

**Notice of Planning and Zoning Commission
AGENDA**

September 03, 2024 at 6:00 PM

NOTICE IS HEREBY GIVEN that a Meeting of the Montgomery Planning and Zoning Commission will be held on **Tuesday, September 03, 2024 at 6:00 PM** at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas.

Members of the public may download agenda information 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). The meeting will be recorded and uploaded to the City's website.

CALL TO ORDER

PUBLIC FORUM:

The Planning and Zoning Commission will receive comments from the public on any matters within the jurisdiction of the Commission. Speakers will be limited to three (3) minutes each. Persons wishing to participate (speak) during the Public Forum portion of the meeting must sign-in to participate prior to the meeting being called to order. Please note that discussion, if any, on subjects for which public notice has not been given, are limited to statements of specific factual responses and recitation of existing policy.

REGULAR AGENDA

All items on the Regular Agenda are for discussion and/or action.

- 1.** Approval of the August 6, 2024 Regular Meeting Minutes.
- 2.** Consideration and possible action on a front yard fence installed at 708 Caroline St located in the Historic Preservation District.
- 3.** Consideration and possible action on two signs - one freestanding and one wall sign - for Lola & Viv Designs located at 305 Prairie Street in the Historic Preservation District.
- 4.** Consideration and possible action on a new sign for Mount Pleasant Missionary Baptist Church located at 15155 Liberty Street, a city-designated historic landmark.
- 5.** Consideration and possible action on the following exterior modifications for Shades Salon located at 207 McCown St. in the Historic Preservation District:
 - a. New sign to replace the existing sign on the McCown St. storefront.
 - b. New sign on the new Liberty St. storefront.
 - c. New building trim color of Sherwin Williams 'Black' (SW6258) in a flat finish
- 6.** Setting a new date for the 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).

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

I certify that this notice of meeting was posted on the website and bulletin board at City Hall of the City of Montgomery, Texas, a place convenient and readily accessible to the general public at all times. This notice was posted at said locations on the following date and time: **AUGUST 30, 2024 at 5:00 PM** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

/s/ Dave McCorquodale

Director of Planning & Development

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.

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

Montgomery Planning and Zoning Commission

AGENDA REPORT

Meeting Date: September 3, 2024	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on a front yard fence installed at 708 Caroline St located in the Historic Preservation District.

Recommendation

Staff has no objections to the fence and recommends approval of the installed fence.

Discussion

Issue:

The owner of the property replaced a dilapidated front yard fence with a new fence. The fence was not submitted for action by the P&Z in accordance with historic district regulations.

Rules:

Sec. 98-347. - Approval for alteration or new construction within historic preservation districts or affecting historic landmarks.

No person shall carry out any exterior construction, reconstruction, alteration, restoration, rehabilitation, demolition, or relocation of any historic landmark or any property within an historic preservation district, nor shall any person make any material change to other exterior elements visible from a public right-of-way which will affect the appearance and cohesiveness of any historic landmark or any property within an historic preservation district without receiving approval from the Planning and Zoning Commission.

Analysis & Conclusion:

Review the fence and approve or not as you see fit.

Approved By

Director Planning & Development Assistant City Administrator	Dave McCorquodale	Date: 08/28/2024
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708 Caroline Street photos submitted



by owner.





Montgomery Planning and Zoning Commission

AGENDA REPORT

Meeting Date: September 3, 2024	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on two signs - one freestanding and one wall sign - for Lola & Viv Designs located at 305 Prairie Street in the Historic Preservation District.

Recommendation

Staff offers no material objections to the proposed signs. Approve or request changes as you see fit.

Discussion

Issue:

The business is opening a location in downtown and has submitted an application for signage that includes a wall type sign mounted on the upper part of the porch roof and a freestanding type sign mounted on two existing 4x4 columns on the porch access ramp.

Rules:

Sec. 98-347. - Approval for alteration or new construction within historic preservation districts or affecting historic landmarks.

No person shall carry out any exterior construction, reconstruction, alteration, restoration, rehabilitation, demolition, or relocation of any historic landmark or any property within an historic preservation district, nor shall any person make any material change to other exterior elements visible from a public right-of-way which will affect the appearance and cohesiveness of any historic landmark or any property within an historic preservation district without receiving approval from the Planning and Zoning Commission.

Sec. 66-53. - Calculation of area; maintenance; permitted signs; variances.

...(n) Permanent signs permitted and regulated in commercial districts.

(1) Wall signs.

- a. Size and number. Flat wall signs are permitted for each business utilizing up to 60 percent of the total feet of wall area.*
- b. Location. A wall sign shall not project above the roofline. The sign must be located on the site where the goods or services are offered.*

(2) Freestanding signs.

- a. Table of regulations. Subsections (n)(2)a through g of this section do not apply to the Historic District of the city...*

Analysis & Conclusion:

Size is not an issue of concern for either proposed sign. As you can see in the street view image attached, a previous sign was located on the access ramp in the proposed location. The proposed sign above the front porch does not relate to the porch roof elements (rectangle sign on triangular open gable), though the Commission has allowed similar signs in the past. Given the city's current sign regulations, staff offers no objection to the proposed signs.

Approved By

Director Planning & Development Assistant City Administrator	Dave McCorquodale	Date: 08/28/2024
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PROOF

- ☐ Proof APPROVED as is
- ☐ OK with changes
- ☐ NEW Proof needed

READ PROOF CAREFULLY

Please review the layout(s) below and advise whether approved or changes for production.
Please reply via this email noting order is approved or noting any changes.

****Production will not begin until approval is emailed or fax back stating APPROVED.****

Sign 1



Signs 2 & 3



1. Sign 1 is 80" x 24" Alumapanel
2. Signs 2 & 3 are 67.25" x 27.5" Alumapanel
3. Will be attached to beams with 3" bolts
4. Bolts are 1/4" x 3"

YOU MUST CHECK THE FOLLOWING:

WORDING - SPELLING:

Is everything spelled correctly?

Check all names and words.

LAYOUT:

Do all components correlate to each other?

SIZE:

Check the size noted on the drawing.

Changes may have been necessary to meet the size requirements.

***ONCE APPROVED**

YOU ARE RESPONSIBLE FOR 1/2 OF THE REMAKE COST SHOULD ANY ERRORS BE FOUND AFTER PRODUCTION BEGINS. NO EXCEPTIONS.

DATE 8/21/24

ORDER NUMBER 24-3 5551 / 5724

QUANTITY 3

STOCK Alumapanel

INK Digital

SIZE 80" x 24" / 67.25" x 27.5"

SIDES 1

OTHER _____

PRICE \$350.00

GRAPHIC FEES \$50.00

INSTALLATION \$400.00

COMPLETED DATE _____



WWW.MONTGOMERYTEXAS.GOV

Sign Permit Application

CITY OF MONTGOMERY

101 Old Plantersville Road
Montgomery, Texas 77356
936-597-6434

permits@ci.montgomery.tx.us

Item 3.

