

Montgomery City Council
AGENDA REPORT

Meeting Date: 08/26/2025	Budgeted Amount: NONE
Department: Planning and Zoning	Prepared By: Corinne Tilley

Subject

Consideration and possible action on a Resolution calling for a Public Hearing to be held on September 9, 2025, on an application by H-E-B, LP for a Special Use Permit on 31.97 Acre Tract of Land Situated in the J. Corner Survey, Abstract No. 8 of Montgomery County, Texas for the drive thru lane of a restaurant that is a part of the HEB Grocery development.

Recommendation

Based on the requirements outlined in Section 98-27 of the City Code of Ordinances, staff find no objection to calling the public hearing.

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	08/20/2025
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