

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



MONDAY, MAY 12, 2014

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, May 12, 2014 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 and Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- 1.0 Call to Order
- 2.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*
- 3.0 Reports and Announcements
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of April 14, 2014.

5.0 New Business:

- 5.1 Consideration to approve **DEWEYCASA FINAL PLAT**; Being a Subdivision of 0.7310 acre, located in the Joseph House Survey, A-34, Harris County, Texas and being Tract One and Tract Two of a 6.23 acre tract.
- 5.2 Consideration to approve **HILL ESTATES REPLAT**; Being a Subdivision of 0.368 acre of land situated in the J. Pruitt Survey, Abstract Number 629, Harris County, Texas and being a Replat of Lots 25 and 26, in Block 2, of Pine Meadows, a Subdivision in Harris County, Texas, according to the map or platy thereof recorded in Volume 555, Page 232 of the Map Records of Harris County, Texas.

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 8th day of May 2014 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer_____

Doris Speer
City Secretary, TRMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

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

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: May 12, 2014

Topic:

Background:

Origination:

Recommendation:

Funding:

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: May 12, 2014

Topic:

Background:

Origination:

Recommendation:

Funding:

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: May 12, 2014

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of April 14, 2014.

Background:**Origination:****Recommendation:****Funding:****Party(ies) responsible for placing this item on agenda:**

Brandy Pate Harbolt, Engineering and Planning

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

ATTACHMENTS:

04.14.14 P&Z Minutes

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

MONDAY, APRIL 14, 2014



6:00 P.M.

1.0 Call to Order

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

Commissioner Torres
Commissioner Anderson
Commissioner Beauvais

Commissioner Roquemore – Excused Absence

Others present:

Director of Community Development – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
Assistant City Planner – Rodney Schmidt
Senior Administrative Assistant – Brandy Harbolt
Fire Marshal – Doug Sanguedolce
Building Official – David Allen
Building Inspector – Robert Pemberton
City Attorney – Loren Smith
City Intern – Rachel Lazo

Draft

2.0 No Public Comments were received.

3.0 Reports and Announcements:

City Engineer, Lori Lakatos announced the upcoming Capital Improvements Plan Advisory Committee Meetings of May and June 2014.

4.0 Motion was made by Commissioner Torres, second by Commissioner Anderson, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of March 10, 2014.

Motion carried unanimously.

5.0 New Business:

- 5.1 Consideration to approve **MATTHEWS ADDITION PRELIMINARY PLAT**; Being a Subdivision of 61.77377 acres of land situated in the Joseph House Survey, Abstract No. 34 in Harris County, Texas, and Abstract No. 20 in Montgomery County, Texas.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Beauvais, second by Commissioner Torres, to approve **MATTHEWS ADDITION PRELIMINARY PLAT**, with contingencies.

Motion carried unanimously.

- 5.2 Consideration to approve **1603 HICKS SUBDIVISION**; Being a Subdivision of 2.6409 acres of land situated in the Joseph House Survey, Abstract Number 34 of Harris County, Texas, and being a Replat of Lot 3 of Amending Plat of 249 at Hufsmith Subdivision; a Subdivision according to the map or plat thereof recorded in Clerk's File Number 509116, of the Map Records of Harris County, Texas, and being the same land as described in deed recorded under Clerk's File Number Y068948, of the Real Property Records of Harris County, Texas.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Torres, second by Commissioner Anderson, to approve **1603 HICKS SUBDIVISION**, with contingencies.

Motion carried unanimously.

- 5.3 Consideration to approve **BRANIFF PLACE**; Being a Replat of Lots 32 and 33 of Revised Map of Tomball, City of Tomball, Recorded Under Vol. 4, Pg. 25 of the Map Records of Harris County, Texas, located in the William Hurd Survey, Abstract No. 371, Harris County, Texas.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Torres, second by Commissioner Beauvais, to approve **BRANIFF PLACE**, with contingencies.

Motion carried unanimously.

