CITY OF CONROE
PLANNING COMMISSION
REGULAR MEETING MINUTES

August 17, 2017

PRESENT: Fred Greer, Vice-Chairman
Jim Arnold, Member
Chris Caywood, Member
Steve Hailey, Member
Dr. Bob Rabuck, Member
Curt Maddux, Member

OTHERS: Adam France, Development Coordinator
Sandy Hilderbrand, Development Coordinator
Chris Bogert, P.E., Engineering Manager
Scott Taylor, P.E., Director of Engineering
Marcus Winberry, City Attorney
Dana Berry, Secretary

ABSENT: Chris Baughman, Chairman
Nancy Mikeska, Director of Community Development

A quorum being present, the Regular Meeting was called to order at 9:30 a.m. by the Vice-Chairman.

1. APPROVAL OF THE AUGUST 03, 2017, REGULAR MEETING MINUTES

Mr. Caywood made a motion to approve the minutes of August 03, 2017.

Mr. Arnold seconded the motion.

The motion carried unanimously.

2. FINAL PLAT OF RESERVES AT STILLWATER CREEK DRIVE

The following information is from the memorandum from City Staff:

The proposed 6.4195-acre commercial subdivision in the Henry Applewhite Survey, A-50, is located south of FM 1488 and west of IH-45, within the City Limits. 1 reserve in 1 block will be created. The proposed subdivision has direct access to Stillwater Creek Drive, Prosper Road, Bennet Lane and no new streets are proposed. Water and sewer services will be connected to Montgomery County MUD 138 utilities.

After reviewing the final plat, we recommend approval, subject to the satisfactory completion of the following items:
PLAT:

The following item is from the preliminary plat memo and must be satisfactorily addressed:

As per Item No. 1, ensure the minimum text size of 1/10th-inch is used throughout the plat.

In addition to the item above, the following must also be satisfactorily addressed:

As per Item No. 1, add a note to the plat stating: “This property is located within Montgomery County Utility District No. 138”, per the City Planning Letter.

As per Item No. 2, use the language for commercial subdivisions for the Maintenance Note.

As per Item No. 3, label the benchmark on the plat and add a note regarding the detail. The survey must comply with 94-112(a)(7).

As per Item No. 4, label the tie to the original survey as "Scaled", unless it was surveyed.

As per Item No. 5, remove all building lines within the detention easement and label the western boundary of the detention easement as a variable width building line.

As per Item No. 6, provide a 16-ft utility easement along Block 1, Lots 1-3, of the future Section 4, per the U.C.C. The City will not maintain the proposed sanitary sewer tap from the proposed manhole to the project, as it is a private tap, not a public lateral. Label the 20-ft sanitary sewer easement within the Reserve as “Private”, or remove the easement within the reserve. Remove the 16-ft utility easement within the reserve for the water tap.

As per Item No. 7, use standard City language for the Planning Commission Certification.

As per Item No. 8, use standard County language for the certificate of filing by the County Clerk.

As per Item No. 9, the As-built drawings must match the recorded plat.

Mr. Caywood made a motion to approve the final plat of Reserves at Stillwater Creek Drive, subject to the satisfactory completion of all items.

Mr. Maddux seconded the motion.

The motion carried unanimously.

3. FINAL PLAT OF FOSTERS RIDGE SECTION 7A

The following information is from the memorandum from City Staff:

The subject 0.925-acre residential subdivision in the James Hodge Survey, A-19, is located west of IH-45 and north of FM 1488, within the Planning Area. Three lots in one block will be
created to complete the original Section 7 of Fosters Ridge. Access to Old Conroe-Magnolia Road will be provided via existing streets within this, and other, sections of Fosters Ridge. Existing streets are concrete with curbs and gutters and an underground storm sewer system. The existing water and sanitary sewer systems are connected to MCMUD 139 utilities. This item was deferred at the August 03, 2017 meeting.

Ms. Toni Collins addressed the Commission in opposition of the plat.

Mr. Bo Dawson, with D.R. Horton, addressed the Commission in support of the plat.

The Planning Commission Vice-Chairman recessed the meeting for an Executive Session at 8:45 a.m.

The Planning Commission Vice-Chairman re-opened the regular meeting at 9:02 a.m.

After reviewing the final plat, we recommend approval.

Mr. Hailey made a motion to approve the final plat of Fosters Ridge Section 7A.

Mr. Maddux seconded the motion.

The motion carried unanimously.

