Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 14, 2025
City Council Public Hearing Date: July 21, 2025

Rezoning Case:	Z25-08
Property Owner(s):	James and Patricia Case
Applicant(s):	Shawn Ballard
Legal Description:	Approximately 8.07 acres of land legally described as being Lots 286-A and 289 of Tomball Outlots and Lot 289-A, Block 1 of Case Tract
Location:	1514 South Persimmon Street (Exhibit "A")
Area:	8.07 acres
Comp Plan Designation:	Business Park and Industrial (Exhibit "B")
Present Zoning:	Single-Family – 20 Estate Residential (SF-20-E) District (Exhibit "C")
Request:	Rezone from the Single-Family – 20 Estate Residential (SF-20-E) to the Light Industrial (LI) District

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North	Light Industrial (LI), Commercial (C), and Single-Family – 20 Estate Residential (SF-20-E)	Undeveloped land, proposed commercial building, and a residential driveway
South	Single-Family – 20 Estate Residential (SF-20-E)	Undeveloped land
East	Light Industrial (LI) and PD-12	A single-family residence and proposed convenience store
West	Single-Family – 20 Estate Residential (SF-20-E)	Single-family residences and driveway

BACKGROUND

The subject property has been within the City of Tomball's SF-20-E zoning district since the adoption of zoning in February 2008. The property contains a single-family residence along with accessory structures. Recent rezonings in the area include the property directly to the east

successfully rezoning into the Light Industrial District in April 2025 and the property directly to the north successfully rezoning into the Commercial District in April of 2024 .

ANALYSIS

Comprehensive Plan Analysis: The property is designated as "Business Park and Industrial" by the Comprehensive Plan's Future Land Use Map. The Business Park and Industrial designation is intended to be located near adequate thoroughfares which provide convenient access for vehicular traffic including freight.

According to the Comprehensive Plan, land uses should consist of administrative services, wholesaling, manufacturing (with no outdoor activity if located adjacent to residential uses), indoor warehouse, industrial business park, retail, office, manufacturing (with indoor or outdoor activity if located adjacent to higher-intensity commercial uses or where appropriate), and warehouse/ storage.

The Comprehensive Plan identifies the following zoning districts as compatible with the Business Park and Industrial designation: Light Industrial (LI), Commercial (C), and Office (O). The Comprehensive Plan also identifies the need to carefully design sites that are adjacent to residential zoning districts to include landscape buffering as well as the screening of outdoor storage and equipment from public rights-of-way.

Staff Review Comments: The request to rezone the subject property to Light Industrial (LI) is in conformance with the Future Land Use Plan. Furthermore, the subject property has frontage on South Persimmon Street and Agg Road which are designated as arterials on Tomball's Major Thoroughfare Plan. Roadways such as this are designed to accommodate the volume and character of traffic that can be expected within the Light Industrial district. 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 for this area.

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 June 30, 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

