

MINUTES OF REGULAR MEETING

June 26, 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, Jeffrey Waddell and Carol Langley

Absent: William Simpson

Also Present: Jack Yates, City Administrator
Ed Shackelford, City Engineer

Chairman Nelson noted that William Simpson was out of town on an excused absence.

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 May 22, 2017 minutes.

Jeffrey Waddell moved to approve the minutes as presented. Arnette Easley seconded the motion, the motion carried unanimously. (4-0)

2. Presentation of Westmont Square Development – Monty West

Mr. Monty West made a presentation of his plans to build a retail/office complex on North Liberty Street across from where Clepper Street ends at Liberty Street. Mr. West advised that this will be a U-shaped grouping of businesses, replicating some of the old structures that used to be in Montgomery or are still in Montgomery, with a courtyard of pavers in the center.

Mr. West stated that there is a 12-foot utility easement that runs along the north side of their property that is currently being used for water and gas. On the west side of his property, is the Pond Street extension, where it currently ends at College Street. Mr. West said that he is proposing to extend from College Street along the backside of his lot to where it terminates at the North West corner of the lot. Mr. West said that at that point they would like to get a road constructed up to the City's standards and use the current utility easement as a one-way street, along the north side of his property to the back of the Pond Street extension, and then have it exit back onto College Street. Mr. West said that would then allow them to have additional parallel parking along the north side, and angled parking on the west side of the building and extend it back behind the Burger Fresh property.

Mr. West advised that he will be asking for a variance on the amount of parking spaces required for the development, due to the square feet. Mr. West said that he would also like to have a variance on the building to have as much room as they can in order to maximize the square footage, while still maintaining the courtyard. Carol Langley asked if that would be going toward Burger Fresh. Mr. West said that was correct, because they will have to build along the west side since the easement is 12 foot; they will probably have to take another 9 feet for the parallel parking, and they would like to have a zero building line against the parallel parking. Mr. West said that they would like to take as much as they can on the south side for their building. Mr. West said that Burger Fresh was on the south side of the property, the City's easement is on the north side and on the west side is the Pond Street extension.

Carol Langley asked if Mr. West had showed his plans to the other property owners. Mr. West said that he has not talked to them about the development, but he had sent an email to the owner of Burger Fresh.

Mr. West said that the additional 30-40 parking spaces would be a benefit to downtown Montgomery.

Mr. West said that he felt that they needed to get within two feet of the property line on the side of the Burger Fresh building.

Chairman Cox asked whether the City had attempted to contact the neighboring owners to get their input. Mr. Yates advised that he had not because this is just an informal presentation and he has not received the actual variance request. Chairman Cox said that his other concern would be what the Fire Marshal thought about the closeness of the buildings. Mr. Yates said that they would sure send the information to the Fire Marshal to get his input.

Arnette Easley asked how far off the property line was Burger Fresh located, because if they are 5-7 feet off the line, it should not matter. Mr. West said that Burger fresh was either 8 or 10 feet off the line.

Jeffrey Waddell asked how much space would be allowed for driving with the parallel parking. Mr. West said that it would leave 12 feet for driving and 9 feet for parking for a total of 21 feet. Jeffrey Waddell said that they would also have to check with the Fire Marshal. Carol Langley said that in the past when an easement has been used, there is some kind of written agreement that states that should the City have to go in and tear anything up, both parties are responsible for the City not having to put it back the way you had it. Mr. West said that they would use asphalt to make it easier to replace.

Chairman Cox said that this was just a presentation not an action item. Mr. West said that he would accept any comments or suggestions.

Carol Langley said that she was not comfortable with less than 5 feet for the building line, but she could understand if the Fire Marshal or Fire Chief was okay if the other building is further off of the line.

Mr. West said that the courtyard would be pavers or imprinted concrete and the building would be hardy plank siding with brick and would have a metal roof. Mr. West said that they were going to stay with the original colors of the old buildings and would not get wild with the colors. Mr. West said that the total rental space would be 8,680 square feet. Mr. West said that they have 6 tenants that are wanting to come in at this time, but they are not going to commit until they know what they can and can't do.

The Commission thanked Mr. West for his presentation.

