

**MINUTES OF THE MEETING OF THE PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS, AT CITY HALL, 1212 AVENUE M, HUNTSVILLE, TEXAS ON THE 16TH DAY OF JANUARY 2020 AT 5:30 PM.**

---

Members present: Woods; Hooten; Whitehead; Thompson; Carpenter; Jenkins

Members absent: Nichols

City staff present: Ridley; Larkins; McClure

---

**1. CALL TO ORDER**

*The meeting was called to order by Chairman Woods. [5:30 PM]*

**2. PLEDGE OF ALLEGIANCE**

- a. U.S. Flag
- b. Texas Flag

**3. INVOCATION**

*Chairman Woods led the invocation.*

**4. PUBLIC HEARING** to take testimony concerning the application for a Conditional Use Permit for a Purpose-Built Shared Housing Development to be located in the 2700 Block of Montgomery Road (FM 1347).

*Chairman Woods opened the Public Hearing.*

**Staff Planner, Leigha Larkins**, gave the staff report for the project per the discussion form, noting that this Conditional Use Permit application for a Purpose-Built Shared Housing project that will include 156 units with a total of 444 bedrooms. It was noted that the on-site parking as well as all other development requirements will conform to the Purpose-Built Shared Housing Design Criteria. Larkins also noted that access for the development will be from Montgomery Road only.

**David Kulkarni, Developer Representative**, gave a brief overview presentation of the proposed development.

**Speakers in Support of the Conditional Use Application.**

There were none.

**Speakers in Opposition of the Conditional Use Application.**

**Norma Elvin**, residing at 2828 Wolverton Street, expressed concern regarding access from Cline Street and for the increased traffic that the project will generate on Montgomery Road especially at the Cline Street intersection.

**Wendy Whitehead, Manager and Cheryl Ben, resident** of Montgomery Meadows Senior Residential Development located at 2750 Montgomery Rd, expressed concern regarding increased traffic on Montgomery Road, mentioning numerous wrecks that have occurred near Montgomery Meadows and existing difficulty accessing Montgomery Road from the Montgomery Meadows development. Also mentioned was concern over a possible increase in vandalism and trespassing within the Montgomery Meadows development. They also presented a letter from the property owner/developer of Montgomery Meadows, Emanuel H. Glockzin, Jr., which also expressed the same concerns.

**Christian Zaragoza**, residing at 674 Cline Street, expressed concern regarding issues with the existing sanitary sewer and flooding in the area as well as concern over increased traffic on Cline Street.

**Brian Elvin**, residing at 2828 Wolverton Street, expressed concern with traffic issues on Montgomery Road, stating that there should be a traffic light at the Cline Street intersection and City Council should ensure that the traffic issues on Montgomery Road are addressed.

**Bobbette Beggs**, residing at 677 Cline Street, stated that she operates a small day care/school on Cline Street and is concerned with increased traffic which may increase the occurrence of accidents on the street. She also asked what the apartments will look like and how many stories the buildings will have. Will there be units facing Cline Street with balconies?

**Steve Beggs**, residing at 667 Cline Street, expressed concern regarding a construction entrance from Cline Street. He also requested that the Developer conserve existing trees to serve as a buffer for the existing single-family residences in the neighborhood from the proposed development.

**Annie Hart**, residing at 701 Cline Street, expressed concern for increased traffic on Cline Street including possible construction vehicle traffic. She noted that there are School Bus stops on the street.

**Rebuttal** was given by the **Developer Representative, David Kulkarni**, who stated that there will not be any access to the project from Cline Street, including construction access. He stated that there will be five (5) three (3) story buildings which will be located near the interior property lines. The project will be a luxury student housing development. A tree survey will be performed and as many trees as possible will be preserved. Detention for storm water mitigation is also being provided.

**Chairman Woods** called upon city staff professional engineer, **Mark McClure**, to address the concerns expressed by the citizens regarding the impact of the development of the existing City infrastructure.

**McClure** provided information regarding City storm water detention requirements and City/TxDOT requirements for a Traffic Impact study.

**Staff Planner, Leigha Larkins**, added that the development will be providing more parking than that required by the *Development Code* for a garden style apartment complex.

*Chairman Woods closed the Public Hearing.*

5. **CONSIDER** the application for a Conditional Use Permit for a Purpose-Built Shared Housing development to be located in the 2700 Block of Montgomery Road (FM 1347).

