

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE PLANNING & ZONING COMMISSION
June 22, 2017

The Planning and Zoning Commission of the City of Hunters Creek Village, Texas, convened a joint meeting with the City Council on June 22, 2017 at 6:00 p.m. in the City Hall at #1 Hunters Creek Place, Hunters Creek Village, Texas, for the purpose of conducting a joint public hearing and acting upon a proposed amendment of the City's Zoning Chapter.

The Commission's meeting was called to order at 6:02 p.m. by Chairman Bill Dalton. In attendance were Commissioners Bill Dalton, John Abercrombie, Charles Martin, Brent Fredricks and David Childers. Also in attendance were: Tom Fullen, City Administrator; John Hightower, City Attorney; Crystal Dozier, City Secretary; and Robert Pemberton, City Building Official.

1. **JOINT PUBLIC HEARING.** A joint public hearing will be held before the City Council and the Planning and Zoning Commission for the purpose of receiving testimony for or against a request 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.

After calling the City Council meeting to order, Mayor Jim Pappas opened the joint public hearing of the City Council and the Planning & Zoning Commission for comments from the public. Reid Wilson, representative of the Memorial Village Water Authority and John Davis, MVWA Engineer gave a brief review of the proposed final report.

The Public Hearing was closed after an opportunity was provided for the public to speak on the proposed zoning amendment.

2. Discussion and possible action to consider a final report and recommendation to City Council to a request 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.

A motion as made by Commissioner Martin to approve the final report and to recommend to the City Council that the application from the Memorial Villages 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. Commissioner Childers seconded the motion. The vote to approve the motion was unanimous.

3. Present the final report and recommendation to the City Council on action taken in item #2 above.

Chairman Bill Dalton, presented the Planning and Zoning Commission's Final Report and Recommendation 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 to:

- a) **The facility shall be constructed and maintained in substantial compliance with the descriptions, site plan, and other exhibits attached hereto (the “Plans”).**
- b) **The maximum height of the sidewall of the two tanks may not exceed 24 feet, except as provided in d) below.**
- c) **The facility shall be surrounded by an 8’ solid wall on all sides (excluding street setback) substantially similar to the wall shown in the exhibit attached hereto.**
- d) **No substantial modification shall be made to the Plans or the expanded facility, described in the Plans, unless the modification is authorized by an amendment to the Specific Use Permit.**
- e) **For purpose of determining whether a modification is substantial, the following rules will apply: 1) a variance to a planned height, distance, or other dimension is not substantial if: i) it results from the public bidding process for the facility, ii) it varies from the planned height, distance, or other dimension by less than 5%; and iii) it is reasonably necessary for engineering or economic reasons as determined by city staff, 2) a variance regarding an aesthetic item as described in the Plans is not substantial if the replacement item is substantially equivalent in quality or impression, with a first class appearance, and (3) if a substitute for the wall in c) above, the abutting neighbor consents in writing to an alternative, such as an 8’ wood fence.**
- f) **The facility shall comply with all applicable laws, except to the extent a variance from the requirements of those laws is hereafter granted.**
- g) **The facility shall be operated in accordance with reasonable industry best practices to minimize the impact on the surrounding neighborhood from noise, vibrations, safety issues and odors associated with the operation of the facility.**
- 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 utility facility. In the event, MVWA discontinues the use of the property as the site for a utility facility, any subsequent use or transfer of the property or any portion thereof, shall be subject to all applicable platting and zoning regulations.**
- i) **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.**

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.

Adjourn open meeting

With no further business coming before the Commission, a motion was made by Commissioner Martin, with a second by Commissioner Abercrombie, to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 7:13 p.m.

Respectfully Submitted,

Crystal R. Dozier, TRMC
City Secretary

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