

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

MONDAY, MAY 14, 2012



6:00 P.M.

1.0 Call to Order

The meeting was called to order by Chairman Wallace at 6:10 p.m. Other members present were:

Commissioner Tague
Commissioner Kendler
Commissioner Beauvais
Commissioner Chervenak

Others present:

Director of Community Development – Narciso Lira
Assistant City Planner – Rodney Schmidt
Engineering & Planning Senior Administrative Assistant – Brandy Pate
City Attorney – Loren Smith

2.0 No public comments were received

3.0 No Reports or Announcements were received.

4.0 Motion was made by Commissioner Tague to approve the Minutes of the Regular Planning & Zoning Commission meeting of April 9, 2012; second by Commissioner Beauvais.

Motion carried unanimously.

5.0 New Business:

2.1 Narciso Lira, Director of Community Development presented comment recommendations. Motion was made by Commissioner Tague, second by Commissioner Beauvais, to approve, with contingencies, **DAKOTA PINES**; Being a Subdivision of 5.0005 Acres of land situated in the John S. Smith Survey, Abstract No. 730, Harris County, Texas. Being a Replat of Lots 1 and 2, Block 1, of Rosemont Heights Addition Recorded in Volume 525, Page 251 of the deed records of Harris County, Texas.

Motion carried unanimously.

- 5.2 Narciso Lira, Director of Community Development presented comment recommendations. Motion was made by Commissioner Tague, second by Commissioner Kendler, to approve, **SHEPHERD CENTER PRELIMINARY PLAT**: Being a Subdivision of 0.2871 Acre, being comprised of a 0.166 Acre Tract and a 0.121 Acre Tract situated in the Joseph House Survey, Abstract 34, City of Tomball, Harris County, Texas.

Motion carried unanimously.

- 5.3 Narciso Lira, Director of Community Development presented comment recommendations. Motion was made by Commissioner Chervenak, second by Commissioner Tague, to approve, with contingencies, **SHEPHERD CENTER FINAL PLAT**: Being a Subdivision of 0.2871 Acre, being comprised of a 0.166 Acre Tract and a 0.121 Acre Tract situated in the Joseph House Survey, Abstract 34, City of Tomball, Harris County, Texas.

Motion carried unanimously.

- 5.4 Consideration to approve **ZONING CASE P12-427**: Request by Paula Rodriguez to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 1.36 acres of land, legally described as Tract 10, Meadow Lark Hill (Unrecorded), within the City of Tomball, Harris County, Texas, generally located easterly of Johnson Road, southerly of Michel Road, from the Duplex Residential District to the Commercial District.

The Public Hearing was opened by Chairman Wallace at 6:18 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

Applicant chose not to speak.

No Public comments were received and the Public Hearing was closed at 6:23 p.m.

Commissioner Kendler made a motion to approve the rezoning request for **ZONING CASE P12-427**; second by Commissioner Tague. Vote was as follows:

Commissioner Tague	<u>Aye</u>
Commissioner Chervenak	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Kendler	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>

Motion carried unanimously.

- 5.5 Consideration to approve **ZONING CASE P12-428**; Request by Paula Rodriguez, on behalf of Ronald Rodriguez, to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 1.36 acres of land, legally described as Tract 11, Meadow Lark Hill (Unrecorded), within the City of Tomball, Harris County, Texas, generally located easterly of Johnson Road, southerly of Michel Road, from the Duplex Residential District to the Commercial District.

The Public Hearing was opened by Chairman Wallace at 6:25 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

Applicant chose not to speak.

No Public comments were received and the Public Hearing was closed at 6:29 p.m.

Commissioner Chervenak made a motion to approve the rezoning request for **ZONING CASE P12-428**; second by Commissioner Kendler. Vote was as follows:

Commissioner Tague	<u>Aye</u>
Commissioner Chervenak	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Kendler	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>

Motion carried unanimously.

- 5.6 Consideration to approve **ZONING CASE P12-429**; Request by the City of Tomball to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 1.36 acres of land, legally described as Tract 7, Meadow Lark Hill (Unrecorded), within the City of Tomball, Harris County, Texas, generally located easterly of Johnson Road, northerly of Theiss Lane, from the Duplex Residential District to the Commercial District.

The Public Hearing was opened by Chairman Wallace at 6:30 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

No Public comments were received and the Public Hearing was closed at 6:31 p.m.

Commissioner Beauvais made a motion to approve the rezoning request for **ZONING CASE P12-429**; second by Commissioner Tague. Vote was as follows:

Commissioner Tague	<u>Aye</u>
Commissioner Chervenak	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Kendler	<u>Aye</u>

Commissioner Wallace Aye

Motion carried unanimously.

- 5.7 Consideration to approve **ZONING CASE P12-430**: Request by David Quinn, on behalf of Tomball Tomahawk Properties, LLC, for a Conditional Use Permit to operate a “Barber/Beauty Shop (No Related School/College).” The property is an approximately 0.85 acre site, legally described as Lot 1, Block 1, Tomahawk Properties, generally located on the easterly side of Baker Drive, southerly of Inwood Street. The site is located in the Single-Family Residential-6 District with a vested rights classification of Office District.

Commissioner Tague abstained from voting, and a conflict of interest affidavit was filed with the City Secretary.

The Public Hearing was opened by Chairman Wallace at 6:34 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

Applicant, David Quinn of 13415 Lost Creek Rd. spoke on behalf of the request.

The following people spoke in opposition of **ZONING CASE P12-430**:

Christine Roquemoire – 614 N. Hickory
David Tague – 503 Inwood
Earle Oldham – 610 Inwood
Harry Byrd – 602 N. Hickory
Ken Graham – 607 N. Magnolia
Jane Solomon – 607 Hicks

Additional public comment forms in opposition of **ZONING CASE P12-430** were received from the following people:

Lola Gordon – 603 Inwood
George & Sandra Chastain – 615 N. Hickory St.
Herman & Emily McClinton – 407 S. Pecan St.

Applicant, David Quinn provided rebuttal.

Hearing no additional comments, the Public Hearing was closed at 7:14 p.m.

Commissioner Chervenak made a motion to approve the rezoning request for **ZONING CASE P12-430**; second by Commissioner Beauvais. Vote was as follows:

Commissioner Tague	<u>Abstained</u>
Commissioner Chervenak	<u>Nay</u>
Commissioner Beauvais	<u>Nay</u>
Commissioner Kendler	<u>Nay</u>
Commissioner Wallace	<u>Aye</u>

Motion failed 3-1

- 6.0 Motion was made by Commissioner Kendler to adjourn; second by Commissioner Chervenak.

Motion carried unanimously.

Meeting adjourned at 7:27 p.m.

PASSED AND APPROVED this 11th day of June 2012.

Brandy Pate
Brandy Pate
P&Z Commission Secretary

Lori Wallace
Lori Wallace
Chairman