

**Notice of Planning and Zoning Commission
AGENDA**

March 07, 2023 at 6:00 PM

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

Members of the public may 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 Agenda Pack will be posted online at . 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.** Approval of the February 7, 2023 Regular Meeting Minutes.
- 2.** Consideration and possible action on calling Public Hearings to be held on April 4, 2023 related to a rezoning request by Cornerstone Community Church at 14740 Liberty Street, Montgomery, Texas.
- 3.** Consideration and possible action regarding approval of replat of Restricted Reserve “H2” of the Amended Plat of Buffalo Springs Shopping Center Phase 2.
- 4.** Consideration and possible action regarding approval of the Preliminary Plat for Montgomery Bend Section One.
- 5.** Consideration and possible action regarding approval of the Preliminary Plat for Montgomery Bend Section Two.
- 6.** Consideration and possible action on a recommendation to City Council on minimum lot width, minimum lot area, and side yard setback requirements for R1-Single Family Residential zoning districts within the City of Montgomery.

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, 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 March 3, 2023 at 3:00 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

February 7, 2023

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Waddell declared a quorum was present and called the meeting to order at 5:59 p.m.

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

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

VISITOR/CITIZENS FORUM:

Mr. McCorquodale said no comments were given.

CONSIDERATOIN AND POSSIBLE ACTION:

1. **Consideration and possible action on the Regular Meeting minutes of December 6, 2022 and January 3, 2023.**
 Daniel Gazda moved to approve the meeting minutes from December 6, 2022 and January 3, 2023 as presented. Britnee Ghutzman seconded the motion, the motion carried unanimously. (5-0)

2. **Consideration and possible action on proposed canopy signage for the Simmons Bank ATM located at 14340 Liberty Street in the Historic Preservation District.**

Mr. McCorquodale said this was the third sign design submitted for review at the December 6, 2022 meeting. Mr. McCorquodale said the requested changes included the background of the sign color to be gray and the ATM letters to be changed to black.

Britnee Ghutzman moved to approve the sign. Daniel Gazda seconded the motion, the motion carried unanimously. (5-0)

3. Consideration and possible action on proposed signage for Slice of Amish located at 401 College Street, Suite 170 in the Historic Preservation District.

Mr. McCorquodale said the sign was installed but has since been removed due to not having approval from the P&Z Commission. Mr. McCorquodale said the location and appearance of the sign could be an effort to increase visibility.

William Simpson said the sign needs to be characteristic with the rest of the street and be more historic looking.

Jeffrey Waddell said it might help to reduce the size of the sign and put a frame around it.

Mr. McCorquodale said he will meet with the owners of Slice of Amish and discuss some of the points the Commission has mentioned to repackage it and return for approval.

Merriam Walker moved to table the item. Britnee Ghutzman seconded the motion, the motion carried unanimously. (5-0)

4. Consideration and possible action on proposed signage for H-Bistrot located at 401 College Street, Suite 150 in the Historic Preservation District.

Mr. Steve Hari, owner of H-Bistrot gave a brief introduction of his business and description of his proposed sign.

William Simpson moved to approve the signage as presented at H-Bistrot located at 401 College Street, Suite 150. Merriam Walker seconded the motion, the motion carried unanimously. (5-0)

5. Consideration and possible action on a revised design for the proposed home at 704 Caroline Street located in the Historic Preservation District.

The Selleck’s presented their revisions for the proposed home located at 704 Caroline Street.

Britnee Ghutzman said she thinks it is a beautiful property, likes the mixed materials and colors chosen, and thinks the angle windows will be stunning.

Britnee Ghutzman moved to approve the design with angled windows in the rear. Merriam Walker seconded the motion, the motion carried unanimously. (5-0)

6. Consideration and possible action on a recommendation to City Council on a side yard setback variance request for Montgomery Bend, an 80-acre single family residential development.

Mr. McCorquodale said as mentioned in the Feasibility Study these are 45-foot-wide lots. Mr. McCorquodale said one of the things that was not put in the development agreement along with the 45-foot lots were any type of a reduced side yard. Mr. McCorquodale said the side yard is required to be ten feet by the ordinance of a 45-foot lot.

Mr. Connor Young with Pulte Homes of Texas LP presented a brief overview. Mr. Young said they have decided to request a five-foot side yard across the entire development so that as they begin to build homes they will not be limited to one lot or another.

Merriam Walker asked how big the homes are. Mr. Young said the 30-foot-wide homes are between 1,200 to 2,000 square feet and the 35-foot-wide homes are between 1,400 to 2,600 square feet. Mr. Young said they have requested a five-foot side yard across the board so they can fit both products on any lot throughout the development. Mr. Young said

on the lots they build the 30-foot-wide product they can pick one side or split the difference depending on utilities, driveway placement and other conflicts.

Merriam Walker said there is a suggestion that if this is approved other equipment would not be allowed on the reduced side yard. Mr. Young said he believes all of their building products have the air conditioning units and all associated equipment in the back, but he will confirm that.

Merriam Walker asked Mr. McCorquodale if this is something they need to have in writing so that it is adhered to.

Mr. McCorquodale said if that is something Planning and Zoning wanted to do they would make that part of their recommendation. Mr. McCorquodale said since this is being done for the entire subdivision as opposed to a single variance request, Planning and Zoning is acting on it just like it is a variance recommendation. Mr. McCorquodale said what will likely happen is they will go back and amend the development agreement and put that in the development agreement since it does affect the entire subdivision. Mr. McCorquodale said if Planning and Zoning recommended approval of a five-yard side setback and did not want the equipment there, then City Council would need to consider that in making a decision.

Britnee Ghutzman moved to approve the variance request for side lots being reduced to a minimum of five feet with the condition of the equipment being moved to the rear of the property and given recommendation to City Council. William Simpson seconded the motion, the motion carried unanimously. (5-0)

COMMISSION INQUIRY:

Jeffrey Waddell said he thinks it would be a good time to have a workshop with City Council, MEDC or both now that there is a new City Administrator.

Jeffrey Waddell asked who is responsible for the sign for the kiosk behind Cozy Grape.

ADJOURNMENT

Britnee Ghutzman moved to adjourn the meeting at 6:50 p.m. William Simpson seconded the motion, the motion carried unanimously. (5-0)

Prepared by: _____ Date Approved: _____
Diana Cooley, Deputy City Secretary

Chairman Jeffrey Waddell

Attest: _____
Nici Browe, City Secretary

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: March 7, 2023	Prepared By: Dave McCorquodale
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Subject

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

Recommendation

Call two Public Hearings for April 4, 2023 at 6:00 pm at Montgomery City Hall.

Discussion

Cornerstone Community Church recently acquired 0.295-acres from the property owner to the south of their church. That property is zoned R1-Single Family Residential. The church has submitted a request to rezone this newly acquired property to I-Institutional. Their existing property is already zoned I-Institutional.

The first step in the rezoning process is for the Planning & Zoning Commission to form a Preliminary Report and hold two Public Hearings on that report. A legal notice is also published in addition to property owners within 200-feet being notified by mail of the subject, time, and location of the Public Hearings. City Council also holds a Public Hearing and receives the P&Z Final Report before acting on the rezoning request.

Approved By

Assistant City Administrator

Dave McCorquodale

Date: 03/02/2023



Rezoning Application

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

Item 2.

