# Notice of Planning and Zoning Commission Regular Meeting AGENDA

# December 05, 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, December 05, 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 <u>www.montgomerytexas.gov</u> 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 <u>www.montgomerytexas.gov</u>. 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:**

- **<u>1.</u>** Consideration and possible action on the October 3, 2023 Regular Meeting Minutes (tabled on 11/07/2023).
- **2.** Consideration and possible action on exterior architectural accent lighting at 202 McCown Street in the Historic Preservation District, as submitted by Jim & Denise Czulewicz (one-month approval granted at 11/07/23 meeting).
- 3. Consideration and possible action on the Preliminary Plat for Montgomery Bend Section Three.
- <u>4.</u> Consideration and possible action on the Preliminary Plat for Montgomery Bend Section Four.

# **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 December 1, 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 tabled at 11/07/23 meeting. Staff asked to review discussion of Item #2 for additional items to be brought back for review by P&Z.

**RED** denotes <u>added</u> text to minutes Highlight denotes <u>existing</u> text in minutes referencing applicants bringing back additional information

# 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. <u>Consideration and possible action on a proposed sign at 202 McCown Street, located in the</u> <u>Historic Preservation District.</u>

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. <u>Consideration and possible action on proposed exterior improvements to 504 Caroline Street</u> <u>located in the Historic Preservation District.</u>

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 said, "Why don't we table it and say it's not to scale and have them bring it back to so that we can scale? And I've heard three people on the panel say that we're not comfortable with the turf so three of us together would mean 'no' if we took a vote, and they'd have to come back to scale and bring it back to us with it to scale and then another suggestion to us or revisit the [synthetic turf]." Bill Simpson asked the applicants if the only thing not to scale on the plan was the artificial turf area or were other things not shown to scale. Mr. Butler said only the proposed synthetic turf area was not to scale and that he hoped to not have to wait to bring a revised plan back next month. Mr. Butler requested if there was a way to get tentative approval without waiting another month. Merriam Walker said if she makes a motion and someone seconds it that will answer number two on the list and we need to suggest to bring it back scaled. She continued, "So if I make a motion, we'll vote...we'll see."

Merriam Walker said, "I make a motion to deny the layout of the artificial turf area and softscape areas pending staff approval of turf sample and drainage plan specifying the artificial turf and the reason we're not...I'm refusing it also is we need a scaled to which the softscape area will be." Dan Gazda asked if this included the location of trees. Mrs. Walker confirmed that it did include location of trees.

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. Mr. McCorquodale asked to clarify what information was being asked to be submitted. Merriam Walker said the Commission was saying no to the artificial turf and wanted to see a scaled drawing of the softscape plan showing exact measurements and locations of the trees. The motion carried unanimously. (3-0) Following the vote, the applicants asked for clarification from the Commission on what needed to be brought back for review. Mrs. Walker explained that she wanted to see a softscape plan that showed the location of trees on the property. The applicants asked the purpose of bringing a softscape plan back for review if the Commission wasn't willing to consider artificial turf. Mrs. Walker indicated that if they were installing softscape items the Commission wanted to review and approve them. The applicant asked for clarification on why the Commission wouldn't consider artificial turf in the Historic District. Bill Simpson noted that the Commission's review of Historic District elements is for the purpose of protecting and enhancing the landmarks and districts which represent distinctive elements of the city's historic, architectural, and cultural heritage. Mr. Bulter said he believes the work being done on the property [504 Caroline] has done more to protect the historic district than other projects in recent years. Mr. Simpson disagreed.

Bill Simpson asked for a restatement of the motion. Merriam Walker moved to deny the layout of the artificial turf area. Dan Gazda seconded the motion, which again carried unanimously (3-0).

Mr. Simpson said the Commission would move on to Item #3. 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 and 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 2<sup>nd</sup> 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. Dan Gazda 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  $2^{nd}$  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. Mr. Butler stated he would provide staff 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. <u>Consideration and possible action on the proposed Preliminary Plats for Redbird Meadows</u> <u>Sections One through Three.</u>

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. <u>Consideration and possible action on calling a Public Hearing regarding a preliminary report</u> <u>on the city-initiated rezoning of the property commonly known as 203 Prairie Street,</u> 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		

Attest:

Bill Simpson, Vice-Chairman

Nici Browe, City Secretary

Montgomery Planning and Zoning Commission

Item 2.

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 (one-month approval granted at 11/07/23 meeting).