SIGN PERMIT APPLICATION EXPIRES IN
180 DAYS (NON-TRANSFERABLE)

TEMPORARY SIGN?	YES ☐	NO ☐
PERMANENT SIGN?	YES ☐	NO ☐
Pre-Existing OR New	Pre-Existing ☐	NEW ☒

Permit:

Date: 08/21/2024

JOB ADDRESS: 305 Prairie St		BUSINESS NAME: Lola & Viv Designs	
BUSINESS OWNER: Patrica Roebuck		MAILING ADDRESS: 118 Cape Conroe Dr	TELEPHONE: 808-954-2937
APPLICANT: JK Graphics		MAILING ADDRESS: 118 Cape Conroe Dr	TELEPHONE: 936-447-1869
CONTRACTOR LICENSE (if electrical):			
IS THE SIGN IN THE HISTORIC PRESERVATION DISTRICT?		YES ☒ NO ☐	IS THE SIGN ILLUMINATED? YES ☐ NO ☐
SIGN PLACEMENT: On building and walkway		VALUATION: 800.00	
SIGN DESIGN & COLOR SCHEME: Square alumapanel, white with logo and black letters			
SIGN TYPE		SIGN DIMENSIONS	
FREESTANDING MONUMENT SIGN ☐		SIGN HEIGHT	24
BUILDING WALL SIGN ☒		SIGN WIDTH	80
BANNER ☐		TOTAL SQ FT	13.333333
OTHER ☐		SET BACK	
		LOT LINEAR FOOTAGE	
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or the performance of construction.			

NAME:
Brian C. Odom

SIGNATURE:

OFFICE USE ONLY

APPROVED		TOTAL FEE: * all fees paid by credit card are subject to a 5% merchant fee.	\$
DATE			
COMMENTS:			

Montgomery Planning and Zoning Commission

AGENDA REPORT

Meeting Date: September 3, 2024	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on a new sign for Mount Pleasant Missionary Baptist Church located at 15155 Liberty Street, a city-designated historic landmark.

Recommendation

Consider the request and either approve the sign or provide direction to the applicant on changes to the sign requested by the Commission. You can give staff direction to approve after any changes or you can review it on a future agenda.

Discussion

Issue:

The church is planning to replace their sign with a similar sign in shape and content with the notable addition of an LED message display (the proposed sign is identical on both sides like the existing sign). Also of note—the proposed sign uses the existing steel footings and existing electrical service. All proposed work is above ground and the proposed sign location is where the existing sign is.

Rules:

Sec. 98-347. - Approval for alteration or new construction within historic preservation districts or affecting historic landmarks.

No person shall carry out any exterior construction, reconstruction, alteration, restoration, rehabilitation, demolition, or relocation of any historic landmark or any property within an historic preservation district, nor shall any person make any material change to other exterior elements visible from a public right-of-way which will affect the appearance and cohesiveness of any historic landmark or any property within an historic preservation district without receiving approval from the Planning and Zoning Commission.

Sec. 66-53. - Calculation of area; maintenance; permitted signs; variances.

...(n) Permanent signs permitted and regulated in commercial districts.

(1) Wall signs.

- a. Size and number. Flat wall signs are permitted for each business utilizing up to 60 percent of the total feet of wall area.*
- b. Location. A wall sign shall not project above the roofline. The sign must be located on the site where the goods or services are offered.*

(2) Freestanding signs.

- a. Table of regulations. Subsections (n)(2)a through g of this section do not apply to the Historic District of the city...*

Analysis & Conclusion:

Given the last statement above, you can see that the freestanding sign regulations do not apply to the Historic Preservation District, and by extension, any city-designated historic landmark. For reference, if this property were not a city-designated historic landmark, its location on FM 149/Liberty Street would allow for a 10-foot tall / 100 sqft monument sign. Historic areas are exempted from monument sign requirements. As such, the proposed sign is allowable if approved by the Commission.

The Commission's review will determine whether the non-conforming style sign or whether a monument-style (or other style) sign can be approved by staff. The church is an integral part of

Montgomery Planning and Zoning Commission
AGENDA REPORT

Montgomery’s history. The existing architecture of the site is modern-era construction. Given the city’s current sign regulations, staff has no objection to the proposed sign and recommends approval.

Approved By		
Director Planning & Development Assistant City Administrator	Dave McCorquodale	Date: 08/28/2024



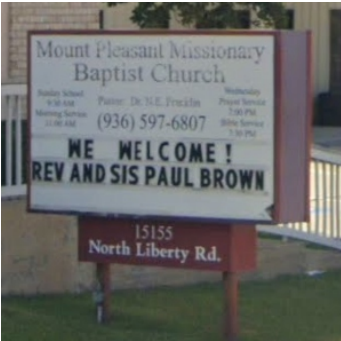
ME #: 68151

Item 4.

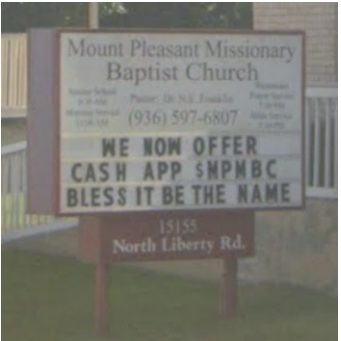
PRODUCTION RENDERING
CLIENT APPROVAL

EXCERPT FROM SECTION 66-53 (LINK HERE)

- (s) Electronic message display signs. Electronic message display signs may be permitted in the commercial and industrial zoning districts subject to the following requirements:
- (1) Operational limits. Such displays shall be limited to static displays, messages that appear or disappear from the display through dissolve, fade, moving message or scroll modes, or similar transitions and frame effects that have text or visual, non-animated visuals, that appear to move or change in size, or be revealed sequentially rather than all at once.
 - (2) Minimum display time. Each message on the sign must be displayed for a minimum of five seconds.
 - (3) Lighting intensity. In no case shall the lighting intensity of any sign, whether resulting from internal illumination or external illumination shall not exceed 700 Lux more than one foot from the sign when measured with a standard light meter perpendicular to the face of the sign.
 - (4) No temporary signs. No electric message display signs may be used on temporary signs.
 - (5) Limitations near residences. Electronic message display signs located on property adjacent to any residential district shall not be operated between the hours of 10:00 p.m. and 6:00 a.m. This requirement shall not apply to any premises at which the business is operating during these hours.
 - (6) Animation limitations. The image or message of the sign does not flash or have animation or television type of screen effects.
 - (7) Size limitations. The area of the electronic message display does not exceed one half of the entire size of the sign.



