

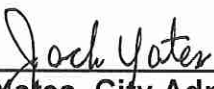
**MONTGOMERY PLANNING AND ZONING COMMISSION AGENDA
REGULAR MEETING OF
MONDAY, AUGUST 28, 2017, 6:30 P.M.
CITY HALL COUNCIL CHAMBERS 101 OLD PLANTERSVILLE ROAD,
MONTGOMERY, TEXAS.**

CALL TO ORDER

VISITOR/CITIZENS FORUM

Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. Commission may not discuss or take any action on any item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

1. Consideration/take action regarding July 24, 2017 minutes
2. Consideration/take action regarding Calling a Public Hearing on Rezoning a 0.28 acre tract of land situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas otherwise described as approximately 150 feet south of Flagship Boulevard – Andrew Bay
3. Consideration/take action regarding removal of a tree at 603 College Street – Larry and Mary Wagner
4. Consideration/take action regarding Exterior Improvements and Sign – 21012 Eva Street – Carolyn Lee
5. Consideration/take action regarding calling a Public Hearing concerning Land Use Plan adoption.
6. Consideration/take action regarding calling a Public Hearing concerning Corridor Enhancement District
7. Construction Plan approval for Emma Way Construction
8. Adjournment



Jack Yates, City Administrator

Posted August 25, 2017 at 12:50 p.m. This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodation



MINUTES OF REGULAR MEETING
July 24, 2017
MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Nelson Cox declared a quorum was present, and called the special scheduled meeting to order at 6:0 p.m.

Present: Nelson Cox, Arnette Easley, William Simpson, Jeffrey Waddell and Carol Langley

Absent:

Also Present: Jack Yates, City Administrator
Chris Roznovsky, City Engineer

VISITOR/CITIZENS FORUM

Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. Commission may not discuss or take any action on any item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

No comments were made.

1. Consideration/take action regarding June 26, 2017 minutes.
Jeffrey Waddell moved to approve the minutes as presented. Arnette Easley seconded the motion, the motion carried unanimously. (5-0)
2. Consideration/take action regarding sign permit for Pecan Hill Florist and Groggy Dog Tees at 14259 Liberty Street – Kirk Jones.

Carol Langley asked whether the sign was the same size that Mr. Jones had previously. Mr. Jones said that there used to be two signs, and now it is one sign that is overall a little larger. Mr. Jones said that he was trying to match the size of the windows to balance the look.

Jeffrey Waddell moved to approve the sign permit for Pecan Hill Florists and Groggy Dog Tees. Carol Langley seconded the motion, the motion carried unanimously. (5-0)

3. Report regarding Amendment to Corridor Enhancement Area Ordinance to increase from 300 feet to 750 feet adjacent to present Corridor Enhancement Areas.

Mr. Yates presented the information stating that the current Corridor Enhancement Ordinance (Section 98-363(a) and (b)) states 300 feet from the corridor is the area to be included. Mr. Yates stated that the question was whether or not the Commission wanted to expand beyond the 300 feet. Mr. Yates presented an aerial map that showed 750 feet versus the 300 feet. (A copy of the map is attached to the minutes.) Mr. Yates said that the map shows in red 750 feet on either side of the roadway. Mr. Yates said that businesses along the corridor enhancement area are required to build their building according to the required corridor enhancement standards.

Mr. Yates advised that when this ordinance was written it was thought that 300 feet would be a good ways from the road, but the Kroger building is further away than 300 feet, and would not have had to live up to that standard. Mr. Yates said that was the issue. Mr. Yates said that he could have gone on the north side of the map, and said that he would go and catch all of Stewart Creek Road and the HEB property on the southeast corner of FM 2854 and SH 105. Carol Langley asked whether or not they would be required to conduct public hearings and all of that since it was dealing with zoning. Mr. Yates advised that was correct.

William Simpson said that he had a question and asked whether or not the requirements dealt with the sides of the buildings, such as McCoy's, and asked if there was any way that the City could say that they have to have some type of a side wall or screen to hide the air conditioners that you see driving on the road. Mr. Yates said that anything within the 300

feet they can. Mr. Yates asked how the City handles hiding dumpsters. Mr. Roznovsky said that he could check the ordinances and see if there is anything that requires screening. William Simpson asked if they could adapt that to roof mounted air conditioners. Mr. Roznovsky said that he would check on some different options regarding screening, such as they use for the dumpsters. Mr. Yates said they would check the City Code to see where it addresses screening.

Mr. Yates said that he had asked the City Attorney about the use of the word property within 300 feet of the right of way in Section 98-363(a). Mr. Yates said that what he and the City Attorney had interpreted was that meant buildings within the 300 feet. Carol Langley said that at one time they had properties where someone owned a front piece and somebody else owned the back piece, so it was only for the piece of property that was facing either SH 105 or FM 149. Mr. Yates said that they probably needed to amend the ordinance to address property if it was touching or adjacent to one of the roadways in that area. Mr. Yates asked if they were sure they would want to do that, because you might have a case where someone owns the front 150 feet, and they are not immediately adjacent or touching SH 105, and then they build a building behind that location which could be a metal building. Carol Langley asked whether there had been any complaints regarding McCoy's metal building. Mr. Yates said that he had not received any complaints.

Mr. Yates said that he would like some type of direction from the Commission. Mr. Yates said that he would prepare a revised map showing all the corridors with the 750 feet around all those areas and send it out to the Planning and Zoning Commission. Mr. Yates said that he will have to talk to the City Attorney to make sure that this is in fact part of the zoning.

Carol Langley said that if they are going to include FM 1097 they would have to send out letters to notify the property owners of the changes or have a public hearing. Mr. Yates said that he would continue working on the information, and will also look into doing this for the entire City and what it would do to the City. The Commission concurred that they were interested in adding FM 1097 to the corridor enhancement. William Simpson said that he would also like to see air conditioner screening added. William Simpson said that with the

metal buildings, in six or seven years you are going to see a metal building with a bunch of polka dots because the screws are backing out and they are going through with white coating and patching the roof.

The Commission concurred that Mr. Yates would pursue the entire area. William Simpson asked if Mr. Yates could do 750 feet in some areas, and then in the smaller areas use 300 feet. William Simpson said that they could make FM 1097 and FM 149 the 300 foot area and SH 105 should be 750 feet because of the difference in the depth of the property. Mr. Yates said that he would put the revised map together.

4. Report regarding Historic District Area.

Mr. Yates presented a map to the Commission. (A copy of the map is attached.) Mr. Yates discussed possible expansion of the Historic District area. Mr. Yates stated that the possible additions would be south of Hodge Podge Lodge to SH 105

Mr. Yates discussed the property in front of the Hodge Podge Lodge stating that if the owner of the property were to sell they could turn that area into a strip center or have a fast food restaurant or convenience store. Mr. Yates said that the theory is that type of development would affect the Hodge Podge Lodge. Mr. Yates said that the Hodge Podge Lodge is not opposed to this change nor have they requested it.

William Simpson said that he thought it was a good idea to take in that property because who knows what might go in there and they need to control the esthetics. There was also discussion of the Monte West property. Carol Langley stated that property was already in the Historic District according to her handbook. The Commission concurred that they would be in favor of pursuing this expansion. Mr. Yates said that there was a process that had to be followed with public hearings and notices. Mr. Yates said that they would probably have to wait until next month to call the public hearing.

5. Report on Zoning Amendments

Mr. Yates said that following the Joint Meeting with the Planning and Zoning Commission and the City Council, we wound up with Cliff Rampy's property, which is along SH 105, next to First Baptist Church, and Allen Wayne's property, down on Womack Cemetery Road and Old Plantersville Road. Mr. Yates said that Risher Randall has some of the multifamily next to the First Baptist Church and Woodforest Bank, and the thought is to zone the front 300 foot to commercial. Mr. Yates said that the City Council and the Commission did not want to do the rezoning on FM 149 north or south, or the FM 1097 area because of the concern of the property owners. Mr. Yates said that they did not want to rezone FM 149 south area, which is south of Lone Star Parkway down to about Berkley.

