oak Court, said there is no issue going in or out of Randy's drive and she does not see an issue with adding 2 more homes. He has a huge driveway with a huge entrance. She does not want a lot of traffic on the cul-de-sac because of her grandchildren but Mr. Wahl knows what he is doing.

Mr. Wahl stated some of the restaurants have easements that work. If a restaurant has a driveway easement why should he not be allowed to use his established easement? Three of the homes off his driveway have access to Noble Oak but, as a courtesy and to allow parking on Noble Oak, he allowed them to have approaches off his driveway. They were not required to use his drive, but it was a courtesy.

Commissioner Rowell asked if the road easement would be paved or use the existing gravel. Mr. Wahl said it would be paved concrete to 6C; up to 15 feet wide, 7 inches thick, 5000 PSI, better than Turbeville Road. Lot 6D could be required to be paved but David Rodriguez with the Fire Department says it is not required. There is a 36-foot wide path to 6D.

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

Voting Yea: Commissioner Hawkes, Commissioner Gilmore

Voting Nay: Commissioner Jensen, Chairman Barton, Commissioner Holston, Commissioner Rowell, Commissioner May. Motion denied.

Motion to recommend denial of the plat as presented made by Commissioner May, Seconded by Commissioner Holston.

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

Voting Nay: Vice Chairman Hawkes, Commissioner Gilmore. Motion carries.

4. Discuss, consider and act on a recommendation for a final plat of Lennon Creek Addition, being a 28.456 acre tract located in the M.E.P. & P.R.R. Company Survey, Abstract No. 915 and H.H. Swisher Survey, Abstract No. 1220, Town of Hickory Creek, Denton County, Texas. The Property is located in the 3700 block of Parkridge Drive.

Kristin Worthington, land development manager for TriPointe Homes, said they have been working with Halff and LCMUA and are ready to go forward with their plat.

Commissioner May stated most emergency response entities do not like street names with pronouns and asked that the street names be reconsidered for their sake and asked if the town had an ordinance covering the naming of streets. Ms. Chaudoir confirmed that the town does not have a street naming protocol.

Commissioner Hawkes asked if Lot 1X would be a park or playground. Ms. Worthington said it was an HOA lot assisting in drainage and would have park features. She also said they would reconsider the La Verna street name.

Motion to recommend approval as submitted made by Commissioner Gilmore, Seconded by Vice Chairman Hawkes.

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

5. Discuss, consider and act on a recommendation for a final plat for Sycamore Cove Addition, being 32.43 acres in the John Maloney Survey, Abstract No. 819, Town of Hickory Creek, Denton County, Texas. The property is located in the 1200 block of Sycamore Bend Road south of Maynard Road.

Ms. Chaudoir stated that the developers will be changing the name of Prickly Pear Lane to Kyle's Landing Drive. Rob Myers, Kimley-Horne, said the updated plat would be submitted prior to Council.

Commissioner Gilmore stated his opinion that there seemed to be a number of smaller lots on the plat at 55 feet wide but they were deeper than the 60 foot lots on the Lennon Creek plat. Mr. Myers said the 97 lots on site do conform to the preliminary plat previously approved. Chairman Barton confirmed the PD zoning.

Motion to recommend plat approval as presented made by Commissioner May, Seconded by Vice Chairman Hawkes

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

Voting Abstaining: Commissioner Holston. Motion carries.

6. Conduct a public hearing regarding a request from Studio 2547 on behalf of Shirley Mae Goldfield, Richard Goldfield, Brian Goldfield and Susan Goldfield to designate the zoning as PD Planned Development on a 24.31 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220 in the Denton County, Texas, and being part of a called 36.253 acre tract of land described as "Tract 1" and part of a called 3.2515 acre tract of land described as "Tract 2" in Executor's Deed to Richard Goldfield, Brian Goldfield and Susan Goldfield, recorded in Instrument Number 2019-36351 of the Official Public Records of Denton County, Texas and consider and act on a recommendation for the same. The property is located in the 3400 block of FM 2181.

Public Hearing opened at 7:01 p.m.