EXISTING
NTS



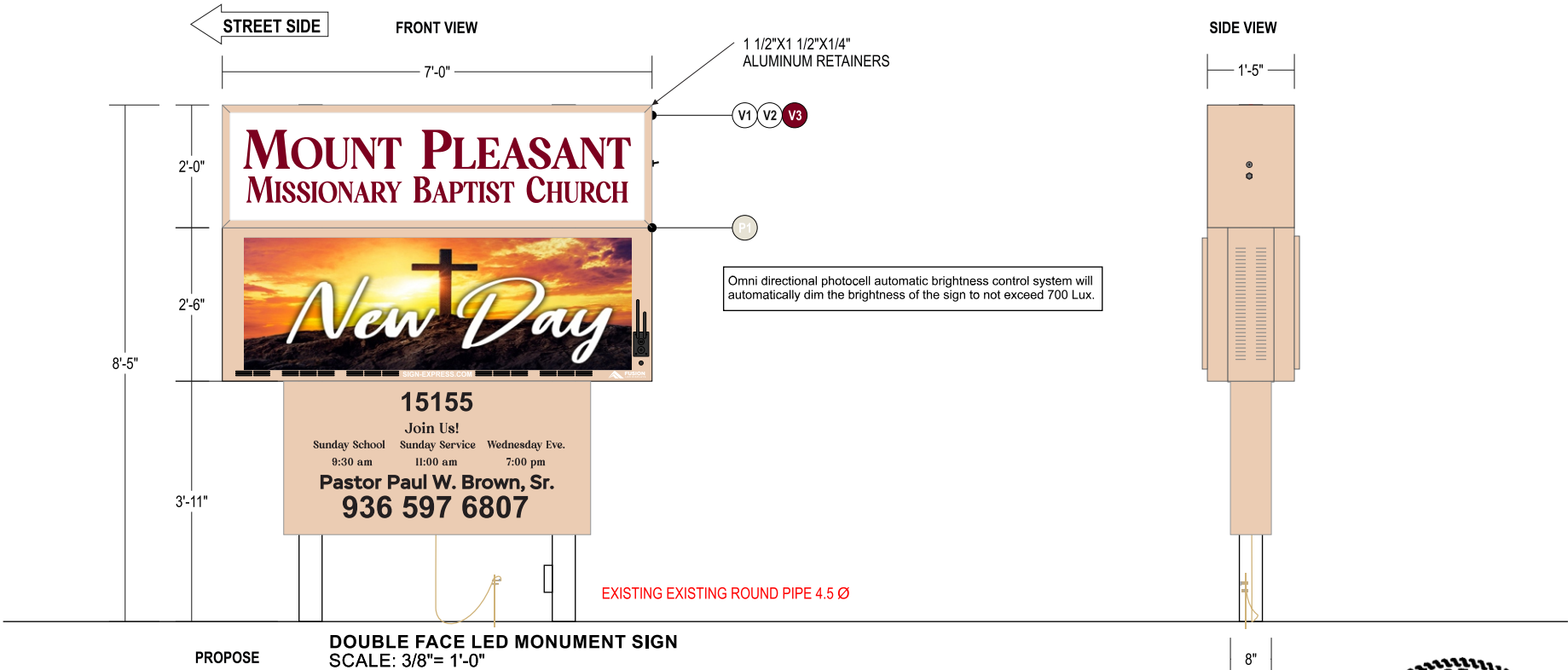
PAINT SCHEDULE

P1 - MP TO MATCH SW 6351
SWEET ORANGE - SV45574

VINYL SCHEDULE

V1 - WHITE
ARLON 2100-02

V2 - RED
ARLON 2500-2283



The electronic seal which appears on this document was authorized by: Sean M. McFarland, PE on August 27, 2024.



183 Edgewater Ct
Mocksville, NC 27028

STRUCTURAL SIGN DESIGN
&
ENGINEERING SERVICES

Ph: (281) 813-7439
Fax: (888) 712-5364
Email: sean@signstructures.com
Web: www.signstructures.com

**MOUNT PLEASANT
MISSIONARY BAPTIST CHURCH**

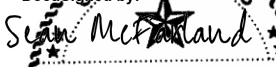
Address: 15155 LIBERTY RD
City/State: MONTGOMERY, TX
Client: SIGN-EXPRESS

Initial Drawing: (68151) DS

ENGINEERING OF
VERTICAL SUPPORT AND
FOUNDATION ONLY.
NO CABINET ENGINEERING
PROVIDED OR IMPLIED.

NC Firm Registration: F-1136
Texas Expiration Date: 6/30/2025
Texas Firm Registration: F-6996

Date: 8-27-2024
Sheet #: 1 OF 3

DocuSigned by:

