

***Rezoning  
Staff Report***

Planning & Zoning Commission Public Hearing Date: February 9, 2026  
City Council Public Hearing Date: February 16, 2026

**Rezoning Case:** Z26-01  
**Property Owner(s):** Kyle Burts  
**Applicant(s):** Kyle Burts  
**Legal Description:** Request by Kyle Burts to consider a zone change from Multifamily Residential (MF) to Commercial (C) on a 0.986 acre tract and a 0.512 acre tract of the Joseph House Survey ABST No. 34  
**Location:** Southwest intersection of West Hufsmith Road and North Cherry Street (307 West Hufsmith Road) (Exhibit "A")  
**Area:** 1.498 acres  
**Comp Plan Designation:** Medium-Density Residential (Exhibit "B")  
**Present Zoning:** Multifamily Residential (MF) District (Exhibit "C")  
**Request:** Rezone from the Multifamily Residential (MF) to the Commercial (C) District.

**Adjacent Zoning & Land Uses:**

	Zoning	Land Use
North	Single-Family Residential – 20 (SF-20)	Large single-family estate and undeveloped land
South	Single-Family Residential – 6 (SF-6)	Single-family residences and undeveloped land
East	Single-Family Residential – 6 (SF-6)	Tomball Little League baseball fields
West	Multifamily Residential (MF)	Tomball Ranch Apartments

**BACKGROUND**

The subject property has been within the City of Tomball's MF zoning district since the adoption of zoning in February 2008. There is currently a single-family detached residence with three accessory structures on the property. Nearby zoning cases include a successful rezoning into the Office (O) district on the southwest corner of West Hufsmith/Brown Road and Baker Drive in 2020; and the issuance of a Conditional Use Permit (CUP) to the private baseball complex on the north side of East Hufsmith Road in 2023.

## **ANALYSIS**

**Comprehensive Plan Analysis:** The property is designated as “Medium-Density Residential” by the Comprehensive Plan’s Future Land Use Map. The Medium-Density Residential designation is intended to promote housing diversity and affordability to serve a range of local employment types, income levels, and age brackets. Non-residential uses that support residential development, such as parks, recreation facilities, and schools, may be appropriate in the area. This category can serve as a transition between lower-density and higher-density residential uses as well as low intensity nonresidential uses.

**Staff Review Comments:** The request to rezone the subject property to Commercial (C) is not in conformance with the Future Land Use Plan, however, this property may be unique due to its location at the corner of two designated arterial roadways. Roadways such as this are designed to accommodate the volume and character of traffic that can be expected within higher traffic commercial districts. Multi-Family or Single-Family Residential may not be desired uses for an intersection that is heavily trafficked such as this, and light commercial or office uses may be more appropriate as a transition between the intersection and the adjacent residential properties.

## **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 January 21, 2026. 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**



