NOTICE OF REGULAR TELEPHONE/VIDEO CONFERENCE MEETING

July 7, 2020

MONTGOMERY PLANNING AND ZONING COMMISSION

STATE OF TEXAS AGENDA

COUNTY OF MONTGOMERY

CITY OF MONTGOMERY

NOTICE TO THE PUBLIC IS HEREBY GIVEN in accordance with the order of the Office of the Governor issued March 16, 2020, the Montgomery Planning and Zoning Commission will conduct its Regular Meeting scheduled for **6:00 p.m. on Tuesday, July 7, 2020**, at City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas via Zoom Teleconferencing.

This meeting will be closed to in-person attendance by the public. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. Telephonic and videoconferencing capabilities will be utilized to allow individuals to address the Commission. Members of the public who wish to submit their written comments on a listed agenda item must submit their comments by email to dmccorquodale@ci.montgomery.tx.us by 3:00 p.m. on July 7, 2020.

Members of the public are entitled to participate remotely via Zoom Teleconferencing. Citizens may join the Zoom Meeting by logging on at: https://us02web.zoom.us/j/81162420826 Meeting ID: 811 6242 0826. They may also join by calling (346) 248-7799 and entering the Meeting ID: 811 6242 0826. The Meeting Agenda Pack will be posted online at www.montgomerytexas.gov. The meeting will be recorded and uploaded to the City's website the following day.

Notice - any person(s) using profane, abusive, or threatening language may result in them being removed from the Teleconference Meeting.

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. The Commission may not discuss or take any action on any item but may place the issue on a future agenda.

CONSIDERATION AND POSSIBLE ACTION:

- 1. Consideration and possible action regarding regular meeting minutes of June 2, 2020.
- 2. Consideration and possible action regarding exterior modifications for the historic home located at 504 Caroline Street in the Historic Preservation District, as submitted by owner Damon Haynes.
- 3. Consideration and possible action regarding an outdoor seating deck and new front façade wall built at the currently-under-construction Wings Over Montgomery restaurant, located at 14335 Liberty Street in the Historic Preservation District, as submitted by owner Damon Haynes.

- 4. Consideration and possible action regarding a sign application for K's Innovations Station, located at 304 John A. Butler in the Historic Preservation District, as submitted by Kyla Roan.
- Consideration and possible action regarding a sign application for Beauty Babes, located at 305
 Prairie Street in the Historic Preservation District, as submitted by Dusty Eckmann & Megan
 Schneider.
- 6. Update on previously-approved Hills of Town Creek Section Four compensating open space.

COMMISSION INQUIRY:

Pursuant to Texas Government Code Sect. 551.042 the Planning & Zoning Commission may inquire about a subject not specifically listed on this Agenda. Responses are limited to recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place on the agenda of a future meeting.

EXECUTIVE SESSION:

The Planning and Zoning Commission reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding real property),551.073 (deliberation regarding gifts), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas. (*There are no items at this time*.)

ADJOURNMENT

ONT GOMES IEXAS

Susan Hensley, City Secretary

I certify that the attached notice of meeting was posted on the bulletin board at City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas, on the 2nd day of July 2020 at 3:00 o'clock p.m. I further certify that the following news media was notified of this meeting as stated above: The Courier

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 & PUBLIC HEARINGS

JUNE 2, 2020

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Cox declared a quorum was present and called the meeting to order at 6:01 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

VISITOR/CITIZENS FORUM

No comments.

1. Consideration and possible action regarding regular meeting minutes of May 5, 2020.

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

2. Consideration and possible action on a proposed carport structure located at 415 Houston Street, a City-designated Historic Landmark, as submitted by owner Tani Traver.

Staff introduced the item and explained that the owner, Ms. Tani Traver, previously submitted a carport proposal to the P&Z and did not receive approval. Ms. Traver wanted the opportunity to look at another proposal and talk with the Commission about what could be approved for a structure. Ms. Traver explained she has looked at various options for the carport location and construction types that ultimately were unfeasible due to cost negative impacts on the property. She explained she needs a place to park her small motorhome and pickup truck, and having a carport will fill that need. After reviewing the location options with the Commission and the merits of the proposal, the Commission and the owner agreed on a solution for a 24-foot by 24-foot metal carport to match the house in color located on the north side of the house facing Houston Street and set back behind the existing 4-foot tall while side yard fence. The Commission and owner agreed that the carport can be made smaller in size if needed.

