

**MONTGOMERY PLANNING AND ZONING COMMISSION AGENDA
REGULAR MEETING OF MONDAY, NOVEMBER 28, 2016, 6:00 P.M.
CITY HALL COUNCIL CHAMBERS 101 OLD PLANTERSVILLE ROAD,
MONTGOMERY, TEXAS.**

CALL TO ORDER

VISITOR/CITIZENS FORUM

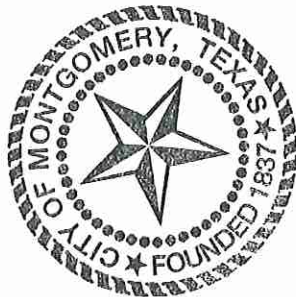
Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. Commission may not discuss or take any action on any item, but may place the issue on a future agenda. The number of speakers along with the time allowed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

1. Consider and possible action regarding October 24, 2016 minutes
2. Consideration and possible action of rescheduling December meeting
3. Presentation of Homestead Development Corporation regarding potential senior housing development
4. Consideration and possible action regarding Preliminary Plat submission for proposed Town Creek Storage.
5. Consideration and possible action calling a public hearing regarding granting of a Special Use Permit to Mary Eckhart Sims to operate a Bed and Breakfast at 811 Caroline Street
6. Report regarding possible zoning changes throughout the city
7. Discussion of potential areas of annexation into the city
8. Adjournment



Jack Yates, City Administrator

Posted this 23rd day of November, 2016 at 11:30 (a.m./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
October 24, 2016
MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

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

Present: William Simpson, Nelson Cox, Arnette Easley and Jeffrey Waddell
Absent: Carol Langley
Also Present: Jack Yates, City Administrator
Glynn Fleming, City Engineer

VISITOR/CITIZENS FORUM

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No comments were made.

CONSIDERATION AND POSSIBLE ACTION

1. Discuss/take action regarding September 26, 2016 minutes.
William Simpson moved to approve the September 26, 2016 Planning and Zoning Commission Meeting minutes as presented. Jeffrey Waddell seconded the motion, the motion carried unanimously. (4-0)

2. Consideration and possible action regarding Final Plat submission for Lake Creek Village, Section Two.

Mr. Fleming presented the information to the Commission, advising that he had been through the information and everything appears correct and in keeping with the Code, so he offers no objections. Mr. Fleming said that it was his recommendation that the Commission approve the Plat and forward on to City Council for their approval.

William Simpson asked if Mr. Fleming was comfortable with where all the water from the property would drain. Mr. Fleming said that he was comfortable with the drainage. Mr. Fleming said that they had worked closely with the developer and engineer to make some modifications, so he offered no objections to the plan. Mr. Simpson said that the last time that they had those hard rains, the section coming down Racetrack, coming from Bessie Price Owen and Berkley, the water was coming down from the new roadway. Mr. Fleming said that all the comments that they could offer on Section Two, they did so.

Arnette Easley moved to approve the Final Plat Submission for Lake Creek Village, Section Two. Jeffrey Waddell seconded the motion, the motion carried unanimously. (4-0)

3. Consideration and possible action regarding Preliminary Plat submission for Lake Creek Village, Section Three.

Mr. Fleming presented the information to the Commission. Mr. Fleming advised that this would be a 22 lot subdivision located just east of Sections One and Two. Mr. Fleming said that the lots are all proposed to be full sized lots, with no variance requests. Mr. Fleming said that he has reviewed the information and found it in keeping with the City's Code of Ordinances. Mr. Fleming said that he had some comments, but it was his recommendation to accept this submission. Mr. Fleming said that he would continue to work with the developer regarding the comments.

William Simpson moved to approve the Preliminary Plat submission for Lake Creek Village, Section Three. Arnette Easley seconded the motion, the motion carried unanimously. (4-0)

4. Consideration and possible action regarding Building Permits for 960 Caroline Street and 938 Caroline Street – QBS Custom Homes, Inc.

Mr. Damon Scott with QBS Custom Homes Inc. presented the information to the Commission. Mr. Scott presented the color and materials to be included on the homes.

Mr. Yates asked if the homes would have an alleyway behind them as the previous homes had. Mr. Scott said that was correct, and noted that as with the previous alleyway, it would be one lane, and should two cars meet, one will have to wait for the other to pass.

Chairman Cox asked whether there had been a problem handling the water during the two or three heavy rains that the City experienced this year. Mr. Scott said that they had no issues on their end. Mr. Scott said that they had spoken to Mr. Fleming and installed silt fencing all the way around their development, which they will do with the next two homes. Mr. Scott said that they had zero water issues. Mr. Scott said that the alley way is designed with a “V” so that the water runs off of the lots into the alleyway and is conveyed into the creek. Mr. Scott said that they had installed curbing on the alleyway just in case there is a really hard rain event.

Jeffrey Waddell asked if there was going to eventually be one more home at the end of the line of homes. Mr. Scott said that there would be a total of five homes on Caroline. Jeffrey Waddell asked if Mr. Scott saw any problems with water in the low areas. Mr. Scott said that he did not see any problems with water. Jeffrey Waddell asked if Mr. Scott had heard any comments on problems getting out of the alleyway on the first phase of homes. Mr. Scott said that he has not had any comments from the three families that are living there. Mr. Scott said that they have had some issues where the school kids thought that the road was a cut through road. Mr. Scott said that since one of the residents has put up a “private drive, no trespassing” sign they have not had any problems.

Arnette Easley asked what the standard size for a drainage pipe would be. Mr. Fleming said that there was no standard size, it would just depend on what it would need to convey, but

you usually do not see a drainage culvert under 18 inches. Mr. Fleming said that he did have some concern with the steepness of the roadside ditches and their proximity to the pavements. Mr. Fleming said that long term, those ditches will require diligent maintenance to keep them in good shape.

Jeffrey Waddell asked if the alleyway would have one way in and one way out. Mr. Scott said that was correct, it would have one entrance and would be the same width as the previous alleyway.

After discussion, William Simpson moved to approve the Building Permits for lots 7 and 8 at 960 and 938 Caroline Street. Jeffrey Waddell seconded the motion, the motion carried unanimously. (4-0)

5. Report regarding possible zoning changes throughout the City.

Mr. Yates presented the information to the Commission. Chairman Cox asked whether this would include the Corridor Enhancement District. Mr. Yates said that it could if the Commission wanted to include it.