# Recommendation

Staff recommends approval of the lights contingent on solid motion settings (i.e., no flashing/chasing lights).

# Discussion

Issue:

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. The P&Z granted tentative approval of the lights at the November 7, 2023 meeting for 30 days. The P&Z needs to take permanent action at this meeting.

#### 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.

Neither the zoning ordinance or Design Guidelines specifically address accent lighting on buildings. The Commercial Lighting Ordinance does not address accent lighting. This request was viewed as an exterior improvement that 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 building our (dark red/brown and white) as well as during holidays to have a set color pattern (no movement) -4th of say 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.myeverlights.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: 12/01/2023

Meeting Date: December 5, 2023	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

# Subject

Consideration and possible action on the Preliminary Plat for Montgomery Bend Section Three.

#### Recommendation

Staff recommends approval of the Preliminary Plat.

# Discussion

#### Issue:

The Preliminary Plats for the final two phases of the Montgomery Bend have been submitted by the developer and reviewed by the city engineer. All comments have been addressed and the plats are ready for approval by the Planning & Zoning Commission.

#### Rules:

As pointed out in the city engineer's memo, review criteria for the plats is based on Chapter 78 Section 60 of the City Code of Ordinances along with certain exceptions to lot size and side yard setbacks as described in the Development Agreement approved on September 13, 2022 by City Council. As a reminder, 45-foot-wide lot widths were approved along with 5-foot side yard setbacks for the development which has a total of 309 homes.

# Analysis & Conclusion:

The engineer's memo is attached with the plat. Staff and the city engineer recommend approval of the Preliminary Plat.

Approved By		
Asst. City Administrator and		
Director Planning & Development	Dave McCorquodale	Date: 11/30/2023



November 30, 2023

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

Re: Submission of Preliminary Plat Montgomery Bend Sec. 3 (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. 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.

