

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 12, 2021

City Council Public Hearing Date: July 19, 2021

Rezoning Case: P21-266
Property Owner(s): Clinton Hankla – GHM Homes, LLC
Applicant(s): Clinton Hankla
Legal Description: Lot 1 Block 1 Tennis Venture Tract
Location: North side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road (Exhibit “A”)
Area: 3.78 acres
Comp Plan Designation: Neighborhood Commercial (Exhibit “B”)
Present Zoning and Use: Agricultural District (Exhibit “C”) / Undeveloped (Exhibit “D”)
Request: Rezone from the Agricultural District to the General Retail District

Adjacent Zoning & Land Uses:

North: General Retail District / Undeveloped (future self-storage facility)

South: Agricultural and Single-Family 6 Districts / Undeveloped

West: Single-Family 20 Estate and Agricultural Districts / Single-family residence and undeveloped

East: Agricultural District / Single-family residence

BACKGROUND

City Staff met with the applicant to discuss the development of the subject site in June 2021. In 2014, CUP #11 was approved by City Council for a *tennis court (private)* on the property. In 2015, City Staff approved plans for a private tennis club facility. Construction began, but was never completed.

ANALYSIS

The subject site is approximately 3.78 acres located on East Hufsmith Road. The property is between two single-family residences to the east and west. The properties on the south side of East Hufsmith Road are undeveloped. The property to the north of the subject site is currently undeveloped as well, however, plans have been submitted to the City for a boat and RV storage facility.

The property is zoned Agricultural District, with an approved CUP for a private tennis facility. Surrounding properties are zoned Agricultural to the east and west, Single-Family 20 Estate to the east as well and Single-Family 6 and Agricultural to the south. In 2017, the property to the north was rezoned to the General Retail District. According to Section 50-73 (*General Retail District*), the “General Retail District is established to provide areas for local neighborhood shopping and service facilities”. This district should be located along major thoroughfares to accommodate higher traffic volume. The General Retail District appears to be an appropriate zoning district for this area.

The property and all surrounding properties are designated as Neighborhood Commercial by the Comprehensive Plan Future Land Use Map. This category is intended for “commercial uses that are developed with the appropriate context, scale and design to compliment residential development”. Appropriate land uses include “restaurants, retail, professional services, clinics, and offices” and compatible zoning districts include Office, General Retail and Planned Developments. The rezoning appears to meet the intent of the Future Land Use Map.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 200 feet of the project site were mailed notification of this proposal on June 30, 2021. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P21-266.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Rezoning Application