SEAN M. MCFARLAND

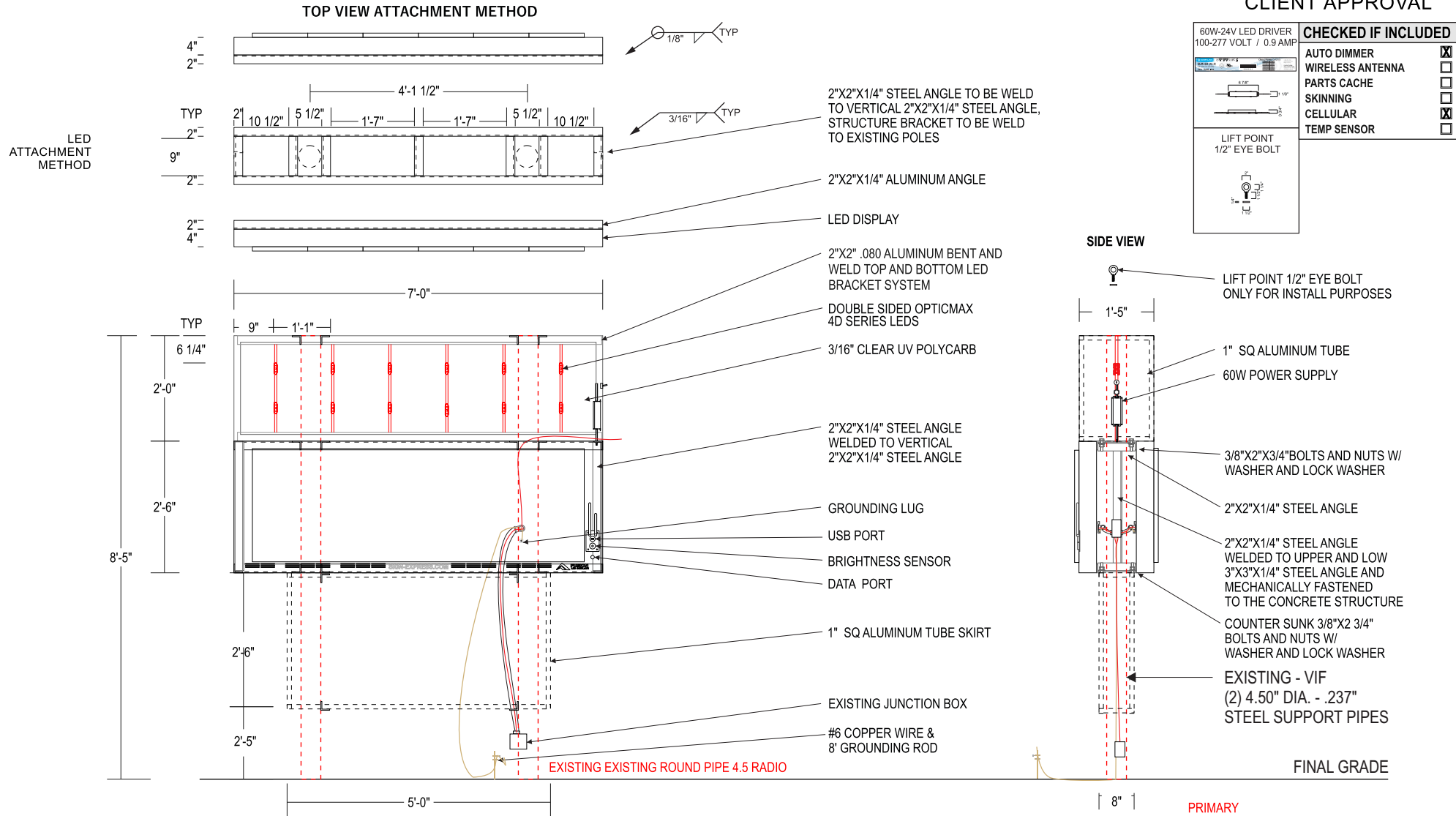
DD4704DC55405

STATE OF TEXAS
88579
LICENSED
PROFESSIONAL ENGINEER

ME #: 68151

Item 4.

PRODUCTION RENDERING **CLIENT APPROVAL**



FABRICATION AND INSTALL DETAIL
 SCALE: 3/8"= 1'-0"

The electronic seal which appears on this document was authorized by: Sean M. McFarland, PE on August 27, 2024.

MCFARLAND Engineering

183 Edgewater Ct
Mocksville, NC 27028

STRUCTURAL SIGN DESIGN & ENGINEERING SERVICES

Ph: (281) 813-7439
Fax: (888) 712-5364
Email: sean@signstructures.com
Web: www.signstructures.com

MOUNT PLEASANT MISSIONARY BAPTIST CHURCH

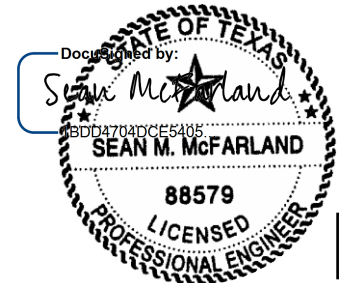
Address: 15155 LIBERTY RD
City/State: MONTGOMERY, TX
Client: SIGN-EXPRESS

Initial Drawing: (68151) DS

ENGINEERING OF VERTICAL SUPPORT AND FOUNDATION ONLY.
NO CABINET ENGINEERING PROVIDED OR IMPLIED.

NC Firm Registration: F-1136
Texas Expiration Date: 6/30/2025
Texas Firm Registration: F-6996

Date: 8-27-2024
Sheet #: 2 OF 3



Montgomery Planning and Zoning Commission

AGENDA REPORT

Meeting Date: September 3, 2024	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on the following exterior modifications for Shades Salon located at 207 McCown St. in the Historic Preservation District:

- a. New sign to replace the existing sign on the McCown St. storefront.
- b. New sign on the new Liberty St. storefront.
- c. New building trim color of Sherwin Williams 'Black' (SW6258) in a flat finish

Recommendation

Staff has no objections to the requests and recommend approval of the two new signs and building trim paint color.

Discussion

Issue:

Shades Salon is expanding within the same building and will have a new storefront on Liberty Street in addition to their existing storefront on McCown. As a reference, Shades Salon is currently located in a portion of the two adjacent buildings owned by Larry Jacobs Properties. As part of their project, they are:

- Touching up existing wall paint (same color, no approval required)
- Repainting window/door trim black (requires approval)
- New McCown St. wall sign (similar in size and design to existing sign)
- New Liberty St. wall sign (matches new McCown St. sign)

Rules:

Sec. 98-347. - Approval for alteration or new construction within historic preservation districts or affecting historic landmarks.

No person shall carry out any exterior construction, reconstruction, alteration, restoration, rehabilitation, demolition, or relocation of any historic landmark or any property within an historic preservation district, nor shall any person make any material change to other exterior elements visible from a public right-of-way which will affect the appearance and cohesiveness of any historic landmark or any property within an historic preservation district without receiving approval from the Planning and Zoning Commission.

Sec. 66-53. - Calculation of area; maintenance; permitted signs; variances.

...(n) Permanent signs permitted and regulated in commercial districts.

(1) Wall signs.

- a. *Size and number. Flat wall signs are permitted for each business utilizing up to 60 percent of the total feet of wall area.*
- b. *Location. A wall sign shall not project above the roofline. The sign must be located on the site where the goods or services are offered.*

(2) Freestanding signs.

- a. *Table of regulations. Subsections (n)(2)a through g of this section do not apply to the Historic District of the city...*

Analysis & Conclusion:

Montgomery Planning and Zoning Commission
AGENDA REPORT

As recently discussed, wall signs are allowed to occupy up to 60% of the building wall/façade it is mounted on. These two proposed signs are clearly less than that. Staff has no objection and recommends approval of the signs and trim color change as presented.

