CITY OF CONROE
PLANNING COMMISSION
REGULAR MEETING MINUTES

January 21, 2016

PRESENT:  Dr. Bob Rabuck, Chairman
Dr. Joe Rappolt, Member
Jim Arnold, Member
Fred Greer, Member
Chris Caywood, Member
Mike Stoecker, Member
Steve Hailey, Member

OTHERS:  Adam France, Development Coordinator
Sandy Hilderbrand, Development Coordinator
Chris Bogert, P.E., Engineering Manager
Dana Berry, Secretary

ABSENT:  Foster Madeley, Vice-Chairman
Scott Taylor, P.E., Executive Director of Infrastructure Services
Marcus Winberry, City Attorney

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

1. APPROVAL OF THE JANUARY 07, 2016, REGULAR MEETING MINUTES

Mr. Caywood made a motion to approve the minutes of January 07, 2016.

Mr. Arnold seconded the motion.

The motion carried unanimously.

2. FINAL PLAT OF CAYDEN CREEK, SECTION 1

The following information is from the memorandum from City Staff:

The proposed 13.091-acre residential subdivision in the John Bricker Survey, A-71, is located west of IH-45 and north of South Loop 336, within the City Limits. 43 lots and 6 restricted reserves in 3 blocks will be created. Access to Sgt. Ed Holcomb Blvd. will be provided via the proposed Cayden Creek Way. Proposed streets will be concrete with curbs and gutters and an underground storm sewer system. Proposed water and sanitary sewer systems 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 addressed:

As per Item No. 1, provide a scaled bearing and distance from a corner of the subject tract to a corner of the original (patent) survey and tie two corners of the subject tract to two corners of the parent tract with bearings and distances.

As per Item No. 2, provide right-of-way cutbacks at the intersection of Cayden Creek Way and Sgt. Ed Holcomb Blvd. per design manual detail P-19.

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

As per Item No. 1, the plat survey must comply with Sec. 94-112(a), items 2 & 7.

As per Item No. 2, note whether the set benchmark elevation is measured in Geoid 03 or 09 and note the 2 NGS monuments used to establish the subdivision benchmark.

As per Item No. 3, correct the name of the development company on page 5 of the Subdivision Development Agreement (in 2 places), to match the name on the City Planning Letter.

As per Item No. 4, the minimum allowable text size is 1/10th inch throughout the plat.

As per Item No. 5, show and label, or note all easements listed in the City Planning Letter, or provide a revised City Planning Letter with the non-applicable easements removed, label all City of Conroe easements as such and show and label the drainage easement recorded under MCCF no. 2014073054.

As per Item No. 6, in the floodplain note, add the text “BY ELEVATION”, after “....ZONE X” and “AS”, before “ESTABLISHED BY....” To revise the floodplain information for this section, after the LOMR is approved by FEMA, this subdivision must be replatted.

As per Item No. 7, correct the U.E./B.L. label in Reserve “F”, along Crosshaven Way, to reflect the width shown, per the U.C.C. Be consistent in abbreviating the labels for building lines throughout the plat and assure the labels match the legend.

As per Item No. 8, add a note to the plat stating: “This property is located within the boundaries of Montgomery County Municipal Utility District No. 96.”

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

Mr. Stoecker made a motion to approve the final plat of Cayden Creek, Section 1, subject to the satisfactory completion of all items.

Mr. Greer seconded the motion.

The motion carried unanimously.
3. REQUEST FOR EXCEPTION FOR LADERA CREEK SUBDIVISION, PREVIOUSLY KNOWN AS THORNBERRY SUBDIVISION

This item was withdrawn prior to the meeting.

4. REQUEST TO SUBDIVIDE RESTRICTED RESERVE “D”, OF TEAS PLAZA, SECTION 1, BY METES AND BOUNDS

The following information is from the memorandum from City Staff:

The proposed commercial subdivision in the James Edward Survey, A-190, is located east of IH-45 and north of FM 3083 within the City Limits. The owner wishes to subdivide Restricted Reserve “D” to create a commercial building site. The proposed reserve has shared access to IH-45 and FM 3083, and no new streets will be constructed. Water and sewer services will ultimately be served by existing City mains.

Mr. Jeffrey Moon, with Jeffrey Moon and Associates, addressed the Commission.

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, label private easements as such, according to the original plat.

As per Item No. 2, provide the County Clerk’s recording and subdivision information for the adjacent reserves.

As per Item No. 3, move the “30’” label (permanent access & drainage easement) off of the plat boundary line, as the ‘foot’ symbol is illegible and label the width of the existing easement on the subdivided parcel.

As per Item No. 4, show and label a 5-ft building line along the southeastern property line.

As per Item No. 5, add the new address to the survey for identification.