Matthew Peterson, Studio 2547, gave a presentation of the project. It will encompass 3 and 4 story buildings including 500 units, 958 parking spaces with garages and carports, an amenity center with pool, exercise room, mail room and work areas or residents, a dog park, open space, and a portion of the hike and bike trails. Units will include efficiency 1 bedrooms up to 3 bedrooms. It will be 100% gated with high security. The targeted tenant population is millennials and expected to include no more than 30 children.

Public Hearing closed 7:07 p.m.

Commissioner Jensen asked about building heights and shielding from the neighboring properties. Mr. Peterson stated the wooded area on the west side was remaining. On the east side they had more than the required buffer area and would adding landscaping and shielding. The parking lot and carports also provide buffer, and the building is approximately 100 feet from the property line. On the south the buildings have been reconfigured to lessen frontage to the Olana.

Commissioner Holston asked how the public accessed the public dog park. Mr. Smith explained that access was from the hike and bike trail with parking at the Parkridge end. The apartment complex itself is accessed from FM 2181. The developers have worked with the town to provide buffering from the neighbors and to keep as many trees as possible. The acreage at the north end is slated for commercial development.

Commissioner Rowell asked if the town was aware of possible uses on the commercial property. Mr. Smith responded the property owners had it for sale. In response to a question from Chairman Barton, he explained the property to the northeast is in ETJ and included an insurance office, veterinary and doctors' offices. The gates for the apartment property would be at the entrance to the complex not on Swisher. Mr. Peterson said there would also be pedestrian gates and the car gates on the eastern side would be behind the circle in front of the amenity center. Mr. Smith stated the developers had been working with the town to meet

our goals including the building of the dog park which the town will take over after installation.

Commissioner May confirmed the property had been annexed. He also asked about the perimeter fence and its construction in compliance with the ordinance. Mr. Peterson stated the northern fence would definitely be masonry adjacent to the commercial area, but the southern border backs to the trail so they will probably want something more transparent for aesthetics and safety. It will be gated and treed. Mr. Smith reported the Olana had just completed a masonry wall on the opposite side of the trail. Commissioner May asked how the buildings will work with the topography. Mr. Peterson went through the various buildings stating their stories and placement.

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

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

7. Discuss, consider and act on a recommendation for a preliminary plat of Hickory Creek Multi-family, Lot 1 and Lot 2, Block 1: being 24.344 acres in the H.H. Swisher Survey, Abstract No. 1220, Town of Hickory Creek, Denton County, Texas. The property is located in the 3400 block of FM 2181.

Motion made to recommend approval as presented by Vice Chairman Hawkes, Seconded by Commissioner Holston.

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

8. Conduct a public hearing regarding an ordinance of the Town of Hickory Creek, Texas amending the Town's Code of Ordinances, Chapter 14: Zoning, Article XIII: C-1 Commercial District; Section 3 (2), Building Regulations to alter the opacity requirement within the district and consider and act on a recommendation for the same.

Public Hearing called to order at 7:32. Public Hearing closed at 7:33 with no speakers.

Ms. Chaudoir explained the changes to the ordinance.

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

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

Adjournment

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

Meeting adjourned at 7:34 p.m.

Approved:

Attest:

Rodney Barton, Chairman
Planning and Zoning Commission

Chris Chaudoir, Administrative Assistant
Town of Hickory Creek

TOWN OF HICKORY CREEK, TEXAS
ORDINANCE NO. 2021-04-_____

AN ORDINANCE OF THE TOWN COUNCIL OF HICKORY CREEK, TEXAS, AMENDING AS HERETOFORE AMENDED, ITS COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE TOWN BY AMENDING AN EXISTING PLANNED DEVELOPMENT ORDINANCE NO. 2019-06-819 ON CERTAIN TRACTS OF LAND LEGALLY DESCRIBED AS A1120A H.H. SWISHER TR 50, 5.0 ACRES AND TR 50A (1) (PT) OF LAND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND INCORPORATED HEREIN; AS PD (PLANNED DEVELOPMENT); PROVIDING THAT SUCH TRACTS OF LAND SHALL BE USED IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE TOWN; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE PLANNED DEVELOPMENT ZONING DISTRICT DESIGNATION FOR THE SUBJECT PROPERTY; PROVIDING A PRELIMINARY SITE PLAN; PROVIDING DEVELOPMENT STANDARDS; PROVIDING A CUMULATIVE 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 TOWN 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 Town of Hickory Creek is a Type A General Law Municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Title 7, Chapter 211.003 of the Texas Local Government Code empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