Mr. Yates then reviewed the steps involved in the City initiated zoning process. Mr. Yates said that they could discuss the properties tonight or at the November or December meetings to determine which properties the Commission wants to change the zoning. Mr. Yates said that once the properties were determined, staff would research the property ownership information. Mr. Yates said that they would have to find out which properties would be involved in the zoning changes.

Arnette Easley asked if a property was zoned 10 years ago, but does not show up on the map, and how that is handled. Mr. Yates said that they would have to get a ruling on that change if they have the ordinance. Arnette Easley said that he has all the documents from the zoning change and would bring them to Mr. Yates. Mr. Fleming said that as long as they can locate the ordinance, they can update the zoning map.

Mr. Yates said that he would like the Commission between this month and next month, narrow down some of the properties that they are interested in rezoning, so that they can conduct the research and go through the process. Mr. Yates advised that each piece of property that was proposed to be rezoned would have to have a Zoning Application form completed.

Mr. Yates said that the Planning and Zoning Commission should communicate with the owners of the property that they are wanting to change their zoning so that they can discuss how they feel about the use being changed. Mr. Yates said that the Planning and Zoning Commission will report to City Council about their proposed amendments to the zoning. The City Council will consider the recommendations from the Commission on the proposed amendments. Mr. Yates advised that City Council will not be taking any formal action, they will just be giving their blessing to move forward with the process to make the zoning changes.

Mr. Yates said that the Commission will call a public hearing on the proposed amendments to the zoning map, with notices being sent out to property owners within 200 feet of the proposed changes. Mr. Yates said that the process could take four or five months for research and notifications.

Mr. Yates said that he will put together a zoning map for the Commission to review next week. Mr. Yates said that he will also have the Tax Assessor prepare a letter for him on the effect of rezoning a property and how the property is taxed. The Commission concurred that they wanted Mr. Yates to begin getting information on the areas to be considered for rezoning, as detailed in the materials attached as Exhibit "A."

Mr. Yates advised that he would let the City Council know that they are going to begin the process. Chairman Cox asked if there was a lot more waiting to be rezoned like these seven areas. Mr. Yates said that he could not think of any more. Mr. Fleming said that the easiest areas to clean up and make the most sense are the SH 105 corridor, FM 149 corridor and

the Lone Star Parkway. Mr. Fleming said that there was areas around town that at one point in time made perfect sense to zone them the way that they are, but through the years properties have been sold off and subdivided and they do not make much sense anymore. Mr. Fleming said that he felt the potential commercial corridors should be among the first areas to be cleaned up.

Mr. Yates said that one area that does come to mind is the 64-acres located by the apartments, just west of Napa Auto Parts, which is zoned R4. In talking with the potential developers for the property, they like the R4 because they could put in some apartments, but they have also talked to the City about zoning commercial so that they can put in another strip center.

Arnette Easley asked how properties where owners can't be located are handled. Mr. Yates said that he would think that the Appraisal District would know who owns the property. Mr. Yates said that he thought if they could not locate an owner, they would need to publish the legal description of the property and state whoever owns the property, this is the action that they are proposing.

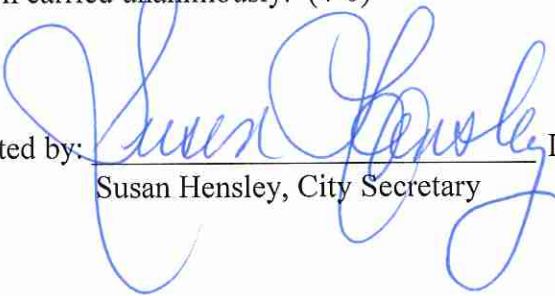
Arnette Easley commented that the City needs to move forward and put people on notice, because you can't stop progress. Arnette Easley said that he felt a letter should be drafted stating that in two years, this is what the City is proposing to do. Mr. Yates said that they need to come up with a plan on how to approach the people. Arnette Easley said that there is no subtle way to do it, they just need to advise the public what they are going to propose doing. Mr. Yates said that they can't do anything without the property owner's permission. Arnette Easley said that they need to send out a letter stating what they need to do and they have to act now.

Arnette Easley said that time is of the essence and they need to move right now. After discussion, Mr. Yates advised that he would put together a draft letter for the next meeting. The Commission concurred that the change will be good. Mr. Yates said that he had 75% of the property owners and addresses together. Mr. Yates said that he might add a sentence

to the letter stating that “if their neighbor was not notified, to please let him know” and to have them let their neighbor know that they can contact him at City Hall. Arnette Easley said that in the letter it needs to state, once it is confirmed with the City Attorney, that this will not change the tax base for the property, which is what they need to know. They also need to know that if they sell their property in the future, they can sell it for commercial property. William Simpson asked if something could be put in the paper to notify the public about all the changes. Arnette Easley said that need to work on FM 1097 now. Mr. Yates said that he would work on that information. Arnette Easley advised that he and Councilmember Wilkerson could speak to people at church under announcements. Jeffrey Waddell said that this would be for the good of the community. Mr. Yates said that he wanted there to be a social entrance to this information not just sending them a letter. Jeffrey Waddell said that people will take pride in their community as the areas get cleaned up. Arnette Easley said that they could give people a one or two month reprieve as an incentive during the process, and showing compassion for improvement.

ADJOURNMENT

Arnette Easley moved to adjourn the meeting at 7:35 p.m. Jeffrey Waddell seconded the motion, the motion carried unanimously. (4-0)

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

Chairman Nelson Cox

POSSIBLE AREAS FOR ZONING CHANGES

Property #1 – Move to 600 setback from 105 from R-4 multi-family to commercial -- east of Buffalo Springs Road

Property #1A – Move to 600 setback from 105 from R-4 multi-family to commercial -- west of Buffalo Springs Road

Property #2 -- Move 300 feet back from 105 Industrial to Commercial the remainder going to R-1 single-family

Property #3 – Move the Unknown (far southwest corner of city) to R-1 single-family residential

Property #4 – South 149, move from R-4 multi-family to all R-1 single-family—northernmost

Property #4A – South 149, move from R-4 multi-family to all R-1 single-family -- southernmost

Property #5 – West side of North 149/1097 intersection from R-1 single-family to Commercial

Property #6 – West side of 149 S. of Lone Star Parkway to Berkley from R-1 single-family to Commercial

Property #7 -- Northeast corner of 149 and 1097 from R-1 single-family to Commercial



VICINITY MAP
Scale: 1 inch equals 10 miles

LEGEND

Base Layers

- City Limits
 - P.D.D. No. 1 (LeFevre) - 2014
 - Bowen Development Agreement - 2005
 - Cheatham Development Agreement - 2011
 - P.I.D No. 1 (Ogorchok) - 2014
 - Historic District
- Zone Classification
- Unknown
 - Commercial
 - Floodplain
 - Industrial
 - Institutional
 - Multi-Family
 - Multi-Use
 - Residential
 - Stanley Lake MUD
 - City ETJ
 - City of Conroe ETJ
 - Dobbin-Plantersville WSC
 - MCAD Parcels

Adopted by City Council on January 26, 2016.

