CITY OF CONROE
PLANNING COMMISSION
REGULAR MEETING MINUTES

April 02, 2015

PRESENT:  Dr. Bob Rabuck, Chairman
          Foster Madeley, Vice-Chairman
          Chris Caywood, Member
          Fred Greer, Member
          Jim Arnold, Member

OTHERS:    Adam France, Development Coordinator
           Sandy Hilderbrand, Development Coordinator
           Scott Taylor, P.E., Executive Director of Infrastructure Services
           Dana Berry, Secretary

ABSENT:   Mike Stoecker, Member
          Steve Hailey, Member
          Marcus Winberry, City Attorney

A quorum being present, the Regular Meeting was called to order at 9:32 a.m. by the Chairman.

1. APPROVAL OF THE MARCH 19, 2015, REGULAR MEETING MINUTES

Mr. Caywood made a motion to approve the minutes of March 19, 2015.

Mr. Arnold seconded the motion.

The motion carried unanimously.

2. PUBLIC HEARING ON WATER CREST ON LAKE CONROE, SECTION 4, REPLAT NO 1, BEING A REPLAT OF WATER CREST ON LAKE CONROE, SECTION 4

The Chairman closed the regular meeting at 9:33 a.m. and opened the public hearing.

There were no comments made.

The Chairman closed the public hearing at 9:34 a.m. and re-opened the regular meeting.

3. FINAL PLAT OF WATER CREST ON LAKE CONROE, SECTION 4, REPLAT NO 1, BEING A REPLAT OF WATER CREST ON LAKE CONROE, SECTION 4

The following information is from the memorandum from City Staff:

The 22.636-acre residential subdivision is located in the James Edwards Survey, A-190, south of League Line Road and west of IH-45, within the City Limits. 28 lots and 1 reserve in 4
blocks have previously been created. Access to League Line Road is provided via Water Crest Parkway. The developer wishes to replat to make all streets beyond the gate private streets and no new streets will be created. Water and sanitary sewer mains are connected to MCMUD 126 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 all easements listed in the city planning letter, or provide a new city planning letter with the non-applicable easements removed. Add a note to the plat stating that this property is subject to a Subdivision Development Agreement, with County Clerk's recording information, per the city planning letter. (94-109(b)(9))

As per Item No. 2, note whether this property is located within or out of the 100-yr floodplain.

As per Item No. 3, FYI-As-built drawings must match the recorded plat.

Mr. Caywood made a motion to approve the final plat of Water Crest on Lake Conroe, Section 4, Replat No. 1, being a partial replat of Water Crest on Lake Conroe, Section 4, subject to the satisfactory completion of all items.

Mr. Greer seconded the motion.

The motion carried unanimously.

**4. FINAL PLAT OF FOSTERS RIDGE RECREATIONAL CENTER**

The following information is from the memorandum from City Staff:

The proposed 5.558-acre commercial subdivision is located in the James Hodge Survey, A-19, west of IH-45 and north of FM 1488, within the Planning Area. 1 restricted reserve in 1 block will be created. This subdivision has direct access to Denali Wilderness Parkway. No new streets will be created. The proposed utility services will connect to proposed MCMUD 139 utilities.

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

**PLAT:**

As per Item No. 1, provide a tie from the existing benchmark to the subject subdivision.

As per Item No. 2, verify the plat name; the plat does not match the application.

As per Item No. 3, show and label, or note, the Entergy easement listed in the City Planning Letter.
As per Item No. 4, show and label the required screening buffers and remove the screening ordinance text from the plat.

Mr. Arnold made a motion to approve the final plat of Fosters Ridge Recreational Center, subject to the satisfactory completion of all items.

Mr. Madeley seconded the motion.

The motion carried unanimously.

5. **FINAL PLAT OF BDBF BUSINESS PARK**

The following information is from the memorandum from City Staff:

The proposed 12.918 acre commercial subdivision in the Robert Kuykendall Survey, A-301, is located at the southwest corner of the intersection of Avenue M with FM 3083, within the City Limits. 4 restricted reserves 1 block will be created. Proposed reserves will have direct access to either FM 3083 and/or Avenue M. No new streets will be created. Proposed water services will connect to existing City utilities and a proposed sewer main on Avenue M will be constructed to serve the new subdivision.

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 of an inch.

As per Item No. 2, provide 45° building line transitions on the reserves having the lesser width setback, where the building setback width changes from one reserve to another and describe the transitions with bearings and distances.

