

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



MONDAY, JULY 13, 2020

6:00 P.M.

Notice is hereby given of a meeting of the , to be held on Monday, July 13, 2020 at 6:00 P.M., City Hall, 401 Market Street, Tomball, TX 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The 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

- 1.1 **IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020, THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR JULY 13, 2020, 6:00 P.M., AT 401 MARKET STREET, TOMBALL, TEXAS, 77375 – IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED “SOCIAL DISTANCING”) TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19), THERE WILL BE LIMITED PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE. THIS MEETING AGENDA AND THE AGENDA PACKET, ARE POSTED ONLINE AT <https://tomball.novusagenda.com/agendapublic/>; A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON WRITTEN REQUEST.**

The public is strongly encouraged to participate in the meeting by Telephone. The toll-free dial-in numbers to participate in the telephonic meeting are any one of the following: +1 346 248 7799 US (Houston); +1 253 215 8782 US; +1 301 715 8592 US and enter Meeting ID: 86012822037 and #. The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- 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 on June 8, 2020
- 5.0 New Business:
 - 5.1 Consideration to Approve Replat of **RABURN RESERVE, SEC. 1:** Being a Subdivision of 105.0452 Acres out of the Jesse Pruett Survey, A-629 City of Tomball Harris County, Texas.
 - 5.2 Consideration to Approve Replat of **LA PETITE MAISON:** A Subdivision of 0.1607 Acre Tract, (7000.00 Square Feet) being a replat of Lots 31 and 32, Block 50 of Revised Map of Tomball as recorded in Volume 4, Page 25, Harris County Map Records, Situated in the William Hurd Survey, Abstract 371, City of Tomball, Harris County, Texas.
 - 5.3 Consideration to Approve Replat of **TOMBALL BUSINESS AND TECHNOLOGY PARK SEC. 2:** A Subdivision of 18.9107 Acres, (823,750.092 Square Feet), being a Replat of Lots 295 and 500, of Tomball Townsite as recorded under Vol. 2, Pg. 65, H.C.M.R. Situated in the J. Pruitt Survey, A-629 in Harris County, Texas.
 - 5.4 Consideration to Approve Final Plat of **830 BAKER SUBDIVISION:** 6.674 Acres, (289,562.38 Square Feet), Located in the J. House, Abstract 34, Harris County, Texas, City of Tomball.
 - 5.5 Consideration to Approve **Zoning Case P20-069:** Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-069**

- 5.6 Consideration to Approve **Zoning Case P20-099**: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-099**

- 5.7 Consideration to Approve **Zoning Case P20-103**: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-103**

- 5.8 Consideration to Approve **Zoning Case P20-104**: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-104**

- 5.9 Consideration to Approve **Zoning Case P20-105**: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.

- Conduct Public Hearing on **Zoning Case P20-105**

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 9th day of July, 2020 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the schedule 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
Data Sheet

Meeting Date: July 13, 2020

Topic:

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting on June 8, 2020

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Minutes - 6/8/2020

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

MONDAY, JUNE 8, 2020



6:00 P.M.

1.0 The meeting was Called to Order by Chair Tague at 6:00 p.m. Other members present were:

Commissioner Richard Anderson
Commissioner Dane Dunagin
Commissioner Darrell Roquemore
Commissioner Tana Ross

Others present:

Craig Meyers – Community Development Director
Loren Smith – City Attorney
Amelia Lindley – City Planner
Wesley Stolz – City Engineer

Draft

1.1 Election of Chairman and Vice Chairman

Commissioner Anderson nominated Barbara Tague as Chair.

Motion was made by Commissioner Roquemore, second by Commissioner Ross, to re-appoint Chair Barbara Tague.

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

Commissioner Dunagin nominated Darrell Roquemore as Vice Chair.

Motion was made by Commissioner Anderson, second by Commissioner Dunagin, to re-appoint Vice Chair Roquemore.

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

2.0 No Public Comments were received.

3.0 No Reports and Announcements were heard.

- 4.0 Motion was made by Commissioner Roquemore, second by Commissioner Dunagin, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 11, 2020.

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

5.0 New Business:

- 5.1 Consideration to Approve Replat of **COMMON GROUNDS:** A Subdivision of Land containing 0.4591 Acres (19,999.99 Square Feet) of land in the Abstract 34 J House, Harris County, Texas.

Wesley Stolz, City Engineer, presented a recommendation of approval with contingencies.

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

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

- 5.2 Consideration to Approve **Zoning Case P20-079:** Request by the City of Tomball to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.66 acres out of 2.135 acres of land legally described as Lot 1 Block 1 City of Tomball Railroad Museum, from the Single-Family 6 District to the Old Town & Mixed Use District. The property is generally located on the west side of the Burlington Northern Railroad and the east side of the Elm Street right-of-way, within the City of Tomball, Harris County, Texas.

Amelia Lindley, City Planner, presented the case and recommendation of approval.

The Public Hearing was opened by Chair Tague at 6:09 p.m.

Richard Martinez (130 Florence Street, Tomball, TX 77375) asked a question regarding the request.

Hearing no additional comments, the Public Hearing was closed at 6:11 p.m.

Motion was made by Commissioner Roquemore, second by Commissioner Dunagin, to approve **Zoning Case P20-079.**

Roll call vote was called by Commission Secretary Wesley Stolz. Vote was as follows:

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

Motion carried unanimously.

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

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

The meeting adjourned at 6:12 p.m.

PASSED AND APPROVED this _____ day of _____ 2020.

Wesley Stolz
City Engineer/Board Secretary

Barbara Tague
Commission Chair

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:

Consideration to Approve Replat of **RABURN RESERVE, SEC. 1:** Being a Subdivision of 105.0452 Acres out of the Jesse Pruett Survey, A-629 City of Tomball Harris County, Texas.

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Raburn Reserve, Sec. 1 Plat Comments
Raburn Reserve, Sec. 1 Plat

CITY OF TOMBALL

Plat Name: Raburn Reserve Plat Type: Replat

Construction Drawings for Public Facilities required? Yes ☐ No ☐ N/A ☒

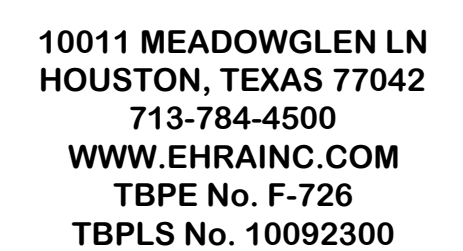
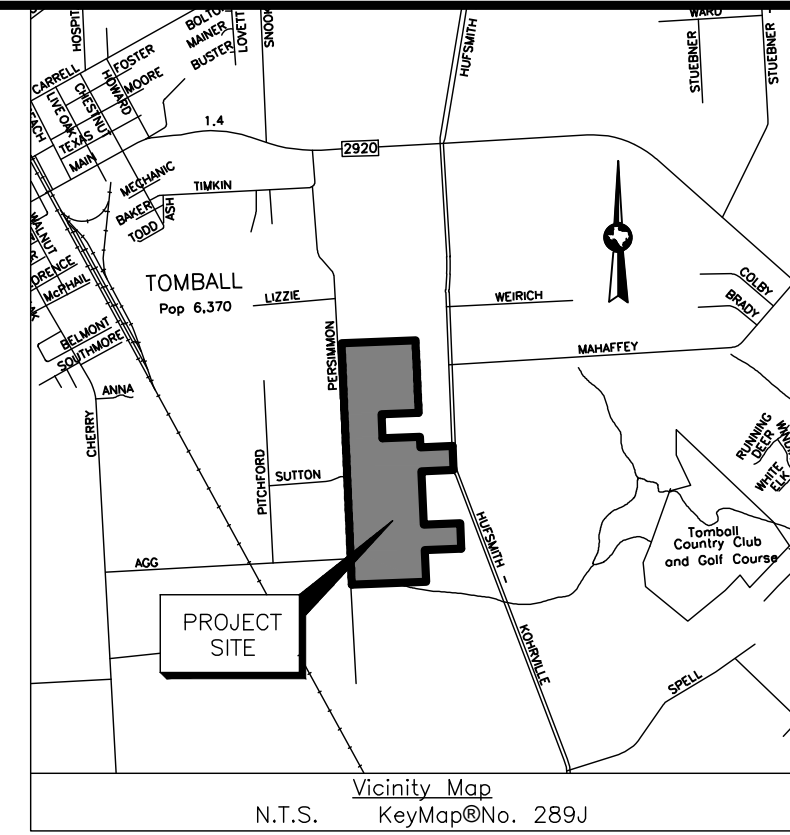
Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: July 13, 2020

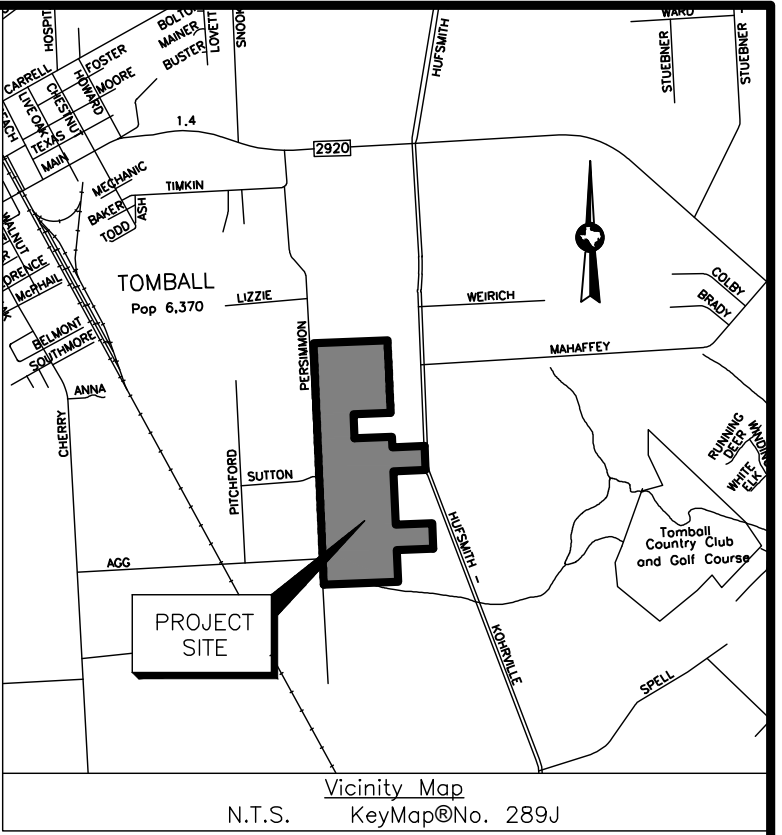
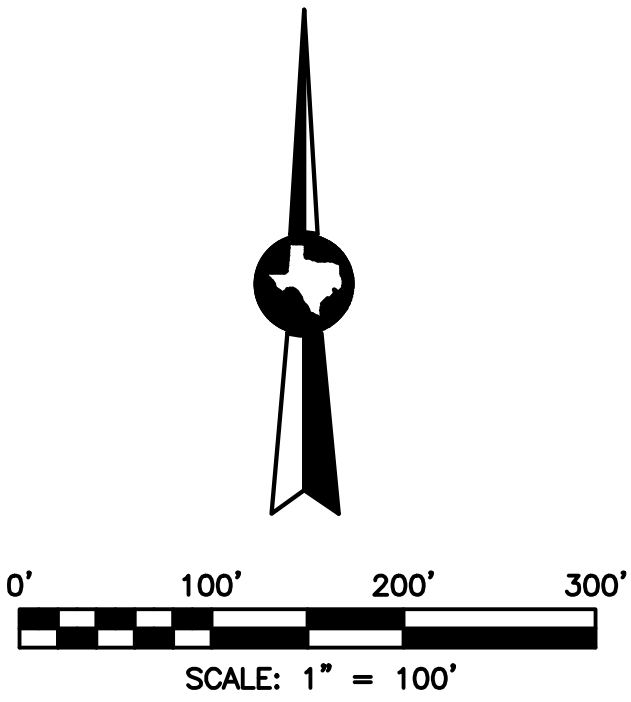
The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

- Reference ROW and easement documents
- Correct vicinity map
- Improve area accuracy
- Add City of Tomball general notes
- Add lien holder signature blocks
- Fix typo

Community Development recommends approval of this plat with contingencies.



MATCHLINE SHEET 2



OUTLOT 263
CORRECTED MAP OF TOMBALL OUTLOTS
VOL. 4, PG. 75 H.C.M.R.
End 1/2" IR

RESTRICTED RESERVE "J"
RESTRICTED TO LANDSCAPE, UTILITY
AND OPEN SPACE PURPOSES
0.5865 ACRES
25,550 SQ. FT.

OUTLOT 267
CORRECTED MAP OF TOMBALL OUTLOTS
VOL. 4, PG. 75 H.C.M.R.

THIS 2.516 AC / 109,610 SQ.FT.
IS HEREBY DEDICATED
TO THE PUBLIC FOR RIGHT-OF-WAY PURPOSES

OUTLOT 271
CORRECTED MAP OF TOMBALL OUTLOTS
VOL. 4, PG. 75 H.C.M.R.

OUTLOT 274
CORRECTED MAP OF TOMBALL OUTLOTS
VOL. 4, PG. 75 H.C.M.R.

OUTLOT 277
CORRECTED MAP OF TOMBALL OUTLOTS
VOL. 4, PG. 75 H.C.M.R.

OUTLOT 281
CORRECTED MAP OF TOMBALL OUTLOTS
VOL. 4, PG. 75 H.C.M.R.

THIS 2.516 AC / 109,610 SQ.FT.
IS HEREBY DEDICATED
TO THE PUBLIC FOR
RIGHT-OF-WAY PURPOSES

BLOCK
UNRESTRICTED RESERVE "H"
24.75 ACRES
1,078,250 SQ. FT.

BLOCK
UNRESTRICTED RESERVE "G"
28.31 ACRES
1,233,212 SQ. FT.

OUTLOT 347
CORRECTED MAP OF
TOMBALL OUTLOTS
VOL. 4, PG. 75 H.C.M.R.

PLUGGED WELL
API 20100614
(PER TX RRC GIS WEBSITE)

RESTRICTED RESERVE "L"
RESTRICTED TO LANDSCAPE, UTILITY
AND OPEN SPACE PURPOSES
0.0197 ACRES
857 SQ. FT.

TRACT A
TRUSS HOUSTON, INC.
VOL. 335, PG. 107 H.C.M.R.

TRACT B
TRUSS HOUSTON, INC.
VOL. 335, PG. 107 H.C.M.R.

TRACT C
TRUSS HOUSTON, INC.
VOL. 335, PG. 107 H.C.M.R.

THIS 0.1723 ACRE / 7,505 SQ.FT.
IS HEREBY DEDICATED
TO THE PUBLIC FOR RIGHT-OF-WAY PURPOSES

RESTRICTED RESERVE "A"

S 87°15'14" W 508.29'
SUTTON LANE
(UNIMPROVED) Vol. 2, Pg. 85 H.C.M.R.

LOT 1
MARTIN ACRES SUBDIVISION
F.C. NO. 509112 H.C.M.R.

RESERVE "A"
CALVARY BAPTIST OF TOMBALL SUBDIVISION
F.C. NO. 520133 H.C.M.R.

RESERVE "B"
CALVARY BAPTIST OF TOMBALL SUBDIVISION
F.C. NO. 520133 H.C.M.R.

**RABURN RESERVE
SEC. 1**

BEING A SUBDIVISION OF 105.0452 ACRES OUT
OF THE JESSE PRUETT SURVEY, A-629
CITY OF TOMBALL
HARRIS COUNTY, TEXAS.

136 LOTS 9 BLOCKS 12 RESERVES
OWNER

HT RABURN RESERVE DEVELOPMENT, LP,
A TEXAS LIMITED PARTNERSHIP
1018 BOX ELDER DRIVE
MAGNOLIA, TEXAS 77354

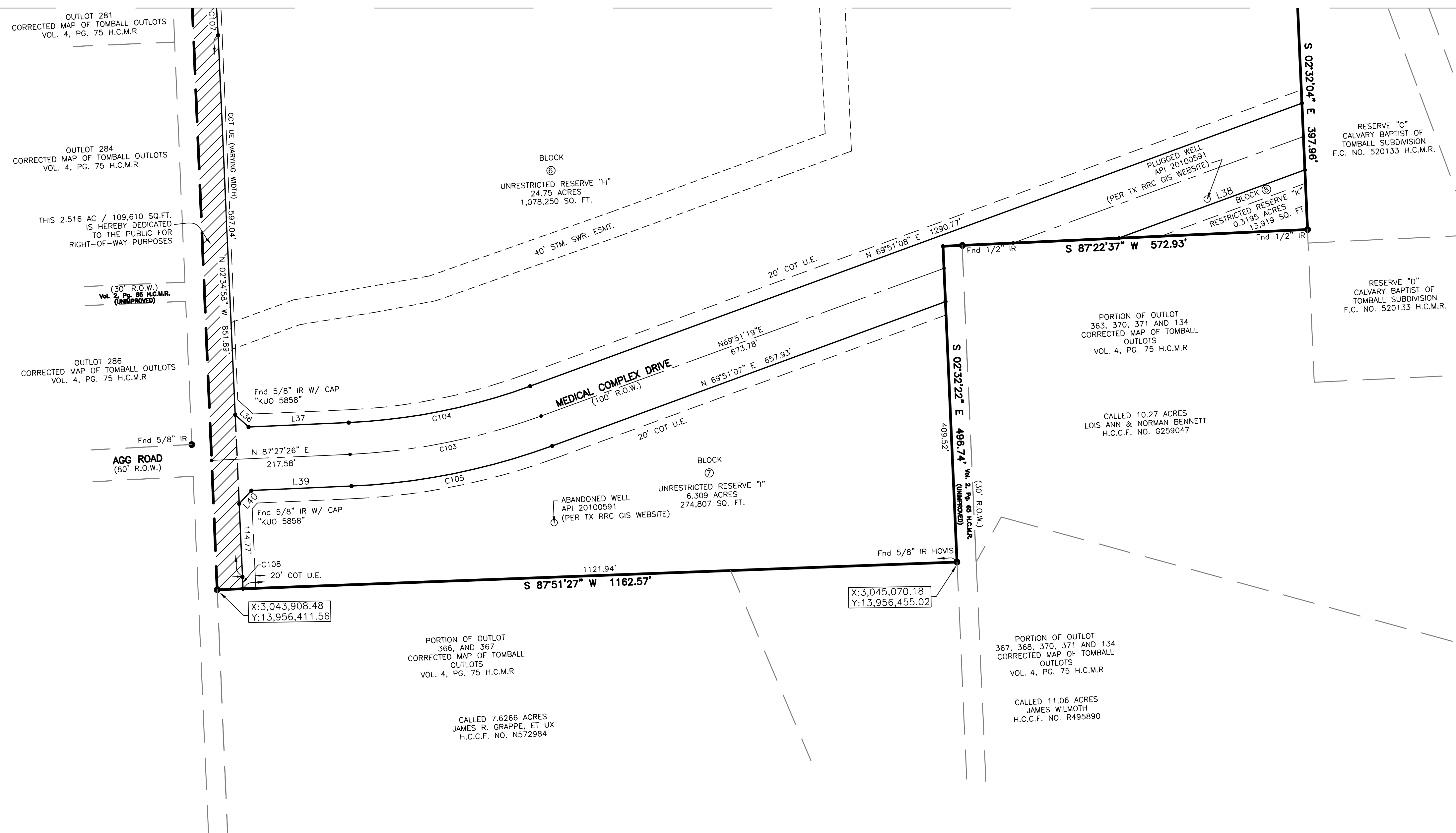
JUNE, 2020



10011 MEADOWGLEN LN
HOUSTON, TEXAS 77042
713-784-4500
WWW.EHRAINCO.COM
TBPE No. F-726
TBPLS No. 10092300

MATCHLINE SHEET 4

MATCHLINE SHEET 3



RABURN RESERVE
SEC. 1

BEING A SUBDIVISION OF 105.0452 ACRES OUT
OF THE JESSE PRUETT SURVEY, A-629
CITY OF TOMBALL
HARRIS COUNTY, TEXAS.

