

Rezoning Staff Report

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

City Council Public Hearing Date: July 21, 2025

Rezoning Case: Z25-09

Property Owner(s): FLS Development LLC

Applicant(s): William Shawn Speer and Kyle Friedman

Legal Description: Portions of Lots 489 through 498 of Tomball Outlots as well as all of Lot 1 & Reserve A in Block 1 of Brandt Holdings

Location: 2100-2200 blocks (east side) of Hufsmith-Kohrville Road. (Exhibit "A")

Area: 49.301 acres

Comp Plan Designation: Neighborhood Commercial and Medium-Density Residential (Exhibit "B")

Present Zoning: Commercial (C) and Agricultural (AG) Districts (Exhibit "C")

Request: Rezone from Commercial (C) and Agricultural (AG) to the Planned Development (PD) zoning district.

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North	Commercial (C) and Extraterritorial Jurisdiction (ETJ)	Construction Contractor Office & Single-family residences
South	General Retail (GR) and ETJ	Undeveloped land and Single-family residences
East	ETJ	Single-family residence
West	Commercial (C)	Hartwell Environmental Corporation, Diamond Drilling & Sawing, and Waymore Trailer Repair & Fabrication

BACKGROUND

Portions of the subject property have been within the City Limits of Tomball since at least 1909. The remaining portions of the subject property are located outside the city limits but within Tomball's Extraterritorial Jurisdiction (ETJ). Those portions of the subject property which fall outside the city limits are undergoing a request for annexation. This request is running

concurrently with this request for rezoning. The portions of the property which presently fall within the city limits are within the Commercial (C) zoning district, and upon annexation those portions which are subject to the annexation request will receive the default zoning district of Agricultural (AG). The subject property is currently undeveloped. The applicants are requesting to rezone the subject property to a Planned Development (PD) District. This new district will accommodate a single-family residential subdivision with a minimum lot area of 7,800 square feet and include tailored development regulations. Additionally, the requested Planned Development District will require community amenities to include but not limited to walking trails, ponds, fishing dock, playground, and workout equipment. In addition to this single-family residential subdivision, the Planned Development will include a non-residential component at the intersection of Medical Complex Drive and Hufsmith-Kohrville Road which will act as the entrance to the proposed subdivision. This non-residential portion of the development will be held to the General Retail (GR) zoning standards with prohibitions on a list of land uses which are ordinarily permitted within said zoning district. Additionally, provisions are included to address increased land use buffering standards between the proposed single-family residences and planned commercial developments (**Exhibit E**).

ANALYSIS

Comprehensive Plan Recommendation:

The property falls within two future land use categories. The first being the “Neighborhood Commercial” category which encompasses the western portion of the property; the second being “Medium-Density Residential” which encompasses the eastern portion of the property (**Exhibit B**).

Neighborhood Commercial:

According to the Comprehensive Plan the Neighborhood Commercial designation is intended for commercial uses that are developed with the appropriate context, scale and design to complement residential development. Appropriate land uses include retail, hotels, restaurants, personal services, and professional offices. These areas are intended to be accessible by both vehicles and pedestrians. This land use designation should serve as a transition between lower intensity residential development and higher intensity commercial and industrial development.

The Comprehensive Plan identifies the following zoning districts as compatible with the Neighborhood Commercial designation: Neighborhood Retail (NR), General Retail (GR), and Office (O). The Comprehensive Plan also identifies considerations of targeting locations adjacent to collector or arterial streets, and that Neighborhood Commercial developments could be appropriate as stand alone or part of a mixed use planned unit development.

Medium-Density Residential:

According to the Comprehensive Plan 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. Appropriate land uses include duplexes, quadplexes, single-family detached homes, single-family attached homes, patio homes, parks and green spaces, schools, and public facilities. Non-residential uses that support residential development such as recreation facilities and schools may be appropriate in the area. This designation can serve as a transition between lower-density and higher-density residential uses, as well as commercial uses.

The Comprehensive Plan identifies the following zoning districts as compatible with the Neighborhood Commercial designation: Single-Family Residential – 6 (SF-6), Single-Family Residential – 7.5 (SF-7.5), and Duplex (D).

