

Scott Shelburne, Chairman
Anne Sundquist, Vice Chairman
Josh Jakubik, Secretary
Holly Knee
Tom Mayhew
Robert Barker III



City Administrator, Don Doering
City Attorney, Leonard Schneider
City Engineer, Tim Robertson
City Secretary, Christian Gable

NOTICE OF PUBLIC MEETING PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING THURSDAY, APRIL 18, 2024 – 4:30 P.M.

Sewall Smith Council Chambers 18111 Buddy Riley Blvd., Magnolia, Texas 77354

AMENDED AGENDA

- 1. CALL TO ORDER**
 - a. INVOCATION
 - b. PLEDGE OF ALLEGIANCE
 - c. ROLL CALL AND CERTIFICATION OF QUORUM

- 2. OPEN 1ST PUBLIC HEARING**

NOTICE OF PUBLIC HEARING

On April 18, 2024 at 4:30 pm., Magnolia Planning & Zoning Commission will hold a public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard to discuss a rezoning to the City of Magnolia Official Zoning Map for 2.397 acres of land from Public Use to Suburban Village: TIMBERBROOK ESTATES, RES B, ACRES 2.397, Montgomery County Appraisal District, Property ID 266140.

- 3. CLOSE 1ST PUBLIC HEARING AND OPEN 2ND PUBLIC HEARING**

NOTICE OF PUBLIC HEARING

On April 18, 2024 at 4:30 pm., Magnolia Planning & Zoning Commission will hold a public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard to discuss a rezoning to the City of Magnolia Official Zoning Map for 4.693 acres of land from Neighborhood Conservation-2 to Suburban Village: TIMBERBROOK ESTATES, RES B, ACRES 4.693, Montgomery County Appraisal District, Property ID 266141.

- 4. CLOSE 2ND PUBLIC HEARING AND CONVENE REGULAR MEETING**

- 5. CONSIDERATION AND POSSIBLE ACTION TO APPROVE REZONING TO THE CITY OF MAGNOLIA OFFICIAL ZONING MAP FOR RVISION COMMERCIAL BUILDERS, LLC, BEING 2.397 ACRES OF LAND, FROM PUBLIC USE TO SUBURBAN VILLAGE**

6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE REZONING TO THE CITY OF MAGNOLIA OFFICIAL ZONING MAP FOR RVISION COMMERCIAL BUILDERS, LLC, BEING 4.693 ACRES OF LAND, FROM NEIGHBORHOOD CONSERVATION-2 TO SUBURBAN VILLAGE

7. DISCUSSION – POTENTIAL REPLAT AND DEVELOPMENT OF HOUSES ALONG SAN ANGELO AND CORPUS DRIVE

8. CONSENT AGENDA

This portion of the agenda consists of items considered to be routine and will be enacted by one motion unless separate discussion is requested by a Commission member or a citizen.

a. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the meeting held March 21, 2024

9. CITIZENS COMMENTS, REQUESTS OR PETITIONS FROM THE PUBLIC

(This agenda item provides an opportunity for citizens to address the Planning & Zoning Commission on any matter not on the agenda).

Comments shall be limited to three (3) minutes per person. Comments by the governing body shall be limited to:

- a. Statements of specific factual information given in response to an inquiry;*
- b. A recitation of existing policy in response to an inquiry;*
- c. A proposal to place the subject on a future agenda.*

10. ANNOUNCEMENTS

11. UPDATE ON CITY OF MAGNOLIA DEVELOPMENTS (Staff)

12. CONSIDERATION AND POSSIBLE ACTION TO AMEND TABLE 6-1-3.01.2 IN CHAPTER 6 OF THE UNIFIED DEVELOPMENT CODE UNDER THE “UP,TC” COLUMN FOR WALL SIGNS AND FASCIA/PARAPET SIGNS

13. DISCUSSION – HOUSTON GALVESTON AREA COUNCIL LIVABLE CENTERS GRANT

14. FUTURE AGENDA ITEMS

15. ADJOURN

The Planning & Zoning Commission of the City of Magnolia, Texas, reserves the right to adjourn into Closed Executive Session at any time during the course of this meeting to discuss any of the matters listed above as authorized by Title 5, Chapter 551, of the Texas Government Code. 551.071(Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.086 (Deliberations about competitive matters), and 551.087 (Deliberation about Economic Development Matters).

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary’s office at (281-305-0550), two working days prior to the meeting for appropriate arrangements.

CERTIFICATE

I certify that a copy of the *Notice of Meeting* was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofmagnolia.com, in compliance with Chapter 551, Texas Government Code.

DATE _____
TIME _____
TAKEN DOWN _____



Christian Gable, City Secretary



Rezoning Application Form

This form shall be submitted with each application for a rezoning.

CONTACT INFORMATION

Applicant

Property Owner (if different)

Rvision Commercial Builders, LLC

Name

Name

18640 Em 1488 #A-510

Street Address

Street Address

Magnolia, TX 77354

City, State Zip

City, State Zip

281-844-2887

Phone

Phone

Fax

Fax

ryan@rvisionhomes.com

E-mail

E-mail

Architect (if different)

Engineer/Land Surveyor (if different)

Name

Name

Miller Survey Group

Street Address

Street Address

1760 West Sam Houston Pkwy North

City, State Zip

City, State Zip

Houston, TX 77043

Phone

Phone

713-413-1900

Fax

Fax

713-413-1944

E-mail

E-mail

PROPERTY PROFILE

Property ID # 266140

Legal Description Timberbrook Estates, Res A, Acres 2.397
(Subdivision) (Lot) (Block)

Current Zoning PU

Proposed Zoning SV

Present Use of Property
Vacant land

Proposed Use of the Property

Total Area of Site 104,413 S/F

The rezoning is requested due to the following reason(s)

Fees YES NO

I, Ryan Rogers (print or type name), certify with my signature below that the information included in my submittal packet is complete, true, and correct, to the best of my knowledge.