Bill Simpson moved to approve the proposed carport as discussed. Jeffrey Waddell seconded the motion, the motion carried unanimously. (5-0)

3. Consideration and possible action on a proposed property fence for Hodge Podge Lodge located at 300 Prairie Street in the Historic Preservation District, as submitted by owner Jeffry Angelo.

Staff introduced the item and explained that the improvements had already been made by the owner and this was a post-construction review. Staff explained the sale of an adjacent property, combined with the business closures caused by COVID-19, may have caused the owner to feel rushed to make the improvements without first getting P&Z approval. There is a new privacy fence on the north and south property lines along with a new pervious parking surface in the parking area adjacent to Prairie Street. Staff explained the City was working with the owner to ensure they follow all development regulations for the improvements. The Commission reiterated the need for all applicants to follow the City's process and receive approval prior to constructing improvements.

Bill Simpson moved to approve the already-built fence and parking lot resurfacing as presented. Jeff Waddell seconded the motion, the motion carried unanimously. (5-0)

4. Consideration and possible action on a Preliminary Report for the Hills of Town Creek Section Four rezoning request from B – Commercial to R1 – Single-Family Residential.

Staff reviewed the rezoning request and the draft of the preliminary report.

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

PUBLIC HEARING

Convene into Public Hearing for the purpose of giving all interested persons the right to appear and be heard regarding the following:

5. Presentation of the Preliminary Report for The Hills of Town Creek Section Four rezoning request from B - Commercial to R1 - Single-Family Residential; and

6. Rezoning request for The Hills of Town Creek Section Four, an 8-acre parcel of land located at the intersection of Emma's Way and Scenic Hills Court, currently zoned B - Commercial to be rezoned R1 - Single-Family Residential, as submitted by Chris Cheatham / The Hills of Town Creek, LLC.

Chairman Cox convened the Public Hearing at 6:45 p.m.

No public comments were received.

Chairman Cox adjourned the Public Hearing and reconvened into Regular Session at 6:47 p.m.

7. <u>Discussion and possible action on public comments received from the Public Hearing on the Preliminary Report of the rezoning request.</u>

No action taken.

PUBLIC HEARING

Convene into Public Hearing for the purpose of giving all interested persons the right to appear and be heard regarding the following:

- 8. <u>Presentation of the Preliminary Report for The Hills of Town Creek Section Four rezoning</u>
 <u>request from B Commercial to R1 Single-Family Residential; and</u>
- 9. Rezoning request for The Hills of Town Creek Section Four, an 8-acre parcel of land located at the intersection of Emma's Way and Scenic Hills Court, currently zoned B Commercial to be rezoned R1 Single-Family Residential, as submitted by Chris Cheatham / The Hills of Town Creek, LLC.

Chairman Cox convened the Public Hearing at 6:49 p.m.

No public comments were received.

Chairman Cox adjourned the Public Hearing and reconvened into Regular Session at 6:50 p.m.

10. <u>Discussion and possible action regarding preparation of a Final Report of the rezoning</u> request for Hills of Town Creek Section Four.

Staff introduced the item and a draft of the Final Report.

Carol moved to approve the draft of the Final Report. Bill Simpson seconded the motion, the motion carried unanimously. (5-0)

Commission Inquiry

Commissioner Jeffrey Waddell asked for an update on the freestanding sign request at Best Donuts. Staff explained they met with the business owners and discussed submittal requirements.

Adjournment

Jeffrey Waddell moved to adjourn the meeting at 6:58 p.m. Bill Simpson seconded the motion, the motion carried unanimously. (5-0)

Prepared b	Dave McCorquodale	ate approved:
		Chairman Nelson Cox
Attest:	Susan Hensley, City Secretary	

Meeting Date: July 7, 2020	Budgeted Amount: N/A		
Prepared By: Dave McCorquodale	Exhibits: Site photo, preliminary site plan		

Subject

Consideration and possible action regarding exterior modifications for the historic home located at 504 Caroline Street in the Historic Preservation District, as submitted by Damon Haynes.