**Commissioner Hooten** questioned citizen **Christian Zaragosa** as to the sanitary sewer back-up issues that he mentioned in his opposition statement. Mr. Zaragosa stated that City Wastewater Superintendent, Stacy Lawler, has had to address the issue on several occasions. **Mark McClure**, Staff Engineer, stated that as part of the engineering plan review for the project, the City Model for water and sewer demands will be run. If determined that the existing systems are not adequate to handle the project's demand, the Developer will be required to provide upgrades/upsizing to the systems.

**Staff Planner, Larkins**, reminded the Commission that additional development conditions can be placed on the Conditional Use Permit for the proposed development to address the concerns expressed by the citizens such as requiring signage on Cline Street prohibiting construction access, perimeter screening fencing for the project, restricting balconies on units that face street/existing residential properties, etc.

*Commissioner Hooten moved to recommend approval of the Conditional Use Permit with the conditions that project construction access be allowed only from Montgomery Road with applicable signage placed on Cline Street; no balconies will be allowed for units which face existing residential properties; Developer will address neighborhood sanitary sewer issues; privacy fencing will be provided and existing trees will be retained if possible. Second was by Commissioner Thompson. The motion was approved by vote of five (5) in favor and one (1) opposed. (Commissioner Whitehead voted in opposition.)*

6. **CONSIDER** the Final Plat of Texas Grand Ranch, Section 12, located in the ETJ of the City of Huntsville.

**City Planner, Janet Ridley**, gave an overview of the subdivision per the Staff Discussion Form. It was noted that the Preliminary Plan for Section 12 along with two Modification/Waiver of Subdivision Standards for (1) staff length for Reserve A in Block 28 and for (2) the lot width to depth ratio for Lot 44 in Block 44 were approved by the Planning Commission on July 18, 2019. As the Final Plat is consistent with the approved Preliminary Plan, with the granting of the two waivers, and the City Engineer has approved the public improvement plans for the section, staff recommends approval of the Final Plat as submitted.

*Commissioner Hooten moved to approve the Final Plat of Texas Grand Ranch, Section 12. Second was by Commissioner Whitehead. The vote was unanimous.*

7. **CONSIDER** the application for a Modification and Waiver of Subdivision Standards for the Lonestar Road subdivision located in the ETJ of the City of Huntsville.

**City Planner, Janet Ridley**, gave an overview of the application for the waiver per the Staff Discussion Form noting the Planning Commission approval for the Preliminary Plan for the Lonestar Road subdivision and approval of a waiver for the road width for Lonestar Road on August 15, 2019. This application is requesting a waiver for sidewalk construction on the bridges for the road. Staff recommendation is to deny the requested waiver because not all of the criteria, per the *Development Code*, for the granting of the waiver are met. If the Commission should find that it is reasonable and appropriate to not require the construction of sidewalks on the bridges at the time of initial construction of the bridges, it should be stipulated that the bridges are constructed of adequate width to allow for the construction of sidewalks for pedestrian access in the future.

**Brett Wyant, project Engineer**, addressed the Commission stating developer's case for the waiver and answered Commissioner's questions. He verified that the width of the street will be 26' with 2' shoulders and that the it is estimated traffic for the road is approximately 1900 vehicle trips per day. He indicated that a separate pedestrian bridge, to be constructed in the future, is the preference of the developer. Construction of sidewalks on the bridges will cause additional impact to the floodplain due to the increased amount of fill which will be required between the bridges.

**Ronnie White, Walker County Commissioner**, stated that he is not in favor of the construction of a sidewalk on the bridge. He expressed that the County is not in the sidewalk maintenance business and would not accept the maintenance of the sidewalk. He proceeded to explain the maintenance issue and expenses involved.

**Chairman Woods** called upon **staff Engineer, Mark McClure**, to explain the City's requirement for the construction of the sidewalk of the bridge. McClure stated that Lonestar Road is classified as an arterial street and the City's Development Code requires the construction of sidewalks adjacent to arterial streets. While the road is being allowed to be constructed to an reduced pavement width until the Reserve tracts within the Lonestar Road subdivision are developed, at which time the road will be required to widened per the waiver granted for the construction of the road by the Planning Commission, the widening of the road will occur at the end of the bridges – the bridges will not be widened in the future. Therefore, to allow for pedestrian access on the bridges at the time of the development of the Lonestar Road subdivision, the developer is required to provided for sidewalks at the time of construction of the bridges.