*Aerial Imagery From January 2016



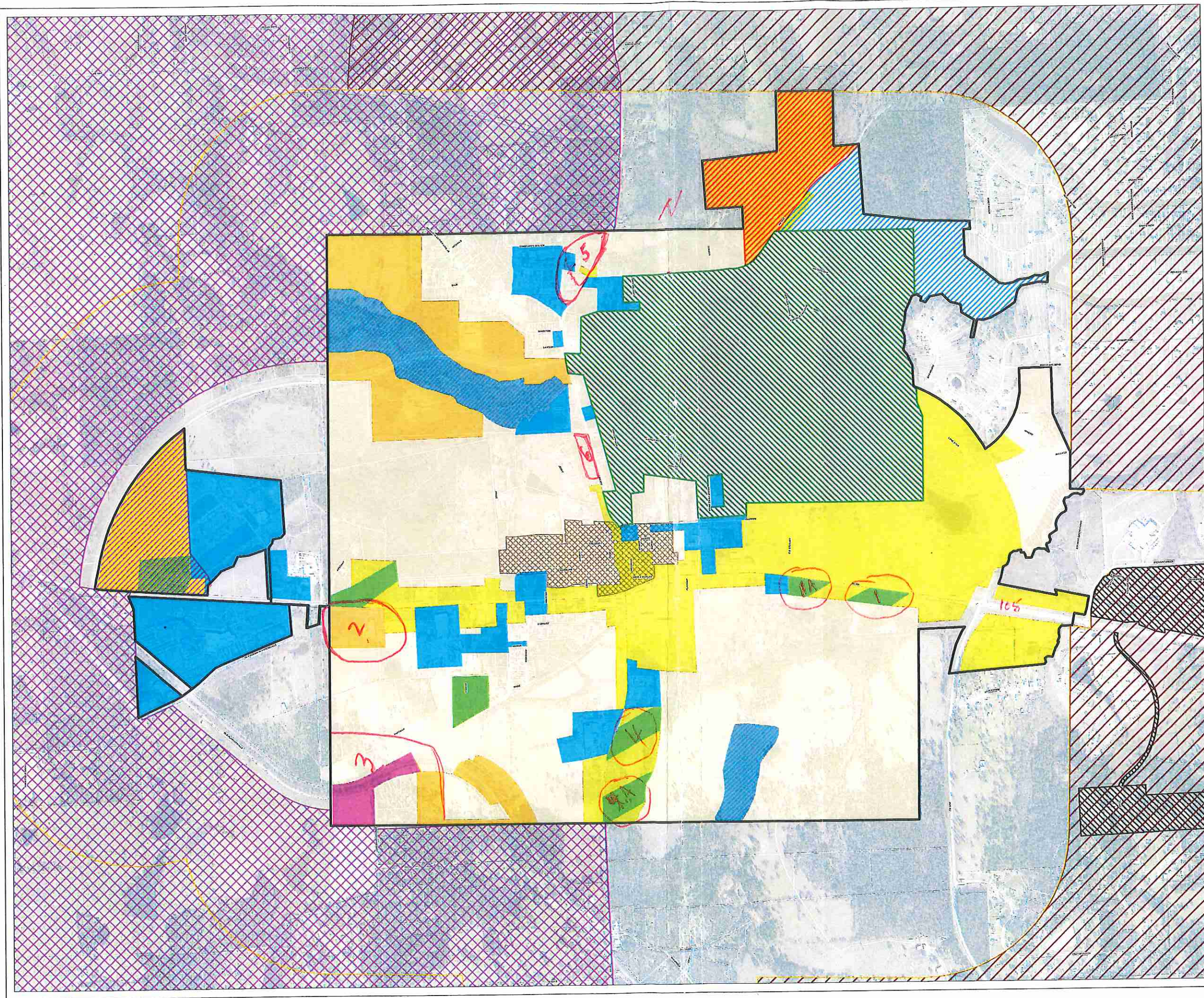
JONES CARTER
A Division of Fluor Corporation

ZONING LAYOUT



1 inch equals 500 feet

Disclaimer:
This product is for informational purposes only and may not be used for any other purpose. It does not constitute an offer of insurance or any other financial product. The information contained herein is for informational purposes only and does not constitute an offer of insurance or any other financial product. The information contained herein is for informational purposes only and does not constitute an offer of insurance or any other financial product. The information contained herein is for informational purposes only and does not constitute an offer of insurance or any other financial product.



Montgomery City Council
AGENDA REPORT

ITEM #2

Meeting Date: November 28, 2016	Budgeted Amount:
Department:	
Prepared By: Jack Yates	Exhibits:
Date Prepared: November 23, 2016	

Subject

Re-scheduling December Planning Commission meeting

Discussion

The 4th Monday of December is the 26th of December, a holiday for the city since Christmas is on Sunday. The suggestion is to re-schedule to the December 27th, the following day. I believe there will be some needed actions by the Commission for a December meeting to need to take place.

Recommendation

Re-schedule the December meeting of the Commission to December 27th.