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

As per Item No. 1, provide separate checks for the recording fees for the plat and for the separate documents.

As per Item No. 2, the benchmark must be stamped with the name of the subdivision and elevation, and must be noted on the plat.

As per Item No. 3, show and label the current City Limits, on the vicinity map.

As per Item No. 4, show and label, or note, all easements listed on the city planning letter or provide an updated city planning letter with the non-applicable easements removed.
As per Item No. 5, remove the 5-ft building line from within the 18-ft tree preserve located in Reserve D and label the 18-ft tree preserve as a screening buffer and building line, also. Label the 38-ft building line along Avenue M.

As per Item No. 6, move the 20-ft tree preservation south of, and adjacent to, the 18-ft utility easement and correct the location of the utility easement leaders, per the U.C.C.

As per Item No. 7, use standard City language for the owner’s certification and dedication.

As per Item No. 8, provide a lienholder’s acknowledgment and subordination statement using standard City language.

As per Item No. 9, use standard City language for the surveyor’s certification.

As per Item No. 10, change note 3 to read: “A 10-ft vegetative screening buffer is required where commercial property abuts a residential property.”

As per Item No. 11, hatch the 5-ft strip right-of-way dedication for clarity.

As per Item No. 12, FYI-As-built drawings must match the recorded plat.

Mr. Caywood made a motion to approve the final plat of BDBF Business Park, subject to the satisfactory completion of all items.

Mr. Greer seconded the motion.

The motion carried unanimously.

6. **LAND STUDY FOR RAVELLA SOUND**

The following information is from the memorandum from City Staff:

The proposed 146.3-acre subdivision in the Neal Martin Survey, A-26, is located north of FM 1097 and east of Longstreet Road, within Planning Area. 587 lots in 6 sections will be created. Two access points to Longstreet Road will be provided via the proposed streets. Proposed streets will be concrete curb and gutter with underground storm sewers. Proposed water mains will be connected to C & R Water Supply and sanitary sewer mains will be routed to a proposed onsite wastewater treatment plant. The developer plans on creating a M.U.D. for this subdivision, if approved by the City.

After reviewing the land study, we recommend approval, subject to the satisfactory completion of the following items:

**LAND STUDY:**

As per Item No. 1, for future submittals, provide a CD containing only the subdivision boundary, referenced to state plane coordinates.
As per Item No. 2, collector streets are required for streets which carry traffic from more than 75 lots and are required to have a 60-ft right-of-way width with a 39-ft pavement width.

As per Item No. 3, provide a 16-ft utility easement along all street rights-of-way and note that reserves may be used for utility purposes, also, per the U.C.C.

As per Item No. 4, loop all water mains. Do not route sanitary sewer mains under canals.

As per Item No. 5, show and label, or note, how detention is to be provided for this subdivision, or why it is not required.

Mr. Arnold made a motion to approve the land study of Ravella Sound, subject to the satisfactory completion of all items.

Mr. Madeley seconded the motion.

The motion carried unanimously.

7. VARIANCE REQUEST FOR 512 N. THIRD STREET

The following information is from the memorandum from City Staff:

The proposed 50-foot by 75-foot residential lot out Block 17, Lot 5 of the Ralston Addition, in the Lemuel Smith Survey, A-526, is located north of Phillips Street and east of the UPRR railroad, within the City Limits. The owner wishes to subdivide the proposed lot out of the previously subdivided Lots 5, 6, 7, & 8 of Block 17 of the Ralston Addition. Both lots would have access to existing streets. Both lots would be connected to existing city utilities.

Attached is a letter from the property owner requesting a variance to allow the subdivision of the proposed 50-foot by 75-foot lot so she may sell the house, but retain the storage building.

The minimum allowable frontage for a lot, per Section 94-252(a)(2)), is a 50-foot width; the proposed lot complies with the street frontage requirement. The minimum allowable depth of a lot, per Section 94-252(a)(3), is 100-feet; the proposed lot has only 75-feet of depth. And the minimum allowable area for a lot, per Section 94-252(a)(4)), is 5,000 square feet; the proposed lot has an area of 3,750 square feet, which is less than the required minimum lot area.

Although the proposed lot configuration deviates from the minimum requirements of the City’s subdivision ordinance, the owner has reconfigured her lot to provide the minimum required 50-ft frontage. Since the owner is not able to change the lot depth, due to the block having been subdivided into all 75-ft deep lots, staff feels the intent of the ordinance has been achieved as completely as possible in this situation and recommends granting this variance as requested.