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

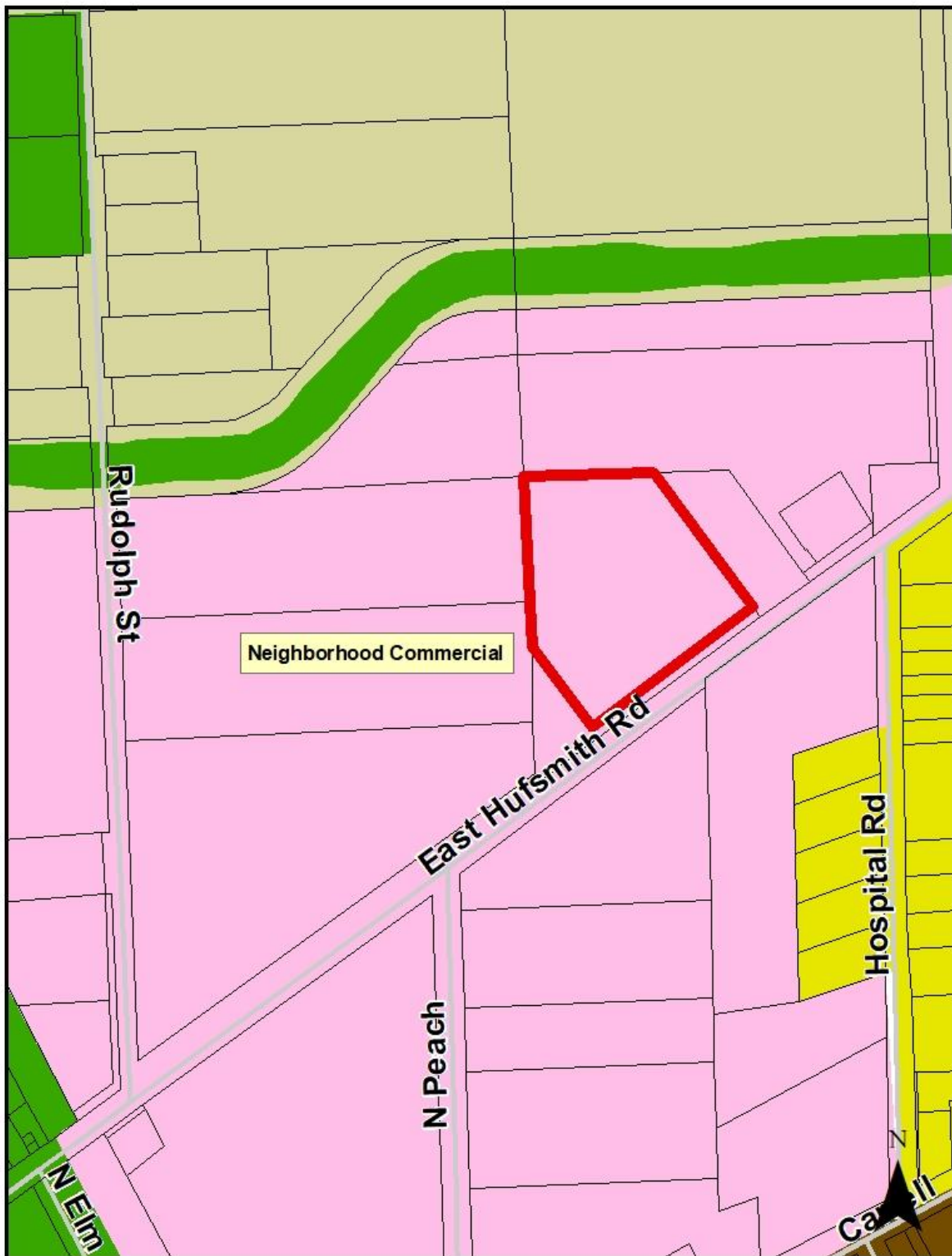
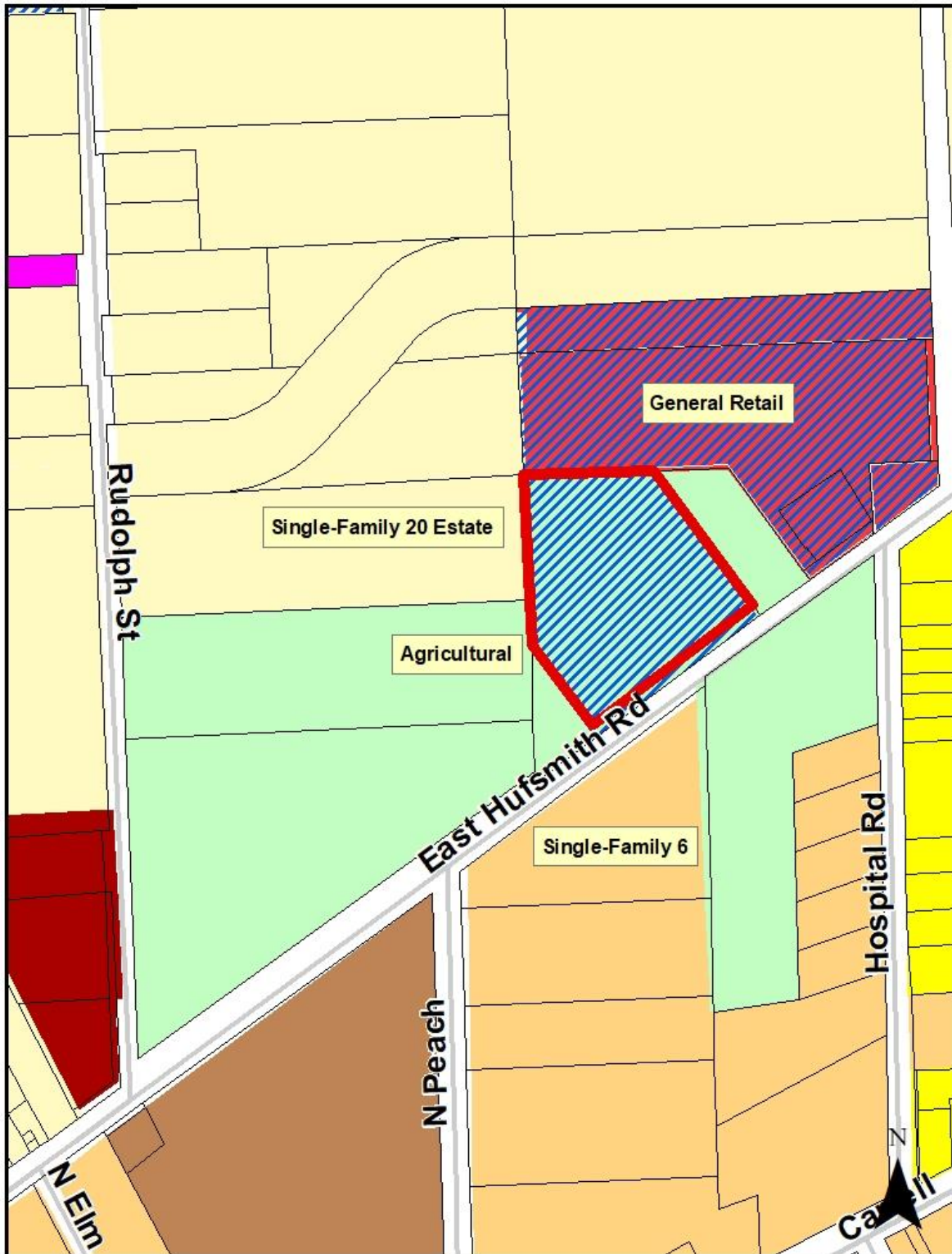


