

**Notice of Planning and Zoning Commission Regular Meeting
AGENDA**

November 07, 2023 at 6:00 PM

NOTICE IS HEREBY GIVEN that a Meeting of the Montgomery Planning and Zoning Commission Regular Meeting will be held on **Tuesday, November 07, 2023** at **6:00 PM** at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas.

Members of the public may download the agenda packet and view the meeting live on the City's website under Agenda/Minutes and then select **Live Stream Page (located at the top of the page)**. The meeting will be recorded and uploaded to the City's website.

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 an item but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

CONSIDERATION AND POSSIBLE ACTION:

- 1.** Consideration and possible action on the Regular Meeting Minutes of September 5, 2023.
- 2.** Consideration and possible action on the Regular Meeting Minutes of October 3, 2023.
- 3.** Consideration and possible action on calling a Public Hearing to be held on December 5, 2023 at 6:00 pm related to a rezoning request for approximately 3 acres of land near the intersection of Clepper Street and C.B. Stewart Drive from B-Commercial to I-Institutional.
- 4.** Consideration and possible action on exterior architectural accent lighting at 202 McCown Street in the Historic Preservation District, as submitted by Jim & Denise Czulewicz.
- 5.** Consideration and possible action on exterior modifications for the proposed Krawfish Kai restaurant located at 14335 Liberty Street in the Historic Preservation District, as submitted by Ryan Rott.
- 6.** Presentation of a proposed 96-acre estate lot single-family residential development as submitted by Gracepoint Homes.
- 7.** Consideration and possible action regarding a Preliminary Report on the city-initiated rezoning request of the property commonly known as 203 Prairie Street, Montgomery, Texas.
- 8.** Convene into a Public Hearing regarding the preliminary report on the city-initiated rezoning of the property commonly known as 203 Prairie Street, Montgomery, Texas.
- 9.** Consideration and possible action regarding a Preliminary Report on the city-initiated rezoning request of the property commonly known as 203 Prairie Street, Montgomery, Texas.

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.

ADJOURNMENT

/s/Nici Browe

Nici Browe, TRMC, 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 November 3, 2023 at 4:00 p.m.

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

September 5, 2023

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Waddell declared a quorum was present and called the meeting to order at 6:03 p.m.

Present: Jeffrey Waddell, Bill Simpson, Merriam Walker, Daniel Gazda, Britnee Ghutzman

Absent: None

Also Present: Dave McCorquodale, Director of Planning & Development

VISITOR/CITIZENS FORUM

None.

1. Approval of the Regular Meeting Minutes of August 1, 2023.

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

2. Consideration and possible action regarding a raised outdoor deck built without Commission approval at 504 Caroline Street in the Historic Preservation District.

Staff introduced the information in the packet and recalled the previous approval of the home renovation and noted the project contractors, Jake Butler and Josh Burns of Big Country Companies, LLC were in attendance to answer questions from the Commission. Messrs. Butler and Burns explained that they were the contractor responsible for the exterior improvements to the site that were part of the property renovations. Mr. Butler said they originally thought the deck was part of the building permit and that they had submitted the permit application packet to the City for review.

Merriam Walker asked if they contractors knew if the deck was not part of the original P&Z approval, and the contractors explained that they were not aware of a previous submittal to P&Z and that they were hired to do the construction work but weren't involved in the earlier stages of the project. Mrs. Walker asked additional questions about what information they were provided

when they were hired to do the project and Mr. Butler clarified that their company does design/build work and they were the designers of the deck and fence but were not told by the property owner that they needed a permit or P&Z approval. Mr. Butler added that the deck and fence designs were developed as the project progressed and were not part of the house renovation design work. Mrs. Walker noted that this was not the first time this property within the historic district has had issues with obtaining P&Z approval before making exterior improvements.

Bill Simpson asked for clarification on whether the property owner told the contractors that no permits were needed for the project. Mr. Simpson said the property owner should have been more involved in ensuring that the project had permits. Mr. Butler said that the onus is on them as the contractors to ensure that permits were pulled.

Merriam Walker noted examples of why city approvals are critical to ensure overall project compliance with various regulations. Jeff Waddell asked if they'd talked to the city building inspector, and the applicants noted that they had when he was on site for another inspection. Bill Simpson noted there could be safety concerns related to the height of the fence along Pond Street and visibility around the fence. Mr. Butler mentioned an additional picket fence that was planned on the other side of the driveway along Pond Street. Bill Simpson let the owners know not to start that fence prior to getting P&Z approval.

Bill Simpson asked if the contractors intended to leave the back side of the fence unfinished. Mr. Butler stated the street-facing fence would have pickets on both sides of the fence. Bill Simpson said while it's not on a street, the other portion of the fence backs up to someone else's property and doesn't look appealing.

Staff asked the Commission if they were ready to address the deck agenda item then they could continue the discussion about the fence on the next agenda item. Britnee Ghutzman asked what remedies for violations there are for this type of situation. Staff said there would be a double permit fee for work started without a permit. Merriam Walker asked about a round cement hole near the deck on the property and what the contractors planned for it. Mr. Butler said it was an old well and they would be cutting down the concrete ring and leveling it with the surrounding grade. Merriam Walker asked what material would be used to fill the well. Mr. Butler said the well is already mostly filled and once the concrete ring was removed they would use select fill (a mix of clay and sand used for house foundations) to fill the rest of the well and covered with topsoil.

Merriam Walker said to reiterate the issue is that the contractors are here after the fact and didn't get approval before doing the work.

Several Commissioners noted the importance of P&Z review and approval. The contractors noted they shared the goal of preserving history and many aspects of the project preserved historical materials that would be reused on the site. Mr. Burns said they simply jumped the gun on getting started and that they were committed to making things right, correcting anything that was needed, and moving forward with the project. The contractors said they understood that all exterior improvements planned for the property required P&Z approval.

Britnee Ghutzman asked if the contractors found Tomball's permitting process easier to understand in an effort to understand if we could improve our processes. Mr. Butler stated that Tomball was more difficult to work with and that there were issues with items not listed in their checklists.

After further discussion about the project and future plans, Merriam Walker asked if the contractors were clear that no additional work should be done before a full plan of proposed improvements is approved by the Commission.

Bill Simpson noted that the Commission and applicants should agree on the stain color at the same time as the fence item. Merriam Walker asked to confirm that the applicants are going to come back to P&Z with a full plan of all proposed exterior improvements.

Britnee Ghutzman moved to grant retroactive approval for the deck as presented. Dan Gazda seconded the motion, which carried unanimously. (5-0)

3. Consideration and possible action on a wood privacy fence built without Commission approval at 504 Caroline Street in the Historic Preservation District.

The Commission continued discussion with the same applicants regarding the same property. Bill Simpson said this was the same issue that was specifically about doing the work without getting P&Z approval before. The fence did not require a building permit, but still requires P&Z review and approval because it's visible from the public right of way.

Bill Simpson said the fence generally within the guidelines, but he may have asked for something different along the front if it were not already built.

Dan Gazda asked about the gap between the bottom of the fence and the existing grade. Mr. Butler said they would fill that area to raise the yard level to the bottom of the fence. Merriam Walker asked if there would be any parking there. The contractors said the ditch outside the fence was not part of the property and they were not doing any work in that area. Jeff Waddell asked to confirm the wood type used, and the contractors said it was Western Red Cedar. Mr. McCorquodale said

city staff had been communicating with the applicant's subcontractor who built the deck, but the fence was built by a different subcontractor who wasn't told by the applicants about the approval required in the Historic District. Bill Simpson said adding the check box on the building permit application is his suggestion to help communicate the steps needed.

The applicants mentioned a tree whose roots were damaged by an Entergy contractor. Merriam Walker asked if they planned on replacing the tree if it died. The applicants said they would, but it would be cost prohibitive to replace it with the same size as a mature tree. Discussion was had on removal of dead trees on the property.

Bill Simpson referred to page 16 of the packet to review the ordinance language. Merriam asked to confirm if the contractor planned for visitors to the property to enter on Caroline Street. The applicants affirmed that was correct and the Pond Street drive was a service entrance that they planned to have a gate across. The applicants also mentioned future plans for a 4-ft picket fence and stone bench in the backyard. Dan Gazda the improvements sounded good but a full site plan was needed.

After additional discussions between the Commission and applicants, Bill Simpson asked to get back to the topic of the cedar fence. Britnee Ghutzman asked if there was a fence regulation in the city that describes the details on how fences can be built. Staff said the building code requires a permit for a fence over 7-ft tall but otherwise the city doesn't regulate fences outside the Historic District. Staff added that the Commission could table action on this item until they saw the full site plan. Bill Simpson said he'd like to address the cedar fence now. Mr. McCorquodale recommended if the Commission approved the fence to do so contingent on no more exterior work on the property until the Commission sees a full site plan showing all planned improvements to the property. Merriam Walker said she didn't feel that a 7-ft tall fence fits in the Historic District. She added that her preference was to not have the privacy fence along Pond Street.

Merriam Walker moved to approve the north property line 7-ft tall privacy fence, but not the west fence along Pond Street. Bill Simpson said the fence on Pond Street would serve to hide the dumpster, which the applicants affirmed would be located there and be inside an enclosure.

The motion died for lack of second.

Dan Gazda moved to approve the north fence but not the west fence until a full site plan is submitted and approved by P&Z. Britnee Ghutzman seconded the motion. The motion, as amended, carried unanimously. (5-0)

Merriam Walker added that they were not approving the stain color for the fence tonight. Bill Simpson asked for 3 or 4 stain color choices to be brought back for review by P&Z. The applicants said they would. Bill Simpson clarified that only the privacy fence and deck would be stained dark brown and the picket fence would be white. The applicants affirmed that was correct. The applicants asked with the hot weather they would like to stain the deck and privacy fence. The applicants said the stain color in the packet is the one they want to use.

Bill Simpson moved to approve ‘Forester MW421’ for the deck and north fence. Dan Gazda seconded the amendment. The motion carried unanimously. (5-0)

Commission Inquiry

The Commission asked to confirm the new paint on the building at 14259 N. Liberty Street matched the colors approved by the Commission. Staff indicated the owners had been contacted previously to confirm that they were and would follow up with the owners again for more documentation. Bill Simpson said several people have asked about the building color and said he also spoke with the applicant about the color. He added that future paint requests should specify whether it is a flat finish, satin, or gloss finished. He said it’s not something that people immediately think about. Jeff Waddell asked if the applicants should bring back the original color samples for review. Merriam Walker asked if the Commission could require the color to be changed, because they don’t like the color. Bill Simpson said he wasn’t going to go there. Mr. McCorquodale the only manufacturer for Jazzy Blue is Valspar so the exact paint used would be easy to track down. Bill Simpson asked if it was possible to develop a list of earth-tone approved colors for the Historic District in a matte finish. Several members of the Commission liked the idea. Mr. McCorquodale said it could be done by amending the design guidelines and go through the normal process to change a zoning ordinance. Staff affirmed that the project would move forward as time allowed and bring information back to the Commission. Bill Simpson asked to expedite the process to best serve the long-term interests of the Historic District. Merriam Walker noted the existing colors of historic structures that could be used as a starting point. Mr. McCorquodale said he would start with a basic set of colors and still try to allow the Commission the ability to consider something specific.

Bill Simpson mentioned the Facebook foodie group and an outside-city business being directed to the city. He asked for clarification on what our regulations would allow. Mr. McCorquodale said the business referenced was not a mobile food vendor and would have to meet the building code and historic district zoning requirements.

Jeff Waddell mentioned that after 8 years on the Commission, he would not be applying for reappointment, and he had decided to refocus his attention to other volunteer opportunities and thanked the city for the opportunity to serve. Britnee Ghutzman said she was expecting a new baby and she would also be stepping down from the Commission. She also was appreciative of the opportunity to serve the city.

Merriam expressed a frustration in applicants continuing to do work in the historic district before getting approval. She said prior approved improvements are sometimes not built like it was submitted and that the city needs to increase penalties for this type of activity. Mr. McCorquodale said there was a messaging responsibility on the city to communicate regulations, but there is also a responsibility on a property owner to research and understand what regulations apply to their property.

Adjournment

Britnee Ghutzman moved to adjourn the meeting at 7:42 p.m. Bill Simpson seconded the motion, which carried unanimously. (5-0)

Prepared by: _____ Date approved: _____
Dave McCorquodale

Bill Simpson, Vice-Chairman

Attest: _____
Nici Browe, City Secretary

MINUTES OF REGULAR MEETING

October 3, 2023

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Vice-Chairman Simpson declared a quorum was present and called the meeting to order at 6:13 p.m.

Present: Bill Simpson, Merriam Walker, Daniel Gazda

Absent: None (two vacancies on the Commission)

Also Present: Dave McCorquodale, Director of Planning & Development
Chris Roznovsky, P.E., City Engineer

VISITOR/CITIZENS FORUM

None.

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

Staff introduced the item and explained that the sign replacement was part of the rebranding of the coffee shop and reminded the Commission that wall signs were allowed to use up to 60% of the total wall area for the sign. The sign is a 4-ft diameter circle in the same location as the previous sign (above the porch roof), the proposed sign met the size regulations. Dan Gazda asked to confirm the sign would not be backlit or have electrical power. Mr. McCorquodale confirmed that is what the applicant provided and there is an existing security-style light already above the sign. Dan Gazda also asked to confirm the material “alumni-panel”. Mr. McCorquodale said it was a composite material that is common in sign making today. Merriam Walker asked if the Commission needed the exact color specification for the red color on the sign or if the submitted information was sufficient. Staff confirmed the information provided was sufficient. Mrs. Walker asked when they planned to install the sign. Staff was not aware of a timeline.

Merriam Walker moved to approve the sign as presented. Dan Gazda seconded the motion, which carried unanimously. (3-0)

2. Consideration and possible action on proposed exterior improvements to 504 Caroline Street located in the Historic Preservation District.

Staff introduced the information and noted the applicants were in attendance to answer questions. Mr. Josh Burns, of Big Country Companies, LLC provided the Commission with material samples of stone and synthetic turf that would be referred to during their presentation. Merriam Walker asked about a new circular pit that had been built on the site. Mr. Josh Butler of Big Country Companies, LLC said they built the firepit in order to mock up the stone selection.