# Location



**Legend**

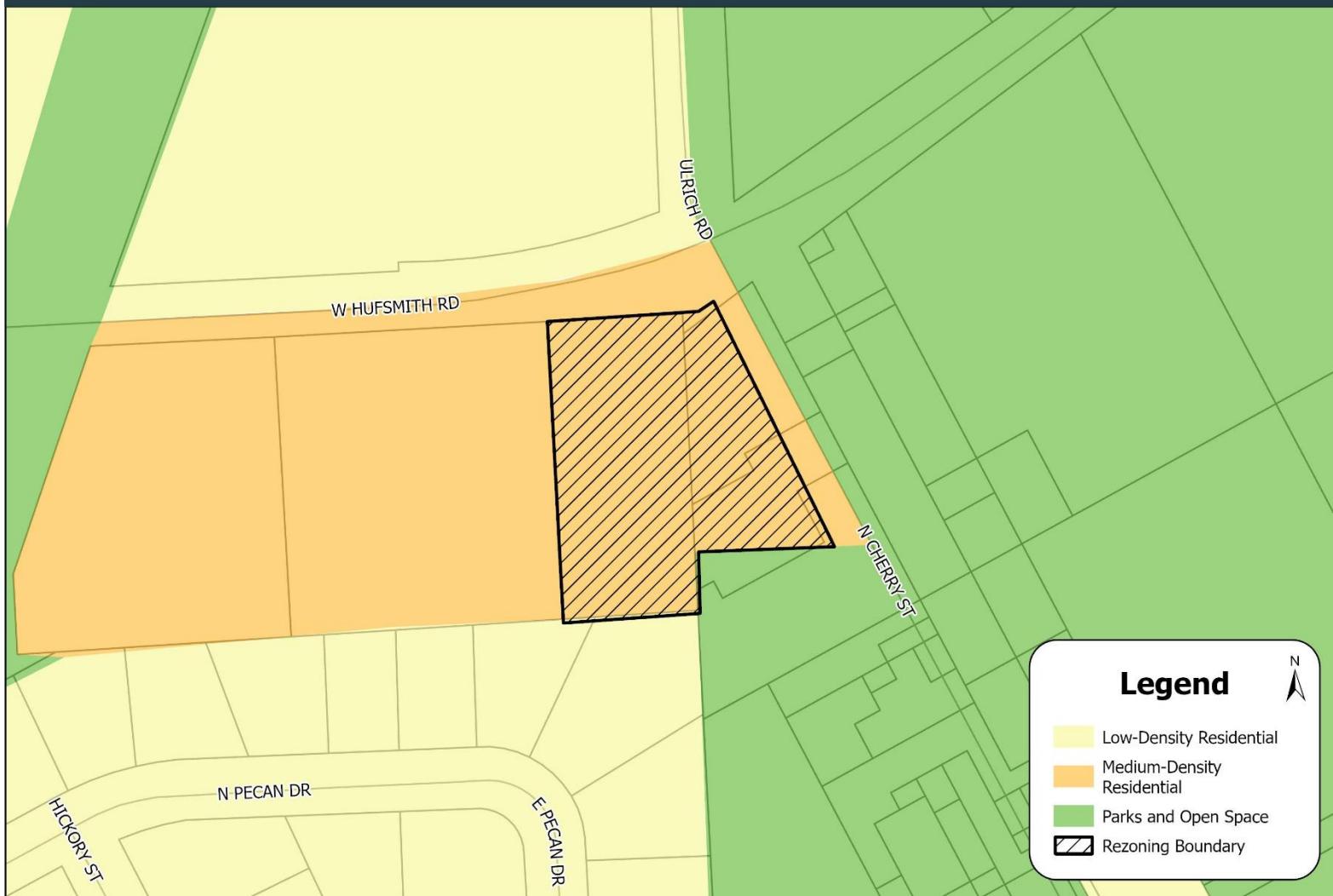
 Rezoning Boundary



**Exhibit "B"**  
**Future Land Use Plan**



# Future Land Use



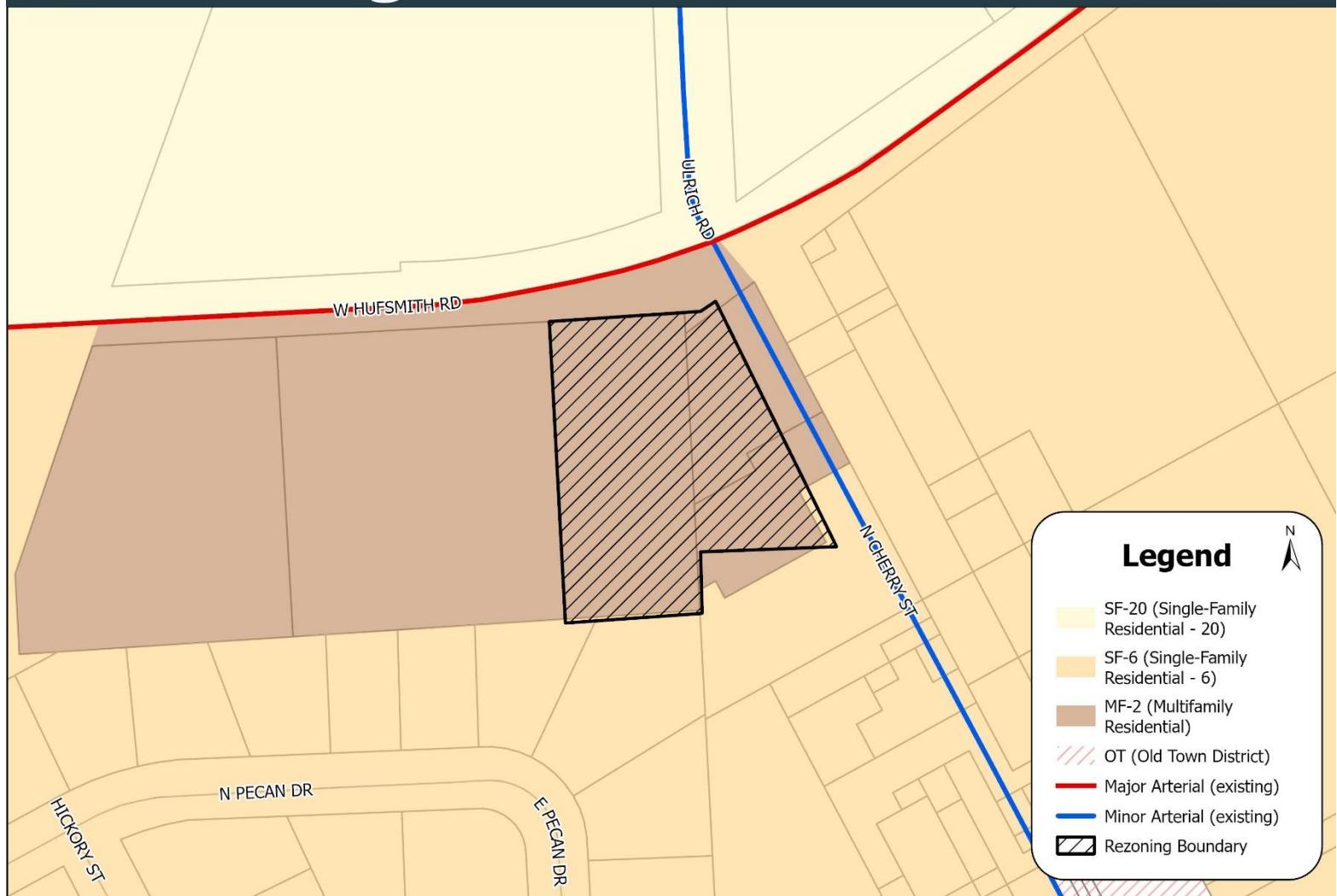
**Legend**

- Low-Density Residential
- Medium-Density Residential
- Parks and Open Space
- Rezoning Boundary

**Exhibit "C"**  
**Zoning Map**



# Zoning



**Exhibit "D"**  
**Site Photo(s)**

**Subject Property (South)**



## 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.

***DIGITAL APPLICATION SUBMITTALS:***

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

WEBSITE: [ci-tomball-tx.smartgovecommunity.com](http://ci-tomball-tx.smartgovecommunity.com)

**Applicant**

Name: Kyle Burts Title: \_\_\_\_\_  
Mailing Address: 307 W Hufsmith Rd City: Tomball State: Texas  
Zip: 77375 Contact: Kyle Burts  
Phone: (281) 703-0034 Email: kburts@burtsranch.com

**Owner**

Name: Kyle Burts Title: \_\_\_\_\_  
Mailing Address: 307 W Hufsmith Rd City: Tomball State: Texas  
Zip: 77375 Contact: Kyle Burts  
Phone: (281) 703-0034 Email: kburts@burtsranch.com

**Engineer/Surveyor (if applicable)**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_  
Zip: \_\_\_\_\_ Contact: \_\_\_\_\_  
Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

**Description of Proposed Project:** Retail Commercial

Physical Location of Property: 307 W Hufsmith Rd Tomball, TX 77375

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

Legal Description of Property: TR 69 ABST 34 J House

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

Current Zoning District: (MF) : Multi-Family Residential

Revised: 08/25/2023

Current Use of Property: Residential

Proposed Zoning District: Commercial (C)

Proposed Use of Property: Retail Commercial

HCAD Identification Number: 0402700010070 Acreage: 1.5

**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 Kyl Burts 11-12-25  
Signature of Applicant Date