3. Consideration/take action regarding Montgomery First Final Plat.

Mr. Shackelford presented the information to the Commission stating that they are asking that the Commission approve the drawings with a provisional approval. Mr. Shackelford said that Montgomery First is showing easements to be recorded as part of the plat, but they also know that there will be some interior roads that need to be platted because of needing access for the public. Mr. Shackelford said that the location of some of those roads are still yet to be determined, and would be done by a separate instrument. Mr. Shackelford said that once they grant that action, they can sign the plat and the construction drawings for them to move forward.

Mr. Shackelford advised that this property is on the north side of SH 105, east of Lone Star Parkway, between where Pizza Shack is going in and the strip center on the north east corner. Mr. Shackelford said that this has the entire 20 acres, and is to be constructed in phases.

Jeffrey Waddell moved to grant provisional approval of the Montgomery First Final Plat and Final Plans as recommended by the City Engineer. Arnette Easley seconded the motion, the motion carried unanimously. (4-0)

4. Consideration/take action regarding Montgomery First Final Plans.

The action for this item was taken under Item 3 as a combined motion.

5. Consideration/take action regarding Lake Creek Village Sec. 3 Final Plans.

Mr. Shackelford presented the information, stating that the developer, Mr. LeFevre, has elected to construct the development first and submit the plat later for consideration. Mr. Shackelford said that the City has opted to allow developers to choose which path they want to take, either filing the plat in the beginning of the project and posting bond, or constructing the project and then post a bond for the warranty period. Mr. Shackelford said that the developer is electing to construct the project prior to the plat being filed.

Mr. Shackelford advised that they have reviewed the drawings, and all the comments have been addressed, so he is requesting approval of the construction plans, with no provisions, and they will bring the plat back at a later date.

Arnette Easley moved to accept the Lake Creek Village Sec. 3 Final Plans. Jeffrey Waddell seconded the motion, the motion carried unanimously. (4-0)

6. Report regarding Land Use Plan for the City.

Mr. Yates advised that he had made a couple minor changes to the Land Use Map. Mr. Yates also stated that he had spoken with City Council at their last meeting and they are agreeable to having a Joint Meeting with the Commission to discuss the Land Use Plan, Zoning Changes and the Mobility Plan on July 13, 2017 at 6 p.m.

Mr. Yates said that the two changes that he made to the Land Use Plan map included the following:

- a. On the west side of town, across from the Napa Auto Parts store, where he had the land designated as commercial, he changed it back to industrial as it had been previously designated; and
- b. The Mabry property, along FM 1097, which is in the ETJ and outside the City, and Mr. Yates advised that along FM 1097 he is keeping the property as commercial, but then 150-200 feet back, make it residential (low density) for the remainder of the property, which is about 86 acres.

Mr. Yates said that reviewing this on July 13, 2017, prior to going public, would allow them to show the information to City Council and get their ideas and comments. Mr. Yates said that if City Council agrees with the ideas, they would hold several public hearings and contact the individual property owners to let them know about the information and meetings.

Carol Langley asked if Mr. Yates had driven by the property located by the railroad tracks that they had discussed at the last meeting. Mr. Yates said that he did not, but he would before the July 13, 2017 meeting.

Jeffrey Waddell said that at the last meeting Mr. Yates said that regarding the property south of FM 149, by the railroad tracks, he was thinking of extending a little bit of commercial use on Shannon Circle. Mr. Yates said that he would go a little further south of Shannon Circle with commercial use, because it is already commercial.

7. Report regarding Zoning Changes throughout the City.

Mr. Yates said that he had excluded Area 2 of the proposed zoning changes, which is the property that they were just speaking about, which is industrial and will remain that use.

Mr. Yates discussed the notification process for the public, explaining that the first contact will be by letter asking the public's opinion about the actions that are being recommended, where they can either call, write or attend a meeting. Mr. Yates said that he would suggest

an open discussion session, probably as part of a regular meeting. Then after they find out how the public feels, they can start the formal process of the public hearings and notifications.

Nelson Cox said that he thought that was a good idea. Carol Langley asked if they would have the property owner information for the parcels of land that are in question for the July 13 meeting. Mr. Yates said that he would have that information at the meeting.