Bill Simpson advised the applicants that the Commission would take the improvements one at a time in order of the agenda packet material for clarity. Staff discussed the parking area shown on the site plan and said the existing parking lot was being reconfigured slightly as part of the site improvements. Staff affirmed the parking shown met city requirements.

Merriam Walker moved to approve the revised parking lot as presented. Dan Gazda seconded the motion, which carried unanimously. (3-0)

Staff asked the applicants for clarification on their drainage plan under the turf area. The applicants said they'd be removing asphalt for the proposed synthetic turf area to install subsurface drainage lines. Mr. Butler said the synthetic turf was permeable, allowing water to soak into the grade below and drain toward Pond Street.

Bill Simpson asked the Commission if the Historic District is the best place to install synthetic turf. Merriam Walker asked the applicants if there was a reason they wanted to install synthetic turf. Mr. Butler said they wanted it because it would always be green and look like real turf and required no maintenance. It would also be easier for people walking in the yard and have bare spots and dirt areas. Mr. Butler explained it was not a thin astroturf product but a full surface that was backfilled so that it stands up like real lawn. Bill Simpson said he was concerned about the appropriateness of synthetic turf in the historic district, and his opinion is that it doesn't belong in the historic district. The applicants cited the heavy foot traffic anticipated in the yard as a reason for proposing the turf. Bill Simpson asked how much foot traffic they planned on. The applicants stated the property would host business events for clients. Merriam Walker asked if the material was fire resistant. The applicants stated it was.

The applicants stated the plan they submitted was not to scale and that there would be less synthetic turf than what it looked like on the plan. Additional discussion was had on the distance between

the turf and public right of way, with the applicants indicating that there would be 25 or more feet between the property line and the synthetic turf which would be filled in with natural grass plus shrubs next to the fence. Dan Gazda said there are a lot of good improvements proposed in the plans but this one was not one he could support. The Commission and applicants discussed additional pros and cons of natural versus synthetic turf. Bill Simpson asked who verifies the plans are installed according to plan in cases like this where improvements are not shown to scale on submitted plans. Mr. McCorquodale said city staff would be responsible for it.

Merriam Walker moved to deny the synthetic turf as presented and asked the applicants to submit a to-scale plan. Dan Gazda seconded the motion, which carried unanimously. (3-0)

The applicants reviewed the location of the proposed fences on the property. A 4-ft wood picket fence is planned along Caroline and Liberty Street, with a portion along Pond Street. Merriam Walker asked about the proposed 4-foot stone wall between the parking area lawn area. The applicants affirmed the wall would be a separation between the two areas. The applicants stated the gate in the stone wall would match the picket fence. Merriam Walker asked about staff's note asking about what type of gate was planned for the Pond Street service access. Mr. Butler said his ideas were to either match the picket fence or mimic the 2nd story porch balcony on the house.

Merriam Walker moved to approve the picket fence and stone walls as shown on the plans. Dan Gazda seconded the motion, which carried unanimously. (3-0)

Dan Gazda moved to approve the firepit as shown. Merriam Walker seconded the motion, which carried unanimously. (3-0)

Dan Gazda moved to approve the seat wall as shown. Merriam Walker seconded the motion, which carried unanimously. (3-0)

Bill Simpson moved discussion to the proposed stage area. The applicants had additional drawings of the stage that were shown to the Commission. Discussion was also had on a dead tree near the stage. The applicant stated that they were intending to preserve the stump due to a connection they believe exists between one of Sam Houston's visits to Montgomery and the property. Additional discussion was had on trees and the applicants stated they used an arborist to determine whether a

tree was dead or not. The Commission requested a letter from the arborist to affirm that, and the applicants stated they would provide it.

Dan Gazda moved to approve the stage as shown contingent on no permanent lighting being installed as part of the stage. Merriam Walker seconded the motion, which carried 2-1. (Bill Simpson cast the dissenting vote)

On the proposed fountain at the southeast corner, staff asked the applicants for additional information, which was brought to the meeting for review by the Commission. The applicants explained that the fountain was a “disappearing” type fountain with an underground basin that holds rock that the water spills into. There would be no standing pool of water. The applicants stated the fountain would be 18-inches tall with an antique decorative sign accent piece.

Merriam Walker moved to approve the fountain at the southeast corner of the property but not the sign described by the applicant for the focal feature. The sign element proposed to be inside the fountain would be required to be brought back to P&Z for review and approval. Merriam Walker seconded the motion, which carried unanimously. (3-0)

Discussion moved to the Pond Street gate. Mr. Butler said his ideas were to either match the picket fence or mimic the 2nd story porch balcony on the house.

Merriam Walker moved to table the Pond Street gate approval until the applicants decided which one they wanted to use and bring it back for approval. The applicant said he had images for both options and would like to discuss them with the Commission and the Commission could pick which gate style they liked best. Mr. Butler showed the Commission an image of the balcony railing and said he would like to build a 4-ft tall gate to match the railing details.

Merriam Walker moved to approve a 4-ft tall gate that mimics the balcony railing. Dan Gazda seconded the motion, which carried unanimously. (3-0)

The Commission stated that concluded all the items presented for consideration. Mr. Butler asked for clarification on the synthetic turf area and that they had limited options on moving forward. The Commission said it the issue was about preservation of the downtown historic district and the

lack of synthetic turf in the historic district. The applicants asked if there was any recourse to appeal the decision. Dan Gazda let them know that they do have the option to appeal to City Council if they want to. The Commission let the applicants know that there was no need to come back to the Commission if the proposed synthetic lawn was changed to real sod.

3. Consideration and possible action on the Final Plat for Montgomery Bend Section One.

Mr. Chris Roznovsky reviewed the plat submitted and the engineering memo. He reminded the Commission that they had already seen the Preliminary Plat for the development. Section One includes 69 lots and 7 reserves which include the recreation center for the neighborhood. Mr. Roznovsky reviewed other details that are part of the platting process.

Dan Gazda moved to approve the Final Plat as presented. Merriam Walker seconded the motion, which carried unanimously. (3-0)

4. Consideration and possible action on the proposed Preliminary Plats for Redbird Meadows Sections One through Three.

Mr. Chris Roznovsky reviewed the plat submitted and the engineering memo. He also reviewed a general summary of the development terms including lot sizes, setbacks, and street widths. The Commission asked questions on the city's regulations for street widths. Mr. McCorquodale added that the approval for the street width was based on the developer adding an 8-ft wide concrete shared use path. Additional discussion was had on the lot line setbacks and road widths that were approved as part of the Development Agreement approved by City Council. Merriam Walker asked about the plan for the cemetery on the property. Staff did not have any details to provide. Merriam Walker asked for a follow-up from staff on the cemetery.

Merriam Walker moved to approve the Preliminary Plats for Redbird Meadows Sections 1-3 as presented. Dan Gazda seconded the motion, which carried unanimously. (3-0)

5. Consideration and possible action on calling a Public Hearing regarding a preliminary report on the city-initiated rezoning of the property commonly known as 203 Prairie Street, Montgomery, Texas.

Staff introduced the item and explained the property was owned by the city and this was the greenspace north of the building at 213 Prairie Street. Mr. McCorquodale said the Council requested to rezone the property to increase the value of it before selling it.

Dan Gazda moved to call a Public Hearing to be held on November 7, 2023 to be held at city hall regarding the city-initiated rezoning request of the property commonly known as 203 Prairie Street, Montgomery, Texas. Merriam Walker seconded the motion. The motion carried unanimously. (3-0)

Commission Inquiry

Adjournment

Merriam Walker moved to adjourn the meeting at 8:09 p.m. Dan Gazda seconded the motion, which carried unanimously. (3-0)

Prepared by: _____ Date approved: _____
Dave McCorquodale

Bill Simpson, Vice-Chairman

Attest: _____
Nici Browe, City Secretary

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: November 7, 2023	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on calling a Public Hearing to be held on December 5, 2023 at 6:00 pm related to a rezoning request for approximately 3 acres of land near the intersection of Clepper Street and C.B. Stewart Drive from B-Commercial to I-Institutional.

Recommendation

Staff recommends a motion to call the Public Hearing to be held on December 5, 2023 at 6:00 pm.

Discussion

Issue:

The Woodlands Methodist Church is pursuing the purchase of the property on the northwest corner of Clepper & C.B. Stewart Streets for a future church. The church has submitted a rezoning application for the property requesting the current B-Commercial designation be changed to I-Institutional.

Regulations:

Chapter 211 of the Texas Local Government Code prescribes land use and zoning regulations that cities must follow:

"The zoning commission shall make a preliminary report and hold **at least one public hearing** [hearings] on that report before submitting a final report to the governing body." *H.B. No. 1381*

The City Council will also call a Public Hearing on the rezoning request to be held on 12/12/23.

Analysis & Conclusion:

A property owner has the right to request a rezoning action if the property is within a city that has enacted land use zoning. Due process makes this a ministerial action, and the Commission should call for the Public Hearing to allow for citizen input before discussing the merits of the request and making a recommendation to City Council. Staff recommends calling the Public Hearing as stated.

Approved By

Asst. City Administrator and Director Planning & Development	Dave McCorquodale	Date: 11/02/2023



Rezoning Application

City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316
(936) 597-6434

Item 3.

Upon completion return application to dmccorquodale@ci.montgomery.tx.us

Contact Information

Property Owner(s): Texas Notes, LLC c/o Paul Lamnatos

Address: 603 West 11th Street

Zip Code: 77008 Phone: 281-221-7383

Email Address: paul@blinklending.com

Applicants: The Woodlands Methodist Church c/o Mike Christopher

Address: 2200 Lake Woodlands Dr, The Woodlands, Tx 77380

Zip Code: 77380 Phone: 713-560-3969

Email Address: mchristopher@elevationlandsolutions.com

Parcel Information

Property Identification Number (MCAD R#): R480134

Legal Description: A portion of Estates of Lake Creek Village, Reserve A

Street Address or Location: NW Corner of CB Stewart & Clepper Street

Acreage: +/- 3 Acres Present Zoning: Commercial Present Land Use: Un-developed

Proposed Zoning: 1st Choice - Annex into PD and Zone MU
2nd Choice - Institutional Proposed Land Use: Church

Is the proposed use in compliance with the Future Land Use Plan? YES NO

Additional Information

Owner(s) of record for the above described parcel:

Signature: Paul Lamnatos Date: 10/31/2023
DocuSigned by: 30E364ED34F4420...

Signature: _____ Date: _____

Signature: _____ Date: _____

Note: Signatures are required for all owners of record for the property proposed for Special Use Permit. Attach additional signatures on a separate sheet of paper.

<h2>Date Received</h2> <p>Office Use</p>	
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Additional Information

The following information must also be submitted:

- Cover letter on company letterhead stating what is being asked.
- Metes and Bounds.
- All applicable fees and payments.
- Copies of all deeds or a title opinion from a licensed attorney establishing current ownership of the property for which the zoning change is sought.
- A site plan. If there are existing structures, parking, curb cuts and drainage they must be shown.
- The application form must be signed by the owner/applicant. If the applicant is not the owner, written authorization from the owner authorizing the applicant to submit the rezoning request shall be submitted.
- Payment of all Indebtedness Attributable to the subject property.

Public Hearings

Parties in interest and citizens shall have an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and the City Council before any amendment to a district regulation, restriction, or boundary shall become effective. Regularly scheduled meetings are as follows and will be held accordingly unless public notice has been given of a change of dates:

