

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



MONDAY, JUNE 8, 2020

6:00 P.M.

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, June 8, 2020 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning & Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

- 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 JUNE 8, 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: 83855993949 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.

- 1.2 Election of Chair and Vice Chair
- 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 May 11, 2020
- 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.
 - 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.
 - Conduct Public Hearing on **Zoning Case P20-079**
- 6.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 4th day of June, 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: June 8, 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: June 8, 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: June 8, 2020

Topic:
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting on May 11, 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 - 5/11/2020

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

MONDAY, MAY 11, 2020



6:00 P.M.

1.0 The meeting was Called to Order by Chair Tague at 6:04 p.m. Other members present were:

Commissioner Darrell Roquemore
Commissioner Dane Dunagin
Commissioner Will Benson
Commissioner Richard Anderson

Others present:

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

Draft

2.0 No Public Comments were received

3.0 Reports and Announcements

- Craig Meyers, Community Development Director, announced the following:
 - Zoning Case P20-056, request allowing schools other than public or denominational to utilize temporary buildings, was approved at City Council.

4.0 Motion was made by Commissioner Anderson, second by Commissioner Benson, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of April 13, 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 **TOMBALL HEIGHTS PARTIAL REPLAT NO. 1**: A Subdivision of 0.4781 Acres, being a replat of Lots 6, 7 and 8, Block 1, Tomball Heights, as recorded in Film Code No. 688470 H.C.M.R., Located in the Joseph House Survey, Abstract No. 34, City of Tomball, Harris County, Texas.

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

Motion was made by Commissioner Roquemore, second by Commissioner Benson, to approve.

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

- 5.2 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 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. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

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

Richard James, Applicant and Attorney for Owner (719 Sawdust Rd., Suite #300, The Woodlands, TX 77380) spoke on behalf of the request.

Clayton Benedict (719 Sawdust Rd., Suite #300, The Woodlands, TX 77380) spoke on behalf of the request.

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

Cindy Lanham (635 Baker Drive, Tomball, TX 77375) spoke in opposition of the request.

David Tegtmeier (614 E. Pecan Drive, Tomball, TX 77375) spoke in opposition of the request.

Butch Bolden (507 S. Pecan, Tomball, TX 77375) spoke in opposition of the request.

Hearing no additional comments, the Public Hearing was closed at 6:25 p.m.

Motion was made by Commissioner Dunagin, second by Commissioner Anderson, to approve **Zoning Case P20-069**.

Roll call vote was called by Commission Secretary Wesley Stolz.

Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Dunagin	<u>Aye</u>
Commissioner Roquemore	<u>Nay</u>
Commissioner Benson	<u>Nay</u>
Commissioner Anderson	<u>Nay</u>

Motion Failed - 1 votes Aye, 4 votes Nay.

- 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 6:30 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: June 8, 2020

Topic:
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.

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:

Common Grounds - Plat
Common Grounds - Plat Comments

STATE OF TEXAS
COUNTY OF HARRIS

WE, HOSPITALIER HOLDINGS, LLC, HEREIN AFTER REFERRED TO AS OWNERS OF THE 0.4591 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING REVISED MAP OF TOMBALL TOWNSHIP DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE DEDICATE TO THE USE OF THE STREETS, OR PERMANENT ACCESS EASEMENTS), ALLEYS, STREETS DESIGNATED AS PRIVATE PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THERE ON 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, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENT 5' IN WIDTH FROM A PLANE 20' ABOVE THE GROUND 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 IS HEREBY RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE, HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS (1-3/4) SQUARE FEET (18" DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO 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, DRAINS, 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 ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

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 DRAINAGE WAY SHALL HEREBY BE 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 ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

STATE OF TEXAS
COUNTY OF HARRIS

WITNESS OUR HAND IN THE CITY OF TOMBALL, TEXAS, THIS _____
DAY OF _____, 2020.