Approved By		
Director Planning & Development Assistant City Administrator	Dave McCorquodale	Date: 08/28/2024



Sign Permit Application

Public Works and
Community Development
Department

City of Montgomery Item 5.
101 Old Plantersville Road
Montgomery, Texas 77356
www.montgomerytexas.gov

* SIGN PERMIT APPLICATION EXPIRES IN 6 MONTHS (180 DAYS) NON-TRANSFERABLE*

TEMPORARY SIGN?	YES ☐ NO ☒	Permit #:
PERMANENT SIGN?	YES ☒ NO ☐	
Pre-Existing OR New Sign?	Pre-Existing ☐ New ☒	
		Date:

JOB ADDRESS: 207 MCCOWN ST		BUSINESS NAME: SHADES+CO	
BUSINESS OWNER: KAYLON WATSON		MAILING ADDRESS: 207 MCCOWN ST, MONTGOMERY, TX 77356	TELEPHONE: 832-885-7741
APPLICANT: LONE STAR SIGNS		MAILING ADDRESS: PO BOX 789, MONTGOMERY, TX 77356	TELEPHONE: 936-597-8783
CONTRACTOR LICENSE # (if electrical): N/A			
IS THE SIGN IN THE HISTORIC PRESERVATION DISTRICT?		YES ☒ NO ☐	IS THE SIGN ILLUMINATED? YES ☐ NO ☒
SIGN PLACEMENT: BUILDING BACK WALL FACING MCCOWN; ABOVE AWNING, TO RIGHT OF VENT		VALUATION:	
SIGN DESIGN & COLOR SCHEME: ALUMINUM-COMPOSITE MATERIAL; BLACK BACKGROUND WITH WHITE ARTWORK			
SIGN TYPE		SIGN DIMENSIONS	
FREESTANDING MONUMENT SIGN		SIGN HEIGHT	42"
BUILDING WALL SIGN SURFACE MOUNT ON BUILDING		SIGN WIDTH	96"
BANNER		TOTAL SQ FT	28 SQFT
OTHER		SET BACK	
		BUILDING/LOT LINEAR FOOTAGE	

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law office regulating construction or the performance of construction.

NAME of Property Owner or Agent: Deryl Fauss	SIGNATURE of Property Owner or Agent:
--	--

OFFICE USE ONLY

APPROVED BY:		TOTAL FEE:	\$
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COMMENTS:	
-----------	--

23



Single panel: 96" x 42"



Sign Permit Application

Public Works and
Community Development
Department

City of Montgomery Item 5.
101 Old Plantersville Road
Montgomery, Texas 77356
www.montgomerytexas.gov

* SIGN PERMIT APPLICATION EXPIRES IN 6 MONTHS (180 DAYS) NON-TRANSFERABLE*

TEMPORARY SIGN?	YES ☐	NO ☒
PERMANENT SIGN?	YES ☒	NO ☐
Pre-Existing OR New Sign?	Pre-Existing ☐	New ☒

Permit #:

Date:

JOB ADDRESS: 14364 LIBERTY ST		BUSINESS NAME: SHADES+CO	
BUSINESS OWNER: KAYLON WATSON		MAILING ADDRESS: 14364 LIBERTY ST, MONTGOMERY, TX 77356	TELEPHONE: 832-885-7741
APPLICANT: LONE STAR SIGNS		MAILING ADDRESS: PO BOX 789, MONTGOMERY, TX 77356	TELEPHONE: 936-597-8783
CONTRACTOR LICENSE # (if electrical): N/A			
IS THE SIGN IN THE HISTORIC PRESERVATION DISTRICT?		YES ☒ NO ☐	IS THE SIGN ILLUMINATED? YES ☐ NO ☒
SIGN PLACEMENT: BUILDING FRONT ON FACADE		VALUATION:	
SIGN DESIGN & COLOR SCHEME: ALUMINUM-COMPOSITE MATERIAL; BLACK BACKGROUND WITH WHITE ARTWORK			
SIGN TYPE		SIGN DIMENSIONS	
FREESTANDING MONUMENT SIGN		SIGN HEIGHT	48"
BUILDING WALL SIGN SURFACE MOUNT ON BUILDING FACADE		SIGN WIDTH	96"
BANNER		TOTAL SQ FT	32 SQFT
OTHER		SET BACK	
		BUILDING/LOT LINEAR FOOTAGE	
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law office regulating construction or the performance of construction.			
NAME of Property Owner or Agent: Deryl Fauss		SIGNATURE of Property Owner or Agent: 	
OFFICE USE ONLY			
APPROVED BY:		TOTAL FEE:	\$
COMMENTS:			




SHADES + CO.
SALON | BOUTIQUE | HOME



Dark green trim to be repainted black

Dark green trim to be repainted black



Montgomery Planning and Zoning Commission

AGENDA REPORT

Meeting Date: September 3, 2024	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Setting a new date for the 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).

Recommendation

Staff recommends calling a Public Hearing to be held on October 1, 2024 at 6:00 pm at city hall.

Discussion

Issue:

In August, the Commission called this hearing for tonight's meeting. Staff turnover led to the legal notice not being published. The correct action is to re-call the hearing and publish notice at least 16 days before the hearing date.

The property owner/developer has submitted a rezoning application to the city to rezone the property from ID-Industrial to a B-Commercial and R2-Multi-Family Residential.

Rules:

Sec. 98-30. - Amendments to chapter and changes to district boundaries.

- (a) *The city council may from time to time amend, supplement, or change by ordinance the boundaries of the districts or the regulations established in this chapter.*
- (b) *Requests for amendments may be initiated by the city council, the planning and zoning commission, or by application of one or more property owners.*
 - (1) *Accompanying data requirements. An application for an amendment by a property owner shall be filed with the planning and zoning commission upon such forms and accompanied by such data and information as may be required by the planning and zoning commission. When applicable, an accurate legal description and map of the land and existing buildings shall be submitted with the application. It shall be the responsibility of the applicant to indicate any applicable deed restrictions applying to the subject property.*
 - (2) *Application fee. Each application by a property owner shall be accompanied at the time of filing by a fee as currently established or as hereafter adopted by resolution of the city council from time to time. Wherever the entire application for alteration or change hereunder is withdrawn before publication of notice is ordered to be given of the public hearing, the unused portion of the application fee shall be refunded to the applicant.*
- (c) *Before taking any action on any proposed amendment, supplement or change, the city shall submit the amendment, supplement or change to the planning and zoning commission of its recommendation and report. The planning and zoning commission shall make a preliminary report and hold public hearings on that report before submitting a final report to the city council. The city council may not hold a public hearing until it receives the final report of the planning and zoning commission. The city council may not take action on the matter until it receives the final report of the planning and zoning commission. Before the tenth day before the hearing date, written notice of each public hearing before the planning and zoning commission on a proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently*

Montgomery Planning and Zoning Commission **AGENDA REPORT**

approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed. If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the city and is not included on the most recently approved municipal tax roll, the notice shall be given in the manner provided by subsection (d) of this section.

