

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



MONDAY, DECEMBER 14, 2015

6:00 P.M.

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, December 14, 2015 at 6:00 P.M., City Hall, 501 James Street, Tomball, TX 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning & Zoning Commission 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 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
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 9, 2015.

5.0 New Business:

- 5.1 Consideration to Approve Final Plat of **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 WATER PLANT NO. 1**: Being a subdivision of 2.3629 acres of land in the C. Goodrich Survey, Abstract No. 305, Harris County, Texas.
- 5.2 Consideration to approve **ZONING CASE P15-0122**: Request by the City of Tomball to amend Section 50-82 (b) ("Use Charts") of the Tomball Code of Ordinances by adding "Reception venue" as an additional land use in the City of Tomball.
- Conduct Public Hearing on **ZONING CASE P15-0122**

6.0 Adjournment

CERTIFICATION

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 10th day of December 2015 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

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 feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: December 14, 2015

Data Sheet

Topic:

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development Department

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: December 14, 2015

Data Sheet

Topic:

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Community Development Department

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: December 14, 2015

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 9, 2015.

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development Department

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Minutes - November 9, 2015

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

MONDAY, NOVEMBER 9, 2015



6:00 P.M.

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

Commissioner Darrell Roquemore
Commissioner Dane Dunagin
Commissioner Richard Anderson
Commissioner Harry Byrd

Others present:

Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Harold Ellis
Assistant City Planner – Amelia Lindley
Community Development Coordinator – Kim Chandler
City Attorney – Loren Smith

- 2.0 No Public Comments were received.

- 3.0 Harold Ellis, City Planner, announced the following:

- Commissioner Evelyn Torres moved outside of the Tomball District. Her replacement as new Commissioner is Dane Dunagin.
- Spoke to the Commissioners about receiving meeting packets electronically. All Commissioners desired to continue receiving hard copy packets.

- 4.0 Motion was made by Commissioner Byrd, second by Commissioner Roquemore to approve the Minutes of the Regular Planning and Zoning Commission Meeting of October 12, 2015.

Motion carried unanimously.

Draft

5.0 New Business:

- 5.1 Consideration to Approve Preliminary Plat of **CONCORDIA LUTHERAN HIGH SCHOOL OF NORTH HARRIS COUNTY SOUTH CAMPUS**: Being a subdivision of 20.8633 acres out of the Jesse Pruitt Survey, A-629, in Harris County, Texas.

Lori Lakatos, City Engineer, presented recommendation.

Motion was made by Commissioner Anderson, second by Commissioner Roquemore, to approve **CONCORDIA LUTHERAN HIGH SCHOOL OF NORTH HARRIS COUNTY SOUTH CAMPUS**.

Motion carried unanimously.

- 5.2 Consideration to Approve **ZONING CASE P15-0130**: Request by Brian K. Lunell, on behalf of Spring Creek County Historical Association, for a Conditional Use Permit to operate a “museum” in the Single-Family 6 district. The property is approximately 2.4 acres, situated in the Joseph House Survey, Abstract Number 34, and is legally described lots 1, 2, 9-16 block 48, the southwesterly 20 feet of lot 3, and all of lots 4 - 6 block 102, revised Map of Tomball, recorded under Volume 4 Page 25, of the Map Records of Harris County, Texas; and lot 8A a subdivision as shown on map or plat recorded under Film Code Number 598155, of the Map Records of Harris County, Texas. The property is generally located at the intersection of N. Pine St. and Epps St. at 510 North Pine St.

Harold Ellis, City Planner, presented the case and recommendation.

Charles Hall, President of Spring Creek Historical Society, (10715 Mahaffey, Tomball, TX 77375) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:13 p.m.

Kevin Jones, Resident (506 N. Pine Street, Tomball, TX 77375) spoke in favor of the request.

Kevin Jones, Representing Tomball Museum (506 N. Pine Street, Tomball, TX 77375) spoke in favor of the request.

Kevin Jones, Representing Tomball Baptist Church (401 Oxford Street, Tomball, TX 77375) spoke in favor of the request.

Juan Guzman, Resident (507 S. Pecan Street, Tomball, TX 77375) spoke in favor of the request along with concerns of the parking lot being in close proximity to Memorial Markers.

Terry Casey, Property Owner (14815 Oak Shores Drive, Willis, TX 77318) spoke in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 6:18 p.m.

