

**NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, DECEMBER 19, 2016

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, December 19, 2016 at 6:00 p.m., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Pastor Kenny Rodgers, Anointed Faith Family Church

3.0 Pledges to U. S. and Texas Flags

- Led by Members of Pack 72 Cub Scouts and/or Members of the Tomball High School/Memorial High School Student Councils

4.0 Public Comments and Receipt of Petitions: *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*

5.0 Reports and Announcements:

- December 23 and 26, 2016 – **Christmas Holidays** – City offices closed
- January 2, 2017 – **New Year's Day Holiday** – City offices closed
- January 18, 2017 – First day to apply for Place on Ballot for the May 7, 2016 City General Election
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - Denise Fiore – Report on the success of the “**Christmas on Commerce**” Event

- Doris Speer – the City Secretary’s Office has received the “**5 Star Exemplary Award**” from the Texas Department of Health and Human Services for the sixth year
- Doris Speer – Tracy Garcia has earned her **Master Registrar Certification** from the Texas Department of Health and Human Services

6.0 Approve the Minutes of the December 5, 2016 Special Meeting of the Tomball City Council and the December 5, 2016 Regular Tomball City Council Meeting

7.0 Old Business:

7.1 Approve, on Second Reading, Ordinance No. 2016-30, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 7.34 Acres of Land, Legally Described as Tracts 189A, 189B, 189C, 193A-1 & 193B-1 Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Single-Family 20 Estate District to the Commercial District; Said Property Being Generally Located on the East Side of South Cherry Street, North of Theis Lane at 1623 South Cherry Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

8.0 New Business:

8.1 Approve Resolution No. 2016-27, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Annual Baseball Parade, to be held in Tomball on Saturday, March 4, 2017

8.2 Consideration to approve **Zoning Case P16-0162**: Request by Eleazar Cano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.9 acres of land, legally described as Tract 262A Tomball Outlots, generally located on the east side of South Pitchford Road at 909 South Pitchford Road, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P16-0162**
- Adopt, on First Reading, Ordinance No. 2016-31, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 3.9 Acres of Land, Legally Described as Tract 262A Tomball Outlots, Within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; Said Property Being Generally Located on the East Side of South Pitchford Street, at 909 South Pitchford; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not

to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof,
Making Findings of Fact; and Providing for Other Related Matters

- 8.3 Consideration to approve **Zoning Case P16-0171**: Request by Aaron Edwards, on Behalf of Tomball Renewal Center, for a Conditional Use Permit to Operate a Rehabilitation Care Facility (Halfway House) at 401 ½ Commerce Street and to Operate an Institution for Alcoholic, Narcotic or Psychiatric Patients at 401 Commerce Street. The property is approximately 0.17 acres, legally described as Lots 22, 23 & 24 Block 18 Tomball, generally located at the southwest corner of Commerce Street and North Oak Street and is zoned Old Town & Mixed Use.

- Public hearing on **Zoning Case P16-0171**
- Adopt, on First Reading, Ordinance No. 2016-32, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (Cup) to Aaron Edwards, on Behalf of Tomball Renewal Center, to Operate a “Rehabilitation Care Facility (Halfway House)” at 401 ½ Commerce Street and to Operate an “Institution for Alcoholic, Narcotic or Psychiatric Patients” at 401 Commerce Street; Said Property Being Approximately 0.17 Acres, and Being Legally Described as Lots 22, 23 & 24 Block 18 Tomball, Harris County, Texas, Generally Located at the Southwest Corner of Commerce Street and North Oak Street; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability

- 8.4 Consideration to approve ZONING CASE P16-0175: Request by the City of Tomball to amend Sections 50-2 (“Definitions”), 50-82 (b) (“Use Charts”), and 50-116 (“Supplemental Regulations”) of the Tomball Code of Ordinances by defining and creating a land use for “Mobile Food Courts”.

- Conduct Public Hearing on **Zoning Case P16-0175**
- Adopt, on First Reading, Ordinance No. 2016-33, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Amending Section 50-2 (“Definitions”), Section 50-82(B) (“Use Charts”) and Section 50-116 (“Supplemental Regulations”) by Defining and Creating a Land Use for “Mobile Food Courts”; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

- 8.5 Adopt, on First Reading, Ordinance No. 2016-34, an Ordinance of the City of Tomball, Texas Amending Section 32-2, Exceptions to Chapter, and Section 32-8, Responsibility of Owners, Tenants, and Lessees Allowing Peddlers to Utilize Property, of Article 1, in General, of Chapter 32, Peddlers and Solicitors, to Allow

Mobile Food Vendors Registered with the City in Compliance with the City's Zoning Regulations; Providing a Penalty Not to Exceed \$2,000.00 for any Violation Hereof with Each Day Constituting a Separate Offense; Providing for Severability and Providing Other Findings Related Hereto

- 8.6 Adopt, on First Reading, Ordinance No. 2016-35, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity No Longer Require the Continued Existence of a Public Right-of-Way, All Situated in the Replat of Final Plat Reserve at Spring Lake Section One and in the Replat of The Reserve at Spring Lake Section Two, Located in the Joseph Miller League, A-50, W.H. Clemens Survey, A-1641, Harris County Texas; Vacating and Abandoning Said Right-Of-Way and Replacing with an Access and Utility Easement; Authorizing the Mayor to Execute and the City Secretary to Attest, Respectively, a Quitclaim Deed Conveying Said Street Right-of-Way to Zion Road Properties, LLC; Providing for Severability; and Containing Other Provisions Relating to the Subject

9.0 Adjournment

C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 14th day of December 2016 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer

Doris Speer

City Secretary, TRMC, MMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.