Staff Review Comments: The request to rezone the subject property to a Planned Development (PD) is in conformance with the Future Land Use Plan. Furthermore, the subject property has frontage on Hufsmith-Kohrville Road and the future extension of Medical Complex Drive 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 from the mixture of commercial and residential land uses proposed by the request. 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.

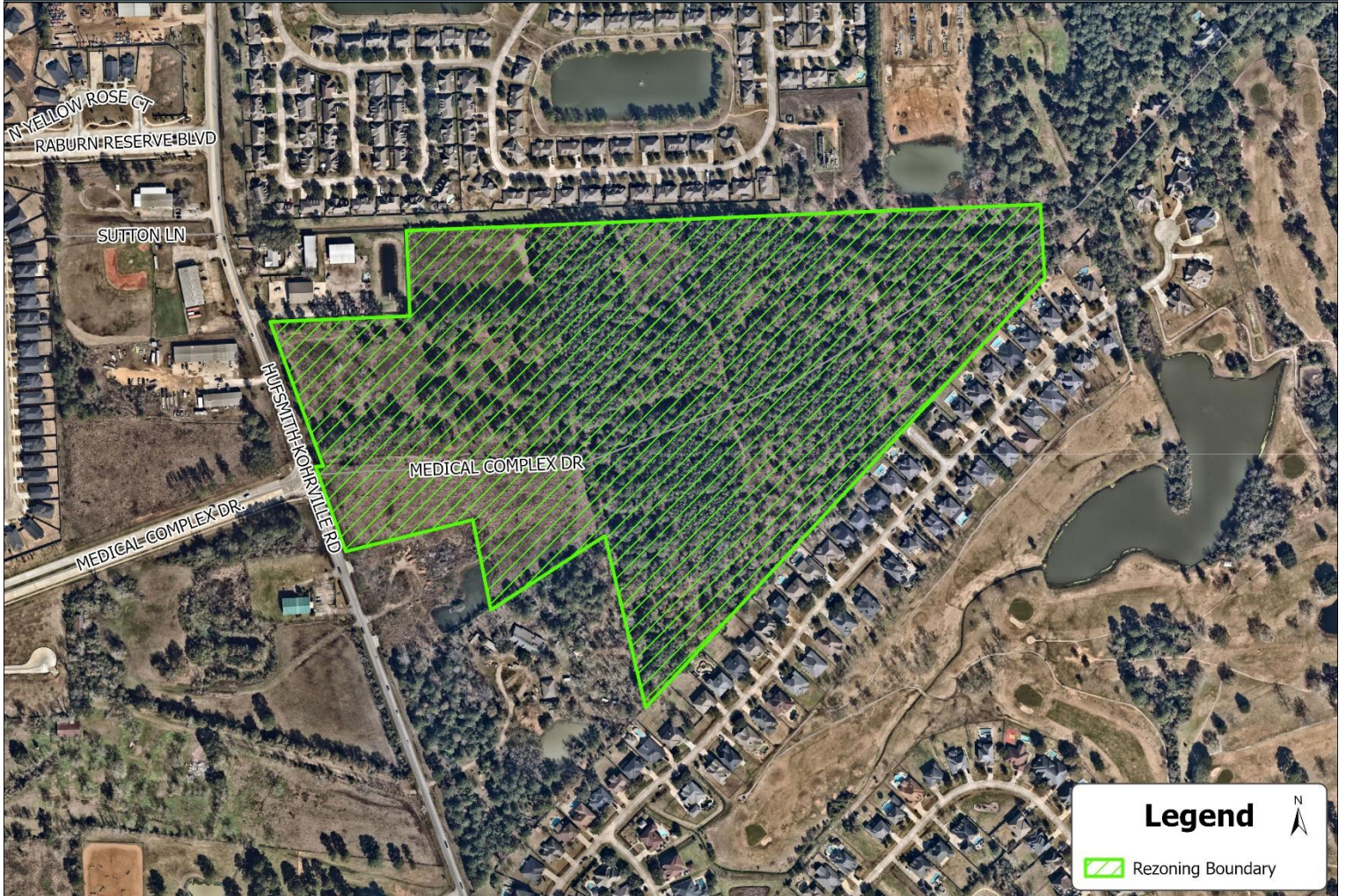
EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Map
- C. Zoning Map
- D. Site Photo(s)
- E. Rezoning Application