136 LOTS 9 BLOCKS 12 RESERVES

OWNER

HT RABURN RESERVE DEVELOPMENT, LP,
A TEXAS LIMITED PARTNERSHIP
1018 BOX ELDER DRIVE
MAGNOLIA, TEXAS 77354

JUNE, 2020



10011 MEADOWGLEN LN
HOUSTON, TEXAS 77042
713-784-4500
WWW.EHRAINCO.COM
TBPE No. F-726
TBPLS No. 10092300

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:

Consideration to Approve Replat of **LA PETITE MAISON:** A Subdivision of 0.1607 Acre Tract, (7000.00 Square Feet) being a replat of Lots 31 and 32, Block 50 of Revised Map of Tomball as recorded in Volume 4, Page 25, Harris County Map Records, Situated in the William Hurd Survey, Abstract 371, City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

La Petite Maison Replat Comments
La Petite Maison Plat

CITY OF TOMBALL

Plat Name: La Petite Maison Plat Type: Replat

Construction Drawings for Public Facilities required? Yes ☐ No ☐ N/A ☒

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: July 13, 2020

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Community Development recommends approval of this plat.

THE STATE OF TEXAS
COUNTY OF HARRIS

I, RACHAEL RUTLEDGE, HEREINAFTER REFERRED TO AS OWNER OF THE 0.1607 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF LA PETITE MAISON, DO HEREBY MAKE AND ESTABLISH OF SAID SUBDIVISION PROPERTY ACCORDING TO ALL LIENES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE TWENTY FEET (20') ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS SQUARE FEET (18-DIAMETER) WITH CULVERT OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE OR WALKWAYS SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY COVENANTS AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING, AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT, EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

IN TESTIMONY WHEREOF, HAS CAUSED THESE PRESENTS TO BE SIGNED BY RACHAEL RUTLEDGE, THIS _____ DAY OF _____, 2020.

BY: _____
RACHAEL RUTLEDGE

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, RACHAEL RUTLEDGE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGE TO ME THAT THEY EXCUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED .

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DATE OF _____, 2020 .

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES : _____

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF LA PETITE MAISON IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCE OF THE CITY OF TOMBALL AS SHOWN AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2020 .

BY : _____
BARBARA TAGUE, CHAIRMAN

BY : _____
DARRELL ROQUEMORE, VICE CHAIRMAN

I, CRAIG A. LANEY, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTERS INCH (3/4") AND A LENGTH OF NOT LESS THAN THREE FEET (3'), AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

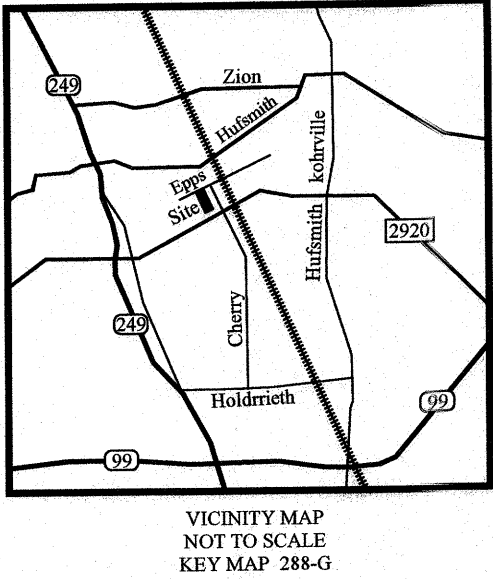
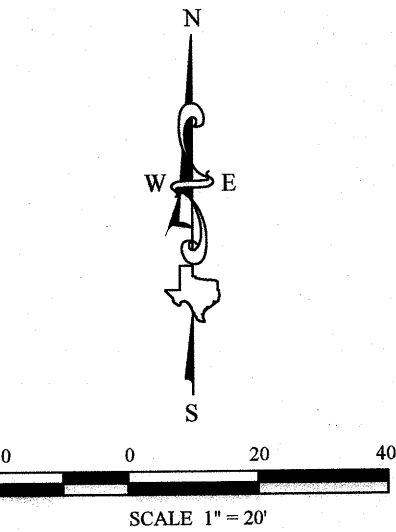
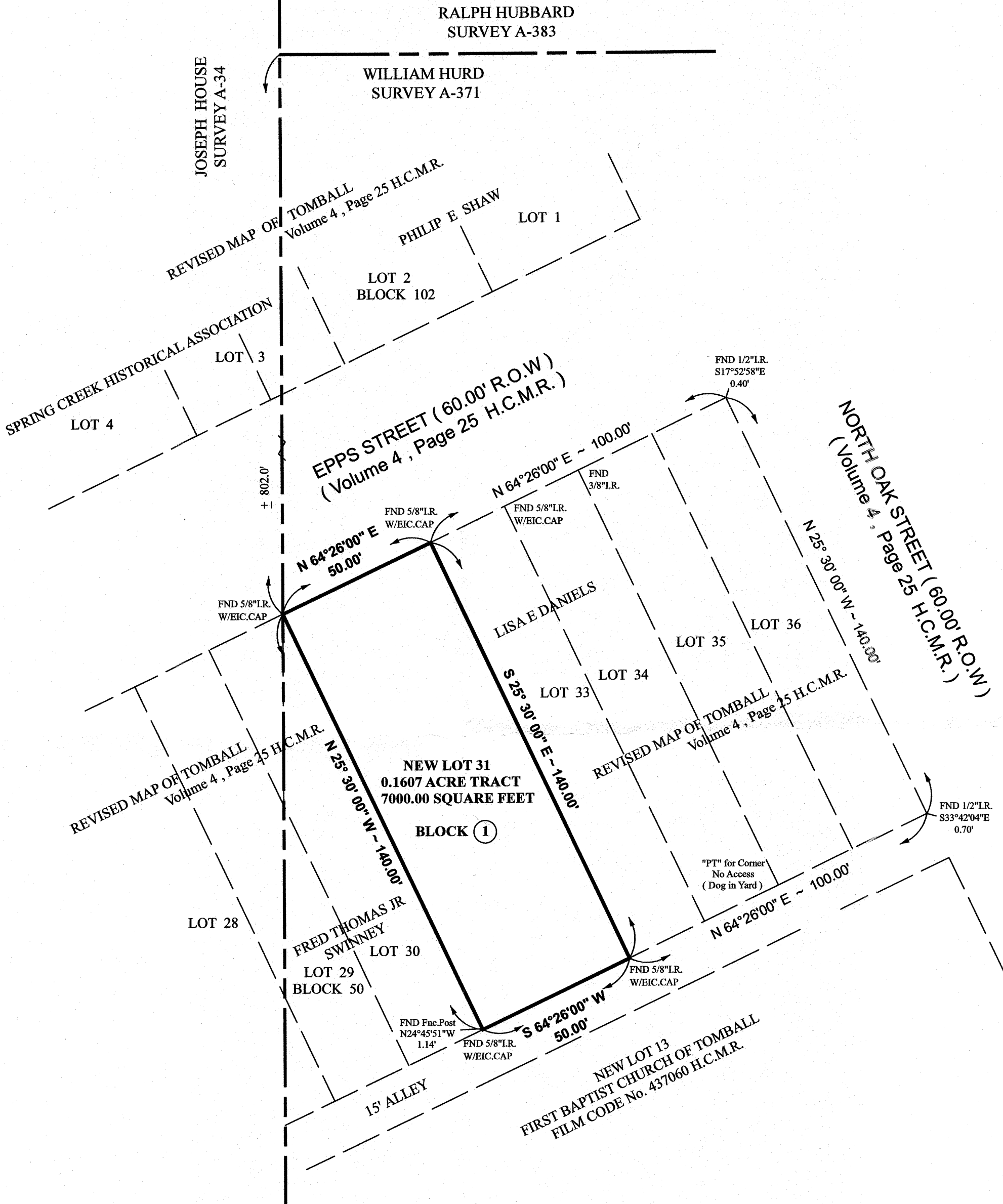
CRAIG A. LANEY, R.P.L.S.
TEXAS REGISTRATION NO. 4507

I, CHRIS HOLLINS, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____ 2020, AT _____ O'CLOCK _____ M., AND DULY RECORDED ON _____ 2020, AT _____ O'CLOCK _____ M., AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY, FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

CHRIS HOLLINS
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY



GENERAL NOTES :

1. B.L. Indicates " Building Lines "
 2. U.E. Indicates " Utility Easement "
 3. D.E. Indicates " Drainage Easement "
 4. I.R. Indicates " Iron Rod "
 5. VOL. Indicates " Volume "
 6. PG. Indicates " Page "
 7. Ac.Tract Indicates " Acre Tract "
 8. S.S.E. Indicates " Sanitary Sewer or Storm Sewer Easement "
 9. R.O.W. Indicates " Right-of-way "
 7. C.F.No. Indicates " Clerk's File Number "
 8. F.C.No. Indicates " Film Code Number "
 9. H.C.M.R. Indicates " Harris County Map Record "
13. Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of it's respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
14. According to the FEMA Firm Panel No. 4803150230L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
15. All oil/ gas pipelines or pipeline easements with ownership through the subdivision have been shown.
16. All oil/ gas wells with ownership (plugged, abandoned, and/ or active) through the subdivision have been shown.
17. No Building or structure shall be constructed across any pipelines, building lines, and/ or easements. Building setback lines will be required adjacent to oil/ gas pipelines. The setback at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas line.
18. This plat does not attempt to amend or remove any valid covenants or restrictions.
19. A ten foot wide City of Tomball utility easement is hereby dedicated to this plat and is centered on the gas main extension from the city of tomball right-of-way or City of Tomball utility easement up to and around the gas meter.

LA PETITE MAISON

A SUBDIVISION OF 0.1607 ACRE TRACT, 7000.00 SQUARE FEET
BEING A REPLAT OF LOTS 31 AND 32,
BLOCK 50 OF REVISED MAP OF TOMBALL
AS RECORDED IN VOLUME 4, PAGE 25,
HARRIS COUNTY MAP RECORDS,
SITUATED IN THE WILLIAM HURD SURVEY, ABSTRACT 371,
CITY OF TOMBALL
HARRIS COUNTY, TEXAS

CONTAINING

1 LOT 1 BLOCK

JUNE 2020

OWNER

RACHAEL RUTLEDGE

403 EPPS STREET
TOMBALL, TEXAS 77375
(281) 639 - 1592

SURVEYOR

E.I.C. SURVEYING COMPANY
FIRM NO. 10033400

12345 JONES ROAD#270
HOUSTON, TEXAS 77070
(281) 955 - 2772

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:

Consideration to Approve Replat of **TOMBALL BUSINESS AND TECHNOLOGY PARK SEC. 2:**
A Subdivision of 18.9107 Acres, (823,750.092 Square Feet), being a Replat of Lots 295 and 500, of Tomball
Townsite as recorded under Vol. 2, Pg. 65, H.C.M.R. Situated in the J. Pruitt Survey, A-629 in Harris
County, Texas.

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Tomball Business Park Partial Plat Comments
Tomball Business Park Plat

CITY OF TOMBALL

Plat Name: Tomball Business and Technology Park Sec. 2 Plat Type: Replat

Construction Drawings for Public Facilities required? Yes ☐ No ☐ N/A ☒

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: July 13, 2020

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

- Update title report reference
- Remove unrecorded easement
- Fix typos

Community Development recommends approval of this plat with contingencies.

STATE OF TEXAS

COUNTY OF HARRIS

We, Tomball Economic Development Corporation acting by and through Gretchen Fagan, President being an officer of Tomball Economic Development Corporation, and Tortuga Operating Company acting by and through Peter L. Turbett, President being an officer of Tortuga Operating Company owners of the 18.9107 acre tract described in the above and foregoing plat of Tomball Business and Technology Park Sec. 2, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet in width from a plane 20 feet above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainageway shall hereby be restricted to keep such drainageways and easements clear of fences, buildings, planting, and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the Tomball Economic Development Corporation has caused these presents to be signed by Gretchen Fagan, President thereunto authorized, this _____ day of _____, 2020.

Tomball Economic Development Corporation

By: _____

Gretchen Fagan
President

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Gretchen Fagan, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2020.

Notary Public in and for the State of Texas

Name: _____

My Commission expires: _____

IN TESTIMONY WHEREOF, the Tomball Economic Development Corporation has caused these presents to be signed by Peter L. Turbett, President thereunto authorized, this _____ day of _____, 2020.

Tortuga Operating Company

By: _____

Peter L. Turbett
President

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Peter L. Turbett, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2020.

Notary Public in and for the State of Texas

Name: _____

My Commission expires: _____

This is to certify that the planning and zoning commission of the City of Tomball has approved this plat and subdivision of Tomball Business and Technology Park Sec. 2 in conformance with the laws of the state and the ordinances of the city as shown hereon and authorized the recording of this plat this _____ day of _____, 2020.

By: _____

Barbara Tague
Chairman

By: _____

Darrell Roquemore
Vice Chairman

I, Chris Collins, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2020, at _____ o'clock ____M., and duly recorded on _____, 2020, at _____ o'clock ____M., and at Film Code No. _____ of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

Chris Collins
County Clerk
of Harris County, Texas

By: _____

Deputy

LINE TABLE				
LINE	DIRECTION	LENGTH		
L1	N87°29'26"E	30.09'		
L2	S02°30'34"E	221.75'		
L3	S89°06'00"E	30.05'		
L4	N87°29'26"E	27.55'		
L5	N04°27'22"W	175.04'		
L6	S01°19'06"E	282.95'		
L7	N87°30'09"E	398.52'		
L8	S87°30'09"W	398.52'		
L9	S01°19'06"E	195.20'		
L10	N87°36'13"E	212.47'		
L11	N63°58'55"E	313.07'		
L12	S63°58'55"W	313.07'		
L13	S42°49'19"W	80.00'		

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION
C1	108.36'	960.00'	6°28'03"	S7°41'23"E-108.31'
C2	339.42'	960.00'	20°15'27"	N21°03'08"W-337.65'
C3	266.23'	960.00'	15°53'22"	N39°07'33"W-265.38'
C4	773.66'	1,040.00'	42°37'22"	N25°46'03"W-755.95'

SURVEYOR'S CERTIFICATION:

I, Shaheen Chowdhury, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference have been marked with iron pipes or rods having an outside diameter of not less than three-quarter inch and a length of not less than three feet; and that the plat boundary corners have been tied to the nearest survey corner.

Shaheen Chowdhury, R.P.L.S.
Texas Registration No. 5858



ABBREVIATIONS:

A.E.—AERIAL EASEMENT
BL.—BUILDING LINE
C.O.T.U.E.—CITY OF TOMBALL UTILITY EASEMENT
ESMT.—EASEMENT
F.H.E.—FIRE HYDRANT EASEMENT
FND.—FOUND
H.C.C.F. NO.—HARRIS COUNTY CLERK'S FILE NUMBER
H.C.D.R.—HARRIS COUNTY DEED RECORDS
H.C.M.R.—HARRIS COUNTY MAP RECORDS
O.P.R.O.R.P.H.C.—OFFICIAL PUBLIC RECORD OF REAL PROPERTY HARRIS COUNTY
I.P.—IRON PIPE
I.R.—IRON ROD
VOL.—VOLUME
PG.—PAGE
R.O.W.—RIGHT OF WAY
U.E.—UTILITY EASEMENT
W.M.E.—WATER METER EASEMENT
W.L.E.—WATER LINE EASEMENT

NOTES:

1. Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved oil or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of it's respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

2. According to FEMA Firm Panel No. 48201C0230L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.

3. All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.

4. All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.

5. No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.

6. This plat does not attempt to amend or remove any valid covenants or restrictions.

7. A ten foot wide City of Tomball utility easement is hereby dedicated to this plat and is centered on the gas main extension from the City of Tomball right-of-way or City of Tomball utility easement up to and around the gas meter.

8. This map was prepared with the benefit of a current City Planning Letter prepared by Courthouse Specialists; Job No. 1727030A; Effective Date July 10, 2018.

9. All bearings and distances are based on Texas State Plane Coordinate System, South Central Zone, NAD83 (CORS96). All distances are in Surface.

10. The Coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to Surface by dividing by the Combined Scale Factor of 0.999942131.

11. A Metes and Bounds description has been prepared in association with this exhibit.

12. All set 3/4 inch iron rods are with cap stamped "KUO".

13. The Parent Tract is subject to the following Leases:

• 1/32 of all the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as the same are set forth in instrument recorded in Volume 1824, Page 692 of the H.C.D.R.

• Oil, Gas and Mineral Lease recorded in Volume 220, Page 412 of the Contract Records of Harris County, Texas in favor of Sherman Nelson (Title to said lease not checked subsequent to its date of execution.)

14. The Parent Tract is subject to the following Blanket Easements:

• Magnolia Pipe Line Company Easement dated August 7, 1933 and recorded under Volume 930 Page 651, H.C.D.R. (Old Lot 295)

• Shell Oil Company Easement dated August 4, 1951 and recorded under Volume 2341, Page 317, H.C.D.R. (Old Lot 295)

• HL&P Easement dated May 26, 1948 and recorded under Volume 2952, Page 607, H.C.D.R. (Old Lot 295)

• Humble Oil & Refining Company Pipeline Easement dated March 24, 1955 and recorded under Volume 2938, Page 534, H.C.D.R. (Old Lot 500)

• Humble Oil & Refining Company Pipeline Easement dated April 24, 1957 and recorded under Volume 3336, Page 271, H.C.D.R. (Old Lot 500)

TOMBALL BUSINESS AND TECHNOLOGY PARK SEC. 2
A SUBDIVISION OF
18.9107 ACRES (823,750.092 SQ. FT.),
BEING A REPLAT OF LOTS 295 & 500
OF TOMBALL TOWNSITE AS RECORDED UNDER
VOL. 2, PG. 65, H.C.M.R.
SITUATED IN THE
J. PRUITT SURVEY, A-629
IN HARRIS COUNTY, TEXAS

2 LOTS 1 BLOCK

PREPARED BY:

OWNERS:

KUO
& associates, Inc.
Consulting Engineers & Surveyors

10300 Westoffice Dr., Suite 800
Houston, TX 77042
Tel: (713) 975-8769
Fax: (713) 975-0920
www.kuoassociates.com
Engineering Firm Registration No. F-4578
Survey Firm Registration No. 1007560

TOMBALL ECONOMIC DEVELOPMENT CORPORATION
29201 QUINN ROAD
TOMBALL, TX 77375
TEL: (281) 401-4086

TORTUGA OPERATING COMPANY
7412 SHADY VILLA LANE
HOUSTON, TX 77055

JUNE, 2020

JOB NO. 18069

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:

Consideration to Approve Final Plat of **830 BAKER SUBDIVISION**: 6.674 Acres, (289,562.38 Square Feet), Located in the J. House, Abstract 34, Harris County, Texas, City of Tomball.

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

830 Baker Subdivision Final Plat Comments
830 Baker Street Final Plat

CITY OF TOMBALL

Plat Name: 830 Baker Subdivision Plat Type: Final

Construction Drawings for Public Facilities required? Yes ☐ No ☐ N/A ☒

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: July 13, 2020

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

- Set survey markers
- Fix typo

Community Development recommends approval of this plat with contingencies.



VICINITY MAP N.T.S. KEY MAP PAGE 288C

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this Plat of Preston Hampton in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this ____ day of _____, 2020.

Barbara Tague, Chairman

Darrell Roquemore, Vice Chairman

I, Chis Hollins, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2020, at ____ o'clock ____ M. and duly recorded on _____, 2020 at ____ o'clock ____ M., and at Film Code Number _____ of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

BY: _____ Deputy
Cris Hollins
County Clerk
of Harris County, Texas

GENERAL NOTES:

- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
- This plat does not attempt to remove any valid covenants or restrictions.
- According to FEMA Firm Panel No. 48201C0230L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain
- Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
- This Plat was performed with the benefit of a City Planning Letter from Fidelity Title G.F. No. FAHCS20003482.
- A ten foot wide City of Tomball utility easement is hereby dedicated to this plat and is centered on the gas main extension from the City of Tomball utility easement up to and around the gas meter.

We, _____, owner of said lien against the property described in the plat known as 830 Baker Subdivision, said lien being evidenced by instrument of record in the Clerk's File No. 20130356492 & 20130356493 of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and we hereby confirm that we are the present owner of said lien and have not assigned the same nor any part thereof.