WHEREAS, the owner/representative of an approximately 39 gross acres of land described on Exhibit "A" attached hereto and incorporated herein (the "Property"), has requested a zoning modification of its current zoning of PD (Planned Development) District; and

WHEREAS, such application further requested an amendment to the official Zoning District Map of the Town in accordance with the zoning ordinance of the Town; and

WHEREAS, after public notices were given, legal notices and other requirements were satisfied, and a public hearing was conducted, all in accordance with State law and the Comprehensive Zoning Ordinance of the Town, and after considering the information submitted at that public hearing and all other relevant information and materials, the Planning and Zoning Commission of the Town has forwarded to the Town Council its favorable recommendation regarding the adoption of the amendment to the Comprehensive Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, after public notices were given, legal notices and other requirements were satisfied, and a public hearing was conducted, all in accordance with State law and the Comprehensive Zoning Ordinance of this Town, and after considering the information submitted at that public hearing and all other relevant information and materials, including the character of the Property and its suitability for particular uses and development, with a view of encouraging the most appropriate use of the Property, the Town Council made a finding 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 of the Town.

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

SECTION 1 **INCORPORATION OF PREMISES**

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

SECTION 2 **FINDINGS**

After due deliberations 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 interest 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, as it exists on the date of the adoption of this Ordinance (the "Comprehensive Zoning Ordinance") is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, definitions, phrases, and words are not amended but are hereby ratified and affirmed:

- A. The zoning of the Property hereby designates PD (Planned Development) District 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.
- B. The development standards for this Planned Development are attached hereto as Exhibit "B" and are incorporated herein as if copied in their entirety. Such development standards shall be adhered to in carrying out the development of the Property in accordance with this Ordinance and shall individually and collectively constitute

conditions precedent to the granting of any Certificate of Occupancy and building permit for all structures within this Planned Development.

- C. A conceptual site plan for the Property is attached hereto as Exhibit "C" and incorporated herein as if copied in its entirety.

SECTION 4 **APPLICABLE REGULATIONS**

Except as otherwise provided in this Ordinance, the Property 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 comprehensive site plans, landscape plans, and tree preservation. 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 **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 6 **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 7 **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 8 **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 9
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 10
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 11
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 of this Ordinance in the minutes of the Town Council and by filing this Ordinance in the ordinance records of the Town.

SECTION 12
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 26th day of April, 2021.

Lynn C. Clark, Mayor
Town of Hickory Creek, Texas

ATTEST:

Kristi K. Rogers, Town Secretary
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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

Exhibit A
Legal Description

BEING 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 A 39.2300 ACRE PROPERTY DESCRIBED IN DEED TO T CHATEAU EVENT CENTER, LLC AS RECORDED INSTRUMENT NO. 2012-44732 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS AND BEING MORE DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 5/8" IRON ROD SET FOR CORNER IN THE EAST LINE SAID 39.2300 ACRE TRACT, COMMON WITH THE WEST LINE OF A 19.2345 ACRE TRACT, DESCRIBED IN DEED TO 1745 TURBEVILLE RENTAL PROPERTY, LLC, AS DESCRIBED IN DEED RECORDED UNDER COUNTY CLERKS FILE NO. 2015-48856 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS AND LOCATED IN THE NORTH RIGHT-OF-WAY LINE OF TURBEVILLE ROAD, FOR THE NORTHEAST CORNER OF A 0.3671 ACRE TRACT OF LAND DESCRIBED IN RIGHT-OF-WAY WARRANTY DEED TO THE TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS, AS RECORDED IN INSTRUMENT NO. 2013-88998 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF A RIGHT-OF-WAY PARCEL DESCRIBED IN DEED TO TOWN OF HICKORY CREEK, TEXAS AND RECORDED IN INSTRUMENT NO. 2013- 19372 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS;