Planning and Zoning Commission: **1st Tuesday of every month at 6:00 p.m.**

City Council: **2nd and 4th Tuesday of every month at 6:00 p.m.**

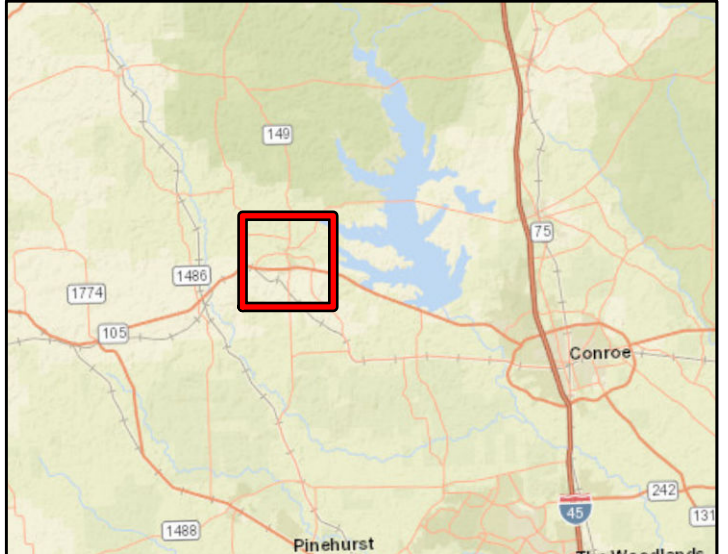
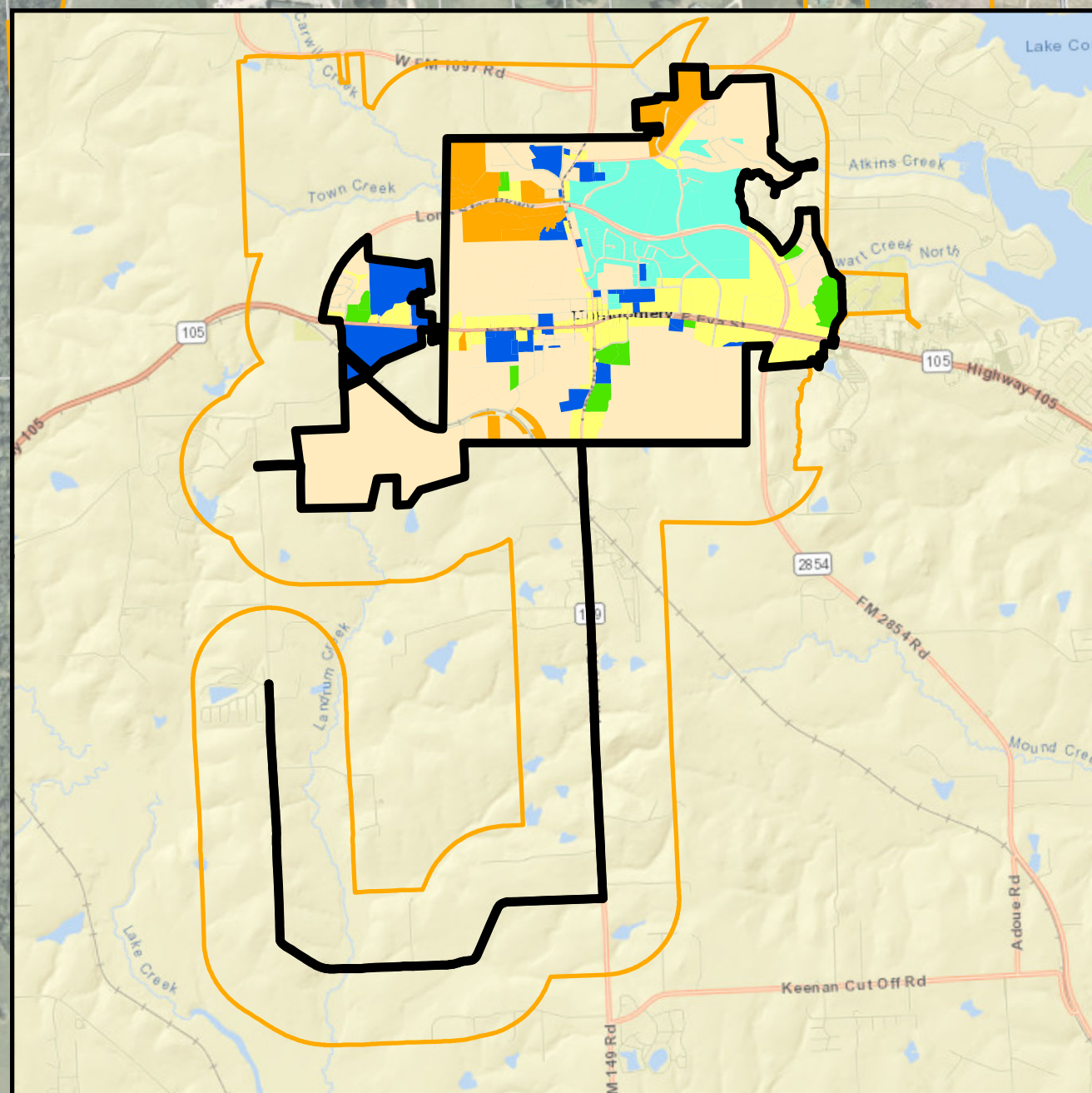
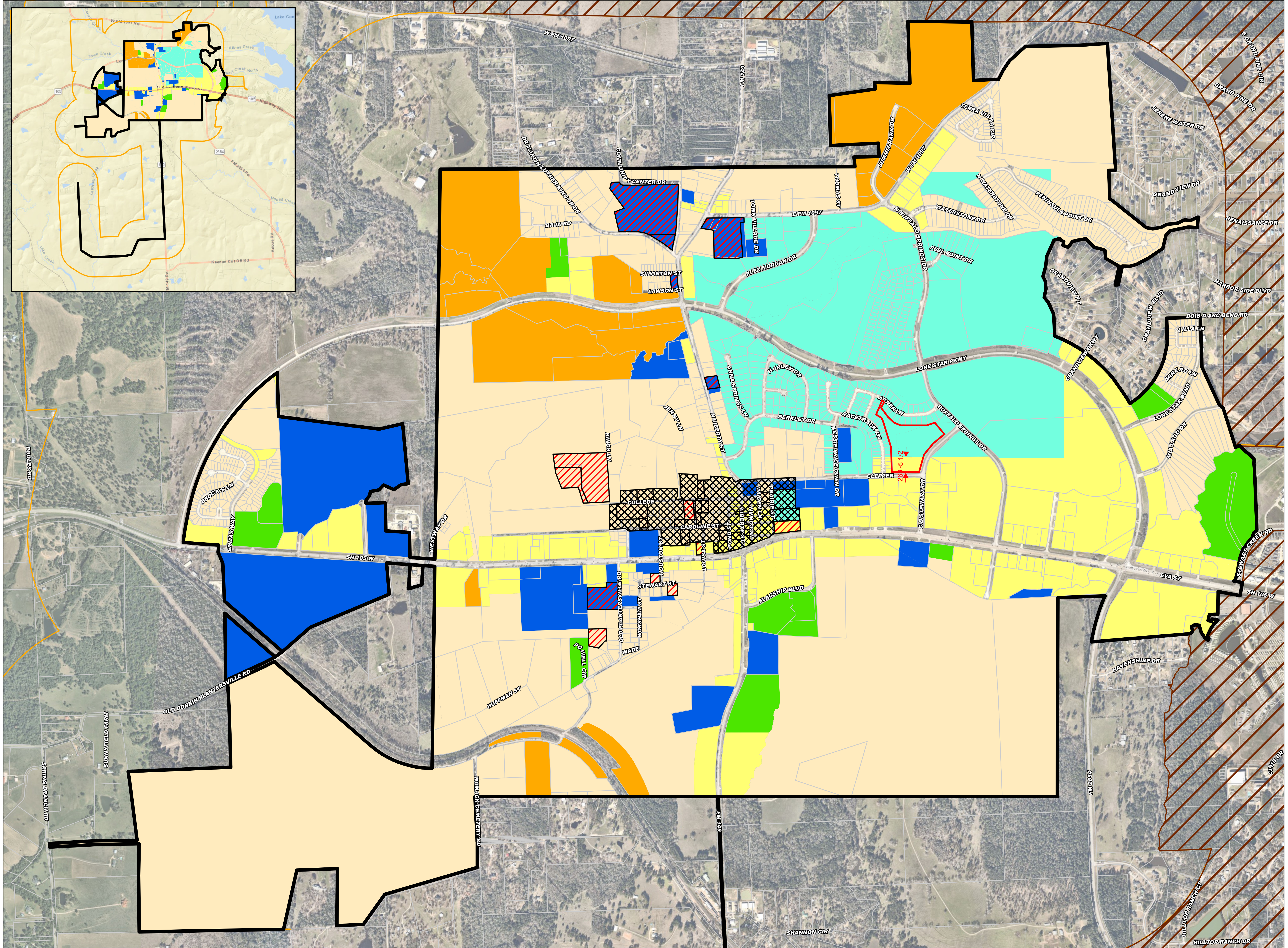
Protests

If a protest against a proposed zoning change including PDD and SUP requests has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the land included in such a proposed change or those owners of property immediately adjacent to the subject property and extending two hundred feet (200) there from, such zoning change shall not become effective except by a three-fourths (3/4) vote of governing body in accordance with the provisions of Section 211.006 of the Texas Local Government Code.

Resubmission

Rezoning requests which have been heard and decided by the Council of the City of Montgomery may not be re-filed with the City for six (6) months after the date of such decision by the Council, absent a change in circumstances.

Rezoning requests for the same property to a different classification than the denied request may be re-filed prior to the expiration of six (6) months.



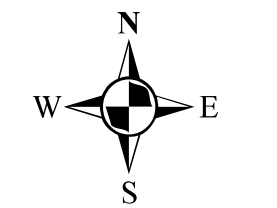
VICINITY MAP
Scale: 1 inch equals 10 miles

- LEGEND**
- Overlay Zone**
 - Historic Preservation District
 - Historical Landmark
 - Base Layers**
 - City Limits
 - City of Conroe ETJ
 - City ETJ
 - jc_jurisdiction.sde.parcels_montgomery_county
 - Zone Classification**
 - Commercial (B)
 - Industrial (ID)
 - Institutional (I)
 - Multi-Family (R2)
 - Planned Development (PD)
 - Residential (R1)

LAST UPDATED APRIL 11, 2023
VIA ORDINANCE 2023-08
*2023 NEARMAP IMAGERY



**CITY OF MONTGOMERY
OFFICIAL ZONING MAP
(MAY 2023)**



1 inch equals 700 feet

DISCLAIMER
This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Quiddity Engineering, LLC concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



ADDRESS : 0 CB STEWART DRIVE
 MONTGOMERY, TEXAS 77366

INSURED : GRH MANAGEMENT, LLC

TITLE CO : FIDELITY NATIONAL TITLE AGENCY, INC.

GF NO : FTH-21-FAH230039495UE

LENDER : N/A

LEGEND
 (CON) CONTROLLING MONUMENT
 R.O.W. - RIGHT OF WAY
 M.C.D.R. - MONTGOMERY COUNTY DEED RECORDS
 M.C.C.F. - MONTGOMERY COUNTY CLERK'S FILE
 C.O.M.C. - COUNTY OF MONTGOMERY COMMISSIONER'S OFFICE
 R.C.P. - REINFORCED CONCRETE PIPE
 M.H. - MANHOLE
 W.M. - WATER METER
 W.V. - WATER VALVE
 F.H. - FIRE HYDRANT

LAKE CREEK VILLAGE
 M.C.C.F. NO. 2004110201

A LAND TITLE AND TOPOGRAPHICAL SURVEY OF
 14.059 ACRES OUT OF
 RESTRICTIVE RESERVE "A"
 FINAL PLAT OF ESTATES OF LAKE CREEK VILLAGE
 ACCORDING TO THE MAP OR PLAT THEREOF
 RECORDED IN CABINET 2, PAGE 4812
 OF THE MAP RECORDS OF MONTGOMERY COUNTY, TEXAS

SCHEDULE B NOTES
 1. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE AND SHOWN ABOVE. THE FOLLOWING MATTERS LISTED IN SCHEDULE B ARE FOR INFORMATION ONLY.
 1. RESTRICTIVE COVENANTS RECORDED UNDER M.C.M.R. CABINET 2, SHEET 4812, AND THOSE UNDER M.C.C.F. NOS. 2004-013561, 2005-005667 AND 2017-106765.
 2. SEE THIS SURVEY.
 3-9. NOT SURVEY RELATED OR DOES NOT AFFECT THE SUBJECT PROPERTY.
 10A. NOT A SURVEY MATTER.
 10B. NO ENCROACHMENTS FOUND.
 10C. BUILDING LINES AND EASEMENTS PER RECORDED PLAT ARE SHOWN HEREON.
 10D. NOT A SURVEY MATTER.
 10E. GULF STATES UTILITIES COMPANY RIGHT-OF-WAY EASEMENT RECORDED UNDER M.C.C.F. NO. 2563790, AFFECTS THE SUBJECT TRACT AS A BLANKET EASEMENT. (SEE NOTE #9 OF RECORDED PLAN)
 10F. EASEMENT RECORDED UNDER M.C.C.F. NO. 20170838397, DOES AFFECT APPROXIMATELY LOCATED ALONG THE NORTHERN RIGHT-OF-WAY LINE OF CB SUBJECT TRACT, SAID 10' ENERGY EASEMENT APPEARS TO BE APPROXIMATELY LOCATED ALONG THE NORTHERN RIGHT-OF-WAY LINE OF CB STREET TO THE POINT WHERE THE OVERHEAD POWER POLE LINES CROSS CB STEWART DRIVE. MORE OR LESS.
 10G. EASEMENT RECORDED UNDER M.C.C.F. NO. 2004110201, PER RECORDED PLAN IS SHOWN HEREON.
 10H-F. NOT A SURVEY MATTER

100. PROPERTY IS SUBJECT TO MONTGOMERY CITY ORDINANCE RECORDED UNDER M.C.C.F. NO. 2004013561, AFFECTS THE SUBJECT TRACT.
 100-F. NOT A SURVEY MATTER.

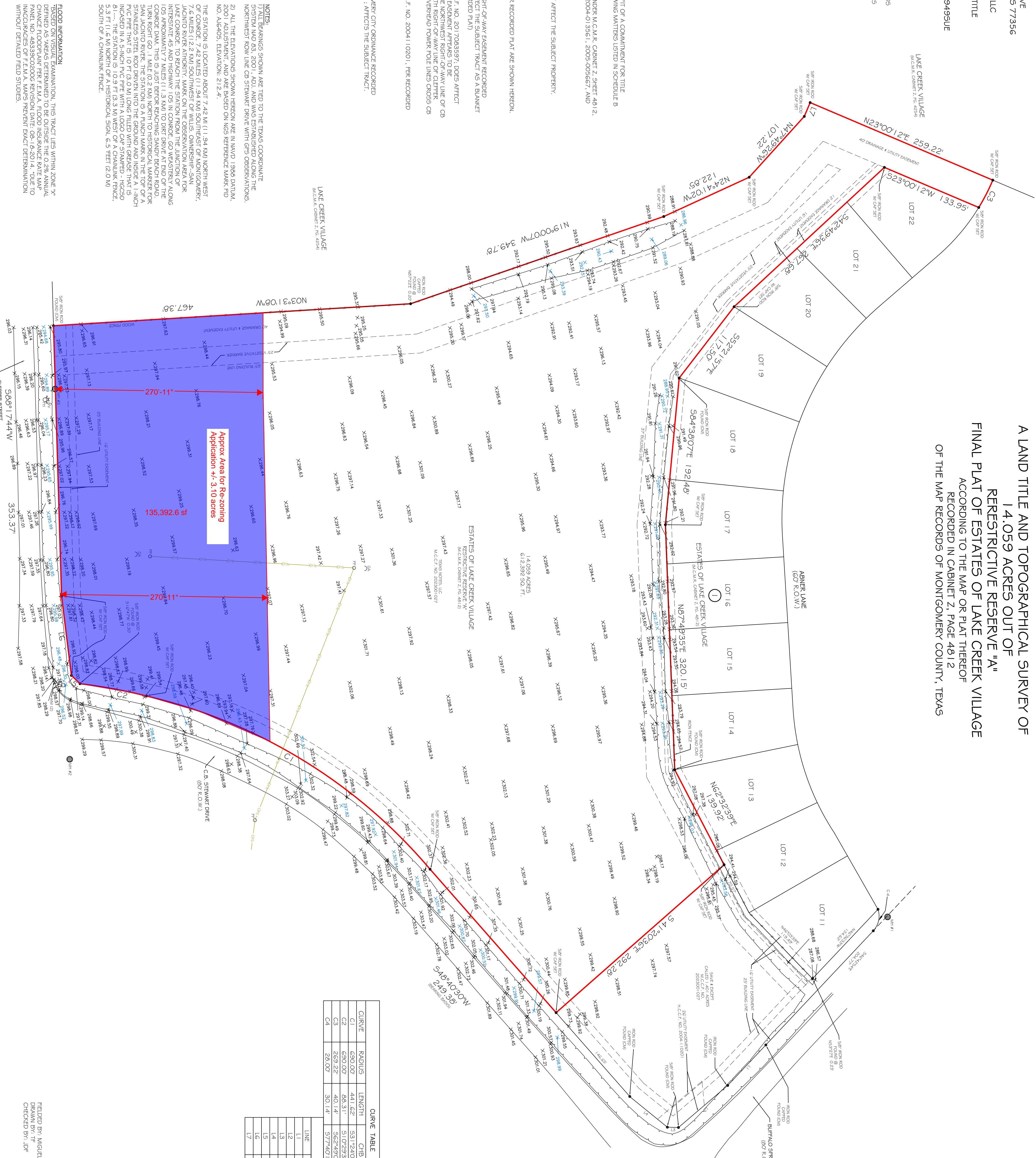
UPDATE FOR SHE
 DATE: JUNE 29, 2023
 JOB NO: 230458
 DATE: JUNE 14, 2023

Firm No: 10133000
 2417 NORTH FREEMAN
 HOUSTON, TX 77009
 713-864-2400
 www.primetxsurvey.com



FLOOD INFORMATION
 BASED ON VISUAL EXAMINATION, THIS TRACT LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOOD PANE. NO. 483302000. REVISION DATE: 05/16/2014. DUE TO INACCURACIES OF FEMA MAPS PREVENT EXACT DETERMINATION WITHOUT DETAILED FIELD STUDIES.