Exhibit "A"
Aerial Location Map



Location



Legend



 Rezoning Boundary

Exhibit "B"
Future Land Use Plan



Future Land Use (2025)

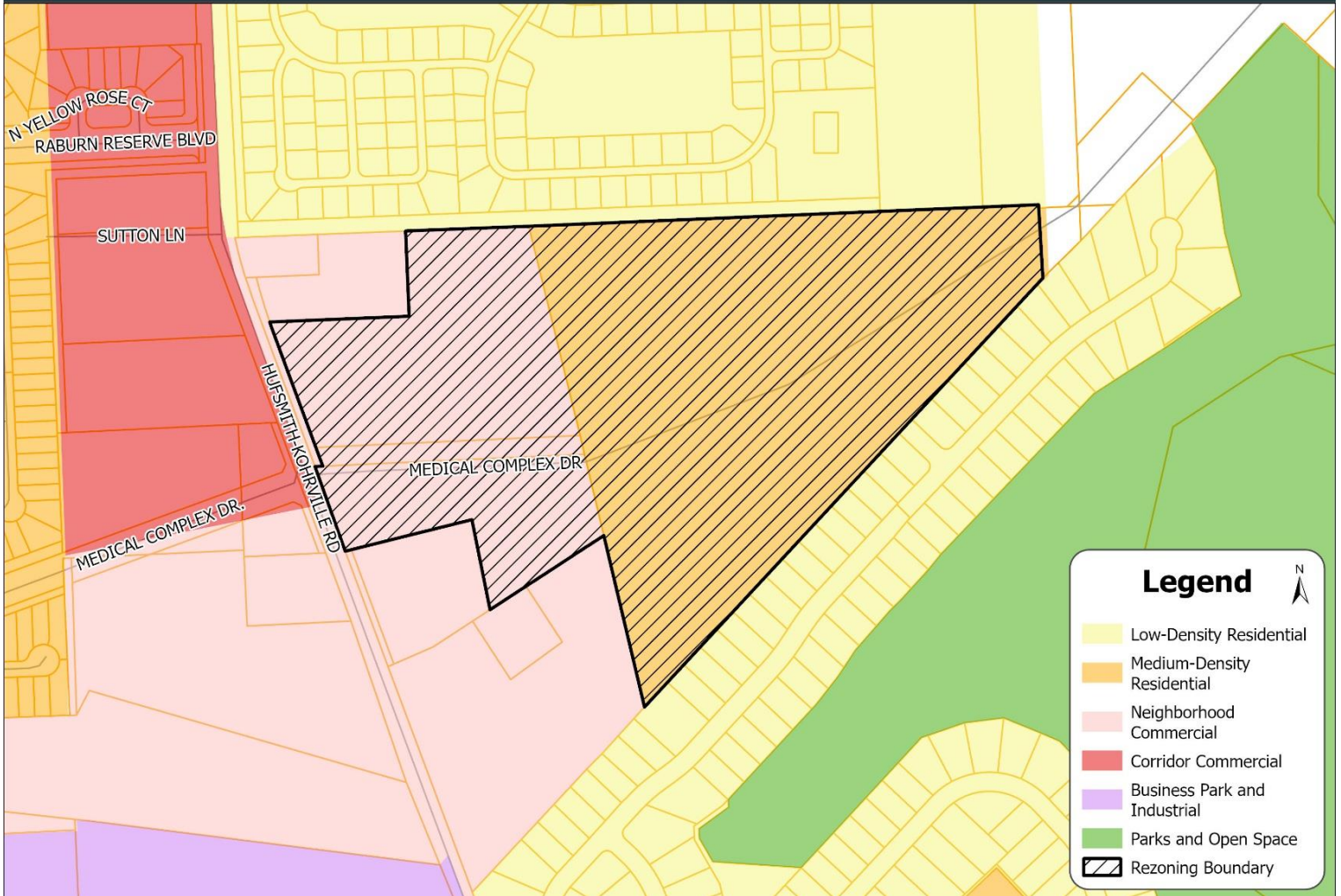


Exhibit "C"
Zoning Map