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

Contact Information

Property Owner(s): Cornerstone Community Church of Montgomery

Address: 14740 Liberty St. Montgomery, Tx

Zip Code: 77356 Phone: 281-732-0053

Email Address: colemang2611@gmail.com

Applicants: Gerald Coleman

Address: 24505 Gay Lake Rd

Zip Code: 77356 Phone: 281-732-0053

Email Address: colemang2611@gmail.com

Parcel Information

Property Identification Number (MCAD R#): R31340

Legal Description: A0008 - Corner John, TRACT 13, 14-B, ACRES 1.295

Street Address or Location: 14740 Liberty St. Montgomery, Tx 77356

Acreage: .295 Present Zoning: R1-Single Family Residential Present Land Use: Residential

Proposed Zoning: I-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: Gerald Coleman Date: 2-27-2023

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.

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: March 7, 2023	Prepared By: Dave McCorquodale
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Subject

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

Recommendation

Approve the replat as presented.

Discussion

The engineer’s memo is attached. Reserve “H2” is just west of BlueWave Car Wash. The property is being divided into two parcels—one for Popeye’s Louisiana Kitchen and one for Dutch Bros. Coffee.

Approved By

Assistant City Administrator	Dave McCorquodale	Date: 03/03/2023
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March 1, 2023

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

Re: Submission of Partial Replat
Restricted Reserve "H2" of the Amended Plat of Buffalo Springs Shopping Center Phase 2
City of Montgomery

Dear Commission:

We reviewed the Replat submission for the referenced development on behalf of the City of Montgomery. The purpose of the replat is to split reserve H2 into 2 separate parcels to be developed independently as a Popeye's Chicken and a Dutch Brothers Coffee. Our review was based on The City of Montgomery's Code of Ordinances, Chapter 78, Section 63 and any other applicable chapters.

We offer no objection to the replat as submitted, and we recommend the Commission approve the replat.

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

Sincerely,

A handwritten signature in blue ink that reads "Chris Roznovsky". The signature is fluid and cursive.

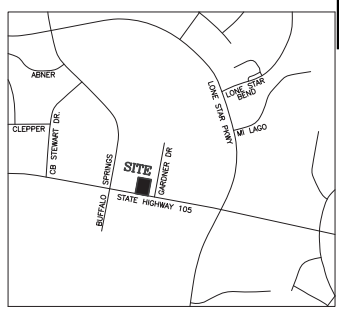
Chris Roznovsky, PE
Engineer for the City

CVR/ajn

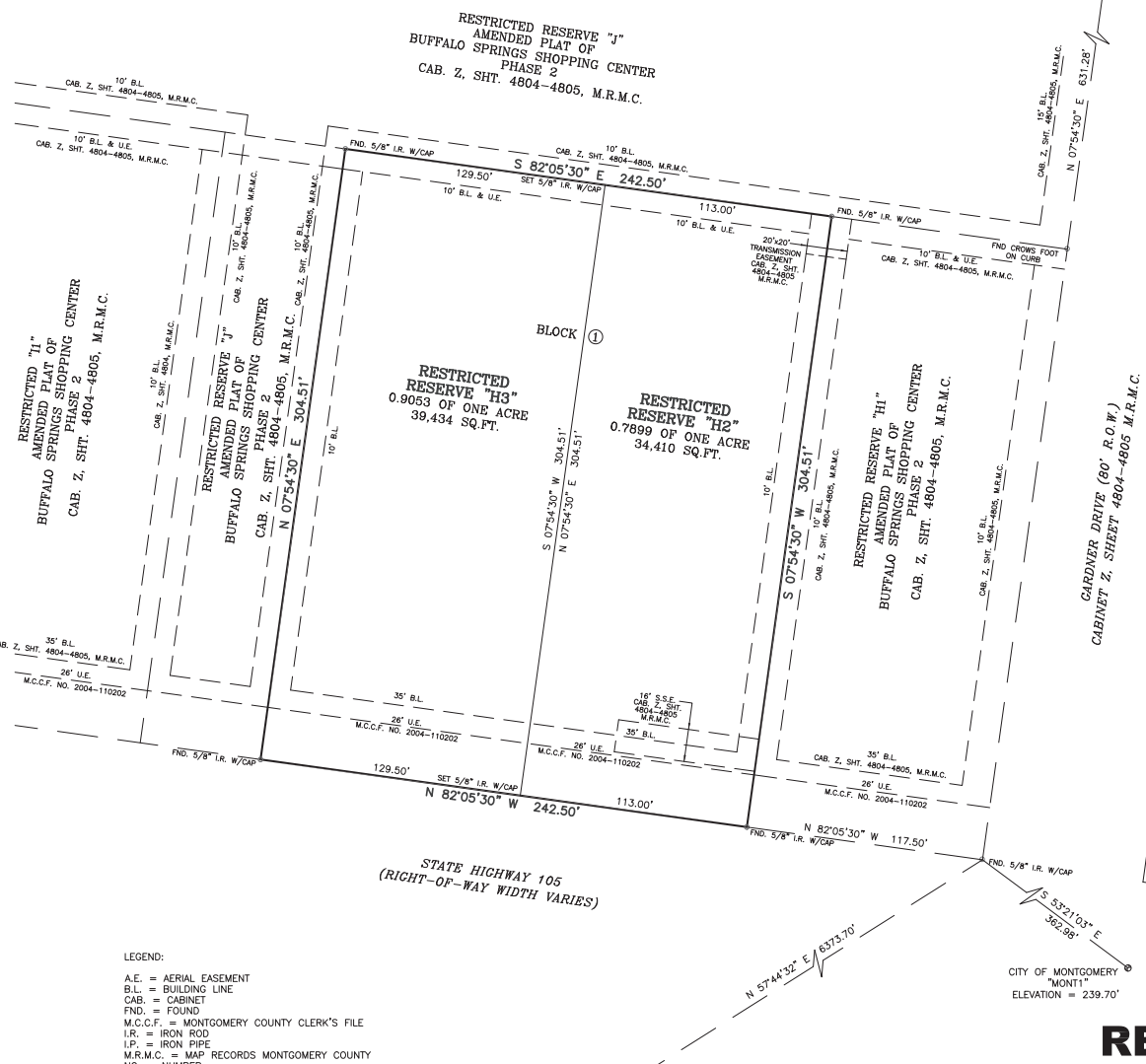
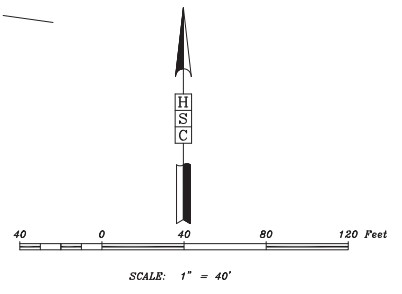
Z:\00574 (City of Montgomery)\900 General Consultation\Correspondence\2023.03.01 MEMO TO P&Z RE Montgomery Bend Sec.1 Preliminary Plat.docx

Enclosures: Preliminary Plat

Cc (via email): The Honorable Mayor and City Council – The City of Montgomery
Mr. Gary Palmer – City of Montgomery, City Administrator
Ms. Nici Browe – City of Montgomery, City Secretary
Mr. Dave McCorquodale – City of Montgomery, Director of Planning & Development
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney



VICINITY MAP NOT TO SCALE
KEY MAP 123U



BENCHMARK
CONCRETE MONUMENT
WITH BRASS DISK, STAMPED
BSSC PHS. 11
ELEVATION = 244.25'
N(Y)=10,135,655.67
E(X)=3,763,281.21

REPLAT OF RESTRICTED RESERVE "H2" OF THE AMENDED PLAT BUFFALO SPRINGS SHOPPING CENTER PHASE 2

A COMMERCIAL SUBDIVISION OF
1.6952 ACRES OF LAND SITUATED IN
THE JOHN CORNER SURVEY,
ABSTRACT NUMBER 8, CITY OF
MONTGOMERY, MONTGOMERY COUNTY,
TEXAS.

