

**MINUTES OF  
REGULAR PLANNING & ZONING COMMISSION MEETING  
CITY OF TOMBALL, TEXAS**

**MONDAY, FEBRUARY 13, 2023**



**6:00 P.M.**

A. The meeting was Called to Order by Chairwoman Tague at 6:02 p.m. Other Members present were:

Commissioner Tana Ross  
Commissioner Scott Moore  
Commissioner Susan Harris

Commissioner Richard Anderson – Excused Absence

Others Present:

Nathan Dietrich – Community Development Director  
Jared Smith – City Planner  
Tommy Ramsey – City Attorney

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B. No Public Comments were received.

C. No Reports and Announcements were heard.

D. Motion was made by Commissioner Ross, second by Commissioner Harris, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of January 9, 2023.

Roll call vote was called by Community Development Director, Nathan Dietrich.

Motion Carried unanimously.

E. New Business Non-Action Items:

E.1 Minor Plat of **ADAMS ACRES**: A Subdivision of 3.6496 acres or (158,975 Square Feet) of land being a replat out of portion of Lot 2, Block 1 of Adam's Acres, recorded in Film Code No. 519064 of the Harris County Map Records in the Joseph Miller Survey, Abstract 50, Harris County Texas.

E.2 Minor Plat of **ELIM**: A Subdivision of a 0.2410 acre tract (10,500.00 Square Feet) being a replat of Lots 20, 21 and 22, Block 70, of Tomball Townsite, as recorded in Volume 4, Page 45, Harris County Map Records, situated in the William Hurd Survey, A-371, City of Tomball, Harris County, Texas.

- E.3 Minor Plat of **HIRSCHFIELD ROAD STORAGE**: Lot 1, Block 1 (Total 3.533 Acres) being all of a tract called to be 3.5291 acres in Document 2022135108 OPRHCT, John M. Hooper Survey, Abstract 375, City of Tomball ETJ, Harris County, Texas.
- E.4 Minor Plat of **TOMBALL BUSINESS AND TECHNOLOGY PARK, LOTS 4 AND 8, REPLAT NO. 2**: A Subdivision of 2.3631 acres (102,937 Square Feet) being a replat of all of Lot 4-1 and a portion of Lot 8, Block 1, Tomball Business and Technology Park Lot 4 and 8 replat, Film Code No. 698466, H.C.M.R., situated in the Elizabeth Smith League, Abstract No. 70, City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented Minor Plats with Staff Approval.

F. New Business:

- F.1 Consideration to Approve Preliminary Plat of **TOMBALL SOUTH COMMERCIAL NO. 3**: A subdivision of 6.9349 acres, being all of Lot 2, Block 1, of Tomball South Commercial, a subdivision in Harris County, Texas, according to the Map or Plat thereof recorded in Film Code No. 632199 of the Map Records of Harris County, Texas.

Jared Smith, City Planner, presented a recommendation of approval with contingencies.

Motion was made by Commissioner Moore, second by Commissioner Ross, to approve with contingencies.

Roll call vote was called by Community Development Director, Nathan Dietrich.

Motion Carried unanimously.

- F.2 Conduct a Public Hearing and Consideration to approve **Ordinance Amendment OAM23-01**: Request by Apex Clean Energy Holdings, LLC to amend Section(s) 50-2 (*Definitions*) and Section 50-82 (*Use Regulations (Charts)*), Subsection (b) (*Use Charts*) of the Tomball Code of Ordinances by adding standards pertaining to “Energy Storage System”.

Jared Smith, City Planner, presented the case and staff recommendation of approval.

Jake Steinman, representing Apex Clean Energy, (120 Garrett Street, Suite #700, Charlottesville, VA 22902), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:23 p.m.

Texas Land and liberty coalition submitted a Public Comment in favor of the request.

Latrell Shannon, (823 Lizzie Lane., Tomball, TX 77375), spoke in opposition of the request.

Sam Shannon, (823 Lizzie Lane., Tomball, TX 77375), spoke in opposition of the request.

Hearing no additional comments, the Public Hearing was closed at 6:27 p.m.

Motion was made by Commissioner Harris, second by Commissioner Ross, to approve **Ordinance Amendment OAM23-01**.

Roll call vote was called by Community Development Director, Nathan Dietrich.

Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Harris	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Aye</u>

Motion Carried (3 Votes Aye, 1 Vote Nay).

- F.3 Conduct a Public Hearing and consideration to approve **Zoning Case Z23-02**: Request by RIAA Group, LLC. to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 3.12 acres of land legally described as being portions of Lot 172, in Tomball Townsite from Agricultural (AG) to General Retail (GR). The property is located at the northwest corner of S. Cherry Street & Medical Complex Drive at 1635 S. Cherry Street, within the City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the case and staff recommendation of approval.

Arif Manknojiya, representing RIAA Group, LLC, (4814 Zacary Lane, Sugar Lane, TX 77479), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:16 p.m.

Linda Anne Schaefer, (1510 Joseph Court, Tomball, TX 77375), submitted a Public Comment in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 7:19 p.m.

Motion was made by Commissioner Moore, second by Commissioner Harris, to approve **Zoning Case Z23-02**.

Roll call vote was called by Community Development Director, Nathan Dietrich.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Ross	<u>Nay</u>
Commissioner Moore	<u>Aye</u>

Motion Carried (3 Votes Aye, 1 Vote Nay).

G. Adjournment

Motion was made by Commissioner Harris second by Commissioner Moore, to adjourn.

Roll call vote was called by Community Development Director, Nathan Dietrich.

Motion Carried unanimously.

The meeting adjourned at 7:19 p.m.

PASSED AND APPROVED this \_\_\_\_\_ day of 2023.

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Kim Chandler  
Community Development Coordinator/  
Commission Chair Commission Secretary

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Barbara Tague  
Commission Chair