- 5.4 Consideration to approve **DEWEYCASA PRELIMINARY PLAT**; Being a Subdivision of 0.731 acre, located in the Joseph House Survey, A-34, Harris County, Texas containing 0.731 acre.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Anderson, second by Commissioner Torres, to

approve **DEWEYCASA PRELIMINARY PLAT**, with contingencies.

Motion carried unanimously.

- 5.5 Consideration to approve **PECK STATION FINAL PLAT**; A Subdivision of 34.4945 acres of land situated in the Jesse Pruitt Survey, Abstract No. 629, City of Tomball, Harris County, Texas; Being a Partial Replat of Lots 296, 297, 298, 302, 303, 308, 309, 310, & 311 of Tomball Townsite, Volume 2, Page 65 M.R.H.C.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Beauvais, second by Commissioner Torres, to approve **PECK STATION FINAL PLAT**, with contingencies.

Motion carried unanimously.

- 5.6 Consideration to approve **RESERVE AT TOMBALL PARTIAL REPLAT NO. 1**; A 47.650 acre tract of land being a Partial Replat of Reserve at Tomball as recorded under Film Code No. 640133; H.C.M.R.; Being out of called 55.6484 acre tract recorded under Harris County Clerk's File No. 20100211861, and a called 4 acre tract recorded under H.C.C.F. No. Z177722 in the Jesse Pruitt Survey, Abstract No. 629, City of Tomball, Harris County, Texas.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Anderson, second by Commissioner Torres, to approve **RESERVE AT TOMBALL PARTIAL REPLAT NO. 1**, with contingencies.

Motion carried unanimously.

- 5.7 Consideration to approve **STANOLIND FIRE STATION PRELIMINARY PLAT**; A 27.7034 acre tract of land being out of called 28.25 acre tract recorded under Harris County Clerk's File No. Y532630 in the Joseph Miller Survey, Abstract No. 50, City of Tomball, Harris County, Texas.

Lori Lakatos, City Engineer presented recommendation.

Motion was made by Commissioner Torres, second by Commissioner Anderson, to approve **STANOLIND FIRE STATION PRELIMINARY PLAT**.

Motion carried unanimously.

- 5.8 Consideration to approve **STANOLIND FIRE STATION FINAL PLAT**; A 27.7034 acre tract of land being out of a called 28.25 acre tract recorded under Harris County Clerk's File No. Y532630 in the Joseph Miller Survey, Abstract No. 50, City

of Tomball, Harris County, Texas.

Lori Lakatos, City Engineer presented comments and recommendations.

Motion was made by Commissioner Beauvais, second by Commissioner Anderson, to approve **STANOLIND FIRE STATION FINAL PLAT**, with contingencies.

Motion carried unanimously.

- 5.9 Consideration to approve **ZONING CASE P14-028:** Request by Stutts Cox Builders, Inc., on behalf of Ronald and Amy Haffner, for a Conditional Use Permit to operate an accountant's office with one residential sleeping quarter. The property is approximately 0.68 acres, is legally described as Lot 2, Block 2, Brown-Hufsmith Commercial, is generally located south of Brown-Hufsmith Road between State Highway 249 and Quinn Road, and is located in the Office District.

The Public Hearing was opened by Chair Tague at 6:14 p.m.

Rebeca Guerra, City Planner presented the staff report.

Applicant, Alan Cox spoke on behalf of the request.

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

Motion was made by Commissioner Torres with approve **ZONING CASE P14-028** with two (2) conditions as recommended by staff; second by Commissioner Anderson. Vote was as follows:

Commissioner Torres	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Tague	<u>Aye</u>

Motion carried; 4 votes Aye, 0 votes Nay.

- 5.10 Consideration to approve **ZONING CASE P14-040:** Request by 2978 Panormus, LP to amend the City's Zoning Ordinance by rezoning approximately 34.4945 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, City of Tomball, Harris County, Texas, said 34.4945 acres being comprised of Harris County Appraisal District Tracts 12 and 11M-4, all of Lots 296, 297 and 302 and a portion of Lots 298, 303, 308, 309, 310 and 311 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the Harris County Map Records; generally located northerly of FM 2920 between Snook Lane and FM 2978, from the Commercial and Single-Family Residential-9 Districts to the Planned Development - 6 District to facilitate a mixed use development.

