CITY OF CONROE
PLANNING COMMISSION
REGULAR MEETING MINUTES

August 06, 2015

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

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

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

1. APPROVAL OF THE JULY 16, 2015, REGULAR MEETING MINUTES

Mr. Arnold made a motion to approve the minutes of July 16, 2015.

Mr. Madeley seconded the motion.

The motion carried unanimously.

2. REQUEST TO SUBDIVIDE LOT 53, OF WOODGATE PLACE SUBDIVISION,
SECTION 1, BY METES AND BOUNDS

The following information is from the memorandum from City Staff:

The proposed residential subdivision is located in the John L. Cross Survey, A-153, east of SH 75 and north of FM 3083, within the City Limits. The owner wishes to subdivide Lot 53, of Woodgate Place, Section 1, to create three lots. The proposed lots have direct access to Woodland Hills Drive and no new streets will be constructed. Water and sewer services will connect to existing City water and sanitary sewer mains.

The owners have requested a variance to allow a front building setback line of 20-ft, rather than the required 25-front building setback line, and a less than 100-ft depth, to make re-development of this property feasible. The developer has been systematically revitalizing this area by re-developing lots with dilapidated structures. However, due to an existing 20-ft utility easement along the rear lot lines, the proposed townhomes will not fit in the building area unless a variance is granted to allow the 20-ft front building line. In addition, one of the lots has
an existing depth on one side less than 100-ft, but it exceeds the minimum lot size of 5,000 square feet.

The Subdivision Ordinance (Chapter 94) provides for the Commission to allow this type of division under certain conditions. These conditions will not be met by the proposed subdivision unless the variances are granted. Staff recommends that the Planning Commission grant the requested variances and allow this subdivision by metes and bounds, as requested, provided the following conditions are satisfactorily addressed:

As per Item No. 1, in the future, include a digital copy of the survey boundary of the lot/reserve being subdivided with the submittal package.

As per Item No. 2, remove the labels listing the unit designations.

As per Item No. 3, label “Block 1” on the survey.

As per Item No. 4, show the boundaries of, and label, the current County Clerk’s recording information for all adjacent properties.

As per Item No. 5, make the 15-ft front utility easement and the 15-ft and 20-ft rear utility easements continuous and show them extending beyond the lots. Terminate the 5-ft u.e./b.l.’s at the rear 15-ft utility easement; all as shown on P2 of the redline mark-ups.

As per Item No. 6, the U.C.C. commented that it accepts the subdivision by metes & bounds.

As per Item No. 7, provide a digital copy of the revised survey and 4 hard copies for review.

As per Item No. 8, after all corrections have been addressed, provide an original 8 1/2-in x 14-in. (legal size) survey for recording, and provide County Clerk’s recording fees in the amount of $31.00, for the “Order”.

Mr. Arnold made a motion to grant the requested variances, and to approve the request to subdivide Lot 53, of Woodgate Place, Section 1, by metes and bounds, subject to the satisfactory completion of all items.

Mr. Caywood seconded the motion.

The motion carried unanimously.

3. REQUEST TO SUBDIVIDE RESERVE “A” OF WALDEN ROAD BUSINESS PARK, BY METES AND BOUNDS

The following information is from the memorandum from City Staff:

The proposed commercial subdivision is located in the John Corner Survey, A-8, west of Freeport Drive and north of SH 105, within the Planning Area. The owner wishes to subdivide Unrestricted Reserve “A”, of Walden Road Business Park, to create a commercial building site. The proposed parcel has direct access to Freeport Drive and no new streets will be constructed.
Water and sewer services will connect to existing Stanley Lake MUD water and sanitary sewer mains.

The Subdivision Ordinance (Chapter 94) provides for the Commission to allow this type of division under certain conditions. These conditions will be met by the proposed subdivision, and staff recommends that the Planning Commission allow this subdivision by metes and bounds, as proposed, provided the following conditions are satisfactorily addressed:

As per Item No. 1, in the future, include a digital copy of the boundary with the digital copy of the survey.

As per Item No. 2, provide current ownership and recording information for all adjacent properties.

As per Item No. 3, the survey must comply with Sec. 94-112, items 1-7.

As per Item No. 4, show and label a minimum 5-ft side lot building setback line along the south boundary and label the 10-ft easement along the north boundary as a building line, also.

As per Item No. 5, remove all topographic features from the plat survey, except for the creek high banks and centerlines and remove the former property owner’s name.

As per Item No. 6, do not use screening (AutoCAD), for clarity.

As per Item No. 7, remove non-applicable items from the legend.

As per Item No. 8, the U.C.C. commented that it needs a 16-ft utility easement along Freeport Drive.

As per Item No. 9, provide a digital copy of the revised survey and 4 hard copies for review.

As per Item No. 10, after all corrections have been addressed, submit the legal description for the survey on a separate 8 ½” x 11” sheet, the survey on a maximum 8 ½” x 14” sheet, for recording purposes, and provide County Clerk’s recording fees for the “Order”.

