

CITY OF HUNTSVILLE, TEXAS

Place 7 - S.O. Woods, Jr., Chairman

Place 1 – Les Thompson

Place 2 – Sharon Lynch

Place 3 – Al Hooten, Vice-Chairman



Place 4 -Jim Gumm

Place 5 -Rhonda Carpenter

Place 6 – Benjamin Sessions

PLANNING COMMISSION AGENDA

THURSDAY, MAY 18, 2023, 5:30 P.M.

WORKSHOP 5:10 P.M.-STAGGS COMMUNITY ROOM

REGULAR SESSION 5:30 P.M.-STAGGS COMMUNITY ROOM

HUNTSVILLE PUBLIC LIBRARY, 1219 13th STREET, HUNTSVILLE, TEXAS 77340

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the Planning Division, at 936-294-5781 two working days prior to the meeting so that appropriate arrangements can be made.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

- a. U.S. Flag
- b. Texas Flag - *Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

3. INVOCATION

4. CONSIDER

- a. The Final plat for the Nicholson Estate plat, located in the Huntsville ETJ.
- b. A discussion in regard to the Residential Conversion Overlay District location.
- c. The minutes of the April 20, 2023, meeting.

5. PUBLIC COMMENTS

6. ITEMS OF COMMUNITY INTEREST

Hear announcements concerning items of community interest from the Commission and City Staff for which no action will be discussed or taken.

7. ADJOURNMENT

If, during the course of the meeting and discussion of any items covered by this notice, the Planning Commission determines that a Closed or Executive session of the Commission is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Sections: 551.071 – consultation with counsel on legal matters; 551.072 – deliberation regarding purchase, exchange, lease or value of real property; 551.073 – deliberation regarding a prospective gift; 551.074 – personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; 551.076 – implementation of security personnel or devices; 551.087 – deliberation regarding economic development negotiation; and/or other matters as authorized under the Texas Government Code.

If a Closed or Executive session is held in accordance with the Texas Government Code as set out above, the Planning Commission will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

CERTIFICATE

I, Sharon Schultz, Deputy City Secretary, do hereby certify that the above notice was posted on the Temporary City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website. www.HuntsvilleTX.gov, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: May 12, 2023

TIME OF POSTING: 10:15 a.m.

TAKEN DOWN: _____

Sharon Schultz

Sharon Schultz, Deputy City Secretary



PLANNING COMMISSION AGENDA ITEM DISCUSSION FORM

Prepared by: Armon Irones, City Planner

SUBJECT: Final Plat of Nicholson Estate

MEETING DATE: May 18, 2023

TYPE OF REVIEW: Final Plat

APPLICANT: John David Nicholson and Kristin Nicholson

FACTS, CODE REQUIREMENTS AND CONDITIONS

The subject property is a 56.23 acres tract of land in the Huntsville ETJ and is located along Wire Road. The property owners want to carve out 3 acres and build a single-family home on it. The remaining 53.23 acres will be an undeveloped Reserve until the property owners decide to build on it in the future. The property is not in the 100-year floodplain. There are no city utilities on the property and the property is in a Dual CCN (City of Huntsville and Walker County SUD).

This plat is being presented tonight for final approval before the Planning Commission. There will be a 10' P.U.E. dedication along Wire Road and also along the front of Lot 1. The applicant is requesting a Modification/Waiver from **Article 10-10.200-Infrastructure and Improvements Required** of the Development Code. The applicant does not want to extend water and sewer utilities and tie into the city's utility system. The closest utilities are several miles away, even though the subject property is in the Dual CCN service area. The applicant is also requesting a Modification/Waiver from **Article 5, Table 5-2** regarding the maximum length of a staff on a flag lot. The maximum allowed feet per the Development Code is 200' and the staff on this plat is 1,473.18'. Although the proposed length is more than the Development Code allows, this area has larger size rural lots and the homes on Wire Road are setback a greater distance away than the standard 25' front setback. Wire Road is a quiet local street that does not have a high-volume amount of traffic. The final plat must be approved by the Planning Commission because of the 10' public utility easement being dedicated via the plat, the 0.02-acre right-of-way and Modification/Waiver of Subdivision Standards requests.

STAFF RECOMMENDATION:

As this plat is in compliance with the subdivision requirements of the Development Code, staff recommends the Planning Commission approve the Final plat of Nicholson Estate with the dedication of a 10' public utility easement. Staff also recommends the Planning Commission approve the Modification/Waiver of Subdivision Standards requests not to tie into the city's water and sewer infrastructure and for the staff length of Lot 1.

