Notice of Planning and Zoning Commission AGENDA

February 01, 2022 at 6:00 PM

NOTICE TO THE PUBLIC IS HEREBY GIVEN the Montgomery Planning and Zoning Commission will conduct its regular monthly meeting at 6:00 PM on Tuesday, February 01, 2022, at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas.

Members of the public may download the Meeting Agenda Pack and view the meeting live on the City's website www.montgomerytexas.gov under Agenda/Minutes by selecting 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:

- Consideration and possible action on the January 4, 2022 Regular Meeting minutes. <u>1.</u>
- Consideration and possible action on the Preliminary Plat for Hills of Town Creek Section Five.
- <u>2.</u> <u>3.</u> Future Land Use Plan review and discussion.

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/ Diana Cooley

Deputy 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 January 28, 2022 at 5:00 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.

Item 1.

MINUTES OF REGULAR MEETING

January 4, 2022

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Waddell declared a quorum was present and called the meeting to order at 6:01 p.m.

Present: Jeffrey Waddell, Britnee Ghutzman, Bill Simpson, Merriam Walker, Allyson Clark Absent: None

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

VISITOR/CITIZENS FORUM

No comments given.

1. <u>Consideration and possible action regarding approval of the December 7, 2021 Regular</u> <u>Meeting Minutes.</u>

Merriam Walker moved to approve the minutes as submitted. Allyson Clark seconded the motion, the motion carried unanimously. (5-0)

2. <u>Convene into a Public Hearing regarding the rezoning requests for:</u>

<u>a. Hills of Town Creek Section Five from B-Commercial to R1-Single Family Residential,</u> <u>and</u>

b. 14855 N. Liberty Street, Montgomery, Texas from R1-Single Family Residential to B-Commercial.

Commissioner Waddell open the floor for public comment at 6:04 p.m. Hills of Town Creek residents Debbie Trumbo and Stan Donaldson asked for more information regarding the location map included in the notification letter for Hills of Town Creek and the note labeled "City-owned parcel (future water plant). Staff explained while no plans were formalized for the property, the City had owned the property for a number of years with the general plan to locate a water facility on the west side of the City. The note was meant as a reference primarily for City elected officials who would be familiar with the property location. Staff clarified the reference to "water plant"

was for drinking/potable water and not wastewater treatment/sewer plant. Neither resident had comments on the rezoning action. Councilwoman Julie Davis asked if the developer or home builder had notified prospective owners of the subdivision that the City owned property with the intent of constructing a water plant on it. The residents said they were not. Commissioner Waddell closed the Public Hearing at 6:24 p.m.

3. <u>Consideration and possible action regarding a Recommendation and Report for a rezoning</u> request for Hills of Town Creek Section Five.

Discussion was had by the Commission on what items are appropriate to include in the report to City Council. Additional discussion was had on lot sizes in the City.

Britnee Ghutzman moved to recommend to City Council approval of the request to rezone the property from B – Commercial to R1 – Single-Family Residential. Bill Simpson seconded the motion, the motion carried unanimously. (5-0)

4. <u>Consideration and possible action regarding a Recommendation and Report for a rezoning</u> request for 14855 N. Liberty Street, Montgomery, Texas.

Merriam Walker asked if someone could live on the property if it was rezoned to B - Commercial. Staff confirmed they could. Jeffrey Waddell shared concern about the City's adjacent property that could be reactivated as a sewer treatment facility. He also expressed concern about adjacent properties zoned residential and preferred a Special Use Permit for this property. Additional discussion was had on potential traffic impacts from the rezoning request.

Bill Simpson moved to recommend to City Council approval of the request to rezone the property from R1 – Single-Family Residential to B – Commercial. Britnee Ghutzman seconded the motion, the motion carried unanimously. (5-0)

5. <u>Convene into a Public Hearing regarding the rezoning requests for:</u>

a. Hills of Town Creek Section Five from B-Commercial to R1-Single Family Residential, and

<u>b. 14855 N. Liberty Street, Montgomery, Texas from R1-Single Family Residential to B-</u> <u>Commercial.</u> Commissioner Waddell open the floor for public comment at 7:05 p.m. Mr. Waddell also noted an error on the draft report for the Liberty Street property, which staff noted for correction. Councilwoman Julie Davis commented by first thanking the Commission for their work. She also mentioned that she felt the City needed more affordable housing options and lot size and home design both affects home prices. Allyson Clark said she felt like the City sets a precedent to taxpayers if higher density residential developments had a negative effect on the City's water system. Additional discussion was had on the City's long-range infrastructure planning. Commissioner Waddell closed the Public Hearing at 7:26 p.m.

