

MINUTES OF REGULAR MEETING

May 5, 2020

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Cox declared a quorum was present and called the meeting to order at 6:00 p.m.

Present: William Simpson, Britnee Ghutzman, Nelson Cox, Jeffrey Waddell, Carol Langley

Absent: None

Also Present: Dave McCorquodale, Assistant City Admin. / Director of Planning & Development

1. Consideration and possible action regarding approval of minutes for a Regular Meeting held on April 7, 2020.

Jeffrey Waddell moved to approve the minutes as presented. William Simpson seconded the motion, the motion carried unanimously. (5-0)

2. Consideration and possible action regarding calling a Public Hearing for June 2, 2020 for a rezoning request for Hills of Town Creek Section Four, as submitted by Chris Cheatham / Hills of Town Creek, LLC.

Staff introduced the item and explained the request is related to a 30-lot addition to the 100-lot Hills of Town Creek residential subdivision. The property is currently zoned B – Commercial and is requested to be R1 – Single-Family Residential.

Bill Simpson moved to call a Public Hearing on June 2, 2020 for a rezoning request for Hills of Town Creek Section Four. Britnee Ghutzman seconded the motion, the motion carried unanimously. (5-0)

3. **Consideration and possible action regarding an opinion to City Council on variance request for minimum lot area and lot dimensions for Hills of Town Creek Section Four, as submitted by Chris Cheatham / Hills of Town Creek, LLC.**

Staff introduced the item and stated this project was to be similar in design to the existing subdivision. Jonathan White, civil engineer for the developer, spoke to several aspects of the project including the shape of the property and the desirability of lots that would overlook the detention pond. Staff explained the Subdivision Ordinance requires P&Z to provide an opinion on the variance request to City Council.

Jeffrey Waddell moved to recommend to City Council approval of the variances based on the existing subdivision design having been granted these variances. Britnee Ghutzman seconded the motion, the motion carried unanimously. (5-0)

4. **Consideration and possible action regarding a variance request for the requirement to provide compensating open space in lieu of minimum lot sizes of 9,000 square feet for Hills of Town Creek Section Four, as submitted by Chris Cheatham / Hills of Town Creek, LLC.**

Staff introduced the item and explained the Subdivision Ordinance requires compensating open space at a 1:1 square foot ratio where lots are less than 9,000 sqft. The city engineer pointed out the necessary open space for Section Four would be roughly one acre. The developer proposes having no compensating open space. Jonathan White, the civil engineer for the developer, spoke to the item and stated the unique shape of the property did not allow for compensating open space, but the homes would have access via sidewalks to the open space provided in Sections Two & Three. Discussion was had on how the developer could better use access to the adjacent detention pond as an open space amenity.

Carol Langley moved to recommend approval of the compensating open space variance contingent on including access to the detention pond and with an overlook area. Bill Simpson seconded the motion, the motion carried unanimously. (5-0)

5. Consideration and possible action regarding the preliminary plat for Hills of Town Creek Section Four, as submitted by Chris Cheatham / Hills of Town Creek, LLC.

Staff introduced the item and recommended that if the variances discussed earlier in the meeting were not granted by City Council, the developer should be required to resubmit the preliminary plat to P&Z.

Bill Simpson moved to conditionally approve the preliminary plat contingent on the variances for minimum lot size & lot dimensions, and compensating open space requirements being granted by City Council, the city engineer's comments being addressed, and requiring the preliminary plat to be resubmitted to P&Z if variances are not granted. Jeff Waddell seconded the motion, the motion carried unanimously. (5-0)

6. Consideration and possible action regarding proposed compensating open space in lieu of minimum lot sizes of 9,000 square feet for Town Creek Crossing Sections One & Two, as submitted by Lefevre Development, Inc.

Staff introduced the item and pointed out the proposed subdivision has a 2.8-acre deficit for lots less than 9,000 square feet and is proposing 67-acres in open space. The developer plans on the open space being a mix of parks, trails, and natural space. The commission discussed the details of lot sizes, planned amenities, and the planned MUD district's role in the project with the city engineer and the developer's engineer.

Carol Langley moved to recommend approval of the compensating open space in lieu of minimum lot sizes. Britnee Ghutzman seconded the motion, the motion carried unanimously. (5-0)

7. Consideration and possible action regarding the preliminary plat for Town Creek Crossing, as submitted by Lefevre Development, Inc.

Staff introduced the item and reviewed the variances that will require approval by City Council, which include minimum lot dimensions & lot area, and right-of-way width for streets. Staff explained the 2004 Subdivision Ordinance that governs the Planned Development Agreement does not require an opinion of P&Z for variances to the Subdivision Ordinance, which is why those items are not on the agenda.

Carol Langley moved to conditionally approve the preliminary plat contingent on the variances and compensating open space being approved by City Council, the city engineer's comments being addressed, and require the preliminary plat to be resubmitted to P&Z if the variances are not granted. William Simpson seconded the motion, the motion carried unanimously. (5-0)

Commission Inquiry

None.

Adjournment

Bill Simpson moved to adjourn the meeting at 7:45 p.m. Carol Langley seconded the motion, the motion carried unanimously. (5-0)

Prepared by:  Date approved: 06/02/2020

Dave McCorquodale


Chairman Nelson Cox

Attest: 
Susan Hensley, City Secretary