OWNER: JILL BARRETT

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared BOB FONTENOT, known to me to be the person whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein expressed

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 _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared JOY FONTENOT, known to me to be the person whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein expressed

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 _____

THIS IS TO CERTIFY THAT THE TOMBALL PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS REVISED PLAT OF TOMBALL IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS, AND THE ORDINANCE OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT

BY: BARBARA TAGUE, CHAIR
BY: DARRELL ROQUEMORE, VICE CHAIRMAN

I, STAN STANART, CLERK OF THE COUNTY COURT 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 IN FILM CODE

NO. _____ OF THE MAPS RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

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

STAN STANART
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

LEINHOLDER(S) ACKNOWLEDGEMENT :

I, POST OAK BANK, N.A., OWNER AND HOLDER OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS COMMON GROUND, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN VOLUME HARRIS COUNTY CLERK'S FILE NUMBER 2017-355920 OF THE REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN IN THIS SECTION TO SAID PLAT AND I HEREBY CONFIRM THAT I AM THE PRESENT OWNER OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

STATE OF TEXAS
COUNTY OF HARRIS

WITNESS OUR HAND IN THE CITY OF TOMBALL, TEXAS, THIS
DAY OF _____, 2020.

REPRESENTATIVE: POST OAK BANK, N.A.

X= 3037830.59
Y= 13961947.33
FOUND 5/8" I.R. - BENT

MORTY R. STONE
NEW LOT 16
(H.C.C.F. NO. 483987)
(H.C.C.F. NO. 483988)

FOUND 5/8" I.R. W./CAP
X= 3037877.75
Y= 13961859.15

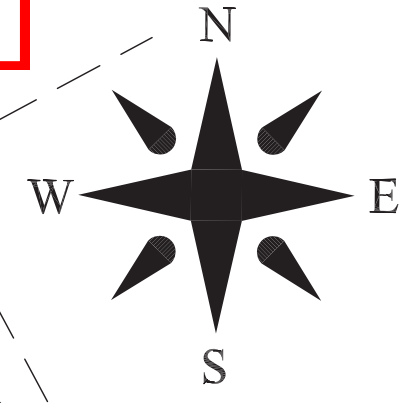
I, MARK L. SHERLEY, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON RODS, SAID RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE QUARTER (3/4) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

Mark L. Sherley
MARK L. SHERLEY
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5326

