

MINUTES OF REGULAR MEETING

August 6, 2024

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Simpson called the meeting to order at 6:00 p.m.

Present: Tom Czulewicz, Daniel Gazda, Bill Simpson

Absent: John Fox, Merriam Walker

Also Present: Gary Palmer, City Administrator
Katherine Vu, WGA Consulting Engineers, City Engineer

VISITOR/CITIZENS FORUM:

None at this time.

CONSIDERATION AND POSSIBLE ACTION:

1. Approval of the minutes as written for:

a) P&Z Commission Regular Meeting 06/04/24

Motion to approve the 06/04/2024 minutes as presented was made by Tom Czulewicz and seconded by Daniel Gazda. **All in favor. (3-0)**

b) P&Z Commission Regular Meeting 07/02/24

Motion to approve the 07/02/24 minutes as presented was made by Tom Czulewicz and seconded by Daniel Gazda. **All in favor. (3-0)**

2. Consideration and possible action on two sign applications for Six Shooter Junction and Jessica's Fine Jewelry located at 14348 Liberty Street in the Historic Preservation District.

Mr. Palmer said for the record he will go through Mr. McCorquodale's memo to frame the issue. Owners of the businesses have applied for two signs on the exterior of the building. One is a wall sign on the front façade that faces Liberty Street and one is a small hanging sign on the back porch above the door that faces McCown Street. These businesses have been in operation for several years and have existing window graphics with the business names and operating hours. Mr. Palmer said they have a couple ordinances which regulate that. Mr. Palmer continued as shown in the submitted images, the signs are of a reasonable size and scale and similar to other signs in the downtown area. Staff recommends approval of the signs as submitted.

Motion to approve the two sign applications for Six Shooter Junction and Jessica's Fine Jewelry located at 14248 Liberty Street in the Historic Preservation District as submitted was made by Tom Czulewicz. Daniel Gazda seconded the motion. **All in favor. (3-0)**

3. Consideration and possible action on a sign application for H-Wines at 14351 Liberty Street in the Historic Preservation District.

Mr. Palmer said H-Wines is expanding its operation in the adjacent building next to their current location in the First State Bank building at 14343 Liberty Street and have submitted a sign application for the new location. There are some rules which must be adhered to. As shown in the submitted images, the sign matches the existing business signs. Staff recommends approval of the sign as submitted.

Motion to approve the sign as submitted was made by Daniel Gazda and seconded by Tom Czulewicz. **All in favor. (3-0)**

4. Presentation and discussion on a proposed residence at 202 Pond Street in the Historic Preservation District as submitted by Larry Reiland.

Mr. Palmer said this item is for discussion only tonight. Mr. Reiland recently purchased 202 Pond Street directly behind the Rancher's Daughter and would like to construct a single-family dwelling on the property. We have regulations that constrain this construction that is also in the packet. No formal action is requested tonight. The owner is going to want to talk about his project and ask for your feedback on the exterior features of the home so you can move forward with full architectural plans that meet the expectations of the Commission. Once the site plan is completed, the final drawings are developed, and final material and color selections are made, the owner can submit for formal approval by the Commission at that time.

Final building lines for the property will be determined in consultation with the city attorney for guidance on applicability and procedural steps related to the existing substandard lots.

Chairman Simpson asked if the only thing they have to discuss about this item is the design and color. Mr. Palmer said for tonight just focus on the design and architecture.

Tom Czulewicz asked Mr. Reiland if he is considering the same colors. Mr. Reiland said yes he does not see any reason to change the color scheme. The only thing he may consider changing is the one big garage door will remain and the small one is going to be two windows which is in the packet as the black and white design. He said there is ample room and the design looks awfully big but it is only 1,100 square feet on top with two bedrooms and two baths with a three car garage. He calls it a carriage house because he thinks it is more fitting of the design.

Mr. Reiland said the neat thing about this too is with the driveway that comes in on Pond Street for the rest of that there is already a culvert there. The rest of it is a ditch to the corner to the culvert. Tom Czulewicz asked from the driveway to the corner. Mr. Reiland said yes. If they put in culverts or the City would, that would widen that area and would allow for some more safer turns at the corner and a lot more visibility. He thinks it would be a smart thing to do. The other side of Pond Street is all ditch. It would be really nice if the culverts were there and that way you can make Pond Street a bit wider and easier to get back and forth. If you put two trucks on that street one of them has to yield the other to go around. Tom Czulewicz said that is not uncommon in the downtown area.

