

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: November 10, 2025

City Council Public Hearing Date: November 17, 2025

Rezoning Case: Z25-12

Property Owner(s): Harkins Medical Properties, LTD

Applicant(s): Dennis Conde

Legal Description: Approximately 3.140 acres of land legally described as being a portion of Lot 6 of Tomball Medical Park Replat of Reserve "B" and a tract of land situated in the Jesse Pruitt Survey, Abstract No. 629

Location: Within the 13000 block (south side) of Medical Complex Drive (Exhibit "A")

Area: 3.140 acres

Comp Plan Designation: Mixed Use (Exhibit "B")

Present Zoning: Agricultural (AG) District (Exhibit "C")

Request: Rezone from the Agricultural (AG) to the Duplex (D) District.

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North	Office (O)	Future medical office
South	Commercial (C)	Village Medical and undeveloped land
East	Agricultural (AG)	M-121 drainage channel
West	Agricultural (AG)	Undeveloped land

BACKGROUND

The subject property has been within the City of Tomball's Agricultural (AG) zoning district since the adoption of zoning in February 2008. The property is currently undeveloped with no on-site structures. Recent zoning changes in the area include the property directly to the north, which rezoned from the Agricultural (AG) district to the Office (O) district in 2022. The property directly to the south rezoned from the Agricultural (AG) district to the Commercial (C) district in 2018. Additionally, a property about 400-feet to the west rezoned from the Agricultural (AG) district to the Commercial (C) district in 2017.

ANALYSIS

Comprehensive Plan Analysis: The property is designated as “Mixed Use” by the Comprehensive Plan’s Future Land Use Map. The Mixed Use designation is intended to provide a mix of residential and non-residential uses in order to locate housing closer to jobs and services. New development should be in synergy with the character of adjacent areas.

According to the Comprehensive Plan, land uses should consist of single-family attached homes, patio homes, duplexes, quadplexes, multifamily apartments and condominiums, parks and green spaces, office, retail, entertainment, restaurants, and public facilities. Appropriate secondary uses include bed and breakfast lodging, live-work buildings, places of assembly or event venues, and home professions.

The Comprehensive Plan identifies the following zoning districts as compatible with the Mixed Use designation: Neighborhood Retail (NR), General Retail (GR), Office (O), Duplex (D), Single-Family Residential (SF-6), and Multifamily (MF). The Comprehensive Plan also identifies the need for pedestrian enhancements such as wide sidewalks, pedestrian furnishings, and an emphasis on street trees.

Staff Review Comments: The request to rezone the subject property to Duplex (D) is in conformance with the Future Land Use Plan. Furthermore, the subject property has frontage on Medical Complex Drive which is designated as a Major Arterial on Tomball’s Major Thoroughfare Plan. Roadways such as this are designed to accommodate the volume and character of traffic that can be expected from a duplex development. The approval of the requested zoning will promote a new development that is consistent with the type of development patterns and character endorsed by the Future Land Use Plan.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 300 feet of the project site were mailed notification of this proposal on October 20, 2025. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan
- C. Zoning Map
- D. Site Photos
- E. Rezoning Application