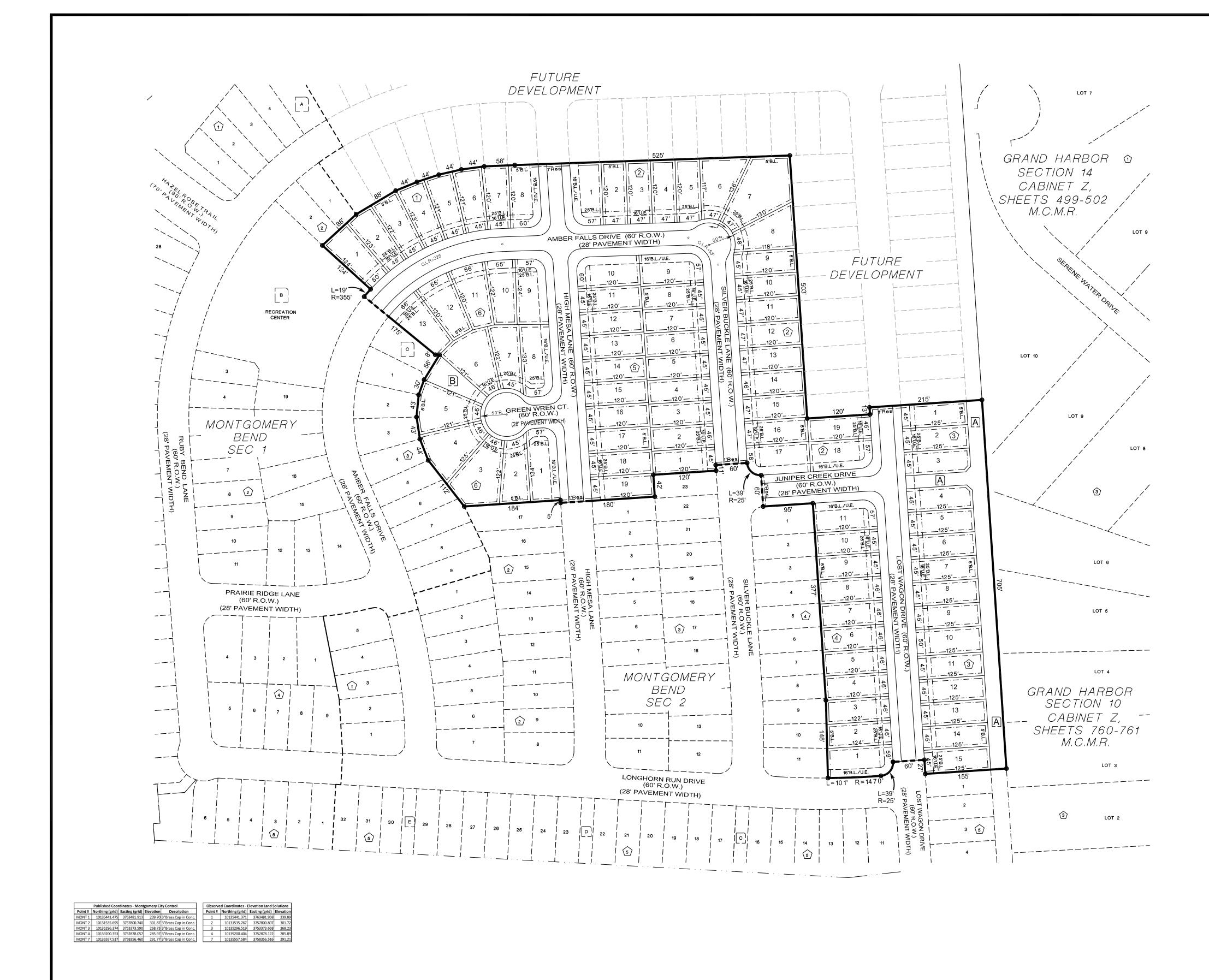
Sincerely,

Chris Rommety

Chris Roznovsky, PE Engineer for the City

CVR/ajn

Z:\00574 (City of Montgomery)\\_900 General Consultation\Correspondence\Letters\2023\2023.11.30 MEMO TO P&Z RE
Montgomery Bend Sec.3 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



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 ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE MONTGOMERY PLANNING & ZONING COMMISSION AND/OR CITY-COUNCIL. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS, THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN. LOCATION. QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.

	LOT SIZES
LOT NO.	LOT SQ. FT.
BLOCK	1
LOT 1	6,787
LOT 2	6,078
LOT 3	5,999
LOT 4	5,913 5,885
LOT 6	5,959
LOT 7	5,712
LOT 8	6,883
BLOCK LOT 1	2
LOT 2	6,845 5,640
LOT 3	5,640
LOT 4	5,640
LOT 5	5,620
LOT 6 LOT 7	7,927 12,513
LOT 8	7,529
LOT 9	5,454
LOT 10	5,400
LOT 11 LOT 12	5,580 5,580
LOT 12	5,580
LOT 14	5,580
LOT 15	5,580
LOT 16	5,580
LOT 17 LOT 18	6,825 6,705
LOT 19	5,400
BLOCK	3
LOT 1	5,625
LOT 2 LOT 3	5,625 5,575
LOT 4	5,575
LOT 5	5,625
LOT 6	5,625
LOT 7	5,625
LOT 8 LOT 9	5,625 5,625
LOT 10	5,625
LOT 11	5,625
LOT 12	5,625
LOT 13 LOT 14	5,625
LOT 14 LOT 15	5,625 5,625
BLOCK	4
LOT 1	7,123
LOT 2	5,645 5,561
LOT 3	5,501
LOT 5	5,520
LOT 6	5,520
LOT 7	5,520
LOT 8 LOT 9	5,503 5,400
LOT 10	5,400
LOT 11	6,705
BLOCK	5
LOT 1 LOT 2	5,400 5,400
LOT 3	5,400
LOT 4	5,400
LOT 5	5,400
LOT 6 LOT 7	5,400
LOT 8	5,400 5,400
LOT 9	6,847
LOT 10	6,883
LOT 11	5,400
LOT 12 LOT 13	5,400 5,400
LOT 14	5,400
LOT 15	5,400
LOT 16	5,400
LOT 17 LOT 18	5,400 5,400
LOT 19	5,400 5,400
BLOCK	6
LOT 1	7,802
LOT 2 LOT 3	6,272 9,551
LOT 4	9,551 8,526
LOT 5	8,401
LOT 6	8,541
LOT 7	6,339
LOT 8	7,693 7,155
LOT 10	6,271
LOT 11	6,955

NOTE:

RESTRICTED RESERVE "A" DRAINAGE/OPEN SPACE ±0.56 ACRE

B

RESTRICTED RESERVE "B" LANDSCAPE/OPEN SPACE ±0.10 ACRE

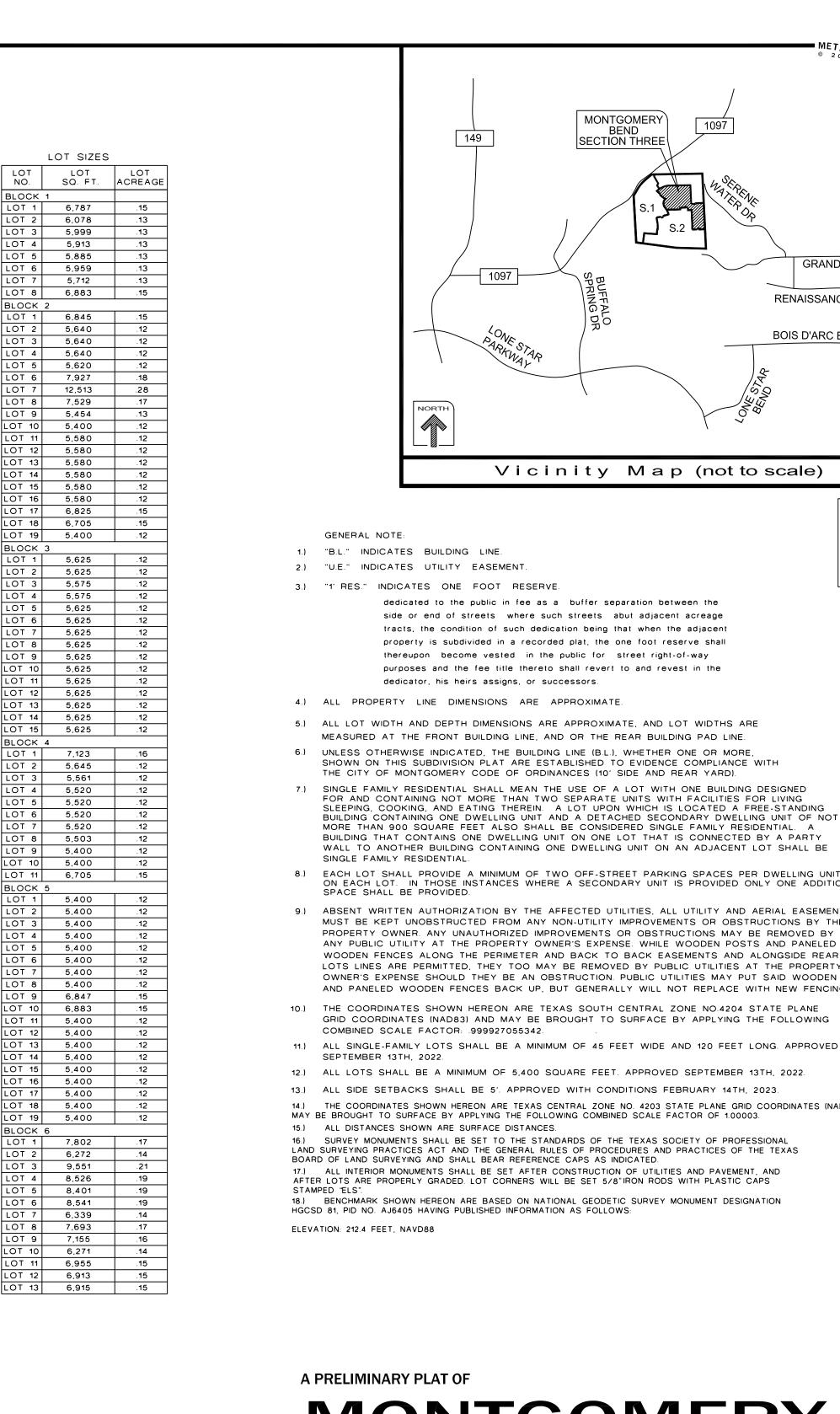
1097

GRANDVIEW DR.

NORTH

RENAISSANCE DR.

