

ORDINANCE NO. 2025-23

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 49.301 ACRES OF LAND LEGALLY DESCRIBED AS BEING PORTIONS OF LOTS 489 THROUGH 498 OF TOMBALL OUTLOTS AS WELL AS ALL OF LOT 1 & RESERVE A IN BLOCK 1 OF BRANDT HOLDINGS SUBDIVISION FROM THE COMMERCIAL (C) & AGRICULTURAL (AG) TO THE PLANNED DEVELOPMENT (PD#20) ZONING DISTRICT. THE PROPERTIES ARE GENERALLY LOCATED WITHIN THE 2100 – 2200 BLOCKS (EAST SIDE) OF HUFSMITH-KOHRVILLE ROAD, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; 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.

Whereas, FLS Development LLC, represented by William Shawn Speer and Kyle Friedman, has requested to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 49.301 acres of land legally described as being portions of Lots 489 through 498 of Tomball Outlots as well as all of Lot 1 & Reserve A in Block 1 of Brandt Holdings subdivision from the Commercial (C) & Agricultural (AG) to the Planned Development (PD#20) zoning district; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within three hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

Whereas, the public hearing was held before the Planning & Zoning Commission at least forty (40) calendar days after the City's receipt of the requested rezoning; and

Whereas, the City Council deems it appropriate to grant the requested rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The rezoning classification of the Property is hereby changed and is subject to the regulations, restrictions, and conditions hereafter set forth.

Section 3. The Official Zoning Map of the City of Tomball, Texas shall be revised and amended to show the designation of the Property as hereby stated, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement or revise any provision of any ordinance of the City of Tomball, save and except the change in zoning classification for the Property as described above.

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE _____ DAY OF _____ 2025.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE _____ DAY OF _____ 2025.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

LORI KLEIN QUINN, Mayor

ATTEST:

Thomas Harris III
City Secretary

Exhibit "A"

Location: Within the 2100 – 2200 blocks (east side) of Hufsmith-Kohrville Road, within the City of Tomball, Harris County, Texas.



Exhibit "B"
Planned Development Regulations and Conceptual Plan

FLS Development

Planned Development Regulations
(Medical Complex Blvd & Hufsmith Kohrville Rd)

Contents

- a. General Provisions
- b. Land Uses
- c. Development Regulations
- d. Architecture Standards
- e. Landscape/Buffer Regulations
- f. Amenities

a. General Provisions

The Planned Development, PD, approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City of Tomball. If any provisions or regulations of any City of Tomball ordinance applicable in GR or SF-9 zoning districts is not contained in this ordinance, all of the regulations contained in the Development Code applicable to the GR and SF-9 zoning district in effect on the effective date of this ordinance shall apply to this PD.

Except as otherwise provided herein, the words used in this Planned Development have the same meaning established by the Development Code.

b. Land Uses

Permitted Land Uses are listed below. All others are prohibited.

- 1) Any use permitted by right in SF-9
- 2) Any use permitted in the General Retail District (GR) Zoning Code of Ordinances. In addition, the following uses will not be permitted as-of-right in commercial zones:

- a) All-terrain vehicle (go-carts) dealer/sales (w/no outdoor sales, storage, and display)
- b) Ambulance service
- c) Antique shop (with outside storage)
- d) Appliance repair
- e) Auction house
- f) Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/outdoor sales, storage, and display)
- g) Auto dealer, primarily used auto sales w/outdoor sales, storage, and display
- h) Auto glass repair/tinting
- i) Auto interior shop/upholstery
- j) Auto muffler shop
- k) Auto paint shop
- l) Auto parts sale (new or rebuilt; with outside storage or display)
- m) Auto repair (major & minor)
- n) Auto tire sales
- o) Automobile wash (full service/detail shop)
- p) Automobile wash (self-service)
- q) Building material sales/lumber yard
- r) Caretaker's, guard's residence
- s) Carpet and rug cleaning plant
- t) Cemetery and/or mausoleum
- u) Check cashing service
- v) Concrete or asphalt mixing/batching plant
- w) Family home (child care in place of residence)
- x) Feed and grain store/farm supply store
- y) Fix-it shops, small engine, saw filing, mower sharpening
- z) Fraternity or sorority house
- aa) Funeral home
- bb) Golf driving range
- cc) Heliport/Helistop
- dd) Household care institution
- ee) Institution for alcoholic, narcotic, or psychiatric patients
- ff) Laundromat/washateria/self- service
- gg) Loan service (payday / auto title)
- hh) Maintenance and repair service for buildings/janitorial
- ii) Mortuary
- jj) Motorcycle sales/dealer w/outdoor sales, storage, and display
- kk) Office, parole-probation
- ll) Pawn shop
- mm) Quick lube/oil change/minor inspection
- nn) Rehabilitation care facility (halfway house)
- oo) School, public or denominational
- pp) Sheltered care facility
- qq) Taxi/limousine service
- rr) Taxidermist
- ss) Telemarketing agency
- tt) Telephone exchange/switching station
- uu) Tool and machinery rental (with outdoor storage)
- vv) Welding shop