The Public Hearing was opened by Chair Tague at 6:22 p.m.

Rebeca Guerra, City Planner presented the staff report.

Applicant, Jerry Hayley and Damon Palermo spoke on behalf of the request.

Kelly Violette of 29201 Quinn Rd. spoke in favor of the request.

Keith Jennings of 25614 Bridle Creek spoke in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 6:56 p.m.

Motion was made by Commissioner Torres; second by Commissioner Anderson to approve **ZONING CASE P14-040**. Vote was as follows:

Commissioner Torres	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Tague	<u>Aye</u>

Motion carried; 4 votes Aye, 0 votes Nay.

5.11 Presentation of proposed updates to the Building Codes.

Director of Community Development, Craig Meyers provided a presentation regarding the proposed updates to the Building Code.

5.12 Discussion and Action regarding a recommendation of approval to the proposed updates to the Building Codes.

Motion was made by Commissioner Torres; second by Commissioner Anderson to approve the proposed updates to the Building Code. Vote was as follows:

Commissioner Torres	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Tague	<u>Aye</u>

Motion carried; 4 votes Aye, 0 votes Nay.

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

Motion carried unanimously.

Meeting adjourned at 7:24 p.m.

PASSED AND APPROVED this _____ day of _____ 2014.

Brandy Harbolt
Senior Administrative Assistant

Barbara Tague
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: May 12, 2014

Data Sheet

Topic:

Consideration to approve **DEWEYCASA FINAL PLAT**; Being a Subdivision of 0.7310 acre, located in the Joseph House Survey, A-34, Harris County, Texas and being Tract One and Tract Two of a 6.23 acre tract.

Background:

The Planning and Zoning Commission approved the DeweyCasa Preliminary Plat with contingencies on April 14, 2014. Comments have been addressed and the Preliminary Plat was accepted on May 5, 2014. The Final Plat is now being presented for approval consideration.

Origination:

Recommendation:

Funding:

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

Brandy Pate Harbolt, Engineering and Planning

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

ATTACHMENTS:

DeweyCasa Final Plat

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: May 12, 2014

Data Sheet

Topic:

Consideration to approve **HILL ESTATES REPLAT**; Being a Subdivision of 0.368 acre of land situated in the J. Pruitt Survey, Abstract Number 629, Harris County, Texas and being a Replat of Lots 25 and 26, in Block 2, of Pine Meadows, a Subdivision in Harris County, Texas, according to the map or platy thereof recorded in Volume 555, Page 232 of the Map Records of Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

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

Brandy Pate Harbolt, Engineering and Planning

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

ATTACHMENTS:

Hill Estates Replat

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 bays, creeks, rivers, sloughs or other natural drainage courses located in said plot, 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 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 plot 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 building property shall not be permitted to come directly into this easement except by means of an approved drainage structure.

NOTARY PUBLIC, STATE OF TEXAS

BEFORE ME, the undersigned authority, on this day personally appeared Michael Hill, known to me to be the person 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.

My Commission expires:

David E. King,
Registered Professional Land Surveyor
Texas Registration No. 4503

3Y: _____
Deputy

OWNER:
Michael B. Hill
12707 Pine Woods Street
Tomball, Texas 77375
Phone-832-696-6307

SURVEYOR:
David E. King, Sr.
3411 Keygate Drive
Spring, Texas 77388
Office: 281-350-8003
FAX: 281-350-0118

We, Maricao, L.P., on Arizona Limited Partnership, owner and holder of a lien against the property shown on this plot, said lien being evidenced by instrument of record under Harris County Clerk's file No. W350672, do hereby in all things subordinate our interest in said property to the purposes and effects of said plot and the dedications and restrictions shown herein to said plot. Further, I hereby confirm that I am the present owner of said lien and have not assigned the same nor any part thereof.

BY: _____
Print Name

BY: _____
Print Name

COUNTY OF HARRIS

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2014

NOTARY PUBLIC, STATE OF TEXAS

KLSS
KING'S LAND SURVEYING
SOLUTIONS, LLC
Professional Land Surveyors