Description

The owner of the adjacent and currently-under-construction Wings Over Montgomery restaurant has also acquired 504 Caroline Street, the historic home on the large lot south of the restaurant. His immediate plans are to address maintenance needs on the exterior of the building:

- Repainting the house in a white wall / black trim "farmhouse style" to match the restaurant.
- Glazing windows & caulking to weatherproof the structure.
- Address any drainage or access issues under the house.
- Goal is to stabilize the house's exterior and work slowly on the interior.

Mid- and long-term plans for the property include:

- Pave a parking lot that will serve the restaurant and house with access on Caroline and Pond Streets.
- Remodel the interior of the house (archeologically aware during demo)
- Use as a place to house his grandfather's memorabilia, who was a prominent Houston attorney
- Rebuild the outbuilding/cottage seen in a historic photo that was on the corner of Caroline & Pond St.

Recommendation

Consider the proposed exterior modifications and act as you see fit.

Approved By		
Asst. City Administrator	Dave McCorquodale	Date: 07/02/2020





504 Caroline Street

504 Caroline Street







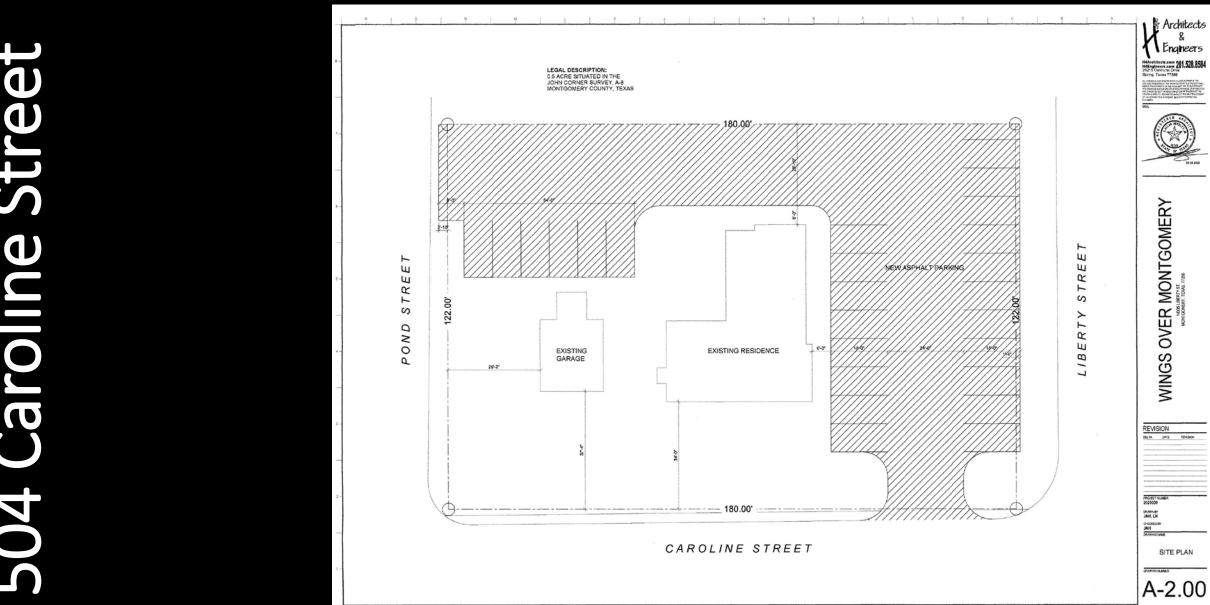


504 Caroline Street





Working Site Plan



Meeting Date: July 7, 2020	Budgeted Amount: N/A		
Prepared By: Dave McCorquodale	Exhibits: Photos, site plan		

Subject

Consideration and possible action regarding an outdoor seating deck and new front façade wall built at the currently-under-construction Wings Over Montgomery restaurant, located at 14335 Liberty Street in the Historic Preservation District, as submitted by Damon Haynes.