2 RESERVES, 1 BLOCK

- LEGEND:
- A.E. = AERIAL EASEMENT
 - B.L. = BUILDING LINE
 - CAB. = CABINET
 - FND. = FOUND
 - M.C.C.F. = MONTGOMERY COUNTY CLERK'S FILE
 - I.R. = IRON ROD
 - I.P. = IRON PIPE
 - M.R.M.C. = MAP RECORDS MONTGOMERY COUNTY
 - NO. = NUMBER
 - NOS. = NUMBERS
 - SHT. = SHEET
 - S.S.E. = SANITARY SEWER EASEMENT
 - S.T.M.S.E. = STORM SEWER EASEMENT
 - U.E. = UTILITY EASEMENT
 - W.E. = WATER EASEMENT
 - W/CAP = WITH CAP

OWNER/DEVELOPER:
LFFP-105, LLC, A LIMITED LIABILITY COMPANY
10190 KATY FREEWAY, SUITE 350
HOUSTON, TEXAS 77043
(713) 266-8799

SURVEYOR:
Land Surveys - Computer Mapping
Acresage - Residential - Industrial - Commercial
5000 Cabbage - Spring, Texas 77379
(281) 320-9591 hovis@hovisurveying.com
Texas Firm Registration No. 10030400



DATE: MARCH 1, 2023 SCALE: 1" = 40' JOB NO. 21-167-00

THE STATE OF TEXAS
 COUNTY OF MONTGOMERY

That LFFP-105, LLC, a Texas limited liability company, acting by and through Mohammed Ali Lakhany, Manager, does hereby adopt this plat designating the herein described property as the AMENDED PLAT OF RESTRICTED RESERVE "H2" OF THE AMENDED PLAT OF BUFFALO SPRINGS PHASE 2, and does hereby make subdivision of said property according to the lines, streets, alleys, parks and easements therein shown and dedicate to public use forever all areas shown on this plat a streets, alleys, parks and easements, except those specifically indicated as private; and does hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades and does hereby bind Owner and Owner's successors and assigns to warrant and defend the title to the land so dedicated.

Owner hereby certifies that Owner has or will comply with all applicable regulations of the City of Montgomery, Texas and that a rough proportionality exists between the dedications, improvements and exactions required under such regulations and the projected impact of the subdivision

There is hereby dedicated a 5' aerial easement adjacent to all utility easements shown hereon from a plane 20 feet above the ground designated as "U.E. with A.E."

IN TESTIMONY WHEREOF, LFFP-105, LLC, a Texas limited liability company has caused these presents to be signed by Mohammed Ali Lakhany, its Manager, thereto authorized and its common seal hereto affixed this ____ day of _____, 2023.

LFFP-105, LLC, a Texas limited liability company

By: _____
 Mohammed Ali Lakhany, Manager

STATE OF TEXAS
 COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared Mohammed Ali Lakhany, Manager of LFFP-105, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
 this ____ day of _____, 2023.

Notary Public in and for
 the State of Texas

My Commission expires: _____

SURVEYOR'S CERTIFICATION

That I, Harry H. Hovis, IV, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereat were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Montgomery, Texas



[Signature]

Harry H. Hovis IV
 Registered Professional Land Surveyor
 Texas Registration No. 4827

CITY OF MONTGOMERY

I, the undersigned, Engineer for the City of Montgomery, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City as to which his approval is required.

Chris Roznovsky, P.E.
 City Engineer
 City of Montgomery

I, the undersigned, City Administrator for the City of Montgomery, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City as to which his approval is required.

Dated this ____ day of _____, 2023

Gary Palmer
 City Administrator
 City of Montgomery

CITY OF MONTGOMERY

This plat and subdivision has been submitted to and considered by the city planning and zoning commission, and is hereby approved by such commission.

Dated This ____ Day of _____, 2023

Jeffrey Waddell
 Chairperson Planning and Zoning Commission

CITY OF MONTGOMERY

This plat and subdivision has been submitted to and considered by the city council of the City of Montgomery, Texas, and is hereby approved by such council.

Dated This ____ Day of _____, 2023

By: _____
 Bryon Sanford
 Mayor

ATTEST:

By: _____
 Nicola Browe
 City Secretary

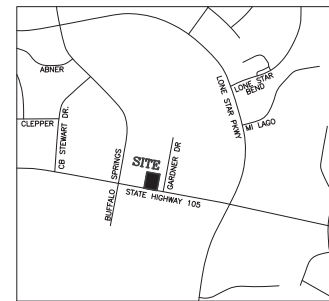
STATE OF TEXAS
 COUNTY OF MONTGOMERY

I, L. Brandon Steinmann, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2023, at ____ o'clock, __M., and duly recorded on _____, 2023, at ____ o'clock, __M. in Cabinet _____, Sheets _____, of the Map Records of said County.

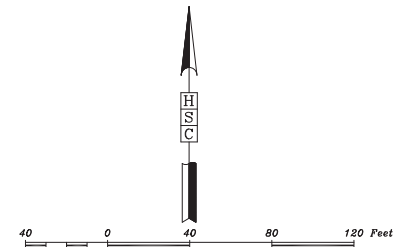
WITNESS MY HAND AND SEAL OF OFFICE, at Conroe, Montgomery County, Texas, the day and date last above written.

L. Brandon Steinmann, Clerk, County Court
 Montgomery County, Texas

By: _____ Deputy



VICINITY MAP NOT TO SCALE
 KEY MAP 123U



SCALE: 1" = 40'

NOTES:

- Bearing orientation based on Texas State Plane Coordinate Grid System of 1983 (Central Zone No. 4203).
- Based on graphical plotting this tract lies within unshaded Zone X and no portion of this tract lies within a "100 year flood hazard area" as designated on The National Flood Insurance Program - Flood Insurance Rate Map issued by the Federal Emergency Management Agency under Map Number 48339C0200G, Community Panel Number 481483 0200 G for City of Montgomery, Montgomery County, Texas, dated August 18, 2014. The "100 year flood hazard area" is subject to change as detailed studies become available and/or watershed or channel conditions change.
- All corners are set 5/8 inch iron rods with cap unless otherwise noted.

**REPLAT OF
 RESTRICTED RESERVE "H2"
 OF THE AMENDED PLAT
 BUFFALO SPRINGS
 SHOPPING CENTER PHASE 2**

A COMMERCIAL SUBDIVISION OF
 1.6952 ACRES OF LAND SITUATED IN
 THE JOHN CORNER SURVEY,
 ABSTRACT NUMBER 8, CITY OF
 MONTGOMERY, MONTGOMERY COUNTY,
 TEXAS.

