

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE PLANNING & ZONING COMMISSION
June 5, 2017

The Planning and Zoning Commission of the City of Hunters Creek Village, Texas, convened a regular meeting on June 5, 2017 at 6:00 p.m. in the City Hall at #1 Hunters Creek Place, Hunters Creek Village, Texas.

The meeting was called to order at 6:00 p.m. by Chairman Bill Dalton. In attendance were Commissioners Bill Dalton, David Childers, John Abercrombie, Charles Martin and Brent Fredricks. Also in attendance were: John Hightower, City Attorney; Tom Fullen, City Administrator; Robert Pemberton, City Building Official; and Crystal R. Dozier, City Secretary.

1. Discussion and possible action to consider approval of the minutes of May 1, 2017 regular meeting.

A motion was made by Commissioner Childers to approve the minutes of the May 1, 2017 regular meeting and Commissioner Fredricks seconded the motion. The vote to carry the motion was unanimous.

2. PUBLIC HEARING. A public hearing will be held before the Planning & Zoning Commission for the purpose of receiving testimony for or against a proposed amendment to the Zoning Chapter of the City of Hunters Creek Village. The proposed amendment, if adopted, would make the following change to the Zoning Chapter. Establish new maximum heights, for anything built or placed in a required rear or side yard. More specifically, maximum heights, as measured from natural ground level, would be limited to: 8' if located 5-10' from the rear and side property lines; 10' if located 10-15' from the rear and side property lines; or 15' if located more than 15' from the rear and side property lines.

The public hearing was called to order by Chairman Dalton for the purpose of receiving testimony for and against the approval of the proposed amendment to the Zoning Chapter of the City of Hunters Creek Village. The proposed amendment, if adopted, would make the following change to the Zoning Chapter. Establish new maximum heights, for anything built or placed in a required rear or side yard. More specifically, maximum heights, as measured from natural ground level, would be limited to: 8' if located 5-10' from the rear and side property lines; 10' if located 10-15' from the rear and side property lines; or 15' if located more than 15' from the rear and side property lines.

No comments or testimony was offered by any member of the public.

3. Discussion and possible action to consider a final report and recommendation to City Council to amend the Zoning chapter.

A motion was made by Commissioner Martin to approve the final report and to recommend to City Council that the proposed amendment: to establish new maximum heights, for anything built or placed in a required rear or side yard. More specifically, maximum heights, as measured from natural ground level, would be limited to: 8' if located 5-10' from the rear and side property lines; 10' if located 10-15' from the rear and side property lines; or 15' if located more than 15' from the

rear and side property lines. Commissioner Fredricks seconded the motion. The vote to approve the motion was unanimous.

4. Consideration and possible action to adopt a preliminary report on the application, by the Memorial Village Water Authority, to amend the Zoning Chapter to approve a Specific Use Permit allowing the renovation and expansion of the Authority's utility substation and pump station at 739 W. Creekside Drive in Zoning District R in the City of Hunters Creek Village.

Reid Wilson, representative of the Memorial Village Water Authority, made a presentation to the Commission and explained to the Commission how the Creekside Water Plant has been operating and why the renovation and expansion is needed.

A motion was made Commissioner Martin with a seconded by Commissioner Fredricks, to schedule a joint public hearing with the City Council, and to adopt a preliminary report recommending that City Council grant the application subject to the following conditions:

- a) **The facility shall be constructed and maintained in substantial compliance with the descriptions, site plan, and other exhibits submitted with the application and described as Alternate A – Above Ground Modified (the “Alternate A Plans”) and those portions of the original application that were not modified, including the landscape plan.**
- b) **The maximum height of the sidewall of the two tanks may not exceed 24 feet, except as provided in d) below.**
- c) **No substantial modification shall be made to the Alternate A Plans or the expanded facility, described in the Alternate A Plans, unless the modification is authorized by an amendment to the Specific Use Permit.**
- d) **For purpose of determining whether a modification is substantial, a variance in a measured height or distance is not substantial if it varies from the planned height or distance by less than 5%, is reasonably necessary for engineering or economic reasons, and was not anticipated when the Alternate A Plans were prepared.**
- e) **The facility shall comply with all applicable ordinances of the City of Hunters Creek Village, except to the extent a variance from the requirements of those ordinances is granted by Specific Use Permit.**
- f) **The facility shall be operated in accordance with reasonable industry best practices to minimize the impact on the surrounding neighborhood from noise, vibrations, and odors associated with the operation of the facility.**
- g) **The expanded facility shall be operated so as to produce no more noise than is produced by the current facility, with the exception of the generator that is to be added in the expansion.**
- h) **The property currently owned by MVWA shall be treated as a single tract or lot for regulatory purposes for so long as the property is used as the site for a water plant or similar facility. In the event, MVWA discontinues the use of**

the property as the site for a water plant, any subsequent use or transfer of the property or any portion thereof, shall be subject to all applicable platting and zoning regulations.

The Commission also directed the applicant to provide more detailed information on the types and sizes of trees to be included in the landscape plan.

A joint public hearing with the City Council on the proposed zoning change is scheduled to be held by the Commission on June 22, 2017 at 6:00 pm at City Hall.

5. Discussion and possible action to consider any future agenda items.

No action taken.

Adjourn open meeting

With no further business coming before the Commission, a motion was made by Commissioner Martin, with a second by Commissioner Childers, to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 6:50 p.m.

Respectfully Submitted,

Crystal R. Dozier, TRMC
City Secretary

These minutes were approved on the 14th day of August, 2017.

To: City Council

From: Bill Dalton, Chair of the Planning & Zoning Commission

Re: Application of the Memorial Villages Water Authority for a Specific Use Permit for an expansion of the Creekside Water Plant

Date: June 5, 2017

At its meeting on June 5, 2017, the Planning & Zoning Commission voted unanimously to recommend approval of the application of the Memorial Villages Water Authority for a Specific Use Permit for an expansion of the Creekside Water Plant with the following proposed conditions:

- a) The facility shall be constructed and maintained in substantial compliance with the descriptions, site plan, and other exhibits submitted with the application and described as Alternate A – Above Ground Modified (the “Alternate A Plans”) and those portions of the original application that were not modified, including the landscape plan.
- b) The maximum height of the sidewall of the two tanks may not exceed 24 feet, except as provided in d) below.
- c) No substantial modification shall be made to the Alternate A Plans or the expanded facility, described in the Alternate A Plans, unless the modification is authorized by an amendment to the Specific Use Permit.
- d) For purpose of determining whether a modification is substantial, a variance in a measured height or distance is not substantial if it varies from the planned height or distance by less than 5%, is reasonably necessary for engineering or economic reasons, and was not anticipated when the Alternate A Plans were prepared.
- e) The facility shall comply with all applicable ordinances of the City of Hunters Creek Village, except to the extent a variance from the requirements of those ordinances is granted by Specific Use Permit.
- f) The facility shall be operated in accordance with reasonable industry best practices to minimize the impact on the surrounding neighborhood from noise, vibrations, and odors associated with the operation of the facility.

- g) The expanded facility shall be operated so as to produce no more noise than is produced by the current facility, with the exception of the generator that is to be added in the expansion.

- h) The property currently owned by MVWA shall be treated as a single tract or lot for regulatory purposes for so long as the property is used as the site for a water plant or similar facility. In the event, MVWA discontinues the use of the property as the site for a water plant, any subsequent use or transfer of the property or any portion thereof, shall be subject to all applicable platting and zoning regulations.

The Commission also directed the applicant to provide more detailed information on the types and sizes of trees to be included in the landscape plan.

Bill Dalton, Chairman
Planning and Zoning Commission