BOIS D'ARC BEND



# WALL TO ANOTHER BUILDING CONTAINING ONE DWELLING UNIT ON AN ADJACENT LOT SHALL BE 8.) 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 9.) ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED 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 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 SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING. 10.) THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO.4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING 11.) ALL SINGLE-FAMILY LOTS SHALL BE A MINIMUM OF 45 FEET WIDE AND 120 FEET LONG. APPROVED 12.) ALL LOTS SHALL BE A MINIMUM OF 5,400 SQUARE FEET. APPROVED SEPTEMBER 13TH, 2022. 13.) ALL SIDE SETBACKS SHALL BE 5'. APPROVED WITH CONDITIONS FEBRUARY 14TH, 2023. 14.) THE COORDINATES SHOWN HEREON ARE TEXAS CENTRAL ZONE NO. 4203 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR OF 1.00003. 16.) SURVEY MONUMENTS SHALL BE SET TO THE STANDARDS OF THE TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYING PRACTICES ACT AND THE GENERAL RULES OF PROCEDURES AND PRACTICES OF THE TEXAS 17.) ALL INTERIOR MONUMENTS SHALL BE SET AFTER CONSTRUCTION OF UTILITIES AND PAVEMENT, AND AFTER LOTS ARE PROPERLY GRADED. LOT CORNERS WILL BE SET 5/8"IRON RODS WITH PLASTIC CAPS 18.) BENCHMARK SHOWN HEREON ARE BASED ON NATIONAL GEODETIC SURVEY MONUMENT DESIGNATION MONTGOMERY BEND **SECTION THREE BEING 16.5± ACRES OF LAND** CONTAINING 85 LOTS (45' X 120' TYP.) AND **TWO RESERVES IN SIX BLOCKS. OWEN SHANNON SURVEY, A-36** MONTGOMERY COUNTY, TEXAS

OWNER: PULTE GROUP

SCALE: 1" = 100' 100 200 PLANNER:

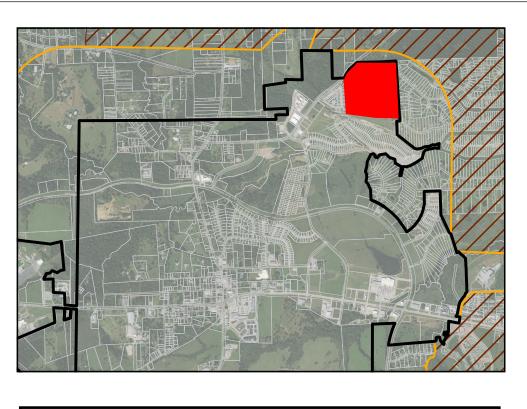


Meta Planning + Design LLC 24285 KATY FREEWAY, SUITE 525 KATY, TEXAS 77494 | TEL: 281-810-1422

**NOVEMBER 30, 2023** 

MTA-68007

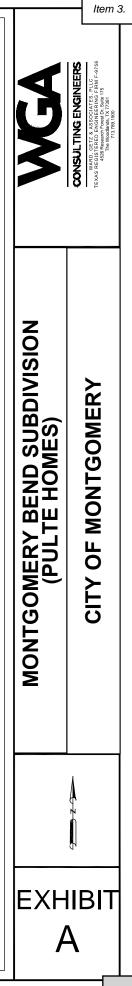




# Development Timeline:

Escrow Agreement Authorized - April 12, 20 Feasibility Presented to the City - May 24, 2022 Developer Agreement Executed - September 13, 2022 Clearing & Grubbing Plan Approval - October 25, 2022 Drainage Impact Analysis Approval - December 22, 2022 Section 1 Preliminary Plat Approval - March 7, 2023 Section 2 Preliminary Plat Approval - March 7, 2023 Mass Grading & Detention Plan Approval - May 3, 2023 Section 1 WSD&P Plan Approval - July 12, 2023 Section 2 WSD&P Plan Approval - August 15, 2023 Montgomery Bend Rec Center Approval - In Review

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Montgomery Planning and Zoning Commission AGENDA REPORT

Meeting Date: December 5, 2023	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

#### Subject

Consideration and possible action on the Preliminary Plat for Montgomery Bend Section Four.

#### Recommendation

Staff recommends approval of the Preliminary Plat.

# Discussion

#### Issue:

The Preliminary Plats for the final two phases of the Montgomery Bend have been submitted by the developer and reviewed by the city engineer. All comments have been addressed and the plats are ready for approval by the Planning & Zoning Commission.

