

**Notice of Planning and Zoning Commission
AGENDA**

November 01, 2022 at 6:00 PM

NOTICE IS HEREBY GIVEN that a Meeting of the Montgomery Planning and Zoning Commission will be held on **Tuesday, November 01, 2022 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 www.montgomerytexas.gov 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 www.montgomerytexas.gov. The meeting will be recorded and uploaded to the City's website.

CALL TO ORDER

VISITOR/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. The Commission may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

CONSIDERATION AND POSSIBLE ACTION:

- 1.** Consideration and possible action on the October 4, 2022 Regular Meeting Minutes.
- 2.** Consideration and possible action on proposed side and rear yard fencing at 918 Caroline Street located in the Historic Preservation District.
- 3.** Consideration and possible action on proposed exterior site modifications for Old Montgomery Steakhouse located at 204 McCown Street in the Historic Preservation District.
- 4.** Consideration and possible action on proposed canopy signage for the Simmons Bank ATM located at 14340 Liberty Street in the Historic Preservation District.

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, 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 October 29, 2022 at 10.00 am.

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

October 4, 2022

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Waddell declared a quorum was present and called the meeting to order at 6:04 p.m.

Present: Jeffrey Waddell
William Simpson
Britnee Ghutzman
Daniel Gazda

Absent: Merriam Walker

Also Present: Dave McCorquodale, Interim City Administrator
Chris Roznovsky, City Engineer
Katherine Vu, PE

VISITOR/CITIZENS FORUM:

No comments given.

CONSIDERATOIN AND POSSIBLE ACTION:

- 1. **Consideration and possible action on the September 6, 2022 Regular Meeting Minutes.**

William Simpson moved to approve the minutes as presented. Daniel Gazda seconded the motion, the motion carried unanimously. (4-0)

2. **Consideration and possible action on a recommendation to City Council for a variance request for gravel in lieu of asphalt or concrete for the parking lot of the Montgomery Grove located at 22016 Eva Street.**

Mr. McCorquodale said staff's opinion is there is not enough information at this time to be able to make a solid recommendation. Mr. McCorquodale said this past March asphalt was used in the parking area located at Montgomery Grove. Mr. McCorquodale said they are asking to be able to continue to use asphalt as there is not enough information to be able to make a recommendation until they understand more about the flood plain and drainage.

William Simpson asked if this was just for the variance to redo the asphalt. Mr. Cheatham said no this was to keep the current asphalt that has been in place. William Simpson asked if there was a concrete or asphalt apron coming in from off the road. Mr. Cheatham said yes, it is already in place.

Mr. Cheatham said they do have engineer drawings of the site plan that specifically outlines the parking lot from L Squared Engineers. Mr. Cheatham said they also have drawings for the remodel of the restaurant that shows ADA compliance and ADA parking spaces.

Mr. McCorquodale said between the two drawings of the building permit and the ADA spaces where they were shown does not match what the engineer drawing shows. Mr. McCorquodale said there needs to be a consistent set of plans to show exactly what they are doing.

Jeffrey Waddell said it is a fairly extensive plan overall and they all look forward to the great potential there which has already been a big hit. Jeffrey Waddell said it seems like they may need to table this item. Jeffrey Waddell said he thinks they need to take the opportunity to have a discussion because it is an important discussion based on past and future. Jeffrey Waddell asked if they are going to table this item due to various such as drainage and overall scope, can there still be a discussion before it is tabled. Mr. McCorquodale said yes.

William Simpson asked if they are here to grant Mr. Cheatham a variance. Mr. McCorquodale said this is just a recommendation for City Council on the asphalt surface which has been installed there already. Mr. Roznovsky explained what was being proposed and said the variance request is not for the true grid, it is just for the asphalt.

William Simpson said overall there are pros and cons on the look of a permeable surface. William Simpson said the pros are it gives it character and a certain look for that type of property and the con is the maintenance. William Simpson said he thinks it is an effective way to go as it is permeable with less runoff and the look is fine as long as it is maintained. William Simpson said if down the road they are going to approve these types of surfaces maybe the City should perform an inspection once or twice a year to make sure it is maintained properly.

Mr. Cheatham said his concern is a lot of the property is in a flood plain and this is a permeable surface being used. Mr. Cheatham said if concrete or asphalt is used it is going to create a lot of water flow that is going to run through. Mr. Cheatham said if they would have to close for a month or two to totally redo the parking lot that would take away business.