- (d) Before the tenth day before the hearing date, written notice of each public hearing before the planning and zoning commission on a proposed change in a zoning classification affecting residential or multifamily zoning shall be sent to each school district in which the property for which the change in classification is proposed is located. The notice may be served by its deposit in the city, properly addressed with postage paid, in the United States mail.*
- (e) A public hearing shall be held by the city council before adopting any proposed supplement, amendment or change. Notice of such hearing shall be given by publication two times in the official publication of the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the first day of such publication.*
- (f) Unless such proposed amendment, supplement or change has been approved by the city planning and zoning commission or if a protest against such amendment, supplement or change has been filed by 20 percent or more, either of the area of the lots included in such proposed change, or those immediately adjacent in the rear thereof, extending 200 feet therefrom, or of those directly opposite thereto extending 200 feet from the street frontage of such opposite lots, such amendments, supplements or change shall not become effective except by a three-fourths vote of the city council.*

Analysis & Conclusion:

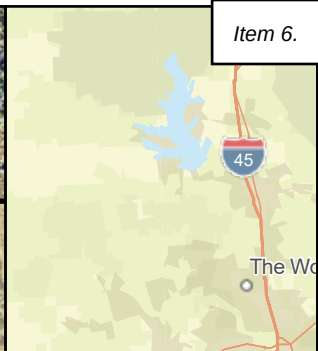
The first step in the rezoning process is the public hearing. This is the only action needed tonight. Staff recommends setting a new date for the public hearing of October 1, 2024.

Approved By

Director Planning & Development
Assistant City Administrator

Dave McCorquodale

Date: 08/28/2024



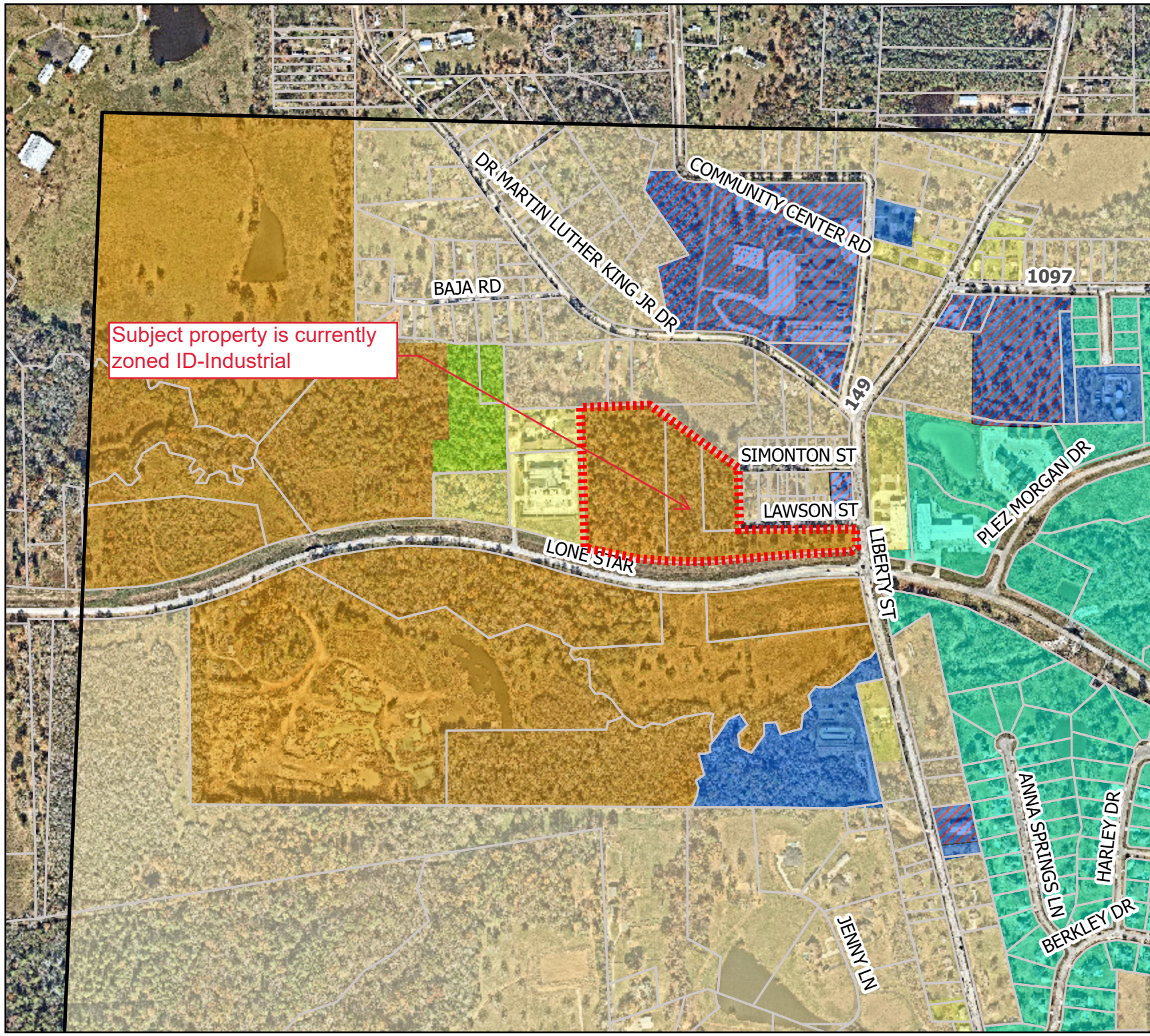
Legend

0 0.1 0.2
mi

Superior Properties
Current Zoning



Disclaimer: This product is offered for graphical purposes only and may not be suitable for legal, engineering, or surveying purposes. The information shown on this exhibit represents the approximate location of property, municipal boundaries or facilities.



SPT MONTGOMERY LLC

26111 Upper Beacon Place
Montgomery, TX 77316
(936) 647-0420

July 16, 2024

Mr. Dave McCorquodale
Planning & Development
City of Montgomery
101 Old Plantersville Road
Montgomery, TX 77316

Re: Request to Rezone 15.46 Acres of Land
SPT Montgomery LLC
NW Corner of Lone Star Parkway and Liberty Street (FM 149)
City of Montgomery, Texas

Dear Mr. McCorquodale:

It is the desire of SPT Montgomery LLC to develop 15.46 acres of land at the NW corner of Lone Star Parkway and Liberty Street. The current land plan includes 7.69 acres of proposed multi-family development (duplex community) and 7.77 acres of proposed commercial development.

The 15.46 acres of land is currently zoned as Industrial (ID). As a result, SPT Montgomery LLC kindly requests the City of Montgomery consider rezoning 7.69 acres of land as Multi-Family Residential (R-2) and 7.77 acres of land as Commercial (B). The 7.69 acres of land is planned for approximately 30 Duplex Buildings for a total of 60 units served by an entrance to Lone Star Parkway. The 7.77 acres of land is planned for two office/retail buildings, two office-warehouse buildings along the frontage of Lone Star Parkway and a self-storage facility on the back portion of the property. The preliminary land plan is included as part of this request.

We look forward to working with your office and the City of Montgomery. If you have any questions or comments, please contact us.