Description

As you remember, P&Z previously approved repainting this building, along with handrail modifications and a sign above the front porch. During construction, additional work was done outside the scope of the original improvements and needs to be reviewed by the P&Z. The new work includes:

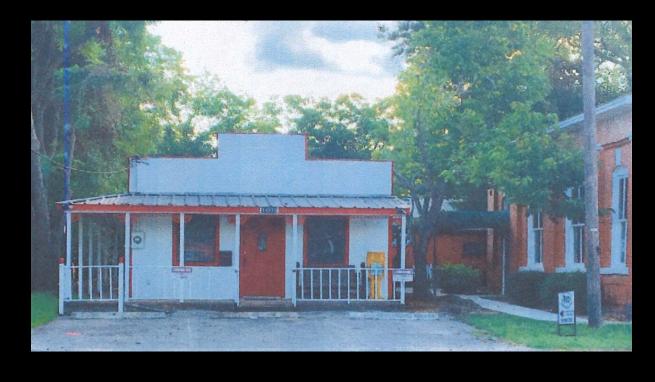
- Wood deck seating area added to the front of the building to expand on-site dining.
- Parapet wall above the front porch was found to be rotted; when replaced, it was built larger than the original.

The contractor and owner discussed the changes, and the contractor did not submit revised drawings for code review or P&Z approval.

Recommendation

Consider the proposed exterior modifications and sign and act as you see fit.

Approved By		
Asst. City Administrator	Dave McCorquodale	Date: 07/02/2020





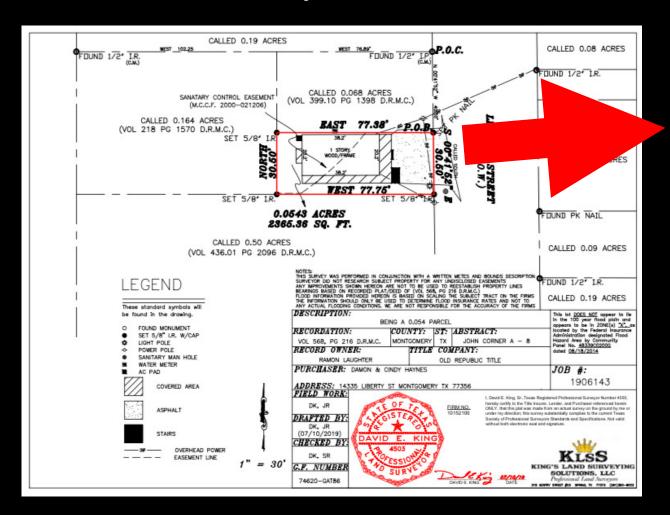
Wings Over Montgomery

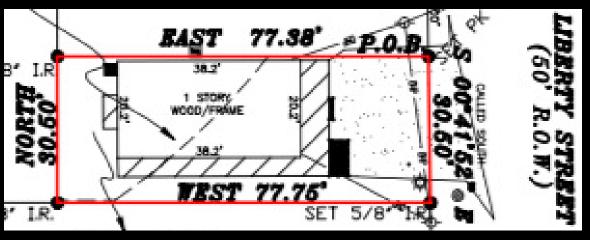




Wings Over Montgomery

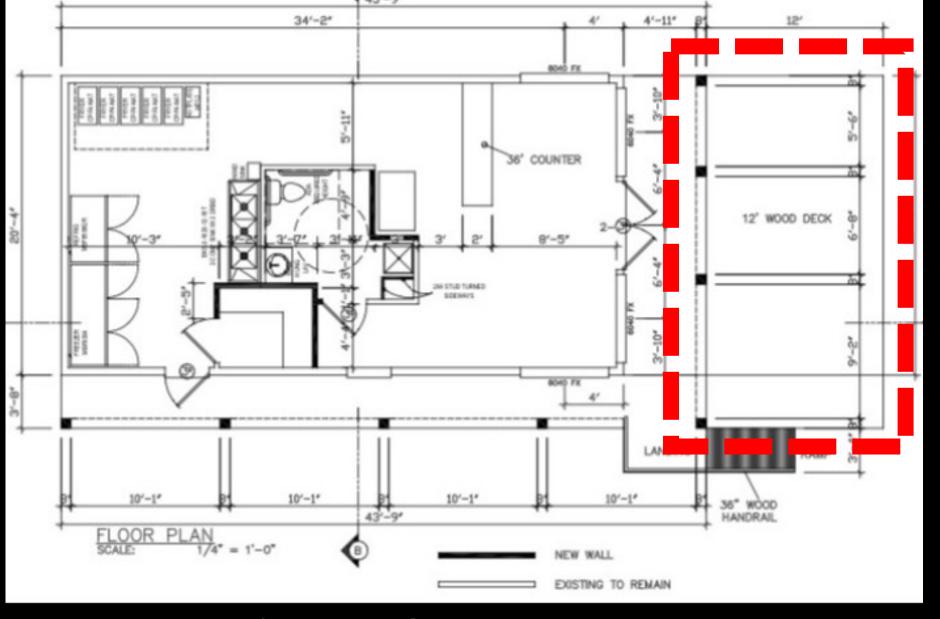
Site Survey





Wings Over Montgomery

Floor Plan



Wings Over Montgomery

Meeting Date: July 7, 2020	Budgeted Amount: N/A
Prepared By: Dave McCorquodale	Exhibits: Sign image, application

