

**MINUTES OF
REGULAR PLANNING & ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, JULY 14, 2014



6:00 P.M.

1.0 Call to Order

The meeting was called to order by Chair Tague at 6:00 p.m. Other members present were:

Commissioner Torres
Commissioner Anderson
Commissioner Byrd
Commissioner Roquemore

Others present:

Director of Community Development – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
Assistant City Planner – Rodney Schmidt
Senior Administrative Assistant – Brandy Harbolt
City Attorney – Loren Smith

2.0 No Public Comments were received.

3.0 Reports or Announcements:

- Community Development Director, Craig Meyers announced the last meeting for Rebeca Guerra and Brandy Harbolt due to resignation, thanking them for their service to the City of Tomball.

4.0 Motion was made by Commissioner Roquemore, second by Commissioner Anderson, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of June 9, 2014.

Motion carried unanimously.

5.0 New Business:

- 5.1 Consideration to approve ALEXANDER ESTATES PRELIMINARY PLAT; A Subdivision of 70.3604 acres of land and being a partial Replat of Tomball Greens Unrestricted Reserve “C” as recorded in F.C. No. 440128, H.C.M.R. out of the Elizabeth Smith Survey, A-70, Harris County, Texas.**

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Torres, second by Commissioner Byrd, to approve **ALEXANDER ESTATES PRELIMINARY PLAT**, with contingencies..

Motion carried unanimously, 5-0.

- 5.2 Consideration to approve **CAPPADONNA TRACTS**; A Subdivision of a 3.8897 acre tract; Being a Replat of Lot 1, Block 1 Stotts Tracts as recorded under Film Code No. 612089, Harris County Map Records situated in the Ralph Hubbard Survey A-383, Harris County, Texas.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Anderson, second by Commissioner Roquemore, to approve **CAPPADONNA TRACTS**, with contingencies.

Motion carried unanimously, 5-0.

- 5.3 Consideration to approve **SECOND REPLAT OF MARTIN MARIETTA SUBDIVISION**; Being a Subdivision of 29.5011 acres and being a Replat of Martin Marietta Subdivision Replat recorded under Film Code No. 645043 Harris County Map Records situated in the William Hurd Survey, Abstract 371 and the Jesse Pruett Survey Abstract 629, City of Tomball, Harris County, Texas.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Byrd, second by Commissioner Roquemore, to approve **SECOND REPLAT OF MARTIN MARIETTA SUBDIVISION**, with contingencies.

Motion carried unanimously, 5-0.

- 5.4 Consideration to approve **VALUE BANK MAIN STREET - TOMBALL**; A Subdivision of 0.6322 acres out of Lots 1, 2, 3, and 14, Block 7 Main Street Addition, Volume 15, Page 43 HCMR Joseph House Survey, A-34, Tomball, Harris County, Texas.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Torres, second by Commissioner Anderson, to approve **VALUE BANK MAIN STREET - TOMBALL**, with contingencies.

Motion carried unanimously, 5-0.

- 5.5 Consideration to approve **LIVE OAK CENTER**; A Subdivision of land containing 0.3335 acre, more or less, being a Replat of all of Lot 4, the adjoining 3.30 feet of Lot 3, and the adjoining south 10' of a 200' wide alley, in Block 10, of Main Street Addition, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 15, Page 43 of the map records of Harris County, Texas.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Torres, second by Commissioner Roquemore, to approve **LIVE OAK CENTER**, with contingencies.

Motion carried unanimously, 5-0.

- 5.6 Consideration to approve **COMPREHENSIVE PLAN CASE P14-087**: Request by Nancy Gomez, on behalf of Nancy Gomez Revocable Living Trust, to amend the City's Comprehensive Plan by altering the Future Land Use of approximately 2.46 acres of land, legally described as Tract 42B, Tomball Outlots, within the City of Tomball, Harris County, Texas, generally located between Ulrich Road and Rudolph Street, north of East Hufsmith Road, from Low Density Residential to Commercial.

Rebeca Guerra, City Planner presented the staff report.

Applicant/Owner, Nancy Gomez spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:19 p.m.

Tommy Breaux, resident of 1502 Rudolph Rd. spoke in opposition of the request.

Don Garrett, resident of 1510 Rudolph Rd. spoke in opposition of the request.

Applicant/Owner, Nancy Gomez provided a rebuttal in regards to the opposition.

Hearing no additional comments, the Public Hearing was closed at 6:23 p.m.

Motion was made by Commissioner Byrd to approve **COMPREHENSIVE PLAN CASE P14-087**; second by Commissioner Roquemore.