ATTACHMENTS:

Final Plat

Vicinity Map by staff

OWNER ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS
COUNTY OF WALKER

We, the undersigned, owners of the land shown on this plat and designated as NICHOLSON ESTATE, in the City of Huntsville E.T.J., Walker County, Texas and whose names are subscribed hereon do hereby dedicate to the use of the public forever all street, parks, water courses, drains, easements and public places shown hereon for the purpose and consideration therein expressed.

Dated this _____ day of _____, 20__.

JOHN DAVID NICHOLSON
OWNER

KRISTIN NICHOLSON
OWNER

NOTARY PUBLIC ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF WALKER

This instrument was acknowledged before me on the _____ day of _____, 20__ by _____.

Notary Public for State of Texas

LIEN HOLDER ACKNOWLEDGMENT AND SUBORDINATION STATEMENT

STATE OF TEXAS
COUNTY OF WALKER

I (or we), _____, owner(s) and holder(s) of a lien(s) against the property described in the plat known as NICHOLSON ESTATE, said lien(s) being evidenced by instrument of record in Volume _____, page _____, of the Official Records of Walker County, Texas, do hereby in all things subordinate to said plat said lien(s), and I (we) hereby confirm that I am (we are) the present owner(s) of said lien(s) and have not assigned the same nor any part thereof.

BY _____
SIGNATURE

PRINT NAME

NOTARY PUBLIC ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF WALKER

This instrument was acknowledged before me on the _____ day of _____, 20__ by _____.

Notary Public for State of Texas

CERTIFICATE BY THE SURVEYOR

STATE OF TEXAS
COUNTY OF WALKER

I, Carey A. Johnson, Registered Professional Land Surveyor No. 6524, in the State of Texas, do hereby certify this plat represents a survey made on the ground and under my supervision and that all monuments are shown hereon.

Dated this 1st day of May, 2023

Carey A. Johnson
Registered Professional Land Surveyor No. 6524

CERTIFICATE BY CITY PLANNING OFFICER

STATE OF TEXAS
COUNTY OF WALKER

I, the undersigned Planning Officer of the City of Huntsville, Texas certify that this plat conforms to the City Comprehensive Plan, and all applicable design criteria and standard of the City of Huntsville, Texas.

Dated this _____ day of _____, 20__.

Planning Officer
City of Huntsville

CERTIFICATE BY THE CITY ENGINEER

STATE OF TEXAS
COUNTY OF WALKER

I, the undersigned, City Engineer of the City of Huntsville, Texas hereby certify that proper engineering consideration of has been given to this plat regarding the design and construction of public improvements and related easements and rights-of-way.

Dated this _____ day of _____, 20__.