NOTES:
 1) ALL BEARINGS SHOWN ARE TIED TO THE TEXAS COORDINATE SYSTEM NAD 83, 2011, AND WERE ESTABLISHED ALONG THE NORTHERN BOUNDARY OF THE STEWART DRIVE WITH GPS OBSERVATIONS.
 2) ALL THE ELEVATIONS SHOWN HEREON ARE IN NAD 1989 DATUM, 2001 ADJUSTMENT, AND ARE BASED ON NGS REFERENCE MARK PID NO. A46905, ELEVATION: 212.4'.
 THE STATION IS LOCATED ABOUT 7.42 MI (11.94 KM) NORTH WEST OF CONROE, 7.42 MILES (11.94 KM) SOUTHWEST OF MONTGOMERY, 7.6 MILES (12.2 KM) SOUTHWEST OF WILUS, OWNERSHIP-5AM JACOBO RIVER PROPERTY. MARK ON THE OBSERVATION AREA FOR INTERSECTION 45 AND HIGHWAY 105 IN CONROE, GO WEST ALONG 105 APPROXIMATELY 7 MILES (11.3 KM) TO DIRT DRIVE AT END OF TURN RIGHT 60.1 MILE (0.2 KM) NORTH TO HISTORICAL MARKER FOR STANLEYS STEEL ROD DRIVEN INTO THE GROUND AND INSIDE A LUNCH PNC PIPE THAT IS 10 FT (3.0 M) LONG FILLED WITH GREASE THAT IS 8 1/2" IN DIAMETER. THE STATION IS 0.9 FT (0.3 M) WEST OF A CHAINLINK FENCE, SOUTH OF A CHAINLINK FENCE.



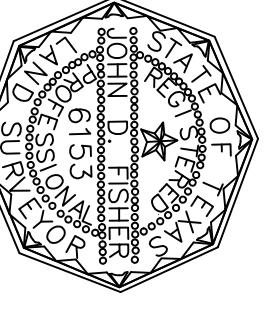
CURVE TABLE

CURVE	RADIUS	LENGTH	CHB	CHL	DELTA
C1	630.00'	441.62'	S31°24'01"W	434.12'	36°40'15"
C2	630.00'	86.31'	S10°29'36"W	86.25'	7°19'58"
C3	269.22'	40.14'	S62°49'07"E	40.11'	8°32'36"
C4	28.00'	30.14'	S77°40'13"E	28.71'	61°40'25"

LINE TABLE

LINE	LENGTH	BEARING
L1	72.65'	S46°42'54"E
L2	64.55'	S40°28'30"E
L3	14.54'	S01°30'27"W
L4	62.49'	S39°06'55"W
L5	15.65'	S43°33'01"W
L6	104.23'	S02°25'43"W
L7	19.62'	N65°59'46"W

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT IT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. THERE IS NO ENCROACHMENT OR OTHER MATTER ON GROUND EXCEPT AS SHOWN HEREON.



FILED BY: MIGUEL J. DC
 DRAWN BY: JT
 CHECKED BY: JDF

SCALE: 1"=60'

FIDELITY NATIONAL TITLE INSURANCE COMPANY**COMMITMENT NO.: FAH23003949X****SCHEDULE A**

Effective Date: October 6, 2023 at 8:00 AM
 Commitment No.: FAH23003949X

GF No.: FTH-21-FAH23003949XSue
 Issued: October 19, 2023 at 8:00 AM

1. The policy or policies to be issued are:

- a. OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
 (Not applicable for improved one-to-four family residential real estate)

Policy Amount: \$2,750,000.00
 PROPOSED INSURED: The Woodlands Methodist Church

- b. TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
 ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)

Policy Amount:
 PROPOSED INSURED:

- c. LOAN POLICY OF TITLE INSURANCE (Form T-2)

Policy Amount:
 PROPOSED INSURED:
 Proposed Borrower:

- d. TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)

Policy Amount:
 PROPOSED INSURED:
 Proposed Borrower:

- e. LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)

Policy Amount:
 PROPOSED INSURED:
 Proposed Borrower:

- f. OTHER

Policy Amount:
 PROPOSED INSURED:

2. The interest in the land covered by this Commitment is:

Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:

[Texas Notes, LLC as servicer and authorized agent for the benefit of the current Lenders/Beneficiaries under the Deed of Trust,](#)
[Quest Trust Company f/b/o Christopher Faulkner IRA # 5811,](#)
[Quest Trust Company f/b/o Saul B. Guzman IRA # 6311,](#)
[Bret Wynn Cochran,](#)
[Feat Enterprises,](#)
[Jaswant Kumar Krishnamoorthy,](#)
[Lakeside Lending, LLC and](#)
[Usha Patel](#)

**FIDELITY NATIONAL TITLE INSURANCE
COMPANY**

Commitment No.: FAH23003949X

SCHEDULE A
(continued)

4. Legal description of land:

**FIDELITY NATIONAL TITLE INSURANCE
COMPANY**

Commitment No.: FAH23003949X

SCHEDULE A
(continued)

RESTRICTED RESERVE "A", BLOCK 1, of ESTATES OF LAKE CREEK VILLAGE, a subdivision in Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet Z, Sheet 4812, of the Map Records of Montgomery County, Texas.

SAVE AND EXCEPT

Being 1.401 acres (61,018 square feet) of land situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas, and being out of Restricted Reserve "A", Final Plat Estates of Lake Creek Village, according to the map or plat thereof recorded in Cabinet Z, Sheet 4812 of the Map Records of Montgomery County, Texas (M.R.M.C.T.), said 1.401 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found in the south right-of-way line of Abner Lane (right-of-way width varies), for the north corner of Lot 11, Block 1, of said Final Plat Estates of Lake Creek Village, same being the north corner and POINT OF BEGINNING of the herein described tract, beginning a non-tangent curve to the right;

THENCE continuing along the south right-of-way line of said Abner Lane and the north line of the herein described tract along said non-tangent curve to the right having a radius of 28.00 feet, a central angle of 49° 32'14", an arc length of 24.21 feet, and a chord bearing of South 87°19'21 " East, a distance of 23.46 feet to a 5/8-inch iron rod with cap stamped "Landpoint 1.0194172" set in the southwest right-of-way line of Buffalo Springs Drive (right-of-way varies) according to the map or plat thereof recorded in Cabinet Y, Sheet 51 M.R.M.C.T. for the northeast corner of the herein described tract;

THENCE South 47° 27'38" East, 212.10 feet along the southwest right-of-way line of said Buffalo Springs Drive common to the northeast line of the herein described tract to a 5/8-inch iron rod found for an angle point from which a 5/8-inch iron rod found for reference bears South 27°59'04" West, 6.32 feet;

THENCE South 47°31'23" East, 72.69 feet continuing along said common line to a 5/8-inch iron rod found for an angle point from which a 5/8-inch iron rod found for reference bears South 28°34'41" West, 6.47 feet;

THENCE South 41°14'24" East, 85.03 feet continuing along said common line to a point for the most easterly southeast corner of the herein described tract from which a 5/8-inch iron rod found bears North 46°25'52" East, 0.31 feet;

THENCE South 00°47'49" West, 14.54 feet along a southeast cutback line to a point in the northwest right-of-way line of C.B. Stewart Drive (right-of-way width varies) for the most southerly southeast corner of the herein described tract from which a 5/8-inch iron rod found for reference bears South 43°32'59" East, 0.47 feet;

THENCE South 38° 45'52" West, 63.33 feet along the northwest right-of-way line of said C.B. Stewart Drive common to the southeast line of the herein described tract to a 5/8-inch iron rod found for an angle point;

THENCE South 47° 54'23" West, 145.74 feet continuing along said common line to a 5/8-inch iron rod with cap stamped "Landpoint 10194172" set for the south corner of the herein described tract;

THENCE North 42° 05'37" West, 292.01 feet departing said common line over and across said Restricted Reserve "A" along the southwest line of the herein described tract to a 5/8-inch iron rod with cap stamped "Landpoint 10194172" set in the south line of Lot 12, Block I of said Final Plat Estates of Lake Creek Village for the west corner of the herein described tract:

**FIDELITY NATIONAL TITLE INSURANCE
COMPANY**

Commitment No.: FAH23003949X

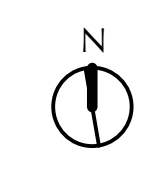
SCHEDULE A
(continued)

END OF SCHEDULE A



SITE PLAN LEGEND	
	NEW CHURCH BUILDING
	EXISTING BUILDING
	NEW HARDSCAPE
	NEW PARKING
	NEW GREEN SPACE
	VEGETATIVE BARRIER
	NEW TREES

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Church at Montgomery
**CONCEPTUAL SITE PLAN -
 CHURCH DEVELOPMENT**

1" = 50'-0" JACKSON & RYAN ARCHITECTS 23 OCTOBER 2023 23031

NOTE: ALL PLANS SHOWN, ALONG WITH OUTLINE SPECIFICATIONS ATTACHED TO THIS PLAN SET, ARE PRELIMINARY AND SUBJECT TO MODIFICATIONS AS DESIGN OF PROJECT PROGRESSES



SITE PLAN LEGEND	
	NEW CHURCH BUILDING
	EXISTING BUILDING
	NEW HARDSCAPE
	NEW PARKING
	NEW GREEN SPACE
	VEGETATIVE BARRIER
	NEW TREES

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Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: November 7, 2023	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on exterior architectural accent lighting at 202 McCown Street in the Historic Preservation District, as submitted by Jim & Denise Czulewicz.

Recommendation

Staff has no objections to the lights and recommends approval of solid lights (i.e., no flashing/chasing lights). Regarding color, staff recommends permitting warm white lights in non-holiday times and seasonal colors as appropriate.

DiscussionIssue:

The owner of the property at 202 McCown Street recently installed architectural lighting on the exterior of the building along the top of the roofline of the front of the building. After learning that the lights would require P&Z approval, the owner turned off the lights and submitted a request for review.

Regulations:

Chapter 98 of the City Code of Ordinances regulates exterior improvements within the Historic Preservation District. The Historic District Guidelines provide guidance for architectural design elements to be consistent with the overall character of the district. The guidelines are written to provide specific direction on certain elements while providing the Commission wide latitude to consider other improvements within the Historic Preservation District. The guidelines do not specifically address accent lighting on buildings. All exterior improvements should be in harmony with the surroundings and the Historic District.

Analysis:

You may recall from last month's meeting that the owners of the downtown coffee shop, Jim and Denise Czulewicz, are rebranding from "Urban Coffee Culture" to "Perfect Blend Coffee Shop and Boutique". They are also the building owners (the coffee shop and Wine & Design). Staff received the following information from the applicants:

Contact information:

James and Denise Czulewicz
Urban Coffee Culture / Perfect Blend Coffee Shop and Boutique
202 McCown Street, Montgomery, TX 77356

Lights (LEDs) are to be installed along the top of the exterior front (only) of the building - outlining the facade line as in the picture below.

Montgomery Planning and Zoning Commission
AGENDA REPORT

While the LED's can be flashing/chasing, etc. the intent is to keep them solid in color to match our building (dark red/brown and white) as well as during holidays to have a set color pattern (no movement) - say 4th of July Red/White/Blue, Halloween (Orange), Christmas (Red/Green), St Patrick's Day - Green, etc. Will NOT use the flashing, strobe, following patterns or ability.



The Lights are manufactured by Everlights (www.myeverylights.com), are LEDs with controllable brightness, full color spectrum, etc. Lights are invisible during the day (don't hang or drop down from anything), lights are powered by low voltage (5 volts) lighting that is powered thru 120V standard power (already in place). As for colors available, because the lights are LED's they are able to present any color on a standard color wheel and can be dimmed to near darkness.

