

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

MONDAY, AUGUST 8, 2022



6:00 P.M.

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

Commissioner Richard Anderson
Commissioner Susan Harris
Commissioner Tana Ross

Others present:

Nathan Dietrich – Community Development Director
Jared Smith – City Planner
Kim Chandler – Community Development Coordinator
Justin Pruitt - Attorney

draft

B. No Public Comments were received.

C. Reports and Announcements:

- Nathan Dietrich, Community Development Director, announced the following:
 - City Council had a strategic retreat at the Beckendorf and discussed the following items:
 - Capital needs
 - Strategic Plan for the City of Tomball
 - Green and Tree Ordinance
 - Zoning comprehensive plan and major thoroughfare plan amendment
 - Low income housing
 - Citizen involvement impacted with our new City Council
 - Short term rentals
 - Homelessness
 - Pre-Budget Planning Meeting with City Council took place.
 - Great Festivals in the City of Tomball
 - 2nd Saturday at the Depot
 - 9-11 Remembrance
 - GroovFest 2022
 - Fiesta de Tomball

- City Council approved rezoning to Office (O) District **Zoning Case P22-111**: Request from Shahnaz Shahzad represented by Atif Shahzad to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 2.10 acres of land legally described as being a portion of Lot 5 in Tomball Medical Park from Agricultural (AG) to the General Retail (GR) District. The property is generally located within the 13100 block of Medical Complex Drive (north side), approximately 250-feet east from the intersection of School Street and Medical Complex Drive, within the City of Tomball, Harris County, Texas.
- City Council denied **Zoning Case P22-115**: Request from Welcome Land Development, LLC and Jacquelyn Marshall represented by Bryan Harrison to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 13.21 acres of land legally described as being a portion of Tomball Outlots 163, 167, 171, 172, 175, and 176 from Agricultural (AG) to the Commercial (C) District. The property is generally located within the 13000 block of Medical Complex Drive (south side), at the southwest corner of the intersection of South Cherry Street and Medical Complex Drive, within the City of Tomball, Harris County, Texas.
- City Council approved **Case P22-265**: Request from Habitat for Humanity – Northwest Harris County INC. represented by Erik Armstrong to abandon a segment of the 30-foot-wide public right-of-way presently dedicated to Welty Street. Being that segment which extends approximately 295 linear feet northwest from the northernmost right-of-way boundary for Foster Street to the southernmost right-of-way boundary for Carrel Street, wedged between Block 90 in Tomball and the western property line of Restricted Reserve “A” in the Final Plat of The Episcopal Church of The Good Shepherd, within the City of Tomball, Harris County, Texas.

D. Motion was made by Commissioner Anderson, second by Commissioner Harris, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of July 11, 2022 with the following correction:

Zoning Case P22-205: Request by Michael Seitz for a Conditional Use Permit to allow an accessory residence within General Retail (GR) zoning. The property is legally described as approximately 0.78 acres, being a portion of the Jesse Pruitt Survey, Abstract Number 629. The property is located at 817 E. Main Street, within the City of Tomball, Harris County, Texas.

Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Motion carried unanimously.

E. New Business Non Action Items

- E.1 Minor Replat of **RABURN RESERVE, SECTION 2 AMENDING PLAT NO. 1:** Being a partial replat of "Raburn Reserve, Section 2" as recorded in F.C. No. 698147 and also being a subdivision of 5.1100 acres out of the Jesse Pruett Survey, A-629, in the City of Tomball, Harris County, Texas.

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

F. New Business

- F.1 Consideration to approve Replat of **FOUR CORNERS GRAHAM:** A subdivision of 11.7529 acres, (511,956 Square Feet), being a replat of Lot A and Restricted Reserve A1, Block 1, Four Corners Subdivision, Film Code No. 638123, H.C.M.R. situated in the J.M. Hooper Survey, Abstract No. 375, City of Tomball, Harris County, Texas.

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

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

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Motion carried unanimously.

- F.2 Conduct a public hearing and consideration to approve **Zoning Case P22-213:** Request from Yuna Holdings, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 1.44 acres of land legally described as being Lot 1, Block 1 of JTS Subdivision from General Retail (GR) to the Commercial (C) District. The property is located at the southwest corner of the intersection of Medical Complex Drive and the State Highway 249 frontage road, within the City of Tomball, Harris County, Texas.

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

Jeff Yuna, representing, Yuna Holdings, LLC DBA Tomball Pawn, (37123 Chris Court, Magnolia, TX 77355) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:20 p.m.

Hearing no comments, the Public Hearing was closed at 6:21.

Motion was made by Commissioner Harris, second by Commissioner Anderson, to approve **Zoning Case P22-213**.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

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

Motion FAILED (3 Votes Nay, 1 Vote Aye)

Motion was made by Commissioner Ross, second by Commissioner Anderson, to Table **Zoning Case P22-213** until the September 12, 2022 Planning & Zoning Commission Meeting with the following conditions:

- Pending additional information in general and the impact of a Gun Range in the City Limits of Tomball.
- Pending the Police Chief's Report regarding a Gun Range in the City Limits of Tomball.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Chair Ross	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion to Table **Zoning Case P22-213** carried unanimously.