City Engineer
City of Huntsville

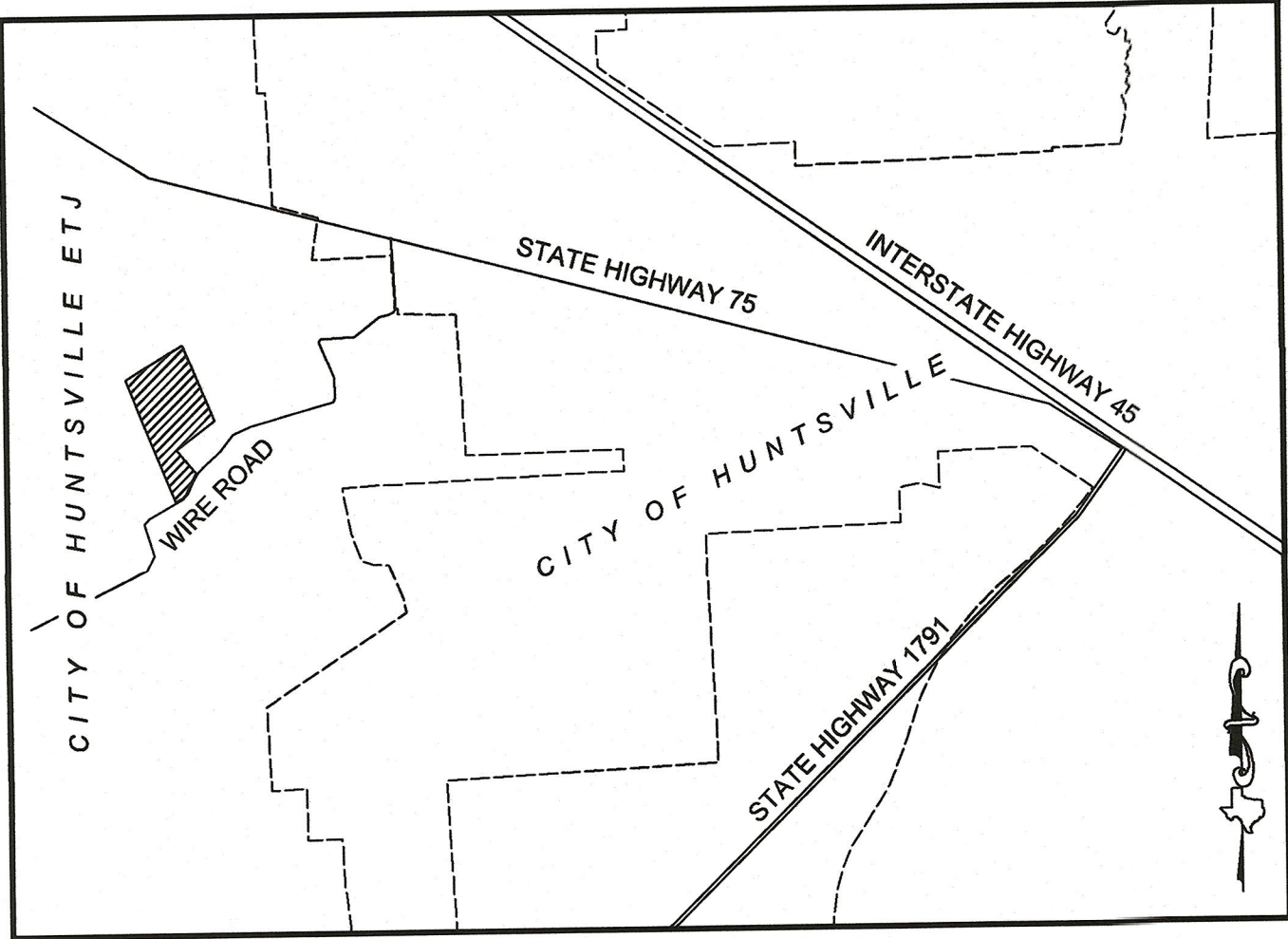
CERTIFICATION BY THE COUNTY CLERK

STATE OF TEXAS
COUNTY OF WALKER

I, Kari A. French, County Clerk in and for Walker County, do hereby certify that this plat with its certifications of authentication was filed for recorded my office the _____ day of _____, 20__, in the Plat Records of Walker County in Volume _____, Page _____ of the Plat Records of Walker County.

Kari A French, County Clerk
Walker County, Texas

By: _____
Deputy



VICINITY MAP
NOT TO SCALE

General Notes:

1. No portion of this property appears to lie within the 100 year floodplain per Walker County Unincorporated Areas Community Map No. 481042, FEMA Firm Panel No. 48471C0350D, having an effective date of 08-16-2011.
2. All coordinates, bearings and distances are referenced to the North American Datum 1983 (NAD83), Texas State Plane Coordinate System, Central Zone (4203), and are based on GPS observations made by Texas Professional Surveying, LLC.
3. All measurements are grid values. Surface values may be obtained by multiplying by a combined scale factor of 1.00011863.
4. The purpose of this Plat is to create a 3 acre Lot out of the 56.228 acre tract.
5. This Plat is subject to a 10' Public Utility Easement along front property line.
6. The Lot and Unrestricted Reserve is subject to a 25' front building line and 10' side and rear building.

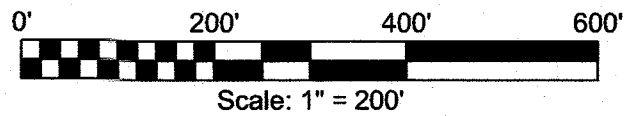
NICHOLSON ESTATE

BEING A SUBDIVISION OF 56.23 ACRES SITUATED IN THE BENJAMIN W. ROBINSON SURVEY, ABSTRACT NO. 42, WALKER COUNTY, TEXAS.