Mr. Yates said that unless the Commission tells him otherwise, what he will do is the draft letters to Cliff Rampy, Allen Wayne and Risher Randall, he will get the Chairman of the Commission to sign the letters that basically states to each of the owners what they are planning on doing and invite them to either call or come to the next meeting for an informal public hearing. Mr. Yates said that what he would do is put each of the property owners on the agenda for discussion, but not for a final decision. The final decision would require a couple of public hearings and the adjacent property owners within 200 feet would have to be notified. Once the Commission conducts their public hearing, they would file a final report with City Council, then City Council would conduct a public hearing.

Arnette Easley asked who gave the notice of not wanting to get those areas rezoned, and whether letters were sent out to the property owners. Mr. Yates said there were no letters sent out, it was just the feedback from the Joint Meeting. Mr. Yates said that they need to have more planning discussions with those property owners so that they will know what those people really think about the matter before they begin the process. Mr. Yates said that they could bring the matter up at a community meeting or some other type of communication method prior to starting the process. Carol Langley said that she had been contacted by two or three of the property owners along FM 149 and they were hoping that their property was not going to be changed because they had the feeling that the City was trying to change it to commercial so that somebody could come along there and buy it out and move them out of

town. Carol Langley said that the owners are not ready to move, so she understood their situation, and asked Arnette Easley if he had spoken to any of the property owners. Arnette Easley said that when these people hear information it is second and third hand, and the Commission knows that they are not going to take anybody's property. William Simpson said that what Arnette Easley is saying is to go ahead and start the process and then let them come in and start the conversation. William Simpson said that he thought it would be better if it was all zoned commercial and the property owners could decide what they want to do.

Mr. Yates said that they could have an informal public hearing to discuss the information. William Simpson said that they should have someone here that night to explain to the people how this will not affect their property taxes, they will just be increasing the property value should they sell their property. Mr. Yates said that they can find out what the residents have to say. Jeffrey Waddell said that with growth they have to remember that FM 149 and SH 105 is the City's main intersection and crossroad, and any city that you look at as it grows, those areas usually have some commercial property. Mr. Yates said that he would be working on the documents and getting the Land Use Plan ready over the next couple of weeks.

6. Report regarding Land Use Plan.

Mr. Yates advised that all that is necessary for the Land Use Plan is to call a public hearing. Mr. Yates said that he would like to talk to Mr. Cheatham and Mr. LeFevre regarding the Land Use Plan prior to the public hearing, being that they are the two larger developers in the City. Mr. Yates said that they will call the public hearing at the next Commission Meeting. Mr. Yates said that he will confirm with the City Attorney on the process for the Land Use Plan adoption.

Mr. Foerster spoke to the Commission regarding wireless telecommunication network providers have been approaching cities all over the country to have access to City right of ways to include, traffic lights poles and signs owned by the City. Mr. Foerster advised that

the cell towers used in the past are very expensive to build, plus the rent for the land over a 20 year period, so the companies were looking for a cheaper solution to service wireless phones. Mr. Foerster said that there is a new technology that has been out for many years, but is becoming more popular, which is involving network nodes, which are boxes with an antenna, that maybe as much as 2 feet long by 15 inches wide and placed on poles or buildings.

Mr. Foerster said that for the past couple of years some companies have had contracts as wireless network providers, to provide the antenna service for these companies, and they have wanted to put their fiber optics through the City right of ways, and cities have pushed back saying that they will interfere with traffic and disturbing the nearby property owners, or they have charged them very high fees for rental. Mr. Foerster said that with the pushback, the vendors went to all the State Legislatures and said that they wanted the state to force cities to allow these devices to be put in the City right of way and they want them to regulate how much a city can charge for the installation of a box and for the rental fee for use of the public right of way. Mr. Foerster said that HB 1004, Chapter 284 of the Texas Local Government Code, because that regulates all of this procedure now, and the cities no longer have a right to say they do not want them in the public right of way. Mr. Foerster said that effective September 1, all the cities in the State that want to at least have some control on how this is being installed in their public right of ways, need to pass certain ordinances and approve certain documents. One document is a design manual, and the law allows the cities to have some control and regulation how high the nodes are going to be, where they are going to be situated and so forth, and how they are going to be installed in the public right of way. Mr. Foerster said that he has prepared the documents for the City of Montgomery and briefed the City Council on the matter a couple of meetings ago. Mr. Foerster said that another thing is what is called a Right of Way Management Ordinance that allows the City to have some control over the money that the City gets paid to have staff process these requests, because they will have to fill out a permit, pay a fee for the processing, and they have to pay an annual rental fee.

Mr. Foerster said that the City of McAllen is about to file a lawsuit saying that this law, the way it is written, is unconstitutional because it is in effect giving away public property to somebody like the network provider. Mr. Foerster said that they are stuck with the law and it is still valid until some court tells them that it is not. Mr. Foerster discussed the fees that will be established and said that the City can also enter into a Pole Attachment Agreement, where the network provider has to comply with the Design Manual and Right of Way Management Ordinance by signing a Pole Attachment Agreement. Mr. Foerster said that all those documents have been prepared for the City of Montgomery, and Mr. Yates felt that it was important for the Commission to know what is going on. Mr. Foerster said that he has suggested that at the first Council meeting in August, he will be presenting these documents for adoption, so that they can be ready and effective for September 1, 2017. Mr. Foerster said that if the City does not do these documents, the network providers will still come in anyway, and they will just be unregulated and the City would not receive any compensation.

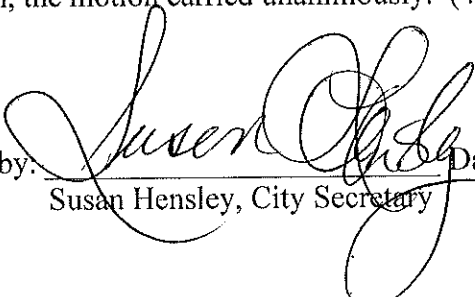
Mr. Yates said that the only way that they can regulate the area, is that there is a provision for the Historic District. Mr. Foerster said that there are some limitations in a residential area, such as if there are deed restrictions, there might be some control there per the statute. Mr. Foerster said that for the Historical District or the Design District, the network provider would actually have to come to City Council for approval in those areas. Mayor Jones asked if that would include the Corridor Enhancement District. Mr. Foerster said that they looked at that, and he did not think that it would fall under that requirement.

Mr. Foerster advised that the Design Manual tracks everything that the legislature allows them to do. William Simpson asked if this would take away the future of a company coming in and wanting to put up a cell tower. Mr. Foerster said that it would not, they would just have less of an incentive to do that because this would be so much cheaper. Mr. Foerster said that this would not regulate Entergy power poles because that is not City property, they are only talking about City property. Arnette Easley asked if the network providers could approach private property owners. Mr. Foerster said yes the network providers could do that; the law only regulates cities not homeowners. Mr. Foerster said that the items would be presented to City Council on August 8, 2017 for adoption.

Chairman Cox stated that he was glad that we have that we have quality people that look at all this information before they wind up with a headache down the road. They have good engineers, a good City Administrator, City Attorney and a good Mayor.

7. Adjournment

William Simpson moved to adjourn the meeting at 7:22 p.m. Arnette Easley seconded the motion, the motion carried unanimously. (4-0)

Submitted by:  Date approved: _____
Susan Hensley, City Secretary

Chairman Nelson Cox

Montgomery City Council
AGENDA REPORT

Meeting Date: August 28, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Letter requesting rezoning, Survey of property
Date Prepared: August 24, 2017	

Subject

This is to set a public hearing date for a Public Hearing date for a zoning change on a tract of land immediately north of the MISD Bus Barn on FM 149.

Description

The letter from the property owner is attached requesting rezoning. Also, for your information, I we were unable to find out where the property was zoned commercial at any time in the past.

The recommended public hearing date is September 25, that will give an effort required time.