Mr. McCorquodale said this is not a permeable surface by any measurable standard. Mr. Roznovsky said it is better than concrete or asphalt. Mr. Roznovsky said the concept of having a gravel surface is not the issue. Mr. Roznovsky said the issue is where the ADA spaces are going to be because this does tie into a bigger development.

William Simpson asked if they need to first approve the variance or just table the item now. Mr. McCorquodale said there are several options. Mr. McCorquodale said they can recommend for City Council to approve, deny, or table the variance until the required drawings are submitted.

William Simpson moved to pass the variance onto City Council upon proper documentation being provided. Britnee Ghutzman seconded the motion, the motion carried unanimously. (4-0)

3. Consideration and possible action on a proposed freestanding sign for Hodge Podge Lodge located at 300 Prairie Street in the Historic Preservation District.

Mr. McCorquodale said Mr. Jeff Angelo, owner of Hodge Podge Lodge is proposing to add a sign facing Eva Street for greater visibility. Mr. McCorquodale said the sign is unique with a boxwood/greenery background with white lettering which illuminates in the evening.

William Simpson asked if they need to take into consideration the brightness of the lights. Mr. McCorquodale said there is a requirement that signs are not allowed to be more than 700 lux.

Mr. Angelo said they are told all the time that people did not even know they existed, and they need some way to designate where they are located.

Jeffrey Waddell asked if the material of the boxwood is vinyl. Mr. Angelo said yes.

Jeffrey Waddell said there is a vacant lot in the front of Hodge Podge Lodge and in the future if and when something is developed on that property would there need to be a discussion because there is a chance the sign could be blocked. Mr. Angelo said they could certainly adjust, but the property has been vacant for 24 years. Jeffrey Waddell said it would have to be dealt with at the time should something like that arise but does not see it being a problem. Mr. Angelo agreed and said the sign is mobile.

William Simpson said the fence is almost on the property line and how would maintenance be managed. Mr. Angelo said the only maintenance would be on the back of the electrical side which would be on Hodge Podge Lodge’s side. Mr. Angelo said once the sign is up,

if a letter did need to be changed, then they would need access to the property, but Josh and Chris have always been fair, and everyone gets along.

Britnee Ghutzman moved to approve the proposed freestanding sign for Hodge Podge Lodge located at 300 Prairie Street in the Historic Preservation District. William Simpson seconded the motion, the motion carried unanimously. (4-0)

4. Consideration and possible action regarding proposed exterior modifications to the Cozy Grape located at 14340 Liberty Street in the Historic Preservation District.

Mr. McCorquodale said the plans have changed from an enclosed second story to an open-air balcony above the existing back patio area. Mr. McCorquodale said they designed the balcony to accommodate a roof if they ever wanted to add and enclose it but what they are asking for now is just a balcony.

Jeffrey Waddell asked if the balcony will be screened in. Mr. Barrett Mitchell the contractor said the bottom is not going to be closed in and either will the second story open-air balcony. Mr. Mitchell said there will be access on the side from a staircase. Mr. Mitchell said it was originally planned to have it closed in, but they want to have the second deck on top. Mr. Mitchell said they wanted to keep the engineer drawings as is so if in the future they want to close it in the plans are already complete.

Mr. McCorquodale said there are currently 15 parking spaces on the property. Mr. McCorquodale said onsite parking would allow for six employees and 76 seats based on City requirements.

Mr. Mitchell said the existing structure outside of the roof and deck will remain the same and no changes will be made.

William Simpson moved to approve the proposed exterior modifications to the Cozy Grape located at 14340 Liberty Street in the Historic Preservation District. Daniel Gazda seconded the motion, the motion carried unanimously. (4-0)

5. 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 when this application was submitted last month the sign for the atm had already been installed. Mr. McCorquodale said in his opinion if there was a benefit to installing it first was it was entirely out of scale. Mr. McCorquodale said it is about 30 inches tall and an atm should not be the most visually dominant thing on the street. Mr. McCorquodale said a corporate brand is something that is especially important to businesses and needs to be consistent but the idea of the scale of it is too large.

William Simpson said the sign is basically a visibility for foot traffic as there is no building there and they are not trying to bring people in from SH 105. Jeffrey Waddell agreed and said there is no reason for it to be seen from FM 149 or SH 105. Jeffrey Waddell said proportion wise it is too large and right up against Cozy Grape which is taking away the look from the Cozy Grape.