By: _____

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2020

Notary Public in and for the State of Texas

Print name: _____

My Commission expires: _____

SURVEYOR:
KING'S LAND SURVEYING SOLUTIONS, LLC
DAVID KING, R.P.L.S. 4503
PHONE: 281-350-8003
EMAIL: info@kingslandsurveying.com
FIRM NUMBER 10152100

OWNER:
William A. Benson, Jr., and
wife Katherine C. Benson
830 Baker Dr.
Tomball, TX 77375

I, David E. King, Sr., am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.

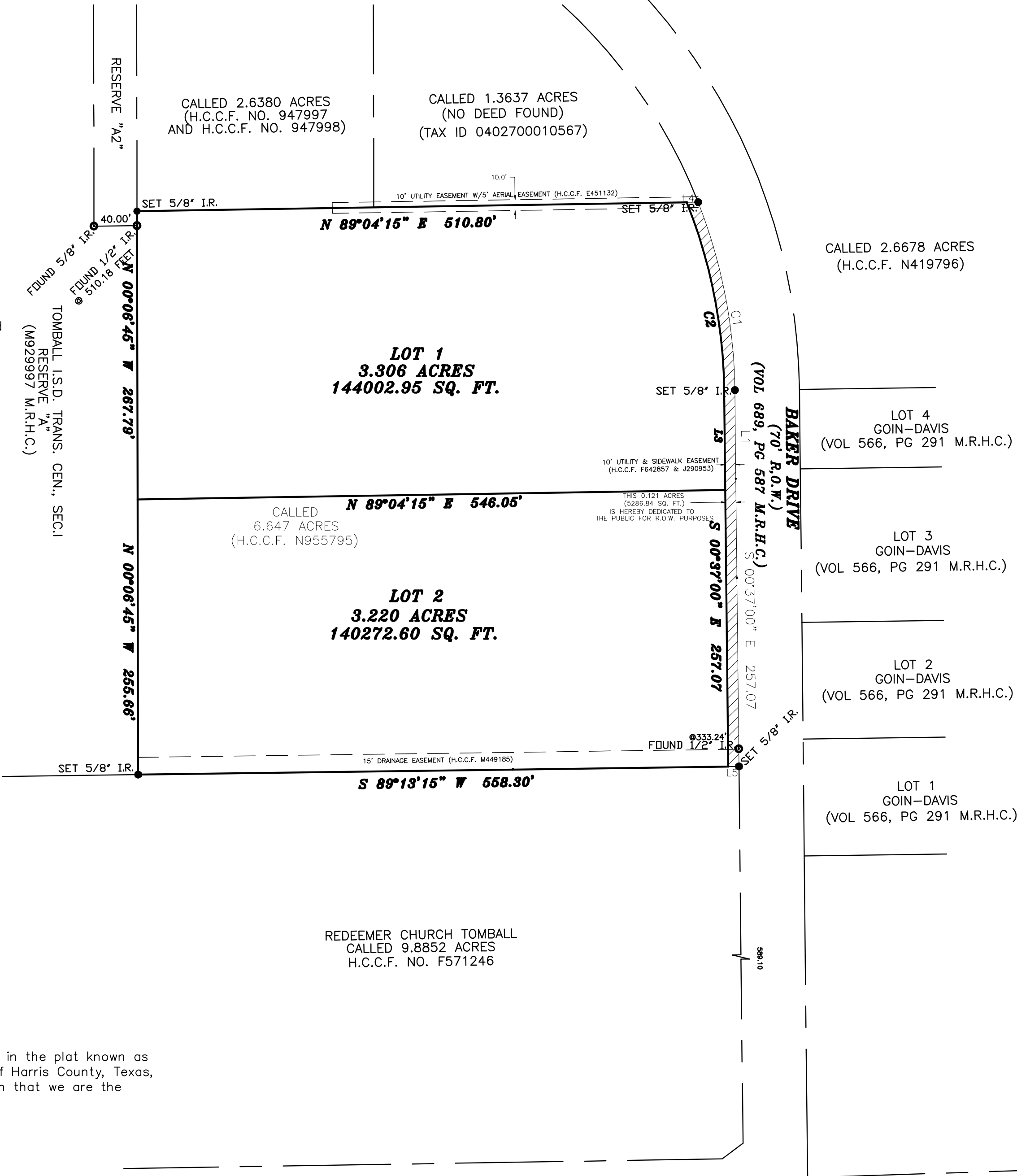
David E. King, Sr. 01/2/2020
Registered Professional Land Surveyor
Texas Registration No. 4503



LEGEND

These standard symbols will be found in the drawing.

- FOUND MONUMENT
- SET 5/8" I.R.
- EASEMENT LINE



STATE OF TEXAS
COUNTY OF HARRIS

We, William A. Benson, Jr., and wife Katherine C. Benson, and by hereinafter referred to as Owner of the 6.647 ACRES acre tract described in the above and foregoing plat of 830 BAKER SUBDIVISION, do hereby make and establish said subdivision and development plat of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owner has dedicated and by these presents does dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet (5') in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, Owner does hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owner do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

WITNESS my hand in the City of Tomball, this ____ day of _____, 2020.

By: _____
William A. Benson, Jr.
Owner
Date _____

By: _____
Katherine C. Benson
Owner
Date _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared William A. Benson, Jr., and wife Katherine C. Benson, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledgment to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2020

Notary Public in and for the State of Texas

Print name: _____

My Commission expires: _____

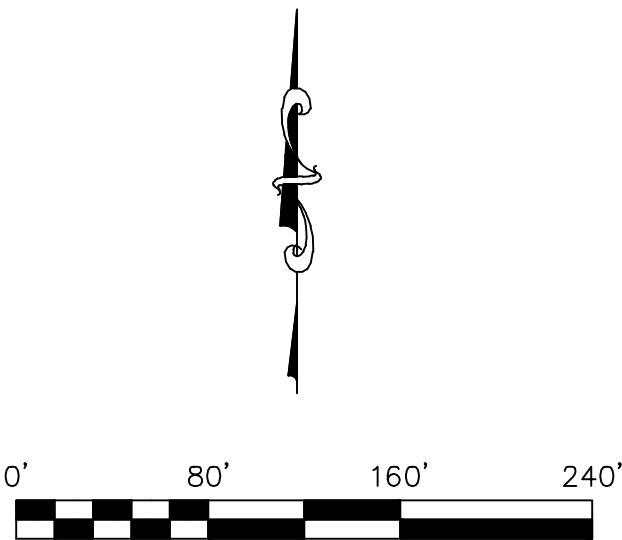
830 BAKER
SUBDIVISION
6.647 ACRES (289562.38 SQUARE FEET)
LOCATED IN THE
J HOUSE, ABSTRACT 34
HARRIS COUNTY, TEXAS
CITY OF TOMBALL
CONTAINING
1 BLOCK, 2 LOT
JULY, 2020

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	491.67'	178.93'	177.94'	S 11°02'31" E	20°51'05"
C2	491.67'	178.93'	177.94'	S 11°02'31" E	20°51'05"

LINE TABLE

L1	S 00°37'00" E	82.55'
L3	N 00°37'00" W	92.63'
L4	S 89°04'15" W	10.69'
L5	S 89°13'15" W	10.00'



Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:

Consideration to Approve **Zoning Case P20-069**: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-069**

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Notice of Public Hearing
Property Owner Notification
Response Letters
Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.

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 City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

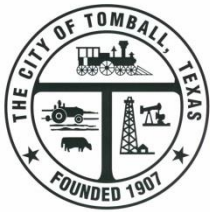
C E R T I F I C A T I O N

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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley
City Planner

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.tomballtx.gov.



Notice of Public Hearing

YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P20-069

APPLICANT/OWNER: Richard C. James

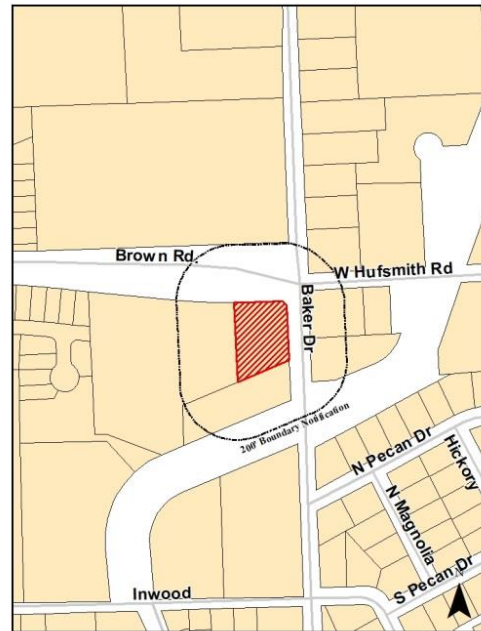
LOCATION: Generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1 Acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District.

CONTACT: Amelia Lindley, City Planner

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov



Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.

**Planning & Zoning Commission
Public Hearing:
Monday, July 13, 2020 6:00 PM**

**City Council Public Hearing:
*Monday, July 20, 2020 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.

Amelia Lindley

From: Pamela Kaiser <pkaiser54@yahoo.com>
Sent: Friday, June 12, 2020 4:38 PM
To: Amelia Lindley
Cc: Mark Stoll
Subject: Change of zoning request

Dear Ms. Lindsey,

Please share this letter with the City Council and the Planning and Zoning Commission before July 13.

My husband and I lived in Tomball off and on since 1972 and are well aware of the benefits Tomball has to offer its citizens. Two years ago we bought our home at 815 Baker Drive. This area is zoned single-family residential use. We take pride in living among other single family residences as we all work hard to keep our home values high.

We are concerned about the possibility of changing the Baker Drive/Brown Road from single family residential to mixed use development. We believe that our community would be significantly downgraded and the value of our homes decreased by allowing an office building to be built in this area.

Please vote to keep Baker Drive/Brown Road single-family residential use as it should be.

Respectfully,

Tommy & Pamela Kaiser

Amelia Lindley

From: Nancy Heuring <heurinns@gmail.com>
Sent: Wednesday, July 8, 2020 10:20 AM
To: Amelia Lindley
Subject: Rezoning of Property - Brown Road & Baker Drive

Ms. Lindley -

I am emailing you regarding the *rezoning of the property located at Baker Drive & Brown Road*.

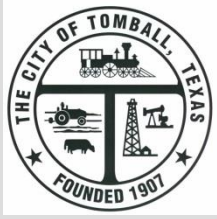
Our family moved to Tomball in 2018 and currently live in the Yaupon Trails Subdivision. We decided on this location because of the small town environment and close knit community. However, we are very concerned about the possible rezoning of the property mentioned above and would like to convey our disapproval of this measure.

Not only will this decrease our home value by building an office space at this location, it will introduce a mixed use development (commercial and residential). There are currently other commercial office spaces advertising vacancies that could be considered. (i.e. Rosewood Professional Bldg @ 990 Village Square)

Please do not change the zoning to allow for commercial office space amongst so many well developed family neighborhoods.

Respectfully,

Nancy Heuring
29903 Anna Trails
Tomball, Tx 77375



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case: P20-069
Property Owner(s): Tejuma Brown Rd., LLC
Applicant(s): Richard C. James
Legal Description: Reserve B Block 1 Brown Hufsmith Church Subdivision
Location: Southwest corner of Brown Road and Baker Drive (Exhibit “A”)
Area: 1 acre
Comp Plan Designation: Neighborhood Residential (Exhibit “B”)
Present Zoning and Use: Single-Family 6 District (Exhibit “C”) / Undeveloped (Exhibit “D”)
Proposed Use(s): Office(s) (Exhibit “D”)
Request: Rezone from the Single-Family 6 District to the Office District
Adjacent Zoning & Land Uses:
North: Single-Family 9 District / Redeemer Church (under construction)
South: Single-Family 6 District / Drainage channel
West: Single-Family 6 District / The Church of Jesus Christ of Latter-day Saints
East: Single-Family 6 District / Single-family residences

BACKGROUND

Representatives of the property owner reached out to City Staff regarding the use of the property in early 2020. After the request was first presented to the Planning & Zoning Commission on May 11, 2020, the applicant requested to postpone the rezoning.

ANALYSIS

The property is currently zoned Single-Family 6 District. Surrounding properties are zoned Single-Family 20 Estate, Single-Family 9 and Single-Family 6, however, most of the surrounding land uses are non-residential. There are two churches and a drainage channel in the immediate area and an assisted living business, daycare, and elementary school close by. There are a few single-family residences across Baker Drive.

According to Section 50-75, the purpose of the Office District is “to create an appropriate setting for low intensity office and professional uses. The district can be used as a transition district between residential uses and more intense uses, and with appropriate buffers and landscaping, this

district may be located in close proximity to residential districts.” Uses permitted in the Office District should not create excess noise, traffic or late-night hours of operation.

Since there are existing non-residential uses in the area, the Office Zoning District would provide a transition district between the non-residential uses and the residences along Baker Drive. Baker Drive also offers a buffer from the existing non-residential uses, as well as any potential non-residential development on the subject site. Uses permitted in the Office District are typically low intensity and the district requirements protect neighboring residences. If the site requires parking lot lighting, the Code of Ordinances requires zero spill-over onto adjacent residential properties. Non-residential uses are also required to provide landscaping along the streets as well as in the parking areas.

The property is designated as Neighborhood Residential by the Comprehensive Plan Future Land Use Map. This category is intended for single-family detached dwellings. The proposed rezoning is not compatible with the Future Land Use Map’s designation, however, the Comprehensive Plan also states that “limited commercial services...that do not require large parking lots would be appropriate where residential collector streets meet arterials”.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 26, 2020. A Notice of Public Hearing was published in the paper on June 24, 2020. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-069.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photos
- E. Rezoning Application

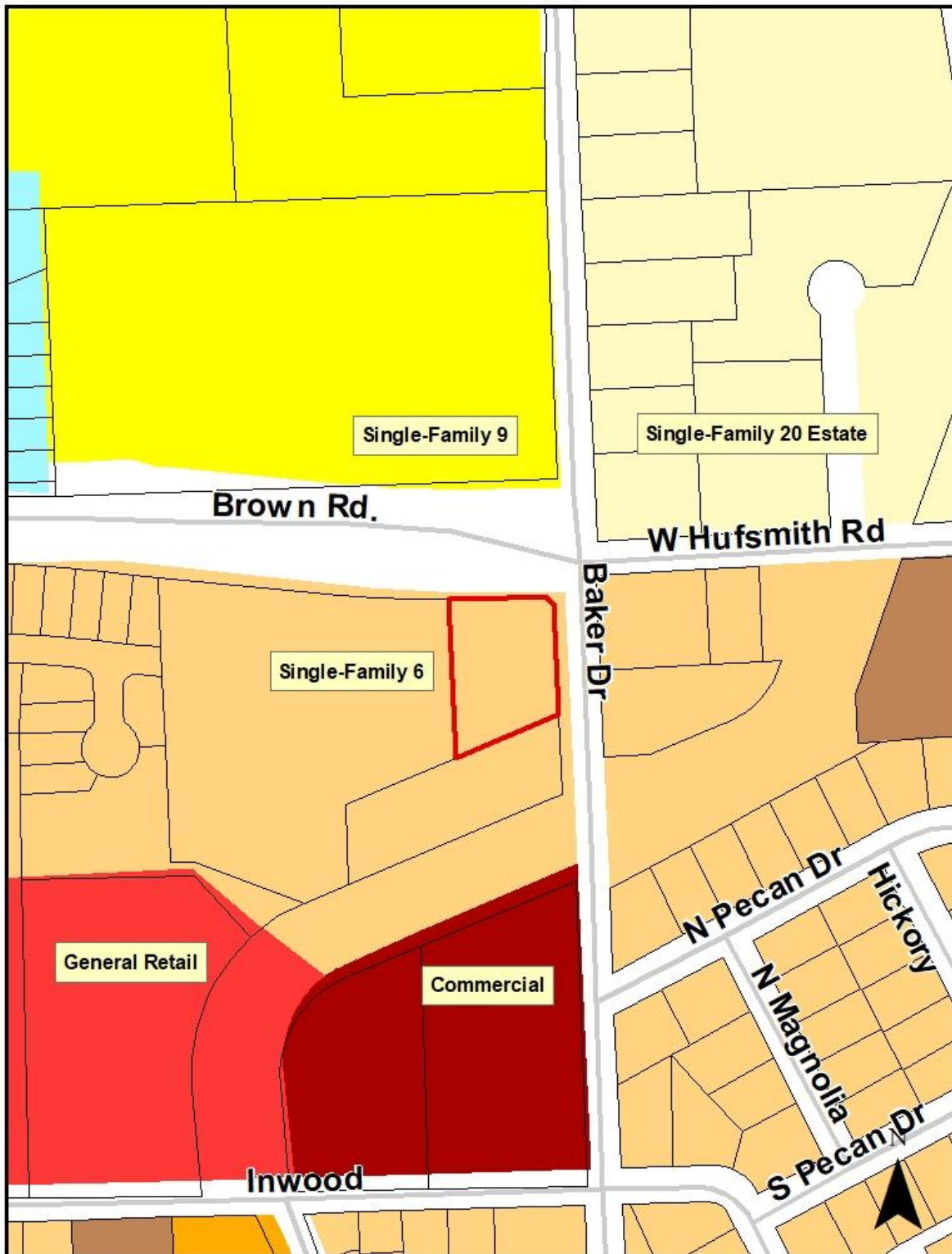
Exhibit "A"
Aerial Photo



**Exhibit “B”
Comprehensive Plan**



Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Exhibit "E"

Rezoning Application



RECEIVED (KC)
03/30/2020 2:23:11 PM

Revised 5/19/15

P&Z #20-069

\$400.00

APPLICATION FOR REZONING

Community Development Department
Planning Division

APPLICATION SUBMITTAL: Applications will be **conditionally** accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

Applicant

Name: RICHARD C. JAMES Title: Attorney for Owner
Mailing Address: 719 SAWDUST RD, STE 300 City: THE WOODLANDS State: TX
Zip: 77380
Phone: (713) 389-5755 Fax: (713) 389-5756 Email: RICHARD@RCJLAWFIRM.COM

Owner

Name: TEJUMA BROWN RD LLC Title:
Mailing Address: 20703 SUNDANCE SPRINGS LN City: SPRING State: TX
Zip: 77379
Phone: () Fax: () Email:

Engineer/Surveyor (if applicable)

Name: Title:
Mailing Address: City: State:
Zip:
Phone: () Fax: () Email:

Description of Proposed Project: PROFESSIONAL AND GENERAL BUSINESS OFFICE AND/OR MEDICAL (NON-EMERGENCY) SUITES

Physical Location of Property: SW CORNER OF BROWN RD / BAKER DR / W HUFSMITH RD CONFLUENCE

[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: Unrestricted Reserve B of Brown-Hufsmith Church Subdivision File # RP-2017-208595

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF-6 SINGLE FAMILY

Current Use of Property: INVESTMENT

Proposed Zoning District: OFFICE

Proposed Use of Property: PROFESSIONAL AND GENERAL BUSINESS OFFICE USE

HCAD Identification Number: 1387630010002 **Acreage:** 1.0

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is **COMPLETE, TRUE, and CORRECT** and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

☒  3/24/2020
Signature of Applicant Date

☒  March 30, 2020
Signature of Owner Juan I. Martinez, Authorized Member of Owner Date

JAMES LAW FIRM, P.L.L.C.

Richard C. James
719 Sawdust Road
Suite 300
The Woodlands, Texas 77380

Phone (713) 389-5755
Fax (713) 389-5756
richard@rcjlawfirm.com
www.rcjlawfirm.com

March 30, 2020

City of Tomball
Planning & Zoning Commission
501 James Street
Tomball, Texas 77375

Attn: Ms. Amelia Lindley
City Planner, City of Tomball
E: alindley@tomballtx.gov

Re: Request for a Zoning Ordinance Change
1.0-acre property: Property ID No. 1387630010002
0 Brown Road
Tomball, Texas 77375

Dear Ms. Lindley,

On behalf of the current owner, TEJUMA BROWN ROAD LLC, I request a Zoning Ordinance change to the above-referenced property.

The property was originally purchased on August 13, 2013 encompassing 15.27-acres. Since acquisition, all this property, except the above-referenced 1-acre property, has been sub-divided and sold to different landowners. Specifically, Tejuma sold 5.0474 acres to the Church of Jesus Christ and the Latter Day Saints, for a church, an acceptable use in SF-6 zoning. Further, Tejuma transferred 9.2191 acres at the intersection of Quinn and West Hufsmith to Brown Road, LLC for a residential subdivision. The remaining undeveloped property is a 1-acre parcel at the southwest intersection of Brown Road and Baker Drive. The property resides within the Tomball city limits and is currently zoned for single-family use, SF-6; however, this zoning really no longer fits a 1-acre property.