2 RESERVES, 1 BLOCK

OWNER/DEVELOPER:
 LFFP-105, LLC, A LIMITED LIABILITY COMPANY
 10190 KATY FREEWAY, SUITE 350
 HOUSTON, TEXAS 77043
 (713) 266-8799

SURVEYOR:

HOVIS SURVEYING COMPANY
 Land Surveys - Computer Mapping
 Acreage - Residential - Industrial - Commercial
 5000 Cabbage - Spring, Texas 77379
 (281) 320-9591 hovis@hovissurveying.com
 Texas Firm Registration No. 10030400

DATE: MARCH 1, 2023 SCALE: 1" = 40' JOB NO. 21-167-00

SHEET 2 OF 2

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: March 7, 2023	Prepared By: Dave McCorquodale
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Subject
Consideration and possible action regarding approval of the Preliminary Plat for Montgomery Bend Section One.

Recommendation
Approve the Preliminary Plat for Montgomery Bend Section One.

Discussion
The engineer’s memo is attached. As noted in the memo, the developer will change the plat drawing to show 5-foot side yards as approved by city council. This will not affect the number or layout of lots and will be corrected before they submit the Final Plat for review.

Approved By		
Assistant City Administrator	Dave McCorquodale	Date: 03/03/2023



March 1, 2023

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

Re: Submission of Preliminary Plat
 Montgomery Bend Sec.1 (Dev. No. 2203)
 City of Montgomery

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. Our review was also based upon the approved development regulations included as part of the development agreement between the Developer and the City.

The developer intends to plat the property with 5' sideyard setbacks as approved as part of the development agreement on February 14, 2023. The 5' sideyard setbacks are not currently shown but will be shown on the final plat. We offer no objection to the preliminary plat as submitted, and we recommend the Commission approve the preliminary plat.

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

Sincerely,

A handwritten signature in blue ink that reads 'Chris Roznovsky'. The signature is fluid and cursive, written in a professional style.

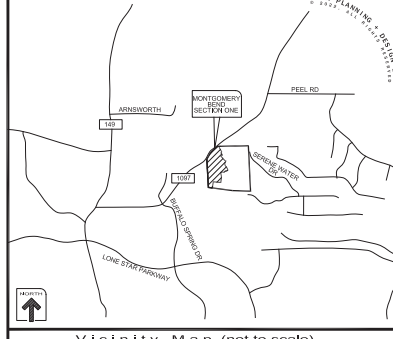
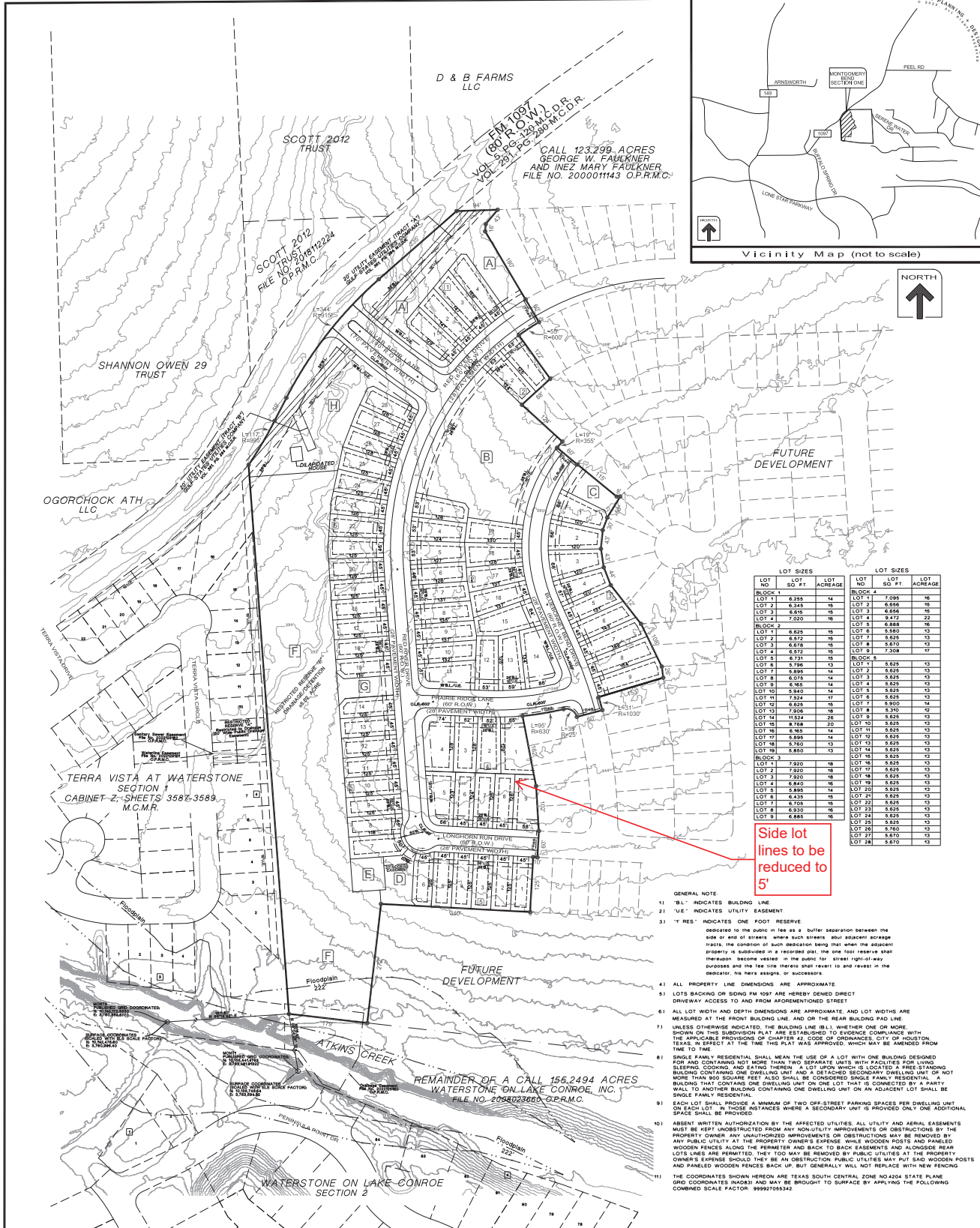
Chris Roznovsky, PE
 Engineer for the City

CVR/ajn

Z:\00574 (City of Montgomery)\900 General Consultation\Correspondence\2023.03.01 MEMO TO P&Z RE Montgomery Bend Sec.1 Preliminary Plat.docx

Enclosures: Preliminary Plat

Cc (via email): The Honorable Mayor and City Council – The City of Montgomery
 Mr. Gary Palmer – City of Montgomery, City Administrator
 Ms. Nici Browe – City of Montgomery, City Secretary
 Mr. Dave McCorquodale – City of Montgomery, Director of Planning & Development
 Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney



LOT SIZES		LOT SIZES	
LOT NO	LOT SIZE SQ FT	LOT NO	LOT SIZE SQ FT
BLOCK 1			
LOT 1	6,255	14	6,255
LOT 2	6,255	15	6,255
LOT 3	6,255	16	6,255
LOT 4	6,255	17	6,255
BLOCK 2			
LOT 11	6,255	14	6,255
LOT 12	6,255	15	6,255
LOT 13	6,255	16	6,255
LOT 14	6,255	17	6,255
LOT 15	6,255	18	6,255
LOT 16	6,255	19	6,255
LOT 17	6,255	20	6,255
LOT 18	6,255	21	6,255
LOT 19	6,255	22	6,255
LOT 20	6,255	23	6,255
LOT 21	6,255	24	6,255
LOT 22	6,255	25	6,255
LOT 23	6,255	26	6,255
LOT 24	6,255	27	6,255
LOT 25	6,255	28	6,255
LOT 26	6,255	29	6,255
LOT 27	6,255	30	6,255
LOT 28	6,255	31	6,255
LOT 29	6,255	32	6,255
LOT 30	6,255	33	6,255
BLOCK 3			
LOT 1	6,255	14	6,255
LOT 2	6,255	15	6,255
LOT 3	6,255	16	6,255
LOT 4	6,255	17	6,255
LOT 5	6,255	18	6,255
LOT 6	6,255	19	6,255
LOT 7	6,255	20	6,255
LOT 8	6,255	21	6,255
LOT 9	6,255	22	6,255
LOT 10	6,255	23	6,255
LOT 11	6,255	24	6,255
LOT 12	6,255	25	6,255
LOT 13	6,255	26	6,255
LOT 14	6,255	27	6,255
LOT 15	6,255	28	6,255
LOT 16	6,255	29	6,255
LOT 17	6,255	30	6,255
LOT 18	6,255	31	6,255
LOT 19	6,255	32	6,255
LOT 20	6,255	33	6,255

Side lot lines to be reduced to 5'

- GENERAL NOTE
- "BL" INDICATES BUILDING LINE
 - "UL" INDICATES UTILITY EASEMENT
 - "Y RES" INDICATES ONE FOOT RESERVE dedicated to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent streets. The condition of such reservation being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall hereupon become vested in the public for street right-of-way purposes and the fee hereon shall revert to and remain in the dedicant, his heirs, assigns, or successors.
 - ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE
 - LOTS BACKING OR BOUND BY 100' ARE HEREBY GRANTED DIRECT DRIVEWAY ACCESS TO AND FROM FOREMENTIONED STREET
 - ALL LOT WIDTH AND DEPTH DIMENSIONS ARE APPROXIMATE, AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE, AND ON THE REAR BUILDING PAD LINE
 - UNLESS OTHERWISE INDICATED, THE BUILDING LINE (BL), WHETHER ONE OR MORE, SHOWN ON THIS SUBDIVISION PLAT ARE ESTABLISHED TO EVIDENCE COMPLIANCE WITH THE APPLICABLE PROVISIONS OF CHAPTER 42, CODE OF ORDINANCES, CITY OF HOUSTON, TEXAS, IN EFFECT AT THE TIME THIS PLAT WAS APPROVED, WHICH MAY BE AMENDED FROM TIME TO TIME
 - SINGLE FAMILY RESIDENTIAL SHALL MEAN THE USE OF A LOT WITH ONE BUILDING DESIGNED FOR AND CONTAINING NOT MORE THAN TWO SEPARATE UNITS WHICH MAY BE USED FOR SLEEPING, COOKING, AND EATING THEREIN. A LOT UPON WHICH IS LOCATED A FREE-STANDING BUILDING CONTAINING ONE DWELLING UNIT AND A DETACHED SECONDARY DWELLING UNIT OR NOT MORE THAN ONE SQUARE FEET shall be considered single family residential. A BUILDING THAT CONTAINS ONE DWELLING UNIT ON ONE LOT THAT IS CONNECTED BY A PARTY WALL TO ANOTHER BUILDING CONTAINING ONE DWELLING UNIT ON AN ADJACENT LOT SHALL BE SINGLE FAMILY RESIDENTIAL
 - EACH LOT SHALL PROVIDE A MINIMUM OF TWO OFF-STREET PARKING SPACES PER DWELLING UNIT ON EACH LOT IN THOSE INSTANCES WHERE A SECONDARY UNIT IS PROVIDED ONLY ONE ADDITIONAL SPACE SHALL BE PROVIDED
 - ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBTSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND A WOODS REAR LOT'S LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE PROVIDED THEY BE AN OBSTRUCTION PUBLIC UTILITIES MAY PUT SAND WOODEN AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING
 - THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NAD 83 STATE PLANE GRID COORDINATE (SABG) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR: 999927086342

NOTE:

A RESTRICTED RESERVE "A" LANDSCAPE/OPEN SPACE ±1.04 ACRE	E RESTRICTED RESERVE "E" LIFT STATION ±0.12 ACRE
B RESTRICTED RESERVE "B" REC CENTER ±1.58 ACRE	F RESTRICTED RESERVE "F" DRAINAGE/DETENTION ±5.02 ACRE
C RESTRICTED RESERVE "C" LANDSCAPE/OPEN SPACE ±0.15 ACRE	G RESTRICTED RESERVE "G" LANDSCAPE/OPEN SPACE ±0.13 ACRE
D RESTRICTED RESERVE "D" LANDSCAPE/OPEN SPACE ±0.18 ACRE	H RESTRICTED RESERVE "H" LANDSCAPE/OPEN SPACE ±1.22 ACRE

DISCLAIMER AND LIMITED WARRANTY
 THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF MONTGOMERY SUBDIVISION ORDINANCES IN EFFECT AT THE TIME THIS PLAT WAS PREPARED AND WITH ANY AMENDMENTS OR VARIATIONS TO THE PROVISIONS OF THE APPLICABLE ORDINANCES WHICH ARE SUBSEQUENTLY GRANTED BY THE MONTGOMERY PLANNING & ZONING COMMISSION AND/OR CITY COUNCIL. THIS PRELIMINARY PLAT HAS BEEN PREPARED FOR THE LIMITED PURPOSE OF ASSISTANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NOTWITHSTANDING ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, MADE BY OTHER PARTIES OR REPRESENTATIVES, OFFICERS, OR EMPLOYEES CONCERNING THE DESIGN, LOCATION, QUALITY, DIMENSIONS OF ACTUAL UTILITIES, OR OTHER FACILITIES IN OR OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.

A PRELIMINARY PLAT OF

MONTGOMERY BEND SECTION ONE

BEING 23.5± ACRES OF LAND CONTAINING 69 LOTS (45' X 120' TYP.) AND EIGHT RESERVES IN FIVE BLOCKS.

OUT OF THE OWEN SHANNON SURVEY, A-36 MONTGOMERY COUNTY, TEXAS

OWNER: PULTE GROUP

PLANNER: META

META PLANNING & DESIGN LLC
 24275 KATY FREEWAY, SUITE 200
 KATY, TEXAS 77450 | TEL: 281.544.4222

SCALE: 1" = 100'

NOVEMBER 21, 2022

MTAF 68007

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: March 7, 2023	Prepared By: Dave McCorquodale
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Subject
Consideration and possible action regarding approval of the Preliminary Plat for Montgomery Bend Section Two.

Recommendation
Approve the Preliminary Plat for Montgomery Bend Section Two.