#### Rules:

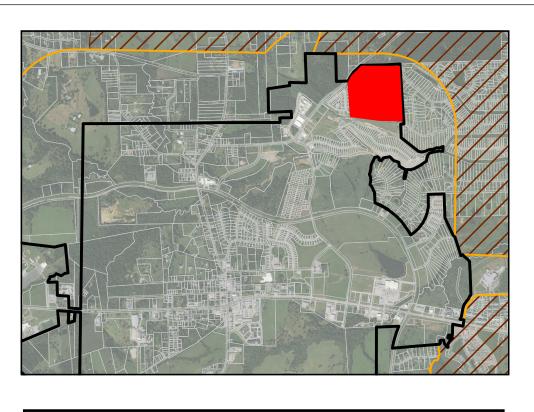
As pointed out in the city engineer's memo, review criteria for the plats is based on Chapter 78 Section 60 of the City Code of Ordinances along with certain exceptions to lot size and side yard setbacks as described in the Development Agreement approved on September 13, 2022 by City Council. As a reminder, 45-foot-wide lot widths were approved along with 5-foot side yard setbacks for the development which has a total of 309 homes.

#### Analysis & Conclusion:

The engineer's memo is attached with the plat. Staff and the city engineer recommend approval of the Preliminary Plat.

Approved By		
Asst. City Administrator and		
Director Planning & Development	Dave McCorquodale	Date: 11/30/2023

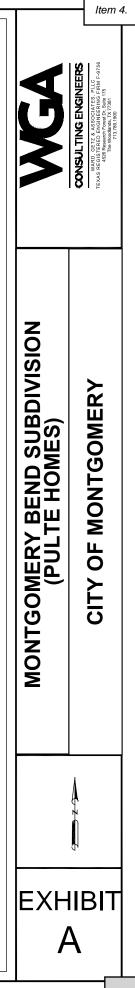




# Development Timeline:

Escrow Agreement Authorized - April 12, 20 Feasibility Presented to the City - May 24, 2022 Developer Agreement Executed - September 13, 2022 Clearing & Grubbing Plan Approval - October 25, 2022 Drainage Impact Analysis Approval - December 22, 2022 Section 1 Preliminary Plat Approval - March 7, 2023 Section 2 Preliminary Plat Approval - March 7, 2023 Mass Grading & Detention Plan Approval - May 3, 2023 Section 1 WSD&P Plan Approval - July 12, 2023 Section 2 WSD&P Plan Approval - August 15, 2023 Montgomery Bend Rec Center Approval - In Review

n	0	2
υ	2	2





November 30, 2023

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

Re: Submission of Preliminary Plat Montgomery Bend Sec. 4 (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. 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.