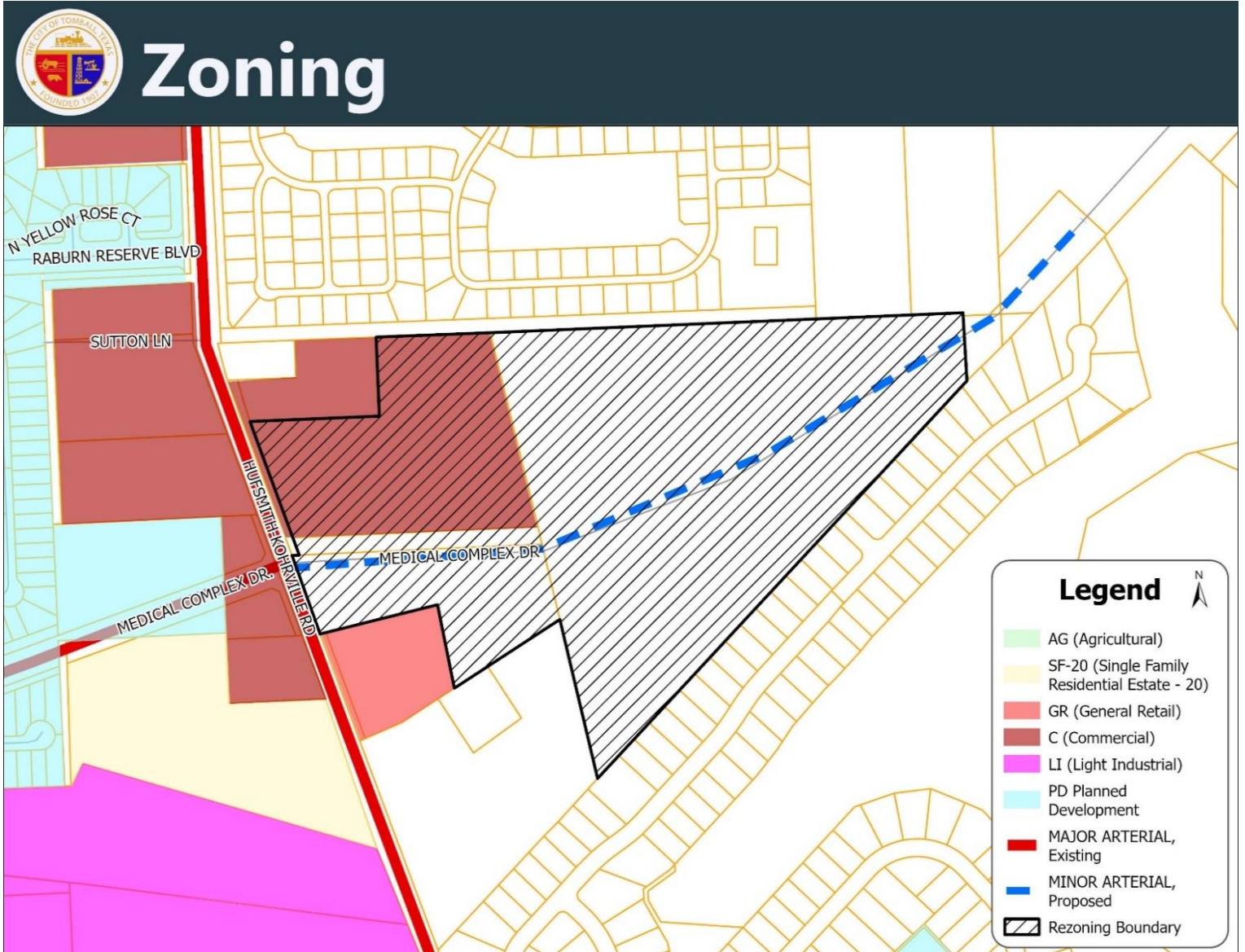


Exhibit "D"
Site Photo(s)

Subject Site



Neighbor (North)



Neighbor (North)



Neighbor (South)



Neighbor (South)



Neighbor (South)



Neighbor (East)



Neighbor (West)



