

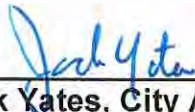
**MONTGOMERY PLANNING AND ZONING COMMISSION AGENDA
REGULAR MEETING OF
MONDAY, FEBRUARY 27, 2017, 6:00 P.M.
CITY HALL COUNCIL CHAMBERS 101 OLD PLANTERSVILLE ROAD,
MONTGOMERY, TEXAS.**

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 January 23, 2017 minutes
2. Consideration/take action regarding approval of paint color -- 14259 Liberty Street and 309 Pond Street – Kirk and Emily Jones
3. Consideration/take action regarding sign permit for 811 Caroline Street - Mary Eckhart Sims
4. Consideration/take action regarding Longview Greens Miniature Golfing Variance Request-- placement of a gravel parking area
5. Consideration/take action regarding Hodge Podge Lodge remodel and addition
6. Consideration/take action regarding Living Savior Lutheran Church remodel and addition
7. Setting a Public Hearing regarding providing for the initial zoning of newly annexed property as provided in Chapter 98 of the Code of Ordinances of the City of Montgomery, Texas; providing for the classification and inclusion of a certain tract of land of approximately 14.5003 acres located east of Lone Star Parkway and north of State Highway 105 within a zoning district.
8. Report regarding HOME Project grant program
9. Consideration/take action regarding Land-Use Plan for the City
10. Report regarding zoning changes throughout the city
11. Discussion of potential areas of annexation into the city
12. Consideration/take action regarding landscape ordinance
13. Adjournment



Jack Yates, City Administrator



Posted February 24, 2017 at 3:00 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 accommodations

MINUTES OF REGULAR MEETING
January 23, 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 6:03 p.m.

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

Absent: Arnette Easley

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

Mr. Bob Peel addressed the Planning and Zoning Commission regarding Agenda Item No. 5, dealing with the improvements to be made to the Lutheran Church adjacent or close to the Peel Cemetery. Mr. Peel advised that he had three generations of his family buried there, going back for many years, even before Texas was a state. Mr. Peel said that he has protected and maintained the Cemetery. Mr. Peel said that the church is asking for a variance of some sort, which he does not know what it is. Mr. Peel said that he got wind of this matter last Friday afternoon, which was the first that he had heard about it. Mr. Peel said that he has yet to see a set of plans that he has been told are complete, or have yet to have been talked to by the church concerning this expansion. Mr. Peel said that he made an agreement with the church some time ago, and he gave the church

his interest in the road, and the church agreed that they would not interfere with the access to the Peel Cemetery. Mr. Peel said that he was here to ask that the Commission hold any decision that they make on the building at least until he understands and someone shows him what they are going to do. Mr. Peel thanked the Commission for their time.

Mr. Douglas Krenz, Chairman of the Long Range Planning Committee of the Lutheran Church, said that he was the individual that had worked with Mr. Peel on the road right of way abandoned between the church and the cemetery. Mr. Krenz said that Mr. Peel graciously agreed to work with the church on that, subject to him not having his access to the cemetery restricted. Mr. Krenz said that he had just gone to the church and it was 27 feet from the closest point of Mr. Peel's cemetery and his access won't be restricted. Mr. Krenz said that he tried to explain to Mr. Peel that this would not be changing his access to the cemetery at all.

Chairman Cox asked Mr. Krenz if he had shown Mr. Peel any of the plans. Mr. Krenz said that he had shown Mr. Peel what they have, because the building plans are underway. Mr. Peel said that he had been told by a member of the church that the plans were not final and they are waiting to obtain the variance before they make their final plans.

Mr. Peel said that the plans that Mr. Krenz has with him are too small for him to see. Mr. Peel said that he needed someone to show him or explain what they are doing and he can stand there and make sure that there won't be a problem with access to the cemetery. Mr. Peel said that they have to take down part of the fence to bring in coffins with a hearse, which they do at the far end where he is saying is 27 feet away from the church.

Mr. Krenz stated that the variance was approved at the last meeting. Chairman Cox said that he understood that, but anything can be corrected. Chairman Cox recommended that Mr. Krenz get a large set of plans, and then with one other representative, your builder or developer, and sit down with Mr. Peel and work that out. Mr. Krenz said that they would definitely try to do that. Mr. Peel said that he needed someone to physically go over there with him to show him, because there is only certain places that they can get into the cemetery.

After discussion, Mr. Peel, Mr. Yates and Mr. Krenz will meet at the Peel Cemetery at 1:30 p.m. to discuss the matter.

Jeffrey Waddell asked if the family cemetery was the small area just off of the main cemetery with a separate gate. Mr. Peel said that was correct. Mr. Peel advised that the larger cemetery was no longer an active cemetery and no one else would be buried there. Mr. Peel said that the active cemetery was located right next to this area. Mr. Krenz said that the Peel Cemetery is on the farthest northwest corner of the cemetery, with a separate black wrought iron fence and gate at the intersection of Church and Cemetery.

William Simpson said that they had granted a variance upon other things being done, and asked if those construction drawings were in progress. Mr. Krenz said that the detailed building plans are in progress. William Simpson said that after they have their meeting and everything is agreed upon, they can take a look at that.

Mr. Peel asked if this variance has already been granted by the Commission. Chairman Cox said that the variance was granted by this Commission at the last meeting. Mr. Peel asked if there was no way that adjoining properties are notified when a variance is requested. Chairman Cox said that the Commission was informed that Mr. Peel had been notified by the people making the submission. Mr. Krenz said he had indicated previously Mr. Peel was okay with the road abandonment, as long as they did not restrict access to the his cemetery, which this project is not restricting that access.

CONSIDERATION AND POSSIBLE ACTION

1. Consideration/take action regarding December 27, 2016.

William Simpson moved to approve the December 27, 2017 meeting minutes, as presented. Jeffrey Waddell seconded the motion, the motion carried unanimously. (4-0)

2. Consideration/take action regarding variance request for: minimum lot width, lot depth, side building line and residential lot area for Waterside Estates.

Mr. Fleming said the pack includes a conceptual land plan, as submitted by Mr. Kotlan. Mr. Fleming said that this was located on the north side of Lone Star Parkway, just east of Buffalo Crossings and just west of the dental center. Mr. Fleming said that was a just over 60-acre tract. Mr. Fleming said that the Commission did previously see a Preliminary Plat submission for this in late 2015, along with some accompanying variance requests. Mr. Fleming advised that the Commission had acted favorably on those requests, however, they were tabled by City Council. Mr. Fleming said that per the City's Code of Ordinances, a preliminary plat approval or acceptance expires after a period of twelve months, which has expired.

Mr. Fleming said that the land plan being presented changes slightly from the previous layout that was presented. Mr. Fleming said that the number of lots has increased from 85 to 174, there is some compensating greenspace and two commercial reserves. Mr. Fleming said that this is not a Preliminary Plat submission, and they are not seeking acceptance on the land plan, but they are seeking approval for a handful of variance requests. Mr. Fleming said that they include minimum lot width, lot depth and lot area and reduction in side yard setbacks.

Mr. Kotlan, project Engineer, stated that this tract is a very steep tract that runs from Lone Star Parkway down to the canal on Lake Conroe, and has a couple of steep ditches. Mr. Kotlan said that there was going to be a lot of dirt work when they get around to developing the tract. Mr. Kotlan said that one of the ways to pay for the costs of the dirt work is to try to get a few more lots on the property, and so the developer has asked him to come up with a land plan that would have a smaller lot size, to fit the market. Mr. Kotlan said that he recommends that the Commission approve the variances, prior to the Preliminary Plat preparation. Mr. Kotlan said that the developer might develop the property or he might sell it, so the land use might change. Mr. Kotlan said that he did not know the exact name of the corporation that owns the property, but it is owned by Steve Bowen. Mr. Kotlan said that it is not the same corporation that owns the other project that Mr. Bowen has.

William Simpson said that he did not know if he was on the Commission at the time this was submitted, but City Council denied 85 lots and now they are coming back and asking for 176 lots in the same area. Mr. Kotlan said that it was his understanding that City Council did not

really deny the project, they just did not take action. Mr. Kotlan said that there were a number of things, lot lines that were skewed at an odd angle and a number of different things that were all in a package. William Simpson said that City Council was also worried about the mass of homes, and so now the developer is going to double the mass of homes.

Jeffrey Waddell asked if the original development had a road system similar to this system entrance. Mr. Kotlan said that the other one had a little different road system, it formed a bit of a loop and then had some cul-de-sacs going at odd angles. Mr. Kotlan said this road system is a little bit more efficient road system, but again one of the things that the first one did not take into consideration was the sloping land. Mr. Kotlan said that will end up being terraced down so that each one of the sets of cul-de-sacs is going to be a stair step down towards the next one in order to make the development work. Jeffrey Waddell said that he certainly was not a traffic expert, and they might need to refer to someone that is, but his concern is only one way into the development. William Simpson said that was his concern also regarding safety. Jeffrey Waddell said that typically anything that he has ever seen, you have some way to loop through the neighborhood, so he was concerned with the potential safety hazard and the potential for traffic to back up.

Mr. Fleming commented on a couple of observations. The original submission from 2015 was similar in nature for the variance requests, and there were two additional requests at that time. Mr. Fleming advised that one variance was pertaining to lot line orientation, along the northern boundary line, and the other one was pertaining to street radii. Mr. Fleming said that City Council did table this out of concern for the lot density, but there were also some extenuating circumstances at that time that played into their decision, not directly related to this development, but some utility construction across the Buffalo Crossings Bridge.

Mr. Fleming said that after having reviewed the variance requests, he has no particular objection to those. Mr. Fleming said that he thought it was worth noting that the compensating green space that is noted, does not appear to be adequate to provide the true one-to-one offset as provided by the Code. Mr. Fleming said that while they do show a nice green space or a nice reserve area, just looking at it and running some rough numbers off the entirety of the

development, it does not look like it is a true one-to-one gift. Mr. Fleming said that regarding the road configuration, obviously this is just a conceptual land plan and they would have a good amount of freedom to make some revisions. Mr. Fleming said that as the plan is laid out right now, there is nothing there that is not compliant with the City's Code in terms of the single point of egress or the length of the road. William Simpson said that he understood what Mr. Fleming was saying, but the massive number of homes that would go in there along with the parking and emergency egress. William Simpson said that if there was a fire down at the bottom of the development, he did not know how they would be able to get all the equipment down into the fire. William Simpson said that as close as they are proposing that the homes are going to be has to be a concern.