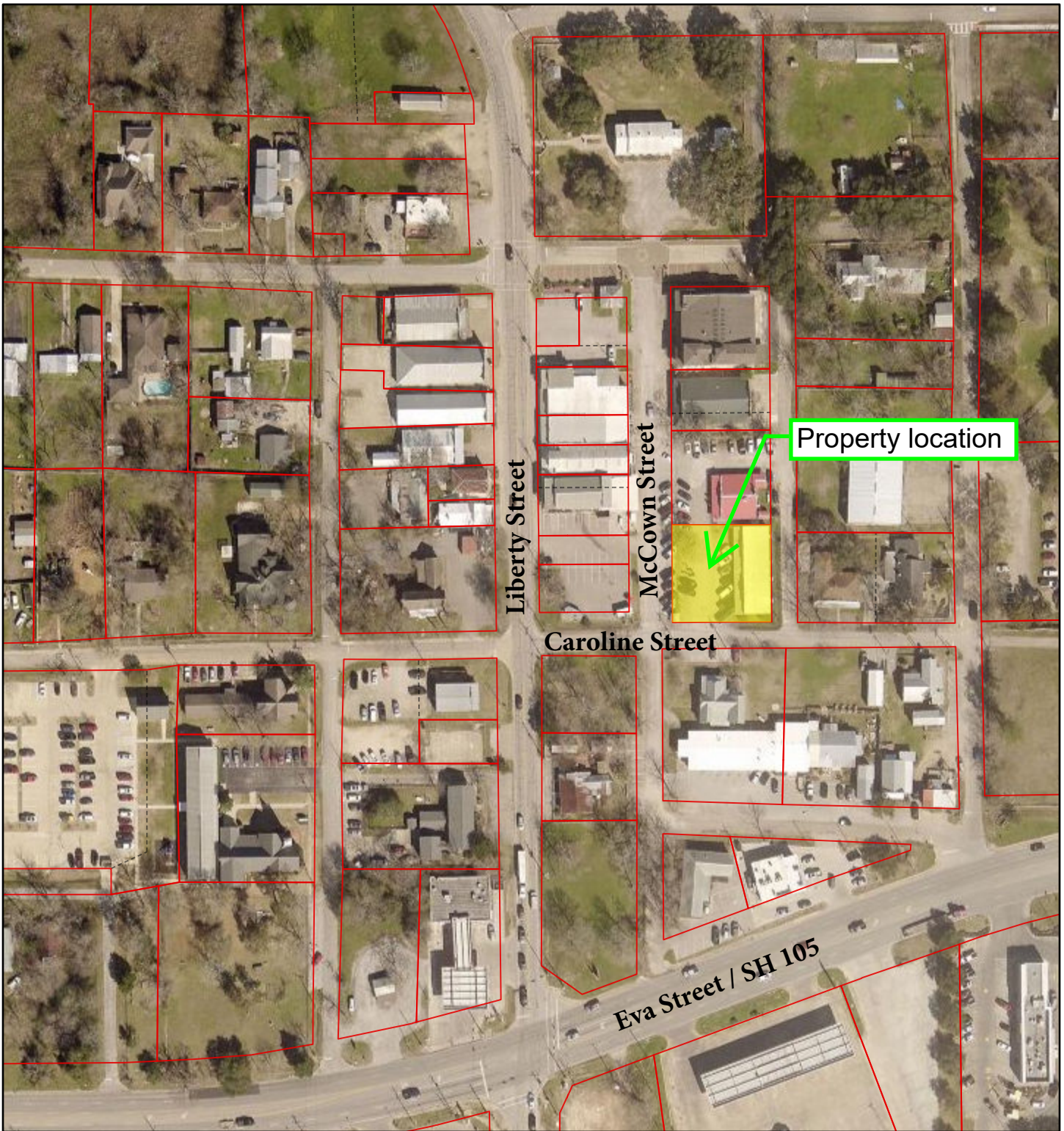
Obviously, the largest percentage of the time will be dimmed/soft white lights or colors that match our branding for the shop/building. Only during holidays will we change / alternate colors (without chasing colors). All lights are controlled by an app (isn't everything these days) and utilize long range blue tooth for connectivity to the router/base station located in the building.

Conclusion:

Architectural lighting, when done well, enhances the building and its surroundings. Staff has no objection to exterior lighting that compliments the downtown area.




Approved By		
Asst. City Administrator and Director Planning & Development	Dave McCorquodale	Date: 11/02/2023

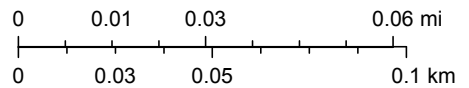
202 McCown St Location Map



11/3/2023, 2:12:12 PM

1:2,257

-  Abstracts
-  Parcels
-  Lot Lines



© OpenStreetMap (and) contributors, CC-BY-SA

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: November 7, 2023	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on exterior modifications for the proposed Krawfish Kai restaurant located at 14335 Liberty Street in the Historic Preservation District, as submitted by Ryan Routt.

Recommendation

Consider the modifications and act on each by approving/approving with modifications, tabling action on any of the items and requesting more information, and/or denying any of the items.

DiscussionIssue:

The former Wings Over Montgomery restaurant is being leased by Ryan Routt, the owner of Krawfish Kai. Mr. Routt has planned exterior modifications to the property that require P&Z approval.

Regulations:

Chapter 98 of the City Code of Ordinances regulates exterior improvements within the Historic Preservation District. The Historic District Guidelines provide guidance for architectural design elements to be consistent with the overall character of the district. The guidelines are written to provide specific direction on certain elements while providing the Commission wide latitude to consider other improvements within the Historic Preservation District.

Analysis:

The applicant is proposing the following improvements:

1. New sign to replace the Wings Over Montgomery Sign above porch.
 - Staff recommends approval.
2. New sign under the porch on the front wall of the building.
 - Staff recommends approval.
3. Demo side wooden deck – replace with concrete patio.
 - Staff recommends approval.
4. Extend front porch roof (Still will require drawings and building permits).
 - Staff does not recommend approval of the roof extension based on the façade setback of the First State Bank building next door. The extended patio roof will block visibility of the bank building and conflicts with the Historic Preservation Ordinance. Front building setbacks are unique in the Historic Downtown area:
 - Sec. 98-351. - Special setback provisions. New commercial structures or improvements being built in the historic downtown commercial area (i.e., any building with front and/or rear façades facing Liberty, Caroline, Prairie, Maiden, McCown, John Butler, or College Streets, and which are located between State Highway 105 on the south and Clepper Street on the north) will be **required to adhere to front (main entrance) setbacks that match immediately adjacent buildings or structures facing the same street.** If new

Montgomery Planning and Zoning Commission
AGENDA REPORT

commercial structures or improvements are being constructed between existing buildings or structures whose setback lines do not match, the new building or structure's front (main entrance) setback line must match the adjacent building or structure whose front (main entrance) setback line is closest to the street which the adjacent structure or building faces.

5. New patio cover roof over south side (to property line; still requires drawings and building permits).
 - Staff recommends approval contingent on adequate design description and provisions for stormwater runoff from the roof. There are no side yard setback requirements for the property.
6. Extend wood fence to match 504 Caroline on south side of building (not all the way forward).
 - Staff recommends approval.
7. New 4-ft ht. black wrought iron style metal fence along south patio.
 - Staff recommends approval.
8. Repaint exterior of building (same white/black color scheme with the addition of red trim the applicant will provide in printed form at the meeting).
 - The back and white elements do not require P&Z approval.
 - The addition of red trim will need to be reviewed and approved by P&Z.

Conclusion:
The improvements are generally small in scope and consistent with the downtown area. Increasing customer seating and an active property is a positive outcome for all stakeholders.

Approved By		
Asst. City Administrator and Director Planning & Development	Dave McCorquodale	Date: 11/02/2023

Planning and Zoning Brief for:
Krawfish Kai, 14335 Liberty Street, Montgomery, TX, 77356

Good evening, we would like to present for the planning and zoning committee to review our following request for 14335 Liberty Street, Montgomery, TX.

Krawfish Kai have leased the above noted location and are planning renovations indoors and outdoors.

We have submitted an occupancy permit and are awaiting Fire Marshall inspection, Health department inspection, prior to the occupancy permit inspection.

1. Remove the current Wings of Montgomery sign that is displayed on the front of the building. See attachment 1.
2. Demolish the side deck located on the South side of the building next to the white house currently under renovation. We would like to demolish the deck and pour concrete that would make a level seating area for more outdoor dining. The concrete will be level with the current concrete associated with the building on the South side and will be painted the same black that is currently on the concrete exterior floors. See attachment 2 and 2.1, showing the decking to be removed and the concrete that it will match. Size will be 26' wide by 5' deep, 10" shallower than current wood deck.
3. Extend front deck another 30" to the current posts on the property of 14335 Liberty Street, the decking will be exactly the same as now, the railings will be the same, the paint will be the same. Please see attachment 3, showing the current decking and the extension drawing, total new size 30" deeper by 24' wide.
4. Build hard patio cover over the front decking area reaching as far as the decking on the property of 14335 Liberty Street. Total depth will be 14'6" deep by 24' wide. Previous is 12' by 24'. See attachment 4 and 4.1.
5. Build hard patio cover over the Southside deck extending over the concreted area on the property of 14335 Liberty Street. Size will be 5' deep by 26' wide. See attachment 5 and 5.1.
6. Extend the 8' wooden fence on the property line between 14335 Liberty street and the renovated white house on the south side another 8' along property line and 5' along front and a 36" gate along the front to enclose the side kitchen door area. See attachment 6, 6.1, 6.2.
7. Paint exterior of building in the same pure white paint, paint the exterior trim areas black with the same black magic Sherwin Williams paint on the floors and side rails and window trim. Paint the exterior trim of windows, rails, framing of sign on top of building. See attachment 7, 7.1, 7.2, 7.3 for color sample, drawings of painted areas.

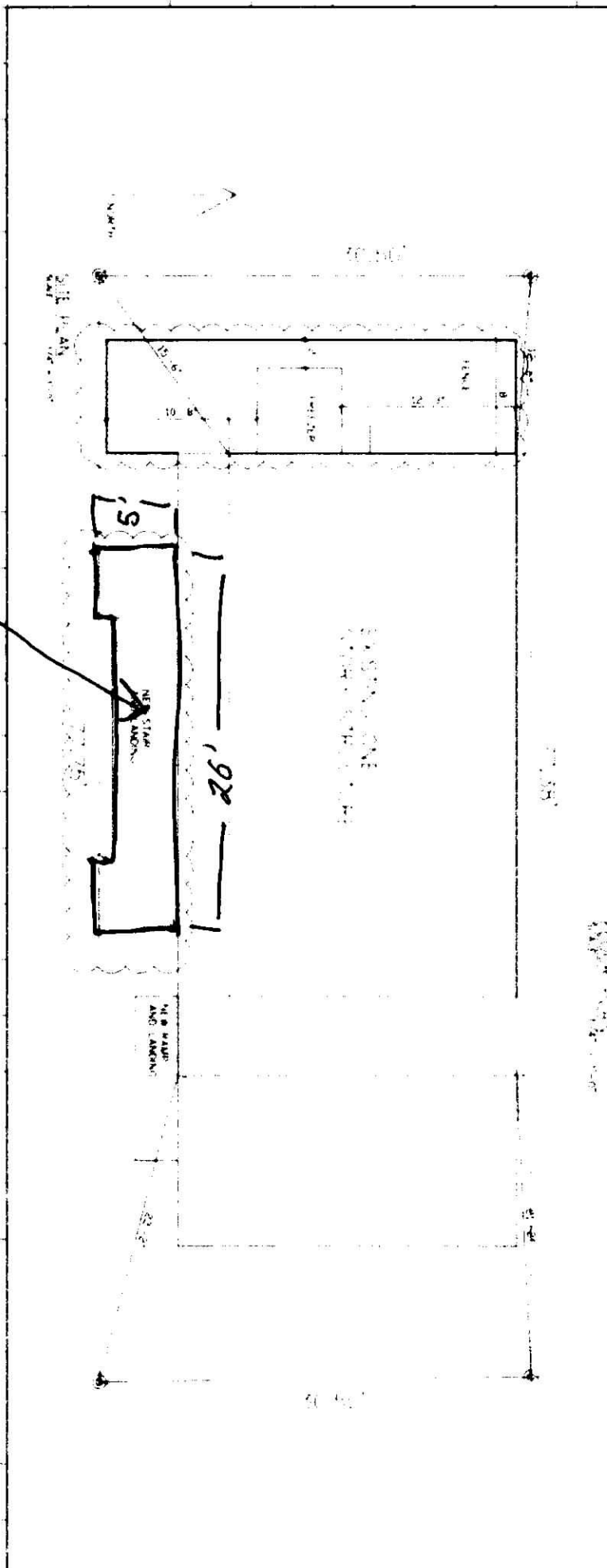
8. Install a 4' black aluminum ornamental fence surrounding the new concrete decking adding a beautiful historical charm. See attachment 8 and 8.1.

Remove sign.



Attachment #2

Demolish
side Deck
Replace with
concrete pad.



Attachment 2.1.

Demolish side deck
replace with concrete
level with current
concrete structure.

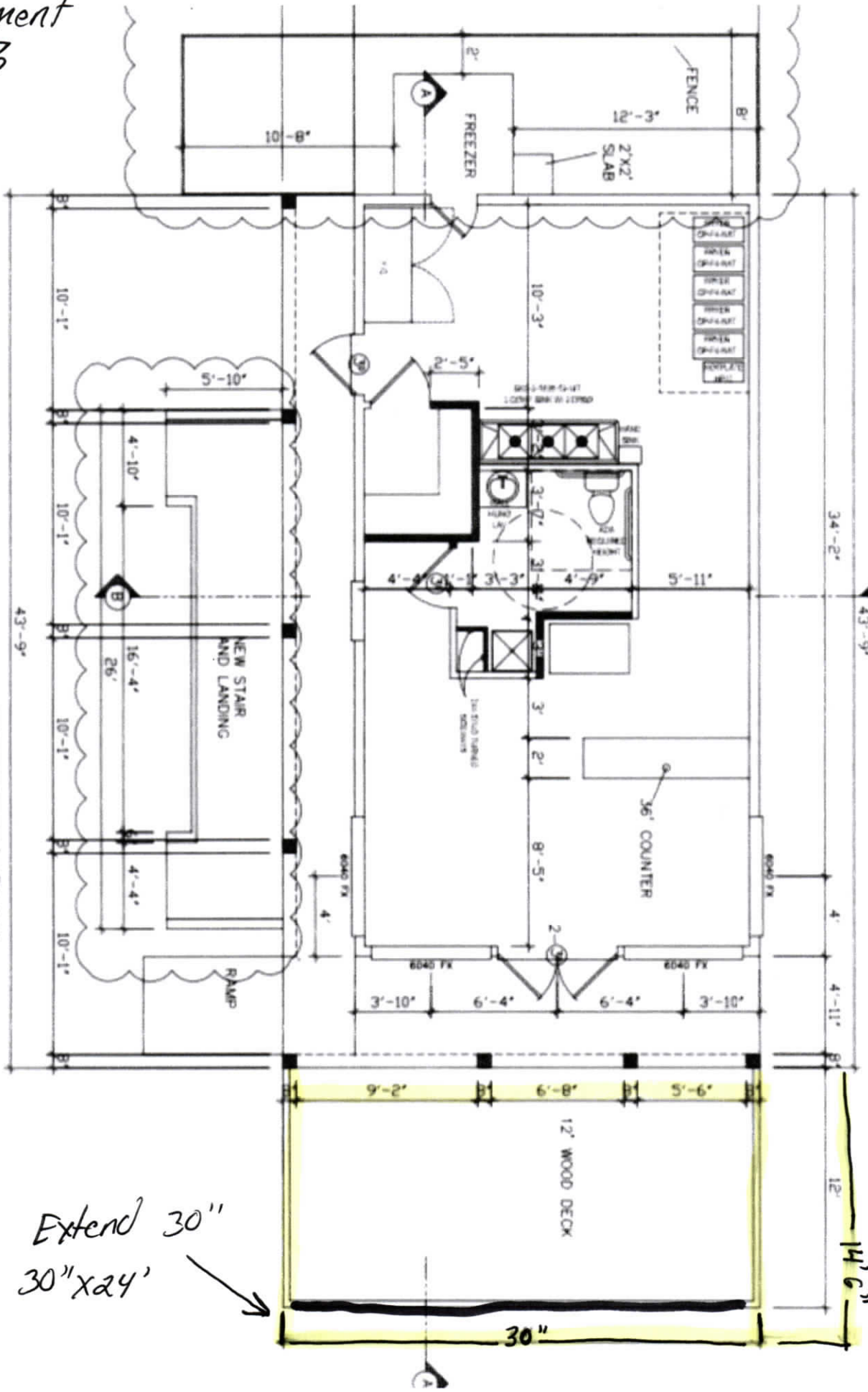


Remove
black deck.

level with this concrete
4' x 32' pad.

