

MINUTES OF REGULAR MEETING

March 7, 2023

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

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

Present: Jeffrey Waddell
William Simpson
Britnee Ghutzman
Daniel Gazda
Merriam Walker

Also Present: Dave McCorquodale, Assistant City Administrator
Katherine Vu, PE
Chris Roznovsky, PE

VISITOR/CITIZENS FORUM:

Mr. McCorquodale stated that he had not received anything for citizen comment.

CONSIDERATION AND POSSIBLE ACTION:

1. **Approval of the February 7, 2023 Regular Meeting Minutes.**

Bill Simpson moved to approve the minutes as presented. Merriam Walker seconded the motion.
Motion Passed (5-0).

2. **Consideration and possible action on calling Public Hearings to be held on April 4, 2023 related to a rezoning request by Cornerstone Community Church at 14740 Liberty Street, Montgomery, Texas.**

Mr. McCorquodale introduced this item by stating that the Cornerstone Community Church has acquired 1/3-acre of property next to their church which is currently zoned as Single Family Residential. The Church is asking to rezone the property to Institutional.

He went on to explain that the first step in the rezoning process is to hold a public hearing, if the commission were to call the public hearing it would be held at the next Planning and Zoning Commission meeting April 4, 2023.

Jeff Waddell asked Mr. McCorquodale to confirm that the usual letters are mailed to those this rezoning could impact within a certain distance.

Mr. McCorquodale informed the commission that a legal notice would be published in the paper and that notification letters are mailed to property owners within 200-feet of the subject property.

The Commission held a brief discussion with Mr. McCorquodale regarding the existing parking lot and whether the church is considering expanding it. Staff did not have information on future site plans for the church property.

William Simpson moved to call the two public hearings as required. Britnee Ghutzman seconded the motion. **Motion Passed (5-0).**

3. Consideration and possible action regarding approval of replat of Restricted Reserve "H2" of the Amended Plat of Buffalo Springs Shopping Center Phase 2.

Mr. McCorquodale introduced the City Engineers to provide the information.

Ms. Katherine Vu presented the item to the Commission and explained that Dutch Bros will be coming, however, the land is platted as one reserve. In order for Dutch Bros to proceed, the land needs to be a divided into two reserves which requires an Amended Plat.

Jeff Waddell mentioned the extensive subsurface drainage being installed on site as part of the Popeye's restaurant construction. Merriam Walker asked whether the city has control of the architectural details of the buildings through zoning regulations. She also asked about high volume of traffic in and out of the Popeye's and Dutch Bros.

The city engineers provided details on the drainage for the site. Mr. McCorquodale said the city cannot regulate architectural materials. He went on to say that before 2019 the city had a Corridor Enhancement District that allowed for regulation of building materials along the main corridors of town. He mentioned that the city can control the architectural design within the Historic Preservation District. Staff and the engineers affirmed that neither site had direct access to SH 105 / Eva Street. Additional discussion was had on a proposed stop light in the area and adjacent property development.

William Simpson moved to approve the Amended Plat of Buffalo Springs Shopping Center Phase 2. Daniel Gazda seconded the motion. **Motion Passed (5-0).**

4. Consideration and possible action regarding approval of the Preliminary Plat for Montgomery Bend Section One.

Katherine Vu presented the item to the Commission. She stated this is also known as the Mabry Tract, these are the preliminary plats for the first two sections. She highlighted items for the Commission to be aware of:

- They are in a development agreement between the developer and the City which allows them to have 45ft wide lots, with a 5ft side yard setback.
- The side yard setback of 5-feet was approved by Council and added as an amendment to the Development Agreement. Approval conditions were that no AC's etc. would be installed within the 5-foot side yard.

Merriam Walker inquired if there was an ordinance governing installing AC units on a roof. She also inquired what action the Planning and Zoning Commission was to take if this had been approved by Council.

Mr. McCorquodale said there was no restriction against placing an AC on the roof of the home. Mr. McCorquodale said the action before the Commission was to approve or deny the Preliminary Plats, and that City Council had approved the Development Agreement.

William Simpson moved to approve the Preliminary Plat for Montgomery Bend Section One as presented. Daniel Gazda seconded the motion. **Motion Passed (5-0).**

5. Consideration and possible action regarding approval of the Preliminary Plat for Montgomery Bend Section Two.

Katherine Vu informed the Commission that this is the same as the previous item, but a different section. The same approval is needed for this Preliminary Plat.

