

City Council Agenda Item Data Sheet

Meeting Date: November 20, 2023

Topic:

Adopt, on Second Reading, Ordinance No. 2023-43, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 48.95 acres of land legally described as being all of Lots 1, 2, and 3 of the Shoppes at Spring Creek Commons, Section 1. Lot 1, Block 1 of Brown-Hufsmith Commercial and approximately 9.98 acres being a portion of the J House Survey Abstract 34. The request is to rezone from a mixture of Commercial (C), General Retail (GR), Planned Development District #1 (PD #1) and Single Family Residential – 20 Estate (SF-20E) to a Planned Development District (PD). The properties are generally located at the northeast corner of SH 249 and Brown-Hufsmith Rd as well as the 29700 block (west side) of Quinn Road, within the City of Tomball, Harris County, Texas; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a 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:

Public Hearing and First Reading was held and adopted during the 10/16/2023 Regular City Council Meeting.

Consideration to Approve **Re-Zoning Case Z23-15**: Request by Par Real Estate Holdings LLC. and Ron & Amy Haffner, represented by HMF-Americana LLC. to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 48.95 acres of land legally described as being all of Lots 1, 2, and 3 of the Shoppes at Spring Creek Commons, Section 1. Lot 1, Block 1 of Brown-Hufsmith Commercial and approximately 9.98 acres being a portion of the J House Survey Abstract 34. The request is to rezone from a mixture of Commercial (C), General Retail (GR), Planned Development District #1 (PD #1) and Single Family Residential – 20 Estate (SF-20E) to a Planned Development District (PD). The properties are generally located at the northeast corner of SH 249 and Brown-Hufsmith Rd as well as the 29700 block (west side) of Quinn Road, within the City of Tomball, Harris County, Texas.

The request is comprised of two tracts of land. One being approximately 38.97 acres located north of Brown-Hufsmith Road (hereby referred to as the “primary tract”). The second being a 9.98 tract located south of Brown-Hufsmith Road (Hereby referred to as the “secondary tract”). Each of these properties are currently vacant. City staff have met with the developer on numerous occasions over the past year to discuss the rezoning of the entire 48+ acres to a Planned Development District. Of this 48+ acre development, approximately 13.5 acres will be dedicated to commercial development which is hereby referred to as “The Shoppes at Cottage Green”. The Shoppes at Cottage Green is intended to create a pedestrian focused mixed use walkable destination which will include a mixture of retail, restaurant, and office uses anchored by a centrally located public plaza/courtyard which is planned to be partially surrounded by outdoor patio dining. Additionally, within the commercial component of this PD traditional commercial pad sites will be provided along the SH 249 frontage road, with potential for future pad sites along Baker Drive. The commercial component is planned to be connected to a unique multi-family development with a network of pedestrian paths and trails. The multi-family development hereby referred to as “Cottage Green” will be comprised of no more than 285 dwelling units on approximately 25.43 acres (approx. 12 units/acre) and provide three styles of dwelling types which transition in density from high to low as you move further east from the Shoppes at Cottage Green toward existing single-family homes

within the Springwood Subdivision. Those dwellings which are planned to be closest to the Shoppes at Cottage Green are referred to as “Veranda Homes”, or six-plex’s. These veranda homes are two story structures comprised of 6-attached dwellings. Said veranda homes will include four (4) one-bedroom units on the first floor and two (2) two-bedroom units on the second floor. The layout of the Cottage Green illustrates the veranda homes as lining the main drive into the complex. As you move outward (north & south) of the main drive, the dwelling styles transition into what are referred to as “Patio Homes”, or duplexes. These patio homes are single story structures comprised of 2 attached dwelling units. Patios homes will be offered in one-bedroom and two-bedroom arrangements. Moving further south and southeast the dwelling styles transition to what are referred to as “Cottages”. The cottages are single story, single-family detached structures and will be the land use closest to the existing single-family residential homes within the Springwood Subdivision. The Cottage Green will provide a range of amenities to the residents which will include community/fitness center, resort-style pool, two covered porches for lounging & grilling, pickleball court, dog park & wash station, open lawn areas, and decorative accent sculptures. The overarching goal of this planned development district is to establish a regional destination which creates a walkable pedestrian-oriented environment connected by a network of pedestrian paths and walking trails. The secondary tract included in this Planned Development request is to serve as off-site detention for the overall development. The applicant is currently working toward establishing a development agreement with the City of Tomball to utilize existing City of Tomball drainage infrastructure to assist in the conveyance of stormwater to this off-site detention facility. At the time of development further engineering review will be required to confirm whether this detention area is adequate to serve the proposed planned development. Otherwise, additional stormwater detention improvements may be necessary on or adjacent to the *primary tract*.

Origination:

Recommendation:

City staff recommends approval of **Re-Zoning Case Z23-15**. Planning and Zoning Commission recommends Approval (4 Votes Aye, 1 Vote Nay).

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

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