Sincerely,
SPT Montgomery LLC



Anthony Broussard, Managing Partner



Rezoning Application

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

Item 6.

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

Contact Information

Property Owner(s): SPT Montgomery, LLC, a Texas Limited Liability company; Anthony Broussard, Manager

Address: 26111 Upper Beacon Place Montgomery, TX

Zip Code: 77316 Phone: (832) 658-6098

Email Address: superiorpropertiesoftexas@gmail.com

Applicants: SPT Montgomery, LLC c/o J.A. Costanza & Associates Engineering, Inc. - Greg Phipps

Address: 4301 Center Street Deer Park, TX

Zip Code: 77536 Phone: (281) 658-2765 (cell)

Email Address: gehipps@jac-ce.com

Parcel Information

Property Identification Number (MCAD R#): 548359 (8.00 acres), 548360 (5.56 acres), and 34504 (1.9 acres)

Legal Description: Called 15.46 acres of land, being Tract 46H-2 (8.00 ac), Tract 46H-3 (5.56 ac), and Tract 39 (1.9 ac) Ben J. Rigsby, Abstract 31, Montgomery County, TX

Street Address or Location: NW corner of Lone Star Pkwy and Liberty Street (FM 149)

Acreage: 15.46 Present Zoning: ID - Industrial Present Land Use: Undeveloped

Proposed Zoning: R-2 and B Proposed Land Use: R-2 - Duplex Community (7.69 Acres)
B - Office/Retail, Office/Warehouse, & Self Storage (7.77 Acres)

Is the proposed use in compliance with the Future Land Use Plan? ☐ YES ☐ NO

Additional Information

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

Signature: [Signature] Date: 7-19-2024

Signature: _____ Date: _____

Signature: _____ Date: _____

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.

Date Received

Office Use

Item 6.

Additional Information

The following information must also be submitted:

☒ Cover letter on company letterhead stating what is being asked. [

X] Metes and Bounds.

[] All applicable fees and payments. **All payments by credit card are subject to a 5% merchant fee.**

☒ Copies of all deeds or a title opinion from a licensed attorney establishing current ownership of the property for which the zoning change is sought.

☒ A site plan. If there are existing structures, parking, curb cuts and drainage they must be shown.

☒ The application from must be signed by the owner/applicant. If the applicant is not the owner, written authorization from the owner authorizing the applicant to submit the rezoning request shall be submitted.

☒ Payment of all Indebtedness Attributable to the subject property.

Public Hearings

Parties in interest and citizens shall have an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and the City Council before any amendment to a district regulation, restriction, or boundary shall become effective. Regularly scheduled meetings are as follows and will be held accordingly unless public notice has been given of a change of dates:

Planning and Zoning Commission: **1st Tuesday of every month at 6:00 p.m.**

City Council: **2nd and 4th Tuesday of every month at 6:00 p.m.**

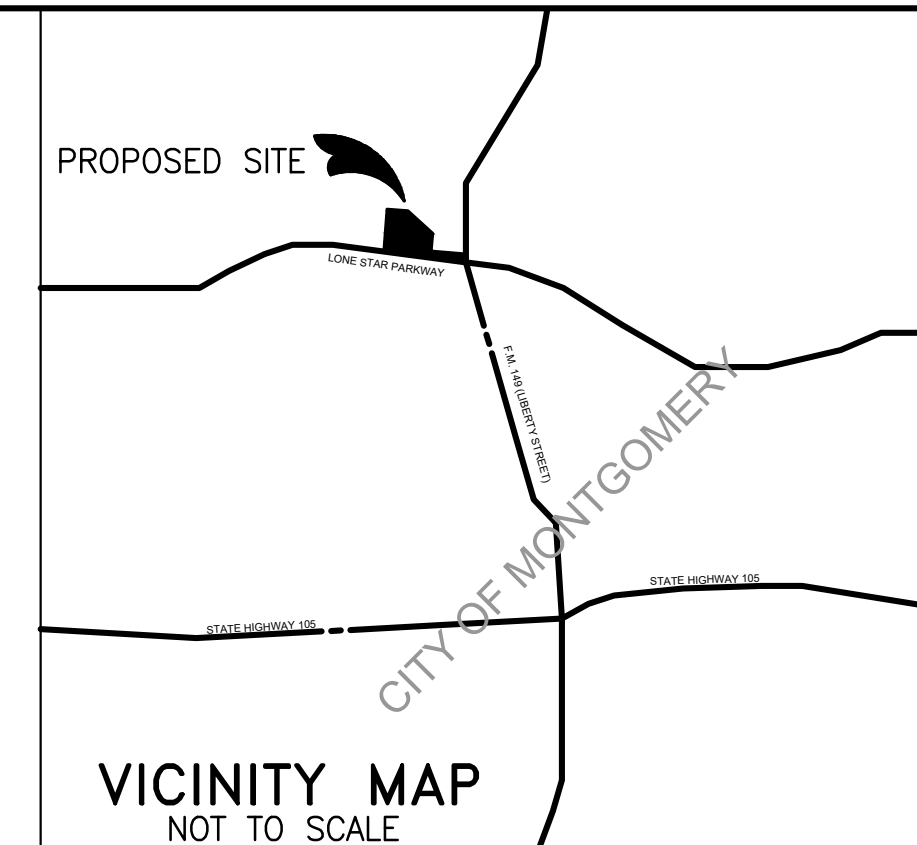
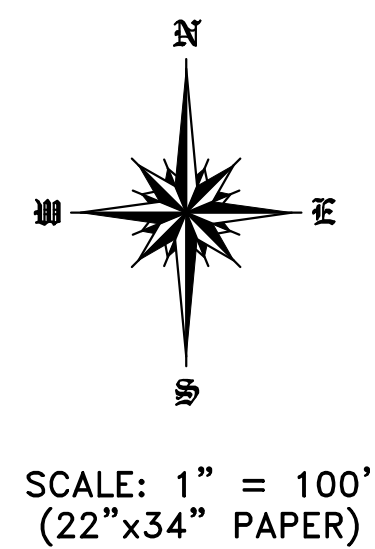
Protests

If a protest against a proposed zoning change including PDD and SUP requests has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the land included in such a proposed change or those owners of property immediately adjacent to the subject property and extending two hundred feet (200) there from, such zoning change shall not become effective except by a three-fourths (3/4) vote of governing body in accordance with the provisions of Section 211.006 of the Texas Local Government Code.

Resubmission

Rezoning requests which have been heard and decided by the Council of the City of Montgomery may not be re-filed with the City for six (6) months after the date of such decision by the Council, absent a change in circumstances.

Rezoning requests for the same property to a different classification than the denied request may be re-filed prior to the expiration of six (6) months.