THENCE FOLLOWING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID TURBEVILLE ROAD AS DESCRIBED IN SAID RIGHT-OF-WAY WARRANTY DEED TO TOWN OF HICKORY CREEK, TEXAS AS RECORDED IN INSTRUMENT NO. 2013-88998 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS, THE FOLLOWING COURSES AND DISTANCES NUMBERED (1) THROUGH (5);

1. SOUTH 89° 41' 16" WEST FOR A DISTANCE OF 250.02 FEET TO A 5/8" IRON ROD SET FOR CORNER;
2. SOUTH 01° 45' 46" EAST FOR A DISTANCE OF 9.91 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER;
3. SOUTH 89° 40' 06" WEST FOR A DISTANCE OF 406.04 FEET TO A 5/8" IRON ROD SET FOR CORNER;
4. NORTH 89° 43' 11" WEST FOR A DISTANCE OF 226.42 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER;
5. NORTH 89° 07' 34" WEST FOR A DISTANCE OF 456.60 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" FOUND FOR CORNER, SAID CORNER BEING THE NORTHWEST CONER OF AFORESAID 0.3671 ACRE TRACT OF LAND DESCRIBED IN RIGHT-OF-WAY WARRANTY DEED TO TOWN OF HICKORY CREEK, TEXAS AND RECORDED IN INSTRUMENT NO. 2013-88998 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS AND BEING IN THE WEST LINE OF THE AFORESAID 39.2300 ACRE TRACT;

THENCE NORTH 00° 02' 13" EAST AND DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID TURBEVILLE ROAD AS DESCRIBED IN SAID RIGHT-OF-WAY WARRANTY DEED TO TOWN OF HICKORY CREEK, TEXAS AND RECORDED IN INSTRUMENT NO. 2013-88998 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS AND FOLLOWING ALONG WEST LINE OF AFORESAID 39.2300 ACRE T. CHATEAU EVENT CENTER, LLC TRACT COMMON WITH THE EAST LINE OF STEEPLECHASE NORTH ADDITION - PHASE 1, AN ADDITION TO THE TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN DOCUMENT NO. 2013-91 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS, FOR A DISTANCE OF 1403.03 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE SOUTH LINE OF 3.2515 ACRE TRACT OF LAND DESCRIBED IN DEED TO ALAN HARVEY GOLDFIELD AS RECORDED IN DOCUMENT NO. 2013-57560 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 36° 41' 33" WITH A RADIUS OF 400.00 FEET AND A CHORD BEARING SOUTH 71° 50' 27" EAST AT A DISTANCE OF 251.81 FEET;

THENCE FOLLOWING ALONG THE NORTH LINE OF AFORESAID 39.2300 ACRE T. CHATEAU EVENT CENTER, LLC TRACT AND THE SOUTH LINE OF SAID 3.2515 ACRE ALAN HARVEY GOLDFIELD TRACT, THE FOLLOWING COURSES AND DISTANCES NUMBERED (6) THROUGH (11);

SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 256.16 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 460.00 FEET THROUGH A CENTRAL ANGLE OF 36° 41' 11" AND A CHORD BEARING SOUTH 71° 50' 16" EAST AT A CHORD DISTANCE OF 289.53 FEET;

SOUTHEASTERLY AND FOLLOWING ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 294.54 FEET TO A 5/8" IRON ROD SET FOR CORNER;

NORTH 89° 49' 08" EAST FOR A DISTANCE OF 524.98 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 460.00 FEET THROUGH A CENTRAL ANGLE OF 16° 52' 25" AND CHORD DIRECTION OF NORTH 81° 22' 55" EAST AT A CHORD LENGTH OF 134.98 FEET;

SOUTHEASTERLY AND FOLLOWING ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 135.47 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET THROUGH A CENTRAL ANGLE OF 16° 52' 25" AND CHORD BEARING NORTH 81° 22' 55" EAST AT A CHORD LENGTH OF 117.37 FEET;

NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 117.80 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER ;

