

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

MONDAY, OCTOBER 10, 2011



5:00 P.M.

1.0 Call to Order

The meeting was called to order by Chairman Wallace at 5:00 p.m. Other members present were:

Commissioner Tague
Commissioner Chervenak (Arrived at 5:02)
Commissioner Beauvais
Commissioner Kendler

Others present:

Assistant City Engineer – Lori Lakatos
Assistant City Planner – Rodney Schmidt
Engineering & Planning Senior Administrative Assistant – Brandy Pate

2.0 No public comments were received

3.0 Reports and Announcements:

Rodney Schmidt, Assistant City Planner, announced the following upcoming meeting:

- Joint City Council / Planning and Zoning Commission Meeting regarding Downtown Specific Plan: Monday, October 24, 2011 at 5:30 p.m. – 401 Market Street, Tomball, Texas 77375

4.0 Motion was made by Commissioner Tague to approve the Minutes of the regular Planning & Zoning Commission meeting of September 12, 2011; second by Commissioner Kendler.

Motion carried unanimously.

5.0 New Business:

- 5.1 Consideration to approve ZONING CASE P11-354: Request by Abandoned Animal Rescue to amend the City's Comprehensive Zoning Ordinance to rezone approximately 5 acres of land, legally described as Lot 61, Tomball Outlots, within the City of Tomball, Harris County, Texas, generally located northerly of Hufsmith Road, westerly of the unimproved Neal Street right-of-way, from the Single-Family**

Estate Residential-20 District to the Agricultural District.

The Public Hearing was opened by Chairman Wallace at 5:03 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

Applicant, Pat Mackinnon, spoke on behalf of the request.

Tom Crofoot of 1430 Neal Dr. expressed concern regarding noise.

George Rager of 22123 Rosewood trail, volunteer at Abandoned Animal Rescue spoke in favor of the request.

Pat Mackinnon provided a rebuttal.

Hearing no additional comments, the Public Hearing was closed at 5:16 p.m.

Commissioner Beauvais made a motion to approve the rezoning request for **ZONING CASE P11-354**; second by Commissioner Chervenak. 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.

- 5.2 Consideration to approve **ZONING CASE P11-359**: Request by Richard Middleton, on behalf of M.H.B. Holdings LLC, for a Conditional Use Permit to operate a "Carpet and Rug Cleaning Plant." The property is an approximately 0.3214 acre site, 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. The site is located in the Old Town & Mixed Use District.

The Public Hearing was opened by Chairman Wallace at 5:20 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

Applicant, Richard Middleton, spoke on behalf of the request.

Vinnie Higgs of 105 Live Oak, expressed concern

Richard Middleton provided a rebuttal.

Hearing no additional comments, the Public Hearing was closed at 5:40 p.m.

Commissioner Tague made a motion to table the request. Motion died for lack of a second.

Commissioner Chervenak made a motion to approve the rezoning request for **ZONING CASE P11-359**; second by Commissioner Kendler. Vote was as follows:

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

Motion carried 4-1.

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

Motion carried unanimously.

Meeting adjourned at 5:48 p.m.

PASSED AND APPROVED this 14th day of November 2011.

Brandy Pate
Brandy Pate
P&Z Commission Secretary

Lori Wallace
Lori Wallace
Chairman