

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

July 02, 2024 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, July 02, 2024 at 6:00 PM** at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas.

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

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 June 4, 2024 Regular Meeting Minutes.
- 2.** Consideration and possible action on a Special Use Permit application for a paramedical and fine-line tattooing business located at 14375 Liberty Street Suite 105, Montgomery, Texas 77356 (*tabled 6/4/24*).
- 3.** Presentation and discussion of a proposed 50-ac mixed use development west of Cedar Brake Park along the north frontage of Eva Street/SH105.

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/James Greene

James Greene, 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 June 28, 2024 at 5:00 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.

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: July 2, 2024	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on the June 4, 2024 Regular Meeting Minutes.

Recommendation

No action needed.

Discussion

The minutes from the June 4th meeting are still being prepared by staff and were not available for inclusion in the agenda packet. Minutes will be provided before or at the meeting as available.

Approved By

Director Planning & Development	Dave McCorquodale	Date: 06/28/2024
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Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: July 2, 2024	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on a Special Use Permit application for a paramedical and fine-line tattooing business located at 14375 Liberty Street Suite 105, Montgomery, Texas 77356 (*tabled 6/4/24*).

Recommendation

Staff recommends the Commission study the request and information and be prepared to form a recommendation to City Council on the request at the meeting.

Discussion

This item was tabled at the last meeting by the Commission with direction to determine whether an alternative word can be used in place of "tattooing". In short, no. The TDLR license is for tattooing and the city zoning Table of Uses specifically provides for tattoo as a use that requires a Special Use Permit. In other words, the fundamental component of the application and required action of the Commission is predicated on tattooing and the recommendation should reflect that.

Issue:

Ms. Shea Sykora is the owner of Little House of Brows located in the historic downtown. As part of a relocation to another suite in the same building, Ms. Sykora contacted the city. She has a letter from the City dated 2021 confirming she had an SUP for microblading/cosmetic tattooing, though staff does not find record of an SUP being approved. It appears the letter was provided to her in error, and she needs to obtain an SUP to comply with zoning regulations.

Ms. Sykora is requesting an SUP for paramedical tattooing (covering scars and post-surgery marks, etc.) and fine-line artistic tattooing (done with a single needle and includes wording/script, small shapes, etc., but not filling in with color). The P&Z Commission's role in the process is to study the request and provide a study and recommendation to City Council, who after a public hearing, will consider the request.

Rules:**Sec. 98-88(a) - Table of Permitted Uses and Special Uses.**

[The Table of Permitted Uses – omitted here for brevity – provides various land uses that are allowed by right in each zoning district. The State of Texas includes microblading and fine-line tattooing in the same category as traditional tattooing for license purposes. Tattoo parlor is found within the Table of Permitted Uses, and also requires City Council approval through an SUP].

Sec. 98-88(b) Any use not specifically permitted in this table or in the use regulations of each district set out below, shall require a special use permit (see section 98-27, special use permits).

Sec. 98-27. - Special Use Permits.

- (a) The city council, by an affirmative four-fifths vote, may by ordinance grant a special permit for special uses in any district, for those uses listed under "CC" in the table of permitted uses in section 98-88, or which are otherwise not expressly permitted by this chapter, and may impose appropriate conditions and safeguards, including a specified period of time for the permit, to

Montgomery Planning and Zoning Commission
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protect property and property values in the neighborhood. A special use permit may be revoked or canceled by the city council upon violation of any permit granted. **Before authorization of any of such special uses, the request therefor shall be referred to the Planning and Zoning Commission for study and report concerning the effect of the proposed use on the comprehensive plan and on the character and development of the neighborhood.**

A public hearing shall be held in relation thereto before the city council, and notice and publication of the time and place for which shall conform to the procedure prescribed in subsection (b) of this section.

- (b) A public hearing shall be held by the city council before adopting any proposed special use permit. Notice of such hearing shall be given by publication one time in a newspaper of general circulation in the city stating the time and place of hearing, which time shall not be earlier than 15 days from the date of publication.

Analysis:

The Commission is charged with two separate areas of focus for the study and report:

1. Effect of the proposed use on the Comprehensive Plan. The full plan is omitted from the packet for brevity since it was provided in March. The Commission’s scope is to determine whether the proposed business would have an effect on the orderly development of the city and pursuit of the plan goals. Staff finds no negative effects.