c. Development Regulations

1) Area regulations for Single Family Lots

- a) Minimum Lot Size – 7,800 Feet
- b) Minimum Lot Width – 60 Feet
- c) Minimum Lot Depth – 120 Feet
- d) Minimum Front Yard – 25 Feet (35' adjacent to Arterial Street)
- e) Minimum Side Yard – 5 Feet (15' adjacent to street, 25' adjacent to Arterial Street)
- f) Minimum Rear Yard – 15 Feet (25' adjacent to Arterial)
- g) Maximum Lot Coverage – 55% (including main buildings and accessory buildings)
- h) Maximum Height – Two stories not to exceed 35 feet for the main building/house

2) Area Regulations for nonresidential uses (**Excludes Amenities**)

- a) Minimum Lot Area – 6,000 Square Feet
- b) Minimum Lot Width – 60 Feet
- c) Minimum Lot Depth – 100 Feet
- d) Minimum Front Yard – 35 feet
- e) Minimum Side Yard (Interior) – 5 Feet (25' Adjacent to Arterial)
- f) Minimum Side Yard Adjacent to Single Family – 25 Feet
- g) Minimum Rear Yard – 15 Feet
- h) Maximum floor area ratio (FAR) is 1:1

3) Develop full boulevard of Medical Complex Drive to serve the development (through the extent of single family residential construction) as shown in Exhibit A.

d. Architecture Standards

These recommendations and standards are meant to foster a sense of design community that will deliver the desired aesthetic of the planned residential development. The follow architectural criteria are intended to make the home builder and building designer aware of the architectural context, not to inhibit or limit unique design.

1) Building façade criteria and features:

- a) Each residence must present an exterior design within the classification of “Modern Farmhouse” or “Craftsman” design.
- b) Combined exterior materials and colors must vary from those within 4 residences of the subject. Crossing the street will count as one residence.
- c) Primary brick material may not be repeated within 4 residences.

- d) A variation of garage entries and garage sizes is expected as a general method of breaking up the street scene for the subdivision. This will include front loading 2 and 3 car garages as well as "J-Swing" garage entries.

2) Building façade finishes and materials:

- a) Each residence must include the following materials in varied methods of use.
- b) Brick and/or Stone.
- c) Board and Batten siding or similar painted material.
- d) Cedar or other stained or painted decorative wood detailing.
- e) Minimum 8:12 Side to side roof pitch.

e. Landscape/Buffer Regulations

1) Single Family Lot Requirements

- a) Each lot shall be fully landscaped with either trees, plants or otherwise covered with grass.
- b) Each lot shall have at least one 3.5" caliper shade tree planted in the front yard.
- c) See attached (Exhibit B) for landscaping guidelines.

2) Non-residential Requirements

- a) Provide 30' landscape buffer and tree preservation between commercial reserve tracts and single family lots.
- b) Common areas near community signage, amenities, and within the esplanade for Medical Complex will be consistently landscaped with seasonal vegetation and flowers.