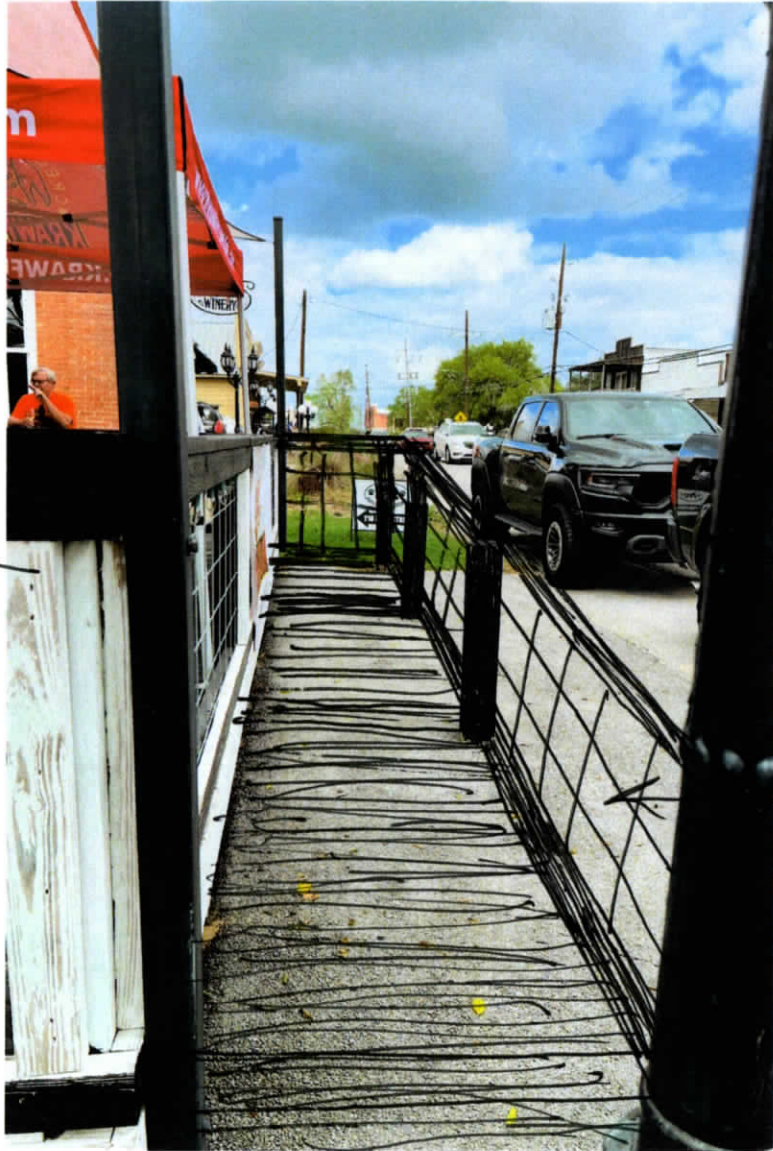
Attachment #3

FLOOR PLAN
SCALE: 1/4" = 1'-0"



Extend 30"
30"x24'

Attachment 3.1.



current

Will be built to current code.

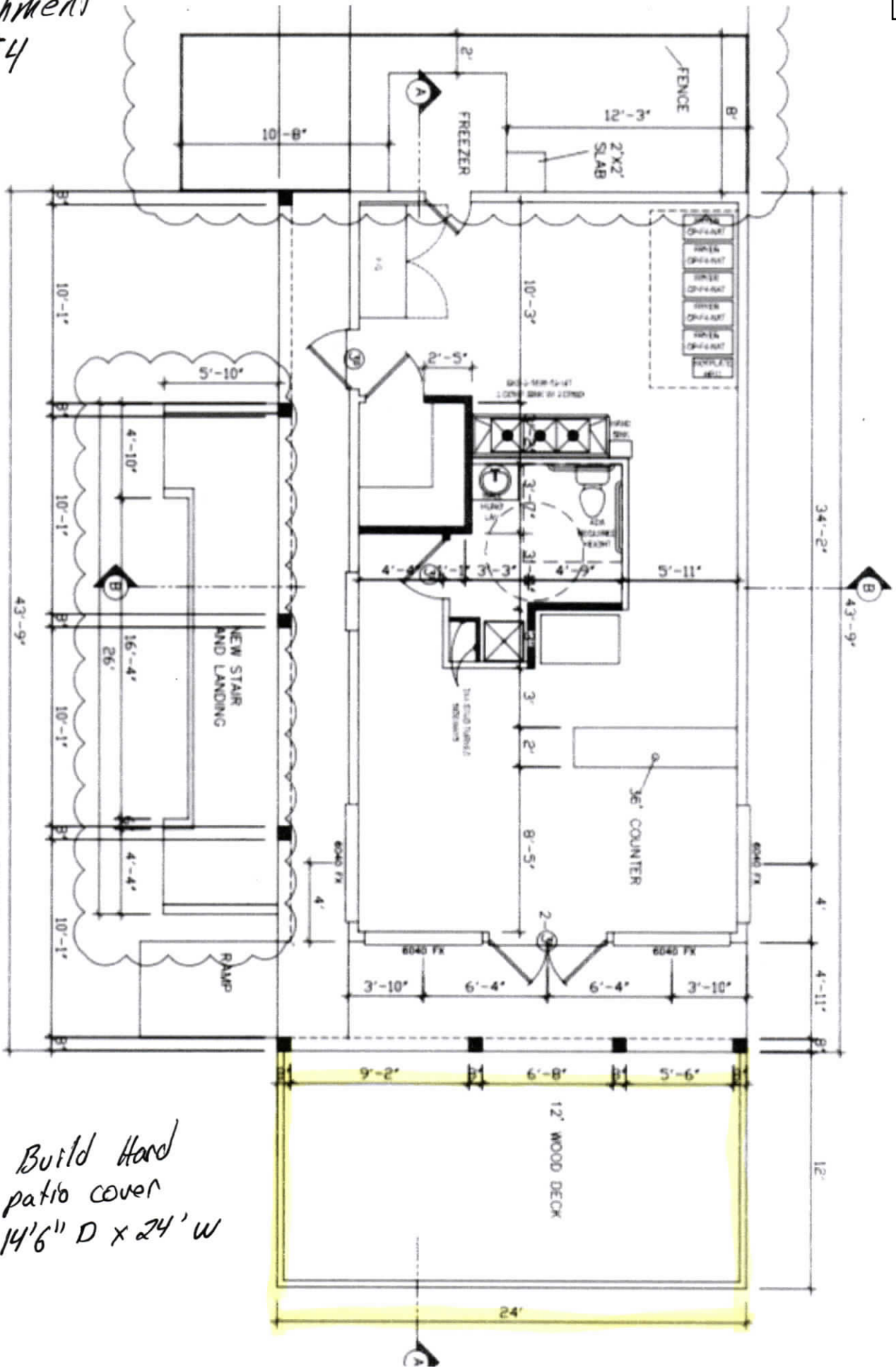
Will get building permit as required.

New: extend 30" still within property lines of 14335 Liberty street.

30" x 24' wide

Attachment # 54

FLOOR PLAN
SCALE: 1/4" = 1'-0"



Build Hard
patio cover
14'6" D x 24' W

Attachment 4.1.

Build permanent
patio cover to
extend length
of decking on front
of building.
Liberty Street.

wood framing and
tin roofing keeping
in current look.
painted to match.

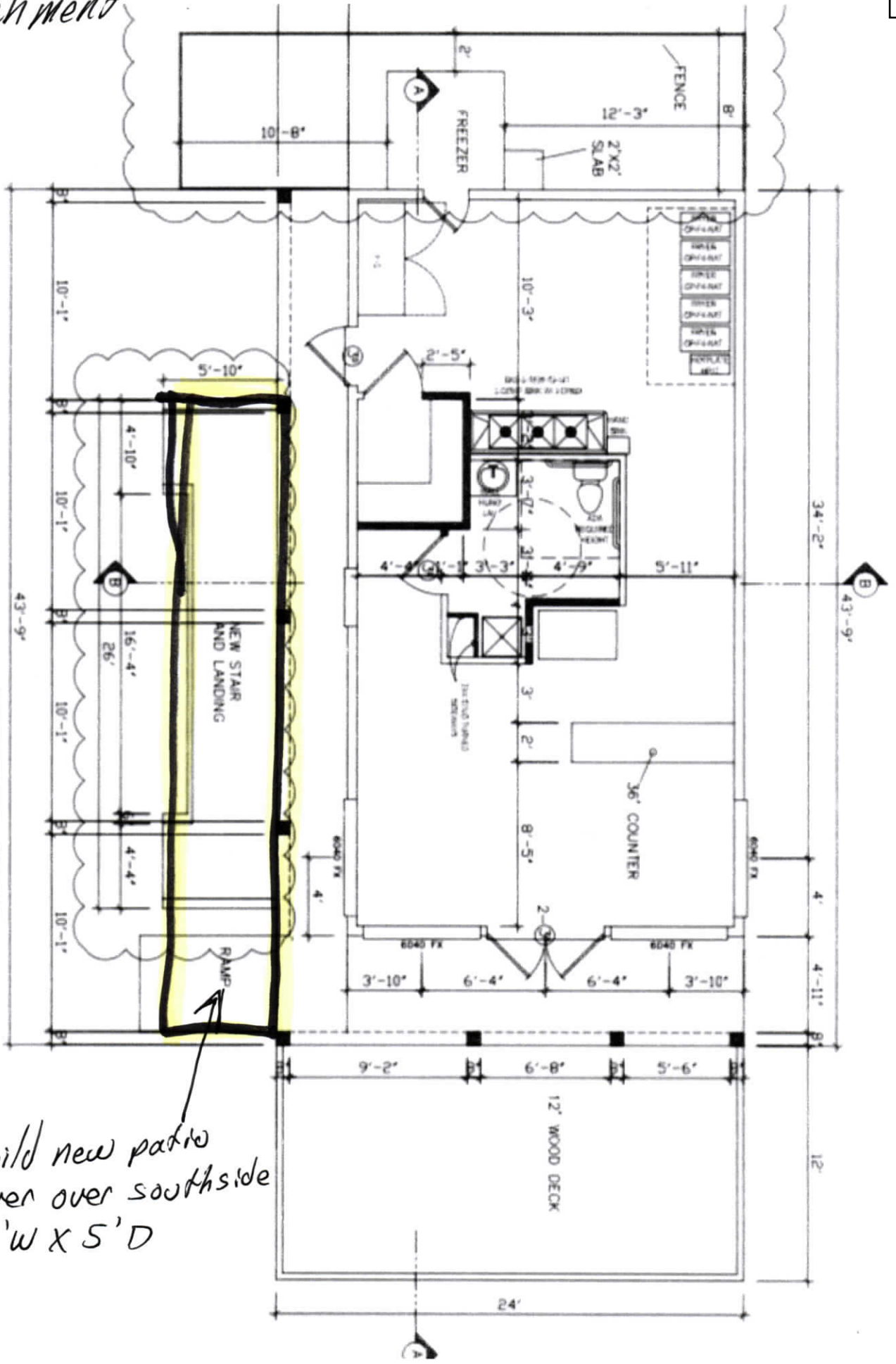
24'w x 22' Deep



Attachment #5

FLOOR PLAN
SCALE: 1/4" = 1'-0"

