

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: April 21, 2025

Topic:

Adopt, on First Reading, Ordinance No. 2025-01, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by granting a Conditional Use Permit (CUP) to allow the land use of “Child day care center (business)” within the City of Tomball’s Office (O) zoning district. This request affects approximately 1.0402 acres of land legally described as being Lot 72, Block 1 of Acquest Tomball Replat No. 1. The property is located at 1211 Rudel Drive, within the City of Tomball, Harris County, Texas; providing for penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Background:

On February 17th, the City Council requested that a Memo of Understanding (MOU) be executed between TAVA LLC and Rudel Rd LLC regarding shared usage of the existing drive aisle located within the Cody Drive right-of-way. The MOU has since been executed which allows for shared usage, describes the proposed improvements, and Rudel Rd LLC’s maintenance responsibility. Also, the City Council requested that the two following conditions be added to the Conditional Use Permit in addition to the conditions recommended by the Planning & Zoning Commission:

- The driveway on the east side of the property shall connect directly to the existing driveway to the south, as illustrated in Exhibit “A”, and an executed shared access agreement with the adjacent property owner(s) shall be executed allowing for unconditional use of the existing driveway.
- The hours of operation of the “child day care center (business)” shall be 6:00 am to 10:00 pm on regular business days.

On February 3rd, the City Council conducted a public hearing but took no action on this item. The applicant has since revised their concept plan to include a one-way drive aisle connecting to Klein Drive to eliminate the parking lot dead-end. Four parking spaces with adjacent sidewalks were also added to the concept plan along the drive aisle.

On January 13th, the Planning & Zoning Commission conducted a public hearing and considered the rezoning case. Topics of discussion included fencing of the property and pond, parking, impacts to the surrounding area, and operations of the facility. The Planning & Zoning Commission recommended approval of the rezoning case with a 5-0 vote with the following conditions:

- The curb for the proposed sidewalk along Rudel Drive shall be painted red for no parking.
- “No stopping or standing” signs shall be placed along the Rudel Drive frontage.
- Three parking spaces within the development shall be designated as drop-off and pick-up only.
- Install a fence along the entire southern property line.
- Install a fence around the entire onsite detention pond.

Origination: Mike Matheson

Recommendation:

Party(ies) responsible for placing this item on agenda: Craig T. Meyers, P.E

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date