Signature of Applicant

2/29/24

Date

Hearst Newspapers, LLC Order Confirmation

Ad Order Number

0034326078

Sales Rep.

0630-HOU

Order Taker

rwyatt

Order Source

Rep

Customer

CITY OF MAGNOLIA

Customer Account

20017370

Customer Address

18111 BUDDY RILEY BLVD
MAGNOLIA TX 773545864 USA

Customer Phone

2813562266

Payor Customer

CITY OF MAGNOLIA

Payor Account

20017370

Payor Address

18111 BUDDY RILEY BLVD
MAGNOLIA TX 773545864 USA

Payor Phone

2813562266

PO Number

Ordered By

Christian Gable, email

Customer Fax

Customer Email

Special Pricing

Tear Sheets

1

Proofs

0

Affidavits

1

Blind Box

Promo Type

Materials

Invoice Text

Public Hearing

Ad Order Notes

Gross Amount

110.00

Net Amount

\$110.00

Tax Amount

\$0.00

Total Amount

\$110.00

Payment Method

Credit Card Pymt

Payment Amount

\$0.00

Amount Due

\$110.00

Ad Number

0034326078-01

Ad Type

Legal

Production Method

AdBooker

Production Notes

External Ad Number

Ad Attributes

Ad Released

No

Pick Up

Ad Size

1 X 19 li

Color

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Product

HCN Conroe Courier
HOU Online

Placement

Legals
Legals

Position

Legal Notices
Legal Notices

First Run Date

Monday, April 1, 2024
Monday, April 1, 2024

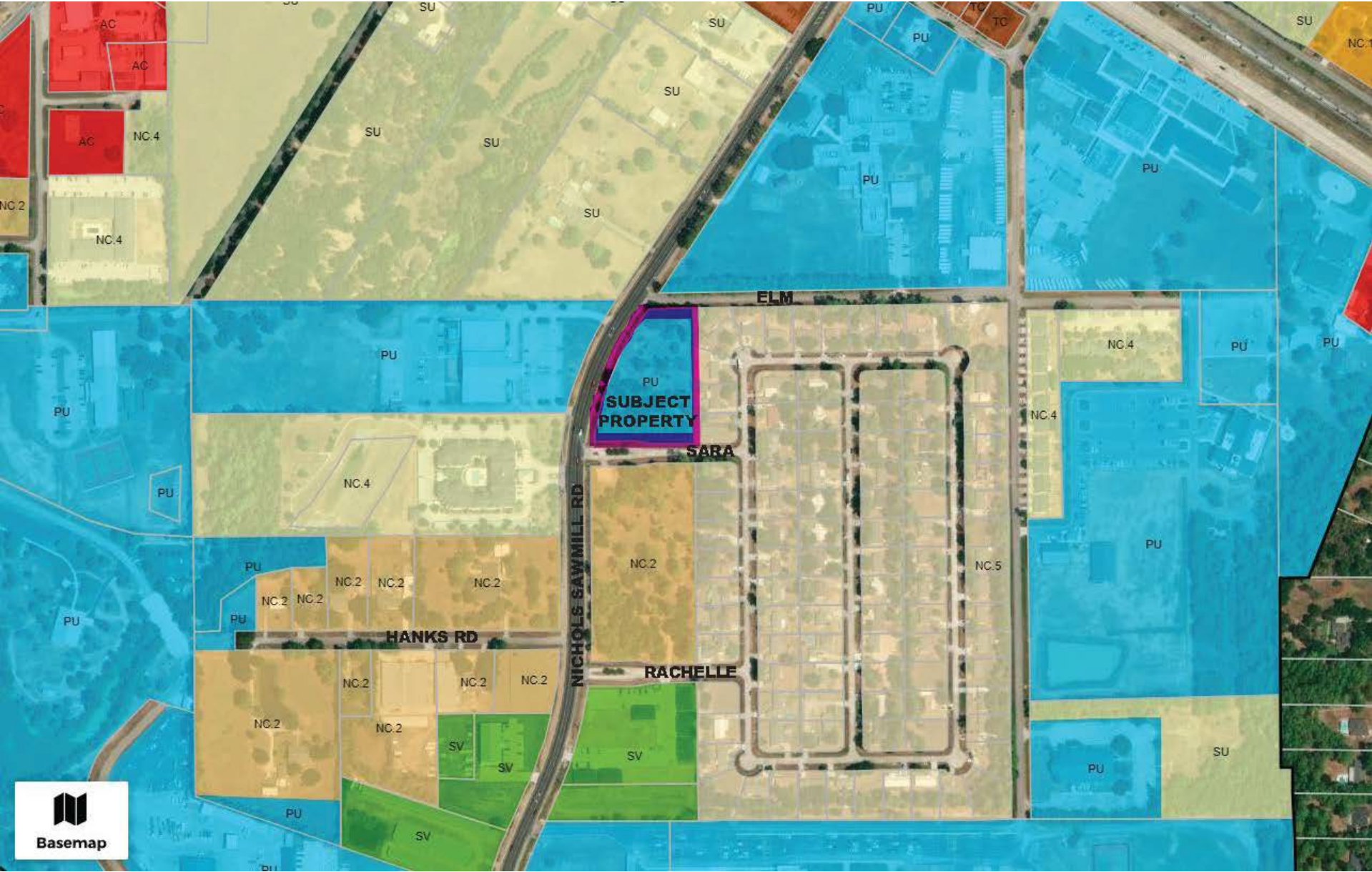
Last Run Date

Monday, April 1, 2024
Tuesday, April 30, 2024

EXHIBIT A

PROPOSED REZONING: Public Use to Suburban Village

LEGAL DESCRIPTION: TIMBERBROOK ESTATES, RES B, ACRES 2.397, Montgomery County Appraisal District, Property ID 266140.





Rezoning Application Form

This form shall be submitted with each application for a rezoning.