NORTH 89° 47' 02" EAST FOR A DISTANCE OF 29.66 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE NORTHEAST CORNER OF AFORESAID 39.2300 ACRE T. CHATEAU EVENT CENTER, LLC TRACT AND THE NORTHWEST CORNER OF THE

AFOREMENTIONED 19.2345 ACRE TRACT OF LAND DESCRIBED IN DEED TO 1745 TURBEVILLE RENTAL PROPERTY, LLC AS RECORDED IN DOCUMENT NUMBER 2015-48856 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS;

THENCE SOUTH 00° 52' 15" EAST AND DEPARTING THE SOUTH LINE OF AFORESAID 3.2515 ACRE ALAN HARVEY GOLDFIELD TRACT AND ALONG THE EAST LINE OF AFORESAID 39.2300 ACRE T. CHATEAU EVENT CENTER, LLC TRACT AND THE WEST LINE OF SAID 19.2345 ACRE 1745 TURBEVILLE RENTAL PROPERTY, LLC TRACT FOR A DISTANCE OF 1262.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 38.8755 ACRES OF LAND, MORE OR LESS.

TRACT 2

BEING 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 A TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO CTMGT MONTALCINO, LLC, AS RECORDED IN DOCUMENT NO. 2011-121574 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8" IRON ROD SET FOR THE NORTHWEST CORNER OF A RIGHT-OF-WAY DEDICATED FOR TURBEVILLE ROAD (A VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN DOCUMENT NO. 2013-19372 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS, SAID POINT BEING IN THE COMMON WEST LINE OF SAID CTMGT MONTALCINO TRACT AND THE EAST LINE OF A TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO T CHATEAU EVENT CENTER, LLC, AS RECORDED IN DOCUMENT NO. 2012-44732 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS;

THENCE NORTH 00° 52' 15" WEST AND FOLLOWING ALONG SAID COMMON LINE FOR A DISTANCE OF 820.00 FEET TO A POINT FOR CORNER, SAID CORNER BEING THE POINT OF BEGINNING;

THENCE NORTH 00° 52' 15" EAST AND CONTINUING WITH SAID COMMON LINE FOR A DISTANCE OF 10.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 89° 07' 45" EAST AND DEPARTING THE SAID COMMON LINE, OVER AND ACROSS SAID CTMGT MONTALCINO TRACT FOR A DISTANCE OF 1000 FEET TO A POINT FOR CORNER;

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 C-1 Commercial District, as that term is defined in Chapter 14 of the Code of Ordinances of the Town of Hickory Creek, Texas (the “Zoning Ordinance”). In the event any provision of these PD Standards conflict with a provision of the Zoning Ordinance, the PD Standards shall apply. All provisions of the Zoning Ordinance not specifically altered by the PD Standards shall apply to the Property.

1. Allowed Uses:

- a. In place of, and not in addition to, those uses allowed under the Base Zoning, the following uses shall be permitted:
 - i. Wedding and Event Venue, including but not limited to, religious and worship activities, educational facilities, weddings, and corporate offices and retreats.
 - ii. Hotel and other short-term lodging
 - iii. Spa/Sauna
 - iv. Restaurant and Bakery
 - v. Residential
 - vi. Wedding Boutique and Floral Retail
 - vii. Office and conference center
- b. Additional Area Regulations:
 - i. Side Yard: Any lot that shares a boundary with the eastern or western boundary of the Property must provide a side yard of not less than thirty (30) feet along said boundary line.
 - ii. Landscape Buffer: Any lot that shares a boundary with a district zoned for residential use must provide a landscape buffer of not less than five (5) feet.
 - iii. Screening: The western boundary line of the Property must have a masonry fence with a height of eight (8) feet along said boundary line.
 - iv. West Facing Window Restriction: Any building construction within 45 feet of the western Property line shall not have any west-facing window installed that exceeds six square feet and must be installed so that the bottom edge of the window is sixty (60) inches from the floor.