6. <u>Consideration and possible action regarding a Report for City Council concerning a Special</u> <u>Use Permit application for Symmetry Brows located at 20165 Eva Street, Suite C,</u> <u>Montgomery, Texas 77356.</u>

Staff explained the item by noting that microblading, or cosmetic tattooing, was licensed by the state as a tattoo parlor, which requires a Special Use Permit granted by City Council. Commissioner Walker asked to clarify whether the SUP would allow other types of tattooing. Staff confirmed it would not allow anything not specifically listed in the SUP. Discussion was had on the 5-year timeframe for the Special Use Permit.

Bill Simpson moved to recommend to City Council approval of the Special Use Permit for Symmetry Brows for a microblading business at 20165 Eva Street, Suite C, Montgomery, Texas. Britnee Ghutzman seconded the motion, the motion carried unanimously. (5-0)

Commission Inquiry

Britnee Ghutzman asked for clarification on the City's ETJ boundaries and whether they would expand in the future with future annexations. Staff stated they would expand, and that any ETJ or city limit expansions would be voluntary and that cities were recently prevented from involuntary annexations due to changes in state law. Additional discussion was had on adjacent city ETJ's with examples of Conroe's ETJ on Montgomery's eastern border.

Adjournment

Britnee Ghutzman moved to adjourn the meeting at 7:48 p.m. Allyson Clark seconded the motion, the motion carried unanimously. (5-0)

Prepared by: _____ Date approved: _____ Dave McCorquodale

Chairman Jeffrey Waddell

Attest: _____ Diana Cooley, Deputy City Secretary

Montgomery Planning and Zoning Commission AGENDA REPORT

Meeting Date: February 1, 2022	Budgeted Amount:
Department: Administration	Prepared By: Dave McCorquodale

Subject

Consideration and possible action on the Preliminary Plat for Hills of Town Creek Section Five.

Recommendation

Approve the Preliminary Plat contingent on the engineer's comment being addressed.

Discussion

The engineer's memo is attached along with the Preliminary Plat. Some discussion was had on the conceptual land plan regarding the perceived need for additional cul-de-sacs or entry and exit points to adjacent streets. The City's engineer and staff have reviewed the design plan for compliance with City Code requirements and standard neighborhood design practices and offer no objections to the Preliminary Plat.

Approved By		
Asst. City Administrator	Dave McCorquodale	Date: 01/26/2022
City Administrator	Richard Tramm	Date: 01/26/2022



January 28, 2022

The Planning and Zoning Commission City of Montgomery 101 Old Plantersville Rd. Montgomery, Texas 77316

Re: Preliminary Plat The Hills of Town Creek Section 5 (Dev. No. 2102)

Dear Commission:

We reviewed the preliminary plat submission for the referenced development on behalf of the City of Montgomery (the "City"). Our review was based on the City's Code of Ordinances, Chapter 78 Section 60 and any other applicable chapters.

We offer no objection to the preliminary plat once all outstanding comments, as shown on the redlined plat, are addressed. We recommend the Commission approve the preliminary plat contingent upon all comments being addressed.

If you have any questions or comments, please contact me.