Recommendation

Motion to set the public hearing of this rezoning request for 6:00 PM September 25, 2017

Approved By

City Administrator	Jack Yates	Date: August 24, 2017
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August 11, 2017

City of Montgomery Texas
Planning and Zoning Department
Jack Yates City Administrator
P.O. Box 708
Montgomery, TX 77356

CITY OF MONTGOMERY
936-597-6434

REC#: 00021272 8/11/2017 4:55 PM
OPER: AS TERM: 001
REF#: 1717

TRAN: 10.0000 BUILDING PERMITS
ZONING APP FEE
ZONING APP FEE
BUILDING PERMITS 500.00CR

TENDERED: 500.00 CHECK
APPLIED: 500.00-

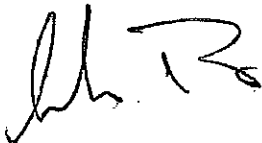
CHANGE: 0.00

Dear Sir,

I am the owner of an approximately 10,000 sq. ft. lot on FM 149, South of Flagship Drive as shown on the attached exhibit. I wish to have it re-zoned to commercial. I have been told it is institutional and at other times multi-family.

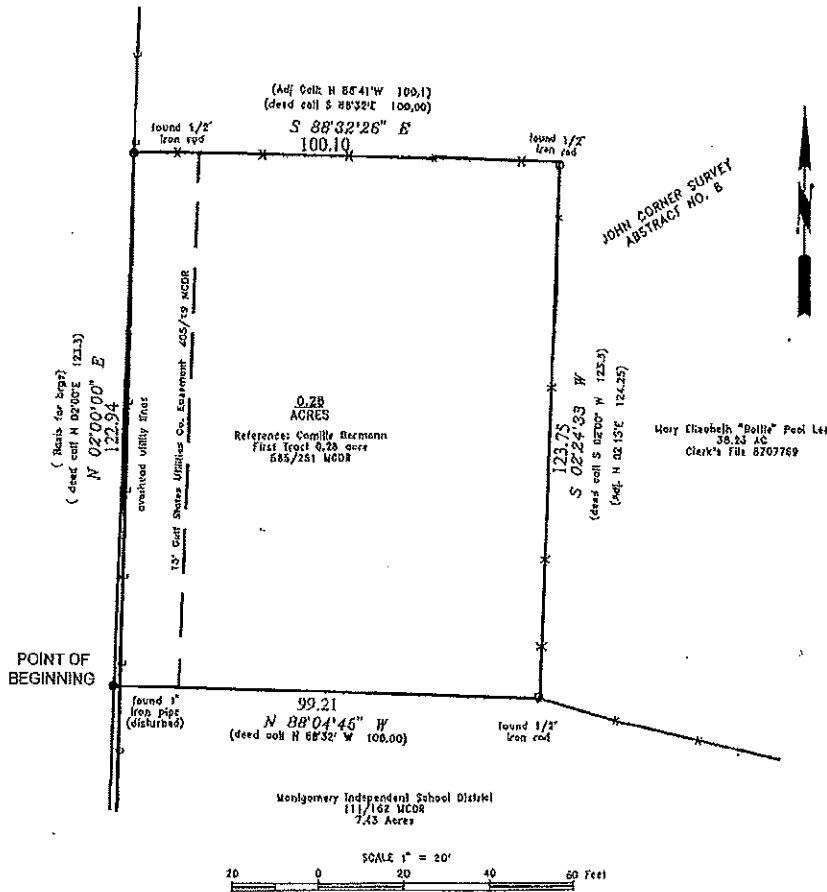
Please start the process immediately. I would like to point out that the property was previously used for commercial buildings. I never requested it to be changed to institutional or residential, and think that it was done during re-zoning for the apartments. I would request the City waive or refund my \$500.00 fee. In the meantime I have attached my check waiting for your decision.

Thank you for your assistance,



Andrew Bay

F.M. 149



BUNDARY SURVEY
FOR: ELIZABETH H. MATTINDAY
HIGHWAY 149
MONTGOMERY, TEXAS 47050

BEING a 0.28 acre tract of land situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas, and being that same called 0.28 acre First Tract described in deed to Conilly Hermann recorded in Volume 583, Page 281 of the Deed Records of Montgomery County, Texas, said 0.28 acre tract of land being more particularly described by attached notes and bounds.

Record data as shown hereon was relied upon in part and taken from a Commitment for Title Insurance issued by the following qualified provider:
First Surety Title Company
D.P. No. 3809851
Effective date: July 5, 1996

Tract shown hereon is located in ZONE C. areas of minimal flooding according to Federal Emergency Management Agency Flood Insurance Rate Map Community Panel No. 481443 0001A Rev. 1/17/82

I hereby certify that this survey was made on the ground under my supervision and that this drawing correctly represents the facts found at the time of survey.

Date of Survey: 29 JULY 1996



Michael G. Warren
Michael G. Warren
Registered Professional Land Surveyor No. 4936

Montgomery City Council
AGENDA REPORT

Meeting Date: August 28, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Letter of Request from Mr. Mrs. Wagner, Pictures of tree, Opinion of City Attorney regarding trees in Historic District
Date Prepared: August 24, 2017	

Subject

This is to approve removal of a tree in the Historical District.

Description

This is your required approval of a demolition of a visual element of the historic district. This is an approximate twenty inch caliper, healthy tree located at 603 College Street. It is not in danger of coming down, but , of course , limbs could come off and fall on the house – just as any tree limb could do.

Comment – if you are prone (not to say that you should be, but...) to allowing removal of the tree, possibly require the placement of an at least 2” caliper, 12’ high tree be planted at another location on the property .

Recommendation

Motion to approve removal of the tree with prior placement of an at least 2’ caliper, 12’ high Oak tree planted on the property before removal as proposed.

Approved By

City Administrator	Jack Yates	Date: August 24 , 2017
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August 15, 2017

City of Montgomery
Montgomery, Texas 77356
Mr. Jack Yates

TO WHOM IT MAY CONCERN

We have a large oak tree at our house at 603 College St. on the East side next to Pond St. The limbs have grown around the power lines from the service pole to our house. The tree trunk is right on the ditch line and in the fence row. It has grown up to be a dangerous tree, because if we get heavy rains or a high wind it is possible it would take out the main power line if it goes East or if it goes West it would hit our house and take out our service line.

We have contacted professional tree removal service that can remove and haul it off. Would like permission to remove the tree before it is too late so that we can put up a chain link fence and add another culvert to make a wider drive.

Sincerely yours,

Larry Wagner
Mary Wagner

Larry & Mary Wagner

PH: 281-467-8447











Yates, Jack <jyates@ci.montgomery.tx.us>

RE: Tree at Health Clinic Site--building review.

1 message

Larry Foerster <foerster@dfcllp.com>

Thu, Dec 31, 2015 at 2:34 PM

To: "Yates, Jack" <jyates@ci.montgomery.tx.us>, Glynn Fleming <GFleming@jonescarter.com>, Ed Shackelford <EShackelford@jonescarter.com>, Kirk Jones <kirkjones63@yahoo.com>

Jack, having seen the historic district ordinance, I agree that the removal of two large trees would constitute a "material change" which needs to be reviewed and approved by the P & Z Commission.

Larry L. Foerster

Darden, Fowler and Creighton, LLP

414 West Phillips, Suite 100

Conroe, Texas 77301

936-756-3337 (Office)

936-441-1963 (Houston Metro)

936-756-2606 (Fax)

For more information about our law firm, please see www.dfcllp.com

*****ATTENTION PUBLIC OFFICIALS*****

PLEASE "REPLY" ONLY TO SENDER TO AVOID VIOLATIONS OF THE TEXAS OPEN MEETINGS ACT.

*****CONFIDENTIALITY NOTICE*****

This message may contain confidential or privileged information under an attorney-client relationship. Its is intended only for the use of the individual or entity to whom it is addressed. Any other dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify Larry L. Foerster at the law firm of Darden, Fowler and Creighton, LLP immediately by replying to this email and deleting the original message and any printed copies you may have made of this email. Thank you.

From: Yates, Jack [mailto:jyates@ci.montgomery.tx.us]
Sent: Thursday, December 31, 2015 2:11 PM
To: Larry Foerster; Glynn Fleming; Ed Shackelford; Kirk Jones
Subject: Tree at Health Clinic Site--building review.

Larry, Glynn

I am thinking that I need to write Glynn Fleming an e-mail memorandum to state my opinion that he needs to mention in his site plan review, of the submitted this week, that the trees situated on the property is "a material change to the exterior elements visible from a public right-of-way which will affect the appearance and cohesiveness of this property which lies within the historic preservation district and therefore needs approval of the Planning Commission before altering the trees in any way".

