

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

**MONDAY, SEPTEMBER 11, 2023**



**6:00 P.M.**

**draft**

- A. The meeting was Called to Order by Chairwoman Tague at 6:00 p.m. Other Members present were:
- Commissioner Tana Ross
  - Commissioner Scott Moore
  - Commissioner Susan Harris
  
  - Commissioner Richard Anderson – Excused Absence
  
  - Craig Meyers – Community Development Director
  - Jared Smith – City Planner
  - Kim Chandler – Community Development Coordinator
  - Tommy Ramsey – City Attorney
- B. No Public Comments were received.
- C. Reports and Announcements:
- City Council Approved **Zoning Case Z23-11**: Request by ISIDROWS, LLC on behalf of Wendy Lynn Dixon to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 10 acres of land legally described as being part of Lots 372 & 373 of Tomball Outlots from Single-Family 20 Estate (SF-20-E) to Light Industrial (LI) zoning. The property is generally located within the 1500 block (east side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas.
  
  - City Council Approved on First Reading with conditions **Zoning Case Z23-10**: Request by Nathan T. Newman on behalf of NTN Tomball Corner, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 56.1 acres of land legally described as Lot 1 & Lot 3 of Reserve at Tomball, and Lot 2 of Reserve at Tomball Partial Replat No. 1 from Single-Family 9 (SF-9) and Commercial (C) to Planned Development (PD #19) zoning. The property is generally located at the northwest corner of FM 2978 and FM 2920, within the City of Tomball, Harris County, Texas.
    - The applicant decided to evaluate the conditions and postponed the Second Reading to a future date.

- Joint Workshop Sessions with City Council and P&Z:
  - Tree Preservation / Development Buffering  
October 9, 2023 (4:00 p.m.-5:00 p.m.) prior to P&Z meeting.
  - Comprehensive Plan Update  
October 9, 2023 (5:00 p.m.-6:00 p.m.) prior to P&Z meeting.

D. Approval of Minutes:

Motion was made by Commissioner Ross, second by Commissioner Moore, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of August 14, 2023.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

E. New Business:

- E.1 Consideration to Approve Preliminary Plat of **UMANZOR DEVELOPMENT**: A subdivision of 1.5968 acres of land, being a 1.5968-acre tract of land situated in the C. Goodrich Survey, Abstract No. 311, Harris County, Texas.

Jared Smith, City Planner, presented with Staff Approval with conditions.

Motion was made by Commissioner Moore, second by Commissioner Harris, to approve with no conditions.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

- E.2 Consideration to Approve Final Plat of **RABURN RESERVE, SEC. 3**: Being a subdivision of 33.724 acres out of the Jesse Pruett Survey, A-629, City of Tomball, Harris County, Texas; also, being a Partial Replat of Reserve “G” of Raburn Reserve Sec. 1 recorded under F.C. No. 692320, H.C.M.R.

Jared Smith, City Planner, presented with Staff Approval with conditions.

Motion was made by Commissioner Harris, second by Commissioner Ross, to approve with no conditions.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

E.3 Conduct a Public Hearing and Consideration to Approve **Conditional Use Permit Case CUP23-05**: Request by 2 S&Z Investments LLC., represented by Breann Williams, for a Conditional Use Permit to allow “Barber/Beauty Shop (no related school/college)” within Office (O) zoning. Affecting approximately 1.00 Acres of land legally described as being Reserve B, Block 1 of Brown-Hufsmith Church Subdivision. The property is located at the southwest corner of Brown-Hufsmith Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the case and staff recommendation of approval.

Breann Williams, representing 2 S&Z Investments, LLC., (16902 Indigo Hills Drive, Magnolia, TX 77355), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:15 p.m.

Hearing no comments, the Public Hearing was closed at 6:16 p.m.

Motion was made by Commissioner Moore, second by Commissioner Harris, to approve **Conditional Use Permit Case CUP23-05**.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Aye</u>
Commissioner Harris	<u>Aye</u>

Motion Carried (Unanimously).

E.4 Conduct a Public Hearing and Consideration to Approve **Conditional Use Permit Case CUP23-06**: Request by Equalizer USA, Inc., represented by Morales Engineering Associates, LLC., for a Conditional Use Permit to allow “Playfield or stadium (private)” within Agricultural (AG) zoning. Affecting approximately 7.51 Acres of land legally described as being Lot 69 of Tomball Townsite Outlots. The property is located at the northeast corner of Rudolph Road and E. Hufsmith Road, within the City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the case and staff recommendation of approval with the following condition:

- All future improvements associated with the “Playfield or stadium (private)” land use must be in general conformance with the conceptual site plan.

Enrique Morales with Morales Engineering Associates, representing Equalizer USA, Inc., (2550 Gray Falls Drive, Suite #330, Houston, TX 77077), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:24 p.m.

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

Motion was made by Commissioner Ross, second by Commissioner Moore, to approve **Conditional Use Permit Case CUP23-06.**

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Aye</u>
Commissioner Harris	<u>Aye</u>

Motion Carried (Unanimously).

- E.5 Conduct a Public Hearing and Consideration to Approve **Re-Zoning Case Z23-12:** Request by Paul & Delphine Michna to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 0.29 acres of land legally described as being Lot 200, Block 10 of Sansom Plaza from Single Family Residential – 6 (SF-6) to Old Town & Mixed Use (OT & MU). The property is located at 611 N. Cherry Street, within the City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the case and staff recommendation of approval.

Paul & Delphine Michna, owners, (1325 Virgie Community Road, Magnolia, TX 77354), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:34 p.m.

Hearing no comments, the Public Hearing was closed at 6:34 p.m.

Motion was made by Commissioner Ross, second by Commissioner Harris, to approve **Re-Re-Zoning Case Z23-12.**

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Abstain</u>
Commissioner Harris	<u>Aye</u>

Motion Carried (3 Votes Aye, 1 Abstain).

E.6 Conduct a Public Hearing and Consideration to Approve **Re-Zoning Case Z23-13**: Request by Hightower Investments LTD. To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 0.32 acres of land legally described as being Lots 1 & 2, Block 53 of Revised Map of Tomball from Single Family Residential – 6 (SF-6) to Old Town & Mixed Use (OT & MU). The property is located at 400 N. Elm Street, within the City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the case and staff recommendation of approval.

Bill Hightower, owner, (6115 Theall Road, Houston, TX 77066), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:42 p.m.

Susan Shuster, owner, (103 Epps Street, Tomball TX 77375), spoke in opposition of the request.

Hearing no additional comments, the Public Hearing was closed at 6:44 p.m.

Motion was made by Commissioner Harris, second by Commissioner Moore, to approve **Re-Zoning Case Z23-13**.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

- |                     |            |
|---------------------|------------|
| Chair Tague         | <u>Nay</u> |
| Commissioner Ross   | <u>Nay</u> |
| Commissioner Moore  | <u>Aye</u> |
| Commissioner Harris | <u>Nay</u> |

Motion Failed (1 Vote Aye, 3 Votes Nay).

F. Adjournment

Motion was made by Commissioner Harris second by Commissioner Moore, to adjourn.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

The meeting adjourned at 6:46 p.m.

PASSED AND APPROVED this \_\_\_\_\_ day of 2023.

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Kim Chandler  
Community Development Coordinator/  
Commission Chair Commission Secretary

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Barbara Tague  
Commission Chair