Going forward, my request for a zoning change is an attempt to convert the 1.0-acre property from Single-Family to Office District. This request is supported by the following reasons:

- 1) Historic zoning may have made sense many years ago; however, surrounding land uses and traffic patterns have evolved over the years.
- 2) I am aware of a previous attempt to change this particular parcel of land to Commercial District in 2017. It is my understanding that a convenience store / fuel station was proposed on the property. The proposed use change was met with nearby resident opposition.
- 3) Due to the sensitivities of the residents, the Owner believes that re-zoning the property to Office District is a favorable use given the historical evidence. As the Office District provisions state, the use creates an appropriate setting for low density, low volume vehicular traffic and is suitable as a transition district between residential uses and business uses, with appropriate buffers, landscaping, and building height restrictions.
- 4) The ordinance change to Office District may alleviate the residents' previous concerns related to an unsightly use, structure, lighting, noise, traffic, and other undesired issues.
- 5) The ordinance change to Office District will enable the Owner to pursue a development strategy that aligns with the City's ordinance provisions.
- 6) As it relates to the City's Zoning Matrix, rezoning to Office District aligns with the Owner's vision for the property, with the intent is to develop the tract according to the following permitted uses:

- a. Office, professional and general business
- b. Clinic, medical and/or dental (non-emergency)
- 7) Rezoning to Office District may attract a variety of professional businesses and services to the area, and the surrounding community will likely benefit.
- 8) Rezoning to Office District is appropriate given the surrounding residences and the more recent transition of uses in the immediate area.
- 9) Assuming that the Owner follows through with the development plan, rezoning to Office District will generate new tax revenue sources for the City of Tomball and Harris County.

I appreciate the opportunity to submit this Zoning Ordinance change request. Please do not hesitate to contact me if there are any questions related to the property and/or request.

Sincerely,

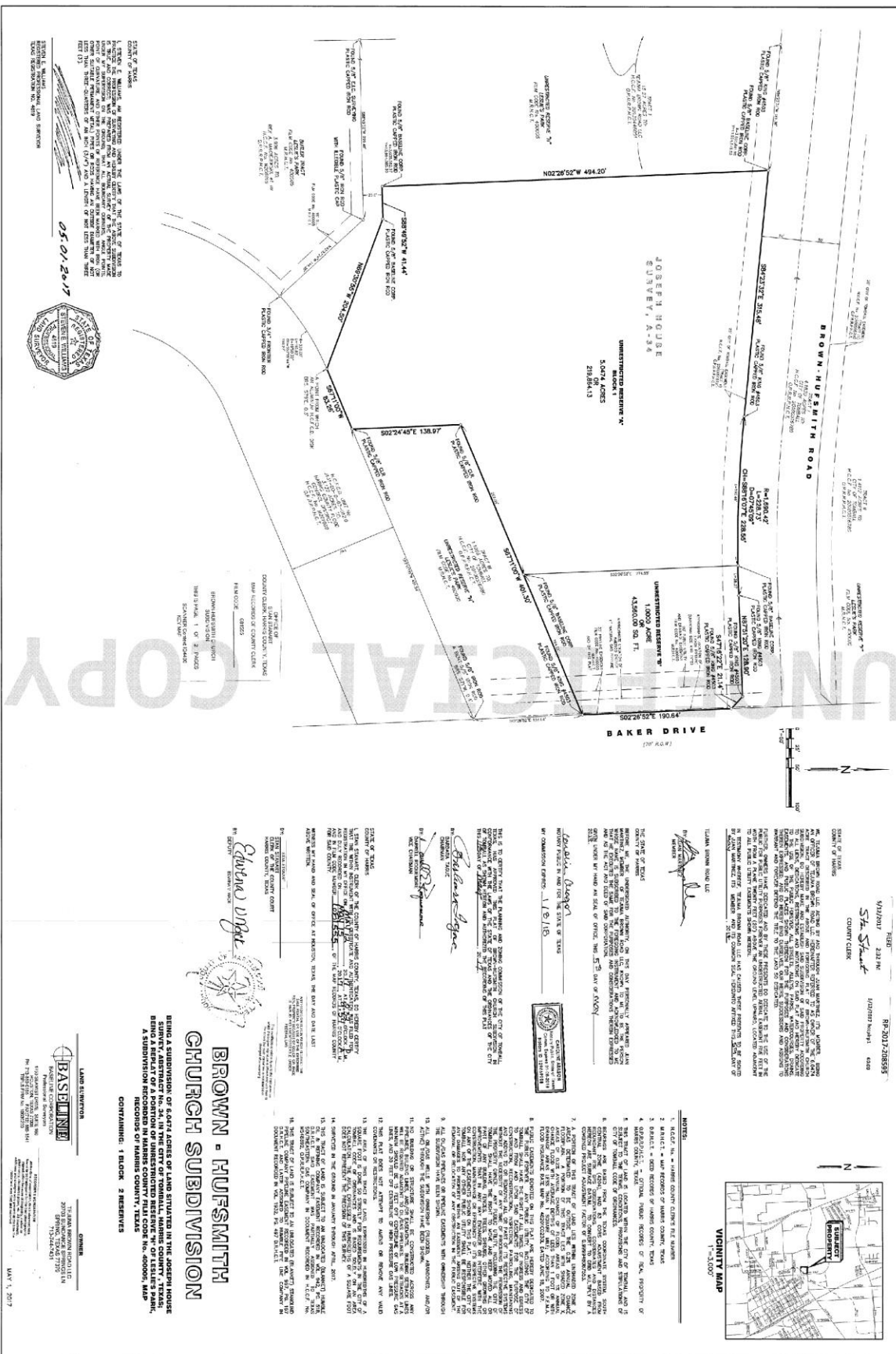
R. James

Richard C. James

Enclosures: Zoning Map Exhibit – Subject Property
 Application for Rezoning and its enclosures for the Application

Zoning Map Exhibit – Subject Property
1.0-acre property: Property ID No. 1387630010002





TAX CERTIFICATE

ANN HARRIS BENNETT
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
1001 PRESTON, SUITE 100
HOUSTON, TEXAS 77002

Issued To:
TEJUMA BROWN ROAD LLC
20703 SUNDANCE SPRINGS LN
SPRING, TX 77379-8224

Legal Description
RES H BLK I
LESLIES PARK

Parcel Address: 9 BROWN RD
Legal Acres: 15.2700

Account Number: 119-522-001-0008

Certificate No: 1203586
Certificate Fee: \$10.00

Print Date: 05/04/2017
Paid Date: 05/04/2017
Operator ID: DFKURLLY

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2016. ALL TAXES ARE PAID IN FULL.

Exemptions:

Certified Owner:

TEJUMA BROWN ROAD LLC
20703 SUNDANCE SPRINGS LN
SPRING, TX 77379-8224

Certified Tax Unit(s):

40 Harris County
41 Harris County Flood Control Dist
42 Port of Houston Authority
43 Harris County Hospital District
44 Harris County Dept. of Education
45 Lone Star College System
46 City of Tomball
679 Emergency Service Dist #8 (E.M.S.)

2016 Value: 1,230,548
2016 Levy: \$14,519.36
2016 Levy Balance: \$0.00
Prior Year Levy Balance: \$0.00
Total Levy Due: \$0.00
P&I + Attorney Fee: \$0.00
Total Amount Due: \$0.00

OFFICE OF
STAN STANWART
COUNTY CLERK, HARRIS COUNTY, TEXAS
MAP RECORDS OF COUNTY CLERK

FILM CODE 681550

BROWN-HUFSMITH CHURCH
SUBDIVISION

THIS IS PAGE 2 OF 2 PAGES

SCANNER Context IQ4400

Reference: *[Signature]*
Issued By:
ANN HARRIS BENNETT
HARRIS COUNTY TAX ASSESSOR-COLLECTOR

53.1.80

TAX CERTIFICATE FOR ACCOUNT: 1195220010008
AD NUMBER: 1195220010008
OF NUMBER:
CERTIFICATE NO: 2192721
COLLECTING AGENCY:
Brian Luehly
PO Box 276
Tomball TX 77377-0276

DATE: 5/5/2017
FEE: \$10.00
PROPERTY DESCRIPTION:
RES H BLK I LESLIES PARK

PAGE 1 OF 1

0000000 BROWN RD
15.27 ACRES
PROPERTY OWNER:
TEJUMA BROWN ROAD LLC
20703 SUNDANCE SPRINGS LN
SPRING TX 773798224

REQUESTED BY
MARCO LOPEZ

TX

THIS IS TO CERTIFY THAT THE AD VALOREM RECORDS OF THE TOMBALL ISD TAX ASSESSOR-COLLECTOR REFLECT THE TAX, INTEREST, AND OTHER STATUTORY FEES THAT HAVE BEEN ASSESSED AND ARE NOW DUE TO THE TAXING ENTITIES AND FOR THE YEARS SET OUT BELOW FOR THE DESCRIBED PROPERTY HEREIN. THE TAX ASSESSOR-COLLECTOR MAKES NO CERTIFICATION AS TO THE AMOUNT OF TAX, PENALTY, INTEREST, OR OTHER FEES ASSESSED BY OR DUE ANY TAXING ENTITY FOR THE YEAR OR YEARS FOR WHICH THE TAX ASSESSOR-COLLECTOR DID NOT HAVE THE STATUTORY DUTY TO COLLECT OR KEEP RECORDS OF SUCH COLLECTION. ADDITIONAL TAXES MAY BECOME DUE ON THE DESCRIBED PROPERTY, WHICH ARE NOT REFLECTED HEREIN. IF THE SAID DESCRIBED PROPERTY HAS OR IS RECEIVING ANY SPECIAL STATUTORY VALUATIONS THAT MAY TRIGGER TAX ROLLBACK PROVISIONS, THIS CERTIFICATE APPLIES TO ADVALOREM TAXES ONLY AND DOES NOT APPLY TO ANY SPECIAL ASSESSMENT LEVIES.

CURRENT VALUES							
LAND MKT VALUE	1,230,548	IMPROVEMENT	0	DEF HOMESTEAD	0	ATTY	0.00
AG LAND VALUE	0	LIMITED VALUE	0				
APPRAISED VALUE	1,230,548						
EXEMPTIONS:							
LAWSUITS							
YEAR	TAX UNIT	LEVY	PEN	INT	DEF INT	ATTY	AMOUNT DUE
2016	TOMBALL I.S.D.	0.00	0.00	0.00	0.00	0.00	0.00
2016 SUB TOTAL							\$0.00

TOTAL CERTIFIED TAX DUE 5/5/2017: \$ 0.00

ISSUED TO: MARCO LOPEZ
ACCOUNT NUMBER: 1195220010008

CERTIFIED BY: *[Signature]*

TOMBALL I.S.D.

This is a statement from the Tax Collector of Tomball I.S.D., indicating that the taxes to be imposed by Tomball Independent School District for the 2017 tax year have not been calculated as of the above date.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:

Consideration to Approve **Zoning Case P20-099**: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-099**

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Notice of Public Hearing
Property Owner Notification
Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.

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 City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

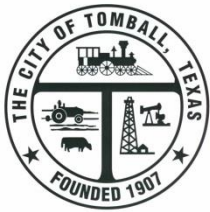
C E R T I F I C A T I O N

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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley
City Planner

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.tomballtx.gov.



Notice of Public Hearing

YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P20-099

APPLICANT/OWNER: Daniel Rodano

LOCATION: Generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District.

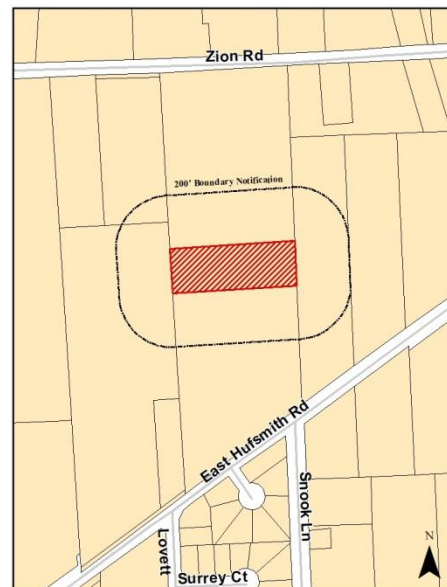
CONTACT: Amelia Lindley, City Planner

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.

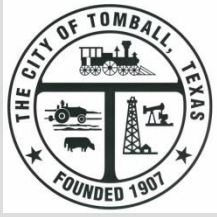


**Planning & Zoning Commission
Public Hearing:
Monday, July 13, 2020 6:00 PM**

**City Council Public Hearing:
*Monday, July 20, 2020 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case: P20-099
Property Owner(s): Daniel Rodano
Applicant(s): Daniel Rodano
Legal Description: Part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots
Location: North side of East Hufsmith Road at Snook Lane (Exhibit "A")
Area: 1.7958
Comp Plan Designation: Ranch Rural & Estate (Exhibit "B")
Present Zoning and Use: Single-Family 20 Estate District (Exhibit "C") / Undeveloped (Exhibit "D")
Proposed Use(s): Office and RV storage (Exhibit "E")
Request: Rezone a portion of the property from the Single-Family 20 Estate District to the Commercial District

Adjacent Zoning & Land Uses:

North: Single-Family 20 Estate District / Single-family residence
South: Commercial District / Cornerstone Electric, single family residences
West: Single-Family 20 Estate District / Boxwood Manor (wedding venue)
East: Agricultural District / Single-family residence

BACKGROUND

City Staff began discussions with the property owner and representatives regarding the development of the site in early 2020.

ANALYSIS

The property as a whole is approximately 13 acres of land with frontage on both Zion Road and East Hufsmith Road. The property is split zoned: Single-Family 20 Estate District on the northern portion and Commercial District on the southern portion. Surrounding properties are zoned Single-Family 20 Estate to the north and west, Commercial to the south and Agricultural on the east.

This area of East Hufsmith has seen non-residential development in the recent past, including a wedding venue, Boxwood Manor, which is directly adjacent to the subject site on the west. Other recent developments include a boat and RV storage facility and office/warehouses. A portion of the property is already zoned Commercial, and, according to the Rezoning Application, the intended use of the portion of the property being rezoned is to serve as the detention pond for the commercial development which would provide a buffer for surrounding properties.

The property is designated as Ranch Rural & Estate by the Comprehensive Plan Future Land Use Map. The proposed rezoning does not meet the intent of the Future Land Use category; however, it does meet the character of the increasingly non-residential area of East Hufsmith Road.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 26, 2020. A Notice of Public Hearing was published in the paper on July 1, 2020. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-099.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photos
- E. Rezoning Application

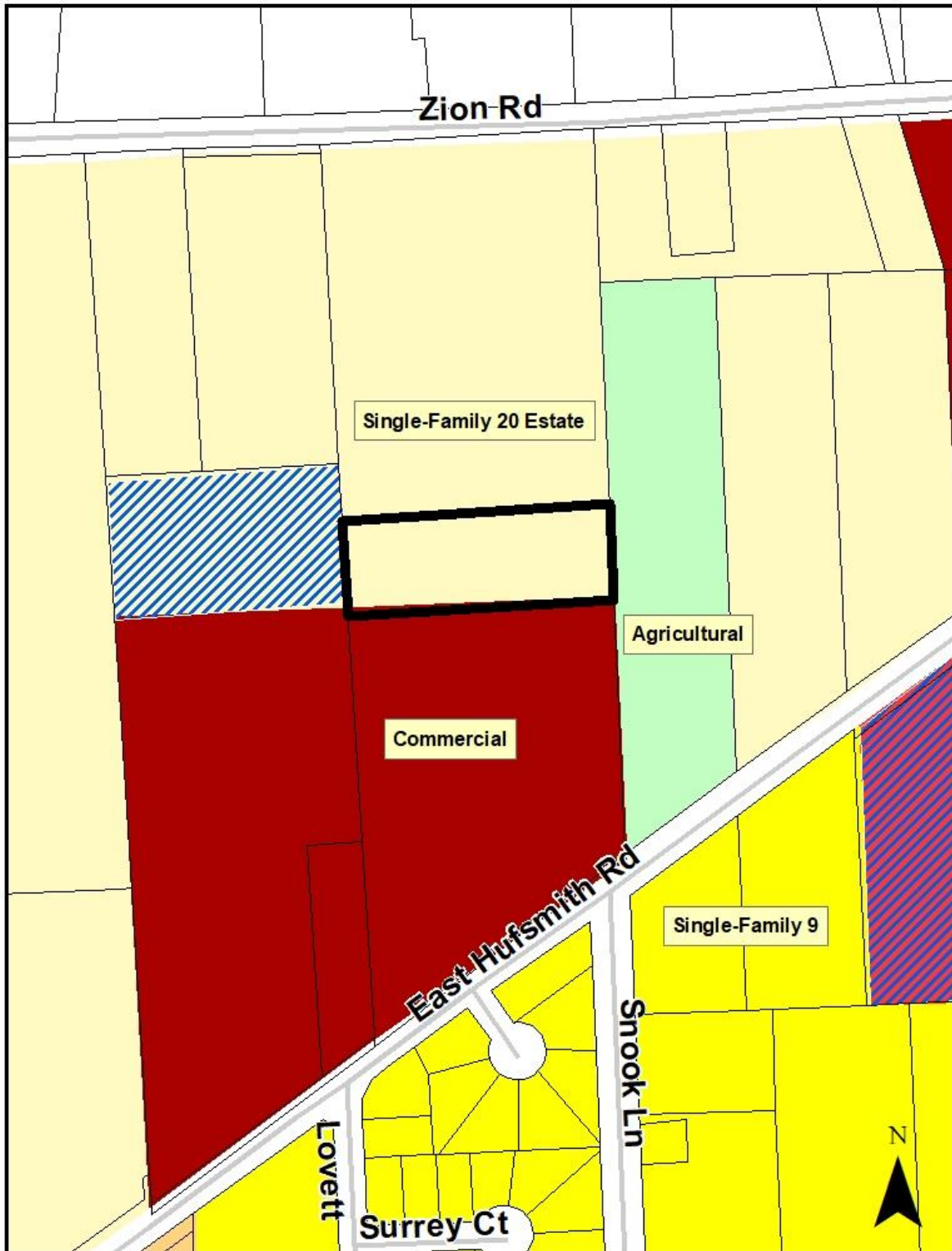
Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan



Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Exhibit "E"
Rezoning Application



RECEIVED (KC)
05/15/2020 2:30:38 PM

Revised 5/19/15
ZONING CASE #P20-099
\$420.00

APPLICATION FOR REZONING

Community Development Department
Planning Division

APPLICATION SUBMITTAL: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

Applicant

Name: Daniel Rodano Title: _____
Mailing Address: 12125 Zion Rd City: Tomball State: TX
Zip: 77375
Phone: (713) 824-3454 Fax: (_____) Email: coach16a@aol.com

Owner

Name: Daniel Rodano Title: _____
Mailing Address: 12125 Zion Rd City: Tomball State: TX
Zip: 77375
Phone: (713) 824-3454 Fax: (_____) Email: coach16a@aol.com

Engineer/Surveyor (if applicable)

Name: DPK Engineering, LLC David Kelly Title: President
Mailing Address: PO Box 823 City: Fulshear State: TX
Zip: 77441
Phone: (281) 346-2616 Fax: (_____) Email: david.kelly@dpkengineering.com

Description of Proposed Project: Office Condominiums and RV Storage

Physical Location of Property: On north side of E Hufsmith Rd across from Snook Ln
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: PT TRS 6A 12A 18A 24A 30A & 36A (AG-USE) TOMBALL OUTLOTS
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF-20-E - Single-Family 20 Estate District

Current Use of Property: Pond

Proposed Zoning District: C - Commercial

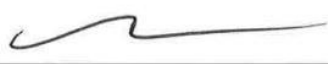
Proposed Use of Property: To serve as detention for adjacent commercial property

HCAD Identification Number: 0352820000171 **Acreage:** 1.7958

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X  5/13/2020
Signature of Applicant Date

X _____
Signature of Owner Date

401 Market Street
401 Market Street
Tomball, TX 77375
(281) 351-5484

DATE : 5/13/2020 3:13 PM
OPER : RP
TKBY : rp
TERM : 2
REC# : R01221154

130.0000 PLANNING AND ZONING 420.00
daniel rodano e husmith and snook 420.

Paid By:daniel rodano e husmith and snoo
2-CK 420.00 REF:w 38343

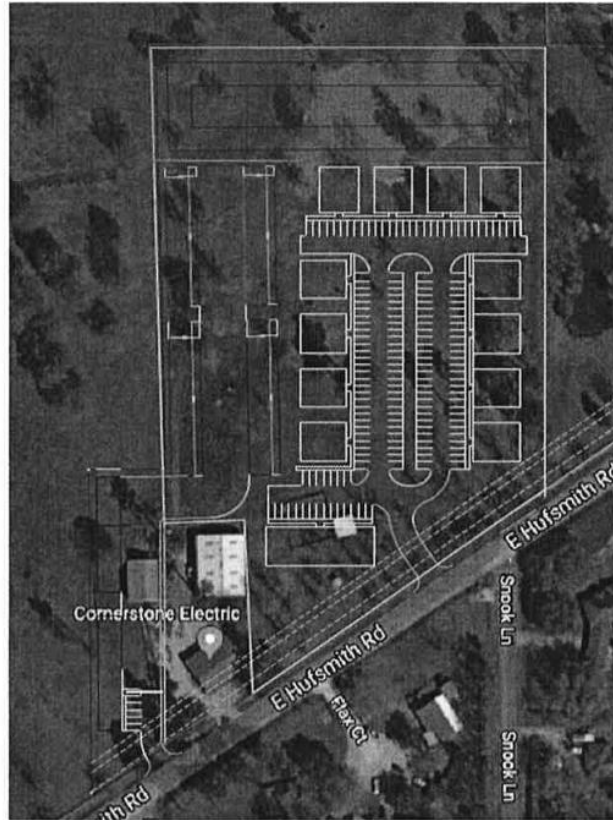
APPLIED	420.00
TENDERED	420.00
CHANGE	0.00

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405

www.tomballtx.gov

To Whom it may concern,

I am requesting a portion of land on my property as defined by the attached metes and bounds to be rezoned from SF-20-E Single Family Estate to Commercial. The specified land is currently occupied by a pond and is highlighted in red in the proposed construction layout below.