As per Item No. 6, remove the 16-ft City of Conroe utility easement recorded under County Clerk’s file number 9334038 from the survey, as shown, as it was relocated by Planning Commission approval and recordation of the original plat.

As per Item No. 7, the U.C.C. commented that it does not accept the plat and that it needs a 16-ft utility easement along IH-45 that must be dedicated by separate instrument.

As per Item No. 8, the Building Official had no comments.

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 an original sealed and signed legal description for the survey on a separate 8 1/2” x 11” sheet, the original sealed and signed survey on a maximum 8 1/2” x 14” sheet, for recording purposes, and provide County Clerk’s recording fees for the “Order”.

Mr. Arnold made a motion to approve the request to subdivide Restricted Reserve “D”, of Teas Plaza, Section 1, by metes and bounds, subject to the satisfactory completion of all items.

Mr. Caywood seconded the motion.

The motion carried unanimously.

5. REQUEST TO SUBDIVIDE LOT 3, LOCK 19, LAWNDALE PARK, BY METES AND BOUNDS

The following information is from the memorandum from City Staff:

The proposed 56-foot by 60-ft residential lot out of Block 19, Lot 3 of Lawndale Park, in the L. Y. Falsom Survey, A-212, is located north of SH 105 and east of IH-45, within the City Limits. The owner wishes to subdivide Lot 3, to create a residential lot. The proposed lot will have direct access to the existing Stevens Avenue. Proposed water and sewer services will connect to existing City utilities.

Mr. Jeffrey Moon, with Jeffrey Moon and Associates, addressed the Commission.

Attached is a letter from the property owner requesting a variance to allow the subdivision of the proposed 56-foot by 60-foot lot to allow a residential home to be constructed which would keep the existing lot configuration along the north side of Stevens Avenue consistent.

The minimum allowable frontage for a lot, per Section 94-252(a)(2,) is 50-feet of 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 60-feet of depth, due to an earlier subdivision of the lots leaving only 60-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 3,360 square feet, which is less than the required minimum lot area.

Although the lot does not meet the minimum depth or area, staff recommends the Planning Commission allow the lot to be subdivided by metes and bounds, as requested, due to the pre-existing lot depth created by unrecorded previously subdivided lots in Lawndale Park, provided the following conditions are satisfactorily addressed:

As per Item No. 1, remove the previous owner’s information from the survey.

As per Item No. 2, the U.C.C. commented that it does not accept the plat and that the 16-ft utility easement must be dedicated by a separate instrument.

As per Item No. 3, provide a digital copy of the revised survey and 4 hard copies for review.
As per Item No. 4, after all corrections have been addressed, submit an original sealed and signed legal description for the survey on a separate 8 1/2” x 11” sheet, the original sealed and signed survey on a maximum 8 1/2” x 14” sheet, for recording purposes, and provide County Clerk’s recording fees for the “Order”.

Mr. Arnold made a motion to grant the requested variance and to approve the request to subdivide Lot 3, Block 19, Lawndale Park by metes and bounds, subject to the satisfactory completion of all items.

Mr. Caywood seconded the motion.

The motion carried unanimously.

6. **FINAL PLAT OF HILLS OF WESTLAKE, SECTION 1**

The following information is from the memorandum from City Staff:

The proposed 36.468-acre residential subdivision in the P. H. Herndon Survey, A-256, is located north of SH 105 and east of La Salle Avenue, in the Planning Area. 149 lots and 8 restricted reserves in 7 blocks will be created. Access to La Salle Avenue will be provided via proposed streets. Proposed streets will be concrete, with curbs and gutters, and underground storm sewers. Water and sanitary sewer mains will connect to MCMUD 42 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, use standard City language for the Maintenance Note for subdivisions located within the Planning Area.

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

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

As per Item No. 2, the plat must comply with Sec. 94-112(a), items 1-7.

As per Item No. 3, set a subdivision benchmark to comply with Sec. 94-112(b) or comply with 94-112(c). If a new subdivision benchmark is set, it must be located within a public right-of-way, not on private property.

As per Item No. 4, show and label the current City limit boundary, on the vicinity map.

As per Item No. 5, the 100-yr floodplain boundary does not appear to match the FEMA F.I.R.M. boundary.
As per Item No. 6, show and label, or note, all required building setback lines (rear lot), including in all reserves, or add a note to the plat stating “No enclosed structure shall be constructed within a reserve.” to provide compliance for the reserves. Where an easement width is more restrictive than the required building setback width, remove the building line and label the easement boundary as the building line, also.

As per Item No. 7, remove building lines from within the easements and where wet utilities are located outside of the rights-of-way, a 16-ft utility easement is required, per the U.C.C.