Upon Planning Commission question to **County Commissioner, Ronnie White**, regarding maintenance costs, he provided the County's budgeted cost per linear foot of road for maintenance. He stated that the Planning Commission would be helping the County out by not requiring sidewalks to be constructed on the bridges.

**Project Engineer, Brett Wyant**, offered a compromise solution, stating that the Planning Commission could grant the waiver with the stipulation that upon the development of the Reserve Tracts in the Lonestar Road subdivision in the future, the developer at that time will be required to provide separate pedestrian bridges.

**Amy Maddox, meeting attendee**, addressed the Commission to point out that the Texas Grand Ranch Development has several built public open spaces which provide walking areas. She feels that residents will walk in these spaces, not on the public roads.

*Commissioner Hooten moved to grant the waiver to not require sidewalks to be constructed on the bridges with the stipulation that pedestrian bridges will be required at the time the Reserve Tracts of the Lonestar Road subdivision are developed. Second was by Commissioner Whitehead. The vote was tied, three (3) in favor and three (3) opposed. (Commissioners Hooten, Whitehead & Woods in favor & Commissioners Thompson, Jenkins and Carpenter opposed.) The waiver was not granted by this vote.*

*Commissioners questioned how soon the developer could resubmit the application for the waiver since it was a tie vote, one Commissioner being absent for this meeting. Staff stated that there was no time frame stipulated in the Development Code for resubmittal of an application. Staff*

*mentioned that the Commission could withdraw the vote that was taken and table the vote to the next Planning Commission meeting.*

*Commissioner Whitehead moved to withdraw the vote taken and to table the vote to the next, February 6, 2020, Planning Commission meeting. Second was by Commissioner Hooten. The vote was unanimous.*

- 8. PUBLIC HEARING** to take testimony concerning revised code language for amending *Article 4: Use Regulations and Article 12: Development Review and Approval Procedures* relating to regulation of Purpose-Built Shared Housing.

*Commissioner Woods opened the Public Hearing.  
There were no citizens present to express support or opposition.  
Commissioner Woods closed the Public Hearing.*

- 9. DISCUSS, REVIEW AND CONSIDER** revised code language for amending *Article 4: Use Regulations and Article 12: Development Review and Approval Procedures* relating to regulation of Purpose-Built Shared Housing and Development District Map Amendment protest petitions and revised language for *Purpose-Built Shared Housing Design Criteria Section 3.302.01 Residential Development Standards* relating to Conditional Use Permit requirements.

**City Planner, Janet Ridley**, provided an update of the proposed regulations per the staff discussion form. It was noted that, with Commission recommendation, the code language revision will be added to those previously approved by the Commission. The Public Hearing and first reading of the Ordinance for all of the proposed code language revisions will be at the February 4, 2020 City Council meeting. Additionally, with Commission approval, staff will revise *Section 3.302.01 Residential Development Standards* of the *Purpose-Built Shared Housing Design Criteria* to add the following criteria for determination of when a Conditional Use Permit (CUP) is required for a Purpose-Built Shared Housing development.

- “Attached” Developments CUP required – (a) when a project does not conform to the design criteria manual; (b) when a project is located within 200’ of a Neighborhood Conservation District or (c) if the project exceeds a density of 29 dwelling units per acre.
- “Detached” Developments CUP required when a project does not conform to the design criteria manual.

*Commissioner Whitehead moved to recommend to City Council the amending of the designated Articles of the Development Code per the proposed draft language and to also approve the revision to the Purpose-Built Shared Housing Design Criteria relating to CUP requirements. Second was by Commissioner Jenkins. The vote was unanimous.*

- 10. CONSIDER** the minutes of the December 5, 2019 meeting.

*Commissioner Hooten moved to approve the minutes of the December 5, 2019 meeting. Second was by Commissioner Whitehead. The vote was unanimous.*

- 11. PUBLIC COMMENTS**

*There were none.*

- 12. ITEMS OF COMMUNITY INTEREST**

*There were none.*

- 13. ADJOURNMENT**

*Chairman Woods adjourned the meeting. [7:50 PM]*