Mr. Reiland said the diagram in the drawing of the packet where it has a red box essentially the size of a storage container that is what the current ordinances say the building lights have to be

set back to. Since this is a substandard lot it opens up to the Zoning Commission who make the variances to where they can move those building lines. What they have proposed to use, the blue box which are the outside building lines of the picture of the house he showed them. You can see the fire hydrant and along that is a ditch to the manhole cover that would all become a flat surface. Mr. Reiland said College Street has a sidewalk going down and they are set back within the fence line where Rancher's Daughter is and that is where this ends so it is a perfect line as you are looking down College Street. Mr. Reiland said the City ordinance requires a 10-foot backyard and he is asking to move it to 7.5 feet.

Mr. Reiland said before he goes any further and keeps paying designer and architect fees he wants to know if it is worth his while.

Chairman Simpson said right now what they are discussing and he thinks everyone is in agreement with is the style and the color of the home is okay. It is the City that will coordinate all that. What they are deciding here is if the house is within the historical preservation district guidelines.

Dan Gazda said his recommendation to move forward is possibly use some lighter colors to try to transition from the Rancher's Daughter back towards the historical district. As Mr. Reiland continues down the design process he would be interested to see some other colors, maybe lighter ones that would be a better transition from Rancher's Daughter coming back a bit lighter.

Chairman Simpson said as far as moving forward with the house they are fine with it. Daniel Gazda said he likes it a lot and thinks it is very clever for that size of a lot. Mr. Reiland said he thinks it will improve the look of it.

5. Calling a Public Hearing on a rezoning request of 15.46 acres along Lone Star Parkway west of Liberty Street from ID-Industrial to B-Commercial and R2-Multi-family Residential as submitted by SPT Montgomery, LLC (Dev. No. 2215).

Ms. Vu said you all may know this property as the Superior properties tract at the northwest corner of the intersection of FM 149 and Lone Star Parkway. Right now the property is zoned industrial and the developer is looking to rezone it to a mix of B-commercial and R2-multi-family residential. All you are doing this evening is calling a public hearing, you are not necessarily approving the rezoning. The public hearing is just the first step in the process. They want to do a mixture of duplexes and commercial. Ms. Vu said you will have a public hearing and City Council will have a public hearing as well.

Tom Czulewicz asked what the property across from Lawson Street is zoned. Ms. Vu said residential. Tom Czulewicz asked if this would just be continuing the residential zoning area from Lawson Street to Lone Star Parkway. Ms. Vu said the portion between Lawson Street and Lone Star Parkway from her understanding is that will be commercial on the hard corner. The hard corner will be commercial and the multi-family will be more on the west half of this property closer to the community center. Ms. Vu said when you think multi-family we are not thinking apartments, it is duplexes but because of the nature of it they have to be zoned multi-family.

Chairman Simpson said with the size of those duplexes he would almost rather see apartments. Ms. Vu said they are not large and they will not be individually owned. She said her understanding is that SPT plans to maintain ownership of the whole thing and it will be under a

master meter. They have not submitted construction plans or anything like that. This is the first step in their development process. Tom Czulewicz said if they are going to have blue collar workers living here they need to give them some affordable housing. Chairman Simpson said yes, but they have to keep the City a quality product too.

Motion to call a Public Hearing on September 3, 2024 on a rezoning request of 15.46 acres along Lone Star Parkway west of Liberty Street from ID-Industrial to B-Commercial and R2-Multi-family Residential as submitted by SPT Montgomery, LLC (Dev. No. 2215) was made by Daniel Gazda and seconded by Tom Czulewicz. **All in favor. (3-0)**

6. Consideration and possible action on the Final Plats for Redbird Meadows Sections One, Two, and Three (Dev. No. 2006).

Ms. Vu said this development is along Old Plantersville at the corner of Old Plantersville and Old Dobbin Plantersville. These are their final plats and you have all seen and reviewed their preliminary plats. There were no substantial changes from the preliminary until now. They have begun construction. They started clearing on site because their construction plans are approved.