Discussion
The engineer's memo is attached.

Approved By		
Assistant City Administrator	Dave McCorquodale	Date: 03/03/2023



March 1, 2023

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

Re: Submission of Preliminary Plat
Montgomery Bend Sec.2 (Dev. No. 2203)
City of Montgomery

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. Our review was also based upon the approved development regulations included as part of the development agreement between the Developer and the City.

We offer no objection to the preliminary plat as submitted, and we recommend the Commission approve the preliminary plat.

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

Sincerely,

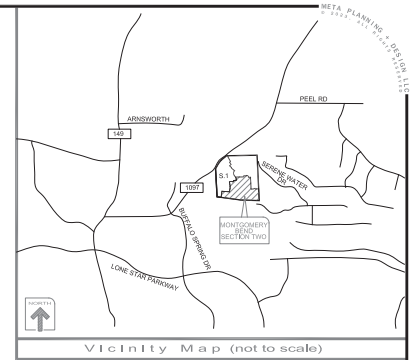
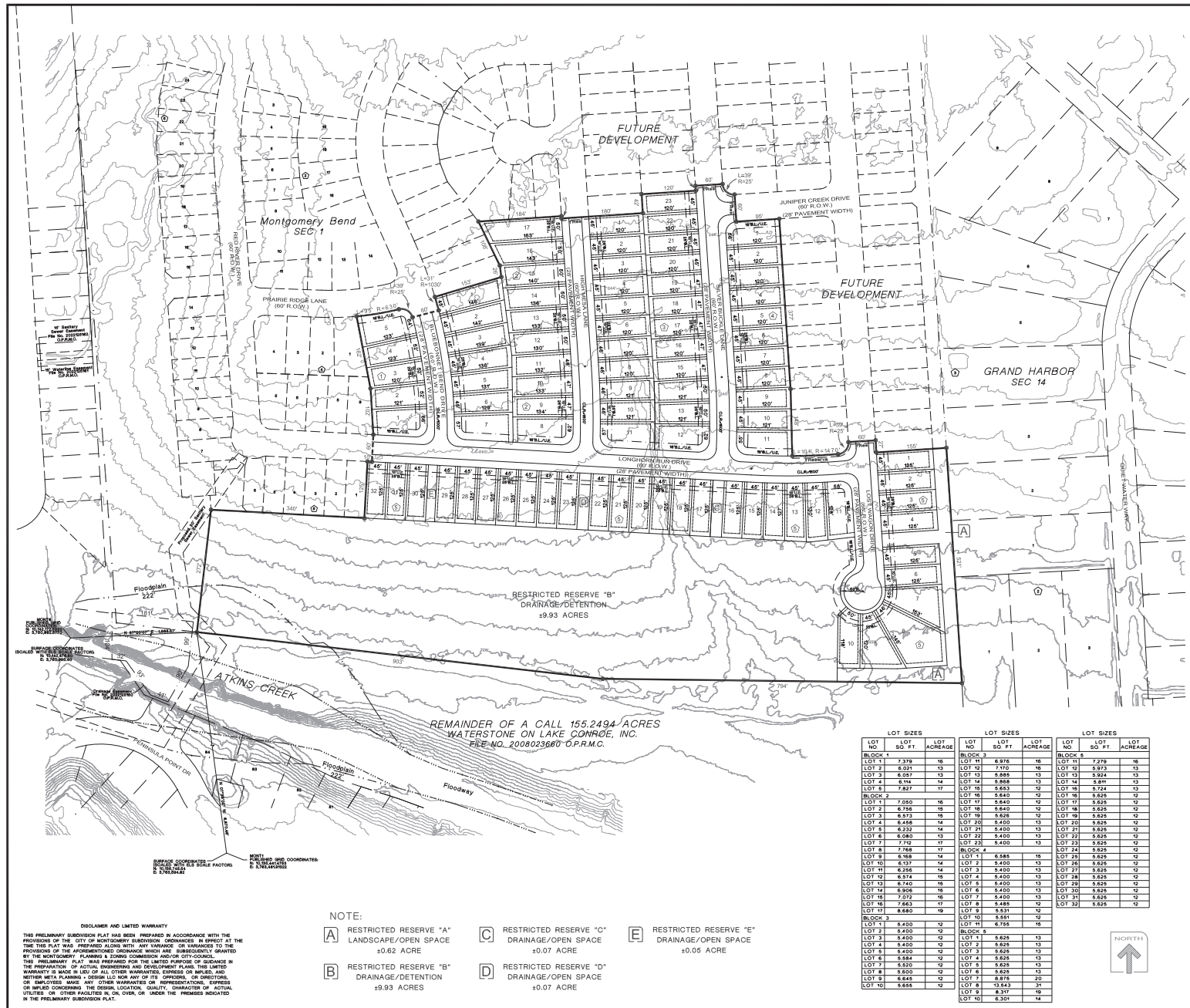
Chris Roznovsky, PE
Engineer for the City

CVR/ajn

Z:\00574 (City of Montgomery)\900 General Consultation\Correspondence\2023.03.01 MEMO TO P&Z RE Montgomery Bend Sec.2 Preliminary Plat.docx

Enclosures: Preliminary Plat

Cc (via email): The Honorable Mayor and City Council – The City of Montgomery
Mr. Gary Palmer – City of Montgomery, City Administrator
Ms. Nici Browe – City of Montgomery, City Secretary
Mr. Dave McCorquodale – City of Montgomery, Director of Planning & Development
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney



- GENERAL NOTE
- 'BL' INDICATES BUILDING LINE
 - 'U' INDICATES UTILITY EASEMENT
 - 'T' RES' INDICATES ONE FOOT RESERVE
- RESERVED TO THE PUBLIC IN THE AS A buffer separation between the side or end of streets where such streets abut adjacent access tracts, the condition of such reservation being that when the adjacent property is subdivided in a reserved area, the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee line thereof shall revert to and rest in the decedent, his heirs assigns, or successors.
- ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE
 - LOTS BACKING OR SIDING FROM ARE HEREBY DENIED DIRECT DRIVEWAY ACCESS TO AND FROM ADJACENT STREET
 - ALL LOT WIDTH AND DEPTH DIMENSIONS ARE APPROXIMATE AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE AND ON THE REAR BUILDING PAD LINE
 - UNLESS OTHERWISE INDICATED, THE BUILDING LINE IS 11' WHETHER ONE OR MORE SHOWN ON THIS SUBDIVISION PLAT ARE ESTABLISHED TO EVIDENCE COMPLIANCE WITH THE CITY OF MONTGOMERY CODE OF ORDINANCES 100 SIDE AND REAR YARDS
 - SINGLE FAMILY RESIDENTIAL SHALL MEAN THE USE OF A LOT WITH ONE BUILDING DESIGNED FOR AND CONTAINING NO MORE THAN TWO SEPARATE DWELLS WITH FACILITIES FOR SLEEPING, COOKING, AND EATING THEREIN. A LOT UPON WHICH IS LOCATED A FREE-STANDING BUILDING CONTAINING ONE DWELLING UNIT AND A DETACHED SECONDARY DWELLING UNIT OF NOT MORE THAN 800 SQUARE FEET ALSO SHALL BE CONSIDERED SINGLE FAMILY RESIDENTIAL. A BUILDING THAT CONTAINS ONE DWELLING UNIT ON ONE LOT THAT IS CONNECTED BY A PARTY WALL TO ANOTHER BUILDING CONTAINING ONE DWELLING UNIT ON AN ADJACENT LOT SHALL BE SINGLE FAMILY RESIDENTIAL.
 - EACH LOT SHALL PROVIDE A MINIMUM OF TWO OFF-STREET PARKING SPACES PER DWELLING UNIT ON EACH LOT. IN THOSE INSTANCES WHERE A SECONDARY UNIT IS PROVIDED ONLY ONE ADDITIONAL SPACE SHALL BE PROVIDED.
 - ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBTSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERMITTER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOTS LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAG WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
 - THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NAD 83 STATE PLANE GRID COORDINATES (METERS) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING CORNED SCALE FACTOR: 999927055342
 - ALL SINGLE FAMILY LOTS SHALL BE A MINIMUM OF 45 FEET WIDE AND 120 FEET LONG APPROVED SEPTEMBER 13TH, 2002
 - ALL LOTS SHALL BE A MINIMUM OF 8,400 SQUARE FEET APPROVED SEPTEMBER 13TH, 2002
 - ALL SIDE SETBACKS SHALL BE 5' APPROVED WITH CONDITIONS FEBRUARY 14TH, 2023