I request that this land be zoned commercial, so that the existing pond may be used as detention to support the commercial land adjacent to its southern border. Allowing the pond that is already there to serve as detention for the adjacent commercial land will enable more efficient use of the commercial land, on which I plan to build office condominiums and recreational vehicle storage. Neglecting to take advantage of the pond would minimize the services which I plan to offer to our community and the jobs which the offices may attract. Thank you for your consideration.



FIELD NOTES

Description of 1.7958 acres (78,227 square feet) of land situated in the John S. Smith Survey, Abstract No. 730, Harris County, Texas; being a portion of a called 15.237 acre tract to Daniel G. Rodano by Special Warranty Deed of land as recorded in Harris County Clerk's File No. X609281, said 8.3020 acre tract being more particularly described as follows (all bearings are based NAD83 Texas State Plane Coordinate System):

COMMENCING at a found 5/8-inch iron rod for the southwest corner of said 15.237 acre tract, the southeast corner of a called 0.850 acre residual of a called 15.2374 acres as recorded under Harris County Clerk's File No. X609278 and in the northwest right-of-way of Huffsmith Road;

THENCE, North 02°57'19" West, along the west line of said 15.237 acre tract and the east line of said 0.850 acre, a west line of a called 2.792 acre to Hogan Crum, LLC by General Warranty Deed as recorded under Harris County Clerk's File No. RP-2017-108431 and a called 7.000 acre tract to Hogan Crum, LLC by General Warranty Deed as recorded under Harris County Clerk's File No. RP-2017-46121 a distance of 765.18 feet to the POINT OF BEGINNING and southwest corner of the herein described tract;

THENCE, North 02°57'19" West, along the west line of said 15.237 acre tract and the east line of said 7.000 acre tract a distance of 166.67 feet to a point for the northwest corner of the herein described tract;

THENCE, North 87°34'45" East, over and across said 15.237 acre tract a distance of 468.62 feet to a point for the northeast corner of the herein described tract and in the west line of a called 4.2394 acre tract to Weston Hickey ETUX by General Warranty Deed as recorded under Harris County Clerk's File No. 20150258907;

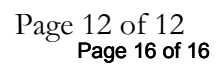
THENCE, South 02°25'15" East, along the east line of said 15.237 acre tract and the west line of said 4.2394 acre tract a distance of 167.75 feet to a point for the southeast corner of the herein described tract, from which a found 5/8-inch iron rod bears South 02°25'15" East, 455.39 feet, for the southeast corner of the said 15.237 acre tract and in the northwest right-of-way of said Huffsmith Road;

THENCE, South 87°42'45" West, over and across said 15.237 acre tract 467.07 feet to the POINT OF BEGINNING and containing a computed area of 1.7958 acres (78,227 square feet) of land. This description is based on a ground survey and plat prepared by Mark Sherley, Registered Professional Land Surveyor and dated April 27, 2020.


Mark L. Sherley
Registered Professional Land Surveyor No. 5326







Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: July 13, 2020

Topic:

Consideration to Approve **Zoning Case P20-103**: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-103**

Background:

Origination:

Recommendation:

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

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
--	--	-------

ATTACHMENTS:

Notice of Public Hearing
Property Owner Notification
Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.

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 City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

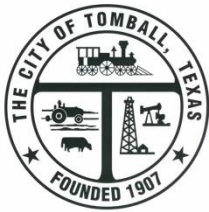
C E R T I F I C A T I O N

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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley
City Planner

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.tomballtx.gov.



Notice of Public Hearing

YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P20-103

APPLICANT/OWNER: Daniel Valdez with META Planning + Design.

LOCATION: Generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development District.

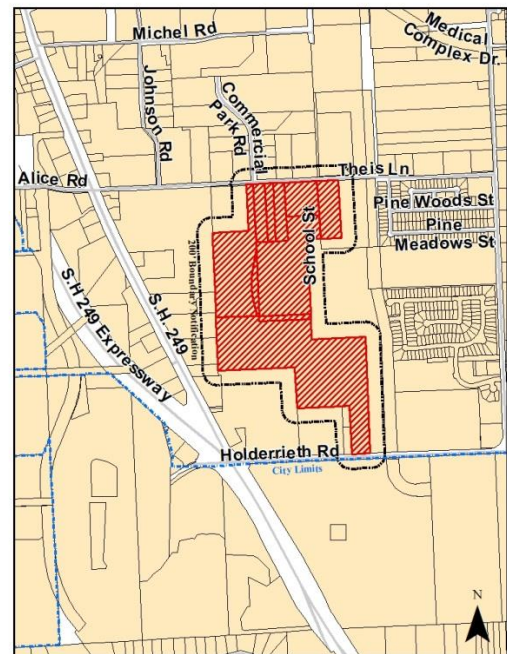
CONTACT: Amelia Lindley, City Planner

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.

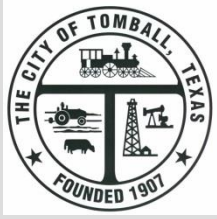


**Planning & Zoning Commission
Public Hearing:
Monday, July 13, 2020 6:00 PM**

**City Council Public Hearing:
*Monday, July 20, 2020 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case: P20-103

Property Owner(s): Kevin Graham, Maritia LP

Applicant(s): Daniel Valdez – META Planning + Design

Legal Description: Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot

Location: South side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street (Exhibit “A”)

Area: 95.4 acres

Comp Plan Designation: Neighborhood Residential and Corridor Commercial (Exhibit “B”)

Present Zoning and Use: Agricultural and Commercial Districts (Exhibit “C”) / Undeveloped (Exhibit “D”)

Proposed Use(s): Single-family residential subdivision with commercial (Exhibit “E”)

Request: Rezone from the Agricultural and Commercial Districts to the Planned Development (PD-14) District

Adjacent Zoning & Land Uses:

- North:** Light Industrial and Agricultural Districts / various commercial development and rural residential
- South:** Planned Development 8 and Commercial Districts, City limits / Undeveloped
- West:** Light Industrial and Commercial Districts / Rock Materials, commercial developments
- East:** Single-Family 6 District / Single-family residential subdivision (Cherry Pines - under construction)

ANALYSIS

The property is zoned mostly Agricultural District, with a Commercial portion on the southern boundary. Surrounding properties are zoned Light Industrial, Commercial, Planned Development (PD-8), and Single-Family 6 District. Surrounding land uses include various commercial and industrial facilities such as Rock Materials, Inline Services, Walmart, Tractor Supply Co, etc. A single-family residential subdivision, Cherry Pines, is currently under construction to the east of the subject site.

Section 50-80(a)(1) of the Tomball Code of Ordinances outlines the general purpose and description of the Planned Development District:

“The PD Planned Development District is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., Single-Family, Multifamily, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A PD Planned Development District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this chapter, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

- a. To provide for a superior design on lots or buildings;
- b. To provide for increased recreation and open space opportunities for public use and enjoyment;
- c. To provide amenities or features that would be of special benefit to the property users or to the overall community;
- d. To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes, viewscales, or wildlife habitats;
- e. To protect or preserve existing historical buildings, structures, features or places;
- f. To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; and
- g. To meet or exceed the standards of this chapter.”

According to the Planned Development Application (Exhibit “E”) and the development regulations, the proposed Planned Development will be a single-family residential community, with commercial tracts, and will include amenities such as a recreational reserve with a playground and/or picnic facilities, open spaces, and landscape buffers.

The property is designated as Neighborhood Residential by the Comprehensive Plan Future Land Use Map. This “category is intended for areas predominantly comprised of single-family detached housing”. Appropriate land uses in this category include “safe and desirable neighborhoods, with single-family detached residential being the primary use”. The proposed Planned Development meets the intent of the Future Land Use Designation.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 25, 2020. A Notice of Public Hearing was published in the paper on July 1, 2020. Any

public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-103.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Planned Development Application

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

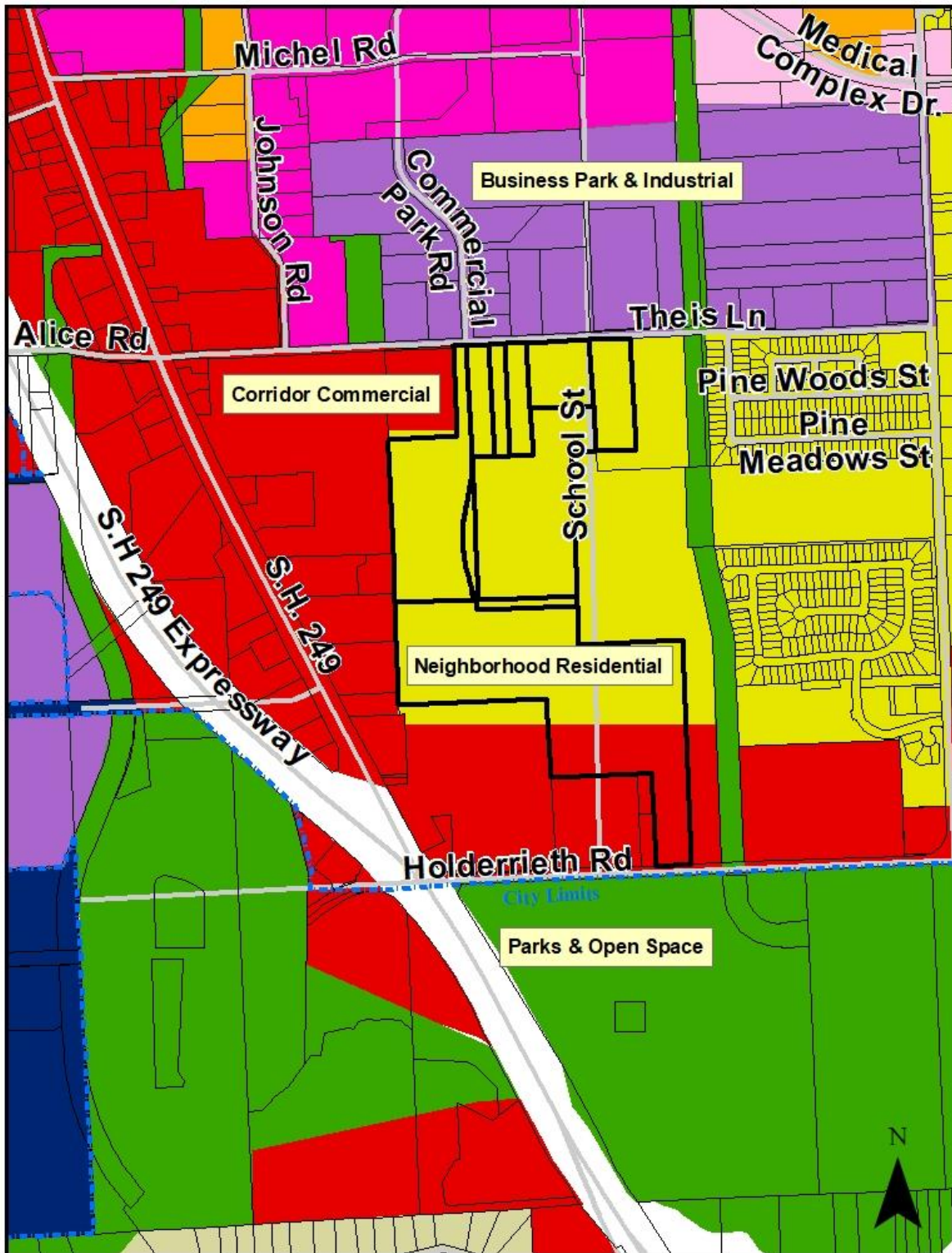
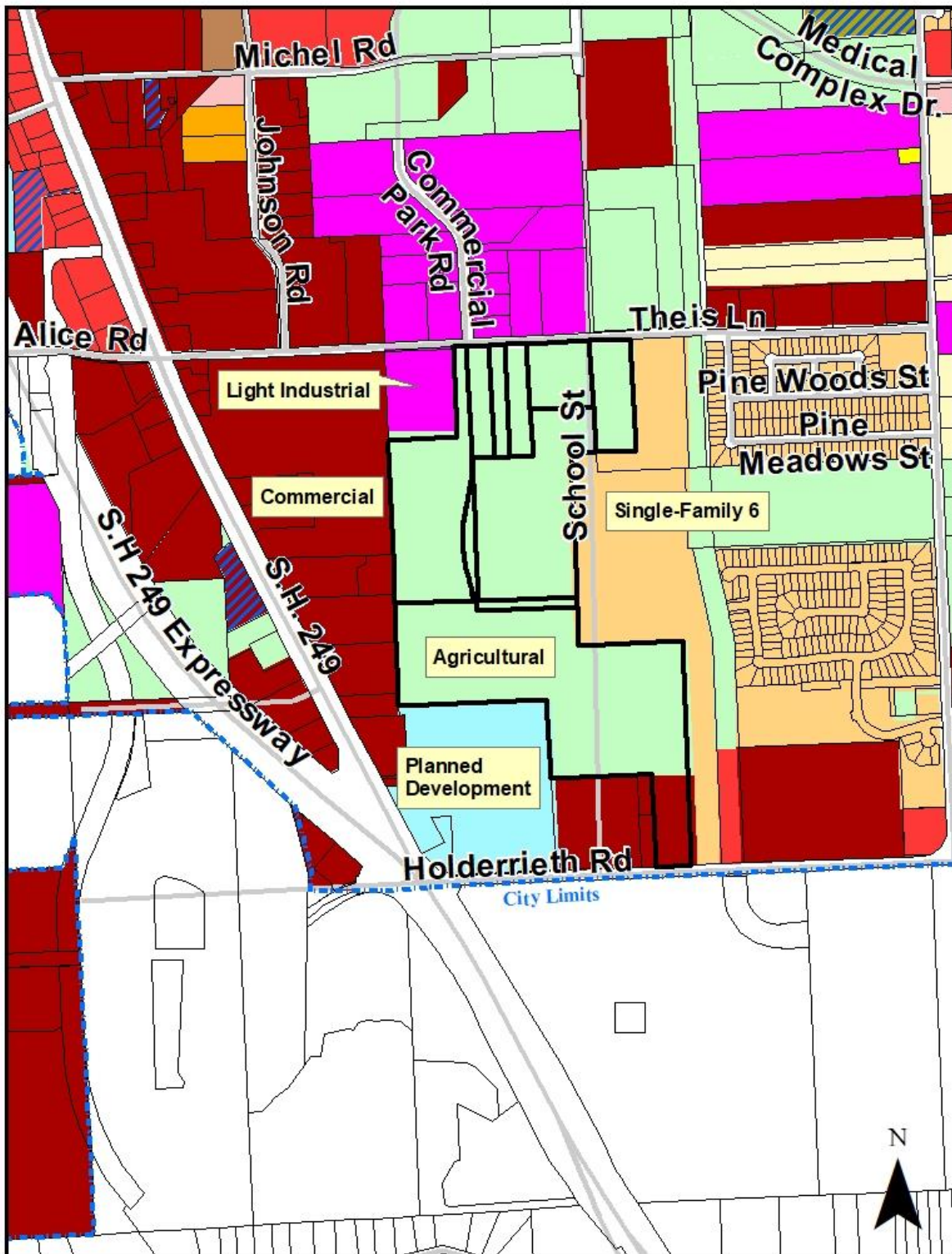


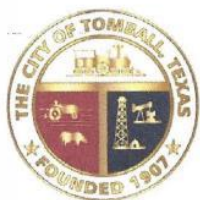
Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"
Planned Development Application



RECEIVED (KC)
06/04/2020 8:07:05 AM

Revised 5/19/15
P&Z #20-103

**APPLICATION FOR
PLANNED DEVELOPMENT**
Community Development Department
Planning Division

The PD, Planned Development, district is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

No planned development shall be established and no building permit shall be issued for any use designated as a Planned Development within any zoning district until a Planned Development is approved and issued in accordance with the provisions of the Zoning Ordinance and Concept Plan.

The minimum acreage for a planned development request shall be four (4) acres.

APPLICATION SUBMITTAL: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

Applicant

Name: Daniel Valdez - META Planning + Design Title: Senior Planner
Mailing Address: 24275 Katy Freeway, Suite 200 City: Katy State: Texas
Zip: 77494
Phone: (281) 810-1422 Fax: () Email: dvaldez@metaplanningdesign.com

Owner

Name: Kevin Graham Title:
Mailing Address: P.O BOX 1621 City: TOMBALL State: TX
Zip: 77377-1621
Phone: (281) 825-7211 Fax: () Email: GRAHAM-KEVIN@SBCGLOBAL.NET

Engineer/Surveyor (if applicable)

Name: Title:
Mailing Address: City: State:
Zip:
Phone: () Fax: () Email:

Description of Proposed Project: 95.4 Acre Single-family residential community

Physical Location of Property: East of SH 249, North of Holderrieth Rd., ±1,500' west of S. Cherry St.
[General Location – approximate distance to nearest existing street corner]

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Legal Description of Property: See attached list
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]
HCAD Identification Number: See attached list Acreage: 95.4
Current Use of Property: Vacant
Proposed Use of Property: Single-family development

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X  5/11/2020
Signature of Applicant Date

X Kevin Graham 5-26-2020
Signature of Owner Date



June 2, 2020

Mayor and City Council
City of Tomball
401 Market Street
Tomball, Texas 77375

Re: HOLDERRIETH TRACT PLANNED DEVELOPMENT

Dear Mayor and City Council,

On behalf of our client, Chesmar Homes, we are submitting the application for the creation of the Holderrieth Tract Planned Development.

The developer intends to develop the 95-acre tract into a single-family residential community. The tract is located north of Holderrieth Road, south of Theis Lane, west of South Cherry Street.

Below is a list of the items that are included with this submittal:

- 1) Completed application form
- 2) Surveys that comprise the tract
- 3) List of HCAD tracts that comprise tract
- 4) Planned Development Text
- 5) Detailed Concept Plan
- 6) Open Space Plan
- 7) Tax Certificates (Harris County and Tomball ISD)

Feel free to contact me if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Valdez".