Motion was made by Commissioner Byrd, second by Commissioner Anderson, to approve **ZONING CASE P15-0130** with the condition that the building is in accordance with the concept plan. Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Dunagin	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Byrd	<u>Aye</u>

Motion carried unanimously.

6.0 Motion was made by Commissioner Roquemore, second by Commissioner Dunagin, to adjourn.

Motion carried unanimously.

The meeting was adjourned at 6:51 p.m.

PASSED AND APPROVED this _____ day of _____ 2015.

Kim Chandler
Commission Secretary

Barbara Tague
Commission Chair

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: December 14, 2015

Data Sheet

Topic:

Consideration to Approve Final Plat of **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 WATER PLANT NO. 1**: Being a subdivision of 2.3629 acres of land in the C. Goodrich Survey, Abstract No. 305, Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development Department

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Harris County District #17, Water Plant #1

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: December 14, 2015

Data Sheet

Topic:

Consideration to approve **ZONING CASE P15-0122**: Request by the City of Tomball to amend Section 50-82 (b) ("Use Charts") of the Tomball Code of Ordinances by adding "Reception venue" as an additional land use in the City of Tomball.

- Conduct Public Hearing on **ZONING CASE P15-0122**

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development Department

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Public Hearing Announcement

Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
December 14, 2015
&
CITY COUNCIL
December 21, 2015**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 14, 2015, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, December 21, 2015, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

ZONING CASE P15-0122: Request by the City of Tomball to amend Section 50-82 (b) (“Use Charts”) of the Tomball Code of Ordinances by adding “Reception venue” as an additional land use in the City of Tomball.

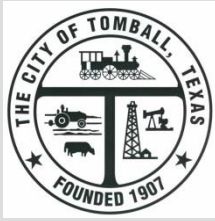
At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

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 **10th** day of **December 2015** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kim Chandler
Kim Chandler
Secretary of the Board

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Text Amendment Staff Report

Planning and Zoning Commission Hearing Date: December 14, 2015

City Council Public Hearing Date: December 21, 2015

ZONING CASE P15-0122: Request by the City of Tomball to amend Section 50-82 (b) (“Use Charts”) of the Tomball Code of Ordinances by adding “Reception venue” as an additional land use in the City of Tomball.

BACKGROUND

On October 3, 2015, City staff met with the owner of Ella’s Garden about expanding their current operations. Ella’s Garden is a wedding and event venue located at 1415 Ulrich Road. Ella’s Garden would currently be classified as a “Wedding Chapel”, which is not a permitted use in the Single-Family 20 Estate District, and therefore is not able to expand. As Ella’s Garden is a venue for other types of gatherings in addition to weddings, City staff determined the best land use for Ella’s Garden would be “Reception venue”. A “Reception venue” is not a use currently in Tomball’s Land Use Matrix.

Ella’s Garden is requesting that Staff amend Section 50-82 (Use Charts) of the Code of Ordinances to create a new land use for a “Reception venue” and subsequently the City will need to establish which zoning districts the new use would be permitted to operate in and associated parking requirements.

PROPOSED AMENDMENTS

Section 50-82 (Use Charts)

Types of Land Uses	Residential Zoning Districts							Non-Residential Zoning Districts				OT&MU	Parking Ratio (Also see Section 50-112)
	AG	SF-20-E	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Personal & Business													
Reception venue	C	C						C	P	P	P	P	1 space: 4 seats

A “Reception venue” to be allowed by right (P) in the Light Industrial, Commercial, and General Retail zoning districts and allowed with a Conditional Use Permit (C) in the Office, Agricultural and Single-Family 20 Estate districts.

ANALYSIS

By creating the proposed new land use, Ella's Garden will be allowed to expand their operations to reach more people in the community and bring more people to Tomball for events. It will also benefit future business owners who wish to establish similar venues in Tomball.

There are other land uses of equal or greater intensity than a "Reception venue" allowed in the Agricultural (AG) and Single-Family 20 Estate (SF-20-E) districts with a Conditional Use Permit. These uses include but are not limited to "Community Center (Public)", "Community or Social Building", "Country Club (Private)", and "School, College or University".

Permitting a "Reception venue" in the Office, AG and SF-20-E districts with the approval of a Conditional Use Permit, allows the Planning & Zoning Commission and City Council to determine the impact and feasibility of the project on a case-by-case basis and if necessary add conditions to an approval to mitigate any potentially adverse impacts.

PUBLIC COMMENT

A public hearing notice was published in the Tomball Tribune on November 30, 2015. No public comment forms have been received as of December 10, 2015.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P15-0122.