I am using Sec. 98-336 as the nexus here.

Larry, there area two very large, very old live oak trees that I spoke to the Planning Commission about and that they want to save, if possible,.

I can send you 98-336 if you do not have it.

Glynn, what say you about this?

Jack

Montgomery City Council
AGENDA REPORT

Meeting Date: August 28, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Letter of Request from Mrs. Lee for work at 22012 Eva St. in the Historic District
Date Prepared: August 24, 2017	

Subject

This is to approve remodeling, repainting and a sign and a wall sign at 21012 Eva Street in the Historic District.

Description

This is for your consideration of painting, and repair work and one new post sign and one wall sign – as shown on the numerous attached pages. Her colors for the building is the on the third page of the attachment. Her main sign in front is on page six of the attachment and the wall sign is on page twelve of the attachment

Recommendation

Motion to approve repairs, painting and sign permits based on submittals.

Approved By

City Administrator	Jack Yates	Date: August 24 , 2017
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Boutique & Décor

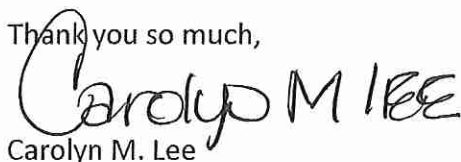
Dear Mr. Yates and members of Montgomery County City Council,

My Name is Carolyn Lee and my husband's name is Douglas Lee. We have three children between the ages of 20-24 years old. We are currently living in The Woodlands Texas where my children attended school and were very active in extracurricular programs, especially sports. Our family currently owns and operates two other businesses in Montgomery (Outlaw Trux & Gun Emporium & Showcase Quality Homes). We are currently building our new home in Montgomery off of FM 2854 and we hope to be moved in by October of this year. We are excited to put down roots in this community and to make Old Town Montgomery a popular destination for others.

We recently purchased The Old Dobbin School House at 21012 Eva Street. Formally Ruthie Grace. We purchased this wonderful historic building on February 28, 2017 with the intention of opening our own boutique and décor retail establishment. During the closing process we found out that the current tenants had a lease in place that went through August 31, 2017. We felt compelled to honor the lease so that the owners of Ruthie Grace would have ample time to find a suitable replacement for their store front. Now that Ruthie Grace has moved to a new location, we are ready to start making the space our own. There are a lot of issues with the building that need to be addressed. The inside will be mostly cosmetic and should not need approval or permits. If we find that permits are necessary from our inspection we will of course acquire those as needed. We know there is an approval process for any exterior changes. There is a lot of rotten wood on the exterior and many improvements that need to be done to keep the high standard that we know the Town of Montgomery would expect and hopefully desire in order to maintain the highest standard for guest to our quaint little town.

My daughters and I plan to open the new business (MORE LIKE HER Boutique & Décor) before the holidays. In order to meet this accelerated schedule and to expedite this long list of improvements we hope that you and your fellow board members will work closely with us help us accomplish this lofty task.

Thank you so much,


Carolyn M. Lee

CITY OF MONTGOMERY

P.O. BOX 708
MONTGOMERY, TX 77356
PHONE: 936-597-6434 |
Permits@ci.montgomery.tx.us
www.montgomerytexas.gov

CONSTRUCTION/DEMO PERMIT APPLICATION

For the erection of buildings, accessories, repairs, demolition, moving, etc.

Expires in 6 months (180 days)
Non-Transferable

DATE OF APPROVAL:

PERMIT NUMBER:

Owner: Carolyn M. LEE | Owner Phone #: 281-785-7752
Contractor: Showcase Quality Homes | Cont. Phone #: ()
Contractor Mailing Address: 5999 Rimrock pass montgomery TX 77316
City: Montgomery | State: Texas | Zip: 77316
Job Site Address: 21012 Eva St. Montgomery TX 77356
Residential or Commercial Project: Commercial | Zoned: _____
LOT #: _____ | BLOCK#: _____ | LOT SIZE: _____ | BLDG. SIZE (SQ. FT.): _____

Description of work (Including Class & Construction Types):

Remodel Inside & outside

VALUE OF TOTAL WORK: \$ 60,000

\$0 - \$1000	\$60 FLAT FEE
\$1,001 - \$50,000	\$15.00 FOR FIRST \$1,000 + \$5.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
\$50,001 - \$100,000	\$260.00 FOR FIRST \$50,000 + \$4.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
\$100,001 - \$500,000	\$460.00 FOR FIRST \$100,000 + \$3.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
OVER \$500,001	\$1,660.00 FOR FIRST \$500,000 + \$2.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
PLAN REVIEW FEE	EQUAL TO ONE-HALF OF THE PERMIT FEE WHEN VALUATION EXCEEDS \$70,000.00

NOTICE: SEPARATE PERMITS ARE REQUIRED FOR PUBLIC UTILITIES, ELECTRICAL, PLUMBING, HEATING, VENTILATION, AIR CONDITIONING, GRADING, ALARMS, ROOFING, LANDSCAPING, FIRE SPRINKLERS AND LAWN SPRINKLERS.

I hereby certify that I have read and examined this application and know the same to be true & correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law office regulating construction or the performance of construction.