CONTACT INFORMATION

Applicant

Rvision Commercial Builders, LLC

Name

18640 Fm 1488 # A-510

Street Address

Magnolia TX 77354

City, State Zip

281-844-2887

Phone

Fax

ryan@rvisionhomes.com

E-mail

Architect (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

Property Owner (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

Engineer/Land Surveyor (if different)

Miller Survey Group

Name

1760 West Sam Houston Pkwy N.

Street Address

Houston TX 77043

City, State Zip

713-413-1900

Phone

713-413-1944

Fax

E-mail

PROPERTY PROFILE

Property ID # 266141

Legal Description Timberbrook Estates, Res. B, Acres 4.693
(Subdivision) (Lot) (Block)

Current Zoning NC.2

Proposed Zoning SV

Present Use of Property
Vacant land

Proposed Use of the Property

Total Area of Site 204,427.08 SIF

The rezoning is requested due to the following reason(s)

Fees YES NO

I, Ryan Rogers (print or type name), certify with my signature below that the information included in my submittal packet is complete, true, and correct, to the best of my knowledge.



Signature of Applicant

2/29/24

Date

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Ad Order Number

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0630-HOU

Order Taker

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Order Source

Rep

Customer

CITY OF MAGNOLIA

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20017370

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18111 BUDDY RILEY BLVD
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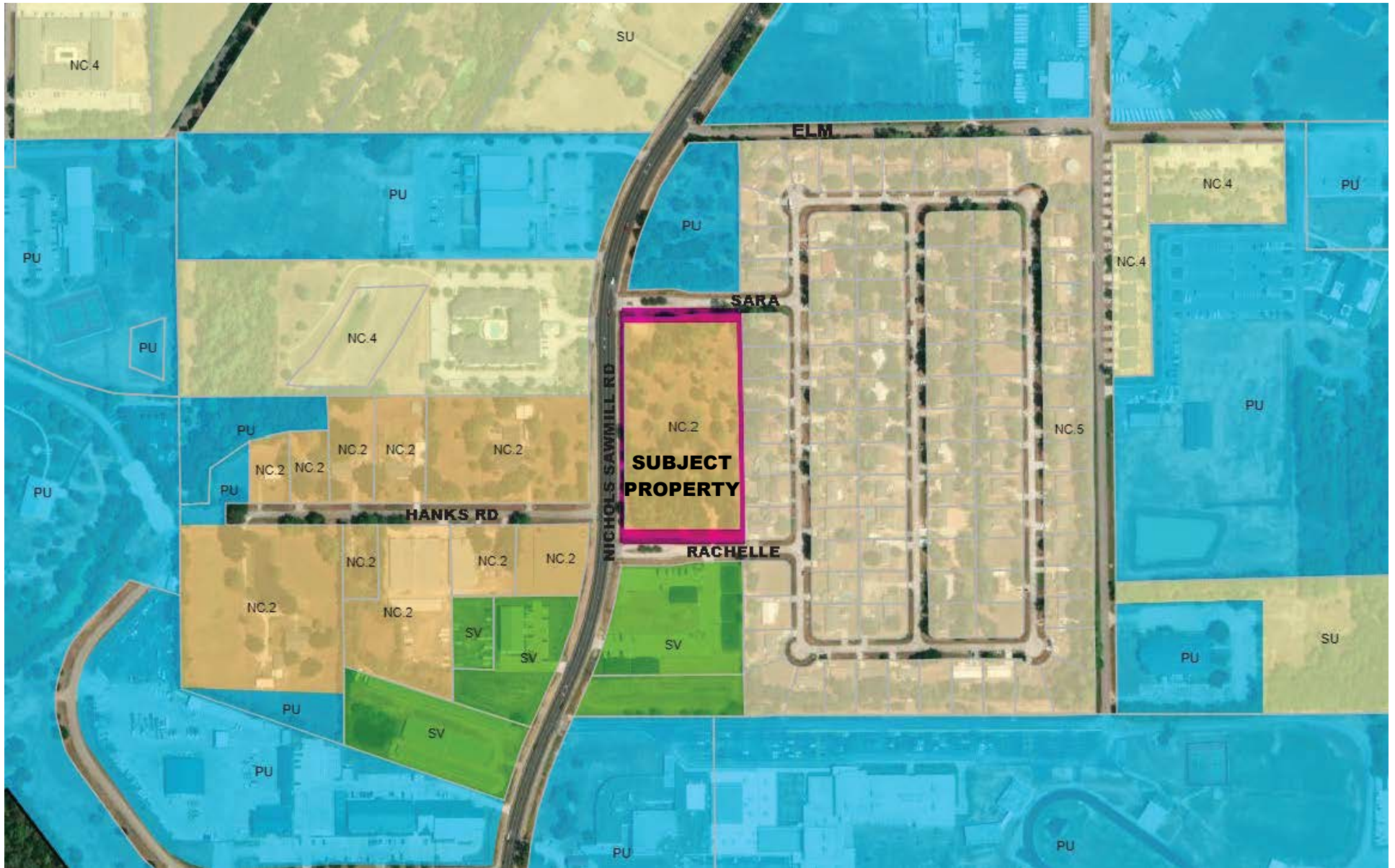
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EXHIBIT A

