

Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: 03/13/2023

Topic:

Conduct a Public Hearing and Consideration to approve **Case CUP-23-01**: Request by Ideaco Investments, LLC. represented by Michael Pierce for a Conditional Use Permit to allow “Market, Open Air” land use within Old Town & Mixed Use (OT & MU) zoning. The property is legally described as being Lots 17 through 24 in Block 18 of the Revised Map of Tomball. Located at the southwest corner of Commerce Street and Oak Street at 401-409 Commerce Street, within the City of Tomball, Harris County, Texas.

Background:

The subject properties have been located within the city limits since 1907. Lots 17 through 21 have remained vacant since that time. Lots 22 through 24 are currently occupied by three structures. According to the Harris County Appraisal District records, these structures have existed on these lots since at least 1941. These structures are currently approved and occupied by retail, drinking establishment, and dance hall uses. In 2022, the City Council adopted Ordinance No. 2022-43 amending the Code of Ordinance to define the Open-Air Market land use and require a Conditional Use Permit (CUP) for open air market uses within Old Town & Mixed Use (OT&MU) zoning. Conditional Use Permits provide opportunities to further consider whether a location is appropriate for an open-air market, and where said use is deemed appropriate, a CUP provides an opportunity to apply enforceable conditions that promote the compatibility of the proposed use with the surrounding properties and land uses.

Origination: Ideaco Investments, LLC. represented by Michael Pierce

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda: Jared Smith (City Planner)

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____

If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date