Arnette Easley arrived at the meeting at 6:25 p.m.

Chairman Cox asked Mr. Yates about whether there was still no decision about high density in that area. Mr. Yates said that was correct. Mr. Yates said that internally, the City is working on a Land Use Plan that has a suggested area for high and low density housing, but this area is in the Planned Development of Mr. LeFevre. Mr. Yates said that they will probably have a suggestion for the Commission at the next meeting coming from City staff. Mr. Yates said that if the Commission approves the plan, it would go to City Council for their approval, following a couple of public hearings. Mr. Yates said that while it would not change the zoning of the property, it would give an indication of whether or not there would be high or low density on the property in the future. Mr. Yates said that at this point it is just in the beginning plan.

Mr. Fleming said that if the Commission chose to act favorably on the variance requests before them this evening, it would then go to City Council tomorrow night for consideration. Mr. Fleming said that if City Council acts favorably on the requests, that would trigger the need to revisit the Utility and Economic Feasibility Study for this tract, which they had begun work on back in 2015-2016.

Mr. Fleming advised that the study was never completed due to the unfinished nature of the land plan and the fact that City Council never took action on the variance requests. Mr.

Fleming said that they would have to revise the Feasibility and Economic Study to identify what the true impact of this proposed development would be, both from a traffic standpoint and utility standpoint. Mr. Fleming said that they know that they do have some shortcomings both in water availability and primarily waste water availability. Mr. Fleming said that they would also look at the potential gain in the assessed valuation of the City. Mr. Fleming said those would be all the things that would be brought back before the Commission and City Council to consider, along with an actual Preliminary Plat and Final Plat submission and construction drawings.

Mr. Kotlan said that traffic impact was mentioned, and at that time if they were doing a Preliminary Plat, they would have done the impact study and if there were changes that had to be done because of the alignment of the roads, turn lanes or signals, that would be part of that process, and asked to confirm that approval of this action tonight would not keep them from making those recommendations in the future. Mr. Fleming said no, and as far as traffic impact that would be more of a process during engineering review of the proposed construction plans. Mr. Fleming said that all they can do in a Feasibility Study is to look at what the developer is providing the City in terms of lot counts, and it is a determination of the density. Mr. Kotlan asked if improvements are needed to accommodate the traffic, there is a process for that to happen during the design phase. Mr. Fleming said that was correct.

William Simpson asked about the drainage and where all the water is going to go and how is it going to get down to the canal. Mr. Kotlan said that the design that he did was to have the drainage go into the road, which would take drainage down the road, down to the park drainage reserve and go over to the pond, and then make its way to the canal through the wide drainage easement on the northwest corner. Mr. Kotlan said that there was also a drainage easement down the east and west property lines, the west property line easement takes some of the western side drainage down to the pond and over to the canal. Then the drainage on the other side will go down to the cul-de-sacs to the east property line, where there is a drainage easement. Mr. Kotlan said that there was a commercial property in the back that has an outfall that runs into that drainage easement. Mr. Kotlan said that none of that has been designed yet,

regarding the size of the channel or the mitigation, but he did put the features in there to allow three locations to go south to north.

Jeffrey Waddell asked if some of the drainage was underground or does it go across lots. Mr. Kotlan said that was why the lots are wider at that location. Mr. Kotlan said there would be an open channel there until you get to a point closer to where the slope going down into the canal. Mr. Kotlan said that the dotted lines show where a drainage easement would be located.

Jeffrey Waddell said that he did not understand how the drainage could go across lots like it is shown. Mr. Kotlan said that the one that is showing to cross the lots and goes off through the middle of the lots is an existing drainage easement that they would be pulling off. Mr. Kotlan said that the one that is along the property line on the North West side crosses two lots, which they might end up platting as a reserve easement. Mr. Kotlan said that a lot of times when you have a reserve you have to have a third party maintain it if it is an easement on someone's property, then the person that owns the property has a responsibility to maintain it.

Mr. Fleming said that the drainage is an independent issue from the variance request before the Commission this evening. Mr. Fleming said that the property is within the City limits right now in its entirety, so those are all things that would have to be answered and explained during the engineering review of the construction plans. Mr. Fleming said that just like everything else, it will be measured against compliance of the Montgomery County Drainage Criteria as the ultimate standard. Jeffrey Waddell asked if this development actually happened, would this be an accurate representation of the development, which is titled "Estates" and they are not Estate lots, which they might want to think about that issue.

Chairman Cox said that he was still thinking of the land use question is what they need to consider first, because if they make any type of approval or denial here and it is different from what is decided in the next month or so for land use, we have just wasted our time. Chairman Cox said that he personally felt that it was too many lots for something that was presented to them a year ago at half that amount, and was tabled.

William Simpson said that was the first time for him to see four variance requests at one time. Mr. Fleming said that for the single family developments that they have seen over the last couple of years, this is pretty standard.

Chairman Cox asked what size home would be placed on these lots. Mr. Kotlan said that the majority of them would be a 2-story, 3,000 square feet, with the footprint on the ground at 2,000 square feet. Mr. Kotlan said that the lots on the other side of the canal are very similar in size to these lots. Mr. Fleming said that the developer is requesting lot widths of 50-60 feet or even less, and they almost by default have to ask for the reduction in side yard setback. Carol Langley said that the City's Code requires the 75 feet x 120 feet for lots. Mr. Fleming said that was correct, for an overall area of 9,000 feet. Mr. Fleming said that side yard setback is required to be 10 feet on each side of the property.

Williams Simpson said that he was just scared they were going to set a precedence, and they were going to be known as the City of tiny homes.

Chairman Cox asked if the Commission felt that it would be wise to table this item for a month to see if they can come up with some answers to the pending questions. Arnette Easley asked if the only concern with the Preliminary Plat was the drainage, and whether there were other concerns. William Simpson said that the concerns were drainage, egress (exit) for emergency vehicles and parking. Williams Simpson said since you are stacking up the homes, where is everyone going to park. Mr. Kotlan said that the front setback would give them a driveway large enough to fit two cars, plus a 2-car garage. Mr. Kotlan said that they would also have 28 feet for street parking.

Mr. Fleming said, in summation, from an engineering design standpoint, he had no reason to object to the variance requests before the Commission tonight. Mr. Fleming said if the design of the Commission is to table this item for review, it would certainly be an option. Mr. Fleming said if the Commission tables this item, he would ask that they provide the developer and his engineers some clarification in terms of what they would like to see next month or the month following. Mr. Fleming said they will need to know if the Commission would like to see a

true Preliminary Plat submission that defines the exact land plan and number of proposed lots. Mr. Fleming said that they need a clear picture of what the developer needs to provide the Commission.

William Simpson said that he understood what the developer was trying to do, with the cost of land and moving the dirt, but he did not believe that should be the burden of the City. William Simpson said that they want to keep Montgomery a nice, clean and presentable community.

Chairman Cox said that he still felt the land use question had to be addressed, because he did not want to waste time with one thing and have to back up and do it again, because they decided a different land use. Chairman Cox asked if the land use plan would occur in one month or two months. Mr. Yates said it would be ready next month. Chairman Cox said the land use plan would be the first thing, because this is a land use question. Chairman Cox said that the developer also had to provide a little more reasonable answer to how they are going to get in and out of the development with 174 families trying to get out on one road. Mr. Kotlan said that he understood what Mr. Cox was saying, but it was not uncommon to have a neighborhood with 174 lots with a single entrance.

Mr. Kotlan said that he was not committing to one entrance, if he came back with two entrances and could keep the 173-174 lots that would not be a deal killer for the developer. Mr. Kotlan said the intent is not to say that this is the exact land plan, what they really need to know is if they can get somewhere around 170-174 lots, there is an economic question that has to be answered on the developers part as to whether he wants to do the development as a residential development. Mr. Kotlan said that if it was going to be 85 lots that would be a different economic situation. Mr. Kotlan said the real question is whether the Commission is going to be okay with having 60 foot wide lots. Mr. Kotlan said that was a bigger question than just the development because a lot of the developments that are going to come up are going to have that same question. Mr. Kotlan said that most lots are now going toward the smaller sized lots. Mr. Kotlan said that he understood all the other concerns, which they could address, but they need to understand whether or not they are in the 170 lot range or if they are going to be limited to 85 lots.

Chairman Cox said that he felt they needed to have the questions answered before they made a decision because his first thought is too many lots. Jeffrey Waddell said that the lots are too small.

Mr. Kotlan asked if the Commission was saying that they needed to have all the engineering and the plat done before they know whether they can have 60 foot wide lots, because that is a lot of expense.

Mr. Fleming said that he has heard the Chairman refer several times to a potential land use plan, and it is his understanding that the City is working right now to identify some parts of town that would be higher density and some areas as lower density. Mr. Fleming said that land use plan could help answer the question on what was the level of comfort with this particular density at this particular location. Mr. Fleming said that if the Commission felt more comfortable for the developer to come back with a complete land plan in the form of a true preliminary plat submission, which they have every right to ask, that would set off the engineering review phase. Mr. Fleming said that there was nothing for him to mark up on a conceptual land plan.

William Simpson asked if it would give the developer better direction if they waited for the high and low density land plan. Mr. Fleming said that it could possibly provide better direction. Chairman Cox advised Mr. Kotlan to go away knowing that they are concerned with lot size and the egress, and they might include a drainage plan. Mr. Kotlan said that he thought that he could satisfy the drainage and egress, but the thing that he did not think that he could satisfy the Commission with was the lot size. Mr. Kotlan said that the only question he really has is whether he can have a 60 foot wide lot, and if he can, then he can do a land plan that will answer the other questions.

