

## MINUTES OF REGULAR MEETING

January 4, 2022

### MONTGOMERY PLANNING AND ZONING COMMISSION

#### **CALL TO ORDER**

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

Present: Jeffrey Waddell, Britnee Ghutzman, Bill Simpson, Merriam Walker, Allyson Clark

Absent: None

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

#### **VISITOR/CITIZENS FORUM**

No comments given.

1. **Consideration and possible action regarding approval of the December 7, 2021 Regular Meeting Minutes.**

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

2. **Convene into a Public Hearing regarding the rezoning requests for:**

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

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

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

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

**3. Consideration and possible action regarding a Recommendation and Report for a rezoning request for Hills of Town Creek Section Five.**

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

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

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

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

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

**5. Convene into a Public Hearing regarding the rezoning requests for:**

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

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

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

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

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

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

**Commission Inquiry**

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

**Adjournment**

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

Prepared by: \_\_\_\_\_ Date approved: \_\_\_\_\_  
Dave McCorquodale

\_\_\_\_\_  
Chairman Jeffrey Waddell

Attest: \_\_\_\_\_  
Diana Cooley, Deputy City Secretary