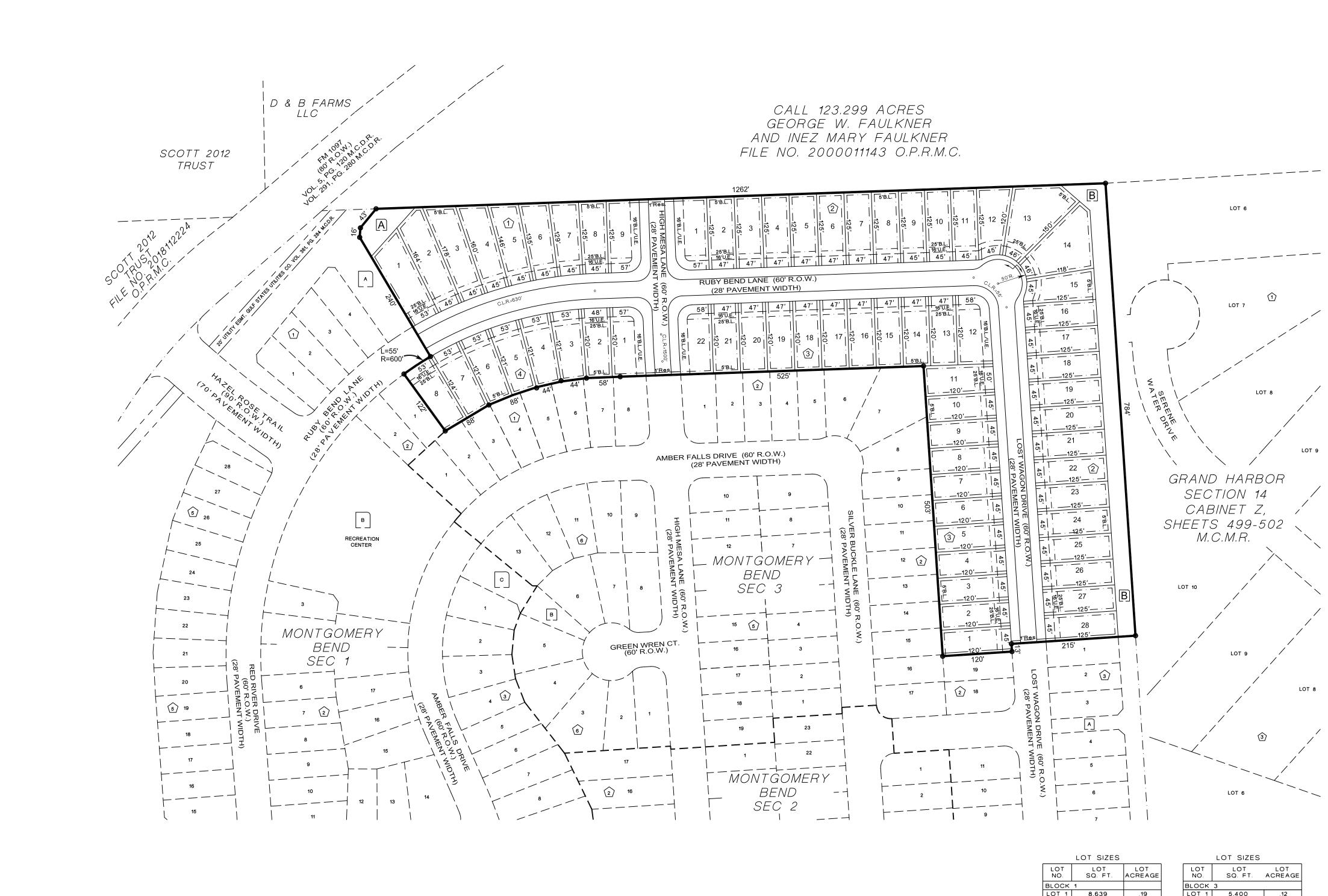
Sincerely,

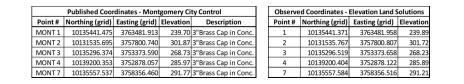
Chris Romoney

Chris Roznovsky, PE Engineer for the City

CVR/ajn

Z:\00574 (City of Montgomery)\\_900 General Consultation\Correspondence\Letters\2023\2023.11.30 MEMO TO P&Z RE
Montgomery Bend Sec.4 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





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 ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE MONTGOMERY PLANNING & ZONING COMMISSION AND/OR CITY-COUNCIL. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS, THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN. LOCATION. QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.