Mr. Kotlan asked to clarify that since this goes back to the LeFevre Agreement, does that not mean that the development has to meet the regulations of that time, and if the City is going to make a change to the density, would that not apply to this property. Mr. Yates said that it

would, but he did not know if there was any difference in the lot sizes. Mr. Kotlan said that it would be 75 feet, so they would still need a variance. Mr. Yates said the development falls under the standards of 2006 – 2007, but there would still need to have a variance. Carol Langley said that the lot should normally be 75 feet by 120 feet and they are asking for the lot to be 60 feet by 110 feet, and normally it would be 9,000 square feet and these lots are 6,800 square feet. Carol Langley said that they have approved smaller lots in the past and she feels that the main concern was the single entrance/exit. Jeffrey Waddell said that the concerns are also the streets and drainage, along with the lots and greenspace. Mr. Yates said that lots too close together also can have social and parking issues, and more issues that just the size of the lot. Mr. Cox said that they have never approved that many, 174, smaller lots in one concentrated area. Mr. Fleming said that 100 lots has been the largest single family development.

Chairman Cox asked if that was enough information for the developer, so that they could answer their questions next month, and then maybe they can work things out. Mr. Kotlan said that he was looking for direction, but if 170 lots sounds better, he can work on it. Mr. Kotlan said if they can get some information on the access and egress that can help make the decision, and then they can come back to the Commission then he would be happy to try and do that. Mr. Kotlan said that what he is hearing is the problem is more with the number of lots, and the other things can be solved during design. Mr. Kotlan said that they could also do a traffic impact study regarding the single entrance to resolve some of the questions. Mr. Kotlan said that they are not going to go to the expense of the impact study if the end result is going to be they will not allow them to go any higher than 85 lots. Mr. Kotlan said if 85 lots is the final number, then they will have to scrub this and try to figure out what they can do with the land.

William Simpson asked Mr. Fleming about 174 lots going in over the next 5-6 years, and what would that do to the City's infrastructure regarding sewer and water. Mr. Fleming said that it would present the City with some real challenges once they plat the lots. Mr. Fleming said they know that they are already up against capacity of water distribution capabilities, and they are taking steps now to remedy that for the near future. Mr. Fleming said that they have some real challenges in this particular area regarding the wastewater side, they have a 10-inch trunk

line that runs around Lone Star Parkway that is already undersized and over capacity, so this development would definitely exacerbate that and require that line to be upsized even sooner than they thought. Mr. Fleming said that these were all things that would be identified during completion of the Utility and Economic Feasibility Study.

Mr. Kotlan said that he did not know what the Commission felt would be a reasonable number of lots, and asked about the amount they were short on the greenspace. Mr. Fleming advised that roughly it was about 30,000 feet short of the amount of greenspace needed. Chairman Cox said if Mr. Kotlan would address the questions that they have stated.

Mr. Fleming said that in summation, the Commission would like to see the following:

- true one to one compensating greenspace; and
- second point of egress out onto Lone Star Parkway; and
- reduction of the overall density of the development.

After discussion, Jeffrey Waddell moved to table the item. William Simpson seconded the motion, the motion carried unanimously. (5-0)

3. Consideration/take action regarding Waterside Estates Preliminary Plat.

There was no action taken on this item.

4. Presentation regarding Camillo 33-acre tract east of City.

Mr. Bob Devillier, Land Development and Acquisition Manager with Camillo Properties, made the presentation. Mr. Devillier advised that they were looking at purchasing 33-acres off of Stewart Creek Road and they wanted to get some feedback from the Commission. The property is located just outside the City limits in the ETJ, and they are looking at doing a land plan that would serve their economic purposes. Their preliminary idea includes 123 single family homes on 50 foot by 110 foot lots, and they have an apartment complex across the street from where those homes would be located. Mr. Devillier said that the layout is not set in stone and they could make revisions. Their property currently has a single access point onto Stewart Creek. Mr. Devillier advised that they have another subdivision over by Walden, Cape

Conroe. Mr. Devillier said that some of their lots are inside the Flood Plain. William Simpson said that there is a school located right there, so traffic would be an issue.

5. Consideration/take action regarding variance request of Living Savior Lutheran Church regarding driveway spacing.

Mr. Fleming said that the preliminary land plan has been submitted that shows two proposed driveway locations, one onto Louisa Street and one onto Caroline Street. Mr. Fleming said that City's Code has a requirement for a minimum spacing requirement of 185 feet, so both of them would require variance requests by the Commission and City Council.

Mr. Fleming said that the lot in question is currently used as a service parking lot for church events and services, while it is not paved, it is used for parking. Mr. Fleming said that from an engineering standpoint they have no inherent objection to the requests. Mr. Fleming said that there would be some questions that would need answered during the engineering design phase, with the biggest question being drainage. Mr. Fleming said that the lot is currently grass, so when you pave a large area like this that has some potential downstream implications in terms of storm water runoff. Mr. Fleming said that would be something that would have to be looked at strongly and thoroughly. Mr. Fleming said that approval of this variance request in no way constitutes building plan approvals or allows construction to proceed. They would still have to go through the approval process.

William Simpson asked if the Commission has to notify anybody of historical downtown people about these variances before they do anything and they have another meeting like they did this evening. Mr. Fleming said that they do not have to notify anyone, there is no requirement in the Code of Ordinances for variance requests triggering any public notification of people in any proximity of the property. Mr. Fleming said that because this is located inside the Historic District, any construction requires submission of architectural renderings showing what the proposed finished product is to the Commission. William Simpson asked if the church can do their due diligence and speak to the neighbors about their plans. Mr. Fleming said that he would assume that would be a neighborly and good thing to do.

Carol Langley said that the parking lot is used for church services now, and has one driveway onto Caroline Street, so the services that they have now will they be the same time. Mr. Krenz said that they will have two services, one at 8 a.m. and the other at 10:45 a.m., with Bible Class and Sunday school in between. Mr. Krenz said there was no plan to change the schedule at this time. Mr. Krenz said that they designed the parking lot with 10 foot wide parking spaces, while the City only requires 9 foot wide spaces.

William Simpson said that he noticed the entrance that had been shown on Church Street had been moved. Carol Langley said that she knows that when the City has functions, that lot is used by a lot of people. Mr. Krenz said that it is their intent to continue to work with the City at no cost for that parking area.

Carol Langley asked if anyone had notified the City that they are concerned about the parking lot with the entrances and exits. Mr. Yates said that he has not received any comments. Mr. Yates said that unless someone saw it on the agenda for the meeting tonight, he was not sure how they would know about it. Mr. Krenz said that there was a member of the church that has talked to all the neighbors on the street. Mr. Yates said that he thought it was probably common knowledge that they are planning to put a parking lot at that location.

William Simpson moved to approve the variance request for the entrance on Caroline and Louis Streets, but also considering the drainage issues along those two streets to be taken up with the City Engineer and the City. Arnette Easley seconded the motion, the motion carried unanimously. (5-0)

6. Consideration/take action regarding KENROC Development Preliminary Plat.

Mr. Fleming presented the plat, stating that this was a simple preliminary plat submission for some acreage on the north side of SH 105 between Lone Star Parkway and Stewart Creek Road. Mr. Fleming said that a portion of the plat is inside the City limits and a portion in in the ETJ, so their maybe some annexation desired for a portion of the property. Mr. Fleming said that the plat was in keeping with the submission criteria per the Code of Ordinances, and his recommendation would be to accept the plat as submitted.

Mr. Fleming stated that the northern portion of the plat lies in the ETJ, and they have submitted a formal petition of annexation that will go before City Council tomorrow night.

Arnette Easley moved to accept KENROC Development Preliminary Plat. Jeffrey Waddell seconded the motion, the motion carried unanimously. (5-0)

7. Report regarding zoning changes throughout the City

Mr. Yates presented a brief report to the Commission, because they have not been able to research the property ownerships, partly due to the engineer has been on several deadlines with the Texas Water Development Board and working on the bridge with FEMA.

8. Discussion of potential areas of annexation into the City.

Mr. Yates advised that this was the same information as stated under the previous item.

9. Discussion of potential landscape ordinance.

Mr. Yates presented two examples of landscape policies from the cities of Flower Mound and Balch Springs. Mr. Yates said that in looking at the two different policies, he preferred Balch Springs because of the detailed process and explanations provided. Mr. Yates said that he preferred general guidelines rather than a very specific ordinance. Mr. Yates said that he felt like he could shape up the Balch Springs ordinance and have it ready next month. William Simpson asked if they would take out the tree section, since there is already a tree ordinance. Mr. Yates said that the tree ordinance would stand on its own.

Carol Langley asked if they were having trouble with people not wanting to do landscaping. Mr. Yates said that he has heard comments regarding Kroger. Chairman Cox said that the Crepe trees were referred to as twigs at the last City Council Meeting. Carol Langley said that all the new houses that have gone in are landscaped nicely. Chairman Cox said that some of the houses are nice, but he knows a builder or two that did not put a tree in the front yard. Chairman Cox said he felt the landscape ordinance was a good idea.

Carol Langley said that the Planning and Zoning Commission could get very busy with landscape plans. Mr. Yates said that the landscape plans would come in as part of the construction plans. Carol Langley asked if this would require landscape plans for individual lots. Carol Langley asked if she sold her property, would the new people be required to do a landscape plan. Mr. Yates said that would not be included, because it is not a part of a development plan for the City. Mr. Fleming said that landscaping would be manageable with a lot of oversight by City staff. Mr. Fleming said that they would also have to determine who would actually police this ordinance. Mr. Yates said that would be handled by Code Enforcement. Mr. Yates said that he would not mind working with the City Engineer to come up with a sample of a landscaping plan that the Commission could work through.

William Simpson asked to confirm that the City has a tree and light ordinance. Ms. Hensley advised that the City's Code has been updated and the information is searchable on the web site.

