

MINUTES OF REGULAR MEETING

June 1, 2021

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Waddell declared a quorum was present and called the meeting to order at 6:04 p.m.

Present: Jeffrey Waddell, Merriam Walker, Allyson Clark

Absent: Britnee Ghutzman

Also Present: Dave McCorquodale, Assistant City Admin. / Director of Planning & Development

Chris Roznovsky, PE, Engineer for the City

Katherine Vu, PE, Engineer for the City

VISITOR/CITIZENS FORUM

No comments were given.

1. Consideration and possible action regarding regular meeting minutes of May 4, 2021.

Allyson Clark moved to approve the minutes as presented. Merriam Walker seconded the motion, the motion carried unanimously. (3-0)

2. Consideration and possible action regarding a variance request to the vegetative setback requirements of Section 78-162(a) of the City Code of Ordinance for Commercial Reserve "D" in Town Creek Crossing Section One as submitted by LeFevre Development, Inc.

Staff introduced the item and explained that a 25-foot vegetative setback is required when commercial property adjoins single-family residential property. The applicant is requesting to locate the 25-foot vegetative setback on the residential lots adjacent to the commercial property. Chris Roznovsky described the location of the properties and that the commercial property is approximately 7-feet higher than the adjacent residential lots, which are being made 25-feet longer than other lots in the subdivision to accommodate the 25-foot setback. Mr. Roznovsky explained this change would allow the commercial property to place their visual barrier / fence at the top of the hill where it would provide more screening for the residential lots below. Merriam Walker asked who would benefit from the

change—the commercial property or the residential properties. Mr. Roznovsky said he felt the residential lots would benefit more than the commercial property. Ms. Walker asked if this change would affect drainage onto the residential lots. Mr. Roznovsky stated the change would not affect drainage between the properties and that a visual barrier would still be required on the commercial property line. Merriam Walker asked if the property has been already platted. Mr. Roznovsky said the property has not been platted yet. Merriam Walker asked if the homeowners who bought these lots would know about the 25-foot vegetative setback. Mr. Roznovsky stated it would show up on the recorded plat of the subdivision and also on the surveys of the individual lots. Mr. Roznovsky stated that if the slope did not exist the variance would not make sense. Mr. Waddell stated the homeowners might be paying more taxes on the additional land and would they have restrictions on what they can do with the land. Mr. Roznovsky stated the setback would be similar to other building lines on residential property but they could use the space for lawn, plantings, etc. Merriam Walker asked if all the rest of the lots could build up to the fence. Mr. Roznovsky stated all residential lots have a rear building line set back from the property line. Allyson Clark asked if the LeFevres owned the other corner parcels at the intersection. Mr. McCorquodale stated they own two of the other three corners at the intersection of Buffalo Springs Drive and Lone Star Parkway. Ms. Clark stated she had drainage concerns about the development of the area and pointed out the street culvert being installed and stated Town Creek was getting additional runoff from the development. Mr. Roznovsky stated the other property in the area was not covered by the drainage study done for this subdivision. Ms. Clark asked how the drainage from the adjacent properties would affect this property. Mr. Roznovsky stated the adjacent properties would have to do their own drainage studies to account for their runoff. Merriam Walker stated she still had questions on who benefits from this variance and how the City is improved if this variance is approved. Mr. Roznovsky stated if the variance is approved the fence will better screen the residential properties from the commercial property because it will be at the top of the hill between the two properties and the elevation change or hill is the only reason they are recommending approval of the variance.

Allyson Clark moved to recommend to City Council approval of the variance request contingent on the applicant providing an updated exhibit drawing better explaining the elevation change issue. Merriam Walker seconded the motion, which carried unanimously. (3-0)

3. Consideration and possible action regarding recent exterior painting for Southern Roots Salon located at 14275 Street in the Historic Preservation District. (Tabled at the May 4, 2021 meeting)

Staff introduced the item and noted Mr. Carl Reed was in attendance if the Commission wanted to ask him for clarification on the request. Merriam Walker asked if the stain on the porch and the paint on the building was in its final form and no more changes were planned. Mr. Reed stated the colors were final and a back porch would be rebuilt to comply with insurance company requirements. Mr. Reed stated the porch stain was supposed to be clear but reacted with the wood and came out a dark color. Jeffrey Waddell stated the ordinance prohibits fluorescent and metallic colors, and the black building color is not prohibited by the ordinance. Mr. Reed stated he did not know the Historic Preservation District guidelines or that he needed approval to change the paint color on his building. Ms. Walker asked Mr. Reed to clarify the connection to the Masonic Lodge he mentioned in his submittal. Mr. Reed said the location of the property was the former Masonic Lodge before it burned down and he currently rents the property from the Montgomery Historical Society. He stated the color black has ties to the history of the Masonic organization. Ms. Walker asked Mr. Reed if he clearly understood the requirements of the Historic Preservation District and that he would be maintaining the building in the future. Allyson Clark stated her only concern was that the applicant was coming for approval after the work was done and she was appreciative of Mr. Reed being in attendance.

Allyson Clark moved to approve the building color as presented. Jeffrey Waddell seconded the motion, the motion carried unanimously. (3-0)

4. **Consideration and possible action regarding replacing two existing wall signs and one existing freestanding sign for In Stitches Drapery located at 14427 Liberty Street in the Historic Preservation District.**

Staff introduced the item and noted Mr. Tom Hoyt was in attendance representing the owner. Mr. McCorquodale noted the two wall signs were simply replacements of the existing signs that would be allowed without P&Z approval, but since the applicant was requesting a different design of freestanding sign that what is currently there staff wanted to present all the information at hand. Merriam Walker asked if the proposed signs were in compliance with the sign ordinance and staff confirmed they were. Allyson Clark noted the vertical design of the proposed freestanding sign would improve visibility along the roadway. Mr. Hoyt stated the sign would also be moved slightly further from the road which would also improve visibility for cars on Liberty Street. Merriam Walker asked to confirm the material

of the sign. Staff noted the application stated “ACM” which stands for Aluminum Composite Material and the wood posts would be treated.

Merriam Walker moved to approve the signs as presented. Allyson Clark seconded the motion, which carried unanimously. (3-0)

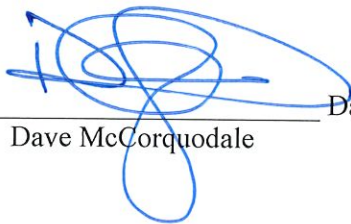
Commission Inquiry

None.

Adjournment

Allyson Clark moved to adjourn the meeting at 7:08 p.m. Merriam Walker seconded the motion, the motion carried unanimously. (3-0)

Prepared by: _____



Dave McCorquodale

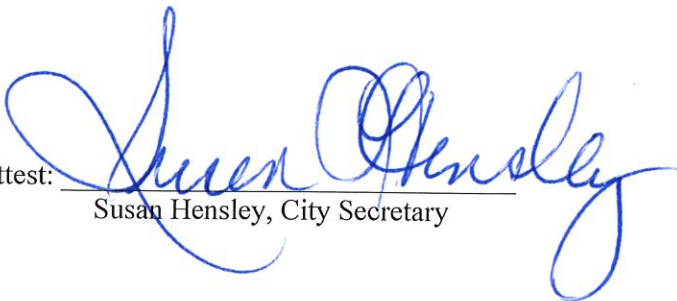
Date approved: _____

07/20/2021

Chairman Jeffrey Waddell



Attest: _____



Susan Hensley, City Secretary