Daniel Valdez
Enclosure

24275 Katy Freeway, Suite 200 | Katy, Texas 77494 | 281-810-1422

Legal Description of Property: See attached list
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]
HCAD Identification Number: See attached list Acreage: 95.4
Current Use of Property: Vacant
Proposed Use of Property: Single-family development

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X  5/11/2020
Signature of Applicant Date

X  5/27/2020
Signature of Owner Date

<u>Owner</u>	<u>Legal Description of Property</u>	<u>HCAD ID No.</u>
Kevin Graham	Tracts 198A, 202A & 206A, Tomball Outlots	035-286-000-0202
Kevin E Graham	Tracts 3B, 4, 4Q, 21A, 23B & 23b-2 Abstract 632 C V Pillot	044-058-000-0020
Kevin Eric Graham	Pt Tract 21A (Homesite) (Tract 4-X) Abstract 632 C N Pillot	044-058-000-0156
Maritia LP	Tract 23A Abstract 632 C N Pillot	044-058-000-0160
Kevin Eric Graham	Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot	044-058-000-0230
Maritia LP	Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot	044-058-000-0284
Hanan Khalet	Tract 4R Abstrat 632 C V Pillot	044-058-000-0285
Kevin Graham	Tract 23A-2 Abstract 632 C N Pillot	044-058-000-0303
Maritia LP	Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot	044-058-000-0304
Maritia LP	Tracts 3A & 3A-3 Abstract 632 C V Pillot	044-058-000-0305
Kevin Graham	Tract 4R-1 Abstract 632 C V Pillot	044-058-000-0306

Exhibit B

Planned Development

95 Acres Tomball (Theis Lane Tract)

A. Contents. This final development plan includes the following sections:

- General Provisions
- Land Uses
- Development Regulations for Single Family Lots
- Development Regulations for Non-Residential Uses
- Amenities and Landscape Regulations
- Open Space and Trails
- Building Regulations

B. General Provisions

1. The planned Development, PD, approved herein must be constructed, developed, and maintained in compliance with this ordinance and other ordinances of the City in effect at the effective date of this PD Ordinance. If any provisions or regulations of any City ordinance applicable in a SF-6 (Standard Single Family Residential) or GR (General Retail) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the SF-6 and GR zoning district in effect on the effective date of this ordinance apply to this PD as through written herein, except to the extend the City regulation or provision conflicts with a provision in this ordinance.
2. Except as otherwise provided herein, the words used in this Planned Development have the meaning established by the Development Code.
3. The PD shall be developed in accordance with the following exhibits that are attached to and made a part of this Final Development Plan:

Exhibit C – Concept Plan

Exhibit C1 – Landscape and Open Space Plan

4. As shown on Exhibit C, the PD encompasses 95.4 acres, located west of S. Cherry Street, east of State Highway 249, north of Holderrieth Road and south of Theis Lane.

C. Land Uses.

1. SFR: Permitted land uses are listed below.

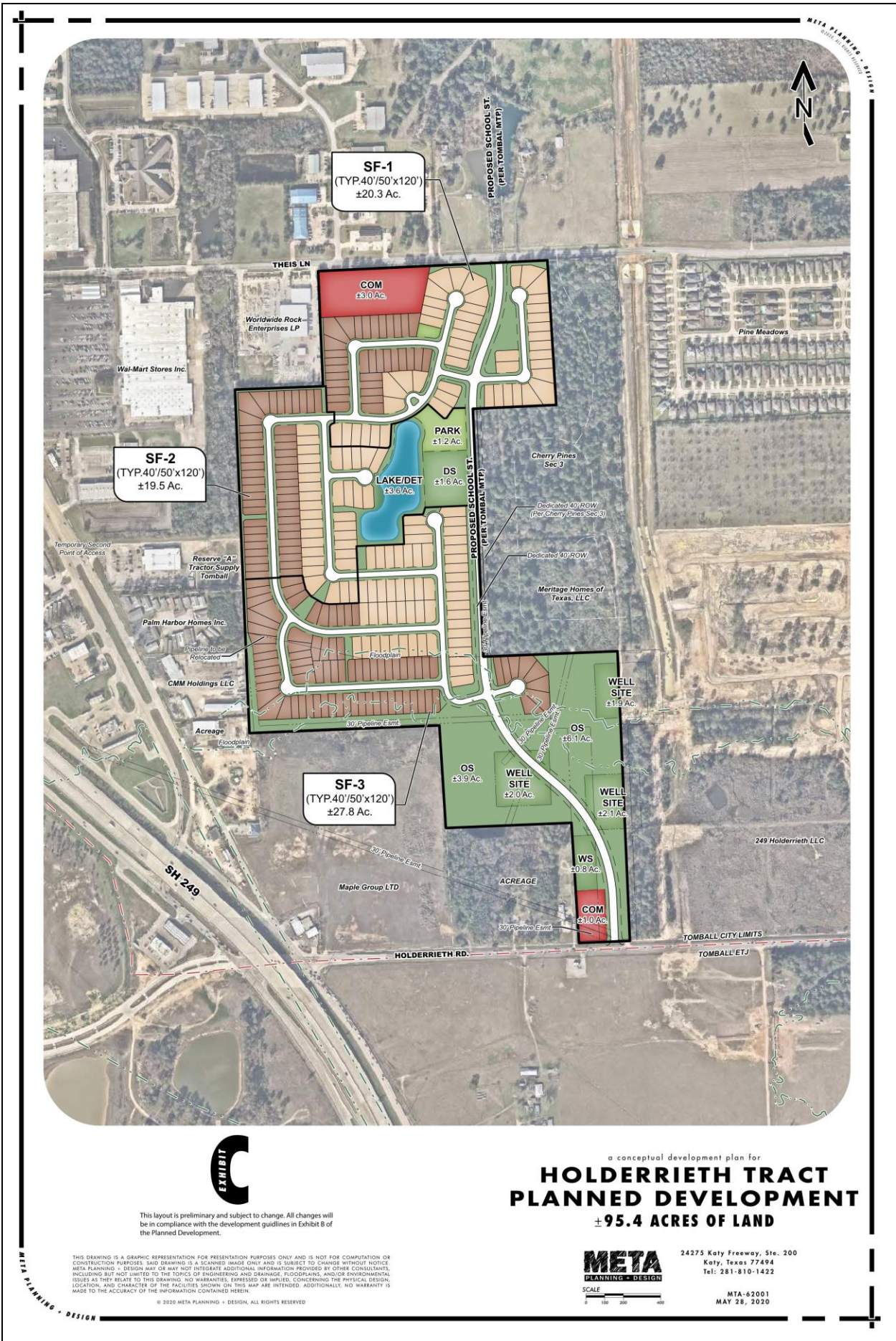
Use	SIC Code
Private Household Services	8811
Dwellings – Single Family	99 (Non-Classifiable)
Parks and Recreational Facilities, Public or Private	99 (Non-Classifiable)
Residential Sales Office (Temporary)	
Drill Site	
Well Site	
Wetlands	

2. General Retail: Permitted uses of the Commercial tracts on Exhibit C shall be those uses permitted within GR- General Retail District of the Zoning Ordinance.
- D. **Development Regulations for Single Family Lots** – Maximum 350 lots permitted. The total lot count may vary from that shown in Exhibit C so long as it is generally in a configuration with what is shown on Exhibit C. See H. Minor Modifications for permitted variations to the land plan.

Single-family home sites within the PD shall be developed in accordance with the following regulations:

1. The minimum lot width shall be 40 feet wide. Except the maximum number of lots 40 feet wide shall not exceed 60% percent of the total maximum number of lots.
 2. Lots shown on Exhibit C
 - a. Minimum lots area:
 - i. 40' wide lots shall have a minimum area of 4,800 square feet.
 - ii. 50' wide and greater, lots shall have a minimum area of 6,000 square feet. Lot width shall be measured at the building line.
 - b. Minimum lot width: 40 feet. Lot width shall be measured at the building line.
 - c. Minimum lot depth: 100 feet
 - d. Maximum lot coverage: 60% (lot acreage shall include building footprint only)
 3. Minimum building setbacks:
 - a. Front yard: 20 feet; (measured from front building line)
 - b. Rear yard: 15 feet;
 - c. Side yard: 5 feet, 10 feet on street side of a corner lot.
- E. **Development Regulations for non-residential uses**- All provisions and regulations regarding height, area regulations, maximum lot coverage, and maximum floor-area-ratios applicable in a GR (General Retail) zoning district.
- F. **Amenities and Landscape Regulations** – As shown on Exhibit C1, the PD shall be developed in accordance with the following landscape regulations:
1. Recreation site and amenities:
 - a. A minimum 1-acre recreational reserve, centrally located within the development, may include a playground and picnic facilities, etc.
 - b. A minimum 6, off-street parking spaces shall be provided. The off-street parking may be provided thru dedicated parking lot, parallel parking and/or a combination of both. At a minimum, one bicycle rack which will accommodate a minimum of five bicycles.
 - c. Amenities may include (but are not limited to):
 - Playground
 - Picnic Facilities
 2. Landscape buffers:
 - a. 15' foot minimum buffer shall be provided along all major and minor arterials and within commercial areas contiguous to lot lines. As shown on Exhibit C1
 - b. 10-foot minimum buffer, contiguous to lot lines, shall be provided along entry street(s) and collector streets. As shown on Exhibit C1

- c. Required buffers along major arterials and entry streets shall include one shade tree for each street frontage, or portion thereof, measured along the right-of-way line. The trees may be clustered or spaced linearly; they need to be placed evenly.
 - d. Required buffers may include trails.
- 3. Open Space:
 - a. Minimum 30% space, to be distributed as shown on Exhibit C1
 - b. Open space shall include all landscape buffers, landscape reserves, open space reserves, parks, drill sites, detention, lakes, wetlands and well sites.
 - c. At a minimum 1 acre shall be provided as parks
 - d. All required open space shall be owned and maintained by the Homeowners Association and shall be accessible to all residents within the PD's Homeowner's association. Exhibit C1
- G. **Sidewalks** - As shown on Exhibit C1, the PD shall be developed in accordance with the following:
 - 1. Sidewalks:
 - a. Minimum 5-foot width sidewalks shall be provided along both sides of local residential and collector streets.
 - b. All sidewalks shall be paved with concrete.
- H. **Minor Modifications** –The following minor modifications of the PD are allowed provided that such modifications shall be reviewed for compliance with the applicable Tomball Codes and this Ordinance and approved by the Planning Director.
 - 1. Modifications to internal street patterns are allowed
 - 2. Modifications to the location of land uses, provide that such relocations meet the minimum area and land use regulations set forth within in this document.
 - 3. Modifications to lot sizes are allowed provided that such lots shall meet the minimum area regulations set forth in this document.
 - 4. Modifications to the total acreage provided for each land use set for in Exhibit C are allowed, provided that the modification or series of modifications, shall not result in a net change of greater than 10% in each land use.



Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:

Consideration to Approve **Zoning Case P20-104:** Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-104**

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Notice of Public Hearing
Property Owner Notification
Response Letters
Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.

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 City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

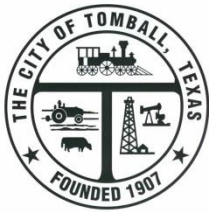
C E R T I F I C A T I O N

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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley
City Planner

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.tomballtx.gov.



Notice of Public Hearing

YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P20-104

APPLICANT/OWNER: Jackie Rye

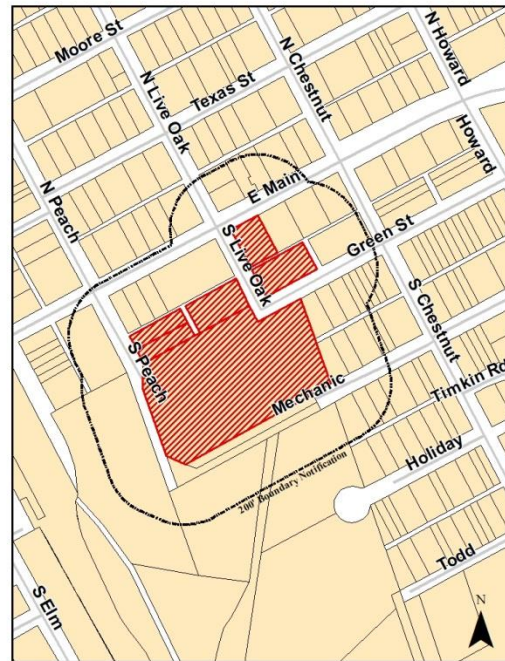
LOCATION: Generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development District.

CONTACT: Amelia Lindley, City Planner

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov



**Planning & Zoning Commission
Public Hearing:
Monday, July 13, 2020 6:00 PM**

**City Council Public Hearing:
*Monday, July 20, 2020 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



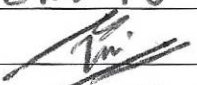
Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

Name: Mehrdad Touri
(please print)
Address: 315 Mechanic St, Tomball, TX 77375
Blk 70 - Lots 20, 21, 22
Signature: 
Date: June 30, 2020



I am **FOR** the requested Re-Zoning as explained on the attached public notice for Zoning Case P20-104. (Please state reasons below)

I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for Zoning Case P20-104. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, July 13, 2020 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, July 20, 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

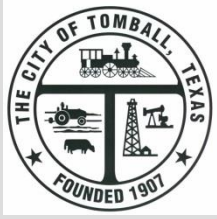
COMMENTS:

It will generate more income for the city
and public areas will see improvements.

You may also comment via email to ALindley@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case: P20-104
Property Owner(s): Tomball Economic Development Corporation
Applicant(s): Jackie Rye
Legal Description: Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball
Location: South side of FM 2920 at South Live Oak Street (Exhibit "A")
Area: 6 acres
Comp Plan Designation: Old Town (Exhibit "B")
Present Zoning and Use: Old Town & Mixed Use and Light Industrial Districts / Existing buildings and partially undeveloped (Exhibit "D")
Request: Rezone from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development District (PD-15)
Adjacent Zoning & Land Uses:
North: Old Town & Mixed Use District / Undeveloped, commercial businesses
South: Light Industrial District / Undeveloped, commercial business
West: Old Town & Mixed Use and Light Industrial Districts / Self-storage facility
East: Old Town & Mixed Use and Single-Family 6 Districts / Undeveloped, auto repair shops, single-family residence

BACKGROUND

City Staff first met with the applicant in early 2020 to discuss the development of the site.

ANALYSIS

The whole subject site is approximately 6 acres of land, encompassing multiple lots. According to the applicant, the proposed development will consist of "distillation of liquor and associated gathering spaces, as well as manufacturing and distribution of hand sanitizer products".

The property is currently zoned Old Town & Mixed Use and Light Industrial Districts. The surrounding properties are zoned Old Town & Mixed Use, Light Industrial and Single-Family 6 District. Existing land uses in the area include mostly non-residential businesses such as Tomball Self Storage and various auto repair shops. There are also undeveloped properties adjacent to the site as well as single-family residences on Mechanic Street.

The subject site is designated as Old Town by the City’s Comprehensive Plan Future Land Use Map. According to Chapter 4 (Vision) of the Comprehensive Plan, the Old Town category is “intended to be highly walkable and promotes a distinct sense of place”. Appropriate land uses include “a mix of residential, office, retail, entertainment, restaurants, and public facilities. Secondary uses include bed and breakfast lodging, live-work buildings, places of assembly or event venues”. City staff believes the proposed Planned Development captures the intent and character of the Old Town category and will add to the revitalization of the east side of Main Street.

ZONING CONSIDERATIONS

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:

A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole.

The proposed Planned Development District, along with its concept plan and development standards, appears to be compatible with the surrounding area. According to the applicant, the proposed development will include production and tasting of liquors, offices, barrel storage, a biergarten, a venue and hand sanitizer production. Proposed secondary uses include a motel, hotel, and a mobile food court. According to the applicant, the development is intended to provide “a community gathering space for locals and visitors alike and will encourage growth in the surrounding area”.

B. Whether the proposed change is in accordance with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.

The proposed rezoning is not anticipated to negatively impact any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.

C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

There are no proposed plans for similar developments in the City.

D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

There are no approved Planned Developments with similar proposed uses in the City.

E. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved.

City Staff does not anticipate any adverse impacts on other areas designated for similar development.

F. Any other factors that will substantially affect the public health, safety, morals, or general welfare.

Generally, the proposed rezoning does not appear to negatively affect the public health, safety, morals, or general welfare.

G. Whether the request is consistent with the Comprehensive Plan.

The request is consistent with the intent and character of the Old Town Future Land Use designation.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 25, 2020. The Notice of Public Hearing was published in the paper on July 1, 2020. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-104.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Application, Development Regulations and Concept Plan