As per Item No. 8, use standard County language for the owner’s certification and dedication and the surveyor’s acknowledgment.

As per Item No. 9, use standard County language for the lien holders’ acknowledgment and subordination statements and make corrections as necessary for the Weekley Homes and Chesmar Homes lien holders’ documents.

As per Item No. 10, correct the Clerk’s Certificate of Filing by adding the missing underline.

As per Item No. 11, provide a revised MCECD-911 addressed plat with “Reserve “H” “ labeled with an address.

As per Item No. 12, provide one complete set of the approved (with all sheets completely initialed and dated), revised construction plans.

As per Item No. 13, FYI, as-built drawings must match the recorded plat.

Mr. Greer made a motion to approve the final plat of Hills of Westlake, Section 1, subject to the satisfactory completion of all items.

Mr. Stoecker seconded the motion.

The motion carried unanimously.

7. **FINAL PLAT OF WOODHAVEN FOREST, SECTION 3**

The following information is from the memorandum from City Staff:

The proposed 27.988-acre subdivision in the Kenneth Hyman Survey, A-249, is located south of S Loop 336 and west of Sgt. Ed Holcomb Blvd., within the City Limits. 62 lots and 2 reserves in 2 blocks will be created. Access to Sgt. Ed Holcomb is provided via the existing Riverway Drive and proposed streets. Proposed streets will be concrete curb and gutter with underground storm sewers. Proposed water and sanitary sewer mains will be connected to existing City utilities.

Mr. Jeffrey Moon, with Jeffrey Moon and Associates, and Mr. Tony Padua, the owner of the development, addressed the Commission.
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, the scaled floodway and 100-year floodplain boundary do not appear to match the current F.I.R.M. panel.

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

As per Item No. 1, provide a scaled and signed engineers approved cost estimate, provide a corrected first page of the subdivision development agreement with the effective date removed, verify and correct the address of the surety company in the performance bond, if incorrect (first and second pages).

As per Item No. 2, provide a revised MCECD911 addressed plat with Reserve “B” addressed.

As per Item No. 3, the plat must comply with 94-112(a), item 5.

As per Item No. 4, note the 2 NGS monuments the set benchmark is referenced to, the existing benchmark used to set the subdivision benchmark, and correct the benchmark stamp to reflect Section 3.

As per Item No. 5, the minimum allowable text size throughout the plat is 1/10th inch.

As per Item No. 6, where an easement is more restrictive than the required building line, remove the building line and label the easement as the building line also, with the applicable width. Label building lines with a variable width as “Variable Width B.L.”

As per Item No. 7, show and label the 50-ft access easement in Reserve “B” as shown on plans. Provide a 16-ft utility easement or 14-ft utility easement (provided wet utilities are located within the rights-of-way) along the side lot lines of Lots 21 & 22, Block 1 adjacent to Wood Bark Lane, per the U.C.C.

As per Item No. 8, development within the floodplain must comply with (94-224).

As per Item No. 9, development of Reserve “B” must comply with the vegetation ordinance in effect at the time of development. Add a note to the plat stating: “Development of Reserve “B” must comply with the vegetation and tree preservation ordinance in effect at the time of development.”

As per Item No.10, adjust match lines to show the complete lot boundary for Block 1, Lot 16 and all other lots.
As per Item No. 11, a variance has been requested, but is not recommended, to allow a 16-ft front building line on Block 2, Lots 3, 30 and 35 (which are all cul-de-sac lots), rather than the required 20-ft front building line, in order to keep the conformity of the style of homes throughout the subdivision, because the proposed houses will not fit on a lot having the required 20-ft front building line, as no special condition or circumstance exists peculiar to this subdivision to justify granting the variance.

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

Mr. Hailey made a motion to deny the variance request and to approve the final plat of Woodhaven Forest, Section 3, subject to the satisfactory completion of all items.

Mr. Greer seconded the motion.

The motion carried unanimously.

8. PRELIMINARY PLAT OF THE WOODS OF CONROE, SECTION 1

The following information is from the memorandum from City Staff:

The proposed 35.070-acre residential subdivision in the Mary Corner Survey, A-9, is located west of Sapp Road and south of SH 105, within the City Limits. 100 lots and 11 restricted reserves in 3 blocks will be created. Access to Sapp Road will be provided via proposed streets. Proposed streets will be concrete curb and gutter with an underground storm sewer system. Connections of proposed water and sanitary sewer mains to a water distribution system and sewage collection system have not been shown.

After a preview of the Land Study, we recommend rejection due to the incomplete nature of the Land Study; this subdivision must be adequately served by water distribution and sewage collection systems, which have not been identified on the Land Study. (94-222)

This item was tabled.

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

Jim Arnold, Acting Chairman

/db