



**City of Montgomery
Planning and Zoning Commission
Regular Meeting Minutes
September 02, 2025**

OPENING AGENDA

1. Call meeting to order.

The Regular Meeting of the Planning and Zoning Commission was called to order by Chairman Simpson at 6:00 p.m. on September 02, 2025, at City Hall 101 Old Plantersville Rd., Montgomery, TX and live video streaming.

With Commission Members present a quorum was established.

Commission Members Present:

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| Place 2, Chairman | William (Bill) Simpson |
| Place 3, Vice Chairman | Daniel Gazda |
| Place 4, Commission Member | Merriam Walker |
| Place 5, Commission Member | Jeff Glaser |

Commission Members Absent:

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| Place 1, Commission Member | John Fox |
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2. Pledges of Allegiance.

Chairman Simpson led the Pledge of Allegiance and Pledge of Allegiance to the Texas State Flag.

PUBLIC FORUM:

Brandon Huffman, 22530 FM 2854 Montgomery, TX, addressed the Commission to express concerns regarding recent development activities near his property. He addressed concerns with setbacks, visual barriers, and sound mitigation, emphasizing the importance of complying with ordinance provisions such as natural ground elevation, trees, fencing, or walls to ensure safety and privacy for his family. He also raised concerns about noise levels from ongoing construction and equipment, urging enforcement of sound ordinances, and discussed the removal of trees that previously provided natural screening, impacting the property's privacy and ecology. Huffman's detailed presentation included specific references to ordinance definitions, site plans, and the importance of maintaining environmental and visual integrity, advocating for collaborative solutions to address these development impacts.

REGULAR AGENDA

3. Consideration and possible action on the P&Z Regular Meeting Minutes of August 05, 2025.

Motion: Vice Chairman Gazda made a motion to accept the P&Z Regular Meeting Minutes of August 05, 2025. Commission Member Glaser seconded the motion. Motion carried with all present voting in favor.

4. Consideration and possible action regarding a request for a special use permit for a restaurant with accessory drive-through service located at 22205 FM 1097 (legal description: WATERSTONE ON LAKE CONROE 01 LOT RES A-2).

Corinne Tilley, P&D Administrator, addressed the Commission and reviewed the application request for a special use permit for a restaurant with accessory drive-thru service at 22205 FM 1097, Waterstone on Lake Conroe, which is located on a previously developed platted lot adjacent to Atkins Creek and surrounded by residential areas. The site plan indicates most of the drive-thru activity will occur behind the building, minimizing disruption to pedestrian traffic and neighboring properties, and the traffic flow appears well-designed, with drive-thru vehicles circulating behind the building and avoiding crossing pedestrian pathways. The Commission discussed potential impacts on neighboring residences, emphasizing the importance of vegetation buffers, noise control, and lighting, with the existing 25-foot vegetative setback being a key consideration. Concerns about the timing of construction, tenant specifics, and future development plans were raised, but the primary focus was on ensuring compliance with existing noise and lighting ordinances.

The commission agreed that the permit should be tied to the property owner, with stipulations requiring reapplication if ownership changes, including inheritance or sale, to maintain control over operations. They also discussed the length of the permit, ultimately recommending approval with conditions, including a requirement for the developer to specify vegetation buffers, lighting plans, and noise mitigation measures, and to confirm setbacks.

Motion: Vice Chairman Gazda made a motion to recommend a request for a special use permit for a restaurant with accessory drive-through service located at 22205 FM 1097 (legal description: WATERSTONE ON LAKE CONROE 01 LOT RES A-2) with the stipulation that it ties to the owner and if the property owner sells a business, the new property owner will need to come back in and reapply for the special use permit. Commission Member Glaser seconded the motion. Motion carried with 3-Aye and 1-Nay by Commission Member Walker.

5. Consideration and Possible Action on the variance request related to the required off-street parking for the BCS Capital Multi-family development (Dev. No. 2415).

Zachary Timms of WGA addressed the Commission on the BCS Capital multifamily development's request for a variance to reduce off-street parking from the city's standard two spaces per unit to 1.5, citing practices in Houston and Conway where parking requirements are based on the number of bedrooms rather than units. WGA discussed that this reduction would optimize land use, reduce costs, and align with their typical Houston projects, where covered garage parking is included. Chris Roznosky of WGA addressed the Commission and emphasized that the community would be gated with two gates, which would help control access and overflow parking, and that reducing parking would prevent the need to buy additional land, which would decrease profitability and impact commercial space. A BCS representative addressed the Commission to discuss the impact of parking and the need for additional land based on current mandates. The Commission expressed concerns about potential parking shortages, especially during events or peak times, safety issues due to overflow parking on Buffalo Springs, and community harmony, fearing that insufficient parking could lead to disputes and safety hazards. The Commission also highlighted that Montgomery's current ordinance mandates two parking spaces per unit, and any deviation could set a problematic precedent. After extensive debate, the Commission was in consensus to make a recommendation to City Council to deny the variance, thus requiring the project to adhere to the existing two spaces per unit standard, prioritizing community safety, consistency with city standards, and long-term community well-being over potential land use efficiencies.

Motion: Commission Member Glaser made a motion to deny the variance request related to the required off-street parking for the BCS Capital Multi-family development (Dev. No. 2415). Commission Member Walker seconded the motion. Motion carried with all present voting in favor.

6. Consideration and Possible Action by the Planning & Zoning Commission on the Final Plat for Legacy Grove Section 1 (Dev. No. 2409).

Zachary Timms of WGA addressed the Commission on the final plat for Legacy Grove Section 1, which comprises 65 lots with standard setbacks and no variances, and includes extensions of water and sanitary sewer lines, notably the Westar Parkway water line and relocation of station five, with construction already underway or imminent. They discussed site development specifics, such as lot sizes (ranging from a quarter to a third of an acre), and the importance of preserving existing trees—some retained on-site for tree reserves—highlighting the need for a deeper review of the city's Chapter 78 tree ordinance to protect Montgomery's historic and significant trees, with plans to request the City Council's attention on this. Concerns about downtown safety were voiced, particularly regarding dumpsters left unbarriered and poorly lit streets along HWY 149, which pose safety risks for pedestrians and drivers. Questions about water capacity for firefighting were also addressed; the infrastructure master plan accounts for fire flow needs through multiple scenarios, including fire-specific tests required of developers, and recent water line extensions aim to improve fire protection, especially for larger structures, by creating loops and increasing capacity, ensuring the system can meet both daily and emergency demands.

Motion: Vice Chairman Gazda made a motion to recommend the Final Plat for Legacy Grove Section 1 (Dev. No. 2409). Commission Member Walker seconded the motion. Motion carried with all present voting in favor.

COMMISSION INQUIRY

No Commission Inquiry presented during this meeting.

CLOSING AGENDA

7. Items to consider for placement on future agendas.

No items presented for future agendas.

8. Adjourn.

Motion: Commission Member Walker made a motion to adjourn the regular meeting of the Planning and Zoning Commission at 6:59 p.m. Vice Chairman Gazda seconded the motion. Motion carried with all present voting in favor.

APPROVED

Bill Simpson, Commission Chairman

ATTEST:

Ruby Beaven, City Secretary