Subject

Consideration and possible action regarding a sign application for K's Innovations Station, located at 304 John A. Butler in the Historic Preservation District, as submitted by Kyla Roan.

Description

The Commission reviewed a sign for an upholstery business at this property several months ago, who have since vacated the space. The applicant owns a graphic design business. Staff granted a temporary approval of the sign during the COVID shutdown to allow the owner flexibility on opening dates.

Recommendation

Consider the proposed sign and act as you see fit.

Approved By		<u> </u>	
Asst. City Administrator	Dave McCorquodale	Tol	Date: 07/02/2020





Sign Permit Application

CITY OF MONTGOMERY

101 Old Plantersville Road Montgomery, Texas 77356 936-597-6434 permits@ci.montgomery.tx.us

SIGN PERMIT APPLICATION EXPIRES IN 180 DAYS (NON-TRANSFERABLE)

TEMPORARY SIGN?	YES NO	Permit: S05207136			
PERMANENT SIGN?	YES V NO	10111112: 00020 1100			
Pre-Existing OR Nev	Pre-Existing OR New Pre-Existing NEW V Date: 4/15/2020				
Jos Address: 304 John a butter s	t	BUSINESS NAME: K INNOVATIONS			
BUSINESS OWNER: Kyla Roan	MAILING ADDRES 7360 n fm	ss: TELEPHO 1486 Montgomery tx 9367774066	ONE:		
APPLICANT:	MAILING ADDRES 7360 n fm	ss: TELEPH 1486 Montgomery tx	ONE:		
CONTRACTOR LICENSE	(If electrical):				
IS THE SIGN IN THE HIS	TORIC PRESERVATION DISTRICT? YE	NO IS THE SIGN ILLUMINATED? YES	NO		
SIGN PLACEMENT: Middle of building	pic included	VALUATION:			
SIGN DESIGN & COLOR	SCHEME:				
Dust blues	er et television et e				
	SIGN TYPE	SIGN DIM			
FREESTANDING MONUI	MENT SIGN	SION HEIGHT	4'		
BUILDING WALL SIGN	~	SIGN WIDTH	6'		
BANNER		TOTAL SO FT			
OTHER		SET BACK			
LOI LINEAR FOOTAGE					
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or the performance of construction					
NAME: SIGNATURE: Kyla Roan					
OFFICE USE ONLY					
APPROVED		TOTAL FEE: V \$	20_		
DATE	05/11/2020				
COMMENTS: 30 Day TEMP. AFFROVAL FOR TEMP SIGH					
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CUSTOM INVITATIONS | GRAPHIC DESIGN | MADE TO ORDER ITEMS
DIY PAINTING AND ART | HAND PAINTED BIBLES | ETC
PERSONALIZED GIFTS!
KINNOV@YAHOO.COM

Insta: K_Innovations_ Facebook: KeInnovations Phone: 936.777.4066



Meeting Date: July 7, 2020	Budgeted Amount: N/A
Prepared By: Dave McCorquodale	Exhibits: Composite sign image

Subject

Consideration and possible action regarding a sign application for Beauty Babes, located at 305 Prairie Street in the Historic Preservation District, as submitted by Dusty Eckmann & Megan Schneider.

Description

The Commission reviewed a sign for this property several months ago, and the space has changed tenants. The applicant owns a makeup business and caters to the wedding industry and other markets. Staff granted a temporary approval of the sign during the COVID shutdown to allow the owner flexibility on opening dates. The signs are the same banner style as the previous signs were.

Recommendation

Consider the proposed sign and act as you see fit.