William Simpson said they cannot tell the bank not to use their corporate design, but they can dictate the size and proportion of the sign. William Simpson said the sign needs to be decreased 12 inches in height which would be around the size of the steel frame.

Britnee Ghutzman moved to deny the proposed canopy signage for the Simmons Bank ATM located at 14340 Liberty Street in the Historic Preservation District. Daniel Gazda seconded the motion, the motion carried unanimously. (4-0)

COMMISSION INQUIRY:

Jeffrey Waddell asked Mr. McCorquodale to give an update on the hiring process for the new City Administrator. Mr. McCorquodale said they are working with SGR an executive search firm that

specializes in local and county governments for these types of positions. Mr. McCorquodale said they advertised for a month and received 38 applicants. Mr. McCorquodale said those applicants were then screened by SGR and City Council in turn reviewed all those applicants at last night's meeting and selected 11 applicants to be semi-finalists. Mr. McCorquodale said in three weeks they will look at written and video questions that are submitted by the semi-finalists and from there they will select up to six finalists to interview. Mr. McCorquodale said the six finalists will then be interviewed in the second week of November and if one is selected then the likeliness for that person to begin employment would be the first of the year which would be the best guess without taking into consideration if that person is currently working somewhere and needs to give notice, or if that person needs to relocate.

Jeffrey Waddell asked Mr. McCorquodale to give an update on the Redbird Development off of Old Plantersville Road. Jeffrey Waddell said the main reason he brings this up is because Old Plantersville Road is disintegrating. Jeffrey Waddell asked if after the feasibility study the Redbird project does happen, would the developer help with the improvement of that road. Mr. McCorquodale said when they annexed that property, they did not annex the road and that is still a county road. Mr. McCorquodale said when they met with the County and developer a year ago at the same time, there is a bit of a balancing act that when bringing in concrete trucks and dump trucks you do not want that happening on a brand-new road and then having to tear up the road again. Mr. McCorquodale said the County understands that for us to accept the road they accept the road in good condition. Mr. McCorquodale said there will be some items for the developer and County to work out and they will need to have the driveways approved by the County for what is inside the County's jurisdiction.

Mr. Roznovsky said part of their development is going to be dedicated to an additional right-of-way to widen Old Plantersville Road and add more space and utilities. Mr. Roznovsky said potentially in phase one the County will put in turn lanes, phase two the County will resurface or repair the road and by phase three they will connect it through to Spring Branch. Mr. Roznovsky said as of right now the only thing they have reviewed is the drainage study.

Jeffrey Waddell asked if Public Works could do something temporarily to improve the road condition by removing some of the large debris from the road. Mr. McCorquodale said he would have them contact Precinct 1 and see if they can help patch some of the holes that would last until the improvements are made.

Britnee Ghutzman asked how code enforcement was going. Mr. McCorquodale said it is going well. Mr. McCorquodale said there is less of a hammer approach with code enforcement so there is a lot of latitude and working with individual businesses and property owners. Britnee Ghutzman asked if it was complaint driven. Mr. McCorquodale said a lot of it is. Mr. McCorquodale said in the second City Council meeting of the month in with the Police Department the Code Enforcement Officer breaks down how many internal and residential initiations there are, and a good amount come from him. Mr. McCorquodale said one of the things the Code Enforcement Officer was focused on was signs. Mr. McCorquodale said they want to be a partner with businesses and not necessarily someone who is working against them. Mr. McCorquodale said the Code Enforcement Officer is also managing the special event permit applications as she is very thorough in what she does. Jeffrey Waddell said it also helps her get to know the community more too.

ADJOURNMENT

Britnee Ghutzman moved to adjourn the meeting at 7:11 p.m. William Simpson seconded the motion, the motion carried unanimously. (4-0)

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: November 1, 2022	Budgeted Amount:
Department: Administration	Prepared By: Dave McCorquodale

Subject

Consideration and possible action on proposed side and rear yard fencing at 918 Caroline Street located in the Historic Preservation District.

Recommendation

Approve the fencing as submitted.

Discussion

The homeowner at 918 Caroline Street is planning to construct a side and rear yard fence. Two other homes nearby on Sheppard St. have the same fence style, though Sheppard Street is not within the Historic Preservation District and do need Planning & Zoning Commission approval for exterior modifications.