2. Area Regulations shall be modified to allow for the following:

- a. Height Regulations Applied to All Structures Except Main Hotel Building and existing mansion structure:

- i. No structure within shall exceed two (2) stories in height from the foundation, with maximum structure height of thirty-four (34) feet above grade as measured from the foundation of the structure.
 - ii. The main hotel building and adjoining hotel rooms (No. 4, 5, 6, 7 and 8 on site plan) shall not exceed forty-two (42) feet in height as measured from the foundation of the structure.
3. Exhibit C. (Conceptual Land Plan) 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.
4. Bakery Barn
 - a. A metal building with metal framing and a concrete foundation may be constructed on the eastern most third of the property.
 - b. The building shall not exceed 15,000 square feet.
 - c. The front facing portion of the building exterior shall have a masonry façade.
 - d. The building shall not exceed the existing 34' height restriction.
 - e. The interior finish out shall otherwise meet current building and fire code requirements for its applicable use a bakery barn and floral warehouse.
5. Free-Standing Boutique
 - a. A commercial structure may be constructed on the eastern most third of the property.
 - b. The building shall not exceed 8,000 square feet.
 - c. The building exterior shall be at least 50% masonry to include a requirement that the front facing portion of the building be at least 90% masonry.
 - d. The building shall not exceed the existing 34' height restriction.
 - e. The interior finish out shall otherwise meet current building and fire code requirements for its applicable use a retail boutique.
6. Streets
 - a. There are no public roads or public streets on the Property.
 - b. All streets on the Property will be private driveways and fire lanes. Private driveways and fire lanes shall be maintained by the Property Owner.
 - c. The fire lane(s) for any new structure shall be 26' wide.
 - d. The driveway from Turbeville Road to the Bakery Barn and Boutique will be constructed of concrete.
7. Parking
 - a. Parking lot(s) shall be concrete.

- b. The parking regulations for the Property shall be as follows: and as additional uses are constructed, the parking shall comply with the parking requirements triggered by each use.
- c. One hundred fifteen (115) spaces for the existing Venue and offices.
- d. A minimum of an additional 100 parking spaces will be constructed for lodging and amenity uses, including but not limited to, restaurants, pools, parks, and spa.

8. Limitation on Hotel Rooms

- a. A maximum of 110 hotel suite/units may be constructed on the subject Property; and no more than forty (40) hotel suites/units may be constructed within fifty (50) feet of the western property line.

9. Sidewalks

- a. Sidewalks are not required but shall be optional throughout the Property at the discretion of the Property Owner.
- b. Sidewalk required along Turbeville Road.

10. Accessibility

- a. All new construction on the Property shall comply with federal ADA standards and Texas Accessibility Standards.

11. Dedication of Land for Walking Trail

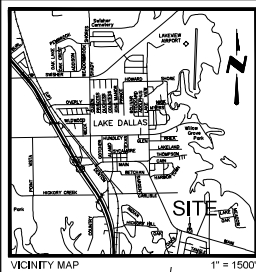
- a. Property owner will cooperate with Town to dedicate approximately seven (7) feet of real property to the Town for the purpose of constructing a walking and biking trail not to exceed eight (8) feet in width along the western property line. (A portion of the real property used shall include 2-4 feet of property contributed by the neighboring homeowner's association.)
- b. The land dedicated for the walking trail shall be included in the required buffer.
- c. The Property Owner shall financially participate in the construction of the path by paying fifty percent (50%) of the construction cost of the concrete sidewalk and shall also provide conduit through the masonry screening wall to allow for lighting to be mounted to the back side of the screening wall.
- d. The Town agrees that no lights exceeding 12 feet in height shall be installed along the trail abutting the property line.

12. Solid Waste Collection

- a. Solid waste collected is prohibited on the western boundary of the property. Collection should continue at the rear of the mansion.

Exhibit C
Conceptual Site Plan





- LEGEND OF ABBREVIATIONS
- D.R.D.C.T. DEED RECORDS, DENTON, TEXAS
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
 - P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
 - ROW RIGHT OF WAY
 - IRS 1/2 INCH CAPPED REBAR STAMPED "WINDROSE" SET
 - C.M. CONTROLLING MONUMENT

United States Army
Corps of Engineers
Volume 41, Page 194
D.R.D.C.T.
"Lake Lewisville"

Jeff Knight
Volume 2142, Page
2627 R.P.R.D.C.T.