Mr. Greer made a motion to approve the variance request for 512 N. Third Street.

Mr. Caywood seconded the motion.
The motion carried unanimously.

8. **PUBLIC HEARING ON VILLA CAPRI APARTMENTS, A PARTIAL REPLAT OF RESERVE “G” OF LAKE CONROE BUSINESS PARK, SECTION 5 AND INCLUDING PREVIOUSLY UNPLATTED ACREAGE**

The Chairman closed the regular meeting at 9:36 a.m. and opened the public hearing.

There were no comments made.

The Chairman closed the public hearing at 9:37 a.m. and re-opened the regular meeting.

9. **FINAL PLAT OF VILLA CAPRI APARTMENTS, A PARTIAL REPLAT OF RESERVE “G” OF LAKE CONROE BUSINESS PARK, SECTION 5 AND INCLUDING PREVIOUSLY UNPLATTED ACREAGE**

The following information is from the memorandum from City Staff:

The 11.976-acre commercial subdivision in the James Smith Survey, A-37, is located south of SH 105 and east of McCaleb Road, within the City Limits. 1 reserve in 1 block will be created. Direct access is provided to both Lake Business Drive and McCaleb Road. Water and sanitary sewer services will connect to existing Lake South Water Supply Corp. utilities.

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

**PLAT:**

As per Item No. 1, for future submittals, provide a CD containing only the plat boundary, referenced to state plane coordinates.

As per Item No. 2, change the title of the plat to read: Villa Capri Apartments, being a Replat of Reserve “G” of Lake Conroe Business Park, Section 5 and including previously unplatted acreage A subdivision....etc.

…and state the reason for the replat below the title.

As per Item No. 3, stamp the subdivision name on the benchmark.

As per Item No. 4, show and label the current city limits on the vicinity map and label the location of the subject subdivision.

As per Item No. 5, tie two corners to two corners of the parent tract with bearings and distances, or label found parent tract corners as such.
As per Item No. 6, change the existing McCaleb Road label to read “60” Prescriptive R.O.W.”.

As per Item No. 7, label the rear building setback as a 10-ft building line. Move the 25-ft building line referenced to the new McCaleb right-of-way location. Remove building lines from within easements throughout the plat.

As per Item No. 8, move the 16-ft utility easement referenced to the new McCaleb right-of-way location, per the U.C.C. Note the detention covenant recording information on the plat.

As per Item No. 9, provide right-of-way dedication for the McCaleb Road widening, per Montgomery County plans by Half. Label the right-of-way dedication parcel with bearings and distances and show the dedication area as hatched.

As per Item No. 10, use the standard maintenance note for commercial subdivisions located within the City Limits.

As per Item No. 11, use standard City language for all applicable certifications and dedications.

As per Item No. 12, change the plat name on the lien holder’s acknowledgment and subordination statement to match the plat and complete the notary’s acknowledgment.

As per Item No. 13, remove Note 2, the Commissioner’s Court and County Engineer’s acknowledgments.

Mr. Madeley made a motion to approve the final plat of Villa Capri Apartments, being a replat of Reserve “G” of Lake Conroe Business Park, Section 5 and including unplatted acreage, subject to the satisfactory completion of all items.

Mr. Arnold seconded the motion.

The motion carried unanimously.

10. **VARIANCE REQUEST FOR CISD SCHOOL AVENUE**

The following information is from the memorandum from City Staff:

The proposed 6.418-acre street right-of-way in the John Toops Survey, A-563, is located east of FM 3083 N and west of N Loop 336 E, within the City Limits. The street has direct access to, and connects, FM 3083 N to N Loop 336 E. The street is concrete with curbs and gutters and an underground storm sewer system. No sewer was constructed within the street right-of-way and the water main extension connects to existing City utilities, but will not connect to the water main along N Loop 336 E until the proposed High School is constructed.

Attached is a letter from the owner’s representative requesting to waive the sidewalk requirement for collector streets as required by the Subdivision Ordinance, for the present time, and allowing the sidewalks to be constructed at a future date, when the new High School is constructed.
Staff has no objection to the requested variance for the reasons stated in the request letter, provided the sidewalks are constructed during the High School construction.

Mr. Greer made a motion to approve the variance request for CISD School Avenue, subject to the required condition.

Mr. Arnold seconded the motion.

The motion carried unanimously.

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

Dr. Bob Rabuck, Chairman

/db