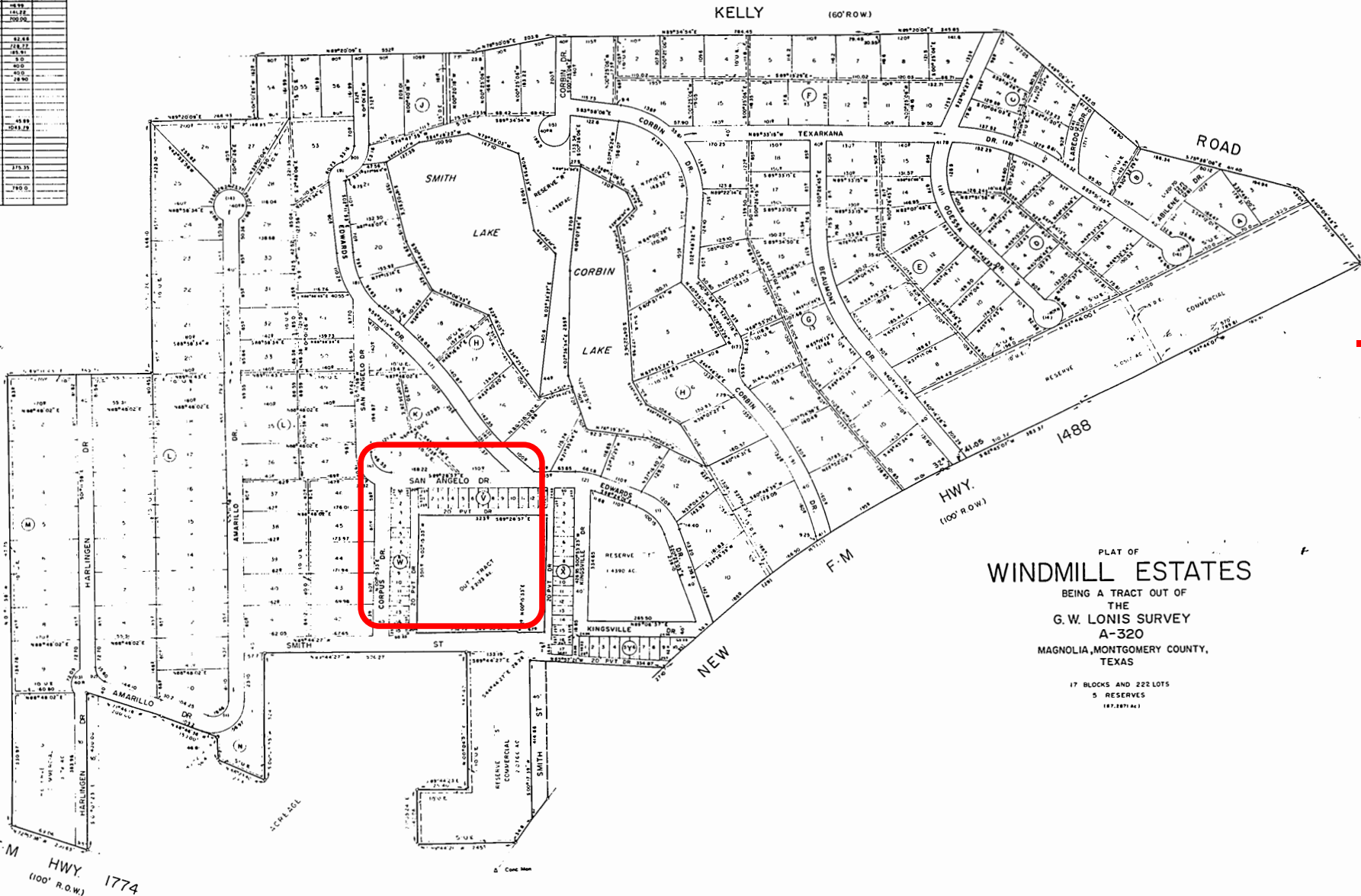
PROPOSED REZONING: Neighborhood Conservation-2 to Suburban Village

LEGAL DESCRIPTION: TIMBERBROOK ESTATES, RES B, ACRES 4.693, Montgomery County Appraisal District, Property ID 266141.