A couple of things Ms. Vu wanted to note about these plats is City Council approved a development agreement on May 10, 2022 and then amended that agreement on August 8, 2023. The terms of the agreement that are realized in these plats are there was a street variance that was granted to allow 24-foot pavement width with a 50-foot right-of-way for minor residential streets meaning they serve less than 50 lots. They were granted a side lot variance. The way it was worded was ultimately 20 percent of the total lot lines between two adjacent homes will have no less than 15 feet in between the homes so that guarantees it is either 7 and a half and 7 and a half or 5 and 10 on at least 20 percent of the lots in each phase. They were also granted a lot size variance so a maximum of 47 percent of the platted lots can be a minimum of 60 feet wide with an 8,400 square foot area so what is included in these three plats today are a mixture of 60's, 70's, and 80's and this was all in accordance with their original land plan that was included in that development agreement as well.

Ms. Vu said in light of the agreement they reviewed the plats against the variance they were granted as well as the remaining applicable city codes, they have met all of the requirements of both and they recommend approval of these three plats at this time.

Daniel Gazda said in just confirming they were approved to go down to 24 but it looks like they went to 28. He asked if this is correct. Ms. Vu said a majority of their streets are 28 and they are only doing 24 on a very small smattering of streets. The requirement was for streets serving less than 50 homes which is considered a minor residential but they did less than fewer 24 streets than they could have. They did try to keep them to a minimum.

Tom Czulewicz said it says consideration and possible action. He asked what is possible action. Ms. Vu said the action would be to approve the plats or to not approve the plats. Daniel Gazda asked if they approve or recommend approval. Ms. Vu said they recommend approval and if approved they get signed by this committee and the City Council.

Motion to recommend approval on the final plats for Redbird Meadows Section One, Two, and Three as presented was made by Daniel Gazda and seconded by Tom Czulewicz. **The motion carried with 2-ayes and 1-nay vote by Tom Czulewicz. (2-1)**

COMMISSION INQUIRY:

Tom Czulewicz asked for Ms. Vu to fill them in on where they are at with the water tower and where are they at trying to get wells repaired. Ms. Vu said water plant #2 has been offline for about a year and well #2 collapsed around this time last year. They held a pre-construction meeting yesterday with the contractor to plug the existing well, drill a new well and do some other improvements at the water plant site replacing the ground storage tank and doing some re-coatings, as well as repairing the road going to the plant. That project is in construction and is underway. Tom Czulewicz asked what is the timeline. Ms. Vu said their substantial completion date is April of next year. This is for water plant #2 and well #2 is the one that failed. Ms. Vu stated currently well #3 is offline as well. This is recent as the motor burned up probably due to a lightning strike. Tom Czulewicz asked what the timeline is for well #3. Ms. Vu said Friday. Mr. Palmer said this is happening right now so they are hoping Friday. Ms. Vu said as far as current capacity knowing you have two wells offline; the City still has substantial pumping capacity. She said they went into a voluntary stage one drought contingency just to advise everyone to reduce water where they can. There is no requirement at this point because you do have substantial pumping capacity to still serve the demands of the City but they are monitoring it daily watching out for spikes and flows to where they may need to go to a more restrictive stage of the drought.

Ms. Vu said the other part of the question was regarding the water tower and an additional water plant. Part of this Redbird Meadow’s development is that they are dedicating a water plant site for a water tower and pumps for that. She said it would go at the hard corner of Old Dobbin Plantersville and Old Plantersville. That was one of the amendments that was included in that August amendment of last year. They will be dedicating that water plant site so the next step in the process is for the City to go out for proposals for engineering services to design the tower and then continue on with the design from there. She said she has the request for proposals drafted and ready to bring to staff. Tom Czulewicz asked if they are looking at 2026 to be completed. Ms. Vu said early 2026.

Tom Czulewicz asked if a water tower helps to improve water pressure too. Ms. Vu said yes it does. She said the water tower is kind of two fold capacity and pressure. Tom Czulewicz said that can help reduce insurance rates for homes if your area is recognized by insurance companies as having weak or poor water pressure it can cause the whole area to have higher insurance rates.

ADJOURNMENT

Tom Czulewicz moved to adjourn the meeting at 6:30 p.m. Daniel Gazda seconded the motion. **All in favor. (3-0)**

Prepared by: _____ Date approved: _____
Diana Titus, Deputy City Secretary

Bill Simpson, Chairman

Attest: _____
Dave McCorquodale, Director of Planning & Development