

MINUTES OF REGULAR MEETING

November 1, 2022

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Waddell declared a quorum was present and called the meeting to order at 6:00 p.m.

Present: Jeffrey Waddell
William Simpson
Britnee Ghutzman
Merriam Walker

Absent: Dave McCorquodale, Interim City Administrator
Daniel Gazda

Also Present: Nici Browe, City Secretary

VISITOR/CITIZENS FORUM:

No comments given.

CONSIDERATOIN AND POSSIBLE ACTION:

1. Consideration and possible action on the October 4, 2022 Regular Meeting Minutes.

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

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

Ms. Nici Browe, City Secretary said the homeowner at 918 Caroline Street is planning to construct a side and rear yard fence. Ms. Browe said two other homes nearby on Shepperd Street have the same fence style, though Shepperd Street is not within the Historic Preservation District and do need Planning & Zoning Commission approval for any exterior modifications. Ms. Browe said 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.

Britnee Ghutzman asked what the height of the fence is. Ms. Browe said it meets minimum standards. Merriam Walker asked if it is going to be consistent in height. Ms. Browe said per the Zoning Ordinance for fencing there is a minimum standard, but she does not have the details of the height of the fencing and will provide that information via email tomorrow to the commissioners.

Britnee Ghutzman said of the description it is a generally neutral appearance, is an appropriate scale for the surroundings and the color is consistent with other colors in the area. Britnee Ghutzman said the description is a bit vague. Britnee Ghutzman asked if it was wood or composite and is it going to be the same height. Ms. Browe said she would find all of the information out.

Britnee Ghutzman moved to approve with consideration and receipt of information to make sure the proposed side and rear yard fencing at 918 Caroline Street located in the Historic Preservation District is of the same height and composition of the neighborhood. Merriam Walker seconded the motion, the motion carried unanimously. (4-0)

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

Ms. Browe said Mr. Wayne Kung, owner of the Old Montgomery Steakhouse is planning a project that affects the east/back side of the property. Ms. Browe said the project is to include switching from propane to a natural gas service that would allow the existing tank

to be removed, adding three parking spaces in the rear of the building for employee parking, and building a trash enclosure on the northeast corner of the property.

Ms. Browe said a site plan is included. Ms. Browe said the plumbing work will require a city permit; the rest of the work required will not.

Ms. Browe said the recommendation by staff is to approve the modifications contingent on the applicant obtaining any required city permits.

Britnee Ghutzman said she likes the idea of enclosing the dumpster and is curious as to how that will be done. Britnee Ghutzman said they wanted them to do the dumpster coverings and set the precedence in the downtown historic area, but they never have which means the steakhouse is going to set the precedence.

William Simpson said he would like to know what the materials will consist of for the trash enclosure.

Jeffrey Waddell said it looks like there is enough clearance for the approach of the garbage truck without damaging anything.

Britnee Ghutzman said where Mr. Kung is considering placing the dumpster, there are lines of trees with a small walkway and entrances to the other building next to it. Britnee Ghutzman said the dumpster is going to back right up to the property line and there is a tree there. Britnee Ghutzman asked if he going to have to get rid of any existing foliage.

Jeffrey Waddell said the property line should be clear there because of the way the parking spaces are existing.

Britnee Ghutzman asked if Mr. Kung will need to obtain any permits if he has to cut any trees down. Ms. Browe said the only permitting required right now would be the city permit for plumbing. Ms. Browe said the rest of the work does not require a permit.

Britnee Ghutzman moved to approve the consideration and possible action on the proposed exterior site modifications for Old Montgomery Steakhouse located at 204 McCown Street in the Historic Preservation District and would like to know the height and make and who will maintain the dumpster closure. William Simpson seconded the motion, the motion carried unanimously. (4-0)

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

Ms. Browe said at the October 4, 2022 meeting this item was denied. Ms. Browe said since then, the application has been resubmitted and they have reduced the overall height of the proposed signage to 12 inches. Ms. Browe said discussion was made about incorporating elements of Montgomery's historic nature, though it does not appear the proposed signage incorporates any historical elements of the City.

Ms. Browe said staff recommendation is to consider the revised ATM canopy signage and act as you see fit.