Approved By

Department Manager		Date:
City Administrator	Jack Yates	Date: November 23, 2016

Montgomery City Council
AGENDA REPORT

ITEM #3

Meeting Date: November 28, 2016	Budgeted Amount:
Department:	
Prepared By: Jack Yates	Exhibits: company information , layout plat of development
Date Prepared: November 23, 2016	

Subject

Homestead Senior Housing Presentation

Discussion

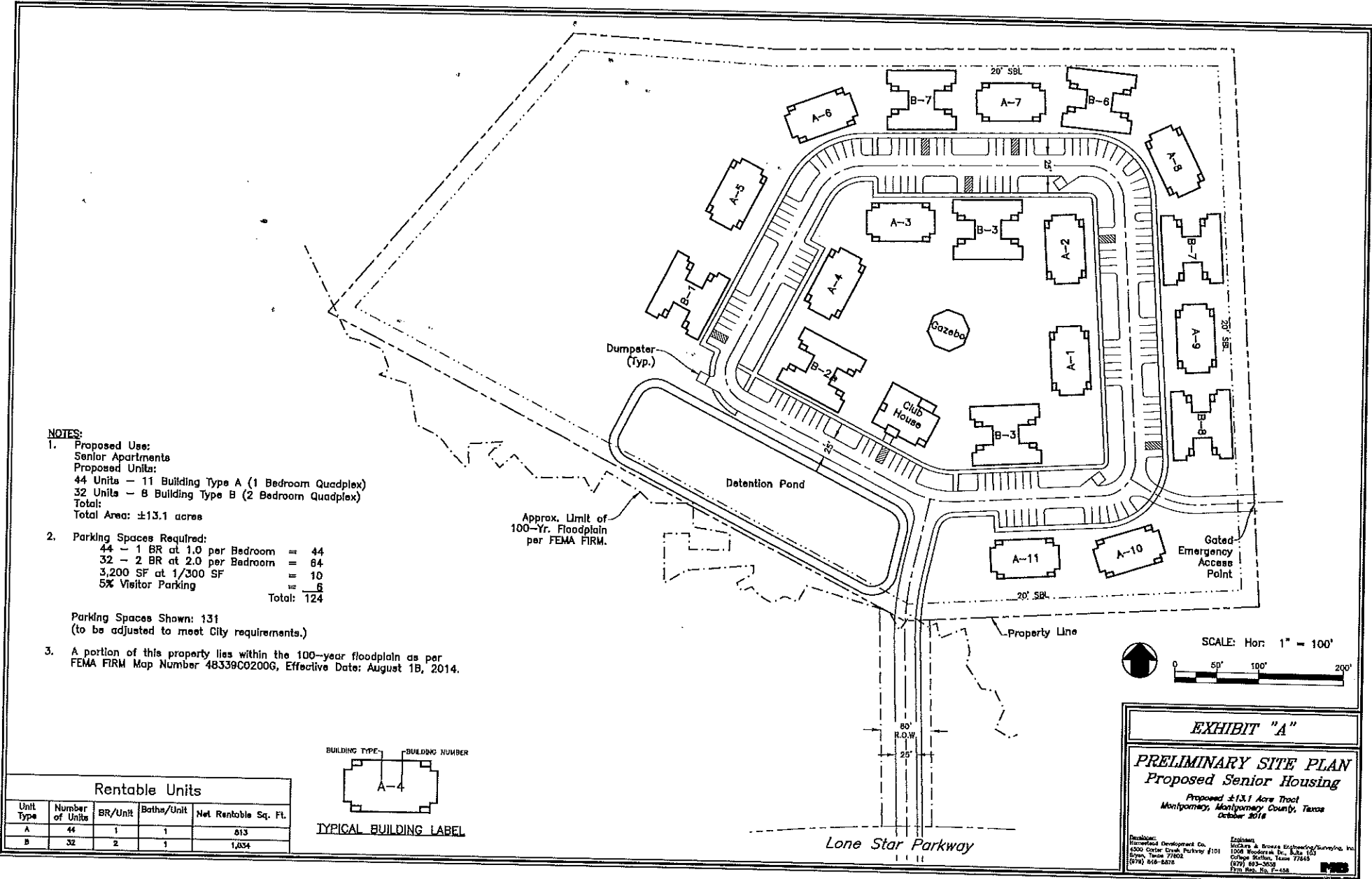
Mr. Wade Bienski, Director of Homestead, wanted to come and give you some advance information about a development he is planning on putting in the city.

Recommendation

No action necessary, this is a report only.

Approved By

Department Manager		Date:
City Administrator	Jack Yates	Date: November 23, 2016



NOTES:

- Proposed Use:
Senior Apartments
Proposed Units:
44 Units - 11 Building Type A (1 Bedroom Quadplex)
32 Units - 8 Building Type B (2 Bedroom Quadplex)
Total:
Total Area: ±13.1 acres
- Parking Spaces Required:
44 - 1 BR at 1.0 per Bedroom = 44
32 - 2 BR at 2.0 per Bedroom = 64
3,200 SF at 1/300 SF = 10
5% Visitor Parking = 6
Total: 124

Parking Spaces Shown: 131
(to be adjusted to meet City requirements.)
- A portion of this property lies within the 100-year floodplain as per FEMA FIRM Map Number 48339C0200G, Effective Date: August 18, 2014.

Approx. Limit of
100-Yr. Floodplain
per FEMA FIRM.

SCALE: Hor: 1" = 100'



Rentable Units				
Unit Type	Number of Units	BR/Unit	Baths/Unit	Net Rentable Sq. Ft.
A	44	1	1	813
B	32	2	1	1,834

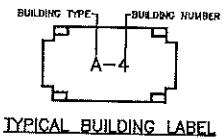


EXHIBIT "A"

PRELIMINARY SITE PLAN
Proposed Senior Housing

Proposed ±13.1 Acre Tract
Montgomery, Montgomery County, Texas
October 2016

Designer: Intermed Development Co. 4500 Gortner Drive, Parkway #101 Green, Texas 77602 (979) 816-9079	Engineer: Seckars & Brown Engineering/Surveying, Inc. 1004 Woodruff Dr., Suite 103 College Station, Texas 77845 (979) 693-3833 EIT No. 68, F-454
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HOMESTEAD
DEVELOPMENT GROUP LTD



The Window to Your Future

Our Mission



Homestead Development Group, Ltd. is an accountable development team, dedicated to increasing housing affordability and expanding the availability of quality services to the citizens of Texas.

Our experienced team provides a broad range of services and possesses the expertise, commitment, and experience to successfully develop, construct, and manage safe, affordable housing for Texans.

