

# City Council Agenda Item Data Sheet

Meeting Date: August 21, 2023

## Topic:

Consideration to Approve **Zoning Case Z23-10**: Request by Nathan T. Newman on behalf of NTN Tomball Corner, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 56.1 acres of land legally described as Lot 1 & Lot 3 of Reserve at Tomball, and Lot 2 of Reserve at Tomball Partial Replat No. 1 from Single-Family 9 (SF-9) and Commercial (C) to Planned Development (PD) zoning. The property is generally located at the northwest corner of FM 2978 and FM 2920, within the City of Tomball, Harris County, Texas.

## Conduct Public Hearing on **Zoning Case Z23-10**

Adopt, on First Reading, Ordinance No. 2023-22, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 56.1 acres of land legally described as Lot 1 & Lot 3 of Reserve at Tomball, and Lot 2 of Reserve at Tomball Partial Replat No. 1 from Single-Family 9 (SF-9) and Commercial (C) to Planned Development (PD) zoning. The property is generally located at the northwest corner of FM 2978 and FM 2920, 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:

The subject property has been within the City Limits of Tomball since at least 1909 and the property has remained vacant since this time. A portion of the subject property (approximately 18-acres) was the subject of a request for rezoning which would allow multi-family with a commercial reserve in February of 2020. This previous request was approved by the City Council on first reading of the ordinance, however the developer decided to withdraw their application prior to the second reading. The city staff has met with the current owner(s) of the property on numerous occasions over the past year to discuss the planned development of the entire 56+ acres. The applicants are requesting to rezone the property to a Planned Development District with the goal of establishing a high-end mixed-use development, which will include a mix of retail and multi-family residential land uses anchored with a centrally located enhanced amenity pond incorporating pedestrian paths, observation decks, public plaza courtyard, restaurant patio areas with boardwalk frontage, open lawn/picnic area and children's playground.

## Origination:

## Recommendation:

City staff recommends Approval of Zoning Case Z23-10. Planning and Zoning Commission recommends Approval (4 Votes Aye, 1 Vote Nay), subject to the following conditions:

- **MODIFY Section d. Development Guidelines – Multi-family development 3.a, building height, maximum:**
  - **ADD:** Multi-Family Apartment Buildings illustrated in provided site exhibit that have broad sides facing Winfrey Estates (PD#15) and which are located immediately adjacent