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.smartgovcommunity.com

Applicant

Name: FLS Development Title: _____
Mailing Address: 8765 Spring Cypress Rd Suite L213 City: Spring State: TX
Zip: 77379 Contact: Shawn Speer
Phone: (713) 2498196 Email: shawn@harrisburgtx.com

Owner

Name: FLS Development (Same as applicant) Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____ Contact: _____
Phone: () _____ Email: _____

Engineer/Surveyor (if applicable)

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

Description of Proposed Project: Mixed Use Development of Commercial and Residential Along Hufsmith Kohrville Rd

Physical Location of Property: 22110 Hufsmith Kohrville Rd (Portion of)

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

Legal Description of Property: Land is Situated in the Jesse Pruitt Survey, abstract Number 626, Harris County

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

Current Zoning District: (PD) : Planned Development District

Revised: 08/25/2023

Current Use of Property: **Undeveloped Agriculture**
Proposed Zoning District: **(PD) : Planned Development District**
Proposed Use of Property: **Mixed Use Commercial and Residential**
HCAD Identification Number: **Pending** Acreage: **50.1051**

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.

<input checked="" type="checkbox"/> 	May 31, 2025 
<small>X William Shawn Speer (May 31, 2025 13:27 CDT)</small>	
Signature of Applicant	Date
<input checked="" type="checkbox"/> 	May 31, 2025 
<small>X William Shawn Speer (May 31, 2025 13:27 CDT)</small>	
Signature of Owner	Date

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 unplatted 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.

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.



FLS Development

Planned Development Request Letter May 28, 2025

City of Tomball
Planning & Zoning Commission/City Council
501 James Street
Tomball, TX 77357

Attn: Mr. Craig Meyers - Community Development Director

Re: Graylou Grove Planned Development Application

Dear Mr. Meyers and Team,

FLS Development LLC, as applicant, requests the acceptance of the proposed Planned Development application and supporting documentation for the group of properties delineated in the attached. Portions of the property reside outside of Tomball city limits and Tomball's CCN. It is our intention to annex these properties into the City of Tomball's corporate boundaries and develop a unique neighborhood with superior features.

This infill development is situated between two neighborhoods; Country Club Greens, and Willow Creek Estates, and aligns with the future land use map as neighborhood residential. Furthermore, the family-oriented retail provides a transition from the major arterial into the neighborhood. We aim to support Tomball's future thoroughfare vision by dedicating right-of-way through the property and paving a majority of Medical Complex Drive for future connection to Mahaffey.

In order to deliver the architectural vision for Graylou Grove, the right lot size is needed. While the majority of PID's in Tomball offer 50' or 55' wide lots, the base 65' lot width in Graylou Grove will allow the vision for this upscale community to take shape. With a larger architectural canvas, each home may present its own contribution to the overall street scene of the community. With this sizing, variations in garage designs between two and three-car designs and from front-loading to swing-in garage concepts will be possible. The resulting homes and overall street scene should increase overall values of the properties and allow the development to maintain those values over time. At the 65' width, home designs become wider, and therefore require less foundation depth, resulting in larger available yard space. With the value of the homes and the available space, it's reasonable to expect homeowners to create more appealing

uses of their backyards through pools and other entertainment elements. These are the homes in the area that will become more frequently used for friendly events, creating a natural sense of community in the Tomball area with a "destination" environment that will benefit both property owners in Graylou Grove as well as other Tomball residents who are visiting.

The benefits of the development do not end with the lot size and the architecture that will be delivered through the homes in the community. The planned amenities throughout the development will certainly improve Tomball as a community. Each element of the development will serve a purpose for Tomball residents, and Graylou Grove residents. [REDACTED]

[REDACTED] Graylou Grove's planned family-friendly amenity area will provide a serene and expansive area complete with a large fishing pier. The pier will be built with high-quality composite materials, which will be selected to complement the visual concept for Graylou Grove. Nearby, families will enjoy the Graylou Grove community park, which will feature play structures which vary from those in nearby Tomball PID communities. These amenities will be tied together by an attractive and useful shade structure, perfect for enjoying relaxing moments in the setting of the integrated walking trails, community water features, and recreational amenities.

We believe the combination of commercial and residential at the intersection of Medical Complex Dr. and Hufsmith Kohrville Road, along with the stringent building standards as set forth, will have a positive impact on the city. Our team is excited to continue building in the City of Tomball and appreciate your assisted efforts serving our fellow locals.

