

## MINUTES OF REGULAR MEETING

September 26, 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 6:15 p.m.

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

Absent:

Also Present: Jack Yates, City Administrator  
Glynn Fleming, City Engineer

#### VISITOR/CITIZENS FORUM

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

No comments were made.

#### CONSIDERATION AND POSSIBLE ACTION

1. Discuss/take action regarding August 22, 2016 minutes.

William Simpson moved to approve the minutes as presented. Jeffrey Waddell seconded the motion, the motion carried unanimously. (5-0)

2. Discuss/take action regarding sign permit for 304 Caroline Street – Amanda Hall

Mr. Yates presented the information and advised that Ms. Hall was not present. Mr. Yates said that this would be a gentleman's grooming lounge, located next to the Cigar Bar.

William Simpson moved to approve the sign and colors, burgundy, black and tan, for the sign located at 304 Caroline Street. Jeffrey Waddell seconded the motion, the motion carried unanimously. (5-0)

3. Discuss/take action regarding sign for 304 John A. Butler Street – Bea Rouse

Mrs. Rouse was present to discuss her request for signage. Mrs. Rouse advised that the following changes have been made to the request:

- The wording on her son's sign would be on each side, with the logo in the center. The sign would be printed on both sides of the sign.
- The other sign located on the fence on the east side facing SH 105 would be larger.
- Ms. Rouse said that she wanted to amend the request, because at the top of the building she also wants to put another sign that would be two feet high that would be four (4) signs instead of the three (3) previously requested.

Mrs. Rouse said that her signs would go under her son's signs on the building. William Simpson asked to confirm that there would also be a sign on the fence and a street sign. Mrs. Rouse said that was correct. Carol Langley asked where the street sign would be located. Mrs. Rouse said that it was the same sign that has been located on the street, perpendicular to the end of the building.

Mrs. Rouse said that the free standing sign will be 4 foot x 8 feet and she will place one foot high signs on either side of the existing sign. Mrs. Rouse said that the street sign would be two-sided, for a total of four signs. Mrs. Rouse said that the sign trim would be black.

Mrs. Rouse reviewed the four (4) signs being requested would be as follows:

1. The free-standing, double sided, sign will be one foot in height and six or eight feet in width.
2. The rectangle sign on the fence, will be 3 feet x 4 feet.
3. The sign above the building will be 2 feet x 8 feet and located directly under the existing sign.

Carol Langley asked if the building had enough frontage to warrant having the requested signs. Mr. Yates advised that he would have to verify the information.

Jeffrey Waddell moved to approve the four (4) signs as presented. Arnette Easley seconded the motion, the motion carried unanimously. (5-0)

Carol Langley asked if they need to state that the color Mrs. Rouse has chosen to paint the fence and the trim was appropriate in the Historic District. Mr. Yates said that was correct.

William Simpson moved to approve the color scheme as presented for 304 John Butler. Carol Langley seconded the motion, the motion carried unanimously. (5-0)

4. Discuss/take action on requested variances for the proposed Villas of Mia Lago, Section Two development.

-Variance from required minimum lot width.

-Variance from required minimum lot area.

-Variance from required minimum side yard setback.

Mr. Fleming presented the information and advised he offered no objections to the requested variances, as they are a continuation of those previously approved for the adjoining Villas of Mia Lago, Section One.

Jeffrey Waddell asked for the location of Section One of the Villas of Mia Lago. Mr. Fleming said that it was just past the assisted living facility, on the northwest side of Lone Star Bend. Mr. Fleming said that Section Two will be located immediately west of the future right of way. Mr. Yates said that the building of Lone Star Bend is going to be accomplished fully by County Commissioner Meador. Mr. Yates said the extension will be part of the connection with Bois D'arc, which will be another entrance into the City.

Mr. Liberatore was present for the discussion, and said instead of a mirror image of Section One, Section Two, lots a are little larger to allow for 3-car garages. Jeffery Waddell said that there was a definite variation in the lots. Mr. Fleming said some of the lots are below



the requirement, while some exceed the requirements. Mr. Fleming stated they are providing adequate compensating greenspace as required by the Code.

William Simpson asked about the drainage and where the water was going to drain. Mr. Fleming said that there were existing culverts where Lone Star Bend terminates. Mr. Fleming said that those culverts will be maintained with the future extension of the road, and this development will drain through a series of culverts that will run west to east, under the future paving, and conveyed down the east side of the future road.