Mr. Greer made a motion to approve the request to subdivide Reserve “A” of Walden Road Business Park, by metes and bounds, subject to the satisfactory completion of all items.

Mr. Caywood seconded the motion.

The motion carried unanimously.

4. FINAL PLAT OF STILLWATER, SECTION 2

The following information is from the memorandum from City Staff:

Limits. 42 lots and 2 reserves in 1 block will be created. Access to the proposed Guinn Road and the existing Koenig Road will be provided via the proposed Stillwater Creek Drive in Section 1. Proposed streets will be concrete curb and gutter with underground storm sewers. Water and sanitary sewer services will be connected to proposed Montgomery County MUD 138 utilities.

After reviewing the final plat, we recommend approval.

**PLAT:**

As per Item No. 1, FYI- As-built drawings must match the recorded plat.

Mr. Stoecker made a motion to approve the final plat of Stillwater, Section 2.

Mr. Arnold seconded the motion.

The motion carried unanimously.

5. **PRELIMINARY PLAT OF FOSTERS RIDGE, SECTION 7**

The following information is from the memorandum from City Staff:

The proposed 31.294-acre residential subdivision in the James Hodge Survey, A-19 and the Frederick Seiberman Survey, A-497, is located west of IH-45 and north of FM 1488, within the Planning Area. 114 lots and 4 restricted reserves in 2 blocks will be created. Access to Old Conroe-Magnolia Road will be provided via the proposed Denali Wilderness and Thunder Basin Parkways and proposed streets in this section. Proposed streets will be concrete with curbs and gutters and an underground storm sewer system. Proposed water and sanitary sewer systems will connect to proposed MCMUD 139 utilities.

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

**PLAT:**

As per Item No. 1, show and label streets providing access to this subdivision on the Vicinity Map.

As per Item No. 2, show and label abstract boundaries and information where applicable and label the match lines for the tie to the patent survey, for identification. Include the 10-ft right-of-way dedication within the plat boundary and make other corrections to the plat as a result of the change, as necessary.

As per Item No. 3, show and label existing easements within 200-ft of the subdivision boundary.

As per Item No. 4, label ownership and County Clerk’s recording information for all adjacent property.
As per Item No. 5, remove the non-applicable FEMA F.I.R.M. panel number from Note 7.

As per Item No. 6, label complete bearings and distances for Block 1, Lots 31 and 33.

As per Item No. 7, where an easement width is more restrictive than the required building setback width, label the easement boundary as the building line, also. Remove the building line transition and line data for Block 2, Lot 21.

As per Item No. 8, provide a street name unique to Montgomery County for the un-named cul-de-sac, label its right-of-way width and provide complete curve data for knuckle centerlines, including labeling the radii.

As per Item No. 9, sidewalks and streetlights are required for this subdivision.

As per Item No. 10, FYI-Final Plat approval may not be obtained until the plats for the proposed streets providing access to Old Conroe-Magnolia have been recorded.

**LAND STUDY:**

As per Item No. 1, show and label all required proposed easements.

As per Item No. 2, label the reserves with uses.

As per Item No. 3, show and label the existing or proposed water and sewer mains that the proposed utilities will be connected to.

Mr. Caywood made a motion to approve the preliminary plat of Fosters Ridge, Section 7, subject to the satisfactory completion of all items.

Mr. Stoecker seconded the motion.

The motion carried unanimously.

6. **PRELIMINARY PLAT OF FOSTERS RIDGE, SECTION 8**

The following information is from the memorandum from City Staff:

The proposed 36.78-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. 131 lots and 5 restricted reserves in 3 blocks will be created. Access to Old Conroe-Magnolia Road will be provided via the proposed Denali Wilderness Parkway, the existing Fosters Ridge Parkway and proposed streets in this section. Proposed streets will be concrete with curbs and gutters and an underground storm sewer system. Proposed water and sanitary sewer systems will connect to proposed MCMUD 139 utilities.

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

As Per Item No. 1, a temporary off-site turn-around easement is required at the north end of Silver Falls Court.

As Per Item No. 2, show and label streets providing access to this subdivision on the Vicinity Map.

As Per Item No. 3, tie two corners of the subject tract to two corners of the parent tract with a bearing and distance.

As Per Item No. 4, show and label existing easements within 200-ft of the subdivision boundary.

As Per Item No. 5, provide correct ownership and County Clerk's recording information for all adjacent property.

As Per Item No. 6, where an easement width is more restrictive than the required building setback width, label the easement boundary as the building line, also.

As Per Item No. 7, provide a 16-ft utility easement along both sides of all street rights-of-way, including Silverthrone Drive, and show and label a 16-ft utility easement along the rights-of-way in Reserves A, B, C and D, per the U.C.C.