LOT SIZES			LOT SIZES			LOT SIZES		
LOT NO.	LOT SQ FT	LOT ACREAGE	LOT NO.	LOT SQ FT	LOT ACREAGE	LOT NO.	LOT SQ FT	LOT ACREAGE
BLOCK 1			BLOCK 3			BLOCK 5		
LOT 1	7,379	16	LOT 11	6,976	16	LOT 11	7,279	16
LOT 2	6,921	13	LOT 12	7,170	16	LOT 12	6,913	13
LOT 3	6,857	13	LOT 13	8,885	13	LOT 13	6,924	13
LOT 4	6,146	14	LOT 14	6,868	13	LOT 14	6,871	13
LOT 5	7,827	17	LOT 15	6,663	12	LOT 15	6,724	13
BLOCK 2			BLOCK 4			BLOCK 6		
LOT 1	7,050	16	LOT 17	6,640	12	LOT 17	6,625	12
LOT 2	6,795	16	LOT 18	6,640	12	LOT 18	6,625	12
LOT 3	6,973	16	LOT 19	6,626	12	LOT 19	6,625	12
LOT 4	6,458	14	LOT 20	6,400	13	LOT 20	6,625	12
LOT 5	6,933	14	LOT 21	6,400	13	LOT 21	6,625	12
LOT 6	6,080	13	LOT 22	6,400	13	LOT 22	6,625	12
LOT 7	7,742	17	LOT 23	6,600	13	LOT 23	6,625	12
LOT 8	7,768	17	BLOCK 4			LOT 24	6,625	12
LOT 9	6,668	14	LOT 1	6,686	16	LOT 25	6,625	12
LOT 10	6,137	14	LOT 2	6,400	13	LOT 26	6,625	12
LOT 11	6,296	14	LOT 3	6,400	13	LOT 27	6,625	12
LOT 12	6,974	16	LOT 4	6,400	13	LOT 28	6,625	12
LOT 13	6,740	16	LOT 5	6,400	13	LOT 29	6,625	12
LOT 14	6,908	16	LOT 6	6,400	13	LOT 30	6,625	12
LOT 15	7,072	16	LOT 7	6,400	13	LOT 31	6,625	12
LOT 16	7,663	17	LOT 8	6,400	13	LOT 32	6,625	12
LOT 17	8,880	19	LOT 9	6,531	12			
BLOCK 7			BLOCK 8			BLOCK 9		
LOT 1	6,400	12	LOT 1	6,765	16	LOT 1	6,400	12
LOT 2	6,400	12	LOT 2	6,825	13	LOT 2	6,400	12
LOT 3	6,400	12	LOT 3	6,825	13	LOT 3	6,400	12
LOT 4	6,400	12	LOT 4	6,825	13	LOT 4	6,400	12
LOT 5	6,400	12	LOT 5	6,825	13	LOT 5	6,400	12
LOT 6	6,584	12	LOT 6	6,825	13	LOT 6	6,400	12
LOT 7	6,600	12	LOT 7	6,825	13	LOT 7	6,400	12
LOT 8	6,600	12	LOT 8	6,825	13	LOT 8	6,400	12
LOT 9	6,600	12	LOT 9	6,825	13	LOT 9	6,400	12
LOT 10	6,855	12	LOT 10	13,543	31	LOT 10	6,400	12
			LOT 11	6,351	14			
			LOT 12	6,351	14			

- NOTE:
- A** RESTRICTED RESERVE "A" LANDSCAPE/OPEN SPACE ±0.62 ACRE
 - B** RESTRICTED RESERVE "B" DRAINAGE/DETENTION ±9.93 ACRES
 - C** RESTRICTED RESERVE "C" DRAINAGE/OPEN SPACE ±0.07 ACRE
 - D** RESTRICTED RESERVE "D" DRAINAGE/OPEN SPACE ±0.07 ACRE
 - E** RESTRICTED RESERVE "E" DRAINAGE/OPEN SPACE ±0.05 ACRE

A PRELIMINARY PLAT OF

MONTGOMERY BEND SECTION TWO

BEING 27.1± ACRES OF LAND CONTAINING 88 LOTS (45' X 120' TYP.) AND FIVE RESERVES IN FIVE BLOCKS.

OUT OF THE OWEN SHANNON SURVEY, A-36 MONTGOMERY COUNTY, TEXAS

OWNER: SCALE GROUP
PLANNER: META
META PLANNING + DESIGN LLC
24285 KATY FREEWAY, SUITE 525
KATY, TEXAS 77494 | TEL: 281-810-1422

February 2023
MTA# 68007

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: March 7, 2023	Prepared By: Dave McCorquodale
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Subject

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

Recommendation

Form a recommendation on minimum lot width, area, and side yard setback for City Council.

Discussion

The City Council has asked to amend the minimum residential lot width to better reflect current development patterns and reduce the need for variance requests by developers. Lot width requirements are also related to lot area and side yard setbacks.

