

## MINUTES OF REGULAR MEETING

October 6, 2020

### MONTGOMERY PLANNING AND ZONING COMMISSION

#### CALL TO ORDER

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

Present: Britnee Ghutzman, Bill Simpson, Nelson Cox, Jeffrey Waddell, Carol Langley

Absent: None

Also Present: Dave McCorquodale, Assistant City Admin. / Director of Planning & Development  
Chris Roznovsky, Jones & Carter, City Engineer

#### VISITOR/CITIZENS FORUM

Dr. Tom Kozak, a resident of Waterstone on Lake Conroe, spoke to the Commission regarding concerns related to the proposed Town Creek Crossing development upstream of the Buffalo Springs Drive bridge. His specific concern, along with other residents of Waterstone, is the drainage impacts downstream of the bridge where homeowners have been in legal proceedings to force the developer clean the silted-in canals. The city engineer explained the developer was currently working on a drainage study for the development which will identify any improvements needed to mitigate any increase in runoff from the development. Dr. Kozak suggested a siltation filtering device be required to prevent any future silting in of the canals.

#### **1. Consideration and possible action regarding regular meeting minutes of August 4, 2020.**

Bill Simpson moved to approve the minutes with striking the word “always” from Jeffrey Waddell’s comments under Commission Inquiry. Jeffrey Waddell seconded the motion, the motion carried unanimously. (5-0)

#### **2. Consideration and possible action on construction plans for Hills of Town Creek Section Four.**

The city engineer discussed the item and explained the timeline of the project. The compensating green space provided was discussed and the pocket park adjacent to the detention pond. Additional greenspace was provided to preserve a grouping of oak trees. The engineer and staff discussed

requiring plans for the pocket park prior to approval of the final plat of the subdivision, requiring a maintenance agreement between the apartments and Section Four for the detention pond. Jeffrey Waddell inquired about the perimeter fencing of the park, subdivision drainage, and the park access from the street.

Jeffrey Waddell moved to approve the construction plans with the city engineer's recommendations of providing park plans and inclusion of a perimeter fencing plan for the open space park area. Bill Simpson seconded the motion, the motion carried unanimously. (5-0)

3. **Consideration and possible action on a proposed driveway expansion at 415 Houston Street, a City-designated Historic Landmark.**

Staff introduced the item and Ms. Traver answered questions about the proposed project.

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

4. **Consideration and possible action on a proposed sign at 202 McCown Street, Suite B located in the Historic Preservation District.**

Staff introduced the item and the owner explained she bought the business from the previous owner and wants to ensure that the business signage reflected more of a focus on a coffee shop and less on boutique items.

Jeffrey Waddell moved to approve the sign as presented. Britnee Ghutzman seconded the motion, the motion carried unanimously. (5-0)

5. **Consideration and possible action on a proposed Special Use Permit request for 14348 Liberty Street by Cornerstone Community Church.**

Staff introduced the item and explained the church had inquired about leasing the space in downtown to hold weekly services as well as serve as an internet café and gathering space during the week. Mr. Gerald Coleman, an elder of the church, was on the call to answer questions. Jeffrey Waddell spoke to issues that may arise with parking, service hours, and parking in downtown. Mr.

Coleman stated he had looked at the parking needs of his congregation related to what's available downtown on Sunday mornings. He said he had spoken with the county fire marshal's office to determine occupancy requirements for the building. Jeffrey Waddell inquired about the distance between churches and places that serve alcohol. Britnee Ghutzman stated that her concern is that the highest and best use of the commercial zoning on a major corridor in the downtown district is not an institutional use. Jeffrey Waddell concurred with that statement. Staff stated additional answers were needed on the proximity of alcohol sales near churches. Mr. Coleman stated their understanding was that any new alcohol permits would need a variance if they were located within 300-feet of a church. Carol Langley suggested tabling the item until the Commission had the answers in question.

Carol Langley moved to table the item pending additional information about TABC rules and city ordinance requirements regarding the proximity of churches and establishments that serve alcohol. Jeffrey Waddell seconded the motion, the motion carried unanimously. (5-0)

6. **Consideration and possible action regarding the following exterior modifications at the Wings Over Montgomery restaurant, located at 14335 Liberty Street in the Historic Preservation District:**
- a. **Wood deck approx. 5' x 26' x 1' ht on south side of building (existing)**
  - b. **Metal fence approx. 50' long x 6-ft ht on back side of building (existing)**
  - c. **Outdoor walk-in cooler approx. 6' x 6' x 8.5' ht on back of building (existing)**
  - d. **Exterior front façade lighting above porch to illuminate wall sign (existing)**
  - e. **Emergency generator located at the back of the building (proposed)**

Staff introduced the item, and the owners were in attendance to answer questions about the item. Bill Simpson stated that the issue was that these items should have been presented in the middle of the summer before the work was done and not in October.

Bill Simpson moved to approve items "a" through "e" at 14335 Liberty Street with the comments made on each item such as pulling permits, following ordinance requirements, etc. Carol Langley seconded the motion, the motion carried unanimously. (5-0)

7. Consideration and possible action regarding the following exterior modifications at 504 Caroline Street in the Historic Preservation District:

- a. Phone booth (existing)
- b. Parking lot (existing)
- c. 3-ft ht wood picket fence (382 linear feet)(proposed)
- d. 6-ft ht metal privacy fence (90 linear feet) (proposed)
- e. 600 sqft cottage (proposed)
- f. 2<sup>nd</sup> story living area on main home above front porch (proposed)

Staff introduced the item and the city engineer explained the parking lot would need to go through the development plat process like a comparable project would. He Jeffrey Waddell inquired about the concern of the distance between the Caroline St & FM 149 intersection and the parking lot entrance. The city engineer said they would be addressing that point in the review process.

Bill Simpson moved to approve items “a” through “f” contingent on following all City construction and development requirements for the property. Jeffrey Waddell seconded the motion, the motion carried unanimously. (5-0)

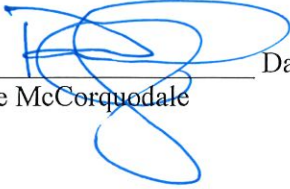
Commission Inquiry

Chairman Cox stated that he would not be seeking reappointment to the Commission, and Bill Simpson also expressed a desire to see someone else from the community be willing to serve after his own term expires.

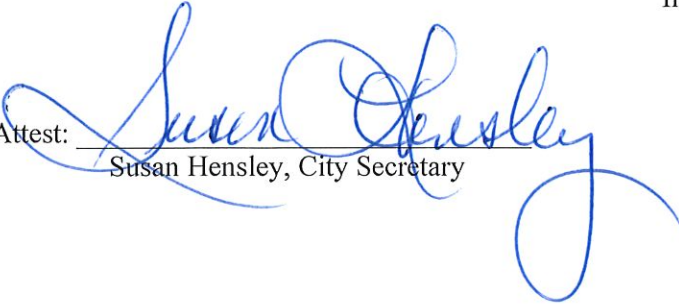
Jeff Waddell asked for a discussion on ordinance requirements for unpermitted banner signs in the City since the number of them looks to be increasing.

Adjournment

Bill Simpson moved to adjourn the meeting at 7:36 p.m. Carol Langley seconded the motion, the motion carried unanimously. (5-0)

Prepared by:  Date approved: 11/03/2020  
Dave McCorquodale

  
Interim Chairman Jeffrey Waddell

Attest:   
Susan Hensley, City Secretary