4. PRELIMINARY PLAT OF FOSTERS RIDGE, SECTION 12

The following information is from the memorandum from City Staff:

The proposed 28.5171-acre subdivision in the James Hodge Survey, A-19 is located north of FM 1488 and west of IH-45, within the Planning Area. 86 lots, 3 reserves in 3 blocks will be created. Access to Old Conroe Road will be provided via existing streets within Fosters Ridge. Proposed streets will be concrete curb and gutter with underground storm sewers. Proposed MCMUD 139 water and sanitary sewer mains will connect to existing MCMUD 139 utilities.

After review of the preliminary plat we recommend approval, subject to the satisfactory completion of the following items:

**PLAT:**

As per Item No. 1, minimum allowable text size is 1/10th inch throughout the plat.

As per Item No. 2, note the additional FEMA F.I.R.M. panel number in the floodplain note.

As per Item No. 3, provide complete bearings and dimensions for all lot lines (Block 1, Lot 21).
As per Item No. 4, provide complete bearings and dimensions (centerline data) for the "knuckle" where the street name change occurs for "Angelina Woods Lane" and "Lake Lodge Drive".

As per Item No. 5, correct the easement label on Lot 1, Block 1, adjacent to Payette Forest Lane. The City does not allow easements within its right-of-way.

As per Item No. 6, sidewalks and street lights are required for this subdivision.

LAND STUDY:

In addition to the items above, the following must also be addressed:

As per Item No. 1, Assure that any off-site storm water drainage to/through this site is accounted for in the drainage plan/report.

Mr. Maddux made a motion to approve the preliminary plat of Fosters Ridge Section 12, subject to the satisfactory completion of all items.

Mr. Caywood seconded the motion.

The motion carried unanimously.

5. FINAL PLAT OF LADERA CREEK SECTION 3

The following information is from the memorandum from City Staff:

The proposed 27.318-acre subdivision in the John Dorsey Survey, A-174 and the A.M. Folks Survey, A-215, is located north of South Loop 336 and east of FM 1314, within the City Limits. 70 lots, 9 reserves and 4 preserves in 4 blocks will be created. Access to South Loop 336 will be provided via the existing and proposed extension of Ladera Creek Trace. Proposed streets will be concrete curb and gutter with underground storm sewers. Proposed MCMUD 148 water and sanitary sewer mains will connect to existing City utilities.

After reviewing the final plat, we recommend approval, subject to the satisfactory completion of the following items:

PLAT:

The following items are from the preliminary plat memo and must be satisfactorily addressed:

As per Item No. 1, the minimum allowable text size is 1/10th inch throughout the plat.

As per Item No. 2, label the creek centerline.
As per Item No. 3, show and label an easement connecting the sanitary sewer from the street right-of-way to the trunk line along the creek and connecting the storm sewer from the street right-of-way to the outfall at the creek. Show and label a drainage easement with a variable width, with the east easement boundary lying 20-ft beyond the east high bank of the creek, along the creek, per agreement with the City Council.

As per Item No. 4, provide a recorded access easement and construct an all-weather road, from the north plat boundary (at Ladera Creek Trace) to Avenue M, to comply with the City amendments to the I.F.C. regarding fire department access.

In addition to the items above, the following must be addressed:

As per Item No. 1, provide a cost estimate, Subdivision Development Agreement and Performance Bond with matching costs.

As per Item No. 2, provide a MCECD911 addressed plat with all lots and reserves addressed.

As per Item No. 3, make the plat boundary a solid line and make reserve boundaries bold enough to be easily discernible.

As per Item No. 4, label the size of the brass disk to the benchmark detail.

As per Item No. 5, show and label all easements listed in the City Planning Letter or provide an updated letter with non-applicable items removed. Label the tributary centerline.

As per Item No. 6, correct the number of blocks in the title block and add Block 4 to the plat survey.

As per Item No. 7, label complete bearings and distance for all lot and block lines.

As per Item No. 8, offset setback lines from the right-of-way; building lines may no overlap easements.

As per Item No. 9, label Reserve “L” as a “Variable Width Drainage Easement”, and change the use in the Reserve Table to “Drainage and Utility Easement” and remove “Open Space” from the use.

As per Item No. 10, change the label for the proposed “Variable Drainage Easement “ to “City of Conroe Combination Utility Easement” and the label for the existing “Combination Utility Easement” to “Variable Width City of Conroe Combination Utility Easement”.

As per Item No. 11, add the text “City of Conroe Engineering No.” before “(DP-15-.....)” in the Detention Note 14.

As per Item No. 12, remove Note 13, remove extraneous lines and correct scriveners’ errors.
Mr. Arnold made a motion to approve the final plat of Ladera Creek Section 3, subject to the satisfactory completion of all items.