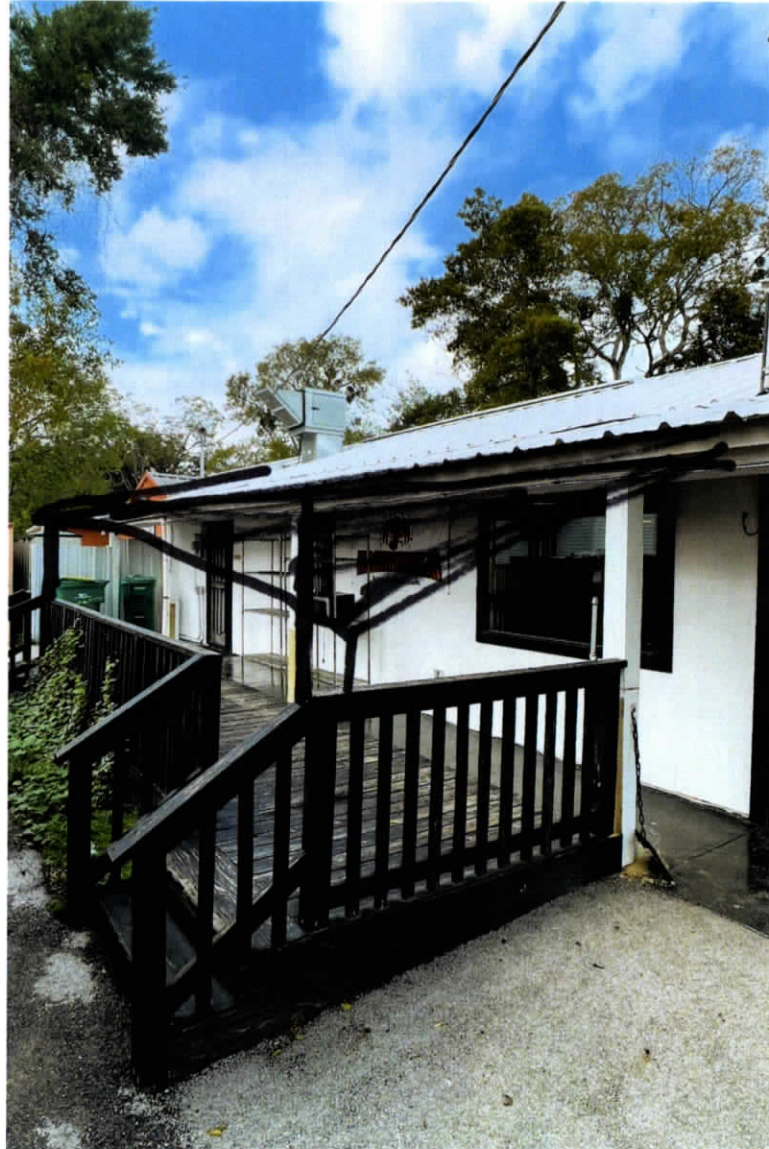
NEW WALL
EXISTING TO REMAIN



Build new patio cover over southside 26'W X 5'D

Attachment # 5.1

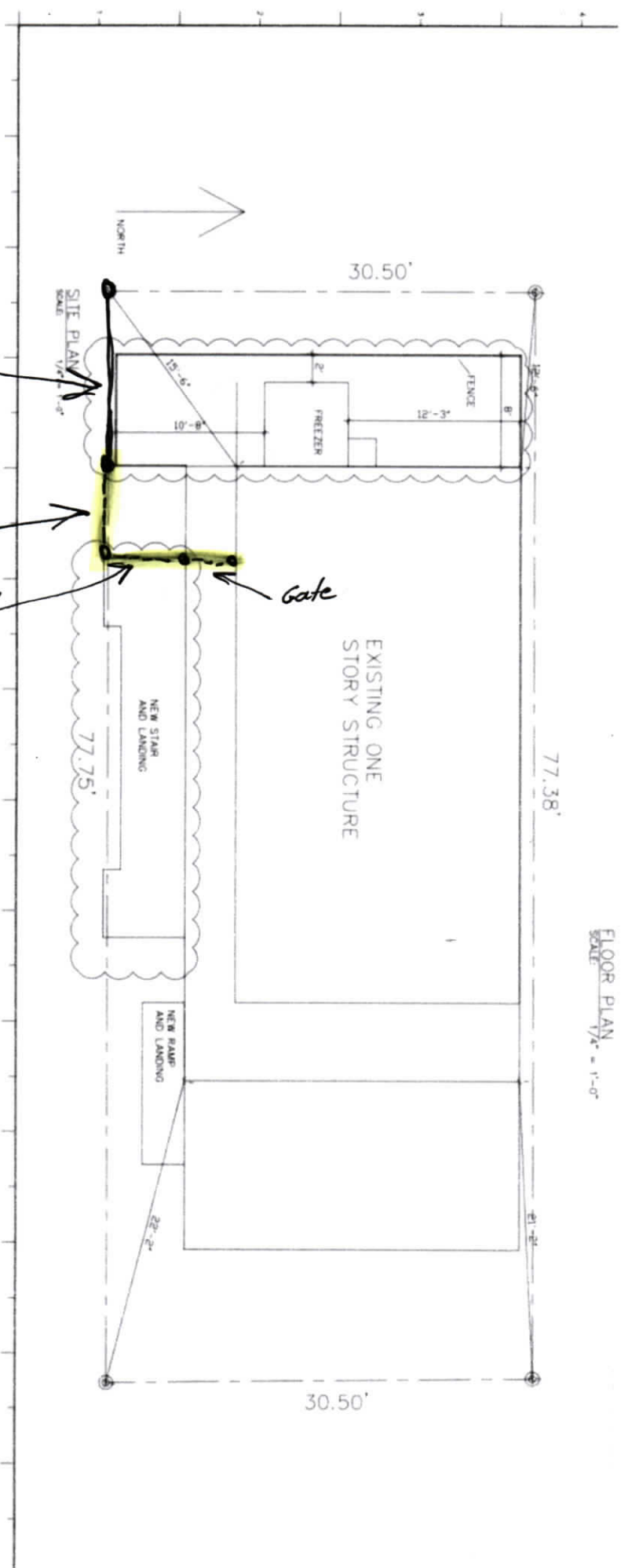
current



Attachment # 6

current 8' tall wood fence neighbor

wood fence extend 9' 8'
wood fence 8' extend 5'



Attachment 6.1.

Existing
Fence →
8' tall

Extend 8' tall
fence
8' covering
side door.



Attachment #6.2.



Attachment 7.



Product Details



COLOR TO GO

OVERALL RATING

Product Details

OVERALL RATING

- Experiment with color on the actual surface where it will be applied.
- Take the guesswork out of choosing the right hue. Our Color to Go® paint samples are great for giving you an idea of how a color looks and feels in your space throughout the day. Each sample comes in a Twist-n-Pour container that holds enough paint for creating test swatches so you can choose your final color with confidence.
- Determine how lighting and other elements will affect the color and feel of the room.
- Take the guesswork out of choosing the right color.

AVAILABLE SHEENS

Color to Go® paint is formulated for sample use only and is not available in Satin or Emerald® Designer Editions™ paint colors. With its slight gloss, this finish offers the benefits of a richer look.

Product Specifications

Ratings & Reviews

Tips & Advice





Attachment 7.1.

Pure White
exterior building

Product Details



COLOR TO GO

OVERALL RATING

OVERALL RATING

- Experiment with color on the actual surface where it will be applied.
- Take the guesswork out of choosing the right hue. Our Color to Go® paint samples are great for giving you an idea of how a color looks and feels in your space throughout the day. Each sample comes in a Twist-n-Pour container that holds enough paint for creating test swatches so you can choose your final color with confidence.
- Determine how lighting and other elements will affect the color and feel of the room.
- Take the guesswork out of choosing the right color.

AVAILABLE SHEENS

Color to Go® paint is formulated for sample use only and is not available in Emerald® Designer Editions™ paint colors. With its slight gloss, this finish offers the benefits of a richer look.

Product Specifications

Ratings & Reviews

Tips & Advice

SW 7005
Pure White



Attachment 7.2
Black Magic
outdoor trim.

Product Details



COLOR TO GO

OVERALL RATING

Product Details

OVERALL RATING

- Experiment with color on the actual surface where it will be applied.
- Take the guesswork out of choosing the right hue. Our Color to Go® paint samples are great for giving you an idea of how a color looks and feels in your space throughout the day. Each sample comes in a Twist-n-Pour container that holds enough paint for creating test swatches so you can choose your final color with confidence.
- Determine how lighting and other elements will affect the color and feel of the room.
- Take the guesswork out of choosing the right color.

AVAILABLE SHEENS

Color to Go® paint is formulated for sample use only and is not available in Satin or Emerald® Designer Editions™ paint colors. With its slight gloss, this finish offers the benefits of a richer look.

Product Specifications

Ratings & Reviews

Tips & Advice





Attachment #8

ALL PRODUCTS MADE IN THE USA!



ALUMINUM FENCING PRODUCTS ▾ ALUMINUM HANDRAIL PRODUCTS ▾ HARDWARE & ACCESSORIES CONTACT US

HOME / PRODUCTS / GERMAN SHEPHERD COMMERCIAL FENCE

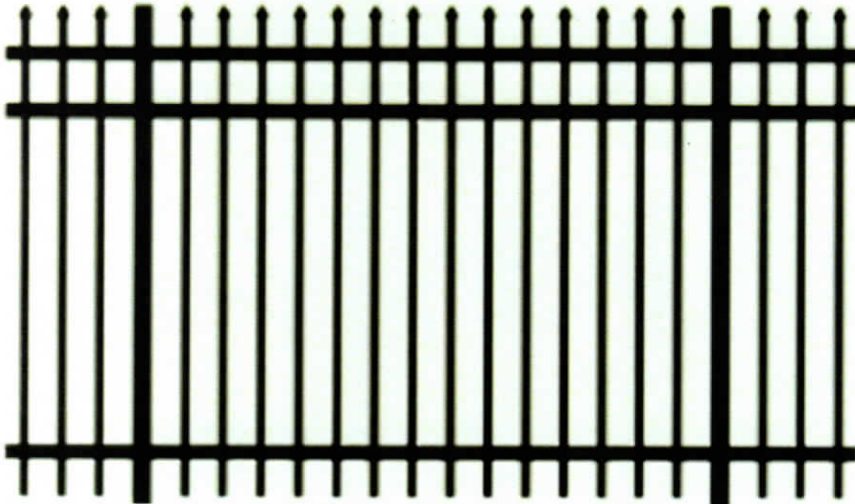
GERMAN SHEPHERD COMMERCIAL FENCE

\$109.23

My Yard Commercial Aluminum Fence products are **100% Made in US**. Our Patent Pending racking design makes for the easy, smooth, panel racking allowing our fence panel to contour to almost any slope. Our exclusive post and top rail design allows for the fastest installation of comparable aluminum fence in the industry saving you time and money.

All of our Residential Fences come standard in 6' lengths and are available in 3', 4', 5' and 6' heights. Each panel is built standard with strong, 1 3/4" top rails and durable 3/4" sq. pickets. If our standard picket style, shown in our main product image, doesn't meet your needs, select our Double Picket style to reduce that to space to an 1 1/2" spacing between pickets. Which is shown in picture below. All Post are sold separately.

All fence panels are available in Black or Bronze with custom colors available. For custom colors, product or ordering info, please contact us at 423-343-1708.



COLOR



PICKET STYLE

STANDARD

DOUBLE

FENCE HEIGHT

3'

4'

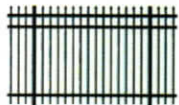
5'

6'

QTY

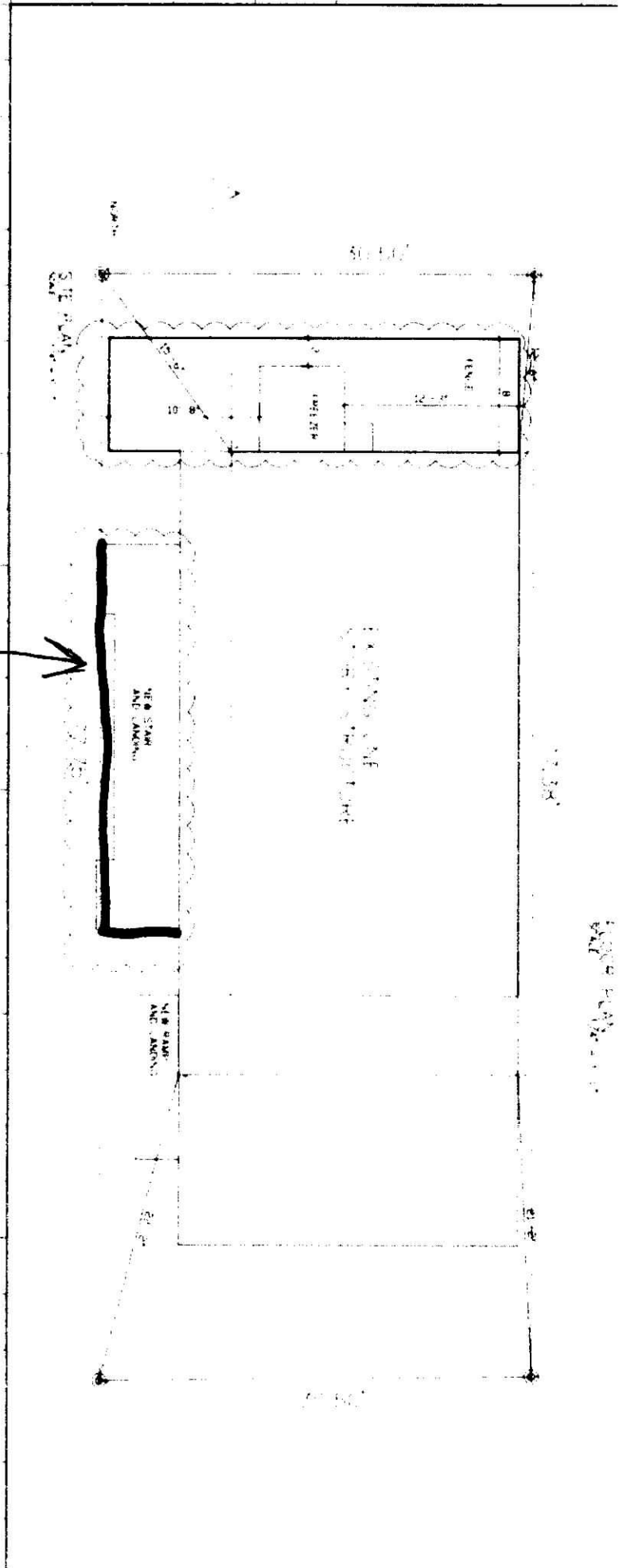
- 1 +

Product selection input field



Attachment
8.1.