As Per Item No. 8, remove the duplicate Grape Island Court and right-of-way width label and provide complete street centerline curve data. Label the perpendicular distance from the street centerline to the right-of-way, for all streets.

As Per Item No. 9, provide a 45° building line transition with a bearing and distance on Block 2, Lot 19, and label all 45° building line transitions with bearings and distances.

As Per Item No. 10, label the radii of all culs-de-sac and knuckles.

As Per Item No. 11, where streets do not intersect at a 90° angle, a 30-ft radius is required for the right-of-way of the acute angle corner.

As Per Item No. 12, sidewalks and streetlights are required for this subdivision.

As Per Item No. 13, FYI-Final Plat approval may not be obtained until the plats for the proposed streets providing access to Old Conroe-Magnolia have been recorded.

LAND STUDY:

As Per Item No. 1, show and label the proposed easements and label the pavement width for all proposed streets.

As Per Item No. 2, label the reserves with the use.
As Per Item No. 3, show and label the proposed water and sewer mains that the proposed utilities will be connected to.

Mr. Arnold made a motion to approve the preliminary plat of Fosters Ridge, Section 8, subject to the satisfactory completion of all items.

Mr. Greer seconded the motion.

The motion carried unanimously.

7. **PRELIMINARY PLAT OF DENALI WILDERNESS PARKWAY DEDICATION PLAT**

The following information is from the memorandum from City Staff:

The subject 2.842-acre proposed street right-of-way in the James Hodge Survey, A-19, is located north of FM 1488 and west of IH-45, within the Planning Area. The proposed street will be concrete with concrete curbs and gutters and underground storm sewers. Proposed water and sanitary sewer mains will connect to existing MCMUD 139 utilities.

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

**PLAT**

As per Item No. 1, label the street names for the streets connecting the proposed right-of-way to Old Conroe-Magnolia Road, on the Vicinity Map.

As per Item No. 2, label the widths of all easements adjacent to, and within, 200-ft of the plat boundary.

As per Item No. 3, label ownership and County Clerk’s recoding information for all adjacent property.

As per Item No. 4, remove the non-applicable FEMA F.I.R.M. panel number from Note 8.

As per Item No. 5, label the tie from the street centerline for the south end of Denali Wilderness Parkway, to the centerlines of the intersecting streets to the south, with line or curve data, as applicable.

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

**LAND STUDY:**

As per Item No. 1, label the pavement and right-of-way width for all street intersections.

As per Item No. 2, show and label the existing utilities that the proposed utilities will connect to.
Mr. Arnold made a motion to approve the preliminary plat of Denali Wilderness Parkway Dedication Plat, subject to the satisfactory completion of all items.

Mr. Caywood seconded the motion.

The motion carried unanimously.

8. VARIANCE REQUEST FOR SCENIC FOREST WAY DEDICATION PLAT

The following information is from the memorandum from City Staff:

The proposed 14.593-acre street right-of-way in the James Edward Survey, A-190, is located south of League Line Road and west of Longmire Road, within the Planning Area. The proposed street will be concrete with borrow ditches. No proposed water mains or sanitary sewer mains are indicated.

Attached are a letter and an exhibit from the Engineer of record, requesting four variances. Comments from staff are listed below:

Staff agrees that sanitary sewer design, by its nature, does not always allow for construction along the street rights-of-way and therefore concurs that the sanitary sewer collection system construction may be postponed to the time of development of the remaining property.

Staff does not agree that the water main should not be constructed until the remaining property is developed as no unique condition of the property exists to preclude the construction, and as the ordinance clearly states that the utilities are required to be constructed at the time of platting.

Staff concurs with the request to waive the sidewalk requirements for both sides of the collector street due to elevation changes, which, approaching more than double the maximum grade allowable, prevent compliance by ADA.

Staff does not agree that the street light requirement should be waived until other streets are constructed to intersect with Scenic Forest Way as no unique condition exists that would prevent the street lights from being constructed at the time of platting. Street lights are erected to light the driving lanes when it is too dark for drivers to see by natural light, in addition to providing extra protection at intersections.

In conclusion, staff recommends granting the variances requested in items 1 and 3, and denying the variances requested in items 2 and 4, for the reasons stated; and does not recommend adding notes to a plat regarding property which is located outside the plat boundary.

Mr. Caywood made a motion to grant the variance request to postpone the construction of the sanitary sewer system and the variance request to waive the sidewalk requirements.

Mr. Arnold seconded the motion.

The motion carried unanimously.
August 06, 2015

Mr. Madeley made a motion to grant the variance request to delay the construction of the water main until the remaining property is developed.

Mr. Arnold seconded the motion.

The motion carried unanimously.

Mr. Hailey made a motion to deny the variance request to waive the streetlight requirements.

Mr. Arnold seconded the motion.

Mr. Stoecker opposed.

The motion carried.

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

Dr. Bob Rabuck, Chairman

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