1 LOT 1 UNRESTRICTED RESERVE (53.23 ACRES)
APRIL 2023

OWNER
JOHN DAVID NICHOLSON AND
KRISTIN NICHOLSON
125 TIMBERLINE DRIVE
HUNTSVILLE, TEXAS 77320-3049





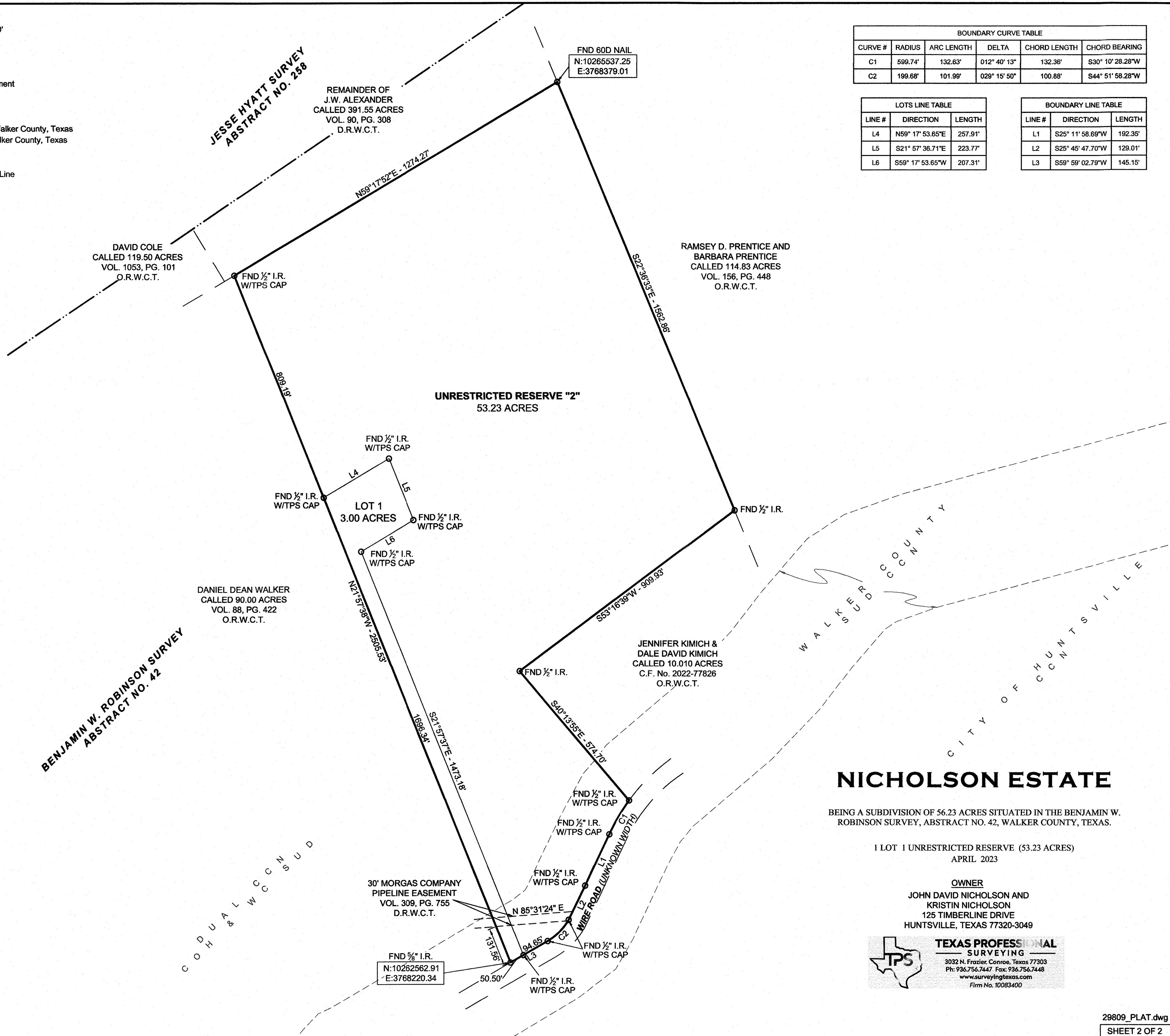
LEGEND

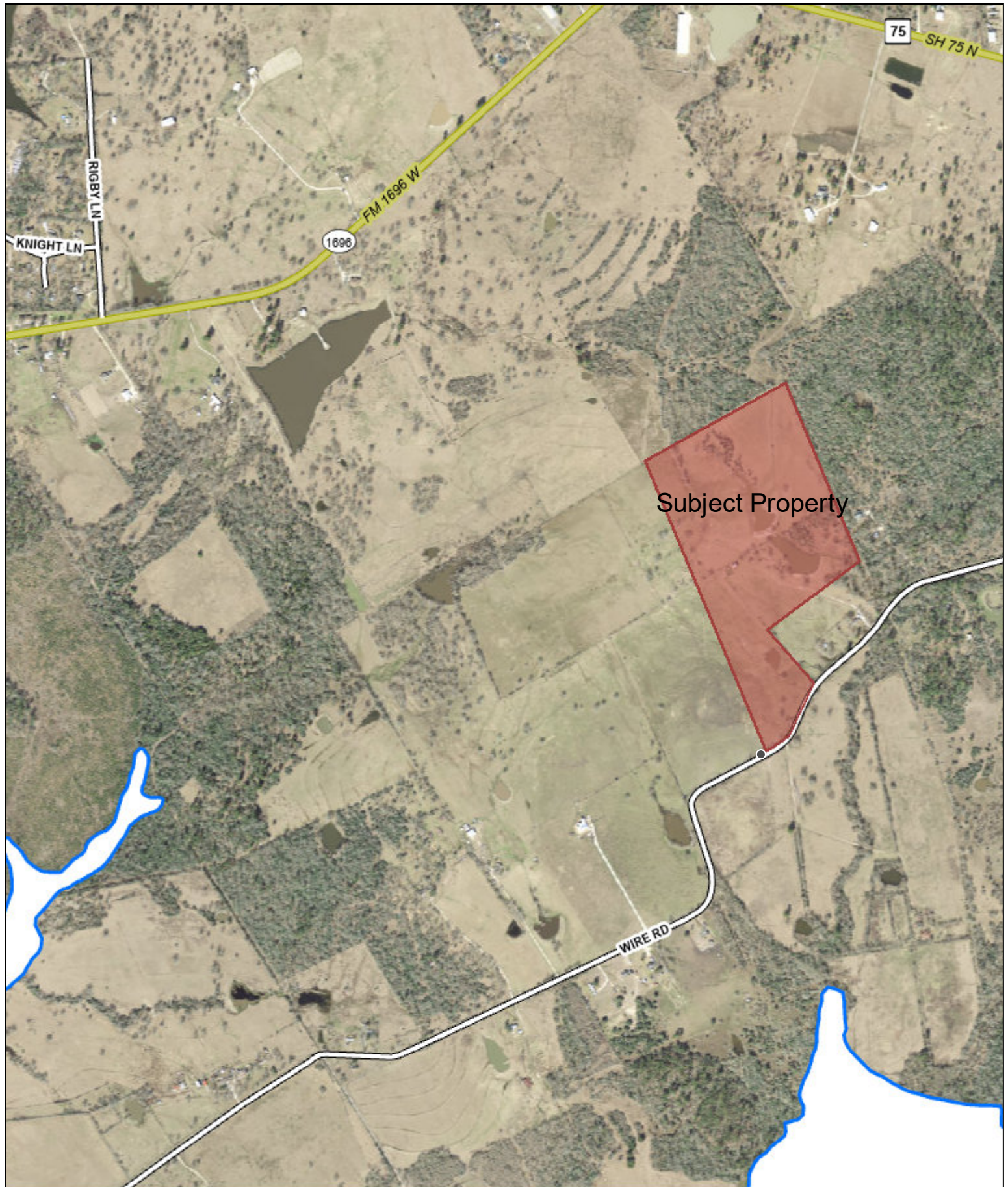
- I.R.
VOL. / PG.
CAB. / SHEET
O.R.W.C.T.
D.R.W.C.T.
C.F. NO.
R.O.W.
- Found Survey Monument
Iron Rod
Volume / Page
Cabinet / Sheet
Official Records of Walker County, Texas
Deed Records of Walker County, Texas
Clerk's File Number
Right-of-Way
Approximate Survey Line

BOUNDARY CURVE TABLE					
CURVE #	RADIUS	ARC LENGTH	DELTA	CHORD LENGTH	CHORD BEARING
C1	599.74'	132.63'	012° 40' 13"	132.36'	S30° 10' 28.28"W
C2	199.68'	101.99'	029° 15' 50"	100.88'	S44° 51' 58.28"W