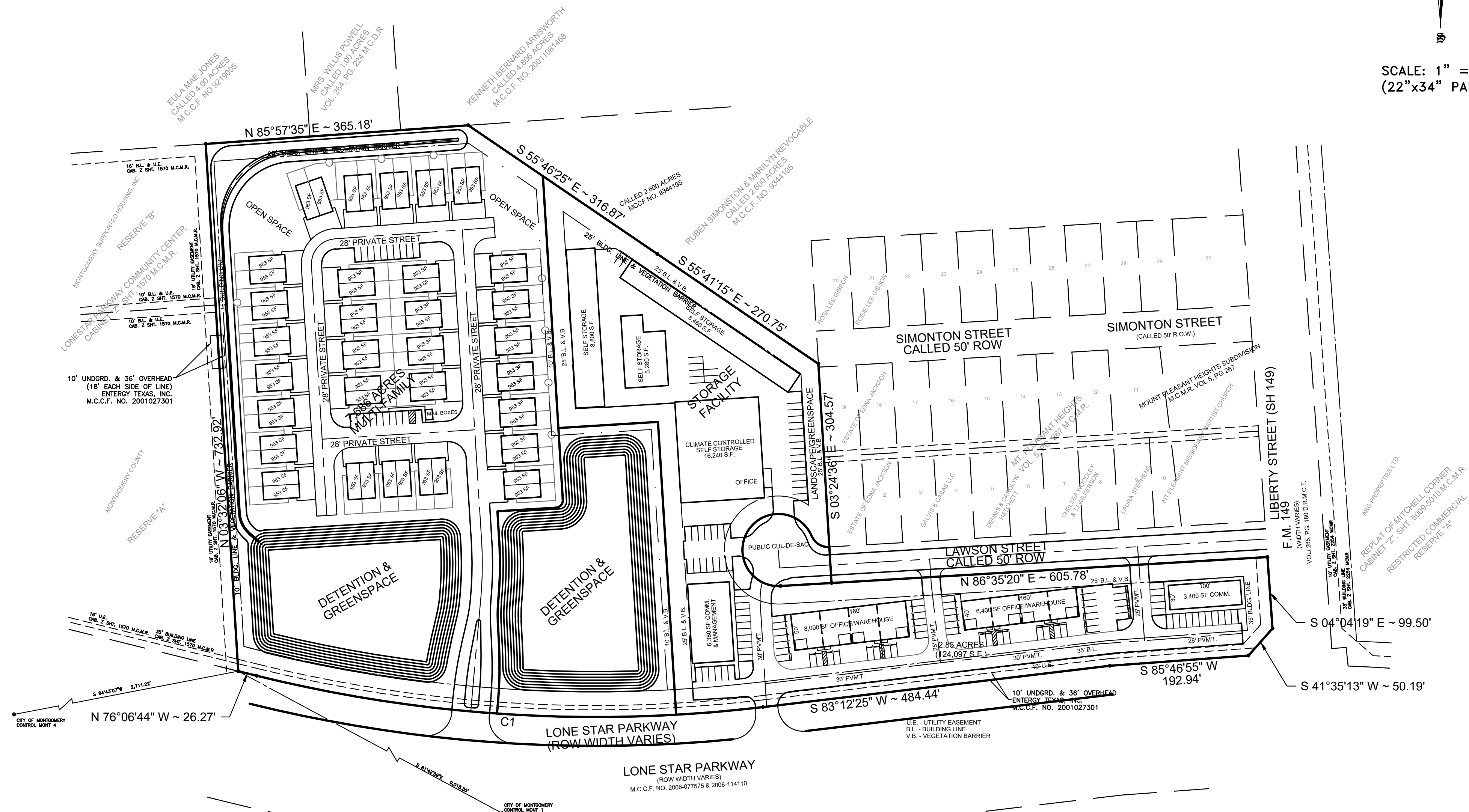
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	10.00'	15.71'	S 41°27'54" W	14.14'	90°00'00"
C2	529.97'	85.05'	S 1°05'06" W	84.96'	9°11'44"
C3	189.50'	26.58'	S 1°02'49" W	26.58'	8°02'09"
C4	509.87'	74.41'	S 1°02'49" W	74.34'	8°21'41"

GENERAL NOTES:

1. Coordinates shown hereon are Texas Central Zone State Plane Coordinates (NAD 83) and may be brought to surface by applying combined scale factor of 0.999922.
2. Distances shown on curves are arc lengths.
3. All set corners are 5/8 inch iron rods with caps; existing found corners are identified on map.
4. Flood Statement: This site is located in unshaded Zone "X" or areas to be outside the 100-year and 500-year floodplain, according to FEMA Flood Insurance Rate Map (FIRM) No. 48339C0200G dated August 18, 2014. This statement is based on scaling and is based on FEMA FIRM that does not necessarily identify all areas subject to flooding under specific conditions and does not imply that the property and/or structures therein will be free from flooding.

OWNER/DEVELOPER:
SPT MONTGOMERY, LLC
26111 UPPER BEACON PLACE
MONTGOMERY, TEXAS 77316
PHONE (936) 647-0420

EXHIBIT OF
REQUEST FOR ZONING CHANGE
SUPERIOR PROPERTIES AT LONE STAR
BEING 15.46 ACRES OUT OF THE
B. RIGSBY SURVEY, ABSTRACT NO. 31,
MONTGOMERY COUNTY, TEXAS
2. RESERVES



GENERAL NOTES:

- Coordinates shown hereon are Texas Central Zone State Plane Coordinates (NAD 83) and may be brought to surface by applying combined scale factor of 0.9999922.
- Distances shown on curves are arc lengths.
- All set corners are 5/8 inch iron rods with caps; existing found corners are identified on map.
- Flood Statement: This site is located in unshaded Zone "X" or areas to be outside the 100-year and 500-year floodplain, according to FEMA Flood Insurance Rate Map (FIRM) No. 48339C0200G dated August 18, 2014. This statement is based on scaling and is based on FEMA FIRM that does not necessarily identify all areas subject to flooding under specific conditions and does not imply that the property and/or structures therein will be free from flooding.

JACOSTANZA & ASSOCIATES
ENGINEERING, INC.
T.B.P.E. FIRM REGISTRATION NO. F-652
4301 CENTER ST. DEER PARK, TX 77536 281-930-9339

OWNER/DEVELOPER:
SPT MONTGOMERY, LLC
26111 UPPER BEACON PLACE
MONTGOMERY, TEXAS 77316
PHONE (936) 647-0420

PRELIMINARY LANDPLAN
SUPERIOR PROPERTIES AT LONE STAR
BEING 15.46 ACRES OUT OF THE
B. RIGSBY SURVEY, ABSTRACT NO. 31,
MONTGOMERY COUNTY, TEXAS
2 RESERVES