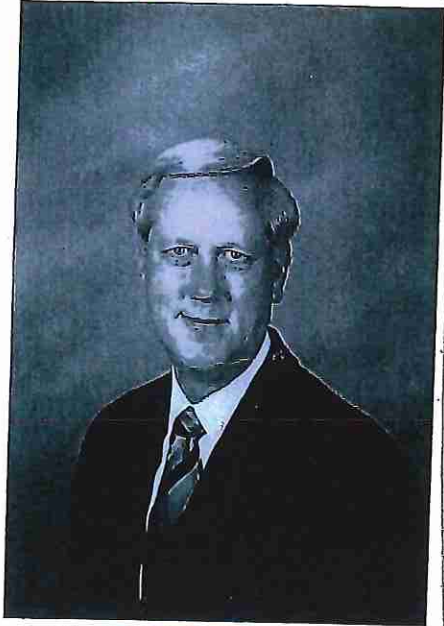


The Housing Tax Credit Program is a “win-win” program for cities, lenders, and tenants. Our hands-on approach and efficient execution of the Program allow us to bring the benefits of the Housing Tax Credit Program to:

- **Cities:** Badly needed affordable housing is created, replacing existing substandard housing.
- **Lenders:** Affordable housing looks to private financing and investment.
- **Tenants:** The nation’s most successful housing program is implemented to benefit the citizens of Texas.



Our Leadership



With more than 25 years of experience in making affordable housing a reality, Emanuel H. Glockzin, Jr.:

- Possesses a solid understanding of the Housing Tax Credit Program.
- Exhibits a dedication to building and maintaining long-term relationships with lenders and syndicators.
- Demonstrates an innate ability to select qualified developments all across the State of Texas.
- Encourages a spirit of cooperation and participation between elected officials and neighborhood-based groups.
- Builds well-managed apartment complexes which foster good relationships between tenants and their surrounding neighborhoods.
- Provides quality, affordable rental housing to the elderly and families in Texas.
- Offers a proven track record, with the essential ability to act quickly.

Mr. Glockzin is:

- A member of the Board of Directors of the Rural Rental Housing Association of Texas for the past seven years.
- A member of the Texas Affiliation of Affordable Housing Providers (TAAHP).
- Former member of the Board of Directors, Twin City Mission, a nonprofit organization providing a foundation of support for those in need.
- A 1972 graduate of Texas A&M University.

Our Team

Our Team

Homestead Development Group, Ltd. offers an industry-experienced management team, covering every detail from concept to completion for common goal—building communities **together!**

Design

Myriad Designs, Ltd., Harry Bostic

- Licensed architect and 1970 Texas A&M graduate.
- Experienced designer of tax credit housing developments since 1985.
- TDHCA Fair Housing Training for accessibility.

Construction

Brazos Valley Construction, Inc.,

Emanuel H. Glockzin, Jr., General Contractor

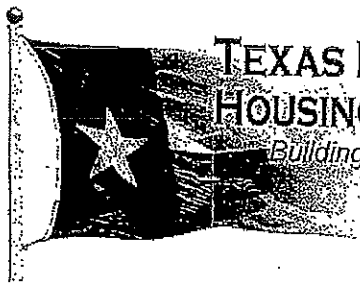
- Since 1979 providing quality construction of Texas apartment communities.
- Industry expertise and experience.
- Knowledge and ability to implement all federal, state, and local regulations and inspections.

Management

Cambridge Interests, Inc.

Elaina D. Glockzin, President

- 1973 graduate of Texas State University.
- Certified in property management and Tax Credit Compliance.
- Actively involved in day-to-day operation of the management company.
- Currently managing 38 developments in cities across Texas.

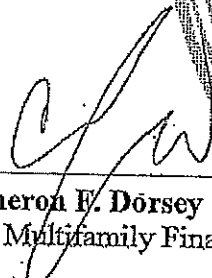


TEXAS DEPARTMENT OF
HOUSING & COMMUNITY AFFAIRS
Building Homes. Strengthening Communities.

CERTIFICATE OF EXPERIENCE

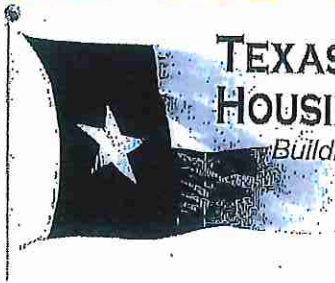
Elaina D. Glockzin

Has a Record of Successfully Documenting Experience
In Accordance with the Requirements of §50.8(4) of the
2012-2013 Housing Tax Credit Program
Qualified Action Plan


Cameron E. Dorsey
Director, Multifamily Finance

February 14, 2012

Date



TEXAS DEPARTMENT OF
HOUSING & COMMUNITY AFFAIRS
Building Homes. Strengthening Communities.

CERTIFICATE OF EXPERIENCE

Emanuel H. Glockzin Jr.

Has a Record of Successfully Constructing or Developing
152 New Construction multifamily units
In Accordance with the Requirements of the
2011 Housing Tax Credit Program
Qualified Action Plan.


Robbye Meyer
Director of Multifamily Finance

February 9, 2011
Date



Certificate of Completion

Harry W. Berto ARCHITECT BUT NOT AIA MEMBER

Sign your name with your AIA membership number on the line above

5/29/2014 – Austin, TX.

- The Design and Construction Requirements of the Fair Housing Act - Technical Overview (3 hour) – FHA 10*
- Strategies for Compliant Kitchens (1.5 hours) – FHA 5*
- Strategies for Compliant Bathrooms – FHA 6*
- Accessible Routes (1.5 hours) – FHA 7*
- Accessible Public & Common-Use Areas – FHA 8*



The bearer of this certificate has completed the above Fair Housing Accessibility First LU/HSW training modules. By completing a training module, the bearer of this certificate has learned valuable information regarding the Fair Housing Act's 7 Design and Construction requirements. Attending the session and actively participating brings us all one step closer to our goal of providing accessible housing to more individuals across the United States of America.

Provider No. 1036
 819 S. Wabash, Suite 509
 Chicago, IL 60605-2153
 1-312-913-1717
jritzu@lcmarchitects.com
 Jack Catlin, Principal



Certificate of Completion

This Certifies That

Harry Bostic


successfully completed the five-hour
Understanding the Fair Housing Act and Section 504
Design Requirements for Multifamily Housing Course

on June 27, 2012

Certification Expires two years from date of completion

*This course meets the Texas Department of Housing & Community Affairs
Qualified Allocation Plan for Fair Housing Training related to design issues.*




Mark E. English
President

HOMESTEAD DEVELOPMENT GROUP, LTD.

Our Properties

The Commonwealth Apartments Nacogdoches, TX



- Choice of four floor plans.
- Washer and dryer connections.
- Ceiling fans and miniblinds.
- Patios with storage closets.
- Outdoor recreational area.
- Clubhouse/laundry facility.