Mr. Fleming advised that he had submitted his letter of resignation from Jones and Carter to spend time with his aging family in North Carolina, a copy of which had been provided for the Commission members. Mr. Fleming said that he intends to continue his career in the same fashion as he has done here by working with a small municipality like Montgomery. Mr. Fleming said that the City will be left in really good hands with Mr. Ed Shackelford, City Engineer and Mr. Chris Roznovsky, with Jones and Carter. Mr. Fleming said that Mr. Roznovsky will do a great job, which is who he had recommended for the job. Mr. Fleming thanked the Commission and said that it has truly been his pleasure to work with them and he will continue to keep tabs.

Chairman Cox stated that the Commission will miss Mr. Fleming, and said that the nicest people that he knows live in this little town of Montgomery, and we will miss you because you were one of them. Mr. Fleming again thanked the Commission.

10. Adjournment

Jeffery Waddell moved to adjourn the meeting at 7:45 p.m. Arnette Easley seconded the motion, the motion carried unanimously. (5-0)

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

Chairman Nelson Cox

Montgomery City Council
AGENDA REPORT

ITEM#2

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Memo from Jones' requesting permission, showing color scheme, picture of building as of now
Date Prepared: February 24, 2017	

Subject

This is a request for a repaving of the building at 14259 Liberty St. - The Pecan Hill florist building

Discussion

The paint colors seem to be in keeping with the downtown pattern of colors.

Reccomendation

Approve the painting.

Approved By

City Administrator

Jack Yates

Date: February 24, 2017

TO: Planning & Zoning Commission

City of Montgomery

FROM: Kirk and Emily Jones

RE: Paint Color in Historic District

The purpose of this letter is to inform you that building located at the following address(es) will undergo routine maintenance:

14259 Liberty St.

309 Pond St.

Maintenance will include pressure washing the exterior of the building, replace rotten wood, replace broken siding, remove obsolete signage, and apply caulking where necessary. In addition, new paint will be applied to the main building and trim. It has been about 17 years since the building was last painted. The entire building along with additions and outbuildings will be painted.

The present paint scheme is shown on the attachment. Samples of the proposed paint and trim colors are submitted as well.

Thank You,

Kirk Jones





Montgomery City Council
AGENDA REPORT

ITEM# 3

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Sign Permit Application, location of sign on site plan, picture of sign, drawing of sign
Date Prepared: February 24, 2017	

Subject

This is a request for a sign permit for the Bed-and-Breakfast at 811 Caroline St. for Mary Sims.

Discussion

The paint colors are gray and black just as shown on the picture attached. This sign sizes are within the guidelines of the ordinance as is the location of the sign.
All appears proper.

Reccomendation

Approve the sign permit.

Approved By

City Administrator

Jack Yates

Date: February 24, 2017



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

Permit #:

Date: 2/17/2017

JOB ADDRESS: 811 Caroline St BUSINESS NAME: The Caroline House - A Bed & Breakfast

BUSINESS OWNER: Mary Eckhart Sims MAILING ADDRESS: 811 Caroline St TELEPHONE: 940.839.5946

APPLICANT: Mary Eckhart Sims MAILING ADDRESS: 811 Caroline St TELEPHONE: 940.839.5946

CONTRACTOR LICENSE # (if electrical):

IS THE SIGN IN THE HISTORIC PRESERVATION DISTRICT? YES NO IS THE SIGN ILLUMINATED? YES NO

SIGN PLACEMENT: Front yard VALUATION: \$150-

SIGN DESIGN & COLOR SCHEME: Aluminum white oval / black letters oval this time.

SIGN TYPE	SIGN DIMENSIONS	
FREESTANDING MONUMENT SIGN	SIGN HEIGHT	24"
BUILDING WALL SIGN	SIGN WIDTH	30"
BANNER	TOTAL SQ FT	5.0
OTHER	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: MARY ECKHART SIMS SIGNATURE of Property Owner or Agent: Mary Eckhart Sims

OFFICE USE ONLY

APPROVED BY: TOTAL FEE: \$

COMMENTS:

Subject: [No Subject]

From: mary eckhart (maryeckhart@yahoo.com)

To: maryeckhart@yahoo.com;

Date: Thursday, February 16, 2017 4:37 PM



The Caroline House

A Bed and Breakfast



Innkeeper:

Mary Eckhart-Sims

Mary Eckhart (910) 839-5946

Fwd: Caroline House Sign

www.CarolineHouseBandB.com

Sent from Yahoo Mail on Android

30" x 24"

Attachments

- 20170213_150332.png (573.62KB)

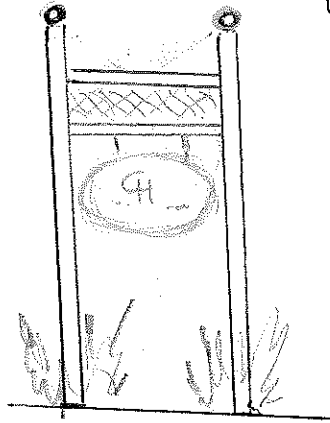
CITY OF MONTGOMERY
936-597-6434

REC#: 00018114 2/21/2017 3:39 PM
OPER: AS TERM: 001
REF#: 1287

TRAN: 16.0000 MISC INCOME
SIGN PERMIT
SIGN PERMIT
UNANTICIPATED INCO 50.00CR

TENDERED: 50.00 CHECK
APPLIED: 50.00-

CHANGE: 0.00



*30 x 24 Aluminum
sign - hang
in NE side of
front yard -
2 4 x 4 posts -
no lights*

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Letter from Owner asking for Variance, Memo from City Engineer, drawing of his site plan
Date Prepared: February 24, 2017	

Subject

This is a request for a temporary allowance for his parking area to be graveled rather than hard surfaced as required by the ordinance

Discussion

This is a request for a variance to ordinance 78-96 (b) which requires the surface of the parking area to be hard surfaced with either asphalt or concrete. The owner, Jason Long, is asking for an undetermined period of time to bring in enough revenue to pay for the resurfacing of the parking area.

A way that this could be accomplished is that he receives a Temporary Certificate of Occupancy for a up to one year period of time for him to pave his parking lot - if not paid by the one-year anniversary of the date the TCO is issued he would have to close his business. The city engineer has recommended a disk control agent over the unpaid for areas to reduce the amount of dust produced.

The planning commission will be reviewing this Monday, February 27 and will have a recommendation for the Council.

Reccomendation

Set a one year variance for the parking lot to be paved with the variance being part of the approved building permit so that when Jason Long accepts the building permit he is accepting that requirement. Also, a dust control agent, acceptable by the city engineer, must also be placed upon completion of the gravel parking lot.

Approved By

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

Date: February 11, 2017

TO: Planning and Zoning Commission
City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77356

ATTN.: Mr. Jack Yates / Mr. Chris Roznovsky, P.E.

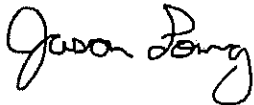
RE: Longview Greens Miniature Golfing Variance Request

Good day to you. The proposed site plan being submitted for the development of Longview Miniature Golf requires a variance due to a conflict of parking lot surface material. According to the City of Montgomery Ordinance Section 78-96 (b), the surface is required to be paved with asphalt or concrete; however, the owner is requesting a temporary allowance for his drive and parking to utilize crushed concrete. The variance justifications are as follows:

1. The property owner is proposing a family-owned small business miniature golf course. The owner is self-financing the majority of the project, and the added immediate cost of asphalt will put this project out of reach for the near future.
2. The owner will, in good faith, install the required asphalt as soon as it is feasible. The variance for a temporary allowance of this alternate surface will allow for the owner to open his business and begin to bring in revenue in order to pay for the resurfacing of the parking area.

If you have any questions or require further information prior to the meeting, please do not hesitate to call or email.

Thank you,



Jason Long

Jason.long@commseope.com / 815.514.0420



8701 New Trails Drive, Suite 200
The Woodlands, Texas 77381-4241
Tel: 281.363.4039
Fax: 281.363.3459
www.jonescarter.com

February 21, 2017

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

Re: Variance Request – Parking Lot and Driveway Paving Requirement
Longview Greens Miniature Golf
City of Montgomery

Commission Members:

Section 78-96(b) of the City of Montgomery Code of Ordinances specifies any parking lots or driveways, excluding single family residential, shall be paved in concrete or asphalt.

- The Developer is requesting a variance from the requirement that the parking surface is to be paved with asphalt or concrete due to the cost of paving.

Enclosed you will find a request for variance as submitted by the property owner, Mr. Jason Long. We offer no objection to the requested variance. However, it is important to note the unpaved parking lot has the potential to produce dust during dry periods with heavy traffic. The owner should apply a dust control agent over the unpaved areas to reduce the amount of dust produced. We would also recommend the owner be required to pave the portion of the driveway located within the right-of-way of Clepper Street to reduce the chance of dust and rocks entering the roadway. Approval of the requested variance does not constitute plan approval and only allows the Developer to further refine the proposed site plan and construction drawings which will require the full review and approval of City Staff before any construction may commence.

If you have any questions or comments, please contact, Chris Roznovsky, and or myself.

Sincerely,

Ed Shackelford, P.E.
Engineer for the City

EHS/cvr

P:\PROJECTS\W5841 - City of Montgomery\W5841-0900-00 General Consultation\2017\P&Z Reports\2.27.17\Longview Greens Mini Golf, Variance Request-P&Z Opinion.doc

- Enclosures: Longview Greens Miniature Golf – Variance Request
Longview Greens Miniature Golf – Preliminary Site Plan
- 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 & Creighton, City Attorney

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Support drawings from applicant, development agreement between City and Hodge Podge
Date Prepared: February 24, 2017	

Subject

This information provides background for a 3700 ft.² single-story wood frame structure to be used for weddings and other ceremonial gatherings. The building is shown on the drawings.

Discussion

The information from Hodge Podge is probably much more than what you really need to make your decision regarding the adaptability of their new building within the historic district. The appearance of the building looks like it fits with the rest of the Hodge Podge Lodge and it will certainly be a positive addition to the downtown area is to having another meeting place and promoting business in the community.

Reccomendation

Recommend approval of the request.