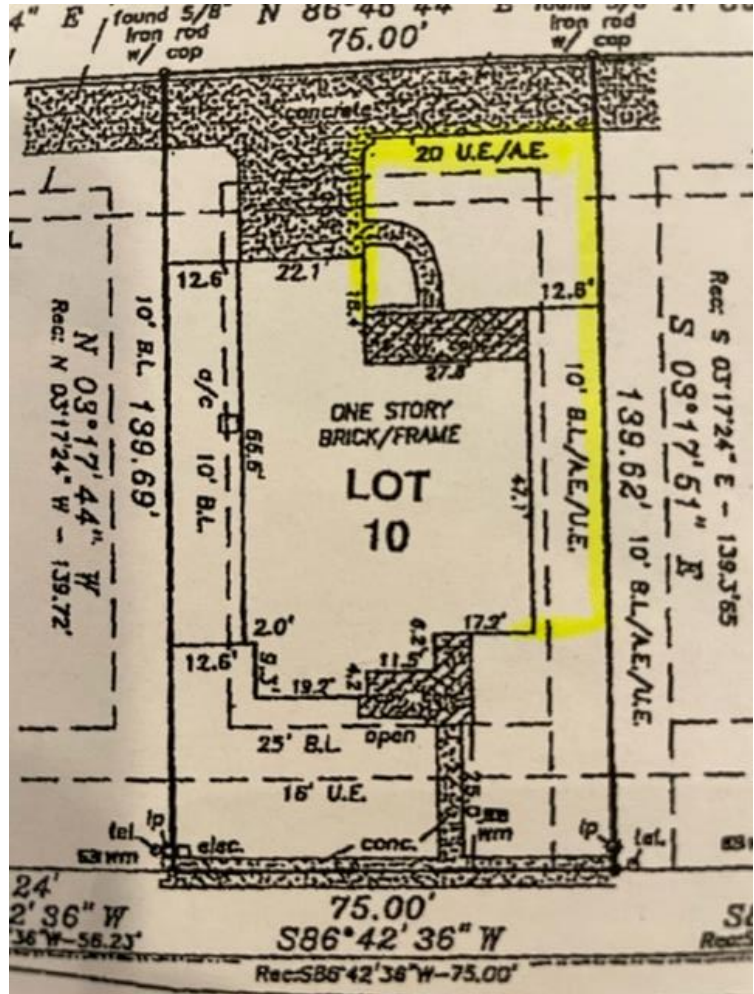
The proposed fence has a generally neutral appearance, is an appropriate scale for the surroundings, and the color is consistent with other fences in the area.

Approved By

Interim City Administrator	Dave McCorquodale	Date: 10/20/2022

918 Caroline Street Proposed Side and Rear Yard Fence

Left: highlighted location of proposed fence



Below: existing conditions photo





Above: Image of proposed fence type/style

Montgomery Planning and Zoning Commission
AGENDA REPORT

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

Subject

Consideration and possible action on proposed exterior site modifications for Old Montgomery Steakhouse located at 204 McCown Street in the Historic Preservation District.

Recommendation

Approve the modifications contingent on the applicant obtaining any required city permits.

Discussion

Wayne Kung, the owner of the Old Montgomery Steakhouse, is planning a project that affects the east/back side of the property. The project includes:

- Switching from propane to natural gas service (allowing the existing tank to be removed)
- Adding three parking spaces in the rear of the building for employee parking
- Building a trash enclosure on the northeast corner of the property

A site plan is attached. The plumbing work requires a city permit, the rest of the work does not.

Approved By

Interim City Administrator	Dave McCorquodale	Date: 10/20/2022

Montgomery Planning and Zoning Commission
AGENDA REPORT

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

Subject

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

Recommendation

Consider the revised ATM canopy signage and act as you see fit.

Discussion

As you will recall, this item was denied at the October 4, 2022 meeting as submitted. The applicant has reduced the overall height of the proposed signage to 12 inches. Discussion was had about incorporating elements of Montgomery’s historic nature, though it does not appear the proposed signage incorporates any historical elements of the City.

Approved By

Interim City Administrator	Dave McCorquodale	Date: 10/20/2022



WWW.MONTGOMERYTEXAS.GOV

Sign Permit Application

CITY OF MONTGOMERY

101 Old Plantersville Road
Montgomery, Texas 77356
936-597-6434

permits@ci.montgomery.tx.us

Item 4.