Lexington Court Apartments Kilgore, TX



- Gazebo with sitting area
- Covered pavilion with barbecue grills & tables
- Equipped business center.
- Community room/laundry facility.
- Two children's playgrounds.
- Sports Court.

HOMESTEAD DEVELOPMENT GROUP, LTD.

Our Properties

Montgomery Meadows & Grand
Montgomery Court
Huntsville, TX



- Senior housing communities.
- Clubhouse/laundry facilities.
- Miniblinds for all windows.
- Washer and dryer connections.
- Pavilion with barbecue grills and tables.
- Community Garden area.

The Heritage at Dartmouth & T.C.M Haven
College Station, TX



- A safe and accessible home for adults with disabilities.
- 120 apartments featuring wide hallways & doors with accessible sinks, countertops, and appliances.

The Heritage at Dartmouth received the Texas Department of Housing and Community Affairs "Housing for the Special Needs Award" for -profit division in 1999.



■ Air view 01

Architect
DAVID VIGIL
david.vigil@hotmail.com
(979) 402-7259

MONTGOMERY MEADOWS

■ ■



Street View

Architect
DAVID VIGIL
davidvigil@hotmail.com
(979)402-7259

MONTGOMERY MEADOWS



■ Air view 02

Architect
DAVID VIGIL
davidvigil@hotmail.com
(979) 402-7259

■
MONTGOMERY MEADOWS
■

Montgomery City Council
AGENDA REPORT

ITEM #4

Meeting Date: November 28, 2016	Budgeted Amount:
Department:	
Prepared By: Jack Yates	Exhibits: Memo from city Engineer, Plat
Date Prepared: November 23, 2016	

Subject

Preliminary Plat for Town Creek Storage

Discussion

The memo from the City Engineer is attached.

Recommendation

Approve the Preliminary Plat as presented

Approved By

Department Manager		Date:
City Administrator	Jack Yates	Date: November 23, 2016



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

November 22, 2016

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

Re: Submission of Preliminary Plat
Town Creek Storage
City of Montgomery

Commission Members:

We have reviewed the referenced preliminary plat as prepared by Mr. Donald K. Hall, R.P.L.S. and find it to be in keeping with the submission criteria set forth in the City of Montgomery's Code of Ordinances. We have returned a plat review letter along with redlined comments to Mr. Hall and copies of each are enclosed for your review. We offer the recommendation the Commission approve the preliminary plat as submitted, and we will coordinate with Mr. Hall to ensure that all review comments are addressed prior to submission of a final plat.

If you have any questions or comments, please contact, Glynn Fleming and or myself.

Sincerely,

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

Ed Shackelford, P.E.
Engineer for the City

EHS/gef: lr2

P:\PROJECTS\W5841 - City of Montgomery\W5841-0900-00 General Consultation\2016\P&Z Reports\Town Creek Storage, Preliminary Plat Review-P&Z Opinion.doc

Enclosures: Town Creek Storage – Preliminary Plat Submission Review Letter
Town Creek Storage – Preliminary Plat Submission Review Comments

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
Mr. Donald K. Hall, R.P.L.S. – Value Technologies Surveying and Mapping



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

November 11, 2016

Mr. Donald K. Hall, RPLS
Value Technologies Surveying and Mapping
14306 Summerwood Lakes Drive
Houston, Texas 77044

Re: Plat Review (Preliminary)
Town Creek Storage
City of Montgomery

Mr. Hall:

We reviewed the referenced preliminary plat submission on behalf of the City of Montgomery (the "City"). Our review was based on The City's Code of Ordinances, Chapter 78, Section 61 and any other applicable chapters. The results of our review are summarized in the attached document.

Please resubmit the attached checklist along with a revised preliminary plat, showing the required revisions on a clean copy for review and approval.

If you have any questions or comments, please contact, Glynn Fleming and or myself.

Sincerely,

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

Ed Shackelford, P.E.
Engineer for the City

EHS/gef: Ir2

P:\PROJECTS\W5841 - City of Montgomery\W5841-0900-00 General Consultation\2016\Letters\Town Creek Storage-Preliminary Plat.doc

Enclosures: N/A

cc/enc.: The Honorable Mayor and City Council – City of Montgomery
The Planning and Zoning Commission – 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, LLP, City Attorney

**Town Creek Storage
The City of Montgomery**

Reviewed by Glynn Fleming of Jones & Carter Inc. on 11/07/2016.

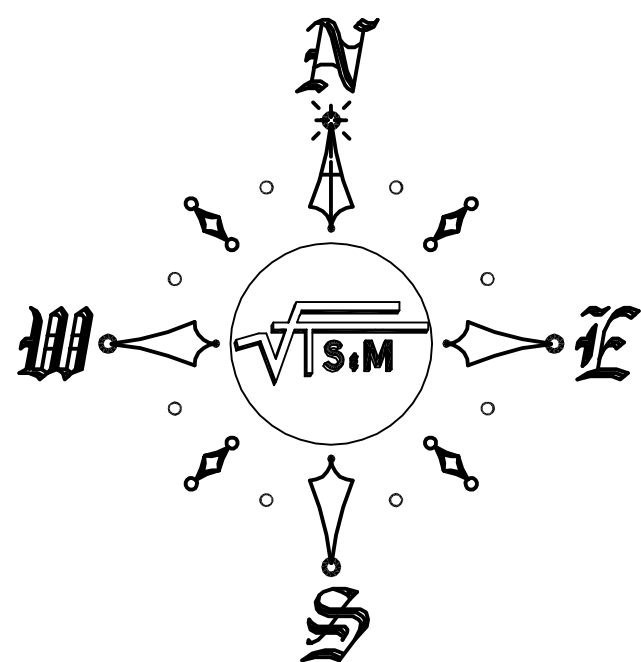
Sheet 1 of 1:

1. Show and label appropriate setbacks. See redlined drawing.
Addressed: Yes ___ No ___ Comments _____

2. Show and label existing waterline easement along SH-105. See redlined drawing.
Addressed: Yes ___ No ___ Comments _____

3. Per City Code of Ordinances, plat boundary must be tied to a minimum of two City Monuments.
Addressed: Yes ___ No ___ Comments _____

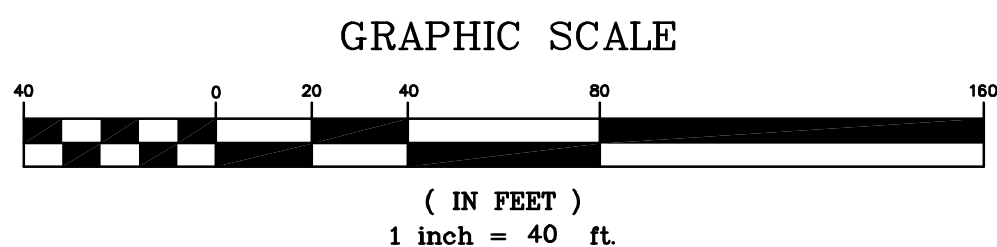
4. Correct signature blocks as shown. See redlined drawing.
Addressed: Yes ___ No ___ Comments _____



The bearings shown hereon are based on TEXAS STATE PLANE COORDINATE SYSTEM, Central Zone based on GPS Observation.