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

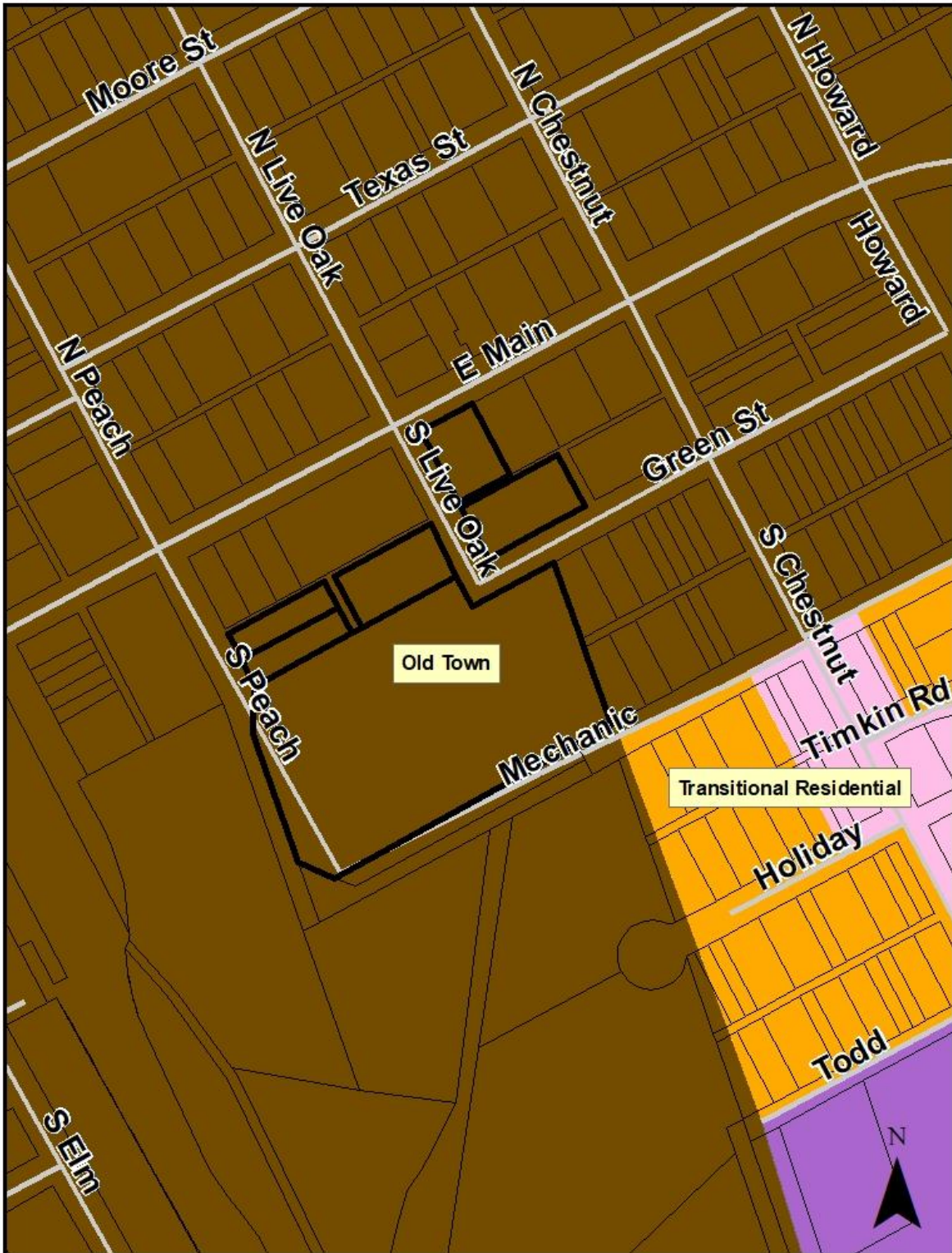
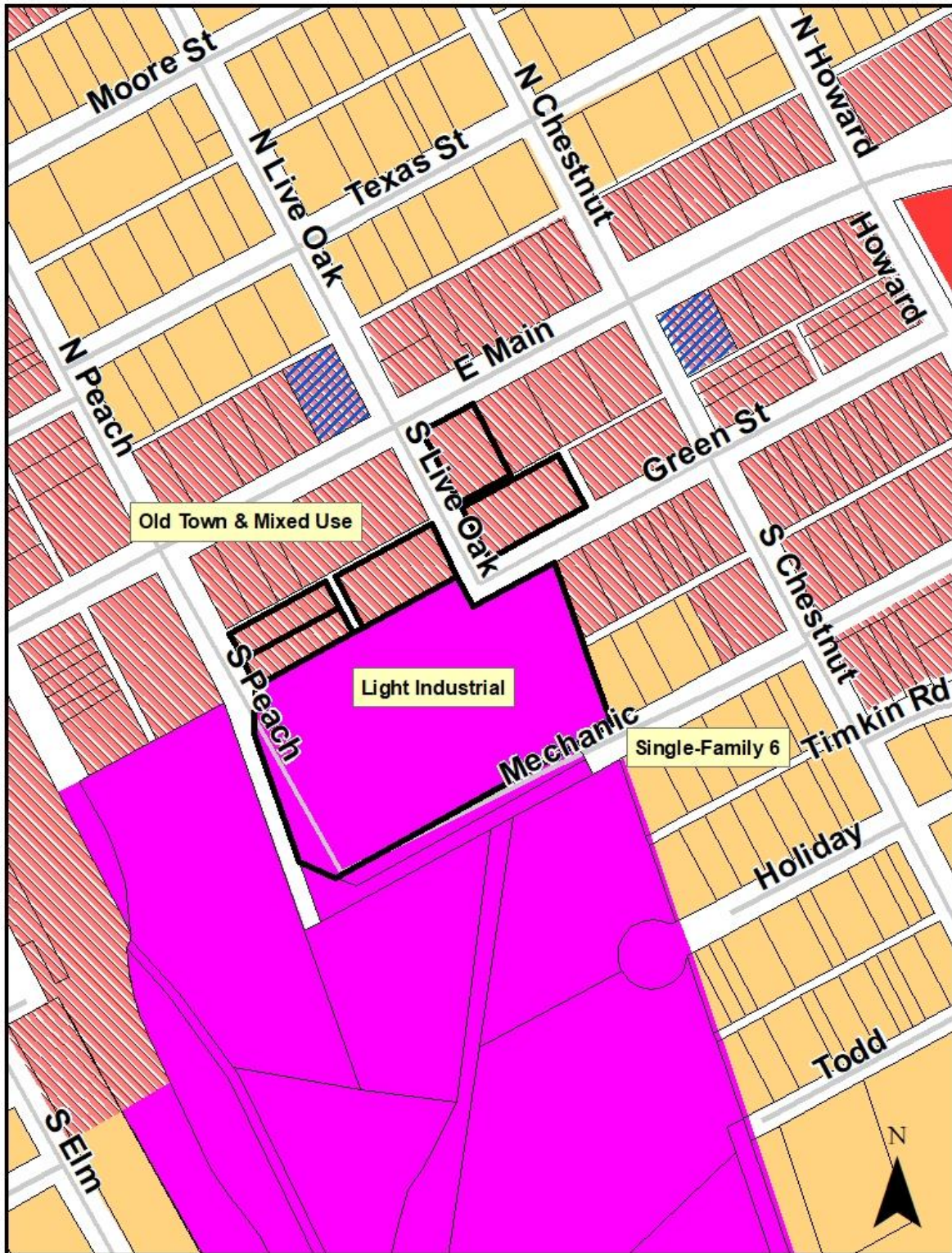


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Exhibit "E"
Application, Development Regulations and Concept Plan



RECEIVED (KC)
06/04/2020 1:26:25 PM

Revised 5/19/15

P&Z #20-104
\$1,000.00

APPLICATION FOR
PLANNED DEVELOPMENT
Community Development Department
Planning Division

The PD, Planned Development, district is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

No planned development shall be established and no building permit shall be issued for any use designated as a Planned Development within any zoning district until a Planned Development is approved and issued in accordance with the provisions of the Zoning Ordinance and Concept Plan.

The minimum acreage for a planned development request shall be four (4) acres.

APPLICATION SUBMITTAL: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

Applicant

Name: Jackie Rye Title: Associate Principal
Mailing Address: 2118 Lamar Street City: Houston State: Tx
Zip: 77003
Phone: (713) 842 7500 Fax: () Email: jrye@methodarchitecture.com

Owner

Name: Travis Whitmeyer Title: President
Mailing Address: 20110 Rosegold Way City: Spring State: Tx
Zip: 77379
Phone: (832) 922 3736 Fax: () Email: travis@whitmeyers.com

Engineer/Surveyor (if applicable)

Name: EIC Surveying Company Title: _____
Mailing Address: 12345 Jones Street Suite 270 City: Houston State: Tx
Zip: 77070
Phone: (281) 955 2772 Fax: () Email: _____

Description of Proposed Project: Whitmeyer's Distilling Co.

Physical Location of Property: 204 South Live Oak Street - 6 acre tract description provided below:

[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: **Lots 13,14,15, 16, 19, 20 Block 67, Tomball, Harris County, Texas
Lot 3, Block 67, Tomball, Harris County, Texas
Lots 3, 4, 5, 6 Block 71, Tomball, Harris County, Texas
Reserve A-1, Block 1, American Superior Feed R/P, Harris County, Texas**
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]
HCAD Identification Number: **Re: B-4** Acreage: **Re: B-4**
Current Use of Property: **LI & Vacant lots**
Proposed Use of Property: **See attached summary**

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is **COMPLETE, TRUE, and CORRECT** and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X  **06/04/2020**
Signature of Applicant Date

X **Kelly Violette** Digitally signed by Kelly Violette
Date: 2020.06.17 17:10:11 -05'00' **6/17/2020**
Signature of Owner Date



A. Contents

- General Provisions
- Land Uses
- Development Regulations
- Landscape & Screening Regulations

B. General Provisions

1. The Planned Development, PD, approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City of Tomball. If any provisions or regulations of any City of Tomball ordinance applicable in an OT &MU, and LI is not contained in this ordinance, all the regulations contained in the Codified Zoning Ordinance applicable to the listed zones in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City of Tomball regulation of provisions conflicts with a provision of this ordinance.

2. except as otherwise provided herein, the words used in this Planned Development have the meaning established by the Codified Zoning Ordinance.

3. The PD shall be developed in accordance with the following exhibits that are attached to and made part of this Final Development Plan unless officially amended at a later date.

Exhibit A – "SLO Survey"

Exhibit B – "Concept Masterplan"

Exhibit C – "Setback Diagrams"

Exhibit D – "Request Letter"

4. As shown on Exhibit A, the PD encompasses the following legally described properties:

South Live Oak Tomball, Texas 77375

Lots 13,14,15, 16, 19, 20 Block 67, Tomball, Harris County, Texas

Lot 3, Block 67, Tomball, Harris County, Texas

Lots 3, 4, 5, 6 Block 71, Tomball, Harris County, Texas

Reserve A-1, Block 1, American Superior Feed R/P, Harris County, Texas

Legal Description: RES A-1 BLK 1, AMERICAN SUPERIOR FEED R/P

Property Address: 204 S LIVE OAK ST, TOMBALL TX 77375

HCAD Acct: 1184140010001



Legal Description: LT 3 BLK 67, TOMBALL
Property Address: 0 PEACH ST, TOMBALL TX 77375
HCAD Acct: 0352720670003

Legal Description: LTS 19 & 20 BLK 67, TOMBALL
Property Address: 0 PEACH ST, TOMBALL TX 77375
HCAD Acct: 0352720670019

Legal Description: LTS 13 14 15 & 16 BLK 67, TOMBALL
Property Address: 110 S LIVE OAK ST, TOMBALL TX 77375
HCAD Acct: 0352720670013

Legal Description: LTS 3 4 5 & 6 BLK 71, TOMBALL
Property Address: 0 E MAIN ST, TOMBALL TX 77375
HCAD Acct: 0352730710012

C. Land Uses

1. No defined Land Use will be assigned to any specific lot, tract, or otherwise indicated boundary contained within the PD
2. Defined Land Uses shall include any uses permitted by right in the OT&MU, and LI zoning districts as defined by City of Tomball Land Use Matrix currently in effect on the effective date of this ordinance. The following uses shall be permitted and not require a CUP:
 - *Distillation of liquors, spirits, etc. (brewery)*
 - *Motel*
 - *Hotel*
 - *Mobile Food Court*
 - *Soap, detergents, cleaning preparations manufacture (hand sanitizer)*

D. Development Regulations

1. Area regulations for nonresidential uses.
 - a. Size of lot.
 1. Minimum lot area: 5,000 square feet.



2. Minimum lot width: 25 feet given minimum lot area can be met

3. Minimum lot depth: 25 feet given minimum lot area can be met

2. Size of yards.

a. Commercial properties may have a zero front building line with the exception of properties which front "East Main Street; 2920"

c. Minimum side and rear yard is 5 feet when adjacent to a nonresidential zoning district or use. If adjacent to a Single-Family, Duplex (Two-Family), Patio Home or Single-Family Attached District or use, then side and/or rear setback shall be a minimum of 20 feet. Corner lots shall maintain a 20 foot side yard setback.

d. Interior side yards: when commercial uses are platted adjacent to other commercial uses and integrated into an overall "strip" site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the city's building code.

3. Height regulations.

a. The maximum height in the PD shall be 70ft

b. Additional height may be approved by CUP.

4. Parking Regulations.

a. General parking and loading requirements

1. "Production" Areas (eg. distillery, brewery, manufacturing, bottling, food production, kitchens, etc): 1 per 1,500 gross sqft

2. Office: 1 per 300 gross sqft

3. Food and Beverage Consumption (tables and chairs): 1 per 150 net sqft

4. Assembly Spaces: 1 per 150 net sqft

5. Designated Outdoor Assembly (beer gardens, programmed green spaces, playground): 1 per 500 gross sqft

6. Overnight Accommodations (hotel/motel/bed & breakfast): 1 space per Guest Room

7. Storage (warehouse): 1 per 5,000 gross sqft

c. Up to 10% of the total parking required may be reduced if the following condition(s) are provided:

1. Designated Ride Share – Pick-up / Drop-off Zones

d. Condensed/Stacked "Valet Only" spots are allowed to count towards the total number of required spots given the total combined number of valet spots does not exceed 25%



e. Shared parking agreements based on business hours of operation are allowed in order to meet the minimum requirements listed above.

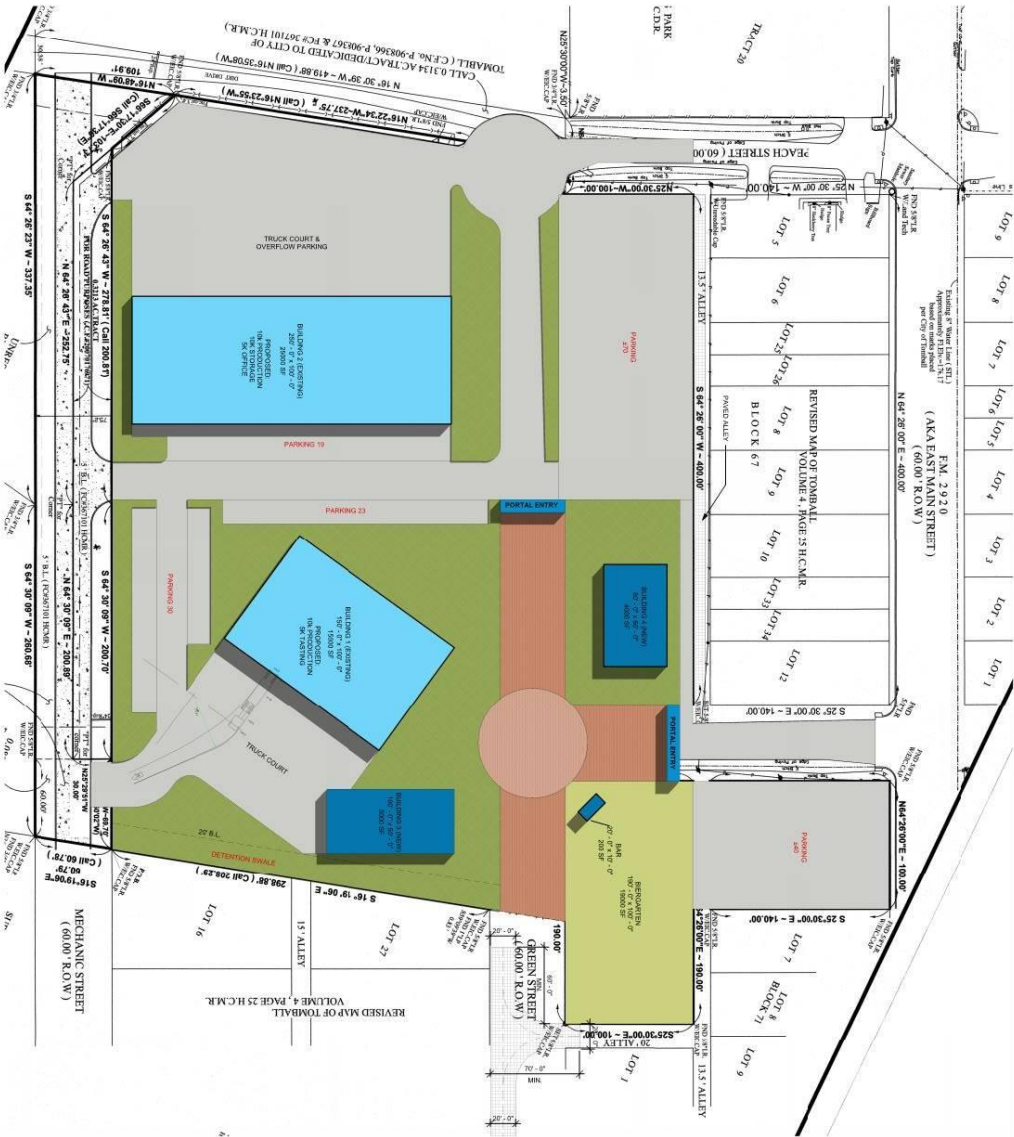
E. Landscape & Screening Regulations

1. Refer to Sec 50-113 Landscape Requirements of the City of Tomball Code of Ordinances
2. Refer to Sec 50-115 Screening Requirements of the City of Tomball Code of Ordinances



WHITMEYER'S DISTILLING CO. DISTRICT . TOMBALL, TEXAS

SITE PLAN



NOT TO SCALE

SCHEME B - 06/01/20

ME204016

WDC DISTRICT PHASE I

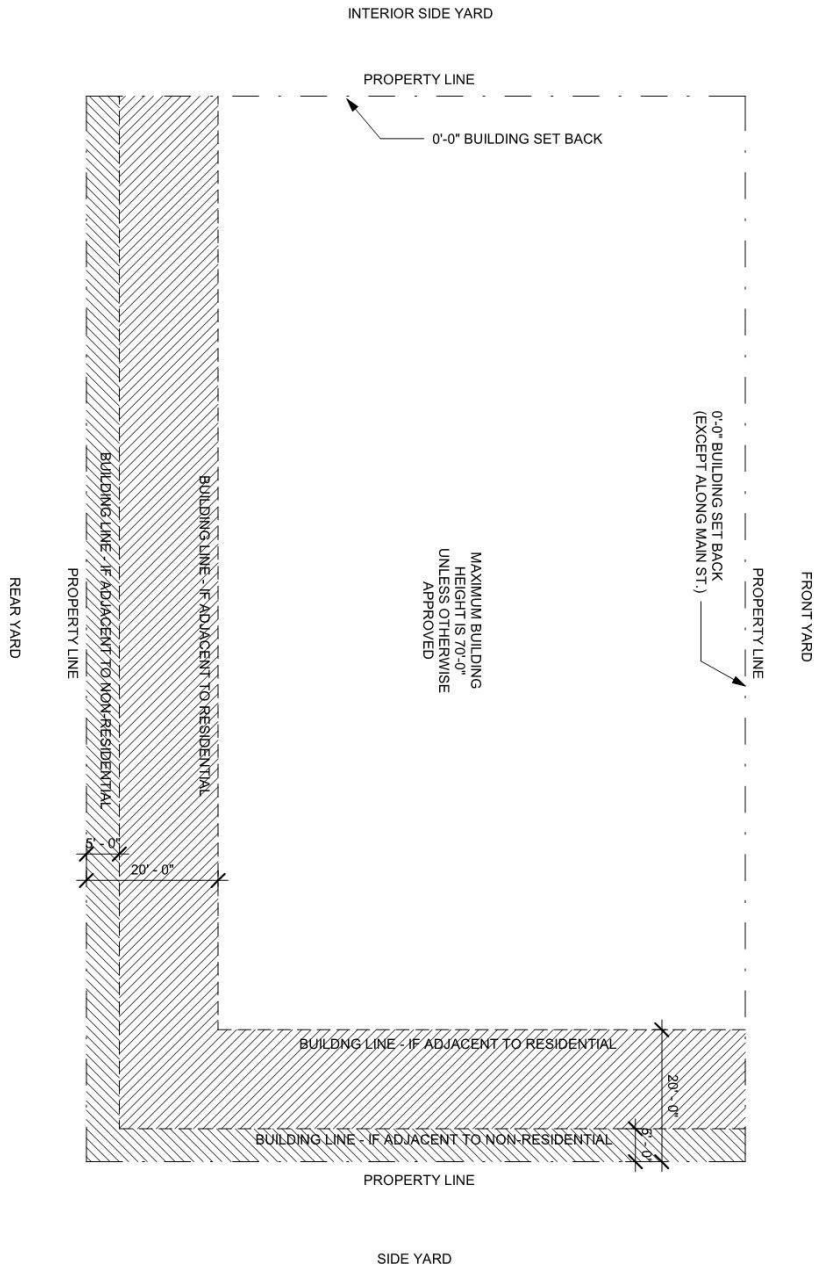
BUILDING 1	5,000 SF
TASTING:	10,000 SF
PRODUCTION:	10,000 SF
BUILDING 2	5,000 SF
OFFICE:	10,000 SF
PRODUCTION:	10,000 SF
STORAGE:	10,000 SF
BUILDING 3	5,000 SF
BARREL STOR:	5,000 SF
BUILDING 4	4,000 SF
VENUE:	49,000 SF
BUILDING TOTAL:	19,000 SF
BIERGARTEN:	19,000 SF
TOTAL LAND:	46.81 ACRES

PARKING ESTIMATES

VENUE : 1 PER 150 NET SF	4000 / 150 = 27 SPOTS
TASTING: 1 PER 150 NET SF	5000 / 150 = 34 SPOTS
OFFICE: 1 PER 300 SF	5000 / 300 = 16 SPOTS
PROD.: 1 PER 1500 SF	20000 / 1500 = 14 SPOTS
STORAGE: 1 PER 5000 SF	15000 / 5000 = 3 SPOTS
BIERGARTEN: 1 PER 500 SF	19000 / 500 = 38 SPOTS
TOTAL PARKING REQUIRED:	132 SPOTS
TOTAL PARKING PROVIDED:	182 SPOTS

BASED ON PRELIMINARY INFORMATION PROVIDED
BY THE OWNER. SUBJECT TO CHANGE

METHOD architecture
2118 LAMAR, SUITE 200
HOUSTON, TEXAS 77003
(713) 842-7500





WDC PLANNED DEVELOPMENT
REQUEST LETTER
06/03/2020

City of Tomball Planning and Zoning
501 James St.
Tomball, TX 77357

Re: Planned Development Application
Whitmeyers Distilling Co. District
Tomball, Texas

Dear Mr. Meyers and Team,

Method Architecture, PLLC., as applicant, requests the acceptance of the proposed Planned Development application and supporting documentation for the group of properties delineated in the attached. Per the City of Tomball Zoning Map, the subject properties are zoned to OT&MU and LI. The application proposes the current zoning designation be revised to a Planned Development District, consisting of a combination of OT&MU and LI with exceptions to allow certain land uses without the need of conditional use permits. Primarily we are seeking to allow the unconditional use of land for distillation of liquor and associated gathering spaces, as well as manufacturing and distribution of hand sanitizer products. We believe that acceptance of such a development will have a positive impact on the City of Tomball by providing a community gathering space for locals and visitors alike and will encourage growth in the surrounding area. We appreciate your time and thank you for the opportunity.

