

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
WEDNESDAY, MARCH 06, 2019**

MINUTES

Call to Order

Commissioner Hawkes called the meeting to order at 7:00 p.m.

Roll Call

PRESENT

Commissioner Rodney Barton
Commissioner Jaycee Holston
Commissioner Bryant Hawkes
Commissioner Don Rowell
Commissioner Jan Stefaniak

ABSENT

Commissioner Mike Thames
Commissioner David Gilmore

ALSO PRESENT

Chris Chaudoir, Administrative Assistant

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

Pledge of Allegiance to U.S. and Texas flags led by Commissioner Hawkes.

Invocation

Invocation given by Commissioner Hawkes.

Public Comment

No Public Comment

Public Hearing

1. Hear public comment on a request from Miklos Cinclair, PLLC on behalf of McCrorey Land and Cattle, LLC to change the zoning designation from PB-1 Professional Building District to SF-3 Residential District on two (2) tracts of land legally described as A1598A S.A. Jones, Tract 18A, .25 acres, and A1598A S.A. Jones, Tract 19, .513 acres, Town of Hickory Creek, Denton County, Texas. The properties are located in the 1000 blk of Hickory Creek Road.

Public Hearing opened at 7:05.

Duane Brignac, Miklos Sinclair, gave a presentation detailing the location of the property, its background and the proposed zoning. The property owner to the north is present and supports the change.

Commissioner Hawkes asked about the zoning in the surrounding area. Ms. Chaudoir explained the neighboring properties to east were zoned Professional Business but did contain preexisting single-family homes. Since the house on this parcel was destroyed by fire and removed, rezoning is necessary to rebuild a home on the property. Commissioner Holston asked the reason for the current zoning classification. Ms. Chaudoir said she was unaware of the reasons for the original zoning, but it had been in place since the 2005 Zoning Map. Mr. Brignac said everyone who had approached the owners about buying the property was interested in it as a residential property. Commissioner Barton asked if it was being rezoned for a single house: Ms. Chaudoir had talked to the prospective owner about replatting the property and possibly building more than one house, but the property was not large enough to support more than the individual house size requirements of an SF-3 zoning. Commissioner Rowell asked about access through the neighboring property. Ms. Chaudoir stated she had found an easement for the existing gravel road in the county records.

William Basinski, 1086 Hickory Creek Road, stated that he bought the neighboring properties in 1986 and was told by the town he could build residential. The property used to be known as the "party cove" but Denton found lead in the water supply and shut it down. There was talk of a marina there at one point, but it was placed elsewhere.

James Waverka, 230 Waterview, said his property backs up to the Corps property and he is opposed to a business being built on the property. A lot of earth was brought in when his neighborhood was built to level it and several trees were taken out. He is concerned about flooding since the property is located in a flood plain.

Amy Ledbetter, 220 Waterview, said her property backs up to the Corps land and the drive to the property in question and wants to know if there is a plan for the driveway. She does not want increased traffic behind her house.

William Jones, 218 Waterview, stated he would prefer the property stay wooded as it is now, but would also rather it be zoned residential than commercial.

Public Hearing closed at 7:23pm.

Consent Agenda

2. February 6, 2019 Meeting Minutes

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3. Joint Special Meeting of the Planning and Zoning Commission and Town Council
February 26, 2019 Minutes

Motion made by Commissioner Barton to accept the minutes as presented,
Seconded by Commissioner Stefaniak.

Voting Yea: Commissioner Barton, Commissioner Holston, Commissioner Hawkes,
Commissioner Rowell, Commissioner Stefaniak. **Motion passed unanimously.**

Regular Agenda

4. Discuss, consider and act on a recommendation for a request from Miklos Cinclair, PLLC on behalf of McCrorey Land and Cattle, LLC to change the zoning designation from PB-1 Professional Building District to SF-3 Residential District on two (2) tracts of land legally described as A1598A S.A. Jones, Tract 18A, .25 acres, and A1598A S.A. Jones, Tract 19, .513 acres, Town of Hickory Creek, Denton County, Texas. The properties are located in the 1000 blk of Hickory Creek Road.

Commissioner Barton stated that some of the trees may have to be cut to build on the property and a residential zoning designation cannot prevent that. The property owners will have to decide what to do with the access easement. The Professional Building zoning came in before the freeway expansion was started and the property in the area was zoned because of its proximity to the old town hall when it was thought the business district would be along I-35 and there was some interest in possibly building a hotel in the vicinity. He has no objections to rezoning the property residential. Commissioner Holston agreed. Commissioner Rowell asked about the zoning on the neighboring properties and was told they would have the opportunity to change their zoning to residential if they chose in the future.

Motion made by Commissioner Barton to recommend approval of the proposed zoning change, Seconded by Commissioner Rowell.

Voting Yea: Commissioner Barton, Commissioner Holston, Commissioner Hawkes, Commissioner Rowell, Commissioner Stefaniak. **Motion passed unanimously.**

5. Discuss, consider and act on a recommendation for a replat of Lot 3, Block A, of Berlin Addition, Cabinet S, Page 331, Plat records, Denton County Texas: being 1.05 acres in the H.H. Swisher Survey, Abstract Number 1220, Town of Hickory Creek, Denton County, Texas. The property is located at 3950 FM 2181.

Ms. Chaudoir explained the purpose of the replat is to update the fire lanes on the property.

Motion made by Commissioner Stefaniak to recommend approval of the replat, Seconded by Commissioner Holston.

Voting Yea: Commissioner Barton, Commissioner Holston, Commissioner Hawkes, Commissioner Rowell, Commissioner Stefaniak. **Motion passed unanimously.**

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6. Discuss, consider and act on a recommendation for a final replat of Lot 1-R, Block 1 of Double G Plaza: being a replat of the remnant of Lot 1, Block 1 of Double G Plaza: being 1.937 acres in the H. Swisher Survey A-1220 in the extraterritorial jurisdiction of the town of Hickory Creek, Denton County, TX.

Jerry Blazewicz and Mark Tucker, owners of BMT Properties, explained the location of the property and that the lot had been split into 2 parcels several years ago but only the eastern half had been platted. Double G Plaza is the remaining section not previously platted.

Motion made by Commissioner Rowell to recommend approval of the replat, Seconded by Commissioner Holston.

Voting Yea: Commissioner Barton, Commissioner Holston, Commissioner Hawkes, Commissioner Rowell, Commissioner Stefaniak. **Motion passed unanimously.**

Adjournment

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

Voting Yea: Commissioner Barton, Commissioner Holston, Commissioner Hawkes, Commissioner Rowell, Commissioner Stefaniak. **Motion passed unanimously.**

Meeting adjourned at 7:40 p.m.

Approved:

Attest:

Bryant Hawkes, Chairman
Planning and Zoning Commission

Chris Chaudoir, Administration
Town of Hickory Creek