William Simpson asked whether it would drain onto any of the properties. Mr. Fleming said that it runs across a portion of the development that is platted as a drainage easement. Mr. Liberatore said that from there the water would go into a channel and drain into Lake Conroe. William Simpson said that he was asking because they had a large problem in another area with water. Arnette Easley asked if the capacity would be different for the drainage. Mr. Fleming said that it was still being reviewed. William Simpson said that Racetrack has a problem with drainage, so his concern is for the people that live downhill and will be affected. Williams Simpson said that everyone is pushing the homes closer together and there is nowhere for the water to go. Mr. Liberatore advised they had moved a lot of dirt into the development so they are in good shape to create drainage for the Estates of Mia Lago.

Mr. Fleming advised that the Code requires 10 feet on either side of the lot line, which totals 20 feet. This variance is to reduce that requirement to 5 feet on either side of the lot line.

Mr. Fleming said that he could not speak to what was done or decisions made prior to October 2014, but moving forward they apply a high degree of scrutiny to make sure development projects are not just Code compliant, and they are compliant with the Montgomery County Drainage Criteria that the City adheres to. William Simpson said that he wanted to voice his concern, because a lot of people are being affected in another area due to previous decisions.

Jeffrey Waddell asked about the compensating green space with Reserves A and B. Mr. Fleming advised that there was adequate compensating greenspace. Chairman Cox asked if the changes would be reflected on the final plat. Mr. Fleming said that was correct, and noted that the final plat will come before the Commission sometime in the future.

Jeffery Waddell said that the home placement seemed like it was awfully tight, and asked if that had been done before. Mr. Fleming said that it had. Mr. Liberatore said that in Section Two they actually increased the lot sizes. Jeffrey Waddell asked to confirm that there would be a total of 10 feet between the homes. Mr. Fleming said he had confirmed there would be 10 feet between the homes with David Strauss.

After discussion, William Simpson moved to approve the requested variances for the Villas of Mia Lago, Section Two, as follows:

- Variance from required minimum lot width.
- Variance from required minimum lot area.
- Variance from required minimum side yard setback.

Arnette Easley seconded the motion.

Discussion: Chairman Cox asked to confirm that the Commission would see this information again for final approval. Mr. Fleming said that was correct, and stated that this information will go to City Council tomorrow night for further consideration. Mr. Fleming said that, per the City Code, the Final Plat submission will come along with construction drawings, water/sanitary sewer and paving. Mr. Fleming said that he expected it would be another month or more before the Commission would receive this information again.

The motion carried unanimously. (5-0)

5. Discuss/take action regarding approval of Final Plat submission and accompanying construction plans for SH-105 Retail Center.

Mr. Fleming said that he reviewed the Final Plat and accompanying construction drawings and offered no objections to them. Mr. Fleming stated that the construction drawings have been filed with the City Secretary and are available for viewing. Mr. Fleming said that before the plat is put into Mylar format, there are a few typographical errors that will be corrected.

Carol Langley asked how people will enter the piece of property. Mr. Fleming said that the property shows curb cuts on Lone Star Parkway and SH 105. Mr. Fleming said that there is an existing access easement off of SH 105. Mr. Fleming said that they do meet the minimum spacing requirements for the driveway.

Jeffrey Waddell said that now that Mr. Fleming is getting more accurate data from FEMA, with regarding to the 100 year flood plain, and now they are including the 500 year Flood Plain. Jeffrey Waddell said that in the 100 year flood plain, he guessed that they could not put in fill dirt, but with a 500 year flood plain he would not think that would be an issue. Mr. Fleming said that per the City Code, the developer was required to show the extent, if any, the 100 year flood plain encroaches on the property. Mr. Fleming said that the parcel that wraps around behind this development and comes around the front, on SH 105, has some low areas, where a large portion is in the flood plain or floodway. Mr. Fleming said as that tract develops, they will pay very close attention, and they will have more work to do in terms of fill, permits, etc., in order to develop that property.

After discussion, Jeffrey Waddell moved to approve the Final Plat submission and accompanying construction plans for SH-105 Retail Center. William Simpson seconded the motion, the motion carried unanimously. (5-0)

## **ADJOURNMENT**

Arnette Easley moved to adjourn the meeting at 6:46 p.m. William Simpson seconded the motion, the motion carried unanimously. (5-0)



Submitted by:

*Susan Hensley*

Susan Hensley, City Secretary

Date Approved:

*10/24/16*

*Nelson Cox*

Chairman Nelson Cox