Sincerest Regards,



Kyle Friedman

Development Coordinator

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.

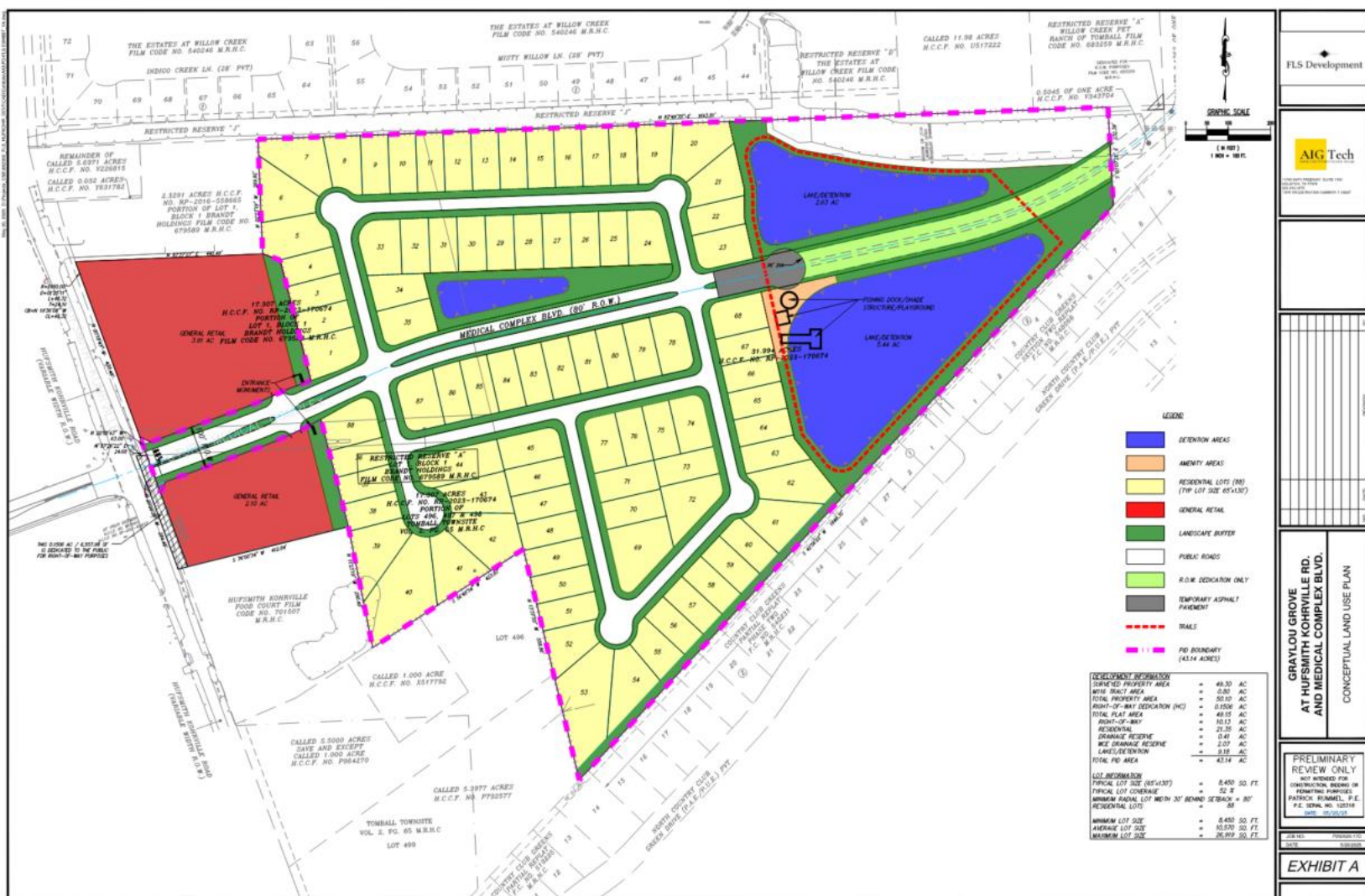


EXHIBIT B

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.