Approved By

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

Montgomery City Council
AGENDA REPORT

ITEM#6

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Support drawings from applicant, letter of explanation regarding proposed work
Date Prepared: February 24, 2017	

Subject

This information provides background for the maintenance of a roof line similar to the architectural structure which will connect the family life Center to the original church building. A new bell tower is also planned and to be doing is to be designed similar to the original early 20th century structure. The Family Life Center building his plan to extend south to provide storage in additional office space for church use. On the west side a new parking lot garage building in dumpster enclosure are included in the plans. The building is shown on the drawings.

Discussion

The information from Living Savior Lutheran Church is probably much more than what you really need to make your decision regarding the adaptability of their new building within the historic district. The appearance of the buildings additions looks like it fits with the rest of the existing church and it will certainly be a positive addition to the downtown area is to having another meeting place and promoting business in the community. The parking lot will also be an excellent addition to the downtown area.

Reccomendation

Recommend approval of the full Plan request.

Approved By

City Administrator

Jack Yates

Date: February 24, 2017

Montgomery City Council
AGENDA REPORT

ITEM#7

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: February 24, 2017	

Subject

This is a recommendation to set a public hearing establishing the initial zoning district for the one for the 14.503 tract of land about to be annexed immediately west of Pizza Shack and immediately south of the Estates of Mia Lago.

Discussion

This is a method of zoning a piece of property that is being brought into the city by annexation.
The intention is for the property to be zoned commercial -- but that will be decided later

Reccomendation

Set the public hearing for your next meeting.

Approved By

City Administrator

Jack Yates

Date: February 24, 2017

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Memo / Information from GrantWorks
Date Prepared: February 24, 2017	

Subject

This is information regarding a possible grant for the HOME project by the city. Information only, asking for a positive comment to give to City Council for their consideration.

Discussion

The information from the company Grant Works, who the city has hired to solicit grandson's behalf. The City Council will be receiving this information at its March 14th Council meeting. I just want to show you to you because there may be positive, I believe, elements to the growth of the city and the reduction of blight in the city.

The City has no match money invested in this project – however the MEDC may put a few thousand and to the project to pay for title clearing type of work, and maybe some upfront reimbursable expenses made from the grant.

It is estimated four houses per year would be approved//financed. The people receiving these homes receive them free and clear with the only restriction being that they have to live in the house for 15 years - or if they move earlier than 15 years the cost of the house is prorated to them.

The city lasted a project like this in about 2008 where nine houses were built.

The HOME application, if approved by Council, will probably be applied for in May or June of this year with probably no houses approved until this fall.

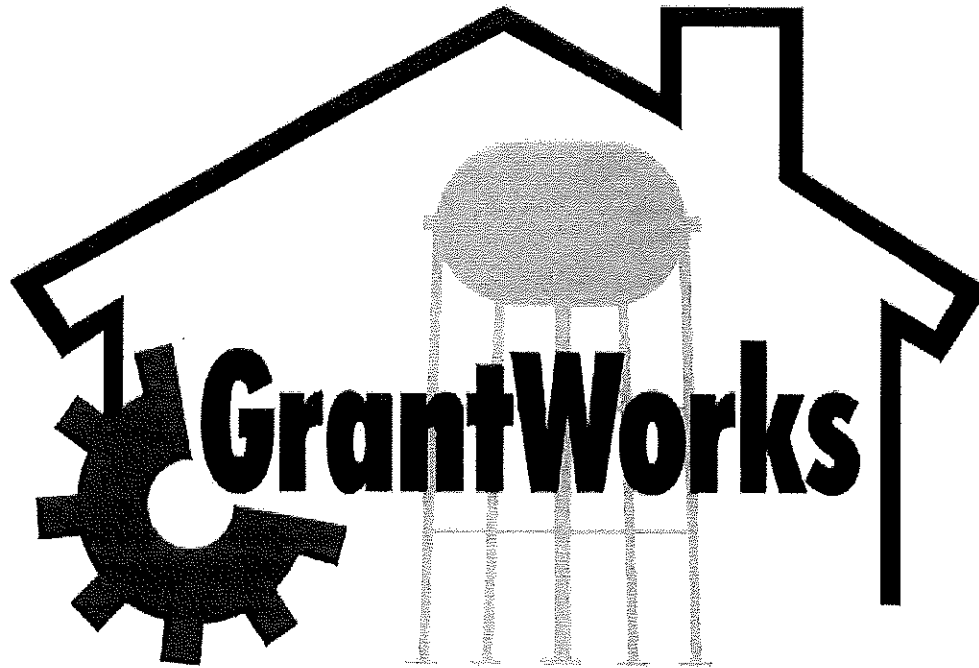
If you feel so inclined, I would like to report to the Council at the planning commission recommends the application for this grant.

Reccomendation

Recommend application for the HOME grant to the City Council for the reasons of improved community development and removal of blight in the city

Approved By

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



HOME Investment Partnerships Program City of Montgomery

*The enclosed information is based on current HOME Rules.
Some details may change for future funding.*

GrantWorks' HOME Program Information Sheet Homeowner Rehabilitation Assistance

HOME Program Overview

Purpose: Improve the housing stock and reduce unsafe living conditions through replacement of substandard dwellings with new site-built homes.

Type of Assistance: Grants, with an agreement to live in the house for a certain period of time, to low-income residents who own and occupy their homes but cannot afford to make major repairs.

Target Population: Low income households, living in the worst conditions (often elderly and disabled) are targeted for assistance.

Your Role: Awards are made to "sponsor" cities, counties, and non-profit organizations for distribution as grants with affordability periods to residents in your jurisdiction.



How to Apply

To apply, you will need to pass a resolution and submit the application provided by the Texas Department of Housing and Community Affairs (TDACA)

Grant Amount: We anticipate contracts to be for a maximum \$400,000, enough to reconstruct four (4) homes.

Match: Match is determined by the size of your community.

Cash Reserves: TDHCA requires that every applicant commit adequate cash reserves of at least \$40,000 for use during the Department's disbursement process. These reserves are used at the sole discretion of the community for short term deficits that are reimbursed by program funds. Evidence of funds must be provided with application for funding.



GrantWorks' HOME Program Fact Sheet

Homeowner Rehabilitation Assistance

GrantWorks' Turn-Key Service

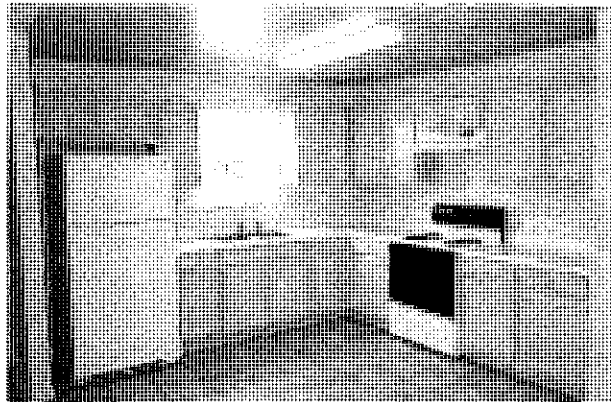
We take pride in our full service approach. We handle every aspect of management for you including:

- File maintenance
- Document & report creation
- Program publicity
- Application intake and verification
- Application scoring and ranking
- Environmental clearance
- Property inspection/work write-up
- Architectural plans
- Complete construction oversight
- Document submittal to TDHCA during all project phases
- Represent you at interim and final State monitoring visits



Your Responsibilities if Funded

- Help us identify potential applicants
- Adopt policy to be used to select applicants for funding
- Sign forms required by the State
- Approve Payment Requests and final closeout documents
- Forward HOME Program information you receive to GrantWorks for proper filing



Our Track Record & Qualifications

As the state's largest provider of HOME services, GrantWorks has completed more than 160 Owner Occupied projects (1000+ units) since 1994. Our experience and knowledge is unrivaled in Texas.

Funding Cycle: HOME funds are currently available in an open cycle.

If you are interested in applying please contact Tres Davis at (512) 420-0303 ext 333, or via email: tres@grantworks.net or Donna M Johnson at (361) 287-3341, or via email at donna@grantworks.net



Frequently Asked Questions: The HOME Program

Q: Is there a warranty on the homes?

A: Yes. There is a one year warranty required by the Texas Department of Housing and Community Affairs (TDHCA). In addition, the homes must be built to comply with the current International Residential Code.

Q: What are the homes made out of?

A: At a minimum they are made with HardiePlank. The homes are energy efficient and have all new appliances. All reconstructed homes are 3 bedrooms, 2 baths.

Q: How long does construction take?

A: Once demolition starts, construction takes up to 3 months, assuming there is not a weather event.

Q: Who is eligible for assistance?

A: An eligible applicant must own and occupy their home, the applicant must have a clear and marketable title (may have a mortgage but no contract for deed), the total income of everyone living in the home must be less than 80% of the Area Median Family Income, and property taxes must be paid and current (or they must have a payment plan in place).

Q: How are applicants chosen?

A: First complete and first eligible are first served

Q: Does the homeowner have to pay anything to participate in the HOME Program?

A: The homeowner has to find a place to live during construction, move, and store all possessions. In addition they are responsible for paying the increase in property taxes and obtaining homeowners insurance after the home is complete.

Q: Can the homeowner sell the house after being assisted?

A: The homeowner agrees to live in the home for 15-years after the house is complete. If they sell the house prior to the 15-year anniversary, a pro-rated amount is due back to the State.

Q: Can homes be rehabilitated, as opposed to reconstructed (torn down and replaced with new house)?

A: Yes, but only if the cost to rehab is less than \$40,000. Rehab must bring the entire home up to current code and Lead Paint testing must be performed. Lead paint must be abated if present. Unless a home is in relatively good shape, rehab usually is not an option.

Q: How many homes can be built?

A: Under a single contract, we anticipate reconstructing up to four (4) homes.

Q: What is the \$40,000 in the resolution for application to participate in the Reservation System about? Do we have to encumber the funds?

A: TDHCA requires that every Administrator commit cash reserves of at least \$40,000 for use during the Department's disbursement process. These reserves are used at the sole discretion of the community for short term deficits that are reimbursed by program funds. Evidence of the cash reserve must be provided with application for funding. If the community is opting into reservation or re-certifying their current reservation, they have already passed a resolution with this wording in it.