CURVE DATA

NO.	CHORD	ANGLE	AREA	LENGTH
1	447.000'	134.72	128.99	487.99
2	200.000'	49.22	18.22	200.00
3	157.171'	75.00	75.00	157.17
4	47.522'	75.00	12.84	47.52
5	85.717'	102.88	22.84	85.72
6	240.000'	134.72	128.99	240.00
7	157.171'	75.00	75.00	157.17
8	47.522'	75.00	12.84	47.52
9	85.717'	102.88	22.84	85.72
10	240.000'	134.72	128.99	240.00
11	157.171'	75.00	75.00	157.17
12	47.522'	75.00	12.84	47.52
13	85.717'	102.88	22.84	85.72
14	240.000'	134.72	128.99	240.00
15	157.171'	75.00	75.00	157.17
16	47.522'	75.00	12.84	47.52
17	85.717'	102.88	22.84	85.72
18	240.000'	134.72	128.99	240.00
19	157.171'	75.00	75.00	157.17
20	47.522'	75.00	12.84	47.52
21	85.717'	102.88	22.84	85.72
22	240.000'	134.72	128.99	240.00
23	157.171'	75.00	75.00	157.17
24	47.522'	75.00	12.84	47.52
25	85.717'	102.88	22.84	85.72
26	240.000'	134.72	128.99	240.00
27	157.171'	75.00	75.00	157.17
28	47.522'	75.00	12.84	47.52
29	85.717'	102.88	22.84	85.72
30	240.000'	134.72	128.99	240.00



PLAT OF
WINDMILL ESTATES
 BEING A TRACT OUT OF
 THE
G. W. LONIS SURVEY
 A-320
 MAGNOLIA, MONTGOMERY COUNTY,
 TEXAS

17 BLOCKS AND 222 LOTS
 5 RESERVES
 (67,287 AC.)

STATE OF TEXAS
 COUNTY OF MONTGOMERY
 I, Charles E. West, CO-OWNER OF SUBDIVIDED PROPERTY AND
 PRESIDENT AND SECRETARY
 OF FAAD, INC., OWNER OF THE PROPERTY SUBDIVIDED
 IN THE ABOVE AND PREVIOUS SAID DEEDS, ACCORDING TO
 THE LINES, STREETS, ALLEYS, PARKS, BUILDING LINES AND EASE-
 MENTS THEREON SHOWN AND DESIGNATED AND WHEREAS AN INSTRUMENT
 OF TITLE, LOCATED IN THE G. W. LONIS SURVEY, A-320, MONTGOMERY
 COUNTY, TEXAS AND ON BEHALF OF SAID FAAD, INC., AND EASEMENTS
 SHOWN THEREON FOREVER; AND DO HEREBY WAIVE ANY CLAIMS FOR DAM-
 AGES OCCASIONED BY THE ESTABLISHING OF GRADES AS SHOWN FOR THE
 STREETS AND ALLEYS DESIGNATED, OR OCCASIONED BY THE ALTERA-
 TION OF THE SURFACE OF ANY PORTION OF STREETS OR ALLEYS TO
 CONFORM TO SAID GRADES; AND DO HEREBY HOLD OR HOLDERS, OR
 SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE
 TO THE LAND SO DESIGNATED.

FURTHER, ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FORE-
 GOING MAY BE RESTRICTED IN USE, SUCH RESTRICTIONS SHALL
 RUN WITH THE TITLE TO THE PROPERTY AND SHALL BE ENFORCEABLE,
 AT THE OPTION OF MONTGOMERY COUNTY, BY MONTGOMERY COUNTY OR
 ANY CITIZEN THEREOF, AS FOLLOWS:

1. THAT IMBARGE OF PUBLIC UTILITIES, EITHER DIRECTLY OR INDIRECTLY
 IS STRICTLY PROHIBITED.
2. IMBARGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE
 THE FREE FLOW OF WATER WITHOUT BACKWATER, AND SHALL
 BE A MINIMUM OF ONE AND THREE QUARTERS (1-3/4) SQUARE
 FEET OF GROUND PER CUBIC YARD. CURBS OR BORDERS
 MUST BE USED FOR DRIVEWAYS AND OR WALKS.

WE HEREBY COVENANT AND AGREE THAT ALL LOTS WITHIN THE BOUND-
 ARIES OF THIS SUBDIVISION ARE FOR RESIDENTIAL PURPOSES UNLESS OTHER-
 WISE NOTED.

WE HEREBY COVENANT AND AGREE WITH THE CITY OF MAGNOLIA AND OR
 MONTGOMERY COUNTY AND OR ANY PROPERTY OWNER THAT NO BUILDING
 UNIT SHALL BE CONSTRUCTED AND OR OCCUPIED ON ANY LOT HAVING AN
 AREA LESS THAN SEVEN THOUSAND (7000) SQUARE FEET UNLESS A SANITARY
 SEWER MEETING THE APPROVAL OF COUNTY AND STATE HEALTH
 AUTHORITIES SHALL FIRST HAVE BEEN EXTENDED TO THE LOT, PLOT, OR
 SITE; AND IN NO CASE SHALL ANY BUILDING BE CONSTRUCTED ON A
 LOT, PLOT OR SITE OF LESS AREA THAN FIVE THOUSAND (5000) SQUARE
 FEET, SAVE AND EXCEPT LOTS 1-12, BLOCK 1, LOTS 1-14, BLOCK 2, LOTS
 1-11, BLOCK 3 AND LOTS 1-10, BLOCK 4, SAID BLOCKS TO BE USED FOR
 CONSTRUCTION OF TOWNHOUSES.