Motion FAILED; 5 votes Nay, 0 votes Aye.

- 5.7 Consideration to approve **ZONING CASE P14-088**: Request by Nancy Gomez, on behalf of Nancy Gomez Revocable Living Trust, to amend the City's Zoning Ordinance by rezoning approximately 2.46 acres of land, legally described as Tract 42B, Tomball Outlots, within the City of Tomball, Harris County, Texas, generally located between Ulrich Road and Rudolph Road, north of East Hufsmith Road, from the Single-Family Estate Residential-20 District to the Commercial District.

Rebeca Guerra, City Planner presented the staff report.

Applicant/Owner, Nancy Gomez spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:36 p.m.

Tommy Breaux, resident of 1502 Rudolph Rd. spoke in opposition of the request.

Opposition forms from Mr. Tommy Breaux and Mr. Don Garrett were read into the record.

Hearing no additional comments, the Public Hearing was closed at 6:38 p.m.

Motion was made by Commissioner Torres to approve **ZONING CASE P14-088**; second by Commissioner Anderson.

Motion FAILED; 5 votes Nay, 0 votes Aye.

- 5.8 Consideration to approve **ZONING CASE P14-109**: Request by Steven Vaughan, on behalf of Keary Barnes, to amend the City's Zoning Ordinance by rezoning approximately .68 acres of land, legally described as Lots 1, 2, 3, and 14, Block 7, Main Street Addition, within the City of Tomball, Harris County, Texas, generally located west of Lawrence Avenue, south of West Main Street, from the Commercial District & Old Town and Mixed Use District to the Commercial District.

Rebeca Guerra, City Planner presented the staff report.

Applicant, Steven Vaughn spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:43 p.m.

Hearing no additional comments, the Public Hearing was closed at 6:43 p.m.

Motion was made by Commissioner Byrd to approve **ZONING CASE P14-109**; second by Commissioner Torres.

Motion Carried; 5 votes Aye, 0 votes Nay.

- 5.9 Consideration to approve **COMPREHENSIVE PLAN CASE P14-118**: Request by Harold Ellis, on behalf of BCDE, LTD. and Eibsen & Associates, INC., to amend the City's Comprehensive Plan by altering the Future Land Use of approximately 70.36 acres of land, legally described as all of proposed Alexander Estates Subdivision and being a partial Replat of Tomball Greens Unrestricted Reserve "C" as recorded in F.C. No. 440128, H.C.M.R out of the Elizabeth Smith Survey, A-70 Harris County, Texas, within the City of Tomball, Harris County, Texas, generally located east of Hufsmith-Kohrville Road, north of Spell Road, from Rural Residential & Business/Industrial to Medium Density Residential.

Rebeca Guerra, City Planner presented the staff report.

Applicant, Harold Ellis and Doug Eibsen spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:51 p.m.

Hearing no additional comments, the Public Hearing was closed at 6:51 p.m.

Motion was made by Commissioner Torres to approve **COMPREHENSIVE PLAN CASE P14-118**; second by Commissioner Anderson.

Motion Carried; 5 votes Aye, 0 votes Nay.

- 5.10 Consideration to approve **ZONING CASE P14-102**: Request by Harold Ellis, on behalf of BCDE, LTD. and Eibsen & Associates, INC., to amend the City's Zoning Ordinance by rezoning approximately 70.36 acres of land, legally described as all of proposed Alexander Estates Subdivision and being a partial Replat of Tomball Greens Unrestricted Reserve "C" as recorded in F.C. No. 440128, H.C.M.R out of the Elizabeth Smith Survey, A-70 Harris County, Texas, within the City of Tomball, Harris County, Texas, generally located east of Hufsmith-Kohrville Road, north of Spell Road, from the Agricultural District to the Single-Family Residential-9 District.

Rebeca Guerra, City Planner presented the staff report.

Applicant, Harold Ellis spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:01 p.m.

Skip Fortune of 11011 Spell Rd. expressed concerns about traffic, no problems with zoning.

Hearing no additional comments, the Public Hearing was closed at 7:03 p.m.

Motion was made by Commissioner Roquemore to approve **ZONING CASE P14-102**; second by Commissioner Byrd.

Motion Carried; 5 votes Aye, 0 votes Nay.

- 6.0 Motion was made by Commissioner Torres, second by Commissioner Byrd, to adjourn.

Motion carried unanimously, 5-0.

Meeting adjourned at 7:06 p.m.

PASSED AND APPROVED this 11th day of August 2014.

Doris Speer
Doris Speer
City Secretary

Barbara Tague
Barbara Tague
Chairman