Q: Is there a matching funds requirement?

A: That depends on the size of your community. For cities with a population under 3,000 there is no match. For cities with a population greater than 3,000 there is then a 1% match requirement for each 1,000 people.

Q: Why does it take so long?

A: Since the funds are awarded to homeowners on a first complete, first served basis, GrantWorks reviews all homeowner applications for assistance then sends out letters to every applicant on the same day. These letters let the homeowners know if their application is complete (very rare) or if there is additional information needed to complete the application. This process generally takes a few rounds of letters before we have a full complement of homes to assist (typically this process lasts at least 6 months after application intake).

Once we have identified the first group of homeowners, their information is sent to a local title company. Typically, commitments for title insurance come back with exceptions that must be cleared prior to the issuance of title insurance, a HOME Program requirement. (9 months after application intake)

After we obtain clear title, the household is set-up and the documents are submitted to TDHCA for review. It is not unusual for TDHCA to come back and question the title reports, despite the fact that the title company is satisfied and willing to issue title insurance. (11 months after application intake)

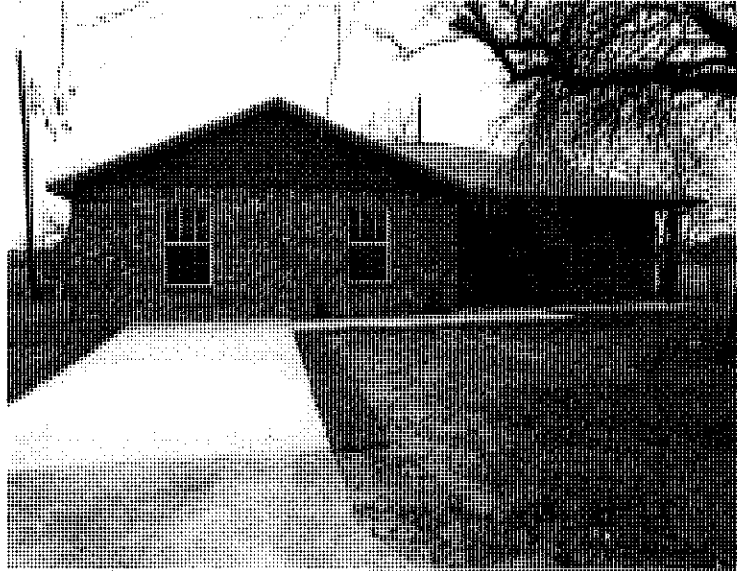
Once TDHCA is satisfied with all documents, we are issued grant documents, and we have a signing similar to a home purchase closing. At this point the homeowners are given the go-ahead to move out. (13 months after application intake)

Once they have moved out, the house can be demolished and construction can begin. (14 months after application intake)

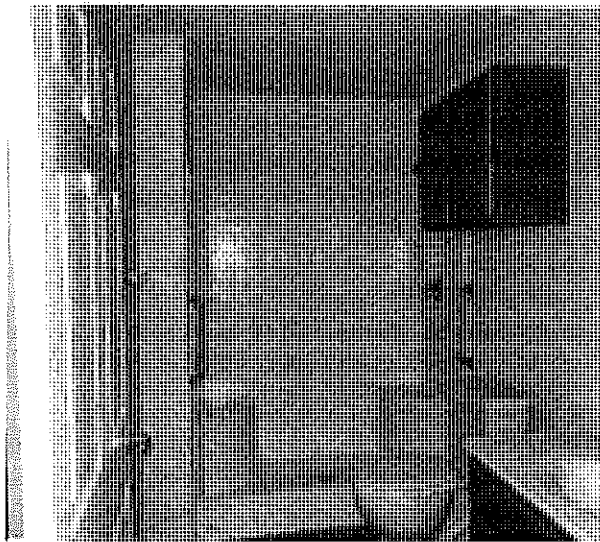
At the completion of construction there is a final walk-through with the homeowner, builder, and administrator. (17-months after application intake)

Q: Do you have any pictures of the houses?

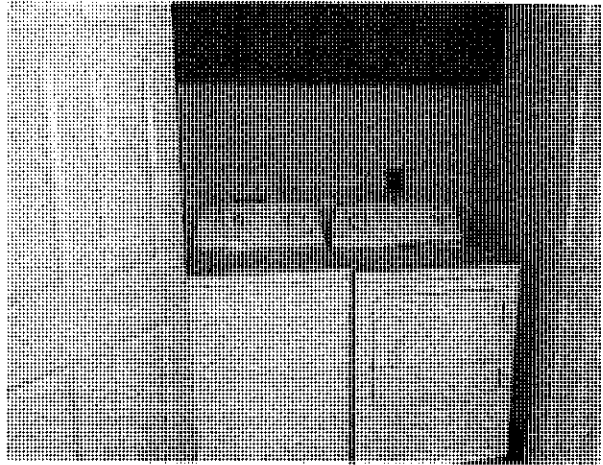
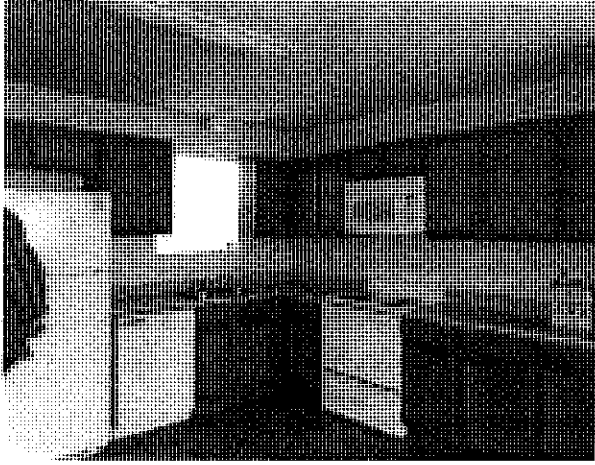




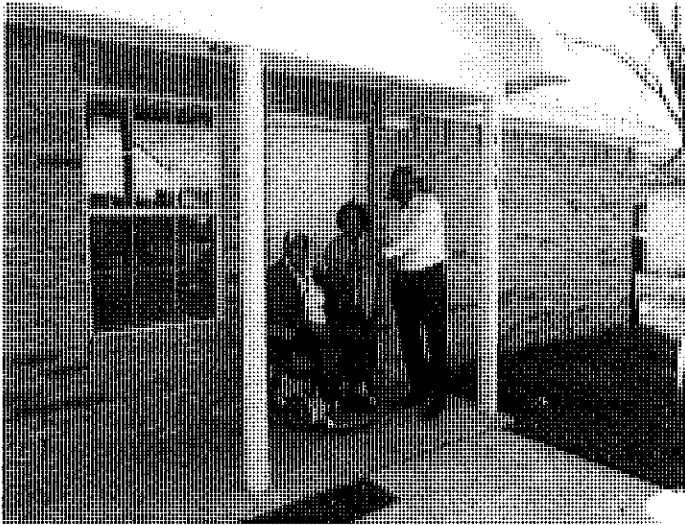
All homes are accessible. Homes can be brick, HardiePlank, or a combination of the two.



All homes built to the model energy code.
Master bath has a low-step shower.



New refrigerator and range are included. When funds allow, a dishwasher, microwave and washer/dryer are also included in the new home.



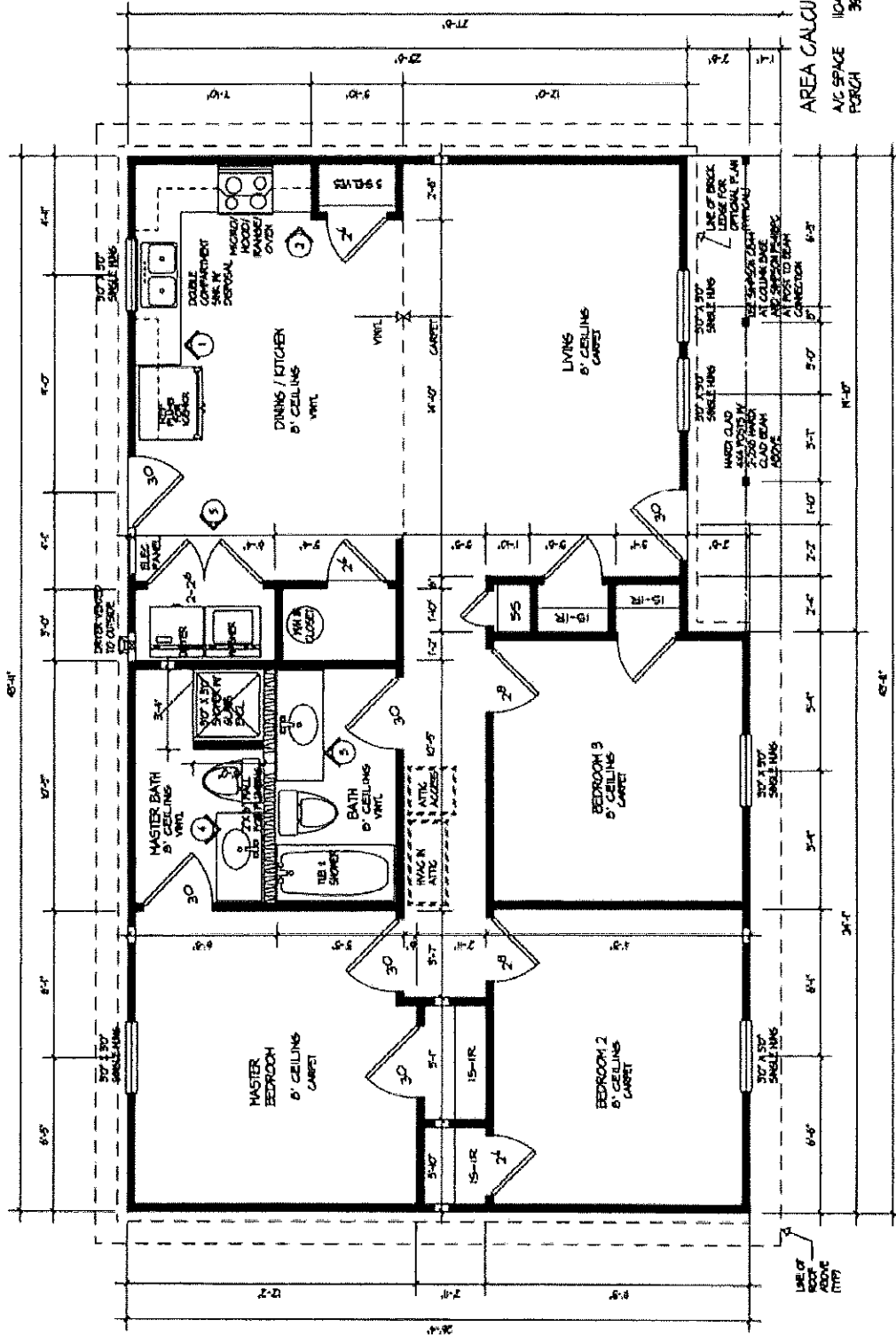
Sample Floor Plan

**1100 Square Feet
3 Bedrooms, 2 Bathrooms**



WITH OPTIONAL BRICK BATHING

WITH LAP SIDING 5'-11" x 11" x 11"