Sincerely,

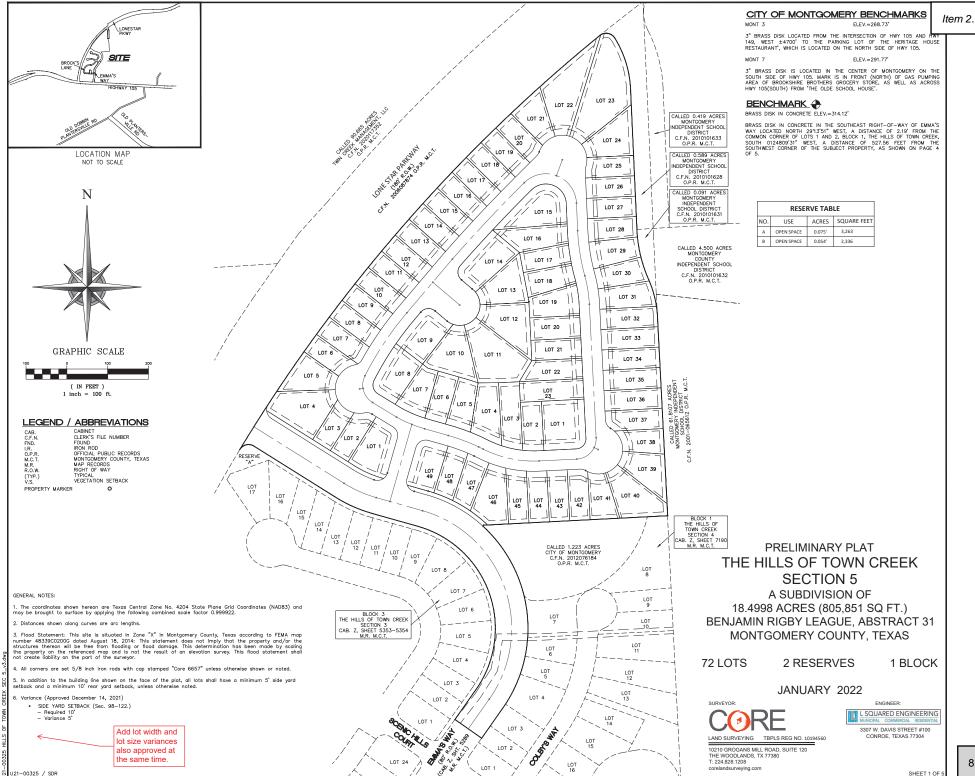
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Chris Roznovsky, PE Engineer for the City