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



RECEIVED (KC)
06/01/2021 10:21:16 AM

P&Z #21-266
\$440.00



Community Development Department
Planning Division

Name: Clemon Harris Title: Managing Member
Mailing Address: 13315 Misty Hills Drive City: Cypress State: TX
Zip: 77429
Phone: (832) 684-5301 Fax: () Email: chanking@hcr-associates.com

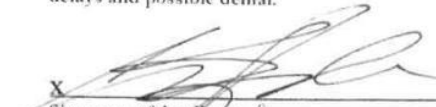

Name: GMH Homes, LLC (Carm Hankla) Title: Managing Member
Mailing Address: 13315 Misty Hills Drive City: Cypress State: TX
Zip: 77429
Phone: (832) 6845301 Fax: () E-mail: chankla@gmh-associates.com

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

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

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	
Signature of Applicant	Date
	5-19-2021
Signature of Owner	Date



June 1, 2021

Amelia Lindley
City of Tomball Planning Department
401 Market Street
Tomball, Texas 77375

Re: 4 Ac Huffsmith Tract Rezone Application (343 E Huffsmith Rd.)

Dear Ameila,

On behalf of our client, Clint Hankla – GHM Homes, LLC, we are submitting the application for a zone change and conditional use permit for a +/- 4 Acre tract located at 343 E Huffsmith Rd. The applications are for a rezone to General Retail with a Conditional Use Permit for Office Warehouse.

Below is a list of the items that are included with the Rezone submittal:

- 1) Rezone Application
- 2) Submittal Fee - \$440 (to be paid over the phone)
- 3) Copy of Recorded "Tennis Venture Tract" Plat
- 4) Tax statements showing all taxes paid (Harris County and Tomball ISD)

Feel free to contact me if you have any questions or need any additional information.

Sincerely,

Kathryn Parker
Enclosure

ANN HARRIS BENNETT
TAX ASSESSOR-COLLECTOR
P.O. BOX 3547
HOUSTON, TEXAS 77253-3547
TEL: 713-274-8000



2020 Property Tax Statement
Web Statement

Statement Date:	May 26, 2021
Account Number	136-388-001-0001

Additional city sales tax reduced your city ad valorem tax by: \$468.23



STOKES JANIE L
29910 ANNA TRAILS
TOMBALL TX 77375-6206

Taxing Jurisdiction	Exemptions	Taxable Value	Rate per \$100	Taxes
Harris County	0	252,016	0.391160	\$985.79
Harris County Flood Control Dist	0	252,016	0.031420	\$79.18
Port of Houston Authority	0	252,016	0.009910	\$24.97
Harris County Hospital District	0	252,016	0.166710	\$420.14
Harris County Dept. of Education	0	252,016	0.004993	\$12.58
Lone Star College System	0	252,016	0.107800	\$271.67
City of Tomball	0	252,016	0.337862	\$851.47
Emergency Service Dist #8 (EMS)	0	252,016	0.097000	\$244.46

Property Description
343 E HUFSMITH RD 77375 LT 1 BLK 1 TENNIS VENTURE TRACT 3.7766 AC

Appraised Values	
Land - Market Value	224,016
Impr - Market Value	28,000
Total Market Value	252,016
Less Capped Mkt Value	0
Appraised Value	252,016

