

**NOTICE OF SPECIAL CITY COUNCIL AND
PLANNING AND ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**



**MONDAY, OCTOBER 24, 2011
5:30 P.M.**

Notice is hereby given of a meeting of the Tomball City Council and Planning and Zoning Commission, to be held on Monday, October 24, 2011 at 5:30 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 and Tomball Planning and Zoning Commission reserve 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 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.)*
- 3.0 Reports and Announcements:
 - **Farmers Market** – 9 a.m.-1:00 p.m. (Every Saturday, September 10-November 12)
 - October 28-29, 2011 – **Fire Department Fall Festival, 709 West Main** – 7:00 p.m.-12:00 Midnight
 - November 1, 2011 – **Mayor's Coffee** – 5:30 p.m.-7:00 p.m., **Bootsie's Heritage Cafe, 112 Commerce**
 - November 7, 2011 - Appointments to Tourism Advisory Committee for Terms expiring December 5, 2011
 - November 7, 2011 - Appointment to Fill Vacancy on Tomball Economic Development Corporation
 - November 12, 2011 – **2nd Saturday at the Depot** – *"Christmas at Give Thanks Tomball"* – 5:00 p.m.
 - November 19, 2011 – **46th Annual Holiday Parade** – 10:00 a.m.
 - November 19, 2011 - *Special Walk Tomball* in the Holiday Parade behind the *Walk Tomball! It's a Wonderful Life* banner – 10:00 a.m.

- November 19, 2011 – **Tomball Art Walk**, 11:00 a.m.–6:00 p.m.; Free Concert at the Depot, 4:00 p.m.–7:30 p.m.
- **Walk Tomball!** (Every Saturday at 9:00 a.m. at the Depot)
- Reports by City staff and members of Council about items of community interest on which no action will be taken

4.0 Old Business:

- 4.1 Adopt, on Second Reading, Ordinance No. 2011-19, An Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.341455/\$100 Value Assessed for the Year 2011 on All Taxable Real and Personal Property Located in the City of Tomball, Texas; Allowing for Homestead Exemptions for Property Owners Sixty-Five Years of Age and Over, and for Property Owners Who Qualify for Disability Benefits Under the Federal Old Age, Survivors, and Disability Insurance Program; Providing for Penalty, Interest, and Additional Penalty on Taxes Not Timely Paid; and Providing Other Matters Relating to the Subject
- 4.2 Adopt, on Second Reading, Ordinance No. 2011-25, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by changing the Zoning District Classification of approximately 5 acres of land, legally described as lot 61, Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Single-Family Estate Residential-20 District to the Agricultural District; Said property being generally located Northerly of Hufsmith Road, Westerly of the unimproved Neal Street Right-of-Way; 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
- 4.3 Adopt, on Second Reading, Ordinance No. 2011-26, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by granting a Conditional Use Permit to M.H.B. Holdings LLC, to operate a “carpet and rug cleaning plant”; Said tract being an approximately 0.3214 acre site, and being legally described as lot 2, block 66, Tomball Townsite Amending Plat, generally located on the Westerly side of Live Oak Street, Northerly of Main Street at 212 East Main Street, Tomball, Texas; Providing requirements and conditions for this Conditional Use Permit; Containing findings and other provisions relating to the subject; Providing a penalty in an amount not to exceed two thousand dollars for violations hereof; and providing for severability

5.0 New Business:

- 5.1 Approve Resolution No. 2011-22, Resolution Authorizing Publication of Notice of Intention to Issue Certificates of Obligation; Authorizing the Preparation of a Preliminary Official Statement and Notice of Sale; Declaring Intent to Reimburse Certain Prior Capital Costs; and Approving Other Matters Incidental Thereto

- 5.2 Approve Tomball Sister City Organization Request for Support, Funding, and Road Closures for the 2011 Tomball German Christmas Market, to be held December 9-11, 2011, and for the 2012 Tomball German Heritage Festival, to be held March 30-April 1, 2012, as Recommended by the Tourism Advisory Committee
- 5.3 Convene Planning and Zoning Commission for Joint City Council and Planning and Zoning Commission Meeting
- 5.3 Receive Presentation by Peggy Fiandaca of PSA, Inc. (Partners for Strategic Action, Inc.) regarding the City of Tomball Downtown Specific Plan
- 5.4 Consideration by Planning and Zoning Commission to Approve the Downtown Specific Plan.
 - Conduct a Public Hearing regarding the **DOWNTOWN SPECIFIC PLAN (DSP)**: To receive testimony and written evidence from the public regarding the City's proposed adoption of the Tomball Downtown Specific Plan.
- 5.5 Consideration by Planning and Zoning Commission to Approve City-Initiated Text Amendments (DSP):
 - Conduct a Public Hearing regarding the **CITY INITIATED TEXT AMENDMENTS (DSP)**: Public hearing to consider City-initiated text amendments to the Tomball Comprehensive Zoning Ordinance (Ordinance No. 2008-01) adding a new Article VII "Downtown Specific Plan," Section 52 "Regulating Plan and General Elements," Section 53 "Historic Main Street District (DSP-HMS)," Section 54 "Old Town Plaza District (DSP-OTP)," Section 55 "Old Town Commercial District (DSP-OTC)," Section 56 "Mixed Use Transition District (DSP-MUT)," Section 57 "Old Town Residential District (DSP-OTR)," and Section 58 "Museum Center District (DSP-MC);" and amending Appendix A "Summary of Area Regulations by District" and Section 45 "Definitions."
- 5.6 Consideration by Planning and Zoning Commission to Approve City-Initiated Rezonings (DSP):
 - Conduct a Public Hearing regarding **CITY INITIATED REZONINGS (DSP)**: Request by the City of Tomball to amend the City's Comprehensive Zoning Ordinance to rezone the properties within the Old Town Area as defined by the Tomball Comprehensive Plan and including the properties located west of the BNSF railroad, south of Fannin Street, east of South Elm Street, and north of Florence Street, starting at the DSP boundary in the southeast corner at the BNSF railroad and Florence Street westerly along Florence to South Pine Street, northerly along South Pine Street to Percival Street, westerly along Percival Street

to School Street, northerly along School Street to Main Street, westerly along Main Street to Baker Street, northerly along Baker Street to Hicks Street, easterly along Hicks Street to North Magnolia Street, northerly along North Magnolia Street to unimproved right-of-way north of Hicks and Epps Streets, easterly along unimproved right-of-way north of Hicks and Epps Streets to North Cherry Street, southerly along North Cherry Street to Epps Street, easterly along Epps Street to North Elm Street, southerly along North Elm Street to Main Street, Main Street southerly along South Elm Street to unimproved Fannin Street, easterly along unimproved Fannin Street to right-of-way adjacent to BNSF railroad, southerly along right-of-way adjacent to BNSF railroad to Florence Street, within the City of Tomball, Harris County, Texas, from the SF-6, OT, & MU, and General Retail Districts to the DSP Historic Main Street, DSP Mixed Use Transition, DSP Museum Center, DSP Old Town Commercial, DSP Old Town Plaza Area, and DSP Old Town Residential Districts.

5.7 Adjournment of the Planning and Zoning Commission

5.8 Possible Discussion by City Council regarding Presentation and Recommendations by Planning and Zoning Commission

6.0 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 21st day of October 2011 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, CMC

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.