William Simpson asked if this is a structure or an occupied building. Merriam Walker said it is not occupied by any tenants, but it is a structure. William Simpson said it is not a structure but will be an off-premises sign for the bank.

Merriam Walker said she believes the bank would be paying ground rent to Cozy Grape and essentially have rights to the small space which is a self-service kiosk where service is provided onsite.

William Simpson said he does not think it was originally located there for people on FM 149 to see an ATM, but it was for the convenience for those people walking the street downtown. William Simpson said it was not for an everyday drive-up business for people. William Simpson said during festivals those people needing to use an ATM only had the closest options of going to Woodforest or the street near the funeral home.

Jeffrey Waddell said the signage does not need to be seen from SH 105 or from FM 149 and that was the point for reducing the signage down to 12 inches because it is only meant to be seen by those walking around in that particular area.

Jeffrey Waddell said they have to remember banks are different in they have standard logos and have to adhere to corporate standards. Jeffrey Waddell said he thinks it is a nice idea to ask to have the signage look more historic, but because it is a bank, he believes it has to be recognized with their standard logo.

Britnee Ghutzman asked if the size of the sign was reduced. Ms. Browe said the depth of the sign is now 10 inches with a ten by six-foot canopy and the signage is going on the 10-inch depth. Ms. Browe said the sign itself is not luminated but is lit underneath the canopy.

Britnee Ghutzman said she does not want the town to turn into a bunch of signs being displayed everywhere. William Simpson said they have finally taken control of the banner situation.

Jeffrey Waddell asked why it is any different than any other business sign. Jeffrey Waddell said they have quite a mixture of business signs. Jeffrey Waddell said he has not heard any complaints with the signs they already have.

William Simpson said it is not the sign, it is the ordinance. Jeffrey Waddell said that ordinance pertains to when you have a separate sign for a different business on the property. Jeffrey Waddell said this is a sign for what is existing on the land as it is not advertising for something else.

William Simpson said it is a sign or a billboard off premise from the location of the subject advertising content which means Simmons Bank is advertising their bank here in the Historic Preservation District.

Merriam Walker asked William Simpson if he would want to see any signage at that location. William Simpson said no. William Simpson said the bank could display it on their machine but not on the framework in the air for the signage.

Jeffrey Waddell said he understands William Simpson's point but to him, proportion wise, with it reduced down to 12-inches he feels it is okay.

Merriam Walker asked if it is more of an eyesore to have no signage. William Simpson said it would blend in and would not be noticed.

Merriam Walker said in her opinion signage looks better and it looks attended to because right now when you look at it you are not sure if it is operational or not.

Ms. Browe said on the last page of the report the dimensions are shown. Ms. Browe said the depth of the canopy is 10-inches, but the actual words would be nine inches.

Merriam Walker asked if in general the hesitation is with the commercialization and standardization of this type of signage. Britnee Ghutzman said yes, and they know that Cozy Grape is going to be building out a patio which the design is in character with their current building with nothing obtrusive that will stick out. Britnee Ghutzman said this ATM canopy signage does stand out. Jeffrey Waddell said this is what you would expect to see of an ATM.

William Simpson said if this were happening across the road, they would not even be discussing this, but this is in the Historical District.

Merriam Walker asked when the ATM was approved was the canopy portion added later. William Simpson said the canopy was added at the same time.

Jeffrey Waddell said if all the other signs in town are at the same height of nine or 10 feet high, he does not know why it would make a difference for this.

William Simpson said the only thing he is going by from the ordinance is the off-premises sign. William Simpson said it is not on the same property as the main operation. Merriam Walker said the individual entity could take that over. Jeffrey Waddell said it is like a mini bank as it is an extension of the bank.

William Simpson said his question is how this is going to affect the future. William Simpson said the reason this is brought to their attention is to preserve the Historical Downtown Montgomery and not to please people within the City or people within neighboring cities.

Britnee Ghutzman moved to approve the proposed canopy signage for the Simmons Bank ATM located at 14340 Liberty Street in the Historic Preservation District. Jeffrey Waddell seconded the motion. Motion failed (2-2). William Simpson and Merriam Walker opposed.

COMMISSION INQUIRY:

None at this time.

ADJOURNMENT

Merriam Walker moved to adjourn the meeting at 7:10 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