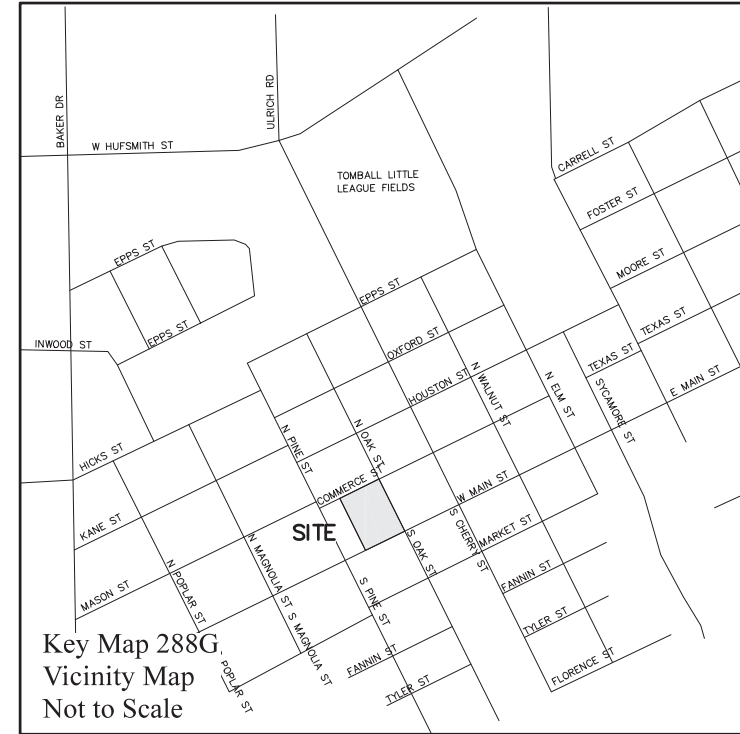


LEGEND
C.O.T.U.E. - INDICATES "CITY OF TOMABALL UTILITY EASEMENT"
B.L. - INDICATES "BUILDING LINE"
R.O.W. - INDICATES "RIGHT OF WAY"
VOL., PG. - INDICATES "VOLUME, PAGE"
H.C.D.R. - INDICATES "HARRIS COUNTY DEED RECORDS"
H.C.M.R. - INDICATES "HARRIS COUNTY MAP RECORDS"
H.C.C.F. NO. - INDICATES "HARRIS COUNTY CLERK'S FILE NO."
U.E - INDICATES UTILITY EASEMENT.
O.P.R.R.P.H.C.T. - INDICATES "OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS."

RECEIVED (KC)
05/29/2020 12:31:36 PM



SCALE : 1" = 20'
0 10 20 40



- NOTES:
1. ALL VISIBLE EXISTING PIPELINES OR PIPELINE EASEMENTS THROUGH THE SUBDIVISION HAVE BEEN SHOWN WITHIN THE LIMITS OF THE SUBDIVISION.
 2. THERE ARE NO VISIBLE EXISTING OIL/GAS WELLS (PLUGGED, ABANDONED AND/OR ACTIVE) WITHIN THE LIMITS OF THE SUBDIVISION.
 3. REFERENCE CITY PLANNING LETTER ISSUED OCTOBER 31, 2018, BY TITLE HOUSTON HOLDINGS G.F. NO. 7910-18-5270 NO FURTHER RESEARCH FOR EASEMENTS OR ENCUMBRANCES WAS PERFORMED BY FOUR POINTS ENGINEERING & SURVEYING, LLC.
 4. 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 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 OF THIS PLAT. NEITHER THE CITY OF TOMBALL OR ANY PUBLIC UTILITY SHALL BE RESPONSIBLE FOR THE REPLACING OR REIMBURSING THE PROPERTY OWNER DUE TO REMOVAL OR RELOCATION OF ANY OBSTRUCTION ON THE PUBLIC EASEMENTS.
 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. THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE 0.999952072412.

PLAT OF
TR 1, LOT 17-24
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

June, 2020

PROPERTY ADDRESS:
401 COMMERCE ST.
TOMBALL, TX. 77375

FOUR POINTS ENGINEERING
SURVEYOR: & SURVEYING, LLC
FIRM# 10194048
THE WOODLANDS, TEXAS 77382
PHONE (281) 961-0714
fpsurveying@gmail.com

OWNER: JILL BARRETT
4800 SCOTTWOOD DR.
WACO, TX. 76708

CITY OF TOMBALL

Plat Name: TR 1, LOT 17-24 COMMON GROUNDS 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: June 8, 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:

- Add plat name to signature block
- Add missing plat notes
- Clarify City of Tomball utility easement dedication
- Submit updated title report
- Update Notary and County Clerk signature blocks
- Fix typos

Community Development recommends approval of this plat with contingencies.

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: June 8, 2020

Topic:

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.

- Conduct Public Hearing on **Zoning Case P20-079**

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)
JUNE 8, 2020
&
CITY COUNCIL
JUNE 15, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, June 8, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, June 15, 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 P20-079: 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.

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.

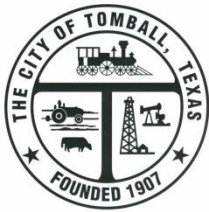
C E R T I F I C A T I O N

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 **4th** day of **June 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: P20-079

APPLICANT/OWNER: The City of Tomball

LOCATION: 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.

PROPOSAL: A Re-Zoning 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.

