

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 added text to minutes

Highlight denotes existing 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. Consideration and possible action on a proposed sign at 202 McCown Street, located in the Historic Preservation District.

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

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 2nd 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 2nd 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. Consideration and possible action on the proposed Preliminary Plats for Redbird Meadows Sections One through Three.

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. Consideration and possible action on calling a Public Hearing regarding a preliminary report on the city-initiated rezoning of the property commonly known as 203 Prairie Street, 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: _____
Nici Browe, City Secretary

Bill Simpson, Vice-Chairman