Exemptions/Deferrals

Page: 1 of 1

Total 2020 Taxes Due By January 31, 2021:	\$2,890.26
Payments Applied To 2020 Taxes	\$2,890.26
Total Current Taxes Due (Including Penalties)	\$0.00
Prior Year(s) Delinquent Taxes Due (If Any)	\$0.00
Total Amount Due For May 2021	\$0.00

Penalties for Paying Late	Rate	Current Taxes	Delinquent Taxes	Total
By February 28, 2021	7%	\$0.00	\$0.00	\$0.00
By March 31, 2021	9%	\$0.00	\$0.00	\$0.00
By April 30, 2021	11%	\$0.00	\$0.00	\$0.00
By May 31, 2021	13%	\$0.00	\$0.00	\$0.00
By June 30, 2021	15%	\$0.00	\$0.00	\$0.00

Tax Bill Increase (Decrease) from 2015 to 2020: Appraised Value 0%, Taxable Value 0%, Tax Rate 0%, Tax Bill 0%.

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.



PAYMENT COUPON

STOKES JANIE L
29910 ANNA TRAILS
TOMBALL TX 77375-6206

Make check payable to:

ANN HARRIS BENNETT
TAX ASSESSOR-COLLECTOR
P.O. BOX 4622
HOUSTON, TEXAS 77210-4622

IF YOU ARE 65 YEARS OF AGE OR OLDER OR ARE DISABLED AND THE PROPERTY DESCRIBED IN THIS DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF THESE TAXES.

Account Number
136-388-001-0001
Amount Enclosed
\$ _____

Web Statement - Date Printed: 05-26-2021

13638800100010 2020 000000000 000000000 000000000 000000000

STATE OF TEXAS

I, the undersigned authority, on this day personally appeared **James L. Stiles**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity herein and whereunto he is the owner of said land.

My Commission expires on the 1st day of July, 2014.

Notary Public in and for the State of Texas

CITY OF TEXAS

BEFORE ME, the undersigned authority, on this day personally appeared **James L. Stiles**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity herein and whereunto he is the owner of said land.

My Commission expires on the 1st day of July, 2014.

Notary Public in and for the State of Texas

Registered Professional Land Surveyor No. 4707

This is to certify that the City of Texas has approved the plat and subdivision of the land described in the foregoing instrument, and that the same is in conformity with the City of Texas Ordinance.