Respectfully,

Jackie Rye, AIA

Associate Principal

METHODarchitecture, PLLC

2118 Lamar St. • Suite 200 • Houston, TX 77003 • (713) 842-7500 • methodarchitecture.com

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: July 13, 2020

Topic:

Consideration to Approve **Zoning Case P20-105:** Request by Whitmeyer’s Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.

- Conduct Public Hearing on **Zoning Case P20-105**

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Notice of Public Hearing
Property Owner Notification
Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.

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 City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

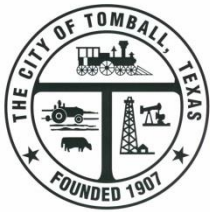
C E R T I F I C A T I O N

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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley
City Planner

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.tomballtx.gov.



Notice of Public Hearing

YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P20-105

APPLICANT/OWNER: Whitmeyer's Distilling Co., LLC

LOCATION: Generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas.

PROPOSAL: Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat and is zoned Light Industrial District.

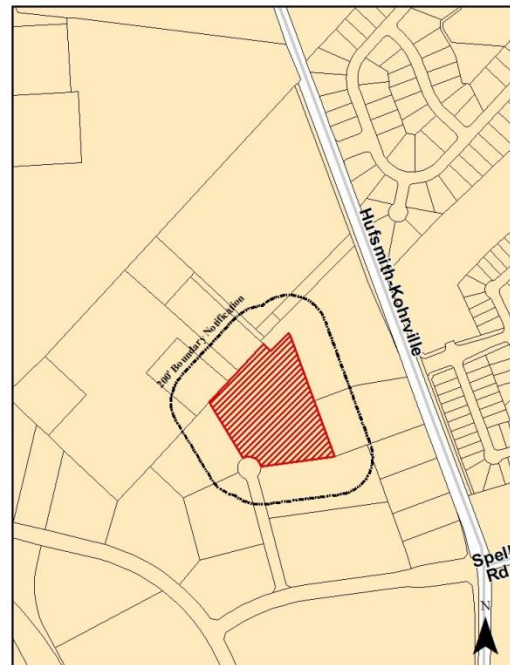
CONTACT: Amelia Lindley, City Planner

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.

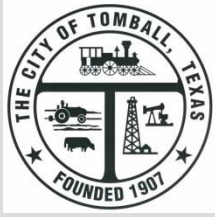


**Planning & Zoning Commission
Public Hearing:
Monday, July 13, 2020 6:00 PM**

**City Council Public Hearing:
*Monday, July 20, 2020 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Conditional Use Permit (CUP) Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case: P20-105

Property Owner(s): Nickson Tomball Industrial LTD

Applicant(s): Whitmeyer's Distilling Co., LLC

Legal Description: Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat

Location: End of Spell Circle at 21250 Spell Circle (Exhibit "A")

Area: 6.10 acres

Comp Plan Designation: Business Park & Industrial (Exhibit "B")

Present Zoning and Use: Light Industrial District (Exhibit "C") / Office/warehouse facility (Exhibit "D")

Proposed Use(s): Hand sanitizer manufacturing and distribution (Exhibit "E")

Request: Conditional Use Permit (CUP) to allow the operation of a *soap, detergents, cleaning preparations manufacture* facility

Adjacent Zoning & Land Uses:

- North:** Single-Family 20 Estate and Light Industrial District / Undeveloped & single-family residence
- South:** Light Industrial District / Undeveloped & Suez
- West:** Light Industrial District / Office/warehouse facility
- East:** Light Industrial District / Undeveloped & construction company (Creacom, Inc.)

BACKGROUND

City staff met with the applicant to discuss the lease of an existing building on the subject site for the manufacturing and distribution of hand sanitizer.

ANALYSIS

According to Section 50-81 (f) of the Chapter 50 (Zoning), when considering applications for a CUP, the City shall, on the basis of the concept plan and other information submitted, evaluate the impact of the conditional use on and the compatibility of the use with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. Specific considerations shall include the extent to which:

- 1. The proposed use at the specified location is consistent with the goals, objectives, and policies contained in the adopted Comprehensive Plan;**

The Comprehensive Plan identifies the subject site as Business Park & Industrial. According to Chapter 4 (Vision) of the Comprehensive Plan, the intent and character of the Business Park & Industrial category is “to create opportunities for employment”. The proposed land use would not only bring jobs to the City, but also provide a much-needed product. Furthermore, light manufacturing is an appropriate land use type in this area.

- 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;**

According to the Zoning Ordinance, “a conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions.”

According to Section 50-78, “the Light Industrial District is intended primarily for the conduct of light manufacturing, assembling and fabrication activities and for warehousing, research and development, wholesaling and service operations”. The proposed land use meets the purpose and intent of the Light Industrial Zoning District.

- 3. The proposed use meets all supplemental standards specifically applicable to the use as set forth in the Zoning Ordinance;**

Should the CUP application be approved by City Council, the applicant will be required to submit a building plan application and supporting documents to the City for review and approval. Specific details of site modifications will be shown at the time of plan review.

- 4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts;**

The proposed use appears to be compatible with the adjacent developments. The property is located within the Tomball Business and Technology Park where there are many light industrial uses.

- 5. The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.**

Staff does not anticipate any adverse effects on surrounding properties.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 25, 2020. A Notice of Public Hearing was published in the paper on July 1, 2020. Any

public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-105.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. CUP Application

**Exhibit “A”
Aerial Photo**

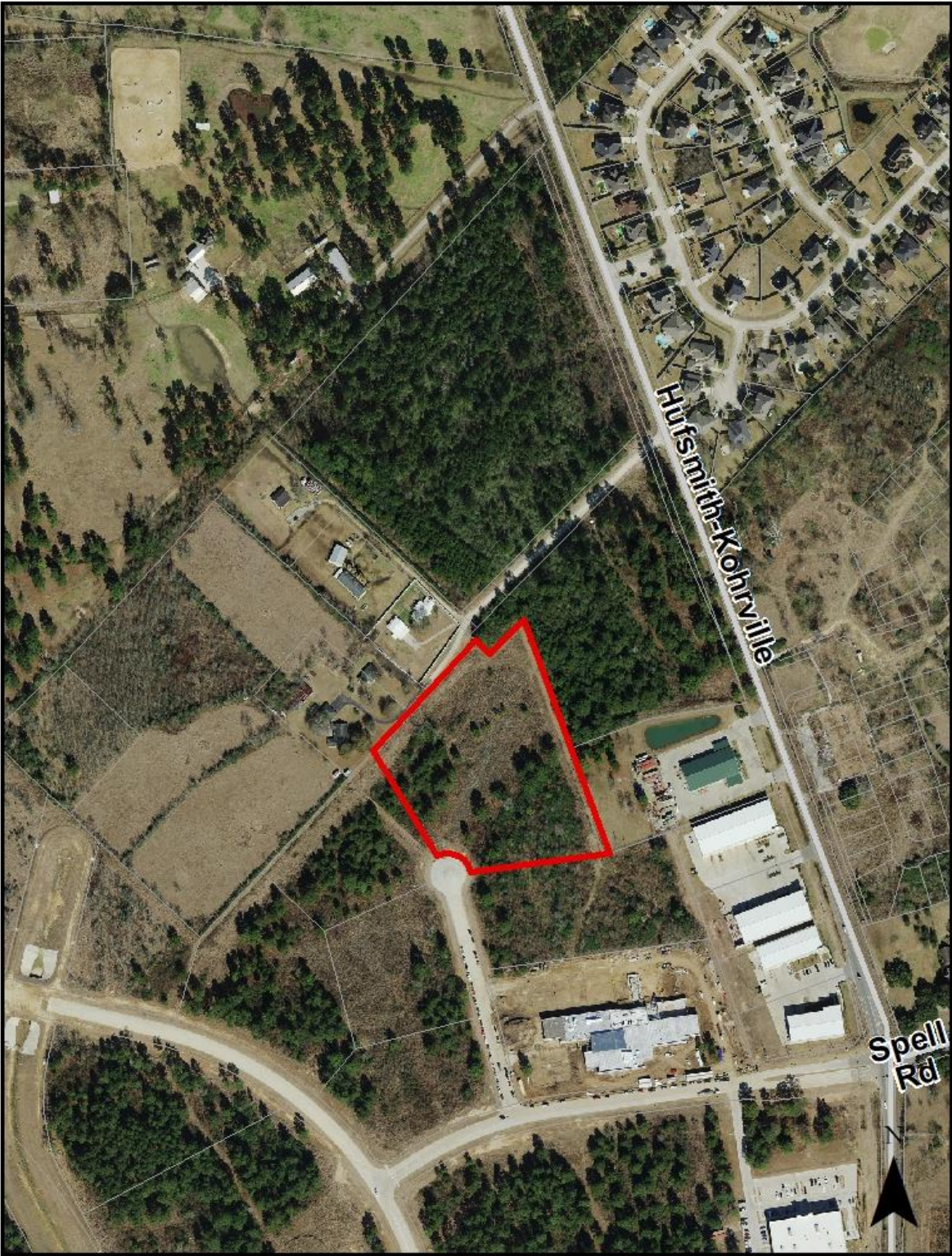


Exhibit "B"
Comprehensive Plan

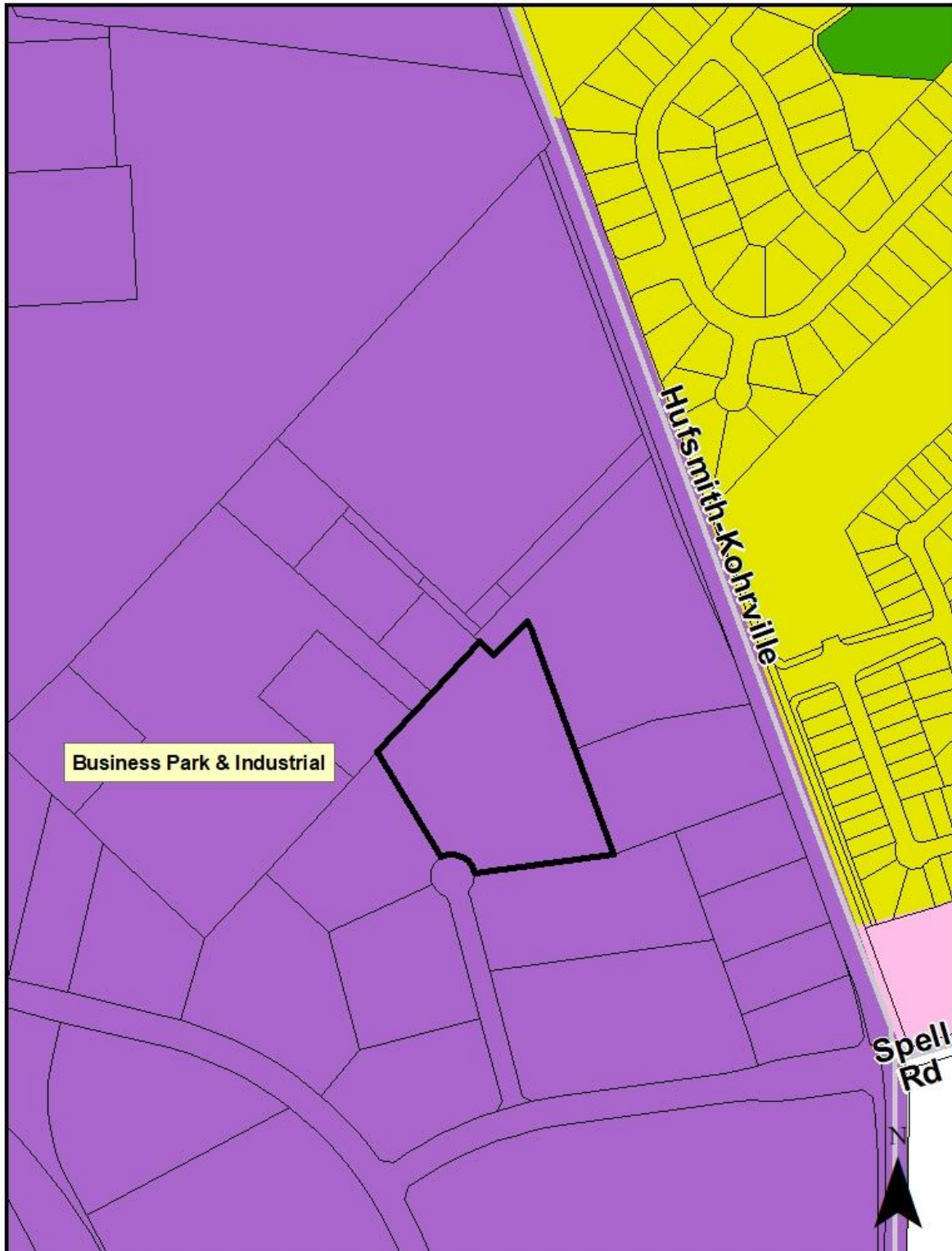
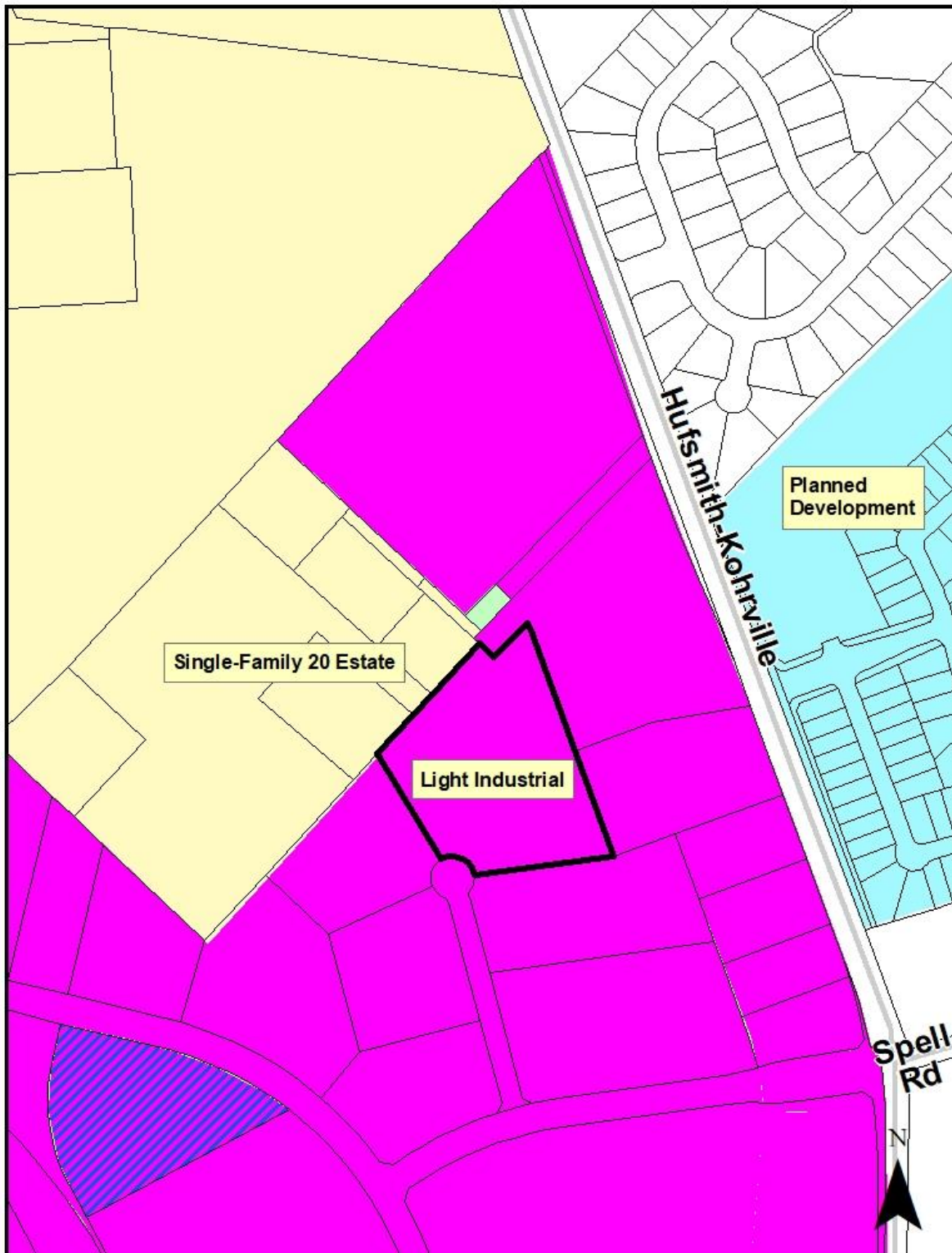


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"
CUP Application



RECEIVED (KC)
06/05/2020 9:59:39 AM

Revised: 4/24/2020

P&Z #20-105
\$600.00

APPLICATION FOR
CONDITIONAL USE PERMIT
Planning Division

A conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions. This Section sets forth the standards used to evaluate proposed conditional uses and the procedures for approving conditional use permit (CUP) applications.

APPLICATION SUBMITTAL: Applications will be conditionally accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

Applicant

Name: Whitney's Distillers Co. LLC Title: _____
Mailing Address: 16711 Houston St. City: Houston State: TX
Zip: 77066 Contact: Travis Whitmeyer - President
Phone: (____) _____ Email: travis@whitmeyers.com

Owner: Nickson Tomball Industrial Ltd
Name: Charles Nickson Pres Title: _____
Mailing Address: 2807 East Groves Ln. City: Houston State: TX
Zip: 77027 Contact: _____
Phone: (713) 961-4400 Email: cnickson@msn.com

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____ Contact: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: HARD SAWTIMBER Production Facility

Physical Location of Property: 21250 Spauldine Circle Tomball, TX 77375
(General Location - approximate distance to nearest existing street corner)

Legal Description of Property: _____

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lot/Block]

Revised: 4/24/2020

HCAD Identification Number: _____ Acreage: _____

Current Use of Property: _____

Proposed Use of Property: HAND SANITIZER PRODUCTION

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X [Signature]
Signature of Applicant

6/5/2020
Date

X [Signature]
Signature of Owner

6/5/2020
Date



By *[Signature]*
County Clerk

1. Board Order, an instrument under the seal of the State of Texas to provide the same, and a copy of the same, are on file in the office of the County Clerk of Tarrant County, Texas, and a copy of the same is being furnished to the County Clerk of Tarrant County, Texas, for their records.

By *[Signature]*
President of the Board of Directors

By *[Signature]*
Secretary of the Board of Directors



By *[Signature]*
Notary Public

By *[Signature]*
Notary Public

By *[Signature]*
Notary Public

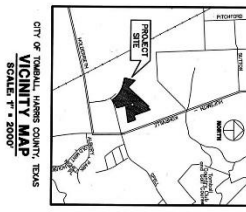


By *[Signature]*
Notary Public

DESCRIPTION
RD 2018 37703 8/17/2018 1:01 PM
City of Tarrant

1. Board Order, an instrument under the seal of the State of Texas to provide the same, and a copy of the same, are on file in the office of the County Clerk of Tarrant County, Texas, and a copy of the same is being furnished to the County Clerk of Tarrant County, Texas, for their records.

1. Board Order, an instrument under the seal of the State of Texas to provide the same, and a copy of the same, are on file in the office of the County Clerk of Tarrant County, Texas, and a copy of the same is being furnished to the County Clerk of Tarrant County, Texas, for their records.



TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 9 REPLAT

25.1176 ACRES, LOT 9, BLOCK 1 OF TOMBALL
BUSINESS AND TECHNOLOGY PARK LOT 2 REPLAT,
IN THE ELIZABETH SMITH SURVEY, TARRANT COUNTY, TEXAS

1 BLOCK 7 LOTS

ACRES 25.1176

OWNER

Tomball Economic
Development Corporation

2007 Westinghouse
Road, Suite 100
Tomball, TX 77475

Surveyor



WINDROSE
LAND SURVEYING & PLANNING

11111 WINDROSE DRIVE, SUITE 100, TOMBALL, TEXAS 77475