SURVEYOR'S NOTES

- Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone (2002 North American Datum of 1983) (NAD83) (US Foot).
- This property lies within Zone "X" (Don Flood Hazard Area) & Zone "A2" (100 YR Flood Hazard Area) of the Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, map no. 480774 0555 G, dated April 18, 2011, via scaled map location and graphic plotting and by physical location of the 53' contour line as per topographic study of the site.
- Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
- The purpose of this plat is to create 1 recorded lot from a previously unrecorded tract of land and to dedicate easements for development.

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	30.00	2615.78	13.79	N 78°12'41" W	13.63
C2	30.00	7128.44	37.41	S 82°58'13" W	35.03
C3	30.00	4325.14	27.74	S 48°54'48" W	22.20
C4	30.00	9120.25	47.83	N 45°40'12" W	42.62
C5	30.00	1712.91	9.01	S 08°36'26" W	8.98
C6	30.00	4809.53	25.22	N 05°35'05" W	24.48
C7	30.00	4809.53	25.22	S 41°17'58" W	24.48

STATE OF TEXAS § COUNTY OF DENTON §

WHEREAS **BSS Family Properties, LLC** is the owner of a 1.013 acre tract of land situated in the L. Cobb Survey, Abstract Number 284, being all of a tract of land described to BSS Family Properties, LLC in General Warranty Deed recorded in Instrument Number 2024-85926, Deed Records, Denton County, Texas and being more particularly described by metes and bounds as follows: (Bearings and Distances are based on the State Plane Coordinate System, Texas North Central Zone (2002), North American Datum of 1983 (NAD83) (US Foot) with a combined scale factor of 1.000150630).

BEGINNING at a 1/2 inch rebar capped "ASC" found for the southeast corner of said subject property, same being the easternmost southwest corner of Lot 1, Block 1 of Lake Dallas RV Park, an addition to the Town of Hickory Creek, as recorded in Instrument Number 2020-03010, Plat Records, Denton County, Texas and lying on the north right-of-way line of Main Street (60 foot right-of-way).

THENCE North 72 degrees 47 minutes 09 seconds East, with the north right-of-way line of said Main Street, a distance of 212.18 feet to a 1/2 inch rebar capped "ASC" found for the southwest corner of said subject property, same being the westernmost southeast corner of said Lot 1;

THENCE North 07 degrees 23 minutes 29 seconds East, departing the north right-of-way line of said Main Street, with the westernmost east line of said Lot 1, a distance of 125.50 feet to a 1/2 inch rebar capped "ASC" found for corner;

THENCE North 16 degrees 14 minutes 29 seconds East, with a northeast line of said Lot 1, a distance of 64.52 feet to a 1/2 inch rebar capped "ASC" found for corner;

THENCE South 86 degrees 59 minutes 12 seconds East, with the northernmost south line of said Lot 1, a distance of 172.13 feet to a fence corner post found for corner;

THENCE South 07 degrees 53 minutes 00 seconds East, with a west line of said Lot 1, a distance of 159.89 feet to a 1/2 inch rebar capped "ASC" found for corner;

THENCE South 17 degrees 12 minutes 51 seconds West, with the easternmost west line of said Lot 1, a distance of 85.61 feet to THE POINT OF BEGINNING and containing 44,144 square feet or 1.013 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT **BSS Family Properties, LLC** do hereby adopt this plat designating the herein described property as **Lot 1, Block 1, Lake Dallas RV Park Phase II**, an Addition to Denton County, Texas, and do hereby dedicate to the public use forever the streets and easements shown hereon.

BSS FAMILY PROPERTIES, LLC

By _____
Authorized Representative

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____.

Notary Public in and for the State of Texas

RECOMMENDED FOR APPROVAL:

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

Approved and Accepted _____ Date _____
Mayor, Town of Hickory Creek, Texas

The undersigned, the town secretary of Hickory Creek, Texas, hereby certifies that the foregoing Final Plat of the Lake Dallas RV Park, Phase II subdivision or 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 said map and plat, and said council further authorized the Mayor to note the acceptance thereof by signing his/her name as herein above subscribed.