Mr. Hailey seconded the motion.

The motion carried unanimously.

6. **FINAL PLAT OF MAX ALLEY AT FM 1484 PARTIAL REPLAT NO. 1, BEING A PARTIAL REPLAT OF UNRESTRICTED RESERVE “A”, BLOCK 1, MAX ALLEY AT FM 1484 (FAST-TRACK REPLAT)**

The following information is from the memorandum from City Staff:

The proposed 3.9384-acre subdivision in the Jonathan Pitts Survey, A-28, is located west of FM 1484 and north of FM 2432, within the Planning Area. The owner wishes to subdivide Unrestricted Reserve “A” of Block 1 of the Max Alley at FM 1484 Subdivision to create three unrestricted reserves. The proposed reserves have direct access to both FM 1484 and FM 2432. Water and sewer services will connect to existing Woodland Hills Water utilities.

After reviewing the final plat, we recommend approval, subject to the satisfactory completion of the following items:

**PLAT:**

As per Item No. 1, show and label a 5-ft side and 10-ft rear building lines, where applicable, and label the 25-ft front building line on Unrestricted Reserve “A-1”.

As per Item No. 2, show and label the waterline easement granted to Woodland Hills Water, LLC recorded under Clerk’s file number 2015054982, per the recorded plat and City Planning Letter.

As per Item No. 3, remove the Minor Plat Certification and replace with the Planning Commission Certification.

As per Item No. 4, provide all lien recording numbers in the Lien Holder’s Subordination Statement, per the City Planning Letter.

Mr. Maddux made a motion to approve the final plat of Max Alley at FM 1484 Partial Replat No. 1, being a Partial Replat of Unrestricted Reserve “A”, Block 1, Max Alley at FM 1484 (fast-track replat), subject to the satisfactory completion of all items.

Mr. Caywood seconded the motion.

The motion carried unanimously.
7. **REQUEST TO SUBDIVIDE LOT 6, BLOCK 2, SHADY GROVE, BY METES AND BOUNDS**

The following information is from the memorandum from City Staff:

The proposed 70.5-foot by 79-ft residential lots out of Block 2, Lot 6 of Shady Grove, in the John Bricker Survey, A-71, is located south of FM 2854 and east of IH-45, within the City Limits. The owner wishes to subdivide Lot 6, to create two residential lots. The proposed lots will have direct access to the existing Sandra Street and York Avenue. Proposed water and sewer services will connect to existing City utilities.

Attached is a letter from the property owner’s representative requesting a variance to allow the subdivision of the proposed 70.5-foot by 79-ft residential lots.

The minimum allowable frontage for a lot, per Section 94-252(a)(2), is 50-feet of width; the proposed lots comply with the street frontage requirement. The minimum allowable depth of a lot, per Section 94-252(a)(3), is 100-feet; the proposed lots have only 79-feet of depth, due to the orientation of the proposed lots. And the minimum allowable area for a lot, per Section 94-252(a)(4), is 5,000 square feet; the proposed lots have areas of 5569.5 square feet each, which is greater than the required minimum lot area.

Although the proposed lots do not meet the minimum depth, staff recommends the Planning Commission allow the lot to be subdivided by metes and bounds, as requested, provided the following conditions are satisfactorily addressed:

As Per Item No. 1, remove topographic features and their associated labels from the survey.

As Per Item No. 2, provide the recording information for Sandra Street, York Avenue, and the 20-ft utility strip.

As Per Item No. 3, note whether grid or ground distances are shown.

As Per Item No. 4, add a note to the survey stating: “Existing structures are legal non-conforming as to the building lines shown. Any further development must comply with the building setback lines as shown and labeled on this survey and no further encroachment allowed.”

As Per Item No. 5, the proposed 16-ft utility easement along York Avenue must be dedicated by separate instrument and recording information provided on the survey.

As Per Item No. 6, provide a digital copy of the revised survey and 4 hard copies for review.

As Per Item No. 7, after all corrections have been addressed, submit an original sealed and signed legal description for the survey on a separate 8 ½” x 11” sheet, the original sealed and signed survey on a maximum 8 ½” x 14” sheet, for recording purposes, and provide County Clerk’s recording fees for the “Order”.
Mr. Caywood made a motion to grant the variance request and to approve the request to subdivide Lot 6, Block 2, Shady Grove, subject to the satisfactory completion of all items.

Mr. Hailey seconded the motion.

The motion carried unanimously.

There being no further business to discuss, the meeting was adjourned.

Chris Baughman, Chairman

/db