8. Consideration/take action regarding landscape ordinance implementation.

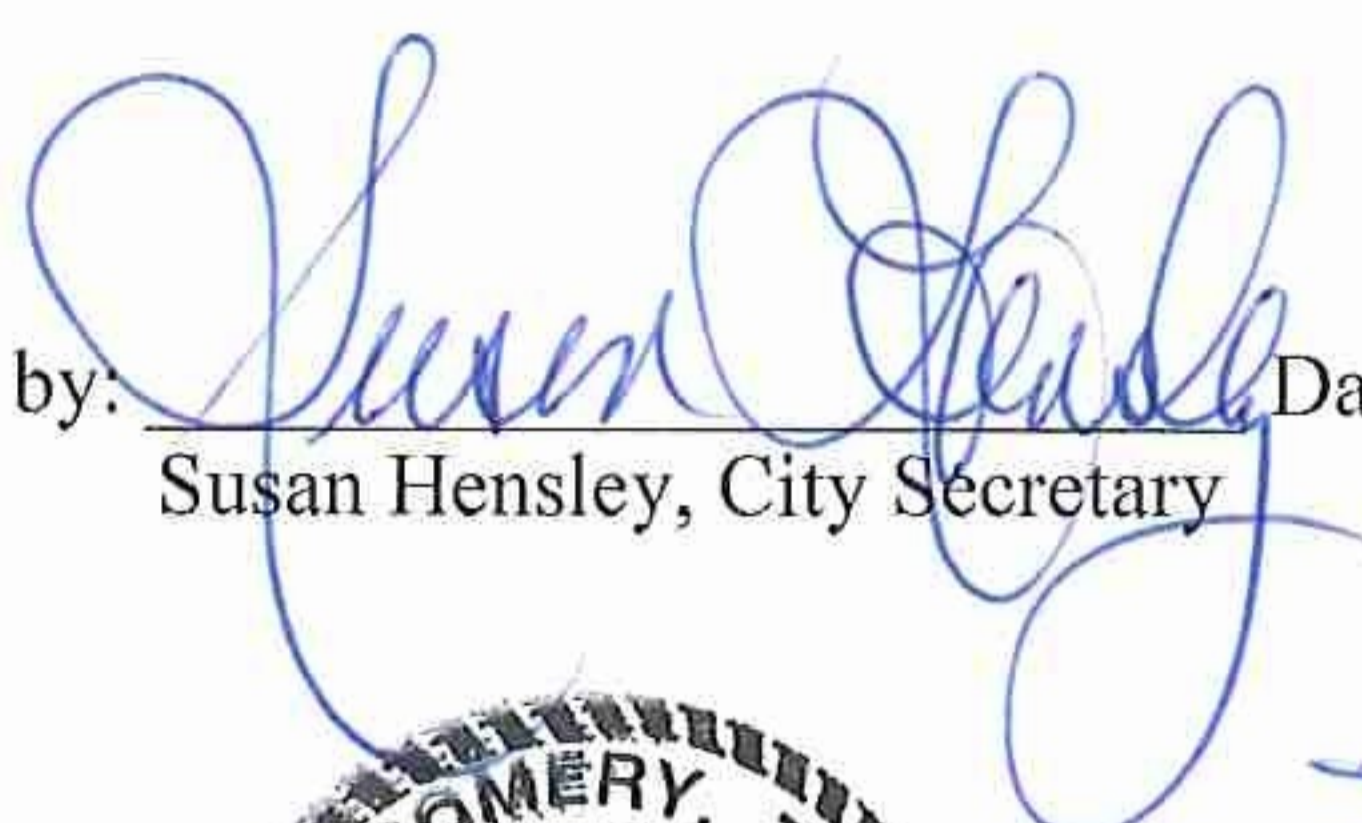
Mr. Yates advised that last month he had presented the proposed advertisement last month, but he had not been able to meet with Council Member Dave McCorquodale for his review, so he had not advertised for the RFPs.

There was no action taken on this item.

9. Adjournment

Carol Langley moved to adjourn the meeting at 6:54 p.m. Arnette Easley seconded the motion, the motion carried unanimously. (4-0)

Submitted by:



Susan Hensley, City Secretary

Date approved:



Chairman Nelson Cox