

## ORDINANCE NO. 2025-XX

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, GRANTING A REZONING REQUEST TO BCS CAPITAL, LLC (DEV. NO. 2415), RELATED TO 11.084 ACRES OF THE TRACT 2-G, JOHN CORNER SURVEY, ABSTRACT 8 CURRENTLY ZONED PD PLANNED DEVELOPMENT AND B COMMERCIAL**

**WHEREAS**, in accordance with *Chapter 98, Zoning of the Code of Ordinances of the City of Montgomery, Texas, Chapter 211.007 of the Texas Local Government Code*, and upon approval of a report and recommendation from the Planning and Zoning Commission of the City of Montgomery, Texas, the City Manager of the City of Montgomery, Texas scheduled a public hearing on Tuesday, September 9, 2025, at 6:00 p.m. in the Montgomery City Hall – Council Chambers, 101 Old Plantersville Road, Montgomery, Texas, on an application and a rezoning request submitted by BCS Capital, LLC, to reduce the multifamily development area from approximately 12.15 acres to 11.084 acres, shifting the remaining portion back to commercial zoning; and

**WHEREAS**, notice of said public hearing having been duly given and published as required by law, said public hearing was held on September 9, 2025, at 6:00 p.m. in the Montgomery City Hall – Council Chambers, 101 Old Plantersville Road, Montgomery, Texas. All persons desiring to be heard were heard on or in connection with the application and request for rezoning as herein described; and

**WHEREAS**, the report and recommendation from the Planning and Zoning Commission of the City of Montgomery (“Commission”), prepared in the form of a memorandum by Bill Simpson, indicated that the Commission recommended the approval of the referenced application for rezoning, a copy of which report, and recommendation is attached hereto and marked Exhibit “A.”; and

**WHEREAS**, the City Council of the City of Montgomery, Texas, has duly received the report and recommendation of the Commission and has been fully informed as to the facts and circumstances of the application as submitted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS:**

**SECTION 1.** **THAT** the recitals contained herein are found to be true and correct.

**SECTION 2.** **THAT** the rezoning request is hereby granted to BCS Capital, LLC, to reduce the multifamily development area from approximately 12.15 acres to 11.084 acres, shifting the remaining portion back to commercial zoning, in general conformance with the application submitted by BCS Capital, LLC.

**SECTION 3.** **THAT** the rezoning as granted herein shall be subject to any additional restrictions and limitations as are from time to time imposed by the City Council of the City of Montgomery, Texas.

SECTION 4. **THAT** this Ordinance shall be effective immediately upon its passage and adoption.

**PASSED AND APPROVED** by the City Council of the City of Montgomery, Texas on the 22<sup>nd</sup> day of September, 2025.

**CITY OF MONTGOMERY, TEXAS**

\_\_\_\_\_  
Sara Countryman, Mayor

**ATTEST:**

\_\_\_\_\_  
Ruby Beaven, City Secretary

**Exhibit A**

Report and Recommendation from the Planning and Zoning Commission

DRAFT