- F.3 Conduct a public hearing and consideration to approve **Zoning Case P22-222**: Request from DeLisa Kik to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 0.40 acres of land legally described as being all of Lots 11, 12 and the north ½ of Lot 10 in Block 2 of Main Street Addition from Single Family Residential (SF-6) to Old Town & Mixed Use (OT&MU). The property is located at 201 Holderrieth Boulevard, within the City of Tomball, Harris County, Texas.

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

DeLisa Kik, Applicant (201 Holderrieth Blvd., Tomball, TX 77375) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:49 p.m.

Hearing no comments, the Public Hearing was closed at 6:49 p.m.

Motion was made by Commissioner Ross, second by Commissioner Anderson, to approve **Zoning Case P22-222**.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Ross	<u>Aye</u>
Chair Anderson	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Tague	<u>Aye</u>

Motion carried unanimously.

- F.4 Conduct a public hearing and consideration to approve **Zoning Case P22-226**: Request from Maple Group, LTD represented by Cross Engineering to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 25.87 acres of land legally described as Reserve "A" in Maple Group Subdivision, from Planned Development District 8 (PD-8) to Commercial (C). The property is generally located at the northeast corner of the intersection of Holderrieth Road and State Highway 249 frontage road, within the City of Tomball, Harris County, Texas. Jared Smith, City Planner, presented the case and recommendation of approval.

Michael Clark, Winkelmann & Associates, Inc., representing Cross Engineering, Maple Group Limited and Costco, (6750 Hillcrest Plaza Drive, Suite #250, Dallas, TX 75230) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:57 p.m.

Stuart A. Rathe, (917 Franklin Street, Suite, #550, Houston, TX 77002), submitted a public comment in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 6:58.

Motion was made by Commissioner Ross, second by Commissioner Anderson, to approve **Zoning Case P22-226**.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Chair Ross	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

- F.5 Conduct a Public Hearing and Consideration to Approve **Case P22-266:** Request by the City of Tomball to amend Section(s) 50-33 (Board of adjustments) and 50-34 (Amendments to zoning chapter and districts, administrative procedures, and enforcement) of the Tomball Code of Ordinances by increasing the required notification area for public hearings.

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

The Public Hearing was opened by Chair Tague at 7:00 p.m.

Hearing no comments, the Public Hearing was closed at 7:01.

Motion was made by Commissioner Anderson, second by Commissioner Harris, to approve **Zoning Case P22-266.**

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Chair Ross	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

- F.6 Conduct a Public Hearing and Consideration to Approve **Case P22-267:** Request by the City of Tomball to amend Section(s) 40-65 (Streets; specific standards) of the Tomball Code of Ordinances by adding/revising the right-of-way widths for roadways classifications.

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

The Public Hearing was opened by Chair Tague at 7:06 p.m.

Hearing no comments, the Public Hearing was closed at 6:18.

Motion was made by Commissioner Anderson, second by Commissioner Harris, to approve **Zoning Case P22-267.**

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Chair Ross	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

- F.7 Conduct a Public Hearing and Consideration to Approve **Case P22-268:** Request by the City of Tomball to amend Section(s) 40-28 (Application for Preliminary Plat Approval) and 40-30 (Application for Final Plat Approval) of the Tomball Code of Ordinances by revising the plat review application submission deadline(s).

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

The Public Hearing was opened by Chair Tague at 7:18 p.m.

Hearing no comments, the Public Hearing was closed at 6:25.

Motion was made by Commissioner Anderson, second by Commissioner Ross, to approve **Zoning Case P22-268.**

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Chair Ross	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

- F.8 Conduct a Public Hearing and Consideration to Approve **Case P22-269:** Request by the City of Tomball to amend Chapter 40, Article III (Subdivision Design Standards) of the Tomball Code of Ordinances by adding sections to address driveway approaches and related requirements to include separation requirements and access management standards.

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

The Public Hearing was opened by Chair Tague at 7:22 p.m.

Hearing no comments, the Public Hearing was closed at 7:23

Motion was made by Commissioner Harris, second by Commissioner Anderson, to approve **Zoning Case P22-269.**

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Chair Ross	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

- F.9 Conduct a Public Hearing and Consideration to Approve **Case P22-270:** Request by the City of Tomball to amend Section 40-74 (Lots, general provisions) and 40-75 (Minimum Lot Sizes) of the Tomball Code of Ordinances by adding/revising regulations pertaining to lot sizes.

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

The Public Hearing was opened by Chair Tague at 7:30 p.m.

Mary Whitaker, (404 Baker Drive, Tomball, TX 77375), inquired if this change would affect her property at 404 Baker Drive, Tomball, TX 77375.

Hearing no additional comments, the Public Hearing was closed at 7:31.

Motion was made by Commissioner Anderson, second by Commissioner Harris, to approve **Zoning Case P22-270.**

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Chair Ross	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

G. Discussion Item

G.1 Overview of the GIS Interactive Map.

H. Motion was made by Commissioner Anderson, second by Commissioner Ross, to adjourn.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Motion carried unanimously.

The meeting adjourned at 7:50 p.m.

PASSED AND APPROVED this _____ day of _____ 2022.

Kim Chandler
Community Development Coordinator /
Commission Secretary

Barbara Tague
Commission Chair