Name of Applicant: Carolyn M. LEE

Applicant Signature: Carolyn M. LEE

OFFICE USE ONLY

Plan Review Fee: \$ _____

Accepted By: _____

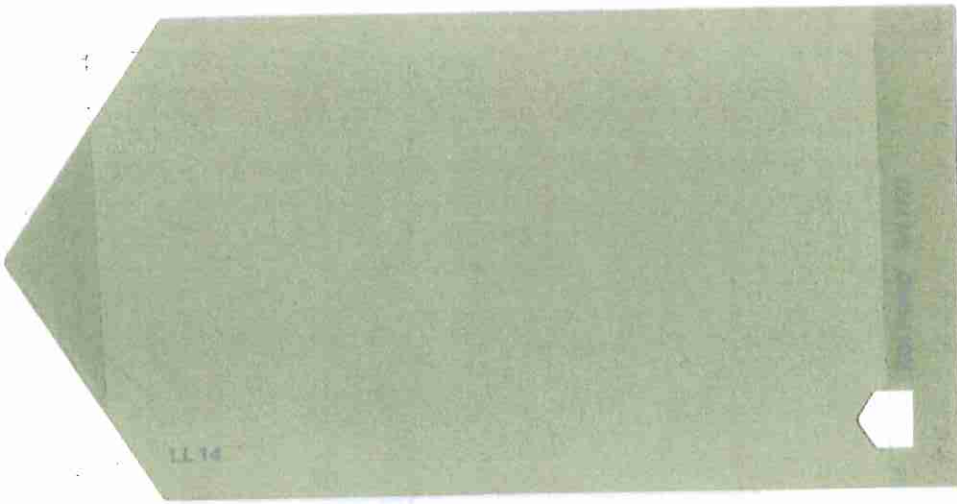
Permit Fee: \$ _____

Issued By: _____

PERMIT FEE TOTAL: \$ _____

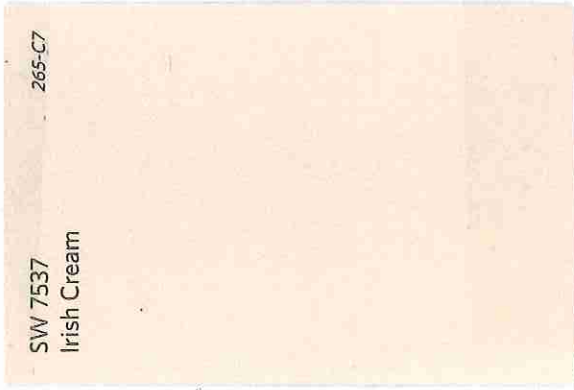
owes

Whole body of Building



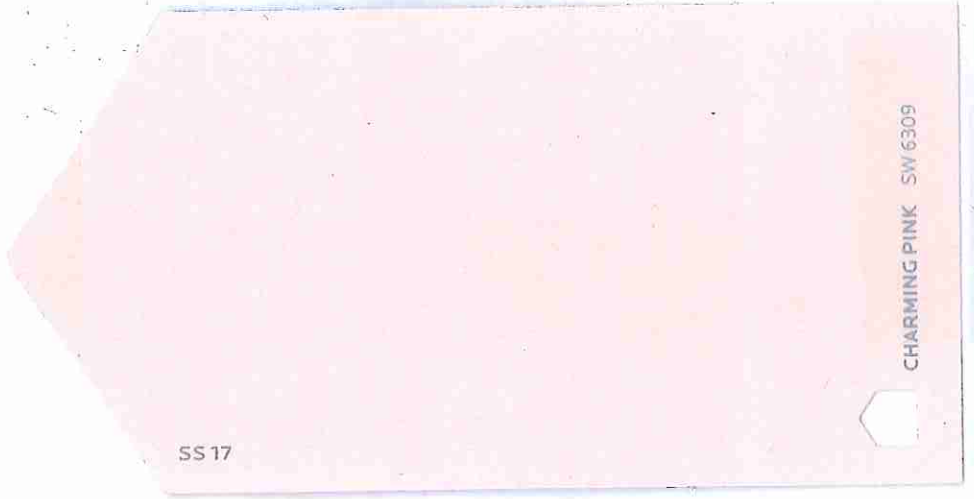
Woi Pond

Trim



Frish
cream

Double
Doors





2410112

SOAPS + HERBS
OPEN DOORS

NEW-REPAIR

Repairs

1. Expand STAIRS
2. Replace Railing
3. Take out Restroom door.
4. TAKE out white door Board up wall.
5. MOVE window above double doors to complete look.
6. Extend concrete in front of stair case.
7. take down all old wood outside of school house and replace wood.
8. move TREE
9. update FLOWER BEDS.

RUTHIE GRACE
BOUTIQUE
"A Legacy of Fashion"
936-597-6447 @ruthiegraceboutique

SPRING HAS SPRING
AT
THE AUTO ELECT CO

PARK AN

Board
Drops Cream
Iris paint

Pink Background
Board

Paper
Drops
Letters

More like Her

Boutique & Decor



Sign Permit Application

Public Works and
Community Development
Department

City of Montgomery, Texas
101 Old Plantersville Road
Montgomery, Texas 77356
www.montgomerytexas.gov

* SIGN PERMIT APPLICATION EXPIRES IN 6 MONTHS (180 DAYS) NON-TRANSFERABLE*

TEMPORARY SIGN?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PERMANENT SIGN?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Pre-Existing OR New Sign?	Pre-Existing <input checked="" type="checkbox"/>	New <input type="checkbox"/>

Permit #:

Date:

JOB ADDRESS: 21012 Eva St.	BUSINESS NAME: more like her boutique & decor
BUSINESS OWNER: Carolyn LEE	MAILING ADDRESS: 5999 Rim Rock Pass
APPLICANT: Carolyn LEE	MAILING ADDRESS: 5999 Rim Rock Pass
TELEPHONE: 281-785-7752	

CONTRACTOR LICENSE # (if electrical):

IS THE SIGN IN THE HISTORIC PRESERVATION DISTRICT?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	IS THE SIGN ILLUMINATED?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
--	---	-----------------------------	--------------------------	------------------------------	--

SIGN PLACEMENT:	VALUATION:
SIGN DESIGN & COLOR SCHEME:	\$ 1,200.00

SIGN TYPE	SIGN DIMENSIONS										
FREESTANDING MONUMENT SIGN BUILDING WALL SIGN BANNER OTHER	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">SIGN HEIGHT</td><td style="width: 50%;"></td></tr> <tr><td>SIGN WIDTH</td><td></td></tr> <tr><td>TOTAL SQ FT</td><td></td></tr> <tr><td>SET BACK</td><td></td></tr> <tr><td>BUILDING/LOT LINEAR FOOTAGE</td><td></td></tr> </table>	SIGN HEIGHT		SIGN WIDTH		TOTAL SQ FT		SET BACK		BUILDING/LOT LINEAR FOOTAGE	
SIGN HEIGHT											
SIGN WIDTH											
TOTAL SQ FT											
SET BACK											
BUILDING/LOT LINEAR FOOTAGE											

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law office regulating construction or the performance of construction.

NAME of Property Owner or Agent: Carolyn M. LEE	SIGNATURE of Property Owner or Agent:
---	---

OFFICE USE ONLY

APPROVED BY:	TOTAL FEE:	\$
--------------	------------	----

COMMENTS:

Hardi Plank Sliding

Koi Pond Green Walls



Stone All Around the Stone

TO HIDE THE SPACE UNDER
THE BUILDING.

redo
Flower
Bed



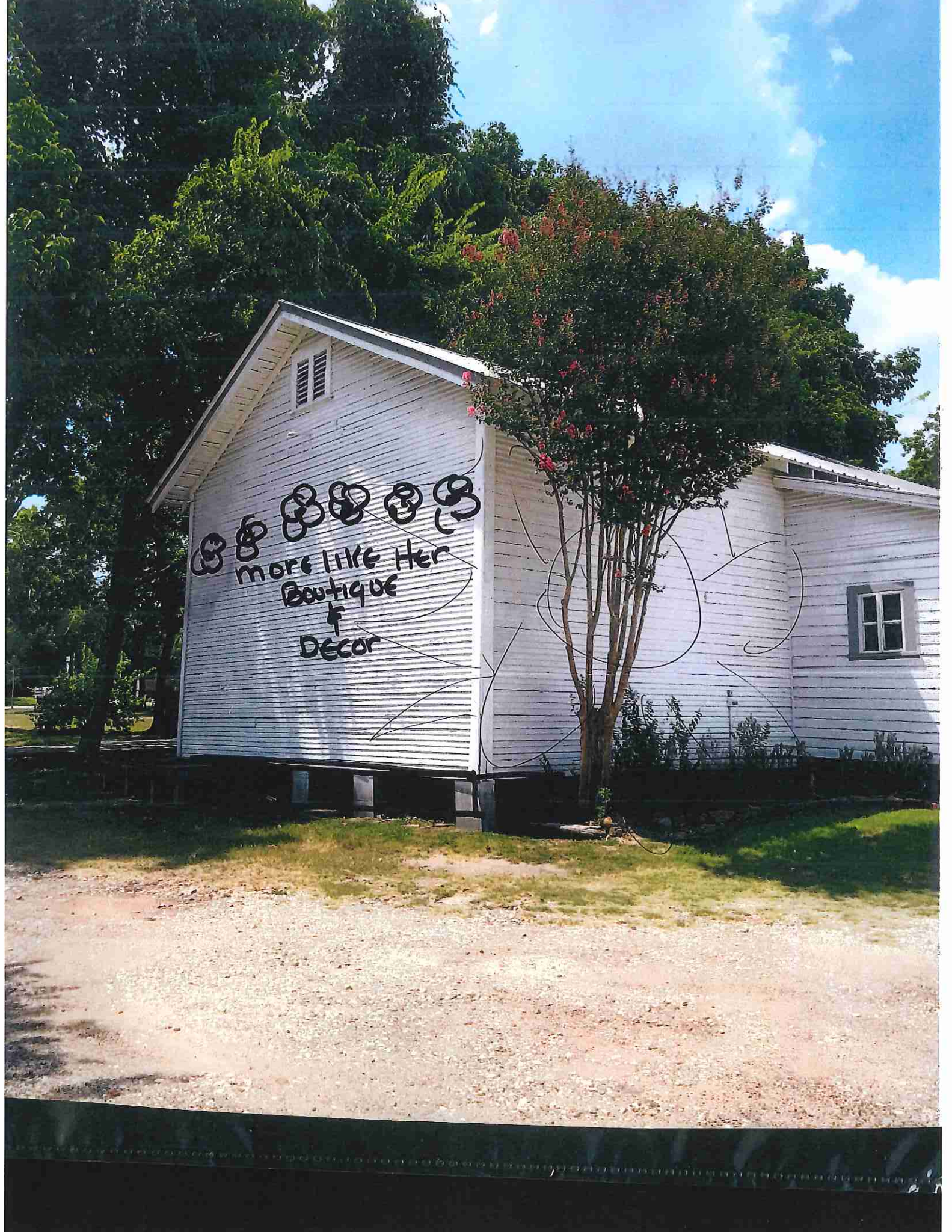


stone

1. Trim up TREES

2. Replace Broken
glass

3. Stone wall to Hide the
underneath.



more like Her
Boutique
&
Decor

1. Trim Trees
2. Stone along bottom of the House.
3. Paint Sign on wall and Flower myral
(Koi Pond Green)
(Charming Pink)

Montgomery City Council
AGENDA REPORT

Meeting Date: August 28, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Land Use Plan
Date Prepared: August 24, 2017	

Subject

This is to set a public hearing regarding the adoption of the Land Use Plan.