X Kyl Burts 11-12-25  
Signature of Owner Date

**Kyle Burts**  
307 W Hufsmith Rd  
Tomball, TX 77375  
Phone: 281-703-0034  
Email: [kburts@burtsranch.com](mailto:kburts@burtsranch.com)

**Date:** November 12, 2025

**To:**

City of Tomball Planning Department  
Attn: Planning & Zoning Division  
501 James Street  
Tomball, TX 77375

**Subject:** Formal Request for Rezoning — 307 W Hufsmith Rd, Tomball, TX 77375

Dear Planning & Zoning Commission Members,

I am submitting this letter to formally request a zoning map amendment for my property located at **307 W Hufsmith Rd, Tomball, TX 77375**. The property is currently zoned **Multi-Family Residential (MF)**, and I am requesting that it be rezoned to **Retail Commercial (C)** to better align with the surrounding land uses and current development patterns along West Hufsmith Road.

The proposed rezoning would create consistency with nearby commercial properties and support the City's long-term vision for compatible, economically beneficial development. Allowing for commercial use of this property would enhance local business opportunities, provide convenient services to area residents, and contribute positively to the growth of the Tomball community.

This request is in harmony with the City of Tomball's Comprehensive Plan and promotes the orderly development of the area. I respectfully request your favorable consideration of this application.

Please contact me at your convenience if any additional information, documentation, or site plans are needed in support of this request. I would be glad to meet with staff or attend any hearings required to discuss this matter further.

Thank you for your attention and consideration.

Sincerely,

**Kyle Burts**  
Property Owner  
307 W Hufsmith Rd  
Tomball, TX 77375  
Phone: 281-703-0034  
Email: [kburts@burtsranch.com](mailto:kburts@burtsranch.com)