

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> 10/14/2025	<b>Budgeted Amount:</b> NONE
<b>Department:</b> Planning and Zoning	<b>Prepared By:</b> Corinne Tilley

**Subject**

Consideration and possible action on an application submitted by Cruz Real Estate Ventures LLC for a Special Use Permit at 22205 FM 1097 (WATERSTONE ON LAKE CONROE 01 LOT RES A-2) for a restaurant with accessory drive-through service.

**Recommendation**

The Planning and Zoning Commission recommends approval of the request for a Special Use Permit for a restaurant with accessory drive-through service located at 22205 FM 1097 (WATERSTONE ON LAKE CONROE 01 LOT RES A-2), subject to the following condition:

- Upon any change in ownership of the property, this permit shall expire. The new property owner must apply for and receive approval for a new Special Use Permit to continue the approved use.

**Discussion**

In accordance with Section 98-27 of the City Code of Ordinances, any application for a special use permit must undergo a public hearing conducted by the City Council prior to its adoption. This ensures community involvement and transparency in decision-making. Additionally, a notice of the hearing must be published, with the hearing scheduled no earlier than 15 days from the date of publication.

**Sec. 98-27. - Special use permits.**

(a) The city council, by an affirmative four-fifths vote, may by ordinance grant a special permit for special uses in any district, for those uses listed under "CC" in the table of permitted uses in [section 98-88](#), or which are otherwise not expressly permitted by this chapter, and may impose appropriate conditions and safeguards, including a specified period of time for the permit, to protect property and property values in the neighborhood. A special use permit may be revoked or canceled by the city council upon violation of any permit granted. Before authorization of any of such special uses, the request therefor shall be referred to the planning and zoning commission for study and report concerning the effect of the proposed use on the comprehensive plan and on the character and development of the neighborhood. A public hearing shall be held in relation thereto before the city council, and notice and publication of the time and place for which shall conform to the procedure prescribed in subsection (b) of this section.

(b) A public hearing shall be held by the city council before adopting any proposed special use permit. Notice of such hearing shall be given by publication one time in a newspaper of general circulation in the city stating the time and place of hearing, which time shall not be earlier than 15 days from the date of publication.

Attached is the Planning and Zoning Commission recommendation memo for your reference.

**Approved By**

City Administrator	Brent Walker	10/06/2025
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