Witness my hand this _____ day of 20____.

Town Secretary, Town of Hickory Creek, Texas.

STATE OF TEXAS §
COUNTY OF DENTON §

This is to certify that I, Mark N. Peoples, a Registered Professional Land Surveyor of the State of Texas, have plotted the subdivision from an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR RELIED UPON AS A FINAL SURVEY DOCUMENT DATED 4/7/2021

Mark N. Peoples, R.P.L.S.
No. 6443

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark N. Peoples, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____.

Notary Public in and for the State of Texas

OWNER/DEVELOPER
BSS FAMILY PROPERTIES, LLC
1534 LAHERRI TRAIL
FRCO, TX 75033



WINDROSE
LAND SURVEYING & PLATTING
200 BAY STREET, SUITE 200 • FORT WORTH, TEXAS 76102 • 817.357.2744
WWW.WINDROSELANDSURVEYING.COM

DATE: 03/11/2022 FILED: 03/11/2022 JOB NO.: 156100

FINAL PLAT
Lot 1, Block 1
LAKE DALLAS RV PARK PHASE II
1.013 Acres of land out of the
L. Cobb Survey, Abstract No. 284
Town of Hickory Creek ETJ
Denton County, Texas
—MARCH 2021—

FOR DENTON COUNTY USE ONLY
FOR DENTON COUNTY USE ONLY
FOR DENTON COUNTY USE ONLY



April 13, 2021
AVO 37638.200

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

**RE: Lake Dallas RV Park Phase II – Final Plat
2nd Review**

Dear Ms. Chaudoir:

The Town of Hickory Creek received a Final Plat application for the Lake Dallas RV Park, Phase II on March 18, 2021. A revised Final Plat was submitted April 13, 2021. The surveyor is Windrose Land Services. The owner is BSS Family Properties, LLC.

Halff has reviewed the Final Plat and offers recommends approval contingent upon the resolution of Comment #5 below.

Final Plat

1. On the Vicinity Map, please use a label and leader line/arrow that more clearly identifies the location of the site.
2nd Review: Addressed.
2. Please correct the format of the Approval Block in accordance with Town Ordinance and include the subdivision name.
2nd Review: Addressed.
3. Please use a heavier line for the property boundary and reduce the weight of the 537' contour line. The property boundary should be the most prominent line to avoid confusion.
2nd Review: Addressed.
4. Is the intent of the fire lane on the eastern edge of the property to connect to the fire lane on the Phase I lot? There is a gap on Phase I between the two access easements. If the fire lanes connect as implied by the plat, there needs to be an access easement to cover the entire fire lane. (See markup.)
2nd Review: Addressed. Gap in easement to be covered via access easement by separate easement. Applicant states the easement is in the process of being filed.
5. Please show minimum building setback lines required by zoning.
2nd Review: Setbacks not shown or noted on plat. Setbacks must be shown per Town's subdivision ordinance according to the zoning. Since the zoning requirements are determined by Denton County, please show or note their setbacks for the intended use.

6. What is the purpose of the square private utility easements?

2nd Review: Noted.

7. The access easement connecting to Main Street does not have a radius on either side. Fire lanes require a minimum 26' radius, and the other access easement intersections show a 30' radius. Does the entire radius of the fire lane/access drive fit within Main Street right-of-way? (See markup.)

2nd Review: Addressed.

8. Please provide a site plan for the property in order to verify easements and drainage. The site plan should also include existing and proposed contours and proposed utilities.

2nd Review: Addressed.

Sincerely,

HALFF ASSOCIATES, INC.

TBPELS Engineering Firm No. 312



Lee Williams, PE

Town Engineer for the Town of Hickory Creek

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

From: [Gary Cook](#)
To: [Chris Chaudoir](#)
Subject: RE: Lake Dallas RV Park Phase II
Date: Wednesday, April 14, 2021 11:19:46 AM

No issues with this plat.

Gary W Cook, CFM
Senior Development Coordinator
Denton County Development Services
3900 Morse St
Denton, Tx 76208
Ph. 940-349-2990 / 2993