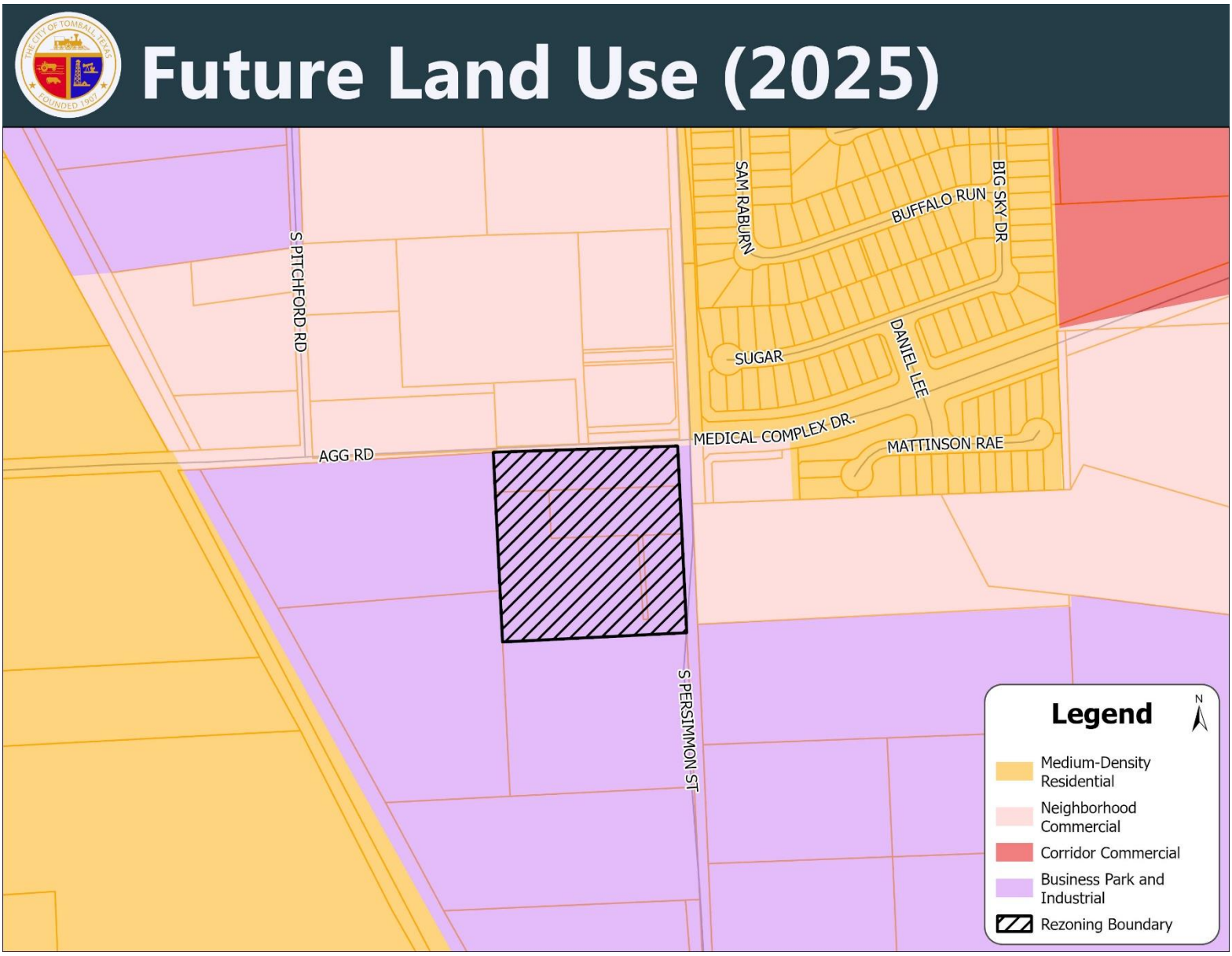

Exhibit "C"
Zoning Map

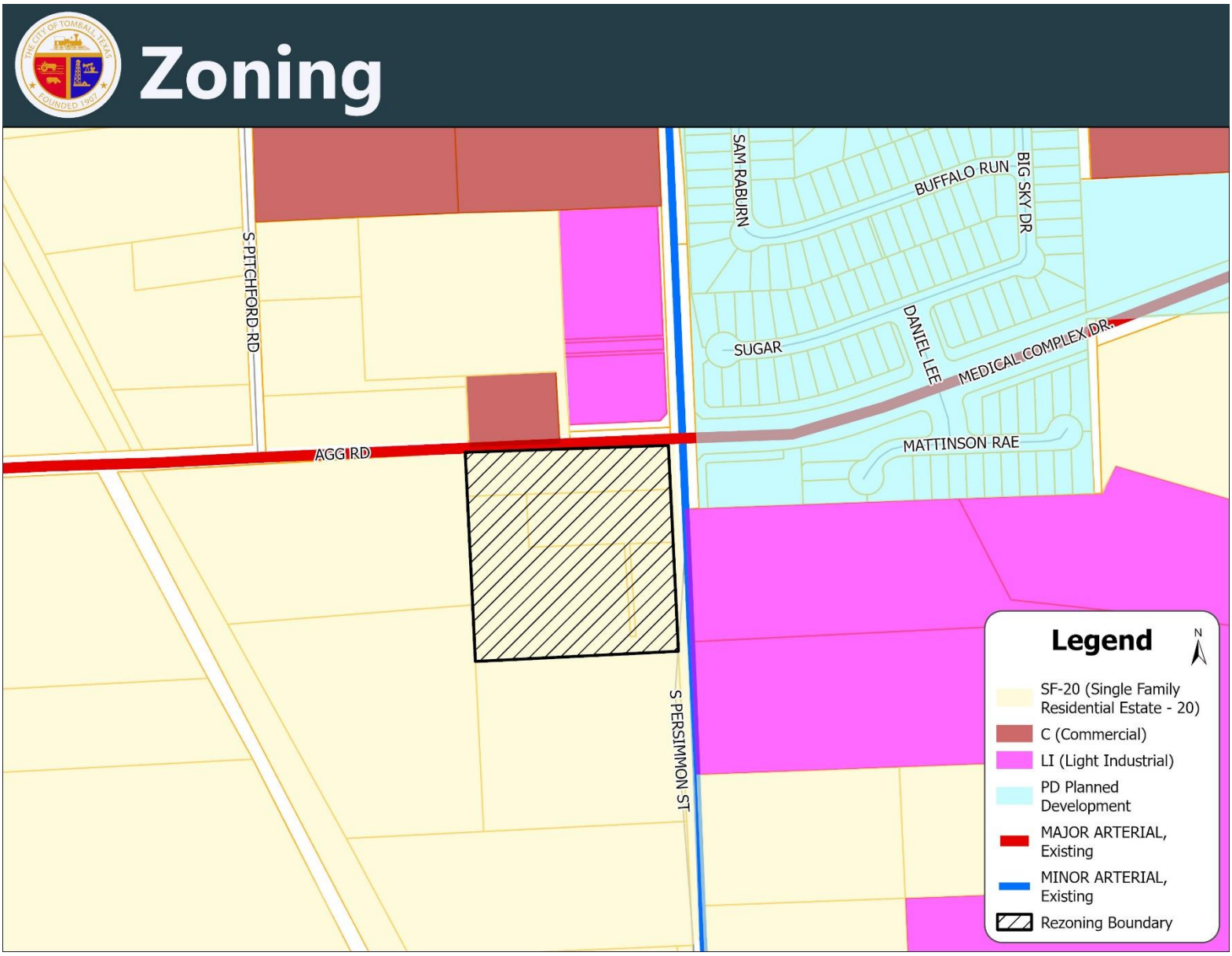

Exhibit “D”
Site Photo(s)

Subject Site

Subject Site

Neighbor (North)

Neighbor (North)

Neighbor (South)

Neighbor (East)

Neighbor (East)

Neighbor (West)

Exhibit "E"
Rezoning Application

DocuSign Envelope ID: 812A5406-579E-4437-97B0-A8E49137845C

Authentisign ID: 96BAD0A8-6A27-F011-8B3D-00224822F75A

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.

DIGITAL APPLICATION SUBMITTALS:
PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV
WEBSITE: ci-tomball-tx.smartgovcommunity.com

Applicant
Name: Shawn Ballard Title: Member
Mailing Address: 17551 Roberts Rd City: Hockley State: Texas
Zip: 77447 Contact: Shawn Ballard
Phone: (713) 828-8764 Email: invoices@landmarkdev.net

Owner
Name: James and Patricia Case Title: Owners
Mailing Address: 1514 S persimmon St City: Tomball State: Tx
Zip: 77375 Contact: Patricia Case
Phone: (281) 382-4382 Email: caseerawhitaker@att.com

Engineer/Surveyor (if applicable)
Name: SEK Engineering, Corp. Title: Civil Engineer
Mailing Address: 701 Shepard Dr., Suite 200 A City: Houston State: Texas
Zip: 77007 Contact: Nicholas Khazzoum P.E.
Phone: (281) 271-1721 Fax: (____) _____ Email: nicholas@sekengineering.net

Description of Proposed Project: Speculative multi building light industrial office/warehouse business park

Physical Location of Property: 1514 S. Persimmon St., Tomball, TX 77375
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: [illegible]
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: (LI) : Light Industrial

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Authentisign ID: 96BAD0A8-6A27-F011-8B3D-00224822F75A

Revised: 08/25/2023

Current Use of Property: Residential

Proposed Zoning District: (LI) : Light Industrial

Proposed Use of Property: Light Industrial office warehouse business park

HCAD Identification Number: 0352880000289, 0352880 Acreage: 8.07