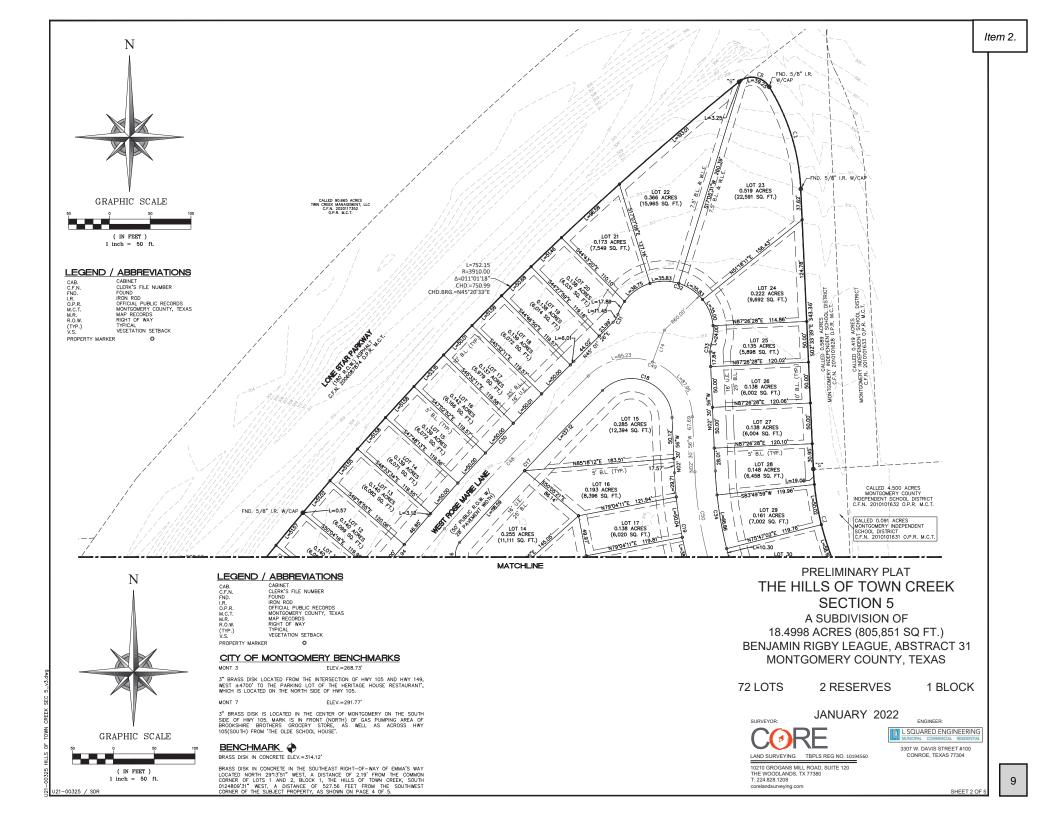
CVR/zlgt

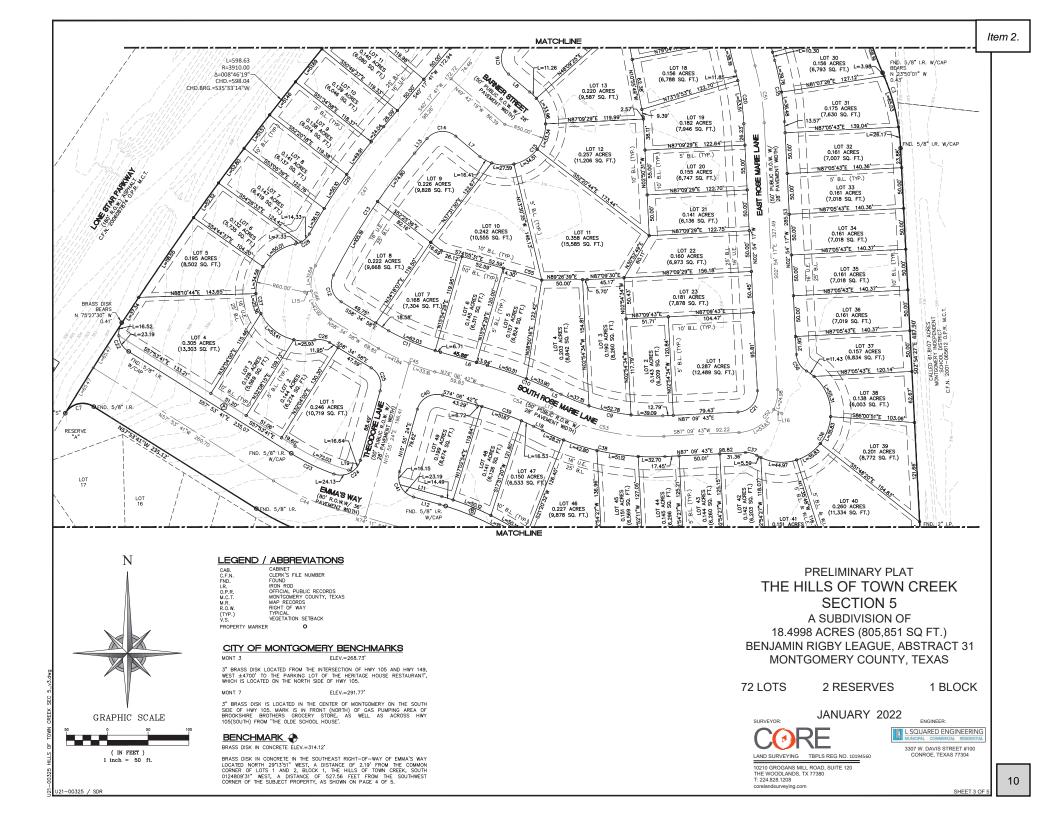
Z:\00574 (City of Montgomery)\107 Hills of Town Creek Sec. 5\Plat Review\Plan Review Letters\Preliminary Plat Approval Letter.docx