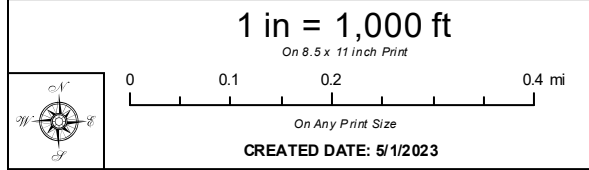
LOTS LINE TABLE		
LINE #	DIRECTION	LENGTH
L4	N59° 17' 53.65"E	257.91'
L5	S21° 57' 36.71"E	223.77'
L6	S59° 17' 53.65"W	207.31'

BOUNDARY LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S25° 11' 58.69"W	192.35'
L2	S25° 45' 47.70"W	129.01'
L3	S59° 59' 02.79"W	145.15'





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CITY OF HUNTSVILLE, TX
ENGINEERING DEPARTMENT / GIS DIVISION
Vicinity Map
Huntsville GIS Division



DRAFT 04/12/2023



Parcel Boundary

Historic Overlay

Veterans Memorial Overlay

Rural (RU)

Low Density Residential (LR)

Medium Density Residential (MR)

High Density Residential (HR)

Simple Living Residential (SLR)

General Retail (GR)

Industrial (IN)

Planned Development (PD)

Mixed Use (MU)

Public and Institutional (PI)

Downtown (D)

MINUTES OF THE MEETING OF THE PLANNING COMMISSION HELD IN THE COMMUNITY ROOM, AT THE HUNTSVILLE PUBLIC LIBRARY, 1219 13TH STREET, HUNTSVILLE, TEXAS ON THE 20TH DAY OF APRIL 2023 AT 5:30 PM.

Members present: Woods; Thompson; Hooten; Sessions; Lynch; Carpenter; Gumm

City staff present: Byal; Yeager; Gibson

Audience present: Johnny & Deborah Belasquez

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

Vice-Chairman Hooten led the invocation.

4. CONSIDER

- a.** The Final plat for Johnny T. Belasquez, Jr. Lot 1-2.3 acres, located in the Huntsville ETJ.

Planner, Layne Yeager gave an overview of the subject property. Property owners Johnny & Deborah Belasquez answered questions and provided additional information on the plat. Staff recommended the approval of the Final plat of Johnny T. Belasquez Jr. Lot 1 with the dedication of a 10' public utility easement and the 0.02-acre right-of-way dedication. Staff also recommended the approval of the Modification/Waiver of Subdivision Standards requests not to tie into the city's water and sewer infrastructure and for the minimum paving width requirements along George Wilson Road as submitted.

Vice-Chairman Hooten moved to approve the final plat and Modifications/waivers. Second was by Commissioner Gumm. The vote was unanimous.

- b.** The Modifications and Waivers of Subdivision Standards request from the public sidewalk requirements for Elion Commercial plat, located in the city limits of Huntsville.

Planner, Layne Yeager gave an overview of the subject property. The plat was automatically approved since it took longer than the 30-day timeline that the State requires plats to be approved by. Staff recommended the approval of the abandonment and relocation of the water line on the subject property and Modification/Waiver of Subdivision Standards request to not provide a sidewalk along the SH 19 frontage road as submitted.

Commissioner Sessions recused himself from the vote due to the plat being his project. Vice-Chairman Hooten moved to approve the modifications/waivers. Second was by Commissioner Thompson. The vote was unanimous.

- c.** The minutes of the March 16, 2023, and April 6, 2023, meetings.

Chairman Woods abstained from voting seeing as he was absent for the March 16th meeting. Vice-Chairman Hooten moved to approve the minutes from the March 16th meeting. Second was by Commissioner Gumm. The vote passed 6-0.

Vice-Chairman Hooten moved to approve the minutes from the April 6th meeting. Second was by Commissioner Sessions. The vote passed 4-0.

8. PUBLIC COMMENTS

There were no public comments.

9. ITEMS OF COMMUNITY INTEREST

Announcements concerning items of community interest from the Commission and City Staff for which no action was discussed.

- **Director of Development Services, Kevin Byal** provided the Planning Commission with updates regarding the proposed new development/zoning districts. A workshop with the planning commission is expected for May 4th at 5PM followed by a Planning Commission public hearing on June 15th.

10. ADJOURNMENT

Commissioner Gumm moved to adjourn the meeting. Second was by Commissioner Lynch. The vote was unanimous. [5:53 PM]