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 _____ 5/2/25
Signature of Applicant Date

05/02/25

X Patricia Case
Signature of Owner Date

Docusign Envelope ID: 6BA72082-147E-45B6-9FA7-05086C234B1C

Revised: 08/25/2023

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 un-platted 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.

Docusign Envelope ID: 6BA72082-147E-45B6-9FA7-05086C234B1C

Revised: 08/25/2023

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.

LANDMARK DEVELOPMENT & CONSTRUCTION, LLC

17551 Roberts Rd, Hockley TX 77447 | 713-828-8764 | shawn@landmarkdev.net

04/29/25

Planning and Zoning Department
City Council - Tomball
401 Market Street
Tomball, TX 77375

Subject: Request for Rezoning of Residential Parcel to Commercial Use

To whom it may concern:

I am writing to formally request the rezoning of our property, located at 1514 S Persimmon, Tomball, TX 77375 from its current residential zoning classification to a Light Industrial Zoning designation, in accordance with the zoning ordinances of Tomball and Harris County.

The purpose of this request is to allow for the development of a light industrial business park that will serve the needs of the surrounding community and contribute positively to the local economy. The property is situated along S Persimmon which already supports suitable access, infrastructure, and visibility for business use.

I believe this rezoning aligns with the city's comprehensive development plan and represents a logical extension of existing industrial corridors. Furthermore, the proposed change would not adversely affect the surrounding characteristics but rather provide needed services and job opportunities to the area.

I respectfully request that the board review this and follow up with any questions or concerns. I am happy to provide additional available documentation if needed.

Thank you for your time and consideration.

Sincerely,

Shawn Ballard - Member

Landmark Development & Construction, LLC