CURRENT lot size requirements	PROPOSED lot size requirements
Lot width = 75 feet	Lot width = 60 feet
Lot area = 9,000 square feet	Lot area = 7,200 square feet
Side yard setback = 10 feet	Side yard setback = 5 feet

No change is recommended to the current lot depth requirement of 120 feet. This is a reduction of 20% in the minimum lot size. A graphic is attached to illustrate the proposed changes. One policy change for future developments and building permits related to setbacks, and particularly side yard setbacks is the definition of a structure. The Code of Ordinances defines a structure as:

***Structure** means anything constructed or erected which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, buildings of all types, advertising signs, billboards, and poster panels, but exclusive of customary fences, or boundary or retaining walls. (Section 98-1)*

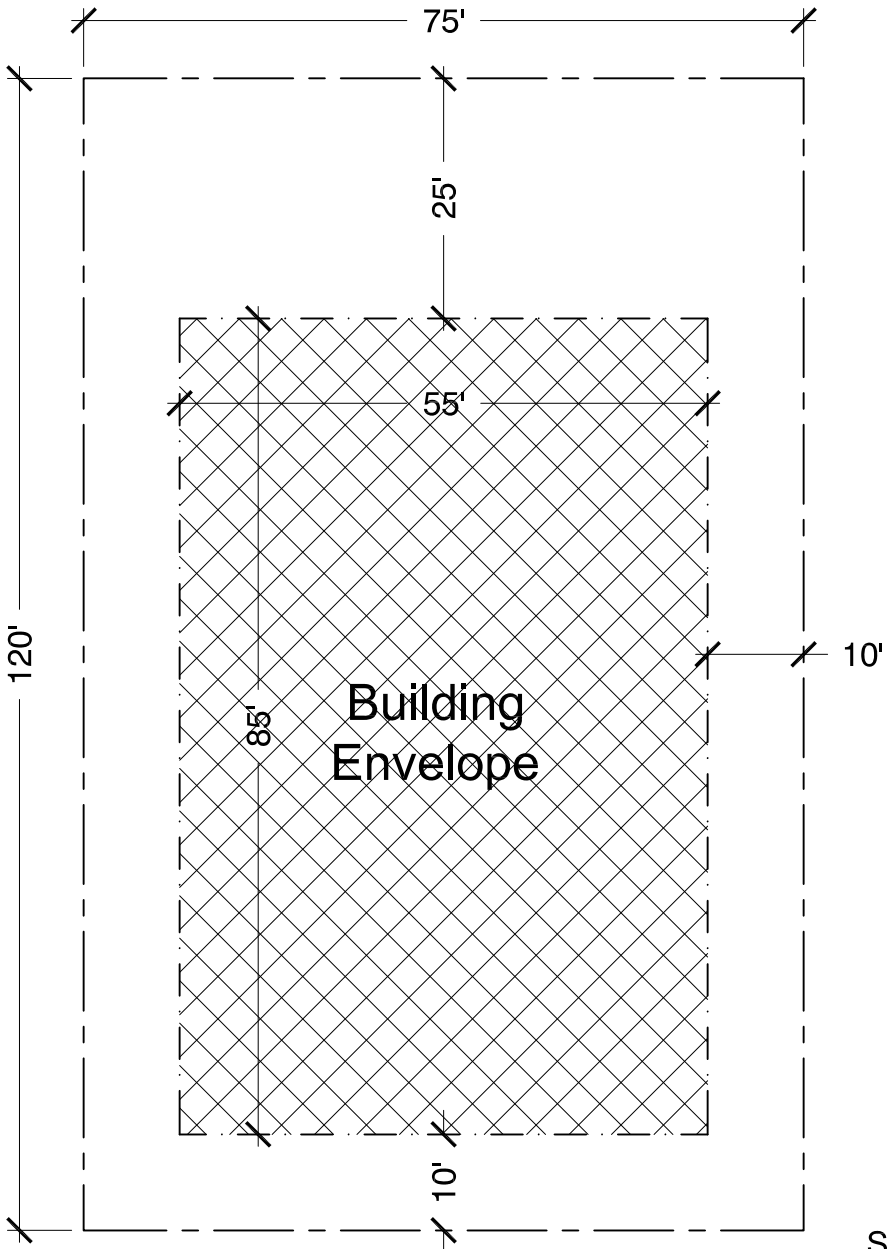
Past residential construction has allowed air conditioners, generators, pool equipment, etc. within side yard setbacks. This contradicts the underlined portion of the definition above. The City will be notifying homebuilders for existing subdivisions as well as new developers that we will no longer allow these type of appurtenances in side yards. The primary reason for doing so is safety—if a lot has a 5-foot side yard with a 3-foot AC unit in it there is not adequate room for emergency responders to access the rear of the property from any side of the house. Generators and pools are typically installed after home construction and there’s no guarantee that they’d be installed on the same side of the house as AC units. This leaves a potential for both side yards to be partially blocked.

Approved By

Assistant City Administrator	Dave McCorquodale	Date: 03/02/2023
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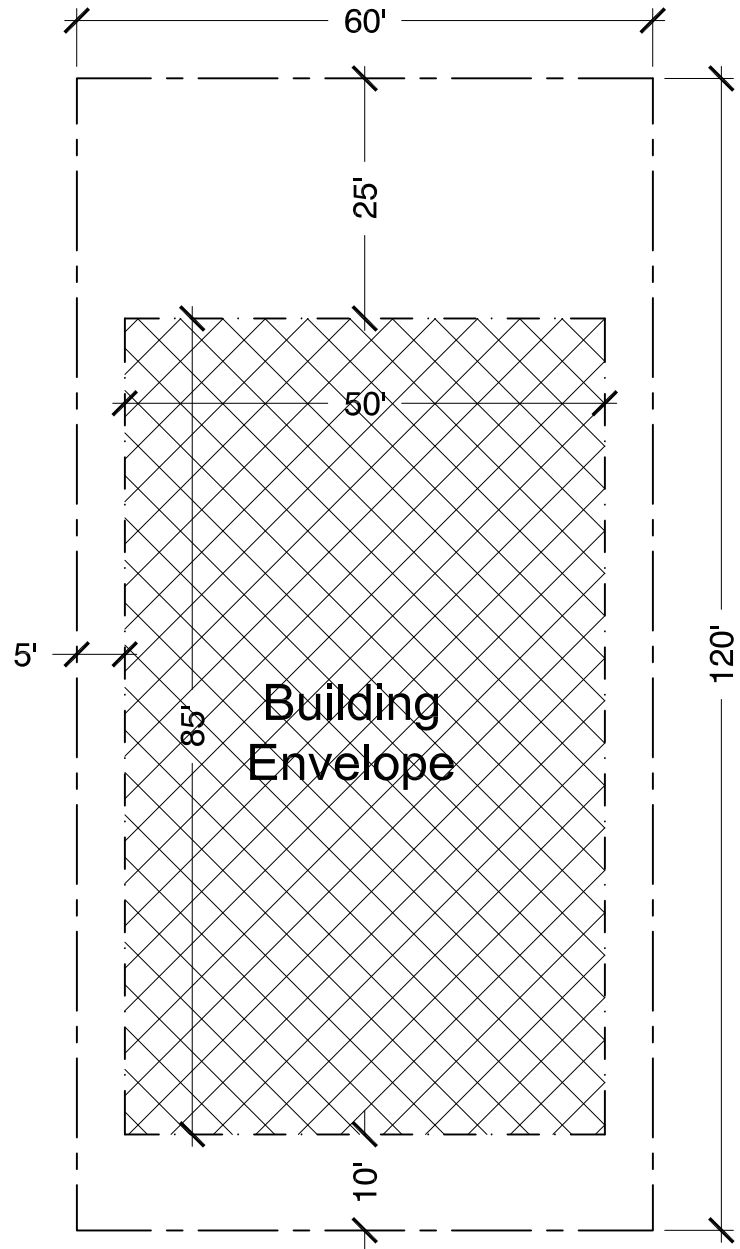
Current S.F. Residential Lot

Total Area 75' x 120' = 9,000 sqft



Proposed S.F. Residential Lot

Total Area 60' x 120' = 7,200 sqft
20% reduction in total lot size



Scale 1' = 30'