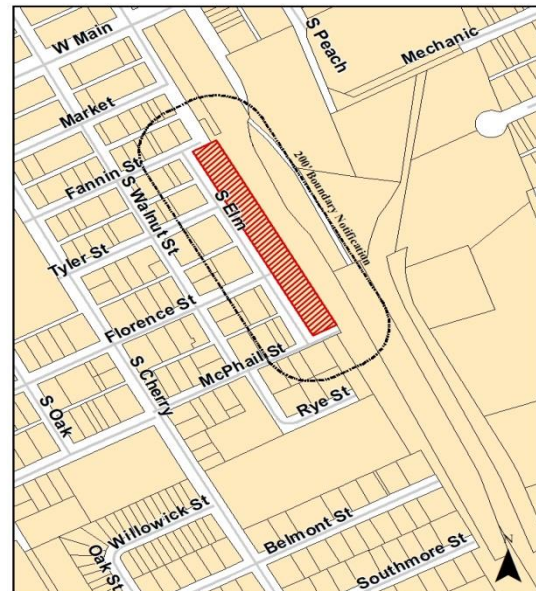
CONTACT: Amelia Lindley, City Planner

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.

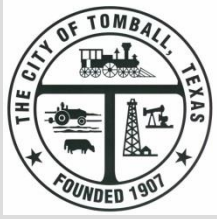


**Planning & Zoning Commission
Public Hearing:
Monday, June 8, 2020 6:00 PM**

**City Council Public Hearing:
*Monday, June 15, 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: June 8, 2020
City Council Public Hearing Date: June 15, 2020

Rezoning Case: P20-079
Property Owner(s): City of Tomball
Applicant(s): City of Tomball
Legal Description: Lot 1 Block 1 City of Tomball Railroad Museum
Location: West side of the BNSF Railroad and the east side of the Elm Street right-of-way (Exhibit "A")
Area: 1.66 acres out of 2.135 acres
Comp Plan Designation: Old Town (Exhibit "B")
Present Zoning and Use: Single-Family 6 and Old Town & Mixed Use District (Exhibit "C") / Undeveloped (Exhibit "D")
Proposed Use(s): Texas Railroading Heritage Museum
Request: Rezone a portion of the property from the Single-Family 6 District to the Old Town & Mixed Use District

Adjacent Zoning & Land Uses:

North: Old Town & Mixed Use District / Tomball Depot Park

South: Single-Family 6 District / Single-family residences

West: Single-Family 6 District / Single-family residences

East: Light Industrial District / BNSF Railroad

BACKGROUND

City Staff began discussions with the Texas Railroading Heritage Museum in 2016 regarding the development of a museum adjacent to the Tomball Depot.

ANALYSIS

The property is currently split zoned. The northern portion of the property from Fannin Street to Tyler Street is zoned Old Town & Mixed Use District, while the remaining property south of Tyler Street to McPhail Street is zoned Single-Family 6 District. Surrounding properties are zoned Single-Family 6 District, Old Town & Mixed Use District and Light Industrial District.

Surrounding land uses in the area are single-family residences, the Tomball Depot, and the BNSF Railroad. The proposed museum will create an addition to the Tomball Depot park and will be well screened from adjacent residential property owners.

According to Section 50-79, the purpose of the Old Town & Mixed Use District is “to provide a zoning mechanism for a variety of uses in the original town site and those areas that have a diverse mixture of uses. The nature of the area, therefore, is a mixture of retail, commercial and other nonresidential uses, along with single-family homes and multiple-family uses.”

The property, and most surrounding properties, are designated as Old Town by the Comprehensive Plan’s Future Land Use Map. This category consists of downtown and surrounding neighborhoods. According to the Comprehensive Plan, “old town is intended to be highly walkable and promotes a distinct sense of place”. Appropriate land use types “should consist of 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 and home professions”. The proposed rezoning, and proposed land use, is appropriate with the Future Land Use designation.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on May 22, 2020. A Notice of Public Hearing was published in the paper on May 27, 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 P20-079.