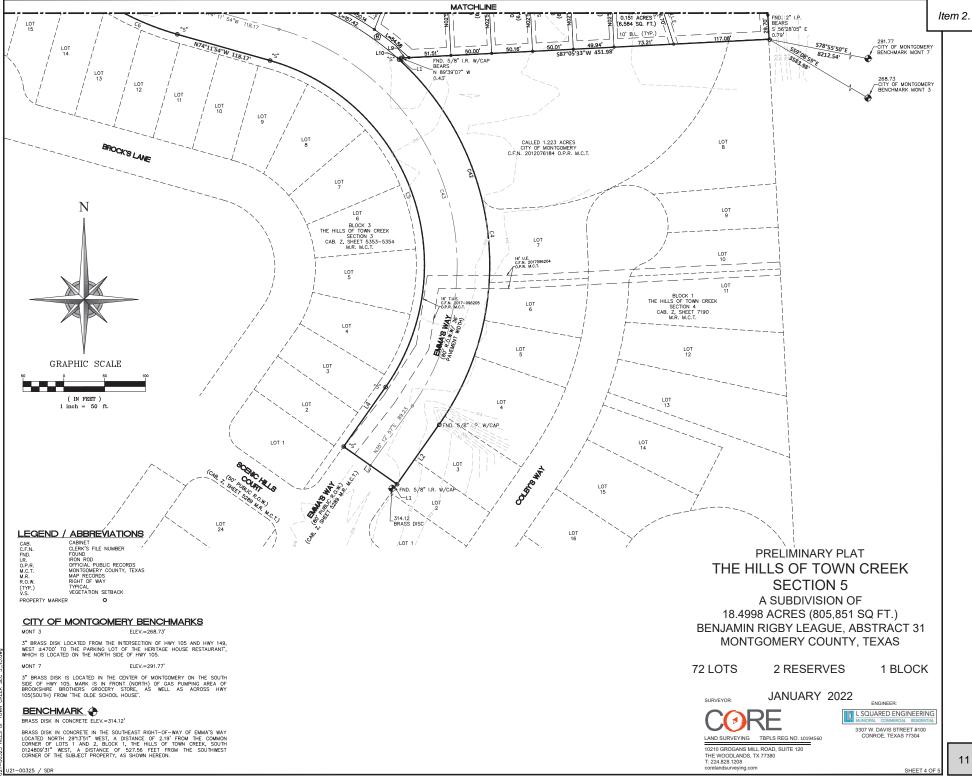
Enclosures:Redlined Preliminary PlatCc (via email):The Honorable Mayor and City Council – The City of Montgomery
Mr. Richard Tramm – City of Montgomery, City Administrator
Ms. Diana Cooley – City of Montgomery, Deputy City Secretary
Mr. Dave McCorquodale – City of Montgomery, Director of Planning &
Development
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney



8







STATE OF TEXAS COUNTY OF MONTGOMERY That					su su Citi	That I Clemente Turnublances JL. do hareby certify that I prepared this plat from an actual and accurate supervision, in accounted the conter mountents shown thereof were property placed under my personal supervision, in accounted with the subdivision regulations of the City of Montgomery, Texas. Clemente Turnublances JL.			
me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.				B	v:				
GIVEN UNDER	R MY HAND AND SEAL OF OFFICE, this	day of	, 2022.			Diana Cooley City Secretary			
		Print Nam	blic in and for the e: y Commission expire		. W	vithin instrument with 2022, at o'cl n cabinet, she	i its certific lock,M. et, o ND SEAL OF K County C y, Texas		
	CURVE TABLE					LINE TABL			
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C1 132.50 C2 127.25		.07' C29 160.15'	825.29 11°07'08 3,813.18 3°53'35'	' \$ 34°43'51" W \$ 43°14'48" W	159.90' 259.05'	L1 S 43°49'12" W	2.77' 89.35'		
C2 127.25 C3 95.16		.51' C30 259.10' .63' C31 11.44'	3,813.18 3°53'35' 25.00 26°13'08		259.05'	L2 \$ 35°11'49" W L3 N 54°47'09" W	89.35' 80.00'		
C4 491.64		0.91' C32 187.27'	60.00 178°49'1	_	120.00'	L4 N 35°12'57" E	89.23'		
C5 496.51	.' 260.00 109°24'53" N 19°29'29" W 424	I.43' C33 8.79'	25.00 20°08'26	' N 07°33'17" E	8.74'	L5 N 63°58'27" W	12.55'		
C6 98.17	345.00 16°18'13" N 66°02'47" W 97	.84' C34 105 69'	475.00 12°52'09	N 08°57'00" W	106.47'	16 S 74°06'42" F	59.83'		



Item 2.