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

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

Permit: _____

Date: Sept 8, 2022

JOB ADDRESS: <u>14340 Liberty St</u>	BUSINESS NAME: <u>Simmons Bank</u>
BUSINESS OWNER: <u>501 S. Main St Pine Bluff, AR 71601</u>	MAILING ADDRESS: <u>21281 Blair Rd Bldg. 10 Conroe TX 77385</u>
APPLICANT: <u>Sign Remedy Inc</u>	TELEPHONE: <u>(870) 541-1000</u>
CONTRACTOR LICENSE (if electrical): <u>18185/351026</u>	TELEPHONE: <u>(281) 631-1560</u>
IS THE SIGN IN THE HISTORIC PRESERVATION DISTRICT?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
IS THE SIGN ILLUMINATED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

SIGN PLACEMENT: <u>Atm Header</u>	VALUATION:
SIGN DESIGN & COLOR SCHEME: <u>Red, black & white</u>	
SIGN TYPE	SIGN DIMENSIONS
FREESTANDING MONUMENT SIGN <input type="checkbox"/>	SIGN HEIGHT
BUILDING WALL SIGN <input type="checkbox"/>	SIGN WIDTH
BANNER <input type="checkbox"/>	TOTAL SQ FT
OTHER <input checked="" type="checkbox"/> <u>Atm Header</u>	SET BACK
	LOT LINEAR FOOTAGE

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or the performance of construction.

NAME: <u>Stephanie Stewart</u>	SIGNATURE: <u>Stephanie Stewart</u>
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OFFICE USE ONLY

APPROVED	TOTAL FEE:	\$
DATE		
COMMENTS:		

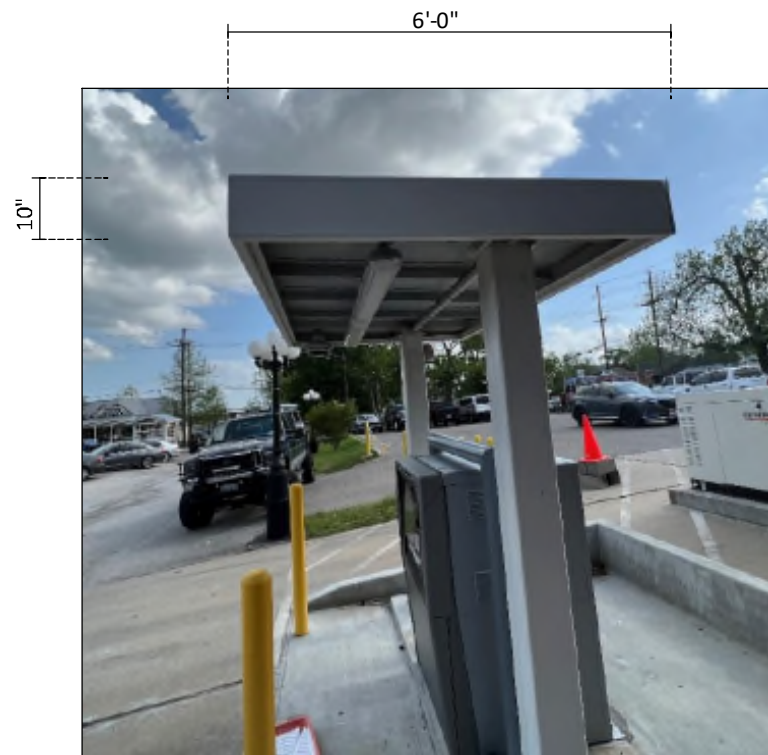


PROJ. 0417082Ar1
14340 Liberty Street
Montgomery, Texas

PRESENTED BY:



CHANDLER
SIGNS



C3 EXISTING CONDITIONS TYPICAL SIDE



C3 EXISTING CONDITIONS TYPICAL FRONT / BACK



C3 PROPOSED SIGNAGE - TYPICAL SIDE



C3 PROPOSED SIGNAGE - TYPICAL FRONT / BACK

Design #	Item 4.
0417082Ar1	
Sheet	2 of 3
Client	
SIMMONS BANK	
Address	
14340 Liberty St Montgomery, Texas	
Account Rep.	MD
Designer	KMc
Date	6/18/22
Approval / Date	
Client	
Sales	
Estimating	
Art	
Engineering	
Landlord	

Revision / Date
R1 JMC 10/6/22: REVISED SIGN
C3



chandler signs.com

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Fort Worth, TX 76155
(214) 902-2800 Fax (214) 902-2844