Install
black ornamental
fence





Sign Permit Application

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

WWW.MONTGOMERYTEXAS.GOV

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

TEMPORARY SIGN?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PERMANENT SIGN?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Pre-Existing OR New	Pre-Existing <input type="checkbox"/>	NEW <input type="checkbox"/>

Permit: _____

Date: 09/30/2023

JOB ADDRESS: 14335 Liberty Street		BUSINESS NAME: Krawfish Kai	
BUSINESS OWNER: Ryan Routt	MAILING ADDRESS: 11444 W. Kristina Circle, Montgomery, T.	TELEPHONE: 936-444-2426	
APPLICANT: Ryan Routt	MAILING ADDRESS: 11444 W. Kristina Circle, Montgomery, TX	TELEPHONE: 936-444-2426	
CONTRACTOR LICENSE (if electrical):			
IS THE SIGN IN THE HISTORIC PRESERVATION DISTRICT?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	IS THE SIGN ILLUMINATED?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
SIGN PLACEMENT: On building front		VALUATION: \$6300	
SIGN DESIGN & COLOR SCHEME: White, Red, Yellow, Black, please see desgin attached.			
SIGN TYPE		SIGN DIMENSIONS	
FREESTANDING MONUMENT SIGN <input type="checkbox"/>		SIGN HEIGHT	48"
BUILDING WALL SIGN <input checked="" type="checkbox"/>		SIGN WIDTH	45"
BANNER <input type="checkbox"/>		TOTAL SQ FT	15
OTHER <input type="checkbox"/>		SET BACK	20 ft
		LOT LINEAR FOOTAGE	2300
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 anv state or local law regulatinq construction or the performance of construction.			

NAME: Ryan Routt	SIGNATURE:
---------------------	----------------

OFFICE USE ONLY			
APPROVED		TOTAL FEE:	\$ 50.00
DATE			
COMMENTS:			











WWW.MONTGOMERYTEXAS.GOV

Sign Permit Application

CITY OF MONTGOMERY

Item 5.

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 <input type="checkbox"/>	NO <input type="checkbox"/>
-----------------	------------------------------	-----------------------------

PERMANENT SIGN?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
-----------------	-----------------------------------------	-----------------------------

Pre-Existing OR New	Pre-Existing <input type="checkbox"/>	NEW <input type="checkbox"/>
---------------------	---------------------------------------	------------------------------

Permit: _____

Date: _____

JOB ADDRESS: 14335 Liberty Street, Montgomery, TX, 77356	BUSINESS NAME: Krawfish Kai LLC
-------------------------------------------------------------	------------------------------------

BUSINESS OWNER: Ryan Routt	MAILING ADDRESS: 11444 W. Kristina Circle, Montgomery, TX, 77316	TELEPHONE: 936-444-2426
-------------------------------	---------------------------------------------------------------------	----------------------------

APPLICANT: Ryan Routt	MAILING ADDRESS: 11444 W. Kristina Circle, Montgomery, TX, 77316	TELEPHONE: 936-444-2426
--------------------------	---------------------------------------------------------------------	----------------------------

CONTRACTOR LICENSE (if electrical): _____

IS THE SIGN IN THE HISTORIC PRESERVATION DISTRICT?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	IS THE SIGN ILLUMINATED?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
----------------------------------------------------	-----------------------------------------	-----------------------------	--------------------------	------------------------------	----------------------------------------

SIGN PLACEMENT: Top of building same place as wings of montgomery	VALUATION: \$8975.00 \$7985.00
----------------------------------------------------------------------	--------------------------------------

SIGN DESIGN & COLOR SCHEME: Hand Made Laser cut metal, powder coated pieces, red, black, yellow, white	
-----------------------------------------------------------------------------------------------------------	--

SIGN TYPE		SIGN DIMENSIONS	
FREESTANDING MONUMENT SIGN	<input type="checkbox"/>	SIGN HEIGHT	60"
BUILDING WALL SIGN	<input checked="" type="checkbox"/>	SIGN WIDTH	56"
BANNER	<input type="checkbox"/>	TOTAL SQ FT	23
OTHER	<input type="checkbox"/>	SET BACK	24'
		LOT LINEAR FOOTAGE	2300

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: Ryan Routt	SIGNATURE:
---------------------	----------------

OFFICE USE ONLY

APPROVED		TOTAL FEE:	\$
DATE			

COMMENTS: _____





Krawfish Kai

\$7,985.00

This is a formal agreement for the purchase of a custom sign to be made as follows:

5 layers

Exterior sign

56" wide x 60" high

Quantity: 1

Please double check sign measurements to ensure correct sizing for the needs of your space.

Description

Each of the pieces for this sign will be made from laser cut, powder coated aluminum.

The red, black, and white layers of the lobster will be made using multiple layers, spaced at varying depths from each other and placed in front of the yellow outline shape of the lobster. The yellow band around the head and belt will be placed in front of the red layer.

The red Krawfish Kai letters will be cut and placed 1/2" in front of the black layer, which will be 1/2" in front of the yellow layer. A black circle will be placed behind the lobster and lettering layers, with the yellow lettering, fork, and spoon placed 1/2" or so in front of it and behind the Krawfish Kai layers.



Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: November 7, 2023	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Presentation of a proposed 96-acre estate lot single-family residential development as submitted by Gracepoint Homes.

Recommendation

Listen to the presentation and discuss with the developer.

Discussion

Gracepoint Homes contacted the city recently about a proposed 96-acre residential development between Eva Street (SH 105) and Lone Star Parkway on the west side of the city that would feature estate lots and gated (private) streets. Staff recommended presenting to the P&Z and City Council to get feedback from city leaders on the project.

If the project moves forward, it will follow the city’s typical development process. The developer will provide the presentation materials at the meeting.

Approved By

Asst. City Administrator and Director Planning & Development	Dave McCorquodale	Date: 11/02/2023

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: November 7, 2023	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action regarding a Preliminary Report on the city-initiated rezoning request of the property commonly known as 203 Prairie Street, Montgomery, Texas.

Recommendation

Discuss the request and what details to include in the Preliminary Report. Motion to approve the Preliminary Report with any edits made to the attached draft.

Discussion

A draft Preliminary Report is attached. The Preliminary Report should provide sufficient information to inform the public about the details of the request and be factual in nature. The P&Z should discuss the draft and amend as you see fit. The Public Hearing will be held in the next agenda item.

Approved By

Asst. City Administrator and Director Planning & Development	Dave McCorquodale	Date: 11/02/2023

PLANNING & ZONING COMMISSION PRELIMINARY REPORT

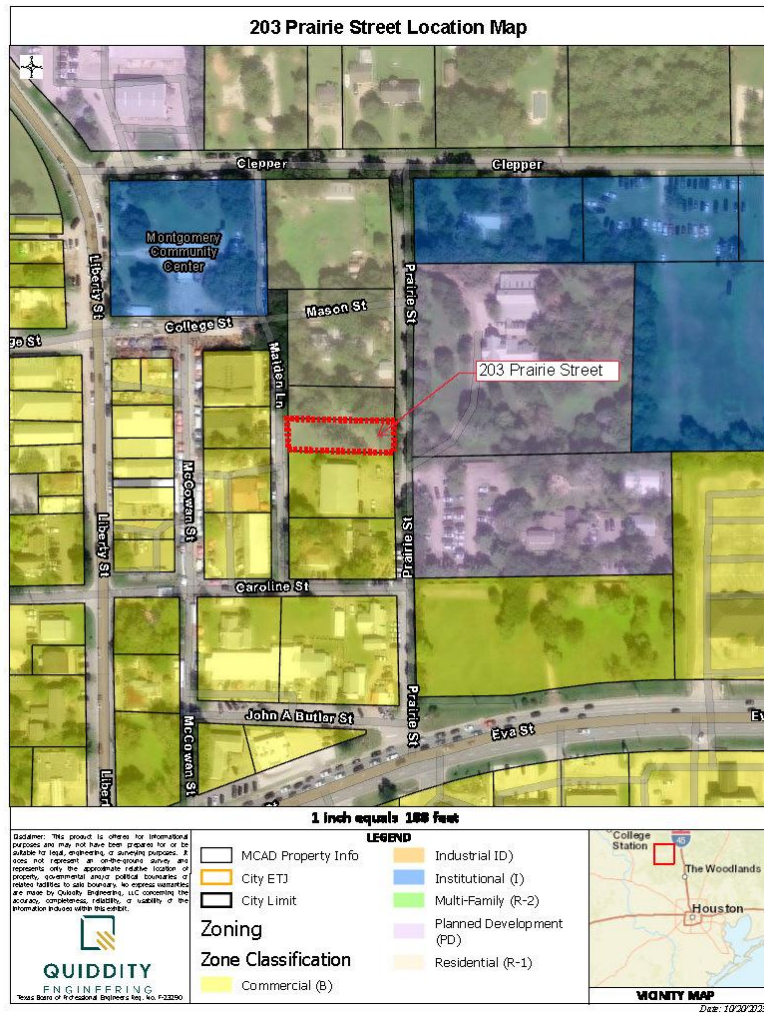
on a rezoning request for
203 Prairie Street, Montgomery, Texas

General Property Information:

- 0.225-acre parcel
- Currently R1 - Single-Family Residential
- Surrounding zoning:
 - Commercial
 - Single-Family Residential
 - Planned Development

Requested rezoning:

- B – Commercial



Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: November 7, 2023	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Convene into a Public Hearing regarding the preliminary report on the city-initiated rezoning of the property commonly known as 203 Prairie Street, Montgomery, Texas.

Recommendation

Open the Public Hearing, listen to any comments provided, and close the Public Hearing.

Discussion

There is no formal action needed, conduct the Public Hearing and hear public input on the request to rezone the property from R1 – Single Family Residential to B – Commercial. Thirteen property owners within 200-feet were mailed a notification letter of the request and Public Hearing date. Legal notice was published in The Courier of Montgomery County on October 23rd and 25th.

Approved By

Asst. City Administrator and Director Planning & Development	Dave McCorquodale	Date: 11/02/2023

203 Prairie 200-ft buffer map



10/20/2023, 3:22:19 PM

	Abstracts		Parcels		Lot Lines		Parcel Line		Abstracts
	Override 1		Lot Lines		Parcel Line		Parcel ID		

1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.05 km

© OpenStreetMap (and) contributors, CC-BY-SA

203 Prairie Street Location Map



1 inch equals 188 feet

Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Quiddity Engineering, LLC concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.

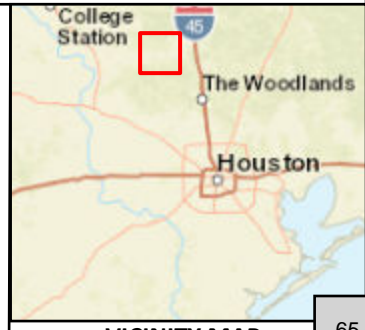


QUIDDITY
ENGINEERING

Texas Board of Professional Engineers Reg. No. F-23290

LEGEND

- | | |
|----------------------------|--------------------------|
| MCAD Property Info | Industrial (I) |
| City ETJ | Institutional (I) |
| City Limit | Multi-Family (R-2) |
| Zoning | Planned Development (PD) |
| Zone Classification | Residential (R-1) |
| Commercial (B) | |



VICINITY MAP

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: November 7, 2023	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action regarding a Preliminary Report on the city-initiated rezoning request of the property commonly known as 203 Prairie Street, Montgomery, Texas.

Recommendation

Discuss the request and what details to include in the Preliminary Report. Motion to approve the Preliminary Report with any edits made to the attached draft.

Discussion

A draft Preliminary Report is attached. The Preliminary Report should provide sufficient information to inform the public about the details of the request and be factual in nature. The P&Z should discuss the draft and amend as you see fit. The Public Hearing will be held in the next agenda item.

Approved By

Asst. City Administrator and Director Planning & Development	Dave McCorquodale	Date: 11/02/2023

PLANNING & ZONING COMMISSION RECOMMENDATION AND REPORT

TO: MONTGOMERY MAYOR AND CITY COUNCIL

FROM: PLANNING & ZONING COMMISSION

CC: DAVE MCCORQUODALE, DIRECTOR OF PLANNING & DEVELOPMENT
NICI BROWE, CITY SECRETARY

SUBJECT: REPORT CONCERNING A PROPOSED RECLASSIFICATION OF 203 PRAIRIE STREET, MONTGOMERY, TEXAS, A 0.225-ACRE TRACT SITUATED IN THE JOHN CORNER SURVEY, MONTGOMERY TOWNSITE 02, TRACT 4, AREA B, IN MONTGOMERY COUNTY, TEXAS COMMONLY KNOWN AS 203 PRAIRIE STREET, MONTGOMERY, TEXAS 77356 FROM R1-SINGLE FAMILY RESIDENTIAL TO B-COMMERCIAL.

Mayor and Members of City Council,

Pursuant to Sections 98-30 and 98-53 of the City of Montgomery Code of Ordinances (“the Code”), the Montgomery Planning and Zoning Commission met on November 7, 2023 to consider a city-initiated request to reclassify the property as B-Commercial. The property is currently city-owned property.

After a duly noticed public hearing with an opportunity for public comments concerning the requested rezoning classification, the Commission found:

- The property is currently zoned R1-Single-Family Residential.
- The rezoning request for the parcel to be B-Commercial is consistent with the proposed use and with other developments in the vicinity. One adjacent property is an historic home currently used as a residence.
- The Commission found it is not contrary to the interest of the community to reclassify the land use zoning designation of said tract to B-Commercial.

- By a unanimous vote the Planning and Zoning Commission hereby presents this Recommendation and Report pursuant to Section 98-30 of the City Code, recommending to _____ reclassification of the land use zoning designation of said property on the Official Zoning Map of Montgomery Texas to B-Commercial, thereby subject to all the requirements of Chapter 98 of the City of Montgomery Code of Ordinances for that designation.

I, Bill Simpson, Vice-Chairman of the Montgomery Planning and Zoning Commission, on this 7th day of November 2023, certify the above Report to be true and correct to the best of my knowledge.

Signed: _____
Bill Simpson, Vice-Chairman

Attest: _____
Nici Browe, TRMC, City Secretary

203 Prairie Street Location Map



1 inch equals 188 feet

Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Quiddity Engineering, LLC concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



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ENGINEERING
Texas Board of Professional Engineers Reg. No. F-23290

- MCAD Property Info
- City ETJ
- City Limit

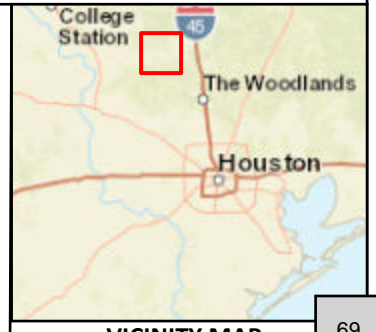
Zoning

Zone Classification

- Commercial (B)

LEGEND

- Industrial (I)
- Institutional (I)
- Multi-Family (R-2)
- Planned Development (PD)
- Residential (R-1)



VICINITY MAP