LEGEND:

- Concrete Paving
MP = Meter Pole
PP = Power Pole
LP = Light Pole
P = Electricity Power Line
RCP = Reinforced Concrete Pipe
PVC = Poly Vinyl Chloride Pipe
WV = Water Valve
GUY WIRE = Guy Anchor Wire
FH = Fire Hydrant
LCTX = Lufkin Conroe Telephone Exchange
Vol. = Volume
Pg. = Page Number
M.C.C.F. No. = Montgomery County Clerks File Number
M.C.D.R. = Montgomery County Deed Records
M.C.M.R. = Montgomery County Map Records
R.O.W. = Right-of-Way
Fnd. IR = Found Iron Rod
Sq. Ft. = Square Feet
PMT = Pad Mounted Transformer
CATV = Cable TV
POB = Point Of Beginning
CM = Controlling Monument
WV = Water Valve



CURVE TABLE with columns: Curve, Length, Radius, Delta, Chord Bears, Chord

LINE TABLE with columns: Line, Bearing, Length

Restricted Reserve "A" Restricted to Multi-Family Development

THE HILLS OF TOWN CREEK SECTION I CABINET Z, SHEETS 2346-2347, M.C.P.R.

61.8107 Acres Christian C. Cheatham, Mary E. Cheatham and MONTGOMERY ENERGY RESOURCES, INC. to MONTGOMERY INDEPENDENT SCHOOL DISTRICT M.C.C.F. No. 2001-085812, M.C.D.R. 07/18/01

SHOW/LABEL APPROPRIATE SETBACKS

X = 3750367.41 Y = 10135719.17

X = 3750622.34 Y = 10135732.04

X = 3750607.02 Y = 10135629.04

Tract 1: 0.0569 Acres Christian C. Cheatham and Mary E. Cheatham to CITY OF MONTGOMERY M.C.C.F. No. 2012076185, M.C.D.R., 07/27/12

1.830 Ac. 79,735 Sq. Ft.

Tract 1: 1.5242 Acres WOODFOREST NATIONAL BANK to Christian C. Cheatham M.C.C.F. No. 2009026465, M.C.D.R. 03/30/09

0.4278 Acres MONTGOMERY INDEPENDENT SCHOOL DISTRICT to CITY OF MONTGOMERY M.C.C.F. No. 2013022707, M.C.D.R., 09/22/11

Tract 2: 0.0574 Acres Christian C. Cheatham and Mary E. Cheatham to CITY OF MONTGOMERY M.C.C.F. No. 2012076185, M.C.D.R., 07/27/12

1.1972 Acres Norman David Scott, et ux to Christian C. Cheatham M.C.C.F. No. 2011058808 M.C.D.R. 07/05/11

WHAT IS THIS LINE?

16' MID-SOUTH SYNERGY Electric Line EASEMENT M.C.C.F. No. 2002-095229, M.C.D.R.

Remainder of 15.088 Acres Callie Louise Cleveland and Montye Gene Sollock to Christian C. Cheatham, et ux M.C.C.F. No. 9466409 M.C.D.R. 11/28/94

35' BUILDING LINE COFM ORDINANCE CHAPTER 78-94

25' MID-SOUTH ELECTRIC COOPERATIVE, INC. EASEMENT M.C.C.F. No. 8538725, M.C.D.R.

25' GULF STATES UTILITIES COMPANY EASEMENT Vol. 616, Pg. 687, M.C.D.R.

N87°02'35" W 121.72'

N87°00'33" W 217.22'

SHOW/LABEL 10-FOOT WATERLINE ESMT ALONG SH-105 FRONTAGE.

STATE HIGHWAY NO. 105 (120' R.O.W. per Volume 242 Page 288 M.C.D.R.)

STATE OF TEXAS COUNTY OF MONTGOMERY §

That I, Christian C. Cheatham, herein acting individually or through the undersigned duly authorized agents, do hereby adopt this plat designating the herein described real property as TOWN CREEK STORAGE, and do hereby make subdivision of said property according to the lines, streets, alleys, parks, and easements therein shown, and dedicate to public use forever all areas shown on this plat as streets, alleys, parks, and easements, except those specifically indicated as private; and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades and do hereby bind Owner, and Owner's successors and assigns to warrant and forever defend the title to the land so dedicated.

Owner hereby certifies that Owner has or will comply with all applicable regulations of the City of Montgomery, Texas, and that a rough proportionality exists between the dedications, improvements, and exactions required under such regulations and the projected impact of the subdivision.

Where streets or alleys are dedicated for private use, such dedication shall include an easement covering the street area which permits the installation, operation and maintenance of water, sewer, gas, electric, telephone, cable television or other such utility facilities by the city and other utilities lawfully entitled to provide service to the abutting property. The easement shall also provide a right of access to public agencies engaged in both routine and emergency public services including law enforcement, fire protection, medical response, inspection and code enforcement.

IN TESTIMONY WHEREOF, Christian C. Cheatham, have caused these presents to be signed by Christian C. Cheatham, thereunto authorized, this the ___ day of ___, 2016.

Christian C. Cheatham

STATE OF TEXAS COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared Christian C. Cheatham, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of such corporation.

GIVEN UNDER MY HAND AND SEAL, this the ___ day of ___, 2016.