AREA CALCULATIONS
A/C SPACE 104 SF
PORCH 38 SF

FLOOR PLAN
SCALE 1/4" = 1'-0"

GrantWorks History And Experience

**Planning, Housing, and Community
Development Services for Texas since 1979**

GrantWorks History and Experience

GrantWorks has roots in Texas and the Gulf Coast extending back to the mid-1970s. The firm's founder and president, Bruce J. Spitzengel, worked for the Cities of Pasadena and Texas City as a planner and community development director before founding the consulting business in La Porte, Texas, in 1979.

For the first two decades, the firm primarily focused on administration of **Community Development Block Grants** under the Texas state and small cities program. This program provides grant assistance to local governments for infrastructure and comprehensive planning. Our track record in Community Development is unmatched in Texas.

GrantWorks began securing and managing **Texas HOME Program** awards for our local government clients in the early 1990s, quickly becoming the main provider of services throughout the state. We primarily work with the Owner Occupied Housing Rehabilitation and Reconstruction activity. During the past 20 years, GrantWorks has secured in excess of **\$140,000,000 in HOME funding under contracts** for 300 clients, which include local governments and several non-profit groups. The total number of housing units we have assisted is over 2,500.

Bruce opened a new office in Austin in 1995, which gradually grew to become the corporate headquarters location. The current main office building on Northland Drive was purchased in 2004, allowing us to consolidate our operations which were then in several buildings. As we continued to grow throughout the 1990s and 2000s we added additional offices around Texas to serve our 250 local government clients.

GrantWorks was the first consulting firm to work with the **General Land Office's** Coastal Management Program (1998) and has been active in the Coastal Infrastructure Assistance Program since its inception. We were among the first to secure and manage various **TxDOT** programs including ICE-TEA, TEA-21, Safe Routes to School, and SAFETEA-LU, **Texas Parks and Wildlife** Open Space Master Planning, Small Parks, Large Parks, and Indoor Recreation, and the **State Energy Conservation Office's** Energy Efficiency and Conservation Block Grants.

Currently the firm is active in the **Hurricanes Ike/Dolly Disaster Recovery** program managed by the Land Office and looks forward to continually improving the services we deliver to local governments.

Housing

Housing Assistance provides funds for the rehabilitation and reconstruction of single family homes. GrantWorks' Housing Division can provide all your housing assistance program management needs.

GrantWorks' wealth of housing program management experience is grounded in over 30 years of successful implementation. Our housing team has rehabilitated or constructed more than

2,500 homes for lower income and elderly Texans through the HOME and CDBG programs. Our unrivaled record makes GrantWorks the largest HOME Program management firm in the State of Texas.

Our Personal Approach

GrantWorks strives to understand your community's unique needs. By its nature, housing assistance affects residents' lives, so it requires caring and capable individuals committed to everyone's success. Our dedicated team personally gathers homeowner eligibility information, visits each home to identify needs, performs all inspections, and walks each homeowner through this challenging and rewarding process.

Housing Program Knowledge

GrantWorks has worked with the State of Texas since the State began administering the Texas Community Development Program in 1983 and the Texas HOME Program in 1993. Our history with these programs provides the know-how needed to handle considerable coordination efforts and complex administrative actions with State personnel. We use our insight to contribute to State program development at training and work-group sessions, board meetings and through public comments, striving to improve the program to work better for Texas communities.

Experience

With more than \$140 million in housing construction on the ground and 30 years' experience in housing program management, GrantWorks' performance history is unparalleled in the State of Texas.. This background provides exceptional insight into the challenges and responsibilities of managing your local housing program and navigating State program requirements

A Track Record of Success

Since the inception of the HOME Program, GrantWorks has led all other providers in the number of communities assisted, amount of funds expended, and number of contracts closed. We have the highest number of repeat HOME clients due to our record of success and excellent customer service. On June 13th of 2013 the Texas Department of Housing and Community Affairs (TDHCA) Governing Board awarded additional funding to HOME Program Grantees that continue to meet and exceed their contractually obligated performance benchmarks. GrantWorks' HOME clients represented over half of the Grantees selected by TDHCA for increases. Our clients received \$1,567,000 in additional assistance to build 16 new homes.

Housing Team Capacity

The GrantWorks Housing team is unmatched in qualification and capability, enabling us to provide the turn-key service you want for housing program management. Our Housing team members are:

Tres Davis, Vice President. Tres has been with GrantWorks since 2000, prior to that he worked for the Texas Department of Housing and Community Affairs (TDHCA) HOME Program for seven (7) years; gaining significant understanding of how a State agency operates. He also worked as a Construction Manager for Brighton Homes, was a Certified Lead Based Paint (LBP) Inspector, and earned a Master's degree in Construction Management from Texas A&M.

Donna M. Johnson, HOME Program Director. Donna has been working as a Housing Specialist with GrantWorks since 2003 and is responsible for oversight of construction for more than 300 homes rehabilitated and reconstructed (new home construction) utilizing her substantial construction management knowledge and experience. She formerly worked for Vann & Associates grant management firm.

Karen Sutton, Closing and Housing Specialist. Located in our South Texas office, Karen assists homeowners with questions, works with Title Companies, prepares construction documents, and HOME Program documentation. Additionally, she reviews and verifies the information submitted by the applicants for assistance in accordance with local program policies, State and Federal rules, guidelines and regulations.

Caley Carmichael, RMLO, License #641671, Environmental Specialists, Caley joined GrantWorks in 2011. She has a comprehensive knowledge of the environmental requirements that must be satisfied in order to achieve environmental clearance and obtain Federal Authority to use HOME Assistance Funds. Additionally, she has developed a close working relationship with the various Federal and State Agencies that must be consulted before obtaining environmental clearance on each assisted home.

Elena Sanders, RMLO, License #908493, Closing and Housing Specialist. After graduating from Texas State University, and several years with the State of Texas, Elena joined GrantWorks as an Application specialist. Located in the Austin, TX office, Elena helps answers homeowner questions related to their applications, prepares construction documents, and HOME program documents. She is also a licensed Residential Loan Originator (RMLO).

Jay Francis, Project Manager. Jay, who joined GrantWorks in 2013, is responsible for construction management and oversight. He has worked in the construction industry for over 20 years, holding general contractor, construction sales, project management, and project superintendent responsibilities. In addition, Jay has owned his own business in the Austin area. He attended the University of Texas- Austin.

Montgomery City Council
AGENDA REPORT

ITEM# 9

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: February 24, 2017	

Subject

This is a status report regarding a Land-Use Plan presentation for the city

Discussion

I will have a land use plan proposal to give to you at the meeting. It certainly is not the final land-use plan as a formal proposal for you to adopt. But is a first draft of such a plan. One that will probably be reviewed and revised several times before a recommendation to the City Council.

Reccomendation

This is a report only not thinking that you would want to take any final action on the plan.

Approved By

City Administrator

Jack Yates

Date: February 24, 2017

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: February 24, 2017	

Subject

This is a status report regarding the planned rezoning of certain properties throughout the city.

Discussion

The delay has been getting the property ownership status and the descriptions- in the easiest source for that seems to be the city engineer's use of Montgomery County Appraisal District information from their website. This is been slow because of the meaning of Glynn Fleming, and Chris Roznovsky's and I need to discuss how to work together on this.

Reccomendation

This is a report only.

Approved By

City Administrator

Jack Yates

Date: February 24, 2017

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: February 24, 2017	

Subject

This is a report only proposed annexation

Discussion

This a report only. Not very much has happened over the past month.

Reccomendation

Report Only.

Approved By

City Administrator

Jack Yates

Date: February 24, 2017

Meeting Date: February 27, 2017	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: The proposed landscape ordinance
Date Prepared: February 24, 2017	

Subject

This is a draft of a landscape ordinance for the City..

Discussion

The ordinance defines landscaping as a combination of living plants, such as grass, groundcover, shrubs, vines hedges and trees, and then in other nonliving landscape materials such as rocks, Pebbles, sand, mulch, walls, fences or other decorative paving materials. The article applies to all platted residential lots in any parcel over 5 acres. The ordinance requires a landscape plan approval submitted at the same time as the construction plans are provided in advance of the Final Plat.

In the ordinance it is proposed that residential property be covered with 12% landscaping.

For nonresidential 10% landscaping

Parking areas proposed 20% of the landscaping be inside the parking area.

Reccomendation

Make any comments you want about the proposed ordinance, and if you feel so inclined, to recommend the ordinance to the City Council..

Approved By

City Administrator

Jack Yates

Date: February 24, 2017

ORDINANCE _____

AN ORDINANCE REGARDING LANDSCAPING REQUIREMENTS FOR ALL ZONING DISTRICTS IN THE CITY OF MONTGOMERY, TEXAS; PROVIDING DEFINITIONS, PURPOSE, APPLICABILITY, VARIANCES, AND LANDSCAPE PLAN APPROVAL; PROVIDING SEVERABILITY CLAUSE AND TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PUBLICATION.