2. Effect on the character and development of the neighborhood. This owner/operator, by-appointment-only business occupies a roughly 400-square feet suite located in a professional office building along Liberty Street. Given the limited footprint and operations of the business, no negative effects on the neighborhood are apparent. Bringing more visitors downtown and providing a professional service are both positive. Small businesses with an artistic or design-related element are common in the historic downtown.

Conclusion:

Staff finds no reason not to recommend approval of the SUP request that limits operations to paramedical and fine-line tattooing. City Council recently approved the renewal of a similar SUP for microblading. As part of the renewal, City Council several staff-recommended provisions from the SUP:

- No limitation to number of employees
- No requirement to be bonded or insured
- No special inspections of the property
- No 5-year expiration date of SUP

As such, staff does not recommend including these provisions in this SUP. The only staff-recommended condition of the permit is that is limits activities to paramedical and fine-line tattooing done with a single needle.

Approved By		
Director Planning & Development	Dave McCorquodale	Date: 06/28/2024



Special Use Permit

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

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

Contact Information

Property Owner(s): Megan Stultz

Address: 14375 Liberty St., Ste 105

Zip Code: 77356 Phone: 936-449-4141

Email Address: megan@meganstultz.com

Applicants: Shea M Sikora

Address: 14375 Liberty St., ste 102

Zip Code: 77350 Phone: 281-832-9072

Email Address: Sheasykora@gmail.com

Parcel Information

Type of Business: Paramedical Tattooing / Fine Line Tattooing

Legal Description: _____

Street Address or Location: 14375 Liberty St., Ste 105, Montgomery Tx 77350

Special Use Permit Request

Hi, my name is Shea Phillips. I began this amazing journey approximately 6 years ago when I created Little House of Brows. If you would have told me then how much my business would grow, or how many women I would motivate, AND that I would boost confidence in these INCREDIBLE women, I would have been in disbelief. I specialize in permanent makeup, Brows, Lips, Eyeliner, Scar Camouflaging, 3D Areola tattooing as well as fine line delicate tattooing.

Shea ~ Little House of Brows

Submission Information

This application is to be submitted to the City of Montgomery Director of Planning & Development:

City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316

Additional Information

Date Application received by the City of Montgomery: 5/29/24 (+500 FEE PD. 5/30/24)

Owner(s) of record for the above described parcel: MP STULTZ PROPERTIES, LLC

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

Signature: Megan Stultz Date: 2/6/24

Signature: _____ Date: _____

Signature: Shu Syl Date: 5-29-24

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.

<p>Date Received</p> <p>Office Use</p>	<p>05/29/24 Dfc</p>
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Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: July 2, 2024	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Presentation and discussion of a proposed 50-ac mixed use development west of Cedar Brake Park along the north frontage of Eva Street/SH105.

Recommendation

No action needed—listen to the presentation and discuss initial thoughts with the developer.