Description

Because the land-use plan will be a part of the zoning ordinance, any amendment to the zoning ordinance requires a public hearing.

Recommendation

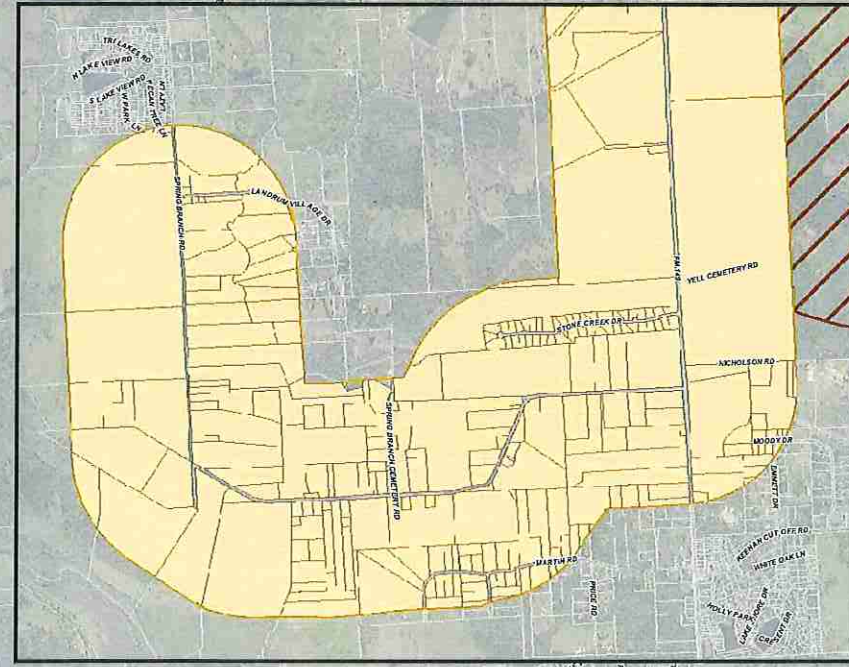
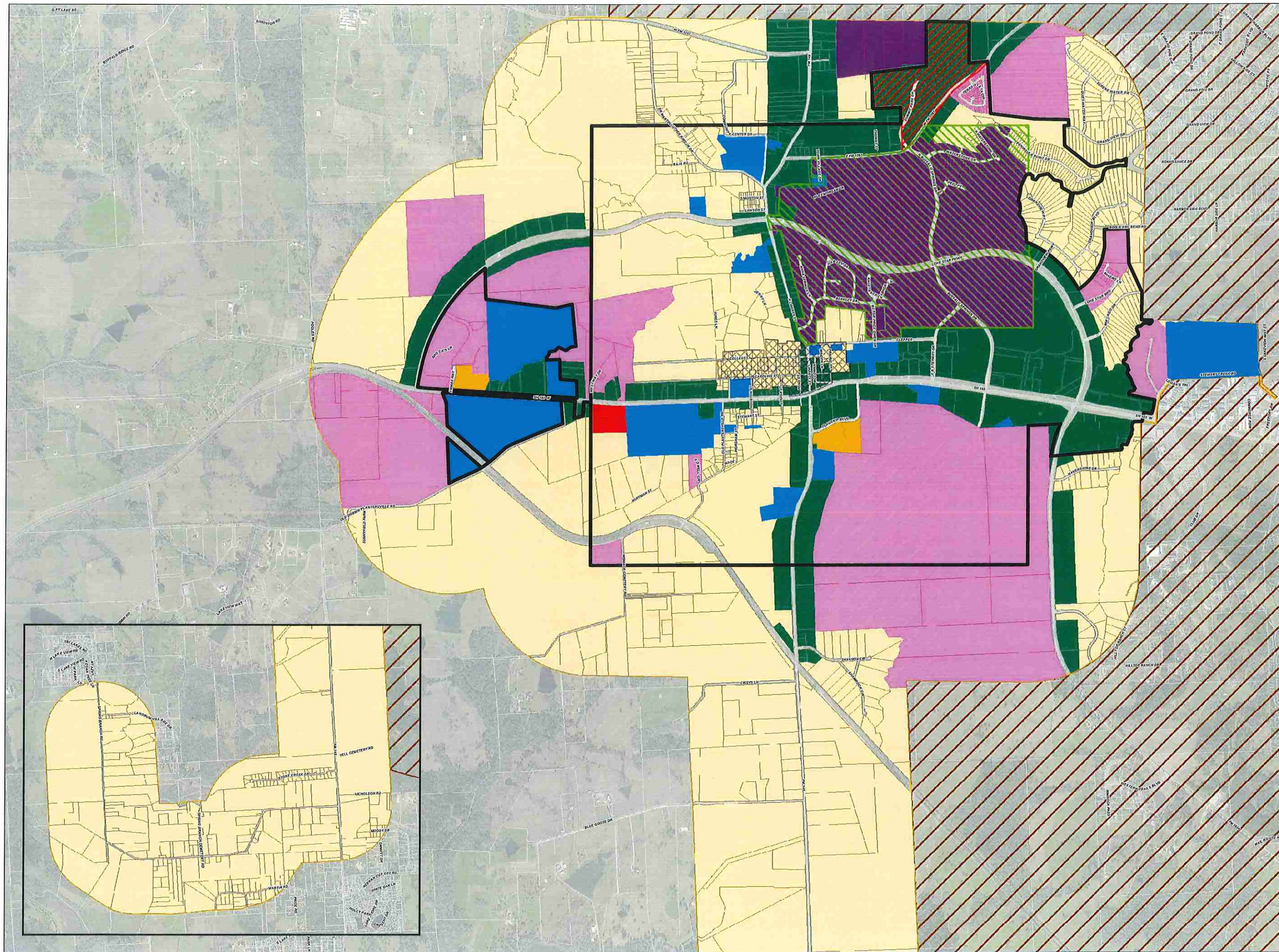
Motion to set a public hearing regarding the land-use plan for 6:00 PM
September 25, 2017.

Approved By

City Administrator

Jack Yates

Date: August 24 , 2017



VICINITY MAP
Scale: 1 inch equals 10 miles

LEGEND

- Base Layers**
- City Limits
 - Planned Development District No. 1 (LeFevre) - 2014
 - Planned Improvement District No. 1 (Ogorchock) - 2014
 - Historic District
 - City ETJ
 - City of Conroe ETJ
 - MCAD Parcels
 - Commercial
 - Industrial
 - Institutional
 - Multi-Family
 - Planned Development District
 - Residential - High Lots less than 9,000 SF
 - Residential - Low Lots greater than 9,000 SF

*Aerial Imagery flown January 2016



FUTURE LAND USE LAYOUT (JULY 2017)



1 inch equals 1,000 feet

Disclaimer:
This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones & Carter, Inc. concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.

Coordinate System: NAD 83 TX CENTRAL 4203 FEET
Vertical Datum: NAVD 1988 - 2001 Adjustment

Montgomery City Council
AGENDA REPORT

Meeting Date: August 28, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Proposed changes to section 98 – 363 of the City Code, Aerial maps showing the proposed District boundaries
Date Prepared: August 24, 2017	

Subject

This is to set a public hearing date for a Public Hearing date for an amendment to the city zoning code setting 750 feet as the distance of the Corridor Enhancement District and to add FM 1097 from the northern boundary of the city to FM 149 as a as in addition to the Corridor Enhancement District.

Description

The language adding the corridor area to 750 feet and adding the FM 297 areas is fairly straightforward. The maps that are included in your attachment show the present areas and the proposed areas.