EXHIBITS

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

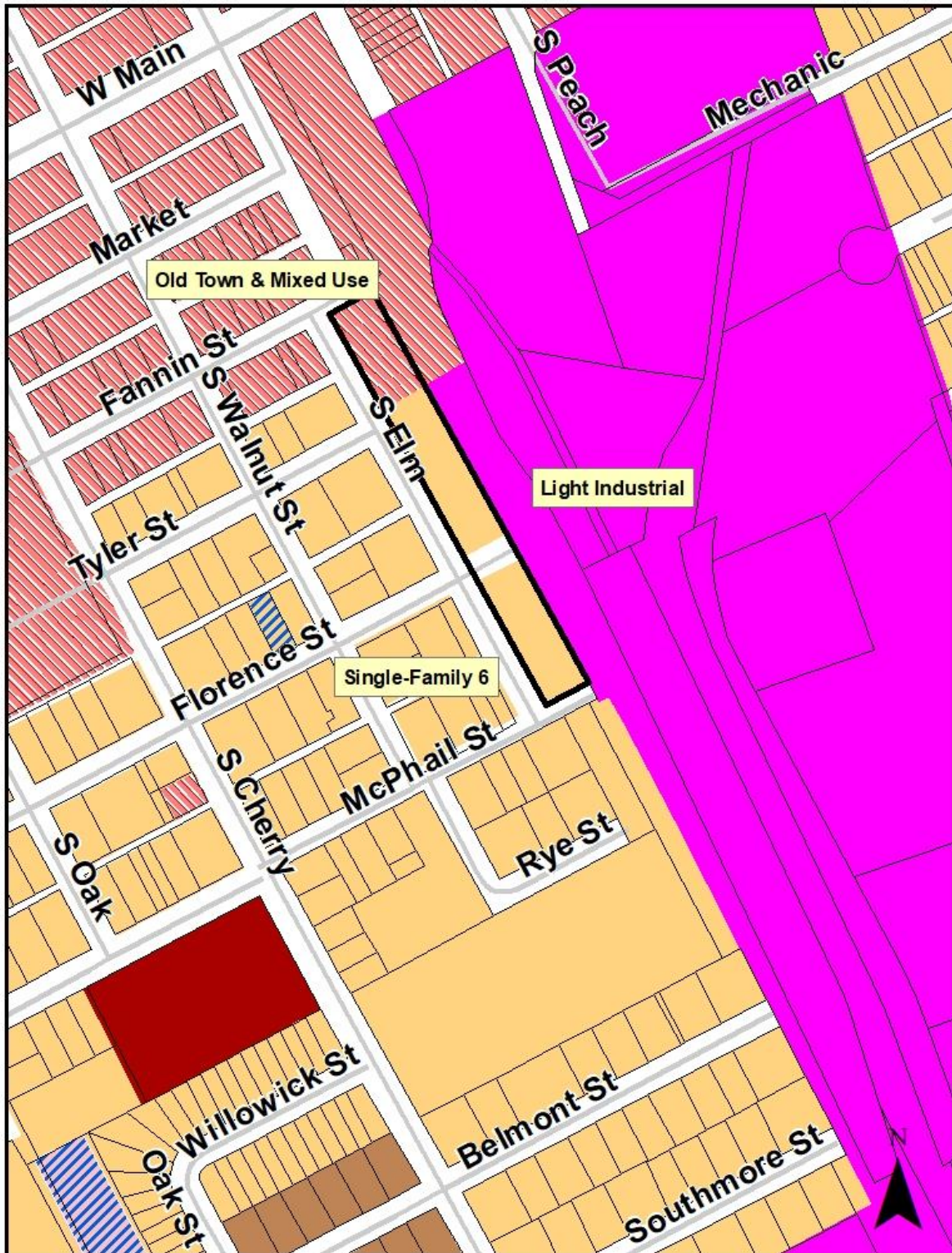
Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan



Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



End of McPhail Street



End of Florence Street



End of Tyler Street



End of Fannin Street