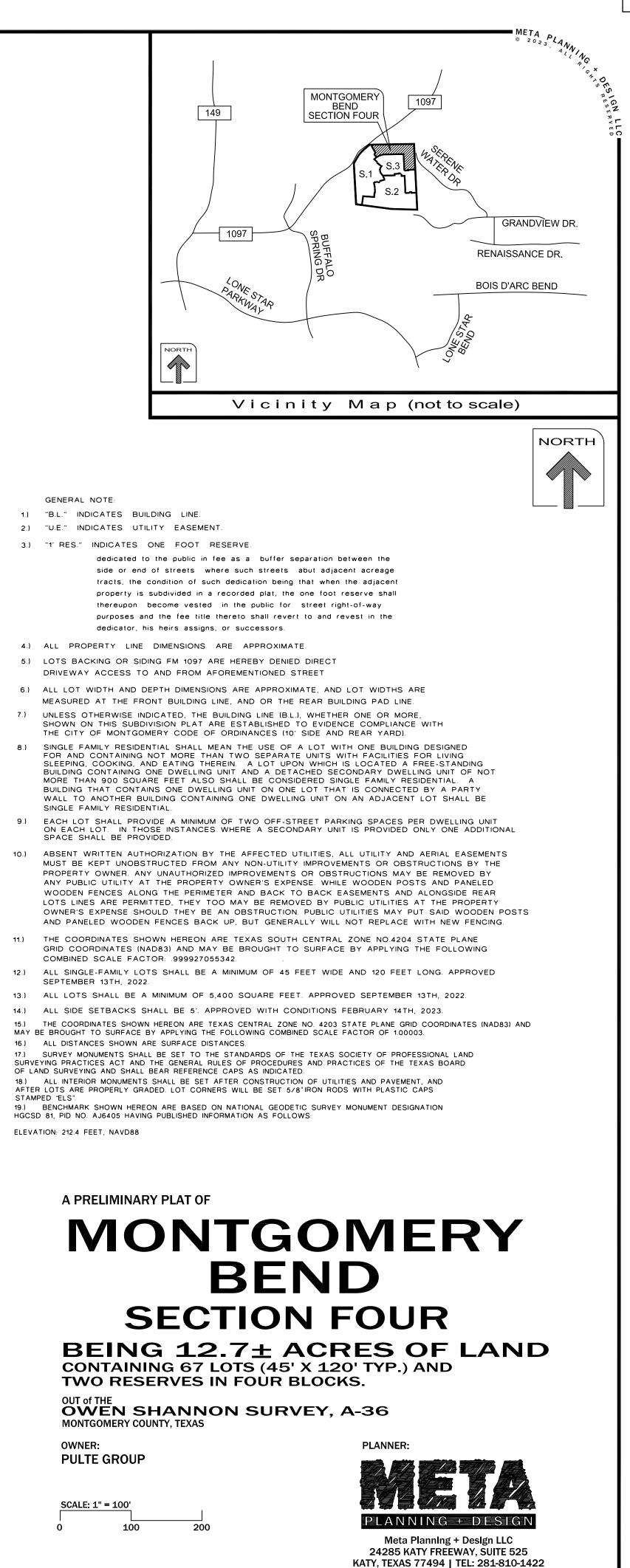
		LOT SIZES		
	LOT NO.	LOT SQ. FT.	LOT ACREAGE	
	BLOCK	< 1		BLO
	LOT 1	8,639	.19	LO
	LOT 2	8,550	.19	LOI
	LOT 3	8,238	.18	LOT
	LOT 4	7,363	.16	LOT
	LOT 5	6,717	.15	LOT
	LOT 6	6,273	.14	LOT
	LOT 7	6,016	.13	LOT
	LOT 8		.13	LOT
	LOT S	6,990	.16	LOT
	BLOCK	2		LOT
NOTE:	LOT 1	6,990	.16	LOT
	LOT 2	5,937	.13	LOT
RESTRICTED RESERVE "A"	LOT 3	5,937	.13	LOT
A DRAINAGE/OPEN SPACE	LOT 4	5,937	.13	LOT
	LOT 5	5,937	.13	LOT
±0.09 ACRE	LOT 6		.13	LOT
	LOT 7	5,937	.13	LOT
RESTRICTED RESERVE "B"	LOT 8	5,851	.13	LOT
B DRAINAGE/OPEN SPACE	LOT S	5,625	.12	LOT
	LOT 10	5,625	.12	LOT
±0.57 ACRE	LOT 1	1 5,625	.12	LOT
	LOT 1	2 6,230	.14	LOT
	LOT 1	3 10,457	.24	BLO
	LOT 1	4 9,932	.22	LO
	LOT 1	5 5,837	.13	LOI
	LOT 1	5 5,625	.12	LOI
	LOT 1	7 5,625	.12	LOI
	LOT 1	8 5,625	.12	LOI
	LOT 1	9 5,625	.12	LOT
	LOT 2	0 5,625	.12	LOI
	LOT 2	1 5,625	.12	LOI
	LOT 2	2 5,625	.12	
	LOT 2		.12	
	LOT 2		.12	
	LOT 2	5 5,625	.12	
	LOT 2	6 5,625	.12	

LOT 27 5,625 .12

.12

LOT 28 5,625

	LOT SIZES			
LOT NO.	LOT SQ. FT.	LOT ACREAGE		
BLOCK	3			
LOT 1	5,400	.12		
LOT 2	5,400	.12		
LOT 3	5,400	.12		
LOT 4	5,400	.12		
LOT 5	5,400	.12		
LOT 6	5,400	.12		
LOT 7	5,400	.12		
LOT 8	5,400	.12		
LOT 9	5,400	.12		
LOT 10	5,400	.12		
LOT 11	6,130	.14		
LOT 12	6,918	.15		
LOT 13	5,640	.12		
LOT 14	5,640	.12		
LOT 15	5,640	.12		
LOT 16	5,640	.12		
LOT 17	5,640	.12		
LOT 18	5,640	.12		
LOT 19	5,640	.12		
LOT 20	5,640	.12		
LOT 21	5,640	.12		
LOT 22	6,809	.15		
BLOCK 4				
LOT 1	6,743	.15		
LOT 2	5,655	.12		
LOT 3	5,950	.13		
LOT 4	6,000	.13		
LOT 5	6,102	.14		
LOT 6	6,085	.13		
LOT 7	6,080	.13		
LOT 8	6,086	.13		



**NOVEMBER 20, 2023** 

MTA-68007