City Engineer

City Clerk

City Auditor

City Treasurer

City Attorney

City Assessor

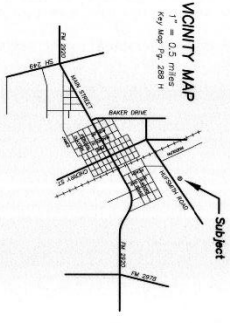
City Comptroller

City Council

City Mayor

James L. Stiles
17000 N. 75th St.
Dallas, TX 75255
214.343.1234

James L. Stiles
17000 N. 75th St.
Dallas, TX 75255
214.343.1234



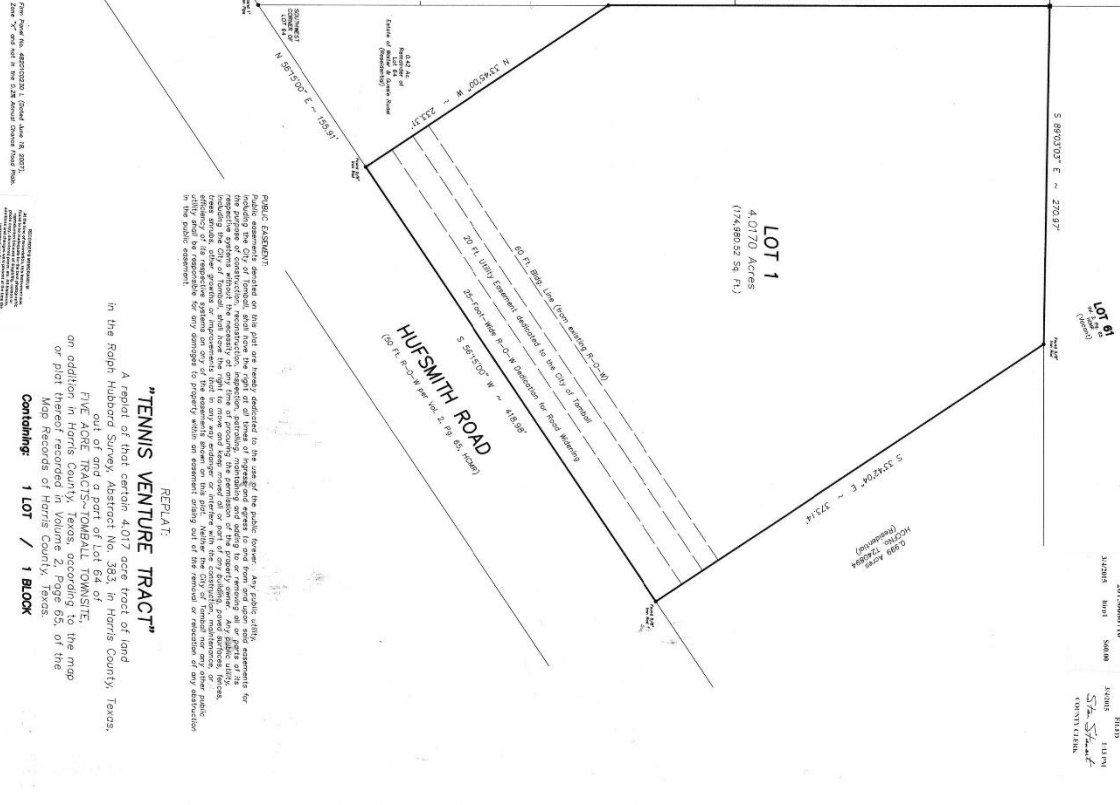
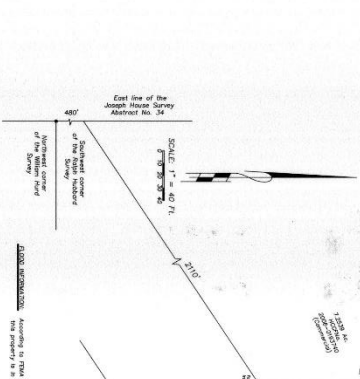
NOTE #1: The subject property is located in the City of Texas, and is subject to the City of Texas Ordinance.

NOTE #2: The subject property is located in the City of Texas, and is subject to the City of Texas Ordinance.

NOTE #3: The subject property is located in the City of Texas, and is subject to the City of Texas Ordinance.

NOTE #4: The subject property is located in the City of Texas, and is subject to the City of Texas Ordinance.

NOTE #5: The subject property is located in the City of Texas, and is subject to the City of Texas Ordinance.



"TENNIS VENTURE TRACT"

A report of that certain 4.017 acre tract of land out of and a part of Lot 64 of FIVE ACRES, DAVIS-JOBELL TOWNSITE, on odd lots, Harris County, Texas, as shown on the plat thereof recorded in Volume 2, Page 85, of the Map Records of Harris County, Texas.

Containing: 1 LOT / 1 BLOCK

2,633,054-1

TAX STATEMENT 2020 +**STATEMENT DATE: 05/26/2021****LEGAL: LT 1 BLK 1****ACCOUNT: 1363880010001****TENNIS VENTURE TRACT**

OWNER: STOKES JANIE L
PARCEL ADDRESS: 0000343 E HUFSMITH RD
EXEMPTION CODES

PIDN: 1363880010001
ACRES: 3.7766

LAND VALUE	IMPROVEMENT VALUE	APPRAISED VALUE			
224,016	28,000	252,016			
TAXING ENTITIES	EXEMPTION AMOUNT	TAXABLE VALUE	TAX RATE PER \$100	BASE TAX	PENALTY & INTEREST
TOMBALL ISD	0	252,016	1.290000	0.00	0.00
			SUBTOTAL	0.00	0.00
			PRIOR YEARS	0.00	
TOTAL AMOUNT DUE				0.00	

This top portion and your canceled check will serve as your receipt.

^ Detach on perforation and return this portion with your check payable to:

Kristi Williams
PO Box 276
Tomball, TX 77377-0276
(281)357-3100

DELINQUENT DATE: 02/01/2021

ACCOUNT: 1363880010001 2020 +
STOKES JANIE L
29910 ANNA TRAILS
TOMBALL, TX 77375-6206

TOTAL AMOUNT DUE
\$0.00

^^ AMOUNT DUE ON RECEIPT ^^

OWNER: STOKES JANIE L
PIDN: 1363880010001

IF PAID IN	AMOUNT DUE
JUN	0.00
JUL	0.00
AUG	0.00
SEP	0.00
OCT	0.00
NOV	0.00