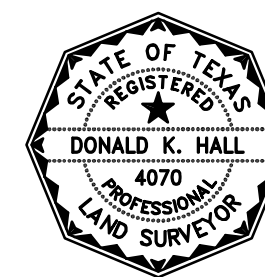
My Commission Expires: _____

KNOW ALL MEN BY THESE PRESENTS §

That I, Donald K. Hall, RPLS, do certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereof were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Montgomery, Texas.

Donald K. Hall, Registered Professional Land Surveyor No. 4070

SURVEYOR:



VALUE TECHNOLOGIES. SURVEYING & MAPPING Texas Registered Firm Number 10153500 14306 Summerwood Lakes Drive Houston, Texas 77044-5078 Phone: (281) 225-8876 Telefax: (281) 225-8877 Email: vtsm@entouch.net

I THE UNDERSIGNED, Engineer for the City of Montgomery, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City as to which his approval is required.

City Engineer - Ed Shackelford

This plat and subdivision has been submitted to and considered by the City Planning and Zoning Commission and the City Council of the City of Montgomery, Texas, and is hereby approved by such Commission and Council.

ATTEST:

By: Kirk Jones - Mayor

City Secretary - Susan Hensley

By: Nelson Cox Chairman Planning and Zoning Commission

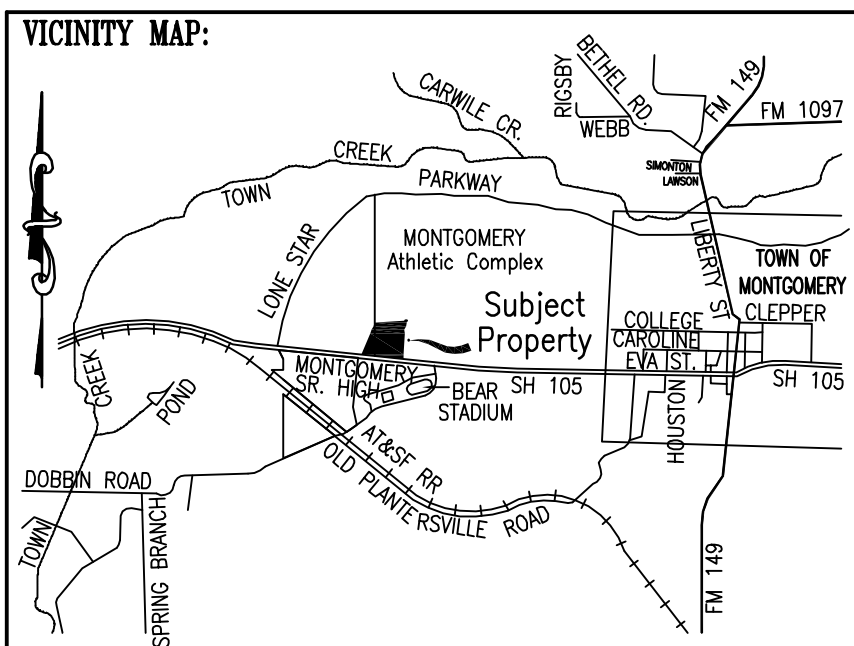
NOTES:

- 1.) The Coordinates shown hereon are Texas Central Zone No. 4203 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale factor of: 1.000077360.
2.) According to the Flood Insurance Rate Map, Community No. 480483, Panel No. 0200G, dated August 18, 2014, the tract hereon surveyed lies wholly within zones "X" and being defined as an area of minimal flooding not within any flood plane zone.

PER CITY CODE OF ORDINANCES PLAT BOUNDARY MUST BE TIED TO A MINIMUM OF TWO CITY MONUMENTS.

A Preliminary Plat of: TOWN CREEK STORAGE

A Subdivision of 1.830 Acres or 79,735 Square Feet of Land lying in the BENJAMIN RIGSBY LEAGUE, Abstract No. 31 in Montgomery, Montgomery County, Texas.



Montgomery City Council
AGENDA REPORT

ITEM #5

Meeting Date: November 28, 2016	Budgeted Amount:
Department:	
Prepared By: Jack Yates	Exhibits: Letter from Mrs. Sims
Date Prepared: November 23, 2016	

Subject

Setting a public hearing for Special Use Permit to Mary Sims at 811 Caroline as a bed and breakfast

Discussion

Mrs. Sims owns 811 Caroline Street and wants to operate a bed and breakfast at this location. She has an out building that she uses as the bed and breakfast unit. She formerly held a SUP for the same use at the same location from 2006 to 2013.

The SUP process requires a public hearing by the Planning Commission. The suggested date of the public hearing is at the Regular Meeting in December of the Commission, December 27th

Recommendation

Set a public hearing for December 27th to hear public comment on this proposed use.

Approved By

Department Manager		Date:
City Administrator	Jack Yates	Date: November 23, 2016

Mary Eckhart Sims
811 Caroline St.
Montgomery, Texas 77356
(940) 839-5946

October 25, 2016

City of Montgomery
P.O. Box 708
Montgomery, Texas 77356

Re: Special Use Permit

To: Jack Yates, Council Members, and Planning and Zoning Commission

Dear Sirs/Madams:

I am hereby requesting that my property, located at 811 Caroline Street, again be considered for a Special Use Permit. I had to close The Caroline House-A Bed and Breakfast in 2013 for personal reasons, but would like permission to reopen. While open as a business for the seven years, we provided wonderful lodging/accommodations to several hundred visitors to our area.

Enclosed is Check #1270 in the amount of \$500 for various fees. My email address is maryeckhart@yahoo.com. Please let me know if you need any additional information.

Thank you in advance for considering this application. I look forward to reopening and again becoming very active in our growing community.

Sincerely,

Mary Eckhart Sims

Montgomery City Council
AGENDA REPORT

ITEM #6

Meeting Date: November 28, 2016	Budgeted Amount:
Department:	
Prepared By: Jack Yates	Exhibits:
Date Prepared: November 23, 2016	

Subject

Possible zoning changes - Report

Discussion

I will report on the status of the rezoning process.

Recommendation

No action needed, a report only

Approved By

Department Manager		Date:
City Administrator	Jack Yates	Date: November 23, 2016

Meeting Date: November 28, 2016	Budgeted Amount:
Department:	
Prepared By: Jack Yates	Exhibits:
Date Prepared: November 23, 2016	

Subject

Area changes in city - Report

Discussion

I will report on the status of the northern annexation – issues involved.

Recommendation

No action needed, a report only

Approved By

Department Manager		Date:
City Administrator	Jack Yates	Date: November 23, 2016