Daniel Gazda moved to approve the Preliminary Plat for Montgomery Bend Section Two as presented. William Simpson seconded the motion. **Motion Passed (5-0).**

6. Consideration and possible action on a recommendation to City Council on minimum lot width, minimum lot area, and side yard setback requirements for R1-Single Family Residential zoning districts within the City of Montgomery.

Mr. McCorquodale introduced this item and said both the City Council and P&Z Commission have expressed interest in reducing the number of variance requests related to single family neighborhood development in the City. He went on to say that the current city regulations for single family neighborhoods had not undergone a comprehensive update in a number of years and the housing market had changed from when the regulations were put in place.

The City Council has asked staff to update these regulations with an emphasis on amending the lot width. Staff was currently proposing a 15-foot reduction from the current 75-foot minimum lot width. The proposed minimum lot width would be 60-feet with a 5-foot side yard on both sides of the lot. He then asked for questions or comments from the Commission.

Bill Simpson asked to confirm the intent was to allow for a 60-foot minimum lot without the need for a variance. Mr. McCorquodale said that was correct. He added that the city's minimum lot width affects the economics of home building and home prices. Lot width is directly related to home prices and if the city wanted to encourage higher-priced home prices then a larger lot size would be a way to achieve that. He believed that City Council wanted to find a balance between affordable housing and a minimum lot size that would not result in only high-density neighborhoods in the city.

Jeff Waddell said he recognized that the housing market should be considered when discussing minimum lot sizes. He also mentioned the requirement for no equipment in the size yard and he had concerns on locating AC and similar equipment in the back yards of homes. Mr. McCorquodale said builders would not be required to locate the equipment in the back yard by designing homes that would accommodate room for equipment in the side yard without encroaching over the setbacks. He referred to the agenda packet and noted the building lines shown on the diagrams were a maximum width of the building envelope. He mentioned that while the proposed 60-foot minimum lot width was a 20% reduction in lot width, allowing 5-foot side yards instead of the current 10-foot side yards meant the building envelope was only being reduced by 10%.

Jeff Waddell said his preference was a 7.5-foot side yard as a balance between 10-foot and 5-foot. Bill Simpson asked for Council's position on the 5-foot side yard without equipment and said that he felt that a 5-foot side yard was too narrow. Merriam Walker agreed. Mr. McCorquodale said that an

additional tool would be to consider adding a townhome zoning district that developers could integrate into developments to allow for a wider range of housing types and provide options for home buyers. Merriam Walker asked if this was for new developments or would existing neighborhoods be able to have townhomes between two existing houses. Staff said the property owner would have to go through the rezoning process to do it, but it would be possible if deed restrictions allowed it. Merriam Walker asked who was requesting the change. Mr. McCorquodale said the City Council had asked staff to make the change and that he had requested to bring it to the P&Z for review and recommendation. Britnee Ghutzman said she would like to see more of a study of different neighborhoods to make a more informed decision. Merriam said there were different demographics moving to the city and she would like to see different housing types so people have options. Mr. McCorquodale also said that allowing Accessory Dwelling Units (ADU's) like garage apartments or mother-in-law suites provide more housing options and allow homeowners to also have the option to earn income on properties.

Mr. McCorquodale said the direction he was getting was to bring more information back to the P&Z for further discussion. Bill Simpson said he didn't want to rush into a decision and wanted to make sure the city evaluates the information carefully. He said he would bring back examples of neighborhood design to illustrate different options. Mr. McCorquodale requested that the Commission table the item and ask staff to bring more information back.

Merriam Walker moved to table the item and requested staff to bring additional information back for review. William Simpson seconded the motion. **Motion Passed (5-0).**

COMMISSION INQUIRY:

Merriam Walker asked about the Amish Cheese sign that was tabled at the last meeting. Staff said the owners were contacted about the sign to provide more information, but the applicant had not reapplied or provided more information on the proposed sign.

Jeff Waddell asked if there had been any further discussion on the property near Lone Star Parkway and FM 149. Katherine Vu said she'd spoken to the developers recently who were still working on preliminary design but were moving forward.

ADJOURNMENT

Britnee Ghutzman moved to adjourn the meeting at 6:45 p.m. Merriam Walker seconded the motion, the motion carried unanimously. (5-0)

Prepared by: 
Nici Browe, City Secretary

Date Approved: 5/2/2023


Chairman Jeffrey Waddell

Attest: 
Nici Browe, City Secretary