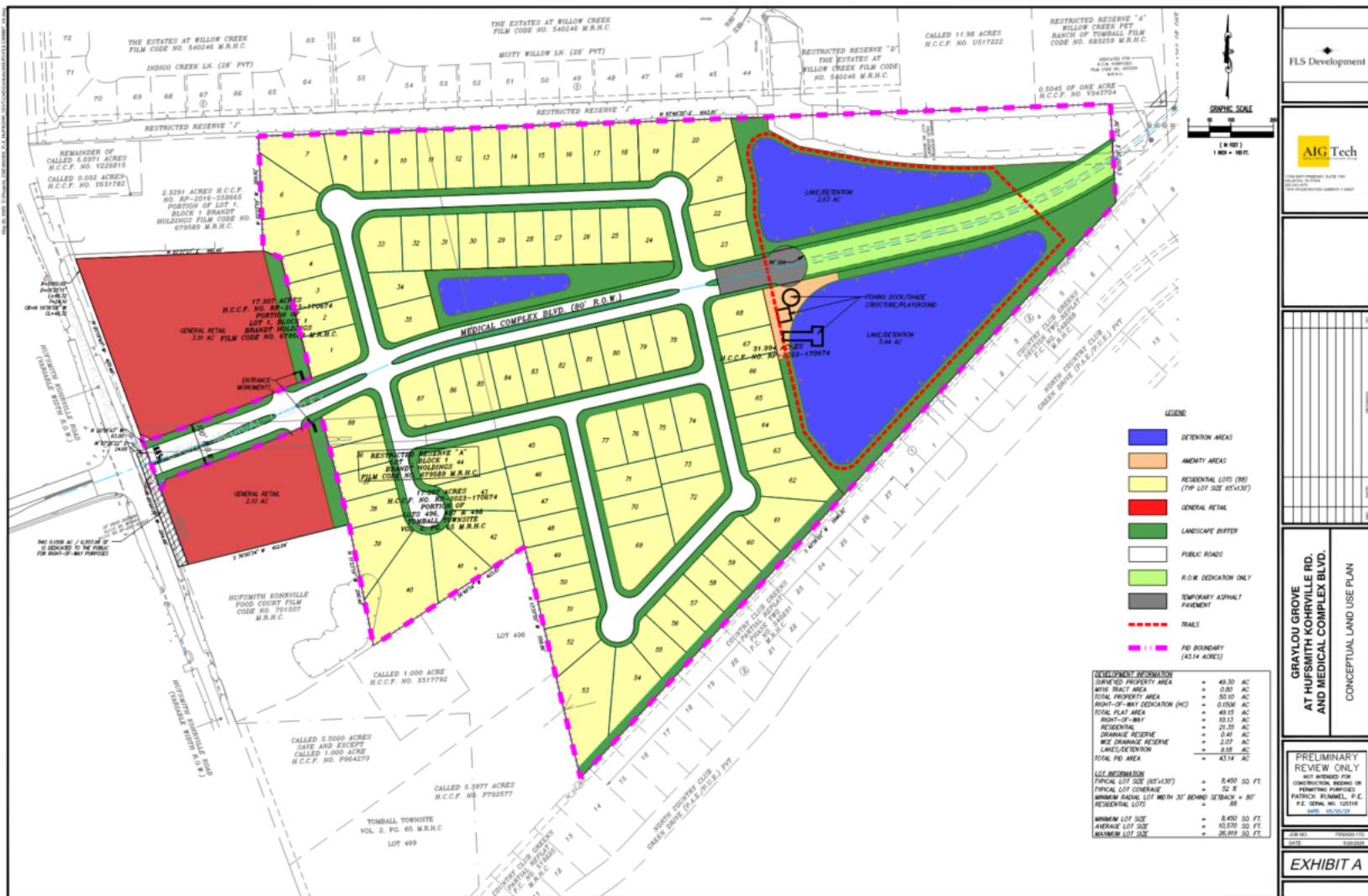
3) The community park, fishing dock and shade structure shall be maintained with irrigated grass and seasonal landscaping.

f. Amenities

Amenities will be designed and built to complement the overall concept of the community with a similar use of materials and design concepts related to the home design requirements for the subdivision. When completed, the combination of the architectural design of the Amenities, the consistent branding of each area, and the complimentary design of the commercial section of the community will complete a destination environment combining a modern design with a nod to the history of Tomball.

The following Amenities are required as shown on Exhibit A.

- 1) Up to two (2) Wet amenity detention ponds with fountains.
- 2) Designated walking trails around amenity ponds (w/ workout equipment).
- 3) Playground structure.
- 4) Fishing Dock.
- 5) Shade structure.
- 6) Up to two (2) monument signs within platted area.



FLS Development

AIG Tech

GRAYLOU GROVE
AT HUFSMITH KOHRVILLE RD.
AND MEDICAL COMPLEX BLVD.
CONCEPTUAL LAND USE PLAN

PRELIMINARY
REVIEW ONLY
NOT BE USED FOR
CONSTRUCTION, RECORD OR
PERMITTING PURPOSES
PATRICK KUMMEL, P.E.
P.E. NO. 100118
DATE: 06/20/2021

EXHIBIT A

EXHIBIT B

Landscaping Guidelines

Just as all structures built throughout Graylou Grove from commercial to residences to amenity structures will be required to include design elements consistent with one another, landscaping in all of these areas will be expected to create a consistent and beautiful vegetation concept throughout the development.

A focus will be made on trees, plants and flowers which are native to the area and the State of Texas in general. Trees planted will be Oaks, implementation of plants will have a focus on evergreen selections and color will be provided by plants and flowers which do well in the environment and seasonal use of their intent.

All areas landscaped as part of the development will remain on an ongoing maintenance plan including irrigation and landscaping maintenance workers who will perform work on a regular basis.

Treelines:

Areas designated as treelines will be completed with selected Oaks of 6" in diameter or greater.

Common Areas:

Common areas in the development will include areas around signage, inside medians of Medical Complex, and throughout the amenity area at east end of the community.

These areas will require coverage by landscaping. Medians will be presented with a combination of mulch, St Augustine Grass, Evergreen plants and seasonal plants and flowers. These areas will be maintained through irrigation and ongoing care through landscaping professionals.

Areas immediately surrounding amenities or signage will be maintained with a combination of St. Augustine grass, mulch, evergreen plants and seasonal color.

Smaller, more detailed areas that require grass will be completed with the laying of sod while larger open areas will be completed through the use of grass seed.

Residential Requirements:

In order to be considered complete per community guidelines, each residence must include at least one 3.5 caliper tree of Oak or other approve tree, a fully sodded and irrigated front yard (to front corner of home at a minimum) and a landscaping area which must be a minimum of 5' x 20' in size. Landscaped should include a combination of mulch beds, evergreen plants and seasonal plants with color or seasonal flowers.