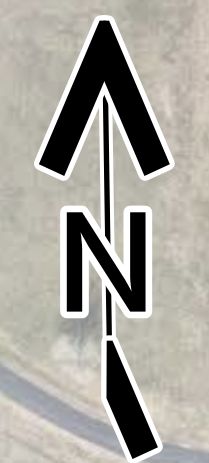
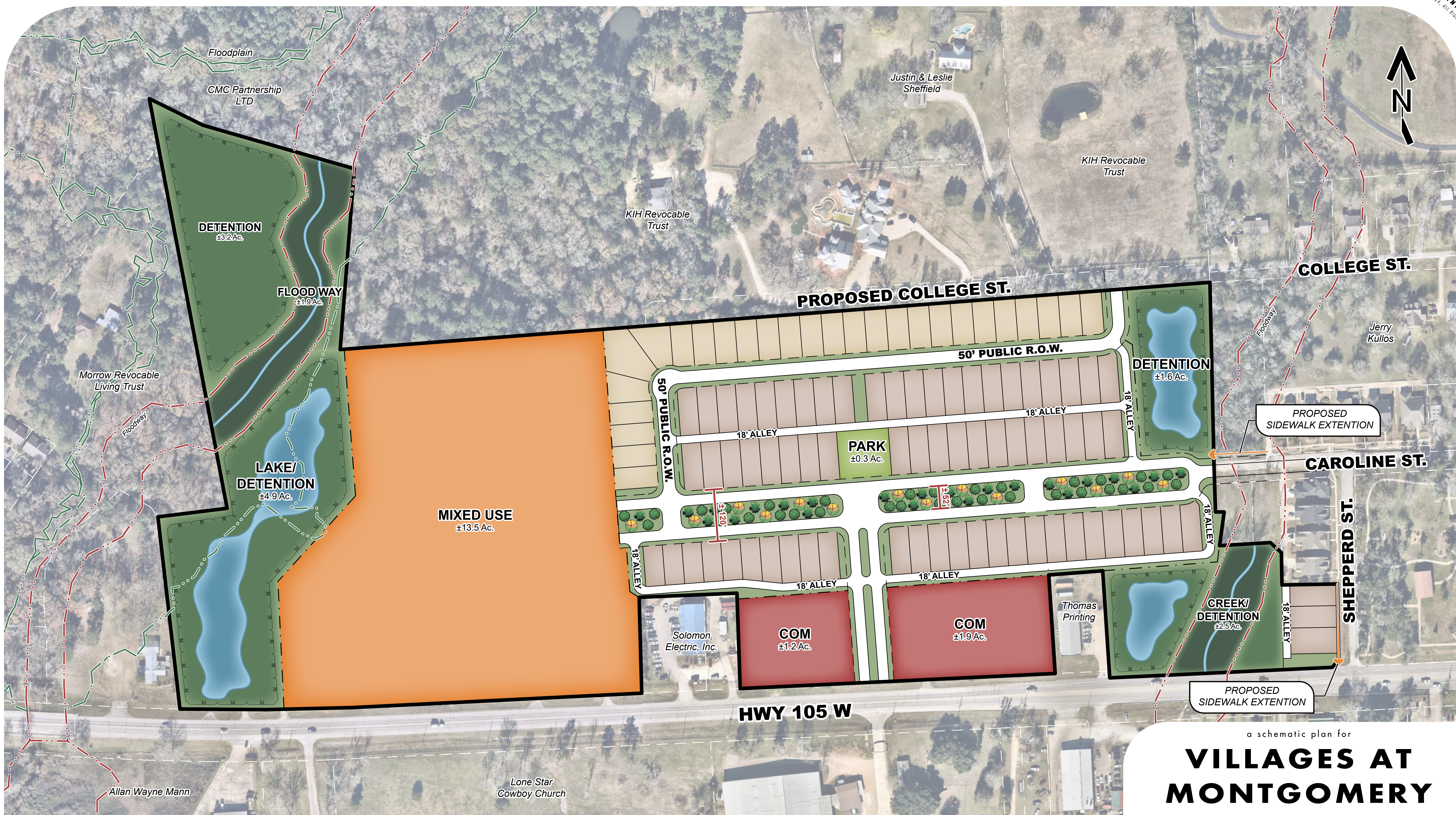
Discussion

A developer is proposing a 50-acre mixed use development west of Cedar Brake Park along the north frontage of Eva Street. The development team desires to present the concept to the P&Z Commission and City Council to get initial feedback to further refine the project.

As a first step, the developer will present to the P&Z Commission. The presentation will be given to the City Council at an upcoming meeting.

Approved By

Director Planning & Development	Dave McCorquodale	Date: 06/28/2024
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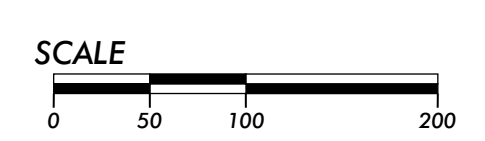


a schematic plan for
VILLAGES AT MONTGOMERY
 ± 50.8 ACRES OF LAND
 prepared for

GRACEPOINT HOMES



24275 Katy Freeway, Ste. 200
 Katy, Texas 77494
 Tel: 281-810-1422



MTA-1-730A
 JUNE 28, 2024

LOT SUMMARY

	45'x110' (ALLEY LOAD)	71 LOTS	72%
	50'x100' (FRONT LOAD)	27 LOTS	28%

TOTAL 98 LOTS

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