WHEREAS, the City Council for the City of Montgomery County, Texas, desires to provide reasonable landscaping regulations which will enhance the beauty of the City, safeguard property values, and enhance the public health, safety and general welfare of the City and its residents;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS THAT:

SECTION I. AMENDMENTS TO CITY CODE

The City Code of Ordinances is hereby amended to add Article VIII, "Landscaping Requirements For All Zoning Districts," to Chapter 78, "SUBDIVISIONS," to read as follows:

ARTICLE VIII – LANDSCAPING REQUIREMENTS FOR ALL ZONING DISTRICTS

Sec. 78-185 – Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Berm means an earthen mound designed to provide visual interest, screen undesirable views and/or decrease noise.

Landscape buffer means a combination of physical space and vertical elements, such as plants, berms, 2-sided fences or walls with at least five feet (5') of plantings on the side of the development and adjacent to the fence or wall, the purpose of which is to separate and screen incompatible land uses from each other.

Landscaped open area and landscaped area mean any combination of living plants, such as grass, ground cover, shrubs, vines hedges or trees, and nonliving landscape material, such as rocks, pebbles, sand, mulch, walls, fences or decorative paving materials.

Non-permeable means any surface lacking the ability for air and water to pass through to the root zone of plants.

Ornamental tree means a deciduous or evergreen tree planted primarily for its ornamental value or screening purposes. Such tree tends to be smaller at maturity than a shade tree.

Screen means a method of reducing the impact of noise and unsightly visual intrusions with less offense or more harmonious elements, such as plants, berms, 2-sided fences or walls with at least five feet (5') of plantings on the side of the development and adjacent to the fence or wall, any appropriate combination thereof.

Shade tree means a sometimes evergreen, usually deciduous tree, planted for its high crown of foliage or overhead canopy; a large woody perennial having one or more self-supporting stems and numerous branches reaching a mature height of at least 25 feet and a mature spread of at least 20 feet.

Shrub means a self-supporting wood perennial plant of low to medium height which is characterized by multiple stems and branches continuous from the base, usually not more than ten feet in height at maturity.

Visibility triangle means an imaginary triangle located within the curb lines of two intersecting such curb lines at points 35ft. back from their intersection and the hypotenuse (or third side of the triangle).

Sec. 78 – 186 - Purpose.

The purpose of this article is to:

in the I guess a on the go about five minutes left on the planning commission know I've got

1. Aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge and storm water runoff retardation, while at the same time aiding in noise, glare and heat abatement.
2. Assist in providing adequate light and air and preventing overcrowding of land.
3. Ensure that landscaping is an integral part of development, not an afterthought.

4. Provide visual buffering and enhance the beautification of the City.
5. Safeguard and enhance property values and protect public and private investments.
6. Preserve and protect the unique identity and environment of the City and preserve the economic base attracted to the City by such factors.
7. Conserve energy.
8. Protect the public health, safety and general welfare.

Sec. 78-187 – Applicability; variances.

a. This article applies to all lots, parcels, or tracts of land within the City as well as any areas subsequently annexed by the City with the following exceptions:

1. Previously platted residential lots.
2. Any platted parcel, less than 5 acres, that contains an occupied building which has a valid certificate of occupancy.

b. When this article becomes applicable to a lot, the requirements set forth in this article shall be binding on all current and subsequent owners of the lot.

c. The Planning and Zoning Commission shall, as a minimum, impose landscaping requirements that are reasonably consistent with the standards and purposes of this article as a part of any ordinance establishing or amending a planned development district, amending a special use permit. All landscaping requirements imposed by the Planning and Zoning Commission and shall be reflected in landscape and irrigation plans that comply in form and content with the requirements of Section 78-188.

d. The Board of Adjustment may grant a special exception to the landscaping requirements set forth in this article upon making a special finding from the evidence presented that strict compliance with the requirement of this article will result in inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives and purposes of this article. The applicant to be considered for special exception must submit a justification statement that describes which of the requirements set forth in this article will be met with modifications; which project conditions justify using alternative; and how the proposed measures equal or exceed normal compliance.

Sec. 78-188 – Landscape plan approval

a. At the time of site plan review, there shall be submitted to the City Administrator or the City Administrator’s designee, a landscape plan drawn to the same scale as the approved site plan and submitted with the same number of copies as the site plan.

b. Except where otherwise provided, the person responsible for the property, whether owner or tenant, shall landscape all yard, setback, parking, service and recreational areas with lawns, trees, shrubs, flowers, vines, ground covers or other live plant materials, which shall be permanently maintained by the owner or tenant in a neat and orderly manner as a condition of certificate of occupancy. Once installed, all landscape materials shall be irrigated by a mechanical underground irrigation system and maintained in a living state. Dead or dying plant materials shall be removed and replaced in accordance with the approved landscape plan.

c. Where the use of a living screen is proposed, such screen must be included as an element of the site plan and landscape plan.

d. Fountains, ponds, sculptures, planters, walkways, flagpoles, light standards and decorative screen-type walls shall be permitted as elements of landscaping in areas designated for landscaping. Decorative-type walls, planters and sculptures shall be 30 inches or less in height. The City Administrator or the City Administrator’s designee shall be authorized to permit heights more than 30 inches where it would be in the best interest of the landscaping and will not, in the opinion of the City Administrator or the City Administrator’s designee, create a problem relative to public health, safety, convenience, prosperity and general welfare.

e. Areas of landscaped open space shall be provided on the same lot, parcel or tract as the building that is being *served* and shall be provided in the following ratios:

1. ***Nonresidential.*** New nonresidential development in all districts shall be subject to all provisions of this article, provided that a one-time expansion of the floor area of buildings on a lot or building tract not exceeding 15 percent of the existing floor area shall not be subject to the requirements of this article. For lots, parcels or tracts of land applicable of this section landscaping shall be provided at a minimum ratio of ten percent (10%) of the gross land area, excluding development on lots of record.

2. ***Residential subdivisions and multifamily.*** Excluding single-family detached, single-family attached, duplex dwellings or multi-family dwellings on lots of record, new residential, duplex and multi-family development, including new residential subdivisions, shall be

subject to the provisions of this subsection; landscaping shall be provided at a minimum of twelve percent (12%) of the gross land area.

f. For parking areas, a minimum of 20 percent (20%) of the required landscaping shall be provided in areas that are internal to the parking areas. In parking lots having only one row of parking, such requirement may be met with perimeter landscaping.

g. Proposed utilities shall be located, when possible, so that their installation will not adversely affect vegetation to be retained on site.

h. For purposes of establishing compliance with the minimum area requirements for landscaping, no land within the 100-year floodway, as determined by the most recent Federal Emergency Management Agency (FEMA) study, shall be counted as fulfilling the minimum landscape area requirements.

i. The landscape plan shall show in detail, but shall not be limited to, the location of each element of landscaping; a description by botanical and common name of each landscape element or group of element; the number and size of each tree or planting container; and the height of any proposed planter, sculpture or decorative screen.

j. The City Administrator or the City Administrator's designee, with the aid of appropriate City staff, shall consider the adequacy of the proposed landscaping and any other aspect deemed necessary to promote the public health, safety, order, convenience, prosperity and general welfare.

k. In the approval or disapproval of the landscape plan, the City Administrator or the City Administrator's designee shall not be authorized to waive or vary conditions and requirement contained in the comprehensive zoning ordinance, Chapter 98 of this Code, or other valid city ordinances.

l. It shall be unlawful to issue a certificate of occupancy prior to the approval of the landscape plan by the City Administrator or the City Administrator's designee. Prior to the issuance of a certificate of occupancy but after the screening and landscaping has been approved, a temporary certificate of occupancy may be issued for such limited time as is reasonable to complete the landscaping.

m. When changes to a previously approved landscape plan are requested, and such changes will result in amendment or abandonment of an easement or right-of-way, or when the gross square footage of a lot, parcel or tract of land will be increased by more than ten percent (10%) or 1,000 square feet, whichever is less, or if the approval of a revised site plan is required, the Planning and Zoning Commission's designee shall consider the same elements in the approval or disapproval of a revised landscape plan as for an original landscape plan. In considering a revised landscape plan

the Planning and Zoning Commission shall not be authorized to waive or vary conditions and requirements contained in the comprehensive zoning ordinance, Chapter 98 of this Code, or amendments thereto, or other valid city ordinances. If the changes being proposed are of a minor nature, as determined by the City Administrator or the City Administrator's designee, administrative approval of the minor revisions shall be permitted under the conditions set forth in the following subsection.

n. The City Administrator or the City Administrator's designee shall be authorized to approve minor amendments to previously approved landscape plans. Minor amendments are those amendments which provide for rearrangement or reconfiguration of landscape areas or materials which are in conformance with an approved site plan and do not decrease the amount or quality of landscaping below that required by the comprehensive zoning ordinance, Chapter 98 of this Code. In the approval or disapproval of a minor revision to an approved landscape plan or revised landscape plan, the City Administrator or the City Administrator's designee shall not be authorized to waive or vary conditions and requirements contained in the comprehensive zoning ordinance, or amendments thereto, or other valid city ordinances. All minor revisions that are approved administratively shall appear as an item on the next Planning and Zoning Commissions agenda following approval for acknowledgment of staff action.

SECTION II. SEVERABILITY CLAUSE.

If any provision, section, subsection, sentence, paragraph, sentence, clause or phrase of this Ordinance or the application of same to any person or set of circumstances, shall for any reason be held to be unconstitutional, void, or invalid or otherwise unenforceable, the invalidity or unenforceability shall not affect other provisions of this Ordinance or their application to other sets of circumstances and to this end all provisions of this Ordinance are declared to be severable.

SECTION III. TEXAS OPEN MEETINGS ACT.

It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 155, of the Texas Government Code.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall take effect and be in force immediately after its publication as provided by law.

PASSED AND APPROVED by the City Council of the City of Montgomery, Texas, on the _____ day of March, 2017.

THE CITY OF MONTGOMERY, TEXAS

Kirk Jones, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM:

Larry L. Foerster, City Attorney