Recommendation

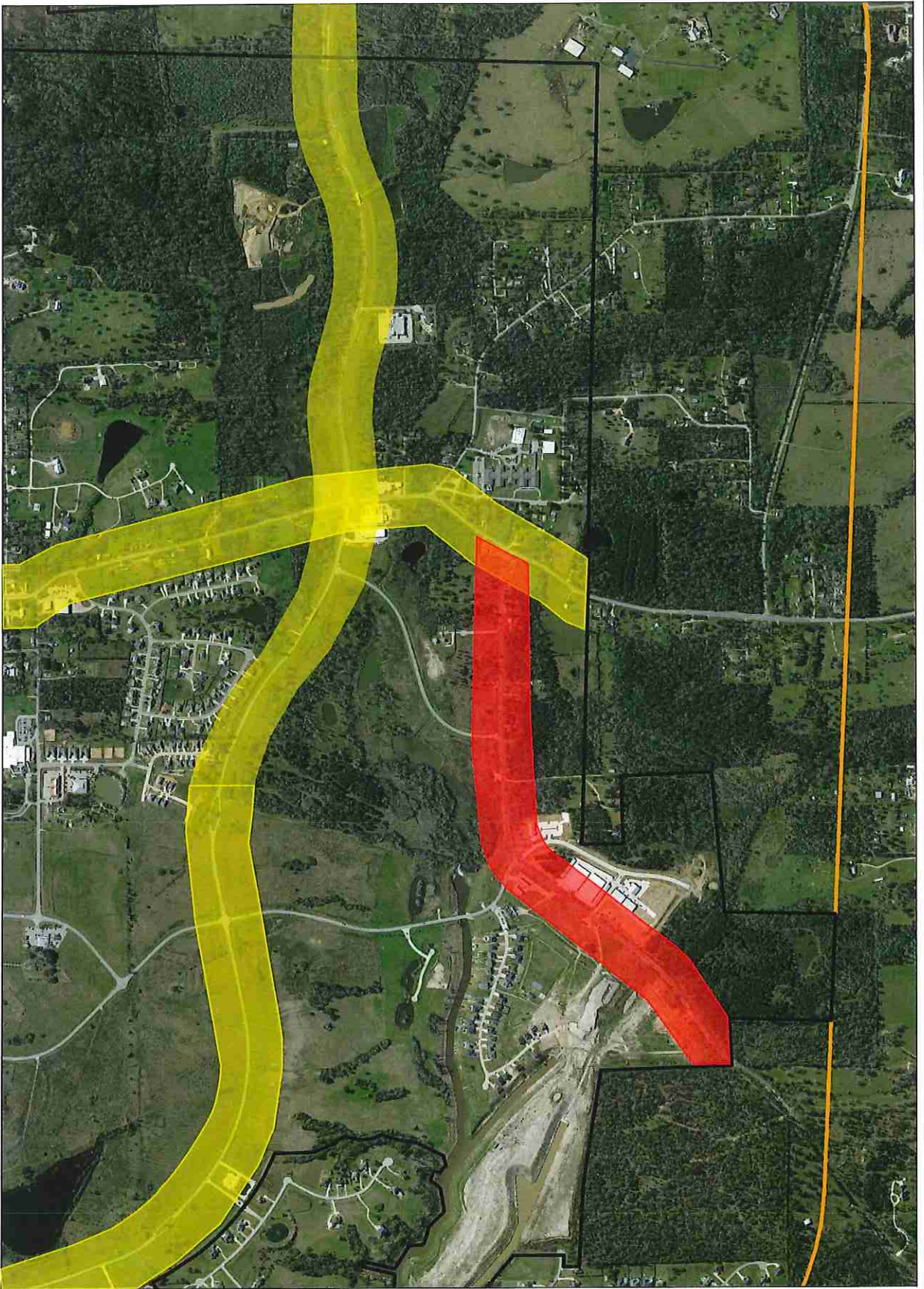
Motion to set the public hearing of this amendment to the city code for 6:00 PM September 25, 2017

Approved By

City Administrator	Jack Yates	Date: August 24 , 2017
--------------------	------------	------------------------

Section 98-363 of the City Code is amended by...

- (a) Properties initially subject to the requirements of this article and initially designated as the Corridor Enhancement District include all buildings located within seven hundred and fifty feet (750') of the right of way of:
 - (1) Texas State Highway 105, extending from the eastern boundary of the corporate limits of the city to the western boundary of the corporate limits of the city.
- (b) Properties initially subject to the requirements of this article and initially designated as the Corridor Enhancement District include all buildings located within three hundred feet (300") of the right of way of:
 - (1) Texas State Farm Road 149, extending from the northern boundary of the corporate limits of the city to the southern boundary of the corporate limits of the city; and
 - (2) The entire Lone Star parkway, extending from Texas State Highway 105 on the east to Texas State Highway 105 on the west; and
 - (3) Texas State Farm Road 1097, extending from the northern boundary of the corporate limits of the city to Texas State Farm Road 149.
- (c) The City Council may, from time to time, following recommendation either for or against such designation by the Planning and Zoning Commission, designate certain additional areas in the city as a Corridor Enhancement District, and defined, amend, or eliminate the boundaries of designation.. Such designations and requirements thereof shall be in addition to any other zoning district designation or requirement established in this chapter. All zoning maps shall reflect the Corridor Enhancement District by the letters "CE" as a suffix to the use designated. Changes to the Corridor Enhancement District may be initiated by any person by request to the City Secretary.



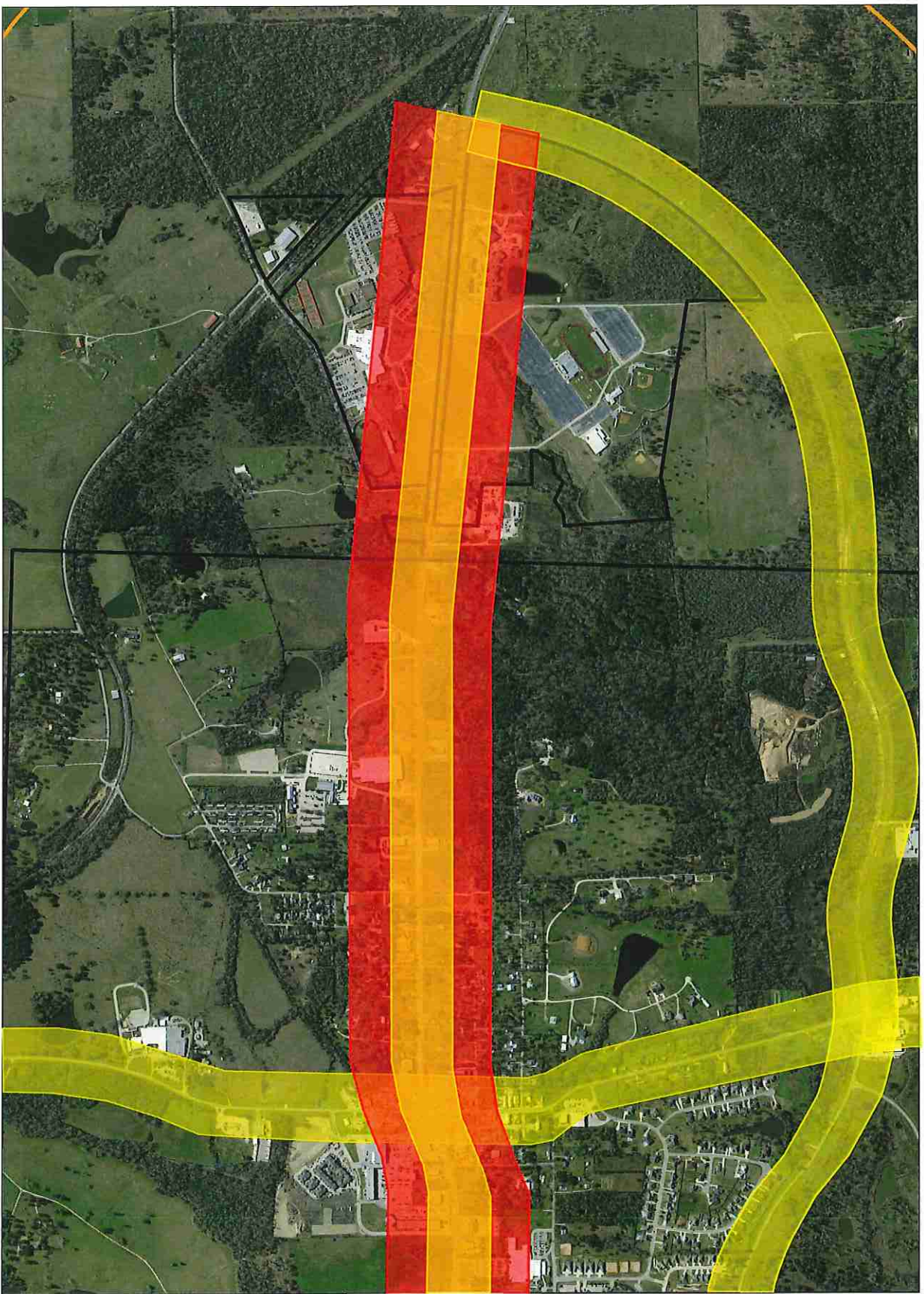
- LEGEND**
- City Limit
 - Orange ETJ
 - Current 300' Boundary
 - Proposed 300' Boundary