IN WITNESS WHEREOF, FAAD, INC. HAS CAUSED THESE PRESENTS TO
 BE SIGNED BY Charles E. West, ITS PRESIDENT, (HEREIN TO
 AUTHORIZED ATTORNEY AT LAW) AND BY Clara M. Smith,
 SECRETARY, AND BY Clara M. Smith,
 CO-OWNER OF SUBDIVIDED PROPERTY, BEHOLDERS AT THE
 DAY OF December, 1974.

STATE OF TEXAS
 COUNTY OF MONTGOMERY
 I, Clara M. Smith, SECRETARY
 OF FAAD, INC., CO-OWNER OF SUBDIVIDED PROPERTY,
 BEHOLDERS, DO HEREBY CERTIFY THAT THE ABOVE AND FORE-
 GOING INSTRUMENT WAS FILED FOR RECORD IN THE
 PUBLIC RECORDS OF MONTGOMERY COUNTY, TEXAS, AND
 THAT THE INSTRUMENT WAS FILED IN THE PUBLIC RECORDS
 OF MONTGOMERY COUNTY, TEXAS, ON THE DAY OF
 DECEMBER, 1974.

STATE OF TEXAS
 COUNTY OF MONTGOMERY
 I, Norman West, REGISTERED PUBLIC SURVEYOR
 (TEXAS REGISTRATION NO. 1095)
 DO HEREBY CERTIFY THAT I, NORMAN S. WEST, A REGISTERED PUBLIC SURVEYOR
 OF THE STATE OF TEXAS, HAVE PLATED THESE PRESENTS
 AS ACTUAL SURVEY ON THE GROUND, AND THAT ALL CORNERS ARE PROPERLY
 MARKED WITH 5" x 3" 1/2" IRON RODS.

STATE OF TEXAS
 COUNTY OF MONTGOMERY
 I, Roy Harris, CLERK OF THE COUNTY COURT OF MONTGOMERY COUNTY,
 TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS
 CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY
 OFFICE IN MAGNOLIA, TEXAS, ON THE DAY OF
 DECEMBER, 1974, AND IS FULLY RECORDED IN BOOK NO. 12, PAGE 87, OF RECORD
 IN SAID COUNTY.

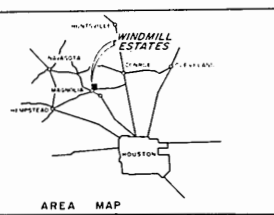
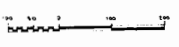
STATE OF TEXAS
 COUNTY OF MONTGOMERY
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STATE OF TEXAS
 COUNTY OF MONTGOMERY
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 IN SAID COUNTY.

Cabinet A
 Sheet 188 B

7502684

VOL. 12 PAGE 87



GENERAL NOTE:
 ALL DIMENSIONS HAVE 3 FOOT UTILITY EASEMENTS
 UNLESS OTHERWISE NOTED.

12/1/74
 sheet 188 B

12/1/74

Scott Shelburne, Chairman
Anne Sundquist, Vice Chairman
Josh Jakubik, Secretary
Holly Knee
Tom Mayhew
Robert Barker III



City Administrator, Don Doering
City Attorney, Leonard Schneider
City Engineer, Tim Robertson
City Secretary, Christian Gable

MINUTES OF THE PLANNING & ZONING COMMISSION PUBLIC HEARING & REGULAR MEETING – MARCH 21, 2024

A meeting of the Planning & Zoning Commission was held March 21, 2024, beginning at 4:30 pm in the Sewall Smith Council Chambers located at 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

AGENDA

1. CALL TO ORDER

Chairman Shelburne convened the regular meeting at 4:30 pm.

a. INVOCATION

Tom Mayhew delivered the invocation.

b. PLEDGE OF ALLEGIANCE

Chairman Shelburne led the Pledge of Allegiance.

c. ROLL CALL AND CERTIFICATION OF QUORUM

Chairman Shelburne called roll and certified a quorum present with the following Planning & Zoning Commission members in attendance: Scott Shelburne, Anne Sundquist, Holly Knee, and Tom Mayhew.

Absent: Josh Jakubik, Robert Barker III

2. OPEN 1ST PUBLIC HEARING

NOTICE OF PUBLIC HEARING

On March 21, 2024 at 4:30 pm., Magnolia Planning & Zoning Commission will hold a public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard to discuss a rezoning to the City of Magnolia Official Zoning Map for 2.397 acres of land from Public Use to Auto-Urban Commercial: TIMBERBROOK ESTATES, RES B, ACRES 2.397, Montgomery County Appraisal District, Property ID 266140.

Chairman Shelburne opened the 1st Public Hearing and read the Notice of Public Hearing at 4:31 pm.

Frank Parker, Hanks Rd resident, explained why he believes the property should be rezoned to Suburban Village instead of Auto-Urban Commercial: AC would not be cohesive with surrounding zoning districts.

Ryan Rogers, owner of RVision Homes, explained that the 4.693-acre property in the next hearing is zoned residential but it is unreasonable to build a home along Nichols Sawmill Rd and with the new growth, the City needs more commercial. The 2.397-acre tract currently only allows uses that are not realistic to sell the property. He assured the Commission members that he is not going to sell the properties to any business that would disrupt the community or be an eyesore.

3. CLOSE 1ST PUBLIC HEARING AND OPEN 2ND PUBLIC HEARING

NOTICE OF PUBLIC HEARING

On March 21, 2024 at 4:30 pm., Magnolia Planning & Zoning Commission will hold a public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard to discuss a rezoning to the City of Magnolia Official Zoning Map for 4.693 acres of land from Neighborhood Conservation-2 to Auto-Urban Commercial: TIMBERBROOK ESTATES, RES B, ACRES 4.693, Montgomery County Appraisal District, Property ID 266141.