C7 39.64'

C8 42.49'

C9

C10

C11 68.73' 300.00 13°07'37"

C12 37.33' 25.00

C14 39.27' 25.00

C17 255.70' 3,764.24

C18

C19 88.22' 525.00

C20 65.35' 300.00

C22 39.57'

C23 58.85' 265.00 12°43'26"

C24 40.78' 25.00

C25

C26

129.01' 250.00 29°33'58"

C13 179.98' 774.96

C15 157.04'

C16 38.14'

115.45' 50.00

C21 39.30' 25.00

32.51' 25.00

21.65'

18.85' 25.00

84.39' 511.47

25.00 90°50'28" S 76°40'47" W

9°27'15"

85°33'54"

90°00'00"

87°11'37"

3°53'31"

132°17'31"

9°37'39"

93°27'30"

74°30'22"

43°12'14"

C27 189.26' 60.00 180°43'31" S 11°25'26" E

24.80

97°23'20" \$ 80°27'13" E

13°18'23" N 33°38'19" E

179°57'23" \$ 37°34'23" W

12°28'48" N 09°08'41" W

90°04'00" \$ 42°07'43" W

50°00'57" S 53°56'03" W

S 78°03'18" E

S 69°24'16" E

S 67°32'53" E

S 15°48'01" E

S 85°17'41" W

S 06°02'58" E

S 43°14'48" W

N 68°39'41" W

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179.57' C41 39.32'

35.36'

100.00' C43 572.89'

34.56'

255.65' C45 74.99'

91.46' C46 74.67' 50.00

88.11'

65.22' C48 257.18'

35.38' C49 173.17'

35.57

58.73' C51 70.79'

36.41' C52 78.60'

30.27 C53

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C36 188.93'

C42

C47

C54

20.97' C56 24.80'

C38 154.81'

C39 74.90'

C44 86.79'

649.12'

185.79'

141.91'

79.93' 486.47

C50 112.30'

C55 35.02'

12°28'48" N 09°08'41" W

S 76°04'57" E

N 60°53'09" E

S 29°08'15" E

N 15°48'01" W

S 43°14'54" W

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300.00 29°34'00" S 78°03'17" E

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340.00 109°23'13" S 19°29'59" E

300.00 109°24'53" N 19°29'29" W

305.00 16°18'13" N 66°02'47" W

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L8 S 49°42'19" E 34.04'

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L9 N 87°05'33" E

L10 N 43°49'12" E

L13 S 40°17'41" W

L14 S 20°18'05" W

L15 N 80°29'19" E

L16 N 64°17'06" W

L17 S 63°58'28" E

L18 S 63°58'59" E

L19 S 74°04'36" E 5.19'

1 BLOCK

ENGINEER:

L SQUARED ENGINEERING

3307 W. DAVIS STREET #100

CONROF TEXAS 77304

PRELIMINARY PLAT

THE HILLS OF TOWN CREEK

SECTION 5

A SUBDIVISION OF

18.4998 ACRES (805,851 SQ FT.)

BENJAMIN RIGBY LEAGUE, ABSTRACT 31

MONTGOMERY COUNTY, TEXAS

2 RESERVES

JANUARY 2022

LAND SURVEYING TBPLS REG NO. 10194560

10210 GROGANS MILL ROAD, SUITE 120

THE WOODLANDS, TX 77380 T: 224.828.1208 corelandsurveying.com

72 LOTS

Meeting Date: February 1, 2022	Budgeted Amount:
Department: Administration	Prepared By: Dave McCorquodale

Subject

Future Land Use Plan review and discussion.

Recommendation

Consider the information provided and provide input to staff.

Discussion

A Future Land Use Plan was put together by the city's engineer and staff a number of years ago (2017-2018 timeframe). The plan is not an adopted City plan, though is still used by staff, consultants, and developers to guide the decision-making process when discussing proposed developments. The goal of this meeting's discussion is to gain familiarity with the plan and discuss details. The process of revising and updating the plan is a longer process than one meeting, and staff will bring the plan back to a future meeting for review and further discussion before the Commission makes a recommendation to City Council to adopt the plan. Formal adoption of the Future Land Use Plan strengthens the City's zoning and provides a clear roadmap for future developments.

Approved By		
		D / 01/26/2022
Asst. City Administrator	Dave McCorquodale	Date: 01/26/2022
City Administrator	Richard Tramm	Date: 01/26/2022

