



CITY OF MONTGOMERY

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June 12, 2025

Mayor Countryman
City Council Members

RE: Planning and Zoning Commission Recommendation

Mayor and City Council Members,

On June 11, 2025, the City of Montgomery Planning and Zoning Commission ("the Commission") considered the request for a special use permit for a fast-food restaurant with drive-through service at 21049 Eva Street, pursuant to Section 98-27(a) of the City of Montgomery Code of Ordinances ("the Code"):

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.

Upon thorough review of the request with the supporting information, the Commission recommends, to the City Council, denial of the request for special use permit for the following reasons:

1. The applicant has not provided the Traffic Impact Analysis (TIA) documentation as previously requested by the Commission in April 2025 meeting.
2. The proposed development is not in compliance with the 2020 Comprehensive Plan of the City of Montgomery.

The motion passed with a vote of 4-0, with 1 member absent.

Respectfully,

Corinne Tilley
Code Enforcement Officer
Planning/Zoning Administrator