Exhibit "A"
Aerial Location Map



**Exhibit “B”
Future Land Use Plan**

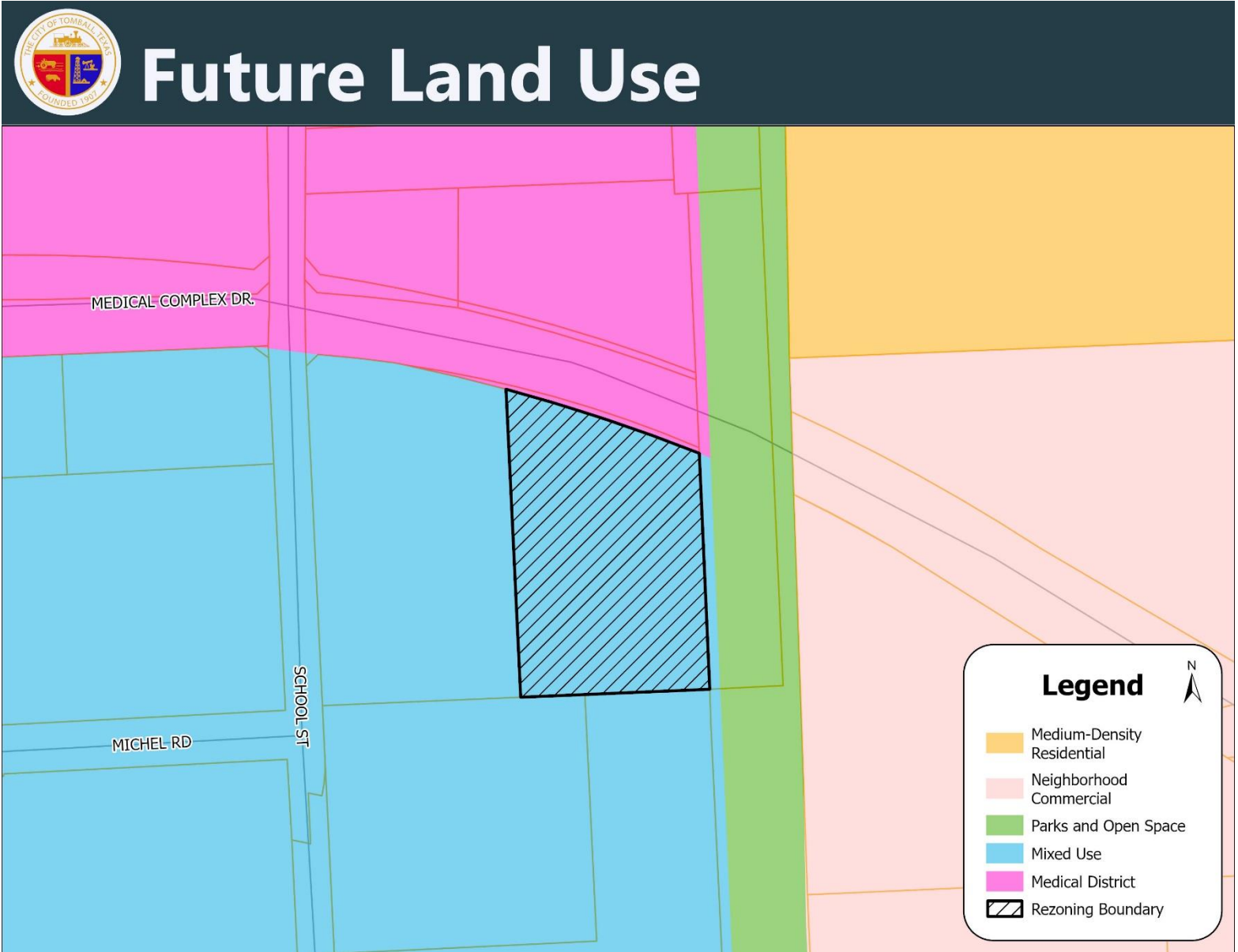


Exhibit "C"
Zoning Map

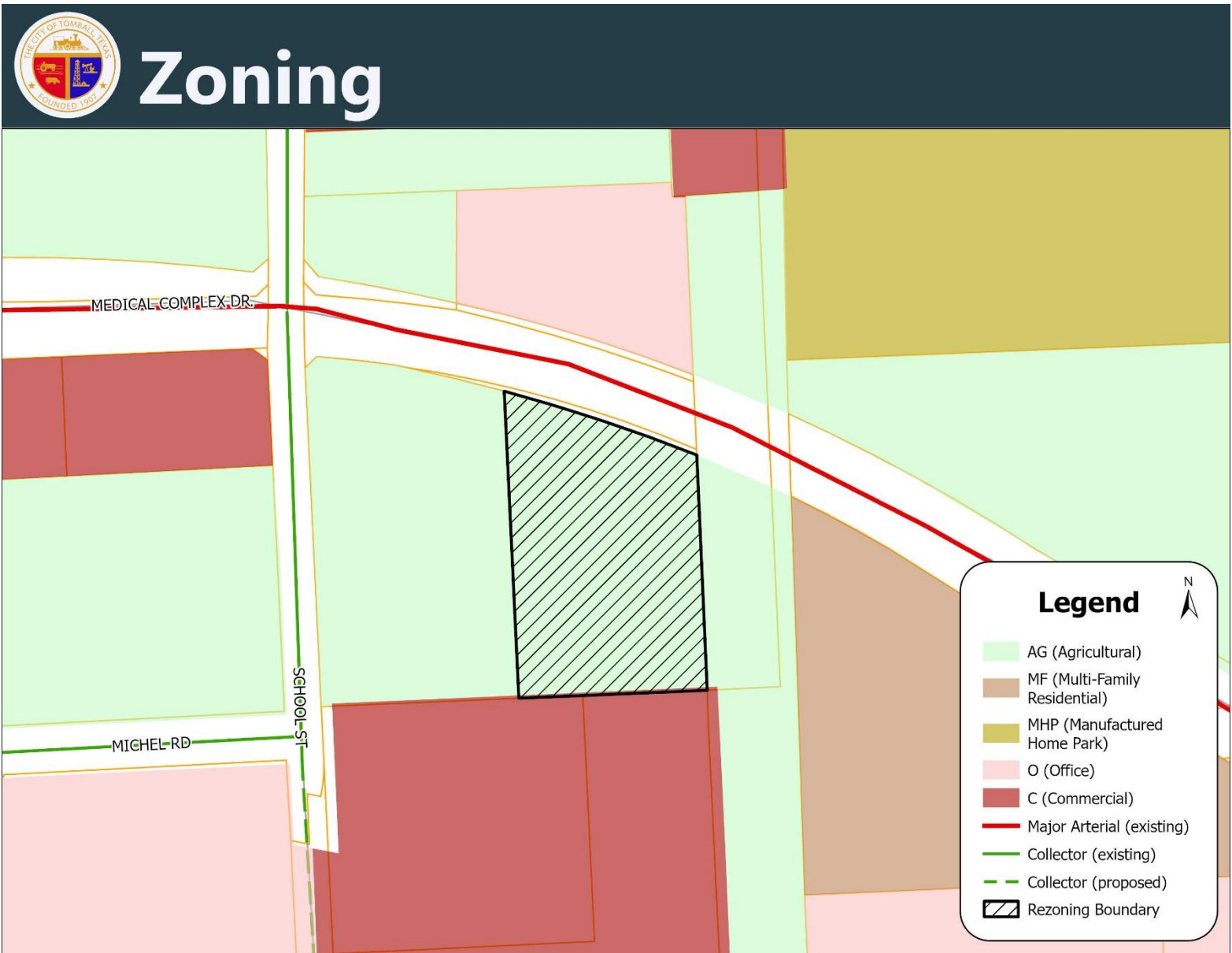


Exhibit "D"
Site Photo(s)

Subject Property



Neighbor (North)



Neighbor (East)



Neighbor (West)



Exhibit "E"

Rezoning Application

Revised: 08/25/2023



APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION REQUIREMENTS: 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.

FEES: Must be paid at time of submission or application will not be processed.

- \$1,000.00 fee for requests to rezone to standard zoning districts
- \$1,500.00 fee for request to rezone to Planned Development districts.

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

WEBSITE: c1-tomball-tx.smartgovcommunity.com

Applicant

Name: Dennis Conde - Keypride Development Title: President
Mailing Address: 14360 W Sylvanfield City: Houston State: TX
Zip: 77014 Contact: Dennis Conde 281-846-8703
Phone: (281) 846-8703 Email: dennisc@extreme1electric.com

Owner

Name: Harkins Medical Properties Title: _____
Mailing Address: 455 School Street City: Tomball State: TX
Zip: 77375 Contact: _____
Phone: () Email: _____

Engineer/Surveyor (if applicable)

Name: Michael Lewis Title: Civil Engineer
Mailing Address: 25511 Budde Rd. Ste 601 City: The Woodlands State: TX
Zip: 77380 Contact: Michael Lewis 281-298-8877
Phone: (281) 298-8877 Fax: () Email: mlewis@dts-engineering.com

Description of Proposed Project: Luxury Duplex Community

Physical Location of Property: Medical Complex Drive & School Street

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

Legal Description of Property: Jesse Pruitt Survey Abstract # 629 Harris County

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

Current Zoning District: (D) : Duplex Residential



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

www.tomballtx.gov

Current Use of Property: N/A - Agg