1 inch equals 1,000 feet



**CORRIDOR
ENHANCEMENT AREA**

Disclaimer:
This product is offered for informational purposes and may not have been prepared for or be suitable for legal or engineering use. It is not intended to be used as a replacement for professional engineering or architectural services. The information contained herein is based on the information provided by Jones & Carter. The accuracy of the information is not guaranteed. The map was automatically prepared using desktop software.



LEGEND

- City Limit
- City ETJ
- Current 300' Boundary
- Proposed 750' Boundary

1 inch equals 1,000 feet

JJC JONES | CARTER

**CORRIDOR
ENHANCEMENT AREA**

Disclaimer
This product is offered for informational purposes, and may not have been prepared for or suitable for legal, engineering, or surveying purposes. It does not constitute an offer of professional services. The user assumes all responsibility for the accuracy and completeness of the information provided. The user agrees to hold Jones & Carter, Inc. harmless from any and all claims, damages, or liabilities, including reasonable attorneys' fees, arising out of or from the use of this product. The firm and its representatives are not liable for any errors or omissions that may appear in this work. This firm and its representatives are not licensed in any state other than the state of Georgia.

Montgomery City Council
AGENDA REPORT

Meeting Date: August 28, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Memo from City Engineer, Description of proposed improvements
Date Prepared: August 24, 2017	

Subject

This is to approve construction drawings for Emma's Way Extension. The commission approved this plan several months ago.

Description

This is your required approval of City Engineer construction drawings for the addition to Emma's Way. The addition will extend the concrete street north and slightly west as shown on the attached drawing.

Recommendation

Motion to approve the construction drawings as presented.

Approved By

City Administrator

Jack Yates

Date: August 24 , 2017



1575 Sawdust Road, Suite 400
The Woodlands, Texas 77380-3795
Tel: 281.363.4039
Fax: 281.363.3459
www.jonescarter.com

August 24, 2017

The Planning and Zoning Commission
City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316

Re: Submission of Construction Drawings
Emma's Way Extension
City of Montgomery

Commission Members:

We have reviewed the referenced construction drawings as prepared by Mr. E. Levi Love, PE. Most review comments have been addressed however there are still outstanding items to be addressed and easements to be conveyed. We offer the recommendation that should the Commission grant provisional approval of the referenced documents. We will continue to coordinate with Mr. Love to ensure all review comments are addressed and easements conveyed prior to formal approval of the construction drawings. A final plat will be recorded following completion of construction.

As always, should you have any questions or need any additional information, please do not hesitate to contact Chris Roznovsky and or myself.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ed Shackelford', with a long horizontal flourish extending to the right.

Ed Shackelford, PE
Engineer for the City

EHS/cvr:kmf

K:\W5841\W5841-1020-00 Emma's Way Extension\Project Management\Letters\Emma's Way Approval Letter - P&Z Opinion.doc

Enclosure: Emma's Way Extension Construction Plans

cc/enc: The Honorable Mayor and City Council, City of Montgomery
Mr. Jack Yates – City of Montgomery, City Administrator
Ms. Susan Hensley – City of Montgomery, City Secretary
Mr. Larry Foerster – Darden, Fowler and Creighton, LLP, City Attorney
Mr. E. Levi Love, PE – L Squared Engineering

To: Jones | Carter
From: Jonathan White, PE
cc:
Date: August 18, 2017
Re: 1st Review Emma's Way

Please find a list of your comments with an explanation of revision in **bold underline** below:

1. General- "Confirm if the existing automatic air relief valve is a blow off. If not, remove the second air relief valve. Revise on all applicable sheets." **This is a blow off and it has been revised, all sheets.**
2. General- "The waterline must be 5' inside of the ROW or have a dedicated waterline easement. Revise on all applicable sheets." **Waterline has been moved to be 5' inside ROW.**
3. S1- "Correct title to match sheets" **The title already matched the sheets. No revision necessary.**
4. S1- "Provide preliminary plat in plan set" **Added to the plan set.**
5. S1- "Provide Engineer's certification for no negative drainage impact." **Added on the cover sheet.**
6. S2- "Identify temporary benchmarks" **Added to the legend.**
7. S3- "Distance from edge of ROW" **Distance of storm to ROW line has been added.**
8. S3- "Why have two?" **This has been removed, not needed.**
9. S3- "ARV or blow off?" **This is an air relief valve.**
10. S4- "Include in drainage area" **Drainage area has been revised and a temporary swale has been added to convey runoff to the existing extreme event ditch to the detention pond.**
11. S5- "Where is existing ARV as shown on overall? Or is it a blow off." **Revised.**
12. S5- "Existing ARV or blow off?" **Revised.**
13. S5- "Need to be 5' off ROW or grant additional 5' wide waterline easement adjacent to the ROW." **This has been relocated.**
14. S5- "Locate WL 5ft off ROW" **This has been relocated.**

15. S5- "Install 12" x 8" Tee with stubout and GV for 8" waterline. Need 12" GV to the left of the tee." **Revised.**
16. S5- "Confirm elevations match between Hillside Drive and Emma's Way" **We have shown the elevation for Hillside Drive and adjusted accordingly.**
17. S5- "12"" **Revised callout.**
18. S5- "1-2' Blow-off Valve and Box" **Added.**
19. S5- "Match line?" **No matchline needed. The stations that were showing up have been removed to eliminate confusion.**
20. S6- "Provide easement recording" **Added.**
21. S6- "4' min" **Added.**
22. S6- "Call out manhole" **Added.**
23. S7- "Provide easement recording info, public or private" **Easement recording info has been added. This is a public easement.**
24. S7- "Revise layout to cross as close to perpendicular as possible." **Revised.**
25. S7- "Show future road" **Shown.**
26. S8- "Call out manhole" **Added.**
27. S8- "Too close to ROW revise location to be at least 10' from ROW or grant 10' sanitary easement adjacent to ROW" **Revised location.**
28. S8- "Provide easement recording info public or private" **Easements M&B and exhibits have been provided to City. City to write easement documents and record with MC.**
29. S8- "What for?" **This stub out was removed.**
30. S8- "Proposed Hillside Drive by others" **Added.**
31. S8- "Show water, sanitary, and storm by others." **Added.**
32. S9- "Revise the general notes to call out Chris Roznovsky." **Revised.**
33. S10- "Need geotechnical report and revise design per report." **Geo to be submitted to the City prior to construction and detail will be modified if required.**
34. S10- "Reinforced Concrete pavement" **Detail name was revised.**
35. S10- "6" or 8"?" **This is a typical detail for street construction. Pavement thickness is detailed on our overall site plan in the legend. This is a 6" concrete paved road.**
36. S11- "and compacted in 6" lifts" **Added to the note.**



37. S11- "Bedding material will be sacks cement per ton stabilized sand, placed when pipe is laid" **This note was already covered in above note, but I added "placed when pipe is laid".**

In addition, a revised set of plans has been submitted to accompany this memo for further review and approval. Please contact us at your earliest convenience if you have further comments or questions.