Chairman Shelburne closed the 1st Public Hearing and convened the 2nd Public Hearing at 4:45 pm.

Frank Parker, Hanks Rd resident, stated that the uses the applicant intends to sell the properties for are allowed by Suburban Village but require different approval processes. He stated that this property being Auto-Urban Commercial is also not cohesive with the surrounding area and recommends Suburban Village instead.

George Martinez, a nearby resident, voiced concern and asked about the rules for allowing businesses to sell alcohol on these properties when there are surrounding schools and churches.

Christian Gable, City Secretary, clarified that as the employee who handles alcohol permitting, the City would not allow any business to sell alcohol or liquor within 300 feet of a surrounding public school, church, or hospital per state and city law.

Ryan Rogers, owner of RVision Homes, stated that the current properties that are zoned Auto-Urban Commercial are very sporadic among our Zoning Map. He clarified that the 4.693-acre tract does not fall within 300 feet of Magnolia Elementary School.

4. CLOSE 2ND PUBLIC HEARING AND CONVENE REGULAR MEETING

Chairman Shelburne closed the 2nd Public Hearing and convened the regular meeting at 4:52 pm.

5. CONSIDERATION AND POSSIBLE ACTION TO APPROVE REZONING TO THE CITY OF MAGNOLIA OFFICIAL ZONING MAP FOR RVISION COMMERCIAL BUILDERS, LLC, BEING 2.397 ACRES OF LAND, FROM PUBLIC USE TO AUTO-URBAN COMMERCIAL

Chairman Shelburne explained that the Comprehensive Plan refers to Auto-Urban Commercial for larger retail centers and this property is not ideal, based on the location, for the Auto-Urban Commercial zoning district.

After looking at the Land Use Table in the Unified Development Code, the Commissioners agreed that the property should be rezoned to Suburban Village instead.

MOTION: Upon a motion to deny the rezoning to the City of Magnolia Official Zoning Map made by Holly Knee and seconded by Tom Mayhew, the Commission members voted, and the motion carried unanimously, 4-0.

6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE REZONING TO THE CITY OF MAGNOLIA OFFICIAL ZONING MAP FOR RVISION COMMERCIAL BUILDERS, LLC, BEING 4.693 ACRES OF LAND, FROM NEIGHBORHOOD CONSERVATION-2 TO AUTO-URBAN COMMERCIAL

The Commissioners agreed that the property should be rezoned to Suburban Village instead.

MOTION: Upon a motion to deny the rezoning to the City of Magnolia Official Zoning Map made by Holly Knee and seconded by Tom Mayhew, the Commission members voted, and the motion carried unanimously, 4-0.

7. CONSENT AGENDA

This portion of the agenda consists of items considered to be routine and will be enacted by one motion unless separate discussion is requested by a Commission member or a citizen.

a. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the meeting held February 15, 2024

MOTION: Upon a motion to approve the Consent Agenda made by Tom Mayhew and seconded by Anne Sundquist, the Commission members voted, and the motion carried unanimously, 4-0.

8. CITIZENS COMMENTS, REQUESTS OR PETITIONS FROM THE PUBLIC

(This agenda item provides an opportunity for citizens to address the Planning & Zoning Commission on any matter not on the agenda).

Comments shall be limited to three (3) minutes per person. Comments by the governing body shall be limited to:

- a. Statements of specific factual information given in response to an inquiry;*
- b. A recitation of existing policy in response to an inquiry;*
- c. A proposal to place the subject on a future agenda.*

None

9. ANNOUNCEMENTS

None

10. UPDATE ON CITY OF MAGNOLIA DEVELOPMENTS (Staff)

None

11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAINT COLORS IN THE STROLL OVERLAY DISTRICT AT 317 MAGNOLIA BLVD

Planning Coordinator Christian Gable explained that a locksmith company is renting the building and provided an illustration of the proposed paint colors.

MOTION: Upon a motion to approve made by Anne Sundquist and seconded by Tom Mayhew, the Commission members voted, and the motion carried unanimously, 4-0.

12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SITE PLAN FOR WHATABURGER

City Engineer Tim Robertson has no objections to approving the site plan.

MOTION: Upon a motion to approve made by Holly Knee and seconded by Anne Sundquist, the Commission members voted, and the motion the carried unanimously, 4-0.

13. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SITE PLAN FOR 7 BREW COFFEE

Jeremy Smith and Howard Castleberry, 7 Brew Coffee representatives, introduced the project by explaining how the business operates.

MOTION: Upon a motion to approve made by Anne Sundquist and seconded by Holly Knee, the Commission members voted, and the motion carried unanimously, 4-0.

14. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ESCONDIDO SECTION 1 RESERVE D, PRELIMINARY PARTIAL REPLAT, +/- 10.0811 ACRES

MOTION: Upon a motion to approve made by Tom Mayhew and seconded by Anne Sundquist, the Commission members voted, and the motion carried unanimously, 4-0.

15. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ESCONDIDO SECTION 1 RESERVE D, FINAL PARTIAL REPLAT, +/- 10.0811 ACRES

MOTION: Upon a motion to approve made by Tom Mayhew and seconded by Holly Knee, the Commission members voted, and the motion carried unanimously, 4-0.

16. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ESCONDIDO SECTION 10, FINAL PLAT, +/- 17.034 ACRES

MOTION: Upon a motion to approve made by Tom Mayhew and seconded by Anne Sundquist, the Commission members voted, and the motion carried unanimously, 4-0.

17. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK ESTATES BLVD PHASE II, PRELIMINARY PLAT, +/- 1.18 ACRES

MOTION: Upon a motion to approve made by Holly Knee and seconded by Anne Sundquist, the Commission members voted, and the motion carried unanimously, 4-0.

18. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK SECTION 8, PRELIMINARY PLAT, +/- 13.7 ACRES

MOTION: Upon a motion to approve made by Anne Sundquist and seconded by Holly Knee, the Commission members voted, and the motion carried unanimously, 4-0.

19. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK SECTION 9, PRELIMINARY PLAT, +/- 15.8 ACRES

MOTION: Upon a motion to approve made by Holly Knee and seconded by Tom Mayhew, the Commission members voted, and the motion carried unanimously, 4-0.

20. FUTURE AGENDA ITEMS

Items 5 & 6 but for Suburban Village instead of Auto-Urban Commercial.

21. ADJOURN

MOTION: Upon a motion to adjourn made by Tom Mayhew and seconded by Anne Sundquist, the Commission members voted, the motion carried unanimously, 4-0, and Chairman Shelburne adjourned the meeting at 5:25 pm.

Planning & Zoning Commission

Scott Shelburne, Chairman

CERTIFICATION

I certify this to be a true and correct copy of the minutes of the meeting of the City of Magnolia Planning and Zoning Commission held on March 21, 2024.

Christian Gable, City Secretary



To: Planning and Zoning Commission

RE: Signage along the Magnolia Stroll

We have new tenants moving into existing buildings within the Town Center Zoning District that are struggling to advertise due to the sign regulations found in Chapter 6, Table 6-1-3.01.2 of the City of Magnolia Unified Development Code.

Wall/Fascia/Parapet signs are currently prohibited. The new tenants noticed that their neighbors have existing wall signs, to which I explained that they were placed before our UDC and Zoning Map were adopted in 2017.

The UDC defines wall signs but does not define fascia signs or parapet signs. From definitions found in various links from Google, they appear to be very similar in that they are attached to the building below the roof-line. Because of this, I recommend changing the Table in both sections - Wall Signs & Fascia/Parapet Signs to reflect each other.

In the past, owners have used the wall and fascia confusion as a loophole to be allowed 2 attached signs (in other districts). It is for this reason that I recommend reducing the second sign allowed if a current one already exists. Also, because there are multi-tenant buildings in this district, two signs of the same size may be over-crowding.

See proposed change found in Exhibit A.

I also included linear frontage measurements for all of the applicants that have come in for wall signs and gotten declined within the last few months. This gives you an idea of what standards would be best for this zoning district.

Thank you,

Christian Gable

City Secretary
Planning Coordinator
Permit Technician

Exhibit "A"

Table 6-1-3.01.2
Permissible Attached Sign Types for Nonresidential / Mixed-Uses

Sign Type and Limitations	Use					
	SV, AC, BP Single Site	SV, AC, BP Multi-Tenant	PU	UP, TC	IN	TS
Wall Sign	Allowed	Allowed	Allowed	Not Allowed Allowed	Allowed	Not Allowed
Number of Signs Allowed	1 per building	1 for each width 80 linear ft. of facade (at least 1 per facade is always allowed)	1 per building	1 per building	1 per facade	-
Maximum Sign Area	30 sf.; or 45 sf. if no fascia or parapet sign is present	Aggregate (total) sign area of 0.25 sf. per linear ft. of facade width	30 sf.; or 45 sf. if no fascia or parapet sign is present	-	0.30 sf. per linear ft. of facade width	-
Fascia Sign or Parapet Sign	Allowed	Allowed	Allowed	Not Allowed Allowed	Allowed	Allowed
Number of Signs Allowed	1 per primary building entrance	Greater of 1 per primary building entrance; or 1 for each 80 linear ft. of facade	1 per primary building entrance	1 per primary building entrance	1 per primary building entrance	1 per primary building entrance, consistent with design and color of building
Maximum Sign Area	Lessor of 1.50 sf per linear foot of building width or 200 sf. 300 sf if building is 25,000 sf or larger	Aggregate (total) sign area of 1.50 sf. per linear ft. of facade width	30 sf.	Aggregate (total) sign area of 0.5 sf. per linear ft. of facade width unless wall sign is present, then 0.25 sf. per linear ft. of facade width	50 sf.	30 sf.

Aggregate (total) sign area of 0.5 sf. per linear ft. of facade width unless fascia/parapet sign is present, then 0.25 sf. per linear ft. of facade width



203 Magnolia Blvd.
Legacy Mechanical Solutions (new)

Linear Frontage: 74 ft



303 Magnolia Blvd.
AAA Netto Shoe Repair (new)

Linear Frontage: 19 ft



317 Magnolia Blvd.
Magnolia Locksmith (new)

Linear Frontage: 25 ft



315 Magnolia Blvd.
Ink Injections Tattoo Shop (new)

Linear Frontage: 32 ft



415 Magnolia Blvd.
Rustic Momma Boutique (new)

Linear Frontage: 33 ft



623 Magnolia Blvd.
Crazy Head Vapes (new)

Linear Frontage:
Suite only : 40 ft
Total bldg : 110 ft