Proposed Zoning District: (D) : Duplex Residential ☒

Proposed Use of Property: Residential Duplex Community

HCAD Identification Number: HCAD 1223880000027 Acreage: 3.140

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  9/29/25
Signature of Applicant Date

X  9/29/2025
Signature of Owner Date

Submittal Requirements

The following summary is provided for the applicant's benefit. However, fulfilling the requirements of this summary checklist does not relieve the applicant from the responsibility of meeting the regulations in the Zoning Ordinance, subdivision regulations, and other development related ordinances of the City of Tomball.

Applications must be received by the City of Tomball at least 40 calendar days prior to the City Planning and Zoning Commission hearing date.

- **Application Fee: \$1,000.00 (standard zoning) or \$1,500.00 (PD zoning)**
- **Completed application form**
- ***Copy of Recorded/Final Plat**
- **Letter stating reason for request and issues relating to request**
- **Conceptual Site Plan (if applicable)**
- **Metes & Bounds of property**
- **Payment of all indebtedness attributed to subject property must be paid with application or an arrangement in accordance with Section 50-36(a)(3) of the Code of Ordinances as cited below:**

(No person who owes delinquent taxes, delinquent paving assessments, or any other fees, delinquent debts or obligations or is otherwise indebted to the City of Tomball, and which are directly attributed to a piece of property shall be allowed to submit any application for any type of rezoning, building permit, or plan review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof to the City of Tomball shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence of proof that all taxes, fees, etc.. have been paid, or that other arrangements satisfactory to the City have been made for payment of said taxes, fees, etc.)