Approved By				
Asst. City Administrator	Dave McCorquodale	Dul	Date: 07/02/2020	



Meeting Date: July 7, 2020	Budgeted Amount: N/A		
Prepared By: Dave McCorquodale	Exhibits: Revised subdivision plan		

Subject

Update on previously-approved Hills of Town Creek Section Four compensating open space.

Description

The developer has submitted revised plans to the City and staff wanted to share the revisions that include compensating open space with the Commission.

Recommendation

Consider whether the revisions are consistent with your expectations at the time of approving the compensating open space variance and provide any necessary direction to staff.

Approved By				
Asst. City Administrator	Dave McCorquodale	D	Date:	07/02/2020



HILLS OF TOWN CREEK **SECTION 4**

PUBLIC IMPROVEMENTS: WATER, SEWER, ROADS, DRAINAGE (DEV NO. 2004)

9

ROBERTS CERTIFICATION.

REGISTERS CERTIFICAT

FIELD VERIFY ALL EXISTING CONDITIONS AND ELEVATIONS INCLUDING PAYENENT AND UTILITY TIE-INS PRIOR TO CONSTRUCTION. NOTIFY ENGINEER OF ALL DISCREPANCIES PRIOR TO BEGINNING ANY WORK.

TOLK NOTE:
TEXAS DEPARTMENT OF LICENSING AND REGISTRATION (TDLR)
NUMBER REQUIRED FOR ALL PROPOSED COMMERCIAL
BUILDINGS. **IF TDLR NUMBER IS NOT PRESENT, CLIENT IS
RESPONSIBLE FOR AQUIRING REGISTRATION NUMBER PRIOR
TO CONSTRUCTION.

LEGAL DESCREPTION: Being R3105 ceres (351.425 square leet) of land, out of the Remander of a called 73:205 acres, conveyed to Christian C. Cheatham and May F. Cheatham, by deed recorded under County Clerk's File Number (C.F.N.) 2003-005511 Ollical Public Records of Morngemery County, Foxas (O.P.R. MC.T.), said Beinjamn Rigby League, Abstract 31 and being more particularly described by metes and bounds às followed.

BEGINNING at a found 5/8 inch iron rod in the east right-of-way (R.O.W.) of Emma's Way, 80° public R.O.W., marking the northwest corner of Restricted Reserve A", The Hills of Town Creek, Section 1, recorded under Cabinet 2, Sheet 2346-2347 Map Records of Montgomery County, Texas (A.I.R. M.C.T.), also being the southwest corner of the herein described tract; THENCE along said east R.O.W. line and a curve to the RIGHT,

having a radius of 260.00 feet, a defta angle of 38°41'38°, and whose long chord bean Nerth 13°20'39° East, a distance of 17°22'78° leet, and a religiol of 17'52' feet to a set 52 flace of 12'22' fleet, for an art length of 17'52' fleet to a set 52 flace of 12'40' fleet of 12'40' fleet

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NORTH SIZE OF HWY 105.

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FLOODPLANE:

This site (gropped area) is situated in Zone "X" in
Montgomery County, Texas according to FLAM rang number
Montgomery County, Texas according to FLAM rang number
insight that the protective and the fast structure; thereon will be
free from flooding or flood darrage. This determination has
free from flooding or flood darrage. This determination has
been made by scaling the property on the referenced may and
is not the result of an elevation survey. This flood statement
shall not catest basility on the part of the surveyor.

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SHEET

COVER !

SOUARED ENGINEERING

PROJECT ADDRESS TLOME - WAY MONIGORING TURES

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10574 TOUR MCV CHECKED AS SHOWN 01



CITY OF MONTDOMERY, CITY ENGINEER BIGHATURE WILLD FOR CHE (1) YEAR

Sheet List Table

CONSTRUCTION NOTES & LEGEND

CRADING PLAN

PAVING DETAILS

OVERALL SITE PLAN AND PAYING PLAN

SCENIC HILLS COURT PLAN AND PROFILE STORM SEWER CROSSING PLAN AND PROFILE . COLEYS

MAGE & STORM SEWER PLAN 12 DRAINAGE CALCULATIONS - DRAINAGE CALCULATIONS

TEMPORARY STORM WATER POLLUTION PREVENTION PLAN

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PERHAMINENT STORM WATER POLLUTION PLAN

WATER AND SANITARY SEWER DETAILS

DRAINAGE AND STORM SEWER DETAILS