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17320 San Pedro Avenue
Suite 200
San Antonio, TX 78232
(210) 348-8804 Fax (210) 348-8724

Georgia
113 Woodstone Pkwy
Lawrenceville, GA 30044
(678) 725-8852 Fax (210) 348-8724

South Texas
PO BOX 125 205 Uvalde Drive
Port Antonio, TX 78374
(361) 563-5699 Fax (361) 643-6533

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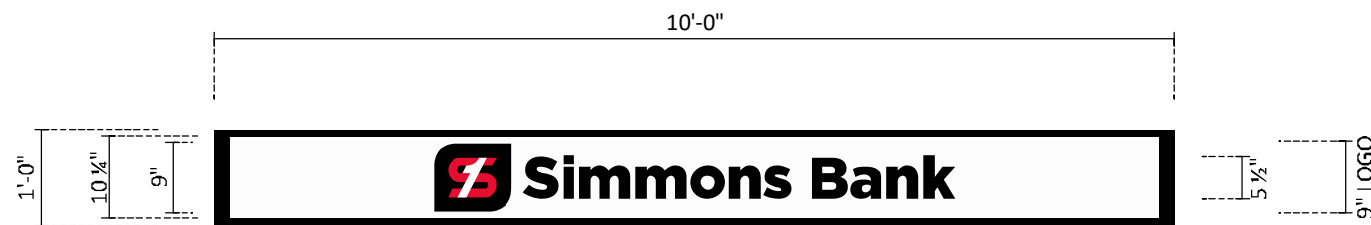
FINAL ELECTRICAL CONNECTION BY CUSTOMER

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN WITH UL LISTED LABEL(S).



Client	
Sales	
Estimating	
Art	
Engineering	
Landlord	

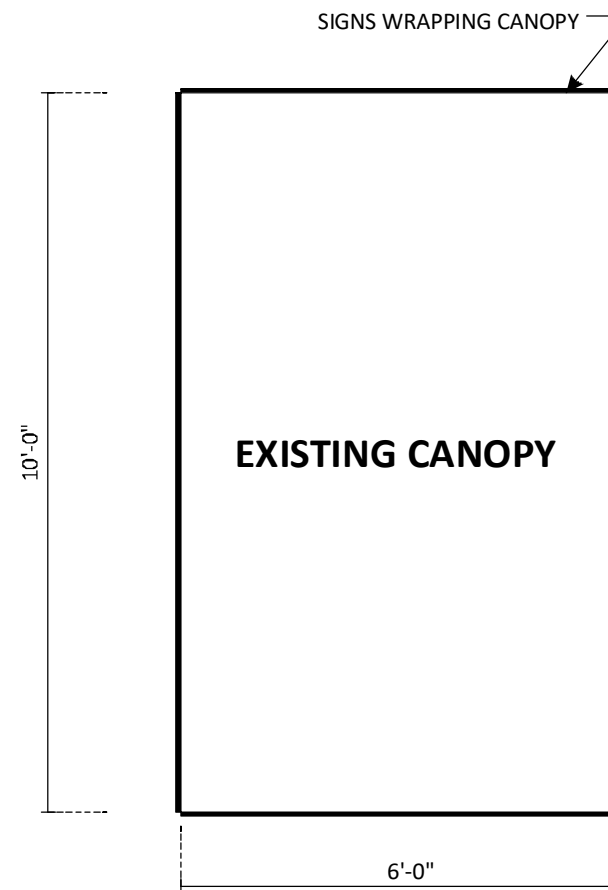
R1 JMC 10/6/22: REVISED SIGN C3



(2) REQUIRED AS SHOWN



(2) REQUIRED AS SHOWN



PLAN VIEW
SCALE: 3/8" = 1'-0"

C3 "ATM" S/F CANOPY PANELS WRAPPING EXISTING CANOPY SCALE: 1/2" = 1' - 0"
(4) SIDES REQUIRED TOTAL

.125 FLAT ALUMINUM PANELS PAINTED BLACK

1st SURFACE VINYL GRAPHICS -3630-33 RED, OPAQUE WHITE & BLACK

NON-ILLUMINATED

MOUNT FLUSH TO EXISTING CANOPY, BOTTOM OF PANELS FLUSH WITH BOTTOM OF CANOPY / EXACT MOUNTING METHOD TO BE DETERMINED



END VIEW



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