The City's staff may require other information and data for specific required plans. Approval of a required plan may establish conditions for construction based upon such information.

***Legal Lot Information:** If property is not platted, a plat will be required to be filed with the Community Development Department unless evidence of a legal lot is provided. To be an unplatted legal lot, the applicant is required to demonstrate that the tract existed in the same shape and form (same metes and bounds description) as it currently is described prior to August 15, 1983, the date the City adopted a subdivision ordinance.

Application Process

1. The official filing date is the date the application and fee are received by the City.
2. The City will review the application for completeness and will notify the applicant in writing within 10 days if the application is deemed incomplete.
3. Property owners within two-hundred (300) feet of the project site will be notified by letter within 10 calendar days prior to the public hearing date and legal notice will appear in the official newspaper of the City before the eighth calendar day prior to the date of the hearing.
4. A public hearing will be held by the Planning and Zoning Commission at 6:00 p.m. in the City Council chambers, unless otherwise noted. The Planning and Zoning Commission meetings are scheduled on the second Monday of the month. The staff will review the request with the Commission and after staff presentations the chair will open the public hearing. The applicant will have ten (10) minutes to present the request. The chair will then allow those present in favor of the request and those in opposition to the request to speak. The Commission may then ask staff or anyone present additional questions, after which the Commission may close or table the public hearing. The Commission may then vote to recommend approval or denial to the City Council. The Commission may also table the request to a future date before a recommendation is sent to the City Council.
5. A second public hearing will be scheduled before the City Council after fifteen (15) days of legal notice. The Council meetings are held on the first (1st) and third (3rd) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

FAILURE TO APPEAR: It is the applicant/property owner's responsibility to attend all Planning and Zoning Commission and City Council meetings regarding their case. Failure of the applicant or his/her authorized representative to appear before the Planning and Zoning Commission or the City Council for more than one (1) hearing without approved delay by the City Manager, or his/her designee, may constitute sufficient grounds for the Planning and Zoning Commission or the City Council to table or deny the application unless the City Manager or his/her designee is notified in writing by the applicant at least seventy-two (72) hours prior to the hearing. If the agenda item is tabled the Planning and Zoning Commission shall specify a specific date at which it will be reconsidered.

City of Tomball
Planning & Zoning Commission
401 Market Street
Tomball, TX 77375

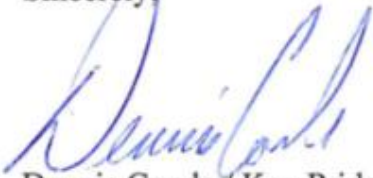
Re: Request for Rezoning from Agricultural Zoning to Duplex Zoning

We respectfully request consideration for a zoning change from *Agricultural Zoning* to *Duplex Zoning* for our property located near the cross section of Medical Complex and School Street being **HCAD 1223880000027** (3.14 Acres).

Our request is based on the growing need for quality housing options within the Tomball area. Converting this property to residential duplex use will help meet community demand by providing well-planned, attainable housing for local families and residents, while supporting the city's growth and long-term livability goals.

Thank you for your time and consideration of this request. We look forward to working with the City of Tomball to support responsible development that benefits the community.

Sincerely,



Dennis Conde / Key Pride Development

14360 W. Sylvanfield Drive

Houston TX 77014



NOTE: THIS LAYOUT IS NOT TO SCALE AND IS ONLY A SCHMATIC OF THE PROPOSED DEVELOPMENT INTENT AND IS SUBJECT TO CHANGE PENDING INITIAL PRECISE DESIGN WORK AND CITY OF TOMBALL CONSULTATION.

PROPOSED DUPLEX DEVELOPMENT FOR BUILDER TO CONSTRUCTION

- APPROX. 10 RESIDENTIAL LOTS
- Typical Lot Size 80'-0" x 83'-4"
- subject to City approval.
- 25'-0" front build line
- 5'-0" side build line
- 10'-0" rear build line
- Building footprint 70'0"x48'4"
- 28'-0" Permanent Access Easement Private (min. 20'0" turning radius to comply with fire apparatus access)

NOTE: LOT SIZES ARE DEPENDENT ON DUPLEX BUILDING FINAL FOOTPRINT DESIGN, IT IS ADVISE TO DESIGN THE PRELIMINARY FLOOR PLANS FOR THE DUPLEX PRIOR TO DESIGN OF REPLAT PLAN.

PREPARED BY JAL ARCH DESIGNS LLC DATE: 09/23/25